

UEM PROJECT No.: 24-209

DATE: MAY 2025

PLANNING JUSTIFICATION REPORT PREPARED FOR:

**REGENT NORTH PROPERTIES INC.**

**PLANNING JUSTIFICATION REPORT  
OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT  
COLBORNE COURT APARTMENTS  
3777,3787,3791 & 3815 PORTAGE ROAD, NIAGARA FALLS**



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## **1.0 INTRODUCTION**

### **1.1 PROPONENT AND AGENT**

Urban & Environmental Management Inc. (UEM) was retained by Regent North Properties Inc. to assist with an application for an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) in support of the redevelopment of the properties at 3777, 3787, 3791 and 3815 Portage Road, as well as the rear portion of 3828 St. Peter Avenue, in the City of Niagara Falls. The properties are designated Major Commercial in the Niagara Falls Official Plan and are zoned General Commercial (GC) (3777 and 3787 Portage Road), Residential Apartment 5C Density (R5C) (3791 and 3815 Portage Road) and Residential 1D (3828 St. Peter Avenue) in the Niagara Falls Zoning By-law. The properties are located in the Portage Road Intensification Corridor. The proponent is proposing to construct additions on each of the existing 2-storey apartment buildings (a 3-storey addition to the west building and a 4-storey addition to the south building), as well as construct a new 12-storey apartment building.

### **1.2 PRE-CONSULTATION**

An initial pre-consultation meeting was held with City of Niagara Falls Planning and Infrastructure staff, as well as Niagara Region Planning staff, on January 6, 2022. The proposed development was then revised to add the proposed 12-storey apartment building. A second pre-consultation meeting was held on May 18, 2023. Formal minutes of the pre-consultation meeting were prepared and issued by the City. The required supporting studies identified during pre-consultation are identified below in Section 3.7.

### **1.3 APPLICATIONS TO BE SUBMITTED**

An Official Plan Amendment and Zoning By-law Amendment application and supporting documentation are being submitted by the proponent to the City of Niagara Falls.

### **1.4 PURPOSE OF THE PLANNING JUSTIFICATION REPORT**

The purpose of this Planning Justification Report is to analyze the proposed development in consideration of relevant Provincial, Regional, and Municipal planning documents and policies. The conformance of the proposed development is evaluated, and where deviations exist, justification is provided, or mitigation measures are proposed (as required).

## **2.0 SITE CONTEXT**

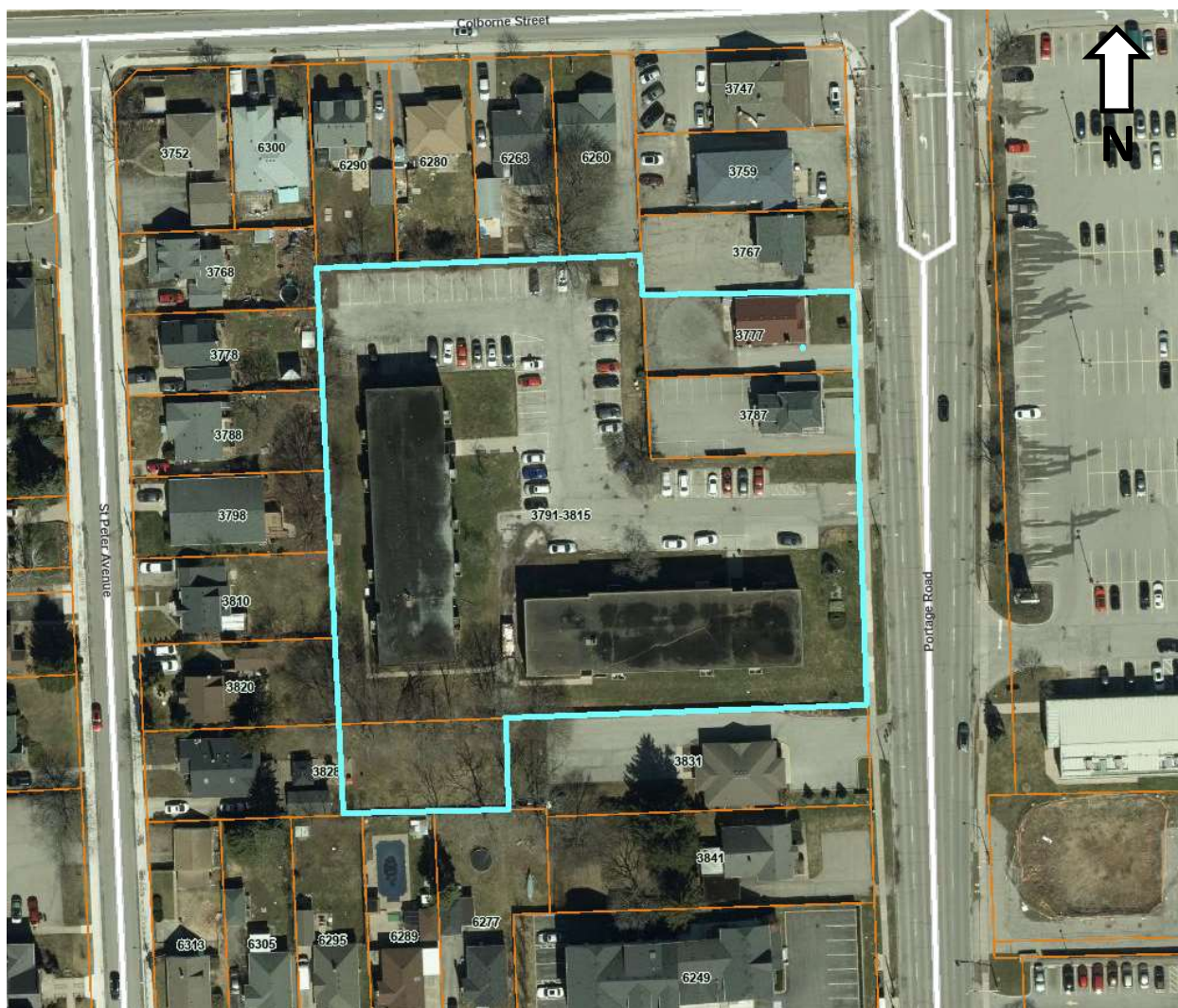
### **2.1 SITE DESCRIPTION (EXISTING)**

The site is located at 3777, 3787, 3791 and 3815 Portage Road in the City of Niagara Falls. The properties at 3777 and 3787 Portage Road are commercially zoned (General Commercial) and used for small-scale commercial operations. The properties at 3791 and 3815 Portage Road are residentially zoned (Residential Apartment 5C). The proponent is proposing to maintain the existing apartment buildings on the residential portion of the site and construct additional floors. Further, a new 12-storey apartment building is proposed on the portion of the now-commercial portion of the site. Additionally, the rear portion of the residential property at 3828 St. Peter Avenue (zoned Residential 1D) has been severed and combined with the site to be used as a parking lot.

The properties are located on the west side of Portage Road. The site is irregular in shape with a total lot frontage of 77.60 m, total lot depth of 99.36 m and an area of 8,776.15 m<sup>2</sup> (0.88 ha). The legal description of the property is PT Lot 72, Plan 59 Lots 01-06, 23-36 in the geographic Township of Stamford, City of Niagara Falls, Regional Municipality of Niagara.



**Figure 2-1** shows the location of the Site and the approximate boundaries and dimensions of the property.



**Figure 2-1: Site Location and Approximate Property Boundaries (Source: Niagara Navigator)**

## 2.2 SURROUNDING LAND USES

Land uses surrounding the property are as follows:

- North – Immediately north of the site are small-scale commercial properties fronting onto Portage Road, as well as residential properties fronting onto Colborne Street.
- East – Immediately east of the site is Portage Road. Beyond Portage Road is a commercial plaza.
- South – Immediately south of the site are small-scale commercial properties fronting onto Portage Road, as well as residential properties fronting onto St. John Street.
- West – Immediately west of the site are residential properties fronting onto St. Peter Avenue.

## 2.3 IDENTIFICATION OF ANY CONSTRAINTS AFFECTING THE SITE

UEM and the proponent are not aware of any constraints affecting the subject property.

## **2.4 IDENTIFICATION OF ANY LANDS REGULATED BY NPCA**

There are no lands regulated by the Niagara Peninsula Conservation Area (NPCA) on or in close proximity to the subject property.

## **2.5 IDENTIFICATION OF ANY OTHER KNOWN DEVELOPMENT PROPOSALS**

UEM and the proponent are not aware of any other development proposals that have the potential to affect the site.

## **3.0 DESCRIPTION OF PROPOSAL**

### **3.1 EXISTING AND PROPOSED LAND USES ON THE PROPERTIES**

The properties at 3777 and 3787 Portage Road are currently used for small-scale commercial operations. The properties at 3791 and 3815 Portage Road are used for two existing residential apartment buildings with a total of 49 units. The property at 3828 St. Peter Avenue is a residential property used for a single-detached dwelling. The rear portion of this property, which has no structures on it, has been severed and combined with the rest of the site. The proponent is proposing to add additional storeys to each of the existing 2-storey apartment buildings. The west building would be increased to 5-storeys and the south building increased to 6-storeys. Further, the proponent is also proposing to remove the commercial buildings on 3777 and 3787 Portage Road and construct a new 12-storey apartment building. This redevelopment of the site would result in 153 new units for a total of 202 units within the three buildings.

A Conceptual Plan prepared in support of the OPA and ZBA application showing the proposed layout of the property is included in **Appendix A**.

### **3.2 PLANNING HISTORY OF THE SITE**

The site is located in the Portage Road Intensification Corridor and is currently designated Major Commercial in the Niagara Falls Official Plan, and zoned General Commercial (GC) (3777 and 3787 Portage Road), Residential Apartment 5C Density (R5C) (3791 and 3815 Portage Road) and Residential 1D (rear portion of 3828 St. Peter Avenue) in the Niagara Falls Zoning By-law. No further planning history for the subject properties is known.

### **3.3 SITE SERVICING**

Site servicing for the subject properties includes:

- Municipal sewers and water
- Storm sewer
- Natural gas
- Electricity
- Communications (telephone and internet)

### **3.4 DESCRIPTION OF PREVIOUS CONSULTATIONS WITH RELEVANT AGENCIES**

As noted, a pre-consultation meeting was held with City Staff on May 18, 2023 for the current development concept. The history of any other previous consultations with City staff or relevant agencies regarding this site is unknown.

### 3.5 PROPOSED MODIFICATIONS TO OFFICIAL PLAN REGULATIONS

The site is currently designated as Major Commercial in the Niagara Falls Official Plan. To permit the proposed use of all properties for residential apartment buildings, it is proposed to redesignate the entire site to Residential. Further to discussions with City Planning staff, it is understood that the specific provisions of the Portage Road Intensification Corridor (shown on Schedule A2 in **Appendix B**) take precedent over the general provisions of the Residential designation. Therefore, site specific policies are required to increase the maximum permitted density from 150 units per hectare to 235 units per hectare and the maximum permitted height from 10-storeys to 12-storeys in the Portage Road Intensification Corridor.

The Niagara Falls Official Plan policies are further analyzed in **Section 4.4**.

### 3.6 PROPOSED MODIFICATIONS TO ZONING BY-LAW REGULATIONS

The properties at 3777 and 3787 Portage Road are currently zoned General Commercial (GC), the properties at 3791 and 3815 Portage Road are zoned Residential Apartment 5C (R5C) and the rear portion of 3828 St. Peter Avenue is zoned Residential 1D (R1D). To permit the proposed residential apartment development, it is proposed that the entire site be rezoned to a site-specific Residential Apartment 5F Density (R5F) Zone. Site-specific provisions required include a reduced minimum lot area, reduced minimum front yard and rear yard depths, increased maximum lot coverage, increased maximum building heights, increased number of buildings permitted per property, reduced minimum landscaped open space and reduced amenity space per dwelling unit.

These site-specific Zoning By-law modifications are further analyzed in **Section 4.5**.

### 3.7 TECHNICAL SUPPORTING STUDIES REQUIRED

At the pre-consultation meeting, the following studies were identified as being required in support of the OPA and ZBA:

- Conceptual Site Plan (included in Appendix A)
- Planning Justification Report
- Draft Official Plan Amendment (included in Appendix D)
- Draft Zoning By-law Amendment (included in Appendix D)
- Topographic Survey
- Environmental Site Assessment/Record of Site Condition
- Municipal Servicing Study
- Stormwater Management Plan
- Transportation Impact Study/Parking Analysis
- Tree Inventory Preservation Plan
- Urban Design/Landscape Plan
- Shadow Analysis
- Wind Study

## 4.0 POLICY AND PLANNING ANALYSIS

In support of the required OPA and ZBA, a summary and analysis of relevant planning documentation is provided. Planning guidance documents addressed include Provincial (i.e. *The Planning Act* and *Provincial Policy Statement*), Regional (*Niagara Region Official Plan*) and Municipal (*City of Niagara Falls Official Plan* and *Niagara Falls Zoning By-Law*). The purpose of this review is to identify and consider relevant policies and discuss the appropriateness and conformity of the requested amendments with those policies.

## 4.1 THE PLANNING ACT

The Planning Act (R.S.O. 1990, c.P.13) is the basis for land use planning and development in the Province of Ontario. It defines provincial interest with respect to planning matters, provides guidance for municipalities when preparing official plans, zoning by-laws and other planning documentation, and contains various policies pertaining to planning approvals (i.e. plan of subdivision).

### 4.1.1 ANALYSIS OF THE PLANNING ACT

It is important to take provincial interest into consideration during the planning approval process. Several policies within The Planning Act offer guidance for how development should take place and are summarized in **Table 4-1** below.

**Table 4-1: Results of Review of The Planning Act**

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
Section 2 (h)	The orderly development of safe and healthy communities;	The site is currently underutilized. The proposed development will efficiently redevelop the site and contribute to creating a safe and healthy community in the City of Niagara Falls.
Section 2 (h.1)	The accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;	The required number of accessible parking spaces are provided as part of the proposed development. Further, the apartment buildings will include features for accessibility as required.
Section 2 (j)	The adequate provision of a full range of housing, including affordable housing;	<p>The proposed development will provide new residential apartment units within the City of Niagara Falls, while maintaining the existing apartment units on the property. This provides housing for residents who do not have an opportunity, the means or desire to own their own housing.</p> <p>In general, apartments are a more affordable housing option than other types of housing (i.e. apartment condominium, townhouses, semi-detached and single-family residences). This proposed development will result in 153 new purpose built apartment units, providing 153 new 1 and 2-bedroom units to the more affordable apartment housing stock. The specific consideration of “affordability” and “subsidized” housing relative to this development is further discussed through the analysis of respective policies in this Planning Justification</p>

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
		Report and in the supporting Housing Impact Statement included in <b>Appendix E</b> .
Section 2 (p)	The appropriate location of growth and development;	The subject property is currently underutilized and is already used for two residential apartment buildings. The property is within the Portage Road Intensification Corridor, which permits higher density and building heights than the general Residential designated areas. This area of the City has many nearby amenities that support the residential use and therefore, further residential development and use of the property is appropriate.
Section 2 (q)	The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;	The subject property is located in close proximity to several Niagara Transit bus stops, which provide access to amenities throughout the City with links to other Niagara municipalities through Niagara Transit and other transit suppliers (i.e. GO Transit).
Section 2 (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 apartment buildings and units will be appropriately designed according to applicable design guidelines and accessibility requirements. The development will contribute to the City developing and maintaining public space through a cash-in-lieu contribution for parkland dedication.

#### 4.1.2 SUMMARY OF THE PLANNING ACT ANALYSIS

The subject property located at 3777, 3787, 3791 and 3815 Portage Road, as well as the rear portion of 3828 St. Peter Avenue, is currently underutilized and already used for two residential apartment buildings. The proposed redevelopment will intensify the residential use on the property and provide new housing stock in the City. Further, the property is located close to Niagara Transit public transit stops. Therefore, the proposed development supports the applicable policies of The Planning Act.

#### 4.2 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS, 2024) provides policy direction on matters of Provincial interest related to land use planning and development in both settlement and rural areas. The PPS sets the policy foundation for regulating the development and use of land while protecting resources of provincial interest, public health and safety, and the quality of the natural environment.

The policies of the PPS may be complemented by Provincial Plans or by locally generated policies regarding matters of municipal interest. The Planning Act sets a minimum standard that requires all municipal



planning decisions ‘to be consistent with’ the policies of the PPS. Together the PPS and Municipal Official Plans provide a framework for comprehensive, integrated and long-term planning.

#### 4.2.1 ANALYSIS OF PROVINCIAL POLICY STATEMENT

In Chapter 1 of the PPS, the Vision states the following:

*Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come.*

The proponent is proposing to develop a new 12-storey apartment building on the property, as well as adding additional storeys to the two existing apartment buildings. This will provide additional high density housing stock within the City of Niagara Falls. These support the PPS vision statement above.

**Table 4-2** summarizes the review of the PPS with respect to this rezoning.

**Table 4-2: Results of Review of the Provincial Policy Statement (PPS)**

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
Section 2.2	1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:  a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;	In general, apartments are a more affordable housing option than other types of housing (i.e. apartment condominium, townhouses, semi-detached and single-family residences). This proposed development will result in 153 new purpose built apartment units, providing 153 new 1 and 2-bedroom units to the more affordable apartment housing stock. The specific consideration of “affordability” and “subsidized” housing relative to this development is further discussed through the analysis of respective policies in this Planning Justification Report and in the supporting Housing Impact Statement included in <b>Appendix E</b> .
Section 2.2	1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:  b) permitting and facilitating: 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from	The proposed development will provide new high density apartment units on the currently underutilized property in the City of Niagara Falls, which will intensify the residential use of the property. The new apartment units will result in a net increase in the housing stock in the City without the loss of any existing residential units. This will contribute to meeting residential forecasts in Niagara Falls and will contribute to meeting Niagara Region and Niagara Falls intensification targets.

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
	<p>demographic changes and employment opportunities; and</p> <p>2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;</p>	
Section 2.2	<p>1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:</p> <p>c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation;</p>	<p>The subject property is currently underutilized. The proposed development is an efficient use of the land due to the ability to utilize existing municipal infrastructure, the ease of access to public transit and the close proximity to several essential amenities, which allows for access by means of active transportation.</p>
Section 2.2	<p>1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:</p> <p>d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.</p>	<p>The subject property is located in close proximity to several Niagara Transit bus stops, which provide access to amenities throughout the City, the Region and beyond.</p>
Section 2.3	<p>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.</p>	<p>The subject property is located within a settlement area in the City of Niagara Falls. The area is appropriate for the proposed residential apartment buildings and has access to public transit services.</p>
Section 2.3	<p>2. Land use patterns within settlement areas should be based on densities and a mix of land uses which:</p> <p>a) efficiently use land and resources;</p>	<p>The proposed development will efficiently redevelop the property while utilizing existing municipal infrastructure. Further, the property is</p>

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
	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.	located in close proximity to several transit stops, which provide access to amenities throughout the City, the Region and beyond.
Section 2.3	4. Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The proposed development will contribute to meeting City of Niagara Falls housing targets by adding new high density apartment units on the property, while maintaining the existing apartment units on the property.
Section 3.6	2. Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	As detailed in the Functional Servicing Design Brief (Hallex Engineering, December 2024), the proposed development will utilize existing municipal sewage and water services, without impact to those existing services.

## 4.2.2 SUMMARY OF PPS ANALYSIS

The proposed development of 3777, 3787, 3791 and 3815 Portage Road, as well as the rear portion of 3828 St. Peter Avenue, will result in additional high density residential units through the redevelopment of an underutilized property in a settlement area. It will provide new housing stock in the City of Niagara Falls and is supported by the close proximity of several public transit stops as well as other amenities. Further, it will utilize existing municipal infrastructure, which has been shown to be able to accommodate the proposed development, and stormwater quantity and quality can be appropriately managed through the proposed control measures. Based on this, it is concluded that the project is consistent with the policies set out in the PPS (2024).

## 4.3 NIAGARA REGION OFFICIAL PLAN

The property is located within the “Delineated Built-Up Area” of Niagara Region’s Urban Area for the City of Niagara Falls as identified on Schedule B of the Niagara Region Official Plan (2022). Development proposals within Urban Areas are subject to the availability of adequate municipal water, sanitary sewer, stormwater and road services.

### 4.3.1 ANALYSIS OF NIAGARA REGION OFFICIAL PLAN POLICIES

The Niagara Region Official Plan has two basic functions: first to provide guidelines for the location and type of development in both urban and rural areas and second, to identify the environmental resources of the Region and to develop measures for their protection and management. **Table 4-3** summarizes the review of applicable Niagara Region Official Plan policies with respect to this proposed development.



**Table 4-1: Summary of Applicable Regional Policies**

<b>Policy Identifier</b>	<b>Policy Text</b>	<b>Is the Proposed Development Consistent with this Policy?</b>
2.1.1.1	Population and employment forecasts listed in Table 2-1 are the basis for land use planning decisions to 2051.	<p>The proposed development will provide new high density housing stock, while maintaining the existing housing stock at the site, through the redevelopment of the site.</p> <p>An Employment Land Conversion Calculation was completed for 3777 and 3787 Portage Road (Appendix E). The calculation determined that the proposed 12-storey apartment building has the potential to create 16 jobs (work from home). The current employment potential for the small-scale operations on the commercial properties is two (2) jobs. Additionally, the entire site has an employment potential of 35 work from home jobs. Therefore, the proposed development will continue to contribute to employment forecasts.</p>
2.2	<p>The objectives of this [Regional Structure] section are as follows:</p> <p>a) manage growth within urban areas;</p> <p>b) accommodate growth through strategic intensification and higher densities.</p>	The proposed development is within the existing urban boundary. The proposal supports intensification goals and is for a high density apartment development.
2.2.1	<p>Development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:</p> <p>a) the intensification targets in Table 2-2 and density targets outlined in this Plan;</p> <p>c) a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs.</p>	The proposed development will provide new high density housing stock, while maintaining the existing housing stock at the site, through the redevelopment of the site. This development will contribute approximately 1.5% of the new housing stock required to meet the intensification target for the City of Niagara Falls of 10,100 units between 2021 and 2051. The development will also include a mix of 1 and 2-bedroom units.
2.2.2.1	Within urban areas, forecasted population growth will be accommodated primarily through intensification in built-up areas with	The site is within an urban area and within an intensification corridor as identified in the City of Niagara Falls Official Plan. The proposed development supports intensification

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
	particular focus on the following locations:  areas with existing or planned public service facilities.	goals and will utilize existing municipal infrastructure.
2.3.1.3	The forecasts in Table 2-1 will be used to maintain, at all times:  a) the ability to accommodate residential growth for a minimum of 15 years through residential intensification, and lands designated and available for residential development.	The proposed development will provide new high density housing stock in the City of Niagara Falls while maintaining existing housing stock at the site. The proposed apartment units will contribute to accommodating residential growth and the Region's population forecasts.
2.3.1.5	New residential development and residential intensification should incorporate universal design standards to meet housing needs at all stages of life.	The additions to the two existing apartment buildings, as well as the new 12-storey apartment building, will be designed appropriately to meet universal design standards.
5.2.2.12	Within urban settlement areas full municipal services are the preferred form of servicing.	The proposed development will utilize existing full municipal infrastructure.

#### **4.3.2 SUMMARY OF NIAGARA REGION OFFICIAL PLAN ANALYSIS**

The Niagara Region Official Plan policies require consideration related to growth in built-up urban areas and to ensure intensification objectives and density targets are achieved. The proposed redevelopment of the properties at 3777, 3787, 3791 and 3815 Portage Road, as well as the rear portion of 3828 St. Peter Avenue, in the City of Niagara Falls meets the intent of these policies, as the property is located in a Built-Up Area and an intensification corridor in the urban area of Niagara Falls. It will contribute to meeting the forecasted employment growth, as well as provide new high density housing stock in the City, while still maintaining existing housing stock at the site, which will contribute to the housing supply and meeting the City's intensification target. Existing municipal infrastructure will be utilized.

#### **4.4 CITY OF NIAGARA FALLS OFFICIAL PLAN**

The Official Plan for the City of Niagara Falls outlines the long-term objectives and policies of the City with respect to the growth and development of urban lands, protection of agricultural lands, conservation of natural heritage areas, vision and goals for housing, protection of employment lands and the provision of necessary infrastructure.

##### **4.4.1 ANALYSIS OF CITY OF NIAGARA FALLS OFFICIAL PLAN POLICIES**

The properties are designated Major Commercial in the City of Niagara Falls Official Plan, which does not permit the existing or proposed apartment buildings. Therefore, an OPA is required to redesignate the property to Residential, which permits a variety of residential uses, including the proposed apartment buildings. Further, the properties are located within the Portage Road Intensification Corridor, which provides for higher densities and building heights than the overall Residential designation. Additionally,

site-specific policies are required to increase the maximum permitted density from 150 units per hectare to 235 units per hectare and the maximum permitted building height from 10-storeys to 12-storeys within the Portage Road Intensification Corridor.

Since part of the site is used for commercial/employment purposes, as part of the analysis of Niagara Falls Official Plan policies, an Employment Land Conversion calculation is required. The Employment Land Conversion Calculation is presented in Section 4.7 and referenced in relevant policies below. In addition, a housing impact statement is required to address Part 1, Section 4.4 of the Official Plan. The required housing impact statement is included in **Appendix E** and summarized in the analysis of Part 1, Section 4.4 below.

**Table 4-4** provides an analysis and justification of the proposed development relative to the relevant policies of the City of Niagara Falls Official Plan.

**Table 4-2: Summary of Applicable City of Niagara Falls Official Plan Policies**

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
Schedule A – Land Use Plan	Subject properties identified as “Major Commercial.”	The entire site is currently designated Major Commercial. The properties at 3777 and 3787 Portage Road are currently used for two small-scale commercial operations, while the properties at 3791 and 3815 Portage Road are used for the existing high-density residential apartment buildings. The property at 3828 St. Peter Avenue is a residential property used for a single-detached dwelling. The rear portion of this property, which has no structures on it, has been severed and combined with the rest of the site. The proposed development will convert the commercial properties to a residential use. The proposed residential apartments, including those existing, are not consistent with the Major Commercial designation and, therefore, an OPA is required to redesignate the site to Residential.
Part 1, Section 2 – Growth Objectives	<p>1. To direct growth to the urban area and away from non-urban areas.</p> <p>3. To support increased densities, where appropriate, and the efficient use of infrastructure within the Built-Up section of the urban area.</p> <p>6. To accommodate growth in accordance with the household,</p>	<p>The site is located within an urban area in the City of Niagara Falls.</p> <p>The site is currently Major Commercial, however is proposed to be used entirely for residential apartment buildings. This will accommodate growth forecasts for the City of Niagara Falls and contribute to meeting intensification, density and housing targets for the City.</p>

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
	<p>population and employment forecasts of the Region's Comprehensive Review.</p> <p>7. To achieve a minimum of 40% of all residential development occurring annually within the Built Up Area shown on Schedule A-2 by the year 2015.</p> <p>9. To encourage alternative forms of transportation such as walking, cycling and public transit.</p> <p>10. To plan for an urban land supply for 20 years and to maintain a minimum 10 year supply of land for residential growth through intensification or greenfield development.</p> <p>11. To provide a supply of serviced land that is capable of providing three years of residential development through intensification and land in draft approved and registered plans of subdivision.</p>	<p>An Employment Land Conversion Calculation was completed for 3777 and 3787 Portage Road (Appendix E). The calculation determined that the proposed 12-storey apartment building has the potential to create 16 jobs (work from home). The current employment potential for the small-scale operations on the commercial properties is two (2) jobs. Additionally, the entire site has an employment potential of 35 work from home jobs. Therefore, the proposed development will continue to contribute to employment forecasts.</p> <p>The site is located in close proximity to public transit routes. Essential services (i.e. commercial plazas, grocery stores, etc.) can be easily accessed through the means of alternative forms of transportation.</p> <p>Further, the site will continue to use existing municipal infrastructure.</p>
Part 1, Section 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 site is located within the urban area and the proposed development will contribute to the City achieving its housing targets.
Part 1, Section 2.4	The opportunity for increased densities within the Built Area Boundary shall be provided to make use of existing infrastructure, buildings and available transit through specific policies for the intensification nodes and corridors outlined in Part 1, Section 3.	The proposed development will increase the residential density on the site, will maintain and renovate the existing apartment buildings on 3791 and 3815 Portage Road, and will utilize existing municipal infrastructure within the Portage Road Intensification Corridor.
Part 1, Section 3 – Intensification	The opportunity for increased densities within the Built Area Boundary shall be provided to make use of existing infrastructure, buildings and available transit within the Residential land use designation. However, opportunities for residential intensification on lands not currently designated Residential may also be considered.	<p>The site is currently designated Major Commercial, however only 3777 and 3787 Portage Road have existing commercial operations. In order to utilize the entire site for residential apartment buildings, an OPA is required.</p> <p>The proposed development will increase the residential density on the</p>

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
		site, will maintain and renovate the existing apartment buildings on 3791 and 3815 Portage Road, and will utilize existing municipal infrastructure.
Part 1, Section 3.1 – Intensification General Policies	Unless otherwise permitted through the maps and policies of this Plan, residential intensification shall require an amendment to this Plan and proceed by way of site specific zoning by-law amendment whereby individual proposals can be publicly assessed. Proposals of sufficient land area shall be developed through plans of subdivision.	An OPA is being requested to redesignate the site from Major Commercial to Residential. Additionally, a ZBA is also being requested to rezone the entire site to a site-specific R5F zone.
Part 1, Section 3.8 – Intensification Corridors	Lands within the Portage Road Intensification Corridor may develop to a maximum height of 10 storeys, and a maximum density of 150 units per net hectare, at the south end of the corridor grading to a maximum height of 4 storeys, and a maximum density of 75 units per net hectare, at the north end. Densities shall not be less than 100 units per net hectare at the south end grading to a minimum of 50 units per net hectare at the north end.	The site is located within the southern third of the Portage Road Intensification Corridor, which supports higher density residential development. The height increase for the two existing buildings to 5 and 6-storeys is within both the 6-storeys permitted in the overall Residential designation and the 10-storeys permitted in the Portage Road Intensification Corridor. The proposal for the new apartment building is for 12-storeys, which exceeds the maximum height of 10-storeys established in this policy. In addition, the overall property will have a density of 235 units per hectare, which exceeds the 150 units per hectare for the Portage Road Intensification Corridor. An OPA is being undertaken to redesignate the property to Residential, as well as address the requested increases to maximum height and density.
Part 1, Section 4.3 – Vision and Goals for Housing	Opportunities for a choice of housing including type, tenure, cost and location shall be provided to meet the changing needs of households throughout the Built-up Area and Greenfield Area. In order to achieve this goal, the City shall support the following:	The proposed development will consolidate several properties and expand upon an existing high-density residential use at 3791 and 3815 Portage Road. The development will result in new high-density housing stock in the City of Niagara Falls, contributing to meeting growth forecasts and

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
	<p>4.3.1 Multiple unit developments, smaller lot sizes and innovative housing forms.</p> <p>4.3.2 Development of vacant land, and more efficient use of under-utilized parcels and existing housing stock.</p> <p>4.3.3 The full utilization and consolidation of properties to achieve larger scale and more comprehensive residential development.</p>	<p>housing needs and more efficiently utilizing an under-utilized property.</p>
<p>Part 1, Section 4.4 – Vision and Goals for Housing</p>	<p>Applications for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Condominium shall include, as part of a complete application, the submission of a housing impact statement, either as a standalone report for large-scale projects, or as a section within a planning justification report for small-scale projects, demonstrating how the proposal implements the City’s Housing Strategy. The housing impact statement shall include the following:</p> <p>a) The proposed housing mix by dwelling type and number of bedrooms, as applicable;</p> <p>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);</p> <p>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;</p> <p>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,</p>	<p>A Housing Impact Statement was completed in support of the OPA and ZBA application. The Housing Impact Statement provides justification for the proposed apartment units despite not meeting the definition of “affordable housing,” as apartment units are still generally more affordable than other housing options (i.e. apartment condominium, townhouses, semi-detached and single-family residences). This proposed development will result in 153 new purpose built apartment units, providing 153 new 1 and 2-bedroom units to the more affordable apartment housing stock in the City. The Housing Impact Statement is included in <b>Appendix E</b>.</p>

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
	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.	
Part 2, Section 1.1 – Residential General Policies	The predominant use of land in areas designated Residential shall be for dwelling units of all types catering to a wide range of households. Predominant uses shall include single detached and semi-detached dwellings, duplexes, triplexes, quadraplexis, townhouses, apartments, group homes and other forms of residential accommodation.	The proposed development will result in three apartment buildings on the site.
Part 2, Section 1.5 – Residential General Policies	Building heights referred to in this Plan through the text and schedules are intended as a general guide. Consideration may be given in specific situations to allow suitable, well designed developments that exceed these height guidelines through an implementing zoning bylaw amendment.	An increase to the maximum permitted building height from 10-storeys to 12-storeys for the Portage Road Intensification Corridor is being requested as part of the OPA and supported through an implementing zoning by-law amendment. The proposed 12-storeys for the new building is suitable for this property, especially as there will be a gradation in building heights with a 5-storey and 6-storey apartment also on the property.
Part 2, Section 1.7 – Residential General Policies	All residential development shall require proper and adequate municipal services. The municipality shall promote phased development to maintain logical, outward growth in residential areas in accordance with the policies of Part 3, Section 1.	The proposed development will utilize existing municipal infrastructure. A Functional Servicing Design Brief (Hallex Engineering Ltd., December 12, 2024) was prepared in support of this application and confirmed that existing municipal infrastructure can support this development. The City will require 3 <sup>rd</sup> Party infrastructure modelling to be undertaken to confirm that existing infrastructure is adequate.
Part 2, Section 1.10 – Built Up Area	It is recognized that opportunities exist throughout the Built-Up Area as shown on Schedule A-2 to create new housing units. Intensification, while maximizing the density of a given land area, shall be designed to integrate into the surrounding neighbourhood.	The site is located within the Portage Road Intensification Corridor identified on Schedule A-2, which supports higher density residential development and increased maximum building heights. The proposed development will provide new high-density housing stock in the



Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
		City of Niagara Falls, while maintaining existing housing stock on the site. The development will be appropriately designed to be consistent and compatible with the surrounding land uses.
Part 2, Section 1.10.1	The character of the existing neighbourhoods within the Built-up Area shall be retained. Accordingly, residential development, intensification and infilling shall blend into the lot fabric, streetscape and built form of a neighbourhood.	The area surrounding the site is characterized by a mix of commercial, low-density and high-density residential. This includes adjacent single-family dwellings west of the site, as well as other high-density apartment buildings (6 to 9-storeys in height) and low-rise commercial and residential buildings fronting onto Portage Road to the north, east and south. The development will be appropriately designed to be consistent and compatible with the surrounding land uses.
Part 2, Section 1.10.2	A gradation of building heights and densities will be encouraged together with sufficient horizontal separation distances between taller buildings and low rise dwellings in order to ensure a complementary arrangement of residential uses.	The proposed development features a mix of building heights on the property. Sufficient horizontal separation distances are provided, with the exception of the minimum rear yard setback from the west apartment building to the property line. Relief is requested to reduce the rear yard setback from 10 m to 8.2 m through a ZBA and is further detailed in <b>Section 4.5</b> .
Part 2, Section 1.10.3	Generally, development within the Built-up Area should be at a higher density than what currently exists in the neighbourhood. A harmonious mix of single and multiple accommodation will be encouraged through the Built Up Area so that at any one time a variety of housing types will be available suitable for different age groups, household sizes and incomes	The site is located within the Built-Up Area and Portage Road Intensification Corridor. There are single-family residential dwellings adjacent to the west part of the property. The proposed development will include three apartment buildings on the site and therefore will increase the overall density in this area.
Part 2, Section 1.10.5 – Built-Up Area	(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	The site currently fronts onto Portage Road, which is an arterial road, is located along transit routes and is in close proximity to many commercial



Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
	<p>net density of 75 units per hectare. Such development shall be located on lands that front onto arterial roads.</p> <p>Moreover, development should be on current or planned public transit routes and in proximity to commercial areas. Development shall comply with the following:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• rear yard setbacks should be equal to building height and interior side yards shall be appropriate for the building height proposed in relation to abutting land uses;</li> <li>• street frontages shall be engaged through the use of porte cocheres, podiums or landscaping;</li> <li>• parking is to be encouraged to be located within parking structures that are integrated with the development; and <ul style="list-style-type: none"> <li>• 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.</li> </ul> </li> </ul>	<p>amenities. Site-specific policies are required as part of the requested OPA to increase the maximum height permitted from 10-storeys to 12-storeys and the maximum density from 150 units per hectare to 235 units per hectare within the Portage Road Intensification Corridor.</p> <p>Additionally, the proposed apartment buildings are to be different heights (5-storeys, 6-storeys and 12-storeys), providing a varied appearance from the street. Landscaping will be present in the front yard setbacks and parking is to be provided in a half-storey parking structure at the north end of the property that extends below grade. Additional surface parking will be located centrally on the property and in the southern side yard. As part of the required ZBA, a reduced rear yard of 8.2 m, reduced from 10 m, is being requested to recognize existing conditions, which will allow the existing west building to be utilized and three additional storeys added.</p> <p>Zoning provisions are further analyzed below in <b>Section 4.5</b>.</p>
Part 3, Section 1.2.4 – Water and Sanitary Sewage	Development within the urban area shall be accommodated on the basis of full municipal services including sewers, storm sewers, water services and improved roadways. Uses within the urban area shall connect to municipal water and sanitary services, if available. Outside of the urban area, Council shall cooperate with the Niagara Region in promoting individual sewage disposal systems which incorporate proven new	The proposed development will utilize existing municipal water and sanitary sewer infrastructure. A Functional Servicing Design Brief (Hallex Engineering Ltd., December 12, 2024) has been completed, which confirmed that existing municipal infrastructure is able to accommodate the development. The City will require 3 <sup>rd</sup> Party infrastructure modelling to be

Policy Identifier	Policy Text	Is the Proposed Development Consistent with this Policy?
	technology achieving reduced volumes and/or improved quality of effluents.	undertaken to confirm that existing infrastructure is adequate.
Part 3, Section 1.3.1 – Storm Drainage	It is required that all new development or redevelopment within the City be connected to and serviced by a suitable storm drainage system. Appropriate systems may include underground pipes, ditches, culverts, swales, man-made and natural watercourses, detention storage areas or any other storm water management system acceptable to Council, the Niagara Region, the Niagara Peninsula Conservation Authority, and other agencies.	The proposed development will utilize an orifice plate in a cast-in-place stormwater management tank to control stormwater quantity, as well as a Hydroguard HG5 to control stormwater quality, before it is discharged to the existing 525mm municipal storm sewer on Portage Road.

#### **4.4.2 RATIONALE FOR OFFICIAL PLAN AMENDMENT MODIFICATIONS**

The proponent is proposing to redevelop the site to construct a new 12-storey apartment building, as well as add additional storeys to the two existing apartment buildings (increase the height of the west building by 3-storeys to 5-storeys and the south building by 4-storeys to 6-storeys). The site is located in the Portage Road Intensification Corridor and is currently designated as Major Commercial, which does not permit stand-alone residential uses. Therefore, it is being requested to redesignate the entire site to Residential. The properties at 3791 and 3815 Portage Road are already used for the two existing stand-alone apartment buildings. The redesignation to Residential would allow for the recognition of this existing residential use, as well as expansion of the site to provide more residential units, contributing to meeting the City's residential intensification targets. The height increase to 5-storeys and 6-storeys respectively for the existing two apartment buildings will be within the permitted 10-storeys for the Portage Road Intensification Corridor. Additionally, to support the new residential apartment use, it is being requested to increase the maximum building height from 10-storeys to 12-storeys and the maximum density from 150 units per hectare to 235 units per hectare within the Portage Road Intensification Corridor. There are several other apartment buildings in the area that are also within the Portage Road Intensification Corridor. Two of these apartment buildings are higher than the maximum permitted 6-storeys, however they are less than the 10-storeys permitted in the Portage Road Intensification Corridor. The increased height and density for the proposed development would be consistent with the surrounding area and help continue to develop the built form in this area to support high-rise apartment buildings.

#### **4.4.3 SUMMARY OF CITY OF NIAGARA FALLS OFFICIAL PLAN ANALYSIS**

The site is currently designated Major Commercial in the Niagara Falls Official Plan. An OPA is required to redesignate the site to Residential. Additionally, site-specific policies are required to increase the maximum height from 10-storeys to 12-storeys and maximum density from 150 units per hectare to 235 units per hectare within the Portage Road Intensification Corridor. The proposed redevelopment includes the adding additional storeys to the two existing apartment buildings at 3791 and 3815 Portage Road, and the construction of a new 12-storey apartment building on 3777 and 3787 Portage Road. This will result in a total of 202 units (153 new units) within the Built-Up Area of the City of Niagara Falls and will contribute to the housing stock in the City. The development will consolidate several properties that make

up the site, intensify the existing residential use on 3791 and 3815 Portage Road and increase the overall density. It will also contribute to meeting employment growth through a total of 35 potential work from home jobs. Further, the property will continue to utilize existing municipal infrastructure, which has been confirmed to be able to accommodate the development. Stormwater quantity and quality will be managed on site to ensure stormwater runoff flows and quality meet pre-development criteria before it leaves the property.

Therefore, it is concluded that the proposed redevelopment of the site is consistent with the City of Niagara Falls Official Plan and, where it is not, a site-specific OPA is being requested.

## 4.5 CITY OF NIAGARA FALLS ZONING BY-LAW

### 4.5.1 EXISTING ZONING

The properties at 3777 and 3787 Portage Road are currently zoned General Commercial (GC), the properties at 3791 and 3815 Portage Road are zoned Residential Apartment Density 5C (R5C) and the rear portion of 3828 St. Peter Avenue is zoned Residential 1D (R1D), as identified in the City of Niagara Falls Zoning By-law 79-200. The GC zone does not permit the proposed apartment buildings and neither the R1D or R5C zones are the most appropriate residential zoning for the overall development.

### 4.5.2 PROPOSED ZONING

The proposal is to amend the entire site to a site-specific Residential Apartment 5F Density (R5F) Zone, which permits the proposed apartment buildings and best meets the existing and proposed conditions. **Table 4-5** summarizes the proposed site-specific zoning regulations for the proposed development relative to the R5F regulations.

**Table 4-5: Proposed Zoning Regulations for 3777, 3787, 3791 and 3815 Portage Road and rear of 3828 St. Peter Avenue**

Parameter	R5F Regulations	Proposed Dimensions	Meets Requirement?
Minimum Lot Area	57 m <sup>2</sup> per dwelling unit 11,514 m <sup>2</sup> required for this property based on 202 proposed dwelling units	8,776.15 m <sup>2</sup> (138,925.2 ft <sup>2</sup> ), which is equivalent to 43.4 m <sup>2</sup> per dwelling unit Requesting 43 m <sup>2</sup> per dwelling unit	No – Site-specific ZBA required to reduce the minimum lot area from 57 m <sup>2</sup> per dwelling unit to 43 m <sup>2</sup> per dwelling unit.
Minimum Lot Frontage	45 m	77.60 m	Yes
Minimum Front Yard Depth	7.5 m (24.61 ft) plus any applicable distance specified in section 4.27.1 13 m from Original centreline of Portage Road = 20.5 m	18.41 m Requesting 18.2 m	No – Site-specific ZBA required to reduce the minimum front yard depth (i.e. Portage Road to the proposed 12-storey building) from 20.5 m to 18.2 m.
Minimum Rear Yard	One-half the height of the building or 10 metres whichever is	8.23 m (existing) Requesting 8.2 m	No – Site-specific ZBA required to reduce the minimum rear yard

Parameter	R5F Regulations	Proposed Dimensions	Meets Requirement?
	greater plus any applicable distance specified in section 4.27.1  One-half building height = 8.45 m, therefore 10 m is greater		(i.e. the western building, to be 5-storeys, to the west lot line) from 10 m to 8.2 m.
Minimum Interior Side Yard	One-quarter the height of the building  North apartment = 9.23 m  South apartment = 4.97 m	9.26 m  7.96 m	Yes  Yes
Minimum Exterior Side Yard	7.5 m (24.61 ft) plus any applicable distance specified in section 4.27.1	N/A	N/A
Maximum Lot Coverage	30%	38.2%  Requesting 39%	No – Site-specific ZBA required to increase the maximum lot coverage from 30% to 39%.
Maximum Height of Building or Structure	28 m (91.9 ft) subject to section 4.7	36.9 m  Requesting 38 m	No – Site-specific ZBA required to increase the maximum height of the apartments from 28 m to 39 m.
Number of Apartment Dwellings on One Lot	One Only	Three	No – Site-specific ZBA required to increase the maximum number of apartment dwellings on one lot from one apartment dwelling to three apartment dwellings.
Parking and Access Requirements	In accordance with Section 4.19.1  1.4 parking spaces required x 202 units = 283 spaces required	243 total parking spaces  1.15 parking spaces per unit requested	No – Site-specific ZBA required to reduce the number of parking spaces required from 1.4 parking spaces per unit to 1.15 parking spaces per unit.

Parameter	R5F Regulations	Proposed Dimensions	Meets Requirement?
	Per By-law 2019-44 - Accessible parking spaces required = $2 + 0.02 \times 283 = 7.66$ , rounded to 8	8 accessible spaces	Yes
Accessory Buildings/Structures	In accordance with sections 4.13 and 4.14	N/A	N/A
Minimum Landscaped Open Space	55% of the lot area	34.4% Requesting 34%	No – Site-specific ZBA required to reduce the minimum landscaped open space from 55% to 34%.
Minimum Amenity Space for an Apartment Dwelling Unit	In accordance with section 4.44:  Within the R4, R5A, R5B, R5C, R5D, R5E and R5F zones a minimum amenity area of 20 m <sup>2</sup> per dwelling unit shall be provided  $20 \text{ m}^2 \times 202 \text{ units} = 4,040 \text{ m}^2$	3,676.4 m <sup>2</sup> or 18.2 m <sup>2</sup> per dwelling unit  Requesting 18.0 m <sup>2</sup> per unit	No – Site-specific ZBA required to reduce the minimum amenity space per dwelling unit from 20 m <sup>2</sup> per unit to 18 m <sup>2</sup> per unit.

### 4.5.3 RATIONALE FOR SITE-SPECIFIC PROVISIONS

The proponent is proposing a Site-Specific Residential Apartment Density 5F (R5F) Zone to allow for the increase in height to two existing apartment buildings on the property and the development of a third new apartment building on the property, which will result in a total of 202 units. The following site-specific zoning regulations are requested with regards to the apartment towers:

- Reduced minimum lot area from 57.0 m<sup>2</sup> per dwelling to 43.0 m<sup>2</sup> per dwelling unit.
- Reduced minimum front yard setback from 7.5 m plus applicable distance specified in section 4.27.1 (equals 20.5 m) to 18.2 m.
- Reduced minimum rear yard setback from one-half the height of the building or 10.0 m to 8.2 m.
- Increase maximum lot coverage from 30% to 39%.
- Increased maximum height of building from 28.0 m to 39.0 m.
- Increased maximum number of apartment buildings per property from one to three buildings.
- Reduced parking spaces required from 1.40 parking spaces/unit to 1.15 parking spaces/unit (i.e. reduced from 283 to 243 total parking spaces).
- Reduced minimum landscaped open space from 55% to 34%.
- Reduce minimum amenity space from 20.0 m<sup>2</sup> per unit to 18.0 m<sup>2</sup> per unit.

The proposed development is consistent with other similar high-density apartment buildings in the area and complements the mix of commercial and high-density residential development along Portage Road. The City of Niagara Falls also encourages higher-density residential developments in the City to aid in

meeting housing, density and infilling targets. This property is within an area of the City, the Portage Road Intensification Corridor, where higher density development is encouraged. Additionally, as the existing apartment buildings will be utilized as part of the development, the rear yard setback requirement will not be able to be met due to existing conditions.

The site-specific provisions requested will allow for the redevelopment of the properties at 3777, 3787, 3791 and 3815 Portage Road, as well as the rear portion of 3828 St. Peter Avenue, to develop three apartment buildings with an accompanying partially below ground parking structure.

## 4.6 HOUSING IMPACT STATEMENT

A Housing Impact Statement was completed in support of the OPA and ZBA application. The Housing Impact Statement provides justification for the proposed apartment units despite not meeting the definition of “affordable housing,” as apartment units are still generally more affordable than other housing options (i.e. apartment condominium, townhouses, semi-detached and single-family residences). This proposed development will result in 153 new purpose built apartment units, providing 153 new 1 and 2-bedroom units to the more affordable apartment housing stock in the City. The Housing Impact Statement is included in **Appendix E**.

## 4.7 EMPLOYMENT LAND CONVERSION

As calculated in the supporting Employment Land Conversion Calculation (**Appendix F**), the employment potential for 3777 and 3787 Portage Road as commercial properties is 1.68 jobs, rounded up to 2. Calculating the potential work from home jobs for the proposed 12-storey, 94-unit apartment building that would replace the commercial buildings, the total number of potential jobs that could occur is 16.19 jobs, rounded down to 16. Additionally, when taking the entire development into consideration, the total of 202 residential units has the potential for 35 work from home jobs. Further, the number of work from home jobs is anticipated to increase in the future given general employment trends. Therefore, the conversion of the small-scale commercial properties to a residential use will result in a greater employment potential, therefore still contributing to employment forecasts in the area.

## 4.8 SUPPORTING STUDIES

The following summarizes required specialist studies completed in support of the OPA and ZBA application as identified during pre-consultation. The reports are also provided separately with the OPA and ZBA application submission.

### 4.8.1 FUNCTIONAL SERVICING BRIEF

A Functional Servicing Design Brief was completed by Hallex Engineering Ltd. (December 12, 2024). The study indicated that the proposed development would result in an increase in stormwater flows post-construction by 21.8 L/s for the five-year storm and 34.6 L/s for the one-hundred year storm. Therefore, stormwater quantity measures will be implemented. Stormwater quantity is to be controlled through the use of an orifice plate within a cast-in-place stormwater management tank before being discharged to the existing 525mm municipal storm sewer on Portage Road. Stormwater quality is to be controlled through the use of a Hydroguard HG5 prior to its discharge from the site. This will a total suspended solids removal of 74%, which is above the MOE standard for “normal” treatment of 70%.

The study concluded that the municipal sanitary and water services have the capacity to support the proposed development. A minimum 200 mm diameter sanitary sewer is to be installed and connected to the existing 525mm concrete municipal sanitary sewer on Portage Road. The existing 20mm copper water services and 100mm cast iron/PVC watermain on site are to be capped and abandoned and a new,

minimum 150mm water service is to be installed and connected to the existing 300mm PVC watermain on Portage Road.

#### **4.8.2 TRAFFIC IMPACT STUDY**

A Traffic Impact Study was completed by TraffMobility Engineering Inc. (February 5, 2024) in support of the OPA/ZBA application. The study indicated that the proposed development will generate 51 new auto trips during the weekday AM peak hour (13 trips in, 38 trips out) and 68 new auto trips during the weekday PM peak hour (41 trips in, 27 trips out). The study concluded that all traffic movements to and from the site will continue to operate at an acceptable Level of Service (LOS) post-construction of the proposed development under future (2025) total conditions.

Additionally, a left turn warrant analysis was done as part of the study to determine if a left turn lane accessing the site would be warranted on Portage Road. Based on the results of the analysis, it was concluded that a left turn lane to the site with a storage length of 15-metres would be warranted on Portage Road.

#### **4.8.3 ENVIRONMENTAL SITE ASSESSMENT**

A Phase I Environmental Site Assessment (ESA) was undertaken by Soil-Mat Engineers & Consultants (November 29, 2023) in support of filing for a Record of Site Condition (RSC). As a result of the recommendations of the Phase I ESA, a Phase II ESA was subsequently undertaken (March 18, 2024). The Phase II work included the advancement of three (3) boreholes, including monitoring wells. Twelve (12) test pits were also dug on the grass-covered areas. An additional thirteen (13) boreholes were drilled for a separate Geotechnical Investigation, also undertaken by Soil-Mat Engineers & Consultants Ltd., however they were not utilized for the Phase II investigation.

Soil samples were collected and analyzed, and it was concluded that all but one parameter were within acceptable limits. The Sodium Adsorption Ratio (SAR) was found to be elevated, however it was determined to not be in exceedance of standards due to the specific scenario of it being elevated by the application of road salts during the winter.

As a result, no further soil sampling is recommended for the property, however a supplemental groundwater monitoring well is required to be installed prior to filing for an RSC.

#### **4.8.4 TREE INVENTORY PRESERVATION PLAN**

Arborwood Tree Services Inc. was retained to complete two Arborist Reports in support of the proposed development. The first was for the rear yard of 3828 St. Peter Avenue (January 3, 2024) and the second for the remaining properties that make up the site (March 20, 2024). Nineteen trees were identified on or bordering the rear property at 3828 St. Peter Avenue. The Tree Inventory identified two trees to be preserved, thirteen trees required to be removed, and four that have the potential to be injured as a result of the proposed development.

For the remainder of the site, made up of 3777, 3787, 3791 and 3815 Portage Road, 42 trees were identified on or bordering the site. The Tree Inventory identified that eight trees would be preserved, twenty-eight would be required to be removed, and six have the potential to be injured as a result of the proposed development.

Tree protection fences are recommended to be installed and remain in place during demolition, construction and any other site disturbance to protect trees with the potential for injury.

#### **4.8.5 WIND STUDY**

RWDI Inc. completed a Pedestrian Wind Study in support of the OPA/ZBA application (January 24, 2024). The study found that wind conditions for the site post-development are anticipated to be suitable in all locations during the summer and most locations during the winter. There is potential for uncomfortable wind speeds in the winter near entrances and on the driveway south of the 12-storey apartment, however this is not anticipated to have great impact on residents due to low pedestrian presence during the winter. The pedestrian wind safety criterion is met at all locations.

#### **4.8.6 SHADOW STUDY**

A Shadow Study and Report were prepared by Peter J. Lesdow Architect in support of the OPA/ZBA application (May 16, 2025). The study analyzed the proposed development across four dates (April 21, June 21, September 21 and December 21) at nine hour intervals to obtain the best indication of shadow impact surrounding the site. Four design strategies were implemented to reduce shadow impacts as follows:

- Placement of the 12-storey apartment building – The new 12-storey apartment building was placed as far from the abutting residential dwellings to the west as possible.
- Reduction of the proposed height increase for the west-most apartment building – The proposed height increase for the existing west apartment building was reduced to 5 storeys due to its close proximity to the abutting residential dwellings.
- Orientation of the new 12-storey apartment – The 12-storey apartment building was designed east-to-west, matching the south-east apartment building, which significantly reduces building massing on Portage Road and maximizes the sun exposure of the apartment units.
- Separation of the buildings – The apartment buildings are located as far from one another as possible, which maximizes the sun exposure of each apartment building.

The implementation of these design strategies ensure that the proposed development adheres to the Terms of Reference 4.0 Shadow Impact Criteria of exposure, coverage times and dates. The shadow study and report concluded that the proposed development meets or exceeds all Terms of Reference 4.0 Shadow Impact Criteria, with the exceptions of full sun exposure for north-facing balconies within the existing south-east apartment building and the minimum sunlight hours for sidewalks during the month of December.

## **5.0 SUMMARY AND CONCLUSIONS**

### **5.1 CONCLUSIONS**

Based on the analysis of relevant planning documentation in this Planning Justification Report, the Conceptual Site Plan prepared in support of the Official Plan and Zoning By-Law Amendment application, and supporting studies completed, the following is concluded with respect to the proposed OPA and ZBA for the site at 3777, 3787, 3791 and 3815 Portage Road, as well as the rear portion of 3828 St. Peter Avenue, in the City of Niagara Falls.

- The proposed development of a new 12-storey apartment building and additions onto the two existing apartment buildings (a 3-storey addition to the west building and a 4-storey addition to the south building) addresses provincial interest, as defined within The Planning Act. It provides new housing units on a property already appropriately used for residential apartment buildings and is located in close proximity to several public transit stops.



- The proposed development meets the intent of the Provincial Policy Statement, as it is located within a settlement area, will contribute to the housing stock in the area and will utilize existing municipal infrastructure.
- The proposed development supports the policies within the Niagara Region Official Plan, as the subject property is located within the Built-Up Area of Niagara Falls, will contribute to the housing stock in the City of Niagara Falls, will offer a mix of 1 and 2-bedroom apartments and will utilize existing municipal infrastructure.
- The site is located within the Portage Road Intensification Corridor and is currently designated Major Commercial in the Niagara Falls Official Plan. Therefore, an OPA is being requested to redesignate the site to Residential to permit adding additional storeys to the existing apartment buildings and the development of a new 12-storey apartment building. Site-specific policy amendments are required to increase the maximum height from 10-storeys to 12-storeys and the maximum density from 150 units per hectare to 235 units per hectare within the Portage Road Intensification Corridor. This redesignation is consistent with the intent of the Niagara Falls Official Plan, as the proposed development will provide new housing stock within the City, intensify an existing residential use (at 3791 and 3815 Portage Road), contribute to meeting employment forecasts through work from home jobs, and utilize existing infrastructure.
- The proposed rezoning of the site from General Commercial (GC), Residential Apartment 5C Density (R5C) and Residential 1D (R1D) to site-specific Residential Apartment Density 5F (R5F) will permit additional storeys to the two existing apartment buildings and the proposed development of a new apartment building, with a total of 202 units (153 new units), which is supported by the planning policies analyzed in this Planning Justification Report. Site-specific zoning requirements are as follows:
  - Reduced minimum lot area from 57.0 m<sup>2</sup> per dwelling to 43.0 m<sup>2</sup> per dwelling unit.
  - Reduced minimum front yard setback from 7.5 m plus applicable distance specified in section 4.27.1 (equals 20.5 m) to 18.2 m.
  - Reduced minimum rear yard setback from one-half the height of the building or 10.0 m to 8.2 m.
  - Increase maximum lot coverage from 30% to 39%.
  - Increased maximum height of building from 28.0 m to 39.0 m.
  - Increased maximum number of apartment buildings per property from one to three buildings.
  - Reduced parking spaces required from 1.40 parking spaces/unit to 1.15 parking spaces/unit (i.e. reduced from 283 to 243 total parking spaces).
  - Reduced minimum landscaped open space from 55% to 34%.
  - Reduce minimum amenity space from 20.0 m<sup>2</sup> per unit to 18.0 m<sup>2</sup> per unit.
- The employment potential for the two commercial properties (3777 and 3787 Portage Road) will increase from the current two (2) potential jobs to 16. Further, the total employment potential for the overall site is 35 jobs.
- The supporting studies indicate that the proposed development can be constructed on the subject property without adverse effects to the surrounding environment, pedestrians, traffic, municipal infrastructure services, etc.

## 5.2 RECOMMENDATIONS

Based on the analysis presented in the Planning Justification Report, it is recommended that City of Niagara Falls Council approve the Official Plan Amendment and Zoning By-Law Amendment application to permit the proposed development of three apartment buildings at the site comprised of 3777, 3787, 3791 and 3815 Portage Road, as well as the rear portion of 3828 St. Peter Avenue, in the City of Niagara Falls.

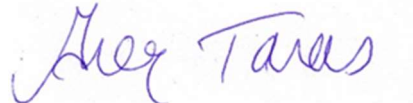
### URBAN & ENVIRONMENTAL MANAGEMENT INC.

Report Prepared By:



Samantha Beam  
Planner

Report Reviewed By:



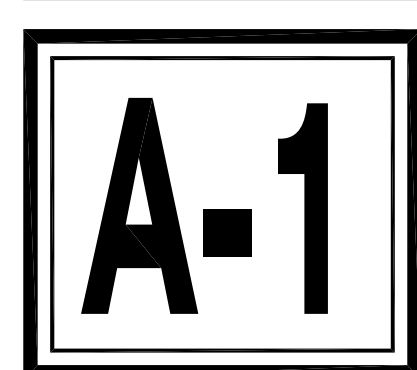
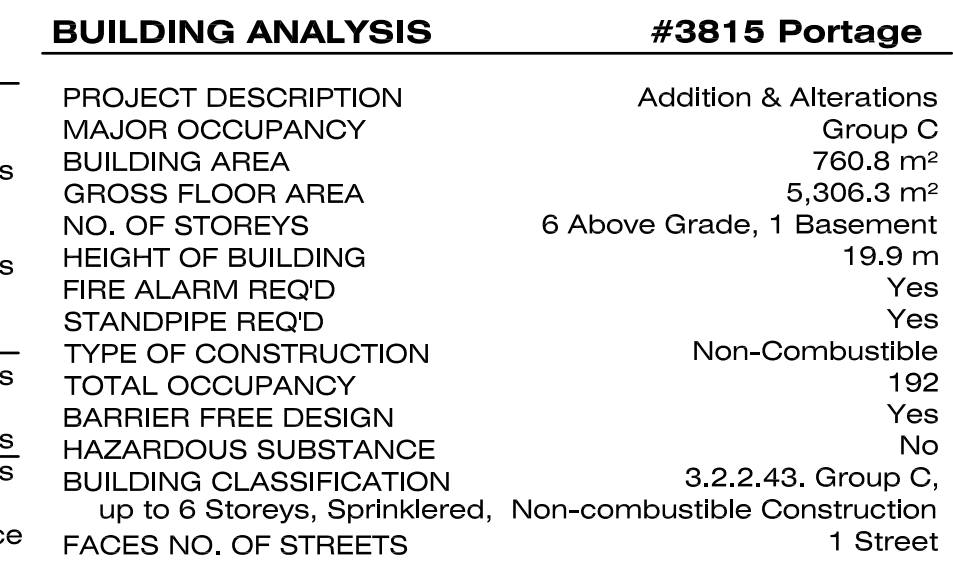
Greg Taras, RPP  
Senior Planner

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# **Appendix A**

## **Conceptual Site Plan**







# **Appendix B**

## **Official Plan Maps**



# Schedule A to the Official Plan FUTURE LAND USE

Transit Stat on  
Secondary Plan  
see Schedule A-5

- Legend**
- Environmental Conservation Area
  - Environmental Protection Area
  - Extractive Industrial
  - Good General Agriculture
  - Industrial
  - Major Commercial
  - Minor Commercial
  - Niagara Escarpment Plan Area
  - Open Space
  - Parkway Residential
  - Residential
  - Resort Commercial
  - Theme Park Marineland
  - Tourist Commercial
  - Intake Protection Zone IPZ-1
  - Secondary Plan Area
  - Special Policy Area
  - Urban Area Boundary

Urban Area Expansion as per the 2022 Niagara Region Official Plan, for illustration only. Implementation of the boundary will require an approved Secondary Plan

Garner South  
Secondary Plan  
see Schedule A-3

Riverfront  
Secondary Plan  
see Schedule A-6

Grand Niagara  
Secondary Plan  
see Schedule A-4

NOTE: THIS MAP MUST BE READ IN CONJUNCTION WITH THE  
WRITTEN TEXT OF THE OFFICIAL PLAN APPROVED OCTOBER 1993  
UPDATED TO January 2024

0 3 Km



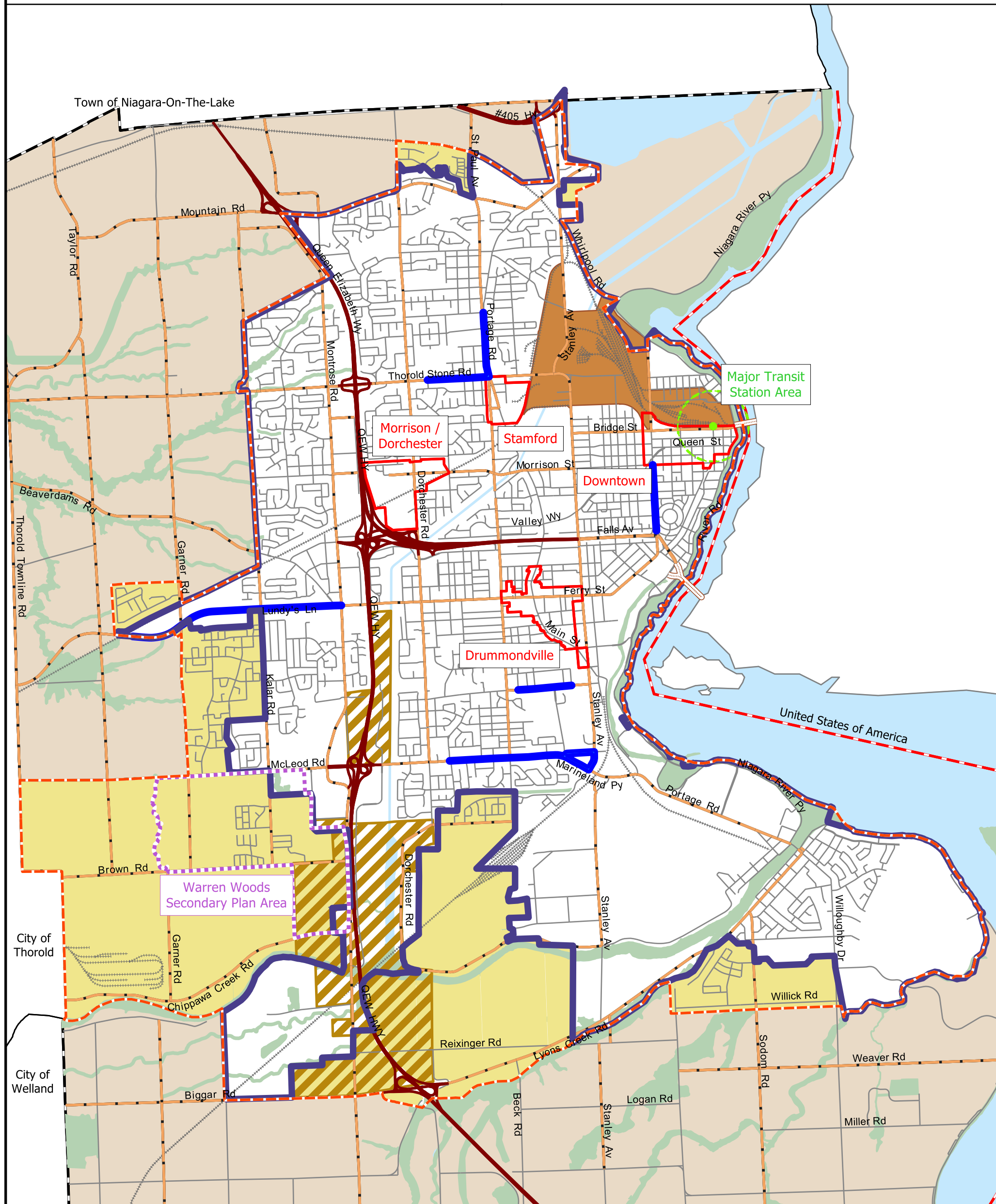
PLANNING & DEVELOPMENT DIVISION  
Updated to: January 2024  
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Scale 1:55,000



# Schedule A2

## Urban Structure Plan



- Urban Area Boundary
- Built Area Boundary
- Protected Natural Heritage Area  
\*Includes lands designated EPA only
- Transportation Corridor
- Arterial Roads
- Highway
- Rail
- International Bridge
- Urban Area
- Built Up Area
- Transit Area
- Node
- Corridor
- Brownfield Pilot Project Area
- Greenfield Area
- QEW Employment Corridor
- Warren Woods Secondary Plan Area
- Rural Area



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# **Appendix C**

## **Zoning By-law Maps**

# ZONING BY-LAW 79-200



— ZONE LINES

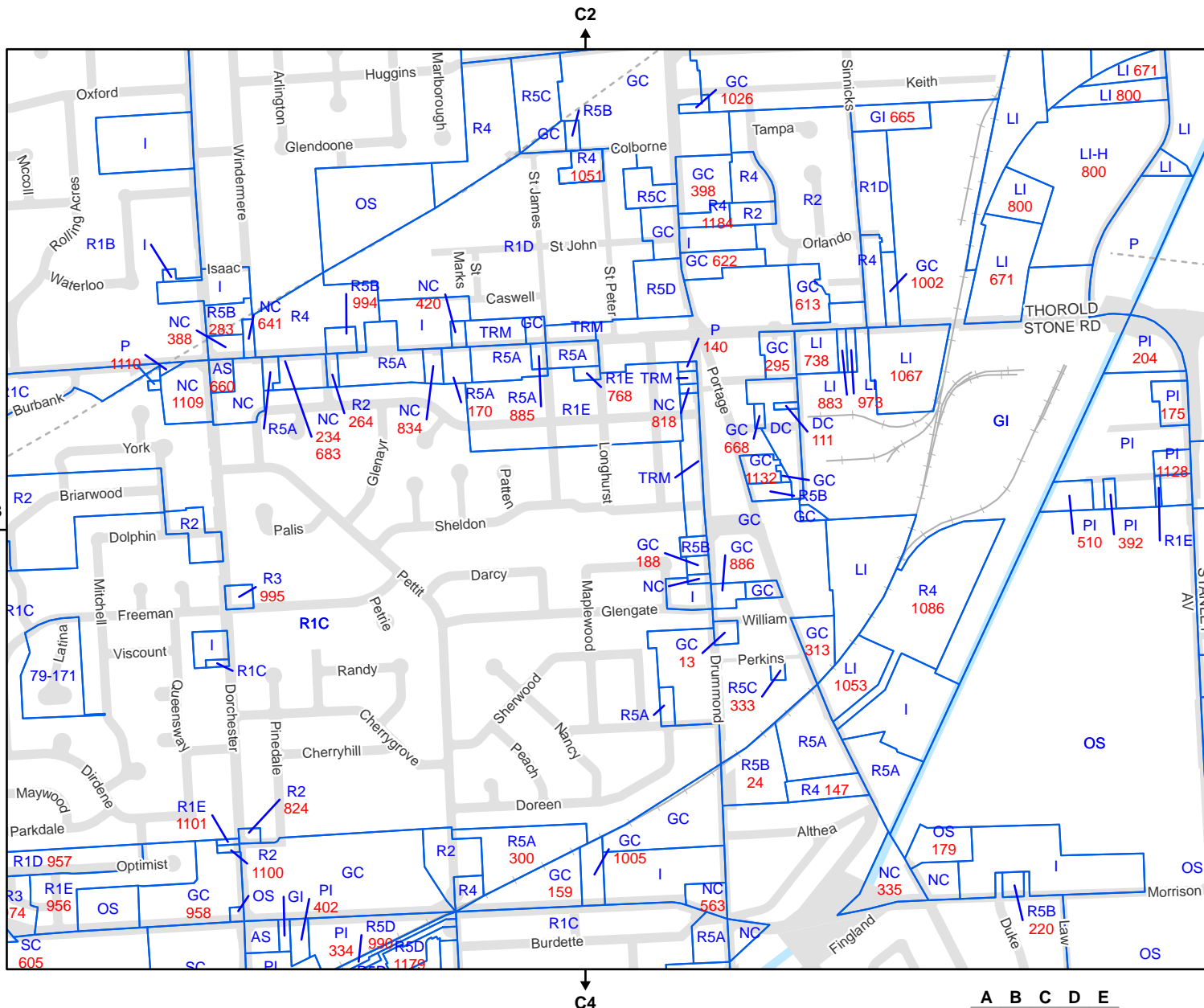
EXCEPTIONS & SPECIAL PROVISION NO.  
SEE SECTION 19

97-126	08-128	22-075
98-052	08-109	22-117
99-166	08-071	
00-059	08-134	
03-037	09-062	
03-038	09-127	
03-075	09-184	
03-121	09-185	
03-198	09-150	
04-082	12-031	
04-123	13-001	
04-136	13-005	
04-191	13-126	
04-209	14-033	
05-007	14-036	
05-035	14-053	
05-104	14-076	
05-136	16-068	
06-024	17-123	
06-106	17-136	
07-021	19-075	
07-120	19-130	
08-053	20-078	



CONSOLIDATION  
DECEMBER 2022

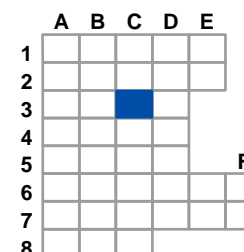
## SHEET C3



CITY OF NIAGARA FALLS  
Planning & Development Department



Scale 1:13,000



# **Appendix D**

## **Draft Official Plan and Zoning By-law Amendment**

## **CITY OF NIAGARA FALLS**

### **By-law No. 2025- xxxx (DRAFT)**

A by-law to amend By-law No. 79-200, to permit the use of the lands for the development of two residential apartment buildings. (AM-2025-xxxx).

#### **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 Lands shall be identified as a parcel, known as Parcel R5F- xxxx.
3. The purpose of this by-law is to amend the provisions of By-law No. 79-200, to permit the use of the Lands in a manner that would otherwise be prohibited by this by-law. In the case of any conflict between a specific provision of this by-law and any existing provision of By-law No. 79-200, the provisions of this by-law are to prevail.
4. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following uses and regulations shall be the permitted uses and regulations governing the permitted uses on and of the Lands.
5. The permitted uses shall be:
  - (a) For Parcel R5F-xxxx, the uses permitted in the R5F zone.
6. The regulations governing the permitted uses on Parcel R5F–xxxx, shall be:

(a) Minimum lot area	43.0 square metres per dwelling unit
(b) Minimum front yard	18.2 metres
(c) Minimum rear yard	8.2 metres
(d) Maximum lot coverage	39%
(e) Maximum height of building or structure	39.0 metres
(f) Number of apartment dwellings on one lot	Three
(g) Parking and Access Requirements	1.15 parking spaces per dwelling unit

- (h) Minimum landscaped open space 34.0%
  - (i) Minimum Amenity Space for an Apartment Dwelling Unit 18.0 square metres per dwelling unit
  - (j) The balance of the regulations specified for a R5F use.
7. 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.
  8. No person shall use the Lands for a use that is not a permitted use.
  9. No person shall use the Lands in a manner that is contrary to the regulations.
  10. The provisions of this by-law shall be shown on Sheet C3 of Schedule “A” of By-law No. 79-200 by redesignating the Lands from GC, R5C and R1D to R5F and numbered xxxx.
  11. Section 19 of By-law No. 79-200 is amended by adding thereto:
    - 19.1. xxxx Refer to By-law No. xxxx

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

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

.....  
JAMES M. DIODATI, MAYOR

# **Appendix E**

## **Housing Impact Statement**

**Housing Impact Statement  
3777, 3787, 3791 & 3815 Portage Road, Niagara Falls  
Proposed Apartment Development**

**Introduction**

Regent North Properties Inc., proponent and owner of 3777, 3787, 3791 and 3815 Portage Road in the City of Niagara Falls, is requesting an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) to permit the development of a new 12-storey apartment building, as well as additional storeys to be added to the two existing apartment dwellings, increasing the heights to 5-storeys and 6-storeys, respectively. In support of the OPA and ZBA, a Housing Impact Statement is required and is prepared in accordance with **Part 1, Section 4.4** of the City of Niagara Falls Official Plan.

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

The proposed development will introduce 153 new purpose built residential apartment units to the City of Niagara Falls, while maintaining the existing 49 units. This will result in a total of 202 residential units on the site (57 1-bedroom units and 145 2-bedroom units).

**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)**

As identified in Part 1, Section 4.8 of the Official Plan, the City anticipates 20,220 new residents to Niagara Falls between 2021 and 2051, which results in a requirement for 674 new residential housing units annually. The increase for the site from the current 49 residential units to the proposed 202 residential units will greatly contribute to meeting housing targets for the City. The 153 new apartment units will contribute 22.7% of an annual residential housing requirement. Further, the increased residential housing supply is anticipated to contribute to lowering housing costs by meeting the goals of all levels of government to increase housing supply in order to reduce housing costs through supply and demand economics.

**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 development is still within the early stages of the planning approvals process. It is estimated that it will be at least 2 to 3 years before the planning process, site plan approval, building permit approval process and construction are completed. Therefore, it is very difficult to provide estimated rental rates at this time for 2 to 3 years from now when the units will be completed and rented out. However, at this time, a very preliminary estimate of the monthly rental rates range from approximately \$2,000 for 1-bedroom units to \$2,600 for 2-bedroom units.



The following definition is included in the Niagara Falls Official Plan for “affordable housing:”

“In the case of rental housing, the least expensive of:

- i. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households (as defined in the Provincial Policy Statement); or
- ii. (ii) a unit for which the rent is at or below the average market rent of a unit in the regional market area (as defined in the Provincial Policy Statement).”

According to the October 2024 Rental Market Survey carried out by the Canadian Mortgage and Housing Corporation (CMCH), the average rental price for a 1-bedroom apartment in Niagara Falls (remainder) was \$1,188 and the average rental price for a 2-bedroom apartment was \$1,449.

According to a draft updated Table 3-5 of the City of Niagara Falls Housing Needs Study (provided by City of Niagara Falls staff), 2022 income was estimated based on available average 2021 Niagara Region annual income, with the CPI increase for 2021 to 2022 applied. UEM has similarly applied the applicable CPI increases to estimate 2024 income. Based on CPI increases of 3.9% in 2023 and 2.4% in 2024, average low income ranged from \$25,394 to \$52,052, representing an affordable housing maximum monthly rental rate of \$635 to \$1,301. Medium income ranged from \$68,943 to \$110,194, representing an affordable housing maximum monthly rental rate of \$1,724 to \$2,755.

Further, the Ministry of Municipal Affairs and Housing (MMAH) updated the “Affordable Residential Units for the Purposes of the Development Charged Act” bulletin on June 1, 2024. This bulletin provides market-based and income-based thresholds for affordable housing options in each municipality in Ontario. Specifically in Niagara Falls, the bulletin defines affordable monthly rent as \$1,200 for a 1-bedroom unit and \$1,317 for a 2-bedroom unit.

The least expensive option in this scenario overall would be option ii). However, the affordable rental rates defined in the MMAH’s June 1, 2024 bulletin are a better indication of affordability as these are explicitly defined affordable housing thresholds used province-wide for calculations pertaining to development charges, including in Niagara Falls. The rental rates are specific to 1 and 2-bedroom units, which are being proposed and are similar to CMHC’s calculations for 1 and 2-bedroom units. Therefore, as the proposed apartment units have estimated rents higher than the average rents for 1 and 2-bedroom units for Niagara Falls, and are higher than the affordable monthly rental rates defined in the MMAH’s June 1, 2024 bulletin, the proposed development does not meet the City’s criteria for affordable housing.

**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**

This policy is not applicable. The proposed development will be constructed in a single phase and the proposed development does not meet the City's criteria for affordable housing.

**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**

This policy is not applicable. The proposed development does not meet the City's definition of "affordable housing."

**In Conclusion...**

Though the proposed apartment units do not meet the definition of "affordable housing," apartments are generally more affordable housing options than other types of housing (i.e. apartment condominium, townhouses, semi-detached and single-family residences). This proposed development will result in 153 new purpose built apartment units, providing 153 new 1 and 2-bedroom units to the more affordable housing apartment housing stock.

# **Appendix F**

## **Employment Land Conversion Calculation**

## **Employment Land Conversion Calculation**

The proposed development is proposing to convert the properties at 3777 and 3787 Portage Road, designated Major Commercial in the Niagara Falls Official Plan and zoned General Commercial in the Niagara Falls Zoning By-law, to a residential 12-storey apartment building. The following details the calculation for the proposed apartment development on the subject properties:

### **Step #1**

“Based on the City’s existing Zoning By-law, use the maximum lot coverage (in %) to calculate the full potential build out (building envelope) of the site to determine its maximum potential employment square footage.

Once maximum potential square footage established, then calculate how many jobs this results in based on the City’s employee density assumptions\* for non-residential square footage estimates as specified within the Development Charges Background Study.”

Calculation:

- Property size:  $1,202.13 \text{ m}^2 = 12,939.51 \text{ ft}^2$ 
  - This size assumes that any new/expanded development on the property, whether commercial/industrial or residential, would require a site plan amendment and therefore, the road right-of-way widening would be required, which reduces the developable portion of the property.
- Zoned: General Commercial, which permits 70% maximum lot coverage.
- Maximum potential employment square footage =  $70\% \times 12,939.51 \text{ ft}^2 = 841.49 \text{ ft}^2$ .
- Employee density assumption for industrial =  $500 \text{ ft}^2$  per employee.
- $841.49 \text{ ft}^2 / 500 \text{ ft}^2 = 1.68$  jobs.

### **Step #2**

“Next, by referencing the City’s Zoning By-law provisions that are currently applicable to the site (i.e., setbacks, parking, etc.), determine a realistic development coverage (in %) of the site and calculate its employment square footage based on the DC Background Study estimates.

Once the square footage is known, its job yield can be calculated by using the same DC Background Study considerations as provided in Step 1.”

Calculation:

- Proposing to rezone the property from General Commercial (GC) to Residential Apartment Density 5F (R5F) to permit residential apartment buildings.
- Maximum lot coverage is 30%.
- $30\% \times 12,939.51 \text{ ft}^2 = 3,881.85 \text{ ft}^2$ .
- The Region’s Development Charges Background Study (2022) has no metric for employee density assumption for residential use.

\* The Niagara Falls Development Charges Background Study and By-law (2019) do not contain the required employee density assumptions or employment percentages. Therefore, the Region’s documents (2022) were utilized for the employee density assumptions (page 3-11 of the Region’s Development Charges Background Study (2022)).

- Therefore, assumed 0 jobs.

### Step #3

“Next, calculate the number of “Work from Home” jobs that can be accommodated on the site. “Work from Home” jobs can be calculated by multiplying the total proposed residential units for the site by the work from home ratio or percentage\*\* specified in the City’s DC By-law.

These “Work from Home” jobs can be added to the realistic coverage job total calculated in Step 2 to help justify a similar number of jobs based on the full potential build out of the site calculated in Step 1.

Please note that any temporary jobs created through construction or brownfield remediation should not be included in the calculation / justification, as they will not remain accommodated on site.”

Calculation:

- A total of 94 units are proposed in the 12-storey apartment building.
- Statistics Canada 2021 employment dataset indicates 17.22% of workers in Niagara Falls worked at home (6,150 worked at home out of a total 35,720 in the census).
- Therefore, assumed 17.22% to calculate total work from home jobs for the proposed development.
- $17.22\% \times 94 = 16.19$  jobs.
- Total development = 202 units
- $17.22\% \times 202 = 34.78$  jobs.

### Step #4

“Lastly, please provide a short breakdown / summary of the total number of proposed jobs accommodated on the site as calculated through Steps 1-3.”

A breakdown of the calculation has been included in Section 4.6 of the Planning Justification Report.

\*\*Statistics Canada (2021 place of work status by occupation broad category) was utilized for the work from home percentage for the City of Niagara Falls.