

Jan 23, 2023

**Andrew Bryce MCIP , RPP  
Director of Planning  
City of Niagara Falls**

**Via email – [abryce@niagarafalls.ca](mailto:abryce@niagarafalls.ca)  
Cc. – [jhannah@niagarafalls.ca](mailto:jhannah@niagarafalls.ca)**

**Dear Mr. Bryce**

**Re: AM - 2022 - 029 Zoning By-law Amendment Application  
Planning Justification Report  
Amendments – 6633 McLeod Rd  
Applicant – Stefan Boncore**

**Further to your letter of Dec. 22, 2022 outlining the changes you require to “deem” the above referenced application complete we are providing our planning opinion and comments regarding the new Regional Official Plan and the City’s Official Plan Policy Part 2 1.15.5 ( iii )**

#### **REGION OF NIAGARA OFFICIAL PLAN 2022**

**The Region of Niagara Official Plan ( R.O.P ) outlines policies for the physical, economic and social development until the year 2051 within Niagara Region Policies are related to growth management, protection of the Natural Environment resources and agricultural land and the provision of infrastructure.**

**In 1973 the original policy plan was approved. The Regional Council approved By-law 2022 - 48 on June 23 2022. The adopted plan was approved with modifications by the Minister on Nov. 4 2022. The subject Planning Justification Report for 6633 McLeod Rd was prepared in 2022 using the March 10, 2022. Pre Consultation Mtg and Minutes as a guide. The PJR was submitted based on the 2014 consolidated version of the ROP.**

**Based on our review of both the 2014 and the 2022 ROP our planning position remains the same. We are now providing the relevant sections of the 2022 ROP with our planning comments as they relate to the proposed 18 unit stacked townhouse development at 6633 McLeod Rd.**

#### **Chapter 2 Growing Region**

**Policy 2.1.1.1. Population and employment forecasts listed in Table 2:1 are the basis for land use planning decisions to 2051. ( City of Niagara Falls Population 141,650 – Employment 58,110 )**

**Planning Comment :** *The proposed development will assist the Region in achieving the forecasted population for the City of Niagara Falls of 141,650 people for the year 2051 by providing 18 additional dwelling units.*

## **Section 2.2 REGIONAL STRUCTURE**

### **Subsection 2.2.1. Managing Urban Growth**

**Policy 2.2.1.1.** *Development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:*

- a) *the residential intensification targets outlined in this Plan:  
Excerpts of Table 2 - 2 Niagara Region Minimum Residential Intensification Targets 2021 - 2051  
City of Niagara Falls – Units 10,100 – Rate 50%*

**Planning Comments:** *The residential intensification targets in the Niagara Region which are minimum standards that are allowed and encouraged to be exceeded. The proposed development contributes to achieving the Region of Niagara target of 60% intensification annually and the City of Niagara Falls residential target of 50%.*

- b) *a compact built form a vibrant public realm and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;*
- b) *a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing need.*

**Planning Comment:** *The proposed development of eighteen stacked townhouses will add to the mix of housing types and densities in the City of Niagara Falls. It is a form of intensification on the subject lands, creating a compact built form and contributing to a complete community. This type of rental residential intensification provides a more affordable option than the existing single detached dwellings.*

- d) *social equity, public health, and safety and the coverall quality of life for people of all ages, abilities and incomes by expanding convenient access to:*
  - i *a range of transportation options, including public transit and active transportation*
  - iv *the public realm, including open spaces*

**Planning Comment:** *The subject lands are within proximity to, and connected by a range transport option to, a variety of recreational, commercial and institutional land uses, therefore alternative methods of transportation to the automobile are encouraged to reduce greenhouse gas emissions and encourage healthy living.*

- e) *built forms, land use patterns, and street configurations that minimize land*

**consumption reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure to support the financial well-being of the of the Region and Local Area Municipalities;**

- h) opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods;**
- k) orderly development in accordance with the availability and provision of infrastructure and public service facilities and**

**Planning Comment: The subject lands are currently occupied by a single detached dwelling located within the Urban Area of Niagara Falls. This is an inefficient land use pattern , considering the existing infrastructure is capable of withstanding greater capacity and the subject lands have frontage onto McLeod Avenue , a Regional Road. The proposed development more efficiently utilizes the subject lands and provides a form of intensification with the creation of 18 townhouse units that respects the existing character of the surrounding neighbourhood. This form of intensification is necessary to prevent additional land consumption.**

#### **Subsection 2.2.2. Strategic Intensification and Higher Densities**

**Policy 2.2.2.3 Built-up areas and strategic growth areas identified in Policy 2.2.2.1 are shown on Schedule B**

**Policy 2.2.2 A Settlement area boundaries, built-up areas, strategic growth areas, and designated greenfield areas, where applicable, shall be identified in Local official plans**

**Policy 2.2.2.5 A Regional minimum of 60 per cent of all residential units occurring annually will be within built-up areas.**

**Planning Comment : The proposed development involves a form of residential intensification within the Delineated Built-Up Area, outlined in the local Official Plan as an intensification corridor, is encouraged. In addition to contributing to achieving the residential intensification target of 60% outlined by the Region, the proposed development will contribute to accommodate forecasted increase in population.**

### **Section 2.3 HOUSING**

#### **Submission 2.3.1 Provide a Mix of Housing Options**

**Policy 2.3.1.1. The development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life.**

**Policy 2.3.1.4 New residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:**

- a) facilitating compact built form; and**

- b) ***incorporating sustainable housing materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.***

***Policy 2.3.1.5 New residential development and residential intensification should incorporate universal design standards to meet housing needs at all stages of life.***

***Planning Comment: The proposed development increases the variety of housing types in the community by providing 18 stacked townhouses rentals on the subject lands. The proposed dwellings will be more affordable than the existing single detached dwellings due to a compact built form. The proposed development meets the needs of people of all ages and abilities, by urban design and site standards discussed in the preliminary design phase.***

## **Chapter 5 CONNECTED REGION**

### **Section 5.1 Multi-Modal Transportation System**

#### **Subsection 5.1.5 Ensure Regional Roads Accommodate Future Growth and Support Diverse Forms of Transportation**

***Policy 5.1.5.2 As conditions of the approval of a development application under the Planning Act***

- a) ***the Region may require land from landowner required for road allowance as identified in Schedule M, at no cost to the Region and free of all encumbrance, encroachments, and improvements unless otherwise agreed to by the Region; and***
- b) ***the Region shall be provided with a certificate of an Ontario Land Surveyor noting that all legal survey documentation on the widened road allowance is in place***

***Planning Comment: The proposed development fronts on McLeod Rd which is a Regional Rd and a road dedication will be required to ensure that future transportation volumes can be accommodated and the functionality of the Regional Road will not be compromised by the proposed development.***

### **Section 5.2 Infrastructure**

#### **5.2.1. Infrastructure Planning, Development, and Asset Management**

***Policy 5.2.1.4 Infrastructure investment shall be leveraged to direct and support growth and development within strategic growth areas as well as to achieve the minimum intensification and density targets identified in this Plan***

***Policy 5.2.1.5 Before consideration is given to developing new infrastructure, the Region and Local Area Municipalities shall optimize the use of existing infrastructure, and plan and direct growth in a manner that promotes efficient use of existing services.***

#### ***Subsection 5.2.2. Municipal Water and Waste water Servicing within Urban Areas***

***Policy 52.2.2 Municipal water and wastewater systems/services are required form of servicing for development in urban areas.***

***Policy 5.2.2.4 Prior to approval of development, the municipality shall ensure that required water and wastewater services and servicing capacity is available to support the development.***

***Planning Comment: The proposed development will connect to existing municipal services , including storm sanitary and water. Please refer to the FSR for further details.***

### ***Chapter 6 VIBRANT GROWTH***

#### ***Section 6.2 Urban Design***

***Policy 6.2.1.5 The public real shall be enhanced through urban design and improvements, and investment that contributes to safe, attractive complete streets and desirable communities.***

***Policy 6.2.1.6 Active transportation shall be promoted through the cohesive and collaborative design of streets, building interfaces and public spaces.***

***Policy 6.2.1.7 Sustainable design principles shall be applied to the public realm, infrastructure, public service facilities, development and streets***

***Policy 6.2.1.8 The Region shall promote :***

- d) will-designed buildings, high quality streetscapes, and attractive public spaces create neighbourhood character and strengthen community identity and diversity;***

***Planning Comment: The existing concept plan is preliminary. The building materials and landscaping will be provided at the site plan stage. The existing Zoning By-law proposes minimum site-specific regulations to ensure that the proposed development will compliment and enhance the existing character of the neighbourhood. A mutual drive will be be required with the property to the west which will improve the streetscape and ensure a safer access.***

#### ***Section 6.4 Archeology***

##### ***Subsection 6.4.2 Conservation in Accordance with Provincial Requirements***

***Policy 6.4.2.6 Where a site proposed for development is located within an area of archaeological potential, the Local Area Municipality shall circulate the application and a***

**Stage 1 Archeological Assessment by a licensed archeologist, as well a Stage 2 Assessment, where required by the Region as part of a complete application. This policy applies when any part of a development application falls within an area of archeological potential as identified on Schedule K and will be addressed as early as possible in the planning process. For lands located outside a settlement area boundary where site alteration or development will not affect the entire property, the areas can be except or the assessment can be scoped.**

**Planning Comment: A stage 1 Archeological Assessment was not required.**

**REGION OF NIAGARA OFFICIAL PLAN CONCLUSION : The proposed development conforms to the Region of Niagara Official Plan as it will:**

- **Assist in achieving the forecasted population for the Niagara Region and the City of Niagara Falls by adding 18 rental accommodations in form of townhouse units**
- **Assist the Region of Niagara in its goal of achieving its target of 60% residential intensification annually and the City of Niagara Falls residential intensification goal of 50%**
- **Increases residential intensification in the Built-Up Area**
- **It is the highest and best use of the subject lands using existing infrastructure**
- **It adds diversity to the housing stock in the neighbourhood**
- **Provides a compact form of intensification which will respect the neighbourhood character**
- **Makes efficient use of under utilized land, municipal services and infrastructure**

**CITY OF NIAGARA FALLS OFFICIAL PLAN ( 2018 )**

**Part 2 1.15.5 (111)**

**The proposed 18 stacked townhouse rental building shares many of the design characteristics as an apartment building and as such the following Section 1.15.5. (111) should be used to determine the appropriateness of the development for the site and neighbourhood.**

**Section 1.15.5 (iii). Apartments with building heights of not more than 6 storeys can be developed up to a maximum net density of 100 units per hectare with a minimum net density of 75 units per hectare. Such development shall be located on lands that front onto arterial roads. Moreover, development should be on current or planned public routes and in proximity to commercial areas. Development shall comply with the following:**

- **architectural treatments such as stepped or articulated built form, changes in exterior cladding and roof features should be employed to lessen the impacts of taller buildings,**
- **rear yard setbacks shall be appropriate for the building height proposed in relation to the abutting land uses**

- *street frontages shall be engaged through the use of port cocheres, podiums or landscaping.*
- *parking is to be encouraged to be located within parking structure that are integrated with the development and where surface parking is provided , the parking area should be located in the rear or interior side yard.*
- *the parking area shall also have a landscaped perimeter of a depth and intensity that at maturity effectively buffers it from adjacent uses and streets.*

**Planning Comments:** *The proposed 18 unit townhouse rental building on 2,249 m2 (.22 ha) is designated as an apartment building and the following analysis will address Section 1.15.5 (iii) and are as follows:*

- 1) *The 3 1/2 storey building has a density of 80 units per ha and is within the range of 75-100 units per ha proposed in the Official Plan*
- 2) *The lands front on McLeod Rd which is a collector / arterial road under the jurisdiction of the Region of Niagara. McLeod Rd is identified as an Intensification Corridor in the City of Niagara Falls Official Plan and on a Niagara Region public transit route #103 & 112 with the closest bus stop on McLeod and Merritt Ave ( walking distance )*
- 3) *The design displays a stepped / articulated form with balconies facing both side yards with architectural detailed ( roof overhangs , stepped articulated facades.) Landscaped front facade and yard providing a positive attractive streetscape impact on McLeod Rd. A variety of building materials ( stucco, stone, glazing, wood composites) are used to reflect the modern nature of the building design while blending in with the surrounding neighbourhood. The street frontage treatment along McLeod is carried through along the side facing the mutual drive. Landscaping details which will be addressed at the site plan stage will compliment the building facade and engage the pedestrians using the walkways along the building face.*
- 4) *Parking will also be landscaped providing a buffer to the adjoining land uses and will be located in the rear yard.*
- 5) *The three storey building is appropriately 9.2 metres in height and will provide a similar height profile to the proposed development to the west and a gradation of height to the east.*
- 6) *The McLeod Rd neighbourhood is in transition with a variety of lands uses both commercial and residential being built or proposed for development. At present there are a variety of residential properties being developed for residential use with a range of densities, heights and architectural styles.*
- 7) *The proposed development is at the proper scale and is designed to be sympathetic to the existing and ongoing development of the neighbourhood.*

## **Conclusion**

**The proposed development conforms to the Built-Up Area Policies of the Niagara Falls Official Plan— specifically section 1.15.5 (iii) as it will provide**

- *A modern building design and streetscape that will be sympathetic to the existing neighbourhood and proposed neighbourhood designs*
- *Rear lot parking and a mutual drive that contributes to the presentation of the building on McLeod Rd but also provides safe vehicular access onto McLeod Rd*

- *Intensification and efficient use of subject lands and infrastructure including public transit*
- *Adds to the range of dwelling types in the neighbourhood*

*I trust the above analysis addresses the outstanding issues with the Planning Justification Report for McLeod Rd.*

*Regards*

*Greg Hynde  
Urban Environments  
905-932-0414*



**Jan 23/23**

**From: Greg Hynde – Urban Environments – [gahynde@icloud.ca](mailto:gahynde@icloud.ca)**

**Subject: 6633 McLeod Road Road – Townhouses additional Info**

**To: Julie Hannah Planner – [jhannah@niagarafalls.ca](mailto:jhannah@niagarafalls.ca)  
Matt Schmid , Architect – [mail@matthewschmid.ca](mailto:mail@matthewschmid.ca)**

**Hi Julie**

**Further to your request for rental rates for the townhouse units on 6633 McLeod Rd we have met with the owners who are realtors and property managers the following estimates are provided :**

- 1) 1 bedroom \$ 1550 - \$1875**
- 2) 2 bedroom \$ 2000 - \$2250**

**The range is provided based on different unit sizes in both categories and the unknown market in 2025 ( building completion date )**

**We have also met with Matt Schmid ,Architect, to review discrepancies between the site plan data and the draft zoning by-law and can now provide you with more accurate data, which will be followed up with a new site plan this week.**

**The new proposed regulations are as follows:**

- |   |          |  |                            |
|---|----------|--|----------------------------|
| <b>a) Minimum gross floor area per level</b>      | <b>–</b> | <b>267.23 m2</b>   | <b>Total GFA – 939 .m2</b> |
| <b>b) Minimum lot frontage.</b>                   | <b>–</b> | <b>19.95 metres</b>  |                            |
| <b>c) Minimum front yard setback.</b>             | <b>–</b> | <b>4.93 m + 15.25 m from original centre line on McLeod Rd</b> |                            |
| <b>d) Minimum rear yard setback</b>               | <b>–</b> | <b>52.3 m</b>  |                            |
| <b>e) Minimum interior east side yard setback</b> | <b>–</b> | <b>5.3 m</b>   |                            |
| <b>f) Minimum interior west side yard setback</b> | <b>–</b> | <b>7.3 m</b>   |                            |
| <b>g) Maximum height of building</b>              | <b>–</b> | <b>11.0 m</b>  |                            |
| <b>h) Maximum number of dwellings</b>             | <b>–</b> | <b>18</b>  |                            |
| <b>i) Required Parking</b>                        | <b>–</b> | <b>23</b>  |                            |
| <b>j) Landscaped Area</b>                         | <b>–</b> | <b>34.9 m2 per unit ( 30% overall )</b>                        |                            |

**Thanks**

**Greg Hynde  
Urban Environments  
905-932-0414**

**Feb 2, 2023**

**From: Greg Hynde – Urban Environments – [gahynde@icloud.com](mailto:gahynde@icloud.com)**

**Subject: 6633 McLeod Rd – Zoning Changes**

**To: Julie Hannah – [jhannah@niagarafalls.ca](mailto:jhannah@niagarafalls.ca)**

**Hi Julie**

**Further to your communications regarding zoning changes to our zoning by-law application the following additional changes are requested:**

<b>REGULATION</b>	<b>Amendment</b>
<b>1. Setback to stairs /decks east side yard</b>	<b>5.5 m (amendment)</b>
<b>2. Minimum lot frontage</b>	<b>19.3 m (amendment)</b>
<b>3. Minimum front yard</b>	<b>will require an amendment to 4.95 m + 15.25 m from the original centre line at McLeod</b>
<b>4. Maximum height of building or structure</b>	<b>11.0 m (amendment)</b>
<b>5. Parking Requirement</b>	<b>1.28 spaces per unit (amendment)</b>
<b>6. Minimum Landscaped Open Space Area</b>	<b>34.9 m<sup>2</sup> for each dwelling unit (amendment)</b>
<b>7. Minimum amenity area for each unit</b>	<b>351 m<sup>2</sup> in total or 19.5 m<sup>2</sup> per unit (amendment)</b>

**We will not require amendments to :**

- minimum parking stall length or width**
- minimum manoeuvring isle**
- minimum interior side yard width on west side**
- minimum rear yard depth**
- maximum lot coverage**

**and they should be removed from the application.**

**Thank you for your cooperation .**

**Regards**

**Greg Hynde  
Urban Environments**