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## **PLANNING JUSTIFICATION AND IMPACT ANALYSIS REPORT**

Proposed Official Plan and Zoning By-law Amendment to permit  
Site Specific Townhouse development and, single-detached dwelling at

**1317 York Road, Niagara-on-the-Lake, ON**

July 2025  
Quartek Reference Project #24086

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## **A. INTRODUCTION**

Quartek Group Inc. (Quartek) was retained by Karamjit Singh Sunner (Owner) to prepare this Planning Justification and Impact Analysis Report for an application to amend the Zoning By-law to develop a five (5) unit townhouse development fronting Tanbark Road and one (1) single-detached dwelling unit fronting York Road. A severance application is also required to sever the single detached unit which is expected to have a site-specific zoning.

A pre-consultation meeting took place on October 17th, 2024 to propose the facilitation of 5 on-street townhouse dwelling units and one (1) single detached dwelling unit in the property. The town was generally supportive of the development but provided urban design comments to better align the proposal with the existing neighbourhood.

Due to the type of dwelling proposed, an Official Plan and Zoning Bylaw Amendment is required to accommodate the proposed development. Refer to the pre-consultation agreements found in Appendix A.

According to the Town and Regional requirements, in addition to the Planning Justification and Impact Analysis Report, the following technical studies and drawings were completed to support the proposed development and have been included with the applications:

- Conceptual Site Plan Layout (based on OLS)
- Floor Plan and Elevations
- Planning Justification Report
- Streetscape Study
- Archaeological Assessment
- Consent Sketch
- Draft Zoning By-law and Official Plan Amendment and Schedule
- Draft Plan of Subdivision (with road widening)
- Functional Servicing Brief
- Stormwater Management Brief
- Urban Design Brief
- Arborist Report and Tree Protection Plan
- Draft Plan of Subdivision
- Landscape Plan and Planting Plan
- Site Renderings, plans & elevations
- Signed Tree Protection Declaration

The purpose of this Report is to describe the site and its surrounding land uses, outline the development proposal for residential intensification, summarize the relevant planning policies and regulations, outline the proposed official plan and zoning by-law amendments, draft plan of subdivision and provide the justification and rationale for approval.



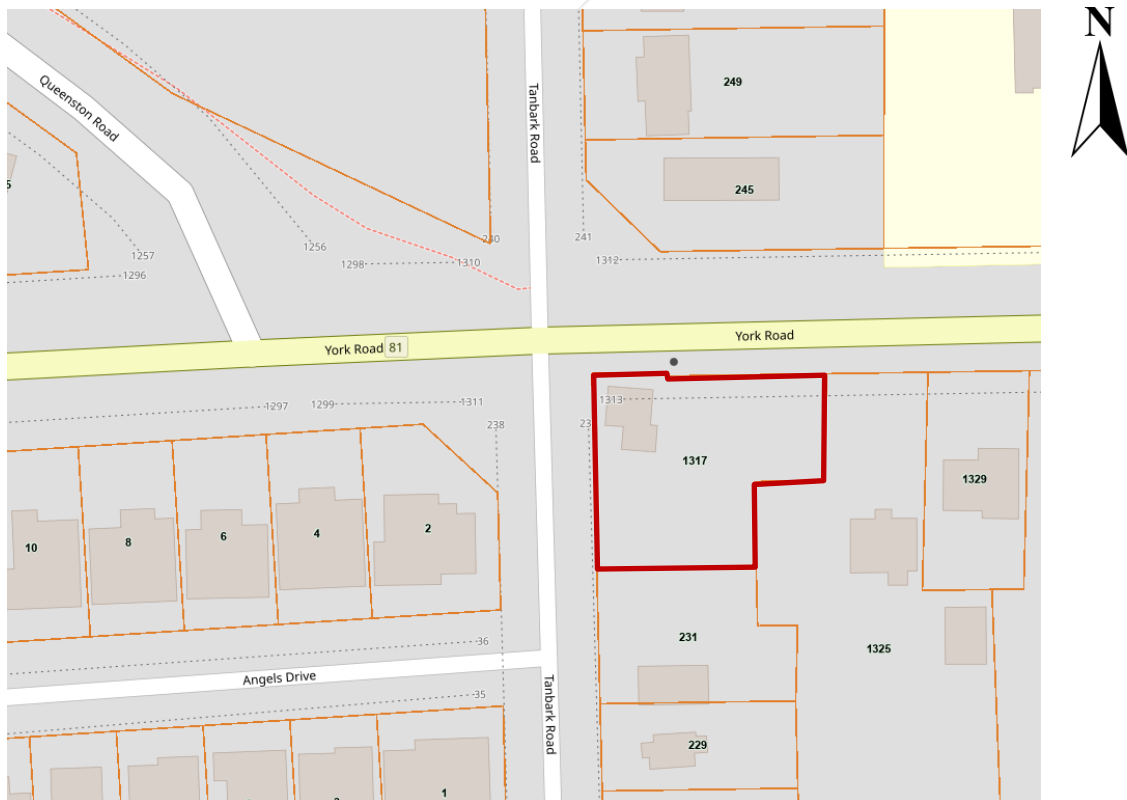
## **B. SITE CONTEXT**

The subject lands are located on the south side of York Road, municipally referred as **1317 York Road**, and legally described as PT LOT 90, Niagara-on-the-Lake, ON.

The lands are currently occupied by one single-detached dwelling with an oversized lot. The subject lands are designated Low Density Residential and are located within Special Policy Area A-3 (St. Davids) – subject lands are located under St. Davids established village area. A maximum residential net density of 14 units per hectare is imposed for lands designated Low density residential. The subject lands are also zoned as Residential Zone (R1) which only permits single-detached dwellings and secondary uses such as a home occupation. Hence a zoning bylaw and Official Plan Amendment will be required.

The subject parcel falls within the Niagara Escarpment Plan Area and Greenbelt Plan. The subject lands are not mapped as having archaeological potential in the Niagara Official Plan (NOP) Schedule K; however, Regional staff still consider the lands to have archaeological potential based on their proximity to a registered archaeological site, and several historic features.

The lot occupies ±1712 square metres of area with roughly 49.7 metres of frontage along York Road. The Regional Municipality of Niagara requires a road widening of approximately 3.04m at its west and 2.28m at its east most side along York Road.



**Figure 1: Subject Land** (Source: Niagara Navigator)



**Figure 2: Subject Lands Aerial View** (Source: Niagara Navigator)



**Figure 3: Street View of Subject Lands – York Road (Google Maps, September 2023)**

### **B.1 Surrounding Land Uses**

The following describes the surrounding land uses to the proposed development.

**North:** 245 Tanbark Road – Single family detached dwelling

**East:** 1325 York Road – Single family detached dwelling

**South:** 231 Tanbark Road – Single family detached dwelling

**West:** 2 Angels Drive – Single family detached dwelling



Figure 4: Surrounding Land Uses (Source: Niagara Navigator)

### **C. PROPOSED DEVELOPMENT**

The development parcel will be separated into five (5) different portions for townhouse development and (1) one single detached dwelling with site specific zoning respectively, obtained through subdivision. The creation of the 5 additional lots will be facilitated through a Draft Plan of Subdivision. Draft Plan of Subdivision will convey the required road widening along York Road – 3.04m along west most side and 2.28m at it east most side are required to be established parallel to the existing road limit. The servicing, grading and streetscaping can be dealt with at the Final Subdivision Approval.

The subject lot is currently zoned as Residential 1 Zone (R1), reserved for single detached dwellings, accessory buildings, bed and breakfast establishment, cottage rental, group home, home occupation and public use. A zoning by-law amendment is required to change the zoning to Site specific Residential Multiple 1 Zone (RM1) and Site-Specific R1 to permit the use as a townhouse development and single-detached dwelling respectively. The proposed development will require both R1 and RM1 Site Specific Provisions for the site.

The townhouse development consists of five units. After the proposed road widening, ± 1,546 square metres (0.15 hectares) of area remains as developable land. In subdividing the subject lands, each unit titleholder will assume sole ownership of all amenities within their newly created lot which will be accessed via a public road.



Towards the south approximately 260 metres on the east side of Tanbark Road is Pinecroft Drive zoned Residential Multiple (RM1-21) is a townhouse development use. Towards the south approximately 465 metres along Tanbark Road is Hickory Avenue which consists of townhouses and single -detached units zoned Residential Multiple (RM1-7) and Residential 1 (R1-7a) respectively.

Please refer to Schedule A-23 of the Town's Zoning Bylaw. Both developments offer a medium density development that will contribute to providing alternative residential density and housing types to the community.

The proposal at 1317 York Road will offer consistent unit sizes at approximately  $\pm 107.00$  square metres average in area with minimum 6.50 metres of frontage for interior lots, 8.8 metres for the exterior lot, 9.6 metres of the end lot along Tanbark Road and 15.9 metres for the single-detached unit. Sufficient setbacks have been provided considering the daylight triangle. Units offer a minimum of  $\pm 9.0$ m metres of rear yard depth for townhouses and 4.2m rear yard depth for the single detached dwelling. Considering the developable area, the development offers a unit density of  $\pm 15.78$  units/acre (6 units/0.38 acres = 15.78 units/acre).

In addition to two vehicular parking spaces and a rear yard built for privacy, the development offers amenities in terms of an attached garage. The garage area is included within the unit area calculations.

Refer to Appendix B for the conceptual site plan.

In addition to parking / road widening purposes, setbacks will be used to establish privacy and to consider the proposed single-detached dwelling within the property. The adjacent property to the west offers  $\pm 5.8$  metres of front yard setback from the front lot line and face of the townhouse dwelling. The proposed development provides 1.1m exterior side yard setback after road widening. Additionally, 3 metre interior side yard setback offered by the townhouse in order to accommodate the storm sewer easement in addition to the requirement for single-detached dwellings within the R1 zoning. Amongst other units within the block face, the dwelling adjacent to the east is of two-storeys, the same height that will be offered by the proposed development dwellings. In essence, while the proposed development offers a new housing type it will be provided in a manner that aligns with the existing architectural character in St. Davids Neighborhood.

Figure 5 provides a transposed layout of the conceptual site plan and location of the proposed townhouse building in relation to the adjacent land uses.



**Figure 5: Proposed Development to Abutting Land Uses – Street Townhouse to Single-detached Dwelling**



**Figure 6: Existing Surrounding – 245 Tanbark Road**

As shown on Figure 6, 245 Tanbark Road (#1) has a single detached dwelling set back  $\pm 16$  metres from the front lot line and is located North of the subject property. The dwelling occupies an oversized yard with a similar depth to the subject lands. The proposal will maintain a 3-metre interior side yard setback from the side lot line to also accommodate the easement. Privacy towards this development won't be required as the adjacent properties have used trees for screening purposes – towards the west and north of the subject property.



**Figure 7: Existing Surrounding – 2 Angels Drive**

The property located at 2 Angels Road (#2) has a single-detached dwelling set back  $\pm 8$  metres from the front lot line (Angels Drive). The dwelling is one storey in height and is set closer to Tanbark Road (corner lot). The dwelling unit is setback  $\pm 5.2$  metres from the side lot line of Tanbark Road, and thus impacts are expected to be limited.



**Figure 8: Existing Surrounding – 1325 York Road**

As shown in Figure (#3), 1325 York Road offer large rear yards measuring  $\pm 60$  metres of depth from the unit rear walls but offer secondary structures within a few metres of the rear lot line. The minimum rear yard depth proposed by the townhouse development is  $\pm 9.0$  metres which is compliant with the zoning requirement and thus there will be minimal impacts towards properties abutting the rear. Fences and landscaping will be used to create further privacy in the rear yard.

The following images provide an example of the prospective building elevation and rendering of the style, massing and shape of the building based on Urban design guidelines set out by the Town of Niagara-on-the-Lake – Village of St. Davids Urban Design Guidelines. The final details for the design including roof alignment, window placements, building colour palette, will be solidified during the subsequent draft plan of subdivision phase.



Figure 9: West view – Tanbark Road

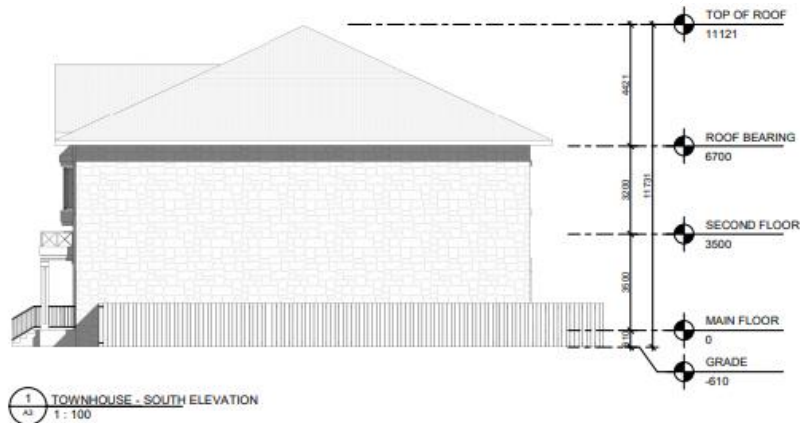


Figure 10: South view – Interior side yard end facing 231 Tanbark Road

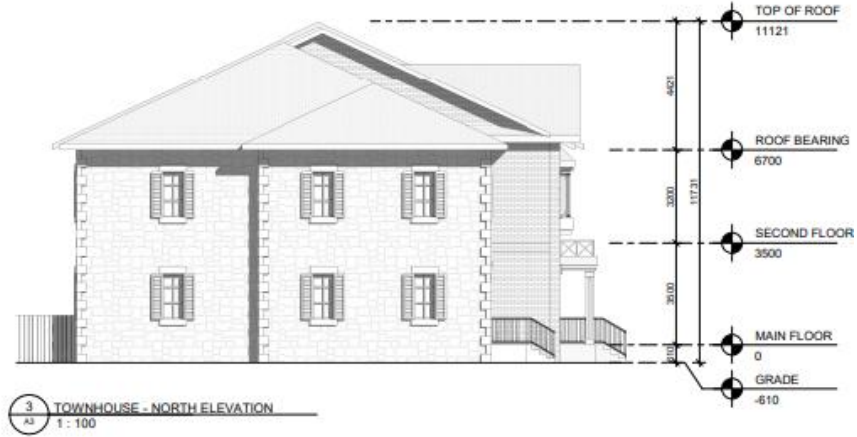


Figure 11: North view – Along York Road



Figure 12: East view – Towards 1325 York Road



## **D. PLANNING POLICY ANALYSIS**

### **D.1 Planning Act, R.S.O. 1990, c.P.13**

The Planning Act (June 2025 Office Consolidation) sets out the basis for land use planning in Ontario. The purpose of the Planning Act is to promote sustainable economic development in a healthy natural environment within the means provided and led by Provincial policy and to encourage cooperation and coordination among various interests, (Section 1.1).

#### **Section 1.1**

The purpose of this Act is to:

- a) to promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;
- b) to provide for a land use planning system led by provincial policy;
- c) to integrate matters of provincial interest in provincial and municipal planning decisions;
- d) to provide for planning processes that are fair by making them open, accessible, timely and efficient;
- e) to encourage co-operation and co-ordination among various interests;
- f) to recognize the decision-making authority and accountability of municipal councils in planning. 1994, c. 23, s. 4.

**Section 2** The Planning Act addresses matters of Provincial interest and requires municipal Council to have regard to matters such as the protection of ecological systems and agricultural resources; conservation of significant architectural, cultural, historical, archaeological, or scientific interest; supply, efficient use and conservation of energy and water; adequate provision and efficient use of transportation, sewage, water services, and waste management systems; orderly development of safe and healthy communities; accessibility for persons with disabilities to all facilities, services; provision of a full range of housing, including affordable housing; protection of the financial well-being; and protection of public health and safety.

The Planning Act identifies matters of provincial interests that approval authorities shall have regard to:

- a) The protection of ecological systems, including natural areas, features and functions;
- b) The protection of the agricultural resources of the Province;
- c) The conservation and management of natural resources and the mineral resource base;
- d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- e) The supply, efficient use and conservation of energy and water;
- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) The minimization of waste;
- h) The orderly development of safe and healthy communities;
- h1) The accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;



- i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- j) The adequate provision of a full range of housing, including
- k) The adequate provision of employment opportunities;
- l) The protection of the financial and economic well-being of the Province and its municipalities;
- m) The co-ordination of planning activities of public bodies;
- n) The resolution of planning conflicts involving public and private interests;
- o) The protection of public health and safety;
- p) The appropriate location of growth and development;
- q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- r) The promotion of built form that,
  - (i) is well-designed,
  - (ii) encourages a sense of place, and
  - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

**Section 34** of the Act permits a person or public body to request an amendment to a Zoning By-law subject to providing the prescribed information and material to the Council including public consultation is provided.

**Section 50 (24)** of the Act provides the criteria in considering the division of land such as the draft plan of subdivision for the proposed development.

Having regard for the Planning Act, the Owner/Applicant has completed the necessary technical studies that evaluate the proposed infill residential development for an orderly and efficient use of available land within the urban settlement area boundaries. Furthermore, the application and required planning review fees for the requested amendments to the Zoning By-law seeking approval from the Town Council was provided.

## **D.2 Provincial Policy Statement**

The existing Provincial Policy Statement (PPS, 2020) provides the policy foundation for regulating land uses in Ontario. The PPS supports intensification, redevelopment and the efficient use of land and existing planning infrastructure within urban areas. The policies attempt to focus growth within settlement areas and remove development from significant or sensitive areas which may pose a risk to public health and safety.

The PPS 2024 came into force from October 20, 2024, and, as of that date, replaced the primary provincial policy documents that govern land use planning in Ontario, being the Provincial Policy Statement, 2020 (PPS 2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan)

The policies applicable to the proposal have been considered to determine the appropriateness of the development in relation to PPS 2024.



## 2.1 Planning for People and Homes

4. To 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 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, including units in draft approved or registered plans.

6. Planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

## 2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- a) establishing and implementing minimum targets for the provision of housing that is affordable to low- and moderate-income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;
- b) permitting and facilitating:
  - 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
  - 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;
- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
- d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.



## 2.3 Settlement Areas and Settlement Area Boundary Expansions

### 2.3.1 General Policies for Settlement Areas

1. Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.
2. Land use patterns within settlement areas should be based on densities and a mix of land uses which:
  - a) efficiently use land and resources;
  - b) optimize existing and planned infrastructure and public service facilities;
  - c) support active transportation;
  - d) are transit-supportive, as appropriate; and
  - e) are freight-supportive.
3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.
4. Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.
5. Planning authorities are encouraged to establish density targets for designated growth areas, based on local conditions. Large and fast-growing municipalities are encouraged to plan for a target of 50 residents and jobs per gross hectare in designated growth areas.
6. Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.

### 3.5 Land Use Compatibility

1. 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.
2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse effects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

### 3.6 Sewage, Water and Stormwater

1. Planning for sewage and water services shall:
  - a) accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services and existing private communal sewage services and private communal water services;
  - b) ensure that these services are provided in a manner that:
    1. can be sustained by the water resources upon which such services rely;



2. is feasible and financially viable over their life cycle;
  3. protects human health and safety, and the natural environment, including the quality and quantity of water; and
  4. aligns with comprehensive municipal planning for these services, where applicable.
- c) promote water and energy conservation and efficiency;
  - d) integrate servicing and land use considerations at all stages of the planning process;
  - e) consider opportunities to allocate, and re-allocate if necessary, the unused system capacity of municipal water services and municipal sewage services to support efficient use of these services to meet current and projected needs for increased housing supply; and
  - f) be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5.
2. Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.
3. Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.
4. Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual onsite sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. At the time of the official plan review or update, planning authorities should assess the long-term impacts of individual on-site sewage services and individual on-site water services on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3.
5. Partial services shall only be permitted in the following circumstances:
- a) where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development;
  - b) within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts; or
  - c) within rural settlement areas where new development will be serviced by individual on-site water services in combination with municipal sewage services or private communal sewage services.
7. Planning authorities may allow lot creation where there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity.



8. Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle; b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;
- c) minimize erosion and changes in water balance including through the use of green infrastructure;
- d) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces;
- f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and
- g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.

The PPS is very high level and supports efficient use of infrastructure, building of complete communities, and residential and economic development.

The proposed development will contribute to the achievement of offering a new housing type within the settlement area. The proposed unit density of 40 units per hectare (6 units ÷ 0.15 hectares) is more than currently exists on the low-density residential lot. The proposed density is within the appropriate range identified in the official plan prior to road widening given it is site specific, and the current use is considered to be an underutilization of the residential lot. The ability to connect to existing water and sanitary sewers contributes to the viability of the development.

The requested amendments to the Zoning By-law to facilitate the proposed residential intensification development is consistent with the PPS by:

- Providing a new infill development located to contribute to the Town's achievement of density targets.
- Providing a different housing style that increases the density of the use of the residential lot while maintaining the identified density range.
- Providing the connection to municipal services (e.g., water and sanitary).
- Contributing to the achievement of healthy, active communities by providing a development along a planned bike route.

### **D.3 Niagara Regional Official Plan**

The Niagara Region's Official Plan (November 2022) was adopted by Regional Council in June 2022 and received the Ministry of Municipal Affairs and Housing approval in November 2022. The new Plan includes expansions to the urban settlement boundaries, enhanced policies, and new mapping of the natural environmental system, updated mapping and more concise text revisions to the policies. Pursuant to the Planning Act, as of March 31, 2025, Niagara Region is an upper-tier municipality without planning responsibilities. The council of an upper-tier municipality, on conditions agreed upon with the council of a lower municipality, may provide advice and assistance to lower-tier municipalities in respect of planning matters generally.



The Plan is the framework used to guide land use and development in Niagara thereby influencing economic, environmental, and planning decisions until 2051 and beyond. The economy, cultural heritage and community health have on growth. The Plan manages growth by identifying what needs protection; where and how to grow; and which policy tools need to guide growth.

The Plan designates the subject lands as 'Delineated Built-Up Area'. Figure 13 illustrates the general location and the designation of the site.

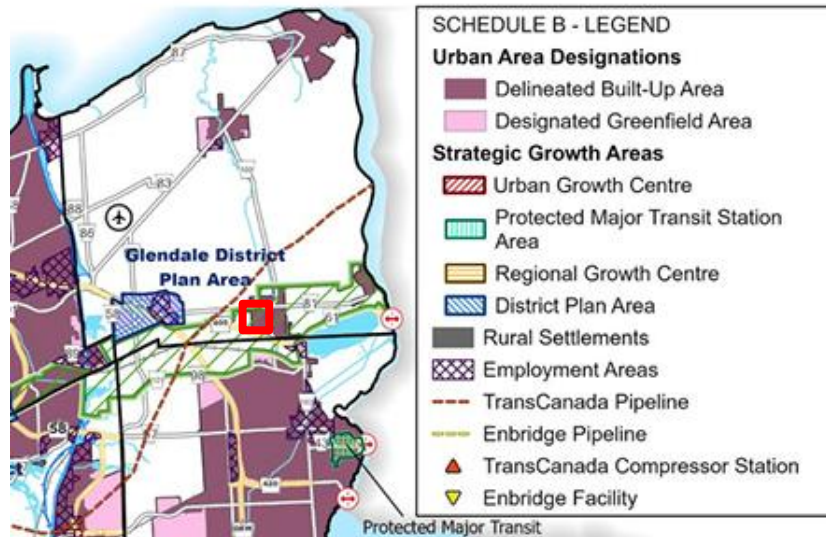


Figure 13: Niagara Regional Official Plan Designation – Delineated Built-up Area

## Chapter 2: Growing Region

Chapter 2 outlines the regional aspirations for growth, in terms of people and jobs. Section 2.2 directs growth, stating that most development should occur in urban areas, where municipal water and wastewater services exist, and a range of transportation options can be provided.

### Section 2.2

The objectives of this section are as follows:

- manage growth within urban areas;
- accommodate growth through strategic intensification and higher densities;
- protect and enhance the character of rural settlements;
- plan for the orderly implementation of infrastructure and public service facilities; and ensure settlement area expansions support Regional forecasts and growth management objectives; and
- promote transit-supportive development to increase transit usage, decrease greenhouse gas emissions, and support the overall health of the community.



**Objective 2.2.1.1** states that development in urban areas shall support:

- The intensification targets specified in Table 2-2 of the NROP (50%)
- 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
- Opportunities for intensification, including infill development
- Opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods
- Development of a mix of residential built forms in appropriate locations, to ensure compatibility with established residential areas
- Orderly development in accordance with the availability and provision of infrastructure and public service facilities

**Policy 2.2.2.10** defers to local official plans, secondary plans, and zoning by-laws for the implementation of local intensification strategies. Local standards will:

- Support the achievement of complete communities, permit and facilitate a compact built form and all of forms of intensification throughout the built-up area, and avoid or mitigate risks to public health and safety.
- Other major opportunities for intensification such as infill and redevelopment
- The timing and efficient provision of Regional and Local municipal water and wastewater systems/services.

## Chapter 5: Connected Region

The Regional Official Plan aims to connect communities through multimodal transportation networks as well as infrastructure planning. Location of development is imperative to achieving complete communities and efficiently utilizing existing services. The subject lands being located within the delineated built-up area will optimally utilize existing watermains and sanitary services. The development will front onto Tanbark and York Roads with direct vehicular access. Additionally, active transportation is provided through sidewalks and a planned bike route which create close connection to the businesses, services and facilities of the St. Davids area.

The objectives of this section are as follows:

- a. coordinate transportation systems planning, land use planning, and strategic investments in infrastructure;
- b. support a connected and convenient public transit network throughout the region through the establishment of a Regional Transit Commission;
- c. enhance transit services to provide increased connectivity throughout the region;
- d. create and enhance interconnected active transportation systems;
- e. support the implementation of complete streets, with consideration for varying priorities and objectives at Regional and local levels;



- f. ensure Regional roads accommodate future growth and support diverse forms of transportation; and
- g. provide the safe and efficient movement of goods to support the regional economy.

The proposed development is intended to provide additional housing units as an alternative to the predominant single detached dwelling units offering housing diversity at a density suitable for the site. The additional units will contribute residential intensification and to the viability of the immediate commercial services along St. Davids established village area. For these reasons, the proposed development is considered to conform to the policies of the Regional Official Plan.

#### D.4 Greenbelt Plan 2017

##### Lands within Niagara Escarpment Plan Area

The requirements of the NEP, established under the Niagara Escarpment Planning and Development Act, continue to apply and the Protected Countryside policies do not apply, with the exception of section 3.3.

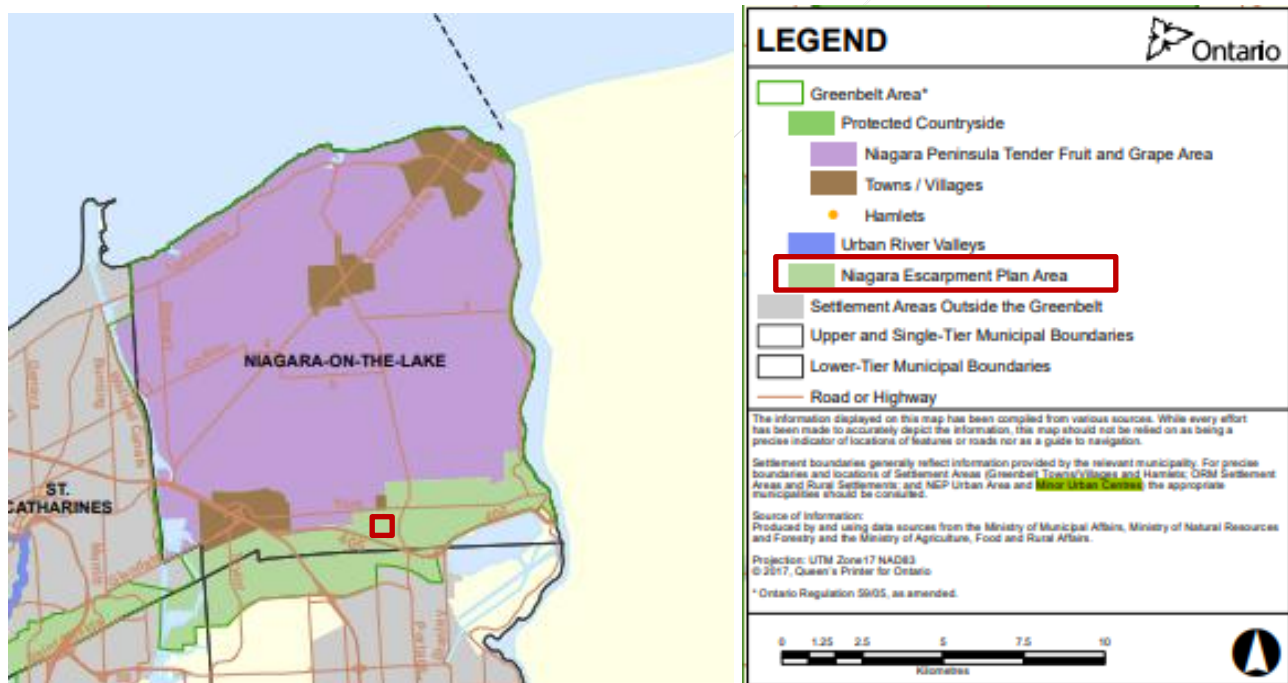


Figure 14: Greenbelt Plan 2017 – Niagara Escarpment Plan Area

##### Niagara Escarpment Planning and Development Act

**Section 2** The purpose of this Act is to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.

**Section 8** The objectives of the Niagara Escarpment Plan are, and the objectives to be sought in the consideration of amendments to the Plan shall be, in the Niagara Escarpment Planning Area,



- a) to protect unique ecologic and historic areas;
- b) to maintain and enhance the quality and character of natural streams and water supplies;
- c) to provide adequate opportunities for outdoor recreation;
- d) to maintain and enhance the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and by preserving the natural scenery;
- e) to ensure that all new development is compatible with the purpose of this Act as expressed in section 2;
- f) to provide for adequate public access to the Niagara Escarpment; and
- g) to support municipalities within the Niagara Escarpment Planning Area in their exercise of the planning functions conferred upon them by the *Planning Act*.

The proposed development ensures that the development is compatible with the natural environment.

### D.5 Niagara Escarpment Plan 2017

The purpose of this Plan is to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.

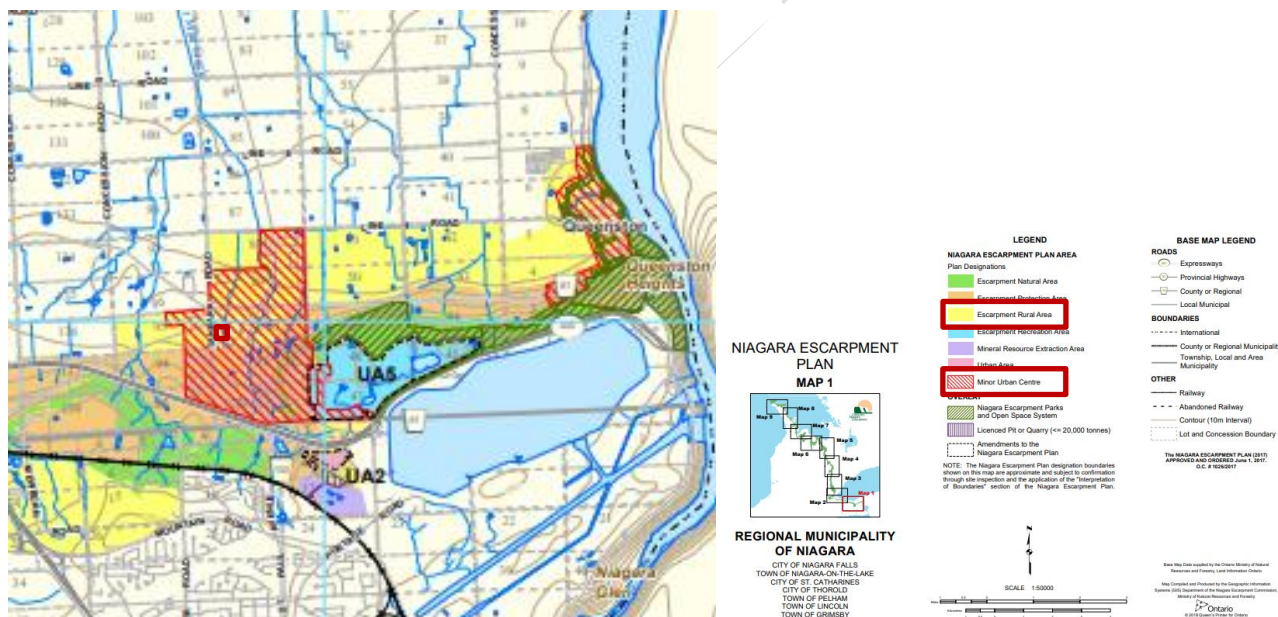


Figure 15: Niagara Escarpment Plan – Minor Urban Centre and Escarpment Rural Area – Map 1

### 1.5 Escarpment Rural Area

Escarpment Rural Areas are an essential component of the Escarpment corridor, including portions of the Escarpment and lands in its vicinity. They provide a buffer to the more ecologically sensitive areas of the Escarpment.

Objective:

1. To maintain the scenic resources of lands in the vicinity of the Escarpment and the open landscape character of the Escarpment.



2. To conserve cultural heritage resources, including features of interest to First Nation and Métis communities.
3. To encourage forest management and recreation.
4. To provide for compatible rural land uses.
5. To encourage agriculture and protect agricultural lands and prime agricultural areas.
6. To provide a buffer for ecologically sensitive areas of the Escarpment.
7. To provide for the consideration of new Mineral Resource Extraction Areas which can be accommodated by an amendment to this Plan.

#### 1.5.4 Lot Creation

New lots may be created, subject to conformity with the provisions of this section, the applicable policies in Part 2, Development Criteria, and official plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan.

### 1.6 Minor Urban Centre – St. Davids

Objective:

1. To recognize, maintain and enhance existing rural settlements or provide concentration points for development and growth in rural areas.
2. To ensure that cumulatively the existing Minor Urban Centres and any associated development and growth can be accommodated and serviced in a manner that would be environmentally sustainable over the long term.
3. To promote the co-location of compatible public services to address local community needs in convenient locations that are accessible by walking, cycling and public transit, where available.
4. To conserve cultural heritage resources, including features of interest to First Nation and Métis communities.
5. To ensure that new development is compatible with the identity and traditional character of Minor Urban Centres.
6. To direct the growth of villages, hamlets, and settlement areas away from Escarpment Natural Areas and Escarpment Protection Areas into Escarpment Rural Areas in a logical manner with the least possible environmental and agricultural disruption.
7. To ensure that any growth will be in accordance with a municipal official plan and/or secondary plan that is not in conflict with the Niagara Escarpment Plan.

#### 1.6.5 Lot Creation

Subject to Part 2, the Development Criteria, the range of permitted uses and the creation of new lots in a Minor Urban Centre will be those in an approved official plan and/or secondary plan not in conflict with the Niagara Escarpment Plan, subject to the Development and Growth Objectives of this designation.

#### 1.6.8 Development and Growth Objectives

**Section 1.6.8.6** The development and growth is minor only and relative to the size and capacity of the settlement to absorb new growth. The proposed development ensures to maintain the community character.



**Section 1.6.8.9** Growth and development in Minor Urban Centres shall be compatible with and provide for:

- a) the protection of natural heritage features and functions;
- b) the protection of hydrologic features and functions;
- c) the protection of agricultural lands, including prime agricultural areas;
- d) the conservation of cultural heritage resources, including features of interest to First Nation and Métis communities;
- e) considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate;
- f) sustainable use of water resources for ecological and servicing needs; and
- g) compliance with the targets, criteria and recommendations of applicable water, wastewater and stormwater master plans, approved watershed planning and/or subwatershed plan in land use planning.

The property is outside of the Niagara Escarpment Commission (NEC)'s area of Development Control and therefore a Development Permit from the NEC is not required. The Escarpment environment shall be protected, restored and where possible enhanced for the long-term having regard to single, multiple or successive development that have occurred or are likely to occur.

#### **D.6 Niagara Region Urban Design Guidelines and Smart Growth Principles**

The Region's smart growth principles that were applied in the development of this proposal were to:

- Promote compact built form that can maximize use of an underutilized residential lot.
- Offer a range of housing opportunities and choices understanding that not everyone wants or needs the same housing type.
- Direct development into existing communities and take advantage of existing community and infrastructure assets.
- Contribute to the sense of place and the establishment of attractive communities.
- Produce walkable communities that provide a variety of transportation choices.

Consistent with the Smart Growth Principles itemized above, the proposed development will provide a use that is complimentary to the existing density while offering an alternative housing type than is currently available. The development will be divided into smaller blocks and will maintain appropriate setbacks to ensure that community identity is maintained in the design process.

The proposed building scale, height and built form will increase the use of the underutilized residential lot while blending with the existing neighbourhood by maintaining the same building height. Frontage along a public road with access to pedestrian walkways and a proposed bike lane will ensure that a variety of transportation options are offered for the achievement of a complete community.



## D.7 Town of Niagara-on-the-Lake Official Plan

The Town of Niagara-on-the-Lake Official Plan (2017 Office Consolidation) aims at accomplishing a balance between the needs of the agricultural area and those of the urban area so as to reduce, as much as possible, land use conflicts.(Section 1)

The Town of Niagara-on-the-Lake consists of five urban communities, Virgil, St. Davids, Queenston, Glendale and the Old Town of Niagara, all in an agricultural setting. (Section 1)

### Section 6.32.3 – Special Policy Area A-3 (St. Davids)

The Official Plan recognizes the community of St. Davids as a Special Policy Area – A-3. The boundaries of the Special Policy Area are shown on Schedule D to this Plan.

**Schedule D**, the Land Use Plan, identifies the distribution of permitted land uses within the St. Davids Special Policy Area.

It is the intent of this Plan that the future evolution and physical development of the St. Davids community shall be directed by the policies of this Plan and, as applicable, the specific policies of this Section (**Refer to Schedule D1 – Established Village Area**).

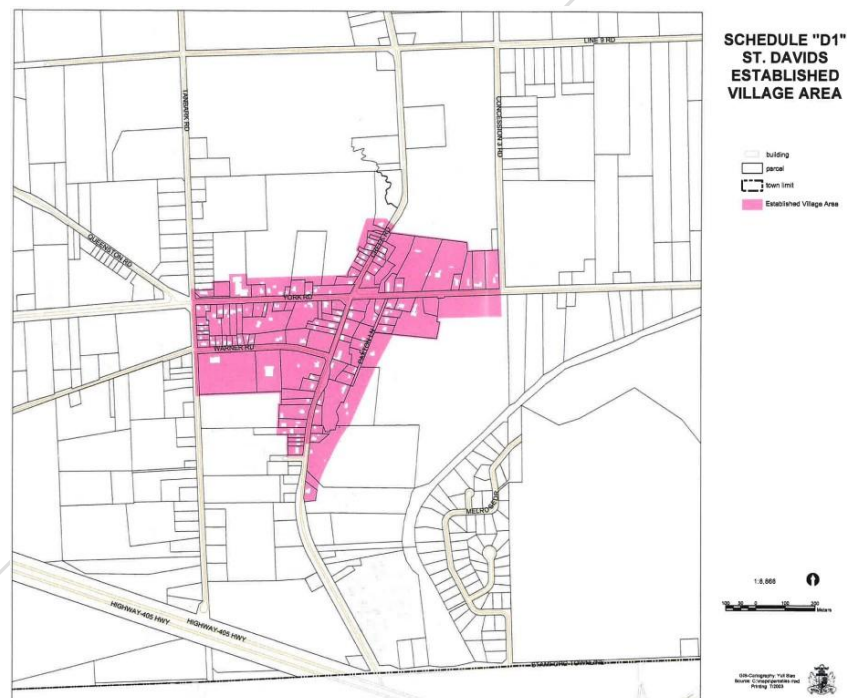


Figure 16: St. Davids Established Village Area – Schedule D



## B. Policies

### Land Use - Established Village Area

The St. Davids Established Village Area shown on **Schedule D1** to this Plan is recognized as such by virtue of its origins as the historic village centred on the intersection of York Road and Four Mile Creek Road.

The Area is anchored by the edge of the historic lotting pattern to the north, the intersection of York Road and Concession 3 Road to the east, the intersections of Tanbark Road with Warner Road and York Road to the west, and the site of the original mill to the south. St. Davids is recognized as one of the founding settlements in Niagara-on-the-Lake, Niagara Region, and the Province of Ontario.

The unique style and ambience of St. Davids is established by its historic buildings, streetscapes, and sense of rural spaciousness that characterize the village.

### Low-Density Residential:

This designation is located along York Road and portions of the Niagara River Parkway, and consists of a range of housing styles with a variety of setbacks and typically generous lot widths. Development in this designation is generally newer than that within the historic core of the Village, and the majority of the properties back onto either agricultural lands or the Niagara Escarpment Natural Area. Access is provided either directly from the Niagara River Parkway or via a service road paralleling the parkway. The intent of policies outlined below is to respect the existing residential pattern, varied lot sizes and generous frontages within this designation.

### Residential Land Use

1. Low density residential land uses and building types are recognized as the predominant permitted housing type intended in the St. Davids Special Policy Area. A mix of low-density building types shall be encouraged.
2. Low density residential projects may be developed to a maximum 6 units per acre net density as provided for in the residential density policies of this Plan.
3. Medium density residential projects are recognized as a minor housing type. Medium density residential projects may be developed to a maximum 12 units per acre net density as provided for in the residential development policies of this Plan.
4. Medium density building types shall be limited to townhouses, triplexes, fourplex and quadplex dwellings, senior citizen housing projects and nursing homes. Medium density building types may be considered in accordance with the following:
  - (a) Medium density projects shall be designed in such a way as to be compatible with adjacent low-density buildings and areas;
  - (b) Medium density projects shall provide adequate outdoor amenity areas including functional common open areas and private open space areas with suitable landscaping;
  - (c) Medium density projects shall provide sufficient on-site parking for each dwelling and visitor accommodation.



5. Medium density projects shall be located:

- (a) Where it can be demonstrated that the project will be compatible with adjacent development in terms of intensity of use, building design, and architectural treatment;
- (b) Adjacent to or in close proximity to commercial areas for the purpose of serving the needs of residents, supporting the viability of the commercial area, and establishing consistency with the land use intensity of the commercial area;
- (c) Where the project has direct access to a public street without drawing traffic through low density areas;
- (d) Where adequate municipal services are available and can be provided without disruption through reconstruction of existing lines. Such reconstruction shall be discouraged by the Municipality. It shall be the responsibility of the proponent to establish the availability of capacity and demonstrate that adequate services are available.

**Housing Diversity**

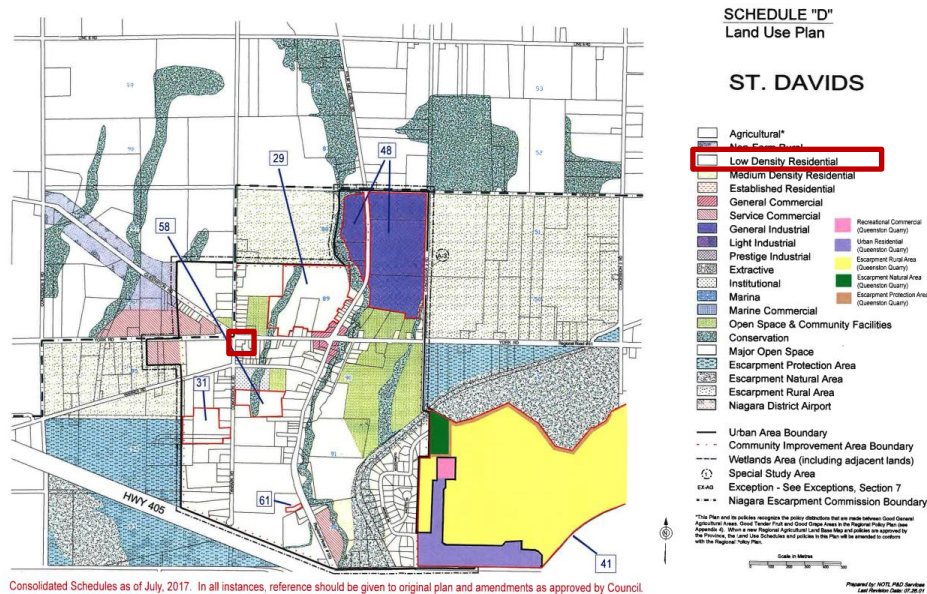
- 1. Council recognizes the importance to the St. Davids community of providing adequate affordable housing for all residents of St. Davids and encourages the development of an appropriate mix of housing types to meet the needs, preferences, and lifestyles of all residents.

**Urban Design**

- 1. The Town intends to adopt urban design guidelines to ensure that the unique historic character of St. Davids is preserved and extended through careful design consideration of built form, open space, and streetscapes.
- 2. All development, redevelopment, and infill in St. Davids shall be designed in a manner consistent with urban design guidelines adopted by Council.

Also refer to **Appendix 4 – St. Davids Secondary Plan** and Urban Design Brief prepared by Quartek Group for detailed information on how the proposed development to preserve and maintain the architectural character of St. Davids Neighborhood.

According to Schedule D – Official Plan - Land Use Plan, the subject land is designated as **Low-Density Residential** land use.



**Figure 17: Town of Niagara-on-the-Lake Land Use Plan (Schedule D) – Low Density Residential**

## Section 9 – Residential

### Section 9.3 Land Use Designations

#### Section 9.3.1 – Low Density Residential

Low-Density Residential land permits a range of housing types including single detached dwellings, duplexes, semi-detached dwellings.

Secondary Uses include:

Uses permitted with a Main Use:

- roomers and boarders
- bed and breakfasts
- accessory apartments
- group homes
- home occupations
- accessory buildings and structures

Uses permitted independent of a Main Use:

- Minor open space and community facilities subject to Section 15 of this Plan;
- Medium density residential uses subject to; the relevant policies of Section 9, and a site specific amendment to the Zoning By-law.

Accessory apartments, rooming and boarding houses, and the residential mix of single family semi-detached and duplex dwellings may be placed in separate zoning categories and limited in the Zoning By-law to locations and densities deemed appropriate by Town Council.

The density of the development for Low residential areas shall not exceed 6 units per acre (14 units per hectare) residential net density.



### Section 9.3.2 – Medium Density Residential

The proposed development involves Townhouses which fall under medium density residential.

Following uses are permitted in the Medium Density Residential Designation:

#### Main Uses:

Multi-unit Residential housing such as townhouses, apartments, nursing homes, and mobile home parks.

#### Secondary Uses:

Uses permitted with a Main Use:

- roomers and boarders
- bed and breakfasts
- accessory apartments
- group homes
- home occupations
- accessory buildings and structures

#### Uses permitted independent of a Main Use:

- Minor open space and community facilities subject to Section 15 of this Plan;
- Low Density Residential uses

The maximum permitted density as per the policies of this plan for medium density residential uses is 12 units per acre and the proposed development exceeds the requirement by having a density of 15.7 units per acre (38.8 units per hectare).

Hence, **Official Plan Amendment** will be required for the Townhouses proposed in the subject property.

### D.8 Town of Niagara-on-the-Lake Zoning By-law 4316-09

According to **Schedule A-23**, of the Town's Zoning By-law 4316-09 (2016), the subject lands are zoned as Residential 1 – R1 Zone. Figure 9 shows the location of the lands.

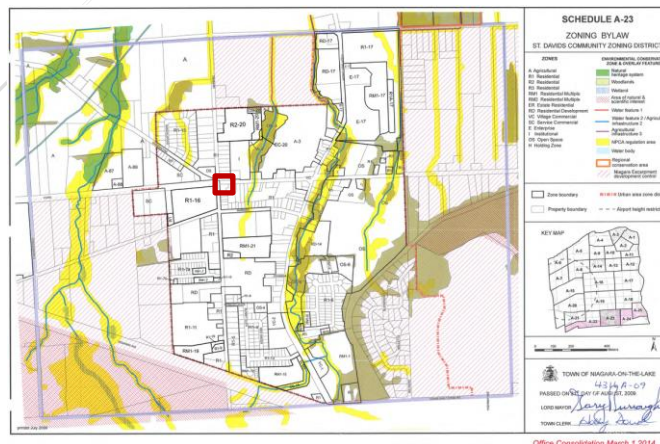


Figure 18: Zoning By-law Schedule A-23 – Town of Niagara-on-the-Lake



The existing zoning for the subject property - **Residential 1 – R1 Zone** is intended for single detached dwellings, home occupations and their accessory uses, thus the zoning does not permit use of the subject lands for a townhouse development.

The development is seeking a **Zoning Bylaw Amendment** for site-specific Residential Multiple 1 – RM1 Zone to permit the use as street townhouse dwellings and site specific Residential 1 R1 Zoning to permit single-detached dwelling and utilize the subject land efficiently.

**Table 1** and **Table 2** provides the zoning provisions for the RM1 zone and the requested amendments to facilitate the proposed street townhouse development. These calculations gave consideration to the 3.0 metres of depth from the front lot line to be used in the road widening and 6m x 6m daylight triangle along the intersection (York Road at Tanbark Road).

**Table 1 – Section 9.4 – Site specific Residential Multiple 1 Zone (RM1)  
Regulations for Street Townhouses**

<b>Zone Regulations</b>	<b>Required</b>	<b>Proposed</b>
Minimum Lot Frontage	Interior Lot – 6.2m Exterior Lot – 10.0m	Interior Lot – 6.5 metres <b><i>Exterior Lot – 8.8 metres</i></b>
Minimum Lot Area	Interior Lot – 230 SQ.M Exterior Lot – 300 SQ.M	<b><i>Interior Lot – 217 sq.m</i></b> <b><i>Exterior Lot – 280 sq.m</i></b>
Maximum Lot coverage	45%	<b><i>50%</i></b>
Minimum Landscaped Open Space	25%	<b><i>35%</i></b>
Minimum Front Yard setback to the front face of the dwelling	4.5m	<b><i>7.5 metres</i></b>
Maximum front yard setback	6.0m	<b><i>7.5 metres and 10.25 metres</i></b>
Minimum Front Yard Setback to garage face.	7.5m	<b><i>7.5 metres</i></b>
Maximum width of garage face	3.5m	<b><i>3.9 metres (Corner Lot)</i></b>
Minimum Interior side yard setback	1.5 m (5 ft) for end units, except for end units having a height 5.0 m (16.4 ft) or greater, then 1.8 m (5.9 ft) shall be provided, except that where no attached garage is provided, the minimum side yard shall be 3.0 m (9.84 ft). No interior side yard is required between the common vertical wall dividing one unit from another.	<b><i>3 metres</i></b>
Minimum exterior side yard setback	4.5m except where an entrance to an attached garage faces an exterior side yard, the minimum exterior side yard for the garage shall be 6m.	<b><i>1.1 metres</i></b>



Zone Regulations	Required	Proposed
Minimum rear yard setback	7.5m, except for units having a height 8.0m or greater, then 9.0m shall be provided.	9.0 metres
Minimum dwelling floor area	80 sq.m	96 – 110 sq.m
Maximum building height	10m	<b><u>11.1 metres</u></b>
Minimum accessory building yards setback	0.5m	N/A
Minimum accessory building exterior side yard setback	4.5m	N/A
Minimum setback of uncovered, unenclosed or covered patio or deck form	0.6m	N/A
Minimum Parking Required	2 space / unit	2 spaces / unit (tandem)

**Table 2 – Section 9.1 – Site specific Residential 1 Zone (R1)  
Regulations for Single-Detached Dwelling**

Zone Regulations	Required	Proposed
Minimum Lot Frontage	18.0m	<b><u>15.9 metres</u></b>
Minimum Lot Area	668 sq.m	<b><u>306 sq.m</u></b>
Maximum Lot coverage	33%	<b><u>40%</u></b>
Minimum Landscaped Open Space	30%	50%
Minimum Front Yard setback	6.0m	<b><u>4 metres</u></b>
Maximum front yard setback	7.5m	4.0 metres
Minimum Front Yard Setback to garage face.	8.5m	<b><u>5.5 metres</u></b>
Maximum width of garage face	7.5m	4.3 metres
Minimum Interior side yard setback i) except where there is no attached garage, the minimum side yard on one side shall be:	1.5m and 3.0m	1.8 metres
Minimum exterior side yard setback	4.5m	N/A
Minimum rear yard setback	7.5m	<b><u>4.2 metres</u></b>
Minimum dwelling floor area	125 sq.m	<b><u>120 sq.m</u></b>
Maximum building height	10m	<b><u>11.1 metres</u></b>
Minimum accessory building yards setback	1.5m	N/A
Minimum accessory building exterior side yard setback	4.5m	N/A
Minimum Parking Required	2 space / unit	2 spaces / unit (tandem)



While the lands directly adjacent to the subject lands are zoned as Residential 1 Zone (R1), there is precedent of similar zoning for multi-residential dwellings (RM1) directly along Tanbark Road towards the south at Pinecroft Drive and Hickory Avenue.

Based on the adjacent zoning & development at Pinecroft Drive (Townhouses) and Hickory Avenue (Townhouses and Single-detached Use), the re-zoning of the subject lands at 1317 York Road is compatible with the neighbourhood. While offering a new housing type at a similar scale as the existing dwellings, the proposal presents an opportunity for redevelopment that will maintain the community vision and character of St. Davids.

As displayed in Table 1, the development is largely consistent and require site specific zoning provisions for the proposed Townhouses (RM-1 Zoning) and single detached dwelling (R1 Zoning) on site.

## **F. PLANNING IMPACT ANALYSIS**

Having regard to the potential impacts from the proposed development, the planning exercise of determining the appropriate scale and location of the townhouse dwelling considered the following:

- Achieving a harmonious design at a higher density that is compatible and can be easily integrated with the surrounding area and not expected to adversely impact on other residential uses.
- Ensuring there sufficient parking on-site.
- Maintaining appropriate setbacks and providing landscaped screening to limit the potential impacts towards adjacent uses.
- Proximity to commercial and institutional uses, etc. reducing reliance on cars and public transit.
- Proximity to school encourages public to live nearby to ensure ease and safety access and enjoy the unique and rich history of the St. Davids neighborhood.
- Providing a scale and high that is comparable to the existing adjacent dwellings.
- Achieving a front façade that is aligned with the community identity and does not detract from the public realm.
- Providing a different housing type at a compact built form that is similar to the existing adjacent dwellings.
- Providing an infill development that makes more efficient use of residential land
- Developing in a location that can conveniently access nearby commercial and retail service facilities by vehicular and active modes of transportation.

### **F.1 Policy Conformance**

In conformity with the Provincial Policy Statement, the subject lands are located within the urban area boundary limits of the Town, which majority of the lands have the designation for a higher density for residential development. The development will be connected to the community through the use of existing infrastructure, and the opportunity to utilize multi-modal transportation networks. The proposed development represents an excellent opportunity for residential infill and intensification consistent with applicable planning policies.



In conformity with the Regional Official Plan policies, the proposed residential development will contribute towards achieving the alternative housing type at a higher density than currently exists. The development will contribute to the Regional intensification targets while directing development to established urban areas. The multi-modal connection to the development and the proximity to local services/business will contribute to the achievement of complete communities.

The proposed development conforms to the Town's Official Plan by contributing to the vision of intensifying while respecting community value. Design of the proposal considered the neighbourhood character in providing similar height, and scale throughout development. Overall, the development is consistent with the Plan's intent of achieving an increased residential density in an orderly fashion, giving preference to existing road networks, infrastructure and housing composition.

## **F.2 Compatibility with Adjacent Land Use**

The need for a balanced approach in the assessment of intensification is required, understanding that there is potential for competing objectives that need to be evaluated accordingly. In this regard, the height and scale of the proposed development is mostly consistent with the adjacent single-detached dwellings while offering a different housing type and scale. The proposed setbacks aim to mitigate any potential privacy impacts to the townhouse rear yards abutting adjacent properties.

The community emphasizes comprehensive developments, offering a full range of housing types, services and connections to accommodate people and families at varying stages of life. The layout is compatible with the intents of a complete community, offering higher density development with linkages to nearby businesses areas and community facilities through vehicular roads, pedestrian walkways and proposed bike lanes. Furthermore, the development will support the long-term goals of the street by facilitating a road widening.

While townhouses are considered a new housing type within the near vicinity, the housing type can be considered to align with the future plans for the neighbourhood due to the large vacant property to the north that has been re-zoned for multi-residential development. Overall, the proposed development will contribute to development within the urban boundary and thus will help the Town in achieving sustainable housing objectives whilst maintaining the character of St. Davids.

## **F.3 Traffic and Access**

The proposed development will offer street townhouses, with direct frontage and vehicular access along Tanbark Road. Tanbark Road is a local road, and the traffic generated by the creation of five (5) additional residential lots is expected to be localized.

The proposed single detached dwelling has a frontage along York Road. Both Tanbark Road and York Road offers pedestrian sidewalks to link the community and the close proximity of commercial and institutional uses along York Road reduces the reliance for its users on vehicles and encourages walkability. Hence, the subject land is an ideal location to propose the use to intensify residential use and reduce reliance on vehicles.



At the pre-consultation meeting in October 2024, the Region indicated that a road widening be established with approximately 3.04 metres at its west most side and 2.28 metres at its east most side. Further to the future road widening, the Town as part of NOP requirements requires a daylight triangle of 6 metres x 6 metres at the corner of York Road and Tanbark Road.

#### **F.4 Municipal Site Servicing**

##### Water Supply:

There is an existing 250mmØ PVC watermain located in Tanbark Road, and an existing 200mmØ PVC watermain located in York Road, along the west and north limits (respectively) of the subject property. There is a Regional 400mmØ ductile iron watermain on York Road as well.

The property is currently serviced with one (1) 19mmØ copper water service, connected to the 200mmØ York Road watermain, but the location of this service is unknown. This existing water service is to be properly decommissioned.

Water supply for the townhouse block will be taken from the 250mmØ Tanbark Road watermain. A 19mmØ Type 'K' soft copper water connection will be installed for each unit, as well as the single detached dwelling. For the single detached dwelling, water supply will be taken from the 200mmØ York Road watermain.

##### Fire Hydrant:

The existing fire hydrant on the NE corner of the York Road and Tanbark Road intersection will provide adequate fire protection for this development based on the following: the hose-path distance to farthest principal entrance (i.e. the front door of the southernmost unit) would be less than the OBC maximum distance of 45m from hydrant to truck and 45m from truck to principal entrance.

##### Sanitary Sewerage:

There is an existing 200mmØ PVC sanitary sewer located in Tanbark Road, and an existing 250mmØ PVC sanitary sewer located in York Road, along the west and north limits (respectively) of the subject property.

The property is currently serviced with one (1) 100mmØ PVC sanitary service, connected to the Tanbark Road sanitary sewer. This existing sanitary service is to be properly decommissioned.

Each new townhouse unit will be serviced through individual 135mmØ PVC sanitary laterals connected to the 200mmØ sanitary sewer in Tanbark Road. The single detached dwelling will also be serviced through a 135mmØ PVC sanitary lead, but it will be connected to the 250mmØ sanitary sewer in York Road.

Further details of the site servicing are provided under a separate cover titled "Functional Servicing Report" prepared by Quartek Group.



### Drainage and Site Grading:

The subject property's current drainage system is overland, with no pronounced/functioning swales, and much of the property is grass area. Topographical data shows the land has minimal slopes that aim towards both bounding roads, but the majority of the property drains northeast. Existing elevations of the property vary from  $\pm 122.30$  to  $\pm 123.70$ . Stormwater eventually reaches the existing curb & gutter on either York or Tanbark Road, to ultimately be conveyed by the respective storm sewer. There is an existing 600mm $\varnothing$  concrete storm sewer located on the west side of Tanbark Road and a 300mm $\varnothing$  concrete storm sewer on the south side of York Road, east of the property.

The proposed site grading design will ensure positive drainage away from the buildings and neighbouring properties to the east and south. Side and rear yard swales will convey the majority of the site's runoff and two (2) catchbasins will capture those flows. A 200mm $\varnothing$  PVC storm sewer is proposed between CB1 and CB2, and then a 250mm $\varnothing$  PVC storm sewer will outlet to the 600mm $\varnothing$  storm sewer on Tanbark Road from CB1. The only impervious area runoff that will not be captured/conveyed by the proposed storm network will be from the driveways.

### **F.5 Garbage Waste Collection**

The proposed development is able to accommodate Regional waste collection at the curbside along Tanbark Road (Townhouse) and York Road (Single Detached Dwelling).

### **F.6 Natural Heritage and Environmental Considerations**

Town and Provincial criteria consider the property to exhibit low potential for archaeological discovery. The property is located in the Region's Core Natural Heritage System (Niagara Escarpment Plan Area). The property is outside of the Niagara Escarpment Commission (NEC)'s area of Development Control and therefore a Development Permit from the NEC is not required. However, a Stage 1 Archaeological Assessment was required.

The Stage 1 background research prepared by Detritus Group indicated that the Study Area exhibited moderate to high potential for the identification and recovery of archaeological resources. Included as part of the background research was a review of recent and historic aerial imagery of the Study Area (Niagara Region, 2025). As of 1934, both York and Tanbark Roads were in use, but the majority of the area was being used as agricultural fields. The house in the northwestern corner of the Study Area was present, although it is mostly obscured by trees. No other homes are visible on the neighbouring properties.

Residential development began slowly in the area by the 1950s and intensified in the early 2000s. The Study Area remains the same until the present day, although at one point a small barn existed in the southwestern corner. This research also included the consultation of the Niagara Region Archaeological Management Plan (Niagara Region, 2024), which indicated that the Study Area is located within an area of archaeological potential. Therefore, a Stage 2 assessment was recommended for the Study Area.



Given the results of the Stage 2 investigation and the identification and documentation of no archaeological resources, no further archaeological assessment of the Study Area has been recommended.

## **G. SUMMARY AND CONCLUSIONS**

The proposed development represents an appropriate land use for the following reasons:

1. It conforms to the policies for intensification and the efficient use of land and existing infrastructure within the urban area, as well as policies for encouraging infill residential development that provides an alternative housing as contained in the Provincial Policy Statement, Niagara Region Official Plan, and the Town's Official Plan.
2. The proposed development will assist the Town to reach their density intensification target and offering higher density housing within an Urban Area with close proximity to school and commercial uses thereby reducing reliance on vehicles and accommodating active transportation.
3. The proposed development will diversify the housing stock and will utilizing setbacks and design principles to conform to the neighbourhood identity.
4. The proposed development will contribute to the achievement of a multi-modal community by providing a road widening for vehicles.
5. The proposed development can efficiently connect to the existing infrastructure (water, sanitary and storm sewers) thereby contributing to environmental sustainability.
6. The proposed development will implement the principles of urban design in the St. Davids Neighborhood and represents good land use planning by maintaining the community character.

Prepared By:

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Leigh Whyte MCIP, RPP, AICP  
Senior Planner



## **H. REFERENCES**

1. Planning Act, R.S.O. 1990, c. P.13, Ministry of Municipal Affairs and Ministry of Housing
2. Provincial Policy Statement, Ministry of Municipal Affairs and Ministry of Housing (2024) – effective from October 20, 2024.
3. Niagara Regional Official Plan (2022)
4. Greenbelt Plan 2017
5. Niagara Escarpment Plan 2017
6. Urban Design Guidelines, Niagara Region (2005)
7. Town of Niagara-on-the-Lake Official Plan (2017)
8. St. David's Secondary Plan – By law 4316-09 (2018)
9. Town of Niagara on the Lake Zoning By-law 4316-09 (2016)



## **APPENDIX A – PRE-CONSULTATION AGREEMENT**





## APPENDIX B – CONCEPTUAL SITE PLAN



## APPENDIX C DRAFT ZONING BY-LAW AMENDMENT

### THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

BY-LAW NO. 4316XX – 18  
(PT LOT 90 York Road)

A BY-LAW TO AMEND BY-LAW NO. 4316-09, AS AMENDED, ENTITLED  
A BY-LAW TO REGULATE THE USE OF LANDS AND THE ERECTION, USE, BULK, HEIGHT,  
LOCATION, AND SPACING OF BUILDINGS AND STRUCTURES WITHIN THE TOWN OF  
NIAGARA-ON-THE-LAKE.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by  
virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN  
OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedule “A-23” of By-law 4316-09, as amended, is further amended by  
changing the zoning of the subject lands identified on Map A (attached to and forming part of this  
By-law) from “Residential 1 – R1 Zone” to site-specific “Residential Multiple (RM1) and site-specific  
Residential 1 (R1) Zone”.
2. That Subsection 9.13.\_\_\_ is added to Section 10 of the Town of Niagara-on-the-Lake  
Zoning By-law 4316-09:

In lieu of the provisions of the “Residential Multiple (RM1) Zone” the following provisions shall be  
permitted on those lands shown on Map A attached hereto:

- Minimum Lot Area - Interior Lot – 217 sq.m (2335 sqft) Exterior Lot – 280 sq.m (3013  
sqft)
- Minimum Lot Frontage – Exterior Lot – 8.8 metres (28.8 foot)
  - Minimum Exterior Side Yard – 1.1 metres (3.6 feet)
  - Maximum Front Yard Setback – 7.5 metres and 10.25 metres (24.6 feet and 33.6  
feet)
  - Building Height – 11.1 metres (36.4 feet)
  - Maximum Lot Coverage – 50%
  - Maximum width of garage – 3.9 metres (12.7 feet)

In lieu of the provisions of the “Residential 1 (R1) Zone” the following provisions shall be  
permitted on those lands shown on Map A attached hereto:

- Minimum Lot Area – 306 sq.m (3293 square feet)
- Minimum Lot Frontage – 15.9 metres (52.1 feet)
- Minimum Front Yard Setback – 4 metres (13.1 feet)





**APPENDIX D DRAFT OFFICIAL PLAN AMENDMENT**

**THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE  
BY-LAW NO. ##### - 24**

**Official Plan Amendment No. ##**

Part Lot 14 RCP 692 Niagara, Parts 1 & 2 Plan 30R-16061, Niagara-on-the-Lake (Northwest side of King Street, South of Cottage Street)

A BY-LAW PURSUANT TO SECTION 17 OF THE ONTARIO PLANNING ACT TO AMEND THE TOWN OF NIAGARA-ON-THE-LAKE OFFICIAL PLAN.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 17 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake consisting of the attached explanatory text and schedule is hereby adopted.
2. Amendment No. ## to the Official Plan for the Town of Niagara-on-the-Lake is exempt from the approval of the Regional Municipality of Niagara and will come into force and take effect on the day of the final passing thereof.

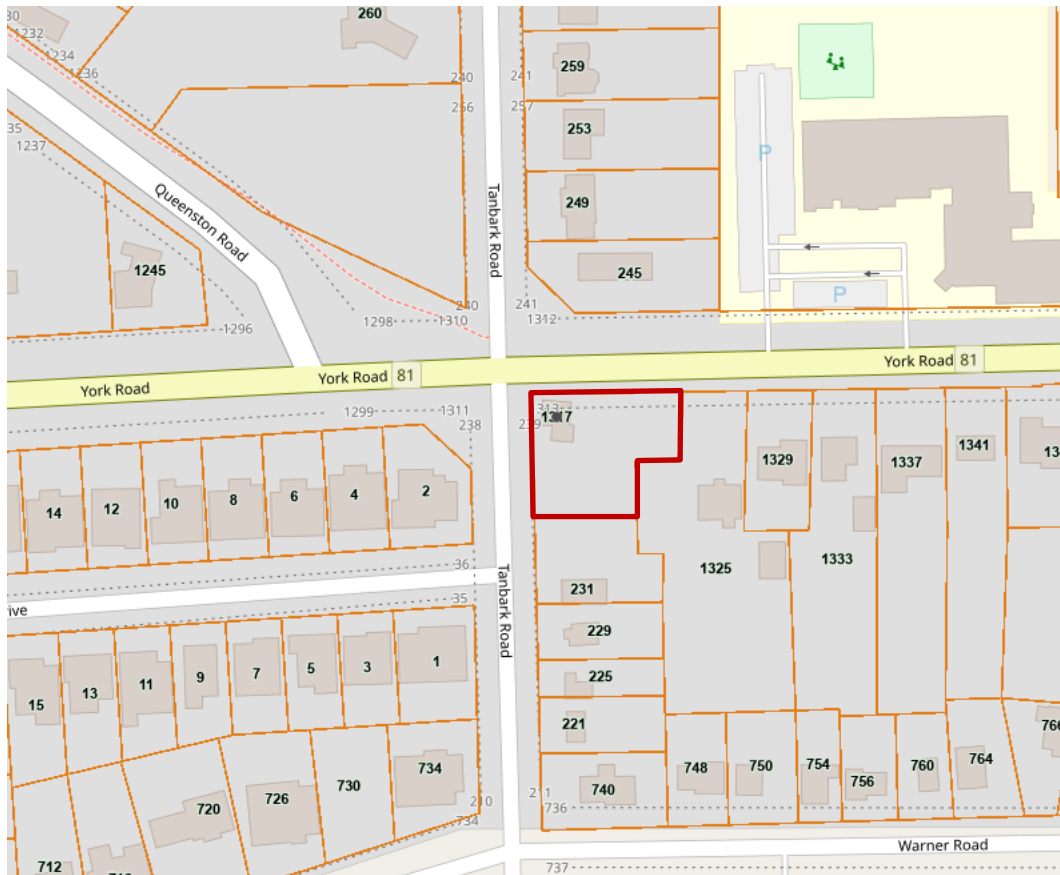
READ A FIRST, SECOND AND THIRD TIME THIS ## DAY OF \_\_\_\_\_, 2025.

\_\_\_\_\_  
LORD MAYOR GARY ZALEPA

\_\_\_\_\_  
TOWN CLERK GRANT BIVOL



**Schedule – Official Plan Amendment:**



**LEGEND**



Subject Land - Change Low Density Residential to  
Site-specific Medium Density Residential