

December 21, 2023

**City of Niagara Falls**

Planning, Building, and Development Department  
4310 Queen Street  
Niagara Falls, ON L2E 6X5

**Attention: Ms. Kira Dolch, General Manager of Planning, Building and Development**

Dear Ms. Dolch

**RE: Applications for Draft Plan of Subdivision and Draft Plan of Common Element Condominium  
3151 Montrose Road  
Planning Addendum Letter  
TBG Project No. 23987**

On behalf of our clients, 1000441695 Ontario Inc., we are pleased to submit to the City for review applications for Draft Plan of Subdivision and Draft Plan of Common Element Condominium for the property located at 3151 Montrose Road in the City of Niagara Falls (the "Subject Site").

**SITE DESCRIPTION AND APPLICATION HISTORY**

The subject site is located on the west side of Montrose Road, west of the Queen Elizabeth Way Highway, south of the Hydro Corridor, and north of Thorold Stone Road. The property has approximately 76 metres of frontage along Montrose Road and is 0.56 hectares in size. There is an existing single detached dwelling on the property.

An application for a Zoning By-law Amendment was submitted to the City on August 8, 2023, to rezone the property from Residential 1A Density (R1A-383) and Residential 1E Density (R1E-1061) and Residential 1C Density (R1C-384) to site-specific Low-Density Group Multiple Dwelling R4 and Site Specific R1E. The purpose of the application for Zoning By-law Amendment is to allow for the development of the property with a mix of townhomes and single detached dwellings on a private laneway, with one single detached dwelling having access direction onto Montrose Road. Nine (9) townhouse units will be created, two (2) new residential units, and the existing single detached dwelling will remain for 12 residential units. The application was deemed complete on October 24, 2023. City Council endorsed the approval of the application at their December 12, 2023 meeting, with the By-law to be presented for approval in January 2024.

**APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION AND COMMON ELEMENT CONDOMINIUM**

The subject applications for the Draft Plan of Subdivision and Draft Plan of Common Element Condominium are being made to facilitate the development and sale of the units once

constructed. As the intention is that the existing dwelling on the property will remain, a Plan of Vacant Land Condominium is not possible. As such, an application for a Draft Plan of Subdivision and a Plan of Common Element Condominium is required. The Draft Plan of Subdivision will create one (1) lot and one (1) block: one block for the Plan of Condominium and one for creating a single lot fronting onto Montrose Road. The Draft Plan of Condominium will create four (4) Parcels of Tied Land (POTLs), which will form the basis for the townhouse blocks and the two single detached units within the condominium development. The Part Lot Control Process will be used to create the individual townhouse units in the future.

A fulsome review of the applicable Planning policies that support the infill development of the property was completed as part of the application for Zoning By-law Amendment. The purpose of this addendum letter is to review the policies reviewed as part of the Draft Plan of Subdivision and Draft Plan of Common Element Condominium, which were not addressed as part of the previous Planning Rationale Report.

**PLANNING ANALYSIS**

**Ontario Planning Act**

When considering a draft plan of subdivision, regard shall be had to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to:

The effect of the development of the proposed subdivision on matters of provincial interest as referred to in Section 2;	The property is not impacted by any natural areas, features or functions.
	The property has not been used for farming purposes. Although the Region of Niagara has identified that they will be looking for agricultural warning clauses to be placed on the property in the future, the lands to the north were brought into the urban boundary of the City of Niagara Falls through the Region’s Municipal Comprehensive Review in 2022.
	There are no natural or mineral resources on the property.
	There are no features of significant architectural, cultural, historical, archaeological or scientific interest on the property. A Stage One Archaeological Investigation was completed, and no matters of significance were identified.
	A key component of the development will be to maintain the existing dwelling on the property rather than demolish it, which will reduce the amount of waste created through the development of this site.
	The property is within the urban area and will be created to have connection to both the internal private street and Montrose Road, thereby increasing the number of “eyes on the street”, creating a safer neighbourhood.

	<p>Any matters regarding accessibility for persons with disabilities will be addressed at the time of building permits for the individual units.</p>
	<p>The lands are within an area that is serviced with both schools (St. Vincent de Paul Catholic School, Orchard Park Public School, and Saint Paul Catholic High School) and parks (Mount Carmel Park and Shriner’s Woodlot Park).</p>
	<p>The development will provide two options for housing: single detached dwellings and townhouse dwellings. The dwellings are proposed to be 1.5 storeys in height and will provide options for residents. Although the units will not be affordable housing, they will provide housing for a range of incomes.</p>
	<p>The development will be for residential purposes, and although a small number of future residents may work from home, no new employment opportunities will be created as directly related to this proposed development.</p>
	<p>There are existing municipal services along Montrose Road which can accommodate the proposed development and will not result in the expansion of municipal facilities.</p>
	<p>All appropriate agencies will be circulated as part of this application.</p>
	<p>No conflicts between public and private interests will be created through this development. The future laneway will be a private condominium road and the condominium association will be responsible for maintenance, snow clearance, garbage collection, etc.</p>
	<p>No health and safety concerns will result in the development of the subject lands. A sight-line study was completed of the proposed access onto Montrose Road and no issues were identified as part of this study. A Noise Study was also completed as part of the development which requires that a noise attenuation fence be constructed along Montrose Road to ensure that the living areas are within Ministry of Environment, Conservation and Parks regulations.</p>
	<p>The property is within the urban boundary of the City of Niagara Falls, and is in an area that has municipal servicing. The property is surrounded by existing residential uses, being a mix of single detached dwelling and townhouses. The redevelopment of the site is appropriate.</p>
	<p>The Region of Niagara Transit stops are approximately 500 metres to the south of the subject property, which is</p>

	<p>within walking distance and will support the use of public transit.</p> <p>The design of the proposal has been made to respect the character of the existing neighbourhood, while allowing for additional residential units. The design of the development will provide connections to the interior condominium development, but will also provide a sense of connection to the developments along Montrose Road.</p> <p>The development will implement energy saving measures in compliance with the Ontario Building Code, and will intensify the uses on an under-developed parcel of land.</p>
Whether the proposed subdivision is premature or in the public interest;	The subdivision is not premature as it is within the Niagara Falls urban boundary and can be accommodated on existing services.
Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The lands are designated Residential in the City of Niagara Falls Official Plan, and the proposed use complies with the policies found therein. The development has aligned the proposed driveway with the municipal road on the east side of Montrose Road for traffic safety purposes.
The suitability of the land for the purposes for which is to be subdivided;	The lands are within an existing residential area, and have been historically used for residential units. Existing services are available along Montrose Road and can accommodate the additional dwelling units. The lands are suitable for the proposed development.
If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;	No affordable dwelling units are being proposed through this development. The inclusion of townhomes can be considered a more attainable form of housing.
The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;	The site will be accessed via Montrose Road, which is a Regional Road. A Traffic Impact Study was not required as part of the submission; however, a sight-line study was requested. This was completed, and no sightline impacts will be created.
The dimensions and shapes of the proposed lots;	The lots are typically rectangular in shape, however, due to the irregular shape of the lot, a number of the lots will not be standard shapes.
The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and	No restrictions will be placed on the subject lands, or any adjacent lands as a result of the development.

the restrictions, if any, on adjoining land;	
Conservation of natural resources and flood control;	The property is not impacted by any natural resources.
The adequacy of utilities and municipal services;	All relevant agencies and utilities were circulated as part of the Zoning By-law Amendment application. No municipal services or utilities issues utilities were identified as part of that application.
The adequacy of school sites;	The District School Board of Niagara and the Niagara Catholic District School Board were circulated as part of the Zoning By-law Amendment. No concerns were raised through that process about the adequacy of local schools.
The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	No road widenings have been requested as part of this development, nor are any other lands required to be dedicated to any public agency.
The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and,	Any energy conservation and energy efficient measures will be implemented within the individual units at the time of Building Permit.
The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act, or any subsection.	The Plan of Subdivision will create the block and lot to create the base for the development. The Draft Plan of Vacant Land Condominium will create the common elements. The blocks and future POTLs will be created through the Part Lot Control process and will allow for the individual units to be sold.

It is my professional opinion that appropriate regard has been given to Section 51(24) of the Planning Act for applications for Draft Plan of Subdivision and Draft Plan of Common Element Condominium.

**PROVINCIAL, REGIONAL, AND CITY POLICY**

As outlined in the Planning Rationale Report prepared to support the application for a Zoning By-law Amendment, the proposed development will provide for new residential dwellings within an existing residential area. The units will contribute to the housing supply within the City and assist in achieving the target of 50% of all new residential growth within the existing built-up area. The development will provide a mix and range of housing units within the neighbourhood, accommodating a greater range of household sizes and incomes.

The development can be accommodated by existing infrastructure and will not require uneconomically expanding services. Transit, recreational areas, schools, and commercial

nodes are all within walking distance to the south of the property, encouraging active transportation.

As with the analysis that was completed for the implementing Zoning By-law Amendment, the applications for Draft Plan of Subdivision and Draft Plan of Common Element Condominium meet the intent of all applicable policies. The proposal is consistent with the policies in the Provincial Policy Statement, and complies with the policies in the Place to Grow Growth Plan for the Greater Golden Horseshoe, Region of Niagara Official Plan, and City of Niagara Falls Official Plan.

### **SUBMISSION MATERIALS**

As part of the application for Draft Plan of Subdivision and Draft Plan of Vacant Land Condominium, the following materials have been provided:

- Draft Plan of Subdivision;
- Draft Plan of Common Element Condominium;
- Urban Design Brief;
- Functional Servicing Report (inclusive of Stormwater Management);
- Noise Study;
- Landscape Design;
- Planning Justification Report;
- Application forms; and,
- PIN Sheet

We look forward to any future discussions on the application.

Sincerely,  
**THE BIGLIERI GROUP LTD.**



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