



# Planning Justification Report

5791-5853 ROYAL MANOR DRIVE, NIAGARA FALLS, ON

REGISTERED OWNER - 2742442 ONTARIO INC.

APRIL 2025



**Urban Belief Inc.**

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## 1.0 Introduction

Urban Belief Inc. has been retained by the owners of the subject lands to prepare this Planning Justification Report in support of a Zoning By-law Amendment (ZBA) application for the subject lands municipally known as **5791–5853 Royal Manor Drive**, located within the Urban Area Boundary of the **City of Niagara Falls**.

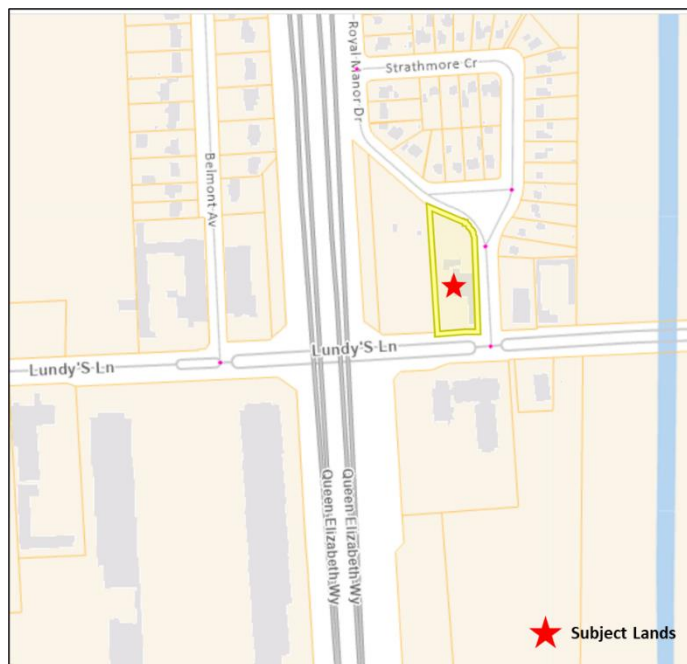
The purpose of the application is to permit a change in use from an existing massage salon to a pharmacy and medical clinic within an existing commercial unit. The proposal does not involve new development or site alterations and seeks to recognize and expand upon existing commercial uses within the *Tourist Commercial (TC) Zone* through the addition of a site-specific exception.

This Report evaluates the proposed amendment against applicable land use planning policies and regulations, including the Provincial Planning Statement 2024 (PPS 2024), Regional Official Plan (2022 Niagara Official Plan), the City of Niagara Falls Official Plan, and the applicable *Zoning By-law 79-200*.

## 2.0 Site Context and Description

### 2.1 Location

The subject lands are located on the west side of Royal Manor Drive, near the intersection with Lundy's Lane, in a well-established mixed-use area of Niagara Falls. The site is legally described as *PLAN 83 LOTS 13–15, A* and comprises a total area of approximately 3,568.08 square metres (0.36 hectares). A location map showing the subject lands is included in the figure:





## **2.2 Existing Conditions**

The subject lands are currently developed with a mix of commercial and residential uses arranged in multiple buildings and supported by surface parking. Key components of the site include:

- A two-storey mixed-use building at the southeast portion of the subject lands containing:
  - Ground floor uses: massage therapy clinic, realtor office and burrito restaurant
  - Second floor use: residential apartments
- A one-storey residential building located centrally on the subject lands
- An accessory one-storey garage structure located toward the northwest portion of the subject lands
- Two dedicated surface parking areas:
  - Parking Lot #1: 11 parking spaces (north side)
  - Parking Lot #2: 14 parking spaces (south side), including accessible space.

In total, the site provides 25 parking spaces, including accessible parking, which are adequate to support the full range of existing and proposed uses. A Zoning Matrix has been included in the Site Plan submitted in support of the application to demonstrate compliance with applicable performance standards.

The proposal involves a change of use only within an existing commercial ground-floor unit, with no exterior structural changes proposed. Specifically, the proposed clinic and pharmacy will occupy the ground floor unit at 5851 Royal Manor Drive and will operate as a single integrated entity within the existing commercial space.

Site Plan, Existing and Proposed Floor Plans, and Elevations prepared by Tarek Elmansoury, dated April 2025, have been submitted in support of the application.

## **2.3 Surrounding Land Uses**

The subject property at 5791 Royal Manor Drive, Niagara Falls, ON, is located within a mixed-use area characterized by a combination of residential and commercial uses:

- **North:** Established residential neighbourhoods comprised primarily of low-rise detached dwellings.
- **South:** A commercial hotel use, consistent with the area's tourist-oriented character.
- **East:** A mix of commercial uses and low-density residential dwellings, reflecting a transition zone between residential and commercial activity.
- **West:** Predominantly commercial uses, including personal service establishments and retail operations. The area also features tourist-serving commercial properties and key arterial road connections, contributing to high visibility and accessibility.

Based on the (Niagara Peninsula Conservation Authority (NPCA) mapping, the subject lands do not contain NPCA Regulated Areas.

### **3.0 Description of the Proposal**

The subject property is zoned Tourist Commercial (TC) in accordance with Zoning By-law No. 79-200, as amended by Committee of Adjustment Decision A-2021-042 to amend the total floor area restriction and an accessory storage building. The proposal is to amend the Zoning By-law to permit the conversion of an existing massage salon into a pharmacy and medical clinic. The proposed uses will operate independently and are intended to provide community health services and prescription fulfillment to local residents and tourists.

No new construction or physical expansion is proposed; all modifications will be internal to the existing unit. A site-specific Zoning By-law Amendment is requested to add "medical clinic" as an additional permitted use within the existing Tourist Commercial (TC) zone. A pharmacy is already permitted under the current zoning.

The proposed uses are compatible with the surrounding commercial context and support the broader goal of providing accessible, everyday services within the neighbourhood. A detailed evaluation of the applicable planning policies has been completed below, confirming that the proposed Zoning By-law Amendment is



consistent with the Provincial Policy Statement, 2024 (PPS 2024), conforms to the applicable policies of the Regional Official Plan (2022 Niagara Official Plan) and the City of Niagara Falls Official Plan, and maintains the general intent of Zoning By-law No. 79-200.

#### **4.0 Policy Analysis**

##### **4.1 Provincial Planning Statement, 2024 (PPS 2024)**

The Provincial Planning Statement provides policy direction on land use planning and development, serving as a key component of Ontario's policy-led planning system. It establishes a foundation for regulating land use across the province, aiming to meet the needs of a rapidly growing population while enhancing quality of life.

The Provincial Planning Statement (PPS), 2024 is a streamlined, province-wide land use planning framework that replaces both the Provincial Policy Statement, 2020, and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, while incorporating housing-supportive policies from both. It came into effect October 20, 2024. The Planning Act requires that municipal decisions on land use planning matters in the Province of Ontario be consistent with the policies of the PPS.

Section 2.3.1 of the PPS provides direction for Settlement Areas, where growth and development are to be focused. The policies state that development within these areas should be based on densities and land use mixes that efficiently use land and resources, are suitable for planned or available infrastructure and public service facilities, support active transportation, are transit-supportive, and minimize negative environmental and climate change impacts. Compact development forms that accommodate an appropriate mix of residential, employment, and other uses to meet long-term needs are encouraged. The policies also promote efficient land use by directing intensification and density to lands within settlement areas and supporting a mix of housing options on municipal services.



Section 2.3.1.1 Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.

Section 2.3.1.2 Land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation;
- d) are transit-supportive, as appropriate; and
- e) are freight-supportive.

Section 2.3.1.3 Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

The proposed Zoning By-law Amendment to permit a medical clinic and pharmacy introduces a mix of residential and non-residential uses within the Settlement Area, consistent with Section 2.3.1.1 of the PPS, which directs growth and development to Settlement Areas. This mix supports the creation of a more complete community by providing essential services in close proximity to existing residential uses.

In accordance with Sections 2.3.1.2 and 2.3.1.3, the proposal promotes a land use pattern that efficiently utilizes land and municipal infrastructure, enhances access to public service facilities, and supports active and transit-supportive transportation. By contributing to general intensification and improving service availability, the amendment supports the development of complete communities. In our opinion, the proposed amendment and the proposal is consistent with the Provincial Planning Statement, 2024.



## **4.2 Niagara Official Plan (Regional Official Plan)**

The Niagara Official Plan is the Regional Municipality of Niagara's long-term strategic planning framework for managing growth to 2051 and beyond. It guides land use and development decisions across the Region. However, as of March 31, 2025, Niagara Region will no longer have land use planning responsibilities under the Planning Act due to changes introduced by Bill 23. As such, the Niagara Official Plan will no longer be a Regional Plan but will instead serve as the official plan for Niagara's 12 local municipalities. The proposed application has been reviewed for conformity with the Niagara Official Plan for reference purposes.

The subject lands are located within the "Settlement Area" of Niagara Falls, as identified on Schedule A – Local Area Municipalities, and are designated "Delineated Built-Up Area" on Schedule B – Regional Structure. Section 2.2 of the Plan directs forecasted growth to Settlement Areas, which include built-up areas, designated greenfield areas, and strategic growth areas. These areas are intended to accommodate a full range of uses, including commercial uses. The proposed Zoning By-law Amendment to permit a medical clinic and pharmacy introduces a mix of residential and non-residential uses on the subject lands, supporting a complete community. In our opinion, the proposed amendment conforms to both the general and site-specific policies of the Niagara Official Plan.

## **4.3 Official Plan – City of Niagara Falls**

The Official Plan for the Niagara Falls Planning Area sets out the City's long-term objectives and policies for managing growth and development. It addresses the development of urban lands, the protection of agricultural areas, the conservation of natural heritage features, and the provision of necessary infrastructure.

The Plan provides direction to the year 2031, during which the City's population is projected to reach 106,800, with employment for approximately 53,640 people. It aims to accommodate this growth in a sustainable manner by promoting the efficient use of land and infrastructure, encouraging compact and livable communities, and protecting the City's natural and agricultural resources.

Schedule A-2 of the Plan identifies three planning areas within the City: the Urban Area, the Non-Urban Area, and the Natural Heritage Areas. The subject lands are located within the Urban Area. The City's strategy is to direct growth to urban areas, preserve natural heritage features, and support increased density within built-up areas. Growth is to be managed in alignment with regional forecasts and the Growth Plan, emphasizing efficient infrastructure use and phased Greenfield development. Key objectives include achieving 40% of new housing within built-up areas, promoting compact and complete communities, encouraging active and public transportation, maintaining a 20-year land supply (with at least 10 years ready for development), protecting employment lands, supporting sustainable urban design, and expanding affordable housing options.

The subject lands are designated as "Tourist Commercial" on Schedule A – Future Land Use of the City of Niagara Falls Official Plan. The lands are located within the "Lundy's Lane District," which is envisioned as a primarily tourist-oriented commercial corridor that coexists compatibly with local-serving commercial uses and surrounding residential areas. The portion of Lundy's Lane east of Montrose Road is intended to function predominantly as a community-serving and tourist commercial corridor.

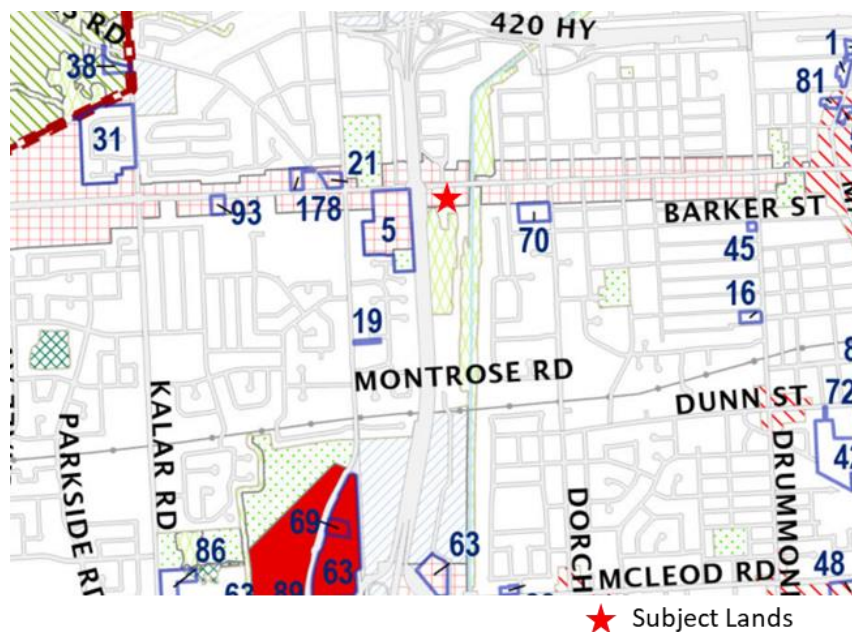


Figure 1: Snapshot from Schedule A Future Land Use of the City of Niagara Falls Official Plan





Section 4.1 of the Official Plan outlines the general policy framework for the Tourist Commercial Area, based on the Niagara Falls Tourist Area Development Strategy and public input. The focus is on enhancing the physical environment to establish a world-class tourist destination that increases visitor spending, lengthens stays, and extends the tourist season.

Key objectives of this designation include protecting the Falls and its viewing experience, promoting high-quality and complementary development, creating interconnected tourist districts, encouraging pedestrian-friendly streetscapes, and ensuring that major initiatives such as the Casino and People Mover system support and enhance the overall tourism experience.

Section 4.2.26 to Section 4.2.33 provides policy framework to the Lundy's Lane District which is planned as a tourist and community-serving commercial corridor, compatible with local commercial and residential uses. Enhancements to the historic Lundy's Lane Battlefield and Museum are supported. Development in this area should promote attractive streetscapes, minimize impacts on adjacent residential areas through screening and setbacks, and allow residential intensification up to 6 storeys with specific built form and parking standards. Mixed-use and pedestrian-oriented design is encouraged. A Streetscape Master Plan will guide future urban design and public realm improvements.

The proposed Zoning By-law Amendment to permit a medical clinic and pharmacy conforms to the Official Plan policies applicable to the Tourist Commercial designation and the Lundy's Lane District. These uses support the area's function as a tourist and community-serving corridor by providing essential health-related services for both visitors and local residents, contributing to a complete and service-oriented commercial area.

Located within the Lundy's Lane District, the proposal aligns with policies that encourage compatible development with local commercial and residential uses. The reuse of the existing building ensures minimal impact on adjacent properties, while contributing to an attractive streetscape and a pedestrian-friendly environment.

As year-round operations, the medical clinic and pharmacy help strengthen the local economy beyond the peak tourism season, supporting the Plan's objective of creating a vibrant, mixed-use corridor that serves both tourism and community needs. As such, it is our opinion the proposed the proposed amendment conforms to both the general and site-specific policies of the Official Plan of the City of Niagara Falls.

#### 4.4 City's Zoning By Law No. 79-200

The subject property is zoned "Tourist Commercial (TC)" under Zoning By-law No. 79-200, as amended by Committee of Adjustment Decision A-2021-042.

This application seeks to permit a change of use from an existing massage salon to a pharmacy and medical clinic within an existing commercial unit. The proposal does not involve new development or site alterations but aims to expand existing commercial uses within the TC Zone through a site-specific exception.

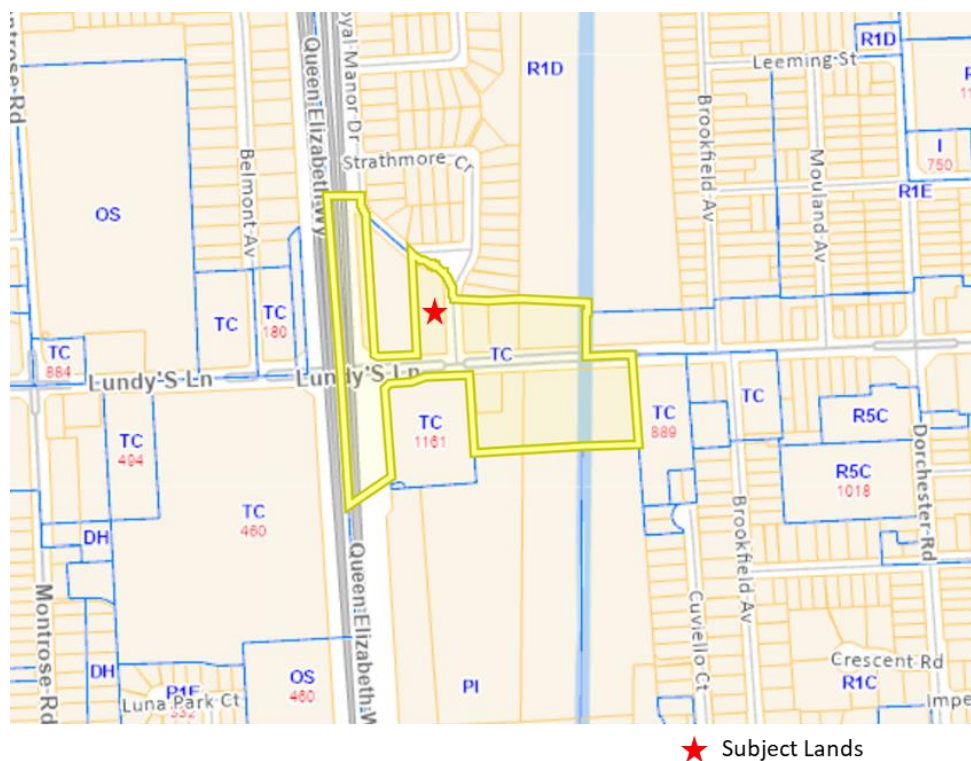


Figure 2: Snapshot from Zoning by Law Schedule



A pharmacy is a permitted use under the current zoning, along with existing dwelling units, commercial uses, and an accessory storage building. However, a medical clinic is not currently permitted. The requested amendment seeks to include a medical clinic as an additional permitted use.

The proposal involves only a change of use within the existing ground-floor commercial unit at 5851 Royal Manor Drive, with no exterior structural changes. The pharmacy and medical clinic will operate as a single integrated entity.

Site plans, existing and proposed floor plans, and elevations prepared by Tarek Elmansoury (April 2025) are submitted in support of the application. The site provides 25 parking spaces, including accessible spaces, sufficient to support all uses. A Zoning Matrix included in the Site Plan demonstrates compliance with performance standards.

The proposed development complies with all TC Zone standards and the conditions outlined in Committee of Adjustment Decision A-2021-042.

## **5.0 Conclusion**

The proposed Zoning By-law Amendment to permit a pharmacy and medical clinic on the subject lands at 5791–5853 Royal Manor Drive is consistent with the applicable planning policies and regulations. The application seeks to introduce a change of use within an existing commercial unit, with no new development or site alterations. This approach aligns with the City's goal of promoting efficient land use, creating a mixed-use community, and providing essential services for both residents and tourists.

The proposal conforms to the Provincial Planning Statement (PPS 2024), Niagara Official Plan, and the City of Niagara Falls Official Plan, particularly in terms of promoting a complete, mixed-use community and supporting community-serving facilities. Furthermore, the proposal is compatible with the surrounding land uses, enhances the pedestrian-friendly environment, and strengthens the local economy by providing essential services year-round.

The requested amendment is consistent with the intent of the Tourist Commercial (TC) Zone and supports the broader vision for the Lundy's Lane District as a mixed-use corridor serving both tourism and community needs. Given these considerations, the proposal meets all relevant planning criteria, and it is recommended that the Zoning By-law Amendment be approved.

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