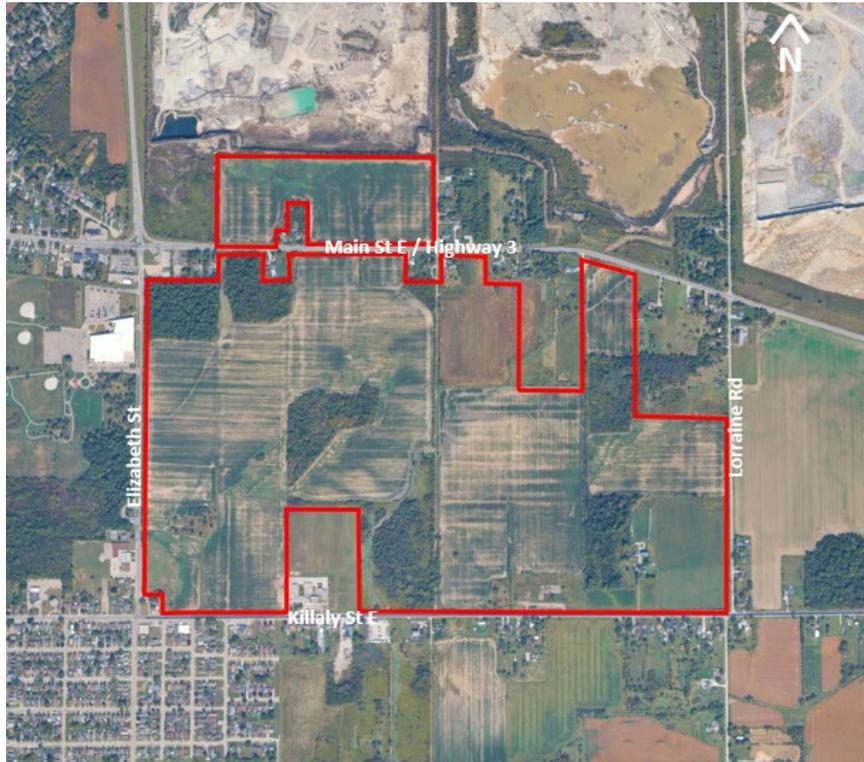


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PLANNING JUSTIFICATION REPORT ADDENDUM

806 Killaly Street East, City of Port Colborne



Prepared For:

Elite Cap Inds Holdings Inc., Elite Cap PC Holdings Inc., Elite P.C.M. Holdings Inc., Elite P.C.V. Holdings Inc., 705 Main P.C. Holdings Inc., Elite Capital P.C. Developments Inc., and Elite 869 Killaly Holdings Inc.

MARCH 2026

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EXECUTIVE SUMMARY

Armstrong Planning and Project Management was retained by Elite Cap Inds Holdings Inc., Elite Cap PC Holdings Inc., Elite P.C.M. Holdings Inc., Elite P.C.V. Holdings Inc., 705 Main P.C. Holdings Inc., Elite Capital P.C. Developments Inc., and Elite 869 Killaly Holdings Inc. (collectively, the “Client”) to prepare an addendum to the Planning Justification Report originally prepared by Weston Consulting (April 2024). This report supports revised applications to amend the City of Port Colborne Official Plan and Zoning By-law to facilitate the development of a master planned community on the subject lands.

The subject lands are generally bounded by Killaly Street East to the south, Elizabeth Street to the west, Main Street East to the north, and Lorraine Road to the east. Following the initial submission of the Official Plan Amendment and Zoning By-law Amendment applications (File Nos. D09-04-24 and D14-05-24), the Client acquired additional lands north of Main Street East and received comments from City staff and external agencies including the Niagara Peninsula Conservation Authority, the District School Board of Niagara, and municipal departments. The development concept has been revised to reflect the expanded land ownership and to respond to these comments. The subject lands now comprise approximately 158 hectares (391 acres).

The revised master plan proposes the development of a complete, mixed-use community that integrates residential, commercial, institutional, and open space uses while protecting the site’s natural heritage features. The development is anticipated to include approximately 2,000 residential units in a range of housing forms, including single detached dwellings, street townhouses, and back-to-back townhouses. The plan also incorporates a major commercial block north of Main Street East intended to accommodate retail, medical offices, and service uses that will serve the broader community, as well as a smaller neighbourhood commercial block at the intersection of Elizabeth Street and Killaly Street East.

The community structure also includes key institutional and recreational uses, including a proposed elementary school site, a fire hall site at the northwest corner of Killaly Street East and Lorraine Road, and two parks, including a larger community park with soccer fields and a centrally located neighbourhood park. A comprehensive green space system consisting of Environmental Protection Area lands, Environmental Conservation Area lands, open space, and stormwater management facilities has been integrated into the plan to protect wetlands, woodlands, and the floodplain.

The revised concept plan also includes a reconfigured internal road network consisting of collector and local streets designed to provide efficient connectivity throughout the community. A new east–west collector road will connect Elizabeth Street and Lorraine Road, improving internal circulation, emergency access, and overall network efficiency. The development is proposed to be implemented through multiple phases, each to be advanced through separate Draft Plan of Subdivision applications.

To implement the revised development concept, amendments to the City of Port Colborne Official Plan and Zoning By-law are required. The proposed Official Plan Amendment will establish the Killaly Secondary Plan and redesignate the lands to permit residential, mixed-use, major commercial, park and open space, stormwater management, and environmental protection uses. Corresponding amendments to the Zoning

By-law will introduce appropriate residential, commercial, institutional, park, and environmental protection zones consistent with the Secondary Plan framework.

Based on the planning analysis contained in this report and supporting technical studies, the proposed development supports the efficient use of infrastructure, provides a range of housing options and community services, protects natural heritage features, and contributes to the creation of a complete and connected community. Accordingly, the proposed Official Plan Amendment and Zoning By-law Amendment are appropriate, represent good planning, and are consistent with the applicable provincial and municipal policy framework.

1.0 INTRODUCTION

Armstrong Planning and Project Management has been retained by Elite Cap Inds Holdings Inc., Elite Cap PC Holdings Inc., Elite P.C.M. Holdings Inc., Elite P.C.V. Holdings Inc., 705 Main P.C. Holdings Inc., Elite Capital P.C. Developments Inc., and Elite 869 Killaly Holdings Inc. (collectively, the “Client”) to support revised applications to amend the City of Port Colborne’s Official Plan and Zoning By-law in support of the proposed master planned community throughout the subject lands as now currently contemplated.

Armstrong Planning reviewed the Planning Justification Report prepared by Weston Consulting dated April 2024 that was prepared in support of the initial Official Plan Amendment and Zoning By-law Amendment applications for the subject site. Our report represents a comprehensive addendum to the initial Planning Justification (by Weston) and reflects the current (revised) land holdings now owned by the Client.

The subject site includes lands generally bounded by Killaly Street East (south), Elizabeth Street (west), Main Street East (north), and Lorraine Road (east). Following the initial submission (File Nos. D09-04-24 and D14-05-24), additional lands have been acquired by the Owner situated north of Main Street East and comments were received from City Staff, and external agencies such as the Niagara Peninsula Conservation Authority (NPCA), the District School Board of Niagara (DSBN), and the Fire and Recreation and Tourism departments. The proposed master plan was revised to reflect the new land ownership, including lands north of Main Street East, as well as comments from staff and other stakeholders made on the first submission. The total area of the subject lands is now approximately 158 hectares (391 acres). **Figure 1** outlines the subject lands.

The revised master plan community comprises a range of low and medium density housing types including single detached dwelling, street townhouses and back-to-back townhouses, yielding an estimated 2,000 units and also introduces additional commercial lands. A major commercial block (additional lands owned by the client) is provided north of Main Street East and is meant to accommodate a range of commercial uses such as medical offices, retail and services uses that will support the broader community, and a one-acre commercial block at the south west corner of the plan meant to provide neighbourhood-scale commercial uses. Community facilities have also been incorporated including an elementary school site and a fire hall. These uses will complement the character of the existing uses and will support the creation of a complete community. The development also protects a greenspace system consisting of environmental protection area (EPA lands), environmental conservation area (ECA), open space and two neighbourhood parks, while respecting the natural features and floodplain. Overall, the plan, if approved will establish a mixed use neighbourhood that incorporates residential areas, commercial uses, community facilities, parks and environmental features.

On behalf of the Client, Armstrong Planning & Project Management has prepared this addendum to the original Planning Justification Report (prepared by Weston Consulting), and revised draft Official Plan Amendment and draft Zoning By-law Amendment, to support the proposed master planned community.

In addition to providing detailed information on the enclosed applications, this report will evaluate the proposed development (revised) in relation to the current provincial and municipal policy frameworks, including the Planning Act, Provincial Planning Statement, Niagara Region Official Plan (now understood to be a municipal plan, enforced by the City), City of Port Colborne Official Plan and City of Port Colborne Zoning By-law. This report provides justification for the proposed development in accordance with the established policies regulating growth and development.

1.1 Site Description and Surrounding Uses

The subject site comprises a total of 158.25 hectares (391.02 acres) of land generally located along Killaly Street East to the south, Lorraine Road to the east, Elizabeth Street to the west and Main Street East to the north, with one major parcel north of Main Street East, and a parcel of land located south of Killaly Street East (**Figure 1**). The proposed development site includes various parcels of land under separate ownership, working together to request the approval of a single comprehensive master planned community. The site is legally described as follows:

In the City of Port Colborne, being composed of Part of Lot 22, Concession 1, and Part of Lots 21, 22, 23, 24, Concession 2, Geographic Township of Humberstone, designated as Parts 1, on a Plan Deposited at the Niagara Land Registry Office as 59R-4801, Part 1 on a Plan Deposited at the Niagara Land Registry Office as 59R-15013, Parts 1, 2, 3 on a Plan Deposited at the Niagara Land Registry Office as 59R-10047, Parts 1, 2, 3 on a Plan Deposited at the Niagara Land Registry Office as Plan 59R-6141, Parts 2, 3 on a Plan Deposited at the Niagara Land Registry Office as Plan 59R-4277, Part 1 on a Plan Deposited at the Niagara Land Registry Office as Plan 59R-3588, Part 1 on a Plan Deposited at the Niagara Land Registry Office as Plan 59R-5177, Part 1 on a Plan Deposited at the Niagara Land Registry Office as Plan 59R-3591.

Except Part 1 on a Plan Deposited at the Niagara Land Registry Office as Plan 59R-5732, Parts 6, 7, 9, 10 on a Plan Deposited at the Niagara Land Registry Office as Plan 59R-10015, Part 11 on a Plan Deposited at the Niagara Land Registry Office as Plan 59-10014, Part 1 on a Plan Deposited at the Niagara Land Registry Office as Plan 59R-5176, Part 1 on a Plan Deposited at the Niagara Land Registry Office as Plan 59R-5177 and except instrument BB73895 and BB61356.

The said lands are comprised of Part of PINs 64165-0043 (LT), 64165-0048 (LT), 64165-0063 (LT), 64165-0082 (LT), 64165-0084 (LT), 64165-0086 (LT), 64165-0088 (LT), 64165-0090 (LT), 64165-0092 (LT), 64165-0094 (LT), 64165-0096 (LT), 64165-0098 (LT), 64165-0100 (LT), 64387-0141 (LT).

Land uses surrounding the subject lands are as follows:

North: Residential, vacant agricultural land and Port Colborne Quarries

South: Residential

East: Residential and vacant agricultural land

West: Residential, commercial and institutional uses (Elementary Catholic School Saint-Joseph, Port Colborne YMCA: Vale Health and Wellness Centre). Saint Therese Catholic Elementary School is a property that the site wraps around along Killaly Street East.

Figure 2 illustrates the surrounding land uses.



Figure 1: Aerial Image of Subject Lands

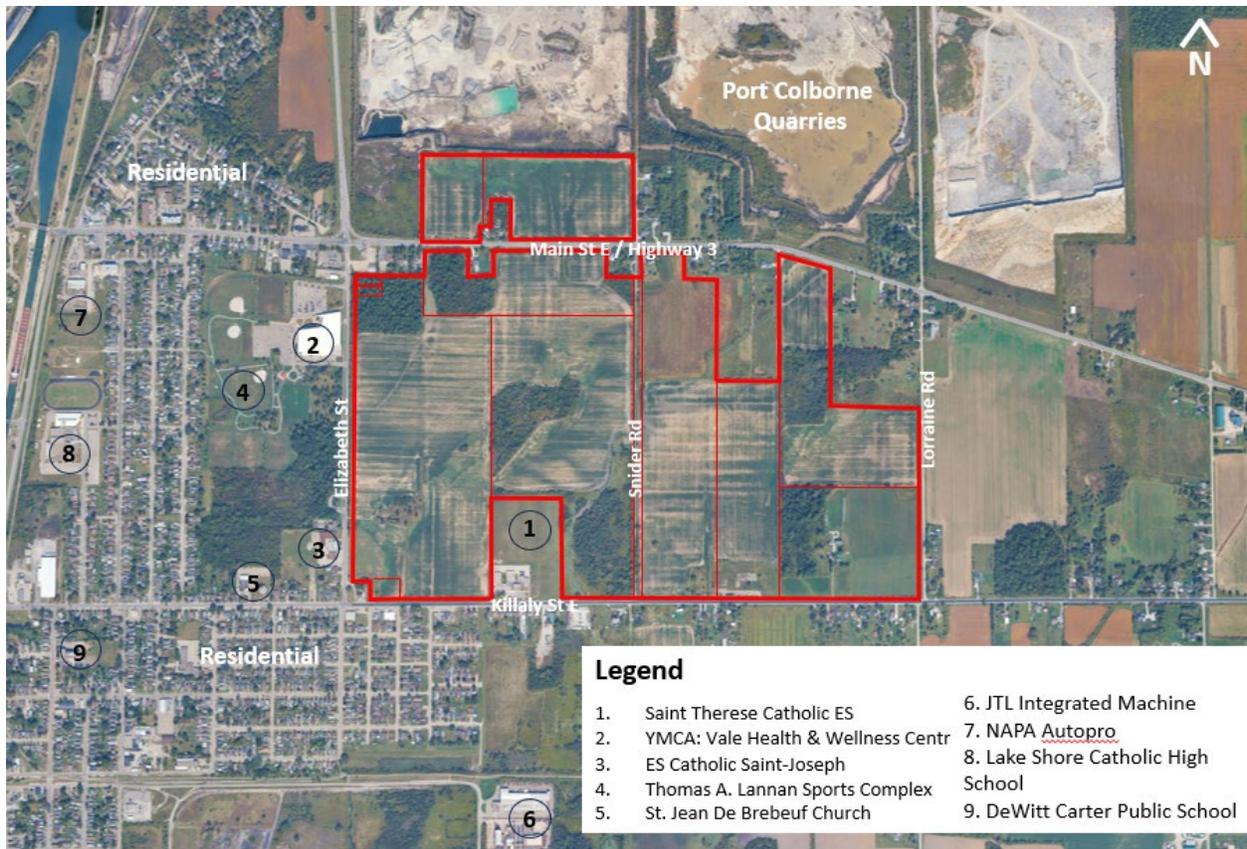


Figure 2: Surrounding Area Context

2.0 SURROUNDING DEVELOPMENT APPLICATIONS

No new development applications have been proposed in the immediate vicinity since the original Planning Justification Report.

3.0 PROPOSED DEVELOPMENT

3.1 Development Proposal

The April 2024 concept plan prepared by Weston Consulting contemplated 2,242 residential units in a mix of street townhouses, condominium townhouses, rear-lane townhouses, and a range of single detached dwellings. That plan also included three commercial blocks totaling approximately 2.6 hectares (6 acres) along Killaly Street East, and 10 neighbourhood parks. As outlined by this resubmission, we are requesting an Official Plan Amendment and Zoning By-law amendment that, if approved, will support the ultimate build-out of a complete community that incorporates residential, commercial, and community uses (school, park, fire hall) while protecting and preserving the existing natural heritage system.

Built Form and Proposed Land Uses

Following the initial OPA/ZBA submission, Armstrong Planning and Project Management has worked with the Client to revise the concept plan such that it reflects the current ownership, responds to staff comments, and incorporates a different product mix. The revised plan includes a full range of single detached lot sizes and various townhouse forms including back-to-back and street townhouses. Based on the updated configuration and land use adjustments, the proposed unit count is approximately 2,000 (vs. 2,242 units originally proposed). To complement the residential uses, the revised plan also incorporates two commercial blocks. Including approximately 14.5 hectares (35 acres) of land north of Main Street East and a 0.4 hectare (1 acre) commercial block at the northeast corner of Elizabeth Street and Killaly Street East. These commercial areas provide opportunities for retail, community serving uses, and other uses that support job creation and a complete community. The plan also responds to feedback received from staff by introducing institutional and recreation uses to complement the surrounding area and future neighbourhood. A 2.6 hectare (6.5 acre) elementary school block is now proposed along Elizabeth Street, with a 3.2 hectare (8 acre) community park that will include three soccer fields. A 1 hectare (2.5 acre) fire hall site is proposed at the northwest corner of Killaly Street East and Lorraine Road to support emergency services. In addition to the large community park, the plan includes a 1.8 hectare (4.6 acre) centrally located neighbourhood park for residents. **Figure 3** has been replaced with the revised conceptual demonstration plan. **Table 1** below reflects the revised residential statistics of the proposed development in comparison to the development

program contemplated in April 2024. The green cells represent new product that has been introduced as part of the revised concept plan.

Natural Heritage

The revised concept plan maintains and reinforces the integrity of the natural heritage system by organizing adjacent land uses and infrastructure in a manner that protects ecological functions and enhances long-term sustainability of existing features.

Road Network

The revised concept plan incorporates a reconfigured internal road network that includes both collector and local roads. The collector roads are currently designed with a 23 right of way (ROW), and the local roads will have a ROW of 18 metres. As part of the revised layout, the existing Snider Road alignment, which currently bisects the site, will be realigned to avoid encroachment into the regulated floodplain and natural heritage and will connect to Street A. Snider Road, south of the new intersection with Street A has been realigned allowing the old right of way to be incorporated into the natural heritage system; the new Street E intersects with Killaly Street E and creates a four-way intersection providing access to the one parcel . Street A is a new east-west collector road corridor and provides a continuous connection between Elizabeth Street and Lorraine Road. This corridor functions as a primary internal spine into and through the subdivision, improving east–west mobility, enhancing emergency access, and distributing traffic loads more evenly across the network.

Phasing

The concept plan is currently organized into ten phases (subject to change), each of which will require its own Draft Plan of Subdivision application. Phasing the development will allow build-out of the lands to respond to market conditions, servicing availability, and infrastructure timing, ensuring that each stage of development can be delivered efficiently and in an orderly manner. At this time, it is estimated that each phase will include between 150-300 units (subject to change). As we understand it, there is currently enough servicing capacity to support build out of up to 300 units. Please refer to **Figure 4** for the revised phasing plan.

Table 1: Site Statistics (Residential) Comparison

Product Type	Frontage	Current Units	Current %	April 2024 Units	April 2024 %	Difference
Single Detached	8.2 m	622	31%	--	--	Added
Single Detached	9.15 m	--	--	208	9%	Removed
Single Detached	10.4 m	538	27%	--	--	Added
Single Detached	10.7 m	--	--	437	19%	Removed
Single Detached	12.2 m	--	--	348	16%	Removed
Single Detached	13.7 m	98	5%	34	2%	+64 units
Back-to-Back Towns	6.5 m	362	18%	--	--	Added
Rear Lane Townhouse	8 m	--	--	289	13%	Removed
Rear Lane Townhouse	6.1 m	--	--	131	6%	Removed
Condominium Townhouse	6.5 m	--	--	516	23%	Removed
Street Townhouses	6.1 m	383	19%	161	7%	+222 units
Street Townhouses	8 m	--	--	118	5%	Removed
TOTAL UNITS		2,003	100%	2,242	100%	-239 units

3.2 Required Planning Approvals

Official Plan Amendment & Zoning By-law Amendment

In support of the revised master plan described in Section 3.1 above, applications to amend the City of Port Colborne Official Plan and Zoning By-law are being resubmitted following the initial submission in April 2024.

The purpose of the Official Plan Amendment is to adopt the Killaly Secondary Plan and associated policies, and to amend the land use designations on Schedule A – City-Wide Land Use of the Port Colborne Official Plan. The subject lands are currently designated Urban Residential, Industrial / Employment Area, and Environmental Protection Area on Schedule A (City-Wide Land Use) of the City of Port Colborne Official Plan. The amendment will facilitate the development of the subject lands for Residential, Mixed-Use, Major Commercial, Stormwater Management, Park and Open Space, Environmental Protection, and Environmental Conservation uses. A draft Official Plan Amendment can be found at **Appendix A** to this report.

In addition, amendments to Zoning By-law 6575/30/18 (Schedules A5 and A6) are required to implement the proposed Secondary Plan. The rezoning will align the subject lands with the Secondary Plan's land use structure and introduce site-specific standards to support the intended development form.

The lands are proposed to be rezoned from Residential Development (RD), First Density Residential (R1), Third Density Residential (R3) to Fourth Density Residential (R4) with special provisions permitting institutional blocks for a school and fire hall. The major commercial block north of Main Street East is proposed to be rezoned from Light Industrial (LI) to Highway Commercial (HC) with special provisions, while the 0.4 hectare (1-acre) commercial parcel at Elizabeth Street and Killaly Street East will be rezoned to Mixed Use (MU) to accommodate neighbourhood scale commercial uses. All parks and open space areas will be rezoned to Public and Park (P), and all natural heritage features including the floodplain will be rezoned to Environmental Protection Area (EPA). A draft Zoning By-law Amendment can be found at **Appendix B** to this report. Collectively, these amendments implement the land use framework of the Secondary Plan.

Future Applications

In the future, to support phased development of the plan, draft plan of subdivision applications will be made that will outline and secure specific subdivision design and phasing. These submissions will support the ultimate development and will phase specific updates to many of the reports submitted to date to ensure recommendations are specific to the lands in question.

Finally, where required, site plan applications will be submitted to secure approvals for the detailed development of commercial and/or institutional blocks as needed.

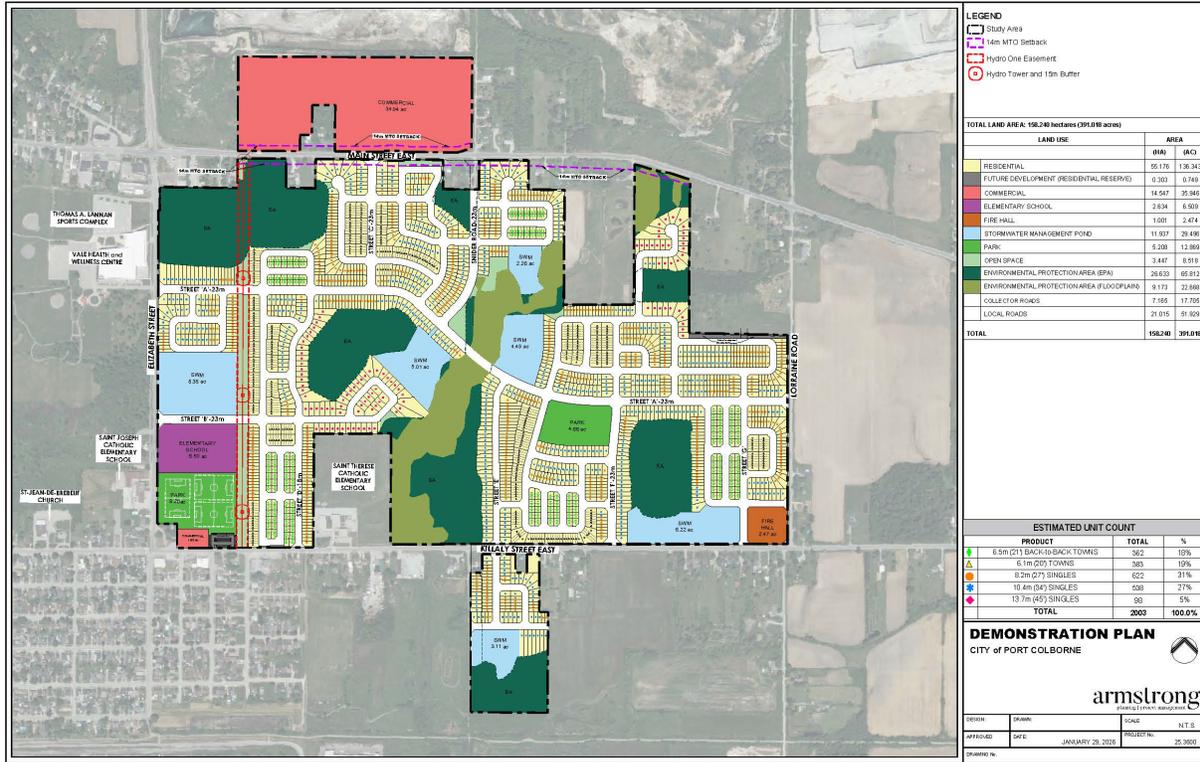


Figure 3: Revised Conceptual Demonstration Plan

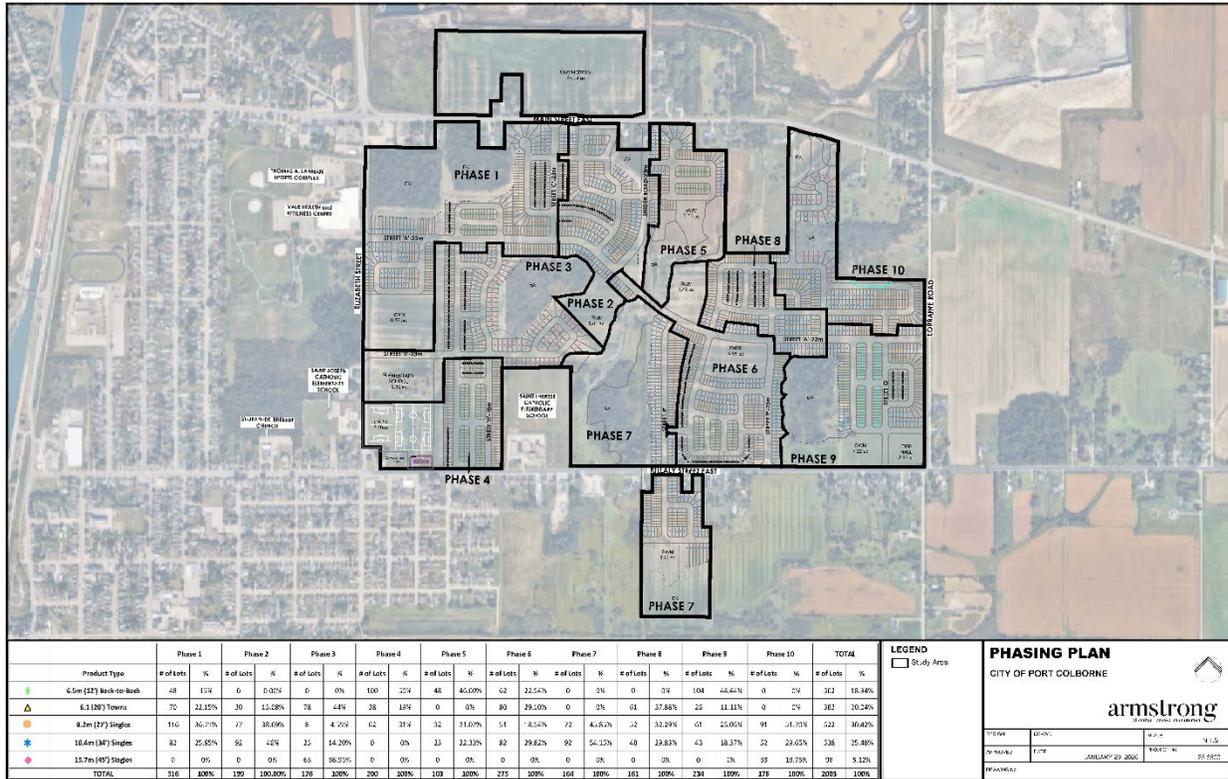


Figure 4: Revised Phasing Plan

4.0 SUPPORTING MATERIALS

In support of this planning justification addendum report, we reviewed a comprehensive set of technical studies that informed the development limits, established the natural heritage system, shaped the preferred land use pattern, and provided confirmation that adequate infrastructure is available or planned to support the proposed master planned community. Integrating the conclusions of these reports ensured that the development vision is both feasible and grounded in a thorough understanding of site conditions and regulatory requirements.

4.1 Traffic Impact Study

C.F. Crozier & Associates was retained to complete a comprehensive Transportation Impact Study in support of the proposed development. Their detailed review and modelling were meant to ensure the existing transportation network is able to support the proposed development and, to identify improvements, if any, needed to support the planned growth.

The study determined that certain upgrades are needed to the existing road network to support the complete build-out of the proposed development. Furthermore, they recommended that traffic studies (or addendums to their report) be updated on a phase-by--phase basis as part of future planning applications (including draft plan of subdivision and/or site plan), such that recommendations can reflect the reality of a phased development, built-out over the long term (i.e. a more realistic build-out of a community this size).

4.2 Noise Study

dBa Acoustical Consultants Inc. was retained to complete a preliminary Noise Impact Study in support of the proposed master planned community. This study modeled the potential impact of traffic and stationary noise sources may have sensitive land uses and provided recommendations for mitigation to be incorporated into the proposed community (noise fences) and built-form (upgraded windows, walls and patio doors). Furthermore, they recommended more detailed studies be done as part of future planning applications (including draft plan of subdivision and/or site plan), such that recommendations can reflect the specific built-form proposed within each phase of development and as may be required for the proposed pumping station and fire hall.

4.3 Functional Servicing and Stormwater Management Report

Odan Detech Consulting Engineers was retained to complete a detailed Functional Servicing and Stormwater Management report to assess the feasibility of servicing the development with municipal sanitary and water infrastructure, identify constraints and establish preliminary servicing strategies for the ultimate proposed build-out.

The servicing strategy consists of:

1. **SANITARY SERVICES:** The sanitary servicing plan relies on a new centrally located sanitary pumping station and a 300 mm forcemain that will convey all wastewater from the development to the Seaway Wastewater Treatment Plant. Placing the station near the Snider Road allowance minimizes excavation into bedrock, reduces construction depth and cost, and improves flexibility for phased development. The station will serve roughly 126 hectares, including both on-site lands and additional areas identified by the City and Region.

The development is expected to accommodate about 6,289 residents across single detached homes and townhouses, generating a peak sanitary flow of 110.75 L/s. According to the Niagara Region's 2023 Master Servicing Plan, the Seaway WWTP has sufficient capacity to handle these flows as part of projected growth to 2051, confirming that the proposed sanitary servicing approach is feasible.

2. **WATER DISTRIBUTION:** The development lies within Pressure District 1, and a detailed hydraulic analysis using the Region's INFOWATER Pro model evaluated system performance under a range of demand and fire flow conditions. The results show that system pressures remain within the City's acceptable range, even during fire flow events, and that pipe velocities stay below the maximum allowable threshold. Fire flow availability is sufficient to support the proposed development, and the existing network is well-looped, allowing the system to expand in phases without requiring major off-site upgrades.

While full build-out leads to slight pressure reductions compared to current conditions, all pressures remain within operational standards. Overall, the water distribution system can reliably accommodate the projected increase of approximately 6,300 residents by 2041.

3. **STORMWATER MANAGEMENT:** Includes six (6) new stormwater management ponds to manage the collection and release of stormwater. The proposed development is located within two distinct watersheds including (1) the Welland Canal South watershed and (2) the Wignell Drain watershed. Following detailed study, Odan Detech confirmed that all SWM criteria including quantity, quality, water balance and erosion, can be met and development will not have a negative impact on the existing drains.

The report concludes that the proposed development is serviceable from both sanitary and water distribution perspectives and that the proposed stormwater management strategy does not increase flooding, erosion potential or the risk to public safety. Specific design to implement the

proposed engineering strategy will be developed during the detailed design stage for each phase of development; to be reviewed and approved by the City.

4.4 Archaeological Assessment

ASI was retained to complete a Stage 1 and Stage 2 Archaeological Assessment of the subject lands. Four (4) individual assessments are being completed, and in total cover the entire land holding. They are each in various stages of review as outlined further below. ASI will determine and advise, with Ministry support whether or not any Stage 3 assessment work is necessary.

- Parcel 1: Stage 1-2 Assessment Report is in progress (field work completed November 2025);
- Parcel 2: Stage 1-2 Assessment Report in progress, submission to MCM tentative scheduled for March/April 2026;
- Parcel 3: Stage 1-2 Assessment Report filed with the Ministry on February 1, 2025; and
- Parcel 4: Stage 1-2 Assessment Report in progress (fieldwork completed October 2025).

4.5 Air Quality

RWDI was retained to complete an air quality study for the subject lands. The study found various industrial facilities within 1,000m of the subject lands that are identified as Class I, Class II and Class III industrial.

The study concluded that from an air quality perspective, the subject lands and proposed land uses are compatible with the surrounding industrial uses and no significant air quality impacts from adjacent and nearby industrial properties are expected to impact the proposed development lands.

4.6 Environmental Impact Study Addendum

Palmer (now SLR Consulting (Canada) Ltd) was retained to complete a detailed Environmental Impact Assessment to evaluate the potential environmental, social, and economic effects of a proposed development on the existing natural heritage system and to provide recommendations to prevent and/or mitigate impacts of development on environmentally sensitive lands. The enclosed addendum, by SLR Consulting (Canada) Ltd., specifically provides detailed responses to comments made following the first submission.

The primary conclusions as outlined in the EIS dated September 28, 2023 (by Palmer), identify the main natural features on site, determines that the floodplain forms a major environmental constraint (hazard lands) and recommends buffers to provide additional protection to various features. Based on their professional opinion, the proposed development is environmentally feasible and would result in negligible negative impacts to the natural heritage features.

The addendum supports variability in the buffer width, allows trails within certain natural feature buffers and recognizes that general disturbance within the buffers are acceptable during construction as long as the disturbed areas are naturalized following to disturbance.

4.7 Local Subwatershed Study

SLR Consulting (formerly Palmer) was retained to prepare a Subwatershed Study of Wignell Drain (SWS) in support of a proposed development. The study area covers approximately 1,276 hectares between Chippawa Road and Lake Erie, with the 142-hectare subject lands located mainly between Elizabeth Street, Main Street East, Lorraine Road, and Killaly Street East. The original SWS report, submitted in May 2024, was reviewed by the City of Port Colborne, Niagara Region, and the Niagara Peninsula Conservation Authority (NPCA). The February 2026 update incorporates comments received from these agencies. The area contains a range of natural features, including wetlands, woodlands, watercourses, significant wildlife habitat, and a provincially significant Earth Science Area of Natural and Scientific Interest. Field investigations conducted between 2021 and 2023 documented existing ecological, hydrological, and hydrogeological conditions. While vegetation diversity is moderate and largely influenced by agricultural land use, surveys identified 129 plant species and 66 breeding bird species, including several Species at Risk such as Eastern Wood-Pewee, Barn Swallow, and Bobolink.

The study found that many watercourses in the subwatershed such as the Wignell Drain, Port Colborne Drain, and Michener Drain are heavily altered and influenced by surrounding agricultural and industrial activities, with limited natural connectivity between ecological features. Surface water quality frequently exceeds provincial objectives for several parameters, and aquatic habitats are generally dominated by pollution-tolerant species. Hydrogeological analysis indicates shallow groundwater levels, low soil permeability, and limited infiltration, with most water inputs derived from surface runoff. Hydrologic and hydraulic modelling confirms that proposed stormwater management measures including six stormwater ponds, infiltration galleries, and Low Impact Development techniques can meet provincial criteria for quantity control, water quality, erosion protection, and water balance while maintaining existing drainage conditions. The study concludes that potential development impacts can be mitigated through appropriate engineering design, environmental planning, and monitoring, along with protection of natural features, buffer establishment, invasive species management, and restoration

initiatives to support long-term ecological and hydrological health of the subwatershed if feasible.

5.0 PLANNING POLICY FRAMEWORK

5.1 Provincial Policies

The following section addresses the current provincial policy framework that guides land use planning in Ontario. The Provincial Planning Statement was released in August 2024 and came into effect on October 20, 2024 and was meant to streamline and replace the Provincial Policy Statement and the Growth Plan. Key provincial policies that are applicable to the development are as follows:

5.1.1 Planning Act, RSO 1990

The Planning Act, R.S.O. 1990 (herein referred to as “The Planning Act”) provides legal direction on how land uses are controlled and by whom. It promotes sustainable economic development, provides a land use planning system and framework, and ensures that matters of provincial interest are integrated into planning decisions. The Provincial Planning Statement, 2024 was prepared under the authority of the Planning Act.

Decisions made by planning approval authorities must have regard for matters of provincial interest and be consistent with the Provincial Planning Statement (Section 2, the Planning Act). The matters of provincial interest relevant to the proposed development include:

- (a) the protection of ecological systems, including natural areas, features and functions;*
- (e) the supply, efficient use and conservation of energy and water;*
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- (h) the orderly development of safe and healthy communities;*
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- (j) the adequate provision of a full range of housing, including affordable housing;*
- (k) the adequate provision of employment opportunities;*

- (l) the protection of the financial and economic well-being of the Province and its municipalities;*
- (o) the protection of public health and safety;*
- (p) the appropriate location of growth and development;*
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- (r) the promotion of built form that,*
 - (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;*

It is our opinion that the revised master planned community demonstrates alignment with the matters of provincial interest as outlined above. The plan provides a full range of housing options including a variety of single detached dwellings, street townhouses and back-to-back townhouses, supporting diverse household needs. In addition, the proposed zoning by-law and official plan amendment have been drafted to allow significant flexibility to add a wide range of dwelling units including apartment buildings if/as desired. This flexibility will allow the applicant to respond to market demands when applying for draft plan of subdivision applications at which point they'll more specifically outline product type and mix.

The inclusion of two commercial blocks will strengthen the local economy by creating opportunities for retail, community-serving uses, and support job creation. Community facilities such as an elementary school, soccer field, fire hall and parks have also been thoughtfully integrated to contribute to a safe, healthy and well serviced neighbourhood. The plan's land use configuration supports efficient servicing and transportation by organizing growth within an appropriate location and leveraging existing and planned infrastructure. It also promotes sustainable, pedestrian oriented development by clustering residential and community uses in walkable proximity to parks, schools, and commercial areas. The natural heritage system is protected and reinforced through lot configuration, respect for environmental protection zones, and the placement of compatible adjacent land uses, ensuring long-term ecological health and public safety. Overall, the development reflects high-quality urban form, fosters a strong sense of place, and provides accessible, vibrant public spaces, aligning with provincial objectives.

5.1.2 Provincial Planning Statement (2024)

The Provincial Planning Statement, 2024 (herein referred to as the “PPS”) was approved by the Minister of Municipal Affairs and Housing and came into effect on October 20, 2024. The PPS supersedes the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS provides consolidated policies related to land use planning and development and provides the overall direction for planning in Ontario.

Under Section 3 of the *Planning Act*, all decisions affecting land use planning must be consistent with the PPS. The proposed development is consistent with the policy directions outlined in the PPS. The following is a summary of the relevant policies of the PPS:

Section 2.1 Planning for People and Homes

Section 2.1 directs municipalities to plan for long-term growth using provincial population and employment projections, ensuring that official plans provide enough land for a 20 to 30 year growth horizon while maintaining a 15 year supply of designated residential land and a three year supply of serviced, development-ready units. It allows municipalities to rely on earlier provincial forecasts where appropriate and requires lower-tier municipalities to align their land supply with upper-tier allocations. The policies also emphasize that complete communities should be achieved by accommodating a broad mix of land uses, diverse housing options, multimodal transportation choices, employment areas, public service facilities, and institutional uses. In addition, they call for improving accessibility for people of all ages and abilities and advancing social equity and quality of life across the community.

The revised development supports these objectives of a complete community for this Secondary Plan Area. The development provides a full range of housing types, including various sizes of single-detached lots and multiple townhouse forms, ensuring long-term residential options and supply. The plan incorporates an interconnected trail network that links to existing sidewalks and pathways, enhancing active transportation options. Institutional and community serving uses including an elementary school, fire hall, large community park with soccer fields, neighbourhood park, and open spaces are integrated to meet long-term educational, recreational, and emergency-service needs of the community. With the proposed commercial blocks that support local employment and daily services, the development is structured to be phased and to accommodate sustained growth over time, aligning with the long-range planning direction of Section 2.1.

Section 2.2 Housing

Section 2.2 directs planning authorities to ensure an appropriate range and mix of housing options are met by establishing targets for affordable housing, and permitting all housing options

to meet the social, economic, and demographic needs of current and future residents. The policies require municipalities to facilitate residential intensification including redevelopment of underutilized commercial and institutional sites and to promote housing densities that use land, infrastructure, and public service facilities efficiently while supporting active transportation.

The revised development aligns with the housing objectives as a diverse mix of housing forms and densities are provided. The variety of product types support the policy direction to permit and facilitate a full range of housing options, including product types that can address affordability (i.e. back-to-back townhouses) in the City of Port Colborne. The concept plan integrates a local road network with sidewalks as well as a trail network that connects to existing sidewalks and pathways, strengthening active transportation options and supporting a more complete, accessible neighbourhood structure for the local community.

Section 3.1 General Policies for Infrastructure and Public Service Facilities

Section 3.1 emphasizes that infrastructure and public service facilities must be planned and delivered efficiently, coordinated with land use planning, and aligned with projected growth. It requires planning authorities to ensure that these facilities are financially viable over their full life cycle, make use of existing infrastructure before building new assets, and consider adaptive re-use where feasible. The policies also direct that infrastructure and public service facilities be strategically located to support effective emergency management and protect public health and safety. Co-locating public service facilities with one another and with parks and open spaces is encouraged to enhance cost-effectiveness, improve service integration, and strengthen connections to transit and active transportation. Working with school boards, planning authorities are also encouraged to pursue innovative approaches to school and child-care facility design, including models that can be incorporated into compact, higher-density areas.

Public service facilities under the PPS include schools and fire halls, both of which have been thoughtfully integrated into the proposed development in a way that reflects these policy objectives. The proposed school has been strategically located adjacent to the park which encompasses soccer fields, and connects to the proposed trail system and sidewalks enhancing walkability. This co-location meets the PPS priority by supporting joint community programming and strengthening the opportunity for active transportation. The fire hall within the development also aligns with these policies by ensuring that emergency services are positioned strategically to protect public health and safety. Overall, the proposed school, fire hall and parkland demonstrate a thoughtful approach to public service facility planning.

Section 3.2 Transportation Systems

Section 3.2 states that transportation systems should be safe efficient, and able to move people and goods effectively, while supporting zero- and low-emission vehicles. Transportation systems should be an efficient use of existing and planned infrastructure, incorporate transportation demand management where feasible, and form part of a connected multimodal network that improves linkages within and between different modes and across jurisdictions should be applied to transportation systems.

The revised concept plan aligns with these objectives by making use of the existing road network including Main Street East/Highway 3 and other surrounding arterial roads. A structured street hierarchy has been incorporated throughout the master planned area including 23 m collector roads and 18 m local roads; sidewalks will be provided, ensuring safe and efficient internal circulation. Where feasible, the plan also integrates off-road trails and designated walking paths, supporting active transportation and enhancing community connectivity. Overall, the site is well served by existing highways, collector roads, and arterial routes, as well as sidewalks and trails, providing strong multimodal connections throughout the City.

Section 3.5 Land Use Compatibility

Section 3.5 emphasizes the importance of planning major facilities and sensitive land uses in a manner that avoids, or where avoidance is not possible, minimizes and mitigates adverse effects such as odour, noise, and contaminants. Particularly, Section 3.5.2 states: *Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse effects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.*

In accordance with PPS Section 3.5, a comprehensive air quality assessment and noise study were completed to evaluate potential adverse effects from nearby facilities, including the quarry to identify what, if any, mitigation is required to support the proposed land uses.

The noise study concludes that noise mitigation may be required along Main Street East, Killaly Street East and Lorraine Road to mitigate traffic-related and stationary noise sources and to ensure compliance with applicable provincial guidelines. Based on the current concept plan, general mitigation recommended for certain residential lots includes the provision of air conditioning units, noise fences and upgrading building materials. As the development proceeds

through subsequent applications, the noise study may be updated to reflect all current area stationary noise sources, ensuring that any additional mitigation measures are identified and can be incorporated into any approvals.

With respect to air quality, the quarry's location relative to the subject lands and prevailing emission characteristics indicate that no significant adverse air quality impacts are anticipated for the proposed residential areas. The air quality assessment confirms that emissions from the quarry are not expected to exceed applicable provincial criteria at the development site.

To further support compatibility, the major commercial block located north of Main Street East acts as an additional buffer between the quarry and the proposed residential uses to the south. This land use transition helps minimize potential land use conflicts and aligns with PPS direction to protect both sensitive uses and the continued operation of major facilities. Collectively, the technical studies and the proposed land use structure demonstrate that potential adverse effects will be appropriately minimized and mitigated, consistent with PPS Section 3.5.2.

Section 3.6 Sewage, Water and Stormwater

Section 3.6 provides direction for the planning and provision of sewage, water, and stormwater services to support growth while protecting public health, the environment, and long-term infrastructure viability.

The revised concept plan includes six stormwater management ponds and a pumping station to service the development. A comprehensive SWM analysis conducted as part of this submission confirms that all required criteria—quantity, quality, water balance, and erosion control—can be met in accordance with provincial and municipal standards. The study also verifies that the proposed system will not negatively affect existing municipal drains or the natural environment.

The proposed development makes efficient use of existing and planned servicing and does not create negative impacts on the existing systems.

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

Section 3.9 states that healthy, active and inclusive communities should be promoted by making public spaces and facilities safe, inclusive, and supportive of all ages and abilities, offer a range of accessible recreational areas including parks, open spaces, trails, and where possible, water-based amenities, ensure public access to shorelines, and protect provincial parks and other protected areas by minimizing impacts on these areas.

The revised concept plan includes public facilities such as parks, and introduces off-road trails, and designated walking paths to support community connectivity, and provides linkages where possible to open space blocks and environmentally protected areas. Please refer to the conceptual trails plan prepared by Armstrong Planning and Project Management enclosed as part of this application.

Section 4.1 Natural Heritage

Section 4.1 provides direction for the long-term protection of Ontario's natural heritage features and systems. It emphasizes maintaining ecological connectivity, biodiversity, and the integrity of surface and groundwater features. Particularly development and site alteration shall not be permitted in significant natural features such as wetlands, woodlands... unless it has been demonstrated that there will be no negative impacts on the natural features of their functions (Section 4.1.5). Section 4.1.2 states: *The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

Section 4.1.8 states: *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions*

The proposed development conforms to policies in Section 4.1 by protecting natural heritage features within the site by proposing land use designations and zoning that protects them and mitigates, where possible, from the impacts of development. This area includes staked environmental lands and associated buffers. The development has been designed to avoid impacts on significant natural features and adjacent lands, consistent with provincial requirements for fish habitat, endangered species habitat, and other sensitive ecological areas.

Stormwater management measures, including the proposed pond, further support ecological function by managing runoff and protecting water quality.

Section 4.6 Cultural Heritage and Archaeology

Section 4.6 states that cultural heritage and archaeological resources must be identified, protected, and conserved, and development is only permitted when these resources—and the heritage attributes of adjacent protected properties—are safeguarded. Planning authorities are encouraged to use archaeological management plans and proactive heritage conservation strategies, and they must engage early with Indigenous communities to ensure their interests are

reflected in how archaeological sites, built heritage, and cultural heritage landscapes are managed.

The site may have areas of potential archaeological interest, and the applicant is working with a licensed archaeologist to complete a Stage 1–2 Archaeological Assessment. This assessment will be submitted to the Minister for review and clearance, ensuring that any archaeological resources are properly identified and conserved before development proceeds. Further studies will be completed if deemed necessary by the Ministry and consulting archaeologist.

Section 5.2: Natural Hazards

Section 5.2 outlines natural hazard policies to direct development away from areas where flooding, erosion, dynamic beaches, hazardous sites, or other natural and human-made hazards pose risks to public health, safety, or property. Municipalities, working with conservation authorities, must identify these hazard areas and restrict development unless it can be demonstrated that risks are minor, can be fully mitigated, and safe access is maintained. Certain high-risk uses—such as institutional facilities, emergency services, and hazardous-substance operations—are prohibited in hazardous lands, and planning authorities are expected to account for the increasing impacts of climate change when evaluating development in or near hazard areas.

The subject lands include natural hazards lands bisecting through the site. This area has been protected for through the zoning and designation of Environmentally Protected Areas.

Summary:

The proposed development is consistent with the PPS by integrating a variety of land use, infrastructure, transportation, public service facilities, natural heritage, and servicing considerations into a coordinated and efficient master planned community. Public streets, parks, trails, and community facilities are designed to be safe, inclusive, and accessible for all ages and abilities, supporting active transportation, social interaction, and strong internal and external connectivity. A full range of recreational amenities including parks and soccer fields, open spaces, and trail linkages has been incorporated, contributing to a complete and well-connected community.

Public service facilities such as the school and fire hall are strategically located to maximize service efficiency, and integrate with adjacent parkland, consistent with PPS direction for co-location and lifecycle sustainability. Infrastructure planning is supported by comprehensive technical studies, including air quality, noise, and stormwater management assessments, all

confirming that required criteria can be met and that potential impacts can be minimized and mitigated.

The site's transportation network includes existing roads, including Main Street East (a provincial highway), internal collector and local roads, along with off-road trails and walking paths and creates a multimodal system that efficiently moves people and goods throughout the plan while enhancing community connectivity. Cultural heritage requirements are addressed through the preparation of a Stage 1–2 Archaeological Assessment, ensuring that archaeological resources, if any, are identified and conserved prior to development.

Collectively, the development reflects PPS principles by promoting efficient land use, protecting public health and safety, supporting sustainable infrastructure, conserving cultural heritage resources, and creating a complete, connected, and resilient community.

5.2 Niagara Region Official Plan (2024 Office Consolidation)

The Niagara Region Official Plan establishes a long-term strategic framework to guide growth and development across the region TO 2051. Its policies shape land use, economic planning, environmental protection, and community development through to the year 2051. Although it was originally adopted as a Regional Plan, it now functions as a local plan for the City of Port Colborne.

In 2023, Bill 150 reversed several earlier provincial changes in order to better align planning policy with Ontario's housing objectives. Key revisions focused on agricultural policies, residential development, and natural resource management. This was followed by Bill 162, which introduced further refinements. The most recent consolidation of the Niagara Official Plan (May 2024) is now in effect. As a result, the City of Port Colborne is responsible for administering the 2024 Niagara Official Plan alongside its own municipal Official Plan, ensuring both documents remain consistent with updated provincial directions.

Section 2 discusses forecasted growth for the Region and its policies and objectives to manage and accommodate growth in urban areas through implementing densities, and providing a balanced mix of built forms.

Section 2.2.1 outlines policies on managing urban growth, specifically key policies from Section 2.2.1.1 include:

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;

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

k) orderly development in accordance with the availability and provision of infrastructure and public service facilities; and

l) 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 Region requires local municipalities, including the City of Port Colborne, to implement intensification strategies through their official plans, zoning by-laws, and secondary plans to support compact built form and the development of complete communities. Under Section 2.2.2, designated greenfield areas must achieve a minimum density of 50 residents and jobs per hectare across the Region. Municipal official plans are expected to meet this target and plan greenfield areas as complete communities through sequential and contiguous development, supported by adequate infrastructure. Municipalities are further encouraged to apply proactive planning tools, promote active transportation, and integrate viable public transit to ensure well-connected, efficient, and sustainable neighbourhoods.

The proposed development is consistent with Sections 2.1 and 2.2 of the Niagara Official Plan, as it supports the Region's population and employment growth forecasts to 2051. The proposal integrates appropriately with the surrounding urban area and is designed to build off existing municipal infrastructure, including water, wastewater, and active transportation systems. It contributes to meeting regional intensification objectives by providing a compact built form and a mix of residential uses that support a complete community structure, and having the proposed public service facility of the fire hall located within the urban area. The development also offers a range of housing options and has applied phased growth that aligns with available infrastructure and service capacity.

The subject lands are designated Designated Greenfield Area on Schedule B – Regional Structure. The proposed development meets the required minimum density target of 50 residents and jobs per hectare. Density calculations are based on the persons-per-unit (PPU) and employment assumptions outlined in the City of Port Colborne Development Charges Background Study (August 23, 2024). Schedule 4 provides the PPU values for single/semi-detached and multiple dwellings, while Schedule 8b identifies employment density assumptions of 510 sq.ft. per employee for commercial uses and 670 sq.ft. per employee for institutional uses.

Using the revised concept plan, the overall density is **52.25 residents and jobs per hectare**, calculated as follows:

- Commercial Employment:
 - $310,000 \text{ sq.ft. total commercial GFA} \div 510 \text{ sq.ft./employee} = \mathbf{607.84 \text{ employees}}$
- Institutional (school board and fire hall):
 - $60,000 \text{ sq.ft. institutional GFA} \div 670 \text{ sq.ft./employee} = \mathbf{89.55 \text{ employees}}$
- Residential Population:

- Singles & semi-detached: 1,252 units × 2.869 PPU = **3,591.98 residents**
- Multiples: 745 units × 2.222 PPU = **1,655.39 residents**
- Total Residents and Jobs:
 - $3,591.98 + 1,655.39 + 607.84 + 89.55 = \mathbf{5,944.76}$
- **Density:**
 $5,944.76$ (total residents and jobs) ÷ 113.77 ha (net developable area) = **52.25 residents and jobs per hectare**

Accordingly, the proposed development exceeds the minimum designated greenfield density target and conforms to the applicable Regional policy requirements.

Section 2.3 emphasizes the importance of creating communities with a diverse range of housing options that can meet both current and future needs. It highlights the need to expand affordable and attainable housing choices and outlines the use of land-use planning tools and financial incentives as key strategies for achieving established affordable housing targets

The proposed master plan supports these goals by offering a mix of housing types and a variety of lot and unit sizes. Although, the development does not provide affordable housing, the inclusion of smaller lots will help improve attainability by providing more cost-effective options within the community, directly general alignment with the Region's objectives for affordability and housing diversity.

Section 3 outlines the Natural Environment System and establishes objectives and policies for the Region's natural heritage and water resource systems, which together form the natural environment system required by Provincial policy. It highlights the need to protect and enhance ecological features, biodiversity, connectivity, and the hydrological integrity of groundwater, surface water, and watershed systems that are closely linked and mutually supportive.

The subject site contains areas identified within the Natural Environment System Overlay on Schedule C1, including components of the Provincial Natural Heritage System. The proposed development has been carefully designed to respect and protect these features, ensuring that ecological functions are maintained and that natural systems continue to operate as intended. In support of this approach, a comprehensive Environmental Impact Study and a Local Subwatershed study have been completed, providing detailed analysis and confirming that the master plan appropriately avoids, buffers, and mitigates impacts on the natural environment. Collectively, these measures demonstrate that the proposed development aligns with Section 3's Region's objectives and applies the natural environment policies.

Section 6.2 emphasizes urban design and emphasizes creating attractive, functional, and memorable places through the thoughtful arrangement of buildings, public spaces, transportation networks, and amenities. In alignment with the Growth Plan, it promotes complete communities supported by high-quality design, complete streets, and vibrant public realms, while establishing Regional-scale direction and expecting further refinement through local municipal policies and guidelines. Its objectives are to achieve excellence in urban design, enhance the public realm and support active transportation, and identify effective tools for implementing urban design standards.

The proposed development aligns with the Region's urban design objectives by incorporating a well-planned road network, a diverse mix of housing forms, and thoughtfully designed public spaces. The layout has been carefully crafted to enhance the public realm through connected sidewalks, pedestrian-friendly streets, and opportunities for active transportation, all of which contribute to a vibrant and cohesive community structure. In addition, the plan establishes a clear block pattern and landscape framework, with detailed design elements to be refined at the detailed design stage in accordance with these urban design objectives.

Summary:

The proposed development is consistent with the Niagara Region Official Plan and supports the Region's long-term growth strategy to 2051. It aligns with the Region's objectives for managing urban growth by integrating efficiently with the surrounding urban area, utilizing existing municipal infrastructure, and contributing to a compact, complete community structure. The development meets and exceeds the designated greenfield density target of 50 residents and jobs per hectare, achieving 52.25 residents and jobs per hectare based on City-approved persons-per-unit and employment density assumptions.

The master plan provides a balanced mix of housing types and lot sizes, supporting the Region's goal of offering diverse and attainable housing options. While it does not include dedicated affordable housing, the inclusion of smaller lots improves overall attainability and aligns with the Region's direction to broaden housing choice. The plan also conforms to Section 3 by protecting natural heritage features and maintaining ecological functions. This is supported by a completed Environmental Impact Study and Local Subwatershed Study, which confirm that natural features are appropriately avoided, buffered, and integrated into the design.

In addition, the development reflects the Region's urban design objectives by establishing a well-planned road network, a clear block structure, pedestrian-friendly streets, and opportunities for active transportation. These elements contribute to a high-quality public realm and support the creation of a cohesive, memorable, and functional community consistent with Regional and Provincial urban design direction.

5.3 City of Port Colborne Official Plan (2017 Office Consolidation)

The City of Port Colborne has not released a consolidated Official Plan following the initial Planning Justification Report. For the purposes of this addendum, the application of relevant policies is refined to reflect the revised concept plan, while maintaining consistency with the current Official Plan framework.

Section 2 of the Official Plan outlines the Vision for Port Colborne in 2031. The Vision for the City of Port Colborne is to build a complete, sustainable, and well-connected community by supporting a high quality of life, offering diverse housing options, strengthening the local economy, and conserving natural and cultural heritage.

Section 2.2 outlines the Growth Management Strategy for the City of Port Colborne which is intended to support the conservation of valuable economic, environmental and cultural resources, while recognizing growth shall be directed to the appropriate areas through strategic planning. The City of Port Colborne's Growth Management Strategy shall:

- a) *Prevent development in inappropriate areas and support the conservation of valuable economic, environmental and cultural resources.*
- b) *Direct growth in a strategic manner.*
- c) *Direct urban growth to lands that fall within the designated Urban Area Boundary, which is serviced by municipal water and sanitary services.*
- d) *Recognize that a small amount of development may occur in the hamlet and rural areas in accordance with municipal, regional and provincial policies.*
- e) *Support infill and intensification, subject to the applicable policies, in the following designations:*
 - i. *Urban Residential;*
 - ii. *Hamlet; and*
 - iii. *Downtown Commercial*
- f) *Support compact and transit supportive development within the built boundary and on designated greenfield lands.*
- g) *Support the maintenance of a sufficient supply of designated employment and residential land to meet the City's projected long term growth.*

The revised development is fully contained within the designated Urban Area Boundary, and the master plan, as proposed, protects environmentally sensitive lands including natural heritage features and the floodplain. Establishing a Secondary Plan area and policies provides clear direction on how to plan for the logical extension of the existing urban structure, directing growth along major roadways and adjacent to established neighbourhoods. This smart growth strategy promotes an orderly and efficient growth pattern making more efficient use of existing servicing, community facilities and other infrastructure. The proposed community is designed to create a strong connection to the existing street network and is supported by integrated trails and sidewalks that enhance walkability and future transit readiness.

Overall, the development delivers a balanced mix of residential, commercial, and institutional uses, and will contribute to Port Colborne's short, and long-term supply of development ready land. The commercial component will also bring job opportunities to support local economic growth. As such, the revised development meets the growth management objectives of the Official Plan.

Section 2.3 outlines Strategic Directions for the City. Specifically, Section 2.3.1 discusses enhancing quality of life which promotes a compact urban form, a balanced mix of housing types and land uses, efficient and cost-effective infrastructure and transportation, and good design for neighbourhoods and business areas by the following:

- 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);*
- b) Recognizing hamlets and rural areas will experience limited, compact growth on private servicing, as appropriate, and in keeping with applicable Provincial and Regional policies;*
- c) Promoting residential intensification in the urban area with a flexible approach that encourages a mix of housing types and densities appropriate to location;*
- d) Directing the creation of new multiple lots and units to settlement areas; and*
- e) Incorporating active living considerations for both recreation and utilitarian purposes through support for such items as cycling and walking facilities and other means that promote healthy, active lifestyles.*

The revised development plan is designed to enhance quality of life by providing a range of residential housing options, introducing diverse commercial uses, coupled with key institutional uses such as an elementary school and a fire hall, with two large parks for the community's benefit and enjoyment.

A phased development approach ensures that growth is managed responsibly over the long term within the urban area, while the proposed Official Plan Amendment and Zoning By-law provide

guidance while allowing for the flexibility needed to accommodate a variety of housing forms and commercial uses as market conditions evolve. The plan also incorporates a connected trail network that links to existing pathways/multi-use trails, supporting opportunities for active transportation and strengthening community connectivity.

Section 2.3.3 discusses strengthening and integrating natural, cultural and heritage resources as the City's natural, historical and cultural setting is an important asset. These areas shall be preserved by:

- a) *Making decisions concerning planning development and conservation through an ecosystem approach addressing:
 - i. *The interrelationships among air, land, water, plant and animal life and human activities;*
 - ii. *The health and integrity of the broader landscape including impacts on the natural environment in neighbouring jurisdictions; and*
 - iii. *The long term and cumulative impacts on the ecosystem.**
- b) *Supporting the long term protection of natural features which includes protection of woodlots, Provincially Significant Wetlands (PSW's) and significant habitat of endangered and/or threatened species with protection extended to other sensitive areas, significant valleylands and regionally significant features.*
- c) *Providing for long-term protection of cultural and heritage features and the protection of natural features which includes significant woodlands, PSW's, habitat of endangered and/or threatened species, valleylands, wildlife and fish habitat and other locally and regionally significant features. The health and diversity of the City's natural heritage should be maintained, restored or, where possible, improved, recognizing linkages between and among Natural heritage features and areas and surface and ground water features.*
- d) *Significant built heritage resources and cultural heritage landscapes shall be conserved.*

The revised master plan aligns with these policies by protecting natural features on site and integrating them into the overall community structure. The concept plan maintains long-term protection of woodlands, wetlands, and hazard lands (the floodplain) by designing around the required buffers and applying Environmental Protection Area zoning to protect these features from the impacts of development. A connected system of trail linkages is incorporated throughout the plan where possible, providing opportunities to access natural areas where feasible while maintaining ecological integrity.

Section 2.3.4 discusses enhancing public areas where important corridors such as Main Street is designed to support tourism, economic development and quality of life.

Main Street East runs through the middle of the subject site and acts as a natural barrier to separate the proposed commercial block from the primarily residential community to the south. The revised master plan includes a large commercial block north of Main Street intended to incorporate a mix of retail, commercial and medical offices that will support both the existing and future residents of Port Colborne. Good urban design principles, as outlined in the proposed Secondary Plan, will ensure Main Street East remains an attractive corridor that is welcoming to users, supports economic development and quality of life.

Section 2.4 of the Official Plan discusses Strategic Planning policies including population forecast, housing, greenfield areas, and economic development. The Official Plan's land use and policies are designed to accommodate and serve growth.

Section 2.4.2 provides policy direction on housing. The City promotes the development of an appropriate mix of housing types, densities and tenures to meet the diverse needs of existing and future residents. New housing development is expected to be located within the urban area, where it can make use of existing infrastructure, services, and future transit. It should be accessible to medical, shopping, social, and recreational facilities, and include or be near parks and open space. Housing should incorporate design features and forms suitable for an aging population, such as at-grade units and medium-density buildings, while also offering smaller lots and homes that meet the needs of smaller households.

The revised development concept is planned to introduce approximately 2,000 units in a range of housing forms and sizes, including single detached homes and townhouses. This range of unit typology helps meet the needs of both existing and future residents, including those with smaller household sizes and those seeking more attainable housing options. The subject site is situated within an urban area, and is adjacent to existing and proposed community facilities and parks.

The site is designated as a Greenfield Area on Schedule A1, and Section 2.4.4 outlines the applicable policies for these lands. The City intends to maintain an adequate supply of greenfield lands to accommodate planned future growth and encourage development in Greenfield Areas by:

- a) *Promoting compact, mixed use and transit supportive development on greenfield lands;*
- b) *Promoting higher densities and a greater mix of housing types on greenfield lands;*
- c) *Improving connections between greenfield areas and the built up area;*

- d) *Enhancing the physical design of new neighbourhoods in greenfield areas;*
- e) *Supporting the Regional greenfield density target of 50 people and jobs per gross hectare;
and*
- f) *Phasing greenfield development over time to ensure a balance of intensification and greenfield development in Port Colborne*

The revised development aligns with the City's Greenfield Area policies by delivering a compact, mixed-use, and well-connected neighbourhood that supports long-term growth targets. The development provides a diverse range of housing types and densities, integrates commercial and institutional uses, and strengthens connections to the existing built-up area through an extended street network and trail system. The plan incorporates parks and open spaces, and contributes toward achieving the greenfield density target. The phased development ensures growth is managed responsibly over time and the flexible zoning as proposed, will allow for adjustments to be made within the master planned area to accommodate changing market demands over time. The City requires new development to meet the greenfield density target of 50 people and jobs per hectare, as calculated across the municipality. The proposed development currently meets and exceeds the greenfield density target of 50 people jobs per hectare (*please refer to **Section 5.2 of this Report** that applies the calculation to the revised development*).

Section 2.4.8 provides general direction on landscape design for lands within the City of Port Colborne. Generally, new development should be designed to maintain or enhance the natural features and functions of a site while providing a vibrant public realm that enhances the public experience.

The proposed development will incorporate good urban design principles as part of the detailed design stage that meet current guidelines and city standards.

Section 3 outlines the City's general land use policies, determines how land is organized and what uses are permitted, where growth should occur and how development must be designed to ensure compatibility, sustainability and alignment with the City's long-term vision. The subject lands are currently designated Urban Residential, Industrial, Employment Area, and Environmental Protection Area on Schedule A of the City-Wide Land Use Plan, and are identified as a Greenfield Area on Schedule A1 of the Official Plan. Through the enclosed official plan amendment, if approved, the subject site will be designated Residential, Mixed-Use, Major Commercial, Park and Open Space, Environmental Protection and Environmental Conservation.

Urban areas, including greenfield lands, are guided by policies that promote compact, well-designed, and phased growth.

Section 3.2 states that Urban Residential are those lands that are primarily used for residential purposes and represent the existing and planned built up areas within the Urban Area Boundary. The predominant uses for lands designated Urban Residential shall include, but not be limited to; residential uses, neighbourhood commercial uses such as a convenience store, beauty salon, post office, and doctor's office all of limited size, cemeteries, parks, schools, community facilities and institutional uses normally located in residential areas.

The subject site is designated as Greenfield within the Urban Area Boundary, and as such, the proposal has been designed to incorporate compact, mixed use development with a range of housing types and will enhance the community by providing land for new amenities such as parks, including one with a soccer field, a range of commercial uses, an elementary school and a fire hall. In support of the provision of a mix of new housing types (and sizes) the Killaly Secondary Plan (as proposed through this application) provides additional direction on proposed densities within the subject lands. As part of the Official Plan Amendment being sought for this application, a Secondary Plan Area

Section 3.13 outlines the City's policies for Parks and Open Space. Lands designated for this purpose are intended to accommodate a range of public recreational and cultural uses, including landscaped open spaces, playgrounds, sports fields, arenas, museums, swimming pools, docks, publicly operated golf courses, and linear parks such as multi-use trails, pathways, and on-road cycling routes.

The revised master plan reflects these policies by providing a well-distributed parks and open space system that would serve the new and the broader existing community. The plan features two parks, one that incorporates three soccer fields and is backing onto a school, and across a recreational facility, and a neighbourhood park centrally located within the subdivision that would be equipped with benches.

Section 4 discusses policies to protect for the City's Natural Heritage Features and Natural Hazard Features with an emphasis on identifying significant natural areas and ensuring their long-term conservation, restoration, and enhancement. The subject lands contain both Environmental Protection Area and Environment Conservation Areas. The site contains Natural Hazard Lands as per Schedule B1, and non-provincially significant wetlands, significant woodlands as per Schedule B2: Environmental Conservation Area.

The policies aim to protect, conserve, and, when needed, restore natural heritage features. New development must maintain, enhance, or restore ecosystem health, prioritizing the avoidance of negative impacts and requiring mitigation when impacts cannot be avoided.

The subject lands contain natural heritage features including non-provincial wetlands, woodlots, and natural hazard areas that are protected through their designation as Environmental Protection Area and Environmental Conservation Area. The Zoning and Official Plan mapping boundaries incorporate the required buffers identified in the Environmental Impact Study prepared for the proposed development. A Local Subwatershed Study has also been completed in support of the proposal.

Section 4.2 identifies Environmental Protection Areas as lands containing significant natural features such as PSWs, ANSIs, significant habitat for threatened and endangered species, and natural hazard areas. Permitted uses are limited to conservation, wildlife and forest management, and low-impact passive recreation (e.g., trails, boardwalks, small accessory structures) that do not harm natural features or ecological functions. Conservation or flood-erosion control projects may also be allowed when they are necessary and no reasonable alternatives are available.

Section 4.3 identifies Environmental Conservation Areas as lands including regionally significant ANSIs, non-provincially significant wetlands, significant wildlife habitat, significant woodlands and valleylands, habitats of species of concern, and key environmental corridors and linkages. Permitted uses are limited to existing uses, conservation activities, flood and erosion control, fish and wildlife management, forestry, and passive recreational activities.

The areas that contain Environmental Protection and Environmental Conservation features under the definition of the Official Plan have been respected in the development program and the mapping for the Zoning and Official Plan Amendment. The Environmental Impact Study prepared as part of this application evaluated the potential impacts of the proposed development against the natural features. Consultation has previously taken place with the Niagara Peninsula Conservation Authority, Niagara Region and most recently with the City of Port Colborne in 2025.

Section 8 of the Official Plan provides policies for the servicing of development and the management of stormwater across the City of Port Colborne. The policies aim to protect community health and safety through well-managed municipal servicing and stormwater infrastructure, while promoting the efficient and sustainable use of water resources, including conservation and water-quality protection. New development within the Urban Area must connect to full municipal water and sanitary services, and the City will continue to maintain separate storm and sanitary systems.

The stormwater management policies require on-site control of runoff to prevent adverse impacts on neighbouring properties and local drainage patterns. Stormwater facilities shall be designed as attractive, naturalized community features that integrate with surrounding areas, avoid fencing where possible, and incorporate low-impact public access such as walking or cycling trails.

The site lies within the Urban Area and will connect to existing municipal services, with a new pumping station proposed to support the full development however, the City has confirmed that Phase 1 can be serviced using existing capacity without upgrades. A Functional Servicing and Stormwater Management Report has been completed, detailing required infrastructure improvements and assessing six proposed stormwater management ponds. These facilities are designed to meet quantity control targets and provide enhanced Level 1 water-quality protection (80% TSS removal) through a treatment-train approach that includes wet ponds, oil-grit separators, and various Low Impact Development measures.

Section 9 of the Official Plan provides policies for the provision and management of transportation modes and infrastructure within the City. The intent of these policies is to develop an accessible, balanced and efficient transportation network for the community

The policies identified in Section 9.1 prioritizes non-automobile travel for environmental, economic, health, and traffic-management reasons, requiring new development to accommodate pedestrians and cyclists and supporting the creation of Complete Streets. For new local roads, sidewalks are required on at least one side, and bike racks are required at all new public facilities. Design guidelines for roads include that the sidewalk network should be designed to connect to the adjoining recreational trail networks.

Although there are no transit facilities in the immediate area, the proposed development supports the Official Plan's transportation policies by prioritizing active transportation and enhancing non-automobile travel options. A conceptual trails plan has been prepared that builds on the existing sidewalk and multi-use path network and extends it through the provision of sidewalks along new local and collector roads, consistent with the City's Complete Streets approach and the requirement for sidewalks on at least one side of new streets. The plan also connects to and reinforces the broader recreational trail system, reflecting the design direction in Section 9.1 to accommodate pedestrians and cyclists and to integrate active transportation infrastructure into new development. The conceptual trails plan is based on the draft Active Transportation Master Plan, assuming the City's proposed improvements proceed.

Summary:

The proposed development aligns with the City of Port Colborne Official Plan and supports the vision for a complete, sustainable, and well-connected community. It introduces a master-planned neighbourhood with a mix of residential, commercial, institutional, and open space uses, all within the Urban Area Boundary and serviced by municipal infrastructure. The plan represents a logical extension of the existing urban structure, supports orderly growth through phased development, and contributes to maintaining an adequate supply of residential and employment lands. A range of housing types, community amenities, parks, and an integrated sidewalk and trail network help create a compact, walkable, and complete community. Natural heritage features including wetlands, woodlands, and floodplain areas are protected through appropriate land use designations, zoning, and buffers identified in the Environmental Impact Study. The development also supports regional density targets and incorporates naturalized stormwater management facilities that meet quantity and quality requirements. Its road network and active transportation system extend and strengthen existing connections, prioritizing pedestrian and cycling mobility in line with the City's transportation policies. Overall, the proposal represents a logical and sustainable expansion of the urban area that efficiently uses infrastructure, protects environmental features, and is consistent with the intent and direction of the Official Plan.

Overall, the proposal represents a logical and sustainable expansion of the urban area that efficiently uses infrastructure, protects environmental features, and provides a balanced mix of housing, employment, community facilities, and open space. It is consistent with the intent and policy direction of the City of Port Colborne Official Plan.

5.4 City of Port Colborne Zoning By-law (6575/30/18)

Under the City of Port Colborne Comprehensive Zoning By-law 6575/30/18, Schedules A5 and A6, the subject lands are currently zoned Residential Development (RD), First Density Residential (R1), Third Density Residential (R3), Light Industrial (LI), and Environmental Conservation.

A Zoning By-law Amendment is required to implement the proposed Secondary Plan, which introduces a mix of residential built forms, commercial uses, and institutional uses. A zoning by-law amendment, if approved, will rezone the lands to allow for a mix of residential, commercial, institutional and parks and open space.

Specifically, this addendum supports the ZBA application to rezone the majority of the lands to Fourth Density Residential (R4) with special provisions allowing for the development of institutional blocks to support a school and fire hall.

The major commercial block located north of Main Street East is proposed to be rezoned from Light Industrial (LI) to Highway Commercial (HC) with special provisions. The 0.4 hectare (1 acre) commercial block at the northeast corner of Elizabeth Street and Killaly Street East is proposed to be rezoned to Mixed Use (MU) with special provisions to support a variety of neighbourhood commercial.

All parks and open space areas will be rezoned to Public and Park (P), while all natural heritage features, including the floodplain, will be rezoned to Environmental Protection Area (EPA). **Figure 5** illustrates the proposed zoning being requested for the subject lands, including the northern commercial block.

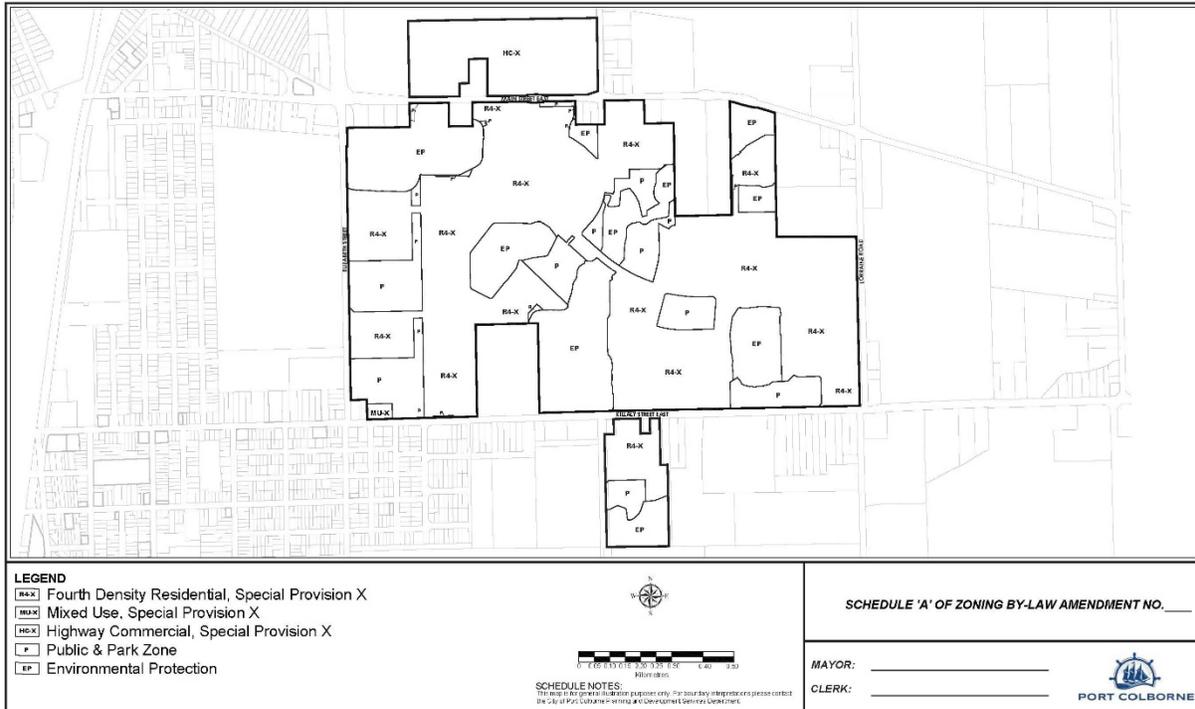


Figure 5: City of Port Colborne Proposed Zoning Map

6.0 CONCLUSIONS

The master planned community as contemplated through the enclosed application represents a contextually appropriate and innovative development that aligns with the City of Port Colborne's vision for creating complete, connected and resilient neighbourhoods. The plan enables the thoughtful build-out of a large greenfield area within the Urban Area Boundary, supporting the City's objective of directing growth to urban lands and making efficient use of existing and planned infrastructure. Through its integrated mix of residential, commercial, institutional, and community-oriented uses including parks, trails, and open space, the master plan will help meet the needs of existing and future residents, offering a full range of daily amenities, housing options, and mobility choices within a cohesive and walkable community structure.

The master plan has been guided by the City's strategic directions and land use policies, including promoting compact, mixed-use, and transit-supportive development; enhancing neighbourhood design; and protecting and integrating the natural heritage system as an essential component of community form. The structure and land use patterns are consistent with the Official Plan's emphasis on high-quality living environments, environmental stewardship, and thoughtful growth management.

To implement the vision, through this application, the owners are submitting an Official Plan Amendment to incorporate a new Secondary Plan and supportive policy framework, along with a Zoning By-law Amendment, that if approved, will establish appropriate zoning and site-specific development standards. Together, these instruments provide the clarity and regulatory foundation necessary to guide development over time while ensuring compatibility with surrounding areas and alignment with municipal objectives.

Overall, the proposed Secondary Plan and master planned community represent good planning, contribute positively to the City of Port Colborne's long-term growth strategy, and will help foster a vibrant, inclusive, and environmentally responsible community that reflects and supports the City's broader vision for 2031 and beyond. In our opinion, the enclosed submission represents good planning, is consistent with the Provincial Planning Statement and conforms to the general intent and policies of the Niagara Regional Plan (now identified as a municipal plan) and the City of Port Colborne Official Plan. Furthermore, the zoning by-law amendment, as proposed, conforms to the general intent of the City of Port Colborne Zoning By-law and will support the creation of a complete community that is compatible with the character and context of the surrounding area. In our opinion, the official plan amendment and zoning by-law amendment as proposed represent good planning and should be approved.

Appendix A:

Draft Official Plan Amendment

The Corporation of the City of Port Colborne

By-law no. _____

Being a By-law to Adopt Amendment No. X to the Official Plan for the City of Port Colborne

WHEREAS it is deemed expedient to further amend the Official Plan, heretofore adopted by Council for the City of Port Colborne Planning Area;

NOW THEREFORE the Council of The Corporation of the City of Port Colborne under Section 17(22) and 21 of the Planning Act, hereby enacts as follows:

1. That Official Plan Amendment No. X to the Official Plan for the City of Port Colborne Planning Area, consisting of the attached appendices and explanatory text is hereby adopted.

2. That this By-law shall come into force and take effect on the day of passing thereof.

Enacted and passed this ___ day of _____, ____.

William C Steele
Mayor

Charlotte Cooper-Madden
Clerk

**AMENDMENT NO. X
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

Date: _____

**AMENDMENT NO. X
TO THE
OFFICIAL PLAN
FOR THE
CITY OF PORT COLBORNE**

This Amendment to the Official Plan for the City of Port Colborne, which has been adopted by the Council of the Corporation of the City of Port Colborne, is hereby approved in accordance with Sections 17 and 21 of the Planning Act R.S.O. 1990, c. P.13, as Amendment No. X to the Official Plan for the City of Port Colborne.

Date: _____

**AMENDMENT NO. X TO THE OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

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STATEMENT OF COMPONENTS

PART A

The Preamble does not constitute part of this Amendment.

PART B

The Amendment, consisting of the text, as outlined in “Appendix A”, and mapping included as “Appendix B”, constitutes Amendment No. X to the Official Plan for the Port Colborne Planning Area.

PART A - THE PREAMBLE

Purpose

The purpose of Official Plan Amendment No. X is to adopt the Killaly Secondary Plan and policies and amend the land use designations shown on Schedule A – City Wide Land Use of the Port Colborne Official Plan to facilitate the development of the subject properties, as shown on the attached Appendix B, as Residential, Mixed-Use, Major Commercial, Stormwater Management, Park and Open Space, Environmental Protection and Environmental Conservation.

Location

The lands affected by this amendment are shown on Appendix B of this amendment. The lands are generally bordered by Main Street East to the north, Killaly Street East to the south, Lorraine Road to the east, and Elizabeth Street to the west.

Basis

Currently, the subject lands are designated as Urban Residential, Industrial / Employment Area and Environmental Protection Areas on Schedule A (City-Wide Land Use) of the City of Port Colborne Official Plan. Applications have been made to initiate amendments to the City of Port Colborne’s Official Plan and Zoning By-law as they relate to these lands support the creation of a complete community.

It is intended that the City of Port Colborne will concurrently approve an Amendment to the City’s Zoning By-law 6575/30/18, rezoning the lands from the existing “RD- Residential Development, R1- First Density Residential, R3-Third Density Residential, LI-Light Industrial and Environmental Conservation” Zones to “R4-Fourth Density Residential Zone with site-specific regulations, MU-Mixed Use with site specific regulations, HC- Highway Commercial with site specific regulations, EP-Environmental Protection and P-Public and Park” with site specific regulations.

This proposal is consistent /conforms with:

- The Provincial Planning Statement;
- Niagara Official Plan (now a municipal plan); and
- Port Colborne Official Plan

PART B - THE AMENDMENT

All of this part of the document entitled **PART “B”** – “The Amendment” consisting of the text as outlined in Appendix “A” and mapping as outlined in Appendix “B” constitutes Amendment No. **X** to the Official Plan for the City of Port Colborne. The Official Plan of the City of Port Colborne is hereby amended as follows:

Text Changes

The Official Plan of the City of Port Colborne is hereby amended by adding Section 5.4 to the Official Plan as outlined in **Appendix A** to Official Plan Amendment **X**.

Mapping Changes

The Official Plan of the City of Port Colborne is hereby amended by adding the following mapping:

1. The Official Plan of the City of Port Colborne is hereby amended by adding Schedule I, Killaly Secondary Plan as an Official Schedule Forming Part of this Plan, as shown in **Appendix B**; and
2. The Official Plan of the City of Port Colborne is hereby amended by revising Schedule A: City Wide Land Use for lands within the Killaly Secondary Plan area to reflect land use designations as shown in **Appendix B** to this Official Plan Amendment No. **X**

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Port Colborne Official Plan, as amended and as outlined in an amendment to the City Zoning By-law to rezone the subject lands.

Section 5.4 Killaly Secondary Plan

Section 5.4.1. Goals

The goal of the Killaly Secondary Plan is to establish a comprehensive policy framework to guide the long-term planning and coordinated development of the area. The Plan identifies a balanced land-use structure that accommodates a variety of uses including low and medium-density residential uses, neighbourhood-serving and general commercial areas, parks and recreational spaces, community facilities, and environmental protection areas. This range of uses is designed to support a diverse and connected community. The policies of the Killaly Secondary Plan have been developed with consideration for:

- a) Providing a diverse mix of housing forms and densities to support a range of household types and life stages.
- b) Integrating parks, open spaces, and recreational amenities to create opportunities for active and passive recreation.
- c) Protecting and enhancing natural heritage features and environmental protection areas, including floodplains, wetlands, and ecological corridors.
- d) Promoting compact, walkable neighbourhood design supported by an interconnected street network and access to community facilities.
- e) Ensuring efficient and coordinated use of land, infrastructure, and municipal resources, including stormwater management facilities and collector road systems.
- f) Supporting neighbourhood-scale and general commercial uses in strategic locations to serve future residents and neighbouring areas.

Section 5.4.2. Objectives

- a) To accommodate the logical extension of urban development into the Killaly Secondary Plan Area and to ensure that growth occurs in an orderly, efficient, and coordinated manner consistent with the City's overall planning framework.
- b) To ensure that all new development is sensitive to, and compatible with, existing and planned land uses.
- c) To encourage the provision of housing types which provide a variety of affordable housing types and tenures to accommodate a range of household sizes and incomes.

- d) To serve the needs of the future residents of the Killaly Secondary Plan by permitting neighbourhood commercial, community and institutional facilities in the Plan.
- e) To identify and protect significant natural heritage features and encourage their conservation and preservation, while minimizing impacts as a result of new development
- f) To establish a connected system of parks, open spaces, and recreational amenities that provides opportunities for both active and passive recreation and contributes to the overall livability of the community.
- g) To promote a compact, walkable community structure supported by an interconnected network of collector and local roads, multi-use trails, and active transportation facilities.
- h) To ensure that all development is serviced by safe and adequate municipal water supply, sewage disposal, storm drainage systems and utilities.
- i) To encourage the provision of infrastructure and public service facilities in a coordinated, cost-effective manner to accommodate projected and current needs
- j) To support the development and appropriate siting of community facilities, including schools, emergency services, and recreational amenities, to serve the needs of future residents.
- k) To ensure all new development is compatible through the establishment of urban design guidelines and to encourage a standard building, streetscape and landscape design.
- l) To provide for development which supports the long-term economic prosperity of the City of Port Colborne.

Section 5.4.3: Land Use

The lands identified on Schedule X of the Killaly Secondary Plan are the lands which are intended to be used to support the creation of a complete community including Residential, Environmental Protection and Conservation Areas, Mixed-Use, Major Commercial, Institutional, Parks and Open Space and Stormwater Management facilities. Institutional uses are permitted within all residential areas subject to the policies of this Plan and are shown in on Schedule X; the actual location of these institutional uses may change (or be eliminated) without amendment to this plan.

Section 5.4.3.1. Residential Area Policies

The Residential Area designation on Schedule X demonstrates that the predominant use of the land shall be for residential purposes subject to the following:

- a) A full range of residential uses is permitted. For further clarity, this includes single-detached dwellings, semi-detached dwellings, triplex's, fourplex's, all forms of townhouse dwellings, and apartment buildings, or any combination of these dwelling types.
- b) The Killaly Secondary Plan Area shall achieve a minimum density of 50 persons and jobs per hectare across the entire municipality in accordance with Provincial recommendations and Local policies for Greenfield density.
- c) The residential designations shall also permit Neighbourhood Commercial uses as outlined in the Official Plan.
- d) Other uses which may be permitted within the Residential designation include the following:
 - i. Private and Public Parks;
 - ii. Schools;
 - iii. Fire Hall;
 - iv. Low-rise apartments
 - v. Churches and place of worship;
 - vi. Nursery schools and day care centres;
 - vii. Special residential uses such as senior citizen care homes; and
 - viii. Accessory buildings and structures.
- e) The overall minimum density identified in Section 5.4.3.1 (b) is intended to assist in achieving the required overall density target of 50 persons and jobs per hectare across the municipality, and may be modified without amendment to this plan.
- f) Net density targets by land-use are outlined below:
 - i. Low Density Residential will be developed as single-detached or semi-detached dwellings and will have a minimum density of 12 units per net hectare;
 - ii. Medium Density Residential will be developed as any form of multiple or townhouse, triplexes and/or fourplexes and will have a minimum density of 35 units per net hectare.
 - iii. High Density Residential will be developed as apartment buildings and will have a density ranging from 60 to 150 units per net hectare.
- g) Low Density Residential dwellings shall generally not exceed 3 storeys (12.5 m), and townhouse units shall generally not exceed 4 storeys (14.5 m).

- h) Additional Dwelling Units shall be permitted by the Zoning By-law within residential areas in single detached, semi-detached dwellings, townhouse dwellings and accessory buildings thereto.
- i) If required, noise studies shall be completed at the time of development applications and any necessary noise attenuation measures will be incorporated into subdivision and/or building design as needed.
- j) A preliminary school site is identified on Schedule X of this Plan; a preferred school site shall be identified by the District School Board of Niagara in consultation with the City, and may be modified or relocated from what is shown on Schedule X or may be deleted entirely by the respective school board in cooperation with the City, without Amendment to this Secondary Plan.
- k) A preliminary fire hall site is identified on Schedule X of this Plan; this site may be modified, relocated or deleted in consultation with the City of Port Colborne without amendment to this plan.
- l) Subdivision and development proposals shall make reference to the urban design guidelines contained within Section 5.4.4 of this Plan. Proponents of development applications may also have regard to urban design guidelines considered for implementation by the City at a future date and may have regard for existing model urban design guidelines prepared by the Region of Niagara.
- m) Adequate standards for minimum front yards, maximum building height and minimum separations between dwellings shall be established in the Zoning Bylaw.

Section 5.4.3.2. Mixed-Use Policies

The Mixed-Use area generally located at the northeast corner of Killaly Street and Elizabeth Street, shown on Schedule X, shall encourage the development of neighbourhood-oriented, small-scale commercial uses, townhouses and low-rise apartment buildings, or any combination thereof. This area will be subject to the following:

- a) Commercial uses may be developed as follows:
 - Permitted uses include retail, office, restaurant, medical, health and wellness recreational, cultural and personal service commercial uses; and
- b) Building heights shall not exceed 8 storeys and are encouraged to combine commercial uses on the ground floor and residential units on upper floors.
- c) Mixed-Use development is subject to Site Plan Control.

Section 5.4.3.3. Major Commercial Policies

The Major Commercial Area, as shown on Schedule X, represents the largest concentration of commercial space within the Secondary Plan. The predominant land uses include a full range of medical and office space, retail, restaurants with drive thru facilities, clinics, banks and personal service commercial uses to serve the needs of the entire market population and may include light industrial uses. No residential uses shall be permitted due to the proximity of the Quarry. This area will be subject to the following:

- a) Notwithstanding Policy 2.4.6.1 b). a new commercial plaza shall be permitted within the Secondary Plan Area as identified on Schedule X.
- b) Retail stores, banks, medical clinics and professional offices shall be permitted.
- c) Building heights shall not exceed 8 storeys.
- d) Parking may be permitted fronting Main Street with appropriate landscape buffering in place.
- e) Major Commercial Area is subject to Site Plan Control.

Section 5.4.3.4. Parks and Open Space

Parks and Open Space Lands identified on Schedule X shall mean lands for use by the public for open air recreational purposes and shall also permit stormwater management facilities and utility corridors.

Compatible secondary and accessory uses such as parking, passive recreation, multi-use trails, landscaping, and naturalization may be permitted within Parks and Open Space (including the hydro corridor), provided that such uses do not interfere with the safe and efficient operation, maintenance, or expansion of the park and open space lands.

The following policies and objectives should apply to parks and open space within the Secondary Plan:

- a) Stormwater management facilities (ponds, channels, infiltration galleries etc.) shall be permitted within the Parks and Open Space designation.
- b) Sanitary pumping stations shall be permitted within the Parks and Open Space designation. The location of which will be determined in consultation with the City of Port Colborne; it may be relocated or eliminated without amendment to this plan.

- c) A hydro corridor shall be permitted within the Parks and Open Space designation and shall be protected and maintained as a functional component of the community's open space and utility network.
- d) Satisfactory parkland and/or cash-in-lieu shall be secured by the City through applications for plan of subdivision.. The Secondary Plan Area must meet parkland dedication requirements as required by the City; however, it is recognized that parkland dedication may not be met within each individual plan of subdivision brought forward for approval.
- e) Design will ensure parks provide safe and convenient access for pedestrians.
- f) Parks will be integrated with other community facilities such as schools, where possible and deemed appropriate by the City.

Section 5.4.3.5 Natural Heritage System Policies

Natural Heritage System Policies

Policy 4.1.1. of the Provincial Planning Statement directs that natural features and areas shall be protected for the long term. Furthermore, Policy 4.1.2. states that Natural Heritage Features shall be identified and that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems should be maintained, or where possible improved recognizing linkages between and among natural heritage features and areas.

The Natural Heritage System in the Secondary Plan is comprised of Environmental Protection Areas (EPA), Environmental Conservation Areas (ECA) and associated buffers that the City shall protect and conserve and are identified on Schedule X.

The Natural Heritage System is subject to the policies of the Natural Heritage Section of the City of Port Colborne Official Plan, with specific reference to the policies of Environmental Protection Area and Environmental Conservation Area, as identified in Section 4.2 and 4.3.

The Natural Heritage System is comprised of the following environmental components:

- Provincially significant wetlands;
- Provincially significant woodlands;
- Provincially significant valley lands;
- Significant wildlife habitat attributes and functions, including habitat for species-at-risk and rare plant communities such as prairie, savannah, and oak woodland;
- Significant areas of natural and scientific interest (ANSI);
- Hazard lands;
- Other natural heritage features (i.e. NPCA regulated wetlands, woodlands that are less than 4 hectares, treed slopes, and cultural habitat features);
- Enhancement/restoration areas; and

- Associated buffers

If non-native, invasive species within the Secondary Plan are found, it is recommended that an invasive species management plan be considered for future development applications. It is recommended for an invasive species management plan to be considered for all future development applications.

a) Environmental Protection Area

- i. Natural features like floodplains and wetlands have an inherent ecological function and can pose risks to life and property. Development or site alteration may be permitted within an Environmental Protection Area only if supported by an Environmental Impact Statement showing no net impact on the natural heritage feature and/or system. Environmental Protection lands shall include Provincially Significant Wetlands and lands having an inherent physical hazard such as flood susceptibility, steep slope, erosion susceptibility or other physical limitations to development, as determined by the Niagara Peninsula Conservation Authority and/or Ministry of Natural Resources.
- ii. The general boundaries of the area identified as Environmental Protection Area is delineated on Schedule X.
- iii. Trails are a permitted use within the EPA designation and where necessary grading and other site alteration shall be permitted, as approved by the City of Port Colborne and NPCA.
- iv. Completion of an Environmental Impact Study to the satisfaction of the City and the Niagara Peninsula Conservation Authority shall be required for all development and/or site alteration within 30m of the natural heritage system and/or a NPCA regulated feature.
- v. Stormwater Management Facilities including wet ponds, linear wetlands and vegetated swales adjacent to Environmental Protection areas should be designed to enhance the function of the adjacent feature. Ecological linkages can occur through stormwater management facilities.
- vi. The Natural Heritage System shall include buffers where appropriate and as required by existing regulations, policy and/or as outlined by an Environmental Impact Study; generally, Provincially Significant Wetlands, and valleylands shall include a 30m buffer and retained woodlands and other features will include a 10m buffer. The actual buffer provided and secured by the City of Port Colborne may increase or decrease in size if/as supported by an Environmental Impact Study.
- vii. New development should generally not interfere with the existing natural heritage system including linkages and natural corridors; although all

efforts should be made to protect these features, it is understood crossing them may be required and can be approved if supported by an Environmental Impact Study.

- viii. Development or site alteration may be permitted within or adjacent to Environmental Protection Areas is supported by an Environmental Impact Study and subject to written approval from the Niagara Peninsula Conservation Authority.
 - ix. Where appropriate, development should consider wildlife passages.
- b) Environmental Conservation Area
- i. The general boundaries of the areas identified as Environmental Conservation Area are delineated on Schedule X.
 - ii. Environmental Conservation Areas are generally lands within the natural heritage system that are not hazard lands and are identified to support conservation, flood and erosion control, fish, forestry and wildlife management as well as passive recreational activities.
 - iii. Development or site alteration may be permitted within or adjacent to Environmental Conservation Areas if supported by an Environmental Impact Study. Where necessary, permits will be obtained by the NPCA.
 - iv. If no other options exist, a private or public road may extend into or through an ECA.
 - v. Trails are a permitted use within the ECA designation and where necessary grading and other site alteration shall be permitted, as approved by the City of Port Colborne and, if necessary, the NPCA.
 - vi. An Environmental Impact Study shall be required to support development adjacent to ECA lands.

Chapter 5.4.4 Urban Design

5.4.4.1 Vision

The Secondary Plan Area will be transformed into a complete human-scaled community with a cohesive and accessible public realm. It will provide inviting streetscapes and connections, creating enhanced public spaces and linkages to commercial, educational, and recreational offerings throughout the community. The public realm, especially parks, will be well-connected and coordinated with high-quality infrastructure to improve social interactions, recreational opportunities, and protection of natural areas. Where possible, existing environmental features will be integrated within the public realm to enhance

connections while improving protection of natural features and encouraging passive recreation.

5.4.4.2 Urban Design Objectives

The overarching objective of this Secondary Plan is to establish policies in support of a complete community with a mix of uses, integrated neighbourhoods, various built forms, and a network of public and where possible private open spaces. The following objectives support the vision for the Secondary Plan Area:

- a) Provide opportunities for passive, recreational activity.
- b) Encourage the inclusion of compact built form.
- c) Provide a diverse range of housing choices in a variety of settings.
- d) Protect natural heritage features and integrate them with parks.
- e) Ensure the efficient use of the land and resources.

5.4.4.3 Urban Design Policies

5.4.4.3.1 Streetscape and the Public Realm

- a) Streetscapes should be well-defined and promote a healthy and inviting pedestrian environment. Along Killaly Street and Main Street, where commercial blocks are located, the streetscape will be enhanced through landscaping treatments, street plantings, street furniture, lighting, and coordinated signage. The siting and location of all streetscape elements should be well coordinated and approved by the City through detailed design.
- b) A vibrant, pedestrian- oriented Killaly Street will be developed through appropriate landscaping, improved lighting, and street furniture consistent with the character of the Secondary Plan Area. Killaly Street East turns into Regional Road 3, which provides direct access to downtown Fort Erie to the east. Enhanced streetscaping is encouraged to improve overall connectivity and vibrancy of the Secondary Plan Area.
- c) Where possible, parking, servicing, and loading facilities will be located at the rear or side yards of commercial lands and/or integrated into the building design to be screened from public view. Landscaping will assist in the screening of such areas if required. An exception applies to the Major Commercial parcel fronting Main Street, where parking may be provided along Main Street if it includes appropriate landscape buffering. In addition, the Mixed-Use area along Killaly Street may include a surface parking lot fronting Killaly Street.

- d) Appropriately sized and designed crosswalks should be provided at intersections to ensure connectivity and the safety of pedestrians.
- e) The interface of streets and natural areas, parks, and storm ponds will be treated equally to create an attractive, inviting streetscape condition. The streetscape design should generally facilitate easy access to these areas with entry features, signage, well-defined walkway connections, and cycling facilities where feasible and appropriate.
- f) Permeability and accessibility to parks, and open spaces is desirable and should be integrated into design decisions for the Secondary Plan Area. It is also desirable to have these spaces within a 400-metre radius (5-minute walking distance) of most residential buildings.
- g) Enhanced recreational opportunities should be sought throughout the Secondary Plan Area. Treatment of storm ponds as a public amenity by providing appropriate infrastructure, connectivity, accessibility, and enhanced landscaping is encouraged to provide more passive recreational opportunities for the community.
- h) Major intersections and critical nodes within the Secondary Plan Area should be enhanced through appropriate gateway design features and improved streetscape. They will ensure high-quality placemaking and a unified landscape and built form that responds to the character and function of the Area.

5.4.4.3.2 Built Environment and Private Realm

- a) Appropriate siting of ground-based detached houses should be encouraged to assist in establishing a neighborhood streetscape. Also, multiple dwelling elevations should be provided to generate visual diversity and interest.
- b) Appropriate siting of townhouse blocks should be encouraged to provide a harmonic articulation of individual units within the blocks.
- c) The layout and design of buildings should be coordinated along the edges of sites that frame important views to enhance the unique setting and identity of the Secondary Plan Area.
- d) Building faces visible from the public realm, including parks and open spaces, shall be articulated to contribute to the public realm.
- e) The Private Realm should support and enhance the character of the Secondary Plan Area and provide place-making opportunities if possible.

5.4.4.3.3 Bicycle and Bicycle Path System

Street configurations and urban design are to support walking, and cycling. Although detailed urban design guidelines may be developed through the secondary planning process, the following policies shall apply as a minimum:

- a) To promote a safe and healthy lifestyle and opportunities for passive leisure activity, the provision of sidewalks and trail systems will be encouraged by the City of Port Colborne.
- b) Sidewalks and/or equivalent shared pedestrian/bicycle pathways may be provided on at least one side of Local Roads.
- c) Off-road trails should connect to the road network seamlessly in order to provide cyclists with on-road or off-road options.
- d) Collector Roads shall provide for sidewalks or equivalent pedestrian paths on both sides and consideration for bicycle lanes adjacent to roadways may be given where urban development is proposed. Detailed design will occur at the draft plan of subdivision stage.
- e) Any proposed designated walking paths that include cycling lanes shall be accommodated within road rights-of-way.
- f) All sidewalk / pedestrian pathways shall be designed with barrier free crossings at intersection with roadways.

Section 5.4.5: Transportation

The transportation system proposed within the Killaly Secondary Plan is shown on Schedule X. Schedule X illustrates the general network of boundary, collector and local roadways within and adjacent to the Secondary Plan boundary. Additional private roadways may be planned to provide access as required to individual properties within the Secondary Plan Area. Final collector and local roadway locations will be established through plan of subdivision. Changes to the location of roadways, as illustrated on Schedule X of this Secondary Plan, may be permitted without an amendment to the plan.

As directed in Section 3.2.1 of the Provincial Planning Statement, all roads provided within the transportation system should be safe, energy efficient, and facilitate the movement of people and goods. The system as a whole must be appropriately designed to meet projected needs. The network may include pedestrian and bicycle networks to serve the residents of the area and will provide convenient access for the broader community while minimizing the impact on the existing transportation network.

Section 5.4.5.1: Road System

For the purpose of this Plan, the existing and proposed transportation network has been assigned the following road classifications:

- i. Provincial Roads;
- ii. Arterial Roads
- iii. Collector Roads; and
- iv. Local Roads.

a) The following policies apply to Provincial Roads under the jurisdiction of the City:

- i. Provincial Roads should be designed to accommodate heavy volumes of traffic and provide direct connection to Provincial Highways.
- ii. A minimum right of way width of 26 meters should be provided for Provincial Roads,
- iii. Provincial Roads should accommodate at least two lanes of traffic.
- iv. Direct access to a Provincial Road from adjacent individual residential properties should be permitted through implementing proper mitigation measures.
- v. On-street parking should be restricted on Provincial Roads.

b) The following policies apply to Arterial Roads under the jurisdiction of the City:

- i. Arterial Road right-of-way widths shall be designed in accordance with the City and Region Official Plans, the Regional Transportation Master Plan, and the Region's Complete Streets Design Guidelines.
- ii. All development within the Secondary Plan Area that directly abuts an Arterial Road shall provide appropriate buffering, landscaped open space, and shall consider the aesthetic function of the corridor
- iii. Back-lotting onto arterial roads is generally discouraged, as it can diminish the character of the street; however, the City recognizes that in certain circumstances it may be unavoidable. In such cases, development should incorporate design measures that maintain a high-quality interface with the public realm.

c) The following policies apply to Collector Roads under the jurisdiction of the City:

- i. Collector Roads should be designed to accommodate low to moderate volumes of traffic between local neighbourhoods and connecting to Provincial, Arterial and Local Roads. Large commercial vehicle traffic shall be discouraged on Collector Roads.
- ii. A minimum right of way width of 23 meters should be provided for Collector Roads.
- iii. Collector Roads shall accommodate two lane traffic. Additional auxiliary lanes may be provided at intersections to accommodate turning traffic.

- iv. On-street parking may be accommodated on one side of the roadway subject to sufficient pavement width.
 - v. Collector Roads may include wide planted/pedestrian boulevard(s) that can accommodate active transportation and street tree planting / landscaping and are encouraged to support pedestrian and cyclist circulation.
 - vi. The location and design requirements for Collector Roads will be confirmed and implemented through subsequent development approvals.
- d) The following policies apply to Local Roads shown under the jurisdiction of the City:
- i. Local Roads should be designated to accommodate low levels of traffic.
 - ii. Residential Local Roads should incorporate sidewalks on at least one side of the roadway to provide safe connection for pedestrians.
 - iii. Local Roads should have a minimum right of way width of 18 metres; however, reduced right of way widths may be considered where traffic, servicing and pedestrian requirements can be fully accommodated.
 - iv. All local roadways in the study area shall be designed to have a basic two-lane cross-section. Two-way stop controls should be provided on the minor approach at intersections. Where there is a four-way intersection with similar volumes on each approach, an all-way stop sign control may be utilized.
 - v. Local roads should be planned and designed to discourage heavy traffic.
 - vi. The location and design requirements for Local Roads will be confirmed and implemented through subsequent development approvals

Section 5.4.6 Servicing

All development within the Killaly Secondary Plan Area shall be developed with full municipal services. Infrastructure and public service facilities shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs. Extension of municipal services into the Killaly Secondary Plan Area will be required to service development.

Easements to accommodate municipal services and utilities shall be granted as a condition of development approval.

Section 5.4.6.1: Sanitary Sewage Disposal

- a) All development will be provided with municipal sanitary services subject to the approval of the City, the Niagara Region and, where necessary, the Ministry of the Environment.

- b) Prior to approval of a plan of subdivision, studies will be undertaken to determine that the sewage disposal system has capacity to receive waste generated from the proposed development.

Section 5.4.6.2: Water Supply

All development will be provided with municipal water services subject to the approval of Niagara Region, the City, and, where necessary, the Ministry of the Environment.

Section 5.4.6.3: Storm Water Management

- a) Development will be provided with storm sewers and stormwater management facilities subject to the approval of the City, the Niagara Peninsula Conservation Authority, the Region of Niagara and the Ministry of the Environment. The precise shape and location of the stormwater management ponds shall be determined during subdivision design and shall be sited and sized for optimal performance.
- b) Modern storm water management techniques, such as the preparation of lot grading and drainage plans, silt fencing, stormceptors etc., shall be employed in all new developments. Such techniques shall be implemented to control the quantity and quality of runoff and to control erosion and sedimentation during and after construction, in order to minimize adverse effects on the receiving watercourses and natural areas identified within the plan.
- c) Subject to specific approval of the Niagara Peninsula Conservation Authority and any other regulating agencies, storm water facilities will be designed using best management practices such that post-development storm water flows maintain pre-development levels storm flow into receiving watercourses.
- d) Any detention ponds to be provided as part of the storm water management system shall be located outside of Environmental Protection Areas. Storm Water Management facilities may be permitted in any other land use designation without amendment to this Secondary Plan.
- e) Storm sewers shall be designed in accordance with City standards and shall generally be constructed within the proposed road allowances. Provision of easements or blocks may be required where the road allowance is not suitable.

Section 5.4.7: Utilities & Waste Collection

- a) Development shall be provided with full utility services including hydro, natural gas, and telecommunications.

- b) The Secondary Plan will be designed to meet the criteria for eligibility in Niagara Region Waste Collection.

Section 5.4.8: Development Phasing

Development shall be phased to provide for the orderly development of the Killaly Secondary Plan Area and to ensure the most efficient and economical use of existing and proposed infrastructure. The following phasing criteria shall be considered in the review of all development applications:

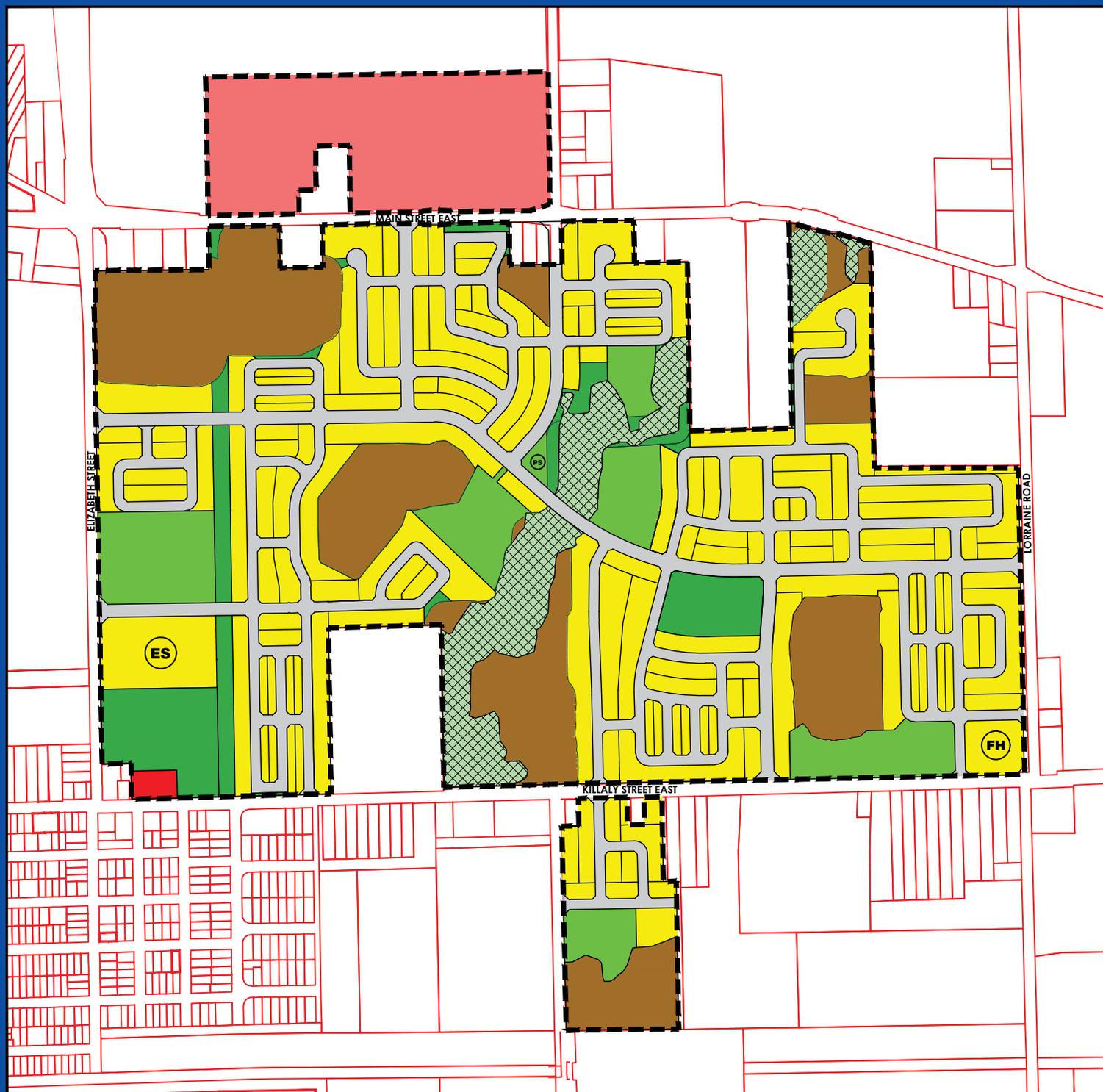
- a) The development contributes to, the logical sequence of construction of all required sewer, water, stormwater and transportation facilities.
- b) The development satisfies all requirements regarding the provision of parkland and other facilities. Parkland identified within the Secondary Plan may be confirmed through draft plan of subdivision applications. The Secondary Plan Area as a whole will meet minimum parkland requirements; however, it is understood that each phase may not meet parkland requirements.
- c) Phasing may be determined through future draft plan of subdivision applications.

Section 5.4.9: Implementation

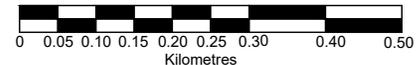
- a) This Plan will provide the basis for consideration of development applications. If such applications are in conformity with this Plan, development will be implemented by means of:
 - i. Plans of subdivision pursuant to Section 51 of the Planning Act;
 - ii. Plans of condominium pursuant to Section 9 of the Condominium Act and Section 51 of the Planning Act;
 - iii. Where appropriate, severances under Section 50 of the Planning Act (Land severance applications shall not be used to create new residential lots which do not conform with the servicing requirements, land use layout, development staging or general street patterns set out herein);
 - iv. Zoning by-laws pursuant to the Planning Act;
 - v. Site plan agreements under Section 41 of the Planning Act, where applicable;
 - vi. Subdivision agreements under Section 51(26) of the Planning Act, where applicable.
- b) Final Approval of any development application shall not be granted until all Conditions, financial or otherwise, have been met with written clearance having been provided to the municipality.

Port Colborne Official Plan Schedule X: Killaly Secondary Plan

-  Secondary Plan Boundary
-  Residential
-  Mixed-Use
-  Major Commercial
-  Elementary School
-  Fire Hall
-  Pumping Station
-  Stormwater Management
-  Park, Open Space
-  Environmental Protection
-  Environmental Conservation
-  Conceptual Road Network



Schedule Notes:
This map is for general illustration purposes only.
For boundary interpretations please contact the
City of Port Colborne Planning and Development
Services Department



Appendix B:

Draft Zoning By-law Amendment

The Corporation of the City of Port Colborne

By-law No. _____

Being a by-law to amend Zoning By-law 6575/30/18, respecting lands shown on Schedule X in the City of Port Colborne, Regional Municipality of Niagara

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

AND WHEAREAS, the Council of The Corporation of the City of Port Colborne desires to amend the said By-law;

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

1. This amendment shall apply to those lands described on Schedule “A” attached to and forming part of this By-law.
2. That the Zoning Map referenced as Schedules “A5” and “A6” forming part of By-law 6575/30/18, as amended, is hereby further amended by rezoning the lands as shown on Schedule “B”, attached to and forming part of this By-law, from Residential Development (RD), First Density Residential Zone (R1), Third Density Residential (R3), Light Industrial (LI) and Environmental Conservation to:
 - Fourth Density Residential Zone, Special Provision X (R4-X)
 - Areas A-D
 - Mixed Use Zone, Special Provision X (MU-X),
 - Area E
 - Highway Commercial Zone, Special Provision X (HC-X),
 - Area F
 - Environmental Protection Zone (EP)
 - Public and Park Zone (P)
3. That Section 37.2 entitled “List of Special Provisions” of Zoning By-law 6575/30/18, as amended, is hereby further amended by adding the following:

Special Provision: Fourth Density Residential R4-X

Notwithstanding the provisions of Section 8 of Zoning By-law 6575/30/18, the following provisions shall apply to lands zoned R4-X in accordance with Schedule B:

Permitted Uses	
a) Dwelling, Detached	
b) Dwelling, Semi-Detached	
c) Dwelling, Street Townhouse	
d) Dwelling, Back-to-Back Townhouse	
e) Dwelling, Stacked Townhouse	
f) Model Home	
g) Dwelling, Rear-Lane Townhouse	
h) Other permitted uses as listed within Section 8.2	
Zone Requirements – Dwelling, Detached (Areas A-D)	
a) Minimum Lot Frontage	8.0 m (interior) 10 m (corner)
b) Minimum Lot Area Per Unit	220 sq.m. (interior) 265 sq.m. (corner)
c) Minimum Front Yard	4.5 m (to dwelling) 6.0 m (to private garage)
d) Minimum Interior Side Yard	1.2 m on one side and 0.6 m on the other side
e) Minimum Exterior Side Yard	2.4 m
f) Minimum Rear Yard	6.0 m
g) Maximum Height	11.0 m
h) Minimum Landscaped Area	25%
i) Maximum Porch Encroachment	Front Yard: 2.0 m Exterior Side Yard: 1.8 m Rear Yard: 2.5 m
j) Maximum Patio or Deck Above Finished Grade Encroachment	Rear Yard: 2.5 m
k) Maximum Eaves and Gutters Encroachment	0.46 m
l) Permitted Parking	Min: 1 parking space per unit Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space

Zone Requirements – Dwelling, Semi Detached (Areas A-D)	
a) Minimum Lot Frontage	11.0 m (interior) 13.0 m (exterior) 5.5 m (for each unit)
b) Minimum Lot Area Per Unit	300 sq.m. (for each semi-detached lot) 150 sq.m. (for each unit)
c) Minimum Front Yard	4.5 m (to dwelling) 6.0 m (to private garage)
d) Minimum Interior Side Yard	1.5m; 0.0m where there is a common wall
e) Minimum Exterior Side Yard	2.4 m
f) Minimum Rear Yard	6.0 m
g) Maximum Height	11.0 m
h) Minimum Landscaped Area	25%
i) Maximum Porch Encroachment	Front Yard: 2.0 m Exterior Side Yard: 1.8 m Rear Yard: 2.5 m
j) Maximum Patio or Deck Above Finished Grade Encroachment	Rear Yard: 2.5 m
k) Maximum Eaves and Gutters Encroachment	0.46 m
l) Permitted Parking	Min: 1 parking space per unit Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space
Zone Requirements – Dwelling, Street Townhouse (Areas A-D)	
a) Minimum Lot Frontage	6.0 m (interior) 7.5 m (end) 9.0 m (corner)
b) Minimum Lot Area Per Unit	150 sq.m. (interior) 205 sq.m. (end)

	245 sq.m. (corner)
c) Minimum Front Yard	4.5 m (to dwelling) 6.0 m (to private garage)
d) Minimum Interior Side Yard	1.5m or 0.0m where there is a common wall
e) Minimum Exterior Side Yard	2.4 m
f) Minimum Rear Yard	6.0 m
g) Maximum Height	11.0 m
h) Minimum Landscaped Area	25%
i) Maximum Porch Encroachment	Front Yard: 2.0 m Exterior Side Yard: 1.8 m Rear Yard: 2.5 m
j) Maximum Patio or Deck Above Finished Grade Encroachment	Rear Yard: 2.5 m
k) Maximum Eaves and Gutters Encroachment	0.46 m
l) Permitted Parking	Min: 1 parking space per unit Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space
Zone Requirements – Dwelling, Back-to-Back Townhouse (Areas A-D)	
a) Minimum Lot Frontage	6.0 m (interior) 7.5 m (end) 9.0 m (corner)
b) Minimum Lot Area Per Unit	78 sq.m. (interior) 90sq.m. (end) 105 sq.m. (corner)
c) Minimum Front Yard	3.0 m (to dwelling) 6.0 m (to private garage)
d) Minimum Interior Side Yard	1.5 m; 0.0m where there is a common wall

e) Minimum Exterior Side Yard	2.4 m
f) Minimum Rear Yard	n/a
g) Maximum Height	14.0 m
h) Minimum Landscaped Area	n/a
i) Maximum Porch Encroachment	Front Yard: 1.5 m Exterior Side Yard: 1.8 m
j) Maximum Eaves and Gutters Encroachment	0.46 m
k) Permitted Parking	Min: 1 parking space per unit Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space
Zone Requirements – Dwelling, Stacked Townhouse (Areas A-D)	
a) Minimum Lot Frontage	20 m
b) Minimum Lot Area Per Unit	300 sq.m.
c) Minimum Front Yard	4.5 m (to dwelling) 6.0 m (to private garage)
d) Minimum Unit Width	4.5 m
e) Minimum Interior Side Yard	1.5 m
f) Minimum Exterior Side Yard	3.5 m
g) Minimum Rear Yard	6 m
h) Maximum Height	14.5 m
i) Minimum Landscaped Area	n/a
j) Maximum Porch Encroachment	Front Yard: 2.0 m Exterior Side Yard: 1.8 m Rear Yard: 2.5 m
k) Maximum Patio or Deck Above Finished Grade Encroachment	Rear Yard: 2.5 m
l) Maximum Eaves and Gutters Encroachment	0.46 m
m) Permitted Parking	Min: 1 parking space per unit

	Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space
Zone Requirements – Dwelling, Rear Lane Townhouse (Areas A-D)	
a) Minimum Lot Frontage	6.0 m (Interior) 6.5 m (end) 7.5 m (exterior)
b) Minimum Lot Area Per Unit	130 sq.m.(interior) 140 sq.m. (end) 160 sq.m. (exterior)
c) Minimum Front Yard	3 m
d) Minimum Exterior Side Yard	2.4 m
e) Minimum Interior Side Yard	1.5 m; 0.0m where there is a common wall
f) Minimum Rear Yard	6 m to private garage
g) Maximum Height	14.5 m
h) Minimum Landscaped Area	n/a
i) Permitted Parking	Min: 1 parking space per unit Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space

Model homes shall be permitted in the R4-**X** zone subject to the following provisions:

- a) A model home shall comply with the provisions of the zone in which it is located and the regulations of this By-law.
- b) The number of model homes in any draft plan of subdivision shall not exceed the lesser of ten (10) dwelling units or 10% of the total number of lots.

Special Provision: Mixed Use Zone MU-X

Notwithstanding the provisions of Section 21 of Zoning By-law 6575/30/18, the following provisions shall apply to lands zoned MU-X in accordance with Schedule B.

Permitted Uses	
a) Apartment Building	
b) Dwelling, Back-to-Back Townhouse	
c) Dwelling, Street Townhouse	
d) Drive-Thru Facility	
e) Medical Office	
f) Retail Store	
g) Other permitted uses as listed within Section 21.2	
Zone Requirements – Non-Residential and Mixed Use (Residential and Non-Residential) Buildings (Area E)	
a) Minimum Lot Frontage	15 m
b) Minimum Lot Area	Not applicable
c) Minimum Front Yard	5.5 m to a public road
d) Minimum Side Yard	3.0m (Interior, if adjacent to Park and Open Space) 6.0m (Interior, if adjacent to any Residential Zone) 2.0 m (Interior, Corner)
e) Minimum Rear Yard	4.5 m
f) Maximum Lot Coverage	Not applicable
g) Maximum Height	32.0 metres (8-storeys)
h) Minimum Landscaped Area	10%
i) Minimum Landscape Buffer abutting a Residential Zone	3.0 m
Zone Requirements – Dwelling, Back-to-Back Townhouse (Area E)	
a) Minimum Lot Frontage	6.0 m (interior) 7.5 m (end) 9.0 m (end)
b) Minimum Lot Area Per Unit	78 sq.m. (interior) 90sq.m. (end) 105 sq.m. (corner)

c) Minimum Front Yard	3.0 m (to dwelling) 6.0 m (to private garage)
d) Minimum Interior Side Yard	1.5 m; 0.0m where there is a common wall
j) Minimum Exterior Side Yard	2.4 m
e) Minimum Rear Yard	n/a
f) Maximum Height	14.0 m
g) Minimum Landscaped Area	n/a
h) Maximum Porch Encroachment	Front Yard: 1.5 m Exterior Side Yard: 1.8 m
i) Maximum Eaves and Gutter Encroachment	0.46 m
j) Permitted Parking	Min. 1 parking space per unit Stairs to a maximum of 3 risers, shall be permitted to encroach into this parking space
Zone Requirements – Dwelling, Street Townhouse (Area E)	
m) Minimum Lot Frontage	6.0 m (interior) 7.5 m (end) 9.0 m (corner)
n) Minimum Lot Area Per Unit	150 sq.m. (interior) 205 sq.m. (end) 245 sq.m. (corner)
o) Minimum Front Yard	4.5 m (to dwelling) 6.0 m (to private garage)
p) Minimum Interior Side Yard	1.5m or 0.0m where there is a common wall
q) Minimum Exterior Side Yard	2.4 m
r) Minimum Rear Yard	6.0 m
s) Maximum Height	11.0 m
t) Minimum Landscaped Area	25%
j) Maximum Porch Encroachment	Front Yard – 2.0 m Exterior Side Yard -1.8 m

	Rear Yard -2.5 m
k) Maximum Patio or Deck Above Finished Grade Encroachment	Rear Yard – 2.5 m
l) Maximum Eaves and Gutters Encroachment	0.46 m

Special Provision: Highway Commercial HC-X

Notwithstanding the provisions of Section 24 of Zoning By-law 6575/30/18, the following provisions shall apply to lands zoned HC-X in accordance with Schedule B:

Permitted Uses	
a) Industry, Light	
b) Retail Store	
c) Other permitted uses as listed within Section 24.2	
Zone Requirements – Highway Commercial (Area F)	
d) Maximum Gross Floor Area	300,000 sq.ft.

Special Provision: Public and Park Zone (P)

Notwithstanding the provisions of the Public and Park (P) Zone, on Schedule “B” may also be used for a stormwater management pond, sanitary pumping station, and a parking lot provided that the following conditions are met:

Stormwater Management Pond & Sanitary Pumping Station:

- a) The location of stormwater management ponds and sanitary pumping stations will be approved by the City of Port Colborne;
- b) Detailed design will be submitted for review and approval by the City of Port Colborne prior to construction.

Parking lot:

- a) The City receives and approves plans submitted by the owner depicting the parking area and access including details for surfacing, curbing of the parking area, lot grading, storm drainage, landscaping, fencing and lighting.

4. For the purposes of this By-law, the following definitions shall apply:

Dwelling, Back-to-Back Townhouse: means a group of not less than four, but no more than ten single dwelling units divided vertically from each other by common side walls and common rear walls, each of which has a private independent entrance directly from the front yard.

Dwelling, Stacked Townhouse: means a building containing four or more dwelling units divided horizontally and vertically, with each dwelling unit having a private entrance to the grade level.

Dwelling, Rear Lane Townhouse: means a townhouse dwelling (street or block townhouse) that is not a stacked townhouse dwelling or back-to-back dwelling and where vehicular access to an attached garage is provided via a driveway crossing the rear lot line that is accessed from either a street or a lane.

Model Home: means a dwelling which is not occupied for human habitation but used for the purpose of temporary display to the public and where a portion of this dwelling may be used as a sales office for the dwelling units to be constructed.

5. Notwithstanding the provisions of Section 3 above, Area C on Schedule "B", forming part of this By-law, shall only be used for the following uses prior to the removal of the "Holding Zone (H)" provision:
 - a) An Elementary School;
 - b) Accessory Uses, Buildings and Structures to an Elementary school;
and
 - c) Notwithstanding any other section of By-law 6575/30/18, as amended, nothing in this by-law prohibits the creation of an elementary school block with a maximum lot area of 26,400 square meters.

Removal of the Holding Zone "H" may occur once the following has been satisfied:

- i. The District School Board of Niagara has provided a letter advising that they do not require the lands for school purposes; or
- ii. A period of five (5) years has elapsed from the date the school block is registered as/within a plan of subdivision.

6. Notwithstanding the provisions of Section 3 above, the following is permitted for Area D on Schedule "B", forming part of this By-law, shall only be used for the following uses prior to the removal of the "Holding Zone (H)" provision:

a) Fire Hall

Removal of the Holding Zone "H" may occur once the following has been satisfied:

- i. The City of Port Colborne has provided a letter advising that they do not require the lands for a fire hall; or
- ii. A period of five (5) years has elapsed from the date the fire hall block has been registered as/within a plan of subdivision.

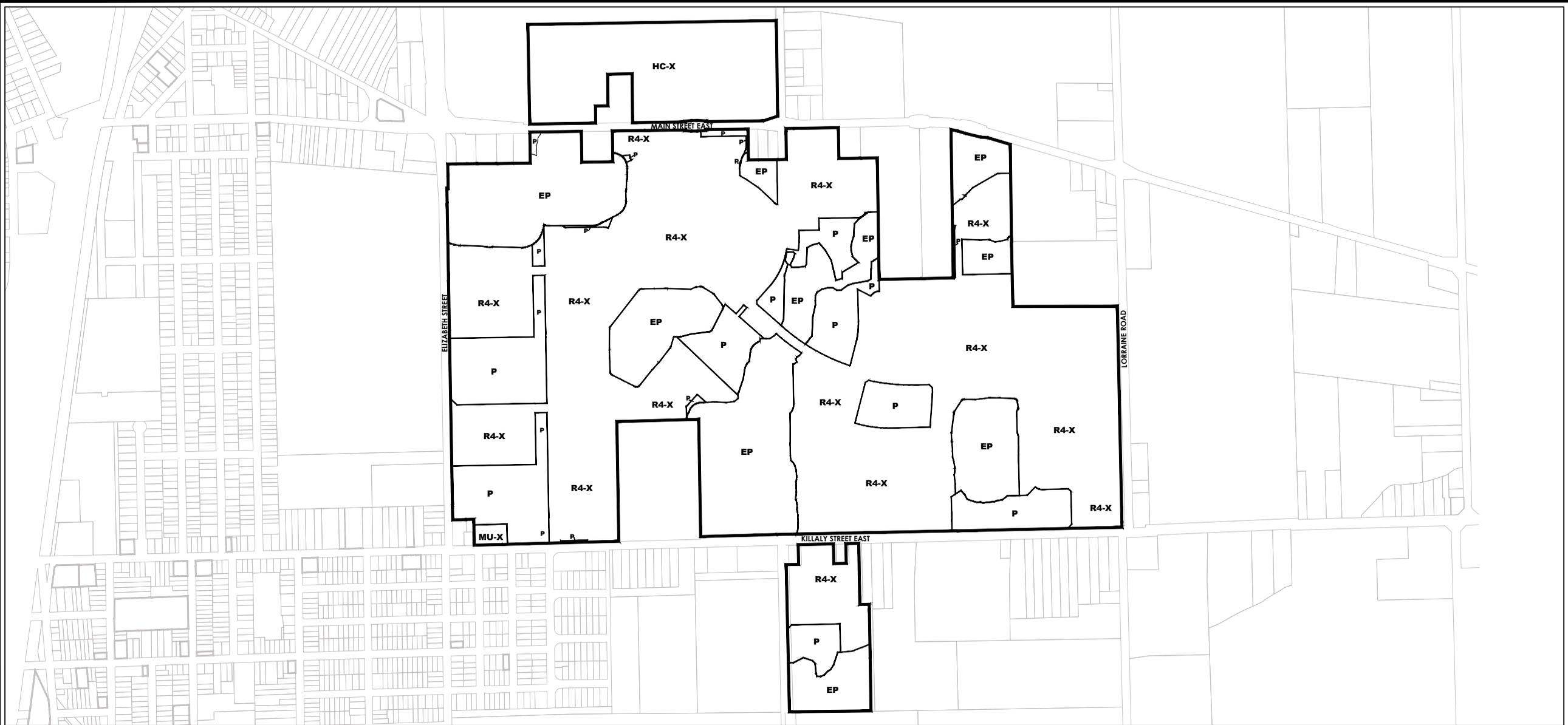
7. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the Planning Act

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

Enacted and passed this ____ day of _____, 2026.

William C. Steele
Mayor

Charlotte Madden
City Clerk



- LEGEND**
- R4-X Fourth Density Residential, Special Provision X
 - MU-X Mixed Use, Special Provision X
 - HC-X Highway Commercial, Special Provision X
 - P Public & Park Zone
 - EP Environmental Protection

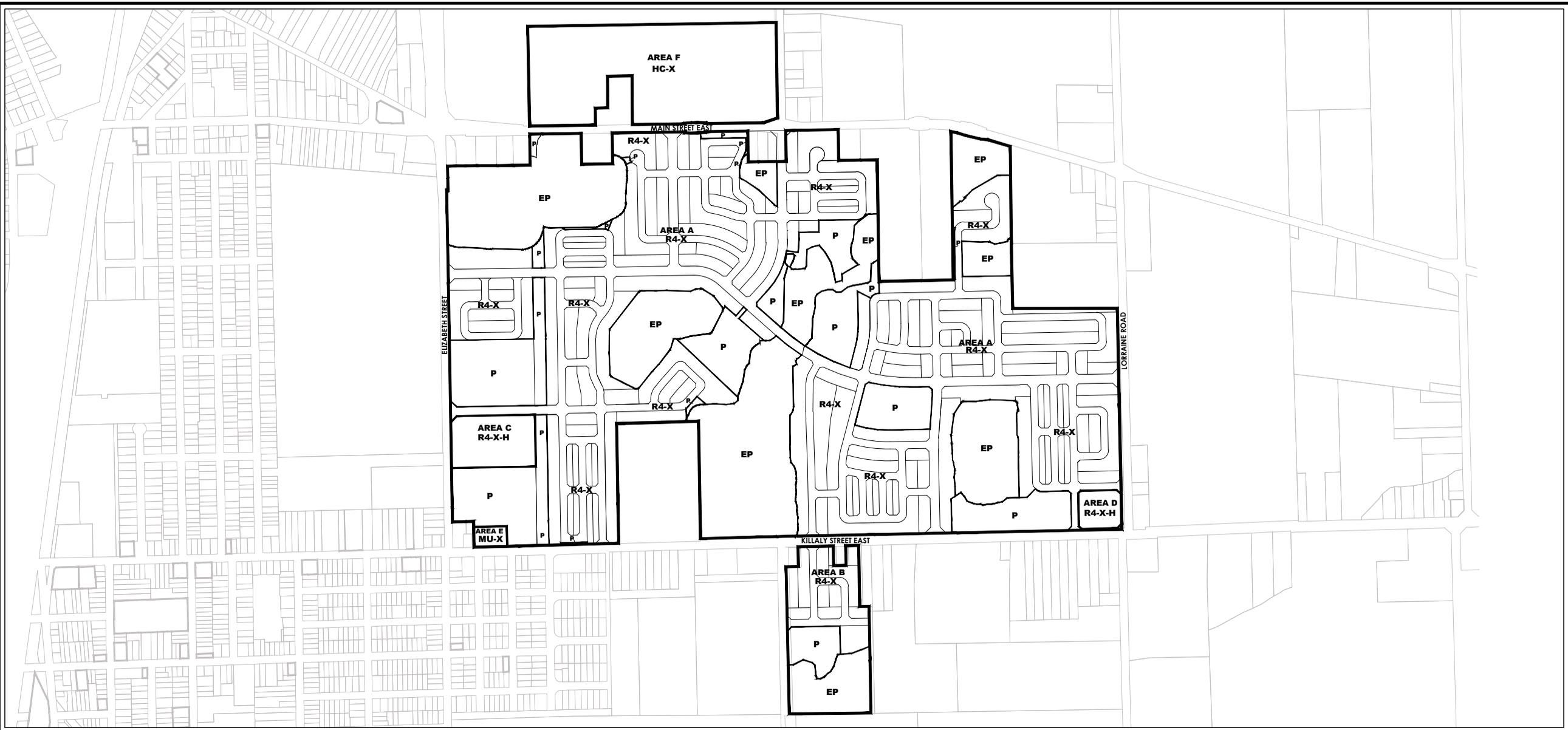


SCHEDULE NOTES:
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SCHEDULE 'A' OF ZONING BY-LAW AMENDMENT NO. _____

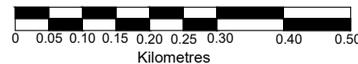
MAYOR: _____
CLERK: _____





LEGEND

- R4-X Fourth Density Residential, Special Provision X, Areas A-D
- MU-X Mixed-Use, Special Provision X, Area E
- HC-X Highway Commercial, Special Provision X, Area F
- P Public & Park Zone
- EP Environmental Protection



SCHEDULE NOTES:
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SCHEDULE 'B' OF ZONING BY-LAW AMENDMENT NO. _____

MAYOR: _____

CLERK: _____

