



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, July 9, 2018
Council Chambers, City Hall, 6:30 PM**

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting

Page

- 1. Mayor's Report**
- 2. Adoption of the Agendas**
- 3. Adoption of the Minutes (Council and General Committee)**
 - 3.1 Regular Meeting of Council, [Minutes of June 25, 2018](#)
 - 3.2 General Committee, [Minutes of June 25, 2018](#)
 - 3.3 Budget Standing Committee, [Minutes of April 16, 2018](#), and [May 23, 2018](#)
- 4. Declarations of Interest**
- 5. Public Meetings Pursuant to Planning Act**
 - 5.1 Planning and Building Services, Planning Services
Planning Act Continuation of Public Meeting - Recommendation Report
Application to Amend Zoning By-law 2013-283; Subject Lands: 116 Glenridge Avenue; Owner: St. George & St. Mercurius Coptic Orthodox Church; Agent: Schiedel Construction Incorporated
 - 5.2 Planning and Building Services, Planning Services
Planning Act Public Meeting - Information Report
Application for Official Plan Amendment and Zoning By-law Amendment
Subject Lands: 50 Herrick Avenue; Application for Zoning By-law Amendment; Subject Lands: 40 Woodburn Avenue; Owner: Downing Street (Heritage Point) Inc.; Agent: LANDx Developments Inc.
- 6. Delegations**
 - 6.1 Michael Commisso
Re: Petition - Against Installation of Sidewalks - Olde School Court
(see General Committee Agenda, July 9, 2018, Item 4.6, Sub-item 3)
 - 6.2 Doug Whitty
Re: Employment Land Needs Assessment
(see General Committee Agenda, July 9, 2018, Item 3.1)

4 - 42

43 - 91

- 6.3 Michael Bissett
Re: Employment Land Needs Assessment
(see General Committee Agenda, July 9, 2018, Item 3.1)

7. Presentations

8. Motions

- 8.1 Cancellation of Council Meeting - July 30, 2018

That Council cancel the meeting scheduled for July 30, 2018, due to scheduling conflicts.

- 8.2 Appointment of Deputy Treasurer

That Council appoint Mr. Adam Smith as Deputy Treasurer; and

That Mr. Smith have all the powers and duties of the treasurer under the Municipal Act, 2001, c. 25, c. 286(2) or any other Act; and

That the City Solicitor be directed to prepare the necessary by-law.

- 8.3 Rental Licensing By-law

At the meeting of June 25, 2018, Councillor Britton provided notice that he would present the following motion:

WHEREAS staff were directed to prepare a report and draft by-law to regulate and license rental housing in the City of St. Catharines on September 25, 2017, for public consideration by April 2018; and

WHEREAS public consideration has been overwhelmingly against the proposed by-law including submitted emails, comments made at a recent public meeting, and a petition containing over 1000 signatures against the by-law; and

WHEREAS the rental vacancy rate in St. Catharines is extremely low causing the supply of affordable housing in St. Catharines to shrink; and

WHEREAS any additional fees placed on landlords will be passed on to renters thereby placing increased upward pressure on monthly rents; and

WHEREAS recent local media has reported that rental rates in St. Catharines are up 15.1% compared to last year; and

WHEREAS there are existing by-laws and enforcement mechanisms at the City of St. Catharines to protect tenants from improper accommodations;

THEREFORE BE IT RESOLVED that City Council recognizes the affordable housing issue in our community and the negative impacts increasing rents can have on lower income residents; and

BE IT FURTHER RESOLVED that due to overwhelming public opposition, City staff be directed to cease all further work associated with developing a by-law to license rental housing in the City of St. Catharines; and

BE IT FURTHER RESOLVED that City Council requests the Mayor's Working Group on this topic to study possible reforms within the jurisdiction of the City to enhance tenant protections and ensure rental housing is safe that will not result in increased rents for tenants; and

BE IT FURTHER RESOLVED that City staff explore opportunities to hold education sessions for tenants across St. Catharines to inform the public about existing requirements around property standards and enforcement mechanisms.

- 8.4 Council Representative - Niagara Folks Arts Council
Councillor Siscoe will present the following motion:

That Council appoint Councillor Mike Britton as the Council representative to the Niagara Folk Arts Council for the duration of the term of Council.

9. Call for Notices of Motion

10. Resolve into General Committee

11. Motion Arising from In-Camera Session

12. Motion to Ratify Forthwith Recommendations

13. By-laws

13.1 Reading of By-laws

14. Agencies, Boards, Committee Reports

14.1 Minutes to Receive:

- Accessibility Advisory Committee, [March 28, 2018](#) and [May 23, 2018](#)

15. Adjournment



CITY OF
ST. CATHARINES

Corporate Report

Report from Planning and Building Services, Planning Services

Date of Report: June 20, 2018

Date of Meeting: July 9, 2018

Report Number: PBS-155-2018

File: 60.35.1042

Subject: *Planning Act Continuation of Public Meeting - Recommendation Report*
Application to Amend Zoning By-law 2013-283; Subject Lands: 116
Glenridge Avenue; Owner: St. George & St. Mercurius Coptic Orthodox
Church; Agent: Schiedel Construction Incorporated

Recommendation

That Council approve an amendment to the City of St. Catharines Zoning By-law 2013-283, for the lands municipally known as 116 Glenridge Avenue, as follows:

- a) That Section 15.1, Schedule A (A20), Zoning Maps, be amended by changing the zoning of the subject lands from Low Density Residential (R2) to Community Institutional (I2), as shown in Appendix 8 of this report; and

That the Mayor and City Clerk be authorized to execute the necessary By-law to give effect to Council's decision; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That the Notice of Decision include a statement that public input has been received, considered and has informed the decision of Council; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Provincial Local Planning Appeals Tribunal (LPAT) (formerly the Ontario Municipal Board) for consideration and final approval; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

Summary

This Recommendation Report is a follow-up to the [Information Report Number PBS-143-2018](#) (linked here; copy available upon request) that was received by Council at the June 25, 2018, Public Meeting, in accordance with the requirements of the Planning Act, to receive input on the proposed Zoning By-law Amendment at 116 Glenridge Avenue. Council did not close, but rather adjourned the public meeting at that time.

This Recommendation Report considers the proposal to rezone the lands municipally known as 116 Glenridge Avenue from Low Density Residential (R2) to Community Institutional (I2). The proposed amendment is necessary to have zoning that is consistent with the larger land holdings of St. George and St. Mercurius Coptic Orthodox Church, abutting to the south (118 Glenridge Avenue) and facilitate proposed additions to the existing place of worship and reconfiguration of the driveway and associated at-grade parking. Staff are recommending approval of the zoning by-law amendment.

Background

On May 8, 2017, Council approved a two-step process for planning applications requiring a Public Meeting under the Planning Act. The first step is for Council to receive an Information Report together with public input at the Public Meeting, in accordance with the Planning Act. The second step is for Council to consider a Recommendation Report at a subsequent Council meeting.

On June 25, 2018, Council received an Information Report on this Application for Zoning By-law Amendment, which provided an overview of the application, location and site description, planning context and policies, and circulation comments received.

This Recommendation Report provides Council with a planning analysis and staff recommendation.

Report

The subject lands are located on the west side of Glenridge Avenue, between Woodgate Avenue and the CN Rail Line (see location map attached as Appendix 1). Details of the site and surrounding area can be found in the previous Information Report on this matter.

Proposal

The owner of the land, St. George and St. Mercurius Coptic Orthodox Church, intends to expand its facility and requires the use of the subject lands as part of the revised site design.

The proposed zoning by-law amendment is necessary to have zoning that is consistent with the larger land holdings of St. George and St. Mercurius Coptic Orthodox Church, abutting to the south (118 Glenridge Avenue). Consistent zoning of all of the lands will facilitate proposed additions to the existing place of worship and reconfiguration of the driveway and associated at-grade parking. The proposed addition includes a gym to be located to the rear, south west corner of the existing place of worship. A Sanctuary addition is proposed along the northern face of the existing place of worship with a step out from the eastern face of the existing building towards Glenridge Avenue. The existing driveway that services the place of worship is to be relocated north, to the subject lands (116 Glenridge Avenue), to accommodate the Sanctuary addition, maintaining a single driveway to the site and improve alignment of the driveway with

Edgedale Road. The proposed site plan and elevations are attached as Appendices 2 and 3 for reference.

The lands where the current place of worship is situated (118 Glenridge Avenue) are already zoned Community Institutional (I2). The subject lands (116 Glenridge Avenue), are zoned Low Density Residential (R2) reflective of a former residential use. To facilitate the development, the subject lands need to be rezoned to Community Institutional (I2), the same zoning as the remainder of the site.

Circulation of Application

The application was circulated to all relevant departments and agencies in accordance with the Planning Act. The previous Information Report summarized comments received relating to the most recent submissions at the time of the Public Meeting.

Planning Policy Context

Provincial planning legislation requires Council's decision on a planning application to be consistent with the Provincial Policy Statement (2014), and must conform to Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff will evaluate this Application for Zoning By-law Amendment against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the Garden City Plan, all of which apply to this application, and staff recommendations have been formulated accordingly.

For Council's reference, the land use planning framework in Ontario, as it relates to this application, is outlined in Appendix 4.

Provincial Policy Statement (2014)

The following provides an overview of the Provincial Policy Statement as it applies more specifically to this Application for Zoning By-law Amendment:

- Accommodate an appropriate range and mix of residential, employment, institutional (including places of worship), recreation, park and open space, and other uses to meet long-term needs;
- Establish a land use plan and pattern that supports financial sustainability and cost effective development and provision of services;
- Promote the wise use and management of land and resources;
- Support an accessible, connected and complete community;
- Establish appropriate development standards to promote/facilitate intensification, redevelopment and compact built form;
- Provide for an appropriate mix and range of employment and institutional uses to meet long term needs;
- Ensure protection of natural features and areas for the long term;
- Protect and preserve natural heritage features and hazards, landform systems and functions.

The PPS stresses the importance of official plans and zoning by-laws in implementing the land use policies of the Province. Land use designations and policies of official plans, along with development standards of zoning by-laws, are important tools to protect provincial interests and direct development to suitable areas.

The existing Zoning By-law, as it pertains to the subject lands, is consistent with the PPS in that matters of provincial interest related to intensification, growth, housing and infrastructure are being upheld. The site exists in a planning context at the municipal level that achieves the policies of the PPS. Staff are of the opinion that the proposed Amendment is consistent with the PPS in that policies related to providing a range and mix of land uses through intensification and redevelopment are upheld.

Provincial Growth Plan for the Greater Golden Horseshoe (2017)

Similarly, guiding principles within the Growth Plan stress compact and well-designed development that prioritizes intensification. The Plan supports the achievement of complete communities that “ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.” Policies ensure that a range and mix of housing options are available including affordable housing.

The following provides an overview of the Provincial Growth Plan as it applies more specifically to this Application for Zoning By-law Amendment:

- Promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- Foster safe, interactive, active transportation and connected communities;
- Ensure viability for long term development and community investment;
- Maintain, enhance vitality of main streets, and conservation of neighbourhoods;
- Encourage sense of place by promoting well designed built form and cultural planning to conserve features that help define the character, built heritage resources and cultural heritage landscapes of the area;
- Support opportunities for sustainable tourism;
- Adapt to climate change through compact and nodal development;
- Conserve, promote cultural heritage to support social, economic and cultural well-being;
- Promote high quality built form, attractive/vibrant public realm through site design and urban design standards;
- Support complete communities;
- Support multi modal transportation, including active transportation and transit.

The Growth Plan provides a policy framework that is intended to be achieved within the context of each individual community, sensitive to adjacent areas. The City’s Official Plan and Zoning By-law currently implement this framework for St. Catharines. Staff are of the opinion that the proposed Amendment is consistent with the Growth Plan in that policies related to fostering connected, accessible and complete communities are upheld.

Regional Official Plan

According to the Regional Official Plan (ROP), the subject lands are located within the Urban Area for the City of St. Catharines and within a Built-up Area under Amendment 2-2009 (Niagara 2031/Conformity Amendment), which will be the focus of both residential and employment intensification and redevelopment within the Region over the long term.

Municipalities are encouraged to provide a full range and mix of land uses to promote the creation of complete communities.

The ROP promotes the location of smaller scale community service facilities, including places of worship, within neighbourhoods and located along existing corridors to serve neighbourhood residents and increase multi-modal transportation opportunities for accessing community services. The ROP also encourages expansion and optimization of existing community facilities prior to developing new facilities.

The proposed built-form and land uses align with the surrounding land use context (residential dwellings and existing place of worship). Further, the subject lands are located within close proximity to local transit and connected with the surrounding neighbourhood with sidewalks. Based on the above, staff consider the application and proposed development concept to align with Regional and Provincial policy.

It should be noted that the Region of Niagara is currently undertaking a Municipal Comprehensive Review (MCR) in order to bring a new Regional Official Plan into conformity with the PPS and the Provincial land use plans. Once completed, local area municipalities will be required to update their Official Plans accordingly.

Local Official Plan (Garden City Plan)

The City's Official Plan was approved by the Region of Niagara in 2012. Since then, the Province has updated the PPS in 2014, and the Greenbelt Plan, Niagara Escarpment Plan and Places to Grow in 2017. The City's Official Plan will need to be updated once the Region of Niagara completes its MCR and adopts a new Official Plan.

Notwithstanding, the City's current Official Plan is consistent with, conforms with, and does not conflict with the PPS, Provincial Plans and the Regional Official Plan.

The subject property is located within a settlement area under the 2014 Provincial Policy Statement (PPS) and the Built-Up Area for St. Catharines as delineated by the Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS and Growth Plan contain policies that direct growth and development to settlement areas, encourage the development of complete communities, support intensification, and require the provision of an appropriate range of housing types and densities to meet the social, health and well-being requirements of current and future residents.

The subject lands are designated Neighbourhood Residential by Schedule D1 (Appendix 5), General Land Use Plan in the City's Official Plan, the Garden City Plan

(GCP). The South Planning District, Schedule E8, further designates these lands as being Low Density Residential (Appendix 6). The Low Density Residential designation of the GCP permits places of worship, subject to a zoning by-law amendment where:

- i) it is compatible with the surrounding residential neighbourhood;
- ii) potential impacts have been assessed and appropriately addressed;
- iii) the location is appropriate and accessible to the community; and
- iv) the existing transportation network is adequate to accommodate anticipated traffic volumes and circulation.

The subject application has been made to facilitate the expansion of an existing place of worship located adjacent to the subject lands and the surrounding residential neighbourhood. Potential impacts resulting from the proposed expansion, such as site lighting, have been mitigated through design, landscaping, and fencing. Staff are satisfied the potential impacts have been appropriately addressed and can be further insured through the Site Plan Agreement which will implement the landscape plans, tree protection, grading and stormwater management, fire route and other site design details and standards. The subject lands have frontage onto Glenridge Avenue, which has existing sidewalk connections and is serviced by multiple transit routes. The proposal complies with the policies of the Garden City Plan. As such, an Official Plan Amendment is not required.

The most relevant Official Plan policies to evaluate the application, as determined by Planning Staff, are outlined and discussed within the Information Report as Appendix 9.

Zoning By-law

Zoning By-law 2013-283 zones the subject lands (116 Glenridge Avenue) as Low Density Residential – Traditional Neighbourhood (R2) (Appendix 7). The R2 Zone permits a wide range of residential dwelling types including detached, semi-detached, duplex, triplex, fourplex, quadruplex, townhouses, and private road development. It does not permit a place of worship and accordingly a re-zoning is required.

Proposed Zoning By-law Amendment

The Applicant is requesting the lands (116 Glenridge Avenue) be re-zoned from Low Density Residential (R2) to Community Institutional (I2) (Appendix 8). The proposed zoning by-law amendment would bring the subject lands into the same zoning as adjacent lands to the south (118 Glenridge Avenue), which are zoned Community Institutional (I2). The Community Institutional (I2) zone permits a variety of community uses including a place of worship.

Changing the zoning for the subject lands to Community Institutional (I2) will ensure all of the lands have consistent zoning. A portion of the rear (west) of the associated property (118 Glenridge Avenue) is designated Natural Area by the GCP and zoned Conservation Natural Area (G1). There is no proposed change to the Natural Area or G1 zone triggered by this application or by the redevelopment plans relating to the site. Permitting I2 zoning on the subject property (116 Glenridge Avenue) would be

appropriate for the proposed development and maintain the established residential and community institutional character of the surrounding area.

Site Plan

An application for Site Plan Approval has been submitted concurrent with the subject application. There have been no zoning deficiencies identified through the review of the site plan submitted.

The City's Site Plan Control By-law describes that all institutional developments shall be subject to site plan control. Site plan control is the City's principal tool through which staff can implement design considerations to maximize compatibility with the surrounding neighbourhood and ensure the long-term maintenance and functionality of the site, including the following:

- Landscape buffers along the north property line adjacent to existing residential properties;
- No vehicular or pedestrian access to Hillcrest Avenue, a residential street which dead ends at the subject site; and,
- Fencing of the site adjacent to the existing residential properties to the north.

Staff are confident the approval of this application together with site plan approval will result in an expansion of the existing place of worship that retains the character of the area and will likely improve the overall site layout and design.

Public Consultation

An Open House was hosted by Planning and Building Services on Thursday, May 10, 2018. The purpose of the Open House was to present the applicant's proposal and afford an opportunity for attendees to ask questions and provide comments before staff recommendations are presented to Council for consideration. There were fourteen (14) members of the public in attendance. The previous Information Report summarized comments received at the Open House.

Public Meeting

In accordance with the Planning Act, a Public Meeting was held by Council on June 25, 2018. Staff from Planning and Building Services presented an Information Report. The applicant's agent was in attendance. No members of the public spoke to the application and the Public Meeting was adjourned. No written correspondence has been received to date.

Public Notice

In accordance with established procedures, notice for the public meeting has been circulated.

Second Planning Opinion Advisory

Should Council consider not supporting the Staff Recommendation, Council is advised to defer its decision until such time as a second planning opinion from an outside

consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Local Planning Appeals Tribunal, then the planner who has provided the second opinion shall be retained for the purpose of a hearing.

Financial Implications

No direct financial impacts to the City are triggered should Council approve this rezoning. The applicant will be responsible for all costs associated with the place of worship expansion plans.

Relationship to Strategic Plan

The approval of this development proposal will serve to support the goals of the Strategic Plan through the pillars of economic and social sustainability by facilitating private investment through development in the City.

Potential Appeals

Council should be aware that, effective April 3, 2018, certain land use appeals in Ontario are subject to new legislation. For zoning by-law amendment applications, any appeals are submitted to the Local Planning Appeal Tribunal (LPAT) which replaces the former Ontario Municipal Board (OMB).

Conclusion

In summary, staff are recommending approval of this zoning by-law amendment. This Recommendation Report provides the planning context and justification for staff's recommendation to support the Application for Zoning By-law Amendment for 116 Glenridge Avenue. The amendment would facilitate the consolidation of the lands with 118 Glenridge Avenue (adjacent to the south) and the addition of a Sanctuary and gym to the existing place of worship. The approval of this application is consistent with the Provincial Policy Statement and conforms with and does not conflict with the Growth Plan, the Regional Official Plan and City Official Plan.

Notification

It is in order to advise the owner's agent Schiedel Construction Incorporated, c/o Stephanie Toole, 405 Queen Street West, Cambridge, ON N3C 1A6.

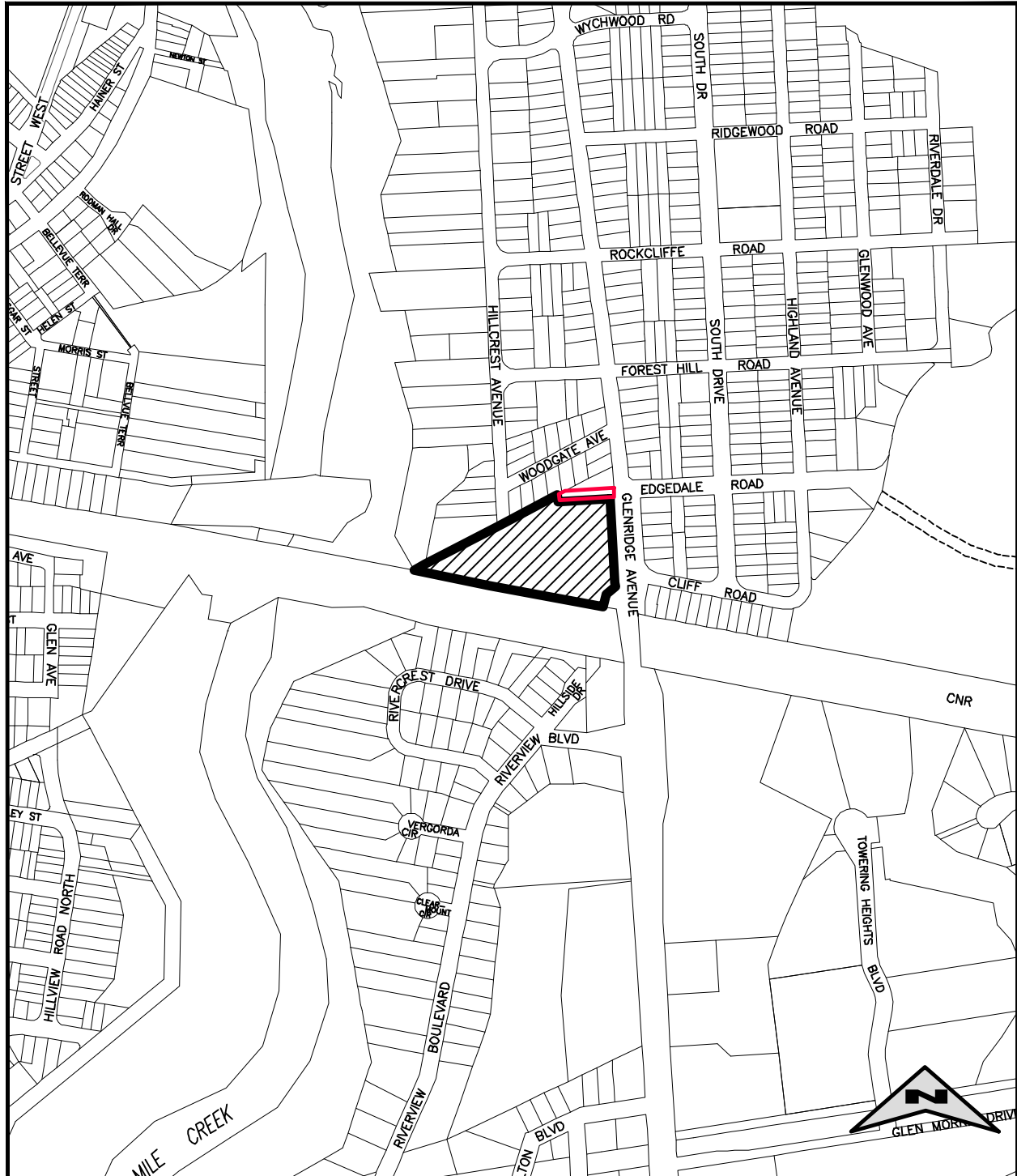
Prepared and Submitted by:


Taya Devlin
Planner I

Approved by:

James N. Riddell, M.PL., MCIP, RPP
Director, Planning and Building Services

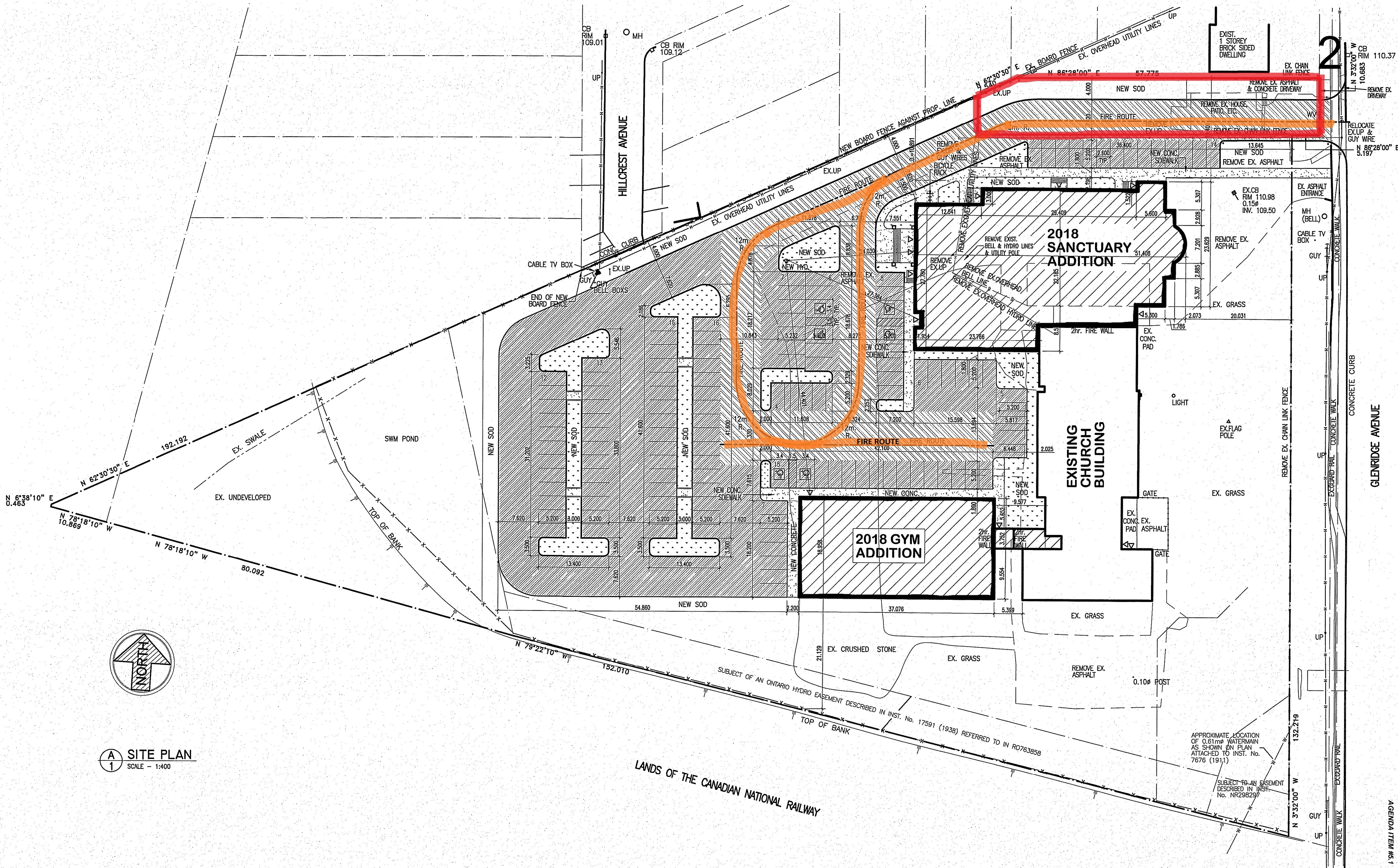
Location Map

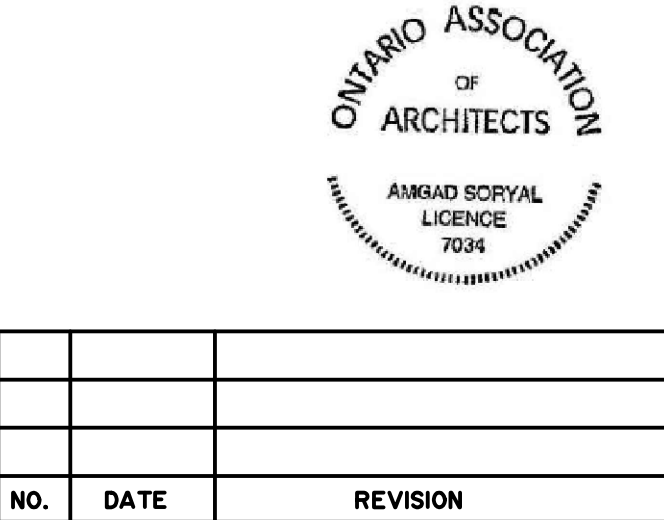


 Subject Lands (116 Glenridge Avenue)

 Adjacent Lands Owned by Applicant

File: 60.35.1024






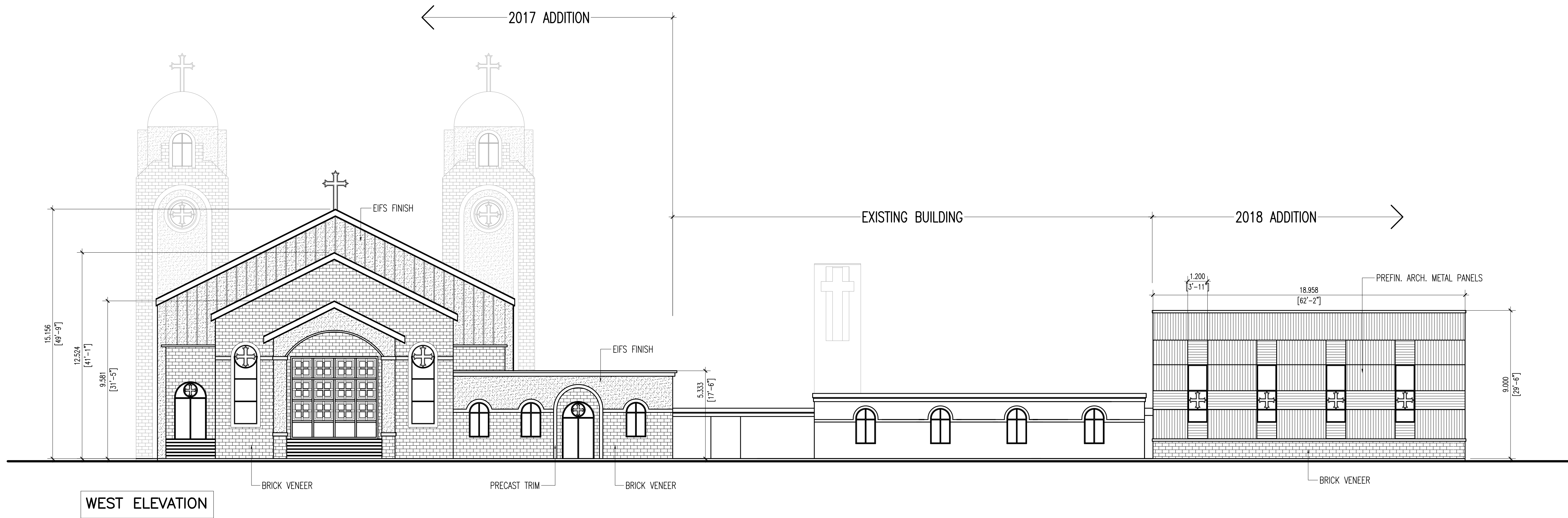
SCHIEDEL
CONSTRUCTION INCORPORATED
GENERAL CONTRACTORS - PROJECT MANAGERS
405 QUEEN ST. W., CAMBRIDGE ONT. N3C 1G6 519-658-9317
email address: reception@schiedelconst.com

PROJECT

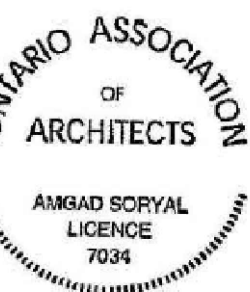
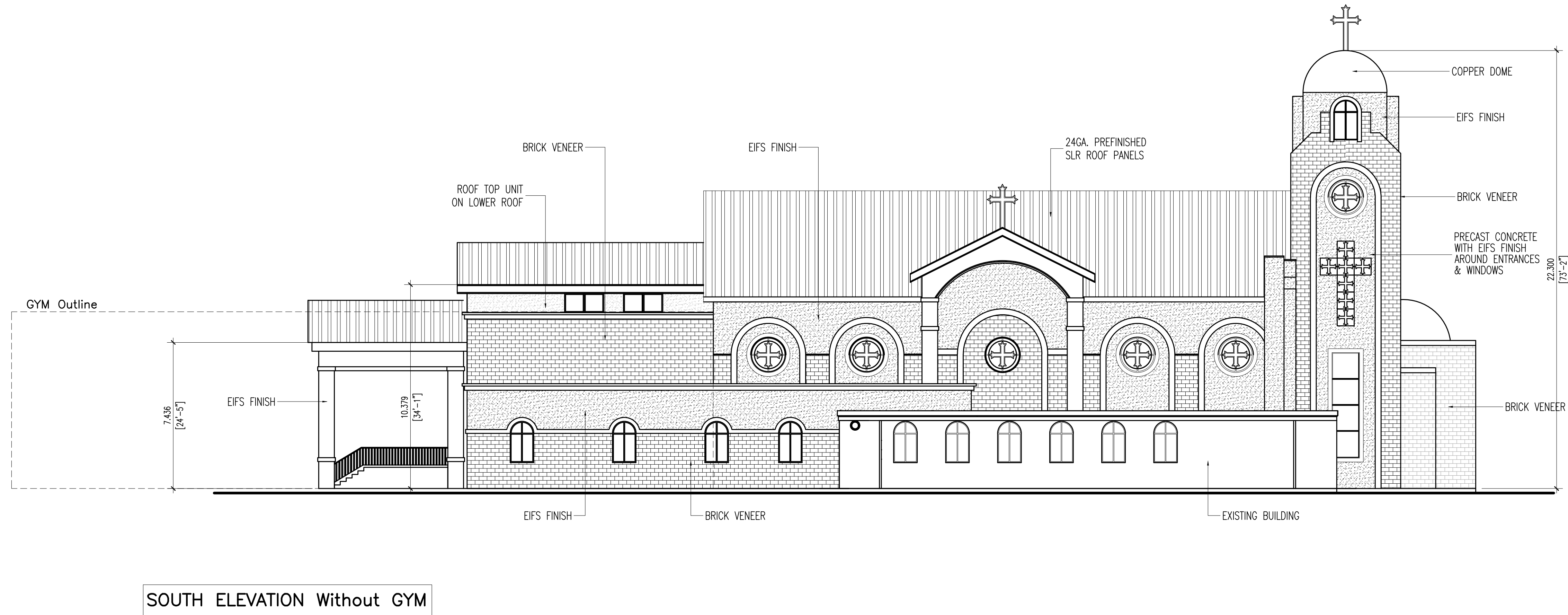
2018 CHURCH ADDITION
**ST. GEORGE &
ST. MERCURIUS
COPTIC ORTHODOX
CHURCH**

118 Glenridge Avenue
St. Catharines, Ontario

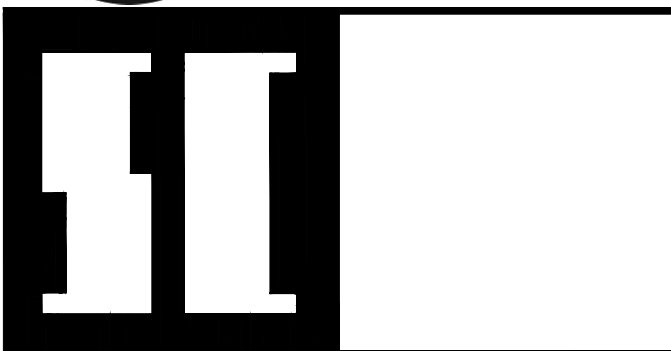
SCALE 1:300	DATE Dec./2017	DRAWN BY 	PROJECT NO. 180001
DRAWING NORTH & EAST ELEVATIONS			DRAWING NO. A4



PRELIMINARY DESIGN
(NOT FOR
CONSTRUCTION)



NO.	DATE	REVISION

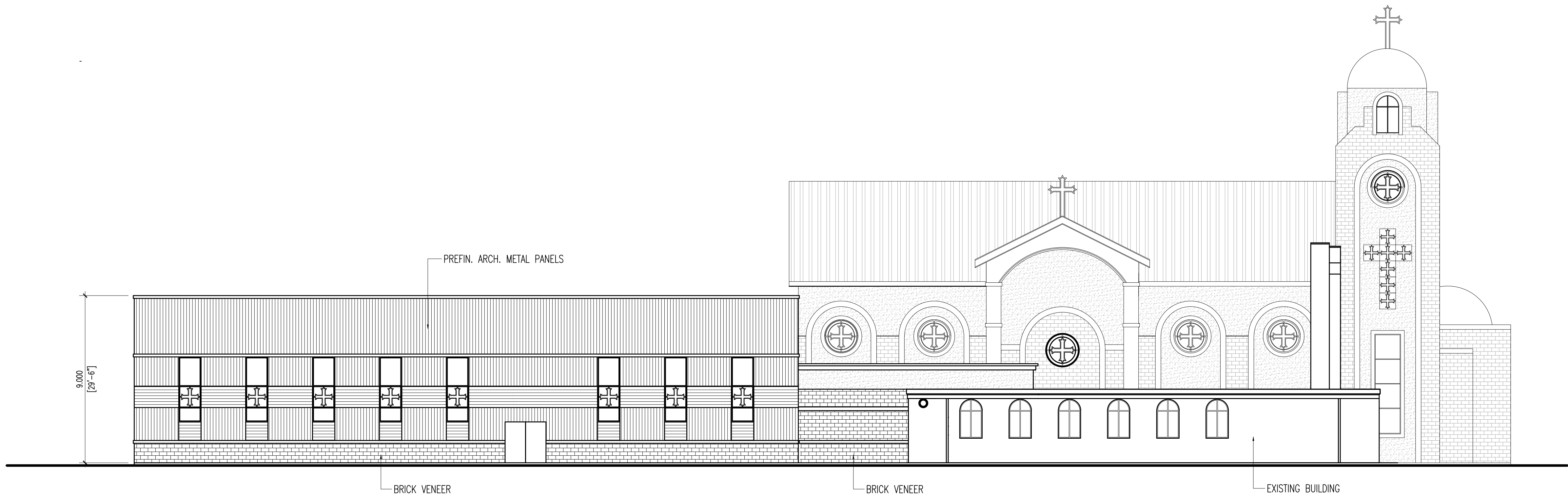


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email address: reception@schiedelconst.com

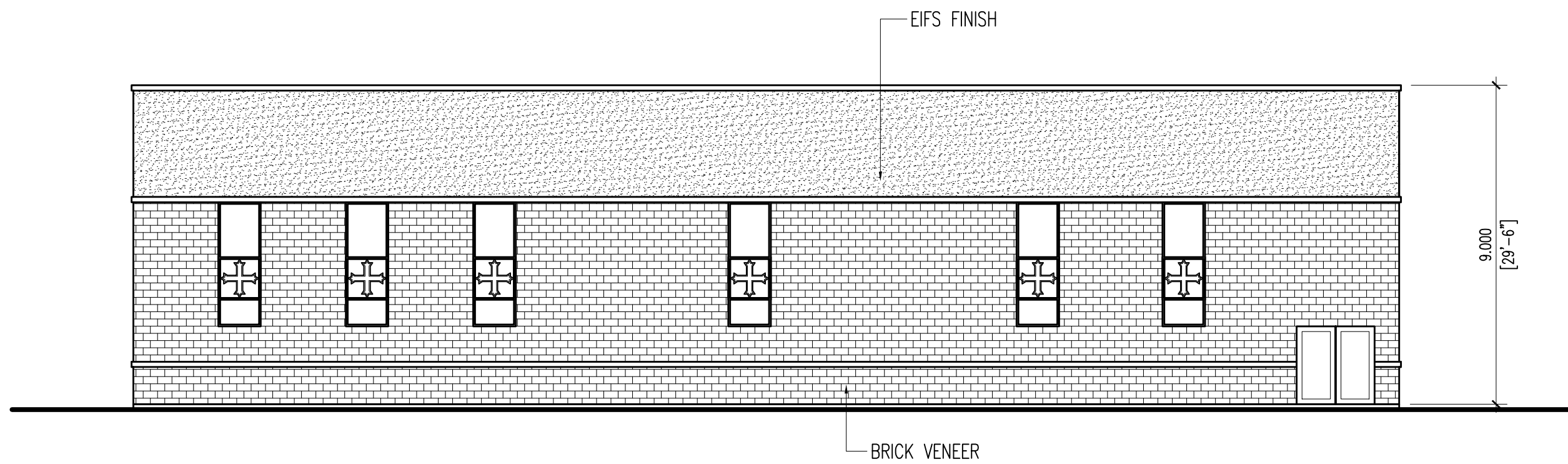
PROJECT
2018 CHURCH ADDITION
**ST. GEORGE &
ST. MERCURIUS
COPTIC ORTHODOX
CHURCH**
118 Glenridge Avenue
St. Catharines, Ontario

SCALE	DATE	DRAWN BY	PROJECT NO.
1:300	Dec./2017	PG	180001

DRAWING	DRAWING NO.
SOUTH & WEST ELEVATIONS	A5



SOUTH ELEVATION With GYM



GYM facing church

PRELIMINARY DESIGN
(NOT FOR
CONSTRUCTION)



NO.	DATE	REVISION

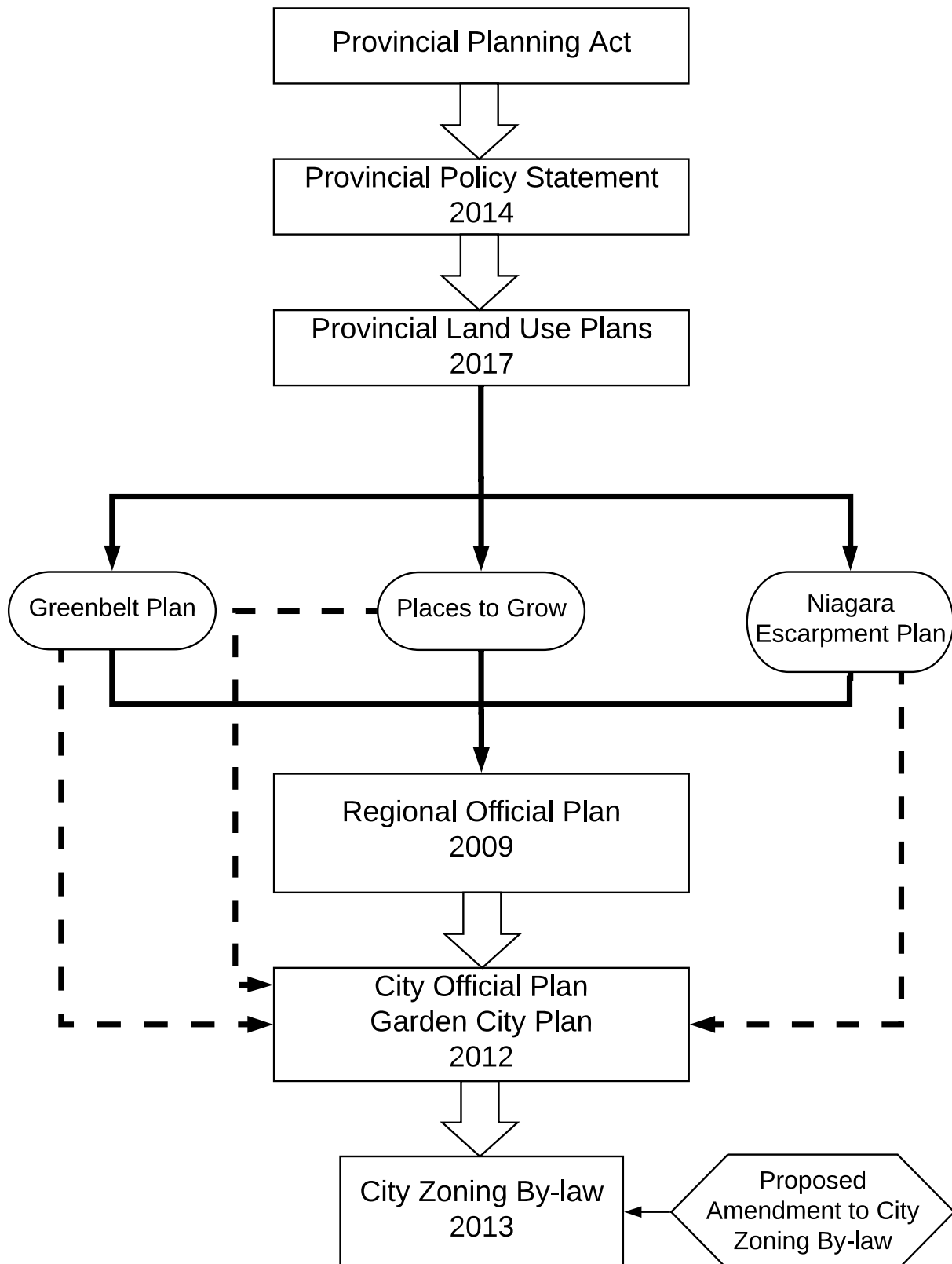


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405 QUEEN ST. W. CAMBRIDGE ONT. N3C 1G6 519-658-9317
email address: reception@schiedelconst.com

PROJECT
2018 CHURCH ADDITION
**ST. GEORGE &
ST. MERCURIUS
COPTIC ORTHODOX
CHURCH**
118 Glenridge Avenue
St. Catharines, Ontario

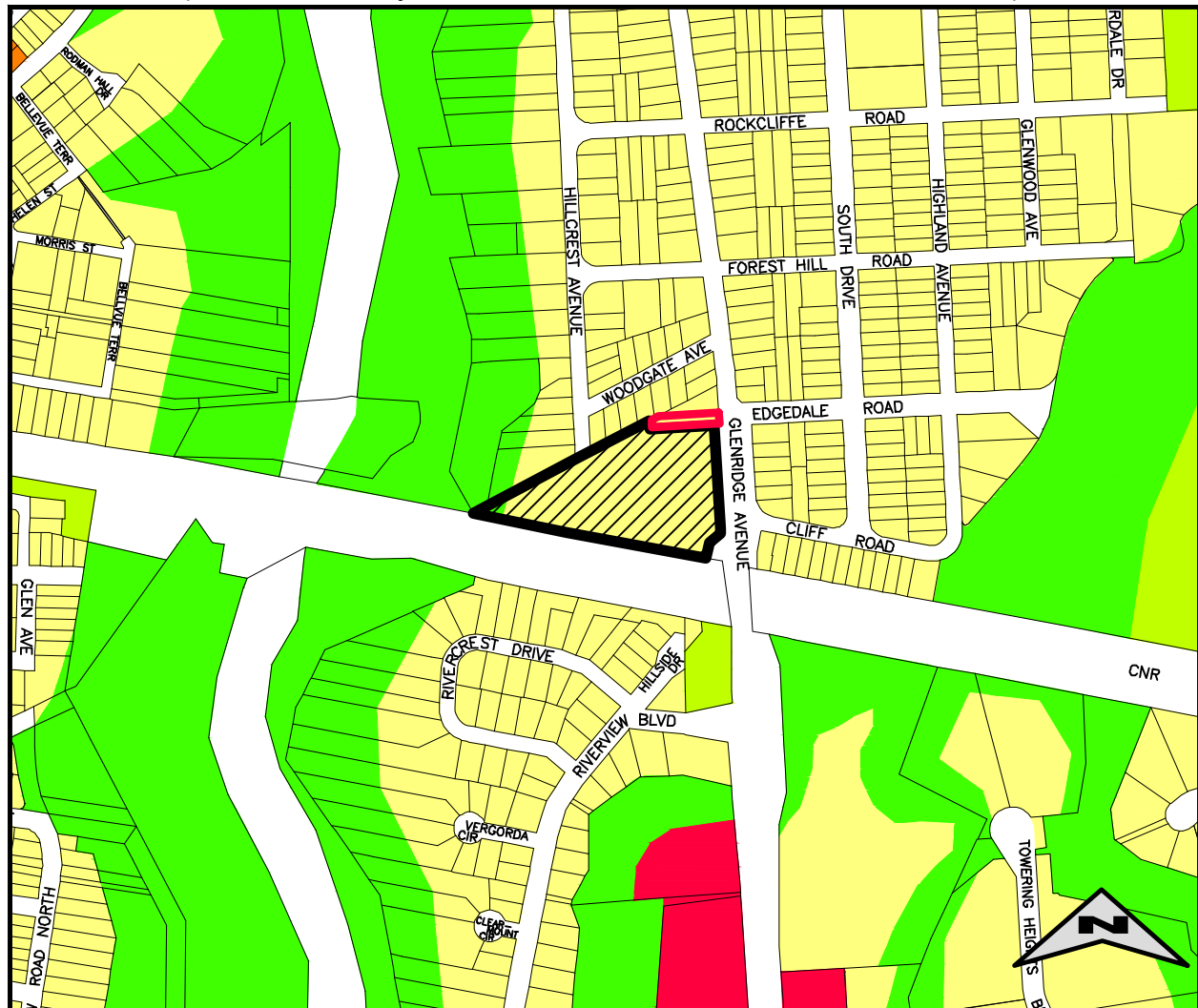
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1:300	Dec./2017	PG	180001
DRAWING			DRAWING NO.
NORTH GYM & SOUTH ELEVATIONS			A6

Ontario Land Use Planning Framework



Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)



 Subject Lands (116 Glenridge Avenue)

 Adjacent Lands Owned by Applicant

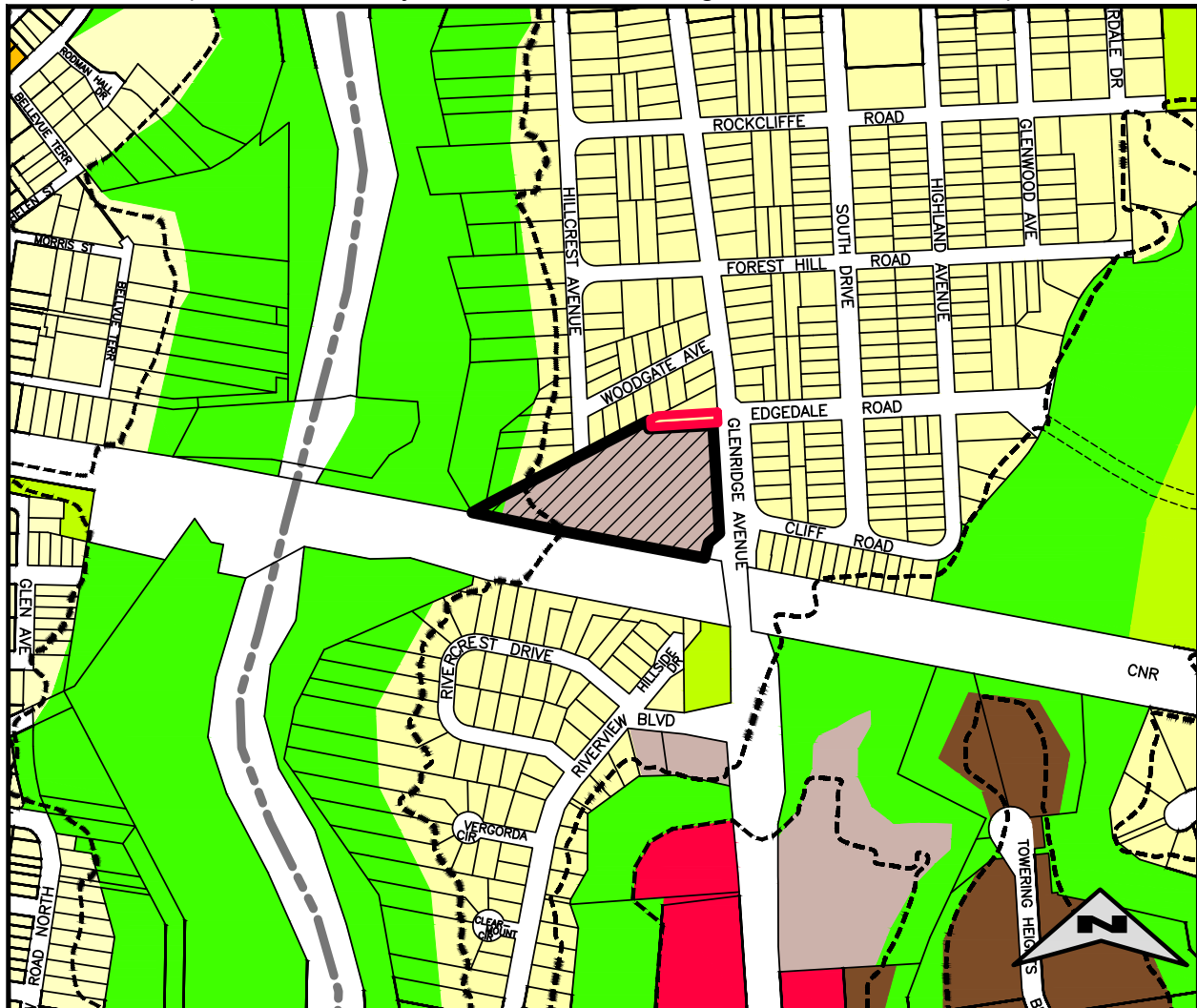
Land Use Designations

 Neighbourhood Residential	 Natural Areas
 Commercial	 Parkland & Open Space
 Mixed Use	

File: 60.35.1024

Existing Land Use Designation

(The Garden City Plan - South Planning District, Schedule E8)



Subject Lands (116 Glenridge Avenue)

Adjacent Lands Owned by Applicant

Land Use Designations	
 Low Density Residential	 Parkland & Open Space
 Medium Density Residential	 Natural Areas
 High Density Residential	 Natural Area Extent Line
 Community Commercial	 Planning District Boundary
 Mixed Use	

File: 60.35.1024

Existing Zoning

(Schedule A - Zoning By-law 2013-283)



Subject Lands (116 Glenridge Avenue)

Adjacent Lands Owned by Applicant

Zones

- R1** Low Density Residential
- Suburban Neighbourhood
- R2** Low Density Residential
- Traditional Neighbourhood
- R3** Medium Density Residential
- R4** High Density Residential


- C2** Community Commercial
- G1** Conservation / Natural Area
- G2** Minor Green Space
- G3** Major Green Space
- I1** Local Neighbourhood Institutional
- I2** Community Institutional

File: 60.35.1024

Proposed Amendment to Zoning By-Law 2013-283

(Schedule A - Zoning By-law 2013-283)







 Subject Lands (116 Glenridge Avenue)

To be re-zoned from Low Density Residential - Traditional Neighbourhood (R2) to Community Institutional (I2)

 Adjacent Lands Owned by Applicant

Zones

-  R1 Low Density Residential - Suburban Neighbourhood
-  R2 Low Density Residential - Traditional Neighbourhood
-  R3 Medium Density Residential
-  R4 High Density Residential

-  C2 Community Commercial
-  G1 Conservation / Natural Area
-  G2 Minor Green Space
-  G3 Major Green Space
-  I1 Local Neighbourhood Institutional
-  I2 Community Institutional

File: 60.35.1024

Applicable Official Plan Policies

City of St. Catharines Garden City Plan

Policies
PART B: VISION AND GUIDING PRINCIPLES
<p>2.3. Managing Growth and Change</p> <p>2.3.1 Municipal Planning Structure</p> <p>3. Planning Areas The City is divided into two primary planning areas – the Urban Area and the Agriculture Area.</p> <p>i) Urban Area The Urban Area is established by the Region of Niagara Policy Plan and is set out on Schedule D ‘Municipal Structure’ of this Plan. This area is intended to provide urban development opportunities on full municipal services to accommodate the majority of the City’s projected future population and employment growth.</p> <p>2.3.3. Accommodation of Growth</p> <p>1. Projected population, housing and employment will primarily be accommodated within the Urban Area as defined on Schedule D ‘Municipal Structure’.</p> <p>2. The Plan recognizes a finite Urban Area, and within it, a diminishing vacant land supply and a finite occupied land base to accommodate projected population and employment growth.</p> <p>3. Growth will be accommodated by:</p> <ul style="list-style-type: none"> i) the efficient usability of vacant and occupied lands; ii) more compact built form and density of development; iii) the reuse, rehabilitation, regeneration, intensification and enhancement of the built environment; iv) redevelopment and build out of underutilized properties; v) a more integrated, interactive mix of uses, activity and functions; vi) service, infrastructure, energy, transportation sustainable, accessible, efficient and supportive development; vii) design initiatives to support: <ul style="list-style-type: none"> • compatible, innovative, efficient and sustainable building and site design; • enhanced natural and cultural heritage protection, preservation and conservation;

- greening;
- an accessible, integrated, interactive, usable and connected public realm within and between different use and activity areas, functions, landscapes and identities;

viii) recognizing the preferred mix and interaction of uses contemplated, the City's Urban Design Guidelines shall be emphasized in the evaluation of all development, redevelopment and intensification opportunities;

ix) the upgrading of existing infrastructure and public service facilities, and where required, the provision of new infrastructure and public service facilities to ensure adequate service capacity to support development, redevelopment and intensification.

x) providing a balance of housing and employment opportunities to maximize the opportunities for people to live and work in St. Catharines, and to maintain a sustainable healthy tax base to support a balanced and complete community, and sustainable long term growth and development opportunities.

4. This Plan establishes a land use planning framework consistent with and supporting the growth and intensification strategy and the achievement of minimum density targets set out in the Provincial Growth Plan for the Greater Golden Horseshoe, 2006, (referenced as the Provincial Growth Plan) as follows:

i) Built Boundary – the Provincial Growth Plan establishes a Built Boundary which represents the limits of the developed Urban Area of the municipality, as defined by the Ministry of Infrastructure Renewal. The Built Boundary for St. Catharines is defined on Schedule D 'Municipal Structure' of this Plan.

6. Employment

i) The land use plan provides opportunities for a diverse range, mix, scale and location of economic activities to accommodate projected employment growth forecasts.

To accommodate projected employment growth forecasts, and support long term sustainable employment opportunities, economic development and competitiveness, this Plan promotes and emphasizes:

- the provision of an adequate, available, suitable, variable and competitive choice of vacant employment lands to attract and accommodate a diverse range of new economic activities.
- reuse, rehabilitation, redevelopment and enhancement of occupied employment lands to accommodate new or expanded economic activity and employment opportunities;

- transit supportive, public realm, design and greening initiatives to provide compatible, efficient, functional, connected, accessible, interactive, environment friendly and sustainable development.
- clustering of like activities to support compatible development and encourage integrated, interactive and connected business and employment opportunities.

iv) Population serving commercial, institutional, recreation, and cultural uses generate significant employment opportunities outside the Urban Growth Centre and Employment Lands.

ii) This Plan will ensure opportunities for commercial, institutional, recreational and cultural activities to help build complete communities adequately serve and support local resident needs and employment opportunities, and to support and attract tourist related activity and employment.

PART C: GENERAL POLICIES

4. URBAN DESIGN

4.1. Urban Design Principles

Good urban design is a key planning tool to create sustainable communities. Sustainable design involves the holistic design of communities and buildings for long-term economic prosperity, social harmony and stability, minimized environmental impact, and strengthened cultural identity.

The development of St. Catharines will be based on the following sustainable design principles:

- a) a strong sense of identity and place as the “Garden City”;
- b) innovative and sustainable design;
- c) a stimulating, attractive, and safe public realm;
- d) compatibility of new development with established areas;
- e) universal access to public areas;
- f) conservation of heritage buildings and structures;
- g) protection of the natural environment and processes;
- h) a compact, walkable, bikeable and well connected community;
- i) a range of choices for housing and transportation ;
- j) mixed-use nodes and corridors;
- k) complete streets for all users;
- l) building design to support street life.

4.3. The Natural Environment

St. Catharines is located between Lake Ontario and the Niagara Escarpment, with numerous creek systems and environmentally sensitive natural areas. In the urbanized areas, the relationship to these natural features and areas will be enhanced through a thoughtful approach to their conservation, visibility, and accessibility.

2. The enjoyment of the valleys and ravines will be protected and enhanced by ensuring that adjacent development, particularly from building height and massing, will protect for views and vistas.

3. Development and redevelopment activities will be designed to be compatible in scale and character with natural features and areas, and enhance the visual qualities and public enjoyment of those features and areas.

4. Site design and planning will consider the existing topography and the preservation and enhancement of vegetation, natural features and areas, open space, and naturalized areas. This includes:

- a) Ensuring that existing naturalized open space on lands proposed for development/redevelopment is retained to the maximum extent possible, and where retained, is allowed to regenerate with minimum intervention;
- b) Enhancing ecological stability by supporting the use of low maintenance landscape features and materials;
- c) Supporting the use of native plant species when creating new plant communities or when adding to existing native plant communities;
- d) Applying development standards designed to maximize retention of all woodlots and other natural features and areas;

6. A program of tree planting, preservation, and landscaping will be undertaken so that all areas are provided with trees and other vegetation to maintain a high standard of amenity and appearance, with specific emphasis given to the Urban Growth Centre and Intensification Areas, as set out on Schedule D 'Municipal Structure', at the time of infrastructure renewal and reinvestment.

7. In all public works, trees should be retained and when trees must be lost to accommodate the works, they will be replaced as soon as possible by other trees of sufficient maturity and in sufficient numbers to enhance the appearance of the public works.

8. Where development or redevelopment may necessitate the loss of existing trees or vegetative planting on a public right-of-way, they will be replaced and relocated on the public right-of-way in the immediate vicinity of the affected lands, to the satisfaction of the City or the Region of Niagara, and at the cost of the proponent.

4.4. The Public Realm

The public realm – the streets, parks, squares, public buildings, and open spaces, is a critical component of city life, drawing people together and providing the setting for festivals, cultural events, and recreational and leisure activities, as well as for daily casual contact. They create strong social bonds and help establish our public identity.

1. Urban design opportunities to enhance the quality of the public realm shall be encouraged as part of the design of all municipal undertakings, including public parks and buildings, public streets, natural areas, and all municipal engineering projects related to public spaces. The design of such projects will consider:

- a) the introduction or improvement of linkages where existing areas are inadequately connected to each other or between public places;
- b) improvements to streetscapes, including pedestrian-scale lighting, bicycle facilities, street furniture, signage, landscaping, and enhanced active transportation wherever road improvements occur;
- c) naturalization opportunities including the use of native species of trees in development of open spaces;
- d) the placement of a broad range of art works in publicly accessible and visible locations;
- e) roadway design to maximize the preservation and maintenance of natural features and the development of complete streets;
- f) the protection and enhancement of major vistas, gateways, and scenic routes;
- g) measures to mitigate light trespass and glare to minimize the effects of sky glow.

3. Where feasible, major public and private development projects will be required to incorporate public spaces, bicycle facilities and sidewalks to support connections to the City's pedestrian, bike and transit network.

4.5. Built Form

1. As a basis for evaluating compatibility and for achieving design excellence, development/redevelopment will be designed in a manner that reflects the principles established in Part C, Section 4.1 of this Plan and that maximizes compatibility with the surrounding area in terms of the following matters:

- a) Building scale, height, gradation of height, and massing.
- b) Spacing of buildings.
- c) The level and visibility of the ground floor relative to exterior grade
- d) Roof form and pitch, together with any other structures on the roof.
- e) The placement, number, type and proportion of doors and windows.
- f) Use of materials, textures, and colours.
- g) Continuity in the provision, location, and linkage of amenity, open space, and green corridors.

- h) Preservation and enhancement of significant views and vistas.
- i) Retention of natural vegetation and other distinctive landscape or streetscape features.
- j) The overall scale of the development as it relates to the surrounding area. In this regard, factors contributing to compatibility include avoiding long unbroken expanses of walls; creating relief in walls; the use of varied colours, textures, types, qualities and patterns of finish materials; roofline articulation.
- k) Mitigating light trespass and glare and to minimize the effects of sky glow.
- l) Mitigating wind, sun shadow impacts.

2. Development/redevelopment will locate parking, service areas, and utilities to minimize the impact on the property, surrounding area, and the environment by:

- a) Consolidating and minimizing the width of driveways and curb cuts.
- c) Limiting surface parking between the front and flanking face of a building and the public street.
- d) Providing perimeter landscaping as well as landscaped interior islands.
- f) Connecting parking areas to the street through safe, landscaped pedestrian walkways.
- h) Ensuring safety for active transportation.

3. Development/Redevelopment may be required to provide amenities for adjacent streets and open spaces such as street furniture, bicycle parking facilities, trees, signage, and lighting to ensure they are fully integrated into the surrounding neighbourhood.

4. Major development/redevelopment proposals shall be required to prepare an urban design scheme (site plans, building elevations, context plans, and other studies) to determine impacts on the physical compatibility of the surrounding area and on the long term development or redevelopment potential of the area.

4.6. Universal Access

Universal access means providing a broad range of users with varying needs the opportunity to move through the City independently with as few obstacles, physical and psychological, as possible.

1. New buildings, the retrofitting of existing municipal buildings and public spaces shall be designed to foster and support accessibility by all citizens. The full range of abilities of all ages and users shall be considered in the design of the built environment.

2. The travelled portion of pedestrian and bicycle routes shall be kept free from obstructions or projections of street furniture, fixtures, or buildings.

3. Barrier-free features shall be well-integrated within the functional and aesthetic

design composition, including but not limited to:

- i) ensuring appropriate driveway and sidewalk height to length ratios to support safe accessibility and travel for all;
- ii) requiring sidewalk curb cuts at all intersections;
- iii) requiring paving changes be incorporated at grade changes and intersections;
- iv) requirements for accessibility parking spaces;
- v) encouraging other features appropriate to ensure that barrier free design is provided.

4.7. Personal Safety

Design, through sensitive site layout, location of public spaces and road design, can have a significant influence on the safety of an environment based on the “eyes on the street” philosophy.

1. Publicly accessible spaces shall be located near public roads, transit stops, or other public spaces in order to allow public surveillance.
2. Adequate lighting shall be provided in concealed areas or those areas where visibility may be poor.
3. Views shall be provided into, out of, and through publicly accessible spaces.
4. Access points from public and public accessible spaces shall be clearly identified.
5. Public spaces shall be designed to encourage a variety of activities on a daily, weekly, and seasonal basis.

4.8. Landscaping

Landscaping has a number of significant roles to play in creating interesting and functional places.

1. Landscaping design shall:

- a) enhance the visual appeal of development.
- b) buffer unsightly areas or uses that are incompatible.
- c) promote the use of native species.
- d) provide seasonal variation in form, colour, texture, and representation.
- e) promote human scale and create an attractive environment for pedestrian movement.
- f) assist in energy conservation.
- g) mitigate the effects of inclement weather.
- h) preserve and compliment existing natural landscape.

2. Appropriate buffering will be required between all uses of land where there may be a conflict and where one use may detract from the enjoyment.

5. TRANSPORTATION

5.1. General Policies

1. A Sustainable Transportation Master Plan will be prepared that will outline the City's strategic direction for the development of its transportation networks, programs, and priorities, and how it can best implement the complete streets concept and integration with transit, active transportation, trails and bike route networks. The policies of this Plan together with the Sustainable Transportation Master Plan will contribute to the overall transportation management strategy for the City.

2. The transportation system shall be designed to complement and facilitate the City's achievement of planned land use patterns, growth objectives, and urban structure, and shall have regard for upper tier government transportation policies and initiatives.

3. To facilitate a greater multi-modal split, with less emphasis on the automobile, the City will balance the provision of a safe, functional, and attractive pedestrian and cycling oriented environment with an acceptable level of vehicular traffic. The City may accept a level of automobile service which is less than optimum in return for a more pedestrian and cycling oriented environment, transit supportive development, and a vibrant public realm.

4. The City will encourage and facilitate alternative forms of transportation that promote energy conservation and a healthy lifestyle.

5 A Transportation Impact Study may be required for new development or redevelopment to assess transportation demands, impacts, and opportunities.

6. To implement the findings of the Transportation Impact Study, the City will include conditions of approval that support safe and functional pedestrian and cyclist movement, including:

- a) The acquisition of easements and dedication of land for sidewalks, bicycle trails, transit stops, or other facilities;
- b) The provision of associated amenities such as transit shelters, bicycle parking facilities, and lighting;
- c) Site, building, and road designs that meet the needs of pedestrians, cyclists, and transit users.

7. The City shall consider various traffic calming and transportation demand management measures to reduce the negative impacts of traffic, and to promote safer streets and the concept of complete streets.

5.3. Alternative Forms of Transportation

This Plan recognizes that in order to achieve a healthy and livable community, the transportation system now and in the future, will need to reduce reliance on the automobile in favour of more sustainable forms of connective transportation such as walking, cycling, and transit.

1. Transit

1. Transit will provide access to residential areas, employment areas, schools and other institutions, community facilities, downtown, shopping areas and recreational areas in an efficient and reliable manner.

7. The City shall encourage the provision of convenient, safe pedestrian access and a maximum walking distance of 400 metres to transit facilities through its planning approvals.

3. Pedestrians

1. The City shall ensure that the transportation system will be designed to provide continuous and direct access by sidewalks and walkways to schools, recreation and cultural destinations, community services, major activity centres, and other high volume pedestrian centres.

2. Streetscape design shall provide safe, convenient, and attractive pedestrian ways and connections.

4. Pedestrian safety will be enhanced on sidewalks and walkways through the provision of lighting and /or public visibility, where feasible.

5. Sidewalks are to be built to a standard that facilitates the mobility of persons with disabilities.

5.4. Parking

Parking is an integral component of the transportation system, influencing travel patterns and development potential. It is the intent of this Plan to ensure the location and design of parking facilities will provide sufficient and safe functioning of the transportation system, and balances the needs of the travelling public with the goal of promoting other modes of transportation. In keeping with the “Garden City” image, it is also important to ensure that large expanses of barren asphalt lots are not created.

1. Vehicle parking standards will be established for all land uses in the implementing zoning by-law, and adequate off-street parking shall be provided for development/redevelopment in accordance with these standards. Zoning bylaws may establish maximum as well as minimum parking requirements for both vehicles and bicycles.

6. The negative impacts of vehicular parking on the urban environment, cycling and pedestrian activity shall be minimized through:

- a) locating parking and loading areas at the rear of buildings where feasible;
- b) use of alternative paving materials such as permeable pavement systems;
- c) alternative surface water management such as swales and ditches;
- d) landscape treatments and pedestrian walkways in accordance with the Urban Design Guidelines;
- e) Buffering sidewalk users from through traffic, where feasible.

5.5. Rail

1. Consultation is required with Canadian National Railway or Trillium Railway, where applicable, for any development, redevelopment or site alteration adjacent to or within the vicinity of railway main line or spur line right-of-ways. Noise, vibration, drainage and other studies may be required in the evaluation of development, redevelopment or site alteration. Noise and vibration attenuation, minimum building, structure and use setbacks from the rail right-of way, berming, buffering, safety features, and other mitigative measures may be required, as well as safety clauses, restrictive covenants, environmental easements and assigning of rights-of way.

6. ACHIEVING A SUSTAINABLE CITY

6.1. General Policies

1. The City shall develop an Integrated Community Sustainability Plan that will provide guidance for the development or alignment of all municipal plans, policies and decisions under one integrated decision-making framework.

2. The City shall support sustainable development through land use and development patterns that:

- b) Promote the use of public transit and other alternative transportation modes among residential, employment and commercial areas, and other activity centres;
- c) Promote development/redevelopment throughout the City's Urban Area on sites that are or will be well served by public transit, with particular emphasis on the Downtown Urban Growth Centre and Intensification Areas as set on Schedule D 'Municipal Structure'.
- d) Promote design and orientation that maximizes the use of alternative or renewable energy sources, such as solar and wind, and the mitigating effects of vegetation.

3. All of the City's sustainable development principles shall be considered when reviewing applications for development, public works, and capital expenditures.

6. In making decisions about planning, development, and conservation, within the

sustainability framework, the City shall employ an ecosystem approach addressing:

- a) The interrelationships among air, land, water, plant and animal life, and human activities;
- b) The health and integrity of the broader landscape, including impacts on the natural environment in neighbouring jurisdictions;
- c) The long term and cumulative impacts on the ecosystem.

7. Development should maintain, enhance, or restore ecosystem health and integrity.

8. The City will collaborate with Niagara Region, the Niagara Peninsula Conservation Authority and other appropriate stakeholders, in developing and maintaining an environmental data base and monitoring program to assess ecosystem health and integrity and recommend improvements, where necessary, to this Plan.

PART D: LAND USE POLICIES

7. GENERAL POLICIES

7.1 Development / Redevelopment

Development and redevelopment within the Urban Area shall be evaluated having regard for the following:

- a) Support for safe, accessible and connected active transportation linkages within and between residential neighbourhoods, other activity centres, uses, and the City's public realm and open space network.
- b) Opportunities to create or enhance public places, active transportation linkages, facilities and gateways.
- c) Building, site and streetscape context sensitive design to ensure:
 - i) Integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood;
 - ii) Adverse impacts on adjacent properties are minimized in regard to grading, drainage, location and design of service utilities and areas, access and circulation, parking, transition in height, privacy, views, vistas, microclimatic conditions, and protection of the natural features, functions and hazards.
 - iii) Possible negative impacts such as noise, odour, and emissions are not excessive in relation to the predominant land use character and function of the area;
 - iv) Adequacy of lot size, access, on-site facilities and outdoor amenity areas to accommodate use;
 - v) Provision of parking areas that do not dominate the site physically or

visually, and maximize opportunities for perimeter and internal landscaping.

- d) The preservation, conservation, enhancement and integration of natural and cultural heritage features, landscapes and identities.
- e) Opportunities to support and improve connectivity and accessibility to public transit and active transportation, including carpooling and carsharing.
- f) Treatment of existing topographic and vegetative features, and greening and landscaping opportunities.
- g) The best use of existing resources, infrastructure and service capacity. Development/redevelopment will only be permitted where there is adequate municipal water and wastewater service, waste management, and public service facilities. Compatible and practical on-site renewable water, waste and energy management techniques and design are encouraged, including Low Impact Development (LID) practices.
- h) Surface parking areas should be minimized and shared parking areas, standards and access shall be encouraged where compatible, and adequate and appropriate for intended level of service.
Parking areas and access should be designed to optimize greening opportunities, and to support reduction of heat islands, sustainable storm water management, limited access points to public roads, and provide for safe and friendly active transportation circulation.
- i) Development will only be permitted where the sustainable transportation system is adequate to accommodate anticipated traffic volumes, generation, circulation and use.
- j) Land assembly and configuration will not detract from the potential development or redevelopment on adjacent properties, or create isolated parcels which may otherwise have future development or redevelopment potential.
- k) Alternative and innovative lotage patterns are supported provided that compatible street, building and site context sensitive design with adjacent properties and the surrounding neighbourhood can be achieved; and adequate and maintained access to a public road is provided and ensured.
- l) Direct vehicular access from individual properties to the Welland Canals Parkway is not permitted.

8. NEIGHBOURHOOD RESIDENTIAL

8.1. Residential Use Designations

1. Low Density

The Low Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 metres.

8.3 Ancillary Uses

The Neighbourhood Residential designation also permits elementary and secondary schools, places of worship and other local public serving institutional uses, neighbourhood commercial uses, home based business, parks and open space uses.

2. Elementary and Secondary Schools, places of worship and other local public serving institutional uses are permitted subject to zoning by-law amendment where:

- a. Compatible with the surrounding residential environment, and where potential negative impacts such as noise, odours, emissions, litter, and traffic generation are not excessive in relation to the predominant use;
- b. Located in areas appropriate and accessible for the intended level of service;
- c. In close walkable and bikeable proximity to public transit service;
- d. The transportation system is adequate to accommodate anticipated traffic volumes and circulation.

13. GREEN SPACE

13.1. PARKLAND AND OPEN SPACE

The Parkland and Open Space designation is intended to provide opportunities for a variety of active and passive recreational opportunities, to provide relief from the built environment, and to support opportunities for conservation and enhancement of cultural and natural heritage.

Parkland and Open Space is designated on Schedule D1 'General Land Use Plan' and on District Plans in Part E. Schedule F1 'Parkland and Major Trails' of this Plan also identifies public parkland, and existing and proposed major trails. For the convenience of mapping, not all parkland and open space may necessarily be shown on the Schedules of this Plan, primarily where they are small in size such as small trails and special urban parks. Specific reference should be made to the City's Parks Policy Plan and the Recreation Master Plan.

1. Permitted Uses

Permitted uses include:

- i) private and public parks, and open space linkages;
- ii) cemeteries;
- iii) active or passive indoor and outdoor recreational facilities;
- iv) cultural heritage;
- v) essential operations for service infrastructure and utilities.

a) Permitted uses may be allowed provided that:

- i) the use of land does not conflict with the policies in this Plan related to natural hazard lands, natural heritage or cultural heritage resources;
- ii) the design minimizes or eliminates any potential instability of slopes;
- iii) all structures, parking areas and active playing fields are attractively designed and landscaped in order to enhance their appearance, and are appropriately setback and buffered between adjacent properties.

b) Ancillary uses may be permitted where they provide complementary services and facilities to the main use, and will be limited in size subject to zoning bylaw regulation.

13.2. NATURAL AREA

The City's Natural Area is comprised of a diverse natural heritage system of rivers, streams, valleylands, wetlands, shoreline, woodlots, forests, natural areas, habitats and corridors. Not only are these natural areas and features environmentally significant on a local neighbourhood and community basis, but many are also of regional, provincial, national or world significance.

The Natural Area is more specifically defined as Natural Hazard Lands and Natural Heritage as set as follows:

a) Natural Hazard Lands

- i) shoreline;
- ii) floodplain;
- iii) significant valleylands;

b) Natural Heritage

- i) wetlands;
- ii) significant woodlands;
- iii) fish habitat;
- iv) areas of natural and scientific interest;
- v) significant habitat of endangered species and threatened species;
- vi) significant wildlife habitat;
- vii) natural corridors;
- viii) key hydrologic features.

The purpose of the Natural Area policies of this Plan is to promote the long term sustainability of Natural Hazard Lands and Natural Heritage by supporting:

- the protection, preservation, restoration , maintenance, and where possible, the improvement of a diverse, connected and integrated system of natural areas, features, hazard lands, habitats, corridors and associated biological and ecological functions.
- a diverse, connected and integrated system of local natural heritage with that of the Region of Niagara Core Natural Heritage System, the Provincial Greenbelt Plan Protected Countryside and Natural Heritage System, and the Provincial Niagara Escarpment Plan.

13.2.1 Natural Area Mapping

1. Natural Area Designation

Lands designated Natural Area on Schedule D1 'General Land Use Plan' and on District Plans in Part E contain one or more of Natural Hazard Lands and/or Natural Heritage mapped by the City.

Development, redevelopment, site alteration and use of lands within and adjacent to the City's Natural Area designation is subject to the policies set out in Section 13.2 of the Plan.

2. Natural Area Extent Line

Natural Hazard Lands and Natural Heritage are also mapped by the Province, the Region of Niagara and the Niagara Peninsula Conservation Authority (NPCA). This mapping is shown on Schedule F2 'Natural Hazard Lands' and Schedules F3 and F4 'Natural Heritage' of this Plan.

Upper tier government and NPCA mapping of Natural Hazard Lands and Natural Heritage on Schedule F2, F3 and F4 does not necessarily coincide with, and often extends beyond the City's Natural Area designation shown on Schedule D1 'General Land Use Plan' and on District Plans in Part E of this Plan.

The combined furthest extent and limit of all the Natural Hazard Lands and Natural Heritage mapping identified on Schedules F2, F3 and F4 is shown as an overlay on District Plans in Part E, identified as the 'Natural Area Extent Line'. Development, redevelopment, site alteration and use of lands within and adjacent to the Natural Area Extent Line is subject to the policies set out in Section 13.2 of the Plan.

3. Niagara Natural Environment Screening Layer

Further to Natural Area mapping set out in Section 13.2.1.1 and 13.2.1.2 above, the NPCA establishes a Niagara Natural Environment Screening Layer. The 'Screening Layer' is shown on Schedule F5 of this Plan, and the limits of which generally extend onto lands beyond the City's Natural Area designation as well as the Natural Area Extent Line.

Development, redevelopment, site alteration and the use of lands within the 'Screening Layer' may be subject to Provincial or Region of Niagara policies, regulation or controls as applied to Natural Hazard Lands and Natural Heritage and/or subject to NPCA regulation or controls in accordance with Ontario Regulation 155/06 as amended from time to time. Ontario Regulation 155/06 applies to watercourses, significant valleylands, floodplains, shorelines and wetlands.

4. Interpretation

- i) The Natural Area mapping set out on the Schedules of this Plan should not be construed as representing the precise boundaries or all of known Natural Hazard Lands and Natural Heritage.
- ii) Natural Hazard Lands and Natural Heritage may be defined more precisely through Watershed, Environmental Planning Studies, Environmental Impact Studies (EIS), the NPCA, or other government or regulatory authority and mapping.
- iii) Where through the review of a planning application it is found that there are important environmental features or functions that have not been adequately evaluated, the applicant shall have an evaluation prepared by a qualified biologist in consultation with the City, Region of Niagara and where appropriate, the NPCA and the Ministry of Natural Resources. If the evaluation finds one or more natural features meeting criteria set out by the Region of Niagara Policy Plan and/or the NPCA for inclusion as Natural Hazard Lands or Natural Heritage, the applicable policies for such features as set out in Part D, Section 13.2 of this Plan will apply.
- iv) Where new Natural Hazard Lands or Natural Heritage are identified or where more accurate mapping is available in which may modify the location or extent of Natural Hazard Lands or Natural Heritage, Schedules F2, F3, F4 and the Natural Area Extent Line shown on District Plans in Part E may be updated without amendment to this Plan.
Where new Natural Hazard Lands or Natural Heritage are identified, they shall be considered for inclusion as a Natural Area designation in this Plan. Where a new Natural Area designation is to be added or where a significant modification is made to an existing Natural Area designation on Schedule D1 'General land Use Plan' and District Plans in Part E, an amendment to this Plan is required. Minor boundary adjustments to an existing Natural Area designation may be made without an amendment to this Plan.
- v) Schedule F5 of this Plan represents the general location of the Niagara Natural Environment Screening Layer. Reference to the precise boundaries of the subject Screening Layer should be made to the NPCA.
Modification to the Niagara Natural Environment Screening Layer shown on Schedule F5 may be made without an amendment to this Plan.
- vi) Where lands contain two or more Natural Hazard Lands and/or Natural Heritage features of differing significance, the more restrictive policies pertaining to the applicable Natural Hazard Lands and/or Natural Heritage features shall apply.

13.2.2. General Policies

1. Permitted Uses

The following uses are permitted within the Natural Area designation and the Natural Area Extent Line, subject to the policies of this Plan:

- i) legally existing uses, buildings and structures including existing agricultural uses;
- ii) new agriculture uses subject to Part D, Section 13.2.5;
- iii) fish, wildlife and conservation management including forestry management;
- iv) essential linear public uses including transportation, utility, and communication facilities subject to Federal or Provincial Environmental Assessment approval;
- v) watershed management and flooding and erosion control facilities where it has been demonstrated that they are necessary in the public interest and other alternatives are not available, subject to an Environmental Impact Study (EIS) to the satisfaction of the Region of Niagara;
- vi) passive small scale recreation features such as trails, walkways, and bicycle paths that will have no significant negative impact on natural features or ecological functions.

2. Where planning applications to establish a new use, or expand a permitted use, are not subject to the Environmental Assessment Act, an approved Environmental Impact Study (EIS) shall be required, subject to the policies of this Plan, for any development, redevelopment or site alteration within or adjacent to Natural Hazard Lands or Natural Heritage. Protection or mitigating measures may be required to be implemented by the applicant.

3. Where an EIS is required, it shall be prepared in accordance with Environmental Impact Study (EIS) Guidelines or subsequent guidelines adopted by the Region of Niagara.

The required scope and/or content of an EIS may be reduced, after consultation with the Niagara Region and the NPCA where the environmental impacts of a development application are thought to be limited; or other environmental studies fulfilling some or all requirements of an EIS have been accepted by the City, Niagara Region and the NPCA.

4. The City may require an independent peer review of an EIS with costs to be borne by the applicant.

5. On lands within or adjacent to a designated Natural Area or the Natural Area Extent Line where no development or placement of fill and site grading is

permitted, the erection, location or use of any buildings or structures is prohibited other than those which legally exist.

6. Subject to other policies of this Plan, expansion of an existing use located within or adjacent to Natural Hazard Lands or Natural Heritage may be permitted subject to approval of an EIS and any mitigation measures that may be required.

7. Where development, redevelopment or site alteration is approved within Natural Hazard Lands, Natural Heritage or the associated adjacent land buffer zone, the applicant will submit a Tree Saving Plan maintaining or enhancing the ecological functions to be retained. The Plan shall be prepared in accordance with the Tree and Forest Conservation By-law and its implementation monitored by a member of the Ontario Professional Forestry Association.

8. Where lands are not subject to Section 13.2.2.7 above, the City should enact and maintain a by-law regulating the destruction or injuring of trees in identified woodlots less than 0.5 hectares of land in size.

Where a woodland greater than 0.5 hectares of land in size is located on or adjacent to lands subject to an application for plan of subdivision, consent, site plan approval or other development approval, the applicant shall be required to prepare a Tree Saving Plan as a condition of approval. A grading or building permit shall not be issued until the Tree Saving Plan, with appropriate implementation and monitoring measures, has been approved by the City in consultation with the NPCA.

9. Where development, redevelopment or site alteration is approved in or adjacent to Natural Hazard Lands or Natural Heritage, new lots thus created shall not extend into either the area to be retained in a natural state or the required adjacent buffer zone identified through an EIS unless approved in consultation with the NPCA. The lands to be retained in a natural state and the adjacent buffer zone shall be maintained as a block and zoned to protect their natural features and ecological functions, and where appropriate and desirable, be dedicated to the municipality or a public agency.

10. The City will, where deemed appropriate, pursue the acquisition of Natural Hazard Lands and Natural Heritage lands by way of land dedication or other means, and which will be adequately sized to support the protection of natural features, function, access and maintenance. It should not be assumed that these lands will be accepted as parkland dedication, and lands having inherent environmental constraints will generally not be accepted as parkland dedication pursuant to the Planning Act.

11. The City recognizes that lands designated Natural Area, whether in private or public ownership, are accessible to the public at the discretion of the owner.

12. The City shall encourage and provide assistance, where feasible, to private landowners and interest groups in developing and maintaining stewardship programs to support retention and enhancement of Natural Hazard Lands and Natural Heritage.

13. Prior to any planning approvals, new development applications requiring a Provincial Permit to Take Water shall satisfy the City, the NPCA and the Niagara Region that the water taking will not have any negative impacts on natural ecosystems or the quantity and quality of water to meet existing and planned uses.

13.2.3. Natural Hazard Lands

Natural Hazard Lands mapping is shown on Schedule F2 of this Plan.

Notwithstanding policies related to Shoreline, Floodplains and Valleylands in Sections 13.2.3.1-3 below, the following policies apply to all Natural Hazard Lands and hazardous sites.

i) Development shall generally be directed to areas outside of Natural Hazard Lands and hazardous sites.

ii) Development, redevelopment and site alteration shall not be permitted:

- within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

Notwithstanding the above, development, redevelopment and site alteration may be permitted in certain areas identified above where the development is limited to uses which by their nature must locate within the floodplain, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

iii) Development or redevelopment shall not be permitted where the use is:

- an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
- an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion control;
- associated with the disposal, manufacture, treatment or storage of hazardous substances.

3. Significant Valleylands

Along valleylands where the valley bank height is equal to or greater than 3 metres, the following applies:

- i) Development, redevelopment or site alteration shall not be permitted within the valley, being all the lands below the valley long term stable top of bank(s) as determined by the NPCA, except for permitted uses as set out in Part D, Section 13.2.2.1 and subject to the applicable policies of this Plan.
- ii) Unless otherwise directed by the NPCA, development, redevelopment or site alteration on lands within the adjacent 15 metres of land above the valley long term stable top of banks, must demonstrate through an approved EIS, that erosion and adverse impacts to water quality and quantity, slope stability, wildlife habitat, existing vegetation and drainage shall be minimized, and valley slopes not disturbed.
- iii) No development, redevelopment or site alteration on lands adjacent to the valley long term stable top of bank(s) is permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the valley or on its ecological functions.
- iv) A minimum 7.5 metre setback from the valley stable top of bank(s) shall be required for all development, redevelopment or site alteration. Subject to review by the NPCA, a reduced valley top of bank setback may be considered on sites within the Urban Area, where:
 - an existing lot provides insufficient depth to accommodate the required setback;
 - a proposed development or redevelopment does not result in the creation of generally more than two new lots, and where there is adequate municipal water and sewer capacity available on the existing road frontage, and no construction of new public or private roads are required.
 - the ecological function of the lands adjacent to the valley top of bank has been evaluated and it has been demonstrated that there will be no negative impacts on the valley or on its ecological functions.
 - subject to a geotechnical investigation, the reduced setback, with any required mitigating measures, will result in no adverse long term environmental impacts
- v) Where the NPCA finds evidence of slope instability, the angle of the valley slope exceeds 3:1 (horizontal distance: vertical distance), or where evaluation demonstrates negative impact on natural features or ecological functions, a greater setback from valley top of bank may be required to address site specific issues subject to a geotechnical report prepared by a qualified engineer at the cost of the proponent and to the satisfaction of the NPCA.
- vi) Where possible, existing vegetation should be maintained within the defined valley top of bank adjacent land setbacks. Vegetation below the top of bank shall not be disturbed, and where already impacted, the applicant may be required to rehabilitate and revegetate the valleylands as a condition of

development approval.

13.2.4. Natural Heritage

Natural Heritage mapping is shown on Schedule F3 and F4 of this Plan.

2. Significant Woodlands

- i) To be identified as significant, a woodland must meet one or more of the following criteria:
 - contains threatened or endangered species;
 - contains interior woodland habitat at least 100 metres in from the woodland boundaries;
 - overlap or contain one or more other natural area features identified in Section 13.2;
 - be a minimum of 2 hectares in size, and may be crossed by a watercourse.

Notwithstanding the above, for lands within the Provincial Greenbelt Plan, significant woodlands are identified pursuant to the Greenbelt Plan and its related technical guides.

- ii) Development, redevelopment or site alteration shall not be permitted within a significant woodland unless it has been demonstrated that there will be no negative impacts on the woodland or its ecological functions.
- iii) Development, redevelopment or site alteration shall not be permitted within the required adjacent land buffer zone from the significant woodland, which shall generally be a minimum of 10 metres measured from the drip line of the significant woodland, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the significant woodland or its ecological functions. The final width of the required adjacent land buffer zone shall be established through an approved EIS or Subwatershed Study.
- iv) Unless otherwise directed by the NPCA, development, redevelopment or site alteration proposed on lands within 50 metres of a significant woodland shall require approval of an EIS to demonstrate that there will be no negative impacts on the significant woodland or their ecological function.

7. Regional Natural Heritage Corridors

Where development, redevelopment or site alteration is proposed in or near a Regional Natural Heritage Corridor, as generally illustrated on Schedule F3, the corridor shall be considered in the development review process. An EIS may be required to demonstrate that there will be no negative impact to the natural features and ecological functions within the corridor, and to the system and linkages within and between natural features and processes within the corridor.



CITY OF
ST. CATHARINES

Corporate Report

Report from Planning and Building Services, Planning Services

Date of Report: June 22, 2018

Date of Meeting: July 9, 2018

Report Number: PBS-154-2018

File: 60.30.338 and 60.35.1039

Subject: *Planning Act Public Meeting - Information Report*
Application for Official Plan Amendment and Zoning By-law Amendment
Subject Lands: 50 Herrick Avenue; Application for Zoning By-law
Amendment; Subject Lands: 40 Woodburn Avenue; Owner: Downing Street
(Heritage Point) Inc.; Agent: LANDx Developments Inc.

Recommendation

That Council consider this Information Report as part of the Public Meeting; and

That Council consider a Recommendation Report regarding an Application for Official Plan Amendment and Zoning By-law Amendment for lands municipally known as 50 Herrick Avenue and a Zoning By-law Amendment for lands known as 40 Woodburn Avenue tentatively scheduled for the meeting of Council on August 13, 2018, pursuant to the two-step process for planning applications previously approved by Council.
FORTHWITH

Summary

This Information Report is to provide Council and the public with information regarding the application for an Official Plan Amendment and Zoning By-law Amendment for 50 Herrick Avenue and associated Zoning By-law Amendment for 40 Woodburn Avenue to be considered at a Public Meeting scheduled for July 9, 2018. This Information Report provides an overview of the applications, and a summary of applicable planning policies and circulation comments. The application is for:

- 50 Herrick Avenue – Official Plan amendment to change the land use designation from Low Density Residential to Medium Density Residential
- 50 Herrick Avenue – Zoning By-law amendment to change the zoning from Low Density Residential – Traditional Neighbourhood (R2) to Medium Density Residential with special provisions
- 40 Woodburn Avenue – Zoning By-law amendment to the Special Provision to reduce the landscape buffer along the Woodburn Avenue entrance

These changes will facilitate the construction of 3 five-storey apartment buildings on the actual Woodburn Avenue property and provide an additional access driveway and 16 at grade parking spaces on 50 Herrick Avenue.

A Recommendation Report containing planning analysis, addressing any outstanding concerns raised at the Public Meeting, and providing a staff recommendation is tentatively scheduled for consideration by Council at its August 13, 2018, meeting.

Background

On May 8, 2017, Council approved a 2-step process for planning applications requiring a Public Meeting in accordance with the Planning Act. The first step is for an Information Report to be presented to Council on the date of the Public Meeting when public input will be gathered. The second step is for Council to consider a Recommendation Report at a subsequent Council meeting. This Information Report will be followed by a Recommendation Report tentatively scheduled for the August 13, 2018 Council meeting.

40 Woodburn Avenue

The lands known as 40 Woodburn Avenue are part of the previously approved Heritage Point subdivision (October 15, 2007). 40 Woodburn Avenue represents the final phase of the subdivision that remains to be developed. The previous phases (1, 3, and 4) have been constructed with a total of 89 residential units in a mix of detached dwellings and townhouses, with a density of 14.42 units per hectare.

Concept plans have been submitted previously for 40 Woodburn Avenue (Phase 2 of Heritage Point Subdivision) including the following:

- Draft Plan of Subdivision, October, 2007
 - Two, four storey apartment buildings
 - Total of 139 units
 - Total density of 36.95 units per hectare (all phases of Heritage Point)
- Brownfield Tax Increment Based Incentive Grant Program, October, 2011
 - Four apartment buildings
 - Total of 252 units
 - Total density of 55.27 units per hectare (all phases of Heritage Point)

40 Woodburn Avenue was planned to provide a higher density within the subdivision and as such, a Special Provision was established under the zoning by-law to ensure that appropriate setbacks from the surrounding detached homes were implemented at the time of development. While the lands at 40 Woodburn are vacant, they have been subject to Environmental Site Approvals and a Record of Site Condition. In addition, the Heritage Point Subdivision, which was a brownfield re-development project, was approved for financial assistance for both remediation and re-development under the 2004 Community Improvement Plan (CIP). Phase 2 of the CIP funding pertains to the lands at 40 Woodburn Avenue and was approved by City Council on November 7, 2011.

50 Herrick Avenue

The lands known as 50 Herrick Avenue were not part of the original Heritage Point subdivision approval. These lands were formerly used by the Garden City Productions, a non-profit theatre. The building was recently demolished.

Report Proposal

The applicant proposes to construct three five-storey apartment buildings that include 208 units, 51 at grade parking spaces and 214 underground parking spaces (265 spaces total) on the lands at 40 Woodburn Avenue and 50 Herrick Avenue. The proposed development represents the final phase of the Heritage Point Subdivision and results in a total density of 46.77 units per hectare (Subdivision as a whole). The lands at 50 Herrick Avenue were not part of the original Heritage Point Subdivision approval and have been acquired by the applicant for inclusion in this development.

The applicant seeks approval of an Official Plan and Zoning By-law amendment for the lands at 50 Herrick Avenue, identified in Appendix 1, to provide an additional access to the larger land holdings adjacent to the south, 40 Woodburn Avenue. In addition to the proposed access, the lands at 50 Herrick Avenue would provide 16 at grade parking spaces and landscaping.

The applicant proposes to amend the Official Plan designation for 50 Herrick Avenue from Low Density Residential to Medium Density Residential and to re-zone the lands from Low Density Residential – Traditional Neighbourhood (R2) to Medium Density Residential with Special Provisions (R3-47). The proposed Official Plan and Zoning By-law Amendment are necessary to have designation and zoning that is consistent with the larger land holdings, abutting to the south (40 Woodburn Avenue).

The lands known as 40 Woodburn Avenue are designated Medium Density Residential and zoned Medium Density Residential with Special Provision (R3-47) which permits the proposed development. Through the review of the proposed development, staff identified the existing access to the site from Woodburn Avenue is 11 metres wide, which is not sufficient to accommodate the required road width, sidewalk, and landscape buffers on both sides of the driveway. As such, a Zoning Amendment to the existing Special Provision 47 is required to reduce the landscape buffer along the Woodburn Avenue entrance. The Amendment proposes a 0 metre landscape buffer along the south side of the driveway, to accommodate the sidewalk and a minimum 2 metre landscape buffer along the north side of the driveway, to ensure vegetation can be sustained.

The proposed Site Plan and elevations are attached for Council's reference (Appendix 2 and 3).

Location and Site Description

The lands combined will have a total lot area of 1.55 hectares and frontage on both Herrick Avenue and Woodburn Avenue. A location map is attached as Appendix 1.

50 Herrick Avenue

The lands at 50 Herrick Avenue are located on the south side of Herrick Avenue, between Clayburn Avenue and Woodburn Avenue. The lands have 37.5 metres of frontage on Herrick Avenue and a lot area of 0.18 hectares.

Surrounding land uses include:

North: Quadruplex dwelling

East: Semi-detached and townhouse dwellings

South: Additional lands owned by applicant, currently vacant

West: Detached dwellings

40 Woodburn Avenue

The lands at 40 Woodburn Avenue are located on the west side of Woodburn Avenue, south of Herrick Avenue and north of the City owned Golf Course. The lands have 11 metres of frontage onto Woodburn Avenue and lot area of 1.37 hectares.

Surrounding land uses include:

North: Detached dwellings, semi-detached dwellings, and additional lands owned by applicant, currently vacant

East: Semi-detached dwellings, townhouses, detached dwellings

South: City Owned Golf Course

West: Detached dwellings

Planning Policy Context

Provincial planning legislation requires Council's decision on a planning application to be consistent with the Provincial Policy Statement (2014), and must conform to Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff will evaluate this Application for Official Plan Amendment and Zoning By-law Amendment against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the Garden City Plan, all of which apply to this application, and staff recommendations will be formulated accordingly.

For Council's reference, the land use planning framework in Ontario, as it relates to this application, is outlined in Appendix 4.

Provincial Policy Statement (2014)

The following provides an overview of the Provincial Policy Statement as it applies more specifically to this Application for Official Plan Amendment and Zoning By-law Amendment.

- Accommodate an appropriate range and mix of residential, employment, institutional (including places of worship), recreation, park and open space, and other uses to meet long-term needs;
- Settlement areas are to be the focus of growth and development, and their vitality and regeneration is to be promoted;
- Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
- Establish a land use plan and pattern that supports financial sustainability and cost effective development and provision of services;

- new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities;
- Promote the wise use and management of land and resources;
- Support an accessible, connected and complete community;
- Establish appropriate development standards to promote/facilitate intensification, redevelopment and compact built form;
- Ensure protection of natural features and areas for the long term; and
- Protect and preserve natural heritage features and hazards, landform systems and functions.

Provincial Growth Plan for the Greater Golden Horseshoe (2017)

Similarly, guiding principles within the Growth Plan stress compact and well-designed development that prioritizes intensification. The Plan supports the achievement of complete communities that “ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards”. Policies ensure that a range and mix of housing options are available including affordable housing.

The following provides an overview of the Provincial Growth Plan as it applies more specifically to these Applications for Official Plan and Zoning By-law Amendment.

- Promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- Foster safe, interactive, active transportation and connected communities;
- Ensure viability for long term development and community investment;
- Maintain, enhance vitality of main streets, and conservation of neighbourhoods;
- Encourage sense of place by promoting well designed built form and cultural planning to conserve features that help define the character, built heritage resources and cultural heritage landscapes of the area;
- Adapt to climate change through compact and nodal development;
- Conserve, promote cultural heritage to support social, economic and cultural well-being;
- Promote high quality built form, attractive/vibrant public realm through site design and urban design standards;
- Support complete communities; and
- Support multi modal transportation, including active transportation and transit.

Regional Official Plan

According to the Regional Official Plan (ROP), the subject lands are located within the Urban Area for the City of St. Catharines and within a Built-up Area under Amendment 2-2009 (Niagara 2031/Conformity Amendment), which is the focus of both residential

and employment intensification and redevelopment within the Region over the long term. Municipalities are encouraged to provide a full range of housing types to serve a variety of people as they age through the life cycle.

The ROP reiterates the land use pattern policies and objectives of the Provincial Policy Statement for residential intensification and sustainable communities outlined above. The Region's Sustainable Community Policies establish a residential intensification target of 95 per cent for the St. Catharines Built-up Area.

It should be noted that the Region of Niagara is undertaking a comprehensive review (MCR) of their Official Plan to bring it into conformity with the PPS and the Provincial land use plans. Once completed, local area municipalities will be required to update their Official Plans accordingly.

Official Plan (Garden City Plan)

The subject lands are designated as Neighbourhood Residential (Appendix 5) by the City's Official Plan, The Garden City Plan (GCP). The North Planning District further identifies 50 Herrick Avenue as Low Density Residential and 40 Woodburn Avenue as Medium Density Residential with an identified Natural Area Extent along the southern boundary (Appendix 6).

The Official Plan Amendment application seeks to amend the designation for 50 Herrick Avenue from Low Density Residential to Medium Density Residential (Appendix 7).

The Low Density Residential Designation of the GCP provides for a range of residential uses including detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 metres. The Medium Density Residential designation of the GCP provides for apartment dwellings, in addition to the range of residential uses outlined in the Low Density Designation at a density range generally between 25 and 99 units per hectare of land. Height of buildings will generally not exceed 20 metres. The proposed development is the final phase of the Heritage Point Subdivision and results in a total density of 46.77 units per hectare (Subdivision as a whole). The Official Plan Amendment is required to designate 50 Herrick Avenue as Medium Density Residential, consistent with the 40 Woodburn Avenue site.

There is a Natural Area Extent identified at the southern boundary of 40 Woodburn Avenue. The City's Official Plan utilizes the Natural Area Extent to indicate potential natural hazards. There was previously a watercourse and associated floodplain located at the boundary of 40 Woodburn Avenue and the adjacent lands to the South, now the City Golf Course. Through the approval of the Heritage Point Plan of Subdivision, the floodplain was assessed and relocated entirely onto the lands associated with the City owned Golf Course. 40 Woodburn Avenue is no longer impacted by the floodplain or any other natural hazards. The Natural Area extent shown on the Official Plan maps is no longer applicable and the map should be updated.

All of the relevant City Official Plan policies that apply to this Application have been excerpted and included in the table attached as Appendix 11.

Zoning By-law

Zoning By-law 2013-283 zones the lands at 50 Herrick Avenue as Low Density Residential – Traditional Neighbourhood (R2) and the lands at 40 Woodburn Avenue as Medium Density Residential with Special Provision (R3-47) (see Appendix 8). The R2 Zone permits a broad range of residential uses, however apartment dwellings are not permitted in the R2 zone. As such, the proposal is to change the zoning and thereby make the Medium Density Residential with Special Provision (R3-47) zone apply to the lands at 50 Herrick Avenue (Appendix 9).

Special Provision 47 details site-specific setbacks. The existing Special Provision for 40 Woodburn Avenue is attached as Appendix 10.

The proposed Zoning By-law Amendment seeks to apply Special Provision 47 to the lands at 50 Herrick Avenue and proposes an amendment to the Special Provision to recognize the existing limited frontage on Woodburn Avenue and limitations in landscaping accordingly.

Proposed changes to Special Provision 47, item 5, are detailed below:

5.	Minimum landscape buffer	
	a) Abutting an R2 zone	4m
	b) North of the Woodburn Avenue Entrance (from Woodburn Avenue extending west 33.5 metres)	2m
	c) South of the Woodburn Avenue Entrance (from Woodburn Avenue extending west 33.5 metres)	0m

Circulation of Applications

The applications were circulated to all relevant departments and agencies in accordance with the Planning Act. No department or agency has objected to the proposed Official Plan and Zoning By-law Amendment. The following feedback has been received, comments largely relating to site plan approval, a further planning approval, should this application be approved by Council.

Region of Niagara

The Region has no objection to the Official Plan Amendment or Zoning By-law Amendment relating to 50 Herrick Avenue. The Region notes that as a condition of Site Plan Approval, an Environmental Site Assessment and applicable Record of Site Condition shall be completed, and filed as necessary for 50 Herrick Avenue.

Parks, Recreation and Culture Services (PRCS)

No objection to the proposed Official Plan and Zoning By-law Amendment. With regards to the proposed amendment to Special Provision 47, staff are satisfied that the proposed 0 metre landscape buffer on the south side of the Woodburn Avenue entrance maximizes the width of the landscape buffer that can be provided on the north side. Detailed landscape design and fencing will be addressed through the Site Plan Agreement.

Development Section of Planning and Building Services

No objections to the intent of the application for Official Plan Amendment and Zoning By-law Amendment. Staff require that the owner's consulting engineer provide the specific sanitary design calculations for the site, as referred to in the Functional Servicing Report, to the satisfaction of the City Engineer.

Traffic

A traffic impact study is not required since the local roads (Herrick Avenue and Woodburn Avenue) have capacity to accommodate the proposed development. The arterial roads most directly affected by the subject development are under the jurisdiction of the Region (Queenston Street and Westchester Crescent).

Urban Design

No objections since the proposed Official Plan and Zoning By-law Amendment serve to permit additional access and parking for the site. Design details will need to be addressed through the site plan submission including that landscape screening should be provided in front of the balconies along the northern boundary and the rear yards of abutting residential properties along Clayburn Avenue.

Site Plan

An application for Site Plan Approval has been submitted concurrent with the subject applications. The City's Site Plan Control By-law requires that residential developments of four units or more be subject to site plan control. Site plan approval regulates the placement of buildings, architectural elevations of the buildings, parking, grading, drainage and storm water management, landscaping, fencing and similar details of site design. Appendix 2 provides the proposed site design.

Public Consultation

A public open house was hosted by Planning and Building Services on May 3, 2018. The purpose of the open house was to present the applicant's proposed Official Plan Amendment, Zoning By-law Amendment and site plan and afford an opportunity for attendees to ask questions and provide comments before staff recommendations are presented to Council for consideration. The applicant, planning consultant and architect were in attendance. Approximately 26 members of the public attended. Two letters of written correspondence have been received to date (Appendix 12). Questions raised at the Open House are summarized below, with corresponding staff responses, where available at this time.

Comment: Was a traffic study completed?

Response: A traffic study was completed as part of the original Heritage Point Plan of Subdivision, which included 40 Woodburn Avenue. No updated traffic impact study was required by the City since the local road network is able to accommodate the proposed development.

Comment: The proposed units will add to the number of vehicles in the area and create delays turning onto Westchester Crescent and Queenston Street.

Response: The vehicles associated with the proposed development can be accommodated on the local roads. The roads most directly affected by the subject development are under the jurisdiction of the Region (Queenston Street and Westchester Crescent). The existing traffic impact study identified and anticipated delays, and while the proposed development may add to potential delays, the thresholds are not sufficient to require any improvements or additional studies.

Comment: There is concern that the units and associated vehicles and visitors will impact the street parking surrounding the development site.

Response: The City's Zoning By-law (2013-283) requires that parking be provided at a ratio of 1.25 spaces per apartment unit. With 208 units proposed, the development is required to provide 260 parking spaces. 265 parking spaces have been provided, which meets the requirements to accommodate parking internal to the site.

Comment: Was an additional access from Westchester considered?

Response: The original Plan of Subdivision was approved with a single access from Woodburn Avenue. The applicant has proposed to use the lands at 50 Herrick Avenue to provide an additional entrance to the site. The applicant does not have ownership of additional lands to provide access from Westchester Crescent.

Comment: The location and height of the building will cause overlook to adjacent residential dwellings and yards.

Response: The proposed apartment buildings meet the permitted height and setback provisions, as outlined in the Special Provision 47 zoning for the site. The current proposal provides a greater setback from the adjacent dwellings to the north than what was initially proposed through the Draft Plan of Subdivision, where a parking lot was proposed within 4 metres of the lot boundary. Through the review of the Site Plan Application, City staff will also require additional landscaping to be located between the buildings, particularly where there are proposed balconies, and the adjacent residences to the North to provide buffer/screening from potential overlook.

Comment: Water has pooled on site where the proposed underground parking is shown. How will the water be drained from the site and will it be stable?

Response: The applicant will be responsible, as part of site plan approval, for submitting a stormwater management plan. No impacts on abutting lands are permitted.

Comment: Residents in the area have noticed cracks in basements and heaving in driveways and are concerned this has been caused by a high water table in the area and excavation that has taken place on site.

Response: Prior to any development or site works beginning, Staff require that applicants conduct preconstruction assessments of neighbouring properties when there is any chance that damage may occur.

Comment: Will the units be rental or condominium?

Response: No application for condominium has been submitted at this time.

Public Notice

In accordance with established procedures, notice for the public meeting has been circulated.

Financial Implications

All costs associated with this development will be borne by the developer. No direct financial impacts to the City are triggered should Council approve the subject applications.

Relationship to Strategic Plan

The relationship of the proposal to the City's Strategic Plan will be evaluated as part of the future recommendation report on this matter.

Conclusion

In summary, this report provides the planning context and explains the applications for Official Plan Amendment and Zoning By-law Amendment for 50 Herrick Avenue and 40 Woodburn Avenue. The amendments would facilitate land use designation and zoning for 50 Herrick Avenue that is consistent with the larger land holdings, abutting to the south (40 Woodburn Avenue). The Zoning By-law Amendment also proposes an amendment to existing Special Provision 47 to reduce the required landscape buffer along the Woodburn Avenue entrance. A Recommendation Report will be presented at the Council meeting tentatively scheduled for August 13, 2018.

Prepared and Submitted by:

Taya Devlin
Planner I

Approved by:

James N. Riddell, M.PL., MCIP, RPP
Director, Planning and Building Services

Aerial Photo Surrounding Area



Niagara Regional Air Photo (April, 2015)



Subject Lands

50 Herrick Avenue

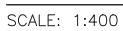
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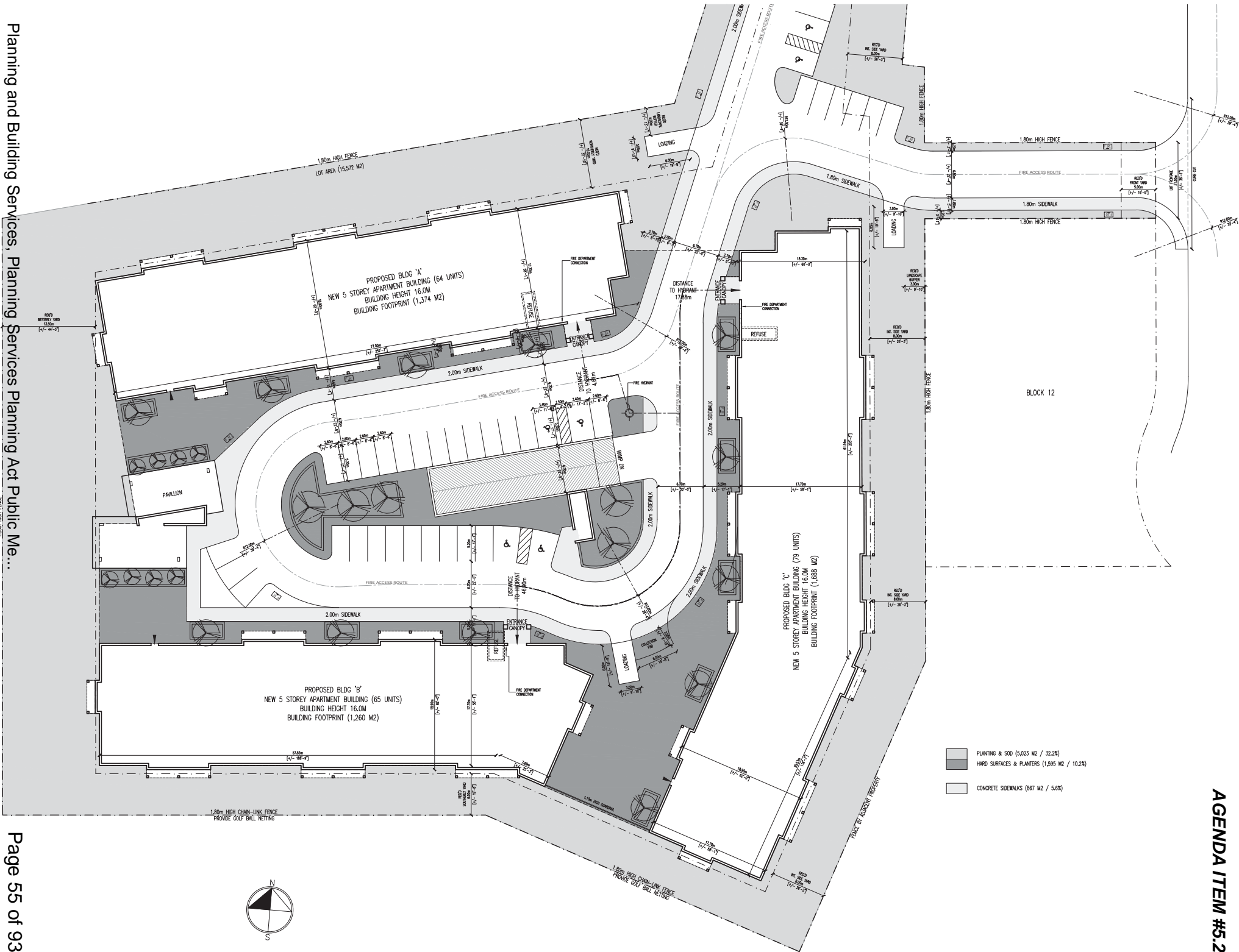


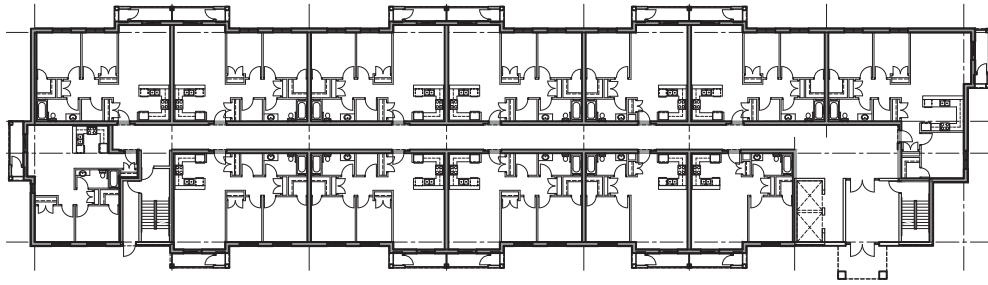
Adjacent Lands Owned by Applicant

40 Woodburn Avenue

Proposed Amendment to existing Special Provision 47







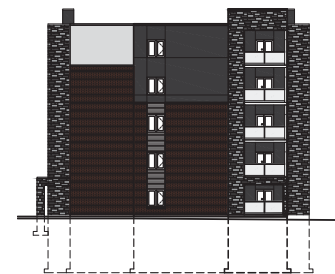
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SOUTH ELEVATION

SCALE: 1:250



EAST ELEVATION

SCALE: 1:250



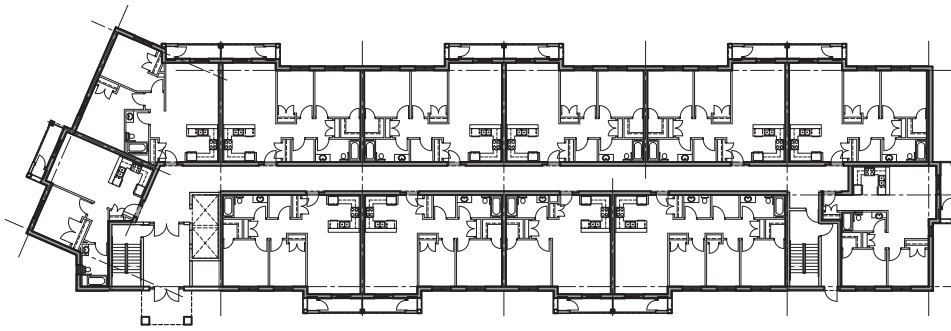
NORTH ELEVATION

SCALE: 1:250



WEST ELEVATION

SCALE: 1:250



GROUND FLOOR (BUILDING B)

SCALE: 1:250



NORTH ELEVATION

SCALE: 1:250



WEST ELEVATION

SCALE: 1:250



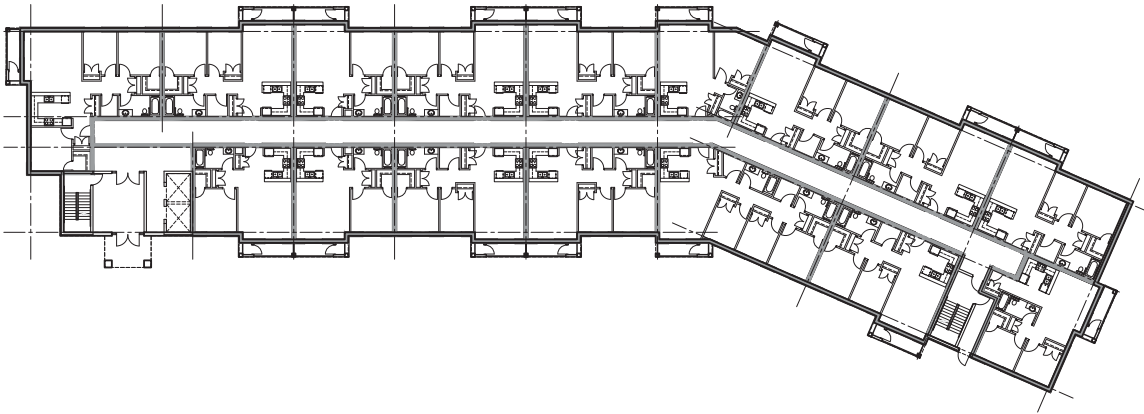
SOUTH ELEVATION

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EAST ELEVATION

SCALE: 1:250



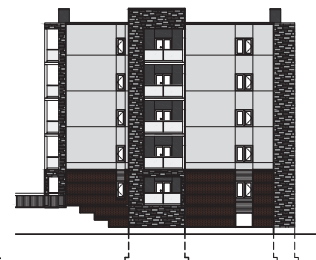
GROUND FLOOR (BUILDING C)

SCALE: 1:250



WEST ELEVATION

SCALE: 1:250



SOUTH ELEVATION

SCALE: 1:250



EAST ELEVATION

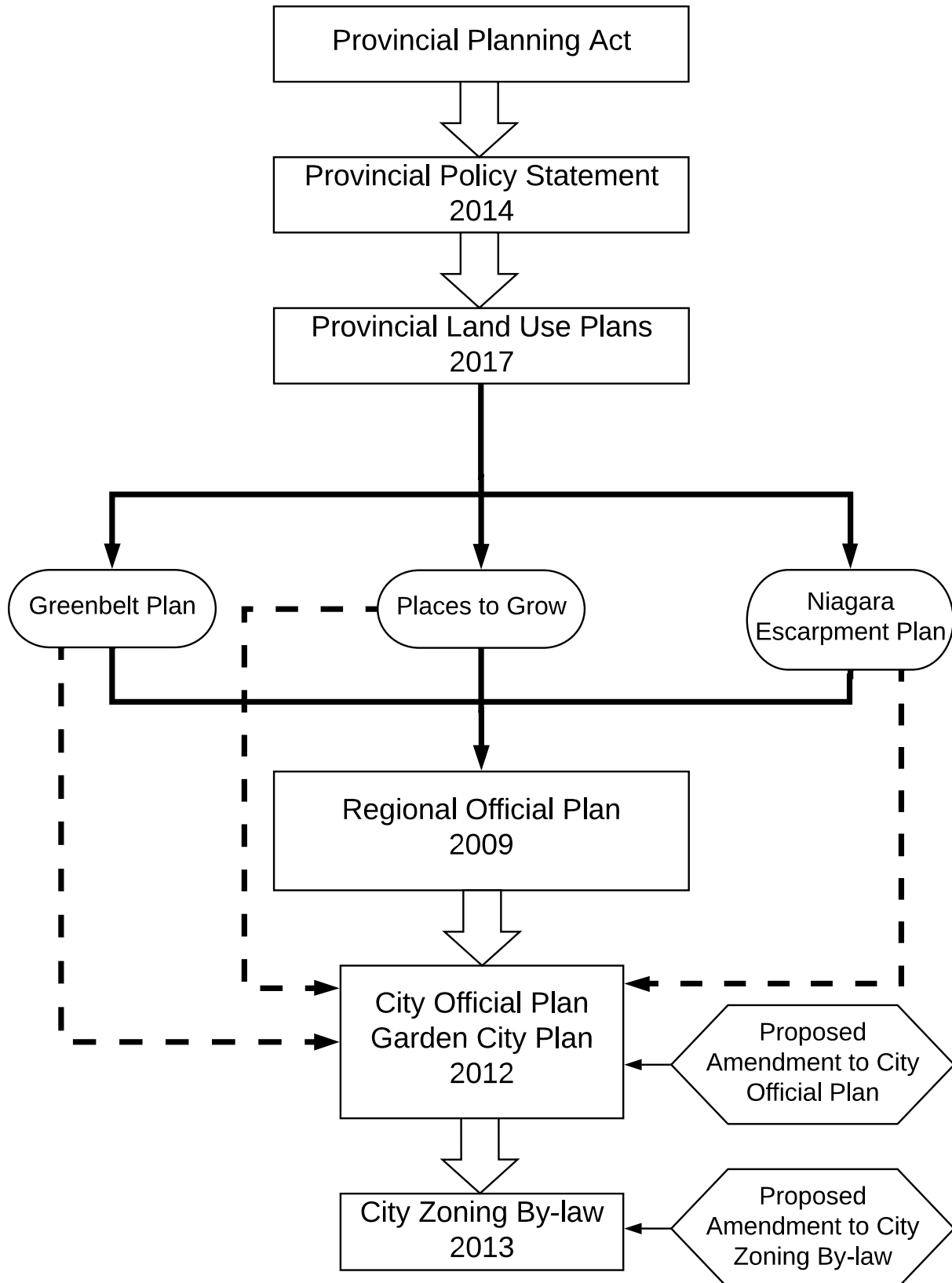
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NORTH ELEVATION

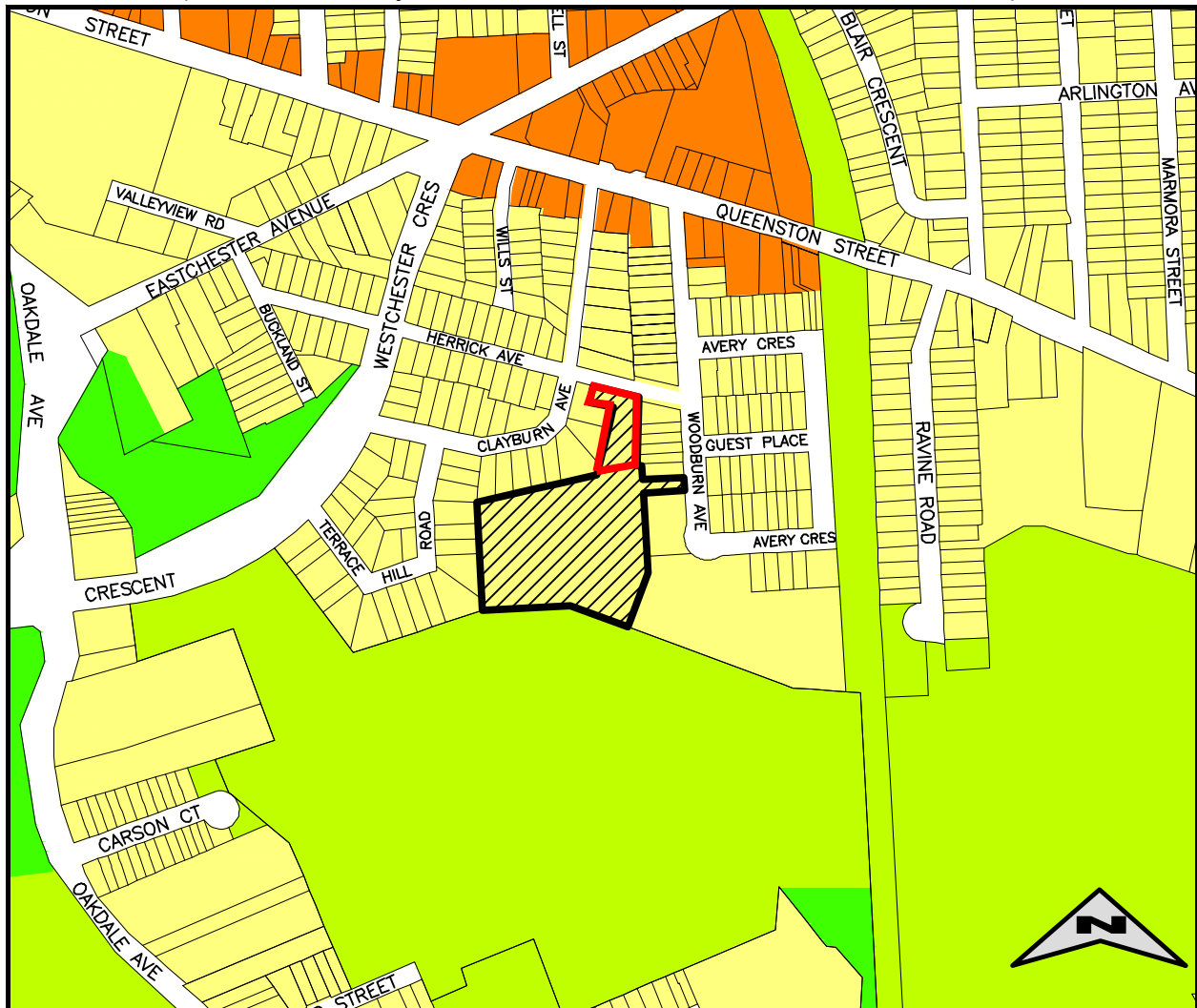
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Ontario Land Use Planning Framework



Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)





 Subject Lands (50 Herrick Avenue)

 Adjacent Lands owned by Applicant (40 Woodburn Avenue)

Land Use Designations

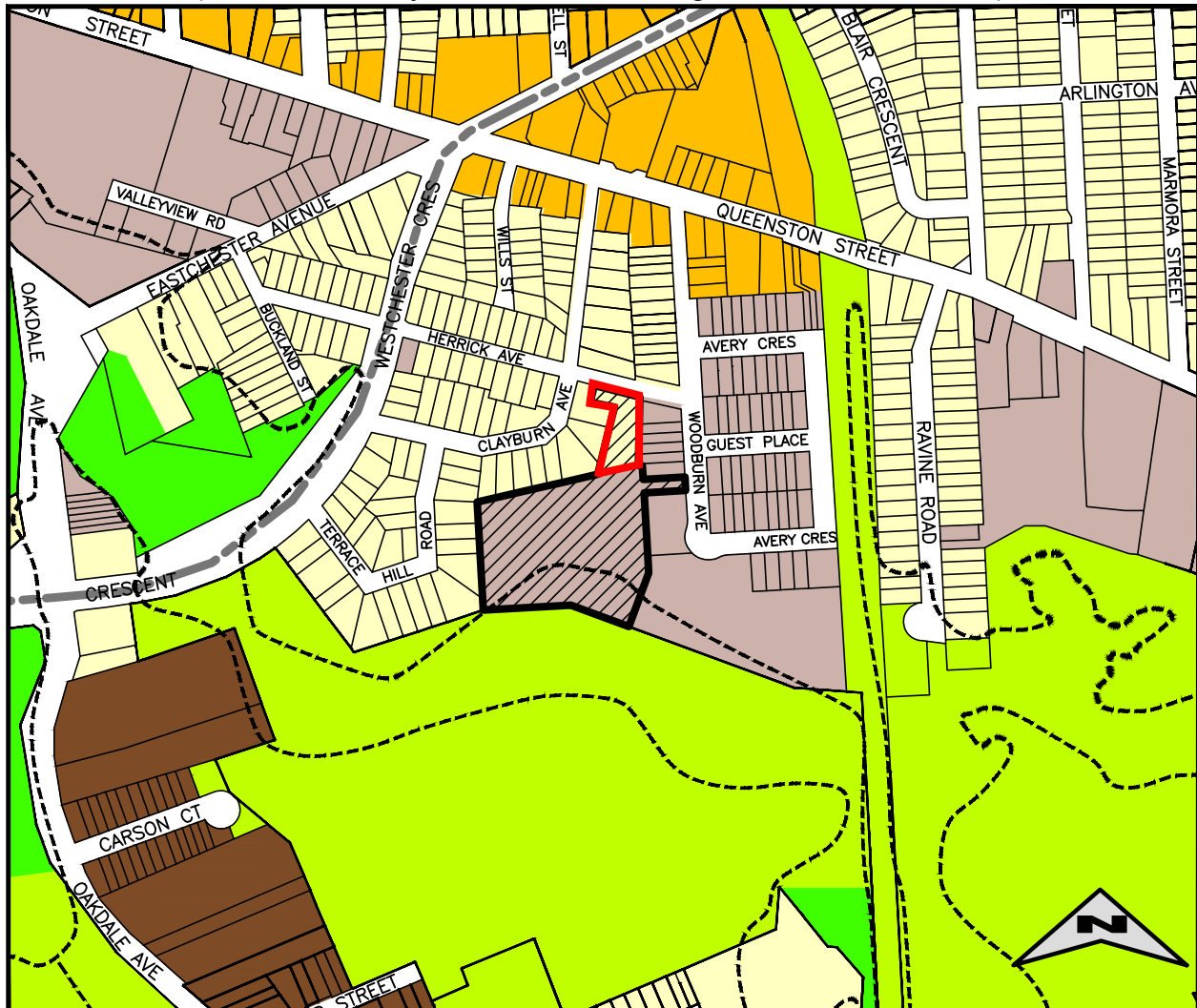
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 Mixed Use


 Natural Areas
 Parkland & Open Space

Files: 60.30.338, 60.35.1039 & 60.51.968

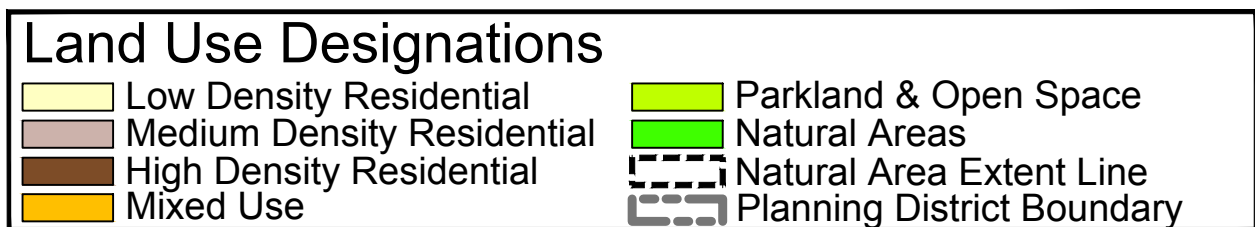
Existing Land Use Designation

(The Garden City Plan - East Planning District, Schedule E9)



 Subject Lands (50 Herrick Avenue)

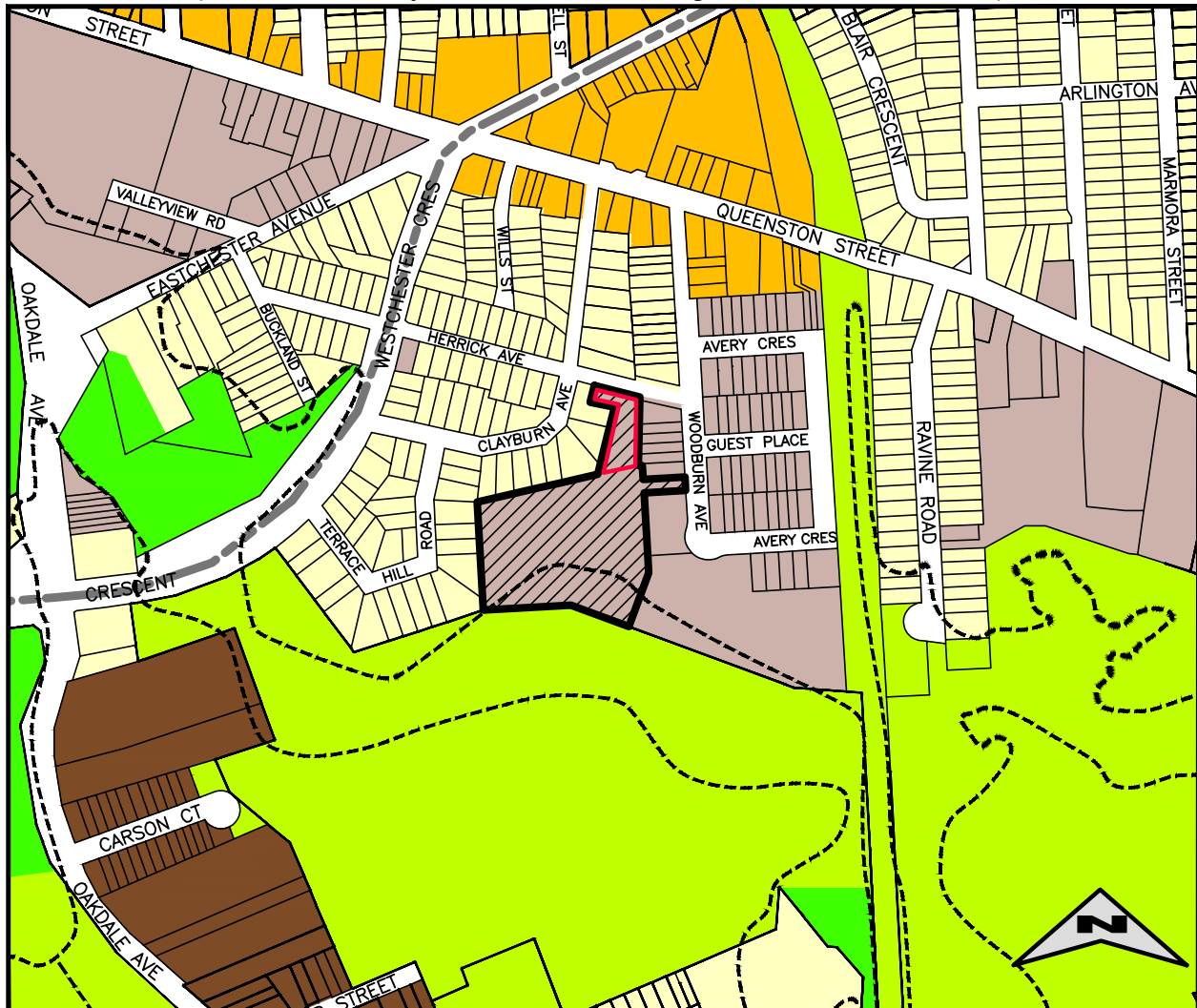
 Adjacent Lands owned by Applicant (50 Herrick Avenue)




Files: 60.30.338, 60.35.1039 & 60.51.968

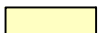







Proposed Official Plan Amendment

(The Garden City Plan - East Planning District, Schedule E9)



 Lands to be re-designated from Low Density Residential to Medium Density Residential

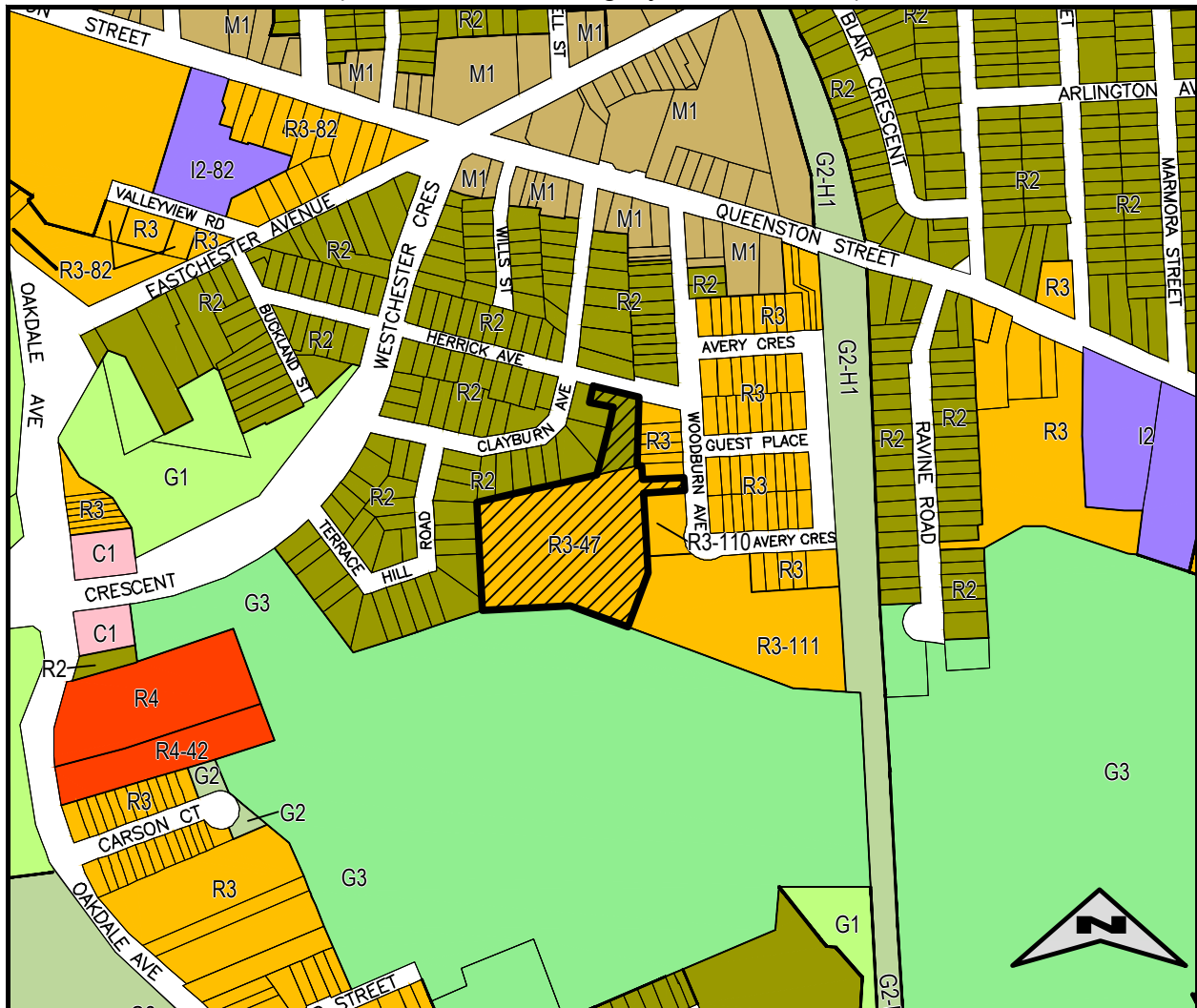
 Adjacent Lands owned by Applicant (40 Woodburn Avenue)

Land Use Designations	
	Low Density Residential
	Medium Density Residential
	High Density Residential
	Mixed Use
	Parkland & Open Space
	Natural Areas
	Natural Area Extent Line
	Planning District Boundary

Files: 60.30.338, 60.35.1039 & 60.51.968





Existing Zoning

(Schedule A - Zoning By-law 2013-283)



 Subject Lands (40 Woodburn Avenue & 50 Herrick Avenue)

Zones

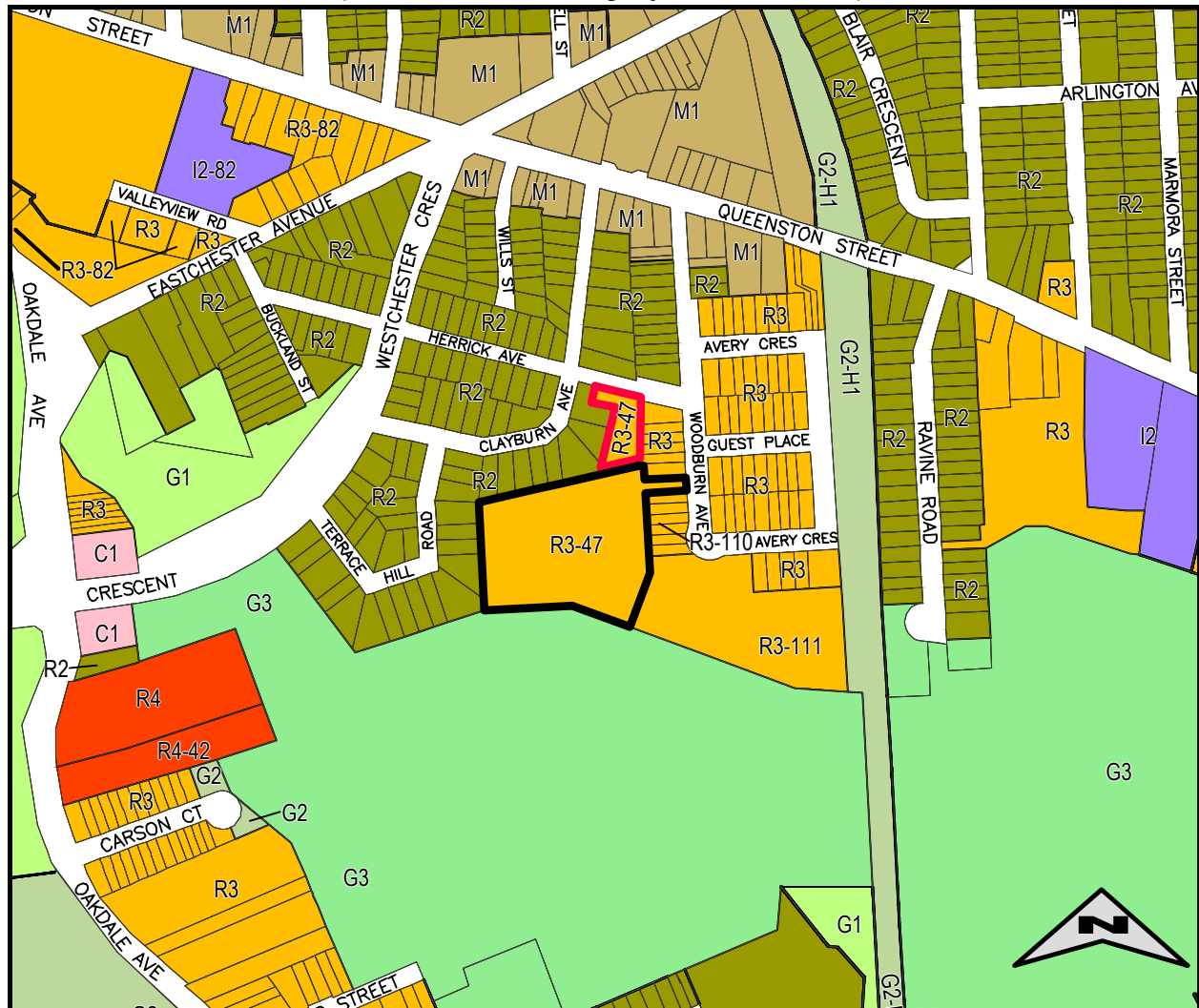
-  R2 Low Density Residential - Traditional Neighbourhood
-  R3 Medium Density Residential
-  R4 High Density Residential
-  C1 Local Convenience Commercial



-  M1 Medium Density Mixed Use
-  G1 Conservation / Natural Area
-  G2 Minor Green Space
-  G3 Major Green Space
-  I2 Community Institutional

Files: 60.30.338, 60.35.1039 & 60.51.968





Proposed Amendment to Zoning By-Law 2013-283

(Schedule A - Zoning By-law 2013-283)



-  Lands to be re-zoned from
Medium Density Residential with Special Provision No. 47 (R3-47) to
Medium Density Residential with amended Special Provision No. 47 (R3-47)
-  Lands to be re-zoned from
Low Density Residential - Traditional Neighbourhood (R2) to
Medium Density Residential with amended Special Provision No. 47 (R3-47)

Zones

 R2 Low Density Residential
- Traditional Neighbourhood
 R3 Medium Density Residential
 R4 High Density Residential
 C1 Local Convenience Commercial

 M1 Medium Density Mixed Use
 G1 Conservation / Natural Area
 G2 Minor Green Space
 G3 Major Green Space
 I2 Community Institutional

Files: 60.30.338 & 60.35.1039

Special Provision	Zone	Schedule A	Location	By-law
47	R3	15	40 Woodburn Avenue	
Provisions for apartment building/retirement dwelling/private road development				
1.	Minimum lot frontage		10 m	
2.	Minimum yard from the Municipal Golf Course		6 m	
3.	Minimum northerly side yard		10 m	
4.	Minimum rear yard (west)		13.5 m	
5.	Minimum landscape buffer		4 m along side and rear lot lines abutting an R2 zone	
6.	Balconies		Balconies shall be permitted to encroach 1.2 m into any required yard.	
7.	A retirement dwelling shall be permitted			
	a)	Retirement dwelling means a building containing dwelling units with a maximum floor area of 60 m ² . Individual dwelling units may not include facilities for cooking, dining, recreation or fitness activities but, rather, have access to facilities within the retirement dwelling for any one or more of these purposes;		
	b)	Retirement dwelling shall be subject to apartment building provisions;		
8.	Density per hectare:		No maximum number of dwelling units	
9.	Section 5.7 shall not apply;			
10.	Additional provisions for private road development – townhouses;			
	a)	Minimum easterly side yard:	6 m	
	b)	Minimum parking requirement:	2 spaces per unit, including one space to be provided in an attached garage. Tandem parking is permitted;	
11.	Minimum side yard for detached dwelling:		1 m	
12.	Maximum number of attached dwelling units:		8	
13.	No maximum lot area shall apply to detached dwelling, semi-detached dwelling and duplex.			

Note:

Applicable Official Plan Policies

City of St. Catharines Garden City Plan

Policies
PART B: VISION AND GUIDING PRINCIPLES
<p>2.3. Managing Growth and Change</p> <p>2.3.1 Municipal Planning Structure</p> <p>3. Planning Areas The City is divided into two primary planning areas – the Urban Area and the Agriculture Area.</p> <p>i) Urban Area The Urban Area is established by the Region of Niagara Policy Plan and is set out on Schedule D ‘Municipal Structure’ of this Plan. This area is intended to provide urban development opportunities on full municipal services to accommodate the majority of the City’s projected future population and employment growth.</p> <p>2.3.3. Accommodation of Growth</p> <p>1. Projected population, housing and employment will primarily be accommodated within the Urban Area as defined on Schedule D ‘Municipal Structure’.</p> <p>2. The Plan recognizes a finite Urban Area, and within it, a diminishing vacant land supply and a finite occupied land base to accommodate projected population and employment growth.</p> <p>3. Growth will be accommodated by:</p> <ul style="list-style-type: none"> i) the efficient usability of vacant and occupied lands; ii) more compact built form and density of development; iii) the reuse, rehabilitation, regeneration, intensification and enhancement of the built environment; iv) redevelopment and build out of underutilized properties; v) a more integrated, interactive mix of uses, activity and functions; vi) service, infrastructure, energy, transportation sustainable, accessible, efficient and supportive development; vii) design initiatives to support: <ul style="list-style-type: none"> • compatible, innovative, efficient and sustainable building and site design; • enhanced natural and cultural heritage protection, preservation and conservation;

- greening;
- an accessible, integrated, interactive, usable and connected public realm within and between different use and activity areas, functions, landscapes and identities;

viii) recognizing the preferred mix and interaction of uses contemplated, the City's Urban Design Guidelines shall be emphasized in the evaluation of all development, redevelopment and intensification opportunities;

ix) the upgrading of existing infrastructure and public service facilities, and where required, the provision of new infrastructure and public service facilities to ensure adequate service capacity to support development, redevelopment and intensification.

x) providing a balance of housing and employment opportunities to maximize the opportunities for people to live and work in St. Catharines, and to maintain a sustainable healthy tax base to support a balanced and complete community, and sustainable long term growth and development opportunities.

4. This Plan establishes a land use planning framework consistent with and supporting the growth and intensification strategy and the achievement of minimum density targets set out in the Provincial Growth Plan for the Greater Golden Horseshoe, 2006, (referenced as the Provincial Growth Plan) as follows:

i) Built Boundary – the Provincial Growth Plan establishes a Built Boundary which represents the limits of the developed Urban Area of the municipality, as defined by the Ministry of Infrastructure Renewal. The Built Boundary for St. Catharines is defined on Schedule D 'Municipal Structure' of this Plan.

6. Employment

i) The land use plan provides opportunities for a diverse range, mix, scale and location of economic activities to accommodate projected employment growth forecasts.

To accommodate projected employment growth forecasts, and support long term sustainable employment opportunities, economic development and competitiveness, this Plan promotes and emphasizes:

- the provision of an adequate, available, suitable, variable and competitive choice of vacant employment lands to attract and accommodate a diverse range of new economic activities.
- reuse, rehabilitation, redevelopment and enhancement of occupied employment lands to accommodate new or expanded economic activity and employment opportunities;

- transit supportive, public realm, design and greening initiatives to provide compatible, efficient, functional, connected, accessible, interactive, environment friendly and sustainable development.
- clustering of like activities to support compatible development and encourage integrated, interactive and connected business and employment opportunities.

iv) Population serving commercial, institutional, recreation, and cultural uses generate significant employment opportunities outside the Urban Growth Centre and Employment Lands.

ii) This Plan will ensure opportunities for commercial, institutional, recreational and cultural activities to help build complete communities adequately serve and support local resident needs and employment opportunities, and to support and attract tourist related activity and employment.

PART C: GENERAL POLICIES

4. URBAN DESIGN

4.1. Urban Design Principles

Good urban design is a key planning tool to create sustainable communities. Sustainable design involves the holistic design of communities and buildings for long-term economic prosperity, social harmony and stability, minimized environmental impact, and strengthened cultural identity.

The development of St. Catharines will be based on the following sustainable design principles:

- a) a strong sense of identity and place as the “Garden City”;
- b) innovative and sustainable design;
- c) a stimulating, attractive, and safe public realm;
- d) compatibility of new development with established areas;
- e) universal access to public areas;
- f) conservation of heritage buildings and structures;
- g) protection of the natural environment and processes;
- h) a compact, walkable, bikeable and well connected community;
- i) a range of choices for housing and transportation ;
- j) mixed-use nodes and corridors;
- k) complete streets for all users;
- l) building design to support street life.

4.3. The Natural Environment

St. Catharines is located between Lake Ontario and the Niagara Escarpment, with numerous creek systems and environmentally sensitive natural areas. In the urbanized areas, the relationship to these natural features and areas will be enhanced through a thoughtful approach to their conservation, visibility, and accessibility.

2. The enjoyment of the valleys and ravines will be protected and enhanced by ensuring that adjacent development, particularly from building height and massing, will protect for views and vistas.

3. Development and redevelopment activities will be designed to be compatible in scale and character with natural features and areas, and enhance the visual qualities and public enjoyment of those features and areas.

4. Site design and planning will consider the existing topography and the preservation and enhancement of vegetation, natural features and areas, open space, and naturalized areas. This includes:

- a) Ensuring that existing naturalized open space on lands proposed for development/redevelopment is retained to the maximum extent possible, and where retained, is allowed to regenerate with minimum intervention;
- b) Enhancing ecological stability by supporting the use of low maintenance landscape features and materials;
- c) Supporting the use of native plant species when creating new plant communities or when adding to existing native plant communities;
- d) Applying development standards designed to maximize retention of all woodlots and other natural features and areas;

6. A program of tree planting, preservation, and landscaping will be undertaken so that all areas are provided with trees and other vegetation to maintain a high standard of amenity and appearance, with specific emphasis given to the Urban Growth Centre and Intensification Areas, as set out on Schedule D 'Municipal Structure', at the time of infrastructure renewal and reinvestment.

7. In all public works, trees should be retained and when trees must be lost to accommodate the works, they will be replaced as soon as possible by other trees of sufficient maturity and in sufficient numbers to enhance the appearance of the public works.

8. Where development or redevelopment may necessitate the loss of existing trees or vegetative planting on a public right-of-way, they will be replaced and relocated on the public right-of-way in the immediate vicinity of the affected lands, to the satisfaction of the City or the Region of Niagara, and at the cost of the proponent.

4.4. The Public Realm

The public realm – the streets, parks, squares, public buildings, and open spaces, is a critical component of city life, drawing people together and providing the setting for festivals, cultural events, and recreational and leisure activities, as well as for daily casual contact. They create strong social bonds and help establish our public identity.

1. Urban design opportunities to enhance the quality of the public realm shall be encouraged as part of the design of all municipal undertakings, including public parks and buildings, public streets, natural areas, and all municipal engineering projects related to public spaces. The design of such projects will consider:

- a) the introduction or improvement of linkages where existing areas are inadequately connected to each other or between public places;
- b) improvements to streetscapes, including pedestrian-scale lighting, bicycle facilities, street furniture, signage, landscaping, and enhanced active transportation wherever road improvements occur;
- c) naturalization opportunities including the use of native species of trees in development of open spaces;
- d) the placement of a broad range of art works in publicly accessible and visible locations;
- e) roadway design to maximize the preservation and maintenance of natural features and the development of complete streets;
- f) the protection and enhancement of major vistas, gateways, and scenic routes;
- g) measures to mitigate light trespass and glare to minimize the effects of sky glow.

3. Where feasible, major public and private development projects will be required to incorporate public spaces, bicycle facilities and sidewalks to support connections to the City's pedestrian, bike and transit network.

4.5. Built Form

1. As a basis for evaluating compatibility and for achieving design excellence, development/redevelopment will be designed in a manner that reflects the principles established in Part C, Section 4.1 of this Plan and that maximizes compatibility with the surrounding area in terms of the following matters:

- a) Building scale, height, gradation of height, and massing.
- b) Spacing of buildings.
- c) The level and visibility of the ground floor relative to exterior grade
- d) Roof form and pitch, together with any other structures on the roof.
- e) The placement, number, type and proportion of doors and windows.
- f) Use of materials, textures, and colours.
- g) Continuity in the provision, location, and linkage of amenity, open space, and green corridors.

- h) Preservation and enhancement of significant views and vistas.
- i) Retention of natural vegetation and other distinctive landscape or streetscape features.
- j) The overall scale of the development as it relates to the surrounding area. In this regard, factors contributing to compatibility include avoiding long unbroken expanses of walls; creating relief in walls; the use of varied colours, textures, types, qualities and patterns of finish materials; roofline articulation.
- k) Mitigating light trespass and glare and to minimize the effects of sky glow.
- l) Mitigating wind, sun shadow impacts.

2. Development/redevelopment will locate parking, service areas, and utilities to minimize the impact on the property, surrounding area, and the environment by:

- a) Consolidating and minimizing the width of driveways and curb cuts.
- b) Providing underground parking or parking structures where possible.
- c) Limiting surface parking between the front and flanking face of a building and the public street.
- d) Providing perimeter landscaping as well as landscaped interior islands.
- e) Using permeable pavement systems or other low impact development practices.
- f) Connecting parking areas to the street through safe, landscaped pedestrian walkways.
- g) Integrating utilities as part of the building and site design, where feasible.
- h) Ensuring safety for active transportation.

3. Development/Redevelopment may be required to provide amenities for adjacent streets and open spaces such as street furniture, bicycle parking facilities, trees, signage, and lighting to ensure they are fully integrated into the surrounding neighbourhood.

4. Major development/redevelopment proposals shall be required to prepare an urban design scheme (site plans, building elevations, context plans, and other studies) to determine impacts on the physical compatibility of the surrounding area and on the long term development or redevelopment potential of the area.

4.6. Universal Access

Universal access means providing a broad range of users with varying needs the opportunity to move through the City independently with as few obstacles, physical and psychological, as possible.

1. New buildings, the retrofitting of existing municipal buildings and public spaces shall be designed to foster and support accessibility by all citizens. The full range of abilities of all ages and users shall be considered in the design of the built environment.

2. The travelled portion of pedestrian and bicycle routes shall be kept free from obstructions or projections of street furniture, fixtures, or buildings.

3. Barrier-free features shall be well-integrated within the functional and aesthetic design composition, including but not limited to:

- i) ensuring appropriate driveway and sidewalk height to length ratios to support safe accessibility and travel for all;
- ii) requiring sidewalk curb cuts at all intersections;
- iii) requiring paving changes be incorporated at grade changes and intersections;
- iv) requirements for accessibility parking spaces;
- v) encouraging other features appropriate to ensure that barrier free design is provided.

4.7. Personal Safety

Design, through sensitive site layout, location of public spaces and road design, can have a significant influence on the safety of an environment based on the “eyes on the street” philosophy.

1. Publicly accessible spaces shall be located near public roads, transit stops, or other public spaces in order to allow public surveillance.
2. Adequate lighting shall be provided in concealed areas or those areas where visibility may be poor.
3. Views shall be provided into, out of, and through publicly accessible spaces.
4. Access points from public and public accessible spaces shall be clearly identified.
5. Public spaces shall be designed to encourage a variety of activities on a daily, weekly, and seasonal basis.

4.8. Landscaping

Landscaping has a number of significant roles to play in creating interesting and functional places.

1. Landscaping design shall:

- a) enhance the visual appeal of development.
- b) buffer unsightly areas or uses that are incompatible.
- c) promote the use of native species.
- d) provide seasonal variation in form, colour, texture, and representation.
- e) promote human scale and create an attractive environment for pedestrian movement.

- f) assist in energy conservation.
- g) mitigate the effects of inclement weather.
- h) preserve and compliment existing natural landscape.

2. Appropriate buffering will be required between all uses of land where there may be a conflict and where one use may detract from the enjoyment.

5. TRANSPORTATION

5.1. General Policies

1. A Sustainable Transportation Master Plan will be prepared that will outline the City's strategic direction for the development of its transportation networks, programs, and priorities, and how it can best implement the complete streets concept and integration with transit, active transportation, trails and bike route networks. The policies of this Plan together with the Sustainable Transportation Master Plan will contribute to the overall transportation management strategy for the City.

2. The transportation system shall be designed to complement and facilitate the City's achievement of planned land use patterns, growth objectives, and urban structure, and shall have regard for upper tier government transportation policies and initiatives.

3. To facilitate a greater multi-modal split, with less emphasis on the automobile, the City will balance the provision of a safe, functional, and attractive pedestrian and cycling oriented environment with an acceptable level of vehicular traffic. The City may accept a level of automobile service which is less than optimum in return for a more pedestrian and cycling oriented environment, transit supportive development, and a vibrant public realm.

4. The City will encourage and facilitate alternative forms of transportation that promote energy conservation and a healthy lifestyle.

5 A Transportation Impact Study may be required for new development or redevelopment to assess transportation demands, impacts, and opportunities.

6. To implement the findings of the Transportation Impact Study, the City will include conditions of approval that support safe and functional pedestrian and cyclist movement, including:

- a) The acquisition of easements and dedication of land for sidewalks, bicycle trails, transit stops, or other facilities;
- b) The provision of associated amenities such as transit shelters, bicycle parking facilities, and lighting;
- c) Site, building, and road designs that meet the needs of pedestrians, cyclists, and transit users.

7. The City shall consider various traffic calming and transportation demand

management measures to reduce the negative impacts of traffic, and to promote safer streets and the concept of complete streets.

5.3. Alternative Forms of Transportation

This Plan recognizes that in order to achieve a healthy and livable community, the transportation system now and in the future, will need to reduce reliance on the automobile in favour of more sustainable forms of connective transportation such as walking, cycling, and transit.

1. Transit

1. Transit will provide access to residential areas, employment areas, schools and other institutions, community facilities, downtown, shopping areas and recreational areas in an efficient and reliable manner.

7. The City shall encourage the provision of convenient, safe pedestrian access and a maximum walking distance of 400 metres to transit facilities through its planning approvals.

3. Pedestrians

1. The City shall ensure that the transportation system will be designed to provide continuous and direct access by sidewalks and walkways to schools, recreation and cultural destinations, community services, major activity centres, and other high volume pedestrian centres.

2. Streetscape design shall provide safe, convenient, and attractive pedestrian ways and connections.

4. Pedestrian safety will be enhanced on sidewalks and walkways through the provision of lighting and /or public visibility, where feasible.

5. Sidewalks are to be built to a standard that facilitates the mobility of persons with disabilities.

5.4. Parking

Parking is an integral component of the transportation system, influencing travel patterns and development potential. It is the intent of this Plan to ensure the location and design of parking facilities will provide sufficient and safe functioning of the transportation system, and balances the needs of the travelling public with the goal of promoting other modes of transportation. In keeping with the "Garden City" image, it is also important to ensure that large expanses of barren asphalt lots are not created.

1. Vehicle parking standards will be established for all land uses in the implementing zoning by-law, and adequate off-street parking shall be provided for development/redevelopment in accordance with these standards. Zoning bylaws may establish maximum as well as minimum parking requirements for both vehicles and bicycles.

6. The negative impacts of vehicular parking on the urban environment, cycling and pedestrian activity shall be minimized through:

- a) locating parking and loading areas at the rear of buildings where feasible;
- b) use of alternative paving materials such as permeable pavement systems;
- c) alternative surface water management such as swales and ditches;
- d) landscape treatments and pedestrian walkways in accordance with the Urban Design Guidelines;
- e) Buffering sidewalk users from through traffic, where feasible.

5.5. Rail

1. Consultation is required with Canadian National Railway or Trillium Railway, where applicable, for any development, redevelopment or site alteration adjacent to or within the vicinity of railway main line or spur line right-of-ways. Noise, vibration, drainage and other studies may be required in the evaluation of development, redevelopment or site alteration. Noise and vibration attenuation, minimum building, structure and use setbacks from the rail right-of way, berming, buffering, safety features, and other mitigative measures may be required, as well as safety clauses, restrictive covenants, environmental easements and assigning of rights-of way.

6. ACHIEVING A SUSTAINABLE CITY

6.1. General Policies

1. The City shall develop an Integrated Community Sustainability Plan that will provide guidance for the development or alignment of all municipal plans, policies and decisions under one integrated decision-making framework.

2. The City shall support sustainable development through land use and development patterns that:

- b) Promote the use of public transit and other alternative transportation modes among residential, employment and commercial areas, and other activity centres;
- c) Promote development/redevelopment throughout the City's Urban Area on sites that are or will be well served by public transit, with particular emphasis on the Downtown Urban Growth Centre and Intensification Areas as set on Schedule D 'Municipal Structure'.
- d) Promote design and orientation that maximizes the use of alternative or renewable energy sources, such as solar and wind, and the mitigating effects

of vegetation.

3. All of the City's sustainable development principles shall be considered when reviewing applications for development, public works, and capital expenditures.

6. In making decisions about planning, development, and conservation, within the sustainability framework, the City shall employ an ecosystem approach addressing:

- a) The interrelationships among air, land, water, plant and animal life, and human activities;
- b) The health and integrity of the broader landscape, including impacts on the natural environment in neighbouring jurisdictions;
- c) The long term and cumulative impacts on the ecosystem.

7. Development should maintain, enhance, or restore ecosystem health and integrity.

8. The City will collaborate with Niagara Region, the Niagara Peninsula Conservation Authority and other appropriate stakeholders, in developing and maintaining an environmental data base and monitoring program to assess ecosystem health and integrity and recommend improvements, where necessary, to this Plan.

6.5. Water Resources

4. A Stormwater Management Plan prepared by a qualified engineer, and based on sediment and erosion control guidelines from the Niagara Peninsula Conservation Authority (NPCA), as amended from time to time, may be required with an application for development, redevelopment or site alteration depending on:

- i. The scale and nature of the proposal.
- ii. Site specific environmental conditions.

The City, in conjunction with the Region, the Niagara Peninsula Conservation Authority (NPCA) and other authorities will determine the need for such a plan as part of the complete application process. Stormwater Management Plans will be required to consider alternative approaches to traditional stormwater management such as Low Impact Development practices as noted in Part D, Section 7.1 g) of this Plan.

6.6. The Urban Forest

4. Planning applications shall integrate natural features and natural vegetation, including the planting of native species, into development plans.

PART D: LAND USE POLICIES

7. GENERAL POLICIES

7.1 Development / Redevelopment

Development and redevelopment within the Urban Area shall be evaluated having regard for the following:

- a) Support for safe, accessible and connected active transportation linkages within and between residential neighbourhoods, other activity centres, uses, and the City's public realm and open space network.
- b) Opportunities to create or enhance public places, active transportation linkages, facilities and gateways.
- c) Building, site and streetscape context sensitive design to ensure:
 - i) Integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood;
 - ii) Adverse impacts on adjacent properties are minimized in regard to grading, drainage, location and design of service utilities and areas, access and circulation, parking, transition in height, privacy, views, vistas, microclimatic conditions, and protection of the natural features, functions and hazards.
 - iii) Possible negative impacts such as noise, odour, and emissions are not excessive in relation to the predominant land use character and function of the area;
 - iv) Adequacy of lot size, access, on-site facilities and outdoor amenity areas to accommodate use;
 - v) Provision of parking areas that do not dominate the site physically or visually, and maximize opportunities for perimeter and internal landscaping.
- d) The preservation, conservation, enhancement and integration of natural and cultural heritage features, landscapes and identities.
- e) Opportunities to support and improve connectivity and accessibility to public transit and active transportation, including carpooling and carsharing.
- f) Treatment of existing topographic and vegetative features, and greening and landscaping opportunities.
- g) The best use of existing resources, infrastructure and service capacity. Development/redevelopment will only be permitted where there is adequate municipal water and wastewater service, waste management, and public service facilities. Compatible and practical on-site renewable water, waste and energy management techniques and design are encouraged, including Low Impact Development (LID) practices.
- h) Surface parking areas should be minimized and shared parking areas, standards and access shall be encouraged where compatible, and adequate and appropriate for intended level of service.

Parking areas and access should be designed to optimize greening opportunities, and to support reduction of heat islands, sustainable storm water management, limited access points to public roads, and provide for safe and friendly active transportation circulation.

i) Development will only be permitted where the sustainable transportation system is adequate to accommodate anticipated traffic volumes, generation, circulation and use.

j) Land assembly and configuration will not detract from the potential development or redevelopment on adjacent properties, or create isolated parcels which may otherwise have future development or redevelopment potential.

k) Alternative and innovative lotage patterns are supported provided that compatible street, building and site context sensitive design with adjacent properties and the surrounding neighbourhood can be achieved; and adequate and maintained access to a public road is provided and ensured.

l) Direct vehicular access from individual properties to the Welland Canals Parkway is not permitted.

7.2 Contaminated Sites

ii) On all lands known or suspected of potential environmental hazards, the City shall require, prior to consideration of approval for development /redevelopment or site alteration, appropriate studies to assess potential hazards. Protective or mitigating measures may be applied to the subject lands, subject to study evaluation and Provincial standards. A record of site condition may be required.

iii) On all lands subject to Official Plan or Zoning By-law amendment or Subdivision approval, an environmental site assessment from the proponent will be required as a condition of approval, identifying that the site has been investigated and found to be free from contamination subject to Provincial standards. A record of site condition may be required. Where hazards are identified, they shall be subject to appropriate studies, and protective or mitigating measures may be applied.

8. NEIGHBOURHOOD RESIDENTIAL

8.1. Residential Use Designations

1. Low Density

The Low Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 metres.

2. Medium Density

The Medium Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a

density range generally between 25 and 99 units per hectare of land. Height of buildings will generally not exceed 20 metres.

13. GREEN SPACE

13.1. PARKLAND AND OPEN SPACE

The Parkland and Open Space designation is intended to provide opportunities for a variety of active and passive recreational opportunities, to provide relief from the built environment, and to support opportunities for conservation and enhancement of cultural and natural heritage.

Parkland and Open Space is designated on Schedule D1 'General Land Use Plan' and on District Plans in Part E. Schedule F1 'Parkland and Major Trails' of this Plan also identifies public parkland, and existing and proposed major trails. For the convenience of mapping, not all parkland and open space may necessarily be shown on the Schedules of this Plan, primarily where they are small in size such as small trails and special urban parks. Specific reference should be made to the City's Parks Policy Plan and the Recreation Master Plan.

1. Permitted Uses

Permitted uses include:

- i) private and public parks, and open space linkages;
- ii) cemeteries;
- iii) active or passive indoor and outdoor recreational facilities;
- iv) cultural heritage;
- v) essential operations for service infrastructure and utilities.

a) Permitted uses may be allowed provided that:

- i) the use of land does not conflict with the policies in this Plan related to natural hazard lands, natural heritage or cultural heritage resources;
- ii) the design minimizes or eliminates any potential instability of slopes;
- iii) all structures, parking areas and active playing fields are attractively designed and landscaped in order to enhance their appearance, and are appropriately setback and buffered between adjacent properties.

b) Ancillary uses may be permitted where they provide complementary services and facilities to the main use, and will be limited in size subject to zoning bylaw regulation.

13.2. NATURAL AREA

The City's Natural Area is comprised of a diverse natural heritage system of rivers, streams, valleylands, wetlands, shoreline, woodlots, forests, natural areas, habitats and corridors. Not only are these natural areas and features environmentally significant on a local neighbourhood and community basis, but many are also of regional, provincial, national or world significance.

The Natural Area is more specifically defined as Natural Hazard Lands and Natural Heritage as set as follows:

a) Natural Hazard Lands

- i) shoreline;
- ii) floodplain;
- iii) significant valleylands;

b) Natural Heritage

- i) wetlands;
- ii) significant woodlands;
- iii) fish habitat;
- iv) areas of natural and scientific interest;
- v) significant habitat of endangered species and threatened species;
- vi) significant wildlife habitat;
- vii) natural corridors;
- viii) key hydrologic features.

The purpose of the Natural Area policies of this Plan is to promote the long term sustainability of Natural Hazard Lands and Natural Heritage by supporting:

- the protection, preservation, restoration , maintenance, and where possible, the improvement of a diverse, connected and integrated system of natural areas, features, hazard lands, habitats, corridors and associated biological and ecological functions.
- a diverse, connected and integrated system of local natural heritage with that of the Region of Niagara Core Natural Heritage System, the Provincial Greenbelt Plan Protected Countryside and Natural Heritage System, and the Provincial Niagara Escarpment Plan.

13.2.1 Natural Area Mapping

1. Natural Area Designation

Lands designated Natural Area on Schedule D1 'General Land Use Plan' and on District Plans in Part E contain one or more of Natural Hazard Lands and/or Natural Heritage mapped by the City.

Development, redevelopment, site alteration and use of lands within and adjacent to the City's Natural Area designation is subject to the policies set out in Section 13.2 of the Plan.

2. Natural Area Extent Line

Natural Hazard Lands and Natural Heritage are also mapped by the Province, the Region of Niagara and the Niagara Peninsula Conservation Authority (NPCA). This mapping is shown on Schedule F2 'Natural Hazard Lands' and Schedules F3 and F4 'Natural Heritage' of this Plan.

Upper tier government and NPCA mapping of Natural Hazard Lands and Natural Heritage on Schedule F2, F3 and F4 does not necessarily coincide with, and often extends beyond the City's Natural Area designation shown on Schedule D1 'General Land Use Plan' and on District Plans in Part E of this Plan.

The combined furthest extent and limit of all the Natural Hazard Lands and Natural Heritage mapping identified on Schedules F2, F3 and F4 is shown as an overlay on District Plans in Part E, identified as the 'Natural Area Extent Line'. Development, redevelopment, site alteration and use of lands within and adjacent to the Natural Area Extent Line is subject to the policies set out in Section 13.2 of the Plan.

3. Niagara Natural Environment Screening Layer

Further to Natural Area mapping set out in Section 13.2.1.1 and 13.2.1.2 above, the NPCA establishes a Niagara Natural Environment Screening Layer. The 'Screening Layer' is shown on Schedule F5 of this Plan, and the limits of which generally extend onto lands beyond the City's Natural Area designation as well as the Natural Area Extent Line.

Development, redevelopment, site alteration and the use of lands within the 'Screening Layer' may be subject to Provincial or Region of Niagara policies, regulation or controls as applied to Natural Hazard Lands and Natural Heritage and/or subject to NPCA regulation or controls in accordance with Ontario Regulation 155/06 as amended from time to time. Ontario Regulation 155/06 applies to watercourses, significant valleylands, floodplains, shorelines and wetlands.

4. Interpretation

- i) The Natural Area mapping set out on the Schedules of this Plan should not be construed as representing the precise boundaries or all of known Natural Hazard Lands and Natural Heritage.
- ii) Natural Hazard Lands and Natural Heritage may be defined more precisely through Watershed, Environmental Planning Studies, Environmental Impact Studies (EIS), the NPCA, or other government or regulatory authority and mapping.

iii) Where through the review of a planning application it is found that there are important environmental features or functions that have not been adequately evaluated, the applicant shall have an evaluation prepared by a qualified biologist in consultation with the City, Region of Niagara and where appropriate, the NPCA and the Ministry of Natural Resources. If the evaluation finds one or more natural features meeting criteria set out by the Region of Niagara Policy Plan and/or the NPCA for inclusion as Natural Hazard Lands or Natural Heritage, the applicable policies for such features as set out in Part D, Section 13.2 of this Plan will apply.

iv) Where new Natural Hazard Lands or Natural Heritage are identified or where more accurate mapping is available in which may modify the location or extent of Natural Hazard Lands or Natural Heritage, Schedules F2, F3, F4 and the Natural Area Extent Line shown on District Plans in Part E may be updated without amendment to this Plan.

Where new Natural Hazard Lands or Natural Heritage are identified, they shall be considered for inclusion as a Natural Area designation in this Plan. Where a new Natural Area designation is to be added or where a significant modification is made to an existing Natural Area designation on Schedule D1 'General land Use Plan' and District Plans in Part E, an amendment to this Plan is required. Minor boundary adjustments to an existing Natural Area designation may be made without an amendment to this Plan.

v) Schedule F5 of this Plan represents the general location of the Niagara Natural Environment Screening Layer. Reference to the precise boundaries of the subject Screening Layer should be made to the NPCA.

Modification to the Niagara Natural Environment Screening Layer shown on Schedule F5 may be made without an amendment to this Plan.

vi) Where lands contain two or more Natural Hazard Lands and/or Natural Heritage features of differing significance, the more restrictive policies pertaining to the applicable Natural Hazard Lands and/or Natural Heritage features shall apply.

13.2.2. General Policies

1. Permitted Uses

The following uses are permitted within the Natural Area designation and the Natural Area Extent Line, subject to the policies of this Plan:

- i) legally existing uses, buildings and structures including existing agricultural uses;
- ii) new agriculture uses subject to Part D, Section 13.2.5;
- iii) fish, wildlife and conservation management including forestry management;
- iv) essential linear public uses including transportation, utility, and communication facilities subject to Federal or Provincial Environmental Assessment approval;
- v) watershed management and flooding and erosion control facilities

where it has been demonstrated that they are necessary in the public interest and other alternatives are not available, subject to an Environmental Impact Study (EIS) to the satisfaction of the Region of Niagara;
vi) passive small scale recreation features such as trails, walkways, and bicycle paths that will have no significant negative impact on natural features or ecological functions.

2. Where planning applications to establish a new use, or expand a permitted use, are not subject to the Environmental Assessment Act, an approved Environmental Impact Study (EIS) shall be required, subject to the policies of this Plan, for any development, redevelopment or site alteration within or adjacent to Natural Hazard Lands or Natural Heritage. Protection or mitigating measures may be required to be implemented by the applicant.

3. Where an EIS is required, it shall be prepared in accordance with Environmental Impact Study (EIS) Guidelines or subsequent guidelines adopted by the Region of Niagara.

The required scope and/or content of an EIS may be reduced, after consultation with the Niagara Region and the NPCA where the environmental impacts of a development application are thought to be limited; or other environmental studies fulfilling some or all requirements of an EIS have been accepted by the City, Niagara Region and the NPCA.

4. The City may require an independent peer review of an EIS with costs to be borne by the applicant.

5. On lands within or adjacent to a designated Natural Area or the Natural Area Extent Line where no development or placement of fill and site grading is permitted, the erection, location or use of any buildings or structures is prohibited other than those which legally exist.

6. Subject to other policies of this Plan, expansion of an existing use located within or adjacent to Natural Hazard Lands or Natural Heritage may be permitted subject to approval of an EIS and any mitigation measures that may be required.

7. Where development, redevelopment or site alteration is approved within Natural Hazard Lands, Natural Heritage or the associated adjacent land buffer zone, the applicant will submit a Tree Saving Plan maintaining or enhancing the ecological functions to be retained. The Plan shall be prepared in accordance with the Tree and Forest Conservation By-law and its implementation monitored by a member of the Ontario Professional Forestry Association.

8. Where lands are not subject to Section 13.2.2.7 above, the City should enact and maintain a by-law regulating the destruction or injuring of trees in identified

woodlots less than 0.5 hectares of land in size.

Where a woodland greater than 0.5 hectares of land in size is located on or adjacent to lands subject to an application for plan of subdivision, consent, site plan approval or other development approval, the applicant shall be required to prepare a Tree Saving Plan as a condition of approval. A grading or building permit shall not be issued until the Tree Saving Plan, with appropriate implementation and monitoring measures, has been approved by the City in consultation with the NPCA.

9. Where development, redevelopment or site alteration is approved in or adjacent to Natural Hazard Lands or Natural Heritage, new lots thus created shall not extend into either the area to be retained in a natural state or the required adjacent buffer zone identified through an EIS unless approved in consultation with the NPCA. The lands to be retained in a natural state and the adjacent buffer zone shall be maintained as a block and zoned to protect their natural features and ecological functions, and where appropriate and desirable, be dedicated to the municipality or a public agency.

10. The City will, where deemed appropriate, pursue the acquisition of Natural Hazard Lands and Natural Heritage lands by way of land dedication or other means, and which will be adequately sized to support the protection of natural features, function, access and maintenance. It should not be assumed that these lands will be accepted as parkland dedication, and lands having inherent environmental constraints will generally not be accepted as parkland dedication pursuant to the Planning Act.

11. The City recognizes that lands designated Natural Area, whether in private or public ownership, are accessible to the public at the discretion of the owner.

12. The City shall encourage and provide assistance, where feasible, to private landowners and interest groups in developing and maintaining stewardship programs to support retention and enhancement of Natural Hazard Lands and Natural Heritage.

13. Prior to any planning approvals, new development applications requiring a Provincial Permit to Take Water shall satisfy the City, the NPCA and the Niagara Region that the water taking will not have any negative impacts on natural ecosystems or the quantity and quality of water to meet existing and planned uses.

13.2.3. Natural Hazard Lands

Natural Hazard Lands mapping is shown on Schedule F2 of this Plan.

Notwithstanding policies related to Shoreline, Floodplains and Valleylands in Sections 13.2.3.1-3 below, the following policies apply to all Natural Hazard Lands and hazardous sites.

i) Development shall generally be directed to areas outside of Natural Hazard Lands and hazardous sites.

ii) Development, redevelopment and site alteration shall not be permitted:

- within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

Notwithstanding the above, development, redevelopment and site alteration may be permitted in certain areas identified above where the development is limited to uses which by their nature must locate within the floodplain, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

iii) Development or redevelopment shall not be permitted where the use is:

- an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
- an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion control;
- associated with the disposal, manufacture, treatment or storage of hazardous substances.

3. Significant Valleylands

Along valleylands where the valley bank height is equal to or greater than 3 metres, the following applies:

i) Development, redevelopment or site alteration shall not be permitted within the valley, being all the lands below the valley long term stable top of bank(s) as determined by the NPCA, except for permitted uses as set out in Part D, Section 13.2.2.1 and subject to the applicable policies of this Plan.

ii) Unless otherwise directed by the NPCA, development, redevelopment or site alteration on lands within the adjacent 15 metres of land above the valley long term stable top of banks, must demonstrate through an approved EIS, that erosion and adverse impacts to water quality and quantity, slope stability, wildlife habitat, existing vegetation and drainage shall be minimized, and valley slopes not disturbed.

- iii) No development, redevelopment or site alteration on lands adjacent to the valley long term stable top of bank(s) is permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the valley or on its ecological functions.
- iv) A minimum 7.5 metre setback from the valley stable top of bank(s) shall be required for all development, redevelopment or site alteration. Subject to review by the NPCA, a reduced valley top of bank setback may be considered on sites within the Urban Area, where:
- an existing lot provides insufficient depth to accommodate the required setback;
 - a proposed development or redevelopment does not result in the creation of generally more than two new lots, and where there is adequate municipal water and sewer capacity available on the existing road frontage, and no construction of new public or private roads are required.
 - the ecological function of the lands adjacent to the valley top of bank has been evaluated and it has been demonstrated that there will be no negative impacts on the valley or on its ecological functions.
 - subject to a geotechnical investigation, the reduced setback, with any required mitigating measures, will result in no adverse long term environmental impacts
- v) Where the NPCA finds evidence of slope instability, the angle of the valley slope exceeds 3:1 (horizontal distance: vertical distance), or where evaluation demonstrates negative impact on natural features or ecological functions, a greater setback from valley top of bank may be required to address site specific issues subject to a geotechnical report prepared by a qualified engineer at the cost of the proponent and to the satisfaction of the NPCA.
- vi) Where possible, existing vegetation should be maintained within the defined valley top of bank adjacent land setbacks. Vegetation below the top of bank shall not be disturbed, and where already impacted, the applicant may be required to rehabilitate and revegetate the valleylands as a condition of development approval.

13.2.4. Natural Heritage

Natural Heritage mapping is shown on Schedule F3 and F4 of this Plan.

2. Significant Woodlands

- i) To be identified as significant, a woodland must meet one or more of the following criteria:
- contains threatened or endangered species;
 - contains interior woodland habitat at least 100 metres in from the woodland boundaries;
 - overlap or contain one or more other natural area features identified in Section 13.2;

- be a minimum of 2 hectares in size, and may be crossed by a watercourse.

Notwithstanding the above, for lands within the Provincial Greenbelt Plan, significant woodlands are identified pursuant to the Greenbelt Plan and its related technical guides.

- ii) Development, redevelopment or site alteration shall not be permitted within a significant woodland unless it has been demonstrated that there will be no negative impacts on the woodland or its ecological functions.
- iii) Development, redevelopment or site alteration shall not be permitted within the required adjacent land buffer zone from the significant woodland, which shall generally be a minimum of 10 metres measured from the drip line of the significant woodland, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the significant woodland or its ecological functions. The final width of the required adjacent land buffer zone shall be established through an approved EIS or Subwatershed Study.
- iv) Unless otherwise directed by the NPCA, development, redevelopment or site alteration proposed on lands within 50 metres of a significant woodland shall require approval of an EIS to demonstrate that there will be no negative impacts on the significant woodland or their ecological function.

7. Regional Natural Heritage Corridors

Where development, redevelopment or site alteration is proposed in or near a Regional Natural Heritage Corridor, as generally illustrated on Schedule F3, the corridor shall be considered in the development review process. An EIS may be required to demonstrate that there will be no negative impact to the natural features and ecological functions within the corridor, and to the system and linkages within and between natural features and processes within the corridor.

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April 30, 2018

City of St. Catharines
 Planning Services
 PO Box 3012, 50 Church Street
 St. Catharines, ON
 L2R 7C2

RPT	INT	INFO	P.D.S.
REFERRED TO			INT.
T. Devlin			
DATE →	MAY - 3 2018		SCAN <input type="checkbox"/>
FILE NO			

Re: File Nos. 60.30.338, 60.35.1039, 60.51.968

40 Woodburn Avenue and 50 Herrick Avenue, St. Catharines

Attn: Taya Devlin, Planner I

Cc: Bonnie Nietico-Dunk, City Clerk

I am in receipt of a notice of a Open House (3 May 2018) from the City of St. Catharines Planning and Building Services Department dated April 2, 2018. I have downloaded and reviewed the submitted plans and documents from the St. Catharines web site which was listed in the above invitation.

I am the deeded owner and resident of 35 Terrace Hill Road, St. Catharines, L2P 2T6. This residence has been in my family since it was built by my late Father in the early 1950s.

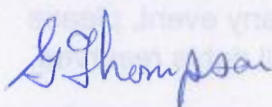
I would attend the open house in person however a prior family engagement prohibits it. I will attend in the event that I can make alternate arrangements. In any event, please register me as a stakeholder and intervener in this proceeding with all rights reserved.

I spoke at the Public Meeting at City Hall concerning substantially the same property on or about October 15, 2007. I am opposed to the latest version of the proposed development for several reasons. Some of which are listed below:

- Compare to the September 2007 proposal I note "scope creep" of the zoning change to include the adjacent property PLUS the number of multi-storey apartment buildings PLUS the number of floors that they have. In the least, this will exasperate the drain on infrastructure and the impact on the traffic in the area.
- I note there are no parks provisioned in the proposal. Likewise, there is no assessment of impact on nearby schools nor public transit.

- Back in 2007, City Councillors and the Mayor did not respond to nor act on the concerns expressed by the nearby residents. Significantly all of the speakers were opposed to the project.
- There has been lack of transparency of the project. For example, back in 2007, there were two versions of the landscaping plan for the golf course. I had asked the Manager of the Golf Course for a copy of the first plan and he produced multiple reasons why he could not provide it to me. I now know better that there are mechanisms like the Freedom of Information Act, which I will use at the place and time of my choosing. The second version of the golf course plan, coincidentally to the benefit of the developer, called for many large berms on the golf course. Who requested and paid for the second report?
- The spoils mined from the previous landfill site on the subject lands (which created the large open excavated pit that is now filled with rain water) were conveniently dumped onto the golf course and formed into berms. How can this toxic waste from an old refuse site be dumped in such a manner in an unlicensed facility?

These observations are indications of questionable activities and discussions and agreements that were and are still being done without transparency and without properly consulting, listening, and responding to the concerns expressed by local residents. I ask the City of St. Catharines staff and City Council to place a hold on this development until all concerns have been addressed, and of course to act more transparently and ethics to this process. If they are motivated to move the project forward, then at least reduce the building height in the application to something more reasonable and more compatible with the surrounding areas like three storeys.



Gerald Thompson, P.Eng
35 Terrace Hill Road
St. Catharines, ON
L2P 2T6

Submission re: Official Plan Amendment, Zoning By-law Amendment and Site Plan Agreement for lands located at 40 Woodburn Avenue & 50 Herrick Avenue

By: Gilles Marceau grmarceau@outlook.com 289-362-5892

14 Woodburn Avenue, St Catharines ON L2P2W7

Background: Currently there are 98 residences which use either Woodburn or Herrick to access their homes located on either Woodburn Avenue; Avery Crescent; and Guest Place. In addition, there is one driveway for a residence located on Queenston Street in which the driveway is located on Woodburn. There is also a building (no house) which is a private garage on Woodburn. Thus, a total of 100 properties need access to Woodburn Avenue to reach their personal residence. This need creates an important traffic pattern in that **Woodburn is a road which is consistently in demand.**

The **City of St Catharine's Official Plan** identifies that roads have a significant impact on the character of a neighbourhood and thus it is stated that the City shall ensure that *the design process will minimize the impact on the livability of affected residential areas.*

Our Contention

With the addition of another 208 residences located in 5 buildings it is feasible that traffic congestion on Woodburn Avenue **could severely affect the livability of the Community.**

Safety

Currently, the community lives with the danger of significant speeding as Woodburn does not have any stop signs from the turn off to Woodburn Avenue from Queenston Street to the end of the road. It is a speedway for many who pass through and/or visit. Most of the residents of the community respect that speed does kill and are mindful of the speed limit on Woodburn.

With 208 more residents (and their associated visitors) needing access to Woodburn should there not be consideration on how to slow down traffic?

While not an expert, would installing North and South bound stop signs on Woodburn at Herrick help? Would posting speed limits assist?

Recommendation: That the City does a traffic study to ensure safety is a prerequisite if Woodburn is to be considered a main entry to the proposed Apartment blocks.

Parking

Safety is further complicated by today's allowance for parking of the East Side of Woodburn Avenue. Allowing this parking currently creates some havoc when two vehicles are driving in opposite directions. One driver will usually let the other pass as room for two is not possible. Again, the residents of the community are respectful of the situation.

With the additional traffic associated with 208 units, Woodburn may not be able to easily support the increased traffic flow and maintain its current parking availabilities.

This takes away from Community Parking and therefore makes the community less liveable.

Recommendation: That the City does a traffic study to decide if parking on Woodburn is a hindrance to having the street become a possible main entry to the proposed Apartment blocks.

At the same time the City should also establish that there is sufficient parking for residents of the 5 apartment blocks and their visitors. Taking away spaces from the current community is difficult enough. But not having enough visitor parking for the 5 apartment buildings will again make our community less liveable. We do not need to outdo each other in finding parking spots for family and visitors. Or for parking a second or third vehicle because a family member (e.g. son/daughter) lives with us.

Protecting RESIDENTS whose driveways are on Woodburn Avenue

As a resident living on Woodburn backing out of the driveway today is difficult due to the combination of parked cars, the grade of the street and consistency of traffic flow. With the build of 208 residences the increased traffic flow must be planned to ensure that those of us who reside on Woodburn Avenue have the best opportunity to minimize any chances of an accident while leaving our property.

Getting onto a Main Street from Woodburn Avenue

The ability to turn left from WOODBURN to QUEENSTON in today's environment many times requires significant patience if one is to avoid an accident.

Add to the equation the vehicles associated with 208 residences plus the fact that the North end of Woodburn is on a hill (vision is not great anytime and certainly very difficult in Winter) and you ask yourself if consideration should be given to traffic lights.

Herrick can be a feeder to Woodburn Avenue

Traffic from Herrick Avenue today can complicate the traffic flow on Woodburn Avenue. When traffic is congested on Westchester, many people will go down Herrick, turn onto Woodburn to bypass the lights at Westchester and Queenston. This allows them to turn onto Queenston off Woodburn.

Woodburn is a school bus route

Woodburn Avenue is a school bus route and picks up and drops off children every day.

Thought

Consider having access come from Westchester by building a road through the City owned Golf Course property. After taking a shot at my sanity please consider the following:

The City of St Catharines properly supports the 40 Woodburn Avenue Medium Density Residential Plan to build the three 5-story apartment buildings thereby increasing its tax base. This potential solution does not create a burden to the neighbourhood being served by Woodburn. Herrick Avenue supports a low density residential traditional neighbourhood and is also ill equipped to take on the burden of 208 residents trying to get home.

By-laws to be considered Monday, July 9, 2018

- (a) A By-law to amend By-law No. 2002-81 entitled “A By-law to appoint certain employees of the Canadian Corps of Commissionaires (Hamilton) as municipal law enforcement officers.” (One reading - with respect to change in personnel. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to amend By-law No. 2014-169 entitled “A By-law to appoint a Chief Building Official and Inspectors under the Ontario Building Code Act, 1992.” (One reading – with respect to change in personnel. Delegation By-law No. 2004-277, as amended.)
- (c) A By-law to amend By-law No. 89-2000 entitled “A By-law regulating traffic and parking on City Roads.” (One reading - with respect to parking prohibitions on Barnaby Drive and Whiteoak Drive. Delegation By-law No. 2004-277, as amended.)
- (d) A By-law to amend By-law No. 89-2000 entitled “A By-law regulating traffic and parking on City Roads.” (One reading - with respect to stop sign locations at Petrie Street and Smith Street. Delegation By-law No. 2004-277, as amended.)
- (e) A By-law to authorize a contract with Rankin Construction Inc. (One reading – with respect to 2018 Structural Maintenance, under Project No. P18-122. Delegation By-law No. 2004-277, as amended.)
- (f) A By-law to authorize a contract with Demar Construction Inc. (One reading – with respect to St. George Street Sanitary Sewer & Road Reconstruction, under Project No. P16-063. Delegation By-law No. 2004-277, as amended.)
- (g) A By-law to impose certain rates and fees charged by The Corporation of the City of St. Catharines with respect to certain administrative matters. One reading – with respect to 2019 Schedule of Rates and Fees. Council, June 25, 2018, Item No. 6.6.)
- (h) A By-law to amend By-law No. 2017-312 entitled “A By-law to impose certain rates and fees charged by The Corporation of the City of St. Catharines with respect to certain administrative matters.” (One reading – with respect to changes to parking monthly rates. Council, June 25, 2018, Item No. 6.6.)
- (i) A By-law to amend By-law No. 89-305 entitled “A By-law to provide for regulating, supervising and governing the parking of vehicles in various municipal parking facilities.” (One reading - with respect to Meridian Centre and IceDogs Way parking lots. Council, June 25, 2018, Item No. 6.6.)

- (j) A By-law to establish a Municipal Service Board that will promote, develop and encourage the performing arts in the City of St. Catharines, operate the FirstOntario Performing Arts Centre and associated business, and provide related services for the benefit of the City of St. Catharines. (One reading – with respect to establishment of the FirstOntario Performing Arts Centre Board. To be considered by General Committee, July 9, 2018.)
- (k) A By-law to amend By-law No. 2013-283 entitled “A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines.” (One reading – with respect to 116 Glenridge Avenue. To be considered by Council, July 9, 2018.)
- (l) A By-law to appoint Adam Smith as Deputy Treasurer. (One reading - with respect to appointment. To be considered by Council, July 9, 2018, Item No. 8.2.)
- (m) A By-law to confirm the proceedings of council at its meeting held on the 9th day of July, 2018. (One reading - with respect to confirming the proceedings of the meeting held on July 9, 2018.)