

# **Planning Justification Report**

## **Rosedale Estates Subdivision**

**Port Colborne, ON**

**November 2023**

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## **PREFACE**

Upper Canada Consultants respectfully submits this Planning Justification Report pertaining to applications for Modification to Draft Plan Approval and Zoning By-law Amendment for land described legally recognized as Part of Lot 30, Concession 3, being Part 1 on Plan 59R-2446, municipally known as 100 Oxford Boulevard, Port Colborne.

The applications seek to establish the necessary land use permissions to facilitate the development of the property with 131 single detached dwelling units, 118 street townhouse dwelling units, one park block, and one block containing a stormwater management facility. The proposed development is known as Rosedale Estates Subdivision.

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

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

- Functional Servicing Report prepared by Upper Canada Consultants (dated November 23, 2023)
- Stormwater Management Plan prepared by Upper Canada Consultants (dated November 23, 2023)
- Updated Transportation Impact Study prepared by R.V. Anderson (dated November 28, 2023)



## **BACKGROUND**

Back in June of 1988, the subject lands received Draft Plan of Subdivision Approval. Over the years, these lands have been granted several extensions in order to preserve the Draft Plan Approval. Extension requests were submitted to the City and other authorizing agents, and subsequently granted in 2013, 2015, 2017, 2019 and 2020.

In June of 2022 another extension request was submitted, in which a temporary four-month extension was granted in August 2022, lapsing in December 2022. An additional one-year extension was granted prior to the December 2022 lapsing date, with the extension expiring on December 16<sup>th</sup>, 2023 as per By-law 2022-257.

The lands have recently changed ownership, in which the new owner, Rosedale Estates Ltd., part of the same ownership group that owns the lands to the east known as the approved and registered Meadow Heights Subdivision (Phase 3). As the current owner wishes to proceed with these developments, working in tandem, the current applications are brought forth.

The submitted Zoning By-law and modification to the Draft Plan of Subdivision applications also include a final request for a Draft Plan of Subdivision Approval extension. Further details are included within that request.

## **DESCRIPTION AND LOCATION OF THE SUBJECT LANDS**

The Zoning By-law Amendment and Draft Plan of Subdivision applications pertain to lands located east of West Side Road (Hwy 58), south of Stonebridge Drive, north of Oxford Boulevard and Hawthorne Heights Subdivision and west of Meadow Heights Subdivision. An aerial image showing the location of the subject lands and surrounding properties is included in **Figure 1**.

The subject lands are legally recognized as Part of Lot 30, Concession 3, being Part 1 on Plan 59R-2446, municipally known as 100 Oxford Boulevard, and informally known as Rosedale Estates Subdivision.

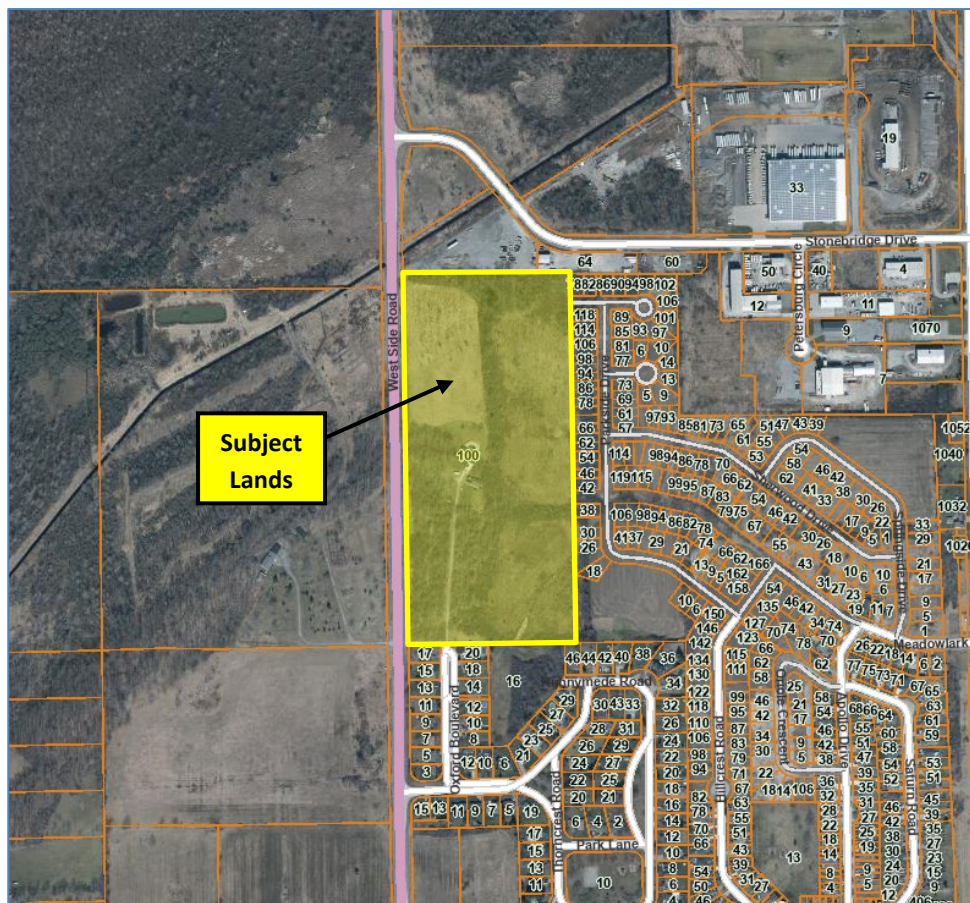


Figure 1 - Aerial View of the Subject Lands (Niagara Navigator 2020 Imagery)

The subject lands cumulatively measure 12.768 hectares in lot area, and currently contain one single-detached dwelling, along with grassed areas and trees.

### Surrounding Area and Land Uses

The surrounding neighbourhood area consists of existing and future residential development on the south and east side of the subject lands. These neighbourhoods include Hawthorn Heights and Meadow Heights.

Lands to the west are vast, yet contain one single-detached dwelling, and lands to the north and north-east are Industrial. The Industrial park includes; Van Jon Paving, Stolk Construction, North America Traffic, Yarnell Overhead Door Ltd., Iker's Automotive and Claire's Delivery & Transportation.

### Transportation Network

Modifications have been made to the approved Draft Plan of Subdivision regarding the transportation network and road connections, as policies and regulations have changed over time.

The original plan had one road connection through Oxford Boulevard, and one through to West Side Street (Highway 58). However, the Ministry of Transportation no longer permits the road connection to Highway 58 from the approved plan, therefore, alterations to the plan were obligatory in order to obtain the required second access.

In order to provide the alternative second road connection for the Rosedale Subdivision, interdependency with the Meadow Heights Subdivision is required. Meadow Heights is fully approved and registered and it includes an extension of Meadowlark Drive that once fully built, will provide this access to the Rosedale Subdivision. The proposed redline draft plan also includes a third connection, being Westfield Place, also through Meadow Heights.

The combined neighbourhood plan is provided in **Figure 2**.

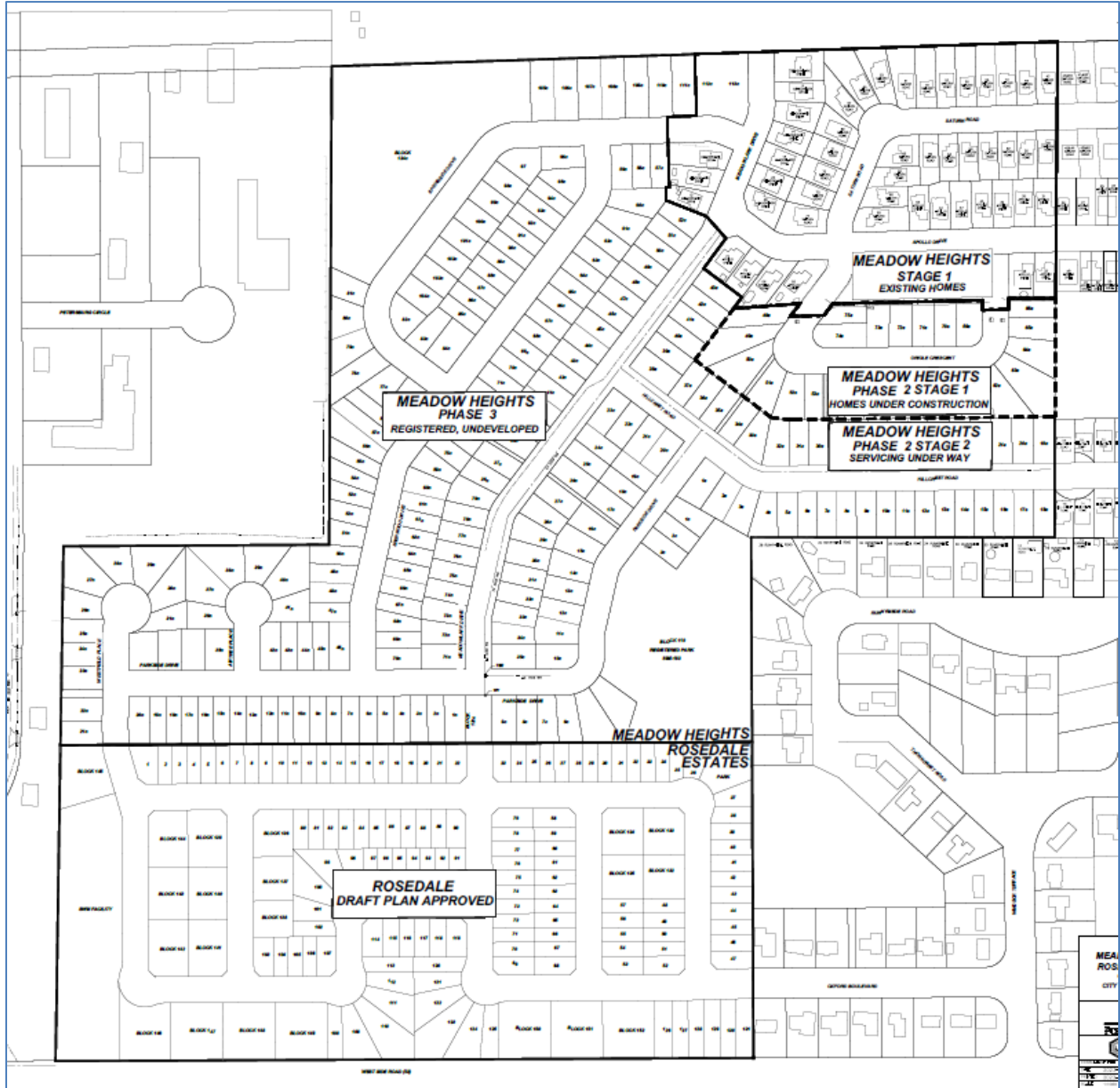


Figure 2 – Combined Meadow Heights and Rosedale Estates Plan

## THE PROPOSED DEVELOPMENT

The landowner is proposing a comprehensive development of the property through a modification of a previously approved Draft Plan of Subdivision. The development is shown in **Figure 3** and the Draft Plan of Subdivision is attached as **Appendix I**.

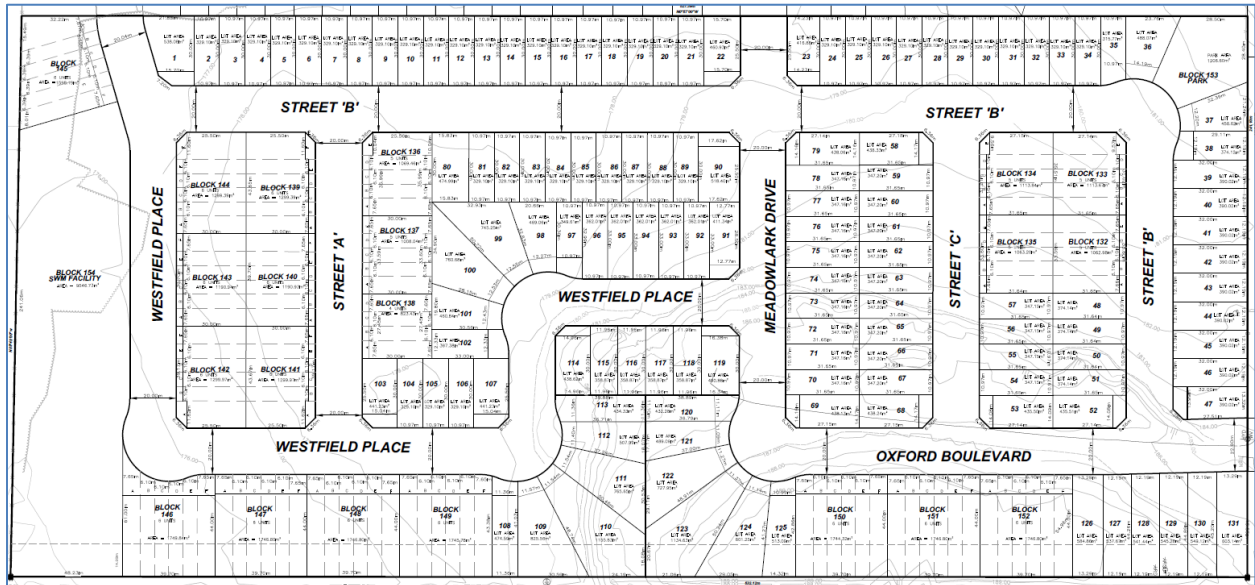


Figure 3 - Excerpt from the Draft Plan of Subdivision

### Housing Types

The Draft Plan of Subdivision proposes the creation of 131 lots for single detached dwellings, as well as 21 street-townhouse blocks containing 118 dwelling units, yielding a total of 249 units.

The modifications to the previously approved Draft Plan not only provide a range of housing typologies rather than solely single-detached dwellings, they increase the overall density. This mix of housing provides a suitable differentiation in housing density that is compatible with the surrounding neighbourhoods.

### Road Network

The Draft Plan of Subdivision includes the provision of six (6) public roadways shown as Street 'A', Street 'B', Street 'C', Westfield Place, Meadowlark Drive and Oxford Boulevard.

The road network provides for the efficient development and use of the interior of the site.

The proposed road network is connected to the existing road network to the south by way of Oxford Boulevard.

The proposed road network is also planned to connect to the future Meadow Heights Phase 3 Subdivision to the east by way of Meadowlark Drive and Westfield Place.

#### Public Lands

The Draft Plan proposes the creation of Block 153 for parkland, more specifically a multi-use trail that connects to the future and existing parks of Meadow Heights and Hawthorn Heights, and Block 154 as a stormwater management (SWM) facility.



## **REQUIRED PLANNING ACT APPLICATIONS**

A pre-consultation meeting pertaining to the submitted applications occurred on March 23<sup>rd</sup>, 2023. At this meeting the City staff confirmed that applications for modifications to the Draft Plan of Subdivision and a Zoning By-law Amendment would be required to facilitate the proposed subdivision.

A copy of the Pre-consultation Summary is included as **Appendix II** to this report.

As requested by the City and review agencies, a complete application submission for the Draft Plan of Subdivision application must include:

- Functional Servicing Report and Stormwater Management Plan;
- Planning Justification Report including Draft Zoning By-law Amendment;
- Updated Transportation Impact Study; *and*
- Redlined Draft Plan of Subdivision

These required materials are provided with the Application submission.

### **Draft Plan of Subdivision**

The Draft Plan of Subdivision application proposes to modify the draft approved subdivision, dividing the subject lands into 131 lots for single detached dwellings, 21 street-townhouse blocks containing 118 dwelling units, one block for a stormwater management facility, and a block for parkland. This proposed plan will yield 249 housing units; the previously approved Plan yielded 118 housing units.

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

### **Zoning By-law Amendment**

A concurrent Zoning By-law Amendment application is submitted to permit and regulate the proposed land uses as per the modifications proposed to the draft plan.

The single-detached lots and townhouse blocks are proposed to be zoned as site-specific Third Density Residential (R3) Zone. The SWM block and trail to the adjacent parks are both proposed to be zoned as Public and Park (P) Zone.

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

## **SUPPORTING STUDIES AND REPORTS**

Consistent with the submission requirements outlined during pre-consultation (see **Appendix II**) for these application on March 23<sup>rd</sup>, 2023 and in addition to this Planning Justification Report, a Functional Servicing and Stormwater Management Report, as well as an updated Transportation Impact Study have been submitted with the application. A brief overview of the purpose, findings and conclusions of these reports/studies are provided below.

### **Functional Servicing and Stormwater Management Report (Upper Canada Consultants)**

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

#### **Water Servicing**

It is expected as part of the adjacent Meadow Heights Subdivision development, the 300mm diameter Meadowlark Drive watermain will be extended westerly on Meadowlark Drive to the new Parkside Drive and then continue northerly to the proposed Westfield Place at the north end of the site. This 300mm diameter watermain will then continue north, immediately adjacent to the Rosedale SWM facility, and ultimately connect to the Stonebridge Drive 400mm diameter watermain providing a loop.

#### **Sanitary Servicing**

As part of the adjacent Meadow Heights (Phase 3) subdivision, a 300mm diameter sanitary sewer will be constructed immediately east of the proposed Rosedale Subdivision Stormwater Management Facility, through a servicing easement on the Van Jon Paving property (#64 Stonebridge Drive), and discharge to a maintenance hole on Stonebridge Drive at the extreme upstream limit of the sanitary sewer. It is proposed to discharge sanitary flows from the proposed Rosedale Subdivision to the 300mm diameter Meadow Heights easement sanitary sewer. This easement sanitary sewer has been designed to convey sanitary flows from the proposed Rosedale Subdivision development.

#### **Stormwater Management Plan**

The proposed development includes a stormwater management facility to provide quantity and quality controls prior to discharging water off-site. This facility will also provide quantity controls for the Meadow Heights Subdivision to the east during larger storm event. Future stormwater flows will discharge to the stormwater management facility and subsequent sewer located immediately east of the proposed facility, conveying flows northerly through an easement on the Van John Paving lands to Stonebridge drive, and ultimately the Biederman Drain. The storm



sewer will be a part of the Meadow Heights Subdivision development, that will be completed prior to the proposed subdivision

**Updated Transportation Impact Study (R.V. Anderson)**

An updated Transportation Impact Study (TIS) was prepared by R.V. Anderson Associates to analyze traffic the impacts of the proposed development on the existing and proposed road network, and to identify if recommended improvements are required to accommodate the site generated traffic.

As part of the Study, the following intersections have been identified for intersection capacity analysis;

- Oxford Boulevard/Windsor Terrace
- Highway 58/Windsor Terrace
- Highway 58/Barrick Road
- Highway 58/Stonebridge Drive

The Study indicated that the proposed development is estimated to generate approximately 151 total two-way trips during weekday a.m. peak hours and 195 total two-way trips during the weekday p.m. peak hours.

Based on future projected volumes and the results of the intersection capacity analysis, network modifications including traffic signal control or auxiliary turn lanes are not warranted. The intersections have sufficient capacity to accommodate the anticipated traffic generated from the subject development site without the need for any capacity modifications.

## **PROVINCIAL LEGISLATION AND PLANS**

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

### **PLANNING ACT (R.S.O. 1990)**

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

#### **Section 2 – Matters of Provincial Interest**

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

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

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

Clauses f), h), i), j), l), p), and q), r) are considered to be relevant to these applications, and are evaluated below.

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

The proposed subdivision achieves efficient and compact land use patterns through the provisions of an internal street network. The proposed plan will integrate into existing and planned municipal roadway connections, and will be accessible from Oxford Boulevard, Meadowlark Drive and Westfield Place.

Furthermore, the proposed development facilitates an increase in housing supply on a site already equipped with municipal services. This approach prioritizes the efficient utilization of existing infrastructure, minimizing the need for additional resources, and enhances overall efficiency.

Lastly, the development is designed in a manner that supports the articulation of waste collection vehicles and will be eligible for curbside pick-up from Niagara Region. The layout also facilitates the movement of emergency, delivery and moving vehicles.

*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;*

The orderly development of safe and healthy communities is achieved through the development of the subject lands as a multi-unit subdivision. The proposed housing forms are appropriate for the subject lands and will integrate seamlessly with the adjacent residential development forms in the surrounding area that include existing and future single-detached dwellings. This subdivision completes the gap between the Meadow Heights Phase 3 and Hawthorn Heights, and as it must be constructed synchronously with Meadow Heights, orderly development is proven.

Overall, the proposed development accommodates residential growth that is compatible and contiguous with the surrounding existing, and future neighbourhoods. The inclusion of additional housing opportunities and forms contributes to the orderly development of safe and healthy communities, fostering a cohesive and balanced community.

*i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*

The subject lands are located within less than 4-kilometres of three elementary schools;

- Oakwood Public School (2.1 kilometres)
- St. John Bosco Catholic Elementary School (2.7 kilometres)
- McKay Public School (3.6 kilometres)

These lands are immediately adjacent to two parks known as the existing Oxford Park and future Meadow Heights Park. The proposed subdivision is to have a dedicated multi-use trail off of Street 'B' that provides direct access to both parks.

Other parks including Balls Park, Jacob E. Barrick Park and Elm Street Leash-Free Dog Park are within close proximity.

Lastly, other facilities within the vicinity, south of the subject lands down West Side Road (Highway 58) include grocers, restaurants, a hardware store, church, clinic, etc.

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

The proposed subdivision will contain two hundred and forty-nine (249) dwelling units. These dwellings are provided in a range of housing types and densities including single-detached dwellings and street townhouse dwellings.

By incorporating street townhouse dwellings into the area, the proposed development expands the range of housing options available, increasing the supply of housing. By increasing the supply of housing, you subsequently decrease demand, leading to greater affordability from an economical trend perspective. Also, street townhouses are typically more affordable than single-detached dwellings, concluding that this range of housing addresses the diverse needs and preferences of individuals, promoting inclusivity and improving overall housing attainability.

*l) the protection of the financial and economic well-being of the Province and its municipalities;*

The proposed development is beneficial for the financial and economic well-being of the Province and its municipalities as it introduces two hundred and forty-nine (249) new homes in the City of Port Colborne. The addition of these units, increases housing availability in Port Colborne. This expands housing capacity, and contributes to the overall economic resilience and vitality of the area. This development will also generate development charges and long-term property tax revenue. These economical and financial contributions support the sustainable growth and prosperity of the Region and municipality, which supports the local economy.

*p) the appropriate location of growth and development;*

The subject lands are located within the Port Colborne Settlement Area Boundary and both the Provincially delineated Built Boundary and Designated Greenfield Area. As outlined in the Growth Plan and Niagara Official Plan, the majority of urban growth is to be directed to Settlement Areas, and within those Settlement Areas, to Built-up Areas and lands with available municipal services.

The subject lands are an appropriate location for growth and development as they are within the Urban Area, Built-up Area and Designated Greenfield Area, and are provided with municipal services and public roadway access. These lands are not encumbered by any significant physical, geographic or environmental constraints, and benefit from proximate transportation networks and connections.

The subject lands are adjacent to a Provincial roadway, various parks, and employment opportunities, which further justifies its suitability for residential development. This strategic utilization of underutilized urban lands maximizes potential and aligns with the objectives of an appropriate location for growth and development.

*q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*

The development proposal efficiently uses serviced urban lands for permitted growth, thus limiting the need for urban boundary expansions and/or development that unnecessarily encroaches upon natural heritage features and good agricultural lands.

The subject lands offer favorable conditions for a pedestrian-oriented development that aligns with public transit support. Public transportation is readily accessible nearby, with the closest bus stop currently located approximately 600-metres away at Barrick Road and West Side Road. The introduction of Rosedale Estates, as well as Meadow Heights into the area, significantly contributes to the promotion of transit-friendly population densities. This, in turn, enhances the sustainability and expansion of public transit services within the community.

While Rosedale Estates will not provide neighbourhood commercial uses due to the lack of practicality with the removal of the connection to Highway 58, the adjacent subdivision, Meadow Heights will. These subdivisions are to be considered as one, as they will be developed in tandem, having the same ownership group. This neighbourhood commercial use will be beneficial to those in the surrounding area, providing greater access for necessities within walking distance.

Lastly, the internal road network leads to adjacent parkland and the neighbouring subdivisions, which provides further convenient pedestrian access to commercial uses and employment opportunities.

In summary, the proposed road network and proximity of the subject lands to park space and commercial development encourages the use of multi-modal transportation options.

r) *the promotion of built form that,*

a. *is well-designed,*

b. *encourages a sense of place, and*

c. *provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*

The proposed built forms are considered to exhibit good urban design principles that will improve the current visual condition of the property to the benefit of the surrounding residential land uses.

The proposed development will be well-designed with an attractive built form, being context sensitive and integrating appropriately with the surrounding neighbourhoods. These dwellings range in form and size, and have been thoughtfully designed to provide a range of housing to adhere to all demographics.

Residents will have easy access to the two parks directly adjacent to the proposed subdivision, which provide attractive and vibrant spaces for the public. Access is provided through a proposed multi-use trail within the proposed subdivision, to provide direct access to this parkland.

The development creates a sense of place through a compact layout which contains landscaping and low volume public roadways.

### **Section 34 – Zoning By-laws and Amendments**

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

### **Section 51 (24) – Draft Plan of Subdivision**

Applications for Land Division are governed under Section 53 of the *Planning Act*. Section 53(12) required that when considering an application for Consent and Approval Authority must have regard for the matters under Section 51(24) 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 analysis of compliance to each item is provided below:

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

As noted above, the applications satisfy Section 3, clauses f), h), i), j), l), p), q) and r) of Section 2 of the *Planning Act*.

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

The subject lands have had Draft Plan of Subdivision Approval since June of 1988, inferring the proposed subdivision is quite the contrary to being premature, as these lands have been planned for development for decades. The lands are also designated and zoned for residential development in the City’s Official Plan and Zoning By-law.

The subject site is adjacent to existing and proposed residential development, has full access to services and utilities, and has access to public roadways. These favourable attributes

further indicate that the proposed subdivision is not premature, but rather represents a logical location for additional residential development in the area.

The subdivision addresses the demand for different housing typologies including single-detached and townhouse dwelling units. This development contributes to the diversification and expansion of the available housing supply in the area. Further, it will efficiently use underutilized urban serviced land.

Considering adjacency to existing residential development, accessibility to services and utilities, fulfillment of housing demand, and optimization of municipal services, this subdivision is not premature and is within the public interest.

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

The Plan conforms to the City of Port Colborne Official Plan. A detailed overview of specific conformity with Official Plan policies is provided further on in this report.

The application proposes development within a Plan of Subdivision. The development represents anticipated multi-unit growth, consistent with the overall intent of the former subdivision plan. The land use patterns and road networks for this development are also integrated with surrounding development, as the three accesses to the proposed subdivision are from an existing, and an approved and registered subdivision. The proposed development maintains the overall vision for the area in providing a compact development that accommodates an appropriate mix of housing types.

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

The property is located in a suitable location for development as it is a previously approved Draft Plan of Subdivision, and is designated for the intended residential land use. It has full municipal services available, is free of significant development encumbrances, and has access to public roads and public transit.

The property is located within the Port Colborne Urban Boundary and is subsequently identified as being within both the Built-Up Area and the designated Greenfield Area, which are priority locations for growth and development.

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

While the applications do not include affordable housing as defined by the Province of Ontario, the proposed development actively contributes to the availability of housing which in turn leads to attainability. The proposed development includes single-detached, and



townhouse dwellings, providing a range of housing that will vary in price. Together, these efforts promote housing that accommodates a wider range of residents, prioritizing inclusivity and meeting the diverse housing needs of the community.

- 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 subject lands are located on the east side of Highway 58 (West Side Road), which is classified as a Provincial roadway. Though the lands will not have direct access to Highway 58, they have indirect access by way of public roadways. The road networks provide adequate access to Regional and local roadways, as well as the Queen Elizabeth Way, thus making the subject lands highly accessible by multiple modes of transportation.

The Draft Plan proposes the creation of a street network consisting of six, 20-meter-wide municipal roadways shown as Street 'A', Street 'B', Street 'C', Westfield Place, Meadowlark Drive and Oxford Boulevard on the Draft Plan. The proposed road network is connected into the existing municipal road network through Hawthorn Heights and Meadow Heights, by way of Westfield Place, Meadowlark Drive and Oxford Boulevard.

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

The applications propose the creation of generally rectangular shaped lots and blocks. While there are several pie shaped lots, these are only located around the 90-degree elbows within the roadways.

All-in-all, the Plan generally proposes a geometrically consistent lotting pattern that coincides with surrounding planned and existing neighbourhoods.

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

There are no restrictions to development on the subject lands.

- h) conservation of natural resources and flood control;*

This is not applicable for the subject lands.

- i) the adequacy of utilities and municipal services;*

A Functional Servicing Report prepared by Upper Canada Consultants, outlines how the proposed development will be serviced, and has been submitted with the applications. As

confirmed in the report, municipal infrastructure is readily available, and has sufficient capacity to service the proposed development.

*j) the adequacy of school sites;*

The subject lands are located within less than 4-kilometres of three elementary schools;

- Oakwood Public School (2.1 kilometres)
- St. John Bosco Catholic Elementary School (2.7 kilometres)
- McKay Public School (3.6 kilometres)

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

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

The Draft Plan proposes the creation of a 1,210-metres-squared park block (Block 153) and a 9,550-metres-squared stormwater management block (Block 154).

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

The coordinated development of a large parcel of land provides for increased efficiencies in the servicing and construction of the development. Meadow Heights and Rosedale Estates will also be engineered together in order to maximize efficiencies. To add, the proposed development achieves a compact land use pattern and utilizes an internal road network that helps to optimize the use of infrastructure.

Energy efficient design may also 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).*

The proposed development is subject to Subdivision approval which ensures that all matters affecting the approval authority and commenting agencies are adequately addressed prior to the commencement of development.

## **2020 PROVINCIAL POLICY STATEMENT**

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

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

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

The PPS generally encourages intensification in the Settlement Area as a desirable means of accommodating growth and development. The proposed development is considered intensification in accordance with the PPS as it represents the development of underutilized urban lands at a higher density than what currently exists. Policy 1.1.3.4 encourages the implementation of appropriate development standards to facilitate intensification in a compact form. Consistent with the PPS, the submitted Zoning By-law Amendment application, along with the Draft Plan of Subdivision application will establish and implement appropriate built-forms and development standards that provide for the comprehensive development of a large parcel to achieve a compact development pattern that makes efficient use of the land, infrastructure and services.

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

## **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, hazards, employment and housing.

Consistent with this overall policy direction, a pre-consultation meeting for the proposed development was held on March 23<sup>rd</sup>, 2023. The pre-consultation meeting allowed for the upper and lower-tier municipalities and other commenting agencies to review and comment on development proposals early in the process, in which no objections to the proposal in principle were received from staff.

Section 1.2.4 of the PPS requires that upper tier municipalities provide planning direction on allocations of population and employment, preferred growth areas, targets for intensification and transit supportive development. The Regional Municipality of Niagara is the upper tier government body that manages and monitors growth within the Region. In conformity with the Growth Plan, Regional level policy direction requires a minimum annual residential intensification rate of 30% to the year 2051. The applications are consistent with these requirements, as all units will be counted towards the annual intensification target for Port Colborne.

This coordinated approach allows for appropriate considerations to be made during the planning stage to ensure that potential areas of concern are suitably addressed. Applications have been made pursuant to the complete application requirements outlined in the pre-consultation agreement, while ensuring that all matters of Provincial, Regional and local interests are identified.

## **Housing (PPS 1.4)**

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

Table 2-1 of the Niagara Official Plan forecasts that Port Colborne will have 23,230 people by 2051. Table 2-2 indicates that Port Colborne will need to add 690 dwelling units by 2051 within the built-up areas to accommodate the expected growth.

Consistent with the PPS, the proposed subdivision includes a variety of housing forms and densities, including single-detached and street-townhouse dwellings. The proposed dwelling mix offers housing choices that reflect the range of housing needed, and the dwelling typologies are

mixed and incorporated throughout the subdivision rather than being segregated into homogenized areas, helping to achieve a more integrated and complete community as encouraged throughout the PPS.

Overall, the proposed development will assist the municipality in accommodating prescribed growth over the next 15 years by providing housing opportunities, and is therefore consistent with Section 1.4 of the PPS.

### **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 are provided such as parks, trails, and access to shorelines for public enjoyment.

The subject lands are adjacent to an existing park known as Oxford Park and the planned Meadow Heights park. The proposed subdivision is proposing trail access to these parks for convenience and promotion of a healthy and active community. There are also several other parks within a short walk of the subject lands. These park areas contain play equipment and large open areas of recreation that will be beneficial to all residents.

### **Infrastructure and Public Service Facilities (PPS 1.6)**

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

#### Sewage, Water and Wastewater (PPS 1.6.6)

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

#### Transportation (PPS 1.6.7)

The policies under Section 1.6.7 of the PPS direct that efficient use should be made of existing and planned transportation infrastructure, that connectivity amongst systems and modes be

maintained and improved, and that land use patterns, density and mix of uses should be promoted that minimizes the length and number of vehicle trips, and support multi-modal transportation options.

The proposed subdivision includes an internal road network consisting of six (6) municipal roads. The proposed network is connected to the existing road network via Oxford Boulevard. Two additional accesses will be provided through Meadow Heights, by way of Westfield Place and Meadowlark Drive. The proposed road network provides for the efficient use and development of the property. A Traffic Impact Study has been prepared by RV Anderson which confirms that the proposed development will not negatively impact the existing road network.

The subject lands are also located on the east side of West Side Road (Highway 58) which is a Provincial roadway. The subject lands are serviced by public transit, with a stop at the intersection of Barrick Road and West Side Road approximately 600-metres away.

#### **Long Term Economic Prosperity (PPS 1.7)**

Section 1.7.1 of the PPS outlines several ways in which economic prosperity can be supported in Ontario. Based on the criteria listed in Policy 1.7.1, Policy 1.7.1 b) is relevant and requires that long-term economic prosperity be supported by *“encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce.”*

The applications propose forms of residential development that continue to be desirable and successful in Niagara. The single-detached and street townhouse dwellings respond directly to housing needs in Ontario and Niagara by providing more housing opportunities within a developed area of Port Colborne. The variety of housing forms and sizes adheres to a wide demographic allowing individuals to purchase their first home, downsize, expand, age-in-place, etc., without having to move outside of the community.

The proposed development will promote economic investment and community investment by developing a site within the City’s Urban Area. The development will optimize the long-term availability and use of land, resources, and public service facilities by permitting residential units in an area that is to be further developed over the coming years. The proposed development facilitates the efficient use of land which has access to existing municipal services and infrastructure. The proposed location and pattern of development optimizes the efficient use of these services and infrastructure and supports the long-term economic prosperity of the Province.

### **Natural Heritage (PPS 2.1)**

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

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

The subject lands are not identified in Regional Core Natural Heritage mapping as containing portions of Regionally significant wetland and significant woodland, therefore, the proposed development will not cause any negative impacts on any environmental features or functions in accordance with the PPS.

### **Cultural Heritage and Archaeology (PPS 2.6)**

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

The subject lands have been identified as having potential for the discovery of archaeological resources. Accordingly, a Stage 1-2 Archeological Assessment of the site was completed by Detritus Consulting. As outlined in the Assessment, archeological resources were identified and require further investigations. As such, Detritus Consulting was retained to complete the Stage 3 Archaeological Assessment and considerable amounts of work have been completed.

## **2020 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE**

### **Managing Growth (PTG 2.2.1)**

The Growth Plan for the Greater Golden Horseshoe (GGH) is intended to provide greater direction for growth, to promote economic prosperity and ensure that the Provincial vision of building stronger prosperous communities by better managing growth implement over the planning horizon to 2041.

Policy 2.2.1.2 of the Growth Plan directs that a vast majority of growth is to occur in Settlement Areas throughout the Greater Golden Horseshoe, and specifically in those areas that have existing municipal services. Intensified development within the 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 within the Port Colborne Urban Area, therefore within the Settlement Area as defined in the Growth Plan, and within the Provincially established delineated Built-up Area and Designated Greenfield Area. The proposed development provides a mix of housing options, achieves a compact and efficient built-form, and integrates residential development in an established and developing area, promoting the development of “complete communities”, as encouraged in the Growth Plan.

### **Delineated Built-up Area (PTG 2.2.2)**

By 2031, and each year afterwards, 50% of all growth within the Regional Municipality of Niagara is to occur in the Built-up Area as intensification. Consistent with Growth Plan Policies 2.2.2.1 and 2.2.2.3, the Regional Municipality of Niagara has an established annual residential intensification target for of 30% for the City of Port Colborne, as its contribution to growth.

By adding diversity to the available housing options in the surrounding area, the proposed development complies with Policy 2.2.6.1a), as it promotes a wider range of housing choices.

Furthermore, the development increases the supply of residential intensification, directly assisting the City of Port Colborne in achieving a sufficient inventory of residential units. The proposal is therefore in conformance with growth Plan Policy 2.2.6.4.

The majority of the development is located within the delineated Built-up Area, therefore, it will contribute towards the City and Region’s annual intensification targets.



### **Housing (PTG 2.2.6)**

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

The proposed subdivision includes an integrated mix of dwelling types and densities including single-detached and street townhouse dwellings. The proposed development makes a significant contribution to the provision of a full range of housing required under the Growth Plan and the integration of the dwelling types throughout the development is reflective of the Growth Plan's vision for a complete community.

### **Designated Greenfield Area (PTG 2.2.7)**

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

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

The proposed Condominium Plan builds upon the complete community principles by proposing development in, and contiguous to Built-up Areas, in proximity to main roadways, parkland and transit services.

The proposed single-detached and street townhouse dwelling forms provide additional dwelling types within the surrounding neighbourhoods. The proposed development will have an overall density of 19.502 units per hectare and 52.232 people and jobs per hectare. Though only a portion of the subject lands are within the Designated Greenfield Area, the density calculation was completed using the area of the entirety of the subject lands. The reason for this is that the portion of lands within the Greenfield Area, include the stormwater management facility. This significantly skews the calculation, making the resulting density simply an arbitrary number. The calculation does include the Built-up Area lands; however, this portrays a more accurate depiction of the overall density resulting from the proposed development. The Greenfield Density surpasses the minimum requirement set out for Designated Greenfield Areas in Niagara, which is very favourable.

### **Transportation (PTG 3.2.2)**

Similar to infrastructure planning, transportation planning and investment must be coordinated with development. Within Urban environments, the primary goals of the Growth Plan are to provide connectivity amongst modes, to provide balance in transportation choices, to be sustainable, to ensure multimodal access to housing, jobs and other community elements, and to ensure safety.

Section 3.2.2 of the Growth Plan encourages the provision of a multi-modal transportation system which provides connectivity between transportation modes and systems. The proposed development includes an internal road network which is integrated into the existing and planned transportation network. An updated Traffic Impact Study has been completed by R.V. Anderson, which confirms the development will not negatively impact existing traffic patterns. Further, the comprehensive redevelopment of these lands provides an opportunity to leverage existing transportation services and infrastructure such as the adjacent public transit stops, cycling lanes and sidewalks.

### **Water and Wastewater Systems (PTG 3.2.6)**

Policy 3.2.6.2 of the Growth Plan requires that water and wastewater systems be planned and constructed to maximize functionality and efficient use so as to ensure that the municipality recovers the cost of providing water and wastewater infrastructure.

The proposed water and wastewater servicing strategy is outlined in the Functional Servicing Report, prepared by Upper Canada Consultants, which has been submitted with the applications. The proposed development can connect into existing municipal water and wastewater infrastructure, thereby optimizing its efficient use.

### **Stormwater Management (PTG 3.2.7)**

Policy 3.2.7.2 requires that proposals for large-scale development be supported by a stormwater management plan, or equivalent. The Functional Servicing Report prepared by Upper Canada Consultants outlines the stormwater management strategy for the proposed development. The proposed subdivision includes a stormwater management pond (Block 154) to which stormwater flows will be conveyed via storm sewers.

### **Natural Heritage System (PTG 4.2.2)**

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

**Public Open Space (PTG 4.2.5)**

The policies under Section 4.2.5 of the Growth Plan encourage the provision of a system of publicly accessible parkland, open space, and trails. The Draft Plan of Subdivision proposes the creation of a block for public parkland, which provides a multi-use trail that connects to an existing and future park, thereby contributing to the provision of publicly-accessible parkland and open spaces.

**Cultural Heritage Resources (PTG 4.2.7)**

Section 4.2.7 of the Growth Plan requires the conservation of cultural heritage resources, including archeological resources. A Stage 1-2 Archeological Assessment of the property was conducted by Detritus Consulting. Archeological resources were encountered as a result of the assessment; therefore, a Stage 3 Archaeological Assessment has commenced.

## **NAGARA REGION OFFICIAL PLAN**

The Niagara Official Plan (NOP) was approved by the Minister of Municipal Affairs and Housing on November 4, 2022. It outlines the long-term strategic policy planning framework for managing growth in the Region to a planning horizon ending in 2051. The Plan's focus is primarily on implementing the Provincial Policy Statement and other Provincial Plans and Guidelines, and providing Regional-level land use planning direction on growth, the natural environment, infrastructure and other attributes or circumstances unique to Niagara.

The subject lands are located within the Port Colborne Urban Area and within the Built-up Area, with a portion of the lands in the Designated Greenfield Area on Schedule B – Regional Structure of the Niagara Official Plan (see **Figure 4**).

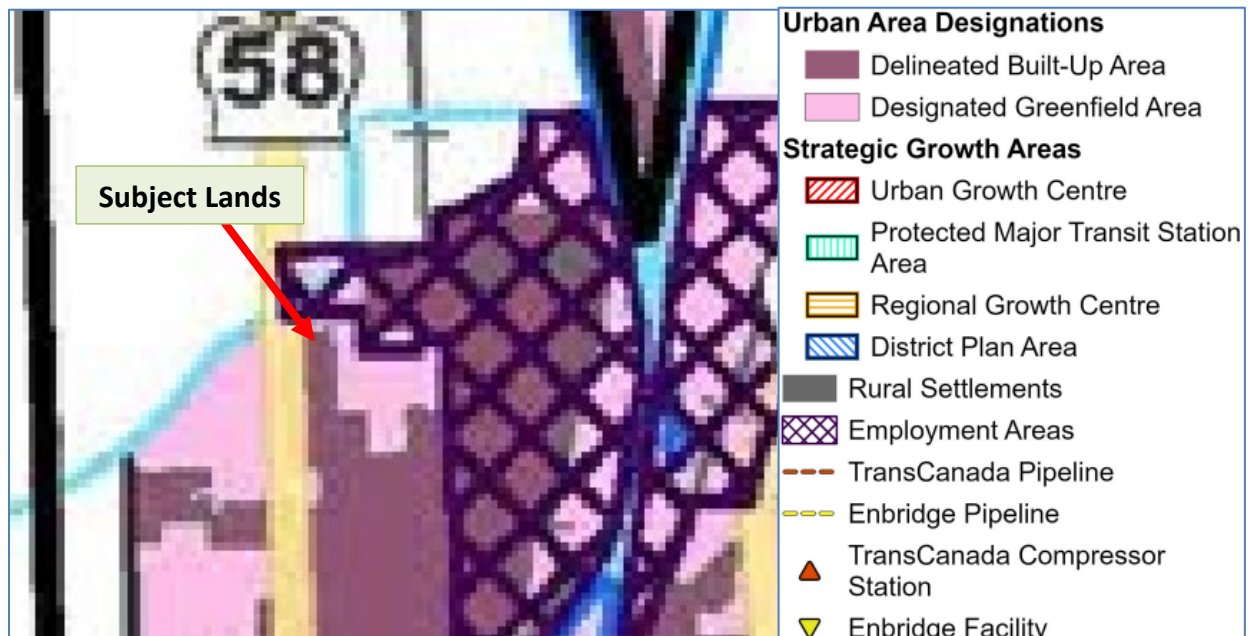


Figure 4 – Excerpt of Schedule B of Niagara Official Plan

## **CHAPTER 2 – GROWING REGION**

Chapter 2 of the Niagara Official Plan (NOP) 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.

### **2.1 – FORECASTED GROWTH**

The NOP 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 mainly within the delineated Built-up Area.

Per Section 2.1, the Region of Niagara is anticipated to have a population of 694,000 people and 272,000 jobs by the year 2051, representing an increase of over 200,000 people and 85,000 jobs from 2021. These population and employment forecasts are further broken down by municipality in Table 2-1. Per Table 2-1, Port Colborne has a forecasted population of 23,230 people and 7,550 jobs by 2051.

The proposed development will contribute two hundred and forty-nine (249) new dwellings into the City's housing supply and will assist in achieving the City's annual growth and targets. The subject lands are a logical location for intensification due to their location along Highway 58 and near transit services. To add, the lands both provide, and are adjacent to parkland and the property can be serviced by existing municipal infrastructure.

## **2.2 – REGIONAL STRUCTURE**

Section 2.2 establishes the regional land use structure, based on Provincial directives which dictate how the projected growth is to be accommodated. A majority of growth is to occur within the Settlement Area, where water and wastewater systems exist or are planned. The Settlement Area is further broken down into the Delineated Built-up Area and the Designated Greenfield Area.

### **2.2.1 – Managing Urban Growth**

Section 2.2.1 of the NOP contains policies pertaining to the management of urban growth. Generally, these policies direct growth to occur in a manner that supports the achievement of intensification targets, is compact and vibrant, is inclusive of a mix of land uses and housing forms, and efficiently utilizes existing services and transportation networks/services.

The applications conform with this policy direction through the provision of a mix of residential housing forms on urban, serviced land. The proposed development will assist the City in rounding out available lands with a logical development pattern that will contain vibrant housing forms and streetscapes.

The required intensification target set by the Region for the City of Port Colborne is 690 units, which is a rate of 30%. This development supports opportunities for the integration of gentle density, and a mix and range of housing options that contribute to the target set out by the Region.

The proposed development exemplifies a compact built form that conforms with the new and existing surrounding neighbourhood, allowing for the addition of a diverse range of residential housing types. The subject lands are also conveniently located near complementary recreational uses and a public transit route, thus enhancing accessibility. By contributing to the mix of land uses in the area, the proposed development assists in achieving a comprehensive and complete community.

The proposed development offers single-detached and townhouse dwelling units. This integration of housing options improves and diversifies the housing choices available in the immediate area. This development provides an alternative option for individuals based on factors such as household size, income levels, and housing preferences, ensuring a more inclusive and adaptable housing environment.

### **2.2.2 – Strategic Intensification and Higher Densities**

As noted, a portion of the subject lands are located within the Designated Greenfield Area. Per Policies 2.2.2.23 and 2.2.2.24 of the NOP, Designated Greenfield Areas shall achieve a minimum density of 50 people and jobs per hectare. Based on the proposed subdivision, a density of 52.232 people and jobs per hectare is proposed. As stated above, this calculation is provided using the entirety of the proposed development due to the lack of merit the density calculation has as the stormwater management pond, along with only a few homes are within the Greenfield Area. The density yield meets the Regional minimum target and conforms with the NOP.

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 both within, and contiguous to the Built-up Area boundary. The development of Meadow Heights Phase 3 to the east must occur prior to the development of this subdivision. Therefore, the development of these lands will be sequential and orderly, as these lands will be engineered together to maximize efficiencies.

The development is not within a District Plan or Secondary Plan area therefore Section 6.1 is not applicable.

The proposed dwellings will be attractive and functional, incorporating with the surrounding neighbourhoods to create a complete community. These dwellings will contribute to the creation of a liveable and vibrant urban area that is safe and offers high quality streetscape and public spaces. The objective is to strengthen community identity and diversity and the integration of this development will obtain this objective.

Infrastructure capacity is available, as detailed in the Functional Servicing Report prepared by Upper Canada Consultants. Thus, this development will utilize underutilized infrastructure within the area.

Lastly, the development will benefit from adjacent transit and active transportation infrastructure.

Overall, the applications are considered to conform with the NOP and implement its growth management direction in an appropriate, efficient and context sensitive manner. The proposed development will assist the City in the achievement of intensification and Greenfield Density targets and utilize underutilized lands and existing infrastructure within the Urban Boundary.

## **2.3 – HOUSING**

The objectives of the policy direction under Section 2.3 of the NOP are to provide a mix of housing options to address current and future needs, to provide more affordable and attainable housing options, and to plan to achieve affordable housing targets through land use and financial incentive tools.

### **2.3.1 – Provide a Mix of Housing Options**

Policy 2.3.1.1 directs that a range and mix of densities, lots and unit sizes and housing types should be accommodated in the Settlement Area to meet housing needs at all stages of life.

The proposed development will provide single-detached dwellings and street townhouse dwellings on adequately sized lots surrounded by new and old neighbourhoods that consist primarily of single-detached dwellings. These housing configurations improve accessibility and affordability as they add variety and supply of different housing forms throughout the immediate area. The development effectively addresses the provision of diverse housing options and meets the needs of individuals at various stages of life, aligning with the goals outlined in the policy.

## **CITY OF PORT COLBORNE OFFICIAL PLAN (AS AMENDED)**

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

### **SECTION 2 – THE VISION AND LAND USE CONCEPT**

#### **Section 2.1 - Vision Statement**

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

The proposed redlined plan of subdivision provides a mix of residential dwelling types increasing density, as well as a multi-use trail to connect to both adjacent parks to the east and south. While neighbourhood commercial uses were previously contemplated for the subject lands, this use was removed from the plan due to the exclusion of the connection to West Side Road (Highway 58). Without this connection, commercial uses were no longer logical or practical in this location, as accessibility is limited. As Rosedale Estates and Meadow Heights are now to be considered as one, neighbourhood commercial uses will be incorporated within Meadow Heights, as there is frontage along Elm Street, rather than internal roadways. Therefore, the proposed subdivision contributes to the objective of creating a complete community as described in Provincial plans.

Furthermore, the proposed development includes three transportation connections to adjacent lands, which provide the subdivision with access, and ensures the integration of development. The proposed development patterns and density provide for the efficient provision and use of public infrastructure and services. Accordingly, the applications will facilitate residential development that conforms to and aligns with the Vision Statements of the City's Official Plan.

#### **Section 2.2 - Growth Management Strategy**

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



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

### Section 2.3 - Strategic Directions

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

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

#### *Enhancing Quality of Life*

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

### 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 24,100 persons. At the same time a forecast of 10,170 dwellings is in place.

As stated in Section 2.4 of the Official Plan, the City's land use designations and policies are based on the accommodation of Provincial growth projections. 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. New developments are to incorporate design elements to support an aging population, provide a range of smaller lots and homes, and be close to social and recreational facilities.

In accordance with subsection 2.4.2, the proposed development provides an appropriate range and mix of housing options to accommodate prescribed growth targets.

Section 2.4.3 pertains specifically to intensification and infill within the Built Boundary of the Official Plan directed by the Provincial Growth Plan. As the subject lands are mainly within the Built-up Area, they will contribute to the intensification target, providing housing that is compatible with the surrounding land uses.

Section 2.4.4 of the Official Plan pertains to Greenfield Development. A portion of the subject lands are 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 existing and planned neighbourhoods to the south and the east. The plan also includes a variety of housing forms including single-detached and townhouse dwelling forms which provides variety in housing choice and increased density when compared to existing development.

A major portion of the proposed development is within the Built-up Area, along with the lands to the south of the subject lands. This development 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 including a multi-use trail to neighbouring parks and an enhanced streetscape.

Only a small portion of the subject lands are within the Greenfield Area, and within this area is the 0.121-hectare stormwater management facility, which artificially decreases the density, as this area is included within the calculation. Nonetheless, the Greenfield Density Calculation was determined based off of the entirety of the subject lands. Whether it was determined based off of the small area of the subject lands it encompasses, or it is determined across the entirety of the lands, this number is artificial and does not hold a great amount of merit, as it is inaccurate. All-in-all, the entire development yield exceeds 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 community. All-in-all, the objective of this development is to contribute to the housing supply within the City of Port Colborne, and as such, this development does exactly that, and does it in an appropriate, logical manner.

In conclusion, the plan is 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 Designated Greenfield Area. Lands within both categories are to be developed with full municipal services and municipal roadway accesses.

As shown in **Figure 5**, being Schedule A1 of the City’s Official Plan, the northern portion of the subject lands is in the Designated Greenfield Area and the rest of the land is in the Built Boundary.

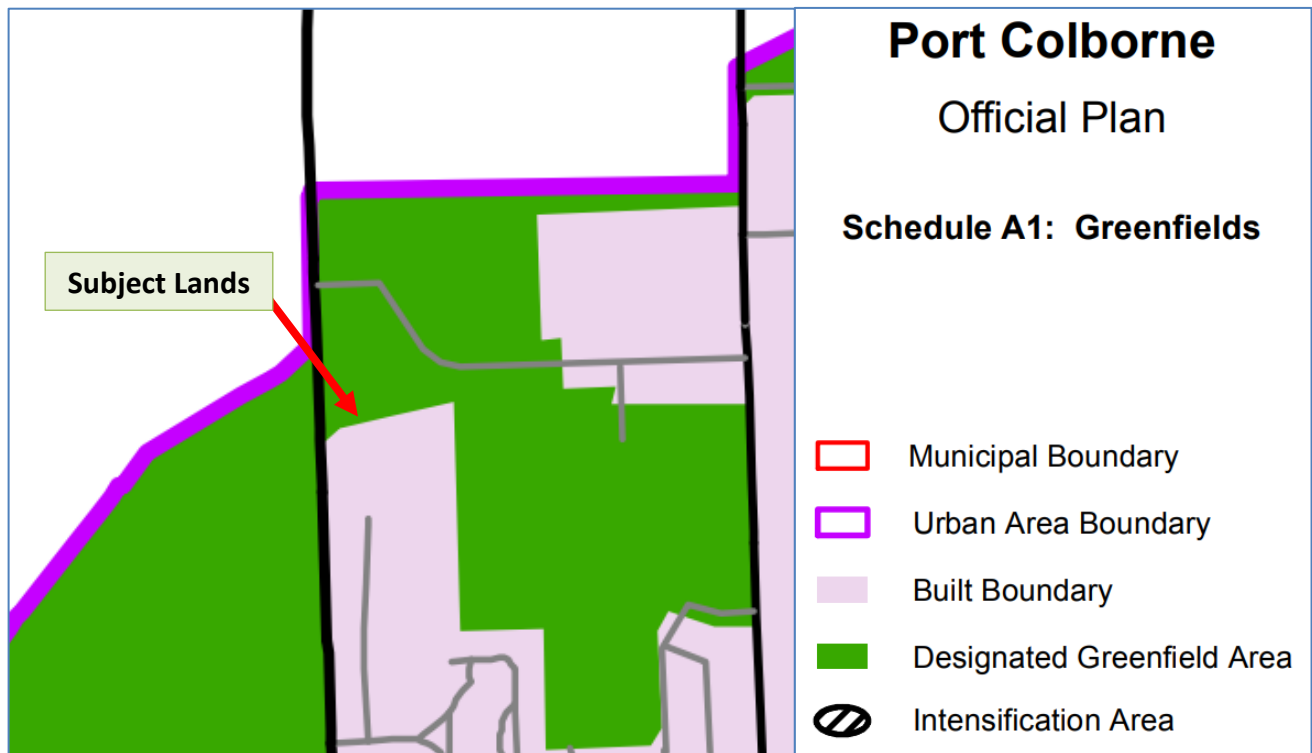


Figure 5 - Excerpt from City of Port Colborne Official Plan - Schedule A1: Greenfields

### *Section 3.1.1.1 – Built Boundary*

The Built Boundary is where all growth and development are considered to be intensification and will count towards the achievement of the municipality's intensification target. The majority of the subject lands is within the Built Boundary and increasing housing and density in this area as per the proposed subdivision contributes to the intensification target.

### *Section 3.1.1.2 – Greenfield Area*

Policy 3.1.1.2 requires that on lands designated as Greenfield, the City shall:

- 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 proposed development is compact in nature and the development pattern and density supports the feasibility of extending public transit services. The proposed development includes single-detached and townhouse dwelling units, representing a higher density than the surrounding established neighbourhood, and providing a greater mix of housing options.

The proposed development is designated both the Greenfield and Built area, and is adjacent to both Greenfield and Built-up lands. This development will be integrated into the existing and future road network by way of Oxford Boulevard, Westfield Place and Meadowlark Drive.

The proposed subdivision includes a great amount of open space area for stormwater management, and trail access to the adjacent parks to the east and south, which enhances the physical design of the neighbourhood.

The development achieves a density of 52.232 people and jobs per hectare. This calculation is not quite accurate, as only a portion of the subject lands are designated greenfield, and this

portion includes a 0.11-hectare stormwater management facility. Therefore, the density was calculated using the entirety of the unit count and the area of the lands.

Lastly, the subject lands are located adjacent to an existing Built-up Area and a registered, designated Greenfield area. The lands are to be developed through a logical extension of adjacent existing and planned roads and infrastructure. The proposed subdivision will be developed in tandem with the adjacent Greenfield lands, which provide additional accesses for the subdivision.

Though Schedule A identifies the subject lands as being within the Industrial / Employment Area and Urban Residential Area, the lands are considered to be solely within the Urban Residential Area (see **Figure 6**). The reason for this is Section 25(4) of the *Planning Act*. As the City's Comprehensive Zoning By-law (By-law 6575/30/18) came into effect in 2018, while the Official Plan mapping is from 2012, the By-law shall be conclusively deemed to be in conformity with the Official Plan. Therefore, as the lands are zoned for residential use, they are subsequently entirely designated Urban Residential.

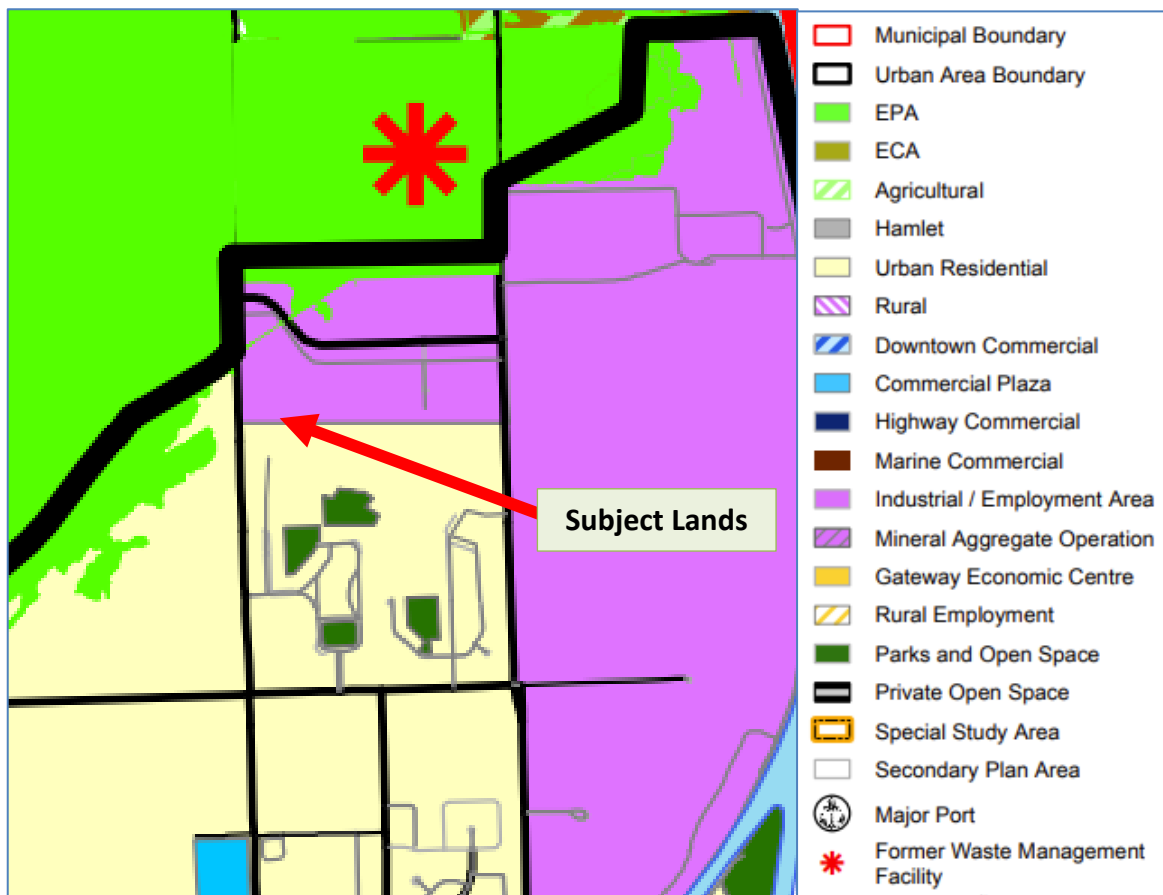


Figure 6 - Excerpt from City of Port Colborne Official Plan - Schedule A: City-Wide Land Use

### 3.2 – Urban Residential

As shown above, the subject lands are designated as Urban Residential (see **Figure 6**). According to the Official Plan, the uses permitted in the Urban Residential area include, but are not limited to: residential uses, neighbourhood commercial uses, cemeteries, parks, schools, community facilities, and institutional uses normally located in residential areas. The proposed land uses are therefore considered to be permitted uses in the Urban Residential Area.

#### *3.2.1 – General Policies*

Section 3.2.1 contains additional policy direction for more specific land uses within the Urban Residential Area including Low, Medium, and High Density Residential; and Neighbourhood Commercial uses. The subject lands are a mix of Low and Medium Density Residential.

The density range set out for Low Density Residential is 12 to 20 units per net hectare. There are 131 single-detached dwellings proposed on 5.487 hectares, yielding a density of 23.87 units per net hectare. Though this density exceeds the required density set out in the Official Plan, the overall net density yields 29.81 units per hectare, with a developable density of 19.502 units per hectare. A holistic approach provides a more accurate depiction of the proposed development density, as increased density is required due to the greenfield density target and intensification target for built-up areas that the subject lands must adhere to. A range of housing typologies have been included in the redline revised plan, and lot frontages for single-detached dwellings were increased from 9-metres to a minimum of 10.97-metres, as per Staff comments. The minor increase in density for a portion of the subject lands is negligible, as the overall density obeys all policy and provisions.

The density range set out for Medium Density Residential is 35 to 70 units per hectare. There are 118 proposed street townhouses on 2.866 hectares within the development, yielding a density of 41 units per net hectares. This density is on the lower end of the density range, further indicating that the density of this development is compatible with its surroundings, and adheres to these density restrictions, while contributing to greenfield and built-up area requirements.

As stated in Policy 3.2.1.d.i), new residential development proposals are to consider the provisions of neighbourhood commercial if they have frontage on a collector or arterial road. While neighbourhood commercial was considered for this development, due to the loss of access from West Side Road (Highway 58), this use is not practical or logical, as there is no appropriate access other than through either Hawthorne Heights or Meadow Heights. Access provided solely by way of internal road networks not suitable for several reasons.

As Meadow Heights and the proposed Rosedale Estates will be developed synchronously, neighbourhood commercial will be provided at the corner of Meadowlark Drive and Elm Street.

This location is preferable as Elm Street is an Arterial Road, and neighbourhood commercial use is readily accessible to the Rosedale Estates subdivision. This location is within a five-minute walk of the Rosedale Estates subdivision, so these services will be provided to the subdivision, however, will be in a more appropriate location.

### 3.2.3 – Design Guidelines

#### 3.2.3.1 – Residential Communities

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

The development is approximately 532-metres from edge to edge, which promote physical activity, whether it's bicycling or walking within the neighbourhood. The build form and landscaping will be appropriate for the area, with high quality architecture and landscaping, to be cohesive, yet different from the surrounding lands. Furthermore, the perimeter of the proposed development is clearly defined to the west by the proposed stormwater management facility, and the east by the proposed park with multi-use trail, providing access to the neighbouring parks.

- b) New residential communities should create or build upon a unique identity such that:
- i. Heritage Buildings and structures are preserved and incorporated into new neighbourhoods where possible.
  - ii. Where possible, community facilities, institutional uses and heritage structures should be located at the termination of primary streets or view corridors to emphasize their civic presence and give structure to the neighbourhood.

The subject lands do not contain any designated Heritage buildings or structures. While no community facilities or institutional uses are directly proposed, the Meadow Heights subdivision that provides access to Rosedale Estates will incorporate neighbourhood commercial uses at the entrance of the neighbourhood with frontage on Meadowlark Drive, Springside Drive and Elm Street to emphasize its status and help give identify and presence to the neighbourhood.

- c) New residential communities and new development in existing neighbourhoods should be visually interesting such that:
- i. A variety of residential building types, sizes and setbacks should be provided on any given street to encourage a diverse, non-repetitive community fabric.
  - ii. Visual interest should be provided through a block layout that maximizes views and vistas to parks, Natural Heritage features, the rural periphery and heritage and landmark buildings and features.

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

- d) New residential communities should use a park or open space feature as a focal point:
- i. The park may incorporate civic buildings, public art, gazebos, floral gardens, playgrounds and community mailboxes, where residents can meet informally or participate in neighbourhood events.
  - ii. The design of each park area should be unique to each neighbourhood to reinforce a sense of local identity and to assist in one's orientation through successive neighbourhoods.

The park area is 0.121 hectares in size as directly adjacent to the subject lands is the existing Oxford Park, and the planned Meadow Heights Park. A multi-use trail is proposed for the designated parkland to access these neighbouring parks which will be used by residents of Rosedale Estates.

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

As noted, the subject lands are not affected by any cultural heritage buildings or structures.

### 3.2.3.2 – Streets and Blocks



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

The proposed internal road network reflects a grid pattern and is connected into the existing and planned road network. The blocks and streets are designed to achieve a distinctive character, as the single-detached dwellings and street townhouses are integrated throughout the subdivision. The only block that exceeds 200-metres is the stormwater management facility block, yet this provides an enhanced view for the surrounding dwellings.

- b) Residential blocks should have a positive interface with lands designated as Natural Heritage and/or Parks and Open Space, as well as roads:
  - i. Reverse lot frontage is discouraged on lands designated as Natural Heritage and/or Parks and Open Space or roads.
  - ii. Positive frontage on lands designated as Natural Heritage and/or Parks and Open Space should be created by using single loaded roads and/or open-ended crescents (window streets).
  - iii. Where housing fronting arterial roads cannot have driveway access from these roads, positive frontage to these streets can be achieved with open ended crescents (window streets), rear access from a lane or local road and single-loaded service roads.

Reverse lot frontage is not included within this development, and positive frontage and housing fronting arterial roads is not applicable to these applications.

### 3.2.3.3 Housing

- a) Single-Detached, Semi-Detached and Duplex housing should:
  - i. Front onto open space wherever possible;

- ii. Have higher quality landscaping and architectural features than other buildings in the neighbourhood if flanking an arterial or open space edge;
- iii. Have garages that are either side drive attached, side drive detached, attached recessed or attached flush to the main building
- iv. Have garages that do not occupy more than 50% of the main building wall; and
- v. Be consistent with the placement and character of the surrounding built form where an infill development

Though no single-detached dwellings front onto open space, three blocks of street townhouses do. The entirety of the subdivision will be constructed with high quality architectural features and will be landscaped appropriately. Nonetheless, the homes neighbouring open spaces edges such as the park block will receive a greater attention to detail.

Garages will be attached, however whether then are recessed or flush has yet to be determined. To add, the garages will not occupy more than 50% of the main building wall.

b) Townhouses and multiple-unit housing should:

- i. Be aligned parallel to the street from which the principal entrance should be visible and accessible;
- ii. Consider overall form, massing and proportions and the rhythm of major repetitive building elements and roof designs to create a street façade that is composed of a consistent and attractive variety of building elements; and
- iii. Be consistent with the placement and character of the surrounding built form where an infill development

The proposed street townhouses will be aligned parallel to the street with entrances both visible and accessible. The street façade will be consistent and attractive with regard to the surrounding dwellings, using a variety of building elements.

### 3.13 – Parks and Open Space

Section 3.13 of the Official Plan sets out the policy direction for Parks and Open Space in the City. As per discussed with the City, cash-in-lieu of parkland dedication will be provided, as there are two neighbouring parks directly adjacent to the subject lands to the east and south. A small area of 0.121 hectares will be provided as parkland for a multi-use trail that will lead to the two parks.

## **SECTION 7 – Cultural Heritage**

### Section 7.3 - Archaeological Resources

As required by Section 7.3 of the Official Plan, a combined Stage 1-2 Archeological Assessment of the subject lands was undertaken by Detritus Consulting due to their potential for archeological

discovery. During Stage 2 of the Assessment of the Study Area, 7 Pre-contact Indigenous archaeological sites comprising of 11 artifact scatters were found, indicating the requirement for a Stage 3 Archaeological Assessment. This further archaeological work assesses the cultural heritage value or interest of the archaeological site identified during the Stage 2 Assessment, and will determine whether it has been sufficiently documented or if further measures are required to protect or document the site fully. This work is currently underway.

## **SECTION 8 – Servicing and Stormwater Management**

### Section 8.1 - Water and Sanitary Servicing

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

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

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

### Section 8.2 - Stormwater Management

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

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

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

Report and Stormwater Management Plan will be prepared through the detailed engineering design phase.

Policy 8.2 c) states that stormwater management facilities are not permitted in Natural Heritage Features, key hydrological features or required buffer zones, except where otherwise permitted in the Official Plan. The proposed stormwater management facility is not located within any Natural Heritage features or their buffer area.

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

#### *8.2.1 – Design Guidelines*

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

Policy 8.2.1 a) states that SWM Facilities should be designed to be visual features within the community and integrated into the Subdivision design. Policy 8.2.1 c) further provides that where possible, SWM Facilities should be designed to appear contiguous with natural areas and watercourses. The proposed SWM block has been located along the northern portion of the lands. Rather than being contiguous with natural areas and watercourses, it acts as a visual buffer for the industrial lands that are further north. This SWM facility provides a large open space area that acts as an overall visual feature for the development, as encouraged in the Official Plan.

### **SECTION 9 – Transportation and Public Utilities**

#### Section 9.1 - Transportation

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

##### *9.1.1 – Walking, Cycling and Transit*

The specific policies under Section 9.1.1 encourage the provision of a multi-modal transportation system to reduce automotive reliance. The proposed development, and proximity to existing commercial uses to the south of the lands increases the feasibility of non-automotive transportation modes. Furthermore, the proposed park block is intended for a multi-use public trail that further encourages walking and cycling, as this provides convenient access to the neighbouring parks, and through the residential lands to commercial uses.

##### *9.1.2 – Road Policies*

Per Section 9.1.2, there are six (6) road classifications within the City of Port Colborne. The proposed roads within the subdivision fall within the Local Road classification, and are

accordingly proposed to be 20-metres in width per the requirements of the Official Plan. These roads will be consistent with and extend the existing and planned grid pattern and tree lined with native species.

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

As shown in **Figure 7** below, a majority of the subject lands are zoned as First Density Residential (R1), while the remainder of the lands are zoned Public and Park (P), site-specific Fourth Density Residential (R4) and site-specific Neighbourhood Commercial (NC-31).

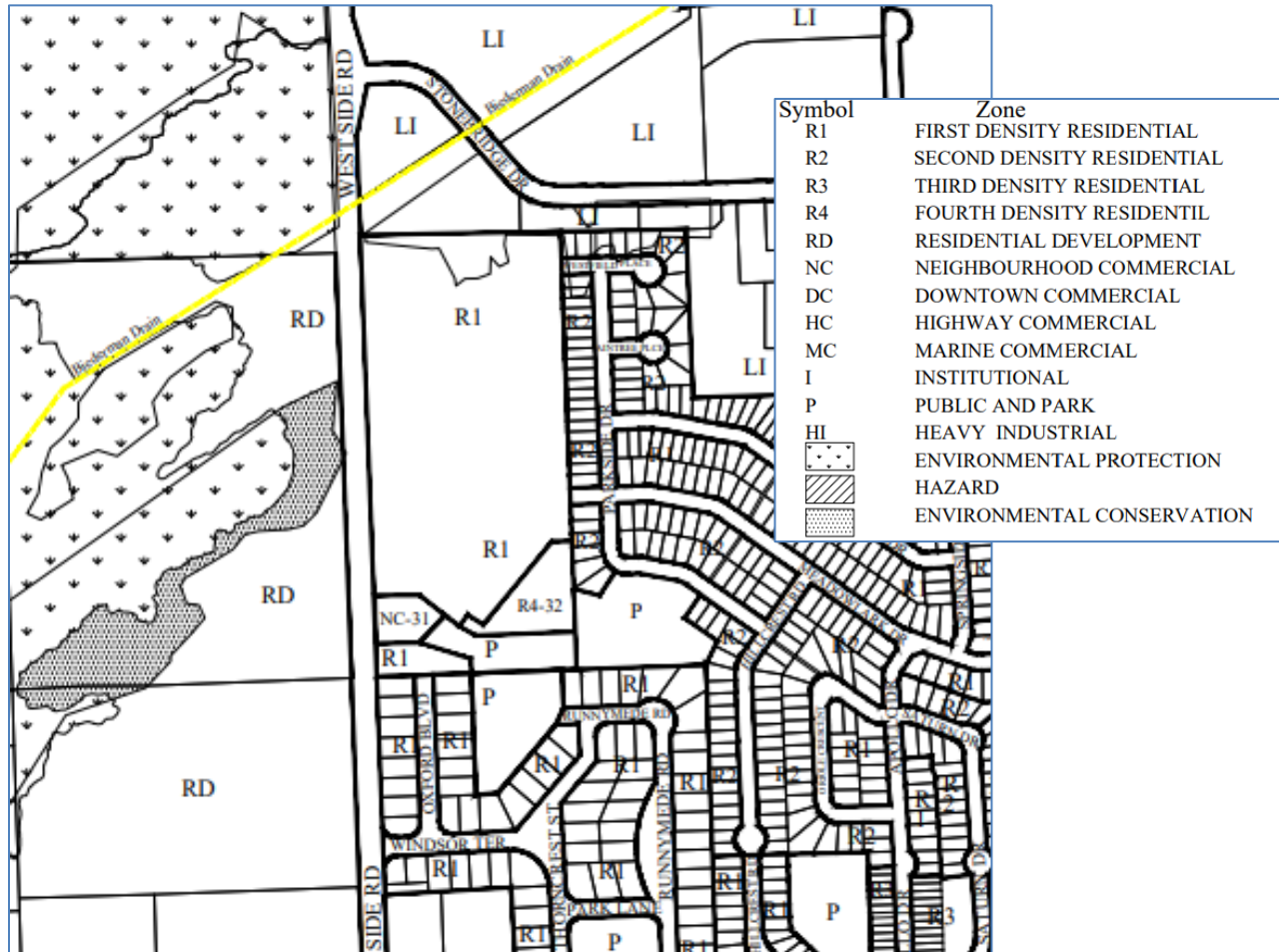


Figure 7 - Excerpt from City of Port Colborne Zoning By-law Schedule A8

Through the submitted application, a Zoning By-law Amendment has been prepared to establish appropriate zones to permit and regulate the proposed land uses. An overview of the proposed zoning categories is provided on the following pages:

### **Site-Specific Third Density Residential Zone (R3-XX)**

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

Regulations for street-townhouse dwellings are outlined in Section 7.8 of the Zoning By-law. Single-detached dwellings in the R3 Zone are subject to R2 Zone requirements, which are outlined in Section 6.3 of the Zoning By-law. An overview of conformity to the applicable zoning provisions for the proposed street-townhouse and single-detached dwellings is provided in **Table 1**. As shown in this table, several site-specific provisions are required for both the single-detached dwellings and townhouse dwellings.

Public and Park Zone (P)

The proposed Park (Block 153) and Stormwater Management Facility (Block 154) are proposed to be zoned as Public and Park (P) Zone which permits and regulates a range of community-related uses. An overview of conformity to the applicable zone regulations is provided in **Table 1**. While not specifically listed as a permitted use, the stormwater management facility can be considered as a Public Use. No site-specific provisions are requested for the park or stormwater management blocks.

<b>Table 1 – Zoning Compliance</b>	
<b>Section 7 Third Density Residential (R3) Zone</b>	
<b>Section 7.2 – Permitted Uses</b>	
a) Dwelling, Detached; b) Dwelling, Semi-detached; c) Dwelling, Duplex; d) Dwelling, Triplex; e) Dwelling, Fourplex; f) Townhouse, Block; g) Townhouse, Street; and h) h) Uses, structures and buildings accessory thereto	No change

Single-Detached Zoning Provisions

Provision	Required	Proposed
<b>Section 7.9 – Zone Requirements – Dwelling, Detached (in accordance with Section 6.3)</b>		
a) Minimum Lot Frontage	12 metres	<b>10.9 metres</b>
b) Minimum Lot Frontage – Corner Lot	15 metres	<b>12.7 metres</b>
c) Minimum Lot Area	0.04 hectares	<b>0.325 hectares</b>
d) Minimum Front Yard	6.5 metres	<b>6 metres</b>
e) Minimum Interior Side Yard	1 metre	1 metre
f) Minimum Corner Side Yard	3.5 metres	<b>3.0 metres</b>
g) Minimum Rear Yard	6 metres	6 metres
h) Maximum Lot Coverage	50 percent	<b>Not applicable</b>
i) Maximum Height	11 metres	No Change

j) Minimum Landscaped Area	25 percent	<b>20 percent</b>
----------------------------	------------	-------------------

The single-detached lots range in area from 329 square meters to 1155 square meters. The proposed range of lot sizes enables a variety of single-detached dwelling configurations throughout the neighbourhood, which increases housing choice and also contributes to design interest. The reduction in lot area further allows for more efficient use of the land which contributes to the achievement of the minimum Greenfield Density target.

### **Street Townhouse Provisions**

<b>Section 7 Third Density Residential (R3) Zone</b>		
<b>Provision</b>	<b>Required</b>	<b>Proposes</b>
<b>Section 7.8 – Zone Requirements – Townhouse, Street</b>		
a) Minimum Lot Frontage per Unit	6 metres	6 metres
b) Minimum Lot Area	0.02 hectares	<b>0.018 hectares</b>
c) Minimum Front Yard	7.5 metres	<b>4.5 metres front face of dwelling 6.0 metres to garage</b>
d) Minimum Interior Side Yard	3 metres	<b>1.5 metres</b>
e) Minimum Corner Side Yard	4.5 metres	<b>4 metres</b>
f) Minimum Rear Yard	6 metres	6 metres
g) Maximum Height	11 metres	11 metres
h) Minimum Landscaped Area	25 percent	<b>20 percent</b>
i) A 3-metre landscape buffer shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone		<b>Not Applicable</b>
j) Common walls shall be centred on the common lot line.		No Change
k) There is no minimum interior side yard and/or rear yard for common walls		No Change

Similarly, the reduction in lot area for townhouse lots from 200 square meters to 180 square meters does preclude the ability for a townhouse dwelling to be accommodated on each townhouse lot, and provides for the efficient use of the site which supports the achievement of the City's Greenfield Density obligations. The requested interior side yard setback of 1.5 meters for a townhouse dwelling is a common built-form standard throughout the Niagara Region and provides an appropriate amount of separation between buildings while also providing ample rear yard access.



**Park and Stormwater Management Facility Provisions**

<b>Table 2 – Zoning Compliance</b>		
<b>Section 32 Public and Park (P) Zone</b>		
<b>Provision</b>	<b>Required</b>	<b>Proposed</b>
<b>Section 32.2 – Permitted Uses</b>		
a) Cemetery; b) Community Garden; c) Conservation Use; d) Cultural Facility; e) Food Vehicle; f) Park; g) Public Use; h) Recreation Use; and i) Uses, structures and buildings accessory thereto		Park and Public Use (Stormwater Management Facility)
<b>Section 32.3 – Zone Requirements</b>		
a) Minimum Lot Frontage	No Minimum	No Change
b) Minimum Lot Area	No Minimum	No Change
c) Minimum Front Yard	8 Metres	No Change
d) Minimum Lot Depth	No Minimum	No Change
e) Minimum Interior Side Yard	4.5 Metres or Half of The Height of The Building, Whichever Is Greater	No Change
f) Minimum Corner Side Yard	7.5 Metres	No Change
g) Minimum Rear Yard	7.5 Metres	No Change
h) Maximum Lot Coverage	20%	No Change
i) Maximum Height	No Maximum	No Change
j) Minimum Landscaped Open Space	30%	No Change

## **PLANNING POSITION**

Rosedale Estates Ltd. has submitted an application for a redline revision to the previously approved Draft Plan of Subdivision and a Zoning By-law Amendment pertaining to lands known municipally as 100 Oxford Boulevard

The submitted Redlined Draft Plan of Subdivision proposes to divide the subject lands with 131 lots for single-detached dwellings, 21 blocks for 118 street-townhouse dwellings, a park, one block containing a stormwater management facility. A concurrent Zoning By-law Amendment Application has been submitted to establish appropriate Zoning designations to permit and regulate the proposed mix of land uses.

The subject lands are located within the City of Port Colborne's Settlement Area and are further within a designated Greenfield area. Provincial, Regional and local land use planning documents direct that these lands be developed to accommodate a range and mix of land uses and dwelling types through compact and efficient land use patterns to meet prescribed growth targets.

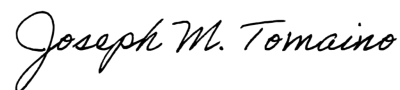
Based on the above-analysis, it is my opinion that the applications comply with the *Planning Act*, are consistent with the Provincial Policy Statement, conform with the Growth Plan, Region of Niagara Official Plan and the City of Port Colborne Official Plan, represent good planning and should be supported.

Prepared by,



Chelsea McShane, B.Sc.  
Planning Coordinator  
Upper Canada Consultants

Reviewed by,



Joseph M. Tomaino MCIP, RPP  
Senior Planner  
Upper Canada Consultants









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

- The nature of the application
- Development and planning issues
- Applicable fees
- The need for information and/or reports to be submitted with the application
- The planning approval process
- Other matters impacting the application

**Pre-Consultation Meeting Date:**

**Municipal Contact Name:**

**Phone:**

**Email:**

**Site Address:**

**Roll Number:**

**Land Area:**

**Property Owner Name:**

**Phone Number:**

**Email:**

**Agent Name:**

**Phone Number:**

**Email:**

**Principal Contact:**

**Owner**

**Agent**

**Application Type**

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

**1. Brief description of proposed development:**

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**2. Existing Regional Official Plan Designation:**

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Conformity with Regional Official Plan land use designations and policies?

Yes    No    Unknown

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

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**3. Check All Applicable:**

Brownfield    Greenfield    Built-up    Local CIP Area

**4. Development Charges:**

Regional By-law 2017-98                       Local By-law 6733/97/19

**5. Existing Local Official Plan Designation:**

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Conformity with Official Plan land use designations and policies?

Yes    No    Unknown

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

---

**6. Existing Zoning:**

---

Conformity with existing zoning?

Yes    No    Unknown

If 'No', what is the proposed zoning:

---

**7. Is the property located in an Intake Protection Zone?**

If yes, notify Thomas Proks at: [tproks@npca.ca](mailto:tproks@npca.ca)

No    IPZ 1    IPZ 2

**8. Is the property recognized under Ontario Heritage Act?**

No    Registry    Designated

**9. Is Site Plan approval required?**

Yes     No

**10. Additional Agencies to be contacted:**

Enbridge/Pipelines                       Hydro                       Ministry of Environment  
 CN/Trillium Rail                       Seaway                       Ministry of Transportation  
 NPCA                       Other: \_\_\_\_\_

**11. Fees Required at time of Submission of the Application:**

Application	City of Port Colborne	Niagara Region	Niagara Peninsula Conservation Authority	Other Fees
Zoning By-law Amendment				
Zoning By-law Amendment Review				
Redline Revisions				
Modification of Draft Plan Approval				
Parkland Dedication				
Official Plan Amendment				
Other: Stormwater Review				
Other:				
<b>TOTAL</b>				

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.

**12. Incentive Programs:**

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**13. 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.

**\*Asterisk indicates the study 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
				Digital	Paper	
			Agricultural Impact Assessment			
			Air Quality/Noise & Vibration Study*			
			Archaeology Assessment			
			Conceptual Site Plan			
			Cultural Heritage Impact Assessment*			
			Environmental Impact Study			
			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			
			Functional Servicing Report			
			Geotechnical			
			Hydrogeological Study and Private Servicing Plans*			
			Land Use/Market Needs*			
			Landscape Plan by OALA			
			Mineral Aggregate Resources			
			Minimum Distance Separation I & II			
			Municipal Servicing Study			
			Phasing Plan			
			Planning Justification Report			
			Record of Site Condition			
			Sensitive Land Use Report			
			Shadow Analysis			
			Shoreline Study/Dynamic Beach			
			Slope Stability Report			
			Soil report			
			Stormwater Management Plan			
			Updated Transportation Impact Study			
			Tree Inventory Preservation Plan			
			Urban Design			
			Wind Study*			
			Other:			

**14. Site Visit:**

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# NOTES

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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 any 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.
4. **Any application submitted without the information identified in this Pre-consultation Document will be deemed incomplete and not processed.** Alternatively, staff may recommend refusal of the application based upon insufficient information to properly evaluate the application.
5. By filing an application under the Planning Act, the applicant understands that the Municipality and Region may release information provided as part of the application to process the application, or at the request of a third party, without notification to the applicant.
6. During the review of the application, additional studies or information may be required because 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;** employing imperial measurements will result in an application being deemed incomplete.
10. If an application is not filed with the City of Port Colborne within 18 months of the date of the pre-consultation meeting, the cost of the pre-consultation will not be subtracted from the cost of filing the application.
11. Ensure that Canadian Power Niagara (CNPI) is contacted as soon as possible in the process to discuss servicing. There are currently long lead times for servicing. Contact [Jeff.hoover@cnpower.com](mailto:Jeff.hoover@cnpower.com) or [sheraz.mustafa@cnpower.com](mailto:sheraz.mustafa@cnpower.com).

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



# ADDITIONAL COMMENTS

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**City of Port Colborne – Planning Division**

**City of Port Colborne – Public Works**

**City of Port Colborne – Fire Department**

# ADDITIONAL COMMENTS

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**Niagara Region**

**Niagara Peninsula Conservation Authority**

## Planning Comments

### Rosedale Estates Subdivision – Proposed Redline Revision

- Generally supportive of the development and would love to see this project get off the ground.
- Lot sizes, specifically frontage could be looked at a bit. The 9m lots could be increased slightly.
- Planning Justification Report required
  - Look at greenfield densities and overall densities included in the Urban Residential policies
  - Include Draft Zoning By-law Amendment
  - Depending on the final density proposed, an Official Plan Amendment may be required. If so, a Draft Official Plan Amendment will be required.
- Updated Draft Plan and concepts required
- Functional Servicing Report required
- Stormwater Management Plan/Report
  - SwM pond only for Rosedale
- Updated Traffic Impact Study
  - Study needs to assess the impacts on Highway 58 and identify any highway related improvements for the MTO as well.
- 14m setback
  - Have you confirmed that there still is an adequate building envelope?
- Parkland
  - City is currently going through a comprehensive review.
  - We'll need to take a closer look and set up a meeting to discuss further. Existing parks to the south and east may change in the future.
  - Will bring to internal staff for further review
  - Staff will follow up with comments on whether the park is needed
- Neighbourhood commercial
  - Consideration for inclusion of some small neighbourhood commercial use – small convenience store, coffee type shop. OP policy looks to see this in residential development areas. Review of this should take place in the PJR
- Stormwater Management
  - Is this for both Rosedale and Meadow Heights? Sized appropriately?
  - Outlet to the Biederman drain – not a whole lot of capacity for large storm events. Only sized to 1:2 year storm.

**From:** [Nicholas Olschansky](#)  
**To:** [David Schulz](#); [Denise Landry](#); [Chris Roome](#); [Diana Vasu](#)  
**Subject:** RE: March 23 - Pre-Con Agenda  
**Date:** March 24, 2023 8:43:37 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Good morning everyone,

Please see my comments below.

**100 Oxford Road (Rosedale Subdivision) – Proposed revisions to Rosedale Estates subdivision**

- The following is required for draft plan approval:
  - Functional Servicing and Stormwater Management Report – identify how the development will be serviced, including water, sanitary, and storm connections to existing municipal infrastructure (reference criteria outlined in MECP Guidelines for Sewage Works and Drinking Water Systems, and MECP Stormwater Management Planning and Design Manual);
  - Traffic Impact Study to address all traffic related issues to the satisfaction of the City including reimbursement to the City for the cost of any necessary peer review;
  - Soils Investigation Report prepared by a Geotechnical Engineer including pavement design structure(s) for ideal and non-ideal conditions;
  - Erosion and Sedimentation Control Plan;
  - Archaeological Assessment Report(s)
  - Environmental Noise Impact Study prepared by a qualified professional
  - **Topsoil Management Report and Plan with the objective of minimizing excess soil generated from the site;**
  - **Fiscal Impact Study to address all traffic related issues to the satisfaction of the City including reimbursement to the City for the cost of any necessary peer review**
  - **Evidence from the Ministry of the Environment, Conservation and Parks which identifies any permits and/or other authorizations required under Ontario's Endangered Species Act, 2007 ("ESA") and its prescribed regulations;**
  - **Evidence from Fisheries and Oceans Canada (DFO) which identifies any permits and/or authorizations required;**
  - **Evidence of the proposed measures both on-site and off-site, or any combination thereof, to meet all requirements under the ESA and its prescribed regulations, if required;**
  - Copy of encroachment agreement(s) with affected landowners where proposed grading is required outside the limits of the plan;

- A Municipal Consent Permit will be required for works within the City Road Allowance (decommissioning of existing site services & proposed servicing installations, entrance construction, etc.) and/or for site servicing connections to existing City infrastructure.
  - For your convenience, I have included the link to the City's Municipal Consent Permits page below
    - [https://www.portcolborne.ca/en/living-here/municipal-consent-permits.aspx?\\_mid\\_=78499#How-do-I-apply-for-a-Municipal-Consent](https://www.portcolborne.ca/en/living-here/municipal-consent-permits.aspx?_mid_=78499#How-do-I-apply-for-a-Municipal-Consent)
- The Subdivision Agreement will require, but is not limited to, the following:
  - Site Servicing Plan;
  - Grading Plan;
  - Sanitary and Storm Drainage Area Plans;
  - Sanitary and Storm Sewer Design Sheets;
  - Plan & Profile Drawings – always required for subdivision designs, as well as site plans if warranted by design complexity;
  - Composite Utility Plan – including sign off from all applicable utility companies (responsibility of Developer);
  - Landscape, Streetscape, and Streetlighting Plan(s);
  - Traffic Control Plan, at a scale of 1:1000 or larger showing all roadways, driveways, fire hydrants, Canada Mail Boxes, sidewalks (c/w widths), bike paths, street lighting, on street parking areas, traffic signage (including all regulatory, warning and information signs), street trees and pavement markings;
  - Detailed Cost Estimates;
  - Form 1 for Watermain Works;
  - CLI-ECA (Consolidated Linear Infrastructure – Environmental Compliance Approval) for Sanitary and Storm Sewer Works.
    - Public road allowance requires 20.0m width for right-of-way and if the site has no secondary access, a cul-de-sac will be required at the end of the road with a minimum outside curb radius of 18.0m. Record Drawings Available Upon Request.

Have a great day everyone!

Cheers,  
Nick

**From:** [charlesturpin@portcolborne.ca](mailto:charlesturpin@portcolborne.ca)  
**To:** [Diana Vasu](#)  
**Subject:** Re Zoning Amendment Application - 100 OXFORD BLVD  
**Date:** March 21, 2023 3:43:02 PM  
**Attachments:** [logo\\_92ffc72e-1a94-4c3c-bb44-cfecb6d7c8b8.png](#)  
[facebook\\_ea8c96f7-cf37-4d73-ad46-6ee4e0c9ae71.png](#)  
[instagram\\_7243eec2-a3c9-4dc2-840b-7a7e9ba94caf.png](#)  
[twitter\\_04872013-61b4-444d-a673-fa87d4f4ef9b.png](#)  
[youtube\\_c96bc151-7cd5-41cb-9264-033a34192aa4.png](#)  
[linkedin\\_44d141ad-f5f8-454c-969a-0fe0c2e19cfb.png](#)

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

As the development is dependent on the current proposed Meadow Heights Development Phase 3 section unable to comment till the layout is completed for Meadow Heights

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

Charles Turpin  
Port Colborne Fire & Emergency Services



[www.portcolborne.ca](http://www.portcolborne.ca)

**Charles Turpin**  
*Fire Prevention Officer*  
**City of Port Colborne**

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Port Colborne, ON  
**Phone** 905-834-4512 x  
**Email** [Charles.Turpin@portcolborne.ca](mailto:Charles.Turpin@portcolborne.ca)

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# **Niagara Region – Development Services Division**

## ***Pre-Consultation Notes***

100 Oxford Boulevard, Port Colborne

March 23, 2023

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**Attendees:** Katie Young (Region); David Schulz (City); Chris Roome (City); Diana Vasu (City); Nicholas Olschansky (City); Matt Kernahan (Agent); Jason Rotella (Owner); Tyler Collins (Bell Canada); Gary Long (City); Denise Landry (City); Alana Vanderveen (City)

**Proposal Description:** Modification of Draft Approved Subdivision and Associated Rezoning. Proposed subdivision to include 118 single detached, 40 semi-detached and 70 street townhouse dwellings, stormwater management pond/open space and a park.

### **Application Type:**

- Zoning By-law Amendment
- Draft Plan of Subdivision (Modification of Approved Draft Plan)

### **Site Designation:**

Provincial Policy Statement (PPS)- Settlement Area

Provincial Growth Plan- Delineated Built-Up Area / Designated Greenfield Area

Niagara Official Plan (NOP)- Built-Up Area / Designated Greenfield Area

### **Planning Comments**

- Regional staff are supportive in principle, of the modifications proposed to provide a range of housing typologies, rather than only single-detached dwellings.
- Draft Approved Plan has a total of 119 single detached dwellings. This modification includes approximately 100 additional units, including semis and towns.
- Staff note that a portion of this property is within the Designated Greenfield Area. Please continue to include greenfield density calculation on the Draft Plan as provided for this meeting.

### **Land Use Compatibility**

- Conditions with respect to providing a land use compatibility study and a noise impact study has already been included as a condition of Draft Plan approval. No changes to these conditions.

### **Archaeological Potential**

- Conditions with respect to archaeological potential has already been included as a condition of Draft Plan approval. No changes to these conditions.

### **Environmental Comments**

- Staff provided comments on an Extension of Draft Plan Approval on November 22, 2022 and it was confirmed that staff have reviewed the existing site conditions and confirm that environmental studies will not be recommended in support of a proposed Plan of Subdivision

# **Niagara Region – Development Services Division**

## ***Pre-Consultation Notes***

100 Oxford Boulevard, Port Colborne

March 23, 2023

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on the subject lands. Staff recommend that the proponent undertake their due diligence as it relates to the Endangered Species Act and Migratory Birds Convention Act.

### **Transportation/ Roads**

- West Side Road – Provincial
- Westfield Place – Local
- Oxford Boulevard - Local

### **Servicing**

- Water – 400 D PVC – Local (West Side Road)
- Water – 200 D CI – Local (Oxford Boulevard)
- Sanitary – 200 D AC – Local (Oxford Boulevard)
  - Oxford Boulevard SPS
  - The Region has retained GM Blue Plan to review the servicing strategy for the Oxford Boulevard SPS and Industrial SPS to see if the Oxford SPS can be decommissioned and directed to the Industrial SPS through this plan of subdivision. This review is being completed with the City's Pollution Control Plan.
  - The Pollution Control Plan estimated completion is June of 2024:  
<https://www.portcolborne.ca/en/living-here/water-and-wastewater.aspx#Pollution-Prevention-and-Control-Plan>

### **Stormwater Management**

- The Niagara Region will require a stormwater management report (and the associated review fee), servicing/grading and construction sediment/erosion control plans be circulated to this office for review and approval, in order to clear conditions of Draft Plan Approval.

### **Waste Collection (Low Density Residential )**

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject development is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are met:

- Blue/grey –no limit (weekly)
- Green – no limit (weekly)
- Waste – 2 bag/can limit (bi-weekly)
- Curbside collection only
- Future engineering plans should either include waste collection plans with turning templates or road designs that meet the current policy.



# Niagara Region – Development Services Division

## *Pre-Consultation Notes*

100 Oxford Boulevard, Port Colborne

March 23, 2023

### Required Studies for Regional Review

- No newly required studies since Draft Plan Extension comments provided on November 22, 2022.

### Required Fees

The Region's 2023 Fee Schedule is available at:

[https://www.niagararegion.ca/business/fpr/forms\\_fees.aspx](https://www.niagararegion.ca/business/fpr/forms_fees.aspx)

Applications will be subject to the in-effect fee amounts at the time that the Application is submitted.

<b>Development Application Review Type</b>	<b>Fee Amount</b>
Zoning By-law Amendment Review	No fee required. Staff has determined this application can be exempt from Regional review in alignment with the MOU as Provincial and Regional interests will be addressed through the modification of the draft plan.
Modification of Draft Plan Approval	\$2,775
Stormwater Review	\$2,000 – at Draft Plan

### Applicant Comments

- Committed to modifying this plan to update it.
- The owner has secured servicing easement over lands to Stonebridge Drive.
- Environmental Compliance Approvals for Meadow Heights goes to Stonebridge Road. City owned portion for ECA of Meadow Heights – City sold lands and easement wasn't secured. Left with registered subdivision, which has ECAs that cannot be implemented. As part of the process, looking to revise servicing strategy with Meadow Heights and integrate with Rosedale.
- Notwithstanding the need to revise the plan – considerable amount of archaeological work completed. Portion of Stage 3 arch assessment completed.
- 10 m easement that Ralph Rotella owns – to have sanitary, servicing, and storm.

### City Comments

- Supportive of increased density for this site.
- Discussion on parkland in this area.
- Within urban residential policies – speaks to the provision of neighbourhood commercial uses in developments which should be explored through the PJR.

**From:** [Meagan Doan](#)  
**To:** [Diana Vasu](#)  
**Subject:** NPCA Pre-con Comments - 100 Oxford Road  
**Date:** March 23, 2023 1:49:15 PM  
**Attachments:** [image001.png](#)

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Hi Diana,

NPCA staff have the following comments for the pre-con for 100 Oxford Road.

The property is impacted by a regulated watercourse and associated 15 metre buffer. The plans should be revised to show the NPCA regulated watercourse. The property also contains significant slope that is considered hazard slope. A geotechnical study may be required. NPCA would like to be circulated on future applications. An NPCA work permit will be required.

If you have any questions, please let me know.

Thanks,  
Meagan

**Meagan Doan, B.E.S.**

**Watershed Planner**

Niagara Peninsula Conservation Authority (NPCA)

250 Thorold Road West, 3<sup>rd</sup> Floor | Welland, ON L3C 3W2

Tel: 905-788-3135 | extension 228

email: [mdoan@npca.ca](mailto:mdoan@npca.ca)



**[NPCA Watershed Explorer](#)**

Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. The NPCA main office is open by appointment only with limited staff, please refer to the [Staff Directory](#) and reach out to the staff member you wish to speak or meet with directly.

Updates regarding NPCA operations and activities can be found at [Get Involved NPCA Portal](#), or on social media at [NPCA's Facebook Page](#) & [NPCA's Twitter page](#).

For more information on Permits, Planning and Forestry please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>

The information contained in this communication, including any attachment(s), may be confidential,

**From:** [Lagakos, Ted \(MTO\)](#)  
**To:** [Diana Vasu](#)  
**Cc:** [David Schulz](#); [Nunes, Paul \(MTO\)](#); [Deluca, Peter \(MTO\)](#); [MacLean, Alex \(MTO\)](#)  
**Subject:** RE: March 23 - Pre-Con Agenda - Rosedale Subdivision, Highway 58  
**Date:** March 20, 2023 10:13:36 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)

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Morning Diana,

Thank you for bringing this site to our attention. The following are the ministry's comments on this pre-consultation request. Please note that I will be most likely unable to attend Thursday's meeting due to a conflict.

### General Comments

We have no objection in principle with the proposed development.

Subject lands are located within the ministry's permit control limits (extends up to 800m from MTO property); hence, MTO permits will be required (e.g. grading/servicing, building and land use, etc.). Please be aware that ministry permits will need to be secured prior to the commencement of any on-site works.

All above and below ground structures (including but not limited to, frontage roads, fire routes, stormwater management facilities [ponds/drainage channels], sidewalks, retaining walls and servicing/utilities) must be setback a minimum of 14.0m from all future ministry property limits (See "Subdivision Comments" for new ministry property limits/setback requirements). Please ensure that the ministry's setback requirements are stipulated in any future zoning by-law.

Noise attenuation features (e.g. earth berms) must be contained within the subject lands and setback a minimum of 0.3m from all ministry property limits.

Encroachment onto the highway right-of-way will not be permitted.

Ministry does not permit any lighting trespass onto our right-of-way.

Direct access to ministry lands will not be permitted. All access to the subject site will be via the internal municipal road system. Proponent to bring to our attention any proposed access to Stonebridge Drive.

Please make proponent aware that there is a planned ministry resurfacing project along Highway 58 from Highway 3 (Main Street W.) to Regional Road 23 (Forks Rd. E). scheduled for 2023 construction, subject to funding availability.

The work involved will be mainly resurfacing, culvert repair, electrical. At this time, there is no planned widening of the Highway.

### Typical MTO Draft Plan Conditions of Approval

1. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a stormwater management report indicating the intended treatment of the calculated runoff.
2. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, detailed grading, servicing, survey and internal road construction plans.
3. That prior to final approval, the owner shall submit to the Ministry of Transportation for their review and approval, a traffic impact study to assess the impacts on Highway 58 and identify any related highway improvements.

### General Notes

1. Stormwater Management Reports must adhere to accepted ministry policies/standards and must be signed and stamped by the Drainage Engineer.
2. Traffic Impact Studies must adhere to accepted Ministry practices/standards and must encompass the full build-out of the entire development (e.g. all phases if any).
3. Any identified highway improvements will require the owner to enter into a legal agreement with Ministry of Transportation whereby the owner agrees to assume financial responsibility for all necessary associated highway improvements.
4. All accesses must comply to the ministry's Access Management policies.
5. Ministry draft plan comments may need to be updated/revised if the applicant delays securing ministry clearances and/or ministry priorities change.
6. MTO Permits
  - Ministry Building and Land Use permits will be required for individual building lots within 395 m from the centre point of Stonebridge Drive/Highway 58 and 45 m from all ministry property limits.

**From:** [Mustafa, Sheraz](#)  
**To:** [Planning](#)  
**Cc:** [Berk, Victoria](#)  
**Subject:** Accepted: 100 York Road (Rosedale Subdivision) Pre-Con  
**Start:** March 23, 2023 11:00:00 AM  
**End:** March 23, 2023 11:30:00 AM  
**Location:** Microsoft Teams Meeting

---

Hello,

CNP has no concerns with this application, however I highly encourage for developer to reach out to us to discuss the hydro service details and timeline due to lead time material.

Regards,

Sheraz Mustafa, P.Eng.

Supervisor, Planning

Canadian Niagara Power Inc.

1130 Bertie St., Fort Erie, ON

T: 905.871.0330 x: 3926

Email: [sheraz.mustafa@cnpower.com](mailto:sheraz.mustafa@cnpower.com) <<mailto:sheraz.mustafa@cnpower.com>>

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Applicants requesting to attend a pre-consultation meeting with staff from the City of Port Colborne, Regional Municipality of Niagara, and Niagara Peninsula Conservation Authority must complete this form and the attached authorization to enter property form.

Please return both forms, payment of the appropriate fee, and a site plan of your proposed development **no later than two (2) weeks** before the scheduled pre-consultation meeting date to [diana.vasu@portcolborne.ca](mailto:diana.vasu@portcolborne.ca).

**Forms that are incomplete, submitted without payment, not returned with a proper site plan, or submitted late, may be left off the pre-consultation meeting agenda.** Planning staff reserves the right to move the scheduled date. Depending on the volume of requests, it may not be possible to be scheduled for the earliest agenda.

## FEES

— Plans of Subdivision/Condominium	
— Official Plan Amendments	
— Zoning Bylaw Amendments	<b>\$500</b>
— Site Plan Control	
— Consents & Minor Variances	<b>\$250</b>

If an application is submitted to the City of Port Colborne within 18 months from the date of the pre-consultation meeting, the pre-consultation meeting fee will be subtracted from the application fee.

If more than one planning approval is needed (i.e. an Official Plan Amendment and a Zoning By-law Amendment), the applicant only needs to pay the pre-consultation fee once. For example, if approval is needed for a Zoning By-law amendment and an Official Plan Amendment, the total cost for the pre-consultation meeting would be \$500.

If a combination of approvals is required having different fees, the greater fee will be charged. For example, if the pre-consultation meeting is for a Consent and a Zoning By-law Amendment the fee would be \$500. **Please note that the pre-consultation fee is non-refundable.**

## APPLICATION TYPE

Check all that apply:

Regional Official Plan Amendment	<input type="checkbox"/>	Consent (Land Severance)	<input type="checkbox"/>
Local Official Plan Amendment	<input type="checkbox"/>	Zoning By-law Amendment	<input checked="" type="checkbox"/>
Draft Plan of Subdivision	<input checked="" type="checkbox"/>	Site Plan Control	<input type="checkbox"/>
Draft Plan of Condominium	<input type="checkbox"/>	Other:	<input type="checkbox"/>

## Site Information

Address: <b>100 York Road</b>
Assessment Roll Number: <b>271103003710300</b>

## Owner Contact Information

Name: <b>Ralph Rotella</b>	
Phone Number: <b>905-328-6657</b>	Email: <b>ralph.rotella@gmail.com</b>

## Agent Contact Information

Name: <b>Matt Kernahan</b>	
Phone Number: <b>905-688-9400</b>	Email: <b>matt@ucc.com</b>

## Description Of Proposed Development

**Modification to Draft Approved Subdivision and Associated Rezoning.**

**Proposed subdivision to include 118 single detached, 40 semi-detached and 118 street townhouse dwellings, stormwater management pond/open space area and a park.**



## SITE PLAN INSTRUCTIONS

The Pre-consultation Request Form must be submitted with a site plan showing the proposed development. The following items must be included on site plans:

- Location of existing and proposed land uses, buildings and structures;
- Location of significant features on the site and adjacent to the site (i.e. wetlands, hazard lands, watercourses, woodlands, wells, septic tanks, etc.);
- Existing and proposed lot fabric (as appropriate); and
- Proposed development concept, including setbacks from lot lines and significant features.

## PERMISSION TO ENTER PROPERTY

I hereby give permission to the City of Port Colborne, Regional Municipality of Niagara and the Niagara Peninsula Conservation Authority to enter my property for the purpose of inspection and information gathering regarding the pre-consultation meeting requested for my property.

Address:

110 York Road

Date:

March 9, 2023

Name of Property Owner:

Ralph Rotella

Signature of Property Owner:







The Corporation of the City of Port Colborne

By-law no. \_\_\_\_\_

Being a by-law to amend Zoning By-law 6575/30/18 respecting lands legally described Part of Lot 30, Concession 3, Geographic Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara.

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

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

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

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

Residential First Density (R1) Zone	to	Residential Third Density (R3-XX) Site-Specific Zone
Public and Park (P) Zone	to	Residential Third Density (R3-XX) Site-Specific Zone
Public and Park (P) Zone	to	Public and Park (P) Zone
Public and Park (P) Zone	to	Residential Third Density (R3-XX) Site Specific Zone
Neighbourhood Commercial (NC-31) Zone	to	Residential Third Density (R3-XX) Site-Specific Zone
Residential Fourth Density (R4-32) Zone	to	Residential Third Density (R3-XX) Site-Specific Zone
Residential First Density (R1) Zone	to	Residential Third Density (R3-XX) Site-Specific Zone
Residential First Density (R1) Zone	to	Public and Park (P) Zone

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

R3-XX

Notwithstanding the provisions of the Residential Third Density Zone, the following regulation shall apply to Detached Dwellings:

- |                                      |                   |
|--------------------------------------|-------------------|
| a. Minimum lot Frontage              | 10.9 metres       |
| b. Minimum Lot frontage – Corner Lot | 12.7 metres       |
| c. Minimum Lot Area                  | 300 square metres |
| d. Minimum Front Yard                | 6 meters          |
| e. Minimum Corner Side Yard          | 3 metres          |
| f. Maximum Lot Coverage              | Not Applicable    |
| g. Minimum Landscaped Area           | 20 %              |

R3-XX

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

- |                               |   |
|-------------------------------|---|
| a. Minimum Lot Area           | 0.018 hecatres  |
| b. Minimum Front Yard         | 4.5 metres front face of dwelling, 6 metres from garage |
| c. Minimum Interior Side Yard | 1.5 metres  |
| d. Minimum Corner Side Yard   | 4 metres  |
| e. Minimum Landscaped Area    | 20 %  |

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

STONEBRIDGE DRIVE

PART 8

WESTFIELD PLACE

WESTFIELD PLACE

WESTFIELD PLACE

STREET 'A'

STREET 'B'

AINTREE PLACE

PART 7

WESTFIELD PLACE

PARKSIDE DRIVE

SHERWOOD DRIVE

WEST SIDE ROAD (No.58)

MEADOWLARK DRIVE

MEADOWLARK DRIVE

OXFORD BOULEVARD

STREET 'C'

STREET 'B'

FUTURE PARK

PART 5

PART 6

STREET 'B'

PART 4

PART 1

PART 2

PART 3

OXFORD BOULEVARD

EXISTING PARK

RUNNYMEDE ROAD

Legend

- PART 1- FROM R1 TO R3-X
- PART 2- FROM P TO R3-X
- PART 3 - FROM P TO P
- PART 4- FROM P TO R3-X
- PART 5 - FROM NC-31 TO R3-X
- PART 6- FROM R4-32 TO R3-X
- PART 7- FROM R1 TO R3-X
- PART 8- FROM R1 TO P

- R1- FIRST DENSITY RESIDENTIAL
- R3- THIRD DENSITY RESIDENTIAL
- P- PUBLIC + PARK ZONE
- NC- NEIGHBOURHOOD COMMERCIAL
- R4- FORTH DENSITY RESIDENTIAL

SCHEDULE 'A'

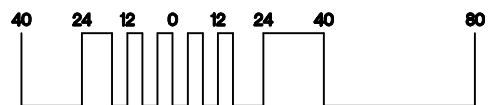
To By-law No. \_\_\_\_\_

THIS IS SCHEDULE 'A' TO BY-LAW NO \_\_\_\_\_

PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

Mayor \_\_\_\_\_

Clerk \_\_\_\_\_



SCALE IN METRES

City of Port Colborne