



A.J. Clarke & Associates Ltd.

Proud of our Treasured Past
Building a Sustainable Future

Planning Justification Report

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1 Introduction

A.J. Clarke and Associates Ltd. has been retained by Dorchester Property Holdings Inc. to prepare a Planning Justification Report in support of an application for Zoning By-law Amendment within the City of Niagara Falls. The subject lands are municipally known as 6259-6253 Dorchester Road and described as Part Township Lot 148, in the City of Niagara Falls. Future applications for Site Plan Control and Draft Plan of Condominium will be required to address matters pertaining to detailed site design and tenure.

The general purpose and intent of the Zoning By-law Amendment application is to establish appropriate site specific standards to facilitate the proposed five (5) storey residential apartment building, inclusive of 74 units, with 92 parking spaces. The purpose of the proposed Zoning By-law Amendment is to rezone the subject site from the R1C and R4-839 Zones to a site-specific “Residential Apartment 5C Density (R5C-XXX) Zone”.



On June 18, 2020, a pre-consultation meeting was held with City Staff and Regional Staff to discuss the proposed redevelopment. In accordance with the pre-consultation meeting checklist the following items have been submitted in support of the proposed redevelopment:

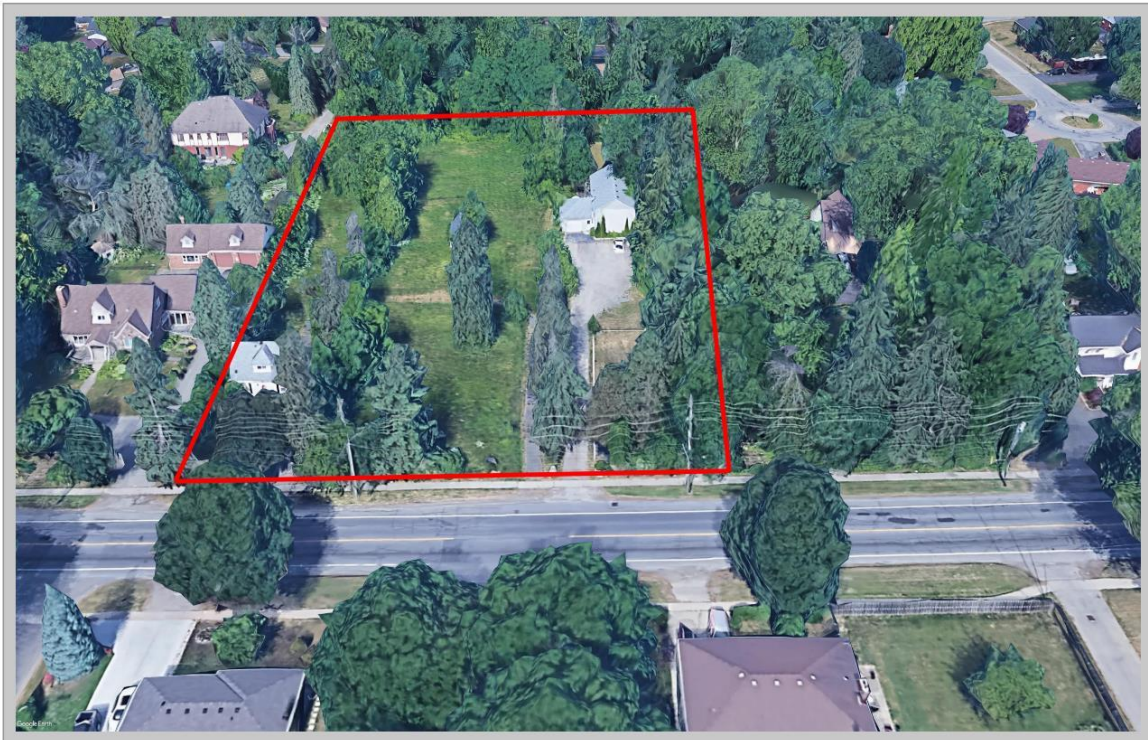
- Functional Servicing & Stormwater Management Report, prepared by A.J. Clarke & Associates Ltd.;
- Traffic Impact and Parking Study, prepared by Trans-Plan;

- Tree Inventory Protection Plan, prepared by Adesso Design Inc.;
- Landscape Plan, prepared by Adesso Design Inc.

Sections 2 and 3 of this report discuss the subject lands and the proposed redevelopment, while Section 4 outlines how this proposal relates to the applicable provincial and local level land use planning policy documents. Section 5 describes how the concurrently submitted technical reports and studies relate to the proposed development. Sections 6 and 7 outlines public consultation strategy for the proposed development, and finally Section 8 provides concluding remarks and a professional planning opinion on the proposed Zoning By-law Amendment for the subject lands.

2 Description of Subject Lands & Surrounding Neighbourhood

The subject lands are municipally known as 6259-6293 Dorchester Road, and are located within the City of Niagara Falls, Ontario. The subject lands are approximately $\pm 7,630.9$ square metres in area, with ± 63.03 metres of frontage along Dorchester Road, and ± 121.92 metres in depth. Currently, the four (4) parcels are occupied by two (2) single detached dwellings with associated paved parking, and one (1) accessory structure.




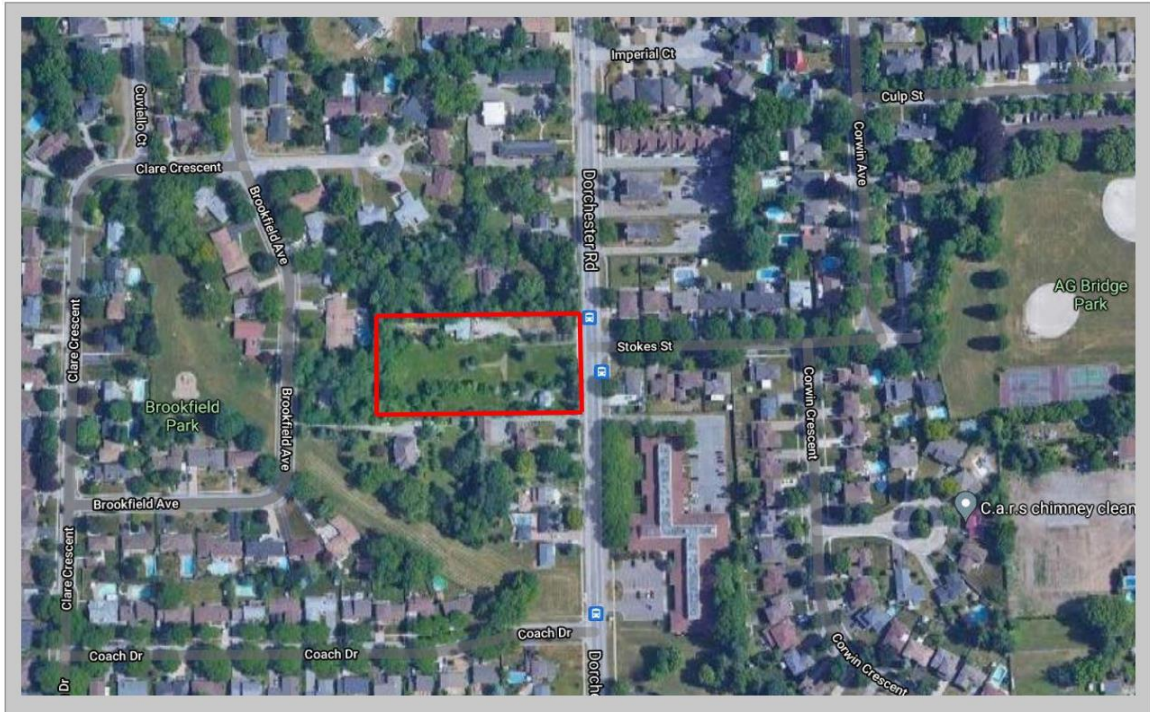
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6259-6293 Dorchester Road, Niagara Falls
 SUBJECT SITE



Figure 2: Streetview Photograph (Google Earth)




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 6259-6293 Dorchester Road, Niagara Falls
 SUBJECT SITE
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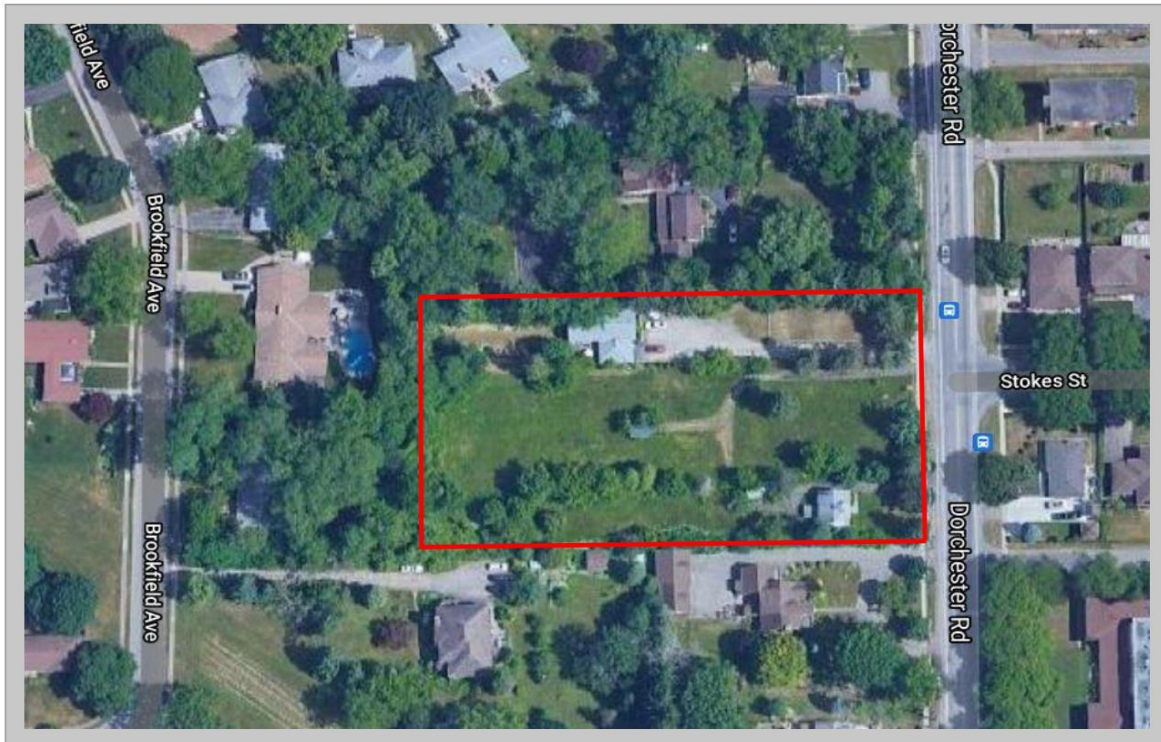
Figure 3: Aerial Photograph (Google Maps)



The following uses surround the subject lands:


- North:** Single Detached Dwellings
- South:** Single Detached Dwellings
- East:** Single Detached Dwellings
- West:** Single Detached Dwellings

The subject lands are located along Dorchester Road within a predominantly residential neighbourhood, south of Lundy's Lane in the Drummond Community. Various local amenities are located within 500 metres of the subject lands, such as AG Bridge Park, grocery and convenience stores, restaurants, churches, and Our Lady of Mount Carmel Catholic Elementary School. The residential uses surrounding the subject site are predominately single-detached dwellings, with a mix of townhouse dwellings, and low-rise apartment style developments primarily located along Dorchester Road. Figure 3 above generally depicts the subject lands and the various amenities.

Dorchester Road intersects with Lundy's Lane approximately ±557.11 metres north of the subject lands. Lundy's Lane is an arterial road containing a mix of uses which connects to the Downtown Core of the City to the east. This mixed-use corridor includes a variety of amenities such as restaurants, casinos, short-term accommodations, tourist attractions such as the Niagara Falls, residential uses, and various institutional uses. To the west, Lundy's Lane turns into Highway No. 20 which provides access to the broader Niagara Region, including the municipalities of St. Catharine's and Welland.

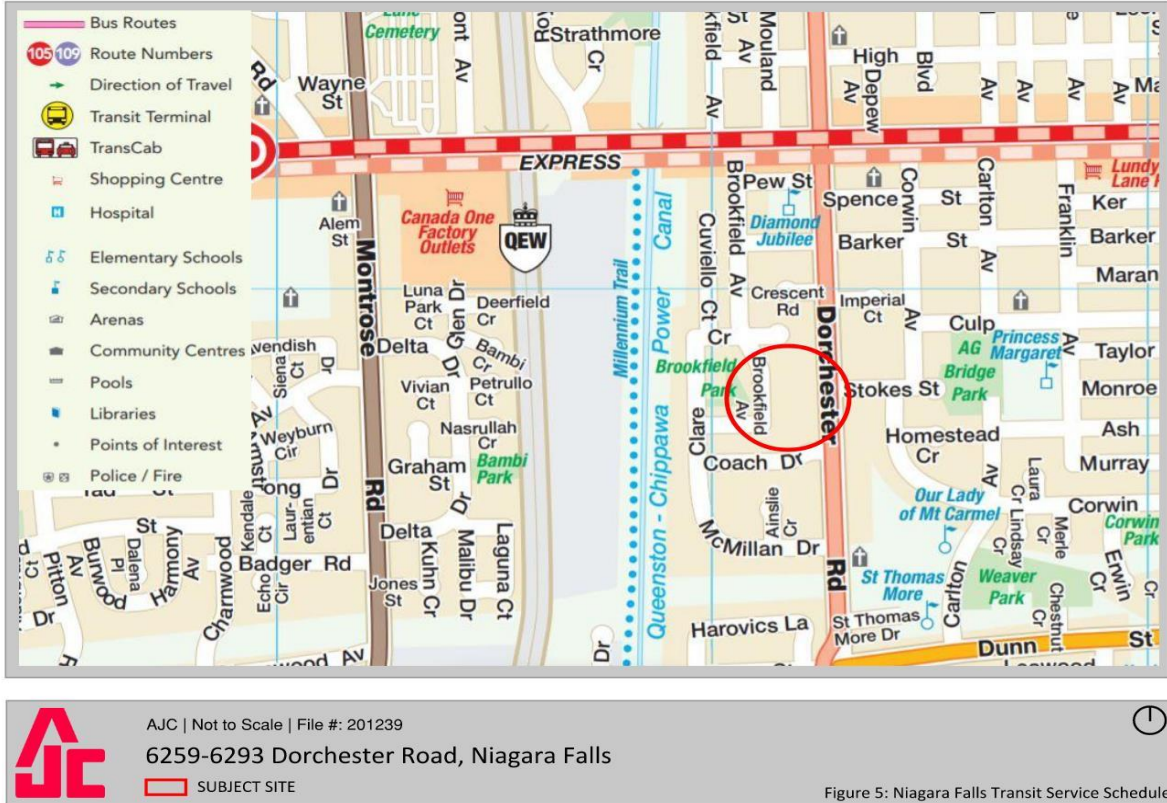



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 6259-6293 Dorchester Road, Niagara Falls
 SUBJECT SITE


 Figure 4: Aerial Photograph (Google Maps)

The subject lands are located within proximity to access ramps to the Queen Elizabeth Way (QEW) and Highway No. 420, located within approximately one (1) kilometre of the subject site. These highways facilitate regional travel to St. Catharine’s and Fort Erie, as well as provide access to the Rainbow International Bridge – one of the principal land border crossings between Canada and the United States in the Region.

The subject lands are also served by Niagara Falls Transit along Dorchester Road. As depicted in Figure 3, there are numerous transit stops along Dorchester Road and Lundy’s Lane within walking distance of the subject site. The nearest stops are located immediately in front of the subject lands, at the intersection of Dorchester Road and Stokes Street. The subject site is also within walking distance of the WEGO Transit Service. WEGO buses focus primarily on service to and from the various tourism sectors of the City, such as Lundy's Lane, Victoria Avenue, Clifton Hill, Fallsview, Main & Ferry, etc. Active City transit routes are shown in the figure below:



| Bus Stop | Routes |
|---|---------------------|
| Dorchester Road & Lundy's Lane SW | 111 & 211 |
| Dorchester Road & Barker Street | 111 & 211 |
| Dorchester Road & Stokes Street | 111 & 211 |
| Dorchester Road & Coach Drive | 111 & 211 |
| Dorchester Road & McMillan Drive | 111 & 211 |
| Dorchester Road & Dunn Street | 101, 111, 203 & 211 |
| Dorchester Road at Lundy's Lane NW Corner | 111 & 211 |
| Lundy's Lane & Dorchester Road | RED |

In addition to transit services, Dorchester Road and Lundy's Lane are improved with a pedestrian sidewalk on both sides of the street. Currently, there is no dedicated cycling infrastructure along Dorchester Road. However, there is nearby cycling infrastructure available along Dunn Street (south) and Drummond Road (east). These facilities provide connections to the broader cycling network throughout the City and Region, as illustrated on the Niagara Region Cycling Map (Figure 6).



Figure 6: Niagara Region Cycling Map

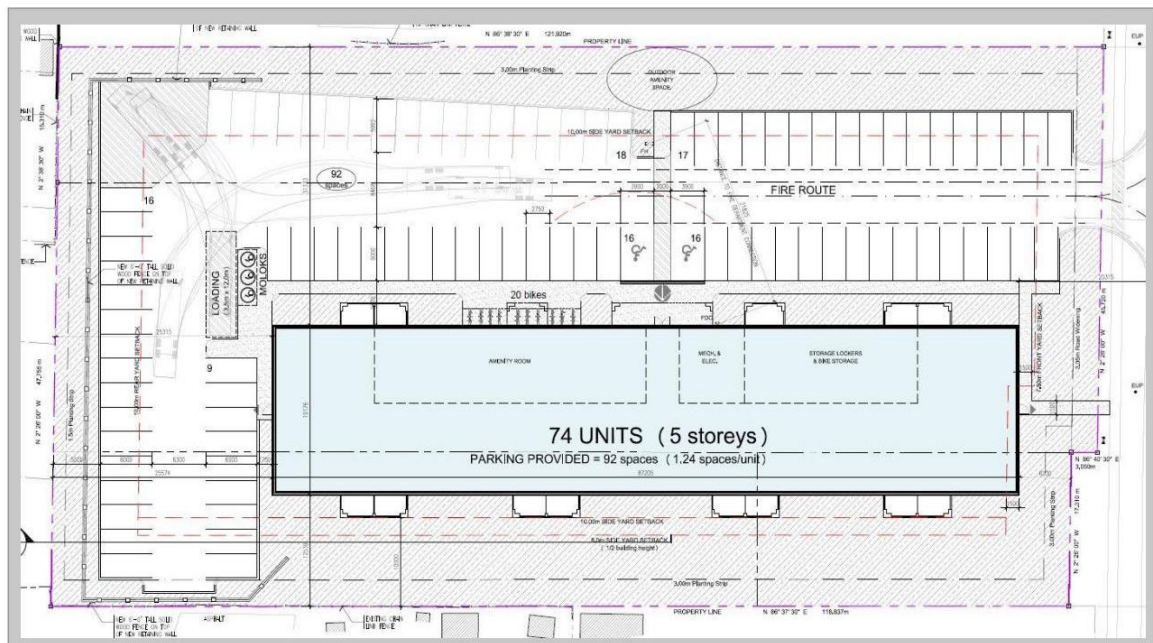
3 Proposed Development



The proposal is to demolish the existing dwellings on the subject lands to facilitate the construction of a five-storey residential development. The proposal consists of a five (5) storey multiple dwelling, containing a total of 74 residential units, representing a density of 96.98 units per net hectare. The maximum building height of the proposed dwelling (including mechanical penthouse and appurtenances) is 16.0 m. The proposed Concept Plan can be found attached within Appendix A for further details.

A total of 92 total parking spaces (incl. 2 barrier free spaces) are proposed to be provided at-grade, representing a parking ratio of 1.24 spaces per unit. The parking area will be accessed from Dorchester Road via one access driveway. In addition, the parking area includes twenty (20) long term bicycle parking spaces. The proposed development features a molok system for resident garbage disposal, as well as one (1) loading space for waste collection and loading purposes. It should be noted that a road widening is proposed which will result in a net site area of 7,491.5 square metres (7,630.9 square metres without widening).

The proposed development will feature a variety of plantings and landscaping features along the street line and around the perimeter of the subject site. An amenity area with seating areas is proposed along the norther property line. A wooden privacy fence is proposed along sections of the northern, southern, and western property lines. Further details regarding the proposed landscaping

are available within the concurrently submitted Landscape Plan.



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 6259-6293 Dorchester Road, Niagara Falls
 SUBJECT SITE
 Figure 7: Site Plan

To implement the performance standards associated with the proposed concept plan, a Zoning By-law Amendment Application has been submitted to the City of Niagara Falls for the purposes of establishing additional site-specific performance standards associated with the landscaped open space, as well as to rezone the subject site.

Accordingly, the effect of the proposed application is as follows:

- 1) To amend the City of Niagara Falls Zoning By-law No. 79-200 by rezoning the subject lands, as shown on the Concept Plan attached hereto as Appendix A, from the R1C and R4-839 Zones to a site-specific R5C-XXX Zone. Please refer to Appendix B for further details regarding the Draft By-law.

4 Planning Policy Framework

The following land use planning policy and zoning instruments are considered in this Section:

- Provincial Policy Statement (2020)
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)
- Niagara Regional Official Plan (2014)
- City of Niagara Falls Official Plan
- City of Niagara Zoning By-law No. 79-200



4.1 Provincial Policy Statement (2020)

The current Provincial Policy Statement (PPS) came into effect on May 1st, 2020. The principles of the PPS are about managing change and promoting efficient, cost-effective development and land use patterns, which stimulate economic growth and protect the environment and public health. The intention of the concurrently submitted applications and related plans, reports, studies, etc., is to implement a form of residential development for the subject lands which is in keeping with the directions established within the PPS.

The intent of the submitted application and related plans, reports, studies, etc., is to demolish the existing residential uses on the subject lands in favour of a new five storey residential redevelopment in a manner consistent with the directions established within the PPS.

Healthy, Liveable and Safe Communities

Section 1.0 of the PPS contains policies that relate to building strong, healthy communities. The following policies are relevant to the proposed development:

Pol. 1.1.1 Healthy, liveable, and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) 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, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity;*

The proposed development will more effectively utilize the available land resources by redeveloping two single detached dwellings into a five storey residential apartment, having a density of 96.98 units per net hectare. The proposed Zoning By-law Amendment will facilitate the intensification of the subject site which will take advantage of existing municipal services, including servicing infrastructure and existing transit routes. Additionally, the proposed development will increase the available supply



and mix of housing options within the surrounding neighbourhood, which consists predominantly of single-detached dwellings.

Section 1.1.3 of the PPS provides policy direction for development in settlement areas. The relevant policy provisions of Section 1.1.3 are outlined below:

Pol.1.1.3.1 Settlement areas shall be the focus of growth and development.

The proposed development represents appropriate intensification of underutilized lands within the settlement area and the built-up area. The proposed development promotes the growth and development of settlement areas, contributing towards their overall vitality by improving the diversity and density of available housing options within the Urban Area.

Pol.1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed;*

Pol. 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Pol. 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The proposed redevelopment takes advantage of existing servicing infrastructure and is in proximity to a commercial corridor with access to a variety of commercial, institutional, and recreational neighbourhood amenities. Further, the site has sufficient access to several transit options which will assist in reducing the need to use a motor vehicle for daily trips. In accordance with Policy 1.1.3.4, the proposed redevelopment is not anticipated to negatively impact public health and safety upon full build-out.

Housing

Section 1.4 of the PPS provides policy direction for the use and provision of housing. The policies in which relate to the proposed development are detailed below;



Pol. 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- b) permitting and facilitating:
 - i. 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; and*
 - ii. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;**
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and*
- e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations;*
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

This proposal provides for a larger range of housing options within an existing built-up urban area, which is predominantly occupied by single-detached dwellings. The proposal will accommodate more residents than the conventional single-family low-density housing and will assist in providing a greater range and mix of housing in the surrounding neighbourhood and more broadly in the City of Niagara Falls. The subject site is near numerous transit stations and public facilities. It is beneficial to direct residential development towards sites with such ample proximity. By implementing a larger-scale residential development on the subject lands, the future residents will gain access to various public facilities, transit stations, and will have ample opportunity to engage in active transport due to the site's proximity to various commercial developments along Lundy's Lane.

Infrastructure and Public Service Facilities

Section 1.6 of the PPS provides further policy direction for the use and provision of infrastructure and public service facilities. Those policies which are relevant to the proposed development are discussed in greater detail below:

Pol. 1.6.3 Before consideration is given to developing new infrastructure and public service facilities:

- a) the use of existing infrastructure and public service facilities should be optimized.*



Pol. 1.6.4 Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.

Pol. 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support 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.

The proposed development will utilize existing urban municipal services, including emergency services, nearby public services, and municipal water and wastewater infrastructure. As per the findings of the Functional Servicing Report, the site will be adequately serviced by existing municipal services and will improve the efficient use and delivery of the same.

Transportation Systems

Section 1.6.7 of the PPS provides policy direction for the use of transportation systems. The policies which relate to the proposed development are detailed below:

Pol. 1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

Pol. 1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

The proposed redevelopment is located along Dorchester Street and has access to existing transit services and infrastructure, which will assist in reducing the reliance on motor vehicles for the proposed redevelopment. On-site amenities for cyclists such as bicycle parking are included within the proposed development to encourage the use of active transportation modes to and from the site.

Overall, the proposed redevelopment represents a compact and efficient built form which is consistent with the policy direction outlined in the Provincial Policy Statement. The development represents appropriate residential intensification within the urban core of the City and will support the efficient delivery of municipal servicing infrastructure, as well as improve the viability and efficiency of public transit services in the area.

4.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

In May of 2019, the Ministry of Municipal Affairs and Housing of the Ontario Government, released a revised Growth Plan for the Greater Golden Horseshoe, with updated content. This document was a result of the Province's Co-ordinated Land Use Planning Review and came into force and effect on May 16th, 2019, and will hereinafter be referred to as the "Growth Plan". Amendment 1 to the Growth



Plan came into effect on August 28th, 2020, and reflects the latest iteration of the Plan at the time of writing.

The Growth Plan builds on the previous Growth Plan (2017) in its direction to curb urban sprawl, and directs growth management policies related to community building, including transportation, infrastructure planning, and land-use planning for the region to 2051. The Growth Plan lays the framework for regional growth, and emphasizes creating complete communities that are well designed, and optimize land designated for urban development. Decisions on land use matters as they relate to the Growth Plan should generally be supportive of its Guiding Principles. The proposed development is an appropriate form of residential development that directs new development within the urban boundary.

Schedule 2 of the Growth Plan designates the lands as part of the “Built Up Area” and “Gateway Economic Zone”. As such the following policies are applicable to the proposed redevelopment.

Managing Growth

Section 2.2 of the Growth Plan speaks to managing growth and directing urban land uses into existing urban boundaries with access to municipal servicing and local transit. The following policies are applicable to the proposed redevelopment.

Pol. 2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) *the vast majority of growth will be directed to settlement areas that:*
 - i. *have a delineated built boundary;*
 - ii. *have existing or planned municipal water and wastewater systems;*
and
 - iii. *can support the achievement of complete communities;*
- b) *Growth will be limited in settlement areas that:*
 - iv. *Are rural settlements;*
 - v. *Are not serviced by existing or planning municipal water and wastewater systems; or,*
- c) *within settlement areas, growth will be focused in:*
 - i. *delineated built-up areas;*
 - ii. *strategic growth areas;*
 - iii. *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
 - iv. *areas with existing or planned public service facilities;*
- d) *development will be directed to settlement areas, except where the policies of this Plan permit otherwise;*
- e) *The establishment of new settlement areas is prohibited.*

Pol. 2.2.1.3 *Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:*

- c) *provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.*



- d) *Support the environmental and agricultural protection and conservation objectives of this Plan;*

Pol. 2.2.1.4 Applying the policies of this Plan will support the achievement of complete communities that:

- a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b) *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) *provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- d) *expand convenient access to:*
 - i. *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
 - ii. *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities;*
- e) *provide for a more compact built form and a vibrant public realm, including public open spaces.*

The subject lands are situated within an existing built-up area which is intended to accommodate much of the growth within the Niagara Region. The proposed development contributes to creating a complete community within the City of Niagara Falls as well as supports the nearby existing commercial street (Lundy's Lane). The proposed development contributes to creating a complete community by implementing a higher-density residential development on a currently underutilized site. By implementing a higher-density residential development, the proposal contributes to increasing the type and availability of housing options throughout the neighbourhood, while additionally increasing the utilization of existing transit infrastructure and surrounding commercial establishments. As per the Functional Servicing Report, the development will utilize existing municipal infrastructure and transit thereby mitigating the need to expand the built-up area into agricultural and natural lands for the purposes of accommodating new growth.

The redevelopment proposal contributes to a compact urban form that will improve the efficient delivery of municipal servicing infrastructure and transportation services. The proposed redevelopment will provide a greater range of housing options within the neighbourhood. As such, the proposed development represents an appropriate intensification of underutilized lands.

Housing

Pol. 2.2.6.1 Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:

- a) *support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:*
 - i. *identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and*



ii. establishing targets for affordable ownership housing and rental housing;

b) identify mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 a);

Pol. 2.2.6.2 Notwithstanding policy 1.4.1 of the PPS, 2014, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:

a) planning to accommodate forecasted growth to the horizon of this Plan;

b) planning to achieve the minimum intensification and density targets in this Plan;

c) considering the range and mix of housing options and densities of the existing housing stock; and,

d) planning to diversify their overall housing stock across the municipality.

Pol. 2.2.6.3 To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

Having a density of 96.98 units per net hectare, the proposed development will result in more efficient use of available land and infrastructure resources, while supporting the creation of a more complete community. The proposal will provide a greater range and mix of housing options in the built-up area, while supporting a more affordable and higher density form of housing. This will expand the diversity of options available in the surrounding area and will meet the needs of a greater range of households than the predominant single-detached built form in the surrounding area.

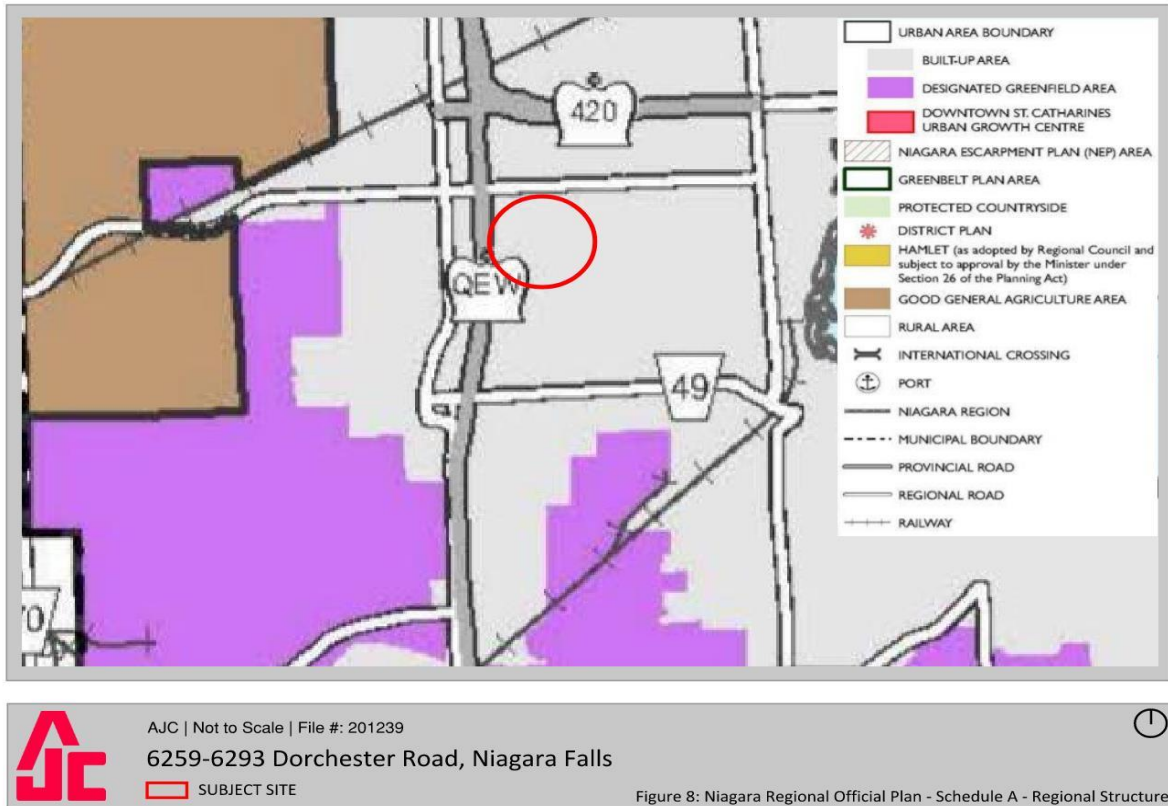
Based on the foregoing analysis, the proposed development conforms with the general intent and direction of the policies of the Growth Plan for the Greater Golden Horseshoe (2020).

4.3 Niagara Regional Official Plan (2014 Consolidation)

The Niagara Regional Official Plan (NROP) is the Upper-Tier Official Plan of the entire Niagara Region. The Official Plan was adopted by Regional Council in November 1991 and approved by the Ontario Municipal Board (now Local Planning Appeal Tribunal) in December of 1994. The current iteration of the Official Plan came into force and effect in 2014, and is intended to manage growth, create housing policy, and regulate matters such as natural heritage and regional roads.

It is understood that a new Regional Official Plan is currently being prepared by Regional Staff, however, at the time of writing there have been no draft policies released and so the current policies of the NROP will be used to evaluate the merits of the proposed redevelopment.

The subject lands are located within the “Built-Up Area” as shown on Schedule A – Regional Structure within the Niagara Regional Official Plan and “Gateway Economic Zone” as shown on Schedule G1 of the Niagara Regional Official Plan.



Section 3.A – Niagara Economic Gateway

The policies within this Section concern promoting economic development and growth of the tourism related industries throughout the Region. The proposed development effectively promotes efficient use of existing infrastructure and shall be compatible with the surrounding land uses which is a primary focus within Gateway Areas.

Obj. 3.A.2.6 To promote the efficient use of infrastructure.

Obj. 3.A.3.24 Tourism uses and tourism economic development is a priority for the Niagara Economic Gateway Zone and Centre. Tourism focused lands are not identified on a map as they are broadly through the Gateway Zone and Centre in such areas as the Niagara River Parkway, the Niagara Falls Tourist Area, tourism areas in Fort Erie, and along the Welland Canal. Transit opportunities for strengthening the tourism economy will be pursued.

Obj. 3.A.3.25 Land use compatibility within the Gateway Economic Zone and Centre is a primary focus of this Plan. Tourism uses within the Gateway municipalities shall be located to ensure the planned function of employment uses on employment lands shall be maintained and enhanced.

The above policies regard the requirement for redevelopment to be compatible with the overall function of the Niagara Economic Gateway and to utilize transit where applicable. The subject lands are located along an arterial road (Dorchester Road) and near to Lundy’s Lane, a mixed-use street which leads to the Downtown Core. The proposed redevelopment will provide an increased residential density in the area, thereby introducing greater support for existing transit services and commercial uses in the area.



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 Figure 9: Niagara Regional Official Plan - Schedule G1 - Niagara Economic Gateway

Section 4.A Growth Management Objectives

The following policies are applicable as they relate to how the redevelopment contributes to the overall goals of the Niagara Regional Official Plan.

The objectives of the Growth Management Policies of this plan are to:

Obj. 4.A.1.1 *Direct the majority of growth and development to Niagara’s existing Urban Areas.*

Obj. 4.A.1.2 *Direct a significant portion of Niagara’s future growth to the Built-up Area through intensification.*



- Obj. 4.A.1.3 Direct intensification to Local Municipally Designated Intensification Areas.*
- Obj. 4.A.1.6 Build compact, mixed use, transit supportive, active transportation friendly communities in the Built-up Area and in Designated Greenfield Areas.*
- Obj. 4.A.1.7 Reduce dependence on the automobile through the development of compact, mixed use, transit supportive, active transportation friendly urban environments.*
- Obj. 4.A.1.8 Provide a foundation for developing access to intra and inter-city transit.*
- Obj. 4.A.1.12 Direct growth in a manner that promotes the efficient use of existing municipal sewage and water services.*

The proposed redevelopment represents an efficient and desirable use of land within an existing Built-Up area, as well as utilizes existing municipal services. The proposal is located within an active tourist area and fronts onto Dorchester Road, which has access to transit services providing connections to the downtown core, the broader City, and the Region. The proposed development will have a density of 96.98 units per net hectare, making it a compact development which will further support the viability of existing transit services and promote the efficient use of existing municipal water and wastewater services. The additional intensification proposed for the subject lands contributes positively towards the growth targets which are set out by the Growth Plan under Section 4.C and directed to the Built-Up Area.

4.C Intensification and Greenfield Growth

- Obj. 4.C.2.1 Each municipality will develop and implement through its local official plan and other supporting documents, a strategy and policies for promoting intensification and achieving the intensification targets set out in Sub-section 4.C.4 of this Plan. Local official plans shall:*
- a) Incorporate the Built Boundary delineated on Schedule A of this Plan as the basis for identifying the Built-up Area;*
 - b) Generally encourage intensification throughout the Built-up Area;*
 - c) Identify specific Intensification Areas to support the achievement of the intensification targets, including downtowns, intensification nodes and corridors and strategically located brownfield and greyfield areas.*
 - d) Plan Intensification Areas to attract a significant portion of population and employment growth, relative to the shape and character of the community.*
 - e) Plan Intensification Areas to provide a diverse mix of land uses that complement and support the overall residential intensification objective. These may include, employment, commercial, recreation, institutional and other compatible land uses in relative proportions dependent on area characteristics and the intended critical mass of residential development.*



- f) Plan Intensification Areas so as to be transit supportive and link intensification opportunities with existing or planned future transit hubs and active transportation routes.*
- g) Plan Intensification Areas so as to reduce traffic congestion, improve circulation, and encourage active transportation. Where opportunities exist, best efforts should be made to establish fine grain, grid street patterns with active transportation facilities and linkages.*

Detailed supporting information regarding the traffic volumes, parking, and transportation can be found within the concurrently submitted TIS and Parking Study.

- h) Plan each Intensification Area to achieve higher densities than currently exist within the Intensification Area. It is expected that Intensification Areas will generally achieve higher densities than the surrounding areas.*

It is expected that the neighbourhood surrounding the development will be subject to various changes in the near future. Intensification is appropriate within established neighbourhoods, facilitating gradual change over time.

- i) Ensure that Intensification Areas provide appropriate densities and transitional areas to ensure relative compatibility with surrounding neighbourhoods including the use of minimum and maximum heights and densities.*

The proposed development will stand five (5) storeys in height. As the neighbouring development consists mainly of single-detached homes, the proposed development will implement adequate setbacks on all sides of the subject site to ensure reduced shadow impacts on the neighbouring single-detached homes. Building setbacks to the easterly and northerly property lines exceed the overall height of the building, minimizing potential adverse impacts from shadow and loss of privacy.

- j) Develop official plan policies and zoning provisions to support and encourage growth and redevelopment within the Intensification Areas.*
- k) Identify opportunities for providing affordable housing within Intensification Areas.*
- l) Make use of other tools, such as the Region's Model Urban Design Guidelines, Alternative Development Standards, Development Permit Systems or Community Improvement Plans to facilitate growth and development within Local Municipally Designated Intensification Areas.*

The NROP considers intensification as part of a growing Region. The proposal achieves these directives through intensification of underutilized lands. The development will introduce a moderate increase in residential density within the Built-Up Area.



- Obj. 4.C.3.1 By the year 2015 and for each year thereafter, a minimum of 40% of all residential development occurring annually within Niagara will occur within the Built-up Area of Niagara's communities*
- Obj. 4.C.4.1 The following residential intensification targets are to be met by Niagara's local municipalities and are considered to be minimum standards.*
- Obj. 4.C.4.2 Local municipalities will develop their own residential intensification targets and strategies, which may equal or exceed these minimum standards, and incorporate the targets into their official plans.*

| <i>Municipality</i> | <i>Residential Intensification Target</i> |
|------------------------------|---|
| <i>City of Niagara Falls</i> | <i>40%</i> |
| <i>Region of Niagara</i> | <i>40%</i> |

The City of Niagara Falls is intended to accommodate a minimum of 40% of its annual growth within existing urban areas. As such, the proposal supports the overall intent of the policies contained in the Regional Plan by directing the creation of new residential units towards lands located within the Built-Up Area.

4.G Urban Growth

The Niagara Regional Official Plan contains objectives for urban growth. Those objectives which are applicable to the proposed development are as follows:

- Objective 1 Build compact, vibrant, sustainable, integrated and complete communities.*
- Objective 2 Plan and manage growth to support a strong, competitive and diverse economy.*
- Objective 3 Protect, conserve, enhance and wisely use the valuable natural resources of land, air, energy and water for current and future generations.*
- Objective 4 Maximize the use of existing and planned infrastructure to support growth in a compact and efficient manner.*

The proposal supports the Regional objectives for managing and encouraging growth within the urban boundary. The proposal will adequately facilitate the objective of creating compact and complete communities within the City of Niagara Falls by creating a development that will improve the overall use and character of the existing neighbourhood and surrounding area. The development will consist of a new compact residential development on the currently underutilized property. Additionally, the proposal will feature adequate setbacks to reduce the impact of the five (5) storey development on the adjacent sites and public realm. The density will support the core commercial areas along Lundy's Lane and the adjacent Downtown. On-site landscaping will feature both new planting as well as saved plantings, to assist in the reduction of environmental impact to the existing site conditions. Lastly, the



proposed development will connect to the existing infrastructure. For further information please see the concurrently submitted Functional Servicing and Stormwater Management Report.

Obj. 4.G.1.3 Provide a policy direction for creating healthy, safe, vibrant, transit supportive, active transportation friendly, diverse, mixed use residential areas.

The proposed development will assist in diversifying the available housing supply. Proposing a residential development within a mixed-use area (surrounding residential and commercial along Lundy's Lane) will assist in the increased utilization of existing transit.

Obj. 4.G.6.2 Urban Areas will be the focus for accommodating the Region's growth and development. Accordingly, neither the expansion of existing hamlet and village boundaries nor the establishment of new hamlets or villages is permitted.

Obj. 4.G.7.2 Urban Areas will be the focus of the Region's long term growth and Development.

Obj. 4.G.8.1 Built-up Areas are lands located within Urban Areas which have been identified by the Ministry of Infrastructure (formerly the Ministry of Public Infrastructure Renewal). Built-up Areas will be the focus of residential and employment intensification and redevelopment within the Region over the long term.

As noted above, the subject lands are located within a Built-Up area as identified on Schedule A of the Regional Official Plan. The subject lands are located within a Gateway Economic Zone (Schedule G1) and in proximity to the City's downtown core. Accordingly, the site is well-suited to accommodate new growth and residential intensification.

4.J Urban Design and the Public Realm Policy

Obj. 4.J.1 The Region promotes urban design analysis, municipal beautification, streetscape improvements, public art and the establishment of public gardens to ensure our communities remain attractive places, enhance our quality of life, and encourage tourism.

Obj. 4.J.4 The Region encourages complementary private realm site design that addresses public safety, active transportation, landscaping, and human scale in buildings facing public space.

Obj. 4.J.5 The Region promotes the development of the public realm in a manner that supports vibrant social and cultural gathering spaces easily accessed by a variety of transportation modes. This principle is particularly important in planning for Niagara's downtowns.

The overall redevelopment will assist in improving the public realm along Dorchester Road and accordingly the proposal conforms to the urban design policies of the NROP. The location of the subject lands provides ample opportunity for residents to engage in various forms of active



transportation (such as walking, or biking), as well as is within the vicinity of numerous transit stops which provide service to the Dorchester Road and Lundy's Lane Area. A Landscape Plan was prepared for the proposed development which features numerous new plantings, as well as showcases the existing plantings on-site which were saved and will be implemented into the final development. Lastly, the proposed development will implement an appropriate height and setbacks in comparison to the surrounding development to reduce the potential shadow impacts as well as to improve the overall public and pedestrian realm within the site.

8.B Infrastructure

Obj. 8.B.1 The Region will provide, insofar as possible, adequate water supply, sewage collection and disposal and, in co-operation with the local municipalities, will provide storm drainage facilities to meet the existing and future development needs within the approved urban areas of the Region.

Obj. 8.B.8 All new development which is proposed to be connected to existing combined sewer facilities shall be served with separated systems within the property limits of the development. The continued separation of storm and sanitary flows beyond the boundaries of the development will be dependent upon the available capacity within the existing sewer system, the treatment plant and the proximity of suitable storm outlets to the development.

Obj. 8.B.9 Municipal sewage services and water services are the required form of servicing for development in Urban Areas.

As per the findings of the Functional Servicing Report, the proposed redevelopment will operate on municipal servicing for water and wastewater services. It is understood that the existing servicing infrastructure has sufficient capacity to accommodate the proposed development.

9.C Public Transit

Obj. 9.C.3 The Niagara Region will leverage public transit to promote transit-supportive development.

9.D Active Transportation

Obj. 9.D.6 Local municipalities are encouraged to establish development standards for transit-supportive uses within strategic growth areas that achieve compact built forms to promote active transportation.

Dorchester Road and Lundy's Lane are active transit corridors and there are available existing transit routes to serve the future residents within the proposed redevelopment. The proposed development will introduce a greater density of residents to the neighbourhood and will therefore introduce a greater ridership density along existing transit routes. This will in turn improve the efficient delivery of public transit services within the surrounding area. As the site is in close proximity to a large

commercial area, there are ample opportunities to implement active transportation. Various methods such as bicycling, or walking can be utilized to access the nearby amenities. The Traffic Impact and Parking Study (included in Section 5 below) determined that the road network can operate acceptably under the future traffic conditions. Additionally, the Study determined that the proposed development is expected to have minimal impacts on the surrounding road network.

9.F The Regional Road System

The subject lands are just south of Lundy’s Lane, a Regional Road as designated on Schedule E1 – Transportation Infrastructure in the NROP. Additionally, the subject lands are approximately 530 metres from the QEW, a Provincial Road. The nearest access ramp to the QEW is approximately 1.29 kilometres from the subject lands.



11.A Residential Areas and Housing

Obj. 11.A.1 The Region encourages the provision of a variety of housing types within urban communities and neighbourhoods to serve a variety of people as they age through the life cycle.

Obj. 11.A.2 The Region encourages the development of attractive, well designed residential development that:



- a) *Provides for active transportation within neighbourhoods with connections to adjacent residential and commercial areas, parks and schools.*
- b) *Is accessible to all persons.*
- c) *Incorporates the principles of sustainability in building design.*
- d) *Provides functional design solutions for such services as waste collection and recycling.*
- e) *Provides an attractive, interconnected and active transportation friendly streetscape.*
- f) *Balances the need for private and public space.*
- g) *Creates or enhances an aesthetically pleasing and functional neighbourhood.*
- h) *Encourages a variety of connections based on transportation mode between land uses based on diverse transportation modes, allowing people to move freely between the places where they live, work and play.*

The proposed redevelopment will assist in the availability of housing forms and stock within the Dorchester area. The proposed five (5) storey residential development will provide improved housing opportunities for residents of all ages. Additionally, the subject site is surrounded by numerous transit stops, which provide quick access to the Lundy's Lane commercial area, as well as nearby schools and parks. By providing a diversity of transit options (walking, cycling, driving, public transit), residents will have increased access to different needs within the nearby vicinity. On-site, moloks will be implemented to improve the garbage storage and garbage collection for the building tenants. Providing moloks on-site rather than the standard curbside pickup will improve the overall aesthetic and appearance of the subject site and neighbourhood. Additional to the pedestrian realm, various landscaping elements have been implemented to further improve the transition from the public realm and the private realm. Further, the landscaping elements will assist in blending the development into the fabric of the neighbourhood and to improve the overall aesthetic and appearance of the neighbourhood.

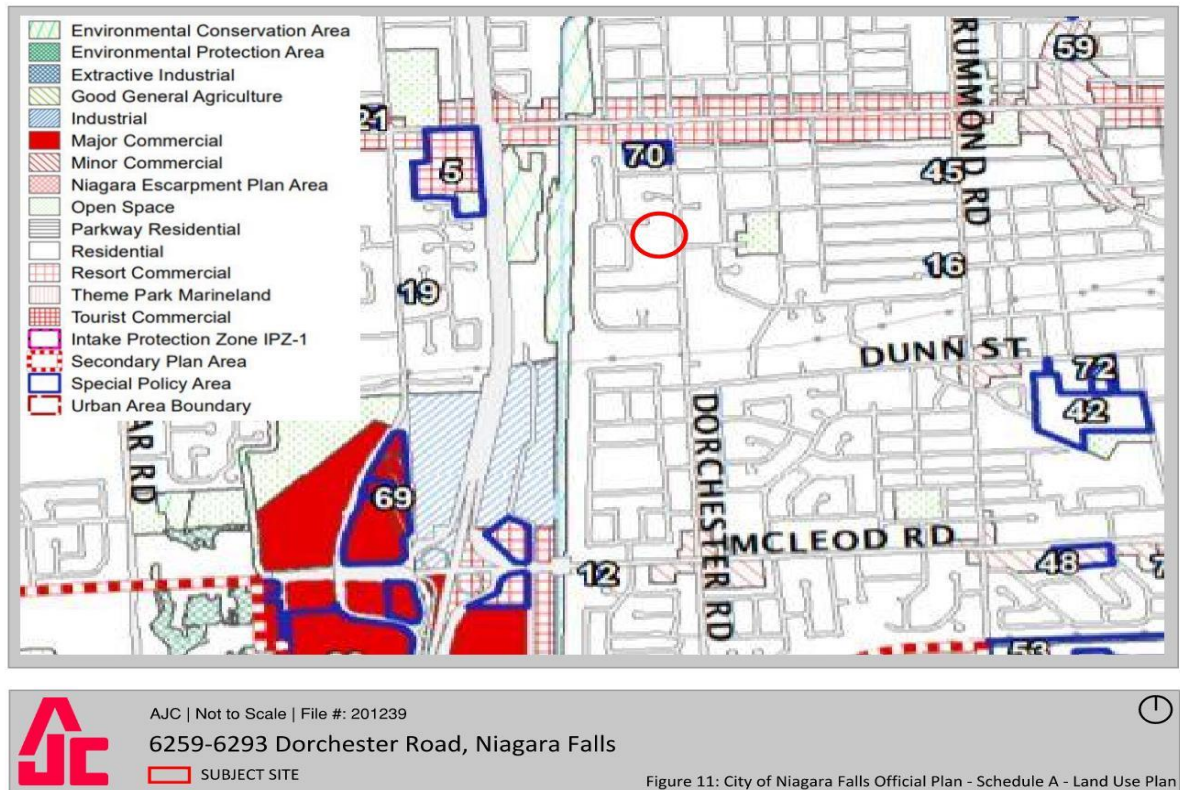
After review of the above policies, the proposal conforms to the Niagara Regional Official Plan (2014) by adhering to the applicable policies and in total creating an intensified, transit-supportive, residential development on currently underutilized lands.

4.4 City of Niagara Falls Official Plan

The City of Niagara Falls Official Plan (NFOP) is the lower-tier official plan for the City of Niagara Falls. The Official Plan is a document with a 20-year long term vision which outlines the objectives and policies of the City of Niagara Falls with respect to the development of urban lands and the provision of necessary infrastructure to support growth. The Official Plan was approved by the Ministry of Municipal Affairs and Housing on October 6, 1993. Part 1 of the Official Plan Speaks to the general strategic direction of the City, while Part 2 contains policies relating to specific land uses thorough the municipality. Finally, Part 3 of the Official Plan speaks to various environmental and infrastructure policies applicable.

Part 2 – Land Use Policies

Part 2 of the City of Niagara Official Plan speaks to the policies for specific land use designations throughout the City of Niagara Falls. The subject lands are designated “Residential” on Schedule A – Land Use Policies within the City of Niagara Official Plan. Accordingly, the following policies are applicable;



Residential

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

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

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

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



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

The proposed development shall consist of a five (5) storey apartment dwelling, containing a total of 74 dwelling units and having a net density of 96.98 units per hectare. As such, the development represents appropriate intensification of underutilized lands within the neighbourhood. The proposed development will contribute towards a range of housing options within the neighbourhood, which will benefit the available stock and availability within the surrounding area. This is consistent with the policy direction outlined under Policies 1.2.1 and 1.2.3, which encourage consolidation of smaller lots to facilitate larger scale multiple unit developments.

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

Pol. 1.7 Minor increases in height and/or density may be allowed for individual multiple unit proposals in accordance with the Bonus Zoning provisions contained in Part 4, Section 4 of this Plan.

The proposed development will be five (5) storeys in height and have a net residential density of 96.98 units per hectare. This height is appropriate within the context of the surrounding neighbourhood and given the location of the site along an arterial road. The proposed development is in keeping with the maximum height and density requirements outlined under Section 1.15.5(iii) of the Official Plan (discussed in greater detail below). It is not anticipated that there will be significant adverse impacts to adjacent properties as a result of the proposed development.

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

The proposed development will be adequately serviced by existing municipal water and wastewater infrastructure. Further information regarding the site servicing can be found within the concurrently submitted FSR.

Pol. 1.9 Exposure 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.

In order to ensure compatibility of the proposed development along an arterial roadway, various landscaping elements are proposed to screen the building from the streetline. For further information



regarding the proposed development and landscaping, please see the concurrently submitted Landscape Plan.

Built-Up Area

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

Pol. 1.15.1 The City, in its review of subdivision/rezoning applications, will encourage provision of varying lot sizes, housing form and unit size in order to contribute to affordability.

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

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

The proposed development will be five (5) storeys in height. This height is appropriate within the context of the surrounding area and should not interfere with the enjoyment of the surrounding properties. Potential adverse impacts such as shadowing are proposed to be mitigated or eliminated through the use of appropriate setbacks. As such, the proposed development will be adequately integrated within the surrounding neighbourhood. The neighbourhood surrounding the subject site consists largely of single-detached dwellings, with some townhouse and apartment dwellings interspersed along Dorchester Road.

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

(iii) 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 to 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.*

The proposed development shall be five (5) storeys in height, with a proposed net density of 96.98 units per hectare. The exterior cladding of the building will be addressed in detail at the future site planning stage in consultation with City Staff, such that it maintains and supports the existing character of the broader neighbourhood.


The subject site has frontage along an arterial road (Dorchester Road), is located along an existing public transit route, and is in proximity to commercial areas along Lundy's Lane. As such, the subject site is appropriate for an apartment dwelling as per Pol. 1.15.5, above.

The development will feature a variety of landscaping elements around the site. Plantings along Dorchester Road will enhance the streetscape and public realm, as well as serve to blend the proposed development into the fabric of the neighbourhood. The proposed development will feature new plantings as well as various existing trees around the perimeter of the site, providing a natural canopy and screening from adjacent lands.

The orientation of the building considers the neighbouring land uses, to ensure compatibility with adjacent residential dwellings. Adequate setbacks to the front, side, and rear lot lines are proposed to mitigate matters related to shadowing, loss of privacy, and other potential adverse impacts to abutting sites. All setbacks which interface with adjacent lands are consistent with or exceed the minimum standard requirements of the proposed R5C Zone. However, the front yard setback is proposed to be slightly reduced to 6.0 metres from 7.5 metres. The proposed reduction will not impact the compatibility with adjacent properties and will assist in establishing a pedestrian friendly streetscape along Dorchester Road. Additionally, front yard landscaping elements will help to soften the appearance of the building along the street. The reduced front yard setback will also allow for the protection of additional existing trees at the rear of the site.

It should be noted that the easterly (rear) and northerly (side) yard setback exceeds the overall height of the building – being 25.3 metres in and 31.3 metres in depth, respectively, whereas the building is proposed to be 16 metres (5 storeys) in height. This exceeds a typical setback requirement in an urban environment, often measured by a 45-degree angular plane from the rear lot line, as illustrated below.





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 6259-6293 Dorchester Road, Niagara Falls

SUBJECT SITE

Figure 12: Site Section

Lastly, the development features at-grade parking and loading areas. The proposed parking and loading areas are located within the rear and side yards and will be largely screened from view by a variety of landscaping elements. The landscaping elements include a wooden fence around the southern perimeter of the site, as well as a variety of plantings around the perimeter of the lands. Please refer to the landscape plan for more details regarding proposed plantings and landscaping elements.

Part 3 – Environmental Management

Part 3 of the City of Niagara Official Plan speaks to various policies relating to infrastructure, urban design, and natural heritage. The following policies are applicable to the proposed redevelopment.

Water and Sanitary Sewage

Pol.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. Outside of the urban area, Council shall cooperate with the Niagara Region in promoting individual sewage disposal systems which incorporate proven new technology achieving reduced volumes and/or improved quality of effluents.

In support of the proposed redevelopment an FSR has been prepared by A.J Clarke and Associates Ltd. The study shows how the proposed redevelopment can be supported by the existing municipal

infrastructure available along Dorchester Road and that full water and sanitary services are available to support the proposed redevelopment.

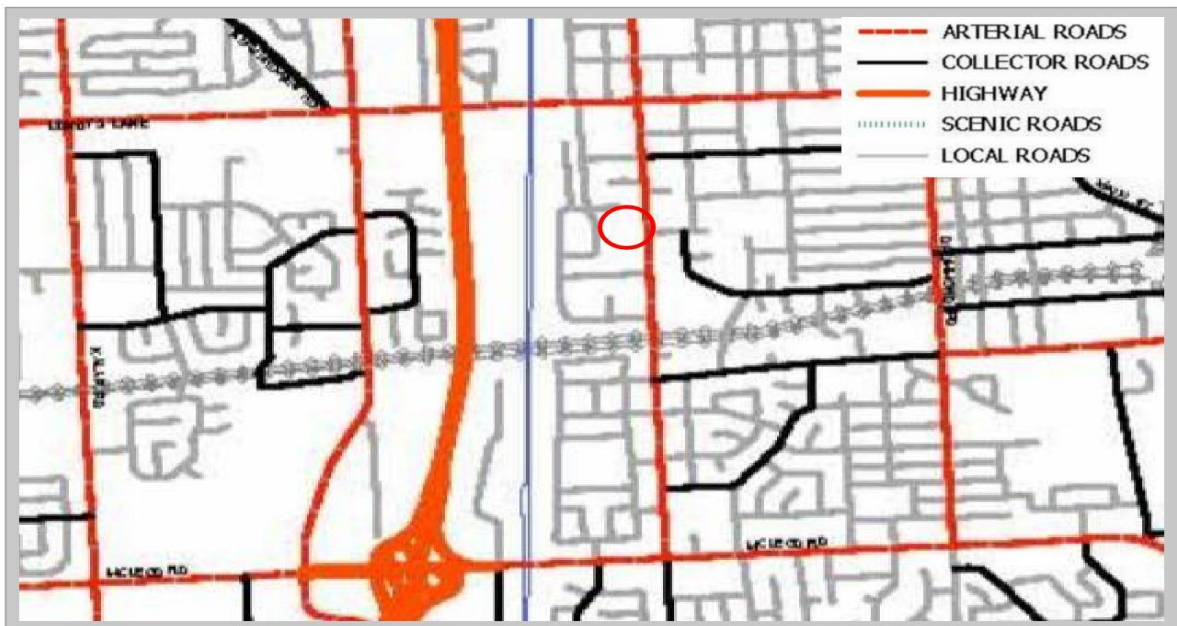
Storm Drainage

Pol.1.3.1 It is required that all new development or redevelopment within the City be connected to and serviced by a suitable storm drainage system. Appropriate systems may include underground pipes, ditches, culverts, swales, man-made and natural watercourses, detention storage areas or any other storm water management system acceptable to Council, the Niagara Region, the Niagara Peninsula Conservation Authority, and other agencies.

In support of the proposed redevelopment a SWM Report was prepared by A.J. Clarke & Associates Ltd., which shows how on-site storm flows will be accommodated on site. The intent of the plan is to accommodate storm drainage on site without impacting neighbouring properties. Accordingly, the proposal conforms to the servicing policies contained in the Niagara Falls Official Plan.

Transportation

Lundy’s Lane is designated as an Arterial Road on Schedule C – Major Roads Plan and is under the jurisdiction of the City of Niagara Falls Official Plan. The road can be classified as a Regional Road and as such the below policies apply:




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 6259-6293 Dorchester Road, Niagara Falls
 SUBJECT SITE


 Figure 13: City of Niagara Falls Official Plan - Schedule C - Major Roads Plan



Pol. 1.5.16 New development will be encouraged to provide bicycle parking and other facilities to accommodate active transportation. In this regard, the City will provide bicycle facilities within its own buildings.

The proposed development shall assist in encouraging active transportation by providing on-site bicycle parking areas (20 total bicycle parking spaces). For further information regarding the bicycle parking areas, please see the Concept Plan within Appendix A.

Pol. 1.5.18 A hierarchy of roads is contained within the transportation system.

Pol. 1.5.18.4 Arterial Roads - include all roadways under the Region's and City's jurisdiction that are designed to accommodate large volumes of traffic between major land use areas in the City.

Regional Arterial Roads are designed to accommodate the movement of large volumes of traffic and function as secondary highways and primary arterial roads. Design, road allowance width, use, alignment and access are regulated by the Regional Municipality of Niagara. Road widths vary from 20 metres to 42 metres. City Arterial Roads accommodate two to four lanes of traffic and have a general road allowance width 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.

It should be noted as per the above mentioned Schedule C, that Dorchester Road and Lundy's Lane are arterial roads. The road widening dedication of 3.05 metres is proposed as per comments provided by City Staff through the Preconsultation process.

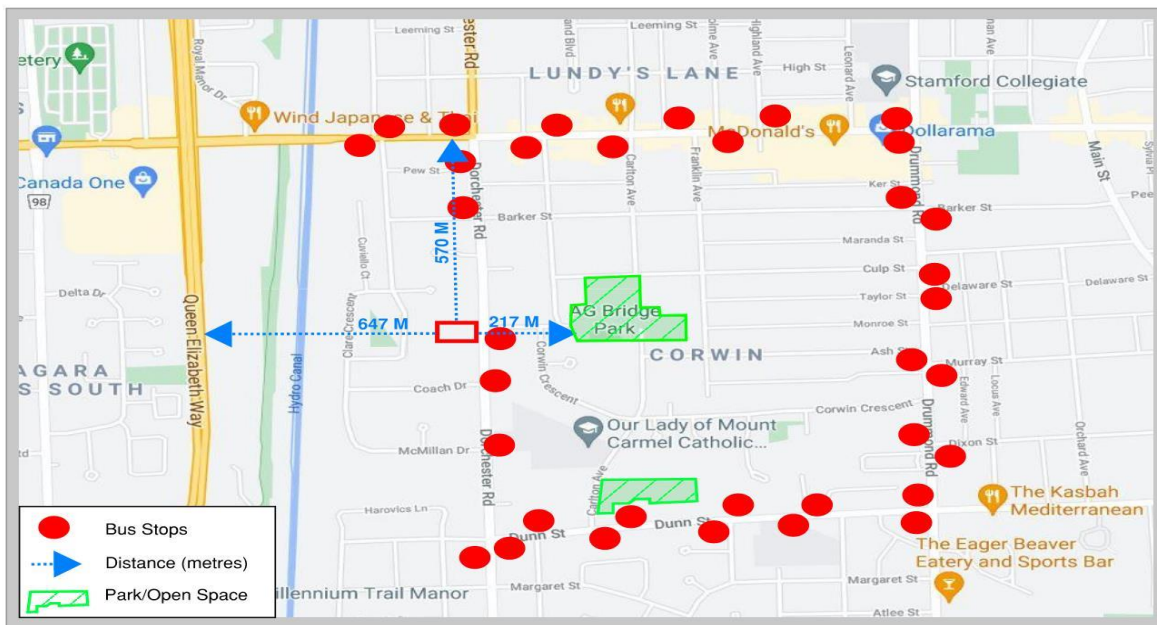
Pol. 1.5.26 All new development abutting Arterial Roads shall provide adequate offsite loading and unloading facilities located in such a manner to minimize the detrimental impact by vehicles using such facilities.

Pol. 1.5.29 In considering plans for development or redevelopment, regard shall be had to the impact of such development on the established road system. The developer, where required by Council, shall furnish facilities to provide access to and from the site including signalization, signing, entrance construction, left-hand turn lanes or any measure which stems from the development or redevelopment and which is necessary in order to maintain an adequate level of service and safety on the established highway system. A transportation study to assess the current and future impact of the development may be required.

As the subject lands are within the vicinity of a large commercial area (Lundy’s Lane) greater consideration was given to the type of roadway that the site fronts, as well as to the capacity and availability of the existing transit infrastructure. Accordingly, a Traffic Impact & Parking Study was prepared to provide a detailed assessment of the surrounding road networks and existing/future traffic volumes. The Traffic Study found that the proposed development is anticipated to have minimal impacts on the surrounding road network. Please refer to the Study for further details regarding the analysis and findings.

As Dorchester Road and Lundy’s Lane are both arterial roads, one vehicular access point was provided to assist in reducing the traffic impacts along Dorchester Road. The proposed access was also positioned such that it will be in-line with the existing Stokes Street intersection along Dorchester Lane. This will improve traffic safety and minimize potential opportunities for accidents. Additionally, the subject lands are serviced by the existing transit routes noted below.

| Bus Stop | Routes |
|---|---------------------|
| Dorchester Road & Lundy’s Lane SW | 111 & 211 |
| Dorchester Road & Barker Street | 111 & 211 |
| Dorchester Road & Stokes Street | 111 & 211 |
| Dorchester Road & Coach Drive | 111 & 211 |
| Dorchester Road & McMillan Drive | 111 & 211 |
| Dorchester Road & Dunn Street | 101, 111, 203 & 211 |
| Dorchester Road at Lundy’s Lane NW Corner | 111 & 211 |
| Lundy’s Lane & Dorchester Road | RED |



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 6259-6293 Dorchester Road, Niagara Falls
 SUBJECT SITE
 Figure 14: Aerial Photograph (Google Maps)



Energy Resources

Pol. 3.1.1 The City shall encourage an energy efficient community where land uses are distributed to reduce travel needs, vehicle trips and subsequent energy use. A complementary arrangement and mix of uses which minimizes land use conflicts but also allows for integration shall be encouraged. This approach is advocated by the Future Land Use Schedule "A" and may be further refined through secondary plans. In order to achieve energy efficiency, the following shall be considered.

Pol. 3.1.1.1 A compact and contiguous pattern of urban growth shall be promoted, including the intensified use of land and higher densities of residential development, where appropriate.

The above policies relate to achieving development patterns within the City that are consistent with conserving energy by reducing motor vehicle trips. The proposed development will assist in improving active transportation by providing adequate access to numerous bus stops, as well as by providing on-site bicycle parking. The proposed development will increase the density within the established neighbourhood which will improve the efficiency of public transit systems and encourage greater ridership levels. Accordingly, the proposed redevelopment represents the redevelopment of an underutilized parcel of land.

Pol. 3.1.2 Access to direct sunlight shall be protected in order to provide opportunities for passive solar heating thereby reducing consumption of energy resources. This may be achieved through consideration of the following. Pol. 3.1.2.1 Zoning provisions regulating such matters as building height, setbacks and accessory structure locations.

Pol.3.1.2.2 Building orientation and design that maximizes exposure to sunlight.

Pol. 3.1.4 Energy conserving landscaping practices, including the use of existing natural vegetation and topography shall be promoted in site design. Appropriately selected and located vegetation shall be used to control exposure to the sun and/or wind, thereby reducing energy consumption for the mechanical heating and cooling of buildings.

The proposed redevelopment is sensitive to the surrounding land uses by providing ample setbacks surrounding the proposed building. The approximate setbacks as per the Concept Plan (Appendix A) are as follows;

| | |
|-------------------|----------------|
| North (side yard) | ± 31.11 metres |
| South (side yard) | ± 12.73 metres |
| East (front yard) | ± 7.82 metres |
| West (rear yard) | ± 23.71 metres |



Additionally, it should be noted that no significant shadow impacts are anticipated beyond what can reasonably be expected within an urban setting. Accordingly, the proposal conforms to the energy resources policy direction outlined in the City of Niagara Falls Official Plan.

Urban Design Strategy

The Urban Design policies speak to requiring high quality development along the major corridors within the City of Niagara Falls. The following policies apply to the proposed redevelopment as they relate to urban design.

Pol. 5.1 New development, redevelopment and public works projects shall utilize building, streetscaping and landscaping designs to improve the built and social environment of the City and to enhance quality of life. Development should integrate and be compatible with the surrounding area including natural and cultural heritage features.

Pol. 5.1.1 The design of new development and redevelopment shall specifically address height, setbacks, massing, siting and architecture of existing buildings in order to provide a compatible relationship with development in an area.

The subject site has frontage along an arterial road (Dorchester Road), proximity to numerous public transit stops, and proximity to commercial areas (Lundy's Lane). As such, the subject site is an adequate location to construct a five (5) storey residential development.

The development will feature on-site landscaping and appropriate street frontages to maintain the existing public realm along Dorchester Road and to improve the overall pedestrian experience within the site. The proposed development will feature new plantings on-site as well as will incorporate various existing plantings which will be saved and implemented into the overall site.

The orientation of the building considers the neighbouring land uses, to ensure compatibility with adjacent residential dwellings. Adequate setbacks to the front, side, and rear lot lines are proposed to mitigate matters related to shadowing, loss of privacy, and other potential adverse impacts to abutting sites.

Pol. 5.1.2 Development shall be designed and oriented to the pedestrian. As such buildings shall be set as close to the street as possible. Moreover, where development includes multiple buildings, the buildings should be deployed in such a manner that allows pedestrians to move between buildings with a minimum of interference from vehicular traffic. To this end, designated walkways through parking areas and to other buildings are to be provided.

The proposed development shall be oriented to the pedestrian realm by providing numerous opportunities for active transportation, as well as providing on-site bicycle and automobile parking. Additional elements such as landscaping, and paving were added throughout the site to increase enjoyment within the pedestrian realm. Vehicular access is limited to one point of ingress, which is



aligned opposite to the terminus of Stoke Street. This minimizes opportunities for vehicles and pedestrians to intersect and creates predictability from a traffic flow perspective. This will serve to improve pedestrian safety. The proposed apartment building is setback 6 metres from the streetline, with directed pedestrian connections to the public sidewalk, thereby improving the connection between the site and the pedestrian realm. All parking areas are in the side and rear yards, providing unimpeded pedestrian access from the sidewalk to the proposed building. Landscaping buffers in the form of trees and various plantings (as per the Landscape Plan) will improve the pedestrian experience along Dorchester and will serve to screen parking areas from view from the streetline.

Pol. 5.1.3 Development and redevelopment shall be designed to minimize microclimatic impacts on adjacent lands. Mitigation measures may be secured through provisions of a site specific zoning by-law, conditions of a minor variance, or within the terms of an agreement pursuant to sections 37 or 41 of the Planning Act.

Pol. 5.1.5 Parking areas are to be minimized within the front yard of development sites. Parking shall primarily be located in the rear or sideyards of development sites with sufficient landscaping utilized to create an effective buffer to abutting lands.

Pol. 5.1.7 The number of access points onto arterial roads shall be minimized. Linked parking and driveway areas shall be encouraged. Access points shall be oriented toward major roadways.

The proposed development is not anticipated to result in any significant microclimatic impacts on adjacent lands, given that substantial setbacks are provided to the north, south, and west property lines. The proposed development will feature one (1) vehicular access point via Dorchester Road. No parking areas are proposed to be located within the front yard. Numerous landscape elements are proposed to buffer the site from abutting lands, and to screen parking areas from view of the streetline. Additionally, the area surrounding the site will be occupied by on-site automobile parking as well as on-site bicycle parking spaces. Lastly, the site is positioned closely to numerous transit stops along Dorchester Road and Lundy's Lane.

Pol. 5.3 Landscaping and open space amenity areas can provide an opportunity to enhance the visual image of properties along the streetscape and should be incorporated in development projects to complement boulevard plantings. Landscaping can soften dominant building mass, screen noise and visual intrusion, shield against excessive wind and sun and provide various environmental benefits.

Pol. 5.3.1 The orientation of landscaping within development sites should be toward public use areas, realizing the importance of the effective placement and maintenance of such landscaping in creating attractive amenity areas and entrances. In addition, the City shall promote the substantial greening of the area intended for landscaping within development sites.



- Pol. 5.3.2 Low maintenance forms of landscaping shall be encouraged, where possible, with the responsibility for maintenance to be placed on the landowner.*
- Pol. 5.3.3 The size and extent of new plantings shall be appropriate for the mass and size of the building and surrounding area. Suitable tree types and plant species shall be selected having regard for their purpose, appearance and resilience to conditions of the urban environment.*
- Pol. 5.3.4 Landscaping, together with other design measures, can assist in mitigating the impacts of development on surrounding lands. Landscaping, where adjacent to buffer areas of natural heritage features, shall be designed to incorporate native species. The City shall encourage the utilization of adequate buffering, screening and other landscaping measures to ensure separation between potentially incompatible uses.*
- Pol. 5.3.5 The City shall encourage the preservation and the incorporation of existing trees, vegetation, green areas and topography into the design and landscaping plans of proposed developments. Tree Preservation Plans may be required prior to any site alteration in compliance with PART 2, Section 11.*

Landscaping elements are considered throughout the site to increase the enjoyment within the public realm, as well as to more accurately fit the development into the existing neighbourhood character. Various new landscaping elements are proposed to be implemented through the site, in conjunction with numerous “saved” plantings which currently exist on the lands. The proposed development will implement a pedestrian seating area along the north property line, as well as various tree plantings throughout. This pedestrian seating area will improve the overall pedestrian realm and better connect the subject site to the existing neighbourhood. It should be noted that the front yard setback is proposed to be reduced from 7.5 metres to 6.0 metres to save existing trees near the rear property line. For further information regarding the plantings on site, please see the concurrently submitted Tree Protection Plan.

- Pol. 5.4 Parking areas should be designed efficiently to minimize the extent of pavement and provide the opportunity for additional landscaping.*
- Pol. 5.4.1 Green space and landscaping shall be interspersed throughout the parking area but not affect it’s functioning and safety.*
- Pol. 5.4.2 Traffic islands, paving materials, landscaping and lighting should be used to clearly distinguish between vehicle areas and pedestrian routes to provide safety and amenity.*

The Landscape Plan, prepared by Adesso Design Inc., details the surrounding greenspace and landscaped area throughout the proposed development. The proposed development seeks to establish a balance between hard and soft scaping to accommodate the required parking area, while also considering the needs of pedestrians and providing effective areas for plantings. The proposed

development will feature adequate on-site parking for both automobiles and bicycles, which will adequately consider the utilization of active transport. The location of the site is positioned in proximity to numerous bus stops along Dorchester Road and Lundy’s Lane. As such, consideration was given regarding pedestrian movement throughout the site as well as from the site to Dorchester Road. Pavement markings and sidewalks shall be included throughout the site to ensure safe and effective pedestrian usage and access to and from the site.

Based on the foregoing, the proposed redevelopment is consistent with the City of Niagara Falls Official Plan. The location of the proposed development is consistent with the Niagara Falls Official Plan policies pertaining to locational criteria for higher-density (apartment) residential developments. Appropriate setbacks are proposed to ensure compatibility with adjacent lands, and to minimize potential adverse impacts between higher and lower density land uses.

4.5 City of Niagara Falls Zoning By-law No. 79-200

The subject lands are currently zoned “Residential 1C Density (R1C) Zone” and “Residential Low Density, Group Multiple Dwelling (R4-839) Zone, modified” in the City of Niagara Falls Zoning By-law No 79-200. The R1C Zone permits single-detached dwellings, whereas the R4-839 Zone permits semi-detached and townhouse dwellings. Accordingly, a Zoning By-law Amendment is required to establish consistent zoning across the subject lands, as well to permit the proposed land use and establish appropriate site-specific performance standards. The proposed Zoning By-law Amendment is to rezone the subject site from the R1C and R4-839 Zones to a site-specific “Residential Apartment 5C Density (R5C-XXX) Zone”.



AJC | Not to Scale | File #: 201239
 6259-6293 Dorchester Road, Niagara Falls
 SUBJECT SITE
 Figure 15: City of Niagara Falls Zoning By-law 79-200



The table below compares the requirements of the R5C Zone against the proposed development and identifies necessary site-specific amendments.

R5C – Residential Apartment Zone Matrix

| Section | Provision | Requirement | Proposed | Conforms? |
|--|---------------------------------------|--|-------------------------|-----------|
| Residential Apartment 5C Density Zone (R5C) | | | | |
| 7.12.1 | Permitted Uses | An Apartment Dwelling | Apartment Dwelling | Yes |
| 7.12.2 | Min Lot Area | 100 square metres for each dwelling unit (7,400 m ²) | 7,491.5 m ² | Yes |
| | Min Frontage | 30 metres | 66.08 m | Yes |
| | Min Front Yard | 7.5 metres | 6.0 m | No |
| | Min Rear Yard | ½ the height of the building or 10 metres, whichever is greater (10 m) | 25.57 m | Yes |
| | Min Side Yard | ½ the height of the building (8.30 m) | 12.54 m | Yes |
| | Max Lot Coverage | 30% | 24.6% | Yes |
| | Max Height | 19 metres. | 16 metres | Yes |
| | Number of apartment dwellings per lot | One only. | One building proposed. | Yes |
| | Min Landscaped Open Space | 40% | 32.6% | No |
| General Provisions | | | | |
| 4.7 | Height Exceptions | Height regulations shall not apply to elevator or mechanical penthouses (among other things) | Noted. | Yes |
| 4.20 | Loading Areas | At least 9 metres long and 3 metres wide with vertical clearance of not less than 4 metres. Must have access to street of at least 6 metres. | 12.0 m x 3.5 m | Yes |
| 4.27 | Road Allowance Requirements | Minimum distance from centreline of original road allowance = 13m (Dorchester, from Mountain Road to McLeod Road) | 20.32 metres | Yes |
| Parking | | | | |
| 4.19.1 | Parking Ratio | 1.4 parking spaces per unit (74 units x 1.4 spaces = 103.6 spaces) | 92 spaces (1.24 spaces) | No |
| 4.19.2 | Dimensions (maneuvering aisle) | Width = 6.3 metres | 6.3 metres | Yes |
| 4.19.2 | Dimensions (parking stalls) | Width = 2.75 m Depth = 6 m | 2.75 m x 6 m | Yes |



Based on the above review, the following site-specific amendments are required to the parent Residential “R5C” zone. Further detail regarding the proposed amendments can be found in the Draft By-law, attached hereto as Appendix B.

Amendment #1 – Minimum Front Yard

An Amendment is required to permit a lessened “Minimum Front Yard” requirement as per Section 7.12.2 of the Zoning By-law. The R5C zone requires a minimum front yard of 7.5 metres, whereas the proposed development provides a 6.0 metre setback. An Amendment to this zone regulation is required to permit the 1.5 metres reduction to the minimum front yard requirement. As per the Concept Plan attached (Appendix A), Dorchester Road is proposed to be widened by approximately 3.05 metres.

Amendment #2 - Minimum Landscaped Open Space

An Amendment is required to permit a lessened “Minimum Landscaped Open Space” requirement as per Section 7.12.2 of the Zoning By-law. The R5C zone requires a minimum landscaped open space of 40%, whereas the proposed development only has 32.6 %. An Amendment to this zone regulation is required to permit the -7.4% minimum landscaped open space requirement. The proposed reduction is appropriate in the context of the proposed development, as the minimum amenity area requirements are being met to meet the needs of future residents. The proposed landscaped area is sufficient to accommodate a wide range of plantings as well, providing adequate screening between the subject lands and adjacent properties.

Amendment #3 – Minimum Parking Ratio

An Amendment is required to permit a reduced “Minimum Parking Ratio” requirement as per Section 4.19 of the Zoning By-law. A minimum parking ratio of 1.4 spaces per unit is required for apartment buildings, whereas the proposed development only provides 1.24 spaces per unit. A detailed analysis of the parking requirements for similar developments has been prepared by Trans-Plan. The associated Traffic Impact and Parking Study provide a detailed analysis of the parking requirements for the proposed development. Please refer to the concurrently submitting Traffic Study for further details.

5 Review of Technical Reports and Studies

The following section contains discussion of the various findings of the documents submitted in support of the applications.

- Functional Servicing & Stormwater Management Report, prepared by A.J. Clarke & Associates Ltd.;
- Transportation Impact and Parking Study, prepared by Trans-Plan;
- Tree Inventory Protection Plan, prepared by Adesso Design Inc.;
- Landscape Plan, prepared by Adesso Design Inc.



5.1 Functional Servicing & Stormwater Management Report

A Functional Servicing & Stormwater Management Report was prepared by A.J. Clarke and Associates Ltd. on November 3, 2021. The Functional Servicing & Stormwater Management Report is conducted to determine if the existing water and wastewater servicing is effectively able to incorporate the increased servicing levels resulting from the proposed development. Within the report, a review of the proposed development, background information, and existing topography and drainage was conducted to gather an overall review of the subject site as it exists currently.

Further, the design of services was reviewed in regard to the sanitary servicing, the watermain servicing, and the grading and stormwater servicing. Within the stormwater management review, further research was conducted regarding the rainfall and hydrologic model, the pre-development condition, the post-development condition, and the stormwater quantity control.

The Functional Servicing & Stormwater Management Report concluded that the subject site can be serviced for the proposed development in accordance with the requirements of the City of Niagara Falls and the Niagara Region.

5.2 Traffic Impact and Parking Study

A Traffic Impact and Parking Study was conducted by Trans-Plan, on November 1, 2021. The Traffic Impact and Parking Study is conducted to determine the potential adverse impacts of the proposed development on the surrounding transportation network (existing transit services, road network, etc.). The Study first begins with a review of the existing site context, and existing road network conditions. Next, the future background conditions are reviewed to determine the future plans of the surrounding area. Site Traffic and future traffic conditions are reviewed to analyse the current traffic patterns, and then to review how the current patterns will be affected moving forwards with the proposed development.

Lastly, a Parking Study is conducted to determine if the current and future parking supply is sufficient and will continue to be sufficient as the surrounding area continues to be developed.

The Traffic Impact and Parking Study determined that the road network can operate acceptably under the future traffic conditions. Additionally, the Study determined that the proposed development is expected to have minimal impacts on the surrounding road network. It should be noted that the proposed development is deficient by 2 parking spaces per AODA standards for accessible spaces. Page 11 of the concurrently submitted Traffic Impact and Parking Study states that the AODA standard for accessible parking spaces is calculated as 4% of the total number of parking spaces, if between 13 and 100 parking spaces are provided. The subject site proposed 92 total parking spaces, 4% of which is 3.68 (4 spaces). As such, the subject site is deficient by 2 accessible spaces, as only 2 are currently proposed. It should be noted, the City of Niagara Falls Zoning By-law 79-200 does not contain regulations pertaining to Accessible Parking Spaces.



5.3 Tree Inventory Preservation Plan & Landscape Plan

A Tree Inventory Preservation Plan and Landscape Plan were prepared by Adesso Design Inc, dated October 29, 2021. The purpose of a Tree Inventory Preservation Plan is to determine which of the pre-existing on-site vegetation is eligible to be preserved as the subject site is developed. The Tree Inventory Preservation Plan determined that there are currently 96 total trees either directly on-site, or immediately adjacent to the property lines. Out of the total 96 trees, only 19 trees are slated to be removed, and the remaining 77 trees will be saved.

The purpose of a Landscape Plan is to determine the amount of re-planting that is required or proposed for the subject site following construction. The Landscape Plan showcases the implementation of a large, vegetated buffer around the perimeter of the subject site, as well as the inclusion of smaller plantings along the perimeter of the building footprint. Additionally, smaller planting will also be provided around the perimeter of the parking area on-site.

6 Public Information Meeting – November 19th, 2020

A pre-submission Public Information Meeting was held virtually on November 19th, 2020 by A.J. Clarke and Associates Limited (presented by Franz Kloibhofer). The purpose of the meeting was to introduce the preliminary development concept to neighbours and residents of the surrounding area, as well as to receive comments and input from the public.

The proposed concept **at-the-time** featured a five (5) storey apartment building, containing a total of 85 dwelling units with associated surface parking. Preliminary elevations were also presented to provide a general sense of the intended building design. The presentation included a high-level overview of the applicable policy framework as outlined in the City of Niagara Falls Official Plan, and the City of Niagara Falls Zoning By-law 79-200.

A significant portion of the public meeting was dedicated to a Q & A session, during which time members of the public were able to provide comments and ask questions regarding the proposed development concept. A summary of the main comments/questions received is provided below:

- Concerns regarding compatibility of land uses with adjacent lands.
- Concerns regarding loss of privacy due to overlook from units onto adjacent lands.
- Concerns relating to provision of sufficient on-site parking.
- Concerns regarding additional traffic to be generated along Dorchester Road.
- Concerns regarding water and wastewater services in the area.
- Concerns regarding nuisances from outdoor garbage storage.
- Concerns regarding light trespass on adjacent lands from proposed building and parking area.
- Concern that building height is too tall in context of surrounding neighbourhood.
- Concerns regarding provision of adequate landscaping and total impervious area.
- Concerns regarding proximity of site to necessary commercial amenities?
- How will vehicles exiting the site access Dorchester? Will it be a right-turn only point of egress?
- What are the anticipated construction impacts to the street along Dorchester Road?
- What is the proposed tenure for the units?



- Will the building be “green”?
- Will there be noise impacts from the development on neighbouring lands?
- Will there be shadow impacts on neighbouring properties?

It is acknowledged that the list above is not necessarily comprehensive of all comments received – however, it is intended to be generally representative of the main themes heard through both written and oral public submissions.

Revised Concept

As part of the subject application, a number of revisions have been made to the proposed concept in response to feedback received from the pre-submission Public Information Meeting. The layout of the site has been revised such that the building is located towards the south side of the site, rather than the north. In this manner, the driveway access may be aligned with Stokes Street – facilitating a safer intersection for vehicles along Dorchester Road.

The total number of units has been reduced by 13%, from 85 to 74 units. In a corresponding change, the total number of parking spaces has been increased from 85 to 92 spaces, representing a total of 1.24 spaces per unit – whereas the preliminary concept proposed only 1.0 spaces per unit.

These changes have facilitated a number of other changes to the overall design of the site. The list below summarizes some of the notable changes:

- Garbage collection now within closed Molok system, rather than an open-air garbage enclosure.
- Loading space added to facilitate moving for residents and for waste collection.
- Addition of bicycle parking spaces near front entrance.
- Addition of outdoor amenity area along northern edge of the site.

Further details of the revised concept are discussed in detail under Section 3 of this Report.

7 Public Consultation Strategy

In accordance with Section 31.1 within Schedule A of recently amended Ontario Regulation 545/06 Zoning By-laws, Holding By-laws and Interim Control By-laws and Section 26.1 with Schedule 1 of recently amended Ontario Regulation 543/06 Official Plans and Plan Amendments, “a proposed strategy for consulting with the public with respect to the application” is considered “prescribed information” to be provided as part of applications to amend a Zoning By-law or an Official Plan. The following discusses the Public Consultation Strategy for this application.

A public open house will be organized to provide information to the public and to generate valuable feedback from stakeholders in accordance with the standards outlined by the City of Niagara Falls. Invitations will be sent out to stakeholders within ±120 metres of the proposed development unless an alternative invitation radius is suggested by City Staff or the Ward Councillor. The date and time of the open house will be determined in coordination with the Ward Councillor and City Staff. The necessary materials will be provided to City Staff in conjunction with the requirements of the City’s Public Consultation Strategy Guidelines, at the appropriate juncture.



In accordance with Ontario Regulations 545/06 and 543/06 and Sections 22 and 34 of the Planning Act, landowners within 120 metres of the subject lands will receive notice that Official Plan Amendment and Zoning By-law Amendment applications have been received by the City and to inform them that the required public meeting has been scheduled. These notices will advise those circulated that information and materials relating to the proposed development is available for their review and will invite them to make comments and present their views prior to, and at the public hearing.

We trust this Public Consultation Strategy is adequate and will satisfy the requisite Public Consultation Strategy submission for the proposed development. We look forward to further discussing the details within the Public Consultation Strategy with City Staff at the appropriate juncture.

8 Conclusions & Planning Opinion

The proposed development generally complies with, conforms to, and is consistent with the intent and direction provided in the applicable provincial and municipal land use planning documents. The recommendations and conclusions of this report concerning the proposed development are as follows:

- The proposed redevelopment is consistent with policies outlined in the Provincial Policy Statement and conforms the Growth Plan for the Greater Golden Horseshoe.
- The proposed Zoning By-law Amendment will implement the direction of the Niagara Regional Official Plan and City of Niagara Falls Official Plan.
- The site is an appropriate location and size to accommodate a new redevelopment that is both well integrated and well designed to fit into the overall vision of the City of Niagara Falls Official Plan.
- The proposed building will contribute to a diverse range of housing and unit mixes within the City of Niagara Falls.
- The proposed development is supportive of creating complete communities that are well connected to existing amenities, including commercial, service, and retail destinations, and recreation centres, schools, and park spaces.

The policy discussion above, when considered jointly with the findings of the various technical studies prepared by adjoining consultants, confirms that the approval of the proposed amendments to the City of Niagara Falls Zoning By-law No. 79-200 will implement the general intent of the relevant provincial land use policy structure of the City of Niagara Falls and Niagara Regional Official Plan. The proposed development represents good planning and should be approved.



Respectfully Submitted,

Prepared by:

Tausha Adair, B.E.S.
Planner
A. J. Clarke and Associates Ltd.

Reviewed by:

Franz Kloibhofer, MCIP, RPP
Principal Planner
A. J. Clarke and Associates Ltd.



Appendix A

Concept Plan



Appendix B

Draft Zoning By-law
Amendment

CITY OF NIAGARA
FALLS

By-law No. 2022-XXX

A by-law to amend By-law No. 79-200, to permit a 5-storey residential building containing 74 residential units, and 92 total parking spaces provided at-grade.

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

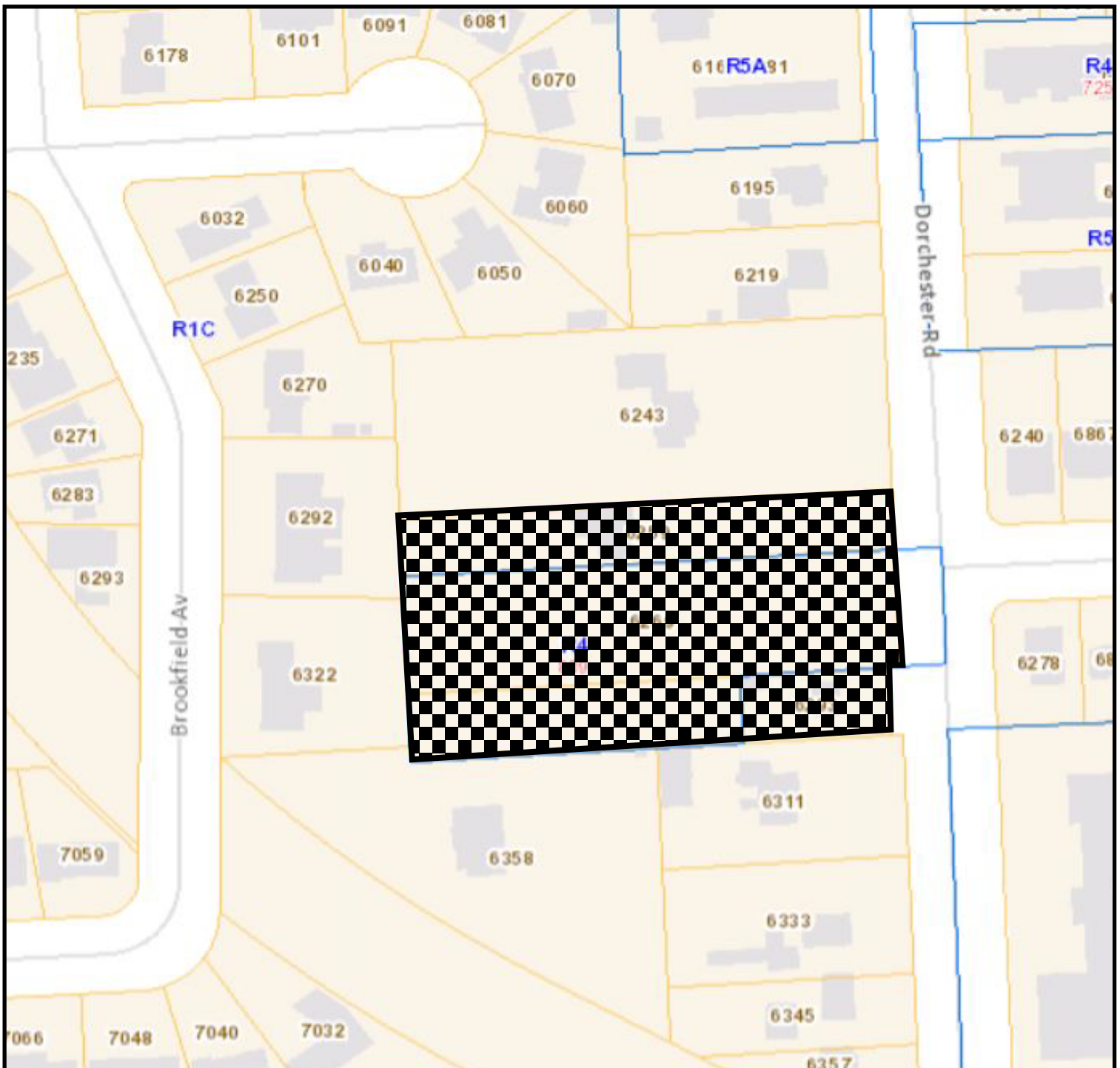
1. The Lands that are the subject of and affected by the provisions of this by-law are described in Schedule 1 of this by-law and shall be referred to in this by-law as the “Lands”. Schedule 1 is part of this by-law.
2. The purpose of this by-law is to amend the provisions of By-law No. 79-200, to permit 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. The Lands, which are zoned “R1C” Zone & “R4” Zone shall be rezoned to the “R5C-XXX” Zone, modified, as per Schedule 1 of this By-law.
4. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following regulations shall be applied to those lands zoned the R5C-XXX Zone:
 - (a) Minimum Front Yard 6.0 metres
 - (b) Minimum Landscaped 32 %
Open Space
 - (c) Minimum Parking Ratio 1.2 spaces per unit
for Apartment Buildings
5. All other applicable regulations set out in By-law No. 79-200 shall continue to apply to govern the permitted uses on the Lands, with all necessary changes in detail.
6. No person shall use the Lands for a use that is not a permitted use.

7. No person shall use the Lands in a manner that is contrary to the regulations.
8. The provisions of this by-law shall be shown on Sheet XX of Schedule "A" of By-law No. 79-200 by rezoning the Lands from the R1C and R4 Zones to the R5C, numbered XXX, Zone.
9. Section 19 of By-law No. 79-200 is amended by adding
thereto: 19.1.XXXX Refer to By-law
No. 2022-____.

Read a First, Second and Third time; passed, signed and sealed in open Council this XXth day of XX, 2022.

.....
WILLIAM G. MATSON, CITY CLERK

.....
JAMES M. DIODATI, MAYOR



This is Schdule 'A' to By-law No.22-XXX

Passed the day of 2022

Mayor

Clerk

Schedule 'A'

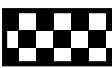
Map Forming Part of

By-law No. 22_____

to Amend By-law No. 79-200

Subject Property

6259-6293 Dorchester Road, Niagara Falls

 Lands to be rezoned from Zoning By-law 79-200 "R1C" Zone & "R4" Zone to the "R5C-XXX" Zone, modified.

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