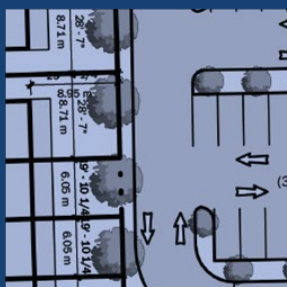
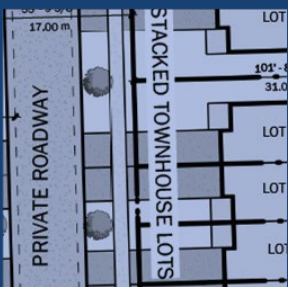
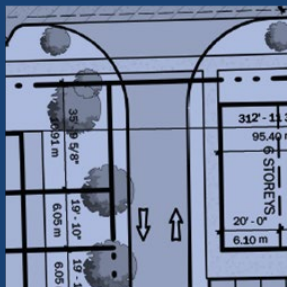
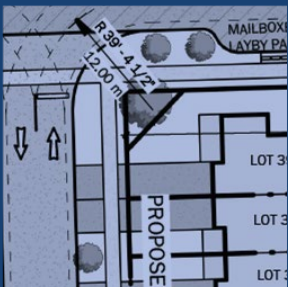
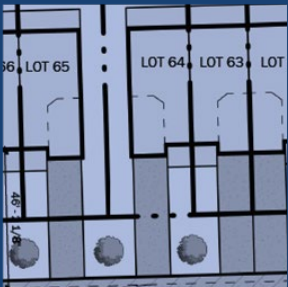


PLANNING RATIONALE REPORT

Official Plan Amendment
Zoning By-law Amendment
Draft Plan of Subdivision

“Millar’s Crossing”, City of Port Colborne

Prepared for: 1000427593 Ontario Inc.



Description

PROJECT No.:

DATE:



CHECKED BY:

MP

DP-001

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1.0 INTRODUCTION

This Planning Rationale Report has been prepared in support of applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision (“the applications”). The applications are being filed by 1000427593 Ontario Inc. (the “Owner” and “Applicant”) to permit the development of a 4.97-hectare assembly of lands, consisting of four distinct parcels three of which do not have assigned municipal addresses. These parcels include PIN 641410024, PIN 641410032, and PIN 641410031, the latter being the only one with an assigned address at 1029 Steele Street, Port Colborne. The fourth parcel, PIN 641410395, were previously owned by the Corporation of the City of Port Colborne and are now owned by the Applicant. Together, these parcels form the area designated for the proposed development and represent the “subject lands”, which are being referred to as “Millar’s Crossing”.

The subject lands are located north of the Humberstone neighbourhood in the City of Port Colborne, west of Elm Street, south of Barrick Road, east of Steele Street, and north of Elmvale Crescent (see Figure 1 – Location Map).

Figure 1 - Location Map



The applications seek to facilitate the development of the subject site as a new community area called Millar’s Crossing (“the Proposal”). The Proposal includes the creation of 20 new lots intended for single-detached homes, 3 new lots intended for 6 semi-detached dwellings, 9 new blocks intended for 37 street townhouses, a block intended for a future medium-density condominium plan containing between 18 to 37 units with varying degrees of flexibility for product type including rear-

lane townhouses with a live-work format (as an option), a centrally located block intended for a future medium density condominium plan containing between 25 and 78 units with varying degrees of flexibility for product type, a block in the southeast corner along Elm Street intended for a future condominium plan containing permissions for a mixed-use residential building of up to ten-storeys, with grade-related commercial and up to 200 residential units, and two park blocks. One of the park blocks is intended to be a stratified park / stormwater management pond. This involves installing modular, permeable infrastructure underground that captures and manages runoff, while providing structural support for a park above. The system efficiently separates the stormwater functions from public use, allowing for soil, vegetation, and park features to be placed on the surface, maximizing urban land use by combining stormwater management with recreational green space, enhancing both the environment and the community's access to public amenities.

Overall, the Proposal will facilitate the creation of between 306 and 378 new homes in a mix and range of built forms.

For the following reasons, it is our opinion that the Proposal represents good planning and urban design, and we recommend the approval of the requested Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision.

2.0 SITE LOCATION & CONTEXT

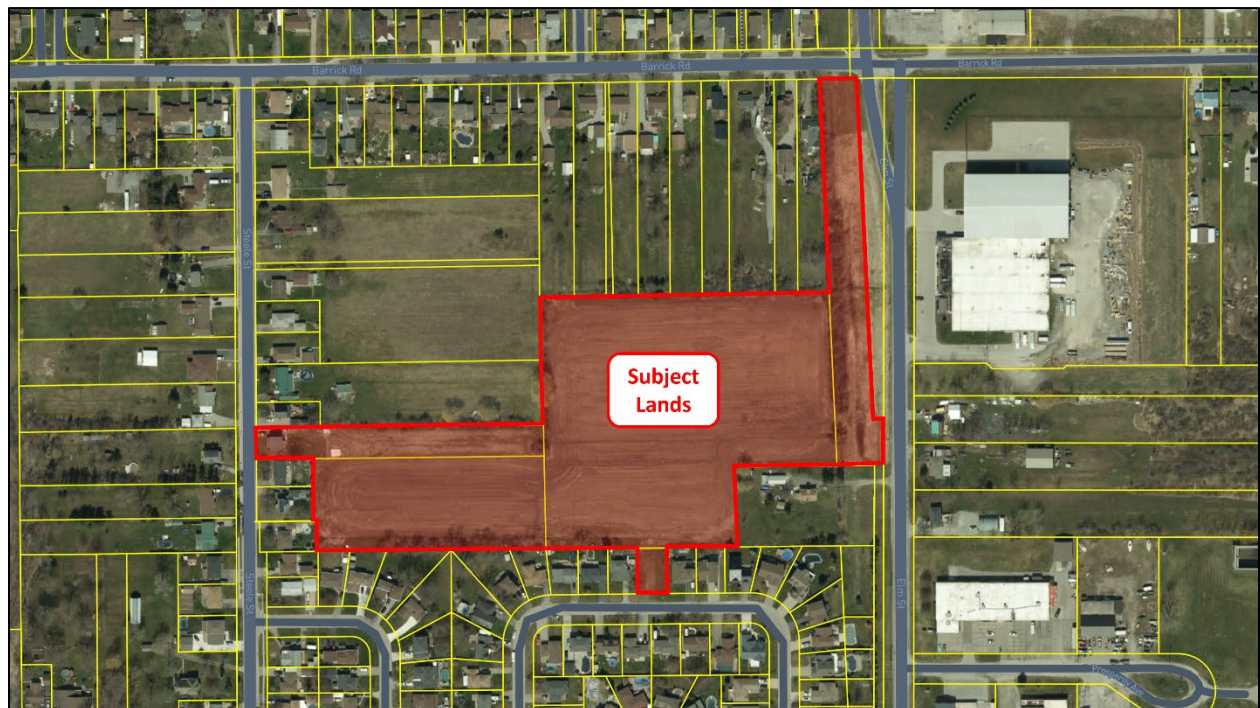
2.1 Subject Lands

The subject lands are located centrally in the north end of the City, north of the Humberstone neighbourhood within Ward 3, and are bounded by Elm Street, Barrick Road, Steele Street, and Elmvale Crescent.

The subject lands have an area of approximately 4.97 hectares (12.28 acres) and form an irregular lot shape with a frontage of about 30 metres along Elm Street (an arterial road), about 25 metres along Barrick Rd (a collector road), about 20 metres along Elmvale Crescent (a local road), and about 21 metres along Steele Street (a collector road). Generally, the lands form a modestly sized vacant and underutilized parcel at the edge of an existing subdivision along three existing major streets.

Accordingly, the subject lands are predominantly undeveloped greenspace, with the exception of 1029 Steele Street, which has an existing single-detached dwelling that is proposed to be demolished in order to accommodate a new public road. See Figure 2 – Aerial Context Map below.

Figure 2 - Aerial Context Map

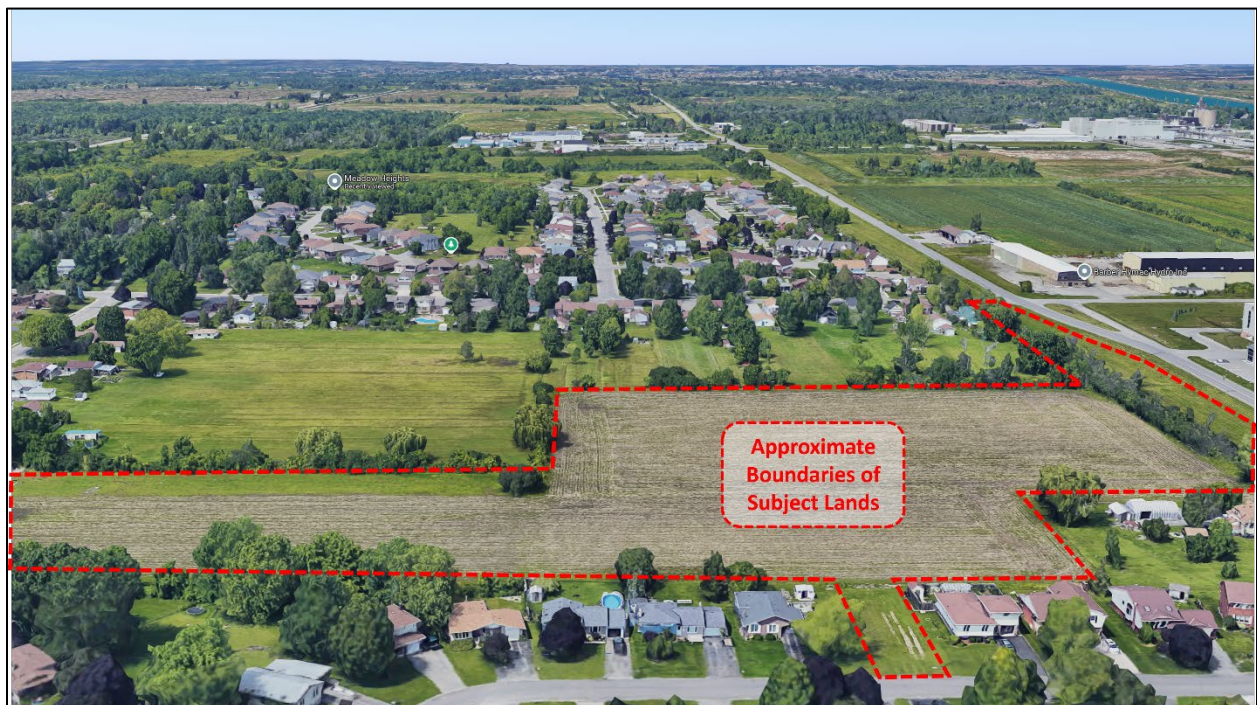


2.2 Surrounding Context

The Subject Lands are located north of the Humberstone neighbourhood of Port Colborne, which generally includes an area around Highway 3 between West Side Road and Elm Street. This neighbourhood can generally be described as a mixed used neighbourhood with a diversity of residential, commercial, institutional, and industrial lands uses. The area west of Elm St consists largely of residential development that has a suburban built form and predominantly includes single detached homes. East of Elm St and North of Main St W there are industrial and commercial uses that back onto the Welland Canal. At present, residential building typologies in the north end of Port Colborne are low density and suburban in nature, however, increases in density and building heights can be found along the peripheries of the neighbourhood along Elm Street (e.g., 119 Neff St and 780 Elm St). The descriptions of the immediate surrounding context and the associated figures aim to provide a clear picture of the areas around the Subject Lands.

To the **north**, are several single-detached residential homes followed by the Barrick Road right-of-way (“ROW”). Beyond Barrick Road is an area consisting of predominantly single-detached homes in a residential subdivision. This area includes quite a bit of open space including two public parks within a 5 five-minute walk or less (i.e., Jacob E. Barrick Park and Balls Park). A little further north is the Meadow Heights subdivision, which is planned for bungalows, 2-storey semi-detached units, and single-detached homes. Further north still (about 1 kilometre north of the subject lands) is a small commercial / industrial area that includes various businesses such as a construction equipment supplier, the Port Colborne Animal Shelter, an auto repair shop, and a trucking company, among others. See Figure 3 below.

Figure 3 - Lands North of Subject Lands



Source: Google Maps, 2024

To the **east**, is the Elm Street ROW (about 20 metres wide), followed by industrial uses that includes Thurston Machine Co. Ltd. at 995 Elm St, a large established full-service manufacturing facility specializing in fabrication, welding, machining, blasting, coating, assembly (according to their website). Further east of Thurston Machine Co. Ltd. there are existing single-detached residential dwellings, followed by a large tract of wooded area, and eventually the Welland Canal. To the southeast of the site, is a mixed-use commercial / industrial area on the east side of Elm Street that features shoe store, a food service establishment, a trucking company, self-storage facility, and the Seaway Water Pollution Control Plant at 30 Prosperity Avenue (about 350 metres southeast of the subject lands). The Seaway Water Pollution Control Plant in Port Colborne is a wastewater treatment facility responsible for treating and managing the City's sewage and wastewater. See Figure 4 below.

Figure 4 - Lands East of Subject Lands



Source: Google Maps, 2024

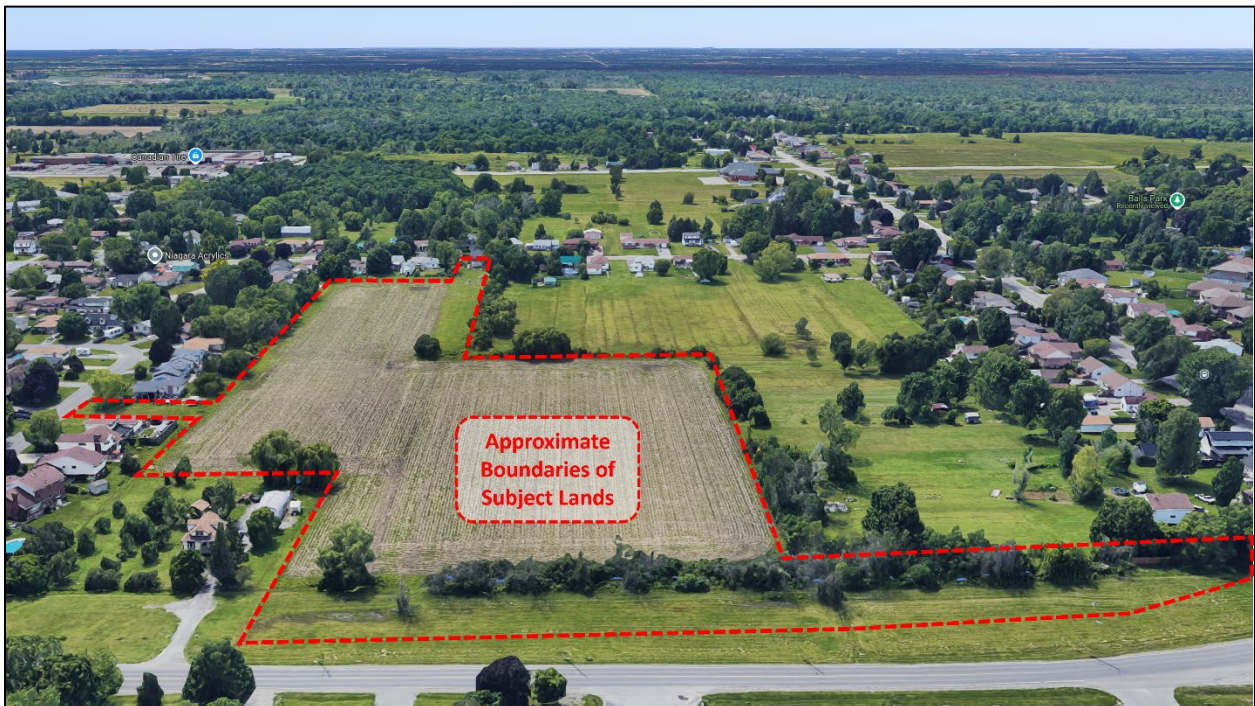
To the **south**, are several single-detached residential homes followed by the ROWs for Elmvale Crescent and Donlea Drive. Beyond these local streets is an area consisting of predominantly single-detached homes in a residential subdivision. About 44 metres to the south (around a five-minute-walk), is Reservoir Park another public park. Further south still is the Main Street West ROW, which is part of Highway 3 and includes a variety of commercial businesses, such as fast-food restaurants, bakeries, hardware stores, cafes, churches, and gas stations, and various residential buildings. See Figure 5 below.

Figure 5 - Lands South of Subject Lands



Source: Google Maps, 2024

Figure 6 - Lands West of Subject Lands



Source: Google Maps, 2024

To the **west**, are several single-detached residential homes followed by the Steele Street ROW. Beyond that is a small, wooded area and more vacant urban land with interim agricultural uses. Further west appears to be a large institutional building at 485 Northland Avenue, followed eventually by West Side Road, which includes the Port Colborne Mall on its west side. About 785 metres to the southwest is the Oakwood Public School which is a public elementary school serving students from junior kindergarten to grade 8. See Figure 6 above.

.2.3 Transportation & Transit Network

2.3.1 Transportation Network

The subject lands have frontage along three existing major streets: Elm Street which is classified as an Arterial Road on Schedule D of the Port Colborne Official Plan, and Barrick Road and Steele Street which are classified as Collector Roads. The subject lands also have frontage along Elmvale Crescent, a local road.

As per the Port Colborne OP, arterial roads serve large volumes of all types of traffic moving at medium to high speeds and have typical ROW widths of 26-40 metres. Direct access to adjacent development is limited on arterial roads and traffic flow is generally uninterrupted, with design speeds that range between 50 km/h and 100 km/h. Collector roads serve traffic between local residential and arterial roads and provide access to adjacent residential properties. Collector roads have a typical ROW width of 26 metres and are characterized by interrupted traffic, with design speeds normally between 50 km/h and 80 km/h, and equal importance is given to traffic movement and land access. Local roads provide access to residential developments and have a typical ROW width of 20 metres.

In Port Colborne medium and high-density residential land uses are encouraged to be adjacent to arterial or collector roads.

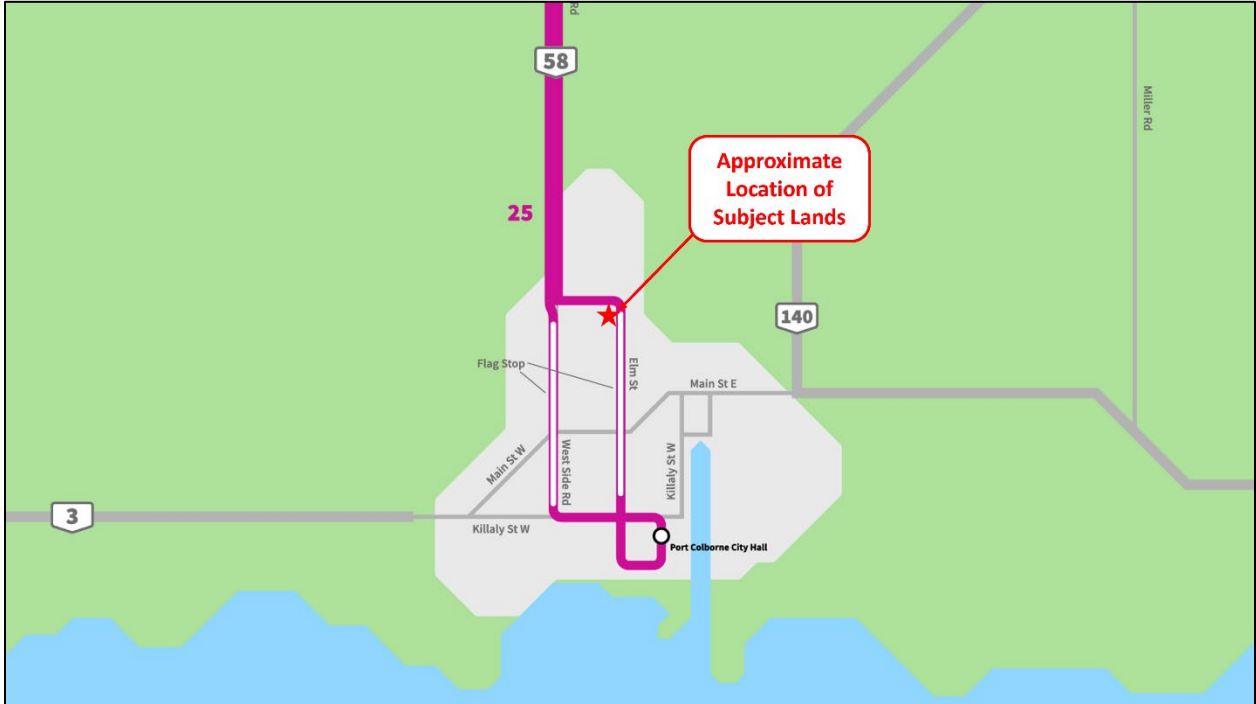
2.3.2 Transit and Active Transportation Network

In terms of active transportation, the subject lands are located within the City's urban area, but in an area towards the northern limits where the City is still in the process of urbanizing. Accordingly, not all of the streets surrounding the subject lands have sidewalks. However, Barrick Road to the north and Steele Street to the west do have sidewalks on one side of the road. These sidewalks provide active transportation connections to the west and south, creating a safe linkage to the neighbourhood and various amenities such as Reservoir Park and the Port Colborne Mall, for example.

The nearest major trail to the subject lands is the Welland Canal Parkway East Side Trail (a.k.a., East Side Trail or the East Canal Trail) located within a 10- to 15-minute-walk to the east along Barrick Road. This section of the Welland Canals Parkway Trail, which is part of a network of trails, is unique in Niagara Region. It accommodates many outdoor enthusiasts on parallel but divided trails, including equestrians, off-road motorcycles, ATV's and mountain bike. Once reached, the Welland Canal Parkway East Side Trail provides a north-south active transportation route along the Welland Canal that links to the waterfront and, eventually, Port Colborne's downtown.

Niagara Region Transit (“NRT”) operates regional public transit in the City of Port Colborne through Bus Route 25. Niagara Region Transit Route 25 connects Port Colborne and Welland. It operates Monday through Saturday with departures from Port Colborne City Hall and the Welland Bus Terminal throughout the day. The route offers stops including Canal Bank Drive, Ontario Road, King Street, and Seventh Street. Flag stops are available in Port Colborne south of Barrick Road. Flag stops are locations along a bus route where passengers can signal the driver to stop for boarding or alighting, even though there may not be a designated bus stop sign. Passengers simply need to stand in a safe, visible spot along the route and wave to indicate they want the bus to stop. Route 25 buses operate Monday through Saturday with service approximately every 60 minutes during the daytime. This means that residents in the area can gain access to the Route 25 bus at many points along Barrick Road or Elm Street, making transit accessible within less than a 5-minute-walk of the subject lands.

Figure 7 - Niagara Region Transit Map (Bus Route 25)



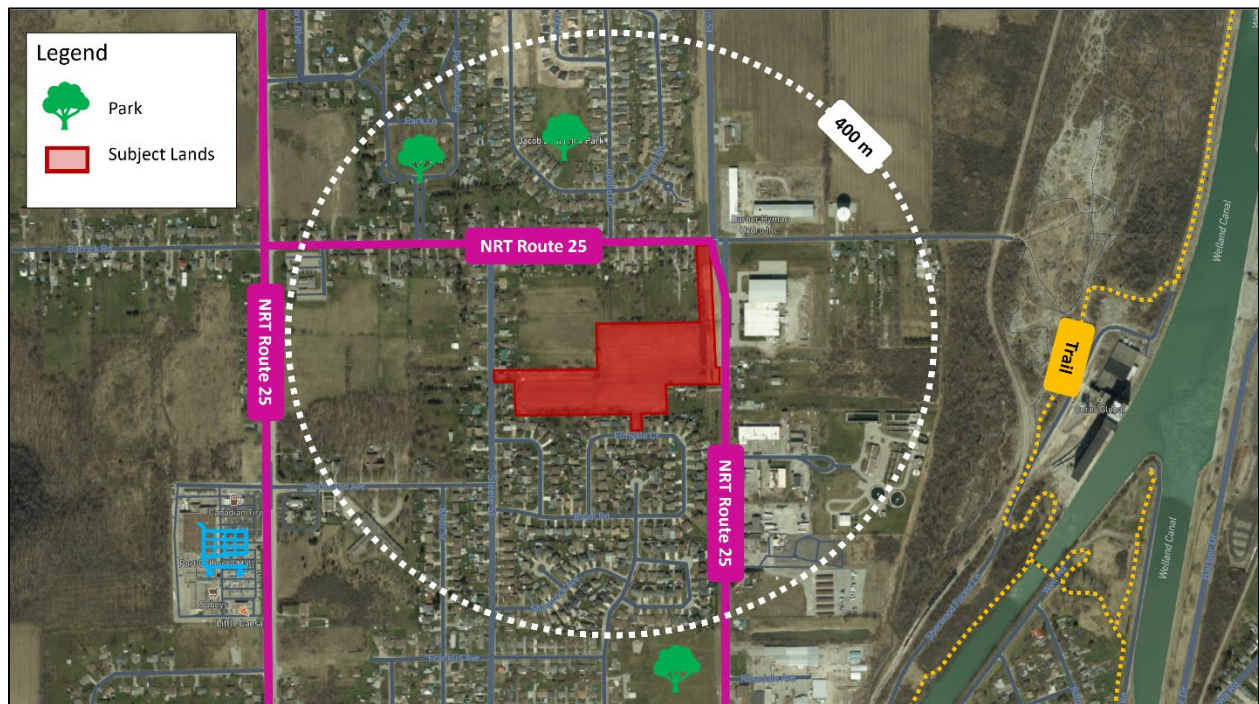
On July 2, 2024, the Niagara Transit Commission unified NRT OnDemand, Niagara Specialized Transit, and FAST services under the new name "Niagara Region Transit" to enhance the transit experience. Accordingly, NRT also offer a service in Port Colborne called NRT MicroTransit / OnDemand. MicroTransit in Port Colborne is an on-demand transit service that allows passengers to book rides to specific points within designated service areas. If a trip requires travel beyond the local zone, a MicroTransit vehicle will take passengers to the nearest access point, where they can transfer to a conventional bus for further travel. This multi-modal approach ensures flexible and convenient transit options for residents and visitors in Port Colborne.

2.4 Community Services & Facilities

Port Colborne is conveniently located near several post-secondary institutions, including Brock University and Niagara College, both just 20 minutes away, as well as McMaster University and Mohawk College in Hamilton. More locally, the city is served by eight primary and two secondary schools, providing education in both English and French. These schools fall under the jurisdiction of the District School Board of Niagara, Niagara Catholic School Board, Conseil scolaire Viamonde, and Conseil scolaire de district catholique Centre-Sud.

The subject lands are situated near numerous schools, social services, and community amenities, as shown on the map below. The surrounding area includes emergency services, public schools, grocery stores, parks, and recreation centers. Within a 2-kilometre radius of the subject lands, the following services are also available: Port Colborne Fire and Emergency Services, Oakwood Public School, St. John Bosco Catholic Elementary School, Happy Hearts Daycare and Forest School, Sobeys Grocery Store, Port Colborne Social and Recreation Centre for Seniors, Jacob E. Barrick Park, and Balls Park. Further south is the Port Colborne High School. Additionally, several other social and community services are located just beyond this 2-kilometre range. Port Colborne High School, situated south of Killay Street East, serves the area's high school students. The Vale Health and Wellness Centre and the Thomas A. Lannan Sports Complex provide a range of sports and recreational facilities to residents.

Figure 8 - 5-Minute Walk (400 m) Context



2.5 Emerging Development Context

The emerging development context in Port Colborne, particularly near the subject lands, shows a trend toward increased residential and mixed-use development, with a focus on medium and high-density projects.

Nearby developments include residential, affordable housing, and mixed-use projects with varying heights, ranging from two to nine storeys. Several active applications and pre-construction projects are positioned within a few kilometers of the subject lands, indicating a dynamic growth pattern in the area, with a mix of low, medium, and higher-density developments contributing to Port Colborne's evolving urban landscape.

Name	Address	Distance & Direction	Height (Storeys)	# of Units	Type	Status
700 Elm St	690-700 Elm Street	1.15km S	6	71	Residential	Pre-Construction
650 Main Street West	650 Main Street West	1.7km SW	6	95	Mixed Use	Active Application
<u>Chestnut Park</u>	39 Chestnut St	1.2km SE	5	41	Residential, Affordable	Under Construction
<u>South Port Condos</u>	118 West St	~2.8km S	9	72	Residential	Built
<u>Pc Modern Towns</u>	54 George St and/or 192-200 Erie St.	~1.2km S	4	30	Residential	Pre-Construction
Rosedale Estates Subdivision	100 Oxford Blvd	~750m NW	Unknown	249	Residential	Active Application
549 Killaly Street E	549 Killaly Street E	~3.1km SE	2.5	286	Residential	Active Application
281 Chippawa Road	281 Chippawa Road	~1.48km E	2	169	Residential	Active Application
Stonebridge Village	607 Barrick Road	~600m NW	6	385	Residential	Active Application

Westwood Estates (Phase 2-3)	NA	~3km SW	2.5 - 6	401	Residential	Active Application
Mapleview Subdivision	Killaly Street West	~2km SW	(7x) 8	1231 (MU) 2110 (Total)	Mixed Use	Active Application
Elite Killaly	806 Killaly Street East	~2.2km SE	Unknown	2242	Mixed Use	Active Application

Based on the above table there is an emerging residential and mixed-use development context in Port Colborne that ranges in height from two to nine storeys between 600 metres and 3 kilometres from the subject lands.

3.0 PROPOSAL

3.1 Description of Proposal

The Proposal seeks to transform the subject site from vacant lands and a single low-rise residential use to a vibrant, mixed-use subdivision featuring a variety of housing choices with supporting commercial, parks and infrastructure.

The Proposal includes the creation of 20 new lots intended for single-detached homes, 3 new lots intended for 6 semi-detached dwellings, 9 new blocks intended for 37 street townhouses, a block intended for a future medium-density condominium plan containing between 18 to 37 units with varying degrees of flexibility for product type including rear-lane townhouses with a live-work format (as an option), a centrally located block intended for a future medium density condominium plan containing between 25 and 78 units with varying degrees of flexibility for product type, a block in the southeast corner along Elm Street intended for a future condominium plan containing permissions for a mixed-use residential building of up to 10 storeys, with grade-related commercial and up to 200 residential units, and two park blocks.

The subdivision also proposes a new local road extending from Steele Street to Elm Street, and each of the proposed condominium blocks will include private condominium roads that will connect to the proposed local road.

Overall, the Proposal will facilitate the creation of between 306 and 378 new homes in a mix and range of built forms.

A Draft Plan of Subdivision and Concept Plan has been submitted with the applications which demonstrates how development of all lots and blocks identified on the plan of subdivision could proceed (see Figure 9 – Proposed Draft Plan of Subdivision, and Figure 10 - Millar's Crossing Concept Plan below). The Concept Plan shows how the community will ultimately be developed, and how the network of streets and residential uses will function. The Concept Plan illustrates how the Proposal can ultimately be built out, with the theoretical maximum output being 378 new homes, while also creating space in the base of a mid-rise mixed-use building and within live-work units for new jobs.

Heights in the proposal will have the ability to be as low as 1-storey and as tall as 10 storeys (Block 34). The up to 10-storey component is proposed in the southeast corner labelled as Block 34 on the Draft Plan of Subdivision. This block is planned as a condominium block and will house a residential / commercial mixed-use building up to 10 storeys in height with direct access to Elm Street, an arterial road. The majority of the proposed units within the subdivision will be low-rise in nature up to 3 or 4-storeys.

These unit counts for the condominium development blocks are preliminary and have been included within the concurrently submitted Draft Plan of Subdivision depicted as either a range (i.e., Blocks 33 and 35) or a maximum (i.e., Block 34). The resulting densities will be secured as part of the accompanying draft Official Plan and Zoning By-law Amendments. The final unit counts, block and

site configuration, final layouts for these condominium blocks will be determined as part of future Site Plan and Draft Plan of Condominium applications.

Figure 9 - Proposed Draft Plan of Subdivision (Millar's Crossing)

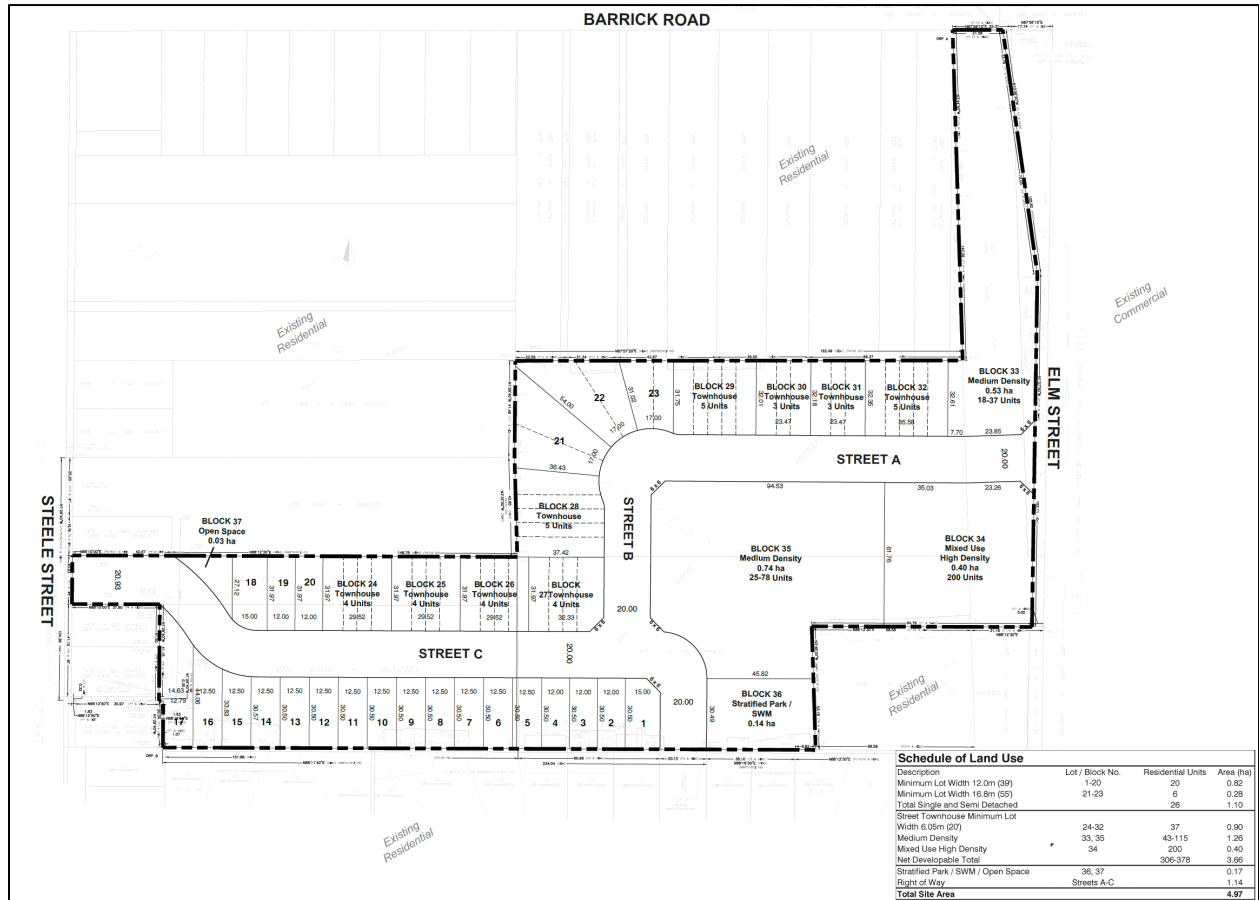


Figure 10 - Millar's Crossing Concept Plan



Source: A.C.K Architects Studio Inc.

New Street Network

The new street network includes several key streets and connections. An east-west local street is proposed which will link Steele Street to Elmvalle Crescent and create road frontage for the single-detached and street facing townhouses (Street 'C'). The east-west street will also provide a connection for a new private condominium road to Block 35. At the terminus of this new east-west road, a short north-south road will be provided to the north before joggng east creating road frontage for new semi-detached units and more street facing townhouses (Street 'B'). This north-south local road then jogs east connecting to another east-west local street (Street 'A') creating a link to Elm Street, which serves as a major boundary for the subject lands and connects with other collector roads like Barrick Road, providing access throughout the area. This Elm Street road also creates new internal road frontage for more street townhouses, and two access point for a proposed driveway south to Block 34 (the mixed-use mid-rise apartment block), and Block 33 to the northeast (the live-work condominium block with private condo road connecting to Barrick Road).

This layout offers efficient connectivity for the subject lands, ensuring accessibility to both local, collector, and arterial roads, amenities and broader transport routes, supporting connectivity.

Parks and Open Space

There are two public parks proposed within the Draft Plan of Subdivision (i.e., Blocks 36 and 37). One of the park blocks (Block 36) is intended to be a stratified park / stormwater management pond. This involves installing modular, permeable infrastructure underground that captures and manages runoff, while providing structural support for a park above. The system efficiently separates the stormwater functions from public use, allowing for soil, vegetation, and park features to be placed on the surface, maximizing urban land use by combining stormwater management with recreational green space, enhancing both the environment and the community's access to public amenities.

Development Blocks

The Draft Plan of Subdivision proposes several development lots and blocks with different residential densities and heights. The following provides a breakdown:

1. **Unit Count:** The plan proposes a total of **306 to 378 units** across various development lots and blocks. This includes a mix of low- to high-density residential units, with a significant portion of the units allocated to medium- and high-density blocks.
2. **Development Blocks:**
 - **Low-Density Lots and Blocks:** These blocks are designated for single-detached, semi-detached, and street facing townhouses mostly oriented along the perimeter of the subject lands, comprised of:
 - Lots 1 - 20: 20 single-detached homes;
 - Lots 21 - 23: 6 semi-detached homes; and
 - Blocks 24 – 32: 37 street townhomes.
 - **Medium-Density Blocks:** These blocks will include permissions for any of the uses permitted in the Fourth Density Residential Zone (“R4”) but are intended conceptually for medium-density uses at heights up to 4 storeys such as rear-lane townhouses, stacked townhouses, or back-to-back stacked townhouses, for example, and are comprised of:
 - Block 33: 18 to 37 medium-density units in a Plan of Condominium; and
 - Block 35: 25 to 78 medium-density units in a Plan of Condominium.
 - **High-Density Block:** This includes a single high-density apartment block intended for a mixed-use residential building up to 10 storeys with commercial units at grade and direct access to Elm Street with underground and/or surface and above grade parking, comprised of:
 - Block 34: a maximum of 200 dwelling units in a multi-unit building.

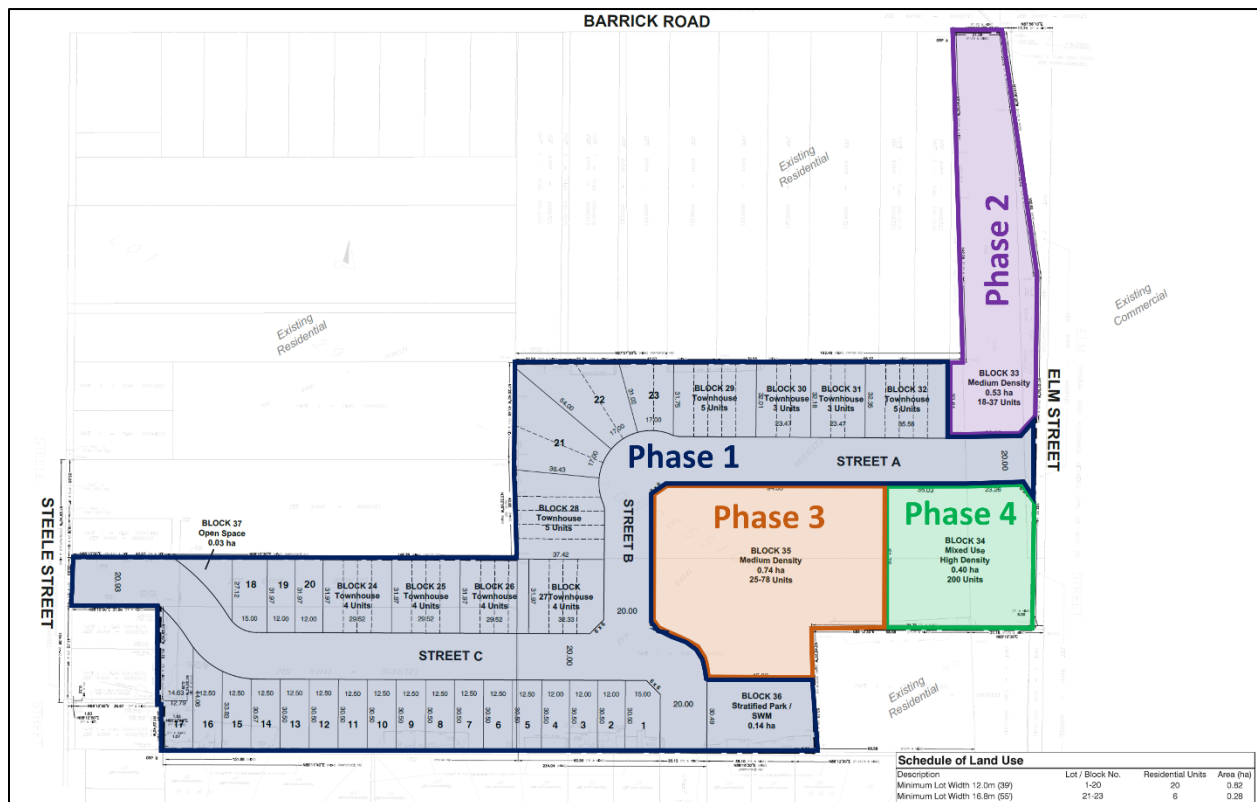
Density

The overall density for the entire site is planned at between **61.6 to 76.1 units per hectare** on a gross basis, and between **83.6 to 103.3 units per hectares** on a net basis. Individually, each of the subdivision's density categories can also be calculated for net density. Accordingly, the net density for low-density residential uses is based on Lots 1 – 23 and Blocks 24 to 32 as a total, which equates to a net density of 31.5 units per hectare. The gross density for medium-density residential uses is based on Block 33 and 35 as a total and equates to a density of between 34.1 to 91.3 units per hectare. Lastly, the gross density for high-density residential uses is based on Block 34, which equates to a density of 500 units per hectare. Net densities for the medium and high-density blocks would only be calculated at the site planning or condominium stage once road / driveway configurations are firmed up.

3.2 Phasing of Development

The proposed Draft Plan of Subdivision is planned in four distinct phases, as illustrated below.

Figure 11 - Proposed Phasing Plan



Phase 1: This phase includes the construction of the proposed new street network, the low-density lots and blocks along Streets A, B, and C, and the public parks and stratified stormwater management pond. The homes as part of this phase include those of Lots 1 - 23 and Blocks 24 – 32, and Blocks 36 and 37.

Phase 2: Located along Elm Street, this phase features Block 33, which is designated for medium-density live-work units with between 18 and 37 units in a plan of condominium with private condominium road.

Phase 3: This phase is set for Block 35, a medium-density block comprising between 25 and 78 units in a plan of condominium with private condominium road. It is positioned adjacent to Street A and adds another cluster of medium-density residential units, expanding the diversity of housing types in the development.

Phase 4: The final phase includes Block 34, the high-density mixed-use residential development planned for 200 units with commercial units at grade. It is located at the southeastern corner of the site, adjacent to Elm Street, and represents the most substantial density and potential height increase in the overall development. This phase completes the development with the highest unit count, creating a dense residential block to finalize the project. It is noted that, although this block will give permissions for up to a 10-storey apartment, that all of the uses permitted in the Mixed Use ("MU") Zone will also be permitted.

The phasing plan strategically sequences the construction to start with the lower-density areas and amenity spaces before moving on to higher-density blocks, ensuring a balanced and cohesive development progression. Through the application review process, any external infrastructure improvements identified as necessary for the development to proceed can be incorporated into the proposed phasing. The details of the phasing will be secured through the draft plan of subdivision conditions, plan registration and subdivision agreement.

3.3 Required Approvals

The Proposal conforms to the Niagara Region Official Plan. It requires an amendment to Policies 3.2.1(b)(i) and 3.2.1(c)(i) of the City of Port Colborne Official Plan to create block-specific exceptions to the maximum density requirements for medium-density residential uses for Block 35, and max density exceedances for the high-density residential uses in the Urban Residential land use designation for Block 34. A draft Official Plan Amendment By-law has been prepared and is enclosed with the submission.

A Zoning By-law Amendment application is required to introduce appropriate zoning categories and development provisions for the lots and blocks within the proposed Draft Plan of Subdivision. The applications propose to amend the ZBL to facilitate the Proposal, rezoning the subject lands to R2-XX (Second Density Residential, Site-Specific), R3-XX (Third Density Residential, Site-Specific), MU-XX (Mixed Use, Site-Specific), R4-XX (Site-Specific), and P (Public and Park), subject to site-specific standards as denoted by the "XX" suffix and as per the table of proposed performance standards and proposed zoning map provided in Table 4 and Figure 18 in Section 4.8 of this report below. A draft Zoning By-law Amendment By-law has been prepared and is enclosed with the submission.

The Draft Plan of Subdivision is required in order to establish the proposed residential and mixed-use development lots and blocks, park block and stratified park / stormwater management block as well as the proposed street network and phasing. Site Plan / Condominium approval will be required at a later stage of the development approval process, as necessary.

4.0 POLICY & REGULATORY CONTEXT & RESPONSES

4.1 Planning Act

Section 2 of the Planning Act, R.S.O. 1990, c. P.13 (the “Planning Act”) outlines the matters of provincial interest for which the council of a municipality, a local board, a planning board and the Tribunal shall have regard to, in carrying out their responsibilities pursuant to the legislation. Matters of provincial interest include, among others:

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the orderly development of safe and healthy communities;
- the adequate provision of a full range of housing, including affordable housing;
- the adequate provision of employment opportunities;
- the appropriate location of growth and development;
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- the promotion of built form that is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; and
- the mitigation of greenhouse gas emissions and adaptation to a changing climate.

Section 2.1(1) requires that when approval authorities make a decision under subsection 17(34) of the Planning Act or the Tribunal makes a decision in respect of an appeal, it shall have regard to:

(a) any decision that is made under this Act by a municipal council or by an approval authority and relates to the same planning matter; and

(b) any information and material that the municipal council or approval authority considered in making the decision described in clause (a).

Section 3(1) and Section 3(5) of the Planning Act authorizes the Minister, either independently or together with other ministers, to issue policy statements related to municipal planning, provided these statements are approved by the Lieutenant Governor in Council and address matters of

provincial interest. When making decisions that affect planning matters, municipal councils, local boards, planning boards, ministers, government agencies, and the Tribunal must ensure their decisions are consistent with the policy statements in effect at the time of the decision. Additionally, these decisions must conform to or not conflict with the provincial plans that are in place at that time.

Part VI, Sections 50 – 57 of the Planning Act provides the legislative framework for the subdivision of land in Ontario. Section 51(24) sets out the criteria on which a Draft Plan of Subdivision is assessed. Section 51(24), specifies that, when evaluating a draft plan of subdivision, several factors must be considered, including the health, safety, convenience, accessibility for persons with disabilities, and welfare of current and future residents. Additionally, the review should assess the subdivision's alignment with provincial interests, whether it is premature or in the public interest, conformity with official plans, the suitability of the land for its intended use, and the inclusion of affordable housing, if applicable. The adequacy of highways, lot dimensions, restrictions on the land, natural resource conservation, utilities, school sites, public land dedication, energy efficiency, and the relationship with site plan control matters are also important considerations.

Accordingly, we have set out the criteria for evaluating subdivisions (i.e., Sections 2 and 51(24) under the Planning Act in table form, and have provided a response to each criteria below:

Table 1 - Section 2 Planning Act Criteria & Responses

Criteria Section 2 of the Planning Act	Responses
(a) the protection of ecological systems, including natural areas, features and functions;	Not applicable. There are no ecological systems, including natural areas, features and functions within the or adjacent to the subject lands. An Environmental Impact Assessment has not been requested as supporting material. The subject lands are do not contain any Niagara Peninsula Conservation Authority regulated areas.
(b) the protection of the agricultural resources of the Province;	Not applicable. The subject lands would result in the intensification of land within the Built-Up Urban Area of Port Colborne and the Proposal does not impact existing agricultural land as designated by both the Niagara Region and Port Colborne Official Plans.
(c) the conservation and management of natural resources and the mineral resource base;	Not applicable. There are no natural or mineral resources within the or adjacent to the subject lands.
(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	The subject lands are not listed or designated properties of cultural heritage value or interest on the City's Municipal Heritage Register, nor are they located adjacent to any of these resources. Further, the subject lands are not located within a Heritage Conservation District or identified cultural heritage landscape or significant view corridor or vista. The subject lands are located within an area of archaeological potential as identified on Schedule K - Areas of Archaeological Potential of the Niagara Regional Official Plan. Accordingly, Stage 1 to 3 Archaeological Assessments were completed by Earthworks Archaeological Services Inc ("Earthworks"). The subject lands were identified as having

	<p>archaeological potential due to their proximity to Barrick Road and historic Euro-Canadian sites. Stage 2 fieldwork on May 14, 2024, included a pedestrian survey (68% of the area) and a test pit survey (31%). Two archaeological locations were discovered, including site AfGt-349, which required a Stage 3 site-specific assessment. Earthworks then conducted a Stage 3 archaeological assessment of AfGt-349. Fieldwork between July 9 and November 3, 2024, involved 13 hand-excavated test units. Artifacts, including lithic debitage and an Innes projectile point, suggest the site was a Late Archaic campsite (circa 3,500–2,900 BP) used for lithic reduction and retouch activities. Earthworks concluded that the site does not meet criteria for further cultural heritage value, and no additional assessments were recommended. The Ministry is requested to confirm compliance and enter the report into the Ontario Public Register of Archaeological Reports. The Ministry of Citizenship & Multiculturalism has reviewed the Stage 1 and 2 Archaeological Assessment and entered it into the Ontario Public Register of Archaeological Reports.</p>
<p>(e) the supply, efficient use and conservation of energy and water;</p>	<p>Hallex Engineering Ltd. (“Hallex”) was retained to assess servicing and stormwater management for the Proposal. The supply, efficient use and conservation of energy and water was part of their preliminary work. Accordingly, a new watermain system internal to the subdivision will connect to existing water mains on Elm and Steele Streets, looping through the development and providing individual connections to each unit with meters for monitoring. Five hydrants will meet fire protection standards. The installation will cross existing infrastructure, with precautions to protect these systems during construction.</p>
<p>(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;</p>	<p>Hallex Engineering Ltd. (“Hallex”) was retained to assess servicing and stormwater management for the Proposal. Stormwater management will include new sewers and detention measures to control runoff. A new sanitary sewer system will connect to existing infrastructure at Elm Street, and a watermain loop will provide water, with individual meters for each unit. Fire hydrants will ensure adequate fire protection. Overall, Hallex found that there are available municipal water and wastewater services with capacity to service the Proposal. The use of existing service infrastructure is an effort in efficiency. Furthermore, communication agencies will be consulted as part of the applications circulation process and satisfactory arrangements will be made for the provision of communication services to the subdivision. Lastly, Paradigm Transportation Solutions Limited (“Paradigm”) was retained to complete a Traffic and Parking Impact Study. Paradigm found that existing and background traffic conditions operate at acceptable levels,</p>

	<p>even with the addition of 178 AM and 224 PM peak hour trips from the site. While some delays are expected at the Barrick Road and Highway 58 intersection, they remain within capacity and typical for minor roads at major intersections. No signals or auxiliary turn lanes are warranted at key intersections. However, the site driveway to Barrick Road should be restricted to emergency access only to improve traffic flow and reduce queuing impacts. Traffic calming measures are proposed within the subdivision to enhance pedestrian safety and reduce vehicle speeds. The study recommends monitoring traffic volumes at Barrick Road and Highway 58 to assess the potential need for left-turn lanes and implementing the traffic calming features in the subdivision design. Overall, the study determined the development can proceed with minimal adjustments. With these studies and recommendations, the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems have been appropriately considered.</p>
(g) the minimization of waste;	<p>The Proposal represents a form of infill and intensification of lands within the Urban, Built-Up area of the City. Intensification and infilling within urban, built-up areas minimize waste by maximizing the use of existing infrastructure and land, reducing the need for urban sprawl. This limits the consumption of undeveloped land and resources, decreases energy and material waste from extending services, and promotes more efficient land use, reducing urban sprawl and its associated environmental impacts.</p>
(h) the orderly development of safe and healthy communities;	<p>The Proposal within the Urban, Built-Up Area of the City contributes to the orderly development of safe and healthy communities by integrating seamlessly with existing infrastructure, services, and transportation networks. It promotes efficient land use, supports walkability, and ensures access to essential services like schools, parks, and healthcare. By concentrating development within urban area area, it contributes towards creating a sense of community, places where growth where growth is intended, and enhances safety through well-planned streets and public spaces, ultimately supporting a healthier and more cohesive urban environment.</p>
(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;	<p>Full accessibility for persons with disabilities was considered across all applicable public realm interfaces within the Proposal. Sidewalks with wheelchair-accessible slopes and other public realm improvements are proposed, such as tactile paving or tactile walking surface indicators (TWSIs). These surfaces are designed to assist visually impaired individuals by providing tactile feedback through their feet or</p>

	canes, signaling the boundary between the sidewalk and the street. The raised patterns, often called truncated domes, are the most common type of tactile paving used at street crossings to alert pedestrians of an upcoming intersection.
(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;	The Proposal will be well-served by nearby facilities, including multiple schools, daycare, and recreational amenities like the Vale Health and Wellness Centre and Thomas A. Lannan Sports Complex. Social and cultural services, such as the Port Colborne Social and Recreation Centre for Seniors and local parks, ensure a balanced provision of educational, health, and community resources within either a 5-minute walk or easy reach.
(j) the adequate provision of a full range of housing, including affordable housing;	The Proposal provides a full range of housing, including single-detached homes, semi-detached homes, townhouses, live-work units, and a high-density mixed-use apartment building, contributing to a diverse housing mix. Although the proposed housing types do not specifically qualify as affordable housing, the variety of options within the subdivision offers future residents homes at different price points, making homeownership more attainable. With single-detached homes, townhouses, stacked townhouses, live-work units, and multi-unit apartments, the Proposal caters to diverse financial capabilities. The lower-priced options, such as apartments, townhouses and stacked townhouses, provide an entry point for first-time buyers or those with more limited budgets, while the higher-priced single-detached homes appeal to those seeking more space or investment potential. This range of housing types increases accessibility to homeownership within the subdivision.
(k) the adequate provision of employment opportunities;	The live-work and commercial units within the 10-storey mixed-use building will provide opportunities for small businesses and jobs, supporting local employment.
(l) the protection of the financial and economic well-being of the Province and its municipalities;	The development supports economic growth and competitiveness through new housing and commercial space, enhancing property values and generating tax revenue for the municipality, thereby contributing to its financial well-being.
(m) the co-ordination of planning activities of public bodies;	The Proposal integrates local infrastructure improvements, road networks, and services, indicating coordination with municipal planning bodies and public infrastructure needs.
(n) the resolution of planning conflicts involving public and private interests;	There is no indication of unresolved planning conflicts, suggesting that any potential conflicts have been or will be addressed through the planning process.
(o) the protection of public health and safety;	The Proposal includes safety features such as proper street connectivity, emergency access, accessibility, and compliance with fire protection requirements, ensuring the safety and health of the community.

(p) the appropriate location of growth and development;	The Proposal is situated within an urban, built-up area with existing infrastructure and services, making it an appropriate location for growth and development.
(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;	The development features pedestrian-friendly streets and connections to major roads, with mixed-use buildings that reduce reliance on cars. Block 34 (i.e., the mixed-use, high-density block) will be transit supportive in nature. Furthermore, the Proposal include new sidewalk connections that are intended to enhance the active transportation network for the area.
(r) the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;	The Proposal includes a mix of residential and commercial buildings with varying heights, promoting architectural diversity. The Proposal's design, including parks and public spaces, fosters community engagement and a sense of belonging. The inclusion of two parks and public spaces ensures the development meets these criteria, creating accessible and vibrant areas for residents.
(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.	The Proposal includes sustainable features like a stratified public park / stormwater management facility, and the development of lands within the urban area on existing municipal water and wastewater services is one of the most efficient forms of land development.

Table 2 - Section 51(24) Planning Act Criteria & Responses

Criteria Section 51(24) of the Planning Act	Responses
(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;	See responses in Table 1.
(b) whether the proposed subdivision is premature or in the public interest;	The Proposal is not premature as it is located within the urban, built-up area with access to existing infrastructure and services. It is in the public interest by providing a range of housing options and supporting local economic growth.
(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The Proposal meets the general purpose and intent of the City's Official Plan and generally conforms with most applicable policies. An Official Plan Amendment is required to address the density proposed for Block 34 (i.e., the mixed-used, high-density block). In our opinion, the Proposal also aligns with adjacent subdivisions, following the intended growth pattern for the area and providing connectivity to existing stubs. Capping density is not always the best approach or metric for determining appropriate unit count and building gross floor area because it focuses solely on the number of units per area, without considering other important factors like building design, site layout, context, and the impact on surrounding infrastructure and amenities.

<p>(d) the suitability of the land for the purposes for which it is to be subdivided;</p>	<p>The subject lands represent a modestly sized vacant and largely undeveloped parcel of urban land suitable for residential and mixed-use development, with the necessary infrastructure and amenities nearby to support the proposed use.</p>
<p>(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;</p>	<p>Not applicable. While the proposal includes a range of housing types, it does not specifically propose affordable housing units. The subdivision proposes homes at various price points, making ownership more attainable. With single-detached homes, townhouses, stacked townhouses, live-work units, and apartments, the Proposal caters to different budgets. Lower-priced options provide entry points for first-time buyers, while higher-priced homes appeal to those seeking more space or investment potential, increasing access to homeownership.</p>
<p>(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</p>	<p>The Proposal includes adequate roadways and connections to the existing street system. Traffic studies confirm that the new streets and linkages will function well within the established transportation network.</p>
<p>(f) the dimensions and shapes of the proposed lots;</p>	<p>In our opinion, the proposed lots and blocks are appropriately sized and shaped for the intended single-detached homes, townhouses, and the other products in the Proposal including mixed-use developments.</p>
<p>(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;</p>	<p>No significant restrictions are noted on the subject land or adjoining properties that would impact the proposed subdivision.</p>
<p>(h) conservation of natural resources and flood control;</p>	<p>Not applicable. There are no natural resources or floodways within the or adjacent to the subject lands. An Environmental Impact Assessment has not been requested as supporting material. The subject lands are do not contain any Niagara Peninsula Conservation Authority regulated areas.</p>
<p>(i) the adequacy of utilities and municipal services;</p>	<p>Utilities and municipal services, including water, sewage, and stormwater management, are available and have capacity to support the subdivision as confirmed by engineering assessments.</p>
<p>(j) the adequacy of school sites;</p>	<p>The area is adequately served by existing schools, with several educational facilities located within a short distance of the proposed development. The Long-Term Accommodation Plans for both the public and alternative</p>

	school boards confirm there is available capacity for both elementary and secondary grades. Specifically, Oakwood Public School are currently operating under capacity for the public-school board, and St. John Bosco and Lakeshore Catholic High School are also operating under capacity for the alternative school board.
(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	The Proposal includes two park blocks dedicated for public use, enhancing the community’s recreational opportunities. As well, new public roads are proposed to be conveyed as local roads to the City for public purposes and connectivity.
(l) the extent to which the plan’s design optimizes the available supply, means of supplying, efficient use and conservation of energy; and	The design incorporates efficient land use, existing infrastructure, and sustainable practices like stratified parks with stormwater management. The Proposal supports a compact, complete community that accommodates growth within the urban boundary, minimizing the need for further expansion.
(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.	The design of the subdivision will align with site plan control requirements, ensuring cohesive development and proper integration of streets, utilities, and public spaces. The conceptual build out plan outlines how the subdivision's blocks will interrelate and be developed. Future Draft Plan of Condominium and Site Plan applications will address site plan control matters for the stacked townhouse and rear-lane live-work blocks and apartment units, respectively.

Based on the foregoing, it is our opinion that the Proposal meets the criteria set out in Sections 2 and 51(24) of the Planning Act.

4.2 Provincial Planning Statement

On August 20, 2024, the Ministry of Municipal Affairs and Housing (“MMAH”) released a new Provincial Planning Statement (“2024 PPS”). The 2024 PPS is intended to be a streamlined land use policy framework that replaces the Provincial Policy Statement 2020 and the Growth Plan for the Greater Golden Horseshoe 2019. It builds on housing-supportive policies from both documents and provides municipalities with the tools and flexibility to increase housing supply, align development with infrastructure for a competitive economy, support rural viability, and protect agricultural lands, the environment, and public health and safety.

The 2024 PPS provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the 2024 PPS sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. The 2024 PPS came into force and effect on October 20, 2024.

Planning for People and Homes

Section 2.1 of the PPS provides policy direction on planning for people and homes, with the overall intent of building homes, and sustaining strong and competitive communities.

In this regard, Policy 2.1.3 provides that sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years, but not more than 30 years, informed by provincial guidance. Planning for infrastructure, public service facilities, strategic growth areas and employment areas may extend beyond this time horizon. Accordingly, Policy 2.1.4 states that, to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) *maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and*
- b) *maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.*

The Proposal is consistent with Policy 2.1.4 of the 2024 PPS. The proposed Official Plan and Zoning By-law Amendments will facilitate a Draft Plan of Subdivision that will create a variety of housing types for the neighbourhood and City, such as single- and semi-detached homes, townhouses, stacked townhouses, rear-lane live-work townhouse units, and permissions for a 10-storey mixed-use building, which will help accommodate both current and future residents. This diverse range of housing supports residential growth and intensification within a settlement area, contributing to the 15-year supply of housing. The Proposal also aligns with servicing capacity requirements, ensuring sufficient infrastructure to support residential development for a minimum of three years.

Policy 2.1.6 states that planning authorities should support the achievement of complete communities by:

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

The Proposal supports the achievement of complete communities by offering a diverse mix of housing options, including single- and semi-detached homes, townhouses, live-work rear-lane townhomes, and mixed-use residential buildings, and provides some new employment options through the proposed grade-related commercial space in Block 34 and via the live-work units in Block 33. Together, this design will help to accommodate the long-term needs of a wide range of residents. The inclusion of parks, open spaces, and multimodal transportation access enhances connectivity and promotes active transportation. The Proposal also improves accessibility and

permeability to the surrounding neighbourhood by creating new public road and sidewalk connections and introducing new park space.

Housing

Section 2.2 of the 2024 PPS provides policy direction with respect to housing in Ontario. Accordingly, Policy 2.2.1 states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- a) *establishing and implementing minimum targets for the provision of housing that is affordable to low- and moderate-income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*
- b) *permitting and facilitating:*
 - 1. *all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
 - 2. *all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*
- c) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
- d) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

The Proposal aligns with Policy 2.2.1 by providing a range and mix of housing options, including various residential densities and housing types, helping to meet the social and economic needs of current and future residents. It facilitates housing options such as single- and semi-detached homes, townhouses, and mixed-use buildings, while also promoting intensification within an urban area, using land efficiently and supporting active transportation. The development prioritizes transit-supportive features by concentrating residential intensification near existing and planned transit infrastructure, ensuring a sustainable and integrated urban environment.

Settlement Areas

Section 2.3 of the 2024 PPS provides policy direction with respect to settlement areas in Ontario, which is a defined term. Settlement areas are urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available. Settlement areas are: a) built-up areas where development is concentrated, and which have a mix of land uses; and b) lands which have been designated in an official plan for development over the long term.

The subject lands are located within the City of Port Colborne, which is a settlement area as per the 2024 PPS.

According to Policy 2.3.1.1, settlement areas are the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas. In this regard, Policy 2.3.1.2 states that land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) *efficiently use land and resources;*
- b) *optimize existing and planned infrastructure and public service facilities;*
- c) *support active transportation;*
- d) *are transit-supportive, as appropriate; and*
- e) *are freight-supportive.*

Furthermore, Policies 2.3.1.3 to 2.3.1.6 provides that planning authorities should promote intensification and redevelopment to create complete communities by planning for diverse housing options and prioritizing investment in infrastructure and public service facilities. They must set minimum targets for intensification within built-up areas and are encouraged to establish density targets in designated growth areas. Large and rapidly growing municipalities should aim for 50 residents and jobs per hectare. Phasing policies may be implemented to ensure orderly development and align it with the timely provision of infrastructure and public services.

The Proposal is consistent with the general policies for settlement areas under Section 2.3.1 by focusing growth within a designated settlement area, promoting efficient land use patterns, and optimizing existing and planned infrastructure. It supports a mix of land uses, including residential, commercial, and recreational spaces, encouraging active transportation and transit-supportive development. The Proposal contributes to intensification and redevelopment, aligning with policies that promote complete communities by offering diverse housing options and planning for necessary infrastructure. Additionally, it supports orderly development through phased growth aligned with infrastructure provision, as the subject lands are located in Port Colborne's urban area with existing and available municipal water and wastewater services to service the Proposal.

Strategic Growth Areas

Section 2.4 of the 2024 PPS provides policy direction with respect to Strategic Growth Areas in Ontario. Strategic growth areas are locations within settlement areas, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating intensification and higher density mixed uses in a more compact built form. Strategic growth areas include major transit station areas, existing and emerging downtowns, lands in close proximity to publicly assisted postsecondary institutions and other areas where growth or development will be focused, that may include infill, redevelopment (e.g., underutilized shopping malls and plazas), brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas.

Policy 2.4.1.1 states that planning authorities are encouraged to identify and focus growth and development in strategic growth areas.

Policies 2.4.1.2 and 2.4.1.3 provide that, in order to support complete communities, strategic growth areas should be planned to accommodate significant population and employment growth, serve as hubs for education, commerce, and recreation, and support the transit network. These areas should

also prioritize affordable and accessible housing. Planning authorities are encouraged to focus infrastructure and public service investment in these areas, define appropriate development types and scales, promote redevelopment of underutilized commercial spaces for mixed-use residential, and consider a student housing strategy when planning for strategic growth areas.

Although the subject lands are not located within a strategic growth area as delineated by the City, the subject lands possess many of the characteristics of lands within strategic growth areas, such as being within the City's urban area where growth or development through infill and intensification are focused, and being located along an existing transit route (though not frequent), and along two collector roads and one arterial road at the periphery of a residential neighbourhood. All of these characteristics make the subject lands an attractive and suitable location for the Proposal.

Employment

Section 2.8 of the 2024 PPS provides policy direction with respect to employment in Ontario. Specifically, Policy 2.8.1.1 states that planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and*
- e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.*

The Proposal is consistent with policies related to promoting a balanced mix of employment, institutional, and broader land uses for long-term needs. By incorporating live-work units and mixed-use blocks, it provides new economic opportunities and supports a flexible employment base. The design integrates strategic locations for commercial investment, ensuring compatibility with residential uses, creating a compact, resilient community. Additionally, infrastructure provisions, including roads and transit access, facilitate current and future growth, making the Elm Street-oriented non-residential uses well-positioned for both immediate and long-term economic activity along an existing arterial road.

Infrastructure and Public Service Facilities

According to Section 3.1 of the 2024 PPS, infrastructure and public service facilities should be provided efficiently, considering projected needs and financial viability. Planning should be coordinated with land use and growth management, leveraging developers where appropriate. Existing infrastructure should be optimized, and adaptive re-use should be explored before building new facilities. Strategic locations should support emergency services, public health, and safety.

Facilities should be co-located with parks and transit to enhance cost-effectiveness and service integration. Innovative approaches for integrating schools and childcare facilities into compact areas should be encouraged.

The Proposal aligns with the general policies in Section 3.1 regarding infrastructure and public service facilities by effectively coordinating land use planning and growth management. It optimizes the use of existing infrastructure, ensuring that new facilities are financially viable and meet current and projected needs. Additionally, the co-location with parks and transit infrastructure further enhances integration and active transportation, making the development more sustainable and connected.

Transportation Systems

Section 3.3 of the 2024 PPS says that planning authorities must plan and protect corridors and rights-of-way for infrastructure like transportation, transit, and electricity systems to meet future needs. Major goods movement facilities and corridors should also be protected long-term. Development that might negatively impact these corridors should be restricted, and new developments adjacent to them should minimize negative effects. Abandoned corridors should be preserved for purposes that maintain their integrity, and co-location of linear infrastructure should be encouraged where appropriate to optimize land use.

The Proposal is consistent with the policies on transportation systems as it ensures that planned rights-of-way for transportation and transit systems are safeguarded. It leverages existing corridors without encroaching on their intended use, avoiding any conflicts with long-term transportation and electricity transmission goals. By coordinating land use planning with infrastructure needs, the Proposal supports future transit and goods movement while promoting compatible development adjacent to these corridors. It also embraces opportunities for co-locating infrastructure, optimizing land use and preserving corridor integrity for long-term growth.

Sewage, Water and Stormwater

Section 3.6 of the 2024 PPS identifies policies for sewage, water and stormwater services in Ontario. In this regard, Policy 3.6.1 states that, planning for sewage and water services shall:

- a) *accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services and existing private communal sewage services and private communal water services;*
- b) *ensure that these services are provided in a manner that:*
 1. *can be sustained by the water resources upon which such services rely;*
 2. *is feasible and financially viable over their life cycle;*
 3. *protects human health and safety, and the natural environment, including the quality and quantity of water; and*
 4. *aligns with comprehensive municipal planning for these services, where applicable.*
- c) *promote water and energy conservation and efficiency;*
- d) *integrate servicing and land use considerations at all stages of the planning process;*
- e) *consider opportunities to allocate, and re-allocate, if necessary, the unused system capacity of municipal water services and municipal sewage services to support efficient use of these services to meet current and projected needs for increased housing supply; and*

- f) *be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5.*

Accordingly, Policy 3.6.2 sets out that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services mean a sewage works within the meaning of section 1 of the Ontario Water Resources Act that is owned or operated by a municipality, whereas municipal water services mean a municipal drinking-water system within the meaning of section 2 of the Safe Drinking Water Act, 2002.

Furthermore, Policy 3.6.8 provides that stormwater management planning should be integrated with sewage and water services, ensuring systems are optimized and financially viable over their life cycle. It should aim to minimize stormwater volumes, contaminant loads, and erosion, while using green infrastructure to maintain water balance. The planning should mitigate risks to human health, property, and the environment, maximize vegetative surfaces, and promote best practices like stormwater reuse and low-impact development. Additionally, it should align with municipal plans that consider stormwater impacts on a watershed scale.

The Proposal aligns with the policies in Section 3.6 by infilling and intensifying land within the urban area on existing municipal sewage services and municipal water services. It leverages existing municipal sewage services and municipal water services, minimizing the need for major servicing upgrades. Hallex's servicing report confirms the adequacy of utilities and municipal services for the site, ensuring proper management of sanitary, water, and stormwater needs, while supporting intensification within the settlement area, and confirming that stormwater management will be integrated with sewage and water services, ensuring systems are optimized. The proposed stratified park with a buried stormwater management system, will help integrate stormwater management with the balance of the development by capturing and storing runoff underground, while the surface remains usable as a park. This system optimizes land use and stormwater management by reducing surface-level infrastructure and promoting efficient water collection, treatment, and discharge, ensuring the system supports both drainage needs and public space utilization.

Land Use Compatibility

Section 3.5 of the 2024 PPS provides policy direction with respect to land use compatibility in Ontario. Policies 3.5.1 and 3.5.2 provide that major facilities and sensitive land uses must be planned to avoid or, if not feasible, minimize and mitigate adverse effects such as odour, noise, and contaminants. This also includes minimizing risks to public health and ensuring the long-term viability of major facilities. If avoidance is not possible, adjacent sensitive land uses should only be permitted if potential adverse effects are mitigated, and impacts to industrial or manufacturing facilities are minimized, all in accordance with provincial guidelines and standards.

Major facilities are facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

The proposed development is subject to Ontario's Ministry of the Environment, Conservation and Parks (MECP) D-series guidelines, specifically the D-6 guideline, which ensures compatibility

between industrial and sensitive land uses, like homes. The guideline specifies minimum separation distances for different classes of industrial facilities to mitigate adverse effects, such as noise, odour, and emissions. Given that the subject lands are within 1,000 metres of several industrial activities, multiple studies were undertaken to ensure compliance with MECP guidelines.

A Land Use Compatibility Assessment by SS Wilson Associates found no significant adverse impacts from nearby industries. Through site inspections and evaluation of noise, dust, odour, and vibration, it was concluded that the proposal is compatible with surrounding land uses. Additionally, dBA Acoustical Consultants Inc. conducted a Noise Impact Study, which confirmed that noise levels from nearby roads and industrial sources, like Thurston Machine Co. Ltd., are low. Recommendations include appropriate building materials and a Type "E" warning clause to maintain compliance with MECP standards.

Furthermore, BCX Environmental Consulting completed an Air Quality and Odour Assessment. This study determined that emissions and odours from nearby industrial facilities, including the Seaway Wastewater Treatment Plant, are minimal and meet regulatory standards. These assessments collectively show that, with the recommended mitigation measures, the proposal will not hinder or impact the surrounding industrial operations or their potential for expansion and will protect the health and safety of future residents.

Overall, the Proposal is consistent Section 3.5 of 2024 PPS by ensuring compatibility with industrial activities in the vicinity, effectively mitigating potential conflicts and safeguarding public health and safety.

Public Spaces, Recreation, Parks, Trails and Open Space

Section 3.9 of the 2024 PPS provides policy direction with respect to public spaces, recreation, parks, trails and open spaces. Accordingly, Policy 3.9.1 states that healthy, active, and inclusive communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range 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;*
- c) providing opportunities for public access to shorelines; and*
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.*

The Proposal aligns with Section 3.9 of the 2024 PPS by creating new public spaces and active communities. It provides safe, accessible public streets, spaces, and facilities that meet the needs of all ages and abilities, encouraging social interaction and supporting active transportation through new sidewalk connections. The Proposal includes two new publicly accessible parks, and an

enhanced sidewalk network that improves the active transportation connections to other nearby sidewalks, parks, and amenities for the neighbourhood.

Conclusions

Overall, in our opinion, the Proposal is consistent with the Provincial Planning Statement including the policies outlined for efficient use of land and infrastructure within settlement areas, the provision of a range and mix of housing options, the promotion of economic development and competitiveness, and the creation of healthy, active, and inclusive communities.

4.3 MOECP D-6 Compatibility

The Ministry of the Environment, Conservation and Parks (MECP) safeguards Ontario's air, land, and water. In the 1990s, the MECP introduced D-series guidelines to determine suitable separation distances between industrial and sensitive land uses (such as homes, schools, or hospitals) to prevent adverse effects from incompatible land use. MECP Guideline D-6 focuses on industrial uses near sensitive areas and outlines separation requirements. Industrial facilities are categorized into three classes based on emissions, size, and operations, with specific buffer distances recommended for each class to minimize impacts.

Historically, facilities that do not meet the criteria of the associated category definitions have little to no potential to create nuisance issues resulting in complaints. Recommended minimum separation distance and potential influence area between industrial facilities and sensitive land uses for each class are set out in the D-6 Guidelines. Accordingly, potential influence areas for industrial land uses are generally as follows:

- Class I—70 metres
- Class II—300 metres
- Class III—1000 metres

In this regard, a variety of supporting studies were prepared since the subject lands are located within 1,000 metres of existing industrial and other noise / odour-emitting facilities.

SS Wilson Associates was also retained to complete a land use compatibility assessment for the Proposal. The Land Use Compatibility Assessment evaluated potential adverse effects from surrounding industrial activities, including noise, dust, odour, and vibration. The study followed the D-6 guidelines. Through site inspections and a review of nearby industries, the assessment concluded that the proposed development will not be negatively impacted by neighbouring industries. No significant issues related to industrial emissions or operations are anticipated, and SS Wilson Associates deemed the Proposal to be compatible with surrounding land uses.

A noise impact study was also conducted by dBA Acoustical Consultants Inc. ("dBA") for the Proposal, which evaluated noise from nearby roads and stationary sources like Thurston Machine Co. Ltd. The study assessed potential impacts on the proposed residential and mixed-use development, ensuring compliance with MECP guidelines. Surrounding roads are not expected to significantly impact the development, and other noise sources, such as rail and aircraft, are not concerns. The study included recommendations for noise control measures, if necessary. Findings from dBA showed that industrial noise and road traffic levels are low, and appropriate measures, such as specific building materials and a Type "E" warning clause, are recommended to ensure

compliance with noise guidelines. The study concluded that noise control measures should be incorporated into the development plan to meet Ministry of Environment Conservation and Parks (MECP) standards. Accordingly, once the mitigation measures are implemented the Proposal will not preclude or hinder the continued use or expansion of the nearby assessed noise emitters.

Lastly, BCX Environmental Consulting (BCX) was retained to complete an Air Quality and Odour Assessment. The Air Quality and Odour Assessment for the Proposal evaluated potential impacts from nearby industrial facilities and the Seaway Wastewater Treatment Plant (WWTP). The study found that emissions and odours from surrounding sources, including welding, painting, and trucking operations, are minimal and meet regulatory standards. The Seaway WWTP has a history of very few odour complaints and is located a suitable distance from the development. BCX concluded that the Proposal will not be adversely impacted by air quality or odours.

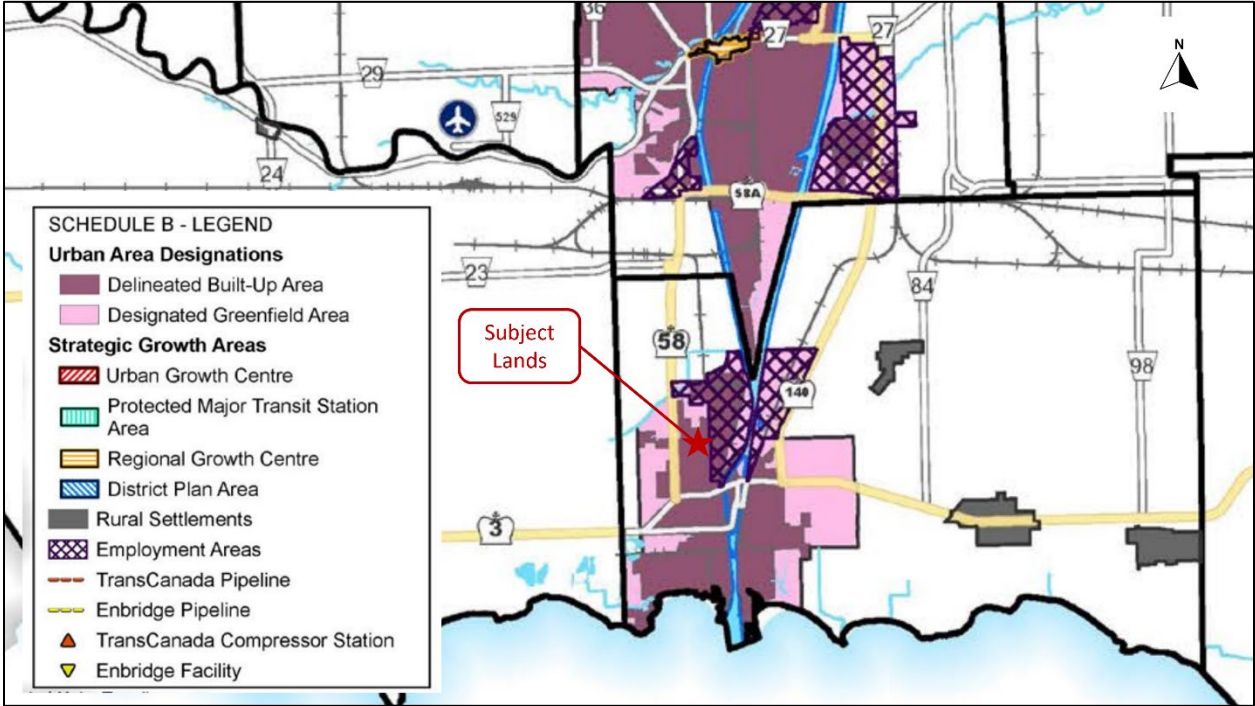
4.4 Niagara Region Official Plan

The Niagara Region Official Plan (NROP) serves as the strategic planning framework for growth in the Niagara region, guiding development through 2051. Initially approved in June 2022, it underwent 45 modifications by the Minister of Municipal Affairs and Housing in November 2022. Bill 150, enacted in 2023, reversed many of these changes to align with the province's housing goals while maintaining public trust. Key modifications pertained to policies on agriculture, residential development, and natural resources. Bill 162 later introduced additional adjustments, with the NROP's May 2024 consolidation now in effect.

Accordingly, the subject lands are subject to the policies within the NROP, requiring conformity.

The subject lands are identified within the settlement area of Port Colborne on Schedule A – Local Area Municipalities) and are designated as *Urban Area – Delineated Built-Up Area* of the NROP on Schedule B - Regional Structure (see Figure 12).

Figure 12 - NROP Schedule B - Regional Structure



Section 2.1.1 sets out policies for Regional Growth Forecasts. Specifically, policy 2.1.1.1 identifies population and employment forecasts for all lower tier municipalities that are the basis for all land use decisions to 2051. Table 2-1 of the NROP identifies that by 2051 the City of Port Colborne is forecasted to have a population of 23,230 and 7,550 jobs. Policy 2.1.1.2 states that forecasts in Table 2-1 are a minimum. Further, policy 2.1.1.4 states that 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 to 2051.

Section 2.2 of the NROP provides that most development will occur in urban areas, where municipal water and wastewater systems/services exist or are planned, and a range of transportation options can be provided. Policy 2.2.1.1 provides that development in urban areas (which includes designated the delineated built-up areas) will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support (among others):

- the intensification targets in Table 2-2 and density targets outlined in the NROP;
- a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, and public service uses, to support the creation of complete communities;
- a diverse range and mix of housing types, unit sizes and densities to accommodate current and future market-based and affordable housing needs;
- built forms, land use patterns and street configurations that minimize land configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure;
- opportunities for transit-supportive development;

- opportunities for intensification, including infill development, and the redevelopment of brownfields and greyfield sites;
- opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of the established residential neighbourhoods;
- the development of a mix of residential built forms in appropriate locations, such as local growth centres, to ensure compatibility with established residential areas; and
- orderly development in accordance with the availability and provision of infrastructure and public service facilities.

The Proposal conforms with Section 2.1.1 and 2.2 of the NROP by supporting population and employment growth forecasts through 2051. The development integrates with urban areas, utilizing existing and planned infrastructure such as municipal water, wastewater services, and transportation. It contributes to accommodating intensification targets, provides a mix of residential and employment uses, and supports compact, transit-oriented development. Additionally, the Proposal includes a range of housing options, including affordable housing, and encourages orderly development in line with available infrastructure and public services.

Strategic Intensification and Higher Densities

Section 2.2.2 of the NROP provides policy direction with respect to the Region's strategy and locations for intensification and higher density developments.

Accordingly, Policy 2.2.2.1 states that, within urban areas, forecasted population growth will be accommodated primarily through intensification in built-up areas with particular focus on the following locations:

- a. strategic growth areas, including: i) Downtown St. Catharines urban growth centre; ii) protected major transit station areas; iii) regional growth centres; and iv) district plan areas identified in Section 6.1;*
- b. areas with existing or planned public service facilities;*
- c. other locations with existing or planned transit service, with a priority on areas with existing or planned frequent transit service; and*
- d. local growth centres and corridors, as identified by Local Area Municipalities.*

Furthermore, Policy 2.2.2.5 provides that a Regional minimum of 60 percent of all residential units occurring annually will be within built-up areas, while Policy 2.2.2.6 states that local area municipalities (such as Port Colborne) must establish intensification targets in their official plans that meet or exceed the targets identified in Table 2-2. In this regard, Table 2-2 sets out the Region's minimum residential intensification targets by local area municipality between 2021 to 2051. It is noted that local area municipalities may also plan for additional intensification units and higher intensification rates within built-up areas than those identified in Table 2-2 for infrastructure purposes as it reflects development trends and land use permissions at the time of local conformity. Table 2-2 requires a minimum residential intensification target of 30% and 690 units for Port Colborne.

NROP Policy 2.2.2.10 requires local intensification strategies to be implemented through official plans and zoning by-laws, identifying areas for development with compact built forms, supporting complete communities. These strategies should prioritize growth centres, promote higher densities, mix land uses, and support transit infrastructure. They also emphasize affordable housing,

preserving cultural heritage, and revitalizing areas. Additionally, intensification opportunities, including infill and brownfield redevelopment, should be considered, alongside the efficient provision of water and wastewater services while assessing fiscal impacts on municipalities.

The Proposal conforms with NROP Policy 2.2.2 by developing on vacant and underutilized land within the urban, built-up area of Port Colborne, an area where forecasted population growth is to be primarily accommodated. The Proposal provides development in an area with existing public service facilities and transit services, promoting compact built forms and mixed-use development. The Proposal contributes to achieving the minimum intensification target for Port Colborne (30% and 690 units by 2051), consistent with Table 2-2 by providing up to 378 new homes. Additionally, the Proposal supports infill development, optimizing water and wastewater infrastructure while creating housing at a variety of price points.

Housing

Section 2.3 of the NROP sets out policy direction with respect to housing in the Region, ensuring an adequate housing supply as an essential for quality of life. A diverse range of housing types, sizes, and tenures is needed to meet evolving community needs. Prioritizing affordable housing for low and moderate-income households is critical. The Region aligns with its Housing and Homelessness Action Plan, promoting diverse housing options that foster complete communities and economic growth. Land use tools and targets aim to increase housing accessibility, encourage innovation, and mitigate climate change impacts. Objectives include providing diverse, affordable housing and using planning tools to achieve housing goals.

Section 2.3.1 of the NROP sets out policies to provide a mix of housing options. Specifically, policy 2.3.1.1 states that the development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life. Policy 2.3.1.3 provides that the forecasts in Table 2-1 will be used to maintain, at all times: a. the ability to accommodate residential growth for a minimum of 15 years through residential intensification, and lands designated and available for residential development; and b. where new development is to occur, land with servicing capacity to provide at least a three-year supply of residential units through lands suitably zoned to facilitate residential intensification, and lands in draft approved or registered plans.

Policy 2.3.1.4 states that new residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by facilitating compact built form and incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.

The Proposal conforms with these policies by providing a diverse range of housing options, sizes, and tenures. This aligns with the Region's focus on ensuring an adequate supply of affordable housing for low and moderate-income households across the planning horizon. The Proposal supports the creation of complete communities by integrating various housing types that cater to different life stages, and mixed-uses. It also emphasizes climate change resilience through compact design aligning with policies promoting energy conservation and efficient use of resources. Moreover, it ensures sufficient land and servicing capacity to accommodate long-term residential growth, adhering to the NROP's housing objectives.

Section 2.3.2 and 2.3.3 of the NROP provide policies pertaining to the provision of affordable and attainable housing and the tool for achieving the same.

The NROP provides policy direction that generally aligns with the Region's Housing and Homelessness Action Plan to meet housing needs, including affordable and specialized housing. Minimum targets are set at 20% affordable rental housing and 10% affordable ownership housing. The Region collaborates with municipalities and agencies to identify surplus lands for housing and prioritizes brownfield and greyfield redevelopment for mixed-use intensification. Affordable housing should be near transit, water systems, and public services. Local policies must regulate rental conversions to protect affordable housing supply, considering vacancy rates and housing affordability.

The NROP outlines tools to support affordable and attainable housing development. These include allowing flexible housing forms, streamlining approvals, offering financial incentives like grants and tax reductions, and promoting mixed unit sizes in developments. Reduced site standards for additional residential units and inclusionary zoning in transit areas are also encouraged. Local municipalities must allow up to two additional residential units by right and are encouraged to develop housing strategies that include specific targets, planning tools, and performance indicators to address local housing needs.

The Proposal will result in the creation of a diverse range and mix of housing types, including single-family homes, semi-detached homes, townhouses, and multi-unit apartments, which contribute to housing options at various price points. Although the Proposal does not currently offer true affordable housing units, the mix of housing types will naturally create market variability, catering to different income levels. Additionally, the future determination of tenures for proposed condominium blocks, including potential rental opportunities, aligns with the flexibility encouraged for attainable housing under the NROP's planning tools. This adaptability allows the project to potentially contribute to rental housing supply over time, supporting long-term attainability goals. Overall, the Proposal, though not explicitly focusing on affordable units, conforms with the general purpose and intent of the NROP by offering a varied housing mix and opportunity for future rental housing development, which aligns with the Region's objectives for inclusive and accessible housing options.

Urban Design

Section 6.2 of the NROP sets out urban design policies. Urban design in the Region of Niagara focuses on creating places that are attractive, functional, and memorable by integrating buildings, outdoor spaces, transportation, and services. The Growth Plan emphasizes enhancing Niagara's natural and built environment through careful design, supporting complete communities with high-quality, compact built forms. The plan outlines regional policies for urban design, transportation, and public spaces, which local municipalities are expected to refine and implement through various tools like official plans, guidelines, and zoning. The key objectives include excellence in design, enhancing public spaces, and promoting active transportation.

The urban design policies are intended to serve as a tool to integrate urban design elements into planning decisions and the preparation of engineering standards undertaken at the Regional scale, such as, the design of Regional Road allowances and public services facilities. At a Local municipal scale, it is expected that the Region's urban design policies will be further refined and implemented

through comprehensive Local official plan policies, urban design guidelines, standards, manuals, zoning, and site plan control.

The policies in 6.2.1 emphasize promoting excellence and innovation in urban design by integrating architecture, landscape design, and planning disciplines to create attractive, accessible, and diverse communities. Policies 6.2.1.1 to 6.2.1.2 encourage excellence and innovation in architecture, landscape design, and collaboration among related fields for creating attractive, accessible, and diverse communities. Policies 6.2.1.3 to 6.2.1.8 describe how strategic growth areas should be pedestrian-oriented, supporting mixed-use and vibrant public spaces. Revitalization and sustainable design principles must enhance urban areas, promoting active transportation and compact forms. Policies 6.2.1.9 to 6.2.1.12 provide direction to help foster place-making elements, encourage public art, design public facilities to promote civic pride, and leverage Niagara's waterfront for continuous access and connection.

The policies in Section 6.2.2 focus on designing the public realm and promoting active transportation. Regional roads should adhere to complete streets guidelines, ensuring balanced use for pedestrians, cyclists, and motorists, while prioritizing safety and accessibility. Road networks should minimize travel distances for non-motorists and incorporate sustainable design. Utility infrastructure is encouraged to be buried or co-located underground in intensification areas. Enhancing urban design along Regional Roads includes wayfinding strategies, public art, and pedestrian-friendly infrastructure. Streetscapes should smoothly transition with public spaces and mitigate microclimate impacts like wind and shadowing.

The policies in Section 6.2.3 emphasize the use of urban design tools for implementation. The Region's Model Urban Design Guidelines are intended to align with the Region's Complete Streets Design Manual, which will eventually be updated to reflect best practices. The Region requires development projects and public works to follow these guidelines, especially when local municipal guidelines are absent. Best practices in accessible design and Crime Prevention through Environmental Design (CPTED) principles will be applied. Urban design direction will also be integrated into secondary plans, with guidance on transitions between settlement and rural/agricultural areas.

ACK Architects Studio Inc has prepared a set of Urban and Architectural Design Guidelines for the Proposal. The Architectural Design Guidelines establish a comprehensive framework for the design and development of urban and architectural features within the proposed subdivision. These guidelines focus on landscaping, setbacks, elevations, roof articulation, window and door designs, garage configurations, exterior cladding, and utility screening. Special requirements apply to priority lots like corner and gateway lots. The document aims to ensure cohesive, aesthetically pleasing, and functional urban environments, guided by zoning regulations, a structured review process, and key urban planning principles.

In our opinion, the Proposal adheres to NROP's policies on urban design. The Proposal establishes a well-structured neighbourhood with pedestrian-friendly, permeable blocks, supporting diverse uses and densities. The proposed building heights and forms transition appropriately from lower to mid-rise, reflecting the context of the subject lands and their proximity to major roads. The plan incorporates mixed-use development and compact forms that align with the aforementioned policy

framework, supporting active transportation, housing diversity, and efficient land use, while contributing to community vibrancy and long-term growth objectives.

Archaeology

Section 6.4 of the NROP sets out the policies relates to archaeology in the Region. The Region has mapped areas of archaeological potential outlined in Schedule K, and the subject lands are located within an area of archaeological potential within Port Colborne. Policy 6.34.2.1 states that “development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.”

Accordingly, Stage 1 to 3 Archaeological Assessments were completed by Earthworks. The subject lands were identified as having archaeological potential due to their proximity to Barrick Road and historic Euro-Canadian sites. Stage 2 fieldwork on May 14, 2024, included a pedestrian survey (68% of the area) and a test pit survey (31%). Two archaeological locations were discovered, including site AfGt-349, which required a Stage 3 site-specific assessment. Earthworks then conducted a Stage 3 archaeological assessment of AfGt-349. Fieldwork between July 9 and November 3, 2024, involved 13 hand-excavated test units. Artifacts, including lithic debitage and an Innes projectile point, suggest the site was a Late Archaic campsite (circa 3,500–2,900 BP) used for lithic reduction and retouch activities. Earthworks concluded that the site does not meet criteria for further cultural heritage value, and no additional assessments were recommended. The Ministry is requested to confirm compliance and enter the report into the Ontario Public Register of Archaeological Reports. The Ministry of Citizenship & Multiculturalism has reviewed the Stage 1 and 2 Archaeological Assessment and entered it into the Ontario Public Register of Archaeological Reports.

Conclusions on Conformity with the Niagara Region Official Plan

In our view, the Proposal conforms with the NROP by aligning with key policies on growth management, intensification, housing diversity, and urban design. It contributes to accommodating population and employment growth targets for Port Colborne, utilizing existing infrastructure and public services while promoting compact, transit-supportive development. The Proposal offers a mix of housing types and densities, supporting the region's objective of accommodating affordable housing needs and complete communities. Its design prioritizes pedestrian-friendly environments and sustainable practices, integrating with local and regional policies on intensification and urban design.

4.5 Niagara Region Model Urban Design Guidelines

The Niagara Region Model Urban Design Guidelines ("Model Guidelines") were adopted as part of the Region's Smart Growth initiative to implement ten Smart Growth principles for development and redevelopment. The Guidelines aim to progressively apply these principles through design guidelines for various development types, emphasizing the distinction between public and private realms. The document includes sections on context, public/private realms, sustainability, success factors, and site analysis. Currently, the Region is updating the Guidelines to align with provincial planning policies, focusing on complete communities, resiliency, and sustainability.

In our opinion, the Proposal demonstrates strong alignment with the Niagara Region's Model Urban Design Guidelines by focusing on a compact, mixed-use neighbourhood design that prioritizes pedestrian-friendly streetscapes and an interconnected road network. The development incorporates key principles such as integrating a range of housing types, fostering walkability, and utilizing efficient land use to support public transit, aligning with Smart Growth objectives. The layout features a permeable block design, short block lengths, and connections to parks, ensuring accessibility and connectivity. The Proposal also promotes higher density development in proximity to major streets with existing transit, helping to foster a vibrant public realm while preserving natural spaces.

Furthermore, the ACK Architects Studio Inc set of Urban and Architectural Design Guidelines for the Proposal establish a comprehensive framework for the design and development of urban and architectural features within the proposed subdivision and provide more specific details on how the Proposal has had appropriate regard for the Niagara Region Model Urban Design Guidelines.

4.6 Niagara Region Complete Streets Design Guidelines

The Niagara Region Complete Streets Design Guidelines came into force in March 2017 and provide a framework for designing roadways that accommodate all users, including pedestrians, cyclists, transit riders, and motorists, while enhancing safety, mobility, and sustainability. These guidelines support the region's objectives for creating more livable, accessible, and connected communities by promoting multi-modal transportation and environmental sustainability. The guidelines emphasize streetscapes that balance the needs of all transportation modes and prioritize active transportation infrastructure.

The Proposal has appropriately integrated the Niagara Region's Complete Streets Design Guidelines by focusing on several key elements that align with the Region's goals for creating safe, accessible, and multi-modal transportation corridors. First, the layout promotes active transportation through pedestrian-friendly streets, featuring new sidewalks and opportunities for on-street bike lanes, consistent with guidelines for multi-use paths and pedestrian zones. This ensures the lands will be walkable, safe for cyclists, and supportive of transit, reflecting the best practices outlined in the guidelines.

Additionally, the Proposal integrates landscaping and street furniture to enhance the public realm as illustrated in the conceptual landscaping plans prepared and submitted by Landscape Florida, providing planting zones that buffer pedestrians from vehicle lanes, while street trees and urban greening improve the aesthetic and environmental quality of the streetscape. These elements collectively demonstrate that the Proposal has had appropriate regard for the applicable sections of the Niagara Region's Complete Streets Design Guidelines.

4.7 Port Colborne Official Plan

The City of Port Colborne Official Plan, ("OP"), approved on November 25, 2013, by the Ontario Municipal Board (now the Ontario Land Tribunal), sets long-term goals for community development and guides land-use decisions. Its purpose is to secure the health, safety, and welfare of current and future residents, following key planning principles such as promoting a mix of land uses, compact building design, and walkable neighbourhoods, while preserving open spaces and natural areas. It offers policies on topics like development control, housing, community improvement, and

infrastructure. The OP serves as a guide for public and private agencies, aligning with provincial legislation and regional policies to manage growth and development in the city. Decisions must conform with the OP, and accordingly, its policies apply to the subject lands and the Proposal.

The subject lands are designated *Urban Residential* on Schedule A (City-Wide Land Use) and are located within the delineated *Urban, Built Boundary* of the City as per Schedule A1 (Greenfields) of the OP. Furthermore, Elm Street is classified as an *Arterial Road*, Steel Street and Barrick Road as *Collector Roads*, and Elmvale Crescent as a *Local Road* on Schedule D (Transportation) of the OP. The Subject Lands are not identified as containing any natural heritage features or environmental constraints. Refer to Figures 13 to 15 below.

Figure 13 – OP Schedule A: City-Wide Land Use

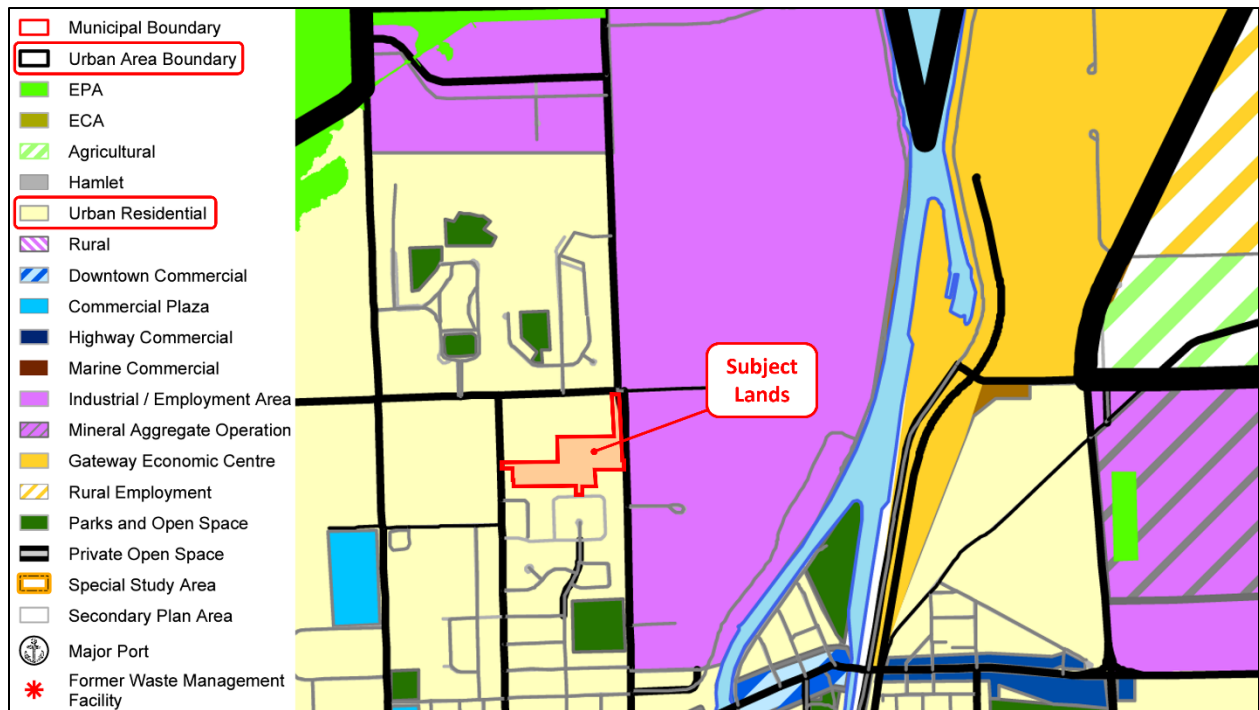


Figure 14 – OP Schedule A1: Greenfields

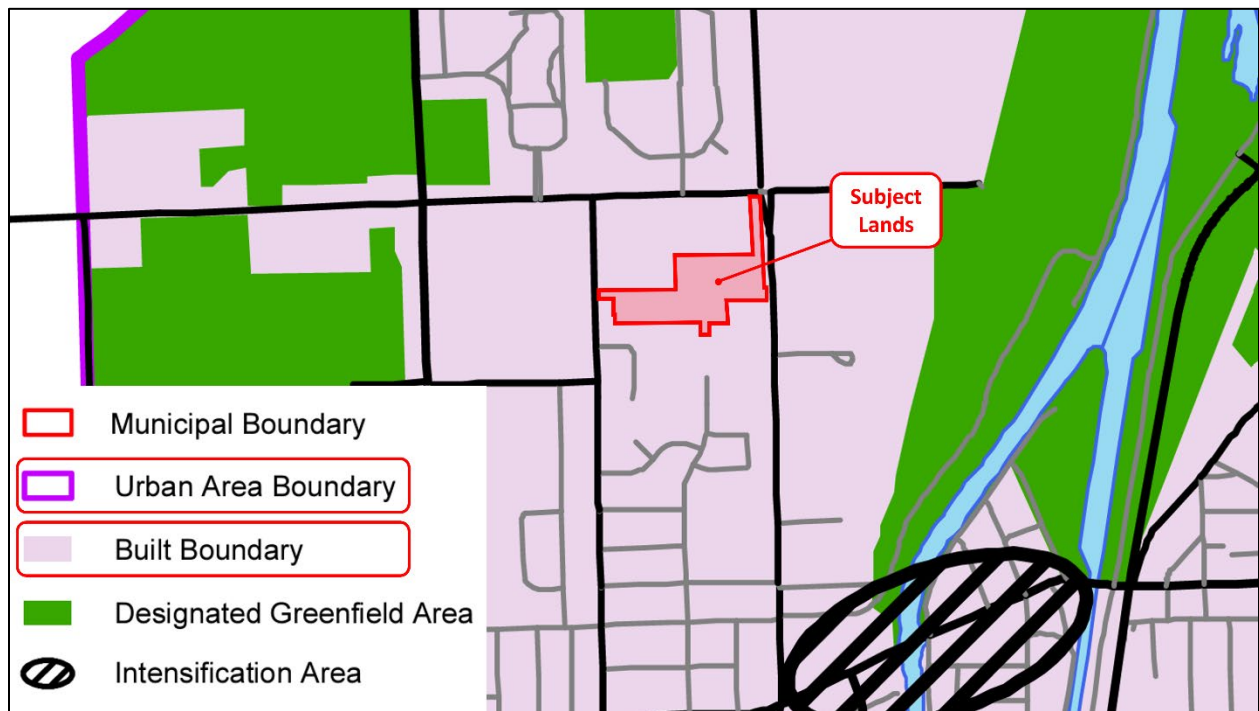
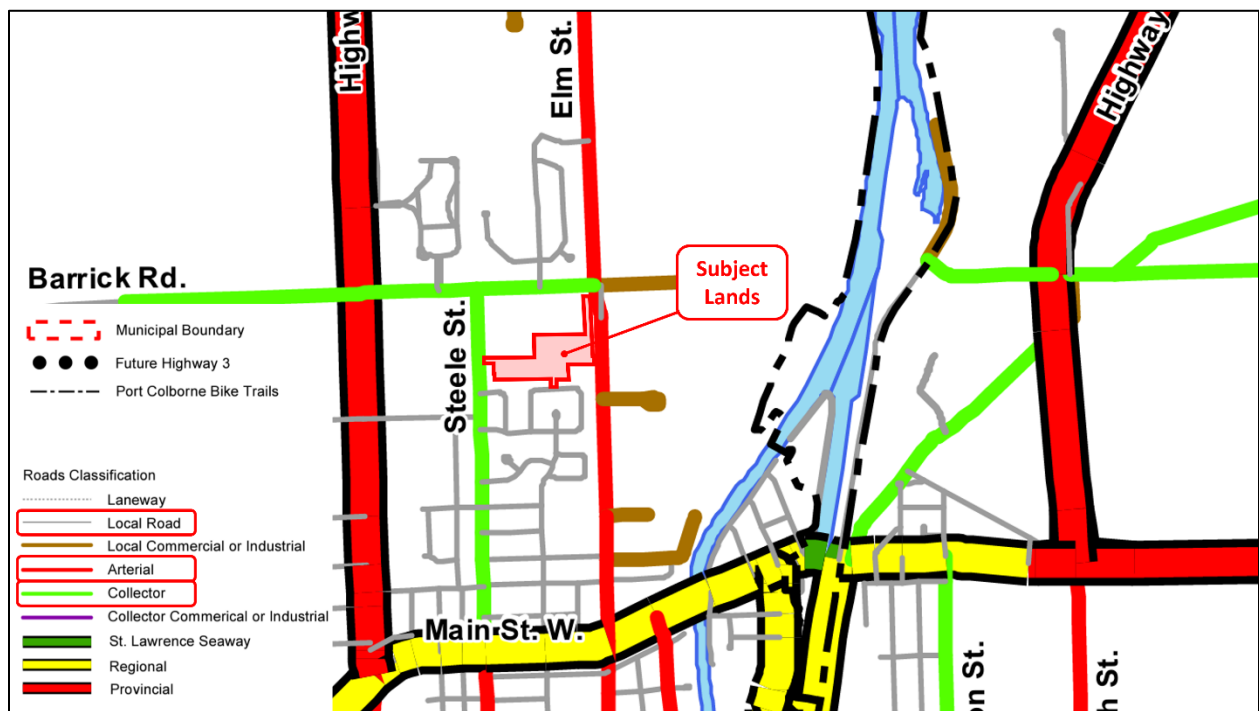


Figure 15 – OP Schedule D: Transportation



Vision for Port Colborne in 2031

Section 2 of the Port Colborne OP sets out a vision for the City in 2031. The vision includes improving overall community life, providing a mix of residential housing options, uplifting the unique history of Port Colborne as a marine transportation hub, and developing in a way that optimizes Municipal and Regional infrastructure. This vision for the City is articulated through the Growth Management Strategy in Policy 2.2 which identifies that most of the growth in the City is to take place within the Urban Boundary which is serviced by municipal water and sanitary services. The Growth Management Strategy further identifies that infill and intensification are to take place in *Urban Residential* designations in the form of compact and transit supportive development.

Policy 2.3.1 provides policy directives that are intended to enhance the quality of life of current and future residents living of Port Colborne. On a shorter-term time frame, identified as within the 10-15 years from the time the OP came into effect, growth is to be directed into the north and west areas of the City. It also encourages residential intensification that supports a mix of housing types and densities in appropriate locations.

As the subject lands are located within the *Urban, Built Boundary* of the City, the lands are well positioned to accommodate the Proposal. The Proposal aligns with Section 2 of the Port Colborne OP by promoting growth within the Urban Boundary, in accordance with the City's Growth Management Strategy. This strategy emphasizes the use of existing municipal infrastructure, including water and sanitary services, to support efficient development. The Proposal conforms to Policy 2.3.1 by incorporating compact, transit-supportive development and promoting a mix of housing types and densities. Additionally, the development fits within the City's vision by enhancing community life and aligning with planned growth in the north and west areas, contributing to the City's long-term residential intensification goals.

Policy 2.3.6 provide policy direction on underutilized lands in the City. Accordingly, The Port Colborne is focused on leveraging underutilized lands through several innovative strategies. These include aggressively promoting the remediation of contaminated industrial lands, repurposing waterfront and Canal-side areas for tourism, recreation, residential, and other community-oriented uses, and promoting new Canal-related non-noxious industrial activities. The City is also focused on revitalizing greyfield properties, providing alternatives to creating new commercial lands, and reintegrating these spaces into the fabric of the community.

The Proposal aligns with Policy 2.3.6 of the OP by effectively developing on vacant and underutilized lands within the *Urban, Built Boundary* of the City. Although not located within one of the identified key areas, the Proposal supports the City's initiative to promote the revitalization of lands which are vacant and underutilized through mixed-use development, including residential and commercial components, which reintegrate underused areas back into community life. The Proposal contributes to the broader goal of enhancing the City through more efficient use of available urban land and by promoting compact, community-supportive uses and aiding in the economic and social regeneration of Port Colborne.

Strategic Planning & Housing

Port Colborne's projected population growth from 2006 to 2031 is 5,000 people, with the population increasing from 19,300 in 2006 to 24,100 by 2031. The Official Plan's land use and policies are designed to accommodate and serve this anticipated growth.

Housing

Section 2.4.2 of the Port Colborne OP provides overarching policy directions for the provision of housing in the City. This section identifies that the City will promote the development of an appropriate mix of housing types, densities and tenures to meet the diverse needs in Port Colborne, considering current and future demographic characteristics. The projected housing growth for the Municipality from 2006 to 2031 is an increase of 2,380 units, rising from 7,790 units in 2006 to 10,170 units by 2031. The Official Plan's land use and policies are designed to accommodate and serve this anticipated housing growth. In this regard, Policy 2.4.2.1 identifies seven directives that new housing development should meet, they are the following:

- Housing should be located in the urban area to make use of existing infrastructure and facilities;
- Housing should be accessible to medical facilities, shopping and any future public transportation system;
- Housing should be close to or be developed with on-site parks and open spaces;
- Housing should incorporate design features for an aging population;
- Housing should use housing forms suitable for an aging population such as at-grade housing or medium density apartment buildings;
- Housing should provide for a range of smaller lots and homes suitable for smaller households; and
- Housing should be close to or be developed with social and recreational facilities.

The Proposal aligns with the population and housing growth projections set out in the OP by contributing to accommodating the anticipated increase of 5,000 people and 2,380 housing units between 2006 and 2031. The Proposal provides a mix of housing types and densities within the urban area, effectively utilizing existing infrastructure and public services. It incorporates smaller lot sizes and housing forms suitable for an aging population, aligning with Policy 2.4.2.1 by offering accessible locations close to parks, shopping, and recreational amenities, supporting the City's long-term housing and population goals.

Affordable Housing

Policy 2.4.2.2 of the OP speaks to affordable housing. In this regard, the City intends to collaborate with government, private sector, and community groups to ensure adequate affordable housing. Tools such as financial assistance, fast-tracking, and reduced development charges will support affordable housing development. Rental demolition or conversion to ownership will be restricted unless it doesn't negatively impact affordable rental supply, with a target vacancy rate of 3%.

Demolition or conversion will not be allowed if the rate is below 3% and ownership housing isn't affordable. Affordable housing should also be integrated into new intensified or infill developments.

The Port Colborne OP further states in Policy 2.4.3 that intensification and infill development will play an important role in the development of new housing. The OP sets a municipal intensification target of 15% of all new housing being built within the Built-up Area identified in Schedule A1.

As previously mentioned, the Proposal will result in the creation of a diverse range and mix of housing types, including single- and semi-detached family homes, townhouses, and multi-unit apartments, which contribute to housing options at various price points. Although the Proposal does not currently offer true affordable housing units, the mix of housing types will naturally create market variability, catering to different income levels. Additionally, the future determination of tenures for proposed condominium blocks, including potential rental opportunities, will result in opportunity for greater flexibility as the subdivision builds out over time. This adaptability allows the project to potentially contribute to rental housing supply over time, supporting long-term attainability goals. Overall, the Proposal, though not explicitly focusing on affordable units, conforms with the general purpose and intent of the OP by offering a varied housing mix and opportunity for future rental housing development, which aligns with the Region's objectives for inclusive and accessible housing options.

Intensification and Infill

Section 2.4.3 of the OP provides policy direction with respect to infill and intensification within the City. Accordingly, in keeping with the provincial planning framework the OP supports intensification within the *Urban, Built Boundary* and is considered a mechanism for economic development, reduced greenfield land use, and a way to help meet the City's 15% intensification target. Intensified development is compact, mixed-use, and transit-supportive, aligning with the plan's vision. Intensification is encouraged in designated areas, such as the Downtown and Main Street West, for example, but not exclusive to these areas. Specifically, the policies state that:

- a) *The majority of the Municipality's intensification will be accommodated within the Urban Area where the development is compatible with the surrounding uses.*
- b) *The Municipality supports the intensification through accessory dwellings and garden suites, provided that development is consistent with the applicable policies of this Plan.*
- c) *The objectives of the intensification policies of this Plan are to:*
 - a. *Revitalize and support the Downtown by promoting intensification in the Downtown areas;*
 - b. *Encourage mixed use development in the Downtown areas which is in proximity to public transit and active transportation routes;*
 - c. *Provide land use policy directions for the accommodating additional growth on lands designated Urban Residential and Downtown Commercial;*
 - d. *Provide a policy framework that supports a limited amount of infilling throughout the Hamlet and Rural areas; and*
 - e. *Provide policies that allow for accessory dwelling units and garden suites.*

The Proposal conforms with Policy 2.4.3 by providing infill and intensification within the Urban Area on existing municipal water and wastewater services. The Proposal establishes a well-structured neighbourhood with pedestrian-friendly, permeable blocks, supporting diverse uses and densities.

The proposed building heights and forms transition appropriately from lower to mid-rise, reflecting the context of the subject lands and their proximity to major roads. The plan incorporates mixed-use development and compact forms that align with the aforementioned policy framework, contributing to community vibrancy and long-term growth objectives all within the *Urban, Built Boundary* on lands that are vacant and underutilized and are appropriately sized to accommodate a subdivision of this size with as many housing types.

The design guidelines identified for infill development in policy 2.4.3.2 are the following:

- Infill and intensification sites should match the pre-established building character of adjacent buildings;
- Where no existing or consistent character is established, infill and intensification development should be consistent with the applicable Design Guidelines Policies of this Plan.
- Where appropriate, the design of the development should provide linkages and connections to existing and proposed pedestrian and bicycle networks.
- The design of infill and intensification development should be consistent with all other applicable policies of this Plan.

The Proposal conforms with the infill and intensification guidelines of the OP by ensuring the design of infill and intensification aligns with the character of adjacent buildings and the applicable design guidelines of the Plan. By situating low-rise lots and blocks near the edges of the subdivision, the design of the Proposal aligns with adjacent low-rise built forms, thereby creating a compatible transition. Medium-density uses are strategically placed towards the centre and along Elm Street, an arterial road, ensuring appropriate transitions to modest height increases and the introduction of live-work units. The high-density mixed-use block is also positioned along Elm Street, on a larger block that provides space for thoughtful design and transitions, which will be refined through future site plan and plan of condominium processes. This approach promotes gradual transitions in building heights and densities across the site, ensuring harmonious integration with the surrounding area. Additionally, the Proposal incorporates pedestrian connections where appropriate and complies with the broader policies of the OP in this regard, ensuring that it integrates seamlessly with the existing community while promoting sustainable development.

Employment

Section 2.4.5 of the OP provides policies pertaining to employment in Port Colborne. According to Policy 2.4.5.1, the employment forecast for Port Colborne projects an increase of 2,270 jobs from 2006 to 2031. Employment is expected to grow from 6,800 jobs in 2006 to 9,070 jobs by 2031. The Official Plan's land use and policies are designed to accommodate and serve this projected growth. In this regard, Policy 2.4.6.1 confirms that the City is committed to promoting economic diversity by supporting business attraction, relocation, start-ups, expansion, tourism, and rural development.

By introducing grade-related commercial units within a mixed-use mid-rise building up to 10-storeys on Block 34 and live-work units along Elm Street in Block 33, the Proposal supports employment growth in the area. It diversifies land use within the subdivision and the broader neighbourhood, contributing to economic development and enhancing competitiveness through the integration of

commercial opportunities within a predominantly residential context. This mixed-use approach fosters a dynamic community while accommodating the City's long-term employment forecasts. Ultimately, the new commercial uses and live-work units will result in some new jobs for the City.

Land Use Policies

Urban Area Boundary

The Subject Lands are located within Port Colborne's *Urban Area Boundary* as identified on Schedule A1 (Greenfields) of the OP. Policy 3.1.1 of the Port Colborne OP provides policy directives for lands within the Urban Area Boundary. The Urban Area Boundary represents lands in the City that are fully serviced or are intended to be serviced by roads, transit, water and sewer infrastructure. Policy 3.1.1 therefore stipulates that lands within the Urban Area Boundary should be the focus of the majority of development. The Subject Lands are also identified as being within the Built Boundary on OP Schedule A1. Policy 3.1.1.1 states that all growth and development that occurs within the built boundary is considered intensification and will count towards the achievement of the municipality's intensification target.

Accordingly, the lands are well situated within the *Urban, Built Boundary* to accommodate an infill and intensification like the Proposal.

Urban Residential

The Subject Lands are designated as *Urban Residential* on Schedule A (City-Wide Land Use) of the OP. Policies for the *Urban Residential* land use designation are contained within Section 3.2 of the Port Colborne Official Plan. According to Policy 3.2 lands designated *Urban Residential* are primarily intended for residential purposes within the *Urban Area Boundary*. These areas may also accommodate small-scale neighbourhood commercial uses, as well as cemeteries, parks, schools, community facilities, and institutional uses typically found in residential neighbourhoods.

The Urban Residential land use designation takes a general approach to land use permissions allowing low, medium, and high-density residential developments as long as certain conditions and restrictions are met. Accordingly, Policy 3.2.1 sets out the following criteria and restrictions for each residential density category:

- 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; Have commercial or ground-oriented residential uses on the main floor;*
 - iii. *Be oriented on the site to minimize shadows on adjacent low and medium density residential development;*
 - iv. *Be encouraged to be developed in proximity to public transit and active transportation routes; and*
 - v. *Be subject to Site Plan Control.*

Accordingly, based on the description of the Proposal above in Section 3.0 of this report, we can see that the criteria for each of the residential density categories has been met with three exceptions related to Medium- and High-Density Residential, specifically, Policies 3.2.1(a)(i), 3.2.1(b)(i) and 3.2.1(c)(i). The density proposed for Block 34, as an independent high-density block equates to a net density of 500 units per hectare, which is greater than the maximum density permitted as-of-right by Policy 3.2.1(c)(i) of the OP. As well, should the maximum unit yield be fully built out within Block 35 (i.e., 78 units), it will result in a density of 105.4 units per hectare.

Accordingly, site-specific policy exceptions are requested through the proposed OPA for slightly increased density counts for the medium-density Block 35 and the high-density Block 34. The following table demonstrates how the proposal has conformed with the balance of these criteria and restrictions:

Table 3 - Residential Density Category Conformity

Policy	Criteria	Responses
Low-Density Residential 3.2.1(a)	i. Developed as single or semi-detached dwellings (12-20 units/ha)	Proposal meets this by providing all low-density residential lots and blocks (i.e., Lots 1 -23 and Blocks 24 – 32) which includes single- and semi-detached and street townhouse dwellings at 31.5 units/ha (net), slightly above. However, if we include the area set out for the new streets and the park, which these units front along, the gross density is 19.0 units/ha). Furthermore, on a lot-by-lot or block-by-clock bases, the low-density residential uses generally conform with this criteria.
	ii. Encouraged to be developed through Plan of Subdivision	The development will proceed via a Plan of Subdivision, ensuring orderly development.
	iii. May be subject to Site Plan Control	Development can be subject to Site Plan Control as required, especially

		for detailed designs of townhouse blocks, but not required.
Medium-Density Residential 3.2.1(b)	i. Developed at 35-70 units/ha (townhouses, triplexes, etc.)	Proposal achieves a range of 35 - 70 units/ha in Block 33 which conforms, and 33.8 - 105.4 units/ha for Block 35, which is slightly above the density range but provides opportunity to create better options for transitions and to maximize land efficiency and new homes. A site-specific exception is requested to Block 35 through the proposed OPA for increased density permissions up to 105.4 units per hectare (gross).
	ii. Encouraged adjacent to arterial or collector roads	Block 35 is located centrally within the development but with within around 50 metres of Elm Street, and Block 33 is adjacent to Elm Street, a major arterial road, meeting this requirement.
	iii. Subject to Site Plan Control	The proposal will adhere to Site Plan Control, ensuring appropriate design for these areas.
High-Density Residential 3.2.1(c)	i) <i>Be developed as apartment buildings ranging in density from 70 to 100 units/ha;</i>	A site-specific exception is requested to Block 34 through the proposed OPA for increased density permissions up to 500 units per hectare (gross).
	ii. Have frontage on arterial/collector road & commercial/ground floor	Block 34 has frontage on Elm Street, an arterial road, and includes commercial uses on ground.
	iii. Oriented to minimize shadows on low/medium density areas	Proposed design accommodates sensitive transition and positioning to minimize shadow impacts.
	iv. Encouraged near transit/active transportation routes	The site is located on Elm Street with potential future transit and walking/cycling infrastructure.
	v. Subject to Site Plan Control	High-density blocks will follow Site Plan Control, ensuring design and function integration.

This matrix highlights how the proposal conforms to the policy criteria, ensuring appropriate development for low, medium, and high-density residential uses within the subdivision.

In addition to the various residential uses and densities permitted in the Urban Residential land use designation, neighbourhood commercial uses are also permitted. Accordingly, Policy 3.2.1(d) provides that new residential development proposals should include provisions for neighbourhood commercial uses within lots or buildings that front on collector or arterial roads, ensuring these

commercial spaces are within a five-minute walk of residential areas. Additionally, developments must provide 150 square meters of neighbourhood commercial space for every 100 housing units. With respect to the proposal, this equates to a range of 459 - 567 square metres of commercial space. All neighbourhood commercial developments are subject to Site Plan Control to ensure appropriate planning and design.

The Proposal intends to conform with Policy 3.2.1(d) by providing commercial space within grade-related units of a future building on Block 34, which front onto Elm Street, an arterial road. Furthermore, live-work townhouse units proposed within Block 33 also front onto Elm Street and can provide for additional commercial as part of the overall development. While the blocks proposed for mixed-uses containing commercial space are not fully conceptualized and are not proposed as part of the initial phases of build out, it is anticipated that the required 459 - 567 square metres of commercial space will be captured and therefore does not require an amendment to the OP.

Lastly, Policy 3.2.1(e) states that 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 address environmental protection, market demand for residential and non-residential development, appropriate land uses, urban design guidelines, water and wastewater servicing, transportation issues, phasing schemes, and stakeholder consultation.

In our opinion, a secondary plan is not required for the Proposal because the term "large vacant area" is not explicitly defined in terms of geographic size within the policy. We do not believe the Subject Lands meet the threshold of a large vacant area based on their modest size and context within the existing built-up area. The Proposal fits into the existing Urban Residential designation and addresses relevant planning considerations through established supportive reports and Official Plan and Zoning By-law Amendment processes, rendering the preparation of a secondary plan unnecessary. Additionally, key elements like environmental planning, transportation, and servicing are adequately covered. Lastly, City planning staff did not identify this as a requirement during either of the two pre-application consultation meetings attended, confirming that City staff do not believe this site warrants the need for a Secondary Plan prior to advancing the Proposal.

Policy 3.2.2 also speaks to infill and intensification, but specifically as it relates to lands designated *Urban Residential*. In this regard, Policy 3.2.2 encourages intensification within the *Urban Area*, allowing for methods like basement apartments, accessory apartments, garage apartments, or conversions to duplexes, as long as they adhere to design guidelines and zoning by-laws. Intensification must not detract from a neighbourhood's character. Infill development is permitted within Registered Plans of Subdivision, allowing for the severance of existing lots to create additional single-detached or semi-detached dwellings, subject to zoning regulations.

The Proposal conforms with Policy 3.2.2 by providing opportunities for future accessory apartments within the single- and semi-detached and townhouse units and providing a range and mix of new housing forms that do not detract from the character of the existing neighbourhood. Through thoughtful design and adherence to applicable design guidelines, the Proposal aligns with the goals of this policy.

Urban Residential Urban Design

Section 3.2.3 sets of the design guidelines for lands designated Urban Residential in the OP. The purpose and intent of the design guideline policies are to ensure that new residential communities are thoughtfully designed to foster identity, diversity, and connectivity. They promote well-defined neighbourhoods with high-quality architecture, a variety of housing types, and a central park or open space as a focal point. The guidelines emphasize preserving heritage features, ensuring positive integration with natural elements, and creating a strong sense of place through street and block patterns that enhance views and accessibility. Additionally, these policies guide the development of streets, housing, and neighborhood commercial areas to harmonize with the existing built and natural environments, ensuring visually appealing and functional urban design.

ACK Architects Studio Inc prepared Urban and Architectural Design Guidelines for the Proposal, establishing a cohesive framework for landscaping, setbacks, elevations, roof articulation, and more. The guidelines ensure functional, aesthetically pleasing environments, with special rules for priority lots like corner and gateway locations. The Proposal aligns with the OP's urban design policies by creating a pedestrian-friendly neighbourhood with appropriate transitions in building heights and forms. It supports diverse uses and densities, compact development, and mixed-use design, fostering community vibrancy and long-term growth aligned with regional goals.

Archaeological Resources

Section 7 of the OP provides policy direction with respect to cultural heritage in the City, and of relevance from this section, Policy 7.3 speaks to archaeological resources. Accordingly, a Stage 1 Archaeological Assessment is required for development on lands with archaeological potential. Further assessments (Stages 2 to 4) may be needed based on findings. Pioneer and other cemeteries must remain in place and cannot be relocated for private development. Development on lands with archaeological resources is only allowed if those resources are preserved on-site or documented and removed, maintaining the site's heritage integrity.

Accordingly, Stage 1 to 3 Archaeological Assessments were completed by Earthworks Archaeological Services Inc ("Earthworks"). The subject lands were identified as having archaeological potential due to their proximity to Barrick Road and historic Euro-Canadian sites. Stage 2 fieldwork on May 14, 2024, included a pedestrian survey (68% of the area) and a test pit survey (31%). Two archaeological locations were discovered, including site AfGt-349, which required a Stage 3 site-specific assessment. Earthworks then conducted a Stage 3 archaeological assessment of AfGt-349. Fieldwork between July 9 and November 3, 2024, involved 13 hand-excavated test units. Artifacts, including lithic debitage and an Innes projectile point, suggest the site was a Late Archaic campsite (circa 3,500–2,900 BP) used for lithic reduction and retouch activities. Earthworks concluded that the site does not meet criteria for further cultural heritage value, and no additional assessments were recommended. The Ministry is requested to confirm compliance and enter the report into the Ontario Public Register of Archaeological Reports. The Ministry of Citizenship & Multiculturalism has reviewed the Stage 1 and 2 Archaeological Assessment and entered it into the Ontario Public Register of Archaeological Reports.

Servicing and Stormwater Management

Section 8 of the OP provides policies for the servicing of development and the management of stormwater across the City of Port Colborne. 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.”

Policy 8.1.1 provides that new developments in Port Colborne’s urban area must be fully serviced by municipal water and sanitary services. Separate systems for storm and sanitary sewers will be maintained. Infrastructure services will not extend beyond the Urban Area Boundary without a plan amendment. Developers must provide engineered systems for water, sanitary, and storm sewers, with potential connections to city mains. Partial services are allowed for failed systems or infill, but future developments must connect to full municipal services once available. Subdivider or Site Plan Agreements govern service standards and specifications.

Furthermore Policies 8.2 and 8.2.1 provide that stormwater management in Port Colborne requires on-site management to prevent adverse impacts on neighbouring properties. A stormwater management plan and sediment and erosion control plan may be needed, adhering to provincial guidelines. Stormwater facilities must avoid natural heritage features unless allowed and promote low-impact development (LID) approaches like bio-retention, rain gardens, and permeable pavements to reduce runoff. Stormwater facilities should integrate visually with communities, avoid fencing, appear natural, and encourage public access with walking and cycling trails, and native plantings.

The proposed servicing and stormwater management strategy for Proposal adheres to the applicable policies 8.1.1, 8.2, and 8.2.1 of the Official Plan. The Proposal ensures that water, sanitary, and stormwater services are developed in a way that supports the subject lands, are connected to existing municipal systems, and protects public health and safety. The stormwater management approach includes underground storage to manage increased runoff and the use of oil/grit separators to meet water quality standards, as well as design considerations to integrate stormwater features as visual elements within the community.

Transportation

Section 9 of the OP provides 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.

Policy 9.1.1 provides that the transportation system in Port Colborne supports both the City's and Niagara Region's land use and transportation goals. Non-automobile modes, like walking and cycling, are prioritized for environmental, economic, and health benefits. The City promotes "Complete Streets," with sidewalks on new streets and bike racks at public facilities. Bicycle and pedestrian infrastructure, especially in downtown and waterfront areas, will be expanded, and efforts to minimize conflicts with vehicles will be implemented. Port Colborne also supports a regional transit network and the rehabilitation of transportation infrastructure.

Furthermore Policies 9.1.2 and 9.1.3 speak to how the transportation policies for Port Colborne categorize roads into laneways, local, collector, and arterial, each with specific functions and right-of-way widths. Laneways are to have a right-of-way of 10-15 metres, handle low traffic volumes of 1-

50 vehicles per day. Local roads, with a 20-metre width, serve up to 199 vehicles daily and have ROW widths of 20 metres. Collector roads have typical ROW widths of 26 metres with an average annual daily traffic between 200-999. Arterial roads, at 26-40 metres, accommodate over 1,000 vehicles per day.

Policies 9.1.2 and 9.1.3 also support maintaining or enhancing natural features in new developments, encouraging road designs that extend existing grid patterns and include native species trees. Sidewalk networks should connect to recreational trails, and street furniture should create a unified streetscape. Road widening is subject to city policies, and new developments on private roads don't obligate the City to provide municipal services.

As previously discussed, Paradigm Transportation Solutions Limited was retained to complete a Traffic and Parking Impact Study. Paradigm found that existing and background traffic conditions operate at acceptable levels, even with the addition of 178 AM and 224 PM peak hour trips from the site. While some delays are expected at the Barrick Road and Highway 58 intersection, they remain within capacity and typical for minor roads at major intersections. No signals or auxiliary turn lanes are warranted at key intersections. However, the site driveway to Barrick Road should be restricted to emergency access only to improve traffic flow and reduce queuing impacts. Traffic calming measures are proposed within the subdivision to enhance pedestrian safety and reduce vehicle speeds. The study recommends monitoring traffic volumes at Barrick Road and Highway 58 to assess the potential need for left-turn lanes and implementing the traffic calming features in the subdivision design. Overall, the study determined the development can proceed with minimal adjustments. With these studies and recommendations, the adequate provision and efficient use of transportation systems have been appropriately considered.

In our opinion, the Proposal conforms to Section 9 of the Port Colborne OP by supporting a balanced, accessible transportation network. The plan integrates non-automobile modes like walking and cycling, promoting sidewalks on new streets. The proposed development also maintains appropriate road classifications and right-of-way widths for local, collector, and arterial roads, without major upgrades or changes. Moreover, the design of streets incorporates natural features and includes provisions for integrating street furniture, contributing to a cohesive, walkable community with links to regional transit.

Conclusions

In our opinion, the proposed OPA and ZBA will facilitate a Proposal that meets the general purpose and intent of the City of Port Colborne Official Plan by aligning with key land use and growth management strategies. It promotes compact development within the *Urban, Built Boundary*, utilizing existing infrastructure while contributing to the City's housing and employment objectives. The Proposal also adheres to the City's transportation and urban design policies, creating a walkable, connected community. While most policies are met, the proposed Official Plan Amendments (OPA) address specific density adjustments, ensuring the Proposal supports the City's long-term growth and development goals.

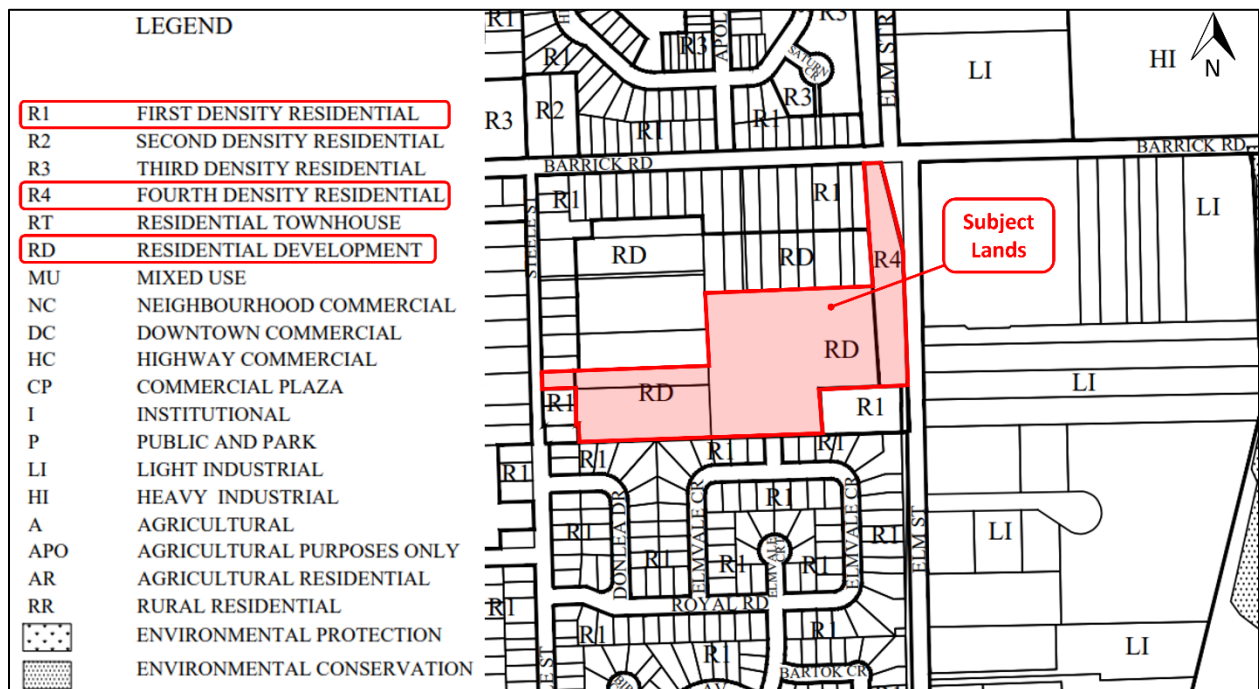
4.8 Port Colborne Zoning By-law 2675/30/18

The City of Port Colborne's Comprehensive Zoning By-law No. 6575/30/18, as amended ("ZBL") came into effect in 2018 and applies to the subject lands. ZBL regulates land use in the City, defining

permitted uses, building sizes, heights, locations, parking, and landscaping. Port Colborne's ZBL implements the Official Plan's policies. It can prohibit non-permitted uses, control building construction, and set requirements for lot sizes, parking, and environmental constraints. Any amendments to the Zoning By-law must conform to the Official Plan and are subject to review under the Ontario Planning Act. The ZBL consists of 39 sections covering standards for all lots in the municipality.

The Subject Lands are currently zoned Residential Development (RD), First Density Residential (R1), and Fourth Density Residential (R4) on Schedule A8 of the ZBL (see Figure 16 below). In the Residential Development (RD) and First Density Residential (R1) zones, only detached dwellings and accessory uses are permitted. The Fourth Density Residential (R4) zone allows for a wider range of housing types, including detached, semi-detached, duplexes, triplexes, fourplexes, townhouse blocks, street townhouses, apartment buildings, public apartments, boarding or lodging houses, and accessory uses.

Figure 16 - Existing Zoning of Subject Lands



The applications propose to amend the ZBL to the Proposal on the subject lands. It is proposed to rezone the subject lands to R2-XX (Second Density Residential, Site-Specific), R3-XX (Third Density Residential, Site-Specific), MU-XX (Mixed Use, Site-Specific), R4-XX (Site-Specific), and P (Public and Park), subject to site-specific standards as denoted by the "XX" suffix and as per the table of proposed performance standards and proposed zoning map below (i.e., Table 4 and Figure 18). The proposed park block is to be zoned P (Public and Park) subject to the existing regulations as set out in the ZBL.

Table 4 - Proposed Site-Specific Performance Standards (Purple Indicates Variance or Exception)

Regulation	Lots 1-23 R2-XX (Singles & Semis)	Blocks 24-32 R3-XX (Street Towns)	Block 33 R4-XX (Mid-Density: Street & Rear-Lane Towns)	Block 35 R4-XX (Mid-Density: Stacked, B2B, & B2B Stacked)	Block 34 MU-XX (High-Density: Apartment)
Permitted Uses	As Per 6.2	As Per 7.2	As Per 8.2 + <ul style="list-style-type: none"> • Back-to-Back Stacked Townhouse¹ • Back-to-Back Townhouse² • Live-Work Units within Townhouse³ • Rear-Lane Townhouse⁴ • Stacked Townhouse⁵ 	As Per 8.2 + <ul style="list-style-type: none"> • Back-to-Back Stacked Townhouse¹ • Back-to-Back Townhouse² • Stacked Townhouse⁵ 	As Per 21.2
Min. Lot Frontage	12.0 m (singles) 17.0 m (semis)	6.0 m	6.0 m (Street or Rear-Lane Towns)	6.0 m	As Per 21.10
Min. Lot Frontage (Corner Lot)	15.0 m (singles)	11.5 m	N/A	N/A	N/A
Min. Lot Area	0.03 ha (singles) 0.05 ha (semis)	0.019 ha	0.013 ha	0.013 ha	34.2 m ² (per unit)
Min. Front Yard	6.5 m (house) 4.5 m (porch)	6.5 m (house) 4.5 m (porch)	1.0 m	6.5 m (house) 4.5 m (porch)	As Per 21.10
Min. Interior Side Yard	1.0 m	1.5 m	1.2 m	2.0 m	As Per 21.10
Min. Exterior (Corner) Side Yard	3.5 m (singles) 3.0 m (semis)	4.5 m	1.2 m	3.0 m (house) 1.2 m (porch)	As Per 21.10
Min. Rear Yard	6.0 m (house) 4.0 m (terrace)	6.0 m	6.0 m	0.0 m	As Per 21.10
Min. Landscaped Open Space	20.0 % (singles) 25.0 % (semis)	20.0 %	12.5 %	12.5 %	As Per 21.10
Max. Building Height	11.0 m	11.0 m	15.0 m (4 storeys)	15.0 m (4 storeys)	33.0 m (10 storeys)
Max. Lot Coverage	50.0 %	N/A	N/A	N/A	As Per 21.10
Landscape Buffer (metres)	N/A	3.0 m	3.0 m	3.0 m	As Per 21.10
Min. Parking Requirement	1 space/unit	1 space/unit	1 space/unit	1 space/unit	1.25 spaces/unit

¹ **Back-to-Back Stacked Townhouses:** a variation of stacked townhouses where units are stacked vertically and also share a rear wall with another set of stacked units, have no rear façades and backyards.

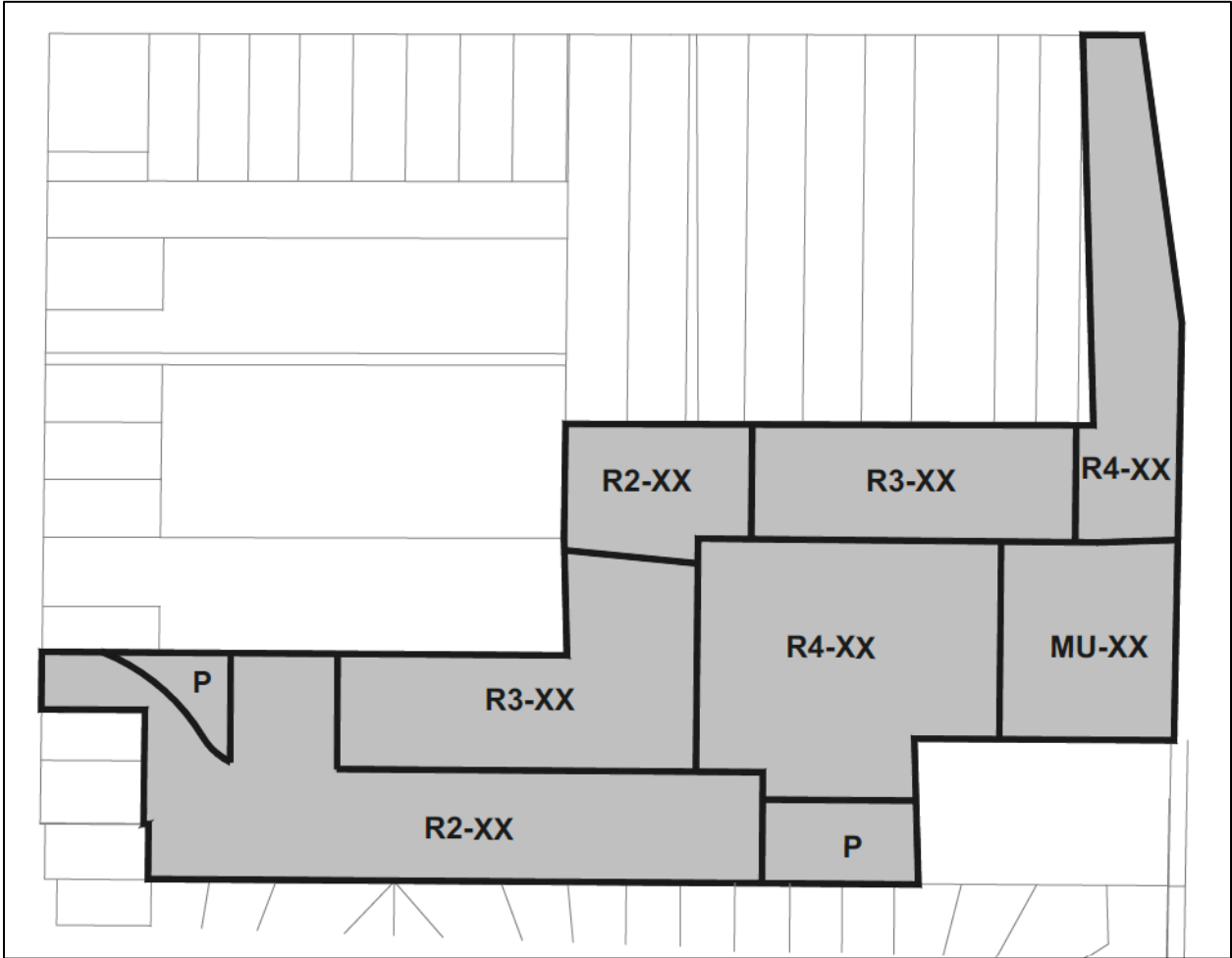
² **Back-to-Back Townhouses:** buildings divided vertically into three or more dwelling units by common walls, including a common rear wall, which prevents internal access between dwelling units.

³ **Live-Work Units:** a variation of townhouses that combines residential and commercial space into a unit where people live. Typically, with walkway access off a street and allowances for signage.

⁴ **Rear-Lane Townhouses:** townhouses with a garage and access to the back of the lot via a laneway or alleyway instead of a driveway at the front of the home.

⁵ **Stacked Townhouses:** a building containing three or more dwelling units attached side-by-side, with each of these dwelling units having at least one dwelling unit above them, and where each dwelling unit has an independent entrance from the exterior.

Figure 17 - Proposed Zoning of Subject Lands



5.0 PLANNING & URBAN DESIGN ANALYSIS

5.1 Intensification

The Proposal for infill and intensification within the Region's settlement area and Urban Area – Delineated Built-Up Area, as well as within the City's *Urban, Built Boundary*, supports both the Niagara Region Official Plan (NROP) and the City of Port Colborne Official Plan (OP). These plans direct growth into areas already serviced by municipal infrastructure, focusing on the efficient use of land and resources. The Proposal aligns with the NROP's growth forecasts for population and housing, as well as the OP's objectives to accommodate projected growth by 2051. This strategy directly responds to the intensification and infill policies outlined in both plans, which emphasize compact, transit-supportive, and mixed-use development.

The Proposal contributes to the City's intensification target by introducing a diverse range of housing options, including low, medium, and high-density residential units, thereby promoting housing diversity while efficiently utilizing existing infrastructure. The development's location within the Built Boundary ensures that growth occurs within serviced urban areas, reducing the need for urban sprawl and promoting sustainable land-use practices.

Additionally, the Proposal helps the City meet its intensification target of 15% of all new housing within the Built-Up Area by adding new housing units to an existing urban neighbourhood. This aligns with both provincial and regional growth objectives, which aim to increase housing density and provide a range of housing options to support a growing population. By doing so, the development will contribute to meeting the forecasted population and housing growth targets outlined in the NROP and OP, which project an increase of approximately 5,000 people and 2,380 housing units between 2006 and 2031 for the City of Port Colborne.

Moreover, the Proposal supports the broader objective of creating complete communities by providing opportunities for mixed-use development, including commercial spaces and live-work units, which enhance the area's ability to accommodate both residential and employment growth. The mix of housing types and densities, combined with proximity to essential services, parks, and public transit infrastructure, reinforces the City's vision of creating sustainable, well-integrated neighbourhoods.

In summary, the Proposal is appropriate as it facilitates infill and intensification in a manner that is consistent with the Region's and City's growth management strategies, ensuring that development occurs within the established *Urban, Built Boundary* while efficiently utilizing existing municipal services and infrastructure. This approach supports both the immediate and long-term growth targets forecast in the NROP and OP, making the Proposal a key contributor to achieving the City's population, housing, and employment objectives.

5.2 Land Use

The Proposal and resulting land uses align well with the *Urban Residential* designation in the City of Port Colborne Official Plan and the Niagara Region Official Plan policies for settlement areas and delineated built-up areas. The low, medium, and high-density residential uses, combined with commercial and live-work spaces, support the creation of a mixed-use, walkable community that encourages economic development and reduces automobile dependency.

The proposed land uses—single-detached, townhouses, and apartment buildings—are permitted as-of-right in the OP. These uses are especially appropriate in terms of how the transition of densities have been designed, with lower densities positioned along the periphery of the development and higher densities located along Elm Street, a major arterial road. This thoughtful distribution ensures land use compatibility with surrounding areas and existing residential neighbourhoods. Commercial uses within the live-work units and mixed-use blocks further support the OP's policies by fostering employment opportunities and access to amenities within a five-minute walk, enhancing the community's walkability and sustainability.

The requested density exceptions pertain specifically to high-density Block 34 and medium-density Block 35. For Block 34, a mixed-use apartment building is proposed, up to 10 storeys with a net density of 500 units per hectare. In Block 35, medium-density uses, likely stacked townhouses, are proposed with a density of up to 105.4 units per hectare. Both exceed the maximum densities permitted by the Official Plan. However, these site-specific amendments are appropriate due to the blocks' sizes, their location on or near an arterial road, and their capacity to support intensified development while still ensuring good urban design, transition, and shadow minimization through the detailed design phase.

Ultimately, the Proposal leverages vacant and underutilized urban land for compact, transit-supportive development that meets local and regional growth objectives. It contributes to the City's housing and population growth targets while supporting the broader vision of creating complete communities through the integration of diverse land uses.

5.3 Height & Density

In our opinion, the Proposal's height and density, specifically the permissions for up to 4 storeys in the medium-density Blocks 33 and 35 and the up to 10-storey mixed-use building for Block 34, are appropriate given the site context and policy framework. The placement of the 10-storey mid-rise building along Elm Street, an arterial road, aligns with principles of intensification, where increased height and density are appropriate near major thoroughfares and transit corridors. While the proposed density exceeds typical standards and neighbouring uses, density is not always the best metric for determining height limits. Height should be guided by site capacity, surrounding context, and the ability to transition effectively between building forms. In this case, Block 34 is sufficiently sized to accommodate a 10-storey structure without causing adverse impacts, such as shadowing, on adjacent lower-density areas. A future site plan application will see that Block 34 can accommodate that is well sited, well designed (included proper articulation, stepping, building breaks, and massing), and appropriately accommodated by parking and site layout.

In addition, the proposed 4-storey heights for the medium-density Blocks 33 and 35 is appropriate. Locating 4-storey dwelling types, such as rear-lane, street or stacked townhouses near the periphery

of neighbourhoods, closer to major streets, is appropriate as it provides a natural transition between the lower-density homes in the neighbourhood interior and the higher-density or mixed-use areas along major corridors. This placement minimizes the visual and functional impact on the core residential area while maximizing access to public transit, arterial road networks, and nearby amenities often found along major streets. By situating these townhouses at the edges, the character of the neighbourhood is preserved, maintaining harmony with the existing built form while accommodating necessary growth. Additionally, this location ensures efficient land use by concentrating higher-density housing near infrastructure designed to handle increased traffic and activity levels, leaving the quieter interior areas intact. This approach supports sustainable and livable community planning.

The Proposal incorporates thoughtful transitions between low-, medium-, and high-density areas, allowing for a gradual increase in building heights towards Elm Street, ensuring good urban design and neighbourhood compatibility. Moreover, the mix of uses on the site, particularly the ground-floor commercial, supports the City's objectives for creating vibrant, walkable, and transit-supportive communities. This approach, in conjunction with the Proposal's overall design and placement of built forms, ensures the height is appropriate and beneficial for the long-term growth and vitality of the area.

Building Heights:

Accordingly, we believe the proposed building heights are suitable for the subject lands' size, shape, and context. They range from low-rise buildings (up to three storeys) along the edges and internal to the existing subdivisions, to four storeys along or near the major roads, aligning with an adjacent subdivisions to the north, south, and west, all the way up to mid-rise buildings towards Elm Street at the east side.

The transition in height from low to taller buildings is, in our opinion, appropriate, especially in Blocks 33, 34, and 35, where the height concentration is along or near an arterial road.

Our requested amendment to allow mid-rise building to 4 storeys on Blocks 33 and 35 and up to 10 storeys on Block 34 at densities that exceed the permissions set out in the existing planning framework would support the intensification of the *Urban, Built Boundary*, accommodating a growing population without negative built form impacts.

Density

The Proposal supports a range of densities across the subject lands that align with the adjacent land uses, and where they do not, such as in Blocks 34 and 35, these blocks are appropriately located close to or along Elm Street, an arterial road. The deployment of density is spread across the site in a way that respects the local context, supported by sensitive building siting and appropriate setbacks to avoid built form impacts.

Higher density residential uses are strategically located near the arterial road system, in line with planning policies. The proposal encourages compact urban form, diverse housing opportunities, and increased public transit ridership due to its density. Overall, we find the Proposal emphasizes a thoughtful gradation of building heights and densities, aligning with planning guidelines and aiming for efficient land use that balances growth with community integration.

5.6 Air Quality, Odour, and Noise

SS Wilson Associates was also retained to complete a land use compatibility assessment for the Proposal. The Land Use Compatibility Assessment evaluated potential adverse effects from surrounding industrial activities, including noise, dust, odour, and vibration. The study followed the D-6 guidelines. Through site inspections and a review of nearby industries, the assessment concluded that the proposed development will not be negatively impacted by neighbouring industries. No significant issues related to industrial emissions or operations are anticipated, and SS Wilson Associates deemed the Proposal to be compatible with surrounding land uses.

A noise impact study was also conducted by dBA Acoustical Consultants Inc. (“dBA”) for the Proposal, which evaluated noise from nearby roads and stationary sources like Thurston Machine Co. Ltd. The study assessed potential impacts on the proposed residential and mixed-use development, ensuring compliance with MECP guidelines. Surrounding roads are not expected to significantly impact the development, and other noise sources, such as rail and aircraft, are not concerns. The study included recommendations for noise control measures, if necessary. Findings from dBA showed that industrial noise and road traffic levels are low, and appropriate measures, such as specific building materials and a Type "E" warning clause, are recommended to ensure compliance with noise guidelines. The study concluded that noise control measures should be incorporated into the development plan to meet Ministry of Environment Conservation and Parks (MECP) standards. Accordingly, once the mitigation measures are implemented the Proposal will not preclude or hinder the continued use or expansion of the nearby assessed noise emitters.

Lastly, BCX Environmental Consulting (BCX) was retained to complete an Air Quality and Odour Assessment. The Air Quality and Odour Assessment for the Proposal evaluated potential impacts from nearby industrial facilities and the Seaway Wastewater Treatment Plant (WWTP). The study found that emissions and odours from surrounding sources, including welding, painting, and trucking operations, are minimal and meet regulatory standards. The Seaway WWTP has a history of very few odour complaints and is located a suitable distance from the development. BCX concluded that the Proposal will not be adversely impacted by air quality or odours.

5.7 Archaeology

Stage 1 to 3 Archaeological Assessments were completed by Earthworks Archaeological Services Inc (“Earthworks”). The subject lands were identified as having archaeological potential due to their proximity to Barrick Road and historic Euro-Canadian sites. Stage 2 fieldwork on May 14, 2024, included a pedestrian survey (68% of the area) and a test pit survey (31%). Two archaeological locations were discovered, including site AfGt-349, which required a Stage 3 site-specific assessment. Earthworks then conducted a Stage 3 archaeological assessment of AfGt-349. Fieldwork between July 9 and November 3, 2024, involved 13 hand-excavated test units. Artifacts, including lithic debitage and an Innes projectile point, suggest the site was a Late Archaic campsite (circa 3,500–2,900 BP) used for lithic reduction and retouch activities.

Earthworks concluded that the site does not meet criteria for further cultural heritage value, and no additional assessments were recommended. The Ministry is requested to confirm compliance and enter the report into the Ontario Public Register of Archaeological Reports. The Ministry of Citizenship

& Multiculturalism has reviewed the Stage 1 and 2 Archaeological Assessment and entered it into the Ontario Public Register of Archaeological Reports.

5.8 Servicing

Hallex Engineering Ltd. (“Hallex”) was engaged to evaluate the servicing and stormwater management for the Proposal, focusing on efficient use and conservation of energy and water. A new watermain system will be integrated into the development, connecting to existing mains on Elm and Steele Streets, looping through the subdivision, and providing individual metered connections to each unit. Five hydrants will ensure fire protection, with measures to protect existing infrastructure during installation. Hallex confirmed that municipal water and wastewater services have the capacity to accommodate the Proposal. Additionally, communication agencies will coordinate the provision of communication services to the subdivision.

5.9 Transportation & Parking

Paradigm Transportation Solutions Limited (“Paradigm”) was retained to complete a Traffic and Parking Impact Study. Paradigm found that existing and background traffic conditions operate at acceptable levels, even with the addition of 178 AM and 224 PM peak hour trips from the site. While some delays are expected at the Barrick Road and Highway 58 intersection, they remain within capacity and typical for minor roads at major intersections. No signals or auxiliary turn lanes are warranted at key intersections. However, the site driveway to Barrick Road should be restricted to emergency access only to improve traffic flow and reduce queuing impacts. Traffic calming measures are proposed within the subdivision to enhance pedestrian safety and reduce vehicle speeds. The study recommends monitoring traffic volumes at Barrick Road and Highway 58 to assess the potential need for left-turn lanes and implementing the traffic calming features in the subdivision design. Overall, the study determined the development can proceed with minimal adjustments.

6.0 PUBLIC CONSULTATION STRATEGY

As part of the public consultation process for this project, we will ensure full compliance with the statutory requirements outlined in the Planning Act. This includes working closely with City staff to guarantee that all circulations, notifications, and public consultation activities are carried out in accordance with the Act. Upon submission of the application, we will collaborate with City staff to help prepare and issue statutory notices to prescribed agencies, stakeholders, and members of the public (as needed). This will include ensuring that all notice signs are installed on the property and making ourselves available to neighbours within the circulation area, should they have any questions.

Enhanced Consultation Components

Recognizing the importance of fostering meaningful public engagement, the proponent has committed to an enhanced consultation process that goes beyond statutory requirements. These additional efforts aim to ensure transparency, facilitate dialogue, and provide ample opportunity for feedback. Key elements of the enhanced consultation strategy include:

1. **Individual Councillor Outreach:**

Direct outreach will be conducted with Councillors to keep them informed and engaged as representatives of their constituents. This ensures that Councillors are equipped to act as conduits for public opinion and can address inquiries or concerns from residents effectively.

2. **Applicant-Led Public Open House:**

An in-person Public Open House is scheduled for **Tuesday, January 16th, 2025 at Club Castropignano Niagara in Port Colborne**, from **6:00 PM to 7:30 PM**. This session will offer the public an opportunity to review the project, ask questions, and provide input in an accessible and interactive setting. City staff, the proponent, and their consulting team, including our office, are invited to attend and contribute to the discussion if schedules permit.

3. **Door-to-Door Notice Delivery:**

To ensure immediate neighbours are informed of this POH on January 16th, 2025, the proponent will manually deliver notices door-to-door in the surrounding streets. This targeted outreach will occur in the week following the application submission. This approach is

designed to build awareness among those most directly affected and encourage their participation in the consultation process.

Goals of the Public Consultation Strategy

The objectives of the consultation strategy are to:

- Ensure compliance with statutory requirements under the Planning Act.
- Provide accessible and transparent channels for public input.
- Foster open communication between the proponent, City staff, Councillors, and the public.
- Address concerns early in the process to refine the proposal and support informed decision-making.

By adhering to these principles and combining statutory compliance with proactive community engagement, the consultation strategy seeks to balance statutory obligations with meaningful public involvement, creating a collaborative foundation for the project's advancement.

7.0 CONCLUSIONS

For the reasons set out in this report, it is our opinion that the Proposal, and specifically the requested Official Plan and Zoning By-Law Amendments and Draft Plan of Subdivision, represent an appropriate use of the subject lands to introduce a new residential and mixed-use community.

Located in the *Urban, Built Boundary* of the City, an area identified as a high-priority area for future development in the municipality, the Proposal provides an integrated mixture of housing types and densities and integrates commercial employment opportunities within the new neighbourhood. For these reasons, the Proposal contributes to the opportunity to both live and work.

In our opinion, the Proposal is consistent with the PPS, conforms with the policies of the Niagara Region OP, and meets the general purpose and intent of the City of Port Colborne OP and ZBL, all of which support the efficient use of lands within settlement areas and the direction to densify lands within the *Urban, Built Boundary*.

From a land use planning perspective, the Proposal will contribute to accommodating the projected Regional and City job and population targets by providing between 306 to 378 new homes and space for new jobs in commercial or live-work units. The proposed uses are compatible with the surrounding area and incorporate good transitions. Ultimately, the Proposal contributes to a complete community and supports the transformation of the subject lands by providing a mix and range of new housing opportunities and commercial uses, enhanced public realm elements, and a parks and open space system with connections to the balance of the neighbourhood.

The final phase of the Proposal will focus on the high-density mid-rise mixed-use Block 34 with permissions for an apartment building up to 10-storeys, marking the most significant transformation for the area. While this is a substantial change, it can be appropriately accommodated through several strategies, including careful site planning, ensuring appropriate setbacks, managing traffic flow, implementing landscape buffers, designing gradual transitions to surrounding low-rise areas, integrating pedestrian-friendly pathways and public spaces, and creating a well articulated, massed, and designed built form. These approaches will help ensure the building complements the existing community while supporting growth and development objectives.

From a built form and urban design perspective, the Proposal efficiently makes use of the land and infrastructure through a compact and pedestrian oriented form of development. The Proposal, as demonstrated through the concept plan, contemplates greater heights in the southeast corner nearest and alongside Elm Street, an arterial road, resulting in a transition down in scale generally from east to west, which responds well to existing land uses in the area. In our opinion, the anticipated built form is appropriately scaled, and enhances the existing and planned neighbourhood context, as well sets a framework to implement good urban design.

In summary, it is our opinion that the Proposal results in an appropriate and desirable use of the subject lands and represents good planning and urban design. Accordingly, we recommend the approval of the requested Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision.

Your truly,

The Biglieri Group Ltd.

A handwritten signature in black ink that reads "Evan Sugden". The signature is fluid and cursive, with a long horizontal stroke at the end.

Evan Sugden, HBASc, MA, CAHP, RPP, MCIP

Associate

A handwritten signature in black ink that reads "A. Walton". The signature is cursive and elegant, with a prominent initial "A".

Alex Walton, Hons B.A., M.Pl.

Junior Planner



My In Box

PLAN OF
DESIGN

Site

N 2250

OPTUAL SITE
GROUND
MORE VENT

THE BIGHER

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