



Planning & Urban Design Rationale

Upper's Lane
City of Thorold

Prepared For
Parkbridge Lifestyle
Communities Inc. and
1000352619 Ontario Limited

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Job Number

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This Planning and Urban Design Rationale Report has been prepared in support of applications for a Draft Plan of Subdivision and Zoning By-law Amendment to permit the redevelopment of a 39.8-hectare property, in the City of Thorold, in the Niagara Region, an opportunity to continue the build out of the Rolling Meadows Secondary Plan area and provides for additional residential dwelling units and community uses that are compatible with the adjacent residential uses. Generally, the proposed development is separated into two sections (a north section and south section) due to the natural heritage feature, which will remain in the middle of the subject site.

A hand is shown pinning a red pushpin to a map. The map is spread out on a surface, and another red pushpin is already pinned to it. The background is a blurred image of hands working with a map, overlaid with a semi-transparent red filter. A large white circle with a dark red center contains the number '1'.

1

Introduction

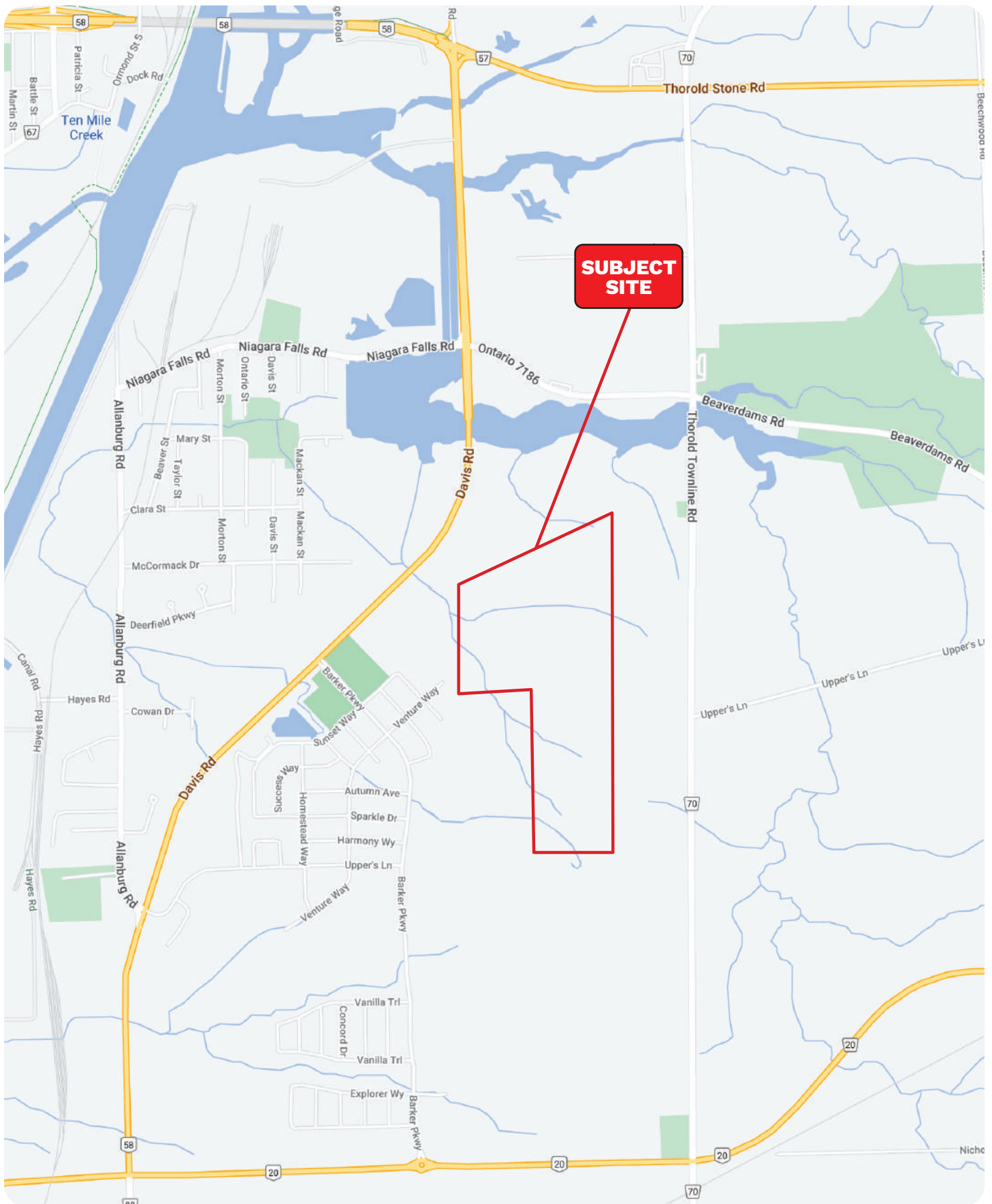


Figure 1 - Location Map

This Planning and Urban Design Rationale Report has been prepared in support of applications for a Draft Plan of Subdivision and Zoning By-law Amendment filed by Parkbridge Lifestyle Communities Inc. and 1000352619 Ontario Limited. (known herein as "Parkbridge") (the "Owner"). The purpose of these applications is to permit the redevelopment of a 39.8-hectare property in the City of Thorold, in the Niagara Region (the "subject site"). The subject site is located north of Upper's Lane, west of Thorold Townline Road and south of the hydro corridor (see **Figure 1**), as discussed in greater detail in section 2 of this report.

The subject site is located within the northeast portion of the Rolling Meadows neighbourhood and is included within the Neighbourhoods of Rolling Meadows Secondary Plan area ("the Secondary Plan"). The Secondary Plan is generally located east of the Welland Canal and south of the Thorold South neighbourhood and was originally approved by the City of Thorold in 2000 and updated in 2007. The Secondary Plan seeks to achieve a complete community through compact and comprehensive development to accommodate future residential growth and employment within the Region. The proposed development provides an extension of the existing and planned community to the west and south of the subject site and is continuing in a development pattern that achieves the goals and objectives of the Secondary Plan.

Parkbridge is the largest operator of land lease homes in Canada, which is a form of ownership that is different from freehold, condominium, or rental tenure, whereby homes are individually purchased by homebuyers and the land is leased to the buyer from Parkbridge. This residential model typically results in a lower home purchase price compared to traditional freehold ownership. It is anticipated the proposed development could consist of land lease homes, as well as freehold, condominium and/or rental tenures. In this regard, Parkbridge has partnered with other home builder partners on various projects across Ontario to achieve a healthy mix and balance of home product types and tenures. The proposal is further described in section 3 of this report.

The Zoning By-law Amendment Application is required to permit the development of residential uses, as well as to introduce site-specific zoning categories and development provisions in accordance with the proposed development. This will include amending the Future Development (FD) zoning, regulated under Zoning By-law No. 60 (2019), that applies to the majority of the site. This will also include amending Zoning By-law No. 2140 (97) to permit residential land uses on the site, as the residential zones of Zoning By-law 60 (2019) remain under appeal. The proposed Zoning By-law Amendment(s) will introduce site-specific provisions to existing residential zones of the parent by-law to implement the proposed development including single detached dwellings and a variety of townhouse dwellings with specific performance standards.

The proposed Draft Plan of Subdivision will create multiple residential blocks to be designed in more detail through future site plan control applications. The draft plan will also provide for the natural heritage area block, the pipeline corridor block and multi-use trail, a new public park, and new public roads. A Demonstration Plan is submitted with the application which illustrates how the community can be developed. The proposal provides for a total of 603 new residential units in a variety of built forms, including: single detached dwelling units, street townhouses, and bungalow townhouses. The Demonstration Plan includes single detached dwellings with minimum lot frontages ranging between 10.7 to 12.8 metres and townhouses ranging between 6.1 to 8.2 minimum lot frontages. Residential unit types, mix and lot sizes will be confirmed at the Site Plan Control application stage.

This Planning and Urban Design Rationale Report provides an overview of the proposed development, including specific details of the applications, and demonstrates how the proposed development is appropriate for the site. This report concludes that the Applications have appropriate regard for the Draft Plan of Subdivision criteria as set out in Section 51(24) of the Planning Act; is consistent with the policies as set out in the Provincial Policy Statement; conforms to the policies of the Growth Plan for the Greater Golden Horseshoe, the Region of Niagara Official Plan, the City of Thorold Official Plan and the Neighbourhood of Rolling Meadows Secondary Plan.

From a land use planning perspective, the proposal provides for a logical extension of the existing and planned community to the west and south of the subject site and accommodates projected Regional growth in a compact and efficient form. In particular, the proposal conforms to provincial, regional, and local policies which set out minimum density requirements for *Designated Greenfield Areas*, as well as policies that support the protection of natural areas and prohibit development within areas that contain natural heritage features or functions. The Applications will contribute to a development pattern that is consistent with surrounding context, supports the provision of a mix and range of new housing opportunities, and provides for the extension of parks and the open space system within the Rolling Meadows neighbourhood.

From a built form and urban design perspective, the proposal represents an appropriate design that is compatible with the existing and emerging residential neighbourhoods to the south and west of the subject site and will provide new residential dwelling units that are compatible with the adjacent residential uses. It represents a built form that has appropriate regard for the Rolling Meadows Secondary Plan area and integrates additional connections to the City's open green space and trail network. Detailed design of the residential blocks will be determined through future site plan applications.

Based on the foregoing, this Planning Rationale report concludes that the proposal is appropriate and desirable and represents good land use planning and urban design.



Site & Surroundings

2.1 Site

The subject site is located north of the future extension of Upper's Lane in the Rolling Meadows Neighbourhood and is identified as Part of Township Lots 43, 44, 66 and 67 in the City of Thorold, in the Region of Niagara (see **Figure 2**). The subject site is a large irregular shaped parcel with an area of approximately 39.8 hectares (98.5 acres) and has approximately 261 metres of frontage on the future extension of Upper's Lane. A pipeline easement and a natural heritage feature separate the subject site into two parts (a north part and south part). The north part of the subject site is generally square shaped and is approximately 21.8 hectares in size with the northern property line following the boundary of the adjacent hydro transmission corridor and the south part of the subject site generally rectangular in shape and approximately 6.8 hectares in size.

Trees and hedgerows are present along the edges of the property boundary and the topography of the land is generally flat. The subject site is currently used for agricultural purposes, specifically for growing cash crops, except the approximate 11-hectare woodlot located in the middle of the subject site. A TransCanada pipeline easement spans diagonally across the mid-portion of the subject site through the woodlot, and a hydro easement is located on the neighbouring property to the west, adjacent to the north part of the subject site.

The subject site does not currently have frontage on a public street, but it will be accessed via the future extension of Upper's Lane as well as Venture Way. Currently, the subject site can be accessed via driveways located on adjacent properties from Upper's Lane via Highway 58/Davis Road to Barker Parkway, as well as off Thorold Townline Road. Both access points are currently unmaintained driveways until the future expansion and construction of the municipal roadway of Upper's Lane is completed.



Subject Site, View looking north



Existing Entrance to Subject Site via Thorold Townline Road, View looking west













Subject Site afar from current Venture Way terminus, View looking northeast



Figure 2 - Aerial Photo - Site Context

Legend

-  Existing Residential
-  Future Residential
-  Mixed-Use
-  Future Elementary Schools
-  Employment Designated Lands
-  Proposed Quarry Lands
-  Open Space & Parks
-  Agricultural Lands
-  Natural Heritage
-  Utilities

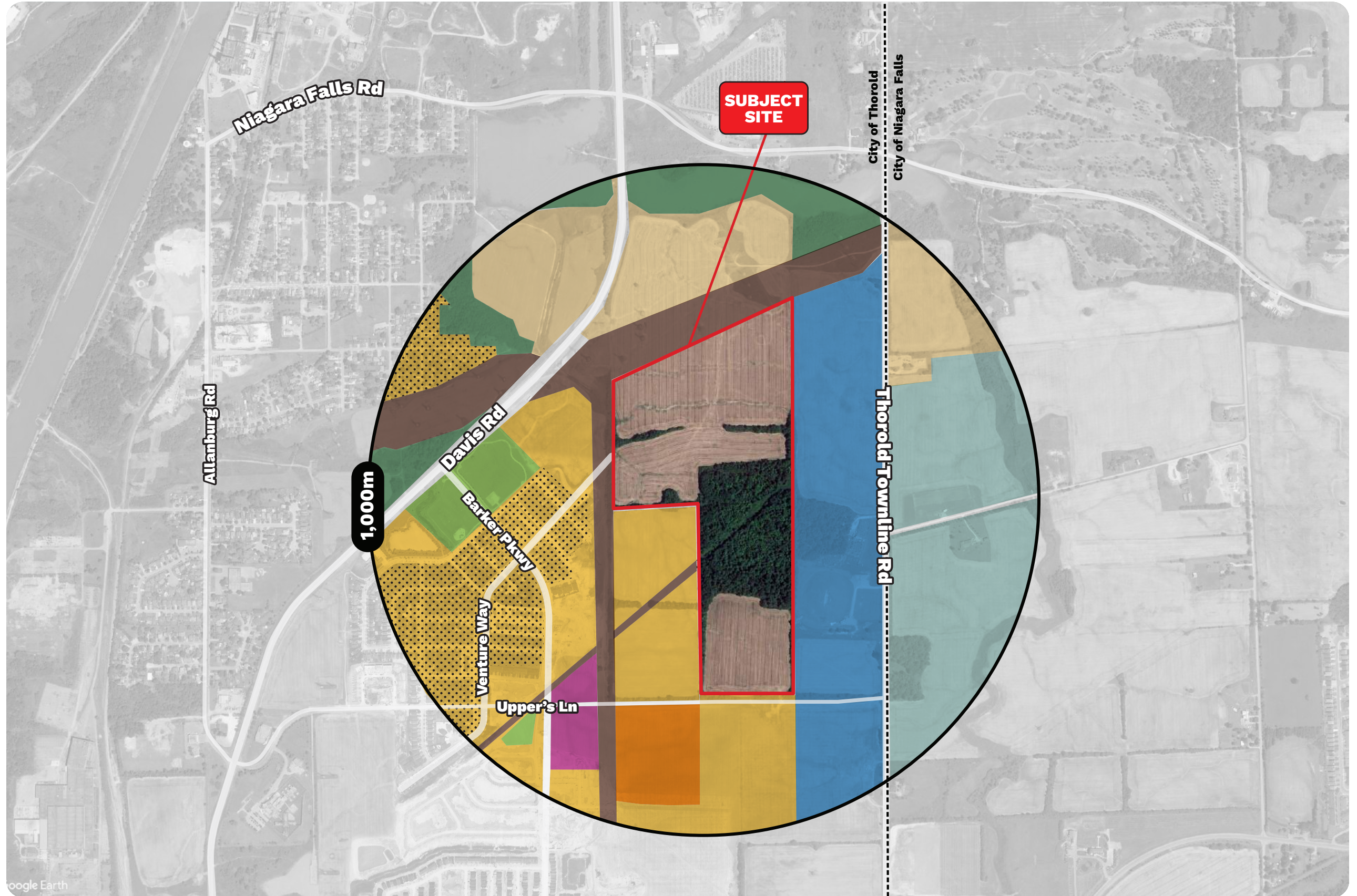


Figure 3 - Aerial Photo - Area Context

2.2 Area Context

The subject site is located in the Rolling Meadows neighbourhood of the City of Thorold, an area generally bounded by Davis Road (also known as Highway 58) to the west, a hydro transmission corridor to the north, Thorold Townline Road to the east, and the properties on the south side of Lundy's Lane to the south. The broader area of land uses includes low-density residential uses, agricultural lands, open green spaces, various automotive and commercial uses fronting Davis Road and Lundy's Lane, light industrial uses, and institutional uses. Land use and development within the Rolling Meadows neighbourhood is guided by the Rolling Meadows Secondary Plan, which is further discussed in Section 4 of this report.

The subject site is located in the northeast corner of the Secondary Plan area. The Secondary Plan area is partially built out, with residential, and some institutional, commercial, and community uses constructed generally in the northwest, central, and southwest portions of the Secondary Plan (see **Figure 3**). The built form in this area is predominately 1- to 2-storey single-detached dwellings, bungalow townhouses, and 2-storey street townhouses, and include an attached single or double car garage. Sidewalks are generally present on one side of the local neighbourhood roads. In terms of landscaping, front and rear yards are heavily landscaped and some of the neighbourhood streets have newly planted trees lining the public sidewalks. A large public park with multiple soccer fields, a children's playground and trails is located at the northwest corner of the Secondary Plan area, at Barker Parkway and Sunset Way. Additional draft plan of subdivision applications are also in place for further development of the Rolling Meadows neighbourhood, predominantly consisting of low-density residential uses, as well as two school blocks, three mixed-use development blocks, medium density blocks, and highway commercial development blocks fronting Lundy's Lane.

2.3 Surroundings

To the immediate north of the subject site is a Hydro One corridor, which follows the subject sites north property line. The hydro transmission corridor is designated for open space and parks, and is the edge of the urban area boundary in the Rolling Meadows Secondary Plan. North of the hydro corridor is existing agricultural lands, predominantly used for growing cash crops (i.e. field corn and soybeans).

Continuing north of the agricultural parcel of land is a large watercourse that connects into the Beaverdams Creek watershed area, which is regulated by the Niagara Peninsula Conservation Authority. The watercourse runs east to west following Beaverdams Road and connects into a larger pond located west of Davis Road and Niagara Falls Road.

Further north of the subject site, on the north side of Beaverdams Road, is Thorold Auto Parts & Recycling (1108 Beaverdams Road) which contains a large single storey store front with an accessory mechanic shop, several large structures for car storage, and an expansive outdoor storage area. East of Thorold Auto Parts & Recycling are five single-detached residential dwellings located on the north and south side of Beaverdams Road between Davis Road and Thorold Townline Road.

Light industrial uses continue further north of Thorold Auto Parts & Recycling, including lafrate Machine Works (1150 Beaverdams Road) and Rankin Asphalt (3299 Thorold Townline Road). Several single-detached 1- to 2-storey residential dwellings front Thorold Townline Road, north of the subject site, as well as the Beechwood Golf and Social House (4680 Thorold Townline Road), which is located approximately 1.2 kilometres northeast of the subject site. Agricultural uses and natural heritage areas continue further north. A stand-alone gas station with a convenience store and Tim Hortons (1040 Thorold Stone Road) is located on the northwest corner of Thorold Townline Road and Thorold Stone Road.



Agricultural Lands and Hydro Corridor located to the immediate north of the subject site, View looking west



Beaverdams Creek, View looking east

To the immediate east of the subject site are lands designated for employment uses in the Rolling Meadows Secondary Plan. Currently, these lands are used for agricultural purposes as well as outdoor recreational uses. One of the recreational uses abutting the subject site is the Niagara Cricket Centre, municipally addressed as 5114 Thorold Townline Road. The Niagara Cricket Centre is an 18-acre privately-owned cricket ground and practice facility that was newly constructed in 2015. North of the Niagara Cricket Centre and to the immediate east of the subject site, is another recreational use known as DMZ Paintball and Airsoft Field (2711 Thorold Townline Road). The existing woodlot on the subject site extends to the east onto the outdoor paintball facility. Both recreational uses each have one vehicular access off Thorold Townline Road and abut the existing woodlot that is partially within the subject site.

Thorold Townline Road separates City of Thorold and the City of Niagara Falls. Large agricultural parcels, specifically used to grow cash crops, continue east of Thorold Townline Road within the rural area in the City of Niagara Falls. Low-rise residential uses are present further east of the subject site. The TransCanada pipeline that transects the subject site continues onto these agricultural lands, northeast of the subject site.



Niagara Cricket Centre (5114 Thorold Townline Road), View looking west



DMZ Paintball and Airsoft Field (2711 Thorold Townline Road), View looking west



Notice of Proposed Upper's Quarry Application at the southeast corner of Thorold Townline Road and Upper's Lane, View looking east



The Niagara Region Model Flying Club, View looking north

Amendments to the Region of Niagara Official Plan, the city of Niagara Falls Official Plan, and the City of Niagara Falls Zoning By-law No. 79-200 were filed on December 23, 2021 to permit a quarry with associated processing and recycling of aggregate material, including an asphalt and concrete mixing plant. The proposed quarry, referred to as Upper's Quarry, is located on the east side of Thorold Townline Road, on both the north and south side of Upper's Lane in the City of Niagara Falls, and is located approximately 300 metres east of the subject site. The applications are currently under review.

Section 5.0 of this report discusses the relevant planning policies with respect to land use compatibility matters in relation to the proposed quarry use. It can also be noted that the applicant of the proposed quarry owns the majority of the agricultural land immediately east of the subject site, and within the Secondary Plan area.

To the immediate south of the subject site is the planned right-of-way of Upper's Lane, which will connect Davis Road to Thorold Townline Road. The extension of Upper's Lane will provide connections to the proposed future development in the Rolling Meadows Secondary Plan area and connect to Thorold Townline Road. The majority of the lands to the south of the subject site are currently undeveloped, featuring open cash crop fields towards Lundy's Lane/Highway 20.

The area southwest of the subject site includes several phases of the Rolling Meadows approved plan of subdivision, which includes a low-rise residential area, an elementary school block, new public roads, and a public park. This area is currently in early construction stages and forms part of the larger Rolling Meadows approved plan of subdivision, which extends south to Lundy's Lane. Land uses fronting both the north side and south side of Lundy's Lane generally consist of various commercial uses, including automotive, landscaping, contracting, farmers market, and motel establishments. Agricultural land and natural heritage areas generally continue south of Lundy's Lane.



Agricultural Field to the immediate south of the southern portion of the subject site, View looking South



Gas Station, Convenience Store and Subway located at the northeast corner of Highway 58 and Lundy's Lane, View looking north

To the immediate west of the northern portion of the subject site is a Hydro One easement corridor, which is located on the neighbouring property. Venture Way, an existing street located in the residential subdivision to the immediate west of the hydro easement, is planned to extend through the northern portion of the subject site. As of May 2023, Venture Way terminates approximately 85 metres northeast of Cinnamon Street. A 2-storey on-street townhouse block (60-80 Venture Way) is located on the east side of Venture Way, with the rear yards abutting the subject sites west property line. To the immediate west of the middle and southern portion of the subject site is an agricultural field, which is subject to the Upper's Grove approved plan of subdivision (also owned by Parkbridge Lifestyle Communities Inc.). The TransCanada pipeline that transects the middle portion of the subject site continues to the southwest.

Continuing west is part of a master planned community, approximately 160 hectares in size, known as the Rolling Meadows Subdivision. These lands received Draft Plan Approval in 2007 and have developed on a phase-by-phase basis. Based on the approved Plan of Subdivision, once a full build out is complete, the community will include five parks, two elementary schools, one church, commercial uses, and residential dwellings in the form of single-detached, semi-detached and townhouses. Twelve of the phases have been registered and are under construction or occupied by residents.



74-80 Venture Way Townhouses, View looking east



Vacant site on the north side of Upper's Lane, View looking west (future mixed use block)



35 Cinnamon Street, Single Detached Dwelling Unit, View looking southeast



Rolling Meadows Community Park, View looking south

Phase 17 is located to the immediate west of the north half of the subject site. On July 11, 2023 City Council adopted and approved an Official Plan Amendment, Zoning By-law Amendment and modified Draft Plan of Subdivision for Phases 17 to 21 and Block 1239 of the Rolling Meadows Subdivision. As part of the modifications, an approved stormwater management block, intended to service both Parkbridge and the Rolling Meadows Subdivision, has decreased in size and replaced with residential lots. This change is a departure from the established stormwater strategy for the Rolling Meadows Secondary Plan area, and therefore, the Owner has appealed Council's decision. As the amendments are under appeal they are not yet in force.

Approximately 1.3 kilometres west of the subject site, at the intersection of Upper's Lane and Highway 58/Davis Road, is the Niagara Detention Centre (1355 Upper's Lane) and JM's Banquet & Event Centre (1368 Upper's Lane). Northwest of the subject site, on the west side of Highway 58/Davis Road, is the Thorold South neighbourhood. Within the Thorold South neighbourhood are single detached residential dwellings, the Thorold Fire Station 2 and Emergency Services (701 Allanburg Road), Ontario Public School (550 Allanburg Road), and a small commercial plaza (543 Allanburg Road).



Niagara Detention Centre, View looking southeast



Thorold Fire Station 2 and Emergency Services, View looking west



JM's Banquet & Event Centre, View looking north



Ontario Public School, View looking west

2.4 Transportation Network

Road System

As noted, the subject site currently does not have access to a constructed public street frontage but is accessed via unmaintained driveways through abutting properties. However, Upper's Lane is identified in the City of Thorold Official Plan Schedule 'A-3' - The Neighbourhoods of Rolling Meadows Secondary Plan Land Use to extend from Davis Road in the west and connect to Thorold Townline Road to the east through a planned extension (see **Figure 13** in **Section 4**).

Upper's Lane is one of the two planned Arterial Roads within the Rolling Meadows Secondary Plan. The other planned arterial road within the Secondary Plan is Barker Parkway, a north-south road that is intended to connect from Davis Road in the north to Lundy's Lane in the south. Barker Parkway is located west of the subject site and is newly constructed. Based on the City of Thorold Official Plan, the minimum right-of-way width for all new municipal roads shall generally be 20 metres, provide two-way traffic with one lane in each direction and have public sidewalks on both sides of the street. Arterial Roads are considered intermediate roads, which are intended to carry significant volumes of traffic from local roads to Regional Roads.

Schedule 'A-3' also depicts a Local Road, known as Venture Way, bisecting the northern portion of the subject site and providing an east-west connection from Barker Parkway in the east to Thorold Townline Road in the west. Local roads are planned to connect to the planned arterial roads within the Rolling Meadows area, which are identified in the City of Thorold Official Plan. The intent of Local Roads is to carry traffic from the Regional Road system and from arterial roads to individual properties.

Davis Road (Highway 58) is located to the west of the subject site and is identified as a Provincial Controlled Access Highway in the City of Thorold Official Plan Schedule 'D' (see **Figure 4**). Highway 58/Davis Road is provincially maintained and divided into two segments. The north segment provides interchange connections to Regional Road 57 and Highway 406, including connection to the Thorold tunnel under the Welland Canal, and the south segment provides connections to Highway 20 west travelling towards Pelham, east travelling towards Niagara Falls, as well as Highway 3 in Port Colborne. Davis Road provides for two-way traffic with one lane in each direction, wide shoulders with no sidewalks, and a posted speed limit of 80 kilometres per hour.

Thorold Townline Road (Regional Road 70) is located east of the subject site, and is identified as a Regional Collector Road in the City of Thorold Official Plan Schedule 'D' (see **Figure 4**). Thorold Townline Road has a planned right-of-way width of 26.2 metres wide and provides two-way traffic with one lane in each direction, as identified in the Niagara Region Official Plan Schedule M – Road Allowance Widths. Thorold Townline Road is recognized as a future aggregate haul route. It has no sidewalks, with narrow shoulders and a posted speed limit of 80 kilometres per hour.

Transit System

The Rolling Meadows Secondary Plan area is serviced by existing public transit through the Niagara Region Transit services. The 322 Thorold South route operates out of the Thorold Towpath Terminal and loops around Davis Road, Allanburg Road, and Niagara Falls Road. The closest stop is located at the intersection of Barker Parkway and Sunset Way, which is approximately 350 metres from the northeast corner of subject site. The 322 route runs morning to evening, every hour, from Monday-Saturday.

Additional transit connections are available from the Towpath Terminal to serve throughout the Niagara Region, including a GO bus stop and two GO/VIA train stations. The subject site is approximately 8.7 kilometres southeast of the Brock University GO bus stop and the St. Catharines GO and VIA Station is located approximately 13.8 kilometres from the subject site. The Provincial Government has announced the expansion of GO Rail service to the existing St. Catharines VIA Station, thus providing regional rail and bus services to other cities like Grimsby, Hamilton, and Toronto. Construction is expected to begin Spring 2024.

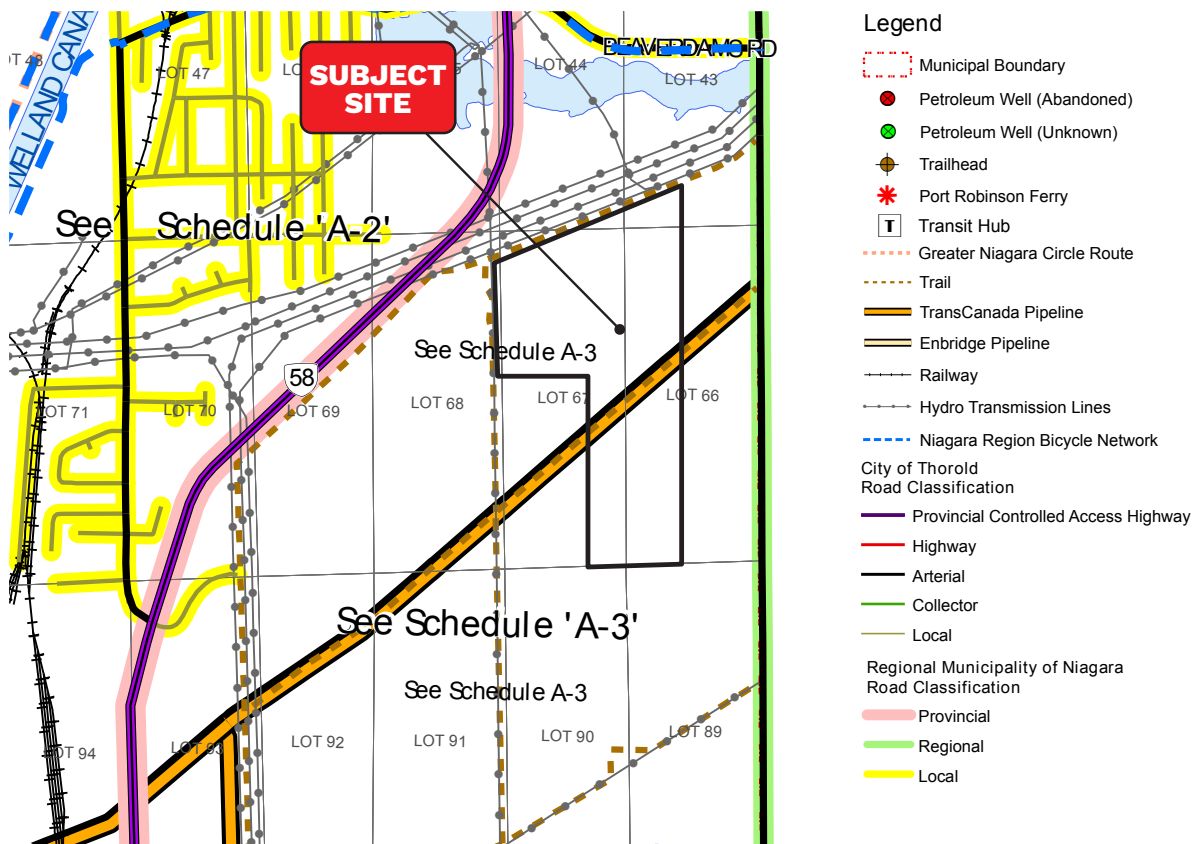


Figure 4 - City of Thorold Official Plan Schedule 'D' – Transportation & Utilities

A hand holding a white pen points to a city planning map. The map shows various urban zones, including 'High Density' and 'Medium Density' areas, along with streets and green spaces. A large white circle with the number '3' is overlaid on the map. The background is a blurred image of a person in a white shirt.

3

Proposal

3.1 Description of the Proposal

The development of the subject site represents an opportunity to continue the build out of the Rolling Meadows Secondary Plan area and provides for additional residential dwelling units and community uses that are compatible with the adjacent residential uses. Generally, the proposed development is separated into two sections (a north section and south section) due to the natural heritage feature, which will remain in the middle of the subject site.

Draft Plan of Subdivision

The development proposed for the 39.8-hectare site includes several residential blocks and lots, a public park, natural heritage area, a pipeline corridor block and multi-use trail, and three new public streets as shown on **Figure 5** – Draft Plan of Subdivision. A summary of the development statistics for the proposal, as show in the Draft Plan of Subdivision, is provided in **Table 1**.

Table 1 - Land Use Statistics: Draft Plan of Subdivision

Land Use	No. of Lots/Blocks	No. of Units	Area(ha)
Residential Blocks	Blocks 33-39	Approx. 516	22.18
Single Detached Units	Lots 1-17	17	0.83
Townhouse Units	Blocks 18-32	70	1.99
Park	Block 40	-	1.40
Natural Heritage Area	Blocks 41-42	-	11.05
Pipeline Corridor	Block 43	-	0.21
Temporary Turnaround	Block 44	-	0.08
Roads	-	-	2.09
Total		603	39.84±

AREA TABLE		
22219 - 35dp January 3, 2024		
Residential Singles	Lots 1-17	0.832 ha±
Townhouses	Blocks 18-32	1.992
Residential Development	Blocks 33-39	22.181
Park	Block 40	1.400
Natural Heritage Area	Blocks 41-42	11.048
Pipeline	Block 43	0.208
Temporary Turnaround	Block 44	0.083
Roads		2.098
Total		39.842 ha±
ROADS		
20.0m R.O.W.	2.796 m	1.350
18.0m R.O.W.	404 m	0.748
Total		2.098 ha
UNIT COUNT		
12.8 m Singles (42')	A	1
11.6 m Singles (38')	B	4
10.7 m Singles (35')	C	12
8.2m Bungalow Townhouse (27')	BTH	23
7.6m On St. Townhouse (25')	OSTH	18
6.1m On St. Townhouse (20')	OSTH	29
Residential Development		516
Total		603 u

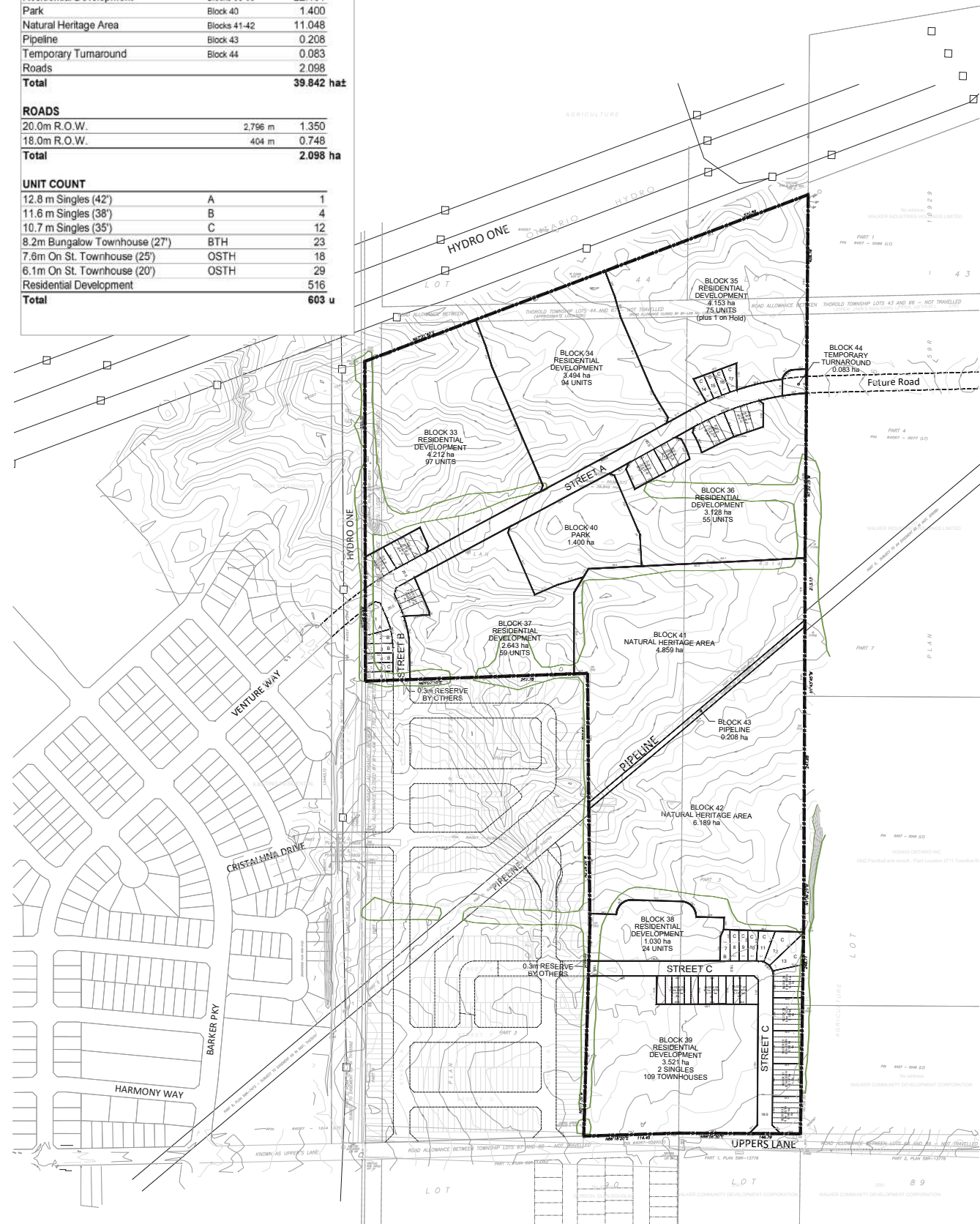


Figure 5 - Draft Plan of Subdivision

The Draft Plan would subdivide most of the subject site creating residential blocks to be designed with buildings, private roads and driveways through future site plan control applications. It is anticipated that these residential units could be a mix of land lease, condominium, and/or rental tenures that will be determined based on a number of factors, including market demand. Individual parcels can be created through site plan applications for the proposed units, and the *Planning Act*, through recent changes in Bill 23, allows parcels to be conveyed for land lease purposes for periods of more than 21 years and less than 49 years. This process permits the conveyance of land lease units through site plan approval. Further detail with respect to the *Planning Act* legislation is detailed in Section 5 of this report.

It can be noted that the Draft Plan would subdivide a number of lots and blocks for single detached units (17) and townhouse units (70 units).

The Draft Plan includes public open space uses in accordance with the vision for the Secondary Plan. The proposed pipeline corridor block could provide for the extension of the future multi-use trail that is planned to connect to the subject site from the adjacent Upper's Grove approved plan of subdivision to the west, subject to approval by the TransCanada Pipeline agency. The plan also proposes a 1.4-hectare public community park block, centrally located in the north section of the plan and adjacent to the natural heritage area. The natural heritage area is approximately 11 hectares and will protect the existing woodlot on the central portion of the subject site.

The Draft Plan provides for the continuation of existing or planned public roads which abut the site. This includes Streets A, B, and C, as shown on the Draft Plan, each of which will connect to the adjacent subdivisions to the west. The Draft Plan will provide an important connection to Upper's Lane, which is an Arterial Road based on the Thorold Official Plan. The new public streets will enhance pedestrian and vehicular connectivity throughout the site and to the existing and planned residential uses within the Rolling Meadows Secondary Plan area.

- Public Street A will be the extension of 'Venture Way' and the primary access to the northern portion of the subject site, bisecting the site from east to west and connect easterly to Thorold Townline Road once the lands to the east are developed. The extension of Venture Way will continue as a local road with a right-of-way of 20 metres and provide access to the residential blocks to the north and south, and the central public park;
- Venture Way/Public Street A will provide connection to Public Street B, which has a right-of-way of 20 metres and provides access to the Upper's Grove approved subdivision to the immediate southwest of the subject site; and
- Public Street C provides the primary access to the southern portion of the subject site, off Upper's Lane, and will connect westerly to a planned local road within the Upper's Grove Plan of Subdivision. Street C has a planned right-of-way of 18 metres and will provide access to the residential uses in the south section of the plan.

Zoning By-law Amendment

The proposed Zoning By-law Amendment (ZBLA) will zone the lots and blocks for the appropriate residential, community, natural open space, and utility uses. As noted, the City of Thorold's new comprehensive Zoning By-law 60 (2019) is now in force, except for residential zones. Therefore, the residential zones of Zoning By-law 2140 (97) continue to apply.

Zoning By-law 2140 (97) is proposed to be amended to zone the residential land uses as Site Specific Rolling Meadows – Residential Second Density (RM-R2-X), to permit the single detached dwellings, and two Site Specific Rolling Meadows – Residential Third Density (RM-R3-X and RM-R3-XX) to permit the townhouse dwellings. The RM-R2-X would permit single detached dwellings, subject to the provisions of the RM-R2 Zone, with the exception of the minimum lot area of 300 square metres. The RM-R3-X Zone would permit street townhouses (i.e., townhouses with have frontage on a public roadway) with a minimum lot area of 175 square metres, except for end units which shall be 210 square metres, and a maximum height of 3 storeys. The RM-R3-XX Zone would permit block townhouses (i.e., townhouses which front on a private development street), and with the same development standards as the proposed RM-R3-X Zone. The residential blocks are proposed to be dual-zoned (RM-R2-X and RM-R3-XX) to permit both single detached dwellings and block townhouse dwellings.

Zoning By-law 60 (2019) is proposed to be amended to zone the subject site for future residential, community, natural open space, and utility zones. The residential land uses are proposed to be zoned Site Specific Residential – Single Detached D (R1D-X) Zone, Site Specific – Townhouse B (R3B-X) Zone, and Site Specific – Private Street Development (R3D-X) Zone. The R1D-X Zone would permit single detached dwellings which front a public street, subject to the R1D Zone provisions, with the exception of specific front and exterior side yard minimum setbacks, to remain consistent with the permitted setbacks of the residential zones in Zoning By-law 2140 (97). Similarly, the R3B-X Zone would permit the site specific provisions for townhouse dwellings which are consistent with the permitted setbacks of the residential zones in Zoning By-law 2140 (97). The R3D-X Zone would permit single detached and townhouse dwellings within a private development block, subject to similar site specific provisions as the R1D-X and R3B-X Zones.

Furthermore, the community park located in the central part of the north section of the plan is proposed to be zoned as Open Space – Parks and Recreation (OS1) Zone, the area of the woodlot and buffer is proposed to be zoned Environmental Protection 2 (EP2) Zone, and the area of the TCPL easement is proposed to the zoned Utility (U) Zone.

The purpose of the proposed site-specific exceptions to the parent by-law residential zones is to develop the residential uses to modern development standards and to meet the minimum density requirements established by the Growth Plan, Niagara Region Official Plan, and Thorold Official Plan. Section 5 of this report further provides our planning opinion for the proposed uses on the subject site with respect to the relevant planning policies.

Demonstration Plan

A Demonstration Plan is submitted with the applications which illustrates how development of all of the residential blocks could proceed. In total, the Demonstration Plan illustrates a residential community of 603 units resulting in a net density of 24 units per net hectare. The conceptual plan shows how the community could ultimately be developed, and how the network of streets and residential uses will function. See **Figure 6** – Demonstration Plan. The Demonstration Plan proposed unit mix is detailed in **Table 2**.

With respect to the residential land uses, the Demonstration Plan envisions single detached dwellings, and a mix of bungalow and 2-storey street townhouses. The total residential area of residential uses is approximately 25 hectares.

A total of 186 single detached dwelling units are contemplated, and these units will have minimum frontages ranging between 10.7 metres to 12.8 metres. The majority of the single detached dwellings are proposed north of the natural heritage area, generally towards the peripheral of the

northern half of the subject area. Unit depths of the single detached dwellings is expected to be a minimum of 30 metres, however many of the units along the periphery of the subject site could include significantly deeper lots.

In total, there are 417 townhouses contemplated by the Demonstration Plan. Townhouses will include a variety of sizes, however the majority of the townhouses are expected to develop as traditional on-street townhouses with minimum frontages ranging from 6.1 metres to 7.6 metres and 2 storeys in height. All townhouses units would generally include a minimum lot depth of 30 metres. Bungalow townhouses are also contemplated and would generally include a wider minimum frontage (8.2m) and would be 1 storey in height.

It should be noted that the proposed unit types, mix and lot sizes will be confirmed through future Site Plan Control applications.

Table 2 - Unit Mix - Demonstration Plan

Unit Type	No. of Units
Single Detached Units	186
Townhouse Units	417
<i>Bungalow Townhouse (1-storey)</i>	90
<i>On-Street Townhouse (2-storey)</i>	327
Total	603

North Section		Area = 21.780ha	
Unit type	Within Blocks	Freehold	
6.1m (20ft) Street Townhouse	TS	98	0
7.6m (25ft) Street Townhouse	TL	55	4
8.2m (26.9ft) Bungalow TH	BT	61	23
10.7m (35ft) Single	C	50	6
11.6m (38ft) Single	B	68	3
12.8m (42ft) Single	A	49	1
Total		381	37

South Section		Area = 6.806ha	
Unit type	Within Blocks	Freehold	
6.1m (20ft) Street Townhouse	TS	87	29
7.6m (25ft) Street Townhouse	TL	40	14
8.2m (26.9ft) Bungalow TH	BT	6	0
10.7m (35ft) Single	C	0	6
11.6m (38ft) Single	B	2	1
12.8m (42ft) Single	A	0	0
Total		135	50

Both Sections Total		516	87
Total # Units		603 units	

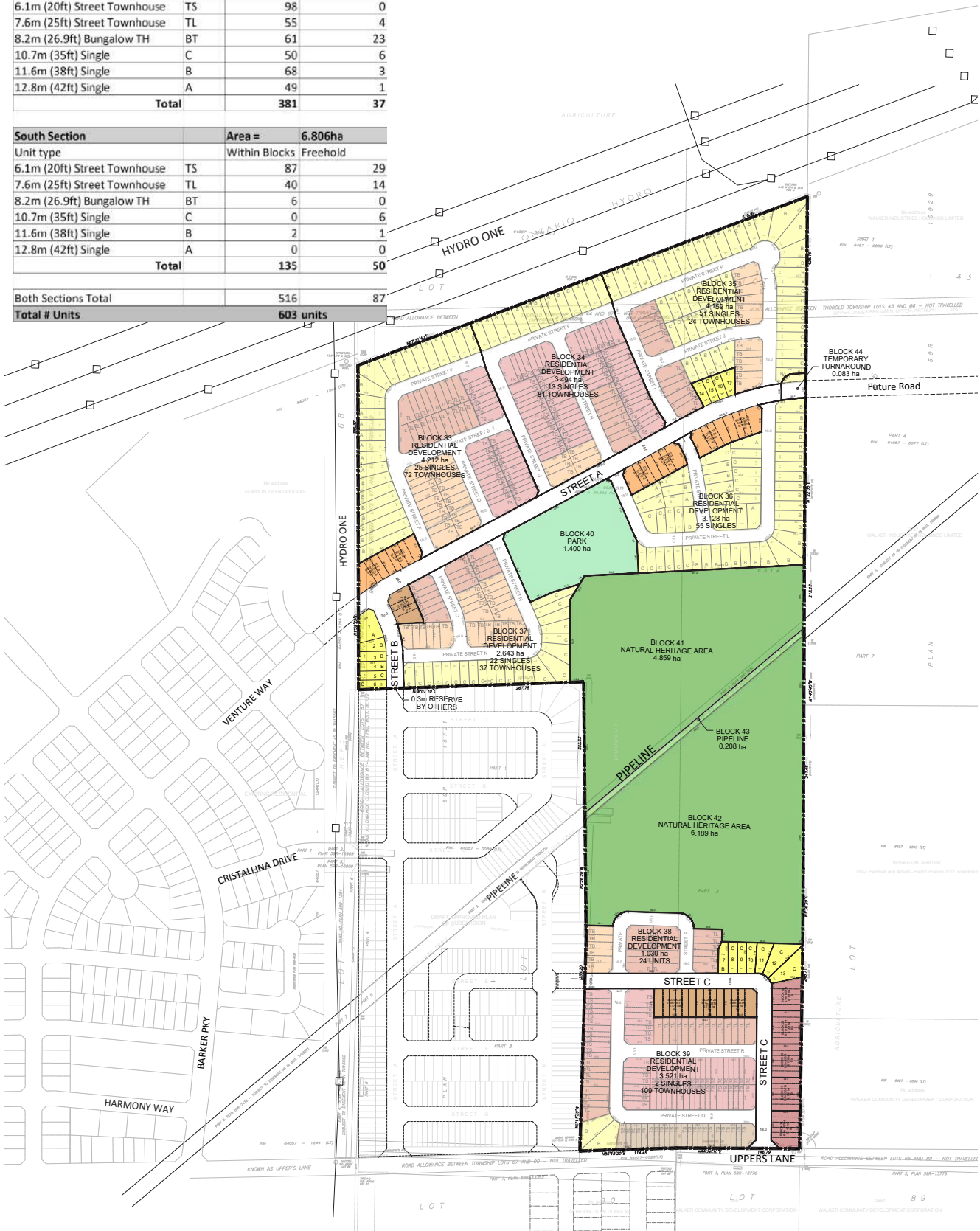


Figure 6 - Demonstration Plan

Land Lease Residential Model

As noted, Parkbridge Lifestyle Communities is the largest land lease company in Canada, and it owns and operates more than 100 residential and resort land lease communities throughout the Country. While the tenure of the proposed development is not determined through the rezoning and draft plan processes, it is anticipated that it could include a mixture of land lease, freehold, condominium and/or rental units, as is the case in other active Parkbridge developments.

Land lease communities are a unique form of home ownership that is different than traditional freehold, condominium, or rental tenure. A land lease community operates whereby the homes are sold to homeowners without conveying the land. This is a unique residential model that fills a gap between freehold and rental housing, as the typical cost of a land lease home is less than that of a freehold home. Parkbridge remains as the long-term owner and operator of the land.

This model of housing allows prospective homeowners to purchase a home without purchasing the land, which typically results in a lower purchase price than traditional freehold units, creating a more attainable entry to home ownership. Land lease communities are typically sought by young families in the market for their first home or retirees looking to downsize. Parkbridge manages their communities and typically offer a range of amenities.

As noted above, for the Residential Blocks within the Draft Plan, individual parcels will be created through site plan applications for the proposed units and conveyed in accordance with the *Planning Act*.

3.2 Preliminary Phasing Plan

The proposed development could occur in phases and a preliminary phasing plan is included as **Appendix A** of this report to identify the potential order of development. The phases are summarized as:

- **Phase 1** proposes to include the complete build out of Street A and Street B, which would provide two connections to the adjacent existing and planned subdivisions. The first phase of development will include all the residential development lots and blocks (approximately 147 units) south of Street A as well as the western-most units that front Street A on its north side, consisting of lots 1-6, blocks 18-24, and 36-37. The park (block 40) would be included in the first phase of development.
- **Phase 2** includes the remaining residential lots and blocks north of Street A (approximately 271 units), consisting of lots 14-17 and blocks 33-35.
- **Phase 3** includes the entire south section of the subject site and the remaining residential units, as well as Street C, which would connect to the adjacent Upper's Grove subdivision and to Upper's Lane. This includes approximately 185 units, consisting of lots 7-13, blocks 25-32, and 38-39.

The details of the phasing can be secured through the draft plan of subdivision conditions, plan registration and subdivision agreement. It is anticipated that through the application review process, any external infrastructure improvements identified as necessary for the development to progress can be incorporated into the proposed phasing plan. The phasing plan is subject to change based on timing of servicing and future market conditions, among others.

3.3 Required Approvals

The proposed development conforms to the Niagara Region Official Plan and the City of Thorold Official Plan. Applications for a Zoning By-law Amendment and Draft Plan of Subdivision are required to implement the proposed development.

A Zoning By-law Amendment application is required to introduce appropriate zoning categories and development provisions for the lots and blocks within the proposed draft plan, in conformity with the Rolling Meadows Secondary Plan land use designations.

The requested Zoning By-law amendment proposes to amend the Future Development (FD) zone, regulated under Zoning By-law No. 60 (2019), that applies to the majority of the site. This will also include amending Zoning By-law No. 2140 (97) to permit residential land uses on the site, as the residential zones of Zoning By-law 60 (2019) remain under appeal. The proposed Zoning By-law Amendment(s) will introduce site-specific provisions, as described above, to existing residential zones of the parent by-law to implement the proposed development including single detached dwellings and a variety of townhouse dwellings with specific performance standards.

The Draft Plan of Subdivision is required in order to establish the proposed residential lots and blocks, park block, natural heritage area blocks, pipeline corridor block, as well as the proposed public street network.

Future site plan applications will be required to develop the proposed residential blocks, as necessary.

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Policy & Regulatory Context

4.1 Overview

The proposed development is supportive of numerous policy directions for the subject lands as set out in the *Planning Act*, the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, the Region of Niagara Official Plan, the City of Thorold Official Plan, and the Rolling Meadows Secondary Plan, all of which promote and encourage the efficient use of land and infrastructure within settlement areas.

4.2 *Planning Act* R.S.O 1990 c.P.13

Section 2 of the *Planning Act*, R.S.O. 1990, c. P.13 (the "*Planning Act*") outlines the matters of provincial interest for which the council of a municipality, a local board, a planning board and the Tribunal shall have regard to, in carrying out their responsibilities pursuant to the legislation. Matters of provincial interest include, among others:

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the orderly development of safe and healthy communities;
- the adequate provision of a full range of housing, including affordable housing;
- the adequate provision of employment opportunities;
- the appropriate location of growth and development; and
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

Section 2 (1) requires that when approval authorities make a decision under subsection 17(34) of the *Planning Act* or the Tribunal makes a decision in respect of an appeal, it shall have regard to:

- a. any decision that is under the *Act* by a municipal council or by an approval authority and relates to the same planning matter; and,
- b. any information and material that the municipal council or approval authority considered in making the decision described in clause (a).

Section 3(1) gives the Minister the authority to issue policy statements, and Section 3(5) (Policy Statements and Provincial Plans) requires that a decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter:

- a. shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and,
- b. shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.

On October 23, the Provincial government introduced Bill 23, *the More Homes Built Faster Act, 2022*, which proposed extensive amendments to a number of Acts bringing significant changes to Ontario's Planning Process. Bill 23 received Royal Assent on November 28, 2022. Importantly, the introduction of Bill 23 now includes permissions relating to land uses communities.

Section 46 (1) of the *Planning Act* defines a "land lease community home" as any dwelling that is a permanent structure where the owner of the dwelling leases the land used or intended for use as the site for the dwelling, but does not include a mobile home. Further, Section 46 (1) defines a "parcel of land" as a lot or block within a registered plan of subdivision or any land that may be legally conveyed under the exemption provided in clause 50 (3) (b) or (d.1) or clause 50 (5) (a) or (c.1).

Section 50(3) of the *Planning Act* controls the subdivision of land, and specifies that:

No person shall convey land by way of a deed or transfer, or grant, assign or exercise a power of appointment with respect to land, or mortgage or charge land, or enter into an agreement of sale and purchase of land or enter into any agreement that has the effect of granting the use of or right in land directly or by entitlement to renewal for a period of twenty-one years or more unless,

(d.1) the land,

(i) is located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006, and for which plans or drawings have been approved under subsection 41 (4) of this Act or subsection 114 (5) of the City of Toronto Act, 2006, as the case may be, and

(ii) is being leased for the purpose of a land lease community home, as defined in subsection 46 (1) of this Act, for a period of not less than 21 years and not more than 49 years;

Section 50 (5) relates to part-lot control, and states that:

If land is within a plan of subdivision registered before or after the coming into force of this section, no person shall convey any part of the land other than the whole of any lot or block by way of a deed, or transfer, or grant, assign or exercise a power of appointment in respect of such part, or mortgage or charge such part, or enter into an agreement of sale and purchase of such part or enter into any agreement that has the effect of granting the use of or right in such part directly or by entitlement to renewal for a period of 21 years or more unless,

(c.1) the land,

(i) is located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006, and for which plans or drawings have been approved under subsection 41 (4) of this Act or subsection 114 (5) of the City of Toronto Act, 2006, as the case may be, and

(ii) is being leased for the purpose of a land lease community home, as defined in subsection 46 (1) of this Act, for a period of not less than 21 years and not more than 49 years;

Section 51(24) forms criteria on which a Draft Plan of Subdivision is assessed. Section 51(24), specifies that, in considering draft plans of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare to the present and future inhabitants of the municipality and to:

- a. the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- b. whether the proposed subdivision is premature or in the public interest;
- c. whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- d. the suitability of the land for the purposes for which it is to be subdivided;
- e. the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- f. the dimensions and shapes of the proposed lots;
- g. the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- h. conservation of natural resources and flood control;
- i. the adequacy of utilities and municipal services
- j. the adequacy of school sites;
- k. the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- l. the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- m. the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the *City of Toronto Act, 2006*. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

For the reasons set out **Section 5.0** of this report, it is our opinion that the proposed development is in keeping with the requirements of the *Planning Act* and has had appropriate regard to Section 51(24).

4.3 Provincial Policy Statement (2020)

The Provincial Policy Statement (“PPS”) came into effect on May 1, 2020 and is a consolidated statement of the Ontario government’s policy foundation for regulating the development and use of land. The PPS provides key policy direction on the efficient use and management of land and infrastructure, emphasizes an increased mix and supply of housing, provides for the protection of the environment and resources, and opportunities to support economic development and job creation.

In accordance with Section 3(5) of the *Planning Act*, all decisions affecting planning matters are required to be consistent with the PPS. In this regard, Policy 4.2 provides that the PPS “shall be read in its entirety and all relevant policies are to be applied to each situation”.

Part IV of the PPS sets out the Province’s vision for Ontario, and promotes the wise management of land use change and efficient development patterns:

“Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region”.

In accordance the PPS direction on building strong communities by promoting efficient development and land use patterns, Part V of the 2020 PPS contains a number of policies promoting intensification, redevelopment, and compact built form. Section 1.1 of the PPS provides policy direction with regard to managing and directing land use to achieve efficient and resilient development and land use patterns in Ontario.

Policy 1.1.1, as summarized includes, that healthy, liveable and safe communities are to be sustained by promoting efficient development and land use patterns; accommodating an appropriate range and mix of residential types, employment, institutional, recreation, park and open space, and other uses; and promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.

Section 1.1.3 of the PPS provides specific policy direction with respect to development in *settlement areas*. Ontario’s *settlement areas* are urban areas and rural settlement areas (such as cities, towns, villages, and hamlets) that vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available. Furthermore, *settlement areas* are lands which have been designated in an official plan for development over the 25-year planning horizon.

The subject site is located within a *Settlement Area* as defined by the 2020 PPS and is located within the urban area boundary that has been designated to accommodate future residential growth in the City of Thorold.

Policy 1.1.3.1 directs that *settlement areas* shall be the focus of growth and development. Furthermore, Policy 1.1.3.2 provides that land use patterns within *settlement areas* shall be based on densities and a mix of land uses which, among others, efficiently use land, resources, infrastructure, and public service facilities which are planned or available.

Policy 1.1.3.4 states appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.1.3.6 speaks to the need for new development within *designated growth areas* to occur adjacent to existing built-up areas. Development is encouraged to have compact form and a mix of uses and densities that promote the efficient use of land, infrastructure and public service facilities.

Policy 1.2.4 provides that where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities shall:

- a. identify and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect provincial plans where these exist and informed by provincial guidelines;
- b. identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes;
- c. identify targets for intensification and redevelopment within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8;
- d. where major transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors and stations, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8; and
- e. provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.

In terms of land use compatibility, policy 1.2.6.1 indicates that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

Section 1.4 of the PPS provides direction with respect to housing. Policy 1.4.1 states that planning authorities should provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. Planning authorities shall:

- a. maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
- b. maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

Policy 1.4.3 requires provision to be made for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents by, among other matters:

- permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities
- all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3
- directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs directing new housing to locations where infrastructure and public service facilities are or will be available; and
- promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

With respect to public spaces, recreation, parks, trails and open space, policy 1.5.1 states that healthy, active communities can be promoted by, among others:

- planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and
- planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parkland, public spaces, open space areas, trails and linkages.

Section 1.6 of the PPS identifies policies for infrastructure and public service facilities. Policy 1.6.3a provides that before consideration is given to developing new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized.

With respect to sewage, water and stormwater, policy 1.6.6.1, as summarized, includes that planning for sewage and water services shall accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services; and private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible.

Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the current and future use of transit and active transportation.

With respect to energy conservation, air quality and climate change, Policy 1.8.1 directs that planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which, among others:

- promote compact form and a structure of nodes and corridors;
- promote the use of active transportation and transit in and between residential, employment, institutional uses and other areas;
- encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
- promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and
- maximize vegetation within settlement areas, where feasible.

Regarding natural heritage, Section 2.1 of the PPS speaks to the protection of natural features. Policy 2.1.1 states that natural features and areas shall be protected for the long term.

Section 2.5 of the PPS identifies policies for the Mineral Aggregate Resources. The eastern half of the subject site has been identified within 500 metres of an aggregate resource area. Policy 2.5.2.2 states that extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.

Policy 2.5.2.5 provides that in known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a. resource use would not be feasible; or
- b. the proposed land use or development serves a greater long-term public interest; and
- c. issues of public health, public safety and environmental impact are addressed.

For the reasons set out in Sections 5.0 of this report, it is our opinion that the proposed is consistent with the PPS, in particular, the policies relating to residential intensification within settlement areas and the efficient use of land and infrastructure.

4.4 Proposed Provincial Planning Statement (2023)

On April 6, 2023, the Provincial government released a draft Provincial Planning Statement, and introduced Bill 97, *the Helping Homebuyers, Protecting Tenants Act, 2023*, as part of Ontario's Housing Supply Action Plan. The proposed Provincial Planning Statement is open for public comments until August 4, 2023 on the Environmental Registry of Ontario website. If adopted, the proposed Provincial Planning Statement would replace the current Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe. It is the Province's intent to integrate the two planning documents into a single, province-wide land use planning document, and remove barriers and speed up the approvals processes to construct 1.5 million new homes by 2031.

It should be noted that any decision on a planning matter made on or after the effective date of the new statement would be subject to the new policies, regardless of the application submission date.

4.5 Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) came into effect on May 16, 2019. The 2019 Growth Plan was amended (Amendment 1, 2020) on August 28, 2020, to align with the 2020 Provincial Policy Statement. Under the Planning Act, all decisions with respect to land use planning matters shall conform to the Growth Plan. Section 1.2.3 provides that the Growth Plan is to be read in its entirety and the relevant policies are to be applied to each situation.

The Growth Plan provides a framework for implementing the Province’s vision for managing growth across the Greater Golden Horseshoe (GGH) to year 2051, and encourages the efficient use of land and infrastructure. The Growth Plan policies emphasize the importance of integrating land use and infrastructure planning and the need to optimize the use of the land supply and infrastructure, as well includes objectives that support the development of *complete communities*.

While many policies in the 2019 Growth Plan are unchanged from the 2017 Growth Plan, modifications were made to policies related to employment areas, settlement area boundary expansions, natural heritage systems, intensification and density targets, and major transit station areas. Furthermore, revisions to the population and employment forecasts are updated and extended from 2041 to 2051 to ensure municipalities have sufficient land to build *complete communities*, promote investment, provide housing affordability, and job creation.

The Guiding Principles which are important for the successful realization of the 2020 Growth Plan, are set out in Section 1.2.1. Key principles relevant to the proposal are summarized as follows:

- Support the achievement of *complete communities* that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime;
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households;
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government;
- Provide for different approaches to manage growth that recognize the diversity of communities in the GGH;
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions;
- Improve the integration of land use planning with planning and investment in infrastructure;
- Provide for different approaches to manage growth that recognize the diversity of communities in the GGH; and
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure.

Aligning with the PPS, the guiding principles of the Growth Plan emphasize objectives that support development of *complete communities*, prioritizing intensification, the importance of integrating land use and infrastructure planning, and the need to optimize the use of land supply and infrastructure.

Section 2 of the Growth Plan provides policy direction with respect to where and how to grow within the Greater Golden Horseshoe. As noted in Section 2.1 of the Growth Plan:

“To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options.”

Section 2.1 further notes the optimization of compact development of Greenfields as an important growth management strategy, which states that building more compact greenfield communities reduces the rate at which land is consumed.

The Growth Plan defines *Designated Greenfield Areas* as “Lands within settlement areas but outside of delineated built-up areas that have been designated in an official plan for development and are required to accommodate forecasted growth to the horizon of this Plan. Designated greenfield areas do not include excess lands”. The subject site is subject to the growth management policies of the Growth Plan respecting *Designated Greenfield Areas*, as the subject lands are located within a *Designated Greenfield Area*, based on Schedule 2: A Place to Grow Concept of the Growth Plan (see **Figure 7**).

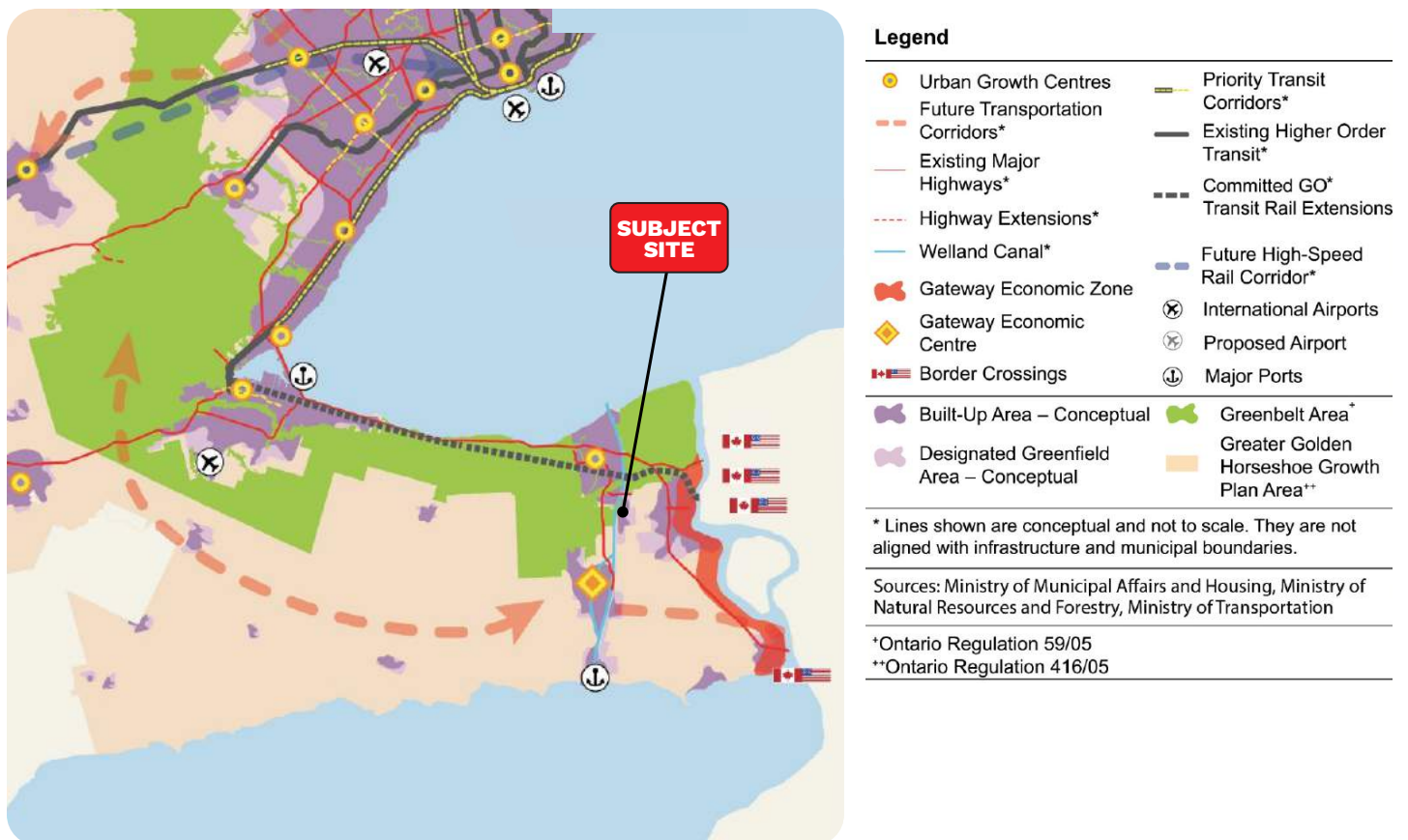


Figure 7 - Schedule 2: A Place to Grow Concept of the Growth Plan

Generally, the management of growth is directed to settlement areas within the Growth Plan boundary. The Growth Plan adopts the PPS definition for 'Settlement Areas', and as such, the subject lands are located within a Settlement Area based on the Growth Plan's definition.

Policy 2.2.1(2)(a) provides that the vast majority of growth will be directed to settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of *complete communities*. In addition, Policy 2.2.1(2)(c) provides that within settlement areas, growth will be focused in delineated built-up areas, strategies growth areas, and locations with existing or planned transit, and areas with existing or planned public service facilities.

Schedule 3 of the Growth Plan forecasts a population of 674,000 people and 272,000 jobs for the Niagara Region by 2051. In this respect, Policy 2.2.1(3)(c) requires that municipalities undertake integrated planning to manage this forecasted growth in a manner which provides direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, and to support the achievement of *complete communities* through a more compact built form.

Regarding the notion of *complete communities*, Policy 2.2.1(4) states that applying the policies of the Growth Plan will support the achievement of *complete communities*. Relevant policies with respect to the proposed development are:

- a. feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b. improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c. provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d. expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable, and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated into community hubs; and
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities;
- e. provide for a more compact built form and a vibrant public realm, including public open spaces;
- f. mitigate and adapt to the impacts of a changing climate, improve resilience, and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
- g. integrate green infrastructure and appropriate low impact development.

Section 2.2.6 of the Growth Plan provides policy direction with respect to housing. Policy 2.2.6(1) requires municipalities to develop housing strategies that, among other matters, support housing choice through the achievement of minimum intensification and density targets by identifying a diverse range and mix of housing options and densities and establishing targets for affordable ownership housing and affordable rental housing.

Notwithstanding Policy 1.4.1 of the PPS, Policy 2.2.6(2) states that municipalities will support the achievement of *complete communities* by:

- planning to accommodate forecasted growth;
- achieve the minimum intensification and density targets;
- considering a range and mix of housing options and densities; and
- planning to diversify overall housing stock across the municipality

The subject site is subject to the growth management policies of the Growth Plan and is located within a *designated greenfield area*, as defined in the Growth Plan. The subject site is designated in the City of Thorold for new development. New development in *designated greenfield areas* is subject to Section 2.2.7 which refers to the criteria that must be met when developing *designated greenfield areas*.

Policy 2.2.7(1) of the Growth Plan indicates that new development taking place in *designated greenfield areas* will be planned, designated, zoned and designed in a manner that: supports the achievement of *complete communities*; supports active transportation; and encourages the integration and sustained viability of transit services.

With respect to the Region of Niagara, Policy 2.2.7(2) states the minimum density target that applies to the *designated greenfield area* is not less than 50 residents and jobs combined per hectare.

Additionally, policy 2.2.7(3) specifies that the minimum density target will be measured over the entire designated greenfield area of each upper- or single-tier municipality, excluding the following:

- a. natural heritage features and areas, natural heritage systems and floodplains, provided development is prohibited in these areas;
- b. rights-of-way for:
 - i. electricity transmission lines;
 - ii. energy transmission pipelines;
 - iii. freeways, as defined by and mapped as part of the Ontario Road Network; and
 - iv. railways;
- c. employment areas; and
- d. cemeteries.

Section 3 of the Growth Plan provides policy direction with respect to the infrastructure required to support growth in the Greater Golden Horseshoe. Generally, the infrastructure policies set out in Section 3 place an emphasis on the need to coordinate infrastructure planning, land use planning and infrastructure investment. The preamble text in Section 3.1 states that:

“The infrastructure framework in this Plan requires that municipalities undertake an integrated approach to land use planning, infrastructure investments, and environmental protection to achieve the outcomes of the Plan. Co-ordination of these different dimensions of planning allows municipalities to identify the most cost-effective options for sustainably accommodating forecasted growth to the horizon of this Plan to support the achievement of complete communities. It is estimated that over 30 per cent of infrastructure capital costs, and 15 per cent of operating costs, could be saved by moving from unmanaged growth to a more compact built form.”

Policies relevant to the proposed development which speak to infrastructure to support growth include, but are not limited to, the following:

- Policy 3.2.3(3) provides policy direction with respect to transportation system planning, and indicate that in the design, refurbishment, or reconstruction of the existing and planned street network, a complete streets approach will be adopted that ensures the needs and safety of all road users are considered and appropriately accommodated.
- With respect to stormwater management, Policy 3.2.7(2) requires that proposals for large-scale development proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a stormwater management plan or equivalent.

Section 4.2 of the Growth Plan provides policy direction with respect to protecting what is valuable in the Greater Golden Horseshoe. Policies in this section applicable to the proposed development include matters relating specifically to water resource systems, natural heritage systems, public open space, and climate. In this regard, the following policies are applicable:

Section 4.2.2 speaks to the natural heritage system and directs, in policy 4.2.2(1) that the natural heritage system for the Growth Plan has been mapped by the Province to support a comprehensive, integrated, and long-term approach to planning for the protection of the region's natural heritage and biodiversity. The Natural Heritage System for the Growth Plan excludes lands within settlement area boundaries that were approved and in effect as of July 1, 2017. The middle portion of the subject site is identified as a significant woodland in the Niagara Region Official Plan, which is within the settlement area and outside the Provincial Natural Heritage System.

Policy 4.2.2(6) provides that beyond the Natural Heritage System for the Growth Plan, the municipality will continue to protect any natural heritage features and areas in a manner that is

consistent with the PPS and may continue to protect any other natural heritage system or identify new systems in a manner that is consistent with the PPS.

With respect to public open space, Policy 4.2.5(1) encourages municipalities, conservation authorities, non-governmental organizations, and other interested parties to develop a system of publicly accessible parkland, open space, and trails within the GGH, and that municipalities are encouraged to establish an open space system within settlement areas, which may include opportunities for urban agriculture, communal courtyards, and public parks (policy 4.2.5(2)).

Policy 4.2.10(1) requires that municipalities develop policies within their official plans that will reduce greenhouse gas emissions and address climate change adaptation goals that will include, among other things, supporting the achievement of *complete communities* as well as the minimum intensification and density targets in the Growth Plan, and reducing dependence on the automobile and supporting active transportation.

Section 4.2.8 of the Growth Plan provides policy direction with respect to mineral aggregate resources. Policy 4.2.8(2)(a) states that no new mineral aggregate operation will be permitted in key natural heritage features and key hydrologic features including, among others, significant wetlands, endangered species habitats, and significant woodlands. Furthermore, policy 4.2.8(6) states that decisions on planning matters must be consistent with the policies in the PPS that pertain to the management of mineral aggregate resources.

For the reasons set out in Section 5.0 of this report, it is our opinion that the proposed development conforms with the Growth Plan, in particular, the policies that support the development of *complete communities* and the policies that seek to optimize the use of land and infrastructure within *designated greenfield areas*.

4.6 Ministry of Environment Guideline D-6 Compatibility

The Ministry of the Environment, Conservation and Parks (MECP) works to protect and sustain the quality of the Province's air, land and water. In the 1990's, MECP D-series guidelines were developed to identify potential land uses appropriate between sensitive land uses and industrial land use. The objective of the guidelines is to assess recommended separation distances and other land use control measures to prevent or minimize 'adverse effects' from the encroachment of incompatible mixed land uses and incompatible intensification of land uses.

MECP Guideline D-6 "Compatibility Between Industrial Facilities" is specific to industrial land uses in proximity to more sensitive land uses (i.e. any building or amenity areas (indoor or outdoor areas) that may be associated with residences, schools, hospitals, campgrounds, churches and other similar institutional uses, or recreational uses deemed to be sensitive). These land uses are normally incompatible due to possible adverse effects on sensitive land uses created by industrial operations and require adequate buffering in supplementation of legislative controls at the facility source.

Industrial facilities in the MECP D-6 Guidelines are categorized into three classes according to the nature of their emissions, physical size/scale, production volumes and/or intensity of operations. Historically, facilities that do not meet the criteria of the associated category definitions have little to no potential to create nuisance issues resulting in complaints. Recommended minimum separation distance and potential influence area between industrial facilities and sensitive land uses for each class are set out in the D-6 Guidelines.

4.7 Niagara Region Official Plan (2022)

Niagara Region Official Plan ("NROP") is the Region of Niagara's long-term, strategic policy planning framework for managing growth, and the policies of the plan will guide land use and development in Niagara until 2051 and beyond. The NROP was approved by Regional Council (By-law No. 2022-47) on June 23, 2022. On November 4, 2022, the Minister of Municipal Affairs and Housing approved the current NROP, with modifications. However, on December 6, 2023, the *Planning Statute Law Amendment Act, 2023* received Royal Assent which provides that specified Minister's decisions are deemed never to have been made and that the official plans and amendments to official plans that were the subject of those decisions are approved as of the dates of the respective decisions. The 2022 NROP was subsequently approved by MMAH on December 6, 2023, with limited modifications as indicated in the legislation.

The subject site is identified within the *Urban Area – Designated Greenfield Area* of the NROP on Schedule B - Regional Structure (see **Figure 8**).

Section 2.1.1 sets out policies for Regional Growth Forecasts. Specifically, policy 2.1.1.1 identifies population and employment forecasts for all lower tier municipalities that are the basis for all land use decisions to 2051. Table 2-1 of the NROP identifies that by 2051 the City of Thorold is forecasted to have a population of 39,690 and 12,510 employees. Policy 2.1.1.2 states that forecasts in Table 2-1 are a minimum. Further, policy 2.1.1.4 states that forecasts in Table 2-1 are used to determine the location and capacity of infrastructure, public service facilities, and the delivery of related programs and services to 2051.

Schedule B - Regional Structure

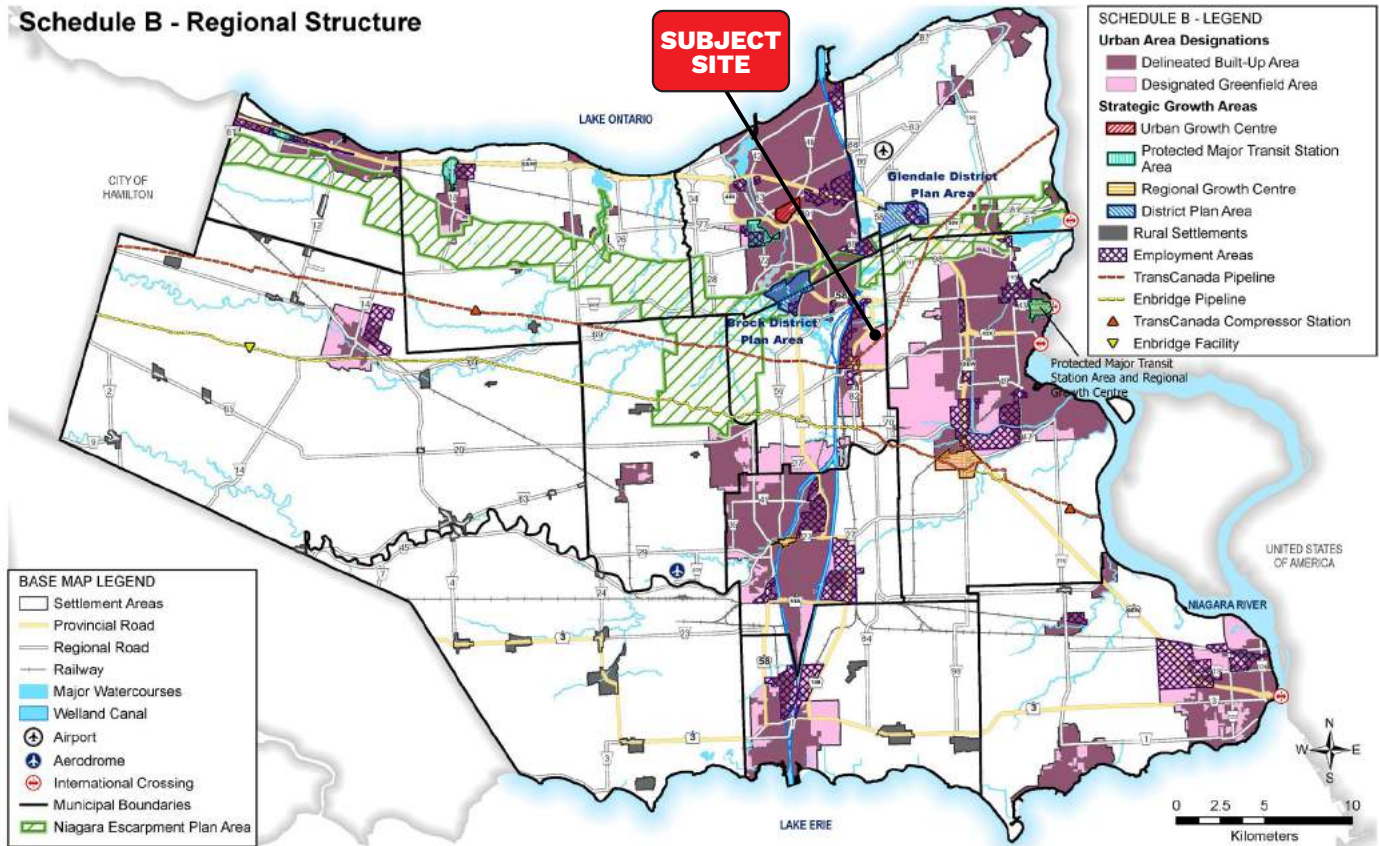


Figure 8 - NROP Schedule B – Regional Structure

According to Section 2.2 of the NROP, most development will occur in urban areas, where municipal water and wastewater systems/services exist or are planned, and a range of transportation options can be provided.

Section 2.2 of the NROP provides that most development will occur in urban areas, where municipal water and wastewater systems/services exist or are planned, and a range of transportation options can be provided. Policy 2.2.1.1 provides that development in urban areas (which includes designated greenfield areas) will integrate land use planning and infrastructure to manage forecasted growth and to support (among others):

- a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of *complete communities*;

- a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs;
- built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/ services, and optimize investments in infrastructure; and
- opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods.

Policy 2.2.2.6, through Table 2-2, requires a minimum residential intensification target of 25% for Thorold.

Policy 2.2.2.23 provides that *designated greenfield areas* shall achieve a minimum density of 50 residents and jobs combined per hectare as measured across the entire region.

Policy 2.2.2.25 states that *designated greenfield areas* will be planned as *complete communities* by:

- a. ensuring that development is sequential, orderly and contiguous with existing built-up areas;
- b. utilizing proactive planning tools in Section 6.1 and Section 6.2, as appropriate;
- c. ensuring infrastructure capacity is available; and
- d. supporting active transportation and encouraging the integration and sustained viability of public transit service.

Section 2.3.1 of the NROP sets out policies to provide a mix of housing options. Specifically, policy 2.3.1.1 states that the development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life.

Policy 2.3.1.3 provides that the forecasts in Table 2-1 will be used to maintain, at all times:

- a. the ability to accommodate residential growth for a minimum of 15 years through residential intensification, and lands designated and available for residential development; and
- b. where new development is to occur, land with servicing capacity to provide at least a three-year supply of residential units through lands suitably zoned to facilitate residential intensification, and lands in draft approved or registered plans.

Policy 2.3.1.4 states that new residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by facilitating compact built form and incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.

Section 3.1 of the NROP outlines the objectives and policies for the Regional Natural Environment System. The Region's mapped features and components of the natural environment system are presented on Schedule C1 in the NROP, which identifies a natural environment system overlay on the subject site (see **Figure 9**). Additionally, Schedule C2 – Natural Environment System: Individual Components and Feature (see **Figure 10**) identifies a significant woodland in the middle portion of the subject site. The identified significant woodland is within the settlement area and outside the Provincial Natural Heritage System.

Section 3.1.9 outlines policies for lands outside of a Provincial Natural Heritage System and outside of the Niagara Escarpment Plan Area. Policy 3.1.9.6.1 states that development and site alteration shall not be permitted in significant woodlands.

Policy 3.1.9.8.1 provides that a proposal for new development or site alteration outside of a Provincial natural heritage system which is adjacent to a natural heritage feature or area shall require an environmental impact study to determine that there will be no negative impacts on the feature, ecological function, or hydrologic function in accordance with the adjacent lands distances outlined in Table 3-1. With respect to natural heritage feature distances from development on adjacent lands, Table 3-1 in the NROP identifies adjacent lands within 120 metres of a significant woodland require an environmental impact study.

Schedule C1 - Natural Environment System Overlay and Provincial Natural Heritage Systems

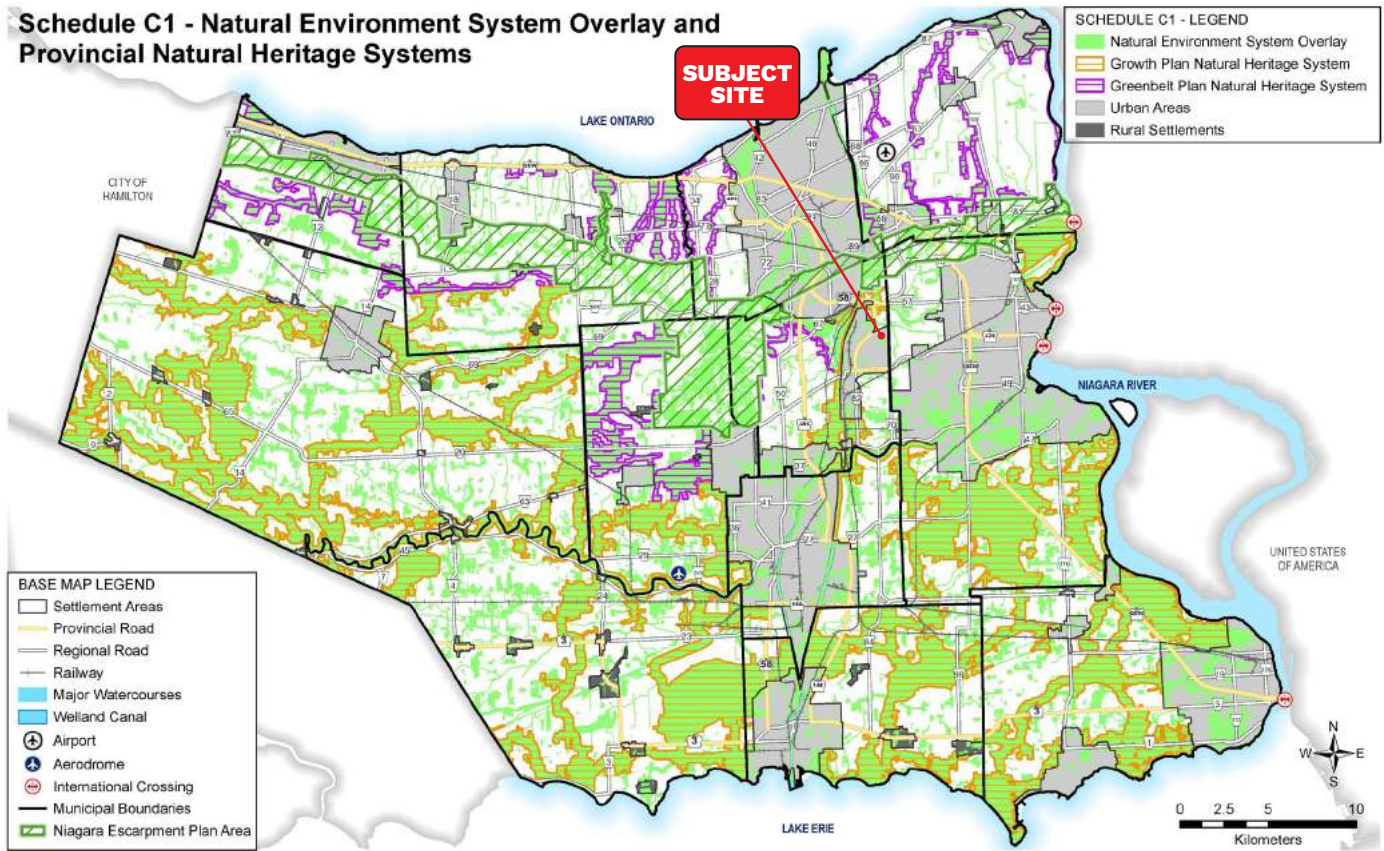


Figure 9 - NROP Schedule C1 – Natural Environment System Overlay

Schedule C2 - Natural Environment System: Individual Components and Features

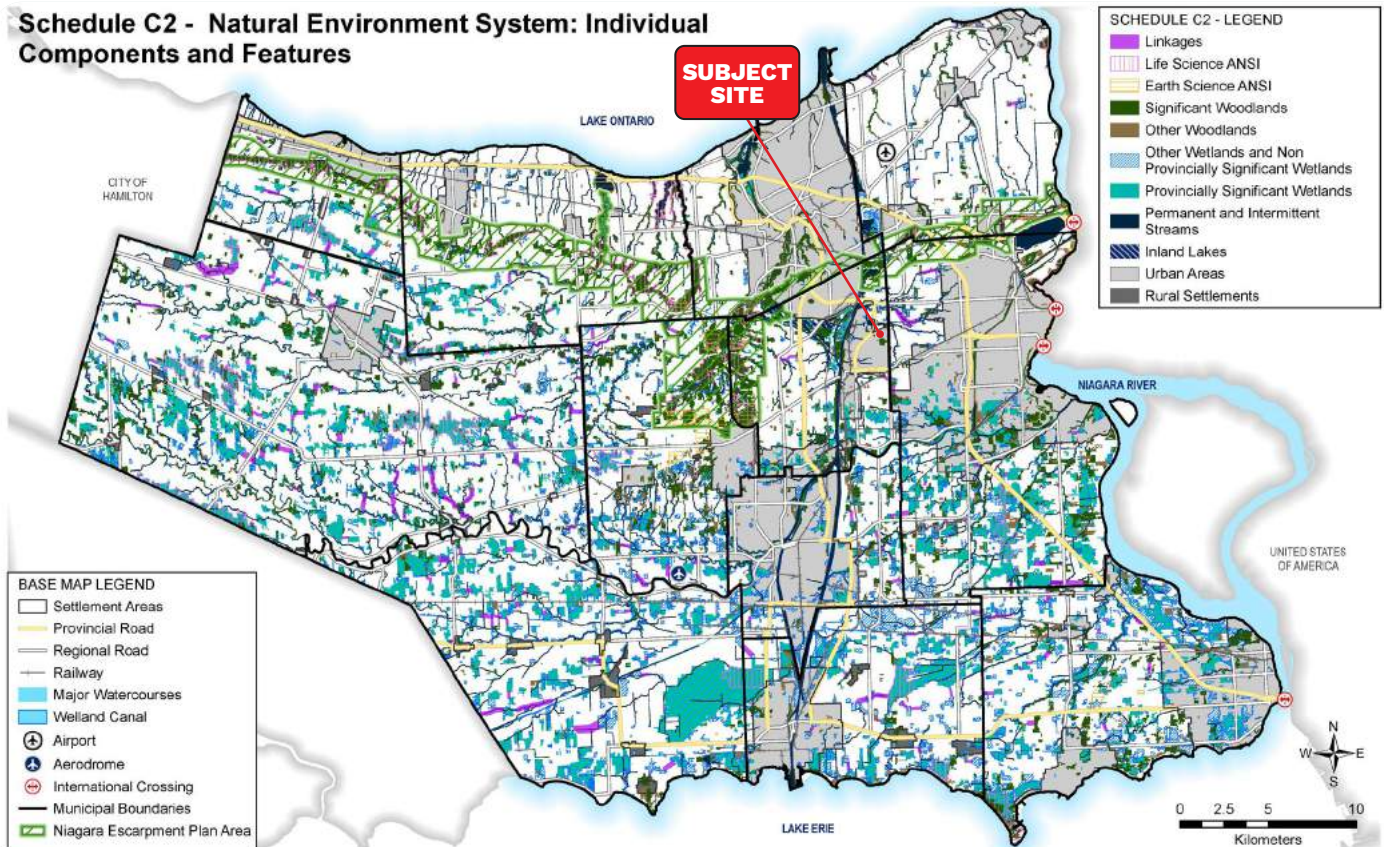


Figure 10 - NROP Schedule C2 – Natural Environment System

Policy 3.1.9.10.1 provides that within settlement areas, mandatory buffers from natural heritage features and areas are required, and the width of an ecologically appropriate buffer would be determined through an environmental impact study at the time an application for development or site alteration is made. The width of the buffer would be based on the sensitivity of the ecological functions from the proposed development or site alteration, and the potential for impacts to the feature and ecological functions as a result of the proposed change in land use. In this regard, an environmental impact study has been completed and is submitted with the Applications.

Additionally, policy 3.1.9.10.4 states, notwithstanding policy 3.1.9.10.2, within settlement areas, consideration can be given to including passive recreational uses such as trails in buffers, provided an appropriate buffer width is maintained, as determined through the environmental impact study.

Section 4.3 of the ROP sets out policies for Mineral Aggregate Resources.

As discussed further in the following sections of this report, part of the subject site is identified within 500 metres of an aggregate resource area. Policy 4.3.1.3 provides that proposed *new development* in areas located on, or within 300 metres (sand and gravel) or 500 metres (bedrock) of known deposits of *mineral aggregate resources*, which would preclude or hinder the establishment of *new mineral aggregate operations* or access to the resources, is not permitted, except where it can be demonstrated by the applicant that:

- a. resource use would not be feasible;
- b. the proposed land use or development serves a greater long-term public interest; and,
- c. issues of public health, public safety and environmental impacts are addressed.

Section 6.2 of the NROP sets out urban design policies. The urban design policies are intended to serve as a tool to integrate urban design elements into planning decisions and the preparation of engineering standards undertaken at the Regional scale, such as, the design of Regional Road allowances and public services facilities. At a Local municipal scale, it is expected that the Region's urban design policies will be further refined and implemented through comprehensive Local official plan policies, urban design guidelines, standards, manuals, zoning, and site plan control.

The subject site is identified as an Area of Archaeological Potential on Schedule K – Areas of Archaeological Potential in the NROP.

The objectives of the NROP urban design policies are to commit to excellence in urban design, enhance the public realm and promote active transportation, and identify and establish tools for urban design implementation. In this regard, Policy 6.2.3.1 provides that the Region's Model Urban Design Guidelines, as amended, will complement and work in conjunction with the Region's Complete Streets Design Manual and Guidelines upon completion of the guidelines.

The subject site is located within the *Urban Area – Designated Greenfield Area* of the NROP, and is intended to develop as part of a complete community and contribute to the Region's minimum greenfield density target of 50 residents and jobs combined per hectare. In this regard, and for the reasons set out in Section 5.0 of this report, it is our opinion that the proposed development conforms with the NROP.

4.8 City of Thorold Official Plan (2016)

The City of Thorold Official Plan ("OP") was approved by Niagara Region on April 28, 2016. The City of Thorold's OP identifies the the long-term objectives of the City with respect to the growth and development in the City, among other matters, to the year 2031. The City's OP is divided into five parts and is guided by a vision to revitalize the City's economic and civic identity through growth and development in the Downtown, the employment areas, the existing urban area and the Secondary Plan areas. The City of Thorold will be required to update their Official Plan to conform to the Niagara Region Official Plan as it was approved by the Province in 2022.

Since the NROP approval is recent and no new City of Thorold Official Plan has been produced, the following will review the subject application against the in force 2016 OP.

The settlement area strategy of the Thorold OP is set out in Section A3 and includes directing future residential growth to be accommodated primarily within the traditional urban areas of Thorold and two Secondary Plan areas, including the Neighbourhoods of Rolling Meadows and Port Robinson West. The growth management policies of the OP are based on the 25-year Regional growth forecasts that have allocated a population growth of 5,186 people, 2,345 housing units, and 1,400 new jobs over the next 25 years.

With respect to greenfield policies, Policy A4.1.9 provides that lands designated *Greenfield Overlay* are lands within urban areas that are located outside of the built boundary and are to be planned to achieve future population and employment with a minimum density of 50 residents and jobs combined per hectare.

Section A53 speaks to concepts guiding future development in Greenfield Areas. Specifically, indicating that Greenfield Areas are undeveloped areas located within the Urban Area Boundary but outside of the Built-Up Area and are referred to as a Greenfield Overlay in the OP. In addition, this section reiterates that development occurring within the Greenfield Overlay designation shall be planned to achieve a minimum of 50 residents and jobs combined per hectare. Section A53 further notes that 90% of the total supply of Greenfield land in the City is within the Secondary Plan areas, known as the Neighbourhoods of Rolling Meadows and Port Robinson West.

Policy B1.11 provides that the Rolling Meadows Secondary Plan area is considered "high priority", which are lands that the City views as being essential to the City's Settlement Area Strategy and as such, are anticipated to accommodate new development within the first 10 years that this Plan is in effect.

Section B3.3 of the OP provides natural heritage policies, specifically speaking to lands designated *Environmental Protection Two*. The Environmental Protection Two designation represent Environmental Conservation Area (ECA) located in the Core Natural Heritage Areas of the Regional Official Plan. Policy B3.3.2 lists natural heritage features that comprise the *Environmental Protection Two* designation including significant habitat of special concern species, significant woodlands, publicly owned conservation lands, among others.

Permitted uses in the *Environmental Protection Two* designation include forest, fish and wildlife management uses, conservation and flood control projects, and/or small-scale passive recreation uses (Policy B3.3.3.1). Additional uses generally include agricultural uses and/or single detached dwellings on an existing lot of record (Policy B3.3.3.2).

Section B3.3.4 provides policies applicable to the *Environmental Protection Two* designation. Policy B3.3.4.1 identifies that new development and site alteration may be permitted in the *Environmental Protection Two* designation provided it has been demonstrated through an Environmental Impact Study (EIS) that there will be no negative impact to the natural heritage feature or its ecological functions. Policy B3.3.4.1 further states that where a proposal addresses the requirement of no negative impact, the adjacent official plan designation will apply, and a Zoning By-law Amendment will be required to identify those lands where site alteration and development will be permitted.

For development or site alteration proposed in proximity to lands in the *Environmental Protection Two* designation, efforts should be made, to maintain and where possible enhance linkages. In addition, where development or site alteration is proposed, a Tree Preservation Plan is required to provide recommendations with respect to the protection or enhancement of existing trees (Policy B3.3.4.1).

Schedule 'B' - Natural Heritage System of the OP identifies the *Environmental Protection Two* designation as 'Wooded Area' (see **Figure 11**).

Policy B3.3.4.12 notes that while the *Environmental Protection Two* designation is intended to include significant woodlands, the features identified on Schedule B as "Wooded Areas" have not been assessed or confirmed for significance. Further, Policy B3.3.4.12 states that when development or site alteration is proposed within 120 metres of a Wooded Area on Schedule 'B', an assessment may be required to determine if the feature is significant in accordance with Regional Policy.

Schedule 'C' – Floodplains & Natural Hazard Lands of the OP indicates multiple 'Fish Habitat' lines within the subject site (see **Figure 12**).

Section C2.1.1 of the OP states that to protect fish habitat adjacent to rivers and streams, development and site alteration may be subject to Site Plan Control to identify and protect a natural vegetated buffer area of 30 metres for critical fish habitat and 15 metres for important or marginal fish habitat measured from the stable top of bank for features located outside of the Specialty Crop designation. The evaluation of any existing Fish Habitat and required buffered will need to be confirmed through an EIS.

Section C9 of the OP states that it is recognized that some uses may be sensitive to the odour, noise, vibration or other emissions associated with highways, and various type of industries. It is a policy of this Plan that incompatible land uses be separated or otherwise buffered from each other. Where a proposed development is located adjacent to a potentially incompatible land use, an assessment of the compatibility of the proposal may be required.

With respect to the TransCanada Pipeline that transects the subject site, Section D5.3 of the OP provides that the implementing Zoning By-law shall establish requirements prohibiting new permanent buildings or structures from being located within 7 metres of the pipeline right-of-way. In this respect the pipeline corridor is located within the natural heritage feature and is not adjacent to residential uses.

For the reasons set out in Section 5.0 of this report, it is our opinion that the proposed development conforms with the City of Thorold Official Plan.

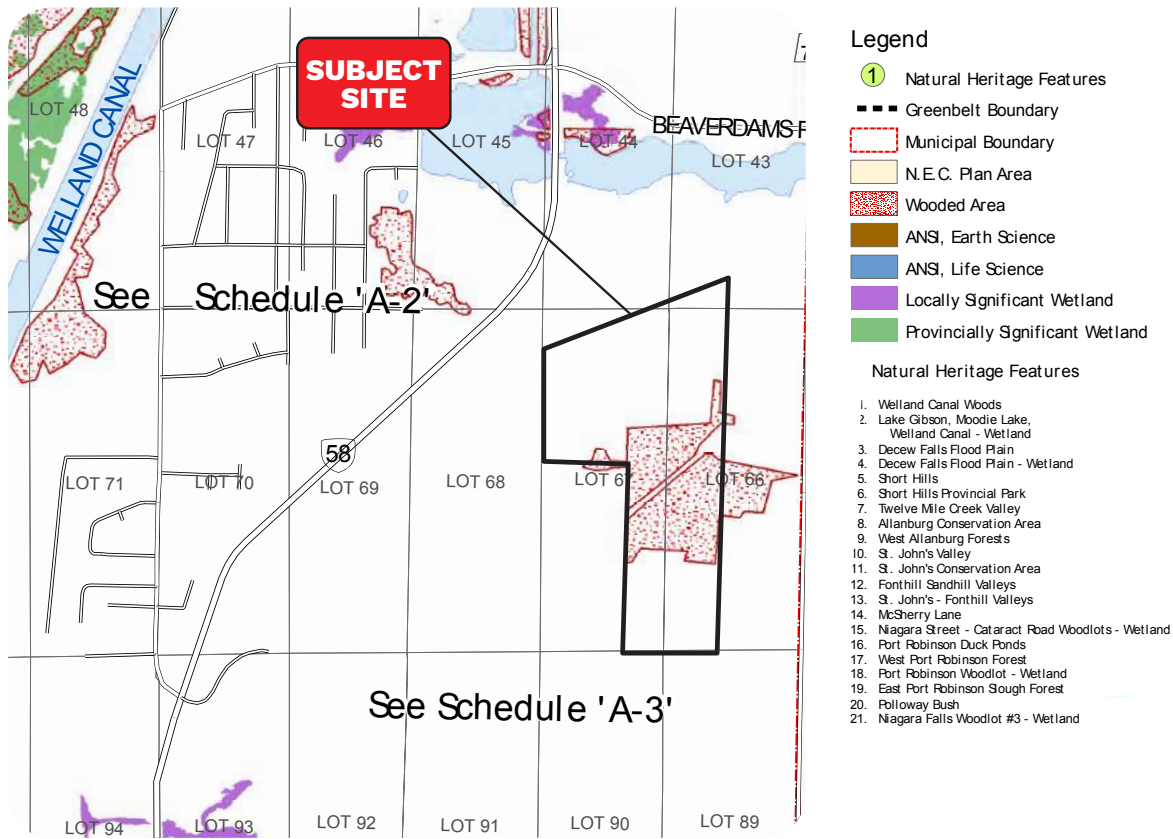


Figure 11 - Schedule 'B' Natural Heritage System

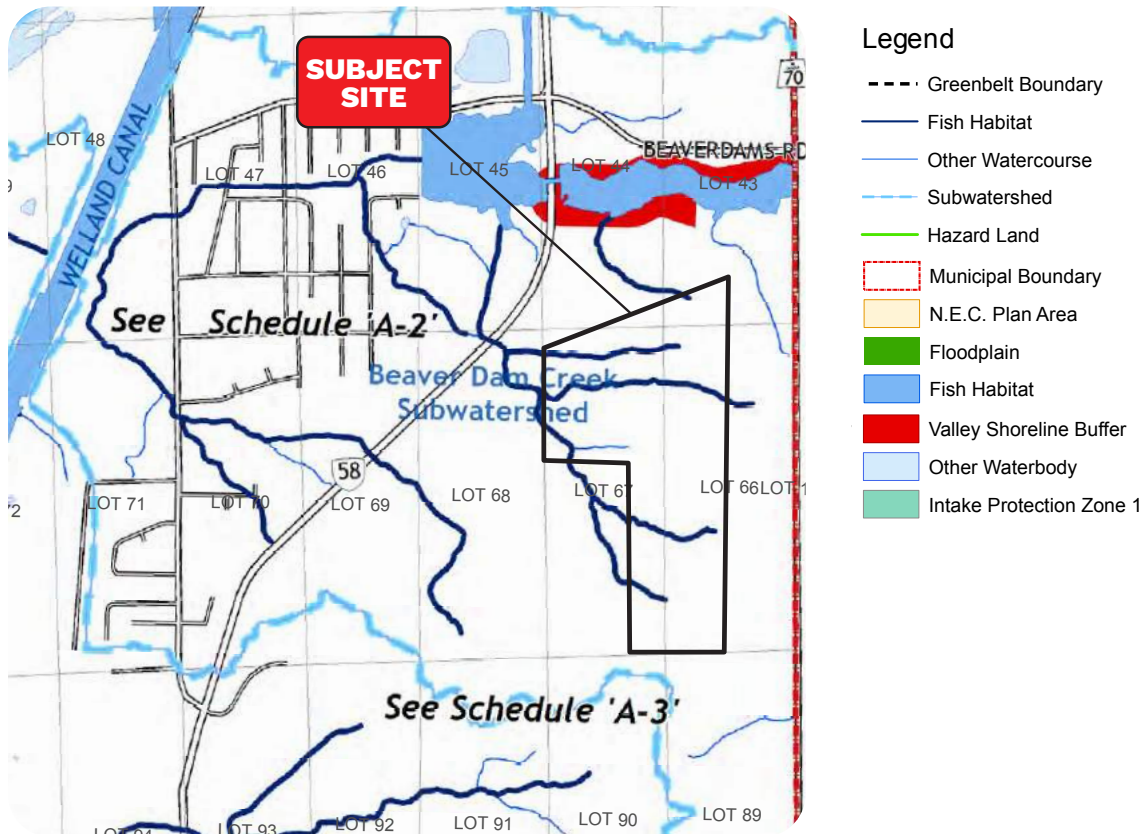


Figure 12 - Schedule 'C' - Floodplains & Natural Hazard Lands

4.9 The Neighbourhoods of Rolling Meadows Secondary Plan (2007)

The Neighbourhoods of Rolling Meadows Secondary Plan was originally approved in 2000 and updated in 2007 to ensure conformity with the Provincial Growth Plan.

Part B1.8 of the City of Thorold Official Plan provides the policies of the Neighbourhoods of Rolling Meadows Secondary Plan. The Secondary Plan states that the intent is to provide a long-term planning program which recognizes the strategic position of the Neighbourhoods of Rolling Meadows Secondary Plan area as a new community providing the integration of diverse land uses including various housing types, community facilities such as schools and recreational areas, a range of commercial uses, compatible employment lands and open space/natural heritage areas. This Secondary Plan embraces the principles of Smart Growth and provides for compact development resulting in a comprehensively planned complete community.

Policy B1.8.2 provides that the primary goal of the Neighbourhoods of Rolling Meadows Secondary Plan is to develop a Mixed-Use Community. The Secondary Plan shall be guided by the following objectives:

- a. Provide an integrated mixture of housing types, tenure and densities;
- b. Integrate commercial and other employment opportunities throughout the Community;
- c. Provide affordable housing;
- d. Provide a land use distribution that achieves a compatible and aesthetically pleasing development pattern;
- e. 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;

- f. Coordinate the provision of recreation and education facilities with the growth of population in the Community;
- g. Establish a desirable and safe traffic pattern which will minimize impacts on existing roads and development, and which will provide the necessary connections to the external transportation network;
- h. Ensure the location of services including sanitary sewers water distribution system and stormwater management facilities is appropriate; and,
- i. Encourage a high standard of site and building design, landscape and streetscape through urban design guidelines.

Policy B1.8.4 lists the following principles of the Secondary Plan, among 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.

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.

Land Use Policies

The subject site is designated *Residential* and *Environmental Protection Two* and has a *Greenfield Overlay*. The eastern portion of the site has an *Aggregate Impact Area* overlay. Additionally, the land use schedule identifies a multi-use trail, eco-trail, and Local Road within the subject site (see **Figure 13**). Lands to the immediate east of the subject site are designated *Employment – Prestige Industrial* and *Employment – Light Industrial*, whereas the majority of lands to the south and west are designated *Residential*. Lands to the immediate north and the Hydro corridor to the immediate west are designated *Open Space & Parks*.

Policy B1.8.3 states that boundaries of land uses 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. Adjustments to the approximate location of land use boundaries, streets and trails as well as implementing zoning by-law boundaries provided the general intent of the Official Plan and this Secondary Plan are maintained.

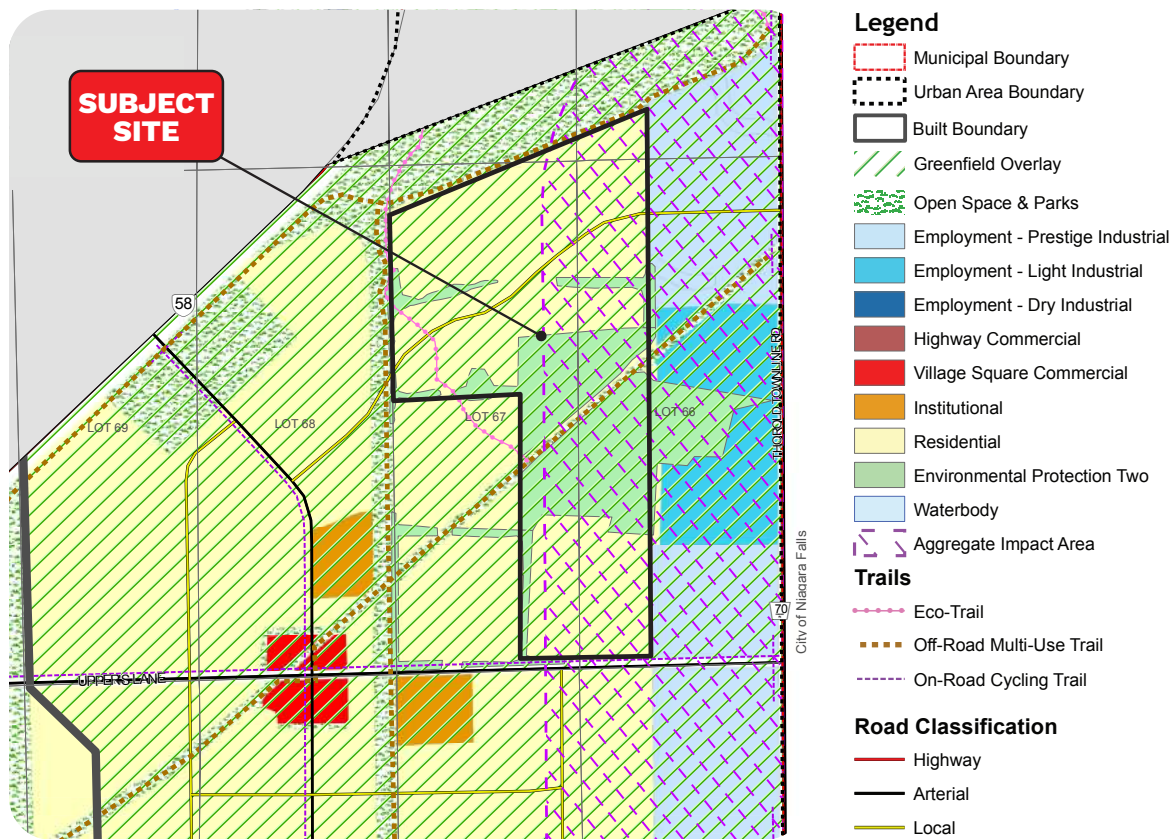


Figure 13 - Schedule 'A-3' The Neighbourhoods of Rolling Meadows Secondary Plan Land Use

Section B1.8.6 of the Secondary Plan provides residential policies. Policy B1.8.6.1 states that the predominant use of lands designated as Residential shall be for residential dwellings. Further, Policy B1.8.6.1 includes permitted secondary uses, such as nursery schools and daycare centres, neighbourhood parks and interconnected trails, churches and places of worship, stormwater management facilities, among others.

With respect to housing density, the Secondary Plan provides that no areas have been designated on Schedule 'A-3' – Land Use Plan for the various densities and housing types as in order to achieve a compact built form. Specifically, Policy B1.8.6.2 states that in order to achieve a compact built form within the Secondary Plan, a minimum residential density of 19 units per hectare per draft plan of subdivision is required. In addition, Policy B1.8.6.2 provides the residential mix to be achieved within the Rolling Meadows area; however variations to these housing targets and residential densities may be permitted when the minimum overall density target of 19 units per hectare is achieved. The residential mix includes:

- 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 1.8.6.4 states 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 and provide a housing mix and density plan that geographically distributes house forms/types, lot sizes and densities based on the objectives and policies of this Plan.

As mentioned above, the Secondary Plan identifies a portion of the subject site as Environmental Protection Two (EP2). Section B1.8.9.1 states that all lands designated Environment Protection Two on Schedule 'A-3' Land Use Plan, include, but are not limited to, fish habitat and adjacent riparian vegetation, and significant woodlands and treed hedgerows are subject to the policies of Section B3.3 of the Official Plan, as outlined in the previous section.

With respect to open space and recreation policies, section B1.8.11 of the Secondary Plan speaks to the parks and open space area policies in the Rolling Meadows area. Policy B1.8.11.2 provides that the locations for the neighbourhood parks have not been illustrated on Schedule 'A-3'. Furthermore, it is intended that the location, size and type of neighbourhood park will be determined through the plan of subdivision approval process and shall be based upon the following criteria:

- a. A range of neighbourhood parks and parkettes shall be provided throughout the community in order to contribute to the structure and identity of the various neighbourhoods;
- b. Neighbourhood parks and parkettes shall range in size from 0.3 hectares to 0.8 hectares and be centrally located to the neighbourhood within safe and convenient walking distance of the majority of neighbourhood residents;
- c. Neighbourhood parks and parkettes should have extensive street frontage for visibility and safety;
- d. Neighbourhood parks and parkettes should have a range of passive and active recreational elements based upon park size and setting; and
- e. Neighbourhood parks and parkettes should be integrated with school sites, open space areas and recreational trails whenever possible.

Aggregate Resource Protection Policies

Policy B1.8.12.3 of the Secondary Plan relates to the identified aggregate resource area. As noted above, Schedule 'A-3' identifies the east portion of the subject site as within the Aggregate Impact Area overlay.

Policy B1.8.12.3 states that the Ministry of Natural Resources and Forestry has identified the lands east of Thorold Townline Road, north of the Hydro One corridor, as a potential bedrock resource area. Development applications within 500 metres of this potential bedrock resource area shall be reviewed to demonstrate land use compatibility. Mitigation measures which shall be determined through appropriate studies prepared by the developer may be necessary and include but shall not be limited to the following: building orientation; the utilization of window streets and dwelling units having flanking yards; sound proofing and construction techniques; increasing building setbacks or possibly the need for additional spatial separation; and landscape treatments.

Additionally, Policy B.1.8.12.3 further identifies that if a development application proceeds before a quarry application located on the east side of Thorold Townline Road, the following studies will be required to be prepared:

- a. Operational noise;
- b. Blasting;
- c. Traffic; and,
- d. Any other technical report considered appropriate by Council.

Furthermore, this policy states that once the proponent has prepared the appropriate studies and the necessary mitigation is incorporated into the proposed development, if necessary, the utilization of such mitigation measures does not relieve the new mineral aggregate operation from providing appropriate setbacks and mitigation measures in order to achieve land use compatibility.

It can be noted that there is an active application for Uppers Quarry, located just east of the proposed development and within the City of Niagara Falls. The City of Niagara Falls received applications for Official Plan and Zoning By-law Amendment, however no decision has been made by Council. The applications were deemed complete in December 2021.

Servicing and Transportation Policies

Section B1.8.13 of the Secondary Plan speaks to servicing and transportation policies. Policy B1.8.13.1 requires that all development in the Neighbourhoods of the Rolling Meadows is to be developed with full municipal services, and that the orderly development of land will be required to ensure proper co-ordination of services.

With respect to infrastructure improvements, Policy B1.8.13.2 states in order to accommodate development within the Neighbourhoods of Rolling Meadows, off-site upgrading or expansion of infrastructure will include:

- 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
- e. Upgrading of the Thorold Townline Road/Highway 20 intersection.

Policy B1.8.13.2 further identifies that off-site works will be coordinated and scheduled as municipal or regional capital projects using contributions from the development community according to the appropriate Development Charges By-law.

With regard to the road network, Policy B1.8.14.2 provides that the local road system is intended to be flexible in terms of specific locations, and that the alignment of the road network may be modified to a reasonable degree, in the interest of achieving desirable and appropriate urban design and subdivision patterns. The Secondary Plan further includes, generally, to guide in the preparation of plans of subdivision, the following policies relevant to the proposed development include:

- a. Local neighbourhood roads should have a right-of-width of 18 metres and a pavement width of 8.5 metres;
- b. Neighbourhood collector roads should have a right-of-way width of 20 metres, contain a bike lane and a pavement width of 9.0 metres; and
- c. Collector roads should have a right-of-way width of 22 metres, contain a bike lane on either side of the travelled portion of the roadway and a pavement width of 11.0 metres.

The subject site abuts a Hydro One Corridor to the immediate west and north and a TransCanada pipeline transects the middle portion of the subject site. Policy B1.8.14.5 includes that existing utility corridors are permitted uses and adjacent development will be required to recognize the constraints associated with the utilities. In addition, subject to approval from the appropriate authority, the utility corridor will also be used for open space purposes and as part of the pedestrian and bicycle trail system.

Policy B1.8.15.4 relates to the implementation of Zoning By-laws in the Rolling Meadows Secondary Plan. The policy states the City may designate a Holding zone and specify the future uses of lands that are considered premature and inappropriate for development for several reasons, including but not limited to services and facilities such as sanitary sewers, stormwater management, water supply are insufficient to serve the proposed development.

For the reasons set out in Section 5.0 of this report, it is our opinion that the proposed development conforms to the Rolling Meadows Secondary Plan, as well contributes to a development pattern that is consistent with the surrounding context and supports the provision of a mix and range of housing opportunities in the Rolling Meadows area.

4.10 Rolling Meadows Urban Design Guidelines

The Neighbourhood of the Rolling Meadows Secondary Plan area is subject to urban design guidelines provided in Appendix B of the Official Plan, which are intended to function as an implementation tool for successive development and approval processes, particularly plans of subdivision (Policy B1.8.5).

The preface section of the Rolling Meadows Urban Design Guidelines details the purpose of the Guidelines is to provide general guidance for the harmonization of community and neighbourhood public realm with those of the private realm to achieve objectives of creating an enjoyable, livable, walkable, community environment.

The Guidelines illustrate four generalized neighbourhoods, centered by a village square planned at the intersection of Upper's Lane and Barker Parkway in the Rolling Meadows Secondary Plan area. The Guidelines provide for more detailed lotting and locations of neighbourhood and community gateways; however, the subject site is not included in this illustration.

The Guidelines discuss features of the open space network, which are comprised of a collection of utility corridors and natural feature areas. The guidelines encourage open spaces to predominately remain in their natural state, and where possible, views onto natural feature areas should be promoted while access is to remain tightly controlled.

With respect to the neighbourhood private realm, the Guidelines address aspects of ground based residential units such as building siting and privacy fencing, as well as architectural aspects such as elevations for single detached and townhouse units, exterior materials and colours, garages and driveway treatments. Among others, the Guidelines encourage development to contain a variety of dwelling elevations and prohibit the placement of houses with the same elevations and colour treatment next to each other. Additionally, there are siting and architectural guidelines provided for single storey residential units as well, including discouraging placement of single storey units on corner lots and encouraging one- and one-half storey design features on single storey units.

4.11 Niagara Region Model Urban Design Guidelines (2005)

The Niagara Region Model Urban Design Guidelines ("Model Guidelines") was adopted as part of the Region's Smart Growth initiative to implement ten Smart Growth principles for development and redevelopment in the Region. The intent of the Model Guidelines is to facilitate development and redevelopment in the Region that progressively results in the broad implementation of ten Smart Growth Principles.

The Model Guidelines provide design principles and specific guidelines for a range of development types and conditions relevant to the Niagara region and emphasizes the distinction between the public realm and private realm as a key element in the document. The Model Guidelines is comprised of six sections, including a background and context section, a public realm section, a private realm section, an environmental sustainability section, a critical success factors section, and test site analysis section.

The Region is currently undertaking an update to the Model Guidelines, to ensure they adequately address current provincial planning policies and urban design practices, particularly with respect to *complete communities*, resiliency and sustainability.

4.12 City of Thorold Zoning By-law No. 60 (2019)

The City of Thorold Zoning By-law 60 (2019) applies to all lands within the City of Thorold, except for residential zones and associated parking requirements for parking provisions, as the entirety of the Residential Zones section of Zoning By-law No. 60 (2019) is subject to an ongoing appeal. Applications for properties zoned residential will be reviewed by the in-force Zoning By-law No. 2140 (97). In consequence of the on-going appeal, this application will require a Zoning By-law Amendment for Zoning By-law No. 60 (2019) and 2140 (97).

The in-effect City of Thorold Zoning By-law No. 60 (2019), as amended, zones the majority of the subject site as Future Development (FD) Zone, the TransCanada Pipeline is zoned Utility (U), the woodlot located in the middle of the site is zoned Environmental Protection Two (EP2) with a Natural Heritage Feature Buffer Area located around the zone, and a small strip in the northwest corner of the site Open Space Conservation (OS2) (see **Figure 14**).

The FD zone permits a limited range of legally existing uses, building and structures. This includes agricultural use, including existing buildings and structures, existing single detached dwelling, existing use, and home occupation.

The U zone permits a variety of utility-related uses, including: flood control, infrastructure, municipal drain, pipeline, power generation facility, public utility, railway lines, stormwater management, utility building and utility corridor. Regulation 3.17 of the zoning by-law provides regulatory setbacks for pipeline corridors. Regulation 3.17 states that no building or structure shall be located any closer than 7.0 m from the limit of the pipeline right-of-ways (3.17a); and no accessory building or structure shall be located any closer than 3.0 m from the limit of the pipeline right-of-ways (3.17b).

The EP2 zone permits a range of environmental and agricultural uses, including: agricultural-related use, conservation area, fish and wildlife management use, forestry and resource management use, mineral aggregate operation, natural heritage features and areas, passive recreational trail, single detached dwelling, among others. Footnote (7) of Table 11.2 in the zoning by-law states that where development or site alteration is proposed on EP2 zone lands, an Environmental Impact Study (EIS) shall be prepared, subject to the review and approval of the appropriate agency. Further, development and site alteration shall not be permitted in the habitat of endangered species and threatened species, except in accordance with Provincial and Federal requirements. Footnote (7) of Table 11.2 continues by stating that a Tree Preservation Plan may be required to be prepared in accordance with the Niagara Region Tree and Conservation By-law.

Section 14.5 of the zoning by-law provides site specific expectations for the Natural Heritage Feature Buffer Area. Regulation 14.5a states that the Natural Heritage Feature Buffer Area takes precedence over the regulations of the underlying zone. Permitted uses within a Natural Heritage Feature Buffer Area include agricultural uses, wayside pit or quarry, and mineral aggregate operation. Further, Section 14.5 c) of the zoning by-law states that development may be permitted

within an area identified as Natural Heritage Feature Buffer Area on Schedule A, where an Environmental Impact Study (EIS), supporting the development has been accepted by the City and the Region. Section 14.5 c), iv) states an EIS is required for alteration or development within 50 metres of significant woodlands.

The OS2 zone permits a range of environmental conservation and management uses and passive recreational trails. Footnote (1) of Table 10.2 states that no person shall, erect, enlarge, locate or reconstruct any building or structure in whole or in part in the OS2 zone.

As noted, the Applications propose to amend Zoning By-law 60 (2019) to permit development of the subject site in a manner which will conform to Provincial, Regional, and Local planning policies. The proposed residential zones are described in detail in Section 3 of this report.

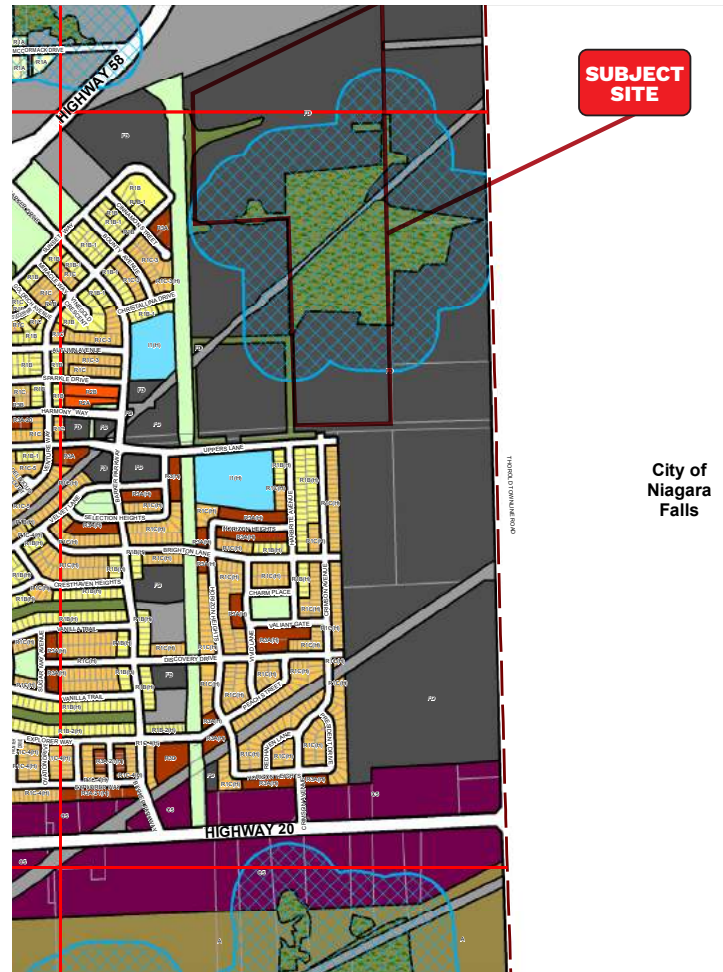


Figure 14 - City of Thorold Zoning By-law No. 60 (2019)

4.13 City of Thorold Zoning By-law No. 2140 (97)

As detailed in the section above, the City of Thorold Zoning By-law 60 (2019) does not apply to residential zones and associated parking requirements for parking requirements for parking provisions due to an ongoing appeal. Applications for properties zoned residential will be reviewed by the in-force Zoning By-law No. 2140 (97).

The City of Thorold By-law 2140 (97) zones the subject site Light Industrial (LI) with a holding symbol (H) (see **Figure X**).

The LI zone permits a range of light industrial uses, including: certain types of manufacturing, automobile service and repair establishment, vehicle body shop, building materials establishment, carpentry shop, transport depot, contractor's yard, construction trades establishment, custom workshop, dry cleaning establishment, food processing establishment, research laboratory, warehouse, winery, courier service, various accessory uses, among others.

The condition related to the Holding symbol requires that prior to lifting of the (H) symbol it must be confirmed that adequate servicing can be provided to the lands allocated to the satisfaction of the Region and the City.

Due to the outstanding appeals of Zoning By-law 60 (2019), a zoning by-law amendment will also be required to Zoning By-law 2140 (97). Similarly, the Applications will amend Zoning By-law 2140 (97) to permit development of the subject site in manner which will conform to Provincial, Regional, and Local planning policies. As noted, the subject site is designated for residential uses in the Rolling Meadows Secondary Plan and the zoning by-law amendment will implement the planned land uses. The proposed residential zones are described in detail in Section 3 of this report.

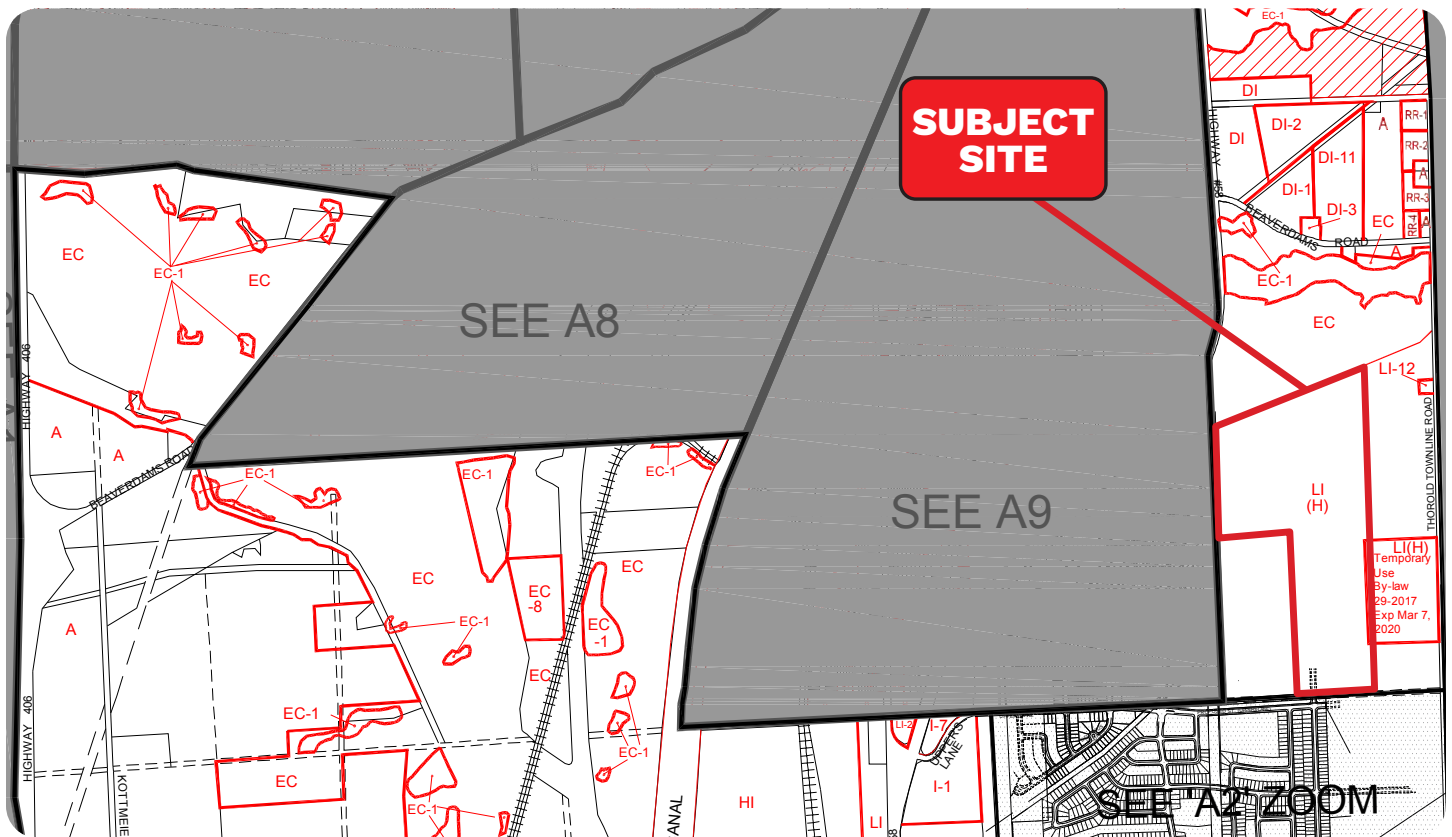


Figure 15 - City of Thorold Zoning By-law No. 2140 (97)

A photograph of two women in a professional setting, possibly a meeting or workshop. They are looking down at a large architectural model or plan on a table. The woman on the left is wearing a striped shirt, and the woman on the right is wearing a light blue button-down shirt. The image is dimly lit and has a blue tint. A large white circle with the number '5' is overlaid on the left side of the image.

5

Planning & Urban Design Analysis

5.1 Land Use and Density

The proposal provides a comprehensively planned development with appropriate uses that are well-suited for the Rolling Meadows Secondary Plan. The Thorold OP directs that the Rolling Meadows Secondary Plan is intended to accommodate a significant amount of the City's growth allocation to 2031. Development of the subject site with a mix of low and medium density residential uses, major public open space and planned trails, and the extension of planned community services and infrastructure make it an appropriate and desirable development for a *designated greenfield area*.

The proposed development includes land uses that conform to the uses permitted in the RMSP. The proposal is consistent with and conforms to the intent of Provincial and municipal policies and plans. The key guiding principles for growth outlined in Section 2.1 of the Growth Plan include supporting the achievement of *complete communities* that support healthy and active living and meet people's needs for daily living through an entire lifetime. Policy 2.2.1(4) of the Growth Plan provides that this will be achieved by, amongst other matters, providing a diverse mix of land uses, providing a diverse range and mix of housing options and providing a more compact built form.

The proposed development supports the development of *complete communities*, including the provision of a mix of housing options, including single detached dwellings and various forms of townhouses. Further, the proposal provides for public parks and trails, and open space and utility uses. These uses are compatible with the existing and planned uses on surrounding lands. In particular, the development will be compatible with the surrounding natural features, community uses, and planned and existing urban residential uses to the west and south. The Secondary Plan also plans for employment uses to the immediate east of the subject site. In this regard, a Land Use Compatibility study was completed and submitted with the applications, which speaks to the compatibility of future employment uses to the east.

The proposed Zoning By-law Amendment would rezone the subject site from Future Development (FD) Zoned to a mix of residential zones that would permit single detached dwellings (Residential 1D Zone), townhouse dwellings (Residential 3B Zone) as well as dwellings within a private street development (Residential 3D Zone), in conformity with the Rolling Meadows Secondary Plan. Additionally, the existing woodlot and associated buffer will be zoned Environmental Protection 2 Zone, and the pipeline corridor will be zoned Utility Zone, providing for the appropriate land uses within the subject site.

The proposed draft plan of subdivision would provide for the development of 7 residential blocks to be designed through future site plan control applications. As detailed in the Demonstration Plan, development of the subject site could result in approximately 603 residential dwelling units, resulting in a net density of 24.1 units per net hectare which includes the total number of dwelling units divided by the net area of the site (excluding streets and open spaces, among others), in accordance with the Thorold Official Plan. As proposed, the concept for development conforms to the Secondary Plan which requires a minimum density of 19 units per hectare per draft plan of subdivision (policy B1.8.6.2).

The Growth Plan provides that *designated greenfield areas* are intended to accommodate new development in a compact urban form and to contribute to *complete communities*. In this regard, the proposal provides for an appropriate development pattern and built form. The Growth Plan and the Niagara Region Official Plan direct *designated greenfield areas* to be developed with a minimum density of 50 residents and jobs per hectare over the entire *designated greenfield area*. Development of the subject site would result in a minimum density of 50 residents per hectare, contributing to the provincial and regional target for the entire *designated greenfield area*. The proposed development results in a total population

of 1,421, based on a calculation of person per unit rates contained in Schedule 5 (City of Thorold 2031 Growth Forecast) of the City's development charge background study dated March 21, 2019. It should be noted that the minimum density noted above does not incorporate the number of jobs associated with the development's population (such as work from home related jobs), and if jobs are factored, the density of the development would be further increased above the minimum target.

The proposal supports the direction of the Region's Official Plan and the City's Official Plan, with respect to development of identified *designated greenfield areas*. The vision for the development of these lands is further supported by the Rolling Meadows Secondary Plan. The PPS (2020) and the Growth Plan (2019) direct that communities are sustained by the provision of the long-term supply of residential uses in an efficient and cost-effective pattern of development that will minimize servicing costs and to avoid areas of environmental concerns, consistent with direction in the Niagara Region and City of Thorold Official Plans. In this regard, the proposal conforms to the policies of the Region and City's Official Plans.

The draft plan would also protect the natural heritage features within the subject site, in accordance with the recommendations of the submitted Environmental Impact Study. No residential development is proposed within the existing woodlot and associated buffer. Specifically, the Thorold Official Plan states that where a development proposal addresses the requirement of no negative impact to natural heritage features, the adjacent Official Plan land use designation will apply, and a Zoning By-law Amendment is required to identify those lands for development (policy B3.3.4.1).

Additionally, the draft plan proposes a 1.4-hectare public community park, centrally located in the north part of the subject lands and adjacent to the existing woodlot. The amount of public parkland dedication is in accordance with the requirements of the *Planning Act*, which requires 5% of the developable land to be used for parkland for residential developments.

With respect to the portion of the subject site within the aggregate resource impact area and the need to address NROP and Thorold OP policies with respect to land use compatibility, the Land Use Compatibility Report submitted with this application is detailed further below.

In our opinion, the proposed land uses and densities are appropriate as the proposal provides a mix of residential uses in a compact form and in particular, provides for the logical continuation of the development in conformity with the RMSP.

5.3 Draft Plan of Subdivision

Section 51(24) of the Planning Act R.S.O. 1990, specifies that, in considering draft plans of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare to the present and future inhabitants of the municipality. The proposed draft plan of subdivision meets the criteria set out in Section 51(24) of the Planning Act, as discussed in **Table 3** below.

Table 3 - Draft Plan of Subdivision Criteria

Section 51(24) Criteria

a. the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

Response

The proposal addresses matters of provincial interest, including that it is consistent with and conforms to provincial policies and plans including the PPS, Growth Plan, Niagara Region Official Plan, and City of Thorold Official Plan, as discussed in Sections 4 and 5 of this Report, in particular with respect to the creation of *complete communities*, the provision of a mix and range of residential uses and efficient use of land and infrastructure.

b. whether the proposed subdivision is premature or in the public interest;

The proposed Draft Plan of Subdivision is not pre-mature and is in the public interest in that the lands have been designated for residential development through an approved Secondary Plan and are part of a *designated greenfield area*, identified through the Official Plans. The proposal would continue the development of the RMSP from the west and south and is a logical and contiguous extension of development.

c. whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposal is compatible with adjacent plans of subdivision and conforms with the policies of the Official Plans, including the RMSP. The development of roads, trails, and open spaces, among others, are coordinated with the adjacent plans of subdivision, including the approved Upper's Grove plan of subdivision to the immediate southwest.

Section 51(24) Criteria

d. the suitability of the land for the purposes for which it is to be subdivided;

e. the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

f. the dimensions and shapes of the proposed lots;

g. the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

h. conservation of natural resources and flood control;

Response

The subject site is located in an area surrounded by other existing and planned lands uses and is designed to address the broad range of uses in the surroundings. In particular, the Secondary Plan provides for residential and public open spaces uses on the subject lands. Further, the supporting studies included with the application address the suitability of the land for the purposes of the proposal, including the consideration of land use compatibility with respect to the aggregate resource area to the east.

The draft plan of subdivision includes the number, width, location and proposed grades and elevations of new proposed roads including connections to the adjacent existing road network. The supporting transportation study and functional servicing report includes analysis regarding the adequacy of this road network, including the proposed grades and elevations.

The dimensions and shapes of the proposed blocks are provided in the plan at an appropriate scale and with good proportion. As noted, the residential blocks will be subject to future site plan applications to be developed. The submitted concept plan illustrates how the lands could be developed, which demonstrates the dimensions and shapes for the proposed units.

There are no restrictions or proposed restrictions applicable to the developable portion of the subject lands. However, a holding provision can be applied, as necessary, until all servicing matters are addressed to the City of Thorold.

The Natural Heritage System areas and areas for flood control have been assessed, as outlined in the accompanying supporting studies and the plan of subdivision includes the conservation of these areas.

Section 51(24) Criteria

i. *the adequacy of utilities and municipal services*

Response

The accompanying functional servicing report describes and confirms the adequacy of utilities and municipal services. Based on these reports and plans, the proposed development can be adequately serviced for sanitary and water services, and stormwater can be appropriately managed on site.

j. *the adequacy of school sites;*

There are no school sites proposed in the plan of subdivision.

k. *the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

The plan includes park blocks that will be conveyed and dedicated for public purposes. Parkland is provided in accordance with the *Planning Act* requirements.

l. *the extent to which the plan's design optimizes the available supply, means of supplying, efficient use, and conservation of energy; and*

The available land has been utilized to an extent that achieves an efficient use of land and infrastructure. The proposal provides a complete and compact community that will provide public open spaces uses and which represents an efficient use of the available land supply.

m. *the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).*

The proposed draft plan subdivision will provide for the development of multiple residential blocks to be developed with single detached dwellings and townhouses. Site plan control matters will be dealt with through future site plan applications. The submitted concept plan demonstrates the interrelationship between the proposed plan of subdivision and how each residential block could be developed.

5.3 Land Lease Communities

As described previously, Parkbridge operates a unique home ownership model that is different from traditional freehold, condominium, or rental tenure. Through land lease home ownership, homeowners purchase a home without owning the land, and instead pay a monthly rent to use a piece of land, which is often coupled with other services and in some cases amenities offered by the owner/operator. This is a residential model which Parkbridge operates in more than 100 communities in Canada. It is anticipated that the proposed development could include a mixture of land lease, freehold, condominium and/or rental tenures.

Through Bill 23, the *Planning Act* provides permissions relating to land lease communities. Section 50(3)(d.1) relating to subdivision control and 50(5)(c.1) relating to part-lot control have been amended to permit conveyance of an interest in land where the land:

- is located within a site plan control area, and for which plans or drawings have been approved, and
- is being leased for the purpose of a land lease community home (as defined by the *Act*), for a period of not less than 21 years and not more than 49 years.

As per section 46(1) of the *Act*, a "land lease community home" is defined as "*any dwelling that is a permanent structure where the owner of the dwelling leases the land used or intended for use as the site for the dwelling, but does not include a mobile home*". Further, "parcel of land" means "*a lot or block within a registered plan of subdivision or any land that may be legally conveyed under the exemption provided in clause 50 (3) (b) or (d.1) or clause 50 (5) (a) or (c.1)*." Because the aforementioned exceptions are now referenced in the definition of "parcel of land", it permits the creation of conveyable parcels for land lease community homes.

The changes to the *Planning Act* through Bill 23 allow for the conveyance of parcels that are created through approved site plans for land lease community homes for periods of more than 21 years but less than 49 years, provided only one land lease community home per parcel is created through the site plan. The proposed development would create residential blocks to be developed through future site plans which would create one parcel per land lease unit. The parcels can then be conveyed for the purpose of a land lease home.

It can be noted that the draft plan also provides for a number of lots for single detached dwellings and blocks for townhouses. These proposed lots and blocks front the proposed public roads and are required to be developed through plan of subdivision. In this regard, the proposed development could include a mixture of freehold and land lease tenures, which will be determined at a later stage in the development process.

Importantly, the proposed development is still planned as a continuation of the existing and planned community of the Rolling Meadows Secondary Plan, and a mixture of tenures would provide additional ownership options for future residents.

5.4 Urban Design

The proposed development envisions a high-quality neighbourhood that will include new residential, open space, and community uses. In this regard, the built form across the subject lands will be varied. It is expected that the majority of the built form internal to the developable portion of the subject lands will be single detached dwellings and a variety of townhouses. Development of the subject site will consider the Urban Design Guidelines ("UDG") of the Rolling Meadows Secondary Plan.

It is important to note that a limited number of units (87 single detached and townhouses) will be created through the draft plan of subdivision and that the majority of units (516 single detached and townhouses) will be subject to future site plan applications, at which stage the design elements will be addressed.

In our opinion, the built form and massing proposed for the subject site are appropriate and would fit harmoniously within the existing and planned community and respond to the appropriate urban design policies and guidelines. In particular:

- The proposal contributes to the development of a variety of housing forms in a low-rise mixed use community (Thorold OP policy B1.8.6.4);
- The developable portions of the subject lands are sufficiently sized to accommodate a variety of built form types and unit types including appropriately sized single detached lots and townhouse blocks (UDG section 3.1);
- The proposed built form will contain a variety of elevations and lot frontages to contribute to the neighbourhood streetscape (UDG policy 3.1.1);
- Units that are sited on corner lots will have increased exposure to the public realm (UDG policy 3.1.6);
- The proposed public park has extensive street frontage on three public streets to increase visibility and safety (Thorold OP policy B1.8.11.2); and

- The existing woodlot will remain in its natural state and protected over the long term (UDG section 1.4).

With respect to community uses, the proposed development provides for extensions and connections to future multi-use paths, as identifies in the Secondary Plan. The pipeline corridor anticipates the extension of the multi-use path along the corridor from the approved Upper's Grove subdivision to the southwest. Furthermore, the plan provides for a future access point (walkway block 279) to the multi-use path planned along the hydro corridor adjacent to the north property line of the subject site. The walkway block is provided approximately mid-point along the north property line and is intended to provide a linear connection to the proposed public park.

The interconnected road network for the neighbourhood has been established with consideration for the existing natural heritage system, connections to existing and planned roads to the west and south, and support for various forms of travel in the community. The road pattern provides an orderly pattern of development, creates logical development blocks, and provides walkable streets that are supportive of active transportation.

The proposed development will be oriented and located to address and frame streets. The single detached dwellings front onto public roads with a garage and front door facing the public road. The townhouse blocks are proposed in the form of traditional townhouse dwellings, bungalow townhouses, and rear-lane townhouses that will be provided in three-to-six-unit modules to maintain a consistent street edge. The townhouse blocks will also front onto public streets in a manner that will contribute to the neighbourhood streetscape.

Additional design features such as architectural treatments, roof materials, fencing, and detailed elevations will be determined through future application processes.



6

Supporting Studies

6.1 Land Use Compatibility

SLR Consulting (Canada) Ltd. (SLR) prepared the Land Use Compatibility Report in support of the applications, which was required to address land use compatibility and mitigation between the surrounding sensitive land uses, including residential uses, and nearby Employment Areas and/or major facilities, as well as the proposed Uppers Quarry application to the east.

Noise & Vibration Assessment

The potential for noise impacts on and from the proposed development were assessed in the SLR Report. This included noise impacts of the environment on the development, the development on itself, and the development on the surrounding area, including future employment designated lands and the proposed Uppers Quarry.

SLR concluded that sound levels at the proposed development would be expected to meet applicable guideline limits considering the current existing land uses for adjacent lands.

SLR conducted acoustic modelling of expected worst-case scenario of the proposed Uppers Quarry which assessed information contained in the reports submitted in support of the quarry application. It can be noted that the quarry application is still under review and therefore further changes may be made to the supporting studies prior to approval. However, SLR's assessment is based on current available information.

Based on acoustic modelling, worst-case sound levels are predicted to exceed applicable sound level limits for the dwellings on the east portion of the subject site, both north and south of the woodlot.

The SLR Report outlines several different potential mitigation options that would appropriately address sounds levels created by the proposed quarry that affect the proposed development. SLR concluded that it is possible to meet applicable sound level limits when considering worst-case operational sound levels from the proposed quarry. The potential mitigation options include measures to address sounds levels through the use of sound barriers such as berms, walls, or a combination of both, either at the source of the operational sound (on the quarry lands), on lands between the quarry and the proposed development, or on the subject site itself. Nonetheless, SLR concluded that it is feasible to achieve land use compatibility without hindering or precluding quarry operations.

Air Quality, Dust & Odour

The SLR Report assessed potential air quality emissions in the vicinity of the subject site, including the proposed Uppers Quarry and existing surrounding industries. From an air quality perspective, the report concludes that the proposed development is anticipated to be compatible with the proposed Uppers Quarry and existing surrounding industries, as well as meets the requirements of the MECP D-6 Guidelines. Further, the proposed development is anticipated to be compatible with future employment uses from an air quality perspective, and emissions of dust or odour are not anticipated.

A recommended air quality mitigation measure is to include a warning clause in agreements registered on Title for the residential units and included in all agreements of purchase and sale or leases and all rental agreements, noting the proximity of the Uppers Quarry and potential for dust to be visible at all times.

Lastly, the SLR Report concludes that the proposed development will not affect the ability for industrial facilities to obtain or maintain compliance, including that the proposed development is unlikely to result in increased risk of complaint and nuisance claims, or operational constraints for major facilities.

6.2 Environmental Impact Study

An Environmental Impact Study (EIS) was prepared by Colville Consulting Inc. in support of the applications to assess potential ecological impacts associated with establishing residential development on the subject site. The EIS has been prepared to assess potential impacts the proposed development may have on natural heritage features located on and adjacent to the subject site and is intended to present the results of field investigations and assessments of any potential impacts.

Based on the EIS, natural heritage features on the subject site consist primarily of a Significant Woodland, as well as several small tributaries to Beaver Dams Pond, which is located approximately 260m north of the site. The woodland has been designated as significant due to its size, potential presence of species at risk and proximity to a watercourse. Based on the findings from the EIS and discussions with the Niagara Region staff, the extent of the woodlands has been established with a 10-metre buffer. The EIS recommends that the woodland buffer be planted with additional native tree and shrub material to avoid potential impacts associated with the development adjacent to the woodland.

Ultimately, the EIS demonstrates that the proposed development will result in no significant impact to the Significant Woodland and watercourses identified on-site, subject to the implementation of the recommended mitigation measures detailed in the EIS. To assist with minimizing impacts associated with the proposed developments, it is recommended that the mitigation measures be implemented during the final design, construction, and future use of the subject site.

6.3 Functional Servicing and Stormwater Management Report

Stantec Consulting Ltd. (Stantec) prepared the Functional Servicing and Stormwater Management Report (FSR) in support of the applications. The FSR examined the existing boundary servicing and grading conditions and outlined the serviceability of the proposed development with respect to storm drainage, sanitary servicing, water supply, grading, and utilities in accordance with the current municipal design requirements.

The subject site will require the extension of services to be completed before development of the site can commence. Coordination with the adjacent landowner(s) will be required to provide for the extension of services. This includes:

A watermain and storm connection along Venture Way;

- Stormwater Management Pond 'D', as outlined in the master servicing plan for the Secondary Plan area, for stormwater management;
- Sanitary connection along Cristallina Drive through the Upper's Grove approved plan of subdivision; and
- Extension of Upper's Lane to service the southern area of the proposed development.

Detailed design of the development will follow through subsequent submissions as the development review process progresses.

6.4 Transportation Impact Study

Crozier and Associates Inc. prepared a Transportation Impact Study ("TIS") in support of the applications to assess the operations of the study intersections listed within the TIS in the Future Background (without the inclusion of site traffic) and Future Total (with the inclusion of site traffic) conditions in the existing year of 2024, the buildout year of 2026, five years from buildout (2031) and ten years from buildout (2036).

Under 2024 existing conditions, the intersections operate with a Level of service of "C" or better, except for the intersection of Davis Road and Upper's Lane. The intersection operates with a Level of Service of "E" in the P.M. peak hour. This is found to be common for intersections which have stop controls on the minor approaches, as such as this case. There is free flow in the north and south direction on the major roadway (Davis Road), however the control delay of 43.5 seconds is a result of vehicles waiting on the minor approaches to complete turns at the intersection.

Under 2026, 2031 and 2036 future background conditions, the intersections are expected to operate similar to the existing conditions, as most of the intersections are expected to operate with a Level of "C" or better. The stop-controlled intersection of Thorold Townline Road at Beaverdams Road is expected to operate with a Level of Service of "D" in the P.M. peak hour, and with a control delay of 25.3 seconds in the 2036 horizon year due to the growth in traffic. The intersection of Davis Road and Upper's Lane is expected to continue with failing operations throughout the future background conditions.

It is recommended to convert the stop control intersection of Davis Road and Upper's Lane into a signalized intersection to improve the results of the operations.

For the Transportation Demand Management plan, strategies were recommended to result in more efficient use of transportation modes. They included the accessibility of bike facilities, and use of sustainable transportation modes.

Ultimately, the TIS found that the applications can be supported from a transportation perspective given that the surrounding road network can accommodate the increase in traffic volumes attributable to the proposed development with the improvements recommended in the background scenario.



Conclusion

The requested Zoning By-law Amendment seeks to rezone the subject site to bring the site in conformity with the Niagara Region Official Plan, City of Thorold Official Plan, and the Rolling Meadows Secondary Plan. The Zoning By-law Amendment would rezone the lands to allow for residential, community, and open space uses, and to implement the proposed draft plan of subdivision.

The applications will facilitate the development of the subject site with multiple residential blocks, consisting of single detached homes and a variety of townhomes. The development would also provide for a 1.4-hectare community park, protection of the existing woodlot feature, contribute to the trail network of the Secondary Plan, and provide for the logical extension of the existing and planned public road network. Furthermore, the proposal will help accommodate an appropriate range and mix of residential uses, thereby helping to achieve efficient and resilient development and land use patterns. Further, the proposed development could include a mixture of tenures, including land lease, freehold, condominium and/or rental units. Residential land lease communities provide a unique form of home ownership that typically costs less than the purchase price of traditional freehold ownership.

From a land use perspective, the proposal provides for a logical extension of the existing and planned Rolling Meadows Area, an area identified as a high-priority area for future development in the municipality, and accommodates projected Regional growth in a compact and efficient form. The proposal conforms to the provincial, regional, and municipal planning policies with respect to minimum density targets for development in *designated greenfield areas*, as well as policies that support the protection of natural areas and prohibit development within areas that contain natural heritage features or functions. The Applications will contribute to a development pattern that is consistent with surrounding context, supports the provision of a mix and range of new housing opportunities, and provides for the extension of parks and the open space system within the Rolling Meadows neighbourhood.

From a built form and urban design perspective, the proposal represents an appropriate design that is compatible with the existing and emerging residential neighbourhoods to the south and west of the subject site and will provide new residential dwelling units that are compatible with the adjacent residential uses. It represents a built form that has appropriate regard for the Rolling Meadows Secondary Plan area and integrates additional connections to the City's open green space and trail network.

In our opinion the proposal is consistent with the intent of the policies of the Provincial Policy Statement (2020) and conforms to the policies and direction set out in A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2020), the Niagara Region Official Plan, and the City of Thorold Official Plan. As such, the proposal is desirable and appropriate and represents good planning.

Appendix A







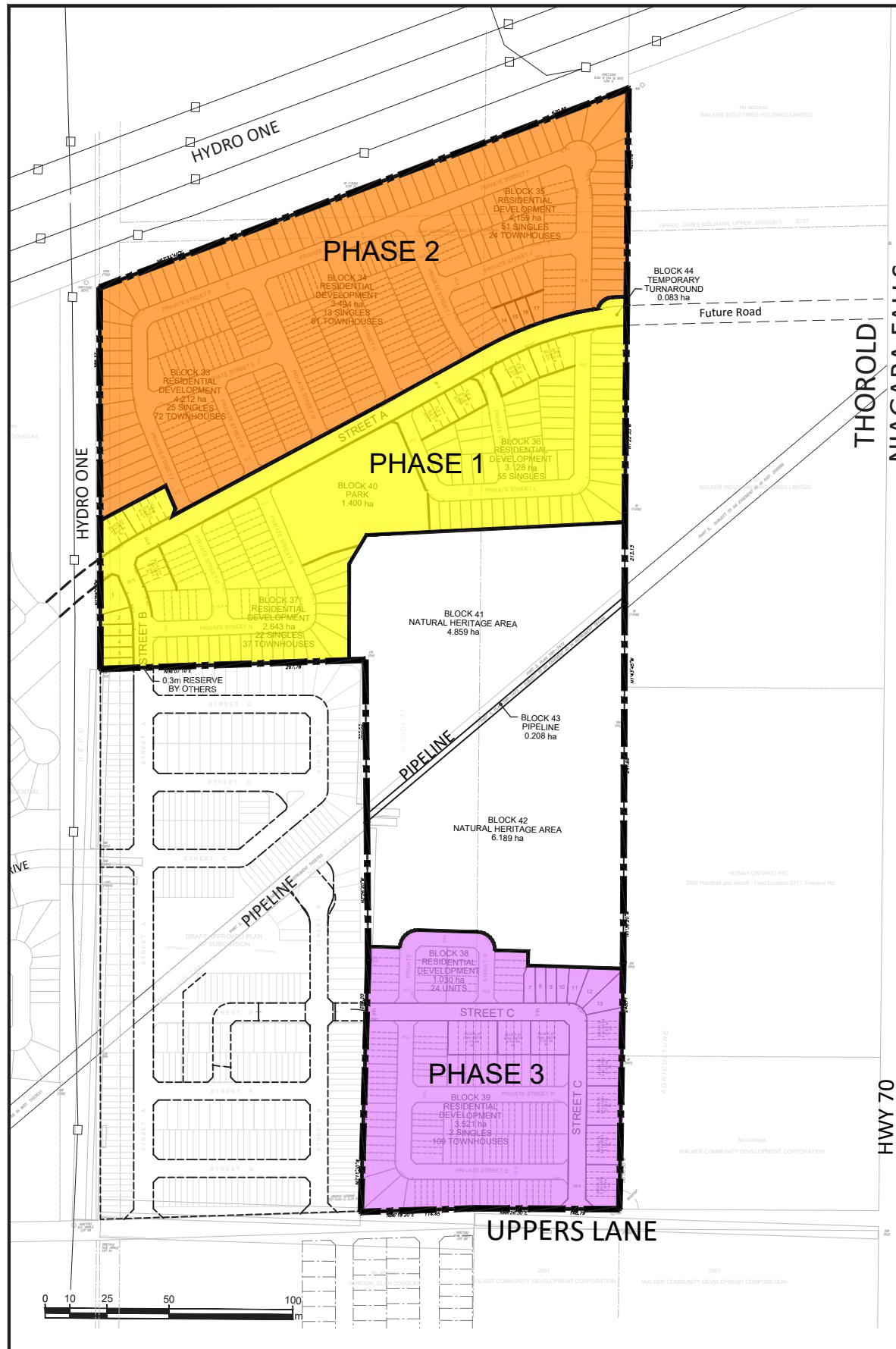
Preliminary
Phasing Plan

Upper's Lane CITY OF THOROLD

PRELIMINARY PHASING PLAN

LEGEND

-  Subject Property
-  PHASE 1
-  PHASE 2
-  PHASE 3



THOROLD
NIAGARA FALLS

HWY 70

*-- PRELIMINARY --
-- FOR DISCUSSION PURPOSES ONLY --*

 **BOUSFIELDS inc.**
23170 - 37PH - January 31, 2024

