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PLANNING JUSTIFICATION AND IMPACT ANALYSIS REPORT

PROPOSED ZONING BY-LAW AMENDMENT

FOR

DRAFT PLAN OF CONDOMINIUM FOR RESIDENTIAL DEVELOPMENT

281 Chippawa Road, City of Port Colborne

March 2023
Quartek Reference Project #21092



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A. INTRODUCTION

Quartek Group Inc. (Quartek) was retained by the owner/applicant (2835935 Ontario Inc.) to prepare this Planning Justification and Impact Analysis Report for the Zoning By-law Amendment application followed by the Draft Plan of Condominium for the proposed residential development that will include a mix of single, semi-detached and townhouse dwelling units.

The Applicant attended the pre-consultation meeting with the Town and Region on April 22, 2021 and presented a conceptual site plan that proposed a townhouse development totalling 176 units with access from a private road. The proposal included a stormwater management pond/facility and an area designated as a commercial block. At the meeting, the City noted limitations to the commercial block and stated the desire to redesign the site and consider including a mixture of housing and future development to the west of the subject lands.

The recommendations from the pre-consultation meeting resulted in various redesigns, including stacked townhouses. Ultimately, the final conceptual site plan is providing a medium density residential development that will appropriately utilize a piece of land in the City's settlement urban boundary limits capable of development. The proposed mixed residential use includes one hundred and eight (108) townhouse units, forty (40) semi-detached dwelling units, and twenty-one (21) single-detached units for a total of one hundred and sixty-nine (169) dwelling units, with access from the private road.

Included in the City's pre-consultation meeting agreement and recommended by the City and Region staff are the following technical studies required to support the application for an amendment to the Zoning By-law, followed by Site Plan and Draft Plan of Condominium approval applications:

Requirements for Zoning By-law Amendment Application

- Conceptual Site Plan Layout
- Planning Justification and Impact Analysis Report
- Zoning-By Law Amendment and Schedule
- Air Quality/Noise Study
- Stage 1 and 2 Archaeology Assessment
- Environmental Impact Study (EIS)
- Preliminary Functional Servicing Brief and Stormwater Management Plan
- Transportation Impact Study

Requirements for Site Plan and Draft Plan of Condominium Applications

- Site plan
- Building elevations and general floor plans
- Landscape plan
- Photometric/site lighting plan
- Detailed Stormwater Management Report and Plan



- Site servicing plan and grading plan
- Draft Plan of Condominium drawing and description of condominium

Refer to the pre-consultation agreements found in Appendix A.

The purpose of this report is to describe the site and its surrounding lands uses, outline the development proposal for residential intensification, summarize the relevant planning policies and regulations, outline the proposed site-specific Draft Zoning By-law amendment, and the justification and rationale for approvals.



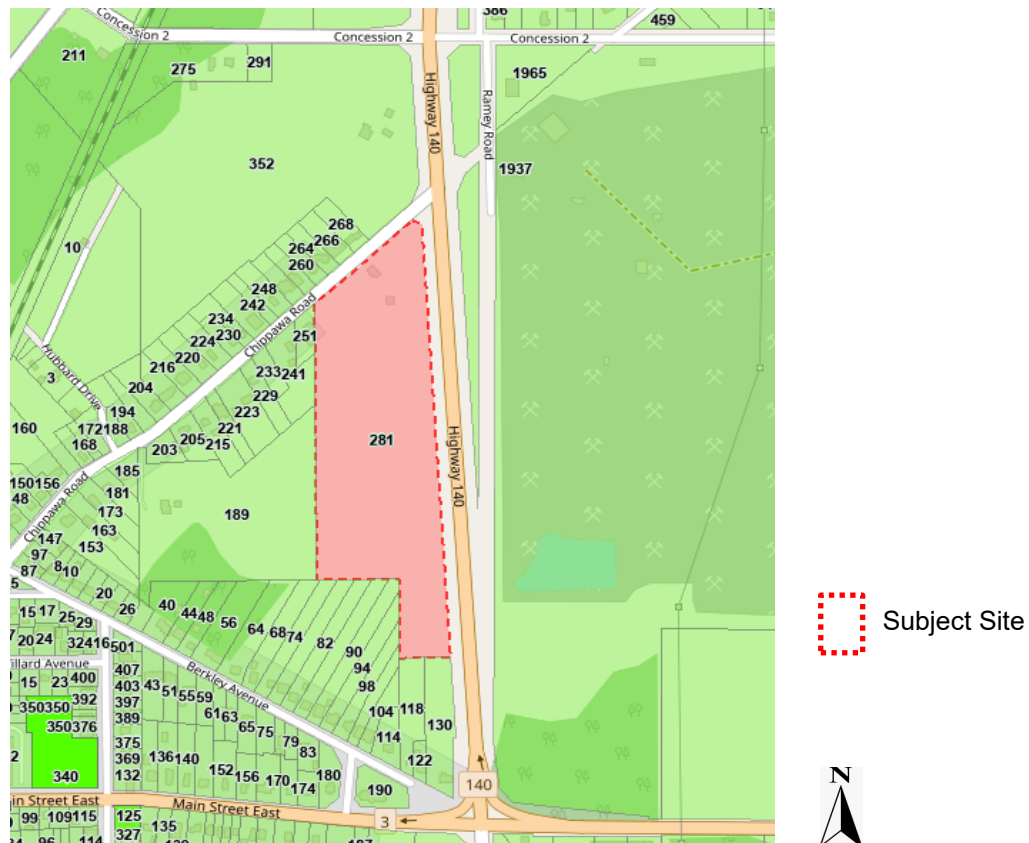
B. SITE CONTEXT

The subject site is located on the south side of Chippawa Road, municipally referred as 281 Chippawa Road and legally described as CON 2 PT LOT 25 59R-8400; PARTS 1, 2, & 3, City of Port Colborne. Refer to Figure 1 for the general location of the site and Figure 2 for the aerial image.

The site has an area of ±66,890 square metres (6.69 hectares) with a lot frontage of 161.41 metres and occupied by one single-detached dwelling, and two accessory structures with the balance of the site being vacant. The dwelling and accessory structures will be removed to facilitate the proposed development.

The site topography has a gradually grade difference from north to south by approximately 4 metres from Chippawa Road towards Berkley Avenue. The site has scattered tree clusters and ploughed agricultural field. The trees (woodland feature) were investigated, and the species inventoried, and the results are contained in the Environmental Impact Study completed by Natural Resource Solutions Inc. (NRSI). The EIS confirmed that the woodland features on lands immediately adjacent (west of subject site) are classified as a Key Natural Heritage Feature (Significant Woodland). The EIS identified a minimum buffer of 10 metres and in some locations reduced to 5 metres from the dripline of the treeline for the long term ecological protection. Refer to the EIS report submitted with the application for more details.

Figure 1: Subject Site
(Source: Niagara Navigator)





There are watermains on Chippawa Road and sanitary sewers require further investigation to determine the capacity and availability for connections. The stormwater management facility and design will require the Ministry of Transportation and the Region of Niagara input on the desired approach to manage the post development flows and outlet location. Further details are contained in the Functional Servicing Report prepared by Quartek Group Inc. dated March 2023 and submitted with this application.

Figure 2: Subject Site Aerial View
(Source: Niagara Navigator)





The following photos represent the existing conditions of the site.



PHOTO 1: Street view of subject site looking westerly from Highway 140



PHOTO 2: Street view of subject site looking northwest from Highway 140



PHOTO 3: Street view of subject site looking south from Chippawa Road





PHOTO 4: Street view of subject site looking easterly from Chippawa Road



B.1 Surrounding Land Uses

The following describes the surrounding land uses.

North: Residential (low density) primarily single-detached dwellings and large vacant area zoned for future residential development.

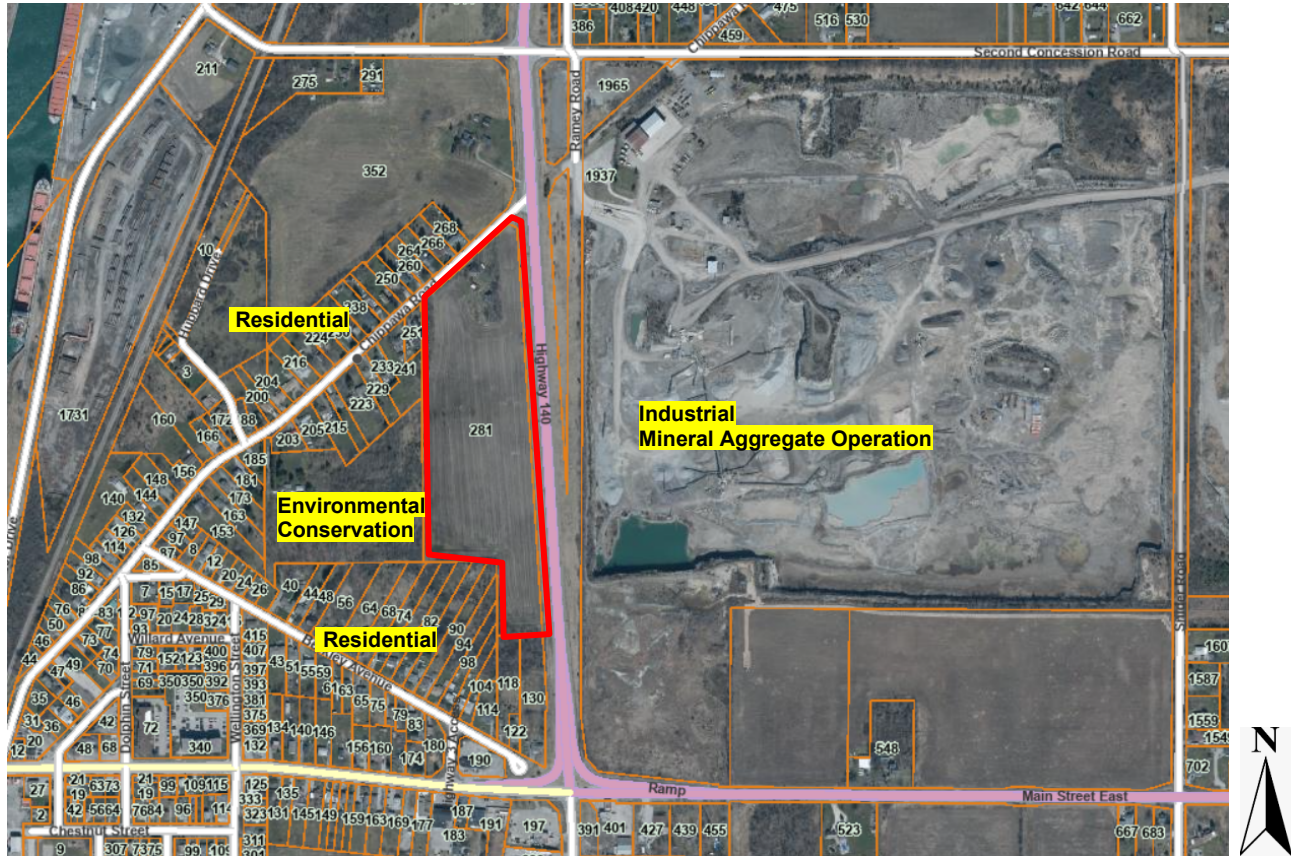
East: Highway 140 and Port Colborne Quarries (mineral aggregate operation).

South: Residential (low density) primarily single-detached dwellings and Environmental Conservation for the Significant Woodland abutting the subject site.

West: Residential (low density) primarily single-detached dwellings and Environmental Conservation for the Significant Woodland abutting the subject site.



Figure 3: Surrounding Land Uses
(Source: Niagara Navigator)





C. PROPOSED DEVELOPMENT

The proposed development will consist of a Common Element Condominium (CEC) with Parcel of Tied Land or POTL. This is a freehold parcel of land or a standard condominium unit which is tied to a share in a CEC. The POTL is “tied” to the share in the CEC which means that the owner of the POTL cannot sell the POTL without also selling its share in the CEC. The two interests cannot be severed. With a POTL, each townhome owner will own a piece of land and the building on it and has a part ownership in the common elements of the CEC. The common elements include parking, access road, sidewalks, open green space, garbage location pads, and each owner will have full use of these elements.

The condominium development will consist of:

108 townhouse (block) dwelling units
40 semi-detached dwelling units
21 single-detached dwelling units
169 dwelling units

The development will be accessed by a private roadway off Chippawa Road. The private roadway will have two-way access with a road width of 7 metres (back-of-curb to back-of-curb). The parking ratio is consistent with Section 3.1.1 parking space requirements for residential uses where there is 1 space per unit for each permitted use including a single detached, semi-detached, and block townhouse dwelling. The development will exceed the minimum by providing an additional twenty-two (22) visitor parking spaces.

The townhouse blocks will contain either four (4) or eight (8) units per block. Majority of units will measure 6.25 metres in width by 14 metres in length for ±88 square metres (947.22 square feet) building footprint or 176 square metres (1,894.44 square feet) of gross floor area (two-storeys). The smaller townhouse blocks will measure 6.25 metres in width by 12.5 metres in depth for ±78 square metres (839.56 square feet) building footprint or 156 square feet (1,679.17 square feet) of gross floor area (two-storeys).

A row of eight (8) single detached dwelling units will provide an appealing street face along Chippawa Road with access to each unit from the private laneway off the private road. Each unit will have a separate garage and a pedestrian access in the front of each unit. The lot areas will range from 320 to 357 square metres. The balance of the single detached lots will be located along the west side of the site abutting the townhouse blocks. The lot area for these units will range between 400 to 570 square metres.

The location of the semi-detached dwelling units is along the eastern edge of the site abutting Highway 140. Each unit will have frontage on the private road with the rear yards along the highway. The lot area for these units is approximately ±229 square metres per lot.

Although the entire land area is 66,890 square metres (6.69 hectares), the area for the proposed development is limited by the dripline buffer on the west because of the adjacency to the Significant Woodlands on the abutting lands and the Ministry of Transportation



minimum 14 metre setback along the east side adjacent to Highway 140. The developable land area is therefore reduced to ±54,170 square metres (5.42 ha). With consideration for density, the proposed development equates to 31.2 units per hectare (169 units ÷ 5.42 hectares).

According to the City's Official Plan, the land is designated as 'Urban Residential' and permits a variety of residential, neighbourhood commercial and institutional uses. The proposed development consists of a mixture of Low and Medium Density Residential uses. The Low Density Residential (single detached and semi-detached dwelling units) ranges from 12 to 20 units per net hectare and the Medium Density Residential (block townhouse units) ranges from 35 to 70 units per hectare. The Greenfield Area Overlay encourages higher densities to accommodate planned future growth in the urban areas with a minimum of 50 units and jobs per net hectare. The proposed development is providing a density that is marginally above the Low Density threshold and not meet the density requirements for Greenfield areas, it is considered an appropriate concentration of housing units that is compatible for the neighbourhood at a higher density than currently exists.

The development will provide for a sidewalk on one side of the private road with space available for a parkette (open space) promoting a connected community. A continuous chain link fence will be provided along the western portion of the site adjacent to the Significant Woodland to separate the dripline from the development. A stormwater management facility is anticipated and located in the southeast corner of the site.

C.1 Requested Site-Specific Zoning By-law Amendment

To facilitate the proposed development, the following amendments to the by-law are required with site-specific provisions for the single detached, semi-detached and block townhouse units as follows:

Section 7.3 – Semi-Detached Dwelling

- b) Minimum lot area: 0.045 hectares (450 square metres)
- c) Minimum front yard: 4.5 metres
- e) Minimum corner side yard: 2.5 metres
- g) Maximum lot coverage: 55%

Section 7.7 – Block Townhouse Dwelling

- b) Minimum lot area: 0.015 hectares (150 square metres)
- c) Minimum front yard: 4.5 metres
- d) Minimum interior side yard: 1.5 metres
- e) Minimum corner side yard: 3 metres

Section 7.9 (Section 6.3 – R2 Zone) – Single Detached Dwelling

- c) Minimum lot area: 0.032 hectares (320 square metres)
- d) Minimum front yard: 4.5 metres



- f) Minimum corner side yard: 3 metres
- h) Maximum lot coverage: 55%

Notwithstanding the permitted uses under Section 32.2 for Public and Park, stormwater management facilities including site alteration shall be permitted only for servicing infrastructure including watermain, sanitary and storm sewers.



D. PLANNING POLICY ANALYSIS

D.1 Planning Act, R.S.O. 1990, c.P.13

The Planning Act sets out the basis for land use planning in Ontario. The purpose of the Planning Act is to promote sustainable economic development in a healthy natural environment within the means provided and led by Provincial policy and to encourage cooperation and coordination among various interests, (Subsection 1.1).

The Planning Act addresses matters of Provincial interest and requires municipal Council to have regard to matters such as the protection of ecological systems and agricultural resources; conservation of significant architectural, cultural, historical, archaeological, or scientific interest; supply, efficient use and conservation of energy and water; adequate provision and efficient use of transportation, sewage, water services, and waste management systems; orderly development of safe and healthy communities; accessibility for persons with disabilities to all facilities, services; provision of a full range of housing, including affordable housing; protection of the financial well-being; and protection of public health and safety. (Section 2).

The proposed development will help to protect the agricultural land base over the long term because of its ability to provide additional housing units through intensification and infilling of an existing underutilized residential lot located within the urban settlement area boundary of the City. The subject site fronts onto Chippawa Road, a collector road-maintained year round by the City, but the development units will be connected by a private road maintained by the Condominium Corporation. The proposed development was thoroughly examined to ensure it qualified as a suitable infill residential opportunity that is not expected to create physical and economic constraints onto adjacent land uses or the City.

The subject site was identified as exhibiting archaeological potential due to its proximity to two registered archaeological sites. A Stage 1 and 2 Archaeological assessment was conducted to ensure that archaeological resources were not present on the site. The subject site is adjacent to the Region's Core Natural Heritage System due to the presence of Significant Woodlands. As such, an Environmental Impact Study (EIS) was completed by Natural Resource Solutions Inc. (NRSI) that demonstrated the proposed development will have no negative impacts on the environmental features within 50 metres of development. Additionally, the proposed mitigation (5 and 10 metre buffer from tree dripline) and the tree restoration plan will assist any potential for direct and indirect impacts to the natural features.

Subsection 3 requires that a decision of Municipal Council, in respect of the exercise of any authority that affects a planning matter, shall be consistent with the Provincial Policy Statement (PPS).

Section 34 of the Act permits a person or public body to request an amendment to a By-law subject to providing the prescribed information and material to the Council including public consultation is provided.



Section 51 (24) of the Act provides the criteria in considering the division of land (draft plan of subdivision/condominium) that shall have regard to the health, safety, convenience, accessibility for persons with disability and welfare of the present and future inhabitants of the municipality.

The Applicant has submitted the applications, required planning review fees, and supplementary documentation for amendments to the Zoning By-law and Draft Plan of Condominium to seek approvals from the City for the proposed new development that is consider good land use planning.

D.2 Provincial Policy Statement

The Provincial Policy Statement (PPS, 2020) provides the policy foundation for regulating land uses in Ontario. The PPS supports intensification, redevelopment and the efficient use of land and existing planning infrastructure within urban areas. The policies attempt to focus growth within settlement areas and remove development from significant or sensitive areas which may pose a risk to public health and safety.

The policies applicable to the proposal have been considered to determine the appropriateness of the development. Specifically, Section 1.1.1 state that healthy, livable and safe communities are sustained by promoting cost effective development and redevelopment through infill and intensification within settlement areas that minimize land consumption and public servicing costs.

Section 1.1.3 Settlement Areas

Section 1.1.3 states that settlement areas shall be the focus of growth and development. Sub-sections 1.1.3.2, 1.1.3.3 and 1.1.3.4 states that land uses within settlement areas shall be based on densities and mix of land uses which efficiently use land and resources, appropriate for and efficiently use the infrastructure, promote opportunities for transit supportive development, accommodate a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas.

Sub-section 1.1.3.5 and 1.1.3.6 provides direction for the implementation of minimum targets for intensification and redevelopment within built-up areas, based on local conditions. The framework for new development shall be taking place in designated growth areas adjacent to existing built-up areas and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 1.4 Housing

Policy 1.4.1 and 1.4.3 directs new housing development to provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area. New development is to maintain servicing capacity sufficient to provide at least a three-year supply of residential units. Furthermore,



to accommodate residential growth through residential intensification and redevelopment and implement targets for the provision of affordable low to moderate income households.

Section 1.5 Public Spaces, Recreation, Parks, Trails and Open Space

Policy 1.5.1 promotes the development of healthy, active communities through the planning of connected communities that provide publicly-accessible built and natural settings for recreation.

Section 1.6 Infrastructure and Public Service Facilities

Policy 1.6.3 states that pre-existing infrastructure should be adapted or optimized before giving consideration to developing new infrastructure.

Policy 1.6.6.1 and 1.6.6.2 states that planning for sewage and water services shall direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing municipal services. The built-form and changes to servicing on the subject site will be able to accommodate the future use of residential development.

Policy 1.6.6.7 states that planning for stormwater management shall ensure long-term feasibility, minimize changes in water balance and erosion, no increased risks to human health and safety and property damage, and promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.

The PPS is very high level and supports efficient use of infrastructure, building of complete communities, residential and economic development and protecting valuable heritage, cultural and natural assets.

The requested amendments to the Zoning By-law to facilitate the proposed residential intensification development is consistent with the PPS by:

- Providing a new infill development located within an existing urban settlement area
- Providing a variety of housing styles that will compliment the existing building stock in the neighbourhood at a scale appropriate for the area
- Providing a density that is suitable for the projected growth of the area
- Providing the connection to municipal services (e.g., water, sanitary and storm sewers) and planning for feasible use of municipal services over the long-term
- Providing a development that is designed with appropriate setbacks to minimize land use conflicts with the adjacent highway and industrial use (mineral aggregate operation) to the east and mitigation (e.g., fencing, building materials like windows) for any potential adverse effects from odour and noise to minimize risk to public health and safety

D.3 Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe (GPGGH, 2020) guides development within the Greater Golden Horseshoe (GGH) Area including Niagara Region.



The GPGGH Plan directs growth and building complete communities, whether urban or rural that are well-designed, offer transportation choices, accommodate people at all stages of life and have the right mix of housing, a good range of jobs, and easy access to stores and services to meet daily needs. The GPGGH Plan directs development to targeted local settlement areas, while maintaining growth sensitive boundaries and preserving environmental lands. The policies of the Plan that have been considered for the appropriateness of this development include the following.

Policy 2.2.1 Managing Growth

2. Forecasted growth to the horizon of the GPGGH Plan will be allocated based on the following:
 - a) The vast majority of growth will be directed to settlement areas that:
 - ii. Have existing or planned municipal water and wastewater systems
 - iii. Can support the achievement of complete communities
 - c) Within settlement areas, growth will be focused in:
 - i. Delineated built-up areas
 - ii. Strategic growth areas
3. Upper and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of the GPGGH Plan, which will:
 - c) Provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form
4. Applying the policies of the GPGGH 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 second 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

Policy 2.2.2 Delineated Built-up Areas

3. All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:
 - a) Identify strategic growth areas to support achievement of the intensification target and recognize them as key focus for development



- b) Identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas
- c) Encourage intensification generally throughout the delineated built-up area
- d) Ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities

Policy 2.2.6 Housing

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
2. 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
 - d) Planning to diversify their overall housing stock across the municipality
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.

Policy 2.2.7 Designated Greenfield Areas

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
 - c) Encourages the integration and sustained viability of transit services

Policy 3.2.6 Water and Wastewater Systems

2. Municipal water and wastewater systems and private communal water and wastewater systems will be planned, designed, constructed, or expanded in accordance with the following:
 - b) The system will serve growth in a manner that supports achievement of the minimum intensification and density targets in this Plan

Complete communities are defined in the GPGGH Plan as mixed-use neighbourhoods or other areas within a municipality that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an



appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities may take different shapes and forms appropriate for their contexts.

The proposed development will provide one hundred and eighty-eight (169) new dwelling units to the neighbourhood in the form of single-detached dwellings, semi-detached dwellings and block townhouses. The proposed intensification will maximize the underutilized site that is designated for higher density residential development. The development will optimize, where appropriate, existing infrastructure which will contribute to the viability of this residential developments. The orientation of the dwelling units along a private road, ensures the adjacent parcels are not negatively impacted by the development while making more efficient use of existing residential lots. The development is conveniently located in a "Greenfield Area", supporting the achievement of complete communities with the availability for internal pedestrian connections and access to open spaces, while protecting the important natural heritage features (adjacent Significant Woodlands).

The proposed development supports the diversification of housing stock with a contribution to assisting the City to the meet the density targets and achievement of developing a complete community, especially providing the housing options and densities that is consistent with the policies of the GPGGH Plan.

D.4 Greenbelt Plan and Niagara Escarpment Plan

The subject site is not located within the designated limits of the Greenbelt Plan or Niagara Escarpment Plan Areas and therefore the policies are not applicable.

D.5 Niagara Regional Official Plan

The Niagara Region's Official Plan (November 2022) was adopted by Regional Council in June 2022 and received the Ministry of Municipal Affairs and Housing approval in November 2022. The new Plan includes expansions to the urban settlement boundaries, enhanced policies, and new mapping of the natural environmental system, updated mapping and more concise text revisions to the policies.

The Plan is the framework used to guide land use and development in Niagara thereby influencing economic, environmental, and planning decisions until 2051 and beyond. The Plan contains objectives, policies and mapping that consider the involvement ecology, economy, cultural heritage and community health have on growth. The Plan manages growth by identifying what needs protection; where and how to grow; and which policy tools need to guide growth. The content aligns with the Provincial Growth Plan for the Greater Golden Horseshoe, the Provincial Policy Statement, and the Greenbelt Plan.

The Plan designates the subject site as 'Delineated Greenfield Area' within the Urban Area Boundary. Figure 4 illustrates the general location and the designation of the site.



Figure 4: Niagara Regional Official Plan Designation



Chapter 2: Growth and Growth Management

This chapter provides the policy direction for managing growth strategically and diversifying the housing stock to accommodate varying ages and incomes.

Section 2.2 states that most development will occur where municipal water and wastewater systems/services exist, and a range of transportation options can be provided. The proposed development supports principles of complete communities through achieving the following objectives:

- To manage growth within urban areas
- To accommodate growth through strategic intensification and higher densities
- To plan for the orderly implementation of infrastructure

Policy 2.2.1.1 regulates development in urban areas by integrating land use planning and infrastructure planning to responsibly manage forecasted growth and to support:

- a) The intensification and density targets outlined by the Region
- 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
- g) Opportunities for intensification, including infill development
- h) Opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods



- k) Orderly development in accordance with the availability and provision of infrastructure and public service facilities

Subsection 2.2.2. considers forecasted population growth and sets out plans to accommodate through intensification. The Plan identifies the minimum intensification target for the City of Port Colborne to be 30%.

Designated Greenfield Areas are to be identified as locations intended for higher density residential and employment development. Policy 2.2.2.23 states that designated greenfield areas shall achieve a minimum density of 50 residents and jobs combined per hectare across the Region, but local official plans are encouraged to exceed this minimum requirement.

Policy 2.2.2.25 encourages designated greenfield areas to be planned as complete communities by:

- a) Ensuring that development is sequential, orderly and contiguous with existing built-up areas
- c) Ensuring infrastructure is available

Section 2.3 provides policies to promote a variety of housing types composing complete communities. The section encourages a mix of housing options including more affordable and attainable housing options to address current and future needs within our community.

Policy 2.3.1.1 identifies a range and mix of densities, lot and unit sizes, and housing types will be planned to meet housing needs at all stages of life.

Chapter 5: Connected Region

This chapter addresses the existing and future needs of Niagara's infrastructure, transportation, and services that provide connections within and between communities. Objectives of this section aim to enhance connectivity throughout the region, accommodate future growth and diverse forms of transportation.

Section 5.2 refers to appropriate development being supported by infrastructure that is planned, constructed, and managed in an integrated, efficient, and environmentally sustainable manner.

Policy 5.2.1.2 states that infrastructure planning, development, and asset management shall be undertaken in support of the growth management policies of this Plan and to promote sustainability.

Policy 5.2.1.6 states that before consideration is given to developing new infrastructure, the Region and Local Area Municipalities shall optimize the use of existing infrastructure, and plan and direct growth in a manner that promotes efficient use of existing services.



Policy 5.2.2.1 states that adequate water supply and sewage collection shall be provided to meet the existing and future development needs.

Policy 5.2.2.2 states municipal water and wastewater systems/services are the required form of servicing for development in urban areas.

Policy 5.2.6.4 states that necessary public utilities will be provided in accordance with the servicing needs of existing and future development and with economic, safety and environmental considerations.

The proposed development is intended to provide an alternative housing option in the community. The additional units will contribute to the viability of local services in the immediate area. The intensification provided by the development will contribute to target for density across the Region. The development is located adjacent to Highway 140 which is a major intra-regional transportation road connection leading to other parts of the Region as well as provide for more local connection to other parts of the City.

The proposed development achieves a balance between environmental conservation and the accommodation of an appropriately scaled residential intensification within the City's settlement area and a designated Greenfield Area. The Regional Plan focusses on this type of development that can accommodate a range and mix of dwelling types through compact and efficient land use patterns to meet prescribed growth targets.

The on-site and adjacent environmental have been delineated through the Environmental Impact Study (EIS) and will be contained within the Public and Park zone that allows for environmental conservation where development or site alteration is not permissible unless for the stormwater management facility (approximately located in the southeast corner of the site). For these reasons, the proposed development is considered to conform to the policies of the Regional Official Plan.

D.6 Niagara Region Urban Design Guidelines and Smart Growth Principles

The Region's smart growth principles that were applied in the development of this proposal were to:

- Promote compact built form and contribute to the sense of community
- Offer a range of housing opportunities and choices understanding that not everyone wants or needs the same housing type
- Produce walkable neighbourhoods and communities
- Foster attractive communities and a sense of place
- Direct development into existing communities and take advantage of existing community and infrastructure assets

Consistent with the Smart Growth Principles, the proposed development will provide a use that is complementary to the existing uses and aligned with the regional goals of intensification within a designated Greenfield Area. The scale and built form of the



development will provide more efficient use of the existing residential lot and provide a housing option that is different than the adjacent single detached dwellings along Chippawa Road. The sense of place will be established through a community that has pedestrian sidewalks throughout and a parkette for community gathering.

D.7 City of Port Colborne Official Plan

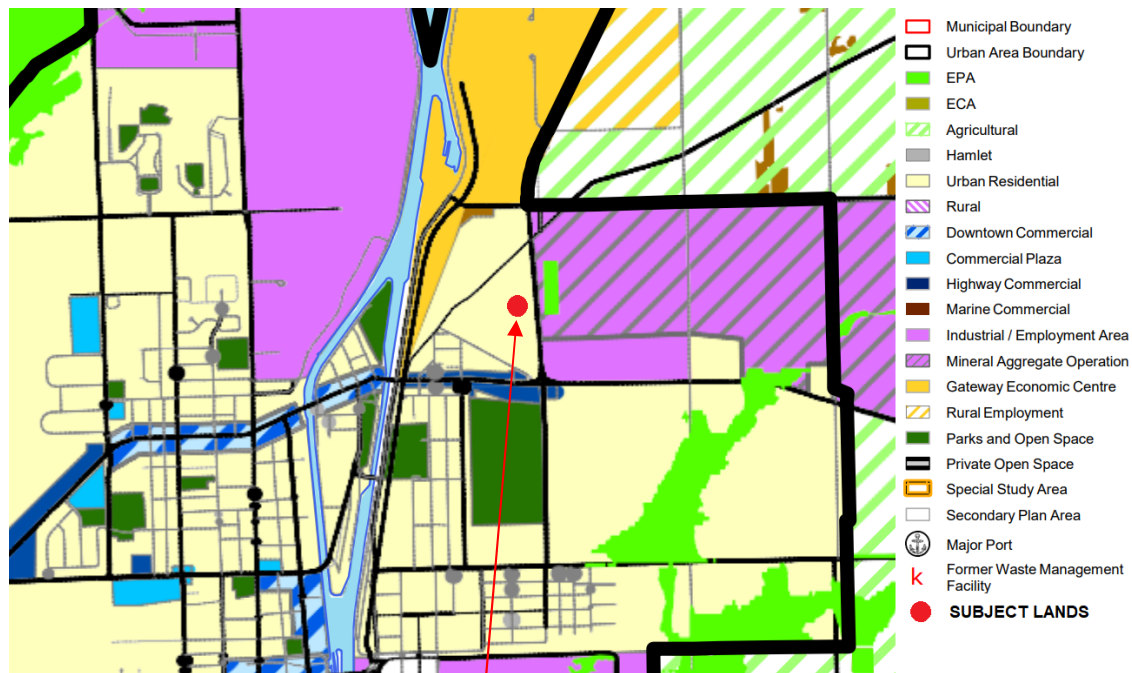
The City of Port Colborne Official Plan (2013) provides the policy framework that builds on the Provincial and Regional legislation and provides long term objectives and policies to support growth and development of urban lands, the protection of agricultural lands and the conservation of natural heritage issues.

The vision of the Plan encourages improved urban design while also retaining the cultural and natural heritage assets of the community. The Plan aims to improve the overall quality of community life through the configuration of physical, economic and social environments. The Plan promotes a mix of residential accommodations to fit varying needs of residents, the protection of agricultural lands, and the preservation of cultural/natural features.

The Plan recognizes the importance of appropriate and strategic growth within the City and aims to do so by preventing development that will harm economic, environmental and cultural resources and directing urban growth to lands that fall within the designated urban area boundary.

According to Schedule A-Land Use Plan, the subject site is designated as 'Urban Residential' and Schedule A1 – Greenfields recognizes the land as within the Designated Greenfield Area.

Figure 5: City of Port Colborne Official Plan Schedule A – Land Use



Approximate location of subject site



Policy 2.4.4 describes greenfield lands as areas to accommodate future growth and encourage development. Goals of the greenfield area include:

- a) Promoting compact, mixed use and transit supportive development
- b) Promoting higher densities and a greater mix of housing types on greenfield lands
- c) Improving connections between greenfield areas and the build up area
- d) Enhancing the physical design of new neighbourhoods in greenfield areas
- e) Supporting the Regional greenfield density target of 50 people and jobs per gross hectare
- f) Phasing greenfield development over time to ensure a balance of intensification and greenfield development in Port Colborne

Section 3.2 of the Plan outlines the provisions for Urban Residential land use. The section identifies lands that are primarily used for residential purposes. The permitted uses for lands shall include residential, neighbourhood commercial and institutional uses, subject to the availability of adequate servicing.

Policy 3.2.1 recognizes the varying types of density permitted within the Urban Residential designation. Block Townhouses are permitted within the Medium Density Residential heading while single-detached and semi-detached dwellings are aligned with the Low Density Residential category. Low Density Residential permits a maximum density of 20 units/net hectare, whereas Medium Density Residential developments range between 35 and 70 units/net hectare.

As noted previously, the proposed development delivers a 31.2 units/net hectare density amongst the area available for development. The proposed density fits in a gap of permitted density between the maximum permitted for low density residential and the minimum permitted for medium density residential.

Policy 3.1.1.2 builds on the previous sections by stating that Greenfields shall adopt the minimum and maximum densities for residential development in addition to achieving the greenfield area goals.

Policy 3.2.3.1 refers to the development of new residential communities. This policy states that new residential communities shall be limited in size, have a clearly defined character and edges. Appropriate sizing can be achieved through providing a 400 metre or less radius from centre to edge of the neighbourhood and by providing high quality architecture that provides identity while differentiating from existing neighbourhoods. Parks and open space features should be a focal point of new residential communities.

Policy 3.2.3.3 discusses the urban design of varying housing types. The policy states that single-detached and semi-detached designs should have garages and be consistent with the placement and character of the surrounding built form where an infill development. In reference to townhouses, dwellings are to be aligned parallel to the street from which the principal entrance should be visible and accessible.

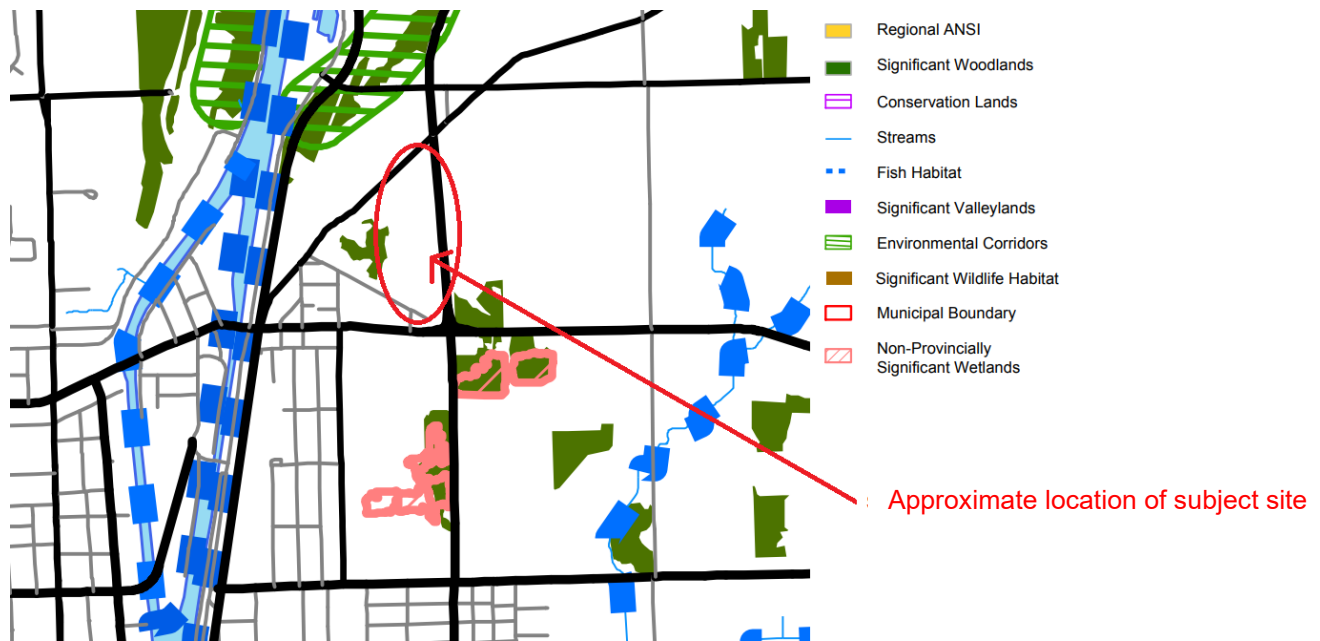


Section 4 of the Plan pertains to the protection of the Natural Heritage Resources. As displayed in Schedule B of the Official Plan (Figure 6), the subject site is adjacent to a Significant Woodlands.

Policy 4.1.2.2 states that an Environmental Impact Study (EIS) describes the proposal and adjacent land use as it pertains to natural features and functions and offers alternative proposals and actions to mitigate or remedy any assessed impacts upon those natural heritage features and functions.

Figure 6 below shows that the subject site is adjacent to a Significant Woodland feature.

Figure 6: Schedule B2 – Environmental Conservation Area



Section 4.3.5 Significant Woodlands states there is priority for the retention of these natural areas in the urban and non-urban environment. Policy 4.3.5.1 states that development and site alteration within these areas, and on adjacent lands will be subject to an EIS that ensures that there will be no negative impacts on the features and ecological functions identified. A Tree Preservation Plan shall be prepared based on the findings of the EIS.

Section 7.3 discusses the preservation of archaeological resources. Policy 7.3 states that a minimum of a Stage 1 Archaeological Assessment is required to be submitted where development is proposed on lands that have been determined to have archaeological potential. The assessment will determine the course of action taken to maintain the heritage integrity of the development site and adjacent lands.

Section 8 details the servicing of development and the management of stormwater across the City.



Policy 8.1.1 states that:

- a) New development is required to be on full municipal water and sanitary servicing
- 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

Policy 8.2 states that stormwater will be managed on-site and will not have an adverse impact to neighbouring properties or the drainage patterns of the surrounding area.

Under Section 9, Transportation and Public Utilities, the City supports 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 and to have sidewalks on at least one side of the road to promote a walkable community.

Policy 9.1.2 and road classification, these roads are where the City will assume and have the ownership of such roads. The proposed development will be a private road and will be owned by the Condominium Corporation therefor the typical right-of-way widths are not consistent, and while reduced still provide the function and appropriate width for fire emergency vehicles and two way traffic.

The proposed development and mix of housing units are permissible according to the City's Urban Residential land use policies. While the development falls between the description of Low Density and Medium Density, it is aligned with the design guidelines to ensure that development is appropriate and compatible for the neighbourhood. The proposal offers different lot and unit sizes, and housing types to meet the housing demand for all stages of life. With consideration of the adjacent Significant Woodland feature recommended buffer and constraint of the Ministry of Transportation setback to Highway 140, the subject site has provided for a higher density development than exists with opportunity to utilize existing infrastructure. Therefore, the proposed development and application to amend the Zoning By-law is consistent and conforms with the City's Official Plan for residential intensification in a designated Greenfield Area.

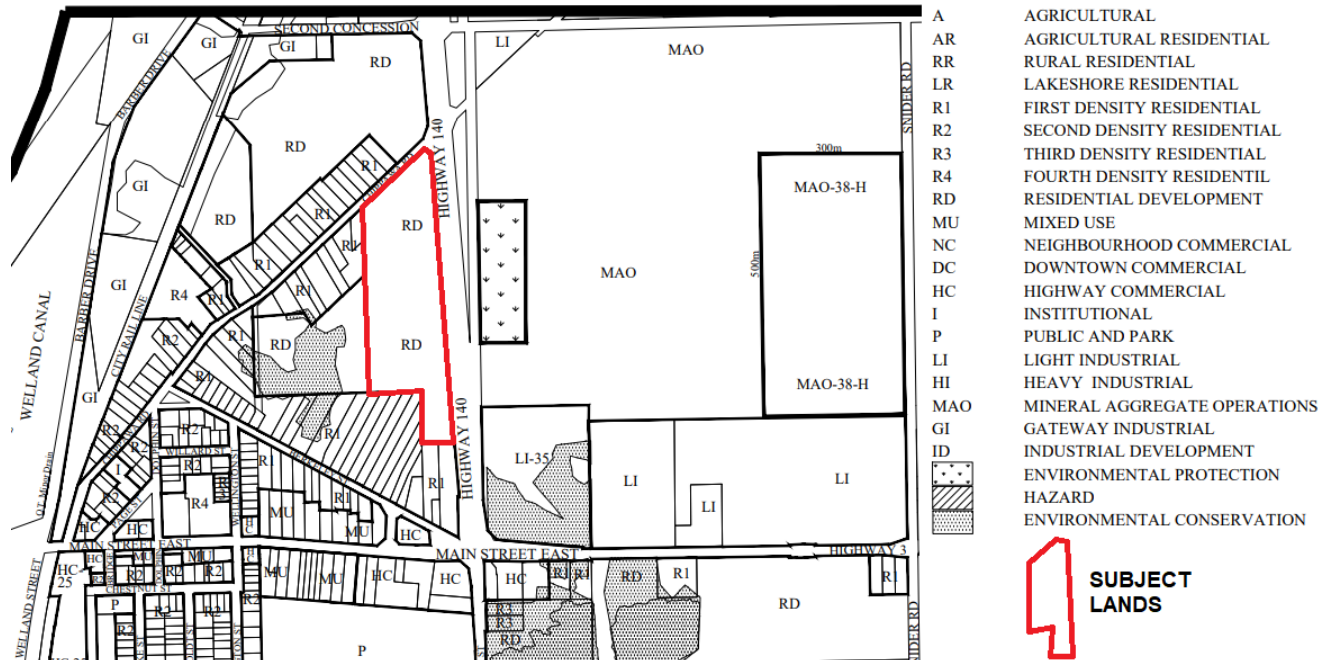
D.7 City of Port Colborne Zoning By-law

According to Schedule A6 of the City's Zoning By-law 6575/30/18, the subject site is zoned as 'Residential Development – RD'.

Refer to Figure 7 that shows the location of the subject site.



Figure 7: Zoning By-law Schedule A6



Section 13 of the By-law states the permitted uses of RD zoned land is for a detached dwelling and the accessory uses thereto. Townhouses and semi-detached dwellings are not permitted therefore requiring the Zoning By-law amendment.

Section 7 of the By-law describes the Third Density Residential Zone – R3, which permits the single detached dwellings, semi-detached dwellings, and block townhouses amongst other multi-residential uses. The development is seeking an amendment to change the RD zone to R3 zone with site-specific provisions.

Tables 1 – 3 describe the zone requirements for the R3 Zone as they relate to the proposed development.

**Table 1: Section 7.3 – Third Density Residential Zone (R3)
 Regulations for Semi-Detached Dwellings**

Zone Regulations	Required	Proposed
(a) Minimum Lot Frontage	18 metres	Comply
(b) Minimum Lot Area	0.05 hectares	0.045 hectares
(c) Minimum Front Yard	6.5 metres	4.5 metres
(d) Minimum Interior Side Yard	1.2 metres	Comply
(e) Minimum Corner Side Yard	3 metres	2.5 metres
(f) Minimum Rear Yard	6 metres	Comply
(g) Maximum Lot Coverage	50 percent	55%



(h) Maximum Height	11 metres	Comply
(i) Minimum Landscaped Area	25 percent	Comply
(j) Common walls shall be centred on the common lot line		
(k) There is no minimum interior side yard and/or rear yard for common walls		
(l) Notwithstanding the provisions of Section 7.3, nothing shall prevent the splitting of any lot on which a semi-detached dwelling is erected into 2 parts divided in part by the centre line of the common or party wall separating the dwelling units in such dwelling provided that each unit shall have a minimum lot area of 0.02 hectares		Comply

**Table 2: Section 7.7 – Third Density Residential Zone (R3)
Regulations for Block Townhouse Dwellings**

Zone Regulations	Required	Proposed
(a) Minimum Lot Frontage per Unit	6 metres	Comply
(b) Minimum Lot Area	0.02 hectares	0.015 hectares
(c) Minimum Front Yard	7.5 metres	4.5 metres
(d) Minimum Interior Side Yard	3 metres	1.5 metres
(e) Minimum Corner Side Yard	4.5 metres	3 metres
(f) Minimum Rear Yard	6 metres	Comply
(g) Maximum Height	11 metres	Comply
(h) Minimum Landscaped Area	25 percent	Comply
(i) A 3 metre landscape buffer shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone		Comply
(j) Common walls shall be centred on the common lot line		
(k) There is no minimum interior side yard and/or rear yard for common walls		

**Table 3: Section 7.9 – Refer to Second Residential Zone (R2)
Regulations for Detached Dwellings**

Zone Regulations	Required	Proposed
(a) Minimum Lot Frontage	12 metres	Comply
(b) Minimum Lot Frontage – Corner Lot	15 metres	Comply
(c) Minimum Lot Area	0.04 hectares	0.032 hectares
(d) Minimum Front Yard	6.5 metres	4.5 metres
(e) Minimum Interior Side Yard	1 metre	1 metre
(f) Minimum Corner Side Yard	3.5 metres	3 metres
(g) Minimum Rear Yard	6 metres	Comply
(h) Maximum Lot Coverage	50 percent	55%
(i) Maximum Height	11 metres	Comply
(j) Minimum Landscaped Area	25 percent	Comply



E. PLANNING IMPACT ANALYSIS

E.1 Policy Conformance

In conformity with the Provincial Policy Statement (PPS), the subject site is located within the urban area boundary limits of the City, which could be developed for higher residential density. The development provides various housing types, considering the range for affordability amongst the different stages of life and lifestyles. Various technical studies were conducted, and adequate buffers were established to prevent adverse effects from odour, noise and other contaminants as well as buffers to protect natural ecological features on adjacent lands that may pose risks to public health and safety. The proposed development represents an excellent opportunity for residential infill and intensification consistent with the policies of the PPS.

The Growth Plan promotes building complete communities that are “well designed...accommodate people of all stages of life and have the right mix of housing, a good range of jobs, and easy access to stores and services to meet daily needs.” To ensure that the development was consistent with the Growth Plan policies, consideration of the City’s housing supply was examined for the appropriateness of this housing type in the neighbourhood as well as to meet the minimum density target. The proposal adheres to the density threshold set out by the City and can contribute to offering a different housing type that meets the criteria for creating a complete community. Furthermore, as the subject site is a designated Greenfield Area, where greater importance is to achieve high density development for the sake of expanding the built-up area. The proposed development is an appropriate scale that is complementary to the established neighbourhood that can connect to existing infrastructure therefore the proposed development is consistent with the policies of the Growth Plan.

In conformity with the Regional and City’s Official Plan policies, the proposed residential development will contribute towards achieving an infill development designed in a compact built form on a private road network with consideration for the current and long-term servicing of the neighbourhood, making use of available infrastructure and maximizing the use of existing residential lands.

E.2 Compatibility with Adjacent Land Use

The need for a balanced approach in the assessment of intensification is required, understanding that there is potential for competing objectives that need to be evaluated accordingly. In this regard, the height, massing and scale of the proposed development is consistent with the two-storey type of dwellings found along Chippawa Road. Although the semi-detached and block townhouse units may not be immediately located in the neighbourhood, these units will meet the objectives and support the direction of the City to integrate a higher density and alternative housing choice to the residence in the community.



The development will be regulated by the requested site-specific zoning provisions and site plan control to mitigate any negative adverse impacts on surrounding area.

The requested amendments to the Zoning By-law are not considered to significantly create negative impacts to adjacent uses and were sympathetic to the layout of the building lots, parking, stormwater facility, roads and access on Chippawa Road, buffer setbacks. The minor reduction in lot area and increased lot coverage is directly related to the buffers and setbacks to the highway and adjacent Significant Woodland feature.

The introduction of semi-detached dwelling units and block townhouse units in the neighbourhood are internal to the development and is not expected to “look out of place” from the street edge of Chippawa Road since the single detached dwelling units line the frontage.

By providing additional residential population to the area, it will contribute to the feasibility for the long-term community goal of offering convenience to local commercial/retail uses with the access to a highway for regional transportation connections.

E.3 Traffic and Access

A Traffic Impact Study (TIS) and Parking Analysis was completed by TaffMobility dated November 2023 although the site plan was based on 176 townhouse units (original plan) and later provided an addendum letter dated February 10, 2023 with reference to the revised site plan consisting of the 169 dwelling units with a mix of single, semi-detached and townhouse units. The TIS is included with the application for further details.

Based on the analysis results, the following conclusions from the TIS were made:

Site Traffic Trip Generation

- The updated trip generation estimates result in a total of 4 additional new auto trips during the weekday AM peak Hour and 8 additional new auto trips during the weekday PM peak hour. It is noted that the difference between the assigned traffic from the new site trips and the site traffic from the November 2022 Report is none to minimal at most.

Site Circulation Review

- The swept path analysis indicate that the aerial truck and garbage truck can be accommodated at the site access and internally through the site. Minimal encroachment into the adjacent parking spaces is observed for a passenger car entering and exiting the visitor parking spaces.

Parking Review

- The by-law requirement as outlined in the City of Port Colborne Zoning By-law 6575/30/18 (Section 3.1.1) is:



- Dwelling (Detached): 1 parking space per unit
- Dwelling (Semi-Detached): 1 parking space per unit
- Dwelling (Townhouse): 1 parking space per unit

Therefore, the parking requirements are being met.

Site Plan and Access Review

The proposed site access is located within 190 metres of Highway 140; however, operations at the site access will not impact operations along Highway 140. Operations analysis conducted using SimTraffic microsimulation modelling shows that queues under all future horizons will not extend from the site access on Chippawa Road to Highway 140.

A dedicated northbound left turn lane with a storage length of 30 metres is warranted at the intersection of Highway 140 at Chippawa Road under future (2026) total conditions. Dedicated turning lanes are not required at the intersection of Site Access at Chippawa Road.

Traffic signals are not warranted at the intersections of Highway 140 at Chippawa Road.

Based on the swept path analysis, it is observed that the garbage truck can be accommodated at the site access and internally through the site. The swept path analysis indicate that the aerial truck can be accommodated at the site access and internally through the site. Moreover, the swept path analysis shows that a passenger car be accommodated at the site access and internally through the site. Minimal encroachment into the adjacent parking spaces or curb is observed for a passenger car entering and exiting the parking spaces.

The Ministry of Transportation reviewed the Traffic Study (November 2022) and offered no objection to the only access at Chippawa Road for this development. Refer to correspondence in Appendix D.

E.4 Municipal Site Servicing

According to the available information provided by the City and Region, it is expected there will be no impediments to water supply and distribution servicing for the development using currently existing municipal water supply infrastructure. For fire services, three additional hydrants are proposed for the site.

There is an existing 200mm sanitary sewer on Chippawa Road. Due to the site's topographic characteristics and shallow municipal sanitary sewer on Chippawa Road, the sanitary flows generated from the development cannot discharge to the sewer on Chippawa Road by gravity. It is proposed that the sanitary sewage flows be collected through a new 200mm diameter on-site sewer system and flow to a prefabricated lift station wet well at the south limit of the site. Sewage will be pumped from there to the 200mm PVC sewer on Chippawa Road.



It is anticipated that the City will take the estimated demand values and have their sanitary sewer network management engineering consultant run the model to confirm that the existing network can adequately support these design flows. Meanwhile, we are not aware that there will be any impediments to sanitary sewer servicing for the development using currently existing municipal sewage works and based on the drawings and design support presented herein.

Minor system stormwater flows will be collected by new storm sewers in the roadway and drained to a stormwater management pond. Flows in excess of the minor system will be temporarily stored in a stormwater management pond prior to being discharged. It is proposed to locate a stormwater management dry pond at the south-east limit of the site and discharge the managed flows to the Highway 140 east side ditch as happens currently. As indicated above, flows will be managed to pre-development level for 2- through 100-year return period storms. The sizing of the pond and the details of the outlet onto the Highway 140 right-of-way are pending review by and discussion with the Ministry of Transportation will review this approach.

Further details of the site servicing are provided under separate covers titled “Functional Servicing Brief” and “Stormwater Management Report” prepared by Quartek Group Inc. dated March 2023.

E.5 Garbage Collection

Through the subsequent Site Plan Application phase, the truck turning movements for Regional waste collection will be explored to determine the ability for Regional waste collection to all units, if the criteria cannot be satisfied then private collection will be provided at the expense to the Condominium Corporation.

E.6 Noise and Air Quality Impacts

A noise impact study was conducted by LAW Consultants Ltd. to predict the impacts created by and towards the proposed development. The study concluded that noise barriers will be required to protect the living areas from exposure to transportation noise levels along Highway 140 and the Port Colborne Quarry Operations. The full study can be found under the separate cover “Noise and Vibration Impact Assessment” and included with the application.

The results of the air quality impact assessment for the current operating conditions (Port Colborne Quarry- PCQ) indicate that the predicted cumulative concentrations of several indicator compounds are above the assessment criteria at the subject site boundary receptors. Best management practice for fugitive dust control by PCQ and implementation of an air quality monitoring program would provide measured, off-site concentrations of the indicator compounds that could be used to evaluate the effectiveness and determine whether the modelling assessment requires further refinements to better represent emissions from the PCQ operations.



E.7 Environmental Impact Study

Natural Resource Solutions Inc. was retained to complete an Environmental Impact Study (EIS) for the proposed development. This EIS characterized the natural heritage features adjacent to the subject property through a comprehensive background information review coupled with screening for Significant Wildlife Habitat (SWH) and Species at Risk (SAR).

Recommendations have been provided to minimize impacts and mitigate potential negative effects caused by the proposed development. These include recommendations to mitigate direct, indirect and induced impacts that may arise through construction and post-construction human use of the proposed development.

Refer to the EIS that was provided with the application for more details.

E.8 Archaeological Assessment

The Stage 1 and 2 assessments were conducted in August and October 2021. The investigation encompassed the entire property. At the time of assessment, the study area consisted of a two-storey house with a deck, a driveway, a barn, three sheds, maintained lawns with scattered trees, part of an agricultural field and overgrown lands adjacent to the field.

The Stage 1 assessment determined that the study area comprised a mixture of areas of archaeological potential and areas of no archaeological potential. The Stage 2 assessment resulted in the identification of eight locations archaeological materials. It is recommended that a Stage 3 site-specific assessment and additional surface collections be completed.

Given that there are outstanding archaeological concerns within the property, no ground alterations or development of any kind may occur until the required investigations are complete, recommendations that the lands require no further archaeological assessment are made, and the associated reports are entered into the Ontario Public Register of Archaeological Reports.

Refer to the Stage 1 and 2 Archaeological Reports that were provided with this application for more details.

E.9 Fire and Emergency Considerations

At the onset of the development, there were several meetings and correspondence between the agencies including the City, Region of Niagara and the Ministry of Transportation (MTO) in regards to the principle and only access into the development from Chippawa Road. The Traffic Impact Study was reviewed by all agencies and the MTO expressed concerns about the proximity of the access to Highway 140 and that there was no fire emergency access for such a large development. Therefore, options for alternative ingress/egress to the site from the south and the abutting property located at 130 Berkley Avenue was explored. The



Applicant purchased the property (130 Berkley Avenue) in March 2022, in consideration as a feasible fire access route to Berkley Avenue. The City provided comments in May 2020 stating that the fire access must meet the minimum Ontario Building Code requirements (clear width of no less than 6 metres). Furthermore, the City Planning and Engineering department were of the opinion that access should be from Chippawa Road since Berkley Road was not designed with the intention to become a collector road and would likely require improvements if used as an alternative access.

The Niagara Region indicated that if Berkley Avenue was to be used as an alternative emergency access, the proposed location for the emergency access may be supportable, subject to the completion of an Environmental Impact Study to assess and characterize the features and determine impacts before confirming if the test of no-negative impact is achievable since the woodland feature (Significant Woodlands) is located along the southwestern edge and north section of 130 Berkley Avenue. The Region also indicated that the emergency access to Berkely Avenue may create negative traffic impacts at the intersection with Highway 3 and is not a favourable alternative recommended for an emergency access.

Upon an exhaustive effort through the traffic analysis and correspondence with the City Fire Department and MTO, the emergency access to Berkley Avenue taking into account the environmental constraints, it was decided to eliminate the requirement and replace with a sprinkler system in selected units that extend beyond the maximum distance from the private fire hydrant. Additionally, the main access to be 8.5 metres wide with no parking signage throughout the development, signs to indicate fire route throughout the development, and automated system on the flow switch for the fire hydrants.



F. SUMMARY AND CONCLUSIONS

The proposed development represents an appropriate land use for the following reasons:

1. The proposed development is consistent and conforms to the policies for residential intensification and the efficient use of land and existing infrastructure within the urban settlement area as well as the policies for encouraging infill residential development for alternative housing as contained in the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Niagara Region Official Plan, and the City's Official Plan.
2. The proposed development will assist the City in reaching their density target for intensification within Greenfield Areas and fits appropriately within the community fabric.
3. The proposed development achieves a balance between the projected growth and the conservation of environmental features within the urban settlement area.
4. The proposed development will contribute to the diversification of the housing supply, recognizing the varying needs of residents at different ages, incomes and family sizes.
5. The on-site and adjacent Natural Heritage Feature (Significant Woodlands) is being protected in the long term with the appropriate buffers identified by the Environmental Impact Study to have no negative impacts to the dripline and ecological function of the woodland feature as well as the restoration area to mitigate the removal of trees to accommodate the site servicing (e.g., stormwater management facility).
6. The proposed development will be able to connect to existing infrastructure (water, sanitary and storm sewers) and operate under private Condominium Corporation with no expected impacts for sustainable municipal usage or economical hardship on the City.

Prepared By:

Susan Smyth, CPT
Senior Planner



G. REFERENCES

1. Planning Act, R.S.O. 1990, c. P.13, Ministry of Municipal Affairs and Ministry of Housing
2. Provincial Policy Statement (2020)
3. Growth Plan for the Greater Golden Horseshoe (2020)
4. Niagara Regional Official Plan (2022)
5. Model Urban Design Guidelines, Niagara Region (2005)
6. City of Port Colborne Official Plan (2013)
7. City of Port Colborne By-law No. 6575/30/18



APPENDIX A PRE-CONSULTATION AGREEMENT



PORT COLBORNE

Pre-Consultation Agreement

City of Port Colborne Department of Planning and Development
Niagara Region Development Services
Niagara Peninsula Conservation Authority

Persons intending to make an application for a proposed development are required to consult with planning City staff and Agency staff prior to submitting an application. A pre-consultation meeting will identify what is required to be submitted for a complete application and will provide the opportunity to discuss:

- the nature of the application;
- development and planning issues;
- fees;
- the need for information and/or reports to be submitted with the application;
- the planning approval process;
- other matters, as determined.

Pre-Consultation Meeting Date: April 22, 2021

Local Municipal Contact: David Schulz

Phone: 905-835-2901 ext 202

Email: planner@portcolborne.ca

Site Address: 281 Chippawa Road

Roll Number: 27 11 040 004 201 00

Land Area 15.4 ac

Owner Contact Information:

Owner Name: Bruno Sam Carrera

Phone Number: 9059332077 **Email:** sbcnbc@hotmail.com

Agent Contact Information:

Agent Name: _____

Phone Number: _____ **Email:** _____

Principal Contact: **Owner** **Agent**

Application Type:

- | | |
|---|---|
| <input type="checkbox"/> Regional Official Plan Amendment | <input type="checkbox"/> Consent (Land Severance) |
| <input type="checkbox"/> Local Official Plan Amendment | <input checked="" type="checkbox"/> Zoning By-law Amendment |
| <input type="checkbox"/> Draft Plan of Subdivision | <input type="checkbox"/> Site Plan Control |
| <input checked="" type="checkbox"/> Draft Plan of Condominium | <input type="checkbox"/> Other |
| <input type="radio"/> Vacant Land & Common Element | |
| <input type="radio"/> Conversion | |
| <input type="radio"/> Other | |

1. Brief description of proposed development:
Private road development under condominium ownership. 176 units of row housing clusters.
2. Existing Regional Official Plan Designation: Greenfield Area
Conformity with Regional Official Plan land use designations and policies?
 Yes No Unknown
If 'No', what is the nature of the amendment needed?
PJR to review density targets
3. Check All Applicable:
 Brownfield Greenfield Built-up Local CIP Area
4. Development Charges:
 Regional By-law 2017-98 Local By-law 6131/97/14
5. Existing Local Official Plan Designation: Urban Residential/Greenfield
Conformity with Official Plan land use designations and policies?
 Yes No Unknown
If 'No', what is the nature of the amendment needed?
Planning Justification Report required to show how the proposal meets density targets
6. Existing Zoning: RD – Residential Development
Conformity with existing zoning?
 Yes No Unknown
If 'No', what is the proposed zoning:
Zoning By-law Amendment required to permit the uses as proposed. By-law can be tailored to the development
7. Is property located in Intake Protection Zone?
 No IPZ 1 IPZ 2
8. Is property recognized under Ontario Heritage Act?
 No Registry Designated
9. Is Site Plan approval required?

Yes No

10. Fees Required at time of Submission of the Application

Application	City of Port Colborne	Niagara Region	Niagara Peninsula Conservation Authority	Other Fees
Regional Official Plan Amendment				
Local Official Plan Amendment				
Zoning By-law Amendment				
Plan of Subdivision				
Plan of Condominium: Final approval	\$1,592			
Consent				
Site Plan Agreement: for townhouse blocks	\$3,608			
Other: Combined ZBA and Draft Plan of Condo	\$9,020			
TOTAL	TBD			

Notes on Fees:

- Notwithstanding the fees noted above, all fees are payable based upon the rate in the fee schedule by-law in effect on the date the application is received.
- Further fees may be required at a later date as per the fee schedule by-law.
- Separate cheques shall be made payable to the appropriate agency.

11. Additional Agencies to be contacted:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Hydro | <input type="checkbox"/> Enbridge/Pipelines | <input type="checkbox"/> Ministry of Environment |
| <input type="checkbox"/> CN/Trillium Rail | <input type="checkbox"/> Seaway | <input checked="" type="checkbox"/> Ministry of Transportation |
| <input type="checkbox"/> Niagara Peninsula Conservation Authority | <input type="checkbox"/> Other | |

12. Required Information and Studies to be submitted with the Application(s). Application will not be deemed complete until all requested information and studies are submitted. Studies identified with an asterisk will likely require a peer review at the cost of the developer.

Local	Region	NPCA	Reports, Studies, Plans (See Notes for additional details)	No. of Copies		Notes
				Electronic Digital	Paper	
			Agricultural Impact Assessment			
	X		Air Quality/Noise Study*	1	3	Both required
	X		Archaeology Assessment			Stage 1 and 2 with application. Any subsequent study can be a condition.
X	X		Conceptual Site Plan, Subdivision Plan/Tertiary Plan	1	6	Must show how the site will incorporate/integrate surrounding residential development lands to the west
X			Engineering report	1	3	
	X		Environmental Impact Study	1	3	Sig. woodland mapped on adjacent property and extends further east
			Environmental Planning Study/ Sub-Watershed Study			
			Environmental Site Assessment			
			Farm Business Plan*			
			Farm Operation and Ownership			
			Financial Impact Assessment*			
			Floodplain and Hazard Lands Boundary Plan			
			Gas Well Study/Gas Migration Study			
			Geotechnical			
			Hydrogeological Study and Private Servicing Plans*			
			Land Use/Market Needs*			
X			Landscape Plan			In future for site plan applications
			Mineral Aggregate Resources			
			Minimum Distance Separation I & II			
			Municipal Servicing Study			
			Phasing Plan			
X	X		Planning Justification Report	1	4	To Review provincial,

						Regional and local policy regarding growth. D6 Guidelines and land use compatibility
			Risk Management Study			
	X		Servicing Brief			
			Shadow Analysis			
			Shoreline Study/Dynamic Beach			
			Slope Stability Report			
			Soil report			
X	X		Stormwater Management Plan and Report	1	4	Included surround residential development lands
X			Transportation Impact Study/Parking Impact Analysis	1	3	Will likely be required by MTO
			Tree Inventory Preservation Plan			
X			Urban Design/ Elevations of proposed buildings			Included in Planning Justification Report
			Wind Study*			
			Other			

13. Additional Comments:

Planning Comments

- Planning Justification Report required to identify how the proposal will meet provincial, regional, and local policies regarding greenfield density requirements
- Urban design should be worked into Planning Justification Report with elevations to avoid repetitiveness
- A concept plan will be required including parcel to the west to show how the parcels will interact and the development of 281 will not negatively impact the development of parcel to west. The applicant will need to demonstrate how the development will not land lock other parcels. Right-of-way easements? Public Road? Etc.
- Zoning By-law Amendment will be required to meet the proposed land uses
- Stormwater management should be considered for lands to west also
- The "Commercial Block" indicated on the plan will need to be restricted to neighbourhood commercial uses or an official plan amendment will be required
- Landscape plans to be required later through site plan approval phase.
- Transportation Impact Study likely required by the MTO

Engineering

The Engineering Dept. will require the following:

- 1) Engineering Report (addressing pre-/post-development servicing characteristics)
 - a) description of proposed development
 - b) existing services and what's being done with them (reuse/abandon/remove)
 - c) proposed services and where they'll be connected
 - d) impact of proposed services compared to existing
 - e) confirmation that sewers and watermain have capacity for proposed development
 - f) stormwater management (5-year minor [sewers], 100-year major [overland])
- 2) site, servicing, grading, storm drainage area plans
- 3) cost estimate
- 4) Municipal Consent Permit Required for works within the City Road Allowance (service upgrades)
- 5) If a geotechnical study is done, we would like a copy of the report
- 6) If a noise study is done, we would like a copy of the report
- 7) Traffic Impact Study

- The City will require a 6" Fire Service meter and a domestic meter to be installed at the property line in a chamber to meter the entire complex. The chamber may not be installed under a driven portion of roadway or parking lot. Our Water Meter Chamber standard details have been attached to this e-mail. The City will order the water meters upon confirmation from the building department that the meter has been paid for. Meter delivery is approximately 6-8 weeks from the order date. Please note that there are monthly fixed charges associated with a 6" meter (please contact the Treasury Department for more information on the fixed charges).
- The City will require that the internal watermains are installed in accordance with the Ministry of the Environment, Conservation, and Parks "Design Guidelines for Drinking-Water Systems" and the mains will have to be commissioned as per the Provincial Watermain Disinfection Procedure, if they are over 100mm in size. In addition, the City's Watermain Commissioning Protocol will have to be followed. The City's Construction Inspector will inspect the installations and witness all tests, as per the Protocol. A copy of the current Watermain Commissioning Protocol has been attached to this e-mail for reference, however, the most current version will need to be obtained at the time of construction.
- Both the private and public side of the sanitary sewer system will need to be installed and tested per MECP, OPSS, and OPSD requirements. Water testing per OPSS.MUNI 410 will be required and the City's Construction Inspector must be on-site to witness the testing.

Engineering understands this is a concept plan but noted that the west driveway entrance crosses the projected property line.

Fire Department

- All water service and hydrants must be in place prior to building above ground work

Region

- See attached comments

CNPI

- CNPI has no plant on the developed lands but the developer should contact myself at jeff.hoover@cnpower.com to discuss servicing the development.
-

14. **Site Visit:**

15. **Incentive Programs:**

Notes:

1. The purpose of this document is to identify the information required to commence processing and evaluating an application as set out in the Planning Act. This pre-consultation process is designed to proceed based on the mutual agreement of the parties as shown by the signatures below.
2. Pre-consultation does not imply or suggest any decision whatsoever on behalf of staff or the municipality to either support or refuse the application.
3. The applicant should be aware that the information provided is accurate as of the date of the pre-consultation meeting. Should an application not be submitted in the near future, and should other policies, by-laws or procedures be approved by the Province, Municipality, Region or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect at the time of the submission of a formal application. If an application is not submitted within one year, it is advisable that the applicant confirm with the municipality the directives of the original preconsultation meeting.
4. Any application submitted without the information identified in this Pre-consultation Document will be deemed incomplete and not processed. Alternately, staff may recommend refusal of the application based upon insufficient information to properly evaluate the application.
5. The applicant acknowledges that the Section 1.0.1 of *The Planning Act* states "Information and material that is required to be provided to a municipality or approval authority under this Act shall be made available to the public." With the filing of an application, the applicant confirms

that the Municipality and Region may release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.

6. It is hereby understood that during the review of the application additional studies or information may be required as a result of issues arising during the processing of the application or the review of the submitted studies.
7. If the Municipality or Region does not have sufficient expertise to review and determine that a study is acceptable, the Municipality may require a peer review. The cost of the peer review shall be paid for by the applicant. The Terms of Reference for a peer review is determined by the Municipality or Region.
8. Some studies may require NPCA review and clearance/approval. In this instance, the NPCA review fee shall be paid by the applicant.
9. All plans and statistics must be submitted in metric.

Signatures:

_____	_____	_____
Planning Staff	(signature)	Date
_____	_____	_____
Planning Staff	(signature)	Date
_____	_____	_____
Building Staff	(signature)	Date
_____	_____	_____
Engineering Staff	(signature)	Date
_____	_____	_____
Engineering Staff	(signature)	Date
_____	_____	_____
Regional Staff	(signature)	Date
_____	_____	_____
NPCA Staff	(signature)	Date
_____	_____	_____
CNP Staff	(signature)	Date
_____	_____	_____
Fire Staff	(signature)	Date
_____	_____	_____
Owner/Agent	(signature)	Date
_____	_____	_____
Owner/Agent	(signature)	Date

281 Chippawa Road

Tuesday, April 20, 2021 10:43 AM

Meeting Date:	April 22, 2021
Name of Applicant(s):	Bruno Carrera
Consultant(s):	
Staff:	Britney Fricke (Niagara Region)

Brief description of proposed development:

Subdivision proposal for 176 townhouse units, commercial block (0.49ha), SWM pond (0.76ha)

Application Type:

- Regional Official Plan Amendment
- Official Plan Amendment
- Zoning By-law Amendment
- Plan of Subdivision
- Vacant Land Condominium
- Standard/Common Element Condominium
- Site Plan
- Minor Variance
- Consent
- Other: _____

Site Designation:

Provincial Policy Statement:	Settlement Area
Greenbelt Plan:	NA
Provincial Growth Plan:	Delineated Built-Up Area
Niagara Escarpment Plan:	NA
Regional Official Plan:	Urban Area (Built-Up Area)

Reports/Studies/Plans Required for Regional Review

<input checked="" type="checkbox"/> Archaeological Assessment
<input type="checkbox"/> Agricultural Impact Assessment
<input checked="" type="checkbox"/> Environmental Impact Study
<input type="checkbox"/> Environmental Site Assessment /Record of Site Condition
<input type="checkbox"/> Functional Servicing Report
<input type="checkbox"/> Geotechnical Report
<input type="checkbox"/> Grading Plan/Survey
<input type="checkbox"/> Hydrogeological Study
<input type="checkbox"/> Minimum Distance Separation I & II
<input checked="" type="checkbox"/> Noise Study
<input checked="" type="checkbox"/> Planning Justification Report
<input type="checkbox"/> Private Sewage System Design/Plan
<input type="checkbox"/> Slope Stability Report
<input checked="" type="checkbox"/> Stormwater Management Report and Plan
<input type="checkbox"/> Topographical Study/Survey
<input type="checkbox"/> Transportation Impact Study
<input type="checkbox"/> Tree Inventory Preservation Plan
<input type="checkbox"/> Urban Design Brief
<input checked="" type="checkbox"/> Other: Air Quality Assessment

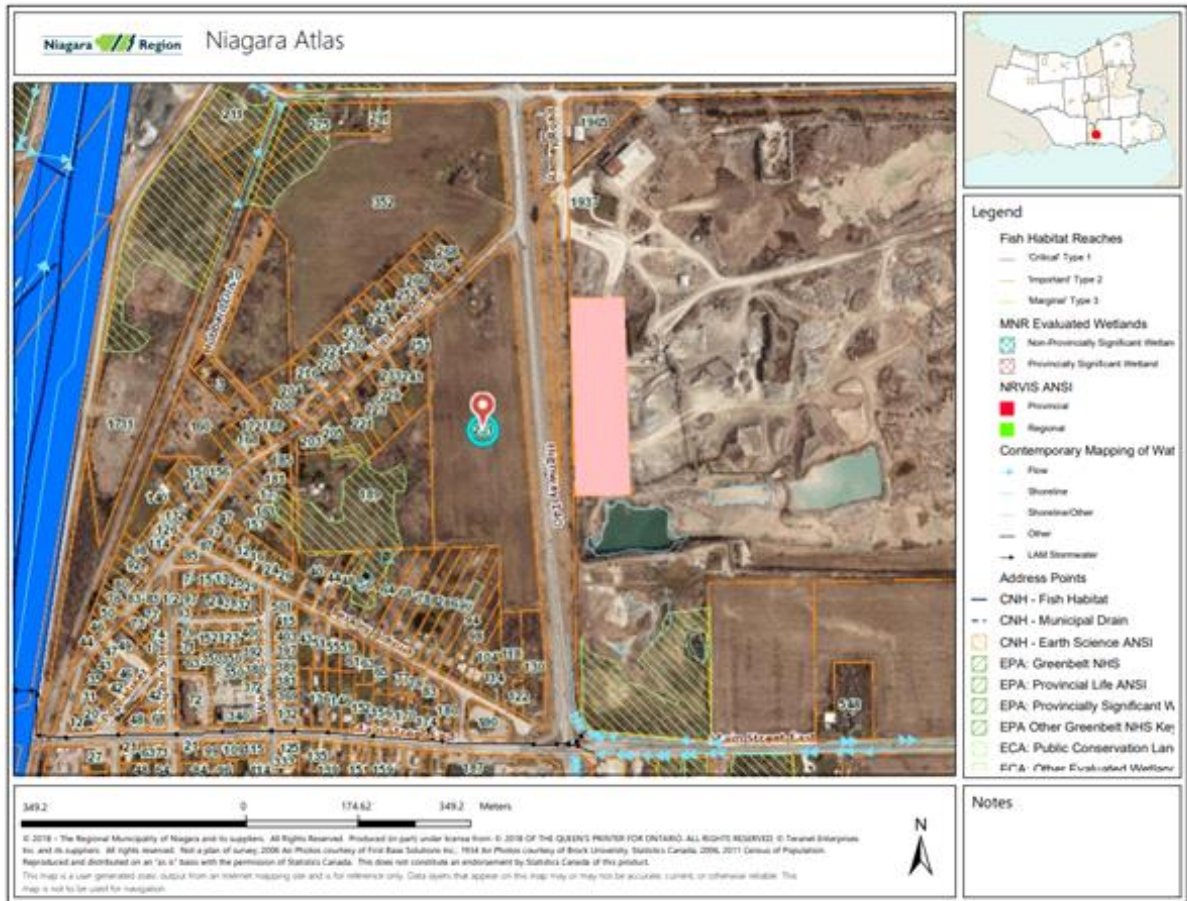
Regional Development Application Fees	Fees effective February 1, 2021 to December 31, 2021
--	---

Prior to submission of an application	\$405 (Terms of Reference Review- to be deducted from Major EIS Review Fee)
Zoning By-law Amendment	\$1,315+ \$1140 (Minor EIS Review)+ \$1890 (SWM Review)
Draft Plan of Condo (Vacant Land) or Draft Plan of Subdivision	\$5,235 (base fee) + \$1,160 per hectare to a maximum of \$22,840

*Regional Development Charges apply above and beyond Planning Act fees. Current Regional Development Charge rates can be found at <https://www.niagararegion.ca/business/property/current-fees.aspx> *

Regional Comments

- Planning
 - Two previous preconsultation meetings- June 28, 2018 and September 24, 2020. Comments remain the same for this proposal:
 - The property is located within a Settlement Area under the Provincial Policy Statement (PPS) and within the Greenfield Area under the Growth Plan for the Greater Golden Horseshoe (Growth Plan).
 - The property is designated Urban Area (Greenfield) in the Regional Official Plan. A full range of residential, commercial and industrial uses, as well as lot creation, are permitted generally within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure and local Official Plan policies and compatibility concerns.
 - A density target of 50 people and jobs per hectare applies to designated Greenfield lands.
 - A Planning Justification Report is required to address how the proposal will achieve the greenfield density target, as well as Provincial and Regional policies relative to land use compatibility and the D-6 Guidelines, as outlined below. The Region supports the City's request for a plan showing how this property and the adjacent land can be development to provide connectivity, as well as the urban design considerations.
 - The property is west of the existing Port Colborne Quarry, adjacent to Highway 140 and approximately 325m east of a rail line. The PPS requires that major facilities (including transportation corridors and industrial uses) and sensitive land uses be planned to “ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety...”. In order to inform the planning justification report, which must address land use compatibility, a Noise Study and Air Quality Assessment is required. The Region will require that these technical studies be peer reviewed by the Region's consultant at the owner's expense.
 - The PPS and ROP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, development and site alteration are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved. The lands have high archaeological potential as a result of proximity (within 300m) to 2 registered archaeological sites. A Stage 1-2 Archaeological Assessment must be submitted with the application.
- Environmental Planning
 - The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of Significant Woodland. According to aerial photography, the extent of Significant Woodland may be greater than what is currently mapped. Consistent with Regional Official Plan (ROP) policy 7.B.1.11, an Environmental Impact Study (EIS) is generally required in support of development or site alteration proposed within 50 m of Significant Woodland. The EIS must demonstrate that there will be no significant negative impact on the features or their ecological function.
 - A Terms of Reference for a Constraints Analysis should be developed consistent with Policy 7.B.2 of the Region's Official Plan. The Constraints Analysis should determine the extent of Significant Woodland on and adjacent to the subject property. Depending on the results of the Constraints Analysis, an Impact Analysis may also be a requirement.
 - Provided permission to enter is granted, staff would be happy to visit the site in order to confirm our requirements and provide scoping.



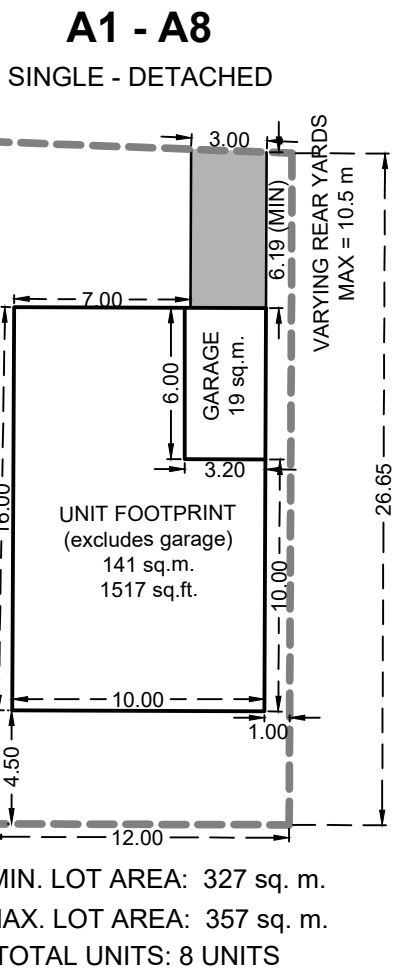
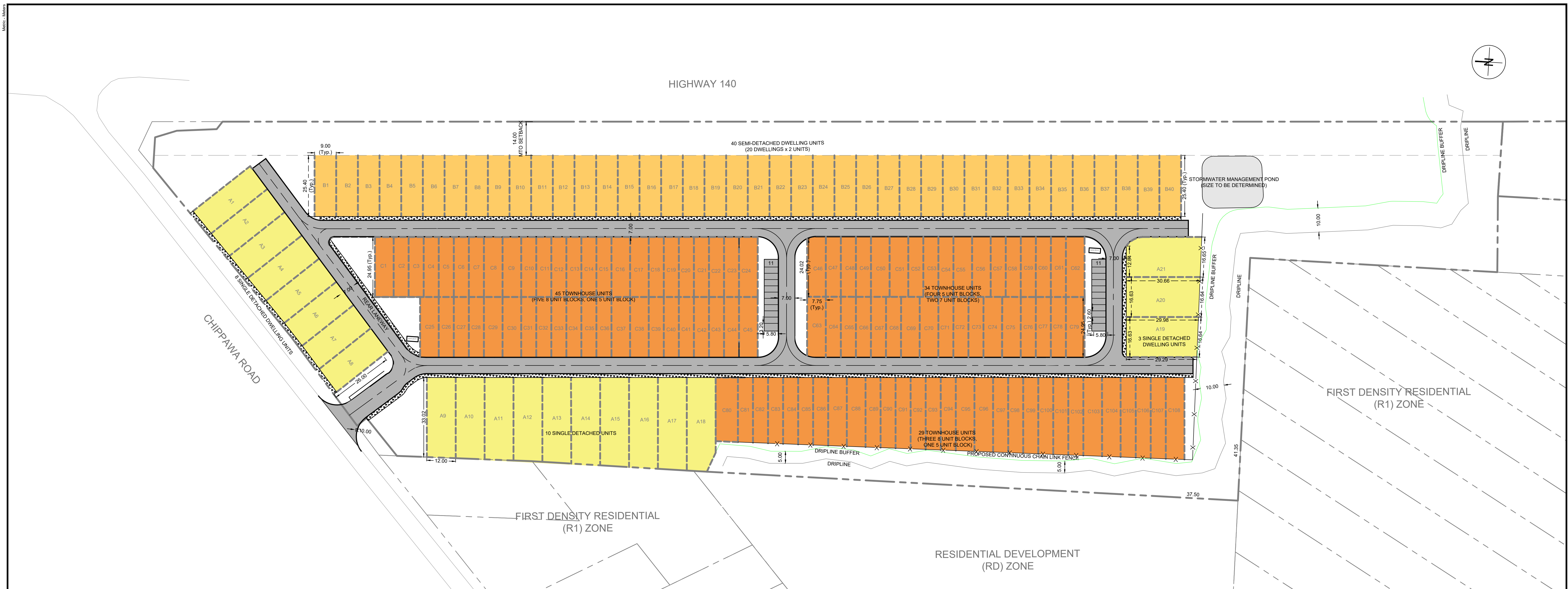
- Development Engineering
 - Roads
 - Local- Chippawa Road
 - Provincial- Highway 140
 - TIS require by the City and MTO
 - Servicing
 - Water: 150 D PVC (Local)- Chippawa Road
 - An advisory note that there is an existing 400 mm diameter Regional trunk watermain located along the eastern frontage which is not to be disturbed.
 - Sanitary: 200 D AC (Local)- Chippawa Road
 - In order to identify potential impacts to the Regional sewage pumping station, Region staff will require a servicing brief identifying the expected dry and wet weather sanitary flows for the proposed development. If the development is to be phased, the calculations should be completed for each phase with the timing detailed in the brief.
 - Storm: Roadside Ditch
 - Stormwater Management
 - At the time of Planning Act Application for Draft Plan and/or Site Plan, the Region will require a stormwater management plan demonstrating the development will not impose negative impacts in terms of storm water quality and quantity.
 - The following comments are provided by information purposes to assist the applicant with the preparation of a detailed site plan:
 - Niagara Region will require that stormwater runoff from the development be collected and treated to a Normal standard as the minimum acceptable standard prior to discharge from the site.
 - Confirmation from the City that the additional flows can be accommodated in their sewers or what infrastructure upgrades may be required. The Region normally requires post-development flows be controlled to pre-development flow level for all design storms (2-year up to and including the 100-year storm) prior to discharge from a development.
 - Niagara Region will require that a stormwater management report (and the associated \$1890 fee, development >5.0 ha) be submitted to this office indicating in details how the SWM requirement will be achieved. The Report should include the necessary information with respect to the inspection and maintenance requirements.
 - Prior to construction, Niagara Region will require that detailed grading, storm

servicing, stormwater management, and construction sediment control drawings be submitted to this office for review and approval.

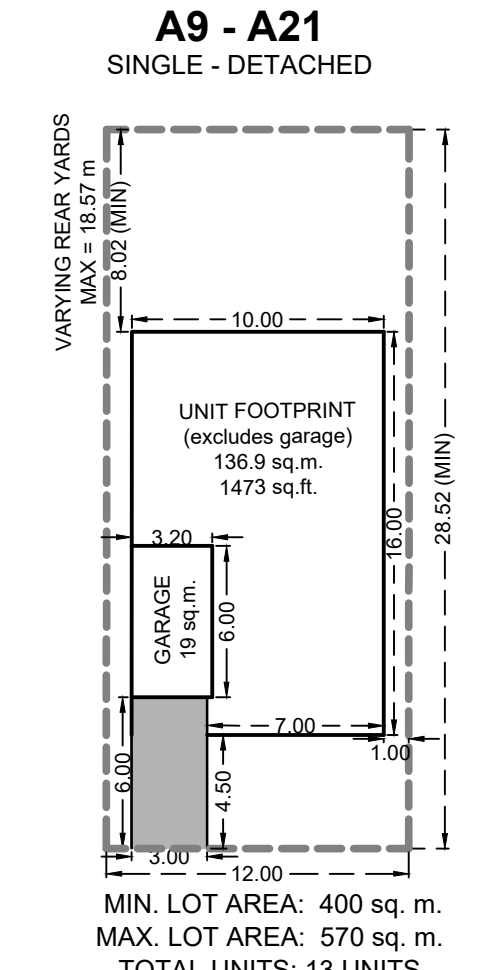
- Waste Collection- Residential lots
- No Limit Blue/Grey Boxes - Weekly Collection;
 - No Limit Green Bins– Weekly Collection;
 - 2 Garbage Bags/Cans- Collected Every-Other-Week.
 - Curbside collection only
 - Region staff will require that garbage truck turning plans be submitted using the Regional truck turning template to confirm that the proposed development is able to accommodate Regional curbside waste collection. It appears that waste collection pads may be required for a couple of units proposed at the southwest corner of the property, where the driveways will extend beyond the collection limits of the truck. The applicant will be required to complete an Indemnity Agreement with the Region prior to waste collection services commencing for the private road development.



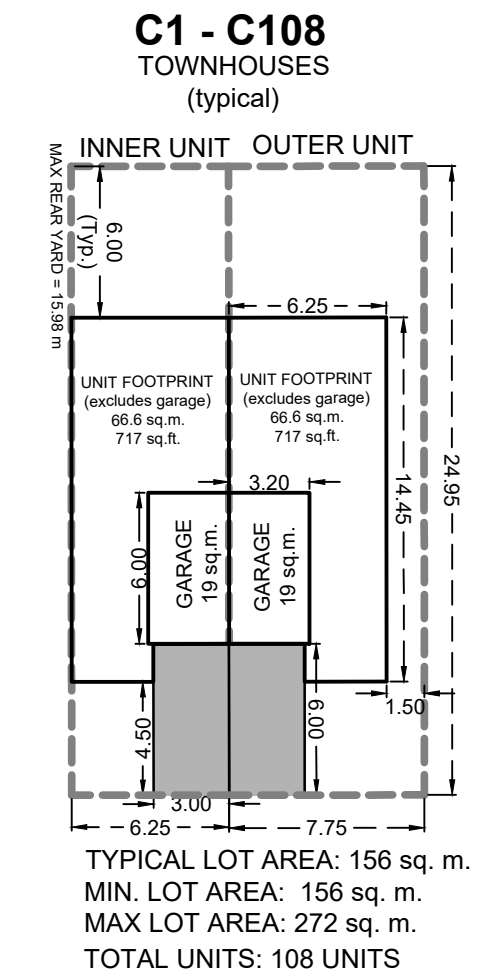
APPENDIX B CONCEPTUAL SITE PLAN



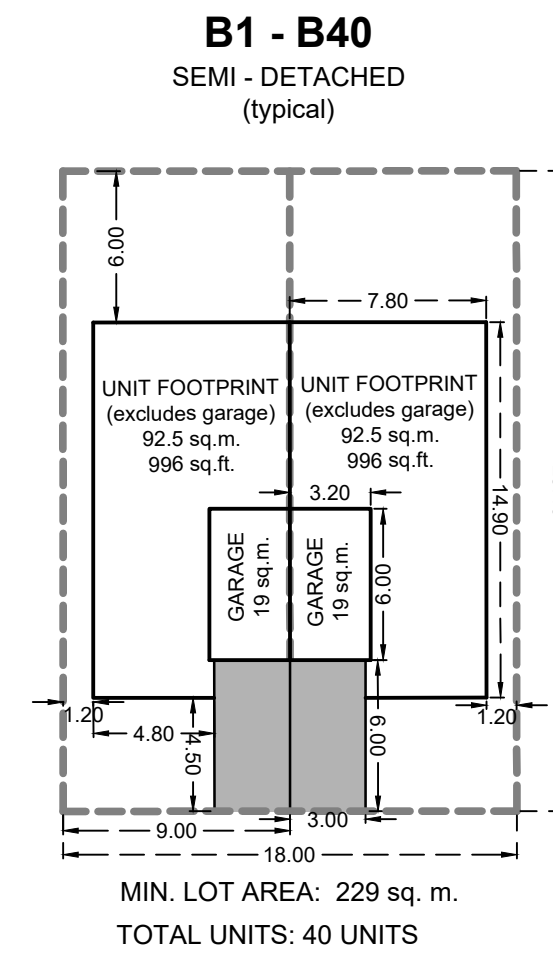
	REQUIRED	PROVIDED
MIN LOT FRONTAGE	12 m	12 m
MIN LOT AREA	0.04 ha	0.0327 ha
MIN FRONT YARD	6.5 m	4.5 m
MIN SIDE YARD	1 m	1 m
MIN REAR YARD	6 m	6 m
MAX LOT COVERAGE	50%	49%
MAX HEIGHT	11 m	Comply
MIN LANDSCAPED AREA	25%	45%



	REQUIRED	PROVIDED
MIN LOT FRONTAGE	12 m	12 m
MIN LOT AREA	0.04 ha	0.04 ha
MIN FRONT YARD	6.5 m	4.5 m
MIN SIDE YARD	1 m	1 m
MIN REAR YARD	6 m	8 m
MAX LOT COVERAGE	50%	40%
MAX HEIGHT	11 m	Comply
MIN LANDSCAPED AREA	25%	49%



	REQUIRED	PROVIDED
MIN LOT FRONTAGE	6 m	6.25m
MIN LOT AREA	0.02 ha	0.0156 ha
MIN FRONT YARD	6.5 m	4.5 m
MIN INT SIDE YARD	3 m	3 m
MIN EXT SIDE YARD	4.5 m	Comply
MIN REAR YARD	6 m	6 m
MAX HEIGHT	11 m	2 storeys
MIN LANDSCAPED AREA	25%	33%



	REQUIRED	PROVIDED
MIN LOT FRONTAGE	18 m	18 m
MIN LOT AREA	0.05 ha	0.045 ha
MIN FRONT YARD	6.5 m	4.5 m
MIN INT SIDE YARD	1.2 m	1.2 m
MIN REAR YARD	6 m	6 m
MAX LOT COVERAGE	50%	48.6%
MAX HEIGHT	11 m	Comply
MIN LANDSCAPED AREA	25%	43%

SITE STATISTICS	
TOTAL UNITS	169
SITE AREA	6.647 ha
DENSITY	25.4 UNITS/ha
PARKING	191 SPACES (1.13 PER UNIT)

TYPICAL UNIT DIMENSIONS

17 Jan 2023
PRELIMINARY

issue	issued for	date	init.
H	REVIEW	14 DEC 2022	EP
G	REVIEW	09 DEC 2022	EP
F	REVIEW	04 AUG 2022	RM
E	REVIEW	22 JUL 2022	RM
D	REVIEW	19 JUL 2022	RM
C	REVIEW	11 MAY 2022	NS
B	REVIEW	18 JAN 2022	NS
A	REVIEW	25 OCT 2021	NS

Do not scale drawings. Report any discrepancies to Quartek Group Inc. before proceeding.
Drawings must be sealed by the Architect and / or Engineer prior to the use for any building permit applications and / or government approval. Seals must be signed by the Architect and / or Engineer before drawings are used for any construction.
All construction to be in accordance with the current Ontario Building Code and all applicable Ontario regulations.
All drawings and related documents remain the property of Quartek Group Inc. all drawings are protected under copyright and under contract.

approved by: _____
date: _____
CAD file: 21092-PLAN-REVISED-C-SHADES.dwg

Quartek
Architects • Planners
Engineers • Project Managers
1 905 984 8676
89 - 91 St. Paul Street, Suite 100,
St. Catharines, ON, L2R 3M3
www.quartekgroup.com

project title
**281 CHIPPAWA ROAD
CONDOMINIUM**
PORT COLBORNE, ON

drawing title
CONCEPT PLAN

scale	date
1:750	14 DEC 2022
job number	issue
21092	H
drawing number	
21092-CP	



APPENDIX C DRAFT ZONING BY-LAW AMENDMENT

The Corporation of the City of Port Colborne

By-law No. _____

**Being a By-law to Amend Zoning By-law 6575/30/18
For Mixed Residential Development**

Whereas an application was received to amend the City's Comprehensive Zoning By-law 6575/30/18 as amended, for the lands referred as 281 Chippawa Road and legally described as CON 2 PT LOT 25 59R-8400; PARTS 1,2 & 3, City of Port Colborne, Regional Municipality of Niagara, 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. That Schedule 'A6' of the City of Port Colborne Zoning By-law 6575/30/18, as amended, be amended as shown on Schedule "A" attached hereto and forming part of this By-law;
2. Notwithstanding the provisions of Section 7 Third Density Residential (R3) Zone contained in Zoning By-law 6575/30/18, as amended, the following site-specific provisions shall apply to the lands shown on Schedule "A" attached hereto:

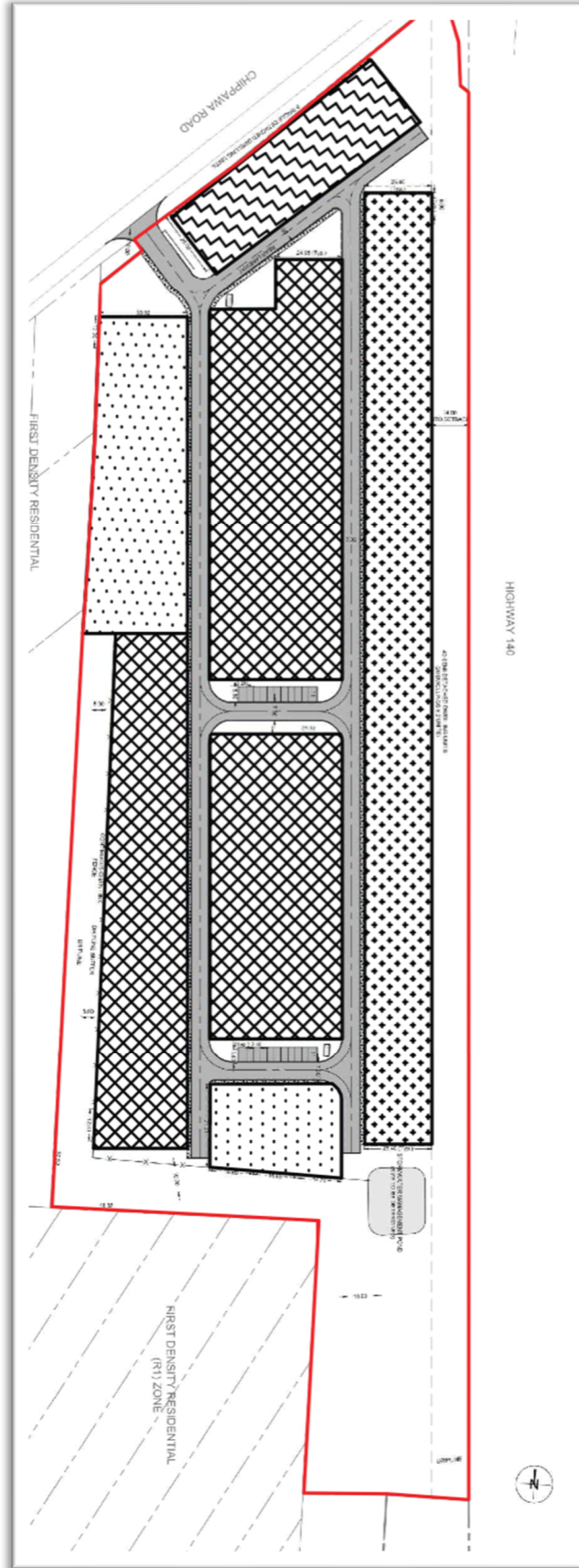
Zoning Regulations	Existing Zone Regulations (a) R2 - Section 6.3 R3 Zone - Section 7.3 & 7.7	Proposed Modification To Requested Zoning Regulations (b)
Uses Permitted	Detached dwelling Semi-detached dwelling Block townhouse	Comply
Minimum Lot Frontage	Detached Dwelling 6.3 (a) 12m & (b) corner lot-15m Semi-Detached 7.3(a) 18m Block Townhouse 7.7(a) 6m	Comply
Minimum Lot Area	Detached Dwelling 6.3 (c) 0.04 hectares (400 sqm) Semi-Detached 7.3 (b) 0.05 hectares (500 sqm) Block Townhouse 7.7 (b) 0.02 hectares (200 sqm)	Detached Dwelling (c) 0.032 hectares (320 sqm) Semi-Detached-Section 7.3 (b) 0.045 hectares (450 sqm) Block Townhouse-Section 7.7 (b) 0.015 hectares (150 sqm)
Minimum Front Yard	Detached Dwelling 6.3 (d) 6.5m Semi-Detached 7.3(c) 6.5m Block Townhouse 7.7(c) 7.5m	Detached Dwelling 6.3 (d) 4.5m Semi-Detached 7.3(c) 4.5m Block Townhouse 7.7(c) 4.5m
Minimum Exterior Side Yard	Detached Dwelling 6.3 (f) 3.5m Semi-Detached 7.3(e) 3m Block Townhouse 7.7(e) 4.5m	Detached Dwelling 6.3 (f) 2m Block Townhouse 7.7(e) 3m
Minimum Interior Side Yard	Detached Dwelling 6.3 (e) 1m Semi-Detached 7.3(d) 1.2m Block Townhouse 7.7(d) 3m	Comply
Minimum Landscaped Area	Detached Dwelling 6.3 (j) 25% Semi-Detached 7.3(i) 25% Block Townhouse 7.7(h) 25%	Comply
Maximum Lot Coverage	Detached Dwelling 6.3 (h) 50% Semi-Detached 7.3(g) 50%	Detached Dwelling 6.3 (h) 55%






Read a first, second and third time and finally passed this ____ day of _____, 2023.

_____ MAYOR

_____ CLERK

SCHEDULE "A"



LEGEND	
Subject Site	
	 Block Townhouses
	 Semi-Detached Dwellings
	 Single Detached Dwellings with Rear Garage and Front Facing Chippawa Front
	 Single Detached Dwelling with Front Garage and Front Facing Private Road

SCHEDULE "A" TO BY-LAW 6575/30/18

MAYOR: _____

CLERK: _____



APPENDIX D AGENCY CORRESPONDENCE

Susan Smyth

From: David Booker <coordinatedtraffic@gmail.com>
Sent: November 2, 2022 11:59 AM
To: Susan Smyth; Eric Flora; Bruno Carrera; terry graham; Mustafa Ismatyar
Subject: Fwd: 281 Chippawa Rd. Pt. Colborne TIS

*: This email originated from outside of Quartek's email system.

Please see MTO response. Thank you.

David

----- Forwarded message -----

From: Lagakos, Ted (MTO) <Ted.Lagakos@ontario.ca>

Date: Wed., Nov. 2, 2022, 11:52

Subject: RE: 281 Chippawa Rd. Pt. Colborne TIS

To: David Booker <coordinatedtraffic@gmail.com>

Cc: Lawrence, Morgan (MTO) <Morgan.Lawrence@ontario.ca>, Deluca, Peter (MTO) <Peter.Deluca@ontario.ca>, David Schulz <David.Schulz@portcolborne.ca>

Good morning David,

Upon your request, the ministry has revisited the single access scenario for this development.

We are now prepared to approve the single entrance design (approx..190 m spacing from Highway 140 on Chippawa Rd.) with additional highway improvements (e.g. northbound left turn lane). Prior to the ministry providing this approval, we require you to agree to the following:

- Confirm, in writing, that the subject lands can adequately operate with the proposed single access from Chippawa Road. The site will not be permitted to request any additional access of any kind in the future that does not meet ministry standards.
- Confirm, in writing, that all required highway improvements will be completed to the ministry's satisfaction prior to any on-site works. Highway works will require owner to enter into a legal agreement with the ministry/provide a letter of credit and secure the necessary MTO permits.

Mustafa Ismatyar

Subject: FW: FW: Letters of Confirmation (281 Chippawa Rd., Port Colborne Condominium)
Attachments: South East Corner Chippawa Road @ Hwy 140, Port Colborne.docx

From: [Dunsmore, Susan](#)
Sent: May 2, 2022 3:12 PM
To: [Bruno Carrera](#)
Cc: [Nicholas Olschansky](#); [David Schulz](#); [Lampman, Cara](#); [Selig, Cheryl](#); [Young, Katie](#); [Alguire, Robert](#)
Subject: RE: Letters of Confirmation (281 Chippawa Rd., Port Colborne Condominium)

Hello Bruno,

Our Manger, Environmental Planning has reviewed the area and provided the following information:

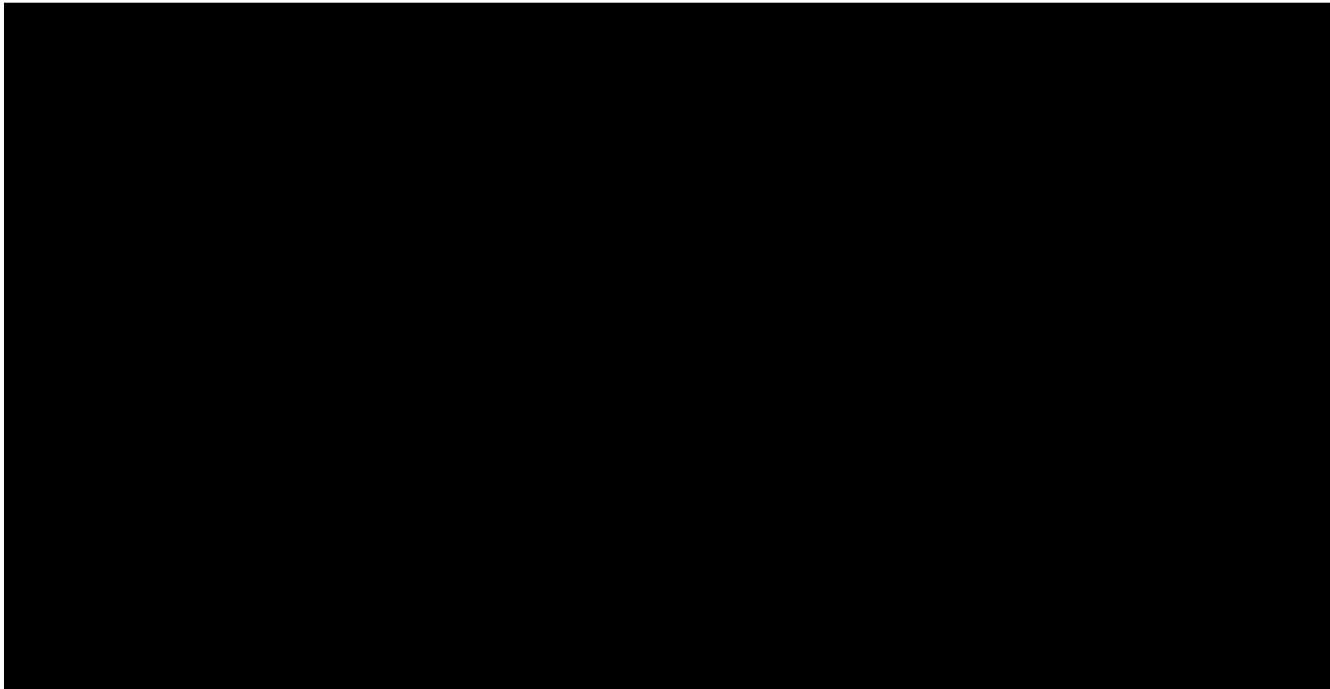
The attached mapping of the subject parcel was reviewed and note that a road connection either west or south of the subject parcel would require construction within a woodland feature.

The current Official Plan policies prohibit development and site alteration within woodland communities of this type, unless no negative impact can be confirmed through the submission of an Environmental Impact Study. Given the size of the woodland and the amount of area required for any road construction, this test would be difficult to meet. Certainly there is limited development potential to the west.

Further, should application be made after the update to the Official Plan, the new policy set would apply. The current draft policies prohibit any development or site alteration within woodland areas of this type.

We trust this information to be satisfactory, do not hesitate to reach out with any questions or concerns, to Cara Lampman or myself.

Thank you

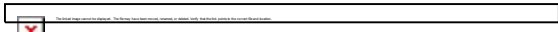


2. **Lands to the west:**

Please accept this as confirmation that based on the Region's environmental comments, the City of Port Colborne will no longer require the consideration of lands to the west as there is limited development potential.

Regards,

David Schulz, BURPI, MCIP, RPP
Senior Planner
City of Port Colborne



Phone 905-835-2900 x202

Email David.Schulz@portcolborne.ca

66 Charlotte Street
Port Colborne, ON L3K 3C8

www.portcolborne.ca

