



P L A N N I N G
J U S T I F I C A T I O N
R E P O R T

806 KILLALY STREET EAST
CITY OF PORT COLBORNE

APRIL 2024
FILE # 10217

TABLE OF CONTENTS

1. INTRODUCTION	4
2. DESCRIPTION OF SUBJECT LANDS AND SURROUNDING CONTEXT	6
2.1 Description of Subject property7
2.2 Surrounding Area Context8
2.3 Environmental and Natural Features	10
2.4 Transportation	10
2.5 Community Facilities	11
3. SURROUNDING DEVELOPMENT APPLICATIONS	14
4. PROPOSED DEVELOPMENT	16
4.1 Description of Proposed Development	17
5. SUPPORTING MATERIALS	20
5.1 Air Quality	21
5.2 Archaeology Assessment (Stage 1).	21
5.3 Environmental Impact Study	22
5.4 Sub-watershed Study	23
5.5 Functional Servicing Report.	23
5.6 Traffic Impact Study.	24
5.7 Stormwater Management Study	25
5.8 Noise Study	25
6. PLANNING POLICY FRAMEWORK	28
6.1 Planning Act R.S.O 1990 c. PG.13, as amended	29
6.2 Provincial Policy Statement (2020)	31
6.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)	37
6.4 Niagara Region Official Plan (2022 Office Consolidation)	44
6.5 City of Port Colborne Official Plan (2017 Office Consolidation)	52
6.7 City of Port Colborne Zoning By-law (6575/30/18)	62
7. DESCRIPTION OF PLANNING APPLICATIONS	64
7.1 Proposed Official Plan Amendment	65
7.2 Proposed Zoning By-law Amendment	65
8. PUBLIC CONSULTATION STRATEGY	66
9. CONCLUSION	68

LIST OF FIGURES

Figure 1: Aerial Image of the Subject Lands	7
Figure 2: Surrounding Area Context	9
Figure 3: Community Facilities	12
Figure 4: Master Plan	18
Figure 5: phasing plan excerpt	47
Figure 6: Population Forecast	53
Figure 7: Housing Forecast	53
Figure 8: City of Port Colborn Zoning Map	62

LIST OF TABLES

Table 1: Nearby Community Facilities	11
Table 2: Site Statistics	17
Table 3: 2021 Census Table 98-10-0041-01:	47

WESTON
CONSULTING



1. INTRODUCTION

Weston Consulting is the planning consultant for Elite Capital PC Developments Inc. regarding the properties at 806 Killaly Street East (herein referred to as the “subject lands” and the “site”). This Planning Justification Report has been prepared in support of the Official Plan Amendment and Zoning By-law Amendment to permit a mix of commercial, street townhouse, condominium townhouse and single-detached residential uses on the subject lands.

The applications and supporting materials are submitted in accordance with the requirements provided by Planning Staff at the City of Port Colborne, at the Pre-Consultation Meeting held on February 25, 2021, and constitute a complete application as described in Sections 16 (1) and 34(10) of the *Planning Act*.

This Report provides analysis and justification for the proposed development applications in accordance with good planning principles in the context of existing applicable Provincial, Regional and Municipal land use planning policies. The following provides an evaluation of the proposed development against the application applicable policy framework outlined in the Provincial Policy Statement (‘PPS’), 2020, the Growth Plan for the Greater Golden Horseshoe (2020), the Niagara Region Official Plan (2014), the City of Port Colborne Official Plan (2020) and the City of Port Colborne Zoning By-law 6575/30/18.

2. DESCRIPTION OF SUBJECT LANDS AND SURROUNDING CONTEXT

2.1 DESCRIPTION OF SUBJECT PROPERTY

The subject lands are centered along Killaly Street East and Snider Road in the City of Port Colborne, Ontario. The subject lands have an approximate area of 14.27 hectares (35.26 acres) and is generally bounded by Killaly Street to the south, Elizabeth Street to the west, Main Street to the north and Loraine Street to the east. The lands are bisected by Snider Street which is an unopened right of way.

The subject lands are mainly vacant, comprising woodland features, wetlands, a watercourse, with few areas of abandoned farm buildings in the southwest and one area of active farm buildings in the southeast of the Subject Lands.

The Subject Lands are mostly surrounded by rural lands, though there are residential neighbourhoods of the town of Port of Colborne southwest of the site. The Subject Lands are partially regulated by the Niagara Peninsula Conservation Authority (NPCA).

The subject lands are located approximately three kilometers east of downtown Port Colborne and are surrounded by undeveloped greenspace to the north, east and south. An elementary school and residential subdivision are located south-east of the subject lands (Figure 1). The topography of the lands is generally flat and gently slopes to the east and south.

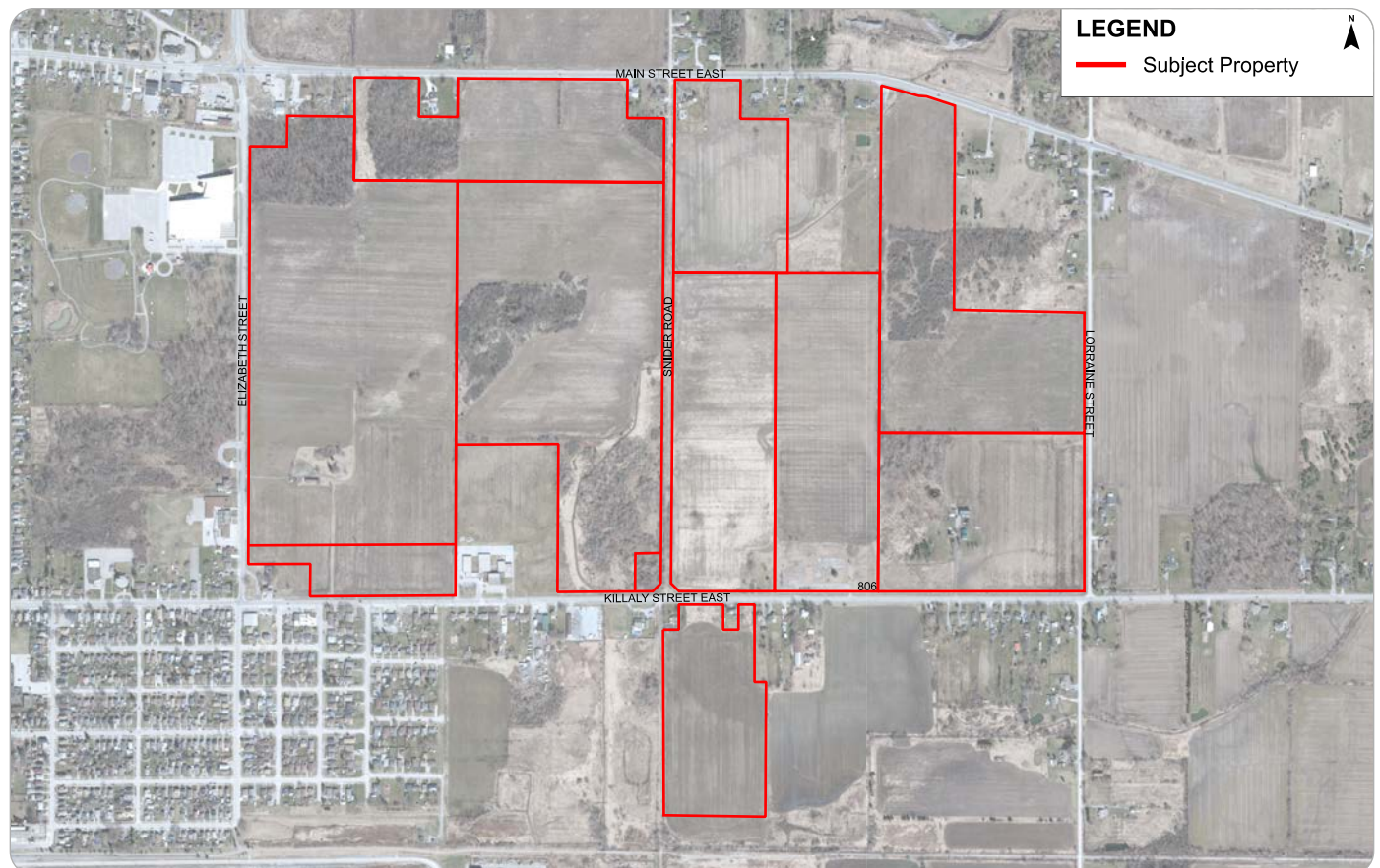


Figure 1: Aerial Image of the Subject Lands

2.2 SURROUNDING AREA CONTEXT

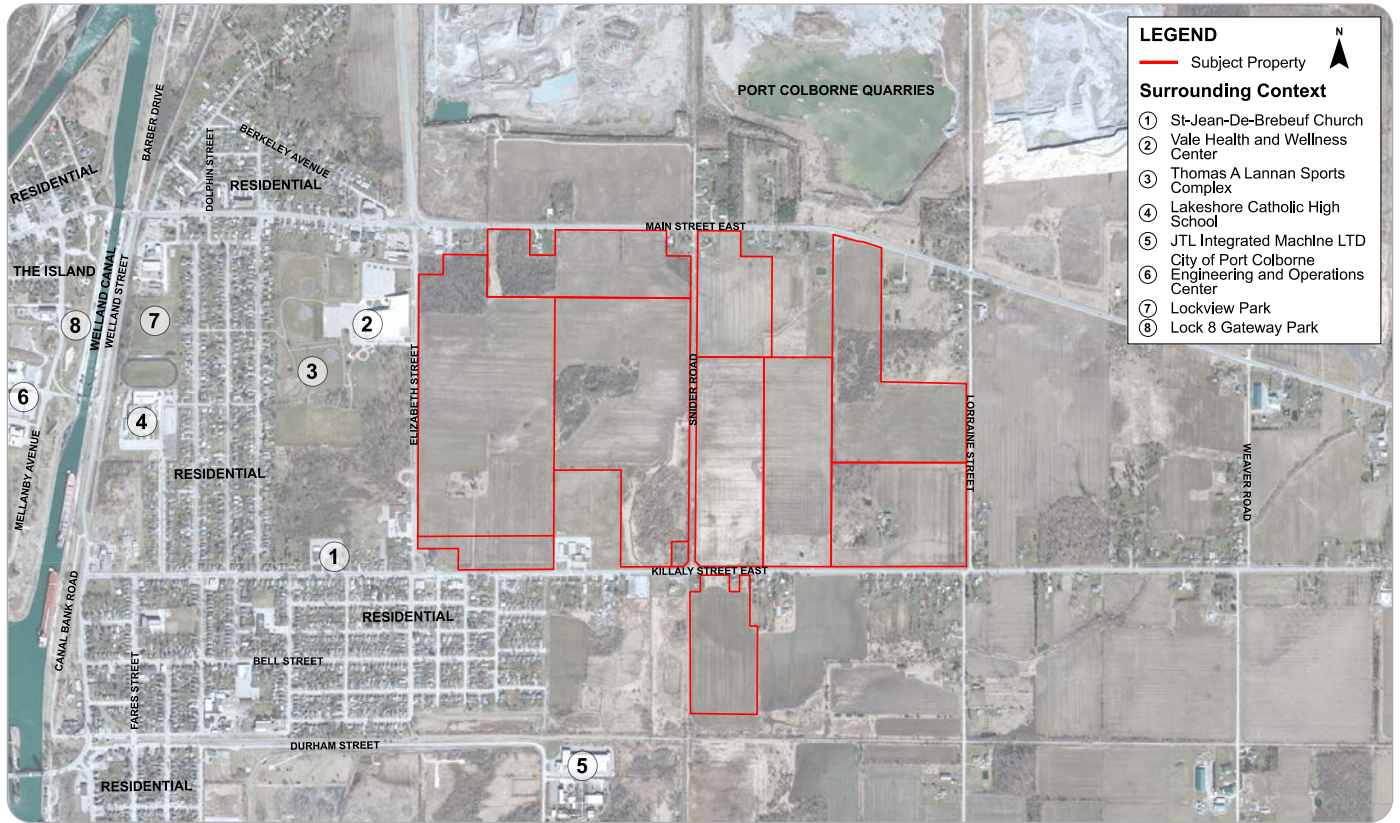
The subject lands are in an area primarily surrounded by undeveloped greenspace; however, the lands are within close proximity to many services and amenities as explained in section 2.5 of this Report. Land uses within immediate vicinity to the subject lands are as follows (Refer to Figure 2 of this Report for reference to surrounding land uses):

North: Directly north of the subject lands is Main Street East which is classified as provincial highway within the City of Port Colborne Official Plan. Further north of the subject lands consists of several single-detached residential dwellings fronting onto Main Street East. In addition, the lands are in proximity to the Port Colborne Quarries which extract aggregates for use in construction projects.

South: Directly south of the subject lands are single-detached residential dwellings. Further south-west of the subject lands is a residential subdivision which contains single-detached residential dwellings and associated neighbourhood commercial uses. Further south is undeveloped greenspace, a cemetery and Gravelly Bay.

East: Directly east of the subject lands consists of rural undeveloped greenspace. Single-detached residential dwelling units front onto Killaly Street East. In addition, industrial and commercial uses are located further east of the subject lands including an equipment supplier, pub and garden center. Killaly Street East turns into Regional Road 3 approximately 4-kilometers east of the subject lands and provides direct access to downtown Fort Erie to the east.

West: Residential and commercial uses are located to the west of the subject lands. Directly south-west of the lands is Saint Therese Catholic Elementary School and Elementary School Catholic Saint – Joseph. Further east of the lands is a sports centre, wellness centre and park. Single-detached residential housing units are located west of Wellington Street with associated neighbourhood commercial uses. As mentioned above, downtown Port Colborne is located further south-west of the subject lands.



LEGEND

— Subject Property

Surrounding Context

- ① St-Jean-De-Brebeuf Church
- ② Vale Health and Wellness Center
- ③ Thomas A Lannan Sports Complex
- ④ Lakeshore Catholic High School
- ⑤ JTL Integrated Machine LTD
- ⑥ City of Port Colborne Engineering and Operations Center
- ⑦ Lockview Park
- ⑧ Lock 8 Gateway Park

Figure 2: Surrounding Area Context

2.3 ENVIRONMENTAL AND NATURAL FEATURES

The subject lands are empty of mineral aggregate potential area per schedule C- Mineral Aggregate of City of Port Colborne. In accordance with Niagara Region Official Plan Schedule C2- Natural Environment System: Individual Components and Features, the subject lands contain “Other Wetland and Non-Provincially Significant Wetlands”, “Other Woodlands”, “Linkages”, and “Permanent and Intermittent Streams”. The natural features are proposed to be protected from development with buffers based on the Region’s, City’s and Conservation Authority policies. An Environmental Impact Study has been prepared to determine appropriate buffer to natural features within the site.

2.4 TRANSPORTATION

The subject lands are located within close proximity to existing road infrastructure, which provide road connection throughout the City of Port Colborne and beyond. The City of Port Colborne Official Plan Schedule D designates Killaly Street East as an arterial road with a planned right-of-way width of 26 meters and Elizabeth Street as a local road with a planned right-of-way width of 20 meters. In addition, Highway 3 is along north of the subject lands the subject lands which is Provincial Highway providing connection to Chattam-Kent to the west and Fort Erie to the east.

Highway 140 is located on north-west of the subject lands and is 4-lane provincial highway. Highway 140 is approximately 11-kilometers in length and provides direct connection to the City of Port Colborne to the south and the City of Welland to the north. Lastly, Highway 58 is located approximately 2.5-kilometers west of the subject lands and is a 4-lane provincial highway. Highway 58 is approximately 7-kilometers in length and provides direct connection to the City of Port Colborne to the south and the City of Welland to the north.

As per Niagara Region Transit Map, Port Colborne is linked to the Welland bus terminal through bus route 25, commencing at Port Colborne City Hall. Moreover, from Welland, various bus options are available, providing connections to both Niagara Falls and St. Catharines.

2.5 COMMUNITY FACILITIES

The subject lands are located in an area that is serviced by community services, facilities and amenities which would benefit future residents of the subject lands. An overview of the nearby community services and facilities are provided in Table 1. Community facilities are largely located south-west of the subject lands. Refer to Figure 3 of this Report for community facilities in proximity of the subject lands.

Table 1: Nearby Community Facilities

Community Facility	Address	Programs/ Services/Amenities
Parks and Recreation		
Thomas A. Lannan Sports Complex	550 Elizabeth Street	<ul style="list-style-type: none"> Indoor sports complex
Johnson St. Park	210 Johnston Street	<ul style="list-style-type: none"> Playground
Lockview Park	224 Clarke Street	<ul style="list-style-type: none"> Playground
Chestnut Park	Southwest corner of Chestnut Street and Clark Street (Address not available)	<ul style="list-style-type: none"> Playground
Whisky Run Golf Club	631 Lorraine Road	<ul style="list-style-type: none"> Golf Course
Educational Institutions		
Saint Therese Catholic Elementary School	530 Killaly Street East	<ul style="list-style-type: none"> Elementary School
Elementary School Catholic Saint-Joseph	210 Elizabeth Street	<ul style="list-style-type: none"> Elementary School
Lakeshore Catholic High School	150 Janet Street	<ul style="list-style-type: none"> Middle School
DeWitt Carter Public School	435 Fares Street	<ul style="list-style-type: none"> Elementary School
Community Centres		
Port Colborne YMCA	550 Elizabeth Street	<ul style="list-style-type: none"> Health and Wellness Centre
Religious Institutions		
St-Jean-De-Brebeuf Church	300 Killaly St East	<ul style="list-style-type: none"> Place of Worship
St. Therese of Lisieux Church	379 Fares Street	<ul style="list-style-type: none"> Place of Worship

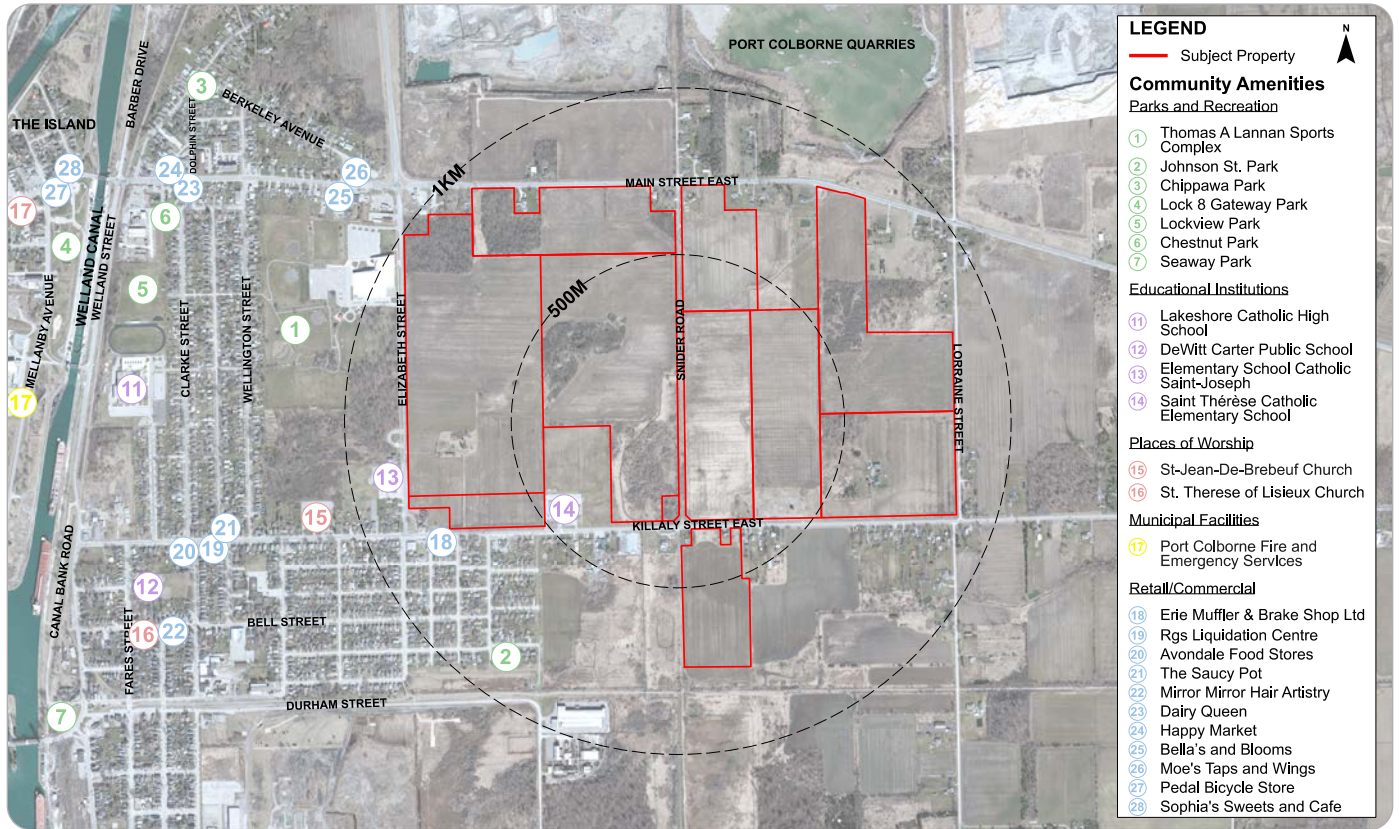


Figure 3: Community Facilities

This page intentionally left blank.

3. SURROUNDING DEVELOPMENT APPLICATIONS

Within a greater area context, the subject lands are surrounded by the following development applications:

Vacant Lot & 563 Killaly Street East - File No. D14-06-23 (Request for Zoning By-law Amendment and Draft Plan of Subdivision)

The Zoning By-law Amendment proposes to rezone the subject lands from R1-CH (First Density Residential with Conversion Holding), and RD (Residential Development) to a site-specific R4 (Fourth Density Residential) zone and R4-H (Fourth Density Residential with Holding provision) to facilitate the development of 286 residential unit with one commercial block. The site-specific R4 zone is being sought to permit block townhouses, street townhouses, semi-detached and apartment buildings with reductions in lot areas and frontage, reduction in yard setbacks, and an increase in height. The application is still under staff's review.

Concession 2 Pt Lot 31, Concession 2 Pt Lot 31 RP 59R12021 Parts 1 & 2, and Con 2 Pt Lot 31 RP 59R11866 Parts 2to 5-File No. D14-06-22 (Request for Zoning By-law Amendment and Draft Plan of Subdivision)

The Zoning By-law Amendment proposes to rezone the subject lands from R3 (Third Density Residential), RD (Residential Development), and EC (Environmental Conservation) to a site-specific MU (Mixed Use) zone, EC (Environmental Conservation), (P) Public & Park, and a site-specific R3 zone. The Draft Plan of Subdivision 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. The application is still under staff's review, however it is in final stages for approval.

395 Elm Street - File No. D14-05-23 (Request for Zoning By-law Amendment)

The application for Zoning By-law Amendment proposes to change the zoning from Second Density Residential with Conversion Holding (R2-CH) and Second Density Residential (R2) to a special Downtown Commercial zone to permit an 82-unit apartment building. The application is still under staff's review.

WESTON
CONSULTING



4. PROPOSED DEVELOPMENT

4.1 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development is comprised of a wide range of residential dwellings including street townhouse, linked and condominium townhouses and single-detached residential uses and commercial blocks to serve the neighbourhood as detailed in the following:

It is important to note that the subject lands encompass natural features intended for preservation, and the proposed development incorporates appropriate setbacks to safeguard these features.

Table 2: Site Statistics

Residential			
Type of use	Lot frontage	Percentage	Unit numbers
Single-detached	13.7 m	46%	34
	12.2 m		348
	10.7 m		437
	9.15 m		208
Lane-based townhouses	8 m	19%	289
	6.1 m		131
Street townhouses	8 m	12%	118
	6.1 m		161
Condominium townhouses	6.5m	23%	516
Total			2242
Neighbourhood Commercial			
Total Area			2.43 ha

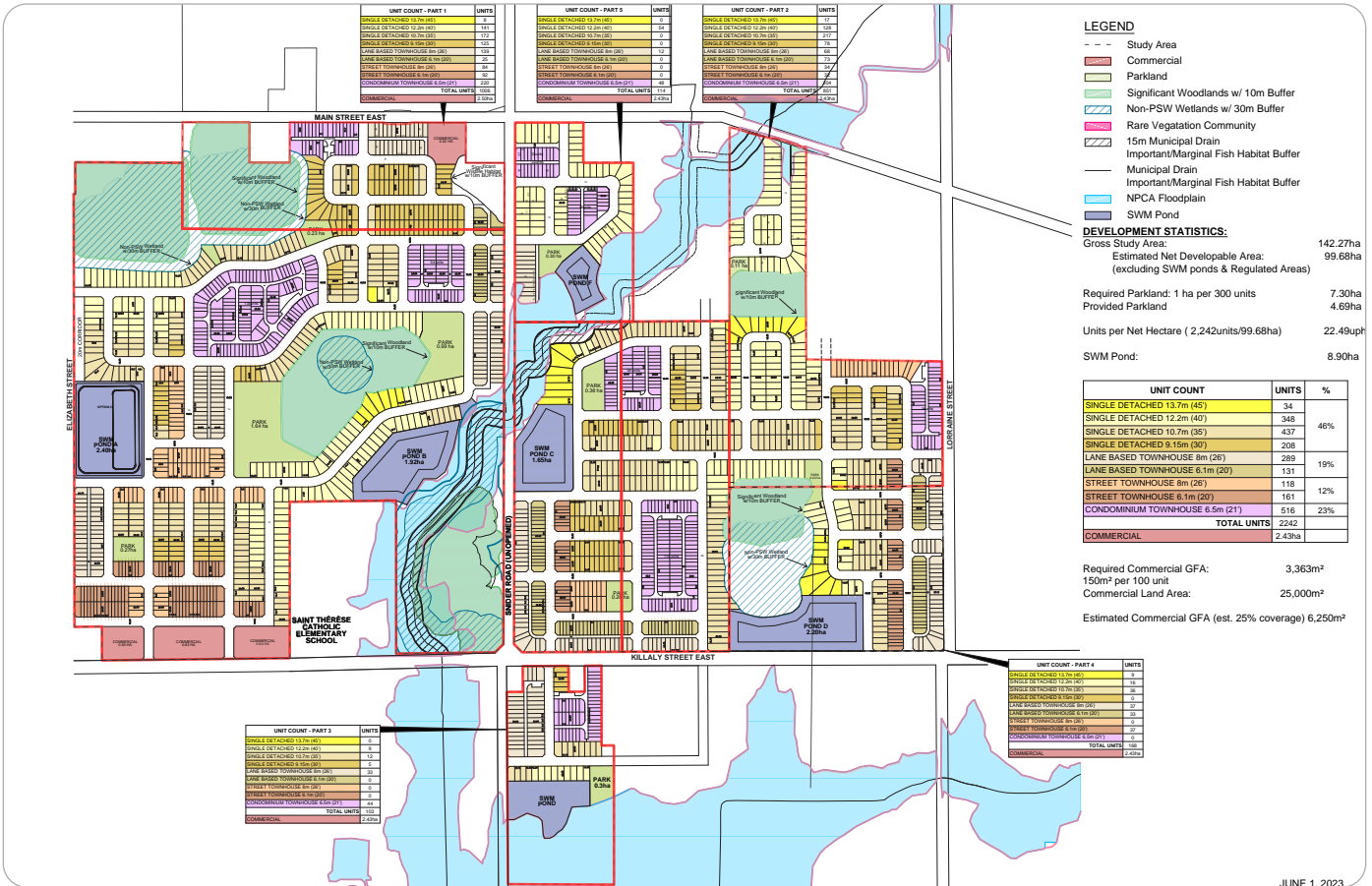


Figure 4: Master Plan

This page intentionally left blank.

WESTON
CONSULTING



5. SUPPORTING MATERIALS

5.1 AIR QUALITY

RWDI was retained to prepare an Air Quality study in support of the proposed development. The proposed development was reviewed with the D-6 (compatibility between industrial facilities) guidelines which provides a classification scheme for industries based their potential for emissions that could cause adverse effects. Findings from the D-6 guidelines recommend the following:

1. “no sensitive land uses shall be permitted within the actual or potential influence areas of Class I, II or III industrial land uses, without evidence to substantiate the absence of a problem.” (Sec. 4.5.1 of Guideline D-6)
2. “No incompatible development other than that identified in Section 4.10, Redevelopment, Infilling and Mixed-Use Areas should occur [within the recommended minimum separation distances]” (Sec. 4.3 of Guideline D6)
3. “When a change in land use is proposed [in an area of urban redevelopment, infilling or transition to mixed use] for either industrial or sensitive land use, less than the minimum separation distance, may be acceptable subject to either the municipality or the proponent providing a justifying impact assessment (i.e., a use specific evaluation of the industrial processes and the potential for off-site impacts on existing and proposed sensitive land uses). Mitigation is the key to dealing with less than the minimum to the greatest extent possible.” (Sec. 4.10.3)

The Report concludes that from air quality perspective, the subject lands are compatible with surrounding industrial uses and no significant air quality impacts from adjacent and nearby industrial properties on the proposed development are expected.

Please refer to the Air Quality Study enclosed with this submission for further details.

5.2 ARCHAEOLOGY ASSESSMENT (STAGE 1)

Archaeological Services Inc. was retained to undertake a Stage 1 Archaeological Assessment which contained consideration of the proximity of previously registered archaeological sites and the original environmental setting of the project area, along with nineteenth- and twentieth-century settlement trends. The land under consideration has been divided into three parcels to optimize results, given the substantial size of the site.

The reports conclude that the project area (Parcels 1-3) consists of agricultural fields, three areas of trees and scrub, and an abandoned farm property. This research has led to the conclusion that there is potential for the presence of both Indigenous and Euro-Canadian archaeological resources within the project area. Upon review of the available background sources, including historical and modern mapping and aerial imagery, it is concluded that the entire project area is considered to have archaeological potential and will require a Stage 2 Archaeological Assessment.

Stage 1 Reports also recommend that the Stage 2 Archaeological Assessment of all agricultural or open lands within the project area must be carried out by means of a pedestrian survey and Stage 2 Assessment of all remaining portions of the project area where ploughing is not possible or viable must be carried out by means of a test pit survey.

Archeological Assessment Stage 2 in process and will be provide once complete.

5.3 ENVIRONMENTAL IMPACT STUDY

Palmer has been retained to complete an Environmental Impact Study (EIS) to delineate, inventory and evaluate the sensitivity and significance of the existing natural heritage features and ecological functions associated with the subject lands and assess the impacts of the proposed development. Within the subject lands, the following PPS natural heritage features have been identified:

- Significant Woodlands;
- Potential and confirmed Significant Wildlife Habitat;
- Habitat of Threatened and Endangered Species; and
- Fish Habitat.

EIS Report indicates that no impacts are anticipated to the functions of these features, except Habitat of Endangered Species (Bobolink).

The Study reviews the Environmental policies related to Natural Heritage within the site and provides the following findings:

- To ensure the protection of migratory birds, their eggs and their nests, vegetation removal will be completed outside of the breeding bird season (late March to late August) or a site inspection for nesting bird activity should be completed immediately prior to vegetation removal to ensure no nesting (if nesting vegetation clearing is delayed).
- The municipal drain (watercourse), non-PSW wetlands, and natural hazard features on the subject lands are protected through the proposed development plan.
- Threatened Bobolink habitat is proposed for removal. This requires 'compensation' through O. Reg. 242/08.

EIS outlines the potential environmental impacts and recommended mitigation measures as follows:

Vegetation Removal and Feature Protection

While no significant or identified natural areas will be removed through the proposed development, some vegetation removal will occur. Proposed mitigation includes vegetation removal timing windows; and considered placement of fences surrounding natural features to prevent disturbance.

Species At Risk

Threatened Bobolink (one territory): habitat compensation would have to occur in accordance with Ontario Regulation 242/08 Section 23.2 or the Compensation Fund.

Significant Wildlife Habitat

Candidate SWH Special Concern Barn Swallows (three pairs) habitat will be removed. Proposed mitigation is installation of a replacement nesting structure in the nearby wetland buffer.

The EIS concludes that the proposed development is environmentally feasible and would result in negligible negative impacts to the natural heritage features provided that the recommended mitigation measures described in this report are implemented. The required mitigation measurements can be a condition of Subdivision Agreement.

5.4 SUB-WATERSHED STUDY

Palmer has completed a multi-disciplinary study to document and characterize the natural heritage and aquatic conditions, and the existing geomorphic and hydrogeologic forms and functions of the Lens Wignell Drain Subwatershed and the small portion of the CWR Welland Canal South subwatershed (herein collectively referred to as the “Wignell Drain Subwatershed”). The field study was completed through a combination of site-level surveys for participating landowners (specifically for lands owned by Elite Developments Inc.) and through reconnaissance and roadside surveys where permission to access properties was not obtained from landowners within the Wignell Drain Subwatershed Study Area.

It is important to note that the management strategy for a SWS must be broad enough to include all of the technical and administrative tools that are involved in land use and resource management measures. Thus, the scope of the management strategy should include:

- *Land Use Management Measures – That guide land use in a manner that recognizes the natural environment which includes terrestrial resources, wildlife, wildlife habitat, ecological linkages and associated environmental corridors, stream and riparian corridors, and the subwatershed processes that influence these resources;*
- *SWM Measures – To preserve or enhance hydrologic functions/flow conditions related to surface water and groundwater flows and water quality;*
- *Terrestrial and Wetland Resource Management – To protect and enhance terrestrial and wetland resources;*
- *Riparian Corridor Management Plans – To protect and enhance riparian systems;*
- *Rehabilitation and Remediation Plans – For environmental (terrestrial and aquatic) features to increase the resiliency of the catchments and stream system;*

- *Monitoring Plan – Must be practical and focused to measure the environmental health of the catchments and to track the effectiveness of the watershed management strategy; and*
- *Implementation Plan – That describes how the strategy is to be put into place, based on the mandates of the various agencies and stakeholders, as well as identify the specific roles and responsibilities for each group.*

Based on the study’s findings, the implementation of the Subwatershed Plan should follow a process of addressing the components outlined in the management strategy. This includes a process that involves technical components of the SWS analysis and specific planning steps guided by the Provincial Policy Statement and Regional and Local Official Plans.

5.5 FUNCTIONAL SERVICING AND STORMWATER MANAGEMENT REPORT

ODAN DETECH GROUP INC. conducted a study to review the site, collect data, evaluate the Site for the proposed use and present the findings in a Functional Servicing and Storm Water Management Report. The proposed development can be serviced with sanitary via extension of the existing sanitary sewer and upgrades as identified within. Water service can be provided via connecting to existing and extension through the subject property through looping as shown in this report. Stormwater management can be accomplished for quantity, quality, water balance, and infiltration as described in this report. The following points described the proposed recommendations:

- *A new central waste water pump station be located within the Elite development as shown in this report. A force main be routed from the pump station north to the future tunnel crossing the Welland canal. This crossing be co-ordinated with the Region of Niagara.*
- *The pump station be sized to handle the entire Elite Development plus neighbouring properties that can economically drain to the new pump station.*
- *The existing watermains be extended depending on the phasing plans and be looped (no long dead-end mains) as detailed in this report.*
- *The NPCA flood shape file (regulatory) be implemented in the design of the subdivision.*
- *That 6 SWMM ponds be incorporated into the design as detailed in this report.*
- *That Snider Road be re-graded to take it out of the flood plain.*
- *That a new culvert be established under neath Snider Road at the drain to allow a 100-year storm to pass.*
- *That the NPCA regulatory flood model be updated once the geometry for Snider Road and the grading for the subdivision are established.*

- *Infiltration galleries be implemented where the water table and rock elevation will be 1.0 m below the bottom of the gallery, in order to match water balance.*
- *The aquatic, wetland and terrestrial resources as identified by Palmer and shown on the draft plan by Weston are to be protected.*

Based on the findings the site is serviceable and can be provided with adequate storm, sanitary and water services.

5.6 TRAFFIC IMPACT STUDY

Crozier conducted a Traffic Impact Study for the proposed development and concluded that the proposed mixed-use residential/commercial development can be supported from a traffic operations and safety perspective. Per the City of Port Colborne's Comprehensive Zoning y-Law 6575/30/18, April 2081, Section 03, single-detached, attached townhouse dwellings require one parking spaces per dwelling unit and the commercial blocks require minimum one space per 25 square metres GFA. The subject development is anticipated to meet the residential and commercial parking supply. In terms of recommendations, the following have been provided:

- The intersection at Highway 140/Elizabeth Street and Main Street is set to see an overall improvement in its Level of Service due to the addition of dual southbound left-turn lanes. However, there's an expected decline to Level of Service "E" for northbound through/right and southbound left-lane traffic. Despite this, the volume-to-capacity ratios remain comfortably below critical levels, resulting in minimal delays. Specifically, during the Weekday P.M. peak hour, the volume-to-capacity ratio dropped to under 1:00, a significant improvement from the original scenario's ratio of 2.09.
- The growth rates are anticipated to surpass the standard 2%, and the forecasted generated trips for the site are conservatively estimated, portraying a critical outlook for the 2041 total scenario. However, there's an understanding that conditions are expected to ameliorate in the future total scenarios of 2036 and 2031 due to proposed improvements.
- The intersection operations at Main Street and Snider Road and Killaly Street and Elizabeth Street are forecasted to significantly improve as well with the improvements.

It is important to note that the analysis undertaken herein was prepared using the most recent Draft Plan at the time of writing this report. Any minor changes to the Plan will not materially affect the conclusions.

5.7 NOISE STUDY

dBa Acoustical Consultants Inc. conducted an initial noise impact study for the proposed development, assessing the potential noise effects, including those from traffic on Main Street East (Highway 3) and Killaly Street East, as well as stationary sources affecting the residential area.

The study highlights noise impacts at the proposed development and proposes necessary noise and vibration control measures to align with the Ministry of Environment, Conservation and Parks (MECP) Publication NPC-300 guidelines on Stationary & Transportation Sources-Approval & Planning. These measures aim to meet the planning requirements set by the City of Port Colborne and the Regional Municipality of Niagara. This report indicates that the following noise control measures or equivalent are required to satisfy the indoor and outdoors noise level criterion:

- Living Room and Bedroom acoustically tested windows require STC-33 and STC-38 values based on receptor location;
- Patio doors require acoustically tested glass with an STC-33 and STC-38 values based on receptor location;
- Exterior Walls require STC-46;
- Specific Warning Clauses are required for specific Receptor Locations;
- Provisions for Central Air Conditioning required for specific Receptor Locations;
- Specific Receptor Locations require a 3m Noise Barrier or equivalent;
- Specific Receptor Locations require a 2.43m Noise Barrier or equivalent;
- Required letter from window company confirming proper STC values for acoustically tested windows are supplied;
- Once building heights and locations have been determined, an updated noise study will be required to address the updated information.

It's important to note that this report assess the nearby Port Colborne Quarry and their proposed expansion. The report concluded that the Quarry and future expansion would not have noise or vibration impacts on the proposed development.

This page intentionally left blank.

6. PLANNING POLICY FRAMEWORK

6.1 PLANNING ACT R.S.O 1990 C. PG.13, AS AMENDED

The following sections outline and analyze the relevant statutory policy documents to determine whether the proposed development is supported by the applicable planning framework, and whether the proposed development represents good planning. The following documents have been considered in this evaluation:

- Planning Act
- Provincial Policy Statement (2020)
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)
- Niagara Region Official Plan (2022)
- City of Port Colborne Official Plan (2020)
- City of Port Colborne Zoning By-law (6576/30/18)

Under Section 2 of the Planning Act, R.S.O. 1990, c. P.13 sets out considering provincial interests, such as protecting and managing our natural resources. Section 2 of the *Planning Act* also states that when an approval authority or the Municipal Board makes a decision under the Act that relates to a planning matter, it shall have regard to any decision that is made under the Act by a municipal council or by an approval authority and relates to the same planning matter; and any information and material that the municipal council or approval authority considered in making this decision.

Section 2 Provincial Interest

The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as:

- (a) *the protection of ecological systems, including natural areas, features and functions;*
- (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;*
- (f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- (h) *the orderly development of safe and healthy communities;*
- (h.1) *the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- (j) *the adequate provision of a full range of housing, including affordable housing;*
- (k) *the adequate provision of employment opportunities and the protection of the financial and economic well-being of the Province and its municipalities;*

- (o) *the protection of public health and safety;*
- (p) *the appropriate location of growth and development;*
- (q) *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.*
- (r) *the promotion of built form that,*
 - (i) *is well-designed,*
 - (ii) *encourages a sense of place,*

The policies and direction of Section 2 of the *Planning Act* inform the Provincial Policy Statement, thereby ensuring that consistency with the PPS equates to having regard for Section 2. The Provincial Policy Statement is given consideration in Section 6.2 of this Report. The proposed development aligns with the mentioned policies, promoting good planning practices by incorporating considerations such as optimal use of existing infrastructure, preservation of natural heritage within urban areas, and prioritization of public health and safety. The development proposes a mix of residential and commercial uses, exhibiting built forms that harmonize with the character of the City of Port Colborne. Additionally, it emphasizes the significance of natural heritage elements on the site. In our opinion, the proposed development reflects careful consideration of the provisions outlined in Section 2 of the *Planning Act*.

Section 22 of the *Planning Act* outlines the relevant policy for amending Official Plans where it states that if a person or public body requests a council to amend its official plan, the council shall,

- (a) *forward a copy of the request and the information and material required under subsections (4) and (5), if any to the appropriate approval authority, whether or not the requested amendment is exempt from approval; and*
- (b) *hold a public meeting under subsection 17 (15) or comply with the alternative measures set out in the official plan.*

The required materials will be provided to City Staff in due course. The proposed Public Consultation Strategy outlined in Section 8 of this report encompasses the applicant team's approach to engaging and consulting with both the public and staff, in accordance with the requirements set forth in Section 22 of the *Planning Act*.

Section 34 of the *Planning Act* outlines policy relating to the request for a Zoning By-law amendment. Section 34 paragraph 4 states that a Zoning By-law Application is required *for regulating the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected or located within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy.*

Summary

It is our opinion that the proposed Development has appropriate regard for the *Planning Act* regulations governing the Official Plan Amendment and Zoning By-law Amendment (Sections 22 and 34) applications, respectively, and has appropriate regard for matters of Provincial Interest as set out in Section 2 of the *Planning Act*. of public health and safety; and lastly the protection of natural heritage features.

The range of 2242 residential units proposed on the subject lands allows the opportunity for a variety of housing types for various individuals. The applications are in the public interest as it is consistent with the PPS 2020, conforms to the Provincial Growth Plan 2020, the Niagara Region Official Plan and the City of Port Colborne Official Plan. The proposed Official Plan and Zoning By-law amendment applications have consideration for the existing landscape and is compatible with the current character of recently applications in the surrounding of the subject lands.

6.2 PROVINCIAL POLICY STATEMENT (2020)

The current version of the Provincial Policy Statement (PPS) came into effect on May 1, 2020 and provides policy direction on matters of provincial interest related to land use planning and development. On April 6, 2023, the Government of Ontario released the proposed Provincial Planning Statement 2023 (proposed PPS 2023), which integrates the Provincial Policy Statement 2020 (PPS 2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) into a singular, province-wide policy document. The document is still in review period. Key Changes in the proposed Provincial Planning Statement 2023 establishes broader permissions for residential intensification.

The PPS requires that all land use planning decisions “shall be consistent with” the policies outlined in the PPS. The PPS encourages efficient land use planning and growth management to create and maintain strong communities and a healthy environment while encouraging economic growth over the long term. The PPS also encourages the efficient use of existing infrastructure and public service facilities and requires that municipalities plan for an appropriate range and mix of land uses throughout the Province. The PPS supports intensification, infill, and redevelopment where appropriate in order to promote the efficient use of land where infrastructure and public services are available.

Building Strong Healthy Communities

Section 1.0 of the PPS provides direction related to “Building Strong Healthy Communities” and is applicable to the subject lands. It generally encourages a variety of land uses within communities and encourages initiatives that make efficient use of development by promoting strong, livable, healthy and resilient communities.

Managing and directing land use

Section 1.1.1 contains requirements for managing and directing land use to achieve efficient and resilient development and land use patterns. This Section directs that “healthy, liveable and safe communities are sustained by:

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*

The proposed development takes into consideration the policies of Section 1.1.1 of the PPS, as it contemplates mixed-use development, which will assist in creating a mix of housing types, ranging from single-detached dwellings and wide range of townhouses with variety of tenures which would accommodate various income levels.

The proposed development provides efficient use of land and accessibility to municipal servicing to meet the projected needs of a community.

Settlement Areas

Section 1.1.3 of the PPS provides direction on future growth and development within designated Settlement Areas and recognizes Settlement Areas as critical to the long-term development and prosperity of Ontario's communities. The PPS promotes efficient development patterns within settlement areas, which are locations where growth and development is to be focused. The following policies are relevant to the proposed development:

Section 1.1.3.1: Settlement areas shall be the focus of growth and development.

Section 1.1.3.2: Land Use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources; and*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion*

Section 1.1.3.4: Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety

Section 1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas

Section 1.1.3.7 Planning authorities should establish and implement phasing policies to ensure:

- a) that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and*
- b) the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.*

Section 1.1.3.8 A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:

- a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;*
- b) the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;*

The proposed development is an example of intensification within a Settlement Area, which is where growth and development is to be focused. The proposal provides for a compact, mixed-use community with 2242 residential units and 2.43 ha of commercial area. The proposed development is located within close proximity to numerous services and amenities as explained within Section 2 of this Report which would benefit future residents of the subject lands. The Settlement Area policies noted above recognize that the achievement of growth objectives requires intensification and redevelopment in areas that are well serviced by existing infrastructure.

Housing

The PPS encourages a range and mixture of housing types and densities in order to meet the current and projected needs of residents. The following policies are relevant:

Section 1.4.1 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) *maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and,*
- b) *capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

Section 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- b) *permitting and facilitating:*
 1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and,*
 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs; and,*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.*

The PPS directs development of new housing towards locations where an appropriate level of infrastructure and public service facilities exist in order to accommodate anticipated residential growth. The proposed development will assist the City of Port Colborne by adding an appropriate range and mix of single-detached, condominium and townhouse units in an existing settlement area that is well serviced by municipal infrastructure and neighbourhood commercial facilities. The proposal will contribute 1,027 single-detached units, 516 condominium townhouse units 420 lane-based townhouses and 279 street townhouse units on the subject lands ranging in size.

Public Spaces, Recreation, Parks, Trails and Open Space

Section 1.5 of the PPS provides policy direction relating to parks, recreation and open space. The following policies are of relevance to the proposed development:

- a) *planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) *planning and providing for a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*

- d) *recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.*

The proposed development proposes 10 park blocks on the subject lands with a total area of 4.69 hectares. The proposed parks are publicly accessible for future and existing residents of the subject lands and will provide for a safe public gathering space for residents to enjoy outdoor activities. The proposed parks and open space respect the existing natural features on the subject lands and does not propose development in these areas. As mentioned in Section 5 of this Report, a 30-meter development buffer is proposed on existing wetlands; 15-meters near floodplains and 10-meter on woodlands, which maintains the objectives of the PPS.

Infrastructure and Public Service Facilities

Planning for infrastructure and public service facilities shall be integrated with planning for growth so that infrastructure and facilities are available to meet current and projected population and demographic needs, as outlined in the policy below:

1.6.3 Before consideration is given to developing new infrastructure and public service facilities:

- a) *the use of existing infrastructure and public service facilities should be optimized; and*
- b) *opportunities for adaptive re-use should be considered, wherever feasible.*

The proposed development allows for the optimization of the subject lands, by efficient utilization of the existing public service facilities which will be upgraded to accommodate the development within the City of Port Colborne.

Sewage, Water and Stormwater

The PPS provides policy direction related to sewage, water and stormwater. The following policies are relevant:

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

Planning for infrastructure and public service facilities shall be integrated with planning for growth so that infrastructure and facilities are available to meet current and projected population and demographic needs, as outlined in the policy below:

1.6.6.7 *Planning for stormwater management shall:*

- a) *be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) *minimize, or, where possible, prevent increases in contaminant loads;*
- c) *minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) *mitigate risks to human health, safety, property and the environment;*
- e) *maximize the extent and function of vegetative and pervious surfaces; and*
- f) *promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

The proposed development will utilize both existing storm drainage, sewage services and water supply services in a manner that protects human health and the natural environment. The existing municipal infrastructure will be upgraded to support the proposed development as detailed in the Functional Servicing and Stormwater Management Report prepared by Oden Detech Engineering.

Transportation Systems

The relationship between transportation infrastructure and growth management is a primary consideration found throughout the PPS. The proposed development is in an area that is located within close proximity to existing highways, collector and arterial roads which provide direct connection throughout the City of Port Colborne and neighbouring municipalities. The following transportation policies are relevant to the proposed development:

1.6.7.1 Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

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

1.6.7.3 As part of a multimodal transportation system, connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

The proposed development is well serviced by existing highways, collector and arterial roads providing connections throughout the City of Port Colborne and neighbouring municipalities. The subject lands are located in an area that encourages intensification, as existing and proposed infrastructure is capable of facilitating the level of density that the development proposes.

The proposal is consistent with the PPS policies.

Natural Heritage

Section 2.1 of the PPS provides policy direction relating to the protection of natural heritage resources. The following policies are relevant to the proposed development:

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.1.5 Development and site alteration shall not be permitted in:

- a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;*
- b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*
- c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*
- d) significant wildlife habitat;*
- e) significant areas of natural and scientific interest; and*
- f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b)*

2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

The subject lands are adjacent to the Regions Core Natural Heritage Systems consisting of significant woodland and Type 2 Fish Habitat. As mentioned in Section 2.3 of this Report, a 30-meter development buffer is proposed on existing wetlands; 15-meters near floodplains and 10-meter on woodlands, which maintains the objectives of the PPS. In addition, from correspondence with the City of Port Colborne Planning Staff and Niagara Region Staff it was determined that the approximate development buffer was included in the proposed development which would preserve the existing natural heritage features on the subject lands. Findings from the Environmental Impact Study prepared by Palmer further demonstrates that there will be no significant negative impact on the existing features of their ecological function.

Summary

The applications for an Official Plan and Zoning By-law Amendment are consistent with the above-cited relevant policies of the PPS 2020, and the key goal of PPS 2023.

The proposed Official Plan and Zoning By-law applications allow for a range of residential uses with standards that provide for compact development, efficiently using land and existing infrastructure. The applications facilitate the development of residential uses on lands which are planned for development in both the Niagara Region and City of Port Colborne Official Plans. The site is currently partially vacant and is located within close proximity to existing services and amenities for future residents of the subject lands.

Based on our review of the applicable policies of the PPS, it is our opinion that the proposed development is consistent with the PPS as it promotes building healthy, sustainable and complete communities. The proposal is located within an existing Settlement Area, is located within close proximity to existing services and amenities and does not propose to alter the existing natural heritage resources on the lands.

6.3 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) was prepared and approved under the Places to Grow Act, 2005 and provides a framework for implementing the Provincial Government's vision for building stronger and more prosperous communities by better managing growth in the Greater Golden Horseshoe. The current Growth Plan took effect on August 28, 2020.

The Growth Plan is read in conjunction with the Provincial Policy Statement. In instances where policies of the Plan address a similar matter or there is overlap, the more specific direction of the Growth Plan is to be considered, rather than the more general policies of the PPS. The planning applications are required to conform to the Growth Plan.

The Growth Plan provides policy direction regarding how land is developed, resources are managed and protected, and public dollars are invested based on the guiding principles of Section 1.2.1 of the Growth Plan. Some of the guiding principles include the following:

- *Support the achievement of complete communities that are designed to support health and active living and meet people's needs for daily living throughout an entire lifetime.*
- *Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.*
- *Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.*
- *Provide for different approaches to manage growth that recognize the diversity of communities in the GGH.*

- *Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.*

The proposed development is consistent with the above-mentioned guiding principles of the Growth Plan as the proposal provides for a mix of housing types, with various types of townhouses, single-detached dwellings, and meets the Growth Plans objective of creating The proposed development is consistent with the above-mentioned guiding principles of the Growth Plan as the proposal provides for a mix of housing types, with various types of townhouses, single-detached dwellings, and meets the Growth Plans objective of creating complete communities and a climate resilient province.

Section 2.1 of the Plan further emphasizes that forecasting growth is to be accommodated in complete communities which are designed to provide “convenient access to an appropriate mix of jobs, local service, public service facilities and a full range of housing to accommodate a range of income and household sizes.” The Growth Plan further states that “better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification...” (Section 2.1).

The proposed development provides intensification and a higher density development to the existing community. The proposal provides for a mix of residential units ranging in size and tenure. The subject lands are located in a community with residential, institutional and commercial uses within close proximity.

Managing Growth – Where and How to Grow

Section 2.2 of the Growth Plan addresses managing growth and the determination of how and where to grow. The purpose of this section of the Growth Plan is to provide direction to manage growth in a manner which ensures better use of land and infrastructure and encourages a compact built form throughout the GGH. The Growth Plan places emphasis on directing growth and intensification within the existing built-up area. The subject lands are located within a designated built-up area of the Growth Plan.

Section 2.2.1.1 states the following: *Population and employment forecasts contained in Schedule 3 or such higher forecasts as established by the applicable upper-or single-tier municipality through its municipal comprehensive review will be used for planning and managing growth in the GGH to the horizon of this Plan in accordance with the policies in subsection 5.2.4.*

Section 2.2.1.2 states, *forecasted growth to the horizon of this Plan will be allocated based on the following:*

- a) *the vast majority of growth will be directed to settlement areas that:*
 - i. *have a delineated built boundary;*
 - ii. *have existing or planned municipal water and wastewater systems; and*
 - iii. *can support the achievement of complete communities;*
- b) *growth will be limited in settlement areas that:*
 - i. *are rural settlements;*
 - ii. *are not serviced by existing or planned municipal water and wastewater systems;*
or
 - iii. *are in the Greenbelt Area;*
- c) *within settlement areas, growth will be focused in:*
 - i. *delineated built-up areas;*
 - ii. *strategic growth areas;*
 - iii. *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*

iv. areas with existing or planned public service facilities;

- d) *development will be directed to settlement areas, except where the policies of this Plan permit otherwise;*

The proposed development satisfies the outlined criteria, considering that the subject lands are situated within a Settlement Area and can be serviced by existing municipal infrastructure. This alignment contributes to the realization of complete communities, a key theme emphasized by the Growth Plan.

Managing Growth

Section 2.2.1.4 outlines the elements of complete communities: Within the built-up area, the Plan will support the achievement of complete communities that:

- a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b) *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) *provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- d) *expand convenient access to:*
 - ii. *public service facilities, co-located and integrated in community hubs;*
 - iii. *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
 - iv. *healthy, local, and affordable food options, including through urban agriculture;*
- e) *provide for a more compact built form and a vibrant public realm, including public open spaces;*

- f) *mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and*
- g) *integrate green infrastructure and appropriate low impact development.*

The proposed development meets the objective of providing “a diverse range and mix of housing options” as it supports the inclusion of single-detached residential units, variety of townhouse unit options which contribute to the minimum intensification target of all residential development occurring within the built-up area and Greenfield Area of Niagara Region. The proposed units will accommodate singles, couples and larger families with a range of unit sizes. In addition, the proposed development does not propose to develop the existing natural heritage features on the subject lands and proposes to include a development buffer near these areas which further meets the intention of the Growth Plan.

Delineated Built-Up Areas

Section 2.2.2.1 a) of the Growth Plan directs that: By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:

- a) *A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area.*

The intent of this policy is to encourage greater residential intensification. The proposed residential development conforms to the intent of this policy for Niagara Region and the City of Port Colborne, as directed by provincial policy.

Section 2.2.2.3 requires that all municipalities develop and implement strategies to achieve the minimum intensification targets and intensification throughout delineated built-up areas which will:

- a) *identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;*
- b) *identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;*
- c) *encourage intensification generally throughout the delineated built-up area;*
- d) *ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;*
- e) *prioritize planning and investment in infrastructure and public service facilities that will support intensification; and*
- f) *be implemented through official plan policies and designations, updated zoning and other supporting documents.*

The proposed development meets the above noted policies as it encourages intensification on the subject lands, which is currently underutilized and should be further intensified based on its location within the delineated built-up area and being located within a settlement area.

Housing

The Growth Plan provides policy direction related to providing a range and mix of housing, of which the following is applicable (Section 2.2.6):

1. *Upper and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:*
 - a) *support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:*

- i. *identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and*
- 2. *Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:*
 - a) *planning to accommodate forecasted growth to the horizon of this Plan;*
 - b) *planning to achieve the minimum intensification and density targets in this Plan;*
 - c) *considering the range and mix of housing options and densities of the existing housing stock; and*
 - d) *planning to diversify their overall housing stock across the municipality.*
- 3. *To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.*
- 4. *Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for intensification and redevelopment.*

The proposed development will help fulfill the density targets set by the Growth Plan by introducing a variety of housing units, catering to diverse needs and accommodating both current and future residents in the City of Port Colborne.

Designated Greenfield Areas

Section 2.2.7 provides policy direction for lands located within a designated greenfield area. The subject lands are located within the designated greenfield area of the Growth Plan, which are defined as “Lands within settlement areas (not including rural settlements) but outside of delineated built-up areas that have been designated in an official plan for development and are required to accommodate forecasted growth to the horizon of this Plan. Designated greenfield areas do not include excess lands”. The following policies are of relevance to the subject lands and proposed development:

- 1. *New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that:*
 - a) *supports the achievement of complete communities;*
- 2. *The minimum density target applicable to the designated greenfield area of each upper- and single-tier municipality is as follows:*
 - a) *The Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will plan to achieve within the horizon of this Plan a minimum density target that is not less than 50 residents and jobs combined per hectare; and*

The proposed development helps contribute to the Region of Niagara’s minimum density target of 50 residents and jobs combined per hectare by proposing 2242 units on the subject lands. The density calculation for this site is included in Section 6.4 of this Report.

Infrastructure to Support Growth

The Growth Plan recognizes the importance of accessible public infrastructure to maintain the vitality of communities, economic competitiveness, quality of life and delivery of services (Section 3.1). The Growth Plan encourages compact urban forms and intensification as ways of efficiently and effectively utilizing infrastructure. Chapter 3 of the Growth Plan outlines the policies related to infrastructure planning and promotes coordinated land use and infrastructure planning to support and accommodate forecasted population and economic growth (Section 3.1). The following policies are relevant to the proposed development:

3.2.1(3). Infrastructure investment and other implementation tools and mechanisms will be used to facilitate intensification and higher density development in strategic growth areas. Priority will be given to infrastructure investments made by the Province that support the policies and schedules of this Plan.

3.2.2 (3). In the design, refurbishment, or reconstruction of the existing and planned street network, a complete streets approach will be adopted that ensures the needs and safety of all road users are considered and appropriately accommodated.

The proposed development is appropriate for the lands and responds to the Provincial direction for accommodating residential intensification in areas that are supported by existing transportation infrastructure. The proposed development is located approximately 700-meters north-west of an existing residential community with readily available community services and infrastructure. The population introduced by the proposed development can efficiently make use of the existing community infrastructure to support the Growth Plan's targets.

The proposed development provides for a range of dwelling types and introduced appropriate intensification which will aid the City of Port Colborne and Region of Niagara in achieving its population and residential growth targets to the year 2051.

Stormwater Management

Section 3.2.7 of the Growth Plan provides policies related to stormwater management. The following policies are relevant to the subject lands and proposed development:

- b) protect the quality and quantity of water by assessing existing stormwater facilities and systems;*
 - d) examine the cumulative environmental impacts of stormwater from existing and planned development, including an assessment of how extreme weather events will exacerbate these impacts and the identification of appropriate adaptation strategies;*
2. *Proposals for large-scale development proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a stormwater management plan or equivalent, that:*
- a) is informed by a sub-watershed plan or equivalent;*
 - b) incorporates an integrated treatment approach to minimize stormwater flows and reliance on stormwater ponds, which includes appropriate low impact development and green infrastructure;*
 - c) establishes planning, design, and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion, and impervious surfaces; and*
 - d) aligns with the stormwater master plan or equivalent for the settlement area, where applicable.*

- The proposed development will utilize and proposed upgrades to both existing storm drainage, sewer services and water supply services. As mentioned in Section 5 of this Report, the existing municipal infrastructure can support the proposed development as detailed in the Functional Servicing and Stormwater Management Report prepared by Oden Detech. The pump station is to be sized in order to handle the entire Elite Development plus neighbouring properties that can economically drain to the new pump station.

The proposed development will utilize and proposed upgrades to both existing storm drainage, sewer services and water supply services. As mentioned in Section 5 of this Report, the existing municipal infrastructure can support the proposed development as detailed in the Functional Servicing and Stormwater Management Report prepared by Oden Detech.

Protecting What is Valuable

Section 4.2 of the Growth Plan provides specific policy direction related to watershed planning and the protection of key natural heritage systems. The following policies are of relevance to the subject lands and proposed development:

4.2.1 (1). Upper- and single-tier municipalities, partnering with lower-tier municipalities and conservation authorities as appropriate, will ensure that watershed planning is undertaken to support a comprehensive, integrated, and long-term approach to the protection, enhancement, or restoration of the quality and quantity of water within a watershed.

4.2.1 (2). Water resource systems will be identified to provide for the long-term protection of key hydrologic features, key hydrologic areas, and their functions.

4.2.1 (3). Watershed planning or equivalent will inform:

- a) the identification of water resource systems;*
- b) the protection, enhancement, or restoration of the quality and quantity of water;*
- c) decisions on allocation of growth; and*
- d) planning for water, wastewater, and stormwater infrastructure.*

4.2.1 (4). Planning for large-scale development in designated greenfield areas, including secondary plans, will be informed by a sub-watershed plan or equivalent.

4.2.2 (1). A Natural Heritage System for the Growth Plan has been mapped by the Province to support a comprehensive, integrated, and long-term approach to planning for the protection of the region's natural heritage and biodiversity. The Natural Heritage System for the Growth Plan excludes lands within settlement area boundaries that were approved and in effect as of July 1, 2017.

4.2.2 (2) Municipalities will incorporate the Natural Heritage System for the Growth Plan as an overlay in official plans, and will apply appropriate policies to maintain, restore, or enhance the diversity and connectivity of the system and the long-term ecological or hydrologic functions of the features and areas as set out in the policies in this subsection and the policies in subsections 4.2.3 and 4.2.4.

4.2.2 (3). Within the Natural Heritage System for the Growth Plan:

- a) new development or site alteration will demonstrate that:

 - i. there are no negative impacts on key natural heritage features or key hydrologic features or their functions;**

- ii. *connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;*
- iii. *the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;*

The proposed development conforms to the above criteria of the Growth Plan. The proposed development takes into consideration the key hydrologic features on the subject lands and proposes buffers to protect these areas. Findings from the sub-watershed study completed by Palmer indicates that Key Natural Heritage Features and Key Hydrologic Features (i.e., wetlands, significant woodlands, permanent / intermittent streams, lakes) within this Natural Heritage System are protected to ensure that there are no negative impacts to the features and their functions. In addition, findings from the Environmental Impact Study (EIS) completed by Palmer further determines that the subject lands have a low level of concern from an environmental perspective with the proposed buffers and is suitable for the proposed development.

It should be also noted that in accordance with Schedule 3 of the Growth Plan, the projection for Niagara Region's population is anticipated to reach 674,000 people and employment to reach 272,000 by the year 2051. The proposed subdivision contributes to this growth by providing essential housing supply and commercial lands, thereby accommodating the anticipated increase in both population and job opportunities.

Summary

The applications for an Official Plan Amendment and Zoning By-law Amendment conform to the above-cited relevant policies of the Growth Plan. These applications facilitate the development of lands planned for intensification. The proposed development will contribute to the Growth Plan's minimum density target of 50 residents and jobs per hectare, applicable to lands within the Greenfield area.

The applications will facilitate the development of a compact and complete community with a development that serves current and future residents by featuring a mix of residential buildings and unit types which range in sizes to accommodate people at all stages of life and accommodate the needs of a wide range of household sizes and incomes, and compact built form with a vibrant public realm. The proposed development is in close proximity to existing transportation infrastructure including connections to local and regional roads, commercial, institutional and open space uses.

The application contributes to diversifying the housing mix, with the integration of low-rise and mid-rise residential uses in townhouse and condominium building format. In our opinion, the proposed development conforms to the policies of the Growth Plan for the Greater Golden Horseshoe conforms to the policies of the Growth Plan for the Greater Golden Horseshoe.

6.4 NIAGARA REGION OFFICIAL PLAN (2022 OFFICE CONSOLIDATION)

Niagara Regional Council adopted the Niagara Official Plan in June 2022, and the Minister of Municipal Affairs and Housing approved the plan with modifications in November 2022. The 2022 Niagara Official Plan replaces the former Regional Official Plan and applies to new development, unless transition provisions provide otherwise.

The Province has introduced a new Bill, referred to as 'Bill 150,' which aims to revert Provincial modifications made to the official plans of 12 municipalities, including regional municipalities such as Halton, Niagara, Peel, Waterloo, and York. Bill 150 was passed on December 5, 2023. It is important to note that the modifications approved under this Bill do not affect the policies applicable to the subject lands .

The Niagara Region Official Plan is intended to provide a framework for land use decision making and to guide the physical, economic and social development of Niagara. The Plan was constructed with considerations made to the population, employment and housing growth forecasts of the Growth Plan, increasing densities in urban areas, the creation of employment opportunities and the protection of natural resources for future generations.

The Niagara Region Official Plan (ROP) is a regional policy document that guides economic, environmental and community building decisions to manage growth. The policies in the Regional Plan will help coordinate and set the stage for more detailed planning by local municipalities within the region. It also provides a framework for coordination planning with adjacent municipalities, as well as other jurisdictions.

Chapter 2 – Growing Region

Section 2.1 of the Plan provides policy direction for managing growth within the Region. This section provides specific policies for coordinating Regional growth forecasts with land use, transportation, infrastructure and financial planning:

2.1.1.1 Population and employment forecasts listed in Table 2-1 are the basis for land use planning decisions to 2051.

2.1.1.2 Forecasts in Table 2-1 are a minimum.

2.1.1.3 Forecasts in Table 2-1 are used to determine the location and capacity of infrastructure, public service facilities, and the delivery of related programs and services required to meet the needs of Niagara's current and future residents.

2.1.1.4 Local Area Municipalities shall plan to accommodate the population and employment allocations in Table 2-1 in Local official plans and use the allocations to determine the location and capacity of Local infrastructure, public service facilities, and related programs and services to 2051.

The subject lands and proposed development meet the objectives of the ROP as outlined above. The proposed development provides for a mix of housing types, with both townhouses, single-detached and condominium units which helps the Region achieve its long-term residential growth forecasts. In addition, the proposed development does not propose to alter the existing key natural heritage features on the subject lands which further meets the objectives of the ROP.

Regional Structure

Section 2.2 of the Official Plan provides policy relating to creating a regional structure that directs forecasted growth to settlement areas. Settlement areas are comprised of both urban areas, which include built-up areas, designated greenfield areas and strategic growth areas, as well as rural settlements, otherwise known as hamlets. The property is within delineated Greenfield Area of the ROP per Schedule B- Regional Structure.

The following policies are relevant to the proposed development:

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

- a. the intensification targets in Table 2-2 and density targets outlined in this Plan;*

According to Table 2-2 of the ROP, the minimum Residential Intensification Target rate for Port Colborne is set at 30% for the period 2021-2051. The proposed development plays a crucial role in aiding Port Colborne and the Niagara Region in achieving their minimum intensification target by proposing 2242 residential units on a 142.72 ha of underutilized urban area land.

- b. a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;*
- b. a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs;*
- d. social equity, public health and safety, and the overall quality of life for people of all ages, abilities, and incomes by expanding convenient access to:*

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

The proposed development contributes to the establishment of complete communities by introducing a diverse range of low-rise housing types in a more compact layout, complemented by parks and a commercial block to serve the development. The residential units are designed in various sizes, accommodating individuals and families with diverse income levels.

- e. built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/ services, and optimize investments in infrastructure to support the financial well-being of the Region and Local Area Municipalities;*
- f. opportunities for transit-supportive development pursuant to Policies 2.2.2.17, 2.2.2.18 and 2.2.2.19;*
- g. opportunities for intensification, including infill development, and the redevelopment of brownfields and greyfield sites;*
- h. opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods;*

The development enhances land efficiency by employing good design principles and adopting compact built forms. Through a mix of low-to-mid-density residential and commercial spaces, the proposal introduces a gentle intensification, maximizing the use of available land in an environmentally conscious manner.

This approach promotes sustainability and minimizes the overall environmental footprint. Additionally, the proposed street configurations are planned to improve connectivity and traffic flow, and optimizing infrastructure investments.

- i. the development of a mix of residential built forms in appropriate locations, such as local growth centres, to ensure compatibility with established residential areas;*
- j. conservation or reuse of cultural heritage resources pursuant to Section 6.5;*
- k. orderly development in accordance with the availability and provision of infrastructure and public service facilities; and*
- l. mitigation and adaptation to the impacts of climate change by:*
 - i. protecting natural heritage features and areas, water resource systems, and other components of the Region's natural environment system pursuant to Section 3.1;*
 - ii. where possible, integrating green infrastructure and low impact development into the design and construction of public service facilities and private development; and*
 - iii. promoting built forms, land use patterns, and street configurations that improve community resilience and sustainability, reduce greenhouse gas emissions, and conserve biodiversity*

The proposed development preserves the inherent natural features on the subject lands through the establishment of a thoughtful buffer. The mixed-use character of the proposal is specifically designed to reduce trip generation and travel requirements for residents by providing convenient access to day-to-day necessities. In addition, the proposal supports intensification within an existing greenfield and urban area and mitigates the necessity for the conversion of agricultural and non-urban spaces.

2.2.2.25 Designated greenfield areas will be planned as complete communities by:

- a. ensuring that development is sequential, orderly and contiguous with existing built-up areas;*
- b. utilizing proactive planning tools in Section 6.1 and Section 6.2, as appropriate;*
- c. ensuring infrastructure capacity is available; and*
- d. supporting active transportation and encouraging the integration and sustained viability of public transit service.*

The proposal provides for intensification within a greenfield area. The proposed development provides 2242 units which range in size and is consistent with the intensification and greenfield policies noted above. The proposed development is located in an area with existing commercial and institutional uses which would benefit future and existing resident of the community; and can be serviced by existing municipal services and infrastructure as outlined in the Functional Servicing and Stormwater Management report prepared by Oden Detech. Lastly, the proposed development is cognizant of the surrounding landscape and does not propose to alter the existing natural features on the subject lands as outlined in the Environmental Impact Study.

Section 2.2.2.23 states that the Designated greenfield areas shall achieve a minimum density of 50 residents and jobs combined per hectare as measured across the entire region.

It has been confirmed by Regional staff that the Calculation Variables applicable to Port Colborne are as follows, based on the 2021 Census Table 98-10-0041-01:

Table 3: 2021 Census Table 98-10-0041-01:

<ul style="list-style-type: none"> Single units people per unit (2.4); 1,027 single-detached dwellings is proposed, Semi and Row units people per unit (2.2); 1,215 townhouse units are proposed, Employment densities – Commercial (500 sq ft). 2.43 ha of commercial area is proposed.
$(1027*2.4) + (1215*2.2) + (24300/500) = 5,187$
Total developable area: 99.68 ha
Total proposed density: 52.03 people and jobs per hectare

The proposed density exceeds the minimum density target of 50 people and jobs per hectare for greenfield area of Niagara Region.

Phasing of Development

Section 7.7.1.3 of the Official Plan provides policy direction relating to Phasing. As the subject lands are 352.79 in acres, draft plan of subdivision applications will be submitted to the City of Port Colborne to divide the subject lands into various development parcels. The proposed development will occur in phases, starting from the western portion of the lands to the eastern continuing from the extent of existing developed areas of the City. A Phasing Plan has been provided as part of the submitted applications to illustrate the extent of the proposed phases.

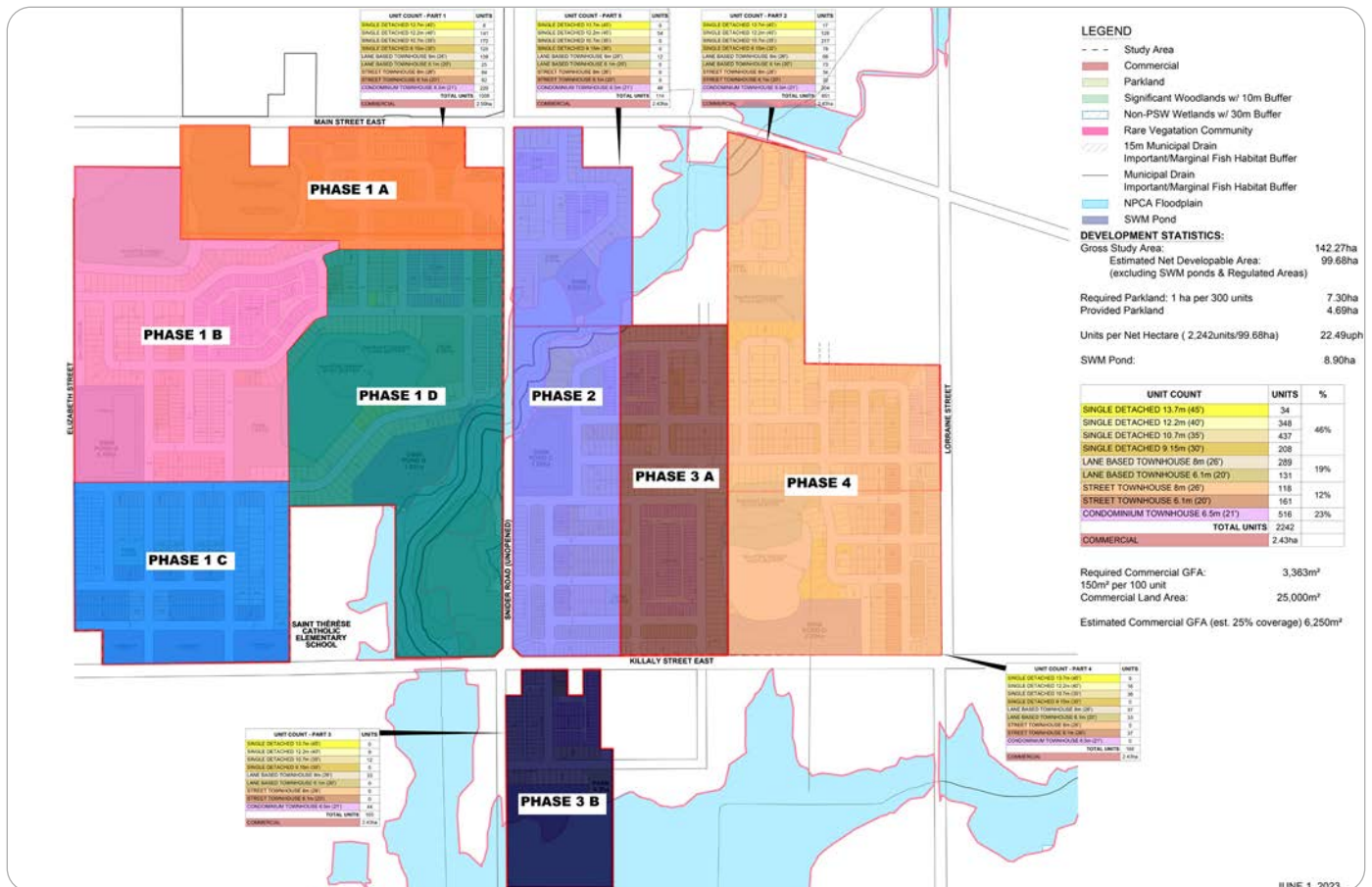


Figure 5: phasing plan excerpt

The following policies are of relevance to the proposed development:

7.7.1.3 Further to Policy 7.7.1.2, the Region encourages Local Area Municipalities to prepare a phasing strategy that:

- a. ensures logical, sequential development of all designated greenfield area lands;*
- b. considers development and redevelopment of employment areas;*
- c. supports the achievement of the minimum intensification and density targets in this Plan;*
- d. ensures orderly progression of development within strategic growth areas and local growth centres;*
- e. provides and aligns infrastructure and public service facilities with Regional master plans, including servicing and transportation, in a timely manner;*
- f. utilizes existing infrastructure and redevelopment opportunities, wherever possible;*
- g. ensures adequate land, infrastructure and public service facilities meet current and projected needs;*
- h. has regard for the natural environment system and watershed;*
- i. establishes complete communities; and*
- j. uses planning tools in Section 6.1 to assist in more detailed phasing direction for specific areas.*

The above noted policies directly apply to the proposed development and subject lands. The subject lands will be developed in phases starting from the western portion of the lands to the eastern.

The proposed development meets the urban growth objectives of the Official Plan as outlined above. The proposed development proposes a compact development with 2241 residential units on the subject lands. In addition, the proposed development conserves the existing natural resources on the lands and does not propose development within these areas.

Urban Design and the Public Realm

Section 6 of the Plan provides policy direction relating to urban design and the public realm within the Region. The following policies are of relevance to the proposed development:

Policy 6.2.1.5 The public realm shall be enhanced through urban design and improvements, and investment that contributes to safe, attractive complete streets and desirable communities;

Policy 6.2.1.8.b.iii The Region encourages a mix of land uses, a vibrant public realm and compact built form;

Policy 6.2.1.8.d promotes well-designed buildings, high quality streetscapes, and attractive public spaces that create neighbourhood character and strengthen community identity and diversity;

A Secondary Plan is enclosed for the subject property which addresses all design details and consideration for the proposed subdivision. Streetscapes will be well-defined and promote a healthy and inviting pedestrian environment. Along Killaly Street and Main Street, where commercial blocks are located, the streetscape will be enhanced through landscaping treatments, street plantings, street furniture, lighting, and consistent sign patterns. The siting and location of all elements will be well coordinated. These design details will be thoroughly examined in subsequent stages.

The Natural Heritage System

Schedule B1- Environmental Protection Areas of the ROP illustrates the key environmental features in the Region. Section 3.1 of the ROP speaks to Natural Heritage System policies. The natural heritage system is made up of features such as wetlands, woodlands, valleylands, and wildlife habitat, as well as components such as linkages, buffers, supporting features and areas, and enhancement areas. The intent of the natural heritage system is to preserve and enhance the biodiversity, connectivity, and long-term ecological function of the natural systems in the region. Some contain features of provincial or even national significance, such as threatened or endangered species.

The objectives of this section are as follows:

- a. identify and protect a natural heritage system and water resource system which will form the natural environment system;*
- b. maintain, restore, and enhance the biodiversity and connectivity of natural features and their associated ecological and hydrological functions;*
- c. recognize the important role the natural environment system plays in mitigating the impacts of climate change by protecting and enhancing natural features;*
- d. implement the Natural Heritage System for the Growth Plan and Greenbelt Plan Natural Heritage System in accordance with the direction of the Province;*
- e. identify and maintain hydrologic functions and connections among groundwater features, natural features, and surface water features including shoreline areas;*
- f. maintain wetland area and the hydrological and ecological functions they provide, and to enhance wetland cover where possible;*
- g. protect woodlands and their biodiversity, restore ecological functions, and enhance woodland cover through reforestation and restoration;*
- h. protect provincially and regionally significant earth science and life science areas of natural and scientific interest;*
- i. identify and protect other woodlands as a way to maintain tree area in the region;*
- j. screen for, and evaluate enhancement areas as well as supporting features and areas to support the long-term ecological integrity of the natural environment system;*
- k. identify linkages to protect ecological connectivity in the region;*
- l. maintain protection for woodlands that have been disturbed in an effort to maintain tree cover in the region;*
- m. protect fish habitat and the habitat of endangered species and threatened species in accordance with Provincial and Federal legislation;*
- n. maintain and restore natural vegetation along shoreline areas;*
- o. protect and enhance water resources through proactive watershed and subwatershed planning;*
- p. protect and restore the ecological health of the Great Lakes, consistent with the provisions of the Great Lakes Strategy, the targets and goals of the Great Lakes Protection Act, 2015, and any applicable Great Lakes agreements as part of watershed planning and coastal or waterfront planning initiatives;*
- q. minimize risks to human health and safety and property associated with natural hazards;*

- r. minimize the impacts of invasive species through the proper management and control, and the promotion of native species plantings in the region;
- s. recognize the role and value of compatible and complementary agricultural and rural uses within and adjacent to the natural environment system;
- t. consider cumulative impacts through watershed planning and the development application process;
- u. recognize that flexible approaches to existing uses in the natural environment system are required; and
- v. outline the process for environmental impact studies and hydrological evaluations where they are required to support applications for development or site alteration.

Mapping of the significant habitat of endangered and threatened species is not included in the Core Natural Heritage Map although much of this habitat may be found within the Environmental Protection and Environmental Conservation areas shown on the Map. Significant habitat of endangered and threatened species will be identified through the Planning and Development review process. Where such habitat is identified development and site alteration shall be subject to the policies for Environmental Protection Areas.

The above noted policies are of relevance to the subject lands and proposed development. The proposed development conforms to the natural heritage policies as mentioned above. An Environmental Impact Study (EIS) prepared by Palmer Environmental was undertaken to understand the natural heritage features and any species at risk on the subject lands. The natural features are proposed to be protected from development with buffers based on the Region's, City's and NPCA policies. Appropriate buffer has been taken from wetlands, drain/fish habitat and Significant Woodlands.

Housing

Section 2.3 speaks to policies pertaining to housing in Niagara Region. The objectives of this section are as follows:

- a. provide a mix of housing options to address current and future needs;
- b. provide more affordable and attainable housing options within our communities; and
- c. plan to achieve affordable housing targets through land use and financial incentive tools.

The proposed development offers a variety of housing options in different sizes, enhancing housing attainability and accessibility.

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

- a. facilitating compact built form; and
- b. incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.

The proposed development offers a compact built form including townhouse development which have inherent energy conservation advantages due to proposing shared walls and compact design.

In accordance with Schedule H- Known Deposits of Mineral Aggregate Resource and Operation the subject lands are shown as Urban Area and does not comprise of any aggregate resource; however, lands are adjacent to an extraction facility. Air Quality Assessment and Noise Report have addressed this policy.

Summary

The subject lands are located within the Designated Greenfield Area of the Region of Niagara Official Plan. The proposal adheres to the policies that speak to planning a compact, complete community as it proposed 2242 residential units on the subject lands ranging in sizes and built form.

Based on our review, the proposed development conforms to the policies in the Regional Official Plan. The proposal represents redevelopment within the urban area boundary and proposes a residential addition which contributes towards achieving the growth and intensification strategies set out by Niagara Region. The proposed development does not propose to alter the existing natural heritage features located on the lands and is compatible with the surrounding landscape. The proposed development can be readily serviced, as evidenced through the technical functional servicing analysis.

The proposed development also introduces an appropriate built form that respects the existing residential neighbourhood to the south-west of the subject lands. The proposal contributes to the housing supply by providing townhouses and single-detached units for existing and future residents of Niagara Region. It is our opinion that the proposed development conforms to the Niagara Region Official Plan.

6.5 CITY OF PORT COLBORNE OFFICIAL PLAN (2017 OFFICE CONSOLIDATION)

The City of Port Colborne Official Plan was approved by the Ontario Municipal Board on November 25, 2013. The Official Plan sets the long-term goals and objectives for the City, guides By-laws and informs Council on land-use decisions and how to manage change. The Official Plan was revised on September 17, 2017.

Introducing Port Colborne

Section 1.2 provides an overview of the Official Plan. The purpose of the Plan is to provide the City with policies designed to secure the health, safety, convenience and welfare of the present and future inhabitants of the City of Port Colborne. The Plan has been developed in considering the following planning principals:

- i) *Providing for a mix of land uses;*
- ii) *Taking advantage of compact building design, where appropriate;*
- iii) *Providing guidance for the location and character of new development;*
- iv) *Creating a range of housing opportunities and choices;*
- v) *Creating walkable neighbourhoods;*
- vi) *Fostering distinctive, attractive communities with a strong sense of place;*
- vii) *Identifying and preserving open space, farmland, natural beauty and critical environmental areas;*
- viii) *Strengthening and directing development towards existing communities;*
- ix) *Making development decisions predictable, fair and cost effective; and*
- x) *Encouraging community and stakeholder collaboration in development decisions.*

The subject lands and proposed development meet the objectives of the Port Colborne Official Plan as outlined above. The proposed development provides for a mix of housing types, with both townhouses, single-detached units for future and current residents within the City of Port Colborne.

In addition, the proposed development provides for a compact development with over 2200 units proposed on the subject lands. The preservation of environmental areas and open space is also considered as the proposed development does not propose to alter the existing natural heritage features on the subject lands. Approximately 5% of the subject lands are proposed to be used for park and open space.

Our vision: Port Colborne in 2031 – Growth Management

Section 2.2 of the Plan provides policy direction related to growth management within the City. The City is committed to supporting the conservation of economic, environmental and cultural resources while recognizing that growth should be directed to appropriate areas throughout the City. The City of Port Colborne's growth management strategy shall:

- a) *Prevent development in inappropriate areas and support the conservation of valuable economic, environmental and cultural resources.*
- b) *Direct growth in a strategic manner.*
- e) *Support infill and intensification, subject to the applicable policies, in the following designations:*
 - i) *Urban Residential;*
 - ii) *Hamlet; and*
 - iii) *Downtown Commercial*
- g) *Support the maintenance of a sufficient supply of designated employment and residential land to meet the City's projected long-term growth.*

The proposed development meets the growth management objectives of the Official Plan as outlined above. The proposed development supports the conservation of valuable environmental resources as identified in the EIS. In addition, the proposed development supports intensification within the urban residential area and proposes a compact development.

Lastly, the proposed development supports the maintenance of sufficient supply of designated residential land by proposing a mix of housing types ranging from townhouses to single-detached and condominium units on lands intended for residential growth within the City.

Strategic Planning – Population Growth

Section 2.4 of the Official Plan provides policy direction relating to projected population and housing forecasts within the Region of Niagara and City of Port Colborne. It is anticipated that by the year 2031 the Region of Niagara’s population will be 24,100 residents; which is an increase of 5,000 residents during the time period of 2006 – 2031. Figure 7 below provides an overview of the projected population growth within the Region.

Year	Population
2006	19,300
2011	20,000
2016	21,200
2021	22,600
2026	23,500
2031	24,100
2006-2031 Growth	5,000

Source: Regional Municipality of Niagara, Niagara 2031, 2009 Figure 2.1

Figure 6: Population Forecast

The proposed development helps the Region of Niagara achieves its anticipated population growth forecasts by proposing a compact residential development on the subject lands.

Housing

The City promotes the development of an appropriate mix of housing types, densities and tenures to meet the diverse needs of future and current residents. It is anticipated that by the year 2031, there will be approximately 10,70 residential units within the City, with an increase of 2,380 units during the time period of 206-2031. Figure 8 below provides an overview of the projected housing growth within the Region.

Year	Population
2006	7,790
2011	8,090
2016	8,650
2021	9,250
2026	9,790
2031	10,170
2006-2031 Growth	2,380

Source: Regional Municipality of Niagara, Niagara 2031, 2009 Figure 2.2

Figure 7: Housing Forecast

The proposed development helps the Region of Niagara achieves its anticipated housing growth forecasts by contributing 2242 units on the subject lands. In addition, the proposed development provides for a mix of housing types and densities while taking into consideration current and future demographic characteristics, income levels, special needs and lifestyle considerations.

Greenfield lands

Section 2.4.4 of the Plan provides policy direction for greenfield lands. The City intends to maintain an adequate supply of greenfield lands to accommodate planned future growth and encourage development in greenfield areas. The following policies are of relevance to the subject lands and proposed development:

- b) *Promoting higher densities and a greater mix of housing types on greenfield lands;*

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

The proposed development meets the greenfield policies as outlined above. The proposed development proposes for a compact development on the subject lands and provides for a mix of housing types. In addition, the proposed development meets the Regional greenfield density target of 50 people and jobs per hectare on the subject lands.

General Built form/ landscape design guidelines

Section 2.4.8 of the Plan provides landscape design guidelines for lands within the City. The following policies are of relevance to the proposed development:

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

The proposed has respect for natural heritage on the subject lands.

City Wide land use policies

Schedule A of the Official Plan provides land use designation for lands located within the City of Port Colborne. It is intended that lands in the City be developed in accordance with land use patterns shown on Schedule A. The land use pattern has been determined in accordance with the major objectives of this plan and generally accepted land use principals.

Urban Residential

Schedule A of the Official Plan designates the majority of subject lands as urban residential. The general intent is for these lands to be primarily used for residential purposes and represent the existing and planned built-up areas within the urban area boundary. The predominant use for lands designates urban residential shall include but not limited to, residential uses; neighbourhood commercial uses such as convenience store, beauty salon, post office and doctors offices; cemeteries; parks; schools; community facilities and institutional uses normally located in residential areas. The general policies for residential development within the urban residential area include the following:

- a) *Low Density Residential will:*
 - i) *Be developed as single-detached or semi-detached dwellings ranging from 12 to 20 units per net hectare;*
 - ii) *Be encouraged to be developed in an orderly manner through Plan of Subdivision; and*
 - iii) *May be subject to Site Plan Control.*
- b) *Medium Density Residential will:*
 - i) *Be developed at a density ranging from 35 to 70 units per hectare as: Townhouses; Stacked townhouses; triplexes; and/or fourplexes.*
 - ii) *Be encouraged adjacent to arterial or collector roads; and*
 - iii) *Be subject to Site Plan Control.*

- c) *High Density Residential will:*
- i) *Be developed as apartment buildings ranging in density from 70 to 100 units per net hectare;*
 - ii) *Have frontage on an arterial or collector road;*
 - iii) *Have commercial or ground-oriented residential uses on the main floor;*
 - iv) *Be oriented on the site to minimize shadows on adjacent low and medium density residential development;*
 - v) *Be encouraged to be developed in proximity to public transit and active transportation routes; and*
 - vi) *Be subject to Site Plan Control; and*

The proposed development provides a mix of low and medium density residential units with four commercial blocks and 10 park blocks in proximity of provincial and arterial roads. A draft Plan of Subdivision will be submitted at a later stage which provide further details for the site design.

d) *Neighbourhood Commercial*

- i) *New residential development proposals shall consider the provisions of neighbourhood commercial within a lot, block or building having frontage on a collector or arterial road, and provide a neighbourhood commercial use within a five-minute walk of residential uses;*

The proposed development incorporates four commercial blocks with the Urban Residential designation fronting Killaly Road which is arterial road and Main Street which is Provincial Road.

- ii) *New residential development proposals shall provide 150 square metres of neighbourhood commercial for every 100 housing units of residential development; and*

The minimum requirement of commercial area based on this policy for the 2242 residential units is 0.33 ha. The proposed development comprises of 2.43 ha of commercial area which is approximately eight time greater than the minimum requirement.

- iii) *Neighbourhood commercial development is subject to Site Plan Control.*

Site Plan application will be submitted for these blocks at a later stage.

- e) *Prior to the development or redevelopment of any large vacant area within the Urban Residential designation, a Secondary Plan shall be prepared, with appropriate background reports that will:*

- i) *Address the protection and enhancement of the natural environment, through the preparation of an Environmental Planning Study;*

A Secondary Plan has been submitted along with and EIS which indicates minimal impacts of proposed development on the natural features.

- ii) *Identify the market demand for residential and non-residential development which can be served by the study area lands;*
- iii) *Identify the appropriate land uses in keeping with the Vision and Strategic Directions of the Official Plan;*

In accordance with the Growth policies outlined in the Port Colborne and Niagara Region Official Plan, there exists a significant demand for intensification, accompanied by a minimum density target for housing growth. The proposed development, featuring 2242 residential units, is strategically aligned to help meet and fulfill this targeted density, contributing to the overall goals outlined in the official plans of both Port Colborne and the Niagara Region.

- iv) *Allocate the appropriate land uses within the study area boundary;*
- v) *Establish urban design guidelines, if appropriate, for each type of land use;*

This design guidelines is further detailed in the enclosed Secondary plan document.

- vi) *Establish requirements for water and wastewater servicing and stormwater management;*

Functional Servicing and Sub-watershed Study has been prepared to address this policy.

- vii) *Address transportation issues such as traffic mitigation, road upgrades, off-road trail and bicycle route implications including connectivity and safety, signalization and transit planning;*

A Traffic Impact Study has been prepared which assesses the impact of the Secondary plan area on the adjacent roads and intersections.

- viii) *Address a phasing scheme, if appropriate; and*

Please refer to the enclosed Phasing Plan.

- ix) *Include open and transparent stakeholder consultation.*

The public consultation strategy, as mandated by the Planning Act, is thoroughly outlined in Section 8 of this report, detailing the approach for advancing this Secondary Plan.

- x) *Where more detailed guidelines, policies or secondary plans have been developed by the City in accordance with the Official Plan policies, then the specific direction provided in these shall be implemented accordingly.*

Design Guidelines

Section 3.2.3 of the Plan provides design guidelines for lands located within the urban residential area. The following policies are of relevance to the subject lands and proposed development:

- 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 site has been strategically planned to ensure that residential units have convenient access to nearby parks within walking distance. Commercial blocks have been thoughtfully positioned along Main Street and Killaly Road, providing accessibility to the entire neighborhood with optimal road access.

Natural Heritage

Section 4 of the Plan provides policy direction for the protection of Port Colborne's natural heritage features and natural hazard features. The objectives of these policies are to identify and protect significant natural areas while focussing on conservation and remediation where appropriate.

Natural heritage features are shown on Schedule B of the Official Plan. As noted in Section 2.3 of this Report there are significant natural heritage features on the subject lands. The subject lands are adjacent to the Regions Core Natural Heritage Systems consisting of significant woodland and Type 2 Fish Habitat. A 30-meter development buffer is proposed on existing wetlands; 15-meters near floodplains and 10-meter on woodlands to conserve these areas. The following policies are of relevance to the subject lands:

- a) *The City of Port Colborne promotes the protection and/or conservation and where appropriate, the restoration and enhancement of Natural Heritage Features within and adjacent to its boundaries.*
- b) *The designations in this section are intended to protect and/or conserve natural features and ecological functions as well as to compliment land use designations set out in the General Land Use Plan in Schedule A.*
- f) *Development should maintain, enhance or restore ecosystem health and integrity. First priority is to be given to avoiding negative environmental impacts. If negative impacts cannot be avoided, mitigation measures shall be required.*
- g) *The City shall undertake public works and actions that are consistent with the protection of Natural Heritage Features. In instances where public works may encroach on these areas, the City will give consideration to the potential impacts of any proposed actions, consider alternatives and implement measures to minimize any potential impacts.*

- i) *Where a site specific development/redevelopment proposal, requiring an Official Plan Amendment, a Zoning By-law Amendment, a Plan of Subdivision, Consent, Minor Variance or Site Plan Approval may impact an Environmental Protection Area or Environmental Conservation Area, identified on Schedule B and further delineated on Schedules B1 and B2 and outlined by the policies of this Plan, the proponent will be required to prepare an Environmental Impact Study (EIS), which will be required to be submitted with the application.*

An EIS has been prepared and is enclosed to address this policy of the Official Plan.

- j) Undisturbed, vegetated buffers will be required between a Natural Heritage Feature and any proposed buildings or structures of adjacent development and unless reduced buffers are determined by an Environmental Impact Study, the size of the buffers shall be:
 - iv) Fish habitat Critical Important or Marginal
30 metres 15 metres
 - v) Significant Woodlands 50 metres

A 30-meter development buffer is proposed on existing wetlands; 15-meters near floodplains and 10-meter on woodlands to conserve these areas.

The following policies are of relevance to the subject lands:

- k) *The front, rear and side yard setbacks required by the Zoning By-law for development adjacent to a Natural Heritage Feature may not overlap with the required buffer. The lands shall be retained in a natural state and the buffer zone shall be maintained as a single block and zoned to protect the natural and ecological functions of the feature.*

- m) *On lands where there are several different Natural Heritage Features identified, the most restrictive policy section associated with the feature shall apply.*
- n) *Development and site alteration within and adjacent to Natural Heritage Features shall be subject to Site Plan Control.*

The lands containing natural heritage features will remain Zoned as Environmental Protection Zone to avoid any potential disturbance to this area.

Design Guidelines – Lands within Natural Heritage System

Section 4.1.5 of the Plan provides design direction for lands located within the natural heritage system. The following policies are of relevance to the subject lands:

- a) *Buildings or structures should be designed to integrate with their natural surroundings through:

 - i) *Landscaping using native plants; and*
 - ii) *Exterior materials which are complementary to the natural setting.**
- b) *Recreational trail systems will be designed to minimize disturbances to environmentally sensitive areas.*
- c) *Other open space systems such as parks should link to Natural Heritage Features wherever possible.*
- d) *Adjacent blocks and streets should be aligned to Natural Heritage Features so as to afford views and public access*

Ten park blocks have been distributed across the site, fostering seamless connectivity with both natural features and residential units. The placement of these park blocks aligns with the existing natural heritage features, ensuring minimal disruption and preserving the ecological integrity of these areas.

This deliberate approach not only enhances the overall aesthetic appeal of the development but also promotes a harmonious coexistence between urban living and the preservation of the site's inherent natural importance. Residents will benefit from accessible green spaces, contributing to a sustainable and vibrant community fabric.

Environmental Protection Areas

Section 4.2 of the Plan provides direction for lands located within environmental protection areas. Areas designated as Environmental Protection on Schedule B are those lands that are classified as Provincially significant wetlands (PSW's), Provincially Significant Areas of natural and scientific interest (ANSI's), the Significant Habitat of Threatened and Endangered species and Natural Hazard Areas as identified on Schedule B1. The predominant uses for lands designated Environmental Protection Area shall include forest, fish and wildlife management; small-scale passive recreational uses and accessory uses and conservation and flood erosion control projects.

4.3 Environmental conservation areas

Section 4.3 of the Plan provides specific policy direction for lands located within the environmental conservation areas. Areas designated as Environmental Conservation Areas on Schedule B are those lands that are classified as; Regionally Significant Areas of natural and scientific interest, Non- Provincially Significant Wetlands, Significant Wildlife Habitat, Significant Woodlands, Significant Valleylands, Habitats of Species of concern and Environmental Corridors and Linkages as identified on Schedule B2. The predominant uses for lands designated Environmental Conservation Area shall include existing uses, conservation uses, flood and erosion control, fish, forestry and wildlife management, as well as passive recreational activities. Section 4.3.1 provides general policy direction; the following policies are of relevance to the subject lands and proposed development:

- b) *Upon the submission of a development proposal, the degree of protection and conservation afforded to the natural features and ecological functions of these areas in large part depends on the areas significance as further identified by the policies of this section.*
- d) *If an Environmental Impact Study is completed and a feature or function is identified that warrants the protection of the Environmental Conservation Area as an Environmental Protection Area, then the policies of the Environmental Protection Area shall apply. Non-Provincially Significant Wetlands or unevaluated wetlands will only be reclassified to a Provincially significant wetland and designated as an Environmental Protection Area upon the completion and approval of a wetland evaluation by the Ministry of Natural Resources.*
- f) *The City will require an Environmental Impact Study for new development proposals for all adjacent lands within 50 metres of lands designated as Environmental Conservation to demonstrate that there will be no negative impacts on any surrounding features.*
- g) *The Niagara Peninsula Conservation Authority should be consulted as to whether a permit is required to address Regulations under the Conservation Authorities Act.*

An EIS has been prepared to evaluate the potential impacts of the proposed development on the natural features, identifying and assessing relevant elements within the subject lands. Throughout the preparation of this report, consultation has taken place with the Niagara Peninsula Conservation Authority and the Niagara Region, ensuring their input is incorporated. The comprehensive EIS findings will be shared with these authorities as part of the submission materials.

Servicing and Stormwater Management

Section 8 of the Plan provides policy direction for the servicing of development and the management of stormwater across the City of Port Colborne.

This section further states, *“It is the intent of these policies to ensure the safety and health of the community through well-managed municipal servicing and stormwater infrastructure and promote the efficient and sustainable use of water resources, including practices to conserve water and protect, or enhance, water quality”.*

Section 8.1 provides policy direction for servicing of development. The systems for water distribution and treatment, wastewater collection and treatment and stormwater collection and release shall be developed and operated in a way that protects public health and safety, supports development and minimizes any potential impacts on the natural environment. The following principals should be considered:

The systems for water distribution and treatment, wastewater collection and treatment and stormwater collection and release shall be developed and operated in a manner which protects public health and safety, supports development and minimizes any potential impacts on the natural environment in accordance with the following policies:

- a) *New Development in the urban area is required to be on full municipal water services and municipal sanitary services.*
- b) *Port Colborne shall continue the present practice of separate systems for storm and sanitary sewers.*
- c) *Except for Policies 8.1.1 (d) and 8.1.2 (e), the outer limits of the municipal infrastructure services (water, sanitary and storm systems) shall not extend beyond the Urban Area Boundary during the Plan period without an amendment to this Plan or the Regional Plan. Additionally, the extension of municipal infrastructure services within the limits of the Urban Area Boundary shall be considered in terms of the adequacy of infrastructure services for existing and potential development located within the current limit of municipal servicing.*

- d) *In the Urban Area, where adequate municipal infrastructure services exist, a developer or subdivider shall provide on their site, approved engineered systems for water service, sanitary sewers and storm sewers; and where the City deems necessary, and shall also provide extensions beyond said lands for connections to City mains. The City shall continue its present practice of obtaining Subdivider Agreements or Site Plan Agreements relating to services, standards, specifications, levies, etc. The City may amend these Agreements from time to time. The City may waive this policy in the case of development it considers as 'infill'.*
- e) *Partial services may only be permitted in the urban area to address failed individual services and allow for infilling and rounding out of existing development on partial services provided that:

 - i. *the development is within the reserve sewage system capacity and reserve water system capacity; and*
 - ii. *site conditions are suitable for the long-term provision of such services;**
- f) *Should a development be able to change to full municipal servicing, no further partial servicing shall be permitted and a connection to full municipal services shall be enforced.*

The proposed development is classified as infill development, given its location within the Urban Area. The enclosed Functional Servicing and Stormwater Management Report provides a comprehensive assessment, affirming that the current municipal services and facilities with the proposed upgrades are sufficient to support the proposed development. Additionally, the report outlines the incorporation of stormwater management ponds within the development to effectively regulate drainage, preventing any potential overflow to adjacent lands.

Transportation and Public Utilities

Section 9 of the Official Plan policies for the provision and management of transportation modes and infrastructure within the City of Port Colborne. It is the intent of these policies to develop an accessible, balanced and efficient transportation network for all members of the community. Relevant policies are listed as follows:

9.1.1 Walking, Cycling and Transit

- a) *From environmental, economic, health and traffic management perspectives, non-automobile modes of transportation are the preferred methods of movement within the City and full consideration will be given to accommodating pedestrians and cycling in the planning, design and evaluation of any new development.*
- b) *The City of Port Colborne will support the development of Complete Streets, which are designed to be safe for drivers; bicyclists; transit vehicles and users; and pedestrians of all ages and abilities.*
- c) *Sidewalks are required on one side and encouraged on both sides of all new local and Regional streets, in order to promote walkable neighbourhoods and have regard for the Accessibility for Ontarians with Disabilities Act.*
- d) *Bicycle racks will be provided at all new public facilities and will be required, through Site Plan Control, for any new non-residential private development.*
- e) *The municipality will implement a program to install bicycle racks at all existing public facilities over time.*
- f) *Investments in new off-street cycling trails and on-street bike lanes will be focused in the downtown and waterfront areas, although this should not deter investment in other cycling trails or on-road routes where appropriate.*

- g) The bikeway network and bicycle support facilities will be planned, designed, operated and maintained in a manner to minimize conflicts and potential danger to cyclists, pedestrians and other forms of transportation, in keeping with professionally recognized guidelines with support from the Region of Niagara.*
- h) The City encourages an interconnected transit system as part of a co-ordinated strategy led by the Region of Niagara.*
- i) The City shall optimize existing and planned transportation infrastructure through rehabilitation and repurposing, where appropriate.*

The Niagara Region Transit Map outlines the key transportation routes in the region. As per the map, Port Colborne is linked to the Welland bus terminal through bus route 25, commencing at Port Colborne City Hall. Moreover, from Welland, various bus options are available, providing connections to both Niagara Falls and St. Catharines.

Summary

The proposed subdivision is generally consistent with the policies of City of Port Colborne Official Plan. The proposed residential built-forms and commercial use are permitted within the Urban Residential designation of the Official Plan. The enclosed Secondary plan is being submitted to address the policy of Official Plan pertaining to large development.

6.7 CITY OF PORT COLBORNE ZONING BY-LAW (6575/30/18)

The City of Port Colborne Comprehensive Zoning By-law 6575/30/18, Schedules A5 and A6, zones the subject lands as RD – Residential Development zone and R1 - First Density Residential zone which permits numerous uses such as apartment buildings, cultural facilities and public uses. A portion of the subject lands has EP- Environmental Protections overlay as well.

A Zoning By-law Amendment is required to facilitate the development of this Secondary Plan area with variety of residential built forms and neighbourhood commercial lands. This Planning Justification Report has been prepared to support a Zoning By-law Amendment application to rezone the majority of the subject lands to R3- Third Density Residential Zone with site-specific regulations for residential portions and HC Highway Commercial for the proposed commercial area.

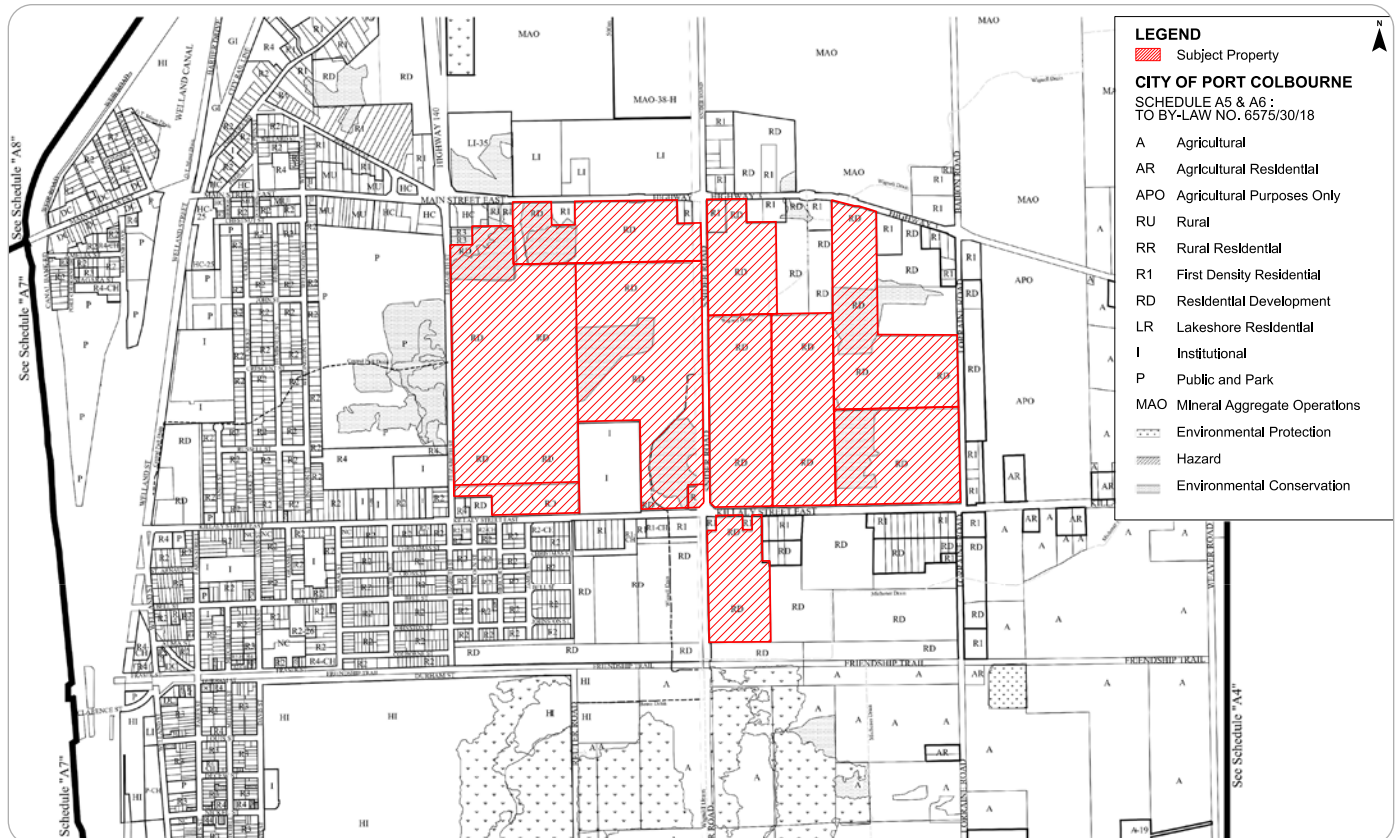


Figure 8: City of Port Colborn Zoning Map

This page intentionally left blank.

7. DESCRIPTION OF PLANNING APPLICATIONS

7.1 PROPOSED OFFICIAL PLAN AMENDMENT

To facilitate the development of the subject lands, amendments to Port Colborne Official Plan is required to add the enclosed Secondary Plan to the Official Plan document. The Secondary Plan will include policy directions related to growth management, land use permissions, environmental protection, urban design, transportation and infrastructure to guide development within the Study area.

7.2 PROPOSED ZONING BY-LAW AMENDMENT

To facilitate the development of the subject lands, amendments to Port Colborne Zoning By-law 6575/30/18 is required to rezone the subject lands to R3- Third Density Residential Zone with site-specific regulations for residential portions and HC Highway Commercial for the proposed commercial area. The EP- Environmental Protection portion of the subject lands are intended to remain as zoned by current Zoning By-law.

8. PUBLIC CONSULTATION STRATEGY

As required as part of a complete application under the *Planning Act* for Official Plan and Zoning By-law Amendments, a public consultation strategy needs to be established and outlined upon application submission. A public consultation strategy has been developed for this proposal and will be initiated following the submission of the above-noted applications. The public consultation strategy is outlined below.

1. After receiving confirmation from Staff advising that the application is complete, a "Public Notice" sign advising that applications for an Official Plan Amendments and Zoning Bylaw Amendment and have been applied for will be posted on the subject lands by the applicant. The wording on the sign will be prepared by Staff;
2. Staff will send out notice of the applications and the intention to Schedule a Community Consultation Meeting to consider the applications to all property owners within 120 metres (400 feet) of the subject lands at least 20 days prior to the meeting date and within 15 days of the applications being determined to be complete.
3. A Preliminary Report prepared by Staff will be prepared for information purposes with the Recommendation that a Community Consultation Meeting be held.
4. Notice of the meeting is to be placed by Staff in the local newspaper publications and on the City of Port Colborne website as well as a mail out to all property owners within 120 metres of the subject lands.
5. This Community Consultation Meeting will be held at a local institution in the evening or virtually via the internet to ensure accessibility in terms of location and timing. Additionally, it is important to note that it is the prerogative of the ward councillor to expand the circulation radius of the notice;
6. Input from the Community Consultation Meeting will be considered and revisions may be made to the plans, as appropriate, for a re-submission;
7. It may be determined by the Applicant that an additional Open House is to be organized for members of the local community. If determined, same procedures for notification of the Community Consultation Meeting will be followed.
8. A statutory Public Meeting will be held by the Planning and Development Committee to consider the applications and the Public Meeting Report. Staff will notify all property owners within 120 metres (400 feet) of the subject lands of the Public Meeting at least 20 days prior to the meeting date. At the Public Meeting, any person will be provided the opportunity to express concerns or opinions regarding the applications.

It is our understanding that the above public consultation strategy is appropriate and in compliance with the requirements under the *Planning Act*. Weston Consulting is committed to facilitating public engagement efforts with the public throughout the application process.



9. CONCLUSION

Based on our review of the existing and planned land use context and planning policy, it is our opinion, that the proposed development represents good land use planning and urban design. This proposal represents an important opportunity to develop underutilized lands intended for residential uses.

The proposed development is consistent with the policies of the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe as it encourages mixed-use intensification within the existing built-up area and makes efficient use of underutilized urban land and existing resources.

Additionally, the proposal supports the envisioned built-form context for the area and supports the development of a complete community in the City of Port Colborne and Niagara Region.

WESTON
CONSULTING

