

PLANNING RATIONALE REPORT

**Official Plan Amendment
Zoning Bylaw Amendment**

**6888 Drummond Road, Niagara Falls
PREPARED FOR: Arcavia Home Care**



Description

PROJECT No.:

DATE:



1:5000

SCALE:

CHECKED BY:

MP

DP-001



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1.0

INTRODUCTION

The Biglieri Group Ltd. has been retained by Arcavia Home Care to submit an Official Plan Amendment and a Zoning By-law Amendment in support of a future Site Plan application for the lands municipally known as 6888 Drummond Road (the “Site” or “Subject Site”) in the City of Niagara Falls.

The Subject Site is 1.16 hectares (2.86 ac) parcel of land located on the east side of Drummond Road north of Churchill Street (**Figure 1**). The Subject Site is currently an undeveloped lot. Vehicular and pedestrian access to the Subject Site will be from Drummond Road.

The subject application for an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) is required to permit the development of a four-storey long-term care home that will offer a total of 192 beds. The proposal also includes seven (7) health-related units on the ground floor of the building. The proposed development has an FSI of 4.35 and 10 parking spaces.

The Subject Site is designated as *Urban Area* and *Built-Up Area* in the Region of Niagara Official Plan. In the Niagara Falls Official Plan, the Subject Site is designated *Residential* and located within the identified as *Built Area Boundary*. The City of Niagara Falls Zoning By-law 79-200 zones the site as *Residential Apartment 5B Density Special Provision 627* (R5B – 627).

To permit the proposed development, applications for Official Plan Amendment and Zoning By-law Amendment are required. The Official Plan Amendment seeks relief from Niagara Falls Official Plan Policies 3.4.2.1 and 3.4.2.3 pertaining to *Neighbourhood Commercial* uses. The Zoning By-law Amendment will rezone the Subject Site from *Residential Apartment 5B Density Special Provision*

627 (R5B – 627) to *Institutional Zone* with a site-specific exception (*I-xx*). This proposed rezoning will allow for a four-storey long-term care facility with health-related commercial uses at grade.

A Pre-Consultation meeting with the City of Niagara Falls was conducted on March 7, 2024, to discuss the proposed development and identify the requirements for a complete application. A second informal pre-consultation review was conducted by the City in April, 2024 to review the inclusion of the commercial uses in the building and identify any additional requirements for a complete application. This Planning Rationale Report evaluates the merits of the Official Plan Amendment and Zoning By-law Amendment in the context of all applicable Provincial, Regional, and Municipal policies. We conclude that the application is consistent with and conforms to the policy framework as it is articulated in the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2020), the Region of Niagara Official Plan (2022), and the City of Niagara Falls Official Plan (1993).

Figure 1 – Aerial Context Map



Source: Google Maps

2.0

LOCATION AND SURROUNDINGS

2.1 The Subject Site

The Subject Site is located on the east side of Drummond Road, north of Churchill Street, and south of Collins Drive (**Figure 1**). The subject site is approximately 1.16 hectares (2.86 ac) in size with 61.67 metres (202.69 ft) of frontage on Drummond Road.

The Subject Site is currently vacant and as such does not contain any buildings or structures (**Figures 2, 3, 4**). The site does not contain any natural heritage features identified by the Regional or Niagara Falls Official Plans and is not within the buffer of a natural heritage area.

2.2 Surrounding Area

The Subject Site is surrounded by a mix of one and two storey detached residential houses, small scale retail and commercial uses, as well as parks and open space to the east (**Figure 5**). Surrounding land uses are as follows.

North: Directly north of the Subject Site is a restaurant and other commercial businesses, as well as Hydro-One lands. North of the Hydro-One lands are low-density residential uses (**Figure 6**).

East: To the immediate east of the Subject Site is a parking lot associated with Father Hennepin Catholic School, and C.B Wright Park on the other side of the Hydro-One corridor (**Figure 7**).

West: To the immediate west of the subject site there are low-rise retail uses that front onto the west side of Drummond Road. West of Drummond Road

there are single detached residential units (**Figure 8**).

South: To the immediate south of the subject site there are single detached residential units, as well as Father Hennepin Catholic Elementary School (**Figure 9**).

Figure 2 – Subject Site Looking East



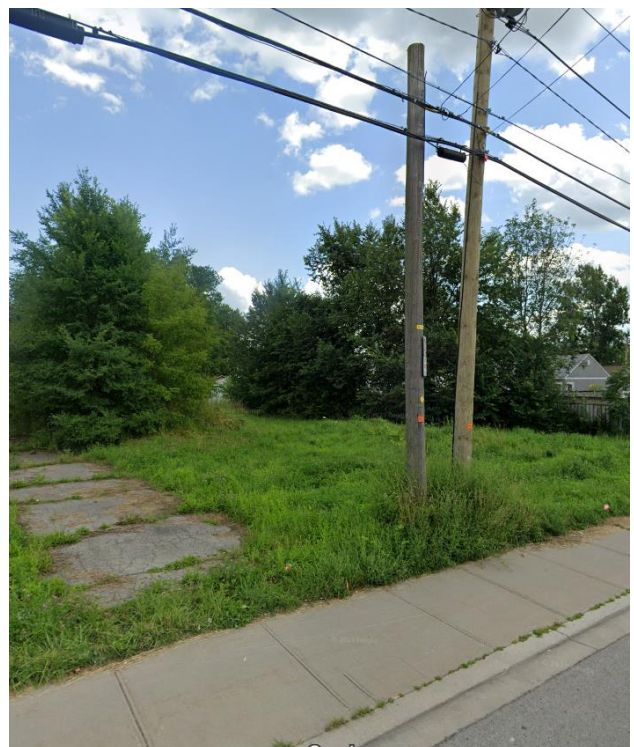
Source: Google Maps

Figure 3 – Subject Site Looking Northeast



Source: Google Maps

Figure 4 – Subject Site Looking Southeast



Source: Google Maps

Figure 5 – Map of Subject Site and surrounding uses



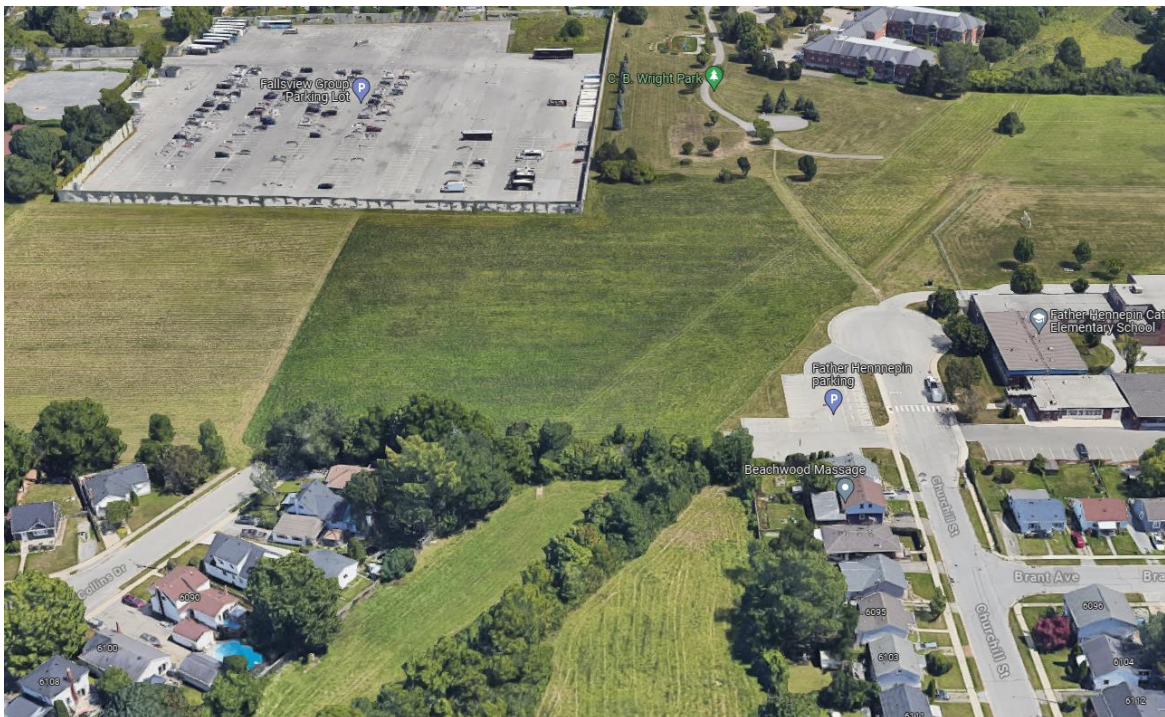
Source: Google Maps

Figure 6 – Lands North of the Subject Site



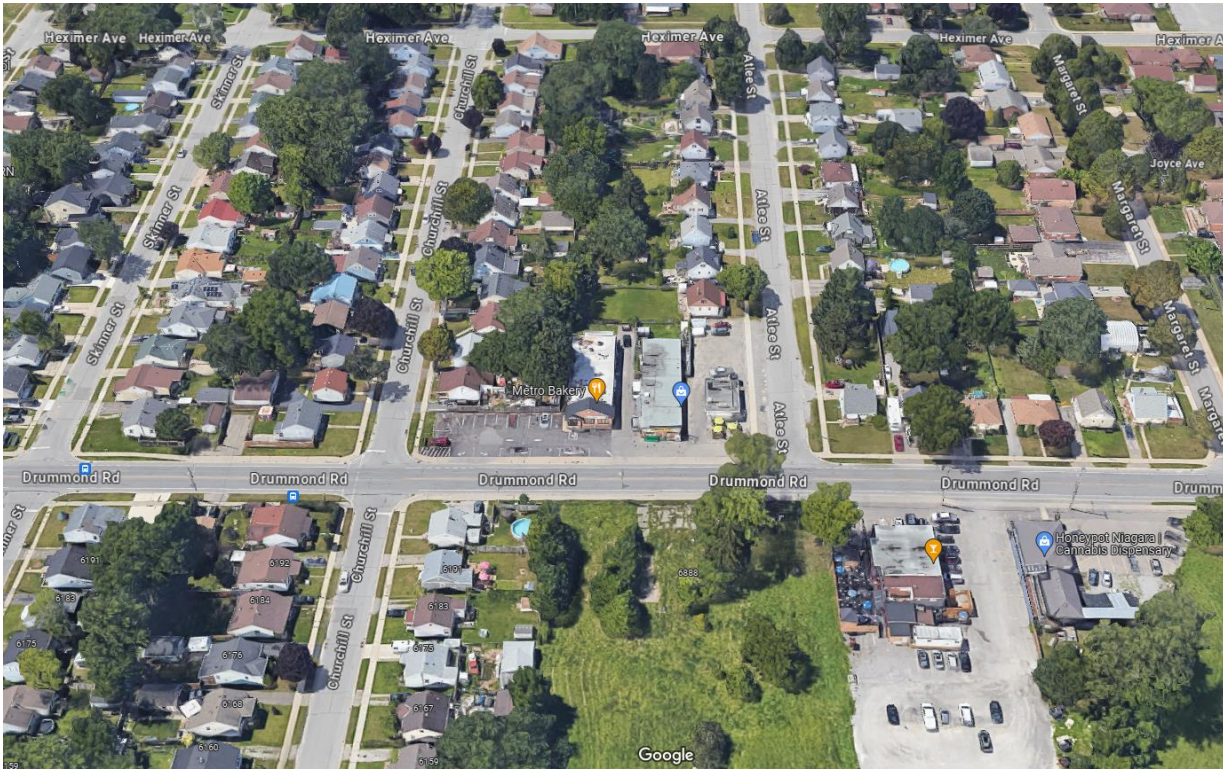
Source: Google Maps

Figure 7 – Lands East of the Subject Site



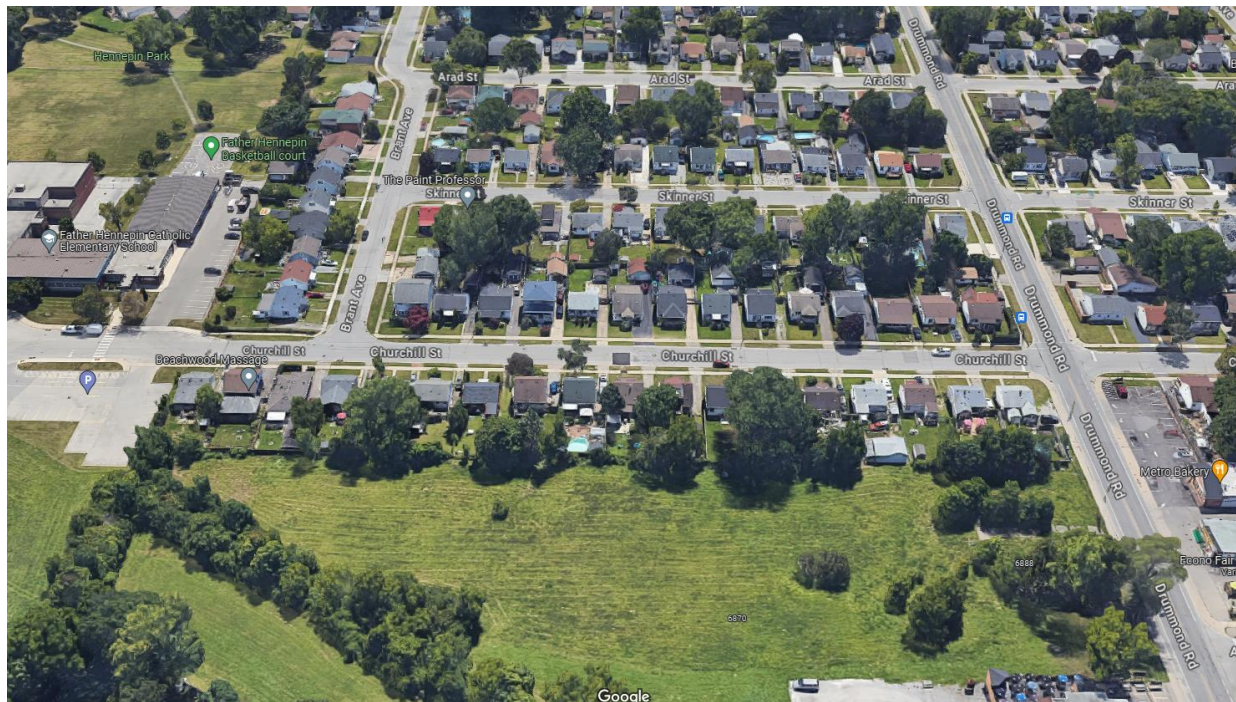
Source: Google Maps

Figure 8 – Lands West of the Subject Site



Source: Google Maps

Figure 9 – Lands South of the Subject Site



Source: Google Maps

2.3 Transportation Network

2.3.1 Road Network

The Subject Site is well serviced by the City, Regional, and Provincial road network. The access to the Subject Site will be from Drummond Road, which is classified as an Arterial Road as per Schedule C of the Niagara Falls Official Plan (NFOP). Roads to the immediate north and south of the Subject Site are all classified as Local Roads. The nearest provincial highway is the Queen Elizabeth Way which is approximately two and a half kilometres west of the Subject Site and can be accessed via McLeod Road to the south or Lundy's Lane to the north. The Queen Elizabeth Way offers connection between the Subject Site and the Greater Toronto Area to the north, as well as the US/Canada Border Crossing to the south.

2.3.2 Active Transportation

The Subject Site is serviced by a variety of active transportation options. Drummond Road has a separated bicycle lane that extends south to Village Crescent and north to Lundy's Lane, creating a north-south cycling connection to the Subject Site. Drummond Road is also serviced by sidewalks on both sides of the street, which offers safe pedestrian connection to the immediate surrounding areas and the broader Niagara Falls community.

2.3.3 Public Transit

The Subject Site is serviced by Niagara Region Transit (NRT) and is located near several local bus routes (**Figures 10 & 11**). There are two bus stops along Drummond Road within 150 metres of the property that service NRT Bus Routes 103, 103b, and 203. Approximately 350 metres north of the Subject Site there is a bus stop at Dunn Street and Drummond Road for the NRT Bus Route 101. Approximately 550 metres south of the Subject Site there is a bus stop at McCleod Road and Drummond Road for NRT Bus Route 113.

Routes 103 and 103b offer local connection between the Canadian Central Drive transit hub southwest of the Subject Site and the Main Street

Hub northeast of the Subject Site, taking slightly different routes. The 203 runs the same route as the 103 offering service during evenings between 7pm and 11pm, weekends, and holidays.

The 101 also offers connection between the Canadian Drive Transit Hub and the Main Street Transit Hub, however, as it takes a different route than the 103 buses, running along Main Street, Dunn Street, and Dorchester Road.

The 112 offers an east west connection between the Canadian Drive Transit Hub and Willoughby Drive.

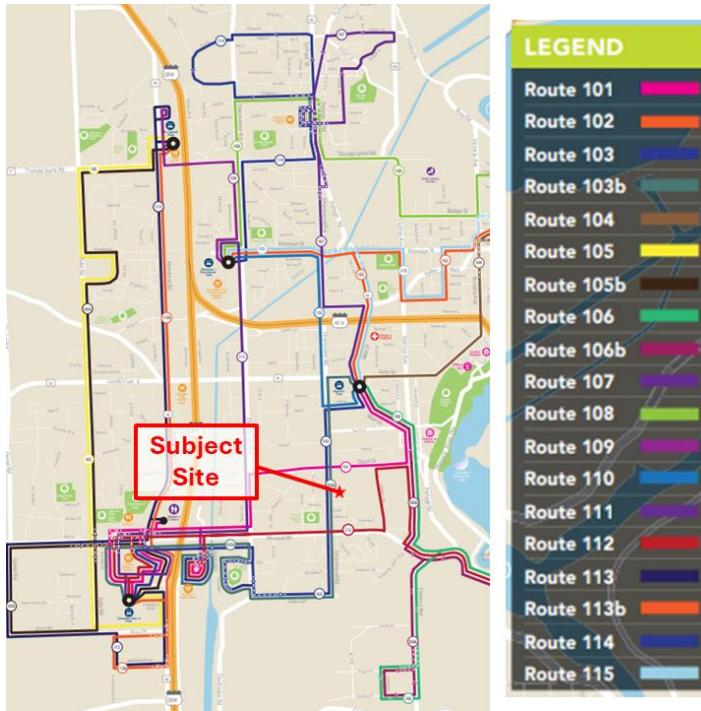
Interregional transit is also provided by both NRT and Metrolinx GO Transit. NRT is available at the Morrison/Dorchester Hub which is a 30-minute bus ride north of the Subject Site and at the Canada Drive Hub which is a 20 minute bus ride south west of the subject site. Regional transit runs between Niagara Falls and Welland, St. Catharines and Fort Erie.

The GO Transit Lakeshore West Line offers a regional transit connection between Niagara Falls and Union Station in Toronto three times daily during weekdays and weekends.

2.4 Community Services and Facilities

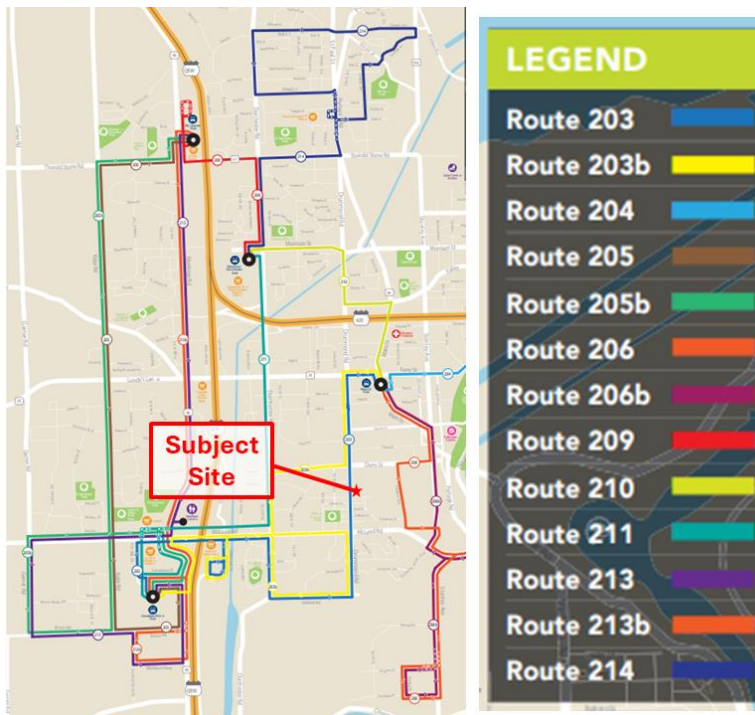
The Subject Site is within a 4-kilometre radius of a number of key public services (**Figure 12**). The Subject Site is surrounded by an array of parks and green spaces that are located throughout the neighbourhood, including C. B Wright Park which the Site backs onto. The Subject Site is approximately 2.6 kilometres southeast of Niagara General Hospital. Emergency services such as the Niagara Falls Fire Station 2, the Niagara Regional Police 2nd District, and the Ontario Provincial Police – Niagara are all located within a 4-kilometre radius of the Subject Site.

Figure 10 – Niagara Region Transit Daytime



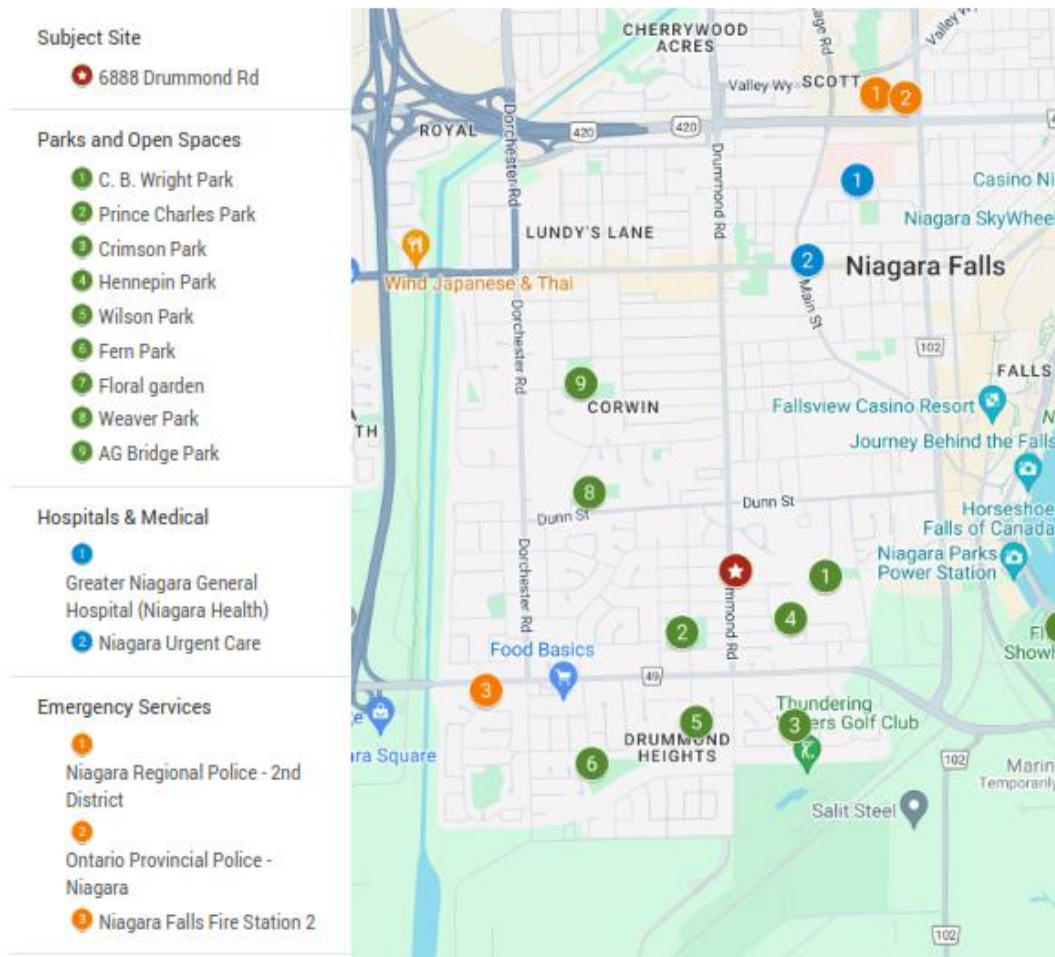
Source: Niagara Region Transit (2024)

Figure 11 – Niagara Region Transit Nighttime



Source: Niagara Region Transit (2024)

Figure 12 – Public Services & Community Facilities



Source: My Maps, 2024

3.0

PROPOSAL

3.1 Description of the Proposed Development

The Subject Site has an area of approximately 1.16 hectares (2.86 ac) and forms an irregular triangle shaped lot that has 61.78 metres (202.69 ft) of frontage on Drummond Road. This development application proposes a four-storey long-term care home with 192 beds, with health-related commercial uses on the ground floor fronting Drummond Road (**Figure 13**). The building will be situated along the northern portion of the Subject Site and parking will be provided on the southern portion. The total building coverage will be 3197m² or 29% of total site area. The development proposes 3851m² (35%) hard landscaping and 3988m² (36%) of soft landscaping for the Subject Site. The maximum building height will be four storeys or 29.5 metres including the mechanical penthouse.

The proposed development has a parking ratio of two parking spaces for every five long-term care beds and a commercial parking ratio of three spaces per practitioner, resulting in a total of 103 parking spaces for the proposed development. Of the 103 parking spaces provided, four will be accessible parking spaces. In addition to vehicular parking, eight temporary bicycle parking spaces will be provided in front of the building.

Access to the proposed development will be via a private driveway from Drummond Road that leads to a parking lot south of the building. The main entrance to the long-term care home will be located on the southwest side of the building and will be accessible by a sidewalk or by a circular driveway with a pick-up/drop-off area.

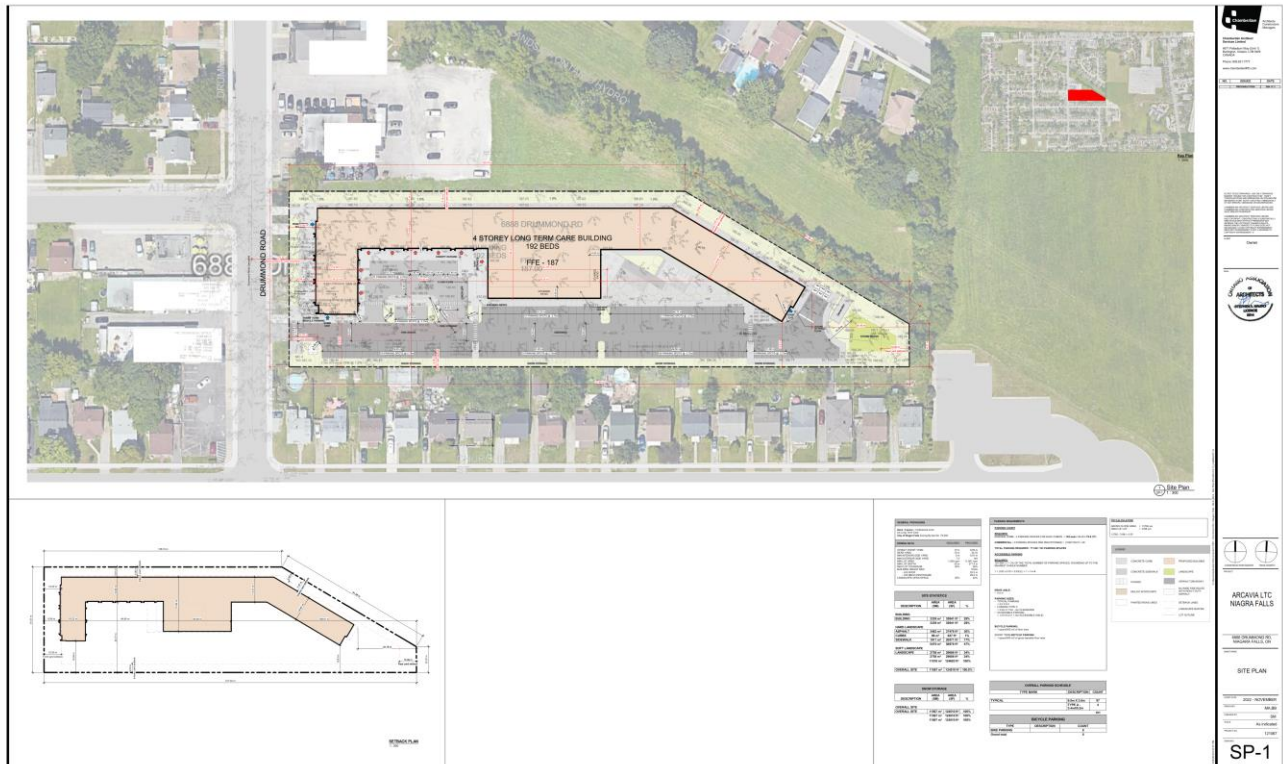
An outdoor amenity area will be provided for residents on the southeast side of the building. In addition to private amenity space, the proposed development will include landscaping throughout the Subject Site and within the setback from Drummond Road.

3.2 Required Approvals

A local Official Plan Amendment (OPA) is required to permit health-related commercial uses on the Subject Site. The OPA seeks relief from policies pertaining to neighbourhood commercial uses which direct that the gross floor area of neighbourhood commercial uses shall generally not exceed 930m² (Policy 3.4.2.1) and that neighbourhood commercial facilities may not be located less than 500 metres from any other commercial development (Policy 3.4.2.3).

A Zoning By-law Amendment (ZBA) is required to rezone the Subject Site from *Residential Apartment 5B Density (R5B) Zone Site Specific Exception 627 to Institutional* with site-specific exceptions. A Site Plan Application is also required to facilitate the proposed development. The applications identified were confirmed by the City Niagara Falls staff at the pre-consultation meeting held March 7, 2024, and through an informal pre-consultation review that was conducted by the City in April of 2024. A Site Plan application will be submitted at a future date.

Figure 13 – Site Plan



Source: Chamberlain Architect Services, 2024

Figure 14 – Drummond Road View of Proposed Development (looking east)



Source: Chamberlain Architect Services, 2024

Figure 15 – Southern View of Proposed Development (looking northeast)



Source: Chamberlain Architect Services, 2024

4.0 Policy

Context

4.1 Overview

The proposed development is supported by policy directions set out in the Planning Act (1990), the Provincial Policy Statement (2020), Growth Plan for the Greater Golden Horseshoe (2020), the Region of Niagara Official Plan (2022) and the Niagara Falls Official Plan (2024).

4.2 The Planning Act

The *Planning Act* is the provincial legislation that outlines land use planning permissions in Ontario. The purposes of the *Planning Act* are outlined in Section 1.1 and include the following:

- (a) to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;
- (b) to provide for a land use planning system led by provincial policy;
- (c) to integrate matters of provincial interest in provincial and municipal planning decisions;
- (d) to provide for planning processes that are fair by making them open, accessible, timely and efficient;
- (e) to encourage co-operation and co-ordination among various interests;
- (f) to recognize the decision-making authority and accountability of municipal councils in planning.

Section 2 of the *Planning Act* outlines matters of Provincial interest, including:

- (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;
 - (h1) 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.*

The above outlined matters of Provincial interest have informed the proposed development and the provided application materials. The following is a high-level overview of how these considerations apply to the application and have been addressed.

The Subject Site has not been identified as containing any natural heritage features or systems. The protection of agricultural resources is not applicable to Subject Site, as it is within the *Built Boundary* of the City of Niagara Falls. There are no mineral or natural heritage resources on the Subject Site. The Preliminary Functional Servicing and Stormwater Management (SWM) Report submitted with this application outlines how the proposed development will be supplied, efficiently use, and conserve water and energy and tie into existing municipal servicing. The Preliminary SWM Report also provide detailed descriptions on the provision and use of water services. The provision and use of transportation infrastructure are further described in this PRR and the Traffic Impact Study.

This Planning Rationale Report (PRR), in addition to the Urban Design Brief (UDB), describe how the proposal represents the orderly development of safe and healthy communities, which will be accessible to all persons with disabilities. They also provide details with regards to the appropriateness of the proposed built form. This includes the provision of health-related commercial uses and private amenity space. The proposed development provides 192 long-term care beds which is an important component of the provincial housing system and helps to meet the needs of an aging population. Lastly, the UDB and this PRR both demonstrate how the proposed development is sustainable, supports public transit, and is pedestrian oriented.

Employment opportunities will be generated both through the operation of the long-term care home and the health-related commercial uses offered on the ground floor of the proposed building.

Overall, the proposed development contributes to orderly land use planning and will support the economic well-being of the Province and its municipalities. The following sections of this PRR detail how the proposed development conforms to regional and local policy documents.

4.3 Provincial Policy Statement (2020)

The Provincial Policy Statement (“PPS”) provides overall direction on matters of provincial interest related to municipal planning decisions. The PPS was issued under Section 3 of the *Planning Act*, 1990, and provides provincial direction for land use planning matters and development in Ontario. The current PPS was issued by the Province of Ontario and came into effect on May 1, 2020. Decisions related to planning matters, including Official Plan Amendment and Zoning By-law Amendment applications, made under the *Planning Act*, shall be consistent with the PPS.

4.3.1 Land Use Policies

The PPS encourages efficient land use and development patterns that support healthy, liveable and safe communities by: *“promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term” (Policy 1.1.a) and “by accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries, and long-term care homes), recreation, parks and open space, and other uses to meet long-term needs” (Policy 1.1.1b).*

The PPS states that *“the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities” (Policy 1.1.3).* Further, *“settlement areas shall be the focus of growth and development” (Policy 1.1.3.1).* The Subject Site is located within a *settlement area*, as defined by the PPS.

Within *Settlement Areas*, land uses shall be based on densities and a mix of land uses that efficiently

use land, resources, infrastructure, public service facilities, and are transit supportive (Policy 1.1.3.2). Land use patterns within settlement areas shall provide a range of uses and opportunities for intensification and redevelopment (Policies 1.1.3.2 to 1.1.3.7).

The proposed development provides for gentle intensification on the Subject Site that will contribute 192 number of long-term care beds to the Niagara Falls community. As per PPS Policy 1.1.1b, the provision of sufficient housing options for aging residents, including long-term care homes, is a key policy directive set out by the Province, as having sufficient long-term care options is an important element of meeting the varying housing needs of Ontario residents. The location of the proposed development is well served by transit and surrounding community services and will appropriately accommodate the proposed long-term care use. Moreover, the proposal presents an opportunity to revitalize an undeveloped lot. The development would add a modest level of density in an area that is predominantly made up of low-density residential uses. The proposed built form and massing of the development is appropriately scaled to the existing character of the neighbourhood and pays attention to the pedestrian scale of the development as is further detailed in below sections.

4.3.2 Employment

Section 1.3 of the PPS states that planning authorities shall promote economic competitiveness by providing opportunities for an appropriate range and mix of employment, institutional and broader mixed uses that meet the long-term needs of residents. This proposed development will create employment opportunities through both the operations of the long-term care home and the health-related commercial uses in an area that is predominantly residential.

4.3.1 Housing Policies

The PPS requires an appropriate range and mix of housing types and densities to meet the projected requirements of current and future residents (Policy 1.4.1). This is achieved by (among other items): *“directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available”*

(Policy 1.4.3.c); *“promoting densities which efficiently use land and resources and support active transportation in areas where it exists”* (Policy 1.4.3.d); and, *“establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form”* (Policy 1.4.3.f). Further to this, the PPS directs that Planning Authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents by *“permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities”* (Policy 1.4.3.b).

Providing sufficient housing options for people as they age is a critical element of local and regional housing supply. As per PPS Policy 1.4.3b, the proposal will provide housing options that meet the special needs requirements of an aging population. The proposal will also promote efficient development and land use patterns more broadly that will help to sustain the financial well-being of the Region and City. The Subject Site provides development of a long-term care facility in a location where appropriate levels of infrastructure and public service facilities are, or will be, available. The density of the long-term care home will efficiently use land and resources, and the Site’s location on existing public and active transportation routes will allow visitors and future employees to access the site. Lastly, intensification of the Site can be accommodated by existing servicing and transportation infrastructure available in the community, as is demonstrated by the preliminary civil engineering materials submitted in support of the application. Accordingly, the proposal is consistent with the housing policies of the PPS.

4.3.2 Infrastructure

Section 1.6 of the PPS outlines policies and goals in relation to infrastructure. Policy 1.6.3 outlines that before consideration is given to developing new infrastructure, the use of existing infrastructure should be optimized. Municipal sewage and water services are the preferred form of servicing for *Settlement Areas* to support the protection of the environment and minimize potential risks to human

health and safety. Within *Settlement Areas* with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services (Policy 1.6.6.2).

Crozier Engineering has prepared a Preliminary Functional Servicing and Stormwater Management (FSSWM) Report as well as preliminary servicing, grading, and drainage plans that have been submitted under a separate cover. Per the preliminary FSSWM Report and plans, the proposal can be fully serviced by municipal infrastructure available on Drummond Road and therefore makes efficient use of existing public infrastructure. A Traffic Impact Study has been prepared to assess the impact of the proposed development on the existing road network can accommodate the additional traffic volumes. Additionally, the proposed development may result in an increase in transit ridership. As such, the proposal is consistent with the infrastructure policies of the PPS.

4.3.1 Conclusion

The proposed application is consistent with the Provincial Policy Statement as it involves the development of a vacant lot within the *settlement area*. Further to this, the proposed development will help the Province to meet housing policy goals outlined by the PPS that include providing a range and mix of housing options that meet the current and future needs of residents. Regarding land use patterns and built form, the proposed development works towards policy directives in the PPS that include promoting a compact built form, increased densification where appropriately serviced, and the development of complete communities.

4.4 Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe (“the Growth Plan”) was approved under the authority of the *Places to Grow Act*, 2005, by the Lieutenant Governor in Council of the Province of Ontario and came into full force and effect on June 16th, 2006. The Growth Plan was further updated in May 2017, May 2019, and again on August 28th,

2020. The in-force Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe and includes direction on where and how to grow and how to provide infrastructure to support growth (Section 1.2.1). The Growth Plan carries forward many of the principles and policies of the PPS relating to land use planning and provides a framework for managing growth in the Greater Golden Horseshoe, which includes:

- “support[ing] the achievement of complete communities; and
- Improv[ing] the integration of land use planning with planning and investment in infrastructure and public service facilities”; (Policy 1.2.1).

The Subject Site is located within the *Built-up Area* identified by the Growth Plan, Schedule 2 – A Place to Grow Concept (**Figure 16**).

4.4.1 Growth Management & Complete Communities

Schedule 3 of the Growth Plan forecasts that the population of Region of Niagara is projected to reach 674,000 people and 272,000 jobs by the year 2051. This forecasted growth is to be focused within delineated *built-up areas*, *strategic growth areas*, locations with existing or planned transit, and areas with existing or planned public service facilities (Policy 2.2.1.2.c). Further to this, growth policies within the Plan are intended to support the achievement of complete communities. Policy 2.2.1.4.c) specifically states that complete communities, “provide a range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes”. As per Policy 2.2.2, a minimum of 50 percent of residential development occurring annually within Niagara Region is to be within the *built-up area*. The proposed development is located within the City of Niagara Falls Urban Boundary and will help to meet these regional intensification targets. Further to this, the proposed development will create housing options for people at all stages of life, supporting people aging in place in their community.

4.4.2 Housing

Housing policy 2.2.6.2 directs municipalities to support the achievement of complete communities

by planning to accommodate forecasted growth, achieving the minimum intensification and density targets, considering the range and mix of housing options and densities, and diversifying the overall housing stock.

The proposed development will provide a long-term care home on a vacant and underutilized site within the urban serviced area. The development will support the creation of complete communities in several ways, which include: providing housing options for people as they age; promoting urban infill through a higher density and more compact built form; offering healthcare-related retail uses; and by creating jobs within the community.

Moreover, the Subject Site is well supported by Niagara Region Transit which would provide both local and regional connections to the proposed development. There are bus stops located approximately 150 metres from the Subject Site on Drummond Road. Approximately 350 metres north of the Subject Site there is a bus route that services Dunn Street, and approximately 500 metres south of the Subject Site there is a bus route that services McCleod Road. As is detailed in the Community Services and Facilities map, the Subject Site is well serviced by healthcare facilities, emergency services and parks and green spaces to accommodate the proposed residential long-term care use.

4.4.3 Infrastructure

Section 2.1 of the Growth Plan provides policies on where and how to grow. The Growth Plan notes that the majority of growth be directed to *settlement areas* that have existing water and wastewater systems (Policy 2.2.1.2a). Per the Functional Servicing and Stormwater Management Report, and preliminary servicing, grading and stormwater management plans prepared by Crozier Engineering, the proposed development can be fully serviced by the existing and available municipal infrastructure systems on Drummond Road.

4.4.4 Conclusion

The proposed development conforms to policies set out in the Growth Plan. The development will help Niagara Region to meet housing and intensification targets set out for the Region within

the Growth Plan in an area that is appropriately serviced to support this use and level of density. Moreover, the proposed development will also work towards policy directives for the development of complete communities, by providing housing options for people as they age, by providing health-related commercial uses accessible to the surrounding community, and by providing employment opportunities.

Figure 16 – A Place to Grow Concept - Growth Plan for the Greater Golden Horseshoe



Source: Growth Plan for the Greater Golden Horseshoe Plan, 2020

4.5 Niagara Region Official Plan (November 2022 Consolidation)

The Niagara Region Official Plan (“Niagara ROP”) was adopted by Niagara Regional Council in June of 2022 and approved by the Minister of Municipal Affairs and Housing with modifications in November of 2022. The Niagara ROP provides a long-term policy framework for decision-making on all planning matters. The Niagara ROP strives for development that benefits communities, the provision of diverse housing options, a thriving economy, and resilient urban and natural environments. It sets the basis for providing Regional services in an efficient and effective manner, and identifies how the Region will comply with the Province’s policy framework.

The Subject Site is designated as *Delineated Built-up Area* as per Schedule B – Regional Structure of the Niagara ROP (Figure 17).

4.5.1 Growth Management

The second chapter of the Niagara ROP sets out Regional growth targets that provide guidance for how local area municipalities are to develop. Table 2-1 forecasts for the City of Niagara Falls a minimum population growth of 141,650 by 2051 and a minimum employment growth of 58,110 jobs by 2051. Table 2-2 outlines minimum intensification targets for local area municipalities in the Niagara Region, stipulating a minimum intensification of 10,100 units for the City of Niagara Falls.

Policy 2.2.1 of the Niagara ROP directs how and where growth shall occur. The development of urban areas in the Region shall responsibly manage forecasted growth by supporting:

- the intensification targets set out in Table 2-2;
- a compact built form, a vibrant public realm, and a mix of land uses;
- a diverse range and mix of housing types, unit sizes, and densities;
- built forms, land use patterns and street configurations that minimize land consumption, reduce costs to municipal

- water and wastewater systems/services and optimizing investment in infrastructure;
- opportunities for transit-supportive development;
- opportunities for intensification, including infill development;
- the development of a mix of residential built forms in appropriate locations; and
- minimizing and adapting to climate change by protecting natural heritage features, where possible integrating green infrastructure and low impact development, and promoting built forms, land use patterns and street configurations that improve community resiliency and sustainability, reduce greenhouse gas emissions and conserve biodiversity.

Further to this, the Niagara ROP also directs that within urban areas, forecasted population growth will be accommodated primarily through intensification in built-up areas (Policy 2.2.2.1) and that a regional minimum of 60 percent of all residential units occurring annually will be within built-up areas (Policy 2.2.2.5). The Region has provided specific growth targets for each lower tier municipality, with Niagara Falls required to achieve a minimum of 50% of all new residential growth within the built-up area. In addition to the intensification target, the Region has also allocated 10,100 new residential units to be constructed in the City of Niagara Falls by the year 2051.

The Subject Site is located within the *Delineated Built-up Area* of Niagara Falls in the Niagara ROP. As such, the proposed development constitutes infill development and conforms with Niagara ROP policies as outlined above that direct for the intensification of existing urban areas. The development will support efficient land use patterns both through the proposed density and compact built form, and by using existing municipal servicing and infrastructure, including transit. The proposal also helps to provide a critical type of housing supply that serves an aging population. Overall, it will also help Niagara Falls to meet the intensification targets set out by Region, as well as contributing 192 new long-term care beds to the City’s housing supply.

4.5.2 Housing

The Niagara ROP lays out several objectives for meeting the Region's housing supply which includes providing a mix of housing options to address current and future needs. Further to this, Policy 2.3.1.1 states that, "the development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life". The Niagara ROP directs for the development of housing through intensification in *Settlement Areas* (Policies 2.3.1.3, 2.3.1.4) and stipulates that housing should be developed using universal design standards that meets needs at all stages of life (Policy 2.3.1.5).

The proposed development will help Niagara Region work towards meeting these housing goals by providing long-term care units, which are an essential part of a housing system that meets housing needs at all stages of life. Furthermore, the development will also help the City of Niagara Falls to meet the Region's intensification targets.

Policies in Section 2.3.2 address the provision of affordable and attainable housing options. Policy 2.3.2.1 states, "[t]his Plan aligns with the Region's Housing and Homelessness Action Plan for the provision of housing that supports social, health, and economic well-being, including unmet demands for community housing and specialized needs housing". Policy 2.3.2.5 specifically states that specialized housing needs should be located in areas with, "existing or planned municipal water and wastewater services/systems and urban amenities; near existing or planned transit, including higher order transit and frequent transit service, and active transportation facilities; and near public service facilities, especially community hubs".

The proposed development will provide the Region with 192 long-term care beds, which are a form of specialized housing as defined by the Niagara ROP. The proposed development is appropriately located, as the Subject Site has existing municipal servicing, is well serviced by public and active transit options, and is near community services and facilities, as is demonstrated in Section 2.4 of this report. The development is within an existing neighbourhood and will provide additional housing options that will allow people to age in place.

4.5.3 Climate Change

To address climate change, the Niagara ROP directs that the Region will establish new, community-wide greenhouse gas reduction targets to work towards net zero emissions (Policy 3.5.1.2). Policy 3.5.1.5 outlines specifically that, "[t]he Region, in collaboration with the Local Area Municipalities, building and development industry, utility companies and organized interest groups will explore opportunities to elevate standards of green building development across the region". Further to this, Policy 3.5.1.5 stipulates that opportunities for electrical vehicle charging infrastructures should be considered in new developments. Any infrastructure to accommodate electric vehicle parking will be determined at the site plan stage.

The Niagara ROP provides further policy direction that supports the transition to net-zero communities to mitigate climate change. Policy 3.5.3.1 outlines that the Region will strive to support built form and land use patterns that use land efficiently and reduce transportation emissions; support conservation and energy reduction; and enhance carbon sinks that store and sequester carbon. Some of the specific ways of meeting these goals include:

- Requiring compact built form to minimize land consumption and increase the densities required to support transit ridership;
- Promoting a mix of land uses to shorten commute journeys and support the creation of complete communities;
- Planning to achieve minimum intensification and density targets which meet or exceed provincial requirements;
- Prioritizing transit and supporting active transportation to reduce single-occupant vehicle trips; encouraging design and orientation to optimize passive solar energy gains;
- Encouraging opportunities for conservation, energy efficiency and demand management within existing and planned development;
- Encouraging water conservation techniques, including water-efficient landscaping and collection and reuse of clean water and stormwater; and

- Maximizing vegetation and promoting tree planting to improve air quality, provide shade, and store carbon.

This application proposes a compact built form that is denser than the Site’s predominant surrounding land use which consists largely of single detached houses. As such, the proposed development would help the City of Niagara Falls to meet intensification targets. The proposed density for the Subject Site is well supported by public and active transit options. This is an asset to the development as it would allow both employees and visitors to access the long-term care home via transit, which in turn will support increased ridership. Moreover, by locating a long-term care home within an existing residential community, it will support the development of a complete community by providing housing options for all stages of life. This will likely reduce travel times for both future employees of the long-term care home and for Niagara Falls residents visiting family or friends in the long-term care home.

Regarding vegetation and plantings, the proposed development will configure 36% of the Subject Site as landscaped open space, with 29% remaining soft landscaping. Landscaping will use drought tolerant and native species. Further details regarding landscaping and planting will be determined at the detailed design stage.

To support the transition to climate-resilient communities, the Niagara ROP provides the following policy directives to enhance the adaptive capacity of infrastructure:

- Requiring new urban development be designed with separate storm drainage systems or connections to reduce wet weather overflows;
- Promoting stormwater attenuation and reuse, water conservation and efficiency and low impact development, where possible; and
- Integrating green infrastructure and low-impact development such as green roofs and permeable surfaces into the design of infrastructure, public works projects, public service facilities and private development, where possible.

As per materials prepared by Crozier Engineering (“Crozier”) and submitted as part of this application,

a green area for stormwater management will be provided on the Subject Site that will allow for infiltration prior to release into the City’s stormwater facilities.

As is demonstrated by the architectural and landscape architectural materials prepared by Chamberlain Architect Services Ltd and Adesso Design Inc respectively, the proposed development will include 29% soft landscaping across the entire Site. Landscaping on the Subject Site has been thoughtfully incorporated to promote shade in amenity areas and enhance connection throughout the pedestrian environment. Further details regarding planting plans will be determined at the detailed design stage.

4.5.4 Servicing and Waste Management

The Niagara ROP provides policy direction for municipal servicing within the Region. The ROP stipulates that, “adequate water supply and sewage collection shall be provided to meet the existing and future development needs in alignment with growth management policies of this Plan, the Water and Wastewater Management Master Servicing Plan and the Region’s capital budget process” (Policy 5.2.2.1).

As is demonstrated by the servicing, grading and stormwater plans prepared by Crozier Engineering (“Crozier”), a stormwater facility will be located in the eastern corner of the Subject Site to allow for infiltration of stormwater prior to the release into the municipal storm sewer. The Crozier report has also identified that there is capacity within the system to accommodate the projected water demands, as well as accommodate the projected sanitary flow generated by the facility.

Policy 5.2.4.3 states that that “[t]he Region shall provide waste management systems that are an appropriate size and type to accommodate present and future requirements, and facilitate, encourage, and promote reduction, reuse, and recycling objectives. During the development review process, the Local Area Municipality will promote enhanced waste reduction, composting and recycling initiatives, and the identification of new opportunities for energy generation from waste, source reduction, reuse, and diversion, where appropriate. Consideration shall be given to

increased convenience and access for waste diversion collection programs to promote participation (Policy 5.2.4.5). Due to the nature of the building, private waste collection will be utilized. Efforts to include recycling and green waste will be undertaken, however, those details will be confirmed through the Site Plan approval process.

Policy 5.2.6.5 of the NFOP outlines that the “Region and Local Area Municipalities will confirm, as part of the development review process, that utility providers are able to provide services to support the proposed development in a timely manner and that, if required, appropriate locations for large utility equipment and utility cluster sites have been determined”. This application has been submitted for review to the City of Niagara Falls and will be circulated with commenting agencies including utility providers. If there are any concerns regarding utility servicing for the proposed development, the application will be revised accordingly in future submissions. A generator for the facility has been located at the rear of the property where it will not be visible from the street line, as well as away from the residential uses to the south. The generator is required to ensure that the facility will maintain a constant power supply to ensure the health and safety of future residents of the long-term care facility.

4.5.5 Urban Design

The Niagara ROP sets out policy direction for urban design that aims to enhance the public realm, promote active transportation, and identify and establish tools for urban design implementation. Policy 6.2.1.1 establishes that design elements shall ensure built environments that are attractive, walkable, accessible, diverse and functional. Further to this, Policy 6.2.1.5 directs that urban design shall contribute to safe, attractive and complete communities.

The proposed development will contribute to the creation of a complete community by providing health-related neighbourhood commercial uses and by providing 192 long-term care beds which are an integral component of the Region's housing supply. The concept plan has been laid out to enhance the pedestrian environment by providing commercial uses that front onto Drummond Road and by stepping back the fourth storey of the building from Drummond Road to create a more

pedestrian scaled building. The use of a range of building materials will also create a visual break for pedestrians. Sidewalks within the Site connect to the City's existing sidewalk network and easily legible pedestrian crossings have been incorporated throughout the design of the parking lot area. Landscaped buffering has also been incorporated throughout the Site to visually break up the parking lot and to enhance the pedestrian experience of the built environment. Furthermore, eight temporary bicycle parking spaces will be provided in the landscaped buffer area at the front of the Site to support active transit connections to the Subject Site.

As part of this application, an Urban Design Brief has been prepared which further details how these policies will be implemented.

4.5.6 Healthy and Safe Communities

The Niagara ROP provides direction for the development of safe and healthy communities, as is outlined in the following policy:

6.3.1.1 The Region shall support healthy communities by:

- a. creating built form that provides healthy living;*
- b. planning for all ages, incomes, abilities and populations;*
- c. supporting walkable and bikeable neighbourhoods through active transportation;*
- d. encouraging integration of open space and parks that facilitate physical activity, social cohesion and support mental health;*
- e. encouraging urban agriculture and community gardens;*
- f. strategically co-locating public service facilities for convenient access; and*
- g. encouraging the use of health impact assessment tools through planning processes.*

The proposed development of 192 long-term care homes is an important component of providing housing for people at all stages of life and abilities. Further to this, the proposed development is designed to support the development of walkable and bikeable neighbourhoods by providing conveniently located health-related commercial uses and due to its proximity to both transit and cycling infrastructures.

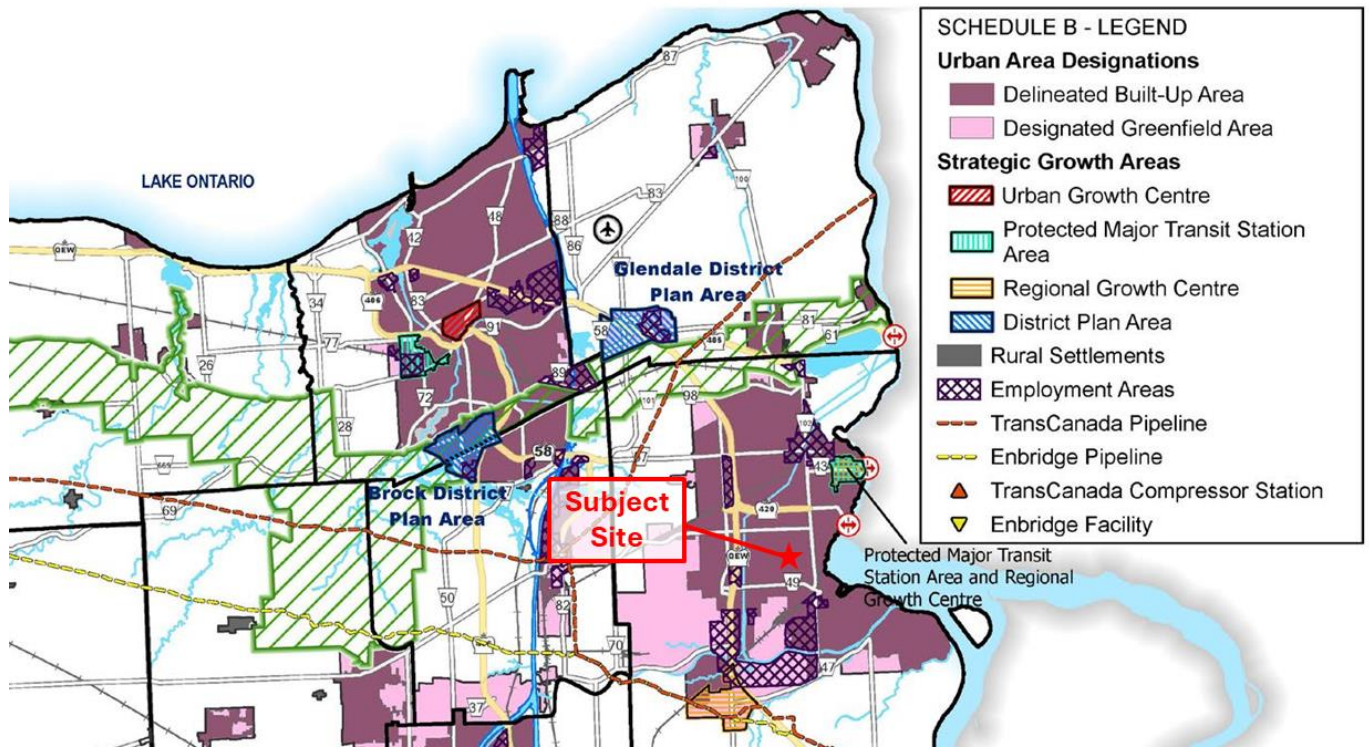
4.5.7 Archeology

As per Schedule K of the Niagara ROP, the Subject Site is identified as an *Area of Archeological Potential*. As such, policy 6.4.2.1 applies, stating, “[d]evelopment and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province”. As per Policies 6.4.2.1 and 4.6.2.6, a Stage One and Two Archeological Assessment has been completed by Detritus Consulting, dated January 16, 2023, and submitted as part of the application. The Stage One and Two Archeological Assessment did not find any archeological resources on the Subject Site and no further archaeological assessment of the study area was recommended.

4.5.8 Conclusion

The proposed development conforms to the Niagara ROP as it meets the intent of the policies for residential uses within the *delineated built-up area*. The development supports the Niagara ROP minimum intensification target of providing 10,100 new residential units within the Niagara Falls *Built-up Area*. Importantly, the proposed development also contributes 192 long-term care units to the Niagara Falls community, which is an integral element of regional housing infrastructure. The provision of long-term care units meets regional policy directives to support an aging population.

Figure 17 – Niagara Regional Structure Map, Niagara Region Official Plan



Source: Niagara Region Official Plan, 2022

4.6 City of Niagara Falls Official Plan (1993)

The City of Niagara Falls Official Plan (NFOP) was adopted on October 6, 1993. The most recent office consolidation of the NFOP is from January 1st, 2024.

The NFOP is intended to guide growth and development for the City to the year of 2031. The Plan directs for sustainable growth that creates compact, livable, and mixed-use communities and protects the City's natural heritage and agricultural lands. In January 2024 the City began the process of updating the NFOP to bring it into conformity with the Niagara ROP.

The Subject Site is located within the *Built Area Boundary* as identified on Schedule A-2 of the NFOP (Figure 19). As per Schedule A of the NFOP, the Subject Site is designated as *Residential* (Figure 18). The Site is not subject to any secondary plans or area specific policies. Drummond Road is classified as an *Arterial Road* on Schedule C of the NFOP.

4.6.1 Growth Management

The second section of the NFOP sets out several directives for how the City is to grow, which include directing growth to urban areas, supporting increased densities where appropriate, efficiently using infrastructure to meet Regional and provincial housing targets, and encouraging alternative forms of transportation such as walking, cycling and public transit usage. The NFOP forecasts that by 2031 there will be a total of 42,740 households and a total population of 106,800.

The following policies support the achievement of the above outlined objectives. Policy 2.3 states that "the City shall provide sufficient lands within the *Urban Area Boundary* to meet the projected housing, population and employment targets of Table 1". Policy 3.4 specifically directs that intensification of areas designated as *Residential* in this Plan shall comply with the policies of Section 2.1.10.5(iii). The analysis of these policies are further discussed in section 4.6.4 of this PRR.

The proposed development will help the City to achieve its targeted growth, as well as provide alternative forms of housing.

4.6.2 Housing

The NFOP envisions a housing system for the City that offers a full spectrum of housing that includes a variety of housing tenures, sizes and supportive living options to meet the diverse needs of Niagara Falls residents. To achieve this, the NFOP directs that, amongst other things, the City shall promote a greater diversity of housing types (Policy 4.1). Policy 4.3 specifically outlines:

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

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

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

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

This application proposes a multi-unit development on a vacant parcel of land. This proposal will increase housing options available within the City and will provide a much needed housing form that serves an aging population. The development will also include at grade health-related uses that front onto Drummond Road, such as medical clinics, diagnostic offices, or a drug store. The health-related uses will serve both the proposed long-term care home as well as the surrounding community and further promote walkability.

4.6.3 Residential Land Use Designation

Section 2 of the NFOP outlines policies that direct development within different land use designations. The *Residential* land use designation is intended to provide a sufficient supply of land to accommodate all forms of housing and provide for residential intensification. Policy 1.1 states, "[t]he predominant use of land in areas designated *Residential* shall be for dwelling units of all types catering to a wide

range of households. Predominant uses shall include single detached and semi-detached dwellings, duplexes, triplexes, quadruplexes, townhouses, apartments, group homes and other forms of residential accommodation”.

The proposed development conforms to the predominant uses listed above as another form of residential accommodation. The addition of the long-term care facility to the neighbourhood will provide a greater range of housing options for current and future residents as they age.

Policy 1.2 of the NFOP outlines that ancillary uses are permitted within the *Residential* land use designation, which includes neighbourhood commercial uses. As per Policy 1.2.1 ancillary residential uses are encouraged to be located on arterial roads if there is potential that they may generate larger traffic volumes, are encouraged to be located such that area residents can easily access by walking, cycling or public transit, and are encouraged to be located within proximity to a transit stop.

Policy 3.4 of the NFOP outlines the criteria for evaluating the appropriateness of proposed neighbourhood commercial uses, as well as location and size criteria. These uses are intended to serve the immediate community, and generally be 930 square metres in size or less. Parking must be accommodated on site, and be integrated into the neighbourhood, through landscaping and appropriate locations. In addition to this, neighbourhood commercial uses shall be setback a minimum of 500 metres from other neighbourhood commercial uses.

The Official Plan Amendment is requested to exempt the subject lands from the size and location criteria to allow for the inclusion of the health-related uses into the proposed building. The existing neighbourhood commercial uses to the north and the west are restaurants, a convenience store, and a bakery. The proposed health-related uses will not impact these existing uses, and the requested setback is appropriate. The uses will be contained to a portion of the first floor of the proposed long-term care facility, and although will be open to the general public, the primary uses of the health-related uses are for residents of the long-term care facility. The maximum floor size is intended to ensure that the commercial uses are neighbourhood scaled, and are not intended to

become commercial hubs. The proposed commercial area is proposed to be 1,030 square metres, which is approximately 150 square metres larger than the size generally permitted. The requested increase is to recognize the shape of the ground floor of the building and the logical layout for both the health-related uses and the long-term care facility.

It is our professional opinion that the proposed health-related ancillary commercial uses are appropriate given the location of the Subject Site. The Site is on Drummond Road which is classified as an *Arterial Road* as per Schedule C of the NFOP. The proposed uses will serve the surrounding residential community and as is outlined in the Section 2.2.3 of this PRR. Lastly, the Subject Site is also well serviced by Niagara Region Transit.

Policy 1.5 pertains to building heights in the *Residential* designation, directing that, “Building Heights referred to in this Plan through the text and schedules are intended as a general guide. Consideration may be given in specific situations to allow suitable, well-designed developments that exceed these height guidelines through an implementing zoning by-law amendment”.

The proposed development is four-storeys in height. The immediate surrounding context of the Subject Site includes two storey commercial retail buildings and one and two storey residential dwellings. The proposed increase to building height will be appropriately scaled to the neighbourhood context to foster a safe and attractive pedestrian environment. Retail at grade fronting onto Drummond Road will create an engaging street front presence. A step-back of the fourth floor from Drummond Road will help to further reduce shadowing and visual impact of the increased height on the pedestrian environment. Further to this, a Zoning By-law Amendment has been submitted to permit the proposed increase to height.

Policy 1.7 stipulates that residential development shall require proper and adequate municipal servicing. A preliminary Functional Servicing and Stormwater Management (FSSWM) Report including grading, servicing, and drainage plans have been prepared by Crozier Engineering and submitted as part of this application. The FSSWM Report further details how the proposed development will be serviced. The FSSWM Report

concludes that the proposed development can be serviced for municipal, sanitary and stormwater in accordance with both the City of Niagara Falls and Niagara Region requirements and standards.

As is stated above, Drummond Road is classified as an *Arterial Road* per Schedule C of the NFOP. Policy 1.8 directs that, “[e]xposure of new residential development to less compatible land uses such as arterial roadways, highways or railway lines shall be minimized. In order to protect residential development from such uses, studies may be required and appropriate measures such as landscaping, berming or other buffering techniques may be required to determine impacts and recommend mitigation measures”. The portion of Drummond Road that Subject Site fronts onto is a two-lane road with adjacent residential and commercial uses. As such, there is no reason to anticipate that the proposed use will be incompatible with the surrounding context. The building has been situated so that it will back onto lands owned by Hydro One and commercial uses, while the parking lot will be adjacent to the existing low density residential dwellings. The orientation of the building on the property was configured to minimize any potential impacts on the existing dwellings from the four-storey building.

4.6.4 Built-up Area

The Subject Site is located within the *Built-up Area* of Niagara Falls as identified on NFOP Schedule 2-A. This policy section provides direction on how intensification can be appropriately carried-out within its local context. These policies direct that: residential development, intensification and infilling shall blend into the lot fabric, streetscape and built form of a neighbourhood; a gradations of heights and densities will be encouraged; and development in the *Built-up Area* should be at a higher density than what currently exists in the neighbourhood (Policies 1.10.1; 1.10.2; 1.10.3). Policy 1.10.5.(iii) specifically states:

Apartments with building heights of not more than 6 storeys can be developed up to a maximum net density of 100 units per hectare with a minimum net density of 75 units per hectare. Such development shall be located on lands that front onto arterial roads. Moreover, development should be on current or planned public transit

routes and in proximity to commercial areas. Development shall comply with the following:

- architectural treatments such as stepped or articulated built form, changes in exterior cladding and roof features should be employed to lessen the impacts of taller buildings;
- rear yard setbacks should be equal to building height and interior side yards shall be appropriate for the building height proposed in relation to abutting land uses;
- street frontages shall be engaged through the use of porte cocheres, podiums or landscaping;
- parking is to be encouraged to be located within parking structures that are integrated with the development; and
- where surface parking is provided, the parking area should be located in the rear or interior side yard. The parking area shall also have a landscaped perimeter of a depth and intensity that at maturity effectively buffers it from adjacent uses and streets.

We find that the proposed development is appropriately scaled to the surrounding context of the Subject Site, as the Site is located on an *Arterial Road*, and is surrounded by a mix of residential and commercial uses. Further to this, the impacts of the proposed height will be mitigated through measures such as step-back and front, rear, and side yard setbacks. There is a proposed step-back for the fourth storey from the frontage onto Drummond Road, which will reduce the impact of the building height on the pedestrian realm, as well as changes in building materials to create a visual break in the facade. Additionally, the proposed front yard setback of 9.22 metres will minimize impact on the pedestrian environment. The proposed rear yard setback will be 36.37 metres and the building will back onto open green space. A surface parking lot will be provided on the interior side yard south of the proposed building and will include a landscaped buffer.

4.6.5 Neighbourhood Commercial

The Neighbourhood Commercial policies within the NFOP are intended to support limited, small scale commercial uses within the *Residential* designation. Within the *Built-up Area*, the following policies apply:

3.4.2.1 *Neighbourhood commercial facilities will primarily provide for the day-to-day needs of nearby residents and shall generally not exceed 930 square metres of gross leasable floor space. Such facilities should not reduce the economic viability of designated commercial districts.*

3.4.2.3 *Neighbourhood commercial facilities may locate not less than 500 metres from any other commercial development.*

This application includes an Official Plan Amendment (OPA) to seek relief from the policies above as the proposed development will include 1030 square metres of commercial gross floor area and is located within 500 metres of other Neighbourhood Commercial uses. The commercial units will specifically provide health-related retail and services which for example could include healthcare clinics, imaging clinics, or a drug store. We find that the proposed health-related commercial uses maintain the intent of the NFOP as they will serve both the residents of the long-term care home as well as the surrounding community. Tenants for the commercial spaces will be chosen based on what services can best support both future long-term care residents and the surrounding community. Moreover, providing commercial uses on the Subject Site directs these uses to *an Arterial Road*, supports neighbourhood walkability, and the development of complete communities.

Regarding design, the commercial uses will be appropriately scaled to the surrounding neighbourhood context and will help to create a more active street for the proposed development. A setback of 9.22 metres will be provided from Drummond Road that will maintain consistency with surrounding setbacks with adjacent commercial and residential uses. Overall, the proposed development conforms to the intent of the policies set out for Neighbourhood Commercial uses as they will serve the needs of surrounding neighbourhood residents while the residential use remains the primary component of the development.

4.6.6 Servicing

Section 3 of the NFOP provides direction on how future development is to be carried out such that it efficiently uses municipal infrastructure and services. As per Policy 1.2.4, “development within the urban area shall be accommodated on the

basis of full municipal services, including sewers, storm sewers, water services and improved roadways. Uses within the urban area shall connect to municipal water and sanitary services if available”.

4.6.6.1 Storm Drainage

Regarding storm drainage, policy specifies that all new development within the City be connected to and serviced by a suitable storm drainage system and that new development shall not interfere with or reduce the drainage capacity of natural watercourses or agricultural filed drainage system, or cause erosion or pollution issues that would impact the quantity or quality of groundwater.

A preliminary FSSWM Report is included as a part of this application. As per the FSSWM Report, the stormwater for the site will be sized to 255 metres cubed. The tank will release into the storm sewers at a controlled peak flow rate through the use of a 200mm orifice tube that is less than the pre-development peak flow rate.

4.6.6.2 Public Transportation and Road Network

Policy 1.5.6 of the NFOP provides the following direction for transit planning within the City:

Public transit routes shall be designed to service employment areas, intensification areas, nodes and intensification corridors. It is desirable for public transit services to be encouraged in proximity to higher density residential developments, areas of high employment concentration, major medical and social service centres, housing developments for people with special needs and social amenity areas such as the Niagara Parks and other attractions. Transit stops should be located within hubs and major public facilities. The development of inner-City bus rapid transit lines into high density employment areas is encouraged.

The proposed development is a higher density form of housing that constitutes a housing development for people with special needs. As is outlined in Section 2.3 of this PRR, the Subject Site is well serviced by Niagara Region Transit local bus routes. The bus routes provide connections to regional

transit corridors that connect to the Greater Toronto and Hamilton Area.

4.6.6.3 Collector and Local Road Network

The Subject Site fronts onto Drummond Road, which is classified as an *Arterial Road* on Schedule A2 of the NFOP. As per Policy 1.5.18.4:

City Arterial Roads accommodate two to four lanes of traffic and have a general road allowance of 26 metres. Direct access to adjoining properties and on-street parking will be restricted as much as possible to enhance the free flow of traffic. The road allowance may accommodate transit routes with bus lay-bays and shelters and/or bicycle facilities such as bike lanes, shared use lanes and paved shoulders. The use of shared driveways to larger development projects will be encouraged in the urban areas. Regional and certain City roadways that function as arterial roads, primarily in the tourist core area, are subject to the policies described in the “tourist commercial roads” classification.

At the location of the Subject Site, Drummond Road is two lanes wide and has demarcated bike lanes on either side of the road. The proposed development will include one access from Drummond Road on the southern side of the Subject Site that will connect to a surface parking lot and main entrance to the long-term care home.

Policy 1.5.26 specifies that, “all new developments abutting *Arterial Roads* shall provide adequate off-site loading and unloading facilities located in such a manner to minimize the detrimental impact by vehicles using such facilities”. As is indicated on the site plan prepared by Chamberlain Architects for the proposed development, the loading spaces are located at the rear of the building sufficiently out of the way of parking spaces.

4.6.7 Parkland Dedication

The NFOP provides policy direction for the sufficient provision of parklands. As per policy 2.5, as an alternative to requiring land conveyances, cash-in-lieu of parkland dedication may be required where the conveyance of land would render the site unsuitable for development or where the conveyance of land would be insufficient for parks

purposes. As such, the proposed development will provide cash-in-lieu of parkland dedication due to the size of the Subject Site and the nature of the proposed development, in addition to the quality of surrounding neighbourhood parks.

4.6.8 Energy Conservation

The NFOP sets out a policy framework for building design and land use planning that conserves energy use. Policy encourages the development of higher density and more compact built forms to promote more efficient land use patterns and conserve energy (Policy 3.1.1). Policy 3.1.3 specifies that energy conservation considerations shall be incorporated into new development projects and policy 3.1.4 specifies that appropriately selected vegetation shall be used to control exposure to the sun and/or wind and reduce the mechanical heating and cooling of buildings. The proposed development represents a compact built form that is also suitable to the surrounding neighbourhood context. Additionally, 29% of the Subject Site will remain soft landscaping with buffer areas around the building to the north and parking area to the south. Appropriate vegetation and planting for the Site will be selected at the detailed design stage.

4.6.9 Urban Design

Urban design policies in the NFOP specify that new developments shall use building, streetscape, and landscaping designs to improve the built and social environment of the City and to enhance quality of life for residents. As per Policy 5.1, new buildings shall be compatible with the surrounding built form and be pedestrian oriented. Parking is to be located at the back or side yard of buildings with appropriate landscaped buffering. Additionally, the number of accesses onto *Arterial Roads* is to be limited. Overall, streetscapes are to be designed to promote a safe, comfortable, and convenient environment for vulnerable road users (Policy 5.1.5, Policy 5.1.6).

Regarding landscaping, policy 5.3 directs that landscaping should be oriented towards public use areas, should incorporate low maintenance forms of vegetation, be appropriately scaled to the surrounding area, and incorporate existing on-site vegetation where possible.

Policy 5.4 provides policy direction for the development of parking areas. Parking areas are to be designed to efficiently minimize the amount of paving required and should be interspersed with landscape buffering. Traffic islands, paving materials, landscaping, and lighting are all to be used to ensure a safe and accessible urban environment.

The proposed development features a 9.22 metre setback from Drummond Road which aligns with the setback of development located adjacent to the Site. The proposed development will feature commercial uses that front onto Drummond Road. They will be accessed via a pedestrian walkway that connects to the existing sidewalk on Drummond Road. This buffer space between Drummond Road and the front of the building will feature short term bicycle parking in addition to natural vegetation that will foster an attractive street front. A draft concept landscape plan has been submitted that as a part of this application that provides further illustration of the proposed landscaping and design for the Subject Site.

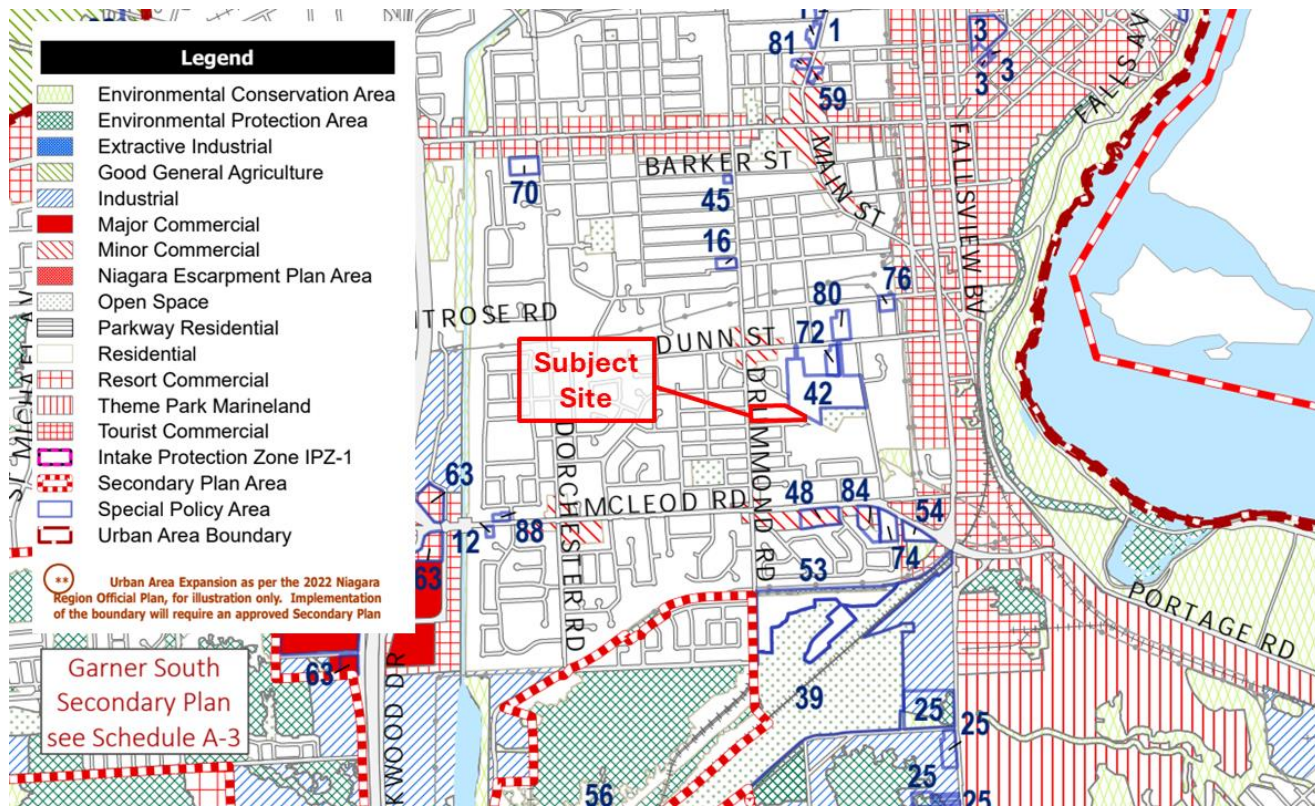
Parking will be provided in the side yard of the Subject Site south of the building. Parking will be accessed by one private driveway from Drummond Road. The parking lot is broken up by landscaped buffers to create a safer and more attractive pedestrian environment that is designed to help with navigation and further demarcate pedestrian crossings. A landscaped buffer of 3.15 metres is also provided along the southern lot line of the Subject Site to create separation from the parking lot of the proposed development and the neighbouring rear yards of the detached residential dwellings.

that conforms to the *Residential* area designation of the Site.

4.6.10 Conclusion

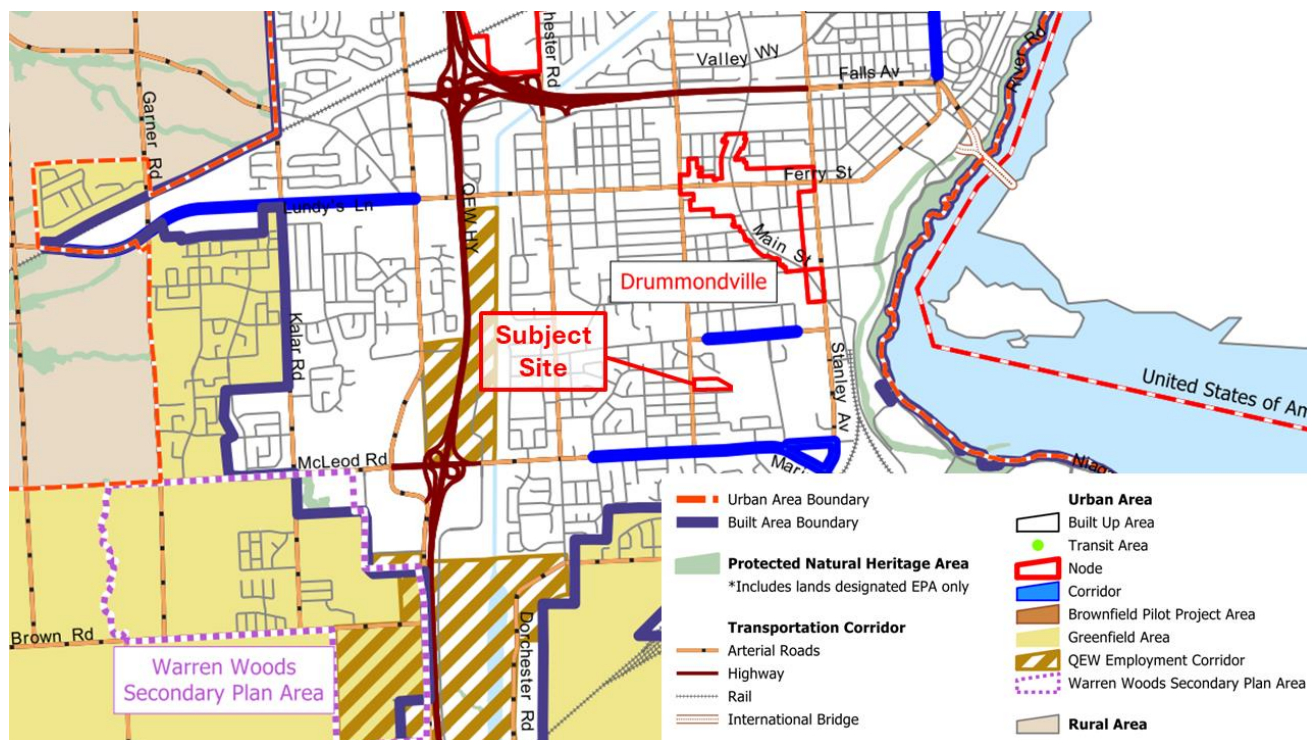
The proposed development conforms to the NFOP as it supports the development of complete communities by meeting a specific housing need and by providing neighbourhood commercial uses. The location of the Subject Site is appropriately situated to provide the proposed long-term care and commercial uses as it is well serviced by public transit and is accessible by active transportation and cars. The proposed development will compliment the existing character of the neighbourhood while providing a denser built form

Figure 18 – Niagara Falls Official Plan Land Use Map



Source: Niagara Falls Official Plan, 1993

Figure 19 – Niagara Falls Official Plan Urban Structure Map



Source: Niagara Falls Official Plan, 2017

4.7 Zoning

The Subject Site is regulated by the City of Niagara Falls Zoning By-law No. 79-200. The Subject Site is zoned *Residential Apartment 5B Density Special Provision 627* (R5B – 627). The current R5B-627 Zone permits the following uses:

- Two storey apartment dwelling;
- Three storey apartment dwelling; and
- Commercial uses within the apartment building.

As such, the current zoning does not permit the proposed development and a Zoning By-law Amendment (ZBA) is required. The ZBA proposes the rezoning of the Subject Site to the *Institutional (I) Zone* with a site-specific special provision. The site-specific amendment to the *Institutional (I) Zone* will allow health-related commercial as a permitted use. Additionally variances to the permitted minimum front yard depth from 10 metres to 9.22 metres and to the maximum building height from 10 metres to 29.5 metres will be required.

Table 1 – Proposed Site-Specific Zoning Regulations

	Institutional	Proposed Institutional - xx
Permitted Uses	Long term care home	Long term care home Health-related commercial use
Lot Area (min.)	0.15 ha	1.16 ha
Minimum Lot Depth	30 metres	254 metres
Minimum Front Yard Depth	10 metres plus any applicable distance specified in section 4.27.1	9.22 metres
Section 4.27 Road Allowance Requirement	Drummond Road between Thorold Stone Road and McLeod Road: 13 m	Conforms
Minimum Interior Side Yard Width	5 metres	7.31 metres
Minimum Exterior Side Yard Width	5 metres	N/A
Minimum Rear Yard Depth	10 metres plus any applicable distance specified in section 4.27.1	36.37 metres
Maximum Lot Coverage	35%	22%
Maximum height of building or structure	10 metres subject to section 4.7	29.5 metres
Minimum Landscaped Open Space	5%	36%
Parking and Access Requirements	In accordance with section 4.19.1	103 Parking Spaces
Where any of the provisions of this section conflict with any of the provisions of sections 4.13 or 4.14, the provisions of this section shall govern	No conflict	N/A

4.7 HEIGHT EXCEPTION: The height regulations of this By-law shall not apply to church spires, belfries, chimneys, water tanks, elevator or mechanical penthouses, flag poles, clock towers, radio, telephone, television or telecommunication towers and antennae, tents and mechanical amusement rides or devices in any Zone except as hereinafter provided or to farm buildings and farm structures (which shall not include buildings or structures to be erected or used for the purpose of human habitation in an A Zone, an R Zone or an OS Zone and shall not apply to the following types of structures and buildings in HI Zones. (2013-14, 2016-03)

4.27 ROAD ALLOWANCE REQUIREMENTS - SPECIFIC ROADS (2009-176) Notwithstanding any other provisions of this By-law, yard requirements adjacent to the roads listed in Table 1 of this section shall be measured a minimum distance from the centreline of the original road allowance in accordance with Column D of Table 1. Notwithstanding any other provisions of this By-law, any portion of a lot adjacent to the roads listed in Table 1 of this section and located within the minimum distance from the centreline of the original road allowance in accordance with Column D of Table 1 of this section shall not be used for parking spaces required under section 4.19.1, loading areas required under section 4.20.1. and landscaped open space required under any regulations contained in any section of this By-law.

5.0

SUPPORTING TECHNICAL DOCUMENTS

5.1 Architectural Package

Chamberlain Architecture Services Limited has prepared an architectural package that visualizes the proposed development. Drawings in the architectural package include a site plan demonstrating the proposed site layout, site plan details, a shadow study, proposed floor plans, and elevations. A package of conceptual building renderings has also been also prepared by Chamberlain Architecture Services Limited and submitted with this application.

5.2 Landscape Architectural Package

Adesso Design Incorporated has prepared a tree protection plan and draft conceptual landscape plan issued under the same cover. The tree protection plan is based on an inventory of existing vegetation on the Subject Site and details the type of vegetation and proposed future actions for it, such as whether it will be retained or removed. The conceptual landscape plan illustrates the proposed design of the outdoor amenity area and landscaped buffer areas throughout the Subject Site.

5.3 Civil Materials

C. F. Crozier and Associates (“Crozier Engineers”) has prepared a Functional Servicing and Preliminary Stormwater Management (FSSWM)

Report dated April 2024. In addition, Crozier Engineers has also prepared a preliminary coordination set of plans that includes a preliminary grading plan, a preliminary servicing plan, a preliminary pre-development storm drainage area plan, and a preliminary post development storm drainage area plan. All materials have been submitted as a part of the application.

The FSSWM report concludes that the proposed development can be serviced for water, sanitary, and stormwater management in accordance with Niagara Region and City of Niagara Falls requirements and standards. The Report makes the following recommendations:

1. Water servicing for the proposed development will be provided using a 200 mm diameter fire line and a 150 mm diameter domestic line extending from the existing 300 mm diameter watermain on Drummond Road.
2. Sanitary servicing for the proposed development will be provided by 250mm diameter PVC sanitary laterals at 0.5% before ultimately tying into the existing 900mm diameter sanitary sewer along Drummond Road.

3. The Stormwater for the Site is controlled using an underground stormwater tank that has been sized to hold 255m³ from catchment 201. The tank will release into the storm sewers at a controlled peak flow rate through the use of a 200mm orifice tube that is less than the predevelopment peak flow rate.

4. An oil/grit separator (OGS) has been proposed as a method of quality control for the flows from the proposed storm tank before they enter the storm sewer along Drummond Road.

6.0

CONCLUSION

The proposed long-term care and health-related development in the City of Niagara Falls is supported by the applicable policy framework articulated in the Planning Act (1990), the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2020), the Niagara Region Official Plan (2022) and the City of Niagara Falls Official Plan (1993). All the aforementioned documents promote residential intensification within the *Built-up Area*, the development of complete communities, and the provision of appropriate housing options for all stages of life. The proposed long-term care home and health related commercial uses will be well-integrated into the existing fabric of the community, providing a gentle increase to height and density and helping to achieve policy directives for the development of complete communities.

From a land use perspective, the proposed development will result in the intensification of an undeveloped site within the built-up urban area of Niagara Falls. The proposed development will utilize existing regional and City infrastructure and services in the City of Niagara Falls, representing an efficient approach to development. Further to this, the Subject Site is well serviced by active transportation, public transit, and the road infrastructure.

The proposed development will help Niagara Region to achieve its housing and intensification targets and will contribute to the supply of long-term care beds within the City of Niagara Falls. Long-term care homes are a critical element of a housing system that can meet the diverse needs of residents at all stages of life.

Regarding site design, the proposed development has been designed to maximize landscaped area

on the Subject Site and to create a safe and inviting pedestrian environment.

The proposed Zoning By-law Amendment has been reviewed and considered in the context of all applicable provincial and municipal planning policy documents and the context within which the Subject Site is located. The proposed development is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, the Niagara Region Official Plan, and the City of Niagara Falls Official Plan.

For all the foregoing reasons, it is our professional opinion that the proposal is an appropriate and desirable development, represents good planning and warrants the support of Staff and of Council.

If you should have any questions or concerns, please contact the undersigned at your earliest convenience.

Respectfully submitted,
THE BIGLIERI GROUP LTD.



Rachelle Larocque, BES, M.Sc., MCIP, RPP
Partner



Alex Walton, MPI
Junior Planner

Appendix A. Site Plan

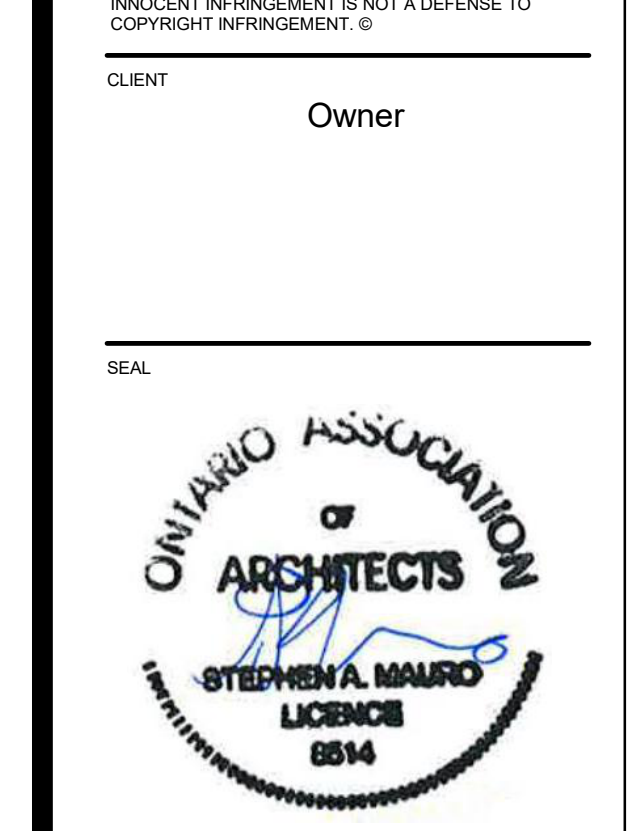
NO.	ISSUED	DATE
1	PROVISIONAL	2022.11.17



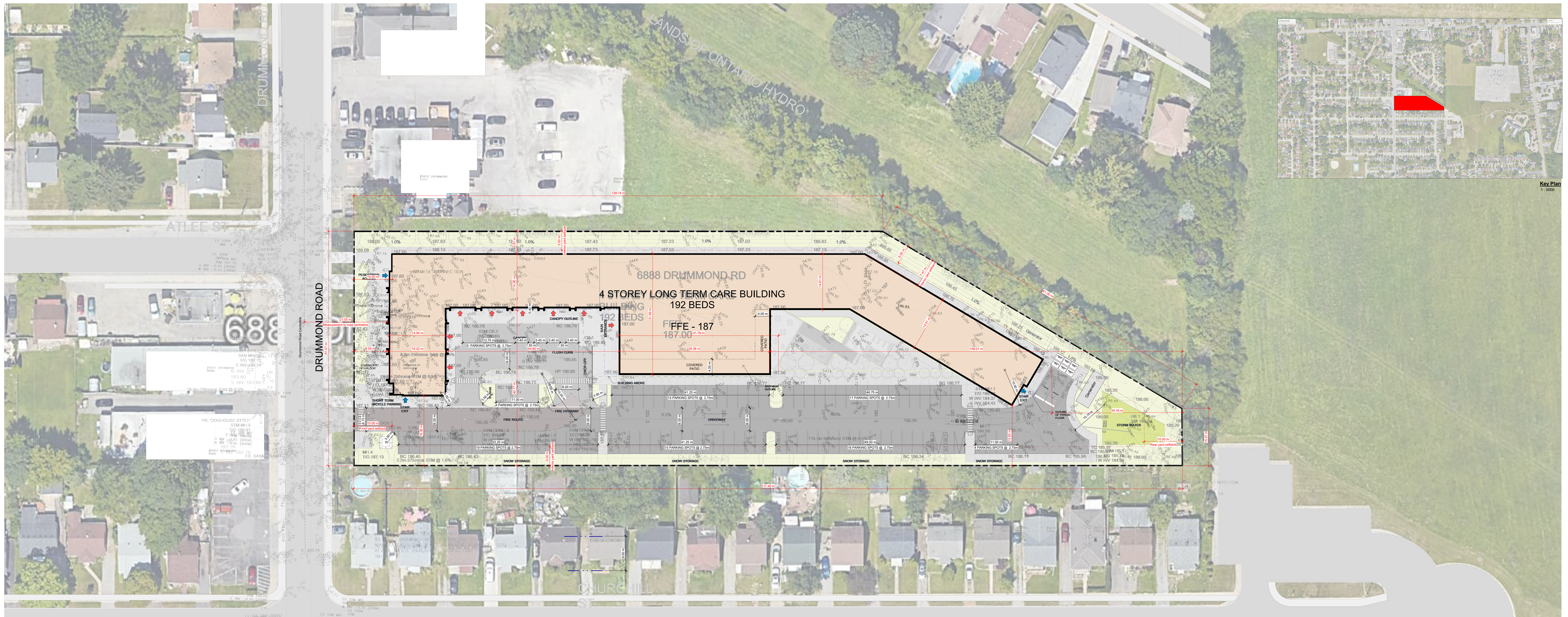
Key Plan
1:5000

DO NOT SCALE DRAWINGS. USE ONLY DRAWINGS MARKED "AS SHOWN FOR CONSTRUCTION". CLIENTS CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND SPACING FROM "AS SHOWN" PROJECT ARCHITECTURE OF ALL STRUCTURES, UTILITIES AND SERVICES. CHAMBERLAIN ARCHITECT SERVICES LIMITED AND CHAMBERLAIN CONSTRUCTION SERVICES LIMITED HAVE SIMILAR OBLIGATIONS.

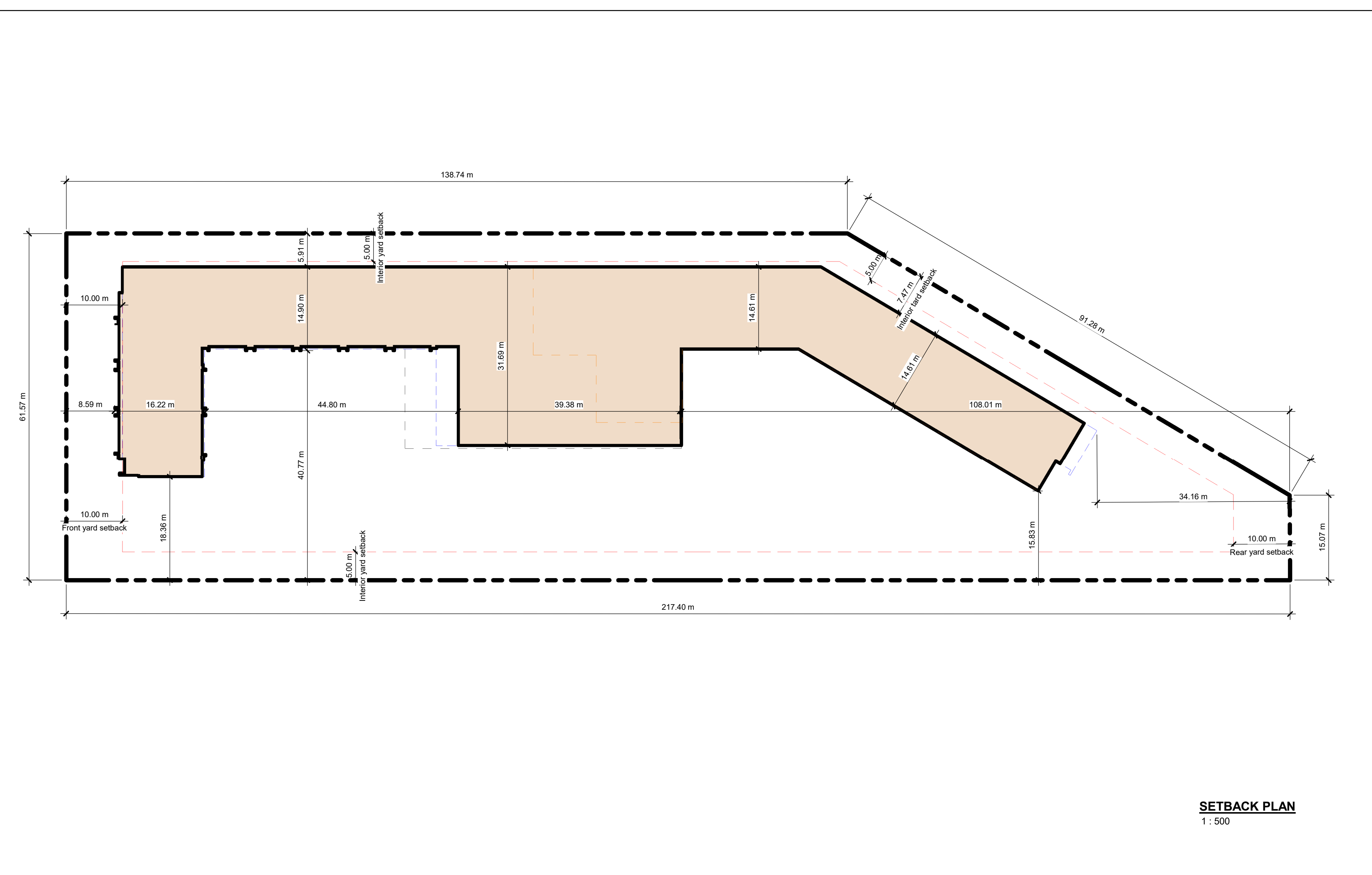
CHAMBERLAIN ARCHITECT SERVICES LIMITED AND CHAMBERLAIN CONSTRUCTION SERVICES LIMITED ARE NOT PROVIDING A SUBSTANTIALLY COMPLETE PROFESSIONAL DESIGN OR CONSTRUCTION MANAGEMENT SERVICES. ANY CHANGES TO PLANS DOES NOT NECESSARILY REQUIRE A PROFESSIONAL DESIGN OR CONSTRUCTION MANAGEMENT SERVICES. CHAMBERLAIN ARCHITECT SERVICES LIMITED AND CHAMBERLAIN CONSTRUCTION SERVICES LIMITED ARE NOT PROVIDING TO CLIENT.



CLIENT: Owner



Site Plan
1:300



SETBACK PLAN
1:500

GENERAL PROVISIONS

Zone: R-1000 - Institutional zone
 Official Term Date:
 City of Niagara Falls Zoning By-law No. 79-200

ZONING DATA	REQUIRED	PROVIDED
STREET FRONT YARD	10.00 m	8.00 m
REAR YARD	10.00 m	34.10 m
MIN INTERIOR SIDE YARD	10.00 m	5.00 m
MIN EXTERIOR SIDE YARD	5.00 m	NA
MIN LOT AREA	1,500 sqm	11,540 sqm
MIN LOT DEPTH	30.00 m	27.4 m
MAX LOT COVERAGE	30%	69%
MAX BUILDING HEIGHT	15.00 m	25.5 m
MAX ROOF HEIGHT	15.00 m	25.2 m
LANDSCAPE OPEN SPACE	35%	24%

SITE STATISTICS

DESCRIPTION	AREA (SM)	AREA (SF)	%
BUILDING	3339 m ²	35941 sf	29%
BUILDING	3339 m ²	35941 sf	29%
HARD LANDSCAPE	3482 m ²	37478 sf	30%
ASPHALT	86 m ²	927 sf	1%
CURBS	1911 m ²	20571 sf	17%
SEWALK	5479 m ²	58976 sf	47%
SOFT LANDSCAPE	2758 m ²	29686 sf	24%
LANDSCAPE	2758 m ²	29686 sf	24%
OVERALL SITE	11567 m ²	124510 sf	100%

SNOW STORAGE

DESCRIPTION	AREA (SM)	AREA (SF)	%
OVERALL SITE	11567 m ²	124510 sf	100%
OVERALL SITE	11567 m ²	124510 sf	100%
OVERALL SITE	11567 m ²	124510 sf	100%

PARKING REQUIREMENTS

PARKING COUNT

REQUIRED: 192 (192 = 2 PARKING SPACES FOR EACH 8 BEDS = 192 beds / 1.0 = 192) (192 = 192)

COMMERCIAL: 2 PARKING SPACES PER PRACTITIONER = (192) / 1.0 = 192

TOTAL PARKING REQUIRED: 177 + 192 = 369 PARKING SPACES

ACCESSIBLE PARKING

REQUIRED: 1% OF THE TOTAL NUMBER OF PARKING SPACES, ROUNDING UP TO THE NEAREST WHOLE NUMBER

1 * (192 + 192) = 384

DRIVE AISLE:

- 8.0 m

PARKING SIZES:

- TYPICAL PARKING: 3.0 x 6.0 m
- LONG-TYPE A: 3.0m x 7.0m min CLEARANCE
- ACCESSIBLE PARKING: 3.8 x 6.0 (1.5m ACCESSIBLE AISLE)

BICYCLE PARKING:

- 1 space/500 m² of floor area
- SHORT TERM BICYCLE PARKING: 1 space/500 m² of gross leasable floor area

OVERALL PARKING SCHEDULE

TYPE MARK	DESCRIPTION	COUNT
TYPICAL	8.0m X 3.0m	97
	TYPE A	4
	3.4m X 5.2m	161

BICYCLE PARKING

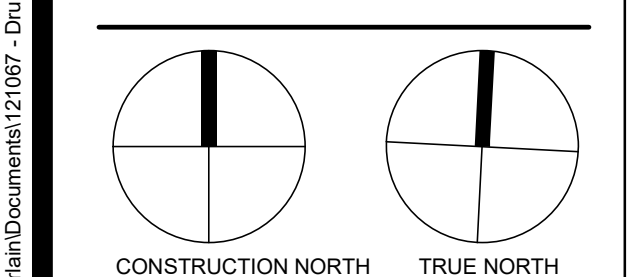
TYPE	DESCRIPTION	COUNT
BIKE PARKING		8
Grand total		8

PER CALCULATION

GROSS FLOOR AREA = 12762 sqm
 AREA OF LOT = 2766 sqm

LEGEND

- CONCRETE CURB
- CONCRETE SIDEWALK
- PAVERS
- MULCH WOODCHIPS
- PAINTED ROAD LINES
- PROPOSED BUILDING
- LANDSCAPE
- ASPHALT DRIVEWAY
- 8m WIDE FIRE ROUTE WITH HEAVY DUTY ASPHALT
- BETACK LINES
- LANDSCAPE BUFFER
- LOT OUTLINE



PROJECT: ARCAVIA LTC NIAGARA FALLS

6888 DRUMMOND RD, NIAGARA FALLS, ON

SHEET NAME:

SITE PLAN

START DATE: 2022 - NOVEMBER

DRAWN BY: MALBB

CHECKED BY: SM

SCALE: As Indicated

PROJECT NO: 121067

DRAWING: **SP-1**

Appendix B. Official Plan Amendment

**AMENDMENT NO. XX
TO THE
CITY OF NIAGARA FALLS
OFFICIAL PLAN**

CITY OF NIAGARA FALLS

By-law No. 2024-XX

A by-law to provide for the adoption of Amendment No. XXX to the City of Niagara Falls Official Plan (AM-2021-010).

THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS, IN ACCORDANCE WITH THE PLANNING ACT, 1990, AND THE REGIONAL MUNICIPALITY OF NIAGARA ACT, HEREBY ENACT AS FOLLOWS:

1. The attached text constituting Amendment No. XXX to the City of Niagara Falls Official Plan is hereby adopted.

Read a First, Second and Third time; passed, signed and sealed in open Council this __ day of _____, 2024.

WILLIAM G. MATSON, CITY CLERK

JAMES M. DIODATI, MAYOR

Part 1 – Preamble:

(i) Purpose of the Amendment:

The purpose of Official Plan Amendment Number XX is to create a Special Policy to exempt the subject site from Neighbourhood Commercial Policies 3.4.2.1 and 3.4.2.3 contained in Part 2 of the Niagara Falls Official Plan to permit the development x m² of at grade health-related commercial uses on the Subject Site in addition to a Long-Term Care Facility.

(ii) Location of the Amendment

The Subject Site is located on the east side of Drummond Road, north of Churchill Street and south of Collins Drive, and are municipally known as 6888 Drummond Road. The Subject Site has an approximate area of 1.16 hectares.

The Site subject to this amendment is shown more specifically on Map 1.

(iii) Details of the Amendment

Map Changes:

Schedule A – Land Use of the Official Plan is amended by:

- Adding the subject site to a new “Special Policy Area XX”

Text Changes:

This Official Plan Amendment creates a new Special Policy Area XX, which applies a site-specific policy framework to the lands subject to this Amendment:

13.X Special Policy Area “XX”

Special Policy Area “XX” applies to approximately 1.16 hectares of land municipally known as 6888 Drummond Road, located on the east side of Drummond Road, north of Churchill Street and south of Collins Drive. The following policies in Part 2 Section 3 of the City of Niagara Official Plan do not apply within Special Policy Area “XX”:

3.4.2.1 Neighbourhood commercial facilities will primarily provide for the day-to-day needs of nearby residents and shall generally not exceed 930 square metres of gross leasable floor space. Such facilities should not reduce the economic viability of designated commercial districts.

3.4.2.3 Neighbourhood commercial facilities may locate not less than 500 metres from any other commercial development.

(iv) **Basis of the Amendment**

The site affected by this Official Plan Amendment is presently designated as *Residential* and is located on an *Arterial Road* and is currently vacant of any buildings or structures. This Amendment facilitates the intensification of the site for a long-term care home with health-related commercial uses at grade.

This Amendment supports the efficient use of land within the context of the existing and planned function of the area. The Site is surrounded by a mix of residential and commercial uses and at present, the policy framework for the site permits both a long-term care home and neighbourhood commercial uses. To the immediate north and west of the site there are one and two storey commercial establishments; to the east of the site there is open space that includes a park; and to the south of the site there are one and two storey residential dwellings. This Amendment provides for a land use that is compatible with the low rise, residential character of surrounding area, while also contributing density and more compact built form.

This Amendment is consistent with and conforms with provincial, regional, and local policy documents including the Planning Act, the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, and the Niagara Region Official Plan, as the Amendment permits the development of a long-term care home which is a critical element of provincial, regional, and local housing supply. Additionally, through the provision of health-related commercial uses, the Amendment also supports neighbourhood walkability and the development of a complete community.

The full justification for this Amendment has been set out in application materials including the Planning Justification Report and supplementary reports.

Part 2 – Body of the Amendment

All of this part of the document entitled “PART 2 – BODY OF THE AMENDMENT” consisting of the following text and the attached map designated as Schedule 1, constitutes Amendment Number XX of the Official Plan of the City of Niagara Falls.

Details of the Amendment

The Official Plan of the City of Niagara Falls is hereby amended as follows:

Map Changes:

Schedule A – Land Use of the Official Plan is amended by:

- Adding the subject site to a new “Special Policy Area XX”

Text Changes:

This Official Plan Amendment creates a new Special Policy Area XX, which applies a site-specific policy framework to the lands subject to this Amendment:

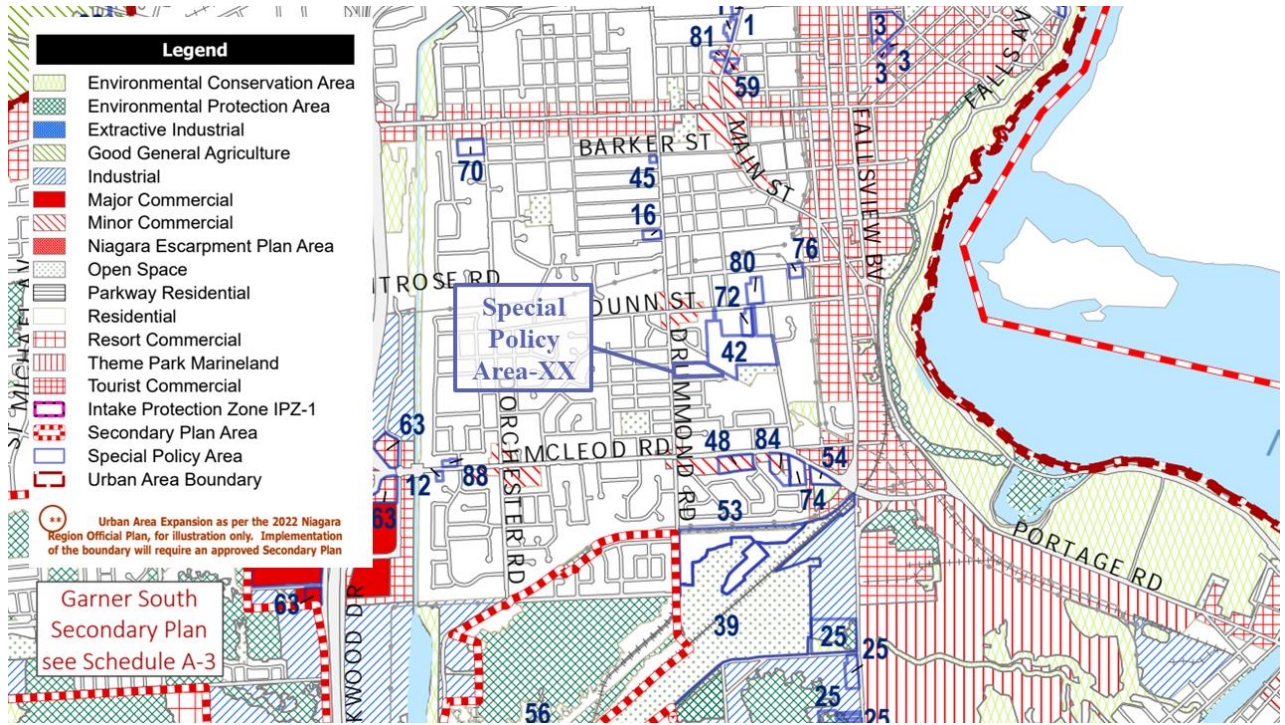
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3.4.2.3 Neighbourhood commercial facilities may locate not less than 500 metres from any other commercial development.

Schedule 1



Amending City of Niagara Falls Official Plan, Schedule "A"

Map 1



Legal Description: PT TWP LT 160 STAMFORD PT 1, 59R13838 CITY OF NIAGARA FALLS

Appendix C. Zoning Bylaw Amendment

City of Niagara Falls
BY-LAW NUMBER 2024- XX

A BY-LAW TO AMEND BY-LAW NO. 79-200, TO PERMIT THE USE OF A LONG-TERM CARE HOME AND HEALTH-RELATED COMMERCIAL USES (AM-2024-XX)

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

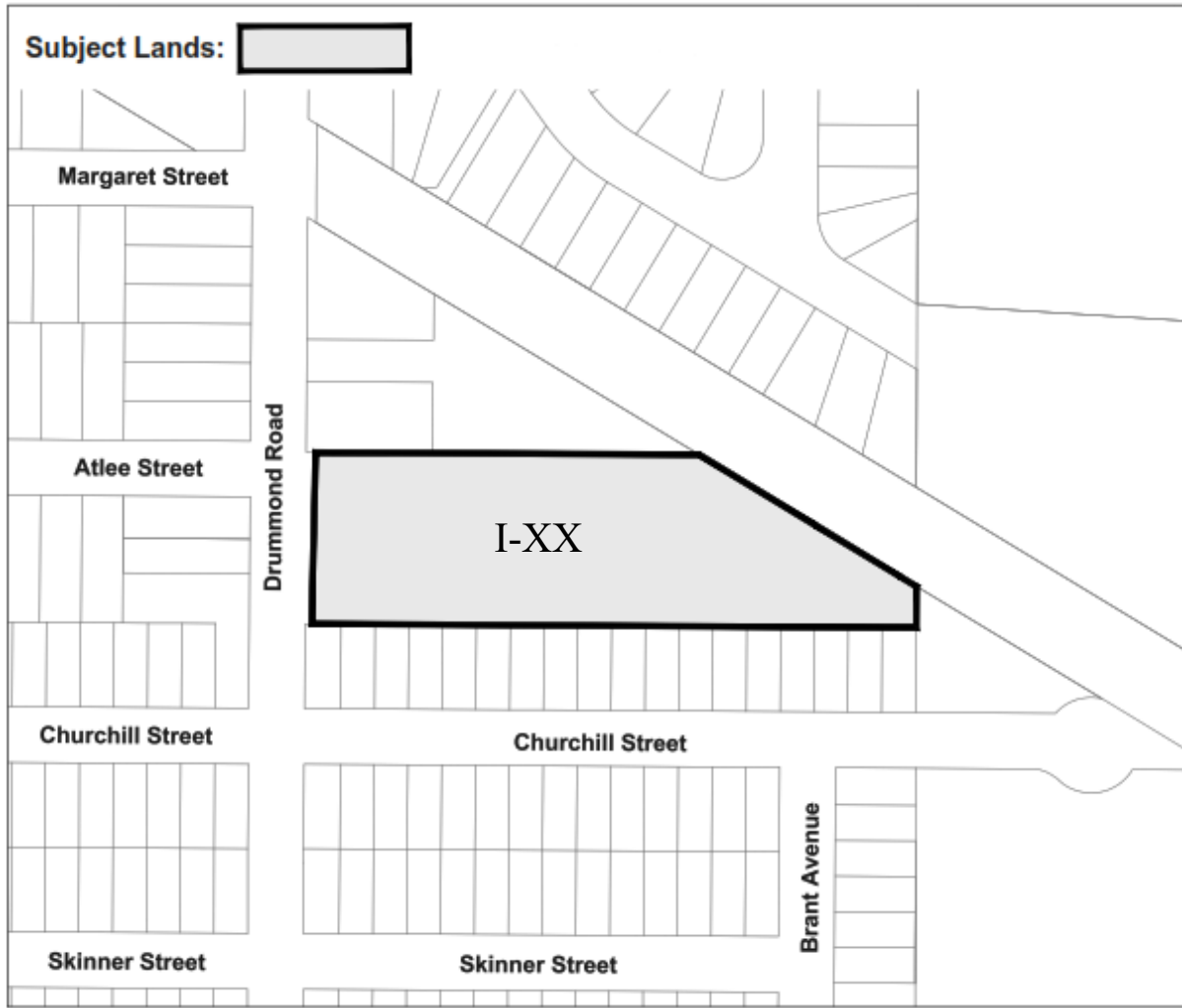
1. The Lands that are the subject of and affected by the provisions of this by-law are described in Schedule 1 of this by-law and shall be referred as the “Lands”. Schedule 1 is a part of this by-law.
2. The purpose of this by-law is to amend the provisions of By-law No. 79-200, to permit the use of the Lands in a manner that would otherwise be prohibited by that by-law. In the case of any conflict between a specific provision of this by-law and any existing provision of By-law No. 79-200, the provisions of this by-law are to prevail.
3. That the “Lands” on Schedule 1 to this by-law shown as the “Subject Lands” are hereby rezoned from Residential Apartment 5B Density Special Provision 627 (R5B – 627) Zone to Institutional Special Provision (I-XX) Zone.
4. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following uses and regulations shall be the permitted uses and regulations governing the permitted uses on and of the Lands:
5. The permitted uses of Part 1 of the Lands shall be those listed in the I Zone, as well as:
 - a. A maximum of seven (7) Health-related commercial units.
 - b. The regulations governing the permitted uses shall be those in the Institution Zone, except as follows:
 - i. Minimum Front Yard Depth: 9.22 metres
 - ii. Maximum Height of Building or Structure: 29.5 metres
6. All other applicable regulations set out in By-law No.79-200 shall continue to apply to govern the permitted uses of the Lands.
7. No person shall use the Lands for a use that is not a permitted use.
8. No person shall use the Lands in a manner that is contrary to the regulations.
9. The provisions of this By-law shall be shown on Schedule “A” of Bylaw No.79-200 by redesignating the lands from R5B – 627 Zone to I-XX Zone.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS ____
DAY OF _____, 2024.

JAMES M. DIODATI, MAYOR

WILLIAM G. MATSON, CITY CLERK

Schedule 1 to Zoning By-law No. 2024-XX



Amending Zoning By-law No. 79-200

Legal Description: PT TWP LT 160 STAMFORD PT 1, 59R13838 CITY OF NIAGARA FALLS



y's In Box

PLAN OF SECTION

118

N 2250

OPTUAL SITE
BACKGROUND
MORE VENT

THE BIOLOGICAL

THE BIGLIERI GROUP LTD.

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