



**FARZ HOLDINGS INC.**  
**UPPER'S GROVE, THOROLD, ONTARIO**

# PLANNING JUSTIFICATION REPORT

*December 2018*

*prepared by*

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## EXECUTIVE SUMMARY

This Planning Justification Report has been completed in support of applications submitted to the City of Thorold for:

- ✓ **Draft Plan of Subdivision; and,**
- ✓ **Zoning By-law Amendment.**

The applications relate to 'Upper's Grove', a site located within the Rolling Meadows Secondary Plan area in the City of Thorold, and are intended to bring forward the development of 344 residential units, parkland and connections to the wider community currently under development.

The proposed residential development is within the urban area and Designated Greenfield Area, providing for a density of approximately 60 people per hectare, contributing to the minimum density targets and population forecasts of the Niagara Region Official Plan and Growth Plan. The site is located within the Rolling Meadows Secondary Plan area (City of Thorold Official Plan), with the site identified for 'Residential' use within the Secondary Plan schedules.

The supporting Functional Servicing Report confirms servicing can be achieved through existing and proposed connections in the Rolling Meadows subdivision. The findings of the Environmental Impact Statement advise there will be no significant impact to the key features on and abutting the site. The Transportation Impact Study concludes that, while there will be impacts on local traffic patterns, these will be mitigated through proposed intersection improvements, where all intersections are expected to operate at acceptable levels of service. Stages 1 to 4 archeological assessments have been completed, with artifacts excavated and fully documented, in compliance with the Ministry of Tourism, Culture and Sport guidelines.

Full consideration has been given to the policies of the City of Thorold Official Plan, the proposed development and land uses of the wider Rolling Meadows Neighbourhood, and the siting of an appropriate housing mix and densities. The applications for Plan of Subdivision and Zoning By-law Amendment conform to the policies of the Official Plan. In addition, the applications are consistent with the PPS, and conform to the policies of the Growth Plan and Niagara Region Official Plan, represent good planning and are in the public interest.

The site is currently zoned 'Light Industrial' within Zoning By-law 2140(97), which does not conform to the City Official Plan policies which designate the lands 'Residential'. As such, the current zoning does not contribute to the minimum density targets and population growth forecasts of the Niagara Region Official Plan and Growth Plan; the current 'Light Industrial' zoning does not conform to the Niagara Region Official Plan or Growth Plan therefore. 'Light Industrial' zoning provides fewer opportunities for a development form and mix of land uses which meet the PPS criteria for designated growth areas, being a less efficient use of land; the current zoning of the property is inconsistent with the PPS. The application for Zoning By-law Amendment seeks to bring the zoning for the site into conformity with the Official Plan, allowing the continued development of the Rolling Meadows community.



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## **1.0 INTRODUCTION**

LARKIN+ Land Use Planners Inc. represent FARZ Holdings Inc. in regards to the planning applications for Zoning By-law Amendment and Draft Plan of Subdivision to permit a residential development at land north of the proposed Upper's Lane extension, Rolling Meadows, referred to herein by its marketing name 'Upper's Grove'. The extent of Upper's Grove is identified below (Figure 1) and has been the subject of a Pre-Consultation meeting and extensive discussions with the City of Thorold, Region of Niagara, and Niagara Peninsula Conservation Authority (NPCA).

The applications for Plan of Subdivision and Zoning By-law Amendment would allow for the development of 344 residential units consisting of 101 single-detached dwellings and 243 townhomes, as well as parkland and vehicular, pedestrian and cycling connections to the wider Rolling Meadows Secondary Plan area.

Land use planning policies and regulations, as articulated through the City of Thorold Official Plan and the City of Thorold Zoning Bylaw, are reviewed to assess the potential for residential development of the site. Particular consideration has been given to policy contained within the Rolling Meadows Secondary Plan, and conformity with both the Provincial and Regional policy framework. Supporting application documentation is reviewed and conclusions are drawn regarding the site's residential development potential.

## 2.0 SITE LOCATION & DESCRIPTION

The site is identified as Parts 1-6, Part Lot 67 and Part of Road Allowance between Lot 67 and 68, Upper's Lane, Thorold, Ontario, and located within the Rolling Meadows Secondary Plan Area. Rolling Meadows is located to the south east of the existing built-up area of Thorold, east of the Welland Canal and approximately 0.5 km west of the Thorold-Niagara Falls Townline. Residential development associated with the first phases of Rolling Meadows is located to the west of the site, accessed from Davis Road.

The site is approximately 15 hectares (37 acres) in size and rectangular in shape; it was previously in agricultural use for arable farmland and bordered, almost completely, by trees/hedgerow, with a hedgerow bisecting the site from east to west. Isolated woodland is located adjacent to the site, along part of its eastern boundary. Two watercourses are located on the northern half of the site, both being tributaries to Beaverdam's pond to the north. A hydro easement is located directly adjacent to the site along its western boundary, and Trans-Canada gas pipeline easement runs diagonally across the site. The pipeline is identified as Part 2 ('Subject to Easement') within the Survey, submitted in support of the applications.

Thorold City Council approved By-law 80-2018 on July 3<sup>rd</sup>, 2018, declaring Parts 4, 5 and 6 of 'Part of Road Allowance between Lots 67 and 68' within the site as surplus, with a view to the lands being purchased by the applicant. It is anticipated that the sale of these lands to FARZ Holdings Inc. will be concluded in early 2019.



### 3.0 APPLICATIONS FOR SUBDIVISION & ZONING BY-LAW AMENDMENT

In order to bring forward the proposed residential development at Upper's Grove within the Rolling Meadows - Community Master Plan (Figure 2), FARZ Holdings Inc. has filed the following applications:

- ✓ **Draft Plan of Subdivision;**  
**and,**
- ✓ **Zoning By-law Amendment.**

The application for Draft Plan of Subdivision (Draft Plan of Subdivision – Appendix B) proposes residential development in the form of single detached dwellings (101 lots) and townhouse dwellings (243 lots) for a total of 344 dwelling units. A central park of 1.4 ha. and a smaller parkette of 0.2 ha. both including a TransCanada Pipeline easement, and blocks to protect existing hedgerows are also included. These lots and blocks front a new collector road of 20 m ROW and 6 local roads of 18 m ROW. Single-detached internal lots range from 10.7 to 11.6 m and internal Townhouse lots range from 6 to 7.6 m. A series of residential and open space reserve lots are included due to an existing closed road allowance along the west limit of the plan in the ownership of the City which will be transferred to the developer.

The application for Zoning By-law Amendment (Draft By-law Amendment – Appendix C) proposes to rezone these lands from the current Light Industrial "LI (H)" Zone to various standard and exception Rolling Meadows Zones in By-law 2140(97) as shown on the draft Amendment to accommodate the proposed uses on the Draft Plan. Of these, the RM-R2-X Zone provides an exception to reduce the minimum lot area from 325 m<sup>2</sup> to 320 m<sup>2</sup> to accommodate 18 Single-detached lots, and the RM-R2-Y (Single-detached) and RM-R3-Z (Townhouse) Zones provide exceptions to require a minimum 7 m setback for dwellings and minimum 3 m setback for accessory structures



**FIGURE 2: Rolling Meadows - Community Master Plan**

Part Lot 67, Upper's Lane, Thorold

N.T.S.

from the TransCanada Pipeline easement conforming to Official Plan policies. The RM-OS Zones apply to park and hedgerow blocks.

The suitability of the proposed Draft Plan and Zoning By-law Amendment are discussed in Sections 4.0, 5.0 and 6.0 of this report.

The total unit count of 344 and proposed density of 59.6 people per hectare is, in part, a response to Niagara Region policy and comments seeking a *minimum* target of 50 residents and jobs per hectare.

Residential development is ongoing on lands to the west, with Draft Plans of Subdivision for other phases under review by the City. This information, in addition to the land use planning policy framework, information provided during the pre-consultation meeting, and the Rolling Meadows Developer's Community Master Plan, has informed the proposed development and applications.

The site is currently identified on the Rolling Meadows Developer's Community Master Plan (Figure 2) as 'Future Residential'. The Plan identifies 'Proposed School' to the west and south of the site, and a 'Town Square' to the south west, forming part of a mixed-use community core. These land uses are reflected in the Town's Official Plan land use schedules, as identified within this report. Upper's Lane is shown as being extended east along the south of the subject site, and therefore providing at least one primary access to Upper's Grove.

## 4.0 ONTARIO PLANNING ACT

Part VI of the *Planning Act* is concerned with 'Subdivision of Land', and section 51 specifically with 'Plan of subdivision approvals'. Subsection 51(24) sets out the criteria one should have regard to when considering a draft plan of subdivision, including but not limited to: accessibility for persons with disabilities; welfare of present and future generations; conformity to land use policies; adequacy of highways; lot shapes/dimensions; conservation of natural resources, and; efficient use of land.

The Draft Plan of Subdivision for Upper's Grove has been completed having full regard to the criteria outlined within subsection 51(24). Consideration has been given to site constraints and opportunities to ensure an efficient use of land which allows for connectivity to the surrounding community and provides for accessible public amenity space. The Draft Plan conforms to the Region and City Official Plan policies and has been informed by studies including an Environmental Impact Study and Functional Servicing Report. Section 5.0 of this Report demonstrates further how the Draft Plan conforms to land use policies and the criteria outlined within the *Planning Act*.

## 5.0 POLICY REVIEW

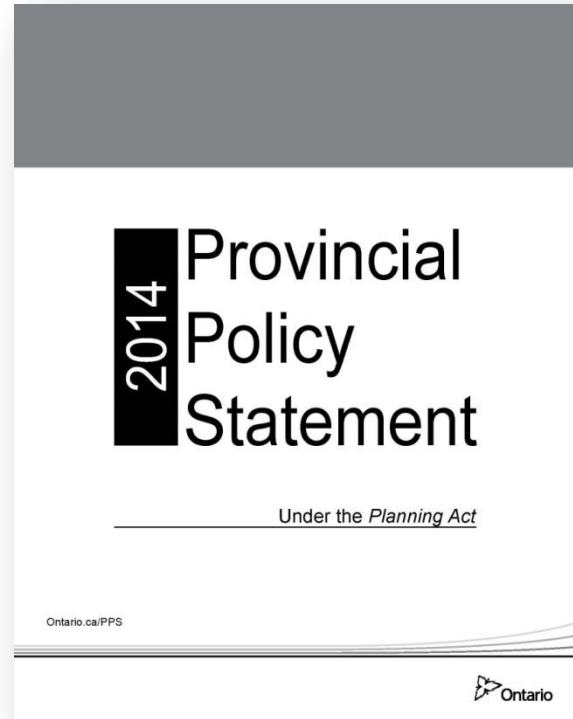
### 5.1 PROVINCIAL POLICY STATEMENT, 2014

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It sets out policies for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The PPS is issued under the authority of section 3 of the *Planning Act*, which requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

The site is identified within a municipal official plan (the City of Thorold) as being within the Urban Area Boundary, identified for growth over the planning horizon, and is currently undeveloped; as such, it is considered to be within a ‘Settlement Area’ and ‘Designated Growth Area’ under the definitions contained within the PPS. Section 1 of the PPS describes policies for building strong healthy communities in Ontario. Policy 1.1.2 allows for designated growth areas to be made available, if necessary, to accommodate projected needs for a time horizon up to 20 years. Policy 1.1.3.1 states “settlement areas shall be the focus of growth and development”, with policy 1.1.3.6 advising that new development taking place in designated growth areas “shall have compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities”.

**Policy 1.6.6** is concerned with sewage and water services, advising that planning for such services shall direct and accommodate expected development in a manner that “promotes the efficient use and optimization of existing municipal sewage services”. It goes on to advise that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Section 1.4 is concerned with ‘Housing’, with policy 1.4.3 requires planning authorities to provide an appropriate range and mix of housing types, with densities which efficiently use land.

The site and much of the surrounding lands are currently zoned ‘Light Industrial’, providing fewer opportunities for a development form and mix of land uses which meet the PPS criteria for designated growth areas, being a less efficient use of land; the current zoning of the property is inconsistent with the PPS. The proposed residential development for Upper’s Grove is within a ‘Settlement Area’ and ‘Designated Growth Area’, provides for different housing types and appropriate densities, where careful consideration is given to the efficient use of land and municipal servicing; the planning applications for Upper’s Grove are therefore consistent with the PPS.



## 5.2 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2017

The Growth Plan for the Greater Golden Horseshoe (GGH), 2017 came into effect July 1, 2017, replacing the 2006 Growth Plan, and providing for a time horizon for land use planning to 2041. The Plan takes the overarching policies of the PPS and directs them to a focused area, being the GGH, in order to further direct and refine how development takes place in the future. The Growth Plan addresses the growth challenges of the Region through several policy directions, advising that the Plan is “*about accommodating forecasted growth in complete communities*” (section 2.1). Policy 2.2.1 (d) directs growth to ‘settlement areas’, the Growth Plan definition of such areas including “*lands which have been designated in an official plan for development*”, such as the subject site.

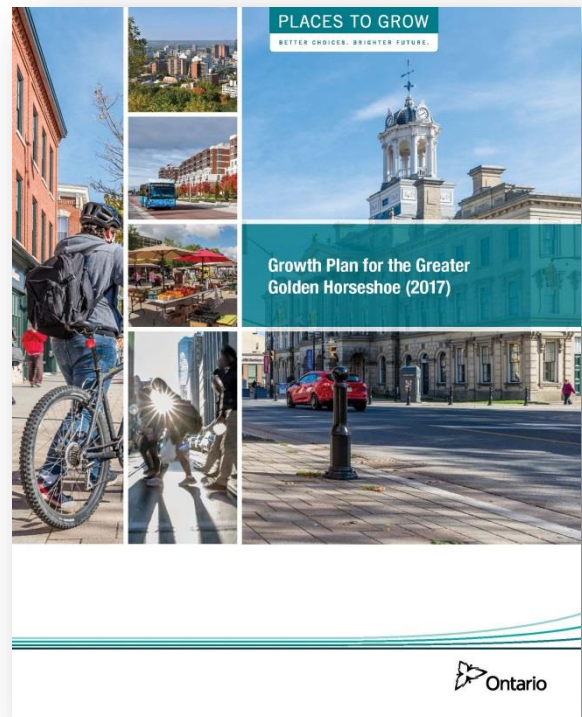
**Policy 2.2.6** is concerned with ‘Housing’, stating that municipalities will develop housing strategies and support the achievement of complete communities through: achievement of the minimum density targets; identification of a range of housing options and affordable housing, and; implementation through the official plan policies and zoning by-law.

The site is identified as ‘Designated Greenfield Area – Conceptual’ within Schedule 2 of the Growth Plan, with actual boundaries to be delineated within applicable official plans. Policy 2.2.7 plans to achieve minimum density targets of 80 residents and jobs combined per hectare (measured over the entire designated greenfield area of the municipality). However, the Growth Plan states at policy 2.2.7 (5) that for municipalities within the ‘outer ring’ (being all areas outside of City of Toronto, City of Hamilton, York, Durham, Peel and Halton Regions), the minimum density targets for designated greenfield areas contained in the applicable official plan in effect as of July 1, 2017, will continue to apply until the next municipal comprehensive review is approached and in effect. As such, the current *minimum* density target for City of Thorold designated greenfield areas continues to be 50 residents and jobs per hectare.

**Policy 3.2.6** ‘Water and Wastewater Systems’ advises that municipal systems will be planned and/or expanded to serve growth in a manner that supports achievement of the minimum intensification and density targets of the Growth Plan.

**Policy 3.2.7** ‘Stormwater Management’ requires municipalities to prepare stormwater masterplans for serviced settlement areas, with proposals proceeding through secondary plans and plans of subdivision being supported by a stormwater management plan. The Functional Servicing Report supporting the planning applications for the subject site gives consideration to stormwater management, and advises that further, more detailed, stormwater design will be required as part of future submissions at the detailed engineering stage.

*The Natural Heritage System (NHS)* is the focus of **Policy 4.2.2**, with the site abutting regionally significant woodland as well as containing creeks identified by the NPCA as potential fish habitat. Policy 4.2.2 (3) states that within the NHS, new development will demonstrate that there are no negative impacts on key features, removal of natural features is avoided where possible. Policy 4.2.4 ‘Lands Adjacent to Key Hydrologic Features and Key Natural Heritage Features’ advises that for key hydrologic features, fish habitat and regionally significant woodland, development within 120 metres will require a natural heritage evaluation and a vegetation protection zone of no less than 30 metres.



**Policy 4.2.5** encourages municipalities to provide for publicly accessible parkland and open space, including trail connections where possible. The development proposes a central park area incorporating existing natural features and trail connection along the pipeline easement, connecting Upper's Grove to the proposed commercial village square and institutional uses to the west, and woodland to the east.

**Policy 5.2.4** is concerned with 'Growth Forecasts', requiring municipalities to apply the Growth Plan forecasts through a municipal comprehensive review. The policy reiterates that population and employment forecasts contained within official plans in effect as of July 1, 2017, will continue to apply. Growth Plan forecasts will be applied once official plan updates are approved through a municipal comprehensive review. Policy 5.2.4 (6) goes on to state that outside of municipal comprehensive review, the Growth Plan forecasts *"cannot be applied on a site-specific scale as the basis for approving or refusing proposals for development that would otherwise conform with all the policies of this Plan."*

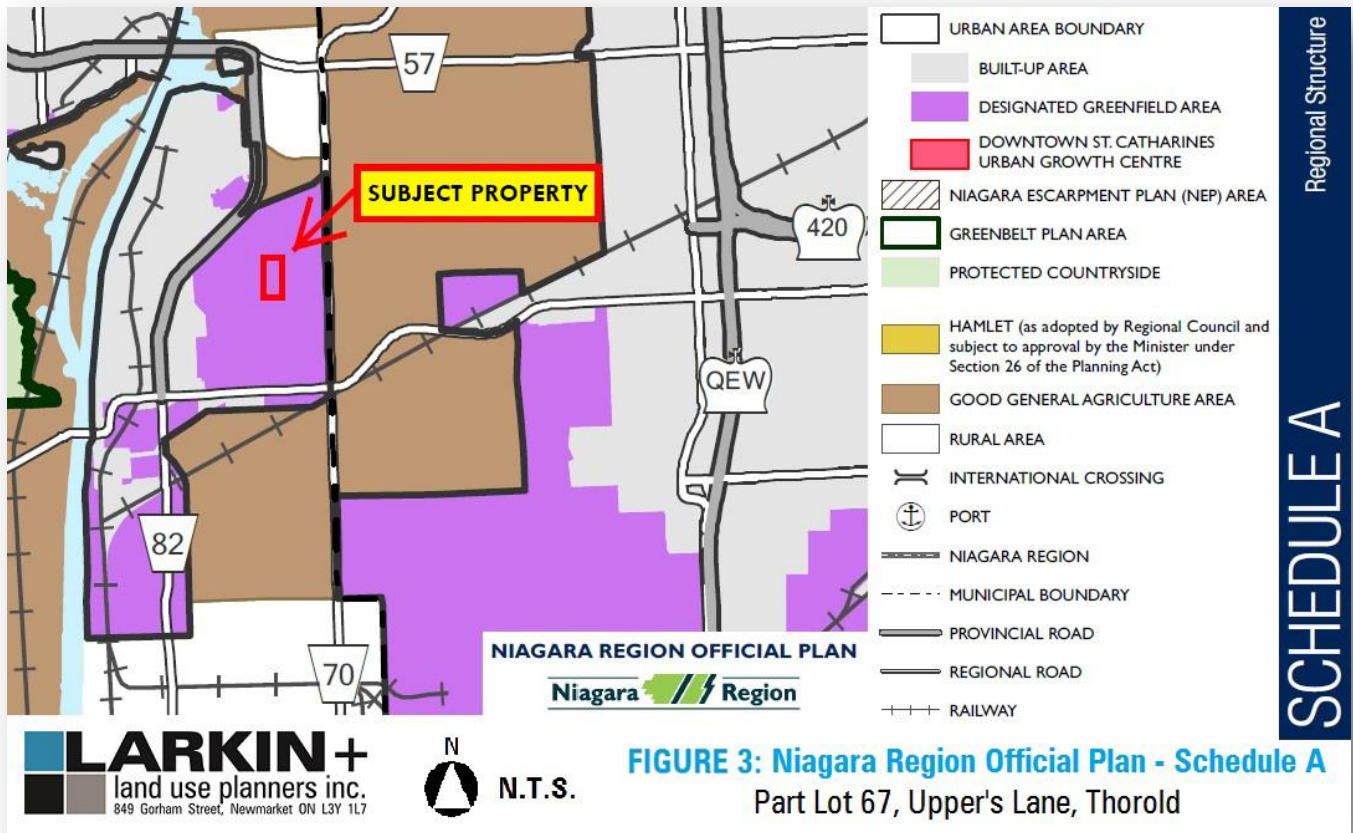
The importance of consulting with First Nations groups is outlined throughout the Growth Plan, specifically within its sections and policies concerning 'Guiding Principles', 'Cultural Heritage Resources' and 'Implementation and Interpretation'. Full regard has been given to these requirements throughout preparation of the planning applications, and namely in the fieldwork and completion of the archaeological studies. A First Nations representative has been present at all fieldwork and kept informed about the work being undertaken.

The proposed residential development is within a 'Designated Greenfield Area - Conceptual' and provides for housing density of 59.6 people per hectare (23 units per hectare) that will achieve the minimum population targets contained within the existing Niagara Region Official Plan and Rolling Meadows Secondary Plan. The Functional Servicing Report confirms that water and wastewater servicing can be achieved for the proposed development through existing and proposed connections in the Rolling Meadows subdivision. The findings of the supporting Environmental Impact Statement (EIS) advises there will be no significant impact to the key features on and abutting the site, and the applications are consistent with the Growth Plan. The applications for Upper's Grove therefore conform to the Growth Plan, 2017.

The City have designated the site 'Residential' within their Official Plan in order to implement the minimum density targets and plan for the growth forecasts set out within the Growth Plan and Niagara Region Official Plan. The current zoning of the property as 'Light Industrial' does not contribute to these targets and as such, is not in conformity with the Growth Plan.

5.3 NIAGARA REGION OFFICIAL PLAN, AUGUST 2015 CONSOLIDATION

The Regional Official Plan (ROP) is the long-range community planning document that is used to guide the physical, economic, and social development of the Regional Municipality of Niagara.



As shown on Schedule A ('Regional Structure') of the ROP, the site is within the 'Urban Area Boundary' and 'Designated Greenfield Area'. Objective 4.A.1.1 is to direct the majority of growth and development to Niagara's Urban Areas and objective 4.A.1.6 is to build compact, mixed-use communities within the Designated Greenfield Areas.

The ROP predates the new Growth Plan (2017), which requires the timely implementation of the Growth Plan through municipal comprehensive reviews (MCR). The Growth Plan advises that the *Planning Act* requires all decisions with respect to planning matters to conform to the Growth Plan; however, it also states that growth forecasts and density/intensification targets of the Growth Plan will be applied through a MCR. Growth forecasts and minimum density targets within the ROP will still be applicable until an MCR has been completed.

Section 4.B is concerned with population, household and employment projections. The Region's population is forecasted to grow to 511,000 and 218,000 jobs in 2031. These forecasts are to be used for the purposes of planning and growth management for individual municipalities. Section 4.B.2 'Municipal Population, Household and Employment Forecasts' advises that Table 4-1 of the ROP contains household forecasts for each lower tier municipality. These figures are to be included in local official plans and used for purposes of planning and growth management. The total population in Thorold is forecasted to grow to 24,086 by 2031, and to 9,400 total households.

**Policy 4.B.3.1** requires that the Region maintain a ten year housing land supply through intensification as well as residential development.

**Policy 4.C.5.1** states that Designated Greenfield Areas will be planned as compact, complete communities by:

- a) *"Where permitted by scale, accommodating a range of land uses including residential, commercial, institutional, recreational, employment and other uses.*
- b) *Where limited by scale or configuration, making a significant contribution to the growth of the respective Urban Areas as a complete community.*
- c) *Providing opportunities for integrated, mixed land uses.*
- d) *Creating street patterns that are fine grain and in grid pattern, supporting transit and active transportation within the area and to adjacent areas.*
- e) *Ensuring that Greenfield development is sequential, orderly and contiguous with existing built-up areas.*
- f) *Ensuring that the provision of municipal servicing is in accordance with the water and wastewater servicing master plans."*

**Policy 4.C.6.1** states that the Region will require a "minimum combined gross density target of 50 people and jobs per hectare" across all Designated Greenfield Areas, excluding a number of environmental features, such as those non-developable features designated within local official plans. Full consideration has been given to potential impacts on the Core Natural Heritage System, the extent of developable land, and relevant NHS policies through the EIS.

Table 4-1 of the Plan advises that there will be 2.59 persons per household in Thorold in the 2021; therefore a minimum density target of 50 people per hectare would require 19.3 units per hectare minimum. The proposed development for the site (total site area 14.94ha) has been calculated at 23 units per hectare (59.6 people per hectare) and would therefore conform to the requirements of the ROP.

*Schedule C 'Core Natural Heritage'* identifies the site as being within the Urban Area, but adjacent an 'Environmental Conservation Area' (ECA) at the woodlot to the east, and containing fish habitat. Policy 7.A.2 states that development should maintain, enhance or restore ecosystem health and integrity, and where negative impacts cannot be avoided then mitigation measures shall be required. Policy 7.A.1.3 encourages municipalities to integrate natural features and vegetation into development.

**Policy 7.A.2.1** states development will only be permitted if it will not have negative impacts on surface or groundwater and potential impact on ecological functions of the Natural Heritage System, natural hydrologic characteristics of watercourses, drainage systems, flooding or erosion. The EIS has reviewed the watercourses on site, advising that flow is ephemeral and associated with the spring freshet and major precipitation events. In addition, consideration is given to flooding through the Functional Servicing Report which advises that stormwater will be conveyed to a stormwater management facility north west of the site. Policy 7.A.2.9 states development shall not have "significant adverse impacts" on ground water; in areas where development could significantly affect ground water, the Region shall require further review of potential impacts. At this time a hydrogeological report has not been requested, however, given the proposed development type (no underground parking for example), and development location in the Secondary Plan area, it is not considered that there will be a negative impact on groundwater.

**Policy 7.B.1.1** advises that the Core Natural Heritage System consists of, among other things, Environmental Conservation Areas (ECAs) and fish habitat. It goes on to advise that features may be further defined through future studies. Policy 7.B.1.4 advises that ECAs include significant woodlands, with policy 7.B.1.5 setting out the criteria a woodland must meet to be considered significant. Policy 7.B.1.7 states that the boundaries of Core Natural Areas and

fish habitat may be defined more precisely through an EIS. The EIS has found that neither of the watercourses on site appears to be providing fish habitat function or contributing significantly to fish habitat function downstream. The abutting woodland has been assessed as 'regionally significant', however, no endangered species have been identified and the EIS confirms that with the proposed mitigation measures, the development would have no significant impact on the woodlot.

**Policy 7.B.1.11** permits development and site alteration without an amendment to the ROP in and adjacent to ECAs.

**Policy 7.B.1.18** advises that, where development is approved adjacent to the Core Natural Heritage System, new lots shall not extend into the area retained in a natural state, or the buffer area identified within the EIS. The EIS has not identified a requirement for a buffer area, and states that the proposed development has been designed to meet the "no negative impact test", as required, with the overall size of the woodlot not being reduced and its function not being impacted. Lots are proposed to extend to the property boundary where it meets the woodland, with compensation at a rate of 3 to 1 proposed for any trees that must be removed.

**Section 7.B.2** contains policies relating to Environmental Impact Studies. The EIS submitted in support of the planning applications has given full consideration to the policies set out within the ROP. The scope of the EIS has been agreed with Region of Niagara.

**Objective 8.A.3** seeks to provide a framework where development occurs only in areas with full municipal services and where public/private utility infrastructure has or will be established to serve the anticipated growth and development. Section 8.B is concerned with water and wastewater systems, advising that the Region, in cooperation with local municipalities, shall provide, insofar as possible, facilities to meet existing and future development needs within the approved urban areas.

**Policy 8.B.22.3** states that, prior to approval of development, local municipalities shall ensure that required water and wastewater infrastructure and servicing capacity is available to support the development. The Functional Servicing Report submitted in support of the planning applications states that water and wastewater servicing can be achieved for the proposed development through existing and proposed connections in the Rolling Meadows subdivision.

**Policy 9.F.1** 'Objectives for Bicycling' encourages cycling and a bicycle-friendly environment to improve health, quality of life, sustainable transportation forms and develop the on and off-road cycling network.

**Policy 9.F.2.12** requires local municipalities to ensure pedestrian and bicycle networks are integrated into transportation planning. While the site does not contain routes for the 'Regional Bicycle Network', the north-south collector road will provide a dedicated bicycle lane, contributing to the bicycle network in the Rolling Meadows Neighbourhood.

**Policy 10.C.2.1.13** states that development shall only be permitted on lands containing archaeological resources if the significant archaeological resources have been conserved by removal and documentation, or by preservation on site. The submitted Stage 1 and Stage 2 archaeological assessments identified a number of artifacts which required further investigation. Stages 3 and 4 fieldwork have been completed and artifacts have been excavated and fully documented, per Ministry of Tourism Culture and Sport requirements. The archaeological site has been defined as a "small activity area occupied seasonally by pre-contact Aboriginal people".

**Section 11.A 'Residential Areas and Housing'** includes policies which encourage the provision of a variety of housing types and development of well-designed neighbourhoods. The ROP policies support the orderly development of compact, complete communities within the Designated Greenfield Areas, such as that proposed at the Rolling Meadows Neighbourhood. Policy 11.A.2 encourages the development of "attractive, well designed residential development that:"

- a) *“Provides for active transportation within neighbourhoods with connections to adjacent residential and commercial areas, parks and schools.*
- b) *De-emphasizes garages, especially in the front yard.*
- c) *Emphasises the entrance and points of access to neighbourhoods.*
- d) *Is accessible to all persons.*
- e) *Incorporates the principles of sustainability in building design.*
- f) *Provides functional design solutions for such services as waste collection and recycling.*
- g) *Provides an attractive, interconnected and active transportation friendly streetscape.*
- h) *Contributes to a sense of safety within the public realm.*
- i) *Balances the need for private and public space.*
- j) *Creates or enhances an aesthetically pleasing and functional neighbourhood.*
- k) *Encourages a variety of connections based on transportation mode between land uses based on diverse transportation modes, allowing people to move freely between the places where they live, work and play.”*

The proposed draft plan has been prepared having particular consideration to urban design principles including active transportation, pedestrian connectivity and ease of movement with the surrounding Rolling Meadows Neighbourhood, and provides for a quality public realm with centrally located park.

**Policy 14.F.2** encourages local municipalities to prepare secondary plans to establish a “blue print” for good long term community development.

The site neighbours existing development at Rolling Meadows, and the applications provide for approximately 60 people per hectare within the urban area and Designated Greenfield Area. As such, the applications are in conformity with the policies of the ROP, which directs growth and development to the urban areas, with a minimum density target across the Designated Greenfield Areas of 50 people and jobs per hectare. Policy 4.C.6.1 states that the Region will require a “*minimum combined gross density target of 50 people and jobs per hectare*” across all Designated Greenfield Areas, excluding a number of environmental features, such as those non-developable features designated within local official plans. Full consideration has been given to potential impacts on the Core Natural Heritage System, the extent of developable land, and relevant NHS policies through the EIS.

In contrast, the current zoning of ‘Light Industrial’ does not provide the same opportunities for integrated, mixed land uses and will not ensure Greenfield development is sequential, orderly and contiguous, given the ongoing development of the Rolling Meadows community, which seeks to provide residential uses and supporting institutional and convenience/service commercial uses. The City have designated the property ‘Residential’ within their Official Plan in order to implement the minimum density targets and plan for the growth forecasts set out within the ROP; the current zoning of the property as ‘Light Industrial’ does not contribute to these targets and for these reasons, is not in conformity with the Niagara Region Official Plan.

5.4 CITY OF THOROLD OFFICIAL PLAN (2016)

5.4.1 The Vision and Land Use Concept

The City of Thorold Official Plan (OP) sets out the objectives and policies for guiding the future land use and physical development of the City of Thorold. One of the primary purposes of the OP is to provide the basis for managing growth. The Plan's vision is to revitalize the City's economy and civic identity through growth and development in the Downtown, the employment areas, the existing urban area, and the Secondary Plan areas. The OP advises that the Region forecasts a population growth for Thorold of approximately 5000 people within the plan period to 2031, with the majority of this growth directed to existing or planned urban areas.

Schedule A-3 (The Neighbourhoods of Rolling Meadows Secondary Plan – Land Use) identifies the site as being within the Secondary Plan area and 'Urban Area' boundary. Section A2.1.1 states it is a goal of the OP concerning 'growth and settlement' to encourage new development in the Urban Areas where sewer and water services are available, and at Section A2.1.2 this includes the "orderly progression of urban development in new secondary plan areas". The OP encourages diversity in housing in order to accommodate a range of housing needs as one of the growth objectives.

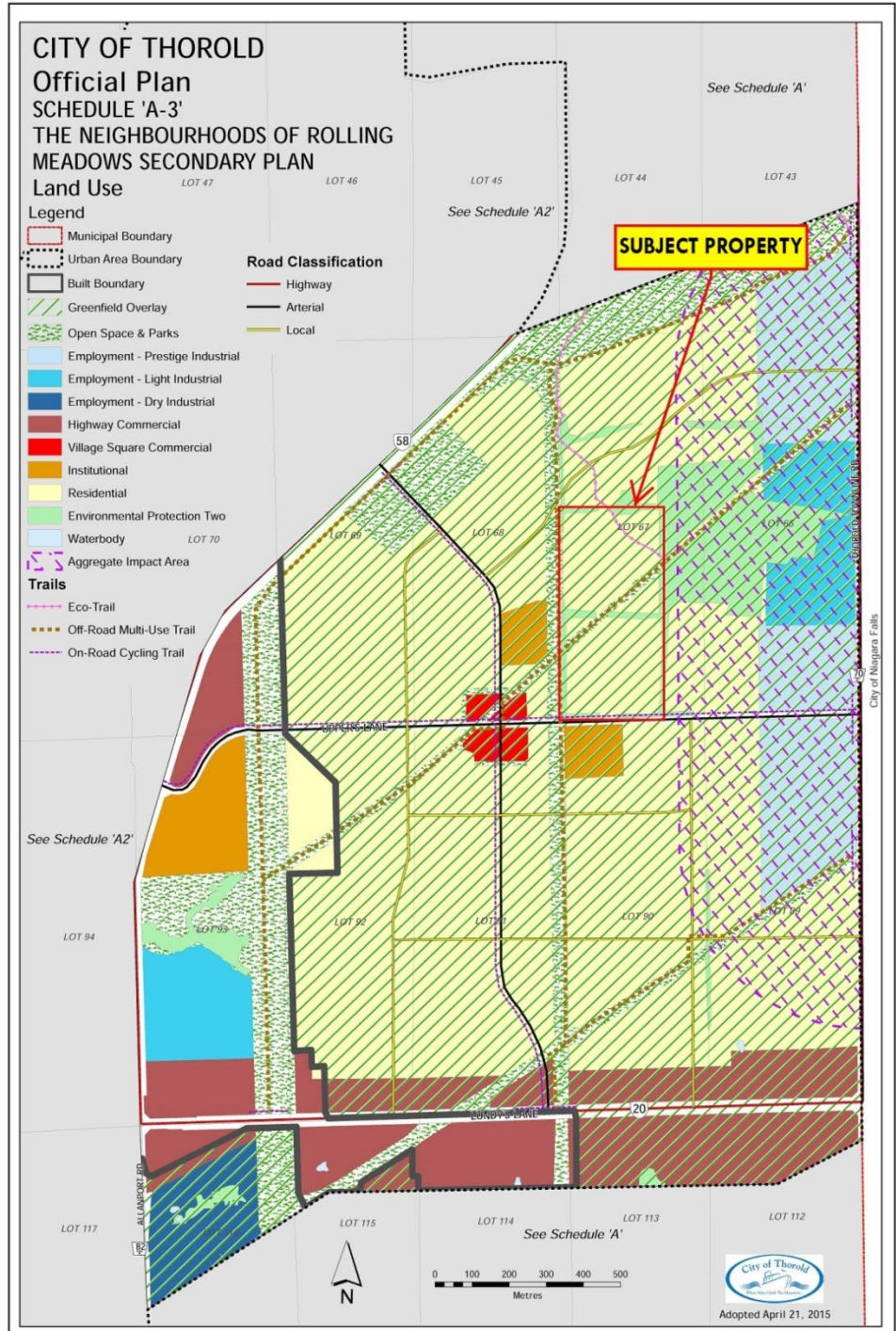


FIGURE 4: City of Thorold Official Plan - Schedule A-3

Part Lot 67, Upper's Lane, Thorold



The site is located within the Secondary Plan and abutting lands are currently under development to the west (beyond the hydro corridor). The development of this site within the Urban Area is a logical progression of the development in the Secondary Plan area, particularly given the proximity to the proposed village square and school sites. While the site accounts for only a small part of the Secondary Plan area, the proposed development provides a range of housing types appropriate for its location. The proposal therefore conforms to the vision and goals of the OP.

**Section 2.3** is concerned with 'Infrastructure' with section A2.3.2 stating that the OP's objective is to ensure that required infrastructure is built prior to or coincident with new development. The application's supporting Functional Servicing Report advises that infrastructure within the Rolling Meadows subdivision will allow for servicing connections to the proposed development.

'Urban Character' is the subject of **Section A2.4** with objectives including encouraging development of neighbourhoods which are pedestrian-friendly, encourage the development of public open spaces where applicable and improve the civic identity of the urban areas through appropriate design standards in public and private development. The draft plan has been prepared having particular consideration to urban design principles including pedestrian connectivity, ease of movement and a quality public realm.

**Section A2.6** 'The Natural Environment' seeks to ensure that an understanding of the natural environment, its opportunities, limits and constraints guides land use decision-making in the City. The OP goes on to state that to make planning decisions, consideration is given to the health and integrity of the broader landscape as well as the cumulative impacts on the ecosystem. Planning decisions should avoid negative environmental impacts as a first priority, with secondary priority given to mitigation of negative impacts. The EIS states that the proposed development has been designed to meet the "no negative impact test", with a number of mitigation measures further protecting the natural environment such as silt fencing, ambient lighting and an edge management plan to enhance vegetation along the edge of the woodland.

Part of the site has been identified as containing archaeological artifacts, as outlined within the supporting Archaeological Assessments. **Section 2.7.2** Cultural Heritage - Objectives includes working with community partners to promote awareness and interest in conservation of cultural heritage resources. An objective of the OP is to prepare a comprehensive inventory of the City's cultural heritage. The submitted Stage 1 and Stage 2 archaeological assessments identified a number of artifacts which required further investigation. Stages 3 and 4 fieldwork have been completed and artifacts have been excavated and fully documented, per Ministry of Tourism Culture and Sport requirements. The archaeological site has been defined as a "small activity area occupied seasonally by pre-contact Aboriginal people". First Nations representatives have been present during fieldwork and engaged in the process throughout, ensuring regard is had to the duty to consult First Nations groups, as set out within the Growth Plan.

**Section A3.2** 'Housing Forecast' states that the Region has "allocated" 25 year housing growth of 2,345 units for the City between 2006 and 2031, as outlined in the Region Official Plan Table 4-1. It should be acknowledged that these figures are *forecasts* used to manage planning and growth within individual municipalities and are not maximums. The provision of 344 units will contribute to the City's forecast within the Region's 25 year plan period.

The site is located within the 'Urban Area' designation and 'Greenfield Overlay', with section A4.1 confirming these areas as the focus for urban development.

**Policy A.4.1.11** advises that 'The neighbourhoods of Rolling Meadows Secondary Plan' was originally approved in 2000 and updated in 2007. Policy B1.8 of the OP is concerned with 'The Neighbourhoods of Rolling Meadows Secondary Plan', policy B1.8.1 stating that the area is to be recognized as a "*new community providing the integration of diverse land uses*" to include various housing types, community facilities, commercial uses and open space areas.

**Section A5.6** 'Phasing' identifies measures aimed at ensuring the orderly phasing of future development in the City, including extension of draft approved plans of subdivision, subject to a review of servicing availability.

#### 5.4.2 Land Use Policies

Part B of the OP is concerned with Land Use Policies and section B1.8 specifically provides 'The Neighbourhoods of Rolling Meadows Secondary Plan' (the 'Secondary Plan'). The Secondary Plan states that its intent is to provide a "long-term planning program" recognizing the area as a "new community providing the integration of diverse land uses including a variety of housing types" in addition to commercial, institutional and open space uses.

**Policy B1.8.2** provides the objectives of the Neighbourhoods of the Rolling Meadows Secondary Plan, which include (amongst others):

- *"Provide an integrated mixture of housing types, tenure and densities;*
- *Provide affordable housing;*
- *Provide a land use distribution that achieves a compatible and aesthetically pleasing development pattern;*
- *Enhance the attractiveness of the planning community and its surroundings by protecting natural features and the provision of linear parks and pedestrian pathways, including hydro corridors;*
- *Ensure the location of services including sanitary sewers water distribution system and stormwater management facilities is appropriate; and,*
- *Encourage a high standard of site and building design, landscape and streetscape through urban design guidelines."*

**Policy B1.8.3** advises that the boundaries of land use designations identified on Schedule A-3 are intended to be "general and approximate", unless coinciding with a lot line, road, utility corridor or prominent physical feature. Adjustment to designation boundaries such as 'Environmental Protection' may be permitted, as well as the implementing zoning by-law, provided the general intent of the OP and Secondary Plan are maintained.

**Policy B1.8.4** provides the principles of the Neighbourhoods of the Rolling Meadows Secondary Plan, which include (amongst others):

- *"The lands are to be developed with a compact urban form at an appropriate scale that is pedestrian-oriented and fosters interaction throughout the neighbourhoods;*
- *A sense of identity throughout each neighbourhood is to be created through good quality urban design;*
- *Opportunities to live and work throughout all of the neighbourhoods are to be provided;*
- *A wide range of dwelling units differing in form, density, size, tenure and price are to be provided within each neighbourhood;*
- *The protection and enhancement of important natural heritage features is to be achieved;*
- *A land use pattern and transportation system that supports pedestrian and vehicular traffic are to be developed;*
- *A centrally located mixed use Village Square is to be created upon which the various neighbourhoods will focus, when fully developed; and,*
- *A network of linked trails along the utility corridors is to be established."*

The proposed draft plan and rezoning meet the principles and objectives of the Secondary Plan through providing a residential development of mixed and integrated unit types making efficient use of the site, while protecting and enhancing natural heritage features where possible. A centrally located park area and connections to local services and the proposed 'village square' are accommodated, adding to a sense of community within Upper's Grove and the Secondary Plan area in general. The submitted planning applications therefore conform to the City's Official Plan and specifically the Secondary Plan principles.

**Schedule A-3** specifically identifies the site as being predominantly 'Residential' and 'Greenfield Overlay', as well as being subject to the 'Environmental Protection Two' designation along areas of existing trees and hedgerow. The gas pipeline running diagonally across the site is designated as 'Open Space' with an 'Off-Road Multi-Use Trail' and an 'Eco-Trail' also identified through the site's north east corner. Policy B1.8.3 states that the boundaries of land use designations and location of trails, as shown on Schedule A-3, are intended to be general and approximate, unless they coincide with a road, lot line, utility corridor or prominent physical feature. As per the Rolling Meadows Community Master Plan, institutional uses (schools) are shown to the south and west of the site, and the 'Village Square Commercial', or mixed-use Town Square, to the south west.

As stated in policy B1.8.6.1, the predominant use of the lands designated as Residential on Schedule A-3 shall be for residential dwellings. Secondary uses which may be permitted include the following: a) churches and places of worship; b) nursery schools and daycare centres; c) group homes; d) home occupations; e) neighbourhood parks and interconnected trails; f) accessory buildings and structures; and g) stormwater management facilities.

**Schedule A-3** identifies the site as being covered by the 'Greenfield Overlay'. Policy B1.11 advises that lands designated as such are within urban areas located outside of the built boundary and shall be planned to achieve a *minimum* of 50 residents and jobs combined per hectare (Environmental Protection lands are excluded from any density analysis). Policy B1.11.1 is concerned with the Greenfield Overlay area within the Rolling Meadows Secondary Plan. It states that this is a "high priority future development area" and as such it is anticipated that new development will be accommodated within the first 10 years that the OP is in effect (to 2025). Policy B1.11.6 advises that minimum housing densities of 20 units per hectare (u.p.h.) will be achieved in the Greenfield Overlay areas. The Draft Plan provides a density of 23 units per hectare, equated to 59.6 people per hectare, based on 2.59 people per unit (provided by Niagara Region Planning Staff).

**Policy B1.8.6.2** states that no areas on Schedule A-3 have been designated for the various densities and housing types, as in order to achieve a compact built form within the Neighbourhoods of Rolling Meadows, the minimum residential densities of 19 units per hectare per draft plan of subdivision are to be provided for. It states that the following residential mix will be achieved:

- a) RM Low Density – 60% single detached and semi-detached for a minimum of 12 u.p.h. net units
- b) RM Medium Density – 30% multiple attached for a minimum of 24 u.p.h. net units
- c) RM High Density – 10% multiple attached and apartments for a minimum of 48 u.p.h. net units

**Policy B1.8.6.3 'Affordability'** states the City will have regards to the housing policies in the PPS and Region OP, and that a mix of dwelling unit types and lot sizes will be provided in the Secondary Plan area to provide opportunities for affordable residential accommodation. It is noted that the Region's OP at Section 11.A advises that local OPs are to include affordable housing targets.

The Secondary Plan goes on to state at policy B1.8.6.4 'Housing Mix' that:

*"Prior to the approval of any application for plan of subdivision and/or Zoning By-law Amendment the proponent shall effectively demonstrate how the proposed development achieves the housing mix and density targets of this Plan..."*

*In providing for this compatible mix of housing types and densities, varieties of housings types and densities will not be mixed indiscriminately but will be arranged in a graduation of housing types, heights and densities. Additionally, a particular housing type shall not dominate the character or identity of a neighbourhood rather, each neighbourhood shall provide the housing mix and density range based upon the locational criteria of this Plan."*

Upper's Lane along the south of the site is identified as a 'local arterial road', and the community 'Village Square' containing commercial uses is located a short distance to the south west. Given the above, in bringing the site forward for development, the Draft Plan has provided for a greater density of townhomes at the southern and western end of the site, while still ensuring an appropriate mix of unit types and avoiding dominance of a single type of unit. The Draft Plan proposes 344 units at a density of 23 units per hectare (approximately medium density under Policy B1.8.6.2), having regard to Growth Plan policy concerning targets, and achieving the minimum density targets contained within the Secondary Plan and Region Official Plan.

**Policy B1.8.11.2** 'Parkland Location' advises that locations for neighbourhood parks have not been included on the Secondary Plan Schedule A-3 and that these will be determined through the plan of subdivision approval process. The policy advises that parks should range in size from 0.3 to 0.8 hectares and be centrally located within a neighbourhood with good access, adequate street frontage for visibility and safety, with opportunities for passive and active recreation. A centrally located park is proposed, measuring 0.98 ha and incorporating existing environmentally protected hedgerows (see section 5.4.4 of this Report regarding parkland dedication). Part of the pipeline easement represents an additional block of 0.51 ha running through the park, which incorporates a multi-use trail providing connections to the neighbouring woodlot and the village square. Opportunities for a children's play-space, landscaping and passive recreation will be afforded in the development of the park area.

**Policy B1.8.11.3** 'Trails and Bikeways' states that as a condition of development the Municipality may require the construction of walkways and trailways, and the dedication of land or establishment of easements for these purposes, in addition to parkland dedication, but with potential for reimbursements for development charge credits negotiated through the development agreement. It is proposed that a multi-use trail will be provided along the existing Trans-Canada pipeline, linking the 'Village Square' to the west of the site with woodland and lands beyond to the west.

**Policy B1.8.13.1** expands upon Section 2.3 of the Secondary Plan and requires all development in the Neighbourhoods of the Rolling Meadows to be developed with full municipal services, and that the orderly development of land will be required to ensure proper co-ordination of services, which the applications implement.

**Policy B1.8.13.2** 'Infrastructure Improvements' is concerned with requirements for addressing off-site upgrading or expansion of infrastructure in order to accommodate development within the Rolling Meadows Secondary Plan area. These requirements are:

- a) *"The extension of the Allanburg Road trunk sanitary sewer easterly to the Neighbourhoods of Rolling Meadows;*
- b) *The construction of a trunk sanitary sewer on Thorold Townline Road;*
- c) *The extension of the Allanburg Road trunk watermain easterly to the Neighbourhoods of Rolling Meadows;*
- d) *Signalization of, and upgrading of, collector road intersections with Highway 58 and 20; and OPA 59;*
- e) *Upgrading of the Thorold Townline Road/Highway 20 intersection."*

The Secondary Plan goes on to advise that these works will be coordinated and scheduled as municipal or regional capital projects using contributions from the development community. Having previously contacted the City regarding the above, it is understood that requirements a), b) and c) are complete and that sanitary connections currently exist, with the supporting FSR confirming connections will come from Cristallina Drive, west of the site. Requirements d) and e) are understood to be conditions of the Phase 1 – 5 Draft Plan agreements.

**Policies B1.8.13.3 to B1.8.13.5** are concerned with on-site system requirements for sanitary sewer, water distribution and stormwater management. The Secondary Plan advises that an internal gravity sanitary sewer system is required for the area. It advises that as part of Niagara Region's Master Servicing Plan, additional watermain construction will be required, including the principal trunk watermains being located along the site's south boundary within Upper's Lane. For stormwater management, the strategy is based upon the "Neighbourhoods of Rolling Meadows Subwatershed Study" and involves a number of systems including watercourses, swales, sewers and retention ponds.

**Policy B1.8.14** 'Watercourse Rehabilitation' requires stream management for identified fish habitat areas. The EIS submitted in support of the applications advises that the watercourses on site do not provide any fish habitat function.

**Policy B1.8.14.1** 'General Policies – Stormwater' requires development to utilize modern stormwater management techniques, recognizing that as part of the initial phases of development it may be necessary to utilize temporary stormwater management facilities.

The 'Road Network' is the subject of policy B1.8.14.2 and advises that the Neighbourhood will have a hierarchy of road types. Schedule "A3" contains road classifications and identifies Upper's Lane as being an arterial road to immediately abut the site to the south, running east-west. The local road system is to be flexible in terms of specific locations and phasing will ensure that the road system will be developed in order to accommodate convenient vehicular circulation. The Secondary Plan states that, generally, the following right-of-way widths are as follows:

- ✓ Local neighbourhood roads: 18 metres;
- ✓ Neighbourhood Collector roads: 20 metres

The policy goes on to advise that the final width requirements will be determined during the review of development applications. In determining the size of right-of ways for the proposed development, the above general widths have been utilized, with the north-south road being 20 metres with potential for incorporating a bike lane. The remaining 'local roads' are proposed as an 18 metre right-of-way; not only does this conform to the OP policy but also ensures consistency through the Secondary Plan area, with the neighbouring Draft Plan of Subdivision to the west identifying a proposed connection to the subject site of 18 metres right-of-way, where construction has already commenced. In considering the draft plan, regard has been given to the criteria of Subsection 51(24) of the *Planning Act*, where draft plans of subdivision should conform to adjacent plans of subdivision.

The draft plan (Appendix B) identifies two accesses onto the City's road allowance for Upper's Lane. However, in reviewing the draft plan for the Rolling Meadows (drawing no. 0695-DP) (Appendix A), prepared by Upper Canada Consultants and approved by Council in 2008, a deviation of the road alignment for Upper's Lane is noted, with the proposed 'Street 2' (Upper's Lane) alignment having been shifted south from the original road allowance in this location. The Rolling Meadows Draft Plan identifies the change in the road alignment from its intersection with 'Street 3' (Venture Way) and continuing east on this altered alignment towards Thorold Townline Road. As such, there is a 'General Reserve' (block 1304) identified between the subject site and 'Street 2'.

Should Upper's Lane be constructed as shown on draft plan 0695-DP, access and servicing issues will arise for other development parcels within the Secondary Plan area, including the subject site. The alignment of Upper's Lane in this location is not consistent with the location of the arterial road identified on Schedule A-3 'The Neighbourhoods of Rolling Meadows Secondary Plan Land Use'. In deviating from the road allowance, the alignment of Upper's Lane in this location is not consistent with the *Planning Act* subsection 51(24) which sets out the criteria for considering a draft plan of subdivision. This criterion includes: whether the draft plan conforms to the official plan; restrictions on adjoining lands, and; the location of highways. As such, the implementation of the land use policy framework, which seeks to provide for a compact, mixed-use community within the Secondary Plan area, will be severely compromised, as will the growth forecasts and the Region density targets referred to herein.

**Policy B1.8.14.5** advises that any development within 200 metres of the TransCanada's gas pipeline facilities will require early consultation with TransCanada, and may result in pipelines being "*replaced*". The OP goes on to state that all permanent structures and excavations shall be located at least 7 metres from the pipeline right-of-way, with accessory structures are to have a minimum setback of 3 m. The submitted draft plan and draft zoning by-law amendment have full regard to the setback requirements of this policy.

**Section B1.8.15.2** 'Phasing' advises that the following phasing criteria shall be applied in the review of planning applications:

*"The development contributes to, or can be appropriately integrated within the logical sequence of construction of all required sewer, water, stormwater and transportation facilities; and*

*The development satisfies all requirements regarding the provision of parkland and other facilities."*

**Section B1.8.15.3** 'Conditions of Development' states that prior to any new development, other than expansions of existing uses, the following conditions must be met:

- a) *"Full urban services and utilities are committed to be in place and operative prior to or coincident with occupancy and use of the land;*
- b) *Any transportation facilities required to accommodate the development are committed to be in place and operative prior to or coincident with occupancy and use of the land;*
- c) *Storm drainage facilities approved by the municipality are committed to be in place and operative to or coincident with the occupancy and use of the land;*
- d) *An archaeological assessment of the land has been conducted for the purposes of determining whether prehistoric or historic archaeological resources exist on site and determining an appropriate course of action should these resources be found;*
- e) *The municipality is satisfied that the cost sharing by the benefiting landowners towards the provision of transportation, wastewater, water, stormwater, and other identified infrastructure needs are secured in accordance with municipal and regional policies and the provisions of the Development Charges Act."*

Stages 1 and 2 archaeological assessments have been completed and identified a number of artifacts on the site. Stages 3 and 4 assessments outline that excavation has been completed and artifacts fully documented. The FSR advises service connections will be in place from the neighbouring Rolling Meadows subdivision.

The site is partly designated 'Environmental Protection 2' (EP2), as shown on Schedule A-3, as well as being identified as having potential for fish habitat in Schedule C. Section B1.8.9.1 states that a number of natural areas located within Secondary Plan area are to be protected. These natural areas and associated buffer areas include fish habitat, regional significant woodlands and treed hedgerows. Section B3.3 is concerned with EP2 designations, with the purpose stated as maintaining these areas which represent Environmental Conservation Areas under the Core Natural Heritage Areas of the Regional Official Plan.

**Policy B3.3.4.1** states that new development and site alteration may be permitted in the EP2 designation provided it has been demonstrated through an Environmental Impact Study (EIS) that there will be no negative impact to the natural heritage or its ecological functions.

However, the Secondary Plan states that efforts should be made for maintaining these lands and enhancing linkages where applicable. Policy B3.3.4.6 states that "*where lot creation is proposed in the [EP2] designation, the new lot(s) shall not be comprised of any land within the Environmental Protection Two designation*".

The EIS advises that there are hedgerows located around the property boundary and bisecting the site shown as EP2 and they do not meet the required threshold for being considered part of the significant woodland. However, the Draft Plan proposes maintaining the majority of the hedgerow which bisects the property within the proposed park, this hedgerow being identified as containing more mature trees when compared to the remaining hedgerows.

Schedule B identifies the woodlot to the north east as 'Wooded Area'. Policy B3.3.4.12 'Significant Woodlands' notes that these areas have not been assessed and that development proposed within 120 metres may require assessment to determine the woodland significance. The EIS advises that the abutting woodlot is considered 'significant' by Niagara Region. Having reviewed the EIS and during discussions with City Planning Staff, it has been determined that residential lots abutting the woodlot will extend to the property boundary and mature trees maintained within rear yards where possible. It is proposed that compensation tree planting be used at a rate of 3 trees planted for every tree removed.

#### **5.4.3 Environmental and Ground Water Management Policies**

Section C5 'Stormwater Management' requires all development proposals to be supported by a Stormwater Management report prepared by a qualified professional. A Functional Servicing Report has been included as part of the planning applications submission and gives consideration to stormwater management. Further, more detailed, stormwater design will be required at the detailed engineering stage.

Section C6 'Requirements for an Environmental Impact Study' sets out the purpose and general contents of an EIS, advising that an EIS should address how the proposed development will protect, maintain or restore critical natural features and ecological functions of the Natural Heritage System. The policy acknowledges that the scope and/or content of an EIS may be modified through pre-consultation. The submitted EIS was prepared following consultation with Region of Niagara. Schedule C 'Floodplains & Hazard Lands' identifies an area of 'fish habitat' on the site, within an existing watercourse. Policy C2.1.1 states that as part of a *Planning Act* application, the type of fish habitat will be determined in consultation with the NPCA. The EIS advises that the watercourses on site do not contribute to fish habitat function.

#### **5.4.4 General Development Policies**

**Policy D1.1** requires development within the urban areas to be by full municipal water and sewage services: the proposed development shall be implemented as such.

**Policy D2.1** 'Transportation' includes objectives to ensure appropriate right-of-way widths and policy D2.3 advising that all new Municipal roads shall generally be 20 metres minimum. The proposed right-of-way widths have been informed by the Secondary Plan policies and the surrounding Draft Plan of Subdivision right-of-way widths to ensure consistency, safe movement of vehicles, and along local roads, appropriate neighbourhood focussed design. The Transportation Impact Study concludes that, while there will be impact on local traffic patterns from the proposed development of the site, impacts will be mitigated through proposed intersection improvements outlined in the Rolling Meadows Traffic Impact study, where all intersections are expected to operate at acceptable levels of service.

**Policy D3.3.1** 'Archaeological Assessment Requirements' states that such assessments will be required in compliance with the Ministry of Tourism, Culture and Sport guidelines. The supporting Stage 1-2 archaeological assessments have been reviewed by the Ministry and Stage 3-4 assessments by the Ministry are underway.

**Policy D4.1** speaks to subdivision of land, and states that Plan of Subdivision is the preferred means of land division in certain situations including requirements for road development for access and creation of 6 or more lots. The submission package includes an application for Plan of Subdivision and includes a Draft Plan of Subdivision for review.

**Policy D4.3** states that prior to consideration of an application for Plan of Subdivision, Council shall be satisfied that:

- a) *"The approval of the development is not premature and is in the public interest;*
- b) *The lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities, as required;*
- c) *The density of the development is appropriate for the neighbourhood as articulated in the policies of this Plan that relate to density and intensification;*
- d) *The subdivision, when developed, will be easily integrated/connected with other development in the area;*
- e) *The subdivision has incorporated design measures and green standards that will support accessibility, active transportation and transit;*
- f) *The subdivision conforms with the environmental protection and management policies of this Plan; and*
- g) *The proposal conforms to Section 51 (24) of the Planning Act, as amended."*

**Policy D4.3.1** encourages subdivision design which minimizes energy consumption, including potential for appropriate stormwater infiltration and management, integrating active transportations and maintaining natural heritage features, among other things.

Section D4.4 is concerned with 'Public Parkland' with an objective of the OP being to ensure appropriate amounts and types of parkland are acquired by the City through the development process. Policy D4.4.2.2 requires 5% of land for residential development to be dedicated to the City as a condition of approval. The proposed park within the centre of the site accounts for 6.6% of the site, with the multi-use trail an additional 4% of the site. Policy D4.4.3.2 requires parkland to maximize street frontage and have safe pedestrian access from surrounding residential areas, as well as incorporating natural features and connecting to trail systems where possible. The proposed park achieves these requirements, being centrally located on the site, incorporating considerable street frontage and existing hedgerows, and connecting to the trail system along the Trans-Canada pipeline corridor.

Section D5 advises that pre-consultation is required with Trans-Canada where development is proposed within 30 metres of a pipeline right-of-way. The implementing zoning by-law will require minimum setbacks for buildings of 7 metres from the pipeline right-of-way and 3 metres for accessory structures. The setback requirements have been adhered to when preparing the submitted Draft Plan.

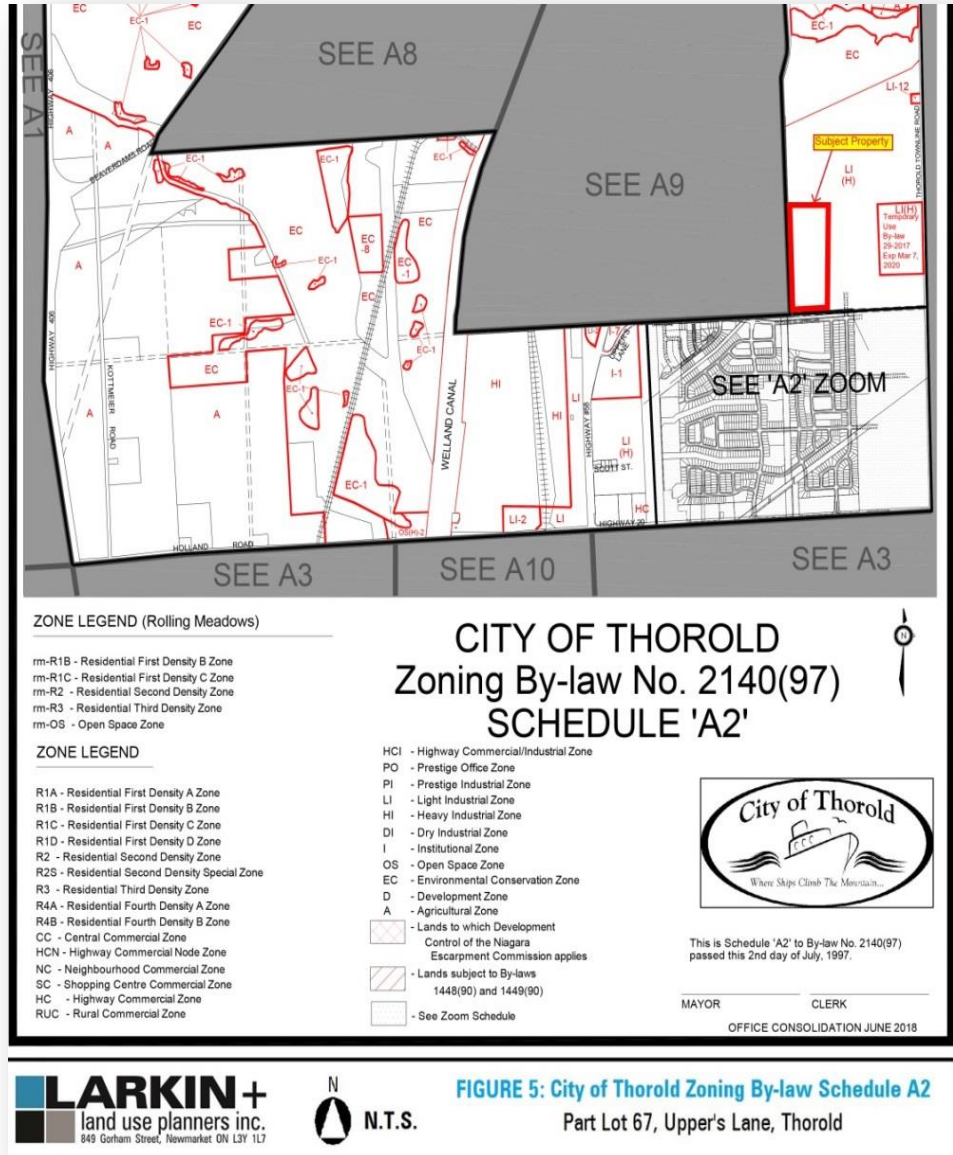
Section D8 requires consultation with First Nations communities where they may have interests. The archaeological work has been completed in full consultation with First Nations, who have had representatives present during fieldwork.

**5.4.5 Plan Implementation and Administration**

Section E3.1 'Pre-consultation and Complete Applications' identifies the information required for a complete planning application. These items, in addition to those items determined as requirements through the pre-consultation meeting, have been included as part of this submission.

The proposed development is located within the Rolling Meadows Secondary Plan area, with the site identified for 'Residential' use within the Secondary Plan schedules. The proposed residential development, which includes park, open space, and a multi-use trail, has consideration for the existing natural heritage, and provides an appropriate next phase of development within the Rolling Meadows, and conforms to the policies of the City's Official Plan.

Full consideration has been given to the policies of the Official Plan, servicing provision, the proposed development and land uses of the wider Rolling Meadows Neighbourhood, and siting of appropriate housing mix and densities.



## 6.0 CITY OF THOROLD COMPREHENSIVE ZONING BY-LAW 2140(70)

The City's Zoning By-law 2140(97) was consolidated in June 2018, its purpose being to implement the policies of the Official Plan, setting out in more detail the specific uses and regulations within the City of Thorold. In this case, the By-law predates the City's Official Plan and the policies contained within the Neighbourhoods of Rolling Meadows Secondary Plan.

The site is identified on the Zoning By-law Schedule 'A2' as being LI (H), Light Industrial with a Holding provision. The site is designated 'Residential' within the Official Plan; the permitted uses at Section 25.1 of the Zoning By-law for LI Zone do not include residential uses, and as such, the By-law fails to conform to the policies of the Official Plan. Given the 'Residential' designation of the site and the 'Greenfield' overlay, the City have planned for the site to contribute to meeting the growth forecasts and minimum density requirements set out within the Growth Plan and Niagara Region Official Plan. As such, the current zoning does not conform to the City of Thorold Official Plan, Niagara Region Official Plan, Growth Plan, and is inconsistent with the PPS in this regard also.

Section 5.1.1 'Establishment of Zones' includes a number of "Rolling Meadows Zones" identified as the following:

- **Rolling Meadows Open Space (RM-OS);**
- **Rolling Meadows Residential First Density B Zone (RM-R1B);**
- **Rolling Meadows Residential First Density C Zone (RM-R1C);**
- **Rolling Meadows Residential Second Density (RM-R2);**
- **Rolling Meadows Residential Third Density (RM-R3).**

Section 44 sets out the provisions for the RM-OS Zone within the Rolling Meadows. Permitted uses include: Park, including recreational trails; Conservation; Stormwater management, and; Buildings and structures accessory to the foregoing uses.

The draft zoning by-law amendment and schedule (Appendix C) identifies the proposed amendments to the site which would allow the draft plan and policies of the Official Plan to be implemented. Those blocks within the Draft Plan identified as 'Open Space' are zoned RM-OS, including the park within the centre of the site. The proposed residential lots shown on the Draft Plan are generally one of four types with the following lot frontages:

UNIT TYPE	MIN LOT FRONTAGE (m)
Single Detached	11.6
Single Detached	10.7
Street Townhouse	7.6
Street Townhouse	6.0

All single detached lots meet the minimum lot frontage standard of 10.5m within the Rolling Meadows – Residential Second Density (RM-R2) zone. All residential lots of 11.6m minimum frontage and the majority of single detached lots of 10.7m frontage would provide for a minimum lot area which meet the standard for the RM-R2 zone (325m<sup>2</sup> minimum). A

total of 16 single detached lots would be undersized by 4m<sup>2</sup> square metres at 321m<sup>2</sup> and are zoned RM-R2-X with a minimum lot area of 320m<sup>2</sup>.

All townhouses would meet the minimum lot area of 180m<sup>2</sup> (225m<sup>2</sup> for end units) and minimum frontage standards of 6m (7.5m for end units) for the RM-R3 zone.

Exceptions for units abutting the TransCanada pipeline are included through zones RM-R2-Y and RM-R3-X, where minimum setbacks shall be 7m from the pipeline.

The submitted Zoning By-law Amendment would bring the zoning for the site into conformity with the Official Plan, Region Official Plan and Growth Plan and be consistent with the PPS.

### ***New Comprehensive Zoning By-law (Draft Form)***

The City is currently preparing a new Comprehensive Zoning By-law for the municipality, where comments on the draft By-law are being invited. The draft By-law identifies the site as being predominantly 'Future Development', with 'Open Space Conservation' and 'Utility' zones along part of the hedgerows and the pipeline corridor respectively. There is also an 'Estimated Lands Adjacent to Environmental Features' overlay covering the majority of the property, related to the abutting woodland and hedgerows.

All proposed single detached lots shown within the Draft Plan would meet the minimum lot standards for the draft R1D Single Detached zone, being on the larger size of the standards. All proposed townhouse lots shown within the Draft Plan would meet the minimum lot standards for the draft R3A Townhouse zone.

It is recognized that in being zoned 'Future Development', the draft zoning reflects the Secondary Plan 'Residential' designation for the property, which is not currently developed, however the FD zone permits only legally existing uses and development standards. There will, therefore, be a requirement to rezone the property to reflect the site-specific uses and development standards being proposed.

## 7.0 SUMMARY & CONCLUSION

Planning applications are submitted for Plan of Subdivision and Zoning By-law Amendment for a 15 hectare property located within the Rolling Meadows Secondary Plan area, known as Upper's Grove, to allow for the development of 344 residential units, parkland and connections to the wider community currently being developed.

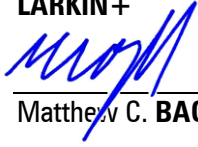
The proposed residential development is within the urban area and Designated Greenfield Area, providing for a density of approximately 60 people per hectare, where careful consideration is given to the efficient use of land and municipal servicing, the site abutting existing development within Rolling Meadows. The Functional Servicing Report confirms that water and wastewater servicing can be achieved for the proposed development through existing and proposed connections in the Rolling Meadows subdivision. The study findings of the supporting Environmental Impact Statement advise there will be no significant impact to the key features on and abutting the site. The Transportation Impact Study concludes that, while there will be impact on local traffic patterns from the proposed development of the site, impacts will be mitigated through proposed intersection improvements, where all intersections are expected to operate at acceptable levels of service. Stages 1 and 2 archeological assessments have been completed and identified a number of artifacts on the site. Stages 3 and 4 assessments outline that excavation has been completed and artifacts fully documented, in compliance with the Ministry of Tourism, Culture and Sport guidelines.

The proposed development is located within the Rolling Meadows Secondary Plan area, with the site identified for 'Residential' use within the Secondary Plan schedules. The proposed residential development, which includes park, open space, and a multi-use trail, has consideration for the existing natural heritage and archaeological resources, and provides an appropriate next phase of development within the Rolling Meadows community. Full consideration has been given to the policies of the Official Plan, servicing provision, the proposed development and land uses of the wider Rolling Meadows Neighbourhood, and siting of appropriate housing mix and densities. The applications for Plan of Subdivision and Zoning By-law Amendment conform to the policies of the City's Official Plan. In addition, the applications are consistent with the PPS, and conform to the policies of the Growth Plan and Niagara Region Official Plan. The applications represent good planning and are in the public interest.

The site is currently zoned 'Light Industrial' within Zoning By-law 2140(97), which does not conform to the City Official Plan policies which designate the lands 'Residential'. As such, the current zoning does not contribute to the minimum density targets and population growth forecasts of the Niagara Region Official Plan and Growth Plan, which designate the lands 'Designated Greenfield Area' for developing mixed-use communities; the current 'Light Industrial' zoning does not conform to the Niagara Region Official Plan or Growth Plan therefore. 'Light Industrial' zoning provides fewer opportunities for a development form and mix of land uses which meet the PPS criteria for designated growth areas, being a less efficient use of land; the current zoning of the property is inconsistent with the PPS. The application for Zoning By-law Amendment seeks to bring the zoning for the site into conformity with the Official Plan, allowing the continued development of the Rolling Meadows community.

Respectfully submitted:

**LARKIN+**



Matthew C. **BAGNALL**, MA, MRTPI

**CERTIFICATION:** *I hereby certify that this plan/report was prepared by the identified author, and under the supervision of, a Registered Professional Planner (RPP), within the meaning of the Ontario Professional Planners Institute Act, 1994.*

**LARKIN+**



Robert **WALTERS**, M.PL, MCIP, RPP

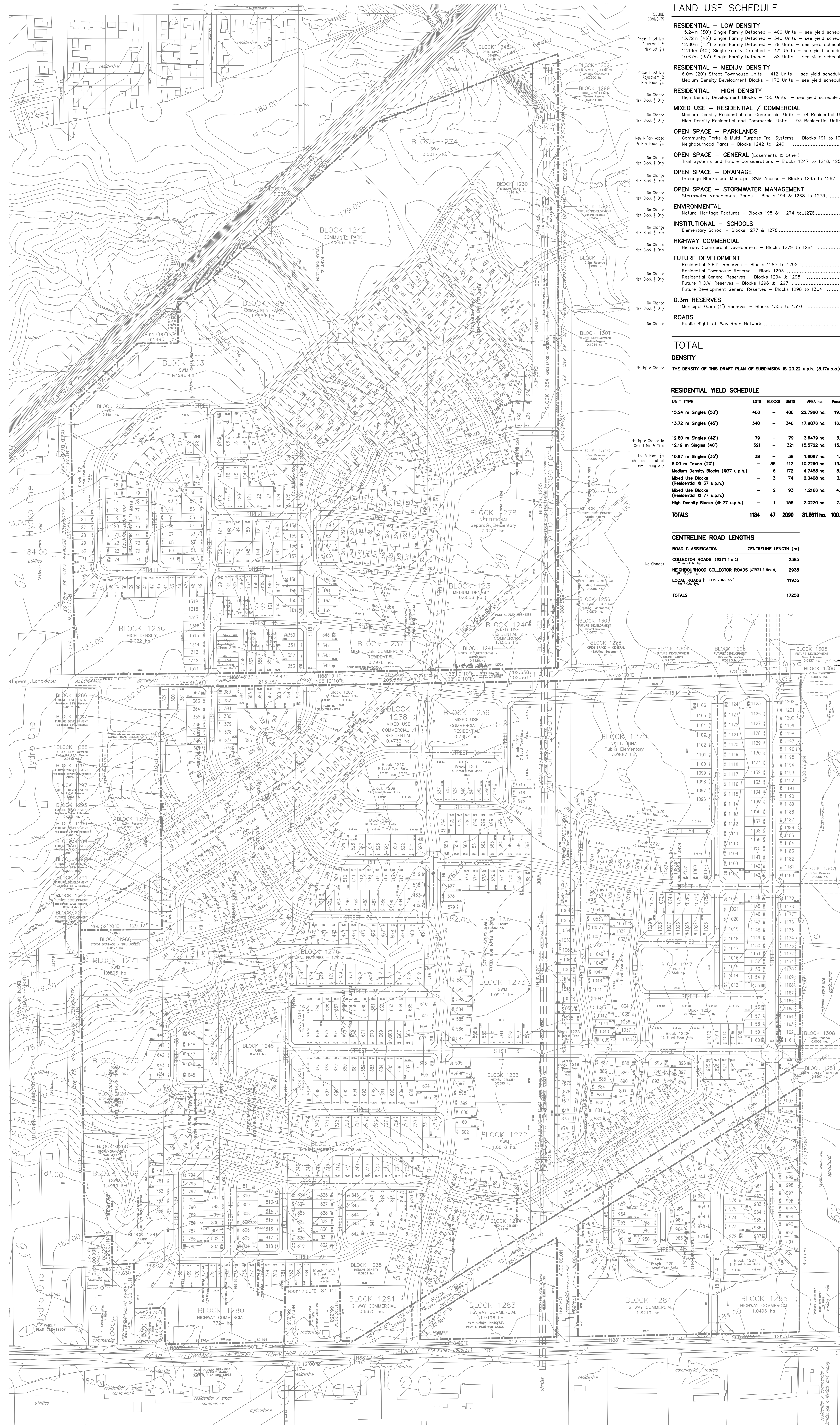
Date: 2018-12-17



## ***APPENDIX A***

# ***ROLLING MEADOWS DRAFT PLAN***

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### LAND USE SCHEDULE

	AREA (ha.)	AREA (ac.)
<b>RESIDENTIAL - LOW DENSITY</b>		
15.24m (50') Single Family Detached - 406 Units - see yield schedule	22,786.0	56,330
13.72m (45') Single Family Detached - 340 Units - see yield schedule	17,987.6	44,448
12.80m (42') Single Family Detached - 79 Units - see yield schedule	3,679.0	9,014
12.19m (40') Single Family Detached - 321 Units - see yield schedule	15,572.2	38,480
10.67m (35') Single Family Detached - 38 Units - see yield schedule	1,607.0	3,970
<b>RESIDENTIAL - MEDIUM DENSITY</b>		
6.0m (20') Street Townhouse Units - 412 Units - see yield schedule	10,226.0	25,269
Medium Density Development Blocks - 172 Units - see yield schedule	4,745.3	11,725
<b>RESIDENTIAL - HIGH DENSITY</b>		
High Density Development Blocks - 155 Units - see yield schedule	2,022.0	4,996
<b>MIXED USE - RESIDENTIAL / COMMERCIAL</b>		
Medium Density Residential and Commercial Units - 74 Residential Units - see yield schedule	2,048.0	5,043
High Density Residential and Commercial Units - 93 Residential Units - see yield schedule	1,216.6	3,006
<b>OPEN SPACE - PARKLANDS</b>		
Neighbourhood Parks - Blocks 1242 to 1246	5,516.4	13,631
Community Parks & Multi-Purpose Trail Systems - Blocks 191 to 193 & 1241	3,079.2	7,609
<b>OPEN SPACE - GENERAL (Easements &amp; Other)</b>		
Trail Systems and Future Considerations - Blocks 1247 to 1248, 1250 to 1264	7,001.5	17,301
<b>OPEN SPACE - DRAINAGE</b>		
Drainage Blocks and Municipal SWM Access - Blocks 1265 to 1267	0,477.0	1,181
<b>OPEN SPACE - STORMWATER MANAGEMENT</b>		
Stormwater Management Ponds - Blocks 194 & 1268 to 1273	11,263.1	27,831
<b>ENVIRONMENTAL</b>		
Natural Heritage Features - Blocks 195 & 1274 to 1276	4,788.7	11,833
<b>INSTITUTIONAL - SCHOOLS</b>		
Elementary School - Blocks 1277 & 1278	5,113.8	12,636
<b>HIGHWAY COMMERCIAL</b>		
Highway Commercial Development - Blocks 1279 to 1284	7,269.5	17,963
<b>FUTURE DEVELOPMENT</b>		
Residential S.F.D. Reserves - Blocks 1285 to 1292	0,402.8	0,995
Residential Townhouse Reserve - Block 1293	0,302.4	0,747
Residential General Reserves - Blocks 1294 & 1295	0,068.7	0,172
Future R.O.W. Reserves - Blocks 1296 & 1297	0,165.4	0,409
Future Development General Reserves - Blocks 1298 to 1304	0,760.7	1,829
<b>0.3m RESERVES</b>		
Municipal 0.3m (1') Reserves - Blocks 1305 to 1310	0,003.7	0,009
<b>ROADS</b>		
Public Right-of-Way Road Network	32,981.7	81,496
<b>TOTAL</b>	<b>160,017 ha.</b>	<b>395,381 ac.</b>

### DENSITY

The DENSITY OF THIS DRAFT PLAN OF SUBDIVISION IS 20.22 u.p.h. (8.17 u.p.a.)

### RESIDENTIAL YIELD SCHEDULE

UNIT TYPE	LOTS	BLOCKS	UNITS	AREA ha.	Percentage of Yield	Reference
15.24 m Singles (50')	406	-	406	22,786.0	19.4 %	Lot - 1 to 406, 101 to 103, 111 to 113, 125 to 141 to 146, 148 to 158, 171 to 188, 205 to 207, 209 to 214, 225 to 234 to 236, 248 to 253, 269 to 288, 431 to 432, 448 to 451, 461 to 463, 472 to 474, 485 to 487, 496 to 500, 511 to 513, 524 to 526, 537 to 539, 550 to 552, 563 to 565, 574 to 576, 585 to 587, 596 to 598, 607 to 609, 618 to 620, 629 to 631, 640 to 642, 651 to 653, 662 to 664, 673 to 675, 684 to 686, 693 to 695, 702 to 704, 713 to 715, 724 to 726, 735 to 737, 746 to 748, 755 to 757, 766 to 768, 775 to 777, 786 to 788, 795 to 797, 804 to 806, 813 to 815, 822 to 824, 833 to 835, 842 to 844, 851 to 853, 860 to 862, 871 to 873, 880 to 882, 891 to 893, 900 to 902, 911 to 913, 920 to 922, 931 to 933, 940 to 942, 951 to 953, 960 to 962, 971 to 973, 980 to 982, 991 to 993, 1000 to 1002, 1011 to 1013, 1020 to 1022, 1031 to 1033, 1040 to 1042, 1051 to 1053, 1060 to 1062, 1071 to 1073, 1080 to 1082, 1091 to 1093, 1100 to 1102, 1111 to 1113, 1120 to 1122, 1131 to 1133, 1140 to 1142, 1151 to 1153, 1160 to 1162, 1171 to 1173, 1180 to 1182, 1191 to 1193, 1200 to 1202, 1211 to 1213, 1220 to 1222, 1231 to 1233, 1240 to 1242, 1251 to 1253, 1260 to 1262, 1271 to 1273, 1280 to 1282, 1291 to 1293, 1300 to 1302, 1311 to 1313, 1320 to 1322, 1331 to 1333, 1340 to 1342, 1351 to 1353, 1360 to 1362, 1371 to 1373, 1380 to 1382, 1391 to 1393, 1400 to 1402, 1411 to 1413, 1420 to 1422, 1431 to 1433, 1440 to 1442, 1451 to 1453, 1460 to 1462, 1471 to 1473, 1480 to 1482, 1491 to 1493, 1500 to 1502, 1511 to 1513, 1520 to 1522, 1531 to 1533, 1540 to 1542, 1551 to 1553, 1560 to 1562, 1571 to 1573, 1580 to 1582, 1591 to 1593, 1600 to 1602, 1611 to 1613, 1620 to 1622, 1631 to 1633, 1640 to 1642, 1651 to 1653, 1660 to 1662, 1671 to 1673, 1680 to 1682, 1691 to 1693, 1700 to 1702, 1711 to 1713, 1720 to 1722, 1731 to 1733, 1740 to 1742, 1751 to 1753, 1760 to 1762, 1771 to 1773, 1780 to 1782, 1791 to 1793, 1800 to 1802, 1811 to 1813, 1820 to 1822, 1831 to 1833, 1840 to 1842, 1851 to 1853, 1860 to 1862, 1871 to 1873, 1880 to 1882, 1891 to 1893, 1900 to 1902, 1911 to 1913, 1920 to 1922, 1931 to 1933, 1940 to 1942, 1951 to 1953, 1960 to 1962, 1971 to 1973, 1980 to 1982, 1991 to 1993, 2000 to 2002, 2011 to 2013, 2020 to 2022, 2031 to 2033, 2040 to 2042, 2051 to 2053, 2060 to 2062, 2071 to 2073, 2080 to 2082, 2091 to 2093, 2100 to 2102, 2111 to 2113, 2120 to 2122, 2131 to 2133, 2140 to 2142, 2151 to 2153, 2160 to 2162, 2171 to 2173, 2180 to 2182, 2191 to 2193, 2200 to 2202, 2211 to 2213, 2220 to 2222, 2231 to 2233, 2240 to 2242, 2251 to 2253, 2260 to 2262, 2271 to 2273, 2280 to 2282, 2291 to 2293, 2300 to 2302, 2311 to 2313, 2320 to 2322, 2331 to 2333, 2340 to 2342, 2351 to 2353, 2360 to 2362, 2371 to 2373, 2380 to 2382, 2391 to 2393, 2400 to 2402, 2411 to 2413, 2420 to 2422, 2431 to 2433, 2440 to 2442, 2451 to 2453, 2460 to 2462, 2471 to 2473, 2480 to 2482, 2491 to 2493, 2500 to 2502, 2511 to 2513, 2520 to 2522, 2531 to 2533, 2540 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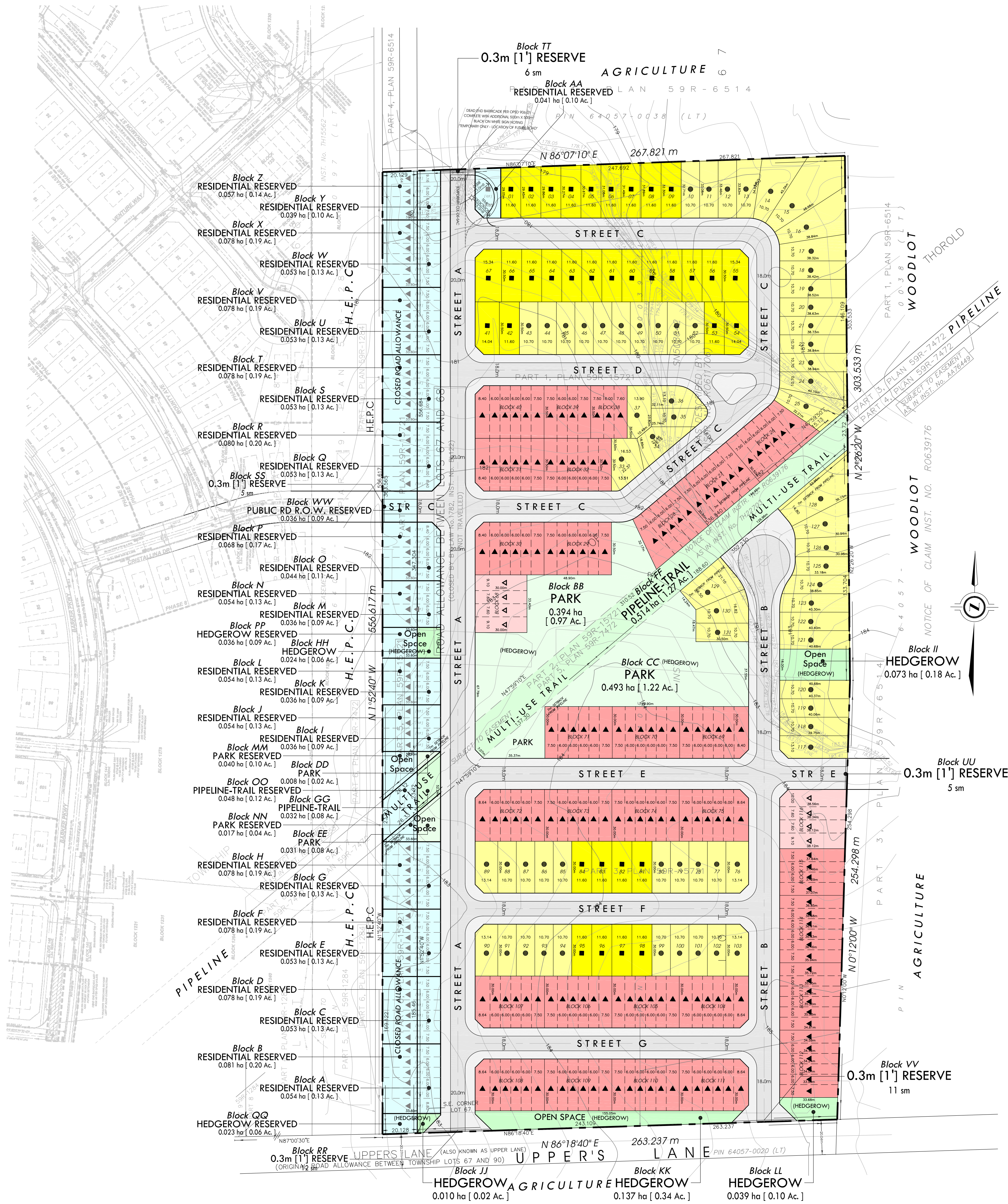
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## ***APPENDIX B***

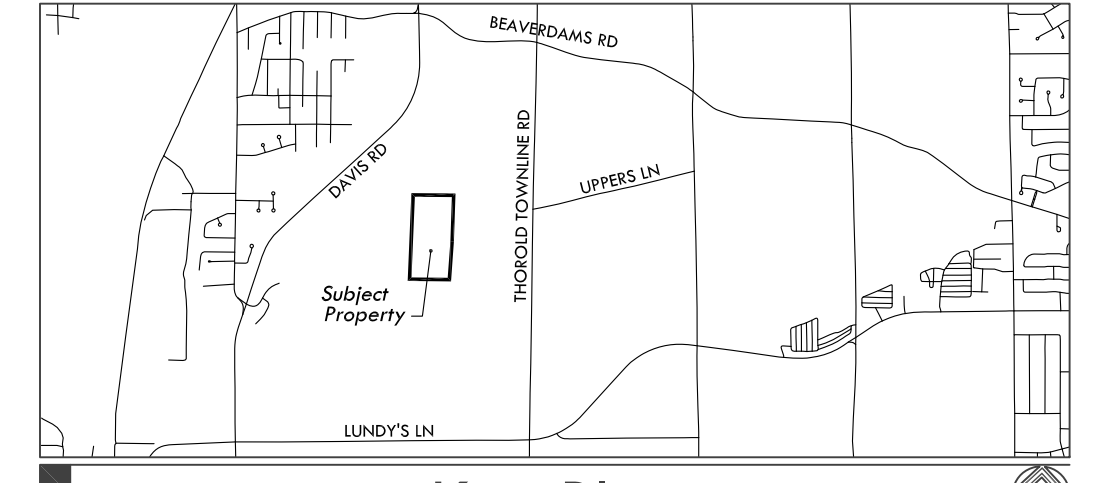
# ***DRAFT PLAN OF SUBDIVISION***

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# DRAWING Upper's Grove Community

FARZ 2018-12-10



### Key Plan Schedule of Land Use

PROPOSED LAND USE	Legend	REFERENCE	YIELD	ha	AREA
		Units	Blocks	[Ac.]	%
1) Single Detached Lots 11.0m (35ft) min.	[Symbol]	Block AA, TT	34	1,235	(3.06) 8.3
2) Single Detached Lots 10.7m (35ft) min.	[Symbol]	Block AA, TT	66	2,646	(6.54) 17.7
3) Street Townhouse Lots 7.6m (25ft) min.	[Symbol]	Block AA, TT	8	0,230	(0.57) 1.5
4) Street Townhouse Lots 6.0m (20ft) min.	[Symbol]	Block AA, TT	166	3,381	(8.38) 22.6
5) Residential Reserved	[Symbol]	Block AA, TT	709	2,771	(6.93) 18.5
6) Open Space - Park	[Symbol]	Block AA, TT	4	0,926	(2.29) 6.2
7) Open Space - Pipeline-trail	[Symbol]	Block AA, TT	2	0,546	(1.35) 3.7
8) Open Space - Hedgerows	[Symbol]	Block AA, TT	5	0,283	(0.70) 1.9
9) Park Reserved	[Symbol]	Block AA, TT	2	0,057	(0.14) 0.4
10) Pipeline-trail Reserved	[Symbol]	Block AA, TT	1	0,048	(0.12) 0.3
11) Hedgerow Reserved	[Symbol]	Block AA, TT	2	0,059	(0.15) 0.4
12) 0.3m (1') Reserve	[Symbol]	Block AA, TT	5	0,034	(0.01) 0.0
13) Public Road R.O.W.	[Symbol]	Block AA, TT	1	3,914	(9.67) 26.2
14) Public Road R.O.W. Reserved	[Symbol]	Block AA, TT	1	0,036	(0.09) 0.3
<b>TOTALS</b>			<b>344</b>	<b>80</b>	<b>14,938 (36.91) 100</b>

### Additional Information

REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

- a Shown on Draft Plan and Surveyor's Certificate
- b Shown on Draft and Key Plans
- c Shown on Key Plan
- d Land to be used in accordance with Land Use Schedule
- e Shown on Draft Plan
- f Shown on Draft Plan
- g Shown on Draft and Key Plans
- h Municipal Water Supply will be provided
- i Served by Greyish Brown to Brown Clayey Silt Till
- j Shown on Draft Plan
- k Full Municipal Services will be provided
- l Shown on Draft Plan

### Owner's Authorization

I/We, being the Registered Owner of the Subject Lands, hereby Authorize LARKIN+ Land Use Planners Inc. to prepare and submit this Draft Plan of Subdivision for Approval.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
 Lark Siddiqui  
 Farz Holdings Inc.

### Surveyor's Certificate

I hereby Certify that the Boundaries of the Subject Lands and their relationship to the Adjacent Lands are accurately and correctly shown on this Plan.

Signed: *[Signature]* Date: *Dec 11, 2018*  
 Dasha Parashar  
 Matthews, Cameron, Heywood - Kerry T. Howe Surveying Ltd.

No.	PLAN	REVISION	BY	DATE
01	06k	Submission	mvs	2018-12-12

### SOURCES:

Base Information comprised of:  
 Plan of Survey prepared by Matthews, Cameron, Heywood - Kerry T. Howe Surveying Ltd. (I.D. Barnes Limited) ref no: 18-16-004-00; dated: December 8, 2016, and  
 Topographic Survey prepared by Matthews, Cameron, Heywood - Kerry T. Howe Surveying Ltd. (I.D. Barnes Limited) ref no: 18-16-004-00; dated: February 2, 2018.

The Contractor shall verify and be responsible for all dimensions.  
 DO NOT scale the drawing - any errors or omissions shall be reported to LARKIN+ without delay.  
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### DRAFT PLAN of Subdivision

PART OF LOT 67 and PART OF ROAD ALLOWANCE BETWEEN LOTS 67 AND 68  
 CITY OF THOROLD  
 REGIONAL MUNICIPALITY OF NIAGARA

0 50 100m

1 : 1250

seal north

prepared for: FARZ

approved by: RWW

design by: MVS

drawn by: MVS/ELV

**LARKIN+**  
 land use planners inc.

DEC 2018 FARZ

DATE PROJECT

SCALE DRAWING

1:1000

849 Gorham Street  
 Newmarket, ON  
 Canada L3Y 1L7  
 905-895-0554 / 888-854-0044  
 www.larkinplus.com

**06k**

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## ***APPENDIX C***

# ***DRAFT ZONING BY-LAW AMENDMENT***

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## **The Corporation of the City of Thorold**

### **By-law No. \_\_\_\_-2019**

Being a By-Law to amend Comprehensive Zoning By-Law 2140(97) for lands located north of the easterly extension of Upper's Lane and east of the Hydro One Limited corridor.

Whereas the Council of the Corporation of the City of Thorold approved Report PDS2019-\_\_\_\_ at a Council meeting held on \_\_\_\_\_, 2019 for the purposes of granting draft plan of subdivision approval for these lands; and

Whereas the Council of the Corporation of the City of Thorold approved Report PDS2019-\_\_\_\_ and By-law No. \_\_\_\_-2019 on \_\_\_\_\_, 2019 for the purposes of rezoning the subject lands.

Now therefore, the Council of The Corporation of the City of Thorold enacts as follows:

#### Section 1

That notwithstanding the provisions of Section 47.2.2(a) of By-law 2140(97), the lands indicated as RM-R2-X on Schedule A2 shall be subject to the following special provision:

- (a) Minimum Lot Area (square metres) for a Single Detached Dwelling: 320

That in addition to the provisions of Section 47.2.2 of By-law 2140(97), the lands zoned RM-R2-Y on Schedule A2 shall be subject to the following special provisions:

- (a) Minimum setback (metres) to TransCanada Pipeline: 7.0
- (b) Minimum setback (metres) for accessory structures to TransCanada Pipeline: 3.0

That in addition to the provisions of Section 48.2.2 of By-law 2140(97), the lands zoned RM-R3-Z on Schedule A2 shall be subject to the following special provisions:

- (a) Minimum setback (metres) to TransCanada Pipeline: 7.0
- (b) Minimum setback (metres) for accessory structures to TransCanada Pipeline: 3.0

#### Section 2

That Schedule A2 of By-law 2140(97) be and the same is hereby amended by changing the zoning of the lands shown on Schedule A attached to and made part of this By-law from the Light Industrial "LI (H)" Zone to the Rolling Meadows Residential Second Density "RM-R2" Zone, Rolling Meadows Residential Second Density "RM-R2-X" Zone, Rolling Meadows Residential Second Density "RM-R2-Y" Zone, Rolling Meadows Residential Third Density "RM-R3" Zone, Rolling Meadows Residential Third Density "RM-R3-Z" Zone, and Rolling Meadows Open Space "RM-OS" Zone.

Section 3

That pursuant to Section 34(10.0.0.2) of the *Planning Act*, as amended, the application for Zoning By-law Amendment which results in this By-law has been declared by Council to have permission to be submitted in the event that Council carries out the requirements of Section 26 (9) of that Act by simultaneously repealing and replacing all the zoning by-laws in effect in the City.

Section 4

That pursuant to Section 45(1.4) of the *Planning Act*, as amended, any application for minor variance from the provisions of this By-law in respect of the land, building or structure may be submitted before the second anniversary of the day on which the Zoning By-law for these lands was amended by this By-law.

Section 5

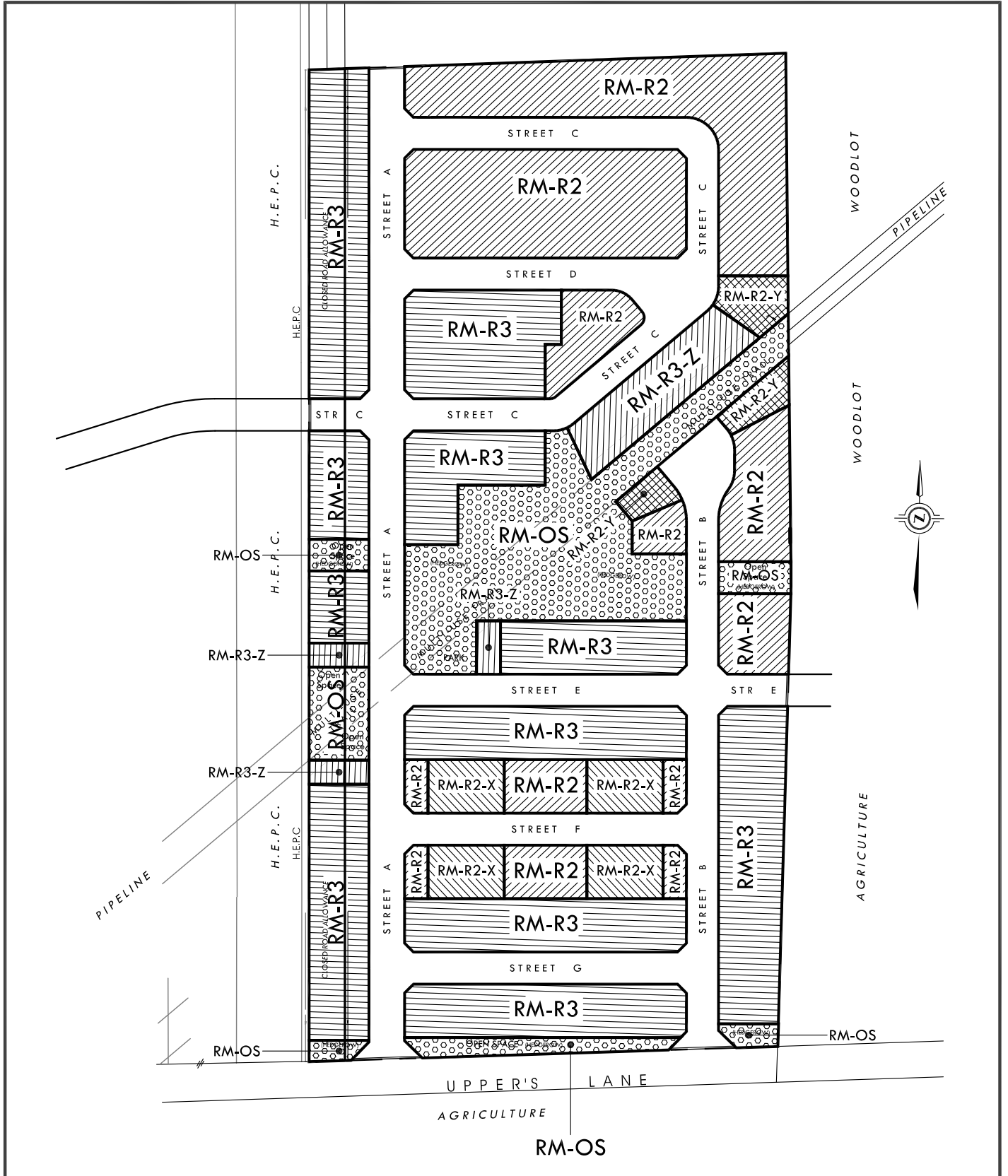
That the lands referred to in Section 1 are described as Part of Lot 67 and Part of Road Allowance between Lots 67 and 68, City of Thorhold, Regional Municipality of Niagara.

Read a first, second and third time and finally passed by Council this \_\_\_\_ the day of \_\_\_\_\_, 2019.

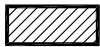
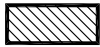
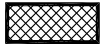


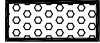
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

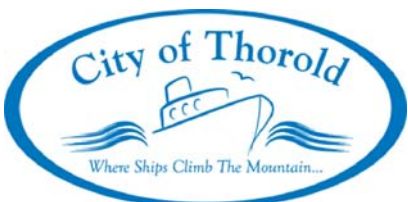
# Schedule "A" to By-law No. \_\_\_\_\_ - 2019



LANDS TO BE REZONED FROM LIGHT INDUSTRIAL "LI (H)" ZONE AS FOLLOWS:

-  Rolling Meadows Second Density "RM-R2" Zone
-  Rolling Meadows Second Density "RM-R2-X" Zone
-  Rolling Meadows Second Density "RM-R2-Y" Zone
-  Rolling Meadows Third Density "RM-R3" Zone
-  Rolling Meadows Third Density "RM-R3-Z" Zone
-  Rolling Meadows Open Space "RM-OS" Zone

This Schedule "A" to By-Law No. \_\_\_\_\_ - 2019  
 passed this \_\_\_\_\_ day of \_\_\_\_\_, 2019



\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 Clerk