

Planning Justification Report

Draft Plan of Subdivision & Zoning By-law Amendment

**Tawny Ridge Estates
Phase 3 (Phase 2, Block 27)
Niagara-on-the-Lake, ON**

July 2025

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PREFACE

Upper Canada Consultants has been retained by St. Davids Riverview Estates Inc. to prepare a Planning Justification Report in relation to applications for a Draft Plan of Subdivision and Zoning By-law Amendment for a development within a block of the Tawny Ridge Estates Phase 2 Subdivision. The Tawny Ridge Phase 2 subdivision pertains to portions of properties known municipally as 170, 178, 184 and 192 Tanbark Road and an unaddressed parcel of land with frontage on Warner Road (Roll #262702002520600) in the St. Davids Settlement Area of Niagara-on-the-Lake, within the Regional Municipality of Niagara.

The subject applications have been submitted to facilitate the future development of the lands, known as Block 27 of Tawny Ridge Estates Phase 2 Subdivision. This development includes five (5) blocks of three (3) to five (5) residential units, for a total yield of eighteen (18) street townhouse dwellings.

The subject lands have previously been subject to *Planning Act* applications that provided for thirty (30) multiple condominium residential units in the form of either Block Townhouses or Stacked Townhouses and Dwellings. That proposed development underwent significant public scrutiny, and the Owner has since decided to propose street townhouses on this Block planned for development as an alternative.

The Zoning By-law amendment seeks to amend the existing Residential Multiple (RM1-H-40(b)) Site-Specific Holding Zone to a new Residential Multiple (RM1-XX) Site-Specific Zone to develop the lands in a manner that is similar to surrounding land uses and in alignment with applicable growth policies, objectives, and urban design requirements.

This Planning Justification Report provides an analysis of how the applications satisfy the requirements of the *Planning Act*, are consistent with the Provincial Planning Statement (2024), and conform to the Niagara Official Plan (2022), and the Town of Niagara-on-the-Lake Official Plan. It also provides an urban design and streetscape analysis to demonstrate compatibility with the surrounding community and to demonstrate that the proposal addresses the St. Davids Urban Design Guidelines.

This report should be read and considered in conjunction with the following reports and materials:

- Planning Justification Report including a streetscape and urban design analysis
- Functional Servicing Brief including a stormwater management plan
- Coloured Site Plan (**Appendix II**)
- Building Elevations

- Draft Plan of Subdivision (**Appendix I**)
- Servicing Plan
- Lot Grading and Drainage Area Plan
- Streetscape Plan
- Draft Zoning By-law Amendment (**Appendix IV**)
- PIN and Parcel Register
- Cost Estimates

PREVIOUS APPLICATIONS

The subject lands known as Tawny Ridge Estates Phase 3, or Phase 2 Block 27, have been subject to previous planning application in recent years, including an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision application. A brief overview of these applications and their effect is provided below.

Phase 2 of Tawny Ridge Estates proposed 20 lots for single-detached dwellings, six (6) blocks of land for twenty-four (24) on-street townhouse units, a block of land for multiple residential units (maximum of 20 block townhouses or maximum 30 stacked townhouses), a new public street network, walkway and blocks of land for temporary access, future development, road widening and reserves. The owner initially requested for an apartment use to be contemplated for Block 27.

An Official Plan Amendment application proposed an increased residential density for the development, while the Zoning By-law Amendment application requested the lands be rezoned to a Residential (R2-XX) Site-Specific Zone for the single-detached dwellings and Residential Multiple (RM1-XX) Site-Specific Zones for the townhouse portions. The proposed Draft Plan of Subdivision included new streets that connect Chestnut Avenue to the south and Warner Road to the north, across from Angels Drive.

These applications were deemed complete on December 20th, 2022. On March 7th, 2023, a Public Meeting was held, which led to modification to the applications for both Tawny Ridge Estates Phase 1 and Phase 2. On July 10th, 2023, a comprehensive resubmission was made to address comments, as there was significant public interest in the files, and subsequent discussions with Town staff.

A Recommendation Report went forth to Council January 16th, 2024. On January 30th, 2024, Council approved Official Plan Amendment 88 – By-law 2024-007 and Zoning By-law Amendment – By-law 4316FD-24, and on February 6th, 2024, Council approved the Draft Plan of Subdivision.

DESCRIPTION AND LOCATION OF THE SUBJECT LANDS

The current applications pertain to Block 27 of the Tawny Ridge Estates Phase 2 Subdivision that is located at 170, 178, 184 and 192 Tanbark Road and an unaddressed parcel of land (Roll No. 262702002520600). The subject lands have frontage along south side of Warner Road and the east and north side of Chestnut Avenue in the Tawny Ridge Estates Phase 2 Subdivision, and are surrounded by urban residential uses. An aerial view of the subject lands is provided in **Figure 1**.



Figure 1 – Cropped Image from Niagara Navigator of Tawny Ridge Estates Phase 2 Block 27

Property Context

The subject lands are situated on the south side of Warner Road, just east of Angels Drive/Chestnut Avenue extension and west of Tanbark Road within the Settlement Area of St. Davids. The subject lands are 0.417 hectares in size, and have 25.17 metres of flankage and 85.88 metres frontage along Chestnut Avenue and 91.24 metres frontage on Warner Road.

The lands are a block within the overarching Tawny Ridge Estates Phase 2 subdivision. The lands are generally flat in grade, with some trees and vegetation, and have been vacant for many years. Historically the lands were used as an orchard, as indicated in aerial imagery from 1934, prior to being used partially for residential purposes.

Surrounding Land Uses

The subject lands are primarily surrounded by residential developments, consisting mainly of single-detached homes and townhouses of various ages and sizes.

North: Single-Detached Dwellings

East: Single-Detached Dwellings, Niagara-on-the-Lake District 2 Fire Station, Sparky's Park, and The Church of Jesus Christ of Latter-day Saints

South: Tawny Estates Phase 2 Street Townhouse Dwellings, Single-Detached Dwellings just beyond

West: Single-Detached Dwellings

Transportation System

The subject lands are located along Warner Road, which is a local roadway that is owned and maintained by the Town of Niagara-on-the-Lake. Upon the build out of the overarching Tawny Ridge Estates Phase 2 subdivision, the lands will be bound by an additional local road, being Chestnut Avenue.

All dwellings will be provided with private driveway access fronting onto the surrounding local roadways for direct access.

The subject lands are conveniently located near Provincial Highway 405, offering a direct connection between the Queen Elizabeth Way (QEW) and the Canada–United States border at the Queenston-Lewiston Bridge. Additionally, York Road provides access to the Glendale area and the QEW.

NRT OnDemand transit ride-share services are also provided throughout Niagara-on-the-Lake, which provides flat-fee trips within the service boundaries with no fixed schedules or routes.

Parks and Open Spaces

The proposed development is within Block 27 of the overarching Tawny Ridge Estates Phase 2 Subdivision. Cash-in-lieu of parkland dedication will be provided at the time of registration for this development, as Sparky's Park, a large municipal park, is adjacent to this subdivision on the east side of Tanbark Road, that will service the residents of this proposed development.

Designation

The subject lands are located within the Niagara-on-the-Lake Urban Area, specifically within the Settlement Area of St. Davids, and are located within the delineated Built-up Area per the Niagara Official Plan (2022). The lands were previously subject to planning applications through the

overarching subdivision, which designated the lands as Low-Density Residential Exception (EX-RES-12) and zoned Residential Multiple (RM1-H-40(b)) Site Specific Holding Zone.

The subject lands are within the St. Davids Special Policy Area (Special Policy Area A-3) and are subject to detailed growth and development policies and a set of Urban Design Guidelines. These lands have been envisioned for urban residential development for several years and the proposed development will contribute to the Town of Niagara-on-the-Lake's minimum annual residential intensification target of 25%, as provided in the Niagara Official Plan.

THE PROPOSED DEVELOPMENT

Draft Plan of Subdivision

The proposed Plan of Subdivision for Tawny Ridge Estates Phase 2 Block 27 contains five (5) blocks of three (3) to five (5) street townhouse dwellings, accommodating a total of eighteen (18) dwellings. The proposed draft plan of subdivision will implement the blocks and is shown below in **Figure 2** and is included as **Appendix I**.

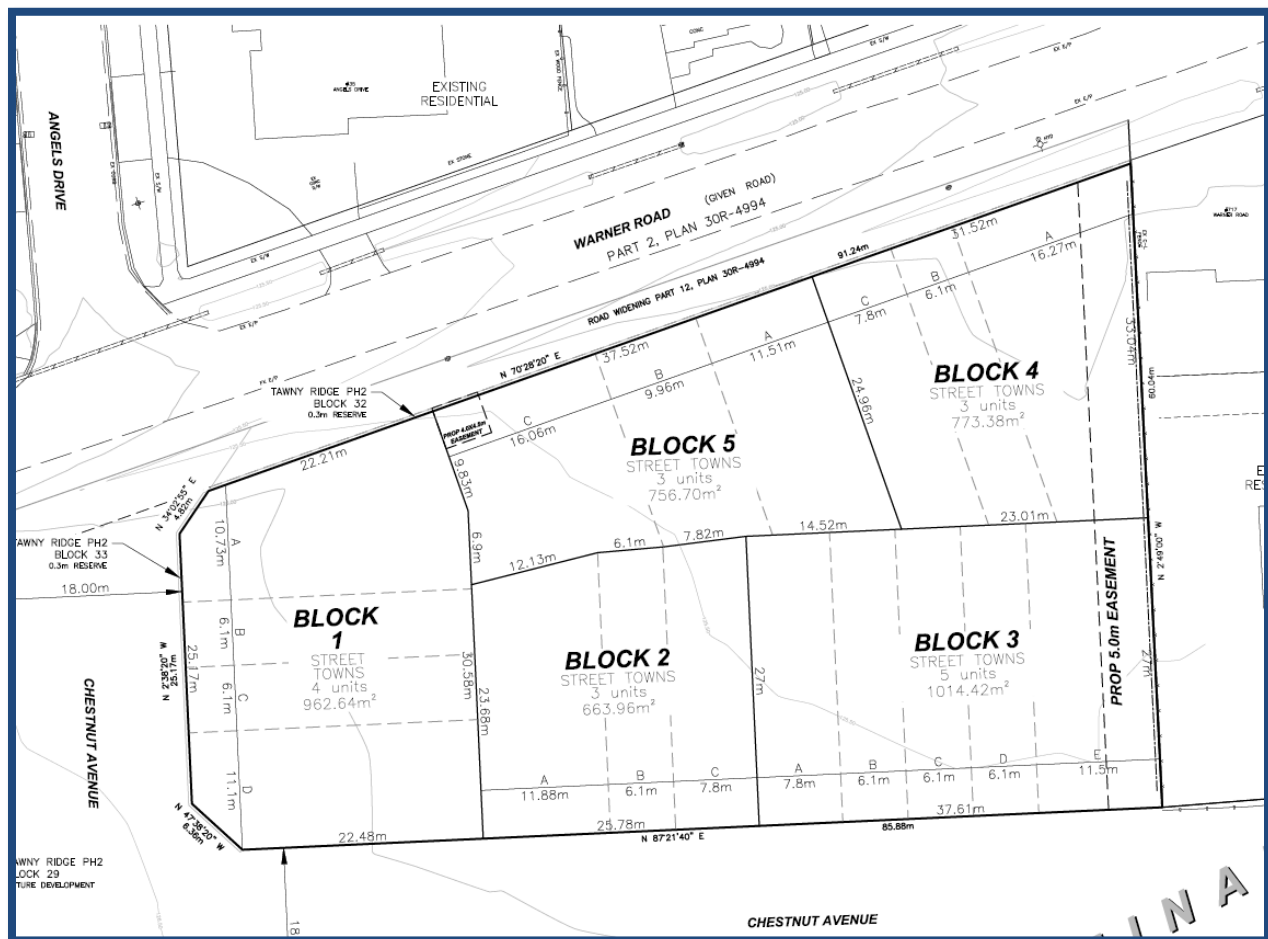


Figure 2 – Excerpt of the Draft Plan of Subdivision for Tawny Ridge Estates Phase 3

Zoning By-law Amendment

A Zoning By-law Amendment is required to amend the existing Residential Multiple (RM1-H(b)) Site-Specific Holding Zone (By-law No. 4316FD-24) to a new Residential Multiple Site-Specific Zone to permitted on-street townhouse dwellings and to set out associated site-specific provisions for the proposed on-street townhouse dwellings. This will be done by removing and repealing the existing site-specific zoning, and assessing the proposed zoning against the parent Residential Multiple (RM1) zone. The site was intended for block townhouses or stacked townhouses at a somewhat higher density. The on-street townhouse alternative now being considered is a result of consideration of the public and Town comments received and the desire to proceed with a built form that is consistent with the surroundings, and is lower in density and height. The Coloured Site Plan of the proposed street townhouse concept is shown below as **Figure 3** and included as **Appendix II**.

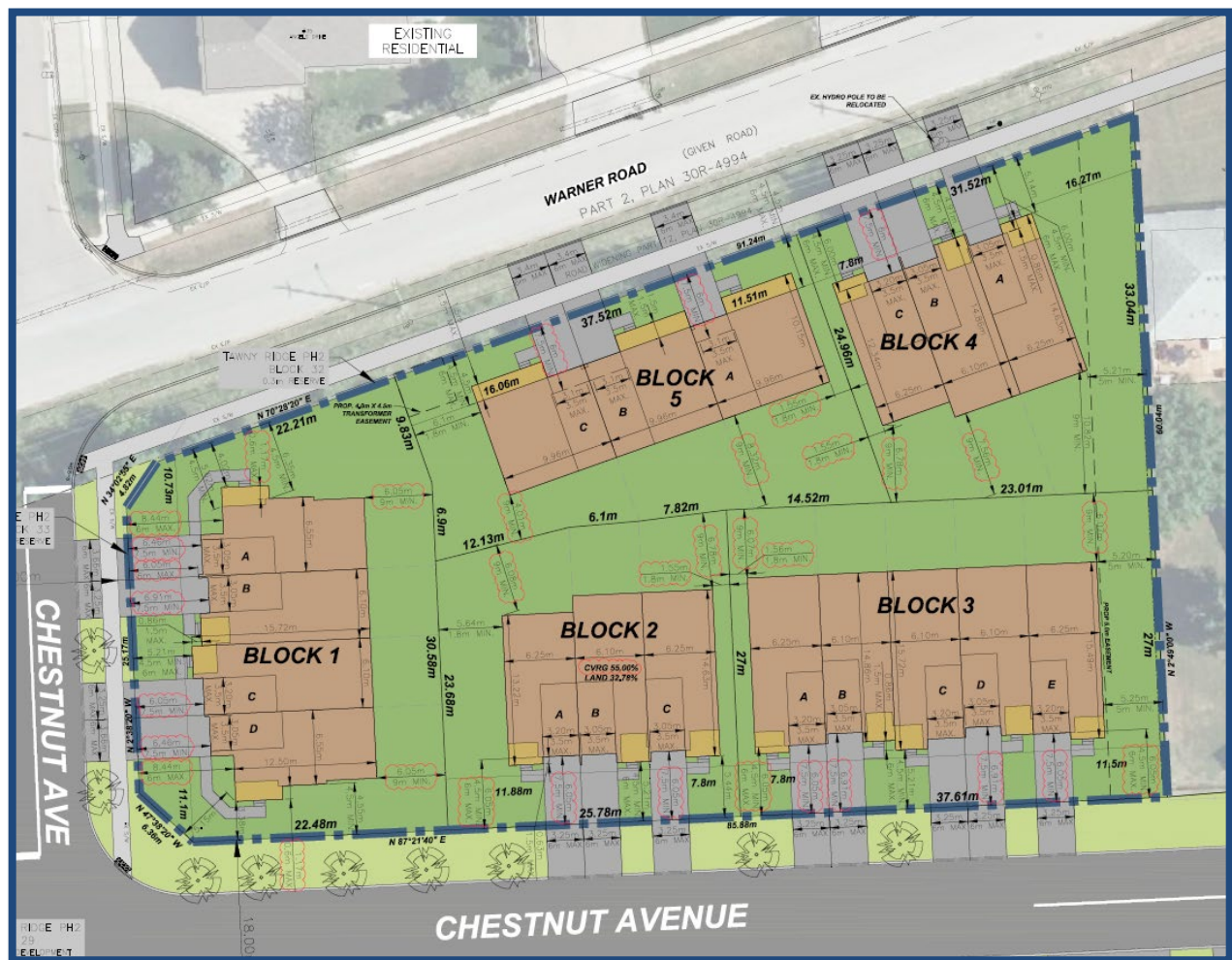


Figure 3 – Excerpt of the Coloured Site Plan for Tawny Ridge Estates Phase 3

Density

The subject lands are a 0.417-hectare block within the overarching Tawny Ridge Estates Phase 2 subdivision that has an overall land area of 3.11 hectares (7.68 acres). The entirety of these lands is to be developed with a maximum overall net residential density of 32.66 units per hectare (13.32 units per acre).

A total of eighteen (18) on-street townhouses are proposed for the subject lands, with a net residential density of 43.17 units per hectare. This brings the net residential density for the entirety of the Phase 2 subdivision lands to 28.34 units per hectare that is below the maximum overall maximum density allowable for the subdivision.

Transportation

The proposed dwelling units will have access provided by way of Warner Road and Chestnut Avenue within the Tawny Ridge Estates Phase 2 subdivision. Sidewalks will be constructed along the frontage of Blocks 1, 4 and 5 and on the opposite side of Blocks 2 and 3, which will facilitate pedestrian circulation through the site and creates connectivity to the Tawny Ridge Phase 2 subdivision lands and beyond.

Parking

Table 6-5 of the Town's Zoning By-law 4316-09 outlines that townhouse dwellings must have a minimum of two (2) legal parking spaces provided for each dwelling. The proposed dwellings adequately provide a parking space in the driveway and in the attached garage, complying with the requirement of two (2) spaces per dwelling unit.

Street Townhouses

Five (5) blocks are proposed within the Draft Plan of Subdivision for a total of eighteen (18) street townhouse dwelling units. These units will be freehold and will have attached garages, fronting onto Warner Road and the extension of Chestnut Avenue. Each block will contain three (3) to five (5) units.

The proposed dwellings are planned to be two-storeys in height, including covered entrances, and will have the option for covered rear decks. Each unit will have a single-car garage, and each block will include a mix of cladding and accent materials that will be determined through the detailed design process. An example of an elevation is shown below in **Figure 4**.



Figure 4 – Example of an Elevation for Tawny Ridge Estates Phase 3

REQUIRED APPLICATIONS

A pre-consultation meeting was held on February 20th, 2025 to discuss the applications.

Town planning staff identified that the subject lands have previously been subject to an Official Plan Amendment, Zoning By-law Amendment and are within a Draft Plan of Subdivision. As such, many requirements have been or are being addressed through conditions of draft approval for the overarching subdivision.

In order to facilitate the proposed development, a Draft Plan of Subdivision and Zoning By-law Amendment are required.

As set out within the Pre-consultation Agreement, complete application requirements for the Draft Plan of Subdivision and Zoning By-law Amendment:

- Planning Justification Report including a Streetscape Study and Urban Design Brief
- Functional Servicing and Stormwater Management Report
- Coloured Site Plan
- Building Elevations
- Photometrics and Lighting Plan
- Draft Plan of Subdivision
- Servicing Plan
- Lot Grading and Drainage Area Plan
- Streetscape Plan
- Draft Zoning By-law Amendment
- PIN and Parcel Register
- Cost Estimates

The Photometrics and Lighting Plan, Servicing Plan, Lot Grading and Drainage Area Plan, and Cost Estimate will be provided through the future clearance of Draft Plan approval conditions.

A copy of the Pre-consultation Agreement is included as **Appendix III** to this report.

Draft Plan of Subdivision

The Draft Plan of Subdivision proposes the implementation of blocks within the proposed subdivision.

Zoning By-law Amendment

A Zoning By-law Amendment has been submitted to address zoning compliance matters. The subject lands were previously subject to a Zoning By-law Amendment through former planning applications for Tawny Ridge Estates Phase 2, zoning the lands Residential Multiple (RM1-H-40(b)) Site-Specific Holding Zone. This site-specific zoning planned for this block to be a condominium, therefore the permitted uses include block townhouse dwellings, stacked townhouse dwellings, and accessory building and structures.

Street townhouse dwellings are now being proposed. A Zoning By-law Amendment is required to add permissions for on-street townhouses and to set out site-specific provisions of these proposed dwelling units. This will require a rezoning from the existing Residential Multiple Site-Specific Zone to a new Residential Multiple Site-Specific Zone.

Site-specific provisions are requested for:

- Minimum lot frontage per unit (interior) 6.1-metres
- Minimum lot frontage per unit (exterior) 7.8-metres
- Minimum lot area per unit (interior) 155-metres-squared
- Minimum lot area per unit (exterior) 200-metres-squared
- Maximum Lot Coverage 55% + 5% for attached unenclosed & covered decks, porches and patios
- Maximum Front Yard Setback 8.45-metres
- Minimum Front Yard Setback to Garage Face 6.0-metres
- Minimum Interior Side Yard Setback – 1.55-metres
End Units having a height 5-metre or greater
- Minimum Rear Yard Setback – units having 6.0-metres
height 8-metres or greater 4.0-metres (Block 5)
- Maximum Building Height 11.0-metres
- Maximum projection of unenclosed and uncovered or covered porch, patio or steps into required yard:
 - Add covered porch, patio or steps
 - 1.2-metre projection into required exterior side yard

RELATED STUDIES AND REPORTS

Consistent with the submission requirements outlined in the Pre-consultation Agreement (see **Appendix II**) and in addition to this Planning Justification Report, the studies and reports listed below have been submitted with the Draft Plan of Subdivision and Zoning By-law Amendment applications. A brief overview of their conclusions and recommendations are provided below. Please refer directly to the reports and studies for more detailed information.

[Functional Servicing Report / Stormwater Management Plan \(Upper Canada Consultants\)](#)

The Functional Servicing Report outlines how the proposed development will be serviced with water, sanitary and stormwater infrastructure and confirm the existing services have sufficient capacity to accommodate the development.

As outlined in the report, the subject lands can be serviced by watermain, sanitary sewer, and storm sewer.

With regard to the watermain, there is an existing 150 mm watermain within Warner Road and through the construction of the Tawny Ridge Phase 2 subdivision, a new 150 mm watermain will be constructed to service the development and create a loop between existing systems.

There is an existing 200 mm diameter sanitary sewer on Warner Road that conveys flows eastward to Tanbark Road. To support the development, a new sanitary sewer will be connected to this existing service on Warner Road.

Lastly, stormwater management will be provided by way of storm sewers and the use of an existing offsite stormwater management wet pond facility, within the Vineyard Creek subdivision. The Report indicates that the proposed storm sewers will convey flows to the existing 600 mm storm sewer on Tanbark Road, which has sufficient capacity to support the development.

PROVINCIAL LEGISLATION AND PLANS

Development applications within the Town of Niagara-on-the-Lake are subject to the Ontario *Planning Act* (R.S.O. 1990) and 2024 Provincial Planning Statement. An assessment of how the submitted applications satisfy applicable Provincial legislation and policies is provided below.

PLANNING ACT (R.S.O. 1990)

The *Planning Act* regulates land use planning in the Province of Ontario. The Act prescribes matters of Provincial Interest with regard to land use planning and the necessary procedures to be adhered to when making applications for development.

Section 2 – Matters of Provincial Interest

Section 2 of the *Planning Act* addresses matters of Provincial interest that a planning authority must have regard for when contemplating a land use planning application. Matters of Provincial Interest include:

- 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;*
(h.1) 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 affordable housing;*
- 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. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.*

The applications have regard for clauses f), h), i), j), l), p), q), and r) of Section 2 of the Act.

f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*

The subject lands are located south of Warner Road, west of Tanbark Road, and north of Hickory Avenue and Tulip Tree Road, and the remainder of the Tawny Ridge Estates Phase 2 subdivision.

Access to the subdivision will be provided by two public roadways including Warner Road, and the extension of Chestnut Avenue within the Tawny Ridge Estates Phase 2 subdivision.

As outlined in the Functional Servicing Report prepared by Upper Canada Consultants, the development can be serviced by an existing municipal watermain and sanitary sewer, efficiently using these existing services to support the development.

The subject lands can also be serviced by Regional waste collection services.

h) *the orderly development of safe and healthy communities;*

(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

The proposed development represents logical and compatible growth within St. Davids. The lands are designated and zoned for residential growth and development, making them an appropriate addition to the area. The orderly development of safe, vibrant and resilient communities is best achieved through proactive and comprehensive planning. The subject lands are part of a draft approved plan of subdivision and the proposed development is appropriate, integrating residential growth that aligns with and is compatible with the surrounding area.

The proposal changes the built form from block townhouses or stacked townhouse units to street townhouse units which is also an appropriate housing form for the neighbourhood that contributes to a well-balanced, inclusive, and sustainable neighbourhood.

i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;

The subject lands are conveniently located near a range of public service facilities, ensuring strong community support for the proposed development. Specifically, St. Davids Public School is located approximately 400-metres or a 5-minute walk, and Sparky's Park is located approximately 230-metres or a 3-minute walk from the subject lands. Also located in St. Davids are other recreational, community, social and cultural facilities such as churches, the St. Davids Lion's Club, St. Davids Pool and Lions Park, Lowrey Park, a Fire Station, wineries, and local serving retail uses.

Overall the lands benefit from access to educational, social, cultural and recreational facilities, supporting a vibrant and well-served community.

j) the adequate provision of a full range of housing, including affordable housing;

The proposed development will include eighteen (18) freehold street townhouse units. These dwellings are provided in an area that consists of primarily single-detached dwellings, though also includes block and on-street townhouses.

The inclusion of street townhouses in this area assists in addressing the broad spectrum of individual needs and lifestyles, positively adding to the housing supply in the Town. By increasing the overall availability of residential units, the development supports housing accessibility and choice, ensuring housing options for a range of residents.

Given current market conditions and ongoing growth pressures, expanding the local housing inventory is both timely and essential. The site is particularly well-suited for residential development, as it is located among an existing and developing residential neighbourhood. While the proposed units will be sold at market value and may not qualify as affordable housing, they will contribute to greater housing diversity and availability in Niagara-on-the-Lake.

l) the protection of the financial and economic well-being of the Province and its municipalities;

The proposed development is beneficial for the financial and economic well-being of the Province and its municipalities as it introduces eighteen (18) new dwellings into the Town

of Niagara-on-the-Lake. This addition of housing will not only expand housing capacity in an appropriate area of the Town, it contributes to the overall economic resilience and vitality of the area. This development will generate development charges and long-term property tax revenue. These economic and financial contributions support the sustainable growth and prosperity of the Region and municipality, which supports the local economy.

p) the appropriate location of growth and development;

The subject lands are located within the Niagara-on-the-Lake Urban Area, which is a preferred and prescribed location for growth in Provincial, Regional and local land use planning documents.

The lands have frontage on an existing local roadway and a future local roadway extension, have readily available connections to full municipal services and utilities available, and are located in close proximity to municipal parkland and community facilities.

The proposed street townhouse dwellings will be compatible with the surrounding existing and future residential development, complimenting the neighbourhood.

These lands are conveniently located near necessities, and this development will provide a through connection between the neighbourhood to the south to Warner Road for pedestrians, cyclists and vehicles.

q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

The subject lands will include sidewalks and an additional pedestrian connection from Chestnut Avenue to Warner Road. Public Transit services are not available in St. Davids, though the broader portions of the community are accessible by foot or bicycle.

r) the promotion of built form that,

a. is well-designed,

b. encourages a sense of place, and

c. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

The proposed development plan emulates traditional development characteristics that will integrate with the existing and future dwellings within the surrounding neighbourhoods that helps create the sense of place. The proposed dwelling units range in size, and have been thoughtfully designed to meet the needs of a variety of demographics.

Residents will have easy access to Sparky's Park which is a high-quality municipal park that is safe, accessible, attractive and vibrant.

Section 34 – Zoning By-laws and Amendments

Applications for Zoning By-law Amendments are considered under Section 34 of the *Planning Act*. Amendments are permitted to municipal by-laws subject to the provision of prescribed information. This application has been filed with the required fee and supporting materials requested through pre-consultation.

Section 51 – Draft Plans of Subdivision

Applications for Land Division are governed under Section 51 of the *Planning Act* and in particular must have regard for the matters under Section 51(24) of the *Planning Act*.

Section 51 (24) the *Planning Act* prescribes that “*In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,*” items a) to m). An overview of how each item is addressed is provide below.

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

As noted, the applications are consistent with Section 2, clauses f), h), i), j), l), p), q), and r) of the *Planning Act*.

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

The subject lands have been subject to previous planning applications and are designated and zoned for residential development in the Town of Niagara-on-the-Lake's Official Plan and Zoning By-law. Therefore, urban residential development of the lands is planned, rather than being premature, and is within the public interest.

The applications are not premature as they are part of a planned development being Tawny Ridge Estates. They seek to establish a residential use that is in keeping to those that exist and are proposed in the surrounding area. The subject site has full access to services and utilities and has access to existing and planned public roadways. These favourable attributes further indicate the proposed subdivision is not premature, but rather represents a logical location for additional residential development within St. Davids.

This development will implement growth and development that is consistent and in conformity with overarching land use planning policies, and will contribute to the diversification and expansion of the available housing supply in the area, efficiently using urban serviced land.

Considering the adjacent residential development, accessibility to services and utilities, fulfillment of housing demand, and optimization of municipal services, this subdivision is within the public interest.

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

The subject lands conform to the Official Plan and adjacent plans of subdivision. The proposed development plan is consistent with the contiguous development pattern of the surrounding area and utilizes available land efficiently.

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

The subject lands are located in a suitable location for development as they are free of physical encumbrances and hazards, can be serviced by existing municipal infrastructure, are along a local public roadway, and have been envisioned for residential development for years. Overall, the development of the lands with residential land uses is appropriate and compatible with the surrounding uses and suitable for its intended use.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

While the applications do not include affordable housing as defined by the Province of Ontario, the proposed development actively contributes to the availability of housing which can in turn lead to improved housing attainability. The proposed development includes street townhouses which are a higher density form than the single-detached dwellings in the surrounding area, and overall throughout Niagara-on-the-Lake. This provides a wider range of housing options that will vary in price, exemplifying efforts to promote housing that is attainable to a wider range of residents, prioritizing inclusivity and meeting the diverse housing needs of the community.

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;

The proposed development will have dwelling units fronting onto Warner Road and the extension of Chestnut Avenue through Tawny Ridge Estates Phase 2 that will be designed and developed to municipal standards. These roads are local roads under the jurisdiction of the Town and have capacity to accommodate the proposed development.

The subject lands are also in close proximity to Highway 405 and the Queen Elizabeth Way.

f) the dimensions and shapes of the proposed lots;

The applications propose the creation of primarily rectangular shaped lots which form a lotting pattern that is efficient and logical for the property configuration. The proposed lot dimensions and shapes are shown on the Draft Plan.

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;

There is a proposed 5.0 metre easement along the east side of the proposed Blocks 3 and 4 that is required to accommodate a 450mm diameter storm sewer between Chestnut Avenue and Warner Road and on the northwest corner of Block 5 is a proposed 4.0 metre x 4.5 metre easement for a hydro transformer. Also, along the south side of Warner Road along Blocks 4 and 5 is a proposed 0.3m reserve along the Warner Road frontage that is being required as part of Tawny Ridge Phase 2 subdivision (Block 32) and will be required to be partially lifted to allow driveway and servicing access for the proposed units in Blocks 4 and 5.

h) conservation of natural resources and flood control;

The subject lands do not contain any natural resources and are not located within a floodplain.

i) the adequacy of utilities and municipal services;

A Functional Servicing Report was prepared by Upper Canada Consultants that outlines how the proposed development will be serviced has been submitted with the applications. As confirmed in the report, the proposed development has access to water and sanitary services along Warner Road.

The adequacy of public utilities will be confirmed through the comment and review process by applicable bodies.

j) the adequacy of school sites;

St. Davids Elementary School is located within approximately 400-metres of the subject lands.

Comments on the adequacy of schools will be provided by the School Boards through their comments on the application.

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

There is no portion of that lands that are to be dedication or conveyed to the Town for public purposes as there is an existing municipal park in close proximity. As such, cash-in-lieu of parkland dedication will be provided to the Town through registration of the Plan of Subdivision.

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

The coordinated development of a large parcel of land provides for increased efficiencies in the servicing and construction of the development. Further, the proposed development achieves a compact land use pattern that helps to optimize the use of infrastructure.

Energy efficient design may also be explored through the development of detailed building plans.

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 development is subject to Subdivision approval which ensures that all matters affecting the approval authority and commenting agencies are adequately addressed prior to the commencement of development.

2024 PROVINCIAL PLANNING STATEMENT (PPS)

The Provincial Planning Statement, 2024, is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow; Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents.

It provides municipalities with the tools and flexibility required to build more homes, enabling them to;

- plan for and support development, and increase the housing supply across the province
- align development with infrastructure to build a strong and competitive economy that is investment-ready
- foster long-term viability of rural areas
- protect agricultural lands, the environment, public health and safety

The PPS sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Planning for People and Homes (PPS 2.1)

Section 2.1 of the PSS provides guidance for population forecasts, and required municipalities and planning authorities to provide sufficient land to accommodate an appropriate range and mix of land uses to meet projected needs informed by provincial guidance.

Section 2.1.6 directs that planning authorities should support the achievement of complete communities by;

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

The applications are consistent with the direction of Section 2.1 of the PPS as they facilitate the development of additional housing opportunities in an area that has servicing capacity to accommodate the planned residential units.

The proposed subdivision will contribute to the achievement of a complete community by providing housing opportunities in an area that is supported by institutional and recreational uses, and will be compatible with the surrounding existing and planned development. The subdivision will be designed to meet accessibility requirements to ensure people of all ages and abilities can navigate safely. Lastly, the inclusion of street townhouses adjacent to single-detached dwellings, and the remainder of Tawny Ridge Phase 2 consisting of single-detached dwellings and street townhouses, contributes to the range of housing choice, supporting social equity and quality of life for people.

Housing (PPS 2.2)

The PPS provides that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents 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;
- 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.

As set forth in the 2022 Niagara Official Plan, Table 2-1 illustrates that Niagara-on-the-Lake has a forecasted population of 28,900 people and 17,610 jobs by 2051. This anticipated growth must be supported by an increase in housing supply and a range and mix of dwelling forms of different sale price ranges within the area.

The proposed development will contribute eighteen (18) street townhouse dwelling units into the St. Davids Settlement Area that will be of freehold tenure. This development is designed to be compatible with the surrounding area, that includes existing residential dwellings, Tawny

Ridge Estates Phase 1 and the remainder of Phase 2, and will provide housing which directly attributes to improved affordability or attainability. The development efficiently uses underutilized lands and infrastructure, and is in close proximity to the QEW.

Overall, the proposed subdivision portrays many characteristics that are desirable and appropriate for future residential development.

Settlement Areas and Settlement Area Boundary Expansions (PPS 2.3)

Section 2.3.1 details the general policies for settlement areas, as they are to be the focus of growth and development. These areas are to be based on densities and a mix of land uses that efficiently use land and resources; optimize existing and planned infrastructure and public service facilities; support active transportation; are transit-supportive, as appropriate; and freight-supportive.

In order to support the achievement of complete communities, intensification and redevelopment is to be supported by planning authorities, by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Section 2.3.1.4 to 2.3.1.6 state that minimum targets for intensification and redevelopment within built-up areas are to be established, and density targets for designated growth areas are to be encouraged to plan for a target of 50 residents and jobs per gross hectare.

Consistent with the PPS, the proposed development will occur within the St. Davids Settlement Area Boundary. As set forth in the 2022 Niagara official Plan, Niagara-on-the-Lake is to accommodate 25% of development to the year 2051 within the Built-up Area as intensification. Consistent with this Policy, the subject lands are located entirely within the Built-up Area.

The proposed residential development will assist in optimizing existing infrastructure, efficiently utilizing urban land, and supporting active and public transportation. The addition of eighteen (18) new residential units contributes to the minimum intensification targets set out for the Built-up Areas with a developable density of 43.17 units per hectare, and supports the achievement of complete communities, by including the proposed form of housing into the area and prioritizing investment in this location.

Strategic Growth Areas (PPS 2.4)

The PPS provides that planning authorities are encourage to identify and focus growth in strategic growth areas and strategic growth areas should be planned:

- a) to accommodate significant population and employment growth;
- b) as focal areas for education, commercial, recreational, and cultural uses;
- c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and
- d) to support affordable, accessible, and equitable housing.

To support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development are to be considered.

Planning authorities are to prioritize planning and investment in infrastructure and public service facilities in strategic growth areas; to identify the appropriate type and scale of development and transition of built forms for adjacent areas; to permit development and intensification to support the achievement of complete communities and a compact built form; consider a student housing strategy when planning for strategic growth areas; and support redevelopment of commercially designated retail lands to support mixed use residential uses.

The subject lands are in an area that is supported by nearby commercial, institutional and recreational uses. The proposed residential townhouse units accommodate and support accessible and equitable housing that will be more affordable than some of the other housing found in the area.

Energy Conservation, Air Quality and Climate Change (PPS 2.9)

Section 2.9 directs that planning authorities must plan to reduce greenhouse gas emissions and adapt to climate change by promoting compact, transit-supportive communities, integrating climate considerations into infrastructure planning, supporting energy conservation, promoting green infrastructure and active transportation, protecting the environment, and improving air quality. Additionally, they should adopt any other measures that enhance community resilience and help mitigate climate change impacts.

The proposed development includes street townhouses rather than single-detached dwelling which pose many positive benefits with respect to reducing greenhouse gas emissions. Compact forms of housing such as townhouses take climate change into consideration and provide many efficiencies.

Further energy efficiencies will be explored through detailed design.

General Policies for Infrastructure and Public Service Facilities (PPS 3.1)

Section 3.1 outlines that infrastructure and public service facilities are to be provided in an efficient manner and strategically located while accommodating projected needs to provide cost-effectiveness.

As the proposed residential development is within an existing residential area, the surrounding infrastructure and services are available. The proposed development consists of street townhouses that pose many positive benefits with respect to reducing greenhouse gas emissions. More compact forms of housing take climate change into consideration and provide many efficiencies.

Further energy efficiencies will be explored through detailed design.

Transportation Systems (PPS 3.2)

Section 3.2 policies of the PPS direct that transportation systems should be safe, energy-efficient, and facilitate the movement of people and goods, while supporting zero- and low-emission vehicles. Efficient use of existing and planned infrastructure should be prioritized, using transportation demand management strategies where feasible. Connectivity within and between transportation systems and modes should be planned, maintained, and improved, including across jurisdictional boundaries, as part of a multimodal transportation system.

The proposed subdivision will front two existing local roadways, being Chestnut Avenue and Warner Road. The subject lands are proximate to Provincial Highway 405, which provides access between the QEW and the Canada/United States Border, and York Road which provides a connection to the Glendale Area and the QEW. Sidewalks will also be included within the development plan to provide a safe system for pedestrian movement.

Land Use Compatibility (PPS 3.5)

The policies in this section provide for that major facilities and sensitive land uses are to be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminant, minimize risk to public health and safety and to ensure the long-term operational and economic vitality of major facilities.

The proposed residential development is a sensitive land use that is not in proximity to any major facilities, and therefore, there are no land use compatibility issues that will result through the approval of the proposed development.

Sewage, Water and Stormwater (PPS 3.6)

Section 3.6.1 outlines that planning for sewage and water services should prioritize accommodating forecasted growth by efficiently using and optimizing existing municipal and private communal systems. This approach ensures that services can be sustained by available water resources, remain financially viable over their lifecycle, and protect both human health and the natural environment, particularly water quality and quantity. The services should also align with broader municipal planning efforts.

Additionally, planning should encourage water and energy conservation, integrating servicing with land use considerations throughout the process, and assessing opportunities to reallocate unused capacity to support housing needs. All planning should be consistent with specific servicing policies to ensure effective and sustainable management of water and sewage services.

A Functional Servicing Report was prepared for the proposed development of the subject lands that confirmed that Chestnut Avenue and Warner Road will have sufficient capacity to provide both domestic and fire protection water supply, and the receiving sanitary sewers on Warner Road and Chestnut Avenue will have adequate capacity. The St. Davids Sanitary Pumping Station No. 1 has capacity to receive dry weather flows from the proposed development, and the increased drainage area will not affect the performance of the pumping station under wet weather conditions.

Section 3.6.8 suggests that stormwater management planning should be integrated with sewage and water services to ensure systems are optimized, retrofitted, and financially sustainable over their lifecycle. It aims to minimize or prevent increases in stormwater volume and contaminants, control erosion, and maintain water balance, using green infrastructure where possible.

Furthermore, planning should mitigate risks to health, safety, property, and the environment, maximize vegetative and permeable surfaces, and encourage best practices such as stormwater reuse, water conservation, and low-impact development. Finally, it must align with comprehensive municipal plans that address the cumulative impacts of stormwater on a watershed scale.

The on-site stormwater quantity controls will be provided by a control orifice and oversized storm sewer storage within the overall Tawny Ridge Phase 2 subdivision lands, to provide quantity controls for the 5- and 100-year design storm events. All storm flows from the subject land outlet to the Vineyard Creek Estates SWM Pond that ultimately outlets to the Four Mile Creek. The Vineyard Creek Estates SWM Pond permanent pool has capacity to provide stormwater quality controls to MECP Normal levels for the increased imperviousness of the lands without modifications to the facility or additional on-site quality controls.

Overall, it's been concluded that there is adequate municipal servicing for the proposed development.

Waste Management (PPS 3.7)

The PPS provides that waste management systems need to be planned for and provided that are of an appropriate size, type and location to accommodate present and future requirements, and facilitated integrated waste management.

Waste management planning is a responsibility of the Niagara Region. The proposed subdivision takes into consideration the Region's requirements to accommodate waste collection trucks.

Public Spaces, Recreation, Parks, Trails and Open Space (PPS 3.9)

Section 3.9 directed that to promote healthy, active, and inclusive communities, planning should ensure that public streets and spaces are safe, accessible, and encourage social interaction and active transportation. It should also provide diverse recreational opportunities for people of all ages and abilities, including parks, trails, and natural areas, while offering public access to shorelines. Moreover, the protection of provincial parks and conservation areas should be recognized, with efforts to minimize any negative impacts on these protected spaces.

The proposed subdivision has been planned with safety in mind. The existing and planned municipal streets have been designed in accordance with municipal standards and the proposed sidewalks will follow suit, to ensure the safe movement of people and vehicles. All dwellings will face the local roadways, which provides for eyes on the street and fosters social interactions amongst neighbours.

The subject lands are also situated within walking distance of a municipal park, known as Sparky's Park. This park provides suitable amenity area to support future residential development. Lowrey Park is also within walking distance and the St. Davids Pool and Lions Park is nearby. Cash-in-lieu of parkland dedication will be provided through the registration of the overarching Tawny Ridge Estates Phase 2 subdivision to assist the municipality in the provision of recreational opportunities throughout the community.

Cultural Heritage and Archaeology (PPS 4.6)

Section 4.6 of the PPS outlines that protected heritage properties, including built heritage resources and cultural heritage landscapes, must be conserved. Development and site alteration are not allowed on lands with archaeological resources unless these resources are preserved.

Similarly, development on adjacent lands is restricted if it impacts heritage attributes. Planning authorities are encouraged to create archaeological management plans and strategies for conserving significant heritage resources. They must also engage early with Indigenous communities to ensure their interests are considered in the protection and management of archaeological and heritage resources.

The Town of Niagara-on-the-Lake has an Archeological Screening Tool that defines area of the municipality that exhibit potential for archaeological resources. Schedule 'H' of the Town's Official Plan shows the property being within an area of archaeological potential, therefore assessments were previously required to be completed.

Stage 1-2 Archaeological Assessments were formerly conducted and resulted in no archaeological resources being identified. As such, Ministry Acknowledgement Letters have been provided with the previous submission for Tawny Ridge Estates Phase 2. No further archaeological assessment work is required.

With regards to cultural heritage resources, there are no protected cultural heritage resources or cultural heritage landscapes on the subject lands or on adjacent lands that require conservation.

Coordination (PPS 6.2)

Section 6.2.1 details that a coordinated, integrated, and comprehensive approach is essential for effective planning across municipalities, government agencies, and service managers. This involves managing growth and development in alignment with infrastructure planning, public service facilities, and economic development strategies. It also includes the management of natural and cultural heritage, transportation, waste systems, and addressing housing needs.

A pre-consultation meeting for the proposed development was held on February 20th, 2025. The pre-consultation meeting allowed for upper and lower-tier municipalities and other commenting agencies to review and comment on the development proposal early in the process. This coordinated approach allows for appropriate consideration to be made during the planning stage to ensure that all matters of Provincial, Regional, local and public interest are identified and that identified matters are addressed through the submission of required studies and materials.

NIAGARA OFFICIAL PLAN (2022)

The Niagara Official Plan (NOP) was approved by the Minister of Municipal Affairs and Housing on November 4, 2022. It outlines the long-term strategic policy planning framework for managing growth in the Region to a planning horizon ending in 2051. While the Region of Niagara is now an upper tier municipality without planning responsibilities, the Region of Niagara Official Plan has become an Official Plan of the Town of Niagara-on-the-Lake and will remain in effect until the Town revokes or amends the Plan to provide otherwise.

The Plan's focus is primarily on implementing the Provincial Policy Statement and other Provincial Plans and Guidelines, and providing regional-level land use planning direction on growth, the natural environment, infrastructure and other attributes or circumstances unique to Niagara.

CHAPTER 2 – GROWING REGION

Chapter 2 of the NOP contains the Regional level growth policy direction for Niagara Region and the twelve (12) local municipalities inclusive of population and employment forecasts, intensification targets and specific locations and methods for development.

The NOP directs growth and development to Settlement Areas where full urban services are available, as well as public transit, community and public services and employment opportunities.

2.1 – FORECASTED GROWTH

Per Section 2.1 of the NOP, the Region of Niagara is anticipated to have a population of 694,000 people and 272,000 jobs by the year 2051, representing an increase of over 200,000 people and 85,000 jobs from 2021. These population and employment forecasts are further broken down by municipality in Table 2-1. Per Table 2-1, Niagara-on-the-Lake has a forecasted population of 28,900 people and 17,610 jobs by 2051.

The proposed development will contribute eighteen (18) new residential dwelling units into the Town's housing supply and will assist in achieving the Town's annual growth and targets.

2.2 – REGIONAL STRUCTURE

Section 2.2 establishes the regional land use structure, based on Provincial directives which dictate how the projected growth is to be accommodated. A majority of growth is to occur within the Settlement Area, where water and wastewater systems exist or are planned. The Settlement Area is further broken down into the delineated Built-Up Area and the Designated Greenfield Area.

The subject lands are located within the Town of Niagara-on-the-lake Urban Area (Settlement Area) and are within the Delineated Built-Up Area, as shown on Schedule 'B' of the Niagara Official Plan in **Figure 5**.

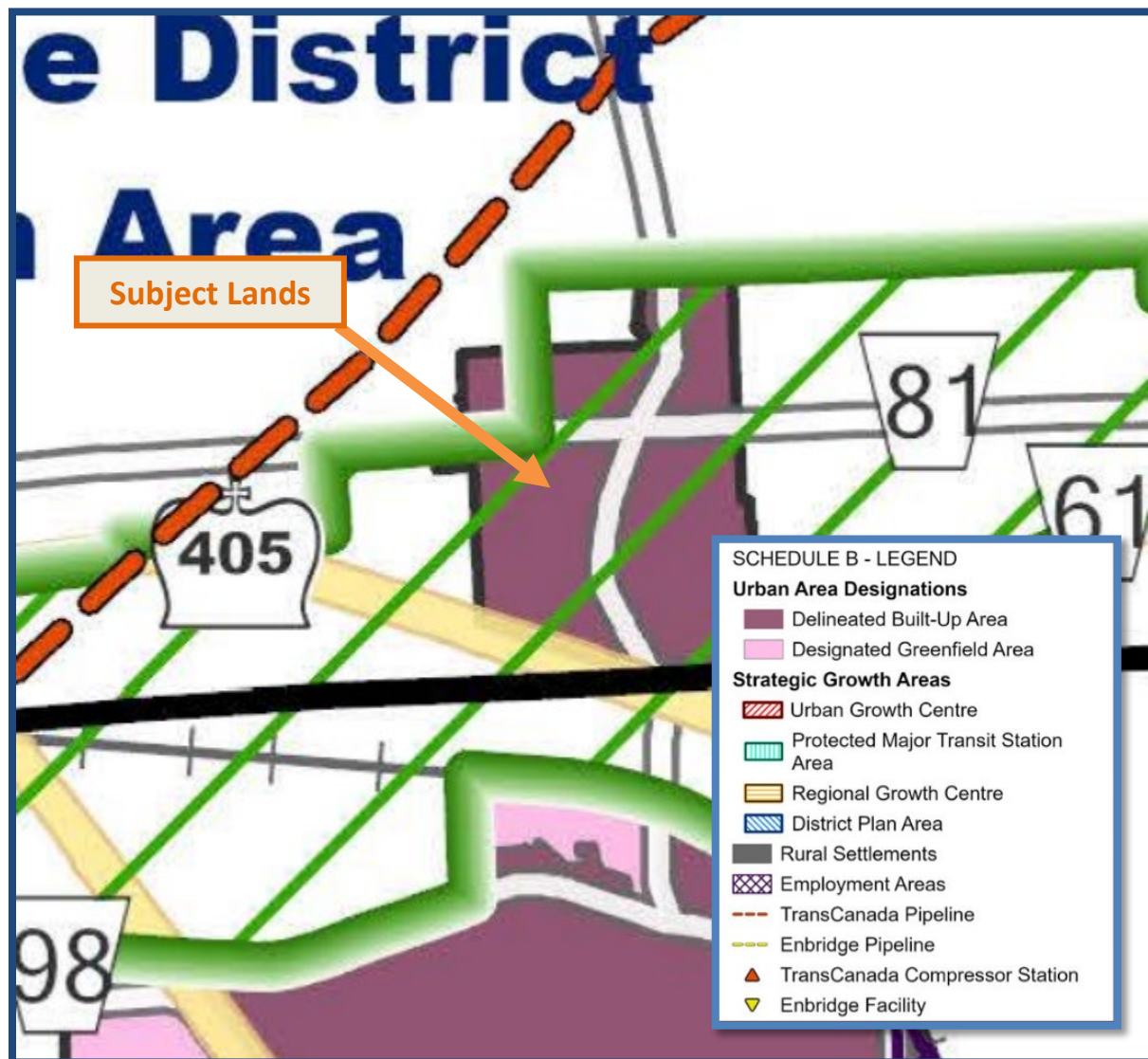


Figure 5 - Excerpt from Niagara Official Plan Schedule "B" – Regional Structure

The proposed development will contribute eighteen (18) street townhouse dwellings to the Town's housing supply. The subject lands are planned for residential development and can be serviced by public roadway access and municipal infrastructure. The proposed development will assist the Region and Town in the achievement of their annual growth targets.

2.2.1 - Managing Urban Growth

Section 2.2.1 of the NOP contains policies pertaining to the management of urban growth. Generally, these policies direct growth to occur in a manner that supports the achievement of

intensification targets, is compact and vibrant, is inclusive of a mix of land uses and housing forms, and efficiently utilizes existing services and transportation networks/services.

The applications conform with this policy direction through the provision of on-street townhomes in an area that predominantly consists of single-detached dwellings. These dwellings will utilize urban, serviced land. The proposed development will assist the Town in rounding out available lands with a logical development pattern that will contain a vibrant housing form and streetscape.

Overall, the applications are considered to conform with the NOP and implement its growth management direction in an appropriate, efficient and context sensitive manner.

TOWN OF NIAGARA-ON-THE-LAKE OFFICIAL PLAN

The Town of Niagara-on-the-Lake Official Plan is the long-range planning tool used to guide growth and development in the municipality. On January 30th, 2024, Official Plan Amendment 88 was approved by Town Council, designating the subject lands as site-specific “Low Density Residential (EX-RES-12)” designation to permit a maximum net residential density of 13.22 units/acre (32.66 units/hectare) for the entirety of the Tawny Ridge Estates Phase 2 subdivision development.



Figure 6 – Excerpt of Schedule '1' of Official Plan Amendment #89

The subject lands are a 0.417-hectare block within the overarching Tawny Ridge Estates Phase 2 subdivision that has an overall land area of 3.11 hectares (7.68 acres). The entirety of the lands to be developed with a maximum overall net residential density of 32.66 units per hectare (13.22 units per acre).

A total of eighteen (18) street townhouses are proposed for the subject lands, with a net residential density of 43.17 units per hectare. This brings the net residential density for the entirety of the Tawny Ridge Phase 2 subdivision lands to 28.34 units per hectare, under the maximum density of 32.66 units per hectare.

The proposed development is deemed to conform with the applicable policies from the Town Official Plan.

SECTION 6: GENERAL DEVELOPMENT POLICIES

6.4 Building Height Restrictions

Policy 6.4 of the Town of Niagara-on-the-Lake Official Plan states that the municipality consists of low-rise structures with building heights that typically do not exceed 11-metres in height.

The proposed development consists of solely street townhouse dwelling units. These units are proposed to be zoned as RM1-XX, with a request to increase the height from 10-metres to 11-metres, which is consistent with the maximum height permitted by the Official Plan.

6.11 Frontage on a Public Street

Policy 6.11.1 of the Official Plan states that development will only be permitted where the lot has frontage on a public street.

The proposed Plan of Subdivision will front onto Warner Road, and the extensions of Chestnut Avenue through the Tawny Ridge Estates Phase 2 subdivision. Therefore, all units will have frontage provided on a public roadway.

6.17 Lot Sizes

Policy 6.17 of the Official Plan prescribed that “The lot area and lot frontage shall be suitable for the proposed uses and should conform to the provisions of the implementing Zoning By-law. In considering any plan of subdivision or consent application regard shall also be had to the minimum lot sizes provided in the zoning by-law so as to keep the lots as small as possible in relation to the efficient use of land and the need to preserve the agricultural land resource.”

As the subject lands are irregularly shaped as a right trapezoid, the lots along Warner Road differ in size. Lot sizes range from approximately 160 m² to 400 m². The proposed lotting is appropriate for the area, and makes the best use of the provided space.

A reduction in the lot size and frontage are proposed, in order to accommodate the proposed street townhouse dwellings, and to be in keeping with the street townhouses that are to be

constructed just south of the proposed development through Tawny Ridge Estates Phase 2 subdivision.

The proposed amendments are in conformity with the direction of the Official Plan to encourage and foster more development within the Town's existing urban area and are within a draft approved plan of subdivision. The proposed minimum lot size and frontage, reflective of the draft plan, have been included in the site-specific zoning for the subject lands.

[6.21 Parking and Loading Facilities](#)

Per Table 6-5 of the Town of Niagara-on-the-Lake Zoning By-law 4316-09, the required amount of parking spaces for the proposed street townhouse dwellings is two spaces per unit. The required two spaces are provided utilizing both the driveway and the garage.

[6.22 Parks and Dedication](#)

For lot creation applications in the Town of Niagara-on-the-Lake, inclusive of subdivisions, parkland dedication is required in the form of land dedication or cash-in-lieu.

The proposed development is supported by a nearby municipal park known as Sparky's Park and other parklands in St. Davids, and therefore, cash-in-lieu of parkland dedication has been identified by the Town through pre-consultation as the preferred method to provide parkland.

[6.29 Road Setbacks](#)

Policy 6.29 requires that "setbacks from roads shall be provided as required by the implementing Zoning By-law. Such setbacks shall be sufficient to allow space for landscaping and off-street parking, loading and movement of vehicles clear of any road allowances."

The minimum front yard setback to the front face of the dwellings is to remain, though an increase in the maximum front yard setback and minimum front yard setback to the garage face are requested. These setbacks will continue to provide sufficient room for off-street parking, where permitted, and landscaping to be provided in the front yards. These setbacks are also similar to those set out in Tawny Ridge Estates Phase 2.

[6.30 Servicing Policies](#)

The policies of Section 6.30 of the Official Plan generally require that urban development be supported by municipal services, including watermain, sanitary sewer and storm sewers.

The Functional Servicing Report was prepared to provide an overview of the available servicing infrastructure, proposed connection methods and how stormwater will be managed for the

proposed development. The Report concludes that sufficient water and sanitary capacity is available to support the development and that stormwater can be sufficiently managed.

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

The Village of St. Davids is subject to a specific set of Official Plan policies that apply to development within the Settlement Area, in addition to the broader policies of the Official Plan. These tailored policies are intended to balance between preserving the character of the historic Established Village Area and guiding appropriate, well-regulated development within the community.

Schedule D1 of the Official Plan shows the Established Village Area that is subject to these additional policies. As shown in **Figure 7**, the subject lands are not within the Established Village Area and therefore, are not required to adhere to these policies.

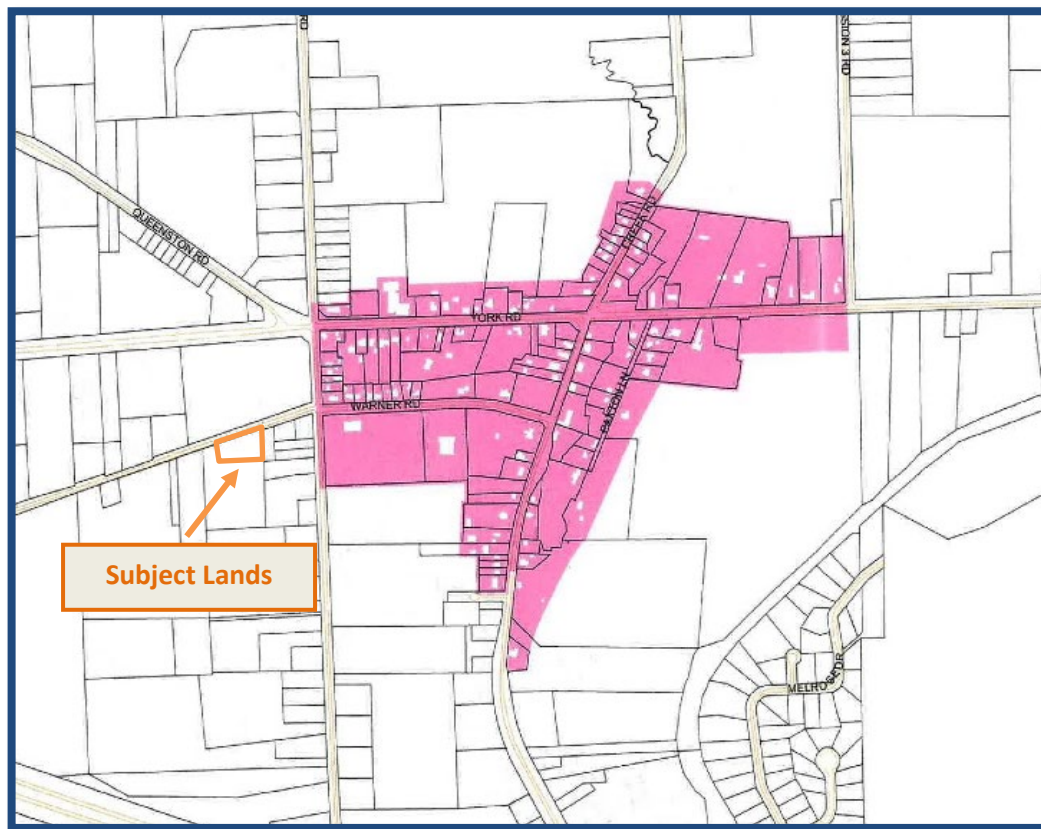


Figure 7 - Schedule D1 - Town of Niagara-on-the-Lake Official Plan

Section A. Objectives

The following Plan Objectives apply to the entirety of the St. Davids Area.

1. Preserve the ambience and character of the historic village;

- 2. Maintain the urban area boundaries as the limit to the service area in support of the municipal servicing strategy and protection of abutting agricultural lands for farming purposes;**
3. Protect the ecosystem integrity of woodlots, the Four Mile Creek watercourse, and the Niagara Escarpment;
4. Protect the views of the Niagara Escarpment, and provide for appropriate public access and linkages to the Bruce Trail;
- 5. Provide for efficient future growth within the urban area boundaries based on a comprehensive plan for municipal infrastructure and compatible land uses;**
6. Provide for appropriately located active parkland and recreational facilities;
7. Enable further investigation of the need for and feasibility of new community facilities including a community center, library, daycare, and medical center;
- 8. Provide for a diversity of housing types to meet the needs of the resident community;**
9. Provide for appropriately located commercial opportunities and activities to serve the needs of the St. Davids community;
10. Provide a long-term strategy for the development of lands within the urban boundary adjacent to Bevan Heights;
11. Provide for a comprehensive approach to transportation planning including roadways, pedestrian ways, bicycle ways/lanes and a long-term strategy for the future of Paxton Lane;
12. Provide for a comprehensive approach to stormwater management;
- 13. Provide for well-designed new development through urban design guidelines to address streetscape character, infill opportunities, and community focal points;**
14. Recognize existing industrial uses, provide for appropriate planned growth of these uses, encourage industry which is environmentally sensitive in terms of such impacts as noise, traffic, vibration, fumes and waste management, and provide for compatible development opportunities on adjacent lands.

Objectives 2, 5, 8, and 13 are particularly relevant to the submitted applications. These objectives are addressed through the proposed development of eighteen (18) street townhouses, which are situated within the urban Settlement Area Boundary. The proposed development can be supported by the servicing master plans for St. Davids. The proposed land use is compatible with the surrounding context and contributes to housing diversity within the community. To add, the preliminary architectural designs align with the general intent of the applicable urban design guidelines, supporting high-quality built form, an enhanced streetscape, and appropriate integration with adjacent land uses.

Section B. Policies

General Development Policies for St. Davids

Development in St. Davids is governed by the general development policies of the Towns Official Plan and the following specific policies:

1. Where appropriate the scale, massing, and design of any new development shall be compatible with the character of adjacent development, and support the characteristics of the Village. All new street-related development should enhance the streetscape;
2. New development shall be designed, where appropriate to preserve and enhance the streetscape in terms of such elements as building setback, façade design, and façade density;
3. New development shall respect established building lines and significant landscape features;
4. Access to new buildings that have a direct relation to the street shall be arranged in relation to, and designed to facilitate, street-oriented pedestrian movement;
5. Parking areas for new commercial buildings shall be located in rear yards;
6. Proposals for infill development shall be designed to be sensitive to the attributes of adjacent properties in terms of such elements as scale, massing, building separations, and landscaped open space;
7. Signage, lighting, and landscaping treatments shall be compatible with the character of adjacent properties and the Village in general.

The proposed eighteen (18) unit street townhouse development has been thoughtfully designed to align with the policies of the Town's Official Plan, particularly those guiding development in the Village. The scale, massing, and architectural treatment of the townhouse blocks are compatible with the evolving built form along Warner Road and Tanbark Road, providing a thoughtful transition between existing estate-style homes and newer low to medium-density developments within the Tawny Ridge Estates Phase 1 and 2 subdivisions. The development enhances the streetscape through consistent building articulation, quality façade materials, front porches, and pedestrian connections that contribute to a vibrant and walkable public realm.

While Warner Road is a street in transition, the proposed setback and building design maintain a balance between the evolving urban character and the existing rural elements of the area. The plan respects the established building lines and incorporates landscaping and boulevard trees that will help maintain a green, and visually consistent streetscape. Each unit along Warner Road includes direct pedestrian access from the public sidewalk, promoting an active street presence and supporting a street-oriented design approach.

The proposal is sensitive to adjacent development in terms of massing, building separation, and the provision of landscaped open space, ensuring a respectful interface with surrounding properties. Future signage, lighting, and landscape features will be modest, high quality, and compatible with the Village character, contributing to a streetscape that is attractive, functional, and aligned with the Town's vision.

The lotting and zoning are considered to be compatible with and reflective of the overall development character of the immediately surrounding community.

Servicing

1. New development including plans of subdivision, plans of vacant land condominium, and new lots created by consent shall be designed and serviced subject to the approval of the Town's Public Works Department and other appropriate agencies.
2. Approval of new development shall be coordinated by the Town to ensure that the provision of municipal infrastructure takes place in an orderly, efficient, and cost-effective manner.
3. New development shall proceed only if Council is satisfied that services and utilities are or can be made available and have the adequate capacity to accommodate and safely service the proposed development.
4. Developers shall be financially responsible for providing all services and utilities to new development.
5. All lots shall be served by municipal water and wastewater services.
6. Elimination of existing private water and wastewater facilities shall be required. For all properties connected to the communal sanitary sewer system, decommissioning of existing septic systems shall be carried out in accordance with Regional Health Department requirements. Private wells shall not be connected to the municipal water supply system.

As outlined in the Functional Servicing Report prepared by Upper Canada Consultants, the proposed subdivision can be serviced from existing municipal water, sanitary and stormwater infrastructure. These connections shall be made at the cost of the developer, and will be subject to the approval of the municipality.

Land Division and Land Assembly

1. Land division within St. Davids should generally proceed by plan of subdivision to ensure that an appropriate lotting pattern is created; that an appropriate roadway design will be achieved; and that suitable arrangements for the provision of services are addressed in a subdivision agreement.

2. Land division may proceed by way of plan of vacant land condominium. Such proposals shall be reviewed on the basis of such considerations as, but not limited to, building footprints and configurations; the massing and design of new buildings in relation to the style of adjacent buildings; internal vehicular and pedestrian movement; parking arrangements for motor vehicles; common and private amenity areas; landscaping, buffering and screening details; and consistency with Municipal services standards and facilities.
3. Small scale land division by consent of the Committee of Adjustment shall generally be discouraged except for the division of blocks within a plan of subdivision, the consolidation of remnant land parcels, minor lot boundary adjustment, and minor infilling along existing public roadways.
4. Land assembly or lot consolidation may be required to ensure parcel configurations that are appropriate for development purposes by way of plan of subdivision, the orderly design of public infrastructure, and compatibility with abutting lands. The Town will encourage the merging of lands, or the undertaking of multi-party development agreements, in order to meet this policy intent.

The proposed land division method occurring concurrently with the Zoning By-law Amendment is a Plan of Subdivision. An appropriate lotting pattern is proposed that is in keeping with the surrounding existing and future residential development.

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 quad-plex 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.

The subject lands are designated Low Density Residential – EX-RES-12. Per Section 9.3 of the Official Plan, the Low-Density Residential designation permits housing forms such as single-detached dwellings, semi-detached dwellings and duplexes. Policy 3 indicates that medium density projects are also permitted, which include townhouses and apartment dwellings subject to a site-specific zoning by-law amendment. The existing site-specific designation permits the lands to be developed with a maximum of 74 dwelling units, including the remainder of the Tawny Ridge Estates Phase 2 lands, at a maximum net residential density of 13.22 units per acre (32.66 units per hectare).

The proposed subdivision includes eighteen (18), two-storey street townhouse dwellings, which are compatible with the surrounding dwellings. This built form conforms with higher level planning objectives set out by the Town which encourage growth and development within the urban area to preserve and protect agricultural lands from encroachment. The provision on the additional density is considered of benefit to the Town, as the subdivision will be able to efficiently use land, existing infrastructure, and contribute towards required intensification targets and a mix of housing opportunities.

As noted, townhouses are a permitted form of medium-density housing and the proposed units have been thoughtfully designed to ensure compatibility with adjacent low-density dwellings through appropriate massing, architectural detail, and setbacks, and each unit includes private outdoor space.

The development is situated along an existing public road, Warner Road, which ensures direct vehicular and pedestrian access without drawing traffic through established low-density neighbourhoods. The location supports efficient servicing, with municipal infrastructure already in place through the broader Tawny Ridge Estates Phase 2 subdivision. No upgrades to existing municipal services are anticipated. The site is also within close proximity to commercial areas, contributing to land use compatibility and reinforcing the viability of nearby amenities. Overall, the proposal aligns with the Town's intent to support appropriately scaled, well-served, and compatible medium-density residential growth.

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.
2. Council encourages and intends to facilitate the development of an appropriate supply of housing for seniors in St. Davids and affordable housing for families which support community facilities and services in St. Davids.
3. Council intends to work with and facilitate the efforts of public and private resources, and the non-profit and co-operative sectors, in the provision of seniors' housing in St. Davids.
4. Council may consider the permission of accessory apartment units as a subordinate, independent living area for seniors within single unit dwellings.
5. It is the intent of this Plan that development which is specifically intended to accommodate seniors be located in close proximity to supporting commercial and community facilities.

The proposed development adds to the range of housing opportunities within St. Davids, by adding street townhouses in an area that primarily consists of single-detached dwellings, street and block townhouses. This variation is helpful in ensuring that residents of the community can age in place. The provision of these townhouses will provide opportunities for relatively more affordable family or senior living in comparison to larger, detached dwellings.

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.

An evaluation of conformity with the St. Davids Urban Design Guidelines is provided further on in this report.

SECTION 6A: GROWTH MANAGEMENT POLICIES

Section 6A of the Official Plan contains policies and growth objectives for the Urban Settlement Areas within the Town of Niagara-on-the-Lake. This policy section generally implements the growth management policies of the Provincial Growth Plan for the Greater Golden Horseshoe (2019), which are now integrated within the Provincial Planning Statement (2024) and the Niagara Official Plan (2022).

Subsection 2 – Municipal Urban Structure

As outlined in Policy 2.2, within the Town's Urban Structure is comprised of the following:

- Urban Areas;
- Built-up Areas within an Urban Area;
- Intensification Areas within the Built-up Areas;
- Greenfield Areas within an Urban Area;
- Core Natural Heritage System; and,
- Transportation Corridors.

The subject lands are located within the St. Davids Settlement Area, which is known as an Urban Area. Urban Areas are to be the focus of urban development as they provide accessible municipal services including water and sanitary sewers. The Urban Areas of Niagara-on-the-Lake are to be developed in a manner that will achieve the prescribed growth and intensification targets set out by the Regional Municipality of Niagara. The proposed dwelling units will be connected to municipal services and the development will be counted towards the prescribed population growth targets for the municipality.

The subject lands are also located within the Built-Up Area and are subject to the policies of Section 6.A, Subsection 2.4 of the Official Plan. Accordingly, any development occurring on the subject lands is considered as intensification and will be counted toward the Town's average annual intensification target of 25%, as well as the projected population and employment targets for the municipality and Niagara Region. The subject lands are not located within any Intensification Areas, as designated on Schedules I1 and I2 of the Official Plan.

Subsection 3 – Growth Management

The Growth Objectives for the Town of Niagara-on-the-Lake are outlined in Section 6.A, Subsection 3.2 of the Official Plan and include:

- a) **To accommodate all future urban growth within the present-day urban boundary;**
- b) Maintain the current delineation of the urban area boundary for the foreseeable future;
- c) Provide a framework for revitalizing the Town's commercial areas and directing growth to appropriate locations in the Town's urban communities.
- d) **Direct urban growth and development to the Town's existing Urban Areas.**
- e) **Direct a minimum of 15% of the Town's future residential development to the Built-up Area located in Virgil, the Old Town, St. Davids, and Queenston through appropriate intensification.**
- f) Direct appropriate intensification to Designated Intensification Areas.
- g) **Optimize existing infrastructure to provide for efficient use of infrastructure.**
- h) Coordinate land use planning with infrastructure planning; and,
- i) Protect, conserve and manage our natural resources and prime agricultural lands for current and future generations.
- j) **Require growth in stable neighbourhoods within residential designations shall meet the "Residential" objectives and policies of the Official Plan.**
- k) Contribute to the conservation of resources such as the Core Natural Areas and prime agricultural land.
- l) **Develop compact, complete communities that include a diverse mix of land uses, a range of local employment opportunities and housing types, high quality public open spaces, and easy access to local stores and services via automobile and active transportation and provide active transportation-friendly structures and amenities.**

Among these, Objectives a), d), e), g), j), and l) are particularly relevant to the proposed development. The subject lands are located within the St. Davids Urban Area, thereby satisfying Objectives a) and d) by aligning with the Official Plan's directive to accommodate growth within existing urban areas. Objective e) is also met, as the development is located within the Built-Up Area and will contribute to the Town's residential intensification target—previously 15%, now increased to 25% under the 2022 Niagara Official Plan.

The proposal also fulfills Objective g), as the site will be fully serviced by existing municipal infrastructure, supporting the efficient use of public investment. Objective j), which requires growth in stable neighbourhoods to meet the residential policies of the Official Plan, is addressed in detail later in this report and is considered satisfied. Finally, Objective l) is achieved through the development of a compact, residential neighbourhood that integrates a range of housing forms and connects seamlessly with surrounding subdivisions. The site's proximity to commercial areas, schools, recreational amenities, and transportation networks further supports the creation of a complete, walkable, and livable community.

Subsection 3.4 of the Growth Management Policies directs that an appropriate mix of housing be provided throughout the urban areas to meet growth objectives. The majority of new growth is to be directed to medium and higher density areas, and some medium density growth is also able to be provided in low density areas. The applications contemplate medium density residential in a low-density designated area, as the proposed development is appropriate and compatible with the area. Overall, the applications are considered to conform to this portion of the Official Plan and represent a compatible and reasonable infilling opportunity that will contribute positively to the housing mix in St. Davids, by providing additional street townhouse dwellings.

Subsection 4 – Intensification

As noted throughout this Report, the minimum annual residential intensification target for the Town of Niagara-on-the-Lake is 25%, as set forth by the Niagara Official Plan. In order to achieve this target, development within the Built-Up area must occur. The subject lands are located within the Built-Up Area, as shown on Schedules I-1 and I-2 of the Official Plan.

Subsection 4.3 indicates that the majority of the Town’s intensification will be encouraged in intensification areas, and supplemented by general infilling within the Built-Up Area provided that the proposed development is compatible.

Specific policies pertaining to intensification within the Built-Up Area are outlined in Subsection 4.4. of the Plan. A detailed overview of conformity with these policies is provided below:

a) The Town plans to accommodate 15% of its forecasted intensification development within the Built-up Area between 2015 and 2031.

The subject lands are located within the Built-Up Area. The eighteen (18) proposed dwellings would contribute to the current 25% annual residential intensification target, in effect from the Region.

b) The predominant built form for intensification and redevelopment within the residential areas of the Built-up Area will be single detached, semi-detached and townhomes and low-rise apartment buildings subject to the relevant development and compatibility policies of this plan.

The proposed dwelling forms for the subdivision will be townhouses dwellings which are consistent and compatible with adjacent residential housing.

c) The provision of affordable housing in intensification areas will be encouraged through the application of the policies in Section 9 of the Official Plan.

The subject lands are not within an intensification area. Affordable housing, per the Provincial definition, is not proposed within this subdivision, though adding housing into the housing supply contributes to affordability.

- d) *Mixed use development is also encouraged within the commercial areas of the Built-Up Area. The preferred built form for mixed use development is a minimum of 2 storeys with commercial and office uses on the ground floor, with residential units or office uses located above. The 2-storey height will ensure mix use developments are not underdeveloped.*

Only residential land uses are proposed through these applications.

- e) *The Town will update zoning standards to ensure that the zoning requirements provide sufficient opportunities to support and encourage growth and intensification through redevelopment.*

This policy is directed at Town initiatives and is not applicable to these applications. However, the proposed zoning amendment will introduce new zoning provisions that facilitate opportunities to encourage and support growth and intensification on lands fit for development.

- f) *Parking for all new residential, commercial and mixed-use development will be located at the rear of the building, with the principle entrance fronting onto the street and a secondary entrance at either the side or to the rear of the building.*

The proposed future dwellings are anticipated to provide parking in an attached garage and in the driveway. The existing neighbourhood has a consistent character that has vehicles parked in the “front yard” on the driveways or in the garages.

- g) *The Region and the Town will ensure that an adequate supply of sanitary and water services are made available to accommodate the unit target for the Built-up Area and for the existing potential developable lands within the urban area and that the infrastructure for the distribution of water collection of wastewater can support the increased load.*

As outlined in the Functional Servicing Report submitted with the applications, the subject lands can be supported by existing municipal water and sanitary services.

- h) *The Town will ensure that intensification and redevelopment is consistent with the heritage and character of the Built-up Area. Urban design guidelines for the Built-up Area may be prepared and used as a tool to achieve compatible built form with intensification and redevelopment.*

Currently, there are no applicable urban design guidelines for the Built-up Area of the Town as a whole.

There are Urban Design Guidelines for the St. Davids Area specifically which are applicable to these applications. An evaluation of conformity with these guidelines is provided further on in this report.

- i) *The Town will locate and maintain important amenities and services, which serve the residents, such as parks, schools, recreational facilities, government offices, library within the Built-up Area.*

This policy is not applicable to private development applications. However, it is noted that the subject lands are located in proximity to such services including a parkland and a municipal fire station.

- j) *When the Town or the Region is undertaking public works projects within the Built-Up Area, the public works projects will be coordinated with any applicable public realm improvement projects.*

This policy is not applicable to private development applications.

- k) *The Town will utilize maximum and minimum densities to ensure that intensification areas/sites are not underdeveloped. Minimum net density shall be 14 units per hectare (6 units per acre) and maximum density of 30 units per hectare (12 units per acre).*

The subject lands are not located within an intensification area; however, the proposed development is in conformity with the overall density permissions approved for the Tawny Ridge Phase 2 subdivision and is appropriate for the subject lands.

- l) *During the development approval process that consideration will be given with respect to capacity of existing infrastructure including utilities and type of improvements, if any, which may be necessary to serve the Built-up Area.*

As outlined in the Functional Servicing Report submitted with the Applications, the subject lands have municipal services available with adequate capacity to service the development.

m) Intensification Areas will be planned to provide a diverse mix of land uses that complement and support the overall residential intensification objective. This includes providing for employment, commercial, recreation, institutional and other compatible land uses.

The subject lands are not located within a municipally identified intensification area.

As demonstrated above, the applications conform to the requirements of the Built-up Area Intensification Policies.

Subsection 4.6 contains policies pertaining to Land Use Compatibility. New development is required to be compatible with the surrounding area and intensification and infilling projects should be consistent with:

- a) The existing and/or planned built form and heritage of the property and surrounding neighbourhood;
- b) The existing and/or planned natural heritage areas of the site and within the surrounding neighbourhood;
- c) The existing and/or planned densities of the surrounding neighbourhood; and,
- d) The existing and/or planned height and massing of buildings within the surrounding neighbourhood.
- e) Development proposals will demonstrate compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development densities and scale. Transition in built form will act as a buffer between the proposed development and existing uses and should be provided through appropriate height, massing, architectural design, siting, setbacks, parking, public and private open space and amenity space.
- f) Intensification and/or redevelopment shall be compatible and integrate with the established character and heritage of the area and shall have regard to:
 - Street and block patterns
 - Lot frontages lot area, depth
 - Building Setbacks
 - Privacy and over view
 - Lot grading and drainage

- Parking
- Servicing

With regard to Land Use Compatibility, the proposed development form will be residential land uses within an existing residential neighbourhood containing townhouses. The subject lands do not contain any cultural heritage resources or designated properties, and do not contain any natural heritage resources and/or features.

A small increase in development density lot coverage and building height is proposed to create a consistent development pattern with recent development in the surrounding area. These small increases are desirable and will have no significant impact on the public realm or adjacent land uses.

The items outlined in subsection f) are evaluated in the Streetscape Design Analysis. Overall, the development is considered to have regard for the noted items and will integrate well with the surrounding neighbourhood.

Subsection 7 – Infrastructure

7.3 Water and Wastewater Services

Similar to the policies outlined in Section 6.30 of the Official Plan, Section 7.3 of the Growth Management Policies requires that Urban Growth occur on urban services. The subject development is proposed within the St. Davids Urban Boundary and constitutes Urban Growth. In conformity with the direction of the Official Plan, the proposed lots will be connected to urban services including watermain, sanitary sewer and storm sewers.

As outlined in the Functional Servicing Report submitted with the applications, the subject lands will be serviced by municipal services with adequate capacity and available within Chestnut Avenue and Warner Road right-of-ways.

SECTION 9: RESIDENTIAL

The general Residential development goals, objectives and policies for the Town are contained within Section 9 of the Official Plan.

The subject lands are located within the St. Davids Special Policy Area, and thus have more specific policies that are to guide development and growth. Notwithstanding this, there are some general policies that are applicable. Conformity with these relevant policies are provided below.

9.2 Goals and Objectives

The Goals and Objectives for Residential Land uses are:

- 1) To ensure that sufficient lands have been placed in a Residential designation to accommodate the anticipated population in a suitable variety of locations, densities and unit types.
- 2) To improve the housing supply of rental and moderately priced housing by the municipality becoming involved in or promoting the involvement of others in the various government housing programs.
- 3) To ensure that new development or redevelopment is appropriately located, is compatible with surrounding land uses, incorporates energy efficient aspects in its design, retains to the greatest extent feasible desirable natural features and uses land in an efficient manner.
- 4) To encourage the development of economical housing in a suitable environment.
- 5) To ensure that existing housing and existing residential areas shall be preserved and improved.
- 6) To support the retention and to give consideration to the expansion of heritage districts in the older residential areas of Niagara/Old Town and Queenston through the policies of this Plan and the establishment of Heritage Conservation Districts.
- 7) To encourage infill residential development of vacant or underutilized parcels of land in residential areas where such development will be compatible with existing uses and where it will contribute to the more efficient use of sewer and water services and community facilities.
- 8) To minimize the potential for land use compatibility problems which may result from the mix of residential densities or the mix of residential and non-residential uses.
- 9) To promote the maintenance and rehabilitation of the existing housing stock.
- 10) To support the development, at appropriate locations, of residential facilities that meet the housing needs of persons requiring specialized care.
- 11) To encourage the development of well-designed and visually distinctive forms.

The submitted applications conform with the Town's goals and objectives for residential land uses by providing additional housing units in a manner that is compatible with the surrounding neighbourhood and responsive to anticipated population growth. The proposal represents a context-sensitive form of intensification, making efficient use of urban land.

Located along municipal roadways (Warner Road, Chestnut Avenue) and capable of being serviced by existing infrastructure, the development supports cost-effective growth and contributes to a more diverse housing stock. It encourages the efficient use of land and municipal services while respecting the character and scale of adjacent dwellings. The proposed dwellings will be subject to urban design review to ensure architectural compatibility and high-quality built form.

Overall, the proposed residential development demonstrates conformance with the Town's goals for residential land uses. It delivers appropriately located, compatible, and efficient housing that contributes to the Town's broader objectives for growth management, community design, housing diversity, and sustainability. The project represents a positive and desirable addition to the built environment of St. Davids.

9.3 Land Use Designations

The subject lands are designated as Low Density Residential – EX-RES-12 in the Town of Niagara-on-the-Lake Official Plan, which permits single detached, semi-detached and duplex dwellings. Medium density housing forms such as Townhouses and apartments are also permitted in low density developments subject to a Zoning By-law Amendment and the satisfaction of the policies of Section 9 of the Official Plan.

Policy 9.3(3) outlines the location and design criteria associated with the consideration of medium density development. These criteria include:

- a) The height, bulk and arrangement of buildings and structures will achieve a harmonious design and integrate with the surrounding area and not negatively impact on lower density residential uses.
- b) Appropriate open space, including landscaping and buffering, will be provided to maximize privacy and minimize the impact on adjacent lower density uses.
- c) Parking areas shall be required on the site of each residential development that are of sufficient size to satisfy the need of the particular development and that are well designed and properly related to buildings and landscaped areas.
- d) Service areas shall be required on the site of each development (eg. garbage storage, recycling containers).
- e) The design of the vehicular, pedestrian and amenity areas of residential development will be subject to regulation by the Town.
- f) Adequate municipal services can be provided to accommodate the needs of the development.
- g) Traffic to and from the location will not be directed towards local streets and the site should be within easy convenient access of a collector or arterial roadway.
- h) Medium Density Residential sites will be placed in separate zoning categories in the Zoning By-law. Regulations will control height, density, coverage, unit size and parking

The proposed development of eighteen (18) street townhouses conforms with the intent and criteria outlined under Policy 9.3(3) for medium density residential uses. The proposed built form has been designed to achieve a compatible relationship with the surrounding residential context. The height, massing, and architectural design of the units are consistent with existing low-density

dwelling in the area, and the planned dwellings within the remainder of Tawny Estates, supporting a harmonious streetscape and minimizing any adverse visual or privacy impacts. The development integrates well with the existing and planned neighbourhood fabric and represents an appropriate transition in scale and density. The placement of this subdivision at the north end of the previously approved Tawny Ridge Estates Phase 2 subdivision, utilizes the prominence of the land and has three frontages which maximizes architectural and aesthetic benefit which effectively improves the streetscape.

Landscaping is provided for each street townhouse dwelling, which will ensure privacy between dwellings. The site layout includes adequate buffering along the property edges to enhance privacy and soften the interface with adjacent properties. Per the Zoning By-law, a minimum of 25% landscaping for the proposed street townhouses is required and exceeded.

Each townhouse unit will be provided with two parking spaces in accordance with zoning requirements. These spaces are accommodated via the proposed attached garage and driveway, consistent with the typical parking configuration found in the surrounding neighbourhood.

With respect to storage, the street townhouses have sufficient room for small accessory structures such as sheds, and garages are wide enough to fit a vehicle, bicycles and waste bins.

Vehicular access to the site is provided via municipal roadways with convenient proximity to a nearby collector road (York Road). Sidewalks are provided along Warner Road and on the Chestnut Avenue extension through the approval of the Tawny Ridge Phase 2 subdivision.

As outlined in the Functional Servicing Report prepared by Upper Canada Consultants the development lands have full municipal servicing available within adjacent roadways. It was determined that adequate water supply for domestic and fire fighting purposes can be provided, and that there is sufficient capacity in the existing sanitary and storm sewer systems in the area to support the needs of the development.

The Zoning By-law Amendment provided to permit the townhouse use appropriately places the lands into a new RM1 Zone with relevant site-specific provisions.

In summary, the proposed townhouse development satisfies the location and design criteria of Policy 9.3(3), offering a well-integrated, efficient, and context-sensitive form of medium density housing that supports the Town's goals for compact, complete, and livable neighbourhoods.

[9.4 General Residential Policies](#)

Policy 9.4(4) of the Official Plan pertains to residential density requirements. The Plan limits low density residential development to 6 units per acre, and medium density developments to 12 units per acre. Nonetheless, the subject lands are designated "Low Density Residential Exception

(EX-RES-12)” which was implemented through Official Plan Amendment No. 88 to the Town of Niagara-on-the-Lake Official Plan. The site-specific exception designation permits an increased maximum residential net density of 32.66 units per hectare for the entirety of the Tawny Ridge Estates Phase 2 subdivision lands. As the Draft Approved Plan previously contemplated 30 block townhouse dwelling units for the subject lands that complied with the density requirements, and this proposal now is for 18 street townhouses, the proposal continues to conform with the maximum residential net density permitted by the Town Official Plan and represents a reduction in density from what was contemplated in the draft approved Tawny Ridge Phase 2 subdivision.

ST. DAVIDS URBAN DESIGN GUIDELINES (2005) AND STREETSCAPE ANALYSIS

Development within the Village of St. Davids is guided by a set of Urban Design Guidelines prepared by Brook McIlroy Planning + Urban Design in March 2005.

These guidelines establish a foundational framework that includes Guiding Principles of Design, core Urban Design elements, and tailored directives for various parts of the community, such as the Historic Village, Established Neighbourhoods, the Public Realm, and the Private Realm.

While these guidelines remain relevant in many respects, it is important to recognize that they not fully align with current planning policies, initiatives, or reflect the more recent evolution of the St. Davids area.

Nonetheless, this section will provide an assessment of how the proposed development aligns with the intent of the guidelines, highlighting the ways in which the design and preliminary architectural elevations conform to their overarching principles. This section will also include a brief overview of the existing streetscape along Warner Road and Chestnut Avenue, illustrating how the design and character of the proposed development will complement and reinforce the established identity of the area.

URBAN DESIGN

The majority of urban design guidance provided in the guidelines is specific to the historic village area, or along Four Mile Creek Road or York Road. The subject lands do not contain, and are not adjacent to any heritage properties, natural heritage features or corridors, nor are the along Four Mile Creek Road or York Road.

The immediate surrounding area is best described as a mix of low and medium density residential lands uses, that are existing and planned. These housing forms include new, old and proposed single-detached dwellings and townhomes.

The objective of the guidelines is to preserve the unique qualities of the Village, while balancing new growth. As previously noted, the strongest application of the design guidelines is intended for the established residential areas and the village centre. While the subject lands are located outside of these core areas and are more suburban in nature, the guidelines still play an important role in ensuring that new development is thoughtfully integrated into the broader community. This is achieved through the incorporation of consistent design elements, high-quality built form, and the creation of well-designed public spaces and streets that reflect and reinforce the overall character of St. Davids.

Section 6.6 – Public Realm: Streets, Section 6.10 – Public Realm: Residential Areas, and Section 7 – Private Realm Guidelines, are applicable and relevant to the submitted applications and are evaluated below.

2. Guiding Principles

The guidelines identify that there are eight areas for future residential infill, which area generally separated from existing neighbourhoods by roads or natural features and are expected to be developed. To maintain the Village’s character, new neighbourhoods must respect and complement the established vernacular design. Since St. Davids lacks a dominant architectural style, a mix of housing types is encouraged to reflect its diversity and to meet varied housing needs, including townhouses, seniors’ residences, and multi-unit dwellings.

The previously submitted applications initially proposed an apartment building on the subject lands, which later evolved into concepts for block or stacked townhouses due to municipal staff and public feedback. Following further review, the owner decided that a subdivision featuring street townhouses would also align with applicable planning guidelines and community objectives.

Street townhouses contribute to a diverse mix of housing types, promoting architectural variety and accommodating a range of demographic needs, including young families, ‘empty nesters’, and active seniors. This development approach supports the broader goal of integrating new housing seamlessly within the existing community fabric. Sidewalks will be provided along Warner Road and internally in the Tawny Ridge Phase 2 subdivision to promote walkability and connectivity to surrounding neighbourhoods. The built form will reflect a high standard of architectural design and material quality.

Overall the proposed development emulates a compatible and comparable lotting fabric to that which is found throughout the recently developed portions of St. Davids on lands both east and west of Tanbark Road, and what is to be constructed in Phase 2 of Tawny Ridge Estates subdivision.

Section 6.6 – Public Realm: Streets

The Guidelines recommend that development blocks be urban in form, with sidewalks to support short, walkable distances. Blocks should generally be no longer than 250 metres without a break or alternate connections to other roads. Streets should also be well-connected to help distribute both vehicle and pedestrian traffic more effectively.

The proposed development is surrounded by existing and draft approved roadways, ensuring the street network is logical and appropriate. The lands front Warner Road, and the future extension

of Chestnut Avenue. The block does not exceed the recommended 250 metres in length, and sidewalks will be provided as part of the approval of Tawny Ridge Phase 2 subdivision. The overall form of the street network is considered to conform with Section 6.6 of the Guidelines.

Section 6.10 – Public Realm: Residential Areas

The proposed development aligns with the urban design intent and principles outlined in Section 6.10.1 to 6.10.4 of the St. Davids Urban Design Guidelines, as it supports the long-term vision for thoughtful, community-integrated residential growth in the area.

Section 6.10.1 Context

Section 6.10.1 emphasizes the importance of high-quality residential development that respects and integrates with the rural character of St. Davids as the community grows over the next twenty years.

The design of the proposed townhouses takes careful consideration of the rural-village character of St. Davids. The townhouse units are arranged to maintain a human-scale streetscape and establish a transition that fits well into the existing and future built form and landscape. The scale and massing of the two-storey dwellings are compatible with the surrounding community context, and the site layout avoids abrupt visual contrasts or suburban sprawl. In this way, the proposal contributes positively to the evolving identity of St. Davids while respecting its rural roots.

Section 6.10.2 General Principles

Section 6.10.2 promotes the creation of walkable, distinct, and connected neighbourhoods that offer a variety of living options and foster a strong sense of community, identity, and belonging.

The development promotes walkability and neighbourhood connectivity through the provision of sidewalks as there are sidewalks surrounding the proposed development, encouraging active transportation and pedestrian access to surrounding areas. The compact, street-oriented design of the townhouses supports opportunities for neighbourly interactions, fostering a sense of community, belonging, and safety.

By contributing to the variety of housing types available in St. Davids, including more attainable options for all different demographics, the development responds to evolving needs and offers flexibility for various stages of life. The layout of the site maintains sufficient space for landscaping and tree planting, which will soften the built form and support local greenspace. The design and differentiation between the proposed blocks support the creation of a livable and identifiable neighbourhood through high-quality architecture and cohesive streetscape elements.

Section 6.10.3 Guidelines: Neighbourhood Size

Section 6.10.3 outlines principles for neighbourhood size and identity, encouraging compact, walkable areas defined by natural and built features, with unique design elements that contribute to a distinct sense of place.

The proposed development is appropriately scaled and falls within the typical 400-metre (5-minute walk) neighbourhood radius. It represents a defined and compact form of infill growth rather than sprawling expansion. The site design allows for integration with the surrounding road network and existing village fabric, supporting future connections and enhancing accessibility. Public realm features, such as sidewalks and landscaped areas, will contribute to the neighbourhood character.

Section 6.10.4 Guidelines: Unique Neighbourhood Identity

Section 6.10.4 encourages new development to reflect the unique identity of St. Davids through varied street patterns and building setbacks that contribute to its small-town character and visual interest.

Lastly, the proposed townhouse development supports the distinct character of St. Davids by incorporating varied block configurations, avoiding uniformity and enhancing neighbourhood legibility. Façade articulation and slight variations in setbacks create visual interest and reflect the informal, small-town character typical of the area, while providing a positive frontage. These elements contribute to a unique and engaging streetscape that aligns with the established identity of the village.

Section 7.2 – Private Realm: Architectural Elements

Section 7.2.2 Guidelines: General Architectural Guidelines

Section 7.2.2 supports variations in architectural forms, however, designs should relate contextually to St. Davids. Buildings are to have high quality design and materials, consist of similar elements and use traditional materials such as stone, wood, metal and concrete.

The proposed townhouses reflect thoughtful massing and proportion, consistent with the low-rise character of St. Davids. The architectural design balances contemporary expression with traditional elements, using a mix of brick, stone, and well-defined rooflines. Varied yet cohesive façades, gable accents, and window proportions create rhythm and visual interest across the blocks, reinforcing a strong and context-sensitive neighbourhood image. High-quality materials are used, contributing to a durable and refined streetscape.



Figure 8 – Preliminary Rendering of a Block within the proposed development



Figure 9 – Preliminary Rendering of a Similar Development

Section 7.2.3 Guidelines: Rooflines

Section 7.2.3 promotes varied and well-proportioned rooflines that complement building design, enhance individual unit identity, and contribute to a cohesive and livable residential character.

The proposed townhouse blocks, as shown above, incorporate varied rooflines and architectural elements that clearly define individual units, supporting both visual interest and residential character. The pitched roofs maintain a consistent mass and height, aligning with neighbouring forms while providing articulation through individual gables and unit-specific roof features. Roof materials and colours are complementary to the overall façade design, contributing to a cohesive and high-quality appearance.

[Section 7.2.4 Guidelines: Entranceway](#)

Section 7.2.4 promotes the use of front porches and transitional elements that are functional, welcoming, and scaled to encourage active use, social interaction, and architectural consistency across residential developments.

The proposed townhouse blocks include a variation of prominent and recessed front and side-facing porches with defined entryways that establish a clear and inviting transition from the public sidewalk to each private unit. These porches are proportionate and rhythmically spaced, helping to break up the façade while maintaining architectural consistency across the block.

[Section 7.2.5 Guidelines: Windows](#)

As all lots will face at least one public roadway, the provision of adequate glazing is important to ensure a strong connection with the public realm. This approach is instilled within the Design Guidelines.

As shown in the conceptual renderings, the dwellings will feature a variety of window to enhance visibility and connection to the street, while also allowing for more natural light and improved airflow within the dwellings, which is typically desired by residents.

[Section 7.2.6 Guidelines: Garages and Accessory Structures](#)

Section 7.2.6 encourages garages and outbuildings that are secondary to the main dwelling, complementary in design, and respectful of the Village's heritage pattern of separate and discreet accessory structures.

The proposed townhouse blocks integrate garages in a manner that does not dominate the streetscape, minimizing visual impacts. Garages are recessed and visually secondary to the main building façade, helping preserve a pedestrian-oriented environment, and maintaining Village character.

[Section 7.2.7 Guidelines: Architectural Features](#)

Section 7.2.7 emphasizes the use of well-crafted architectural details to reinforce building style and ensure visual continuity in new development. Such details will be refined through detailed architectural design; however, the proposed townhouses are anticipated to incorporate thoughtful architectural features such as articulated gables, eaves, and porch detailing, which enhance the overall design and reinforce a cohesive style.

[Section 7.2.9 Guidelines: Building Materials](#)

Section 7.2.9 encourages the use of high-quality, natural materials in new construction to reflect the traditional character of St. Davids and ensure visual harmony with the existing village.

The proposed townhouse blocks use a mix of quality materials—including masonry and siding—that reflect traditional building finishes found in St. Davids. While the designs are more contemporary, the materials and colour palettes are consistent with the local context, integrating new development into the existing village fabric.

Section 7.3 Private Realm: New Residential Built Form

[Section 7.3.1 General Principles](#)

Section 7.3.1 details that applicable General Principles for new residential built form can be summarized to require:

- Consistency in Design;
- A Strong Public Face;
- Diverse Dwelling Design; and
- Higher Density Development being allotted along Arterial and Collector Road and Open Spaces.

The preliminary housing designs emulate a similar character with variations in design that capture several desirable architectural elements set out in the Urban Design Guidelines.

The proposed townhouse blocks front onto public streets with clearly defined entrances and façades, creating a strong public presence. The design includes varied rooflines, materials, and architectural details across units, contributing to a visually interesting streetscape. Garages are integrated in a way that doesn't overwhelm the façade, maintaining a pedestrian-friendly character.

[Section 7.3.2 Single-Detached and Attached Dwelling Setbacks](#)

Section 7.3.2 encourages varied housing types and setbacks, with a focus on minimizing garage prominence and creating engaging, pedestrian-friendly streetscapes.

The proposal maintains the intent of Section 7.3.2 by promoting an active, people-oriented streetscape while allowing for thoughtful design flexibility. An increased maximum front yard setback introduces variation in the front yard set backs, contributing to a more dynamic and visually interesting streetscape. The reduced garage setback, combined with architectural treatments, ensures that the visual emphasis remains on the main building façade and

pedestrian-oriented elements, rather than on the garages. Additionally, all units, except one, due to the irregular shape of the site, offers rear yards that are larger than 6.0-metres, supporting outdoor space and functional livability. It is noted that the end unit in Block 5 that does not achieve a 6.0 metre rear yard setback does maintain a larger interior side yard setback of 6.0 metres that can function as an appropriate private outdoor amenity area for that unit.

Section 7.3.3 Guidelines: Garages

This guideline seeks to reduce garage dominance on the streetscape by managing size, placement, and visual treatment, promoting porches, second-storey articulation, and diverse housing forms including coach houses.

The proposed designs align with the intent of Section 7.3.3 by ensuring garages do not dominate the streetscape. Garage widths are kept within the allowable percentage of lot frontage, and doors are recessed behind the main dwelling façade to minimize the visual impact of garages. There is one block where the garage protrudes beyond the main wall of the dwelling on the end units, as the porches are situated along the exterior side yard, to enhance the façade on the corners of the block. The use of single garage doors over double doors on wider lots further enhances visual variety, and opportunities for second-storey massing above garages and articulation of the roof line help maintain architectural interest. Overall, the approach reflects the traditional character of St. Davids while offering practical, well-integrated garage designs.

Section 7.3.4 Massing, Form and Façade

Section 7.3.4 emphasizes creating varied but cohesive streetscapes through thoughtful building proportions, articulated rooflines, and consistent rhythm of elements. It encourages townhouse groupings of up to six (6) to eight (8) units, active corner treatments, individual unit access, and distinct second storey features like dormers or balconies to enhance visual interest and character.

The proposed development aligns with Section 7.3.4 by incorporating varied massing, rooflines, and architectural elements that create a visually engaging and cohesive streetscape. Townhouse groupings range from three (3) units to five (5) units and feature consistent proportions, individual entrances at grade, and defined second storey treatments. Corner units are treated with special attention, including porches on the exterior side yard and side-facing windows, enhancing street activity and safety. Overall, the form and façade design reflect a thoughtful balance between consistency and variation.

Streetscape Analysis

The subject lands are a remaining block within the Tawny Estates Phase 2 subdivision that fronts onto Warner Road, which is a local road per Schedule 'G' of the Town of Niagara-on-the-Lake Official Plan. Warner Road is considered to be in a state of transition from a development standpoint and contains a mix of older rural-style properties, newer large-scale estate residential dwelling and new single-detached dwellings towards the intersection with Tanbark Road.

Through the development of Tawny Ridge Estates Phase 2 subdivision, Warner Road between Tanbark Road and just west of Chestnut Avenue/Angels Drive will be reconstructed to an urban cross-section with curb and gutter, storm sewers and sidewalks on both sides of the street.

Given the transitional form of the street, it is considered appropriate to implement more modern design principles along Warner Road, including varying dwelling setbacks and high-quality private realm elements such as architecture and landscaping. The interface of the proposed development along Warner Road provides an effective opportunity to achieve design excellence along this segment of public road through the Site Plan Approval process and necessary civil works associated with the subdivision. It is considered to be more in conformity with the Official Plan and Urban Design Guidelines for the Town to provide a high-quality urban streetscape proactively, rather than making attempts to integrate and harmonize with sparse remnants of previous development that is not likely to remain.

Chestnut Avenue is planned to be extended from the existing portion of Chestnut Avenue, through Phase 2 of Tawny Ridge Estates subdivision, to Warner Road. Blocks 1 to 3 of the proposed development will front Chestnut Avenue, which will be designed to municipal urban road standards with sidewalks, boulevard trees and decorative lighting. This internal street will emulate a similar character to what is found in the neighbourhood to the south.

TOWN OF NIAGARA-ON-THE-LAKE ZONING BY-LAW

Zoning By-law 4316FD-24 was passed on January 30th, 2024, rezoning the subject lands within the Tawny Ridge Estates Phase 2 subdivision as RM1-40(b). The intention with this rezoning was to permit a condominium block consisting of block townhouse dwellings or stacked townhouse dwellings on Block 27. For numerous reasons, the proponent now proposes freehold street townhouses instead of condominium townhouses in this location, which requires a Zoning By-law Amendment.

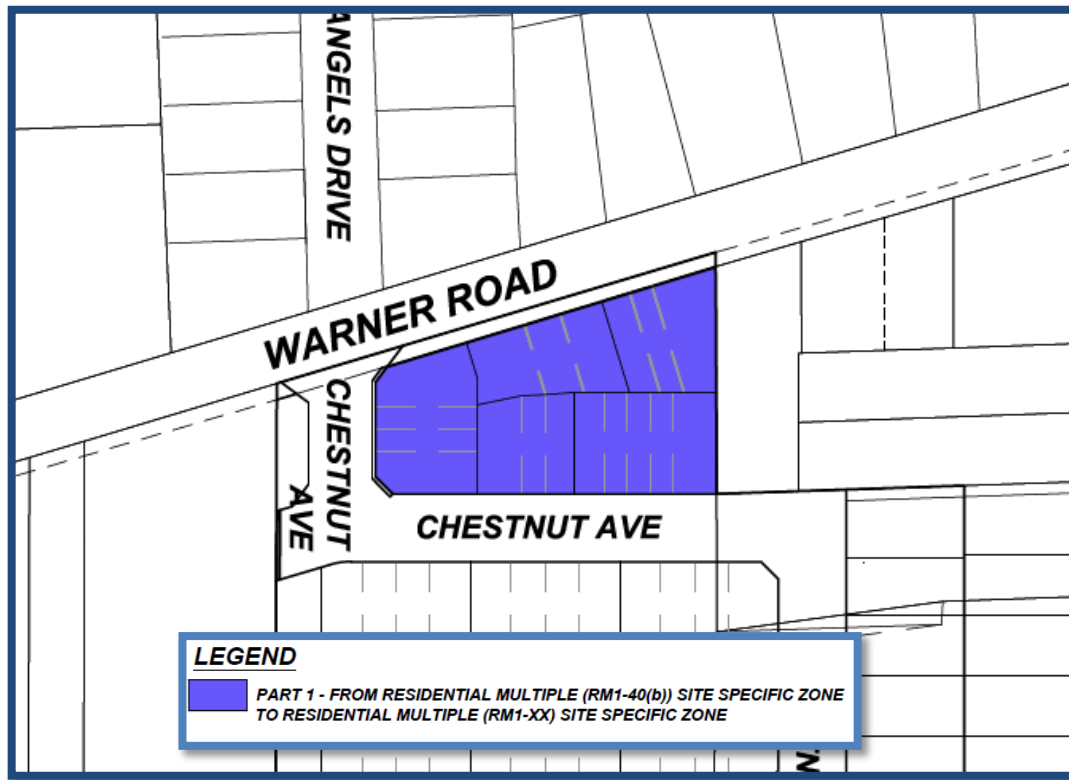


Figure 10 – Excerpt of Schedule '1' of the proposed Zoning By-law Amendment

As the site has been zoned to accommodate a condominium block, the provisions are for the entirety of the site, rather than for each individual unit. As street townhouses are now proposed through a Plan of Subdivision, a Zoning By-law Amendment is required to permit this dwelling type and will be based on the provisions for each unit vs the entirety of Block 27. Therefore, comparing the zone provisions for block townhouses to street townhouses is not appropriate for all the zone requirements as a provision may apply to each unit, but rather applies to the limits of the block; this is particularly the case with building setbacks.

TABLE 1: ZONING COMPLIANCE TABLE – RESIDENTIAL MULTIPLE ZONE (RM1)

Section 9.4 – Residential Multiple 1 (RM1) Zone					
Permitted Uses	a) Accessory buildings and structures in accordance with Section 6.1 b) Bed and breakfast establishment in an existing detached dwelling in accordance with Section 6.5 c) Fourplex or quadraplex dwelling d) Existing single detached dwelling e) Group home in accordance with Section 6.20 f) <u>Townhouse dwelling</u> g) Triplex				
Zone Requirements for Block Townhouses	RM1-40(b)	Zone Requirements for On-Street Townhouses RM1	By-law 4316-09, as amended	Provided	Proposed Regulation
Minimum lot frontage per unit	85 m (entire site)	Minimum lot frontage per unit i) interior lot ii) exterior lot	6.2 m 10.0 m	6.1 m 7.8 m	6.1 m 7.8 m
Maximum number of dwelling units - Block Townhouse - Stacked Townhouse	20 30	Minimum lot area per unit i) interior lot ii) exterior lot	230 m ² 300 m ²	159.98 m ² 203.91 m ²	155 m ² 200 m ²
Maximum lot coverage	50% (entire site)	Maximum lot coverage	45%	55% + 5%?	55% + 5% for attached covered and unenclosed porches decks and patios
Minimum landscaped open space	30% (entire site)	Minimum landscaped open space	25%	32.78%	No Change
Minimum setback to south lot line	4.5 m (entire site)	Minimum front yard setback to front face of dwelling	4.5 m	4.5 m	No Change
Minimum setback to east lot line	3.0 m (entire site)	Maximum front yard setback	6.0 m	8.45 m	8.45 m
Minimum setback to west lot line	4.5 m (entire site)	Minimum front yard setback to garage face	7.5 m	6.0 m	6.0 m
Minimum setback to north lot line	4.5 m (entire site)	Maximum width of garage face	3.5 m	3.1 m	No Change

Minimum distance between buildings on the same lot	N/A	Minimum interior side yard setback of 1.5 m for end units, except for end units having a height 5.0 m or greater, then 1.8 m shall be provided, except that where no attached garage is provided, the minimum side yard shall be 3.0 m. no interior side yard is required between the common vertical wall dividing one unit from another.		1.55 m	1.55 m
Minimum distance between a dwelling unit and internal driveway/parking area - dwelling - front face of a garage An attached garage shall be setback a minimum of 1.5 metres behind the main façade of the dwelling on the ground floor	3.0 m 6.0 m	Minimum exterior side yard setback of 4.5 m, except where an entrance to an attached garage faces an exterior side yard, the minimum exterior side yard for the garage shall be 6.0 m.		4.5 m	No Change
Maximum building height - Block Townhouse dwelling - Stacked Townhouse dwelling	11.0 m (2 storeys peaked roof) 11.6 m (peaked roof)	Minimum rear yard setback of 7.5 m, except for units having a height 8.0 m or greater, then 9.0 m shall be provided		6.0 m 4.0 m (Blk 5)	6.0 m 4.0 m (Blk 5)
Minimum setback of accessory buildings and structures to all lot lines	4.5 m	Minimum dwelling floor area	80 m ²	80 m ²	No Change
No interior side yard is required between the common vertical wall dividing one unit from another.		Maximum building height	10.0 m	10.0 m	11.0 m

Maximum garage door width per unit	50% of the dwelling unit façade	Minimum accessory building yards setback	0.5 m	N/A	No Change
Minimum number of parking spaces for a Stacked Townhouse dwelling	1.4 spaces per unit	Minimum accessory building exterior side yard setback	4.5 m	N/A	No Change
Minimum amenity space - overall block - Private space abutting each unit for Block Townhouse dwellings - Common centralized space for Stacked Townhouse dwellings	5% (part of the minimum 30% landscaped open space - overall block)	Minimum setback of uncovered, unenclosed or covered patio or deck form requires a side yard setback of 0.3 m			No Change
Minimum width of a landscape buffer strip for any parking area that abuts the east lot line	3.0 m				
Section 6.44 – Permitted Yard Projections and Encroachments					
An unenclosed and uncovered or covered porch, patio or steps may project 1.2 metres into a required exterior side yard.					

Requested Site-Specific Relief to the Residential Multiple-1 Zone

Site-specific provisions are requested for some zoning criteria to ensure compatible design, the efficient use of land and that reasonably and modern sized dwellings can be accommodated.

Reduced Minimum Area per unit (interior and exterior units)

The requested decrease in minimum lot area from 230-metres-squared to 155-metres-squared for interior lots, and from 300-metres-squared to 200-metres squared for exterior lots is intended to accommodate a more compact, efficient townhouse form that provides a more affordable ownership option within a planned subdivision. Despite the reduced lot sizes, the proposed development maintains appropriate private amenity space and high-quality architectural design and overall the number of townhouse units proposed is reduced. The overall layout has been designed to ensure functionality, safety, and compatibility with the surrounding neighbourhood. The requested reductions in the zone provisions will not negatively impact the existing community, and still provides adequate open space and outdoor amenity space for each

townhouse dwelling unit. Some residents prefer a smaller yard that is easier to maintain, and the yard sizes vary from each unit within this subdivision providing options and choice.

Increased Maximum Lot Coverage

The proposed increase in maximum lot coverage from 45% to 55% with an additional 5% for attached covered and unenclosed porches, decks and patios to supports a more efficient use of land while still maintaining a balanced and attractive built form. Rather than resulting in overdevelopment, this increase allows for more functional interior layouts, which is important for accessibility. The additional 5% will provide the future homeowners with flexibility to include outdoor living space on their property without requiring a future variance. Enhanced architectural detailing, rooflines, and varied unit designs will mitigate any potential visual massing concerns, while landscaping will further soften the impact of the increased coverage on adjacent lots and the streetscape. To balance the proposed increase in lot coverage, the minimum landscaped open space requirements continue to be met and exceeded.

Increased Maximum Front Yard Setback

The requested increase in front yard setback from 6-metres to 8.45-metres, specifically for Block 1, is intended to enhance the visual character and pedestrian experience of the streetscape. By allowing some of the proposed dwellings to be set slightly further back from the road, the development introduces more variety, and a more open and landscaped streetscape, creating some opportunities for enhanced tree planting and green space. This additional setback also promotes consistency with nearby residential forms, many of which feature deeper front yards, helping to reinforce the established character of the area.

Reduced Minimum Front Yard Setback to Garage Face

The required front yard setback to a garage face is 7.5-metres, and 6.0-metres is requested to more efficiently develop the property and to permit greater variation between the proposed blocks within the subdivision. The requested reduction in setback will have no significant impact on the streetscape, nor will it affect the ability to provide a legally sized parking space in the driveway. A 6.0-metre setback to the garage face has been applied in other surrounding developments and have resulted in a well-designed, consistent streetscape.

Reduced Minimum Interior Side Yard

For dwelling units greater than 5-metres in height, an interior side yard setback of 1.8-metres is required. It is requested that a reduction to this setback be made to 1.5 metres, consistent with what is required for dwelling units less than 5-metres in height. This reduction of 0.3-metres between the proposed townhouse blocks is appropriate as it will not affect the ability to drain

or access the properties or locate potential utility metres along the side wall of the building. The separation is also sufficient to permit some glazing on the side walls on interior end units and exceeds the Ontario Building Code requirements for separation between buildings.

Reduced Minimum Rear Yard Setback

It is requested that the minimum rear yard setback be reduced to 4.0-metres for Block 5, and 6.0-metres for Blocks 1-4. This proposed reduction supports a compact, efficient use of land while still providing functional outdoor amenity space. The 6.0-metre setback accommodates generous rear yards that support typical residential activities including outdoor seating areas, landscaping, and minor accessory structures, without compromising privacy or usability. The further reduced 4.0-metre setback applies to a single unit in Block 5 (specifically Unit C), as this block is uniquely constrained by the site configuration due to the irregularly shaped block. This reduction is necessary to achieve a cohesive site layout, maintain appropriate building separation, and support the overall density objectives of the development. It is noted that this unit will have an increased interior side yard setback that can be used for private outdoor amenity space of an appropriate size.

Overall, the reduced rear yard setbacks maintain livability, support a walkable and efficient built form, and remain consistent with urban design principles that encourage compact, street-oriented development.

Increased Maximum Building Height

An increase from 10-metres to 11-metres for building height is requested for the proposed street townhouse. The RM1 Zone limits building heights to 10-metres, though Policy 6.4 of the Official Plan permits heights not exceeding 11-metres in residential areas. The increase in height will not facilitate the development of a third storey for the proposed dwellings and will not result in any additional overlook into existing or future yards on adjacent lands. The additional increase in height is requested to ensure flexibility in architectural design and facilitate higher ceilings and facilitate steeper pitches for roofs, which are promoted in the St. Davids Urban Design Guidelines.

Increase in Encroachment for Exterior Side Yard and Inclusion of Covered Decks

Section 6.44 of the Zoning By-law outlines permitted yard projections and encroachments. Table 6-10 indicates that unenclosed and uncovered porches, decks, balconies, patios or steps are all permitted encroachments. The Zoning By-law does not specifically state that covered decks and porches are permitted.

Covered decks are becoming increasingly popular in new development and typically function as a weather protected form of private outdoor amenity space. These areas are typically located

tight to a dwelling and can lessen the occurrence of dining or congregation space in yards near property lines, thus limiting nuisance on adjacent properties.

Specifying the inclusion of covered decks provides certainty to the architect and future buyers about the forms of development that can be allowed. Furthermore, it will provide clarity to the building and planning departments at the time of building permit when zoning conformity is being checked.

An increase of the maximum projection for covered porches and steps is requested to be 1.2-metres from the exterior side yard as the front porches for Block 1 Units A and D are proposed to be situated within the defined exterior side yards.

These proposed zoning modifications are consistent with the intent and direction of the Official Plan and the applicable zoning framework and are reflective of modern building trends. The design responds to the criteria outlined in Policy 9.3(3) for medium-density residential development, ensuring that the proposed form integrates harmoniously with surrounding land uses and minimizes negative impacts on adjacent lower-density areas. The development advances the principles of compact, complete communities by promoting housing choice, architectural quality, and a sensitive approach to intensification. Collectively, the requested reliefs support a well-planned, high-quality development that contributes positively to the evolving residential character of the area.

PLANNING POSITION

This Planning Justification Report has been prepared to provide a planning rationale for the Zoning By-law Amendment and Draft Plan of Subdivision applications made for Block 27 in Phase 2 of the Tawny Ridge Estates Subdivision in the Town of Niagara-on-the-Lake.

The subject lands are within the St. Davids Settlement Area, and propose the construction of eighteen (18) street townhouse dwelling units.

The applications are appropriate as they will establish the necessary permissions for the suitable and compatible development of the lands in accordance with Provincial, Regional and local land use planning documents.

The proposed development not only optimizes land utilization, but also contributes to the diversity and availability of housing options in the area, aligning with the objectives of the Town's Official Plan. The proposed development supports sustainable land use patterns outlined in Provincial land use documents in achieving compact land uses that help to optimize the efficient use of existing infrastructure. It balances the accommodation of prescribed growth targets and respects the character of the surrounding area.

Based on the analysis of the Applications, it has been demonstrated that they:

- Have regard for, and satisfy the relevant sections of Section 2 the *Planning Act*;
- Are consistent with the 2024 Provincial Planning Statement;
- Are in conformity with the 2022 Niagara Official Plan;
- Are in conformity with the Niagara-on-the-Lake Official Plan.

It is our opinion that the applications will facilitate appropriate forms of development that will contribute to the achievement of community goals and additional housing supply and forms. The applications are considered to be in the public interest and represent good planning, therefore, should be approved by the Town of Niagara-on-the-Lake.

Prepared by,



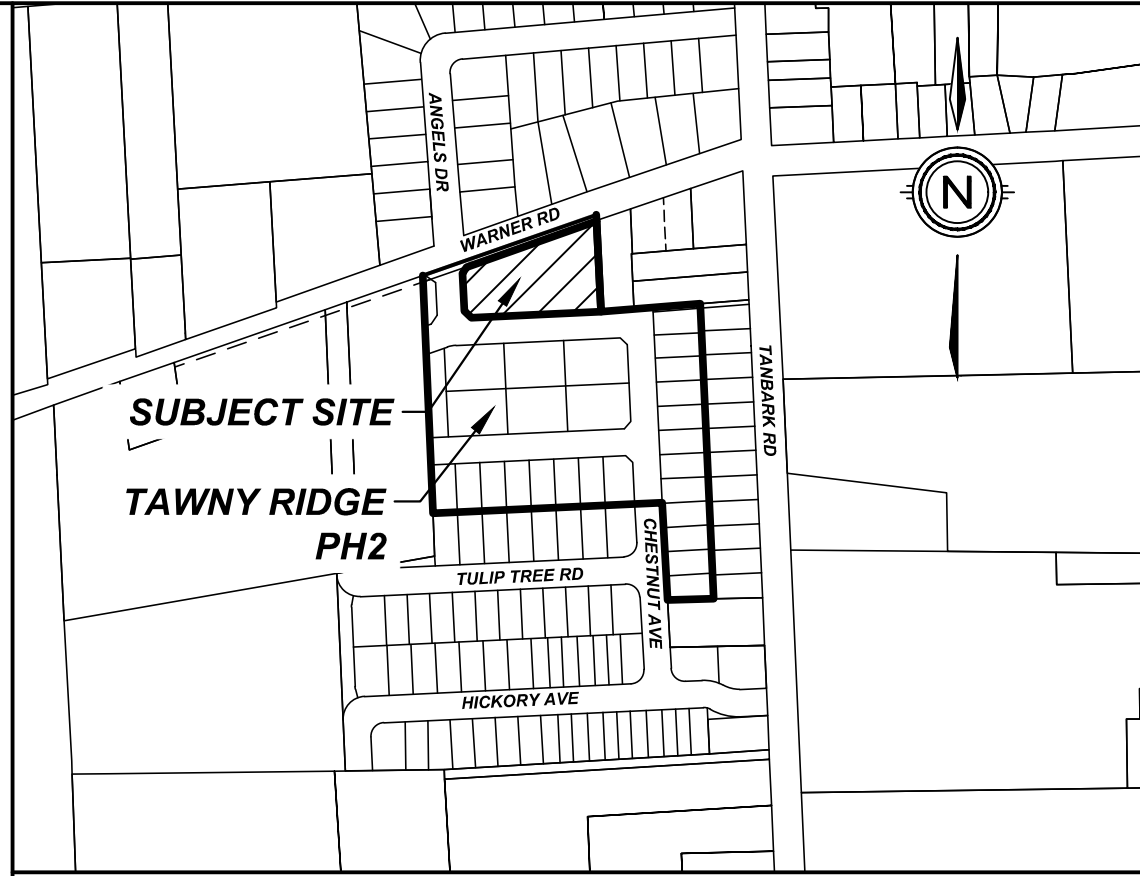
Chelsea Liotta
Planner
Upper Canada Consultants

Reviewed by,



Barbara Wiens, MCIP, RPP
Planning Associate
Upper Canada Consultants

APPENDIX I
DRAFT PLAN OF SUBDIVISION



N.T.S.

**BLOCK 27; PLAN 30M-###
GEOGRAPHIC TOWNSHIP OF NIAGARA
IN THE TOWN OF NIAGARA-ON-THE-LAKE
REGIONAL MUNICIPALITY OF NIAGARA**

BEING THE REGISTERED OWNER, I HEREBY AUTHORIZE UPPER CANADA CONSULTANTS TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF NIAGARA-ON-THE-LAKE FOR APPROVAL.

FEBRUARY 4, 2022

VAUGHN GIBBONS (ST. DAVIDS RIVERVIEW ESTATES INC.) DATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF
THE LANDS TO BE SUBDIVIDED ARE
CORRECTLY SHOWN.

DASHA PAGE, HON, B.Sc., O.L.S.
J.D.BARNES LTD.

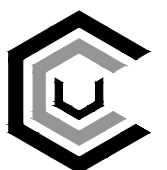
ATE

a) SEE PLAN	e) SEE PLAN	i) SILTY SAND
b) SEE PLAN	f) SEE PLAN	j) SEE PLAN
c) SEE PLAN	g) SEE PLAN	k) FULL SERVICE
d) SEE PLAN	h) MUNICIPAL WATER	l) SEE PLAN

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
STREET TOWN RESIDENTIAL	BLOCK 1-5	18	0.417	100.00
TOTAL		18	0.417	100.00

NET DEVELOPABLE AREA = 0.417 ha
NET DEVELOPABLE DENSITY = 43.17 units/ha

•	•	•	•
0	ISSUED FOR APPROVAL	2025-06-18	M.K
#	REVISION	DATE	INIT



**UPPER CANADA
CONSULTANTS**
ENGINEERS / PLANNERS

DRAWING TITLE

DRAFTING MK

**DRAFT PLAN OF
SUBDIVISION
(PHASE 3)**

DATE APRIL 30, 2025

PRINTED JUNE 19, 2025

SCALE 1:200

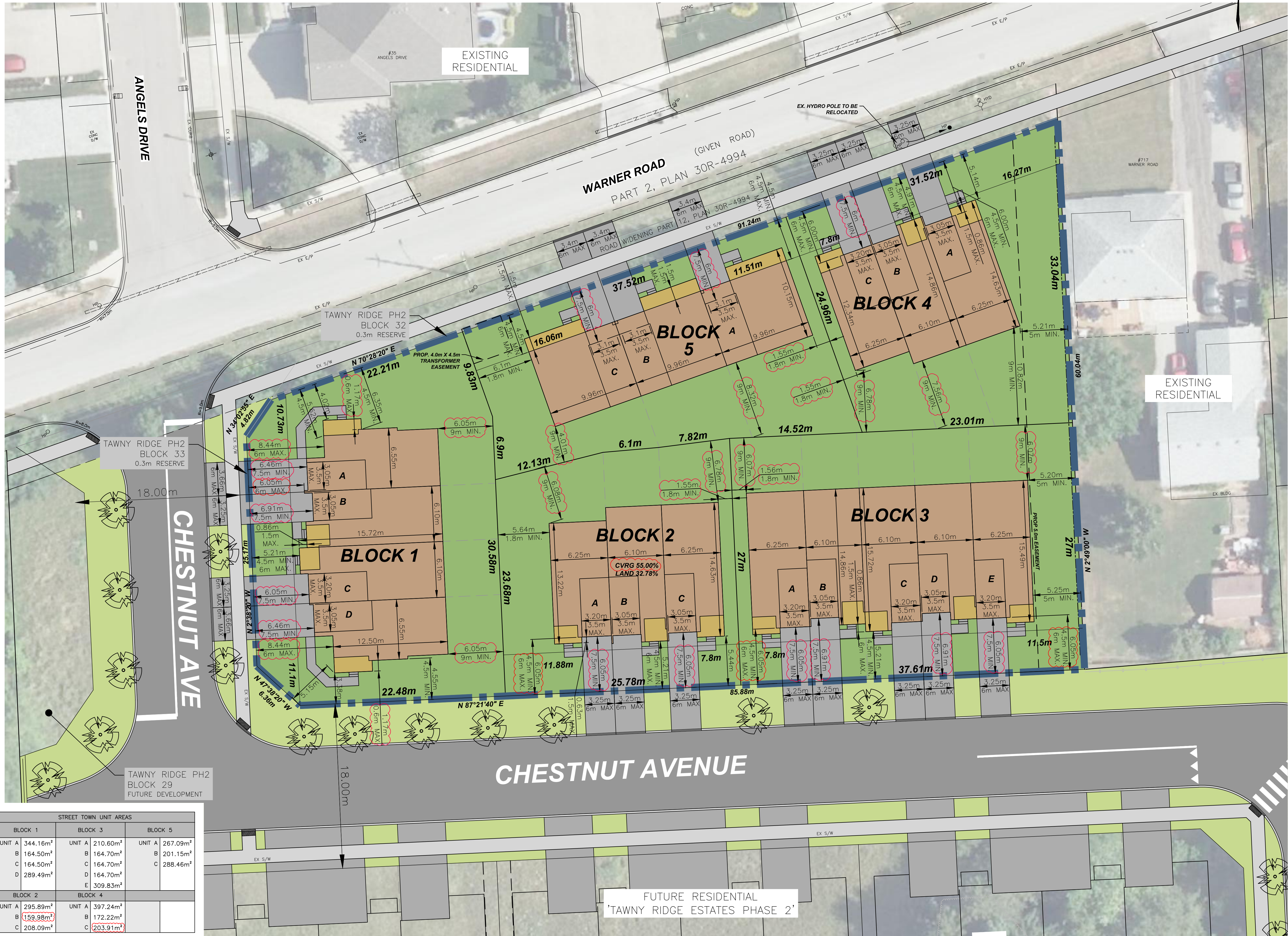
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21178-PH3-DP	0

APPENDIX II

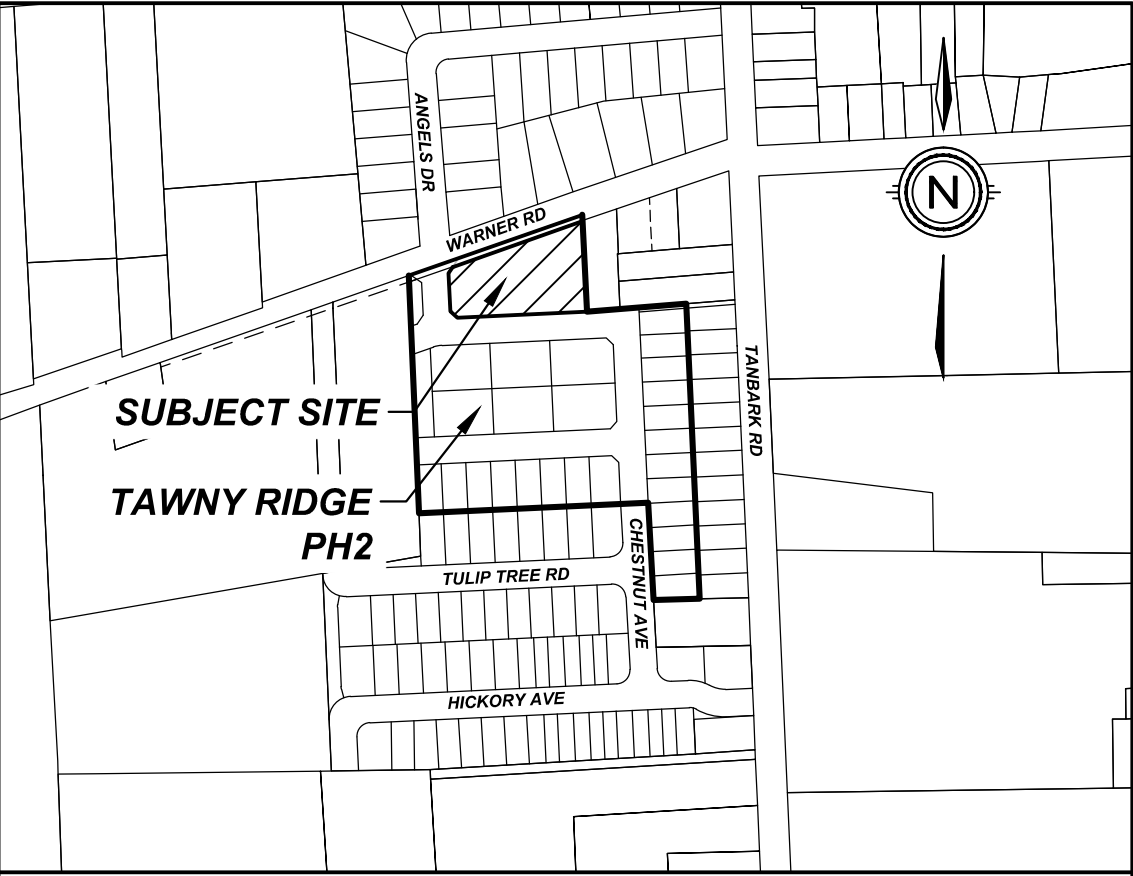
COLOURED SITE PLAN

TAWNY RIDGE ESTATES - PHASE 3

TOWN OF NIAGARA-ON-THE-LAKE



STREET TOWN UNIT AREAS					
BLOCK 1		BLOCK 3		BLOCK 5	
UNIT A	344.16m ²	UNIT A	210.60m ²	UNIT A	267.09m ²
B	164.50m ²	B	164.70m ²	B	201.15m ²
C	164.50m ²	C	164.70m ²	C	288.46m ²
D	289.49m ²	D	164.70m ²		
		E	309.83m ²		
BLOCK 2		BLOCK 4			
UNIT A	295.89m ²	UNIT A	397.24m ²		
B	159.98m ²	B	172.22m ²		
C	208.09m ²	C	203.91m ²		



KEY PLAN
N.T.S.

LEGAL DESCRIPTION
BLOCK 27, PLAN 30M-###
GEOGRAPHIC TOWNSHIP OF NIAGARA
IN THE TOWN OF NIAGARA-ON-THE-LAKE
REGIONAL MUNICIPALITY OF NIAGARA

ZONING MATRIX - RESIDENTIAL MULTIPLE (RM1-XX) ZONE			
PROVISION	REQUIRED	PROVIDED	
PERMITTED USE: STREET TOWNHOUSE DWELLINGS			
MINIMUM LOT FRONTAGE PER UNIT			
i) Interior Lot	6.2m	6.1m	7.8m
ii) Exterior Lot	10.0m		
MINIMUM LOT AREA PER UNIT			
i) Interior Lot	230m ²	i) 159.98m ²	
ii) Exterior Lot	300m ²	ii) 203.91m ²	
MAXIMUM LOT COVERAGE	45%	45%	55.00%
MINIMUM LANDSCAPED OPEN SPACE	25%	32.78%	
MINIMUM FRONT YARD SETBACK TO FRONT FACE OF DWELLING	4.5m	4.5m	
MAXIMUM FRONT YARD SETBACK	6.0m	8.44m	
MINIMUM FRONT YARD SETBACK TO GARAGE FACE	7.5m	6m	
MAXIMUM WIDTH OF GARAGE FACE	3.5m	3.2m	
MINIMUM INTERIOR SIDE YARD SETBACK:			
i) FOR END UNITS	1.5m	NA	
ii) END UNITS HAVING A HEIGHT 5m OR GREATER	1.8m	1.55m	
iii) END UNITS WITH NO ATTACHED GARAGE	3.0m	NA	
MINIMUM EXTERIOR SIDE YARD SETBACK	4.5m	4.55m	
WHERE AN ENTRANCE TO AN ATTACHED GARAGE FACES AN EXTERIOR SIDE YARD	6.0m	N/A	
MINIMUM REAR YARD SETBACK	7.5m	NA	
FOR UNITS HAVING HEIGHT 8m OR GREATER	9.0m	4m BLK 50 ONLY, 6m REMAINING	
MINIMUM DWELLING FLOOR AREA	80m ²	±130m ²	
MAXIMUM BUILDING HEIGHT	10.0m	11.0m	
MINIMUM ACCESSORY BUILDING YARDS SETBACK	0.5m	N/A	
MINIMUM ACCESSORY BUILDING EXTERIOR SIDE YARD SETBACK	4.5m	N/A	
PROJECTIONS OR ENCROACHMENTS OF UNCOVERED, UNENCLOSED OR COVERED PATIO OR DECK FORM			
i) FRONT OR REAR YARD	i) MAX. 1.5m PROJECTION	i) 1.50m	
ii) SIDE YARD	ii) MAX. 0.6m PROJECTION	ii) 1.17m	
MAXIMUM DRIVEWAY WIDTH	6.0m	3.66m	
MINIMUM WIDTH OF REQUIRED PARKING SPACE IN PRIVATE GARAGE	3.0m	3.05m	
MINIMUM PARKING REQUIREMENT	2 per unit	2 per unit	

LAND USE SCHEDULE				
LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
STREET TOWN RESIDENTIAL	BLOCK 1-5	18	0.417	100.00
TOTAL		18	0.417	100.00
DEVELOPABLE AREA			0.417	Ho.
DENSITY (UNITS/DEVELOPABLE AREA)			43.17	u/Ho.

#	ISSUED FOR APPROVAL	2025-06-18	M.K
#	REVISION	DATE	INIT

UPPER CANADA CONSULTANTS
ENGINEERS / PLANNERS

30 Hanover Drive Unit 3
St. Catharines, Ontario
L2W 1A2
Phone: (905) 688-9400
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DRAWING TITLE

DEVELOPMENT SITE PLAN

DRAFTING MK

DATE MAY 1, 2025

PRINTED JUNE 18, 2025

SCALE 1:200

DWG No. 21178-SP

REV 0

APPENDIX III

PRE-CONSULTATION NOTES

Office Use Only --	Meeting date:	Fee collected:
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APPLICANTS only need to complete page 1 of this form. E-mail the entire document with page 1 filled out to: planning.development@notl.com
You will be contacted with a meeting date and a planner will be assigned to your file.

Pre-Consultation Agreement

For applications filed under the *Planning Act, R.S.O. 1990 c. P.13, as amended*

Persons intending to file an application under the *Planning Act, R.S.O. 1990, c. P.13, as amended*, are required to attend a pre-consultation meeting with Community & Development Services Staff prior to submitting an application. This meeting will identify the requirements to submit a complete application and will provide the opportunity to discuss the application, planning-related matters, application fees, the application review process, and other matters.

All information requested on this form is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. The requested information on this form and all accompanying plans, reports, and will form part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and company of the Registered Owner and/or Authorized Agent is public information. Questions about the collection of information can be made to the Town Clerk.

1. Application Type (select all that apply)

- | | | | | |
|--|--|--|--|---|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Zoning By-law Amendment | <input type="checkbox"/> Draft Plan of Subdivision | <input type="checkbox"/> Draft Condominium Description | <input type="checkbox"/> Site Plan Approval |
| <input type="checkbox"/> Consent | <input type="checkbox"/> Minor Variance | <input type="checkbox"/> Fence/Sign Variance | <input type="checkbox"/> LNCU Permission | <input type="checkbox"/> Other: _____ |

2. Details of the Subject Lands

Municipal Address		Assessment Roll Number
Legal Description		
Lot Area (metric)	Lot Frontage (metric)	Lot Depth (metric)

3. Registered Owner

Name(s)	Company Name
Email	Telephone

4. Authorized Agent

Name	Company Name
Email	Telephone

Contact for all future correspondence (select one): ☐ Registered Owner ☐ Authorized Agent

5. Details of the Proposal

Provide a description of the proposal, including any specific amendments or relief being requested:

6. Provincial Planning, Official Plan, and Zoning Information

Identify the applicable Provincial Plan designations that apply to the subject lands:

☐ Specialty Crop Area ☐ Built-Up Area ☐ Greenfield Area ☐ Niagara Escarpment Plan Area

Does this application conform to the applicable Provincial Plans? ☐ Yes ☐ No

Existing Niagara Regional Official Plan Designation(s) of the subject lands:

Does this application conform to the Niagara Regional Official Plan? ☐ Yes ☐ No

If no, describe the nature of the amendment needed:

Existing Town of Niagara-on-the-Lake Official Plan Designation(s) of the subject lands:

Does this application conform to the Town of Niagara-on-the-Lake Official Plan? ☐ Yes ☐ No

If no, describe the nature of the amendment needed:

Existing Town of Niagara-on-the-Lake Zoning of the subject lands:

Does this application conform to the Town of Niagara-on-the-Lake Zoning By-law? ☐ Yes ☐ No

If no, describe the nature of the amendment needed:

7. Site Plan Control

Is Site Plan Approval required for the proposal? ☐ Yes ☐ No

Is there an existing Site Plan Agreement that applies to any portion of the subject lands? ☐ Yes ☐ No

8. Archaeology and Municipal Heritage

Is any portion of the subject lands within an area of archaeological potential? ☐ Yes ☐ No

Is any portion of the subject lands or adjacent lands listed on the Municipal Heritage Register? ☐ Yes ☐ No

Is any portion of the subject lands or adjacent lands designated under the *Ontario Heritage Act*? ☐ Yes ☐ No

9. Niagara Peninsula Conservation Authority (NPCA)

Is any portion of the subject lands within an NPCA regulated area? ☐ Yes ☐ No

10. Parkland Dedication and Development Charges

Is the proposal eligible for parkland dedication or cash-in-lieu pursuant to Sections 42 or 51.1 of the *Planning Act, R.S.O. 1990, c. P.13*? ☐ Yes ☐ No

Are Town Development Charges applicable to the proposal? ☐ Yes ☐ No

11. Agencies to be Circulated on the Application (subject to change)

☐ Niagara Region ☐ Niagara Escarpment Commission ☐ NPCA ☐ Niagara Parks Commission

☐ Enbridge Gas ☐ TransCanada Pipelines ☐ Bell Canada ☐ NOTL Hydro

☐ Hydro One ☐ Canada Post ☐ Parks Canada ☐ Local School Boards

☐ Other: _____

12. Plans, Reports, and Information Required for a Complete Application

Notwithstanding the plans, reports, and information noted below, Staff reserve the right to request additional plans, reports, and information, if applicable. All plans, reports and information are subject to peer-review at the applicant's cost. At the time of submission of an application, all accompanying plans, reports, and information may become part of the public record.

Reports/Studies	Notes
<input type="checkbox"/> Planning Justification Report / Impact Analysis	
<input type="checkbox"/> Streetscape Study	
<input type="checkbox"/> Transportation Impact Study	
<input type="checkbox"/> Parking Impact Analysis	
<input type="checkbox"/> Archaeological Assessment and Ministry letter(s)	
<input type="checkbox"/> Cultural Heritage Impact Assessment	
<input type="checkbox"/> Environmental Impact Study	
<input type="checkbox"/> Environmental Site Assessment	
<input type="checkbox"/> Arborist Report / Tree Inventory	
<input type="checkbox"/> Functional Servicing Report	
<input type="checkbox"/> Stormwater Management Report	
<input type="checkbox"/> Land Use / Market Study	
<input type="checkbox"/> Urban Design Brief	
<input type="checkbox"/> Geotechnical Study	
<input type="checkbox"/> Hydrogeological Study	
<input type="checkbox"/> Slope Stability Report	
<input type="checkbox"/> Air, Noise, and Vibration Emissions Study	
<input type="checkbox"/> Agricultural Impact Assessment	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
Plans/Drawings	Notes
<input type="checkbox"/> Site Plan	
<input type="checkbox"/> Landscape Plan and Planting Plan	
<input type="checkbox"/> Building Elevations	
<input type="checkbox"/> Coloured Site Plan, Landscape Plan and Building Elevations	
<input type="checkbox"/> Floor Plans (including Gross Leasable Floor Areas)	
<input type="checkbox"/> Photometric Plan / Lighting Plan	
<input type="checkbox"/> Draft Plan of Subdivision	
<input type="checkbox"/> Draft Condominium Description	
<input type="checkbox"/> Servicing Plan	
<input type="checkbox"/> Preliminary Grading Plan	
<input type="checkbox"/> Lot Grading and Drainage Area Plan	
<input type="checkbox"/> Consent Sketch	
<input type="checkbox"/> Minor Variance Sketch	
<input type="checkbox"/> Fence/Sign Variance Sketch	
<input type="checkbox"/> Reference Plan / Registered Plan	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

Other Requirements	Notes
<input type="checkbox"/> Draft Regional Official Plan Amendment	
<input type="checkbox"/> Draft Town Official Plan Amendment	
<input type="checkbox"/> Draft Zoning By-law Amendment	
<input type="checkbox"/> Surplus Farm Dwelling Information Form	
<input type="checkbox"/> MDS I/II Farm Data Sheet(s)	
<input type="checkbox"/> Property Index Map and Parcel Registers (including all PIN Printouts and Legal Instruments)	
<input type="checkbox"/> Legal Opinion	
<input type="checkbox"/> Heritage Permit	
<input type="checkbox"/> Urban Design Guidelines / Architectural Codes	
<input type="checkbox"/> Municipal Heritage Committee Review	
<input type="checkbox"/> Urban Design Committee Review	
<input type="checkbox"/> Cost Estimates for all proposed on-site and off-site works	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

13. Application Fees

Notwithstanding the fees noted below, all fees are payable based on the Fee Schedule By-law in effect on the date the application is received. Separate cheques shall be made payable to the appropriate agency. Additional fees may be required to process the application, including but not limited to peer-review fees.

Application Type	Town Planning	Niagara Region	NPCA	Town Operations	Other
Official Plan Amendment					
Zoning By-law Amendment					
Draft Plan of Subdivision					
Draft Condominium Description					
Site Plan					
Consent					
Minor Variance					
Fence/Sign Variance					
LNCU Permission					
Pre-Consultation Fee Deduction					
Other: _____					
Other: _____					
Other: _____					
Other: _____					

PLEASE NOTE THAT THE TOWN PLANNING FEES CITED ABOVE ARE 2024 FEES. 2025 FEES WILL BE APPLICABLE ONCE APPROVED BY COUNCIL.

14. Additional Comments

- The subject lands are known as Block 27 within the Draft Approved "Tawny Ridge Estates - Phase 2" Plan of Subdivision, located south of Warner Road and west of Tanbark Road in the Urban Area of St. Davids. The applicant is proposing to create further blocks within Block 27 through a second Plan of Subdivision. The Town requests that the applicant engage in discussions with Planning Staff in advance of the formal *Planning Act* submission to discuss the mechanism to divide the lands within Block 27.
- The subject lands are designated "Low Density Residential Exception (EX-RES-12)" which was implemented through Official Plan Amendment No. 88 to the Town of the Niagara-on-the-Lake Official Plan ("Town OP"). The site-specific exception designation permits an increased maximum residential net density of 32.66 units per hectare for the lands subject to the site-specific exception designation. Given that the Draft Approved Plan shows 30 block townhouse dwelling units for Block 27, and the applicant is proposing 18 on-street townhouse dwelling units, the proposal conforms with the maximum residential net density permitted. As such, an Official Plan Amendment is not required, provided there are no changes to the overall Phase 2 Subdivision Plan prior to registration.
- The subject lands are zoned "Residential Multiple (RM1-H-40(b)) Site Specific Holding Zone" under Zoning By-law 4316-09, as amended. The site-specific provisions were implemented through By-law No. 4316FD-24. The existing provisions for Block 27 are structured to apply to a condominium block. Given that a Plan of Subdivision is now proposed within Block 27, and not a Plan of Condominium, a Zoning By-law Amendment is required to add permissions for on-street townhouses and to set out site specific provisions for on street townhouse dwelling units, which would apply to each lot being created. The applicant will be required to determine how to amend the existing site-specific zoning provisions to accommodate the proposed on-street townhouse dwellings and must justify any relief being requested. Provisions should include but not be limited to encroachments related to covered/uncovered decks and steps, rear yard setbacks, lot coverage per unit, etc.
- A Planning Justification Report ("PJR") is required for the proposal that addresses applicable Provincial, Regional and Town policies, which must be signed by a Registered Professional Planner. The PJR should provide an overview of the past planning applications on the subject lands in addition to a clear understanding of the changes being requested through the proposal. The PJR must provide analysis to demonstrate that the proposed on-street townhouse dwellings are compatible with the surrounding community. Town Staff require that a Streetscape Study and Urban Design Brief (which may form sections within the PJR) are provided to demonstrate compatibility with the surrounding community and to demonstrate that the proposal addresses the St. Davids Urban Design Guidelines.
- Further comments and requirements from external agencies and Town departments are attached.

15. Additional Notes

- i. The purpose of this Pre-consultation Agreement is to identify the information required to process and evaluate an application, as set out in the *Planning Act, R.S.O. 1990, c. P.13, as amended*. This pre-consultation process is designed to proceed based on the mutual agreement of the parties who have provided signatures below.
- ii. Pre-consultation does not imply or suggest any decision whatsoever on behalf of Staff or the municipality to either support or refuse the application.
- iii. All information requested on this form is collected under the authority of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. The requested information on this application and all accompanying plans, reports, and information is required in order to process this application and will form part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information. Questions about the collection of information can be made to the Town Clerk.
- iv. The applicant should be aware that the information provided in this Pre-consultation Agreement is accurate as of the date of the pre-consultation meeting. Should other policies, by-laws or procedures be approved by the Province, Region, Town and other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect on the day the application is received. If an application is not submitted within one (1) year, the applicant must confirm with the Town that the directives of the original pre-consultation meeting are being met. Another pre-consultation meeting may be required at the direction of the Director of Community & Development Services if an application has not been submitted within one (1) year of the pre-consultation date and/or the proposal has changed.
- v. It is hereby understood that, subject to any appeals, an application filed for the proposal identified in this Pre-consultation Agreement will only be considered complete if it includes the required plans, reports and information identified in this Pre-consultation Agreement, completed application form(s), any information or materials prescribed by statute, the required fees, a copy of this signed Pre-Consultation Agreement, and any other applicable requirements as identified on the application forms. Any application submitted without the plans, reports and information identified in this Pre-consultation Agreement will be deemed incomplete and will not be processed. Alternately, Staff may recommend refusal of the application based upon insufficient information to properly evaluate the application.
- vi. The applicant acknowledges that the Town, Region, and other agencies consider the application forms and all accompanying plans, reports, and information filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents and hereby confirms that the consent of the authors of all accompanying plans, reports and information have been obtained, to permit the Town, Region and other agencies to release the application and any accompanying materials either for their own use in processing the application, or at the request of a third-party, without further notification to, or permission from, the applicant.
- vii. It is hereby understood that during the review of the application additional plans, reports, and information may be required as a result of issues arising during the processing of the application, public input, or the review of the submitted studies.
- viii. The applicant acknowledges and agrees that Town of Niagara-on-the-Lake Staff, Agency Staff and Committee of Adjustment Members may enter onto their property to view, photograph, and survey their property as necessary for this proposal. It is acknowledged that failure to allow access onto the subject lands may result in the application being considered incomplete.
- ix. If the Town or Region do not have sufficient expertise to review and determine that a study is acceptable, a peer-review may be required. The cost of the peer review shall be paid for by the applicant. The Terms of Reference for a peer review is determined by the Town, Region or other agencies.
- x. Some studies may require review and clearance/approval from other agencies. In this instance, the review fee(s) of the review agency shall be paid by the applicant.

16. Signatures of Attendees

I have read, understand, and agree to all of the content provided in this Pre-consultation Agreement:

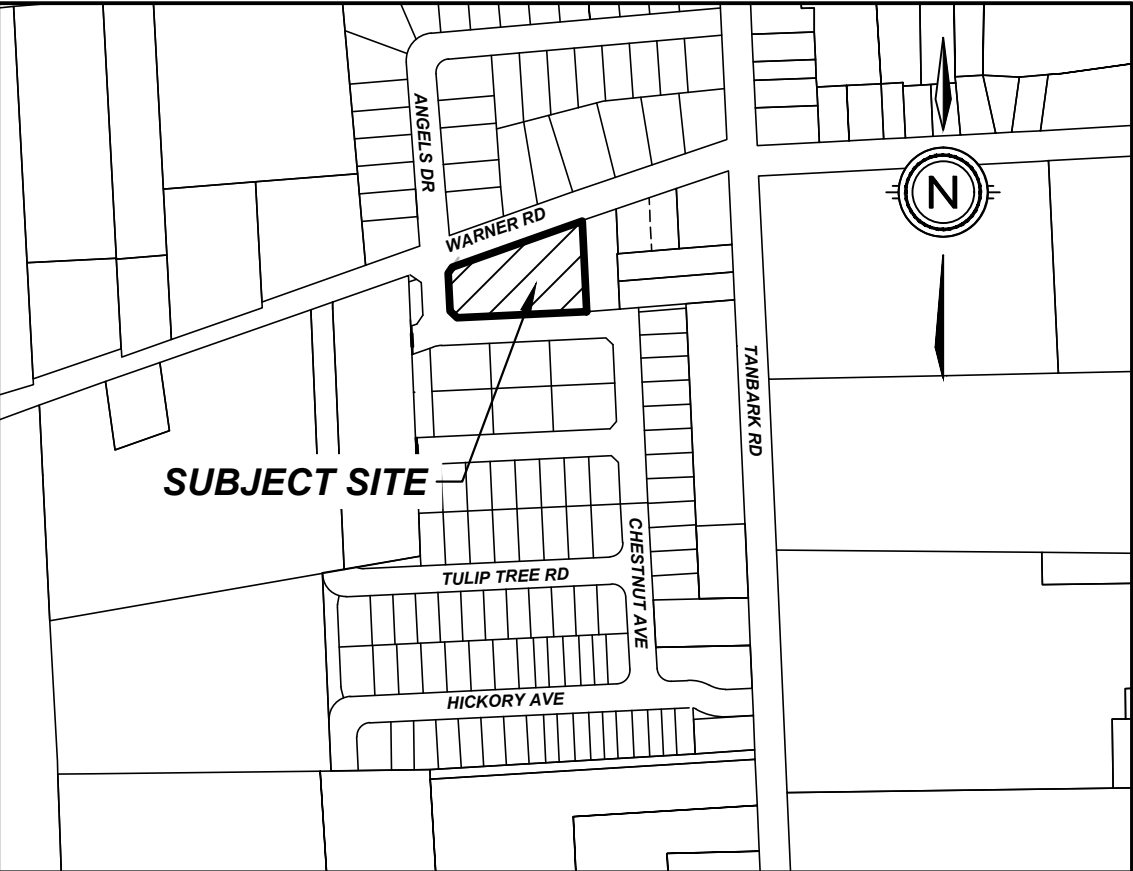
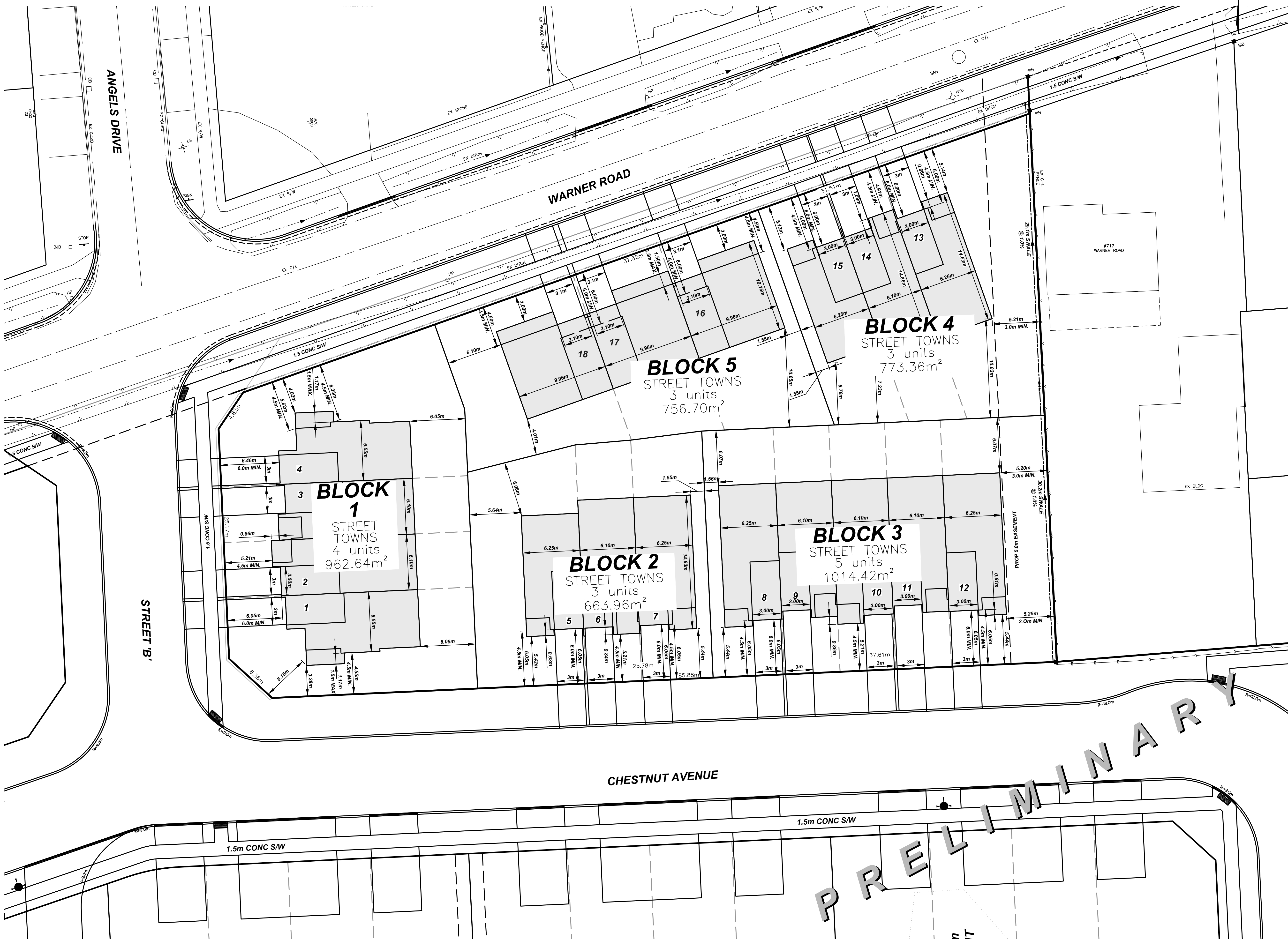
Position/Title	Name	Signature	Date
Planner			
Planning Manager			
Development Coordinator			
Secretary-Treasurer, CoA			
Operations Staff			
Regional Staff			
NPCA Staff			
Other Staff: _____			
Other Staff: _____			
Other Staff: _____			
Registered Owner			
Authorized Agent			
Other: _____			
Other: _____			
Other: _____			

APPLICATIONS MUST BE SUBMITTED TO:

Town of Niagara-on-the-Lake
Community & Development Services
1593 Four Mile Creek Road
PO Box 100
Virgil, ON L0S 1T0

Phone: (905) 468-3266
Fax: (905) 468-0301
Website: www.notl.com
E-mail: planning.development@notl.com

TAWNY RIDGE ESTATES - PHASE 2 BLOCK 27
TOWN OF NIAGARA-ON-THE-LAKE



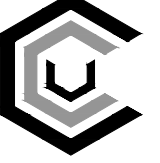
KEY PLAN
N.T.S.

CONCEPT PLAN

ZONING MATRIX - RESIDENTIAL MULTIPLE (RM1-40(b)) ZONE		
PROVISION	REQUIRED	PROVIDED
PERMITTED USE: BLOCK TOWNHOUSE DWELLINGS, STACKED TOWNHOUSE DWELLINGS, STREET TOWNHOUSE DWELLINGS		
MINIMUM LOT FRONTAGE (defined as the south lot line)	85m	85.88m
MINIMUM LOT AREA PER UNIT	N/A	—
MAXIMUM NUMBER OF DWELLING UNITS	Block Townhouse 20 Stacked Townhouse 30	18
MAXIMUM LOT COVERAGE (overall block)	50%	39.09% (overall) 45.22% (Block 3)
MINIMUM LANDSCAPED OPEN SPACE (overall block)	30%	53.24%
MINIMUM SETBACK TO SOUTH LOT LINE (overall block)	4.5m	4.55m
MINIMUM SETBACK TO EAST LOT LINE (overall block)	3.0m	5.20m
MINIMUM SETBACK TO WEST LOT LINE (overall block)	4.5m	5.21m
MINIMUM SETBACK TO NORTH LOT LINE (overall block)	4.5m	4.5m
MINIMUM DISTANCE BETWEEN BUILDINGS ON SAME LOT	N/A	—
MINIMUM DISTANCE BETWEEN A DWELLING UNIT AND INTERNAL DRIVEWAY/PARKING AREA — FRONT FACE OF GARAGE (Attached garage shall be setback minimum of 1.5m behind main facade of dwelling on the ground floor)	3.0m 6.0m	N/A N/A
MINIMUM DWELLING UNIT AREA	80m²	±140.00m²
MAXIMUM BUILDING HEIGHT — Block Townhouse Dwelling — Stacked Townhouse Dwelling	11.0m (2 storeys peaked roof) 11.6m (peaked roof)	TBD (2 storeys)
MINIMUM SETBACK OF ACCESSORY BUILDINGS AND STRUCTURES TO ALL LOT LINES	4.5m	N/A
MAXIMUM GARAGE DOOR WIDTH PER UNIT	50% of dwelling unit facade	50%
MINIMUM AMENITY SPACE (overall block) Private space abutting each unit for Block Townhouse dwellings Common centralized space for Stacked Townhouse dwellings	5% (part of the minimum 30% landscaped open space)	N/A
MINIMUM WIDTH OF LANDSCAPE BUFFER STRIP FOR ANY PARKING AREA THAT ABUTS EAST LOT LINE	3.0m	N/A
PERMITTED YARD PROJECTIONS AND ENCROACHMENTS	Max. 1.5m projection is permitted for attached covered (1-storey) and unenclosed porches into the minimum 4.5m setback for the north, south and west lot lines	1.50m
MAXIMUM DRIVEWAY WIDTH	6.0m	3.1m
MINIMUM PARKING REQUIREMENT	2 per unit	2 per unit

LAND USE SCHEDULE				
LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
STREET TOWN RESIDENTIAL	BLOCK 1-5	18	0.417	100.00
—	BLOCK #-#	###	###	###
ROADWAY			###	###
TOTAL		18	0.417	100.00
DEVELOPABLE AREA			0.417 Ha.	
DENSITY (UNITS/DEVELOPABLE AREA)			43.17u/Ha.	

0	ISSUED FOR	YYYY-MM-DD	
#	REVISION	DATE	INIT

 UPPER CANADA CONSULTANTS ENGINEERS / PLANNERS	DRAWING TITLE	DRAFTING	MK
	BLOCK 27 CONCEPT PLAN OPTION 5	DATE	DECEMBER 4, 2024
		PRINTED	JANUARY 3, 2025
		SCALE	1:200
	DWG No.	REV	
	21178-CP5	0	

John Federici, MCIP, RPP

From: Shanks, Amy <Amy.Shanks@niagararegion.ca>
Sent: February 20, 2025 1:40 PM
To: John Federici, MCIP, RPP
Subject: RE: NOTL Pre-Consultation Meeting - Warner Road and Tanbark Road - Block 27 Tawny Ridge (ZBA, Draft Plan)

CAUTION: This email originated from outside the Town of Niagara-on-the-Lake. Use caution when clicking on a link or opening an attachment unless you know that the content is safe. If unsure, forward the email to IT to validate.

Hi John,

Regional comments regarding this precon item are below. Please let me know if you have any questions.

Proposal: Development of a 0.417 hectare block, being Block 27 of Tawny Ridge Estates Phase 2 along Warner Road for 18 freehold on-street townhouses. Zoning By-law Amendment and Draft Plan of Subdivision (modification?).

Provincial and Regional Land Use Designations:

Provincial Planning Statement (PPS): Settlement Area
Greenbelt Plan: Protected Countryside - Towns and Villages
Niagara Official Plan (NOP): Delineated Built-Up Area

Regional Comments:

- The PPS and NOP direct development to take place in urban areas to support intensified development where appropriate servicing and infrastructure exists. A full range of uses are permitted generally within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure. 30 units were originally proposed for this block as part of the earlier approvals. The Town is responsible for monitoring growth to ensure applicable intensification targets can be achieved. Town staff should therefore be satisfied the proposed number of units is appropriate from a growth management perspective.
- Outstanding conditions of draft plan approval include the submission of the approved Stage 1-2 archaeological assessment and a reliance letter for the Phase II ESA, both of which have not yet been addressed. These requirements can be resolved as part of the draft plan approval process.
- An updated Functional Servicing Report, evaluating flows to the St. David's Sewage Pumping Station, will be required with the Zoning By-law Amendment application.
- Stormwater management will be subject to the Town's approval.

Required Studies/Plans:

- Updated Functional Servicing Report (with Zoning By-law Amendment)

Required Fees:

For applications circulated prior to March 31, 2025:

- Zoning By-law Amendment Review Fee: \$1,485

For applications circulated after March 31, 2025:

- Major Engineering Infrastructure Review Fee - \$1,325 (required regardless of application type)

Kind regards,
Amy



Amy Shanks, MCIP, RPP

Senior Development Planner
Niagara Region

905-980-6000 ext. 3532

amy.shanks@niagararegion.ca

1815 Sir Issac Brock Way
PO Box 1042,
Thorold, ON, L2V 4T7

John Federici, MCIP, RPP

From: Kyle Riley <kriley@npca.ca>
Sent: February 11, 2025 10:41 AM
To: John Federici, MCIP, RPP
Subject: Re: NOTL Pre-Consultation Meeting - Warner Road and Tanbark Road - Block 27 Tawny Ridge (ZBA, Draft Plan)
Attachments: Warner Road & Tanbark Road Basemap.pdf

CAUTION: This email originated from outside the Town of Niagara-on-the-Lake. Use caution when clicking on a link or opening an attachment unless you know that the content is safe. If unsure, forward the email to IT to validate.

Hello John,

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the subject matter for the Pre-consultation on the proposed Subdivision, and Zoning Bylaw Amendment at Warner and Tanbark Road, and offers the following comments.

There are no features regulated by the NPCA which currently traverse this address.

As such, the NPCA offers No Objections to the proposed Draft Plan of Subdivision at this address.

There will be No Planning or Permitting fees required by the NPCA to facilitate this Application.

If there are any questions on the comments outlined above, please, do not hesitate to contact the undersigned.

Best regards,



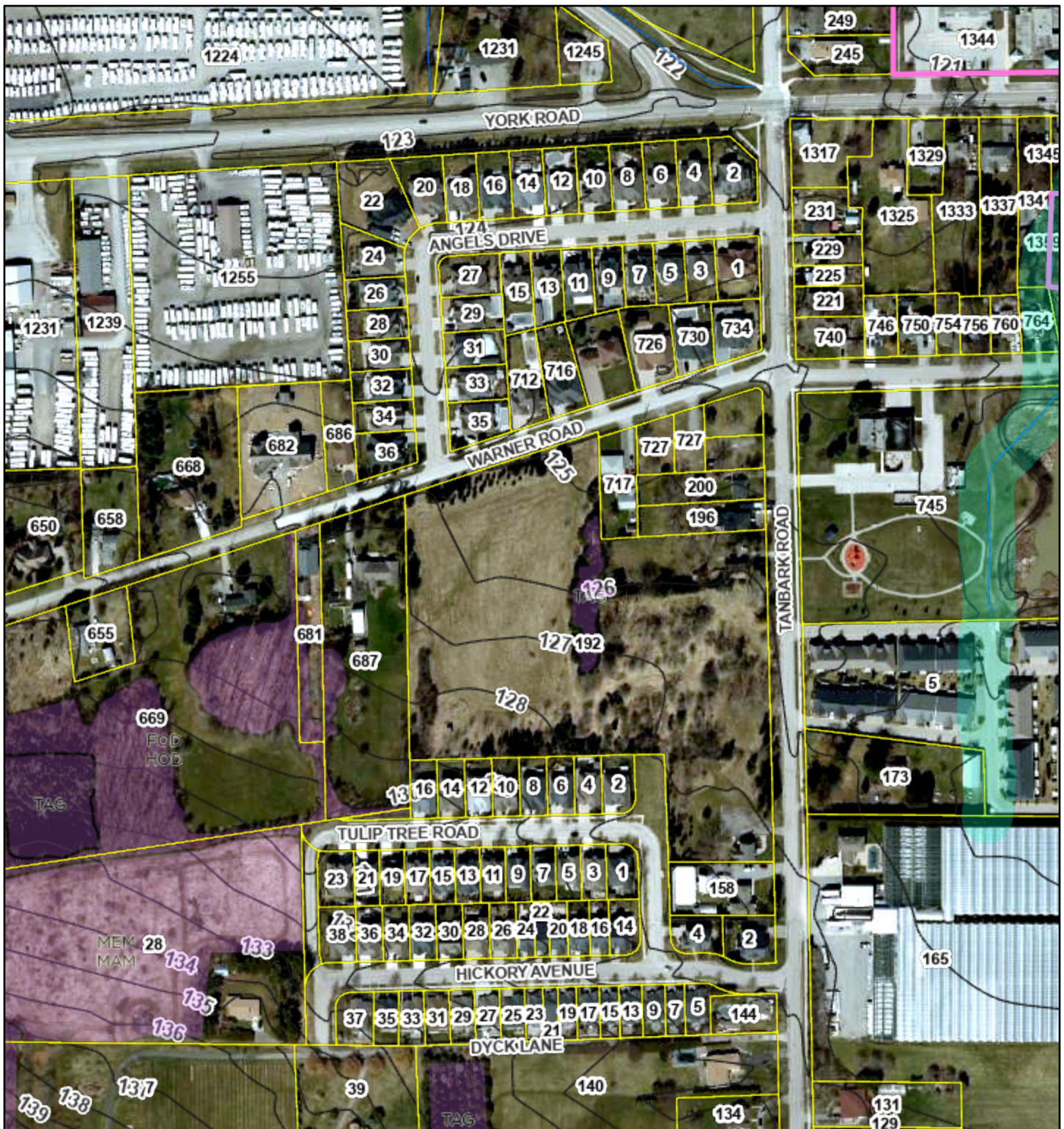
Kyle Riley
Watershed Planner
Niagara Peninsula Conservation Authority (NPCA)
3350 Merrittville Highway, Unit 9, Thorold, Ontario L2V 4Y6

(O) 905.788.3135 Ext 252
(Cell) 905.933.2541
www.npca.ca
kriley@npca.ca

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

The NPCA completed its [Watershed-based Resource Management](#) and [Conservation Area](#) Strategies, paving the way for sustainable conservation across the Niagara Peninsula watershed. It's [Watershed Natural Asset Analysis and Valuation](#) for the Niagara Peninsula watershed offers new insights that redefine how we view nature. **Explore them today!**

ArcGIS Web Map



2/11/2025, 10:39:18 AM

1:4,514

SWOOP 2020 NPCA

- Red: Band_1
- Green: Band_2
- Blue: Band_3

Roads

■ WRIP Quaternary Watersheds (10K)

■ NPCA APPROXIMATE REGULATION LANDS

■ CityView Application Views

■ Assessment Parcels

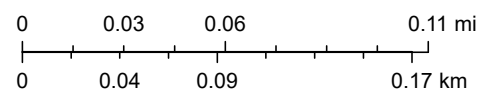
■ 2K Hydrography

■ ELC 2020 NPCA

Niagara Region Ortho 2023

■ Red: Red

■ Green: Green



NPCA, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS

City of Welland, Niagara Region, Regional Municipality of Niagara, Province of Ontario, Ontario MNR, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, AAFC, NRCAN | Niagara

John Federici, MCIP, RPP

From: Kiefer Paton, C.Tech.
Sent: February 26, 2025 9:23 AM
To: John Federici, MCIP, RPP
Subject: Tawny Ridge Block 27 - Pre con comments

Hi John,

Please see our summarized comments below:

Tawny Ridge – Block 27

Note: The subdivision application and clearance of conditions for Tawny Ridge Phase 2 is still ongoing. Overall servicing plans and SWM design have not been approved and thus details of those documents cannot be integrated into these requirements. The applicant should note that all design requirements for the proposed Block 27 will rely on the overall design requirements of the greater Tawny Ridge Phase 2 applications.

Requirements for site plan/condo/subdivision application:

Review deposit: \$8500

- Detailed Engineering Plans
 - o Servicing Plan
 - Must show any existing connections, and any proposed servicing
 - To include all on-site and off-site servicing connections
 - Must show existing/proposed sidewalk (or future sidewalk alignment)
 - o Grading plan
 - Must show appropriate sedimentation, silt control (silt fence, haybales, silt sacks etc.)
 - Existing/proposed shots must be included along all PL to show impacts on abutting lands
 - Existing and proposed elevations, swales, contours, features, and any other proposed re-grading must be shown on the grading plan. Siltation control (silt fence, haybales, etc.) must also be shown as needed.
 - o Landscape Plan
 - To show boulevard trees and other proposed plantings
 - o Lighting & Photometrics plans for any proposed lighting
 - o Streetscape plan
 - Must show all proposed street furniture, street signs, benches, trees, hydrants, hydro boxes, etc.
 - This plan is intended to identify any potential conflicts with driveways, or potential issues between utilities
- Servicing brief
 - o Must demonstrate that existing/proposed service connections are adequately sized to meet site demands and flows
 - o Must include fire flow testing of nearby hydrants
- SWM report & drainage area plans
 - o Proposal must demonstrate control of stormwater up to and including the 100-year storm (pre/post development)
 - o Abutting properties must not be impacted by proposed drainage design

- Proposed development must integrate into overall SWM design for Tawny Ridge Phase 2
- Cost estimate & working days estimate
 - Cost estimate must include pricing and quantities for all proposed works excepting building structure (hard surfacing, curbs, grading, materials, installation of infrastructure, landscaping, all surface/buried works, etc.)
 - To determine securities and deposits taken through the agreement

**Kiefer Paton, C.Tech.
Engineering Technologist**

Kiefer.Paton@notl.com

Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
Telephone: (905) 468-3266
Website: www.notl.com

John Federici, MCIP, RPP

From: Sumra Zia B. Arch., Dipl. Architectural Conservation
Sent: February 19, 2025 12:13 PM
To: John Federici, MCIP, RPP
Subject: Warner Road and Tanbark Road - Precon Comments

Hi John,

The Town is in receipt of a Stage 1 and 2 Archaeological Assessment and the applicable Ministry clearance letter for the subject lands. The assessment clears the subject lands from having archaeological potential. In addition, the subject lands are not located adjacent to any heritage resources. Therefore, there are no heritage concerns for this proposal.

Regards,

Sumra Zia B. Arch., Dipl. Architectural Conservation
Heritage Planner

Sumra.Zia@notl.com

Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
Telephone: (905) 468-3266
Website: www.notl.com

APPENDIX IV
Draft Zoning By-law Amendment

Explanation of the Purpose and Effect of By-law XX-XX

The subject lands are comprised of Parts of land known municipally as 170, 178, 184 and 192 Tanbark Road and an unaddressed parcel of land located on the south side of Warner Road in Niagara-on-the-Lake, more particularly described as Part 1 of Plan 30R-16377 in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. The lands are more specifically known as Tawny Ridge Estates Phase 3 (Phase 2 Block 27) which fronts the south side of Warner Road.

Purpose

The purpose of this By-law is to rezone the property to permit the development of a Plan of Subdivision containing eighteen (18) residential street townhouse dwellings.

The subject lands are zoned Residential Multiple (RM1-H-40(b)) Site-Specific Holding Zone. The proposed amendment will rezone the lands to a new Residential Multiple (RM1-XX) Site-Specific Zone.

These lands represent what is now known as Phase 3 (Phase 2 Block 27) of the Tawny Ridge Estates Development.

Effect

The effect of this By-law is to rezone the subject lands from “St. Davids Community Zoning District - Residential Multiple 1 (RM1-H-40(b)) Site-Specific Holding Zone” to “Residential Multiple (RM1-XX) Site-Specific Zone to facilitate the development of five (5) blocks for eighteen (18) street townhouse dwellings.

<i>Applicant:</i>	St. Davids Riverview Estates Inc.
<i>File Number:</i>	X
<i>Report Number:</i>	x
<i>Assessment Roll Number:</i>	x

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

PART 1 OF PLAN 30R-16377

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;

AND WHEREAS this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

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

1. Schedule "D" of By-law 4316-09, as amended, is further amended by changing the zoning of the subject lands identified on Schedule A (attached to and forming part of this By-law) from "Residential Multiple (RM1-H-40(b)) Site-Specific Holding Zone" to "Residential Multiple (RM1-XX) Site Specific Zone.
2. That Schedule A (attached to and forming part of this By-Law) be included and form part of the Town of Niagara-on-the-Lake Zoning By-law 4316-09 as "Figure X: Tawny Ridge Estates – Phase 3";
3. That Subsection 9.13 - Site Specific Exceptions of Section 9 - St. David's Community Zoning District is hereby further amended by adding the following:

9.13XX Tawny Ridge Estates (Phase 3) – See Schedule A

Notwithstanding the provisions of the “Residential Multiple (RM1) Zone” of Section 9 – St. Davids Community Zoning District and Section 6 – Provisions of Zoning By-law 4316-09, the following provisions shall be applicable on those lands shown on **Figure X.**

(a)	Minimum lot frontage per unit - Interior unit - Exterior unit	6.1 m 7.8 m
(b)	Minimum lot area per unit - Interior unit - Exterior unit	155 m ² 200 m ²
(c)	Maximum lot coverage An additional 5% lot coverage is permitted for attached covered and unenclosed porches, decks and patios	55%
(e)	Maximum front yard setback to the main façade of the dwelling Minimum front yard setback to the front face of the garage	8.45 m 6.0 m
	Minimum Interior Side Yard Setback - End Units having a height 5m or greater	1.55 m
(g)	Minimum Rear Yard Setback - Units having height 8m or greater	6.0 m 4.0 m (Block 5)
(k)	Maximum Building Height	11.0 m

10.12.XX In addition to the provisions of Section 6.44 of Zoning By-law 4316-09, Permitted Yard Projections and Encroachments, on lands identified as Part 1 RM1- on Schedule ‘A’, the following provisions shall apply:

- 1) Covered porch, patio or steps are included as permitted yard projections and encroachments

2) Unenclosed and uncovered or covered porch, patio or steps may project 1.2 metres into a required side yard.

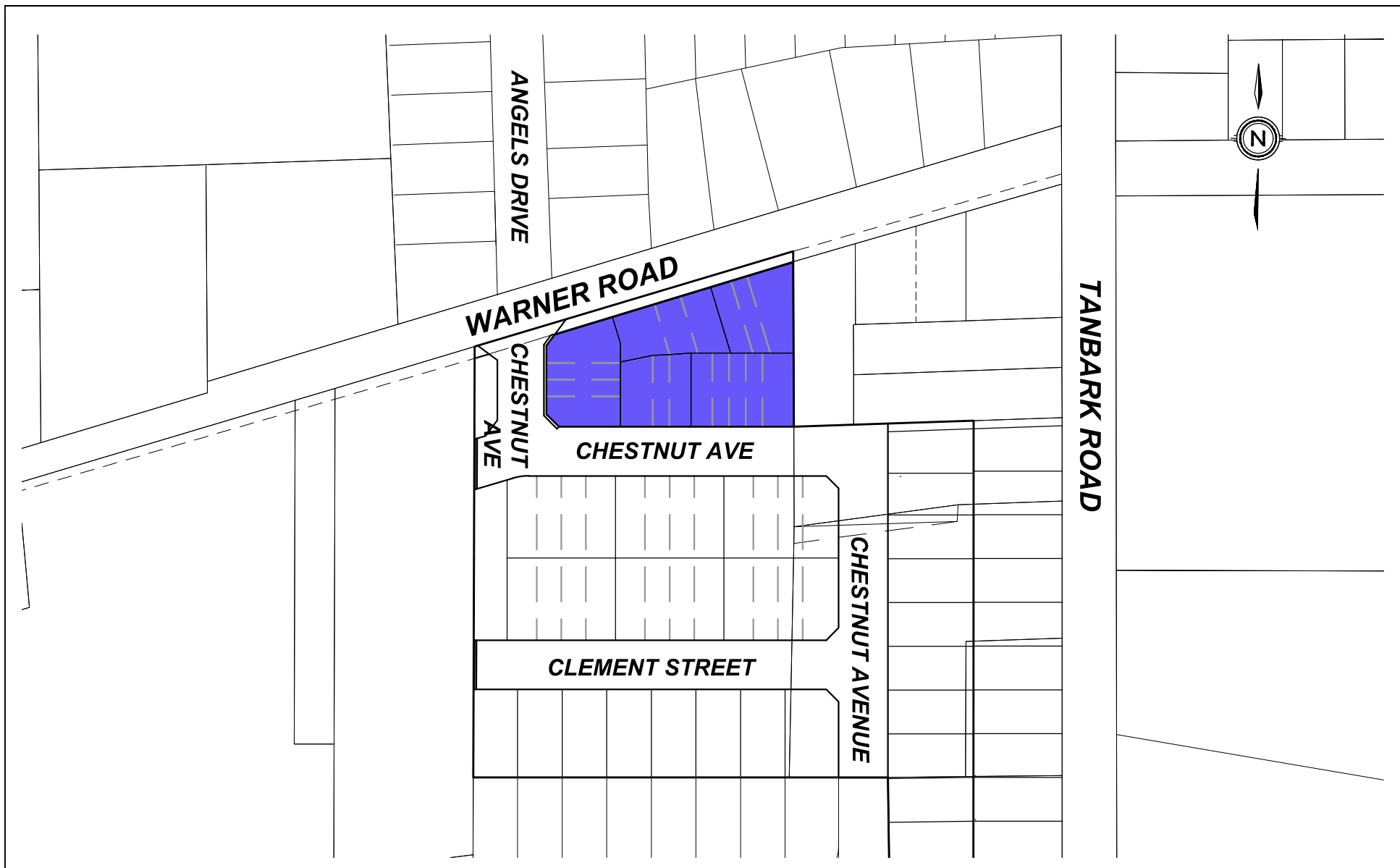
4. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS X DAY OF X, 2025.

LORD MAYOR

TOWN CLERK

<i>Applicant:</i>	St. Davids Riverview Estates Inc.
<i>File Number:</i>	x
<i>Report Number:</i>	x
<i>Assessment Roll Number:</i>	x



LEGEND

 PART 1 - FROM RESIDENTIAL MULTIPLE (RM1-40(b)) SITE SPECIFIC ZONE TO RESIDENTIAL MULTIPLE (RM1-XX) SITE SPECIFIC ZONE

TAWNY RIDGE ESTATES - PHASE 3

SCHEDULE 'A' TO DRAFT ZONING BY-LAW AMENDMENT No. _____

MAYOR: _____

CLERK: _____

