



**DESIGN
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TOWN
PLANNING
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PLANNING JUSTIFICATION REPORT

549 Killaly Street East, Port Colborne

DESIGN PLAN SERVICES INC.

DPS JOB NUMBER : 21211

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EXECUTIVE SUMMARY

This report has been prepared in support of Draft Plan of Subdivision and Zoning By-law Amendment applications to permit the development of the Subject Property located at 549 Killaly Street E in the City of Port Colborne. The proposal is to develop 286-units, which will comprise of semi-detached dwelling units, stacked, street and block townhouse units. It should be noted, that the “city owned lands” as illustrated on the Draft Plan of Subdivision dated July 25th, 2023, prepared by Design Plan Services Inc., is currently vacant, however a stormwater management and flood storage facility are proposed, to ensure adequate servicing is available for future residents. The proposed 286-units have been designed to reflect and reinforce the adjacent residential community to the west by maintaining the existing road network and extending Johnston and Bell Streets. According to the Draft Plan of Subdivision completed by Design Plan Services Inc., dated July 25th, 2023, the total area of the Subject Property is 6.96 hectares. Further, there are two frontages on Killaly Street E., which are separated by existing residential properties. The eastern portion of the frontage is 39.62 metres and the western portion of the frontage is 7.84 metres. The property has a depth of 408.67 metres.

The proposed development is consistent with the Provincial Policy Statement (2020), conforms to the Growth Plan for the Greater Golden Horsehoe (2020) and conforms to the City of Port Colborne Official Plan. This proposed development will require a Zoning By-law Amendment as the current zoning of the Subject Property is zoned as “RD-Residential Development” and “R1-CH-First Density Residential”.

This Planning Justification Report has been prepared in conjunction with the Draft Plan of Subdivision dated July 25th, 2023, and the concept Plan dated July 25th, 2023, prepared by Cynthia Zahoruk Architects, as well as other supporting documents as required by the Pre-Consultation checklist dated July 28th, 2022. This proposal represents good planning and will provide additional residential opportunities to current and future residents of the Region of Niagara and the City of Port Colborne. Figure 1 shows the general location of the Subject Property within the City of Port Colborne.



Figure 1 - Context Map

Source: DPS

1.0 INTRODUCTION

This Planning Justification Report has been prepared in support of development applications under the Planning Act, R.S.O. Chapter p. 13, as amended, for a Draft Plan of Subdivision and a Zoning By-law Amendment for lands in the City of Port Colborne known as 549 Killaly Street East and Part of Lots 23 & 24 Concession 1, (“the Subject Property”). The applications, if approved, would result in 286 new residential dwellings in total, which includes 108 block townhouses and 138 stacked townhouse units fronting on condominium roads, and 30 street townhouses and 10 two-storey semi-detached dwellings on municipal roads. The proposed development will have full municipal services. A Pre-Consultation meeting took place on July 28th, 2022, to determine the required studies to support the applications. This Planning Justification Report has been prepared in conjunction with the Draft Plan of Subdivision dated July 25th, 2023, and the concept Plan dated July 25th, 2023 prepared by Cynthia Zahoruk Architects, as well as other supporting documents as required by the Pre-Consultation checklist dated July 28th, 2022.

The purpose of this Planning Justification Report is to review and evaluate the proposed development based on the applicable documents and policies listed below:

- Planning Act, R.S.O. 1990, C. P.13
- Provincial Policy Statement, 2020
- Growth Plan of the Greater Golden Horseshoe, 2020
- Niagara County Official Plan, 2022
- City of Port Colborne Official Plan, 2013
- City of Port Colborne Zoning By-law 6575/30/18

2.0 DESCRIPTION OF THE SUBJECT LANDS

The Subject Property is located within Ward 4 within the City of Port Colborne, in the Region of Niagara, Ontario. The Subject Property is generally located south of Killaly Street E, east of James Street, and north of the Friendship Trail. The legal description of the Subject Property is Part of Lots 23 and 24 Concession 1, Geographic Township of Humberston in the City of Port Colborne within the Regional Municipality of Niagara. A portion of the Subject Property is also municipally known as 549 Killaly Street E. According to the Draft Plan of Subdivision completed by Design Plan Services Inc., July 25th, the total area of the Subject Property is 6.96 hectares. Further, there are two frontages on Killaly Street E., which are separated by existing residential properties. The eastern portion of the frontage is 39.62 metres and the western portion of the frontage is 7.84 metres. The property has a depth of 408.68 metres. It should be noted, city owned lands as illustrated on the Draft Plan of Subdivision dated July 25th, 2023, prepared by Design Plan Services Inc., is currently vacant. However, this land will be utilized to accommodate the proposed Stormwater Management and Flood Storage facilities as per discussions with City Planning staff.

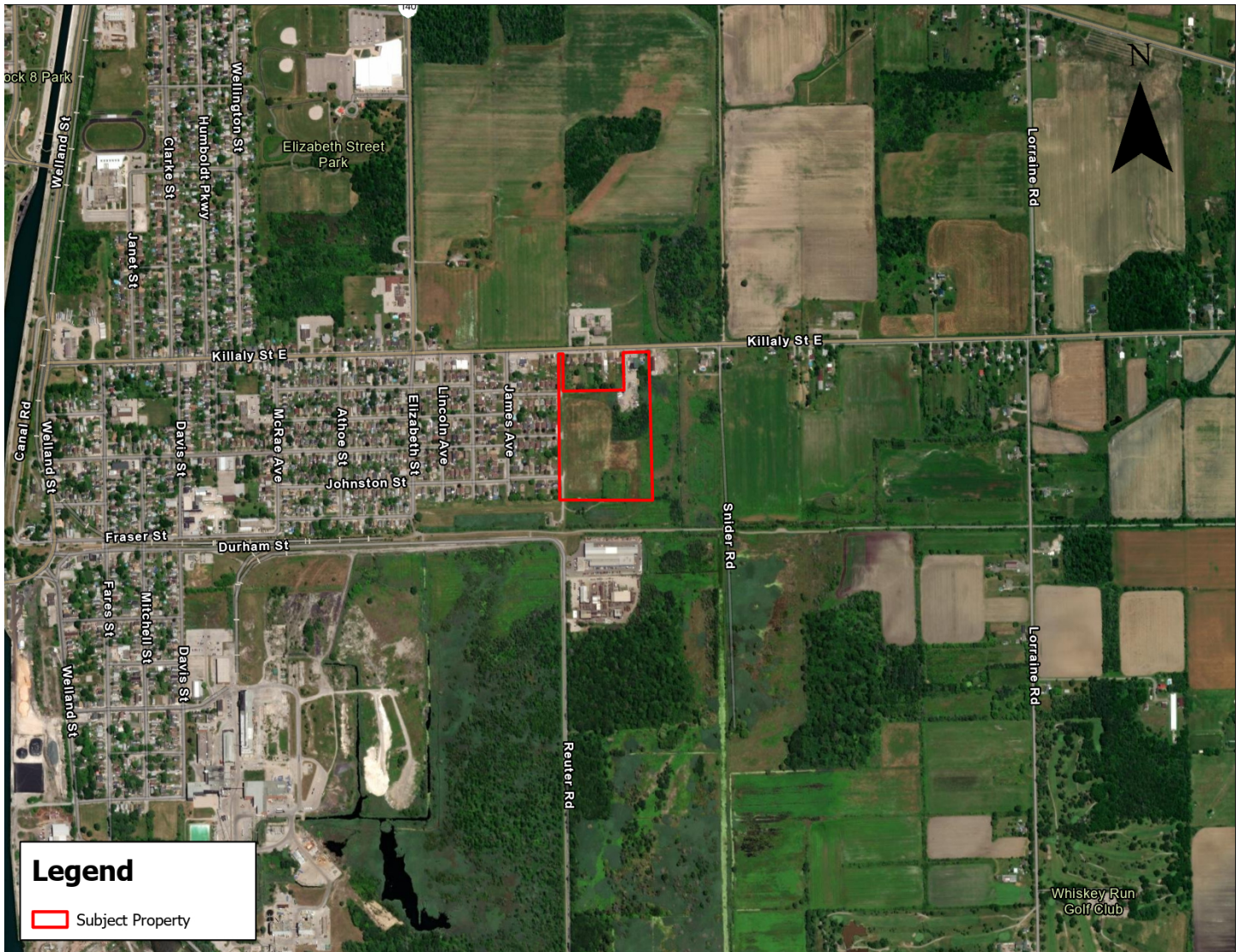


Figure 2 - Location Map

Source: DPS

2.1 Current & Past Use

The portion of the Subject Property that is fronting onto Killaly Street E. is currently occupied by a two-storey commercial building with open storage for equipment and materials. The remainder of the Subject Property is currently vacant and was previously used for agricultural purposes. There are no agricultural activities on the Subject Property currently. According to City of Port Colborne's Heritage Municipal Register, the Subject Property is not listed nor designated as a property which has historic interest or architectural value. The north-west portion of the Subject Property which has been identified on Draft Plan of Subdivision as Block 8, has been determined to have archaeological significance as per the Stage 1 and 2 Archaeological Assessment dated August 8th, 2021 and Stage 3 Archaeological Assessment "is in-progress" by Earthworks Archaeological Services Inc.

3.0 SURROUNDING CONTEXT

3.1 Surrounding Area

a. North

There are 8 residential lots with single-detached dwellings and two commercial properties including indoor and outdoor storages located on the south side of Killaly Street E., adjacent to the Subject Property. The properties on the south side of Killaly Street E. are designated as “Urban Residential” and “Environmental Protection Areas” as per the City of Port Colborne Official Plan. On the north side of Killaly Street E., is Saint Therese Catholic Elementary School. Further North lands are designated as “Mineral Aggregate Operation” and “Agricultural”. The predominant land use north-west of the Subject Property is also residential and includes Elementary Catholic School Saint-Joseph, Lakeshore Catholic High School and Vale Health and Wellness Centre. Further north-west are retail and commercial uses such as Dairy Queen, Tim Hortons and Moe’s Tap and Wings.

b. East

The lands east of the Subject Property, along Killaly Street E., consist of detached homes which range from one-to-two storeys, commercial/outdoor storage, environmental features and active farmlands. Further east is the Hamlet of Gasline which consists of residential small-scale retail/commercial uses. It should be noted, the lands designated on the east side of the Subject Property are a mix between “Urban Residential”, “Environmental Protection Areas” and “Agricultural” uses.

c. South

The land immediately located to the south of the Subject Property is owned by the City of Port Colborne and is currently vacant. It will be included as part of the proposed development to accommodate the proposed Stormwater Management and Flood Storage facilities. The ownership of this land will be maintained by the City as these facilities will be public. Adjacent to the city-owned lands, to the south, is Friendship Trail. According to the City of Port Colborne Official Plan it is identified as a multi-use trail and more specifically, Friendship Trail encompasses approximately 24 kilometres of paved pathway. Further south are two medium scale industrial buildings: JTL Integrated Machining Ltd and PC Forge. According to the Review of Land-use Compatibility (Noise and Vibration) report, JTL Integrated Machining Ltd is a metal component manufacturing facility and PC Forge is a manufacturer of forged, heat-treated and machined metal components. The lands south of the Subject Property are designated as Industrial/Employment Areas, Environmentally Protected Areas and Agricultural. Further south is Nickel Beach, Gravelly Bay and Lake Erie, which is approximately 1.50 kilometres from the Subject Property.

d. West

To the immediate west of the Subject Property, is an existing residential community which is bounded by Killaly Street to the north and Durham Street to the south. The community predominantly consists of single-detached dwellings and includes Johnson Street Park and Dewitt Carter Public School. Further west is the Welland Canal. The downtown area of the City of Port Colborne is to the west of Welland Canal.

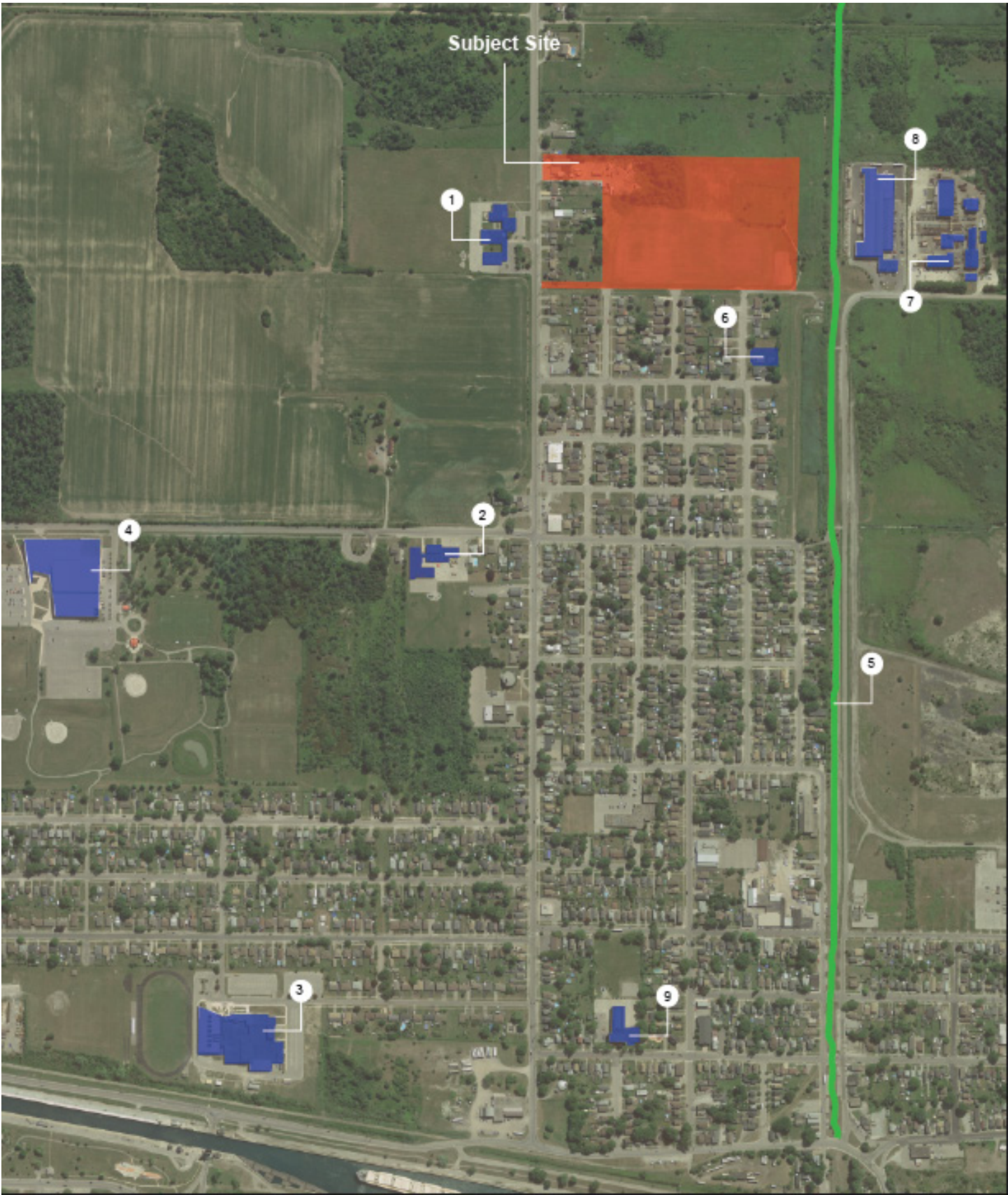


Figure 3 - Surrounding Context Map

Source: DPS



Image 1: Saint Therese Catholic Elementary School
Source: Google Maps



Image 5: Friendship Trail
Source: Google Maps



Image 2: Elementary School Catholic Saint-Joseph
Source: Google Maps



Image 6: Johnson St. Park
Source: DPS



Image 3: Lakeshore Catholic High School
Source: Google Maps



Image 7: PC Forge
Source: Google Maps



Image 4: Vale Health & Wellness Centre
Source: Google Maps



Image 8: JTL Integrated Machine
Source: Google Maps



Image 9: Dewitt Carter Public School

Source: Google Maps

4.0 PROPOSED DEVELOPMENT

The proposed development will consist of a total of 286 residential dwelling units. The 286 units will comprise of 108 block townhouses, 30 street townhouses, 10 semi-detached dwelling units and 138 stacked townhouse units ranging in height from 1 ½ 2 and 2 ½ storeys. More specifically, the block townhouses and stacked townhouse units will be condominium development which provides direct access from condominium roads, and the street townhouses and the semi-detached dwelling units will be developed as freehold lots which front onto public roads. A live/work unit is proposed in the first block townhouse unit that is adjacent to Killaly Street E., which will provide the flexibility and opportunity for neighbourhood commercial uses based on market demands and in accordance with Official Plan policies.

The Subject Property is approximately 6.96 hectares. The proposal will result in a residential density of 41.63 units per hectare (286 units/6.96 hectares = 41.09 units per hectare), which is below the maximum density of 50 units per hectare for medium density designation under the City's Official Plan.

Access to the site and proposed units is proposed via new municipal and condominium roads. As shown on the proposed Draft Plan of Subdivision, there are a total of three (3) municipal roads (Streets A, Johnston Street and Bell Street) with 20-metre right-of-way and three (3) condominium roads are proposed. The site has direct access from Killaly Street E. via a condominium road, located within Block 1. Both Johnston Street and Bell Street will be extended from the existing residential community to the west. These extensions will also provide direct connections to the existing residential community to the west and terminate temporarily in a cul-de-sac to allow for future connections to the east as requested by the City. The condominium roads will provide vehicular circulation internally within the proposed condominium blocks (Blocks 1, 3 and 6 as shown on the proposed Draft Plan of Subdivision).

In respect to pedestrian connections, sidewalks have been incorporated within the overall design of the proposal. An internal pedestrian connection has been incorporated to provide a connection between the proposed development and Friendship Trail, which is located at the south-west corner of the Subject Property as shown on the concept site plan.

A private parkette is proposed at the north-west corner of the Subject Property adjacent to the area that has been identified with archeological potential as shown on the concept site plan. The area with archeological potential has been recognized as an individual block (Block 8) on the Draft Plan of Subdivision, which will be excluded from the proposed development and remain undisturbed.

The proposed stormwater and flood storage facilities as well as the acoustic berm/barrier are located on city-owned land immediately adjacent to the south. Although this land is owned by the city, it will be included as part of the overall development of the Subject Property as directed by the City. An acoustic berm/barrier is proposed across the width of the Subject Property along the rear lot line to fulfill the recommendations of the Compatibility Noise and Vibration Impact Study dated July 26th, 2023.

5.0 PLANNING AND REGULATORY FRAMEWORK

This Section of the Report provides an overview of the policies applicable to the Subject Property and proposed development including the Planning Act; Provincial Policy Statement, 2020; Growth Plan for the Greater Golden Horseshoe, 2020; Region of Niagara Official Plan, 2022; City of Port Colborne Official Plan, 2013; and City of Port Colborne Zoning By-law No. 6575/30/18.

5.1 Planning Act, R.S.O 1990, C.P.13

The Planning Act (the Act) is provincial legislation which outlines policies for land use planning within the Province of Ontario. The Act provides the basis for considering provincial interests, such as providing for a full range of housing options. Section 51 of the Act outlines the policies applicable to plans of subdivisions. Specifically, Section 51 (24) sets out the criteria which must be considered when proposing a plan of subdivision and/or condominium. The proposed development will meet the criteria as follow:

a. the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The proposed development has been designed and planned to meet all of the provincial interests. As the proposed development is within the Urban Settlement Area, it is designated as “Urban Residential” within the City of Port Colborne’s Official Plan and is adjacent to an existing residential community. The proposed development will not have any negative implications on matters of the provincial interests.

b. whether the proposed subdivision is premature or in the public interest;

A Pre-consultation was held on July 28th, 2022, with the City of Port Colborne and the requirements of a complete application were identified. As a result, this Planning Justification Report as well as all the required reports, studies and plans have been prepared as part of this application. Considering the proposed development is adjacent to an existing residential area, the proposed development has access to existing infrastructure, is not premature and is within the public interest. There were no current and/or ongoing studies by the Region or City which would impact the status of this proposal.

c. whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The Subject Property is designated as “Urban Residential” under the City of Port Colborne’s Official Plan (refer to figure 6), where residential dwellings are permitted. Further, the proposed development will be compatible with the adjacent residential community which is likely a result of a plan of subdivision.

d. the suitability of the land for the purposes for which it is to be subdivided;

Considering the Subject Property is designated as “Urban Residential” within the City’s Official Plan, the proposal is suitable for residential land uses. Further, according to the Functional Servicing and Stormwater Management Report, prepared by EXP Services Inc., dated June 26th, 2023, the report indicates that the Subject Property has access to existing water and sanitary servicing.

e. the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The Subject Property will have direct access to Killaly Street E., Johnston Street and Bell Street. These roads are municipal roads which will be serviced by the municipality all year round (i.e., snow clearing and maintenance).

f. the dimensions and shapes of the proposed lots;

The proposed two storey semi-detached lots on the west side will provide a transition from the existing 1-1.5 storey single-detached dwellings to the proposed townhouses. The proposed semi-detached lots will be similar in nature in terms of shape and sizes throughout the and City.

g. the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

An Archeological area has been identified on the Subject Property. This area will be protected and restricted from any development. Please refer to the Stage 1 & 2 Archeological Assessment report prepared by Earthworks Archeological Services Inc., dated August 8th, 2021 and November 8th, 2022. An existing right-of-way easement (inst HU 18858) is located at the north-west corner of the Subject Property having a 7.84 m frontage on Killaly Street E. A right-of-way easement of 4.0 m in width is proposed at the south-west corner of the Subject Property to provide a pedestrian connection to Friendship Trail and for drainage to the public facility. Therefore there are no restrictions on the property that would have the effect of prohibiting the proposed residential development.

h. conservation of natural resources and flood control;

The Subject Property is not located within any identified natural or environmentally significant areas.

i. the adequacy of utilities and municipal services;

The Subject Property will be serviced by municipal water and sanitary services, and it is our understanding that sufficient utilities are available. Please refer to the Functional Servicing and Stormwater Management report prepared by prepared by EXP Services Inc., dated June 26th, 2023, for detailed information.

g. the adequacy of school sites;

The Subject Property is in close proximity to Saint Therese Catholic Elementary School (approximately 0.23 km from the Subject Property), Dewitt Carter Public School (approximately 0.90 km west of the Subject Property) and Elementary School Catholic Saint-Joesph (approximately 0.65 km north-west of the Subject Property).

h. the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

The proposed municipal roads (Johnston Street, Bell Street and Street A) will be conveyed and dedicated to the City of Port Colborne.

i. the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

The proposed development is an extension of the existing use to the west and north. Also, as the proposed development seeks to introduce a total of 286 units, the new dwellings will meet the required efficiency requirements. Further, new dwellings are typically more energy efficient than older dwellings, as they are designed with current technology and strategies to become more energy efficient.

m. the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.

The proposed development is subject to Site Plan Approval, as per the Pre-consultation checklist received. A concept site plan (see Schedule A) has been prepared and is included as part of the submission. The proposed Draft Plan of Subdivision has been prepared in coordination with the concept site plan.

Summary Opinion:

The proposed development has been planned and designed with consideration of the provincial interests, while ensuring the development is not premature. The development will introduce residential intensification that will enhance the quality of life by ensuring there is adequate access to public services and infrastructure. Upon reviewing the proposed development in accordance with the Act, we are of the opinion that the proposal is compliant with Section 51(24) of the Act.

5.2 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) 2020 was issued under section 3 of the Planning Act R.S.O. Chapter p.13, as amended, and came into effect on May 1, 2020. It replaces the Provincial Policy statement issued April 30, 2014. It was approved by the Lieutenant Governor in Council, Order in Council No 229/2020.

The PPS provides policy direction on matters of the provincial interests as it pertains to land use planning and development. Furthermore, the PPS provides the foundation to regulate development and use of land, while supporting the provincial goal of enhancing the quality of life for all Ontarians. Part V., Section 1.1., provides policies as to how the province manages and directs land uses in order to achieve efficient development and land use patterns. As the Subject Property is located adjacent to existing residential, institutional, commercial and retail uses, the proposed development will be compatible with the surrounding land use patterns.

1.0 Building Strong Healthy Communities

Section 1.1 - Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

The proposed development will provide a healthy, livable and safe community, and is consistent with the following policies identified in Section 1.1.1:

- a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b. accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c. avoiding development and land use patterns which may cause environmental or public health and safety concerns;

- e. promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f. improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g. ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

Section 1.1.3 - Settlement Areas

The Subject Property is located within the City of Port Colborne and is located within the Urban Area Boundary as per the City's Official Plan. The proposed developments are consistent with the following policies identified Section 1.1.3.

- *1.1.3.1 Settlement areas shall be the focus of growth and development.*
- *1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*
 - a. efficiently use land and resources;*
 - b. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
 - c. minimize negative impacts to air quality and climate change, and promote energy efficiency;*
 - d. prepare for the impacts of a changing climate;*
 - e. support active transportation;*
 - f. are transit-supportive, where transit is planned, exists or may be developed; and*
 - g. are freight-supportive.*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- *1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*
- *1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.*

- *1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*

The proposed development is consistent with the policies identified within Section 1.1, identified above, as the proposal seeks to introduce efficient development and land uses patterns to the Subject Property. The proposed semi-detached, street, block and stacked townhouses will introduce additional market-based residential built forms to the City of Port Colborne and will be consistent with the policies identified within Section 1.1.1. Furthermore, as the Subject Property is within a settlement area, the proposed development will have access to existing municipal infrastructure and public service amenities. It should be noted, the proposed development seeks to construct a stormwater management pond, municipal roads and sidewalks to accommodate the future residents. As such, the proposed development will be consistent with Sections 1.1.1 and 1.1.3.

Section 1.4 - Housing

Section 1.4 of the PPS addresses the policies as it pertains to housing within the province. The proposed development is consistent with the following policies:

- *1.4.1 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*
 - a. *maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*
 - b. *maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans*
- *1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*
 - a. *establishing and implementing minimum targets for the provision of housing which is affordable to low- and moderate-income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*

b. permitting and facilitating:

- 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3*
- c. directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- f. establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

The proposed development will provide 286 residential dwelling units which is consistent with the policies of Section 1.4., as it provides a wide range of housing options. As the adjacent neighbourhood predominantly features low-rise, single-detached family homes, the proposed semi-detached dwellings, street, block and stacked townhouses provide an additional range of housing options within the City of Port Colborne. Considering the City is currently experiencing, and will continue to experience growth, the proposed development efficiently uses available land designated for residential uses. The proposed residential density represents good planning as it efficiently uses available infrastructure and public service amenities.

Section 1.6 Infrastructure and Public Service Facilities

Section 1.6 of the PPS addresses the policies as it pertains to infrastructure and public service facilities within the province. The proposed development is consistent with the following policies:

- 1.6.3 Before consideration is given to developing new infrastructure and public service facilities:
 - a. the use of existing infrastructure and public service facilities should be optimized; and*
- 1.6.6.7 Planning for stormwater management shall:
 - a. be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
 - b. minimize, or, where possible, prevent increases in contaminant loads;*

- c. minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d. mitigate risks to human health, safety, property and the environment;*
- e. maximize the extent and function of vegetative and pervious surfaces; and*
- f. promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

The layout of the proposed development has been designed to efficiently use the existing municipal road network within the neighbourhood. As such, Johnson Street and Bell Street will be extended into the proposed development, which will optimize the existing road infrastructure. A new stormwater management pond will be constructed at the rear of the Subject Property to support the proposed and other future developments.

Summary Opinion:

The proposed development is consistent with the PPS policies identified above. According to the City of Port Colborne's Official Plan, the Subject Property is located within the Urban Area Boundary. Further, the Subject Property is near existing and/or planned municipal and public service facilities. As it pertains to the built form, the proposed development will provide a mix between semi-detached dwellings, street, block and stacked townhouses. The proposed housing types will be compatible with the existing neighbourhood to the west, as the proposal will provide additional housing types and housing stock to accommodate all residents. Further, the proposed road extensions of Johnson and Bell Street, the proposed sidewalks and the proposed stormwater management pond, will ensure the development provides residents with adequate infrastructure. Upon reviewing the proposed development in accordance with the PPS, we are of the opinion that the proposal is consistent with policies identified within the PPS.

5.3 A Place to Grow Act, 2005 and the Growth Plan for the Greater Golden Horseshoe, 2020

The Growth Plan for the Greater Golden Horseshoe, 2020 has been prepared and approved under the Places to Grow Act, 2005 which took effect on May 16th, 2019. Amendment 1 (2020) to the Growth Plan for the Greater Golden Horseshoe 2019 was approved and took effect on August 28th, 2020. The Growth Plan provides a framework which will implement the Province of Ontario's vision to create stronger and prosperous communities by managing growth with the region. Further, the long-term framework will establish where and how the region will grow. Schedule 3 of the Growth Plan forecasts a population growth of 674,000 people within the Region of Niagara by 2051. Therefore, the Region of Niagara is expected to experience population growth, and the proposed development will contribute to achieving the population forecasts within the Region of Niagara by introducing 286 residential dwellings.

2.0 Where and How to Grow

Section 2.2.1 - Managing Growth

The proposed development will contribute to achieving the 2051 population forecast for the Region of Niagara. Further, the proposed development conforms to policy 2.2.1.4 which provides the criteria for achieving complete communities.

- 2.2.1.4. Applying the policies of this Plan will support the achievement of complete communities that:
 - a. feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
 - b. improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
 - c. provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
 - e. provide for a more compact built form and a vibrant public realm, including public open spaces;
 - f. mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
 - g. integrate green infrastructure and appropriate low impact development.

The existing residential community to the west consists of predominantly single-detached residential dwellings. The proposed development will feature a diverse mix of residential types which will contribute to achieving a complete community. Further, the existing public schools, retail and commercial, and other amenities are located in proximity to the Subject Property, which will support the daily life of the future residents of the proposed development. The proposed development has been designed in a compact built form by providing 108 block townhouses, 30 street townhouses, 10 semi-detached dwelling units and 138 stacked townhouse units in a combination of freehold lots and condominium blocks. Off-street parking will be provided for each dwelling unit as well as on-street parking along with an active transportation network incorporating sidewalks and a connection to the existing Friendship Trail that will connect the community to a broader area.

Section 2.2.6 - Housing

This section of the Growth Plan outlines housing policies and provides policies to support the achievement of complete communities.

- 2.2.6.1. Upper-and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:

- a. support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
 - i. identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents; and
- 2.2.6.2. Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:
 - a. planning to accommodate forecasted growth to the horizon of this Plan;
 - b. planning to achieve the minimum intensification and density targets in this Plan;
 - c. considering the range and mix of housing options and densities of the existing housing stock; and
 - d. planning to diversify their overall housing stock across the municipality.
- 2.2.6.3. To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

The introduction of a diverse mix of housing options will conform to the Growth Plan, as the proposed development will contribute to the growth and economic well-being of the City of Port Colborne and the Region of Niagara. Furthermore, the proposed development will incorporate a diverse range of unit sizes, including family-sized units. Incorporating a wide range of unit sizes will accommodate a diverse range of household sizes and incomes.

Section 2.2.7 - Designated Greenfield Areas

- 2.2.7.1. New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that:
 - a. supports the achievement of complete communities;
 - b. supports active transportation; and
 - c. encourages the integration and sustained viability of transit services.
- 2.2.7.2. The minimum density target applicable to the designated greenfield area of each upper-and single-tier municipality is as follows:
 - a. The Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will plan to achieve within the horizon of this Plan a minimum density target that is not less than 50 residents and jobs combined per hectare;

As per the City of Port Colborne's Official Plan Schedule A-1 (see figure 7), only a portion of the Subject Property is within the "Designated Greenfield Area", the remainder of the land is within the "Built Boundary". The proposed development will consist of a total of 286 residential dwelling units. The 286 units will comprise of 108 block townhouses, 30 street townhouses, 10 semi-detached dwelling units and 138 stacked townhouse units, which will incorporate a diverse range of unit sizes, including family-sized units. According to the Functional Servicing and Stormwater Management Report, prepared by EXP Services Inc., dated June 26th, 2023, the design population was determined through various correspondence with City of Port Colborne staff where a density rate of 2.7 People Per Unit was confirmed to be used. Therefore, a total of 772 people will be generated by the proposed development within the Designated Greenfield Area with a density of 110 residents per hectare. The proposed density achieves the minimum density applicable to the Designated Greenfield area.

Summary Opinion:

The Subject Property is within the "Designated Greenfield Area" and the "Built Boundary". The proposed development will conform to the housing policies identified above as it will introduce a diverse range of unit types and sizes to achieve a complete community as the existing neighbourhood community predominately consists of single-detached dwellings.

The Subject Property is "Designated as a Greenfield Area and the proposal is to develop 286 units on the Subject Property. The policies state that the minimum density target for a greenfield area is 50 residents and jobs per hectare. The proposed development will provide a density of 110 residents per hectare while supporting the achievement of creating a complete community by introducing semi-detached dwellings, streets, blocks and stacked townhouses. The proposal to introduce such housing types will create a complete community as there are predominately single-detached dwellings which exist within the neighbourhood community to the west. The proposed development will provide a density which exceeds the minimum density target identified within this plan, while ensuring the proposed development will be compatible with the surrounding context. We are of the opinion that the proposed development conforms to the Growth Plan of the Greater Golden Horseshoe.

5.4 Niagara Official Plan, 2022

The Niagara Official Plan was adopted in June 2022 and was subsequently approved by the Minister of Municipal Affairs and Housing with modifications in November 2022. The Official Plan provides a 2051 Vision, which states "Niagara Region will support and grow a sustainable and diversified economy while providing exceptional quality of life for all and protecting our beautiful natural landscape". According to one of the four "Pillar Statements", the region will promote "a wide mix of housing types and employment opportunities that attract diverse populations to Niagara across all ages, incomes and backgrounds".

According to the Official Plan, the Subject Property is designated partially as "Delineated Built-up Areas" (to the east) and "Designated Greenfield Area" (to the west), refer to Figure 4. The Subject Property is designated as "Areas of Archaeological Potential", refer to Figure 5. As it pertains to the existing transportation infrastructure, the proposed development has access to provincial roads and regional roads.

Section - 2.0 Growing Region

This section addresses how to manage growth strategically within the Niagara Region. Further, this section identifies the population and housing forecasts and policies aimed to support intensification and redevelopment. The proposed development conforms to the following planning policies:

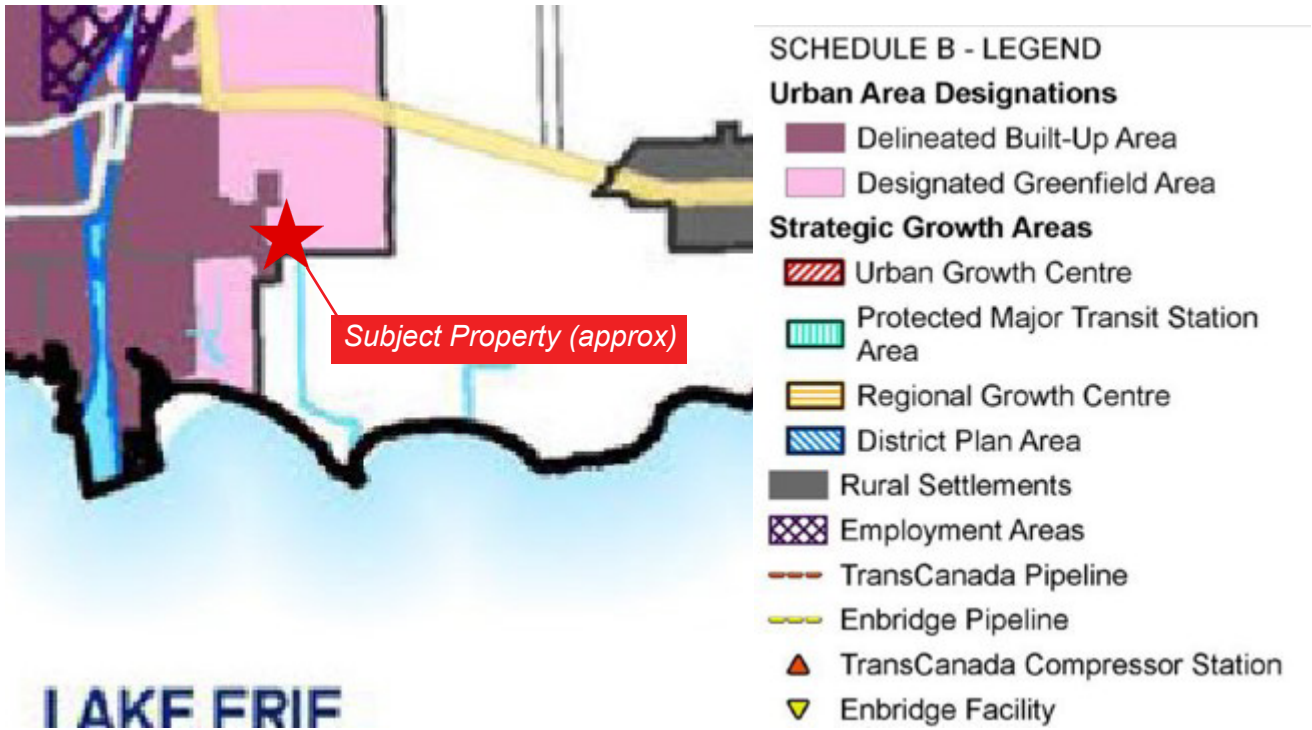


Figure 4 - Region of Niagara Official Plan - Regional Structure, Schedule B

Source: Niagara Region

2.1 Forecasted Growth

The Niagara Region is planning to accommodate a minimum population of 694,000 people and 272,000 jobs by 2051. This represents an increase of over 200,000 people and 85,000 jobs compared to 2021. Effective and proactive growth management is needed to ensure there is appropriate housing, employment, and infrastructure available to support Niagara's growth. Land use, housing, and servicing is planned using the forecasts set out in Table 2-1. The Region will monitor these forecasts to ensure growth is planned for and managed based on reliable data

2.1.1 Regional Growth Forecasts

- 2.1.1.1 Population and employment forecasts listed in Table 2-1 are the basis for land use planning decisions to 2051.
- 2.1.1.2 Forecasts in Table 2-1 are a minimum.

Table 2-1 2051 Population and Employment Forecasts by Local Area Municipality

Municipality	Population	Employment
Fort Erie	48,050	18,430
Grimsby	37,000	14,960
Lincoln	45,660	15,220
Niagara Falls	141,650	58,110
Niagara-on-the-Lake	28,900	17,610
Pelham	28,830	7,140
Port Colborne	23,230	7,550
St. Catharines	171,890	79,350
Thorold	39,690	12,510
Wainfleet	7,730	1,830
Welland	83,000	28,790
West Lincoln	38,370	10,480
Niagara Region	694,000	272,000

Table 1 - Region of Niagara Official Plan - Table 2-1 "2051 Population & Employment Forecasts by Employment Forecasts by Local Area Municipality

Source: Niagara Region

The proposed development will conform to the forecasted growth policies, identified above, as the proposal seeks to introduce 286 residential units on the Subject Property. As the PPU is 2.7, the proposed units will generate a total of approximately 772 people, which will contribute to achieving Port Colborne’s population forecast of 23,230 residents by 2051 through appropriate housing types which include semi-detached dwellings, street, block and stacked townhouses. Further, the proposal seeks to incorporate one live/work unit within the first block townhouse unit that is adjacent to Killaly Street E. The live/work unit will provide opportunity for neighbourhood commercial uses based on market demand and will contribute to Port Colborne’s employment forecast of 7,550 jobs by 2051.

2.2 Regional Growth

- The policies in this section establish a regional structure that directs forecasted growth to settlement areas.
- Settlement areas are comprised of both urban areas, which include built-up areas, designated greenfield areas and strategic growth areas, as well as rural settlements, otherwise known as hamlets.
- Most development will occur in urban areas, where municipal water and wastewater systems/ services exist or are planned and a range of transportation options can be provided. In particular, strategic growth areas are identified to accommodate a significant portion of the Region’s population growth, higher density housing forms, and a greater mix of land uses.

- The objectives of this section are as follows:
 - a. manage growth within urban areas;
 - b. accommodate growth through strategic intensification and higher densities;
 - c. protect and enhance the character of rural settlements;

2.2.1 Managing Urban Growth

- 2.2.1.1 Development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:
 - a. the intensification targets in Table 2-2 and density targets outlined in this Plan;
 - b. a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;
 - c. a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs;
 - d. social equity, public health and safety, and the overall quality of life for people of all ages, abilities, and incomes by expanding convenient access to:
 - i. a range of transportation options, including public transit and active transportation;
 - iv. the public realm, including open spaces, parks, trails, and other recreational facilities;
 - e. built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/ services, and optimize investments in infrastructure to support the financial well-being of the Region and Local Area Municipalities;
 - h. opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods;

2.2.2 Strategic Intensification and Higher Densities

- b. areas with existing or planned public service facilities;
 - c. other locations with existing or planned transit service, with a priority on areas with existing or planned frequent transit service;
- 2.2.2.23 Designated greenfield areas shall achieve a minimum density of 50 residents and jobs combined per hectare as measured across the entire region.

Table 2-2 Niagara Region Minimum Residential Intensification Targets 1 Local Area Municipality 2021-2051

Municipality	Units	Rate
Fort Erie	3,680	50%
Grimsby	4,500	98%
Lincoln	8,895	90%
Niagara Falls	10,100	50%
Niagara-on-the-Lake	1,150	25%
Pelham	1,030	25%
Port Colborne	690	30%
St. Catharines	18,780	95%
Thorold	1,610	25%
Wainfleet	0	0%
Welland	10,440	75%
West Lincoln	1,130	13%
Niagara Region	62,005	60%

Table 2 - Region of Niagara Official Plan - Table 2-2 “Niagara Region Minimum Residential Intensification Targets 1 Local Area Municipality 2021-2051

Source: Region of Niagara

- 2.2.2.24 Local official plans are required to achieve the minimum greenfield density target in Policy 2.2.2.23 across the entire municipality and are encouraged to exceed this minimum.
- 2.2.2.25 Designated greenfield areas will be planned as complete communities by:
 - a. ensuring that development is sequential, orderly and contiguous with existing built-up areas;
 - b. utilizing proactive planning tools in Section 6.1 and Section 6.2, as appropriate;
 - c. ensuring infrastructure capacity is available; and
 - d. supporting active transportation and encouraging the integration and sustained viability of public transit service

The Region of Niagara’s Official Plan Schedule B (see figure 4) designates the west side of the Subject Property as “Delineated Built-up Areas” and the east side as “Designated Greenfield Area”, which is part of the City of Port Colborne’s Settlement Area. The proposed development will provide a range and mix of housing types through introducing 10 semi-detached dwellings, 30 street townhouses, 108 block townhouses and 138 stacked townhouses units. The proposed compact built form will provide a vibrant public realm by providing a private parkette within Block 1, as shown on the Draft Plan of Subdivision, dated July 25th, prepared by Design Plan Services Inc. (refer to schedule B) and through an enhanced streetscape.

The minimum greenfield density target is 50 residents and jobs combined per hectare for across the entire region and municipality and it is encouraged to exceed this minimum, the proposed development will contribute to achieving this density through the introduction of 286 residential units. The proposed development provides a variety of building types, lot sizes with adequate setbacks to ensure a vibrant streetscape is maintained and provides an orderly and continuous extension from the existing residential to the west with connection to future development to the east. The introduction of 286 units will provide gentle intensification while providing a mix and range of housing which contributes to achieving a complete community.

2.3 Housing

2.3.1 Provide a Mix of Housing Options

- 2.3.1.1 The development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life.
- 2.3.1.4 New residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:
 - a. facilitating compact built form; and
 - b. incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.
- 2.3.1.5 New residential development and residential intensification should incorporate universal design standards to meet housing needs at all stages of life.

The proposed development will conform to the housing policies of the Regional Official Plan, as the proposal seeks to introduce a mix of lot and unit sizes and housing types in a compact built form. The proposal will provide additional housing types to what currently exists within the immediate areas which primarily consist of single detached residential dwellings, as it will provide 10 semi-detached dwellings, 30 street townhouses, 108 block townhouses and 138 stacked townhouse units. The proposed 286 residential units in total will accommodate housing needs of future residents at all stages of life by providing various building types, unit sizes, and tenure types. Further, opportunities to implement other sustainable construction and energy saving measures will be explored where feasible to mitigate and adapt to the impacts of climate change.

5.0 Connected Region

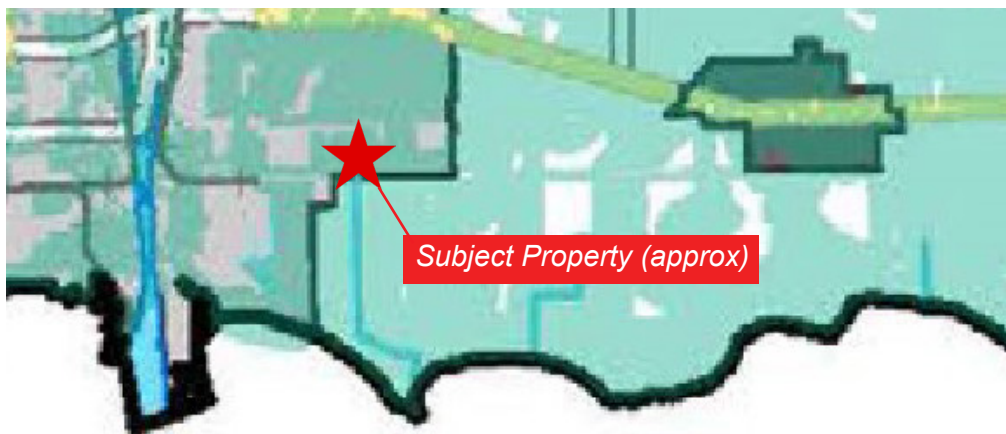
This section addresses policies pertaining to Niagara Region's infrastructure, transportation, services and trails and open spaces for existing and future needs. The proposed development conforms to the following planning policies:

6.0 Vibrant Region

This section addresses policies applicable to archaeological potential sites within the Region. The Region states that archaeological sites are both highly fragile and non-renewable and understands the importance of conserving archaeological resources and the potential to commemorate significant archeological discoveries. The proposed development conforms to the following planning policies:

6.4.2 Conservation in Accordance with Provincial Requirements

- 6.4.2.1 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province
- 6.4.2.5 Unexcavated archaeological sites and archaeological resources shall be protected against disturbance until all required archaeological assessments and requirements from the Province have been completed
- 6.4.2.6 Where a site proposed for development is located within an area of archaeological potential, the Local Area Municipality shall circulate the application and a Stage 1 Archaeological Assessment by a licensed archaeologist, as well as a Stage 2 Assessment, where required, to the Region as part of a complete application. This policy applies when any part of a development application falls within an area of archaeological potential as identified on Schedule K and will be addressed as early as possible in the planning process. For lands located outside a settlement area boundary where site alteration or development will not affect the entire property, the archaeologist may consult with the Province on a property-by-property basis to determine if these areas can be exempt or the assessment can be scoped



SCHEDULE K - LEGEND

- Areas of Archaeological Potential
- Urban Areas
- Rural Settlements

LAKE EDIE

Figure 5 - Region of Niagara Official Plan - Areas of Archaeological Potential, Schedule K

Source: Niagara OP

The proposed development will have adequate setbacks to the archaeological area which is identified as Block 8 on the Draft Plan of Subdivision, dated July 25th, 2023 prepared by Design Plan Services Inc. According to a Stage 1 & 2 Archaeological Assessment prepared by Archaeological Services Inc, dated August 8, 2021, the Stage 1 and Stage 2 assessment concluded that the study area contains an archaeological site which has further cultural heritage value and interest. As such a Stage 3 site-specific assessment was recommended. The Stage 3 Archaeological Assessment is currently being reviewed by the First Nations. The proposed development will conform to the policies identified within Section 6 of the Official Plan as the archaeological area that is currently present on the Subject Property will be protected and will not be developed.

Summary Opinion:

The proposed 286 residential units, including 1 live/work unit will conform to the policies identified above as the proposal will contribute to achieving the Region of Niagara's population forecast. The proposed development will also provide a mix of unit types and sizes, including family-sized units, which will support future residents at all life stages. In addition, the proposal will provide additional dwelling types within the area as the existing neighbourhood to the west consists of mostly single detached dwellings. The proposed live/work unit will provide an opportunity for neighbourhood commercial uses within the development and will contribute to creating a complete community. The proposal ensures the archaeological significant area on the Subject Property will be protected from development, through providing adequate setbacks from rear property line of the proposed 2-storey block townhouses identified as Block 8 on the Draft Plan of Subdivision (refer to schedule B). Based on the foregoing analysis, we are of the opinion that the proposed development conforms to the Region of Niagara Official Plan.

5.5 City of Port Colborne Official Plan, 2013

The City of Port Colborne's Official Plan was approved by the Ontario Land Tribunal on November 25th, 2013. The Official Plan provides long-term goals and objectives for the city's community and provides policy direction on land-use decisions and how to manage change. The plan is intended to provide guidance based on the Planning Act, the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the Niagara Regional Policy Plan. Furthermore, the plan has been "developed to provide a comprehensive 20-year vision for the future of the municipality". According to the Official Plan, the City will continue to "promote the development of an appropriate mix of housing types, densities and tenures to meet the diverse needs in Port Colborne".

According to the Official Plan, the Subject Property is within the "Urban Area Boundary" and is designated as "Urban Residential" (see figure 6). The Subject Property is also designated as "Designated Greenfield Area" and within the "Built Boundary" (see figure 7). As it pertains to the existing transportation infrastructure, Killaly Street East is designated as an "Arterial Road" and both Johnston and Bell Streets are designated as "Local Roads", Friendship Trail is designated as a "Bike Trail" and there is a proposed future Highway 3 located slightly north of Killaly Street East (refer to Figure 8).

Section 2.0 - Our Vision: Port Colborne in 2031

Section 2.0 provides the general direction in which the planning and development should occur within the City of Port Colborne. As it pertains to residential development, the Official Plan outlines the following vision “provide the opportunity for a mix of residential accommodation in Port Colborne which can accommodate households and diverse social and economic characteristics, needs and desires”. The proposed development conforms to the following growth management strategy, strategic direction and planning policies:

2.2 Growth Management Strategy

- The City of Port Colborne is committed to supporting the conservation of valuable economic, environmental and cultural resources, recognizing that growth should be directed to the appropriate areas through strategic planning. Throughout this Plan there are additional policies which support and implement the Growth Management Strategy for the City of Port Colborne and the Niagara Region.
- The City of Port Colborne’s Growth Management Strategy shall:
 - a. Prevent development in inappropriate areas and support the conservation of valuable economic, environmental and cultural resources.
 - b. Direct growth in a strategic manner.
 - c. Direct urban growth to lands that fall within the designated Urban Area Boundary, which is serviced by municipal water and sanitary services.
 - d. Recognize that a small amount of development may occur in the hamlet and rural areas in accordance with municipal, regional and provincial policies.
 - e. Support infill and intensification, subject to the applicable policies, in the following designations:
 - i. Urban Residential;
 - f. Support compact and transit supportive development within the built boundary and on designated greenfield lands.
 - g. Support the maintenance of a sufficient supply of designated employment and residential land to meet the City’s projected long-term growth.

2.3.1 Enhancing Quality of Life

- The City will promote a compact urban form, a balanced mix of housing types and land uses, efficient and cost-effective infrastructure and transportation, and good urban design for neighbourhoods and business areas by:

- a. Directing growth within the Urban Area Boundary to the north and west in the short term (first 10-15 years) and to the east in the long term (15+ years);
- c. Promoting residential intensification in the urban area with a flexible approach that encourages a mix of housing types and densities appropriate to location;
- e. Incorporating active living considerations for both recreation and utilitarian purposes through support for such items as cycling and walking facilities and other means that promote healthy, active lifestyles.

2.4 Strategic Planning Policies

2.4.1 Population Forecast

- The projected population growth for the Municipality is illustrated in Figure 2.1 of the Official Plan (see table 3). The Official Plan’s land use and policies are based on serving this anticipated population growth and are the basis for planning the Municipality’s long term growth.

Year	Population
2006	19,300
2011	20,000
2016	21,200
2021	22,600
2026	23,500
2031	24,100
2006-2031 Growth	5,000

Source: Regional Municipality of Niagara, Niagara 2031, 2009

Figure 2.1

Table 3 - City of Port Colborne Official Plan - Population Forecast, Figure 2.1

Source: City of Port Colborne

2.4.2 Housing

- The City will promote the development of an appropriate mix of housing types, densities and tenures to meet the diverse needs in Port Colborne, taking into account current and future demographic characteristics, income levels, special needs and lifestyle considerations.

2.4.2.1 Housing Forecast

- The projected housing growth for the Municipality is illustrated in Figure 2.2 of the Official Plan (see table 4). The Official Plan's land use and policies are based on serving this anticipated housing growth and are the basis for planning the Municipality's long term residential land needs.

Year	Population
2006	7,790
2011	8,090
2016	8,650
2021	9,250
2026	9,790
2031	10,170
2006-2031 Growth	2,380

Source: Regional Municipality of Niagara, Niagara 2031, 2009

Figure 2.2

Table 4 - City of Port Colborne Official Plan - Population Forecast, Figure 2.2

Source: City of Port Colborne

- a. New housing development should:
 - i. Be located in the urban area to make use of existing infrastructure and facilities;
 - ii. Be accessible to medical facilities, shopping and any future public transportation system;
 - iii. Be close to or be developed with on-site parks and open space;
 - iv. Incorporate design features for an aging population;
 - v. Use housing forms suitable for an aging population such as at-grade housing or medium density apartment buildings;
 - vi. Provide for a range of smaller lots and homes suitable to smaller households; and
 - vii. Be close to or be developed with social and recreational facilities.

The proposed development will reflect the residential vision of the Official Plan, as the proposal seeks to introduce a mix of residential accommodations to what currently exists within the immediate area. The Growth Management Strategy policies state growth shall be directed to areas within the Urban Area Boundary and support compact and transit supportive development. The proposed development conforms to the Growth Management Strategy policies as the proposed development seeks to introduce intensification within the Urban Area Boundary and provides efficient uses of the Subject Property through a compact design and built form.

Although there is no public transit available in proximity to the Subject Property, the proposal will include a well-connected road system to provide adequate internal and external circulation through the extension of Johnson Street, Bell Street and active transportation facilities (i.e., sidewalks and connection to Friendship Trail). Further, the proposed development will enhance the quality of life of current and future residents as the proposal will provide a mix of housing types and well-connected to the existing bike/hiking trail system of the city. The population forecast of the City of Port Colborne for 2031 is expected to increase to 24,100 people and the housing forecast is expected to increase to 10,170 homes, the proposed development will contribute to reaching the projected forecast through intensification within the Urban Area Boundary in the City of Port Colborne.

Section 3.0 - City-Wide Land Use Policies

Section 3.0 addresses the land use designations within the City of Port Colborne. It is intended that future development will abide by Schedule A of the Official Plan. Accordingly, the Subject Property is designated as Urban Residential and is within the Urban Area Boundary (see figure 6). Note that a portion of the Subject Property is designated as “Designated Greenfield Area” according to Schedule A-1 of the Official Plan (see figure 7). A private parkette is proposed within Block 1 of the proposed development (refer to schedule A). The proposed development conforms to the following city-wide land use policies:

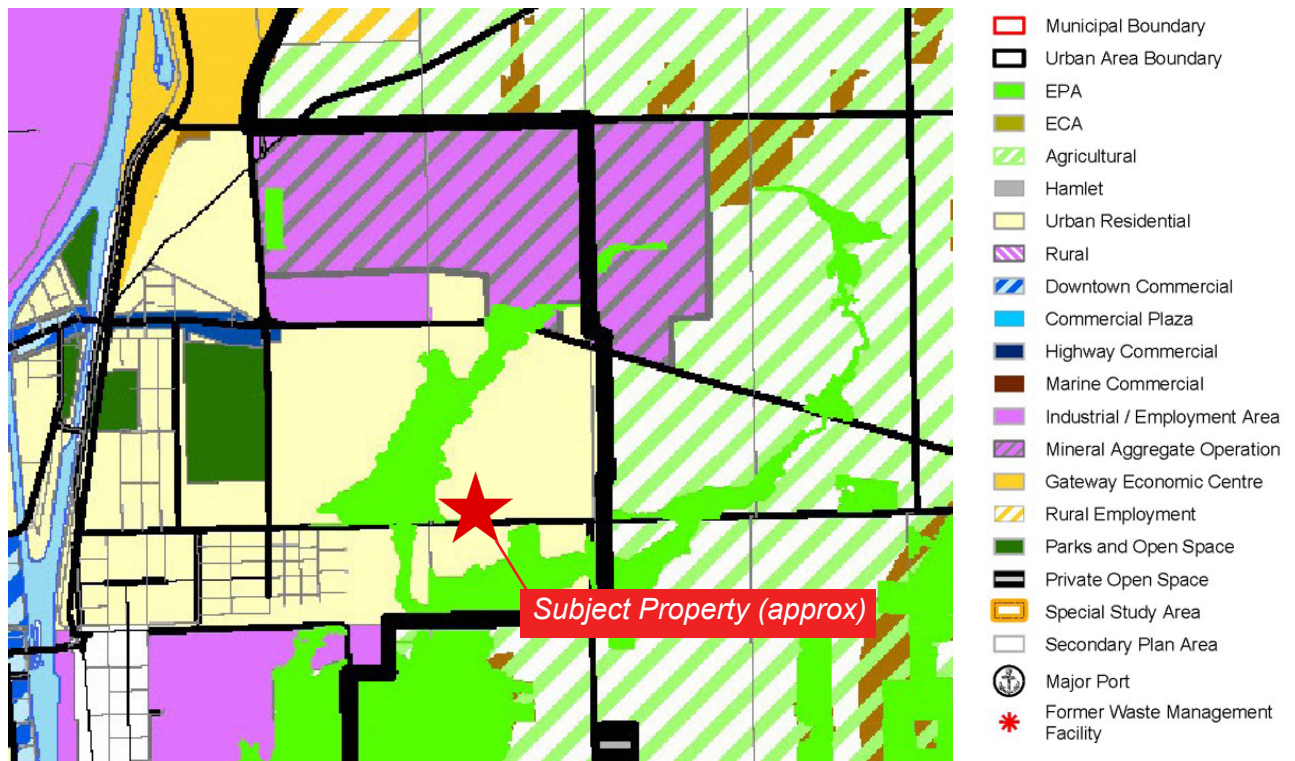


Figure 6 - City of Port Colborne Official Plan - City Wide Land, Schedule A

Source: City of Port Colborne

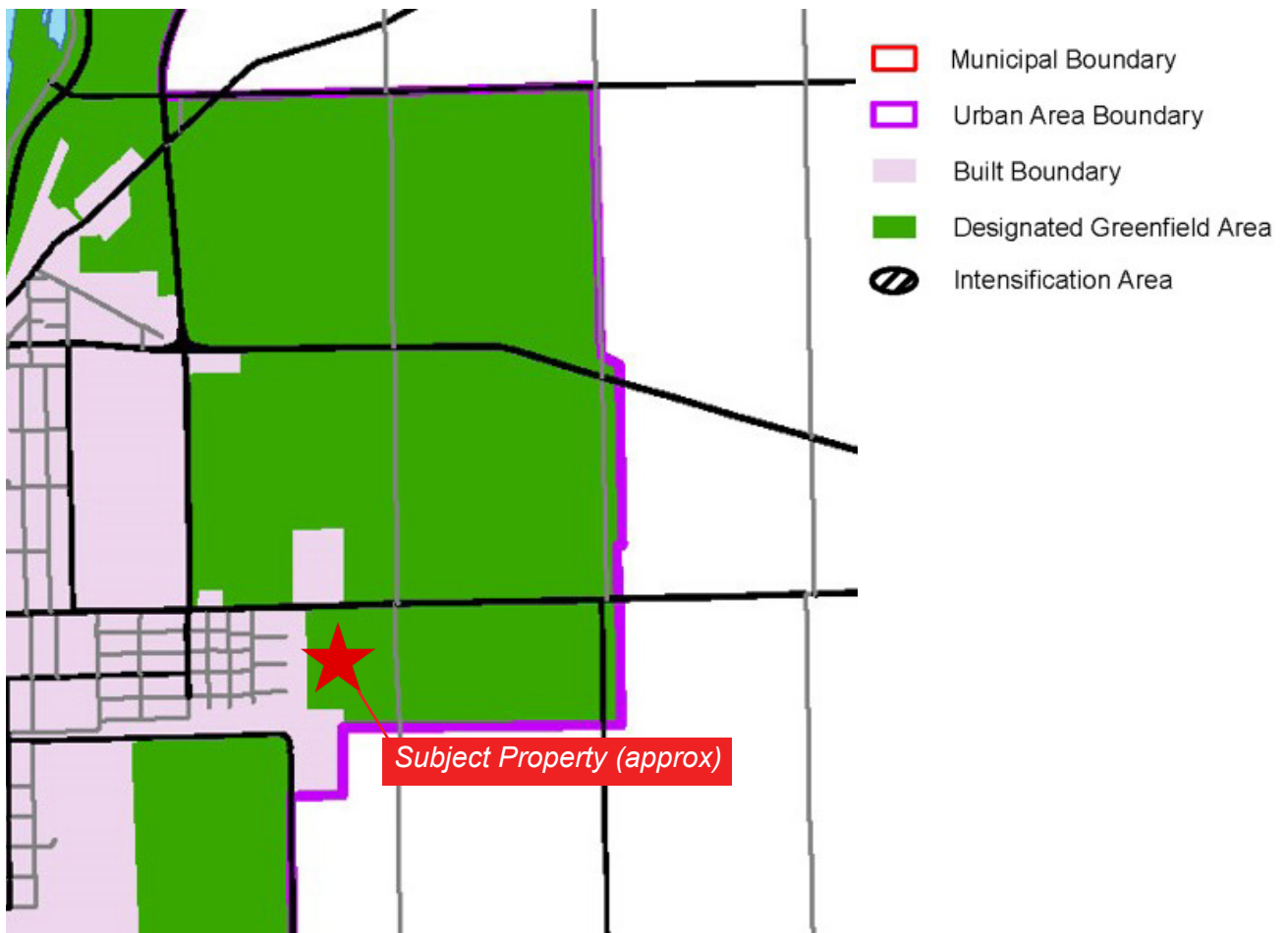


Figure 7 - City of Port Colborne Official Plan - Greenfields, Schedule A1

Source: City of Port Colborne

3.1.1 Urban Area Boundary

- The area identified on Schedule A by the Urban Area Boundary represents lands in the City which are the focus of the majority of urban development and are fully serviced or are intended to be serviced by roads, transit and water and sewer services. These lands represent the supply of designated urban land and are intended to accommodate the majority of the City's projected growth and are comprised of the following:
 - a. Built-up area, within the Built boundary; and
 - b. Greenfield Area

3.2 Urban Residential

- The areas identified on Schedule A as Urban Residential are those lands that are primarily used for residential purposes and represent the existing and planned built-up areas within the Urban Area Boundary.

- The predominant uses for lands designated Urban Residential shall include, but not be limited to; residential uses; neighbourhood commercial uses such as a convenience store, beauty salon, post office, and doctor's office all of limited size; cemeteries, parks, schools, community facilities and institutional uses normally located in residential areas.

3.2.1 General Policies

- b) Medium Density Residential will:
 - i) Be developed at a density ranging from 35 to 70 units per hectare as: Townhouses; Stacked townhouses; triplexes; and/or fourplexes.
 - ii) Be encouraged adjacent to arterial or collector roads; and
 - iii) Be subject to Site Plan Control.

3.13 Parks and Open Space

3.13.1.4 Parkettes

- a. Parkettes provide for passive recreation or decorative purposes.
- b. Parkettes may include; horticulture displays; statues and historical notices; and benches and picnic tables.
- c. Parkettes are anticipated to serve all residents of all neighbourhoods throughout the City.

The proposed development will conform to policy 3.1.1, as the Subject Property is located within the Urban Area Boundary. The proposed development will have full municipal services including roads, water and sewer services. The proposed development will provide 286 residential dwelling units in total which is contemplated by the Official Plan policy 3.2 as the Subject Property is designated as Urban Residential as per Schedule A of the Official Plan. Further, the block townhouse unit located at the north-east corner immediately adjacent to Killaly Street E is proposed to be a live/work unit, which will provide the flexibility to accommodate any neighbourhood commercial uses based on market demands.

The proposed development will provide a variety of built forms which includes townhouses and stacked townhouses which conforms to policy 3.2.1. A total of 286 residential units are proposed on the Subject Property of approximately 6.96 ha, which would result in a gross density of 41.1 units per hectare. Therefore, the proposed density is within the range of 35 to 70 units per hectare, which conforms to density requirement of the Official Plan.

The proposed private parkette will be located within Block 1 and is intended to serve the future residents of the proposed development. The private parkette will contribute to providing various forms of open space to current and future residents of the City of Port Colborne.

Section 7.0 - Cultural Heritage

Section 7.0 addresses the policies as it provides direction for the identification and conservation of cultural heritage features within the City. Further, it is the intent of these policies to protect and enhance these assets. The proposed development conforms to the following cultural heritage policies:

7.3 Archaeological Resources

- a. A minimum of a Stage 1 Archaeological Assessment is required to be submitted to the Ministry of Tourism, Culture and Sport for approval where development is proposed on lands which have archaeological potential as determined by the City, the Region and/or the Ministry of Tourism, Culture and Sport.
- b. Depending on the results of the Stage 1 Archaeological Assessment referenced in Policy 7.3 (a), it may be necessary to undertake Stage 2 to 4 assessments.
- c. Pioneer and other cemeteries shall be retained in their original location and will not be relocated to accommodate private development.
- d. Development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or by preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintains the heritage integrity of the site may be permitted

According to a Stage 1 & 2 Archaeological Assessment prepared by Earthworks Inc., dated August 8, 2021, the Stage 1 and Stage 2 assessment concluded that the study area contains an archaeological site which has further cultural heritage value and interest. As such, that area will be protected and will not be developed. Further, the 2 storey block townhouses within Block 1 as identified on the Draft Plan of Subdivision, prepared by DPS dated July 25th, 2023, will provide adequate setbacks to the archaeological area to ensure it will remain undisturbed.

Section 8.0 – Servicing and Stormwater Management

The proposed development conforms to the following servicing and stormwater management policies:

8.1 Water and Sanitary Servicing

8.1.1 Servicing Within the Urban Area

- a. New Development in the urban area is required to be on full municipal water services and municipal sanitary services.
- b. Port Colborne shall continue the present practice of separate systems for storm and sanitary sewers.

- d. In the Urban Area, where adequate municipal infrastructure services exist, a developer or subdivider shall provide on their site, approved engineered systems for water service, sanitary sewers and storm sewers; and where the City deems necessary, and shall also provide extensions beyond said lands for connections to City mains. The City shall continue its present practice of obtaining Subdivider Agreements or Site Plan Agreements relating to services, standards, specifications, levies, etc. The City may amend these Agreements from time to time. The City may waive this policy in the case of development it considers as 'infill'.

8.2 Stormwater Management

- a. Stormwater will be managed on-site and will not have an adverse impact to neighbouring properties or the drainage patterns of the surrounding area.
- b. A stormwater management plan and a sediment and erosion control plan prepared and signed by a qualified engineer may be required with a development application depending on the scale and nature of the proposal and site specific environmental conditions. Stormwater management plans shall be prepared in accordance with Policy 7.A.2.1, of the Ontario Ministry of the Environment Stormwater Management Planning and Design Manual 2003 or its successor, and with watershed and/or environmental planning studies for the area.
- c. A stormwater management plan submitted with an application for development shall demonstrate that the proposal will minimize vegetation removal, grading and soil compaction, erosion and sediments, and impervious services as well as meeting the requirements of Policy 8.2 (b) and Section 8.2.1 of this Plan. Stormwater management facilities shall not be constructed in Natural Heritage Features as identified in Section 4 or key hydrologic features, or in required buffer zones unless permitted under Section 4 of this Plan.
- e. Individual lot level approaches are encouraged to reduce runoff volume and to treat stormwater runoff on-site by filtering out pollutants through Low Impact Development (LID) approaches. In particular, the following LID approaches are encouraged:
 - i. Conservation of Natural Features;
 - ii. Reducing impervious areas;
 - iii. Bio-retention areas;
 - iv. Rain gardens;
 - v. Green roofs;
 - vi. Rain barrels;
 - vii. Cisterns;
 - ix. Vegetated filter strips;

The proposed development will conform with policy 8.1 and 8.2 of the Official Plan, as the proposal seeks to incorporate a stormwater management pond and flood storage facility along the south end of the of the Subject Property.

According to the Functional Servicing report dated June 26th, 2023, prepared by EXP Services Inc., water servicing and sanitary servicing can be provided with a proposed network of municipal watermains and sanitary sewers. For details refer to the Functional Servicing Report by EXP Inc. Dated June 26th, 2023, submitted as part of the application package.

Section 9.0 – Transportation and Public Utilities

Section 9.0 addresses the policies for the “provision and management of transportation mode and infrastructure within the City of Port Colborne”. The purpose of the policies within Section 9.0, is to establish an accessible, balanced and efficient transportation network for all members of the public.

According to Schedule D - Transportation, of the Official Plan, it should be noted that Killaly Street E., is designated as an Arterial Road. Both Bell Street and Johnston Street are designated as Local Roads. Further, the western portion of Bell Street is partially designated as a Collector Road. and the future Highway 3 is proposed immediately north of Killaly Street E (refer to figure 8). The proposed development conforms to the following Transportation and Public Utilities policies:

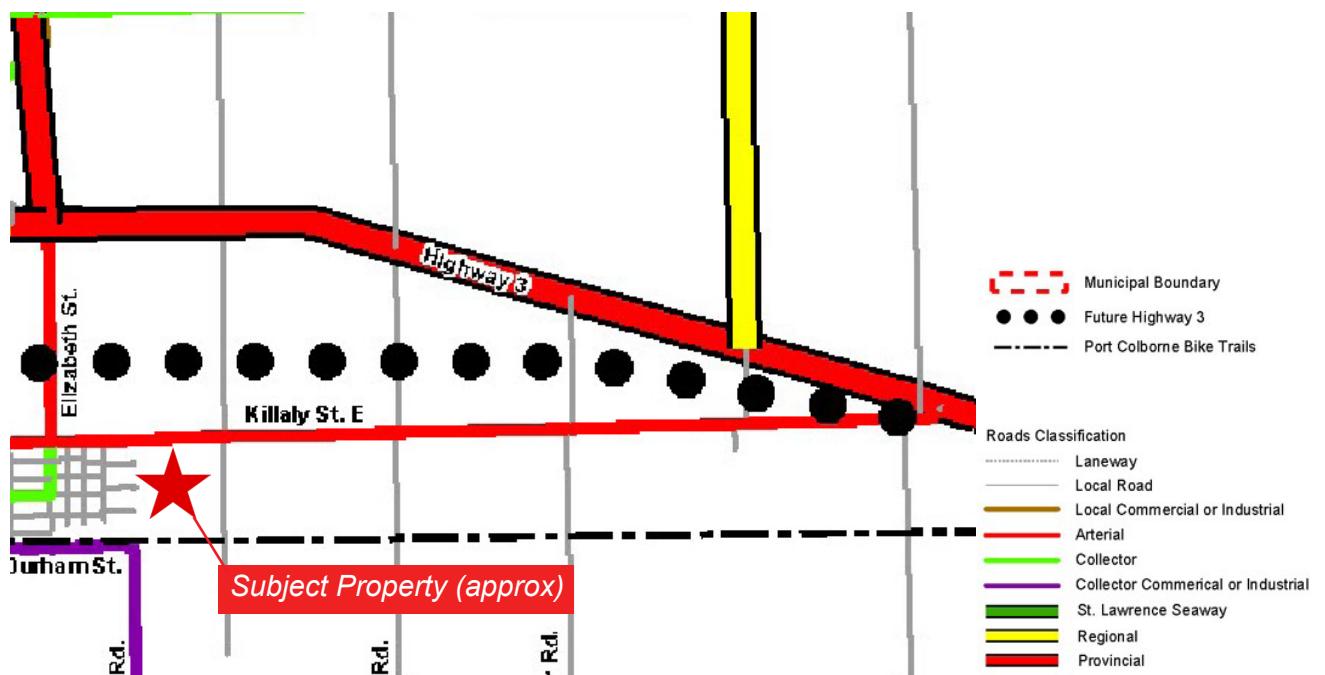


Figure 8 - City of Port Colborne Official Plan - Transportation, Schedule D

Source: Region of Niagara

9.1.1 Walking, Cycling and Transit

- a. From environmental, economic, health and traffic management perspectives, non-automobile modes of transportation are the preferred methods of movement within the City and full consideration will be given to accommodating pedestrians and cycling in the planning, design and evaluation of any new development.
- b. The City of Port Colborne will support the development of Complete Streets, which are designed to be safe for drivers; bicyclists; transit vehicles and users; and pedestrians of all ages and abilities.
- c. Sidewalks are required on one side and encouraged on both sides of all new local and Regional streets, in order to promote walkable neighbourhoods and have regard for the Accessibility for Ontarians with Disabilities Act.
- g. The bikeway network and bicycle support facilities will be planned, designed, operated and maintained in a manner to minimize conflicts and potential danger to cyclists, pedestrians and other forms of transportation, in keeping with professionally recognized guidelines with support from the Region of Niagara.
- h. The City encourages an interconnected transit system as part of a co-ordinated strategy led by the Region of Niagara.

9.1.2 Road Policies

- b. Roadway classifications are defined as follows:
 - ii. Local – roads that provide access to residential developments.

The proposed development will conform to policy 9.1 as the proposed extension of local roads (Bell Street and Johnston Street) and condominium roads will provide adequate internal circulation within the Subject Property and connections to the existing residential community, to the west, as well as Killaly Street E., which supports the land use goals identified within the Official Plan. As it pertains to the walking infrastructure, the proposal incorporates sidewalks on at least one side of the public roadway. The proposed development will also have pedestrian linkages to the existing neighbourhood to the west, by extending Johnston Street and Bell Street and which will ensure the proposed development is well-connected to existing public infrastructure and community amenities and services. It should be noted, Street A, Johnston Street and Bell Street extensions within the Subject Property will be proposed as local roads, and the internal roads will be identified as condominium roads. The proposed local roads will conform with the right-of-way width of 20 metres as identified within policy 9.1.2.

Summary Opinion:

The Subject Property is located within the Urban Area Boundary and fronts onto Killaly Street E., which is identified as an Arterial Road, and incorporates extensions of Johnston and Bell Streets.

The proposed new development will provide new infrastructure and connections to existing communities and trail/bikeway network will enhance quality of life for existing and future residents of the area. The proposed development will provide new stormwater and flood storage facilities located immediately to the south of the Subject Property which will be adequate to support the proposed development. According to the Functional Servicing Report prepared by EXP Services Inc., dated June 26th, 2023, the proposed development will be connected to the existing municipal services which can accommodate the proposed development. Further, the archeological area as identified on the concept Site Plan (refer to schedule A), will remain protected and undeveloped. Therefore, the proposal will conform with the housing policies. Upon reviewing the proposed development in accordance with the City of Port Colborne's Official Plan, we are of the opinion that the proposal conforms with the policies identified within the Official Plan.

5.6 City of Port Colborne Zoning By-law 6575/30/18

The Subject Property is currently zoned as Residential Development "RD" and First Density Residential, with a conversion holding provision "R1-CH". Although not specified in the Zoning By-law or Official Plan, in our experience, lands zoned as Residential Development are typically identified as appropriate for future residential developments. A Zoning By-law amendment will be required to rezone the Subject Property to establish applicable performance standards to accommodate the proposed development. According to Section 4.4.2, "where a zone symbol contains the suffix "CH" with or without a special provision (e. g. R1-CH or R1-1-CH), the zoning shall not take effect until the prescribed conditions are met including obtaining a Record of Site Condition from the Ministry of the Environment". Phase 1 and 2 Environmental Site Assessment (ESA) have been prepared by Soil-Mat Engineers and Consultants Ltd., dated April 26th, 2021, and are included with the Zoning By-law Amendment application. A Record of Site Condition will be obtained prior to the removal of the conversion holding provision.

6.0 URBAN DESIGN GUIDELINES
(CITY OF PORT COLBORNE
OFFICIAL PLAN SECTIONS
3.2.3, 8.2.1 & 9.1.3)

This section of the report provides an overview of the Urban Design policies applicable to the Subject Property and the proposed development, which has been prepared in consultation with Cynthia Zahoruk Architects. These policies have been extracted from the City of Port Colborne's Official Plan, 2013. As per the pre-consultation meeting on July 28th, 2022, an Urban Design Brief was identified as a required study. After consultation with city staff, it was agreed that the Urban Design Brief can be included as a section of the Planning Justification Report. Further, it was directed by city staff that the Urban Design Brief should review the design guidelines under the applicable sections of the Official Plan. More specifically they are designed guidelines under section 3.0, section 8.0 and section 9.0.

6.1 Urban Residential Design Guidelines (Urban Design Brief)

Section 3.0 of the Official Plan addresses the land use designations within the City of Port Colborne. As the Subject Property is designated as Urban Residential, the proposed development is subject to the following urban design guidelines under section 3.2 Urban Residential:

3.2.3 Design Guidelines

3.2.3.1 Residential Communities

- a. New residential communities shall be limited in size, have a clearly defined character and edges:
 - i. The extent of a neighbourhood should be generally defined by a 400- metre radius (5-minute walk) from centre to edge.
 - ii. The built form and landscaping of a new neighbourhood should have similar high quality architectural and vegetative treatments that provide it with identity while also allowing it to be differentiated from existing neighbourhoods.
 - iii. Parks, woodlots, watercourses, trails, topographic features, major roads and infrastructure elements such as railway lines can define the neighbourhood periphery.

The proposed development will serve as an extension to the existing residential community to the west of the Subject Property. Character and edges will be clearly defined, while ensuring the extent of the neighbourhood will be under a 400-metre radius (a 5-minute walk), as the dimension of the Subject Property is 261.46 metres by 292.30 metres which is well below the 400-metre radius.

The built form and landscaping of the proposed development will have a high-quality architectural and landscaping design that are compatible to the existing neighbourhood while having its own identity by introducing different built forms than the existing neighbourhood, including semi-detached dwelling units, street townhouses, block townhouses and stacked townhouses. Detailed designs of the proposed development are still being developed and will be provided at the detailed design stage.

Friendship trail and the proposed stormwater management and flood storage facilities will define the southern boundary of the proposed development. Killaly Street E. is a designated arterial road which will generally define the northern boundary of the proposed development. Therefore, the proposal will meet the design guidelines as noted above.

- c. New residential communities and new development in existing neighbourhoods should be visually interesting such that:
 - i. A variety of residential building types, sizes and setbacks should be provided on any given street to encourage a diverse, non-repetitive community fabric.
 - ii. Visual interest should be provided through a block layout that maximizes views and vistas to parks, Natural Heritage features, the rural periphery and heritage and landmark buildings and features.

The proposed development will provide a variety of building types with different unit sizes and setbacks to the street. Architectural elements will be utilized to ensure a diverse, non-repetitive community fabric while still compatible to the existing neighbourhood in terms of style, material and colours. Specific designs of the proposed buildings will be available at the detailed design stage.

The visual interest of the proposed development will be provided through block layout designs. Generally, there are four residential blocks created by the proposed development. Each of the residential blocks contain a variety of building block sizes and patterns that will front onto either a public road or condominium road. The proposal incorporates a variety of building types, sizes and high quality of architectural designs, and considering the enhanced streetscapes, this will provide visual interests within the Subject Property for future residents. Lands to the east are designated as Environmental Protection Areas (EPA) under the City of Port Colborne's Official Plan, building blocks that are oriented east-west along the eastern property line will have views into the EPA.

- d. New residential communities should use a park or open space feature as a focal point:
 - i. The park may incorporate civic buildings, public art, gazebos, floral gardens, playgrounds and community mailboxes, where residents can meet informally or participate in neighbourhood events.
 - ii. The design of each park area should be unique to each neighbourhood to reinforce a sense of local identity and to assist in one's orientation through successive neighbourhood

The proposed development serves as an extension to the existing neighbourhood to the west, and considering the size of the Subject Property it is inefficient to incorporate a park or open space feature as a focal point of the proposed development. The proposal will continue to share the existing park and open space features such as the Friendship Trail, Johnston Park, Lockview Park and Thomas A. Lannan Sports Complex which will provide adequate space for current and future residents to meet informally for participating community events.

The proposal will incorporate enhanced streetscapes and well-designed architectural elements to ensure the sense of local identity is maintained and reinforced. Detailed design will be provided at a later stage.

3.2.3.2 Streets and Blocks

- a. The layout of streets and blocks should enhance the connectivity and appearance of new neighbourhoods.
 - i. New streets and blocks should be consistent with and extend from the existing grid pattern.
 - ii. The street and block pattern should fit into the existing built and natural environments and accentuate the presence of features including watercourses, heritage elements and topographic features.
 - iii. The City-owned road network should be designed with frequent cross streets to maintain the grid pattern of the Port Colborne community.
 - iv. Blocks and streets should be designed to enhance views, or to achieve a distinctive character around a neighbourhood focus through deliberate variations in the street alignment.
 - v. Block lengths should not exceed 200 metres

The proposed Local roads (Johnston Street and Bell Street) will be extended from the existing community located to the west of the Subject Property, which will maintain and be consistent with the existing grid pattern of the neighbourhood. The proposed blocks will generally reflect the overall layout and orientation of the existing blocks to the west.

Further, a turnaround is proposed at the end of Johnston Street and Bell Street on the east side of the Subject Property, to accommodate further extensions of the public roads for any future developments to the east of the Subject Property. The proposed development will provide public roads (Johnston and Bell Streets extensions) that run east-west and are connected by the proposed Street A that runs north-south and condominium roads which will maintain the grid pattern of the Port Colborne community. It should be noted that the proposed block lengths do not exceed 200 metres as shown on the Draft Plan of Subdivision and concept Site Plan (refer to schedules A and B).

3.2.3.3 Housing

- a. Single-Detached, Semi-Detached and Duplex housing should:
 - i. Front onto open space wherever possible;
 - ii. Have higher quality landscaping and architectural features than other buildings in the neighbourhood if flanking an arterial or open space edge;

- iii. Have garages that are either side drive attached, side drive detached, attached recessed or attached flush to the main building
- iv. Have garages that do not occupy more than 50% of the main building wall; and
- v. Be consistent with the placement and character of the surrounding built form where an infill development.

The proposed development seeks to introduce 10 semi-detached dwellings located along the western property line between Bell Street and Johnston Street. These semi-detached dwellings have been strategically designed to ensure there is a gradual transition from the existing single-detached dwellings to the west, to the proposed street and stacked townhomes. The semi-detached dwellings will have a private front and rear yard. The proposal will provide integral garages, however detailed design will be available at a later stage.

b. Townhouses and multiple-unit housing should:

- i. Be aligned parallel to the street from which the principal entrance should be visible and accessible;
- ii. Consider overall form, massing and proportions and the rhythm of major repetitive building elements and roof designs to create a street facade that is composed of a consistent and attractive variety of building elements; and
- iii. Be consistent with the placement and character of the surrounding built form where an infill development.

The proposed street, block and stacked townhouses will be aligned parallel to either a public or condominium road. The principal entrance of the proposed townhouse dwelling units will be visible and accessible directly from the proposed public or condominium roads.

The proposed street and block townhouse buildings will contain a maximum of 8 units, and the proposed stacked townhouse buildings will have a maximum building length of 13.11 metres. Adequate separation will be provided between the proposed townhouse buildings, which will create a consistent street façade and rhythm within the Subject Property. The proposed development also seeks to provide a variety of building elements which will be consistent with the existing architectural styles within the area and the City of Port Colborne, and detailed designs are still being developed which will be provided at the detailed design stage. Although the proposed development consists of a variety of building types, the overall built form, massing and proportion of the proposed development will be consistent throughout the development as the proposed heights for the townhouse units are 1 ½, 2 and 2 ½ storeys, which is compatible with the existing residential neighborhood community to the west. As the proposed development is in the initial stages of design, Figure 9 and 10, provide a conceptual rendering of the street and stacked townhouse units.



Figure 9 - Conceptual 2-storey Street Townhouse Units Rendering
Source: CZArchitects



Figure 10 - Conceptual Stacked Townhouse Units Rendering
Source: CZArchitects

Section 8.0 – Servicing and Stormwater Management

Section 8.0 addresses the policies as it relates to servicing of development and the management of stormwater across the City of Port Colborne. The proposed development conforms to the following urban design guidelines:

8.2.1 Design Guidelines

- a. Stormwater management facilities should be designed to be visual features within the community and integrated into subdivision and neighbourhood design such that each facility is complementary to the surrounding development.
- b. Shallow and naturalized stormwater management facilities should not be fenced.
- c. Where possible, stormwater management facilities should be designed so as to appear contiguous with natural areas and watercourses.
- d. Low impact public access facilities should be incorporated into stormwater management facility design such as multi-use walking and cycling trails.
- e. Where appropriate, Stormwater Management Facilities shall be naturalized, making use of native plants and species

The stormwater management and flood storage facilities will be located at the south end of the Subject Property on city-owned land and have been integrated within the overall design of the proposal. Although the proposed facilities have been designed to incorporate an acoustic berm/barrier to mitigate any noise concerns, the facilities will provide additional design features which will be determined during the detailed design stage.

The concept Site Plan (refer to schedule A) proposes a public path along the south-west property line which will connect the residential development to the Friendship Trail and the open space to the south of the Subject Property. Details regarding any proposed native plants and species will be provided during the detailed design stage.

Section 9.0 – Transportation and Public Utilities

Section 9.0 addresses the policies for the “provision and management of transportation mode and infrastructure within the City of Port Colborne”. The proposed development conforms to the following urban design guidelines:

9.1.3 Design Guidelines

- a. New development including infrastructure should be developed to maintain or enhance the natural features of a site.
- b. New roads should be consistent with and extend the existing grid pattern where possible.

- c. All new roads should have trees at the recommendation of the Director of Planning and Development Services and where possible, these trees should be native species.
- d. The sidewalk network should be designed to connect to the adjoining recreational trail networks.
- e. Street furniture should be coordinated to ensure a consistent and unified streetscape.

The proposed Johnston and Bell Street extensions will provide an extension of the existing grid pattern of the neighbourhood community to the west. The extensions of these two streets will provide a consistent road network pattern and size as the extensions will meet the required right of way width of 20.0 metres as defined under the City's Official Plan.

Further, the proposed development will incorporate sidewalks along either one or both sides of the proposed roads to create a walkable neighbourhood. The proposed sidewalks will also provide a connection to the Friendship Trail, which is a connection between the built and natural environment.

Street furniture will be provided within the proposed private parkette, which is located within Block 1, and will be provided throughout the Subject Property where plausible. The locations of the street furniture will be determined at the detailed design stage.

Summary Opinion:

The proposed development will establish a new residential identity within the City of Port Colborne as it will provide a high-quality architectural and landscaping design that will provide different built forms and unit sizes than existing neighbourhoods. The semi-detached and townhouse dwelling units proposed between the Johnston Street and Bell Street extensions will provide a gradual transition from the built forms of the adjacent neighbourhood to the west and the proposed development. As the proposed development will provide various setbacks and dwellings with 1 ½ , 2 and 2 ½ storeys in height, the proposed massing will provide visual interest for future residents. An acoustic barrier has been incorporated in the design based on the recommendations of the Land Use Compatibility Study prepared by RWDI dated July 26th, 2023. Considering the Subject Property has a radius of under 400-metre that connects to the existing neighbourhood community to the west, and with a well-designed road network incorporating sidewalks and high architectural and landscape designs, the proposed development will improve the walkability of the neighbourhood community for the existing and future residents. Upon reviewing the proposed development in accordance with the City of Port Colborne's Urban Design policies, we are of the opinion that the proposal conforms with the policies identified within the Official Plan and will enhance the quality of life of current and future residents.

7.0 PROPOSED ZONING BY-LAW
AMENDMENT

The proposed draft Zoning By-law (refer to schedule C) includes performance standards that will permit the proposed development as shown on the Draft Plan of Subdivision and Site Plan (refer to schedules A and B). The proposed draft Zoning By-law rezones the Subject Property from Residential Development (RD) and First Density Residential Zone-CH (R1-CH) to Residential Fourth Density Zone, site-specific R4-X and Residential Fourth Density Zone, site-specific R4-X (H). It should be noted, the first lot immediately adjacent to Killaly Street E. will be dual zoned to permit both residential and neighbourhood commercial uses. The purpose of the proposed draft Zoning By-law is to implement standards that will permit development consistent with the concept site plan dated July 25th, 2023 prepared by Cynthia Zahoruk Architects.

7.1 Dwelling, Townhouse, Block

The proposed Block Townhouse Dwellings would require amendment to the minimum lot area per unit, minimum interior and corner side yards, and maximum height. Most of the proposed Block Townhouse units will be compliant with the by-law required lot area per unit, and the proposed lot area per unit is only applicable to a few unique circumstances due to the limits of the Archaeological Potential Area (Block 8 of the Draft Plan of Subdivision). Although the proposed interior and corner side yards are slightly lower than the requirements, they provide adequate building separation that is consistent with the rest of the proposal and adequate access to the rear yards. Further, in order to accommodate the proposed live/work unit, the R4 zone has been amended to incorporate Neighbourhood Commercial uses for the first townhouse dwelling block adjacent to Killaly Street East.

7.2 Dwelling, Townhouse, Street

The proposed street townhouse units seek to amend the maximum height, minimum corner and interior side yards. The proposed minimum corner and interior side yards will be slightly lower than the by-law requirement while still providing a built form that complies with all other applicable performance standards.

7.3 Apartment Buildings

Through consultation with city staff, it was determined that the proposed stacked townhouses will be subject to the provisions of apartment buildings, as stacked townhouses are not defined within the City of Port Colborne By-law 6575/30/18. Both the front yard and rear yard setbacks are proposed to be amended due to the cul-de-sacs located at the east end of both the Johnston Street and Bell Street extensions. The cul-de-sacs were required by the City to provide future easterly connections for future developments to the east of the Subject Property. The required parking rate is 1.5 parking space per unit for Apartment Buildings, and the proposed parking rate is 1.0 parking space per unit, as additional on street parking spaces will be provided along the proposed public right-of-way.

7.4 Dwelling, Semi-Detached

The proposed semi-detached dwellings seek to amend the minimum lot frontage and minimum lot area. The proposed lot frontage and lot area for interior lots will be slightly lower than the by-law requirement while still providing a built form that complies with all other applicable performance standards.

8.0 SUPPORTING
DOCUMENTATION REVIEWED

8.1 Phase 1 Environmental Site Assessment (Prepared by Soil-Mat Engineers & Consultants Ltd., dated June 30th, 2020)

At the time of the Phase 1 ESA report, the Subject Property comprised of a roughly rectangular shaped parcel of undeveloped land. The Phase 1 ESA report revealed four potential contaminating activities (PCAs) within the Phase 1 study area. Further, the report revealed three contaminating activities (PCAs) within the Phase 1 study area are considered a potential environmental liability to the Subject Property of medium concern. The Phase 1 ESA report recommended that the potential of site contamination is to be of low concern. However, for filing for a Record of Site Condition, the potential is considered medium and further additional investigations were recommended, refer to the report for further details and study area.

8.2 Phase 1 Environmental Site Assessment Update (Prepared by Soil-Mat Engineers & Consultants Ltd., dated November 30th, 2022)

The Phase 1 ESA update includes additional lands that have been added to the proposed Killaly Street residential development. A representative of Soil-Mat Engineers visited the additional lands on September 16th, 2022, to observe site conditions of the lands. The Phase 1 ESA update revealed five potentially contaminating activities on the additional lands. The Phase 1 ESA update concluded that the potential of an adverse environmental impact on the site should be considered medium and recommended that additional investigations are required. refer to the report for further details and study area.

8.3 Phase 2 Environmental Site Assessment Update (Prepared by Soil-Mat Engineers & Consultants Ltd., dated August 31st, 2020)

The Phase 2 ESA included fieldwork of fourteen hand dug pits on the property to facilitate the collection and submission of select soil samples for testing. The Phase 2 ESA revealed exceedances for select metal parameters, across the site in the upper shallow soils. The contaminants of concerns include Electrical Conductivity, Cobalt, Arsenic, Nickel, Copper, Free Cyanide and Selenium. These elevated levels were documented within the upper approximate 0.6 metres of the site. Further, additional sampling was recommended to further delineate the limits of the area(s) of specific concern. The Phase 2 ESA concluded that based on the information, a Record of Site Condition (RSC) cannot be filed for the site at this time, refer to the report for further details and study area.

8.4 Supplemental Phase 2 ESA (Prepared by Soil-Mat Engineers & Consultants Ltd., dated April 26th, 2021)

The supplemental Phase 2 ESA revealed an isolated area of PHC exceedance and a widespread area of elevated levels of select metal parameters were identified in the soil medium. As a Record of Site Condition was required to support the proposed residential development, it is necessary to undertake a remediation program or subject the site to some level of Risk Assessment activities, refer to the report for further details and study area.

8.5 Additional Supplemental Phase 2 ESA (Prepared by Soil-Mat Engineers & Consultants Ltd., dated July 18th, 2023)

The supplemental Phase 2 ESA revealed elevated levels of select metal parameters in the soil throughout the site. The elevated levels were reported under approximately 0.1 to 1.4 metres. The ESA also revealed an elevated level of a select metal parameter, specifically Cobalt. The supplemental Phase 2 ESA conclude that with the exception of the elevated level of Cobalt on the additional lands, the results of the supplemental Phase 2 ESA is consistent within the findings of the Phase 2 ESA and Supplemental Phase 2 ESA for the adjoining development lands to the south. It is recommended that that groundwater monitoring well be purged and resampled to determine if the initial result is anomalous or is representative of the actual groundwater conditions at the location, refer to the report for further details and study area.

8.6 Noise & Vibration Impact Study - Killaly Street East (Prepared by RWDI, dated July 26th, 2023)

The Noise and Vibration study concluded that the land use compatibility of the proposed development with respect to the nearby industrial land-uses is considered acceptable with the implementation of a noise barrier. Furthermore, a warning clause is recommended to inform prospective occupants of potential audible noises from the facilities located to the south. The report also recommended the design of the dwelling with the provision for addition central air conditioning and inclusion of noise warning clauses for transportation sound levels at the building façade and proximity to commercial/land use. The proposed development is feasible to meet the applicable sound and vibration criteria.

8.7 Land Use Compatibility Study - Killaly Street East (Prepared by RWDI, dated July 26th, 2023)

The Land Use Compatibility study concluded that from an air quality perspective, the proposed low-rise residential uses on the Subject Property are compatible with the surrounding industrial uses. For further information, refer to the Noise and Vibration Study – Killaly Street East.

8.8 Stage 1 & 2 Archaeological Assessment (Prepared by Earthworks, dated August 8th, 2021)

The Stage 1 and 2 Archaeological Assessment concluded that the study area (refer to Map 1 of the report) contains an archaeological site that has further heritage value and interest. A Stage 2 combined pedestrian and test pit survey was conducted between November 25th, 2020, and June 14th, 2021. As a result, the Stage 2 survey of AfGt-329 identified a pre-contact indigenous campsite of indeterminate age or cultural affiliation. A portion of AfGt-329 contained 10 non-diagnostic artifacts within a 10 metres by 10 metres pedestrian survey area. A Stage 3 site-specific assessment was recommended for AfGt-329. The report concluded that no further archaeological assessments are recommended for AfGt-330 and Location 2, refer to the report for further details and study area.

8.9 Stage 1 & 2 Archaeological Assessment (Prepared by Earthworks, dated November 8th, 2022)

The Stage 1 and Stage 2 Archaeological Assessment concluded that the study area (refer to Map 1 of the report) is free of archaeological material and no further archaeological assessments are recommended, refer to the report for further details and study area.

8.10 Stage 3 Archaeological Assessment (Prepared by Earthworks, currently in progress)

The Stage 3 Archaeological Assessment has been prepared by Earthworks and is currently being reviewed by the First Nations. The report will be submitted separately once completed.

8.11 Geotechnical Investigation (Prepared by Soil-Mat, dated August 11th, 2020)

The Geotechnical investigation consisted of a total of eight sampled boreholes. The Geotechnical investigation concluded that the native soils and limestone bedrock encountered at the borehole locations are considered to be capable of supporting the loads typically associated with townhouse construction on conventional spread footings.

8.12 Functional Servicing Report (Prepared by EXP Services Inc., dated June 26th, 2023)

The Functional Servicing Report concluded that the proposed development can be adequately serviced. The proposed grading can accommodate and maintain the existing drainage patterns for the site and perimeter without having any negative impacts to neighbouring properties. The water servicing can be provided with a proposed network of municipal connections to the existing watermains on Bell Street, Johnston Street and Killaly Street East. Further, adequate fire protection and sanitary servicing can be provided for the proposed development. It should be noted, the sanitary service can be provided with a proposed network of municipal sanitary sewers with a proposed connection to the existing 300 mm diameter sanitary sewer on Johnston Street. The storm servicing can be provided with a proposed network of municipal storm sewers out letting into the proposed dry stormwater management block, refer to the report for detailed information.

8.13 Traffic Impact Study (Prepared by GHD, dated July 21st, 2023)

The Traffic Impact Study assessed the site circulation for emergency vehicles, waste collection vehicles, and passenger vehicles and concluded there are no issues with the site circulation. The subject site is expected to generate a total of 115 two-way vehicle trips during the a.m. peak hour, consisting of 27 inbound and 88 outbound trips. During the p.m. peak hour, the subject site is expected to generate 163 new two-way vehicle trips, consisting of 103 inbound and 60 outbound trips. The existing and under the 2028 future background conditions, all intersections are expected to continue to operate at acceptable rations and levels of services. Refer to the report for detailed information.

9.0 CONCLUSION

The proposed development is consistent with the Provincial Policy Statement, 2020, and conforms to the Growth Plan for the Greater Golden Horseshoe, 2020. The proposed development conforms to the City of Port Colborne Official Plan and Urban Design policies. A Zoning By-law Amendment will be required as the Subject Property is currently zoned as “RD-Residential Development” and “R1-CH-First Density Residential”.

The proposed residential development is consistent with and conforms to current Provincial and City of Port Colborne policies and represents good planning. The proposed development conforms to the minimum density for lands “Designated Greenfield Areas” and the introduction of 286-units will contribute to the Region of Niagara and City of Port Colborne in achieving the forecasted population growth. Further, the proposed dual zoned unit, immediately adjacent to Killaly Street E., will ensure the current Neighbourhood Commercial use is maintained. The development of the Subject Property has been designed to ensure the Archaeological zone will not be impacted and will continue to be maintained and undisturbed.

Based on the forgoing analysis of the proposed development and all relevant legislation, policies, guidelines and supporting reports, the Draft Plan of Subdivision and Zoning By-law Amendment should be approved to permit residential development as proposed. The proposal conforms to all applicable Provincial, Regional and City policies and will reflect and reinforce the surrounding land uses. It is our professional opinion that the proposed residential semi-detached dwelling units, stacked, block and street townhouse units represent an appropriate and desirable use of the Subject Property.

I hereby certify that this plan/report was prepared by or under the supervision of a Registered Professional Planner, within the meaning of the Ontario Professional Planner Institute Act, 1994.

Date: August 1st 2023



TJ Cieciora, MSc, MCIP, RPP
Principal Planner

10.0 SCHEDULES



THE UNIVERSITY OF APPLIED SCIENCES
 COLLEGE OF ARCHITECTURE
 100 UNIVERSITY AVENUE
 TORONTO, ONTARIO M5S 1A5

NAME	PROJECT
DATE	ISSUED FOR REVIEW
DATE	ISSUED FOR PERMITS

SCALE: AS NOTED
 DRAWN: HREM
 PRINT DATE: 20220223

CHEUNG
 PROPOSED TOWNHOUSES
 KILLALY STREET EAST
 PORT COLBORNE, ONTARIO

PROPOSED
 SITE PLAN

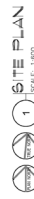
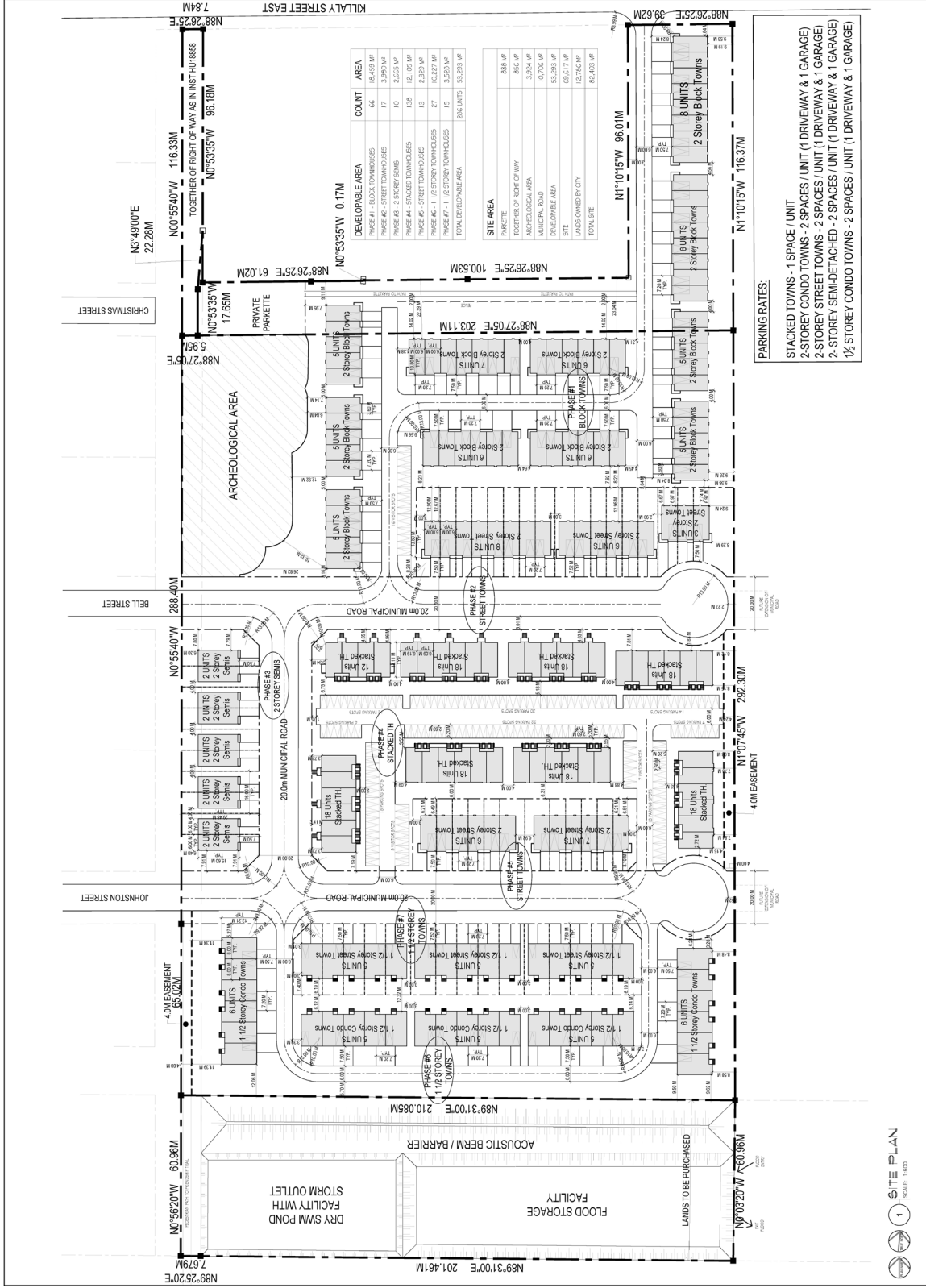
A1.0



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 Town Planning Consultants

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 Toronto, ON M9B 6K2
 Telephone: 416.626.5445
 www.designplan.ca

scale	NTS	Date	July 27/2023	Drawing No	20178_SC1	Drawn	Design
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Schedule A - Site Plan

By-law No. _____

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to amend Zoning By-law 6575/30/18 respecting lands legally described as Part of Lots 23 and 24 Concession 1, City of Port Colborne, Regional Municipality of Niagara, including municipally known as 549 Killaly Street East.

Whereas By-law 6575/30/18 is a by-law of The Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures; and

Whereas, the Council of The Corporation of the City of Port Colborne desires to amend the said by-law.

Now therefore, and pursuant to the provisions of Section 34 of the *Planning Act, R.S.O. 1990*, The Corporation of the City of Port Colborne enacts as follows:

- 1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
- 2. That the Zoning Map referenced as Schedule "A6" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Residential Development (RD) and First Density Residential Zone-CH (R1-CH) to:
 - Residential Fourth Density Zone, site-specific R4-X;
 - Residential Fourth Density Zone, site-specific R4-X (H);
- 3. That Section 37 entitled "Special Provisions" of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

37.X Residential Fourth Density Zone – R4-X

Notwithstanding the provisions of Residential Fourth Density Zone (R4), the following regulations shall apply:

37.X.1 Dwelling, Townhouse, Block

- a. Minimum Lot Area per Unit 0.016
hectares

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				Drawing No		Design

- b. Minimum Interior Side Yard 2.64 m
- c. Minimum Corner Side Yard 2.91 m
- d. Maximum Height 12.00 m
- e. Notwithstanding the R4 zoning provisions, the first townhouse unit of the first townhouse dwelling block adjacent to Killaly Street East may be used for the following Neighbourhood Commercial Uses, provided the use meets the provisions set out in Section 37.X.1 above, and parking requirements in Section 3 of the Zoning By-law:
 - i. Convenience Store;
 - ii. Personal Service Business; and
 - iii. Restaurant, Take-out
 - iv. Uses, structures and buildings accessory thereto

37.X.2 Dwelling, Townhouse, Street

- a. Minimum Corner Side Yard 2.90 m
- b. Minimum Interior Side Yard 1.40 m
- c. Maximum Height 12.00 m

37.X.3 Apartment Buildings

- a. Minimum Lot Area, per unit 85.00 sq. m
- b. Minimum Front Yard 1.73 m
- c. Minimum Corner Side Yard 3.31 m
- d. Minimum Rear Yard 2.62 m
- e. Maximum Porch and Steps Encroachment 3.45 m
- f. Number of Parking Spaces, per unit 1

Schedule C - Zoning By-law Amendment 2 of 6

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37.X.4 Dwelling, Semi-detached

- a. Minimum Lot Frontage 16.00 m
- b. Minimum Lot Area 0.047 hectares

37.X Residential Fourth Density Zone (H) – R4-X (H)

Notwithstanding the provisions of Residential Fourth Density Zone (R4), the following regulations shall apply:

- a. The uses permitted in the Residential Fourth Density Zone (R4) shall not occur until the Holding (H) symbol on the R4-X (H) is removed. The removal of the Holding (H) symbol is subject to the following condition:
 - i) Completion of a Stage 4 Archaeological Assessment and acknowledgement of the report by the Ministry of Tourism, Culture and Recreation.

Section 38: Definitions

Lot Frontage: means the horizontal distance between the interior side lot lines.

Lot Line (applicable to block townhouse dwellings): means the boundary of a lot and for the purposes of measuring required yard setbacks, individual unit property lines of a registrable plan pursuant to the Condominium Act, and includes:

- a) Front Lot Line:** which means the lot line, not including a corner lot line, which abuts a street for the shortest distance, whether or not that line jogs or curves, and extending between the side lot lines, more or less for the full width of the lot and where more than one such lot line exists, means a lot line which abuts the same street as the front lot line of an abutting lot;
- b) Rear Lot Line:** which means the lot line furthest from and opposite the front lot line but if there is no such line, that point furthest from and opposite the front lot line; and
- c) Interior Side Lot Line:** which means the lot line other than a front lot line, a corner lot line or a rear lot line; or

d) Corner Side Lot Line: which means the longest line along a public road where a lot has two or more lot lines along a public road.

Yard Setback: means the distance required by this By-law between a lot line, not including a corner lot line, and a building, or in the case of a multi- unit development under one ownership such as condominium tenure pursuant to the Condominium Act, any devising property line between a common element feature or another unit and includes:

a) **Front Yard Setback:** which means the shortest distance between the front lot line and any part of a building, not including a projection permitted under Section 2.20.

i. Where a building has front-loaded vehicle access from a private road or laneway, the lot line of that common element feature shall be deemed to be the front lot line; or

ii. The front lot line abutting a public street supersedes an internal front lot line.

b) **Rear Yard Setback:** which means the shortest distance between the rear lot line and the nearest point of the principal building, not including a projection permitted under Section 2.20.

i. Where a building has front-loaded vehicle access from a private road or laneway, the lot line opposite the common element feature shall be deemed to be the rear lot line; or

ii. Where a building has vehicle access from private road or laneway and has front entry onto a common element sidewalk, the private road or laneway devising lot line providing vehicle access shall be deemed to be the rear lot line.

d) **Corner Side Yard Setback:** which means the shortest distance between the corner side lot line and any part of a building between the front and rear yards, not including a projection permitted under Section 2.20.

i. Where a building fronts both a public street and a private road or laneway, the devising lot line of that common element feature shall be deemed to be the corner side lot line.

4. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.

5. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with the *Planning Act*.

Enacted and passed this ____ day of _____, 2023.

Schedule C - Zoning By-law Amendment 4 of 6

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	Date		Drawing No		Design

Mayor

Acting City Clerk

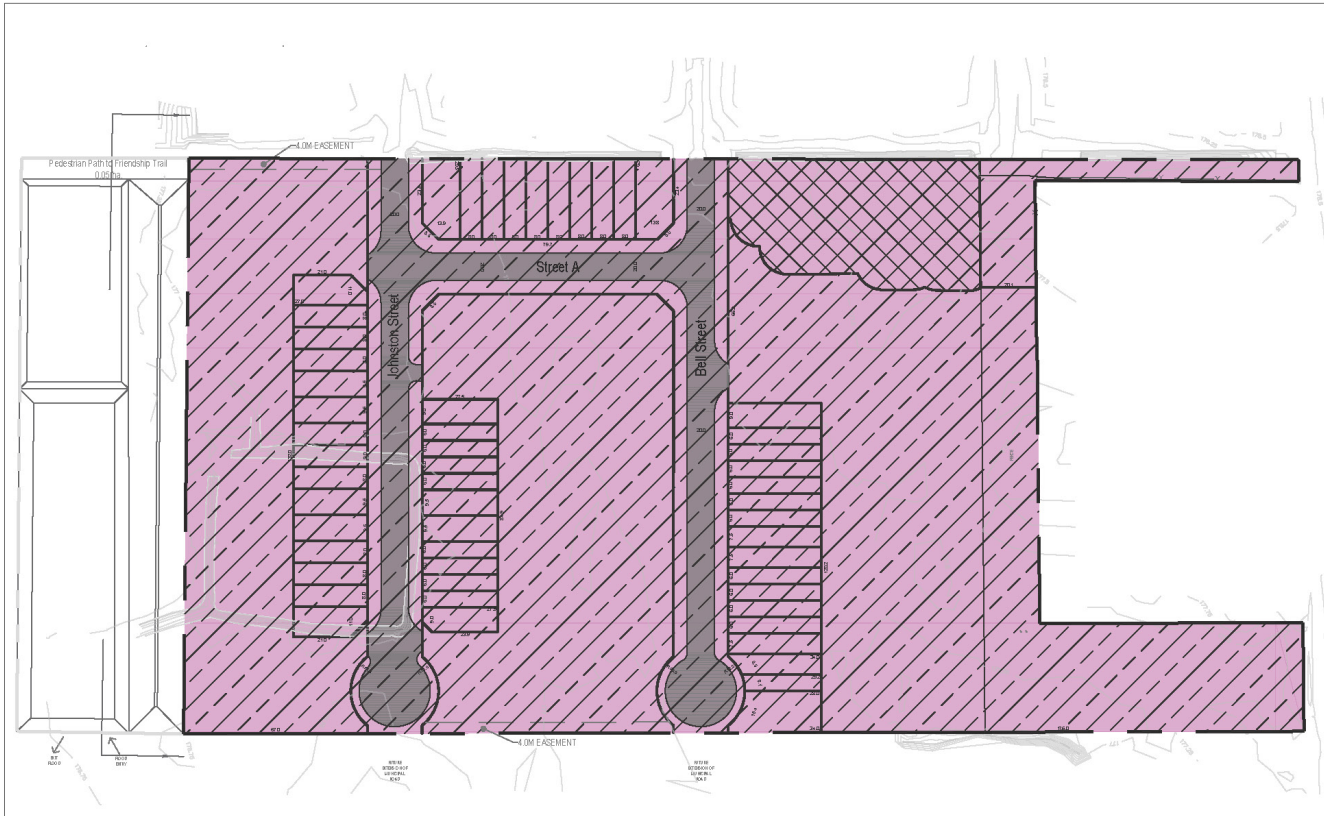
Schedule C - Zoning By-law Amendment 5 of 6

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		Date	Drawing No		Design



SCHEDULE "A"
To By-law No. _____

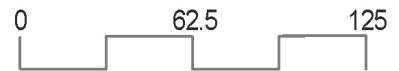
- Legend
-  R4-X
 -  R4-X (H)

THIS IS SCHEDULE "A" TO BY-LAW No _____
PASSED THE _____ DAY OF _____

City of
Port Colborne

Mayor _____

Clerk _____



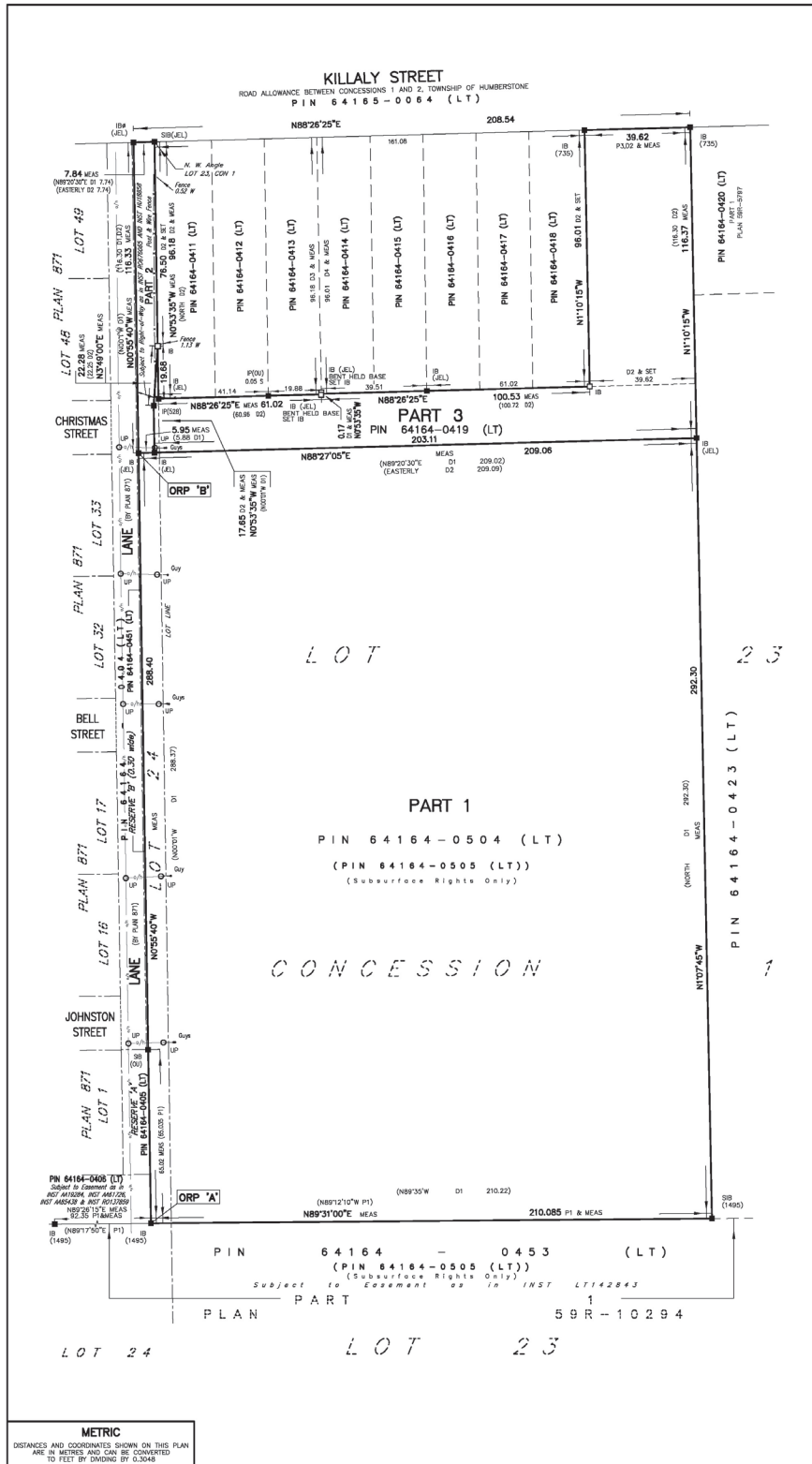
Schedule C - Zoning By-law Amendment 6 of 6

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	Date		Drawing No		Design



PLAN 59R-
RECEIVED AND DEPOSITED

DATE _____ DATE _____

ROY S. KIRKUP
ONTARIO LAND SURVEYOR

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF NIAGARA SOUTH (No. 59)

SCHEDULE

PART	LOT	CONCESSION	PIN
1	PART OF LOTS 23 AND 24	CONCESSION 1	ALL OF 64164-0496 (LT)
2	PART OF LOT 24		ALL OF 64164-0419 (LT)
3	PART OF LOTS 23 AND 24		

PART 2 - SUBJECT TO RIGHT-OF-WAY AS IN INST R0676065 AND INST HU18858

PLAN OF SURVEY OF
PART OF LOTS 23 AND 24
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF HUMBERSTONE
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 1000
0 10 20 30 40 50 metres

Kirkup Mascoe Ure Surveying
A Division of J.D. Barnes Limited
ONTARIO LAND SURVEYORS

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0).
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF OREG 216/10.

POINT ID	EASTING	NORTHING
ORP (A)	644550.60	4749200.35
ORP (B)	644545.93	4750188.66

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.
THE RESULTANT TIE BETWEEN ORP (A) AND ORP (B) IS 288.40 (GROUND), N055°40'W

NOTES
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999835

- LEGEND AND NOTES**
- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT PLANTED
 - SIB STANDARD IRON BAR
 - SSIB SHORT STANDARD IRON BAR
 - IB IRON BAR
 - CC CUT CROSS
 - IP IRON PIPE
 - N,S,E,W NORTH, SOUTH, EAST, WEST
 - meas./m. MEASURED
 - (O) ORIGIN UNKNOWN
 - (WT) WITNESS
 - PIN PROPERTY IDENTIFIER NUMBER
 - ORP OBSERVED REFERENCE POINT
 - (538) J. R. SCOTT, O.L.S.
 - (759) C. J. CLARKE, O.L.S.
 - (1495) P. J. RETSMA, O.L.S.
 - (461) LANTHIER & GILMORE SURVEYING LTD., O.L.S.
 - P1 PLAN 59R-10294
 - P2 REC'D. PLAN 571
 - P3 PLAN 59R-5797
 - D1 INST HU18858 (PIN 64164-0496 (LT))
PLAN ATTACHED
 - D2 INST R0676065 (PIN 64164-0419 (LT))
 - D3 INST R0554119 (PIN 64164-0413 (LT))
 - D4 INST S885187 (PIN 64164-0414 (LT))
 - UP UTILITY POLE
 - Guyw GUY WIRE
 - o/n OVERHEAD WIRE
- THE WIDTH OF BLOCK B (0.30 RESERVE) HAS BEEN ENLARGED FOR PLOTTING CLARITY.
DISTANCES ROUNDED TO 0.005 metres

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON MAY 26, 2022.

DATE: AUGUST 10, 2022

ROY S. KIRKUP
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO A.D.L.S. PLAN SUBMISSION FORM # 2192277

Kirkup Mascoe Ure Surveying
A Division of J.D. Barnes Limited

SURVEYING
MAPPING
GIS

4318 PORTAGE ROAD, UNIT 2, NIAGARA FALLS, ON L2E6A4
T: (905) 641-1007 F: (905) 641-4424 www.jdbarnes.com

DRAWN BY: GP CHECKED BY: RSK REFERENCE NO.: 20-49-087-01_2rplan
PLOTTED: AUGUST 10, 2022 DATED: AUGUST 10, 2022

Schedule D - Survey

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Town Planning Consultants

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Telephone: 416.626.5445
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D	P
S	

scale	NTS	Date	July 27/2023	Drawing No	21211-SC4	Drawn	RW	Design
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