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File: P-933

June 10, 2024

City of Niagara Falls
Development Planning Department
4310 Queen Street
Niagara Falls, ON
L2E 6X5

Attention: MacKenzie Ceci, MCIP, RPP, Senior Planner

**Re: Application for Redline Revision and Zoning By-law Amendment
9062 Sodom Road
Niagara Falls, Ontario
Part of Lot 20, Concession 11
Related Files: A-2023-037**

Dear Ms. Ceci,

On behalf of Queensway Chippawa Properties Inc. (the "Owner"), KLM Planning Partners Inc. is pleased to submit Redline Revision to a draft approved Plan of Subdivision, along side a Zoning By-law Amendment ("ZBA") Application submission of the revised plans and reports for the above noted applications.

Notable changes to the plan from the previous submission include the addition of 9062 Sodom Road, which will add five (5) additional lots for the development of single detached dwellings along with the required daylight triangle to Sodom Road.

The subject lands are approximately 0.2 hectares (0.49 acres) in size and have approximately 33.0m of frontage along Sodom Road.

The proposed development is to add the lands known as 9062 Sodom Road to the currently draft approved Plan of Subdivision that is proposed to the east and south of the subject property. The proposal is to add an additional five (5) residential lots to the already draft approved subdivision by way of redline revision and to rezone the Subject Property to Residential Mixed (R3) to match the approved lands it will be joined to. The Zoning By-law Amendment will further amend the Residential Mixed zoning to Residential Mixed Exception (R3-XX) to permit a reduction in rear yard depth, a decrease in landscaped area and a decrease in lot coverage, as well as the site-specific exceptions already laid out within the R3-1162 exception zone on the draft approved subdivision lands. All proposed units are accessed via a public road network. Resident parking is provided at a rate of 2 parking spaces per unit. The proposed development has been designed to address each interface with the existing surrounding community with a similar and compatible building typology for consistency in the urban fabric.

This letter provides a brief policy summary and opinion overview.

Provincial Policy Framework

The Planning Act promotes economically, environmentally, and socially sustainable development through a land use planning system guided by provincial policy. The Act additionally aims to integrate matters of provincial interest in planning decisions and encourages cooperation and coordination of interests, specifically in section 3(5) which requires decisions on planning matters to be consistent with the Provincial Policy Statement (“PPS 2020”), while conforming to and not conflicting with Provincial Plans. It is our opinion that the applications satisfy the requirements of the Planning Act per assessment of the PPS and the Provincial Growth Plan to follow.

The PPS 2020 calls for the building of strong communities as “Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, livable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.” This can be achieved by promoting efficient development of land, accommodating an appropriate range of housing types, avoiding land use patterns that cause harm to the environment and public health and providing necessary infrastructure to accommodate growth. The proposed development represents a compact built form that will efficiently utilize existing servicing and transportation infrastructure and will contribute to the available range and mix of residential units available in the area. With local parks and public trails nearby, the development will build upon the social well-being of the area. The development will have good vehicular access to the broader area via the local and regional road network connecting the site to Provincial Highways. The development will also positively contribute to the City’s housing supply in order to assist with achievement of Provincial Growth Plan intensification requirements. Based on the abovementioned, it is our opinion that the proposed development is consistent with the PPS (2020).

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) 2020 seeks to guide decisions on a number of matters including: transportation and infrastructure planning, land use-planning, urban form, housing, natural heritage, and resource protection. The Growth Plan seeks to achieve complete communities comprising a mix of uses and a range of housing options in a compact and efficient form. The subject lands are located within the “Delineated Built-Up Area” of the plan as identified on “Schedule 2 – A Place to Grow Concept” of the Growth Plan, which encourages intensification throughout the designation. The proposed development provides for residential growth within the “Delineated Built-Up Area” of Niagara Falls, which offers existing community infrastructure, service infrastructure, public transit routes, and active transportation accommodation. The proposed single detached dwellings will contribute to the already draft approved Plan of Subdivision and will contribute to the mix and range of housing options available in the area, while contributing to efficient use of existing public service facilities and infrastructure, putting more people in proximity to transit and amenities. The Subject Property is currently an underutilized piece of land and these applications seek to create a more efficient use of the lands. Overall, the development will contribute to the creation of a more complete community. Based on the foregoing, it is our opinion that the proposed development conforms to the applicable policies of the Provincial Growth Plan.

Regional and Local Policy Framework

Niagara Regional Council adopted the Niagara Official Plan in June 2022, and the Minister of Municipal Affairs and housing approved the plan with modifications in November 2022. The Official Plan provides policy framework for managing growth coming to Niagara. The subject lands are designated “Designated Built-Up Area” which is intended to play a key role in accommodating forecasted growth

within Niagara Falls Region and permits a wide range of residential and non-residential uses through redevelopment and intensification provided it is complementary and compatible with surrounding existing built form. Niagara Region has an intensification target rate of 50% by 2051. This development will help achieve meeting those targets. Based on the foregoing, it is our opinion that the proposed development conforms to the Niagara Region Official Plan 2022.

The City of Niagara Falls Official Plan 1993 designates the subject lands “Residential”, which residential uses, including single detached dwellings. The designation also permits development which will be sufficient to accommodate anticipated population growth and the need for various housing types and densities. “The development should occur in a manner which is compatible with the surrounding neighbourhood”. As previously stated, this proposed development is going to be added to an already draft approved subdivision and will achieve the same characteristics and development pattern of what is already approved. The proposed development will reflect the character of the surrounding Weinbrenner community with similar lot fabrics and built form. Being situated beside a Regional arterial road (Sodom Road) consolidation of access and use of a public road network is appropriate and reinforces the pedestrian oriented public realm. Considering this, it is our opinion that the proposal conforms to and implements the direction of the City of Niagara Falls Official Plan 1993.

City of Niagara Falls Zoning By-law 79-200, was amended to include Willoughby By-law No. 395-1966, which included a site-specific policy for these lands under By-law 73-178 & By-law 85-129. These were to permit site-specific uses within the Rural Zone. The proposed development is seeking to rezone the lands to match to the lands in which they are being added. By-law No. 2022-006 further amended the Zoning by-law for the draft approved lands to include site specific policies for the draft approved subdivision. The current Site-Specific Zoning is R3-1162, which permits a minimum lot area of 297 square metres for a detached dwelling, a minimum lot frontage of 11 metres for a detached dwelling on an interior lot, a frontage of 13m for a detached dwelling on a corner lot, a maximum building height of 11 metres and an interpretation of Lot Frontage. The current proposal seeks to amend Zoning By-law 395-1966, as amended, further for these proposed five (5) new lots to permit a reduced rear yard depth of 6.0 metres, a minimum landscape area of 20% and a maximum lot coverage of 60%, as well as incorporate the site-specific standards within By-law 2022-006. The Subject Lands are proposing five (5) new lots that are 1.5 metres shorter than the currently approved lots, due to the lot characteristics and statistics. Considering this, it is our opinion that the proposal conforms to the overall intent of the City of Niagara Falls Zoning By-law 395-1966..

Summary

Ultimately, the proposed development of the subject lands will contribute to achievement of a complete community. The work carried out by the consultant team demonstrates that the proposed development is feasible and appropriate for the Subject Lands. It has been demonstrated that the subject lands can accommodate the proposed land use at the described density and is appropriate in the context of the current Provincial, Regional and City policy framework for the subject lands. On this basis, it is our opinion that the proposal is an appropriate and compatible form of development in the context of the surrounding land use and governing policy framework and therefore the proposal represents good land use planning.

As per comments from the pre-consultation (date), please find below the revised material:

1. A Resubmission Cover Letter, prepared by KLM Planning Partners Inc., dated June 10, 2024;
2. A Comment Response Matrix, prepared by KLM Planning Partners Inc., dated June 10, 2024;

3. Draft Plan of Subdivision Application, prepared by KLM Planning Partners Inc., dated June 10, 2024;
4. Zoning By-law Amendment Application, prepared by KLM Planning Partners Inc., dated June 10, 2024;
5. Copy of the signed pre-consultation meeting report.
6. A cheque (#1139) in the amount of \$2,860.00 & cheque (#1138) in the amount of \$1,440.00, made payable to the Region of Niagara, as per their 2024 Regional Review Fees.
7. A cheque (#1134) in the amount of \$3,810.00 & cheque (#8,030.00), made payable to the City of Niagara Falls, as per the prescribed fees within the pre-consultation report.

In accordance with the pre-consultation meeting, held on April 4, 2024, we trust that the above materials are in order and will allow staff to proceed with deeming the applications complete and schedule a public meeting for the applications. Should you have any questions with respect to the enclosed, please do not hesitate to contact the undersigned.

Yours truly,

KLM PLANNING PARTNERS INC.



Keith MacKinnon BA, MCIP, RPP
Partner



Jaclyn Cook, CPT
Intermediate Planner

cc. Queensway Chippawa Properties Inc