

**Planning Justification Report**  
**Paradise**  
**Mixed Use Commercial**  
**Part of PID 348954 & Part of PID 236544**  
**East Side of Dorchester Road**

**Official Plan and Zoning By-law Amendment, Draft Plan of  
Subdivision**

**Niagara Falls, ON**

**March 2024**

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## **PREFACE**

Upper Canada Consultants has been retained by GR (CAN) Investment Co. LTD to prepare a Planning Justification Report regarding a combined Official Plan & Zoning By-law Amendment and Draft Plan of Subdivision on lands known Part of PID 348954 & Part of PID 236544 east side of Dorchester Road.

The purpose of the applications is to develop the subject lands as per the intend uses listed below:

- Pedestrian Life - Style Commercial Town Centre-**Block A01**
- 5-storey, 95-unit condominium with 1 storey of underground parking-**Block A01**
- 3-storey parking garage-**Block A01**
- 12-storey, 320 hotel condominium units -**Block A02**
- 8-storey, 208-unit condominium with 2-storeys of underground parking
- 7-storey, 132-unit retirement home-**Block A05**
- 7-storey, 135-unit condominium units with 1 storey of underground parking-**Block A05**
- 66 townhouses-**Block A06**

This Planning Justification Report has been prepared to evaluate how the applications satisfy the requirements of the Planning Act, are consistent with the Provincial Policy Statement (2020) and conform to the Growth Plan for the Greater Golden Horseshoe (2020), Niagara Official Plan (2022) and City of Niagara Falls Official Plan (as amended) specifically the polices of Official Plan Amendment No. 128.

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

- Stage 1, 2 & 3 Archaeological Assessment prepared by Amex Foster Wheeler;
- Environmental Impact Study prepared by GEI Consulting Ltd.;
- Arborist Report and Tree Protection Plan by GEI Consulting Ltd.;
- Phase 1 Environmental Site Assessment prepared by Wood Environment and Infrastructure Solutions;
- Functional Servicing Report prepared by Upper Canada Consultants;
- Geotechnical Investigation Report prepared by Wood Environment and Infrastructure Solutions;
- Traffic Impact Study prepared by Paradigm Transportation Solutions Limited;
- Air Quality and Odour Impact Study prepared by RWDI;
- Noise impact Study prepared by RWDI;
- Shadow Study prepared by Z square Consulting Inc.;
- Pedestrian Wind Comfort Assessment prepared by RWDI

## DESCRIPTION AND LOCATION OF THE SUBJECT LANDS

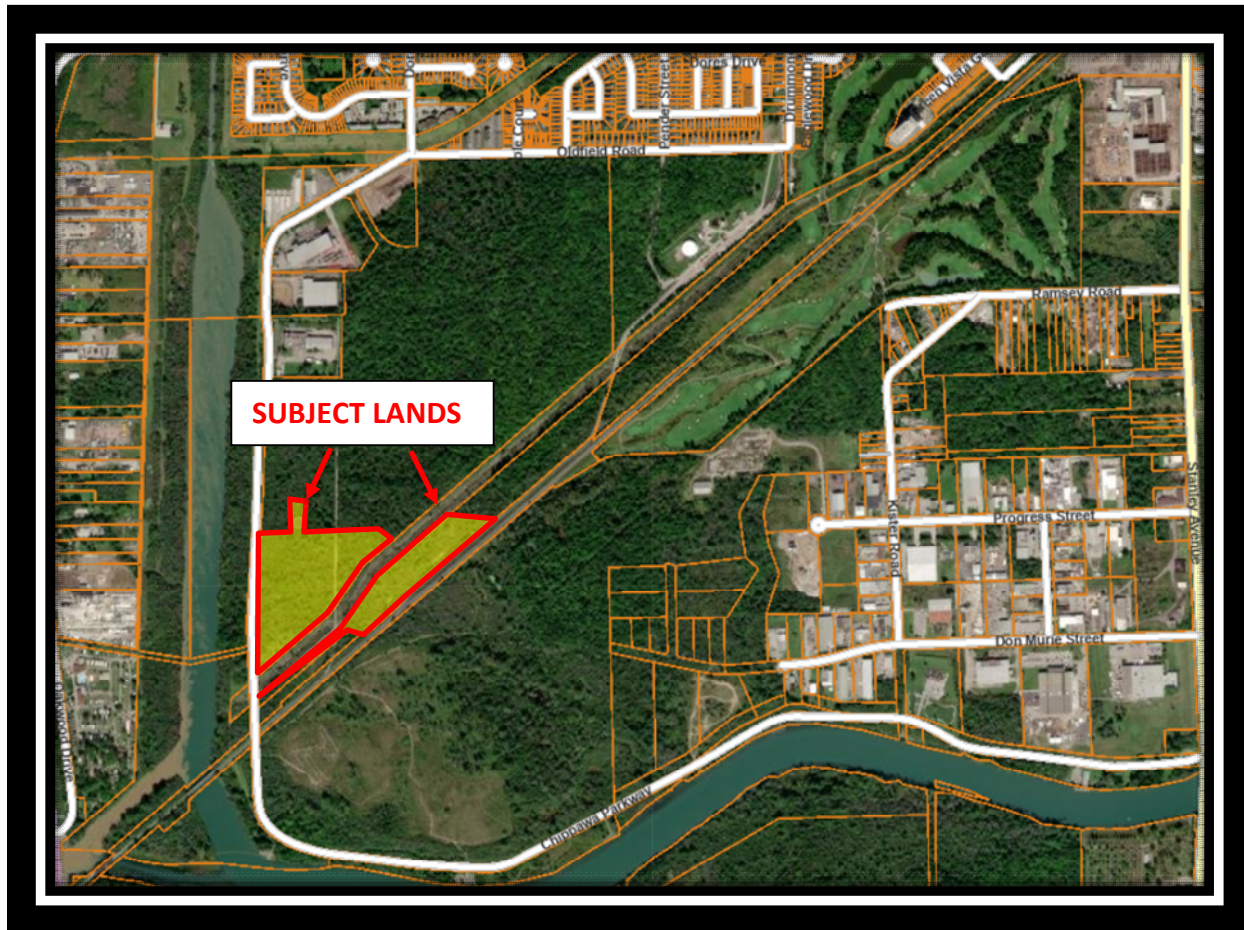


Figure 1 - Context Map – Cropped from Niagara Navigator (2020 Aerial)

The submitted application pertains to lands known municipally as 8100 Dorchester Road, legally Part of Townships Lots 212, 213 & 214 and Part of the Road Allowance Between Lots 212 and 213 (Closed). Geographic Township of Stamford, In the City of Niagara Falls, Regional Municipality of Niagara.

The subject lands are currently vacant, located on the east side Dorchester Road. The vacant lands are generally situated south of Oldfield Road, west of the Thunder Waters Golf Course and Stanley Avenue Industrial Business Park, north of the Welland River, and east of the Ontario Power Generation hydro canal.

The subject lands cumulatively measure 13.322 hectares in developable area with 373.55 metres of frontage along the east side of Dorchester Road. The entirety of the Paradise Project

encompasses 119.6 hectares, featuring 50.7 hectares of developable land and 68.9 hectares designated as an Environmental Protection Area.

The vegetation on the of the property consists primarily of deciduous forest, deciduous swamp and cultural thicket and woodland.

These lands were formerly utilized as a part of an agricultural operation, that appears to have been abandoned prior to 1965, as per a review of background air photos.

### Surrounding Area

The surrounding area is generally comprised of a mixture of residential, industrial and forested lands.

**North:** Medium industrial uses to the northwest;

**East:** lands to the east are vacant and future residential of the Riverfront Community Phase 1;

**South:** A CP Rail industrial spur is immediately south of the development;

**West:** Ontario Power Generation (OPG) is west of the property.

The subject lands are within approximately 1.6 kilometres of the Queen Elizabeth Highway, which provides access throughout and external to Niagara Region.

### Transportation Network

Vehicular access to the subject lands is provided from Dorchester Road, which is classified as an Arterial Roadway on Schedule C of the City of Niagara Falls Official Plan.

There are no sidewalks provided in the immediate vicinity along Dorchester Road, however a sidewalk is proposed in front of this proposed development. There are sidewalks provided on the west side of Dorchester Road approximately 400-metres north from the subject lands.

Lastly, there are several City of Niagara Falls Transit Service routes in close proximity which operate along Dorchester Road and Oldfield Road. The closest stops are located approximately 400-metres north of the subject lands at Dorchester Road and Jubilee Drive, while 300-metres east along Oldfield Road and Cole Court are two more stops.

### Site Servicing

As outlined in the Functional Servicing Report prepared by Upper Canada Consultants, the subject lands have existing municipal water and sanitary services and utilities available.

The subject lands also have a suitable stormwater outlet, being the Conrail Drain. The exact method of stormwater management will be subject to detailed design including quantity and quality controls.

### Parkland

The subject lands are located within a short walk of two large municipal parks being FJ Miller Park and Fern Park.

### Natural Heritage Features

As confirmed through site visits and the completion of an Environmental Impact Statement prepared by GEI Consultants., and prior EIS Studies a number of natural features have been identified on or in the vicinity of the subject lands. The following natural features have been identified on or in the vicinity of the subject lands:

- Significant wetlands;
- Other wetlands;
- Significant woodlands;
- Other woodlands;
- Significant wildlife habitat (SWH)
- Fish habitat;
- Permanent and intermittent streams; and
- Habitat of endangered and threatened species.

It was concluded that this development will not have a direct impact to significant wetlands, significant woodlands, significant wildlife habitats or endangered and threatened species.

Development of the subject lands would result in:

- The removal of a portion (3.3 ha) of other woodland, which is a mixture of successional woodlands with a small component of non-significant forest community;
- The removal of a 0.79 ha from separate wetland communities; and
- Alterations to fish habitat within the Conrail Drain.

Its is proposed that the removals of the woodland and wetlands will be mitigated through replication either on other land holdings within the Riverfront Secondary Plan Area, or on other lands within the urban limit of the City of Niagara Falls.

Further impacts and mitigation measures are discussed in this report.

## THE PROPOSED DEVELOPMENT

The owner is proposing the development of a mix of commercial and residential uses on the subject lands. The residential component will consist of sixty-six (66) townhouse units, and four-hundred and thirty-eight (438) condominium apartment units each, yielding a total of five-hundred and four (504) dwelling units. A one-hundred and thirty (132) unit retirement home is planned. The commercial component will consist of three-hundred and twenty (320) condominium hotel rooms. A pedestrian life-style commercial mix area of retail space, restaurants and a cinema totaling 19,563 sq. meters The Preliminary Site Plan showing the development plan and zoning compliance is included as **Appendix I** to this report, and below in **Figure 2**.

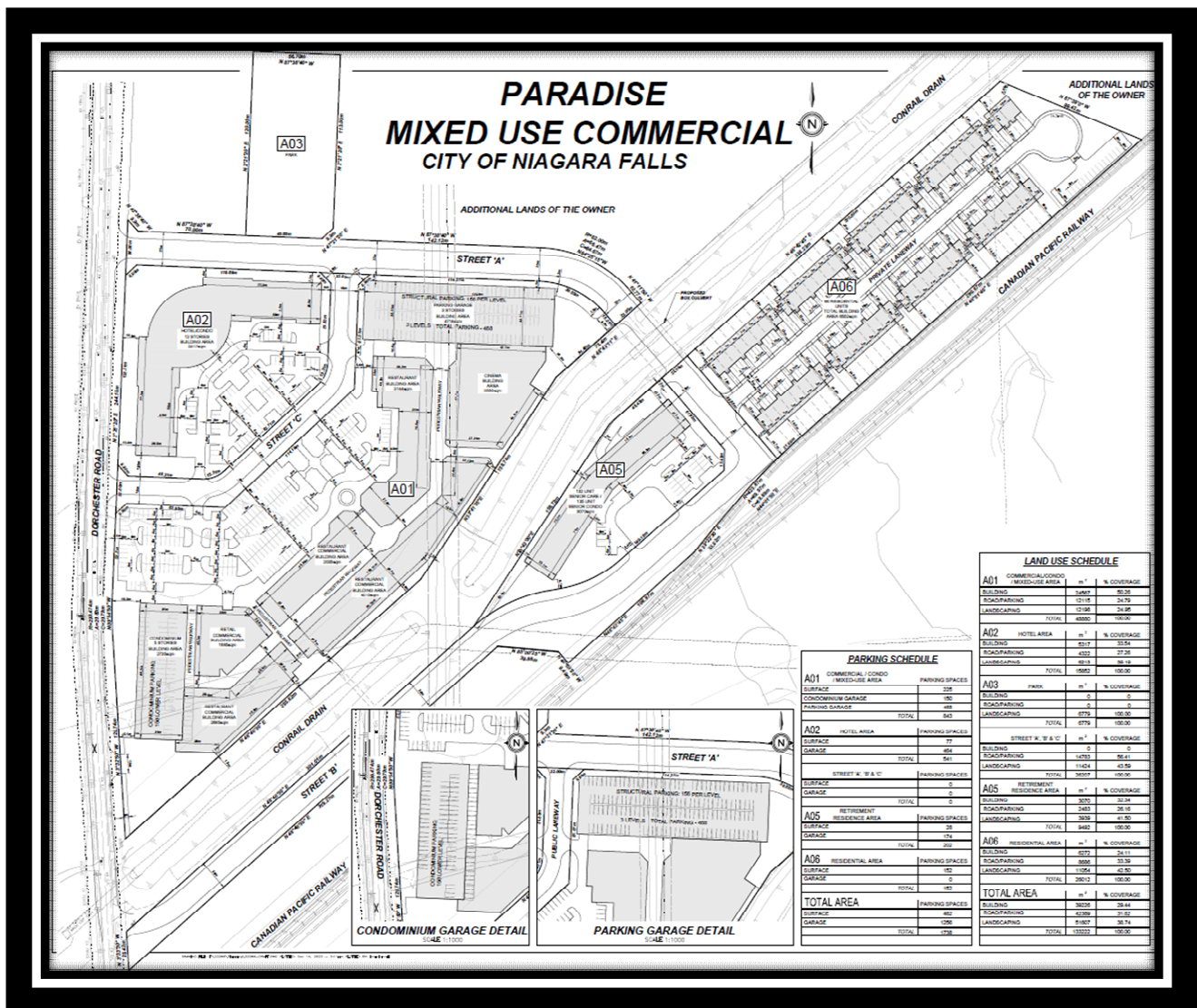


Figure 2 – Preliminary Site Plan prepared by Upper Canada Consultants

**Site Plan Statistics-Residential Units**

Land Use	Units	Area (ha)	Density units/ha
Block 1-Condominium Apartments	95	4.888	19.43 units/ha
Block 2-Condominium Apartments	208	1.585	131 units/ha
Block 5-Condominium Apartments	135	0.948	142 units/ha
Block 6 -Townhouses	66	2.601	25 units/ha
Total	504	10.022	50.3 units/ha

With exception of Block-6, the other Blocks are a mix of commercial and residential uses therefore a density calculation in the traditional sense (units/ha) is not truly representative. Table 2 of the report calculates the total number of jobs and residents for the development. A total of 1960 jobs/residents will be created. 1960 jobs/residents over 13.322 ha is 147jobs/residents per hectare.

**Draft Plan of Subdivision**

As part of this submission we have attached a Draft Plan of Subdivision application. There are five proposed Blocks as described below:

**Draft Plan of Subdivision Land Use Schedule**

Land Use	Block	Area (ha)	Area (%)
Commercial/Residential Mixed Use	Block 1	4.888	36.69
Hotel/Residential Condominiums	Block 2	1.585	11.90
Park	Block 3	0.678	5.09
Retirement/Residential	Block 5	0.948	7.112
Residential	Block 6	2.601	19.53
Roadway		2.621	19.67
Total		13.322	100

The Draft Plan of Subdivision proposes three public road allowance accesses onto Dorchester Road. Street “B” public road allowance is south of the Conrail Drain and provides direct access to Blocks 5 & 6 the proposed retirement and townhouse units. Street “A” defines the northern boundary of the Draft Plan of Subdivision and provides future access to additional lands of the owner. Street “C” provides access to the commercial mixed use shown as Block 1 and Block 2 the Hotel/Residential Condominium proposal.

A park area is proposed at the northern end of the Draft Plan of Subdivision shown as Block 3 and is 0.678 ha in size. The subject lands have a developable area of 13.322 hectares.



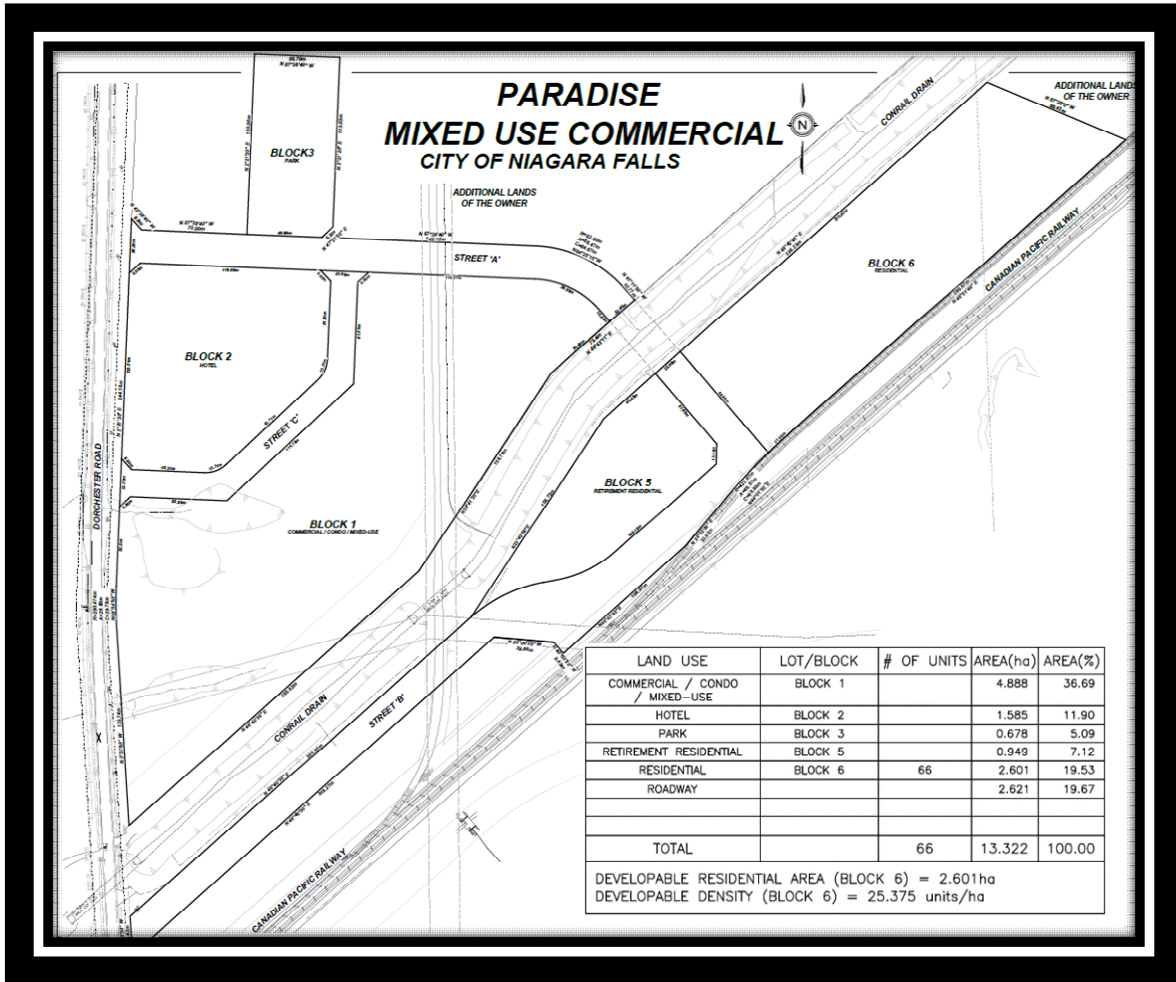


Figure 3 – Draft Plan of Subdivision

## **REQUIRED PLANNING ACT APPLICATIONS**

Pre-consultation meeting pertaining to this development proposal occurred on April 6, 2023. Through this meeting, City staff confirmed that a combined application for an Official Plan and a Zoning By-law Amendment is required to facilitate the proposed development.

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

As requested by the City and review agencies, a complete application submission for the combined Official Plan and Zoning By-law Amendment application must include:

- Air Quality, Noise & Vibration, Sensitive Land Use Report
- Archaeological Assessment
- Site Plan
- Draft Local Official Plan Amendment
- Draft Local Zoning By-law Amendment
- Environmental Impact Study
- Environmental Site Assessment
- Functional Servicing Report and Stormwater Management Plan
- Shadow Analysis
- Wind Study
- Transportation Impact Study / Parking Impact Analysis
- Planning Justification Report including Urban Design and Architectural Brief

These required materials are provided with the Application submission.

Record of Site Condition to be considered as a future condition of a Draft Plan Approval.

### **Official Plan Amendment**

An application for an Official Plan Amendment is required to facilitate the development of the site. The Official Plan Amendment is required to designate portions of the *Environmental Protection Lands to Mixed Use*.

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

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

An application for a Zoning By-law Amendment is required to facilitate the development of the site. To facilitate the development of the lands as proposed, the Zoning will be amended from “General Industrial” and “Open Space” to “Residential Low Density R4 Site Specific”, “Residential Apartment 5E Density Site-Specific” and “Tourist Commercial TC Site Specific” zones.

The southern portion of the lands are to be amended from “General Industrial” to “Environmental Protection Area.’

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

### **Draft Plan of Subdivision**

The Paradise Draft Plan of Subdivision has been designed taking in consideration the specific policies of Amendment No 128 to the City of Nagara Falls Official Plan. As part of this submission we have included a Functional Servicing Report demonstrating there is servicing capacity to accommodate this subdivision.

A copy of the Draft Plan of Subdivision Application is provided as part of the submission materials.

## **RELATED STUDIES AND REPORTS**

In addition to this Planning Justification Report, a Stage 1, 2 & 3 Archaeological Assessment, a D-6 Compatibility & Mitigation, Air Quality, Dust, Odour & Noise Study, Environmental Impact Study, Phase One Environmental Site Assessment, Functional Servicing Report, and Traffic Impact Study have been submitted with the application. A brief overview of the purpose, findings and conclusions of these reports/studies are provided below.

### **Stage 1, 2 & 3 Archaeological Assessment (Amex Foster Wheeler.)**

Amex Foster Wheeler completed a Stage 1, 2 & 3 Archaeological Assessments for the subject lands in November 2015. Through field investigation of the subject lands and the completion of a Stage 3 Assessment, no additional work was recommended by the Archaeologist.

Following the completion of the Assessment, the Archeologist's report was submitted to the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries for review and acknowledgement. Ministry clearance was provided on Feb 15, 2017.

### **D-6 Compatibility & Mitigation, Air Quality, Dust, Odour & Noise Study (RWDI)**

RWDI completed a D-6 Compatibility & Mitigation, Air Quality, Dust, Odour & Noise Study for the subject lands in February 2023. This study assessed the land use compatibility of the proposed development with surrounding proposed, and existing, employment lands. The assessment considered; industrial air quality, odour, and dust emissions, industrial/commercial noise, and transportation-related noise. The assessment also included a review of air quality and noise emissions from industrial facilities in the area.

From an air quality perspective, the proposed development is anticipated to be compatible with the surrounding land uses. Emissions of dust and odour are not anticipated, and it will not limit surrounding existing or future industries and their ability to obtain or maintain required MECP permits or approvals.

Noise and vibration levels due to rail traffic are predicted to meet the applicable criteria following the implementation of control measures outlined in this report. The following noise and vibration control measures are recommended for the proposed development.

Installation of central air-conditioning in residential buildings so windows can remain closed.

2. The inclusion of noise warning clauses related to:

- a. Transportation sound levels at the building façade;
- b. Proximity to railway line.

### 3. Minimum sound isolation performance:

- a. Suite bedroom window glazing with minimum sound isolation performance of STC 31 for the senior condominium and first row of town houses.
- b. Brick veneer or equivalent masonry construction for townhouses and the senior condominium façades facing the rail corridor.

4. Vibration mitigation for the first row of townhouses and the senior condominium. Vibration levels should be confirmed through measurement during site plan approval when final building locations are known.

This assessment was based on assumptions regarding basic building construction, so the resulting Recommendations are broad. The selection of building materials, such as windows and doors should be reviewed by an acoustical engineer prior to construction to ensure the applicable limits are met. Based on the results of the analysis, including implementation of the recommendations included with this assessment, the proposed development is feasible to meet the applicable sound and vibration criteria.

The proposed development meets applicable policies and guidelines, including requirements of MECP Guideline D-6, Regulation 419/05, and Publication NPC-300, and is unlikely to result in increased risk of complaint and nuisance claims, operational constraints for the major facilities, and constraints on major facilities to reasonably expand, intensify or introduce changes to their operations.

#### Environmental Impact Study (GEI Consulting Ltd.)

GEI Consulting Inc. completed an Environmental Impact Study for the subject lands in September 2023. This Study was prepared to delineate the extent of natural heritage features on the property and assess potential impacts future development may have on these features.

As confirmed through site visits and the completion of an Environmental Impact Statement prepared by GEI Consultants., and prior EIS Studies a number of natural features have been identified on or in the vicinity of the subject lands. The following natural features have been identified on or in the vicinity of the subject lands:

- Significant wetlands;
- Other wetlands;
- Significant woodlands;
- Other woodlands;
- Significant wildlife habitat (SWH)
- Fish habitat;

- Permanent and intermittent streams; and
- Habitat of endangered and threatened species.

It was concluded that this development will not have a direct impact to significant wetlands, significant woodlands, significant wildlife habitats or endangered and threatened species.

Development of the subject lands would result in:

- The removal of a portion (3.30 ha) of other woodland, which is a mixture of successional woodlands with a small component of non-significant forest community;
- The removal of a .79 ha from 3 separate wetland communities; and
- Alterations to fish habitat within the Conrail Drain.

It is proposed that the removals of the woodland and wetlands will be mitigated through replication either on other land holdings within the Riverfront Secondary Plan Area, or on other lands within the urban limit of the City of Niagara Falls.

Potential indirect impacts to the retained natural features will be mitigated through:

- Establishment of buffer plantings between Block A06 and the adjacent provincially significant wetland;
- Establishment of an effective erosion and sediment control plan;
- Identification of emergency spill response plan; and
- Assessment of water balance at the detailed stage.

In addition, proposed restoration works within the Conrail Drain corridor will provide an overall net gain in terms of ecological functions on the Subject lands.

Considering the above, development of the Subject Lands can be completed without negative impacts on the natural heritage features and associated functions.

#### Phase One and Two Environmental Site Assessment (Wood Environmental and Infrastructure Inc.)

A Phase One Environmental Site Assessment was conducted by Wood Environmental and Infrastructure Inc. in September 2018. Based on the findings, it was concluded that there is the potential of Site contamination and recommended that additional investigations are required.

Record of Site Condition to be considered as a future condition of a Draft Plan Approval.

#### Functional Servicing Report (Upper Canada Consultants)

The Functional Servicing Report contains an overview of existing servicing, proposed servicing methods and the preliminary stormwater management method required to support the planned development.

The following summarizes the servicing for this site:

1. The proposed 300mm and 200mm diameter looping watermains on the development site and proposed 300mm diameter watermain on Dorchester are expected to have sufficient capacity to provide both domestic and fire protection water supply.
2. The proposed 600mm diameter sanitary sewer on Dorchester Road and Sanitary Sewage Pumping Station, and existing 825mm diameter Regional sanitary sewer on Dorchester Road are expected to have adequate capacity for the future development.
3. Stormwater quantity controls and erosion protection are not considered necessary from the subject lands prior to discharging to the Conrail Drain.
4. Stormwater quality controls will be provided to MECP Normal Protection (70% TSS removal) before outletting to the Conrail Drain in accordance with the requirements of the City of Niagara Falls CLI Approval.

Traffic Impact Study (Paradigm Transportation Solutions Limited.)

Paradigm Transportation Solutions Limited. completed a Traffic Impact Study including a Commercial Parking Review for the subject lands in September 2023.

Based on the findings of the traffic study, the following is recommended:

1. The Internal Road at Dorchester is recommended to be restricted to right in/out operations with stop control for the minor approach given insufficient spacing requirements along Dorchester Road.
2. The Applicant be responsible for costs related to the new roadway connection to Dorchester (Street A), which includes a southbound turn left lane a potentially unwarranted traffic control signals.
3. The Applicant will bear the cost of potentially unwarranted traffic control signals due to the deterioration of operations at the intersection of Dorchester Road and Jill Drive, caused by the build-out of the subdivision.

4. The Applicant will bear the cost of potentially constructing double left-turn lanes for the northbound approach at McLeod Road and Dorchester Road along with protected signal phasing for the northbound and southbound left turn movements.
5. As the increase in traffic at some of the study area intersections as a result of other development applications and overall growth, the City and Region are recommended to coordinate the improvement plan for improvements to the following intersections:
  - McLeod Road at Dorchester Road
  - McLeod Road at Drummond Road
  - Chippawa Parkway at Stanley Avenue
6. The City support the proposed reduction in parking proposed for the commercial area based on the shared parking methodology.

#### Pedestrian Wind Comfort Assessment Study (RWDI.)

RWDI. completed a Pedestrian Wind Comfort Assessment for the subject development in September 2023. The Study is an assessment of the potential wind impact on the proposed Block A05 of the Paradise Mixed Use development. The assessment was based on computational modelling, simulation and analysis of wind conditions for the proposed development design, in conjunction with the local wind climate data and the RWDI wind criteria for pedestrian comfort and safety. The findings are summarized as follows:

1. Existing wind conditions on-site are generally comfortable for standing during the summer and walking during the winter.
2. The proposed buildings are taller than surroundings, and therefore will redirect wind to ground level. However, with the moderate height of the building and its favourable orientation, wind impacts are expected to be low and local.
3. Wind gusts are expected to meet the safety criterion.
4. Wind conditions at most ground level areas are expected to be appropriate for the intended pedestrian usage around the site, including sidewalks, walkways, parking spaces and two lobby entrances.
5. Uncomfortable wind speeds are expected near southwestern corners of the project during the winter.



6. During the winter higher than desired wind speeds are also expected near amenity entrances.
7. Conceptual wind control strategies are discussed in detailed in the attached RWDI report part of the submission materials.

Arborist Report and Tree Protection Plan (GE Consultants Ltd.)

GEI Consulting Ltd. completed a Tree Preservation Plan for the subject lands in February 2024. This study was prepared to gather an inventory of the trees on the subject lands.

GEI inventoried 3309 trees within the Subject Lands. Of these, 30 are recommended for preservation and 3279 are recommended for removal due to anticipated construction impacts. Under the Niagara Region's Tree Protection Plan Guidelines (Draft 2022), 3279 trees require compensation for removal for a total requirement of 7,630 compensations trees.

## **PROVINCIAL LEGISLATION AND PLANS**

Development applications within the City of Niagara Falls are subject to the Ontario Planning Act (R.S.O. 1990), 2020 Provincial Policy Statement and 2020 Growth Plan for the Greater Golden Horseshoe. An assessment of how the application satisfies applicable Provincial legislation and policies is provided below.

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

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

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

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

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

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

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

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

*GEI Consulting Inc. completed an Environmental Impact Study for the subject lands. This Study was prepared to delineate the extent of natural heritage features on the property and assess potential impacts future development may have on these features.*

*As confirmed through site visits and the completion of an Environmental Impact Statement prepared by GEI Consultants., and prior EIS Studies a number of natural features have been identified on or in the vicinity of the subject lands.*

*It was concluded that this development will not have a direct impact to significant wetlands, significant woodlands, significant wildlife habitats or endangered and threatened species.*

*Development of the subject lands would result in:*

- *The removal of a portion (3.3 ha) of other woodland, which is a mixture of successional woodlands with a small component of non-significant forest community;*
- *The removal of a .79 ha from separate wetland communities; and*
- *Alterations to fish habitat within the Conrail Drain.*

*Its is proposed that the removals of the woodland and wetlands will be mitigated through replication either on other land holdings within the Riverfront Secondary Plan Area, or on other lands within the urban limit of the City of Niagara Falls.*

*In addition, proposed restoration works within the Conrail Drain corridor will provide an overall net gain in terms of ecological functions on the Subject lands.*

*Considering the above, development of the Subject Lands can be completed without negative impacts on the natural heritage features and associated functions.*

- e) the supply, efficient use and conservation of energy and water;

*The proposed development includes a compact urban built form that encourages efficient use and conservation of energy and water through a mix of residential and commercial uses sharing infrastructure.*

*The development will utilize an existing watermain within the vicinity for portable and fire fighting purposes.*

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

*The subject lands are accessible from Dorchester Road, an Arterial roadway which can be serviced by existing municipal watermain and sanitary sewer. As outlined in the Functional Servicing Report prepared by Upper Canada Consultants, the development will efficiently use these existing municipal services to support the development. The subject development will make use of both private and public waste management services.*

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

*The orderly development of safe and healthy communities is achieved through the development of the subject lands as a mixed commercial use. The lands to the north are designated residential. Though there are industrial lands to the north west, the subject lands are not negatively impacted by these operations. These operations include Niagara Moving & Storage, Quantum Niagara Gymnastics, Palfinger, and Storage One Self Storage. The mixed-use development will provide much needed housing with increased density, and utilize currently underutilized lands in the Urban Area.*

*Not only will this development be near surrounding neighbourhoods, it is also in close proximity to parks, schools, employment opportunity and the McLeod Road Commercial Corridor.*

*The subject lands are located near convenient pedestrian routes as there is a sidewalk east along Oldfield Road, and just north on Dorchester Road. There is also convenient access from*

*the site to public transit services, with bus stops at Dorchester Road and Jubilee Drive, and Oldfield Road and Cole Court.*

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

*The development will contain five-hundred and four (504) dwelling units. The unit count is comprised of two (3) residential apartment buildings and a block of 66 townhouse units. This type of housing provides a variety in housing choices within the surrounding area as a whole, which is comprised of different housing types including; townhouses, and apartment dwellings.*

*This type of housing is generally more affordable than single-detached and semi-detached, dwellings. Residential apartments are more compact and efficient, and provide for more attainable housing options in the area. Also, increasing the housing supply within the City of Niagara Falls attributes to the affordability of housing.*

- k) the adequate provision of employment opportunities;

*The development will contain 19,563 sq. m of commercial space. The commercial space will comprise of a mix of commercial uses including retail, hotel, restaurants, cinema and a 12-storey hotel.*

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

*The proposed development is beneficial for the financial and economic well-being of the Province and its municipalities as it introduces five-hundred and four (504) new homes, 132-unit retirement home, and 19,563 sq. m of commercial space and a 12 storey-hotel condominium in the City of Niagara Falls. This expands housing capacity, and contributes to the overall economic resilience and vitality of the area. This development will also generate development charges, parkland dedication fees, and long-term property tax revenue. These economic and financial contributions support the sustainable growth and prosperity of the Region and City of Niagara Falls.*

- p) the appropriate location of growth and development;

*As outlined in the Growth Plan and Niagara Official Plan, the vast majority of growth is to be directed to Settlement Areas, and within those Settlement Areas, to Built-up Areas and lands with available municipal services.*

*The subject lands are located within the Niagara Falls Settlement Area Boundary and Provincially delineated Built Boundary, and are provided with municipal services, therefore, the subject lands are an appropriate location for growth and development. The subject lands are also located proximate to transit, pedestrian and cycling routes, and are within a short walk or drive of commercial and institutional land uses, Regional roads and provincial highways, and employment opportunities.*

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

*The development proposal efficiently uses serviced urban lands, thus limiting the need for urban boundary expansions and or development that unnecessarily encroaches upon natural heritage features and good agricultural lands. The development contains an adequate balance of growth and natural environment that will support urban living.*

*The subject lands are walkable to numerous amenities including parks, schools, grocers, restaurants, churches, and more.*

*The subject lands are located within a short walk of public transit stops at the corner of Dorchester Road and Jubilee Drive, as well as Oldfield Road and Cole Court, that will be conveniently accessible from the proposed sidewalk connections.*

- r) the promotion of built form that,
  - (i) is well-designed,
  - (ii) encourages a sense of place, and
  - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

*The proposed development form is considered to exhibit good urban design principles.*

*The interface with the existing natural environment backdrop creates a high-quality public realm, enhancing the aesthetic appeal of the development and overall area.*

*The development layout creates a sense of place through a compact, village/complex layout which is inclusive of walking routes, green spaces, and common amenity space. The interface with surrounding forested areas creates an excellent balance of residential density and natural areas.*

## **Section 22 – Official Plan Amendments**

Applications for Official Plan Amendments are considered under Section 22 of the Planning Act. Amendments to municipal by-laws are permitted, subject to the provision of prescribed information. This application has been filed with the required fee and supporting materials requested through pre-consultation.

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

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

## **Section 51 – Draft Plans of Subdivision**

Draft Plans of Subdivision are considered under Section 51 (24) of the Planning Act.

Section 51 (24) the Planning Act prescribes that “In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,” items a) to m).

*The approval of the draft plan of subdivision will permit the development of the lands for commercial uses as well as much-needed housing as identified by the Province through their housing targets and the City through their Housing Strategy. The subject lands are located on an arterial road and are adjacent to future lands proposed for development. The possible impacts of industrial uses in the area has been assessed and it has been concluded that the introduction of residential lands uses at this location will have any negative impacts. The site is in a convenient location for a mixed-use development and will not have any negative impacts on surrounding land uses. The subdivision is therefore consistent with the above requirements for draft plans of subdivision.*

An overview of how items a) to m) is addressed is provide below.

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

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

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

*The subject lands were recently re-designated for mixed-use development by the municipality as part of Official Plan No. 128. The lands have access to services. The proposed subdivision is therefore not premature.*

*The proposed subdivision will provide needed supply of a variety commercial uses and housing types and will increase the efficiency with which municipal services are utilized. The subdivision is therefore in the public interest.*

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

*The subdivision conforms to the City's Official Plan Amendment No. 128 as outlined further in this report. The proposed development is takes into consideration future plans of subdivisions.*

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

*The property is located in a suitable location for development as it is being designated for mix-use development and is adjacent to future development. The lands have transportation connections, access to full municipal services and are free of development constraints. Soil and topographic conditions are also favourable to subdivision development.*

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

*No affordable housing as defined by the Province of Ontario is proposed through these applications. The proposed development does contribute to the provision of housing that is attainable at various income levels through the provision of a variety of housing types, including multi-unit forms.*

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



*The proposed subdivision includes a public road network comprised of 3 streets organized in a pattern consistent with the road pattern outlined in Official Plan Amendment No. 128. The proposed street network has three connections to Dorchester Road.*

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

*The specifics of the lot dimensions and shapes are shown on the Draft Plan.*

- 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;

*No restrictions proposed.*

- h) conservation of natural resources and flood control;

*The proposed restoration works within the Conrail Drain corridor will provide an overall net gain in terms of ecological functions of the subject lands.*

- i) the adequacy of utilities and municipal services;

*A Functional Servicing Report, prepared by Upper Canada Consultants, outlining how the proposed development will be serviced, has been submitted with the applications. As confirmed in the report, municipal infrastructure is readily available, and has sufficient capacity to service the proposed development. The subject development will make use of both private and public waste management services*

- j) the adequacy of school sites;

*The local school boards (DSBN, NCDSB) will have the opportunity to comment on development applications to confirm adequacy of service.*

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

*Block 3 will be dedicated as a public park.*

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

*The coordinated development of a large parcel of land provides for increased efficiencies in the servicing and construction of the development. The proposed development has been organized in*

*a compact pattern which enables the efficient use and provision of land and infrastructure and provides for efficient transportation routes which conserves energy consumption.*

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

*The proposed development is subject to Subdivision approval which ensures that all matters affecting the approval authority and commenting agencies are adequately addressed prior to the commencement of development. The development of each Block will be subject to site plan control.*

## **2020 PROVINCIAL POLICY STATEMENT**

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

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

To achieve these types of communities, the PPS promotes efficient development patterns, mixes of residential dwelling types and land uses, the integration of planning processes with growth management, public transit and infrastructure planning and the conservation of biodiversity. Development proposals should not include land use patterns that cause public health and safety concerns or propose inefficient expansions creating barriers for accessibility and mobility for vulnerable populations.

The subject lands are located within the Niagara Falls Urban Area, which is delineated in both the Niagara Official Plan and City of Niagara Falls Official Plan. The Niagara Falls Urban Area is considered as a Settlement Area under the Provincial Policy Statement (2020). Policy 1.1.3.1 of the PPS directs that Settlement Areas are to be the focus of growth and development within Ontario communities. The applications are consistent with this PPS policy as the subject lands are located within the Settlement Area boundary.

As outlined in Policy 1.1.3.2 of the PPS, within Settlement Areas, development is to proceed in a manner that efficiently uses land and resources, is appropriate for the efficient use of existing or planned infrastructure and public service facilities, minimizes negative impacts on air quality and

climate change, supports multi-modal transportation options including active transportation and transit and freight movement. Land use patterns are to be based on a range of uses and opportunities for intensification and redevelopment.

The application is consistent with this policy direction as it proposes the development of urban, serviced lands within a developed area of the municipality. The proposed development form is compatible with adjacent dwelling types and non-residential land uses and is an efficient use of land. The site is currently provided with full urban services and is accessible by multiple modes of transportation including public transit.

### **Coordination (PPS 1.2)**

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

Section 1.2.4 of the PPS requires that upper tier municipalities provide planning direction on allocations of population and employment, preferred growth areas, targets for intensification and transit supportive development. The Regional Municipality of Niagara is the upper tier government body that manages and monitors growth within the Region. In conformity with the Growth Plan, Regional level policy direction requires a minimum annual residential intensification rate of 50% to the year 2041. The application is consistent with these requirements, as all units will be counted towards the annual intensification target for Niagara Falls.

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

### **Employment (PPS 1.3)**

Section 1.3 of the PPS (2020) requires municipalities and planning authorities provide for an appropriate mix of employment, institutional, and broader mix of uses to meet projected requirements of current and future residents of the regional market area. The proposed mixed-use development provides 19, 563 sq. m of commercial space including a range of uses including retail, restaurants and a cinema.

Overall, the application is consistent with Section 1.3 of the PPS.

### **Housing (PPS 1.4)**

Section 1.4 of the PPS (2020) requires municipalities and planning authorities provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. This is to be achieved through establishing targets for affordable, to low and moderately priced homes, including all forms of residential intensification, and second units.

The applications facilitate the development of five-hundred and four (504) new dwelling units in the City of Niagara Falls. The location of this development is superior for residential dwellings due to the balance of surrounding land uses. By appropriately utilizing these lands for higher density housing, continuing to integrate different housing forms into this area, not only does this contribute to increasing the housing supply options, it also assists in providing more affordability. A greater supply of housing assists in affordability by introducing more housing into the City, providing more options for individuals, and with the varying size of units that are smaller in size, this development adheres to a range of individuals at all different stages of life.

Overall, the application is consistent with Section 1.4 of the PPS and will assist in the provision of housing opportunities in the City.

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

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

The subject lands are located within walking distance of several parks. These parks include;

- Fern Park, situated 0.4 kilometres north-east;
- F.J. Miller Park, situated 0.65 kilometres north;
- Westfield Park, situated 1.3 kilometres north;
- Prince Charles Park, situated 1.7 kilometers north-east;
- Wilson Park, situated 1.8 kilometres north-east;
- Crimson Park, situated 2.1 kilometres north-east; *and*

- Charnwood Park, situated 2.5 kilometres north-west

An open space/park area of 0.678 ha is shown on the Draft Plan of Subdivision providing amenity space for the residents of the development.

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

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

#### Sewage, Water and Stormwater

The FSR identifies that there are existing municipal (i.e. urban) water and sanitary services proximate to the site within vicinity that can support the development.

#### Transportation

The Policies under Section 1.6.7 of the PPS directs that efficient use should be made of existing and planned transportation infrastructure, that connectivity amongst systems and modes be maintained and improved, and that land use patterns, density and mix of uses should be promoted that minimize the length and number of vehicle trips, and supports public transit.

The subject lands are located on Dorchester Road, which is classified as an Arterial Road on Schedule C of the Niagara Falls Official Plan.

Public transit is also readily available at the corner of Dorchester Road and Jubilee Drive, and Oldfield Road and Cole Court.

Policy 1.6.7.4 of the PPS directs that a land use pattern, density and mix of uses should be promoted that minimize the length and frequency of vehicle trips. The proposed development will be situated in a location with convenient access to transit, pedestrian networks, and local and regional roadways. Further, the site has access to the QEW, as it is approximately 1.6 kilometres away. The provision of this compact development on the subject lands appropriately benefits from, and will utilize the various transportation modes available in the area.

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

Section 1.7.1 of the PPS outlines several ways in which economic prosperity can be supported in Ontario. Based on the criteria listed in Policy 1.7.1, policy 1.7.1 b) is relevant and requires that long-term economic prosperity be supported by *“encouraging residential uses to respond to*

*dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce.”*

The applications propose a mix of commercial and residential uses that continues to be desirable and successful in Niagara. These apartment dwellings provide an opportunity for downsizing and aging in place without having to move outside of a community. The location of the development on an Arterial roadway, as well being within very close proximity to the QEW, makes the development desirable to commuters, as well.

The proposed development will promote economic investment and community investment by developing a site within the City’s Urban Area. It is nearby a number of regionally significant areas, including Clifton Hill, Fallsview Boulevard, and the Canada/USA international border. The development will optimize the long-term availability and use of land, resources, and public service facilities by permitting residential units and a commercial development in an area that is to be further developed over the coming years.

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

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

The subject lands are impacted by the Region’s Core Natural Heritage System (NHS). These woodlands and wetland features are located both on and adjacent to the subject lands, and are subject to environmental policies of the Niagara Region and City of Niagara Falls, as well as policies of the NPCA. These policies generally require that the proposed development demonstrates no negative impact to the ecological functions of the woodlands and wetland community.

The portion of the property associated is designated as Environmental Protection Area (EPA) within the Niagara Region and City of Niagara Falls Official Plans.

Development of the subject lands would result in:

- The removal of a portion (3.3 ha) of other woodland, which is a mixture of successional woodlands with a small component of non-significant forest community;
- The removal of a 0.79 ha from separate wetland communities; and
- Alterations to fish habitat within the Conrail Drain.

Consistent with the Regional Official Plan policy 7.B.1.11, an Environmental Impact Study (EIS) was prepared in support of site alterations. It is proposed that the removals of the woodland and wetlands will be mitigated through replication either on other land holdings within the Riverfront Secondary Plan Area, or on other lands within the urban limit of the City of Niagara Falls.

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

PPS Policy 2.6.2 directs that development and site alteration shall not be permitted on land containing archaeological resources or areas of archeological potential unless resources have been conserved. Typically, areas of interest are outlined within a municipal archeological master plan.

Amex Foster Wheeler completed Stage 1, 2 & 3 Archaeological Assessments November 15, 2015. Through field investigation of the subject lands no archeological resources were discovered. No additional study was recommended by the Archaeologist.

Following the completion of the Assessment, the Archeologist's report was submitted to the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries for review and acknowledgement. Ministry clearance was provided on February 15, 2017.

Overall, the application is considered to be consistent with PPS Policy 2.6.

## 2020 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE

### Guiding Principles (PTG 1.2.1)

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

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

The proposed development is a significant part of the Riverfront Community Plan area. It is an appropriate mixed used development surrounded by residential, commercial and industrial uses, as well as EPAs. It will increase the supply of housing and provide a greater mix of housing options within the area. This development will also provide a mix of commercial uses. It will facilitate a compatible and efficient residential density within the surrounding area. Overall, the proposed development is considered to implement the guiding principles of the Growth Plan.



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

The subject lands are located within the Niagara Falls Settlement Area, within the Provincially established Built-up Area.

Consistent with the overall goal of the Growth Plan to create complete communities, the applications will facilitate development that is generally consistent with the Official Plan and Zoning By-law, builds upon and utilizes existing municipal services and utilities, and has multi-modal transportation options readily available.

The requested Official Plan and Zoning By-law changes seek to maximize the development potential of the subject lands to ensure they yield additional dwelling units and dwelling types within a planned development area of the City of Niagara Falls.

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

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

The development of these lands will contribute towards the City and Region's annual residential intensification target as the lands are within the Built-up Area.

The proposed development will contribute five-hundred and four (504) residential dwelling units to the area.

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

The Growth Plan requires that a mix of housing forms be provided through new development. With regard to multi-unit development, the Growth Plan states that a variety of unit sizes are encouraged.

The proposed development plan and zoning will facilitate the development of a residential building that will have a range of unit sizes. Both the residential apartment building and differing of unit sizes lead to the attainment of more affordable housing opportunities within the City.

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

Similar to infrastructure planning, transportation planning and investment must be coordinated with development. Within Urban environments, the primary goals of the Growth Plan are to provide connectivity amongst modes, provide balance in transportation choices, to be

sustainable, to ensure multimodal access to housing, jobs and other community elements and to ensure safety.

The application conforms with Section 3.2.2 of the Growth Plan as it facilitates residential development within the Urban Area and Built Boundary. The comprehensive redevelopment of these lands provides an opportunity to leverage existing transportation services and infrastructure such as the accessible public transportation stops, on-road cycling lands and sidewalks.

### **Moving People (PTG 3.2.3)**

As outlined in Section 3.2.3 of the Growth Plan, Public Transit is the first priority for transportation infrastructure and investment in Ontario. In order to grow the transit base, the Growth Plan directs transportation investment into areas with higher existing or planned densities and areas that can benefit from improved linkages to neighbouring areas.

The subject lands are located near three public transit stops at Dorchester Road and Jubilee Drive, and three stops at Oldfield Road and Cole Court. The scale of the proposed development will provide additional ridership opportunities in the neighbourhood, which is promoted by and in conformity with the Growth Plan.

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

The development will make use of existing local municipal water and sewer connections within the Dorchester Road allowance. Please see the Functional Servicing Report prepared by Upper Canada Consultants (dated September 14 2023) for a detailed overview of the servicing approach for this development.

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

Although prescribed by the Growth Plan, the City of Niagara Falls is one of many Niagara municipalities which does not have a Stormwater Management Master Plan.

Although a master plan is not in effect, new developments must ensure that stormwater can be managed on site with no impact on adjacent lands.

Due to the location of the subject lands within the drainage areas associated with the Chippawa-Queenston Power Canal and Conrail Drain, stormwater management quantity controls are not required. Detaining stormwater flows from the subject lands will result in extending the peak from the subject lands to match closer with the overall peak in each watercourse.

### **Cultural Heritage Resources (PTG 4.2.7)**

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

Amec Foster Wheeler. was retained by the property owner to complete Stage 1, 2 & 3 Archaeological Assessments in 2015.

Following the completion of the Assessment, the Archeologist's report was submitted to the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries for review and acknowledgement. Ministry clearance was provided on February 12, 2022.

## NIAGARA OFFICIAL PLAN (2022)

The subject lands are located within the Niagara Falls Urban Area and the delineated Built-Up Area on Schedule B – Regional Structure of the Niagara Official Plan (see **Figure 4**).

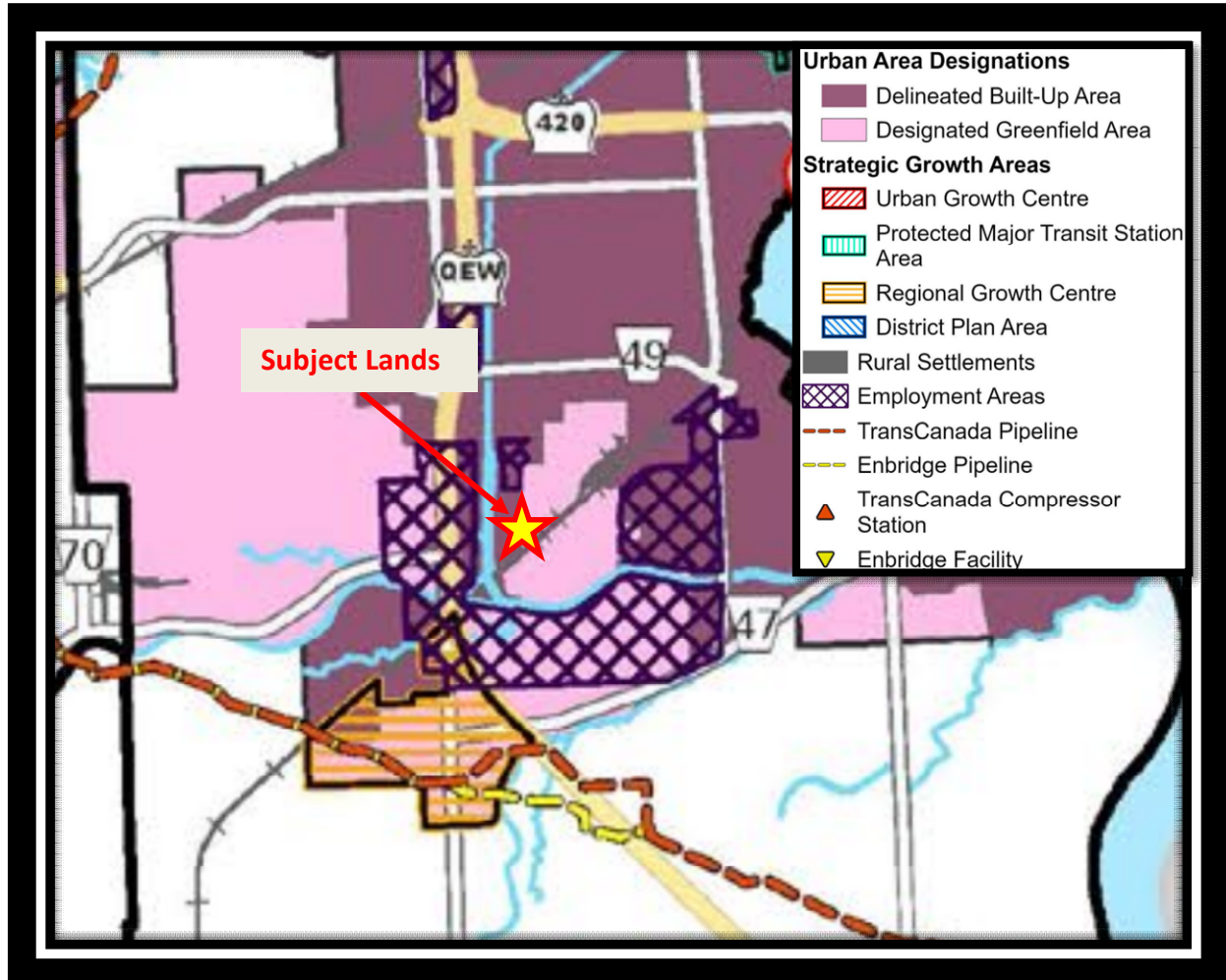


Figure 4 – Schedule B of the Regional Official Plan – Regional Structure (Cropped Image)

### **Chapter 2 – Growing Region**

Chapter 2 of the Niagara Official Plan (NOP) contains the Regional level growth policy direction for Niagara Region and the twelve (12) local municipalities inclusive of population and employment forecasts, intensification targets and specific locations and methods for development.

The Regional Plan directs growth and development to settlement areas where full urban services are available, as well as public transit, community and public services and employment

opportunities. The Plan directs that 60% of all residential units occurring annually within Niagara are to occur within the Built-up Area to ensure the achievement of local intensification targets.

The subject lands are located within the Niagara Falls Urban Area (Settlement Area) and are within the delineated Built-up Area. Niagara Falls has a forecasted population of 141,650 people and 58,110 jobs by 2051, per Table 2-1 of the ROP. The required intensification target set by the Region for the City of Niagara Falls is 50% or 10,100 units, per Table 2.2 of the Regional Official Plan.

The proposed development will contribute six-hundred and thirty-six (636) new dwellings into the City's housing supply and incorporate greater housing options with regard to the residential neighbourhoods to the north and east. The subject lands are a logical location for more intensive residential development due to their location along an Arterial roadway with transit services, being proximate to commercial, industrial and residential land uses, and that the property can be serviced by existing municipal infrastructure. The development will assist the City in the achievement of its annual growth and intensification targets.

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

The application conforms with this policy direction through the provision of a compact condominium site on urban serviced land. The proposed development will assist the City in the achievement of Regional intensification targets and round out available lands with a logical development that will contain a vibrant housing form and streetscape.

The objectives of the policy direction under Section 2.3 of the Niagara official Plan 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.

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 will provide apartment dwelling units and townhouses that range in size. Therefore, the development effectively addresses the provision of diverse housing options and meets the needs of individuals at various stages of life, aligning with the goals outlined in this policy.

Overall, the application is considered to conform with the Niagara Region Official Plan and implement its growth management direction in an appropriate, efficient and context sensitive manner.

### Chapter 3 – Sustainable Region

Chapter 3 of the Niagara Official Plan contains the policies pertaining to the natural environment hazards and natural resources. Specifically, these policies pertain to features shown on *Schedule C1 – Natural Environment System Overlay and Provincial Natural Heritage System* and *Schedule C2 – Natural Environment System – Individual Components and Features*.

As shown on Schedule C1 of the NOP (**Figure 5**), the subject lands contain a Natural Environment System Overlay designation.

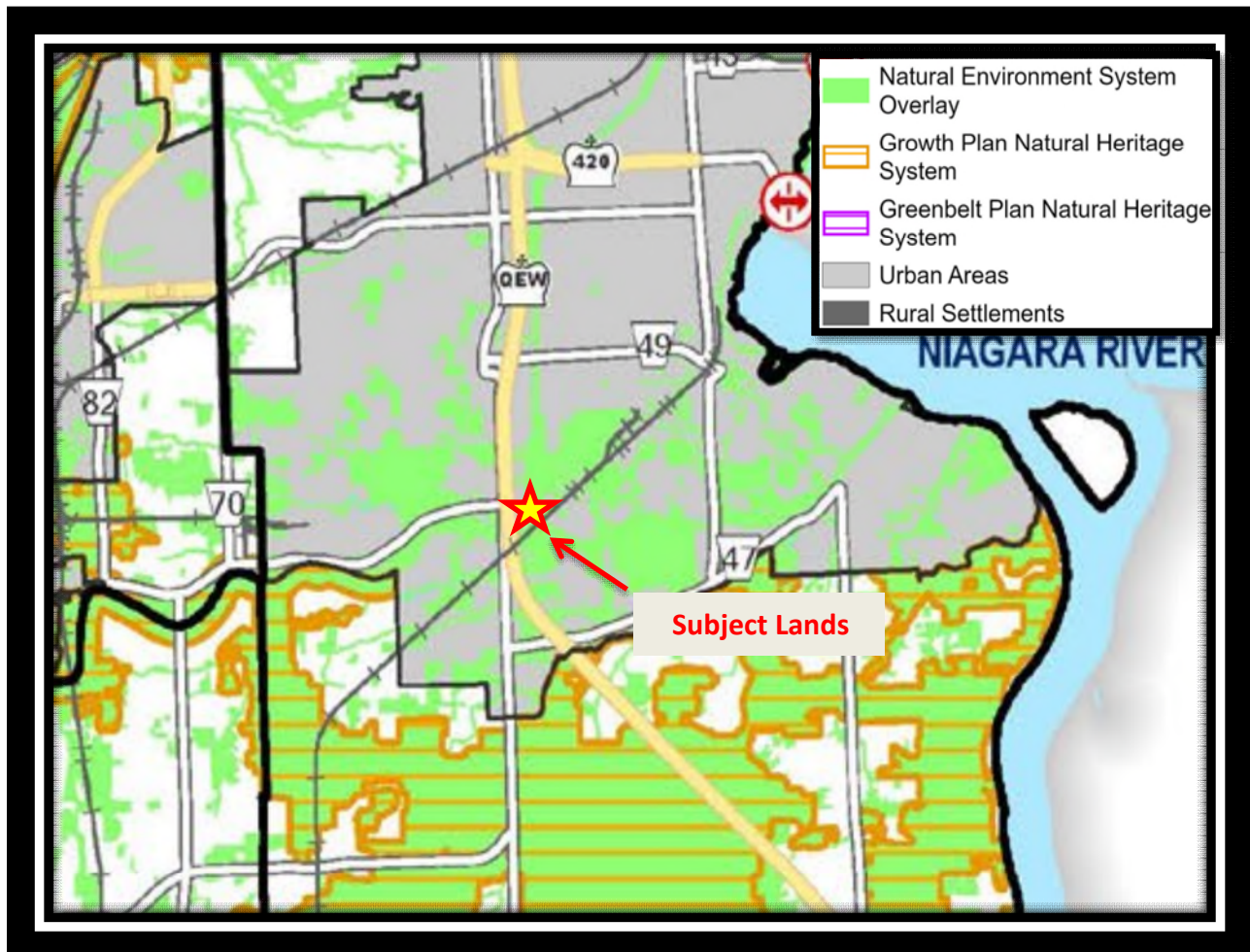


Figure 5 - Schedule C1 of the Niagara Official Plan (2022)

Development and site alteration shall not be permitted in Provincially Significant Wetlands, Significant Coastal Wetlands or Significant Woodlands (Section 3.1.9.5). Development and site alteration that is adjacent to a natural heritage feature shall require an EIS to determine that there will be no negative impacts on the natural features or their ecological functions in accordance with the adjacent lands distances below:

- 120 m from a Provincially Significant Wetland;
- 120 m from a Significant Coastal Wetland;
- 120 m from a Significant Woodland;
- 50 m from Other Woodlands;
- 50 m from Significant Valleylands;
- 50 m from Significant Wildlife Habitat; and
- 50 m from areas of natural and scientific interest.

Development and site alteration shall not be permitted within the following natural heritage features and areas unless it has been demonstrated through the preparation of an EIS that there will be no negative impacts on the natural features or their ecological functions:

- Other woodlands;
- Significant valleylands;
- Significant wildlife habitat; and
- Areas of natural and scientific interest

Within settlement areas, a mandatory buffer on all-natural heritage features is required, the width of which is to be determined through an EIS (Section 3.1.9.9).

Policies in Section 3.1.15 also address Supporting Features and areas, which are considered to be lands that have been or have the potential of being restored that support adjacent natural heritage features and areas, and include non-significant wildlife habitats, valleylands, grasslands, thickets, meadows, and enhancement areas. Where present, supporting features assessed and areas are to have their ecological function and relationship to the adjacent feature, determine whether it should be protected, and conditions that may be attached to the approval of the proposed development.

Policies in Section 3.1.16 addresses enhancement areas, which are areas that could be restored to increase the size, improve connectivity between, improve the shape of, or protect critical function zones and importance catchment areas of natural heritage features and areas. Enhancement areas are to be assessed as a component of an EIS, and where it is recommended that they be identified, the area should be assessed for ecological benefit, identify the recommended

shape, identify how the area could be designed in relationship to the development and assess potential for compatible uses within the enhancement areas.

Further to the above it is noted that where a development is located within a secondary plan area that was approved after July 1, 2012, that the portions that are not subject to a draft approved plan of subdivision (such as the Subject Lands) shall be approved in accordance with the approved mapping and policies of the secondary plan (Section 3.1.10.4).

Consistent with the Regional Official Plan policy 7.B.1.11, an Environmental Impact Study (EIS) was prepared in support of site alterations. GEI Consulting Inc. was retained to prepare the EIS, and as per Policy 7.B.2 of the Official Plan, a Terms of Reference was developed.

Development of the subject lands would result in:

- The removal of a portion (3.30 ha) of other woodland, which is a mixture of successional woodlands with a small component of non-significant forest community;
- The removal of a .79 ha from 3 separate wetland communities; and
- Alterations to fish habitat within the Conrail Drain.

These features are shown in **Figure 6**.

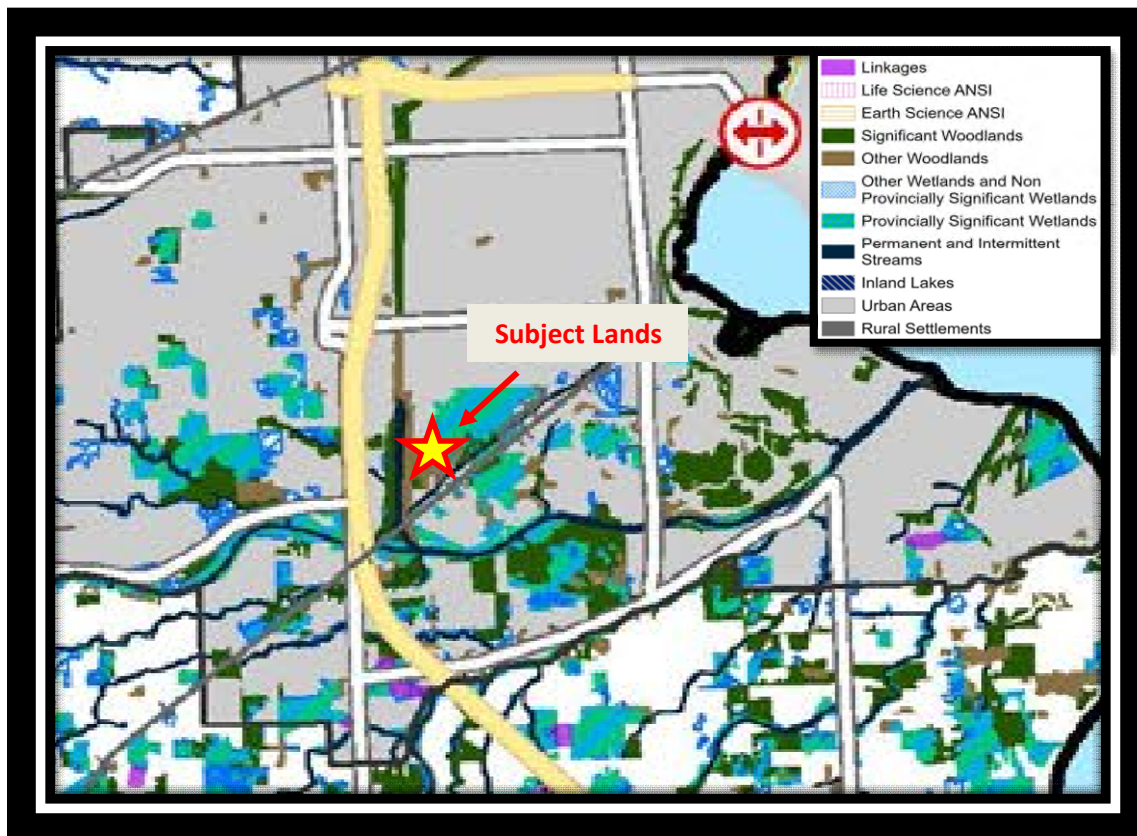


Figure 6 - Schedule C2 of the Niagara Official Plan (2022)



It is proposed that the removals of the woodland and wetlands will be mitigated through replication either on other land holdings within the Riverfront Secondary Plan Area, or on other lands within the urban limit of the City of Niagara Falls.

Potential indirect impacts to the retained natural features will be mitigated through:

- Establishment of buffer plantings between Block A06 and the adjacent provincially significant wetland;
- Establishment of an effective erosion and sediment control plan;
- Identification of emergency spill response plan; and
- Assessment of water balance at the detailed stage.

In addition, proposed restoration works within the Conrail Drain corridor will provide an overall net gain in terms of ecological functions on the Subject lands.

Considering the above, development of the Subject Lands can be completed without negative impacts on the natural heritage features and associated functions.

As the natural heritage features will not be negatively impacted by the development and the ecological functions are not disrupted, the application conforms with the natural heritage policies of the Regional Official Plan.

## CITY OF NIAGARA FALLS OFFICIAL PLAN (1993, as Amended)

The City of Niagara Falls Official Plan (OP) outlines the long-term objectives and policies of the City and is intended to guide growth and development to the year 2031. The population during this period is expected to reach 106,800 with employment for 53,640 people. The intention of the Official Plan is to focus new growth to accommodate these people and jobs in a sustainable way that makes for an orderly and effective use of land and infrastructure, creates compact, livable communities and protects the City's natural heritage and agricultural lands.

The subject lands are designated as "Mixed Use" and "Environmental Protection Area" within Riverfront Secondary Plan area, located within Special Policy Area #56 on Schedule A of the City of Niagara Falls Official Plan, as outlined in **Figure 7**, below.

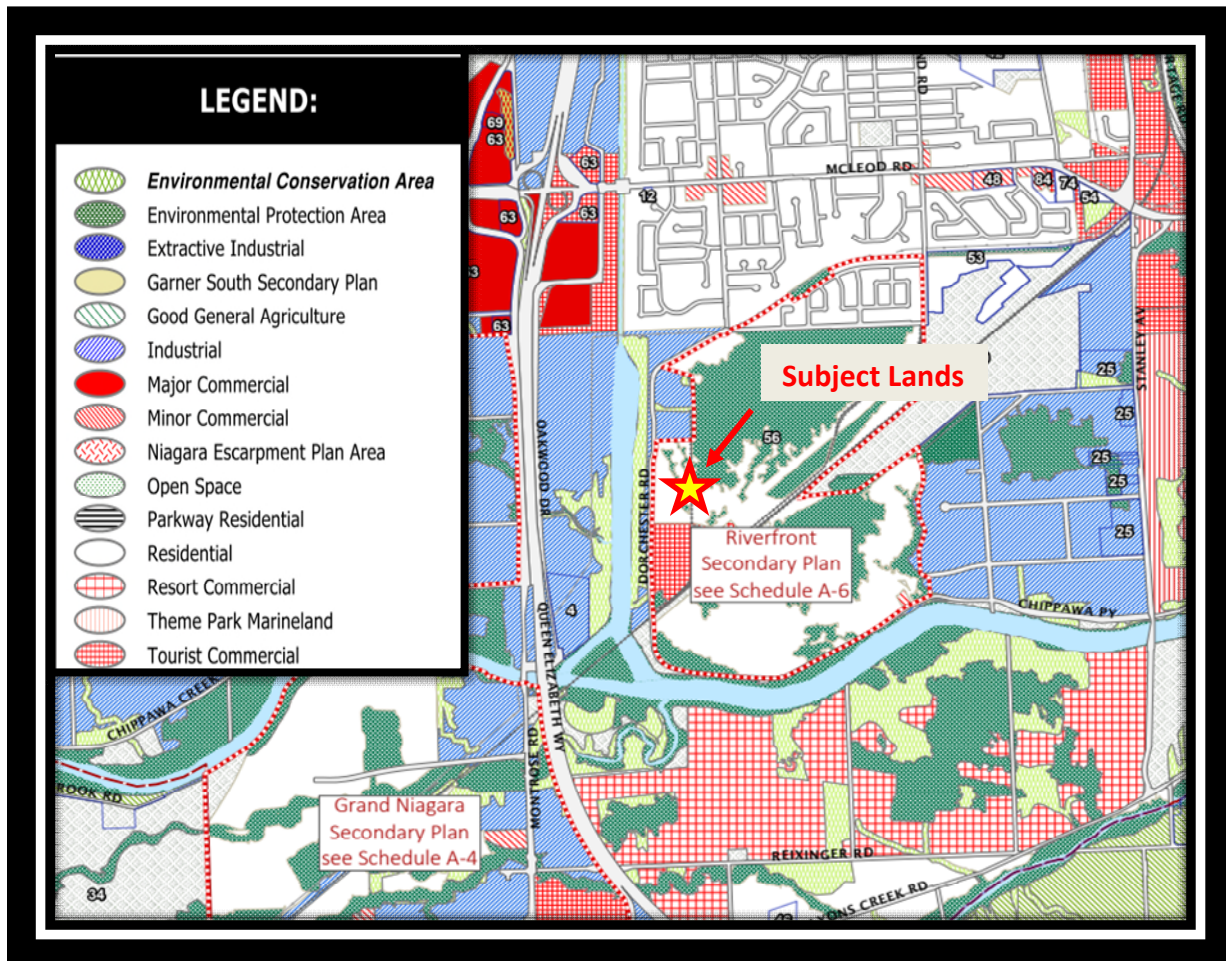


Figure 7 – Schedule A - City of Niagara Falls Official Plan (Cropped Image)

As show below in **Figure 8**, the subject parcel is noted as ‘Special Policy Area 56’ in the Riverfront Community Plan. Special Policy Area 56 of the City of Niagara Falls Official Plan documents the development review procedures and policies of the City regarding the Subject Lands,

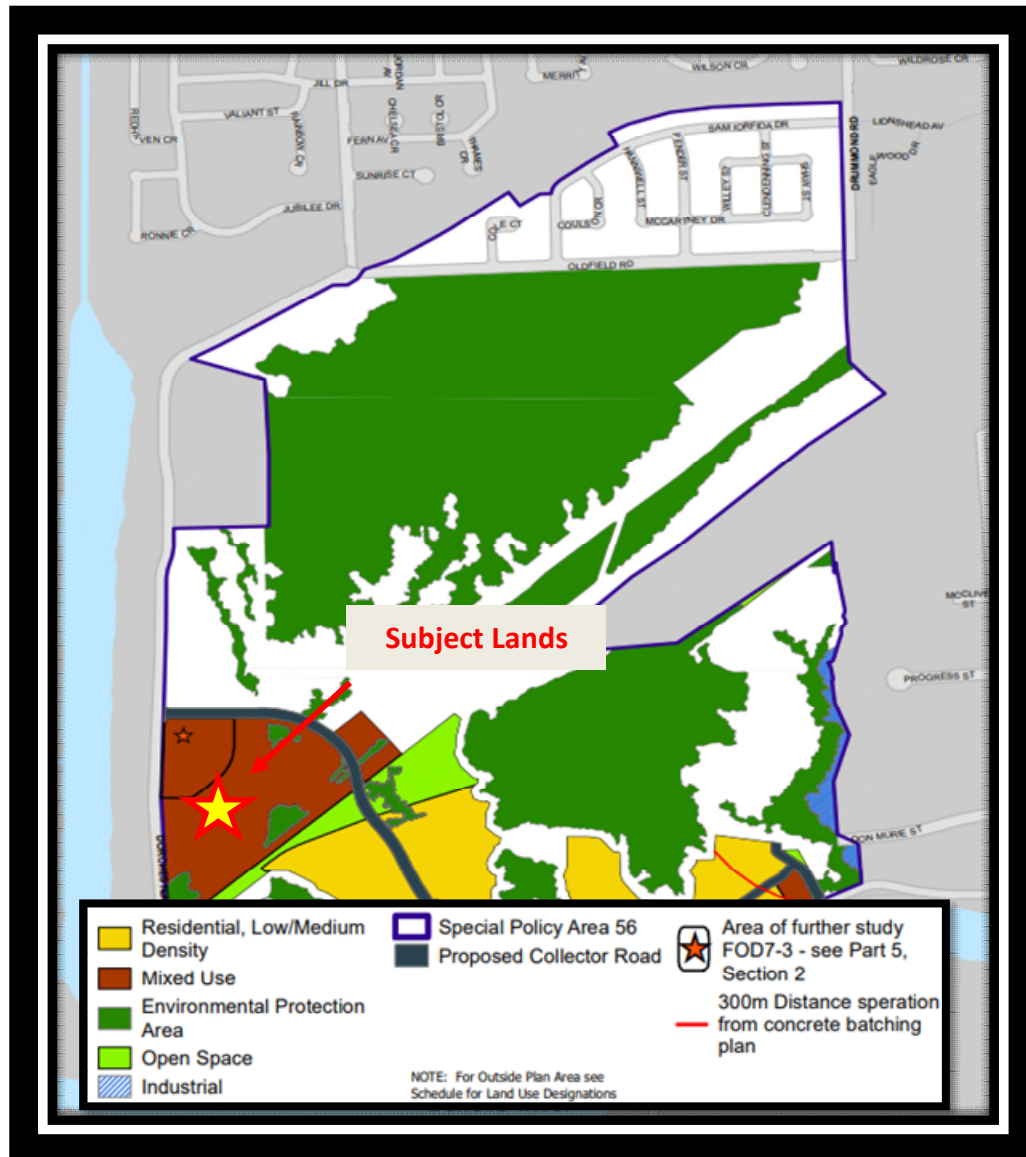


Figure 8 – Schedule A6 - City of Niagara Falls Official Plan (Cropped Image)

The proposed lands are within an area that has been targeted for urban development for many years. This modified amendment is a balanced approach to the development of the subject lands ensuring natural heritage preservation, the protection of existing employment lands and the creation of housing within the City of Niagara Falls.

## **PART 1 – PLAN OVERVIEW AND STRATEGIC DIRECTION**

Part 1 of the City of Niagara Falls Official Plan describes the purpose, legislative basis, format, and interpretation of boundaries of the Official Plan as well as the period during which the Plan is to apply. This Part also outlines the Strategic Policy Direction of the Plan to accommodate future growth through land use and intensification.

### **Strategic Policy Direction (Section 2)**

Part 1, Section 2 of the Niagara Falls Official Plan contains the growth objectives for the municipality that pertain to lands within the municipality both within and outside the Urban Area. These objectives range in focus between development, employment, tourism and the environment.

Specifically, the proposed development will contribute to the achievement of Objectives 1, 2, 3, 5, 6, 7, 9, 12 and 13 of the Official Plan, which include:

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

*The application conforms with Objective 1 as development is proposed within the Niagara Falls Urban Area, and delineated Built-up Area amongst existing development.*

- Objective 2: To protect Natural Heritage Areas and their functions.

*The Natural Heritage Areas have been evaluated by a qualified professional in the preparation of the development plan. As outlined in the EIS, the proposed development will not have a negative impact on the natural heritage features. Accordingly, the natural heritage area and functions are protected.*

- Objective 3: To support increased densities, where appropriate, and the efficient use of infrastructure within the Built-up section of the Urban Area.

*Conformity with Objective 3 is achieved as the application proposes development within the Built-up Area, which is a priority location for development and growth within the community. The plan proposes a residential development density that conforms with the prescribed range in Section 1.15.5 of the Official Plan. The development site is supported by full urban services, existing public roadway frontage and utilities. The site is also situated adjacent to a transit route and is proximate to commercial uses and parkland.*

- Objective 5: To meet the targets as established by the Province through the Greater Golden Horseshoe Growth Plan and through the Region of Niagara Comprehensive Review.

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

*As you can see, these Objectives are out-dated, however as updates have occurred, they do remain relatively applicable. The development of five-hundred and four (504) dwelling units within the Urban and Built-up Area will contribute to the City's ability to achieve growth targets prescribed in Provincial and Regional plans. The Niagara Region has updated their Official Plan, and set the minimum residential intensification target for Niagara Falls at 50% from 2021-2051. The Region has also forecasted a population of 141,650 people and 58,110 jobs by 2051.*

*The development of the land at a higher density is an efficient use of underutilized urban land and limits the need for future urban boundary expansions while protecting areas containing sensitive environmental features.*

- Objective 9: To encourage alternative forms of transportation such as walking, cycling and public transit.
- Objective 12: to protect prime employment lands for the long term supply of employment in the Tourist Commercial and Industrial designations and to identify the Gateway Economic Zone.
- Objective 13: To develop a transit and pedestrian friendly, sustainable and livable City through the use of urban design criteria and guidelines.

*The increased density proposed on the subject lands will be supported by proximate public transit service and existing pedestrian and cycling infrastructure in the area. There are sidewalks and bike paths, as well as bus routes in close proximity. There will also be sidewalks throughout the development for easy access to all surroundings. Therefore, the development will contribute to the achievement of a transit supportive and pedestrian friendly community.*

*The development of a 12 storey 320 room hotel condominium and a mix of commercial uses over 19, 563 sq. m will provide future employment for the residents of the City of Niagara Falls.*

Section 2 of Part 1 of the Official Plan also includes Growth Policies for the City of Niagara Falls. Objectives relevant to the application include:

- 2.1 The City shall protect agricultural uses in the non-urban area from urban pressures through the use of the Good General Agricultural Land Use designation and its related policies.

2.2 The City shall protect its Natural Heritage Areas, their features, quality and functions, through the Environmental Protection Area land use designations and their related 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.

The submitted application implements Policies 2.1, 2.2 and 2.3 of the Official Plan. With regard to limiting growth pressures on the agricultural area, the development will occur on underutilised urban lands that can accommodate additional, intensified residential and commercial growth. By allocating growth within the Urban Area and Built-up Area, pressures for expansions to the Urban Boundary into sensitive agricultural and natural areas are reduced.

As noted earlier, Natural Heritage Features have been identified on the subject lands. An EIS was prepared which concluded that there are no negative direct or indirect impacts on these features.

This development, of these lands contributes to the projected housing, population and employment targets as these lands are currently vacant, and will add six-hundred and thirty-six (636) dwelling units and 19,568 sq. m. of commercial uses into the area.

### **Intensification (Section 3)**

Intensification is required to represent a minimum of 40% (now 50%, per the 2022 Niagara Official Plan) of residential development annually in the City of Niagara Falls. Consistent with Part 1, Section 3 of the Official Plan, intensification is to be accommodated within the Built-up Area and on lands designated Residential.

### **Housing (Section 4)**

In January 2023, a by-law was passed for the adoption of Official Plan Amendment No. 149 to the City of Niagara Falls Official Plan. The purpose of this Amendment was to update the City's Housing Policies as included under the Niagara Falls Housing Strategy.

The intention of the policies within this section are to conform to the policy framework established in the Niagara Official Plan and to meet the vision and goals for housing that are to assist in addressing housing needs as outlined in the City's Housing Strategy.

The overall vision new policy set is to ensure that within the City of Niagara Falls that there is a safe, stable and appropriate range of housing choices and opportunities that meet residents physical and financial needs throughout a lifetime.

The goals that are used to implement this vision pertain to housing availability, diversification of supply, prices and tenure types, the removal of barriers for alternative housing forms, the

commitment to monitoring of supply and to work with partners and agencies to advance actions set out in the housing strategy.

The submitted Draft Plan of Subdivision application will create two-hundred and thirteen (504) new dwelling units within Niagara Falls.

Policy 4.3 directs that opportunities for a choice in housing type, tenure, cost and location shall be provided within the City. To achieve this, the City will support:

- Multiple Unit Developments, smaller lot sizes and innovative housing forms.
- Development of vacant lands, and more efficient use of under-utilized parcels and existing housing stock.
- The full utilization and consolidation of properties to achieve larger scale and more comprehensive residential development.
- Development of housing in conjunction with commercial developments in order to create walkable neighbourhoods.
- Accessory Dwelling units within ground based dwelling forms (i.e. singles, semis, townhouses).

The overall intention of the policies within this section are to conform to the policy framework established in the 2022 Niagara Official Plan and to meet the vision and goals for housing that are to assist in addressing housing needs as outlined in the City's Housing Strategy.

The proposed housing mix encompasses both condominium apartments and block townhouse dwellings. These units will vary in land area, built form and will be offered under condominium tenure. The Vacant Land Condominium design for the block townhouses is similar to a traditional subdivision, but on a smaller scale, relying on private infrastructure and roadways to optimize land utilization more efficiently. The proposed housing units will be further supported by the planned development of commercial land uses on adjacent lands.

Policy 4.4 requires that applicants provide detailed information about new housing projects as part of applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plans of Subdivision and Condominium. As the submitted applications are for an Official Plan Amendment, Zoning Bylaw Amendment and a Draft Plan of Subdivision, the following relevant criteria must be addressed:

- a) The proposed housing mix by dwelling type and number of bedrooms, as applicable;
- 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);
- 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 subject lands are presently vacant and have not yet been utilized for residential purposes. The proposed development will introduce two-hundred and thirteen (504) new housing opportunities. These homes will encompass both condominium apartments and townhouse dwelling units. These housing options are desirable and will be compatible with the forthcoming developments outlined within the RCP.

The townhouse dwellings are two-storeys in height and have double car garages. These dwellings average around 2,000 square feet per unit, and have up to 5 bedrooms. The apartment condominium units will range in size from 500 square feet to 2000 square feet.

The proposed dwelling units will be sold at fair market value) and can be utilized by the purchaser or subsequent renters. The range of the anticipated/approximate sale price is \$650,000.00-\$950,000.00, however the units may not meet the definitions of "affordable" as set out in the City's Official Plan. They will contribute to enhancing the overall housing supply in Niagara Falls and the range of housing will add an attainable aspect to the development. The inclusion of townhouses and apartment condominiums in the development allows for higher density housing that can be more financially accessible for single individuals, sole-parent households and those working in tourism, hospitality, service and agriculture sector.

The addition of five-hundred and four (504) homes in Niagara Falls brings the municipality and Region closer to achieving their growth objectives. These objectives include ensuring housing is available throughout the City, diversifying the City's housing supply, and eliminating barriers to the creation of various housing types, and more.

By adding five-hundred and four (504) homes in Niagara Falls, the municipality and Region are closer to meeting their goals including; ensuring housing is available throughout the City, diversifying the City's housing supply, removing barriers through the creation of a range of housing types, and more.

Considering the large front ending servicing costs for Phase 1 of this development it is not economically viable to accommodate affordable units in this Phase. There is an opportunity to provide affordable units in Phase 3 of this development. Concept plan for Phase 3 is attached to this submission. Block 10, 7-storey condominium apartments of the attached concept plan will be designed to accommodate a price point of under \$539,460.00.



## **LAND USE POLICIES - Amendment No. 128**

As depicted within the City of Niagara Falls Official Plan (2019), the Subject Lands are located within the Riverfront Secondary Plan Area and Special Policy Area 56. Schedule A6 designates the area as Mixed Use with some Environmental Protection Areas.

Part 5 Section 4-Riverfront Community Plan and Part Section 13.56-Special Policy area 56 of the City of Niagara Falls Official Plan (2019) documents the development review procedures and policies of the City regarding the Subject Lands. Specifically, Part 2 Section 13.56.5 states that refinement to the extent of the Environmental Protect Area and other designations and the establishment of appropriate setbacks and linkages will occur at the Secondary Plan, zoning bylaw, plan of subdivision, plan of condominium and site plan control stages and shall be based on detailed Environmental Impact Studies. Part 5 Section 4 also indicates the submission and approval of an Environmental Impact Study as required through the subdivision and development application process.

The Riverfront Community Plan is a detailed policy framework that will guide the development of the subject lands and for the protection of natural heritage, it is also includes Natural Heritage System policies for certain lands that lie outside Plan Area development limits that were subject to a comprehensive EIS.

The land affected by this amendment is recognized as Greenfield. There are industrial lands developed nearby to the north on Dorchester Road south of Oldfield Road. Other industrial lands are found east of the site in an area known as the Stanley Avenue Industrial Park.

The Community Plan has been created to meet the Greater Golden Horseshoe Growth Plan requirements and to take advantage of a unique setting to provide an array of housing forms that will meet the needs of a variety of ages and households. An environmentally friendly, energy efficient "green" community is intended that will incorporated nearby woodlots and wetlands, and a golf course to embrace the outdoors and offer a variety of active lifestyle opportunities.

The Plan Area limits development in a manner that will protect nearby key environmental features and wetlands while establishing a community core. The built-out community will include a mix of housing, employment, commercial services and community facilities as well as an integrated open space system.

The Riverfront Community Plan Area is designed to accommodate, approximately:

- 2675 people
- 879 dwelling units
- 238 seniors' units

- 500 hotel units
- 1800 - 2800 jobs

These figures will exceed the minimum combined gross target density of 53 residents and jobs combined per hectare for designated Greenfield Areas established by the Official Plan. The calculation of Greenfield density excludes lands designated Environmental Protection Area and Environmental Conservation Area.

The development is a mix of commercial and residential uses on the subject lands. The residential component will consist of sixty-six (66) townhouse units, and four-hundred and thirty-eight (438) condominium apartment units each, yielding a total of five-hundred and four (504) dwelling units. Also included is a 132-unit retirement home. The commercial component will consist of three-hundred and twenty (320) condominium hotel rooms. A commercial mix area of retail space, restaurants and a cinema totaling 19,563 sq. meters. The total number of jobs and residents is 1960 over 13.322 hectares. The combined density of residents and jobs is 147 per hectare. The overall Greenfield density target for the Plan Area is a minimum 53 combined residents and jobs per hectare.

Type of Use	Ratio	Variable	Total
Commercial	1.1 jobs per 500 sq. ft	210,000 sq. ft	462 jobs
Hotel	1 job per 2.5 rooms	320 hotel rooms	128 jobs
Work at Home Jobs	5% of total residential units	504 residential units	25 jobs
Residential	2.189 resident per unit	504 residential units	1103 residents
Retirement Home	1.699 residents per unit	132 retirement units	220 residents
Retirement Home	1 job per 10 residents	220 residents	22 jobs
			<b>1960 jobs and residents</b>

Table 2 – Calculation of Jobs and Residents

### Special Policy Area “56”

As per Policy 13.56, Special Policy Area “56” applies to approximately 252 hectares of land located south of McLeod Road and north of Chippawa Parkway, between Stanley Avenue and Dorchester

Road. The lands are designated Residential, Environmental Protection Area, Tourist Commercial, Minor Commercial and Open Space.

Section 13.56.1.2 Notwithstanding that development is to occur in accordance with Secondary Plan, approximately 48.6 hectares of land located in the south-west portion of this area where Dorchester Road and Chippewa meet, may be developed in advance of a Secondary Plan by way of a Community Plan as detailed in Part 5, Section 4 of this Plan.

*The subject lands fall within this south-west portion and therefore can proceed in advance of a Secondary Plan.*

#### **Section 4: Riverfront Community Plan**

The purpose of the Riverfront Community Plan is to provide the vision and planning framework to guide future development in the Riverfront Community Plan Area.

#### **Principles and Objectives**

The following principles and objectives are to be achieved in Riverfront Community.

##### Principle 1: Create a Healthy, Complete Community

To create a safe, livable, attractive, and healthy community that provides living, working, learning, recreational and community services opportunities with linkages to natural features that encourage healthy, active living and create a strong sense of community.

##### Objectives

- to create a vibrant, memorable community core which is focused on lively streets that provide residents and tourists with a multicultural setting and acts as the focal point and draw for the community;
- to create an interconnected street system that is transit-supportive, comfortable and engaging for pedestrians and efficiently transports people and goods;
- to provide for a range of residential, commercial, employment, institutional, community and retirement facilities and uses that meets the daily and weekly needs of residents and employees;
- to create an interconnected system of parks, greenways, trails and open space linkages throughout the community that encourages active transportation and a healthy lifestyle and facilitates connections to nearby recreational opportunities;

- to integrate into the existing context, protecting against and limiting conflicts with adjacent industrial uses by mitigating any potential environmental air quality, noise and vibration effects.

*The proposed mix use development provides living and working in a lively community with the range of residential uses and retirement facilities. The commercial development will be integral area for the entire Riverfront Community.*

### Principle 2 — Create a Sustainable, Resilient, Green Community

To create a Natural Heritage System (NHS) that includes provincially significant wetlands among other natural heritage features that will provide the core for a healthy and green community structure designed.

#### Objectives

- to employ the approach of avoid, mitigate and rehabilitate in the conservation of natural heritage features;
- to sustain and enhance the natural environment through protection of Provincially Significant Wetlands (PSW's) and associated buffers and promote opportunities for functional linkages of protected area using a combination of natural corridors and green space and special features which are incorporated into the built form;
- to maintain and improve the hydrologic function of protected wetlands;
- to provide for views to natural areas, parks and open spaces as well as to the Welland River and OPG Canal where possible to assist in the creation of an unique sense of place;
- to provide municipal services (water, wastewater and storm) to the satisfaction of the regulatory agencies, and apply storm water management best management practices which mimic the natural hydrology of the area and protect water quality;
- to create a walkable development community interconnected with cycling opportunities;
- to preserve existing mature trees located outside of the environmental protection areas and to integrate them into the built environment; and
- to encourage environmentally sustainable development, construction and servicing standards which consider climate change resiliency.

*The proposed restoration works within the Conrail Drain corridor will provide an overall net gain in terms of ecological functions on the Subject lands.*

### Principle 3 - Create a Diverse Residential Community

To provide for a diverse range of housing types and densities that caters to people in all their life stages and allows for a range of affordability levels.

Objectives:

- to provide a range of low to high rise buildings and ensure an appropriate transition between housing types;
- to meet the needs of residents of all ages including children, students, adults, and seniors, and ensure that development is accessible to all abilities;
- to provide a range of affordability, consistent with targets established by Niagara Region; and
- to develop neighbourhoods that each have a "sense of place" created by the design of the development, including the pedestrian orientation of the buildings and streetscapes, and the provision of parks and greenways which are designed to facilitate interaction.

*The proposed development provides a range of housing types including townhouse and apartment condominiums catered to all demographic groups.*

Principle 4 - Develop an Integrated Open Space System

To provide integrated open spaces, greenways, Environmental Protection, and parkland systems as a core feature of the community.

Objectives:

- to integrate parkland and key community features with the greenways and open space system;
- to provide connected public open spaces throughout the community to enhance connectivity as well as provide view corridors;
- to integrate the Con Rail drain into the design of the community as a receiver of treated storm water drainage as a component of the storm water management systems and an aesthetic enhancement to the community; and
- to ensure that development protects significant natural heritage features by providing appropriate separation distances and buffers;

*The proposed development integrates the Conrail Drain into the design and will be an integral part of the stormwater management system for the development.*

Principle 5 - Create Employment Opportunities with a Vibrant Local Economy

To create opportunities for a vibrant local economy that provides local employment as part of this community.

Objectives:

- to create a community core of high-quality design that provides for a variety of commercial, entertainment, health care and tourist facilities and to create new institutional facilities all of which provide various employment opportunities;
- to provide an efficient, integrated transportation network that connects employment and residential areas with the greater community.

*The proposed development provides a variety of commercial and residential uses. As part of this submission we have included an architectural drawing package showing the details of the development.*

**POLICIES**

**1. General**

- 1.1. Land use shall be consistent with the land use pattern shown on Schedule A-6. Future local and collector road locations will be determined through individual plans of subdivision that implement this land use plan. Any public road or public infrastructure proposed in a PSW will be subject to a Class EA if a suitable location cannot be approved as part of a plan of subdivision.
- 1.2. The following land use designations are established for the Plan Area;
- Residential, low/medium density;
  - Mixed Use;
  - Open Space and
  - Environmental Protection Area

Any changes in land use designation from that shown on Schedule A-6 shall require an amendment to this Plan.

*In most part the proposed development is consistent with the land use pattern and road locations as per Schedule A-6. An Official Plan Amendment is required to designate portions of the Environmental Protection Lands to Mixed Use. An Official Plan Amendment Application is included with this submission.*

- 1.3 The overall Greenfield density target for the Plan Area is a minimum of 53 combined residents and jobs per hectare. The City will monitor densities to ensure the target density is achieved. Individual sites may be developed at densities lower than the minimum without amendment to this Plan if it is demonstrated through appropriate analysis using

the approved land use plan that the overall Greenfield target density will continue to be met within Riverfront Community.

1.3.1. The anticipated development yield for the Plan Area is:

- Population — 2,100 to 3,000
- Dwellings units — approximately 1,100
- Employment capacity — 1,800 to 2,800 jobs

*The proposed development is planned for 147 combined residents and jobs per hectare. The development when completed will have 504 residential units, 132 retirement units, employment capacity of 637 jobs and a population of 1323 people.*

1.4. This Plan supports the provision of affordable housing as defined by the Province of Ontario. Affordable housing may be achieved by:

- Promoting higher density housing forms, where housing is more affordable due to reduce per unit land costs;
- Building smaller units, where housing is more affordable due to lower development and/or redevelopment costs;

*The residential units are planned street townhouses and apartment condominiums providing a higher density form making them more affordable due to reduced land costs per unit.*

## **2. Land Use**

### **2.3. Mixed-Use**

2.3.1. Land uses within the Mixed-Use designation include commercial (e.g. retail, hotel, restaurants) and residential uses.

2.3.2. Buildings may be developed as mixed use or stand-alone commercial or residential uses.

2.3.3. Building heights should be a minimum of 2 storeys, although 2 interior functional storeys may not be required, up to a maximum of 12 storeys with building massing increased at major road intersections.

2.3.4. Buildings should be designed and massed to frame streets and open spaces, enhance the public realm, and provide a comfortable pedestrian environment during all four seasons by ensuring adequate sunlight to public spaces and limiting uncomfortable wind conditions.

2.3.5. Sidewalks and public squares should be designed to provide safe, attractive, well designed and coordinated landscaping, lighting and street furnishings that enhance the pedestrian experience. Public art may be added to public squares to provide further interest

2.3.6 Parking areas should be provided in structures. Where structures cannot be accommodated surface parking areas should be located in rear or interior side yards. Where a rear or exterior lot line or the rear or side building facade abuts a public road, enhanced landscaping and building treatments shall be employed to ensure that building facades and servicing areas are attractive or appropriately screened from view.

*The development proposes a mix of commercial and residential land uses. Commercial uses include, retail, hotel, food market, restaurants and cinema. Residential uses include townhouses and apartment condominiums. Residential uses are mix of stand-alone buildings and integrated with the commercial uses. The 12-storey hotel is situated at a major road intersection (Dorchester Road & Street 'A') and appropriately frames this intersection. Stand alone parking structure is proposed with an enhance building façade.*

### **Commercial Uses**

2.3.7. Commercial uses may be developed as follows:

- permitted uses include retail, office, theatre, arts, entertainment, restaurant, hotel, tourist, time share, medical, health and wellness, recreational, cultural and personal service commercial uses;
- The maximum amount of retail floor space envisaged is 26,000 square metres. Individual retail stores will be limited to a size which reflects an urban scale of development and supports the pedestrian oriented built form and will be established in the Zoning By- law;
- Non-residential uses shall occupy no less than 10% of the total floor area;
- The proposed development is a mix of commercial uses and is 19,563 sq. m in size.

### **Residential Uses**

2.3.8. Residential uses may be developed as follows:

- Stand-alone residential buildings may be developed at a minimum net density of 75 units per hectare;
- Types of dwellings include apartment buildings, and retirement and long-term care facilities;
- Residential uses, except for lobbies and associated functions, should occupy floors above the ground floor in mixed use buildings;



- Shared parking arrangements within mixed use buildings may be permitted on a site-specific basis subject to submission of a Parking Demand Analysis, as part of an application to amend the Zoning By-law, to the satisfaction of the Director of Transportation Services; and
- Outdoor amenity areas shall be provided

*As standalone building with apartment condominiums and retirement care units containing 267 units, with a density of 281 units per hectare. Mixed use buildings the residential uses are above the ground floor. Shared parking arrangements are proposed and a Parking Demand Analysis has been submitted with this submission.*

### **PART 3 – ENVIRONMENTAL MANAGEMENT**

Part 3 of the City of Niagara Falls Official Plan contains policy direction on phasing, infrastructure, transportation and the public realm.

#### **Municipal Infrastructure (Section 1)**

##### Section 1.2 – Water and Sanitary Sewage

Section 1.2 of Part 3 of the Official Plan requires that development within the Urban Area be provided with full municipal water and sanitary services. In conformity with this requirement, the proposed development is located within the Niagara Falls Urban Area will utilize existing municipal water and sanitary infrastructure connections available within Dorchester Road.

##### Section 1.3 – Storm Drainage

Policy 1.3.1 of Part 3 of the Official Plan requires that “all new development or redevelopment within the City be connected to and serviced by a suitable storm drainage system.”

The proposed development will utilize The Conrail Drain for stormwater management. system consisting of storm sewers, a dry pond, and quantity and quality controls. Storm flows will be treated and managed prior to being outlet into the Conrail Drain.

The report concludes that the proposed stormwater outlet will able to support the proposed development. Accordingly, the development will be served by a suitable storm drainage system.

##### Section 1.5 – Transportation

As shown on Schedule C of the City of Niagara Falls Official Plan (**Figure 9**), the subject lands have frontage on an Arterial Roadway (Dorchester Road).

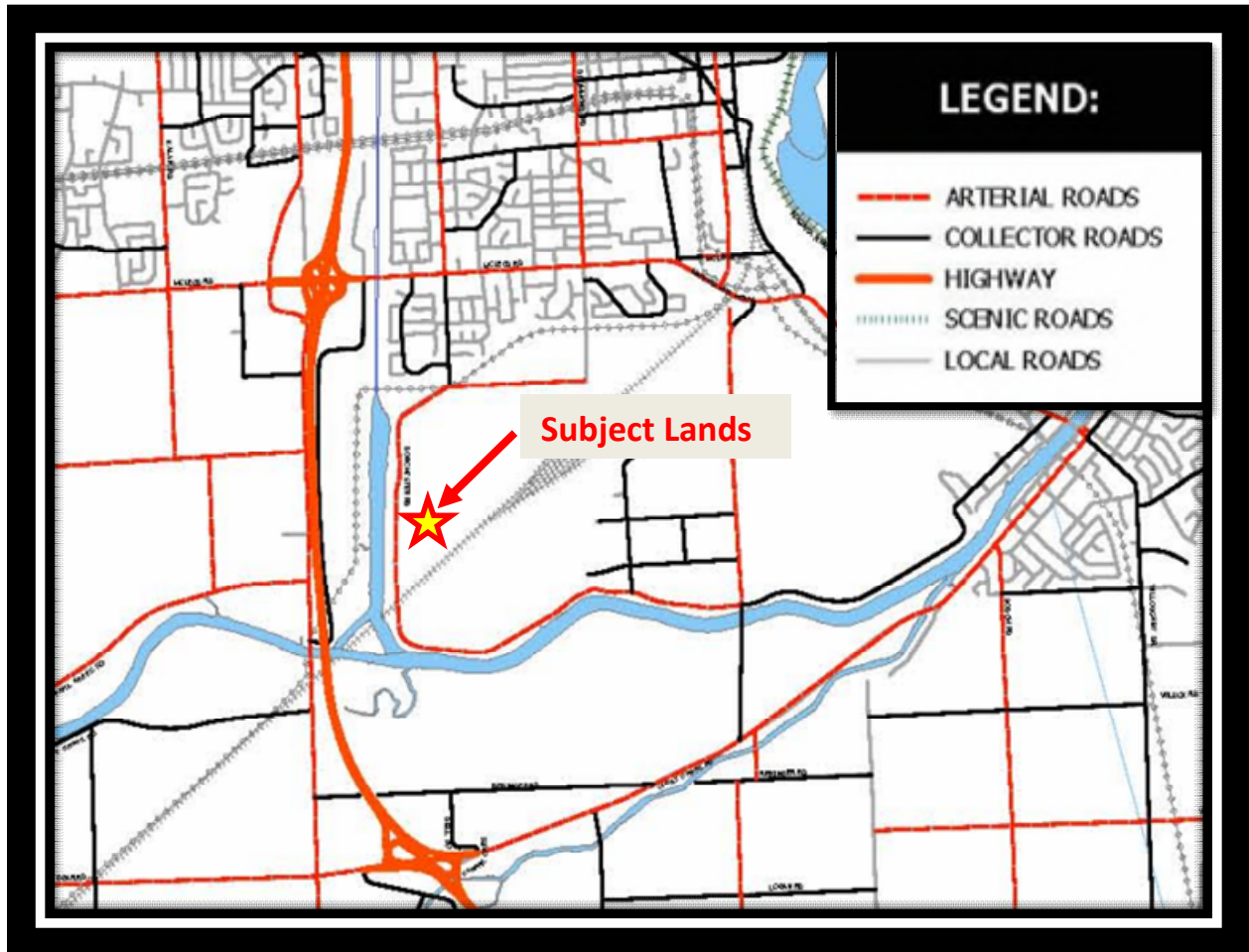


Figure 9 - Schedule C of the City of Niagara Falls Official Plan

Policy 1.5.18.4 states that Local Arterial Roads are designed to accommodate the movement of large volumes of traffic and function as secondary highways and primary arterial roads. Further, the policy also states that the use of shared driveways to larger development projects will be encouraged in Urban Areas.

The applications conform with overarching transportation policies of the City of Niagara Falls Official Plan. Conformity is achieved by providing opportunities for the development to leverage existing road networks, transit services and proximity to adjacent active transportation/pedestrian routes.

### Parkland Strategy (Section 2)

The City of Niagara Falls outlines its Parkland acquisition and development approach in the Official Plan. The overall intent of the approach is to ensure that public open space is provided in both Greenfield and Built-up Areas, and that it is provided at a scale which is appropriate for the area.

Parkland dedication will be provided in the form of land (5%) shown as Block 3 in the Draft Plan of Subdivision.

#### **PART 4 – ADMINISTRATION AND IMPLEMENTATION**

##### **Community Secondary Plans and Neighbourhood Plans (Section 3)**

Secondary plans are land use, transportation and servicing policy plans for sub-areas of Niagara Falls that indicate in greater detail than the Official Plan, how the policies and land use designations of the Official Plan are to be implemented in a particular area. Such plans ensure appropriate and efficient development of areas from a land use perspective and will be administered in conjunction with servicing strategies for the areas. It is intended that the City will assume an aggressive approach to providing secondary plans for future growth areas.

This parcel is not in an area that requires further guidance for implementation such as a Secondary Plan. The subject lands are within the Riverfront Community Area, and are subject to the policies of Official Plan No. 128.

## **CITY OF NIAGARA FALLS ZONING BY-LAW (By-law No. 79-200)**

As shown on **Figure 10**, the subject lands are zoned General Industrial (GI) and Open Space (OS) in accordance with Zoning By-law No. 79-200.

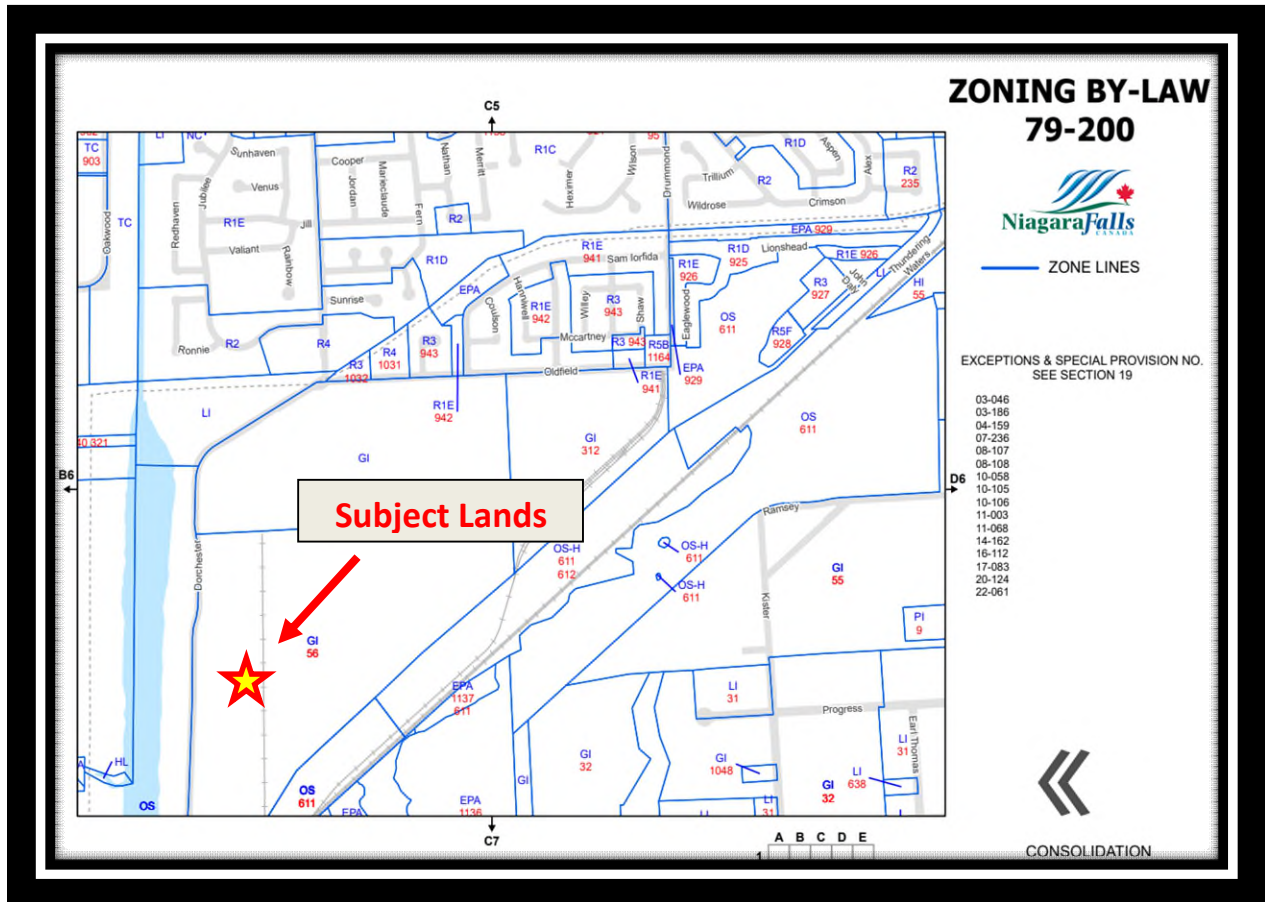


Figure 10 - Zoning By-law 79-200 – Online City of Niagara Falls Zoning Map

A copy of the Draft Zoning By-law Amendment is included as **Appendix III** to this report. An overview and justification of these zoning departures from the Zoning By-law is provided in the following sections. Zoning conformity is also visually shown in **Tables 1-4**.

### **Zoning Analysis**

#### **Residential Low Density, Grouped Multiple Dwellings (R4) Zone**

The Residential (R4) Zone permits and regulates apartment buildings and townhouse dwellings and is therefore this is an appropriate zoning category for block townhouse dwellings.

Zoning conformity is outlined in the Zoning Compliance Table below. The requested site-specific relief is detailed and evaluated below.

### **Site Specific Provisions**

An increase in building height from 10 metres to 12.94 metres is being requested. The requested increase in height will allow for an increase in density which is encouraged in Provincial, Regional and local land use policy documents. A n increase in height has the effect of providing for a smaller building envelope for each townhouse and still functionally accommodate the residential development.

### **Residential Apartment R5E Density (R5E) Zone**

The Residential Apartment R5E permits apartment buildings and therefore this is an appropriate category for this apartment building.

### **Site Specific Provisions**

The site-specific zoning provisions for Blocks 4 reflects a development concept consisting of traditional type condominium apartments with an additional retirement assisted type care use allowing residents to age in place. Additional site-specific provisions are listed in the Table below.

### **TC Tourist Commercial Zone/Hotel Development**

The Tourist Commercial (TC) Zone permits a number of commercial uses including hotels as well a mix of dwelling units therefore this category is an appropriate zoning category for the mix use of a hotel and a residential development.

### **Site Specific Provisions**

An increase in building height is being requested from 12 metres to 53.6 metres to facilitate the development of a 12 Storey hotel condominium and two 8 storey apartment buildings. The increased height requirements are in conformity with the policies of Official Plan Amendment No. 128. Additional site-specific provisions are list in the Zoning Compliance Table below.

### **TC Tourist Commercial Zone/Mixed-Use Development**

The Tourist Commercial (TC) Zone permits a number of commercial uses including as well a mix of dwelling units therefore this category is an appropriate zoning category for the mix use of commercial (retail, restaurants, cinema....) and a residential development.

### **Site Specific Provisions**

A decrease in the parking requirements is being requested. With this submission we have included a Shared Parking Study justifying this request. Additional site-specific provisions are list in the Zoning Compliance Table below.

## Open Space (OS) Zone Park Block

The proposed park is to be an Open Space Zone.

**Table 1: Zoning Compliance Table – Site Specific Residential Low Density Grouped Multiple Dwellings Zone (R4) Zone**

### **A06 BLOCK TOWNHOUSE DEVELOPMENT**

#### **Section 7.9 -R4 Zone Residential Low Density, Grouped Multiple Dwellings**

##### **Section 7.9.1. -R4 Residential Zone Permitted Uses**

<b>Provision</b>	<b>Required</b>	<b>Proposed</b>
<b>Permitted Uses</b>	Townhouses	<b>Townhouses and Semi-Detached Dwellings</b>

##### **Section 7.9.2-R4 Zone Residential Low Density, Grouped Multiple Dwellings**

<b>Provision</b>	<b>Required</b>	<b>Proposed</b>
<b>Minimum Lot Area</b>	250 square metres for each dwelling unit  66 Units proposed x 250 m <sup>2</sup> = 16,500 sq. m.	26 012 sq. m
<b>Minimum Lot Frontage For A Townhouses Dwelling Or Apartment Dwelling Containing More Than For Dwelling Units</b>	30 metres	88.44 metres
<b>Minimum Front Yard Depth</b>	7.5 metres plus any applicable distance specific in section 4.27.1 (13 Metres)	12 meters
<b>Minimum Rear Yard Depth</b>	7.5 metres	<b>6.53 metres</b>
<b>Minimum Interior Side Yard Width</b>	One-half the height of the building  Half of 12 m is 6 m.	14.6 metres south 9.69 metres north
<b>Minimum Exterior Side Yard Width</b>	4.5 metres	Not Applicable
<b>Maximum Lot Coverage</b>	35 %	25.2 %
<b>Maximum Height Of Building Or Structure</b>	10 metres subject to Section 4.7	<b>12.94 metres</b>

Provision	Required	Proposed
<b>Number Of Dwellings On One Lot</b>	Subject to compliance with section 7.9.3, more than one dwelling is permitted on one lot	Permitted
<b>Parking And Access Requirements</b>	In accordance with Section 4.19.1 1. spaces x 66 dwelling units = 66	152 spaces
<b>Accessory Buildings And Accessory Structures</b>	In accordance with Section 4.13 and 4.14	N/A
<b>Minimum Landscaped Open Space</b>	45 square metres for each dwelling unit 66 units x 45 m <sup>2</sup> = 2,970m <sup>2</sup> .	5600 m <sup>2</sup>

**Table 2: Zoning Compliance Table – Site Specific Residential Apartment 5E Density Zone (R5E) Zone**

**A05 BLOCK RETIREMENT CARE/CONDO UNITS**

**Section 7.14 -R5E Zone Apartment 5E Density**

**Section 7.14.1-R5E Zone Permitted Uses**

Provision	Required	Proposed
<b>Permitted Uses</b>	Apartment Dwellings	<b>Mixed use retirement home</b>

**Section 7.14.2 -R5E Zone Apartment 5E Density**

Provision	Required	Proposed
<b>Minimum Lot Area</b>	67 square metres for each dwelling unit 267 Units proposed x 67 m <sup>2</sup> = 17889 sq. m.	<b>9, 451 sq. m</b>
<b>Minimum Lot Frontage</b>	35 metres	62 metres
<b>Minimum Front Yard Depth</b>	7.5 metres plus any applicable distance specific in section 4.27.1 (13 Metres)	<b>6 metres</b>
<b>Minimum Rear Yard Depth</b>	7.5 metres	29 metres

Provision	Required	Proposed
<b>Minimum Interior Side Yard Width</b>	One-half the height of the building Half of 25.5 m is 12.75 m.	3.9 metres west side not considered an interior side yard (drain side)
<b>Minimum Exterior Side Yard Width</b>	4.5 metres	6.1 metres
<b>Maximum Lot Coverage</b>	30 %	<b>33 %</b>
<b>Maximum Height Of Building Or Structure</b>	25 metres subject to Section 4.7	<b>33 metres</b>
<b>Number of Dwellings On One Lot</b>	Subject to compliance with section 7.9.3, more than one dwelling is permitted on one lot	Permitted
<b>Parking And Access Requirements</b>	In accordance with Section 4.19.1 1.4 spaces x 135 condominium units = 189 spaces .6 spaces x 132 retirement home private units =79 spaces	<b>202 spaces</b>
<b>Accessory Buildings And Accessory Structures</b>	In accordance with Section 4.13 and 4.14	Not Applicable
<b>Minimum Landscaped Open Space</b>	50 % of the lot area	<b>31.32 %</b>
<b>Minimum Amenity Space For An Apartment Dwelling Unit</b>	20 square metres per dwelling unit 267 Units proposed x 20 m <sup>2</sup> = 5340 sq. m.	<b>986 m<sup>2</sup></b>

**Table 3: Zoning Compliance Table – Site Specific Tourist Commercial (TC) Zone**

**A02 BLOCK CONDO/HOTEL DEVELOPMENT**

**Section 8.6.1 -TC Tourist Commercial Permitted Uses**

Provision	Required	Proposed
<b>Dwelling Units in Combination with one of the uses permitted (Hotel).</b>	Provided that not more than 50 % of the total floor area is used for dwelling units.	Total GFA 51650 sq. m, residential condo 25547 sq. m, 49.46 %

**Section 8.6.2 -TC Tourist Commercial**



Provision	Required	Proposed
Minimum Lot Frontage	6 metres	82.71 metres
Minimum Front Yard Depth	7.5 metres plus any applicable distance specific in section 4.27.1 (13 Metres)	<b>6 metres</b>
Minimum Rear Yard Depth	7.5 metres	<b>6 metres</b>
Minimum Interior Side Yard Width	Not Applicable-road frontage on all sides	Not Applicable
Minimum Exterior Side Yard Width	4.5 metres	6.1 metres
Maximum Lot Coverage	70 %	33.65 % Lot Area 15,468 sq. m. Building area 5,317.16 sq. m.
Maximum Height Of Building Or Structure	12 metres subject to Section 4.7	<b>53.6 metres</b>
Maximum Floor Area	Not specified	Not applicable
Parking and Access Requirements	1.4 spaces x 208 dwelling units = <b>292</b> 1 space x per 2 bedrooms (160) = <b>160 (320 condominium 1-bedroom hotel rooms)</b> 1 space x 5.5 sq. m (465 sq. me assembly space) = <b>85</b> <b>Total 537 required spaces</b>	541 spaces
Loading Area Requirements	4 spaces	4 spaces
Maximum Flor Area for Each Retail Store	400 sq metres	Not Applicable
Maximum Floor Area for All Retails Stores Per Property	3,530 sq metres	Not Applicable

Table 4: Zoning Compliance Table – Site Specific Tourist Commercial (TC) Zone

**A01 BLOCK MIXED USE DEVELOPMENT**

**Section 8.6.1 -TC Tourist Commercial Permitted Uses**

Provision	Required	Proposed
Dwelling Units in Combination with one of the uses permitted (Hotel)..	Provided that not more than 50 % of the total floor area is used for dwelling units.	Total GFA 26,543 sq. m, residential condo 6980 sq. m, 26.3 %

**Section 8.6.2 -TC Tourist Commercial**

Provision	Required	Proposed
Minimum Lot Frontage	6 metres	82.71 metres
Minimum Front Yard Depth	7.5 metres plus any applicable distance specific in section 4.27.1 (13 Metres)	<b>4 metres</b>
Minimum Rear Yard Depth	7.5 metres	10 metres
Minimum Interior Side Yard Width	Not Applicable-road frontage on all sides	Not Applicable
Minimum Exterior Side Yard Width	4.5 metres	<b>4 metres west side 2 metres east side</b>
Maximum Lot Coverage	70 %	48.7 % Lot Area 48,838 sq. m. Building area 23,780 sq. m.
Maximum Height Of Building Or Structure	12 metres subject to Section 4.7	<b>26.6 metres</b>
Maximum Floor Area	Not specified	Not applicable
Parking And Access Requirements	1.4 spaces x 95 dwelling units = <b>133 spaces for Condos</b> <b>Restaurant Uses</b> 1 space per 5 seats (1461 seats/5) = <b>292 spaces</b> <b>Retail Uses</b> 1 space per 25 sq. m (8241 sq m./25 = <b>234 spaces</b> <b>Supermarket</b> 1 space per 40 sq m. (1582 sq .m) = <b>40 spaces</b> <b>Cinema Use</b> 1 space per 5 seats (872 seats/5) = <b>174 spaces</b> Bank 1 space per 25 sq. m (244 sq m/25)= <b>10 spaces</b> <b>750 required spaces for commercial/retail uses</b>	<b>128 spaces provide for 95 condo units</b> <b>715 spaces provided for the commercial/retail uses</b>
Loading Area Requirements	7 spaces	7 spaces
Maximum Floor Area for Each Retail Store	400 sq metres	<b>1600 sq. m</b>
Maximum Floor Area for All Retails Stores Per Property	3,530 sq metres	<b>9546 sq. m</b>

## URBAN DESIGN / ARCHITECTURAL ANALYSIS

## **PART 3 – ENVIRONMENTAL MANAGEMENT**

### **Urban Design Strategy (Section 5)**

Urban design is the shaping of the built environment. It plays an important role in the upgrading and maintenance of the City's civic image and economic potential and is critical to the quality of life for its citizens. It is the intent of this Plan to create a compact and interconnected, pedestrian-oriented and transit-supportive community. The built environment consists of the public realm and private properties, both of which have to be designed to work harmoniously together. The policies within this section of the Official Plan provide guidance to both the public and private sector.

#### **Policies**

- 5.1 New development, redevelopment and public works projects shall utilize building, streetscaping and landscaping designs to improve the built and social environment of the City and to enhance quality of life, Development should integrate and be compatible with the surrounding area including natural and cultural heritage features.
- 5.2 Streets are a public space that, while conveying motorized traffic, should be designed as safe, comfortable and convenient environment for the pedestrian and cyclist. Streetscaping should serve to improve the pedestrian experience of an area through the use of amenities such as widened sidewalks, decorative street lighting, rest areas, tree planting and other landscaping features
- 5.3 Landscaping and open space amenity areas can provide an opportunity to enhance the visual image of properties along the streetscape and should be incorporated in development projects to complement boulevard plantings. Landscaping can soften dominant building mass, screen noise and visual intrusion, shield against excessive wind and sun and provide various environmental benefits.

In addition to the Urban Design Strategy policies of the City's Official Plan, the subject lands will be guided by the policies in OPA #128 with additional reference to the Region's Model Urban Design Guidelines.

## **Official Plan No. 128 Mixed-Use Design Policies**

- Land uses within the Mixed-Use designation include commercial (e.g. retail, hotel, restaurants) and residential uses.
- Buildings may be developed as mixed use or stand-alone commercial or residential uses.
- Building heights should be a minimum of 2 storeys, up to a maximum of 12 storeys with building massing increased at major road intersections.
- Buildings should be designed and massed to frame streets and open spaces, enhance the public realm, and provide a comfortable pedestrian environment during all four seasons by ensuring adequate sunlight to public spaces and limiting uncomfortable wind conditions.
- Sidewalks and public squares should be designed to provide safe, attractive, well designed and coordinated landscaping, lighting and street furnishings that enhance the pedestrian experience. Public art may be added to public squares to provide further interest
- Parking areas should be provided in structures. Where structures cannot be accommodated surface parking areas should be located in rear or interior side yards. Where a rear or exterior lot line or the rear or side building facade abuts a public road, enhanced landscaping and building treatments shall be employed to ensure that building facades and servicing areas are attractive or appropriately screened from view.

The orientation of the buildings considers the above-mentioned policies as well as the original vision to create a mixed-use town center which provides retail, entertainment, art, residential, hotel and restaurant uses for the local community and the residents of the Region of Niagara.

The proposed 12 storey hotel is massed accordingly at a major road intersection and designed to frame the streets and open spaces to provide for a comfortable pedestrian environment.

There are numerous opportunities for active transportation, and there is on-site bicycle and automobile parking provided, as shown in the architectural drawing package included with the submission materials.

The development features a standalone parking structure with enhance facades. There are no anticipated significant microclimatic impacts as result of the proposed development.

## Region's Model Urban Design Guidelines

The Niagara Region Model Urban Design Guidelines (2005) was adopted as part of the Region's Smart Growth Agenda to implement the ten Smart Growth principles for development and redevelopment through the Region. These principles include;

1. Create a mix of land-uses
2. Promote compact built form
3. Offer a range of housing opportunities and choices
4. Produce walkable neighbourhoods and communities
5. Foster attractive communities and a sense of place
6. Preserve farmland and natural resources
7. Direct development into existing communities
8. Provide a variety of transportation choices
9. Make development predictable and cost effective
10. Encourage community stakeholder collaboration

These Guidelines further outline guidelines for both the public and private realm. Several Sections are relevant to this application. The urban design guidelines for public places (i.e. roads and sidewalks) and the private built form were reviewed for this mixed-use development.

### Public Realm-3b Roads

Section 3b.1 sets out the following design principles for roads:

1. Equitable
2. Flexible
3. Positive Appearance
4. Living Streets
5. Minimize Pavement Width
6. Improve Parking Opportunities

### Sections 3b.1 - 9

### Roadway Hierarchy and Right-of-Way Design Standards Matrix for Paradise Mixed Use Commercial

Design Standards	Arterial Road- Dorchester Road	Collector Roads- Streets A & B	Local Street – Street C
Right-of-Way Width	26 m	22 m	18 m
Travel Lanes	2 lanes	2 lanes	2 lanes
Landscape Median	No	No	No

On-street Parking Lane	No	Yes	No
Total Pavement Width	Existing Road	6.0m to 13m	6.5m to 7.6m
Landscaped Boulevards	Existing Road	Both Sides	Both Sides
Bicycle Facilities	None		
Sidewalks	One side	Both sides	Both Sides
Property Buffer	None	Both Sides	Both sides
Transit Infrastructure	Yes	Yes	No
Street Trees	Boulevard Planting every 9 m	Boulevard Planting every 9 m	Boulevard Planting every 9 m
Street Lighting	Pedestrian scale (4.5) on both sides of the street	Pedestrian scale (4.5) on both sides of the street	Pedestrian scale (4.5) on both sides of the street

The proposed development design creates a pedestrian scaled and oriented community integrating both private and public modes of transportation.

#### **Private Realm -4a Residential**

Section 4a.1 sets out the design principles for residential developments

1. Positive Image
2. Context Sensitive
3. Housing Variety & Choice
4. Flexible & Adaptable
5. Environmentally Sustainable

#### Sections 4a.1 - 8

The proposed 12 storey hotel condominium building, steps down to two residential condominium building wings being eight-storeys each along the Dorchester Road frontage, yielding two hundred-eight (208) residential dwelling units, will positively contribute to the proposed overall mixed-use development.

In addition to the 12/8 storey building there are 2 stand-alone condominium buildings proposed. The incorporation of three stand alone apartment buildings will increase the range of housing types and options in the area. The addition of housing with a higher density will provide a greater amount of options for all family types, which offers greater flexibility for individuals at a variety of income levels.

The proposed 12 storey hotel/eight storey residential condominium buildings are massed accordingly at a road intersection and designed to frame the streets and open spaces to provide for a comfortable pedestrian environment.

The building is designed so all exposed facades are oriented towards the streets, emphasizing the visibility of building elements and designs. The five story and 8 storey residential buildings are situated and massed accordingly to frame the commercial development.

The proposed apartment buildings will have minimal impact on the adjacent properties as they have been situated accordingly to areas that will remain open space (Conrail Drain) and the areas overlooking Dorchester Road and the Welland River. There is further separation proposed through landscaping elements. The buildings are along Dorchester Road and the internal streets where pedestrian infrastructure is proposed, supporting vibrant street environments, pedestrian access and comfort.

The heights of the buildings have been assessed through shadowing and wind analyses to confirm that there will be no significant impacts.

The apartment units' range in size from 600 square feet to 1500 square feet. These units also range in bedroom count which further adds to the different demographics of purchases/renters and variability in pricing.

The residential buildings will be designed to create a character that is integrated with the mixed-use centre which provides retail, entertainment, art, hotel and resort functions for a community that will have a unique sense of place.

These apartment buildings propose energy-efficient mechanical and electrical systems, rooftop outdoor amenity spaces offering respite from street noise, and energy star-rated appliances. To add, there are proposed bike racks, as well as sidewalks along the proposed building and Dorchester Road, increasing the opportunities for multi-modal transportation.

#### Section 4a.9 – Apartment & Mixed-Use Buildings

The proposed apartment buildings are intended to reinforce human scale through appropriate building height, mass and architectural design. As previously noted, the buildings are located to take advantage of permanent open space areas.

The massing transition, as well as landscape buffers of the buildings, will create a strong relationship to the street. This higher density development further reinforces the prominence of its location at the intersection of Street 'A' and Dorchester Road.

Municipal sidewalks will be constructed along Dorchester Road and the internal streets supporting vibrant street environments, and pedestrian access and comfort.

Ample amounts of amenity space are provided within all the buildings. There are communal spaces along with private balconies for each unit

Both surface and underground parking are provided below for each building. Access to the underground parking is provided through the interior of the lot.

Overall, these apartment buildings demonstrate a thoughtful approach to urban design, successfully integrating the proposed mixed uses. Its architectural design, interaction with the street, and urban integration collectively enhances the overall urban fabric, creating a vibrant and inviting environment for the mixed-use commercial development

The proposed development provides an opportunity for residential intensification and infill development in the Built-up Area on lands that are designated for mixed use. The proposed development will facilitate a compact form and contribute to complete communities. It will also contribute to the range of housing options required to meet the social, health, economic and well-being requirements of current and future residents. The proposed development will efficiently utilize under utilized land and existing services and infrastructure. It is well-designed and compatible with the surrounding areas from an urban design and land use compatibility perspective.

#### **Private Realm - 4c Large Format Commercial**

Section 4c.1 sets out the design principles for large format commercial developments;

1. Strong Street Edge
2. Distinct 'Sense of Place'
3. High Quality Public amenities
4. Dual Frontages & Multiple Entrances
5. Capitalize Infill Opportunities
6. Think Ahead

The orientation of the buildings considers the above-mentioned design principles as well as the original vision to create a mixed-use town center which provides retail, entertainment, art, residential, hotel and restaurant uses for the local community and the residents of the Region of Niagara.

The proposed 12 storey hotel is massed accordingly at a major road intersection and designed to frame the streets and provide a strong street edge for a comfortable pedestrian environment.



The 12-storey hotel block has street frontage on all three sides providing multiple entrances to commercial development.

The commercial development is designed to create a robust town centre vibe with a variety of commercial uses within it. The design of the retail street which will be designed as a destination place which will be attractive and lasting.

There are numerous opportunities for active transportation, and there is on-site bicycle and automobile parking provided, as shown in the architectural drawing package included with the submission materials.

The development features a standalone parking structure with enhanced facades. There are no anticipated significant microclimatic impacts as a result of the proposed development.

Overall, the proposed residential buildings and the commercial spaces demonstrate a thoughtful approach to urban design, successfully integrating the proposed mixed uses. Its architectural design, interaction with the street, and urban integration collectively enhance the overall urban fabric, creating a vibrant and inviting environment for the mixed-use commercial development.

### **Summary of Urban Design Policies**

The proposed development has considered the Region's Model Urban Design Guidelines, the Urban Design Strategy policies of the City of Niagara Falls Official Plan and the specific urban design policies of OPA No. 128.

The orientation of the buildings considers the above-mentioned policies as well as the original vision to create a mixed-use town center which provides retail, entertainment, art, residential, hotel and restaurant uses for the local community and the residents of the Region of Niagara.

The proposed 12 storey hotel is massed accordingly at a major road intersection and designed to frame the streets and open spaces to provide for a comfortable pedestrian environment.

There are numerous opportunities for active transportation, and there is on-site bicycle and automobile parking provided, as shown in the architectural drawing package included with the submission materials.

The development features a standalone parking structure with enhanced facades. There are no anticipated significant microclimatic impacts as a result of the proposed development.

Additional details with respect to urban design will be addressed through individual Site Plan Applications. Road cross sections shown in **Appendix V**.

## **Shadow Analysis**

A shadow study has been prepared by Z Square Consulting Inc. and submitted with the application to visually demonstrate the shadowing impacts of the proposed building on adjacent properties

### *Summer Solstice – June 21<sup>st</sup>*

When comparing the shadows of the various scenarios shown, shadows are cast in a westerly direction as the sun rises, at 8:30 am covering Dorchester Road. By 10:30 am the shadow generated from the proposed building covers a small portion of Dorchester Road, while at 12:30 pm the shadow partially covers the front of the 12-storey building. At 12:30 pm the shadow is slightly over the building, and at 4:30 pm the shadow is on the east side of the building, partially within the parking area of the 12-storey building. Lastly, at 6:30 pm the shadow is over about half of the mixed-use commercial development. Overall, the proposed development casts minimal shadows on the adjacent properties.

### *Winter Solstice – December 21<sup>st</sup>*

The impact of shadows is the greatest during the winter months due to the angle of the earth's axis and the reduced amount of daylight hours. For this scenario, at 8:30 am Dorchester Road to the west is impacted by shadows as the sun is rising at this time, however by 10:30 am, there are minimal impacts on Dorchester Road. At 12:30 pm and 2:30 pm there are minimal shadowing impacts. At 4:30 pm mixed commercial development and the townhouse development are impacted. At 6:30 pm the majority of the surroundings do not have sun as the days are shorter. Overall the shadows move fairly quickly and are only impacting the properties to the west and east for approximately 2 hours.

The proposed 12 storey building has been deliberately positioned away from the adjacent low-density properties to the east in order to mitigate negative visual and shadowing impacts. The proposed 12 storey building is located where no development to the west will occur

The five-storey building is also situated along Dorchester Road where no development will occur to the west, to minimize impacts on adjacent properties. In addition, the 7-storey condominium building is situated on the south side of the Conrail Drain. All of the buildings of any significant height have been situated and massed to frame streets and open spaces, enhance the public realm, and provide a comfortable pedestrian environment during all four seasons by ensuring adequate sunlight to public spaces and limiting uncomfortable wind conditions.

Overall, the shadow study shows minor shadowing impacts on the adjacent properties. Shadowing impacts are mitigated to the greatest extent possible through the locations and

situating of the buildings. The visual and shadowing impacts of the proposed building are therefore acceptable as the adjacent properties will continue to have access to a significant majority of the available daytime sunlight throughout the year.

## **PLANNING OPINION**

GR (CAN) Investment Co. has submitted applications for a combined Official Plan & Zoning By-law Amendment and Draft Plan of Subdivision for lands known municipally as 8100 Dorchester Road Parcel ID 28232, and legally described as Part of Township lots 212, 213 & 214. And Part of the Road Allowance Between Lots 212 & 213 (closed), In the City of Niagara Falls, Regional Municipality of Niagara

The application will establish zoning provisions that will facilitate the construction of a 12 storey, 320 room hotel condominium, (66) unit private road development containing block townhomes, five-hundred and four (504) apartment condominium units, 132-unit retirement home and 19,563 sq. m of commercial space. The site will also include a park block and associated parking spaces.

The subject lands are located within the Niagara Falls Urban Area and the Provincially established Built-Up Area. These areas are identified in Provincial and Regional Plans and policies as the primary location for growth and intensification. The City of Niagara Falls has similar policy direction in the Official Plan.

The Subject Lands are known as the Riverfront Community and are subject to the policies of Official Plan Amendment No, 128. The subject Lands are designated Mixed-Use and Environmental Protection. The Mixed Uses designation permits a mix of residential and commercial uses including hotels and retail uses. The proposed development plan conforms with the requisite minimum density of 53 jobs/residential units per hectare. The applications conform to all other applicable policies of the Official Plan Amendment No. 128.

The requested amendments are appropriate for the property as it will facilitate the development of new, compatible forms of dwellings, and commercial uses to allow for the efficient use of urban, serviced land. The subject lands are located in a desirable location for additional density and growth due to their proximity to Provincial Highway access, Regional Road and public transit stops. The proposed mixed-use development implements the vision of the Riverfront Community Plan.

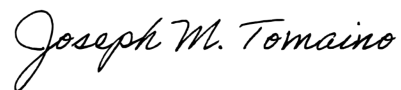
The required studies related to this development including Archeological Assessment, Noise & Odour Impact Assessment, Environmental Impact Assessment, Pedestrian Wind Comfort Assessment and Functional Servicing Report all conclude that the development can be facilitated without any impact on adjacent lands, human health, natural features or existing infrastructure.

For these stated reasons, I consider the submitted application to be consistent with the 2020 Provincial Policy Statement and conform to the 2020 Growth Plan for the Greater Golden

Horseshoe, 2022 Niagara Official Plan, and the City of Niagara Falls Official Plan, as amended., specifically Official Amendment No. 128.

It is my professional opinion that the combined Official Plan & Zoning By-law Amendment and Draft Plan of Subdivision applications will facilitate a compatible and efficient use of urban land that will assist in the achievement of growth and intensification targets, additional housing supply and commercial uses that is in the public interest.

Respectfully Submitted,

A handwritten signature in black ink that reads "Joseph M. Tomaino". The signature is written in a cursive, flowing style.

Joseph M. Tomaino  
Senior Planner  
Upper Canada Consultants