

PLANNING RATIONALE REPORT

Address

547 King Street,
Port Colborne

Client

Sandor Drew Toth

Project No. 25262

Date February.17.2026

Biglieri

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1. INTRODUCTION



The Biglieri Group Ltd has been retained by Sandor Drew Toth c/o Elevate Living (“Applicant”) to submit a Local Official Plan Amendment (“OPA”) and a Zoning By-law Amendment (“ZBA”) (the “Applications”) in support of a low-rise apartment building for lands municipally known as 547 King Street in the City of Port Colborne (“subject site” or “site”).

The subject site is approximately 0.08-hectare (784 square metres) in area located on the east side of King Street, just east of the intersection of King Street and Minto Street. The subject site is approximately 100 metres north of the intersection of King Street and Killaly Street West (see **Figure 1 – Location Map**).

OPA and ZBA applications are required to permit the proposed development (“Proposal”) which is comprised of a 30-unit, three-storey apartment building. A total of 13 parking spaces is provided on-site, including one accessible parking space located close to the primary entrance. All units proposed will be studio units. The applicant seeks to build a purpose-built rental building with a minimum 10% of the units being affordable units as defined by Canada Mortgage and Housing Corporation (“CMHC”), subject to financial feasibility.

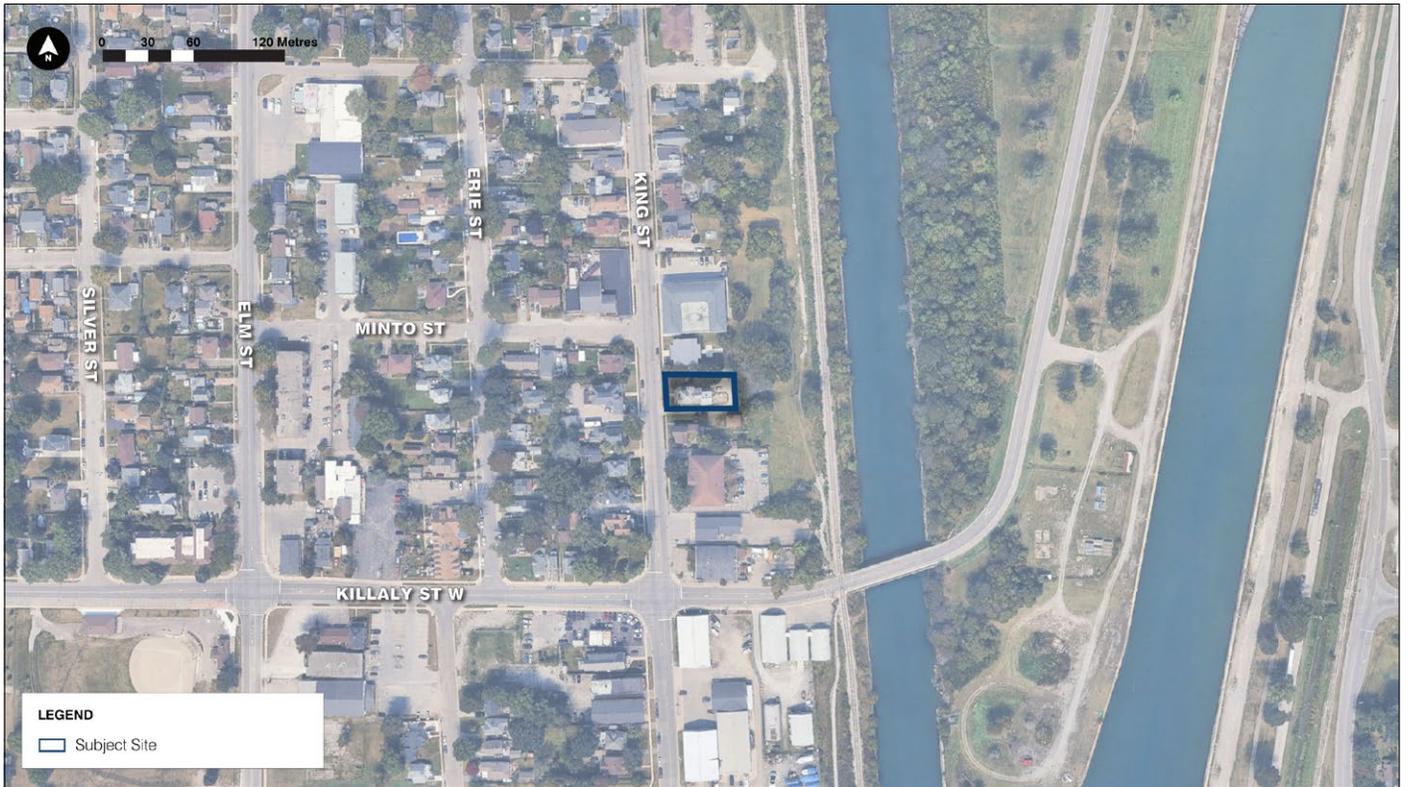
The subject site is designated as *Urban Area* and *Delineated Built-Up Area* in the Niagara Region Official Plan (“ROP”). In the City of Port Colborne Official Plan (“OP”), the subject site is designated *Urban Residential* within the Urban Area Boundary. The City of Port Colborne Zoning By-law 6575/30/18 (“ZBL”) zones the site as *Second Density Residential (R2)*.

The OPA seeks relief from Port Colborne Official Plan Policies Policy 3.2.1.c.i to increase maximum density from 100 units per net hectare to 383 units per net hectare and Policy 3.2.1.c.ii to not provide any ground-related commercial uses or ground-oriented residential uses. The ZBA seeks to rezone the site from *Second Density Residential (R2)* to *Fourth Density Residential (R4)* with site specific exceptions to facilitate the proposed concept plans.

A Pre-Consultation meeting with the City of Port Colborne was conducted on February 13, 2025, to discuss the proposed development and identify the requirements for a complete application.

This Planning Rationale Report (“Report”) is a key supporting document submitted as part of the Applications to provide justification on how the Applications and the Proposal are appropriate. Its purpose is to provide a clear and structured justification for the Applications / Proposal by evaluating consistency with the Provincial Planning Statement (“PPS”), general conformity with relevant Official Plans (“OP”), general compliance with Zoning By-laws (“ZBL”), and other applicable planning documents. The report outlines the appropriateness of the proposed land use, built form, intensity, and demonstrates how the proposal contributes to orderly, efficient, and context-sensitive development. In addition, the report demonstrates how the proposed development represents good planning principles.

Figure 1. **Location Map**





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2. SITE DESCRIPTION & LOCATION

2.1 The Subject Site

2.2 Surrounding Area

2.3 Transportation Network

2.4 Community Service & Facilities

2.5 Emerging Development Context



2.1 The Subject Site

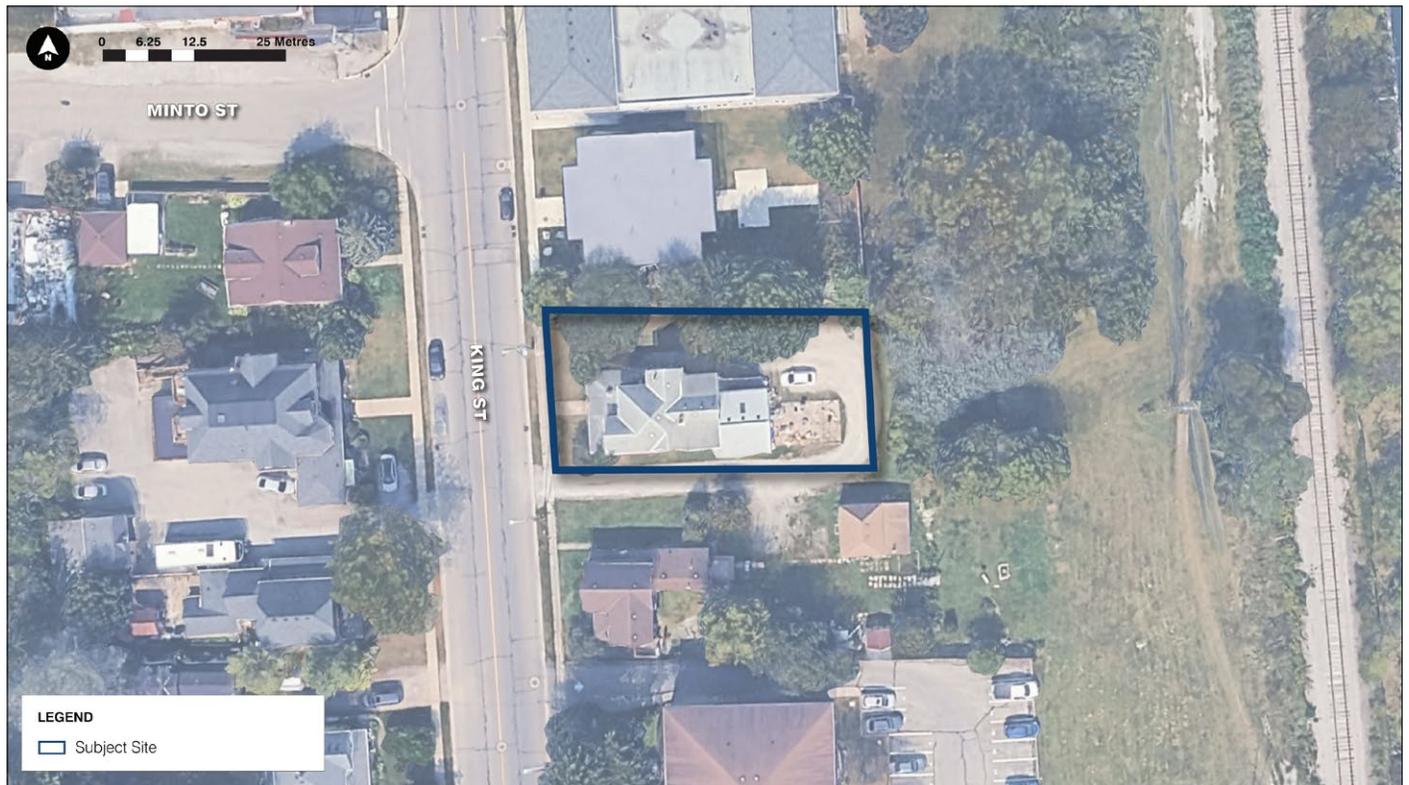
The subject site is located centrally in the City of Port Colborne, just north of the downtown and directly west of the Welland Canal. The subject site is located on the east side of King Street, north of Killaly Street West and south of Minto Street. The site is legally described as Part of Lots 9-10, Plan 769, City of Port Colborne (See **Figure 2**).

The site is abutted by lands under ownership of the St. Lawrence Seaway Commission (“Seaway”) to the east and a City-owned lane to the south. Historically, the site, together with 537 King St have utilized the lane to the south as their means of vehicle access which they continue to present day.

The subject site has an area of 0.08 hectares (784 m²) and forms a rectangular lot shape with a frontage of approximately 19.53 metres of frontage along the east side of King Street and a lot depth of approximately 40.23 metres. King Street is identified as an arterial road in the City of Port Colborne Official Plan (Schedule D: Transportation, 2017) and is municipally serviced. Generally, the lands form a modestly sized underutilized parcel along the periphery of an established residential neighbourhood that is within proximity to the historic Downtown (to the south) and the Main St West Downtown (to the north).

Lastly, the subject site has been identified as a listed, non-designated property on the City of Port Colborne’s Municipal Heritage Register. A Heritage Impact Assessment has been prepared by The Biglieri Group Ltd and are enclosed with this submission.

Figure 2. **Zoomed-In Aerial Context**



2.2 Surrounding Area

The subject site is located within the Port Colborne Urban Boundary, as shown on Schedule A of Port Colborne's Official Plan. The subject site is in the residential neighbourhood located just north of Downtown Port Colborne, which is generally bounded by the Main Street West to the north and west, Killaly Street West to the south, and the Welland Canal to the east. The neighbourhood can be generally described as a low-density residential area, characterized by ground-related housing with several low-rise apartment buildings nearby (See **Figure 1**). Within this area, there are various low-rise apartment dwellings, including a 3-storey apartment building at 555 King Street and a 2-storey apartment building at 569 King Street, two properties located directly north of the Subject Site. The subject site generally exists in a location of low-rise residential.

The subject site is located in a walkable part of Port Colborne and is within a 10-minute walk from both historic downtown areas which provides access to a range of commercial, retail, and other services for residents along King Street.

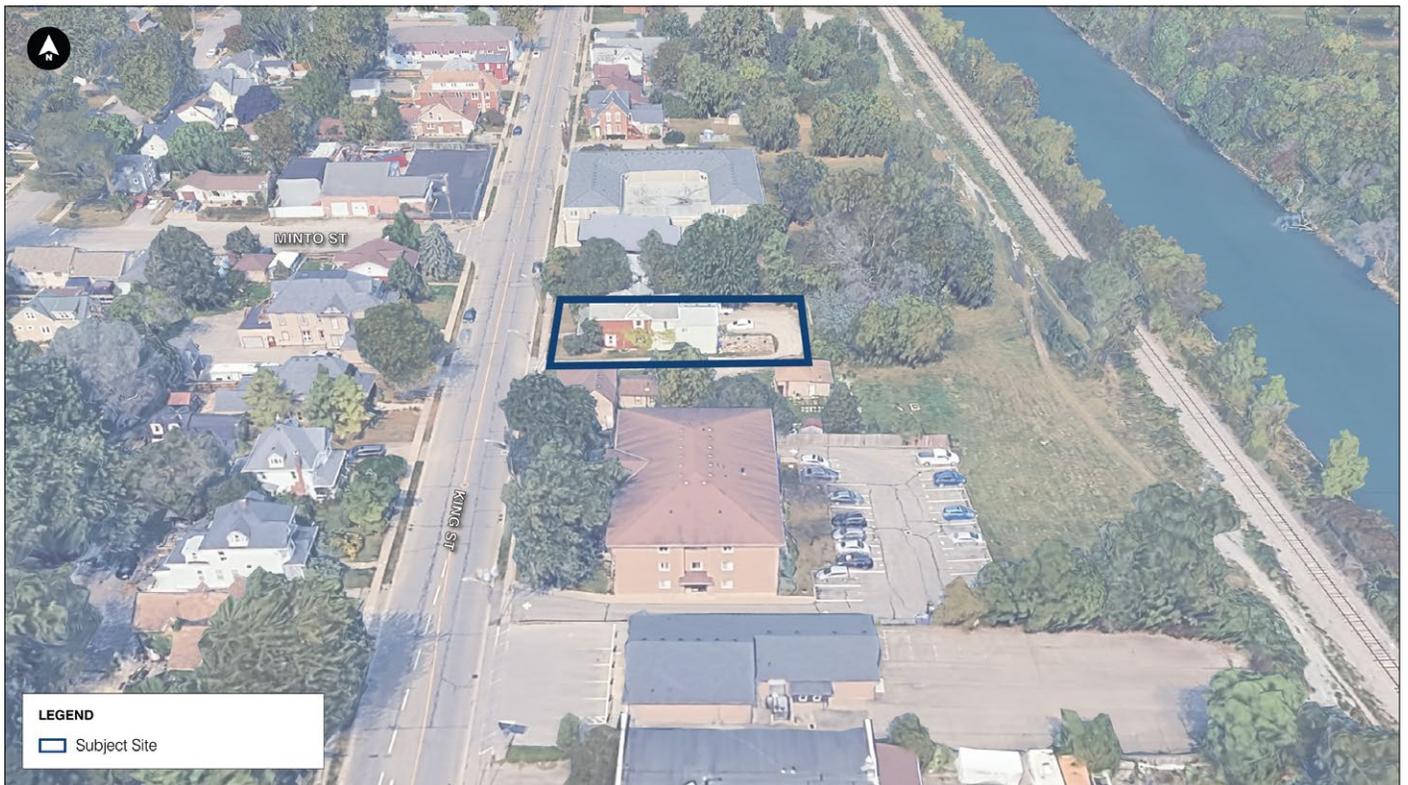
Killaly Street West provides connectivity to other portions of the low-rise residential neighbourhood to the west of the site. Killaly Street West connects the subject site to public facilities and schools such as McKay Public School, Niagara Regional Police Service (6 Division), Lions Field Park, Lock 8 Gateway Park, and Port Colborne Fire and Emergency Services.

The subject site is also located approximately 1.25 kilometres southwest of Ontario Highway 58, providing vehicle access to Welland in a north/south direction.



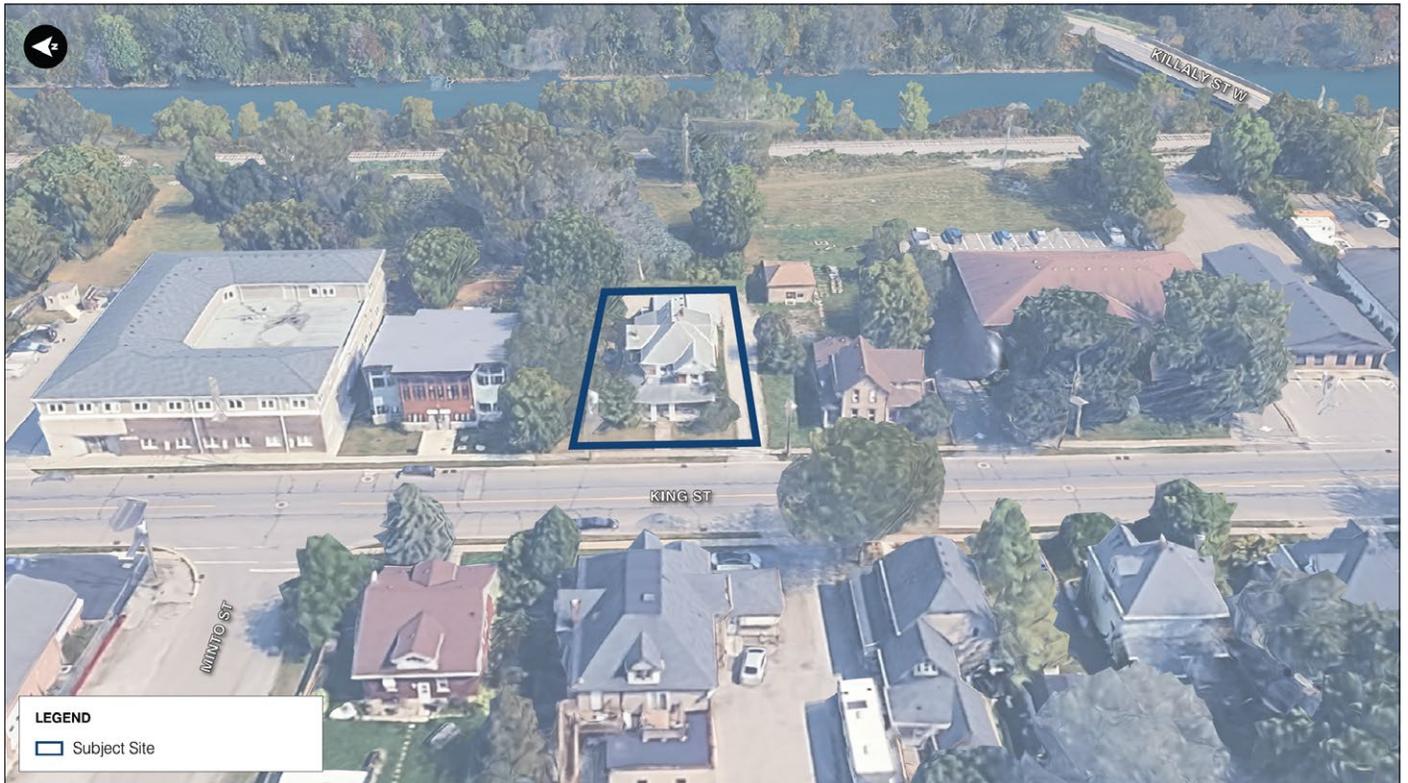
North: Located directly north of the subject site consisting of low-rise residential apartments, fronting King Street. Further north, near the intersection of King Street and Main Street West, are low-density commercial land uses, including restaurants, cafes, Home Hardware, and various other services and stores (**Figure 3 – Lands North of the Subject Site**).

Figure 3. **Lands North of the Subject Site**



East: To the immediate east of the subject site is a Railway track, which runs parallel to the Welland Canal, both running in a north-south direction. On the small island in the Welland Canal, includes the City of Port Colborne Engineering and Operations Centre and additional low-rise residential development further north on the island. Killaly Street West converts to a north-south direction east of the subject site (**Figure 4 – Lands East of the Subject Site**).

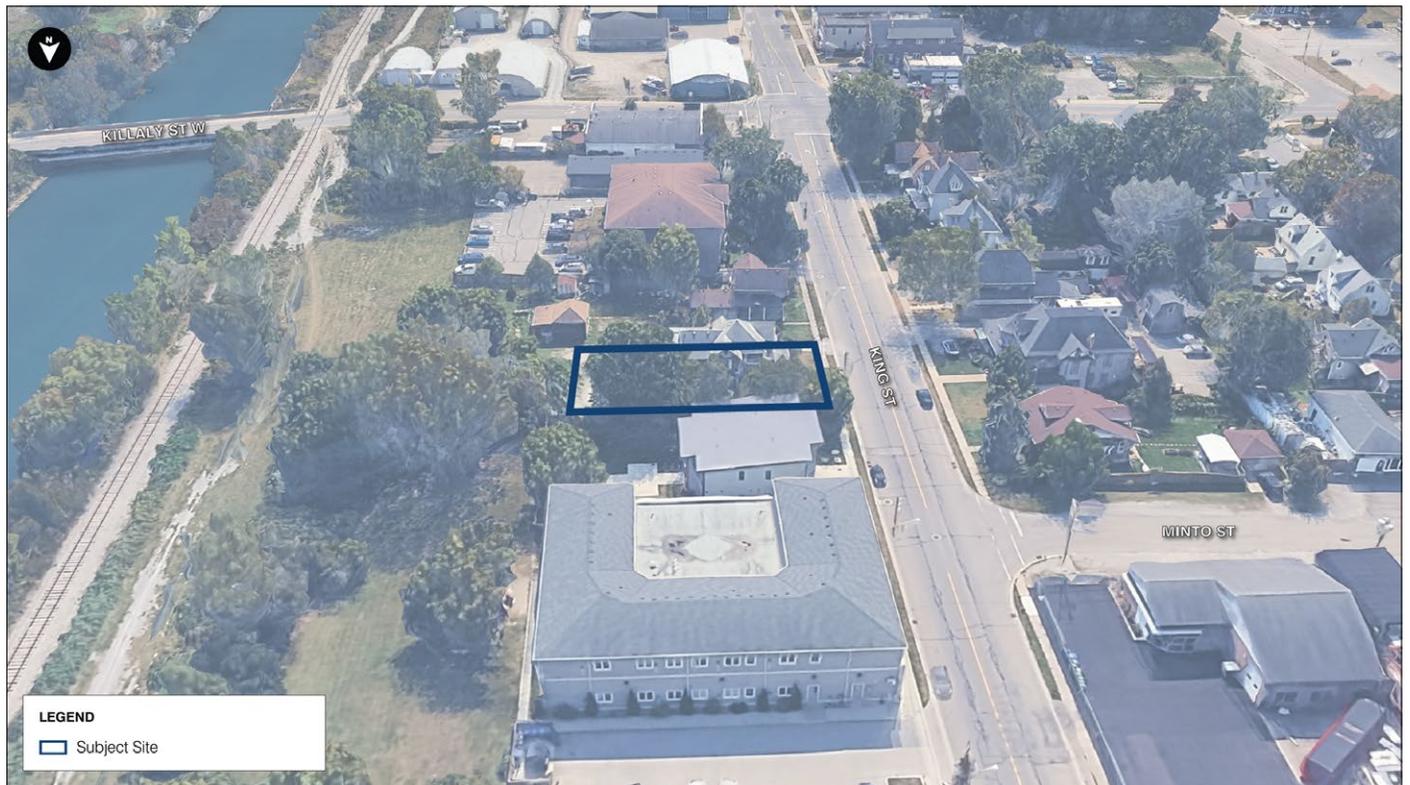
Figure 4. **Lands East of the Subject Site**





South: To the south of the subject site is a 2- storey duple dwelling. Further south is a 3-storey, low-rise apartment building. Along Killaly Street West is a wide mix of uses including low-rise retail, medical, and residential development. Further south of the subject site is Downtown Port Colborne, which is located generally along West Street, King Street, and Catherine Street and is bounded by Elgin Street to the north and Sugarloaf Street to the south. This area is a pedestrian-oriented environment and includes various restaurants, cafes, and retail shops, as well as a public library, museum, farmers' market, City Hall, and the Port Promenade, all within a ten-minute walk (800 metres) to the subject site (**Figure 5 – Lands South of the Subject Site**).

Figure 5. **Lands South of the Subject Site**



West: To the west of the subject site is additional low-rise residential, including both single-detached houses and three-storey apartment buildings (57-67 Minto Street). Further west, fronting along Killaly Street West is McKay Public School, Lions Field Park, and various retail establishments, all within a 5–8-minute walk of the subject site (400-600 metres). Additionally, Port Colborne High School is located along Elgin Street, approximately 800 metres southwest of the subject site (**Figure 6 – Lands East of the Subject Site**).

Figure 6. **Lands West of the Subject Site**





2.3 Transportation Network

2.3.1 Road Network

The subject site fronts King Street, about 100 metres north of the intersection between King Street and Killaly Street West. King Street is a north/south arterial road that intersects with Main Street West (to the north) and Killaly Street West (to the south) (See **Figure 7**, **Figure 8** and **Figure 9**).

The existing road network within proximity to the site is described below:

- **Unnamed Municipal Laneway** (directly south of subject site): The lands directly south of the subject site are currently owned by City of Port Colborne and it is approximately 7.20 metre laneway width. This laneway currently functions as a driveway and parking lot access for the proposed development.
- **King Street** (frontage to the site): An Arterial Road under the jurisdiction of the City of Port Colborne which travels in a north-south direction. King Street has a two-lane cross section (one lane per travel direction) and has a speed limit of 50 km/h. King Street extends northbound to Main Street West and southbound to the Lake Erie waterfront.
- **Main Street West** (approximately 800 metres north of the site): A Regional Road under the jurisdiction of Niagara Region with an approximate right-of-way width of 20.1 metres which travels east-west direction. Main Street West has a two-lane cross section (one lane per travel direction) and has a speed limit of 50 km/h. Main Street West extends westbound where it continues beyond the municipal boundary, continuing as Highway 3.
- **Killaly Street West** (approximately 100 metres south of the site): A Regional Road under the jurisdiction of Niagara Region with an approximate right-of-way width of 26.2 metres, which travels in an east-west direction. Killaly Street West has a two-lane cross section (one lane per travel direction) and has a speed limit of 50 km/h. Killaly Street West has a speed limit of 40 km/h between Knoll Street to the west and Elm Street to the east for traffic passing McKay Public School. Killaly Street West extends west where it intersects with Main Street West (which continues as Highway 3). It also continues northeast along the Welland Canal Island where it turns into Mellanby Avenue and once again comes to an end, intersecting with Main Street West.
- **Ontario Highway 58** (approximately 1.25 kilometres northwest of the site): A Provincial Road under the jurisdiction of Ministry of Transportation Ontario which travels in north-south direction.

Figure 7. **Niagara Region Official Plan – Schedule ‘E1’ – Transportation Infrastructure**

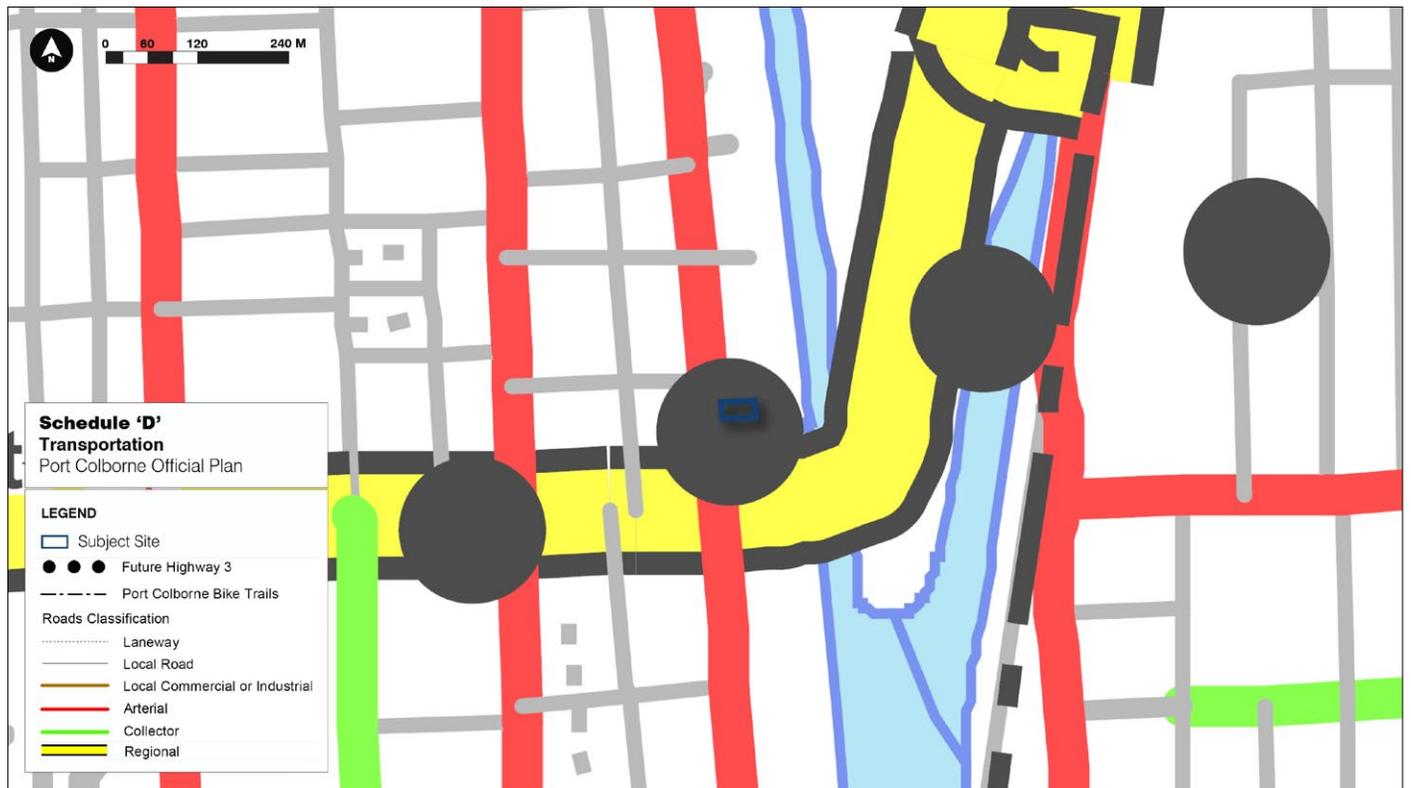


Figure 8. **Niagara Region Official Plan – Schedule E2 – Strategic Cycling System**





Figure 9. **Port Colborne Official Plan – Schedule ‘D’ - Transportation**



2.3.2 Active Transportation

Currently, King Street has sidewalks on both sides of the street, providing connection to the pedestrian walkways on Main Street West to the north and Killaly Street West to the south. These sidewalks, along with those across from and around the site, offer active transportation connections in most directions - north, south, and west - providing safe and convenient access to nearby amenities and retail plazas, including pedestrian access to Downtown Port Colborne.

The subject site is located in a neighbourhood with easy access to some of Port Colborne’s best trails and cycling routes. Approximately 750 metres south (approximately a 10-minute walk) from the subject site is the Port Promenade, which includes access to walking and cycling trails including the Welland Canals Parkway Trail, the Friendship Trail, and the Waterfront Trail. The Welland Canals Parkway and Friendship Trails are part of the Greater Niagara Circle Route, which is a paved, multi-use trail that stretches 140 kilometres and connects Port Colborne, Fort Erie, Niagara Falls, Niagara-on-the-Lake, St. Catharines, Thorold and Welland.

Additionally, access to the Waterfront Trail is provided approximately 750 metres south of the subject site. This trail provides access to recreational opportunities along Lake Erie and connects with many area cycling trails, including the Greater Niagara Circle Route and the Seaway Trail in the United States.

The Friendship Trail is also within a 10-minute walk of the subject site and provides an environment that is ideal for cycling, jogging, and walking. It can also be used for snowshoeing, cross-country skiing, and hiking in the winter. The Friendship Trail is Port Colborne's section of the Great Trail, which is the longest recreational trail in the world and traverses all 13 Provinces and Territories in Canada.

2.3.3 Public Transit Network

Transit services in Port Colborne are operated by Niagara Region Transit ("NRT"), which has unified all municipal transit systems across Niagara Region. In 2024, the Niagara Transit Commission unified NRT OnDemand, Niagara Specialized Transit, and FAST services under the new name "Niagara Region Transit" to enhance the transit experience.

The subject site is located within a 2-minute walk (120 metres) of the nearest flag bus stop at Killaly Street West and King Street. Within the City of Port Colborne, residents have access to Regional Route 25, which provides north-south access between Port Colborne City Hall and Welland Bus Terminal (See **Figure 10** and **Figure 11**). Flag stops are locations along a bus route where passengers can signal the driver to stop for boarding or getting off, even though there may not be a designated bus stop sign. This route also has stops in Port Colborne along Killaly Street West, Elm Street, and West Side Road, serving key locations such as Downtown Port Colborne, Port Colborne City Hall, Port Colborne Shopping Mall, Niagara Health - Welland Hospital, Welland Main Arena, Welland Farmers' Market, and Welland Bus Terminal.

The route operates six days a week (Monday to Saturday), every 60 minutes during the daytime (from 6:30 a.m. to 9:30 p.m.). The route offers reliable daytime service to Port Colborne's central neighbourhoods, making it a vital connection for shopping, community services, and residential travel.

Students benefit from a U-Pass program allowing unlimited travel during the school year, and all riders can plan trips and track buses in real-time through the Transit App or Google Maps. NRT also offers a service in Port Colborne called NRT MicroTransit / OnDemand. MicroTransit in Port Colborne is an on-demand transit service that allows passengers to book rides to specific points within designated service areas. If a trip requires travel beyond the local zone, a MicroTransit vehicle will take passengers to the nearest access point, where they can transfer to a conventional bus for further travel. This multi-modal approach ensures flexible and convenient transit options for residents and visitors in Port Colborne.



Figure 10. **Niagara Transit – City of Port Colborne Bus Route 25**

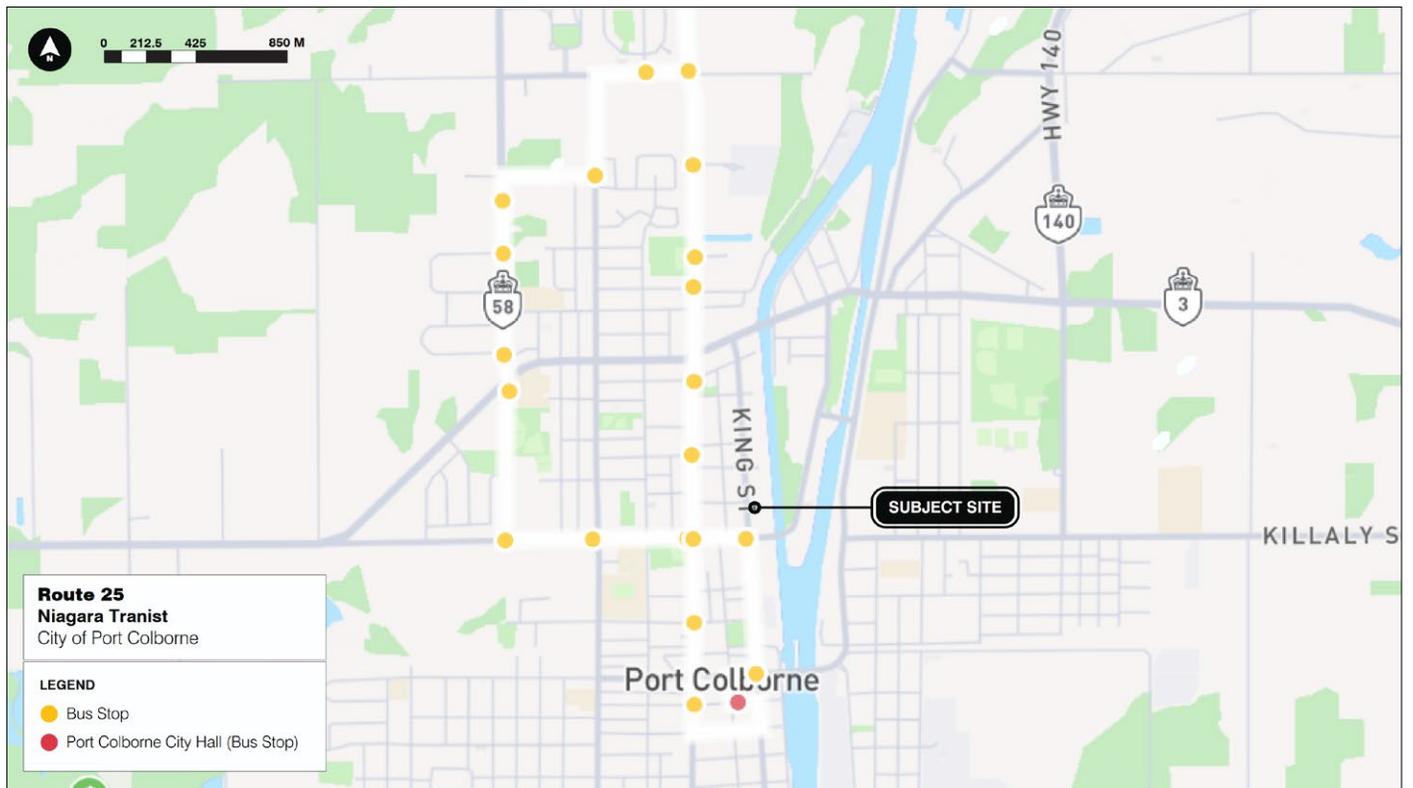
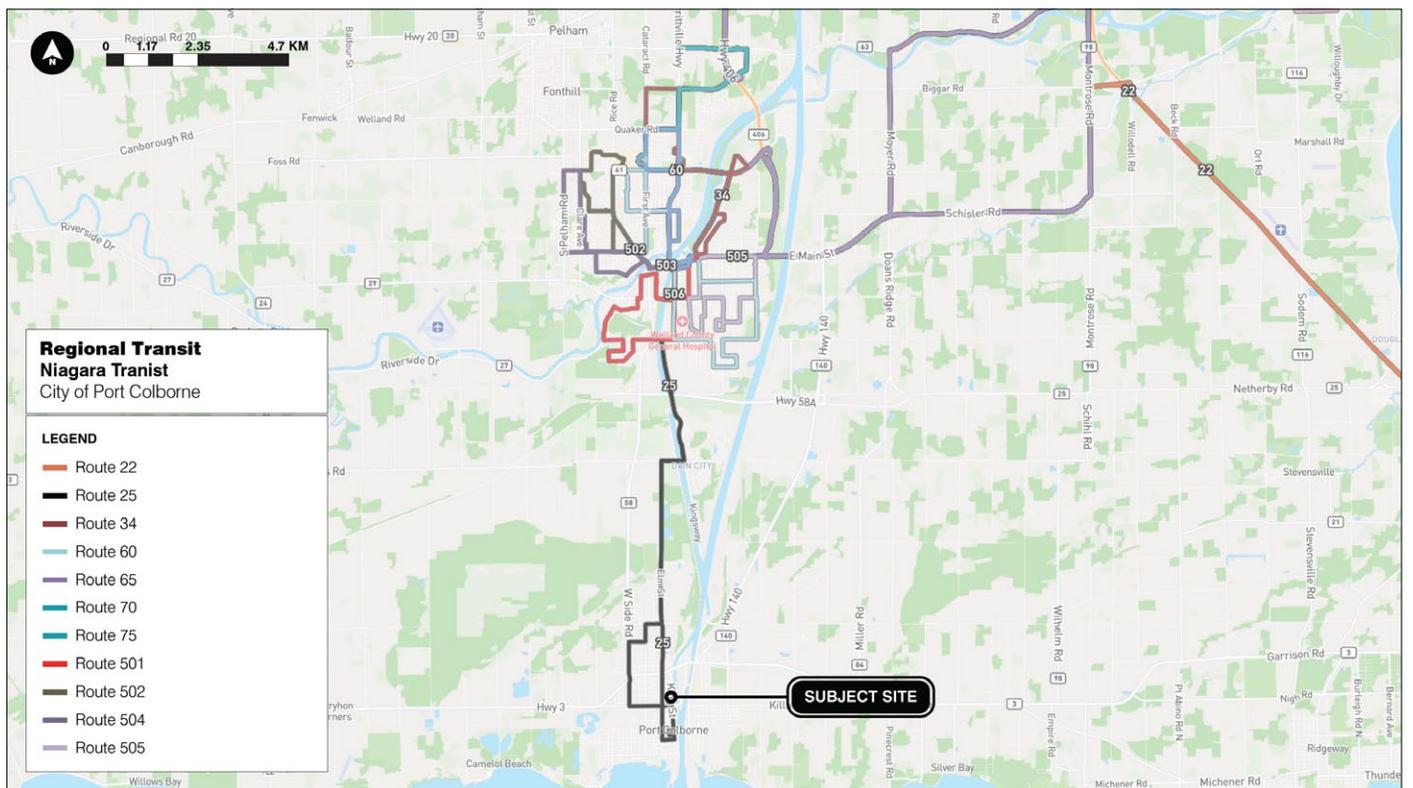


Figure 11. **Niagara Transit – Regional Transit Map**



2.4 Community Service & Facilities

The neighborhood is host to several community and public service facilities (See **Figure 12**). The following amenities and services are located in proximity to the site:

Police/Fire Services

- Port Colborne Fire and Emergency Services is located 400 metres northeast of the site.
- Niagara Regional Police Service – 6 Division is located approximately 450 metres west of the site.

Healthcare Services

- Bridges Community Centre is located 400 metres southwest of the site.
- Lockview Medical Group is located 750 metres south of the site.

Schools

- McKay Public School is located 500 metres west of the site.
- DeWitt Carter Public School is located 600 metres east of the site.
- Port Colborne High School is located 700 metres southwest of the site.
- Lakeshore Catholic High School is located 700 metres northeast of the site.

Place of Worship

- Central United Church is located 400 metres south of the site.
- First Evangelical Lutheran Church is located 500 metres northwest of the site.

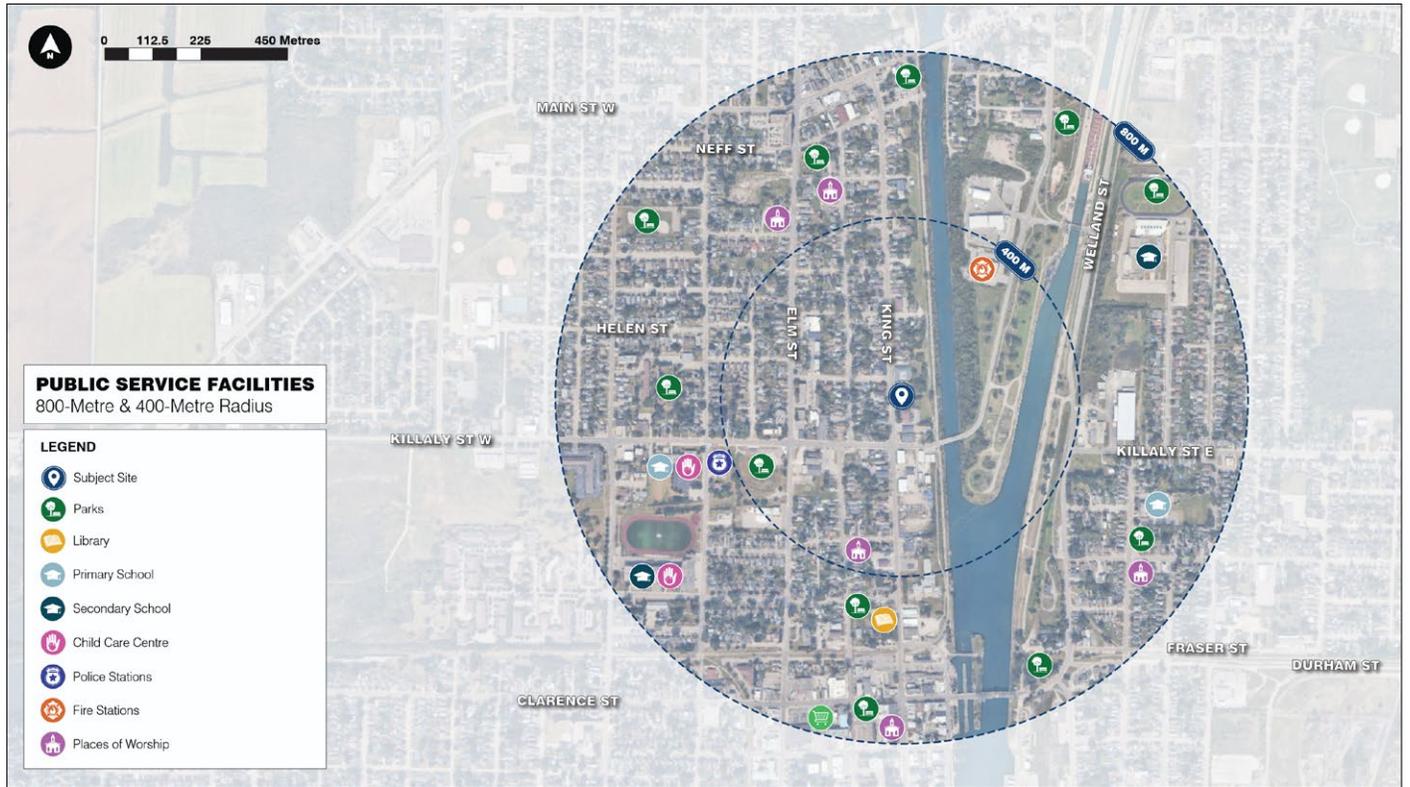
- St. Therese of Lisieux Church is located 700 metres southeast of the site.
- The Gathering Place Presbyterian Church is located 750 metres south of the site.
- Saint James and Saint Brendan Anglican Church are located 800 metres south of the site.
- St. John Bosco Catholic Church is located 800 metres northwest of the site.

Parks and Open Space

- Lions Field Park is located 300 metres west of the site.
- Library Park is located 500 metres south of the site.
- Humberstone Shoe Park is located 550 metres northwest of the site.
- Port Colborne Social and Recreation Centre is located 550 metres west of the site.
- City of Port Colborne Skatepark is located 600 metres northeast of the site.
- Vimy Park is located 650 metres northwest of the site.
- Seaway Park is located 700 metres southeast of the site.
- The Port Promenade is located 750 metres south of the site.
- King George Memorial Park is located 750 metres south of the site.
- Lock 8 Gateway Park is located 800 metres northeast of the site.
- Lockview Park is located 800 metres northeast of the site.



Figure 12. **Community Services & Facilities.**



2.5 Emerging Development Context

The following table provides an overview of recently approved and constructed developments within proximity to the Subject Site, outlining the current development context.

Table 1. **Development Context in Port Colborne**

Address	Approximate Distance & Direction	Height (Storeys)	# of Units	Type	Status
360 Killaly Street East	1.3 km East	3.5	16	Apartment	Approved
555 King Street	Directly north of site	3 storeys	8	Apartment	Constructed
569 King Street	North of site	2 storeys	23	Apartment	Constructed
80 Nickel Street	South of site	4 storeys	17	Apartment	Approved



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3. DEVELOPMENT PROPOSAL

**3.1 Description of the Proposed
Development**

3.2 Required Approvals



3.1 Description of the Proposed Development

The subject site has an area of approximately 0.08 hectares (784 m²) and forms a rectangular lot shape with a frontage of approximately 19.53 metres of frontage along the east side of King Street. The Proposal seeks to redevelop the subject site with a three-storey residential apartment building, introducing 30 new housing units. The proposed unit mix consists of studio units with unit sizing ranging from 33 square metres (310 square feet) to 49.5 square metres (463 square feet) (See **Figure 13 – Site Plan**).

A total of 13 surface parking spaces is proposed on site, including one barrier-free space. A minimum of 24 bicycle parking stalls is proposed, eight (8) short-term covered stalls outside the main entrance, and 16 long-term indoor secured stalls.

Vehicle access to the site is provided via King Street to the west. The surface parking lot entrance runs along the southern portion of the site where asphalt parking stalls are provided. A concrete walkway runs from both the west and east side of the parking lot, providing pedestrian access to both the front and rear building entrances and to the existing concrete sidewalk along the east side of King Street. The existing sidewalk and pedestrian network provide easy access along King Street, connecting the subject site to both Downtown Port Colborne and to the Main Street commercial strip to the north.

The proposed development provides sufficient landscaped area along the perimeter of the subject site, including landscaped areas around both the front and rear entrance. With regards to waste pickup, two inground refuse bins are proposed adjacent to the south wall of the building. A 1.2-metre-tall brick garden wall is proposed to help screen the refuse bins & parking area from the public sidewalk running parallel to King Street at the front of the subject site.

Architecturally, the proposed building is a low-rise residential structure that incorporates a red brick exterior with a flat roofline which effectively blends the building with the brick dwellings adjacent to the site. A private communal balcony measuring 31 square metres is proposed at the northeast corner of the 3rd-storey. The primary entrance to the building is provided along the west façade (King Street) of the building, activating the street edge and creating a pedestrian-oriented scale. Additionally, another entrance is provided on the east end of the building at the back of the building. Both building entrances are served by indoor stairways, providing access to units on the second and third floors (See **Figure 14 – Elevations**).

At this time, a minimum of 10 % of the proposed purpose-built rental dwelling units are anticipated to meet the CMHC definition of 'affordable', subject to financial feasibility. Pending the necessary approvals, the project may include a larger number of affordable units if appropriate incentives become available.

For more information, please see enclosed the **Architectural Drawing Set** prepared by Invizij Architects Inc and **Conceptual Site Plan** prepared by Elevate Living.

3.2 Required Approvals

3.2.1 Official Plan Amendment

The subject site is designated as *Urban Residential* in the City of Port Colborne Official Plan and Section 3.2.1 sets out the density and design criteria of all dwelling types within the City's urban residential areas. More specifically, Section 3.2.1.c speaks to *High Density Residential* policy direction for apartment buildings.

An OPA is required to seek relief from policies pertaining to maximum density in areas designated as *Urban Residential*, which directs apartment buildings ranging in density from 70 to 100 units per net hectare (Policy 3.2.1.c.i.) and having a commercial or ground-oriented residential use on the main floor (Policy 3.2.1.c.iii). The proposed development requires an amendment to increase density from 100 units per net hectare to 383 units per hectare.

See enclosed **Draft OPA** for further information.

3.2.2 Zoning By-law Amendment

The subject site is currently zoned *Second Density Residential (R2)* which permits detached, duplex, and semi-detached dwellings. A ZBA is required to rezone the subject site to *Fourth Density Residential (R4)* to permit the development of an apartment building with site specific exceptions to implement the proposed development.

See enclosed **Draft ZBLA** for further information.

3.2.3 Site Plan Control

To facilitate the proposed 30-unit low-rise apartment, Site Plan Control ("SPC") application is required. The SPC application will be submitted in a subsequent submission.



Figure 13. **Site Plan**

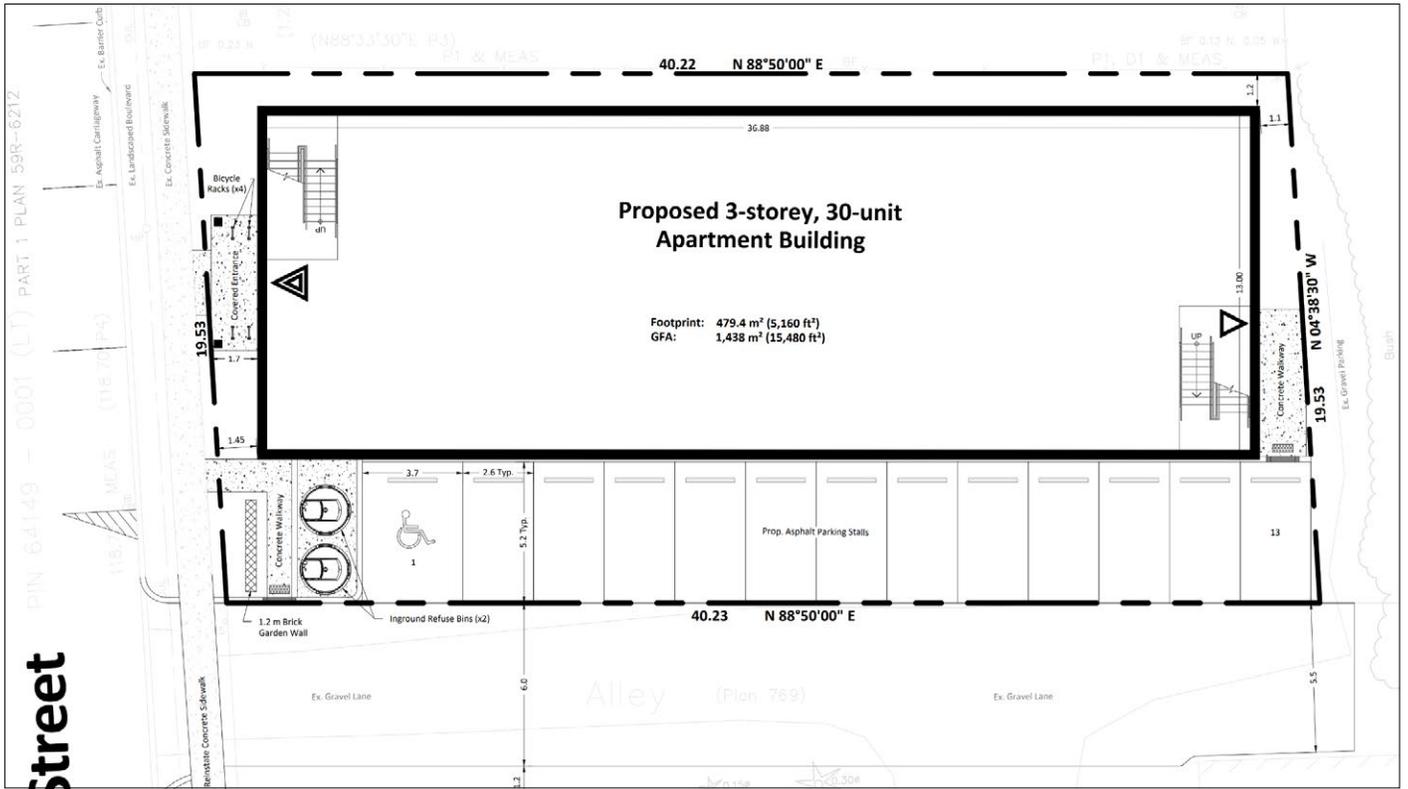


Figure 14. **Building Elevations**



4. POLICY CONTEXT

4.1 Overview

4.2 Planning Act (2024)

4.3 Provincial Planning Statement (2024)

4.4 Niagara Regional Official Plan (2022)

4.5 Port Colborne Official Plan

4.6 Comprehensive Zoning By-law 6575/30/18

4.7 Urban Design Brief



4.1 Overview

The proposal has been evaluated against the appropriate criteria as outlined in the Planning Act. It has also been evaluated consistency with the policies of the Provincial Planning Statement ('PPS') (2024), and conformity with Niagara Region Official Plan (2022) and City of Port Colborne Official Plan (2020).

4.2 Planning Act (2024)

The Planning Act, R.S.O. 1990, c. P.13 (the "Planning Act") is the primary piece of legislation that governs land use planning in Ontario. It provides the legal foundation for how land can be used, developed, and protected, and ensures that planning decisions are made in a way that promotes orderly growth, environmental sustainability, and the public interest. Section 2 of the Planning Act outlines the matters of provincial interest for which the council of a municipality, a local board, a planning board and the Tribunal shall have regard to, in carrying out their responsibilities pursuant to the legislation.

4.2.1 Provincial Interest

Section 2.1(1) outlines that when an approval authority makes a decision under Planning Act, or when the Tribunal decides an appeal, the decision shall have regard to the following policies:

- a) *any decision that is made under this Act by a municipal council or by an approval authority and relates to the same planning matter; and*
- b) *any information and material that the municipal council or approval authority considered in making the decision described in clause (a).*

Accordingly, we have set out the criteria for evaluating development applications that decision-makers must have regard to when carrying out their planning responsibilities (Section 2 of the Planning Act), and have provided a response to each criteria below:

Table 2. **Section 2 of the Planning Act Criteria & Responses**

Criteria Section 2 of the Planning Act	Responses
(a) the protection of ecological systems, including natural areas, features and functions;	There are no natural or ecological features on the subject site, therefore this is not applicable. Further, the site is not located within Niagara Peninsula Conservation Authority regulated areas.
(b) the protection of the agricultural resources of the Province;	The proposed development does not plan for the removal or development of rural lands, specialty crop areas, or prime agricultural lands.
(c) the conservation and management of natural resources and the mineral resource base;	There are no mineral resources on the property, or natural resources. The proposed development will have no impact on these items of provincial interest.
(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	<p>A Heritage Impact Assessment (HIA) evaluated the impacts of the proposed development on the subject site and the adjacent property at 537 King Street. The proposal involves the demolition of the existing dwelling on the Subject Site. The assessment concluded that the demolition would result in a major impact due to the complete loss of the site's heritage attributes, while no impact is anticipated for the neighbouring property. Although alternative development options were considered, based on municipal policies and the fact that the heritage attributes are largely internal rather than part of the exterior design, it is recommended that these elements be salvaged, documented and repurposed through a Salvage, Documentation and Commemoration Plan to effectively interpret and share the site's history with the community if demolition were to proceed.</p> <p>With regards to archaeological interest, a Stage 1 and 2 Archaeological Assessment was completed. No artifacts or archaeological resources were found during the Stage 2 assessment. Therefore, it is recommended that no further archaeological assessment be undertaken.</p>
(e) the supply, efficient use and conservation of energy and water;	The proposed development ties into existing municipal servicing infrastructure as outlined in the supporting Functional Servicing Report, prepared by Upper Canada Consultants. Stormwater quantity controls will be provided to allowable conditions up to and including the 5-year design storm event.



<p>(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;</p>	<p>The proposed development is serviced by existing municipal services including stormwater, sanitary sewer and water system. Moreover, the existing infrastructure will be retained and hence will continue to provide efficient use of sewage and water services. Lastly, the proposed infill development makes efficient use of existing services as no expansion of public infrastructure is required to facilitate the proposed development.</p>
<p>(g) the minimization of waste;</p>	<p>The Proposal represents a form of infill and intensification of lands within the Urban Area, Built Boundary and Built-Up Area of the City. Intensification within urban, built-up areas minimize waste by maximizing the use of existing infrastructure and land, reducing the need for urban sprawl. This limits the consumption of undeveloped land and resources, decreases energy and material waste from extending services, and promotes more efficient land use, reducing urban sprawl and its associated environmental impacts.</p>
<p>(h) the orderly development of safe and healthy communities;</p>	<p>The site is located within the <i>Built-Up Area</i> as identified in the Niagara Region Official Plan and designated <i>Urban Residential</i> in the City of Colborne Official Pan. The Proposal contributes to the orderly development of safe and healthy communities by integrating seamlessly with existing infrastructure, services, and transportation networks. It promotes efficient land use, supports walkability, and ensures access to essential services like schools, parks, shops, and healthcare. By concentrating development within the <i>Urban Built-Up Area</i>, it contributes towards creating a sense of community, places where growth where growth is intended, and enhances safety through well-planned streets and public spaces, ultimately supporting a healthier and more cohesive urban environment.</p> <p>Lastly, the proposal will meet Ontario Building Code and engineering standards as set out by Region and City of Port Colborne.</p>
<p>(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;</p>	<p>The development will comply with Accessibility for Ontarians with Disabilities Act (“AODA”) and Ontario Building Code requirements for new construction. Any additional accessibility measures will be at the discretion of future residents. Further details of accessible design will be addressed at the Site Plan Control and building permit stages.</p>
<p>(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;</p>	<p>As previously outlined, there are a range of educational, social, health and wellness, and commercial facilities within the surrounding area. Many of these facilities are located within 800 metre radii.</p>

<p>(j) the adequate provision of a full range of housing, including affordable housing;</p>	<p>The proposed development introduces a low-rise apartment building built form currently not common in the neighbourhood; as a result, the proposal contributes to a broader range of housing types. Provision of smaller unit sizes may support a more diverse demographic and address housing needs.</p> <p>Further, 10 % of the proposed purpose-built rental dwelling units are anticipated to be affordable housing units, subject to financial feasibility. Pending the necessary approvals, the project may include a larger number of affordable units if subsidies or other funding sources become available.</p> <p>The reduction of off-street parking requirements allows for an increase in total dwelling units and introduces more affordable housing to Port Colborne.</p>
<p>(k) the adequate provision of employment opportunities;</p>	<p>Not applicable to proposed development.</p>
<p>(l) the protection of the financial and economic well-being of the Province and its municipalities;</p>	<p>The Proposal efficiently utilizes underused, serviced land for residential intensification, contributing to municipal tax base growth without the need for major new infrastructure investments.</p>
<p>(m) the co-ordination of planning activities of public bodies;</p>	<p>The Proposal maintains the general purpose and intent of the City of Port Colborne’s Official Plan and Zoning By-law and will undergo coordinated municipal review through the site plan approval process, ensuring alignment with public agency requirements.</p>
<p>(n) the resolution of planning conflicts involving public and private interests;</p>	<p>There are no planning conflicts.</p>
<p>(o) the protection of public health and safety;</p>	<p>The Proposal will meet the Ontario Building Code standards and incorporates barrier-free design, a well-lit site, and must satisfy applicable environmental remediation regulations to support resident safety and accessibility.</p>
<p>(p) the appropriate location of growth and development;</p>	<p>The Site is within the Urban, Built-Up area and serviced urban boundary, representing appropriate development in proximity to existing services, transit, and amenities, consistent with provincial intensification goals and making it an appropriate location for growth and development.</p>



<p>(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;</p>	<p>The Proposal reduces reliance on cars. The Subject Site is in close proximity to transit (bus route 25). The Proposal also includes bicycle parking spaces more than the minimum required per the Zoning By-law as part of the transportation demand management solutions to help reduce dependence on vehicles. As well, the Proposal includes walkable connections to nearby proposed developments with sidewalks and trails, promoting modal shift and compact, transit-supportive residential growth.</p>
<p>(r) the promotion of built form that,</p> <ul style="list-style-type: none"> i. is well-designed, ii. encourages a sense of place, and iii. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; 	<p>The low-rise form is visually articulated, and proposed streetscaping contributes to identity, site beautification, and pedestrian experience. Further, the Proposal provides a shared balcony on the third floor for indoor amenity space to the future residents.</p>
<p>(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.</p>	<p>The building is proposed to be fully electric, net-zero emissions ready, and not rely on gas for its mechanical systems. Additionally, wherever possible, measures to mitigate greenhouse gas emissions will be incorporated into the design and construction of the dwellings.</p>

4.2.2 Conclusions

The proposed residential development has regard for the Planning Act as the proposal supports provincial interests by making efficient use of land, providing modest intensification that is context appropriate and compact built form within a Built-Up Area. The proposal uses existing infrastructure and municipal services to minimize urban sprawl. The proposal is transit-oriented development by making use of existing and planned transit and active transit infrastructure. Further, the proposal contributes to complete communities by providing a different built form in a community predominantly consisting of single detached dwellings. Based on the foregoing, it is our opinion that the Proposal meets the criteria set out in Section 2 of the Planning Act.

4.3 Provincial Planning Statement (2024)

On August 20, 2024, the Ministry of Municipal Affairs and Housing (“MMAH”) released a new Provincial Planning Statement (“PPS”). The 2024 PPS is intended to be a streamlined land use policy framework that replaces the Provincial Policy Statement 2020 and the Growth Plan for the Greater Golden Horseshoe 2019.

The PPS, which came into effect on October 20, 2024, builds on housing-supportive policies from previous planning documents and gives municipalities greater flexibility to increase housing supply. It aims to coordinate growth with infrastructure, promote a strong economy, support rural communities, and safeguard agricultural lands, the natural environment, and public health and safety. As a key component of Ontario’s policy-led land use planning system, the PPS sets out province-wide policy direction on matters of provincial interest, helping to guide how land is developed and used across Ontario. Its goal is to support a rapidly growing population while improving the overall quality of life for all residents. All planning decisions must be consistent with the policies in the PPS. A review of the applicable policies can be found in the following section.

4.3.1 Planning for People and Homes

The following policies outlined under Section 2.1 *Planning for People and Homes*, provides general policy directives for land use planning in Ontario.

2.1 Planning for People and Homes

4. To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and

The Niagara Region has outlined population and employment forecasts within local area municipalities through to 2051 as outlined on Table 2-1 of the Regional Official Plan. This table identifies that Port Colborne is estimated to reach a residential population of 23,230. Table 2-2 of the ROP focuses on the minimum residential intensification targets to 2051. Port Colborne has a target of 690 units. The proposed development introduces 30 residential units to Port Colborne’s Built-Up Area. The proposal will support the growing residential population within this part of Niagara and add to the overall supply and mix of housing within the City of Port Colborne.

6. Planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.



The Proposal supports the achievement of complete communities by offering a low-rise apartment building, a built form currently not prevalent in the neighbourhood; thus, contributing to a broad range of housing options in Port Colborne and through the Niagara Region. The proposed unit typology addressing the need for varied housing options to accommodate current and future residents.

The site has access to Niagara’s transit network within the City of Port Colborne. The subject site is within walking distance to the Route 25 bus line, which loops around Port Colborne and also connects to Welland’s Bus system to the north. The surrounding area also includes sidewalks and pathways that provide access to commercial areas and multi-use pathways.

Lastly, the site is well-served and located in proximity to a variety of community services and public facilities such as schools, daycare facilities, parks, health care services and places of worship supporting a mix of land uses and meeting the long-term needs of a wide range of residents. By providing a new form of housing within a transit-supported area with access to public facilities, the proposal encourages social equity and overall quality of life for residents.

4.3.2 Housing

The following policies provide provincial policy direction for the development of housing.

2.2 Housing

1. *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

- a. *establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*
- b. *permitting and facilitating:*
 - i. *all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
- c. *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
- d. *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

The proposed development introduces low rise apartment building and affordable housing units. A minimum of 10 % of the proposed purpose-built rental dwelling units are anticipated to meet the CMHC definition of ‘affordable.’ Additionally, the proposed will incorporate studio units, ensures a greater accessibility to housing. As noted above, planning authorities are required to permit and support a full range of housing options to address the needs of both current and future residents. The development introduces purpose-built rental units to accommodate a range of residents to meeting unique housing needs. This represents a form of gentle intensification that promotes more efficient land use while leveraging existing municipal infrastructure, community services, and facilities. The proposed development is appropriately scaled to align with the character and planned function of the surrounding area. The proposed development prioritizes residential intensification to meeting the housing needs of the City of Port Colborne and the Region of Niagara.

The development is located within proximity to local and regional transit, allowing for increased mobility for residents.

4.3.3 Settlement Areas

Section 2.3 of the PPS focuses on policies related to settlement areas.

2.3.1 General Policies for Settlement Areas

1. *Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*

The Subject Site is located within an existing settlement area and is able to accommodate additional residential growth. The proposed development is an example of infill and intensification while efficiently utilizing existing services and infrastructure.

2. *Land use patterns within settlement areas should be based on densities and a mix of land uses which:*
 - a. *efficiently use land and resources;*
 - b. *optimize existing and planned infrastructure and public service facilities;*
 - c. *support active transportation;*
 - d. *are transit-supportive, as appropriate; and*
 - e. *are freight-supportive.*

The proposed development ensures an efficient use of land and resources as the proposal utilizes existing municipal infrastructure and services.

The location of the Site is within proximity to existing active transportation infrastructure including sidewalks and on-street bike lanes. Additionally, the Site is located within proximity to the existing public transportation network that links with the broader regional transit network. Lastly, increasing density on the site can create opportunities to increase public transit service frequency, thereby supporting a more sustainable ridership base.

3. *Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities. Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.*

The proposed development supports the creation of a more complete community through the infill and intensification of a site within proximity to Port Colborne's downtown core. The development introduces a broader mix of dwelling typology to the existing neighbourhood as it currently comprises of detached dwellings with low-rise apartment buildings. The proposed studio apartments help to diversify the housing market while creating more affordable housing options.

4.3.4 Energy Conservation, Air Quality and Climate Change

The following policies provide regulations for development that is energy efficient and adaptive to climate change.

2.9 Energy Conservation, Air Quality and Climate Change



1. *Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:*
 - a. *support the achievement of compact, transit-supportive, and complete communities;*
 - b. *incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;*
 - c. *support energy conservation and efficiency;*
 - d. *promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and*
 - e. *take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.*

The proposed development contributes to a compact urban form as it introduces low-rise intensification on a previously underdeveloped site. This site is located within proximity to existing community services and local amenities, providing easy access for future residents. The stormwater management strategy for the site meets the requirements of the Region and City. A Functional Servicing Report (“FSR”) was prepared by Upper Canada Consultants, concluding that the existing watermain will have sufficient capacity to provide both domestic and fire protection water supply; existing municipal sanitary sewer will have adequate capacity for the Proposal. The stormwater management is designed to meet the requirements of the Region and City standards.

The Proposal seeks to reduce the parking requirement on the site which encourages active transportation and decreases auto-dependency by providing a reduced parking supply. Per the Parking Study prepared by RJ Burnside, the following transportation demand management measures are proposed: internal sidewalks and sidewalk connections to the existing sidewalks on King Street; bicycle parking in excess of the minimum required space will be provided and an information package on transit/walking/cycling facilities will be provided to first-time residents.

Lastly, at the SPC application stage, the Proposal may explore opportunities to incorporate sustainable strategies related to climate change, energy conservation, and efficiency.

4.3.5 Servicing and Infrastructure

The following policies provide direction and regulations for development relating to servicing and infrastructure.

3.2 Transportation Systems

2. *Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.*

The Proposal seeks relief from the Zoning By-law with regards to minimum parking requirements. The proposed development provides a total of 13 parking spaces to service the site. With the proposed parking rate of 0.43 spaces per unit; the proposal encourages reduced reliance on personal vehicles to give residents the ability to access a range of transit options. The enclosed Parking Study prepared by RJ Burnside completed a review of existing parking demand at similar proxy sites found a maximum average demand rate of between 0.19 and 0.43 spaces/unit. Lastly, the proposed number of bicycle parking spaces and accessible vehicle parking spaces will exceed and meet the minimum zoning requirements, respectively.

3.6 Sewage, Water and Stormwater

2. *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.*
8. *Planning for stormwater management shall:*
 - a. *be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;*
 - b. *minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;*
 - c. *minimize erosion and changes in water balance including through the use of green infrastructure;*
 - d. *mitigate risks to human health, safety, property and the environment;*
 - e. *maximize the extent and function of vegetative and pervious surfaces;*
 - f. *promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and*

Per the FSR, the proposed development will be serviced by the existing municipal services (storm, sanitary and water) and the existing infrastructure is adequate to support the proposed development. With regards to stormwater management, the Stormwater Management Report concludes that stormwater from the new development will not overwhelm the existing infrastructure and will meet the water quality requirements, using a combination of on-site storage, controlled discharge and natural site features.

3.7 Waste Management

1. *Waste management systems need to be planned for and provided that are of an appropriate size, type, and location to accommodate present and future requirements, and facilitate integrated waste management.*

The proposed development will be serviced by a private waste collection system. The private waste collection will be through the provision of inground refuse containers located along the south wall of the proposed building, screened by a 1.2 metre garden wall. Further details will be provided through the future Site Plan process.

3.9 Public Spaces, Recreation, Parks, Trails and Open Space

1. *Healthy, active, and inclusive communities should be promoted by:*
 - a) *planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;*

The proposal includes a large, shared balcony located on the 3rd floor to support social interaction for the residents. Additionally, the subject site is located within proximity of community amenities including several parks and recreational opportunities. This ensures that current and future residents have access to amenities that promote healthy, active and community-based activities to help foster a more complete community and safe social interaction.



4.3.6 Cultural Heritage and Archaeology

The following policies focus on cultural heritage.

4.6 Cultural Heritage and Archaeology

1. *Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.*
3. *Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.*
4. *Planning authorities are encouraged to develop and implement:*
 - b. *proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.*
5. *Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.*

Please note that the Stage 1-2 *Archaeological Assessment* confirmed that no buried artifacts or archaeological resources were uncovered and that no further evaluation is warranted.

A Heritage Impact Assessment (HIA) has been prepared by The Biglieri Group Ltd to evaluate the impacts of the proposed development on the Subject Site and the adjacent property at 537 King Street. The proposal involves the demolition of the existing dwelling on the Subject Site. The assessment concluded that the demolition would result in a major impact due to the complete loss of the site's heritage attributes, while no impact is anticipated for the neighbouring property.

Although alternative development options were considered, based on municipal policies and the fact that the heritage attributes are largely internal rather than part of the exterior design, it is recommended that these elements be salvaged, documented and repurposed through a Salvage, Documentation and Commemoration Plan to effectively interpret and share the site's history with the community if demolition were to proceed.

4.3.7 Conclusion

The proposed development is consistent with the policies of the PPS as the proposal introduces a compact, low-rise built form within a Built-Up Area; thus, contributing to housing diversity and an appropriate form of mild intensification in the community of Port Colborne. The proposal makes use of existing infrastructure, supports active transportation and public transit and contributes to the density targets as set out by the Region.

4.4 Niagara Regional Official Plan (2022)

The Niagara Region Official Plan (“ROP”) was adopted by Niagara Regional Council in June 2022 and later approved with modifications by the Minister of Municipal Affairs and Housing in November 2022. Serving as a long-term policy framework, the Niagara ROP guides decision-making on planning matters, promoting sustainable development, diverse housing options, economic growth, and environmental resilience. It also ensures efficient service delivery while aligning with provincial policy objectives to support the region’s urban and natural landscapes.

The Subject Site is located within the city’s *Built-Up Area* per Schedule A – Regional Structure of the Niagara Regional Official Plan (**Figure 15**).

Section 2.1 of the Regional Official Plan outlines forecasted growth throughout the Region and is broken down by each lower-tier municipality. Niagara Region’s growth strategy plans for a minimum of 694,000 people and 272,000 jobs by 2051, which is an increase of over 200,000 residents and 85,000 jobs from 2021. These population and employment forecasts guide land use planning, infrastructure investment, and service delivery across the Region and its Local Area Municipalities. Municipalities are required to plan in accordance with the allocations provided in Table 2-1 of the ROP, which outlines that the City of Port Colborne is expected to reach a population of 23,230 people by 2051. The Region will monitor growth trends, review allocations every five years, and update the forecasts through a municipal comprehensive review as needed to ensure effective, data-driven growth management.

Figure 15. **Niagara Region Official Plan – Schedule ‘A’ – Regional Structure.**





4.4.1 Regional Structure

2.2.1 Managing Urban Growth

2.2.1.1 Development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:

- 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;*

The proposed development introduces a compact low rise residential development on an underutilized land parcel within an already established settlement area. The proposed development is well situated to accommodate population growth and is transit supportive. The Site is located in a predominantly low-rise, single detached dwelling community and the proposed low-rise apartment intensification is a moderate intensification that is compatible with the surrounding area. The Site is also located in proximity of commercial, institutional, and recreational facilities.

- c. *a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs;*

The surrounding residential context of the area is comprised of a mix of low-rise detached dwellings, semi-detached dwellings, and low-rise apartment buildings. The proposed apartment development allows for a greater mix of housing options and densities to accommodate varying housing needs among current and future residents. Additionally, the development will allocate a minimum of 10% of the total units as affordable housing units, ensuring that many housing needs can be met.

- d. *social equity, public health and safety, and the overall quality of life for people of all ages, abilities, and incomes by expanding convenient access to:*

- i. *a range of transportation options, including public transit and active transportation;*
- ii. *affordable, locally grown food and other sources of urban agriculture;*
- iii. *co-located public service facilities; and*
- iv. *the public realm, including open spaces, parks, trails, and other recreational facilities;*

The Site is well-served and located within proximity to variety of community services and public facilities such as schools, daycare facilities, parks, health care services and places of worship supporting a mix of land uses and meeting the long-term needs of a wide range of residents. By providing a new form of housing within a transit-supported area with access to public facilities, the proposal encourages social equity and overall quality of life for residents.

The Site is within walking distance to Port Colbourne's transit line which provides access to key locations and amenities throughout the City, while also connecting to Welland's transit network allowing for broader access to the Niagara Region and urban amenities. The sidewalks within the neighbourhood allow for safe pedestrian movement to services and amenities within proximity to the Subject Site.

- e. *built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure to support the financial well-being of the Region and Local Area Municipalities;*

As per the population and employment projections illustrated in the ROP, the City of Port Colborne is expected to reach a population of 23,230 people by 2051. The proposed development, through the creation of 30 new units, will contribute to the population and density targets outlined above. The proposed development contemplates a form of compact development, that optimizes a parcel of underutilized lands which is proximate to nearby existing and planned services. The achievement of complete communities is promoted as the proposed multi-unit development is located in walking distance of daily needs, such as grocery stores, pharmacies and more.

- f. opportunities for transit-supportive development pursuant to Policies 2.2.2.17, 2.2.2.18 and 2.2.2.19;*

The Proposal seeks to reduce the parking space requirement to improve housing affordability, encourage use of active transportation and transit and reduce the reliance on auto-dependency. Additionally, the subject site is within proximity to Port Colborne's transit line, allowing for increased mobility through the City with additional regional connections. The subject site is located approximately 150 metres from Niagara Transit Bus Route 25. This connection allows for increased mobility throughout the City of Port Colborne with additional regional connectivity to the City of Welland.

- g. opportunities for intensification, including infill development, and the redevelopment of brownfields and greyfield sites;*

The proposed redevelopment of the Subject Site allows for greater residential intensification within Port Colborne. This helps to bring the City and the Region close to its 2051 intensification targets.

- h. opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods;*

The proposed development is an example of how gentle density can be implemented into an existing neighbourhood. The development will be three storeys in height, matching the surrounding context, while adding 30 new rental units consisting of studio units to provide a greater mix of housing.

- i. conservation or reuse of cultural heritage resources pursuant to Section 6.5;*

A Heritage Impact Assessment ("HIA") has been prepared by The Biglieri Group Ltd to evaluate the impacts of the proposed development on the Subject Site and the adjacent property at 537 King Street. The proposal involves the demolition of the existing dwelling on the Subject Site. The assessment concluded that the demolition would result in a major impact due to the complete loss of the site's heritage attributes, while no impact is anticipated for the neighbouring property. Although alternative development options were considered, based on municipal policies and the fact that the heritage attributes are largely internal rather than part of the exterior design, it is recommended that these elements be salvaged, documented and repurposed through a Salvage, Documentation and Commemoration Plan to effectively interpret and share the site's history with the community if demolition were to proceed.

- j. orderly development in accordance with the availability and provision of infrastructure and public service facilities; and*



As outlined in the supporting Functional Servicing Report, the proposed development will be able to tie into existing municipal servicing without the need to servicing extensions or expansions. The subject site is located within the existing built-up area, where servicing already exists, ensuring the orderly development of the area. Additionally, the subject site is located within proximity to several key community services and facilities such as parks, commercial areas, and community centres to better serve future residents.

- k. *mitigation and adaptation to the impacts of climate change by:*
 - i. *protecting natural heritage features and areas, water resource systems, and other components of the Region’s natural environment system pursuant to Section 3.1;*
 - ii. *where possible, integrating green infrastructure and low impact development into the design and construction of public service facilities and private development; and*
 - iii. *promoting built forms, land use patterns, and street configurations that improve community resilience and sustainability, reduce greenhouse gas emissions, and conserve biodiversity.*

The proposed development contributes to a compact urban form as it introduces low-rise intensification on a previously underdeveloped site. The proposed stormwater management plan for the site meets the requirements of the Region and City. At Building Permit stage, the proposal will look to incorporate sustainable strategies related to climate change energy and efficiency where possible. Future details related to energy consumption and other factors will be explored at the Site Plan stage.

4.4.2 Housing

2.3.1 Provide a Mix of Housing Options

2.3.1.1 The development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life.

The proposed development introduces 30 new rental units including studio units. The surrounding residential context consists of a mix of low-rise residential dwellings as well as low-rise multi-storey apartments. The proposed development help to create more diverse housing options within the existing built-up area of Port Colborne.

2.3.1.4 New residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:

- a. *facilitating compact built form; and*

The proposed development utilizes a compact built form to optimize the use of the Site. The addition of 30 units allows for a higher overall residential density, that will replace the existing single detached dwelling. This achieves a density of 383 units per hectare.

- b. *incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.*

Through Site Plan application, the proposal will look to incorporate sustainable strategies related to climate change and energy and efficiency where possible.

4.4.3 Servicing and Infrastructure

5.2.2 Municipal Water and Wastewater Servicing within Urban Areas

5.2.2.1 Adequate water supply and sewage collection shall be provided to meet the existing and future development needs in alignment with the growth management policies of this Plan, the Water and Wastewater Master Servicing Plan and the Region's capital budget process.

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

5.2.2.4 Prior to approval of development, the municipality shall ensure that required water and wastewater services and servicing capacity is available to support the development.

The proposed development can be accommodated by municipal services (water, sewage and storm). The supporting Functional Servicing Report prepared by Upper Canada Consultants identifies an existing 250mm diameter municipal watermain located within King Street fronting the subject property. For domestic water supply as well as fire protection, a 150mm service will be provided. Additionally, the existing sanitary sewer conveys flows to the Union Regional Sanitary Pumping Station. Based on the calculations provided, the development will result in an increase of 0.58L/s to the municipal sanitary sewer system. It is expected that this will be an acceptable addition to the current capacity. The supporting Functional Servicing Report prepared by Upper Canada Consultants includes capacity calculation outlining the servicing capacity required to support the proposed development.

5.2.4 Municipal Waste Management Services

5.2.4.1 The Region will provide for the disposal and treatment of solid wastes to the Local Area Municipalities, and in alignment with the Region's Long Term Waste Management Strategic Plan.

As outlined previously, the Niagara Region will require private waste collection based on the number of proposed units.

4.4.4 Urban Design

6.2.1 Excellence in Urban Design

6.2.1.1 Excellence and innovation shall be promoted in architecture, landscape architecture, site planning, streetscape design, and overall community design to ensure built environments are attractive, walkable, accessible, diverse, and functional.

The architecture and design of the proposed development will ensure compatibility with the surrounding residential context through a respectful use of traditional design elements and proportions. The proposed brick façade highlights the historic character of the original heritage property that previously existed on site. The overall massing ensures reduced visual dominance and the avoidance of shadow impacts on the neighbouring properties.

6.2.1.2 The collaboration and co-ordination of related disciplines, including land use planning, urban design, transportation planning, architecture, engineering, environmental planning, and landscape architecture shall be encouraged.



All disciplines have coordinated to ensure that the proposed development will be well-designed, and compatible with the surrounding context.

6.2.1.7 Sustainable design principles shall be applied to the public realm, infrastructure, public service facilities, development and streets.

Through Site Plan application, the proposal will look to incorporate sustainable strategies related to climate change and energy and efficiency where possible. Future details related to energy consumption and other factors will be explored at the Building Permit stage.

6.2.1.8 The Region shall promote:

- a. the creation of liveable and vibrant urban areas and streets;*
- b. community design that:

 - i. offers a range of transportation options, including public transit and active transportation;*
 - ii. respects the complete streets approach by creating safe and attractive interconnected streets; and*
 - iii. encourages a mix of land uses, a vibrant public realm and compact built form;**
- c. well-designed buildings, high quality streetscapes, and attractive public spaces that create neighbourhood character and strengthen community identity and diversity;*
- d. the integration of views of built and cultural heritage features, landmarks, and significant natural heritage features to enhance a sense of place;*

The proposed development introduces a built form that is consistent with the surrounding residential typologies. The development allows for an increase in population density that is supported by existing community services and facilities while seamlessly being integrated into the existing built-up area. Additionally, the development enhances the existing streetscape through the intensification of the current site and creates a more prominent and pedestrian-scaled environment.

The proposed sheltered bike parking in combination with the proximity to the existing transit network allows for a range of accessible transportation options for residents. The development will be serviced by existing municipal and regional roads in addition to the Niagara Region's bus transit line 25. The development is located within proximity to several key community amenities allowing for the creation of a more complete community.

4.4.5 Healthy Communities

6.3.1 Plan Healthy and Safe Communities

6.3.1.1 The Region shall support healthy communities by:

- a. creating built form that provides healthy living;*

The proposed development is a form of compact development that allows for a greater overall residential density within the Subject Site. The proposed development introduces 30 purpose built rental units including 10% of affordable units ensuring the diverse housing needs of residents are met

- b. planning for all ages, incomes, abilities and populations;*

The proposal consists of studio units that provide an alternative form of housing types within the community. The surrounding neighbourhood is comprised of a mix of detached dwellings, duplexes, and multi-unit apartments. The diverse housing options allows for the community to be planned for all ages, incomes, abilities, and populations as outlined in policy 6.3.1.1

c. supporting walkable and bikeable neighbourhoods through active transportation;

The surrounding area of the proposed development supports active transportation through the use of sidewalks and bicycle infrastructure. The sidewalks and bike lanes ensure safe pedestrian movement throughout Port Colborne.

4.4.6 Cultural Heritage

6.5.1 Cultural Heritage Resources

6.5.1.1 Significant cultural heritage resources shall be conserved in order to foster a sense of place and benefit communities, including First Nations and Métis communities.

6.5.1.5 Development and site alteration on protected heritage property or adjacent lands shall not be permitted, except where the proposed development and site alteration has been evaluated through a heritage impact assessment and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The HIA evaluated the impacts of the proposed development on the Subject Site and the adjacent property at 537 King Street. The proposal involves the demolition of the existing dwelling on the Subject Site. The HIA concluded that the demolition would result in a major impact due to the complete loss of the site's heritage attributes, while no impact is anticipated for the neighbouring property.

Although alternative development options were considered, based on municipal policies and the fact that the heritage attributes are largely internal rather than part of the exterior design, it is recommended that these elements be salvaged, documented and repurposed through a Salvage, Documentation and Commemoration Plan to effectively interpret and share the site's history with the community if demolition were to proceed.

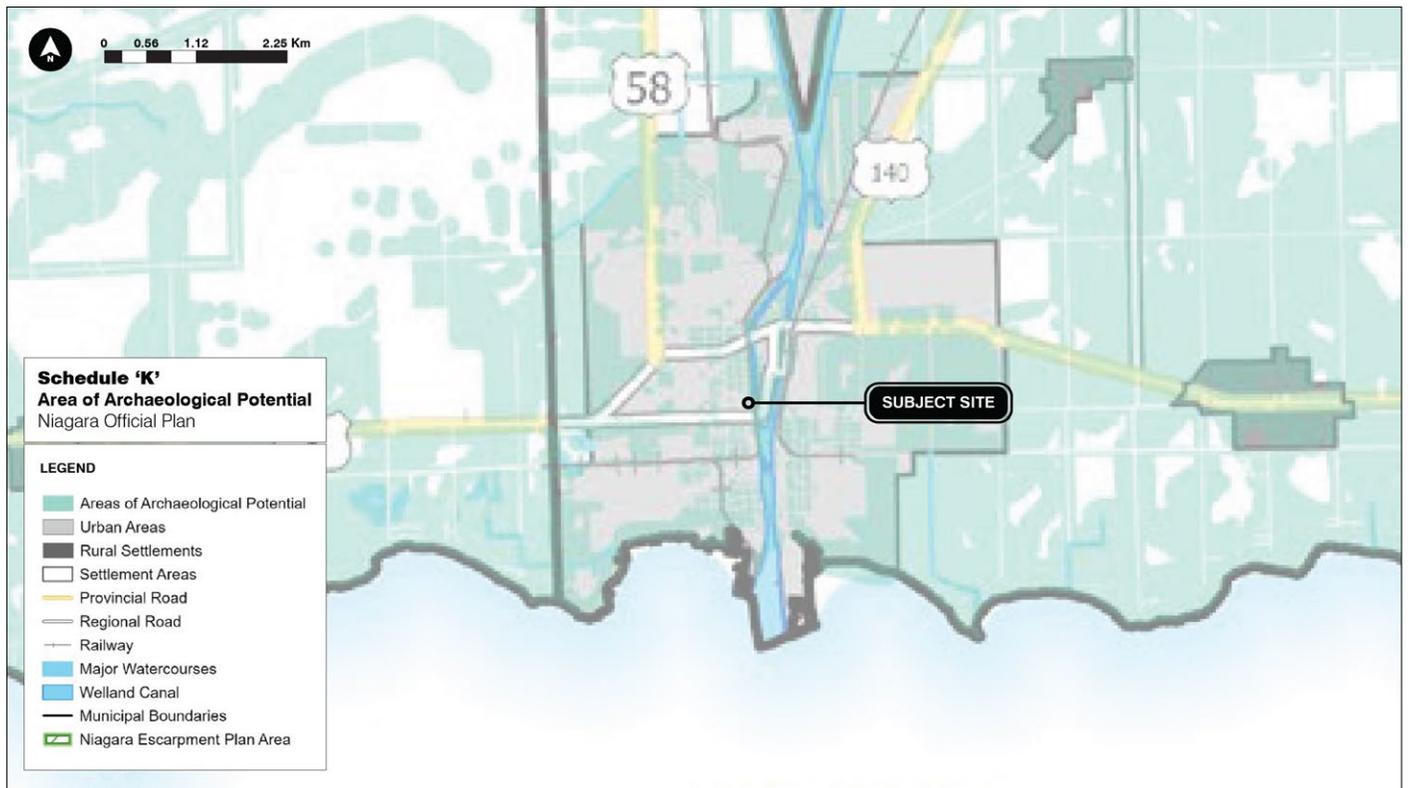
4.4.7 Archaeology

6.4.2.1 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.

Stage 1 and Stage 2 Archaeological Assessment were prepared by ACC (Archaeological Consultants Canada) in support of the proposed development. This assessment included background research as well as a property survey. Stage 1 background research identified general archaeological potential for a 0.1-hectare property near the Welland Canal and the historic boundary of Port Colborne, as indicated by the Niagara Region's archaeological management plan. A visual inspection revealed that less than 0.1-hectare had been disturbed by construction and had low archaeological potential, while the remaining area was assessed through test pit surveys at 5 m intervals. No artifacts or archaeological resources were found during the Stage 2 assessment. Therefore, it is recommended that no further archaeological assessment of the property is necessary.



Figure 16. **Schedule K of Region OP**



4.4.8 Conclusion

The proposed development conforms to the intent and policies of the Regional Official Plan by efficiently utilizing existing municipal infrastructure and servicing by providing appropriate residential intensification that is context sensitive and compatibly with the surrounding residential area. In addition, the Proposal contributes to the Region’s population growth targets. Based on the above, it is our professional opinion that the development conforms to the Niagara Regional Official Plan.

4.5 Port Colborne Official Plan

The City of Port Colborne Official Plan sets out the 20-year vision for growth in the municipality from 2012 to 2031. 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 currently designated as *Urban Residential* within Schedule 'A' of the City of Port Colborne Official Plan (See **Figure 17**).

4.5.1 Strategic Directions

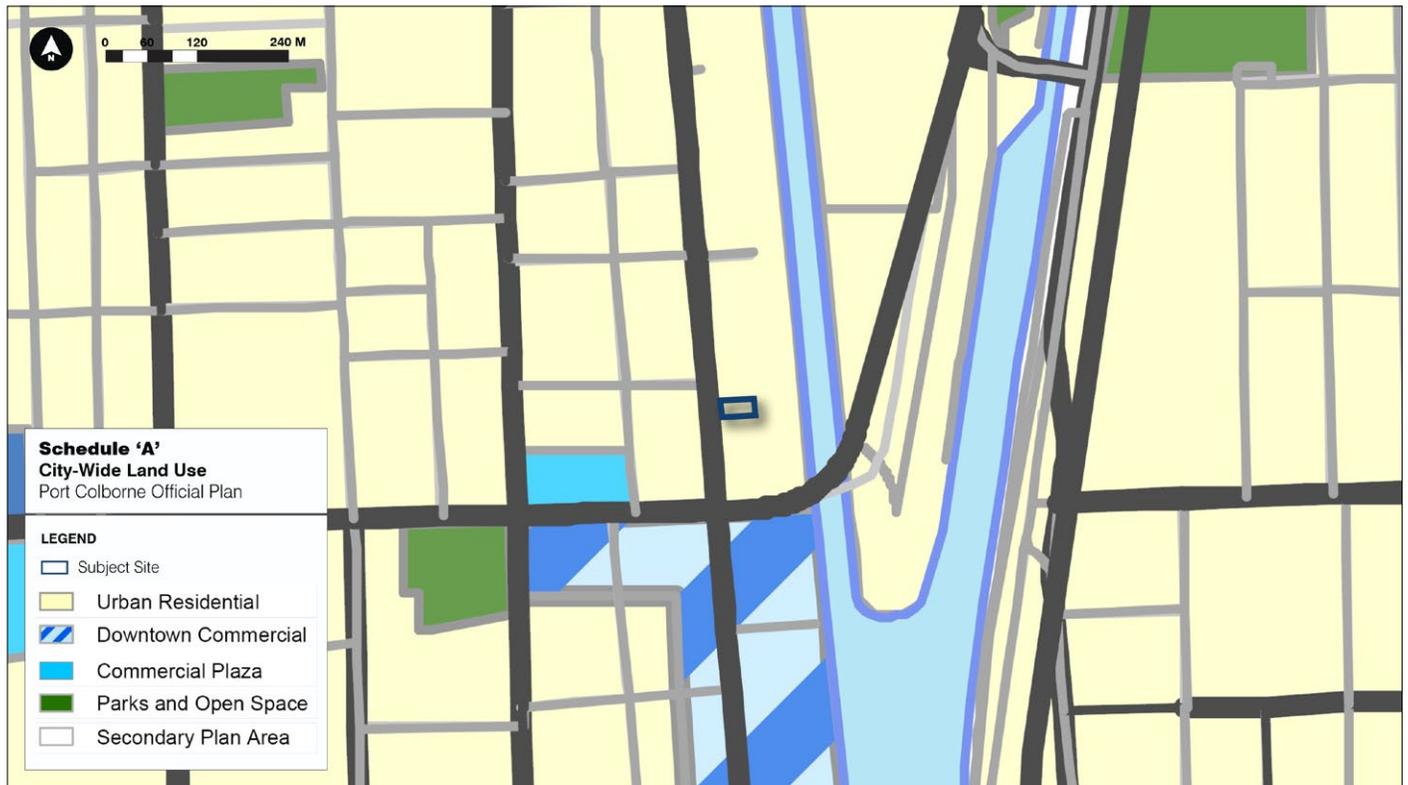
2.3.1 Enhancing Quality of Life

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

- a. *Directing growth within the Urban Area Boundary to the north and west in the short term (first 10-15 years) and to the east in the long term (15+ years);*

The proposed development introduces 30 new purpose-built rentals to Port Colborne's housing stock. The Niagara Regional Official Plan sets out a municipal target of 690 new residential units by the year 2051 to accommodate for the growing population.

Figure 17. **Port Colborne Official Plan – Schedule 'A' – City-Wide Land Use**





The proposed development help to attain the regional goal while also diversifying Port Colborne’s housing stock to meet the diverse housing needs of current and future residents.

- c) *Promoting residential intensification in the urban area with a flexible approach that encourages a mix of housing types and densities appropriate to location;*

The Subject Site is located within the City’s Urban Area and aims to intensify the existing conditions of the Site. Currently, the surrounding residential context consists of a mix of low-density detached dwellings, along with some low-rise apartment buildings. The proposed development fits within the existing residential context and is appropriate in terms of scale and density. Additionally, the development will further diversity the housing stock within Port Colborne by adding 30 studio rental apartments.

2.3.3 Strengthening and Integrating Natural, Cultural and Heritage Resources

- d) *Significant built heritage resources and cultural heritage landscapes shall be conserved.*

The HIA concluded that the demolition would result in a major impact due to the complete loss of the site’s heritage attributes, while no impact is anticipated for the neighbouring property. Although alternative development options were considered, based on municipal policies and the fact that the heritage attributes are largely internal rather than part of the exterior design, it is recommended that these elements be salvaged, documented and repurposed through a Salvage, Documentation and Commemoration Plan to effectively interpret and share the site’s history with the community if demolition were to proceed.

4.5.2 Housing

2.4.2.1 Housing Forecast

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

The subject site is located within the City’s Urban Area and will utilize the existing municipal infrastructure with appropriate modification to be made. The existing 250mm diameter watermain will have sufficient capacity to provide both domestic and fire protection water supply. Additionally, the 300mm diameter municipal sanitary sewer on King Street will have adequate capacity for the proposed residential development. As outlined in **Figure 12 – Community Services and Facilities**, the Subject Site is located within proximity to a several medical facilities, commercial shopping areas, as well as Port Colborne’s existing bus route. This provides current and future residents the opportunity to access all of their daily needs locally and within proximity to each other.

The site is also within proximity to multiple parks including Lions Field Park, which is approximately a 6-minute walk from the Subject Site, as well as Vimy Park, which is approximately a 12-minute walk from the Subject Site. Within the broader context of Port Colborne and the Region, there are additional opportunities for access open spaces, including walking and cycling trails.

Lastly, the proposed development consists of studio apartments. Several of the ground floor units proposed must meet the accessibility requirements of the Ontario Building Code. These apartment styles aim to provide a broader range of housing within Port Colborne with the addition of smaller dwelling types to accommodate a broader range of housing needs.

2.4.2.2 Affordable Housing

- c) *Opportunities shall be made available for the provision of affordable housing within new intensified or infill developments*

The proposed development will introduce three affordable rental units which is 10% of all rental units.

2.4.3 Intensification and Infill

As identified on Schedule A1, intensification will be encouraged specifically within local intensification areas which include the Downtown and Main Street West Development throughout the entire Built-up area, which will count towards the municipality's 15% intensification target, shall occur in accordance with the applicable policies of this Plan.

- a) *The majority of the Municipality's intensification will be accommodated within the Urban Area where the development is compatible with the surrounding uses.*

The proposed development represents a form of infill and intensification of lands within the Urban, Built-Up Area of the City. The Site is located in a predominantly low-rise, single detached dwelling community and the proposed low-rise intensification is a moderate intensification that is compatible with the surrounding area. The proposal contributes to Port Colborne's intensification target.

4.5.3 Design

2.4.8 General Built Form/ Landscape Design Guidelines

- b) *For those areas where no formal guidelines have been established and having regard for the Regional Municipality of Niagara's Model Urban Design Guidelines, detailed built form/ landscape design studies of neighbourhoods, districts or a certain land use in the City may be undertaken and more specific guidelines resulting from those studies will be incorporated.*
- c) *New development including infrastructure, should be designed to maintain or enhance the natural features and functions of a site.*

Please refer to **Section 4.7** of this Report that responds to Regional's Urban Design Guidelines.

4.5.4 Energy Efficiency

2.4.9 Energy Conservation and Climate Change

It is the intent of this Plan to support energy efficiency and improve air quality by encouraging the reduction of energy consumption, endorsing the development of compact and mixed-use neighbourhoods, and by promoting innovative forms of alternative and renewable energy in land use and development patterns.



- a) *In order to reduce energy consumption, reasonably compact forms of development shall be maintained in conjunction with efficient pedestrian, bicycle and vehicular transportation networks.*
- c) *When considering building forms, development which results in extensive loss of sunlight to adjacent land uses shall be discouraged.*
- f) *In order to encourage and facilitate energy conservation as set out in policy 2.4.9(e), energy efficient building design including: passive solar energy gain; increased insulation; energy star appliances; alternative energy systems; and conformity with LEED certification shall be encouraged in all new buildings.*
- ii. *Have frontage on an arterial or collector road;*
- iii. *Have commercial or ground-oriented residential uses on the main floor;*
- iv. *Be oriented on the site to minimize shadows on adjacent low and medium density residential development;*
- v. *Be encouraged to be developed in proximity to public transit and active transportation routes; and*
- vi. *Be subject to Site Plan Control; and*

The proposed development contributes to a compact urban form as it introduces low-rise intensification on a previously underdeveloped site. The proposed stormwater management plan for the site meets the requirements of the Region and City. The proposed apartment building is planned to be designed to net-zero emissions ready specifications and rely on an all-electric mechanical heating system.

An OPA is required to seek relief from policies pertaining to maximum density in areas designated as *Urban Residential*, which directs apartment buildings ranging in density from 70 to 100 units per net hectare (Policy 3.2.1.c.i.) and having a commercial or ground-oriented residential use on the main floor (Policy 3.2.1.c.iii). The proposed development requires an amendment to increase density from 100 units per net hectare to 383 units per hectare and not providing any ground-related commercial uses or ground-oriented residential uses.

4.5.5 Land Use

The subject site is designated as *Urban Residential* in the City of Port Colborne Official Plan and Section 3.2.1 sets out the density and design criteria of all dwelling types within the City's urban residential areas. More specifically, Section 3.2.1.c speaks to *High Density Residential* policy direction for apartment buildings.

The Proposal conforms to Policy 3.2.1.c) ii. King Street is identified as an Arterial Road which serves large volumes of all types of traffic. The proposal provides an appropriate transition to adjacent residential areas, by ensuring compatible massing, setbacks, and landscape buffering along the site's edges (3.2.1.c.iv). The subject site is located within proximity to existing public transportation, providing additional mobility for future residents (3.2.1.c.v). Lastly, Site Plan Control application will be submitted in a subsequent submission (3.2.1.c.vi).

3.2 Urban Residential

3.2.1 General Policies

- c) *High Density Residential will:*
 - i. *Be developed as apartment buildings ranging in density from 70 to 100 units per net hectare;*

3.2.3 Design Guidelines:

3.2.3.1 Residential Communities

- c) *New residential communities and new development in existing neighbourhoods should be visually interesting such that:*
 - i. *A variety of residential building types, sizes and setbacks should be provided on any given street to encourage a diverse, non-repetitive community fabric.*

The proposed development will be within an existing neighbourhood. The development will introduce a low-rise apartment building that is consistent with other in the surrounding neighbourhood. This ensures a more diverse urban fabric while creating more visual interest amongst the varying residential building typologies.

3.2.3.3 Housing

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

The proposed building façade will include a centralized main entrance directly along the street front, ensuring visibility and accessibility from King Street and from the public sidewalk. With regards to the façade and massing, the proposed development will include building features and elements that are consistent and compatible with the surrounding context.

4.5.6 Cultural Heritage

7.1 Historic Structures and Heritage Conservation Districts

- a) *The designation of historic buildings, structures and land under the Ontario Heritage Act is encouraged.*
- g) *Alterations to a designated heritage property may be permitted where the impacts of the proposed alterations have been evaluated and it has been demonstrated that the heritage attributes of the protected property will be conserved. This policy would require a Heritage Impact Assessment by a qualified person to properly identify and evaluate the CHVI of a property and recommend appropriate alternative approaches and mitigative measures.*
- h) *All new development permitted by the land-use policies and designations of this Plan shall conserve cultural heritage resources and shall incorporate these resources into any new development plans. In addition, all new development will be planned in a manner which preserves and enhances the context in which cultural heritage resources are situated. Cultural heritage resources include but are not limited to, buildings, structures, landmarks, trees, tree lines, hedge lines, or fence lines.*



A Heritage Impact Assessment (HIA) evaluated the impacts of the proposed development on the Subject Site and the adjacent property at 537 King Street. The proposal involves the demolition of the existing dwelling on the Subject Site. The assessment concluded that the demolition would result in a major impact due to the complete loss of the site's heritage attributes, while no impact is anticipated for the neighbouring property. Although alternative development options were considered, based on municipal policies and the fact that the heritage attributes are largely internal rather than part of the exterior design, it is recommended that these elements be salvaged, documented and repurposed through a Salvage, Documentation and Commemoration Plan to effectively interpret and share the site's history with the community if demolition were to proceed.

4.5.7 Servicing and Stormwater Management

8.1 Water and Sanitary Servicing

8.1.1 Servicing Within the Urban Area

- a) New Development in the urban area is required to be on full municipal water services and municipal sanitary services.*

The proposed development is located within Port Colborne's urban area and will be fully serviced by existing municipal infrastructure.

- b) In the Urban Area, where adequate municipal infrastructure services exist, a developer or subdivider shall provide on their site, approved engineered systems for water service, sanitary sewers and storm sewers;*

and where the City deems necessary, and shall also provide extensions beyond said lands for connections to City mains. The City shall continue its present practice of obtaining Subdivider Agreements or Site Plan Agreements relating to services, standards, specifications, levies, etc. The City may amend these Agreements from time to time. The City may waive this policy in the case of development it considers as 'infill'.

The proposed development will utilize existing and adequate municipal infrastructure. Appropriate modification, extensions, and expansions will be made, when necessary, as outlined in the supporting Functional Servicing Report.

8.2 Stormwater Management

- a) Stormwater will be managed on-site and will not have an adverse impact to neighbouring properties or the drainage patterns of the surrounding area.*

The stormwater will be managed on-site and will not have adverse impacts to the neighbouring properties and no changes to the drainage patterns. Refer to the Functional Servicing Report prepared by Upper Canada Consultants for further details on the stormwater management strategy.

4.5.8 Transportation and Public Utilities

9.1 Transportation

9.1.1 Walking, Cycling and Transit

- a) *From environmental, economic, health and traffic management perspectives, non-automobile modes of transportation are the preferred methods of movement within the City and full consideration will be given to accommodating pedestrians and cycling in the planning, design and evaluation of any new development.*

The subject site is situated in an area of the city that has access to existing public transportation provided by the Region. Bus Route 25 provides access throughout the City including additional regional connections to Welland. The surrounding area also includes sidewalks to allow for safe and efficient pedestrian mobility. Lastly, a total of 24 bicycle parking spaces is provided which is above the required spaces in the Zoning By-law.

9.2 Public Utilities

9.2.1 General Policies

- b) *Utility boxes such as telephone junction boxes and electrical transformers should be sited with regard for their visual impact on the streetscape.*

During Site Plan stage, the Proposal will have regard for visual impact as it relates to transformer pads.

9.1.4 Accessibility

- a) *In review of development applications, the City will implement Accessibility for Ontarians with Disabilities Act by:*

ii) Requiring sidewalk slopes of a maximum ratio of 1:12, height to length;

iii) Requiring sidewalk curb cuts at all intersections;

iv) Requiring that paving changes (e.g. interlocking brick) or tactile strips be incorporated at grade changes and intersections;

v) Requiring access ramps at the entrances of all buildings where appropriate;

vi) Requiring self-opening doors at the entrances of all buildings where appropriate;

vii) Requiring handicap parking stalls for all buildings, as specified in the Zoning By-law;

viii) Requiring the clear identification of handicap parking stalls by using both signage and painted demarcations of the International Symbol of Accessibility;

ix) Requiring that handicap parking stalls be located near the main entrance of the building;

x) Encouraging any other features appropriate to ensure that barrier-free design is provided for in the development; and

The Proposal provides tactile strips where there is a grade change. One barrier free parking space is provided close to the primary entrance of the building and line-painting will be provided to identify the barrier free parking space. With regard to self-opening doors and other barrier free design features – those will be further explored at the building permit stage.



4.6 Comprehensive Zoning By-law 6575/30/18

The subject site is currently zoned as R2 – *Second Density Residential* within the City of Port Colborne Comprehensive Zoning By-law 6575/30/18 (“ZBL”) (See **Figure 18**). The current zoning for the site does not permit the proposed development concept, and such, a Zoning By-law Amendment is required to rezone the Site with site-specific exceptions to facilitate the proposed development.

4.6.1 Proposed Zoning By-law Amendment

To facilitate the proposed development, a Zoning By-law Amendment is required. The amendment proposes the rezoning of the Subject Site from R2 (Second Density Residential Zone) to R4-XX (Fourth Density Residential Zone) including the following site-specific exceptions to R4 zone:

Table 3. **Zoning Matrix**

Section 8.7 Apartment Buildings	Required	Proposed
Minimum Lot Area Per Unit	125.00 square metres	26 square metres
Minimum Front Yard	9.00 metres	1.40 metres
Minimum Lot Frontage	18.00 metres	19.53 metres
Minimum Interior Side Yard Setback	3.00 metres	1.20 metres
Minimum Corner Side Yard Setback	N/A	N/A
Minimum Rear Yard	6.00 metres	1.00 metres
Maximum Lot Coverage	40%	65%
Minimum Landscaped Area	25%	10%
Maximum Height	20.00 metres	11.00 metres
Section 3.11 Landscape Provisions for Parking Areas		
Minimum Landscaped Buffer between Residential Zone and Public Road	3.00 metres	0 metres
Minimum Landscape Buffer between Parking Area and Public Road	3.00 metres	5 metres
Section 3.1.1 Parking Space Requirements for Residential Uses		
Minimum Parking Spaces (Apartment Building)	1.25 spaces/unit (38 spaces)	0.4 spaces / unit (13 spaces)
Minimum Number of Accessible Spaces	1 – 25 required spaces = 1 barrier free space	1 barrier free
2.19 Permitted Encroachments		
Minimum setback from Front Lot Line – Height of Deck/Platform		
Ground Floor Level to 0.61 metres		0 metres
From 0.61 metres – 1.2 metres		0 metres
1.2 metres or greater		0 metres

The following provisions do not apply:

- Minimum Unit Size; and,
- Minimum requirement for loading space.

The Proposal requires the above-listed amendments to facilitate the development of a compact, context-appropriate low-rise residential building on an existing underutilized lot located within an urban area. The reduction to the yard setbacks facilitates a more urban, pedestrian-oriented form while allowing the building to be appropriately oriented for greater utilization of the parcel. The reduced front yard setback meets the general intent of the Zoning By-law as the 1.45 metres. supports a more defined public realm, establishes streetscape and streetwall, and avoids visual disruptions if the building was set significantly further back.

The requested changes to minimum unit size, lot area per unit and lot coverage also facilitates the geometric and economic feasibility of the development. Although the Proposal is seeking certain performance standards to be reduced, the general intent of the ZBL is met and the overall built form remains compatible with surrounding land uses through height, massing and façade design.

The reduction to the minimum landscaped area and landscaped buffering provisions is necessary due to the small lot size, built form, and urban context. However, the proposed design continues to provide for a large communal balcony space on the 3rd floor of the building and sufficient landscape strips are located within the north, east and west setbacks areas.

Figure 18. **City of Port Colborne Zoning By-law No. 6575/30/18 – Schedule ‘A7’**





The Proposal seeks to reduce the parking requirement on the site as the site is located within an established neighbourhood with access to transit, active transportation networks and within proximity to several community amenities thus reducing auto-dependency. Additionally, the reduction in parking requirement supports the feasibility and affordability of the proposed development.

4.7 Urban Design Brief

The Model Urban Design Guidelines Update (MUDG Update, July 2025) establishes a comprehensive framework to guide high-quality, context-sensitive development across the Niagara Region. Building on the foundation of the 2005 Model Urban Design Guidelines, the update responds to the Region's evolving urban, rural, and natural landscapes and reflects nearly two decades of growth, policy change, and community priorities across Niagara's 12 Local Area Municipalities. The guidelines promote design excellence that is people-focused, sustainable, and responsive to local character, providing clear direction where municipal-specific design guidance is not available.

Through an emphasis on placemaking, environmental stewardship, climate resilience, and thoughtful integration with existing communities, the MUDG Update supports the creation of healthy, vibrant, and complete communities while preserving and enhancing Niagara's unique cultural, agricultural, and natural assets.

The following is an overview of the applicable guidelines and how they relate to the proposed development.

Table 4. **Urban Design Guidelines**

5.0 Site Design	
5.2 Infill Development	
Design Guidelines	Response
a. Infill sites may contain a variety of building scales. Height transitions should be accomplished within the site to the surrounding context.	The proposed development comprises three storey low-rise apartment building designed to respond to the surrounding low-rise residential context and to contribute to the evolving streetscape along King Street.
b. Generally, infill development should match the pre-established 'street wall' setback of adjacent buildings in order to maintain a street wall and maintain appropriate spatial definition.	Overall, the proposed massing strikes a balance between intensification and compatibility, creating a development that is both context-sensitive and transit-supportive, and that contributes positively to the streetscape of King Street and the broader Port Colborne community.
g. While new surface parking should be discouraged, if it is provided, it should be situated at the rear or side of the building to minimize the view of parking areas from the public realm and designed in accordance with Section 5.10.	The proposed development incorporates surface parking along the side of the building to minimize the visual impact from King Street.
Neighbourhood Intensification Guidelines	
h. The form and character of infill development should be in keeping with the general form and character of the planned context.	The proposed development maintains the general form and character of the surrounding area. The setbacks and façade design maintain the overall character of the planned area. The Proposal has regard for this guideline as the massing and built form is oriented towards the street and locates the proposed primary entrance facing King Street.



l. Buildings should be oriented to ensure their front entrance is visible from a public street.	The proposed main entrance is located at the front of the building and is visible from King Street.
m. Infill development should provide fencing, screening and landscaping to maintain the privacy of adjacent rear yards.	The proposed development will incorporate appropriate landscaping and screening. Further details will be examined and determined at the site design stage.
Building Location and Orientation	
f. Buildings should be sited and oriented to reduce the visual impact of parking and loading by enclosing them within the building envelope, away from public view. Where surface parking is provided, it should be located to the rear and side of the buildings.	The proposed development aims to reduce the visual impact of parking areas. The proposed parking area is situated along the side of the proposed building. This location allows for more screening as well as limits the number of curb cuts required.
5.4 Landscape Design	
General Guidelines	
a. Use landscape design and planting to create inviting open spaces and frontages that provide shade, wind protection, and comfortable environments.	The proposed development will incorporate appropriate landscaping and planting design. This will be determined at the detailed design stage.
5.9 Pedestrian and Cycling Connections and Site Furnishings	
Circulation Design Guidelines	
a. Sidewalks should connect directly to transit shelters to encourage active transit use and ensure safety and convenience.	There is an existing transit stop within a short walk from the Subject Site. There is an existing sidewalk connection to the transit stop.
d. Logical pedestrian connections should be designed between main entrances buildings and transit facilities, and public sidewalks.	The front entrance will have direct access from the public sidewalk, ensuring safe and convenient pedestrian access.
5.10 Driveways and Parking	
a. The number and size of curb cuts should be minimized along a block or site to reduce potential conflict points between vehicles, pedestrians, and cyclists.	With the location of the surface parking, the development requires one curb cut. The single curb cut reduces potential conflict.
b. Provide a continuous sidewalk across driveway entrances wherever possible.	The development will continue the sidewalk across the driveway entrance.

6.0 Building Design	
6.3 Low-rise Building Guidelines	
Design Guidelines	Response
a. Higher density forms of low-rise housing (townhouses and low-rise apartment buildings) should be incorporated into detached and semi-detached low-rise development plans to achieve higher intensity and efficiency of land use.	The proposed development introduces a higher density form of low-rise development. The proposed 3-story apartment introduces 30 new rental units that intensify the neighbourhood and ensuring efficient use of land and existing resources.
b. Consistency in quality of design and craftsmanship (as opposed to form, style or repetition of identical elements) is of paramount importance in achieving a high quality and beautiful neighbourhood character.	The proposed development uses traditional brick styling with symmetric windows to maintain the rhythm and character of the existing neighbourhood.
c. Authentic, high quality, and durable materials should be used on all building facades to ensure long-term beauty.	The proposed development will utilize high quality and durable materials. Further details will be determined at the detailed design stage.
d. Materials that mimic or approximate authentic materials, such as aluminum panels with wood prints, or manufactured stone veneer products may be used sparingly.	The proposed development will ensure consistent materials are used to mimic and complement with the architecture in the surrounding area.
Low Rise Apartments	
ab. Low-rise apartment buildings are generally 3 to 4 storeys in height and contain multiple dwelling units accessed from interior common corridors at each level.	The proposed low-rise apartment will have a common interior corridor at each level.
be. Low-rise apartment buildings should be limited in length between 50 and 60 metres to preserve block porosity, access to sunlight, and sky views.	The proposed dimensions of the building are less than 50 metres, and will preserve the block porosity, access to sunlight, and sky views.
7.0 Building Types	
7.2 Multi-unit Residential Buildings	
a. Orient Multi-Unit Residential Buildings to frame and define the street edge and enhance the public realm through activation.	The orientation of the proposed building will help to frame the street edge and enhance the public realm with the orientation of the building entrance.



<p>c. Provide clear pedestrian walkways throughout the development that connects to building entrances, parking areas, and outdoor amenities space. These paths and areas should be well lit and include landscaping that creates visibility and promotes safety, accessibility, and comfort.</p>	<p>The proposed development will introduce pedestrian connections from the public sidewalk to the main entrance as well as from the parking area to the entrance.</p> <p>Appropriate landscaping will be determined at the detailed design stage.</p>
<p>d. Primary building entrances should be clearly visible and accessible from the public right-of-way.</p>	<p>The primary building entrance will be centrally located and visible/accessible from the public sidewalk.</p>
<p>e. Parking should be located at the rear of side lots of development and screened from public view.</p>	<p>Parking is proposed along the side yard of the building to mitigate visual impacts and will be screened from public view.</p>

7.3 Affordable / Attainable Residential Units

Exterior Guidelines

<p>a. Affordable housing should be located in areas with urban amenities, especially near existing or planned transit and near key buildings such as community hubs or schools.</p>	<p>The proposal is located within proximity of a range of educational, social, health and wellness, and commercial facilities within the surrounding area as the subject site is located within City's urban area and between two downtown business districts. The site is also within proximity of multiple parks including Lions Field Park, which is approximately a 6-minute walk from the Subject Site, as well as Vimy Park, which is approximately a 12 minute walk from the Subject Site. Within the broader context of Port Colborne and the Region, there are additional opportunities for access open spaces, including walking and cycling trails.</p> <p>Additionally, the site has access to Niagara Region's transit network which provides connection to Welland Bus system.</p>
<p>b. Architectural character, finishings, and quality, as well as landscaping, should be designed to fit well with the surrounding market rate housing.</p>	<p>The Proposal has regard for this guideline by using brick which will complement the neighbourhood image. The covered entrance supported by two columns, reinforces a strong presence along King Street.</p>

5. SUPPORTING DOCUMENTATION

5.1 Functional Servicing Report

5.2 Vibration Study

5.3 Parking Study

5.4 Phase 1 Environmental Site Assessment

5.5 Phase Two Environmental Site Assessment

5.6 Stage 1 & 2 Archaeological Assessment

5.7 Heritage Impact Assessment

5.8 Environmental Noise Feasibility Assessment



5.1 Functional Servicing Report

A Functional Servicing Report was prepared by Upper Canada Planning & Engineering Ltd. and is dated November 2025. The report outlines and identifies domestic and fire protection water service needs, sanitary servicing needs, and stormwater management needs for the Subject Site. Based on the findings from the report, the proposed development can be adequately serviced.

The following summarizes the servicing for this site:

1. The existing 250mm diameter watermain will have sufficient capacity to provide both domestic and fire protection water supply.
2. The existing 300mm diameter municipal sanitary sewer on King Street will have adequate capacity for the proposed residential development.
3. Stormwater quantity controls will be provided to allowable conditions up to and including the 5-year design storm event. 4. The site extreme stormwater overland route from the road system is to the King Street and ultimately to the Welland Canal as under existing conditions.
4. Stormwater quality protection will be provided to Normal Protection (70% TSS removal) levels prior to discharge from the site.

Upper Canada Planning & Engineering Ltd. concludes that there is adequate municipal servicing to support the proposed development.

5.2 Vibration Study

A Vibration Impact Study was prepared by HGC Noise Vibration Acoustics to assess potential ground-borne vibration impacts associated with train pass-bys from the adjacent Canadian National Railway corridor in proximity to the Subject Site. The study was conducted using calibrated monitoring equipment installed to measure sound and vibration levels emanating from the railway right-of-way. Continuous monitoring was undertaken from January 6, 2026, to January 15, 2026. Based on the results of the monitoring program and subsequent analysis, the measured ground-borne vibration levels at the nearest portion of the proposed building are within CN's applicable vibration criteria. Accordingly, vibration mitigation measures are not required.

5.3 Parking Study

A Parking Study prepared by R.J. Burnside & Associates Limited evaluates the parking demands generated by the proposed development. The study found that existing parking demand in the surrounding area ranges between 0.19 and 0.43 spaces per unit. Based on this observed demand and the availability of local transit services within proximity to the site, the proposed parking supply of 0.43spaces per unit is considered sufficient to accommodate future needs. In addition, the development will provide bicycle parking in excess of the minimum requirements, further supporting sustainable transportation options.

5.4 Phase 1 Environmental Site Assessment

A Phase 1 Environmental Site Assessment (ESA) has been prepared by Niagara Soils Solutions Limited. The purpose of the Phase One ESA was to identify evidence of actual or potential contamination on the Site based on an evaluation of information collected through records review, site visit, and interview. The Phase One ESA included a review of environmental reports, municipal records, and physical setting data, along with an EcoLog ERIS database report. Site reconnaissance was performed, interviews were conducted with knowledgeable individuals, and a photographic log was created. The assessment culminated in a summary report detailing findings, recommendations, and identification of Potentially Contaminating Activities (PCAs) and Areas of Potential Environmental Concern (PEC). Overall, the Phase One ESA identified 20 PCAs, which resulted in two on-site APECs. As a result, a Phase Two ESA is required to confirm the presence or absence of potential contaminants of concern associated with the historic coal pile and fill material.



5.5 Phase Two Environmental Site Assessment

A Phase Two Environmental Site Assessment (ESA) has been prepared by Niagara Soils Solutions Limited. This assessment comes based on the results from the accompanying Phase One ESA which identified evidence of potential contamination through records and site visits. Soil tests showed coarse material, and groundwater investigations confirmed no potable or agricultural wells within 250 m, allowing for non-potable standards. The site is over 30 m from a waterbody, has more than 2.0 m of soil above bedrock, and pH levels between 5 and 9. It is not classified as an Environmentally Sensitive Area under O. Reg. 153/04. This assessment reviewed the site conditions which includes include coarse-grained soils, absence of potable or agricultural wells within 250 m (allowing use of non-potable groundwater standards), no proximity to waterbodies within 30 m, over 2.0 m of soil above bedrock, and pH levels between 5 and 9. It is not classified as an Environmentally Sensitive Area under O. Reg. 153/04. The investigation involved twelve hand augers to 1.6 m and thirteen test pits to 1.5 m, with soil samples analyzed for various contaminants. Lab results identified metals and/or PAHs at sixteen locations. Thus, the Site does not meet O. Reg. 153/04 standards for residential use, requiring targeted excavation, off-site disposal of impacted soils, and confirmatory sampling for compliance.

5.6 Stage 1 & 2 Archaeological Assessment

Stage 1 and Stage 2 Archaeological Assessment were prepared by ACC (Archaeological Consultants Canada) in support of the proposed development. This assessment included background research as well as a property survey. Stage 1 background research identified general archaeological potential for a 0.1 ha property near the Welland Canal and the historic boundary of Port Colborne, as indicated by the Niagara Region's archaeological management plan. A visual inspection revealed that less than 0.1 ha had been disturbed by construction and had low archaeological potential, while the remaining area was assessed through test pit surveys at 5 m intervals. No artifacts or archaeological resources were found during the Stage 2 assessment. Therefore, it is recommended that no further archaeological assessment of the property is necessary.

5.7 Heritage Impact Assessment

A Heritage Impact Assessment (HIA) has been prepared by The Biglieri Group Ltd to evaluate the impacts of the proposed development on the Subject Site and the adjacent property at 537 King Street. The proposal involves the demolition of the existing dwelling on the Subject Site. The assessment concluded that the demolition would result in a major impact due to the complete loss of the site's heritage attributes, while no impact is anticipated for the neighbouring property. Although alternative development options were considered, based on municipal policies and the fact that the heritage attributes are largely internal rather than part of the exterior design, it is recommended that these elements be salvaged, documented and repurposed through a Salvage, Documentation and Commemoration Plan to effectively interpret and share the site's history with the community if demolition were to proceed.

5.8 Environmental Noise Feasibility Assessment

An Environmental Noise Feasibility Assessment prepared by R.J. Burnside & Associates Limited evaluated potential noise impacts for the proposed 30-unit apartment building at 547 King Street using MECF traffic and rail noise models, including consideration of Port Colborne Airport. The study concluded that no outdoor noise mitigation, special ventilation, or acoustic barriers are required, as indoor sound levels can be achieved through standard Ontario Building Code construction. Internal HVAC noise can be addressed through low-noise unit selection or rooftop acoustic screening if necessary. The assessment is based on the use of PTAC units, with north-facing units limited to 74 dBA and all others to 76 dBA. If the final HVAC design aligns with these assumptions, no further study will be required; otherwise, a detailed noise assessment will be needed before Site Plan Approval.



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6. CONCLUSION



The proposed low-rise apartment in the City of Port Colborne is supported by the applicable policy framework articulated in the *Planning Act* (1990), the Provincial Planning Statement (2024), the Niagara Region Official Plan (2022), and the City of Port Colborne Official Plan (2017). All the aforementioned documents promote residential intensification within the Built-up Area, the development of complete communities, and the provision of appropriate housing options. From a land use perspective, the proposed development will result in the intensification of a site within the built-up urban area of Port Colborne. The proposed development will utilize existing regional and City infrastructure and services in the City of Port Colborne, representing an efficient approach to development. Further to this, the subject site is well serviced by active transportation, public transit, and road infrastructure.

The proposed development will help Niagara Region to achieve its housing and intensification targets and will contribute to the supply of additional housing units in the City of Port Colborne. The proposed development's layout provides a transitional measure that further supports compatibility with the surrounding neighbourhood, including adjacent low-rise apartment buildings and further low-rise single-detached homes to the west and north.

The proposed OPA, and ZBA have been reviewed and considered in the context of all applicable provincial and municipal planning policy documents and the context within which the Subject Site is located. The proposed development is consistent with the Provincial Planning Statement and conforms to the Niagara Region Official Plan and generally conform to the City of Port Colborne Official Plan.

For all the foregoing reasons, it is our professional opinion that the proposal is an appropriate and desirable development, represents good planning and warrants the support of Staff and of Council.

If you should have any questions or concerns, please contact the undersigned at your earliest convenience.

Respectfully submitted,

THE BIGLIERI GROUP LTD.

Rachelle Larocque, MCIP, RPP
Partner

Merve Kolcak, RPP, MCIP
Planner

Giuseppe Ferreri, BES
Planner



Toronto Office

2472 Kignston Road
City of Toronto, ON M1N 1V3

Hamilton Office

21 King Street W, Suite 1502
City of Hamilton, ON L8P 4W7

thebiglierigroup.com

tbg@thebiglierigroup.com
T (416) 693-9155
