

Planning Justification Report
Official Plan and Zoning By-law Amendment

2220 Stanley Avenue

Niagara Falls, ON

November 2024

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UCC Project No. 24016

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1.0 - PREFACE

Upper Canada Consultants has been retained by Newcastle Communities to prepare a Planning Justification Report in conjunction with applications for Official Plan and Zoning By-law Amendment made for the property municipally addressed as 2220 Stanley Avenue in the City of Niagara Falls, Regional Municipality of Niagara.

The applications propose the construction of a 3-storey residential building containing 28 dwelling units (including 18 which are affordable for low- and moderate-income households), with 38 surface parking spaces.

The need for a Planning Justification Report was identified through the pre-consultation meeting held on April 18, 2024. The pre-consultation agreement is attached as **Appendix I**. The intent of this Report is to provide an overview of the proposal and the applications and to provide a planning rationale for the proposed development in accordance with applicable Provincial, Regional land use policies and regulations.

2.0 - BACKGROUND

Subject Lands

The subject lands, municipally addressed as 2220 Stanley Avenue in the City of Niagara Falls, are located on the east side of Stanley Avenue, just north of Morning Glory Court and immediately south of the hydro corridor. The subject lands were recently severed from the adjacent single detached parcel through consent file PLCON20240327. The subject lands are irregular in geometry and cover an area of approximately 0.26 hectares (0.64 acres) with 21.18 meters of frontage.

The subject lands are generally flat, and contain manicured lawn with no notable vegetation present. The lands do not contain and are not adjacent to any natural heritage features or areas, or natural hazard features or areas.

The subject lands are designated as “Residential” under the City’s Official Plan, and zoned as Residential 1E Density (R1E) Zone under Comprehensive Zoning By-law 79-200. No secondary plan applies to the subject property.

An aerial view of the subject lands is provided in **Figure 1**.



Figure 1 - Aerial View of the Subject Lands (Niagara Navigator, 2023 Imagery)

Area Context

The subject lands are located near the City of Niagara Falls' northern limits within the Stamford Planning District. The surrounding area contains a variety of land uses. The area to the south is primarily developed for residential purposes. Immediately to the south of the subject lands is a single detached subdivision known as Golia Estates. Several multiple-unit developments are also located further to the south of the subject lands including the Ladona River Apartments, and a 53-unit condominium development consisting of townhouses and semi-detached dwellings. The area to the north of the subject lands has predominately been developed for industrial land uses, though some single detached dwellings exist to the north of the subject property along Stanley Avenue.

The subject lands are well-served with transportation connections. The property is located on Stanley Avenue, which is a higher-capacity Regional Road providing for local and inter-regional connections. The Region's Official Plan identifies Stanley Avenue as part of the Strategic Cycling Network, and the City's Trails and Bikeways plan identifies Stanley Avenue as having wide shoulders and edge lines which are conducive to cycling. The property is located approximately 700 meters south of Highway 405 which provides access to the Provincial highway (400 series) highway network, as well as the Queenston-Lewiston international border crossing.

3.0 - PROPOSAL

The applications propose the development of the subject lands with a 3-storey residential building containing 28 dwelling units, a surface parking lot containing 38 parking spaces, a pedestrian sidewalk, and 821 square meters of landscape space.

The site has been designed to minimize impact on the existing residential uses. The proposed building is located in the north portion of the site adjacent to the hydro corridor to increase separation and to minimize massing impacts on the single detached properties to the south. Ample setbacks and the narrower bulk of the side of the proposed building ensure that impacts on the adjacent single detached dwelling to the west (from which the subject property was originally severed) are also minimized.

The building includes 10 dwelling units on the lower (semi-basement) level, 8 dwelling units on the main level and 10, 2-storey units that span the second and third levels. The lower and main floor units are proposed to contain one-bedroom units and the upper units are proposed to contain two-bedrooms.

The units range in size from approximately 37.41 square meters (402 square feet) to 80.32 square meters (865 square feet), though the usable space on the main to third levels is reduced due to stairwells.

Each unit is accessed from an independent entrance connected to a sidewalk along the front of the building. As such, the building typology is considered to be a stacked townhouse. The sidewalk ultimately connections to Stanley Avenue where a municipal sidewalk is proposed along the property frontage. The sidewalk provides residents with easy access to the community mailbox and waste collection receptacles (Moloks).

The surface parking area includes with 38 parking spaces inclusive of two accessible parking spaces in addition to an access and maneuvering area for the waste collection vehicles.

Refer to the Site Plan included as **Figure 2** and the building elevations included as **Figure 3**.

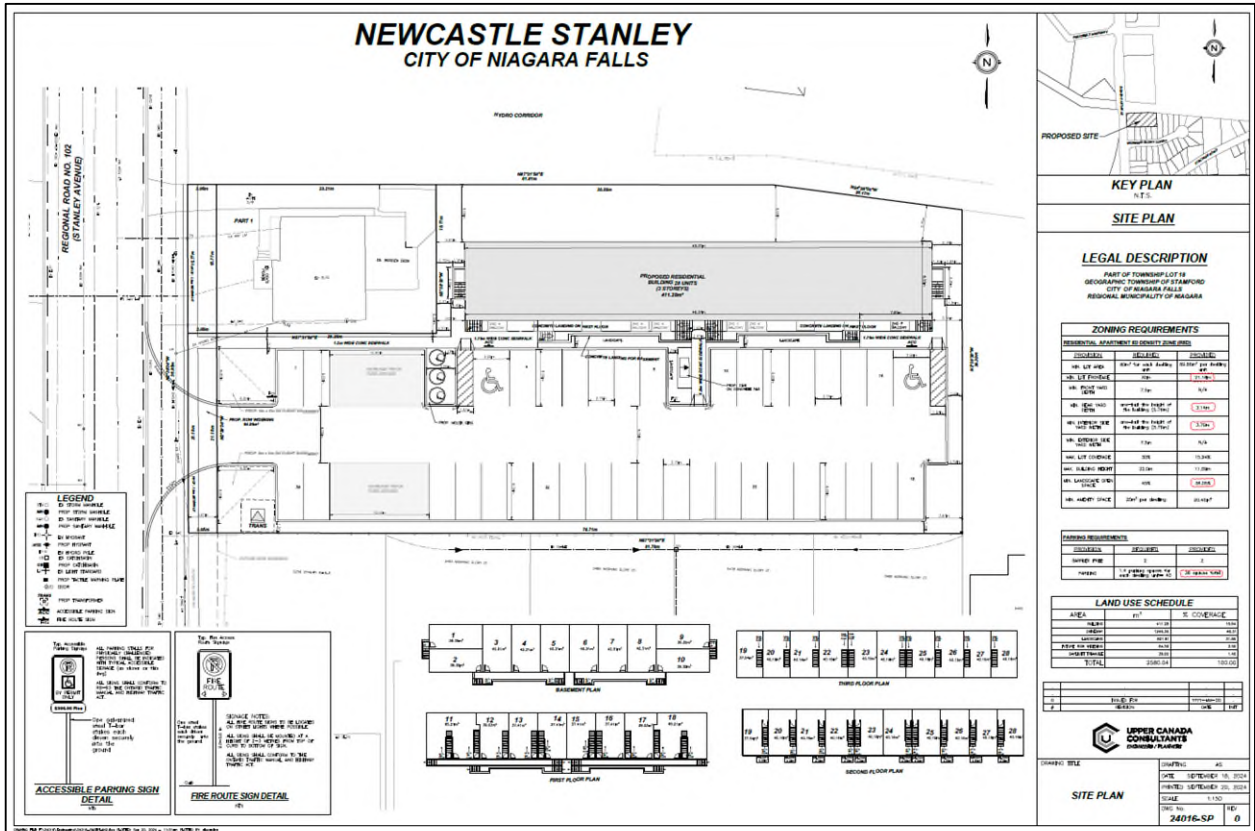


Figure 2 – Proposed Site Plan



Figure 3 - Proposed Front Elevation

4.0 - REQUIRED APPLICATIONS

The following Planning Act applications are required to facilitate the proposed development:

Official Plan Amendment

The submitted Official Plan Amendment seeks to permit a maximum development density of 109 units per hectare, whereas the Official Plan permits a maximum density of 75 units per hectare.

Zoning By-law Amendment

The submitted Zoning By-law Amendment seeks to re-zone the subject property as Residential Apartment 5D Density Zone (R5D) with site-specific provisions for minimum lot frontage, minimum rear yard depth, minimum interior side yard with, minimum landscape open space, minimum parking requirements, and minimum maneuvering aisle width. The requested amendment and site-specific provisions are discussed in greater detail in Section 8 of this report.

5.0 – SUPPORTING STUDIES AND REPORTS

A summary of key findings of the reports and studies which have been submitted for the subject applications is provided below. These summaries do not replace the analysis and findings of the original reports. The original report should be consulted for complete information.

Stage 1-2 Archeological Assessment (Detritus Consulting)

A Stage 1-2 Archeological Assessment of the subject lands was completed by Detritus Consulting, with the Stage 2 fieldwork being conducted on July 4th, 2024. No archeological resources were encountered during the assessment, and no further assessment of the property was warranted. The report has been submitted to the Provincial Ministry of Citizenship and Multiculturalism for review.

Noise Impact Study (dBA Acoustical Consulting)

The Noise Impact Study assessed the noise impact from Stanley Avenue traffic and nearby stationary noise sources to determine the anticipated impacts on the proposed development, and the necessary mitigation measures to achieve MECP requirements. As mitigation measures, the report recommends the provision of air conditioning for all units, and the inclusion of warning clauses pertaining to noise to be registered on title. The report indicates that minimum OBC requirements for are door, wall and window construction are sufficient to achieve regulatory sound levels.

Parking Study (Paradigm Transportation Solutions)

The Parking Study was prepared to assess the adequacy of the proposed parking supply for the development. The study concludes that the proposed parking supply is sufficient for the proposed development

Functional Servicing and Stormwater Management Report (Upper Canada Consultants)

The Functional Servicing and Stormwater Management Report describes how the proposed development will be serviced and analyses the capacity of the receiving infrastructure. The Functional Servicing Report confirms the availability and adequacy of domestic water, sanitary and stormwater infrastructure to support the development.

Tree Inventory and Preservation Plan

The Tree Inventory and Preservation Plan inventoried a total of 13 trees, 10cm in diameter and larger on the subject property and on neighbouring properties within 6 meters. No rare, threatened or endangered species were documented.

The proposed development requires the removal of 4 trees to accommodate the proposed development. A tree protection zone is recommended to be established to preserve the remaining 9 trees which are located on the adjacent property to the east.

5.0 - PROVINCIAL PLANS

5.1 - PLANNING ACT

Section 2 – Matters of Provincial Interest

The Planning Act (R.S.O. 1990) prescribes the regulations for land use planning in Ontario. Section 2 of the Planning Act outlines the matters of Provincial Interest which planning authorities must have regard for when considering planning applications. These matters include:

- a) *the protection of ecological systems, including natural areas, features and functions;*
- b) *the protection of the agricultural resources of the Province;*
- c) *the conservation and management of natural resources and the mineral resource base;*
- d) *the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*
- e) *the supply, efficient use and conservation of energy and water;*
- f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- g) *the minimization of waste;*
- h) *the orderly development of safe and healthy communities;*
 - 1. *the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- i) *the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- j) *the adequate provision of a full range of housing, including affordable housing;*
- k) *the adequate provision of employment opportunities;*
- l) *the protection of the financial and economic well-being of the Province and its municipalities;*
- m) *the co-ordination of planning activities of public bodies;*
- n) *the resolution of planning conflicts involving public and private interests;*
- o) *the protection of public health and safety;*
- p) *the appropriate location of growth and development;*
- q) *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- r) *the promotion of built form that,*
 - a) *is well-designed,*
 - b) *encourages a sense of place, and*
 - c) *provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*
- s) *the mitigation of greenhouse gas emissions and adaptation to a changing climate.*

With respect to these matters, the subject applications pertain to (h) the orderly development of safe and healthy communities (j) the adequate provision of a full range of housing and (p) the appropriate location of growth and development.

The applications support the orderly development of safe and healthy communities through compatible infill development in an existing residential neighbourhood. This type of residential development mitigates the rapid depletion of land to accommodate residential growth and reduces capital infrastructure costs required to service new residential lands.

The application supports the provision of a full range of housing, including affordable housing as the proposed stacked townhouse dwellings represent a dwelling typology that is not commonly found in the immediate area. A significant amount of the proposed units will meet the threshold of affordability for low- and moderate-income households. The proposed development contributes to the provision of housing options that meets a range of needs and preferences in the municipality.

The applications support the appropriate location of growth and development as the subject lands are located within an existing urban area and are fully serviced. There are no constraints to residential development on the site and the proposed development would help to optimize the efficient use of municipal services.

Section 22 – Official Plan Amendments

Section 22 of the Planning Act Establishes the process and requirements to make an amendment to a local Official Plan. The submitted application has been made pursuant to the requirements under this section of the Act.

Section 34 – Zoning By-laws

Section 34 of the Planning Act grants municipal councils the authority to pass Zoning By-laws to regulate the use of the land within a municipality. Amendments to such By-laws are permitted pursuant to Section 34(10) of the Planning Act.

5.2 - 2024 PROVINCIAL PLANNING STATEMENT

The Provincial Planning Statement (PPS) (2024) provides policy direction on the matters of Provincial interest delineated under Section 2 of the *Planning Act* (R.S.O. 1990), and sets the policy framework for regulating the development and use of land. *The Planning Act* states that all planning decisions are required to be consistent with the Provincial Planning Statement. An overview of consistency to the applicable policies is provided below.

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

Chapter 2 of the PPS establishes the framework for growth and development in the province. Under the Provincial land use classification, the City of Niagara Falls is identified as a large and fast-growing municipality on Schedule 1 of the PPS. The subject lands are located within a settlement area.

Growth and development are focused to settlement areas in general. The Niagara Region Official Plan has established a minimum intensification target of 60% for the City of Niagara Falls. The proposed development contributes to the achievement of the City's intensification obligations.

The PPS encourages the provision of an appropriate range and mix of land uses which efficiently use land and infrastructure. The proposed development occurs within the existing built-up area and has access to municipal infrastructure and services. The proposed development provides for the efficient use of this existing infrastructure, and the subject lands.

The PPS encourages the provision of an appropriate range and mix of housing options and densities to meet projected needs of current and future residents, including housing that is affordable, accessible, and equitable. In order to achieve this, the PPS encourages planning authorities establish and implement minimum targets for the provision of housing that is affordable to low and moderate income households; and to permit and facilitating all housing options required to meet such needs, and all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units. The proposed development is consistent with this policy as it proposes the introduction of a new housing option within a previously developed area, which results in a net increase of residential units. A significant amount of the proposed units will be affordable for low- and moderate-income households in accordance with local policy directives.

Chapter 3: Infrastructure and Facilities

The PPS encourages development patterns which enable the efficient provision and use of public infrastructure and services. In order to achieve this, the use of existing infrastructure should be optimized before consideration to develop new infrastructure. The subject lands are within the existing built-up area and have access to a full range of municipal infrastructure and services. The proposed development helps to optimize the efficient use of the existing infrastructure and services.

6.0 - NIAGARA OFFICIAL PLAN (2022)

The 2022 Niagara Official Plan (NOP) outlines the long-term strategic policy planning framework for managing growth in the Region to a planning horizon ending in 2051.

CHAPTER 2 – GROWING REGION

Chapter 2 of the NOP contains the policy framework for the accommodation of the Region’s projected population and employment growth.

2.1 – FORECASTED GROWTH

Per Section 2.1, the Region of Niagara is anticipated to have a population of 694,000 people and 272,000 jobs by the year 2051, representing an increase of over 200,000 people and 85,000 jobs from 2021. These population and employment forecasts are further broken down by municipality in Table 2-1, wherein the City of Niagara Falls has a projected population of 141,650 people and 58,110 jobs.

2.2 – REGIONAL STRUCTURE

Section 2.2 establishes the regional land use structure, based on Provincial directives which dictate how the projected growth in the Region is to be accommodated. A majority of growth is to occur within the Settlement Area, where water and wastewater systems exist or are planned, and where a range of transportation options can be accommodated. The Settlement Area is comprised of the Delineated Built-up Area and the Designated Greenfield Area.

Schedule B of the Regional Plan indicates that the subject lands are the Delineated Built-up Area (see **Figure 4**, below). The subject lands are also serviced with existing water and wastewater systems and are therefore an appropriate location to accommodate prescribed growth.

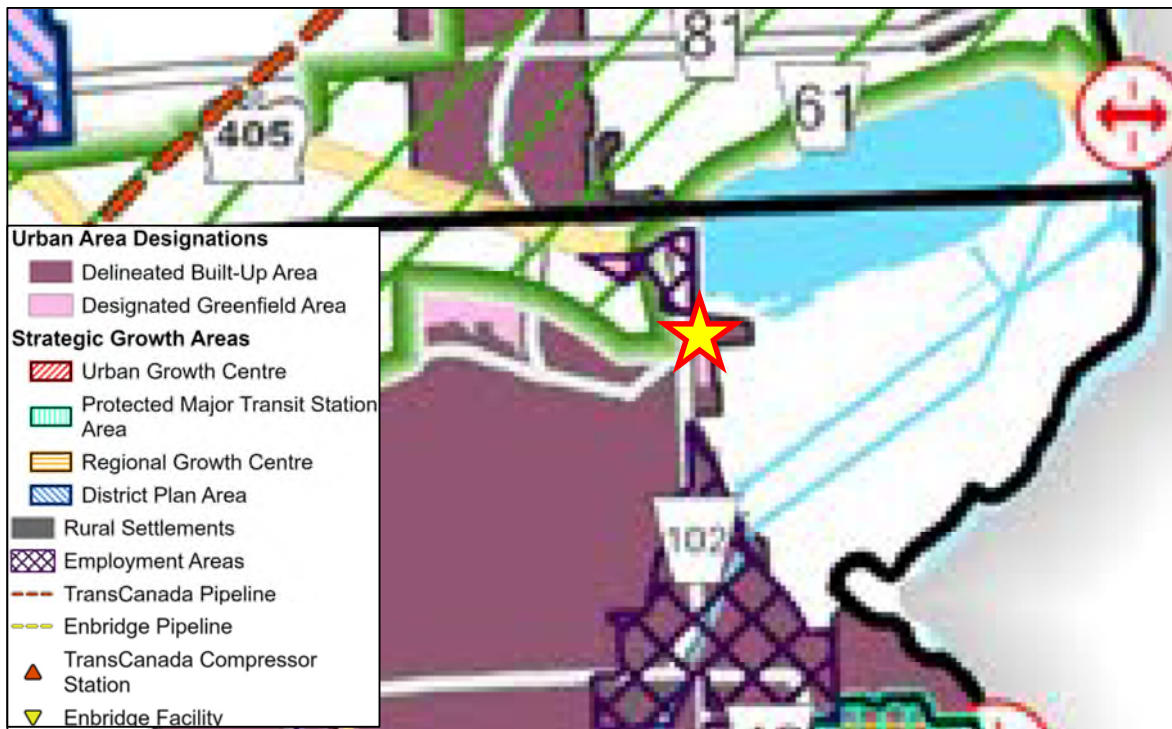


Figure 4 - Excerpt from Region of Niagara Official Plan Schedule B - Regional Structure

2.2.1 – Managing Urban Growth

Per Policy 2.2.1.1 a), development in the Built-up Area is required to support the achievement of the Region’s intensification target. The Region’s intensification target is 60%, as stipulated in policy 2.2.2.5. Table 2-2 of the NOP further breaks down the intensification target by municipality. The City of Niagara Falls is assigned an intensification target of 50% translating to the construction of 10,100 new dwelling units within the existing Built-up Area by the year 2051. The proposed development contributes positively to the accommodation of prescribed residential growth in the City’s Built-up Area.

Policy 2.2.1.1 b) states that development in urban areas should support a compact built-form and a mix of land uses to support the creation of complete communities. The proposed residential development is compact in nature and contributes to the range of land uses to achieve a complete community.

Policy 2.2.1.1 c) states that development in urban areas should accommodate a diverse range and mix of housing types, unit sizes and densities to accommodate future and current market-based and affordable housing needs. The proposed development includes 28 stacked townhouse dwelling units which includes a mix of unit sizes and configurations to cater to a wide range of housing needs and preferences.

Policy 2.2.1.1 e) states that development in the urban area should support built-forms, land use patterns and street configurations that minimize land consumption, reduce the cost of municipal water and wastewater systems and services. The subject lands have access to existing municipal services. The proposed development will increase the efficient use of the subject lands, as well as the municipal services.

Policy 2.2.1.1 g) states that development in urban areas should support opportunities for intensification including a mix of residential built-forms in appropriate locations to ensure compatibility with established residential areas. The proposed development provides intensified residential development that is compatible with the surrounding area.

2.3 – HOUSING

The objectives of the policy direction under Section 2.3 of the NOP are to provide a mix of housing options to address current and future needs, to provide more affordable and attainable housing options, and to plan to achieve affordable housing targets through land use and financial incentive tools.

2.3.1 – Provide a Mix of Housing Options

Policy 2.3.1.1 directs that a range and mix of densities, lot and unit sizes and housing types, including attainable and affordable housing should be accommodated in the settlement area to meet housing needs at all stages of life. The proposed stacked townhouses provide for a new and affordable housing choice within the immediate area.

2.3.2 – Provide for Affordable and Attainable Housing

Policy 2.3.2.3 states that 10% of new ownership housing is to be affordable. According to the Niagara Falls Housing Strategy, a sale price of \$499,400 is considered affordable for low- and moderate-income households.

Eighteen of the proposed 28 units are anticipated to be marketed below this threshold. The proposal therefore supports the provision of affordable housing in accordance with this policy.

2.3.2 – Planning Tools to Achieve Affordable and Attainable Housing

Policy 2.3.3.1 e. states that site standards to facilitate the development of additional residential units, such as reduced setbacks and reduced parking standards are appropriate tools to be utilized to support the development of affordable and attainable housing. The subject applications request consideration for site specific zoning provisions (eg. reduced setbacks and parking standards, increased height and density) in order to provide affordable ownership housing.

7.0 - CITY OF NIAGARA FALLS OFFICIAL PLAN (2019 CONSOLIDATION)

INTRODUCTION

The City of Niagara Falls Official Plan contains land use policies which implement the City's long-term growth management goals. Schedule A of the Niagara Falls Official Plan identifies that the subject lands are designated as Residential, and also fall within Special Policy Area 33 (see **Figure 5**). Schedule A2 further identifies that the lands are in the Built-up Area (see **Figure 6**).

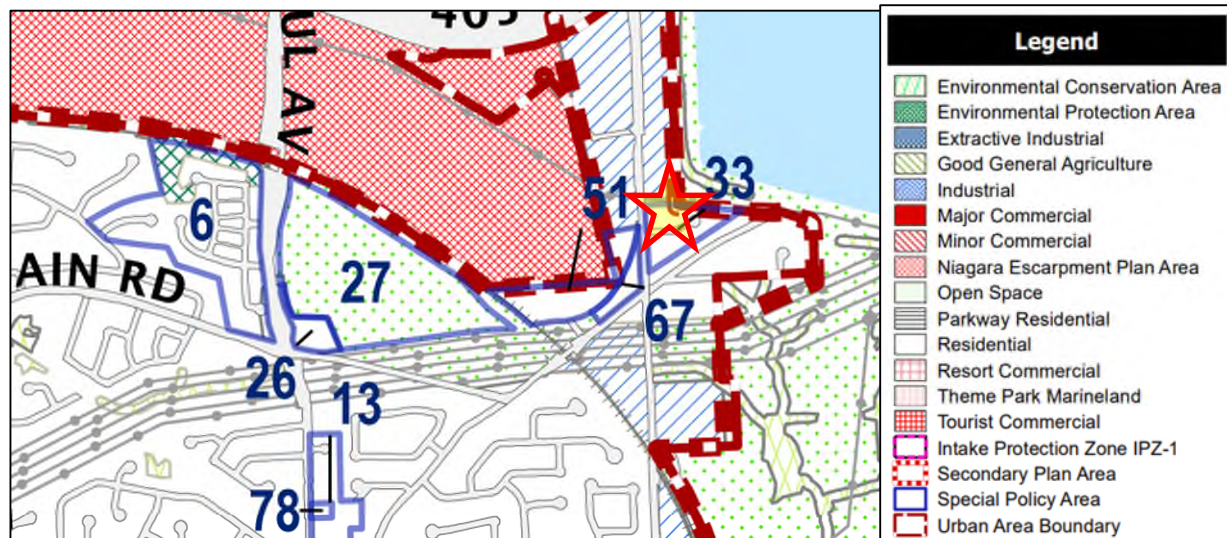


Figure 5 - Excerpt from Niagara Falls Official Plan, Schedule A



Figure 6 - Excerpt from City of Niagara Falls Official Plan, Schedule A2

PART 1 – PLAN OVERVIEW AND STRATEGIC DIRECTION

Section 2 – Strategic Policy Direction

The intent of the Official Plan is to guide land use and development in the City of Niagara Falls so as to ensure orderly and efficient growth to meet Provincial and Regional growth targets while maintaining and protecting natural heritage and agricultural lands.

Growth Objectives

Contained under this heading are the City's Growth Objectives which guide the subsequent policy direction for the land uses identified on Schedule A. The following is an evaluation of the proposal's conformity to the Growth Objectives, with the objectives quoted verbatim and an analysis of conformity provided in *italics*.

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

The applications appropriately propose growth in the urban area.

2. To protect Natural Heritage Areas and their functions.

The subject lands are not impacted by Natural Heritage Areas.

3. To support increased densities, where appropriate, and the efficient use of infrastructure within the Built-Up section of the urban area.

The proposal includes an Official Plan Amendment which seeks to increase the permitted density of the subject lands. The request aligns with this objective as the proposed density will provide for the efficient use of serviced urban lands.

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

According to the Region of Niagara Official Plan (2022) the City of Niagara Falls is anticipated to have a population of 141,650 by 2051. The proposed development supports the accommodation of Niagara Falls' anticipated growth in accordance with Provincial, Regional and growth management directives.

7. To achieve a minimum of 40% of all residential development occurring annually within the Built Up Area shown on Schedule A-2 by the year 2015.

Per the most recent Regional Official Plan (2022), the City of Niagara Falls' intensification target is 50%. The proposed development supports the achievement of the City's intensification obligations.

9. To encourage alternative forms of transportation such as walking, cycling and public transit.

The development proposes the construction of a public sidewalk across the property's frontage.

10. To plan for an urban land supply for 20 years and to maintain a minimum 10 year supply of land for residential growth through intensification or greenfield development.

The proposed development represents intensification within the urban boundary. The efficient redevelopment and intensification of existing residential land limits the need to expand the urban boundary and allows for an adequate amount of residential land to be maintained to accommodate future growth.

11. To provide a supply of serviced land that is capable of providing three years of residential development through intensification and land in draft approved and registered plans of subdivision.

Consistent with this objective, the subject lands are serviced residential lands and the proposed development would facilitate the intensification of the land.

14. To increase the supply of affordable housing options in the City and aim to achieve an annual target of 40% of all new housing developed meeting the definition of "affordable".

According to the Niagara Falls Housing Strategy, a sale price of \$499,400 per month or less is considered affordable for low- and moderate-income households. Eighteen of the proposed 28 units will fall under this threshold and the development contributes positively to the achievement of the annual target for the provision of affordable housing.

Policies

Contained under this heading are the policies related to the Growth Objectives outlined in the previous section. The following is an evaluation of the proposal's conformity to these policies, with the objectives quoted verbatim and an analysis of conformity provided in *italics*.

- 2.3** The City shall provide sufficient lands within the Urban Area Boundary to meet the projected housing, population and employment targets of Table 1.

According to Table 1, the City of Niagara Falls is anticipated to have a population of 106,800 and 42,740 households. The proposed development would increase the efficient use of existing residential lands to accommodate this anticipated growth.

- 2.8** The City shall consider residential and employment growth in relation to Schedule “B” - Phasing of Development and the polices of Part 1, Section 3 of this Plan.

Schedule B of the Official Plan indicates that the subject lands are within the Existing Municipal Service Area. The proposed development does not require the provision of new infrastructure.

- 2.11** No new urban areas shall be created.

The applications propose the efficient and intensified use of lands within an existing urban area.

Section 3 – Intensification

The policies under this heading apply to applications for intensification including development on lands within the Built-up Area. The following is an evaluation of the proposal’s conformity to the applicable Intensification Policies, with the policies quoted verbatim and an analysis of conformity provided in *italics*.

General Policies

- 3.1** Unless otherwise permitted through the maps and policies of this Plan, residential intensification shall require an amendment to this Plan and proceed by way of site specific zoning by-law amendment whereby individual proposals can be publically assessed. Proposals of sufficient land area shall be developed through plans of subdivision.

A site-specific Zoning By-law Amendment application has been submitted to permit and regulate the proposed development.

While the Official Plan generally permits residential intensification to occur on the subject lands, an Official Plan amendment is required to permit the proposed density.

- 3.4** The intensification through redevelopment of lands designated Residential in this Plan shall comply with the policies of Section 2, 1.15.5 of this Plan.

Section 2, 1.15.5 does not exist in the publicly accessible version of the City’s Official Plan. It is assumed that this policy is meant to reference Section 2 1.10.5. This policy is addressed subsequently in this report.

SECTION 4 – HOUSING (HOUSING IMPACT STATEMENT)

The City’s Official Plan requires that applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium are to include a housing impact statement, demonstrating how the proposal implements the City’s Housing Strategy. This section of the Planning Justification Report addresses this requirement.

The proposed development will consist of 28 dwelling units with a mix of unit sizes and configurations to cater to a variety of housing needs and preferences. The units range in area from approximately 37.41 square meters (402 square feet) to 80.32 square meters (865 square feet), with a mix of one- and two-bedroom units.

The developer proposes to sell the units as condominiums, with 18 of the units expected to be sold for under \$499,000. Of these 18 units, six are anticipated to market in the high \$300,000s with the remaining 12 to be marketed in the \$400,000 range. The remaining ten units are expected to be priced above \$499,000, including two in the \$500,000 range and eight in the \$600,000 range.

Vision and Goals for Housing

The Official Plan contains the following vision for housing:

“All residents have safe, stable and appropriate housing to meet both their physical and financial needs throughout the various stages of life.”

The proposed development implements, or otherwise supports the following goals associated with this vision:

1. Ensure housing is available throughout the City to meet the varying financial needs of existing and future residents.
2. Diversify the City’s housing supply to include a wider range of price points; mix of housing types and densities; and a range of options for housing tenure (rental and ownership).

Housing Policies

The following is an evaluation of how the proposal conforms with the applicable policies for housing under Part 1, Section 4 of the Official Plan

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

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

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

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

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

4.3.5 Additional dwelling units in single-detached, semi-detached, duplex and townhouse dwellings in accordance with the legislation set out in the Planning Act and as further regulated through the policies of this Plan and the Zoning By-law.

The proposed development reflects the development patterns described under Policy 4.3.1 being a multiple unit development with innovative housing forms. The proposed development also represents the development of vacant lands to enable their efficient use, as described under Policy 4.3.2. The proposed development patterns are promoted and encouraged under the Official Plan.

4.6 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.

The proposal will contribute a variety of unit sizes which provides for a range of sale prices and contributes to the provision of affordable housing units.

4.8 Based on projections, it is expected that 20,220 new residential units will be built in the City between 2021 and 2051, or 674 new units on an annual basis. The City will aim to exceed the minimum targets for affordable housing established by the Niagara Region, which is set as 20% of all new rental housing built will be affordable and 10% of all ownership will be affordable.

As such, the City has set an annual target of 40% of all new units meeting the definition of “affordable”. In this regard, the City will aim to achieve a minimum of 270 units to be built annually between 2021 and 2051 and beyond as affordable, with the following breakdown:

- a) 135 units per year to be built with a purchase price or rental price at or below the identified threshold for affordable in accordance with the Niagara Region’s definition of affordable.
- b) 135 units per year to be built as rental units that would be affordable to rental households in the 30th income percentile or lower based on income deciles presented in the City’s annual housing monitoring report. Rental unit support provided by Regional Housing Services shall be in alignment with the Region’s Consolidated Housing Master Plan and dependent on available resources.

The City’s Housing Strategy Report (January 2022) provides further direction on achieving the City’s affordability targets. In relation to item a), the Housing Affordability Report establishes an affordability threshold for ownership housing at \$499,400, defining this to be affordable for low- and moderate-income households. The proposed development will provide 18 dwelling units that meet this affordability standard, with some units to be priced considerably below this threshold.

PART 2 - LAND USE POLICIES

SECTION 1 – RESIDENTIAL

As noted, Schedule A identifies the lands as Tourist Commercial and Schedule A-2 designates the lands as being in the Built-up Area, and within a “node” (refer to **Figures 4 and 5**). Schedule E further identifies that the lands are within the Lundy’s Lane Satellite Tourism District (see **Figure 6**).

Conformity to the applicable policies for these land use designations is demonstrated below.

General Policies

The policies under this heading apply to all lands that are designated as Residential on Schedule A of the Official Plan. The following is an evaluation of the proposal’s conformity to the applicable General Policies, with the policies quoted verbatim and an analysis of conformity provided in *italics*.

- 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, quadruplexes, townhouses, apartments, group homes and other forms of residential accommodation.

The proposed development consists of a stacked townhouse typology which is consistent with the types of residential accommodations prescribed in the Residential designation.

- 1.4** The development and redevelopment of residential lands in the City shall primarily be by plan of subdivision incorporating a mix and variety of dwellings and supporting uses to foster the development of a complete community. Consents to sever individual parcels of land shall only be permitted when it can be demonstrated that a plan of subdivision is not necessary to implement the policies of this Plan or applicable secondary plan.

The development encompasses a single property and a Draft Plan of Subdivision is therefore not applicable. The development will be subject to condominium approval and/or Site Plan Approval, which provide mechanisms to ensure the development progresses in an orderly manner.

- 1.5** 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.

The Official Plan permits stacked townhouses generally up to 4 storeys in height. The proposed building is 3 storeys in height. The building also complies with the maximum height permitted in the proposed R5D Zone.

- 1.7** 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 subject lands are located within the existing municipal services area according to Schedule B, meaning that the lands have access to municipal services and utilities. The Functional Servicing Report submitted with the applications confirms that the existing municipal infrastructure has sufficient capacity to service the proposed development.

- 1.8** 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.

A Noise Impact Study has been submitted with the applications which outlines the required noise mitigation measures to meet MECP standards.

Built-Up Area

- 1.10** 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:

The proposed development is infilling and intensification in nature.

- 1.10.1** The character of the existing neighbourhoods within the Built-up Area shall be retained. Accordingly, residential development, intensification and infilling shall blend into the lot fabric, streetscape and built form of a neighbourhood.

The existing neighbourhood contains a mix of single detached and multiple unit residential uses as well as industrial uses.

The development has been designed to blend into the existing neighbourhood fabric. This includes locating the building adjacent the hydro corridor and away from the adjacent single detached dwellings to the south. The development also maintains an adequate setback to the single detached dwelling to the west.

- 1.10.2** 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.

The proposed building is 3-storeys in height and is therefore considered to be low-rise. The development incorporates appropriate setbacks to ensure the building is adequately separated from adjacent residential uses to minimize impacts.

- 1.10.3** 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 Built-up 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 consists of stacked townhouses which are a housing typology that does not currently exist in the immediate area. The proposed building also contains a mix and variety of unit types, with a majority of the units being affordable for low-and moderate-income households. The development therefore has regard for the provision of varying housing types that are suitable for different age groups, household sizes and incomes.

- 1.10.4** The conservation and renewal of the existing housing stock shall be encouraged as an important element in meeting future housing needs. In addition, the maintenance and rehabilitation of existing housing will be promoted by discouraging unnecessary demolition or conversion to non-residential uses through such mechanisms as demolition control and application of the Maintenance and Occupancy Standards By-law.

The subject lands were severed from the adjacent single detached dwelling. This allowed for the existing dwelling to be retained and the efficient development of the previously underutilized land.

- 1.10.5** 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:

- (i) Single and semi-detached dwellings, street townhouses, block townhouses and other compatible housing forms are to be developed to a maximum net density of 40 units per hectare with a minimum net density of 20 units per hectare and should generally be located on local or collector roads. New housing forms are to be of a height, massing and provide setbacks that are in character with the surrounding neighbourhood.
- (ii) Stacked townhouses, apartments and other multiple housing forms with building heights of not more than 4 storeys can be developed to a maximum net density of 75 units per hectare with a minimum net density of 50 units per hectare. Such development should be located on collector roads and designed with a street presence that is in character with the surrounding neighbourhood. In addition, setbacks should be appropriate for the building

height proposed and greater where abutting lands are zoned for single or semi-detached dwellings.

- (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.

The proposed development consists of a 3-storey stacked townhouse at a density of 109 units per hectare. The development conforms with the height, but exceeds the density permitted under sub-policy (ii). An Official Plan Amendment has been submitted to permit the proposed density.

The development has been deliberately designed to minimize impact on the adjacent single-detached dwellings. This includes positioning the building in the north portion of the site, adjacent to the hydro corridor to maximize the separation to the dwellings to the south. The proposed building height of 3 storeys also provides for a gentle transition from the adjacent 1- and 2-storey dwellings. This ensures that the development can be harmoniously incorporated into the existing neighbourhood.

The proposed density is desirable and appropriate as it provides for efficiencies that allow for a significant amount of the units to be affordable for low- and moderate-income households. The necessary services, utilities and amenities exist in order to support the development, including adequate parking, infrastructure capacity, transportation connections

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.

SECTION 13 – SPECIAL POLICY AREAS

Special policy areas are areas designated under the Official Plan which warrant specific policies based on their unique characteristics or circumstances. The subject lands are located within Special Policy Area “33” which is quoted in verbatim below. A conformity statement is provided in *italics*.

13.33 SPECIAL POLICY AREA "33"

(OPA #36, By-law 2001-40, adopted Feb 12, 2001, Regional approval May 2001)

Special Policy Area "33" applies to lands situated on the east side of Stanley Avenue, north of Portage Road, south of the hydro corridor. Due to the proximity of existing extractive industrial operations and railway to the west, the applicant will be required to prepare air quality (dust) studies, as well as noise and vibration studies as part of a future rezoning and/or plan of subdivision application. In addition, the following studies will be required prior to subdivision approval:

This special policy includes the subject lands, as well as the residential subdivision to the south (Golia Estates) which was constructed in the early 2000s. It is assumed that the policy expected the subject lands to be developed as part of these adjacent subdivisions, however this did not occur.

A Noise Impact Study has been submitted with the subject applications, as identified in the Special Policies, due to the proximity of potentially industrial and extractive uses.

- environmental site assessment to address possible effects of previous pesticide use from the existing orchard;

An environmental site assessment was not requested for the subject applications. Based on aerial imagery from 2000, it appears the previous orchard referenced in the special policies was only located on the Golia Estates lands. It is understood that ESA requirements were addressed through the development of these lands and that there are no further requirements with respect to the subject lands.

- traffic impact study to address road entrances in relation to future realignment of Portage Road and Stanley Avenue;

Similarly, a traffic study was not requested for the proposed development, and it is assumed that this requirement under the Special Policies was addressed through the development of Golia Estates.

- storm water management plan; and

The subject lands were included as part of the stormwater design for Golia Estates. A Stormwater Management report specific to the proposed development has been submitted which conforms with the overall stormwater management strategy that was previously established for these lands.

- archeological resource study.

A Stage 1-2 Archeological Assessment of the subject lands was completed and no archeological resources were encountered.

8.0 - CITY OF NIAGARA FALLS ZONING BY-LAW (By-law 79-200)

Existing Zoning

The subject property is currently zoned as Residential 1E Density (R1E) Zone in accordance with the City's Comprehensive Zoning By-law (79-200), as shown in **Figure 7**, below.

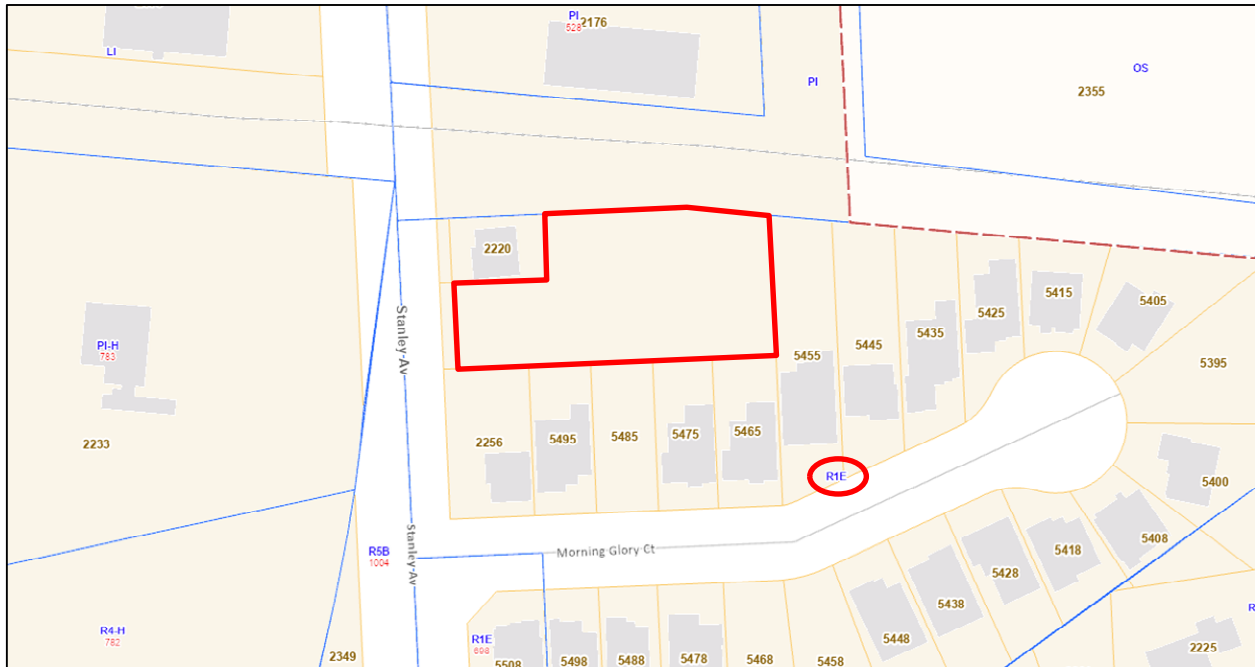


Figure 7 - Existing Zoning Information (cropped from Niagara Falls Viewer - Land Regulation)

Proposed Amendment

The Zoning By-law Amendment proposes to rezone the subject lands from the existing Residential 1E Density (R1E) Zone to a site-specific Residential Apartment 5D Density (R5D) Zone. The R5D Zone is proposed as the proposed development density aligns with the density (minimum lot area per dwelling unit) permitted under this zone category.

A zoning matrix is included in **Table 1** which demonstrates where zoning relief is required. An evaluation of each site-specific provision is provided below **Table 1**. A Draft Zoning By-law Amendment is included as **Appendix III**.

Table 1 – Zoning Conformity

Zoning By-law 79-200			
Section 7.13 Residential Apartment 5D Density (R5D) Zone			
Provision	Required	Provided	Proposed Provision
7.13.1 – Permitted Uses			
(a) An apartment dwelling (b) A stacked townhouse dwelling (c) Accessory buildings and structures		Stacked Townhouse Dwelling	No Change
7.13.2 – Regulations			
a) Minimum lot area	80 square meters for each dwelling unit	89.86 square meters for each dwelling unit	No Change
b) Minimum lot frontage	30 meters	21.18 meters	21 meters
c) Minimum front yard depth	7.5 meters plus 13.1 meters to the centreline of the original Stanley Avenue road allowance	N/A	No Change
d) Minimum rear yard depth	One-half the height of the building (5.79 meters) or 10 meters, whichever is greater	3.14 meters	3.1 meters
e) Minimum interior side yard depth	One-half the height of the building (5.79 meters)	3.03 meters	3.0 meters
f) Minimum exterior side yard depth	7.5 meters	N/A	No Change
g) Maximum lot coverage	30%	15.94%	No Change
h) Maximum height of a building or structure	22 meters	11.58 meters	No Change
i) Maximum number of apartment dwellings on one lot	One only	N/A	No Change
j) Parking and access requirements	In accordance with section 4.19.1	See below	
k) Accessory buildings and structures	In accordance with sections 4.13 and 4.14	None proposed	No Change
l) Minimum landscaped open space	45% of the lot area	36% of the lot area	36% of the lot area
m) Minimum amenity space for an apartment dwelling unit	20 square meters per dwelling unit	20.45 square meters per dwelling unit	No Change
4.19 Parking Areas			
Minimum Parking Space Requirements	1.4 parking space per dwelling unit (40 spaces required)	1.35 spaces per dwelling unit (38 spaces provided)	1.35 spaces per dwelling unit
Parking Space Dimensions (More than 60 degrees and up to 90 degrees)	2.75 meters x 6 meters	2.75 meters x 6 meters	No Change
Maneuvering Aisle Width	More than 60 degrees and up to 90 degrees	6.9 meters	6.0 meters
Landscape Buffer	3.0 meters where a parking area abuts a street line	6.0 meters	No Change

Requested Site Specific Relief

Minimum Lot Frontage

The minimum required lot frontage in the R5D Zone is 30 meters. The intent of the minimum lot frontage is to provide sufficient lot width to accommodate permitted forms of development.

The existing frontage is a result of the previous severance which separated the subject lands from the single-detached dwelling located on the north side of the property. In addition to allowing for the retention of this existing dwelling, the proposed frontage of 21 meters does not impact the ability for the subject property to accommodate the proposed development. The building is located in the rear of the lot where the lot widens and provides sufficient width to accommodate the building. The frontage provides adequate width for the proposed driveway access and associated buffers.

Minimum Interior Side Yard Width

The Zoning By-law requires a minimum interior side yard width of 5.79 meters (one-half the height of the building) be provided, whereas a minimum interior side yard width of 3.0 meters is proposed. The proposed setback provides the necessary functionality of an interior side yard setback and the building location and orientation ensures that the proposed development will not negatively impact adjacent lands.

With respect to the functionality of the interior side yard, the provided 3.0 meters is sufficient to provide access around the building without encroachment onto the neighbouring property.

With respect to impacts, the building orientation directs the bulk of the building towards the hydro corridor and parking area with the narrower side wall facing the dwelling to the west. No balconies are proposed on the wall facing the adjacent dwelling and shadows from the proposed building will be primarily cast onto the hydro corridor lands to the north.

Minimum Rear Yard Depth

The Zoning By-law requires a minimum rear yard depth of 10 meters, whereas a minimum rear yard of 3.1 meters is requested for the proposed development. The rear yard is measured from the building to the rear lot line, which is defined as the lot line opposite to the front lot line. Due to the orientation of the proposed building, the defined rear yard abuts the side of the building and functions as an interior side yard. The interior side yard between the hydro corridor and the rear wall of the building functions as the rear yard with a larger setback to provide the typical amenity function associated with the rear yard. The proposed rear yard depth is appropriate in terms of functionality and minimizing impacts for the same reasons as the proposed interior side yard width.

Minimum Landscaped Open Space

The Zoning By-law requires that 45% of the lot be maintained as landscaped open space whereas the development achieves 36% of the lot area as landscaped open space.

The proposed reduction in open space is acceptable as the development complies with the minimum amenity space requirement, and is significantly lower than the maximum lot coverage requirement. These provisions have a similar function to the minimum landscaped open space requirement in ensuring that the building is appropriately scaled to the site, and that an adequate amount of amenity area is provided. The reduction in landscaped open space is also visually supplemented by the hydro corridor.

Minimum Parking Space Requirements

The Zoning By-law requires that a minimum of 40 parking spaces be provided (1.4 per dwelling unit) whereas 38 parking spaces are proposed (1.35 parking spaces per unit). This is a minor reduction in the total parking requirement which is supported by a parking study. The parking study estimates that the proposed parking supply exceeds the actual parking demand for the proposed development, based on surveys of comparable developments.

Maneuvering Aisle Width

The Zoning By-law requires a minimum maneuvering aisle width of 6.9 meters, whereas the provided maneuvering aisle is 6.0 meters in width. The proposed aisle width can adequately accommodate 2-way traffic and the width complies with OBC fire code requirements.

9.0 - PLANNING POSITION

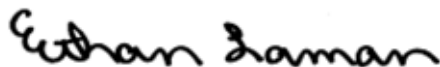
The submitted Official Plan and Zoning By-law Amendment applications for 2220 Stanley Avenue propose the construction of 28 stacked townhouse dwellings, including 18 which are affordable for low- and moderate-income households.

The applications represent good planning for the following reasons:

- The development will contribute to the provision of land use patterns that efficiently use land and infrastructure;
- The development contributes to the provision of a range and mix of land uses that help to achieve complete communities.
- The proposed development contributes to the minimum intensification target for the City of Niagara Falls established in the Niagara Official Plan.
- The proposed development helps to support the City's Housing strategy by contributing to the supply of housing that is affordable for low- and moderate-income households.
- The proposed amendments to the Official Plan and Zoning By-law will support desirable land use outcomes, including the provision of affordable housing, without causing negative impacts to adjacent land uses.

In my opinion, the requested amendments should be supported as they are consistent with the Provincial Planning Statement, and conform with the Niagara Official Plan.

Respectfully submitted by,



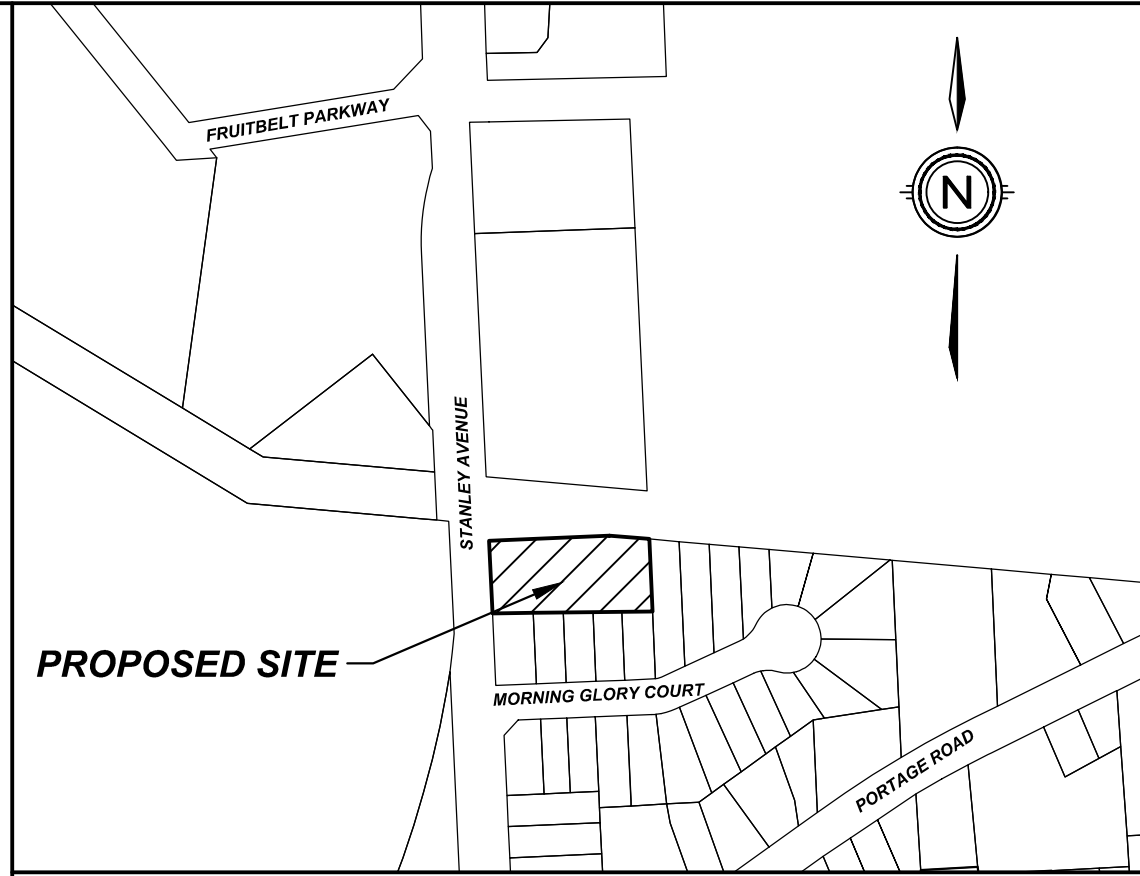
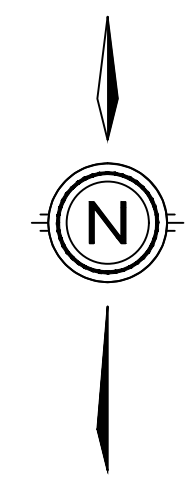
Ethan Laman, BURPI., MCIP, RPP
Senior Planner
Upper Canada Consultants

Appendix I
Site Plan



NEWCASTLE STANLEY

CITY OF NIAGARA FALLS



KEY PLAN
N.T.S.

SITE PLAN

LEGAL DESCRIPTION

PART OF TOWNSHIP LOT 18
GEOGRAPHIC TOWNSHIP OF STAMFORD
CITY OF NIAGARA FALLS
REGIONAL MUNICIPALITY OF NIAGARA

ZONING REQUIREMENTS

RESIDENTIAL APARTMENT 5D DENSITY ZONE (R5D)		
PROVISION	REQUIRED	PROVIDED
MIN. LOT AREA	80m ² for each dwelling unit	89.86m ² per dwelling unit
MIN. LOT FRONTAGE	30m	21.18m
MIN. FRONT YARD DEPTH	7.5m	N/A
MIN. REAR YARD DEPTH	one-half the height of the building (5.79m)	3.14m
MIN. INTERIOR SIDE YARD WIDTH	one-half the height of the building (5.79m)	3.03m
MIN. EXTERIOR SIDE YARD WIDTH	7.5m	N/A
MAX. LOT COVERAGE	30%	15.94%
MAX. BUILDING HEIGHT	22.0m	11.58m
MIN. LANDSCAPE OPEN SPACE	45%	36.05%
MIN. AMENITY SPACE	20m ² per dwelling	20.45m ²

PARKING REQUIREMENTS		
PROVISION	REQUIRED	PROVIDED
BARRIER FREE	2	2
PARKING	1.4 parking spaces for each dwelling unit = 40	36 spaces total

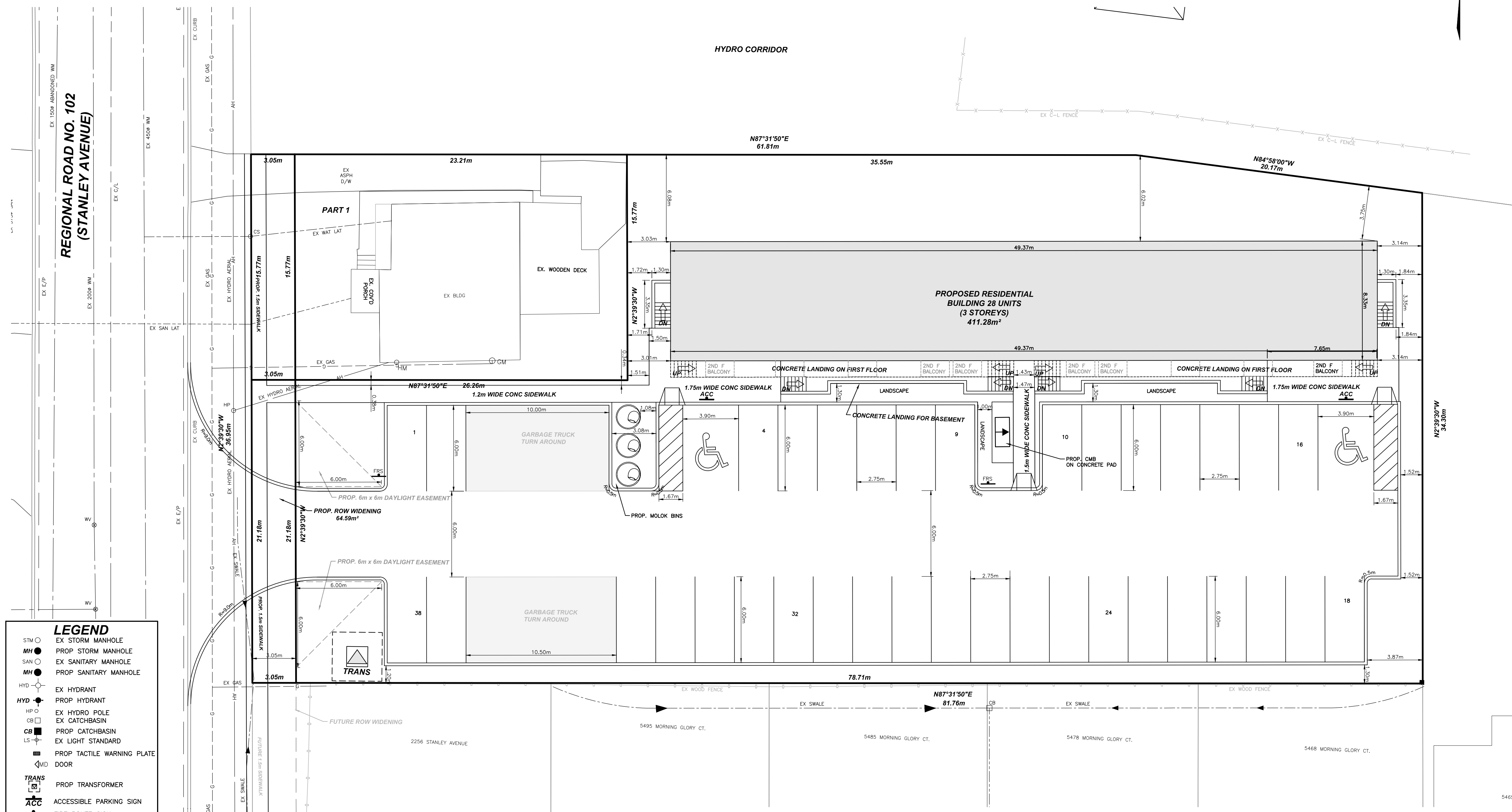
LAND USE SCHEDULE

AREA	m ²	% COVERAGE
BUILDING	411.28	15.94
DRIVEWAY	1246.36	48.31
LANDSCAPING	821.81	31.85
FUTURE ROW WIDENING	64.59	2.50
DAYLIGHT TRIANGLE	36.00	1.40
TOTAL	2580.04	100.00

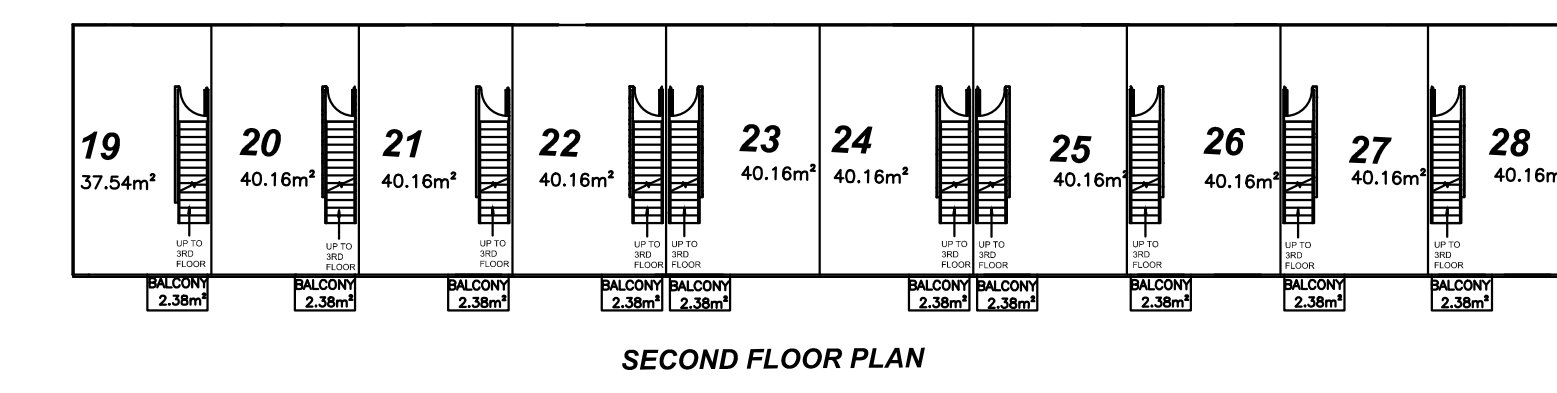
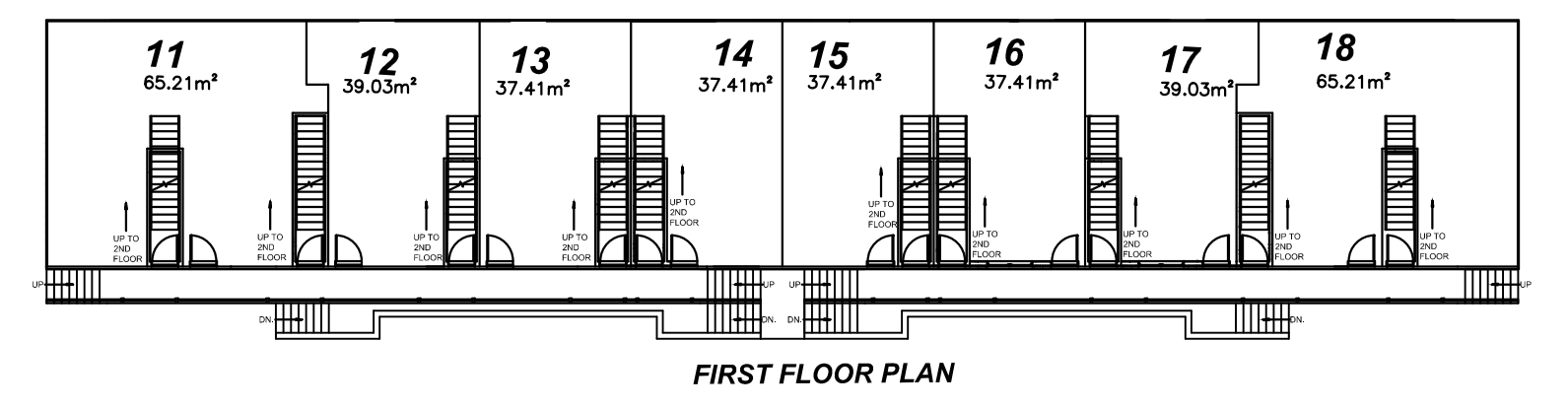
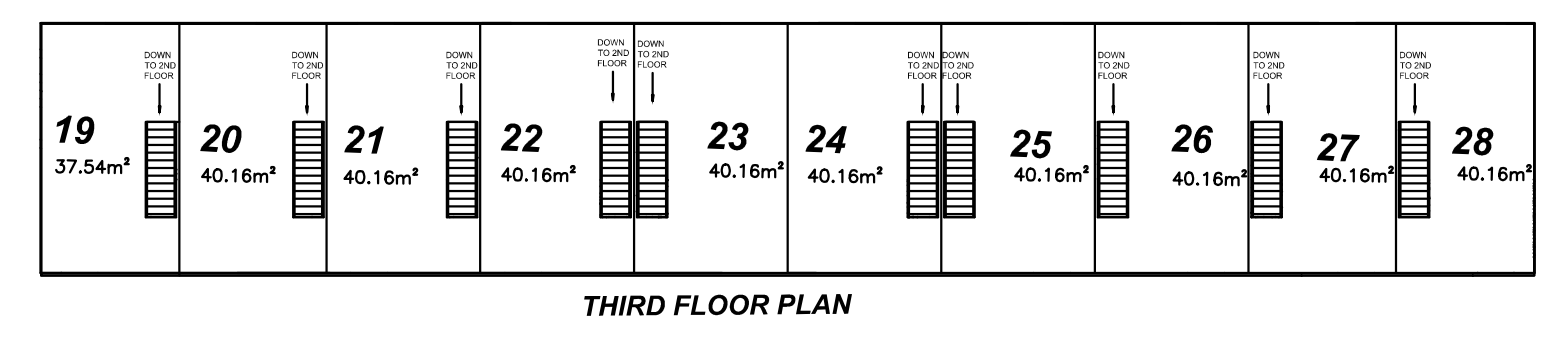
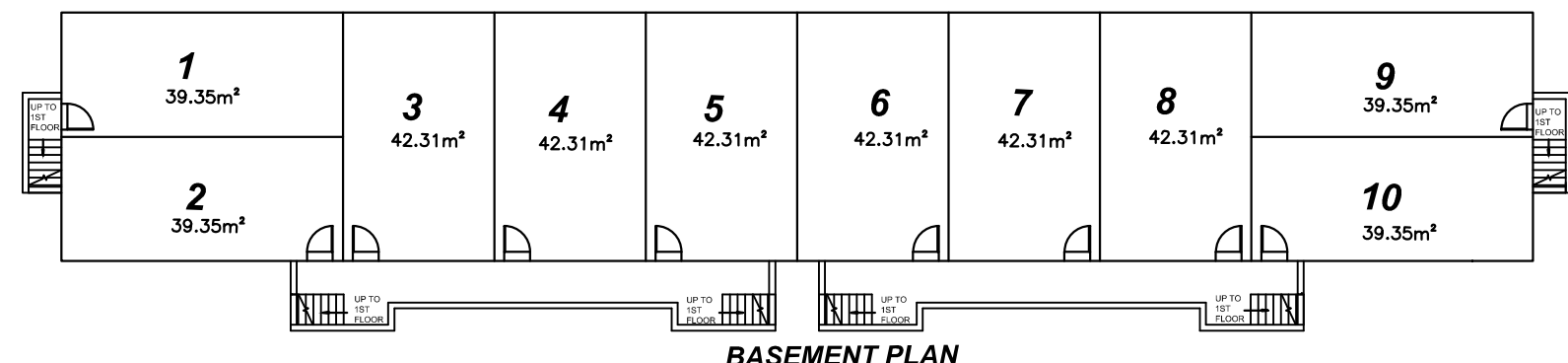
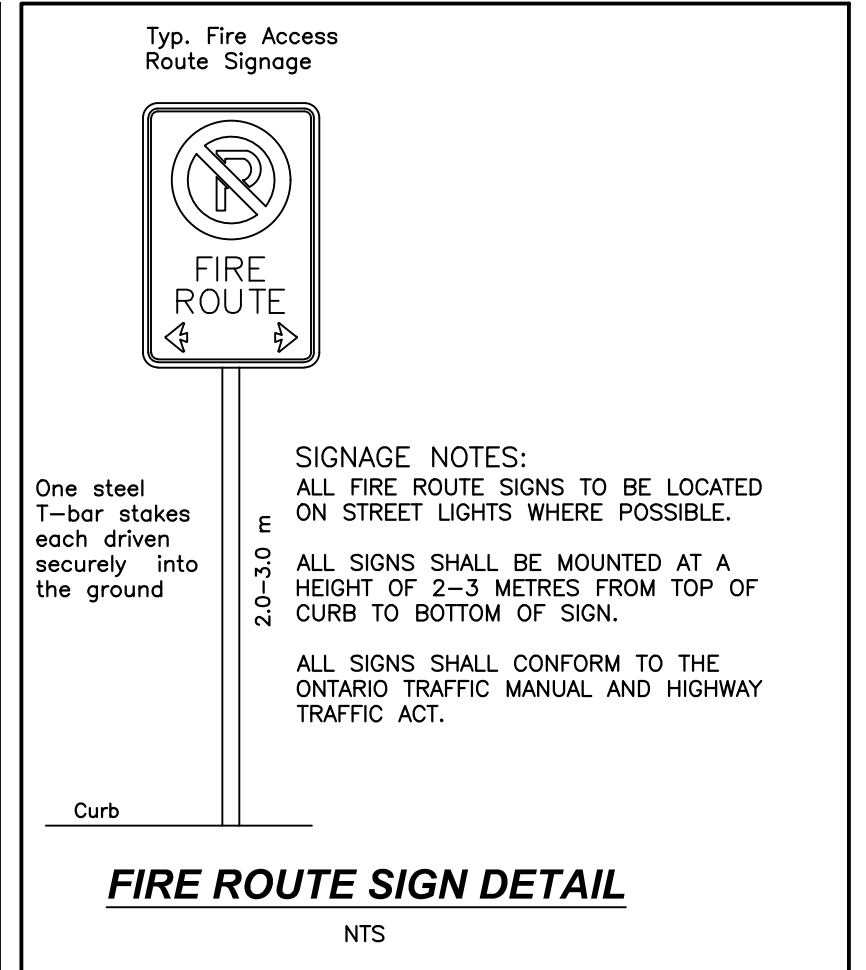
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#	REVISION	DATE	INIT



SITE PLAN	DRAWING TITLE	DRAFTING	AS
		DATE	SEPTEMBER 18, 2024
		PRINTED	NOVEMBER 14, 2024
		SCALE	1:150
	DWG No.	24016-SP	REV
			0



- LEGEND**
- STM ○ EX STORM MANHOLE
 - MH ● PROP STORM MANHOLE
 - SAN ○ EX SANITARY MANHOLE
 - MH ● PROP SANITARY MANHOLE
 - HYD ○ EX HYDRANT
 - HYD ● PROP HYDRANT
 - HP ○ EX HYDRO POLE
 - CB □ EX CATCHBASIN
 - CB ■ PROP CATCHBASIN
 - LS ○ EX LIGHT STANDARD
 - LS ■ PROP TACTILE WARNING PLATE
 - MD ◁ DOOR
 - TRANS [] PROP TRANSFORMER
 - ACC [] ACCESSIBLE PARKING SIGN
 - FRS [] FIRE ROUTE SIGN

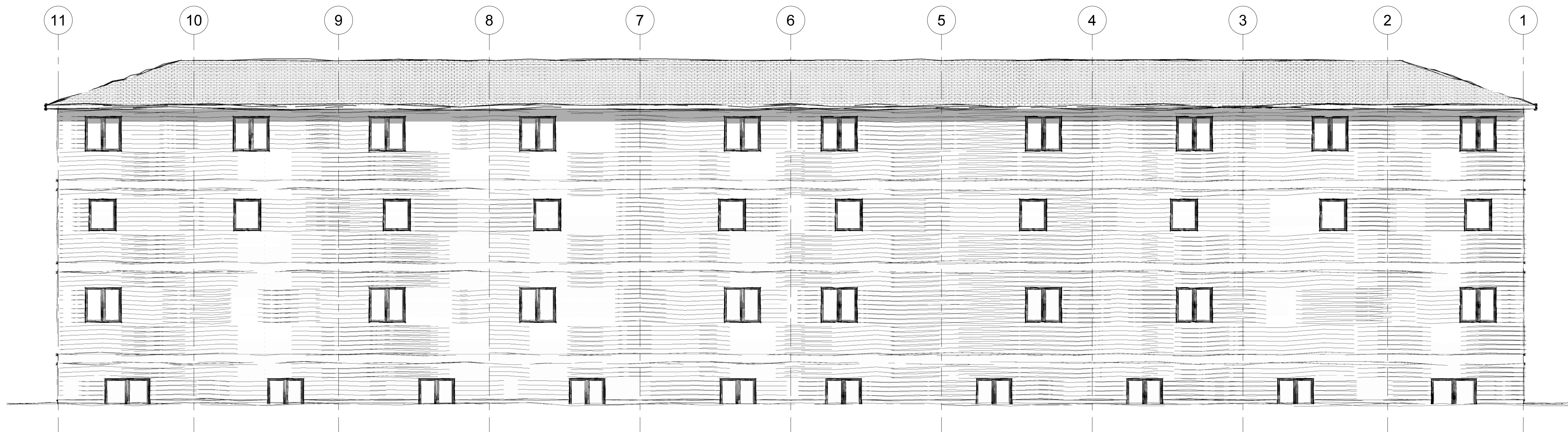


Appendix II
Architectural Elevations and Floor Plans

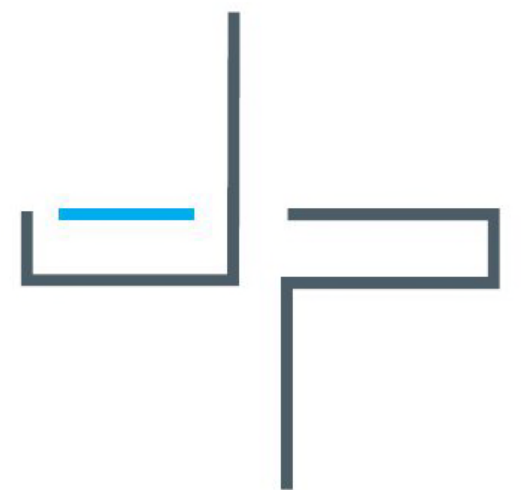




1 FRONT ELEVATION
1 : 75



3 REAR ELEVATION
1 : 75



JASON PIZZICARELLA DESIGN - ARCHITECTS INC
209 RIDGE ROAD N
RIDGEWAY, ONTARIO, L0S 1N0
T. 905-894-8300
F. 905-894-8400
e-mail: jpizzicarella@jpdesign.ca
CERTIFICATE OF PRACTICE : # 4053

NEW CASTLE
DEVELOPMENTS

2220 Stanley Ave, Niagara Falls,
ON L2J 0A3

No.	Description	Date

FOR REVIEW

SHEET TITLE:
**FRONT & REAR
ELEVATIONS**

DRAWN BY: JTF APPROVED: JPD
SCALE: 1 : 75 JOB #: 24055
SHEET NO: **A2-01**

Appendix III
Draft Zoning By-law Amendment



**THE CORPORATION
OF THE
CITY OF NIAGARA FALLS
BY-LAW NO. [REDACTED]**

A BY-LAW TO AMEND BY-LAW NO. 79-200, to facilitate the development of the lands with 28 stacked townhouse dwellings (_____).

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 Scheduled 1 of this by-law and shall be referred to in this by-law as the “Lands”. Schedule 1 is a part of this by-law.
2. The lands shall be identified as Parcel R5D-[REDACTED].
3. 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.
4. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following uses and regulations shall be permitted uses and regulations governing the permitted uses on any of the Lands.
 - a. The uses permitted in the R5D Zone
5. The regulations governing the uses permitted on Parcel R5D-[REDACTED] shall be as follows:

R5D-[REDACTED] Zone Provisions	
a) Minimum lot frontage	21 meters
b) Minimum rear yard depth	3.1 meters
c) Minimum interior side yard width	3.7 meters

d) Minimum landscaped open space	36% of the lot area
e) Minimum parking space requirements	1.35 spaces per dwelling unit
f) Maneuvering aisle width	6.0 meters

6. 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.
7. No person shall use the Lands for a use that is not a permitted use.
8. No person shall use the Lands in a manner that is contrary to the regulations.
9. The provisions of this by-law shall be shown on Sheet X of Schedule "X" of By-law No. 79-200 by re-designating the Lands from the Residential 1E Density (R1E) zone to Residential Apartment 5D Density site-specific (R5D-XXX) Zone.

Passed this ____ day of _____, 2024.

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

MAYOR

CITY CLERK

Appendix IV
Draft Official Plan Amendment



CITY OF NIAGARA FALLS

By-law No. 2024-

A by-law to provide for the adoption of Amendment No. X to the City of Niagara Falls Official Plan

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

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

Passed this X day of X, 2024.

.....
CITY CLERK

.....
MAYOR

First Reading:
Second Reading:
Third Reading:

OFFICIAL PLAN AMENDMENT NO. XX

PART 2 - BODY OF THE AMENDMENT

All of this part of the document entitled PART 2 - Body of the Amendment, consisting of the following text and attached map, constitute Amendment No. X to the Official Plan of the City of Niagara Falls.

DETAILS OF THE AMENDMENT The Official Plan of the City of Niagara Falls is hereby amended as follows:

1. MAP CHANGE

The "Area Affected by this Amendment", shown on the map attached hereto, entitled "Map 1 to Amendment No. X", shall be identified as Special Policy Area "X" on Schedule "A" to the Official Plan.

2. TEXT CHANGE

PART 2, SECTION 13 - SPECIAL POLICY AREAS is hereby amended by adding the following new subsection:

13.X SPECIAL POLICY AREA "X"

Special Policy Area "X" applies to approximately 0.258 hectares of land which has frontage on Stanley Avenue.

Notwithstanding anything to the contrary, this land may be developed with residential uses to a maximum density of 109 units per hectare.

Appendix V
Pre-consultation Agreement





City of Niagara Falls Pre-Consultation Checklist

(Revised: February 2014)

Persons intending to make an application for a proposed development are required to consult with planning staff prior to submitting an application. A pre-consultation meeting will identify what is required to be submitted for a complete application and will provide the opportunity to discuss:

- the nature of the application;
- development and planning issues;
- fees;
- the need for information and/or reports to be submitted with the application;
- the planning approval process;
- other matters, as determined.

Please sign page 4 when submitting formal applications and attach

Pre-consultation Meeting

Date: April 18/2024		Time: 1:30 pm
Attendance:		
Municipal Staff	Owner/Agent/Other	Phone #/E-mail
Nick DeBenedetti, Planner 2	Chris Lamb	chris@newcastlecommunities.com
Jessica-Engk, John-Transportation		
Olivia-landscape, Ben-Fire,	Ethan Laman (UCC)	
Ellen-Zoning, Tali-OPG	905-688-9400	
mark-Rogers	ethan@ucc.com	
Kate-Region, Abby-First Nations		
Tanya-Six Nations		

Pursuant to Section 4 of By-law No. 2009-170 being a by-law to require pre-consultation for certain applications under the Planning Act, the Director of Planning, Building & Development may waive the requirement for a formal consultation meeting. I hereby waive the requirement for a formal consultation meeting on the proposal detailed herein.

Date: _____

Signature: _____

Property Details

Location of property:	(address) 2220 Stanley Ave
	(legal description) Twp Pt Lot 18
Area (ha): 0.3 ha	Frontage (m): 36.85 m
Site Drawing Attached <input checked="" type="checkbox"/>	
Municipal land involved: No <input type="checkbox"/> Yes <input type="checkbox"/> (legal description)	

Proposal

Brief description of proposal: Proposal 28 stacked townhouse dwellings and a single dwelling to be severed.

	1 st Phase	2 nd Phase	Other
gross floor area	—	—	—
building height	—	—	—
# of dwelling/hotel/commercial units	28 stacked 1 single	—	—

Location

Brownfield Greenfield Built-up NEP Outside Urban Boundary

Designations		Conformity
Regional Policy Plan	Built up Area	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Niagara Escarpment Plan		<input type="checkbox"/> Yes <input type="checkbox"/> No
Official Plan Designation	Residential	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>Density exceeds Requirement</i>
Secondary Plan		<input type="checkbox"/> Yes <input type="checkbox"/> No
Zoning	R1E zone to be rezoned to a R5B zone	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Proposed Application(s) (check all applicable)		
<input type="checkbox"/> Regional Policy Plan Amendment	<input checked="" type="checkbox"/> Zoning By-law Amendment	<input checked="" type="checkbox"/> Land Division - Consent
<input type="checkbox"/> Niagara Escarpment Commission o Amendment o Development Permit	<input type="checkbox"/> Subdivision Approval	<input type="checkbox"/> Condominium Approval o Vacant Land o Common Element o Conversion
<input checked="" type="checkbox"/> Official Plan Amendment - <u>Density</u>	<input type="checkbox"/> Site Plan Approval	

Required Information and Studies to be submitted with the Application(s). Studies identified with an asterisk* will likely require a peer review at the cost of the developer.

Local	Region	NPCA	Reports, Studies, Plans <i>(See Notes for additional details)</i>	Number of		Notes
				Elect Digital	Paper	
			Agricultural Impact Assessment			
			Air Quality			
			Archaeology Assessment - <i>First Nations and Six Nations</i>			<i>for review please see comments</i>
			Conceptual Site Plan, Subdivision Plan			
			Cultural Heritage Impact Analysis			
X			Draft Local Official Plan Amendment - <i>may not be required if density complies</i>			
			Draft Regional Policy Plan Amendment			
			Environmental Impact Study			
			Environmental Planning Study/Sub-Watershed Study			
			Environmental Site Assessment/Record of Site Condition			
			Farm Operation and Ownership			
			Financial Impact Assessment			
			Floodplain and Hazard Lands Boundary Plan			
			Gas Well Study/Gas Migration Study			
			Geotechnical			
			Hydrogeological Study and Private Servicing Plans			
			Land Use/Market Needs*			
			Mineral Aggregate Resources			
			Minimum Distance Separation 1 & 11			
X			Municipal Servicing Study			<i>*FSR - Do third party modelling first before submission</i>
			Noise & Vibration Study			
X			Other - <i>additional drawings as part of site plan control and site plan application</i>			
			Phasing Plan			
X	X		Planning Justification Report			<i>see comments</i>
			Risk Management Study			
	X		Road Widening			<i>3.05m road widening 6m by 6m daylight triangle</i>

X	X	Sensitive Land Use Report (LUC)			See comments
		Shadow Analysis			
		Shoreline Study			
		Slope Stability Report			
		Soil Report			
X	X	Stormwater Management Plan			see comments
		Transportation Impact Study/Parking Impact Analysis			
X		Tree inventory Preservation Plan			see comments
		Urban Design Brief/Architectural Brief			
X	X	Urban Design/Landscape Plans			See comments
		Wind Study			

Public Consultation		
Is a neighbourhood pre-consultation meeting planned? (Note: One is required to be held by the City prior to the public meeting required by the Planning Act for subdivisions, condo conversions, official plan amendments and zoning by-law amendments.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	

Other Issues		
- Ben- Fire services - no concerns, please see attachment		
- Jessica- City Engineering - no storm - 3 party modelling FSR - fee's to deem complete please see attachment - for comments for rezoning site plan, consent - see comments		
John- City's Transportation - forward direction for garbage - see comments		
Olivia- landscape - elevation, tree inventory, landscape - see comments		
Tali- OPG- security fencing - encroaching with driveway on OPG lands		
Six Nations- same requirements as First Nations requirement		
Please see Roger's email for future requirements		
Please see City's zoning comments for chart explaining departures		
Please see City's IS comments for addressing		

Site Visit			
Is a site visit necessary to assess the proposal?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the owner consent to a site visit?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Incentive Program		
Are there any incentive programs?	<input type="checkbox"/> Yes <input type="checkbox"/> No	What are the details?

Summary of Issues	
Abby Lee - mississauga - archeological assessment requirement	
Katie- Built up Area - land use capability - noise, dust impacts, peer review no archeological assessment, no environmental, transportation, 305m, daylight 6m by 6m - no connections to Region - truck can't back up more than 15m, plus truck turn templates - Please see comments and fee's.	
<ul style="list-style-type: none"> The proposal is 93 units/hectare which exceeds the requirement of 75 units/hect. Important, please review affordable units policy in the OP. Need to try to achieve a benchmark of 539,000 and less for units proposed for selling. If not all the units at least some units especially if one bedroom units. 	

Additional Agencies to be contacted


- HYDRO PIPELINES NEC OTHER OPG
 MTO NPC NPCA CN

Notes

1. The purpose of the pre-consultation is to identify the information required to commence processing of this development application. Pre-consultation does not imply or suggest any decision whatsoever on behalf of City staff or the City of Niagara Falls to either support or refuse the application. This checklist should not be construed as a complete list of information required as further assessment may reveal the need for more information.
2. This pre-consultation form expires within (180) days from the date of signing or at the discretion of the Director of Planning & Development
3. An application submitted without the information identified through the pre-consultation process may not be sufficient to properly assess the application and may be deemed by staff to be an incomplete application.
4. The applicant should be aware that the information provided is accurate as of the date of the pre-consultation meeting. Should an application not be submitted in the near future, and should other policies, by-laws or procedures be approved by the Province, City, Region or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect at the time of the submission of a formal application.
5. The applicant acknowledges that the City and Region considers the application forms and all supporting materials including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents and hereby confirms that the consent of the authors of all supporting reports have been obtained, to permit the City and Region to release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.
6. It is hereby understood that during the review of the application additional studies or information may be required as a result of issues arising during the processing of the application or the review of the submitted studies.
7. If the City or Region does not have sufficient expertise to review and determine that a study is acceptable, the City may require a peer review. The Terms of Reference for a peer review is determined by the City or Region and paid for by the applicant.
8. Some studies may require NPCA review and clearance/approval. In this instance the NPCA review fee shall be paid by the applicant.
9. All plans and statistics must be submitted in metric.
10. By signing this document the Owner/Agent/Applicant acknowledges that they have been informed of the application process, anticipated timing, public notification and steps to be followed for the development discussed at this meeting.
11. A copy of this pre-consultation checklist has been provided to the applicant/agent Yes

Note: Upon submission, the City will review all submitted plans, studies, etc. to ensure the information is sufficient before declaring the application complete. This will occur within 30 days.

Signatures

Name (print)	Signature	Date
Planning Staff <u>Nick DeBenedetti</u>		<u>April 23/24</u>
Regional Public Works Staff		
Regional Planning Staff		
NPCA Staff		
Agent		
Agent		
Owner		
Owner		
Other		

Pursuant to Section 1 of By-law No. 2008-189, being a by-law to require pre-consultation for certain applications under the Planning Act, I hereby verify that a pre-consultation meeting has been held for the proposed detailed herein.

Signature



**PLANNING & DEVELOPMENT DIVISION
APPLICABLE FEES**

CHECK APPLICABLE BOX	APPLICATION	FEES
<input type="checkbox"/>	Official Plan Amendment Application:	12,200.00
	Zoning Amendment Application:	
<input type="checkbox"/>	•	
<input checked="" type="checkbox"/>	• if not OP required meet density count then just a rezoning application	\$17,510.00
<input type="checkbox"/>	•	
	Official Plan and Zoning Amendment Application (combined):	
<input type="checkbox"/>	•	
<input checked="" type="checkbox"/>	• all other lands	\$21,630.00
	Site Plan Application:	
<input type="checkbox"/>	•	
<input checked="" type="checkbox"/>	• all other lands (including Testamentary Devise)	8,520.00
<input type="checkbox"/>	•	
	Plan of Subdivision Application:	
<input type="checkbox"/>	• Residential Plan	13,500.00
<input type="checkbox"/>	• Modifications to Draft Plan Approval	2,500.00
<input type="checkbox"/>	• Extension to Draft Plan Approval	1,000.00
	Plan of Condominium:	
<input type="checkbox"/>	• Vacant Land	10,000.00
<input type="checkbox"/>	• Conversion	2,500.00
<input type="checkbox"/>	• Standard	1,500.00
<input type="checkbox"/>	• Extension of Draft Plan	1,000.00
<input type="checkbox"/>	• Modification of Draft Plan - Vacant Land Condo	2,500.00
<input type="checkbox"/>	• Modification of Draft Plan - Standard/Conversion	1,225.00
	Removal of Part Lot Control:	
<input type="checkbox"/>	• Separation of Semi-detached/On-street Townhouse Units	1,500.00
<input type="checkbox"/>	• Deeming By-law	1,500.00
<input type="checkbox"/>	• Property Relotting	3,400.00
	Public Renotification:	
<input type="checkbox"/>	• Mailing Renotification	300.00
<input type="checkbox"/>	• Reassessment Requiring a further report	400.00
<input type="checkbox"/>	• Newspaper Renotification (\$600 deposit payable with application)	Actual Cost
	Committee of Adjustment:	
<input checked="" type="checkbox"/>	• Severance/Consent Application	\$4,010.00
<input type="checkbox"/>	•	200.00
<input type="checkbox"/>	•	2,100.00
<input type="checkbox"/>	•	200.00

ADDITIONAL FEES:

City Fees (cheque payable to the City of Niagara Falls):

- Peer Review \$ _____
- Legal Fees \$ _____ (Agreements & Registration of by-law)

Agency Fees (cheques payable to applicable agency):

- Regional Fees \$ Please see attachment with fees
- NPCA Fees \$ _____
- Regional Health \$ _____
- Other (describe) \$ _____

Nick DeBenedetti

From: Young, Katie <Katie.Young@niagararegion.ca>
Sent: Thursday, April 18, 2024 4:37 PM
To: Nick DeBenedetti
Subject: [EXTERNAL]-Region Pre-con Notes - 2220 Stanley Ave (April 18, 2024)
Attachments: 2024-04-18 Regional Pre-con Notes 2220 Stanley Ave NF.pdf

Hi Nick,

Please see attached Regional pre-con notes for the proposal discussed today at 2220 Stanley Avenue.

If you have any questions, please let me know.

Kind regards,
Katie



Katie Young, MsC (PI), MCIP, RPP
Senior Development Planner
Niagara Region, 1815 Sir Isaac Brock Way,
Thorold, ON, L2V 4T7
P: (905) 980-6000 ext. 3727
W: www.niagararegion.ca
E: katie.young@niagararegion.ca



My workday may look different from your workday. Please do not feel obligated to respond outside of your normal working hours.

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Niagara Region – Growth Management and Planning Division

Pre-Consultation Notes

2220 Stanley Avenue, Niagara Falls

April 18, 2024

Region Contact: Katie Young

Local Contact: Nick DeBenedetti

Proposal Description: Proposal for a 28 stacked townhouse development and 37 parking spaces. Existing dwelling to be retained.

Applicant/Owner/Agent: Chris Lamb (Applicant- Newcastle Communities); Ethan Laman (Agent-UCC)

Application Type:

- Official Plan Amendment
- Zoning By-law Amendment
- Consent
- Site Plan

Site Designation:

Provincial Policy Statement (PPS)- Settlement Area

Provincial Growth Plan- Delineated Built-Up Area

Niagara Official Plan (NOP)- Delineated Built-Up Area

Planning Comments

- A full range of residential, commercial, and industrial uses are permitted within the urban areas, where adequate servicing exists, provided it meets other applicable Provincial and Regional policies, including for compatibility. The proposed intensification of the subject land is generally supported by Provincial and Regional policies and will support the City in achieving their 50% intensification target within the Built-Up Area.
- Staff request the submission of a **Planning Justification Report**, prepared by a Registered Professional Planner that addresses Provincial and Regional policies

Land use Compatibility

- Staff note that properties to the north of the hydro corridor are mapped in Schedule G of the NOP as Core Employment Area (NF-1 Highway 405 Employment Area) and west of subject property is Allen's Half-Way Sand Pit.
- Staff request that a **Land Use Compatibility Study (LUC)** is completed using the Ministry of Environment, Conservation and Parks (MECP) D-series Guideline to classify existing industries and determine whether the proposal is feasible and any recommended mitigation measures. The LUC should address dust/air quality, as well as noise impacts in accordance with MECP NPC-300 Environmental Noise Guideline.
- Staff have a ToR available for this type of study, which is attached.

Niagara Region – Growth Management and Planning Division

Pre-Consultation Notes

2220 Stanley Avenue, Niagara Falls

April 18, 2024

- Staff advise the LUC may require peer review at the owner's expense. Staff will confirm upon receipt of the application.

Archaeological Potential

- The subject property is not mapped for archaeological potential in Schedule K of the NOP. Accordingly, staff offer no archeological assessment requirements.

Urban Design Comments

- At the Site Plan Stage: a **Detailed Landscape Plan** demonstrating the landscape enhancement to the Regional Road through street trees, grassed boulevards, landscape spaces, and showing the landscaping in the private realm that interfaces with the regional road.
- As a best practice it is suggested that the public sidewalk, which terminates at Morning Glory Ct., is extended to the property to provide pedestrians with a safe alternative.

Environmental Comments

- The subject property is outside of the Region's Natural Environment System. Accordingly, staff offer no environmental planning comments or requirements.

Transportation / Roads

- Stanley Avenue RR 102 – Regional
- This property has frontage along Regional Road #102 (Stanley Avenue). At this the location, the NOP width for the Regional Road #102 is 26.2m.
- Regional Transportation staff need to review engineering drawings for new sidewalk along Stanley Ave
- It's acknowledged that the single detached house is proposed to remain. If the remaining single house is planned for redevelopment, then access should be from the proposed road.
- For the subject site a **road widening of approximately 3.05 m** (to be determined by field survey to achieve the recommended width) is required to be established parallel to the existing road limit.
- **Daylight easements** of 6m x 6m will be required at the new private road.

Servicing Comments

- Region staff wish to advise the applicant that there is an existing 400 mm diameter Regional watermain on Stanley Avenue at the subject property.
- The Regional main is not to be damaged or disturbed during any future construction works for the proposed development. Any crossings of the Regional main with servicing will require plan and profiles to be submitted to the Region for review an approval.
- No connections permitted to Regional mains as local services are available.

Niagara Region – Growth Management and Planning Division

Pre-Consultation Notes

2220 Stanley Avenue, Niagara Falls

April 18, 2024

Regional Permit Requirements

- Existing driveways are to be closed and reinstated if they are not being used as the entrance to the development. Engineering drawings for all the work within the Regional right of way is to be submitted with the application for review and approval by Regional staff.
- Require Regional Construction Encroachment and Entrance Permit prior to any construction within Regional Road Allowance.
- Regional Sign Permit Required for any signs within 20m of the centreline of the Regional Road
- Permit link: <https://www.niagararegion.ca/living/roads/permits/default.aspx>
- Restoration is to be to Regional standards:
<https://www.niagararegion.ca/living/roads/permits/construction-encroachment-specifications.aspx>
- Location of private road is to be located to avoid removal of any boulevard trees
- Parking is to be located the required TAC clear throat length from the entrance

Regional Bicycle Network

- The subject property has frontage along a road which is designated as part of the Regional Niagara Bicycling Network. If the bicycle routes are currently not established and identified with signage, it is the intent of the Region to make provisions for doing so when an appropriate opportunity arises. This may involve additional pavement width, elimination of on-street parking, etc.

Stormwater Management Comments

- A **stormwater management brief** (and associated fee) and **grading/servicing plans** are required to indicate in detail how the additional development stormwater will be accommodated without negative water quality and quantity impact on the receiving system. Note, if the site's stormwater will flow overland to Stanley Ave (Regional Road 102), it shall not exceed the pre-development level during all design storms (2-year up to and including the 100-year storm).
- Extension of the storm sewer on Stanley Ave will require that plans be submitted for review and approval by Regional Transportation staff. Applicant should be advised that all restoration is to be in accordance with Regional standards:
<https://www.niagararegion.ca/living/roads/permits/construction-encroachment-specifications.aspx>.

Waste Collection

Multi Residential

- Green – no limit (weekly)
- Waste – 2 bag/can limit per unit to a max. of 24 bags/cans per building (bi-weekly)
- Curbside collection only

Niagara Region – Growth Management and Planning Division

Pre-Consultation Notes

2220 Stanley Avenue, Niagara Falls

April 18, 2024

-
- Regional staff will require clarification of which type of Earth Bins are proposed. The front-end collection units are permitted within the enhanced collection. If enhanced collection is desired for the residential building, the following is required:
 - City to approve site;
 - Trucks must approach the bins straight on;
 - Area must be provided for green bins and shown on the plan; and
 - Trucks must not back up more than 15m. Future turning template drawings are to be included in site plan package.
 - Intention for collection is to be provided to the Region for clarification.
 - Circular Materials Ontario is responsible for the delivery of residential Blue / Grey Box recycling collection services. The most up to date information regarding recycling can be found using the following link: <https://www.circularmaterials.ca/resident-communities/niagara-region/>

Required Studies for Regional Review

- Planning Justification Report – OPA/ZBA
- Land Use Compatibility Study – OPA/ZBA
- Detailed Landscape Plan – Site Plan
- Stormwater Brief – Site Plan

Required Fees

The Region's 2024 Fee Schedule is available at:

https://www.niagararegion.ca/business/fpr/forms_fees.aspx

Applications will be subject to the in-effect fee amounts at the time that the Application is submitted.

Development Application Review Type	Fee Amount
Official Plan Amendment	\$5,695
Zoning By-law Amendment Review	\$1,440
Consent – Urban Area	No Provincial or Regional review required.
Site Plan Review	\$590
Urban Design Review (Minor)	\$290
Stormwater Review	\$700



ILLUSTRATION SHOWING APPROXIMATE LOCATION OF PROPOSED WIDENING
 NO. 2220 STANLEY AVENUE - REGIONAL ROAD 102
 CITY OF NIAGARA FALLS

- DENOTES TERANET MAPPING
- DENOTES PROPOSED WIDENING

DISCLAIMER

This map was compiled from various sources and is current as of 2024. The Region of Niagara makes no representations or warranties whatsoever, either expressed or implied, as to the accuracy, completeness, reliability, and currency or otherwise of the information shown on this map. © 2024 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17. Air Photo (Spring 2020)

CAUTION:

- This is not a Plan of Survey
- The proposed widened limits have been compiled from office records and the shown measurements are approximate.
- The final extent of the widening will be established through field survey by an Ontario Land Surveyor.



Scale = 1:750m

Land Use Compatibility Study Terms of Reference

Description

A Land Use Compatibility Study is a technical report that provides a written description of the land use compatibility of sensitive land uses, where permitted or proposed adjacent to, or near to industrial uses; or within the influence area of major facilities; or in proximity to transportation and utility sources.

The report will identify any existing and potential land use compatibility issues and will identify and evaluate options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive land uses and existing uses.

This report will be used to assist Regional staff in making recommendations concerning the proposed sensitive land uses, and may be peer reviewed by the Region at the cost of the applicant.

The report will:

1. Provide a written description of:
 - any potential land use compatibility impacts by type (i.e.: traffic, noise, vibration, and emissions, including dust and odour) and the severity, frequency and duration of such impacts, as may be appropriate for each type;
 - the history of any complaints received by the municipality and/or MOECP within the immediate area of the proposed development;
 - the potential land use compatibility issues the proposed development may create. Impacts shall be considered based on the potential:
 - effects on major facilities' compliance with applicable environmental policy, regulations, approvals, authorizations and guidelines, including the noise provisions of local by-laws;
 - increased risk of complaint and nuisance claims;
 - operational constraints for major facilities;
 - constraints on major facilities to reasonably expand, intensify or introduce changes to their operations;
 - constraints for new major facilities to reasonably be established on lands in proximity to the development that are designated for employment uses;
 - the extent of non-compliance with land use separation requirements for existing employment uses in the vicinity, including propane storage and distribution facilities, if applicable; and,
 - the extent to which the applicant of the proposed development and businesses within the nearby industrial, utility, transportation and/or major facilities have exchanged relevant information. This would include the written undertakings given to affected businesses that any information regarding their processes, emissions data and expansion plans not already part of the public record would be treated on a confidential basis.

2. Identify and evaluate options to achieve appropriate design, buffering and/or separation distance to prevent or mitigate potential adverse effects from traffic, noise, vibration, and emissions. This would include details on the following:
 - At-Source Mitigation: Technology that businesses in *Employment Areas* and/or major facilities may consider implementing to mitigate adverse effects;
 - Buffers: Physical structures, building design elements or distance separation that could be incorporated into the site design of the proposed sensitive land uses, including residential uses, to mitigate adverse effects and negative impacts;
 - At-Receptor Mitigation: Technologies, building materials, design features etc. that could be incorporated both on-site and within the built structure of proposed sensitive land uses, including residential uses, to mitigate negative impacts and adverse effects; and
 - Other: Any other potential techniques, strategies and approaches not identified above, including but not limited to, warning clauses, environmental easements, agreements with major facilities to secure at-source and at-receptor mitigation and classifying lands as a Class 4 Area in accordance with the requirements of the MOECP “Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning Publication NPC-300”, as amended or replaced from time to time.
3. Provide details of assessment criteria.
4. Provide details regarding the methodology used and assessment locations.
5. Discuss how the proposed development is consistent with the Provincial Policy Statement, is in accordance to the *Planning Act* (as amended), and conforms to The Growth Plan for the Greater Golden Horseshoe and The Greenbelt Plan, as it applies to the planning and development of sensitive land uses in proximity to industrial, utility and transportation uses.
6. Recommended methods to secure the necessary mitigation to guarantee that such mitigation is installed, performs as intended and will be maintained to ensure land use compatibility.

The study is to be prepared on behalf of the applicant by a Consultant (or Consultants) that is/are fully accredited, qualified and/or certified in the relevant matters being evaluated and recommended (for example air quality assessments should be performed by an engineer fully accredited in such field, etc.).

When Required

A study may be required to justify sensitive land uses where permitted or proposed adjacent to or in proximity to industrial, transportation, and utility sources:

- Official Plan Amendment
- Zoning By-law Amendment
- Subdivision Application

- Site Plan Control
- Consent Application

During pre-application consultation, Regional staff will work with the applicant and the applicant's consultant(s) to determine if such a Study is required and, if so, the specific requirements of the Study, based on the nature of the proposed application and the context of the study area.

Peer Review

The objective of the peer review is to provide staff with an independent, expert, third party assessment of the potential land use compatibility issues as well as the proposed mitigation measures. The purpose is to assist in making fully informed land use planning recommendations.

The peer reviewer will provide, at the cost of the applicant, an assessment of the report and whether appropriate methodology and data have been applied to the analysis, as well as an evaluation of the recommended mitigation measures and conclusions. The peer reviewer may request updates to the study as needed to satisfy Niagara Region and the Local Area Municipality that the report is complete and adequately addresses any potential land use compatibility concerns.

First Nations

Nick DeBenedetti

From: Abby LaForme <Abby.LaForme@mncfn.ca>
Sent: Thursday, April 18, 2024 1:53 PM
To: Nick DeBenedetti
Cc: Mark LaForme; Craig King; Planning Emails
Subject: [EXTERNAL]-2220 Stanley Avenue, Niagara Falls
Attachments: Comment Response Letter 2220 Stanley Avenue, Niagara Falls, April 18, 2024.pdf

Good Afternoon Nick,

Please see the attached comment letter regarding 2220 Stanley Avenue, Niagara Falls.

Thank you

Abby (LaForme) Lee
Consultation Officer



Mississaugas of the Credit First Nation (MCFN)
Department of Consultation & Accommodation (DOCA)
4065 Highway 6, Hagersville, ON N0A 1H0
Ph: (905) 768 – 4260
Email: Abby.LaForme@mncfn.ca

Please Note- If a digital copy of your notification has been sent, please be environmentally conscious and do not send a physical, copy. Thank you!

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

April 18, 2024

Nick DeBenedetti
Planner 2
City of Niagara Falls

RE: 2220 Stanley Avenue, Niagara Falls

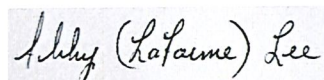
Dear Nick,

The Mississaugas of the Credit First Nation (MCFN), Department of Consultation and Accommodation (DOCA) submits the following comments:

The Mississaugas of the Credit First Nation hereby notifies you that we are the Treaty Holders of the land on which the proposed 28-stacked townhouse development will be taking place. This project is located on the Mississaugas Treaty at Niagara of 1781.

Therefore, the MCFN Department of Consultation and Accommodation (DOCA) requires that we be in receipt of all Environmental Study reports and that a Stage 1 Archaeological Study be conducted on the site to determine its archaeological potential and further that the Stage 1 report be submitted to MCFN DOCA for review. If it is determined that a Stage 2 is required, MCFN DOCA is expected to be involved in the field study with MCFN Field Liaison Representation (FLR) on-site participation. This study will be at the cost of the proponent.

Thank you



Abby (LaForme) Lee
Consultation Officer, MCFN DOCA- Abby.LaForme@mncfn.ca

Cc: Mark LaForme, Director, MCFN DOCA – Mark.LaForme@mncfn.ca
Cc: Craig King, Consultation Officer, MCFN DOCA- Craig.King@mncfn.ca



DEPARTMENT OF CONSULTATION AND ACCOMMODATION
Mississaugas of the Credit First Nation
4065 Hwy #6, Hagersville, Ontario N0A 1H0



Phone: (905) 768-4260



Fire
Comments

Nick DeBenedetti

From: Ben Trendle
Sent: Friday, April 19, 2024 10:59 AM
To: Nick DeBenedetti; Mackenzie Ceci; Andrew Bryce
Subject: Fire Department Comments Pre-Con Meeting April 18 2024.pdf
Attachments: Fire Department Comments Pre-Con Meeting April 18 2024.pdf

Good morning Planning Friends!

Attached are the Fire Department comments for yesterday's pre-con.

Let me know if there are any questions or concerns.

Enjoy your Friday and have a great weekend.

Ben Trendle | Chief Fire Prevention Officer | Fire Department | City of Niagara Falls
5809 Morrison Street | Niagara Falls, ON L2E 2E8 | (905) 356-1321 ext 2211 | Fax 905-356-1583 | btrendle@niagarafalls.ca

We value and respect flexible work arrangements. Although I have sent this at a time that is convenient for me, it is not my expectation that you read, respond or follow up on this email outside of your work hours.

**FIRE DEPARTMENT COMMENTS
PRE-CONSULTATION MEETING**

DATE: April 18, 2024 **OFFICER:** Ben Trendle
EMAIL: btrendle@niagarafalls.ca **PHONE:** 905-356-1321 ext. 2211

AGENDA ITEM #1

ADDRESS: 2220 Stanley Avenue **APPLICATION TYPE:** Zoning By-law Amendment, Site Plan, possible consent

COMMENT(S): Zoning By-law Amendment

1. The Fire Department has no comments or concerns with respect to the zoning by-law amendment.

COMMENT(S): Site Plan

1. A complete building code matrix is required to be submitted at the time of site plan application.
2. The location of any existing or proposed fire hydrants are to be indicated on the site plan.
3. The site plan shall indicate the location of all required 'No Parking' signs in accordance with City of Niagara Falls By-law No. 2019-97.
4. The fire route will be required to be designated under municipal by-law for enforcement. There is a \$150.00 fee for this process and can be initiated at the Fire Prevention Office once the property is assigned a municipal address. There is to be 'No Parking' along the fire route.
5. The cost of signage as well as the installation of signage that complies with the fire access route by-law is at the expense and responsibility of the developer/owner.

COMMENT(S): Consent

1. The Fire Department has no comments or concerns with respect to the proposed consent.

Nick DeBenedetti

From: Planning Emails
Sent: Monday, April 22, 2024 10:03 AM
To: Nick DeBenedetti; Mackenzie Ceci
Subject: FW: [EXTERNAL]-Rogers Required Info for new projects in Niagara
Attachments: PC Agenda - April 18 2024 REVISED.pdf

From: Mark Crowshaw1 - EXT <Mark.Crowshaw1@rci.rogers.com>
Sent: Thursday, April 18, 2024 2:22 PM
To: Planning Emails <planningemails@niagarafalls.ca>
Subject: [EXTERNAL]-Rogers Required Info for new projects in Niagara

Hello and thank you for inviting Rogers to the Pre-Consultation Meetings,

Regarding the agenda items (attached) for any new projects, Rogers have the following requirements at this time:

- Electrical contractor information.
- Updates from Electrical contractor as to when plans will be made available.
- Potential dates for any applicable joint Use trenching that we can be a part of
- Tentative occupancy dates.

Apologies for not being able to stay on the call longer this afternoon as I had another commitment.

Thank you very much,

Mark Crowshaw
Delivery Manager,
Rogers Communications
8200 Dixie Rd, Brampton, ON L6T 0C1
e mark.crowshaw1@rci.rogers.ca
m 416.807.4452



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Nick DeBenedetti

From: mwdev
Sent: Monday, April 22, 2024 4:27 PM
To: Planning Emails
Cc: Nick DeBenedetti; Mackenzie Ceci; Andrew Bryce
Subject: April 18, 2024 - Pre-Con Engineering Comments
Attachments: 2024-04-18_Pre-Con Meeting_Eng Comments_JB.pdf

Good afternoon,

Please see the attached for the Municipal Works Engineering comments for last week's pre-consultation meeting items.

Please let me know if there are any questions or concerns.

Kind Regards,

Jessica Brownlee, C.E.T. | Development Technologist | Municipal Works | City of Niagara Falls
4310 Queen Street | Niagara Falls, ON L2E 6X5 | (905) 356-7521 ext. 4105 | Fax 289-296-0048 | jbrownlee@niagarafalls.ca

Site Plan Requirements:

- Updated Functional Servicing and Stormwater Management Reports.
 - Functional Servicing Report to be updated to reflect the third-party modeling and any recommendations if applicable.
- Engineering drawings, including site plan, site servicing plan, grading plan, erosion and sediment control plan, sanitary drainage area plan, storm drainage area plan, and photometric plan demonstrating zero light trespass onto neighbouring properties.
- Sidewalk is required to continue to northern limit of property frontage. Applicant is required to extend sidewalk from Morning Glory Court to the northern limit of the existing house.
- Road Occupancy Permit for connection to the City's infrastructure to be obtained through Josh Caughell – (905) 356-7521 ext. 4549.

Nick DeBenedetti

Subject: FW: UPDATE - Niagara Falls Pre-Consultation Meeting 2024 (3rd Thursday of month)

Sent: Thursday, April 18, 2024 4:00 PM

To: Nick DeBenedetti <ndebenedetti@niagarafalls.ca>; Mackenzie Ceci <mceci@niagarafalls.ca>; Andrew Bryce <abryce@niagarafalls.ca>

Cc: Mathew Bilodeau <mbilodeau@niagarafalls.ca>

Subject: RE: UPDATE - Niagara Falls Pre-Consultation Meeting 2024 (3rd Thursday of month)

Nick;

City Transportation comments on these 4 preliminary applications:

1. 2220 Stanley Avenue (28 Stacked Townhouses) – Official Plan, Zoning, Site Plan & Consent

Stanley Avenue is a Regional road (RR #102).

The City does not require a traffic study.

A 28-unit stacked townhouse development requires 39 parking spaces, at a rate of 1.4 parking spaces per unit. There are 37 parking spaces proposed, at a rate of 1.32 parking spaces per unit. The applicant can remove a couple of landscaped areas to provide for the 2 extra parking space. Alternatively, Staff would be amenable with the applicant using 2.75m wide parking stalls combined with a 6.0m aisle (whereas 6.3m is required), which may help to add 2 parking spaces (1 on each side). City Staff would not be supportive instead of reducing the parking requirement by 2 parking spaces.

The minimum number of accessible parking spaces is based on the parking lot capacity. A parking area having 37 parking spaces requires a minimum of two (2) accessible parking spaces and this is determined through the following formula for parking lots between 13 – 100 parking spaces: 4% of the total number of parking spaces, rounding up to the nearest whole number, thus $0.04 \times 37 = 1.52$, rounded up to 2 accessible parking spaces. Two (2) accessible parking spaces are shown. Each accessible parking space must be signed and marked according to the prevailing by-law requirements, which includes:

- a. one authorized disabled parking sign on display;
- b. one '\$300.00 Fine' sign tab directly beneath the authorized disabled parking sign;
- c. both signs are to be permanently installed at the front and centre of the parking stall and mounted at a height of 1.0 metres to 1.5 metres from the ground to the bottom of the sign;
- d. be a minimum of 3.9 metres (12 feet, 10 inches) in width and 6 metres (19 feet, 8 inches) in length;
- e. have a 1.5 metre wide aisle way that extends the full length of the space on at least one side of every accessible parking space with barrier free access provided at the end of the access aisle;
- f. shall be marked with appropriate white pavement markings (lines and symbol) when located on a hard surface;
- g. located on a level surface; and,
- h. placed in a location as to minimize the distance to building entrances.

Staff suggests incorporating the 1.5m accessible parking space access aisle in place of the landscaped strip. The community mailbox can be moved so that they are next to the earth bins.

Earth bin waste containers are noted near the front of the property. Truck drivers must enter the site in a forward direction, complete all turns on-site, and then leave the site in a forward direction.

No transportation concerns with the consent.

There is no transit service on Stanley Avenue next to the subject lands. The closest bus stop is near the Stanley Avenue and Church's Lane intersection, approximately 1.1km away.

There is no municipal sidewalk next to the subject lands. The sidewalk on the east side of Stanley Avenue ends at Morning Glory Court. The construction of a sidewalk is recommended and can be a condition of the site plan application. The sidewalk must continue uninterrupted through the proposed driveway, per OPSD 350.010.

John Grubich, C.E.T. | Traffic Planning Supervisor | Municipal Works - Transportation Services | City of Niagara Falls
8208 Heartland Forest Road | Niagara Falls, ON L2H 0L7 | (905) 356-7521 ext 5214 | Fax 905-356-5576 | jgrubich@niagarafalls.ca

City's
Landscape

Nick DeBenedetti

From: Olivia Fraser
Sent: Thursday, April 18, 2024 5:28 PM
To: Nick DeBenedetti
Cc: Signe Hansen
Subject: Pre-Con April 18
Attachments: PRE-CON_04-18-24_2220 STANLEY AVE_UDLA.pdf; PRE-CON_04-18-24_4965-4981 STANLEY AV AND 5516 MORDEN DR_UDLA.pdf

Hi Nick,

Please see attached for pre-con comments for 2220 Stanley and 4965-4981 Stanley & 5516 Morden. I have separated the comments by application type- if there is an alternative format you prefer, please let me know!

Olivia Fraser, BLA | Urban Designer/Landscape | Planning | City of Niagara Falls
4310 Queen Street | Niagara Falls, ON L2E 6X5 | 905-356-7521 | ofraser@niagarafalls.ca

We value and respect flexible work arrangements. Although I have sent this at a time that is convenient for me, it is not my expectation that you read, respond or follow up on this email outside of your work hours.

Inter-Departmental Memo

Landscape and Parkland Dedication Comments

To: Nick DeBenedetti, Planner 2
From: Olivia Fraser, Urban Designer/Landscape
Date: Pre-Con April 18, 2024
Re: **PRE-CON, 2220 STANLEY AVENUE
ZONING BYLAW AMENDMENT, SITE PLAN AND CONSENT**

CONSENT

Cash-in-Lieu (CIL) Parkland

- Parkland dedication shall be provided as a Cash-in-lieu payment for the newly created residential parcel at the current prescribed rate of 5% for residential uses.

Tree Preservation Plan/Tree Removal

- A Tree Inventory and Preservation Plan will be required as part of the consent application. The plan shall be developed by a certified/licensed professional arborist. The plan shall identify and evaluate all trees on-site for potential preservation. Boundary trees and trees on adjacent lands (including municipal road allowances) that could be negatively affected by future construction/development shall be protected and preserved unless written consent to damage or remove is provided to the City by adjacent landowner(s).

Standard Drawing Set

- The standard Site Plan Drawing set must be submitted at all application stages.

ZONING BYLAW AMENDMENT AND SITE PLAN

Cash-in-Lieu (CIL) Parkland

- Parkland dedication shall be provided as Cash-in-lieu at the current prescribed rate of 5% for the new severed parcel.

Architectural Elevations

- Architectural Elevations are requested as part of this application. General details of the requested architectural elevations include:
 - Drawn at a 1:50 metric scale
 - Full colour
 - Total height and height of each storey to be provided in metric
 - Exterior design features, exterior materials and window type (e.g., vision glass,

- spandrel)
- Fenestration patterns and treatment on the first 10 to 12 metres to reduce bird collisions

Tree Inventory and Preservation Plan

- A Tree Inventory and Preservation Plan will be required as part of the OPA/ZBA application. A certified/licensed professional arborist shall develop the plan. The plan shall identify and evaluate all trees on-site for potential preservation. Boundary trees and trees on adjacent lands (including municipal road allowances) that could be negatively affected by the proposed development shall be preserved unless consent is provided by the adjacent landowner(s). The plan recommendations shall be implemented at the Site Plan Control application stage. This includes potential modifications to the project layout, site servicing, site grading and photometric plans

Street Trees

- Stanley Avenue is a Regional Road; please defer to them for Street Tree Requirements

Landscape Plan

- A Landscape Plan is requested as part of this application and must conform to the City's Site Plan Guidelines. The Plan shall be prepared and stamped by an Ontario Landscape Architect. The Landscape Plan's design shall consider enhancing street frontage (in compliance with the City's Urban Design Guidelines & Region Model Urban Design Guidelines), improving walkability, supporting active transportation and sustainability and reducing the heat island effect of hard surface areas. The planting of native plant species is preferred. Further comments are to be made at the Site Plan Control application stage.
- Privacy fencing will be required where the property abuts adjacent residential lands. If the 'existing fence to remain' is in fair to poor condition, replacement is required.
- On-site garbage and recycling shall be contained within a durable enclosure, screened from the public realm. Please ensure that utility and gas meters are screened from view from the street/ public realm.
- If porches are proposed, please ensure that they are appropriately sized to accommodate seating.

Standard Drawing Set

- The standard Site Plan Drawing set must be submitted at all application stages.

SITE PLAN SPECIFIC

Cash-in-Lieu (CIL) Parkland

- Parkland dedication shall be provided as Cash-in-lieu at the current prescribed rate of 5% for the new severed parcel. Payment can be made at the Site Plan Application stage.

Urban Design Brief

- The Urban Design Brief is a tool to review and evaluate such matters as the arrangement and design of the buildings, site and landscape design, compatibility with

adjacent land uses, accessibility and safety, function and design of the building and its adjacent streetscapes and public spaces, as well as mitigation of negative impacts on the surrounding area to ensure high-quality design of the public and private realm. Furthermore, the Urban Design Brief should demonstrate that the functional needs of the users of the site will be met over the long term.

- Please refer to the City of Niagara Terms of Reference for further details: [Urban Design Brief Guidelines](#)

Standard Drawing Set

- The standard Site Plan Drawing set must be submitted at all application stages.

City's
Building

Nick DeBenedetti

From: Jesse Mancino
Sent: Thursday, April 18, 2024 11:54 AM
To: Nick DeBenedetti
Cc: Building
Subject: RE: PLANNING : Preconsultation : 2220 Stanley Av

Comments attached



2220 Stanley Av -
Building Com...

Jesse Mancino, C.E.T. | Plans Examiner | City of Niagara Falls
Building Services | 4343 Morrison Street | Niagara Falls, ON L2E 6Z9 | (905) 356-7521 ext 4220 |
jmancino@niagarafalls.ca

NEW!! Online building permit and planning applications submissions are now available:

<https://niagarafalls.ca/services/cityview.aspx>

-----Original Task-----

Subject: PLANNING : Preconsultation : 2220 Stanley Av
Priority: Normal

Start date: Wed 4/10/2024

Due date: Thu 4/18/2024

Status: Not Started

% Complete: 0%

Actual work: 0 hours

Requested by: Building

<< File: PC Agenda - April 18 2024.pdf >>

Hello Jesse,

Your comments are required on this precon .

The files can be found [here](#)

Anita O'Neil | Building Permit Clerk | Building and Municipal Enforcement Services | City of Niagara Falls
4310 Queen Street | Niagara Falls, ON L2E 6X5 | (905) 356-7521 ext 4361 | Fax 905-374-7500 | aoneil@niagarafalls.ca

Inter-Departmental Memo

To: Nick DeBenedetti, MCIP, RPP
Planner 2
Ext. 4233

From: Jesse Mancino, C.E.T.
Intermediate Plans Examiner
Ext. 4220

Date: 4/18/2024

Re: Preconsultation- Zoning By-Law Amendment, Site Plan and possible Consent
Address: 2200 Stanley Av
Applicant/Owner: Newcastle Communities (Chris Lamb)
Agent: Ethan Laman (UCC)
Proposal: 28 Stacked Townhouse Dwellings

I have reviewed the submitted documents and offer the following comments for the applicant:

1. A demolition permit shall be obtained to remove each structure existing on site.
2. A water/sewer permit shall be obtained to construct site services.
 - a. Private water supply pipes shall be designed and installed according to MOE PIBS 68813, "Design Guidelines for Drinking-Water Systems".
 - b. Private sewers shall be designed and installed according to MOE PIBS 6879, "Design Guidelines for Sewage Works".
 - c. No plumbing serving a dwelling unit shall be installed in or under another unit of the building unless the piping is located in a tunnel, pipe corridor, common basement or parking garage, so that the piping is accessible for servicing and maintenance throughout its length without encroachment on any private living space (OBC Div. B, 7.1.5.4 – Separate Services)
3. A building permit shall be obtained if granted approval. Standard requirements for architectural/structural drawings apply and include plumbing/mechanical drawings for each block. This does not exclude pre-engineered systems, shop drawings, material specifications, fire alarm/sprinkler drawings and structural engineering etc. Contact extension 4001 for permit requirements.
4. Radon Mitigation may be required for new construction projects. See City website for more information.
5. All further detailed and site-specific Ontario Building Code construction requirements will be addressed during the building permit application process.
6. Spatial separation/fire protection measures will be reviewed during permit review.

7. Average grade calculations to be provided to determine total number of storeys during the permit review process to determine required compliance through OBC Part 9 or 3.
8. All necessary building permit fees and securities will be assessed during building permit application review. Calculations are completed in accordance with Niagara Falls Building By-law.
9. Municipal, Regional, and Educational Developments Charges will be assessed at time of building permit review. Parkland Dedication is payable on the first permit (appraisal report required).
10. Signs are to be in accordance with municipal sign-by-law and may be subject to separate sign permit application. Contact extension 4001 for permit requirements.
11. All other applicable law approvals to be obtained prior to building permit application.
12. The owner/applicant may apply for permits after the project/agreement has received registration.
13. Building permit applicants are required to obtain a zoning compliance certificate prior to making an application for a building permit.
14. Owner/Agent/Applicant to consult with GIS department regarding unit naming and addressing requirements.
15. Fire Prevention to assess the site proposal as it relates to on-site fire-fighting practices, i.e., private fire-route accesses, fire-hydrant locations (private and / or public), fire-department connection(s), etc

Nick DeBenedetti

From: Zoning
Sent: Tuesday, April 16, 2024 2:22 PM
To: Nick DeBenedetti
Subject: Pre con: 2220 Stanley Avenue Zoning Comments
Attachments: Zoning Comments.pdf

Hi Nick,

Please see my attached zoning comments for 2220 Stanley Avenue. Let me know if you would like me to upload my comments to CityView .

Kind Regards,
Ellen Roupas | Junior Zoning Administrator
Planning, Building and Development | City of Niagara Falls
4310 Queen Street | Niagara Falls, ON L2E 6X5 | (905) 356-7521 ext 4239 | eroupas@niagarafalls.ca

Although I have sent this at a time that is convenient for me, it is not my expectation that you read, respond or follow up on this email outside of your work hours.

Inter-Departmental Memo

To: Nick DeBenedetti, Planner 2

From: Ellen Roupas, Junior Zoning Administrator

Date: April 18, 2024

Re: **Proposed Zoning By-law Amendment, Site Plan Application & Consent Application**
2220 Stanley Avenue
Proposed 2 Stacked Townhouse Dwellings with 28 dwelling units

Summary:

The applicant is proposing to convey a parcel of land and rezone this parcel to a site-specific R5B zone for the future construction of 2 stacked townhouse dwellings containing 28 dwelling units on the subject property. The applicant is proposing to retain a portion of the property where the existing dwelling is located for continued residential use.

The subject property is zoned Residential Single Family 1E (R1E) Zone, in accordance with Zoning By-law No. 79-200. The applicant intends to rezone a portion to the property to a site specific R5B zone to facilitate the above noted development.

The following table compares the regulations of the R1E zone with what is proposed:

Provision	Requirement	Proposal	Comply
Minimum lot area for an interior lot	370 square metres	415.54 square metres (0.0416 Ha)	Yes – however the zoning requirement chart (415.54 sq.m.) and the site plan (526.46 sq.m.) indicate different lot areas.
Minimum lot area for a corner lot	450 square metres	n/a	n/a
Minimum lot frontage for an interior lot	12 metres	15.89 metres	Yes
Minimum lot frontage for a corner lot	15 metres	n/a	n/a
Minimum front yard depth	6 metres + 13.1 metres from the	8.85 metres + Not noted from the	Information Required

	centerline of Stanley Avenue	centerline of Stanley Avenue	
Minimum rear yard depth	7.5 metres	7.5 metres	Yes
Minimum interior side yard width on each side	1.2 metres	1.5 metres	Yes
	2.4 metres (where no attached garage or carport is provided) (Section 5.2 of By-law No. 79-200)	3.35 metres	Yes
Minimum exterior side yard width	4.5 metres	n/a	n/a –not a corner lot
Maximum lot coverage	45%	18.9%	Yes
Maximum height of building or structure	10 m	Not noted	Information Required
Maximum number of one family detached dwellings on one lot	1 only	1 only	Yes
Parking and access requirements	In accordance with section 4.19.1 1 parking space per dwelling (2.75m x 6m)	Not noted	Information Required
Parking In Yards	Maximum lot area which can be used as a surface parking area: 30%	11.9%	Yes – as per land use schedule
	Maximum width of driveway or parking area in the front yard of a lot: 60% of the lot frontage but in no case more than 9 metres for a detached dwelling	Not noted	Information Required
Minimum Landscaped Open Space Area	30% of lot area	64.3% of the lot area	Yes

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Accessory buildings and accessory structures In accordance with sections 4.13 and 4.14	<u>Front Covered Porch:</u> A roofed-over one storey porch may project into a required front yard a distance of not more than 2.5 metres	Not noted	Information Required
	<u>Rear Deck:</u> A deck may project into a rear yard a distance of not more than 4 metres	5.5 metres	No

The following table compares the regulations of the R5B zone with what is proposed:

Provision	Requirement	Proposal	Comply
Minimum lot area	133 square metres for each dwelling unit	92.14 square metres for each dwelling unit	No
	133 sq.m. x 28 units = 3,724 square metres	92.14 sq. m. x 28 units = 2,580 sq.m (0.258 Ha)	
Minimum lot frontage	30 metres	21.06 metres	No
Minimum front yard depth	7.5 metres	Not noted	Information Required
Minimum rear yard depth	10 metres	3 metres (units 25/26/27/28)	No – the zoning chart indicates 10.03m however only 3 m is depicted on the site plan
Minimum interior side yard width	One-half the height of the building Not noted	3.38 metres (west)	Info. Required
		3.7 metres (north)	Info. Required
		Not noted (south)	Info. Required
Minimum exterior side yard width	7.5 metres	n/a	n/a- interior lot

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Maximum lot coverage	30%	23.8%	Yes – however the lot coverage noted in the zoning requirement chart (23.8%) and the Land use chart (17.44%) note different lot coverages
Maximum height of building or structure	10 m	Not noted	Information Required
Number of apartment dwellings on one lot	1 only	n/a	n/a
Parking and access requirements Minimum number of parking spaces	In accordance with section 4.19.1 1.4 parking spaces for each dwelling unit 1.4 x 28 units = 39.2 39 parking spaces	37 parking spaces	No
Minimum parking space	3 metres	3 metres	Yes
Minimum parking space length	6 metres	6 metres	Yes
Minimum Manoeuvring Aisle	5.9 metres	6 metres	Yes
Parking in the front yard	Parking in the front yard is not permitted unless a decorative wall and landscaped strip or landscaped berm (in accordance with 4.19.3.(c) is provided and maintained along all that part of every front lot line and side lot line of such lot which is a boundary between such front yard and an abutting street, except that part thereof	Not noted	Information Required

A Great City ... For Generations To Come

	crossed by an access driveway or sidewalk		
Accessory buildings and accessory structures	In accordance with sections 4.13 and 4.14	None noted	Yes
Minimum Landscaped Open Space Area	35% of the lot area	30.6%	No - however the landscape area noted in the zoning requirement chart (30.6%) and the Land use chart (35.3%) note different lot coverages
Minimum amenity space for an apartment dwelling or a stacked townhouse dwelling	Within a R5B zone a minimum amenity area of 20 square metres for each dwelling unit shall be provided	Not noted	Information Required

Comments:

- Additional information should be provided where missing

ER
S:\Preconsultation\2024\1 - PRECON by Date-AGENDA MATERIAL ONLY\04.18.2024\Stanley Avenue, 2220\Zoning Comments.docx

City's
IS addressing

Nick DeBenedetti

From: Danaka Kimber
Sent: Thursday, April 11, 2024 9:41 AM
To: Nick DeBenedetti
Cc: City of Niagara Falls GIS Section
Subject: PreCon - April 18, 2024 - Site Plan at 2220 Stanley Av

Hi Nick,

GIS has the following comment:

- The current address (2220 Stanley Av) will be retained by the existing home
- The townhomes will be assigned a new address when the site plan drawing is signed.
- We will require a verified spatial civic unit (think door/mail) plan, showing the door locations with the unit number.
- If this is intended to be standard condo, the units should match the civic unit number.

Feel free to reach out with any questions.

Danaka Kimber | SR GIS Project Analyst | Information Systems | City of Niagara Falls
4343 Morrison Street | Niagara Falls, ON L2E 6Z9 | (905) 356-7521 ext 4014 | dkimber@niagarafalls.ca

We value and respect flexible work arrangements. Although I have sent this at a time that is convenient for me, it is not my expectation that you read, respond or follow up on this email outside of your work hours.