

Planning Justification Report
Zoning By-law Amendment and Draft Plan of Vacant Land
Condominium

5558 Drummond Road
Niagara Falls, ON

Revised November 2023

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1.0 - PREFACE

This Planning Justification Report has been prepared by Upper Canada Consultants on behalf of Blythwood Homes, the owner of the lands known municipally as 5558 Drummond Road in the City of Niagara Falls, Regional Municipality of Niagara (the “subject lands”). Blythwood Homes is seeking to construct a private road development containing 3 blocks of townhouse dwellings containing 12 primary dwelling units and 6 second dwelling units, to a cumulative total of 18 dwelling units on the subject lands.

A Zoning By-law Amendment application and Draft Plan of Vacant Land Condominium application have been submitted to facilitate the proposed development, pursuant to the application requirements outlined in the pre-consultation agreement from August 4, 2022. The Zoning By-law Amendment proposes to change the zoning of the subject property from Residential 2 (R2) to Residential Group Multiple Dwellings (R4) with site-specific setback provisions to reflect the design of the proposed development. The Draft Plan of Vacant Land Condominium (DPVLC) will establish the private ownership of the individual dwelling units and the common ownership of the roadways, utilities etc., along with the associated maintenance obligations. The DPVLC is also the mechanism through which the municipality ensures that matters related to site plan control are addressed.

The intent of this report is to provide an overview of the proposal and to demonstrate how the applications satisfy the *Planning Act*, are consistent with the Provincial Policy Statement, conform to the Growth Plan, Region of Niagara Official Plan, City of Niagara Falls Official Plan and represent good planning.

2.0 – SITE DESCRIPTION AND CONTEXT

The subject application has been submitted for the lands known municipally as 5558 Drummond Road, described legally as Part of Lot 126, Geographic Township of Stamford, City of Niagara Falls, Regional Municipality of Niagara. The property has 36.58 meters of frontage on Portage Road and is approximately 3,820 square meters in area. Approximately 540 square meters were added to the subject lands through a boundary adjustment with 6141 North Street which was approved by the City's Committee of Adjustment on January 31, 2023.

The subject lands are located on the east side of Drummond Road, south of Prospect Street and Highway 420, north of North Street and west of Portage Road. The property is located in an established residential neighbourhood comprised of a variety of housing typologies. The property is surrounded to the north, south and east by single detached dwellings. Across Drummond Road to the west are multi-unit housing typologies, including 3-storey apartment buildings and a condominium townhouse development.

The property was previously occupied by a single detached dwelling, which has since been removed. The property was located along Drummond Road towards the southern property line, and the remaining area of the property has remained undeveloped. The former dwelling is clearly visible in the 1954-55 air photo which also shows that the surrounding subdivision were largely built out (see **Figure 2**).



Figure 1 - Aerial View of the Subject Lands (Cropped from Niagara Navigator, 2020 imagery)



Figure 2 - Subject Lands in 1954-1955 (Niagara Navigator)

3.0 - THE PROPOSED DEVELOPMENT

Overview

The proposed development consists of a private internal roadway with visitor parking areas, and four townhouse blocks containing a total of 18 dwelling units. The proposed Site Plan is shown in **Figure 3** and is attached as **Appendix II**.

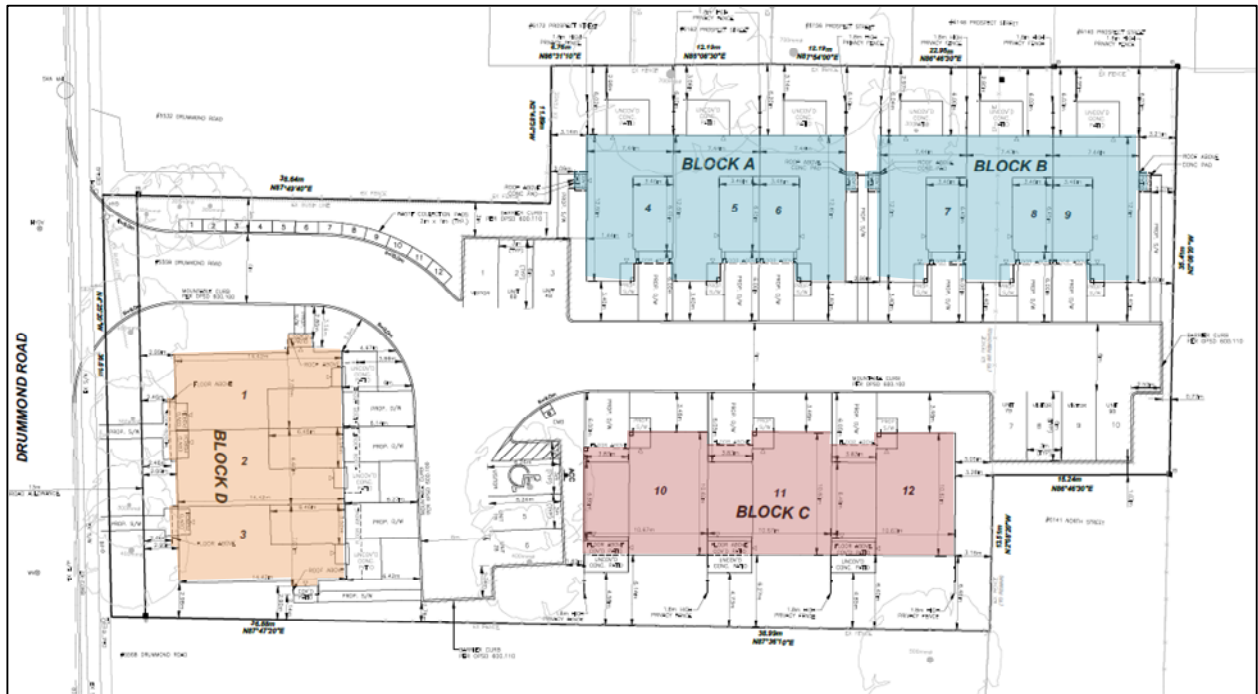


Figure 3 - Proposed Site Plan

Unit Types

The proposed development will contain three distinct unit types of varying sizes and layouts. The proposed unit types are described below:

Blocks A and B

Blocks A and B are located on the north side of the private roadway and each contain 5 dwelling units. The Blocks are comprised of three primary units, with each of the end units designed to include a second dwelling unit in the basement, accessed from a side door. Although they are a separate dwelling unit, the basement units will fall under the condominium ownership of the corresponding above-ground units, and will be rental apartments.

Blocks A and B are 2-stories and 9.72 meters in height. The above-ground units occupy approximately 88.5 square meters (947 square feet) over the main level and upstairs. The dwelling units in the basement are approximately 60.6 square meters (650 square feet).



Figure 4 - Preliminary Front Elevation – Blocks A and B (Chapman Murray Associates Architects Inc.)

Block C

Block C is located on the south side of the private roadway and contains 3 dwelling units. Block C is 2 storeys and 8.92 meters in height. A preliminary front elevation of Block C is shown in **Figure 6**.

Block C has a shorter and wider building footprint than Blocks A and B due to the narrower lot area on the south side of the private roadway. The units have approximately 165 square meters (1776 square feet) of living space on the main floor and second floor. Block C does not contain basement dwelling units.



Figure 5 - Preliminary Front Elevation - Block C (Chapman Murray Associates Architects Inc.)

Block D

Block D is located in the western portion of the development and has direct frontage on Drummond Road. This block has been designed with “reverse frontage” meaning that the units have a street-facing façade along Drummond Road with the garage and driveway accessed from the private internal roadway. The dwellings are 2 storeys and 8.93 meters in height. The proposed front and rear elevations are shown in **Figures 7 and 8**.

As with Blocks A and B, Block D is a block townhouse comprised of three units which occupy the main and upper floor and a second dwelling unit accessed through a side door is accommodated below Units 1 and 3, and which fall within the condominium ownership of these units. The main and second floor dwelling units are approximately 165 square meters (1777 square feet) in area while the basement units are approximately 66 square meters (710 square feet) in area.



Figure 7 - Preliminary "Rear" Elevation (facing private roadway) – Block D (Chapman Murray Associates Architects Inc.)



Figure 6 - Preliminary "Front" Elevation (facing Drummond Road) - Block D (Chapman Murray Associates Architects Inc.)

Parking

Each dwelling unit has a private driveway and an attached garage which can both functionally accommodate a vehicle, although the garage is not technically counted as a parking space in accordance with the Zoning By-law.

A total of 10 additional spaces are accommodated in parking areas accessed from the internal roadway. One parking space is reserved for each of the 6 basement dwelling units and the remaining 4 parking spaces inclusive of one accessible parking space are intended for visitor parking.

Amenity Space

Blocks A, B and C have an approximately 6-meter amenity area at the rear of the units, as is typical for a condominium townhouse development. These units will also have decks / patios to enable the full utilization of the amenity areas by the future residents.

Since Block D is comprised of reverse frontage units, it does not have a traditional “rear yard” amenity area like the other units in the development, but will have amenity areas at both the front and the rear of the dwelling. Porches are provided for Block D to enable the use of the outdoor amenity areas.

Servicing

The servicing strategy for the proposed development is detailed in the Functional Servicing Report submitted with the applications. Below is an overview of the proposed servicing strategy. Please refer to the Functional Servicing Report for complete information and analysis.

Water Servicing

An internal private watermain serving the development will be connected to the existing 150mm diameter City watermain in Drummond Road. The Functional Servicing Report confirms that the existing watermain has sufficient capacity to serve the domestic water needs and fire protection needs of the development.

Sanitary Servicing

An internal private sanitary sewer serving the development will be connected to the existing 300mm diameter concrete sanitary sewer in Drummond Road. The Functional Servicing Report confirms that the existing sewer has sufficient capacity to serve the proposed development.

Stormwater Management

The City of Niagara Falls requires that stormwater flows from the site be controlled up to and including the 5 year design storm event and provide stormwater quality controls to the MECP Normal Protection. The proposed stormwater management strategy will convey flows to the existing 675mm storm sewer in Drummond Road. To achieve the necessary quantity control, an outlet control (ie. an orifice plate) will be required and 62.4m³ of storage is required. The storage will be accommodated on site through the

use of superpipes, maintenance holes and catch basins. An oil/grit separator will be utilized to achieve the required quality control.

Waste Collection

Waste collection pads for each unit are located on the north side of the private road entrance into the development to enable Regional waste collection.

4.0 - REQUIRED APPLICATIONS

The following *Planning Act* approvals are required to permit the proposed development:

Zoning By-law Amendment

The subject lands are currently zoned as Residential Two Zone (R2) which permits low-density, ground-based housing forms including detached, semi-detached and duplex dwellings and a change in Zoning is required to permit the proposed private road townhouse development. A Zoning By-law Amendment application has therefore been submitted to change the Zoning of the subject lands to Residential Low-Density Group Multiple Dwellings (R4) which is the most appropriate zoning category for the proposed development within the City's Zoning By-law as it permits private road developments containing block townhouses.

Details of the proposed amendment are provided in Section 8 of this report. The Draft Zoning By-law Amendment is included as **Appendix III**.

Draft Plan of Vacant Land Condominium

The Draft Plan of Vacant Land Condominium will establish the private ownership of the individual dwelling units and the common ownership of the private roadway and site infrastructure. Matters related to Site Plan control are also addressed through the Condominium process, and associated conditions of approval.

5.0 - PROVINCIAL PLANS

5.1 - PLANNING ACT

Section 2 – Matters of Provincial Interest

The Planning Act (R.S.O. 1990) prescribes the regulations for land use planning in Ontario. Section 2 of the Planning Act outlines the matters of Provincial Interest which planning authorities must have regard for when considering planning applications.

With respect to these matters, the subject applications pertain to (h) the orderly development of safe and healthy communities (j) the adequate provision of a full range of housing and (p) the appropriate location of growth and development.

The applications support the orderly development of safe and healthy communities through compatible infill development in an existing residential neighbourhood. This type of residential development mitigates the rapid depletion of land to accommodate residential growth and reduces capital infrastructure costs required to service new residential lands.

The application supports the provision of a full range of housing as the proposed townhouse dwellings represent a dwelling typology that is not currently found in the immediate area. The proposed dwellings provide housing choice based on current market conditions.

The applications support the appropriate location of growth and development as the subject lands are located within an existing residential area and are fully serviced. There are no constraints to residential development on the site and the proposed development would increase the efficient use of municipal services.

Section 34 – Zoning By-laws

Section 34 of the *Planning Act* grants municipal councils the authority to pass Zoning By-laws to regulate the use of the land within a municipality. Amendments to such By-laws are permitted pursuant to Section 34(10) of the *Planning Act*.

Section 51 – Plans of Subdivision

Applications for the subdivision of land, including Vacant Land Condominium applications must satisfy the requirements under **Section 51** of the Planning Act.

The proposal is therefore subject to consideration of the matters as outlined in **Section 51(24)** of the Planning Act which state 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 the following items:

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

As noted, the proposed development has regard for matters h), j), and p).

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

The proposed development is not premature as the subject lands are designated for residential development and have access to municipal services and infrastructure. The applications are in the public interest as they will facilitate the provision of much-needed housing in an appropriate location.

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

The proposal conforms to the Official Plan as confirmed in the applicable heading under this report.

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

The subject property is designated for residential development and is serviceable with municipal infrastructure. The Functional Servicing Report included with the applications confirms the adequacy of municipal infrastructure for the proposed development.

i) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

No designated affordable units are proposed.

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;

No new municipal roads are proposed through the applications and the development will be serviced with private roadways. The development will be accessed via Drummond Road which is a municipal roadway maintained year-round.

f) the dimensions and shapes of the proposed lots;

The dimensions and shapes of the proposed condominium units are shown on the Draft Plan of Vacant Land Condominium.

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 existing or proposed restrictions of the proposed development.

h) conservation of natural resources and flood control;

The subject property does not contain any significant natural resources or a flooding hazard.

i) the adequacy of utilities and municipal services;

A Functional Servicing Report has been prepared by Upper Canada Consultants which confirms the adequacy of the existing water, sanitary and stormwater infrastructure.

j) the adequacy of school sites

The subject lands are in proximity (within 2 kilometers) to a number of primary and secondary schools under the Niagara District School Board, the Niagara Catholic District School Board and a French language school board. These include the Stamford Collegiate Secondary School, Princess Margaret School, Ecole Elementaire LeMarsh, St. Mary Catholic Elementary School, Valley Way Public School, among others. Local school boards are circulated on Draft Plan applications to comment on the adequacy of school sites.

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

A road widening across the frontage of the subject lands was recently taken as a condition of Consent approval. No lands are proposed to be dedicated for public purposes through the Draft Plan.

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

The applications would provided for the efficient development of serviced urban land.

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).

Site plan control matters are addressed through the Vacant Land Condominium process.

5.2 - 2020 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS) (2020) provides policy direction on the matters of Provincial interest delineated under Section 2 of the Planning Act (R.S.O. 1990), and sets the policy framework for regulating the development and use of land. An overview of consistency to the applicable policies is provided below.

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

Schedule A of the Regional Official Plan shows that the subject lands are within the Urban Area Boundary and are considered to be Settlement Area under the PPS. Policy 1.1.3.1 of the PPS requires that Settlement Areas be the focus of growth and development. Consistent with this policy, the proposed townhouse development seeks to provide residential growth and development within the Settlement Area.

The proposed townhouse development is consistent with the built-form land use patterns detailed under Policy 1.1.3.2 in that it promotes the efficient use of land and infrastructure, and is located in an area with access to multi-modal transportation options including walking, biking, public transportation and private vehicle.

Schedule A2 of the City of Niagara Falls Official Plan further identifies the lands as being within the Built-up Area. Policy 1.1.3.5 of the PPS directs planning authorities to implement minimum intensification targets for Built-up Areas. The City of Niagara Falls Official Plan identifies that 40% of residential development is to occur within the Built-up Area. The proposed development supports the achievement of the City's intensification target.

Coordination (PPS 1.2)

Policy 1.2.1 of the PPS requires that a coordinated and comprehensive approach be employed when dealing with planning matters. This ensures that the interests of all relevant agencies are addressed. Consistent with this policy, a formal pre-consultation meeting for this application was held on December 3rd, 2020. At this pre-consultation meeting, the proposal was reviewed by the upper and lower-tier planning authorities as well as other agencies and the requirements for a complete application were determined.

Housing (PPS 1.4)

The policy direction under Section 1.4 of the PPS requires that a full range and mix of housing types and densities is provided to meet the City's current and future housing needs. Specifically, Policy 1.4.3 requires that planning authorities permit and facilitate all housing options that meet social, health and economic needs of current and future residents.

The proposal is consistent with the policy direction provided under Section 1.4 of the PPS as the development introduces additional forms of housing that will improve housing choice within the municipality. The proposed dwelling typologies are based on current market conditions and reflect the range of housing need that exists within the housing market.

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

Policy 1.5.1 of the PPS directs planning authorities to promote healthy and active communities by providing public streets, spaces and facilities that are safe, foster social interaction and community connectivity. This is to be achieved through the equitable distribution of publicly-accessible built and natural environments.

The subject lands are in close proximity to Coronation Park which provides residents with convenient access to public open space as required in the PPS.

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 an efficient manner while accommodating projected needs so as to reduce the cost of accommodating growth. The subject lands are fully serviced and the development of the land does not require the provision of new municipal infrastructure. Private site services will be installed at the developer's cost. A Functional Servicing Report has been submitted which confirms that the existing municipal infrastructure has the capacity to service the proposed development.

Policy 1.6.6.2 promotes residential intensification in areas with existing municipal sewage and water services where it is feasible to optimize the use of these services. The proposed development increases the efficient use of the existing infrastructure.

Long Term Economic Prosperity (PPS 1.7)

Section 1.7 of the PPS outlines the planning principles that contribute to the long term economic prosperity of the Province. With regard to these principles, the proposed development is consistent with b), c) and g).

Policy 1.7.1(b) states that long term economic prosperity is supported by encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce. Consistent with this requirement, the proposed private road townhouse development adds to the provision of dwelling types in the surrounding area and is reflective of the range of housing needs that exist within the market.

Policy 1.7.1(c) states that optimizing the long-term availability and use of land, resources, infrastructure and public service facilities supports long term economic prosperity. In accordance with this policy directive, the proposal seeks to facilitate compatible intensification which would make efficient use of the land and existing infrastructure.

Policy 1.7.1(g) states that long term economic prosperity is supported by providing for an efficient, cost-effective, reliable multimodal transportation system. The subject lands are located along an existing transit route with the nearest bus stop located in front of the neighbouring property. The proposed development provides increased density along this existing public transportation route

5.3 - 2020 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

The Growth Plan for the Greater Golden Horseshoe informs decision-making regarding growth management and environmental protection in the Greater Golden Horseshoe through specific policies based on a 25-year planning horizon. The goal of the policies under the Growth Plan is to enable environmental, social and economic prosperity on a regional level.

Managing Growth (PTG 2.2.1)

As stated in Section 2.2.1, the growth management policies of the growth plan are based on the projected growth in Schedule 3 to the Growth Plan. According to Schedule 3, the Region of Niagara is anticipated to have a population of 674,000 by the year 2051.

Policy 2.2.1.4 states that the Growth Plan's growth management policies seek to support the achievement of complete communities. Complete communities are defined under the Growth Plan as,

"Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts."

The proposed townhouse development contributes to the accommodation of projected growth and supports the achievement of complete communities, as required in Section 2.2.1 of the Growth Plan. Specifically, the proposal represents efficient infill development on serviced residential land. The proposed townhouses are a compact built-form that add to the provision of a full range of housing options.

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. The proposed townhouse dwellings add to the range of housing types to the immediate area and support the proposal supports the provision of housing that meets current and projected housing needs.

Transportation (PTG 3.2.2)

Policy 3.2.2.2 of the Growth Plan requires that safe access to jobs, housing and schools (etc.) is to be provided through the provision of a range of transportation options. In conformity to this policy, the

subject lands are accessible through a range of transportation modes including walking, biking, public transportation and private vehicle.

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 subject lands are already connected to City services and the proposed development increases the efficient use of this infrastructure. A Functional Servicing Report has been prepared which confirms that the existing water and wastewater systems can adequately support the proposed development.

Stormwater Management (PTG 3.2.7)

Policy 3.2.7.2 requires that stormwater management strategies be developed prior to proposals for large-scale development. The Functional Servicing Report includes a Stormwater Management component which details how stormwater will be managed on site to meet quantity and quality requirements prior to discharge to the municipal sewer.

6.0 – NIAGARA OFFICIAL PLAN (2022)

The Niagara Official Plan (2022) outlines the long-term strategic policy planning framework for managing growth in the Region to a planning horizon ending in 2051.

6.1 – CHAPTER 2 - GROWING REGION

Chapter 2 of the ROP contains the policy framework for the accommodation of the Region's projected population and employment growth.

Forecasted Growth

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, wherein the City of Niagara Falls has a projected population of 141,650 people and 58,110 jobs.

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 divided into the Delineated Built-up Area and the Designated Greenfield Area.

Schedule B of the Regional Plan indicates that the subject lands are in the Delineated Built-up Area (see **Figure 9**, below). The subject lands also have access to existing water and wastewater systems and are therefore an appropriate location to accommodate prescribed growth, according to the Niagara Official Plan.



Figure 8 - Excerpt from Niagara Official Plan Schedule B - Regional Structure

Managing Urban Growth

Per Policy 2.2.1.1 a), development in the Built-up Area is required to support the achievement of the Region's intensification target. The Region's intensification target is 60%, as stipulated in policy 2.2.2.5. Table 2-2 of the ROP further breaks down the intensification target by municipality. The City of Niagara Falls is assigned an intensification target of 50% which means that approximately 10,100 dwelling units are required to be accommodated within the existing Built-up Area by the year 2051. The proposed development contributes positively to the accommodation of prescribed residential growth in the City's Built-up Area.

Policy 2.2.1.1 b) states that development in urban areas should support a compact built-form and a mix of land uses to support the creation of complete communities. The proposed development contributes to the achievement of a complete community by introducing compact housing forms in proximity to complimentary land uses.

Policy 2.2.1.1 c) states that development in urban areas should accommodate a diverse range and mix of housing types, unit sizes and densities to accommodate future and current market-based and affordable housing needs. The proposed development accommodates 3 types of townhouse dwellings and includes second dwelling units, therefore improving housing choice in the immediate area and providing options for a range of options that cater to various household sizes, income levels and housing preference.

Policy 2.2.1.1 e) states that development in the urban area should support built-forms, land use patterns and street configurations that minimize land consumption, reduce the cost of municipal water and wastewater systems and services. The proposed development represents a compact and efficient development pattern that provides for the efficient use of land and infrastructure. The development will be connected into the existing municipal infrastructure. The provision of additional housing units will help to optimize the efficient use of the existing municipal infrastructure.

Policy 2.2.1.1 f) states that development in the urban area should support opportunities for transit supportive development. The proposed development supports transit use through the provision of additional density along an existing public transit route.

Policy 2.2.1.1 k) states that orderly development in accordance with availability and provision of infrastructure should be accommodated within the urban area. The proposed development is infilling by nature and the subject lands have access to existing services. The proposed development is therefore orderly in accordance with the availability of infrastructure.

Housing

The objectives of the policy direction under Section 2.3 of the ROP 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, lot 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 includes block townhouses with 3 distinct floor layouts, and includes second dwelling units, thereby catering to a variety of housing needs.

7.0 - CITY OF NIAGARA FALLS OFFICIAL PLAN (2019 CONSOLIDATION)

The City of Niagara Falls Official Plan contains land use policies which implement the City's long-term growth management goals. Schedule A of the Niagara Falls Official Plan identifies that the subject lands are designated as Residential (see **Figure 10**). Schedule A2 further identifies that the lands are in the Built-up Area.

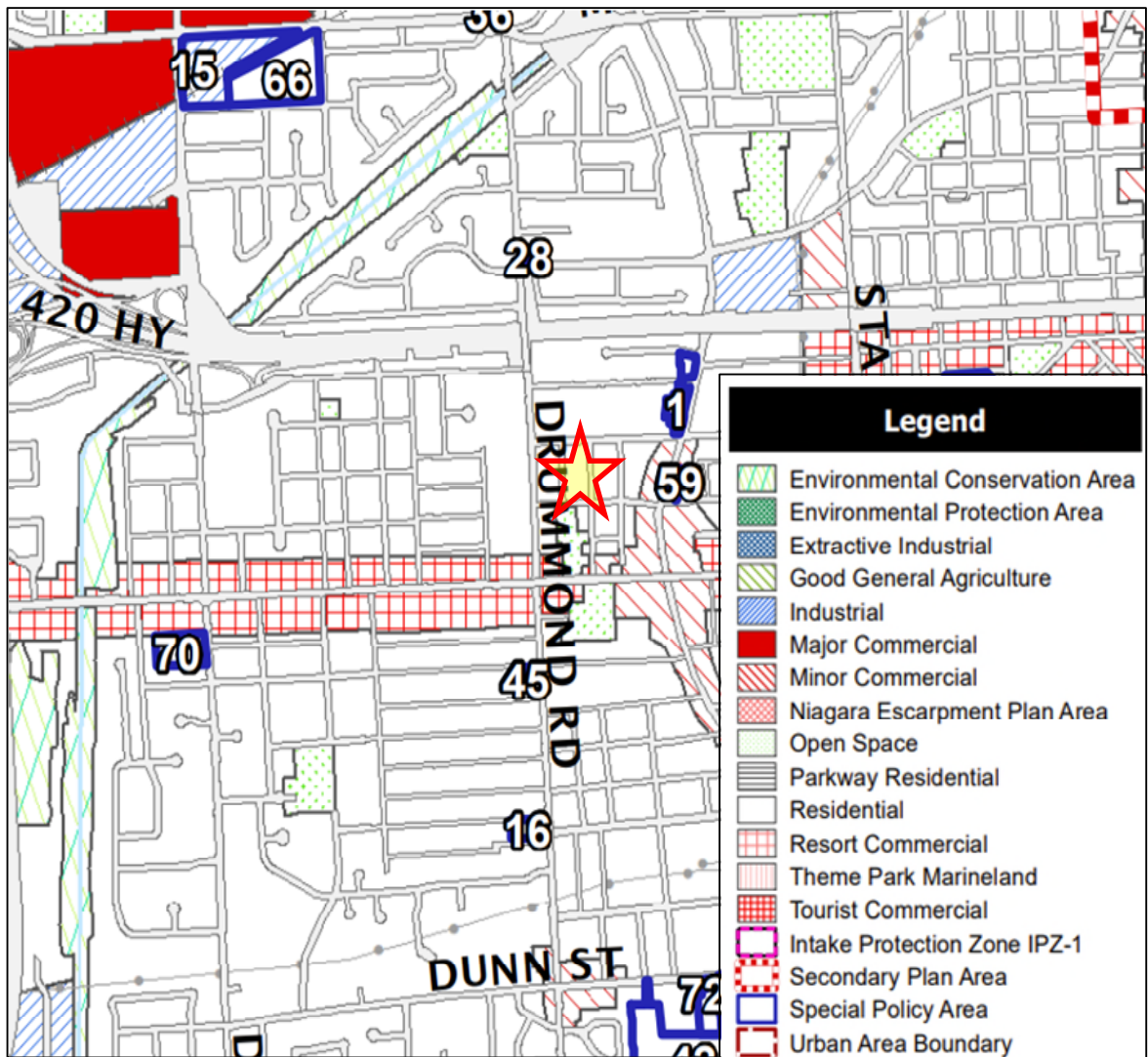


Figure 9 - Niagara Falls Official Plan, Schedule A – Future Land Use

PART 1 – PLAN OVERVIEW AND STRATEGIC DIRECTION

SECTION 2 – STRATEGIC POLICY DIRECTION

The intent of the Official Plan is to guide land use and development in the City of Niagara Falls so as to ensure orderly and efficient growth while maintaining and protecting natural heritage and agricultural lands.

Growth Objectives

Contained under this heading are the City's Growth Objectives which guide the subsequent policy direction for the land uses identified on Schedule A. The following is an evaluation of the proposal's conformity to the Growth Objectives:

1. To direct growth to the urban area and away from non-urban areas.

The subject lands are within the urban boundary which is the appropriate location for residential growth through intensification.

2. To protect Natural Heritage Areas and their functions.

The subject lands do not contain and are not adjacent to any natural heritage features.

3. To support increased densities, where appropriate, and the efficient use of infrastructure within the Built-Up section of the urban area.

The proposed development represents a density that is compatible with adjacent land uses, appropriate for existing service levels and which contributes to the provision of housing in the municipality.

6. To accommodate growth in accordance with the household, population and employment forecasts of the Region's Comprehensive Review.

The proposed development supports the accommodation of Niagara Falls' anticipated growth identified in the 2022 Niagara Official Plan.

7. To achieve a minimum of 40% of all residential development occurring annually within the Built-Up Area shown on Schedule A-2 by the year 2015.

The proposed development will contribute 18 additional dwelling units by way of intensification and supports the achievement of the City's intensification obligations.

10. To plan for an urban land supply for 20 years and to maintain a minimum 10 year supply of land for residential growth through intensification or greenfield development.

The proposed development represents intensification within the urban boundary. The efficient redevelopment and intensification of existing residential land limits the need to expand the urban boundary and allows for an adequate supply of residential land to be maintained to accommodate future growth.

11. To provide a supply of serviced land that is capable of providing three years of residential development through intensification and land in draft approved and registered plans of subdivision.

Consistent with this objective, the subject lands are serviced residential lands and the proposed development would facilitate the intensification of the land.

Policies

Contained under this heading are the policies related to the Growth Objectives outlined in the previous section. The following is an evaluation of the proposal's conformity to these policies:

2.3 The City shall provide sufficient lands within the Urban Area Boundary to meet the projected housing, population and employment targets of Table 1.

According to Table 1, the City of Niagara Falls is anticipated to have a population of 106,800 and 42,740 households. The proposed development would increase the efficient use of existing residential lands to accommodate this growth.

2.4 The opportunity for increased densities within the Built Area Boundary shall be provided to make use of existing infrastructure, buildings and available transit through specific policies for the intensification nodes and corridors outlined in Part 1, Section 3.

While the subject lands are not located within a delineated intensification node, the development leverages the benefits of intensification through the efficient use of land, infrastructure and public services.

2.8 The City shall consider residential and employment growth in relation to Schedule "B" - Phasing of Development and the polices of Part 1, Section 3 of this Plan.

Schedule B of the Official Plan indicates that the subject lands are within the Existing Municipal Service Area. The proposed development of the land does not require the provision of new infrastructure and therefore conforms with the City's phasing strategy.

2.11 No new urban areas shall be created.

No new urban areas are proposed through the subject applications. Rather, the applications represent the efficient redevelopment of existing urban lands which reduces the need to provide new urban lands in the future.

Section 3 – Intensification

The policies under this heading apply to applications for intensification including development on lands within the Built-up Area. The following is an evaluation of the proposal's conformity to the applicable Intensification Policies:

General Policies

- 3.1** *Unless otherwise permitted through the maps and policies of this Plan, residential intensification shall require an amendment to this Plan and proceed by way of site specific zoning by-law amendment whereby individual proposals can be publically assessed. Proposals of sufficient land area shall be developed through plans of subdivision.*

A Zoning By-law Amendment application has been submitted to permit the proposed development and is subject to a complete public process, in conformity to this policy.

Land division is proposed to occur by way of a Plan of Condominium rather than by Consents or Subdivision. Land division by Condominium is subject to the same Planning Act criteria as land division by Consents and Subdivision. As previously demonstrated, the proposed Draft Plan satisfies these criteria.

- 3.4** *The intensification through redevelopment of lands designated Residential in this Plan shall comply with the policies of Section 2, 1.15.5 of this Plan.*

The proposed density is within the permitted density range for the proposed typology. Section 2, Policy 1.15.5 of the Official Plan requires that new development comprised of single detached, semi-detached or street and block townhouse dwellings are to be developed to a maximum density of 40 units per hectare. The subject lands are approximately 3,705 square meters (0.37 hectares) in area and contains 12 block townhouse dwelling units, to a density of 32.4 units per hectare.

The 6 second dwelling units are not included in the density calculation as they are defined separately from “block townhouse dwellings”.

SECTION 4 – HOUSING

The policies under Part 2, Section 4 of the City’s Official Plan implement the housing policy framework from the Niagara Official Plan and address the housing needs outlined in the City’s Housing Strategy.

Vision and Goals

The proposal is consistent with, or implements the following housing goals identified in the Official Plan:

- 1.** *Ensure housing is available throughout the City to meet the varying financial needs of existing and future residents.*

The proposed development includes a variety of unit typologies, including second dwelling units which provide for housing that reflects the range of financial needs in the City.

- 2.** *Diversify the City’s housing supply to include a wider range of price points; mix of housing types and densities; and a range of options for housing tenure (rental and ownership).*

The proposed development includes a mix of condominium and rental tenureship and contributes to the supply of both freehold and rental units.

3. *Remove barriers to the creation of a range and mix of housing types, including alternative forms of housing throughout the City.*

The applications propose the creation of alternative forms of housing through the provision of second dwelling units in a block townhouse typology.

Policies

4.3 *Opportunities for a choice of housing including type, tenure, cost and location shall be provided to meet the changing needs of households throughout the Built-up Area and Greenfield Area. In order to achieve this goal, the City shall support the following:*

4.3.1 *Multiple unit developments, smaller lot sizes and innovative housing forms.*

The proposed development implements this policy direction as 12 block townhouse dwellings under condominium tenure are proposed. The development further contributes to the provision of innovative housing forms through the addition of basement dwelling units for 6 of the units.

4.3.2 *Development of vacant land, and more efficient use of under-utilized parcels and existing housing stock.*

The subject lands are currently vacant. The proposed development will provide additional housing opportunities by efficiently utilizing vacant urban lands.

4.3.3 *The full utilization and consolidation of properties to achieve larger scale and more comprehensive residential development.*

The subject lands have been consolidated from separate parcels to achieve a larger parcel that is efficient and comprehensive development patterns.

4.3.4 *Development of housing in conjunction with commercial developments in order to create walkable neighbourhoods.*

The subject lands are in proximity to existing commercial development, as well as parks and other complimentary land uses.

4.3.5 *Accessory dwelling units in single-detached, semi-detached and townhouse dwellings in accordance with the legislation set out in the Planning Act and as further regulated through the policies of this Plan and the Zoning By-law.*

Basement accessory dwelling units are proposed to be provided for 6 of the townhouse dwellings. Permissions for these units will be implemented through the site-specific Zoning By-law Amendment.

4.4 Applications for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Condominium shall include, as part of a complete application, the submission of a housing impact statement, either as a standalone report for large-scale projects, or as a section within a planning justification report for small-scale projects, demonstrating how the proposal implements the City's Housing Strategy.

The proposed development is considered to be small-scale. The requirement for a housing impact statement is addressed through the conformity analysis of the specific requirements under this policy, as detailed below.

The housing impact statement shall include the following:

a) The proposed housing mix by dwelling type and number of bedrooms, as applicable;

The development is comprised of 12 block townhouse dwelling units, 6 of which have been designed to include a second dwelling unit in the basement.

The development includes 3 distinct design and layout typologies. Blocks A and B represent the dominant typology and layout, and contain 6 primary units and 4 of the second dwelling units. Blocks C and D each comprise a different unit typology, containing 3 units each. The remaining 2 second dwelling units are contained within Block D.

All units are designed with 3 bedrooms. The second dwelling units contain 1 bedroom. Refinements to the floor layouts may occur based on personal preference for the future occupants.

b) How the proposal contributes to achieving the City's annual housing targets as outlined in Part 1, Section 4, Policy 4.8 a) and b);

Part 1, Section 3, Policy 4.8 states that 674 new housing units in the City are to be built on an annual basis between 2021 and 2051. The City has set an annual target that 40% of new units built meet the definition of "affordable", meaning that 270 units built annually between 2021 and 2051, and beyond be affordable. Of these units, 135 are to have a purchase price or rental price at or below the identified threshold for affordable, as defined by the Niagara Region, and the remaining 135 units are to be built as rental units that would be affordable to rental households in the 30th income percentile or lower.

For housing ownership, "affordable" is defined as the least expensive of:

- housing for which the purchase price results in annual accommodation costs which do not exceed 30 per cent of gross annual household income for low- and moderate-income households
- housing for which the purchase price is at least 10 per cent below the average purchase price of a resale unit in the regional market area;

For rental housing, "affordable" is defined as the least expensive of:

- A unit for which the rent does not exceed 30% of gross annual income for low- and moderate-income households.
- A unit for which the rent is at or below the average market rent of a unit in the regional market area.

It is not anticipated that the 18 primary units will be considered “affordable” as defined by the Niagara Region, however the provision of 6 second dwelling units provides opportunity for rental housing that may meet the Region’s definition.

c) The estimated rents and/or sales prices of the development, indicating where they are either above or below the threshold for affordable as defined by the Niagara Region and the City;

The developer has indicated that, based on current market conditions, the proposed dwellings would be anticipated to be sold for \$700,000 - \$799,000. Based on review of the current real estate market, this is comparable with similar units. For example, at the time of writing, a 2+1 bedroom, 3 bathroom condominium townhouse dwelling in Forestview Estates is listed for \$789,900.

The principal dwelling units do not meet the definition of affordable, but the provision of second dwelling units introduces opportunity for rental housing at a lower price point.

d) Where construction of the units is expected to occur in phases, information regarding the number of housing units that would meet Niagara Region’s and the City’s definition of affordable to be provided per phase, where applicable; and,

The development is not expected to be phased.

e) The proposed legal and/or financial mechanisms to ensure the delivery of any proposed new affordable housing commitments, and mechanisms to retain the long-term affordability of units, where applicable.

This policy is not applicable as no affordable housing units are proposed.

4.6 The City, in its review of subdivision/rezoning applications, will encourage provision of varying lot sizes, housing form and unit size in order to contribute to affordability.

In accordance with this policy direction, the proposed development contributes to a variety of housing forms and unit sizes.

PART 2 - LAND USE POLICIES

SECTION 1 - RESIDENTIAL

Schedule A identifies the lands as Residential and Schedule A-2 further designates the lands as being in the Built-up Area. Conformity to the applicable policies for these land use designations is demonstrated below.

General Policies

The policies under this heading apply to all lands that are designated as Residential on Schedule A of the Official Plan. The following is an evaluation of the proposal's conformity to the applicable General Policies:

- 1.1 *The predominant use of land in areas designated Residential shall be for dwelling units of all types catering to a wide range of households. Predominant uses shall include single detached and semi-detached dwellings, duplexes, triplexes, quadraplexis, townhouses, apartments, group homes and other forms of residential accommodation.***

The proposed block townhouses are a permitted dwelling typology which support the provision of housing that caters to a range of housing needs.

- 1.2 *Opportunities for a choice of housing including type, tenure, cost and location shall be provided to meet the changing needs of households throughout the Built-up Area and Greenfield Area. In order to achieve this goal, the City shall support the following:***

- 1.2.1 *Multiple unit developments, smaller lot sizes and innovative housing forms.***

The proposed development is a multi-unit form with three distinct designs, and basement dwelling units, all of which provide for the efficient use of the subject parcel and provide additional housing choice.

- 1.2.2 *Development of vacant land, and more efficient use of under-utilized parcels and existing housing stock.***

The proposed development represents the efficient use of vacant residential land.

- 1.2.3 *The full utilization and consolidation of properties to achieve larger scale and more comprehensive residential development.***

The comprehensive development of the subject parcel is enabled through the private roadway which provides frontage and access for the dwelling units located internally to the site.

- 1.2.4 *Development of housing in conjunction with commercial developments in order to create walkable neighbourhoods.***

The subject lands are in proximity to existing commercial development.

- 1.5 *The development and redevelopment of residential lands in the City shall primarily be by plan of subdivision incorporating a mix and variety of dwellings and supporting uses to foster the development of a complete community. Consents to sever individual parcels of land shall only be permitted when it can be demonstrated that a plan of***

subdivision is not necessary to implement the policies of this Plan or applicable secondary plan.

A Draft Plan of Subdivision is not an appropriate tool given the limited scale of the proposal, and the proposed ownership model. A Draft Plan of Vacant Land Condominium has been submitted to facilitate the division of the development for common and individual ownership.

The development accommodates three different forms of townhouses which all contribute to the provision of housing types and the achievement of complete community.

- 1.6 *Building heights referred to in this Plan through the text and schedules are intended as a general guide. Consideration may be given in specific situations to allow suitable, well designed developments that exceed these height guidelines through an implementing zoning bylaw amendment.***

The maximum proposed height is 9.24 meters. The subject lands are not in an area with a maximum height requirement under the Official Plan. The proposed height is below the maximum height of 10 meters permitted under the Zoning By-law.

- 1.8 *All residential development shall require proper and adequate municipal services. The municipality shall promote phased development to maintain logical, outward growth in residential areas in accordance with the policies of Part 3, Section 1.***

The expansion of municipal infrastructure is not required to support the proposed development as the subject lands are already serviced. Private site services will be installed at the cost of the developer. The proposed development increases the efficient use of this existing infrastructure.

Built-up Area

Policies for lands identified as being in the Built-up Area on Schedule A-2 are found under Part 2, Section 1.15 of the Official Plan. The following is an evaluation of the proposal's conformity to the applicable Built-up Area policies, with the policies quoted verbatim and an analysis of conformity provided in *italics*.

- 1.15 *It is recognized that opportunities exist throughout the Built-Up Area as shown on Schedule A-2 to create new housing units. Intensification, while maximizing the density of a given land area, shall be designed to integrate into the surrounding neighbourhood. The following policies are to be considered in the design of residential development, intensification and infilling and read in conjunction with the policies of PART 1, Sections 2 and 3:***

- 1.15.1 *The character of the existing neighbourhoods within the Built-up Area shall be retained. Accordingly, residential development, intensification and infilling shall blend into the lot fabric, streetscape and built form of a neighbourhood.***

The subject lands are located within an existing residential neighbourhood. The proposed townhouse dwellings are a compatible low density residential dwelling typology that emulates the character, scale and massing of the surrounding area.

The surrounding area is characterized by a variety of dwelling types including single detached and multi-unit forms. The proposed townhouse dwellings are representative of the existing mix of dwelling types in the area and are consistent with existing development in term of height, placement and scale. In particular, rear lane units are proposed along the Drummond Road to provide positive frontage and to provide a desirable streetscape.

1.15.2 *A gradation of building heights and densities will be encouraged together with sufficient horizontal separation distances between taller buildings and low rise dwellings in order to ensure a complementary arrangement of residential uses.*

The height of the building will not exceed the maximum building height of 10 meters required in the Zoning By-law. A range of building heights exist within the established neighbourhood including a 4 storey apartment building across the road, and the height of the proposed building will be consistent with the range of building heights within the surrounding area.

1.15.3 *Generally, development within the Built-up Area should be at a higher density that what currently exists in the neighbourhood. A harmonious mix of single and multiple accommodation will be encouraged through the Built-up Area so that at any one time a variety of housing types will be available suitable for different age groups, household sizes and incomes.*

The proposed development represents an increased density over the adjacent single-detached neighbourhood, while maintaining compatibility with the single detached neighbourhood.

1.15.4 *The conservation and renewal of the existing housing stock shall be encouraged as an important element in meeting future housing needs. In addition, the maintenance and rehabilitation of existing housing will be promoted by discouraging unnecessary demolition or conversion to non-residential uses through such mechanisms as demolition control and application of the Maintenance and Occupancy Standards By-law.*

The subject lands are currently vacant.

1.15.5 *Single detached housing is the dominant housing form in existing residential neighbourhoods. Increasing the amount of various types of multiple residential accommodations is encouraged in order to provide for an overall mix of housing within all communities. The inclusion of various housing forms through subdivisions, intensification and infilling shall not be mixed indiscriminately, but will be arranged in a gradation of building heights and densities according to the following policies:*

(i) Single and semi-detached dwellings, street townhouses, block townhouses and other compatible housing forms are to be developed to a maximum net density of 40 units per hectare with a minimum net density of 20 units per hectare and should generally be located on local or collector roads. New housing forms are to be of a height, massing and provide setbacks that are in character with the surrounding neighbourhood.

Consistent with this policy direction, the proposed development will increase housing choice while also making efficient use of serviced urban land. The proposed development is consistent with the existing mix of dwelling units in the immediate area and is compatible with immediately adjacent uses.

The development proposes 12 primary dwelling units with 6 second dwelling units. The 12 primary dwelling units represent a total density of 32.38 units per hectare which is consistent with the prescribed density for the block townhouse typology.

8.0 - CITY OF NIAGARA FALLS ZONING BY-LAW (By-law 79-200)

EXISTING ZONING

Schedule C4 of the Niagara Falls Zoning By-law indicates that the subject lands are in the Residential Two (R2) zone. The Residential 2 Zone permits and regulates low density forms of residential development, including but not limited to detached, semi-detached and duplex dwellings.

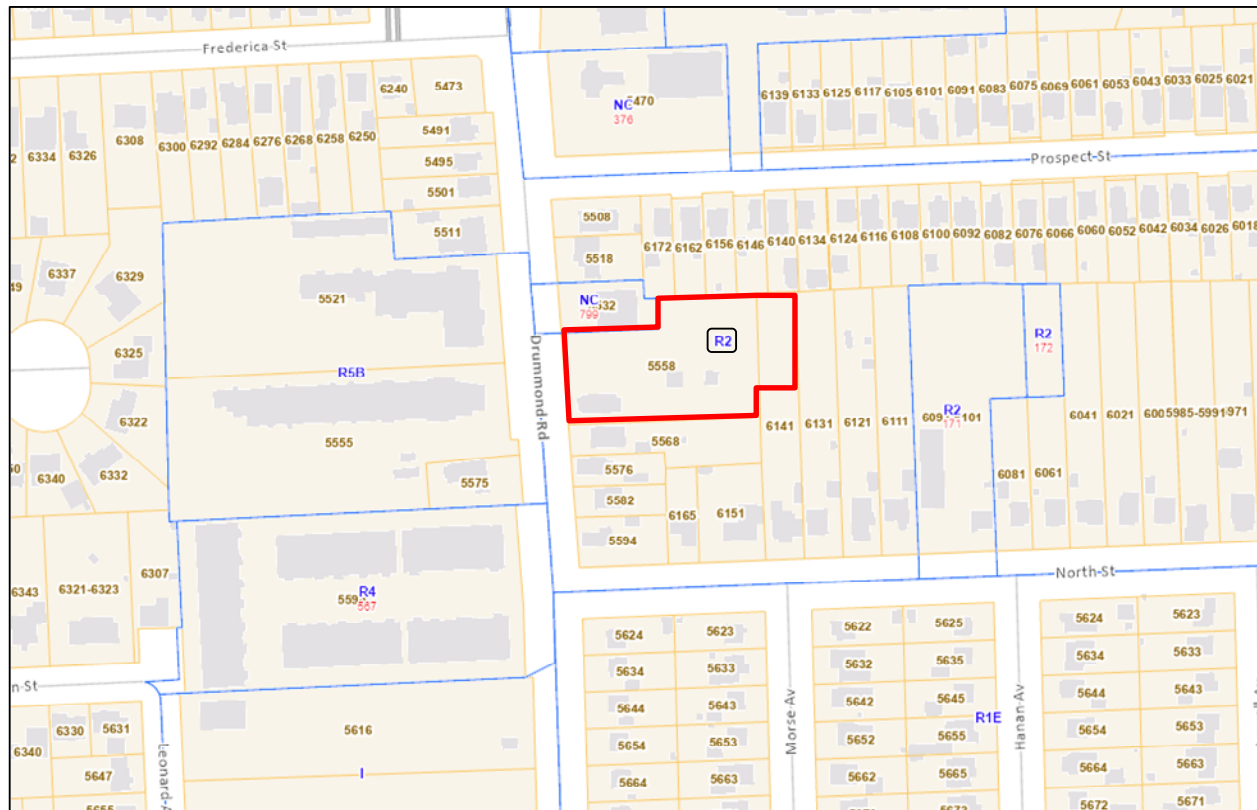


Figure 10 - Existing Zoning Information (Cropped from the Niagara Falls Viewer)

PROPOSED ZONING

A Zoning By-law Amendment has been submitted to change the zoning of the subject property to the Residential Low Density, Group Multiple Dwellings (R4) Zone which is the most appropriate zoning category for the proposed development within the City's Zoning By-law as it permits private road developments containing townhouse dwellings. An overview of conformity to the applicable general and zone provisions is provided in **Table 1**. An analysis of the requested site-specific relief is provided below.

Table 1**Zoning By-law 79-200 - Section 7.9****Residential Low Density, Grouped Multiple Dwellings (R4) Zone****7.9.1 – Permitted Uses**

Provision	Provided	Proposed Provision
(a) A townhouse dwelling containing not more than 8 dwelling units (b) An apartment dwelling (c) A stacked townhouse dwelling (d) Group dwellings, provided that no townhouse dwelling in the group dwellings contains more than 8 dwelling units (e) Accessory buildings and accessory structures, subject to the provisions of sections 4.13 and 4.14 (f) a Home Occupation in a detached dwelling, or a dwelling unit of a semi-detached dwelling or a duplex dwelling, subject to the provisions of section 5.5	Group Dwellings (Block Townhouses) containing a maximum of 5 units per block and Second Units	Add “Second Unit” as a permitted use (subject to Section 5.12)

7.9.2 – Regulations

Provision	Required	Provided	Proposed Provision
a) Minimum Lot Area	3000 square meters (250 square meters per block townhouse x 12 units)	3,813.26 square meters (308.80 square meters per dwelling unit)	No Change
b) Minimum Lot Frontage	30 meters	36.61 meters	No Change
c) Minimum Front Yard Depth	7.5 meters, plus 13 meters from the centreline of the original Drummond Road allowance	2.99 meters plus 13 meters from the centreline of the original Drummond Road allowance	2.9 meters, plus 13 meters from the original Drummond Road allowance
d) Minimum Rear Yard Depth	10 meters	3.0 meters	3.0 meters
e) Minimum Interior Side Yard	½ the height of the building (4.62 meters)	2.9 meters	2.9 meters
f) Minimum Exterior Side Yard	7.5 meters plus any applicable distance specified in Section 4.27.1	N/A	No Change
g) Maximum Lot Coverage	35%	30.19%	No Change
h) Maximum Height	10 meters	9.24 meters	No Change
i) Deleted			
j) Number of dwellings on one lot	More than one, subject to compliance with Section 7.9.3 (minimum lot area)	18 dwelling units on one lot (meets sum of minimum lot area requirements)	No Change
k) Parking and access requirements	See “Parking Requirements” below		
l) Accessory buildings and accessory structures	In accordance with Sections 4.13 and 4.14	N/A	No Change
m) Minimum Landscape Open Space	810 square meters (45 square meters x 18 dwelling units)	1,481.54 square meters (82.3 square meters per dwelling unit)	No Change

n) Minimum privacy yard depth for each townhouse dwelling unit, as measured from the exterior rear wall of every dwelling unit	7.5 meters	Blocks A, B & C – 6.0 meters Block D – 4.67 meters	Blocks A, B & C – 6.0 meters Block D – 2.9 meters No Privacy Yard required for second units
o) Minimum amenity space for an apartment dwelling unit	20 square meters per dwelling unit	N/A (apartment dwellings not proposed)	No Change
Section 5.12 – Second Dwelling Units Interior to the Primary Dwelling Unit			
a) The primary dwelling unit or second unit is occupied by the owner of the lot		No Change	No Change
b) The floor area of the second unit shall not exceed 40% of the floor area of the primary dwelling unit, excluding any attached garage		25%	No Change
c) One parking space shall be provided for the occupant of the second unit in addition to the parking space required for the primary dwelling		1 parking space assigned to each of the second units	No Change
Section 4.19 – Parking Requirements			
Provision	Required	Provided	Proposed Provision
Minimum Parking Space Requirements	1.4 spaces per dwelling unit = 23 spaces required	22 spaces provided	1.2 spaces per dwelling unit = 22 spaces required
4.19.3 – Parking in Yards			
Within the R4, R5A, R5B, R5C, R5D, R5E and R5F zones no person shall use any portion of the front yard of any lot for the parking or storing of any motor vehicle unless either a landscaped open space strip or a decorative wall or decorative fence and a landscaped open space strip is provided and maintained along the part of every front lot line and side lot line which abuts a street, except that part thereof crossed by an access driveway or sidewalk		No parking located in the front yard	No Change
Section 4.14 – Permitted Encroachments			
Subject to Section 4.27.1, a roofed-over one storey porch may project into a required front yard, rear yard or privacy yard of a block townhouse dwelling unit a distance of not more than 2.5 metres provided however that (i) no enclosure of such porch, other than removable screens and storm sashes or awnings, shall be erected to a height of more than 1.0 metre above the floor of such porch, and (ii) in no event and subject to said Section 4.27.1 shall any part of such porch be closer than 1.5 metres from any street line;		One-story roof projects 0.54m into yard and is located a minimum of 2.46 meters from a street line	Add: projection into side yard of not more than 1 meter.

SITE SPECIFIC RELIEF

Second Units

The Zoning By-law defines a “Second Unit” as, *“a separate dwelling unit that is smaller in area than the primary dwelling unit and is located either in the same building as the primary dwelling or in an accessory building, or part thereof, which is located on the same lot as the primary dwelling unit.”* The Zoning By-law permits Second Units interior to a detached dwelling, semi-detached dwelling, or street townhouse dwelling in the R1A, R1B, R1C, R1D, R1E, R1F, R2 and R3 Zones, subject to the following regulations under Section 5.12 of the Zoning By-law:

- a) The primary dwelling unit or second unit is occupied by the owner of the lot;
- b) The floor area of the second unit shall not exceed 40% of the floor area of the primary dwelling unit, excluding any attached garage; and
- c) One parking space shall be provided for the occupant of the second unit in addition to the parking space required for the primary dwelling.

The proposed Zoning seeks to add these permissions to the requested R4 Zone to permit the inclusion of the 6 proposed Second Units in the basement of Units 1, 3, 4, 6, 7 and 9.

The inclusion of Second Units is desirable as it promotes the efficient use of land, and contributes additional housing opportunities, allowing for both freehold and rental housing options within the same development. This is consistent with Provincial, Regional and local housing policy and goals.

Application of the Second Unit regulations under Section 5.12 of the Zoning By-law will ensure that the proposed Second Units are appropriately and consistently regulated, and will function similarly to a Second Unit in a street-townhouse dwelling, which is permitted as-of-right in the Zoning By-law.

The inclusion of Second Dwelling Units also does not frustrate the intent of the R4 Zone as the inclusion of basement dwelling units in a block townhouse functions similarly to a stacked townhouse which is permitted as-of-right in the R4 Zone.

Minimum Front Yard Depth

A reduction in front yard setback from 7.5 meters to 2.9 meters is requested for the proposed development. The front yard setback is measured from a point 13 meters from the centreline of the original Drummond Road road allowance. A 2.94-meter road widening was taken along the Drummond Road property frontage through the previous boundary adjustment to achieve the desired 26m ROW width for Drummond Road and the front lot line is therefore 13 meters from the centreline of the original road allowance.

The reduced front yard setback is proposed in order to achieve a positive street presence along Drummond Road. Units 1-3 have been designed as rear-lane units with driveways and garages accessed from the private condominium roadway. The dwellings are therefore pushed up towards Drummond Road in order to achieve a desirable interface with the public realm. This orientation is consistent with

the location of the existing dwellings along Drummond Road and will allow for the proposed development to integrate into the existing streetscape.

Minimum Rear Yard Depth

A reduction in rear yard depth from 10 meters to 3.0 meters is requested for the proposed development. This setback represents the minimum setback from the easterly wall of Unit 9 to the adjacent lot line. While this lot line is technically the rear lot line in accordance with the Zoning By-law, it functions as a side lot line for Unit 9 due to the organization and orientation of the proposed development. The proposed 3-meter setback provides an appropriate amount of separation between the proposed dwelling and the adjacent property. The amenity space typically provided by the required rear yard setback is accommodated between the rear wall of the dwelling and the northerly lot line which is considered an interior side lot line according to the Zoning By-law.

The reduced rear yard depth will also recognize the encroachment of the one-storey roofed-over porch on the side wall of Unit 9. The Zoning By-law allows this roof to project a maximum of 2.5 meters into a rear yard provided it is not located more than 1.5 meters from a lot line. The porch projects 0.54 meters into the yard and is located 2.07 meters from the lot line and therefore complies with these requirements.

Minimum Interior Side Yard Depth

A reduction in interior side yard depth from 4.62 meters (half the building height) to 2.9 meters is requested for the proposed development. This provision represents the minimum setback between the south wall of Unit 3 and the adjacent lot line. This reduction would also recognize the interior side yard setback for Unit 4 (3.14 meters) and Unit 12 (3.16 meters).

The proposed setback provides an appropriate amount of separation between the proposed buildings and adjacent properties and is typical for similar low-density ground-based housing forms. For example, the City's R3 Zone permits detached, semi-detached, duplex, triplex, quadplex and on-street townhouse dwellings at the same height and a higher lot coverage than the proposed R4 zone and only requires a minimum interior side yard setback of 1.2 meters.

Minimum Privacy Yard Depth

The Zoning By-law requires that a block townhouse dwelling be provided with a privacy yard a minimum of 7.5 meters in depth measured from the rear wall of each dwelling unit. A reduction in privacy yard depth is requested for the proposed development and described as follows:

Blocks A, B and C

A minimum privacy yard depth of 6 meters is requested for Block A, B and C. This is a common rear yard depth for condominium townhouse dwellings and provides a usable amount of outdoor amenity area while minimizing maintenance obligations. These units are also proposed to be provided with concrete patios to enable the full use of the privacy yard by future residents.

Block D

A minimum privacy yard depth of 2.9 meters is requested for Block D. As stated in the Zoning By-law, the privacy yard is measured from the rear wall of the dwelling unit. Since the primary entrance to these units is from the private roadway, the privacy yard is measured from the western wall to the Drummond Road street line.

Since these units have been designed as reverse frontage units to achieve a positive streetscape along Drummond Road, a typical rear yard amenity area is not accommodated. Residents will have access to private outdoor space at both the front and the back of the unit where porches have been accommodated to enable the full enjoyment of these areas.

The development is also in walking distance (less than 400 meters) to Coronation Park which provides additional recreational opportunities for residents.

Second Units

A technical addition has been included in the Zoning By-law to not apply the privacy yard requirement to the second (basement) units.

Minimum Parking Requirements

A total of 23 parking spaces are required for the proposed development under the Zoning By-law at a rate of 1.4 spaces per dwelling unit. A total of 22 parking spaces are accommodated for the development and a parking ratio of 1.2 parking spaces per dwelling unit is therefore requested to recognize the proposed parking supply.

The reduction in parking is appropriate for a number of reasons. Firstly, each dwelling has access to a dedicated parking space and a total of 4 visitor parking spaces are also accommodated. Second, each above-ground unit is provided with an attached garage, which, although is not considered a parking space in the Zoning By-law, can still functionally accommodate a vehicle. The actual parking supply for the proposed development is therefore higher than the requested parking reduction suggests. Third, the subject lands are located along an existing public transit route which provides a transportation alternative to driving for future residents.

Based on these considerations, the proposed parking supply is sufficient to serve the proposed development.

Permitted Encroachments

The Zoning By-law permits roofed-over 1-storey porches to encroach into the front and rear yards a distance of 2.5 meters provided they are not located less than 1.5 meters from a street line. This provision recognizes the difference in scale and massing between the porch roof and the main building. The proposed Zoning seeks to apply similar permission porches located in the side yard to recognize 1-storey porch roofs over the side doors of Units 3 and 4. Specifically, the zoning will permit a porch to

encroach 1.0 meter into a side yard, which would allow a minimum distance of 1.9 meters between the porch and the property line. The proposed porch roofs for Units 3 and 4 are located 2.14 and 2.09 meters from the property line, respectively.

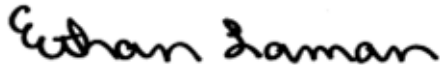
9.0 - PLANNING POSITION

This Planning Justification Report has been prepared on behalf of Blythwood Homes Drummond Inc. in conjunction with the Zoning By-law Amendment and Draft Plan of Condominium Applications submitted for the lands known municipally as 5558 Drummond Road in the City of Niagara Falls. The applications are being made to facilitate a private road development consisting of four blocks containing 12 townhouse dwelling units and 6 second units.

The proposed development will assist the City of Niagara Falls in accommodating the housing supply required to accommodate prescribed growth and will integrate well into the existing neighbourhood. The development will result in the efficient use of currently vacant urban lands and is appropriate for the existing water, sewer and wastewater services. The subject lands are also located on an existing public transit route and the development is desirable as it increases density and therefore potential use of this service which dilutes the cost of providing service and increases the use of multi-modal transportation options.

Based on these considerations, the proposed development is consistent with the Provincial Policy Statement, conforms with the Growth Plan, the Niagara Official Plan, the City of Niagara Falls Official Plan, represents good planning and should be supported.

Respectfully submitted,



Ethan Laman, BURPI, MCIP, RPP
Planner
Upper Canada Consultants

Appendix I
Preconsultation Agreement





City of Niagara Falls Pre-Consultation Checklist

(Revised: February 2022)

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

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

PRE-CONSULTATION- WAIVED BY DIRECTOR

Pursuant to Section 4 of By-law No. 2009-170 being a by-law to require pre-consultation for certain applications under the Planning Act, the Director of Planning, Building & Development may waive the requirement for a formal consultation meeting. I hereby waive the requirement for a formal consultation meeting on the proposal detailed herein.

Date:

Signature:

PRE-CONSULTATION

Day: August 4th, 2022

Time: 2:15pm

1. SUBJECT PROPERTY INFORMATION

Street Address: 5558 Drummond Road

Legal Description: PT Lot 126

Land Area: 0.3226 ha

Lot Frontage : 36.58m

Municipal Land Involved: Yes No

2. CONTACT INFORMATION

Owner Information

Registered Owner: Rob Mills (Blythwood Homes)

Mailing Address: (Street address, unit number, city & postal code)
3483 Portage Road Unit 3

Phone Number:

E-mail Address:
rob@blythwoodhomes.ca

Applicant/Agent Information (if applicable)

First and Last Name:
Upper Canada Consultants (Ethan Laman)

Mailing Address:
3-30 Hannover Drive St. Catharines On, L2W 1A3

Phone Number:

E-mail Address:
ethan@ucc.com

Contact for all future correspondence (select one): Registered Owner Authorized Agent

3. PROPOSAL

To sever and merge a portion of 6141 North Street (550 sq m) with 5558 Drummond Road to permit a Vacant Land Condo consisting of 12 2-storey townhouse dwellings and 10 visitor parking spaces.

4. PROPOSED DEVELOPMENT INFORMATION

Gross Floor Area: 1305 m²

Building Height: 2 Storeys – 10.0m

Dwelling Units: 12

Hotel/Commercial Units:

Location:

Brownfield Greenfield Built-up
 Outside Urban Boundary NEP Area CIP Area

***Note: If within a CIP Area, please speak to the City's CIP Coordinator

5. DESIGNATIONS

Regional Official Plan: Yes No

Niagara Escarpment Plan: N/A Yes No

City Official Plan: Yes No
 • Residential
 • Drummond Road – Arterial Road

Secondary Plan: N/A Yes No

Zoning: R2 Zone Yes No

6. PROPOSED APPLICATION(S)- Check all that are applicable

Regional Policy Plan Amendment <input type="checkbox"/>	City Official Plan Amendment <input type="checkbox"/>	Zoning By-law Amendment <input checked="" type="checkbox"/>
Subdivision Approval <input type="checkbox"/>	Condominium- Vacant Land <input checked="" type="checkbox"/>	Condominium- Standard <input type="checkbox"/>
Site Plan Approval <input type="checkbox"/>	Consent/Severance <input checked="" type="checkbox"/>	NEC <input type="checkbox"/>

Other:

7. REQUIRED INFORMATION AND STUDIES- To be submitted with the Application(s).

Studies identified with an asterisk* will likely require a peer review at the cost of the developer.

L o c a l	R e g i o n	N P C A	Reports, Studies, Plans (See notes for additional details)	Number of Copies		Notes
				Digital	Paper	
			Agricultural Impact Assessment			
			Air Quality*			Peer review, at applicant's cost.
			Archaeology Assessment- Please be mindful of your duty to consult obligations			Stage 1 & 2, Clearance Letter from Ministry

X		Conceptual Site Plan	X	6	<u>Zoning By-law Application</u> Site Plan, Coloured Site Plan, Elevations and submit CAD .dwg file or survey plan (.dwg file) to City projection standards.
X		Condominium Plan	X	12	<u>Condominium Application</u> Draft Plan of Condominium, Site Servicing Plan, Grading Plan, SANDA, STDMA, Photometric, and Landscape Plan (by OALA).
		Cultural Heritage Impact Analysis			
		Draft Local Official Plan Amendment			
		Draft Regional Policy Plan Amendment			
		Environmental Impact Study			
		Environmental Planning Study/ Sub-Watershed Study			
		Environmental Site Assessment/Record of Site Condition			
		Farm Operation and Ownership			
		Financial Impact Assessment			
		Floodplain and Hazard Lands Boundary Plan			
		Gas Well Study/Gas Migration Study			
		Geotechnical			
		Hydrogeological Study and Private Servicing Plans			
		Land Use/Market Needs*			
		Mineral Aggregate Resources			
		Minimum Distance Separation 1 & 11			
x		Municipal Servicing Study	X	3	Required at zoning by-law amendment stage. Updated FSR required at Condo Stage.
	x	Noise & Vibration Study*	X		
		Other			
		Phasing Plan			
X		Planning Justification Report	X	3	Review and analyze applicable Provincial, Regional, and City policies. Discuss affordability policies and provide potential prices/rental rates. Provide draft Zoning By-law amendment.
		Risk Management Study			
x		Road Widenings			The City will require a road widening of 2.94 metres along the frontage of the subject lands
		Sensitive Land Use Report			
		Shadow Analysis			
		Shoreline Study			
		Slope Stability Report			
		Soil Report			

X		Stormwater Management Plan	X	3	SWM Brief balancing pre- to post, 5-year storm required at ZBA stage. Updated SWM Report required as part of Condominium Application
		Transportation Impact Study/ Parking Impact Analysis			
x		Tree inventory Preservation Plan	X	3	Required at Zoning By-law Amendment Stage
		Urban Design Brief/Architectural Brief			
		Urban Design/Landscape Plans			
		Wind Study			

8. COMMENTS

Planning Comments:

- Official Plan
 - The subject lands are within the Urban Area and are designated Residential within the City's Official Plan which permits townhouse block development and promotes low-rise residential development in proximity to existing residential uses and a diversity of dwelling types.
 - The Residential designation permits a max density of 40 u/ha and minimum density of 20 u/ha.
 - The proposed development would result in a density of approximately 31 u/ha.
- Zoning
 - The subject lands are zoned Residential Two (R2) Zone which does not permit townhouse units. As such, a Zoning By-law amendment will be required to permit the proposed 12-unit townhouse development.
 - Zoning staff identified a number of zoning deficiencies within the proposed R4 zone, please see attached for full zoning comments.
 - Planning staff provide comments on the following zoning deficiencies:
 - **Minimum Privacy Yard Depth**– The City's zoning by-law requires a privacy yard setback of 7.5 metres.
 - A privacy yard setback of 6.00m is being proposed for units 4-9 and 10-12.
 - Staff encourage conforming with the by-law as much as possible for this provision. One possible suggestion would be to reduce the front yard setback of these units down to 3.00m to try and gain a bit more space at the rear of the properties.
 - **Minimum Front Yard Depth** – The City's zoning by-law requires a minimum front yard depth of 6 metres + 13 metres from the original centerline of Drummond Road.
 - Applicant is proposing 3 metres + 13 metres from the original centerline of Drummond Road. The Planning Justification Report should provide rationale for this reduction, including how the proposed setback will conform with the existing streetscape.
- Landscaping
 - Consideration should be provided to the streetscape along Drummond Road including potential improvements through landscaping, tree planting and/or ornamental fencing for the front yards of units 1-3.
- Boundary Adjustment
 - Staff encourage acquiring the northern portion of 6141 North Street shown on the plan in order to "square off" the proposed development area. This would allow for a proper buffer between the visitor parking area and 6141 North Street, it may allow for some additional amenity space to be provided to the residents, and it may provide an opportunity to reconfigure the layout to allow for Regional curbside waste collection.
 - At minimum we would request an additional few metres be severed in order to provide a 3.00m buffer between the proposed visitor parking area and 6141 North Street.

Building Comments:

- All required Building Permits and Demolition Permits to be obtained prior to commencement of any construction/demolition in accordance with the Ontario Building Act, to the satisfaction of the Building Services Division and the Fire Prevention Division.
- City, Regional and Education Development Charges (not excluding Parkland Dedication Fee, if applicable) will be assessed during the review of the Building permit(s) application submission.
- Fire Prevention Division requires to assess the proposal as it relates to on-site fire-fighting practices, i.e. private fire-route accesses, fire-hydrant locations (private and/or public), fire-department connection(s), etc...
- Please note that a Building Permit Application is required for each individual dwelling unit within the Blocks.
- Geotechnical Report (not excluding any seismic data/recommendation) shall be provided at building application submission.

Engineering Comments:

- Infrastructure on Drummond Rd:
 - 150mm Ø CI Watermain
 - 500mm Ø CI Watermain (Regional)
 - 675/600mm Ø Storm Sewer
 - 300mm Ø Sanitary Sewer
- Infrastructure on North St
 - 200mmØ CI Watermain
 - 375mm Ø Conc Sani Sewer Combined
- As part of Zoning By-Law Amendment
 - Engineering Services requires a FSR (Functional Servicing Report) where the applicant must ensure that the municipal infrastructure will adequately service the development as proposed. This is to include all necessary supporting documentation.
 - We will require Stormwater Management Brief balancing pre to post for a 5 yr. storm event contained & controlled on site.
 - The City will require third party infrastructure modelling at applicants' expense verify available infrastructure capacities. Fees are in accordance with the City Schedule of Fee's.
 - Engineering drawings of existing underground infrastructure available upon request.
- As part of Vacant Land Condominium
 - Engineering Services will be requiring the applicant to submit engineering drawings for site servicing, grading, SANDA (sanitary drainage area plan), STDMA (Storm drainage area plan), a photometric and landscape plan.
 - Updated FSR and SWM Report will be required.

Fire Comments:

- Fire Department has no comments or concerns with regards to the ZBA or consent.
- With regards to the draft plan of vacant land condo, the applicant will be required to submit servicing drawings indicating the location of any proposed or existing fire hydrants as well as drawings indicating the location and full dimensions of the fire access route. This plan must demonstrate conformance to the requirements of the Ontario Building Code.
 - The submitted proposal indicates the fire access route being designed to the minimum width of 6 metres. This will result in the fire access route being designated under municipal by-law as 'no parking' except for in designated parking spaces. The fee to have the fire route designated is \$150.00.

GIS (Addressing):

- Once the demolition permit for 5558 Drummond Rd is completed, GIS would like to retire the address.
- A new single address will be assigned to Drummond Rd at the appropriate stage.
- The developer is responsible for the assignment of units however they must conform to the prescribed format.
- A unit plan will be needed should the civic unit different from the legal unit.

Landscape Services:

- 5% Parkland dedication required
- Landscape drawings subject to review
- A tree inventory and preservation plan will be required as part of the Zoning By-law Amendment Submission. The plan shall be developed by a certified professional. The plan shall identify and evaluate all trees on-site for potential preservation. Boundary trees and trees on adjacent lands that could be negatively affected by the proposed development shall be preserved unless consent is provided by adjacent landowner(s).

Transportation Comments:

- Drummond Road is a City arterial road with a planned 26.0 metre (86 feet) right-of-way. Drummond Road adjacent to the subject land is 23.16 metres (76 feet) with a 3.05 metre road widening previously acquired on the opposite side of the road. A 2.94 metre widening is required along the frontage of the subject lands. This will be a condition of the consent or condominium application.
- Transportation Staff have no objections to severing the back of 6141 North Street and merging it with 5558 Drummond Road.
- A traffic impact study is not required.
- A 12-unit townhouse complex requires 16 parking spaces, at a rate of 1.4 parking spaces per unit. Twenty-two (22) parking spaces are noted (12 driveway spaces + 10 visitor parking spaces; the 12 garage parking spaces are not counted as they are in tandem with the driveway spaces).
- The minimum number of accessible parking spaces is based on the visitor parking lot capacity. A parking area having 10 parking spaces requires a minimum of one (1) accessible parking space and this is determined through the following formula for parking lots with less than 13 parking spaces: one. There is one (1) accessible parking space shown on the plan.
- Each accessible parking space must be signed and marked according to the prevailing by-law requirements, which includes:
 - One authorized disabled parking sign on display;
 - One '\$300.00 Fine' sign tab directly beneath the authorized disabled parking sign;
 - Both signs are to be permanently installed at the front and centre of the parking stall and mounted at a height of 1.0 metres to 1.5 metres from the ground to the bottom of the sign;
 - Be a minimum of 3.9 metres (12 feet, 10 inches) in width and 6 metres (19 feet, 8 inches) in length;

- Have a 1.5 metre wide aisle way that extends the full length of the space on at least one side of every accessible parking space with barrier free access provided at the end of the access aisle;
- Shall be marked with appropriate white pavement markings (lines and symbol) when located on a hard surface;
- Located on a level surface; and,
- Placed in a location as to minimize the distance to building entrances
- How will garbage be collected? Regional service or private?
- The lands are currently serviced by Niagara Falls Transit Route #110. Buses proceed north and south on Drummond Road. The closest bus stops are south of North Street, for each direction.

MTO Comments:

- In principle, the MTO has no objection to a proposed Consent Application and Zoning By-law Amendment for the subject property described above. However, the property owner should be made aware that the site is located within the MTO Permit Control Area for the Hwy 420/Drummond Road intersection, as a result, an MTO Building and Land Use Permit is required prior to the commencement of any on-site construction/works. All development must comply with the MTO Building and Land Use Policy, and Information regarding the application process, forms and the policy can be found at the following link: <https://www.ontario.ca/page/highway-corridor-management>
- These comments are preliminary only, and the MTO will provide more detailed comments in response to the City's official circulation of the Consent Application and/or Zoning By-law Amendment application.

Zoning Comments:

- Please see attached comments and provide the requested information with your submission.

Niagara Region:

- Please see attached comments. Note the Region is accepting payment on their website.

9. APPLICATION FEES- Please contact the City for current fees when ready to proceed

Application	City of Niagara Falls	Niagara Region	NPCA
Vacant Land Condominium	\$10,300	\$5,340 + \$1,850 (0.379969 ha)	
Zoning By-law Amendment	\$5,800	\$1,345	
Consent	\$3,500		
Site Plan			
Total (less \$500)	\$19,600 - \$500 = \$19,100	\$8,535	

Notes:

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. Additional fees may be required at a later date based on the fee schedule by-law.

Separate cheques are required made payable to each appropriate agency and are submitted to the City with the complete application. The Region is accepting on-line payments on the Niagara Region website.



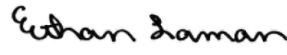

The \$500 pre-consultation fee is deducted from a City application fee if made within 1 year of the meeting date.

Additional Agencies to be contacted:

MTO NPC NEC Hydro Pipeline CN/CP Other:

10. ATTENDEES

City	Applicant	Agency
Andrew Bryce abryce@niagarafalls.ca	Ethan Laman (Agent – UCC)	Johnpaul Loiacono (Region) johnpaul.loiacono@niagararegion.ca
Julie Hannah jhannah@niagarafalls.ca	William Heikoop (Agent – UCC)	Yang Xiao (Niagara Peninsula Energy Inc)
Scott Turnbull sturnbull@niagarafalls.ca	Connie Tintinalli (Architect)	
Cesar Ramires (Building) cramires@niagarafalls.ca	CJ Brushett (Blythwood Homes)	
Eric Lehtinen (Engineering) elehtinen@niagarafalls.ca	Alexa Mills (Blythwood Homes)	
Josiah Jordan (Engineering) jjordan@niagarafalls.ca		

Michael Parniak (Engineering) mparniak@niagarafalls.ca		
Matthew Bilodeau (Transportation) mbilodeau@niagarafalls.ca		
Michael Warchala (Business Dev.) mwarchala@niagarafalls.ca		
Danaka Kimber (GIS/Addressing) dkimber@niagarafalls.ca		
Signatures		
Planning Staff		August 18th, 2022
Planning Staff		
Regional Planning Staff Johnpaul Loiacono		August 18, 2022
NPCA Staff		
Agent Ethan Laman (UCC)		
Owner		
Owner		
Other		
<p>Pursuant to Section 1 of By-law No. 2008-189, being a by-law to require pre-consultation for certain applications under the Planning Act, I hereby verify that a pre-consultation meeting has been held for the proposed detailed herein.</p> <p>Signature </p>		

11. NOTES

1. The purpose of the pre-consultation is to identify the information required to commence processing of this development application. Pre-consultation does not imply or suggest any decision whatsoever on behalf of City staff or the City of Niagara Falls to either support or refuse the application. This checklist should not be construed as a complete list of information required as further assessment may reveal the need for more information.
2. This pre-consultation form expires within one year from the date of signing or at the discretion of the Director of Planning & Development
3. An application submitted without the information identified through the pre-consultation process may not be sufficient to properly assess the application and may be deemed by staff to be an incomplete application.
4. The applicant should be aware that the information provided is accurate as of the date of the pre-consultation meeting. Should an application not be submitted in the near future, and should other policies, by-laws or procedures be approved by the Province, City, 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.
5. The applicant acknowledges that the City and Region considers the application forms and all supporting materials including studies and drawings, filed with any application to be public information and to form

part of the public record. With the filing of an application, the applicant consents and hereby confirms that the consent of the authors of all supporting reports have been obtained, to permit the City and Region to release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.

6. It is hereby understood that during the review of the application additional studies or information may be required as a result of issues arising during the processing of the application or the review of the submitted studies.
7. If the City or Region does not have sufficient expertise to review and determine that a study is acceptable, the City may require a peer review. The Terms of Reference for a peer review is determined by the City or Region and paid for by the applicant.
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.
10. By signing this document the Owner/Agent/Applicant acknowledges that they have been informed of the application process, anticipated timing, public notification and steps to be followed for the development discussed at this meeting.
11. A copy of this pre-consultation checklist has been provided to the applicant/agent .

Note: Upon submission, the City will review all submitted plans, studies, etc. to ensure the information is sufficient before declaring the application complete. This will occur within 30 days.

Inter-Departmental Memo

To: Scott Turnbull, Planner 1

From: Sue Scerbo, Senior Zoning Administrator

Date: August 4, 2022

Re: **Proposed Zoning By-law Amendment, Consent & Draft Plan of VLC
5558 Drummond Road and part of 6141 North Street
Proposed 4 block townhouse dwellings
Zoning Comments**

Summary:

The applicant is proposing to construct 4 blocks of townhouse dwellings containing a total of 12 dwelling units. The lands are currently zoned Residential Two (R2), in accordance with Zoning By-law 79-200, as amended.

The applicant is proposing to rezone the lands to a site specific Residential Low Density, Group Multiple Dwelling Zone (R4) to facilitate the proposed development

The following table compares the regulations of the R4 zone with what is proposed:

Provision	Requirement	Proposal	Comply
Minimum lot area for a townhouse dwelling	250 square metres for each dwelling unit 12 units x 250 sq.m. = 3,000 square metres	316.64 square metres for each dwelling unit 12 units x 316.64 sq.m. = 3799.69 square metres	Yes Please confirm post road widening
Minimum lot area for an apartment dwelling	200 square metres for each dwelling unit	n/a	n/a
Minimum lot frontage for a townhouse dwelling or an apartment dwelling containing more than four dwelling units	30 metres	36.44 metres	Yes
Minimum lot frontage for a townhouse dwelling or an apartment dwelling containing four dwelling units or less on an interior lot	24 metres	n/a	n/a

Minimum lot frontage for a townhouse dwelling or an apartment dwelling containing four dwelling units or less on a corner lot	25.5 metres	n/a	n/a
Minimum front yard depth for a townhouse dwelling	6 metres + 13 metres from the original centerline of Drummond Road	3 metres + 13 metres from the original centerline of Drummond Road	No
Minimum front yard depth for an apartment dwelling	7.5 metres	n/a	n/a
Minimum rear yard depth for a townhouse dwelling	7.5 metres	3 metres	No
Minimum rear yard depth for an apartment dwelling	10 metres	n/a	n/a
Minimum interior side yard width	One-half the height of the building Proposed height: 10 metres/2 = 5 metres	6 metres (north – units 4-6 and 7-9) 3.33 metres (west – unit 4) 3 metres (east – unit 12) 6 metres (south – units 10-12) 3 metres (south - Unit 3) 13.65 metres (north – Unit 1)	Yes No No Yes No Yes
Minimum exterior side yard width for a townhouse dwelling	4.5 metres	n/a	n/a
Minimum exterior side yard width for an apartment dwelling	7.5 metres	n/a	n/a
Maximum lot coverage	35%	34%	Yes Please confirm post road widening

Maximum height of building or structure	10 m	10 m	Yes
Number of dwellings on one lot	[subject to section 7.9.3] More than one dwelling is permitted on one lot	4 blocks of 12 units	Yes
Parking and access requirements	In accordance with section 4.19.1 1.4 parking spaces for each dwelling unit 12 units x 1.4 = 16.8 parking spaces	12 driveways 10 visitor Total: 22 parking spaces	Yes
Minimum parking stall width	3 metres	3 metres	Yes
Minimum parking stall length	6 metres	6 metres	Yes
Minimum manoeuvring aisle	5.9 metres	6 metres	Yes
Accessory buildings and accessory structures	In accordance with sections 4.13 and 4.14	None	n/a
Minimum Landscaped Open Space Area	45 square metres for each dwelling unit 12 units x 45 sq.m. = 540 square metres	114.97 square metres for each dwelling unit 12 units x 114.97 sq.m. = 3799.69 square metres	Yes Please confirm post road widening
Minimum privacy yard depth for each townhouse dwelling unit, as measured from the exterior rear wall of every dwelling unit	7.5 metres	3 metres (units 1-3) 6 metres (units 4-9) 6 metres (units 10-12)	No No No

Comments:

- Please confirm figures provided on the site plan are post road widening.

A Great City ... For Generations To Come

Niagara Region – Development Services Division

Pre-Consultation Notes

5558 Drummond Road & 6141 North Street, Niagara Falls

August 4, 2022

Attendees: Johnpaul Loiacono (Region); Scott Turnbull (City); Ben Trendle (City – Fire); Josiah Jordan (City); Mathew Bilodeau (City); Eric Lehtinen (City); Scott Turnbull (City); Cesar Ramires (City); X. Yang (Niagara Power); Ethan Laman and William Heikoop (Agent – UCC); Connie Tintinalli (Architect); C.J. and Alexa (Applicant – Blythwood Homes).

Type of Application: Zoning By-law Amendment, Draft Plan of Vacant Land of Condominium, and Consent.

Application Description

- To sever and merge a portion of 6141 North Street (550 m²) with 5558 Drummond Road to permit a Vacant Land Condominium consisting of twelve 2-storey townhouse dwellings and 10 visitor parking spaces.

Provincial and Regional Land Use Designations

- Provincial Policy Statement (PPS): Settlement Area.
- Growth Plan: Delineated 'Built Up' Area (Urban Area).
- Regional Official Plan (ROP): Urban (Built-Up) Area.

Planning Comments

- Regional staff do not object to the proposal, in principle, as the proposed residential uses are permitted within Provincial and Regional urban area policies, subject to the comments provided below.
- The proposal will make better use of existing underutilized urban lands with available municipal servicing and support the City in achieving its intensification target (40%) as set out in the ROP.
- The concept will contribute to the diversification of housing supply (townhouses) in Niagara. The Applicant is encouraged to consider the inclusion of affordable housing units.
- Regional staff defer to City staff with respect to ensuring that the proposed development is appropriate and compatible with the surrounding local context.
- Regional staff will not need to review or comment on the proposed Consent Application, as all Provincial and Regional interests will be addressed through the other Planning Act Applications.

Land Use Compatibility

- The property is located within approximately 200 m from Highway 420, which is a Provincial 400 Series Highway and a significant transportation-related noise source.
- A Noise Impact Study, completed in accordance with the Province's NPC-300 Guidelines is required for the proposed development in order to assess potential adverse impacts from this noise source, and to recommend site / building design mitigation measures and warning clauses that are necessary for future occupants.
 - A Terms of Reference for the Noise Impact Study is attached to assist with scoping the Study.

Niagara Region – Development Services Division

Pre-Consultation Notes

5558 Drummond Road & 6141 North Street, Niagara Falls

August 4, 2022

Archaeological Resources

- Based on a review of the Province's Criteria for Evaluating Archaeological Potential, the site exhibits a low potential for the discovery of archaeological resources, as it's not within 300 m a registered archaeological site, nor natural watercourse feature. Staff offers no requirements for the development.

Environmental Comments

- The property is located outside of the Region's Core Natural Heritage System mapping. As such, Environmental Planning staff offers no comments or requirements at this time.

Transportation / Roads

- Drummond Road (Local).
- North Street (Local).

Servicing

- Local municipal services available from Drummond Road.
- The existing 500 mm diameter Regional trunk watermain located along Drummond Road is not to be disturbed. Any proposed watermain crossing will require the submission of a detailed servicing cross-section for Regional review and approval.

Stormwater Management

- Based on the type, nature, and location of the proposal, Regional staff defers to the City with respect to infrastructure requirements for stormwater management quality and quantity treatments.

Waste Collection

- Curbside collection only.
- Recycling blue / grey bins or containers – no limit (weekly collection).
- Organic green bins or containers – no limit (weekly collection).
- Garbage / waste bags or cans – 2 maximum per unit (collected every-other-week).
- The proposed townhouse development is eligible for internal Regional curbside waste collection provided the private road is able to accommodate the Regional waste collection truck. It appears that waste collection pads would be required as the units are proposed along dead-end streets which do not provide an adequate turnaround facility for the Regional truck. Waste collection pads are to be designed in accordance with Regional requirements (see attached templates) and truck turning plans would need to be submitted for review. If Regional requirements cannot be met, waste collection for the property would be the responsibility of the Owner through a private waste collection contractor.
 - Regional waste collection turning templates is attached for reference.

Required Studies & Materials for Regional Review

- Planning Justification Report (prepared by a RPP) - Zoning Stage.
- Noise Impact Study – at Zoning stage.
 - Updated Noise Impact Study – at Draft Plan / Site Plan stage.

Niagara Region – Development Services Division

Pre-Consultation Notes

5558 Drummond Road & 6141 North Street, Niagara Falls

August 4, 2022

Regional Review Fees

The Region's 2022 Fee Schedule is available at: https://www.niagararegion.ca/business/fpr/forms_fees.aspx.

- Zoning By-law Amendment Review (\$1,345).
- Draft Plan Review (\$5,340 base fee + \$1,850 per hectare).
- Major Site Plan Review (\$1,345).
- Consent Review within the Urban Area – not required. Regional interests to be addressed through other Planning Act applications.

City Comments

- The site is within the Urban Area and designated Residential. The proposal is permitted. Residential designation permits 20-40 units/h (31 units is proposed). The Zoning does not permit the townhouse form and therefore ZBA is required.
- Concerns with the rear setbacks (privacy yard) of ~6.0 m proposed whereas 7.5 m. City made the request to consider reducing the front yard setback to assist.
- City asked to consider squaring off the site (taking additional land from 6141 North Street) for amenity space, waste collection etc. (applicant noted that they have tried to acquire the lands and having been working on it for some time)
- City requires the submission of a Planning Justification Report, Stormwater Management Brief, and Servicing Report, including infrastructure modelling (at the applicant's expense). City will be looking for a Landscape Plan and Tree Savings Plan.
- Drummond Road will require road widening.
- *MTO comments not received in time for this meeting.
- Please refer to the City's Complete Pre-Consultation Package for a fulsome list of requirements.

Noise Impact and Vibration Study Terms of Reference

Description

A technical report that provides a written description of the impact of noise generated by a proposed development on the surrounding environment, the impact of noise and/or vibration from the surrounding environment on the proposed development, both stationary and mobile sources, and the impact of noise from the proposed development on itself as well as mitigation measures to reduce any negative impacts.

In addition to a Noise Study there maybe a requirement for a Vibration Study. The Vibration Study would be combined with the Noise Study.

The Noise Impact Study or Noise and Vibration Study is to be prepared by a Consultant that is either an accredited Acoustic expert or a qualified Professional Engineer.

When Required

Noise Impact (Feasibility and/or Detailed Assessment) Studies may be required to support the following applications for developments:

- Zoning By-law Amendment
- Site Plan Control
- Plans of Subdivision
- Consent to Sever

A Noise Study is normally required, when a noise-sensitive development is proposed adjacent or in close proximity to the following potential noise sources:

- Within 500 m of a Provincial Highway/Freeway;
- Within 250 m of a Regional Road whose future traffic volume may be greater than 10,000 vehicles/day;
- Within 500 m of a railway ROW;
- Within the 25 NEF contours of an Airport;
- Within the potential zone of influence, as defined in MOE documents D-1 and D-6, of a Stationary Source of noise (industrial/commercial/institutional); a detailed noise study is required for developments within the potential influence area of stationary sources;
- Within 500 m of extensive commercial operations (loading docks of supermarkets, large commercial buildings with prominent ventilation and air conditioning equipment, automatic car washes, etc.);
- Within 500 m of aggregate operations (pits, quarries, etc.); or
- Any other noise sources not mentioned above.

A vibration study is required for all proposed developments within 75 metres of a rail corridor.

The requirement for a Noise Impact Study may be a condition of initial approval of the proposed development.

Rationale

A Noise Impact Study or Noise and Vibration Impact Study will help in assessing the compatibility of the proposed development with the existing and/or future land uses in the surrounding area as it relates to transportation and stationary noise both on site and off site.

Required Contents

During pre-application consultation, it will be determined if a report is required and, if so, the specific requirements of the Study, based on the nature of the proposed application and the context of the study area. Ultimate traffic data must be obtained from the Region and/or Local Municipality when analyzing transportation noise from Regional and Local roads. The Noise or the Noise and Vibration Study should include the following components, but is not necessarily limited to:

Introduction

- Description of the subject site and the proposed development;
- Location/context map;
- Identification of the noise source(s); and
- Description of the sound level guidelines/standards applied (methods).

Environmental Noise (and Vibration) Assessment

- Identify all stationary and transportation (road, rail, air) noise sources, including data collection and methods;
- Assessment procedure and methodology should clearly be outlined;
- Provide predicted noise level forecasts without mitigation;
- Environmental noise guidelines;
- Noise impact assessment (including low frequency noise impacts); and
- Vibration assessment, if applicable

Noise (and Vibration) Mitigation Recommendations

- Indoors: architectural requirements, ventilation requirements;
- Outdoors: at source requirements, sound barrier requirements;
- Provide tables and figures to support the recommendations of the report; and
- Warning clauses;
- Proposed mitigation measures will need to adhere to any engineering or policy guidelines that a municipality may have; and
- If a Class 4 designation is recommended the report shall discuss the mitigation measures that would be required to satisfy Class 1 or 2 standards and why the required mitigation is not feasible. Rationale must be provided for recommending a Class 4 designation.

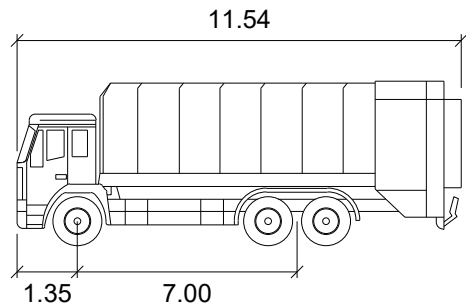
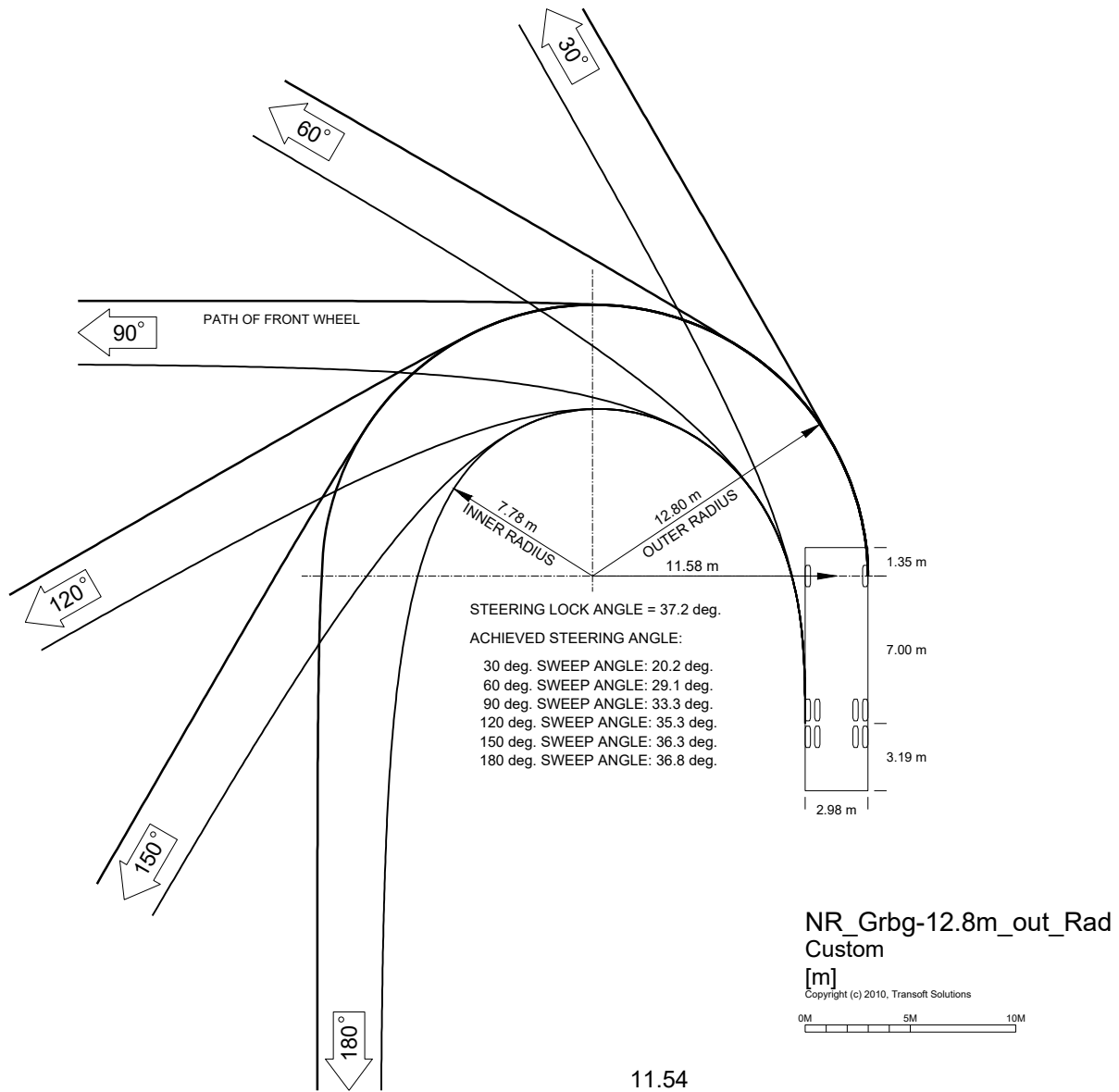
Conclusions

Appendix A – Base Noise Level Calculations (Noise Source Data)

Appendix B – Ministry of Environment Noise Guidelines

Appendix C – Sample Sound Exposure Calculation

DRAFT



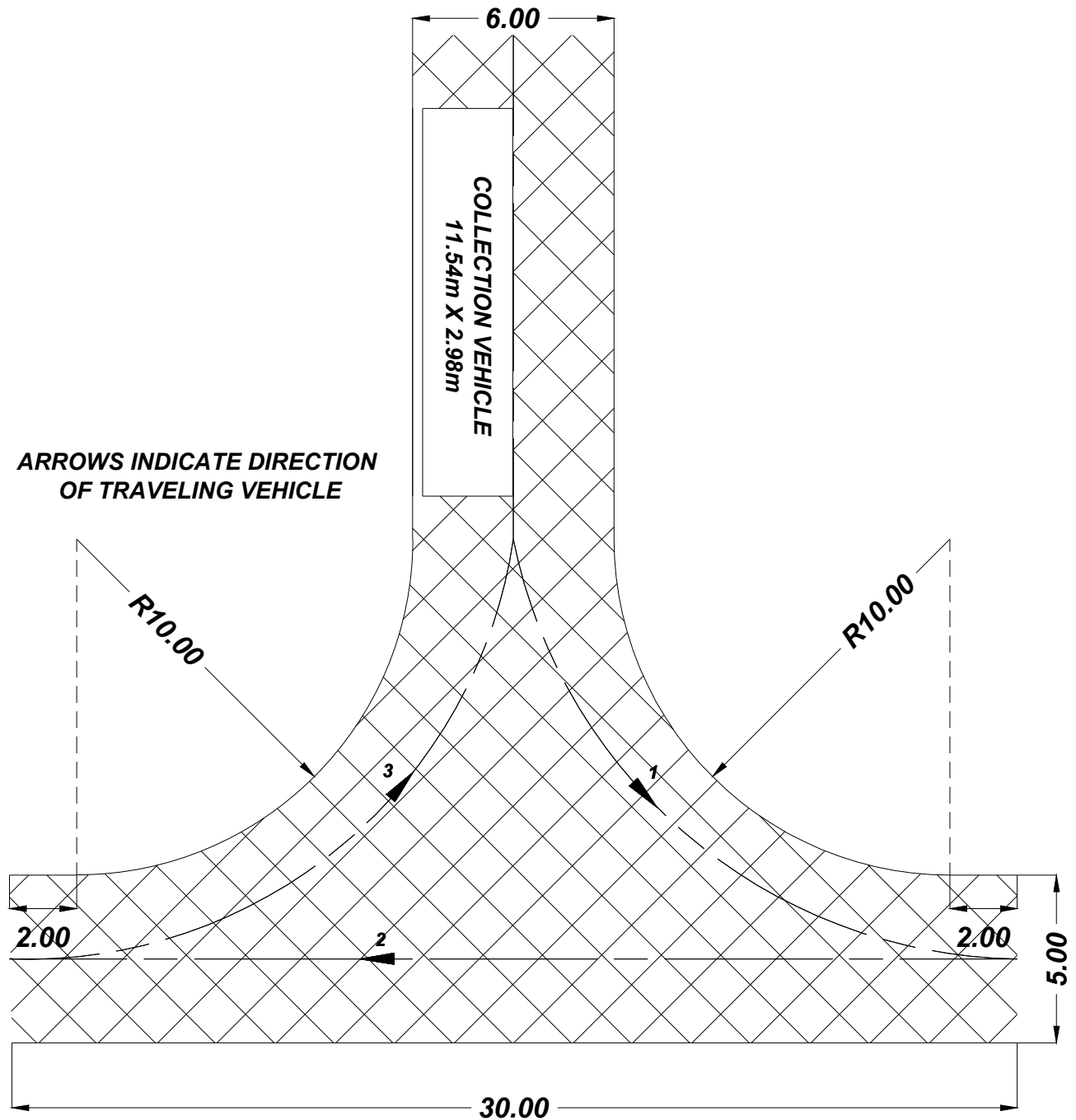
NR_Grbg-12.8m_out_Rad
meters

- Width : 2.98
- Track : 2.98
- Lock to Lock Time : 3.0
- Steering Angle : 37.2

REGIONAL COLLECTION TRUCK TURNING
TEMPLATE 12.8m OUTSIDE RADIUS

DATE: August 2020	SCALE: NTS
UPDATED BY: M.T.K.	DRAWN BY: E.M.





EXAMPLE INSTALLATION

"T" TURNAROUND DIMENSIONS



DATE: August 2020

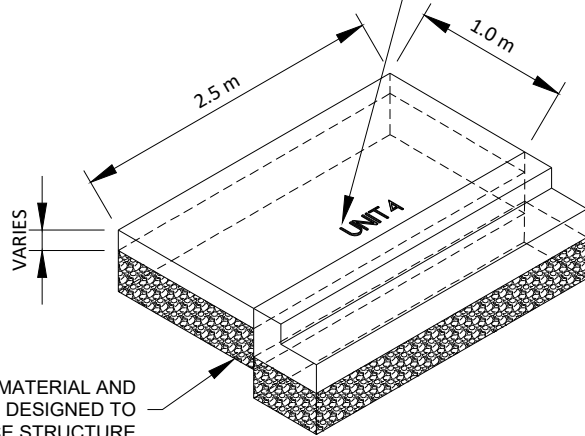
SCALE: NTS

UPDATED BY: M.T.K.

DRAWN BY: E.M.

DEDICATED COLLECTION PAD
MADE OF PERMANENT MATERIAL
(POURED CONCRETE, "TURF BLOCK", ASPHALT,
CONCRETE PAVERS)

INDIVIDUALLY LABELED FOR
EACH UNIT (EMBOSSSED,
PLAQUE, SIGN)



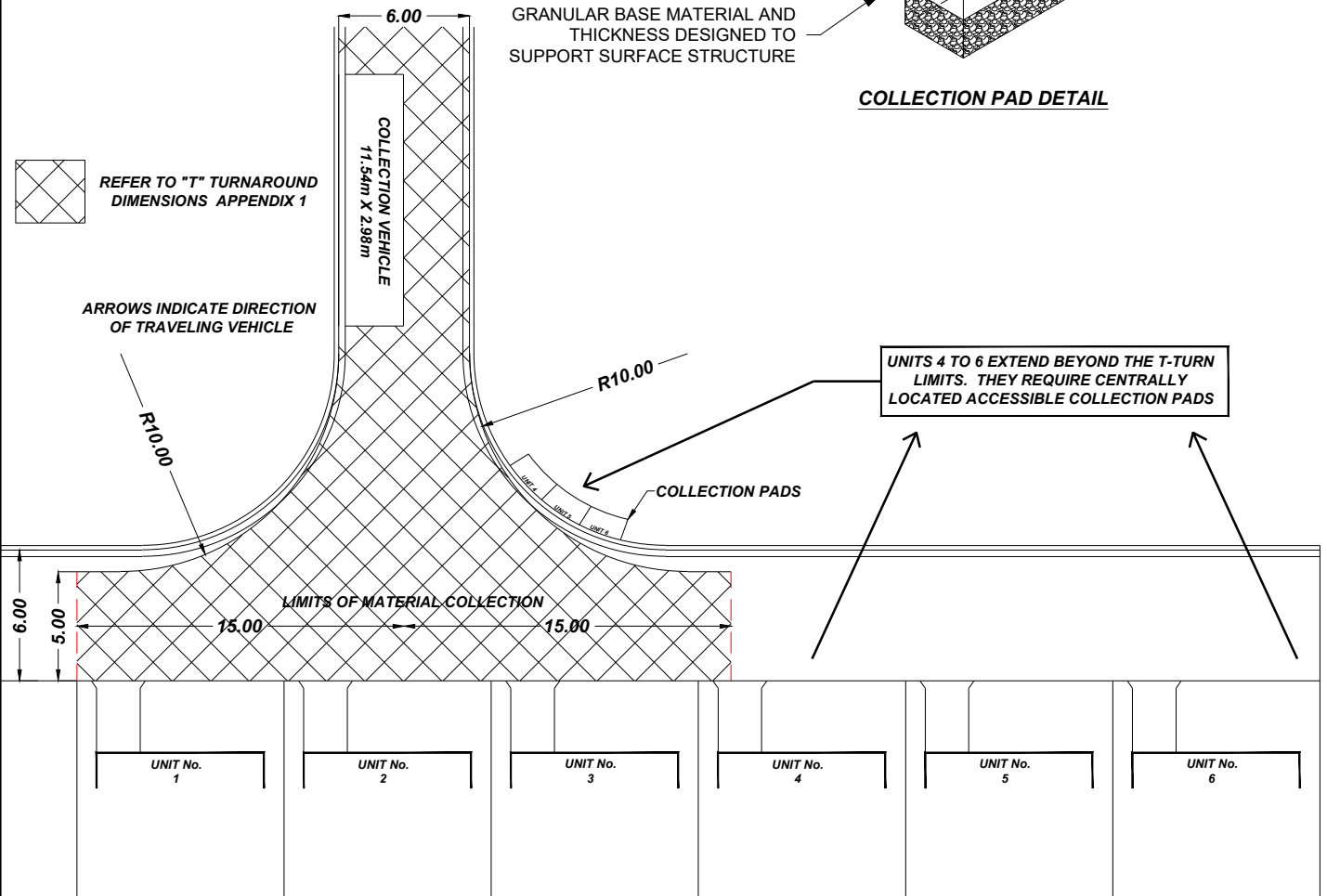
GRANULAR BASE MATERIAL AND
THICKNESS DESIGNED TO
SUPPORT SURFACE STRUCTURE

COLLECTION PAD DETAIL



REFER TO "T" TURNAROUND
DIMENSIONS APPENDIX 1

ARROWS INDICATE DIRECTION
OF TRAVELING VEHICLE



EXAMPLE INSTALLATION

**"T" TURNAROUND DIMENSIONS
AND LIMITS OF MATERIAL COLLECTION**

DATE: August 2020

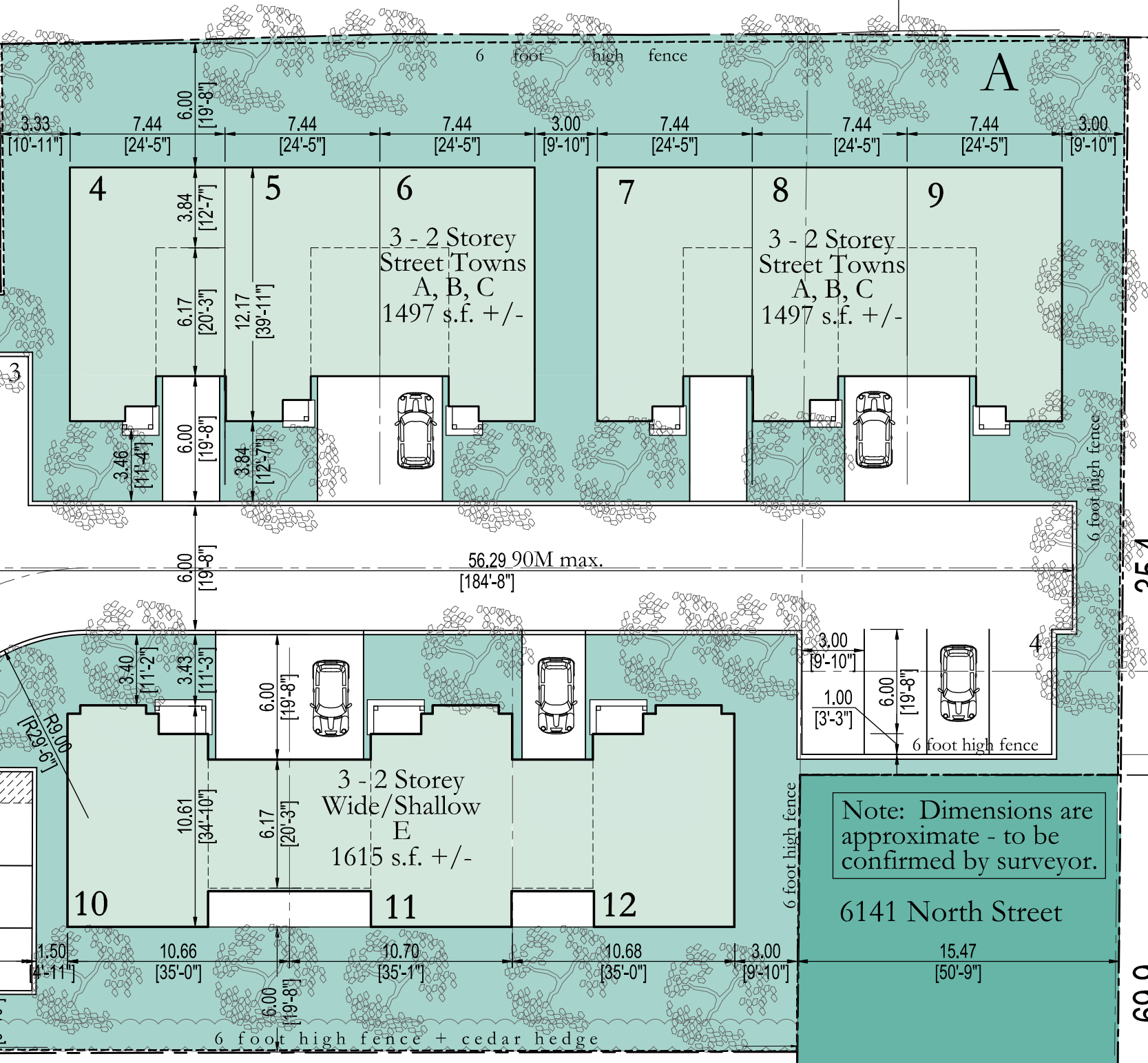
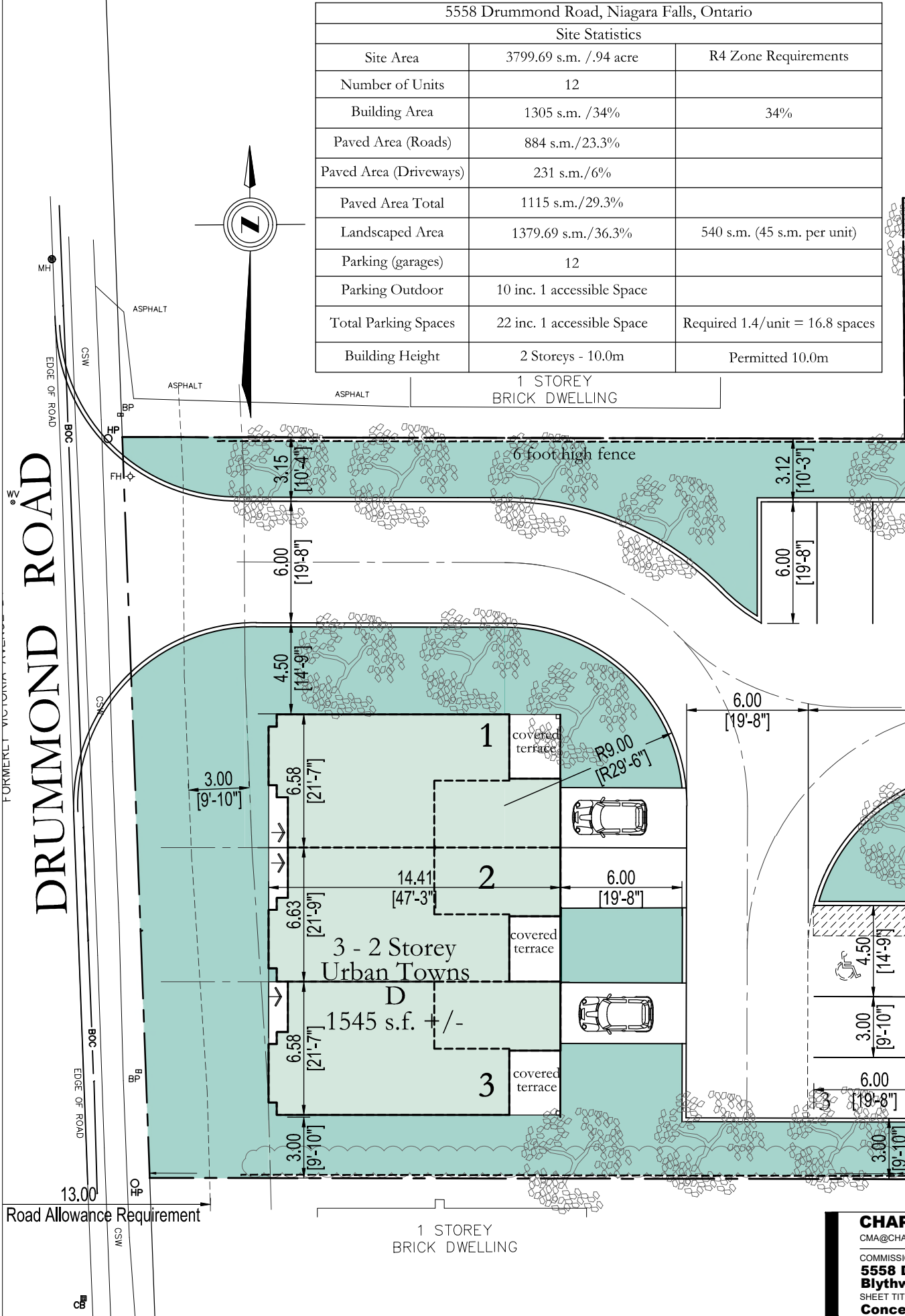
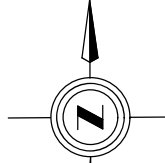
SCALE: NTS

UPDATED BY: M.T.K.

DRAWN BY: E.M.

DRUMMOND ROAD

5558 Drummond Road, Niagara Falls, Ontario		
Site Statistics		
Site Area	3799.69 s.m. / .94 acre	R4 Zone Requirements
Number of Units	12	
Building Area	1305 s.m. / 34%	34%
Paved Area (Roads)	884 s.m./23.3%	
Paved Area (Driveways)	231 s.m./6%	
Paved Area Total	1115 s.m./29.3%	
Landscaped Area	1379.69 s.m./36.3%	540 s.m. (45 s.m. per unit)
Parking (garages)	12	
Parking Outdoor	10 inc. 1 accessible Space	
Total Parking Spaces	22 inc. 1 accessible Space	Required 1.4/unit = 16.8 spaces
Building Height	2 Storeys - 10.0m	Permitted 10.0m



Note: Dimensions are approximate - to be confirmed by surveyor.

6141 North Street

CHAPMAN MURRAY ASSOCIATES ARCHITECTS INC.
 CMA@CHAPMANMURRAY.COM PHONE (905) 354 1674 : FAX (905) 354 2940 : TOLL FREE 1 (866) 272-4485
 COMMISSION TITLE
5558 Drummond Road, Niagara Falls, Ontario
Blythwood Homes
 SHEET TITLE
Conceptual Site Plan with Townhomes - Option A

NUMBER 222122
 DATE June 15, 2022
 SCALE 1:250
 DRAWN cet
 CHECKED RWM

DRAWING NO.
A-1

35.4
 [116'-2"]

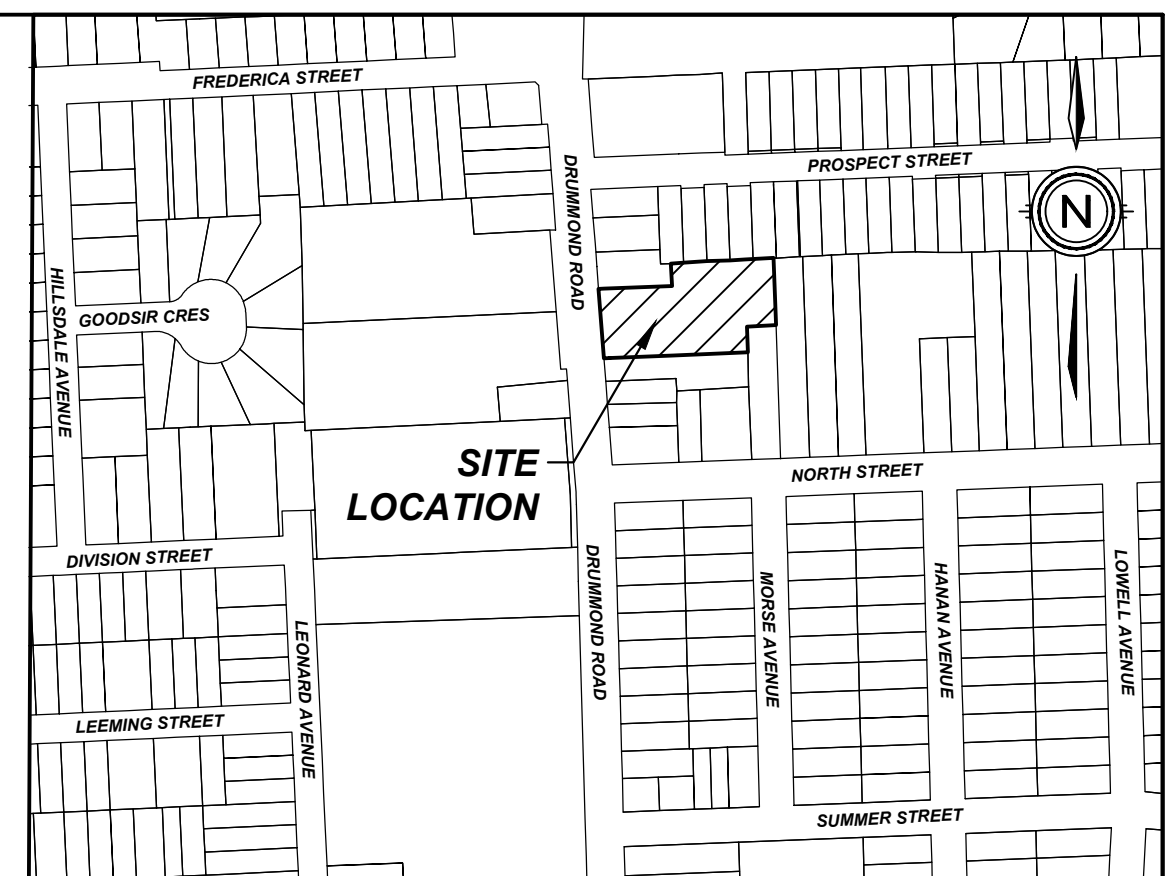
69.9
 [229'-4"]

13.00
 Road Allowance Requirement

1 STOREY
 BRICK DWELLING

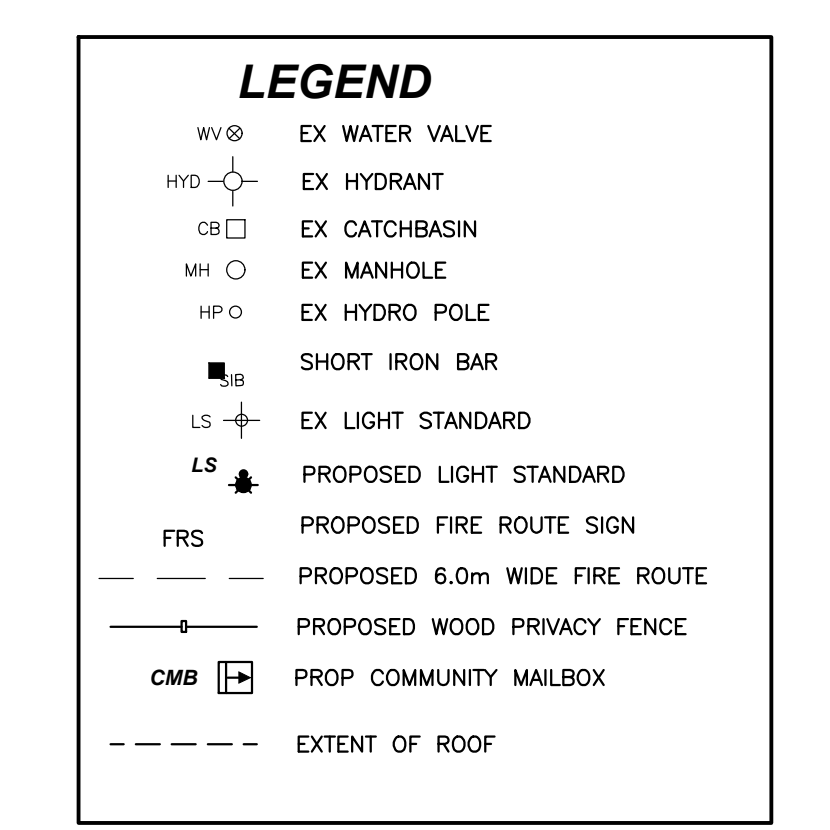
Appendix II
Site Plan





KEY PLAN
N.T.S.

LEGAL DESCRIPTION
PART OF LOT 126
GEOGRAPHIC TOWNSHIP OF STAMFORD
CITY OF NIAGARA FALLS
REGIONAL MUNICIPALITY OF NIAGARA



ZONING-R4

SEC. 7.9.2	REQUIRED	PROVIDED
MINIMUM LOT AREA	3000m ² (250m ² x 12UN= 3000m ²)	3701.92m ² (12 UN x 308.49m ² = 3701.92m ²)
MINIMUM LOT FRONTAGE	30.0m MIN	36.58m
FRONT YARD SETBACK	6.0m MIN	2.90m
REAR YARD SETBACK	7.5m MIN	2.99m
INTERIOR SIDE YARD SETBACK	ONE HALF PROP BUILDING HEIGHT	3.00m
EXTERIOR SIDE YARD SETBACK	4.5m MIN	N/A
MAXIMUM LOT COVERAGE	35.00%	30.19%
MAXIMUM BUILDING HEIGHT	10.0m	9.24m
MINIMUM LANDSCAPE AREA	45m ² /UN	143.60m ² /UN
MINIMUM PRIVACY YARD	7.5m	6.00m

SEC. 4.14
(d) subject to Sec. 4.27.1, a roofed over 1 storey porch may project into required front, rear, or privacy yard a distance of not more than 2.5m provided however that: 0.54m
(ii) in no event and subject to said Sec. 4.27.1 shall any part of such porch be closer than 1.5m from any street line. 2.46m

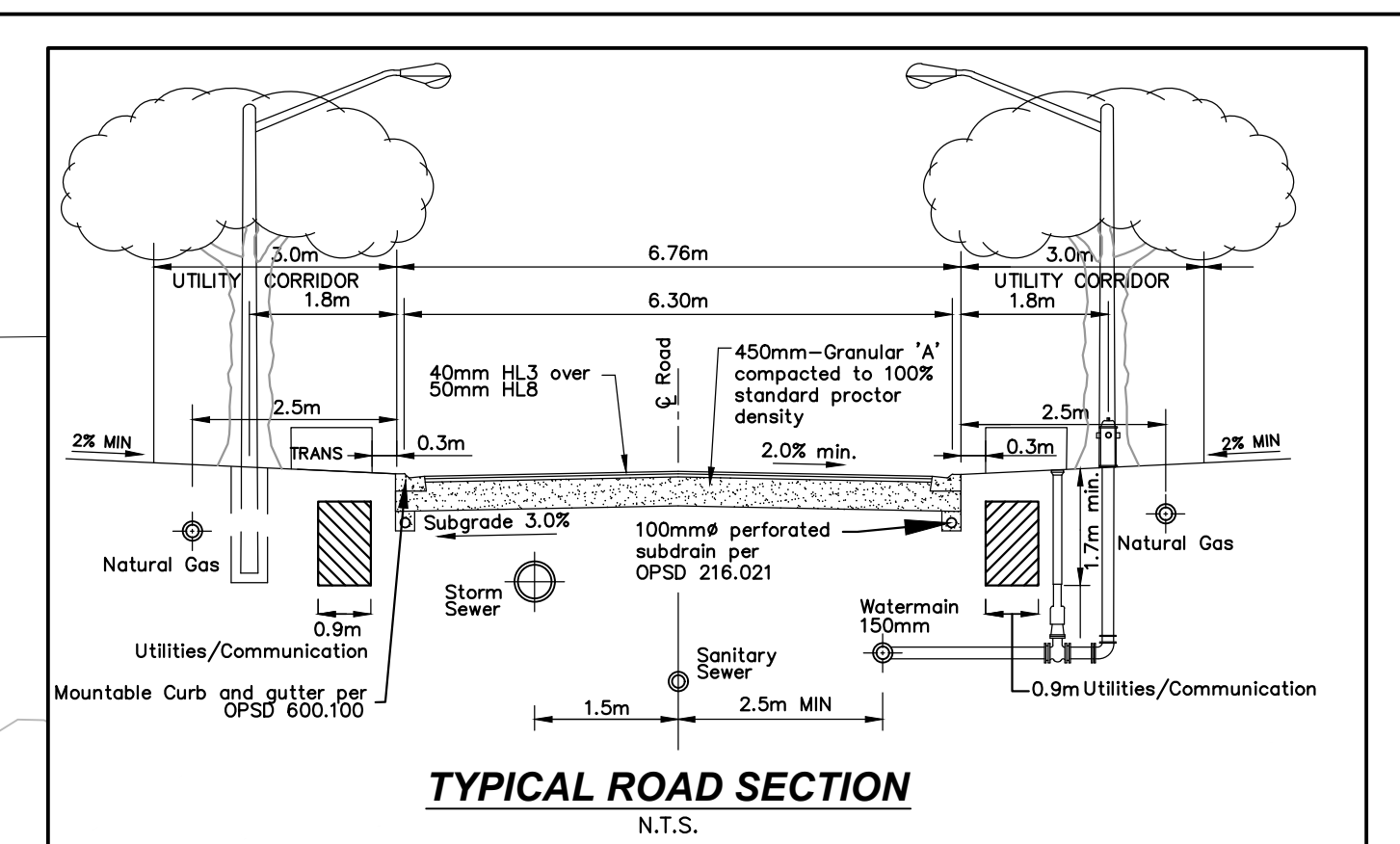
PARKING STATISTICS

REQUIRED
1.4 SPACES PER UNIT = 23 SPACES REQUIRED
0-12 ONE DESIGNATED PARKING SPACE REQUIRED
TOTAL SPACES REQUIRED: 23 WITH MINIMUM OF ONE DESIGNATED SPACE

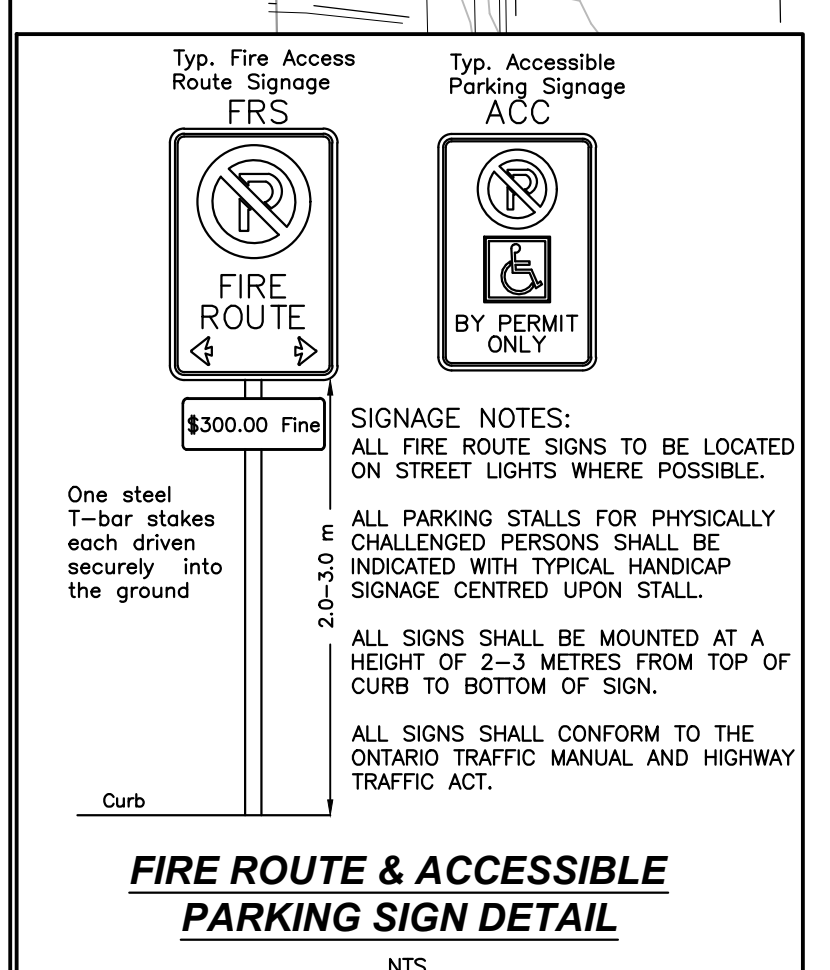
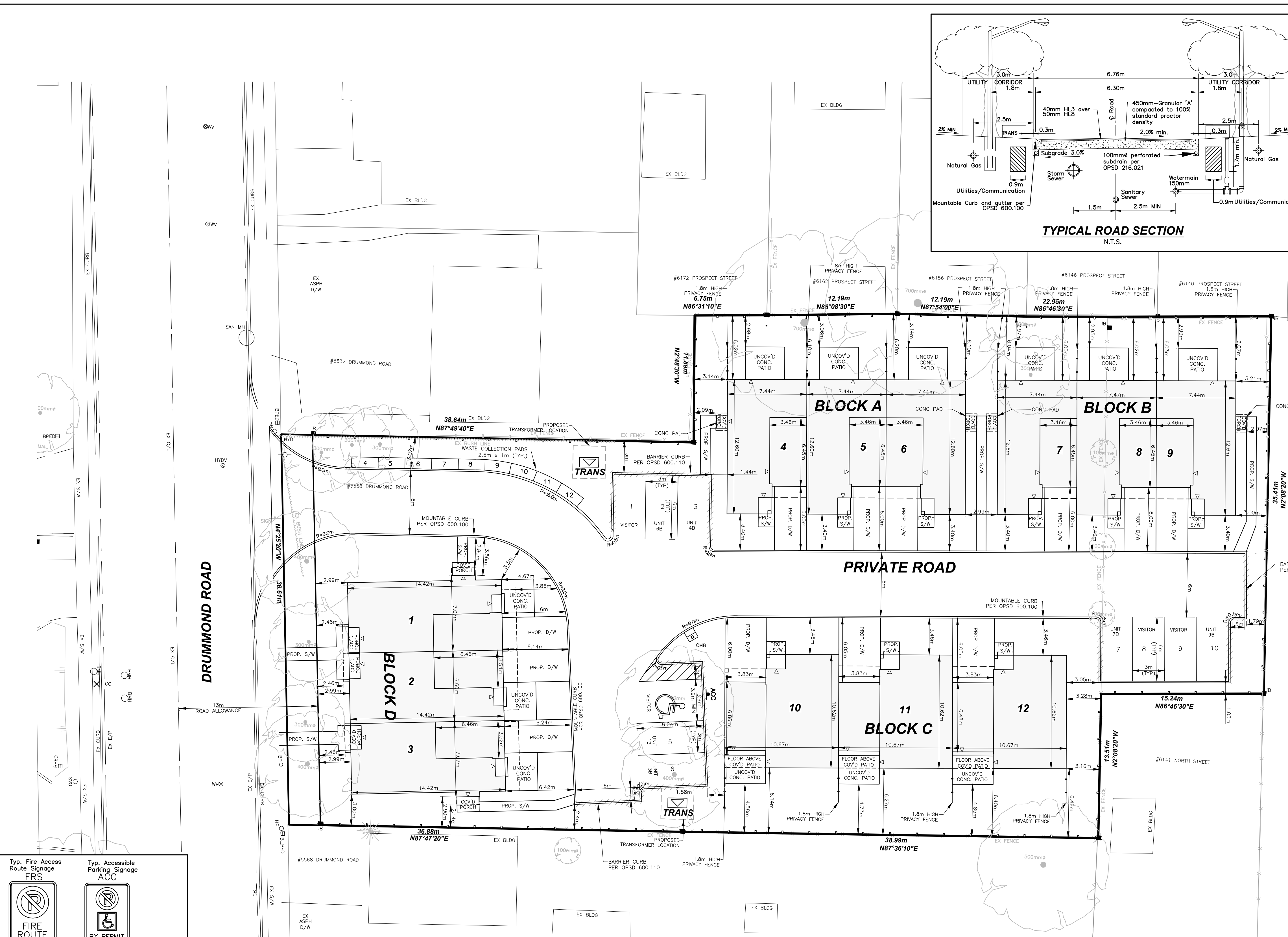
PROVIDED
22 SPACES TOTAL
(12 DRIVEWAY, 10 VISITOR (INCLUDING 1 DESIGNATED ACCESSIBLE PARKING SPACE))

LAND USE SCHEDULE

AREA	m ²	% COVERAGE
BUILDINGS (18 UNITS)	1062.67	28.71
ROADWAY/PARKING	916.03	24.74
LANDSCAPE	1723.22	46.55
TOTAL	3701.92	100.00



TYPICAL ROAD SECTION
N.T.S.



NOTES:

- THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWER, AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS AND, WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
- PROPERTY LINES WERE PLOTTED USING REGISTERED PLANS AND BARS LOCATED IN THE FIELD. TO VERIFY THE ACCURACY OF THESE PROPERTY LINES, A LEGAL SURVEY SHOULD BE PERFORMED PRIOR TO CONSTRUCTION.
- ALL CONSTRUCTION MUST COMPLY WITH THE NIAGARA PENINSULA STANDARD CONTRACT DOCUMENT.

DRAFTING ZC
DESIGN JS
CHECKED BY MC
APPROVED BY



5558 DRUMMOND ROAD, NIAGARA FALLS
SITE PLAN

ISSUED FOR REVIEW	ZC
0	
#	REVISION
	DATE
	INIT

CONSULTANT FILE No.	2090
DATE	2023-11-28
PRINTED	2023-11-28
SCALE	1:200 m
REF No.	
DWG No.	2090-SP
REV	0

Appendix III
Draft Plan of Vacant Land Condominium

5558 DRUMMOND ROAD NIAGARA FALLS



KEY PLAN
N.T.S.

DRAFT PLAN OF VACANT LAND CONDOMINIUM

LEGAL DESCRIPTION

PART OF LOT 126
GEOGRAPHIC TOWNSHIP OF STAMFORD
CITY OF NIAGARA FALLS
REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY
AUTHORIZE UPPER CANADA CONSULTANTS TO
PREPARE AND SUBMIT THIS DRAFT PLAN OF
VACANT LAND CONDOMINIUM TO THE CITY OF
NIAGARA FALLS FOR APPROVAL.

Al Heywood

BLYTHWOOD HOMES INC. September 1, 2023

SURVEYOR'S CERTIFICATE

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

Al Heywood Sept. 12/23
Al Heywood, OLS J.D., Barnes Limited 22-16-245 DATE

REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

- | | | |
|-------------|--------------------|-----------------|
| a) SEE PLAN | e) SEE PLAN | i) SILTY SAND |
| b) SEE PLAN | f) SEE PLAN | j) SEE PLAN |
| c) SEE PLAN | g) SEE PLAN | k) FULL SERVICE |
| d) SEE PLAN | h) MUNICIPAL WATER | l) SEE PLAN |

LAND USE SCHEDULE		
AREA	m ²	% COVERAGE
BUILDINGS (18 UNITS)	1066.20	28.80
ROADWAY/PARKING	1157.89	31.28
LANDSCAPE	1477.83	39.92
TOTAL	3701.92	100.00
DENSITY	3809.39	47.25 UNITS PER HA

UNIT No.	UNIT AREA (m ²)	EXCL. USE AREA (m ²)
1	157.13m ²	27.84m ²
2	126.35m ²	9.15m ²
3	162.78m ²	27.87m ²
4	160.01m ²	27.59m ²
5	131.94m ²	8.98m ²
6	150.73m ²	26.99m ²
7	149.41m ²	26.98m ²
8	130.57m ²	8.98m ²
9	164.65m ²	26.98m ²
10	175.57m ²	11.68m ²
11	167.85m ²	11.70m ²
12	178.01m ²	11.70m ²
TOTAL UNIT AREA		1856.00m ²
TOTAL EXCL. USE AREA		226.44m ²
TOTAL LANDSCAPE AREA		1619.48m ²
TOTAL LOT AREA		3701.92m ²

ISSUED FOR APPROVAL	DATE	TA
0	2022-12-22	TA
REVISION	DATE	INIT
#		



SITE PLAN OF VACANT LAND CONDOMINIUM	DRAWING TITLE	DRAFTING	NA
	DATE	DECEMBER 22, 2022	
	PRINTED	SEPTEMBER 12, 2023	
	SCALE	1:200	
DWG No.	2090-DP	REV	0

Appendix IV
Draft Zoning By-law Amendment



**THE CORPORATION
OF THE
CITY OF NIAGARA FALLS
BY-LAW NO. _____**

A BY-LAW TO AMEND BY-LAW NO. 79-200, to guide the development of 5558 Drummond Road in accordance with the Draft Plan of Vacant Land Condominium (_____).

THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:

1. The lands that are the subject of and affected by the provisions of this by-law are described in Scheduled 1 of this by-law and shall be referred to in this by-law as the "Lands". Schedule 1 is a part of this by-law.
2. The lands shall be identified as Parcels R4-XXX.
3. The purpose of this by-law is to amend the provisions of By-law No. 79-200, to permit the use of the Lands in a manner that would otherwise be prohibited by that by-law. In the case of any conflict between a specific provision of this by-law and any existing provision of By-law No. 79-200, the provision of this by-law are to prevail.
4. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following uses and regulations shall be permitted uses and regulations governing the permitted uses on any of the Lands.
5. The permitted uses of the Parcel R4-XXX shall be the uses permitted in the R4 Zone, and Second Units, subject to the provisions of Section 5.12

6. The regulations governing the uses permitted on Parcel R4-XXX shall be as follows:

- a) Minimum Front Yard Depth 2.9 meters
- b) Minimum Rear Yard Depth 3.0 meters
- c) Minimum Interior Side Yard 2.9 meters
- d) Minimum Privacy Yard Depth, as measured from the exterior rear wall of every dwelling. 6.0 meters for Blocks A, B and C
2.9 meters for Block D
Nothing in the Zoning By-law shall be deemed to require a privacy yard for a *second unit*
- e) Minimum Parking Requirements 1.2 spaces per dwelling unit
- f) In addition to the provisions of Section 4.14, a roofed-over one storey porch may project into a required side yard a distance of not more than 2 meters.

7. All other applicable regulations set out in By-law No. 79-200 shall continue to apply to govern the permitted uses on the lands, with all necessary changes in detail.

8. No person shall use the Lands for a use that is not a permitted use.

9. No person shall use the Lands in a manner that is contrary to the regulations.

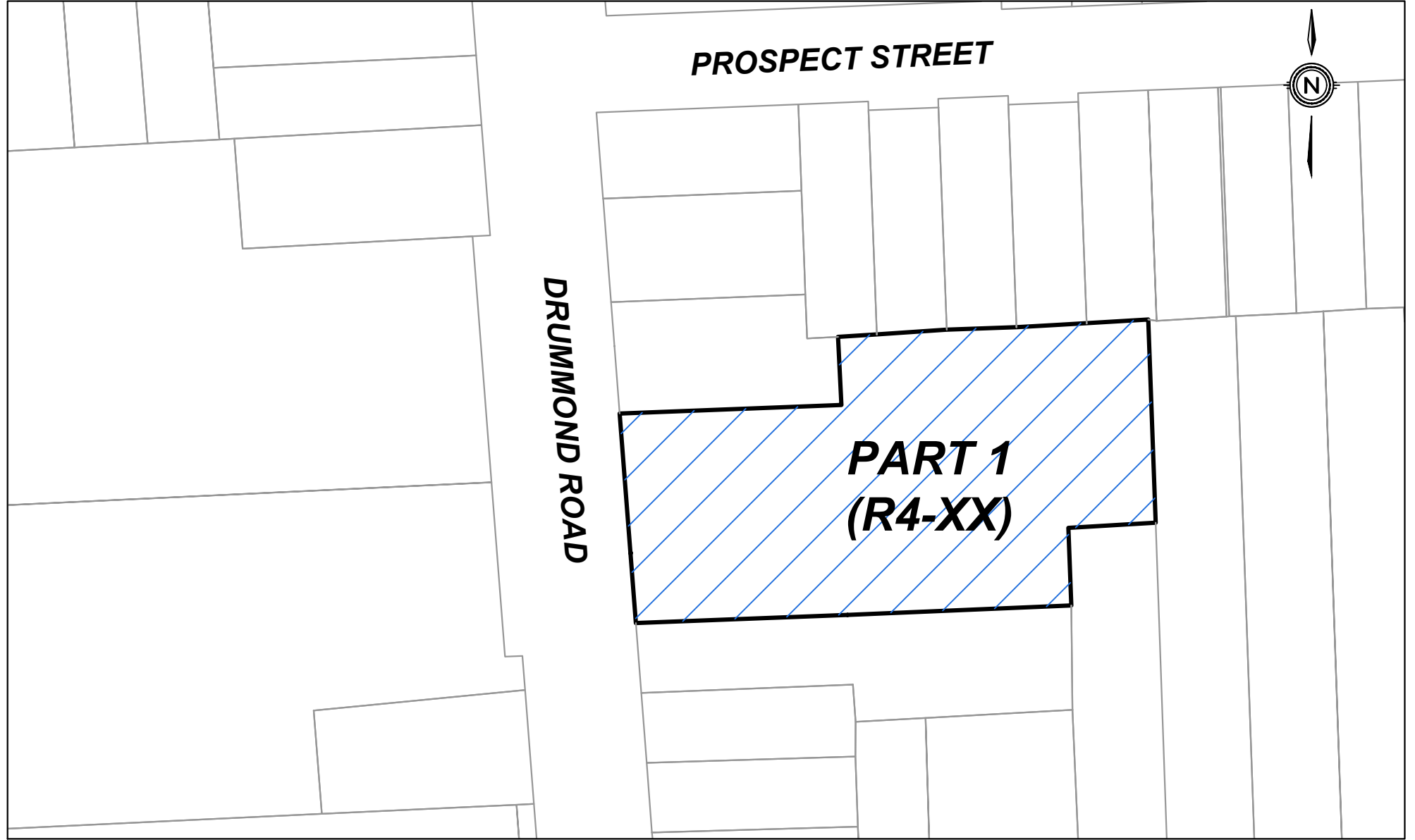
10. The provisions of this by-law shall be shown on Sheet X of Schedule "X" of By-law No. 79-200 by re-designating the Lands from the Residential Two (R2) Zone to the Residential Low Density, Group Multiple Dwelling (R4) Zone and numbered XXX.

Passed this ____ day of _____, 2023.

READ A FIRST, SECOND AND THIRD TIME THIS ____ DAY OF _____, 2023.

MAYOR

CITY CLERK



LEGEND

 **PART 1 - FROM RESIDENTIAL TWO (R2)
TO SITE SPECIFIC RESIDENTIAL LOW DENSITY,
GROUPED MULTIPLE DWELLINGS (R4)**

**SERENITY PLACE TOWNHOMES
SCHEDULE 'A' OF ZONING BY-LAW AMENDMENT No. _____**

MAYOR: _____
CLERK: _____

