

Growth Strategy and Economic Development

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Via Email Only

July 12, 2023

Region File: D.18.07.ZA-23-0061 & D.10.07.OPA-23-0032

David Schulz
Senior Planner
City of Port Colborne
66 Charlotte Street
Port Colborne, ON, L3K 3C8

Dear Mr. Schultz:

**Re: Regional and Provincial Comments
Proposed Official Plan and Zoning By-law Amendment
City Files: D09-03-23 & D14-04-23
Owner: Sobeys Capital Inc. c/o Phil Busby
Applicant: John Henricks and Jeremy Tran- NPG Planning Solutions
135 Coronation Drive
City of Port Colborne**

Staff of the Regional Growth Strategy and Economic Development Department has reviewed the above mentioned Official Plan and Zoning By-law Amendment for 135 Coronation Drive in the City of Port Colborne. The applicant is proposing an Official Plan Amendment to re-designate the lands from Commercial Plaza to an Urban Residential special policy area designation to allow for stacked townhouses providing a density range of 70 to 100 units per hectare and to add policies pertaining to enhancements for visual quality.

Additionally, the Zoning By-Law amendment proposes to change the zoning from Commercial Plaza to a site-specific Fourth Density Residential zone to developed six stacked townhouse blocks with 114 dwelling units and 144 parking spaces. Accordingly, the amendment seeks to reduce the minimum lot area (from 125 square metres to 114 square metres), reduce the minimum corner set back (from 7.5 to 6.4 metres) and reduce the minimum lower-level terrace corner side yard setback (from 7.5 metres to 4.5 metres).

A pre-consultation meeting for the proposed Official Plan Amendment and By-law Amendment was held on February 24, 2022 with the applicant/agent, City and Regional

staff in attendance. The following comments are provided from a Provincial and Regional perspective to assist the City with its consideration of this Application.

Provincial and Regional Policies

The subject land is designated “Settlement Area” under the Provincial Policy Statement, 2020 (“PPS”), “Delineated Built-Up Area” under A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation (“Growth Plan”), and “Built-Up Area” under the Niagara Official Plan (“NOP”).

The Provincial and Regional policies direct development to take place in Urban Areas to support intensification in Built-Up Areas where appropriate servicing and infrastructure exists. A full range of residential uses are generally permitted within the Delineated Built-Up Area designation, subject to availability of adequate municipal services, infrastructure and policies regarding land use compatibility and environmental conservation. Development in Urban areas is to support the creation of complete communities that have a mix of diverse land uses and housing types, unit sizes, and densities that improve social equity and quality of life and provide spaces that are vibrant and resilient in their design. Additionally, NOP Policy 2.2.1.1 h) regarding development in urban areas outlines support for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighborhoods as part of managing growth.

As the proposed development supports intensification of the urban area and will contribute to the City’s intensification target of 30% as set out within Table 2-2 of the NOP, staff is generally satisfied that the Application is consistent with the PPS and conforms to Provincial and Regional policies, subject to the City’s satisfaction from a local planning perspective and the below comments.

Land Use Compatibility

The subject lands abut a commercial plaza to the north and Provincial Highway 58 West Side Road to the east. As such, staff identified the requirement for the submission of a Noise Impact Study (NIS). Regional Staff has reviewed the “Noise Feasibility Study Proposed Residential Development 135 Coronation Drive” completed by HGC Engineering, which evaluated stationary and transportation noise for the proposed site (dated May 9, 2023). The stationary sound sources (Port Colborne Mall and adjacent restaurants, Tim Horton’s and Little Caesars Pizza, with associated drive-throughs) were assessed using sound level criteria at nearby receptors.

Exclusionary limits of 50dBA for daytime/evening and 45dBA for nighttime criterion were used excepting where the hourly background sound levels were greater than the exclusionary limits (primarily due to road traffic). In those scenarios the minimum predicted one-hour Leq sound level for the respective period of the day was used. The

NIS found the proposed development would experience noise threshold exceedances during the daytime at the North and East façades of Block A due to the grocery store's loading dock trucking activities. Architectural modifications were the suggested mitigation methods for stationary noise, such as absence of windows on the noise sensitive façades and/or incorporation a property line barrier and/or modifications to the wing wall at the grocery store's loading dock. The chosen noise mitigation option, as provided through the NIS, is to be satisfactorily addressed at the development stage, prior to site plan/draft plan approval.

In addition, the traffic noise assessment was prepared in accordance with Ontario Ministry of the Environment, Conservation and Park (MECP) NPC 300, "Environmental Noise Guideline, Stationary and Transportation Sources– Approval and Planning" (October, 2013), using road traffic volumes for West Side Road provided by the Ministry of Transportation projected to the year 2033 at an annual growth of 2.5%.

The NIS found the proposed development would experience noise threshold exceedances above the MECP guideline limits from the nearby transportation-related noise sources. As such, the NIS recommended the following specific mitigation measures to be incorporated into the proposed development:

- The third floor terraces are to incorporate a parapet at least 1.07metres high, with a solid construction surface of 20kg/m2 at minimum.
- The inclusion of central air conditioning for Blocks D, E and F
- Forced ventilation systems with ductwork sized for future central air conditioning installation for Block C
- Upgraded building construction (windows, walls doors) for façades facing West Side Road as noted in sec 5.3 of NIS
- Warning clauses in tenancy agreements as highlighted in the NIS.

Staff note NIS recommendations and clauses are to be addressed at the future Draft Plan and/or Site Plan applications for the proposed development.

Furthermore, staff has reviewed the Planning Justification Brief prepared by NPG Planning Solutions Inc. dated May 2023. Staff is in general agreeance with the provided study which outlines the proposed development's compliance with Provincial and Regional policies, facilitates compact residential intensification while augmenting housing diversification and supply, makes efficient use of existing transit and municipal services, is compatible with and complementary to commercial, institutional and recreational surrounding land uses and provides an improvement to adjacent public realms through good land use planning.

Site Servicing

Regional staff highlights a Functional Servicing Report (FSR) is required at the time of Draft Plan and/or Site Plan application. The FSR is to identify the expected dry and wet weather sanitary flows for the proposed development, to demonstrate if capacity of the Arena Sewage Pumping Station can accommodate the anticipated flows.

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Stormwater Management

Regional staff note the development's stormwater management is subject to the satisfaction of the City of Port Colborne and to ensure the local storm infrastructure requirements (both water quality and quantity) are adequately addressed.

Waste Collection

The subject property is eligible to receive Regional curbside waste and recycling collection, per the requirements of Niagara Region's Waste Collection Policy, provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:

- Blue/grey –no limit (weekly)
- Green – no limit (weekly)
- Waste – 2 bag/can limit per unit (bi-weekly)

Staff has reviewed the submitted site plan and acknowledge that the development is proposing to utilize in-ground Molok waste. The applicant is advised that this method of waste storage is not eligible for Regional collection and waste collection for the subject property would be the responsibility of the owner through a private waste collection contractor.

Conclusion

In conclusion, Regional Growth Strategy and Economic Development staff does not object to the proposed Official Plan amendment and Zoning By-law Amendment Applications as submitted subject to the above noted requirements (i.e. noise mitigation, site servicing and waste collection) being addressed through the future Draft Plan and/or Site Plan applications. Staff additionally notes the Official Plan Amendment is exempt from Regional Council approval, in accordance with Policy 7.4.1.6 and 7.4.1.7 of the NOP and the Memorandum of Understanding.

Should you have any questions, please contact the undersigned at Valentina.Escobar@niagararegion.ca, or Pat Busnello, Manager of Development Planning at Pat.Busnello@niagararegion.ca.

Kind regards,



Valentina Escobar

Development Planner

cc: Pat Busnello, MCIP, RPP, Manager, Development Planning, Niagara Region
Jake McGowan, Development Approvals Technician, Niagara Region