

Planning Justification Report

Northland Estates

Port Colborne, ON

July 2022

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PREFACE

Upper Canada Consultants respectfully submits this Planning Justification Report pertaining to applications for Draft Plan of Subdivision, and Zoning By-law Amendment for land described legally as Part of Lot 31, Concession 2 Geographic Township of Humberstone and are located at the terminus of Northland Avenue, south of Barrick Road, west of West Side Road, north of Coronation Drive and east of Minor Road in the City of Port Colborne, Regional Municipality of Niagara

The applications seek to establish the necessary land use permissions to facilitate the development of the property with 122 single detached lots, 10 street townhouse blocks, one mixed use block, one park block, one block containing a stormwater management facility and a block containing the on-site natural heritage features. The proposed development is known as the Northland Estates Subdivision.

This Planning Justification Report provides an overview of the proposal and evaluates how the proposed development conforms and aligns with the *Planning Act*, and applicable Provincial, Regional and local land use planning policies and by-laws.

This report should be read in conjunction with the following, additional reports:

- Stage 1 and 2 Archeological Assessment prepared by Detritus Consulting Ltd. (dated June 14, 2022)
- Functional Servicing Report prepared by Upper Canada Consultants (dated June 2022)
- Stormwater Management Plan prepared by Upper Canada Consultants (dated June 2022)
- Environmental Impact Study prepared by Beacon Environmental (dated July 2022)
- Transportation Impact Study (dated May 18, 2022)
- Noise Impact Assessment prepared by Valcoustics Ltd. (dated July 2022)
- Water Balance Study prepared by Terra-Dynamics Consulting Inc. (dated June 3, 2022)

DESCRIPTION AND LOCATION OF THE SUBJECT LANDS

The subject lands are a 10.89 hectare parcel of land described legally as Part of Lot 31, Concession 2 Geographic Township of Humberstone and are located south of Barrick Road, west of West Side Road, north of Coronation Drive and east of Minor Road in the City of Port Colborne, Regional Municipality of Niagara. An aerial view of the subject lands is provided in **Figure 1**.

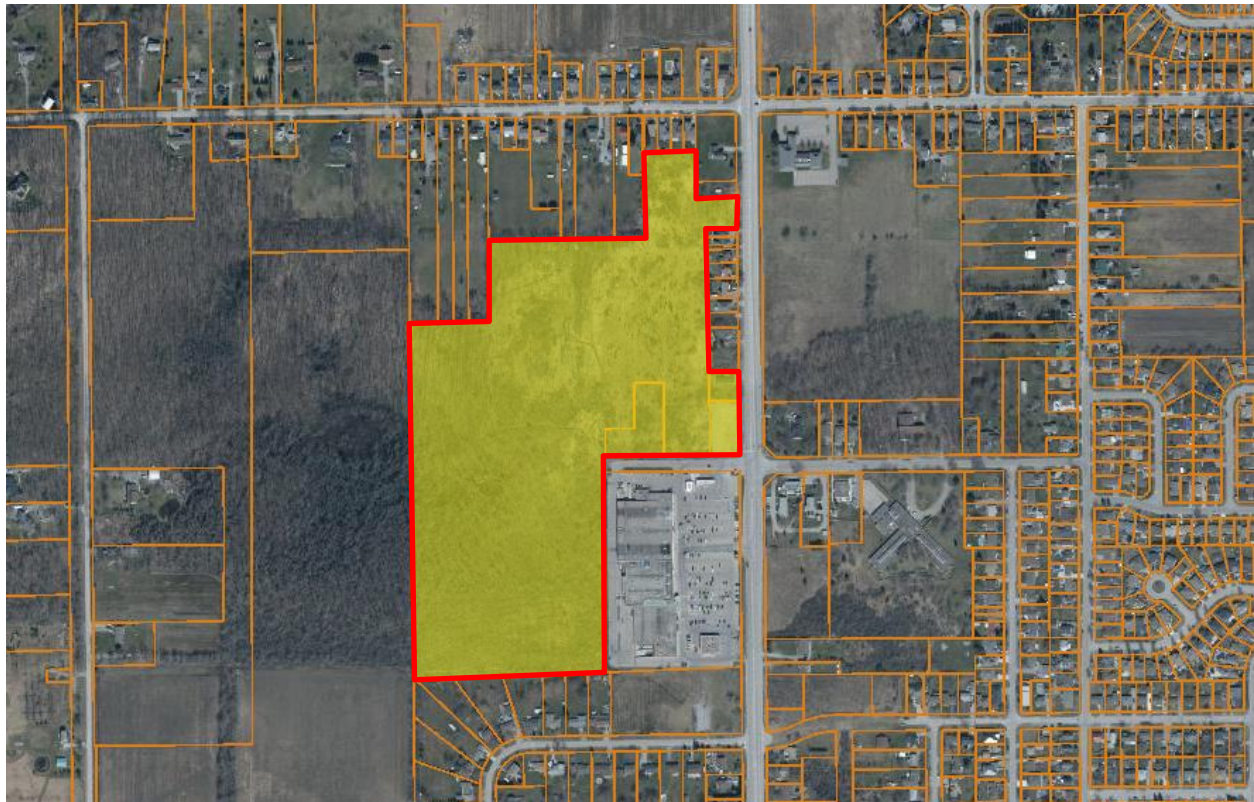


Figure 1 - Aerial View of the Subject Lands (Niagara Navigator 2020 Imagery)

Access and frontage to the subject lands is provided by way of West Side Road and Northland Avenue. To the north of the subject lands are residential properties fronting Barrick Road. The Port Colborne Mall is located in the southeast quadrant of the property. To the south are residential properties fronting onto Coronation Drive. The property also abuts vacant lands designated for residential development to the east and west.

Available historical imagery shows that the lands were previously farmed into the 1960s.

The western portion of the property has environmental features within it including Locally Significant Wetland (LSW) and Significant Woodland.

THE PROPOSED DEVELOPMENT

The landowner is proposing the comprehensive development of the property through a Draft Plan of Subdivision. The development is shown in **Figure 2** and the Draft Plan of Subdivision is attached as **Appendix I**.

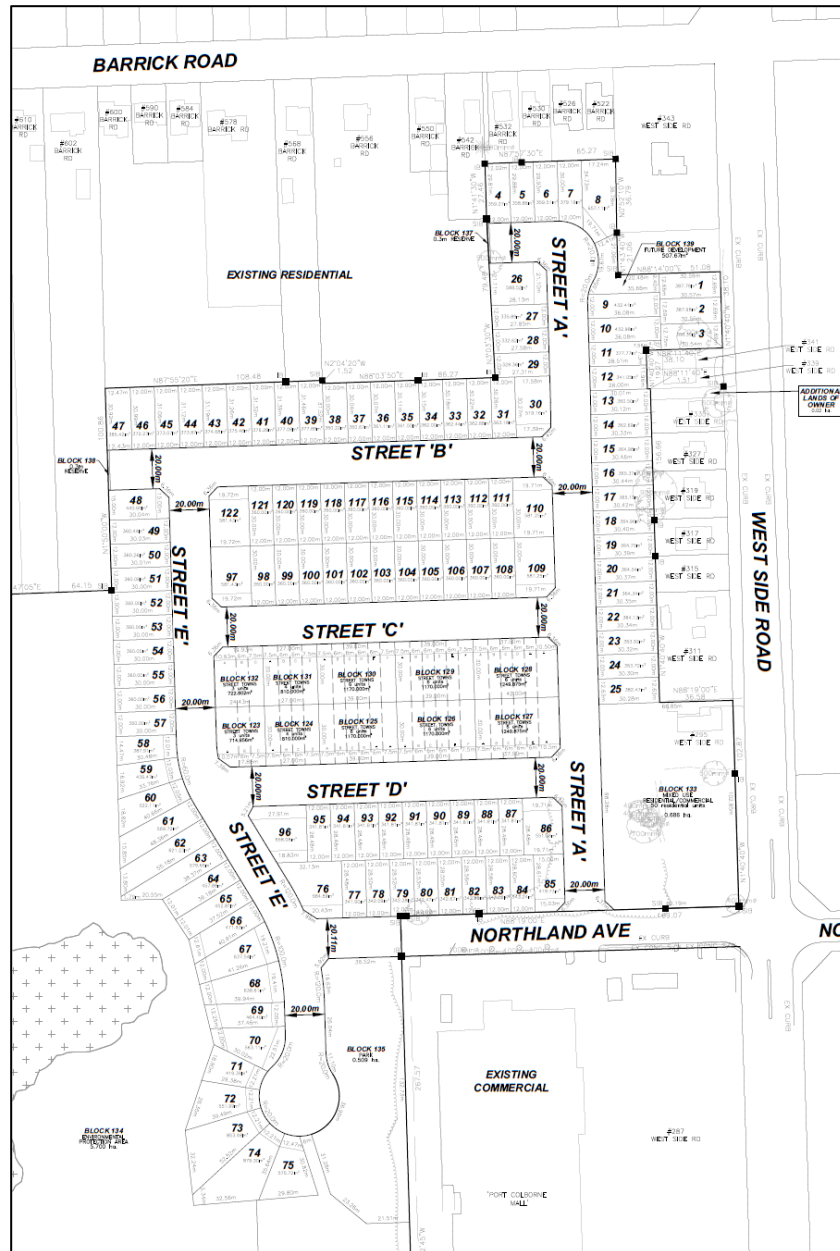


Figure 2 - Excerpt from the Draft Plan of Subdivision

Housing Types

The Draft Plan of Subdivision proposes the creation of 122 lots for single detached dwellings, 10 street-townhouse blocks containing 50 dwelling units, as well as a mixed-use block containing 50 dwelling units to a total development yield of 222 units.

Road Network

The Draft Plan of Subdivision includes the provision of five (5) public roadways shown as Streets 'A'-'E' on the Draft Plan.

The proposed road network forms a fine grid pattern which follows the geometry of the natural heritage features and provides for the efficient development and use of the interior of the site. The proposed road network is connected to the existing road network by way of Northland Avenue. The proposed road network is also proposed to be stubbed at the property line in two locations to facilitate future road connections to the lands located to the west.

Public and Environmental Lands

The Draft Plan proposes the creation of Block 137 for environmental conservation purposes, Block 138 as a public park, and Block 139 as a stormwater management (SWM) facility.

REQUIRED PLANNING ACT APPLICATIONS

Draft Plan of Subdivision

The Draft Plan of Subdivision application proposes to divide the subject lands into 122 lots for single-detached dwellings, 10 blocks for 50 street-townhouse dwellings, one mixed use commercial and residential block, a park, one block for a stormwater management facility and an environmental conservation block.

Zoning By-law Amendment

A concurrent Zoning By-law Amendment application is submitted to permit and regulate the proposed land uses.

The single detached lots and townhouse blocks are proposed to be zoned as a site-specific Third Density Residential (R3) Zone. The mixed-use block is proposed to be zoned as a site-specific Mixed Use (MU) Zone. The park and SWM blocks are both proposed to be zoned as Public and Park (P) Zone. The environmental conservation block is proposed to be zoned as Environmental conservation (EP) Zone.

Details of the proposed Zoning categories, including the site-specific provisions is included later in this report. A copy of the Draft Zoning By-law including the Zoning Schedule is attached to this report as **Appendix II**.

SUPPORTING STUDIES AND REPORTS

Environmental Impact Study (Beacon Environmental)

Beacon Environmental completed an Environmental Impact Study following the requirements of the Regional Municipality of Niagara Environmental Impact Study Guidelines (2018). For the subject lands, and adjacent lands, a background review, field investigations and assessment of natural heritage features and functions was undertaken by Beacon. The EIS concludes that with the implementation of identified protection measures and enhancement plans the proposed Northlands Estates plan of subdivision will not result in a significant negative impact to the natural features or functions of the Core Natural Heritage System of the Niagara Region or the City of Port Colborne. This EIS has demonstrated that the proposed development plan is in conformity with the Natural Heritage planning policies of the City, Niagara Region and NPCA, as well as the Province's Natural Heritage Policies under the Provincial Policy Statement (PPS 2020). The EIS has identified the need for NPCA review and permit requirements for the proposed development of lands within a wetland area pursuant to Ontario Regulation 155/06.

Functional Servicing and Stormwater Management Report (Upper Canada Consultants)

The Functional Servicing and Stormwater Management Report prepared by Upper Canada Consultants describes how the proposed development will be serviced with water and sewer services and also details the stormwater management strategy for the development.

Water Servicing

Water service for the proposed development will be provided by the installation of a looped watermain internal to the site which connects at both ends to the existing 300mm diameter Ductile Iron watermain in Northland Avenue. The four lots fronting West Side Road will be connected directly to the existing 400mm PVC watermain in West Side Road.

Sanitary Servicing

The four lots fronting onto West Side Road will discharge sanitary flows directly to the existing 250mm diameter sanitary sewer in West Side Road. The remaining development area will discharge sanitary flows to the 250mm diameter sanitary sewer in Northland Avenue. The Functional Servicing Report includes a sanitary analysis which confirms that the Northland Avenue Sanitary Sewer has capacity for the proposed development.

Stormwater Management Plan

The proposed development includes a wetpond to provide quantity and quality controls prior to discharging water off-site. The pond has been designed to control peak stormwater flows to

existing levels up to and including the 100-year design storm event and improve stormwater quality levels to MECP Normal (70% TSS removal) Protection levels. Stormwater flows will be conveyed to the Eagle Marsh Drain by way of channel.

Water Balance

Terra Dynamics completed a water balance assessment to inform site design whereby there is “*no negative impact to the hydrologic function of the wetland*” (NPCA, 2021). The wetland being referred to in this case is the Locally Significant Onondaga Escarpment Wetland Complex (MNRF, 2009).

This water balance assessment includes:

1. An assessment of the water balance of the adjacent wetland, specifically analyzing the role of the Site in supplying the wetland with water; and
2. An overview of potential impacts, discussion of potential alternatives and proposed mitigation measures.

The water balance exceeds the requirements for “low risk” evaluation as specified by the TRCA (2017) and was also completed to generally conform to the Conservation Authority Guidelines for Development Applications (Conservation Ontario, 2013).

The following summarizes the conclusions and recommendations of the water balance assessment:

1. The Site is 15.9 hectares, with 1 hectare of locally significant wetland on-site, as well as an additional 4.3 hectares of wetland as designated by NPCA.
2. The Site is primarily on the Onondaga Escarpment with the Haldimand Clay Plain in the downgradient southwest portion of the Site.
3. The swamp is perched on low permeability silty clay in the downgradient southwest portion of the Site.
4. The swamp has an expected hydroperiod of “*distinct periods of surface flooding in the winter and early spring due to snow and ice conditions followed by spring floods but otherwise have a water table that can be a meter or more below the surface*”.
5. A monthly water balance for the downgradient swamp (before considering runoff to the wetland) identified potential evapotranspiration as exceeding precipitation for June, July, August, September and October, with soil water holding capacities less than saturated.
6. Monthly runoff modelling completed by NPCA reported runoff amounts for June, July, August, September and October of 16, 7, 6, 17 and 24 mm/month, respectively.
7. Pre-development water balance modelling for the downgradient SWD-1 swamp indicates upgradient lands for the:
 - a. Northern portion (Drainage Area A) would be sufficient to maintain saturated conditions during June, September and October but not July and August.
 - b. Majority (85%) of the SWD-1 (i.e. Drainage Area B) would be insufficient to maintain saturated conditions during June to October.
8. The TRCA wetland risk assigned is calculated as medium, for the northern portion of the swamp (13%) (Drainage Area A) based upon the potential for a high magnitude of hydrological change and medium wetland sensitivity, and low for the majority (87%) of the swamp (i.e. Drainage Area B).
9. Residential development of the Site should not negatively impact the hydrology of the adjacent

SWD-1 swamp. This is because precipitation is the primary source of surface water supply during the summer period and for the northern portion rear yard runoff and grading should provide sufficient additional runoff during September.

10. Residential development of the Site should not negatively impact the hydrology of the SWT-2 swamp as it is downgradient of the SWD-1, and self-contained with respect to drainage.

The following recommendations are provided:

1. Implement rear yard lot drainage towards the wetland/EPA for adjacent lots; and
2. Grade surface water drainage in the northwest corner of the Environmental Protection Area towards the SWD-1 wetland.

Noise Impact Assessment

Valcoustics Canada Ltd. completed an Environmental Noise Feasibility Study to address the potential environmental noise impacts onto the proposed residential development. In particular, potential impacts from the road traffic on Highway 58 and stationary noise sources at the Port Colborne Mall were assessed.

The sound levels on the site were determined and compared with the applicable Ministry of the Environment, Conservation and Parks (MECP) noise guideline limits to determine the need for noise mitigation.

To meet the applicable transportation noise source guideline limits:

- Exterior wall construction with a Sound Transmission Class (STC) rating of 54 and exterior windows with a STC rating of up to 28 are required to meet the indoor noise criteria for the dwellings on Lots 1 to 3;
- STC 37 exterior walls and exterior windows with a STC rating of up to 32 are required at the residential dwelling units in the mixed-use building;
- Exterior wall and window construction meeting the minimum non-acoustical requirements of the Ontario Building Code (OBC) will be sufficient at all remaining dwellings;
- Dwellings on Lots 1 to 3 and the mixed-use building require mandatory air conditioning to allow windows to remain closed for noise control purposes;
- Dwellings on Lots 7 to 25 and 75, 77 to 86 and in Blocks 127 and 128 require the provision for adding air conditioning; and
- A 1.8 m high sound barrier is required for the dwellings on Lots 20 to 25.

To meet the applicable stationary noise source guideline limits, at least some of the site needs to be deemed Class 4 by the Municipality. Specifically, Lots 78, 80 to 88 and the mixed-use building need to be Class 4. These dwellings will need to be provided with air conditioning to allow windows to remain closed.

Traffic Impact Study (R.V. Anderson)

A Traffic Impact Study (TIS) was prepared by R.V. Anderson Associates to analyze traffic the impacts of the proposed development on the existing and proposed road network. The TIS determined that the proposed development is projected to generate approximately 192 total two-way trips during the weekday a.m. peak hour (57 inbound and 135 outbound), and 259 total two-way trips during the weekday p.m. peak hour (155 inbound and 104 outbound). The TIS concludes that the anticipated traffic volumes will not cause capacity, delay or queuing concerns, and that the existing roadway system has sufficient capacity to accommodate the anticipated traffic generation from the proposed development.

PROVINCIAL LEGISLATION AND PLANS

Development applications within the City of Port Colborne are subject to the *Planning Act* (R.S.O. 1990), 2020 Provincial Policy Statement and the 2019 Growth Plan for the Greater Golden Horseshoe. An assessment of how the submitted applications satisfy, are consistent and conform to applicable Provincial legislation, plans and policies is provided below.

PLANNING ACT (R.S.O. 1990)

The *Planning Act* regulates land use planning in the Province of Ontario. The *Act* prescribes matters of Provincial Interest with regard to land use planning and outlines the requirements for applications made pursuant to the *Act*.

Section 2 – Matters of Provincial Interest

Section 2 of the *Planning Act* outlines matters of Provincial Interest that a planning authority must have due regard for when contemplating a land use planning application. Matters of Provincial Interest include:

- a) the protection of ecological systems, including natural areas, features and functions;*
- b) the protection of the agricultural resources of the Province;*
- c) the conservation and management of natural resources and the mineral resource base;*
- d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*
- 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;*
- g) the minimization of waste;*
- 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;*
- m) the co-ordination of planning activities of public bodies;*
- n) the resolution of planning conflicts involving public and private interests;*
- 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;*
- s) *the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.*

The development specifically has regard for items a), f), h), j), p) and q).

The subject lands are in the City of Port Colborne's Urban Area which is the prescribed area for the accommodation of growth. The subject lands are also impacted by a locally-significant wetland. The proposed development balances the achievement of growth and development objectives (items h and p) and the preservation of environmental features (item a). The EIS and Water Balance Studies both conclude that with the implementation of prescribed mitigative measures, the proposed development will not have a significant negative impact on the natural heritage features on site.

The Draft Plan of Subdivision proposes the creation of lots and blocks for single detached dwellings, street-townhouse dwellings, and apartment dwellings as well as a mixed commercial and residential block. The proposal therefore has regard for the provision of a full-range of housing, and also the provision of housing that is attainable at a range of incomes in accordance with item j.

The proposed subdivision achieves efficient and compact land use patterns through the provision of an internal street network. The proposed land use patterns achieve the efficient provision and use of public services and infrastructure as required in item f. The proposed road network and the proximity of the subject lands to park space, open space and commercial development encourages the use of multi-modal transportation options per item q.

Section 34 – Zoning By-laws and Amendments

Applications for Zoning by-law Amendments are considered under Section 34 of the *Planning Act*. Amendments are permitted to municipal by-laws subject to the provision of prescribed information. This application has been filed with the required fee and supporting materials requested through pre-consultation.

Section 51 (24) – Draft Plan of Subdivision

Section 51 (24) the Act prescribes that *“In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,”* items a) to m. An analysis of compliance to each item is provided below:

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

As noted above, the applications are consistent with subsections a), f), h), j), p), and q) under Section 2 of the Act.

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

The proposed subdivision is in the public interest as it will facilitate the development of serviceable urban lands and provides a range of housing options which reflect the range of housing need in the market, and contributes to the provision of publicly accessible open space.

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

As demonstrated under the applicable heading of this report, the proposed development conforms to the City of Port Colborne’s Official Plan. The land use patterns and road network for the proposed development are also integrated with surrounding development, and considers the future development of adjacent vacant lands.

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

The Draft Plan proposes the development of designated urban lands and the protection of Environmental lands. The suitability of the lands for development is confirmed through the Functional Servicing Report, Archeological Assessment, Environmental Impact Study, Traffic Impact Study and Noise Feasibility Study.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

Affordable housing is not contemplated through the submitted Draft Plan of Subdivision.

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

The Draft Plan proposes the creation of a street network consisting of 5, 20-meter-wide municipal roadways shown as Streets 'A'-'E' on the Draft Plan. The proposed road network is connected into the existing municipal road network by way of Northland Avenue. Streets 'A' and 'B' are stubbed at the property line to facilitate the future development of adjacent lands.

f) the dimensions and shapes of the proposed lots;

The dimensions and shapes of the proposed lots and blocks are shown on the Draft Plan of Subdivision. The Plan generally proposes geometrically consistent lots, except where boundaries are impacted by natural features.

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

There is an easement along the southern property boundary for a natural gas pipeline. This restriction on the subject lands does not impede their ability to develop.

h) conservation of natural resources and flood control;

The subject and adjacent lands are affected by a locally significant wetland. The Draft Plan of Subdivision proposes the creation of an environmental block (Block 137) to ensure the long-term protection of the function of the wetland.

i) the adequacy of utilities and municipal services;

As outlined in the provided Functional Servicing Report and Preliminary Stormwater Management Report prepared by Upper Canada Consultants, the proposed development can be adequately serviced.

j) the adequacy of school sites;

Local school boards are provided the opportunity to comment on the adequacy of school sites through the circulation of the applications.

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

The Draft Plan proposes the creation of a 5.88-hectare environmental block (Block 137), a 0.51-hectare park block (Block 138), and a 0.944-hectare stormwater management block (Block 139).

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

The Draft Plan utilizes an internal road network and compact land use patterns to achieve the efficient use of the site which optimizes the efficient supply and use of energy.

m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

The proposed mixed-use block (Block 136) will be subject to Site Plan Control.

2020 PROVINCIAL POLICY STATEMENT

Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns (PPS 1.1)

The policy direction under Section 1.1 of the Provincial Policy Statement (2020) (PPS) provides the overall planning framework for the development of healthy, livable and safe communities. In accordance with these objectives, the proposed subdivision achieves a compact and efficient development pattern that optimizes efficient infrastructure use and minimizes land consumption, while accommodating a mix of housing options which reflect the range of housing need.

Section 1.1.3 outlines the policy direction for the Province's Settlement Areas. The subject lands are located in the Settlement Area as defined in the Provincial Policy Statement, being located in the City of Port Colborne's Urban Area Boundary. Policy 1.1.3.1 of the PPS directs that growth and development to Settlement Areas. The applications are therefore consistent with the PPS in providing growth and development to the appropriate area. The proposed development is also consistent with the intended land use patterns for Settlement areas as outlined under Policy 1.1.3.2, particularly in making efficient use of land and resources, and being appropriate for and efficiently using infrastructure and public services.

Overall, the proposed development supports the Province's growth management strategy as outlined in Section 1.1 of the PPS in providing a mix of housing options through the compact and efficient development of vacant urban lands.

Coordination (PPS 1.2)

The development proposal was brought forward to the municipality by the applicant for a pre-consultation meeting on May 27, 2021.

Through this process, the planning authority and other review agencies provided direction on required studies and information needed to process the application. This comprehensive approach was used to ensure that all matters of Provincial, Regional and local interest are identified.

Housing (PPS 1.4)

The policy direction under Section 1.4 of the PPS mandates that a full range and mix of housing types and densities that meet current and future housing needs be provided to achieve complete communities and meet prescribed growth targets.

The proposed subdivision incorporates a variety of housing options including single detached, apartment and townhouse dwellings. The subdivision therefore contributes to the provision of a range of housing options.

Public Spaces, Recreation, Parks, Trails and Open Space (PPS 1.5)

Policy 1.5.1 of the PPS directs planning authorities to promote healthy and active communities by accommodating active transportation into new development and ensuring the equitable distribution of recreational spaces throughout the community.

The Draft Plan of Subdivision proposes the creation of a 0.51-hectare park block and a 5.7 ha Environmental Protection Area that can be enhanced for public enjoyment and recreational use.

Infrastructure and Public Service Facilities (PPS 1.6)

In general, Section 1.6 of the PPS requires that infrastructure and public service facilities are to be provided in a coordinated and efficient manner while accommodating projected needs so as to reduce the cost of servicing growth.

Sewage, Water and Wastewater (PPS 1.6.6)

Section 1.6.6 particularly considers sewage, water and stormwater servicing requirements. A Functional Servicing Report has been prepared by Upper Canada Consultants and submitted with the subject applications, which details how the proposed development will be serviced for sewage, water and wastewater. Site services will be connected to existing public infrastructure, which are readily available, and which has sufficient capacity to accommodate the development. The proposed development is therefore appropriate for, and makes efficient use of, existing public sewage, water and stormwater services as required in the PPS.

Transportation (PPS 1.6.7)

The policies under Section 1.6.7 of the PPS direct that efficient use should be made of existing and planned transportation infrastructure, that connectivity amongst systems and modes be maintained and improved, and that land use patterns, density and mix of uses should be promoted that minimizes the length and number of vehicle trips, and support multi-modal transportation options.

The proposed subdivision includes an internal road network consisting of 5 municipal roads. The proposed network is connected to the existing road network via Northland Avenue and also makes consideration for the extension of the road network to facilitate the future development of adjacent lands. The proposed road network provides for the efficient use and development

of the property. A Traffic Impact Study has been prepared by RV Anderson which confirms that the proposed development will not negatively impact the existing road network.

Long Term Economic Prosperity (PPS 1.7)

Section 1.7 of the PPS outlines the land use planning principles that contribute to the long-term economic prosperity of the Province.

Policy 1.7.1 (b) states that long term economic prosperity is supported by encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce. The proposed subdivision includes a variety of market-based housing options including single-detached, apartment and townhouse dwellings which cater to a range of housing needs.

Policy 1.7.1 (c) states that long term economic prosperity is supported by optimizing the long-term availability and use of land, resources, infrastructure and public service facilities. The proposed development facilitates the efficient use of land which has access to existing municipal services and infrastructure. The proposed location and pattern of development optimizes the efficient use of these services and infrastructure and supports the long-term economic prosperity of the Province.

Policy 1.7.1 (g) states that long term economic prosperity is supported by providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people. The proposed subdivision includes a road network which provides for the efficient development of the property. The proposed network is integrated into the City's existing transportation network, and makes provision connections to adjacent lands to facilitate their future development and further integration.

Natural Heritage (PPS 2.1)

The policies under Section 2.1 of the PPS apply to lands within the Province's Natural Heritage System which include significant wetlands, significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest, and coastal wetlands.

Per Policy 2.1.5, development and site alteration is not permitted in the noted features or areas unless it can be demonstrated that there will be no negative impacts on the natural features or their ecological functions. Policy 2.1.8 applies the same requirement where development is proposed on lands adjacent to natural features.

The subject lands are identified in Regional Core Natural Heritage mapping as containing portions of Regionally significant wetland and significant woodland. These features have been assessed and delineated through an Environmental Impact Study (EIS). The identified on-site Natural Heritage Features are contained within Block 138 which will be Zoned as Environmental conservation which ensures that the physical development will not negatively impact these features and their functions in accordance with the PPS.

Water (PPS 2.2)

The policies under Section 2.2 of the PPS promote the protection, improvement and restoration of the quantity and quality of water. Policy 2.2.2 states that development and site alteration should be restricted in or near sensitive surface water features and sensitive ground water features to ensure that these features and their functions are protected, improved or restored. The subject lands are identified on available NPCA mapping as being within a Highly Vulnerable Aquifer. The proposed development will be serviced with municipal services and no impacts to the aquifer are anticipated. Additionally, the applicant undertook a water balance assessment to determine if the proposed development would have an impact on the hydraulic function of proximate wetlands. The water balance assessment concluded that, with the implementation of the recommended mitigative measures, the development would not result in any significant impacts to the proximate locally significant wetlands.

Cultural Heritage and Archaeology (PPS 2.6)

PPS Policy 2.6.2 directs that development and site alteration shall not be permitted on land containing archaeological resources or areas of archeological potential unless resources have been conserved.

The subject lands have been identified as having potential for the discovery of archaeological resources. Accordingly, a Stage 1-2 Archeological Assessment of the site has been completed by Detritus Consulting. As outlined in the Report, no archeological resources were identified through the assessment and the report has been forwarded to the Ministry of Heritage, Sport, Tourism and Culture Industries for clearance.

2019 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

Managing Growth (PTG 2.2.1)

The Growth Plan directs growth to occur in Settlement Areas throughout the Greater Golden Horseshoe, and specifically in those areas that have existing municipal services. Intensified development within Built-Up areas of municipalities is strongly encouraged to leverage cumulative benefits for transportation systems, infrastructure and social services.

The subject lands are located in Port Colborne's Urban Area and are therefore within the Settlement Area as defined in the Growth Plan. The lands also have access to existing municipal infrastructure and services. The subject lands are therefore an appropriate location for development in accordance with Section 2.2.1 of the Growth Plan.

The Growth Plan encourages the development of "complete communities" within Settlement Areas. The items under Policy 2.2.1.4 outline specific development criteria aimed at the achievement of complete communities. In accordance with this policy direction, the proposed development integrates residential development with existing and proposed commercial uses, provides a mix of housing options, and achieves a compact and efficient built-form.

Housing (PTG 2.2.6)

The policies under Section 2.2.6 of the Growth Plan support the achievement of complete communities through the provision of a full range of housing options and densities that meet current and future housing needs.

The proposed subdivision accommodates a variety of housing forms including single detached, street townhouse and apartment dwellings. The proposed subdivision therefore provides an appropriate range of housing options that reflect the variety of individual housing needs in accordance with the Growth Plan.

Designated Greenfield Area (PTG 2.2.7)

Policy 2.2.7.1 of the Growth Plan requires that designated Greenfield areas be planned, designated and zoned in a manner that supports the achievement of complete communities, supports active transportation, and encourages the integration and sustained viability of transit services. The submitted applications would establish the necessary permissions and regulations to allow for the appropriate residential development of the lands as contemplated in Provincial land use documents.

Per policy 2.2.7.2 of the Growth Plan, all designated Greenfield areas in the Region of Niagara are to achieve a combined minimum density target of 50 people and jobs per hectare.

The Greenfield density calculation for the proposed development is provided in Table 1. According to the City's Official Plan Schedule A1, a majority of the subject lands are within the Designated Greenfield area, with the exception of two small areas on West Side Road (see **Figure 3**). For the purposes of this analysis, the entirety of the subject lands and proposed development are considered to be subject to the Greenfield density requirements as the site is proposed to be developed comprehensively.

The people per hectare calculation is derived from multiplying the total number of residential units (225) by the 2026 people-per-dwelling assumption for the City of Port Colborne provided in Table 4-1 of the Region of Niagara Official Plan (2.28).

For the jobs per hectare calculation, it was assumed that 5% of residential dwellings can be expected to generate at-home employment which translates to a total of 11.25 jobs. An employee per square foot of commercial space was used to calculate the anticipated employment generated for the mixed-use block. The assumed commercial space floor area is based on a preliminary site layout, following required setbacks and required parking requirements. The anticipated commercial floor space is determined to be 16,576.41 square feet (1,540 square meters) which is the entire ground floor area of the conceptual mixed-use building. Based on the Region's most recent Development Charges Background Study, commercial developments can be expected to generate 1 job for every 500 square feet of commercial floor space. Based on this assumption, the mixed-use block is anticipated to generate 33.15 jobs.

The above noted calculations are summarized in **Table 1**. As outlined in this Table, the proposed development provides a development density of 50.41 people and jobs per hectare, thereby contributing positively to the achievement of the Region's Greenfield density obligations.

Table 1 - Greenfield Density Calculation				
	People		Jobs	
	Units	Ratio	Units	Ratio
	222 Dwellings	2.28 people per dwelling ¹	225 Dwellings	5% “at home” employment
			16,576.42 ft² of commercial space	1 employee per 500 ft² of commercial space ²
Subtotal	506.16 people		44.25jobs	
Total	550.41 people and jobs			
Land Area	10.95 hectares (exclusive of the Environmental conservation Area)			
Greenfield Density	50.27 people and jobs per hectare			

Transportation (PTG 3.2.2)

Section 3.2.2 of the Growth Plan encourages the provision of a multi-modal transportation system which provides connectivity between transportation modes and systems. The proposed development includes an internal road network which is integrated into the existing transportation network and which also ensures the integration of future development into the transportation network. A traffic impact study has been completed which confirms the development will not negatively impact existing traffic patterns. The proposed mix of land uses, and proximity to existing commercial development encourages active transportation use and the proposed road network can accommodate a mix of transportation modes.

Water and Wastewater Systems (PTG 3.2.6)

Policy 3.2.6.2 of the Growth Plan requires that water and wastewater systems be planned and constructed to maximize functionality and efficient use so as to ensure that the municipality recovers the cost of providing water and wastewater infrastructure. The proposed water and wastewater servicing strategy is outlined in the Functional Servicing Report, prepared by Upper Canada Consultants, which has been submitted with the applications. The proposed

¹ Table 4-1, Region of Niagara Official Plan

² Watson and Associates, *Development Charges Background Study – Regional Municipality of Niagara* (May 19, 2022): Page 3-10

development can connect into existing municipal water and wastewater infrastructure, thereby optimizing its efficient use.

Stormwater Management (PTG 3.2.7)

Policy 3.2.7.2 requires that proposals for large-scale development be supported by a stormwater management plan, or equivalent. The Functional Servicing Report prepared by Upper Canada Consultants outlines the stormwater management strategy for the proposed development. The proposed subdivision includes a stormwater management pond (Block 139) to which stormwater flows will be conveyed via storm sewers.

Natural Heritage System (PTG 4.2.2)

The Growth Plan's Natural Heritage System policies do not apply to lands within the Settlement Area presently.

Public Open Space (PTG 4.2.5)

The policies under Section 4.2.5 of the Growth Plan encourage the provision of a system of publicly accessible parkland, open space, and trails. The Draft Plan of Subdivision proposes the creation of a block for public parkland, as well as an Environmental Conservation (open space) block, thereby contributing to the provision of publicly-accessible parkland and open spaces.

Cultural Heritage Resources (PTG 4.2.7)

Section 4.2.7 of the Growth Plan requires the conservation of cultural heritage resources, including archeological resources. The lands are considered to have high archaeological potential due to their proximity(300m) to 2 registered archaeological sites and location along two Historic Transportation Routes. Accordingly, a Stage 1-2 Archeological Assessment of the property was conducted by Detritus Consulting. No archeological resources were encountered as a result of the assessment, and the Archeological Report has been sent to the ministry of Heritage, Sport, Tourism and Culture Industries for review and clearance.

NIAGARA REGION OFFICIAL PLAN

The subject lands are located within the Port Colborne's Urban Area Boundary as shown on Schedule A of the Regional Official Plan (ROP) and are located within the Designated Greenfield area (please see **Figure 3**). As shown on Schedule A1 of the City of Port Colborne's Official Plan, small portions of the subject lands along West Side Road are within the Built-up Area (see **Figure 3**). As the development of the entire site is being considered comprehensively and the vast majority of the site is in the Designated Greenfield Area, the proposed development is considered against the Regional Official Plan's Greenfield policy direction.

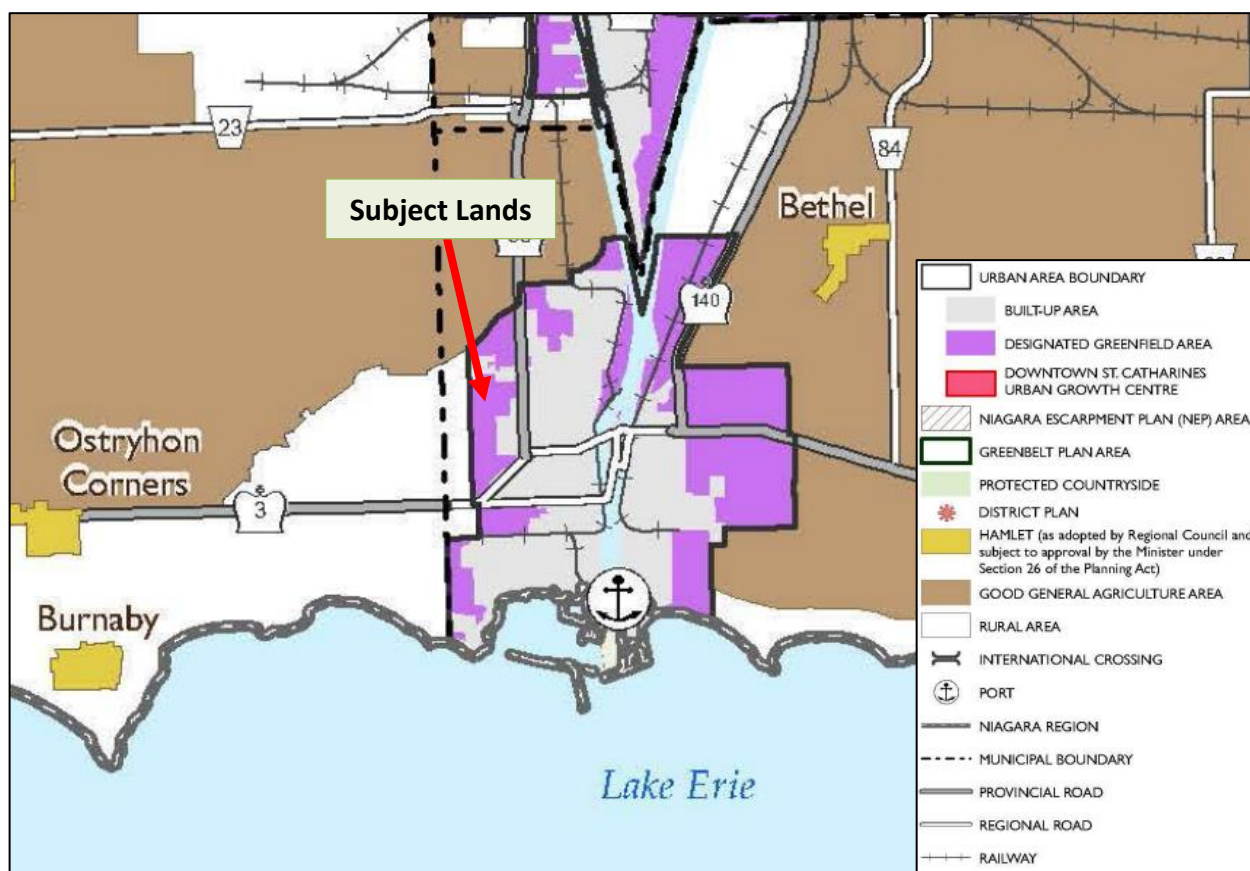


Figure 3 - Excerpt from Schedule A to the Region of Niagara Official Plan

Chapter 4 – Growth Management

All development within the Region's Urban Areas is subject to the growth management policies outlined in Chapter 4 of the Official Plan. The Urban Area is comprised of the Built-up Area, and the Designated Greenfield Area. As noted, the subject lands are within the Designated Greenfield Area. Chapter 4 provides long-term growth objectives for the Region based on Provincial population and employment forecasts. The intent of the policies under Chapter 4 is

to provide for compact and transit supportive development that promotes the use of existing municipal sewage and water services.

4.A Shaping Growth in Niagara

Chapter 4.A of the Regional Official Plan contains the objectives for growth and development in the Region. In conformity to the objectives under this section, the proposed development directs growth and development to the Urban Area (Objective 4.A.1.1), achieves compact Greenfield development (Objective 4.A.1.6) and provides for the efficient use of sewage and water services (Objective 4.A.1.12).

4.B Population, Household and Employment Forecasts

As stated in Policy 4.B.1.2 of the ROP, the population and employment growth forecasts identified by the Province in the Growth Plan, form the basis for growth management and planning in the Region. The Region is projected to have a population of 511,000 by the year 2031. The ROP further breaks down this Regional growth projection by municipality. As outlined in Table 4-1 to the ROP, the City of Port Colborne is projected to have a population of 20,100 people in 9,020 households by the year 2031.

The proposed development contributes to the accommodation of Port Colborne's forecasted residential growth through the compact and efficient development of Greenfield lands.

4.C Intensification and Greenfield Growth

The policy direction under Section 4.C.5 pertains specifically to Greenfield development.

Policy 4.C.5.1 outlines the desired development outcomes for designated Greenfield areas. In accordance with this policy, the proposed development accommodates a variety of housing options, contributes positively to the accommodation of growth in the Urban Area, is integrated with adjacent land use patterns and the existing road network, and provides for the efficient use of existing municipal infrastructure and services.

Policy 4.C.6.1 specifically implements the Growth Plan's minimum Greenfield density target of 50 people and jobs per hectare for the Niagara Region. As outlined in Table 1, the proposed development accommodates 50.41 people and jobs per hectare and contributes positively to the achievement of the Region's Greenfield density obligations.

Chapter 7 – Natural Environment

Schedule C to the Regional Official Plan identifies the Region's Core Natural Heritage System (CNHS). The CNHS includes Environmental Protection Area (EPA), Environmental Conservation Area (ECA), Fish Habitat and Potential Natural Heritage Corridor. Schedule C identifies that the subject lands are affected by an Environmental Conservation Area (see Figure 4). Regional Planning Staff have identified the Environmental Conservation features as Onondaga Escarpment Locally Significant Wetland Complex (LSW) and Significant Woodland.

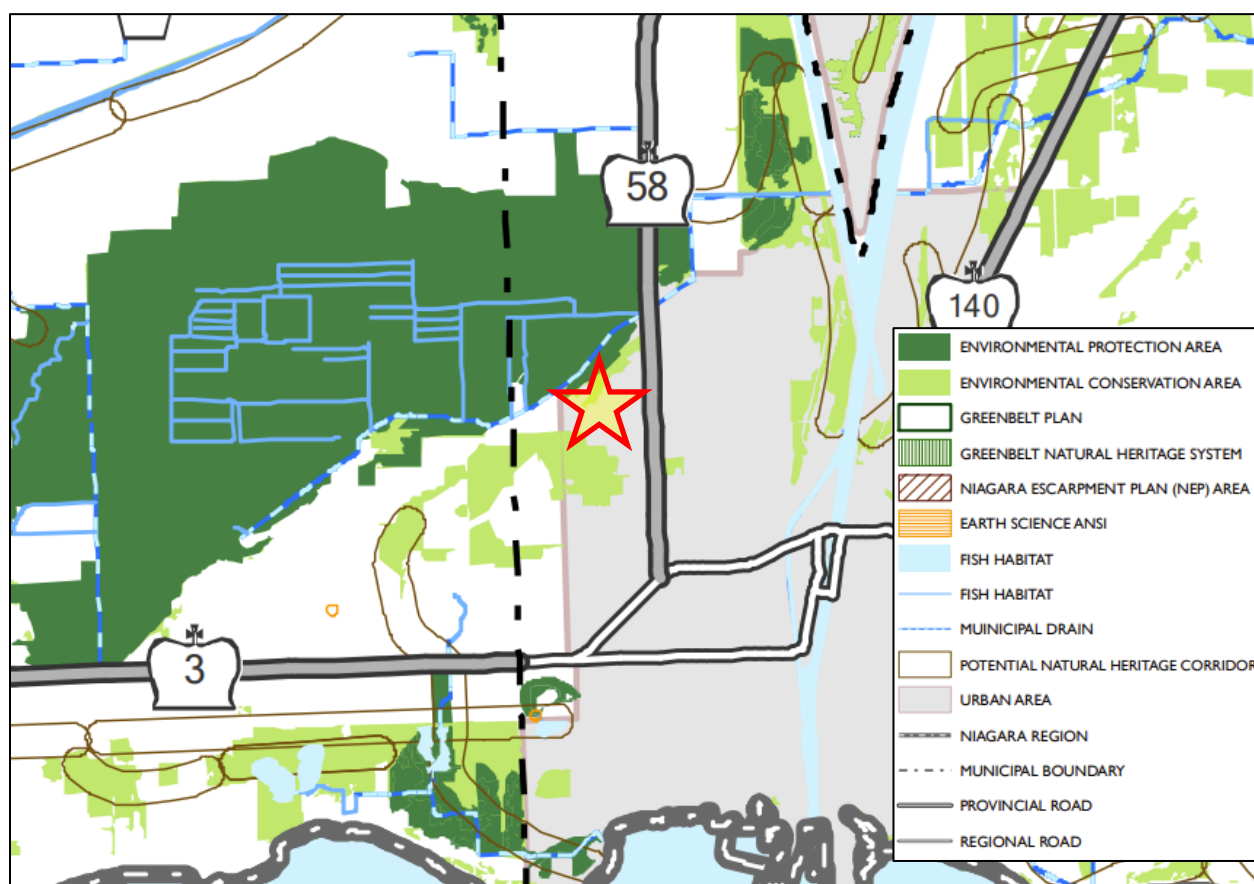


Figure 4 - Excerpt from Schedule C to the Region of Niagara Official Plan

Policies 7.A.2 and 7.A.3 of the Region of Niagara Official Plan relate to Policies for a Healthy Landscape. The Northland Estates development proposal is consistent with these policies as it will maintain and enhance the integrity of the natural landscape. The proposed Northland Estates development avoids Significant Natural Features. No development is proposed within the evaluated wetland identified as an ECA in the Region's Official Plan and the EIS completed by Beacon Environmental and the Water Balance completed by Terra Dynamics conclude that the

proposed 15 m buffer from this feature is adequate to protect its ecological integrity and function.

The EIS concludes that the cultural woodlands within the subject lands are small (<1ha), narrow and/or fragmented and do not represent significant woodlands. The FOD9-2 forest and SWD1 swamp forest within and adjacent to the west boundary of the subject lands do meet the criteria to be considered Significant Woodland within the City or Region's natural heritage system. The proposed development therefore will not have any impact on ECA woodlands.

The Northland Estates development will not have negative impacts on water resources as confirmed in the Environmental Impact Study and Water Balance Study. Information contained in the EIS confirms this. The development is therefore consistent with Regional Official Plan policy 7.A.2.

The subject property does not contain any significant landforms or Life Science ANSI so Regional policies contained in Section 7.A.4 are not applicable. The subject property does not contain any shoreline of natural hazards so policies contained in Section 7.A.5 and 7.A.6 are not applicable.

The subject property contains an evaluated wetland and a portion of an ECA Significant Woodlot which are classified as being part of the Region's Core Natural Heritage System in accordance with Policy 7.B.1.1. These features are all considered Environmental Conservation Areas in accordance with Policy 7.B.1.4. The subject lands do not contain, and are not adjacent to any Environmental Protection Areas as defined as by Policy 7.B.1.2.

The proposed development and site alteration will not occur within the core natural heritage system and is consistent with Policy 7.B.1.2 as it meets the intent of the Healthy Landscape Policies contained in Section 7.A.2 as described above.

The development of the Northland Estates Subdivision involves development and site alteration adjacent to Environmental Conservation Areas in association with the development of residential building lots along Street 'E'. An Environmental Impact Study was completed by Beacon Environmental to address the requirements of Regional Official Plan Policy 7.B.1.11. In addition, a Water Balance Study was completed by Terra Dynamics to assess the appropriate buffer of development from the adjacent Locally Significant Wetland. The Environmental Impact Study and Water Balance demonstrate that the proposed development (with the implementation of proposed mitigation measures) will not result in a significant negative impact on the Natural Heritage System or adjacent lands and that the development and site alteration is not prohibited by other Regional Planning Policies. Opportunities exist on site for the enhancement of the natural heritage features through the implementation of an edge management plan.

The EIS concludes that there is no fish habitat located on the subject property and that there will be no direct impact to fish habitat associated with the proposed development. The EIS further concludes that the proposed development will not cause indirect impacts to downstream fish habitat with the implementation of sediment and erosion control measures recommended in the EIS and the proposed stormwater quality control measures.

The EIS recommends the preparation of a Tree Preservation Plan as a condition of draft plan approval and it is anticipated that the City and Region would recommend this. The proposed development will therefore be in conformity with Policy 7.B.1.19 with the implementation of mitigation measures recommended in the EIS.

Based on the above, the submitted Draft Plan of Subdivision is considered to align and conform with the policies of the Region of Niagara Official Plan.

Chapter 11 – Housing and Community Services

Section 11 of the Regional Official Plan provides policy direction on Housing and Community services within Niagara. As outlined in Policy 11.A.1, “The Region encourages the provision of a variety of housing types within urban communities and neighbourhoods to serve a variety of people as they age through the life cycle”.

The subdivision includes a variety of housing forms including single-detached, street townhouse and apartment dwellings, reflecting a range of individual housing need.

NIAGARA PENINSULA CONSERVATION AUTHORITY POLICY DOCUMENT (2018)

The Niagara Peninsula Conservation Authority Policy Document provides the policy direction and framework for lands and features regulated by the Conservation Authority. The NPCA's online Watershed Explorer shows that the subject lands are affected by a regulated wetland, being the Onondaga Escarpment Locally Significant Wetland Complex also regulated by the NPCA.

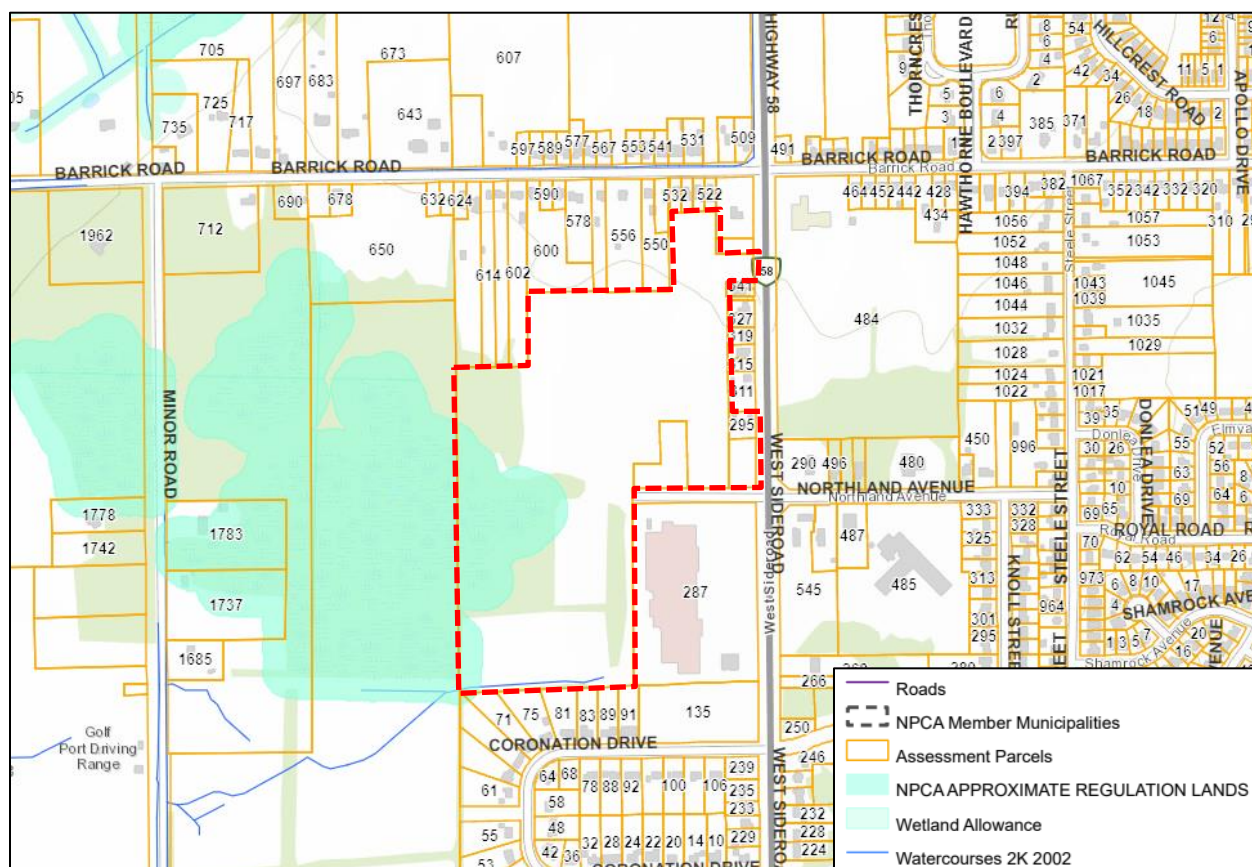


Figure 5 – NPCA-regulated Feature Mapping

Policies 8.2.3.4 and 8.2.3.5 provide guidance for permitting development, including lot creation and plans of subdivision between 15 m and 30 m of a regulated wetland. Policy 8.2.3.5. c) provides considerations to be used by NPCA Staff in their site-specific evaluation of whether to permit development between 15 m and 30 m of a wetland. The EIS completed by Beacon Environmental concludes that with the implementation of the proposed mitigative measures, including a fenced 15m buffer, the development will maintain consistency with NPCA policies for development between 15m and 30m of a PSW.

CITY OF PORT COLBORNE OFFICIAL PLAN (AS AMENDED)

The City of Port Colborne Official Plan is the long-term, land-use planning document that guides development and growth in the municipality. This section provides an overview of how the submitted applications conform to, and implement the Official Plan.

SECTION 2 – THE VISION AND LAND USE CONCEPT

Section 2.1 - Vision Statement

The Official Plan provides a comprehensive vision for growth and development in the City of Port Colborne. Specifically, relevant to these applications, the Official Plan seeks to improve the overall quality of life for residents, provide a mix of residential accommodations, the creation of high-quality living environments that protect and enhance the natural environment, ensuring that neighbourhoods are properly connected to each other and other parts and resources within the community and the optimization of existing infrastructure investment.

The proposed plan of subdivision provides a mix of residential dwelling types as well as commercial space, combined with park space and environmental lands, reflective of a complete community as described in Provincial plans. The development also includes transportation connections to adjacent lands ensuring the integration of development. The proposed development patterns and density provide for the efficient provision and use of public infrastructure and services.

Accordingly, the applications will facilitate residential and commercial development that conforms to and aligns with the Vision Statements of the City's Official Plan.

Section 2.2 - Growth Management Strategy

The Growth Management Strategy for the city is designed in conformity with the Growth Plan and regional Official Plan. The City of Port Colborne growth strategy directs growth to lands within the Urban Boundary that are, or can be supported by full municipal services (i.e. water, sanitary stormwater). Opportunities for infilling and intensification within the urban area are also highly encouraged, as well as compact development proposals on Greenfield lands or in the Built-up Area.

The proposed development conforms with the City's Growth Management Strategy as the lands are within the Port Colborne Urban Area, are designated as Greenfield Area and can be supported by full municipal services. The proposed plan balances the need for compact development with the established character of the surrounding area, achieving an appropriate mix and range of housing types at an appropriate development density.

Section 2.3 - Strategic Directions

Within Section 2.3 of the Official Plan are six (6) Strategic Directions for the municipality, which are:

- 1. *Enhancing Quality of Life (2.3.1)***
- 2. *Developing and Economic Gateway Centre (2.3.2)***
- 3. *Strengthening and Integrating Nature, Cultural and Heritage Resources (2.3.3)***
- 4. *Enhancing Public Areas (2.3.4)***
- 5. *Protecting Hamlet, Rural and Agricultural Lands (2.3.5)***
- 6. *Taking Advantage of Underutilized lands. (2.3.6)***

Items 1 (Enhancing Quality of Life) and 3 (Strengthening and Integrating Nature, Cultural and Heritage Resources) are specifically relevant to the proposal.

The policies under Section 2.3.1 state that enhancing quality of life is achieved by a compact urban form, balance of housing types and land uses, efficient and cost-effective infrastructure and transportation, and good urban design. In accordance with this policy direction the proposed subdivision incorporates a range of land uses and a mix of residential typologies, provides an efficient transportation network and makes efficient use of infrastructure.

The policies under Section 2.3.3 encourage the protection and enhancement of the City's natural, cultural and heritage resources. The protection of natural heritage resources is achieved through the creation of an environmental protection block containing the on-site natural heritage features. Furthermore, the site has not been found to contain any archeological resources.

Section 2.4 - Strategic Planning Policies

As stated in Section 2.4 of the Official Plan, the City's land use designations and policies are based on the accommodation of Provincial growth projections. In accordance with subsection 2.4.2, the proposed development provides an appropriate range and mix of housing options to accommodate prescribed growth targets.

SECTION 3 – City-Wide Land Use Policies

Section 3.1. - General Land Use Policies

Schedule A of the City of Port Colborne Official Plan delineates the City's general land uses. Schedule A1 of the City of Port Colborne Official Plan further delineates the urban components of the municipal planning structure.

Schedule A identifies the subject lands as being within the Urban Residential Area (see **Figure 6**). Schedule A1 identifies that a majority of the subject lands are within the designated Greenfield Area. Small areas of the subject lands fronting onto East West Road fall within the Built Boundary (see **Figure 7**).

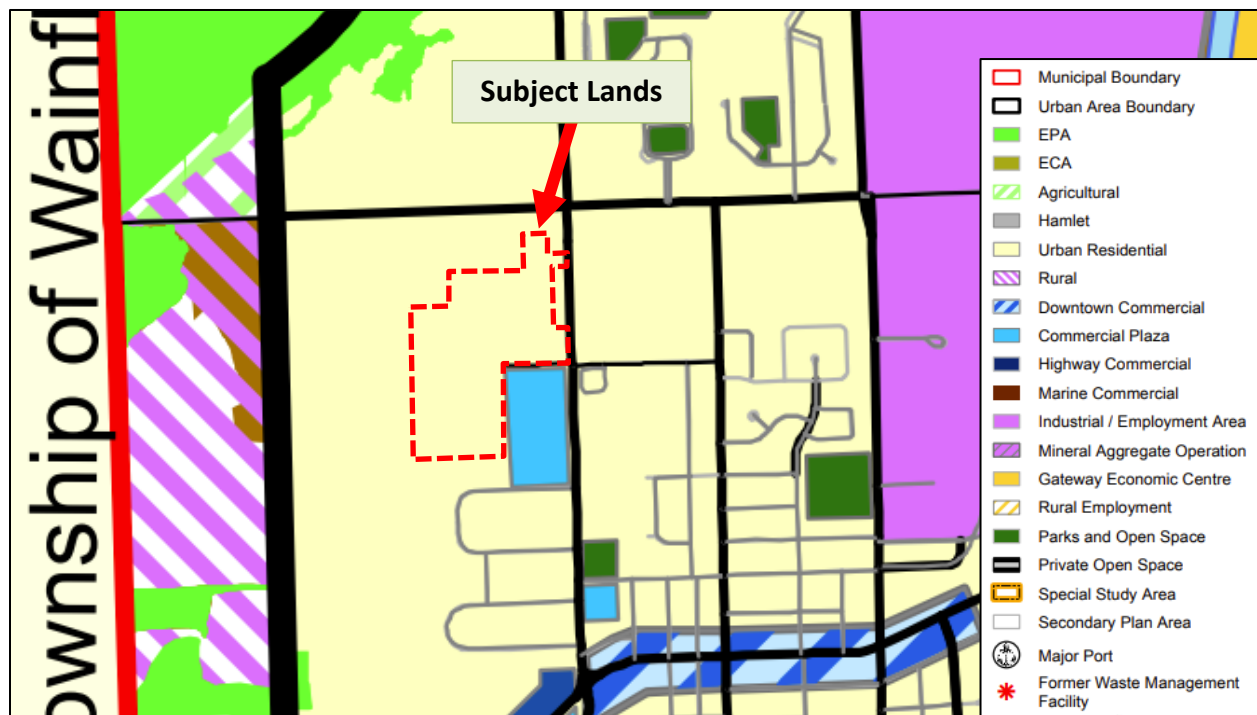


Figure 6 - Excerpt from City of Port Colborne Official Plan - Schedule A: City-Wide Land Use

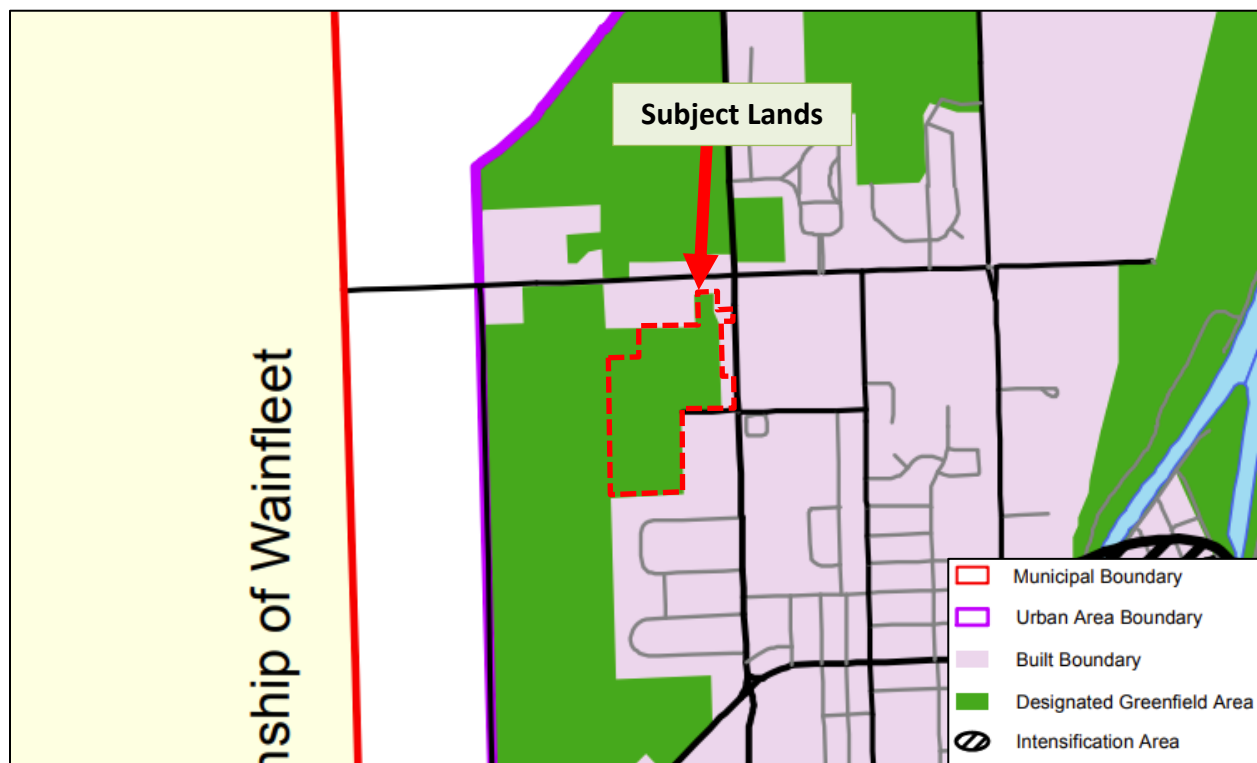


Figure 7 - Excerpt from City of Port Colborne Official Plan Schedule A1: Greenfields

Policy 3.1.1.2 outlines the desired land use outcomes for Greenfield lands. An analysis of how the Draft Plan achieves these outcomes is provided below:

a) Promote compact, mixed use and transit supportive development.

The proposed development is compact in nature and provides an appropriate mix of land uses including residential, commercial, park and environmental areas, as well as a mix of dwelling types. The proposed development pattern and density support the feasibility of providing public transit service to the area.

b) Promote higher densities and a greater mix of housing types.

The proposed development represents a higher density than the surrounding established residential neighbourhoods, and also provides a greater mix of housing options, including single detached, street townhouse and apartment dwellings.

c) Improve connections between greenfield areas and the built-up area.

The proposed development is integrated into the existing road network by way of Northland Avenue, and also includes road stubs to facilitate the future development of adjacent greenfield lands.

d) Enhance the physical design of new neighbourhoods.

The proposed subdivision includes a significant open space area through the co-location of the environmental protection, stormwater management and park blocks, which enhances the physical design of the neighbourhood.

e) Support the Regional greenfield density target of 50 people and jobs per gross hectare by:

- i. Adopting minimum and maximum densities for residential development;***
- ii. Designating portions of the Greenfield area for low, medium and high density development;***
- iii. Providing separate housing mix targets; and***
- iv. Encouraging and allowing for mixed use development in greenfield areas.***

The proposed development achieves a density of 50.41 people and jobs per hectare, thus supporting the achievement of the minimum Greenfield density target. This is achieved through the provision of a mix of housing types including multi-unit typologies as well as mixed-use development.

f) Support phasing greenfield development over time to ensure a balance of intensification and development.

The subject lands are located adjacent to the existing Built-up Area and can be development through the logical extension of adjacent roads and infrastructure. The proposed development enables the future development of adjacent Greenfield lands which would otherwise not have convenient access to existing roads and infrastructure within the Built-up Area.

3.2 – Urban Residential

As shown in Schedule A to the City’s Official Plan, the subject lands are designated as Urban Residential (see **Figure 4**). According to the Official Plan, the uses permitted in the Urban Residential area include, but are not limited to: residential uses, neighbourhood commercial uses, cemeteries, parks, schools, community facilities, and institutional uses normally located in residential areas. The proposed land uses are therefore considered to be permitted uses in the Urban Residential Area.

3.2.1 – General Policies

Section 3.2.1 contains additional policy direction for more specific land uses within the Urban Residential Area including Low, Medium, and High Density Residential; and Neighbourhood Commercial uses. These land uses are not found on the Official Plan’s overall Schedules but are instead delineated on Secondary Plan Schedules. As the subject lands are not within a Secondary Plan Area, these policies are not applicable to the proposal.

3.2.3 – Design Guidelines

3.2.3.1 – Residential Communities

a) *New residential communities shall be limited in size, have a clearly defined character and edges:*

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

The development is approximately 400 meters from edge to edge, promoting walkability within the neighbourhood, and particularly to the open space features. Furthermore, the perimeter of the proposed development is clearly defined to the south and east by

the proposed park, stormwater management facility and environmental protection lands.

b) New residential communities should create or build upon a unique identity such that:

- i. Heritage Buildings and structures are preserved and incorporated into new neighbourhoods where possible.***
- ii. Where possible, community facilities, institutional uses and heritage structures should be located at the termination of primary streets or view corridors to emphasize their civic presence and give structure to the neighbourhood.***

The subject lands do not contain any designated Heritage buildings or structures. While no community facilities or institutional uses are directly proposed, the neighbourhood has been designed with the mixed-use building located at the entrance of the neighbourhood with frontage on Northland Avenue and West Side Road to emphasize its status and to help give identity and presence to the neighbourhood.

c) New residential communities and new development in existing neighbourhoods should be visually interesting such that:

- i. A variety of residential building types, sizes and setbacks should be provided on any given street to encourage a diverse, non-repetitive community fabric.***
- ii. Visual interest should be provided through a block layout that maximizes views and vistas to parks, Natural Heritage features, the rural periphery and heritage and landmark buildings and features.***

The development includes an integrated mix of land uses and dwelling types to create a diverse community fabric. The location of the proposed park and open space areas provides significant opportunity for direct frontage along these features.

d) New residential communities should use a park or open space feature as a focal point:

- i. The park may incorporate civic buildings, public art, gazebos, floral gardens, playgrounds and community mailboxes, where residents can meet informally or participate in neighbourhood events.***
- ii. The design of each park area should be unique to each neighbourhood to reinforce a sense of local identity and to assist in one's orientation through successive neighbourhoods.***

As noted, the proposed park has been co-located with the stormwater management facility and environmental protection area to achieve a large area of open space within the community which serves as a community focal point.

e) New residential communities should protect and incorporate existing heritage features.

- i. Where possible, hedgerows should be maintained and incorporated into parks and other publicly owned areas including road rights-of-way.*
- ii. Where possible, heritage building sites should retain elements of the heritage landscape including trees, tree lined driveways, hedgerows and stone fences.*
- iii. Heritage structures shall be considered for residential or community uses.*
- iv. Reconstruction of heritage buildings and structures should be encouraged to restore the building exteriors to the original design/condition or to renovate in a manner sympathetic to the original design.*

As noted, the subject lands are not affected by any cultural heritage buildings or structures. The existing natural heritage features on site will be contained within an environmental protection block which will be contiguous with other public uses thereby integrating these uses.

3.2.3.2 – Streets and Blocks

a) The layout of streets and blocks should enhance the connectivity and appearance of new neighbourhoods.

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

The proposed internal road network is connected into the existing road network and forms a grid pattern which follows the geometry of the natural heritage features in the western portion of the property. The blocks are approximately 170 meters in length.

b) Residential blocks should have a positive interface with lands designated as Natural Heritage and/or Parks and Open Space, as well as roads:

- i. Reverse lot frontage is discouraged on lands designated as Natural Heritage and/or Parks and Open Space or roads.*
- ii. Positive frontage on lands designated as Natural Heritage and/or Parks and Open Space should be created by using single loaded roads and/or open-ended crescents (window streets).*

- iii. Where housing fronting arterial roads cannot have driveway access from these roads, positive frontage to these streets can be achieved with open ended crescents (window streets), rear access from a lane or local road and single-loaded service roads.*

The proposed development includes reverse lot frontage onto the Environmental protection (Natural Heritage) lands. This is to allow for the efficient use of the site to achieve the Greenfield density target while also considering the physical location of the environmental area and stormwater management facility. Consequently, the reverse lotting on the environmental protection block provides for positive frontage onto the proposed park.

The reverse lot frontage also affords an opportunity to fence the natural heritage feature as is recommended through the EIS.

3.13 – Parks and Open Space

Section 3.13 of the Official Plan sets out the policy direction for Parks and Open Space in the City. Under the City's park hierarchy as defined in the Official Plan, the proposed park is considered to be a Neighbourhood Park.

Per Policy 3.13.1.3 c) of the Official Plan Neighbourhood Parks are anticipated to serve residents within a 0.8km radius. **Figure 8** shows a 0.8km radius from the proposed park location. The radius covers all of the proposed development area, and overlaps two other existing parks meaning that future and existing residents in the area will have ample access to park space.

Policy 3.13.3 encourages the provision of linkages to integrate natural resource features into the Parks and Open Space system. In accordance with this policy, the proposed park location is contiguous with the stormwater management facility and environmental protection block and provides for a large, integrated open space area.

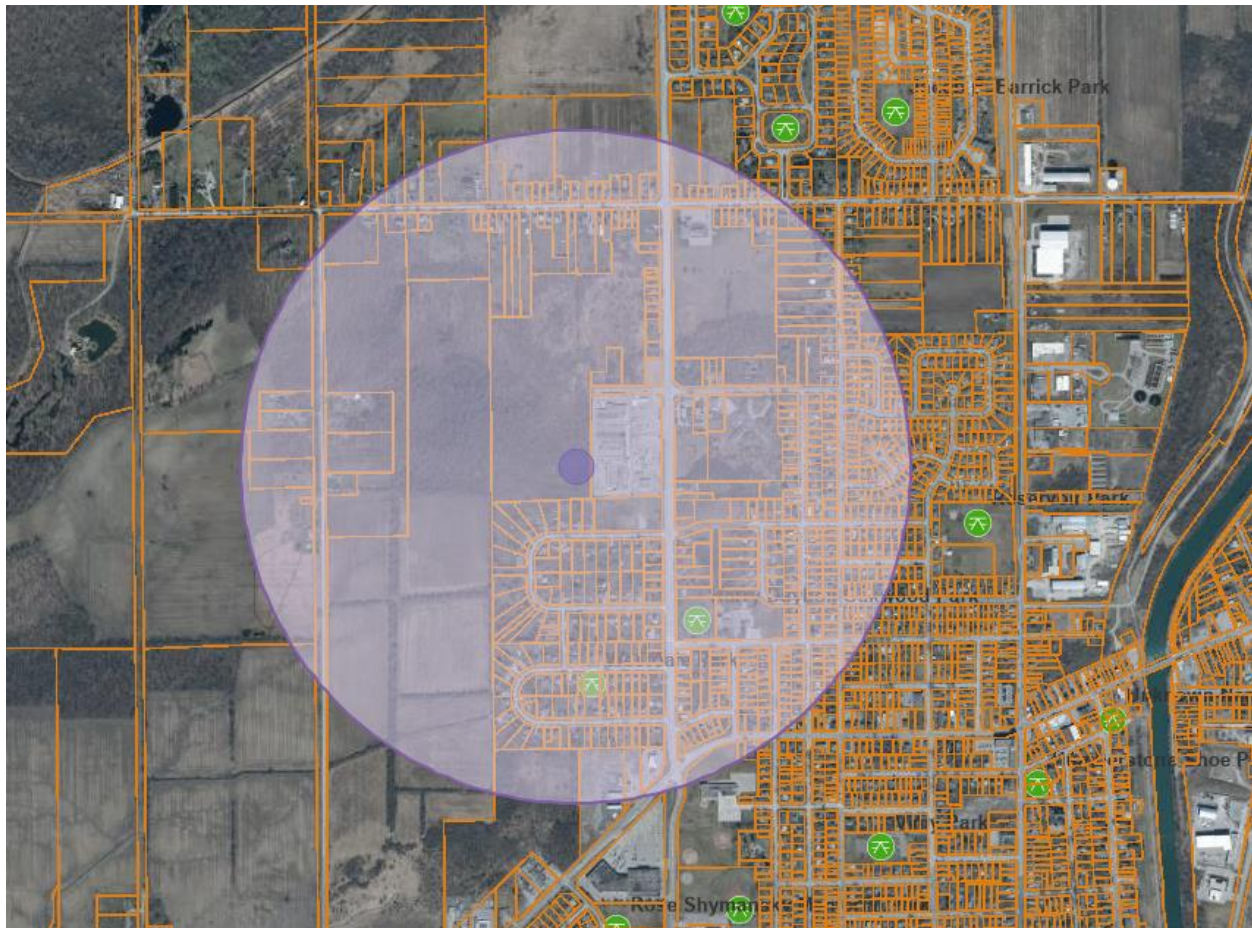


Figure 8 – Existing Park Distribution with 0.8km Radius from Proposed Park Location

SECTION 4 – Natural Heritage

Schedule B of the City's Official Plan delineates the Environmental Protection and Environmental Conservation Areas within the City as well as streams and fish habitat. Schedule B identifies that the subject lands are affected by an Environmental Conservation Area (see **Figure 9**). Schedule B2 further identifies the features that make up Environmental Conservation Areas. The Environmental Conservation Area affecting the subject lands is comprised of Non-Provincially Significant Wetland and Significant Woodlands (see **Figure 10**).

The specific policies under Section 4 promote the long-term protection and enhancement of Natural Heritage features or their functions. Section 4.1.2 requires that appropriate studies must be completed prior to significant development to ensure that the development does not negatively impact any Natural Heritage features or areas. Per Policy 4.3.1 e), the boundaries of the Environmental Conservation Area may be refined through and EIS or equivalent without an Official Plan Amendment.

In accordance with Section 4, an Environmental Impact Study (EIS) of the on-site environmental features was conducted by Beacon Environmental, which delineated the extent of the features and provided recommendations on appropriate measures to mitigate impacts on these features. In accordance with findings of the EIS, the on-site environmental features will be contained within an environmental protection block to promote their long-term protection.

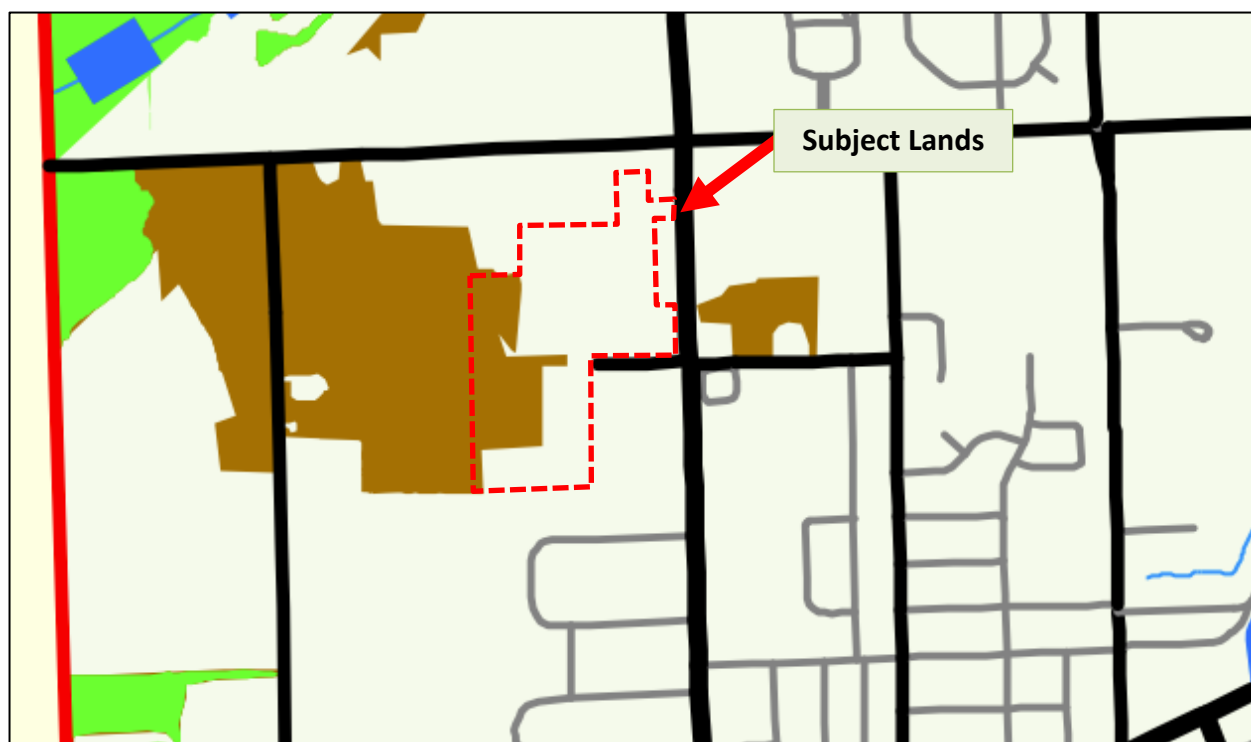


Figure 10 - Excerpt from City of Port Colborne Official Plan Schedule B: Natural Heritage

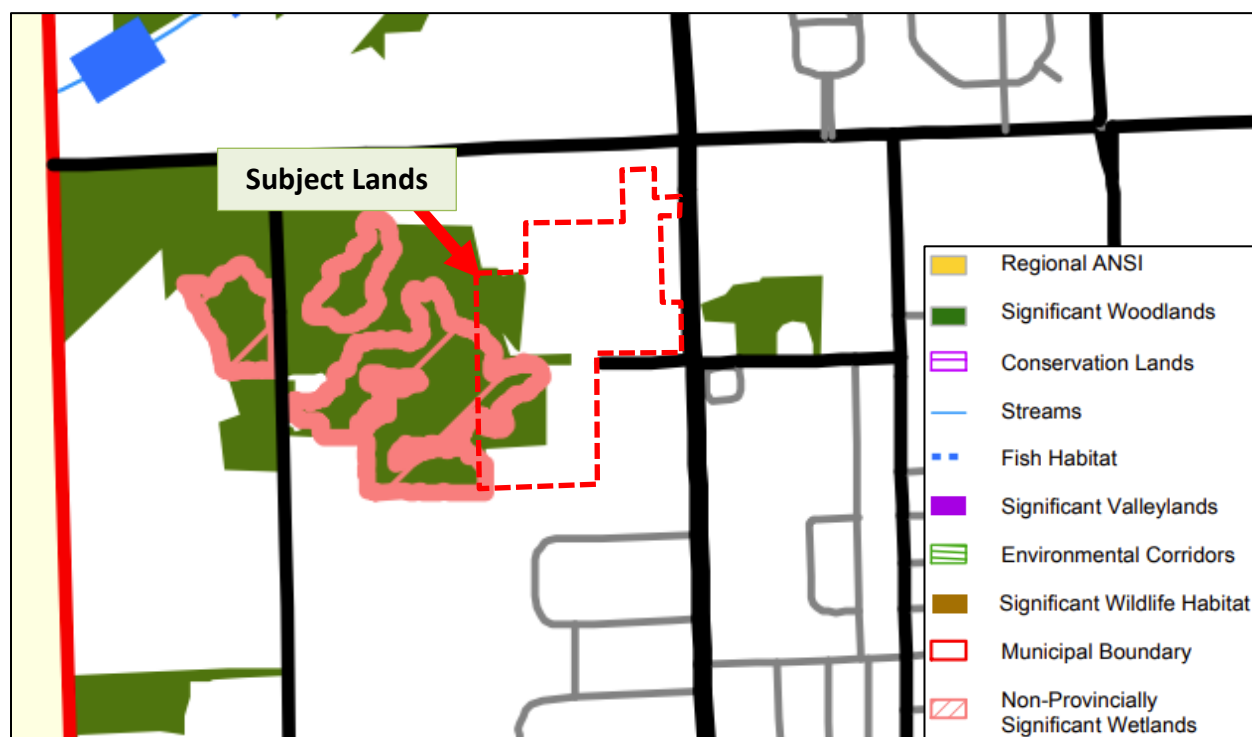


Figure 9 - Excerpt from City of Port Colborne Official Plan Schedule B2: Environmental Conservation Area

SECTION 7 – Cultural Heritage

Section 7.3 - Archaeological Resources

As required by Section 7.3 of the Official Plan, a combined Stage 1-2 Archeological Assessment of the subject lands was undertaken by Detritus Consulting due to their potential for archeological discovery. No archeological resources were encountered through the assessment, and the Archeological Report has been submitted to the Ministry of Heritage, Sport, Tourism, and Culture Industries for review and clearance.

SECTION 8 – Servicing and Stormwater Management

Section 8.1 - Water and Sanitary Servicing

The servicing requirements for lands within the Urban Boundary are outlined under Section 8.1.1 of the Official Plan.

Policy 8.1.1 a) requires that new development in the Urban Area is required to be on municipal water and sanitary services. The proposed development will be connected into the municipal water and sanitary systems.

Policy 8.1.1 d) states that, developers must provide appropriate water and sanitary systems for there site, and where necessary, such systems must be connected into City mains. The servicing strategy for the proposed development is outlined in the Functional Servicing Report submitted with the subject applications. New water and sanitary infrastructure will be installed for the development, which will be connected into existing City infrastructure in Northland Avenue. Policy 8.1.1 d) further states that the City will obtain a Subdivider or Site Plan Agreement related to services, standards, specifications, levies etc. Accordingly, the developer is required to enter into a subdivision agreement with the City in which servicing obligations and requirements are formally established.

Section 8.2 - Stormwater Management

Stormwater management requirements are outlined in Section 8.2 of the City's Official Plan.

Policy 8.2 a) states that stormwater must be managed on-site and must not have any adverse impact to neighbouring properties or the drainage patterns of the surrounding area. A SWM pond is proposed for the development which will provide quantity and quality controls which ensures that surrounding lands will not be negatively impacted.

Policy 8.2 b) establishes that a stormwater management plan, prepared and signed by a professional engineer may be required for development applications. A preliminary Stormwater Management Plan is included in the Functional Servicing Report prepared by Upper Canada

Consultants has been submitted with this application. A more detailed Functional Servicing Report and Stormwater Management Plan will be prepared through the detailed engineering design phase.

Policy 8.2 c) states that stormwater management facilities are not permitted in Natural Heritage Features, key hydrological features or required buffer zones, except where otherwise permitted in the Official Plan. The proposed SWM pond is not located within any of the delineated on-site Natural Heritage features or their buffer areas.

Policy 8.2 d) states that combined storm and sanitary sewers are not permitted. The proposed development will be serviced with separate storm and sanitary sewers.

8.2.1 – Design Guidelines

Section 8.2.1 of the Official Plan sets out the design guidelines for Stormwater Management (SWM) Facilities.

Policy 8.2.1 a) states that SWM Facilities should be designed to be visual features within the community and integrated into the Subdivision design. Policy 8.2.1 c) further provides that where possible, SWM Facilities should be designed to appear contiguous with natural areas and watercourses. The proposed SWM block has been located between the proposed Park and environmental protection blocks, providing for a large combined open space area which acts as a visual feature for the development, as encouraged in the Official Plan.

SECTION 9 – Transportation and Public Utilities

Section 9.1 - Transportation

The City's Transportation Policies are outlined in Section 9.1 of the Official Plan.

9.1.1 – Walking, Cycling and Transit

The specific policies under Section 9.1.1 encourage the provision of a multi-modal transportation system to reduce automotive reliance. The proposed mix of land uses, and the proximity of the proposed development to existing commercial uses increases the feasibility of non-automotive transportation modes. Furthermore, the proposed blocks for environmental protection, Stormwater Management and Public Park provide significant opportunity for the provision of a public trail network, further encouraging walking and cycling.

9.1.2 – Road Policies

Per Section 9.1.2, there are 6 road classifications within the City of Port Colborne. The proposed roads within the subdivisions fall within the Local Road classification, and are accordingly proposed to be 20 meters in width per the requirements of the Official Plan.

CITY OF PORT COLBORNE COMPREHENSIVE ZONING BY-LAW 6575/30/18

As shown on **Figure 11** below, a majority of the subject lands are zoned as Residential Development Zone (RD) while the general area encompassing the site's natural heritage features are zoned as Environmental Conservation (EC) zone. Small portions of the subject lands along West Side Road which were previously individually developed are zoned as Residential 1 and Residential 3.

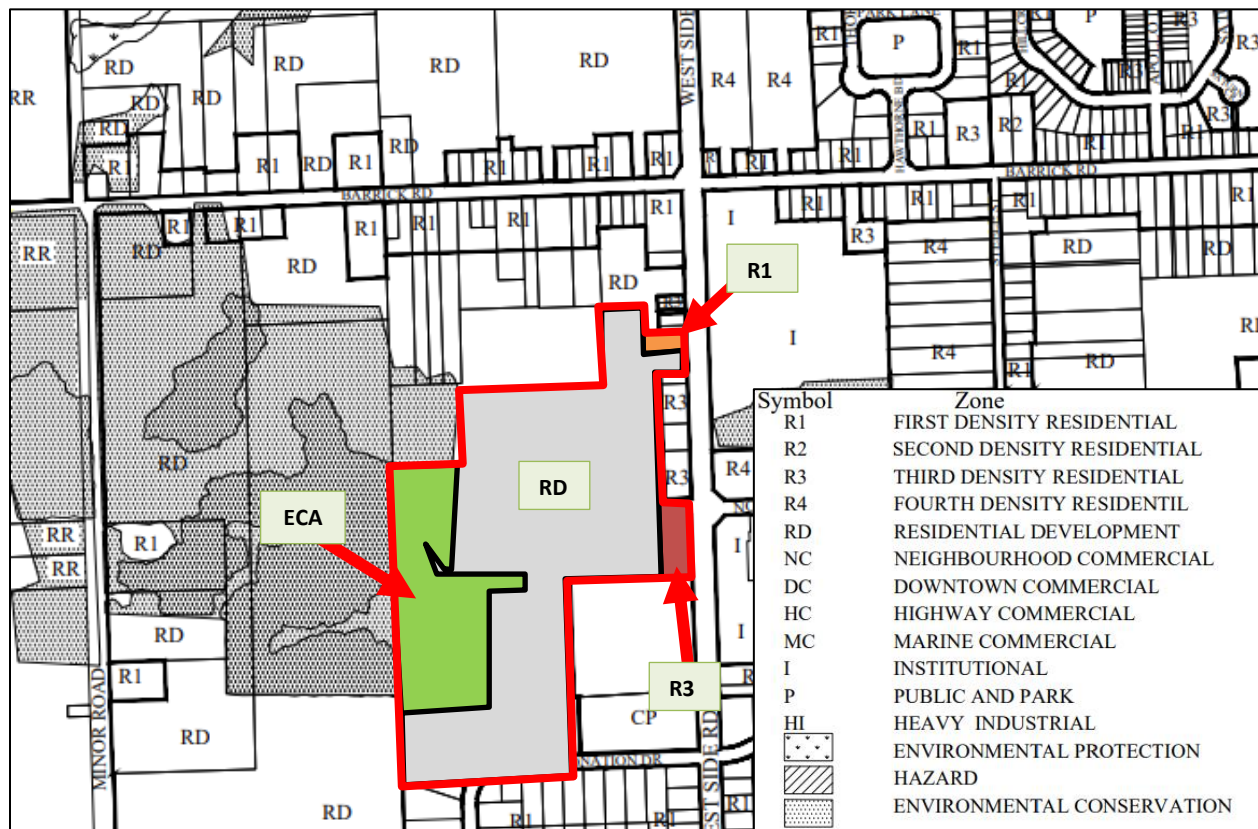


Figure 11 - Excerpt from City of Port Colborne Zoning By-law Schedule A8

The RD Zone generally acts as a placeholder for lands that are designated for residential development, but where additional planning approvals, such as a Secondary Plan or Plan of Subdivision, are required.

Through the submitted application, a Zoning By-law Amendment has been prepared to establish appropriate zones to permit and regulate the proposed mix of land uses. The Zoning By-law Amendment also proposes to re-delineate the Environmental Conservation zone boundary based on the results of the Environmental Impact Study.

An overview of the proposed zoning categories is provided on the following pages:

Residential Zone (R3)

The Residential 3 (R3) Zone permits a variety of dwelling types ranging from single-detached to street-townhouse dwellings. The proposed single-detached lots and street-townhouse blocks are accordingly proposed to be zoned as Residential 3 (R3) Zone.

Regulations for street-townhouse dwellings are outlined in Section 7.8 of the Zoning By-law. Single-detached dwellings in the R3 Zone are subject to the R2 zone requirements which are outlined in Section 6.3 of the Zoning By-law. An overview of conformity to the applicable zoning provisions for the proposed street-townhouse and single-detached dwellings is provided in **Table 2**. As shown in this table, a site-specific minimum lot area provision is required for both the single-detached dwellings and townhouse dwellings. A site-specific interior side yard setback is also requested for the townhouse dwellings. No other zoning modifications are proposed.

The single-detached lots range in area from 327 square meters (Lot 32) to 879 square meters (Lots 76 and 77). The requested reduction in lot area does not impact the ability for the smallest of the proposed lots to accommodate a dwelling in accordance with all other applicable zoning provisions, and the proposed range of lot sizes enables a variety of single-detached dwelling configurations throughout the neighbourhood, which increases housing choice and also contributes to design interest. The reduction in lot area further allows for more efficient use of the land which contributes to the achievement of the minimum Greenfield Density target. Similarly, the reduction in lot area for townhouse lots from 200 square meters to 180 square meters does preclude the ability for a townhouse dwelling to be accommodated on each townhouse lot, and provides for the efficient use of the site which supports the achievement of the City's Greenfield Density obligations.

The requested interior side yard setback of 1.5 meters for a townhouse dwelling is a common built-form standard throughout the Niagara Region and provides an appropriate amount of separation between buildings while also providing ample rear yard access.

Mixed Use Zone (MU)

The proposed mixed-use block (Block 137) is proposed to be zoned as Mixed Use (MU) Zone. The proposed mixed-use building is anticipated to contain ground floor commercial uses with 3 levels of apartments located above. An apartment building is a permitted use in the Mixed-Use Zone, as are a variety of commercial uses. Zoning conformity for the Mixed-Use Block is demonstrated in **Table 3**. As shown in this table, a site-specific maximum height provision is requested to permit a height of 14 meters for the proposed building. No other zoning modifications are proposed.

The proposed mixed block has been deliberately located at the corner of Northland Avenue and West Side Road to act as a gateway into the community. The increase in maximum height will allow for the building which occupies this block to reflect the importance of this location. The increase in height also allows for the achievement of a greater development density on the site. The building will be subject to all other zoning regulations including parking requirements and setbacks to ensure that the increase in height does not negatively impact adjacent properties, including the side-yard setback requirement to a residential area which is directly tied to building height.

Public and Park Zone (P)

The proposed Park (Block 138) and stormwater management facility (Block 139) are proposed to be zoned as Public and Park (P) Zone which permits and regulates a range of community-related uses. An overview of conformity to the applicable zone regulations is provided in **Table 4**. While not specifically listed as a permitted use, the stormwater management facility can be considered as a Public Use which is listed as a permitted use. No site-specific provisions are requested for the park or stormwater management blocks.

Environmental Conservation Layer (ECA)

Section 36.3 b) of the Zoning By-law allows for the boundaries of the Environmental Conservation Layer to be accurately defined through an Environmental Impact Study. Accordingly, the Zoning By-law Amendment proposes to re-delineate the existing Environmental Conservation area in accordance with the findings of the EIS. An overview of conformity to the Environmental Conservation Zone Requirements is provided in **Table 5**.

Table 2 – Zoning Compliance**Section 7****Third Density Residential (R3) Zone**

Provision	Required	Proposed
Section 7.2 – Permitted Uses		
a) Dwelling, Detached; b) Dwelling, Semi-detached; c) Dwelling, Duplex; d) Dwelling, Triplex; e) Dwelling, Fourplex; f) Townhouse, Block; g) Townhouse, Street; and h) h) Uses, structures and buildings accessory thereto		Dwelling, Detached; and Townhouse, Street
Section 7.8 – Zone Requirements – Townhouse, Street		
a) Minimum Lot Frontage per Unit	6 meters	No Change
b) Minimum Lot Area	0.02 hectares	180 square meters
c) Minimum Front Yard	7.5 meters	No Change
d) Minimum Interior Side Yard	3 meters	1.5 meters
e) Minimum Corner Side Yard	4.5 meters	No Change
f) Minimum Rear Yard	6 meters	No Change
g) Maximum Height	11 meters	No Change
h) Minimum Landscaped Area	25 percent	No Change
i) A 3-metre landscape buffer shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone		No Change
j) Common walls shall be centred on the common lot line.		No Change
k) There is no minimum interior side yard and/or rear yard for common walls		No Change
Section 7.9 – Zone Requirements – Dwelling, Detached (in accordance with Section 6.3)		
a) Minimum Lot Frontage	12 meters	No Change
b) Minimum Lot Frontage – Corner Lot	15 meters	No Change
c) Minimum Lot Area	0.04 hectares	327 square meters
d) Minimum Front Yard	6.5 meters	No Change
e) Minimum Interior Side Yard	1 meter	No Change
f) Minimum Corner Side Yard	3.5 meters	No Change
g) Minimum Rear Yard	6 meters	No Change
h) Maximum Lot Coverage	50 percent	No Change
i) Maximum Height	11 meters	No Change
j) Minimum Landscaped Area	25 percent	No Change

Table 3 – Zoning Compliance**Section 21****Mixed Use (MU) Zone**

Provision	Required	Proposed
Section 21.2 – Permitted Uses		
a) Animal Care Establishment b) Apartment Building c) Apartment Building, Public d) Convenience Store e) Community Garden f) Day Care g) Dwelling, Accessory h) Dwelling, Duplex i) Dwelling, Fourplex j) Dwelling, Detached k) Dwelling, Semi-Detached l) Dwelling, Townhouse Street m) Dwelling, Triplex n) Food Vehicle o) Long Term Care Facility p) Office q) Personal Service Business r) Public Uses s) Restaurant, Fast Food t) Restaurant, Full Service u) Restaurant, Take Out v) Service Commercial w) Social Services Facility x) Studio y) Uses, Structures And Buildings Accessory Thereto		Apartment Building with Ground Floor Commercial (unknown use)
Section 21.3 – Zone Requirements – Non-Residential Buildings and Mixed Use Buildings		
a) Minimum Lot Frontage	15 meters	No Change
b) Minimum Lot Area	0.5 hectares	No Change
c) Minimum Front Yard	9 meters	No Change
d) Minimum Interior Side Yard	1.2 meters	No Change
e) Minimum Interior Side Yard Abutting a Residential Zone	7.5 meters or half the height of the building, whichever is greater	No Change
f) Minimum Corner Lot Side Yard	2 meters	No Change
g) Minimum Rear Yard	4.5 meters	No Change
h) Maximum Height	11 meters	14 meters
i) Minimum Landscape Buffer Abutting Residential Zone	3 meters	No Change

Table 4 – Zoning Compliance
Section 32
Public and Park (P) Zone

Provision	Required	Proposed
Section 32.2 – Permitted Uses		
a) Cemetery; b) Community Garden; c) Conservation Use; d) Cultural Facility; e) Food Vehicle; f) Park; g) Public Use; h) Recreation Use; and i) Uses, structures and buildings accessory thereto		Park and Public Use (Stormwater Management Facility)
Section 32.3 – Zone Requirements		
a) Minimum Lot Frontage	No Minimum	No Change
b) Minimum Lot Area	No Minimum	No Change
c) Minimum Front Yard	8 Meters	No Change
d) Minimum Lot Depth	No Minimum	No Change
e) Minimum Interior Side Yard	4.5 Meters Or Half Of The Height Of The Building, Whichever Is Greater	No Change
f) Minimum Corner Side Yard	7.5 Meters	No Change
g) Minimum Rear Yard	7.5 Meters	No Change
h) Maximum Lot Coverage	20%	No Change
i) Maximum Height	No Maximum	No Change
j) Minimum Landscaped Open Space	30%	No Change

Table 5 – Zoning Compliance
Section 36
Environmental Conservation (EP) Zone

Provision	Required	Proposed
Section 34.2 – Permitted Uses		
a) Boat House; b) Boat Ramp; c) Conservation Uses; d) Dock; e) Existing Agricultural Uses, excluding buildings and structures; f) Existing Dwelling and any enlargement thereof and existing uses, buildings and structures accessory thereto; g) Flood and Erosion Protection Works; h) Forestry Uses; i) Passive Recreation Uses; and j) Public Use		Conservation Uses
Section 34.3 – Zone Requirements		
a) Notwithstanding the permitted uses in the applicable underlying zones shown on the Maps in Section 39, where a lot is also subject to an Environmental Conservation Layer, no uses and no building or structure or an expansion to an existing building or structure shall be permitted until an Environmental Impact Study (EIS), in accordance with the City, Regional Municipality of Niagara or Niagara Peninsula Conservation Authority, as amended from time to time, and other studies that may be required by the City based on approved guidelines or terms of reference are approved. The requirement for an EIS may be scoped or waived in accordance with the EIS guidelines. The uses permitted in Section 36.2 may be permitted subject to a scoped EIS in accordance with the EIS guidelines.		No Change
b) Minimum Lot Frontage	As existing	No Change
c) Minimum lot area	As existing	No Change
d) Minimum front yard	15 meters	No Change
e) Minimum side yard	7 meters	No Change
f) Minimum rear yard	7 metres except the minimum rear yard which includes the Hazard (H) zone shall be determined by the Niagara Peninsula Conservation Authority in accordance with Ontario Regulation 155/06, as amended.	No Change

Niagara Region Model Urban Design Guidelines

The Niagara Region's Urban Design guidelines is a non-statutory document which provides urban design direction to implement Smart Growth objectives. This section contains an evaluation of the proposed development against the guidelines for neighbourhood design, found in Section 3.a of the Urban Design Guidelines.

Chapter 3 – Public Realm

3a. Neighbourhood Structure

3a.1 – Design Principles

The Region's Urban Design Guidelines set out 5 overarching neighbourhood design principles, these being:

- 1. *Identifiable***
- 2. *Interconnected***
- 3. *Compact and walkable***
- 4. *Diverse***
- 5. *Respect for Natural Heritage***

The proposed development is ***identifiable*** as it features distinctive design elements along the neighbourhood perimeter including a mixed-use block at the gateway and connected park, open space and environmental features along the southern and western perimeters.

The proposed development is ***interconnected*** as it features a fine grid internal street network which is connected into the existing road network and also includes consideration for connections to adjacent vacant urban lands.

The proposed development is ***compact and walkable*** as it includes a diverse and compact mix of associated land uses including residential, parks space and commercial uses.

The proposed development is ***diverse*** as a variety of housing forms and lot sizes are proposed, as well as compatible and associated land uses including commercial uses and park space.

The proposed development achieves ***respect for natural heritage*** through the protection of the on-site natural heritage features within a block designated and zoned for environmental conservation.

3a.2 – Neighbourhood Structure

The Region's Urban Design Guidelines encourage neighbourhoods to be designed to include a distinct *Neighbourhood Centre* and *Neighbourhood Edge*.

The *Neighbourhood Centre* is encouraged to contain a variety of uses, services and amenities, and access to transit. The proposed mixed-use block, in concert with the existing Port Colborne Mall, functions as the *Neighbourhood Centre*. Higher density development is encouraged in proximity to the neighbourhood center to sustain the viability commercial activities and transit systems. The proposed 4-storey mixed-use building at the *Neighbourhood Centre* supports this intended function.

The *Neighbourhood Edge* is generally to be a maximum of 400 meters from the center of the neighbourhood to promote walkability. No part of the proposed development is greater than 400 meters from an edge which reflects the compact nature of the neighbourhood.

The internal road network for a neighbourhood is encouraged to be a fine grid pattern with consistent block orientation with multiple connections to maximize the permeability of traffic into the existing network, as well as to assist wayfinding. The proposed internal road network generally consists of a consistent fine grid pattern, only deviating from a true grid where the location of environmental features or infrastructure require it. The road network provides for a variety of block sizes which are consistently organized which aids in wayfinding while providing enough variation to maintain visual interest within the neighbourhood. The proposed road network features a single connection to Northland Avenue as a connection to West Side Road is not permitted by the MTO. The proposed road network is also stubbed at the property line to facilitate future transportation connections to the adjacent vacant lands.

Parks and recreation areas are proposed to be distributed so that they are within walking distance to most homes. The development includes large recreational areas including a dedicated park which are in proximate to all of the proposed dwellings.

3a.3 – Block Design

The Urban Design Guidelines state that blocks should be no longer than 250 meters to promote walkability, and should be designed to accommodate a range of lot sizes. The proposed blocks do not exceed 250 meters, and vary in width and length from one another, providing for a variety of lot sizes.

3a.4 – Lot Sizes and Variety

The Urban Design Guidelines encourage the provision of a range of lot sizes to promote a variety of development types, sizes and designs. Lots are also encouraged to be generally

rectangular in shape. Consistent with these guidelines, the Draft Plan proposes the creation of a variety of single detached lot sizes and townhouse block sizes which are largely rectangular in shape. The variety of lot and block sizes enable the provision of a range of building types, contributing to variation throughout the neighbourhood. The proposed development also includes apartment dwellings which further contribute to the variation of dwelling types within the neighbourhood.

Corner lots are encouraged to be wide enough to accommodate an appropriate setback from both streets. The proposed corner lots have larger frontage than interior lots to accommodate the required front and exterior side yard setbacks.

The Urban Design Guidelines encourage the provision of higher density lots and blocks adjacent to neighbourhood centers. Consistent with this direction, the Draft Plan proposes the creation of a higher-density mixed use block adjacent to the Port Colborne Mall.

3.a.5 – Neighbourhood Edge Interface

The Urban Design Guidelines state that, wherever possible, the perimeter of parks and other public spaces should be faced with single-loaded streets. Consistent with this guideline, the southern portion of Street 'E' is single loaded, with the lots having positive interface with the proposed park.

3.a.6 – Transit Supportive Design

The Urban Design Guidelines state that neighbourhoods should be designed with a mix of land uses, with higher densities at key locations to promote transit viability. Compact development is also encouraged as a means of supporting transit viability. The proposed development features higher-density mixed use development at the intersection of Northland Avenue and West Side Road, along an existing transit route. Furthermore, the proposed subdivision is efficient and compact in nature, and generally supports the viability of public transit.

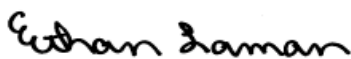
PLANNING POSITION

The submitted Draft Plan of Subdivision proposes to divide the subject lands with 122 lots for single-detached dwellings, 10 blocks for 50 street-townhouse dwellings, one mixed use commercial and residential block, a park, one block containing a stormwater management facility and an environmental conservation block. A concurrent Zoning By-law Amendment Application has been submitted to establish appropriate Zoning designations to permit and regulate the proposed mix of land uses.

The proposed development achieves a balance between environmental conservation and the accommodation of prescribed growth. The subject lands are located within the City of Port Colborne's Settlement Area and are further within a designated Greenfield area. Provincial, Regional and local land use planning documents direct that these lands be developed to accommodate a range and mix of land uses and dwelling types through compact and efficient land use patterns to meet prescribed growth targets. The lands are also affected by Natural Heritage Features protected under the Region's Core Natural Heritage System. Provincial, Regional and local land use policies require the long-term protection of Natural Heritage features and their functions. The on-site environmental features have been delineated through an Environmental Impact Study and will be contained within an environmental conservation block. This block will be designated and zoned to prohibit development which would negatively impact these features. The areas outside of the environmental conservation area are proposed to be developed through a compact mix of land uses, including a mix of dwelling types as encouraged in the Provincial, Regional and local plans. The proposed development yield contributes positively to the achievement of the City's density obligations.

Based on the above-analysis, it is my opinion that the applications comply with the *Planning Act*, are consistent with the Provincial Policy Statement, conform with the Growth Plan, Region of Niagara Official Plan and the City of Port Colborne Official Plan, represent good planning and should be supported.

Prepared by,



Ethan Laman, B.U.R.Pl.
Junior Planner
Upper Canada Consultants

Reviewed by,



Matt Kernahan, MCIP, RPP
Planning Manager
Upper Canada Consultants

Appendix I
Draft Plan of Subdivision

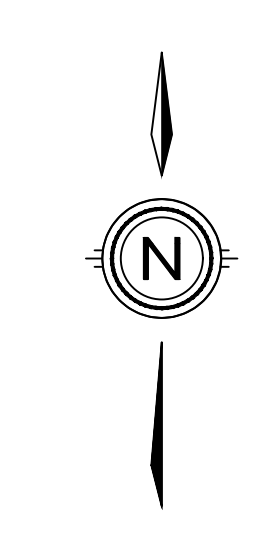
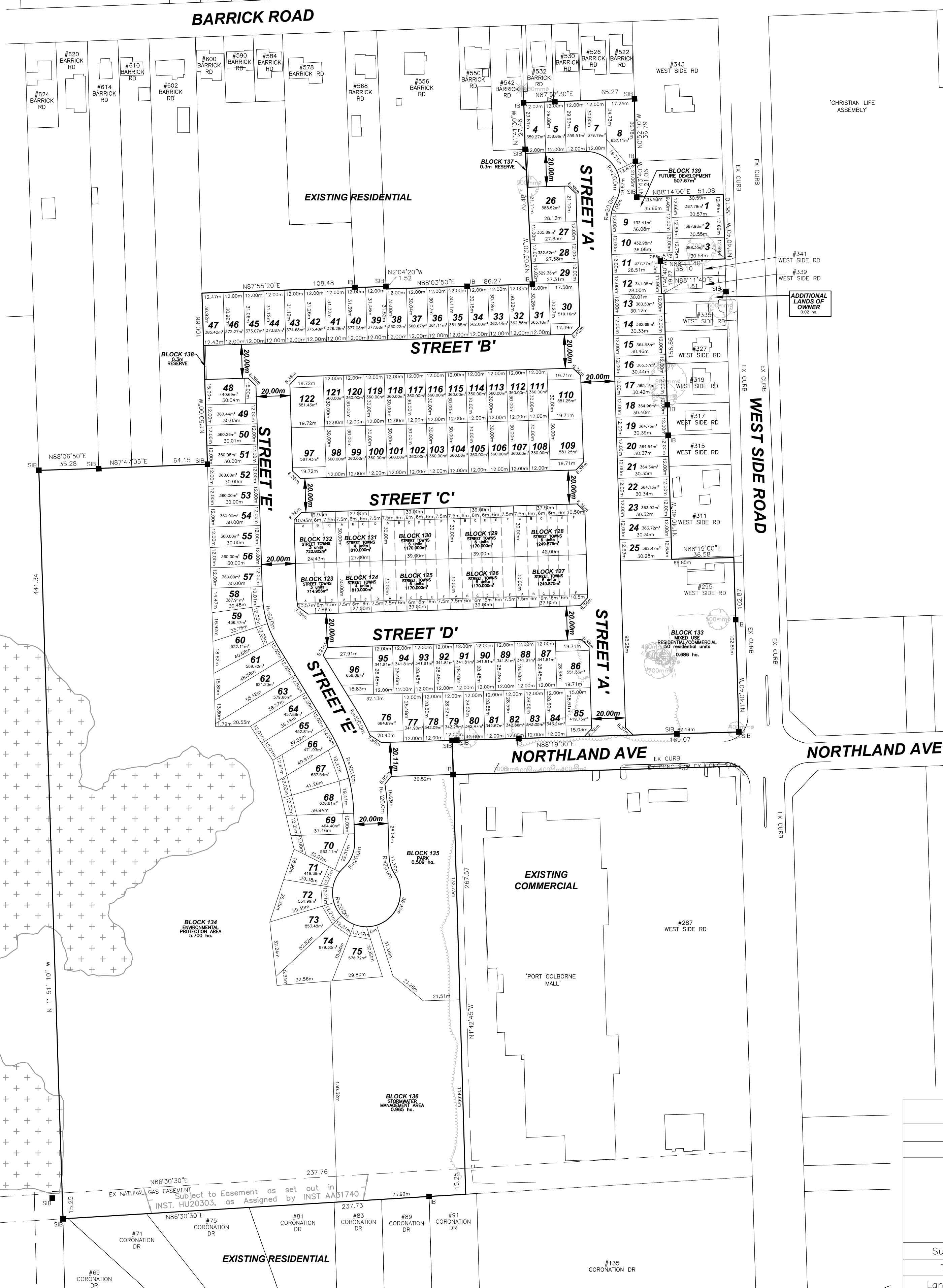
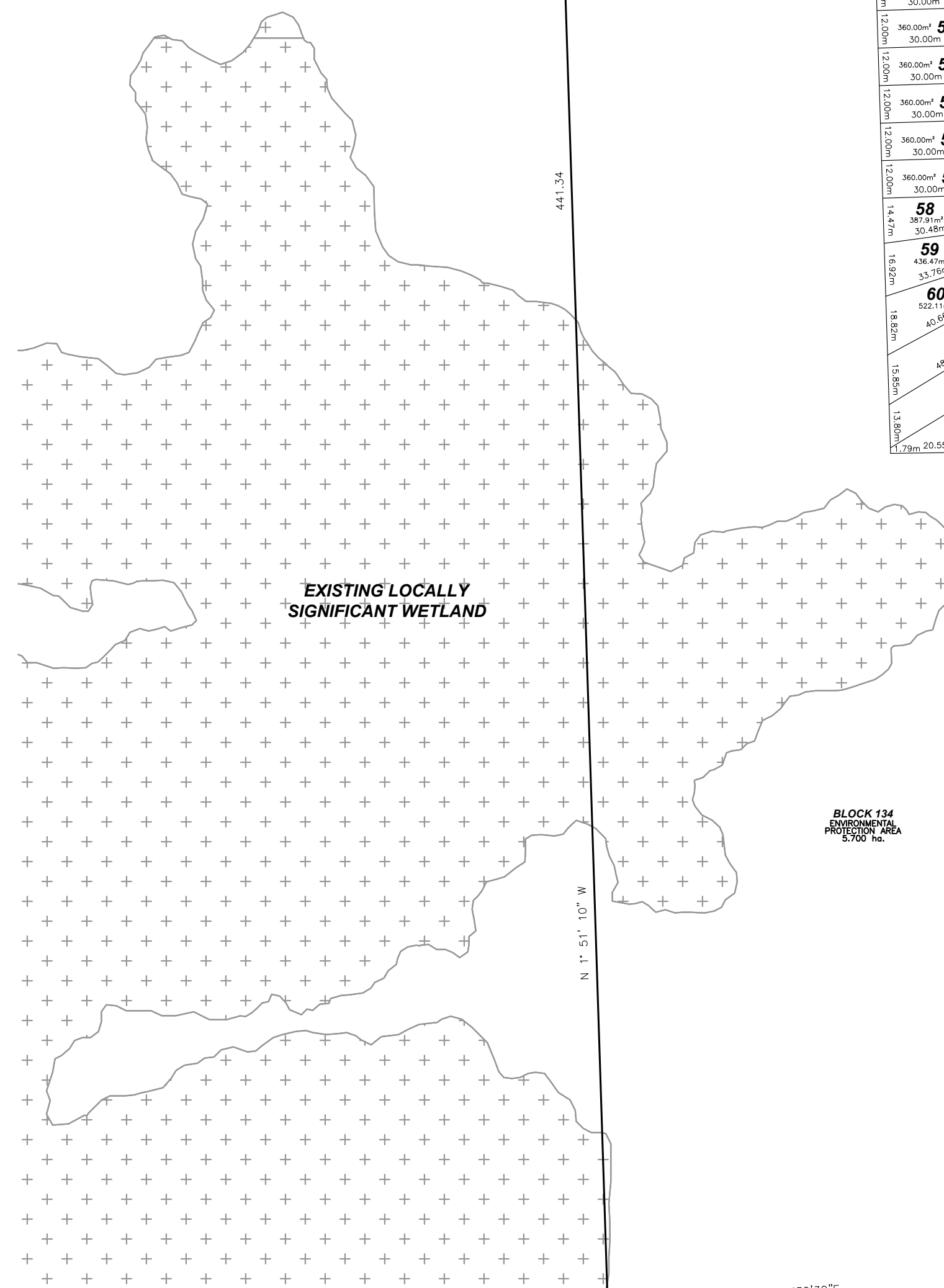


NORTHLAND ESTATES

CITY OF PORT COLBORNE

STREET TOWNHOUSE BLOCK UNIT AREA

BLOCK 123 TOTAL AREA = 714.956m ²		BLOCK 128 TOTAL AREA = 1249.875m ²	
UNIT A	309.956m ²	UNIT A	225.000m ²
B	180.000m ²	B	180.000m ²
C	225.000m ²	C	180.000m ²
BLOCK 124 TOTAL AREA = 810.000m ²		BLOCK 129 TOTAL AREA = 1170.000m ²	
UNIT A	225.000m ²	UNIT A	225.000m ²
B	180.000m ²	B	180.000m ²
C	180.000m ²	C	180.000m ²
D	225.000m ²	D	180.000m ²
BLOCK 125 TOTAL AREA = 1170.000m ²		BLOCK 130 TOTAL AREA = 1170.000m ²	
UNIT A	225.000m ²	UNIT A	225.000m ²
B	180.000m ²	B	180.000m ²
C	180.000m ²	C	180.000m ²
D	180.000m ²	D	180.000m ²
E	180.000m ²	E	225.000m ²
F	225.000m ²	F	225.000m ²
BLOCK 126 TOTAL AREA = 1170.000m ²		BLOCK 131 TOTAL AREA = 810.000m ²	
UNIT A	225.000m ²	UNIT A	225.000m ²
B	180.000m ²	B	180.000m ²
C	180.000m ²	C	180.000m ²
D	180.000m ²	D	180.000m ²
E	180.000m ²	E	225.000m ²
F	225.000m ²	F	225.000m ²
BLOCK 127 TOTAL AREA = 1249.875m ²		BLOCK 132 TOTAL AREA = 722.802m ²	
UNIT A	225.000m ²	UNIT A	225.000m ²
B	180.000m ²	B	180.000m ²
C	180.000m ²	C	180.000m ²
D	180.000m ²	D	180.000m ²
E	180.000m ²	E	317.802m ²
F	304.875m ²	F	225.000m ²



KEY PLAN
N.T.S.

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION
PART OF LOT 31, CONCESSION 2
GEOGRAPHIC TOWNSHIP OF HUMBERSTONE
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE
BEING THE REGISTERED OWNER, I HEREBY
AUTHORIZE UPPER CANADA CONSULTANTS TO
PREPARE AND SUBMIT THIS DRAFT PLAN OF
SUBDIVISION TO THE CITY OF PORT COLBORNE
FOR APPROVAL.

JUNE 24, 2022
DATE

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF
THE LANDS TO BE SUBDIVIDED ARE
CORRECTLY SHOWN.

ROY S. KIRKUP, B.Sc., O.L.I.P., Ontario Land Surveyor DATE
KIRKUP MASCOE URE SURVEYING
(a Division of J.D. Barnes Limited)

**REQUIREMENTS OF SECTION 51(17)
OF THE PLANNING ACT**
a) SEE PLAN b) SEE PLAN c) SEE PLAN d) SEE PLAN e) SEE PLAN f) SEE PLAN g) SEE PLAN h) MUNICIPAL WATER i) VARIOUS TEXTURES OVER BEDROCK j) SEE PLAN k) FULL SERVICE l) SEE PLAN

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	LOT 1-122	122	5.014	30.11
STREET TOWNS RESIDENTIAL	BLOCK 123-132	50	1.024	6.15
MIXED USE RESIDENTIAL/COMMERCIAL	BLOCK 133	50	0.686	4.12
ENVIRONMENTAL PROTECTION AREA	BLOCK 134		5.700	34.23
PARK	BLOCK 135		0.509	3.06
STORMWATER MGMT AREA	BLOCK 136		0.965	5.80
0.3m RESERVE	BLOCK 137-138		0.001	0.01
FUTURE DEVELOPMENT	BLOCK 139		0.051	0.31
ROADWAY			2.700	16.22
TOTAL		222	16.650	100.00

DEVELOPABLE AREA = 10.95 ha.
DEVELOPABLE DENSITY = 20.27 units/ha

	ISSUED FOR APPROVAL	2022-06-29	M.K
#	REVISION	DATE	INIT

GREENFIELD DENSITY CALCULATION

People		Jobs		Total
Units	Ratio	Units	Ratio	
222 Dwellings	2.28 people per dwelling ¹	222 Dwellings	5% "at home" employment	11.10 Jobs
		16,576.42ft ² of commercial space ²	1 employee per 500ft ² of commercial space ²	33.15 Jobs
Subtotal	506.16 people	44.25 jobs		
Total	550.41 people and jobs			
Land Area	10.95 hectares (exclusive of the Environmental Protection Area)			
Greenfield Density	50.27 people and jobs per hectare			

DRAFT PLAN OF SUBDIVISION
DRAWING TITLE
DRAFTING MK
DATE MAY 13, 2022
PRINTED JUNE 29, 2022
SCALE 1:1500
DWG No. 21132-DP
REV 0

Appendix II
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 legally described Part of Lot 31, Concession 2, Geographic Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara.

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

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

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

- 1. This amendment shall apply to those lands described on Schedule “A” attached to and forming part of this by-law.
- 2. That the Zoning Map referenced as Schedule “A8” forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from:

Residential Third Density (R3) Zone	to	Mixed Use (MU-XX) Site-Specific Zone
Residential Development (RD) Zone	to	Mixed Use (MU-XX) Site-Specific Zone
Residential Development (RD) Zone	to	Environmental Conservation (EC) Zone
Residential Development (RD) Zone	to	Public and Park (P) Zone
Residential Development (RD) Zone	to	Residential Third Density (R3-XX) Site-Specific Zone
Environmental Conservation (EC) Zone	to	Residential Third Density (R3-XX) Site-Specific Zone

- 3. That Section 37 entitled “Special Provisions” of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

MU-XX

Notwithstanding the provisions of the Mixed-Use Zone, the following regulation shall apply to Mixed Use (Residential and Non-residential) Buildings:

- a. Maximum Height 14 meters

R3-XX

Notwithstanding the provisions of the Residential Third Density (R3) Zone, the following regulations shall apply to Street Townhouse Dwellings:

- a. Minimum Lot Area 180 square meters
- b. Minimum Interior Side Yard 1.5 meters

Notwithstanding the provisions of the Residential Third Density (R3) Zone, the following regulations shall apply to Detached Dwellings:

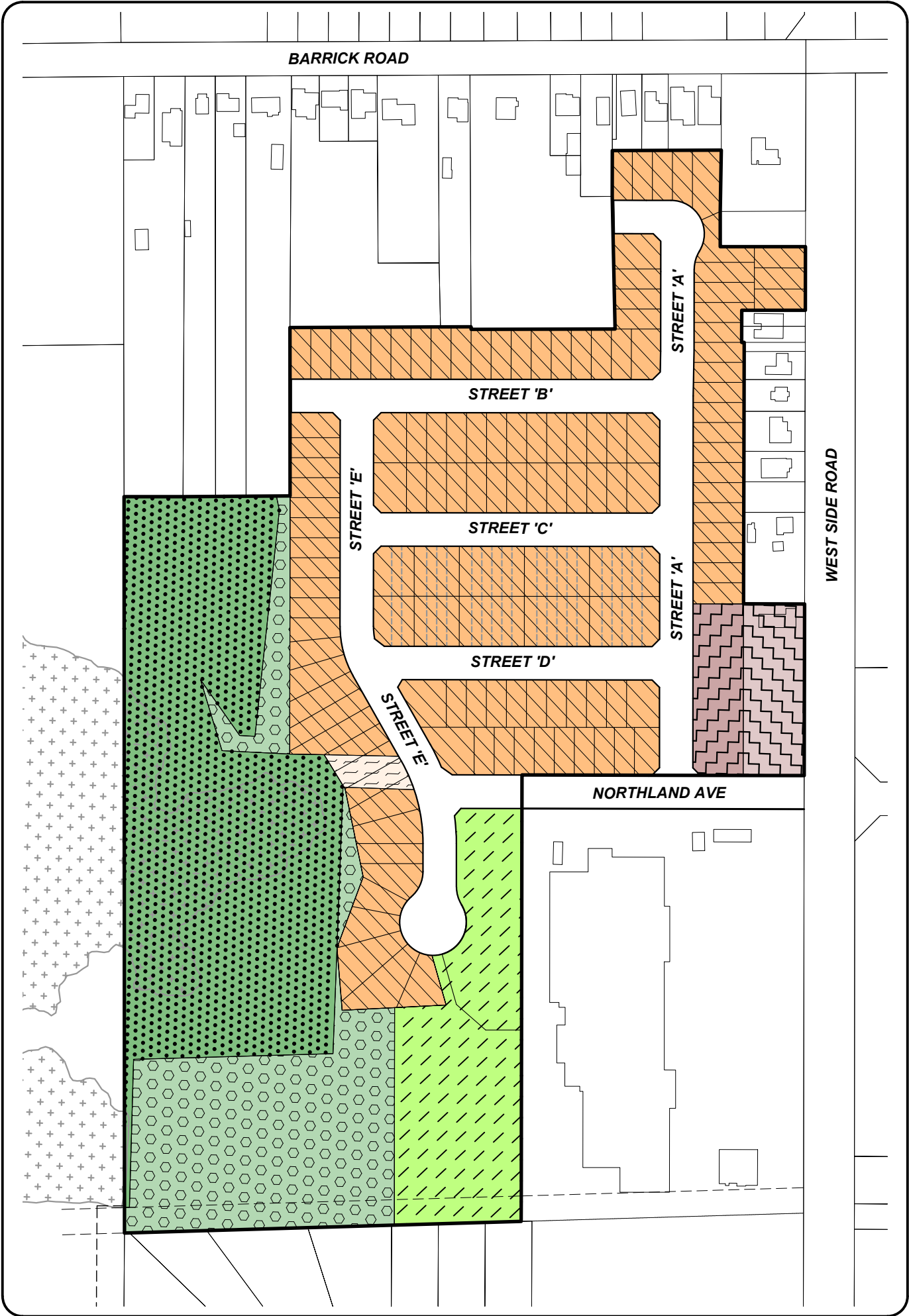
a. Minimum Lot Area 327 square meters

- 4. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the Planning Act.
- 5. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with the Planning Act.

Enacted and passed this day of , 2022.








William C Steele Mayor

Amber LaPointe Clerk



SCHEDULE 'A'
To By-law No.

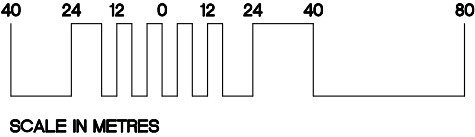
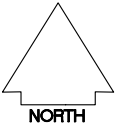
**City of
Port Colborne**

- Legend**
-  R3 - THIRD DENSITY RESIDENTIAL ZONE
FROM RD - RESIDENTIAL DEVELOPMENT ZONE
 -  R3 - THIRD DENSITY RESIDENTIAL ZONE
FROM EC - ENVIRONMENTAL CONSERVATION ZONE
 -  MU - MIXED USE ZONE
FROM RD - RESIDENTIAL DEVELOPMENT ZONE
 -  MU - MIXED USE ZONE
FROM R3 - THIRD DENSITY RESIDENTIAL ZONE
 -  EC - ENVIRONMENTAL CONSERVATION ZONE
 -  EC - ENVIRONMENTAL CONSERVATION ZONE
FROM RD - RESIDENTIAL DEVELOPMENT ZONE
 -  P - PUBLIC + PARK ZONE
FROM RD - RESIDENTIAL DEVELOPMENT ZONE

THIS IS SCHEDULE 'A' TO BY-LAW NO _____
PASSED THE _____ DAY OF _____

Mayor _____

Clerk _____



Appendix III

Pre-Consultation Agreement



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

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

Pre-Consultation Meeting Date: May 27th, 2021

Local Municipal Contact: David Schulz

Phone: 905-835-2901 ext 202

Email: planner@portcolborne.ca

Site Address: Westside Road Con. 2 PT Lot 31 (Northland Estates)

Roll Number: 27 11 030 038 25400

Land Area 158462m2

Owner Contact Information:

Owner Name: 2600261 Ontario Inc. / Marcelo Hernandez

Phone Number: 416 895 0842

Email: marcelostrongco@gmail.com

Agent Contact Information:

Agent Name: Alex Troop

Phone Number: 416 936 4467

Email: atroop@alliancehomes.ca

Principal Contact: ☐ Owner ☒ Agent

Application Type:

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

1. Brief description of proposed development:

Proposed Residential mixed density Plan of Subdivision

2. Existing Regional Official Plan Designation: Designated Greenfield Area

Conformity with Regional Official Plan land use designations and policies?

☐ Yes ☐ No ☒ Unknown

If 'No', what is the nature of the amendment needed?

3. Check All Applicable:

☐ Brownfield ☒ Greenfield ☐ Built-up ☐ Local CIP Area

4. Development Charges:

☐ Regional By-law 2017-98 ☐ Local By-law 6131/97/14

5. Existing Local Official Plan Designation: Urban Residential

Conformity with Official Plan land use designations and policies?

☒ Yes ☐ No ☐ Unknown

If 'No', what is the nature of the amendment needed?

6. Existing Zoning: Residential Development

Conformity with existing zoning?

☐ Yes ☒ No ☐ Unknown

If 'No', what is the proposed zoning:

ZBA required to allow for a subdivision at this location.

7. Is property located in Intake Protection Zone?

☐ No ☐ IPZ 1 ☐ IPZ 2

8. Is property recognized under Ontario Heritage Act?

☒ No ☐ Registry ☐ Designated

9. Is Site Plan approval required?

☒ Yes ☐ No

10. Fees Required at time of Submission of the Application

Application	City of Port Colborne	Niagara Region	Niagara Peninsula Conservation Authority	Other Fees
Regional Official Plan Amendment				
Local Official Plan Amendment				
Zoning By-law Amendment				
Plan of Subdivision				
Plan of Condominium				
Consent				
Site Plan Agreement (for apartments)	\$3,608			
Other: ZBA & Plan of Subdivision (combined)	\$9,020			
TOTAL	\$12,628	See attached comments. Recommended to verify with Region prior to submission for updated fees		

Notes on Fees:

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

11. Additional Agencies to be contacted:

- ☒ Hydro

 ☐ Enbridge/Pipelines

 ☐ Ministry of Environment
☐ CN/Trillium Rail

 ☐ Seaway

 ☒ Ministry of Transportation
☒ Niagara Peninsula Conservation Authority

 ☐ Other

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

Local	Region	NPCA	Reports, Studies, Plans (See Notes for additional details)	No. of Copies		Notes
				Electronic Digital	Paper	
			Agricultural Impact Assessment			
	X		Noise Study*	1	3	
X	X		Archaeology Assessment	1	3	Stage 1 and 2
X	X		Conceptual Site Plan, Subdivision Plan, Neighbourhood Plans	1	6	
			Cultural Heritage Impact Assessment*			
X	X	X	Environmental Impact Study	1	4	Terms of Reference review prior to application.
			Environmental Planning Study/ Sub-Watershed Study			
			Environmental Site Assessment			
			Farm Business Plan*			
			Farm Operation and Ownership			
			Financial Impact Assessment*			
			Floodplain and Hazard Lands Boundary Plan			
			Gas Well Study/Gas Migration Study			
			Geotechnical			
			Hydrogeological Study and Private Servicing Plans*			
			Land Use/Market Needs*			
X	X		Landscape Plan and streetscape plans	1	6	
			Mineral Aggregate Resources			
			Minimum Distance Separation I & II			
X	X		Municipal Servicing Study/ Servicing plans	1	4	
X			Phasing Plan			
X	X		Planning Justification Report by Registered Professional Planner	1	4	Density targets, parkland, neighbourhood commercial uses complete community etc. all relevant policies need to be reviewed
			Risk Management Study			
			Sensitive Land Use Report			
			Shadow Analysis			
			Shoreline Study/Dynamic Beach			

			Slope Stability Report			
			Soil report			
X	X		Stormwater Management Plan	1	3	
			Transportation Impact Study/Parking Impact Analysis			
			Tree Inventory Preservation Plan			
X	X		Urban Design Brief	1	3	In accordance with Region Urban Design guidelines
		X	Water Balance	1	3	
			Other			

13. Additional Comments:

City Planning

- Planning Justification Report required to show how proposals meet density targets
- Connectivity with lands to the north for future development – a neighbourhood plan will be required showing how the lands could be developed in the future – neighbourhood plan will need to be a separate document
- MTO access may be a concern – discussions should be had with the ministry to address this
- Zoning By-law Amendment required
- Parkland is required to be enlarged and should be located in a more central location near the apartments
- Neighbourhood commercial uses will need to be addressed in the Planning Justification Report.
- City would like to see some more variation in the design to avoid repetitiveness, please address through streetscaping and urban design.
- EIS will need to show the developable area prior to coming through a draft plan – draft EIS should be submitted to the Region/NPCA prior to making a submission

Region (See attached full comments)

- Commercial or institutional use is recommended to create a more complete community
- Region would need a copy of the archaeological work that has been done for the property
- SWM management report will be required for the development
- Green infrastructure is supported to limit the impact to enviro features
- Auto repair use adjacent will require a noise study to ensure the noise won't impact the neighbourhood, also traffic noise will need to be reviewed
- Minimum density targets will need to be reviewed along with complete community in the PJR
- Urban design brief required to be submitted – concept landscape plans or streetscape

plans can be a condition of approval

- Justification will be needed to show how no negative impact to the significant woodland

Public Works

- No specific comments at this stage
- Future Subdivision Agreement requirements will include:
 - o General Servicing Plan
 - o Servicing Plan & Profiles
 - o Overall Grading Plan
 - o Stormwater Management Facility Plan
 - o Stormwater Drainage Area Plan
 - o Sanitary Drainage Area Plan
 - o Streetscaping Plan
 - o Utility and Streetlighting Plans
 - o Geotechnical Study Report
 - o Noise Study Report
 - o Form 1 for watermain extension
 - o Environmental Compliance Approval for sanitary and storm sewer extensions

Fire Department

- Multiple entrances/exits required for fire department access
- Hydrants in place prior to construction

Drainage (See attached)

NPCA (see attached)

- EIS require, contact the NPCA for scoping etc.
 - Water balance assessment is required to be part of the EIS
-

14. Site Visit:

15. Incentive Programs:

Notes:

1. The purpose of this document is to identify the information required to commence processing and evaluating an application as set out in the Planning Act. This pre-consultation process is designed to proceed based on the mutual agreement of the parties as shown by the signatures below.

2. Pre-consultation does not imply or suggest any decision whatsoever on behalf of staff or the municipality to either support or refuse the application.
3. The applicant should be aware that the information provided is accurate as of the date of the pre-consultation meeting. Should an application not be submitted in the near future, and should other policies, by-laws or procedures be approved by the Province, Municipality, Region or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect at the time of the submission of a formal application. If an application is not submitted within one year, it is advisable that the applicant confirm with the municipality the directives of the original preconsultation meeting.
4. Any application submitted without the information identified in this Pre-consultation Document will be deemed incomplete and not processed. Alternately, staff may recommend refusal of the application based upon insufficient information to properly evaluate the application.
5. The applicant acknowledges that the Section 1.0.1 of *The Planning Act* states “Information and material that is required to be provided to a municipality or approval authority under this Act shall be made available to the public.” With the filing of an application, the applicant confirms that the Municipality and Region may release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.
6. It is hereby understood that during the review of the application additional studies or information may be required as a result of issues arising during the processing of the application or the review of the submitted studies.
7. If the Municipality or Region does not have sufficient expertise to review and determine that a study is acceptable, the Municipality may require a peer review. The cost of the peer review shall be paid for by the applicant. The Terms of Reference for a peer review is determined by the Municipality or Region.
8. Some studies may require NPCA review and clearance/approval. In this instance, the NPCA review fee shall be paid by the applicant.
9. All plans and statistics must be submitted in metric.

Signatures:

_____ Planning Staff	_____ (signature)	_____ Date
_____ Planning Staff	_____ (signature)	_____ Date
_____ Building Staff	_____ (signature)	_____ Date
_____ Engineering Staff	_____ (signature)	_____ Date
_____	_____	_____

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

Northland Estates (27 11 030 038 25400)

Tuesday, May 25, 2021 9:00 AM

Meeting Date:	May 27, 2021
Name of Applicant(s):	2600261 Ontario Inc./Marcelo Hernandez
Consultant(s):	Alex Troop (Alliance Homes)

Brief description of proposed development:

Proposed Plan of Subdivision for 129 singles, 46 towns, 15 stacked towns, 60 apartment units for a total of 250 units, and parkette.

Application Type:

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

Site Designation:

Provincial Policy Statement:	Settlement Area
Greenbelt Plan:	NA
Provincial Growth Plan:	Greenfield Area
Niagara Escarpment Plan:	NA
Regional Official Plan:	Urban Area (Greenfield Area)

Reports/Studies/Plans Required for Regional Review

- ☒ Archaeological Assessment
- ☐ Agricultural Impact Assessment
- ☒ Environmental Impact Study
- ☐ Environmental Site Assessment /Record of Site Condition (see comments below)
- ☐ Functional Servicing Report
- ☐ Geotechnical Report
- ☐ Grading Plan/Survey
- ☐ Hydrogeological Study
- ☐ Minimum Distance Separation I & II
- ☒ Noise Study
- ☒ Planning Justification Report
- ☐ Private Sewage System Design/Plan
- ☐ Slope Stability Report
- ☐ Stormwater Management Brief/Report
- ☐ Topographical Study/Survey
- ☐ Transportation Impact Study
- ☐ Tree Inventory Preservation Plan
- ☒ Urban Design Brief
- ☐ Other: _____

Regional Development Application Fees	Fees effective February 1, 2021 to December 31, 2021
Prior to Submission of Applications- EIS Terms of Reference Review	\$405 (to be deducted from EIS Review Fee)
Official Plan Amendment	\$5,235+ \$2270 (Major EIS Review) + \$625 (Major Urban Design Review)
Zoning By-law Amendment	\$1,315 +\$1890 (SWM Review)
Draft Plan of Subdivision/Condominium	\$5,235 (base fee) + \$1,160 per hectare to a maximum of \$22,840

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

Regional Comments

- Planning
 - Previous files: SD-13-031 and SD-14-028
 - o SWM Report from 1999 - new regulations as of 2003
 - o Environmental Impact Study from 2014 - 5 year shelf life
 - The property is located within a Settlement Area under the 2020 Provincial Policy Statement (PPS) and within the Greenfield Area under the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan).
 - A Greenfield Density Target of 50 people and jobs per hectare applies to Greenfield lands per Provincial and Regional policy. Designated greenfield areas will be planned as compact, complete communities by:
 - o Where permitted by scale, accommodating a range of land uses including residential, commercial, institutional, recreational, employment and other uses.
 - o Providing opportunities for integrated, mixed land uses
 - o Creating street patterns that are fine grain and in grid pattern, supporting transit and active transportation within the area and adjacent to areas.
 - o Ensuring that Greenfield development is sequential, orderly and contiguous with existing built-up areas
 - o Enduring that the provision of municipal servicing is in accordance with the water and wastewater servicing master plans.
 - The property is designated Urban Area in the Regional Official Plan. A full range of residential, commercial and industrial uses are permitted generally within the Urban Area designation, subject to the environmental policies of Chapter 7, the availability of adequate municipal services and infrastructure, local Official Plan policies and compatibility concerns.
 - The PPS and ROP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, development and site alteration are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved. The lands have high archaeological potential as a result proximity (300m) to 2 registered archaeological sites and location along two Historic Transportation Routes. A Stage 1 and 2 Archaeological Assessment should be submitted with the applications along with a copy of the Ministry's acknowledgment letter(s).
 - o Regional staff have a copy of an Acknowledgement Letter, dated January 15, 2013, from the (then) Ministry of Tourism, Culture and Sport, which states that an assessment has been entered into the Ontario Public Register of Archaeological Reports without technical review. Staff cannot confirm whether the site is clear of archaeological potential, and so a copy of the previously completed study must be submitted to confirm whether further work is required.
 - The PPS requires that major facilities (including transportation infrastructure and corridors as well as industrial uses) and sensitive land uses be planned to "ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety...". As the proposal is for a sensitive land use, Regional staff require that a noise study be submitted with the applications to evaluate the impact of the nearby roadways and the adjacent automobile service station, which is considered a Class I industrial use. Class I industrial uses are required to be separated from sensitive land uses by at least 20m pursuant to the D6 guidelines, and have a potential influence area of 70 m. The noise study is required to ensure noise levels in the proposed development meet the requirements of

Regional Comments

- Regionally Significant Wetlands (Onondaga Escarpment Wetland Complex) along the southwestern portion of the subject lands (ECA)
- ECA: Significant Woodlands along the western portion of the subject property
- + technical comments & SWM comments

NPC-300, to prevent or minimize future land use problems. The study may need to be peer reviewed at the applicant's expense, as Regional staff do not have the expertise to evaluate noise studies for stationary sources at this time.

- Environmental
 - The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of the Onondaga Escarpment Locally Significant Wetland Complex (LSW) and Significant Woodland. Consistent with Regional Official Plan (ROP) policy 7.B.1.11, an Environmental Impact Study (EIS) is generally required in support of site alteration and/or development proposed within 50 m of LSW/Significant Woodland. The EIS must demonstrate that there will be no significant negative impact on the features or their ecological function. Staff have met with the applicant and their agents in recent months and provided comments on a Constraints Analysis (prepared by GEMS, revised date December 16, 2020) on March 29, 2021. There were a number of deficiencies identified that should be addressed in a future EIS Report. To date, staff have not received any updated environmental information for the subject lands.
 - Urban Design
 - Urban Design Review Fee and Materials:
 - With the OPA/ZBA applications, please submit the following:
 - Urban Design Brief – ensure that the brief speaks to the Region's Model Urban Design Guidelines
 - Drawings: Draft plan, Conceptual Landscape plans and conceptual Streetscape plans
 - With the draft plan application, please submit detailed subdivision drawings for review.
 - General comments on Concept Plan 'F':
 - Interface with West Side Road/Hwy 58
 - For the built form that fronts onto Westside Road/Hwy 58, the relationship with the public realm could be improved. For example:
 - Block A: the 4 single family dwellings could be re-designed to place the driveways internal to the site, accessed by a laneway. Alternatively, they could be replaced with street townhouses.
 - Block M: The 3 storey apartment addresses the street, however, the surface parking area takes up a large amount of the frontage. The parking could be placed to the rear of the building (internal to the site) and built form such as street towns could be located along the frontage.
 - Street network
 - The layout of the street network could become more efficient:
 - Block O: the ring road around the townhomes is single-loaded. This may be desirable along the wetland boundary (views into this environmental feature), however, it could be relocated along the boundary with the commercial property to allow towns to back onto that site.
 - Block N: the roads access from Northland Avenue (between the apartment buildings) could provide a better connection into the overall development (less circuitous). Additionally, the parking for the stacked towns is a dead-end, which is not a best practice.
 - Please also clarify how the road extensions will function in the vicinity of the existing properties located along the south side of Barrick Road
 - Streetscaping
 - It is recommended that the properties that front onto West Side Road and Northland Road include an improved right-of-way including a curb, municipal sidewalk and street trees in a sodded boulevard.
 - It is recommended that driveways are paired wherever possible. This allows greater space for landscaping, including large scale street trees.
 - Parks and open space system
 - Consider the overall network of parks and open spaces within the development, including its connections to other amenities. For example:
 - The proposed park block could be placed in a more central location within the development. Ideally, it would be located adjacent to the proposed apartment buildings. The park will function as the "back yards" for these units.
 - The proposed recreational trail extension should be relocated outside of the environmental constraint area. For the portion of the trail located behind Block D, an Open Space Block could be created between the environmental feature and the rear yards of the residential units. For the portion of the proposed trail located in the vicinity of Block O, the trail could be located within a widened boulevard along that street.
 - Residential Lot design
 - The majority of the lots shown within Blocks B, C, D, E, F, G, H, I, J, K and L are very homogenous: they are similar both in size and built form. This is not a best practice in community design. A variety of lot sizes, shapes and built form is recommended to create diversity and vibrancy.
- Technical
 - Roads
 - Provincial- West Side Road
 - Servicing
 - Water – 400 D PVC (Local)- West Side Road
 - Sanitary sewer – 200 D AC (Local)- West Side Road
 - The proposed development is within the Steele Street SPS sewershed. This sewershed experiences significant Inflow/Infiltration and may have limited capacity. The Region will require a sanitary servicing report which outlines the timing/phasing of construction and the expected dry and wet weather sewage flows for the proposed development.
 - Municipal services would need to be extended to service the proposed subdivision. ECA certificates will need to be obtained from the MECP for the new sewage works. Niagara Region is required to review any extension of municipal storm and sanitary sewers through the Transfer of Review program.
 - Storm sewer – Roadside Ditch
 - Stormwater Management
 - If there exists an approved Stormwater Management Plan for the subdivision, the Region will require a letter/Memo from a qualified professional engineer confirming that the existing SWM facilities/plan are sufficient to accommodate the proposed development associated with the MECP Environmental Compliance Approval (ECA). (no SWM fee is required)
 - If a detailed SWM plan will be processed to support the development application, Region will require the followings be addressed:
 - Niagara Region will require that stormwater runoff from the development be collected and treated to a Normal standard as a minimum accepted water treatment. Enhanced standard treatment is required if the development will discharge to environmental features.
 - Post-development stormwater peak flows shall be attenuated to pre-development flow levels for all design storms (2-year up to and including the 100-year storm).
 - In order to mitigate the erosion impacts on the downstream watercourse, the capacity and sensitivity of erosion of the channel that the development will outlet to should be assessed. The minimum erosion control criterion is that stormwater runoff from 25mm design storm event be captured and released over a period of 24 hours.
 - Incorporation of Low Impact Development/Green Infrastructure plan in order to mitigate development impacts on environmental features.
 - Niagara Region will require that a stormwater management report be submitted to this office indicating in details how the SWM requirement will be achieved. The Report should include the necessary information with respect to the inspection and maintenance requirements.
 - Prior to construction, Niagara Region will require that detailed grading, storm servicing, stormwater management, and construction sediment control drawings be submitted to this office for review and approval.
 - Waste Collection- Single Detached/Townhomes
 - Recycling: No Limit Blue/Grey Boxes- Weekly Collection;
 - Organics: No Limit Green Bins- Weekly Collection;
 - Garbage: 2 Bags/Cans- Every-Other-Week Collection.
 - Curbside collection only
 - The proposed street townhomes and single detached dwelling lots are eligible for Regional curbside collection. Regional waste collection truck turning plans would need to be submitted showing the proposed road network is able to accommodate the Regional waste collection truck. Where a through street is not maintained a turnaround facility would need to be constructed to support the movements of the Regional waste collection truck.
 - The proposed multi-residential buildings would be eligible for 2 garbage

bags/cans per unit to a maximum of 24 bags/cans per building. If the Regional curbside collection limits cannot be met, these buildings will be the responsibility of the owner through a private waste collection contractor and not Niagara Region.

David Schulz

From: Alana VanderVeen
Sent: May 27, 2021 5:01 PM
To: David Schulz
Subject: RE: Port Colborne Pre-consultation - May 27, 2021

Hi David,

I responded through the decline that I was not able to attend, in any case, please see the following for the northland estates subdivision pre con.

My comments follow, but can we have a brief discussion about this prior to the comments going to the developer?

The parcel drains naturally to the southwest to the Eagle Marsh Drain. Currently the municipal drain is under new report. Should the development of this proposal be complete prior to the completion of the Engineer's report, then changes will be incorporated in the new report, should the report be completed prior to the completion of the proposed works, then any additional costs to complete the engineering works will be funded directly by the developer.

The sketch provided indicate that storm overflow will drain to the southwest, which agrees with natural drainage. In saying this, the storm outlet will drain to private lands. This is not allowed. However, a municipal drain branch can be applied for. The appointed engineer for the Eagle Marsh will determine if the Eagle Marsh Drain will be a sufficient outlet. I have included a link where to find the petition that is required.

<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=1&ENV=WWE&TIT=0173&NO=003-0173E>

If further information is required, please contact me at your earliest convenience.

Alana VanderVeen
Drainage Superintendent
City of Port Colborne

Phone 905-835-2900 Ext. 291

Email Alana.VanderVeen@portcolborne.ca

1 Killaly Street West,
Port Colborne, ON L3K 6H1

www.portcolborne.ca



This message, including any attachments, is privileged and intended only for the person(s) named above. This material may contain confidential or personal information which may be subject to the provisions of the Municipal Freedom of

March 23, 2021

Our File No.: PLOTH202100047

BY E-MAIL ONLY

Landpro Planning Solutions
707 East Main St.
Welland, On. L3B 3Y5

Attention: Michael Sullivan - President

Subject: EIS Review, (Northlands Subdivision)
Agent: Landpro Planning Solutions
ARN 271103003825400

The NPCA has reviewed the Constraints Summary Report, prepared by Groundwater Environmental Services Inc. (GEMS) dated December 16, 2020 submitted for review to the NPCA in preparation for future Planning Act Applications. The NPCA offers the following comments.

NPCA Policies

The NPCA regulates watercourses, flood plains (up to the 100 year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under *Ontario Regulation 155/06 of the Conservation Authorities Act*. The NPCA's *Policies, Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document* (NPCA policies) provides direction for managing NPCA regulated features.

An Environmental Impact Study (EIS) was completed for this property in 2014 by GEMS. Subsequently, the conditions on the site have changed resulting in an increase in wetland and woodland features. The purpose of the Constraints Summary Report is to determine the extent of developable lands on the property with an EIS to follow to assess impacts and propose mitigation measures to minimize anticipated impacts of the proposed development.

GEMS completed a Terms of Reference (December 6, 2018) which was reviewed and approved by the NPCA in February 2019.

Several field visits have occurred since the original EIS was completed to update vegetation boundaries for this report. The boundary of the Locally Significant Onondaga Escarpment Wetland Complex (LSW) was updated as part of this report and now encompasses a large section in the southwest portion of the property. The revised wetland boundary is documented in the report as having occurred on August 7, 2019 with NPCA and Regional staff present.

The Constraints Report has included a generic 30 m buffer to the LSW which is currently vegetated with an Oak, Maple, Hickory forest. The EIS will be required to demonstrate the suitability of the buffer width.

The NPCA previously requested that a Water Balance assessment be completed for the property to ensure that no negative impact to the hydrologic function of the wetland is incurred as a result of the proposed development. Findings from this report should be incorporated into the EIS.

Conclusion

There are two deficiencies to be addressed in the forthcoming Environmental Impact Study to support the future Planning Act Applications:

- a. The EIS will be required to demonstrate the suitability of the 30m buffer width
- b. The Water Balance assessment is required to be added to the EIS

Please let me know if you have any questions with respect to the comments in this letter.

Sincerely,



Jessica Abrahamse, M.E.S.
Watershed Planner - NPCA
(905) 788-3135, ext. 235

cc: Adam Aldworth, ECO-Tech, NPCA