

Planning Justification Report

Westwood Estates Phase 3

Port Colborne, ON

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PREFACE

Upper Canada Consultants was retained by Lester Shoalts Limited (“the owner”) to prepare a Planning Justification Report pertaining to applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment for lands located east of Cement Plant Road, south of Stanley Street, west of Schofield Avenue and north of the Eagle Marsh Drain. These applications have been submitted concurrently to facilitate the development of the third, and final phase of the Westwood Estates Subdivision.

The developer is proposing a three-hundred and fifteen (315) unit development consisting of a mix of single detached dwellings, street-townhouse dwellings, block townhomes and/or apartments. The plan also includes new municipal roadways, parkland, trails and stormwater management facilities.

The subject lands are located entirely within the Westwood Park Secondary Plan Area (“WPSP”), which has applicable land use planning policies and schedules delineating the preferred location and type of land uses permitted. As a result of the development of adjacent lands and the completion of detailed planning and engineering review related to this property, changes to the Secondary Plan are required to ensure that the full development potential and functionality of the property can be achieved. These changes are reflective of professional study recommendations, topographic surveys, servicing feasibility review and generally, good planning principles.

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

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

- Stage 1, 2 & 3 Archeological Assessments prepared by Detritus Consulting Ltd.
- Functional Servicing Report prepared by Upper Canada Consultants (dated December 2022)
- Preliminary Stormwater Management Plan prepared by Upper Canada Consultants (dated December 2022)
- Environmental Impact Study prepared by LCA Environmental Ltd. & Ecological and Environmental Solutions (dated February 2023)
- Traffic Impact Study prepared by R.V. Anderson and Associates Ltd. (dated February 2023)
- Feature-Based Wetland Water Balance prepared by Terra-Dynamics Consulting Inc. (dated February 2023)

DESCRIPTION AND LOCATION OF THE SUBJECT LANDS

The submitted applications pertain to an unaddressed parcel of land in the western end of Port Colborne, within the Regional Municipality of Niagara. The property is legally described as Part of Lot 33, Concession 1, Geographic Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara. An aerial image delineating the location of the property is shown in **Figure 1**.

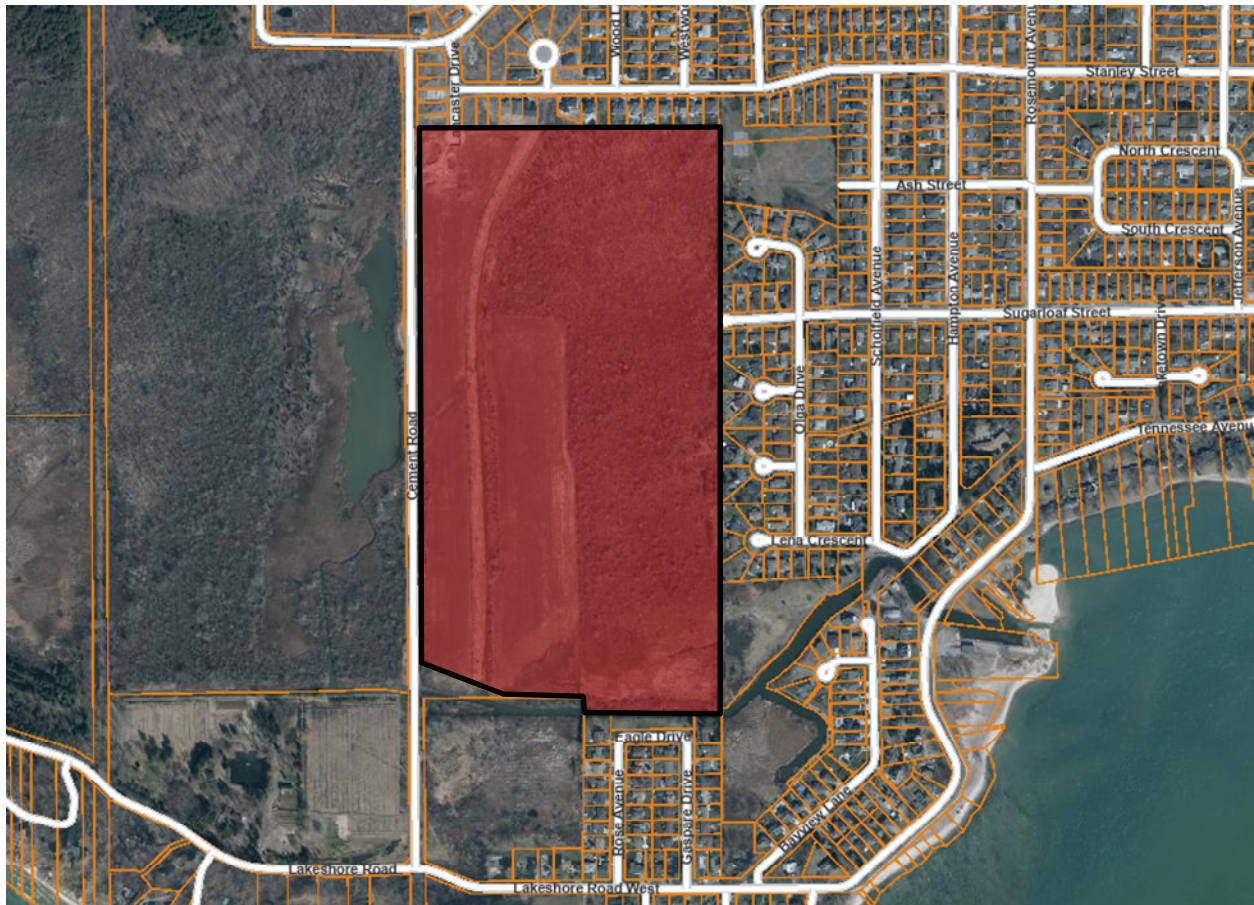


Figure 1 - Context Map – Subject Lands – Cropped from Niagara Navigator

Property Area and Topography

The subject lands have been surveyed and measure 30.55 hectares in total land area. The property is comprised of several elements including flat fields, sporadic vegetation and trees and a man-made drainage channel which serves the previous phases of Westwood Estates as a stormwater outlet to the Eagle Marsh Drain.

The subject lands also contain two wetlands, with one located at the northern end, and one located at the southern end of the site. These wetlands have been evaluated by qualified

Natural Heritage Consultants and have had their functionality and physical boundaries confirmed through an Environmental Impact Study scoped by Niagara Region and the Niagara Peninsula Conservation Authority.

The property drops in elevation from north to south, eventually terminating at the Eagle Marsh Drain. A portion of the southern end of the property is within the Regulated 100-year flood plain. Based on field study and topographic survey, the maximum flood line has been confirmed to be at 175.18 metres ASL at the west end and 174.28 m ASL at the eastern end of the property. This field-confirmed floodline has been shown on the submitted Draft Plan and all residential development has been located outside of its limit. The proposed stormwater management ponds are located within the floodplain, but will be designed in a manner that has no impact on the floodplain (i.e. raised up above flood elevation).

Adjacent Land Uses

The subject lands are situated at the western end of the City of Port Colborne Settlement Area Boundary. Cement Plant Road serves as the shared municipal boundary with the City of Port Colborne and the Township of Wainfleet. A Provincially Significant Wetland is located on the west side of Cement Plant Road. As these adjacent lands contain a regulated natural heritage features and are not within a Settlement Area boundary, they are not expected to be developed in the future.

To the north of the subject lands is the recently developed Phase 2 of the Westwood Estates Subdivision. This Phase consists of single detached, semi-detached and street townhouse dwellings. The existing neighbourhood will be connected to the development through the planned extension of Lancaster Drive, south of Stanley Street.

To the east are older subdivision lots and a municipal park (Sunset Park). The neighbouring streets include Olga Drive, Sugarloaf Street, Lena Crescent, Cathy Crescent and Debbie Crescent. Each street contains single detached dwellings of varying sizes and designs on large urban lots. This stable neighbourhood is supported by small scale commercial uses, parks and schools located to the north and east.

To the south of the subject lands is the Eagle Marsh Drain and a Wetland. South of the drain and wetland there are existing residential neighbourhoods consisting of single detached dwellings.

THE PROPOSED DEVELOPMENT

The applicant is proposing the third and final phase of the Westwood Estates Subdivision.

The first two phases of development are located to the north of the subject lands. Phase 1, shown in Orange in **Figure 2** included 58 lots for single detached dwellings and was registered as Plan 59M-157 in 1983. These lands are not included in the WPSP Area.

Phase 2, shown in Yellow in **Figure 2**, included 70 lots for single detached dwellings and three (3) blocks for future development and was registered in 2016. Lot 71 has been developed as a semi-detached dwelling and Block 74 has been divided to contain two additional single detached dwellings, resulting in a low and medium residential unit count of 74. Blocks 72 and 73 are intended to be developed with twelve (12) street townhouses, total, which are also classified low and medium density residential units by the WPSP.

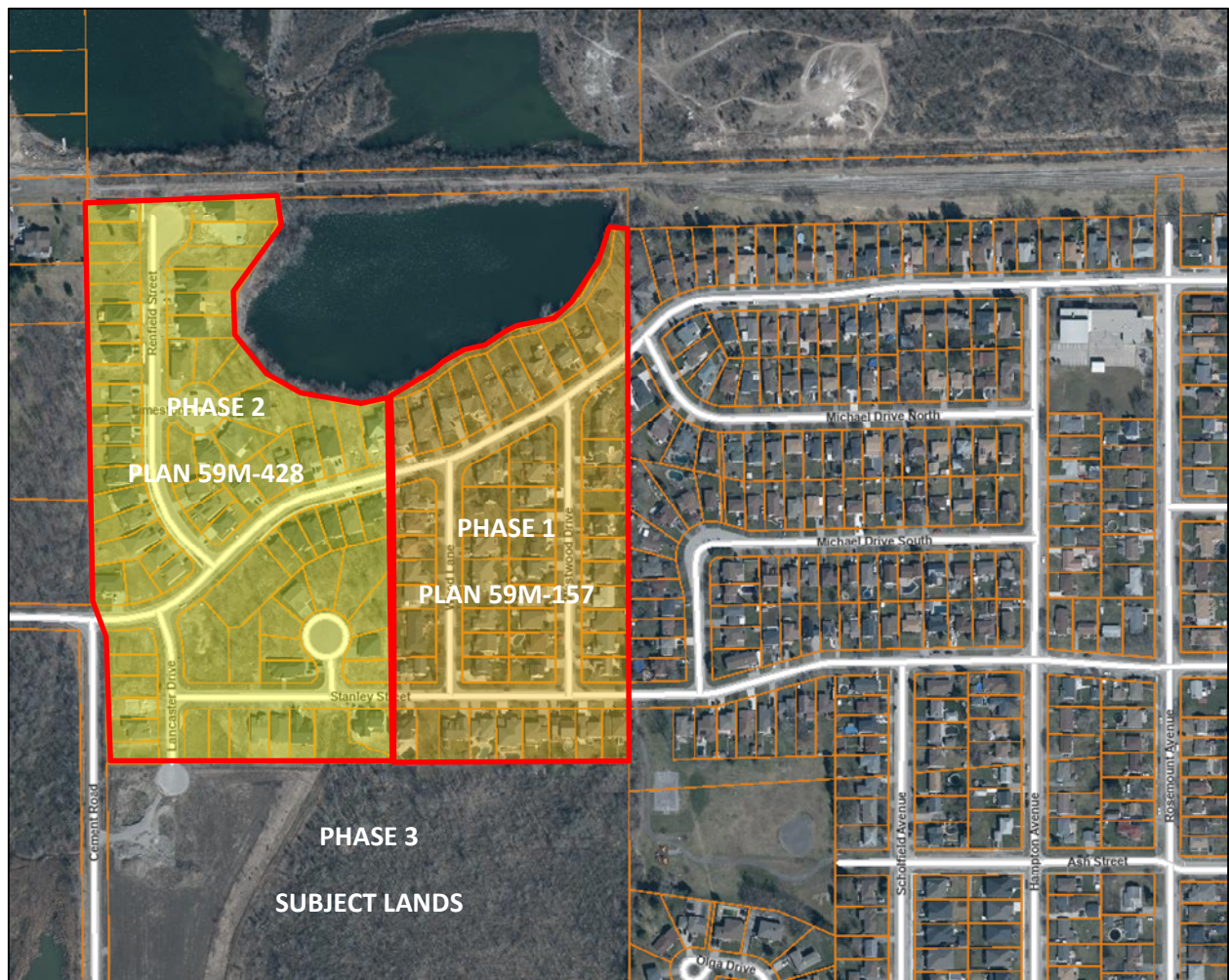


Figure 2 - Phases of Westwood Estates

The final phase of development will include the largest portion of the developer’s land holdings and will facilitate the expansion of the existing neighbourhood areas to the western limit of the municipality along the boundary with the Township of Wainfleet. Both Phase 2 and Phase 3 of Westwood Estates are located within the WPSP.

In conformity with the direction of the WPSP, a mix of residential dwelling forms have been proposed within the Draft Plan Area that include single detached dwellings, street-townhouse dwellings and a block for multiple unit development that could contain either a Condominium townhouse development or apartment buildings.

Dwelling Type, Mix and Design

Overall, three-hundred and fifteen (315) dwelling units are contemplated within the submitted Draft Plan of Subdivision.

Policy 5.3.3.1 g) of the Official Plan sets out a desired housing split between low and medium residential land uses and medium-high density land uses of 60% and 40%, respectively. Low and Medium Residential (LM) uses include single detached, semi-detached, duplex, triplex, quadplex and townhouse dwellings. Medium – High Density (MH) uses include small-scale apartment dwellings.

The dwelling type and percentage of dwelling composition of this Plan of Subdivision is outlined below in Table 1:

Table 1 – Westwood Estates Phase 3 Unit Count and Composition

Dwelling Type	Unit Count	Composition (%)
Single Detached (LM)	167	53.0%
Street Townhouse (LM)	52	16.5%
Multiple Dwellings (MH)	96	30.5%
TOTAL	315	100%

As outlined in Table 2, the following housing mix is achieved within the WPSP:

Table 2 – Westwood Park Secondary Plan Dwelling Split

Dwelling Type	Phase 2	Phase 3	Total	Percentage
Low-Medium	86	219	305	76%
Medium-High	-	96	96	24%
TOTAL Units	86	315	401	100

Although the mix of housing does not achieve the targeted mix, it does provide a suitable differentiation in housing density that is compatible with previous phases of Westwood Estates and the surrounding neighbourhood. Additionally, it is noted that a variety of lot sizes and frontages are provided for the single detached lots which increase development density and provide more variation and housing choice when compared to traditional lots in this area of the municipality. The resultant mix is considered appropriate for the subject lands.

Built Form and Urban Design

The subject lands are currently zoned Residential Development (RD), Environmental Protection (EP) and Environmental Conservation (EC). A Zoning By-law Amendment is required to establish residential zoning provisions for the subject lands.

It is proposed to apply a site-specific Residential Third Density (R3) Zone on the developable portion of the subject lands that are intended to contain single detached dwellings and street townhouse dwellings. For the multiple dwelling Block (Block 178), a site-specific residential Fourth Density (R4) Zone is proposed. Both base Zones have been recently approved by the City of Port Colborne and include modern zoning provisions that facilitate context sensitive and compact built form.

Due to the bedrock location being close to the surface on the subject lands, it can be expected that most development will be two-storeys, as the provision of basements may not be possible in all scenarios. It is expected that a variety of one and two storey detached dwellings will be constructed throughout the development which will contribute to a variation in low density built-form. The proposed street townhouses will likely be two storeys in height given their proposed widths (6.1 m & 7.6 m). A maximum height of 11 metres is applicable to both dwellings forms which will ensure tempered height and compatibility with adjacent one and two storey dwellings.

Reductions in the required front yard setbacks are requested for both the detached and street townhouse dwelling units from 6.5 metres to 4.5 metres to a dwelling and 6.0 metres to the garage. This method of augmentation is common in new developments throughout Niagara and presents the dwelling or porch towards the streetscape as a primary focal point rather than the garage. The design and form of the private realm will be supplemented by the proposed 20 metre right of way widths for the new streets which will provide opportunities for street trees, sidewalks, and other boulevard elements.

The multiple dwelling block (Block 178) is expected to contain either block townhomes or apartment buildings with a maximum height of 6 storeys (~ 20 metres). Detailed design plans for this property will be generated at a later date.

Transportation

The development will be primarily supported by an extension of both Lancaster Drive and Sugarloaf Street. Both street extensions were proposed in the Secondary Plan and will serve as primary access points for the development. Additional internal streets are also proposed with a meandering pattern to ensure interesting street character, unique building orientations, terminating vistas and to reduce traffic speeds and volumes.

A roundabout has been proposed at the terminus of Street 'A' and Cement Plant Road. The intent of this feature is to deter traffic infiltration through the development in an effort to ensure that traffic from adjacent areas continue to use Clarence Street as a primary access/exit point to the neighbourhood. The roundabout will also reduce the potential for high vehicle speeds along Cement Plant Road which is frequented by pedestrians and cyclists as a travel route to the Lakeshore area.

Parks and Open Space

The subject lands are unique in the sense that they are situated amongst natural heritage features including two provincially significant wetlands on site, and a third wetland area inclusive of significant woodland on the west side of Cement Plant Road. The on-site features have been evaluated and are recommended to be protected with 15 metre (~50 foot) buffers with restorative plantings.

The plan provides some small scale parkettes amongst the neighbourhood to break up urban form and provide convenient opportunities for recreation and enjoyment.

The Draft Plan also proposes a significant trail system through the northern wetland and along the existing drainage channel which will link the development to the established neighbourhoods to the north and east and a municipal park (Sunset Park).

Vegetated Buffer Lands

The Secondary Plan delineates a strip of land as Environmental Conservation Area along the shared interface of lots 119-137 and the existing lots on Lena, Cathy and Debbie Crescent. This area was reviewed by the Consulting biologist and found to include encroachments (sheds, gardens, hunting stands, waste piles), dead trees and invasive species.

As part of this Plan, a 7-metre-wide vegetated buffer will be provided in this area to restore vegetation and provide buffering between the existing and proposed neighbourhoods. This buffer will be included as part of the proposed lots and will be zoned to prevent removals or clearing. An Environmental Conservation designation and zone is to be applied to this portion of land to ensure its long-term protection.

Servicing and Stormwater Management

The subject lands will be serviced by extensions to existing municipal watermains and sanitary sewers found at the terminuses of Lancaster Drive and Sugarloaf Street.

The subject lands will contain a storm sewer system that outlets to two new stormwater management facilities (i.e. ponds) at the southwest end of the property on both sides of the existing drainage channel. These ponds will provide a quality treatment and quantity control function prior to discharge to the Eagle Marsh Drain, before ultimately flowing to Lake Erie.

REQUIRED PLANNING ACT APPLICATIONS

A pre-consultation meeting pertaining to the submitted applications occurred on September 9, 2021. As directed by City staff at that meeting, applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment will be required to facilitate the proposed subdivision.

As outlined by the review agencies (City of Port Colborne, Township of Wainfleet, Niagara Peninsula Conservation Authority, Niagara Region), complete application submission requirements include:

- Planning Justification Report
- Archaeological Assessment (Stage 1, 2 & 3)
- Environmental Impact Study
- Water Balance Review
- Functional Servicing Report
- Transportation Impact Study

Draft Plan of Subdivision

In total, three-hundred and fifteen (315) housing units are proposed within the submitted Plan of Subdivision.

A reduced size copy of the Draft Plan of Subdivision is included as **Appendix I** to this report.

Official Plan Amendment

The subject lands are within the Westwood Park Secondary Plan within the City of Port Colborne Official Plan. The developer has made efforts to ensure conformity with the Secondary Plan where possible, however, some departures from the land use schedule are necessary to facilitate the efficient development of the lands. These changes are explained in greater detail within the report, but generally involve the change in location of land use designations, the revisions of natural feature boundaries and relocation of required stormwater management infrastructure.

A site-specific policy amendment is proposed to revise the minimum buffer associated with Provincially Significant Wetlands on the property from 30 metres to 15 metres. This policy revision is made with regard to WSP Policy 5.3.3.7 a) (vi).

A copy of the Draft Official Plan Amendment is included as **Appendix II** to this report.

Zoning By-law Amendment

The majority of the subject lands are currently zoned as Residential Development (RD) in the City of Port Colborne Zoning By-law. This Zone functions as a placeholder and must be amended through a private application to facilitate any development beyond alterations to existing uses.

The following Residential Zones are proposed for the development, and coincide the with the proposed alterations to the WPSP Schedule within the Official Plan.

- Third Density Residential Zone (R3) – Single Detached Dwellings (Via R2 Zone Provisions) Street Townhouse Blocks
- Fourth Density Residential Zone (R4) – Multiple Dwelling Block

The following additional and modified Zones are proposed for other, non-residential portions of the subdivision.

- Public and Park Zone – Parkland Areas and Trails
- Environmental Conservation Overlay (EC) – 7 metre Planting Buffer on East Side of Street “C”
- Environmental Protection Zone (EP) – Provincially Significant Wetlands and Associated Buffer Lands

A copy of the Draft Zoning By-law Amendment is included as **Appendix III** to this report.

RELATED STUDIES AND REPORTS

Consistent with the submission requirements outlined during pre-consultation (see **Appendix IV**) for these applications on September 9, 2021 and in addition to this Planning Justification Report, Archaeological Assessments, Environmental Impact Study, Noise Study and Functional Servicing and Stormwater Management Reports have been submitted with the applications.

Provided Studies

Stage 1, 2 & 3 Archaeological Assessment (Detritus Consulting Ltd.)

The subject lands have been identified to exhibit archaeological potential and were requested to be assessed as part of the application submission. Accordingly, the owner retained Detritus Consulting Ltd. to complete a Stage 1 and 2 Archeological Assessment of the subject lands.

The consultant completed a Stage 1 desktop analysis of the site which confirmed the site exhibited archaeological potential and should be investigated. The consultant carried out test pitting on the property in July 2021 at 5 metre intervals. Through investigation 168 Euro-Canadian artifacts were discovered. The find site has been interpreted to be a medium size, middle to late 19th century domestic deposit. Given the age of the artifacts, a Stage 3 Assessment was recommended to be completed.

Stage 3 assessment works were carried out in summer of 2022 between August and September. Required works included hand excavation of 73 test squares which resulting in the recovery of 1,310 euro-Canadian artifacts. The majority of the finds consisted of ceramics, while the balance included household artifacts such as glass, brick and window glass. Given these findings, the archaeologist has interpreted that the site is a small domestic scatter and that no further assessment of the site is required.

All reports have been forwarded to the Ministry of Citizenship and Multi-culturalism for review and approval. A copy of the required Letter of Concurrence is expected to be issued by the Province later this year. Subject to this issuance, the property will be considered free of archeological potential and fit for development.

Environmental Impact Study (LCA Environmental Consultants and Ecological & Environmental Solutions)

An Environmental Impact Study (EIS) was prepared by LCA Environmental Consultants and Ecological & Environmental Solutions in support of the submitted applications. The consultants prepared a Terms of Reference for study which was reviewed and approved by the NPCA and Niagara Region.

As outlined in the EIS, the subject lands have been confirmed through field work to include and/or be adjacent to:

- Three (3) Provincially Significant Wetlands – Two (2) on site, and one west of Cement Plant Road
- Significant Wildlife Habitat – Reptile and Frogs
- Fish Habitat – Unclassified (Existing Drainage Channel) and Type 2 (Adjacent Eagle Marsh Drain)

The EIS has concluded that subject to the recommendations and mitigation measures prescribed, that the applications will have no negative impact on natural heritage features or their ecological functions. The EIS also demonstrates that the applications are consistent with the natural heritage policies of the 2020 Provincial Policy Statement and Westwood Park Secondary Plan.

Feature-Based Water Balance prepared by Terra-Dynamics Consulting Inc.

A Water Balance Study has been completed to evaluate potential negative impacts to natural heritage features that may be caused by development, inform stormwater management design and conserve wetlands through the matching of pre and post development flows. This analysis was completed by Terra-Dynamics Consulting Inc. and has been informed by engineering, planning and ecology studies completed for the development by Upper Canada Consultants and LCA and EES.

The report finds that the subject lands are located within the Haldimand Clay Plan and consist of aquitard type soils, which limit surface water infiltration, like many areas in Niagara. The on-site wetland were also found to contain low permeability soils which indicates that on-site wetlands are fed by rainfall and surface drainage, rather than groundwater sources.

The completed modelling for the development indicated an exceedance in evapotranspiration above precipitation levels in the summer months (i.e. water deficiency). It has been concluded that the northern wetland does not get saturated in summer months, however the southern wetland may be saturated at times in the summer due to rainwater runoff from upgradient lands. Despite the minor shortfall in water to the southern wetland, the report concludes that residential development should not negatively affect the hydrology of the wetlands. Mitigation or supplementation of the water volumes are directed to be achieved through the provision of 15 metre buffers on the wetlands and the directing of yard and roof drainage towards the wetlands.

Functional Servicing Report and Stormwater Management Plan prepared by Upper Canada Consultants (December 2022)

A Functional Servicing Report and preliminary Stormwater Management Plan have been prepared by Upper Canada Consultants for these applications. The intent of these reports is to outline the servicing options and infrastructure available for the subject lands, and preliminary methods proposed to support the development.

With regards to municipal water service, the report states that subject lands have available connections at the existing terminus of both Sugarloaf Street (200 mm) and Lancaster Drive (150 mm). The preliminary plan for water service included a looping of service to support domestic water service. The report also states that the water system will have adequate capacity to provide fire protection, as well.

With regards to sanitary servicing, the report states that the subject lands have sanitary sewer connections available at the existing terminuses of both Sugarloaf Street (350 mm) and Lancaster Drive (300 mm). The existing sanitary sewer on Sugarloaf Street is noted as being the intended sanitary outlet for the development, conveying flows eastward from the site. The report states that the existing sewer has capacity to support the development and was designed to account for the future development of the subject lands.

The stormwater management method for the development will rely upon the Eagle Marsh Drain as the stormwater outlet for the subject lands. The development will utilize a storm sewer system that conveys flows to two (2) proposed stormwater management ponds at the southwest end of the property. These ponds have been sized to accommodate anticipated stormwater flows and will provide a quality control function.

Overall, the report concludes that the proposed development can be adequately serviced by the existing municipal servicing network and proposed extensions, and that stormwater can be adequately managed on site.

Traffic Impact Study – R.V. Anderson and Associates

A Traffic Impact Study (TIS) was requested by the City of Port Colborne and Township of Wainfleet to evaluate the potential impacts on the existing roadway network that may be caused by the development of the subject lands. The analysis of the proposed roundabout at the interface of Cement Plant Road and the proposed extension of Sugarloaf Street was also undertaken to evaluate its efficiency and safety benefits.

R.V. Anderson and Associates (RVA) was retained by the owner to complete the necessary TIS. The study was scoped by both the City of Port Colborne and Township of Wainfleet.

The TIS evaluated capacity impacts on existing and proposed intersections including:

- Cement Plant Road and Provincial Highway #3;
- Cement Plant Road and Clarence Street;
- Lancaster Drive and Clarence Street;
- Sugarloaf Street and Steele Street; *and*
- Lancaster Drive and Stanley Street.

With regard to traffic volume, the TIS indicates that approximately 43 inbound and 123 outbound AM peak trips will occur from the subject lands. During the PM peak there are 135 inbound and 84 outbound trips expected.

Based on RVA's review analysis of the development plan, traffic counts and forecasted traffic volumes cited above, all existing intersections will continue to perform at acceptable levels with minimal delays. No geometrical improvements were recommended for any of the existing, evaluated intersections.

RVA also evaluated the feasibility of both a minor stop control and a roundabout for the intersection with Cement Plant Road. The report indicates that a stop control condition will operate with acceptable levels of service and no queuing issues. The provision of a roundabout in this location also yield similar findings. The consultant has indicated that the roundabout is recommended over the provision of a typical stop control as it will have the added benefits of reducing vehicle operating speeds on Cement Plant Road, simplifying decision making for vehicles and will reduce conflict points at the intersections.

Overall, the report concludes that the traffic generated can be accommodated within the existing roadway system without the need for geometric improvements and that the provision of a roundabout at the intersections with Cement Plant Road is preferable from a safety perspective. Accordingly, the proposed development form is considered to have no negative impacts from a traffic perspective.

PROVINCIAL LEGISLATION AND PLANS

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

PLANNING ACT (R.S.O. 1990)

The Planning Act regulates land use planning in the Province of Ontario. The Act prescribes matters of Provincial Interest with regard to land use planning and the necessary procedures to be followed when making applications for development.

Section 2 – Matters of Provincial Interest

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

- a) the protection of ecological systems, including natural areas, features and functions;*
- b) the protection of the agricultural resources of the Province;*
- c) the conservation and management of natural resources and the mineral resource base;*
- d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*
- e) the supply, efficient use and conservation of energy and water;*
- f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- g) the minimization of waste;*
- h) the orderly development of safe and healthy communities;*
 - (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- j) the adequate provision of a full range of housing, including affordable housing;*
- k) the adequate provision of employment opportunities;*
- l) the protection of the financial and economic well-being of the Province and its municipalities;*

- m) *the co-ordination of planning activities of public bodies;*
- n) *the resolution of planning conflicts involving public and private interests;*
- o) *the protection of public health and safety;*
- p) *the appropriate location of growth and development;*
- q) *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- r) *the promotion of built form that,*
 - (i) *is well-designed,*
 - (ii) *encourages a sense of place, and*
 - (iii) *provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*
- s) *the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.*

The development specifically has regard for subsections a), d), f), h), j), p), q) and r) of Section 2 the Planning Act.

- a) *the protection of ecological systems, including natural areas, features and functions;*

The development plan and applications have been informed by professional study including an Environmental Impact Study, Water Balance and Topographic survey of the regulated floodplain.

The identified features and hazards will be appropriately and accurately designated and zoned for long term protection through the submitted amendments. Blocks containing natural heritage features and natural hazards are intended to be dedicated to the City of Port Colborne through registration for long term protection.

- d) *the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*

The subject lands were identified to exhibit archaeological potential through pre-consultation.

To satisfy Provincial policy requirements, an archaeological assessment of the subject lands was undertaken by Detritus Consulting Ltd. Through Detritus's Stage 1, 2 and 3 investigation several Euro-Canadian archaeological resources encountered.

The site works have been completed and the archeologist has recommended no further investigation be required. The completed reports have been forwarded to the Province for review and approval. Subject to the issuance of the Letter of Concurrence, the site will be deemed to be free of archaeological potential and fit for development. Accordingly, archaeological resources are deemed to have been conserved.

- f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

The proposed plan of subdivision will integrate into existing municipal roadway connections that have been delineated in the WPSP to traverse through the site.

The development of the subject lands will require the connection to and expansion of existing municipal services within Lancaster Drive and Sugarloaf Street. As outlined within the Functional Servicing Report, these existing mains contain sufficient capacity to support the proposed development.

Utilities can also be extended to support the development for Westwood Estates Phase 2 and the existing neighbourhoods to the east.

- h) the orderly development of safe and healthy communities;

The orderly development of safe and healthy communities is achieved through the development of the subject lands as a mixed density residential development. The proposed housing forms are appropriate for the subject lands and integrate well with adjacent low-density residential development in the surrounding area.

The proposed plan contains several recreational elements including parks and trails which provide connections to adjacent neighbourhoods and within the development itself. These connections will benefit the proposed development and existing, adjacent neighbourhoods.

Evaluated natural heritage features including provincially significant wetlands will be protected for the long term, and will provide balance with the built environment. The inclusion of a planted buffer between existing and proposed development will also contribute to additional biodiversity in the area and provide an overall health benefit to the community through shading and carbon dioxide removal.

The proposed roadway networks contain redundancy and easy connections to recreational trails to ensure ample opportunities for recreation and pedestrian access. As demonstrated in the Transportation Impact Study, the development will have no negative impact on the

existing transportation network and will provide safety benefits through the provisions of a roundabout at the intersection with Cement Plant Road.

Together, these elements are reflective of the desirable characteristics of a complete community and are a logical extension of earlier phases of development in this area of the municipality.

- j) the adequate provision of a full range of housing, including affordable housing;

The proposed development will contain 316 dwelling units of varying forms and sizes including single detached dwellings, townhouses and apartments. The provided mix of housing is considered to be consistent with the policies of the WPSP and will assist in creating variable pricing throughout the development. Opportunities for affordable housing integration may be contemplated throughout the development.

- p) the appropriate location of growth and development;

The subject lands are located within the Port Colborne Settlement Area Boundary and Provincially delineated Greenfield Area. As outlined in the Growth Plan and Regional Official Plan, the vast majority of growth is to be directed to Settlement Areas, and within those Settlement Areas to areas and lands with available municipal services.

The subject lands satisfy these criteria as they are within the Urban Area, Designated Greenfield Area and are currently able to be connected to existing municipal services. The subject lands are also within the WPSP Area and are therefore have been formally identified as a strategic and desirable location for growth that has been endorsed by the City of Port Colborne and Niagara Region.

The proximity of the subject lands to other existing neighbourhoods, parkland, schools and small-scale commercial land uses is desirable and further justifies this property as an appropriate location for residential 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 proposed development is considered sustainable as it contains an adequate balance of growth, natural environment and recreational opportunities that will support urban living.

The City of Port Colborne currently has limited Public Transit Service, with pick-up locations limited to the downtown. The proposed development form will not limit or restrict the ability for future transit service to be integrated within the subdivision area.

The plan contains several opportunities for pedestrian access and enjoyment, namely through the compact street network, creekside trail and proposed wetland path system.

- 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 proposed plan layout is compact in nature, but is also reflective of the general character of this area of the City. The built form will be appropriately scaled for the area and roadways and will provide character and visual interest. The existing natural environment backdrop will further enhance the aesthetic appeal of the community and have been integrated as part of the proposed open space network for this area (i.e. parks, trails).

It is expected that architecturally the dwellings will be similar in character to previous phases of the Westwood Estates subdivision. These dwellings exhibit high quality, traditional and modern designs which are compatible and appropriate for this greenfield area. Overall, it is expected that this final phase of the Westwood Estates development will be a vibrant and desirable area with a distinct character and feel.

Section 22 – Official Plan Amendments

Applications for Official Plan Amendments are considered under Section 22 of the Planning Act. Amendments are permitted subject to the provision of prescribed information. The amendment has been submitted concurrently with the Draft Plan of Subdivision and Zoning By-law Amendment applications.

Section 34 – Zoning By-laws and Amendments

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

Section 51 (24) – Draft Plans of Subdivision

Draft Plans of Subdivision are evaluated through the legislative framework set forth in Section 51 of the Planning Act.

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

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

As noted previously in this report, the applications meet the intent of Section 2, subsections a), d), f), h), j), p), q) and r) of the Act.

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

The application for Subdivision Approval is appropriate timed and is not considered premature. Phase 2 of the Westwood Estates subdivision, located on lands to the north, is nearly built out. Given recent increases in population within the Region and the approval of new Regional growth forecasts and targets, the timing to move forward with this final phase of development is considered beneficial to the municipality and the local housing market.

The application is within the public interest as the plan proposes additional housing supply, recreational amenity and linkages with adjacent development.

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

The proposed plan of subdivision varies from the applicable Westwood Park Secondary Plan. These changes have been informed by detailed site review and study and are considered necessary to develop the site as generally intended by the municipality. An overview of conformity with the City’s Official Plan and specific justification for the Official Plan Amendment are provided further on within this report.

The proposed plan integrates with adjacent plans of subdivision including the existing neighbourhood to the east located on both the north and south sides of Sugarloaf Street and with Phase 2 of Westwood Estates. The Plan provides roadway extensions and lotting that aligns appropriately with adjacent development and is generally consistent with the WPSP

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

The lands are well suited for development and have a large, developable area that can accommodate residential development. Existing natural and man-made features including wetlands, a drainage channel have been integrated into the plan design.

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

At this time, affordable housing is not proposed. Variation in the proposed forms of dwellings (singles, townhouses, apartments) will provide choice and price differential within the development.

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

The proposed subdivision has available roadway access from Sugarloaf Street, Lancaster Drive and Cement Plant Road. Each of these roadways will be utilized for access.

A Traffic Impact Study was completed for the development by R.V. Anderson and Associates. This report has concluded that the development will have no impact on the existing transportation network or require improvements to existing roadways/intersections from a capacity perspective.

- f) the dimensions and shapes of the proposed lots;

The proposed lots are generally rectangular in nature and reflect the existing lotting pattern found on adjacent lands. The lots have been sized in accordance with the minimum requirements of the proposed zoning categories.

- 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;

Restrictions to development on site include the Provincially Significant Wetlands and buffers, 100-year floodplain and existing drainage channel. These elements have been evaluated and integrated into the subdivision design to provide overall positive functional benefits and value to the development.

- h) conservation of natural resources and flood control;

The proposed subdivision will protect the identified wetland features on site for the long term through buffering and planting enhancement. A vegetated buffer is also proposed along the eastern property boundary to replace a former row of vegetation that was removed.

The 100-year floodplain elevation has been evaluated through topographic survey and development has been located appropriate outside of its limits.

- i) the adequacy of utilities and municipal services;

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

- j) the adequacy of school sites;

The subject lands are located within 1.5 kilometres of two elementary schools. The School Boards will provide detailed commentary on the adequacy of these schools through their comments.

- 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 Plan of Subdivision contains Blocks for dedication to the municipality for parkland/recreational purposes as well as long term natural heritage protection.

Blocks 179-184 and Block 193 will be dedicated to the municipality for the purpose of parkland and trails.

Blocks 185 & 186 contain provincially significant wetland features which will be transferred into the ownership of the City for long term protection.

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

Energy efficient design may be explored through the development of detailed building plans.

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

Certain dwelling forms (townhouses, apartments) would be subject to site plan control if developed.

2020 PROVINCIAL POLICY STATEMENT

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

The overarching purpose of the Provincial Policy Statement (2020) (PPS) is to provide direction to planning authorities on how to best achieve the development of healthy, livable and safe communities.

The subject lands are located within the Port Colborne Urban Area, which is delineated in both the Niagara Official Plan and City of Port Colborne Official Plan. Niagara's Urban Areas are considered as Settlement Areas within the PPS. Policy 1.1.3.1 of the PPS directs that Settlement Areas are to be the focus of growth and development within Ontario communities. Consistent with this requirement of the PPS, the proposed development will be located within the Settlement Area boundary.

Within Settlement Areas, development is to proceed in a manner that efficiently uses land and resources, is appropriate for the efficient use of infrastructure and public service facilities, minimizes negative impacts on air quality and climate change, supports multi-modal transportation options including active transportation. Land use patterns are to be based on a range of uses and opportunities for intensification and redevelopment.

The proposed subdivision is a desirable and compatible development plan for the subject lands that will provide multiple forms of housing efficiently on urban lands. The Plan integrates opportunities for recreation and active transportation and protects on-site and adjacent natural heritage features that provide character and benefit to the community.

The subject lands are defined as a "designated growth area" in the PPS, being land within a settlement area that are required to support growth to the planning horizon, but are not yet developed. In these areas, development should occur adjacent to the built-up area and should have a compact form, mix of uses and densities and efficiently use available services and infrastructure. The applications are consistent with the PPS in this regard as the lands are contiguous to developed lands within the built-up area and that adequate infrastructure connections (road, services, utilities) are available. The proposed plan is to be compact in its form and will contain a mix of land uses at varying densities.

Coordination (PPS 1.2)

Section 1.2.1 of the PPS directs that planning matters should be dealt with through a coordinated, integrated and comprehensive approach. This approach is recommended to ensure that consideration of all relevant matters including, but not limited, to natural environment, infrastructure, economic development, hazards, employment and housing.

The applications are consistent with this section of the PPS as they facilitate development that will contribute to the achievement of housing and population targets for the local municipality.

Through the pre-consultation process, the planning authority, NPCA and Niagara Region provided direction on required studies and information needed to process the application. This comprehensive approach was used to ensure that all matters of Provincial, Regional and local interest are identified. The requisite studies and materials have been provided with the submitted application.

Housing (PPS 1.4)

The PPS requires that municipalities must provide for an appropriate mix of housing that can accommodate the 15-year population growth determined for the municipality by the Upper Tier Municipality, in this case the Regional Municipality of Niagara. Table 2-1 of the Niagara Region Official Plan (2022) forecasts that Port Colborne will have 23,230 people 2051.

The proposed Plan of Subdivision contains a mix of dwelling types including single detached dwelling, street townhouse dwellings, block townhouses and/or apartment dwellings. The lots and blocks vary in size and orientation and offer different opportunities for housing within the municipality. The proposed development will assist the municipality in accommodating prescribed growth over the next 15 years.

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

The PPS directs planning authorities to promote healthy and active communities through the detailed planning of streets, spaces and facilities that are safe, foster social interaction and facilitate active transportation and community connectivity. To achieve this, Policy 1.5.1 of the PPS requires that a full range and equitable distribution of publicly accessible spaces for recreation be provided such as parks, trails, as well as access to shorelines for public enjoyment.

The applications are consistent with Section 1.5 of the PPS as the subdivision design includes parkland, trails and dedicated active transportation connections to adjacent municipal parkland to ensure there is sufficient open space and recreational opportunities within the development.

Infrastructure and Public Service Facilities (PPS 1.6)

A general tenant of the Policies within Section 1.6 of the PPS is that urban development must occur on urban services, and that existing infrastructure should be capitalized upon before undue expansions are considered.

Water and Sanitary Services

The proposed development will utilize existing municipal water and sanitary service connections available from Sugarloaf Street and Lancaster Drive. New water and sanitary sewer extensions will be required to service the development, which will be undertaken at the expense of the developer.

Stormwater will be directed to a new storm sewer system to the existing drainage channel and stormwater management facilities. These ponds will provide a quality and quantity control function prior to discharge into the Eagle Marsh Drain which eventually outlets to Lake Erie.

As the development will connect to existing urban services, the applications are considered to be consistent with the infrastructure policies of the PPS.

Transportation

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

The proposed development will contain extensions of existing municipal roadways (Lancaster Drive, Sugarloaf Street) and new local road within. These roadways will be developed with housing on both sides, where possible, and will contain sidewalks. The roadway form is appropriate for all forms of residential development.

Opportunities for multi-modal transportation will be facilitated through purpose built recreational trails and paths, as well as roadway cross sections that include sidewalks and sufficient roadway width for on-street cycling. The active transportation network will connect

to existing neighbourhoods and parkland to create a high-quality pedestrian experience for users of all ages. The highest density block (Block 178) is appropriately located along Cement Plant Road where dedicated access to and from the site can be provided without neighbourhood infiltration.

Natural Heritage (PPS 2.1)

As outlined in Section 2.1 of the PPS, natural features and areas are to be protected for the long term. These features include significant wetlands, significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest and coastal wetlands. This protective policy framework is also applicable to natural heritage features on adjacent lands.

An Environmental Impact Study pertaining to the subject lands was completed by LCA Environmental Consultants and Environmental & Ecological Solutions between 2020 and 2023. As outlined in that report, the subject lands contain the following natural heritage features outlined in the PPS:

- Provincially Significant Wetlands
- Significant Wildlife Habitat
- Fish Habitat (Type 2)

Provincially Significant Wetlands

Policy 2.14 of the PPP states that “development and site alteration shall not be permitted in significant wetlands in Ecoregions 5E, 6E and 7E. The subject lands are located within Ecoregions 6E and 7E per Figure 1 – Natural Protection Line of the PPS.

The subject lands contain two provincially significant wetlands – one at the north end, and one at the south end of the property. These features have had their general limitations mapped by the Province, which was included in the Regional and City Official Plan, including the WPSP, through Growth Plan conformity amendments. Potential impacts to these mapped features were considered to be relative to development and construction and a potential reduction in water flows to the wetlands.

With regard to proximate development and/or encroachment, the limits of the wetlands have been confirmed by the Consultant. A 15-metre buffer has been proposed around the extent of each wetland to separate residential lands uses and roadways from the feature so as to ensure

its long-term protection. The Consultant has opined in their report that the buffers are appropriate given the composition of the wetlands from an ecological perspective. As no physical development is proposed within the wetland feature or the recommended buffers, the applications are considered consistent with the PPS.

Another potential perceived impact to the wetland is the loss of water which may “feed” the feature. To confirm the water source of the wetlands and identify any potential negative impacts, a Feature-Based Water Balance Study was completed by Terra-Dynamics. This report has evaluated the potential impacts of development on the two on-site wetland features. The report concludes that the northern wetland is “fed” by precipitation rather than surface or groundwater flows and based on existing drainage patterns would be unaffected by the development of adjacent lands.

The southern wetland was similarly evaluated and classified as partially riverine, meaning it is “fed” and saturated by an adjacent waterbody, in this case being the eagle Marsh Drain and Lake Erie. The balance of the wetland feature is provided with flows from overland drainage, but not groundwater. As outlined in this report, the modelling completed identified a small deficiency in water provision to the southern wetland in summer months, however it is not considered to be significant. The report outlines remedial measures to ensure the protection of the wetland including direction of surface and roof drainage to the feature and the application of a 15 metre buffer. As the report concludes that the development will have no negative impacts on the wetlands.

Based on the conclusions of the EIS and the Feature Based Water Balance, the applications are deemed to be consistent with the PPS.

Significant Wildlife Habitat

Policy 2.1.5 d) prohibits development and site alteration within significant wildlife habitat, unless it can be demonstrated that there will be no negative impact to the feature or their ecological functions.

The EIS states that two Significant Wildlife Habitat features were identified by the Ecologists during field review. The first habitat was reptile hibernaculum, which was noted to be present on the western edge of the drainage channel where it abuts the wetland. The second significant Wildlife Habitat was amphibian breeding within the southern wetland. As these areas are located within the wetland areas, they will be protected from development through the application of modified Environmental Protection Area designations. As no development or site alteration will

occur within these habitats and that the EIS concluded that the development will have no negative impact on the features, the applications are consistent with the PPS regarding significant wildlife habitat.

Fish Habitat

Policy 2.1.6 of the PPS states that “development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements”.

As outlined in the EIS, the adjacent (south) Eagle Marsh Drain has been identified as Type 2 (Important) Fish Habitat. This watercourse is located adjacent to the subject lands and is protected by overarching natural heritage designations and zoning in the City’s planning documents. No development is proposed within the Eagle Marsh Drain.

The existing drainage channel serving Westwood Estates Phase 2 traverses north to south on the subject lands is considered as unevaluated Fish Habitat by the Province, however, it has been concluded through the EIS that the drainage channel does serve a purpose in conveying allochthonous materials to the fish habitat in Eagle Marsh Drain during peak flow events. This existing channel is proposed to remain on the property as an open watercourse (i.e. no piping) and be landscaped with a trail one side. These measures will ensure the long-term protection and management of the channel, thus ensuring that the ecological functions it provides to the Type 2 Fish Habitat in the Eagle Marsh Drain continue. Therefore, the applications are considered consistent with Policy 2.1.6 of the PPS.

Water (PPS 2.2)

Section 2.2. of the PPS directs planning authorities to protect, improve and restore the quantity and quality of water resources. This is generally to be done through the utilization of the watershed at an ecologically meaningful scale, minimizing negative impacts, maintaining linkages and functions among features and mitigation of negative impacts through stormwater management.

The subject lands are located in the Eagle Marsh Drain Subwatershed within the Lake Erie North Shore Watershed. As the subject lands are located within the urban area, the watersheds and subsequent groundwater system will not be relied on a potable source of water nor will septic systems be used for sanitary purposes. This significantly reduces impacts on the groundwater and connected hydrogeological features.

The proposed plan layout maintains the ecological functions of identified hydrogeological features including wetlands, the Eagle Marsh Drain and the man-made drainage channel, which conveys stormwater flows from Westwood Estates Phase 2.

The proposed stormwater management method for this development will rely on a storm sewer system that will outlet to two proposed ponds for quantity and quality control. These ponds will eventually discharge to the Eagle Marsh Drain, whereby flows will continue on to Lake Erie. The proposed stormwater method is appropriate for urban development and consistent with the PPS as it will not negatively impact the municipal drain, Lake Erie or adjacent natural heritage features.

Cultural Heritage and Archaeology (PPS 2.6)

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

The subject lands were assessed for archaeological resources by Detritus Consulting Ltd. Through investigation consisting of Stage 1, 2 and 3 investigation, Euro-Canadian archaeological resources were encountered. The consultant completed Stage 3 works in September of 2022 and has recommended no further investigation be completed. The related Archeological reports have been forwarded to the Ministry of Citizenship and Multiculturalism for review and approval.

Subject to Provincial approval, the resources have been conserved and the submitted applications are consistent with PPS Policy 2.6.

Natural Hazards (PPS 3.1)

Section 3.0 of the PPS contains policy direction for ensuring the protection of Public Health and Safety in Ontario. Under this policy framework, development is directed away from areas of natural and human made hazards where there is an unacceptable risk to public health and safety, properties or aggravating or creating new hazards.

The subject lands are adjacent to the Eagle Marsh Drain which has an associated Floodplain. The elevation and location of the floodplain has been confirmed through field study and is shown on the Draft Plan.

Consistent with the policies of Section 3.1. of the PPS, no residential development is proposed within the dynamic beach hazard or Lake Erie floodplain. As all development is proposed outside of the hazard area and that the lands affected by the floodplain will be provided to the

City for long-term protection and stewardship, the applications are considered consistent with the PPS.

2020 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

Guiding Principles (PTG 1.2.1)

In order to realize the vision of the Growth Plan, policies within the Plan are based on the following principles:

- Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.
- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.
- Support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government.
- Provide for different approaches to manage growth that recognize the diversity of communities in the GGH.
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.
- Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network.
- Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

The development plan and supporting amendments emulates a functional form and character that aligns with Provincial policy direction. The development will contain a mix of housing forms that are prescribed by current local planning policy (i.e. the WPSP) and that are compatible with the surrounding mature neighbourhood elements.

The mix and variety of housing options will create residency opportunities for persons or families of various ages and composition. The balance of natural heritage reservation, parkland

and recreation and functional circulation will make the subdivision highly accessible and provide for urban form that is balanced with nature.

Overall, the development is considered to align with and implement the guiding principles of the Growth Plan and will emulate desirable elements of a complete community.

Managing Growth (PTG 2.2.1)

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

The subject lands are located wholly within the Designated Greenfield Area illustrated in both the Growth Plan and Niagara Official Plan. The subject lands are able to be connected to and serviced by reasonable extensions of existing municipal services and utilities. The subject lands will be supported by parkland, schools and small-scale commercial development that will benefit from an increased user base.

Accordingly, the subject lands are an appropriate location for growth and development

Housing (PTG 2.2.6)

The Growth Plan directs Planning Authorities to develop housing strategies that will ensure that forecasted growth can be accommodated, density targets are achieved, and that a mix of housing options be available.

The proposed development will contain a mix of housing types and sizes which will assist in the provisions of a mix and range of housing opportunities within the municipality.

Designated Greenfield Areas (PTG 2.2.7)

The Growth Plan directs that new development taking place in Designated Greenfield Areas will be planned, designated, zoned and designed in a manner that supports the achievement of complete communities, supports active transportation and encourages the integration and viability of public transit. For Niagara, this is to be supported by requiring developments be proposed with densities of 50 people and jobs per hectare or more.

The proposed subdivision builds upon complete communities principles by proposing development contiguous to built-up areas, in proximity to main roadways, parkland and transit service. The proposed dwelling forms also provide variety and housing choice within the

neighbourhood area, and are proposed at a density of 17.26 units per hectare cumulatively or 40.2¹ people and jobs per hectare., which surpasses the minimum requirement set out for Designated Greenfield Areas in Niagara.

Transportation (PTG 3.2.2)

The Growth Plan directs that transportation and land use planning be integrated to ensure that investment, connectivity choice is provided.

The proposed development will require the extension of existing municipal roadways and the development of new local roadways to support development. These roadways have been sized in accordance with municipal standards and are reflective of the roadway in adjacent neighbourhoods.

To achieve high levels of accessibility, mobility and sustainability the development includes dedicated recreational active transportation routes in the form of trails and paths in addition to streets that will contain sidewalks.

Moving People (PTG 3.2.3)

Section 3.2.3 of the Growth Plan directs that Public Transit is the first priority for public infrastructure planning. While the City does have limited transit service on a regional basis, there is no local transit service available which provides connectivity throughout the community.

Outside of public transit, Policy 3.2.3.4 directs municipalities to ensure that active transportation plans are integrated into planning to ensure safe and comfortable travel and linkages to key destinations. The proposed plan includes new roadways which will include sidewalk connections to adjacent streets. The development will also include paths and trails which facilitate active transportation connectivity throughout the development and to Sunset Park. These proposed elements will provide the connectivity and opportunities for active transportation prescribed by the Growth Plan.

Water and Wastewater Systems (PTG 3.2.6)

The Growth Plan directs municipalities to develop and maintain water and wastewater systems that support urban development. These systems are to be expanded and improved in a manner that is supportive of future, anticipated growth.

¹ The new 2022 Niagara Official Plan does not contain a Persons Per Household (PPH) projection that should be used for calculating Greenfield Density. A value of 2.28 PPH was used from the 2026 projection of Table 4-1 the previous Regional Official Plan (2015) to complete this calculation.

The proposed development will utilize existing water and wastewater connections to support development. As outlined in the provided Functional Servicing report prepared by Upper Canada Consultants, the existing mains provide sufficient capacity to support the planned development. The anticipated looping of water service from Sugarloaf Street to Lancaster Drive will further optimize existing infrastructure and assist the municipality in providing adequate municipal services throughout this portion of the municipality.

Please see the provided Functional Servicing Report prepared by Upper Canada Consultants (dated December 2020) for more detailed information.

Stormwater Management (PTG 3.2.7)

The Growth Plan requires that large scale developments that proceed by way of a Secondary Plan or Plan of Subdivision be supported by a Stormwater Management Plan or equivalent.

In conformity with this requirement, the applicant retained Upper Canada Consultants to prepare a preliminary Stormwater Management Plan for submission with the applications.

The overall method of stormwater management will be through the utilization of catch basins to collect roadway and some yard stormwater. In instances where lots are located along natural features, sheet drainage along grade will be used to continue to existing flow of water into adjacent features.

The proposed stormwater management ponds required to support this development are located close to the Eagle Marsh Drain, which is the proposed outlet for flows. Phase 2 of Westwood Estates already drains through a man-made channel to this drain.

The proposed method of stormwater management is compact, does not encroach into natural heritage features and will provide quantify and quality treatment prior to discharge to the drain and subsequently, Lake Erie. Overall, the stormwater management method is typical for urban development and will have no adverse impacts on the natural environment.

Water Resource Systems (PTG 4.2.1)

The subject lands are located wholly within a highly vulnerable aquifer, as per the NPCA's online Watershed Viewer. Future development on this site will be supported by urban services, meaning that groundwater will not be used for potable purposes and septic tanks will not be located in the feature. There is no anticipated impact on water resource systems through this application.

The completion of a Feature-Base Water Balance by Terra-Dynamics has also been completed to evaluate potential impacts to on-site wetland features. The report has concluded that

subject to mitigative measures that the development will not result in any significant impacts on the features.

Public Open Space (PTG 4.2.5)

Section 4.2.5 of the Growth Plan encourages local municipalities to develop a system of publicly accessible parkland, open space and trails.

The subject lands are located adjacent to Sunset Park, which is a large neighbourhood park in the City's West End. The proposed plan contemplates some small scale parkettes within its limits to provide localized recreational space, as well as a robust trail network that will connect through the development to Sunset Park. Overall, the proposed open space network within the plan will assist the City in providing adequate parkland and trail infrastructure.

Cultural Heritage Resources (PTG 4.2.7)

Policy 4.2.7.1 of the Growth Plan encourages municipalities to prepare Archaeological Master Plans as tools to use in the consideration of development applications.

In the absence of a City archaeological master plan, the Regional municipality is the Planning authority with delegated responsibility for identifying archaeological potential and requesting studies.

As noted previously, the subject lands were investigated through Stage 1, 2 and 3 Archeological assessments. In total, over 1,300 Euro-Canadian artefacts were discovered. These resources were catalogued by the archaeologist for preservation and the necessary reports have been filed with the Ministry of Citizenship and Multiculturalism for review and approval. Subject to the issuance of the Letter of Concurrence from the Province, the cultural heritage resources found on site are considered to be adequately conserved.

NIAGARA REGION OFFICIAL PLAN (2022)

The subject lands are located within the Port Colborne Urban Area (Settlement Area) and the Designated Greenfield Area, as shown on Schedule B of the Regional Official Plan (ROP) provided below as **Figure 3**.

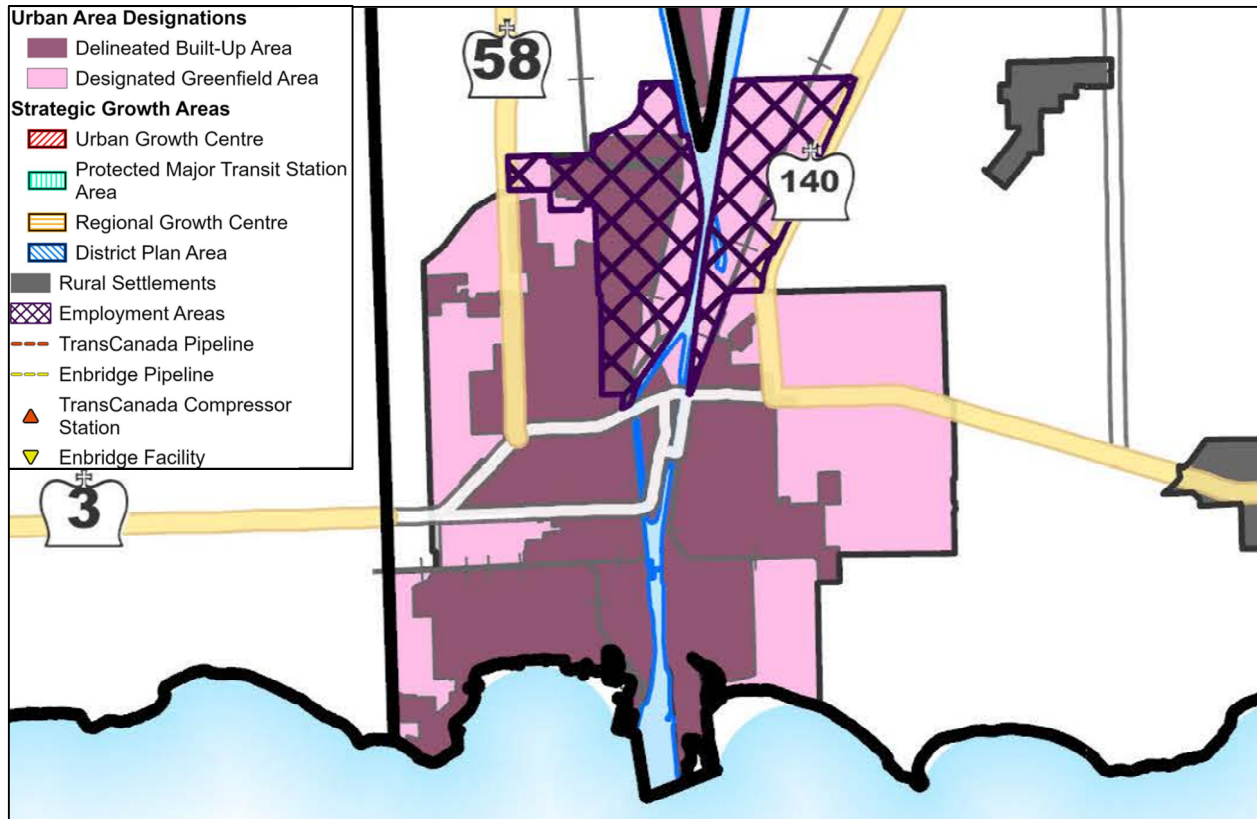


Figure 3 - Schedule B of the Niagara Official Plan.

Growing Region (Chapter 2)

The Regional Official Plan (ROP) contains the Regional level growth policy direction for Niagara Region and the twelve (12) local municipalities inclusive of population and employment forecasts, intensification targets and specific locations and methods for development.

The Regional Plan directs growth and development to settlement areas where full urban services are available, as well as public transit, community and public services and employment opportunities. The Plan directs that 60% of all residential units occurring annually within Niagara are to occur within the Built-up Area to ensure the achievement of local intensification targets.

The subject lands are located within the Port Colborne Urban Area (Settlement Area) and are within the designated Greenfield Area. The City of Port Colborne has a forecasted population of 23,230 people and 7,550 jobs by 2051, per Table 2-1 of the ROP. Designated Greenfield Areas are to be developed at a minimum density of 50 people and jobs per hectare.

Policy 2.2.2.25 of the Regional Plan directs that designated Greenfield Areas will be planned as complete communities by:

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

The proposed development will occur contiguous to the built-up area boundary and south of recently developed portions of the greenfield area forming Westwood Estates Phase 2. The development of the subject lands will be orderly as the road network will be extended through the site and the lands will contain compatible and similar residential land uses.

Section 6.1 of the Regional Plan pertains to District Plans and Secondary Plans. It is noted that the subject lands are located within the Westwood Park Secondary Plan. This plan serves as the base for development plans for the subject lands. Section 6.2 pertains to urban design considerations. Within the Westwood Park Secondary Plan there are specific design policies to ensure the desired development form is achieved. An assessment of conformity with these policies is provided further in this report.

The Functional Servicing report prepared by Upper Canada Consultants concludes that there is adequate infrastructure capacity to support the proposed subdivision. The extension of watermain servicing will also facilitate looping which is beneficial to the overall network.

Although the City of Port Colborne does not have transit service in this area of the municipality, the proposed plan contains several active transportation elements including trails, parkland and road cross sections that can be outfit with sidewalks and/or bicycle lanes.

As demonstrated above, the applications conform with the Greenfield polies of the Regional Official Plan.

Section 2.3 of the Regional Official Plan pertains to Housing. The Plan directs the local municipalities to provide a mix of housing including affordable and attainable housing options. The proposed development will contain a mix of housing types inclusive of single detached dwellings, street townhouse dwellings and a multi-unit block which can be developed with block townhouses or apartment buildings. These housing forms will supplement the existing housing supply in the southwest end of the City which consists of predominantly single detached dwellings.

Sustainable Region (Chapter 3)

Chapter 3 of the Regional Official Plan contains policy direction pertaining to Natural Heritage features. Such features are shown on Schedule C1 – Natural Environment System Overall and Provincial Natural Heritage Systems and Schedule C2 Natural Environment System – Individual Components and Features.

Per Policy 3.1.30.4 of the 2022 Niagara Official Plan, *“Where a secondary plan has been approved after July 1, 2012, those portions that are not subject to a draft approved plan of subdivision or plan of condominium shall be approved in accordance with the approved mapping and policies of the secondary plan”*.

As the Westwood Park Secondary Plan was updated and approved as part of the new Port Colborne Official Plan in 2013 (Ontario Municipal Board Approval), the applications are not subject to policies and mapping of the 2022 Regional Official Plan. Accordingly, no analysis of Regional conformity is required in support of these applications. Conformity with the City’s natural heritage policies is provided further on within this report.

CITY OF PORT COLBORNE OFFICIAL PLAN (2012)

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

Section 2 – The Vision and Land Use Concept

Section 2.1 - Vision Statement

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

The proposed plan of subdivision is the third and final phase of Westwood Estates. The plan proposes 315 residential units on the subject lands, paired with protected natural areas (i.e. wetlands) and open space and recreational opportunities. The Plan will create new connections between neighbourhoods such as Phase 1 and 2 of Westwood Estates, the Sugarloaf and Schofield Avenue areas and Sunset Park. Furthermore, the plan will complete desired transportation connections and will be supported by existing municipal servicing infrastructure.

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

Section 2.2 - Growth Management Strategy

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

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

Section 2.3 - Strategic Directions

Within Section 2.3 of the Official Plan are six (6) Strategic Directions for the municipality. Relevant Strategic directions are bolded below:

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

Enhancing Quality of Life

The submitted applications direct and facilitate growth to occur within the western portion of the Port Colborne Urban Boundary. This development plan will include a mix of housing forms and densities, and will also include recreational elements such as parkland, trails and a street pattern that facilitates walking and enjoyment.

Strengthening and Integrating Natural, Cultural and Heritage Resources

The Subdivision plan has been arranged to protect evaluated natural heritage features on site and on adjacent lands. The provision of a wooded buffer along existing lots on the east side, as well as 15 metre wetland buffers will ensure the long-term health of these features. Additionally, planned trail connections through the northern wetland to parkland and other adjacent neighbourhoods will help to passively integrate development and residents with nature.

The completion of archaeological assessments has ensured the long-term protection of cultural heritage resources.

Enhancing Public Areas

The proposed plan provides new public areas for access and enjoyment in the forms of parks and trails. These elements will provide a unique amenity to the planned and existing neighbourhood area and continue to support the City's desire for enhances public spaces.

Section 2.4 - Strategic Planning Policies

The City's strategic planning policies outline the allocated population, employment and housing forecasts. Overall, the projected forecast for population in the City's Official Plan in 2031 is 24,000 persons. At this same time a forecast of 10,170 dwellings is in place.

Per policy direction, this growth and housing need should be accommodated within the Urban Area, be accessible to medical, shopping and public transportation, parkland and recreational opportunities. These new developments are to incorporate design elements to support an aging population, provide a range of smaller lots and homes suitable to smaller households and

The applications conform to this policy direction by being located within the Urban Area and contiguous to existing neighbourhoods.

Section 2.4.4 of the Official Plan pertains specifically to Greenfield Development. The subject lands are shown on Schedule A1 of the City's Official Plan as being wholly within the Designated Greenfield Area, and therefore the following policy subset applies:

The City will maintain an adequate supply of greenfield lands to accommodate planned future growth and encourage development in Greenfield Areas by:

- a) Promoting compact, mixed use and transit supportive development on greenfield lands;*
- b) Promoting higher densities and a greater mix of housing types on greenfield lands;*
- c) Improving connections between greenfield areas and the built up area;*
- d) Enhancing the physical design of new neighbourhoods in greenfield areas;*
- e) Supporting the Regional greenfield density target of 50 people and jobs per gross hectare; and*
- f) Phasing greenfield development over time to ensure a balance of intensification and greenfield development in Port Colborne.*

The proposed subdivision is compact in nature and emulates a walkable character that is similar to adjacent neighbourhoods to the north and east, which are walkable. The plan also includes a variety of housing forms including single-detached, townhouse and apartment dwellings forms which provides variety in housing choice and increased density when compared to existing development.

Surrounding, existing development is located within the Built-up Area, whereas Phase 2 and 3 of Westwood Estates are both located within the Greenfield Area. The development of the Phase 3 lands will establish new linkages and connections through the site between built-up and greenfield areas.

The design configuration of the Plan of Subdivision is inclusive of many desirable elements that are found in traditional neighbourhoods. The inclusion of several parkettes, trails and vistas of natural heritage backdrops is considered to be an enhanced and desirable method Greenfield development in general.

Although the development yield is less than the 50 people and jobs per hectare target for Niagara, the proposed density is context sensitive and dense enough to contribute meaningful housing and growth opportunities within this low-density community. Given the suburban nature of the subject lands, it is considered preferable for the City and/or Region to make up the additional density in a more compact area that is contiguous to other land uses than low-density detached housing.

The Development is intended to be constructed in phases. An exact phasing strategy has not yet been determined, but will be informed and formalized through the detailed engineering and design process, as some portions of the lands and required services must be constructed first.

Overall, the plan and implementing amendments are considered to conform with the Strategic Direction policies of the City of Port Colborne Official Plan.

Section 3 – City-Wide Land Use Policies

Section 3.1. - General Land Use Policies

Schedule A1 of the City of Port Colborne Official Plan delineates the urban components of the municipal planning structure. Within the Urban Area Boundary, lands are categorized as either Built Boundary or Greenfield Area. Land within both categories are to be developed with full municipal services and municipal roadway accesses.

As shown on **Figure 4**, being Schedule A1 of the City's Official Plan, the subject lands are designated Greenfield Area, and thus subject to Section 3.1.1.2 of the Official Plan.



Figure 4 - Schedule A1 of the City of Port Colborne Official Plan

Section 3.1.1.2 – Greenfield Area

Policy 3.1.1.2 requires that the City shall do the following on Greenfield Lands:

- a) *Promote compact, mixed use and transit supportive development.*
- b) *Promote higher densities and a greater mix of housing types.*
- c) *Improve connections between greenfield areas and the built-up area.*
- d) *Enhance the physical design of new neighbourhoods.*
- e) *Support the Regional greenfield density target of 50 people and jobs per gross hectare by:*
 - i. *Adopting minimum and maximum densities for residential development;*
 - ii. *Designating portions of the Greenfield area for low, medium and high density development;*
 - iii. *Providing separate housing mix targets; and*
 - iv. *Encouraging and allowing for mixed use development in greenfield areas.*
- f) *Support phasing greenfield development over time to ensure a balance of intensification and development.*

In conformity with this policy set, the City has implemented the Westwood Park Secondary Plan to direct and manage Greenfield development. This Secondary Plan pertains to the entirety of the subject lands and Phase 2 of Westwood Estates and contains a provisional development concept. The location of the Secondary Plan is shown in White on Schedule A of the Official Plan in **Figure 5** below. The detailed land use planning policies and designations applicable to these lands are found in Section 5.3 and on Schedule G of the Official Plan.

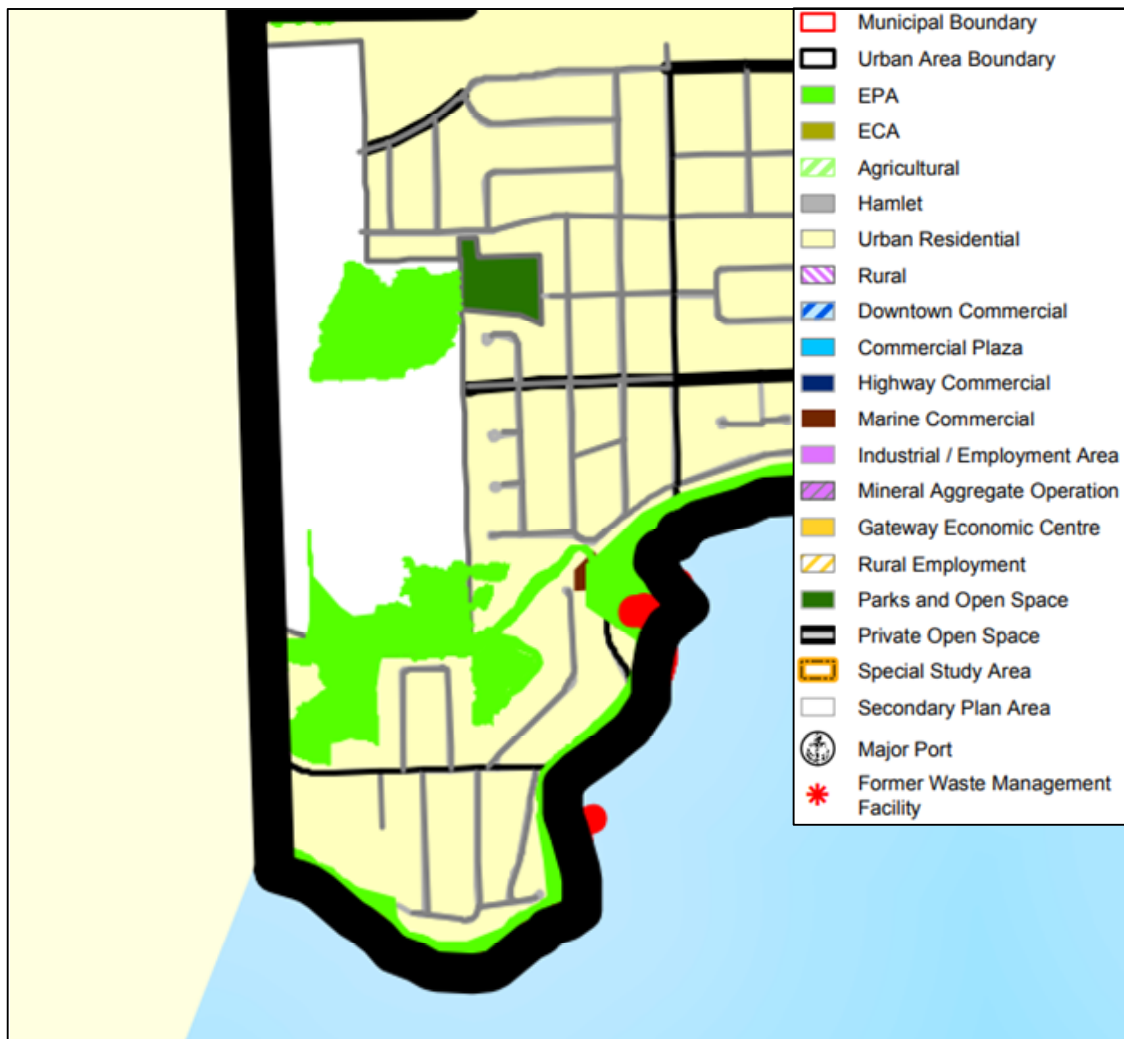


Figure 5 - Schedule A of the Port Colborne Official Plan (Cropped)

Section 4 – Natural Heritage

Schedule B of the City of Port Colborne Official Plan delineates the location of Environmental Protection Area (EPA), Environmental Conservation Area (ECA), streams and fish habitat within the municipality.

The specific types of natural heritage features are categorized in detail on Schedule B1 and B2 of the Official Plan and are similarly delineated in the WPSP, subject to site specific policies.

A detailed assessment of conformity with the City's Natural Heritage policies vis-à-vis the WPSP are provided further on in this report.

Section 5 – Secondary Plans

Section 5 of the Official Plan contains the detailed Secondary Plan policies which pertain to secondary planning areas within the City of Port Colborne. The applicable Westwood Park Secondary Plan policies are found in Section 5.3 of the Plan.

An overview of conformity with the Secondary Plan policies is provided in the following Section. The proposed amendments to the Secondary Plan will also be outlined.

It is noted that as there are specific policy sections within the Secondary Plan for this area that supersede the policies found in the Official Plan, no policy analysis is required or provided for Sections 6, 7, 8, 9 and 10 of the City of Port Colborne Official Plan.

Section 5.3 - Westwood Park Secondary Plan

The Westwood Park Secondary Plan ("WPSP") includes a detailed policy framework to guide the development of one of the largest greenfield areas in the municipality.

As shown in **Figure 6** below, the Secondary Plan prescribes a mix of low, medium and medium/high density residential areas, as well as lands for parkland, stormwater management and natural heritage protection. Special policy areas for the inclusion of mixed-use development are also shown within the dotted lines.

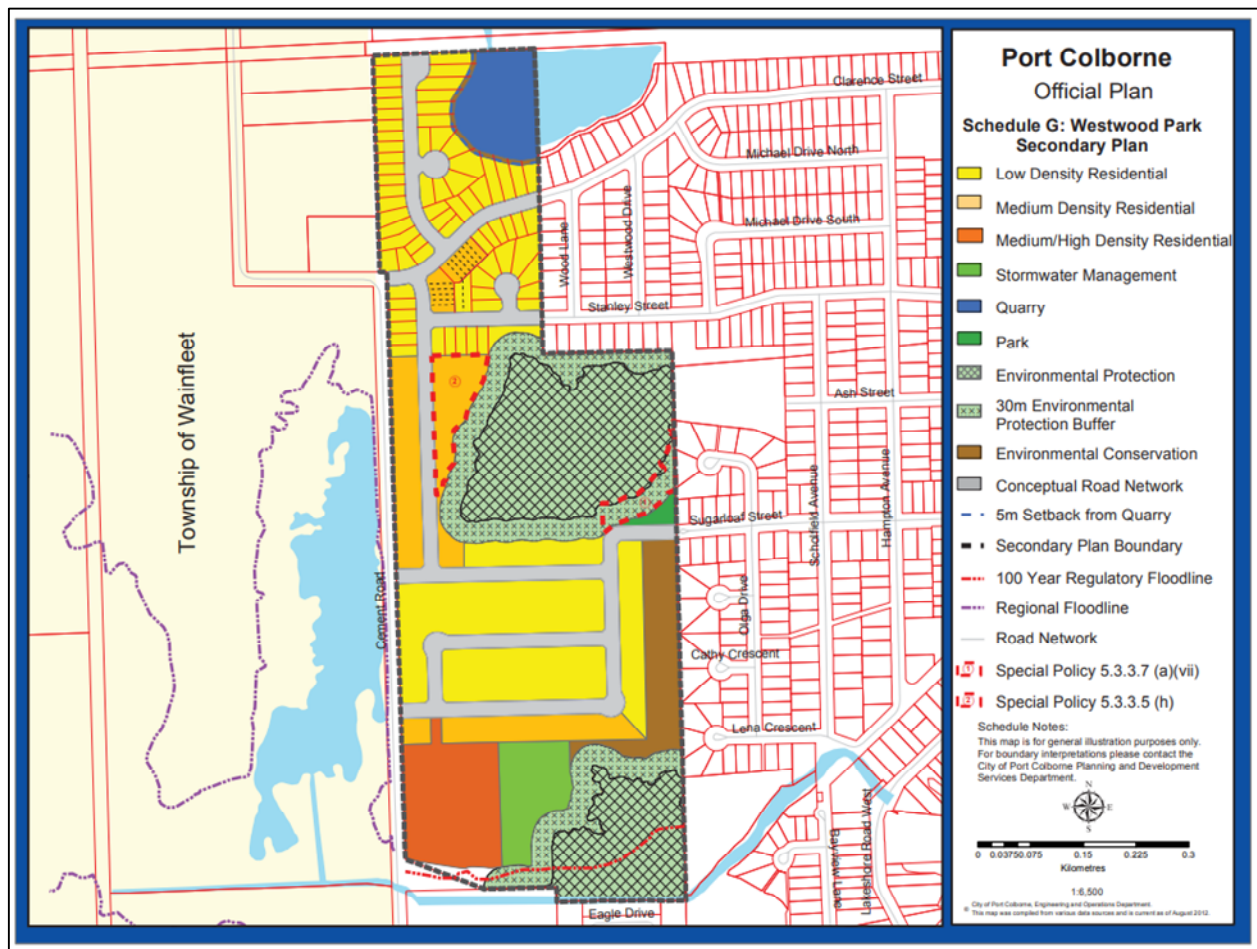


Figure 6 - Schedule G of the Port Colborne Official Plan - Westwood Park Secondary Plan

Although Secondary Plans typically provide sufficient detail and direction to implement a desired form and mix of land uses, on-site conditions or circumstances can emerge through detailed review and design processes which can necessitate deviations or changes to the Plan. Through the preparation of the development plan and completion of the required studies there were changes to the WSP that have been deemed as necessary to facilitate good and feasible development.

An overview of the proposed amendments to the WSP is provided below to demonstrate how Schedule G of the Official will be amended. An overview of conformity with applicable Secondary Plan policies, reflective of the proposed changes, is provided in the section following that.

Amendments to Schedule G of the Official Plan - "Westwood Park Secondary Plan"

To facilitate the development of the subject lands, amendments to the Westwood Park Secondary Plan are necessary. These changes have been informed by the development of

previous phases of Westwood Estates within the Secondary Plan Area, the confirmation of and determination of boundaries for natural heritage features and hazards, and the completion of engineering, transportation and archaeological reviews.

Overall, the following amendments to Schedule G are proposed:

- Relocation of the Stormwater Management Facility Block(s);
- Refinement of the Roadway Pattern;
- Relocation of Medium-High Density Block adjacent to Cement Plant Road;
- Refinement of the ECA Lands;
- Refinement of Natural Heritage Feature Boundaries and Buffers;
- Identification of new Parkland and Trails; *and*
- Removal of Special Policy Area for Neighbourhood Commercial

Stormwater Management Block

The location of the required Stormwater Management Facilities has been determined based on topographic survey of the subject lands to confirm the existing drainage directions on site.

Currently, an existing man-made channel conveys stormwater drainage from Phase 2 of Westwood Estates to the Eagle Marsh Drain, which eventually empties into Lake Erie. This channel will continue to be used to convey and collect stormwater drainage from the proposed plan of subdivision and will be improved for functionality and aesthetics.

The location of the Stormwater Management Ponds is somewhat consistent with the Secondary Plan, being located in the southern end of the development. Based on preliminary design and flow calculations, two ponds will be needed to support the development. The stormwater management wet pond facilities must be provided at the southwest end of the subject lands so that flows can be treated and controlled before being outlet to the Eagle Marsh Drain.

Roadway Pattern

The proposed subdivision conforms with Schedule G by providing a primary north/south and east/west connection through the site.

The decision to not bring Sugarloaf Street straight through the property has been done to limit the infiltration of traffic through the neighbourhood. The meandering of the street network will make the through route less convenient and ensure that the local roadways can operate safely.

Medium-High Density Block

Medium - High Density uses include private road developments and apartments. Based on the surrounding land uses, it is considered more appropriate to locate the higher density block along Cement Plant Road. This location will limit potential overlook and shadowing impacts on existing or proposed lots as well as limit traffic infiltration into the neighbourhood. The spacing between the existing drainage channel and Cement Plant road provides sufficient width to develop a residential townhouse condominium or apartment building.

Refinement of Natural Features

Through the completion of an EIS ,the feature types, boundaries and buffering have been refined. The application of appropriate land use designations will protect these features for the long term and provides certainty about where development can or should be proposed. The recommendation for a 15 metre buffer for the on-site wetlands is based on scientific study and it is therefore considered appropriate to amend the policy in the secondary plan (5.3.3.7a)) that requires a minimum 30 metre buffer.

Refinement of the ECA Block

The WPSP shows an ECA designation on the east side of the property which appears to have generally coincided with a wooded area. Through the completion of the EIS, this area was determined to not be a significant woodland and thus the application of an EC designation was not considered necessary. This position was further justified through the discovery of several physical encroachments into the ECA lands and the identification of dead trees and invasive species.

Through discussion with the City and the developer, it has been agreed that the ECA Area will be restored through the development process. These restoration efforts will include removal of encroachments, the planting of native species and a clause in the subdivision agreement to prevent removal of planted feature without review and permission from the City.

Identification of Parks and Trails

The WPSP shows the inclusion of a small park block at the Sugarloaf access to the subject lands. This small parkland area is small and located relatively far from the majority of the existing and proposed development in the WPSP area.

In conformity with the overarching Greenfield policies and Strategic Policies of the City, the developer has included additional park areas throughout the Subdivision, including a new

recreational trail along the stormwater channel, and trail connections through the northern wetland area to Sunset Park. These amendments will benefit residents of the development and adjacent lands and provide ample opportunities for recreation and community enjoyment.

Removal of Special Policy Area for Neighbourhood Commercial

The inclusion of neighbourhood commercial land uses within the development is not proposed by the applicant.

The preferred method of integration of such uses is contemplated through the WSPS to be in the form of mixed-use development. Given the limited width of the developable area in the northern portion of the site between Cement Plant Road and the wetland, it is preferred to continue with low density development in this area to maximize development potential.

Opportunities for neighbourhood commercial in other parts of the Secondary Plan area may be contemplated as neighbourhood develops, but at this time there does not appear to be a need for additional commercial development in subdivision at this time.

Westwood Park Secondary Plan Area Policies

An overview of conformity with the WSPS policies based on the submitted Official Plan Amendment, and Zoning By-law Amendments and Draft Plan of Subdivision is provided below.

Section 5.3.1 – Goals

The goal of the Secondary Plan is to establish a framework of policies for the long term planning and development of the area. The provision of land for a variety of uses including low, medium and medium-high density residential uses, environmental protection and conservation, park and opportunity for providing Neighbourhood Commercial are to be defined so that the needs of its future residents can be met. In order to achieve compatibility, the plan will direct higher density uses internal to the plan area or adjacent to environmental land uses while directing lower density to the adjacent existing low density residential areas. The policies developed for the Westwood Park Secondary Plan were created with consideration to:

- a) Encouraging the inclusion of compact built form;*
- b) Providing opportunities for passive, recreational activity;*
- c) The provision of housing choices in a variety of settings;*
- d) The protection of natural heritage features;*
- e) The efficient use of the land and resources; and*
- f) Opportunities for public input and involvement.*

The proposed Draft Plan of Subdivision is compact in nature, and includes a variety of dwelling forms on differing lots sizes. The proposed street block network is limited in length and contains ample opportunities for walking and access to recreational routes.

There are a variety of differing lot sizes for the proposed single detached dwellings, ranging in frontage between ~12.0 metres to 25.49 metres.

On-site and adjacent natural heritage features have been evaluated through professional study as a part of the preparation of the applications. The results of the study have informed and confirmed the location and type of natural heritage features including Provincially Significant Wetlands, wooded areas, fish habitat and floodplains. These features are proposed to be designated and zoned in accordance with the completed studies and will be protected for the long term through buffering, site design and in some cases, land dedication to the municipality.

The Draft Plan uses urban land efficiently and balances the need for housing with opportunities for recreation and outdoor amenity. Necessary infrastructure, including the stormwater channel and treatment ponds are located adjacent to required outlets and serve both a functional and aesthetic purpose within the development.

Given the scope of the applications, there will be robust public consultation including an Open House, Public Meeting and a request for public comments. Additional engagement may be necessary.

Overall, the goals of the WPSP are considered to be satisfied by the applications.

Section 5.3.2 – Objectives

The WPSP contains several objectives, which are to be achieved through the development. An overview of these objectives and how the applications will execute or contribute to their realization is provided below.

- a) To manage and direct physical change and the effects on the social, economic, and natural environment of this area of the City of Port Colborne.

The coordinated application submission seeks to comprehensively demonstrate how the lands could be developed in a manner which has positive social and economic benefits to the City and also limits negative impacts on the natural environment.

The Amended WPSP will facilitate development that is feasible, can be phased and can be brought to market in a timely fashion to ensure that sufficient housing is provided within the community. The proposed plan is considered desirable and should be able to be

developed in a timely manner that ultimately increases the tax base and provides development charge review to the City.

The on-site and adjacent natural heritage features have been integrated as core elements of the subdivision. The treed areas and wetlands will serve as a backdrop for development and will be integrated through the provision of trails. Required buffering will be planted and enhanced to ensure the long-term protection of the natural environment.

- b) To accommodate the logical extension of future development within the City of Port Colborne into the Westwood Park Secondary Plan Area and to ensure that the development is undertaken in an orderly, aesthetic and efficient manner.

The subject lands are contiguous to mature residential neighbourhoods to the east, and the more recent phases of Westwood Estates to the north.

The proposed plan generally conforms with the WPSP by providing an extension of both Sugarloaf Street and Lancaster Drive through the plan. Active transportation connections including a creekside trail and wetland walking path will also be provided to connect the planned neighbourhood to existing neighbourhoods and Sunset Park.

- c) To ensure that all new development is sensitive to, and compatible with, surrounding existing and proposed uses.

The proposed development forms are compatible with existing low density, single detached development on adjacent lands and adjacent natural heritage areas.

Specifically, low density residential land uses will interface with adjacent development to maintain the existing character of the area. Blocks for medium and high density development are located central and on the periphery of the development.

New lots will also provide sufficient separation from natural heritage features on adjacent lands.

- d) To encourage the provision of housing types which provide a variety of affordable housing types and tenures to accommodate a range of household sizes and incomes.

A mix of housing forms including single detached, street townhouse, block townhouse and apartment dwellings are proposed within the Subdivision. Block 178, which may be developed as a condominium townhouse or condominium apartment project, will provide tenure options within the development.

- e) To serve the needs of the future residents of the Westwood Park Secondary Plan by permitting the location of neighbourhood commercial, community and institutional facilities in the Plan.

The inclusion of commercial and institutional facilities within the WPSP Area is not considered necessary at this time. The overall neighbourhood area is currently served by schools within the broader neighbourhood and community, small scale commercial businesses on Sugarloaf Street and the downtown area.

- f) To identify and protect significant natural heritage features and to encourage their conservation and preservation as natural amenities within the built environment, while minimizing the potential for impacts as a result of new development.

The subject lands have been evaluated by qualified professionals to determine if proposed development will have any negative impacts on features or amenities. The conclusions of the Environmental Impact Study and Feature-Base Water Balance conclude that the applications will have no negative impact on feature and will adequately protect them for the long term.

- g) To direct development away from lands which are considered unsuitable for development due to their ecological function or their inherent physical characteristics.

On-site and adjacent natural heritage features and natural hazards have been evaluated through the development of the Plan of Subdivision. Based on the recommendations found within the EIS, development is setback a minimum of 15 metres from wetland features to ensure the ecological functions of the feature are upheld for the long term. With regard to hazards, proposed lots are located outside of the regulated floodplain area associated with the Eagle Marsh Drain to protect human life and property.

- h) To provide for the development of a comprehensive transportation network, including pedestrian and potential bicycle networks where appropriate, to serve the residents of the area and provide convenient access for the wider community while minimizing the impact on the existing transportation network.

The proposed transportation network within the development will be multi-modal and active transportation supportive.

The proposed road network is effective and provides logical and required extensions of Sugarloaf Street and Lancaster Drive. The TIS completed by R.V. Anderson Associates has concluded that the proposed development will have no impact on the existing transportation network and will not necessitate the need for any geometric improvements to intersections. The report has also supported the inclusion of a roundabout as the western access point of the development to Cement Plant Road.

The development plan is inclusive of dedicated trails and paths that facilitate pedestrian and/or cyclist movements within the development and to/from adjacent neighbourhoods and parks. The proposed right-of-way widths are conducive to the provision of sidewalks and on-street cycling, as well.

- i) To ensure that all development is serviced by safe and adequate municipal water supply, sewage disposal, storm drainage systems and utilities.

As outlined in the Functional Servicing Report and Stormwater Management Reports prepared by Upper Canada Consultants, the subject lands can be adequately serviced by extensions to existing municipal infrastructure. New Stormwater management ponds will be required to support development and were contemplated through the secondary plan.

- j) To encourage the provision of infrastructure and public service facilities in a coordinated, efficient and cost effective manner to accommodate current and projected needs.

All new infrastructure to support the development will be at the cost of the developer. The need for additional public service facilities was not identified through pre-consultation nor is expected to be triggered by this development.

- k) To encourage the incorporation of energy conservation measures into development proposals.

The consideration of energy conservation measures will be implemented through detailed building design and utility design (i.e. lighting types) and landscaping design.

- l) To ensure compatibility of all new development, through the establishment of urban design guidelines, the implementation of site plan control where appropriate, and to encourage a high standard of site, building, landscape, and streetscape design.

From an overall design perspective, the development plan emulates complete community principles and desirable design elements that are expected within modern subdivisions. The balance of natural heritage features and urban form will contribute to scenic backdrops for development and create a sense of place within the neighbourhood that is similar to other adjacent and more mature neighbourhoods. The proposed roadway network is also similar in form to that found in adjacent areas and will facilitate multi-modal transportation opportunities. The provisions of a dedicated trail and path system will further establish the neighbourhood as a pedestrian friendly environment.

The proposed zoning categories have been applied without site specific provisions to ensure that City approved development standards are implemented. These zones are appropriately distributed to provide compatible and gentle transitions in built form throughout the site.

Detailed landscape plans for park and trails and streetscapes will be undertaken through the detailed engineering phase. Similarly, on-site landscaping and architectural plans will be reviewed for multiple residential development through the Site Plan review process.

- m) To provide for development in a manner and rate which supports the long term economic prosperity of the City of Port Colborne.

The proposed development will result in revenue from development charges and property taxes for the long term in the municipality. The creation of new housing opportunities will also facilitate increases in population that may support the local economy.

Section 5.3.3 – Land Use

The Residential Land Use policies of the WPSP direct the type of built form and density to occur within the Secondary Plan Area.

The key requirements for development are summarized below:

- Achieve a minimum density of 50 people and jobs per hectare;
- A minimum of 510 dwelling units within the entirety of the Plan Area;

- A housing mix of 60% low and medium density residential units and 40% medium-high density residential units;
- the inclusion of design elements that add visual effects to the development including the design of roads and use of natural heritage areas; *and*
- the application of appropriate zoning standards for the development.

Overall, the development proposes a split of housing types of 76 % Low-Medium and 24% Medium High. Despite the exceedance in Low-Medium Development forms, the proposed plan still achieves a mix of housing types that offers choice and variety in this area of the municipality. A higher percentage of low-medium development forms also integrate well with the existing development interface along the north, south and eastern edges of the subdivision.

The design of the development incused several terminating vistas and accesses to natural heritage areas and views. The development is considered to effectively leverage its location amongst the natural environment and improves accessibility and mobility to, through and near natural areas.

Lastly, the proposed zoning for the subject lands is considered to be efficient for implementation and context sensitive and in keeping with the overall direction of the secondary plan. The propsoed provisions reflect the recently updated Port Colborne Comprehensive Zoning By-law (2018), which was brought into effect after the secondary plan. Accordingly, the implementation of new, more modern zoning provisions is considered to be beneficial in developing the lands in an efficient, sustainable and aesthetically pleasing manner.

Low Density Residential

The Low Density residential designation permits the development of single detached, semi-detached and duplex dwellings. Lands within this designation are to be developed at a density of 12-20 units per hectare, and must have an overall minimum density of 16 units per net hectare.

The low density residential portion of the amended WPSP Schedule represents 9.22 hectares of land for single detached dwellings and is planned to contain 167 units. The resultant density conforms with the Secondary Plan requirements being 18.1 units per hectare.

The Low Density policies prohibit individual driveway connections to Cement Plan Road. This requirement is met, as the Draft Plan will not provide individual driveway accesses to any low density residential lots from Cement Plant Road.

In terms of low density dwelling compatibility, the WPSP also directs that lots along the agricultural and existing residential areas are to have larger lots. The subject lands do not interface with any existing agricultural operations and therefore this policy is not applicable.

Medium Density Residential

The Medium Density residential designation permits triplexes, quadraplexes, and block and street townhouse dwellings. Medium density lands are to have a density range between 20 and 50 units per hectare with an overall minimum density of 28 units per hectare. Dwellings are not to exceed 2.5 storeys (12.5 metres in height)

Blocks 168 to 177 account for 1.16 hectare of Plan area and will contain 52 total street townhouse dwellings. These Blocks will be designated as Medium Density Residential on the WPSP Schedule. The development blocks cumulatively have a development density of 44.82 units per hectare, which conforms with the requirements of WPSP.

The proposed R3 Zoning limits building heights to 11.0 metres, which can facilitate a 2.5 storey structure, per the WPSP.

Medium-High Density Residential

Medium-High Density lands are to accommodate low to mid-rise apartments within a density range of 50-150 units per hectare. A minimum density of 90 units per hectare is required. Building heights are not to exceed 6 storeys in height and must be located adjacent to a boundary road.

Block 178 measures 0.97 hectares in land area, is located along Cement Plant Road (boundary road) and is preliminarily intended to contain a mid-rise residential apartment building. Preliminary designs indicate that two apartments could be developed with an estimated unit yield of 96. This development form and scale will conform with the requirements of the secondary plan, yielding a density of 98.3 units per hectare and would be less than the maximum 6 storeys of permitted building height.

Neighbourhood Commercial

It is noted that there is no formal neighbourhood commercial designation within the WPSP. Instead, Policy 5.3.3.5 permits neighbourhood commercial uses in a residential designation.

Special Policy Area 2, as shown on the WPSP is shown as a potential location for the neighbourhood commercial uses within the secondary plan area. Based on the completed EIS and the need to retain the existing Stormwater Channel, the land location identified for these neighbourhood commercial uses is fragmented.

The need for neighbourhood commercial uses within the proposed plan is limited and not considered integral to the success of the development or character of the community. While small scale commercial uses provide convenience to area residents, there are already established neighbourhood commercial uses to the east along Sugarloaf Street. Given recent changes in the ratio of work from home, the need for small scale offices in suburban settings is considered minimal.

The most appropriate opportunity for the inclusion of a neighbourhood commercial element is considered to be within the proposed apartment block as an at grade use. This location would be better suited as there would be direct access for delivery vehicles, private automobiles and that the site is along active transportation routes. It is recommended that if the provision of commercial uses becomes viable or desirable in the future, that a zoning by-law amendment be undertaken at a future date to permit those uses as part of a mixed use development.

Accordingly, this designation is proposed to be removed through the amendment.

Parks

Section 5.3.3.6 of the WSPS provides significant detail on the location and method of Park provision within the Secondary Plan Area. Specifically, it is noted that the park locations were informed through the completion of the City of Port Colborne's Culture and Recreation Master Plan. It is understood that this plan has been superseded by the City's new Parks and Recreation Mater Plan (2020).

With respect to the subject lands, the one policy direction that is most relevant is the City's desire for accessibility to Sunset Park. This was originally envisioned within the WSPS to be via a small parkette at the Sugarloaf Street access to the site. The amended plan builds upon this direction by providing a dedicated trail access through the wetland to Sunset Park.

Other general policies pertaining to parks within the WSPS area are below:

- a) *Parks shall be made available to the City through applications for plan of subdivision utilizing the requirement of parkland dedication per the provisions of the Planning Act.*
- b) *The lands identified in Schedule G as Park are shown adjacent to the environmental buffer which is identified as Special Policy Area 1. Policy 5.3.3.7 (a)(vi) provides details on Special Policy Area 1.*
- c) *Convenient access for pedestrians shall be provided, and integration with pedestrian and bicycle path systems will be encouraged.*
- d) *Safe pedestrian linkages should be made to the existing municipal park adjacent to the existing Secondary Plan Area.*

- e) *Parks should be sited in association with the other Environmental Protection and/or Environmental Conservation uses within the Secondary Plan Area to compliment the established buffering.*
- f) *Regard for the City of Port Colborne's Culture and Recreational Master Plan should continue during review of applications for Draft Plan of Subdivision.*

The amended Plan conforms with the above noted policies by providing for significant parkland dedication opportunities within the Draft Plan Area. Multiple parkettes are proposed throughout the development area which will be accessible from new paths and routes. New pedestrian and active transportation linkages by way of a recreational creekside trails and wetland path networks are also proposed.

Parkland has been situated in many cases next to identified natural heritage features to capitalize on environmental backdrops and opportunities to create more natural settings.

Environmental

The Environmental Policies of the WPSP are indicated to have been prepared with regard for the Niagara Region's natural heritage policies and mapping, which was last reviewed by the City in 2012 at the time of the Official Plan update. The Plan specifically indicates that there is nothing to limit or prohibit a private developer from completing their own independent natural heritage study to confirm and assess natural heritage features shown on the WPSP Schedule.

In conformity with the requirements of the WPSP Environmental Policies, an Environmental Impact Study was completed for the subject lands to identify the types of features that exist on-site, their location and boundaries and if they would be impacted by development. Through study, the EIS has confirmed the presence of two provincially significant wetlands, significant wildlife habitat and fish habitat on/adjacent to the subject lands.

Policy 5.3.3.7a) (vi) states that development is prohibited within the 30 metre EPA buffer shown on the WPSP Schedule. Based on the policy direction of Section 5.3.3.7 which permits the study of mapped features and refinement of them, it is considered reasonable to allow for a reconsideration of the necessity of the 30 metre buffer areas. The consultants have evaluated the wetland features and have concludes that a 30 metre buffer is not required to maintain the ecological functions of the features, as inferred in Policy 5.3.3.7 a) i) of the WPSP. As the EIS concludes that a 15 metre buffer and mitigation measures will ensure the long term protection of the feature, a reduction in setback through an Amendment to the Official Plan is considered acceptable.

significant wildlife habitat and fish habitat features fall under the Environmental Conservation designation of the WPSP. Significant wildlife habitat (reptiles and amphibians) was identified as

occurring with the southern wetland, and will be protected for the long term through the application of an Environmental Protection Area Designation, which is more rigid and restrictive.

Similarly, Type 2 (Important) Fish Habitat was confirmed to exist within the Eagle Marsh Drain, which is outside of the subject lands. The EPA designation associated with the southern wetland will similarly ensure the long term protection of the fish habitat by limiting development on adjacent lands. Although Policy 5.3.3.7 d) of the WPSP requires stormwater management facilities to be located greater than 30 metres from the eagle marsh drain, the preliminary engineering review dictates that this location must be utilized to support development due to existing grade of the land, the existing channel and proximity to a suitable outlet. The proposed ponds are not expected to have any negative impact on the drain and will ensure that stormwater released is treated to an appropriate standard through their functions of settling sediment and providing quality control prior to discharge.

Subject to the implementation mitigation measures in the EIS, the applications and development design are considered to conform with the overall intent and purpose of the Environmental policies of the WPSP.

Section 5.3.4 – Aggregate Resource Protection

The proposed development will be on lands contiguous to existing residential development. Adjacent lands to the west are located between the proposed subdivision and Reeb Quarry expansion lands and contain provincially significant wetlands and likely will not be disturbed through future quarrying activities.

Section 5.3.5 – Cultural Heritage

The cultural heritage policies of the WPSP are specifically focused on archaeological resources. As noted within this report, the subject lands have been assessed by a consulting Archaeologist and some artifacts were found of Euro-Canadian origin

Through review, these items have been collected and catalogued, and the necessary reports have been prepared which conclude that no further investigation is required. The reports have been provided to the Ministry of Citizenship and Multiculturalism for review and approval.

Section 5.3.6 – Urban Design

The WPSP contains detailed policy direction on Urban Design matters to ensure that development within its limits contributes to a high quality of life and is aesthetically appealing.

At this stage in the approval process, detailed street design and housing plans have not yet been developed.

Streetscapes / Public Realm

At this stage in the approval process, detailed street cross section designs and building and parkland plans have not yet been developed. Notwithstanding this, the subdivision layout and design provide for opportunities to include desirable streetscape elements and the establishment of built form that is unique, but also compatible with adjacent development.

Specifically, there are several terminating vistas within the development plan area that provide for either built form or natural lands as a backdrop to roadways. Short blocks in the internal street network are also conducive to short waling trips, with several connections provided to trails. Most of these connection points are paired with park areas to provide a sense of differentiation in built form between private and public space.

The roadways have been sized to municipal standards of a 20-metre cross section. This road sizing is typical in the area and provides the most amount of flexibility for the inclusion of sidewalks, cycling facilities, boulevard landscaping and urban trees.

Built Environment / Private Realm

The proposed plan design provides a scattering of housing forms and natural breaks and backdrops which will enhance the feel and design of the private realm.

The policy direction provided for considering building orientation, materials and colours should be considered through future applications for site plan approval and or building permit applications.

Natural Environment

Natural environment features on and adjacent to the subject lands include provincially significant wetlands, the eagle marsh drain (fish habitat) and the required Environmental Conservation Area corridor on the eastern edge of the subject lands.

Consistent with natural heritage policies set out in the WSP, natural heritage features will be protected through prescribed buffering and enhancement. The majority of the natural features serve as a backdrop for development with limited opportunities for trespass. In areas where accessibility to and mobility through features is desirable, such as the northern wetland, trail connections are proposed to other adjacent neighbourhood areas and parkland. These dedicated routes will enhance the value of the features and leverage them as key elements of the WSP.

The future ownership of these features is proposed to be municipal, by way of transfers at the time of registration.

Stormwater Management

The stormwater management elements of the plan are inclusive of two proposed ponds at the southern end of the development and the existing stormwater channel that supports Phase 2 of Westwood Estates. These features will be accessible by way of paths and trails and will function as both infrastructure and landscape, which is desirable from an urban design perspective. Such efforts are considered to be in conformity with the policy direction of the WPSP.

Neighbourhood Edge

As outlined in the Neighbourhood Edge policies, the aesthetic design of the municipality's western edge is important and should be of high quality. A portion of this interface has been previously developed through Phase 2 of the Westwood Estates development and included a development form that presented rear yards to Cement Plant Road. This condition is proposed to continue southward to allow for required buffering from natural heritage features, development yield and the extension of Lancaster Drive. A break in development is proposed on Block 180 and 195, which will be new municipal parkland. This may serve as an appropriate entrance point for cyclists or pedestrians traversing Cement Plant Road or a location for landmarking or public art.

The provision of a roundabout as the primary access or gateway to the development is proposed and offers unique opportunities for landscaping and signage/wayfinding, as well.

The proposed multiple residential block located south of the roundabout will be better able to provide landscaping and built form that interacts with the neighbourhood edge and Cement Plant Road.

Section 5.3.7 – Transportation

The WPSP Plan is predicated upon planned points of access to the subject lands from Sugarloaf Street, Lancaster Avenue and Cement Plan Road. In addition to these necessary roadways, the WPSP places an emphasis on the need for active transportation facilities and overall connectivity within and to the Secondary Plan Area.

As required by the WPSP, a Traffic Impact Study was completed. The findings of that report in relation to the policies of Section 5.3.7 are integrated below.

Road System

Cement Plant Road is identified overtly in the WPSP as a Boundary Road. This road is intended to accommodate moderate to heavy traffic volumes, including truck traffic. The WPSP does provide recommendations on road design and the integration of active transportation facilities.

As outlined in the TIS, the proposed plan does not create a need for upgrades to the existing transportation network, including Cement Plant Road. The Plan itself does provide a recommended roundabout at the western entrance to the subdivision which will act to slow traffic, provide ease of access into the development and serve as a landmark.

Given that Cement Plant Road is a two-lane road with a rural cross section (i.e. no curbs), it is not considered a preferential location for walking or cycling facilities. Instead, the proposed plan provides a clear trail network that can be accessed from Cement Plant Road through the development to the adjacent lands to the north and east. This route is considered to be more safe, interesting and enjoyable than an on-road condition and is fit for users of all ages.

With regard to collector roads, the two primary roadways within the development will be the extension of Lancaster Drive and Sugarloaf Street. In conformity with the WPSP, these proposed rights-of-way are a minimum of 20 metres in width and can be designed to include sidewalks, on-street parking or other streetscape elements.

Local roads include Street A, B and C and are similarly designed with 20 metre cross sections. The plan employs the use of T-intersections and 90-degree bends in the road network to calm traffic, provide interesting walking routes and different orientations in development.

Pedestrian and Bicycle Path System

Active Transportation elements are abundant within the proposed development plan and implement the policy direction found within the WPSP.

The WPSP specifically directs the following be provided from an active transportation perspective:

- *Provide sidewalks and trail systems;*
- *Active transportation systems on the side of boundary roads;*
- *Integration of the regional Bikeways Master Plan on Cement Plan Road;*
- *Frequent pedestrian crossings; and*
- *Barrier free design.*

As shown in **Appendix V**, which is a colourized demonstration plan of the development, these elements are found through the development.

Section 5.3.8 – Servicing

Water, Sanitary and Stormwater

Consistent with the overall servicing policies found within Section 8 of the Port Colborne Official plan, the WPSP requires that all development shall be provided with full municipal services (i.e. water, sewer and storm sewer). As the lands are undeveloped and categorized as Greenfield and within a Secondary Plan Area, the need for extension of services is implied and supported.

A Functional Servicing Report and Stormwater Management Plan prepared by Upper Canada Consultants have been submitted with the applications and provide a preliminary, yet detailed, overview of how the lands will be serviced and how they will be drained. As noted previously in this report, the development will be serviced by full urban services and will rely upon stormwater management ponds. Capacity has also been confirmed for water and sanitary services. All infrastructure will be designed in accordance with applicable standards and reviewed by the municipality through future engineering submissions.

Utilities

The provision of utilities will be coordinated and designed through the detailed engineering process. Specific requirements are likely to be outlined within comments provided by the utility agencies through the circulation of the applications. At this time, the applicant has no reason to believe that an extension of existing utilities in the area cannot occur.

The servicing section of the WPSP also provides direction on municipal waste collection. In Niagara, this service is provided by the regional municipality. The proposed subdivision layout will be able to facilitate municipal waste and recycling collection within allowable limits. The proposed high-density block may require private collection, depending on the scale and form of development and the services available from Niagara Region at that time.

Section 5.3.9 – Development Staging

The submitted applications will facilitate the third and final stage of the Westwood Estates development. Phase 1 was developed prior to the implementation of the WPSP and Phase 2 is nearing full build out.

The proposed servicing and roadway extensions are desirable not only for the development, but also provide logical breaks should the developer elect to phase the build out of the subdivision.

Section 5.3.10 – Implementation

In conformity with the policies of this Section, necessary land use planning approvals under Sections 22, 34 and 51 of the Planning Act have been applied for to support this proposed development within the WPSP Area.

Section 5.3.11 – Interpretation

As typical for Secondary Plans, the WPSP policies and mapping supersede the other policies and mapping found within the City of Port Colborne Official Plan. Policy 5.3.1.1 C) indicates that designations and features shown on Schedule G are approximate and that minor variations can be considered without the need for an amendment to the Official Plan / Secondary Plan.

Although it has been demonstrated within this portion of the Planning Justification Report that the submitted applications conform with the policies, goals and objectives of the WPSP, mapping changes are required and requested.

As per Policy 5.3.1.1 e) it is generally stated that deviations from the land use designations will require that an Official Plan Amendment be filed for Council consideration. This submission of the Official Plan Amendment and concurrent applications for Draft Plan of Subdivision and Zoning By-law Amendment satisfies this requirement. The consideration of all applications will help Council and staff determine and quantify the impacts of the proposed changes, their need and appropriateness and the overall benefit or impact they will have on the plan area and adjacent lands. The submission of these applications conforms with the policy direction of Section 5.3.11. of the WPSP by and providing a comprehensive opportunity for the City to consider the proposed changes to the WPSP.

Section 11 – Implementation

Section 11 of the City of Port Colborne Official Plan contains policy direction regarding the implementation of the plan. Sections 11.4 (Plans of Subdivision) and 11.5 (Parkland Acquisition and Dedication) are relevant to the submitted applications and are evaluated below.

Section 11.4 - Plans of Subdivision

Section 11.4.2 sets out the requirements for Plans of Subdivision that are serviced with municipal watermain and sanitary sewers. In conformity with the requirements of Section 11.4.2, the developer has submitted a Functional Servicing Report and Stormwater Management Plan which demonstrates that infrastructure capacity is available to support this subdivision and that Stormwater is able to be appropriately managed on-site.

Section 11.5 - Parkland Acquisition and Dedication

In accordance with the Planning Act, the City of Port Colborne is able to request physical lands or cash-in-lieu of parkland dedication. Based on the proposed elements of the submitted plan which includes parkland and trails, a hybrid dedication of land and money will be utilized for this development.

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

As shown on **Figure 7** below, the subject lands are zoned as Residential Development Zone (RD), Environmental Protection (EP) and Environmental Conservation (EC) in City of Port Colborne Comprehensive Zoning By-law 6575/30/18.

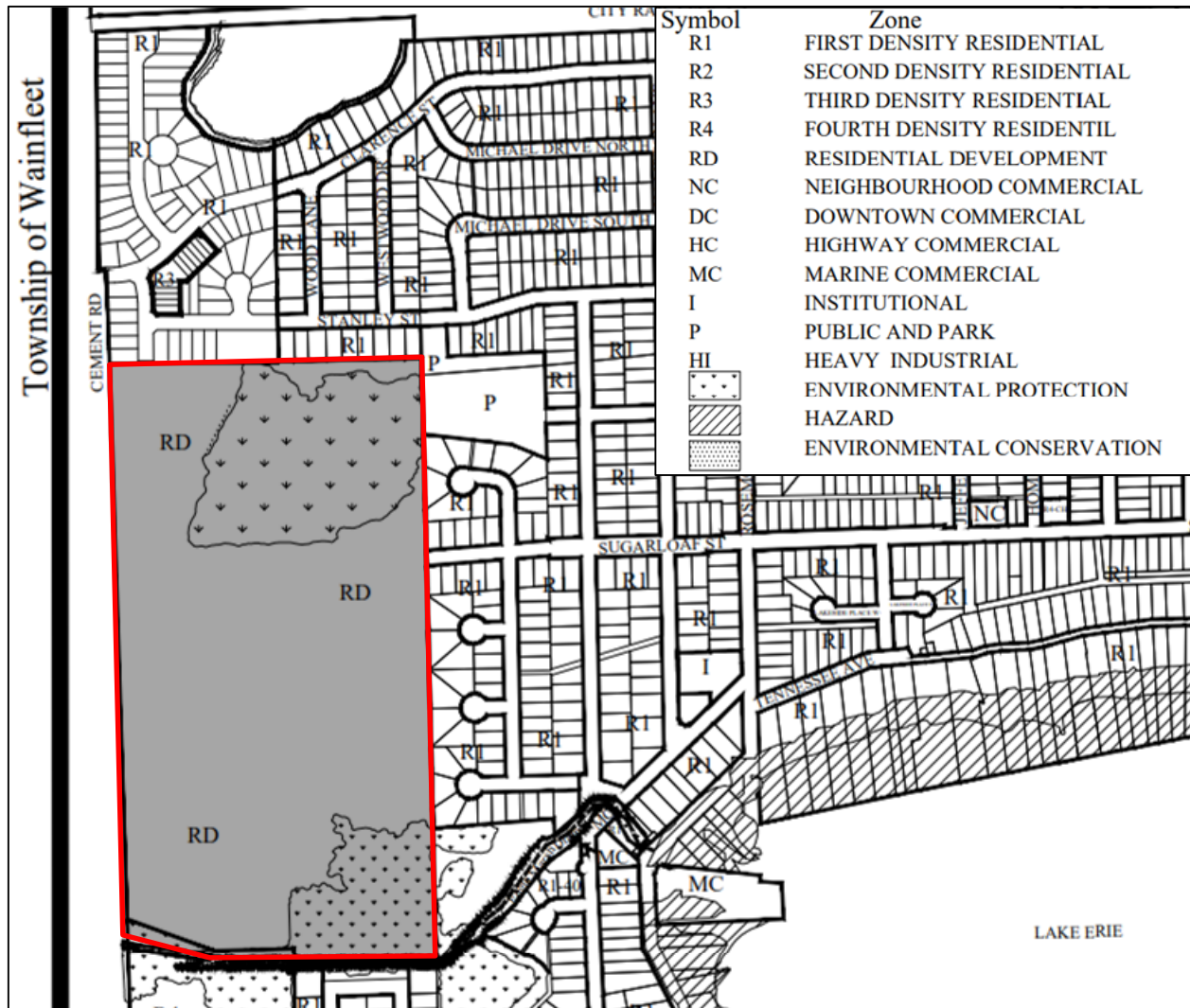


Figure 7 - Schedule A7 Zoom 1 - By-law 6575/30/18 - Cropped

The RD Zone acts as a placeholder for future zoning provisions to be established on lands with development potential. Through the submitted application, a Zoning By-law Amendment has been prepared to set out the different zones within the subdivision to guide growth and development. In addition to the required residential Zoning, Environmental Zones are also proposed based on the findings of the EIS and proposed design elements. Public and Park Zones will be applied to the stormwater management facility and channel, as well as parks and trails.

Residential Zones

It is proposed to zone the majority of the subject lands as Residential Third Density Zone (R3), as this zone permits single detached dwellings and street townhouses.

For single detached dwellings, the preferred zoning category is the Residential Second Density Zone. The R3 Zone permits single detached dwellings subject to those desirable R2 provisions. It is considered beneficial and “cleaner” to apply a single Zone over the majority of the lands rather than needlessly fragmenting between R2 and R3 when the R3 permits the same.

The Medium-High Density development area, being Block 178, will be Zoned as Residential Fourth Density Zone (R4). This zone permits Block Townhouses and Apartments, which are the intended residential dwelling forms for the Block.

Site-specific Relief from R3 Provisions

Three minor adjustments to the base R3 provisions are requested as part of the submitted Zoning By-law Amendment. These provisions pertain to front yard setbacks for single detached dwellings and street townhouses, and the required interior side yard setbacks between single townhouses and R1, R2 and R3 Zones.

Front Yard Setbacks (Single Detached Dwelling)

For single detached dwellings (which are subject to the provisions of the R2 Zone per Provision 7.9), Provision 6.3 d) of the Zoning By-law requires a minimum front yard setback of 6.5 metres to all parts of a dwelling. Recent development trends in Niagara have seen a reduction in front yard setbacks, specifically for the dwelling face or porch, which typically is setback a minimum of 3 metres or 4.5 metres from a street edge, depending on the municipality and urban context.

A 4.5 metre setback to the dwelling face or porch is desirable in this context as it provides an opportunity for the functional dwelling to present itself prominently to the roadway, rather than the garage. This approach creates a stronger urban character that is focused on architecture and massing, rather than parking, and does not undermine opportunities for landscaping, drainage and views of the home. An additional minimum setback provision of 6.0 metres to the garage face is also proposed to more efficiently use the development envelope. As the City requirement for standard surface parking spaces is 2.6 metres (width) by 5.2 metres (length), the reduction will not affect the ability for the driveway to be used as a legal parking space.

Front Yard Setbacks (Street Townhouses)

Provision 7.8 i) requires that a minimum 3.0 metre landscaped setback be provided between lots containing street Townhouse and lands zoned R1, R2 or R3. This spacing is considered excessive and is recommended to be reduced to 1.5 metres. Given the multiple interfaces between single detached dwellings and street townhouses within the development, the reduction in this spacing will ensure a more compact urban fabric will utilize land efficiently in a manner that allows all dwellings to blend evenly, thus resulting in a consistent streetscape. The concern with the 3.0 metre spacing is that it needlessly fragments the townhouses from the single detached dwellings, making them appear different, or separate from other dwellings.

Fourth Density Residential Zone (Block Townhouses and Apartments)

Block 178 is intended to be developed with Block Townhouses or an Apartment Building. The proposed zone for this Block is Fourth Density residential (R4). To ensure maximum flexibility for design and development in the future, site specific reductions in required setbacks are proposed for Section 8.5 – Block Townhouses and Section 8.7 – Apartment Buildings.

Block Townhouses

Minimum setbacks of 3.0 metres are proposed for front, rear and corner side yards, with a 6.0 metre minimum setback for minimum privacy yard and from the street edge to the face of a garage. Such provisions will allow for multiple variations in site design and orientations to be considered, while at the same time ensuring enough room for site-servicing trenches, physical separation from fire routes and the efficient use of land. This permissive approach to zoning helps to reduce the need for further applications for Zoning or Minor Variance.

Although reduced/specified provisions are proposed, the development will be subject to Site Plan approval whereby the municipality can determine if larger, or modified setbacks would be required/preferable.

Apartments

Similar to the Block Townhouse zoning, minimum front, rear and corner side yard setbacks of 3.0 metres are proposed to provide maximum development flexibility. As no residential or other sensitive development, existing or planned, will be adjacent to Block 178, reduced setbacks are appropriate to consider as impacts such as overlook, shadowing or noise are limited.

A reduction in lot area per unit from 125 square metres per unit to 103 square metres per unit will facilitate a maximum unit count of 96 apartments on the subject lands. This reduction will

help to ensure the ability of the development to provide as many housing opportunities as reasonably possible in the Secondary Plan Area.

General Provisions

Three site specific deviations from the Section 2.19.1 of the General Provisions section of the City's Zoning By-law have been proposed as follows:

- a) *That a covered porch may be provided for single detached dwellings, street townhouses and may encroach into the required front yard 1.5 metres.*
- b) *That a covered porch may be provided for Block Townhouse dwellings at a minimum of 3.0 metres from a private roadway.*
- c) *That a covered deck may be provided for single detached dwellings, street townhouses and block townhouses and may encroach into the rear yard 3.0 metres.*

The requested provisions will provide flexibility for the dwelling units to contain covered amenity spaces contiguous to structures including porches and decks. The requested encroachments represent reasonable deviations from the By-law minimums and will allow for the functional utilization of covered amenity or entrance areas.

Natural Heritage Zoning

The Zoning By-law currently shows an EP Zone on the property in the general location of Provincially Significant Wetlands. As noted throughout this report, the natural heritage features shown in municipal and agency mapping have been confirmed through field investigation to not reflect existing site conditions.

To ensure conformity with the requested Official Plan Amendment and to implement the findings and recommendations of the EIS, the application of an Environmental Protection Zone and EC Overlay Zone are proposed on lands verified to contain protected natural heritage features.

Environmental Protection Zone (EP)

The extent of the wetland features and recommended 15 metre buffer have been identified through the EIS and transposed into the Draft Plan. The EP Zone will be applied to the wetland areas to ensure the long-term protection of the evaluated features and their ecological features.

Environmental Conservation Zone (EC)

In an effort to provide buffering between new and existing development, and to enhance previously vegetated areas, an EC Zone has been proposed along the eastern end of the development. The EC Zone is 7 metres in depth and is intended to be planted using a variety of native species. The EC Zone will be included as part of the lots that will be backing onto the eastern limit of the subject lands and development will be prohibited within. The integration of this zoning conforms with the intent and revised locations of the ECA Designation of the WPSP.

This zone will ensure that the buffer lands are not disturbed without professional study and/or reasonable grounds.

Public and Park Zoning (P)

The Public and Park Zone will be applied to the following uses within the Draft Plan Area:

- Stormwater Management Facilities
- Drainage Channel
- Trails
- Parks/Parkettes

As these lands are all publicly accessible, will be assumed in ownership by the City and will be largely used for recreation, the application of the “P” zone is considered appropriate.

A copy of the Draft Zoning By-law Amendment, inclusive of a draft Zoning Schedule, is included as **Appendix III** to this report for review and information.

PLANNING OPINION

The owner of the subject lands has submitted applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment for lands known legally as Part of Lot 33, Concession 1, Geographic Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara. The subject lands are located within the City of Port Colborne Urban Area, the Designated Greenfield Area growth designation and within the Westwood Park Secondary Plan area.

Together, the applications will facilitate the third and final phase of the Westwood Estates Subdivision. Phase 1 was registered in 1983 and Phase 2 was registered in 2016 and is nearing full build out.

The Draft Plan of Subdivision proposes 315 residential dwelling units in the form of single detached dwellings, townhouses and apartments. In addition to the 178 lots/blocks for development, an additional 23 blocks are proposed to parks, trails, stormwater management and natural heritage protection.

The Official Plan Amendment is required to permit deviations from the approved Secondary Plan to facilitate the efficient and context sensitive development of the subdivision. The high-level land use designations and prescriptive policies meant to guide the development of the area in a manner that uses land efficiently, protects adjacent natural heritage features, achieves required densities and integrates with existing, adjacent development.

The subject lands are zoned Residential Development (RD), Environmental Protection (EP) and Environmental Conservation (EC) Overlay. With regard to the RD Zone, a zoning by-law amendment is required to permit any form of development beyond existing uses. The proposed amendment seeks to apply a simplified zoning approach utilizing the Residential Third Density Zone (R3) across the majority of the developable area as it permits single detached dwellings and townhouses. Two (2) site-specific zoning provisions have been requested through the application which seek reductions in setbacks between townhouses and detached dwellings as well as reduced front yard setbacks. The requested provisions are common throughout new development in Niagara, are appropriate for the site and proposed dwelling types, and will assist in the creation of a high quality public realm within the subdivision.

The required supporting studies have been completed in addition to this planning report and include an Environmental Impact Study, Feature-Based Water Balance, Transportation Impact Study, Stage 1-3 Archaeological Assessments, Functional Servicing Report and Stormwater Management Plan. Together these reports have informed the layout and configuration of

development, the limits and functions of natural heritage features and the required location of servicing and roadways.

As outlined within this report, the submitted applications satisfy the Sections 2, 22, 34 and 51 (24) of the Planning Act, are consistent with the 2020 Provincial Policy Statement, and conform with the 2020 Growth Plan for the Greater Golden Horseshoe, Niagara Region Official Plan and City of Port Colborne Official Plan.

Therefore, it is my professional opinion that the submitted applications represent good planning, are in the public interest and will result in the development of a complete neighbourhood community prescribed in the City's Official Plan and Westwood Park Secondary Plan and should be approved by the municipality.

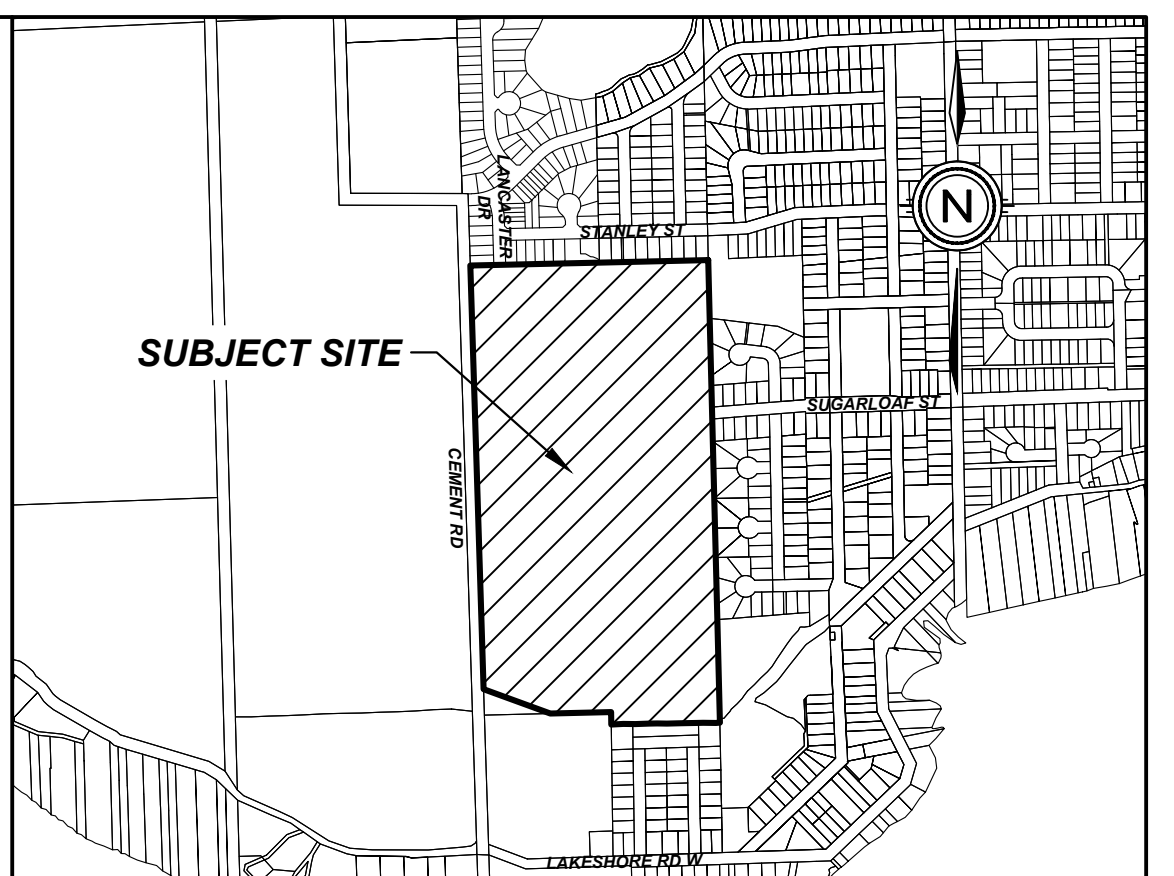
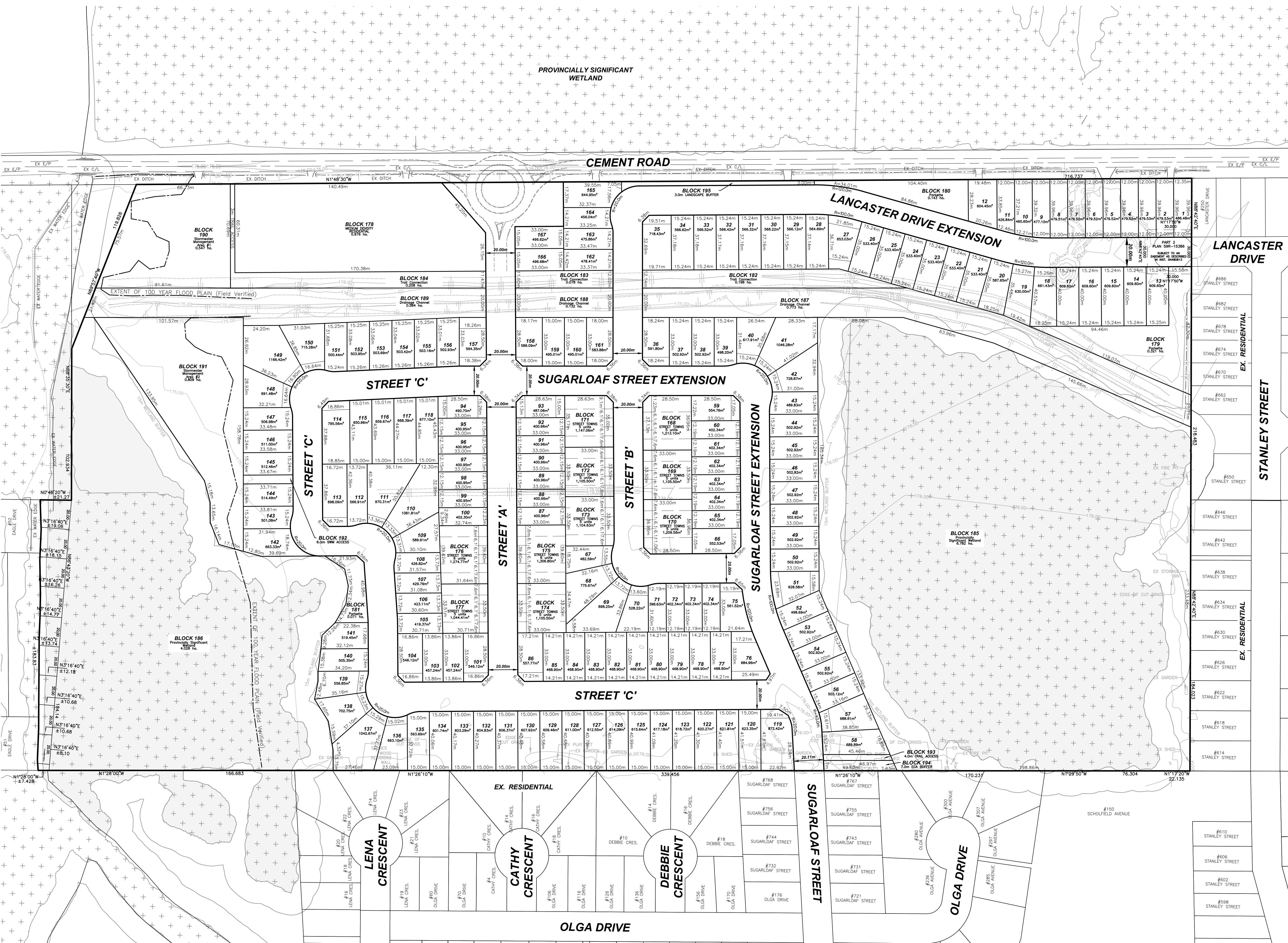
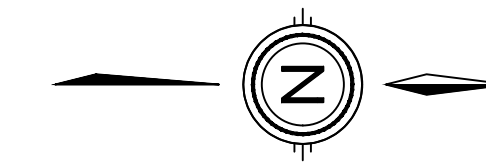


Craig Rohe M.Pl., MCIP, RPP
Senior Planner
Upper Canada Consultants

APPENDIX I
DRAFT PLAN OF SUBDIVISION

WESTWOOD ESTATES - PHASE 3

CITY OF PORT COLBORNE



KEY PLAN
N.T.S.

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

PART OF LOT 33
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF HUMBERSTONE, NOW IN THE
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE

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

DECEMBER 14, 2022
TODD SHOALTS, LESTER SHOALTS LIMITED DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF
THE LANDS TO BE SUBDIVIDED ARE
CORRECTLY SHOWN.

JANUARY 11, 2023
M. GILMORE, O.L.S.
LANTHIER & GILMORE SURVEYING LTD. DATE

**REQUIREMENTS OF SECTION 51(17)
OF THE PLANNING ACT**

- a) SEE PLAN
- b) SEE PLAN
- c) SEE PLAN
- d) SEE PLAN
- e) SEE PLAN
- f) SEE PLAN
- g) SEE PLAN
- h) MUNICIPAL WATER
- i) VARIOUS TEXTURES
- j) OVER BEDROCK
- k) FULL SERVICE
- l) SEE PLAN

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	LOT 1-167	167	9.222	30.18
STREET TOWN RESIDENTIAL	BLOCK 168-177	52	1.162	3.80
MEDIUM DENSITY RESIDENTIAL	BLOCK 178	96	0.976	3.19
PARKS	BLOCK 179-181		0.535	1.75
TRAIL CONNECTIONS	BLOCK 182-184		0.484	1.58
PROVINCIAALLY SIGNIFICANT WETLAND	BLOCK 185-186		10.810	35.38
DRAINAGE CHANNEL	BLOCK 187-189		1.489	4.87
STORMWATER MGMT FACILITY	BLOCK 190-191		1.356	4.44
SWM ACCESS	BLOCK 192		0.020	0.07
TRAIL AREAS	BLOCK 193		0.018	0.06
BUFFER AREAS	BLOCK 194-195		0.075	0.25
ROADWAY			4.407	14.42
TOTAL		315	30.554	100.00

DEVELOPABLE AREA = 18.25ha
DEVELOPABLE DENSITY = 17.26 units/ha

#	ISSUED FOR APPROVAL	DATE	M.K
0	ISSUED FOR APPROVAL	2023-01-11	M.K
#	REVISION		INIT



DRAWING TITLE	DRAFTING	MK
DRAFT PLAN OF SUBDIVISION	DATE	APRIL 8, 2022
	PRINTED	JANUARY 11, 2023
	SCALE	1:1250
	DWG No.	2160-DP
	REV	0

APPENDIX II

DRAFT OFFICIAL PLAN AMENDMENT

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to adopt amendment no. X to the
Official Plan for the City of Port Colborne

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

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

1. That Official Plan Amendment No. X to the Official Plan for the City of Port Colborne Planning Area, consisting of the attached map and explanatory text is hereby adopted.
2. That this By-law shall come into force and take effect on the day of passing thereof.

Enacted and passed this ___ day of _____, ____.

William C Steele
Mayor

Amber LaPointe
Clerk

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

PREPARED BY:

**CITY OF PORT COLBORNE
DEPARTMENT OF PLANNING & DEVELOPMENT**

Date

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

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

This Amendment to the Official Plan for the City of Port Colborne, which has been adopted by the Council of the Corporation of the City of Port Colborne, is hereby approved in accordance with Sections 17 and 21 of the Planning Act R.S.O. 1990, c. P.13, as Amendment No. 8 to the Official Plan for the City of Port Colborne.

Date: _____

**AMENDMENT NO. 8 TO THE OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

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Introductory Statement

Details of the Amendment

Implementation & Interpretation

Part C – The Appendices

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2. Department of Planning and Development Report

STATEMENT OF COMPONENTS

PART A

The Preamble does not constitute part of this Amendment.

PART B

The Amendment, consisting of the following map, constitutes Amendment No. X to the Official Plan for the Port Colborne Planning Area.

Also attached is **PART C** – The Appendices, which do not constitute part of this Amendment. These appendices contain the background data, planning considerations and public involvement associated with this Amendment.

PART A - THE PREAMBLE

Purpose

The purpose of Official Plan Amendment No. X is to amend and refine land use designations on Schedule G – Westwood Park Secondary Plan of the Port Colborne Official Plan in order to facilitate the development of Phase 3 of the Westwood Estates Subdivision.

A site-specific policy amendment is proposed along with the mapping modifications to reduce the required wetland buffer width from 30 metres to 15 metres.

Location

The lands affected by this amendment are legally described as Part Lot 33, Concession 1 Humberstone, City of Port Colborne. The property does not have a municipal address.

Basis

Currently, the subject lands are subject to a mix of land use designations prescribed in the Westwood Park Secondary Plan. An application has been made to initiate amendments to the City of Port Colborne's Official Plan and Zoning By-law as they relate to these lands in order to permit the use of the property for primarily residential purposes

It is intended to concurrently approve an Amendment to the City's Zoning By-law 6575/30/18, rezoning of the lands from the existing "RD – Residential Development" Zone to Residential Third Density Zone site-specific (R3-X), Residential Fourth Density Zone site-specific (R4), Public and Park Zone (P), Environmental Protection (EP) and Environmental Conservation Layer (EC).

PART B - THE AMENDMENT

All of this part of the document entitled **PART "B"** – "The Amendment" consisting of the following text and map designated Schedule "A" constitutes Amendment No. X to the Official Plan for the City of Port Colborne. The Official Plan of the City of Port Colborne is hereby amended as follows:

Mapping Changes

Lands shown on Schedule A are within the Westwood Park Secondary Plan. The current designations of the lands are amended by refining the location and extent of natural heritage features and floodlines, stormwater management facilities, parks and open space and low and medium density residential areas.

The Neighbourhood Commercial Special Policy Areas are deleted in their entirety.

Text Changes

The following site-specific policy is added to Section 5.3.3.7 a) of the Westwood Park Secondary Plan:

“Notwithstanding Policy 5.3.3.7 a) (vi), a minimum wetland buffer of 15 metres is permitted, subject to the completion and approval of an Environmental Impact Study and any prescribed mitigation measures.”

IMPLEMENTATION AND INTERPRETATION

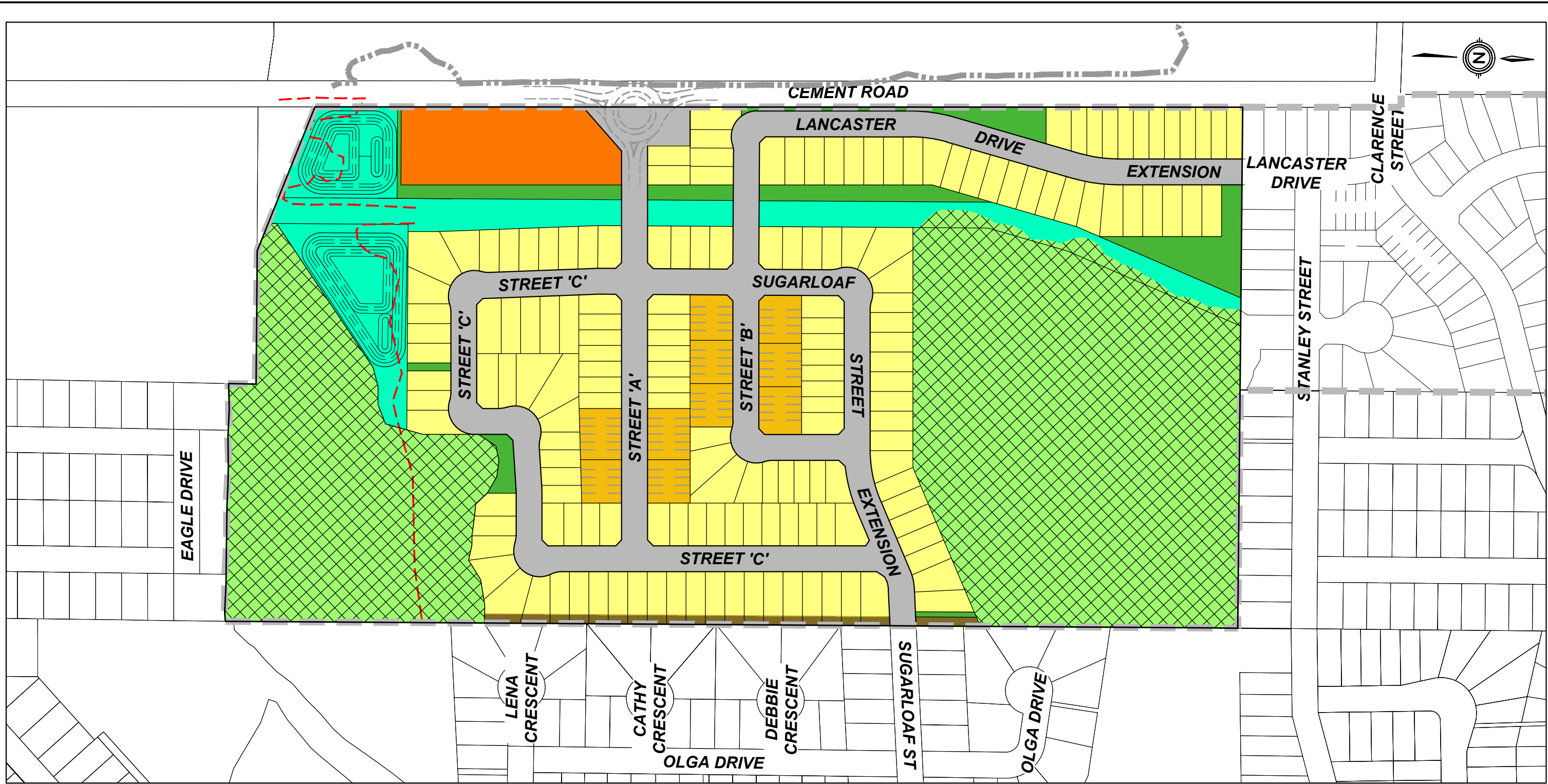
The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Port Colborne Official Plan and an amendment to the City Zoning By-law to rezone the subject lands.

PART C – THE APPENDICES











The following appendices do not constitute part of Amendment No. 8 but are included as information to support the Amendment.

APPENDIX I – Draft Minutes of the Public Meeting on X Date

APPENDIX II – Department of Planning & Development Report 2023-XX



LEGEND

- | | | |
|--|--|--|
|  LOW DENSITY RESIDENTIAL |  ENVIRONMENTAL PROTECTION |  SECONDARY PLAN BOUNDARY |
|  MEDIUM DENSITY RESIDENTIAL |  ENVIRONMENTAL CONSERVATION |  AMENDED REGULATORY FLOODLINE |
|  STORMWATER MANAGEMENT |  ROAD NETWORK |  REGIONAL FLOODLINE |
|  PARK | | |

**WESTWOOD ESTATES - PHASE 3
SCHEDULE 'A' OF OFFICIAL PLAN AMENDMENT No. _____**

MAYOR: _____
CLERK: _____



APPENDIX III

DRAFT ZONING BY-LAW AMENDMENT

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to amend Zoning By-law 6575/30/18 respecting lands legally described as **Part Lot 33, Concession 1 Humberstone**, City of Port Colborne.

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

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

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

1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A6" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Residential Development (RD) to:
 - Residential Third Density Zone 3 Zone, site-specific (R3-X);
 - Residential Fourth Density Zone, site-specific (R4-X),
 - Public and Park Zone (P),
 - Environmental Protection Zone (EP) and
 - Environmental Conservation Layer (EC)
3. That Section 37 entitled "Special Provisions" of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

Residential Third Density Zone - R3-X

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

Single Detached Dwellings (per Section 6.3 of the Residential Second Density Zone (R2))

- | | |
|-----------------------------|--|
| a) Minimum Front Yard | 4.5 metres to the dwelling
6.0 metres to the garage |
| b) Minimum Corner Side Yard | 3.0 metres |

Street Townhouse Dwelling

- | | |
|--|--|
| a) Minimum Front Yard | 4.5 metres to the dwelling
6.0 metres to the garage |
| b) Minimum Interior Side Yard | 1.2 metres |
| c) Minimum Corner Side Yard | 3.0 metres |
| d) That provision 7.8 i) is not applicable | |

Residential Fourth Density Zone - R4-X

Notwithstanding the provisions of the Residential Fourth Density Zone (R4), the following regulations shall apply:

Block Townhouse Dwelling

- | | |
|--|--|
| a) Minimum Front Yard | 3.0 metres |
| b) Minimum Corner Side Yard | 3.0 metres |
| c) Minimum Rear Yard | 3.0 metres |
| d) Minimum Privacy Yard | 6.0 metres from the rear wall of a dwelling. |
| e) Minimum Setback from a Private Roadway | 3.0 metres to a dwelling
6.0 metres to the garage |
| f) That provision 8.5 i) is not applicable | |

Apartment Dwelling

- | | |
|------------------------------|-------------------|
| a) Minimum Lot Area per Unit | 103 square metres |
| b) Minimum Front Yard | 3.0 metres |
| c) Minimum Corner Side Yard | 3.0 metres |
| d) Minimum Rear Yard | 3.0 metres |

General Provisions

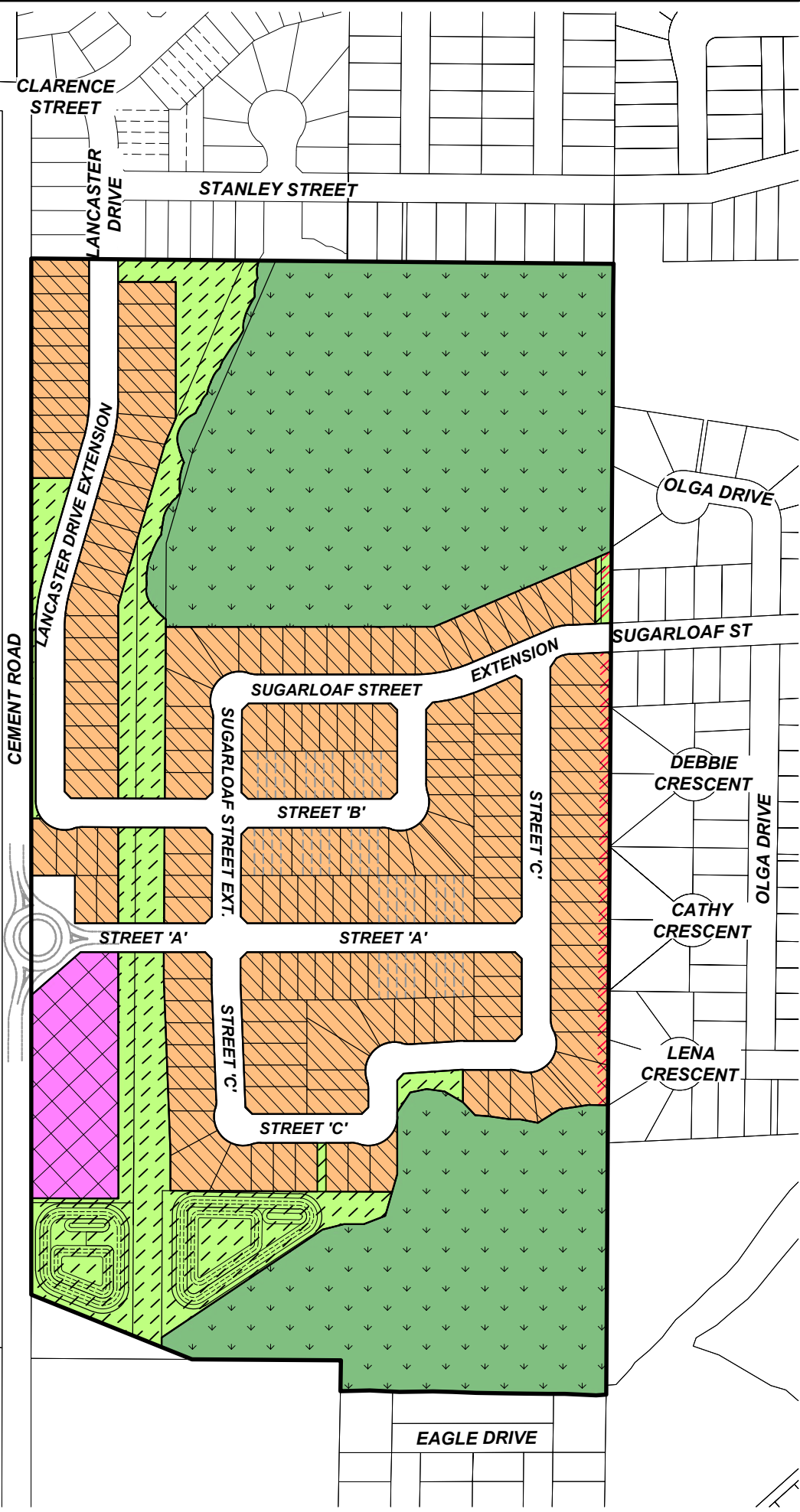
Notwithstanding the provisions of Section 2.19.1 General Structures, that the following regulations shall apply:

- a) That a covered porch may be provided for single detached dwellings, street townhouses and may encroach into the required front yard 1.5 metres.
 - b) That a covered porch may be provided for Block Townhouse dwellings at a minimum of 3.0 metres from a private roadway.
 - c) That a covered deck may be provided for single detached dwellings, street townhouses and block townhouses and may encroach into the rear yard 3.0 metres.
4. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.
 5. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with the *Planning Act*.

Enacted and passed this day of , 2023.






William C Steele
Mayor

Amber LaPointe
Clerk



SCHEDULE 'A'

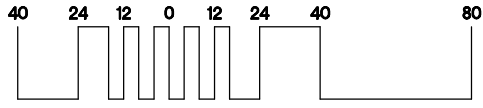
To By-law No. _____

- Legend**
-  R3 - THIRD DENSITY RESIDENTIAL SITE SPECIFIC ZONE (R3-X)
 -  R4 - FOURTH DENSITY RESIDENTIAL SITE SPECIFIC ZONE (R4-X)
 -  EP - ENVIRONMENTAL PROTECTION ZONE
 -  P - PUBLIC + PARK ZONE
 -  EC - ENVIRONMENTAL CONSERVATION OVERLAY

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

Mayor _____

Clerk _____



SCALE IN METRES

**City of
 Port Colborne**

APPENDIX IV
PRE-CONSULTATION AGREEMENT



PORT COLBORNE

Pre-Consultation Agreement

City of Port Colborne Department of Planning and Development
Niagara Region Development Services
Niagara Peninsula Conservation Authority

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

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

Pre-Consultation Meeting Date: September 9th, 2021

Local Municipal Contact: David Schulz

Phone: 905-835-2901 ext 202

Email: David.schulz@portcolborne.ca

Site Address: N/A – Westwood Estates Phase 3

Roll Number: 271101002709301

Land Area _____

Owner Contact Information:

Owner Name: Lester Shoalts Limited – Todd Shoalts

Phone Number: 289-213-2344 **Email:** toddshoalts@shoaltsdev.com

Agent Contact Information:

Agent Name: Upper Canada Consultants – Craig Rohe

Phone Number: 905-688-9400 ext 506 **Email:** craig@ucc.com

Principal Contact: **Owner** **Agent**

Application Type:

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

1. Brief description of proposed development:
Proposing to develop the last remaining lands within the Westwood Park Secondary Plan (Westwood Estates Phase 3).

2. Existing Regional Official Plan Designation: Designated Greenfield Area
Conformity with Regional Official Plan land use designations and policies?
 Yes No Unknown

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

3. Check All Applicable:
 Brownfield Greenfield Built-up Local CIP Area

4. Development Charges:
 Regional By-law 2017-98 Local By-law 6131/97/14

5. Existing Local Official Plan Designation: Secondary Plan Area with EPA's
Conformity with Official Plan land use designations and policies?
 Yes No Unknown

If 'No', what is the nature of the amendment needed?
Amendments to the secondary plan area will likely be required

6. Existing Zoning: Residential Development (RD)
Conformity with existing zoning?
 Yes No Unknown

If 'No', what is the proposed zoning:
Zoning By-law Amendment required to zone the property accordingly in conjunction with the DPS

7. Is property located in Intake Protection Zone?
 No IPZ 1 IPZ 2

8. Is property recognized under Ontario Heritage Act?
 No Registry Designated

9. Is Site Plan approval required?

Yes No

10. Fees Required at time of Submission of the Application

Application	City of Port Colborne	Niagara Region	Niagara Peninsula Conservation Authority	Other Fees
Regional Official Plan Amendment				
Local Official Plan Amendment		\$5,235	\$2,770 (potentially a joint fee with ZBA)	
Zoning By-law Amendment		\$1,315		
Plan of Subdivision		\$5,235 (base fee) + \$1,160 per hectare to a maximum of \$22,840 + 2,270 EIS Review Fee (if Terms of Reference review fee was submitted to scope Terms of Reference, whatever this amount was will be deducted from total review fee amount) + \$1890 SWM Review Fee	\$2,770 + EIS \$1,015 + grading and drainage \$380 + work permit TBD	
Plan of Condominium				
Consent				
Site Plan Agreement				
Other: Combined OPA/ZBA/Draft plan of Subdivision	\$13,265			
TOTAL	\$13,265	TBD (confirm with agencies)	TBD (confirm with agencies prior to submission)	

		prior to submission)		
--	--	---------------------------------	--	--

Notes on Fees:

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

11. Additional Agencies to be contacted:

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Hydro | <input type="checkbox"/> Enbridge/Pipelines | <input type="checkbox"/> Ministry of Environment |
| <input type="checkbox"/> CN/Trillium Rail | <input type="checkbox"/> Seaway | <input type="checkbox"/> Ministry of Transportation |
| <input checked="" type="checkbox"/> Niagara Peninsula Conservation Authority | <input checked="" type="checkbox"/> Other: Wainfleet | |

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

Local	Region	NPCA	Reports, Studies, Plans (See Notes for additional details)	No. of Copies		Notes
				Electronic Digital	Paper	
			Agricultural Impact Assessment			
			Air Quality/Noise & Vibration Study*			
X	X		Archaeology Assessment	1	3	Stage 1 and 2 and ministry acknowledgment with application
X	X		Conceptual Site Plan/Subdivision Plan	1	6	
X	X		Environmental Compliance Approval from MECP	1		For extension of mun. services
X	X		Environmental Impact Study	1	4	
			Environmental Planning Study/ Sub-Watershed Study			
			Environmental Site Assessment: Phase 1			
			Farm Business Plan*			
			Farm Operation and Ownership			
			Financial Impact Assessment*			
			Floodplain and Hazard Lands Boundary Plan			
X	X		Functional Servicing Report	1	5	
			Geotechnical			
			Hydrogeological Study and Private Servicing Plans*			
			Land Use/Market Needs*			
X			Landscape Plan	1	6	
			Mineral Aggregate Resources			
			Minimum Distance Separation I & II			
			Municipal Servicing Study			
X			Phasing Plan			
X			Planning Justification Report	1	4	To confirm conformity to SP/OP, ROP, provincial plans etc.
			Record of Site Condition			
			Sensitive Land Use Report			
			Shadow Analysis			
			Shoreline Study/Dynamic Beach			
			Slope Stability Report			
			Soil report			
X	X		Stormwater Management Plan/Report	1	4	

X	X		Traffic Impact Study (revision at minimum)	1	4	ToR to be reviewed by Eng. Staff and Wainfleet
			Tree Inventory Preservation Plan			
X			Urban Design	1		Reviewed as part of the Sec Plan amendment
			Wind Study*			
X			Other: Concepts of Apartment block and townhouse block	1	5	

13. Additional Comments:

- Amendments to OP, Zoning By-law required along with a draft plan of subdivision. Staff recommend these be dealt with concurrently.
- Staff have marked up a copy of the plan submitted and will provide to the proponent. Key comments include the following:
 - Delineation between Cement Plant Road and Lancaster Drive is required. Staff will be including a condition of DPA that a 3m landscape buffer along with decorative fencing will be required with landscaping to shape the neighbourhood – landscape plan will need to show this. A 3m buffer with consistent landscaping is requested along the apartment block also and landscaping of the centre of the roundabout.
 - Landscape plan to show how the 7m buffer on the east side of the land will look. – City will not retain ownership of this buffer but will be looking for easements to ensure the buffer does not disappear (this is somewhat contentious with neighbours on Debbie, Cathy and Lena Cres.)
 - Confirm with NPCA that trails will be permitted through the wetland – City would want these constructed by the developer as a condition
 - Pedestrian connection to the passive parkette in the northwest is needed
 - Engineering access to the SWM ponds will be needed, please show this in the SWM plan
- Planning Justification Report to address conformity to applicable plans. Please touch on parkland dedication – staff are under the impression that parkland was dedicated in Phase 1 and 2 either by land or cash-in-lieu, however this has not been confirmed
 - 5% will likely be required for this phase as well.

Engineering

- Roundabout will need to be discussed with Wainfleet
- SWM ponds will need access, please show on a conceptual plan
- Raised crosswalk may be needed to ensure traffic is slowed
- Setback will be needed from the eagle marsh drain – 10m is recommended

- A culvert will likely be needed for the drainage channel
- If the drainage channel is turned over to the city that a maintenance buffer will be needed
- Drainage apportionment would be required by an engineer
- o Require revised Traffic Impact Study for new road layout and roundabout
- o Maintenance access to Storm Water Ponds
- o Details pertaining to pedestrian safety at trail crossings
 - o Proximity of driveway entrances to roundabout

NPCA

NPCA staff note that a Terms of Reference has been completed for this project. With that in mind the following comments are offered for your consideration:

- a) An Environmental Impact Study (EIS) is required to assess the natural heritage features and their functions on and adjacent to the subject property which should be the extent of the study area. This assessment should include the characterization and analysis of anticipated impacts to the ecological and hydrological functions and significance of these features. The EIS should assess wetlands and watercourses present within the study area. A Terms of Reference has been submitted for review and approval by NPCA staff to guide the preparation of the EIS requirement for this project.
- b) NPCA staff further note that a proposed trail system passes through the PSW at the north end of the property. The EIS will be required to demonstrate that this can be achieved with no negative impact to the feature. Additional supporting information (eg. Trail Plans) may be required at future planning/permitting stages for review and comment by NPCA staff.

Typically, water balance studies would be requested, however following information provided during the review of the Terms of Reference the consultant indicated that previous studies combined with ongoing hydrogeological work on the subject property would be used to characterize the hydrology of the wetlands within the study area, hence why they have not been requested again here.

Draft Plan of Subdivision - \$2770

EIS - \$1015

OPA/ZBA - \$2770

Grading and Drainage - \$380

Work Permit – TBD

Wainfleet (See full comments attached)

- No issues from a planning perspective

- Roundabout plans will need to be submitted
- Entrances to lot 147 and 148 may be difficult
- Upgraded cement plant road may be needed based on the increase in traffic

Fire Department (see comments attached)

Region (see full comments attached)

- Greenfield lands – 50 people and jobs per hectare
- High potential for archaeological resources
- Agricultural warning clause in the subdivision agreement due to proximity to rural area in Wainfleet
- SWM plan – discharge treated to enhanced standard
 - o Environmental – EIS in support of development application, ToR already submitted and approved. Water balance will be needed in the EIS
 - o The PSW island will need to be addressed in the EIS
 - o Trail system will need to be addressed

CNP

- Please contact Jeff.Hoover@cnpower.com for servicing

Bell

- Equipment at Lancaster currently – servicing would be done through this to the south tyler.collins@bell.ca

14. **Site Visit:**

15. **Incentive Programs:**

Notes:

1. The purpose of this document is to identify the information required to commence processing and evaluating an application as set out in the Planning Act. This pre-consultation process is designed to proceed based on the mutual agreement of the parties involved in the meeting.
2. Pre-consultation does not imply or suggest any decision whatsoever on behalf of staff or the municipality to either support or refuse the application.
3. The applicant should be aware that the information provided is accurate as of the date of the pre-consultation meeting. Should an application not be submitted in the near future, and should

other policies, by-laws or procedures be approved by the Province, Municipality, Region or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect at the time of the submission of a formal application. If an application is not submitted within one year, it is advisable that the applicant confirm with the municipality the directives of the original preconsultation meeting.

4. Any application submitted without the information identified in this Pre-consultation Document will be deemed incomplete and not processed. Alternately, staff may recommend refusal of the application based upon insufficient information to properly evaluate the application.
5. The applicant acknowledges that the Section 1.0.1 of *The Planning Act* states “Information and material that is required to be provided to a municipality or approval authority under this Act shall be made available to the public.” With the filing of an application, the applicant confirms that the Municipality and Region may release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.
6. It is hereby understood that during the review of the application additional studies or information may be required as a result of issues arising during the processing of the application or the review of the submitted studies.
7. If the Municipality or Region does not have sufficient expertise to review and determine that a study is acceptable, the Municipality may require a peer review. The cost of the peer review shall be paid for by the applicant. The Terms of Reference for a peer review is determined by the Municipality or Region.
8. Some studies may require NPCA review and clearance/approval. In this instance, the NPCA review fee shall be paid by the applicant.
9. All plans and statistics must be submitted in metric.

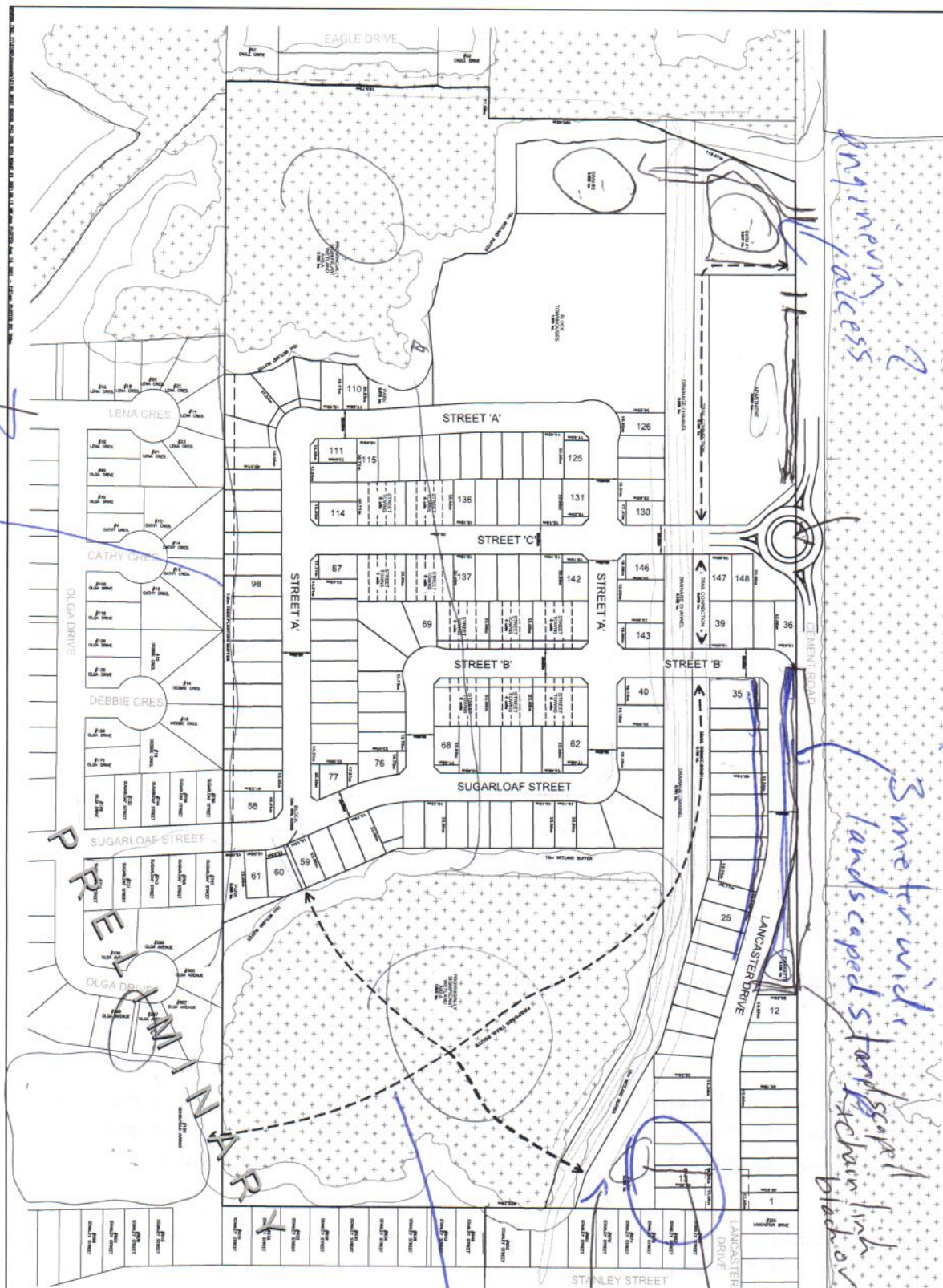
If you have any questions, please contact the Local Municipal Contact as provided on the first page of this document.

a landscape plan with decontaminations → condition

WESTWOOD ESTATES - PHASE 3

CITY OF PORT COLBORNE

Engineering access
3 meters wide landscaped standard plan
pedestrian path



provision for car buffer to the city

build walkways
landscaped condition
pedestrian path



CONCEPT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

pedestrian path

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS (APPROXIMATE)
RESIDENTIAL (SINGLE DETACHED)	1-10	10
RESIDENTIAL (TOWNHOMES)	11-20	20
RESIDENTIAL (APARTMENTS)	21-30	30
RESIDENTIAL (ROW)	31-40	40
RESIDENTIAL (SPLIT LEVEL)	41-50	50
RESIDENTIAL (TOWNHOMES)	51-60	60
RESIDENTIAL (SPLIT LEVEL)	61-70	70
RESIDENTIAL (TOWNHOMES)	71-80	80
RESIDENTIAL (SPLIT LEVEL)	81-90	90
RESIDENTIAL (TOWNHOMES)	91-100	100
TOTAL	349	349



DATE: AUGUST 16, 2021
SCALE: 1:1250
REV: 0



**TOWNSHIP OF
WAINFLEET**

"Wainfleet - find your country side!"

PLANNING DEPARTMENT

P.O. Box 40, 31940 Highway #3 Wainfleet, ON L0S 1V0

Tel: 905-899-3463 Fax: 905-899-2340

www.wainfleet.ca

September 10, 2021

David Schulz, Planner
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3k 3C8

Via email to david.schulz@portcolborne.ca

Re: Pre-Consultation Comments for Westwood Estates Phase 3

Thank you for the opportunity to provide preliminary comments on the proposed plan of subdivision for Phase 3 of Westwood Estates within the City of Port Colborne.

The Township Planning and Operations Departments have reviewed the development description and draft plan of subdivision provided by Craig Rohe of Upper Canada Consultants and offer the following pre-consultation comments:

Planning

Under the Township's Official Plan, the lands on the west side of Cement Road are designated as Rural Area with an Environmental Protection Area, Environmental Conservation Area, Fish Habitat and Hazard Lands due to the presence of a Provincially Significant Wetland (PSW), Significant Woodlands and the Eagle Marsh Drain.

The predominant use of lands within the Rural Area shall be agricultural and agricultural-related uses. The Planning Department recognizes that the proposed development is within the urban limits of the City of Port Colborne and items such as the Minimum Distance Separation (MDS) Guidelines do not apply. Regional comments indicated the requirement for an agricultural warning clause to advise future residents of the development of potential impacts from agricultural uses. The Township will require that an agricultural warning clause be included in all offers of purchase and sale or lease for the proposed development through a condition of approval.

The Township also acknowledges that the environmental features designated under the Township's Official Plan are separated from the proposed development by a public road and as such, the Township defers comments on these features to Regional Environmental staff and Niagara Peninsula Conservation Authority staff.

Under the Township's Road Naming By-law, the Township's portion of the shared road is named Cement Road. It is the Township's understanding that the City of Port Colborne's portion of the shared road is named Cement Plant Road. The Planning Department recommends that the City consider re-naming the City's portion of the shared road to Cement Road to avoid confusion, especially as it relates to emergency response. Given that there are currently no City properties that have an address on Cement Plant Road, renaming the City's portion of the road would have no impact to the Township residents that have addresses on

Cement Road. The Planning Department recommends that the re-naming be completed before the entrance to the apartment block is developed.

Roads

The Township Operations Department has direct interest in the proposed development as Cement Road is a shared road between the City of Port Colborne and the Township of Wainfleet and there are existing and proposed connections to this road. The connections to Cement Road will introduce additional traffic generated both from Phase 3 of the Westwood Estates and from the south-west area of the City. As such, the Township requests that a Traffic Impact Study be completed and that the Operations Department be given an opportunity to review a Terms of Reference for this study.

The Operations Department notes that the increase in traffic associated with Phase 2 has necessitated road repairs and patching over the years and the Township has had to incur the expense of such repairs. Additional traffic is anticipated with the connection of Sugarloaf Street to Cement Road and the current tar and chip surface treatment is not sufficient to accommodate this volume of traffic. As such, the Operations Department requests that Cement Road be re-surfaced with asphalt from Lakeshore Road to Highway #3. Given that the additional traffic is generated from the development and the south-west area of the city, the cost of the improvements to Cement Road shall be the responsibility of the Developer and/or the City of Port Colborne.

The Operations Department also requests that the City of Port Colborne enter into a maintenance agreement with the Township of Wainfleet to formally recognize responsibilities with respect to winter control and maintenance of Cement Road. Currently there is a verbal agreement with the City to provide winter control for the entirety of Cement Road – the Operations Department would like this verbal agreement formalized. The Operations Department would like to note that the Township does not have the proper equipment to be able to plow the proposed roundabout.

The Operations Department has no objection to the proposed roundabout, in principle, but will require detailed engineered drawings to provide further comment. The Operations Department would also like to review the required Stormwater Management Report.

Although the east side of Cement Road is within the City of Port Colborne, the Operations Department notes some concern with the location of Lancaster Drive and recommends that a landscaping buffer be provided between Lancaster Drive and Cement Road. There are also some concerns regarding the proximity of the roundabout to the accesses for Lots 147, 148, secondary access for the apartment block and the proposed trail. The Operations Department recommends that further consideration be given to these potential safety hazards.

Drainage

The Eagle Marsh Drain is located at the southern extent of Phase 3 and continues into the Township of Wainfleet. The Drainage Superintendent notes that the City of Port Colborne has initiated updates to the Eagle Marsh Drain under Section 78 of the Drainage Act and that this work is currently in progress. The Drainage Superintendent has no concerns as the City's

Drainage Superintendent has indicated the need for maintenance buffers and apportionments for the proposed lot creation, which may be completed through the current engineering work (if timing permits) or through future apportionment agreements with the City.

The Township formally requests to be circulated on the proposed official plan amendment, zoning by-law amendment and plan of subdivision applications. The Planning Department will coordinate the reviews and comments from other Township departments and prepare a formal response that consolidates these comments.

The Planning Department will also provide the City of Port Colborne with information for the Township properties that fall within the prescribed circulation distance to ensure that appropriate public notice has been given.

Once again, thank you for the opportunity to attend the pre-consultation meeting and provide preliminary comments. The Township looks forward to working with the Developer and the City of Port Colborne as these applications move forward. Please do not hesitate to contact me if further information is required. I can be reached at 905-899-3463 ext. 225 or sivins@wainfleet.ca.

Sincerely,

S. Ivins

Sarah Ivins, B.U.R.Pl., Dipl.M.A., ACST
Planner

Cc: Richard Nan, Manager of Operations – Township of Wainfleet
Mark Jemison, Drainage Superintendent – Township of Wainfleet

FIRE COMMENTS

David Schulz

From: charlesturpin@portcolborne.ca
Sent: August 31, 2021 3:26 PM
To: David Schulz
Subject: Re Zoning Amendment Application - SUGARLOAF STREET

Port Colborne Fire & Emergency Services has reviewed application File number and would like to offer the following comments.

1. The streets shall be contracted to ensure two accesses roads are in place for the phase in development.
2. Streets shall be in conformance with the requirements of the Ontario Building Code (i.e. minimum 6 meter width and a minimum 12 meter centreline turning radius). Streets are to be hard surfaced (first layer of asphalt) prior to construction above ground to ensure that they will accept the weight of fire fighting vehicles and provide emergency access at all times and under all weather conditions.
3. Access for fire department vehicles shall be maintained to new buildings, construction trailers and material storage areas at all times during construction.
4. Fire hydrants are to be in place, operational and secured prior to construction above ground. The water supply for fire fighting purposes must be kept accessible and operational at all times.
5. A detailed site plan, noting all services / hydrant locations shall be submitted for review and comment.
6. Construction waste material is not to accumulate on site in quantity's or locations so as to create a fire hazard.
7. Open fires are not permitted without the approval of the Chief Fire Official.

Should you have any questions, please feel free to contact this office.

Charles Turpin
Port Colborne Fire & Emergency Services

REGION COMMENTS

Westwood Estates Phase 3

Preliminary Niagara Region Preconsultation Comments

Date: September 9, 2021

Proposal Description: Proposed Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision to allow for the development of the remaining lands in the Westwood Park Secondary Plan.

Concept plan proposes the construction of a total of 349 residential units, with a mix of single-detached, street and block townhouses, and apartment units.

Official Plan Amendment required to allow for reconfiguration of the land use plan in the secondary plan.

Subdivision will likely be phased - phasing strategy TBD

Local Planner: David Schultz

Regional Planner: Amy Shanks

Meeting Attendees: Craig Rohe (Agent), Todd Shoalts (Owner), Lisa Price and Anne (LCA Environmental), Jayme Campbell (Terra-Dynamics), Sarah Ivins and Richard Nan (Wainfleet)

Application Type:

- | | |
|---|--|
| <input type="checkbox"/> Regional Official Plan Amendment | <input type="checkbox"/> Draft Plan of Condominium |
| <input checked="" type="checkbox"/> Local Official Plan Amendment | <input type="checkbox"/> Consent |
| <input checked="" type="checkbox"/> Zoning By-law Amendment | <input type="checkbox"/> Site Plan |
| <input checked="" type="checkbox"/> Draft Plan of Subdivision | <input type="checkbox"/> NEC Application |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Minor Variance |

Reports/Studies Required for Regional Review:

<input checked="" type="checkbox"/> Archeological Assessment	
<input type="checkbox"/> Agricultural Impact Assessment	
<input checked="" type="checkbox"/> Environmental Impact Study	
<input type="checkbox"/> Environmental Site Assessment/Record of Site Condition	
<input checked="" type="checkbox"/> Functional Servicing Report	
<input type="checkbox"/> Geotechnical Report	
<input type="checkbox"/> Grading Plan / Survey	
<input type="checkbox"/> Hydrogeological Study	
<input type="checkbox"/> Minimum Distance Separation I & II	
<input type="checkbox"/> Noise Study	
<input checked="" type="checkbox"/> Planning Justification Report	Address greenfield density targets
<input type="checkbox"/> Private Sewage System Design/Plan	
<input type="checkbox"/> Slope Stability Report	
<input checked="" type="checkbox"/> Stormwater Management Report	

Regional Review Fees (Fees effective February 1, 2021 to December 31, 2021)

OPA	\$5,235
ZBA	\$1,315
Sub-division	\$5,235 (base fee) + \$1,160 per hectare to a maximum of \$22,840 + 2,270 EIS Review Fee (if Terms of Reference review fee was submitted to scope Terms of Reference, whatever this amount was will be deducted from total review fee amount) +\$1890 SWM Review Fee

Land Use Designation:

Provincial Policy Statement

- Settlement Area
- Rural Lands
- Prime Agricultural Area

Greenbelt Plan

- Protected Countryside
 - Town/Village Hamlet
 - Specialty Crop Area
- Provincial Natural Heritage System

Growth Plan

- Delineated Built-Up Area
- Designated Greenfield Area
- Provincial Natural Heritage System

Regional Official Plan

- Urban Area

<input type="checkbox"/> Slope Stability Report	
<input checked="" type="checkbox"/> Stormwater Management Report	
<input type="checkbox"/> Topographical Study/Survey	
<input type="checkbox"/> Transportation Impact Study	
<input type="checkbox"/> Tree Inventory Preservation Plan	
<input type="checkbox"/> Other:	

- Heritage System
- Regional Official Plan
- Urban Area
 - Built Up Area
 - Greenfield Area
 - Unique Agricultural Area
 - Good General Agricultural Area
 - Rural Area
 - Hamlet
 - Core Natural Heritage Features

Planning

- The property is located within a Settlement Area under the Provincial Policy Statement (PPS) and within the Greenfield Area under the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). The property is designated Urban Area in the Regional Official Plan. A full range of residential, commercial and industrial uses are permitted generally within the Urban Area designation, subject to the environmental policies of Chapter 7, the availability of adequate municipal services and infrastructure, local Official Plan policies and compatibility concerns.
- A Greenfield Density Target of 50 people and jobs per hectare applies to Greenfield lands per Provincial and Regional policy. The Westwood Park Secondary Plan provides detailed policies for the comprehensive development of this area, which contributes to the City achieving its overall 50 people and jobs per hectare Greenfield Area density target. The **Planning Justification Report** should address greenfield density targets and the contribution of density for overall subdivision.
- The Provincial Policy Statement (PPS) and Regional Official Plan (ROP) both state that development and site alteration are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved. Based on the Ministry of Heritage, Sport, Tourism and Culture Industries' (MHSTCI) Criteria for Evaluating Archaeological Potential, the subject lands exhibit high potential for the discovery of archaeological resources due to their proximity (within 300 metres) to a registered archeological site, and a watercourse. A **Stage 1 and 2 Archaeological Assessment** should be submitted with the applications along with a copy of the Ministry's acknowledgment letter(s).
- Due to the property's location at the edge of the urban area boundary, a standard agricultural warning clause in the subdivision agreement will be requested.

Environment

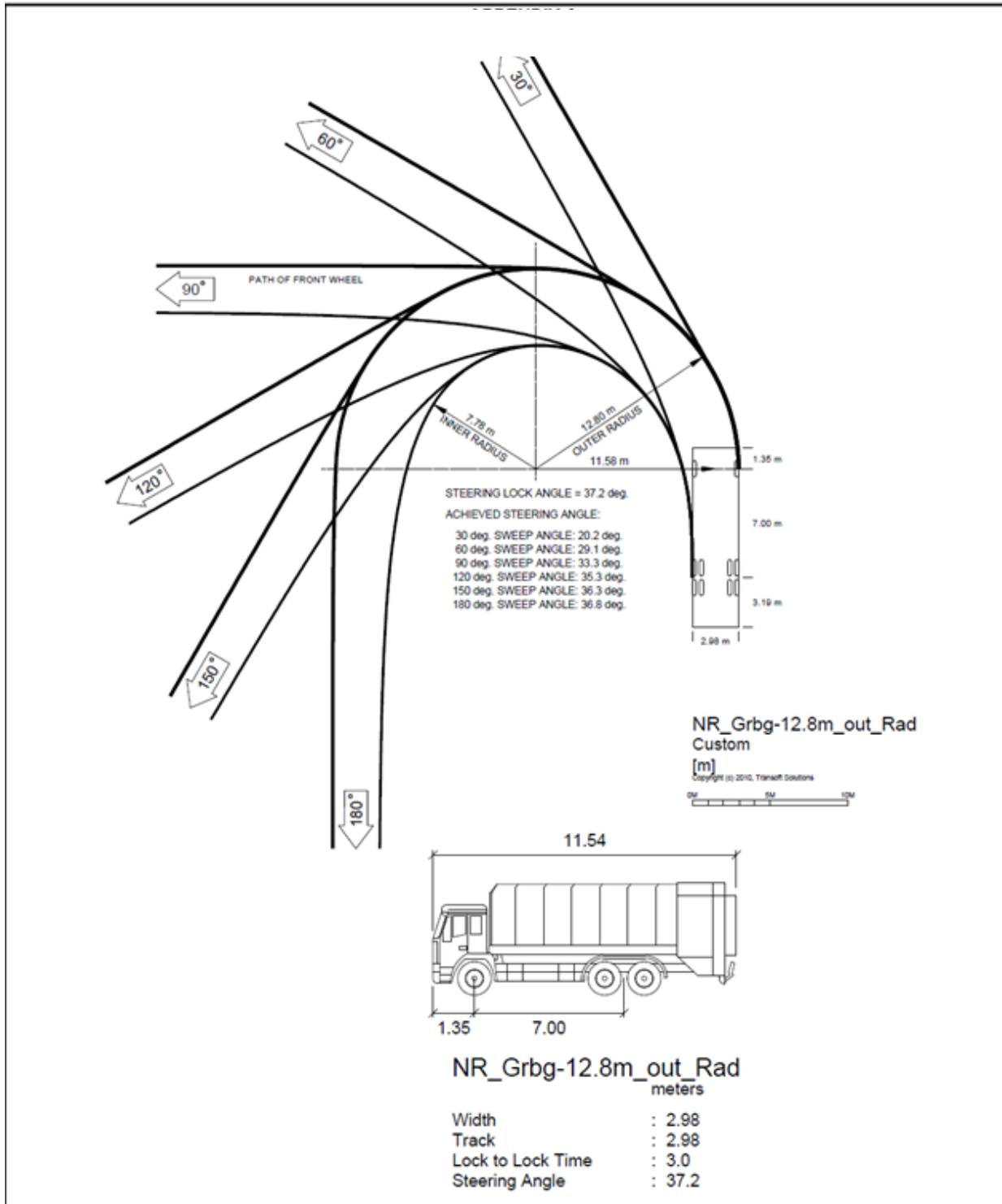
- The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of the Wainfleet Eagle Marsh Drain Provincially Significant Wetland Complex (PSW) and Significant Woodland. Additionally, the extent of features on the property may be greater than what is currently mapped. Consistent with Regional Official Plan (ROP) policy 7.B.1.11, an **Environmental Impact Study (EIS)** is generally required in support of site alteration and/or development proposed within 120 m of PSW and within 50 m of Significant Woodland. The EIS must demonstrate that there will be no significant negative impact on the features or their ecological function.
- The proposed development is within the above-noted setbacks. A Terms of Reference was prepared by LCA Environmental and approved by Regional staff on March 29, 2021. The EIS will determine the extent of the CNHS on the property as well as appropriate buffers.
- Please note that given the scope of the proposed development and the proximity to the adjacent wetlands a feature based water balance will also be required in order to ensure no negative impacts to the natural heritage system. Additionally, the EIS must include a robust discussion on the appropriateness of Linkages and Wildlife Corridors on the property. Further,

the EIS must address the trail system that is proposed through the PSW. The trail system may need to be refined through the results of the study.

Engineering

- Roads
 - Local- Lancaster Drive
 - Local- Cement Road
- Servicing
 - Local municipal servicing available from Lancaster Drive and Sugarloaf Street.
 - **The extension of municipal services will require Environmental Compliance Approval Certificates from the MECP.**
 - The Region will require circulation of the **Functional Servicing Report** which should outline the expected dry and wet weather sanitary flows for the proposed development.
- Stormwater Management
 - With the Draft Plan of Subdivision application, the Region will require a **stormwater management plan** demonstrate the development will not impose negative impacts in terms of storm water quality and quantity. The following comments are provided by information purposes to assist the applicant with the preparation of a detailed site plan:
 - Niagara Region will require that stormwater runoff from the development be collected and treated to an Enhanced standard prior to discharge from the site.
 - Niagara Region will require that stormwater runoff from 25mm design storm event be captured and released over a period of 24 hours in order to mitigate the erosion impacts on the downstream watercourse. Demonstrate that 2-year post-development flow will not exceed pre-development level.
 - Niagara Region will not require peak flow control due to the location. Confirmation from the City that their Eagle Marsh Drain has sufficient capacity to accommodate the development and the flow control plan is in compliance with the updated Secondary Plan. Region staff recommend a hydraulic grade line analysis with the worst scenario of Eagle Marsh Drain operation condition exam the Lake backwater impact.
 - Niagara Region will require that a stormwater management report (and the associated \$1890 fee, development >5ha) be submitted to this office indicating in details how the SWM requirement will be achieved. The Report should include the necessary information with respect to the inspection and maintenance requirements.
 - Prior to construction, Niagara Region will require that detailed grading, storm servicing, stormwater management, and construction sediment control drawings be submitted to this office for review and approval.
- Waste Collection
 - Recycling: No Limit Blue/Grey Boxes Collected Weekly;
 - Organics: No Limit Green Bins Collected Weekly; and,
 - Garbage: 2 Garbage Bags/Cans Collected Every-Other-Week.
 - Region staff acknowledge that the municipal through streets would be able to accommodate the Regional waste collection truck for the purpose of providing Regional curbside waste collection to the residential units.

Diagram 1 – Collection Truck Turning Radius

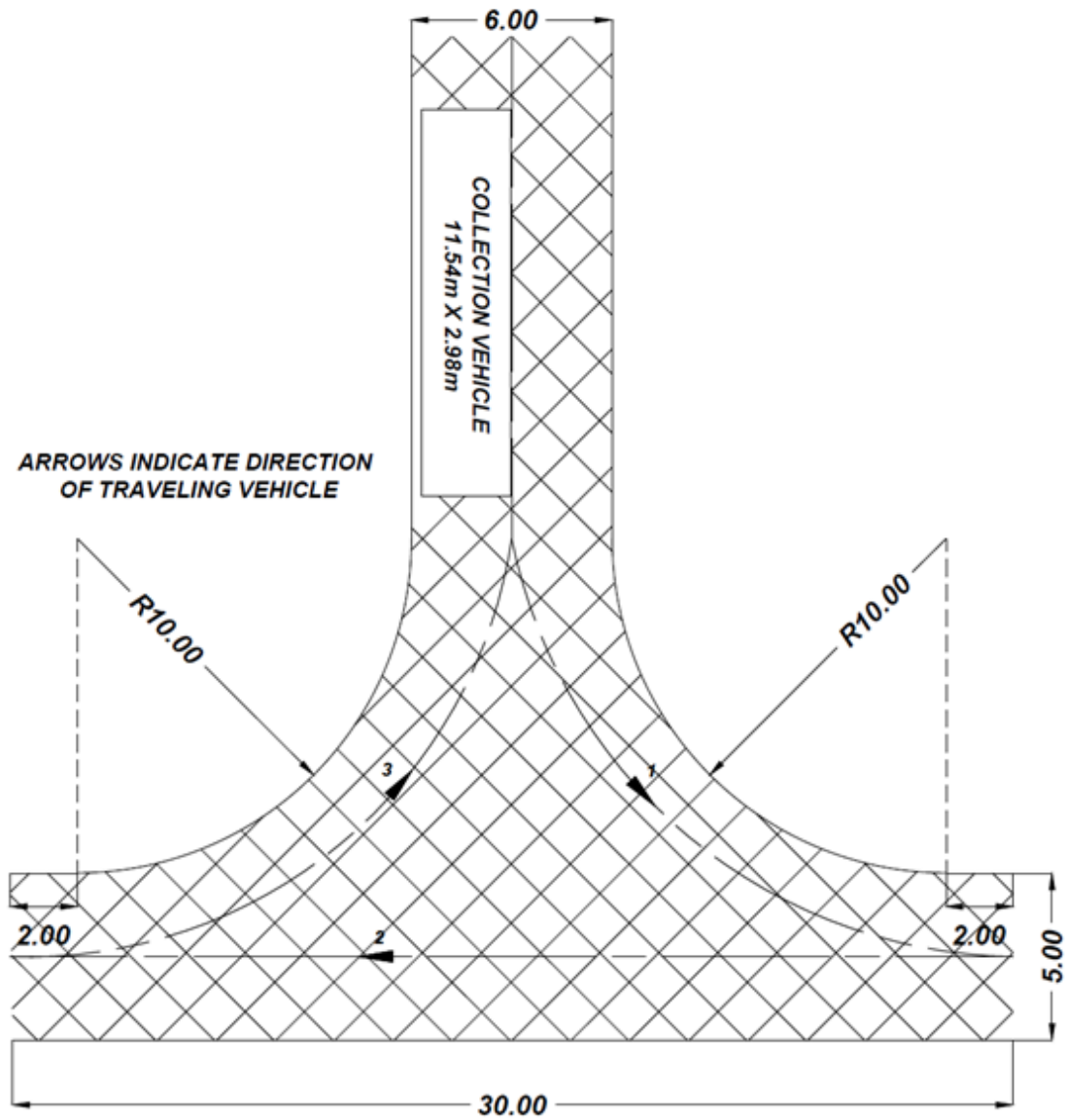


**REGIONAL COLLECTION TRUCK TURNING
TEMPLATE 12.8m OUTSIDE RADIUS**

DATE: August 2016	SCALE: NTS
UPDATED BY: J.B	DRAWN BY: E.M.

Niagara Region
PUBLIC WORKS

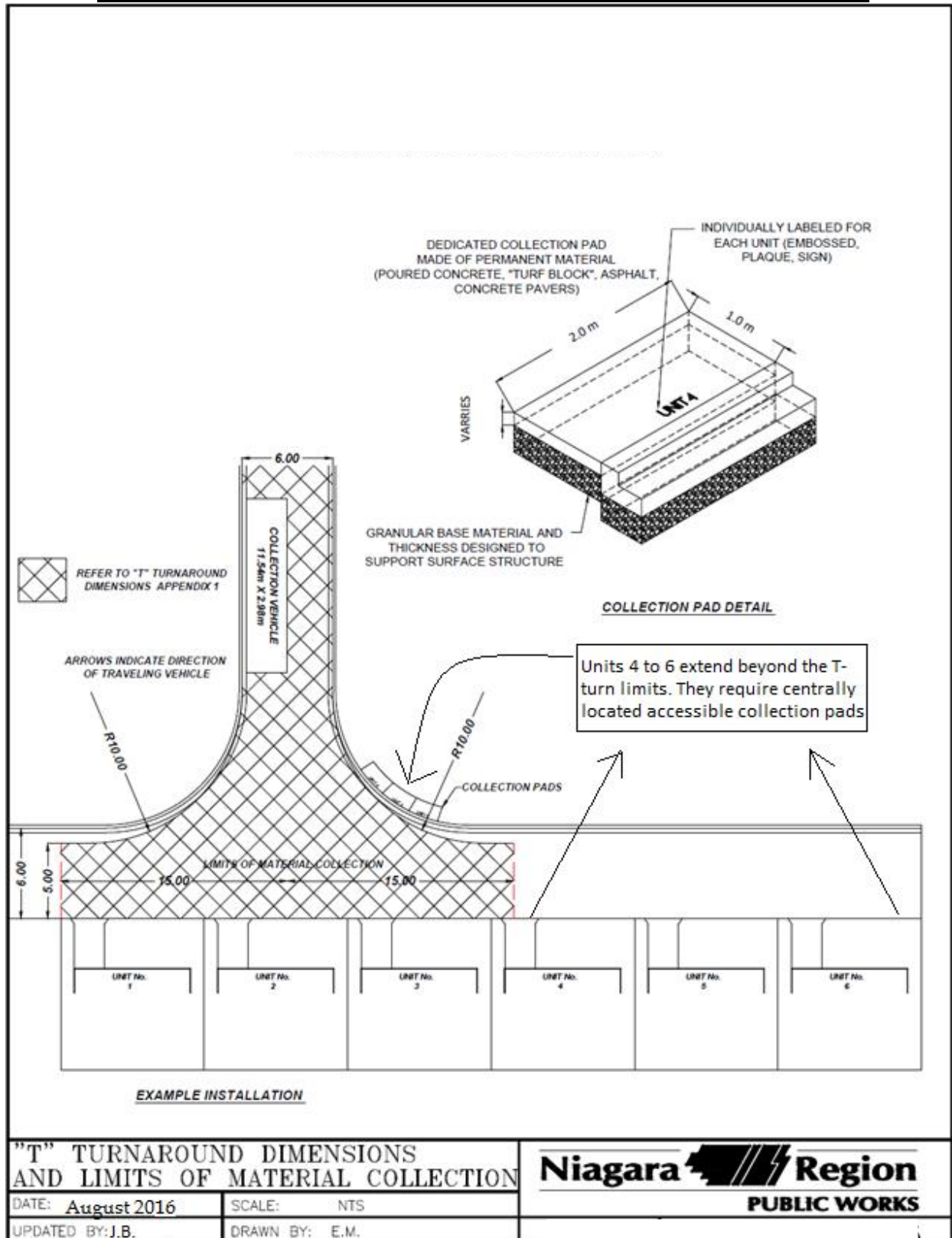
**Diagram 2 – “T” Turnaround Dimensions
(Minimum Requirements for Regional Collection Vehicle)**



EXAMPLE INSTALLATION

"T" TURNAROUND DIMENSIONS			
UPDATED BY: J.B.	DRAWN BY: E.M.		

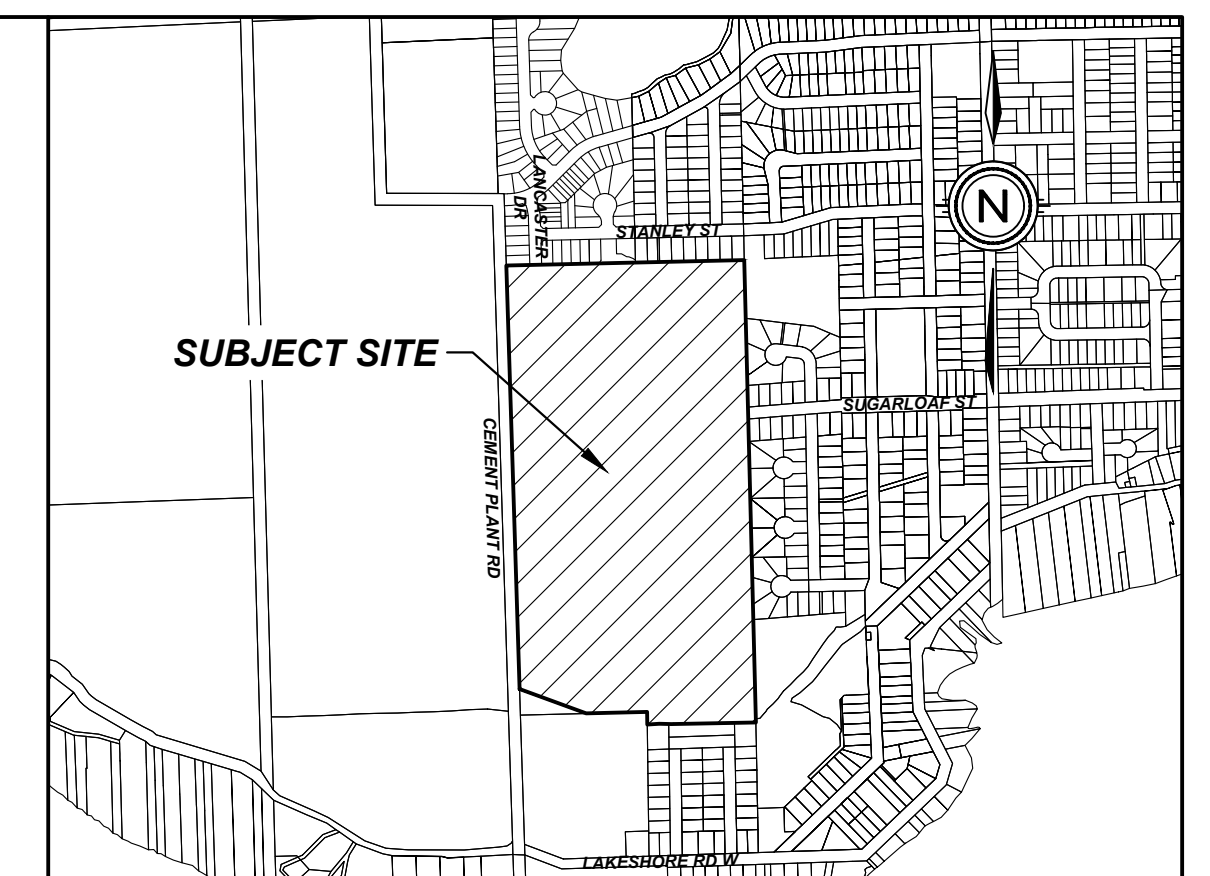
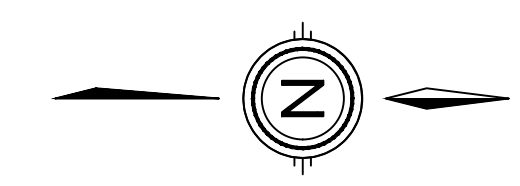
Diagram 3 – “T” Turnaround Dimensions, Limits of Material Collection (Minimum Requirements for Regional Collection Vehicle)



APPENDIX V
COLOUR DEMONSTRATION PLAN

WESTWOOD ESTATES - PHASE 3

CITY OF PORT COLBORNE



KEY PLAN
N.T.S.

DEMONSTRATION PLAN



LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	LOT 1-167	167	9.222	30.18
STREET TOWN RESIDENTIAL	BLOCK 168-177	52	1.162	3.80
MEDIUM DENSITY RESIDENTIAL	BLOCK 178	96	0.976	3.19
PARKS	BLOCK 179-181		0.535	1.75
TRAIL CONNECTIONS	BLOCK 182-186		0.484	1.58
PROVINCIAL SIGNIFICANT WETLAND	BLOCK 185-186		10.810	35.38
DRAINAGE CHANNEL	BLOCK 187-189		1.489	4.87
STORMWATER MGMT FACILITY	BLOCK 190-191		1.356	4.44
SWM ACCESS	BLOCK 192		0.020	0.07
TRAIL ACCESS	BLOCK 193		0.018	0.06
BUFFER AREAS	BLOCK 194-195		0.075	0.25
ROADWAY			4.407	14.42
TOTAL		315	30.554	100.00

DEVELOPABLE AREA = 18.25ha
DEVELOPABLE DENSITY = 17.26 units/ha

#	ISSUED FOR REVIEW	2023-01-06	M.K
0	ISSUED FOR REVIEW	2023-01-06	M.K
#	REVISION	DATE	INIT



DEMONSTRATION PLAN	DRAWING TITLE	DRAFTING	MK
		DATE	NOVEMBER 15, 2022
		PRINTED	JANUARY 6, 2023
		SCALE	1:1250
	DWG No.	2160-DP	REV
			0