

August 8, 2023

Planning Division
City of Niagara Falls
4310 Queen Street
Niagara Falls, ON
L2E 6X5

Attention: Scott Turnbull, Planner 1

**Re: Application for Official Plan and Zoning By-law Amendments
8004 Lundy's Lane
City of Niagara Falls**
Our File: BLV/NIA/22-01

On behalf of 11464957 Canada Inc. (the "Owner"), Zelinka Priamo Ltd. is pleased to submit an application for concurrent Official Plan and Zoning By-law Amendments related to the land municipally known as 8004 Lundy's Lane in the City of Niagara Falls (the "subject lands"). The purpose of the applications is to permit the existing density of the residential use occurring on the subject lands.

Pre-consultation meetings were held on October 6th, 2022 and April 6th, 2023 to discuss the proposed amendments, at which Staff and agency comments were shared, and a list of submission requirements were later provided.

As per subsequent correspondence and discussions with Staff, the requirements for a Tree Survey Plan, Municipal Servicing Report, and Stormwater Management Plan are to be deferred to the Site Plan Approval stage.

BACKGROUND

The subject lands front onto the south side of Lundy's Lane between Kalar Road and Montrose Road, approximately 1km west of the QEW 400-series highway. The subject lands have a frontage of approximately 70.7m along Lundy's Lane, a depth of approximately 75.5m, and an area of approximately 5252 sq. m.

The subject lands are occupied by two (2) former motel structures with a total of 87 dwelling units, which was originally constructed circa 1965. The units were later informally repurposed long-term residential tenancy. In 2018, the owner of the subject lands at the time successfully rezoned the lands from Tourist Commercial (TC) to Residential (R5C(H)-1078) in recognition of the change of use. The Holding provision was later removed in 2021 following submissions of Environmental Site Assessments and a Record of Site Condition to the satisfaction of the City.

The 2018 rezoning limited the number of residential units to 52 (100 UPH) in conformity with the Official Plan. An Official Plan and Zoning By-law Amendment are therefore required to recognize the existing density on the subject lands, and protect for their long-term residential use.

PROPOSAL

Since the initial rezoning, the 87 units have maintained long-term tenancy. The proposed OPA and ZBA seek to increase the permitted density on the subject lands to recognize all existing residential units and protect for their long-term use.

The subject lands provide a low-cost housing option for individuals and families. The organic conversion of the subject lands from commercial to long-term residential use was influenced by a demonstrated need from members of the community, and has continued to provide low-cost and affordable shelter for residents of the City in core housing need. The Owner has proposed to maintain approximately 61% of the units as affordable, geared to the median renter income of the St Catharines – Niagara Census Metropolitan Area.

In recognition of this need, removing 39 units from the subject lands to bring the buildings into conformity with the existing zoning would not be in the interest of the community and the tenants in need of affordable housing. The proposed amendments are, therefore, desirable for the long-term use of the subject lands.

A Concept Plan included with this submission illustrates the proposed site modifications to address applicable zoning standards and Staff comments. A future Site Plan Approval application will be submitted to the City at the appropriate time to facilitate proposed reconfigurations to the parking and amenity areas, as no development agreement is known to be registered on title.

PROPOSED OFFICIAL PLAN AMENDMENT

A local OPA has been submitted to redesignate the subject lands from “Tourist Commercial” to “Residential,” with a “Special Policy Area” overlay to permit the existing density.

PROPOSED ZONING BY-LAW AMENDMENT

A ZBA for the subject lands is proposed, which would rezone the lands from “Residential Apartment (R5C-1078)” to the “Residential Apartment (RF5-XXXX)” zone to permit the existing residential density. The intent of the site-specific zoning is to reflect the existing conditions, and to accurately carry forward the existing exceptions applying to the subject lands which were approved through the 2018 rezoning process.

SUBMISSION PACKAGE

Please find enclosed the following materials as part of this submission package:

- A cheque in the amount of \$14,600.00 for the Combined OPA/ZBA fee, made payable to the City of Niagara Falls;
- A cheque in the amount of \$1,965.00 for the Technical OPA and ZBA Review fee, made payable to the Regional Municipality of Niagara;
- One (1) copy of the Completed OPA and ZBA Application form, including authorizations;
- One (1) copy of the signed Pre-Consultation Checklist, dated October 6, 2023;
- One (1) copy of the signed Pre-Consultation Checklist, dated April 6, 2023;
- One (1) copy of Staff correspondence, dated May 30, 2023;

- One (1) copy of Staff correspondence, dated July 20, 2023;
- One (1) copy of the Parcel Register;
- One (1) copy of the Plan of Survey, 11x17 (NTS), prepared by MTE Consultants;
- One (1) copy of the Planning Justification Report, including draft instruments, prepared by Zelinka Priamo Ltd.;
- Two (2) copies of the Conceptual Site Plan, 11x17, prepared by Zelinka Priamo Ltd.;
- Two (2) copies of the Colourized Conceptual Site Plan, 11x17, prepared by Zelinka Priamo Ltd.;
- One (1) copy of the Floor Plans, 11X17 (NTS), prepared by LLA Architecture;
- One (1) copy of the Parking Impact Study dated August 2023, prepared by Paradigm Transportation Solutions; and
- One (1) USB digital submission of the above-noted application materials.

We trust that the enclosed information is satisfactory; and we look forward to a timely approval process. Should you have any questions, or require further information, please do not hesitate to contact the undersigned.

Yours very truly,

ZELINKA PRIAMO LTD.



Azar Davis, BURPI, CPT
Planner

cc. 11464957 Canada Inc. (via email)