

Planning Justification Report

Riverfront Phase 2

**Official Plan Amendment, Zoning By-law Amendment,
Draft Plan of Subdivision Redline Revision**

Niagara Falls, ON

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PREFACE

Upper Canada Consultants has been retained by Centennial Homes (Niagara) Inc. to prepare a Planning Justification Report pertaining to applications for an Official Plan Amendment, Zoning By-law Amendment and a redline revision of Phase 2 of the Riverfront Residential Subdivision. The subject lands are located east of Dorchester Road, south of Oldfield Road, west of the Stanley Avenue Industrial Park and north of Chippawa Parkway and the Welland River.

The purpose of the Official Plan Amendment is to permit the proposed residential land uses on the subject lands. The current designations are Low/Medium Density Residential, Open Space and Environmental Protection Area. These designations are to remain the same, however the locations of the Low/Medium Density Residential and Open Space land uses are to be modified.

The purpose and intent of the Zoning By-law Amendment is to amend the zoning of the subject lands from R4-1134, R4-1134, EPA-1136, and OS to R3-XX, R4-XX, EPA-1136, and OS.

The Draft Plan of Subdivision Redline Revision Application proposes the creation of four hundred and eighty-eight (488) residential dwelling units, a park, open space, a stormwater management facility and a multiple family development block that will contain one hundred and thirty-eight (138) residential dwelling units.

The proposed housing forms will include one hundred and seventy-five (175) single-detached dwellings, two hundred and forty-nine (249) street townhouse dwellings, and sixty-nine (69) back-to-back townhouse dwellings. Within the Subdivision is a Condominium block that is currently proposed to contain one hundred and thirty-eight (138) stacked townhouse dwelling units.

This Planning Justification Report provides an analysis of how the applications satisfy the requirements of the *Planning Act*, are consistent with the Provincial Planning Statement (2024), Niagara Region Official Plan (2022) and the City of Niagara Falls Official Plan. (as amended).

This report should be read in conjunction with the following reports:

- Updated Air Quality, Noise and Vibration Assessment;
- Stage 1 & 2 Archaeological Assessment;
- Ministry Acknowledgement Letter;
- Environmental Impact Study and Characterization;
- Environmental Impact Study Addendums;
- Ecological Summary Letter;
- Environmental Considerations Reports;
- Supplemental Environmental Considerations;

- Reliance Letter;
- Functional Servicing Report;
- Stormwater Management Plan;
- Traffic Impact Study Update;
- Updated Tree Preservation Plan;

PREVIOUS APPLICATIONS

The Riverfront Community has been subject to several planning applications over the past 15 years. A brief overview of these applications and their effect is provided below.

Official Plan Amendment No. 81 - 2008

The Riverfront Community lands were re-designated from “Industrial” to “Residential” in 2008, through the adoption of Official Plan Amendment No. 81.

The effect of this amendment created Special Policy Area No. 56 within the City of Niagara Falls Official Plan and detailed land use and development policies. On Schedule A of the City’s Official Plan, Special Policy Area No. 56 applied to lands south of McLeod Road to Chippawa Parkway between Dorchester Road and Stanley Avenue, and was intended to facilitate future residential land uses while also protecting the identified Natural Heritage Features.

Official Plan Amendment No. 96 - 2011

In 2010, further refinements were made to the Natural Heritage mapping within the City of Niagara Falls Official Plan for this area. These mapping changes were adopted into the Official Plan by Official Plan Amendment No. 96 in 2011.

Official Plan Amendment No. 128 - 2018

In 2018, a significant portion of lands subject to Special Policy Area No. 56 were provided with more detailed land use planning direction through the implementation of the Riverfront Community Plan (RCP). This Plan is a Secondary Plan and is included within Part 5 of the City of Niagara Falls Official Plan.

Similar to Special Policy Area No. 56, the RCP applies to lands west of Dorchester Road between Oldfield Road and Chippawa Parkway. The RCP designates lands as Residential, Mixed-Use, Environmental Protection, and Open Space.

Acquisition of Property by Centennial Homes (Niagara) Inc.

Centennial Homes (Niagara) Inc. purchased unaddressed lands north of Chippawa Parkway, and east of Dorchester Road from GR (CAN) Investments Ltd. in July 2022, that are within the Riverfront Community Plan Area. The land holdings include the Phase 2 lands (subject lands).

Prior to acquisition, the acquired lands were subject to several land use planning applications including a Zoning By-law Amendment, an Official Plan Amendment and Draft Plan of Subdivision applications (City File No. ZA-19-033, OPA-17-025, SD-19-015, SD-21-0033).

The subject lands received Draft Plan of Subdivision approval on October 30th, 2020 (City File No. 26T-11-2019-001) that subdivided 77.9 hectares of land into seven (7) Blocks for residential dwellings, one (1) Block for Mixed-Use, two (2) Blocks for Open Space, four (4) Blocks for Environmental Protection, two (2) Blocks for Stormwater Management and Road Widening, and six (6) new public roadways.

All lands owned by Centennial are located south of the CP Rail Corridor as shown in **Figure 1**, with Phase 2 specifically identified.



Figure 1 - Context Map – Blocks of the Riverfront Lands south of the railway lines

CONDITIONS OF DRAFT PLAN APPROVAL (26T-11-2019-001)

Phase 1

The Phase 1 area as depicted on the previous figure includes Blocks 12 of the original Draft Plan of Subdivision which since that time has received Draft Plan of Vacant Land Condominium Approval, and the request for final approval of the submitted Vacant Land Condominium, as well as the overarching Draft Plan of Subdivision Approval to establish Block 12 as a registered property has been submitted to the City.

Phase 1 Registration also includes Blocks 15 and 16 that must be created. Block 15 is the required road widening and Block 16 is a required sanitary pumping station.

Phase 2

This proposed 2nd Phase of the development includes modifying the overarching Draft Plan of Subdivision, amending the exterior boundary and interior of the site to increase functionality and efficiency in a more desirable tenureship format. Upon approval of the Draft Plan of Subdivision, there will be new conditions for the proposed subdivision that will be required to be cleared prior to registration.

DESCRIPTION AND LOCATION OF THE SUBJECT LANDS

The submitted Official Plan Amendment, Zoning By-law Amendment, and redline revision Draft Plan of Subdivision applications pertains to a portion of the land known legally as Part of Lots 213 & 214 and Part of Road Allowance Between Lots 212 & 213 Geographic Township of Stamford, Now in the City of Niagara Falls, Regional Municipality of Niagara.

These lands are identified as “Blocks 1-9” within Draft Approved Plan 26T-11-2019-001, with the boundaries slightly modified along the western edge.

The legal description for the subject lands will change after registration of the overarching Subdivision Plan.

An aerial image delineating the general location of the property is shown in **Figure 2**.



Figure 2 – Context Map – Aerial from Google Earth

The subject lands have been surveyed to measure 26.305 hectares in area with a developable area of 21.744 hectares and 211.24-metres of frontage along Chippawa Parkway.

Surrounding Area (Within the RCP)

The surrounding lands within the RCP that are adjacent to Phase 2 are undeveloped at this time. The RCP permits a variety of land uses in the surrounding area including residential, commercial, mixed use, industrial, open space and natural heritage protection.

A specific overview of adjacent lands is provided below:

North: The active CP Rail line and the Conrail Drain are just beyond these lands to the north. Beyond the CP Rail line and the Conrail Drain are future development lands that propose a variety of commercial mixed land uses.

East: Natural heritage areas and Phase 1 (Block 12) that is to be developed as two hundred and thirteen (213) residential dwelling units. Phase 2 will be connected to Block 12 by two recreational trail linkages that have been included within the Draft Approved Vacant Land Condominium, but will be constructed through this Phase of development.

South: Chippawa Parkway is located along the southern property boundary and is intended to serve as the primary access route to the proposed development. South of the roadway is the Welland River.

West: West of Phase 2 are future developable lands that will form Phase 3 of Centennial's development program. This phase will be connected to Phase 2 by an east-west local roadway.

Adjacent Lands (Outside the RCP)

Lands outside of the RCP limits include;

North: Existing residential dwellings with mixed typologies are located to the north, east and west of Dorchester Road. Further north of the established neighbourhood is the McLeod Road Commercial and Intensification Corridor.

East: To the east of the RCP is the Stanley Avenue Industrial Park. This area is a primary employment area within the City that contains a mix of light industrial enterprises.

South: The Welland River is located south of the RCP limits.

West: West of the RCP limits is the OPG Hydro Canal and commercial and industrial lands on the east side of Oakwood Avenue.

The subject lands are approximately 5 kilometres away from the Queen Elizabeth Way, which

provides access throughout and external to Niagara Region.

THE PROPOSED DEVELOPMENT

Plan of Subdivision

The subject lands are proposed to be developed as a Plan of Subdivision consisting of;

- One Hundred and Seventy-Five (175) Single-Detached Dwelling Lots;
- Forty-seven (47) Blocks containing Two Hundred and Forty-Nine (249) Dwelling Units;
- Six (6) Blocks containing Sixty-Four (64) Dwelling Units;
- One (1) Condominium Block containing One Hundred and Thirty-Eight (138) Stacked Townhouse Dwelling Units;
- One (1) Block for Parkland;
- Three (3) Blocks for 3.5-Metre Multi-Use Trails;
- One (1) Block for a Stormwater Management Facility;
- One (1) Block for an Environmental Protection Area;
- One (1) Block for Open Space; *and*
- One (1) Block for a 0.3-metre-wide Reserve

The Subdivision will have two dedicated accesses from Chippawa Parkway and be serviced by Public Roadway and Public Services. A wet-pond stormwater management facility is required to support the development and will be developed as part of the Subdivision.

The Draft Plan includes recreational trail connections to adjacent phases of development, through adjacent wetlands, and connecting Phases 1, 2 and 3. It also includes a park, open space and wetlands.

The Draft Plan of Subdivision is included as **Appendix I** to this report, and in **Figure 3**.

The multi-family block will be further defined under condominium tenureship, and as such, will contain private roadways and services. This Block (Block 229) is shown in **Figure 4**.

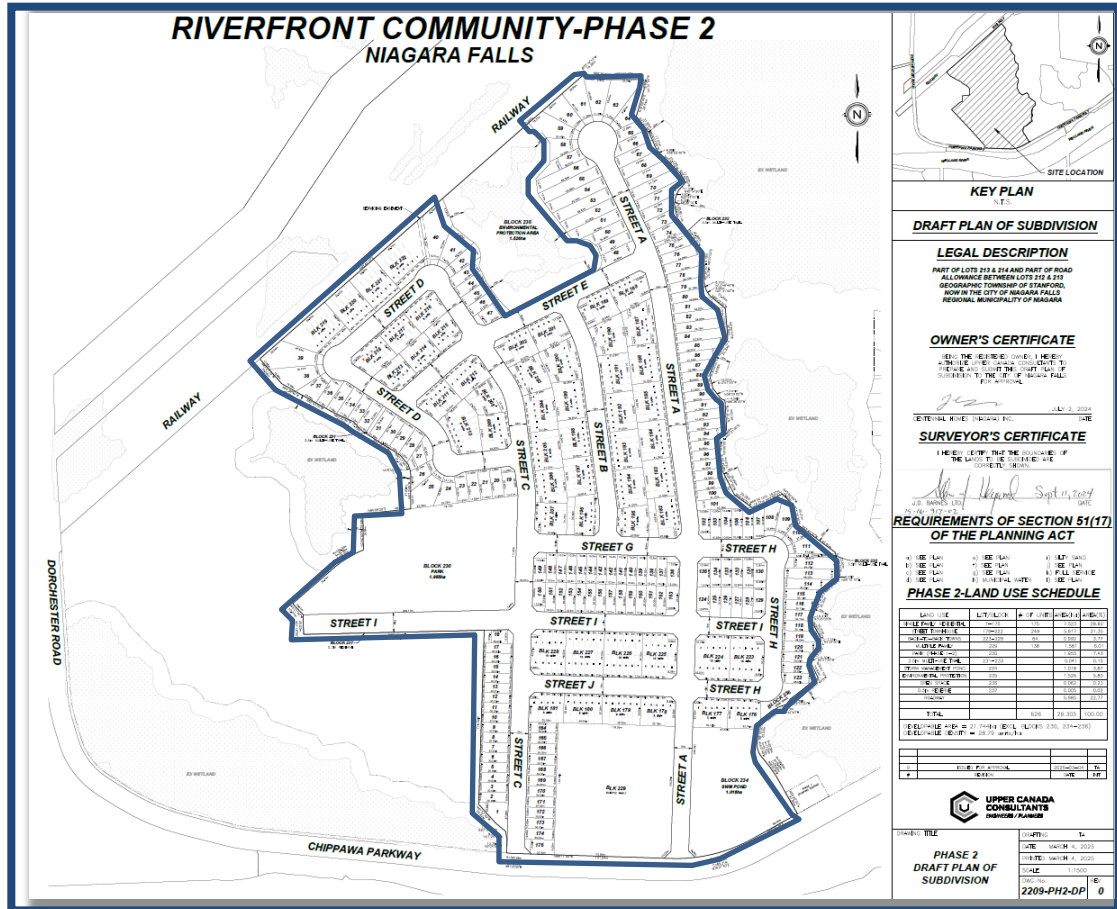


Figure 3 – Draft Plan of Subdivision prepared by Upper Canada Consultants

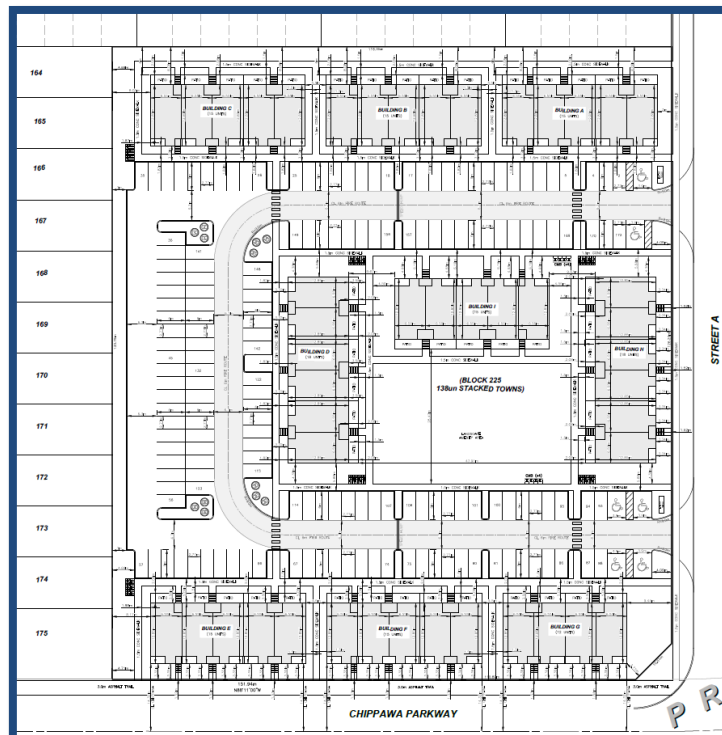


Figure 4 – Block 229 Site Plan prepared by Upper Canada Consultants

Dwelling Typologies and Design

The applicant is proposing to construct six-hundred and twenty-six (626) units within Phase 2. The proposed housing forms include one hundred and seventy-five (175) single-detached dwellings, two hundred and forty-nine (249) street townhouse dwellings, sixty-four (64) back-to-back townhouse dwellings, and one hundred and thirty-eight (138) stacked townhouse dwellings. The single-detached, and street townhouse dwellings will be two-storeys, while the back-to-back and stacked townhouse dwellings will be three-storeys. All dwelling typologies will include single or double car attached garages.

These units will be constructed with similar building materials; however, they will differ in appearance to provide interest and variety. This is shown below in the following renderings, **Figure 4 to Figure 8.**



Figures 4 & 5 – Proposed Single-Detached Dwelling Unit Renderings



Figure 6 – Proposed Street Townhouse Unit Renderings



Figure 7 – Proposed Back-to-Back Townhouse Unit Renderings



Figure 8 – Proposed Stacked Townhouse Renderings

Transportation Network

The development plan proposes two access points from Chippawa Parkway into the site, labelled as Street 'A' and Street 'C' on the Draft Plan of Subdivision. Street 'I' is proposed to be extend to Chippawa Parkway through the future development of Phase 3.

These accesses will connect to the internal public street network that consists of roadways that have cross-sections that are primarily 18-metres-wide. The western portion of Street 'I', beyond Street 'C', has a 20-metre-wide cross-section.

Chippawa Parkway is classified as an Arterial Roadway on Schedule 'C' of the City of Niagara Falls Official Plan, with a planned 26.0-metre right-of-way. A 2.94-metre road widening along the frontage of the subject lands is to be dedicated as part of the related Subdivision registration (City File No. 26T-11-2019-001) of Phase 1.

In addition to vehicular access, there will be two trail connections to lands to the east side of the development, between Units 74 and 75, and Units 111 and 112. These trails will connect Phase 2 to Phase 1 through adjacent Environmental Protection Area (EPA) lands, which will be integrated into the overall Comprehensive Trail Masterplan that proposes a trail network through and around Phase 2 to neighbouring Phases, and proposes further trails through adjacent EPA lands. A trail connection has been provided through Units 31 and 32 on the western portion of the site to continue through the buffer area of the EPA to the park and Phase 3.

Site Servicing

The development will be supported by public urban services including watermain, sanitary sewers and storm sewers. The development will also include a wet-pond stormwater management facility to treat captured flows before release into the Welland River.

The development of a Sanitary Pumping station is required for this development to proceed. This infrastructure will be located in what was known as Block 16 and will be constructed concurrently with the development of Phase 1.

Development Density

The subject lands have a developable area of 21.744 hectares. Based on the new 626-unit proposal, the site will be developed at a density of 28.79 units per hectare, which conforms with the permitted density range of 20 to 50 units per hectare for low-density housing (single-dwelling units) and a maximum net density of 75 units per hectare for medium density housing (townhouses), as per Policy 2.1.2 and Policy 2.1.3 of the City's Official Plan, Part 5, Section 4.

Parks, Amenity and Open Space

The overarching Draft Plan of Subdivision within the RCP proposes a large-scale trail system throughout this Phase of the development. The trail system will traverse throughout the RCP, and this Plan has been included with this submission.

The registration of Phase 2 will provide the parkland dedication for both Phase 1 and Phase 2 of the previously approved Draft Plan of Subdivision, and will service the entirety of the Riverfront Residential community.

The Trails Master Plan created for the proposed development is shown below in **Figure 9**. This trail network provides ample opportunities for walking/bicycling and other recreational activities.

The 1.995-hectare park block will be central to the residential community of Riverfront which is both favourable and attractive, and will promote healthy living.

REQUIRED PLANNING ACT APPLICATIONS

The pre-consultation meeting pertaining to this application occurred on December 21st, 2023, and a subsequent meeting took place between City Staff and the applicant on January 18th, 2024, where a revised Draft Plan of Subdivision was presented. The comments provided in the pre-consultation agreement respond to the revised submission.

A copy of the Pre-consultation Agreement is provided as **Appendix II** to this report.

As outlined within the Pre-consultation Agreement, a complete application submission must include:

- Updated Air Quality, Noise and Vibration Assessment;
- Archaeological Assessments;
- Site Plan & CAD .dwg;
- Signed Draft Plan of Subdivision & CAD .dwg;
- Plan of Survey & CAD .dwg;
- Floor Plans;
- Building Elevations;
- Parkland Dedication Calculation Plan;
- Previously Completed Environmental Impact Studies;
- Technical Memo addressing environmental matters;
- Current Environmental Assessment Work;
- Letter of Reliance;
- Land Registry PIN Sheet;
- Phasing Plan;
- Planning Justification Report & Urban Design Brief;
- Housing Impact Statement;
- Draft Local Official Plan and Zoning By-law Amendments;
- Updated Traffic Impact Study;
- Road Widening & Daylight Triangles;
- Tree Inventory & Preservation Plan;
- Trails and Walkable Community Master Plan;
- Waste Collection Intent / Details;
- Colour Demonstration Plan;
- Sidewalk Plan & Road/Trail Cross Sections

These required materials have been prepared and submitted with the Official Plan Amendment, Zoning By-law Amendment and redline Draft Plan of Subdivision Application.

The Housing Impact Statement, and Draft Local Official Plan and Zoning By-law Amendments have been included within this Planning Justification Report. It was also discussed with City Staff that a Colour Demonstration Plan is acceptable at this time, with the Landscape Plan being provided through conditions of Draft Plan of Subdivision Approval to ensure it reflects the final form of development.

Official Plan Amendment

An Official Plan Amendment has been submitted to address Official Plan conformance matters. The lands are within the Designated Greenfield Area of the Urban Area Boundary, designated as Residential, Low/Medium Density, in part, Open Space, in part, and an Environmental Protection Area, in part, in the City's Official Plan and the Riverfront Community Plan. The Amendment is required due to the reconfiguration of the existing Draft Plan of Subdivision. The land uses are to remain the same, though the location of the Open Space (park lands) and Residential Low/Medium Density blocks are modified.

Details of the proposed Official Plan Amendment are included later in this report. A copy of the Draft Official Plan By-law and associated Official Plan Schedule is attached to this report as **Appendix III**.

Zoning By-Law Amendment

A Zoning By-law Amendment has been submitted to address zoning compliance matters. The proposed zoning will rezone the lands from site-specific Residential Low Density Grouped Multiple Dwelling (R4-1133, R4-1134) Zone, site-specific Environmental Protection Area (EPA-1136) Zone, and Open Space (OS) Zone to site-specific Third Density Residential (R3-XX) Zone, site-specific Residential Low Density Grouped Multiple Dwelling (R4-XX) Zone, site-specific Environmental Protection Area (EPA-1136) Zone, and Open Space (OS-XX) Zone. These zoning designations were selected as they permit the types and sizes of housing proposed.

Details of the proposed Zoning categories, including the site-specific provisions are included later in this report. A copy of the Draft Zoning By-law and associated Zoning Schedule is attached to this report as **Appendix IV**.

Redline Revision Draft Plan of Subdivision

A redline revision Draft Plan of Subdivision is proposed to reconfigure the previously approved Subdivision. The previously approved Plan included six (6) Blocks for residential development, two (2) Blocks for open space purposes, one (1) Block for environmental protection, as well as streets to be dedicated as public highways.

The redline revision Draft Plan of Subdivision proposes the implementations of lots and blocks for

the proposed subdivision. The Draft Plan proposes to divide the subject lands into one hundred and seventy-five (175) lots for single-detached dwellings, forty-seven (47) blocks for two hundred and forty-nine (249) street townhouse dwellings, six (6) blocks for sixty-four (64) back-to-back townhouses, and one (1) condominium block that is to be furthered refined through future planning applications, though is anticipated to yield one hundred and thirty-eight (138) stacked townhouse dwellings. This Draft Plan of Subdivision will yield a total of six hundred and twenty-six (626) dwelling units.

Blocks are also proposed for the park, stormwater management facility, environmental protection area, multi-use trails and 0.3-metre reserves, and there will also be local roadways throughout the subdivision.

A copy of the Draft Plan of Subdivision is included as **Appendix I** to this report.

RELATED STUDIES AND REPORTS

In addition to this Planning Justification Report, multiple reports and studies have been provided within this submission.

A brief overview of the purpose, findings and conclusions of the reports/studies that have not previously been submitted for the overarching Draft Plan of Subdivision approval are provided below.

Updated Air Quality, Noise and Vibration Assessment (RWDI Air Inc.)

An updated Air Quality, Noise and Vibration Assessment was completed by RWDI in August 2021, to address impacts of the neighbouring properties, their uses, rail lines, air traffic, etc. An update to this report was prepared in October 2024 in order to;

- Update the assessment of noise and vibration levels due to the changes in setback distances between the railway line and proposed development
- Update the assessment of air quality levels due to changes in the site plan and the property boundary surrounding the pumping station
- Update the assessment of noise levels from the emergency generator and air quality levels from the wet well at the proposed sewage pumping station located at the southern edge of the development
- Review the Stanley Business Park Industries and surrounding area to confirm if there are updates to the industries in the area since the original reports.

It was concluded that the proposed development is compatible with existing industry from an air quality, noise and land use compatibility perspective.

Several control measures are required in order to achieve compatibility between the proposed development and the existing industry and rail activity. These measures are included within the report provided with this submission and summarized below;

- Installation of central air-conditions so that all suite's' windows can remain closed
- The inclusion of noise warning clause related to:
 - Transportation sound levels at the building façade and in the outdoor amenity areas
 - Proximity to railway line
- Brick veneer or equivalent masonry construction for the facades facing the rail corridor. Upgraded windows of at least STC-36 are expected, however details to be confirmed at detailed design by an acoustical engineer
- Construction of perimeter noise barriers along select outdoor amenity areas, with the applicable warning clauses.

Updated Tree Preservation Plan

An updated Tree Preservation Plan was prepared by Colville Consulting Inc., as the proposed land uses have been reconfigured within the site. The work plan for this study included;

- Field reconnaissance to collect tree inventory information for trees situated within the lands included in the proposed development;
- Preparation of summary mapping;
- Evaluation of potential tree saving opportunities based on the proposed land use plan;
- Recommendations for appropriate mitigation measures to help preserve trees to be retained on the property.

It was concluded that approximately 167 inventoried trees greater than 10cm in diameter will need to be removed to facilitate the proposed development, including 5 trees likely impacted by adjacent road reconstruction directly south of the subject lands. It is also likely that 385 inventoried trees located immediately adjacent to the development area can be retained.

Several mitigation measures were recommended to be implemented which include;

- Where possible, it is recommended that a Tree Protection Zone be established no less than 2.4m from any trees between 10-40cm DBH, 3m from any trees 40-50cm DBH, 3.6m from any trees 50-60cm DBH and 4.2 m from any tree larger than 60cm DBH;
- Equipment use in close proximity to trees to be retained should be minimized where possible;
- Construction materials, equipment, soil, construction waste or debris shall not be stored within the Tree Protection Area or within the dripline of any trees identified for protection;
- Any tree roots encountered during excavation should be flush cut to promote new root growth;
- Any required vegetation removal should be conducted in a manner to avoid impacts to nesting birds and wildlife that may be utilizing habitats on the property;
- Tree and vegetation removal be completed by a reputable tree clearing contractor to help avoid impacts to trees remaining on the site;
- All areas of disturbed soil should be seeded and vegetated following construction to help minimize soil erosion on the site;
- Any trees located adjacent to the Subject Property to be retained should be clearly marked with high visibility marking paint and protected with a tree wrap to help prevent damage to the trunk during construction;
- Native trees are to be incorporated into the proposed plan where possible to help replace trees to be removed.

Updated Restoration Plan

Colville Consulting Inc. prepared an Updated Restoration Plan to their 2021 Restoration Plan to update the planting and monitoring works recommended to occur for the proposed development. It provides recommendations to replace trees and shrubs that were accidentally removed as part of property maintenance works in January 2020. The initial restoration plan was approved by the NPCA, but due to the agreed upon wetland setbacks on site (from 30m to 15m), the ongoing Buckthorn Treatment and the substantial amount of regeneration from the adjacent seed bank, and update was required. The same number of plants are recommended to be planted in the new Restoration Plan, but concentrated in a location that was already marginalized due to invasive and dead Ash trees before the initial accidental clearing occurred.

Phase 2 - Ecological Summary Letter

An Ecological Summary Letter has been prepared by GEI Consultants Canada Ltd. in response to comments received from the Niagara Region and NPCA within the pre-consultation comments. All environmental recommendation and mitigation measures from past submissions that are applicable to the proposed development area were addressed and the applicability to the proposed development was detailed. This Letter concisely summarizes all ecological and environmental commitments that require attention and when and how they will satisfactorily be addressed.

Functional Servicing Report and Stormwater Management Plan

The Functional Servicing Report prepared by Upper Canada Consultants was prepared to identify domestic and fire protection water servicing, sanitary servicing, and stormwater management needs for the proposed development.

Servicing for the site can be concluded as such, with the following recommendations;

- The existing 300 mm diameter watermain on Dorchester Road is expected to have adequate capacity to provide both domestic and fire protection water supply for Phase 2 lands;
- The receiving 825 mm diameter sanitary sewer on Dorchester Road will have adequate capacity to service the proposed development;
- The proposed 600 mm diameter sanitary sewer extended southerly on Dorchester Road will have adequate capacity to service the proposed development;
- The proposed pumping station having received an Environment Compliance Approval from the Ministry of the Environment, Conservation and Parks (MECP) will have adequate capacity to service the proposed development;
- Stormwater quantity controls are not considered necessary for the subject lands (further

information provided in the Stormwater Management Plan);

- Stormwater quality protection is being provided by the wet pond facility up to Enhanced (80% TSS) Level Protection as per the recommendation of the Niagara Region (within Stormwater Management Plan).

The report concludes that the existing and proposed services will be sufficient to support the proposed development. The specific design of servicing infrastructure will occur through future detailed engineering processes.

Updated Traffic Impact Study

Paradigm Transportation Solutions Limited prepared an updated Traffic Impact Study to assess the existing transportation networks, the development and analyze the future traffic forecast, provide recommendations for future transportation requirements and/or consideration, if any, and review proposed site accesses regarding auxiliary turn lanes and sight distance.

The study made the following recommendations;

- An eastbound left-turn lane with 15-metres of storage be implemented by the Applicant on Chippawa Parkway at the proposed site access intersections (Street A and Street C);
- The City of Niagara Falls and Niagara Region should monitor traffic growth and traffic patterns at Dorchester Road/Oldfield Road to determine whether the implementation of traffic control signal is required as necessary;
- To achieve sufficient site distance east of Street A, it is recommended that the stormwater management pond's landscape plan implement height restrictions along the frontage to Chippawa Parkway;
- The posted speed limit on Dorchester Road and Chippawa Parkway be reduced from 60 km/h to 50 km/h once construction of the proposed residential subdivision is underway; and

PROVINCIAL LEGISLATION AND PLANS

Development applications within the City of Niagara Falls are subject to the Ontario *Planning Act* (R.S.O. 1990) and 2024 Provincial Planning Statement. An assessment of how the applications are consistent and in conformity with applicable Provincial legislation and policies is provided below.

PLANNING ACT (R.S.O. 1990)

The *Planning Act* regulates land use planning in the Province of Ontario. The Act prescribes matters of Provincial Interest with regard to land use planning and the necessary procedures to follow when making or considering applications for development.

Section 2 – Matters of Provincial Interest

Section 2 of the *Planning Act* outlines matters of Provincial Interest that a planning authority must have due regard for when contemplating a land use planning application. Matters of Provincial Interest 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;*
 - (h.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,*
 - (i) is well-designed,*
 - (ii) encourages a sense of place, and*
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*
- s) the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.*

Clauses a), d), f), h), i), j), l), p), q), and r) are considered to be relevant to these applications, and are evaluated below.

a) the protection of ecological systems, including natural areas, features and functions;

Numerous Environmental Impact Studies have been completed over the years to assess the potential impacts associated with the construction of the proposed development. The site is generally bound by locally and provincially significant wetlands and woodlands primarily associated with the Niagara Falls Slough Forest Wetland Complex. 15-metre and 20-metre buffers have been included in the plan surrounding these features. To add, Ecological Restoration Plans, Ecological Monitoring Plans, and Planting Plans have been prepared and associated agreements have been entered into to ensure that these areas are maintained and enhanced. Overall, it was concluded that this development will not directly or indirectly negatively impact the ecological functions of the woodland and wetlands on the subject lands.

d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

Amec Foster Wheeler Environment & Infrastructure was retained by the previous property owner to complete Stage 1 & 2 Archaeological Assessments in the Spring of 2016. Through field investigation of the subject lands no archeological resources were discovered within the area of this proposed development. No additional study was recommended. Following the completion of the Assessment, the Archeologist's report was submitted to the for review and

acknowledgement. Ministry clearance was provided on June 21st, 2016.

f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

The subject lands are accessible from Chippawa Parkway, an Arterial roadway. The proposed subdivision achieves efficient and compact land use patterns through the provisions of an internal street network that is accessible by way of Chippawa Parkway and will integrate into the exiting municipal roadway connections.

As the proposed development is in a Secondary Plan area that is to be built out over the next few years, municipal services are to be extended to the subject lands, and beyond.

Furthermore, the development is designed in a manner that supports the articulation of waste collection vehicles and will be eligible for curbside pick-up from Niagara Region. The layout also facilitates the movement of emergency, delivery and moving vehicles.

h) the orderly development of safe and healthy communities;

The orderly development of safe and healthy communities is achieved through the development of the subject lands as a multi-unit subdivision with a variety of housing forms situated along an Arterial Road (Chippawa Parkway). The surrounding lands are proposed for residential uses, as well as commercial and industrial uses to the north, providing opportunities for employment and access to necessities.

Overall, the proposed development accommodates residential growth that will be compatible and contiguous with the surrounding future neighbourhoods within the Riverfront Community. The additional housing opportunities in varying built forms facilitates increased density and public transit usage. The location is both accessible and opportune for residential development, and the inclusion of additional housing opportunities and forms within the City contributes to the orderly development of safe and healthy communities, fostering a cohesive and balanced community.

i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;

The subject lands are located approximately 5-kilometres of three elementary schools;

- James Morden Public School (3.6 kilometres)
- Notre-Dame-De-La-Jeunesse Catholic Elementary School (4.2 kilometres)
- Father Hennepin Catholic Elementary School (5.2 kilometres)

A large Block within the proposed development will be dedicated to parkland that will accommodate the public, and a trail network is to be created throughout and beyond the Riverfront lands. Nonetheless, these lands are also near George Bukator Park, Kingsbridge Park.

There are also nearby amenities on Dorchester Road at McLeod Road, and at McLeod Road and Drummond Road, including grocery stores, restaurants, a church, and numerous other commercial facilities.

j) the adequate provision of a full range of housing, including affordable housing;

The proposed subdivision will contain four hundred and eighty-eight (488) dwelling units, excluding the condominium site, that will include one hundred and thirty-eight (138) dwelling units. These dwellings will include a range of housing typologies including single-detached dwellings, street townhouses, back-to-back townhouses, and a condominium block of stacked townhouses. The diverse array of housing typologies significantly bolsters the overall housing supply, positively influencing affordability in the market. Introducing different dwelling typologies broadens options for a wide demographic.

Within the single-detached dwelling and street townhouse dwellings there will be opportunities for future purchasers to incorporate accessory dwelling units, enhancing flexibility and tenure variety for future residents. Incorporating back-to-back townhouses and stacked townhouses increases the variety of housing typologies in the area. This in turn expands the range of housing options available, increasing the supply of housing, and leading towards greater affordability. These new built forms will greatly assist with using space more efficiently and creating attractive, livable communities. The provided range of housing addresses the diverse needs and preferences of individuals, building towards Niagara Falls' housing stock and overall housing attainability.

l) the protection of the financial and economic well-being of the Province and its municipalities;

The proposed development is beneficial for the financial and economic well-being of the Province and its municipalities as it introduces four hundred and eighty-eight (488) new homes in the City of Niagara Falls. The addition of these units, increases housing availability in Niagara Falls. This expands housing capacity, and contributes to the overall economic resilience and vitality of the area. This development will also generate development charges and long-term property tax revenue. These economical and financial contributions support the sustainable growth and prosperity of the Region and municipality, which supports the local economy.

p) the appropriate location of growth and development;

As outlined in the Growth Plan and Niagara Official Plan, the vast majority of growth is to be directed to Settlement Area. The subject lands are within the Niagara Falls Urban Boundary Area and more specifically within the Designate Greenfield Area and the Riverfront Community Plan. This area is a planned area for growth as it's within a Secondary Plan Area, and has been planned for residential development for many years. These lands are not encumbered by any significant physical, geographic or environmental constraints, and benefit from proximate transportation networks and connections.

Further, the subject lands are located along an Arterial Road, proximate to pedestrian and cycling routes, and employment opportunities, which further justifies its suitability for residential development. This strategic utilization of underutilized urban lands maximizes potential and aligns with the objectives of an appropriate location for growth and development.

q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

The development proposal will extend and efficiently utilize available urban services and efficiently utilize underutilized lands, thus limiting the need for urban boundary expansions. The development contains an adequate balance of growth and natural environment that will support urban living.

As the proposed development is within the Riverfront Community Plan, the build out of the community will include numerous benefits such as extending public transit, and the creation of trail networks in order to create connectivity and a sustainable living environment.

The subject lands will also be developed to enhance pedestrian-focused recreational activities, which will be facilitated through the creation of a network of trails and a park system. Moreover, the development's positioning along the Welland River and its accompanying trail system provides future residents with unique riverside access to a scenic watercourse, further enhancing the overall appeal of the area.

r) the promotion of built form that,
(i) is well-designed,
(ii) encourages a sense of place, and
(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

The proposed development has been designed to provide a mix of housing typologies that will provide a variety of housing and tenure options. This diversity also contributes to urban design, introducing typologies that vary throughout the site, creating interest and variety.

The proposed development will be well-designed with a range of modern styles, that are context sensitive and integrate with the surrounding area. These dwellings range in form and size, and have been designed to provide a range of housing to appeal to a broad range of demographics.

Residents will have easy access to the park within the proposed development, which provides attractive and vibrant spaces for the public. In addition, the site is walking distance to the Welland River. This access to the riverside lends itself to a strong sense of place for future residents. The subdivision will also be punctuated with trails that will facilitate the integration and enjoyment of adjacent natural heritage features.

Overall, the development creates a sense of place through the provision of a variety of modern designed housing designed, with a compact layout, parks, and unique location along the Welland River.

Section 22 – Official Plan Amendments

Applications for Official Plan Amendments are considered under Section 22 of the *Planning Act*. Amendments are permitted to municipal by-laws subject to the provision of prescribed information. This application has been filed with the required fee and supporting materials requested through pre-consultation.

Section 34 – Zoning By-laws and Amendments

Applications for Zoning by-law Amendments are considered under Section 34 of the *Planning Act*. Amendments are permitted to municipal by-laws subject to the provision of prescribed information. This application has been filed with the required fee and supporting materials requested through pre-consultation.

Section 51 (24) – Draft Plan of Subdivision & Condominium

Draft Plans of Subdivisions are considered under Section 51 (24) of the *Planning Act*. The submitted Draft Plan application is a Subdivision that will create conveyable units of land on a single parcel of land served by public resources. These lands have previously received Draft Plan of Subdivision Approval; however, this application allows for the implementation of Phase 2.

Section 51 (24) of the *Planning Act* prescribes that “In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality

and to,” items a) to m). An overview of how each item is addressed is provide below in italics.

a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2;

The application continues to meet the intent of Section 2, subsections a), d), f), h), i), j), l), p), q), and r) of the *Planning Act*. This compliance has been demonstrated and accepted through the previous land use planning approvals associated with the subject lands.

b) whether the proposed subdivision is premature or in the public interest;

The application for the redline revision Draft Plan of Subdivision is appropriately timed and not considered premature. The subject lands are designated and zoned for residential development in the Riverfront Community Plan (RCP) within the City of Niagara Falls Official Plan. Furthermore, the lands are also within the Niagara Falls Urban Boundary.

The subject lands have public road access and can connect to municipal services. Additionally, these lands have received Draft Plan of Subdivision approval from City Council, signifying that development is anticipated and warranted; these applications are the next step towards the intended implementation.

This second phase of development continues the trajectory of Phase I within the RCP. Given the increases in population within the Niagara Region and the approval of Regional growth forecasts and targets, proceeding with this development phase will be advantageous for both the municipality and the local housing market.

The applications are considered to be in the public interest as they implement previous planning approvals and creates additional housing supply and flexibility of housing typologies.

c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposed Draft Plan of Subdivision conforms with the City of Niagara Falls Official Plan and the Riverfront Community Plan by implementing Low/Medium Density Residential development in an area intended for development. The proposed development maintains the overall vision for the RCP in providing a compact development that accommodates an appropriate mix of housing types.

A comprehensive overview of conformity with Official Plan policies is presented in greater detail later in this report, as an Official Plan Amendment application has been submitted.

d) the suitability of the land for the purposes for which it is to be subdivided;

The subject lands have been previously zoned and designated for residential land uses. The proposed development form is suitable for the property and provides adequate unit area for all dwellings and required infrastructure.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

The proposed development does not include affordable housing as defined by the Province of Ontario, nonetheless the single-detached dwellings and street townhouses will include the opportunity for the provision of accessory dwelling units that will be rented at a rate that is considered to be affordable, and these units will increase the rental stock.

e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The subject lands are located on the north side of Chippawa Parkway, which is classified as an Arterial roadway in the City of Niagara Falls Official Plan. This roadway will be utilized for access to the development.

Chippawa Parkway provides convenient access to other Regional and local roadways, as well as the Queen Elizabeth Way, thus making the subject lands highly accessible.

The development will be supported internally by proposed roadways built to accepted municipal specifications. There is redundancy in the network allowing for a variety of routes within the development and convenient access to and from the site.

f) the dimensions and shapes of the proposed lots;

The proposed lots and blocks are shown on the Draft Plan of Subdivision provided with this submission (**Appendix I**).

Each lot will provide adequate space for the dwelling unit, parking, drainage and amenity areas. The ownership units are generally rectangular with some deeper, irregular lots that extend to the limit of the Environmental Protection Areas designated on adjacent lands.

g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

There are no restrictions to development on the site.

h) conservation of natural resources and flood control;

The subject lands do not encroach into previously evaluated natural heritage features. There are no on-site natural resources in the proposed developable area that require conservation, and all setbacks to natural features have been verified through appropriate studies.

The subject lands are not located within a floodplain.

i) the adequacy of utilities and municipal services;

As outlined in the provided Functional Servicing Report and Stormwater Management Plan prepared by Upper Canada Consultants, the proposed development can be adequately serviced by extending water and sanitary services, constructing a sanitary Sewage Pumping Station, and a stormwater management wet pond facility with a controlled outlet that will collect major overland flows from the subject lands and outlet to the Welland River.

j) the adequacy of school sites;

There are school sites to the north and east of the subject lands. These schools include; Elementary School Catholic Notre Dame-De-La-Jeuneese, Father Hennepin Catholic Elementary School, James Morden Public School, and Heximer Avenue Public School.

The local school boards will comment on the adequacy of school sites through their review of the application.

k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Block 230 will be dedicated to the City as parkland dedication, and represents an area of 1.955 hectares. This block will provide parkland for Phase 1 and Phase 2. This area is an over-dedication, as neighbourhood parks are to be 2 hectares in size. Between this park and the trail system, 2 hectares is exceeded. The parkland for Phase 3 is also proposed directly adjacent to this parkland as well, to create a large community park, accessible to the entire Riverfront Community. As there is an over-dedication of parkland for Phase 1 and 2, Phase 3 has a slight under-dedication of parkland, by 0.16 hectares. Nonetheless, there is still an overall over-dedication of parkland.

Block 231, 232, 233 will be dedicated to the City for 3.5-metre-wide multi-use trails, totaling an area of approximately 0.041 hectares.

Block 234 will be dedicated to the City for a stormwater management facility, and represents an area of approximately 1.018 hectares.

Block 235 will be dedicated to the City as an environmental protection area, and represents an area of approximately 1.526 hectares.

- l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy;*

The coordinated development of a large parcel of land provides for increased efficiencies in the servicing and construction of the development. Further, the proposed development achieves a compact land use pattern that helps to optimize the use of infrastructure.

Energy efficient design may also be explored through the development of detailed building plans.

- m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).*

The proposed development is subject to Subdivision approval which ensures that all matters affecting the approval authority and commenting agencies are adequately addressed prior to the commencement of development.

2024 PROVINCIAL PLANNING STATEMENT

The Provincial Planning Statement, 2024, is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow; Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents.

It provides municipalities with the tools and flexibility required to build more homes, enabling them to;

- plan for and support development, and increase the housing supply across the province
- align development with infrastructure to build a strong and competitive economy that is investment-ready
- foster long-term viability of rural areas
- protect agricultural lands, the environment, public health and safety

The PPS sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Planning for People and Homes (PPS 2.1)

Section 2.1 of the PPS provides guidance for population forecasts, and required municipalities and planning authorities to provide sufficient land to accommodate an appropriate range and mix of land uses to meet projected needs informed by provincial guidance.

Section 2.1.6 directs that planning authorities should support the achievement of complete communities by;

- accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities, and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs;
- improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- improving social equity and overall quality of life for people of all ages, ability, and incomes, including equity-deserving groups.

The applications are consistent with the direction of Section 2.1 of the PPS as they facilitate the development of additional housing opportunities on serviced urban lands within a Secondary Plan Area that is anticipated for growth and development.

The proposed development contributes to the achievement of a complete community by providing a variety of housing options in an area that is planned to be supported by a variety of transportation options, recreation, parks and open space. The inclusion of a mix of housing opportunities will adhere to all different demographics, improving social equity and overall quality of life.

Housing (PPS 2.2)

As per Section 2.2.1, planning authorities must ensure a diverse range of housing options and densities to meet current and future needs by setting minimum affordable housing targets, addressing the full range of housing including affordable housing needs, and supporting residential intensification, including redevelopment of underutilized sites. They must also promote efficient land use, infrastructure, and active transportation, while prioritizing transit-supportive development and intensification near transit corridors and stations.

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 allocated by municipality in Table 2-1 of the NOP, and Niagara Falls has a forecasted population of 141,650 people and 58,110 jobs by 2051. This anticipated growth must be supported by an increase in housing supply and a range and mix of dwelling forms of different affordability ranges.

The Riverfront Community Plan anticipates a population of 2,100 to 3,000 people, with approximately 1,100 dwelling units. These units will consist of a range of density forms, from single-detached dwelling units to apartment dwelling units.

As previously noted, the proposed development will contribute a total of six hundred and twenty-six (626) dwelling units, including Block 229. These units will be provided under freehold tenureship, with the dwelling units within Block 229 being under condominium tenureship. The efficiently designed development that includes a wide variety of unit types contributes different affordability thresholds catering to many different demographics. Overall, this development efficiently uses underutilized lands and infrastructure, and provides a transit-supportive density, therefore portraying many characteristics that are desirable and appropriate.

Settlement Areas and Settlement Area Boundary Expansions (PPS 2.3)

Section 2.3.1 details the general policies for settlement areas, as they are to be the focus of growth and development. These areas are to be based on densities and a mix of land uses that efficiently use land and resources; optimize existing and planned infrastructure and public service facilities; support active transportation; are transit-supportive, as appropriate; and

freight-supportive.

In order to support the achievement of complete communities, intensification and redevelopment is to be supported by planning authorities, by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Sections 2.3.1.4 to 2.3.1.6 state that minimum targets for intensification and redevelopment within built-up areas are to be established, and density targets for designated growth areas are encouraged to plan for a target of 50 residents and jobs per gross hectare.

The proposed residential development meets and exceeds the minimum density target of 50 residents and jobs per gross hectare, by including medium density residential on site. The development will assist in optimizing both existing and planned infrastructure, efficiently utilizing underutilized land, supporting active transportation by including sidewalks throughout the private site, and having an increased density that is considered transit-supported.

As per Section 2.3.2, the proposed development is within an area that was selected for a settlement area boundary expansion. As such, these lands are planned for future growth and development.

Energy Conservation, Air Quality and Climate Change (PPS 2.9)

Section 2.9 directs that planning authorities must plan to reduce greenhouse gas emissions and adapt to climate change by promoting compact, transit-supportive communities, integrating climate considerations into infrastructure planning, supporting energy conservation, promoting green infrastructure and active transportation, protecting the environment, and improving air quality. Additionally, they should adopt any other measures that enhance community resilience and help mitigate climate change impacts.

Constructing the proposed development as a variety of built forms, including higher density dwelling types such as street townhouses, back-to-back townhouses and stacked townhouses poses many positive benefits with respect to reducing greenhouse gas emissions. These compact forms of housing take climate change into consideration and provides many efficiencies.

Further energy efficiencies will be explored through detailed design.

General Policies for Infrastructure and Public Service Facilities (PPS 3.1)

Section 3.1 outlines that infrastructure and public service facilities are to be provided in an efficient manner and strategically located while accommodating projected needs to provide cost-effectiveness.

As the proposed residential development is within a Secondary Plan Area the surrounding structure and services have been efficiently and cohesively planned in order to provide for an orderly development of these lands with coordinated and integrated services.

Transportation Systems (PPS 3.2)

Section 3.2 policies of the PPS direct that transportation systems should be safe, energy-efficient, and facilitate the movement of people and goods, while supporting zero- and low-emission vehicles. Efficient use of existing and planned infrastructure should be prioritized, using transportation demand management strategies where feasible. Connectivity within and between transportation systems and modes should be planned, maintained, and improved, including across jurisdictional boundaries, as part of a multimodal transportation system.

In January 2019, Paradigm Transportation Solutions Limited prepared a Traffic Impact Study for the subject Riverfront Residential lands. A Traffic Impact Study Update was prepared September 2024 to address the proposed changes to the development plans and confirm if the conclusions in the 2019 Study changed. This study provided recommendations to increase safety, energy efficiency with respect to idling times, and facilitating the efficient movement of people and goods.

The proposed development includes a private internal road network that will integrate into the existing road network with access along Chippawa Parkway, and includes sidewalks throughout the site. The site also includes trail connections through the Environmental Protection Area through Phases of development, and also connects into a larger trail network outside of the subject lands along Chippawa Parkway and beyond.

Land Use Compatibility (PPS 3.5)

As per Section 3.5, major facilities and sensitive land uses should be planned and developed to avoid or, if necessary, minimize and mitigate adverse effects from odour, noise, and contaminants, while protecting public health and safety. This ensures the long-term viability of major facilities in line with provincial guidelines. If avoidance isn't possible, planning authorities must protect existing or planned industrial facilities from encroachment by ensuring adjacent sensitive land uses are only permitted if potential adverse effects are minimized and mitigated, in accordance with provincial standards.

An Air Quality, Noise and Vibration Assessment was prepared by RWDI AIR Inc. to update the previously prepared assessment due to changes in setback distances from the railway line, pumping station, and surrounding industries. It was concluded that the proposed development is compatible with the existing industry to the east from an air quality perspective, and with noise control measures implemented, noise and vibration levels due to rail traffic will meet the

applicable criteria.

Sewage, Water and Stormwater (PPS 3.6)

Section 3.6.1 outlines that planning for sewage and water services should prioritize accommodating forecasted growth by efficiently using and optimizing existing municipal and private communal systems. This approach ensures that services can be sustained by available water resources, remain financially viable over their lifecycle, and protect both human health and the natural environment, particularly water quality and quantity. The services should also align with broader municipal planning efforts.

Additionally, planning should encourage water and energy conservation, integrating servicing with land use consideration throughout the process, and assessing opportunities to reallocate unused capacity to support housing needs. All planning should be consistent with specific servicing policies to ensure effective and sustainable management of water and sewage services.

Section 3.6.8 suggests that stormwater management planning should be integrated with sewage and water services to ensure systems are optimized

As outlined in the provided Functional Servicing Report and Stormwater Management Plan prepared by Upper Canada Consultants, the proposed development can be adequately serviced by extending water and sanitary services, constructing a sanitary Sewage Pumping Station, and a stormwater management wet pond facility with a controlled outlet that will collect major overland flows from the subject lands and outlet to the Welland River.

Public Spaces, Recreation, Parks, Trails and Open Space (PPS 3.9)

Section 3.9 directed that to promote healthy, active, and inclusive communities, planning should ensure that public streets and spaces are safe, accessible, and encourage social interaction and active transportation. It should also provide diverse recreational opportunities for people of all ages and abilities, including parks, trails, and natural areas, while offering public access to shorelines. Moreover, the protection of provincial parks and conservation areas should be recognized, with efforts to minimize any negative impacts on these protected spaces.

The development is networked with a proposed trail system that integrates previous and subsequent phases for pedestrian-oriented connectivity. This trail system is planned to traverse through the three residential phases of the Riverfront Community, along adjacent natural features, and beyond along the Welland River. The Plan also includes a 1.955-hectare park that offers convenient opportunities for recreation and outdoor enjoyment.

Natural Heritage (PPS 4.1)

Sections 4.1.1 and 4.1.2 of the PPS outline that natural features and areas must be preserved for the long term, with a focus on maintaining or enhancing their diversity, connectivity, and ecological functions. Efforts should ensure that the biodiversity of natural heritage systems is sustained, restored, or improved where possible. This involves recognizing and preserving the connections between natural heritage areas, as well as between surface and groundwater features, to support the overall ecological health and balance of the region.

The Natural Heritage Areas have been evaluated by qualified professionals prior to, and through the preparation of this development plan. As outlined in the many Environmental Impact Studies, Restoration Plans, and future Monitoring Plans, the proposed development will not have a negative impact on the Provincially Significant Wetlands as required through Section 4.1.5.

Cultural Heritage and Archaeology (PPS 4.6)

Section 4.6 of the PPS outlines that protected heritage properties, including built heritage resources and cultural heritage landscapes, must be conserved. Development and site alteration are not allowed on lands with archaeological resources unless these resources are preserved.

Similarly, development on adjacent lands is restricted if it impacts heritage attributes. Planning authorities are encouraged to create archaeological management plans and strategies for conserving significant heritage resources. They must also engage early with Indigenous communities to ensure their interests are considered in the protection and management of archaeological and heritage resources.

In the absence of a City Archaeological Master Plan, the Regional municipality is the Planning authority with delegated responsibility for identifying archaeological potential and requesting studies in accordance with the Ontario Ministry of Citizenship and Multiculturalism.

Amec Foster Wheeler Environment & Infrastructure was retained by the previous property owner to complete Stage 1 & 2 Archaeological Assessments in the Spring of 2016. Through field investigation of the subject lands no archeological resources were discovered within the area of this proposed development. No additional study was recommended by the Archaeologist.

Following the completion of the Assessment, the Archeologist's report was submitted to the for review and acknowledgement. Ministry clearance was provided on June 21st, 2016.

Coordination (PPS 6.2)

Section 6.2.1 details that a coordinated, integrated, and comprehensive approach is essential for effective planning across municipalities, government agencies, and service managers. This involves managing growth and development in alignment with infrastructure planning, public service facilities, and economic development strategies. It also includes the management of natural and cultural heritage, transportation, waste systems, and addressing housing needs.

Consistent with this policy direction, a pre-consultation meeting for the proposed development was held on December 21st, 2023. The pre-consultation meeting allowed for the upper and lower-tier municipalities and other commenting agencies to review and comment on the development proposal early in the process. This coordinated approach allows for appropriate consideration to be made during the planning stage to ensure that potential areas of concern are suitably addressed.

NIAGARA OFFICIAL PLAN (2022)

The Niagara Official Plan (NOP) was approved by the Minister of Municipal Affairs and Housing on November 4, 2022. It is the long-range, community planning document that is used to guide the physical, economic and social development of the Regional Municipality of Niagara to a planning horizon ending in 2051. The subject lands are located within the Niagara Falls Urban Area and Designated Greenfield Area on Schedule B – Regional Structure of the Niagara Official Plan (see **Figure 10**).

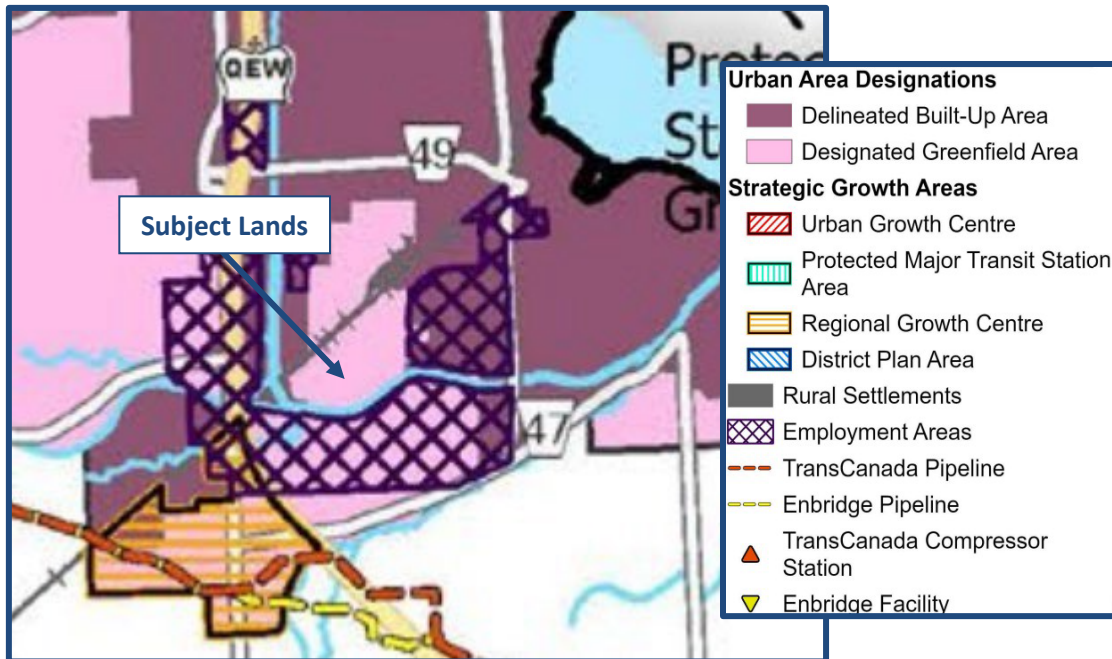


Figure 10 – Schedule B of the Regional Official Plan – Regional Structure (Cropped Image)

CHAPTER 2 – GROWING REGION

Chapter 2 of the Niagara Official Plan (NOP) contains the Regional level growth policy direction for Niagara Region and the twelve local municipalities inclusive of population and employment forecasts, intensification targets and specific locations and methods for development.

The NOP directs growth and development to settlement areas where full urban services are available, as well as public transit, community and public services and employment opportunities.

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 allocated by municipality in Table 2-

1 of the NOP, Niagara Falls has a forecasted population of 141,650 people and 58,110 jobs by 2051.

The proposed development will contribute six hundred and twenty-six (626) new dwellings into the City's housing supply within the Riverfront Community Plan Area. The proposed development will assist the City in the achievement of its annual residential growth targets.

2.2 – REGIONAL STRUCTURE

Section 2.2 establishes the regional land use structure, based on Provincial directives, which dictate how the projected growth is to be accommodated. A majority of growth is to occur within the Settlement Area, where water and wastewater systems exist or are planned. The Settlement Area is further broken down into the delineated Built-up Area and the designated Greenfield Area. The subject lands also have access to existing water and wastewater systems and are therefore an appropriate location to accommodate prescribed growth.

2.2.1 – Managing Urban Growth

Section 2.2.1 of the NOP contains policies pertaining to the management of urban growth. Generally, these policies direct growth to occur in a manner that supports the achievement of intensification targets, is compact and vibrant, is inclusive of a mix of land uses and housing forms, and efficiently utilizes existing services and transportation networks/services.

The applications conform with this policy direction through the provision of a mix of residential housing forms within a compact subdivision site that includes a condominium block on urban, serviced land. The proposed development will assist the City in rounding out available lands with a logical development pattern that will contain vibrant housing forms and streetscapes.

Overall, the applications are considered to comply with the NOP and implement its growth management direction in an appropriate, efficient and context sensitive manner.

2.2.2 – Strategic Intensification and Higher Densities

The subject lands are located within the Designated Greenfield Area. Per Policies 2.2.2.23 and 2.2.2.24 of the NOP, designated Greenfield Areas shall be developed at a minimum density of 50 people and jobs per hectare. The proposed development plan will have a Greenfield density calculation of 70.415 people and jobs per hectare, as shown in **Table 1**. The planned density yield conforms with and exceeds the required Greenfield Density targets of the NOP.

Table 1 – Greenfield Density Calculation						
<i>People</i>				<i>Jobs</i>		
Unit Type	Unit Count	Ratio (PPU)¹	Total	Unit Count	Ratio (at home employment)	Total
Single Detached	175	2.929	512.575 people	626	5% of dwellings	31.3 jobs
Multiples	451	2.189	987.239 people			
Subtotal	1499.814 people			31.3 jobs		
Total	1531.114 people and jobs					
Land Area	21.744 ha (excludes park, SWM facility, EPA)					
Greenfield Density	70.415 people and jobs per hectare					
* Niagara Region Development Charges Background Study, Appendix A Schedules 5 & 9a (Watson & Associates Economists Ltd., May 30, 2022)						

Policy 2.2.2.25 of the Regional Plan directs that Designated Greenfield Areas will be planned as complete communities by:

- a) ensuring that development is sequential, orderly and contiguous with existing built-up areas;
- b) utilizing proactive planning tools in Section 6.1 and Section 6.2, as appropriate;
- c) ensuring infrastructure capacity is available; and
- d) supporting active transportation and encouraging the integration and sustained viability of public transit service.

The proposed development is sequential, orderly, and will occur contiguous to Riverfront Phase 1 to the east and will constitute the second phase of residential development within the RCP area. The built-up area is just beyond Phase 1 to the east of the community. The development of the subject lands will be orderly and facilitated by the extension of a public road network throughout the site. Active transportation connections will be provided to connect to previous, as well as to future phases of development, which will assist with the orderly and efficient development of the RCP area.

The NOP recommends the utilization of planning tools set out in Sections 6.1 (District Plans and Secondary Plans) and 6.2 (Urban Design). In conformity with this policy direction the proposed Subdivision development will occur within the Riverfront Community Plan area, which is a Secondary Plan area.

With regard to infrastructure capacity, the Functional Servicing Report prepared by Upper Canada Consultants concluded that there is adequate infrastructure capacity to support the proposed development.

¹ Niagara Region Development Charges Background Study (2022), Schedule 3

As the RCP area remains currently undeveloped, transit services have not yet been extended beyond the Stanley Avenue Industrial Park to the east. Consequently, the introduction of housing units in this Greenfield Area, which increases the population density, will support and justify the expansion of public services to the subject lands. With regard to active transportation, the Draft Plan of Subdivision includes sidewalks and lands for trail connections to adjacent lands/future phases of development and beyond.

Overall, the applications are considered to conform with the NOP and implement its growth management direction in an appropriate, efficient and context sensitive manner. The proposed development will assist the Region in the achievement of its Greenfield Density target and utilize underutilized lands and existing infrastructure within the Urban Boundary.

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 states that the development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned throughout settlement areas to meet housing needs at all stages of life.

The proposed development increases the density of the area as it includes single-detached, street townhouse, back-to-back townhouse, and stacked townhouse dwellings on varying, adequately sized lots. These different housing configurations improve accessibility and affordability as they increase the housing supply within the area. The development effectively addresses the provision of diverse housing options and meets the needs of individuals at various stages of life, for current and future residents, aligning with the goals outlined in the policy.

2.3.3 – Tools to Achieve Affordable and Attainable Housing

The proposed development consists of single-detached dwelling units and a variety of townhouse dwelling units including on-street, back-to-back and stacked townhouses. This proposed housing will accommodate a range of household sizes and incomes, and increases the housing supply, which supports the development of affordable and attainable housing as provided in Policy 2.2.3.3.1 d).

CHAPTER 3 – SUSTAINABLE REGION

Chapter 3 of the Niagara Official Plan contains policy direction pertaining to Natural Heritage Features. These features are shown on Schedule C1 – Natural Environment System Overall and Provincial Natural Heritage Systems and Schedule C2 Natural Environment System – Individual Components and Features.

Per Policy 3.1.30.4 of the 2022 Niagara Official Plan, *“Where a secondary plan has been approved after July 1, 2012, those portions that are not subject to a draft approved plan of subdivision or plan of condominium shall be approved in accordance with the approved mapping and policies of the secondary plan”*.

As the Riverfront Community Plan was adopted as Official Plan Amendment No. 128 in 2018, and approved by the Local Area Planning Tribunal in 2019, the applications are not subject to policies and mapping of the 2022 Regional Official Plan.

Natural heritage features will be protected in accordance with previous planning approvals, applied land use designations and zoning, as well as conditions of approval applied through the overarching subdivision (26T-11-2019-001).

CITY OF NIAGARA FALLS OFFICIAL PLAN (1993, as Amended)

The City of Niagara Falls Official Plan (NFOP) outlines the long-term objectives and policies of the City and is envisioned to guide growth and development to the year 2031. The population during this period is expected to reach 106,800 with employment for 53,640 people. The intention of the Official Plan is to focus new growth to accommodate these people and jobs in a sustainable way that makes for an orderly and effective use of land and infrastructure, creates compact, livable communities and protects the City’s natural heritage and agricultural lands.

As shown on **Figure 11**, Schedule A – Future Land Use, the subject lands are designated “Residential”, “Open Space” and “Environmental Protection Area.” The extent of these designations has been refined through the previously noted Official Plan Amendments (OPA 108 and OPA 128).

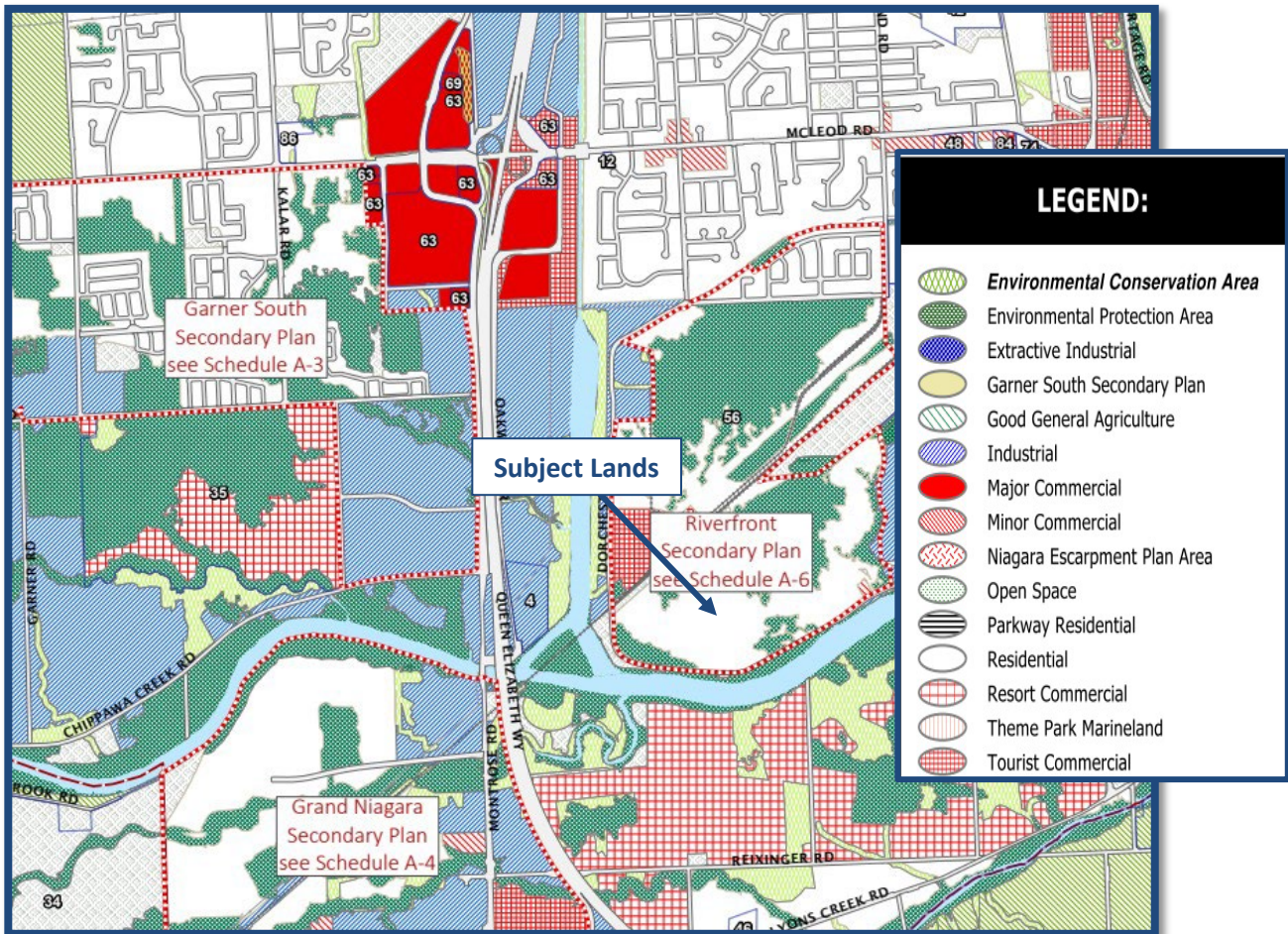


Figure 11 – Schedule A - City of Niagara Falls Official Plan (Cropped Image)

The subject lands are located within the Riverfront Community Plan (referred to as Riverfront Secondary Plan on Schedule A) and were previously subject to Special Policy Area No. 56. The subject lands are designated “Residential, Low/Medium Density”, “Open Space”, and

“Environmental Protection Area” within this Community Plan, as shown in **Figure 12**. It is proposed that the subject lands maintain these designations, though be reconfigured throughout the site to create a more logical, efficient plan.

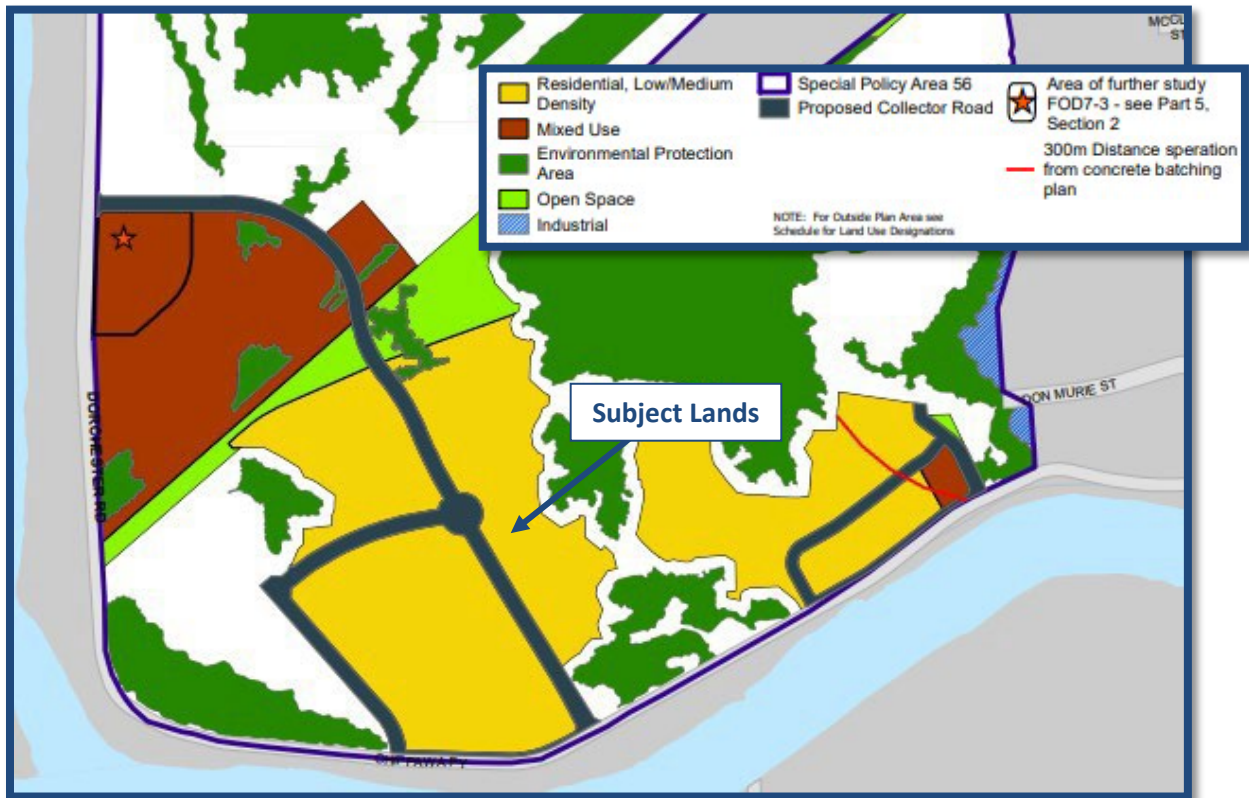


Figure 12 – Schedule A6 – Land Use Riverfront Community Plan (Cropped Image)

PART 1 – PLAN OVERVIEW AND STRATEGIC DIRECTION

Part 1 of the City of Niagara Falls Official Plan describes the purpose, legislative basis, format, and interpretation of boundaries of the Official Plan as well as the period during which the Plan is to apply. This Part also outlines the Strategic Policy Direction of the Plan to accommodate future growth through land use and intensification.

Part 1, Section 2 – Strategic Policy Direction

Part 1, Section 2 of the Niagara Falls Official Plan contains the growth objectives for the municipality that pertain to lands within the municipality both within and outside the Urban Area. These objectives range in focus between development, employment, tourism and the environment.

Specifically, the proposed development will contribute to the achievement of Objectives 1, 2, 4, 5, 6, 8, 9 and 13 of the Official Plan, which include:

- To direct growth to the urban area and away from non-urban areas (*Obj. 1*)
- To protect Natural Heritage Areas and their functions (*Obj. 2*)
- To phase infrastructure and development within Greenfield Areas in an orderly and efficient manner (*Obj. 4*)
- To meet the targets as established by the Province through the Greater Golden Horseshoe Growth Plan and through the Region of Niagara Comprehensive Review. (*Obj. 5*)
- To accommodate growth in accordance with the household, population and employment forecasts of the Region's Comprehensive Review: (*Obj. 6*)
- To develop the Greenfield Areas shown on Schedule A-2 as compact, complete communities with a range of housing types, employment and public transit. (*Obj. 8*)
- To encourage alternative forms of transportation such as walking, cycling and public transit (*Obj. 9*)
- To develop a transit and pedestrian friendly, sustainable and livable City through the use of urban design criteria and guidelines. (*Obj. 13*)

The applications conform with Objectives 1 and 4, as the development is proposed within the Niagara Falls Urban Area, is located within the Designated Greenfield Area and will utilize municipal services in an orderly and efficient manner to support additional housing growth.

The Natural Heritage Areas have been evaluated by qualified professionals prior to, and through the preparation of this development plan. As outlined in the many Environmental Impact Studies, Restoration Plans, and future Monitoring Plans, the proposed development will not have a negative impact on the Provincially Significant Wetlands, and accordingly, the proposed development conforms with Objective 2.

This proposed density conforms with and exceeds prescribed minimums and assists in the achievement of Objective 5 and 6. The planned development of 626 residential dwelling units within the Urban Area will assist the City in the achievement of growth targets prescribed in the Growth Plan and Niagara Official Plan. Based upon forecasted person per unit density from the Niagara Region Development Charges Background Study (2022) an overall greenfield density of 70.415 people and jobs per hectare will be achieved across a mix of single-detached, street townhouse, back-to-back townhouse, and stacked townhouse dwelling units.

These proposed development assist in the achievement of Objectives 8, 9 and 13. The increased density proposed on the subject lands will be supported by future expansions to the public transit service network and the provision of new trail connections between phases of development within the RCP. Existing multi-use pedestrian and cycling infrastructure along Chippawa Parkway will continue to be utilized. Increases in residential density are desirable as they support increases in demand for non-automobile portions of the modal share.

The development will contribute to the achievement of a transit supportive densities and a pedestrian friendly neighbourhood. The efficient development of this property for multiple residential purposes is an efficient use of urban land and limits the need for future urban boundary expansions into areas containing sensitive environmental features and/or good agricultural lands.

Section 2 of Part 1 of the Official Plan also includes Growth Policies for the City of Niagara Falls. Objectives relevant to the application include:

- 2.1 The City shall protect agricultural uses in the non-urban area from urban pressures through the use of the Good General Agricultural Land Use designation and its related policies.
- 2.2 The City shall protect its Natural Heritage Areas, their features, quality and functions, through the Environmental Protection Area land use designations and their related policies.
- 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.

The submitted applications implement Policies 2.1, 2.2 and 2.3 of the Official Plan. With regard to limiting growth pressures on the agricultural area, the development will occur on underutilized, vacant lands within the urban boundary that have been designated and zoned to accommodate significant residential growth. By allocating appropriate growth within the designated urban area, pressures for expansions to the urban boundary into sensitive agricultural and natural areas can be reduced.

Natural Heritage Features have been previously identified on, and adjacent to the subject lands. Multiple Environmental Impact Studies of many variations have been completed for the subject lands, and 15-metre and 20-metre buffers have been implemented to ensure there are no negative direct or indirect impacts on these areas.

This development, which will contain 626 dwelling units at a greenfield density of 70.415 people and jobs per hectare contributes to the projected housing, population and employment targets.

[Part 1, Section 4 – Housing](#)

The City of Niagara Falls housing policies that were approved by City Council via Official Plan Amendment No. 149 were prepared in response to the findings and directions of the City's Housing Directions Study (2020). The policies were prepared to direct the municipality (corporation) and guide private applications with regard to housing affordability and supply within the City.

The overall vision new policy set is to ensure that within the City of Niagara Falls that there is a safe, stable and appropriate range of housing choices and opportunities that meet residents physical and financial needs throughout a lifetime.

The goals that are used to implement this vision pertain to housing availability, diversification of supply, prices and tenure types, the removal of barriers for alternative housing forms, the commitment to monitoring of supply and to work with partners and agencies to advance actions set out in the housing strategy.

The submitted combined Official Plan and Zoning By-law Amendment, and redline revision Draft Plan of Subdivision applications will facilitate the development of six hundred and thirty-two (632) new dwelling units within Niagara Falls.

Policy 4.3 directs that opportunities for a choice in housing type, tenure, cost and location shall be provided within the City. To achieve this, the City will support:

- Multiple Unit Developments, smaller lot sizes and innovative housing forms.
- Development of vacant lands, and more efficient use of under-utilized parcels and existing housing stock.
- The full utilization and consolidation of properties to achieve larger scale and more comprehensive residential development.
- Development of housing in conjunction with commercial developments in order to create walkable neighbourhoods.
- Accessory Dwelling units within ground based dwelling forms (i.e. singles, semis, townhouses).

The overall intention of the policies within this section are to conform to the policy framework established in the 2022 Niagara Official Plan and to meet the vision and goals for housing that are to assist in addressing housing needs as outlined in the City's Housing Strategy.

The proposed housing mix encompasses a variety of dwelling types which specifically address policies of Section 4.3 that speaks to achieving a greater diversity of housing choice including type, tenure, cost and location.

The subject lands are currently vacant and under-utilized. The proposed development proposes 175 single-detached dwellings, 249 street townhouse dwellings, 64 back-to-back townhouse dwellings, and a condominium block that will include 138 stacked townhouse dwellings. These units will vary in land area, built form and will be offered as freehold dwellings, with the addition of the stacked townhouse block that will be under condominium tenureship. The single-detached dwellings and street townhouse dwellings will also be provided with the opportunity for the incorporation of an accessory dwelling unit.

The proposed subdivision efficiently optimizes the utilization of the subject lands and the plan is comprehensive and large scale, appropriately coinciding with the adjacent lands. Further, the lands are provided with public transit services, pedestrian walkways and bicycle routes, and are situated in close proximity to existing and planned commercial development.

Policy 4.4 requires that applicants provide a housing impact statement, which includes detailed information about new housing projects as part of applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plans of Subdivision and Condominium. As the submitted application is for a Draft Plan of Subdivision, the following relevant criteria must be addressed:

a) *The proposed housing mix by dwelling type and number of bedrooms, as applicable;*

The subject lands are presently vacant and have not yet been utilized for residential purposes, despite being zoned and designated for such. The proposed development represents a net increase of +626 new residential housing opportunities on the subject lands. These homes will encompass a variety of built forms and are distributed across the site as noted below;

Single Detached	175 units	27.96%
Street Townhouse	249 units	39.78%
Back-to-Back Townhouse	64 units	10.22%
Multiple Family – Stacked Townhouse	138 units	22.04%

Subject to minor changes, the single-detached dwellings are two-storeys in height and have single or double car garages. These dwellings average around 2,000 square feet per unit, and have up to five bedrooms. The townhouse dwellings are two to three-storeys in height and have single or double car garages. These dwelling average around 1,500 square feet per unit, and have up to three bedrooms.

All dwellings will be freehold, other than the stacked townhouses, which will be under condominium tenureship.

The provision of these different dwelling types under different tenureship, and the opportunities for the inclusion of accessory dwelling units within the single-detached dwellings and street townhouse dwellings provides a beneficial and necessary range in the mix of housing opportunities.

b) *How the proposal contributes to achieving the City’s annual housing targets as Outlined in Part 1, Section 4, Policy 4.8 a) and b);*

Policy 4.8 a) and b) speak to affordable housing targets. The Niagara Region set its

affordable housing minimum targets at 20% of all new rental housing, and 10% of all ownership dwellings to be affordable.

The City has aimed to exceed the minimum targets for affordable housing established by the Niagara Region, targeting 40% of all new units meeting the definition of “affordable.”

- 135 dwelling units per year are targeted to be built at a purchase price or rental price at or below the Niagara Region’s definition of affordable housing; *and*
- 135 dwelling units to be built as affordable rental housing in the 30th percentile or lower based income levels in the City’s annual housing monitoring report.

In order to contribute to the City’s housing targets, the single-detached and street townhouse units will be provided with the ability to include accessory dwelling units in the basements. These accessory dwelling units will be an option for the future purchasers. Accessory dwelling units increase the amount of housing that is provided at a different scale, further increasing the housing supply and providing more affordable rental options.

To add, the inclusion of a variety of townhouse dwellings and accessory dwelling units in the development allows for higher density housing that can be more financially accessible.

Overall, the addition of six hundred and twenty-six (626) dwellings units in Niagara Falls brings the municipality and Region closer to achieving their growth objectives. These objectives include ensuring housing is available throughout the City, diversifying the City’s housing supply, eliminating barriers through the creation of various housing types, and more. This is the second phase of residential development within the Riverfront Community Plan, further contributing to the expansion of the housing supply, presenting additional home ownership and rental opportunities, and affordable housing.

- c) *The estimated rents and/or sales prices of the development, indicating where they are either above or below the threshold for affordable as defined by the Niagara Region and the City;*

The proposed residential development will contribute six hundred and twenty-six (626) new dwellings of varying built forms into the housing market. These dwellings will be sold at fair market value and can subsequently be occupied by the purchaser or a renter.

The diverse range of housing options will make the development more accessible by offering a variety of lot sizes and housing types at different price points, as the parcels will vary in land area that ranges from 138m² to 1172.75 m². The inclusion of back-to-back

townhouses and block stacked townhouses in the development also allows for higher density housing that can be more financially accessible for single individuals, sole-parent households and those working in tourism, hospitality, service and agriculture sector. Moreover, including the opportunity for the single-detached and street townhouse dwellings units to include options for Accessory Dwelling Units (ADUs), will provide flexibility for offering rental housing. This means that 424 of these units will have options for ADUs, or approximately 68% of all the proposed units.

The inclusion of accessory dwelling units provides greater affordability for both the owner of the dwelling unit, and the renter. These accessory dwelling units will be rented at or below the defined affordable threshold for moderate income households being \$2,589.

The estimated sale price of the units has yet to be determined as there are many factors including the size and number of bedrooms, amid numerous other variables such as the inclusion of an accessory dwelling unit, and any other customizations. Generally, the stacked townhouses will start at \$399,000, which is below the affordable threshold and the single detached dwellings will start at \$900,000.

Though these units are not defined as affordable, they include ownership units, and accessory dwelling units that will be rented at or below the threshold for affordable, further increasing the supply of housing under differing tenureships within Niagara Falls. These housing options are desirable and will be compatible with the forthcoming developments outlined within the RCP, while also providing an influx of supply that will lead to more attainable housing options and varying price points.

- d) *Where construction of the units is expected to occur in phases, information regarding the number of housing units that would meet Niagara Region's and the City's definition of affordable to be provided per phase, where applicable; and,*

The phasing of the proposed development has yet to be determined.

- e) *The proposed legal and/or financial mechanisms to ensure the delivery of any proposed new affordable housing commitments, and mechanisms to retain the long-term affordability of units, where applicable.*

As accessory dwelling units are an option for the end purchaser; there are no mechanisms required.

Overall, the submitted applications are considered to conform with the intent and purpose of the housing policies of Part 1 Section 4 of the Niagara Falls Official Plan by introducing additional

housing supply with a range of dwelling typologies, with a range of selling prices and unit sizes, as well as providing the opportunity for the inclusion of accessory dwelling units.

PART 2 – LAND USE POLICIES

Part 2 of the City of Niagara Falls Official Plan contains policies for different land uses within the municipality. As noted, the subject lands are designated as “Residential” in the City’s Official Plan, and “Low/Medium Density Residential” in the Riverfront Community Plan, and in addition to general policies, the development is specifically subject to Part 2, Section 1 of the Plan.

Residential (Section 1)

The Residential land use designation is the general category within the Official Plan that applies to existing and planned residential areas in the City of Niagara Falls. The Official Plan requires that the City’s supply of residential lands be sufficient to accommodate anticipated population growth and various housing types and densities. Residential developments are to be compatible with surrounding uses and include various amenities that benefit the community as a whole and ensure a high quality of life.

Within the Residential designation, all dwellings types are permitted, with an additional emphasis placed on the provision of affordable housing. To achieve the housing goals set out in the Official Plan, the City encourages multiple unit developments on smaller lots, innovative housing forms, development of vacant and underutilized lands, and the full utilization and consolidation of properties to achieve more comprehensive, residential community.

The applications conform with the Residential policies of the Official Plan by proposing permitted housing forms within the urban boundary lands (i.e. single-detached and townhouse dwellings). The lands have been designated as Low/Medium Density Residential, in part, Open Space, in part, and Environmental Protection Area, in part, by the City of Niagara Falls. The variety of housing forms being proposed, from single-detached dwelling units to a variety of townhouse typologies, are appropriate and anticipated dwelling forms for the subject lands that will contribute to the local housing supply.

The physical context of the subject lands and surrounding area aligns with characteristics deemed desirable by the City for new residential developments. These characteristics include frontage along an arterial roadway, availability of municipal servicing connections, and future proximity to a public transit route.

[Part 2, Section 1.11 - Greenfield Area](#)

As shown on Schedule A2 – Urban Structure Plan of the City of Niagara Falls Official Plan (see **Figure 13**), the subject lands are identified as being within the Greenfield Area.



Figure 13 - Schedule A2 - City of Niagara Falls Official Plan

The City of Niagara Falls Official Plan directs that Greenfield Areas are preferred to be developed through the Secondary Planning process. Consistent with this policy direction, the subject lands are located within the RCP, which is a Secondary Plan Area.

Pursuant to Policy 1.11, Subdivision applications (which for the purpose of this Report is considered to also include a Draft Plan of Subdivision Application) are to be prepared in accordance with policy criteria. The applicable policy criteria generally require that:

- Development densities exceed 53 people and jobs per hectare (pj/h).
- A diverse range of land uses be provided.
- A mix of housing opportunities be provided at transit supportive densities.

The Draft Plan of Subdivision application conforms with the Greenfield policies of the City's Official Plan by having a Greenfield density of 70.415 people and jobs per hectare. The proposed dwelling forms are appropriate for the lands and provide variation in housing typology and density, in close proximity to Chippawa Parkway which is an arterial road.

The proposed density is considered to be transit supportive and will benefit from future, and

anticipated improvements and extensions to the Public Transit service network as the RCP builds out.

As this is the second phase of development for this complete community, certain features that are planned for future phases will be initially absent. However, trail connections will be incorporated within this phase of development which will contribute to broader vision for a complete community, in accordance with 1.11.5.

Environmental Policies (Section 11)

The purpose of the City's environmental policies is to support an ecosystem approach to the identification, protection and enhancement of the City's natural heritage resources. The City collaborates with Niagara Region and the Niagara Peninsula Conservation Authority in development and maintain

The subject lands are located adjacent to evaluated Provincially Significant Wetlands (PSW). The identified buffers surrounding the PSW and other regulated features have been previously determined and described within this report. The approved natural heritage feature designations and limits are shown in **Figure 14** and reflect the Riverfront Community Plan and previous *Planning Act* approvals.

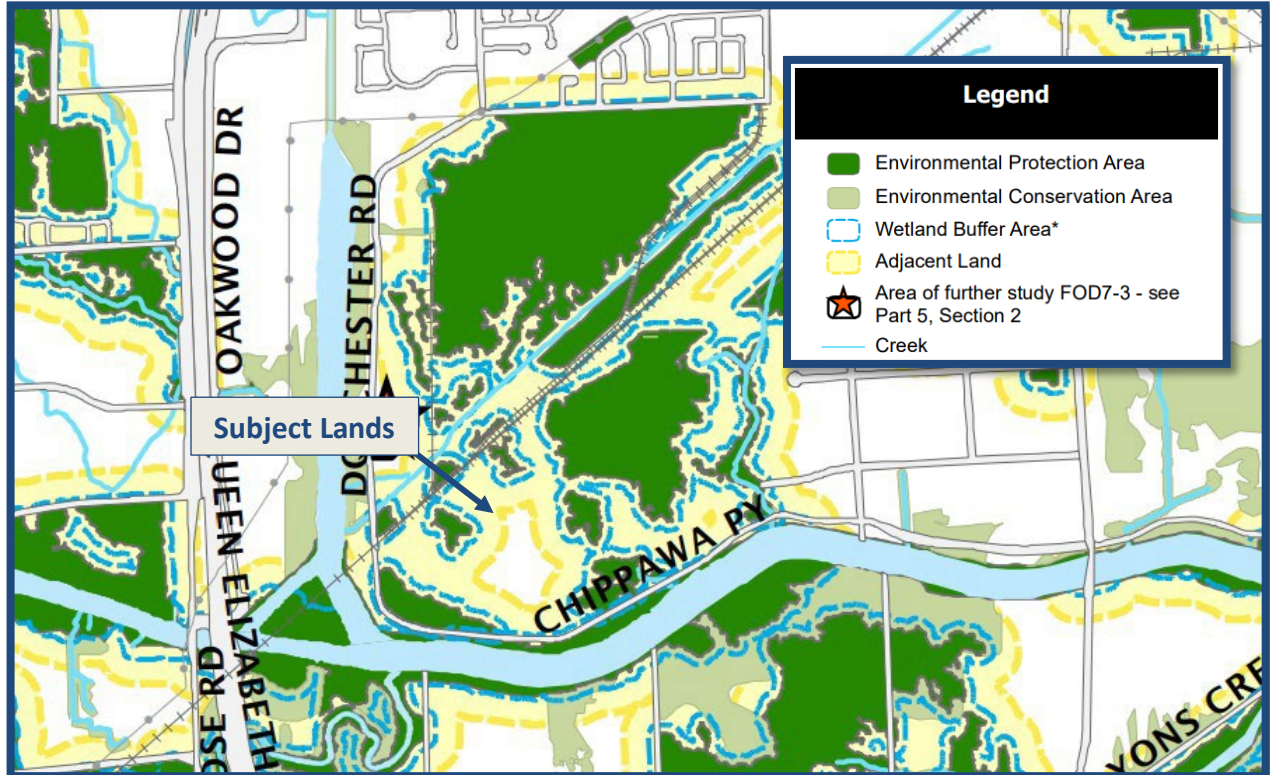


Figure 14 - Schedule A-1 of the City of Niagara Falls Official Plan

As shown on the Official Plan's Natural Heritage Plan in **Figure 14**, the site is considered "Environmental Protection Area" and "Adjacent Lands" to the noted Environmental Protection Areas.

Environmental Protection Areas receive the highest level of protection in the Official Plan with policies that prohibit development or site alterations. In order to develop Adjacent Lands to an EPA, an Environmental Impact Study (EIS) is required.

This requirement has been addressed through previous Planning applications, including a Zoning By-law Amendment, Official Plan Amendment, and Draft Plans of Subdivision. The previously provided Environmental Impact Studies evaluated natural heritage features and potential natural hazards within the RCP. These reports provided expert opinion and recommendations regarding the impact that future development would have on identified features and/or ecological functions. These Studies have been included with this current submission, along with an updated Ecological Summary Letter and Restoration Plan confirming that the previous evaluation and recommendations remain applicable.

It was concluded through these studies and approvals, in conjunction with consultation involving the Ministry of Natural Resources, the City of Niagara Falls and the NPCA, that a 15-metre buffer and 20-metre buffer surrounding the adjacent Provincially Significant Wetland (Environmental Protection Area) is acceptable.

Policy 11.1.5 of the Official Plan states; "When considering development or site alteration within or adjacent to a natural heritage feature, the applicant shall design such development so that there are no significant negative impacts on the feature or its function within the broader ecosystem. Actions will be undertaken to mitigate any unavoidable negative impacts."

Policy 11.1.8 states that a permit from the NPCA may be required for any works within areas regulated by the Conservation Authority's Regulation of Development. This plan includes a trails master plan that proposes trails within the buffers of the Environmental Protection Areas, connecting to Phase 1, and going throughout Phase 2 to the future Phase 3. To establish these trail connections, the necessary permits from the NPCA will be obtained.

Policy 11.1.11 of the NFOP indicates that in order to discourage interference with the function of a natural heritage feature or its buffer area, the proponent of new development located adjacent to a natural heritage feature may be required by the Department of Parks & Recreation, to construct a fence in compliance with the City's Development Guidelines. Within the overarching Draft Plan of Subdivision Approval there is a condition that requires a fence be constructed surrounding the developable area. Buffer planting plans that include restoration and enhancement will be included through the future Draft Plan of Subdivision conditions.

An Ecological Summary Letter prepared by GEI Consultants Ltd. has been included with this submission. This letter provides a concise summary how the developer intends to adhere to all City, Niagara Region and NPCA comments and requirements, noting how all mitigation measures and recommendations are being addressed, and how the proposal abides by the required policies. The aim is to streamline the ecological planning process and optimize the use of resources while ensuring compliance with all relevant regulations and guidelines.

PART 3 – ENVIRONMENTAL MANAGEMENT

Part 3 of the City of Niagara Falls Official Plan contains policy direction on phasing, infrastructure, transportation and the public realm.

Municipal Infrastructure (Section 1)

Part 3, Section 1.2 – Water and Sanitary Sewage

Section 1.2 of Part 3 of the Official Plan requires that development within the Urban Area be provided with full municipal water and sanitary services. In conformity with this requirement, the proposed development is located within the Niagara Falls Urban Area and will utilize existing municipal water and sanitary infrastructure that is to be extended from Dorchester Road.

Part 3, Section 1.3 – Storm Drainage

Policy 1.3.1 of Part 3 of the Official Plan requires that “all new development or redevelopment within the City be connected to and serviced by a suitable storm drainage system.”

The proposed development will utilize a private stormwater management wet pond facility, as well as other alternatives including lot grading, roof leaders and grassed swales. Storm flows will be treated and managed prior to being outlet into the Welland River.

The report concludes that the proposed stormwater outlet will be able to support the proposed development. Accordingly, the development will be served by a suitable storm drainage system.

Part 3, Section 1.5 – Transportation

As shown on Schedule C of the City of Niagara Falls Official Plan (**Figure 15**), the subject lands have frontage on an Arterial Roadway (Chippawa Parkway).



Figure 15 - Schedule C of the City of Niagara Falls Official Plan

Policy 1.5.18.4 states that Arterial Roads are designed to accommodate large volumes of traffic between major land use areas in the City. This roadway will support local traffic, as well as the RCP.

The proposed Subdivision development will have two (2) public driveway accesses from the north side of Chippawa Parkway.

The applications comply with overarching transportation policies of the City of Niagara Falls Official Plan and RCP. Compliance is achieved by providing opportunities for the development to leverage existing road networks, future transit services and proximity to existing and planned active transportation/pedestrian routes.

Part 3, Section 2 – Parkland Strategy

The City of Niagara Falls outlines its Parkland acquisition and development approach in the Official Plan. The overall intent of the approach is to ensure that public open space is provided in both Greenfield and Built-up Areas, and that it is provided at a scale which is appropriate for the area.

The provision of parkland dedication will be addressed through the Subdivision registration

process. It is planned that Block 230 with an area of 1.955-hectares will be dedicated to the municipality as public parkland for Phase 1 and 2. This area is an over-dedication of 0.168 hectares.

The parkland for Phase 3 is also proposed directly adjacent to this parkland as well, to create a large community park that exceeds 2 hectares, and is accessible to the entire Riverfront Community. As there is an over-dedication of parkland for Phase 1 and 2, Phase 3 has a slight under-dedication of parkland, by 0.16 hectares. Nonetheless, there is still an overall over-dedication of parkland of 0.008 hectares.

In addition to the above, the site will also facilitate active and passive recreation through the creation of a trail system that will respect and integrate with abutting environmental areas, for the use and enjoyment of all Niagara Falls residents.

[Part 3, Section 4 – Cultural Heritage Conservation](#)

In accordance with the policies of Part 3, Section 4 of the Official Plan, “No work shall be carried out on any property which has identified archaeological resources or has archaeological potential without first conducting archaeological fieldwork and submitting a report, both undertaken by a licensed archaeologist.”

To satisfy this policy direction and achieve compliance, Amec Foster Wheeler Environment & Infrastructure was retained by the previous property owner to complete Stage 1 & 2 Archaeological Assessments in the Spring of 2016. Through field investigation of the subject lands no archeological resources were discovered. No additional study was recommended by the Archaeologist.

Following the completion of the Assessment, the Archeologist’s report was submitted to the Province for review and acknowledgement. Ministry clearance was provided on June 21, 2016.

As these works have been completed, the site is eligible for site alternation and development.

[Part 3, Section 5 – Urban Design Strategy](#)

Urban design is integral for the creation of compact, interconnected, pedestrian-oriented and transit supportive communities. The built environment consists of the public realm and private properties, both of which should be designed to work harmoniously together and this policy set provides guidance for the development community on urban design.

In alignment with Section 5.1, there will be contemporary stacked townhomes lining Chippawa Parkway in Block 229, which will be the most visually prominent section of the proposed development. These townhomes will prioritize a sleek, modern aesthetic, with parking located at the rear in order to minimize the effect of parking onto the streetscape. This design choice ensures

that Chippawa Parkway maintains an attractive streetscape and enhances the overall public realm experience. These townhomes will also front onto the proposed trail system that is intended to integrate within the site.

In accordance with Section 5.2, the proposed development is intended to integrate and be compatible with the surrounding area, including natural heritage features. The development is networked with a proposed trail system that integrates previous and subsequent phases for pedestrian-oriented connectivity, and also facilitates residents' enjoyment of the proposed park and protected features, including a protected wetland.

As per Section 5.3 of this document, the proposed subdivision will include landscaping and open space to further enhance the pedestrian experience.

Parking areas will be out of public view from Chippawa Parkway, minimizing the extent of pavement along the Arterial Roadway, with the stormwater management facility that will be landscaped adjacent to the roadway. These efforts suggest alignment with Section 5.4.

As per Section 5.6, this development is anticipated to be of high quality, as it is within a Secondary Plan area, and will be subject to conditions of approval through the subdivision process, ensuring review and approval of the proposed plan.

PART 4 – ADMINISTRATION AND IMPLEMENTATION

Policy 7.3 under Part 4 of the Official Plan requires that Plans of Subdivision be in conformity with nine items. An overview of conformity is provided below:

- 7.3.1 No development shall be permitted unless it complies with the policies of this Plan, the Regional Official Plan and the requirements of the Planning Act and any Provincial Plans. Prior to the registration of a subdivision plan or issuance of the Land Division Committee's certificate, the development must conform with the appropriate Zoning By-law.

As outlined in this report, the applications are consistent with the 2024 Provincial Planning Statement, 2022 Niagara Official Plan and City of Niagara Falls Official Plan (as amended).

- 7.3.2 Access to Provincial Highways, Regional roads and the Niagara River Parkway must conform with access requirements of the Provincial Ministry of Transportation, the Regional Municipality of Niagara and Niagara Parks Commission.

The subject lands are accessible from Chippawa Parkway, which is a City owned and maintained Arterial roadway. Residents of the future development will utilize Chippawa Parkway for access to the subject lands and other important arterial and collector roads including McLeod Road and Lyons Creek Road which provide connections to the QEW and

other parts of the municipality.

- 7.3.3 Any lot created shall have direct frontage on a public road of an acceptable standard of construction.

The subject lands have frontage along and access from Chippawa Parkway. The proposed public roads internal to the Plan of Subdivision area will be built to required standards for municipal roads.

- 7.3.4 Development shall not create a traffic hazard.

An update to the approved January 2019 Traffic Impact Study was required as part of a complete application. The study was requested to address the location of the two intersections with Chippawa Parkway, and site lines at both of those locations. The updated study assessed the 2029 and 2034 horizon years, representing the anticipated full build-out year and five years beyond the full buildout, respectively and found no negative impacts.

- 7.3.5 The applicant must prove to the appropriate authority that sufficient sewer and water services are available for the intended use of the land.

The applications have been submitted with preliminary site servicing plans for the development. Based on these plans the development has suitable and sufficient water and sanitary services available through existing and proposed servicing networks and the proposed sanitary Sewage Pumping Station.

- 7.3.6 Development shall be prohibited in significant wetlands and habitat of endangered or threatened species and discouraged in woodlots; and other natural resource areas. Development within or adjacent to a natural heritage resource area or other natural area may be restricted and will be subject to the policies of Part 2, Section 11. The City shall seek the protection of wetlands adjacent to plans of subdivision/condominium through the dedication of the wetland area to the City, Niagara Peninsula Conservation Authority or other public agency or land trust.

The natural heritage features found in proximity to Phase 2 are located outside of the Plan area, other than Block 235. Through the previous implementation of land use designations, protective zoning and conditions of Subdivision Approval these features will be protected for the long term.

- 7.3.7 Extensions to linear or ribbon development along roadways are to be discouraged except

within the Parkway Residential Area.

The development is not an extension of linear or ribbon development.

- 7.3.8 Development will be discouraged where a division of land would interfere with land assembly for the purpose of planned development.

The subject lands are Blocks within a Draft Approved Plan of Subdivision. These lands are one portion of a consolidated land holding held by the applicant, which includes both Phase 1 and Phase 3. The approval of this development will not negatively affect the future, comprehensive development of the RCP area.

- 7.3.9 Development will be discouraged when it does not comply with the staging policies of this Plan.

There are no staging policies associated with the subject lands.

PART 5 – SECONDARY PLANS

Riverfront Community Plan (Section 4)

The Riverfront Community Plan (RCP) was adopted by the City of Niagara Falls as Official Plan Amendment No. 128 on July 10, 2018 and was subsequently approved by the Local Area Planning Tribunal on October 31, 2019.

The RCP applies to approximately 252 hectares of land west of Dorchester Road between Oldfield Road and Chippawa Parkway. This Plan designates lands as Residential, Mixed Use, Environmental Protection and Open Space. The anticipated development yield for the entirety of the RCP area is;

- Population: 2,100 to 3,000 people
- Dwelling units: ~ 1,100
- Employment: 1,800 to 2,000 jobs

The subject lands have undergone previous Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications that were approved by Council. The submitted Draft Plan of Subdivision application will establish the blocks and road network.

1.0 General

The subject lands are designated Low/Medium Density Residential, in part, Open Space, in part, and Environmental Protection Area, in part, within the Riverfront Community Plan. This development proposes single-detached dwelling, street townhouses, back-to-back townhouses,

and stacked townhouse dwellings.

As per Policy 1.3 within the RCP, the overall Greenfield density target for the Plan Area is a minimum of 53 combined residents and jobs per hectare. The proposed plan satisfies this target, yielding a density of 70.415 residents and jobs per hectare.

In accordance with Policy 1.4, the proposed development envisions both low and medium density housing forms, including single-detached dwellings, street townhouse dwellings, back-to-back townhouse dwellings and stacked townhouse dwellings. The plan also includes the option of the inclusion of accessory dwelling units in the single-detached dwellings and street townhouse dwellings. The variety of dwelling types not only assists in the promotion of higher density housing forms to reduce the per unit land costs, units such as back-to-back townhouses and stacked townhouses are smaller units which attribute to building more affordable housing. The encouragement of accessory dwelling units is also beneficial.

As provided for under Policy 1.7, the subject site will make use of existing municipal services, including road, water, sanitary sewer and storm water management services.

Lands within and adjacent to Phase 2 have been previously designated and zoned for various levels of environmental protection. The extent of these designations and zoning coincide with additional buffer lands as well.

Pedestrian connections to throughout Phase 2 and adjacent phases of development are contemplated within the Subdivision Plan and will form part of the intended Open Space network for the RCP. These trail connections are shown in the plan, and are designated as Open Space.

2.0 Land Use

Section 2 policies aim to guide the development's typology, density, and design within the RCP.

2.1 Residential, Low / Medium Density

In accordance with Policies 2.1.1, 2.1.2, and 2.1.3, the planned development will encompass a diverse range of low to medium density housing forms. The proposed dwelling typologies include single-detached, on-street townhouse, back-to-back townhouse, and street townhouse dwellings.

As per policy 2.1.2, low density housing forms are to have a net density range of 20 to 50 units per hectare, with a maximum building height of 3-storeys.

As per policy 2.1.3, medium density housing forms are to be developed to a maximum net density of 75 units per hectare with building heights limited to 4-storeys, though up to 6-storeys may be considered.

The densities for the proposed dwelling types include;

Single Detached Dwellings	23.26 units per hectare
On-Street Townhouse Dwellings	44.33 units per hectare
Back-to-Back Townhouse Dwellings	64.52 units per hectare
Stacked Townhouse Dwellings	87.29 units per hectare

Policy 2.1.4 states that an increase in the maximum density may be considered without an amendment to the Plan, as long as appropriate design controls are in place, and internal and external municipal services are sufficient to accommodate the higher overall density. The stacked townhouse block (Block 229) exceeds the medium density requirement, though through the numerous studies and reports that have been provided, there are sufficient services to accommodate the proposed development.

As required through policy 2.1.6, the visual impacts of garage doors on the public streetscape will be minimized throughout the subdivision by setting back the garage from the front porch, and limiting the garage widths. Block 229 fronts Chippawa Parkway and the streetscape has specifically been enhanced for this block by positioning garages and parking behind the townhomes. This eliminates the visual prominence of garage doors along the Arterial Road through strategic placement.

As per policy 2.1.7, the medium density housing which includes the back-to-back townhouse and stacked townhouse dwellings are provided with both sidewalks and trail access throughout the community, as well as the neighbouring phases of development within the community and the existing trail network along Chippawa Parkway. The parkland is also situated in the centre of the development, just to the west, therefore it is easily accessible for all residents. Moreover, the stacked townhouse block will face the proposed multi-use trail along Chippawa Parkway, further facilitating residents' convenient access to both passive and active recreational opportunities, thereby fostering a vibrant and connected community.

2.4 Open Space System

The policies of the Open Space System section are meant to encourage the creation of interlinking parkland, trails and greenways during the approval of draft plans of subdivision.

As previously mentioned, the proposed development will actively enhance the Open Space System. This will be achieved through the allocation of a dedicated 1.955-hectare block for park use, as well as the integration of a trails system that will link throughout the subdivision and extend to subsequent and forthcoming phases of the development. The trail system will further extend along

Chippawa Parkway and be integrated with the existing trail along the Welland River and beyond.

2.5 Natural Heritage System

The purpose of the Natural Heritage System policies is to recognize the interdependence of natural heritage features and their associated functions, and to maintain and enhance those connections where possible.

Protection measures will be implemented through the overarching subdivision and have received approval from the City and NPCA. This includes an enhanced buffer to protect adjacent wetland features, as well as restoration and enhancement plans. The adjacent natural heritage features will not be negatively impacted by the proposed development.

3.0 Infrastructure

The proposed development servicing method conforms with the policies of the RCP. The subdivision will be provided with urban services that are to be extended including watermain, sanitary sewer and storm sewers. The development will also include a sanitary Sewage Pumping Station and wet pond Stormwater Management Facility.

In advance of the registration and development of the subdivision, the related registration of the overarching subdivision is required. As part of this Phase of registration, the developer will be providing the necessary extensions to the public watermain along Dorchester Road and will be constructing the required sanitary pumping station. These servicing upgrades are necessary and will support the development of the subject lands.

4.0 Transportation

The RCP promotes a multi-modal transportation network with connectivity provided to walking, cycling and public transit routes. The submitted applications conform with this policy direction by providing trail linkages and a robust public roadway network with convenient access to Chippawa Parkway.

The proposed development configuration implements the design direction within the transportation policies by providing limited driveway access to Chippawa Parkway (two (2) access driveways). The dwellings along Chippawa Parkway will have high-quality architectural designs that amplify the public realm with access from the rear. This approach will frame the parkway and uphold it as a unique and scenic route within the RCP.

Through the registration of Phase 1 of the overarching subdivision, the owner will dedicate lands for the widening of Chippawa Parkway. This land dedication will facilitate roadway expansions and the integration of multi-modal transportation options.

5.0 Sustainable Development

Policies 5.1 and 5.2 of the RCP encourage development proposals to meet and exceed energy efficiency requirements and contemplate the use of alternative energy sources. Policy 5.2 also encourages the use of transit and active transportation and alternative energy vehicles.

The development of the site will contemplate the implementation of Energy Conservation policies as established in Part 3, Section 3.1 where applicable. The site also encourages transit supportive densities and the implementation of a trails network throughout the build-out of the RCP, and orderly, economic and energy conserving development will be achieved through the logical extension of public services through each phase of development.

The developer has also indicated that the units will meet OBC requirements for energy efficiency. Opportunities for inclusion of additional energy saving methods may be further considered through the detailed architectural design process.

Lastly, the developer has noted that each unit will have the option to request an electric vehicle charger for inclusion in their home. This will support the use of electric vehicles, as envisioned by the RCP.

6.0 Growth Strategy

The RCP directs that development occur in an orderly fashion and be fiscally responsible. The proposed development is the second phase of residential construction planned with the RCP. These lands are a logical and preferred location for the second phase of development as they have access to a public roadway and are located in proximity to the required servicing upgrades needed to support overall development (i.e. Chippawa Parkway Watermain, Sanitary Pumping Station).

The physical development form will also satisfy the growth strategy policies of the RCP by developing a mix of low and medium density dwelling typologies. These forms include single-detached dwellings, townhouses, back-to-back townhouses, and stacked townhouses.

7.0 Implementation

The lots and blocks within the planned development are to be created through a Draft Plan of Subdivision and a Standard Condominium through a future Draft Condominium Exemption application.

All required studies have been provided with the submission of the proposed applications,

including the previously submitted Environmental Impact Study Addendums, Tree Savings Plan, Transportation Impact Brief, etc.

The proposed residential development consisting of single dwelling units and a variety of townhouse units adheres to and will implement the designation and zoning of the lands, allowing for a range of housing opportunities in the Plan Area, increasing diversity in housing options.

Overall, the intent of the RCP is being met. The submitted Official Plan Amendment, Zoning By-law Amendment and redline revision Draft Plan of Subdivision applications have regard for the approved boundaries of these evaluated natural heritage features and do not propose any development within these areas or that will have a negative long-term impact on their long-term vitality or ecological functions.

CITY OF NIAGARA FALLS ZONING BY-LAW (By-law No. 79-200)

As shown in **Figure 17**, the subject lands are zoned Residential Low Density, Group Multiple Dwelling Zones (R4-1133) and (R4-1134), Open Space, and Environmental Protection Area (EPA-1136) in accordance with Zoning By-law 79-200, as amended by site specific By-law 2020-124.

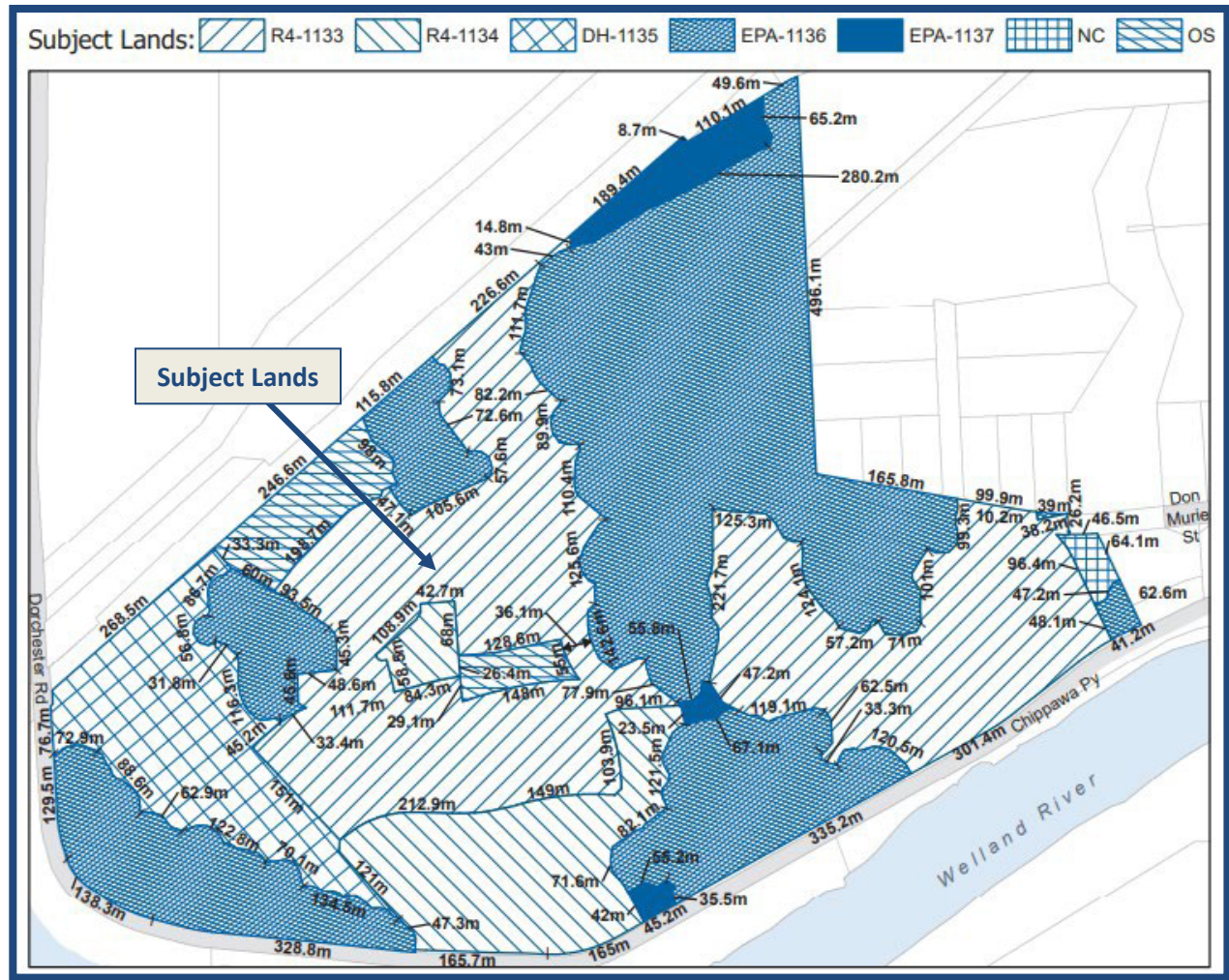


Figure 17 – Schedule 1 to By-law No. 2020-124

R4-1133 Zone

The permitted uses for the R4-1133 Zone include the uses permitted in the R4 Zone, single-detached dwellings, semi-detached dwellings, secondary unit in detached, semi-detached, townhouse dwelling units, and home occupations in a detached dwelling, semi-detached dwelling or townhouse unit.

R4-1134 Zone

The permitted uses for the R4-1134 Zone include the same uses as in the R4-1133 Zone, with the

inclusion of a community centre, coffee shop, personal service shop, retail store, restaurant, clinic, animal clinic, art gallery dancing studio, photographer’s studio and health centre.

OS Zone

The permitted uses for the OS Zone include the uses permitted in an OS Zone including a boating club, cemetery, hospital, private club, recreational uses, religious institution, riding stable, etc.

EPA-1136 Zone

The permitted uses for the EPA-1136 Zone include the uses permitted in an EPA zone and recreational trails authorized by the Niagara Peninsula Conservation Authority.

To facilitate the proposed residential land uses including single-detached dwellings, on-street townhouse dwellings, back-to-back townhouse dwellings, and stacked townhouse dwellings (Block 229), a Zoning By-law Amendment application has been submitted. The proposed zoning includes; Site-Specific Residential Mixed Zone (R3-XX) for the single-detached and on-street townhouse dwellings, Site-Specific Residential Low Density, Grouped Multiple Dwellings Zone (R4-XX) for the back-to-back townhouse and stacked townhouse dwellings, Site-Specific Open Space (OS-XX), and Environmental Protection Area (EPA-1136). This is shown in Schedule ‘A’ of the proposed Zoning By-law Amendment, that is included as **Figure 18**, and **Appendix IV**.

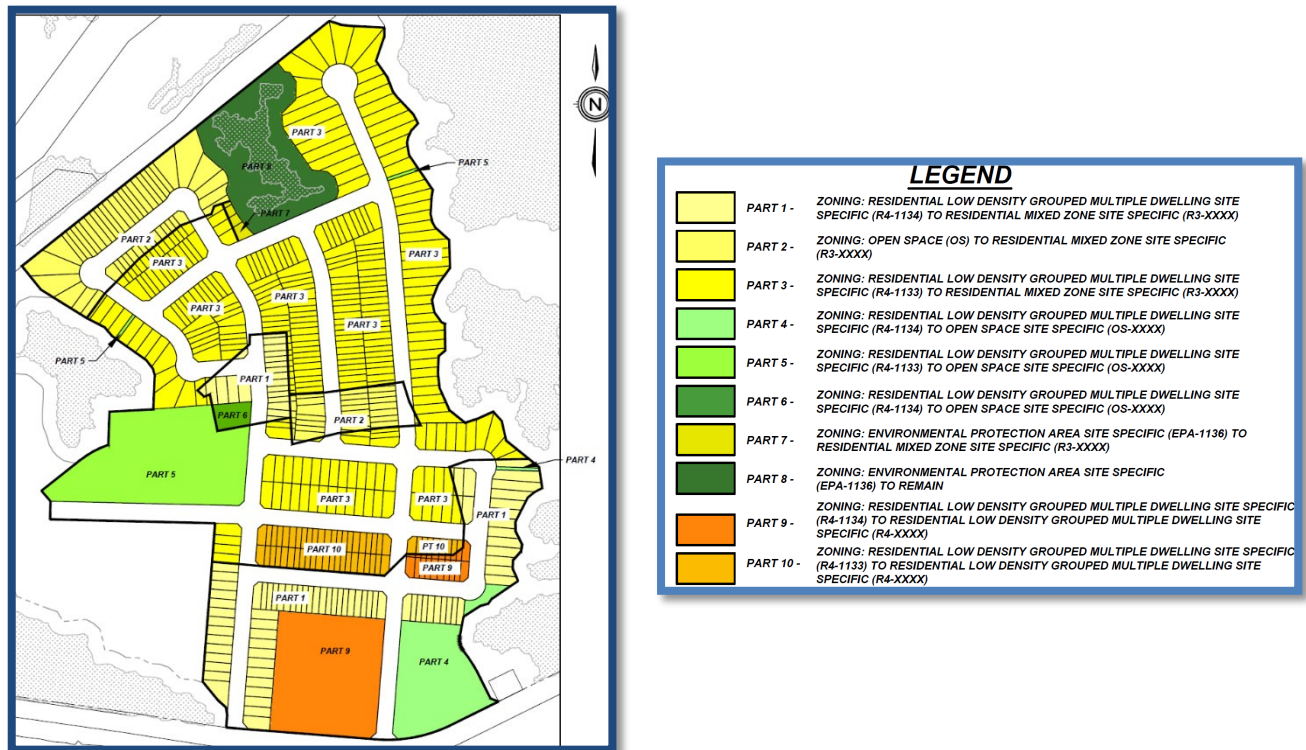


Figure 18 – Schedule A of the proposed Zoning By-law Amendment

As back-to-back townhouse dwellings are proposed within the subdivision, though they are not defined within Zoning By-law No. 79-200, the following definition is to be utilized in order to include this dwelling type within the proposal.

Back-to-Back Townhouse Dwellings (Blocks 217-224): A “back-to-back townhouse” refers to a type of residential housing where individual townhouse units are arranged in a linear configuration, sharing a common side and rear wall. Unlike traditional townhouses, which are solely connected side-by-side, back-to-back townhouses are aligned in a way that the rear of one unit directly faces the rear of another unit as well. Each townhouse in this configuration has its own entrance, creating individual living spaces within a more compact layout, optimizing efficiency.

The proposed zoning and associated site-specific provisions are outlined in **Table 2** to **Table 4**.

**Table 2:
Residential Mixed Zone (R3)
Zoning Provisions for Single-Detached and On-Street Townhouse Dwellings**

7.8.1 Permitted Uses			Proposed Permitted Use
a) A detached dwelling b) A semi-detached dwelling c) A duplex dwelling d) An on-street townhouse dwelling e) A triplex dwelling f) A quadruplex dwelling g) A home occupation in a detached dwelling, or in a dwelling unit of a semi-detached dwelling or a duplex dwelling, subject to the provisions of section 5.5 h) Accessory buildings and accessory structures, subject to the provisions of sections 4.13 and 4.14 i) A bed and breakfast in a detached dwelling, or in a dwelling unit of a semi-detached dwelling or a duplex dwelling, that complies with the provisions set out in section 4.37			A detached dwelling An on-street townhouse dwelling An on-street townhouse dwelling (Blocks 223-228)
7.8.2 Regulations	R3 Zone	Provided	Proposed Regulation
Minimum lot area i) detached dwelling ii) on-street townhouse	i) 300 m ² ii) 160 m ² per unit	i) 301 m ² ii) 174 m ² per unit 137 m² per unit for Blocks 223-228	i) No change ii) No change 137 m² per unit for Blocks 223-228
Minimum lot frontage i) detached dwelling on interior lot ii) detached dwelling on corner lot v) on-street townhouse	i) 10 m ii) 12 m v) 6 m for each dwelling unit	i) 10 m ii) 12 m v) 6 m for each dwelling unit	i) No change ii) No change v) No change
Minimum front yard depth i) for a dwelling or dwelling unit ii) for a private garage with driveway access from the front yard	i) 3 m plus any applicable distance specified in section 4.27.1 ii) 6 m plus any applicable distance specified in section 4.27.1	i) 3 m ii) 6 m	i) No change ii) No change
Minimum rear yard depth	7.5 m plus any applicable distance specified in section 4.27.1	Single-Detached: 6 m On-Street Townhouse: 6 m On-Street Townhouse (Blocks 223-228): 4 m	Single-Detached: 6 m On-Street Townhouse: 6 m On-Street Townhouse (Blocks 223-228): 4 m

Minimum interior side yard width	1.2m	1.2 m	No change
Minimum exterior side yard width			
i) for a dwelling or dwelling unit	i) 3 m plus any applicable distance specified in section 4.27.1	i) 3 m	i) No change
ii) for a private garage with driveway access from the exterior side yard	ii) 6 m plus any applicable distance specified in section 4.27.1	ii) N/A	ii) No change
Maximum lot coverage	55%	55%	No change
		On-Street Townhouse (Blocks 223-228): 56%	On-Street Townhouse (Blocks 223-228): 56%
Maximum height of building or structure	10 m subject to section 4.7	10 m	No change
Maximum number of dwellings on one lot	1 only	1 only	No change
Parking and access requirements	In accordance with section 4.19.1	1 space per unit	No change
Accessory buildings and accessory structures	In accordance with sections 4.13 and 4.14		No change
Minimum landscaped open space	25% of the lot area		No change
Maximum projection of sills, belt courses, cornices, chimney breasts, bay windows, pilasters and similar architectural features and window air conditioning units	0.45 m into any required yard	0.6 m into any required yard	0.6 m into any required yard

**Table 3:
Residential Low Density, Grouped Multiple Dwellings Zone (R4)
Zoning Provisions for Back-to-Back Townhouses and Stacked Townhouses**

7.9.1 R4 Permitted Uses		R4-1133 Permitted Uses		R4-1134 Permitted Uses		Proposed Permitted Use
a) A townhouse dwelling containing not more than 8 dwelling units b) An apartment dwelling c) A stacked townhouse dwelling d) Group dwellings, provided that no townhouse dwelling in the group dwelling contains more than 8 dwelling units e) Accessory buildings and accessory structures, subject to the provisions of sections 4.13 and 4.14 f) A Home Occupation in a detached dwelling, or a dwelling unit of a semi-detached dwelling or a duplex dwelling, subject to the provisions of section 5.5		a) The uses permitted in a R4 zone b) Detached dwelling c) Semi-detached dwelling d) Second unit in a detached, semi-detached and townhouse dwelling unit e) Home occupation in a detached dwelling, semi-detached dwelling or a townhouse dwelling unit		a) The uses permitted in a R4 zone b) Detached dwelling c) Semi-detached dwelling d) Second unit in a detached, semi-detached and townhouse dwelling unit e) Home occupation in a detached dwelling, semi-detached dwelling or a townhouse dwelling unit f) Stacked townhouse dwelling g) Community centre h) Coffee shop i) Personal service shop j) Retail store k) Restaurant l) Clinic m) Animal clinic n) Art gallery o) Dancing studio p) Photographer's studio q) Health centre		On-Street Townhouses in the proposed R3-XX Zone Back-to-back townhouse dwellings Stacked townhouse dwellings
Regulations	R4 Zone Regulation 7.9.2	R4-1133 Zone Regulation	R4-1134 Zone Regulation	Provided	Proposed Regulation	
Minimum lot area	<u>Townhouse Dwelling:</u> 250 m ² <u>Stacked Townhouse:</u> 200 m ² for each dwelling unit	200 m ² per dwelling unit	133 m ² per dwelling unit	<u>Back-to-Back Towns:</u> 137 m ² per dwelling unit <u>Stacked Towns:</u> 114.56 m ² per dwelling unit	<u>Back-to-Back Towns:</u> 137 m² per dwelling unit <u>Stacked Towns:</u> 114 m² per dwelling unit	

Minimum lot frontage per block	30 m: for a townhouse dwelling or apartment dwelling containing more than 4 dwelling units or for a detached dwelling or semi-detached dwelling	20 m: for a townhouse dwelling or apartment dwelling containing more than 4 dwelling units or for a detached dwelling or semi-detached dwelling	20 m: for a townhouse dwelling or apartment dwelling containing more than 4 dwelling units or for a detached dwelling or semi-detached dwelling	<u>Back-to-Back Towns:</u> 34.35 m <u>Stacked Towns:</u> 110.85 m	<u>Back-to-Back Towns:</u> No Change <u>Stacked Towns:</u> No Change
Street frontage interpretation		Nothing in section 4.11 of By-law 79-200 or clause (b) of By-law 2020-124 shall be deemed to require each dwelling to front onto or abut a street	Nothing in section 4.11 of By-law 79-200 or clause (b) of By-law 2020-124 shall be deemed to require each dwelling to front onto or abut a street	N/A	N/A
Minimum land unit frontage on a street or private street		5 m: for unit in a townhouse dwelling	5.5 m: for unit in a townhouse dwelling 2 m: for a unit in a stacked townhouse dwelling	N/A	N/A
Minimum front yard depth	<u>Townhouse Dwelling:</u> 6 m + any applicable distance specified in Section 4.27.1 <u>Stacked Townhouse:</u> 7.5 m + any applicable distance specified in Section 4.27.1	3 m: from a street 1 m: from a private street on a land unit less than 20 m wide 6 m: from a private street on a land unit 20 m wide or greater	3 m: All other buildings or structures, from a street (< 17 m and 4 storeys, whichever is less) 1 m: from a private street on a land unit less than 20 m wide 6 m: from a private street on a land unit 20 m wide or greater	<u>Back-to-Back Towns:</u> 3 m to dwelling 6 m to garage <u>Stacked Townhouse:</u> 3 m to dwelling 6 m to garage	<u>Back-to-Back Towns:</u> 3 m to dwelling 6 m to garage <u>Stacked Townhouse:</u> 3 m to dwelling 6 m to garage

Maximum front yard depth and exterior side yard width from a street or a private street		15 m	15 m	N/A	N/A
Minimum rear yard depth (from the rear land unit line)	<p><u>Townhouse Dwelling:</u> 7.5 m + any applicable distance specified in Section 4.27.1</p> <p><u>Stacked Townhouse:</u> 10 m + any applicable distance specified in Section 4.27.1</p>	<p>0.5 m: where the rear unit line abuts a private lane</p> <p>4 m: in all other cases</p>	<p>0.5 m: where the rear unit line abuts a private lane</p> <p>4 m: in all other cases</p>	<p><u>Back-to-Back Towns:</u> 0 m (common wall)</p> <p><u>Stacked Towns:</u> 6 m</p>	<p><u>Back-to-Back Towns:</u> 0 m (common wall)</p> <p><u>Stacked Towns:</u> 6 m</p>
Minimum yard depth or yard width for all buildings and structures from an EPA-1136 or EPA- 1137 zone boundary, notwithstanding Section 8 of By-law 2020-124		4 m	4 m	N/A	N/A
Minimum Interior Side Yard (Minimum separation distance between buildings on the same Block)	One-half the height of the building	1.8 m	1.8 m	<p><u>Back-to-Back Towns:</u> 1.2 m</p> <p><u>Stacked Towns:</u> 1.2 m</p>	<p><u>Back-to-Back Towns:</u> 1.2 m</p> <p><u>Stacked Towns:</u> 1.2 m</p>
Minimum exterior side yard width	<p><u>Townhouse Dwelling:</u> 4.5 m + any distance specified in Section 4.27.1</p> <p><u>Stacked Townhouse:</u> 7.5 m + any applicable distance specified in Section 4.27.1</p>	Noted above	Noted above	<p><u>Back-to-Back Towns:</u> 3 m</p> <p><u>Stacked Towns:</u> 3 m</p>	<p><u>Back-to-Back Towns:</u> 3 m</p> <p><u>Stacked Towns:</u> 3 m</p>
Maximum lot coverage	35%	None	None	<p><u>Back-to-Back Towns:</u> 65%</p> <p><u>Stacked Towns:</u> 65%</p>	<p><u>Back-to-Back Towns:</u> 65%</p> <p><u>Stacked Towns:</u> 65%</p>

Maximum height of a building	10 m subject to Section 4.27.1	14 m or 3 storeys whichever is lesser, subject to Section 4.7 of By-law 79-200	<u>Stacked Towns:</u> 17 m or 4 storeys, whichever is lesser, subject to Section 4.7 of By-law 79-200 <u>All Other Uses:</u> 14 m or 3 storeys, whichever is lesser, subject to Section 4.7 of By-law 79-200	<u>Back-to-Back Towns:</u> 12.6 m <u>Stacked Towns:</u> 12.6 m	<u>Back-to-Back Towns:</u> 12.6 m <u>Stacked Towns:</u> 12.6 m
Number of dwellings on one block	Subject to compliance with Section 7.9.3, more than one dwelling is permitted on one lot	Unlimited	Unlimited	<u>Back-to-Back Towns:</u> 12 units (Blocks 226-227) <u>Stacked Towns:</u> 18 units (Block 229)	<u>Back-to-Back Towns:</u> Unlimited <u>Stacked Towns:</u> Unlimited
Parking and access requirements	In accordance with Section 4.19.1 <ul style="list-style-type: none"> • Minimum parking stall width: 2.75 m • Minimum parking stall length: 6 m • Minimum maneuvering aisle: 6.3 m 	In accordance with Section 4.19.1 of By-law No. 79-200	In accordance with Section 4.19.1 of By-law No. 79-200	<u>Back-to-Back Towns:</u> 1.0 spaces per unit <u>Stacked Towns:</u> 1.4 spaces per unit	<u>Back-to-Back Towns:</u> No Change <u>Stacked Towns:</u> 1.25 spaces per unit
Accessory buildings and accessory structures	In accordance with 4.13 and 4.14	In accordance with Section 8 of By-law 2020-124	In accordance with Section 8 of By-law 2020-124	No change	No change
Minimum landscaped open space	45 m ² for each dwelling unit	20% of the block area	20% of the block area	<u>Back-to-Back Towns:</u> 15% of the block area <u>Stacked Towns:</u> 20% of the block area	<u>Back-to-Back Towns:</u> 15% of the block area <u>Stacked Towns:</u> 20% of the block area
Minimum privacy yard depth for each townhouse dwelling unit, as measures from the exterior rear wall of every dwelling unit (2008-148)	7.5 m	N/A	N/A	<u>Back-to-Back Towns:</u> Delete <u>Stacked Towns:</u> Delete	<u>Back-to-Back Towns:</u> Delete <u>Stacked Towns:</u> Delete

Minimum amenity area per dwelling unit	In accordance with Section 4.44 (20 m ²)	10 m ²	5 m ²	<u>Back-to-Back Towns:</u> N/A <u>Stacked Towns:</u> 5 m ²	<u>Back-to-Back Towns:</u> N/A <u>Stacked Towns:</u> 5 m²
Accessory buildings and accessory structures		In accordance with Section 8 of this by-law	In accordance with Section 8 of this by-law	N/A	N/A
Minimum yard width or yard depth for a deck from a street or block line		0.5 m	0.5 m	<u>Back-to-Back Towns:</u> 0.5 m <u>Stacked Towns:</u> 0.5 m	<u>Back-to-Back Towns:</u> 0.5 m <u>Stacked Towns:</u> 0.5 m
Maximum width of a driveway or parking area and a garage in the front yard of a land unit		50% of the land unit frontage or 6 m, whichever is less	50% of the land unit frontage or 6 m, whichever is less	<u>Back-to-Back Towns:</u> 50% of the land unit frontage or 6 m, whichever is less <u>Stacked Towns:</u> 50% of the land unit frontage or 6 m, whichever is less	<u>Back-to-Back Towns:</u> 50% of the land unit frontage or 6 m, whichever is less <u>Stacked Towns:</u> 50% of the land unit frontage or 6 m, whichever is less
Maximum projection of sills, belt courses, cornices, chimney breasts, bay windows, pilasters and similar architectural features and window air conditioning units	0.45 m into any required yard			<u>Back-to-Back Towns:</u> 0.6 m into any required yard <u>Stacked Towns:</u> 0.6 m into any required yard	<u>Back-to-Back Towns:</u> 0.6 m into any required yard <u>Stacked Towns:</u> 0.6 m into any required yard
Vehicular access to a garage in the front yard of a land unit from a street		Permitted: for land unit with a width of 11 m or more Not permitted: for	Permitted: for land unit with a width of 11 m or more Not permitted: for land		

		land unit with a width of less than 11 m Notwithstanding Section 4.19.3(c) of By-law No. 79-200, No decorative wall, landscape strip or landscaped berm shall be required for a parking area associated with an access under this subclause	unit with a width of less than 11 m Notwithstanding Section 4.19.3(c) of By-law No. 79-200, No decorative wall, landscape strip or landscaped berm shall be required for a parking area associated with an access under this subclause		
Maximum combined floor area of all uses listed in sub clause (viii) through to and including (xvii) of Section 5(b) of this by-law on lands zoned R4-1134			930 m ²	N/A	N/A
Occupancy of a primary dwelling unit by the owner of the lot or land unit where a second dwelling unit is located within the primary dwelling unit or within an accessory building		Not required	Not required	N/A	N/A

**Table 4:
Open Space Zone (OS)
Zoning Provisions for Parkland, Trail Network, Stormwater Management Pond**

14.1 Permitted Uses	Proposed Permitted Use
<ul style="list-style-type: none"> a) A use permitted in any one or more of clauses (a) to (d) inclusive of section 12.1 b) Boating club c) Cemetery d) Hospital e) Private club f) Recreational uses g) Religious institution h) Riding stable i) Sanatorium j) School k) Accessory buildings and accessory structure including not more than one dwelling unit which is on the same lot as and is accessory to a use which is permitted in clauses (b) to (j) of this section 	<p>Recreational Uses (parkland, trail network)</p> <p style="color: red;">Stormwater Management Pond</p>

PLANNING OPINION

Centennial Homes (Niagara) Inc. has submitted a combined Official Plan Amendment and Zoning By-law Amendment application, as well as Draft Plan of Subdivision for Riverfront Phase 2. This is the second phase of Centennial's planned development within the Riverfront Community Plan, encompassing Lots 1-175 (Single-Detached), Blocks 176-222 (Street Townhouse), Blocks 223-228 (Back-to-Back Towns), Block 229 (Multiple Family), Block 230 (Park Phase 1-2), Blocks 231-233 (Multi-Use Trails), Block 234 (Storm Management Pond), Block 235 (Environmental Protection Area), Block 236 (Open Space) and block 237 (0.3-metre Reserve).

Previous ownership had secured Draft Plan of Subdivision Approval for Phases 1 and 2. However, further approval is required for the actual development of each residential block. The objective of the current applications is to modify the draft plan while aligning the associated zoning and designations, and implementing tenureship to allow for the proposed development. In tandem with this, Centennial is addressing comments from the prior Draft Approval for Phase 1 and Phase 2, particularly as they pertain to Phase 1, as well as addressing conditions of the Draft Vacant Land Condominium Approval for Block 12 within Phase 1.

The subject lands are situated within the Niagara Falls Urban Area and are within the Provincially designated Greenfield Area. Greenfield Areas represent undeveloped urban lands normally governed by Secondary Plans. In this case, this proposed plan is set to be the second phase of the Riverfront Community Plan Area that is to be developed.

The Zoning and Official Plan designations have previously been established, nonetheless amendments are required due to the modifications made to the Draft Plan of Subdivision. The Zoning designations are R4-1133, R4-1134, EPA-1136, and OS while the Official Plan designations are Residential, Low/Medium Density, Open Space and Environmental Protection Area. The proposed R3-XX and R4-XX zoning permits single-detached dwellings, on-street townhouse dwellings, stacked townhouse dwellings and back-to-back townhouse dwellings, while the OS-XX zoning will permit the trails, open space and parkland, with the EPA-1136 zone remaining. The proposed designations remain the same, though differ in location and size on the plan.

These modifications will facilitate the construction of a public road development with six hundred and twenty-six (626) units, comprising of single-detached dwellings, street townhouses, back-to-back townhouses, and stacked townhouses (condominium tenureship).

The proposed development balances the accommodation of prescribed growth targets, improves housing choices, and is an efficient use of urban lands. It provides for a better use of lands in the urban area boundary that are currently underutilized, and has access to municipal services. As the proposed plan is within a Secondary Plan Area, it is a warranted and encouraged place for growth and development.

For these stated reasons, the submitted applications are considered to be consistent with the 2024 Provincial Planning Statement, and conform to the 2022 Niagara Official Plan, and the City of Niagara Falls Official Plan, as amended.

It is our professional opinion that the proposed Official Plan Amendment, Zoning By-law Amendment and redline revision Draft Plan of Subdivision applications will facilitate the implementation of this development within urban land that will assist in the achievement of building out the Riverfront Community Plan, increasing the housing supply and is in the public interest.

Respectfully Submitted by,



Chelsea Liotta
Planner
Upper Canada Consultants

Respectfully Reviewed By,



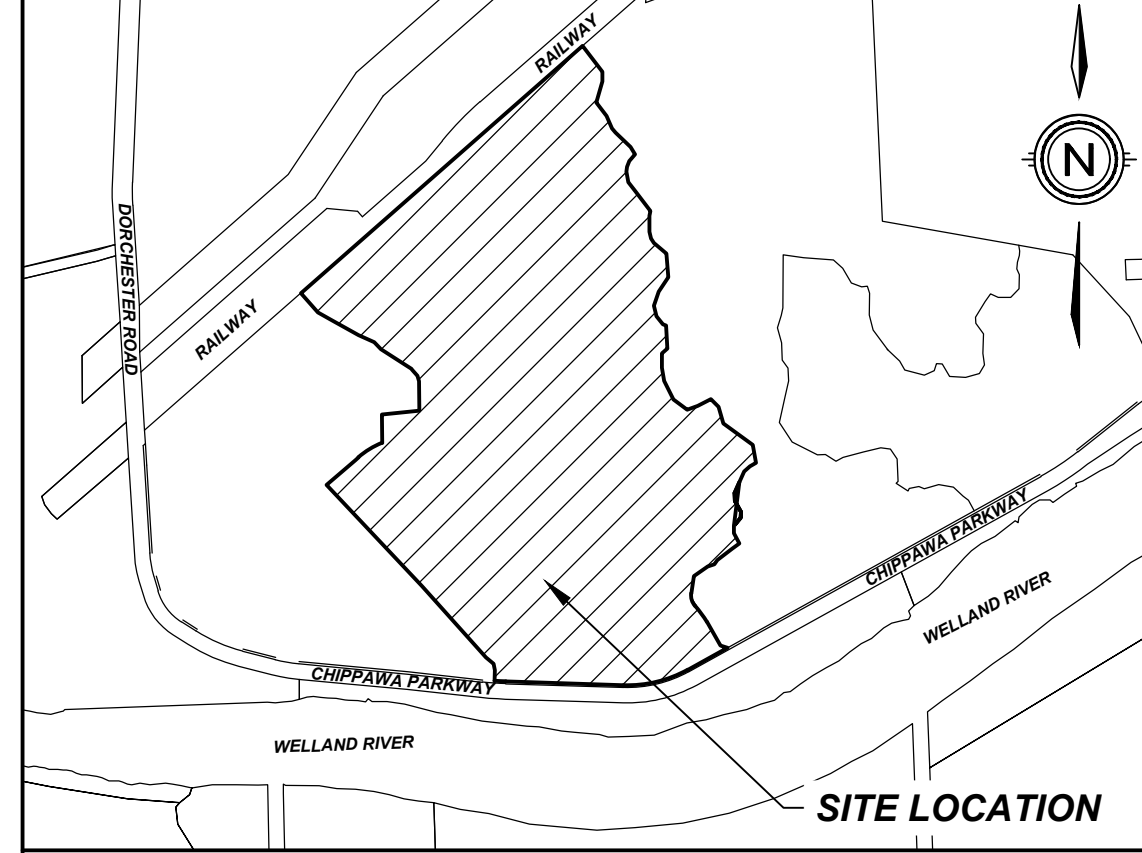
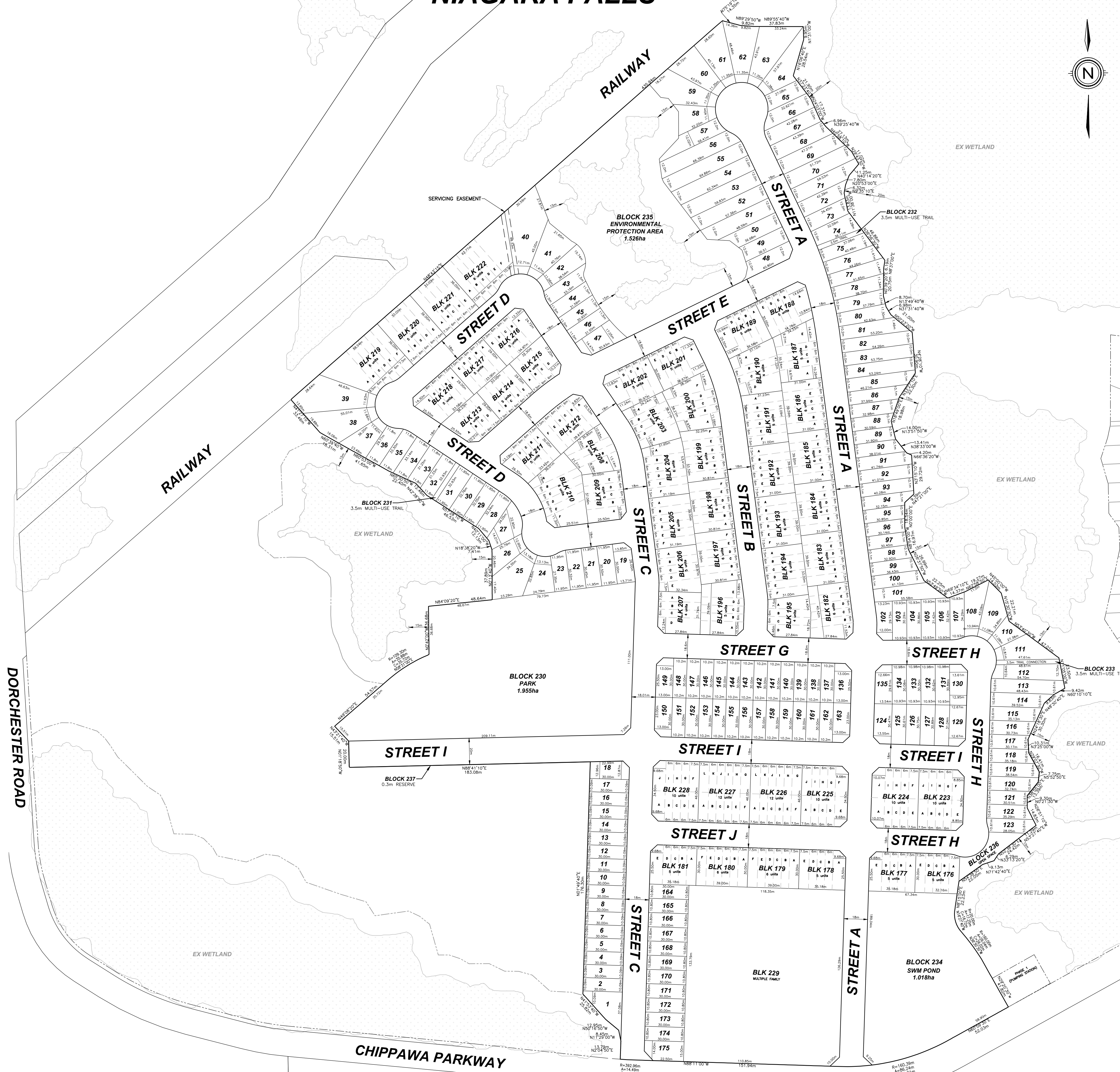
William Heikoop, B.U.R.P.I., MCIP, RPP
Planning Manager
Upper Canada Consultants

Appendix I
Draft Plan of Subdivision



RIVERFRONT COMMUNITY-PHASE 2 NIAGARA FALLS

LOT/BLOCK #	AREA (m ²)	LOT/BLOCK #	AREA (m ²)	LOT/BLOCK #	AREA (m ²)	LOT/BLOCK #	AREA (m ²)
1	526.02	159	305.94	201-E	225.00	227-I	138.00
2	301.01	160	305.94	202-A	225.00	227-J	138.00
3	301.68	161	305.94	202-B	180.00	227-K	138.00
4	301.85	162	305.94	202-C	180.00	227-L	172.50
5	301.82	163	377.45	202-D	180.00	228-A	210.05
6	301.79	164	323.97	202-E	363.60	228-B	138.00
7	301.76	165	323.97	203-A	259.14	228-C	138.00
8	301.73	166	323.97	203-B	196.01	228-D	138.00
9	301.70	167	323.97	203-C	193.73	228-E	172.50
10	301.67	168	323.97	203-D	191.05	228-F	172.50
11	301.64	169	323.97	203-E	293.17	228-G	138.00
12	301.61	170	323.97	204-A	279.76	228-H	138.00
13	301.58	171	323.97	204-B	187.48	228-I	138.00
14	301.54	172	323.97	204-C	187.14	228-J	210.05
15	301.51	173	323.97	204-D	187.14		
16	301.48	174	323.97	204-E	187.14		
17	301.45	175	426.85	204-F	233.92		
18	307.08	176-A	221.87	205-A	233.92		
19	409.77	176-B	180.00	205-B	187.14		
20	364.42	176-C	180.00	205-C	184.14		
21	364.24	176-D	180.00	205-D	187.14		
22	363.99	176-E	225.00	205-E	187.14		
23	345.08	177-A	225.00	205-F	233.92		
24	490.41	177-B	180.00	206-A	233.92		
25	294.73	177-C	180.00	206-B	187.14		
26	413.75	177-D	180.00	206-C	187.13		
27	520.48	177-E	277.78	206-D	187.90		
28	396.08	178-A	277.81	206-E	286.84		
29	387.75	178-B	180.00	206-F	242.53		
30	390.28	178-C	180.00	207-B	194.03		
31	392.81	178-D	180.00	207-C	194.03		
32	383.72	178-E	225.00	207-D	303.45		
33	382.10	179-A	225.00	208-A	303.08		
34	379.55	179-B	180.00	208-B	200.50		
35	396.79	179-C	180.00	208-C	210.58		
36	366.82	179-D	180.00	208-D	301.20		
37	500.65	179-E	180.00	209-A	293.51		
38	882.40	179-F	225.00	209-B	180.00		
39	1172.75	180-A	225.00	209-C	180.00		
40	1355.54	180-B	180.00	209-D	180.00		
41	737.33	180-C	180.00	209-E	263.40		
42	519.82	180-D	180.00	210-A	380.01		
43	405.54	180-E	180.00	210-B	226.33		
44	370.99	180-F	225.00	210-C	217.13		
45	357.33	181-A	225.00	210-D	205.57		
46	356.95	181-B	180.00	210-E	198.10		
47	514.76	181-C	180.00	210-F	407.37		
48	458.48	181-D	180.00	210-G	235.00		
49	431.47	181-E	277.78	211-B	180.00		
50	490.90	182-A	311.88	211-C	180.00		
51	673.72	182-B	194.15	211-D	180.00		
52	692.47	182-C	188.44	211-E	314.99		
53	734.46	182-D	186.27	212-A	251.57		
54	764.68	182-E	186.26	212-B	180.91		
55	793.64	182-F	232.62	212-C	180.37		
56	746.03	183-A	232.62	212-D	180.00		
57	534.87	183-B	186.23	212-E	180.00		
58	465.09	183-C	187.28	212-F	225.00		
59	832.59	183-D	185.15	213-A	353.96		
60	715.27	183-E	186.02	213-B	174.00		
61	771.29	183-F	232.62	213-C	174.00		
62	802.64	184-A	232.72	213-D	217.52		
63	951.11	184-B	185.11	214-A	217.52		
64	681.76	184-C	185.10	214-B	174.01		
65	350.35	184-D	185.09	214-C	174.01		
66	460.24	184-E	185.08	214-D	174.01		
67	516.34	184-F	232.66	214-E	217.52		
68	542.18	185-A	232.65	215-A	218.43		
69	594.45	185-B	186.11	215-B	176.86		
70	664.69	185-C	186.10	215-C	180.00		
71	591.58	185-D	186.09	215-D	303.21		
72	451.16	185-E	186.08	216-A	314.61		
73	397.90	185-F	232.58	216-B	174.00		
74	445.21	186-A	232.57	216-C	174.00		
75	410.74	186-B	186.04	216-D	174.00		
76	456.52	186-C	186.03	216-E	217.50		
77	469.74	186-D	186.02	217-A	217.50		
78	430.33	186-E	186.01	217-B	174.00		
79	424.26	186-F	232.64	217-C	174.00		
80	421.93	187-A	308.97	217-D	174.00		
81	518.63	187-B	186.23	217-E	217.50		
82	548.88	187-C	187.41	218-A	217.50		
83	540.78	187-D	180.04	218-B	174.00		
84	534.94	187-E	401.05	218-C	174.00		
85	508.89	188-A	370.55	218-D	174.00		
86	423.54	188-B	180.00	218-E	355.77		
87	358.52	188-C	180.00	219-A	660.88		
88	313.42	188-D	180.00	219-B	234.79		
89	314.14	188-E	225.00	219-C	240.34		
90	351.79	189-A	225.00	219-D	225.00		
91	415.68	189-B	180.00	219-E	252.26		
92	417.16	189-C	180.00	219-F	315.32		
93	409.82	189-D	180.00	220-A	315.31		
94	368.66	189-E	216.14	220-B	252.28		
95	317.84	190-A	399.43	220-C	252.24		
96	305.74	190-B	208.34	220-D	252.24		
97	305.22	190-C	202.68	220-E	315.29		
98	215.47	190-D	221.41	221-A	315.29		
99	349.19	191-A	235.39	221-B	252.22		
100	385.38	191-B	186.37	221-C	252.22		
101	546.11	191-C	186.00	221-D	292.21		
102	348.25	191-D	186.00	221-E	315.28		
103	328.32	191-E	186.00	222-A	315.25		
104	334.44	191-F	232.50	222-B	252.20		
105	340.55	192-A	232.50	222-C	251.09		
106	346.75	192-B	186.00	222-D	241.77		
107	368.17	192-C	186.00	222-E	234.73		
108	529.08	192-D	186.00	222-F	752.18		
109	564.95	192-E	186.00	223-A	137.40		
110	335.49	192-F	232.62	223-B	137.99		
111	581.59	193-A	232.50	223-C	137.99		
112	594.56	193-B	186.00	223-D	137.99		
113	574.12	193-C	186.00	223-E	191.10		
114	458.05	193-D	186.00	223-F	191.10		
115	396.15	193-E	186.00	223-G	137.98		
116	349.49	193-F	232.50	223-H	137.98		
117	317.42	194-A	232.58	224-A	137.97		
118	341.41	194-B	186.00	224-B	172.46		
119	400.39	194-C	186.00	224-A	219.17		
120	386.48	194-D	186.00	224-B	137.99		
121	238.09	194-E	186.00	224-C	137.99		
122	344.79	194-F	232.58	224-D	137.99		
123	358.91	195-A	285.71	224-E	172.49		
124	399.11	195-B	196.42	224-F	172.45		
125	333.68	195-C	197.28	224-G	137.95		
126	335.23	195-D	298.30	224-H	137.95		
127	336.79	196-A	333.78	224-I	137.94		
128	338.25	196-B	197.03	224-J	219.08		
129	381.83	196-C	197.03	224-A	172.50		
130	398.81	196-D	196.48	225-B	138.00		
131	335.78	196-E	371.43	225-C	138.00		
132	332.86	197-A	231.07	225-D	138.00		
133	328.94	197-B	184.86	225-E	210.05		
134	327.01	197-C	184.86	225-F	210.05		
135	372.65	197-D	184.86	225-G	138.00		
136	377.45	197-E	184.86	225-H	138.00		
137	305.94	197-F	231.07	225-I	138.00		
138	305.94	198-A	231.07	225-J	172.50		
139	305.94	198-B	184.86	226-A	172.50		
140	305.94	198-C	184.86	226-B	138.00		
141	305.94	198-D	184.86	226-C	138.00		
142	305.94	198-E	184.86	226-D	138.00		
143	305.94	198-F	231.07	226-E	138.00		
144	305.94	199-A	231.07	226-F	172.50		
145	305.94	199-B	184.86	226-G	172.50		
146	305.94	199-C	184.86	226-H	138.00		
147	305.94	199-D	184.86	226-I	138.00		
148	305.94	199-E	186.36	226-J	138.00		
149	377.45	200-A	237.95	226-K	138.00		
150	377.45	200-B	326.80	226-L	172.50		
151	305.94	200-C	207.95	227-A	172.50		
152	305.94	200-D	215.12	227-B	138.00		
153	305.94	200-E	222.51	227-C	138.00		
154	305.94	200-F	412.91	227-D	138.00		
155	305.94	201-A	226.94	227-E	138.00		
156	305.94	201-B	180.00	227-F	172.50		
157	305.94	201-C	180.00	227-G	138.00		
158	305.94	201-D	180.00	227-H	138.00		



KEY PLAN N.T.S.

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

PART OF LOTS 213 & 214 AND PART OF ROAD ALLOWANCE BETWEEN LOTS 212 & 213 GEOGRAPHIC TOWNSHIP OF STANFORD, NOW IN THE CITY OF NIAGARA FALLS REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HER

Appendix II
Pre-Consultation Notes



City of Niagara Falls Pre-Consultation Checklist

(Revised: September, 2023)

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.

OFFICE USE ONLY: PRE-CONSULTATION WAIVED BY DIRECTOR

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:

PRE-CONSULTATION

Day: December 21st, 2023

Time: 1:30 PM

1. SUBJECT PROPERTY INFORMATION

Street Address: 6357 Progress Street

Legal Description: PLAN 08 LOTS 76-77, PT LOT 75, PT BLK D; PLAN M67 LOTS 34-36, BLK D
59R3654 PT 05, 59R12131 PT 01, 59R15138 PT 03

Land Area: 27.837 ha

Lot Frontage: N/A

Municipal Land Involved: Yes No

2. CONTACT INFORMATION

Owner Information

Registered Owner: Centennial Homes (Niagara) Inc.

Mailing Address: 353 Townline Road, Niagara-on-the-Lake, ON, L0S 1J0

Phone Number: 905-708-0123

E-mail Address: jcaneloro@centennialconstruction.ca

Applicant/Agent Information (if applicable)

First and Last Name: Upper Canada Consultants (William Heikoop)

Mailing Address: 30 Hannover Dr., Unit 3, St. Catharines, ON, L2W 1A3

Phone Number: 905-688-9400

E-mail Address: wheikoop@ucc.com & chelsea@ucc.com

Contact for all future correspondence (select one): Registered Owner Authorized Agent

3. PROPOSAL

Modification to the Riverfront Draft Plan of Subdivision to facilitate the development of 556 dwelling units a park, open space, a stormwater management pond, and a block for future development. An Official Plan and Zoning By-law Amendment are proposed to facilitate the proposed block/lot fabric.

4. PROPOSED DEVELOPMENT INFORMATION

Entire Useable Area: 22.462 ha

Building Height: maximum of 3 storeys

Dwelling Units: ~ 556

Commercial Units: N/A

Location:

Brownfield

Greenfield

Built-up

Outside Urban Boundary

NEP Area

*CIP Area

**Note: If within a CIP Area, please speak to the City's CIP Coordinator*

5. DESIGNATIONS

Regional Official Plan: Built-up Area

Yes No

Niagara Escarpment Plan:

Yes No

City Official Plan:

Yes No

Residential, Low/Medium Density, in part, and Environmental Protection Area, in part

Secondary Plan:

Yes No

Riverfront Community Plan

Zoning:

Yes No

Residential Low Density Grouped Multiple Dwelling (R4) Zone, in part, Environmental Protection Area (EPA) Zone, in part, and Open Space Zone, in part, in accordance with Zoning By-law No. 79-200, as amended.

6. PROPOSED APPLICATION(S)- Check all that are applicable

Regional Policy Plan Amendment

City Official Plan Amendment

Zoning By-law Amendment

Modification – Draft Plan of Subdivision

Condominium - Vacant Land

Condominium- Standard

Site Plan Approval

Consent/Severance

NEC

Other:

7. REQUIRED INFORMATION AND STUDIES

Studies identified with an asterisk* will likely require a peer review at the cost of the developer.

OPA & ZBA	DRAFT PLAN OF CONDO	SITE PLAN	Reports, Studies, Plans (See notes for additional details)	Number of Copies		Notes
				Digital	Paper	
			Agricultural Impact Assessment			
X	X		Updated Air Quality, Noise and Vibration Assessment	X		Peer review may be required at applicant's cost.
X	X		Archaeological Assessment(s)	X		Please submit copies of the previously completed archaeological assessment work and applicable Letter of Acknowledgement from the Ministry
X	X		Site Plan & CAD .dwg file to City projection standards	X		<ul style="list-style-type: none"> ○ In metric ○ Please provide a zoning matrix/site statistics ○ Show location and servicing of all proposed fire hydrants ○ Please show the distance between the wetland and the proposed development
			Engineering Drawings & CAD (.dwg) files to City projection standards			<ul style="list-style-type: none"> ○ Grading Plan ○ Site Servicing Plan ○ Erosion and Sediment Control Plan ○ Sanitary Drainage Area Plan ○ Storm Drainage Area Plan ○ Photometric Plan
X	X		Signed Draft Plan of Subdivision & CAD .dwg file to City projection standards	X		In metric and prepared by an Ontario Land Surveyor
			Zoning Compliance Certificate			https://niagarafalls.ca/pdf/planning/zoning-compliance-form-09-07-23.pdf
X	X		Plan of Survey & CAD .dwg file to City projection standards	X		In metric and prepared by an Ontario Land Surveyor
			Roof Plans			
X	X		Floor Plans	X		
X	X		Building Elevations	X		
			Context Plan			
			Concept Plan / Massing Drawing			
			Unit Plans			
X	X		Parkland Dedication Calculation Plan	X		
			Draft Regional Policy Plan Amendment			
X	X		Environmental Impact Study (EIS) & Technical Memo that addresses environmental matters	X		Please submit previous EIS work
			Environmental Planning Study/ Sub-Watershed Study			
X	X		Environmental Site Assessment	X		Please provide a copy of the current Environmental Site Assessment work <ul style="list-style-type: none"> • Letter of Reliance can be managed as a condition of Draft Plan approval • RSC (if needed) can be managed through a condition of Draft Plan approval
			Farm Operation and Ownership			
			Financial Impact Assessment			

		Floodplain and Hazard Lands Boundary Plan			
		Functional Servicing Report			
		Third-party infrastructure modelling			Fee must be paid by applicant as part of a complete application. Fees are to be paid in accordance with the City's Schedule of Fees at time of application.
		Gas Well Study/Gas Migration Study			
		Geotechnical Investigation / Study			
		Hydrogeological Study and Private Servicing Plans			
X	X	Land Registry PIN sheet or "Final Deed" to the property	X		
		Land Use Compatibility Assessment			May be peer reviewed at the Owner's expense.
		Mineral Aggregate Resources			
		Minimum Distance Separation 1 & 11			
		Municipal Servicing Study			
		Noise Impact Study			May be peer reviewed at the Owner's expense.
		Other			
X	X	Phasing Plan	X		
X	X	Planning Justification Report & Urban Design Brief	X		<ul style="list-style-type: none"> Prepared by a Registered Professional Planner Review and analyze applicable Provincial, Regional, and City policies
X	X	Housing Impact Statement	X		
X		Draft Local Official Plan and Zoning By-law Amendments	X		
		Schedule B to the Draft Zoning By-law Amendment & CAD .dwg file to City projection standards			
X	X	Updated Traffic Impact Study & TOR	X		
	X	Road Widening & Daylight Triangle			See Transportation Services comments below
		AutoTurn Templates			To verify that a large truck can safely circulate the site.
		Shadow Analysis			
		Shoreline Study			
		Slope Stability Report			
		Soil Report			
X	X	Stormwater Management (SWM) Report	X		
X	X	Tree Inventory & Preservation Plan	X		Developed by a certified/licensed professional arborist
X	X	Trails and Walkable Community Master Plan	X		
X	X	Waste Collection Intent / Details	X		
X	X	Landscape Plan	X		<ul style="list-style-type: none"> Prepared by an Ontario Landscape Architect Please refer to the Site Plan Control Guidelines https://niagarafalls.ca/pdf/planning/city-of-niagara-falls-site-plan-guidelines-approved.pdf
X	X	Sidewalk Plan & Road/Trail Cross Sections	X		
		Wind Study			Quantitative Study

8. COMMENTS

Planning:

- The subject lands are designated Residential, Low/Medium Density, in part, Open Space, in part, and Environmental Protection Area, in part, in the City's Official Plan and the Riverfront Community Plan.
- The overall Greenfield density target for the Riverfront Community Plan Area is a minimum of 53 combined residents and jobs per hectare.
- The Riverfront Community Plan supports the provision of affordable housing by promoting high density housing forms and the construction of smaller units, and encouraging the development of second units.
- The Open Space system in the Riverfront Community Plan Area is to include parkland, trails and greenways. Neighbourhood parks should be a minimum of 2 hectares in size and may accommodate active or passive recreation. Trails and greenways should connect with Dorchester Road and Chippawa Creek Road which are within the Regional Bicycle Network System.
- Right-of-way widths for local roads shall be determined at the time of Subdivision Approval but may be less than 20 metres subject to Council approval.
- Residential policies of the Residential, Low/Medium Density designation include:
 - Lands designated Residential, Low / Medium Density are to include a wide variety of housing forms, ranging from detached units, semi-detached, duplex and triplex dwellings to medium density units that include townhouses (on-street, stacked, and block), low-rise apartment buildings, and retirement homes (independent living, assisted living)
 - Low Density housing forms may be developed within a net density range of 20 to 50 units per hectare. Maximum building heights shall be 3 storeys.
 - Medium Density housing forms may be developed to a maximum net density of 75 units per hectare. Building heights will be limited to 4 storeys, however, a building height of up to 6 storeys may be considered with appropriate architectural or urban design guidelines in place.
- The lands are correspondingly zoned Residential Low Density, Group Multiple Dwelling (R4-1133) Zone in part, R4-1134 Zone, in part, Environmental Protection Area (EPA-1136) Zone, in part, and Open Space (OS) Zone, in part, in accordance with Zoning By-law No. 79-200, as amended by By-law No. 2020-124.
- **Following the Pre-consultation Meeting on December 21st, 2023, a subsequent meeting took place between City Staff and the applicant on January 18th, 2024. A revised Draft Plan of Subdivision, dated January 17th, 2024 and attached hereto, was presented at that time. The following comments respond to the revised submission.**

General Comments:

- In accordance with Part 4, Section 4.4 of the Official Plan, the submission of a Housing Impact Statement is required with a complete application to demonstrate how the proposal implements the City's Housing Strategy. Staff strongly recommend that the applicant explores how affordable housing can be integrated into a development of this scale, especially given that Phase 1 (Block 12) will not be accommodating affordable units.
- Staff recommend that the applicant considers how commercial / neighbourhood commercial uses can be integrated into the proposed development.
- Planning and Landscape Services Staff do not see the benefit / value of dedicating Block 226 for parkland purposes. Staff instead recommend that the 3-m multi-use

trail that is proposed on the north side of Street H be continued west to the park (Block 225).

- Staff recommend that the applicant considers how Block 225 can be enlarged for parkland purposes. At the January 18th, 2024 meeting, the applicant mentioned that there may be an opportunity to shift Street I so that the park block can be enlarged. Staff support this suggestion.
- Staff recommend that Block 227 (trail connection) remains in private ownership, unless the City were to assume ownership of the adjacent wetlands, as it would encourage trespassing on private property.
- Staff are interested in securing a pedestrian linkage over the railway corridor.
- In accordance with the City's parkland dedication By-law, Environmental Protection Areas shall be gratuitously conveyed to the City and not accepted as lands for parkland dedication or included in the calculation thereof. The City is interested in assuming the wetlands adjacent to the park (Block 225). As a condition of Draft Plan approval, the City will require the Developer to construct a trail system through the wetlands/their buffers (in conformity with NPCA policies). Trails are to be 1.2-m wide and consist of a granular surface. Maintenance buffers will be required (see Landscape Services comments for more detail).
- If a connection to wetland Block 231 is not proposed, then the City would not be interested in assuming ownership of these lands. However, if a trail connection to Block 231 could be established adjacent to the railway / at the rear of Blocks 209-212 and 229, and Lots 39 and 40, then the City could consider assuming ownership of Block 231. The Noise and Vibration Assessment would have to support the trail location.
- Staff support the inclusion of multi-residential development in Block 223 and encourage the applicant to consider integrating more development of this type, especially for the purpose of accommodating affordable housing.
- Parkland dedication shall be provided as a cash-in-lieu payment at the current prescribed rate of 5% for residential uses.

Submission Requirements:

- Planning Justification Report & Urban Design Brief
- Housing Impact Statement
- Plan of Survey
- Site Plan
- Draft Plan of Subdivision
- Draft Official Plan and Zoning By-law Amendment Text and Schedules
- Elevations & Floor Plans
- Parkland Dedication Calculation Plan
- Phasing Plan
- Sidewalk Plan & Road/Trail Cross Sections
- Landscape Plan
- Tree Inventory & Preservation Plan
- Trails and Walkable Community Master Plan

Building Department:

- A demolition permit shall be obtained to remove each structure existing on site.
- A water/sewer permit shall be obtained to construct site services.
- Private water supply pipes shall be designed and installed according to MOE PIBS 68813, "Design Guidelines for Drinking-Water Systems".
- Private sewers shall be designed and installed according to MOE PIBS 6879, "Design Guidelines for Sewage Works".
- 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)
- A building permit shall be obtained if granted approval. Standard requirements for architectural/structural drawings apply. 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.

- Radon Mitigation may be required for new construction projects. See City website for more information.
- All further detailed and site-specific Ontario Building Code construction requirements will be addressed during the building permit application process.
- Spatial separation/fire protection measures will be reviewed during permit review.
- 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.
- Municipal, Regional, and Educational Developments Charges will be assessed at time of building permit review.
- 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.
- All other applicable law approvals to be obtained prior to building permit application.
- The owner/applicant may apply for permits after the project/agreement has received registration.
- Building permit applicants are required to obtain a zoning compliance certificate prior to making an application for a building permit.
- 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.

Fire Department:

Official Plan Amendment

- The Fire Department has no comments or concerns with respect to the Official Plan Amendment.

Zoning By-law Amendment

- The Fire Department has no comments or concerns with respect to the Zoning By-law Amendment.
- Technical comments on Block 223 will be provided at time of Site Plan Control.

Draft Plan of Subdivision

- The Developer is to submit drawings to the Fire Prevention Office that indicate the location and servicing of all proposed fire hydrants.

GIS (Addressing):

- Street names will need to be vetted to the addressing standard; a list has been included of previous names.
- Block 223 as provided will have an address issued through the Site Plan / Draft Plan of Condominium process.
- Addressing will be prepared with the Draft Plan registration; officially issued with full registration of the Plan.
- A .dwg of the lotting plan would be appreciated and will speed up the process.

Municipal Works (Development Engineering):

- No comments or concerns regarding the proposed applications.

Municipal Works (Transportation Services):

- The subdivision abuts the Canadian Pacific rail line.
- Chippawa Parkway is a City arterial road. It has a planned 26.0 m right-of-way. Chippawa Parkway is 20.12 m wide. A 2.94 m road widening will be required.
- An update to the approved January 2019 Traffic Impact Study is required. The two roads intersecting with Chippawa Parkway are at different locations than originally approved. The Study needs to address the location of the two intersections with Chippawa Parkway (the western road abuts the woodlot while the eastern road is at the end of a horizontal curve), and site lines at both of those locations.
- Parking to be prohibited on one side of Street G since it ends on a cul-de-sac.
- Daylight triangles measuring 7 m x 7 m required for the two intersections along Chippawa Parkway, and 5 m x 5 m elsewhere within the subdivision.
- A 1.5 m boulevard-separated concrete sidewalk will be required on one side of all streets, except for the cul-de-sac. Staff will identify which side the sidewalk is to be provided on.
- Staff is supportive of the two traffic circles noted for Street I. Other speed control measures will be required to cover the neighbourhood. Staff will develop a plan when a formal application is submitted and include it as a condition of Draft Plan approval.

Municipal Works (Landscape Services):

- The consultant had indicated that the EPA lands shall be dedicated to the City of Niagara Falls. Staff request that this is brought into the Subdivision Agreement.
- Maintenance buffers will be required to address any natural areas conveyed to the City of Niagara Falls. Sufficient lands shall be dedicated to allow for a maintenance buffer between the natural areas and private properties. Maintenance buffers shall not be located on private lands. The buffer shall have a minimum width of 3.0m (10').
- The Owner shall undertake natural area conservation works in accordance with the City of Niagara Falls Woodland Management Plan for all EPA lands and other natural areas that are conveyed to the City of Niagara Falls. Works shall be to the satisfaction of the General Manager of Municipal Works.
- A Tree Survey Plan will be required and must conform to the City of Niagara Falls Standards for Site Planning. The Plan shall be developed by a certified professional. 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 adjacent landowner(s). The recommendations of the Tree Survey Plan shall be implemented through the Draft Plan of Subdivision process. This includes potential modifications to the project layout and grading plans.

Zoning:

- Please see the attached comments. A detailed zoning review will be completed upon submission of a zoning matrix.

Mississaugas of the Credit First Nation (MCFN):

- The Mississaugas of the Credit First Nation would like to notify you that we are the Treaty Holders of the land on which the development of a subdivision will be taking place. This project is located on the Mississaugas Treaty at Niagara, 1781.
- In light of this, the MCFN Department of Consultation and Accommodation (DOCA) requires that a Stage 1 Archaeological Study be conducted on the site to determine its archaeological potential and 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. With the natural woodland features and the Welland River nearby, MCFN DOCA will require an EIS to be completed and submitted to MCFN DOCA for review and comment.

Niagara Peninsula Conservation Authority (NPCA):

- The NPCA notes that the subject property is impacted by the Niagara Falls Slough Forest Wetland Complex.
- The NPCA will request a scoped Environmental Impact Statement, to the satisfaction of the NPCA, which speaks to conformance with NPCA Policies 8.2. When an Environmental Consultant is obtained for the scoped EIS please have them reach out to the NPCA.
- The NPCA will request explanation justifying the proposed development in relationship to the compliance agreement with the NPCA, which was established due to unauthorized clearing of a wetland.
- Additionally, please update the drawing to show the distance between the wetland and the proposed development - e.g. 30 M, and please include a legend on the concept plans.
- The NPCA would request circulation of the Stormwater Management Report. If an outfall is proposed within an NPCA regulated area, then NPCA approval will be required.
- Any development (including Stormwater Outfalls) within the regulated areas will require NPCA approval.
- The NPCA will require formal circulation, as well as a review fees at the time of submission.

Niagara Region:

Site Designation

Provincial Policy Statement (PPS) - Settlement Area
Provincial Growth Plan - Designated Greenfield Area
Niagara Official Plan (NOP) - Designated Greenfield Area

Planning Comments

- Designated greenfield areas are to achieve a minimum density of 50 residents and jobs combined per hectare as measured across the entire region. Such areas are to be planned as complete communities by ensuring development is sequential, orderly and contiguous with existing built-up areas, utilizing secondary planning tools as appropriate, ensuring infrastructure capacity is available, and supporting active transportation and encouraging the integration of sustained viability of public transit service. Staff acknowledge this property is within the Riverfront Community Plan area in the City of Niagara Falls Official Plan.

- Based on the submitted sketch, the proposal will exceed the minimum 50 residents and jobs per hectare. Staff request the submission of a Planning Brief to demonstrate the density being achieved and highlight the modifications being made to the Draft Plan.

Site Condition

- Regional staff are aware that Environmental Site Assessment work for the subject lands is ongoing. Please submit the most recent studies on this matter.

Land Use Compatibility

- The most recent study staff has is the 'Riverfront Community Phase 1A and 1B Air Quality, Noise and Vibration Assessment, prepared by RWDI (dated August 10, 2021). Staff request that this study be updated to reflect the proposed block/lot fabric and to consider the proposed South Niagara Wastewater Treatment Plant immediately south of Phase 2.
- In accordance with the D-2 Guidelines: Compatibility between Sewage Treatment and Sensitive Land Use, for sewage treatment plants with a capacity greater than 25,000 cubic metres, a separation distance from sensitive land uses of greater than 150 metres is recommended. Phase 1 of the South Niagara Wastewater Treatment Plant is anticipated to have a capacity of 30,000 cubic metres, with the ability to double the capacity through future upgrades. The subject lands are at least 190 metres from the wastewater treatment plant site, however consideration of this facility should be provided through the updated study, specifically if there are any additional mitigation measures / warning clauses that should be incorporated.

Archaeological Potential

- The Region has received clearance from the former Ministry of Tourism, Culture, and Sport with respect to a Stage 1 and 2 Archaeological Assessment, prepared by Amec Foster Wheeler (dated May 27, 2016).
- Please resubmit these documents as part of your complete application.

Environmental Comments

- This site is the subject of previous studies and plans.
- Staff request that a Technical Memo be provided, confirming that previous environmental recommendations and mitigation measures are still applicable to the new concept plan.

Transportation/ Roads

- Chippawa Parkway – Local

Servicing

- Developer is currently working with City and Region for the design of the new sewage pumping station/forcemain (located to the east of this site) – drawings are at 90% complete – station design is being processed for approval by direct submission to the MECP
- Legal agreement for the SPS will need to be completed between the Region and the Developer for the construction of the SPS/forcemain.
- Any new/extended sanitary and storm sewers must be reviewed by the City through the Consolidated Linear ECA system.

Stormwater Management

At the time of Draft Plan of Subdivision, the Region will require a Stormwater Management Report be circulated to this office for review and approval. The following comments are

provided by information purposes to assist the applicant with the preparation of a detailed Site Plan:

- Stormwater runoff is to be captured and treated to an Enhanced level (i.e., 80% long-term suspended solids removal) prior to discharge Provincially Significant Wetland (PSW).
- PSW shall not be negatively affected as a result of the development. Consideration must be given to incorporation of Low Impact Development SWM practices to meet peak flow control and erosion control prior to discharge to wetlands.
- Confirmation from the City that development storm flows can be accommodated in local sewer or what infrastructure upgrades may be required.
- A Stormwater Management Report (and the associated fee, development >5 ha) be submitted to this office indicating in detail how the above noted criteria will be achieved and including a section of inspection and maintenance requirements of SWM facilities for the future owner.
- Prior to construction, the Niagara Region will require that detailed Grading, Servicing and Construction Erosion/Sediment Control Plans be submitted to this office for review and approval.

Waste Collection (Low Density Residential)

- Blue/grey – no limit (weekly)
- Green – no limit (weekly)
- Waste – 2 bag/can limit (bi-weekly)
- Curbside collection only
- Future submissions should indicate the intention for waste collection and include details such as truck route and turning templates, and show the truck being able to enter and exit the development from both directions on Chippawa Parkway at each entrance.
- The proposed concept for Block 222 does not meet the Regional policy for collection, therefore collection will be through a private contractor (all units have perpendicular parking in front).
- As of Jan. 1, 2024, Circular Materials Ontario will take over the delivery of residential Blue / Grey Box recycling collection services currently administered by Niagara Region. The most up to date information can be found using the following link: <https://www.circularmaterials.ca/resident-communities/niagara-region/>

Regional Bicycle Network

- The subject property has frontage on Chippawa Parkway 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.

Regional fee requirements are listed below. Please note that the Region is accepting payment on their website: <https://www.niagararegion.ca/business/payments/default.aspx>

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.

a. APPLICATION FEES - Please contact the City for current fees when ready to proceed

Application	City of Niagara Falls	Niagara Region	NPCA
Combined Official Plan and Zoning By-law Amendment	\$ 21,630.00	\$590.00 (Technical Local OPA Review) \$1,440.00 (Zoning By-law Amendment Review)	\$6,893.00 (Official Plan Amendment) \$6,893.00 (Zoning By-law Amendment)
Modification – Draft Plan of Subdivision	\$ 3,810.00	\$2,860.00 (Draft Plan Modification Review) \$2,060.00 (Stormwater Review)	\$1,130.00 (Draft Plan of Subdivision Modification with More than 100 lots)
Total	\$ 25,440.00	\$6,950.00	\$6,893.00 *Applications that fall into one or more categories will be charged one fee, at the highest rate, when the applications are submitted concurrently.

Notes:

Notwithstanding the fees noted above, all fees are payable based upon the rate in the fee schedule by-law in effect on the date the application is received. Additional fees may be required at a later date based on the fee schedule by-law.

Separate cheques are required made payable to each appropriate agency and are submitted to the City with the complete application. The Region is accepting on-line payments on the Niagara Region website.

Additional Agencies to be contacted:

MTO NPC NEC Hydro Pipeline CN/CP Other: OPG

b. ATTEENDEES

City	Applicant	Agency
Mackenzie Ceci (Planning) mceci@niagarafalls.ca	William Heikoop (Agent) wheikoop@ucc.com	Katie Young (Region) katie.young@niagararegion.ca
Erica Hammond (Landscape Services) ehammond@niagarafalls.ca		Pat Busnello (Region) pat.busnello@niagararegion.ca
Ben Trendle (Fire Department) btrendle@niagarafalls.ca		Abby La Forme (Mississaugas of the Credit First Nation – MCFN) abby.laforme@mncfn.ca
Marcus Wahrstaetter (Engineering) mwahrstaetter@niagarafalls.ca		
John Grubich (Transportation) jgrubich@niagarafalls.ca		
Dean Spironello (Business Dev.) dspironello@niagarafalls.ca		
Andrew Bryce (Planning) abryce@niagarafalls.ca		
Brian Kostuk (Engineering) bkostuk@niagarafalls.ca		

Signatures

Planning Staff		
Regional Planning Staff		
Agent		
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		

c. 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 one year 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 .

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.

Inter-Departmental Memo

To: Mackenzie Ceci, Senior Planner (Current Development)

From: Sue Scerbo, Senior Zoning Administrator

Date: December 21, 2023

Re: **Modification to Approved Draft Plan of Subdivision
Official Plan and Zoning By-law Amendment
Applicant: Centennial Homes (Niagara) Inc.
Agent: William Heikoop (Upper Canada Consultants)
Property: Riverfront Plan of Subdivision**

Summary:

The applicant is proposing a modification to the Riverfront Draft Plan of Subdivision to facilitate the development of 556 dwelling units, a park, open space, a stormwater management pond, and a block for future development. An Official Plan and Zoning By-law Amendment are proposed to facilitate the proposed block/lot fabric.

The lands are currently zoned Residential Low Density, Group Multiple Dwelling Zone (R4-1133), R4-1134, in part, Environmental Protection Area (EPA-1136), in part, and Open Space (OS), in part, in accordance with Zoning By-law 79-200, as amended by site specific By-law 2020-124.

The applicant is proposing to rezone the lands to a site specific R4, EPA and OS Zone to facilitate the proposed development.

The following table compares the regulations of the R4 zone with what is proposed:

Provision	Requirement	Proposal	Comply
Permitted Uses	The uses permitted in the R4 zone	A detached dwelling	No
		A semi-detached dwelling	No
		A townhouse dwelling	Yes
		An on street townhouse dwelling	No
		A back to back on street townhouse dwelling	No
Minimum lot area for a townhouse dwelling	250 square metres for each dwelling unit		

Minimum lot area for an apartment dwelling or stacked townhouse dwelling	200 square metres for each dwelling unit		
Minimum lot frontage for a townhouse dwelling or an apartment dwelling or a stacked townhouse dwelling containing more than four dwelling units	30 metres		
Minimum lot frontage for a townhouse dwelling or an apartment dwelling or a stacked townhouse dwelling containing four dwelling units or less on an interior lot	24 metres		
Minimum lot frontage for a townhouse dwelling or an apartment dwelling or a stacked townhouse dwelling containing four dwelling units or less on a corner lot	25.5 metres		
Minimum front yard depth for a townhouse dwelling	6 metres + any applicable distance specified in section 4.27.1		
Minimum front yard depth for an apartment dwelling or a stacked townhouse dwelling	7.5 metres + any applicable distance specified in section 4.27.1		
Minimum rear yard depth for a townhouse dwelling	7.5 metres + any applicable distance specified in section 4.27.1		
Minimum rear yard depth for an apartment dwelling or a stacked townhouse dwelling	10 metres + any applicable distance specified in section 4.27.1		
Minimum interior side yard width	One-half the height of the building		

Minimum exterior side yard width for a townhouse dwelling	4.5 metres		
Minimum exterior side yard width for an apartment dwelling or a stacked townhouse dwelling	7.5 metres + any applicable distance specified in section 4.27.1		
Maximum lot coverage	35%		
Maximum height of building or structure	10 m, subject to section 4.7		
Number of dwellings on one lot	[subject to section 7.9.3] More than one dwelling is permitted on one lot		
Parking and access requirements	In accordance with section 4.19.1		
Minimum parking stall width	2.75 metres		
Minimum parking stall length	6 metres		
Minimum manoeuvring aisle	6.3 metres		
Parking in yards	Within the R4, R5A, R5B, R5C, R5D, R5E and R5F zones no person shall use any portion of the front yard of any lot for the parking or storing of any motor vehicle unless either a landscaped open space strip or a decorative wall or decorative fence and a landscaped open space strip is provided and		

	<p>maintained along the part of every front lot line and side lot line which abuts a street, except that part thereof crossed by an access driveway or sidewalk, an in accordance with the following regulations;</p> <p>(i) If only a landscaped open space is provided such landscaped open space strip shall have a minimum width of 3 metres, unless a decorative wall or decorative fence in accordance with subsection (ii) is provided; in which case the landscaped open space strip shall have a minimum width of 1.5 metres.</p> <p>(ii) The height of a decorative wall or fence shall be a minimum of 1 metre above the average level of the parking area in the front yard.</p> <p>(iii) Any such decorative wall or fence shall be located a minimum of 1 metre inside the abutting street line;</p> <p>(iv) Where a daylighting triangle</p>		
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	is required, no such decorative wall or decorative fence shall be located within such daylighting triangle.		
Accessory buildings and accessory structures	In accordance with sections 4.13 and 4.14		
Minimum Landscaped Open Space Area	45 square metres for each dwelling unit		
Minimum privacy yard depth for each townhouse dwelling unit, as measured from the exterior rear wall of every dwelling unit	7.5 metres		
Minimum amenity space for an apartment dwelling unit or a stacked townhouse dwelling unit	In accordance with section 4.44		

Comments:

- Additional information is required to ensure zoning compliance and to add site specific regulations for all proposed uses.

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

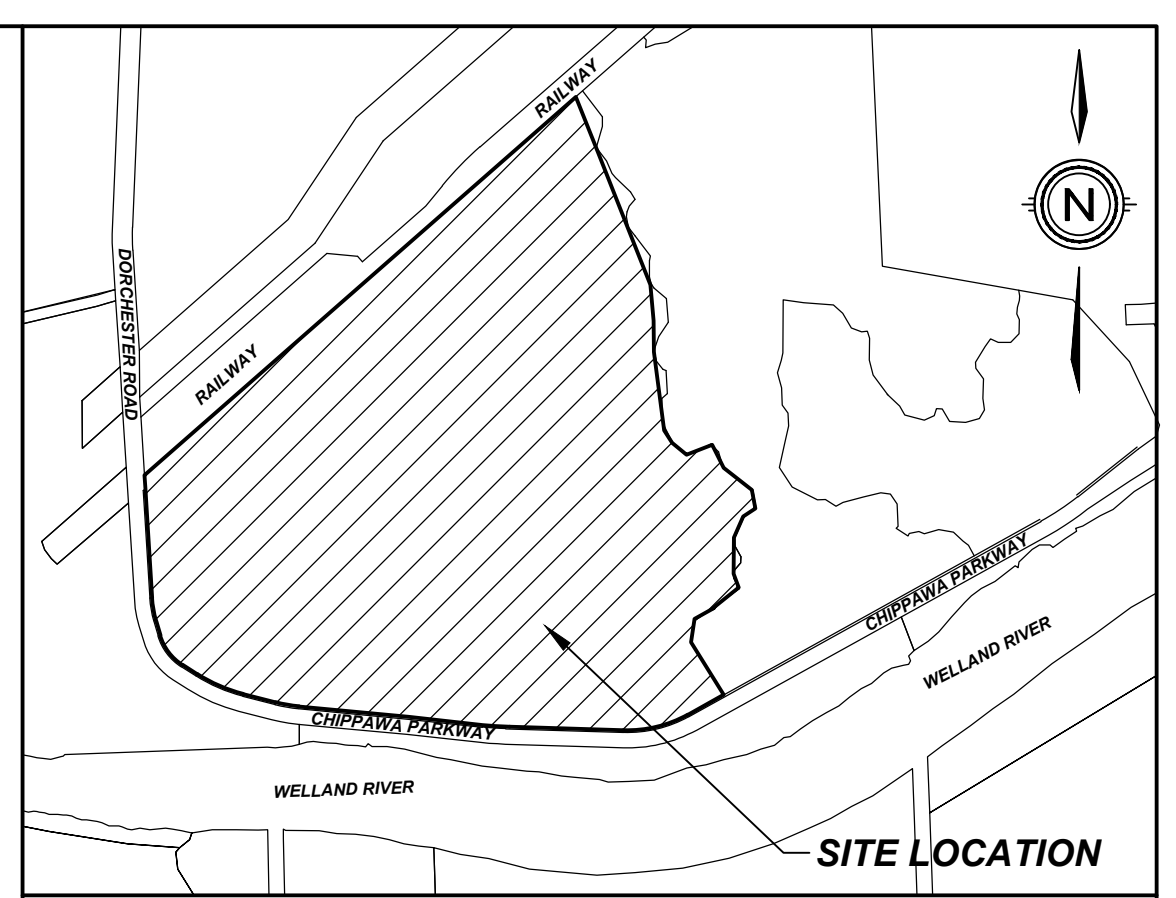
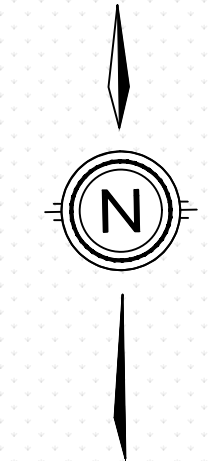
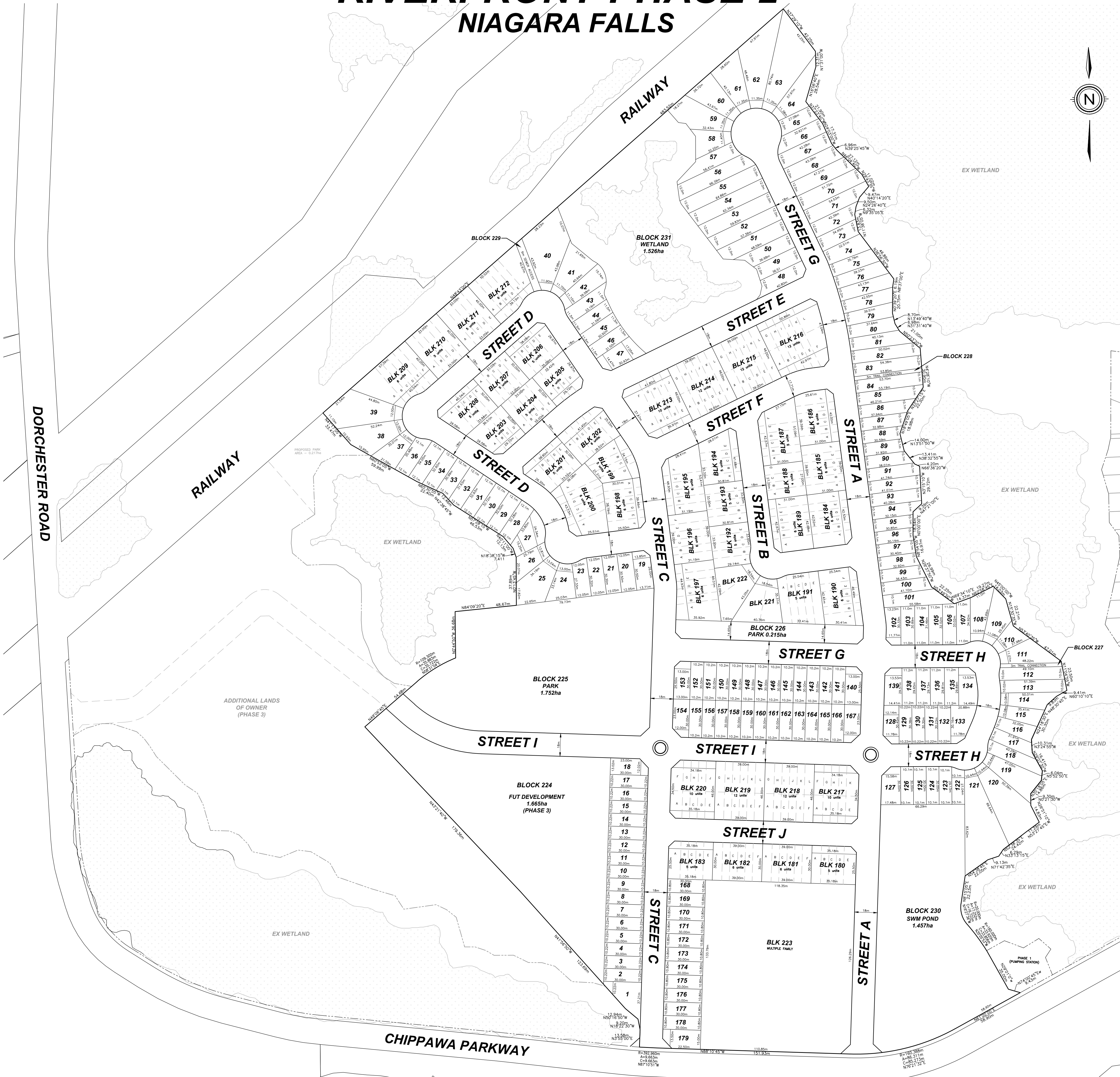
Provision	Requirement	Proposal	Comply
Permitted Uses	The uses permitted in the OS zone (section 14.1)		
All of the regulations in section 12.2 for a use, building or structure in an A zone shall also apply to a use, building or structure permitted under clause (a) of section 14.1 in an R zone.			
The regulations for a use, building or			

structure permitted under clauses (b) to (j) inclusive of section 14.1 shall be as follows:			
Minimum lot frontage	150 metres		
Minimum front yard depth	10 metres		
Minimum lot area	2 hectares		
Minimum side yard width on each side	10 metres		
Minimum rear yard depth	10 metres		
Maximum lot coverage	10%		
Maximum height of building or structure	10 metres		
Maximum number of one family detached dwellings on one lot	1 only		
Parking and access requirements	In accordance with section 4.19.1		
Accessory buildings and accessory structures	In accordance with subclauses ii – front yard depth, iv – side yard width, v – rear yard depth, and vii – maximum height, of clause b of this section		Additional information required

Comments:

- Please provide additional information where required to ensure zoning compliance.

RIVERFRONT-PHASE 2 NIAGARA FALLS



DRAFT PLAN OF SUBDIVISION

PARK DEDICATION CALCULATION CHART

PHASE (DEVELOPABLE ONLY)	AREA(ha)	AREA(ac)	PARK REQUIRED (5%)		PARK PROVIDED	
			(ha)	(ac)	(ha)	(ac)
PHASE 1	30.389	25.672	0.519	1.282	0	0
PHASE 2	26.953	66.602	1.347	3.328	1.967	4.860
PHASE 3	6.358	15.711	0.318	0.786	0.217	0.536
TOTAL	43.700	107.985	2.184	5.396	2.184	5.396

PHASE 2-LAND USE SCHEDULE

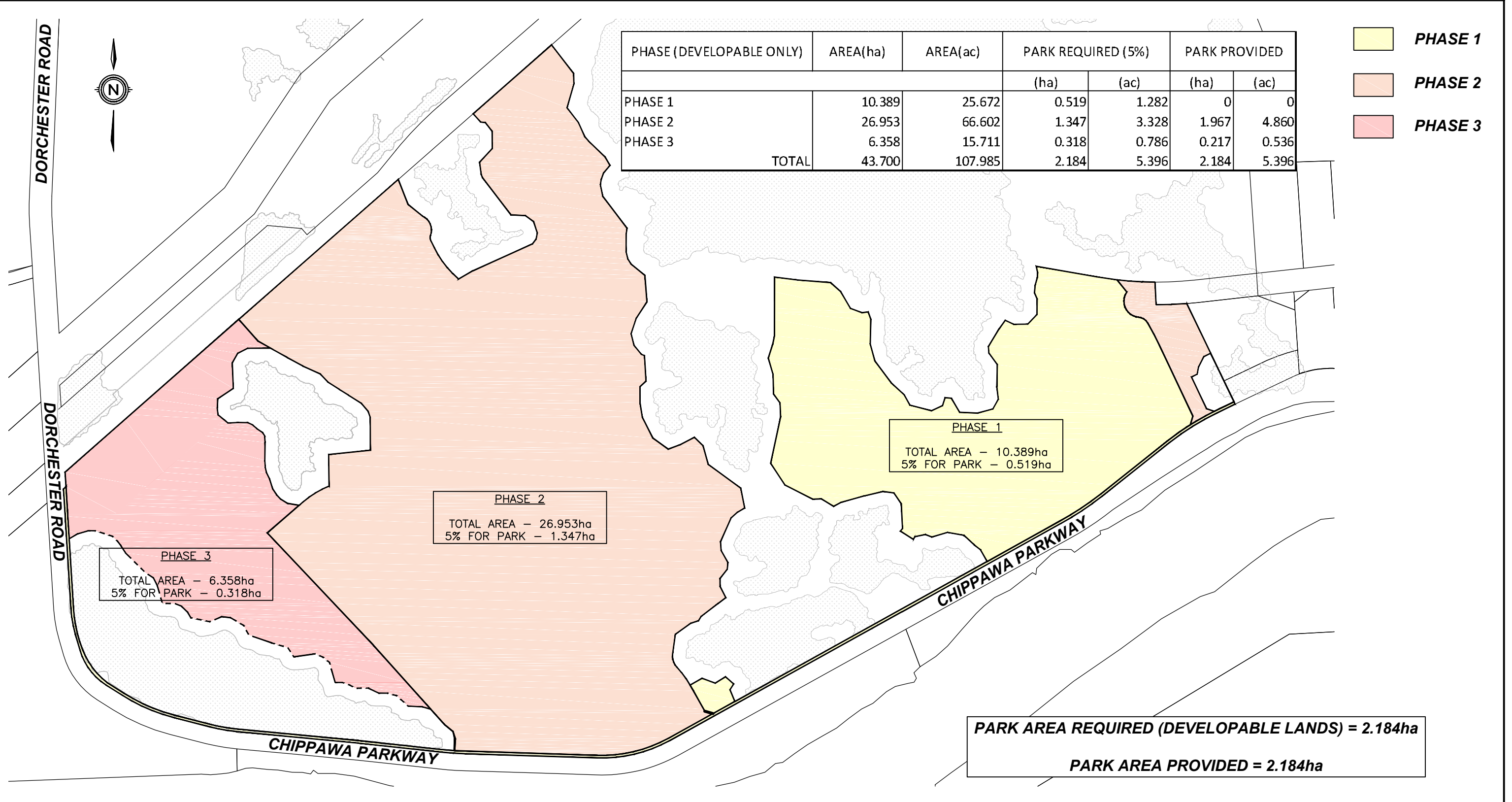
LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	1-179	178	8.088	29.05
STREET TOWNHOUSE	180-212	178	4.019	14.44
BACK-TO-BACK TOWNS	213-220	88	1.440	5.17
SEMI-RESIDENTIAL	221-222	4	0.199	0.71
MULTIPLE FAMILY	223	---	1.581	5.68
FUTURE DEVELOPMENT	224	---	1.665	5.98
PARK (PHASE 1-2)	225-226	---	1.967	7.07
3.0m TRAIL CONNECTION	227-228	---	0.031	0.11
6.0m SEWER ACCESS	229	---	0.025	0.09
STORM MANAGEMENT POND	230	---	1.457	5.23
OPEN SPACE/WETLANDS	231	---	5.829	5.48
ROADWAY	---	---	5.839	20.99
TOTAL	---	TBD	27.837	100.00

DEVELOPABLE AREA = 22.887ha (EXCL. PARK, SWM AND O/S)
DEVELOPABLE DENSITY = TBD units/ha

#	ISSUED FOR REVIEW	DATE	INIT
0	ISSUED FOR REVIEW	2024-01-17	TA
1	REVISION	DATE	INIT



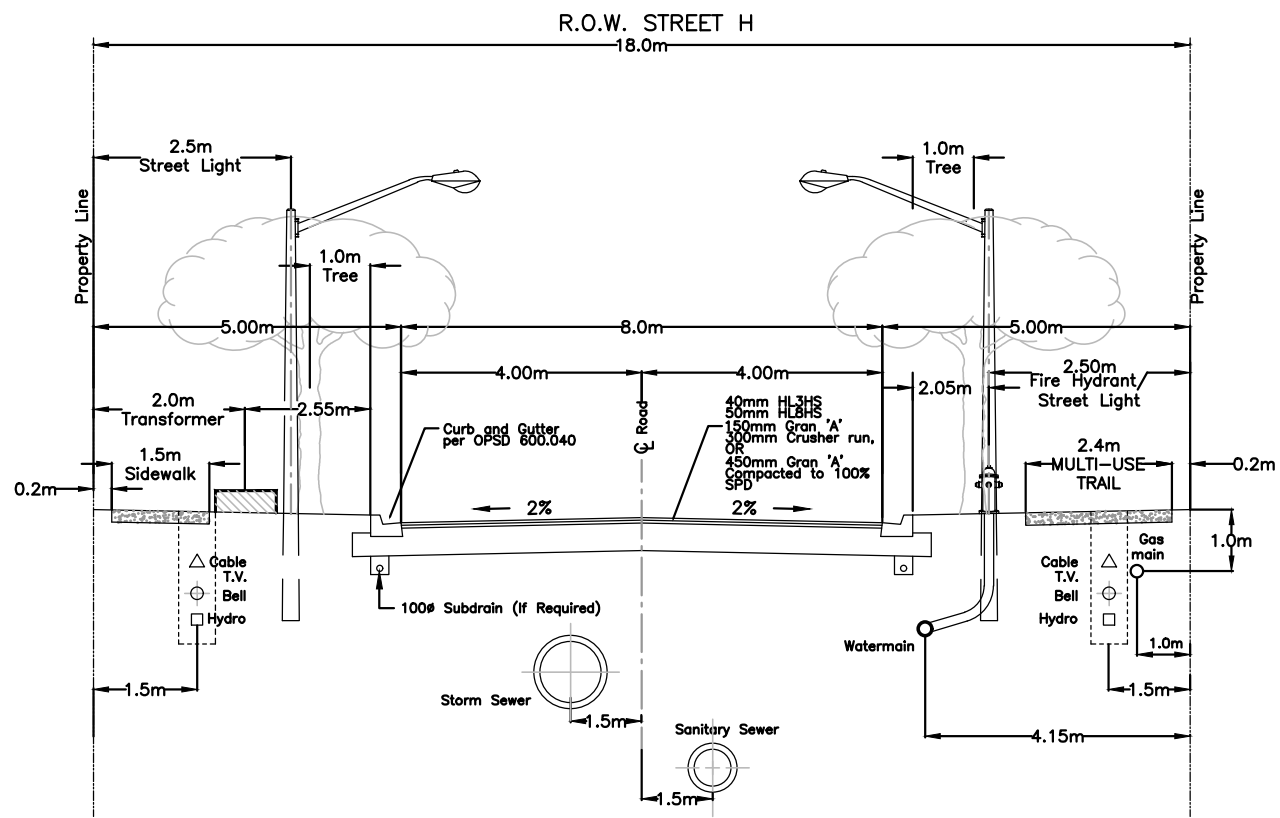
DRAWING TITLE	DRAFTING	TA
PHASE 2 DRAFT PLAN OF SUBDIVISION	DATE	JANUARY 17, 2024
	PRINTED	JANUARY 17, 2024
	SCALE	1:1500
	DWG No.	REV
2209-PH2-DP	0	



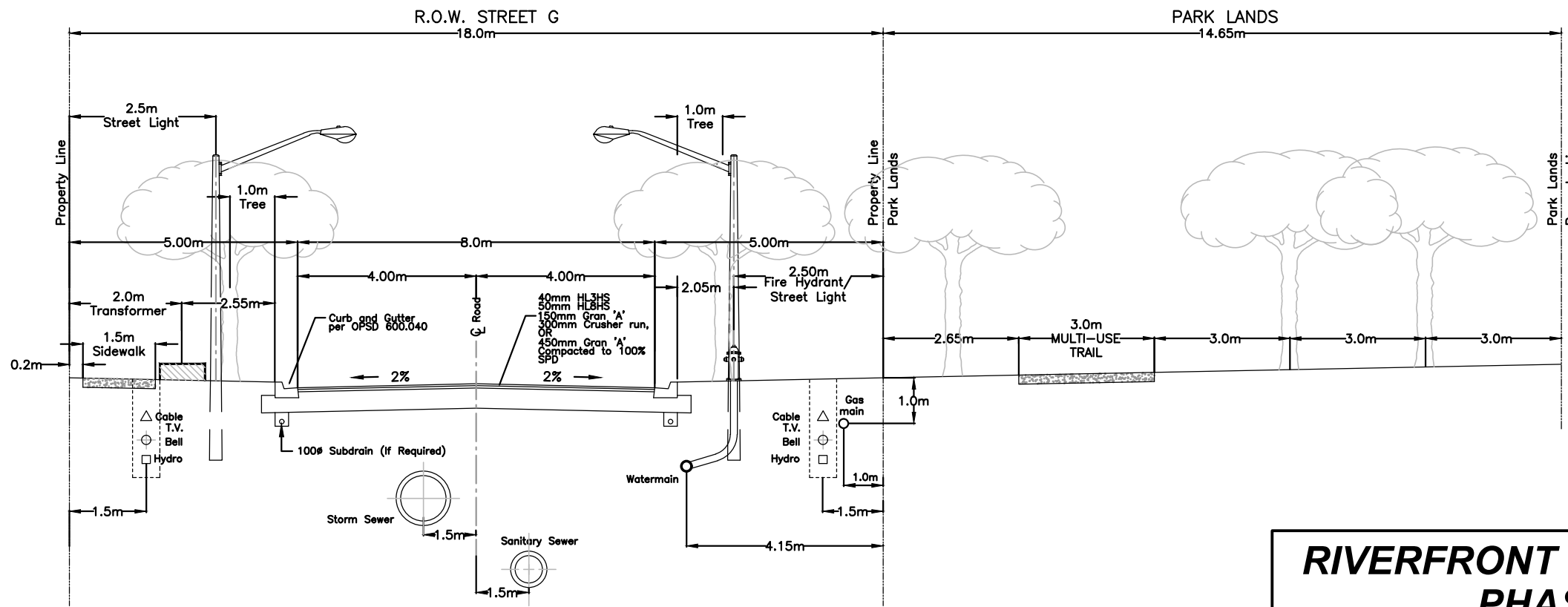
**RIVERFRONT COMMUNITY
NIAGARA FALLS**

PARKLAND DEDICATION CALCULATION PLAN

DATE	2023-11-29
SCALE	N.T.S.
REF No.	.
DWG No.	2209-PARK



STREET H - TYPICAL CROSS SECTION-18m R.O.W.



STREET G - TYPICAL CROSS SECTION WITH PARK LANDS-18m R.O.W.

**RIVERFRONT COMMUNITY
PHASE 2
NIAGARA FALLS
ROAD CROSS SECTIONS**

DATE	2024-01-17
SCALE	1:1000
REF No.	.
DWG No.	2206

GUIDELINES FOR THE PREPARATION OF PLANNING JUSTIFICATION REPORTS AND PLANNING JUSTIFICATION BRIEFS

PURPOSE:

The purpose of this document is to provide guidance for the preparation of Planning Justification Reports and Planning Justification Briefs.

Planning Justification Reports are required to accompany submissions of development related applications such as Official Plan and Zoning By-law Amendment applications and Draft Plan of Subdivision/Condominium applications and sometimes Site Plan applications.

Planning Justification Briefs are typically required for less complex applications such as Consent or Minor Variance applications.

All reports shall follow the guidelines contained in this document unless report requirements are further scoped during pre-consultation. Failure to adhere to the guidelines may result in a report being considered unsatisfactory and submitted applications being deemed incomplete.

The goal of the Reports is to provide a background context of the proposal, an overview of the purpose and effect of the application(s) and provide a professional planning rationale for the application by demonstrating how the proposal is consistent with provincial policy and conforms to applicable planning policy documents and good planning principles.

All reports must be signed by a Registered Professional Planner (RPP). A Candidate Member of the Ontario Professional Planners Institute (OPPI) or a Certified Planning Technician (CPT) may also prepare the report, however it must be reviewed and signed an RPP.

Reports will vary in content and detail depending on the nature and complexity of the proposal and applications being sought, however all reports must include the following:

- Introduction
- Site context
- Description of the proposal
- Policy and planning analysis
- Summary and conclusions
- Appendices/maps/plans

Planning Justification Reports:

The framework for a Planning Justification Report is based on the following:

A. Introduction

Every report must contain a brief introduction which outlines:

- Who was retained to write the report, when and by whom
- What applications(s) have been submitted or are required to support the proposal
- Date of the pre-consultation meeting(s)
- A statement of the purpose of the report

B. Site Context

The site context is intended to provide an understanding of where the proposal is located and the characteristics of the site and surrounding area. This section of the report contains:

- A description of the location, existing condition and existing land uses of the subject lands
- A description of the surrounding land uses and important features such as roadways, significant buildings/features or characteristics of the area
- Identification of constraints affecting the site such as hazards, natural heritage features, access restrictions, servicing restrictions, cultural heritage resources, etc.
- Identification of any lands on the site that may be regulated by the Niagara Peninsula Conservation Authority
- Identification of any other known development proposals affecting the area
- Maps or reference to appendices that help provide a context for the site and surrounding land uses, such as surveys, aerial photographs, site photographs, maps, etc.

C. Description of Proposal

The description of the proposal is to provide detailed information to allow the reader to understand the purpose and outcome of the applications(s). This section of the report must provide details about proposed uses, proposed buildings and siting, if known the planning history of the site (i.e. previous applications), identification of how the lands will be serviced and any previous consultations with the Town, Region and Conservation Authority.

Where modifications to the Official Plan are proposed, a detailed draft of the proposed amendment and proposed modification should be included.

Where modifications to the Zoning By-law provisions are proposed, a detailed draft of the proposed by-law along with a detailed concept plan should be provided illustrating all applicable zoning regulations, (i.e. lot frontage, setbacks, coverage, encroachments, building height, parking (number and size of parking spaces, and driveway aisles), etc.).

The description of the proposal will also list and provide a brief description of other technical supporting studies that have been submitted as part of a complete application, in support of the application(s) and how these relate to applicable planning policies and inform the planning opinion in this report (i.e. Traffic Impact Studies, Noise and Vibration Assessments, Archaeological Studies, Functional Servicing Studies, Urban Design Brief, etc.).

D. Policy and Planning Analysis

The policy and planning analysis is the basis for establishing why a proposal should be considered and approved. The analysis must provide an outline of applicable planning policy documents and regulatory contexts quoting specific policies that are relevant to the proposal. The analysis must establish a basis for the application(s) by providing detailed analysis of the identified relevant policies and explain how the proposal conforms to the policies. Where changes to the Official Plan and/or Zoning By-law are proposed, the analysis must discuss the appropriateness of the requested amendments, including the policy basis for any requested modifications that are specific to the proposal. The following planning documents must be addressed as part of the policy and planning analysis:

1. Provincial Policy and Legislation:
 - Provincial Policy Statement
 - Growth Plan for the Greater Golden Horseshoe
 - Greenbelt Plan
 - Niagara Escarpment Plan
2. Municipal Policy
 - Region of Niagara Official Plan
 - Town of Pelham Official Plan
 - Secondary Plans
 - Council Approved Guidelines and Studies
3. Zoning By-law

If during the pre-consultation meeting specific policies were identified that need to be addressed in the Planning Justification Report, the policy and planning analysis should include an analysis of those specific policies and discuss how the proposal is supported by those specific policies.

The policy and planning analysis section is intended to provide a rationale and opinion as to why the proposal is appropriate, in terms of how the proposal addresses good planning principles. This may include a discussion of how the proposal provides social, cultural, economic, and/or environmental benefits; how the proposal contributes to creating complete, vibrant communities; and/or how potential negative impacts have been mitigated or avoided.

The analysis should also include a summary of the findings of other technical supporting studies that make up a complete application and discuss how the

findings of these studies are supported by the policy context and support the proposal and the planning opinion.

Applications which propose residential uses must provide an analysis of proposed densities and unit counts compared to the requirements in the applicable policy documents and demonstrate how the proposed density is in conformity with Provincial and/or municipal plans.

In some cases policy documents or zoning by-laws affecting lands may have been adopted or approved by Council, but are under appeal. In these cases, the documents are not in effect, but are relevant to the proposal. The Planning Justification Report should address the policies in the documents as part of the planning analysis and identify if changes are needed if the document or zoning by-law were in effect.

E. Summary and Conclusions

This section of the Report will provide a summary and concluding remarks outlining:

- The purpose and effect of the application(s), including why the requested amendment(s) are necessary
- A summary of the key relevant plans and policies and how they are being addressed
- A summary of the key merits of the application and
- Final recommendations

F. Appendices/Maps/Plans

The following visual aids and/or appendices are typically included in Planning Justification Reports and should be included where applicable:

- Maps, including aerial photographs, land parcel mapping and surveys
- Street level photographs/renderings of the lands subject to the proposed application(s)
- Official plan maps of land use designations
- Zoning maps
- Concept plans or site plans
- Official Plan amendment sketch and copy of proposed Official Plan amendment
- Zoning By-law amendment sketch and copy of proposed Zoning By-law amendment
- Draft plan of subdivision
- Supporting technical studies

Planning Justification Briefs:

For less complex proposals a Planning Justification Brief may be requested instead of a full Planning Justification Report. A Planning Justification Brief may be included as a covering letter with a formal application or as a short report. The Planning Justification Brief should give a summary of the proposal, outline the merits of the proposal based on

good planning principles. The requirement for a Planning Justification Brief will be determined on a case by case basis.

Planning Justification Briefs must include at a minimum:

- A description of the proposal and site context
- A summary addressing how the proposal meets the general intent of Provincial, Regional and municipal polices, including policies specific to the lands
- A brief summary of any supporting technical studies and how they support the planning opinion
- A summary of how the proposal is consistent with good planning principles.

Appendix III
Draft Official Plan Amendment



CITY OF NIAGARA FALLS

By-law No. 2025 - _____

A by-law to provide for the adoption of Amendment No. ____ to the City of Niagara Falls Official Plan (OPA #____).

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 mapping constituting Amendment No. ____ to the City of Niagara Falls Official Plan is hereby adopted.

Passed this ____ day of ____, 2025.

WILLIAM G. MATSON, ACTING CITY CLERK

JAMES M. DIODATI, MAYOR

First Reading:

Second Reading:

Third Reading:

OFFICIAL PLAN AMENDMENT NO. ____

PART 1 – PREAMBLE

(i) Purpose of the Amendment

A technical amendment is required in order to maintain the land use designations with the Secondary Plan area, though reconfigure these uses within the site.

(ii) Location of the Amendment

The subject lands are located North of Chippawa Parkway, east of Dorchester Road, and are municipally known as part of 6357 Progress Street. The lands have an area of approximately 26.305 hectares.

The lands subject to this amendment are shown more specifically on Map 1.

(iii) Details of the Amendment

Map Changes

- Schedule A – Land Use has been amendment to reconfigure the Residential, Low/Medium Density and Open Space land uses within the site.

(iv) Basis of the Amendment

The proposed amendment will guide the development of the subject lands to permit the proposed land uses and continue the protection of natural heritage.

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 maps, constitute Amendment No. ____ to the Official Plan of the City of Niagara Falls.

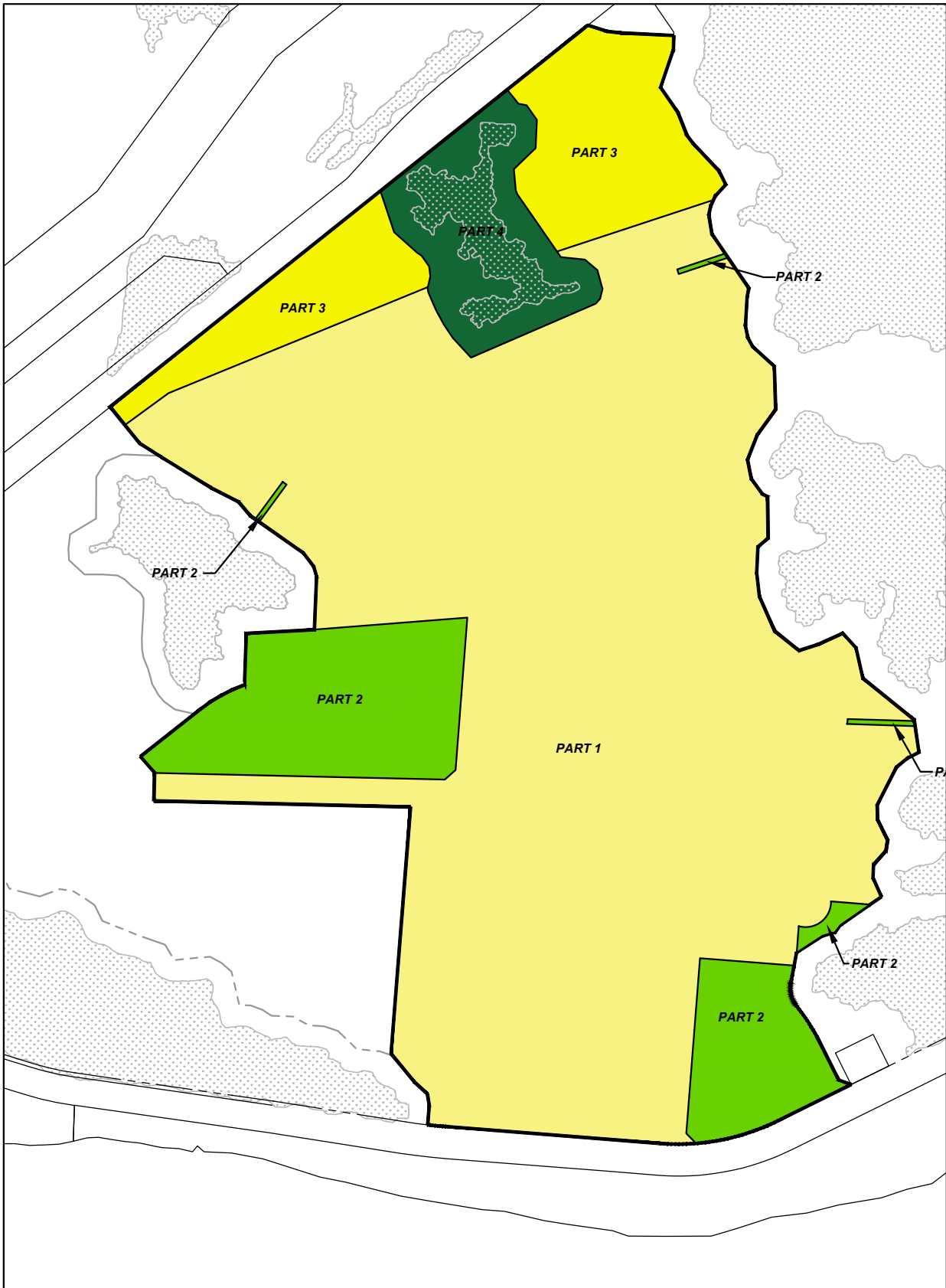
DETAILS OF THE AMENDMENT

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





1. MAP CHANGE

Schedule “A-6” to the Land Use – Riverfront Community Plan, is hereby amended by designating the lands identified as Part 2 on Map 1 attached hereto, and forming part of the amendment, from ‘Residential Low/Medium Density’ to ‘Open Space’, and Part 3 from ‘Open Space’ to ‘Residential Low/Medium Density’.

Draft OPA



LEGEND

-  PART 1 - OPA: REMAINS RESIDENTIAL LOW/MEDIUM DENSITY
-  PART 2 - OPA: RESIDENTIAL USE TO OPEN SPACE
-  PART 3 - OPA: OPEN SPACE TO RESIDENTIAL LOW/MEDIUM DENSITY
-  PART 4 - OPA: REMAINS ENVIRONMENTAL PROTECTION AREA

**RIVERFRONT COMMUNITY - PHASE 2
SCHEDULE 'A' TO OFFICIAL PLAN AMENDMENT No. _____**

MAYOR: _____

CLERK: _____



Appendix IV
Draft Zoning By-law Amendment

CITY OF NIAGARA FALLS

Draft By-Law No. 2025-___

A BY-LAW TO AMEND BY-LAW NO. 79-200, to regulate lands known as PART OF LOTS 213 & 214 AND PART OF ROAD ALLOWANCE BETWEEN LOTS 212 & 213 GEOGRAPHIC TOWNSHIP OF STANFORD, NOW IN THE CITY OF NIAGARA FALLS REGIONAL MUNICIPALITY OF NIAGARA.

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

1. The lands that are the subject of and affected by the provisions of this by-law are described in Schedule 1 of this by-law and shall be referred to in this by-law as the "Lands". Schedule 1 is a part of this by-law.
2. The purpose of this by-law is to amend the zoning of the subject lands from "R4-1134" to "R3-XX", "OS" to "R3-XX", "R4-1133" to "R3-XX", "R4-1134" to "OS-XX", "R4-1133" to "OS-XX", "EPA-1136" to "R3-XX", "R4-1134" to "R4-XX", "R4-1133" to "R4-XX" to permit the lands to be developed 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 provision of this by-law shall prevail.
3. 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.
4. Notwithstanding Section 4.14(a) of this By-law, sills, belt courses, cornices, chimney breasts, bay windows, pilasters and similar architectural features and window air conditioning units may project into any required yard a distance of not more than **0.6-metres**.
5. Notwithstanding Section 4.14(h) of this By-law, decks, porches and stairs may project into the required front yard or exterior side yard a distance of not more than **2.5-metres**.
6. Notwithstanding Section 4.19.1(a) Table 1, a dwelling containing 4 or more dwelling units save and except an on-street townhouse dwelling requires **1.25 parking spaces for each dwelling unit**.

7. Notwithstanding the Regulations of Section 7.8.2, the following provisions shall be applicable;

Minimum lot area

On-Street Townhouse 137m² per dwelling unit for Blocks 223-228

Minimum rear yard depth

Detached Dwelling 6 m

On-Street Townhouse 6 m
4 m for Blocks 223-228

Minimum lot coverage

On-Street Townhouse 56% for Blocks 223-228

8. Notwithstanding Section 7.9.1, the following provision shall also be applicable;

All on-street townhouses in the proposed R3-XX zone are to be included as permitted uses.

Back-to-back townhouses are to be included as permitted uses.

9. Notwithstanding the Regulations of Section 7.9.2, the following provisions shall be applicable;

Minimum lot area

Back-to-back townhouse 137 m² per dwelling unit
Stacked townhouse 114 m² per dwelling unit

Minimum front yard depth (and exterior side yard width)

Back-to-back townhouse 3 m to dwelling
6 m to garage
Stacked townhouse 3 m to dwelling
6 m to garage

Minimum rear yard depth (from the rear land unit line)

Back-to-back townhouse 0 m (common wall)

Stacked townhouse 6 m

Minimum interior side yard (minimum separation distance between buildings on the same Block)

Back-to-back townhouse 1.2 m
Stacked townhouse 1.2 m

Minimum exterior side yard width

Back-to-back townhouse 3 m
Stacked townhouse 3 m

Maximum lot coverage

Back-to-back townhouse 65%
Stacked townhouse 65%

Maximum height of a building

Back-to-back townhouse 12.6 m
Stacked townhouse 12.6 m

Number of dwellings on one block

Back-to-back townhouse Unlimited
Stacked townhouse Unlimited

Minimum landscaped open space

Back-to-back townhouse 15% of the block area
Stacked townhouse 20% of the block area

Minimum privacy yard depth for each townhouse dwelling unit, as measures from the exterior rear wall of every dwelling unit (2008-148)

Back-to-back townhouse Delete
Stacked townhouse Delete

Minimum amenity area per dwelling unit

Back-to-back townhouse N/A
Stacked townhouse 5 m²

Minimum yard with or yard depth for a deck from a street or block line

<i>Back-to-back townhouse</i>	<i>0.5 m</i>
<i>Stacked townhouse</i>	<i>0.5 m</i>

Minimum width of a driveway or parking area and a garage in the front yard of a land unit

<i>Back-to-back townhouse</i>	<i>50% of the land unit frontage or 6 m, whichever is less</i>
<i>Stacked townhouse</i>	<i>50% of the land unit frontage or 6 m, whichever is less</i>

10. Notwithstanding Section 14.1, the following provision shall also be applicable;

Stormwater Management Pond

11. 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.

12. No person shall use the Lands for a use that is not a permitted use.

13. No person shall use the Lands in a manner that is contrary to the regulations.

14. The provisions of this by-law shall be shown on **Sheet X** of Schedule "A" of By-law No. 79-200 by amending the zoning of the Lands from "R4-1134" to "R3-XX", "OS" to "R3-XX", "R4-1133" to "R3-XX", "R4-1134" to "OS-XX", "R4-1133" to "OS-XX", "EPA-1136" to "R3-XX", "R4-1134" to "R4-XX", "R4-1133" to "R4-XX."

15. Section 19 of By-law No. 79-200 is amended by adding thereto:

19.x.x Refer to By-law 2025 - ____.

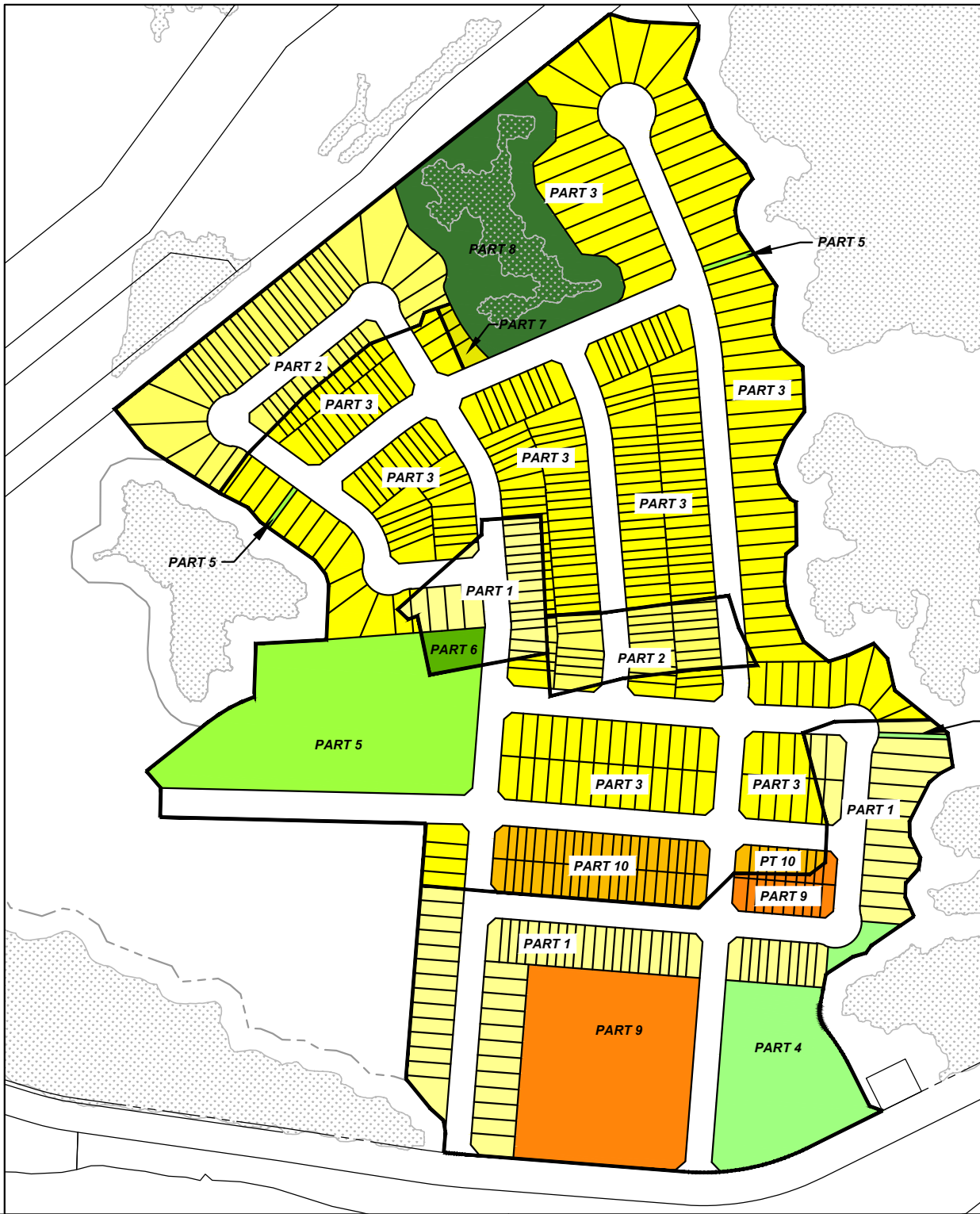
Passed this ____ day of _____, 2025.

Read a First, Second and Third time; passed, signed and sealed in open Council this ____ day of ____, 2025.

MAYOR

CITY CLERK

DRAFT



LEGEND

- PART 1 - ZONING: RESIDENTIAL LOW DENSITY GROUPED MULTIPLE DWELLING SITE SPECIFIC (R4-1134) TO RESIDENTIAL MIXED ZONE SITE SPECIFIC (R3-XXXX)
- PART 2 - ZONING: OPEN SPACE (OS) TO RESIDENTIAL MIXED ZONE SITE SPECIFIC (R3-XXXX)
- PART 3 - ZONING: RESIDENTIAL LOW DENSITY GROUPED MULTIPLE DWELLING SITE SPECIFIC (R4-1133) TO RESIDENTIAL MIXED ZONE SITE SPECIFIC (R3-XXXX)
- PART 4 - ZONING: RESIDENTIAL LOW DENSITY GROUPED MULTIPLE DWELLING SITE SPECIFIC (R4-1134) TO OPEN SPACE SITE SPECIFIC (OS-XXXX)
- PART 5 - ZONING: RESIDENTIAL LOW DENSITY GROUPED MULTIPLE DWELLING SITE SPECIFIC (R4-1133) TO OPEN SPACE SITE SPECIFIC (OS-XXXX)
- PART 6 - ZONING: RESIDENTIAL LOW DENSITY GROUPED MULTIPLE DWELLING SITE SPECIFIC (R4-1134) TO OPEN SPACE SITE SPECIFIC (OS-XXXX)
- PART 7 - ZONING: ENVIRONMENTAL PROTECTION AREA SITE SPECIFIC (EPA-1136) TO RESIDENTIAL MIXED ZONE SITE SPECIFIC (R3-XXXX)
- PART 8 - ZONING: ENVIRONMENTAL PROTECTION AREA SITE SPECIFIC (EPA-1136) TO REMAIN
- PART 9 - ZONING: RESIDENTIAL LOW DENSITY GROUPED MULTIPLE DWELLING SITE SPECIFIC (R4-1134) TO RESIDENTIAL LOW DENSITY GROUPED MULTIPLE DWELLING SITE SPECIFIC (R4-XXXX)
- PART 10 - ZONING: RESIDENTIAL LOW DENSITY GROUPED MULTIPLE DWELLING SITE SPECIFIC (R4-1133) TO RESIDENTIAL LOW DENSITY GROUPED MULTIPLE DWELLING SITE SPECIFIC (R4-XXXX)

**RIVERFRONT COMMUNITY - PHASE 2
SCHEDULE '1' TO ZONING BY-LAW AMENDMENT No. _____**

MAYOR: _____

CLERK: _____

