

PLANNING RATIONALE REPORT

179 Mellanby Avenue and
56-56 ½ Main Street West,
Port Colborne

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TBG Project No.: 22954

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1.0

Introduction

The Biglieri Group Ltd. (“TBG”) has been retained by 1000367026 Ontario Inc. to prepare a Planning Rationale Report and planning applications in support of the redevelopment of the lands municipally identified as 179 Mellanby Avenue and 56-56 ½ Main Street West in the City of Port Colborne (“The Subject Site”) for mixed-use high density development. The Subject Sites is legally described as LT 27 PL 784 Humberstone; PT William ST PL 784 Humberstone (Confirmed By PC 16804) as in BB68870 ; Port Colborne.

The Subject Site is located at the intersection of Main Street West (known as Regional Road 3) and Mellanby Avenue (known as Regional Road 3A). The lands are 0.52 hectares (1.313 acres) in size and is currently occupied by single-detached dwellings and commercial retail establishments.

This Planning Rationale Report has been prepared in support of applications for Zoning By-law Amendment, Site Plan Approval and Draft Plan of Condominium. The proposed development consists of one (1) eight (8) storey mixed-use (commercial/residential) condominium building with 101 units. Ground floor commercial units will face Main Street West with covered parking located on the ground floor building behind the commercial façade, as well as on the east side of the Subject Site. A total of 51 parking spaces are proposed for the Subject Site. This would provide for a parking ratio of 0.50 per unit, whereas a ration of 1.25 spaces per unit is

required. There have been on-going discussions with the St. Lawrence Seaway Authority to allow a long term lease of vacant lands to the south of the property to be used for resident parking, as well as to provide additional public spaces for Lock 8 park. At the time of submission these conversations are still on-going and no decision has been made.

Per Niagara Region’s Official Plan (the “Region OP”), the Site is designated as an *Urban (Built-Up) Area*. The Subject Site is designated as *Downtown Commercial* in the City of Port Colborne Official Plan (2017 office consolidation) (the “City OP”). The City of Port Colborne Comprehensive Zoning By-law 6575/30/18 zones the site as *DC – Downtown Commercial* and *R4 - Fourth Density Residential*.

Pursuant to TBG’s review of the relevant policy documents, an amendment is required to the in-effect Zoning By-law to support the redevelopment of the Subject Site to permit the setbacks and parking required for this mixed-use condominium development. This Planning Rationale Report will review the proposed Zoning By-law Amendment, and associated Site Plan to establish consistency and/or conformity (as appropriate) with respect to the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2019), The Region of Niagara Official Plan (2022), City of Port Colborne Official Plan (2017), and City of Port Colborne Zoning By-law any other associated City documents and Guidelines.

Draft Plan of Condominium Approval will also be required prior to development and will be submitted at a later date to create the tenure of the building.

2.0

Site Location & Context

2.1 Subject Site

The Subject Site is municipally known 179 Mellanby Avenue and 56-56 ½ Main Street West in the City of Port Colborne (“The Subject Site”). The Subject Sites legally described as LT 27 PL 784 Humberstone; PT William ST PL 784 Humberstone (Confirmed By PC 16804) as in BB68870 ; Port Colborne.. The Subject Site is located at the intersection of Main Street West (known as Regional Road 3) and Mellanby Avenue (known as Regional Road 3A) (**Figure 1**). The Subject Site is located on The Island within Port Colborne. This area is surrounded by the Welland Canal and features four (4) bridges split evenly on the east and west sides of The Island.

The Subject Site has approximately 80.66 metres of frontage onto Mellanby Avenue and approximately 20.12 metres of frontage onto Main Street West. The Subject Site is approximately 0.52 hectares (1.313 acres) in size and is currently occupied by single-detached dwellings and commercial retail establishments. As a result of this development, the existing dwellings and commercial building will be demolished.

The proposed development consists of one (1) eight (8) storey mixed-use (commercial/residential) condominium building with approximately 101 residential units. The units will consist of a mix of size, from 49 square meters to 119 square meters.

The development will include both attainable and age friendly units. There will be approximately nine (9) fully accessible units located on the second floor.

The proposed building will be located on the northwest portion of the Subject Site. There will be a landscaped courtyard on the east side of the building.

2.2 Surrounding Context

North: Further north along Mellanby Avenue, there are additional single-detached dwellings. There is also a commercial auto repair shop located on the northeast corner of Mellanby Avenue and Main Street West. Mellanby Avenue ends 300 meters north of the Subject Site due to the Welland Canal (**Figure 2**).

East: East of the Subject Site are single-detached dwellings along Main Street West as well as Lock 8 Gateway Park. This park consists of a botanical garden, accessible trails, a bike bath, a playground and a skateboard park (**Figure 3**).

West: West of the Subject Site are additional single-detached dwellings along Main Street West as well as additional automobile related commercial uses. Further east along Main Street West are additional commercial uses including personal service and restaurants prior to a bridge that carries over the Welland Canal (**Figure 4**).

South: South of the Subject Site are additional single-detached dwellings along the south side of Mellanby Avenue. Across the street from these dwellings is a long stretch of the western portion of Lock 8 Gateway Park. The playground and skateboard park are easily accessible from this side of the park (**Figure 6**).

Figure 1. The Subject Site



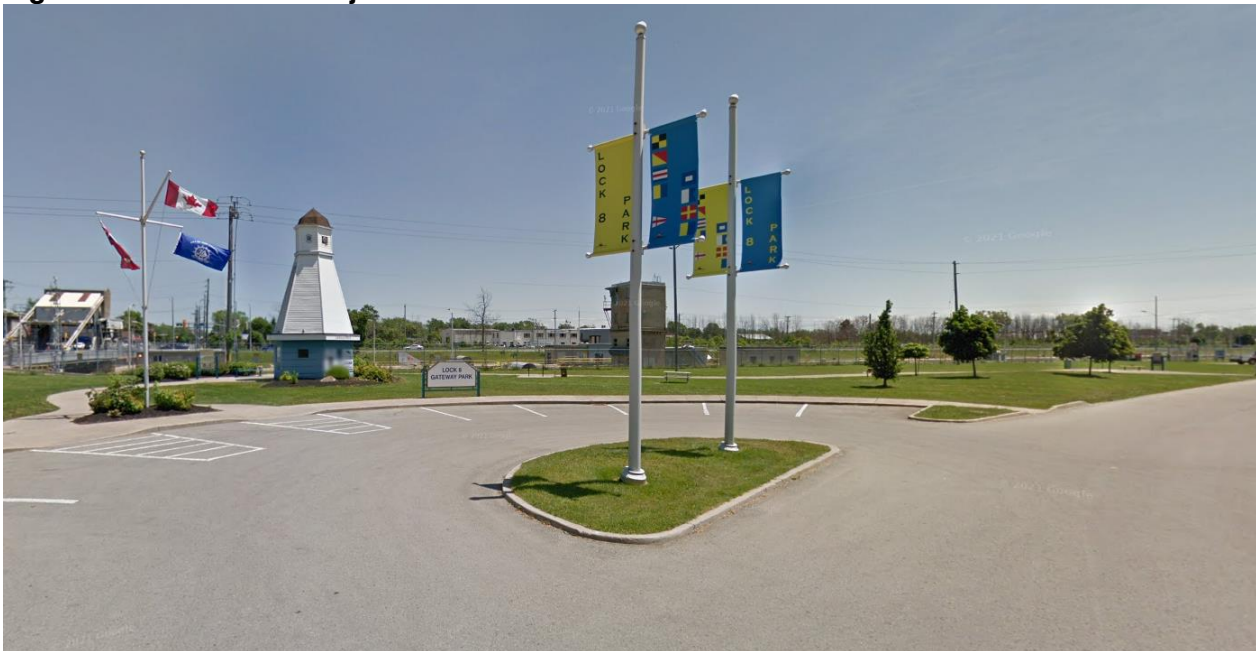
Source: Google Maps, 2023

Figure 2. North of the Subject Site



Source: Google Maps, 2023

Figure 3. East of the Subject Site



Source: Google Maps, 2023

Figure 4. West of the Subject Site



Source: Google Maps, 2023

Figure 5. South of the Subject Site



Source: Google Maps, 2023

2.2.1 Road Network

The Subject Site has frontage onto two Regional Roads, being Main Street West and Mellanby Avenue. Main Street West runs west/east and becomes Highway 3 approximately 1 kilometre east of the Subject Site. Mellanby Avenue is a north-south Regional Road. The southern portion of Mellanby Avenue alongside Lock 8 Gateway Park will be a future Highway 3 connection per the Port Colborne Official Plan.

2.2.2 Public Transit Network

The Subject Site is serviced by the Regional public transportation network. There are two main transportation services that service Port Colborne. The first, NRT OnDemand, replaced fixed bus routes in Port Colborne on December 31, 2022. NRT OnDemand allows accessible rideshare style transit access for Port Colborne residents. Pickup and drop-off locations are often within 100 meters of the origin or destination. The NRT OnDemand can take residents to any location within Port Colborne, and select destinations in other Niagara Region municipalities.

In addition to the NRT OnDemand, Port Colborne also offers an hourly shuttle service to the Downtown Welland Bus Terminal from Port Colborne City Hall, which is located approximately 2 kilometers away from the Subject Site. The terminal provides access to inter-municipal route connections as well as

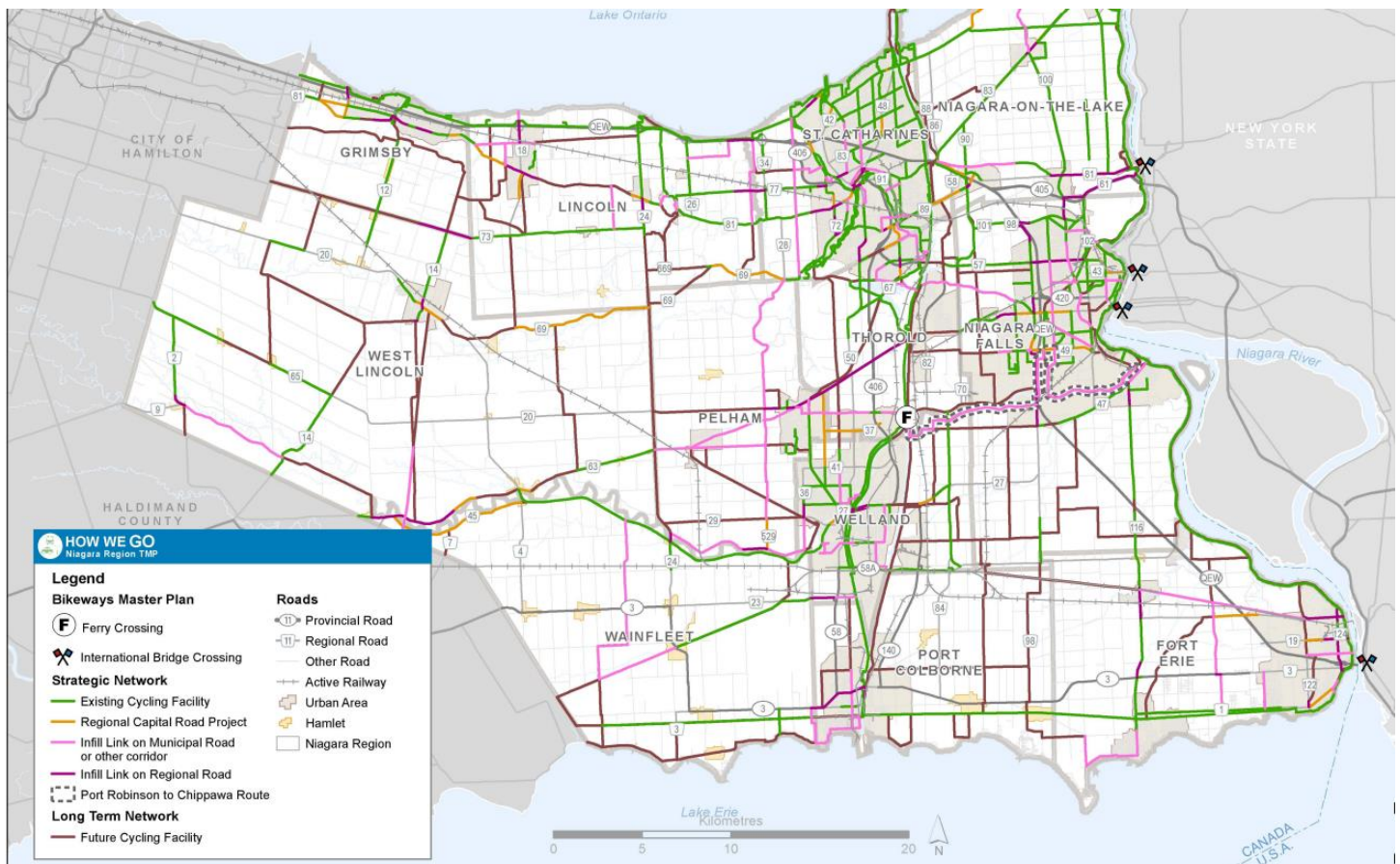
connections to GO Transit services in St. Catharines.

In terms of planned transit improvements, the Region's Transportation Master Plan indicates that the Subject Site is within an existing area served by Local Transit and is additionally marked as an area in which to improve fixed-route transit (Map 4: Conceptual Transit Network).

2.2.3 Active Transportation Network

Sidewalks are provided on the two major roads abutting the Subject Site. This includes Main Street West on the north and south sides and Mellanby Avenue on the west and east sides. Niagara Region's Transportation Master Plan identifies an existing cycling facility that cuts through Lock 8 Gateway Park (**Figure 6**; Map 3: Strategic Cycling Network). This is the only cycling network indicated on The Island. However, an additional future cycling facility is indicated on Schedule E2 of the Niagara Regional Official Plan one street east of The Island on Welland Street. The existing cycling facility, the Welland Canals Parkway Trail, that cuts through Lock 8 Gateway Park provides connectivity to St. Catharines, Welland and Thorold along an off-road multi-use path. To the south of the property, and on the east side of the Canal runs the Friendship Trail, providing an off-road connection to Fort Erie.

Figure 6. Strategic Cycling Network



Source: Niagara Region Transportation Master Plan, 2017

3.0

Proposal & Approvals

3.1 Proposal

The proposed development consists of one (1), eight (8) storey mixed-use (commercial/residential) condominium apartment with 101 units. The units will consist of a mix of sizes, from 621.25 feet squared to 1150.18 meters squared with a range of bedrooms. The commercial portion of the proposed site will be located on the ground floor and will be 131.58 meters squared. The development will include both attainable and age friendly units. There will be approximately

nine (9) fully accessible units located on the second floor.

Ground floor commercial units will face Main Street West with covered parking located on the ground floor of the residential building behind the commercial units. A total of 51 parking spaces are proposed for the Subject Site. Vehicular access is proposed by a private driveway through Mellanby Avenue. The proposed driveway is located approximately 90 metres south of Main Street West on the east side of Mellanby Avenue. A total of 14 bicycle spaces will be provided.

3.2 Required Approvals

In order to support the proposed development, an amendment is required to the in-effect Zoning By-Law to support the redevelopment of the Subject Site. This amendment would permit the setbacks required for this development. Following this application, a Site Plan and Draft Plan of Condominium will also be required.

4.0 Policy Context & Planning Analysis

4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (“PPS”) provides overall direction on matters of provincial interest related to municipal planning decisions. The PPS was issued under Section 3 of the *Planning Act, 1990* and provides Provincial direction in terms of land use planning and development in Ontario. The current PPS came into effect on May 1st, 2020. Decisions related to planning matters, including Official Plan and Zoning By-law Amendments made under the *Planning Act*, shall be consistent with the PPS.

The PPS encourages efficient land use and development patterns to support healthy, livable and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term (Policy 1.1.1). It also requires that municipalities accommodate an appropriate and market based range and mix of residential types (Policy 1.1.1). The PPS directs development to take place in urban areas (Policy 1.1.3). The emphasis on intensification

and infill to foster a diverse mix of housing options which can improve quality of life and social equity. The PPS directs that opportunities for transit-supportive development be promoted where appropriate to accommodate a significant supply and range of housing options through intensification and redevelopment (Policy 1.1.3.3).

With respect to housing, Section 1.4 requires provisions to be made for an appropriate range and mix of housing types and densities to meet the projected requirements of future residents by:

- permitting and facilitating all housing options and residential intensification;
- directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available;
- promoting densities which efficiently use land and resources and support active transportation and transit in areas where it exists or is to be developed;
- requiring transit-supportive development and prioritizing intensification, and;
- establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form.

The proposed development is consistent with the policies of the PPS. The Subject Site is in an urban, built-up area, which is the target area for intensification. In terms of housing mix and uses, the proposed development provides for a high-density built form in an area where the residential housing stock is predominantly composed of single-detached dwellings. The

proposal will increase housing supply and housing choice available in the area by providing for 101 dwellings, which includes 2-bedroom options. The proposed development will make use of existing municipal infrastructure and transit, as well as is in close proximity to public services such as parks, commercial uses, and the community centre.

The development is within an area with existing municipal infrastructure which can support the proposed development, based on the preliminary engineering review completed in support of this application. The proposal will not require the extension or expansion of sewer, water, or storm infrastructure.

The proposed development will use existing municipal infrastructure and provide additional housing options for current and future residents. The proposal is an intensification project and will support the Regional Transit system in the area by providing additional density. The proposed development is consistent with the policies in the PPS.

4.2 Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe (2006) (the “Growth Plan”) was approved under the authority of the *Places to Grow Act, 2005* by the Lieutenant Governor in Council of the Province of Ontario, and came into full force and effect on June 16th, 2006. The Growth Plan was further updated in July 2017, May 2019, and again on August 28th, 2020. The in-force Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe and carries forward many of the principles and policies of the PPS.

The Growth Plan introduced the concept of “complete communities” into a policy document which encouraged developments to provide a range of housing types within close

proximity to commercial and institutional uses which provide for daily needs of residents and reduce dependency on car trips. Per Section 2.2.1.4 a key component of the creation of complete communities is that they provide a diverse range and mix of housing options that accommodate people at all stages of life and accommodate the needs of all household sizes and incomes. Further to this, Section 2.2.6 directs municipalities to support housing choice through the achievement of the minimum density targets in the Growth Plan by identifying a diverse range and mix of housing options and densities to meet the projected needs of current and future residents.

Per Section 2.2.2.1a. of the Growth Plan, Niagara Region’s minimum intensification target is 50%; meaning that 50% of all new residential development must be within the *delineated built-up area*. The Region has identified intensification targets for individual municipalities within the Region, Port Colborne being given an intensification target of 30%. This mean that 30% of all new growth within Port Colborne will be required to located within the built-up area. Building upon establishing minimum intensification targets, municipalities are directed to develop a strategy to achieve their targets that identify *strategic growth areas* that are a key focus for development, identifying the appropriate type and scale of development in *strategic growth areas* and the transition of built form to adjacent areas. (Section 2.2.2.3a-b).

In accordance with the direction of the Growth Plan, the proposed development will help achieve the intensification target by providing high density residential uses while providing connectivity to existing municipal infrastructure, transit and public services. In terms of housing mix and uses, the proposed development provides for a high-density built form in an area where the residential housing stock is predominantly composed of single-detached dwellings. The proposal will increase the supply and housing choice available in the

area by providing for 101 new dwelling units. By providing for a range of unit options (one and two bedrooms) in a high-density form, the proposal is able to accommodate the needs of various household sizes and abilities, which is an essential component of complete communities.

The subject lands are also within walking distance to commercial, institutional, and recreational facilities, thereby reducing the reliance on cars for transportation. Grocery stores, emergency services, a daycare centre, and restaurants are all within walking distance of the Subject Site. The property is in a location that can support the increased density as there are services within walking distance, creating a complete community through this proposed redevelopment.

The proposed redevelopment will contribute to the creation of a complete community and provide an additional form of housing in the neighbourhood, as well as encouraging active transportation. It will contribute to the City's achievement of the intensification target of 30% and residential growth which equates to a total of 690 new units by the year 2051. It is our opinion that the development conforms to the policies in the Growth Plan.

4.3 Niagara Regional Official Plan (2022 Provincial Approved)

The Subject Site is subject to the Niagara Region Official Plan (the "Regional OP") as amended. The first Niagara Regional Official Plan was adopted by Regional Council in November 1991. The Regional Official Plan was modified and approved by the Minister of Municipal Affairs in December 1994. The Region recently completed their Municipal Comprehensive Review Process to bring their

plan into conformity with current Provincial Policy and to include growth projections to the year 2051. This updated plan was approved by the Ministry of Municipal Affairs and Housing on November 4, 2022.

The Niagara Regional Official Plan is consistent with the policies of the Province and sets a land use and planning framework for local Official Plans. The policies of the Niagara Regional Official Plan guide the physical, economic and social development of the Region to manage growth and economic development, to protect the natural environment, resources and agricultural lands, and to provide long-term goals for infrastructure investment. The policies in the Official Plan are meant to help co-ordinate more detailed planning by local municipalities. The Niagara Regional Official Plan dictates regional land use policies that have been adopted at the local level by the City of Port Colborne.

4.3.1 Urban Built-Up Area and Intensification

The Regional Official Plan designates the subject site as *Built-Up Area* under the *Urban Area* designation. Per Policy 2.2.2 Built-up Areas will be the focus of residential intensification and redevelopment within the Region over the long term. The Region has several growth management policies related to the Built-up Area, including:

- Direct a significant portion of Niagara's future growth to the *Built-up Area* through *intensification*. (Policy 2.2.2.1); and
- Build compact, mixed use, *transit-supportive*, *active transportation friendly* communities in the *Built-up Area* (Policy 2.2.1.1).

The Region implements several policies to promote intensification within the *Built-Up Area* and directs for local municipalities to generally

encourage *intensification* throughout the *Built-up Area* (Policy 2.2.2.9 and 2.2.2.10.).

The Regional OP provides an intensification target of 690 units to be built in Port Colborne by 2051, and that 30% of all new residential growth annually should be within the delineated built-up area. The proposed development will support intensification efforts through the provision of a compact, high density residential form within the *Built-Up Area* that supports the existing transit connectivity and active transportation infrastructure available in the immediate area. The proposed development would account for 14.5% of the units that the Regional Official Plan is targeting for intensification within Built-Up Areas in Port Colborne.

4.3.2 Residential Areas and Housing

Section 2.3 provides the Region's direction on housing. Policy 2.3.1, states that the Region encourages the provision of a variety of housing types within urban communities and neighbourhoods to serve a variety of people as they age through the life cycle. Policy 2.3.2 states that the Region encourages the development of both affordable and attainable housing and sets minimum targets.

Further, Policy 6.2 states the Region's desire for attractive, well designed residential development that: provides for active transportation that encourages a variety of connections to surrounding land uses; contributes to a sense of safety within the public realm; and enhances an aesthetically pleasing and functional neighbourhood.

The proposed development will create additional housing options to serve those throughout different stages of the life cycle. This can be promoted through the nine (9) fully accessible units, located on the 2nd floor of the proposed development. Further, the proposed development will provide attainable units with

the option of affordable units. This will be done through the provision of high-density residential forms that complement the surrounding lower density neighbourhoods and local businesses. The mix of densities will add variety to the neighbourhood. Furthermore, the surrounding active transportation routes and proximity to Lock Gateway 8 Park provides the proposed development with a variety of connections to surrounding land uses and provides opportunities for both passive and active recreational opportunities.

Based upon the review and analysis of the Region of Niagara Official Plan outlined above, it is our opinion that the proposed development is in conformity with the policies therein.

4.4 City of Port Colborne Plan (Office Consolidation, 2017)

The City of Port Colborne Official Plan (the "City OP") was approved by the Region of Niagara in November, 2013. The current office consolidation is dated September 2017. The main purpose of the Official Plan is to create a long-term vision for the City to guide local growth and development by designating land for various land uses and providing policies that will guide development and use of land City-wide. The Subject Site is designated as *Downtown Commercial*, within the City OP.

4.4.1 Growth Management Strategy and Vision

Section 2.1 of the City OP outlines the overarching vision for the growth and development of the City of Port Colborne. In

terms of development, the creation of complete communities, creating a mix of residential accommodations, community connectivity and accessibility of developments are identified as priorities.

The proposed development will meet these aspects of the OP vision by adding to the surrounding neighbourhood's housing typology, age-accessible units, transit connectivity and proximity to park space. The additional housing typologies that the proposed development will add will assist in creating a mix of residential accommodations for Port Colborne while simultaneously assisting in developing a complete community. The proximity of the Subject Site to the Lock 8 Gateway Park and active transportation routes allows residents to live in a highly connected area of Port Colborne while providing ample outdoor recreation space.

Section 2.2 of the City OP states the goals and strategies of growth management within the City of Port Colborne. Policy 2.2.E states that growth management should support infill and intensification in the *Downtown Commercial* designation, which the Subject Site is within. This proposed development would provide for a compact, mixed-used development within the *Downtown Commercial* designation of the City OP. This infill and intensification would comply with the strategies outlined in Section 2.2.

4.4.2 Housing and Residential

Sections 2.4.1 and 2.4.2 provide both population and housing forecasts for Port Colborne for growth until 2031. The City OP indicates that servicing and other land use policies are contingent on these figures. Section 2.4.1 indicates that the population of Port Colborne is expected to rise by 5,000 residents from the Plan's adoption to 2031. Section 2.4.2 estimates that 2,380 additional dwellings are forecasted for 2031. The

proposed development will support these intensification efforts by providing 101 additional dwellings for The City of Port Colborne, within the *Downtown Commercial* designation. It is anticipated that as a result of the recent approval of the Region's Official Plan, that the City's will be updated to reflect the new growth projections to the year 2051.

Within Section 2.4.2.1, the City OP provides additional direction and policies regarding new housing developments. These policies speak to the need for new housing developments to be accessible to basic needs, open spaces, age-friendly and accommodate the needs of all household sizes. The proposed development is within walking distance of shops, and grocery stores while being transit accessible due to the flexible nature of the NRT OnDemand service. Furthermore, the Subject Site abuts Lock 8 Gateway Park, which will provide residents ample access to outdoor spaces and active transportation routes. The proposed development will consist of a mix of unit sizes, accommodating the needs of a variety of households. In addition to this, the second floor of the proposed development will provide nine (9) fully accessible units to increase the accessibility and age-friendliness of the development.

Section 2.4.3 of the City OP further identifies areas of intensification as well as the objectives of intensification policies. This section reiterates the infill and intensification statements made in Section 2.2. The Downtown and other Built-Up Areas of Port Colborne will be the main sites for the 15% intensification targets until 2031. Section 2.4.3.C identifies the main objective of the intensification policies. Among these are the revitalization of the Downtown through intensification, the encouragement of mixed-use developments within the Downtown within transit and active transportation routes, as well as accommodating for additional lands designated as *Urban Residential* and *Downtown Commercial*. The objectives of infill and intensification as outlined by the City OP

are met by the proposed development. The Subject Site is located in the Downtown Port Colborne while being designated as *Downtown Commercial*. This land use designation is a target for infill and intensification within the City OP. Furthermore, the proposed mixed-use development within Downtown Port Colborne meets another objective of the City OP. The Subject Site has access to active transportation routes and is within a walking distance of Lock 8 Gateway Park. Although the Subject Site is not within walking distance of the hourly shuttle to the Downtown Welland Bus Terminal, the NRT OnDemand transit program allows for individuals to be well connected by public transit with easy access to many destinations within the Region of Niagara.

4.4.3 Downtown Commercial Designation

Per policy 3.6 the *Downtown Commercial* designation is intended to serve as the primary area for the selling of goods and services within Port Colborne. The primary uses under this designation include, but are not limited to: residential uses, parks, personal service shops and restaurants. The pre-consultation summary for the meeting held on October 27, 2022 confirms the proposed development's conformity with the Official Plan designation. Thus, indicating that no Official Plan Amendment is required. The height of the building will need to be analyzed further through a shadow study to ensure the negative impacts are minimized.

Policy 3.6.1.I indicates the need for a Traffic Impact Assessment to identify the potential traffic impacts of proposed commercial developments within the Downtown Commercial designation. The pre-consultation summary confirms this requirement, and one has been completed by Paradigm Transportation Solutions LTD.

Policies 3.6.2.C of the City OP includes further guidance to be used for infill and intensification projects as it pertains to the Downtown Commercial designation. This guidance states that, Mixed Use development is encouraged within the Downtown. The preferred built form for mixed use development is commercial and office uses on the ground floor, with residential units located above. (Policy 3.6.2.C). As previously identified, the proposed development is a mixed-use development. The development conforms to the direction of the City OP, as the ground floor of the Subject Site will contain approximately 131.58 square meters of commercial space. The subsequent seven (7) stories will contain approximately 101 residential units located above the commercial space.

Section 3.6.3 of the City OP provides design guidelines for the general appearance and parking within the Downtown Commercial designation. Section 3.6.3.1 discusses guidance on the general appearance for developments in the prescribed designation. The proposed development meets much of these guidelines. For example, the proposed development maximizes the number of entries to create visual interest along the sidewalk for the commercial uses (Policy 3.6.3.1.D). Further, the proposed development fronts onto the street and follows the design guidelines for corner buildings, being, the side elevations are given equal design treatments on either side, and the corner of the building is reinforced by a taller building element (Policy 3.6.3.1 G, H). Lastly, the proposed development follows the guidelines as they pertain to public open spaces. The Outdoor Amenity Space proposed for the Subject Site is located adjacent to Lock 8 Gateway Park, emphasizing the civic presence of the development and its surroundings (Policy 3.6.3.1K).

Section 3.6.3.2 discusses design guidelines as they pertain to parking, access and loading zones. Once again, the proposed development adheres to many of the relevant guidelines as

illustrated below. Per Policy 3.6.3.1.A it requires vehicular access from the front to the rear of the property. This is shown in the current conceptual plans provided by ePrime dated March 2023. Further to this, parking areas are placed at the rear of the proposed development to maintain a continuous building edge and a pedestrian-friendly street per Policy 3.6.3.2.D. Further parking and access information is provided in Section 5.4 of this report to summarize the subject site Traffic Impact Survey prepared by Paradigm Transportation Solutions LTD.

In conclusion, it is our professional planning opinion that the proposed development meets the goal and intent of the OP as a mixed-use built form. Further, the proposal will introduce an additional building typology in an area that predominantly provides residents with single-detached dwelling units. The proposed development supports the objectives of the Official Plan that encourage intensification, proximity to public transit and access to open space.

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

The City of Port Colborne Comprehensive Zoning By-Law came into effect in 2018. The Subject Site is zoned as s DC – *Downtown Commercial and Fourth Density Residential (R4)*.

The permitted uses of *Fourth Density Residential (R4)*:

- Detached Dwelling;
- Semi-Detached Dwelling;

- Duplex;
- Triplex;
- Townhouse Block;
- Townhouse Street;
- Apartment Buildings (Private or Public);
- Boarding or Lodging House; and,
- Accessory Uses, Buildings and Structures

The permitted uses of *Downtown Commercial*:

- Animal Care Establishment;
- Apartment Buildings (Private or Public);
- Brew Pub;
- Drive-Thru Facility;
- Accessory Dwelling;
- Existing Motor Vehicle Gas Station;
- Existing Motor Vehicle Repair Garage;
- Food Vehicle;
- Hotel;
- Medical Clinic;
- Office;
- Personal Service Business
- Place of Assembly / Banquet Hall
- Place of Worship
- Private Club;
- Public Space
- Recreation Facility;
- Fast Food, Take- out or Full-Service Restaurant
- Retail Store
- Service Commercial
- Social Service Facility
- Studio
- Veterinary Clinic; and,
- Accessory Uses, Buildings and Structures

4.5.1 Proposed Zoning-By-law Amendment

In order to permit the proposed development, the Subject Site must be rezoned to be fully within the *Downtown Commercial* zone. Further, a site-specific amendment is necessary to allow for additional GFA under the current zoning as well as a decrease in the total landscaped area required. The proposed

development conforms to most of the built-form zone provisions of the *DC* Zone (See Table 1). The proposed lot coverage of the building is 2224.3 meters squared which complies to the applicable zoning. Further, the proposed height is .1 meters under the maximum allowable. The site-specific amendment would allow for the Gross Floor Area to be 216% of the total lot area as opposed to the currently allowable 100% as well as a reduction in the minimum amount of bicycle parking spaces from fifteen (15) to fourteen (14). A reduction in the minimum landscaped space is also required. The current minimum is 25% of the lot area, whereas 10.8% is being requested. A reduction to the overall parking ratio is required to allow parking of 0.5 spaces per unit, whereas the by-law requires 1.25 spaces per unit. As previously identified, there are on-going discussions with the St. Lawrence Seaway Authority to use lands to the south as parking under a long-term lease. These discussions are on-going. Should the Seaway Authority agree with our request, no amendment to the parking provisions is required.

The built-form related zone provisions of the *DC* zone are summarized in Table 1.

Table 1. Zone Requirements for Apartment Dwelling Uses in the RH Zone

	Required	Proposed
Minimum Lot Frontage	No Minimum	80.66 Meters- Mellanby Ave. 20.12 Meters- Main Street W.
Minimum Lot Frontage where used for Residential Purposes	6 metres	Complies
Minimum Lot Area	18 meters	2224.3 Meters Squared (+55.6 Meters Squared for Canopy)
Minimum Landscape Area	25%	10.8%
Minimum Front Yard	No Minimum	Complies
Minimum Interior Side Yard	No Minimum	0.0 Meters
Minimum Interior Side Yard abutting a Residential Zone	No Minimum	0.0 Meters
Minimum Corner Side Yard	No Minimum	0.0 Meters
Minimum Rear Yard	No Minimum	0.0 Meters
Maximum Height	26 Meters	25.9 Meters
Maximum Gross Floor Area	100% of the lot area	216% of the lot area
Minimum Number of Parking Spaces	1.25 spaces per unit	.5 spaces per unit

5.0

Supporting Documents

5.1 Storm Water Design Brief

A Storm Water Management Design Brief has been prepared by Hallex Engineering Ltd. dated October 2023, and has been provided under a separate cover.

The brief discusses the drainage pattern and proposed stormwater management controls that will assist in ensuring storm flows are controlled to the pre-development flow rate. The design will utilize the existing slopes to ensure drainage will be designed according to the five and one-hundred year storm events per the City of Welland intensity-duration-frequency curve as there is not an available intensity-duration-frequency from the City of Port Colborne.

Stormwater quantity controls will be achieved by utilizing a 50mm diameter orifice plate at the outlet side of the stormwater management tank. Given the calculations and recommendations for the storm drainage system, the design considerations will be sufficient in managing storm water for the proposed development.

5.2 Heritage Impact Analysis

A Cultural Heritage Evaluation Report has been prepared by Parslow Heritage Consultancy Inc., dated April 2023, and has been provided under a separate cover.

The report reviewed, identified, evaluated and provided recommendations for mitigation options for cultural heritage impacts on the Subject Site. The site visit for the Subject Site was completed on March 8, 2023. The report indicates that 56 *Main Street West* be removed as a listed property from the municipal list of non-designated heritage properties. This recommendation was due to an evaluation of the criteria identified by O.Reg 569/22.

Further, the report proposes that the developments exterior finish matches that of the surrounding area. Additionally, the report indicates that the structures to be demolished should be salvaged for materials.

Finally, the report indicates the need for The City of Port Colborne to determine if the proposed development of 56 *Main Street West* is appropriate for the community.

5.3 Transportation Impact Study

A Transportation Impact Study has been prepared by Paradigm Transportation Solutions LTD. dated October 2023, and has been provided under a separate cover.

The Transportation Impact Study concluded that the existing traffic operations will continue operating within an acceptable level. Further, the Subject Site is expected to generate 44 new AM peak trips per hour, 61 new PM peak trips and 52 new Saturday peak trips. Intersections within the Subject Site will be able to maintain levels of

service and within their capacity with these increased trips.

The westbound queue length generated by the signalized Main Street West intersection with Mellanby Avenue is expected to extend through the Lock 8 Park Driveway to Main Street West during the AM, PM and Saturday peak hours.

Based on the research conducted in the report, it is recommended that the existing Main Street Lock 8 driveway be closed to regular traffic, and the driveway function as an emergency connection to the Park. Further, the existing crosswalk over the Lock 8 Park Driveway should be redesigned with a crossing treatment consistent with the OTM Book 18- Cycling Facilities.

Additional remedial measures can be found under the separate cover.

5.4 Noise Study

A Noise Impact Study has been prepared by dBA Acoustical Consultants, dated April 2023, and has been provided under a separate cover.

The study determined the noise impact from Main Street West and Mellanby Avenue through vehicular traffic that has the potential to impact the proposed development. The study sought to measure the potential noise impact as well as recommend any noise control measures if necessary. DBA Acoustical Consultants used the MECP Publication NPC-300 entitled "Stationary & Transportation Sources-Approval & Planning" to inform their assessment and subsequent analysis.

Through the analysis, no additional mitigation measures are necessary for the balconies. The rooftop terraces on the 2nd and 8th floors will require a minimum 1.22 metre Safety Guard Rail or Equivalent. The study reported that all windows in the building have a STC-32 rating. Finally, it is recommended that provisions and

registered warning clauses are placed on Central Air Conditioning within building units.

5.5 Environmental Site Assessment

A Phase 1 and 2 Environmental Site Assessment has been prepared by Niagara Soil Solutions LTD. dated October and November 2022, and has been provided under a separate cover.

The Phase 1 Environmental Site Assessment identified three (3) areas of potential environmental concern which required a Phase 2 Environmental Site Assessment and Excess Soils Assessment to investigate the potential contamination resulting from the deposition of fill material.

The Phase 2 Environmental Site Assessment and Excess Soils Assessment concluded that the fill material across the properties is impacted by Lead and Nickel ranging in depths from 0.5-0.7m below ground surface. These materials must be excavated and removed prior to redevelopment. Furthermore, the material must be disposed of at a Ministry of the Environment, Conservation and Parks approved landfill or placed on a re-use site where it may be buried at least 1.5 metres below the surface.

6.0

Conclusions

The Biglieri Group Ltd. ("TBG") has been retained by 1000367026 Ontario Inc. to prepare planning applications and obtain municipal approvals required to implement the proposed development on the lands municipally identified as 179 Mellanby Avenue and 56-56 ½ Main Street West in the City of Port Colborne.

The proposed development consists of one (1), eight (8) storey mixed-use (commercial/residential) condo apartment with 101 units. The units will consist of a mix of size, from 49 meters squared to 119 meters squared. A total of 51 parking spaces are proposed for the Subject Site. The development will include both attainable and age friendly units. There will be approximately nine (9) fully accessible units located on the second floor.

This Planning Report demonstrates that the proposed Site Plan and the associated Zoning By-Law Amendment is consistent with all applicable Provincial and Regional planning policies inclusive of the PPS, Growth Plan, and Regional Official Plan. Further, the proposal conforms to the intent of the City of Port Colborne Official Plan to provide for compact, mixed-use intensification within the Port Colborne downtown core. Section 4.4 of this report highlights the multiple benefits of the proposed development to the City of Port Colborne, inclusive of:

- The provision of a mix of residential unit types and sizes;

- The introduction of a new built-form in an area of Port Colborne where the residential land uses are dominated by single-detached dwellings;
- The achievement of the population density target per Policy 2.4.1;
- Providing accessibility to the adjacent Lock 8 Gateway Park and the NRT OnDemand transit program; and,
- Achieving transit-supportive development and supporting active transportation through compact, high-density, and pedestrian-oriented built form.

This Planning Rationale Report has evaluated the merits of the Proposal in the context of all applicable Provincial, Regional, and City policies and concludes that the Proposal is consistent with, or conforms to, the intent of the policy framework articulated in the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2020), and the relevant Official Plan documents. In our professional opinion the proposal represents good planning and is appropriate for approval.

Respectfully submitted,
THE BIGLIERI GROUP LTD

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