



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, September 12, 2022
Council Chambers and Electronic Participation, 6:00 PM**

This Meeting of Council will be held in person at Council Chambers and electronically for the Members of Council. At this time the public can only participate electronically.

This Meeting may be viewed online at www.stcatharines.ca/youtube

Public Comments: The public may submit comments regarding agenda matters to the Office of the City Clerk by contacting clerks@stcatharines.ca by Monday, September 12, 2022 before Noon. Comments submitted will be considered as public information and entered into public record.

Electronic Delegations: Those wishing to speak to an item on the agenda must complete the [City's Electronic Delegation Form](#) by Monday, September 12, 2022 before 9:00 a.m. and attend a test session with City staff on Monday, September 12, 2022 at 10:00 a.m.

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting with a Land Acknowledgement

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- 1. Mayor's Report**
- 2. Adoption of the Agenda**
- 3. Adoption of the Minutes**
 - 3.1 Regular Council, meeting of [August 29, 2022](#)
[Addenda]
- 4. Declarations of Interest**
- 5. Motion to Move Consent Reports**

Consent Reports are approved in one motion which approves all of the recommendations contained in each report. Prior to this motion, a councillor may request that one or more of the reports listed under Item 6 be moved to the list of Discussion Reports.
- 6. Consent Reports**

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 Outdoor Ice Rinks Program Update

16 - 31 6.2 Legal and Clerks Services, Office of the City Clerk
 Council Correspondence

7. Public Meetings

32 - 91 7.1 Planning and Building Services
 10 Pleasant Avenue Official Plan and Zoning By-law Amendment

92 - 135 7.2 Planning and Building Services
 406 Lakeshore Road Official Plan Amendment

8. Presentations

9. Discussion Reports

10. Motions

11. Call for Notices of Motion

12. Committee and Task Force Minutes

12.1 Minutes to Receive:

- Equity and Inclusion Advisory Committee, meeting of [July 20, 2022](#) (draft)
- Heritage Advisory Committee, Meeting of [July 14, 2022](#) (draft)
- LGBTQ2+ Advisory Committee, meeting of [July 8, 2022](#) (draft)

13. Closed Session

Council will meet in Closed Session for the following purpose(s):

14. Motion Arising from Closed Session

15. By-laws

136 15.1 Reading of By-laws
 [Addenda]

16. Adjournment



Corporate Report City Council

Report from: Community, Recreation and Culture Services, Business Planning and Strategic Services

Report Date: July 15, 2022

Meeting Date: September 12, 2022

Report Number: CRCS-142-2022

File: 68.32.99

Subject: Community Outdoor Ice Rink Program Update

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: Social Well-Being.



Recommendation

That Council approve the amendments to the Community Outdoor Ice Rink Policy as identified in this report and included in Appendix 1; and

That the Community Outdoor Ice Rink Program fixed monthly water costs budget be included as part of the 2023 operating budget deliberations.

Summary

This report provides Council with an overview of the Community Outdoor Ice Rink Program and presents Council with amendments to the Community Outdoor Ice Rink Policy in preparation for the 2022-2023 skating season.

Relationship to Strategic Plan

The recommendation of this report supports the Social Well-Being strategic goal to build and support strong, inclusive neighbourhoods that provide high quality of life for residents of all ages.

Background

At its meeting on [September 13, 2021](#), Council approved the following motion

“That Council approve the amendments to the Community Outdoor Ice Rink Policy as identified in this report and included in Appendix 2; and

That staff be directed to refer the Community Outdoor Ice Rink Program budget to the 2022 operating budget deliberations; and

That staff be directed to adopt the Community Outdoor Ice Rink Program.”

Report

This report provides Council with an overview of the Community Outdoor Ice Rink Program. In addition, the report presents amendments to the program policy in preparation of the 2022-2023 skating season.

Community Outdoor Ice Rink Season: 2021-2022

For the 2021-2022 season, the City received four applications to build, operate, and maintain outdoor ice rinks. Of the four, three were received from groups who previously participated in the program with one new location at Walker’s Creek Park. All four applications were approved, and community outdoor ice rinks were built, operated, and maintained at the following locations:

- Partridge Park
 - Located at 101 South Drive
- Port Dalhousie Tennis Court
 - Located at 205 Main Street
- St. Patrick’s Park
 - Located at 64 Catherine Street
- Walker’s Creek Park
 - Located at 142A Parnell Road

The season officially opened on December 1, 2021, with volunteers building and flooding their rinks in the month of January 2022 when sustained freezing temperatures were reached. The season ended on March 28, 2022.

Appendix 2 provides an illustration of the outdoor rinks during the season.

Community Outdoor Ice Rink Program Overview

As illustrated in Graphic 1, the Community Outdoor Ice Rink Program experienced many successes during the 2021-2022 season.

Graphic 1 – Community Outdoor Ice Rink Program Successes



The following quote, as documented in the Final Report submitted by the Friends of Walker's Creek, best summarizes the positive impact of the program in neighborhoods and communities:

“As you know, this was our first year for the community rink in Grantham Ward and we are humbled to have had such an enormous response from the community of how happy they are to have something like this so close to their homes. One thing we have noticed since we have been in the community in our past eight years here is how many younger families have started to move into the area. The rink idea was something that we thought would be good for this growing community to have and share and a chance for families to get to know other members and start friendships. Some of these neighbours would perhaps never have met each other more than a polite wave or nod and, since this project, have become some of our best friends.”

Community Outdoor Ice Rink Program Key Learnings & Opportunities for the Future

Ice Hockey

During the 2021-2022 skating season, City staff and community group volunteers received inquiries regarding whether ice hockey was permitted at the outdoor ice rinks. As per the policy, usage and permitted activities at ice rinks are at the discretion of volunteer community groups. However, given the volume of inquiries, staff and the volunteers agreed that a review of ice hockey prior to the 2022-2023 skating season was required. Staff and the community groups worked collaboratively to develop Amendment #1 to the Community Outdoor Ice Rink Policy as outlined below. Through this community consultation, the following was identified:

- Site specific conditions must be considered
- There are significant ice maintenance requirements when hockey is permitted
- Ice hockey presents potential health and safety risks to visitors and City assets

Community Outdoor Ice Rink Policy Amendment #1:

Staff recommend that the 'Permitted Uses' section of the Community Outdoor Ice Rink Policy be amended to include that ice hockey shall only be permitted under site specific conditions.

Community outdoor ice rinks that are in close proximity to residential homes, vehicle and pedestrian traffic, City assets, and other park amenities require special considerations. In the event of activities such as ice hockey (or any stick related activity) taking place at such a rink, the close proximity poses a potential health and safety risk for residents with homes alongside the rink, users of City assets, and vehicles parked along the roadside. There are also significant ice maintenance requirements when hockey is permitted.

To mitigate the risk of property damage to homes and City assets, for the safety of residents and visitors, and to ensure that ice is maintained to an acceptable standard, such rinks must adhere the following criteria:

- A minimum of thirty volunteers must be registered for rink maintenance.
- Site specific netting is required at the rink and is at the discretion of the Director of Community, Recreation, and Culture Services. If the rink is located on existing park courts surrounded by fencing (i.e., tennis court), additional netting is not required.
- Only soft pucks or foam pucks are allowed.

Rzone Policy

In 2019, Council approved the [Rzone Policy](#) which is a zero-tolerance approach to violence, abuse and other inappropriate behaviours at City recreational facilities and properties. It is a focus on respect for others, and responsibility to oneself, to create safe and welcoming spaces for everyone. Given that community outdoor ice rinks are

located on City property and are public recreational spaces available to all members of the community, Rzone applies to each rink. While community outdoor ice rinks have always been governed under the Rzone Policy, staff feel that it is important to provide an explicit reference to Rzone within the Community Outdoor Ice Rink Policy to provide consistency.

Community Outdoor Ice Rink Policy Amendment #2:

Staff recommend that the 'Permitted Uses' section of the Community Outdoor Ice Rink Policy be amended to include that all rinks must adhere to the City of St. Catharines Rzone Policy which outlines a zero-tolerance approach to inappropriate behaviors such as violence, harassment and racism at City recreational facilities and properties.

Fixed Monthly Water Costs

As documented within the Community Outdoor Ice Rink Policy, each volunteer group is eligible to receive a \$1,000 (maximum) participation stipend to help offset the costs of legal fees, permits, insurance fees, water, and rink materials. The release of these funds occurs at the end of each season, after the outdoor ice rink has been disassembled, and the required reporting documentation has been submitted and approved by the Community Outdoor Ice Rink Coordinator.

Of the maximum stipend, 50% (\$500) is applied directly against the cost of preparing the legal agreement, park permit, insurance fees set by the third-party insurance provider, and water turn on / off fees as listed in the [2022 City of St Catharines Rates & Fees](#). The remaining 50% (\$500) is released to the eligible volunteer community groups via cheque. Community Outdoor Ice Rink Program volunteers have previously documented that additional expenses over and above the remaining \$500 are incurred during the ice rink season.

Community groups who request the use of water through City-owned water sources are subject to variable water and wastewater charges for consumption as well as fixed monthly fees per the [2022 Water and Wastewater Budget](#). To end billing, the water source used needs to be turned off at the curb box.

While the existing operating stipend helps to alleviate some of this financial burden, community groups using a water source have identified the fixed component as being cost prohibitive to the program. Over the 2021-2022 outdoor ice rink season (four months from December to March) the monthly fixed costs total \$112.00 for community groups using the water source to flood their rink.

The nature of the community outdoor ice rinks is for the benefit of the public and is facilitated through the work of volunteers from local neighbourhoods. Given the community benefit derived from these programs, it is recommended to increase the outdoor ice rink stipend for community groups using a water source to flood rinks by the amount of fixed water and wastewater fees as per the Water and Wastewater Budget to remove the financial barrier to volunteer community groups.

Table 1 – Fixed Monthly Water Costs

Community Outdoor Ice Rinks	December to March Fixed Monthly Fees*
Partridge Park**	\$112.00
Port Dalhousie Tennis Courts	\$112.00
St. Patrick's Park	\$112.00
Walker's Creek Park	\$112.00
Total Costs	\$448.00

*The monthly fees for March are part of the 2023 Water and Wastewater Budget and could be subjected to an increase.

**Partridge Park is currently the only location with a water source and eligible for an increased stipend.

The fixed costs associated with the use of the water source for the Community Outdoor Ice Rink Program will be included in future operating budget submissions for Council approval. Should the maximum of six rink locations be utilized, the total cost associated with the amendment is \$672.00, however, the current cost is \$112.00 as Partridge Park is the only location with a water source.

For 2022, the fixed costs associated with the use of the water source for the Community Outdoor Ice Rink Program is \$112.00 per ice rink and will be accommodated through the Council approved 2022 operating budget.

Community Outdoor Ice Rink Policy Amendment #3:

That the fixed costs associated with the use of the water source be added to the Community Outdoor Ice Rink stipend for the Community Outdoor Ice Rink Program and that the addition to the stipend reflect the annual rates associated with the Water and Wastewater Budget.

Recreation Master Plan Advisory Committee Endorses Community Outdoor Ice Rink Amendments

At its August 24, 2022 meeting, the Recreation Master Plan Advisory Committee approved the following motion:

“That the Recreation Master Plan Advisory Committee endorse the proposed amendments to the Community Outdoor Ice Rink Program Policy”

Financial Implications

Council's approval of increasing the Community Outdoor Ice Rink stipend to reflect the fixed monthly water and wastewater fees per the Water and Wastewater Budget for Community Outdoor Ice Rinks will increase the cost of the Community Outdoor Ice Rink Program to the City by \$112.00 per rink based on 2022 rates. The maximum total expense to the City of offering the program at the amended stipend would be \$9,492.00 should the maximum of six locations be utilized. The fixed costs associated with the use of the water source for the Community Outdoor Ice Rink Program will be included in future operating budget submissions for Council approval.

For 2022, the fixed costs associated with the use of the water source for the Community Outdoor Ice Rink Program is \$112.00 per ice rink and will be accommodated through the Council approved 2022 operating budget.

The financial implications of the Community Outdoor Ice Rink Program are provided below:

Item	Cost Per Rink	
	Operating Budget	Water & Wastewater Budget
Signage	\$200.00	
Signage Posts	\$100.00	
Water Turn On / Off Fee		\$170.00
Participation Stipend (Applied directly against legal, permit, insurance & water costs)	\$500.00	
Participation Stipend (Issued by cheque to community groups)	\$500.00	
Fixed Monthly Water & Wastewater Fee (4 Months – 2022 Rates)		\$112.00
Total Cost Per Rink	\$1,300	\$282
Total 2023 Budget (Max 6 Rinks)	\$9,492	

The current Council approved budget for the Community Outdoor Ice Rink Program is \$6,300 which reflects the cost of four Community Outdoor ice Rinks. The additional impact on the 2023 Operating Budget and 2023 Water and Wastewater Budget is \$3,164 and \$672 respectively should a maximum of six rink locations be utilized.

Environmental Sustainability Implications

There are no environmental implications associated with this report.

Conclusion

The Community Outdoor Ice Rink program was created to help build civic pride, to build partnerships with citizens, and to promote a healthy lifestyle. As part of the City's winter programming, community outdoor ice rinks provide an active opportunity for outdoor recreation during the winter months and staff continue to work collaboratively with community groups to improve the program each season.

Prepared by

Katya Voronina – Community Strategy and Policy Coordinator

Submitted by

Eric Lamothe – Manager of Business Planning and Strategic Services

Approved by

Phil Cristi – Director of Community, Recreation and Culture Services

Appendices

- Appendix 1 – Policy Amendments
- Appendix 2 – 2021 / 2022 Season



Corporate Report City Council

Appendix 1 – Policy Amendments

Community Outdoor Ice Rink Policy Amendment #1:

Staff recommend that the 'Permitted Uses' section of the Community Outdoor Ice Rink Policy be amended to include that ice hockey shall only be permitted under site specific conditions.

Community outdoor ice rinks that are in close proximity to residential homes, vehicle and pedestrian traffic, City assets, and other park amenities require special considerations. In the event of activities such as ice hockey (or any stick related activity) taking place at such a rink, the close proximity poses a potential health and safety risk for residents with homes alongside the rink, users of City assets, and vehicles parked along the roadside. There are also significant ice maintenance requirements when hockey is permitted.

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- Only soft pucks or foam pucks are allowed.

Community Outdoor Ice Rink Policy Amendment #2:

Staff recommend that the 'Permitted Uses' section of the Community Outdoor Ice Rink Policy be amended to include that all rinks must adhere to the City of St. Catharines Rzone Policy which outlines a zero-tolerance approach to inappropriate behaviors such as violence, harassment and racism at City recreational facilities and properties

Community Outdoor Ice Rink Policy Amendment #3:

That the fixed costs associated with the use of the water source be added to the Community Outdoor Ice Rink stipend for the Community Outdoor Ice Rink Program and that the addition to the stipend reflect the annual rates associated with the Water and Wastewater Budget.



Corporate Report City Council

Appendix 2 – 2021/2022 Season

Community Outdoor Ice Rink: Partridge Park



Community Outdoor Ice Rink: Port Dalhousie Tennis Court



Community Outdoor Ice Rink: St. Patrick's Park



Community Outdoor Ice Rink: Walker's Creek





Corporate Report City Council

Report from: Legal and Clerks Services, Office of the City Clerk

Report Date: September 1, 2022

Meeting Date: September 12, 2022

Report Number: LCS-148-2022

File: 10.12.1

Subject: Council Correspondence

Strategic Pillar:

Recommendation

That Council receive and file the items listed within the report; and

That, at the request of Councillor McPherson, staff be directed to remove the following report from the Outstanding Reports List:

ORL# 2021-30 – “Traffic calming measures in the school zone at the intersection of Dufferin Street East and George Street.”; and

That Council receive and file additional correspondence distributed for the meeting held September 12, 2022, which is available upon request.

Report

The Office of the City Clerk is submitting, for the approval of Council, correspondence received during the period of August 19, 2022 to September 1, 2022.

The Office of the City Clerk is also seeking Council's approval to remove one report request from the Outstanding Reports List, as requested by Councillor McPherson.

Resolutions

1. Town of Wasaga Beach – re. Strong Mayors, Building Homes Act.

Correspondence

2. Correspondence from Biodiversity and Climate Action Niagara – re. Biodiversity Summit
3. Letter from Guy Graveline – re. Update on the Destruction of 12 Mile Creek for the Building of a Permanent Mountain Bike Park.
4. AMO Watchfile – August 25, 2022
5. AMO Watchfile – September 1, 2022

Reports Requested by Council

6. Outstanding Reports List – updated September 1, 2022

Prepared by

Wilrik Banda
Council and Committee Coordinator

Submitted and Approved by

Kristen Sullivan
City Clerk



August 19, 2022

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
777 Bay Street
17th Floor
Toronto ON
M7A 2J3

Dear Minister Clark:

Re: Strong Mayors, Building Homes Act

Please be advised that the Council of the Town of Wasaga Beach, during their August 18, 2022 Council meeting adopted the following resolution:

"That Council receive the letter dated August 10, 2022 from the Ministry of Municipal Affairs and Housing pertaining to Strong Mayors, Building Homes Act, for information;

And further that a letter be sent to the Minister of Municipal Affairs and Housing outlining these proposed powers are not appropriate and to outline other ways for the province to institute housing and other matters, and that the motion be circulated to all Ontario municipalities."

The Town of Wasaga Beach Council does not support the Strong Mayors, Building Housing Act as the proposed changes will not demonstratively speed up the construction of housing and will erode the democratic process at the local level where members of Council have to work together to achieve priorities. What is needed to speed up construction of housing is greater authority for local municipalities to approve development without final clearances from outside agencies after they have been given reasonable time to provide such clearances.

Your favourable consideration of this matter is appreciated.

Should you have any questions, please contact me at mayor@wasagabeach.com or (705) 429-3844 Ext. 2222.

Yours sincerely,

Nina Bifulchi
Mayor

c. Members of Council
All Ontario Municipalities

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7000



234-2022-3540

August 10, 2022

Dear Head of Council:

As Ontarians face the rising cost of living and a shortage of homes, our government was re-elected with a strong mandate to help more Ontarians find a home that meets their needs.

Our government also made an election promise to build 1.5 million new homes for the people of Ontario over the next 10 years to address the housing supply crisis.

I am pleased to inform you that our government introduced the proposed Strong Mayors, Building Homes Act on August 10, 2022, that, if passed, would make changes to the *Municipal Act, 2001*, *City of Toronto Act, 2006*, and the *Municipal Conflict of Interest Act*. These amendments would empower mayors in the City of Toronto and City of Ottawa to deliver on shared provincial-municipal priorities and get more homes built faster.

If passed, the proposed changes impacting the City of Toronto and City of Ottawa are intended to take effect on November 15, 2022, which is the start of the new municipal council term. Other growing municipalities could follow at a later date.

If you have any comments or feedback regarding these proposed changes, you may submit them to the Ministry of Municipal Affairs and Housing at:
StrongMayors@ontario.ca.

Sincerely,

Steve Clark
Minister



To: All members of Regional Council and all members of Municipal Councils in Niagara Region

From: Biodiversity and Climate Action Collective Niagara

August 26th 2022

Dear Regional Chair, Mayors, Regional Councillors and Local Councillors:

"The health of ecosystems on which we and all other species depend is deteriorating more rapidly than ever. We are eroding the very foundations of our economies, livelihoods, food security, health and quality of life worldwide."

Sir Robert Watson, chair of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services¹

By this letter, we are asking our leaders at the municipal and regional level, to work with community partners, including Biodiversity and Climate Action Collective Niagara (BCAC), to convene a Biodiversity Summit early in the new year. We know there will be a municipal election on October 24th, but we ask that the seed for the Biodiversity Summit be planted now as, like the climate crisis, there is no time to waste for action on this matter.

We appreciate the attention Niagara Region brought to the need for action to address the Climate Crisis, as one of the sponsors of the Climate Summit, held at the end of June. It's important to note, however, that a more chaotic climate was not the only crisis highlighted at the conference. As speaker Alan Unwin, Dean of Business, Tourism and Environment, at Niagara College and past Chair of the International Board of Directors of the Society for Ecological Restoration pointed out, biodiversity collapse is also an imminent threat. In fact, the World Economic Forum listed it as their 3rd most severe threat after Climate Action Failure and Severe Weather.

In Montreal, in December of this year, at the COP15 UN biodiversity conference, Canada will sign a convention meant to protect biological diversity globally. There will be no better time than the start of the new year for local leaders to begin working together on a strategy to address this issue locally.

Just as you, our local leaders, can take actions to mitigate and adapt to a more chaotic climate, through better planning, curbing sprawl, adopting Green Development Standards and improving public transportation, municipal governments can also take action to protect and enhance biodiversity. The good news is that many actions to address climate change can also benefit biodiversity and vice versa. However, we realize that this is not something locally elected governments can do on their own. We need the kind of transformative change that is only

¹ <https://www.un.org/sustainabledevelopment/blog/2019/05/nature-decline-unprecedented-report/>

possible when the community, their governments, our institutions, agencies and businesses work together.

As Unwin said at the Climate Summit: “The risks to food security, human health, the economy and worsening climate outcomes that will result from biodiversity collapse, can be addressed through nature-based solutions — actions to protect and sustainably manage, and restore, natural or modified ecosystems that address societal challenges effectively and adaptively, simultaneously providing human well-being and biodiversity benefits.”

Biodiversity and Climate Action Niagara has prepared a presentation on actions that can be taken by local and regional governments to protect and enhance biodiversity. It was shared during a well-attended Zoom webinar on Aug.24th 2022 and can be viewed here <https://www.youtube.com/watch?v=sNSfiJMwry0> . It was followed by a question/answer/community discussion session. If anyone has any questions about the information presented, please get in touch.

Following the election, BCAC will write all elected officials in the Region again to continue our advocacy on this issue. We will also outline some of the important policies and practices that could be implemented to better protect biodiversity in Niagara.

Thank you for your consideration and we look forward to working together to address the important issues that confront our Region.

Sincerely,

Group members of the Collective:

Ontario Plant Restoration Alliance, Stefan Weber
 Niagara Chapter Trout Unlimited Canada, Dennis Edell
 Peninsula Field Naturalists, Bob Highcock
 Niagara Falls Nature Club, Joyce Sankey
 Niagara Beekeepers' Association, Lucy Sardella
 Ontariogreen Conservation Association, Liz Benneian
 Bert Miller Nature Club, Lynda Goodridge
 Niagara Birding Conservation and Tourism Collaborative, Marcie Jacklin
 Hamilton Naturalists, Chris Motherwell,
 Friends of One Mile Creek, Klara Young-Chin
 Extinction Rebellion Niagara, Ryan Forster and Team
 Friends of Walker's Creek, Della Trojan
 Pelham Advocates for Trees and Habitats, Mike Jones
 Speak for the Creek, Lisa Welch
 St. Catharines Environmental Alliance, Mike Anderson
 Niagara Water Protection Alliance, Robert Henderson
 Benchlands Citizen Group, Angela Lytle
 50by30 Niagara, Herb Sawatzky
 (Continued on Page 3)

Grimsby Environmental Network, Sharon Porter/Annette Gibbons
Community For Responsible Growth (West Lincoln), Linda Sivyver/Scott Antonides
Niagara Wildlife At Risk, Sarah Ward/Stanlee Hickey

Individual Members of the Collective:

Miriam Richards, Professor, Biological Sciences, Brock University
Robert Carson, BCAC, Niagara-on-the-Lake
Dr. Carol Tuck-Riggs, BCAC, Grimsby
Jackie Oblak, BCAC, Town of Pelham
Christine Knighton, BCAC, Fort Erie
Melissa McGlashan, BCAC, Welland
Judy Doerr, BCAC, Niagara Falls
Dawn Pierrynowski, BCAC, Welland and Niagara Falls
Bruce Mackenzie, BCAC, Grimsby
Susan Murphy, BCAC, Town of Lincoln
Jacob Schmitt, BCAC, Fort Erie
Kiran Larsen, BCAC, Thorold
Desmond Sequeira, BCAC, St. Catharines
Carla Rienzo, BCAC, Niagara Falls
Leslie Curry, BCAC, Port Colborne
Anne Mills, BCAC, Fort Erie
Fariya Doctor, BCAC, St. Catharines
Chris Larsen, BCAC, Grimsby
Patty Moss, BCAC, Port Colborne
Bob Bader, BCAC, Niagara-on-the-Lake
Marty Tache, BCAC, Niagara Falls
(Rev.) Marya Buckingham, BCAC, St. Catharines,
Natalia Shields, BCAC, Fonthill
Jennifer Hay, BCAC, Niagara Falls
Linda Manson, BCAC, Niagara Falls
Colleen Kenyon, BCAC, Pelham
Randi Evans, BCAC, St. Catharines
Cindy Cosby, BCAC, Port Colborne
Mike Kraft, BCAC, St. Catharines
Dave Nicholson, BCAC, Pelham
Fiona McMurran, BCAC, Welland
Tia DeAgazio, BCAC, Welland
Chris Fidler, BCAC, Welland
Jim Heywood, BCAC, Beamsville
Anne Yagi, BCAC, Fonthill
Fiona Tunmer, BCAC, Niagara Falls
Kelley Hindrichs, BCAC, St. Catharines
Rachel Symington, BCAC, Niagara Falls
Kate Sharrow, BCAC, Grimsby
Dahlia Steinberg, BCAC, St. Catharines

Official Correspondence

City Clerk

City of St. Catharines,

August 26, 2022

Mayor and Councillors:

Re: Letter of Correspondence of February 28, 2022

On February 28, 2022 we submitted an official Letter of Correspondence to the City, asking questions about the destruction of Twelve Mile Creek for the creation of a mountain bike racecourse for the Niagara 2022 Canada Summer Games.

At the City Council meeting of March 28, 2022 our Letter was referred to City Staff for a report. In the City Council list of Outstanding Reports, this request is now shown as: Strategic Plan Social; ORL # 2022-07; Requested March 28, 2022; Lead Dept. CAO. The Expected Return date was originally shown as "Q2 but now shows as only "2022".

The concerns raised in this letter are time sensitive, as irreversible destruction of woodland, wildlife habitat and erosion-prone slopes is continuing, and plans for further racing events and NTMA promoted activities are already underway, and have been for months prior to the Games themselves.

We remain opposed to the building of what is now an extensive labyrinth of wide trails, bridges and other man-made developments, especially in the upper slopes where there were no previous existing trails. Our opposition to how this was allowed to happen remains unabated, as is our contention about the role of the Mayor and the absence of any knowledge, discussion or approvals from council members. We could add much more to our Letter of Correspondence regarding this matter, but suffice to start with a staff report so we can better understand next steps.

In the months leading up to the Games we decided, for the sake of the "Niagara" Games and the athletes, not to make any public comments, and leave things alone. Admittedly, it was hard to read continued glowing reports about the mountain bike course in advertorial style media stories and promotional spins by the NTMA and others; including social media postings and a dedicated website for the upcoming MTB event called "Crushing the 12 Mountain Bike Race". We will be reaching out to the media who reported such stories to question what was reported, and to see if they might be interested in other facts and perspectives.

There were media reports from media outside Niagara, quoting MTB riders in the first Games race, held in the rain, describing the racecourse in very concerning ways, such as “treacherous”, “slick and difficult to manage”, “muddiest conditions I’ve ever raced in”, “hard time even walking our bikes”, “like peanut butter”, “dangerous” sections. Also, a major alteration of the men’s event was required on the first day, in order to keep riders off a large section of dangerous trails in the upper slopes. These are warning signs of unsafe and eroding slopes. This ravine location is not suitable for such a racecourse. Steve Bauer has been adamant about this from the outset.

Thank you for your time and we look forward to the staff report. The Games are over. It is now time for a full understanding of what happened so that this is not repeated again. It is time to take a hard look at what was done to the 12 Mile Creek ravine and discuss what should be done to lessen the damage, and reinstate the upper slopes of the valleyland to its original state prior to the building of bridges that provided access to this area.

Regards,

Guy Graveline, Member
The Friends of 12 Mile Creek, Niagara
<https://www.friendsof12milecreek.com/>



About Friends of 12 Mile Creek – *It began as a small group of local residents working together trying to respond to and understand the rationale for the location change for the mountain bike course for the 2022 Niagara Canada Summer Games. This change of location was to 12 Mile Creek, and much of our community backed onto where the new course was to be built. This learning process served as a catalyst to the importance of the 12 Mile Creek biodiversity and of helping to preserve the cultural and environmental integrity of the area. It prompted us to get actively involved and organized so as to ensure that the character and lifestyle of this unique natural setting would be protected and nurtured instead of being exploited and destroyed.*



August 25, 2022

In This Issue

- Thank you for participating in AMO2022.
- Ontario accepting applications for Flood Hazard Identification & Mapping Program.
- Asset management training for municipalities.
- No-obligation quote for a 2023 road assessment.
- Investments 101 - Training seminars.
- Careers: Central Manitoulin and Halton Region.

AMO Matters

More than 2,300 municipal leaders, government officials, public servants, sponsors, exhibitors, and media gathered over three days of packed programming. For AMO, it is a privilege to host one of the most important and influential public policy conferences in Canada. Thank you for supporting the work we do on your behalf. We look forward to seeing you again next year. Conference materials will be available soon. Stay tuned for more information.

Provincial Matters

Applications are being accepted until September 16 for the Federal Flood Hazard Identification and Mapping Program. Up to 50% matched federal funding can be received for eligible flood mapping projects. Register here for and information webinar on August 30.

Eye on Events

AMO is continuing to provide training in asset management to municipal staff through the Municipal Asset Management Program, which is delivered by the Federation of Canada Municipalities and funded by the Government of Canada. Contact ccbf@amo.on.ca for more information.

LAS

Is a road needs study part of your plan for 2023? Contact Tanner to get a no-obligation quote for a LAS Road & Sidewalk Assessment. Better data helps you make better decisions for your community.

ONE Investment

ONE Investment brings back in person one-day training seminars. In Fall 2022, Investments 101 sessions will be held in Barrie, Kingston, London, and Milton. For

registration or further details, please contact one@oneinvestment.ca.

Careers

Chief Administrative Officer/Clerk - Municipality of Central Manitoulin. Responsible for providing advice to Council on corporate activities and the business affairs in compliance with by-laws, policies and statutory requirements. Apply to centralm@amtelecom.net by September 16.

Quality/Continuous Improvement Analyst - Halton Region. Works across departments to review and analyze operational processes, identify operational efficiencies, and facilitate workshops/meetings. Apply online by September 7.

About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](https://twitter.com/AMOPolicy) on Twitter!

AMO Contacts

AMO Watchfile Tel: 416.971.9856

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Policy and Funding Programs

LAS Local Authority Services

MEPCO Municipal Employer Pension Centre of Ontario

ONE Investment

Media Inquiries

Municipal Wire, Career/Employment and Council Resolution Distributions

AMO's Partners



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September 1, 2022

In This Issue

- Anti-Stigma Advisory Table: Call for nominations.
- Ontario accepting applications for Flood Hazard Identification & Mapping Program.
- Asset management training for municipalities.
- Jump start your digital transformation with an e-signature solution.
- Investments 101 - Training seminars.
- ORFA's Fall 2022 professional development program, Mississauga.
- Careers: South Bruce, Hastings, Simcoe, Tillsonburg and Sables-Spanish Rivers.

Provincial Matters

The Ontario Mental Health Secretariat is conducting a call for nominations for the Anti-Stigma Advisory Table to support the work of the Mental Health Collaborative Tables. Interested nominees are requested to complete an informational survey by September 9.

Applications are being accepted until September 16 for the Federal Flood Hazard Identification and Mapping Program. Up to 50% matched federal funding can be received for eligible flood mapping projects.

Eye on Events

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As municipalities move from paper to electronic filing, authentication of files is a critical challenge. On September 28 at 12 pm, join AMO's partner, Notarius, and learn how ConsignO Cloud can reduce the signing time of documents and allow anyone to sign legally reliable documents electronically with a phone, a tablet, or a computer.

ONE Investment

ONE Investment brings back in person one-day training seminars. In Fall 2022, Investments 101 sessions will be held in Barrie, Kingston, London, and Milton. For registration or further details, please contact one@oneinvestment.ca.

Municipal Wire*

Registration is open for ORFA's Fall Professional Development Program, October 17-

21. Take advantage of sessions on emerging issues, trends, and challenges, training courses, and a recreation industry focused tradeshow. Join ORFA in-person or connect virtually!

Careers

Communications/Public Relations Officer - Municipality of South Bruce. Works with the South Bruce Nuclear Exploration Project team. Email the cover letter and resume to: rniesen@southbruce.ca by September 9, 12:00 noon.

Collections Clerk - Hastings County. Maintains collection records adhering to policies and procedures for the monitoring and collection of outstanding accounts receivable. Closing Date: September 9, 4 pm.

Manager Maintenance & Facilities - County of Simcoe. Provides effective leadership and direction for all day to day operations related to all aspects of maintenance and facilities. Apply online by September 2.

Director of Operations and Development - Town of Tillsonburg. Responsible for the operation of the Department, and participates in the development of corporate policies and programs. Apply online by September 12.

Director of Development Services - Township of South Frontenac. Responsible for all strategy, services and policies related to planning, land use and development, Ontario Building Code enforcement, zoning compliance and economic development initiatives. Apply online by September 7.

Director of Operations, Public Works - Township of Sables-Spanish Rivers. Provides leadership and management of the Department and all related infrastructure. Apply to awhalen@sables-spanish.ca by September 29.

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City Council Outstanding Reports List

Reports by Strategic Pillar

Cultural 0 Economic 4
 Environmental 3 Social 20

Reports Related to Strategic Plan 27

Reports Unrelated to Strategic Plan 3

Updated: September 2, 2022

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Economic	2019-22	15-Jul-19	Townsend	Amend sign by-law to permit digital signage on City-owned properties and buildings, including the appropriateness and ability to include third-party advertising as part of digital signage on City-owned properties.	PBS / COMMS	September 26, 2022	Appeal Information Report - Application for Sign By-law Variance; 142 St. Paul Street; Owner: 2400795 Ontario Inc. was deferred 8-12-19 until ORL #2019-22 is presented to Council. COVID delayed.
Economic	2021-11	10-May-21	Social Pillar / Garcia	That the diverse supplier policy proposal from the Anti-Racism Advisory Committee, as amended, be sent to City Council to request a report back by the end of Q4 2021 from City staff on the development of a Diverse Supplier Policy.	FMS	2022	Council approved a complementary motion from Cllr Garcia at the meeting of February 28, 2022. See Council Minutes Item 10.1 from February 28 for full motion
Economic	2021-14	10-May-21	Surplus Lands Dev TF	That staff be directed to prepare a report regarding 2 Facer Street, including condition of the facility and the potential to declare the property surplus with consideration to not displacing the existing tenant.	FMS / EFES	2022	
Environmental	2020-18	16-Nov-20	Townsend / Sorrento	That staff be directed to prepare a report on the costs associated with beautifying the Bunting Road corridor between Scott Street and the Garden City Skyway to include tree planting, grassed boulevards, floral, etc.	EFES	2022	From Nov. 18, 2020 GC meeting (formerly BSC) - That \$50,000 for a visioning or master streetscape plan to recommend improvements to the Bunting Road corridor be included in the Draft 2022 Operating Budget
Environmental	2021-24	18-Oct-21	Porter	Prepare a report with information on the following: •Tree management and protection policy, with a focus on construction •Feasibility of a fee for service agreement with the Region to have city take over tree planting and maintenance on Regional Roads •Mandatory tree planting on boulevards	MW	2022	Information will be provided as a memo
Environmental	2022-10	25-Apr-22	Townsend	Report back on a workplan to plant 100,000 trees over the next 10 years – developed as a Corporate-wide focus for all appropriate departments, with information on financial and staffing resources required, and potential community partnerships and grants to achieve the planting goal. Include information on the reforestation of Walkers Creek and Malcolmson Eco-Park and an enhanced maintenance plan for trees	MW / EFES / CRCS / FMS	2022	Residents, businesses, organizations and schools to be challenged to commit to planting to total of 500,000 trees in 10 years in the city (inclusive of the City's 100,000 promise). Efforts of the community-wide challenge be monitored and promoted by the City.
Social	2019-23	15-Jul-19	Littleton	Opportunities and strategies for the City to support neighbourhood associations and neighbourhood-based community groups, including best practices and information gathered from the forum	CRCS	Q4 2022	Staff report will come forward following the neighbourhood association forum. Forum was scheduled for March 28, 2020 but was postponed due to the COVID-19 pandemic
Social	2021-02	18-Jan-21	Miller	Repeal / review and update the City's loitering by-laws and report back to Council	MW	2022	Staff to provide a memo to Council noting issue will be included in Pilot study with Gateway of Niagara
Social	2021-04	18-Jan-21	Social Pillar	Produce a report on amending Facility and Design Standards (FADS) in the following sections: Section 4.2.7 Universal Washrooms and Section 4.5.2 Outdoor Recreational Facilities – Playground	CRCS / EFES	2022	See Council Minutes of January 18, 2021 for what is to be included in the report
Social	2021-12	10-May-21	Social Pillar	Amend current by-law for erection of signs and advertising devices to state that no person shall display or cause to be displayed a sign that bears a hate message or a logo, crest or graphic that would convey such a message	PBS / LCS	2022	
Social	2021-13	10-May-21	Social Pillar	That staff provide a report by Q4 2021 on the options for improving accessibility of the Carousel to make it more inclusive	CRCS / EFES	2022	Information will be provided as a memo
Social	2021-18	9-Aug-21	Social Pillar	Amend By-law 2007-295 (a By-law to address Public Nuisances) under Section 2 "Prohibitions" to add: "No person shall, in a public place, unnecessarily interfere with another person's use and enjoyment of the Public Place by using abusive or insulting language as a personal invective."	LCS	2022	Staff report to also include information on adding "aggressive behaviour" to the Public Nuisances by-law
Social	2021-21	27-Sep-21	Garcia	Review issues with bird feeders and seed		2022	Include what other municipalities are doing
Social	2021-23	18-Oct-21	Siscoe	Stop signs for Coronation Boulevard at Vansickle Road North and options for the creation of a safe crosswalk and other appropriate traffic calming measures in the school zone at the intersection of Dufferin and George Street	EFES	Q3 2022	Appropriate Councillors have been contacted to advise that the required studies and collection of data can only be done in the Spring / Summer

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Social	2021-22	4-Oct-21	Miller	Prepare a report exploring options for improving accessibility for those with invisible disabilities, including, but not limited to, providing closed captioning on livestreamed videos and identification options for those with invisible disabilities who are working at or otherwise accessing City facilities	CAO	2022	Consult with the Accessibility Advisory Committee in the creation of the report.
Social	2021-26	15-Nov-21	Social Pillar	Prepare a report regarding the Anti-Racism Advisory Committee's recommendations on a Racist / Hate Incident Response Protocol	CAO	2022	See Social Sustainability Minutes of November 4, 2021, page 45, for the Committee's recommendations on a Racist / Hate Incident Response Protocol.
Social	2021-28	15-Nov-21	Social Pillar	What Council can do to support initiatives in the motion from Anti-Racism Advisory Committee, and referred by the Social Sustainability Committee, regarding Calls to Action in the Wake of the London Islamophobic Attack.	CAO	2022	See Social Sustainability Minutes of November 4, 2021, page 40, for the Committee's recommended Calls to Action in the Wake of the London Islamophobic Attack.
Social	2021-30	29-Nov-21	Siscoe	Traffic calming on Dufferin Street East	EFES	Q3 2022	Appropriate Councillors have been contacted to advise that the required studies and collection of data can only be done in the Spring / Summer
Social	2021-31	29-Nov-21	Dodge	Prepare a report on the suitability of modifying Bylaw 89-2000 to permit vehicles to legally park within the confines of a residential driveway apron subject to specific safety and operational constraints	EFES	Q4 2022	
Social	2022-05	07-Mar-22	Littleton	Alternatives to current road configuration on Oakdale Avenue, including crosswalks, traffic calming, traffic humps and bike lanes.	EFES	Q3 2022	Appropriate Councillors have been contacted to advise that the required studies and collection of data can only be done in the Spring / Summer
Social	2022-07	28-Mar-22	Porter / Garcia	Prepare a report regarding item of correspondence from Friends of 12 Mile Creek with information on the questions posed in the item of correspondence.	CAO	2022	See Council Correspondence Report from March 28, 2022, Sub-Item 6, for the item of Correspondence.
Social	2022-11	25-Apr-22	Miller	Update Housing Action Plan to include emphasis on affordable housing	PBS	26-Sep-22	Updating the Housing Action Plan is on the PBS workplan for a 2023 start. Will provide a report on the status of the 2017 Housing Action Plan.
Social	2022-12	25-Apr-22	Mayor	Prepare a report on the creation of an Indigenous Relations Advisor position, including a job description developed in collaboration with the Niagara Regional Native Centre and a potential workplan. Workplan to include possibility of collaborating with St. Catharines Library and FirstOntario Performing Arts Centre	CAO / CSS	2022	Requested return date of Q3 2022. Funding for the position to be referred to the 2023 annual operating budget deliberations
None	2021-27	15-Nov-21	Williamson	Respond to the item of correspondence from Marianne Murray regarding Regional Road 87, including the legal questions raised by Ms. Murray	LCS	2022	Item of correspondence included as additional correspondence from meeting of November 15, 2021
None	2019-47	16-Dec-19	Miller / Mayor Sendzik	That the request for funds to be used to record in-camera meetings be referred to 2020 for a report including the upgrading of screening services for all meetings (open and closed sessions).	LCS	2022	
None	2022-06	07-Mar-22	Porter	Information on a lobbyist registry for St. Catharines and the possibility of a fee-for-service agreement with the Niagara Region	LCS	2022	Information will be provided as a memo

Follow Up Reports

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Economic	2020-17	09-Nov-20	Mayor Sendzik	That Council bring back the Accessory Dwelling Unit Program in 2022 to come back as part of an update on the overall CIP program annual report.	PBS	2022	Follow up report to PBS-154-2020 and PBS-048-2022.
Social	2020-07	24-Feb-20	Porter	Revised Graffiti Program: Consult with the community, the relevant cultural committees and downtown stakeholder groups to modernize the graffiti program and by-law by 2021.	PBS	2022	Follow up report. Initial report (PBS-010-2020) approved February 10, 2020. Delayed due to COVID.
Social	2022-03	17-Jan-22	Phillips	That staff report back with additional information on the boat launch	CAO	2022	Follow up report to CAO-004-2022. See Council minutes of January 17, 2022
Social	2022-08	11-Apr-22	Miller	Success of the 2022 beach strategy, residential beach parking permits and recommended amendments to the beach strategy, including discounted parking passes for seniors and variable pricing for parking	CAO		Follow up report to CAO-044-2022. See Council minutes of April 11, 2022. Report back to Council before the 2023 beach season



Corporate Report City Council

Report from: Planning and Building Services, Planning Services

Report Date: September 1, 2022

Meeting Date: September 12, 2022

Report Number: PBS-143-2022

File: 22 104646 OP and 22 104644 ZA

Subject: Planning Act Public Meeting – Recommendation Report Application to Amend Official Plan and Zoning By-law 2013-283; Subject Lands: 10 Pleasant Avenue
Owner: 2390541 Ontario Inc.

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: economic and social



Recommendation

Official Plan Amendment

That Council approve an amendment to the City of St. Catharines Official Plan (the Garden City Plan) for the lands described as Lots 34 to 40, Lots 42 to 53, and Lots 64 to 72, Registered Plan CY-147, St. Catharines, municipally known as 10 Pleasant Avenue, as follows:

- a) That Schedule E4, Central Planning District, be amended by changing the land use designation of the subject lands from Medium Density Residential to High Density Residential as identified in Appendix 11.

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 upon expiration of the appeal period, staff be directed to forward any appeals to the Ontario Land Tribunal for consideration and final approval; and

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

Zoning By-law Amendment

That Council approve an amendment to the City of St. Catharines Zoning By-law 2013-283, for the lands described as Lots 34 to 40, Lots 42 to 53, and Lots 64 to 72, Registered Plan CY-147, St. Catharines, municipally known as 10 Pleasant Avenue, as follows:

- a) That Section 15.1, Schedule A (A13), Zoning Maps, be amended by zoning the subject lands from Medium Density Residential with Special Provision and Holding Provision (R3-142-H1) to High Density Residential with Special Provision and Holding Provision (R4-142-H1) as outlined in Appendix 12; and
- b) That Section 13.1 'List of Special Provisions', be amended by replacing the existing Special Provision 142 as outlined below and in Appendix 12.

Special Provision	Zone	Schedule A	Schedule B	Location	By-law
142	R4	13		10 Pleasant Avenue	2022- 
A private road development shall be subject to the following provisions:					
1.	Minimum front yard to an apartment building / long term care facility			1.5 m for portion of building less than 25 m in height / 3.0 m for portion of building 25 m in height or greater	
2.	Minimum exterior side yard to an apartment building / long term care facility			3.5 m for portion of building up to 18.7 m in height / 5.5 m for portion of building greater than a height of 18.7 m but less than 25 m / 7.5 m for portion of building 25 m in height or greater	
3.	Minimum rear yard to an apartment building / long term care facility			40 m	

4.	Minimum interior side yard to an apartment building / long term care facility for a maximum extent of 30 metres, measured from the front lot line (Pleasant Avenue)	6 m for portion of building less than 25 m in height / 8.0 m for portion of building 25 m in height or greater
5.	Maximum building height for an apartment building / long term care facility	33 m
6.	Minimum exterior side yard for townhouse	2 m
7.	Maximum building height for a townhouse	12 m
8.	Minimum distance from private road to front wall of a dwelling (townhouse)	2.5 m
9.	Minimum distance from private road to end wall of a dwelling (townhouse)	1 m
10.	Minimum parking (private road development)	0.95 spaces per unit
11.	Minimum parking (residential convenience uses)	0 spaces
12.	Location of required bicycle parking	Required bicycle parking spaces are permitted to be located away from the principal entrance of a building
13.	Minimum landscape buffer between a parking area with 5 to 20 parking spaces and an abutting residential zone	2 m
14.	Maximum Gross Leasable Floor Area of individual Residential Convenience Use	490 m ²
15.	Parking Space Dimension when Obstructed by a wall, column, or other obstruction	If a standard parking space is obstructed on one or two sides by a wall, column or other obstruction, the Standard Minimum Parking Space Dimension of 2.6 m (width) by 5.2 m (depth) shall apply only if:

		<ul style="list-style-type: none"> - The wall, column, or other obstruction does not project into the parking space; and - The wall, column, or other obstruction is located at the front or rear of the parking space and does not exceed a length of 1.0 m
16.	Amenity Area	A minimum amenity area of 10 m ² provided for each unit, of which 400 m ² shall be provided in one communal outdoor area containing playground equipment. Amenity Area can include a combination of communal outdoor area, communal indoor area, private balconies, and private terraces.

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

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

That upon expiration of the appeal period, staff be directed to forward any appeals to the Ontario Land Tribunal for consideration and final approval; and

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

Summary

This report considers applications for Official Plan Amendment and Zoning By-law Amendment related to the lands located at 10 Pleasant Avenue.

The applicant proposes a private road development consisting of a nine-storey apartment building with 351 units, 14 three-storey townhouse dwelling units, 490 square metres of residential convenience commercial uses at grade, and parking provided

primarily underground. To facilitate the proposed development, the applicant has proposed an Official Plan Amendment to designate the lands from Medium Density Residential to High Density Residential and a Zoning By-law Amendment to change the existing zoning from Medium Density Residential with a Special Provision and Holding Provision (R3-142-H1) to High Density Residential with modifications to the existing Special Provision and retention of the existing Holding Provision (R4-142-H1).

Staff are recommending approval of the subject applications. The applications are consistent with the Provincial Policy Statement, conform to the Growth Plan for the Greater Golden Horseshoe, and conform to the Region of Niagara's Official Plan, and the City's Official Plan.

Relationship to Strategic Plan

Economic Sustainability: The proposed development supports private investment through redevelopment of underutilized lands. Future residents of the proposed development will support transit and local business.

Social Sustainability: The proposed development contributes to the connectivity of people, places and neighbourhoods by providing additional residential units and taking advantage of proximate transportation routes. Future residents will benefit from the local transit, recreational and community facilities.

Background

10 Pleasant Avenue – Previous Applications

In 2017, Council considered applications for a previous development concept on the subject lands. The applications considered at that time were for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium to facilitate development of 37 units in the form of detached, semi-detached, townhouse and apartment dwellings, with a new public road and private rear lane. The applications were approved, resulting in the existing Medium Density Residential Official Plan designation and zoning for the lands. While draft plan approval was granted for the plans of subdivision and condominium, those approvals have now lapsed, as the conditions were not fulfilled within three years of draft plan approval.

OPA 26 and Ontario Street Corridor Secondary Plan

The subject lands comprise a part of the former land holdings associated with employment / industrial uses on the adjacent lands at 282 and 285 Ontario Street (former GM site). The lands are located immediately south of 282 Ontario Street and surrounded on the other three sides by a City park (Alex MacKenzie Park), and longstanding commercial and residential uses. The lands at 282 and 285 Ontario Street were redesignated from Employment to Mixed Use through Official Plan Amendment (OPA 26), which was adopted by City Council on November 30, 2020, and further approved by the Region of Niagara in March 2021. The lands at 10 Pleasant Avenue were not subject to OPA 26.

Development of 10 Pleasant Avenue can proceed at this time and will not compromise the future development of the former employment / industrial lands at 282 and 285 Ontario Street. The development of the 282 and 285 Ontario Street sites will be guided by a comprehensive and coordinated planning process through the Ontario Street Corridor Secondary Plan Study, the Terms of Reference of which were approved by Council on May 30, 2022, and which will require extensive public consultation and engagement, and future Council approvals.

All three properties (282 and 285 Ontario Street, 10 Pleasant Avenue) are located within the Ontario Street Corridor Secondary Plan study area. One of the primary goals of the Secondary Plan Study is to support a mixed use, medium and higher density node centered around the three properties and providing for a range of housing types and opportunities. Although the lands at 282 and 285 Ontario Street are now designated Mixed Use in the Official Plan (GCP) through OPA 26, they are still zoned Employment in the City's Zoning By-law. However, the subject lands at 10 Pleasant Avenue were previously designated Commercial in the GCP, and through amendment approved in 2017 are currently designated in the GCP and zoned for medium density residential uses. The purpose of the subject applications is not to change the designation of the lands to residential, but to facilitate an increase in the residential density permitted. In addition, the applications for Official Plan Amendment and Zoning By-law Amendment were received on April 29, 2022, and deemed complete on May 27, 2022, prior to Council approval of the Terms of Reference to undertake the Secondary Plan Study. Based on the above, it is staff's opinion that the subject applications may appropriately be considered at this time, and in advance of the Secondary Plan Study completion.

Report

Proposal

The subject applications are proposed to facilitate a private road development consisting of an apartment building and townhouses, with access to the site from Thomas Street. A total of 365 units are proposed, with 351 units in a nine-storey apartment building, to a maximum height of 33 metres (108 feet), and 14 three-storey townhouse units, separated into two blocks. Parking for the site is proposed to be provided primarily underground, with 345 spaces underground and 14 at the surface, for a total of 359 spaces. The parking areas include 9 accessible spaces, and the plans indicate a total of 50 bicycle spaces provided in a combination of outdoor racks and indoor storage.

Location and Site Description

The subject lands at 10 Pleasant Avenue are located on the south side of Pleasant Avenue and the west side of Thomas Street, opposite Alex MacKenzie Park. A location map is attached as Appendix 1.

The area of the lands is approximately 11,621 square metres (1.16 hectares) with 97.595 metres of frontage along Pleasant Avenue and 102.655 metres along Thomas

Street. Through the future application for Site Plan Approval (discussed in greater detail later in the report), the Applicant will be required to dedicate a road widening along each of these frontages, resulting in a new lot area of 11,155 square metres (1.11 hectares) and frontage of 96.73 metres along Pleasant Avenue and 98.75 metres along Thomas Street.

The subject lands were previously used as a parking area serving the former industrial / employment uses to the north and west at 282 and 285 Ontario Street. The lands about a total of 12 properties, of which half are zoned medium density residential and the other half commercial.

Surrounding land uses include:

North: Pleasant Avenue and former industrial / employment lands

East: City lands (Alex MacKenzie Park and Haig Bowl Arena)

South: A mix of residential uses

West: A mix of commercial uses, Ontario Street and former industrial / employment lands

Planning Policy Context

Provincial planning legislation requires Council's decision on a planning application to be consistent with the Provincial Policy Statement (2020), and must conform to Provincial plans, upper-tier Official Plans and lower-tier Official Plans. Accordingly, planning staff have evaluated 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 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 3.

Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS), provides direction on matters of Provincial interest related to land use planning and development. Section 3(5) of the Planning Act stipulates that decisions of Council "shall be consistent" with the PPS.

The subject lands are located within a Settlement Area (urban area boundary) under the PPS. Sections of the PPS, which are particularly relevant to the subject proposal, are summarized below.

Settlement Areas

Under the PPS, Settlement Areas are prescribed to be the focus for growth and development. Land use patterns within settlement areas shall be based on a mix of densities that efficiently use land, are appropriate for and efficiently use planned or available infrastructure and public service facilities, minimize negative impacts to climate change, support active transportation and are transit supportive. Settlement areas are to accommodate a significant supply and range of housing options through

intensification and redevelopment by using brownfield and greyfield sites, subject to appropriate development standards and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Housing

The PPS requires municipalities to provide an appropriate range and mix of housing types and densities to meet the needs of current and future residents. This can be accomplished by municipalities permitting and facilitating housing options through residential intensification and redevelopment. The PPS further stipulates that new housing should be directed to areas where infrastructure is available, where active transportation and transit-supportive development can be achieved and establishing standards for residential intensification and redevelopment that minimize the cost of housing and facilitate a compact built form.

Implementation and Interpretation

The PPS indicates the importance of Official Plans and Zoning By-laws in implementing the 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 and advance Provincial interests and direct development to suitable areas.

Record of Site Condition

The PPS requires that sites with potential contaminants be assessed and remediated as necessary to ensure that there will be no adverse effects. A Record of Site Condition (RSC) has not yet been filed with the Ministry of Environment, Conservation and Parks' (MECP) Brownfield Environmental Site Registry for 10 Pleasant Avenue. A phase one and two environmental site assessment were submitted with the subject applications to support the future filing of a Record of Site Condition (RSC) for residential use.

A Holding provision in the Zoning By-law currently applies to the subject lands and requires that environmental site assessment and filing of an RSC be completed in order to lift the Holding and allow for the underlying residential zoning to take effect. The condition of the holding provision has not yet been met and is proposed and recommended to remain as part of the zoning for the subject lands.

PPS Summary Opinion

Staff are of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the policies of the PPS as policies related to intensification, growth, and housing are upheld. The proposed development will make use of underutilized lands and the application of the Holding provision will ensure the lands have been deemed acceptable for residential use by the MECP prior to development.

At a density of approximately 327 units per hectare, this intensification development will use existing infrastructure, public service facilities, promote active transportation and is considered transit-supportive development. The proposed units will contribute to the range of housing options by providing a mix of apartment and townhouse units in the City of St. Catharines.

Provincial Growth Plan for the Greater Golden Horseshoe

The Growth Plan provides a policy framework that is designed to promote economic growth, increase housing supply, create jobs and build complete communities with the aim to make life easier, healthier and more affordable for people of all ages. It is intended to be achieved within the context of each individual community, while being sensitive to adjacent areas. The City's Official Plan and Zoning By-law implement this framework for the City of St. Catharines.

The Growth Plan identifies the subject lands as within the Delineated Built-up Area, which is an area intended to be the focus for intensification, investment, and population growth. Guiding principles within the Growth Plan direct compact and well-designed development to prioritize intensification. Growth and development should be directed to established built-up areas to avoid expanding existing urban boundaries where possible by encouraging intensification. Within settlement areas, growth will be focused in delineated built-up areas, strategic growth areas, locations with existing or planned transit and areas with existing or planned public service facilities.

The Growth Plan further establishes that a diverse range of housing options and densities be provided to meet current and future needs of residents. Multi-unit residences are to incorporate a mix of unit sizes to accommodate diverse household sizes and incomes.

The following provides an overview of the Growth Plan policies as it applies more specifically to the subject applications for Official Plan and Zoning By-law Amendments:

- Support the achievement of complete communities that support healthy and active living and meet people's needs throughout an entire lifetime.
- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land, infrastructure and transit.
- Support a range and mix of housing options to serve all sizes, incomes and ages of households.
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities.

Growth Plan Summary Opinion

The subject lands are located within a Delineated Built-up Area, are located in close proximity to public transit routes and within proximity to a commercial corridor and public service facilities, which supports appropriate context-sensitive intensification. The subject lands are also within walkable proximity to the downtown. Further, there are existing municipal infrastructure and services available to the subject lands. The proposed increase in density is an efficient use of a currently vacant parcel at 10 Pleasant Avenue.

The result is 365 new residential units at 10 Pleasant Avenue that conform with Growth Plan policies to support the achievement of complete communities by increasing the mix and range of housing types available in St. Catharines. The development will be held to

high design standards, to be applied and enforced through the Site Plan Approval process and agreement. The policies of the Growth Plan are upheld.

Regional Official Plan

Under the Regional Official Plan, 2014 (ROP), the subject lands are within the Urban Area Boundary for the City of St. Catharines and are designated Urban (Built-up) Area. A full range of uses including residential, commercial, and industrial are generally permitted within these areas, subject to the availability of servicing and infrastructure. Consistent with Provincial and Regional policy direction, the ROP promotes the efficient use of existing infrastructure and higher density development in Urban Areas to encourage infill as the preferred form of development. Further, the ROP states that a minimum of 40% of all annual residential development in the Niagara Region is to be located within built-up areas. Specifically, residential intensification that contributes to a mix of housing types and densities, including housing that is affordable, accessible and suited to the needs of a variety of households and income groups in Niagara, is encouraged in such areas to meet the current and future needs of a diverse population with a variety of household types.

The ROP promotes development that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara. The proposed Official Plan and Zoning By-law Amendment will facilitate residential development that makes efficient use of underutilized urban serviced lands, as permitted within the urban area boundary and built-up areas for the City of St. Catharines. The proposed development would assist the City in achieving the intensification targets for new residential development within the Built-up Area as set out by the Growth Plan and Regional policies. The proposal will result in the creation of a mixed-use building and townhouse units, which will provide a range of housing options in the neighbourhood to meet the needs of a variety of households, populations and income groups.

The Region of Niagara new Official Plan was recently adopted by Regional Council and is currently awaiting approval from the Ministry of Municipal Affairs and Housing. Until the updated Regional Official Plan is approved by the province, the existing ROP (2014) is in effect and used to evaluate development applications.

Further to the above, in accordance with Policy 7.12.2.5 of the new Regional Official Plan, development applications deemed complete prior to the date of the Plan's approval shall be permitted to be processed and a decision made under the Local and Regional Official Plan policies, as well Provincial policies that existed when the application was deemed complete. The subject applications were deemed complete on May 27, 2022, prior to the approval of the new Regional Official Plan by Regional Council on June 23, 2022.

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential on Schedule D1 of the City's Official Plan (Appendix 4). The lands are further designated Medium Density Residential on the Central District Plan, Schedule E4 (Appendix 5).

The application for Official Plan Amendment seeks to change the land use designation from Medium Density Residential to High Density Residential (Appendix 6). This amendment is requested to allow high density development to facilitate the proposed 365-unit private road development on site, which has a density of 327 units per hectare.

The current Medium Density Residential designation of the GCP 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 with a building height limit of 20 metres. The proposed High Density Residential designation permits triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density generally 85 units per hectare of land or greater.

Section 16.1 of the Garden City Plan outlines general policies to be considered in evaluating an official plan amendment application. This application for amendment to the Plan has been evaluated against these considerations, as follows:

Garden City Plan Policy (16.1)	Planning Comment
i) The degree of conformity of the proposed amendment to the general intent, purpose and philosophy of this Plan, particularly the vision, guiding principles and general policies of the Plan	<p>Part B, 'Vision and Guiding Principles', describes the general intent of the Plan and the basis for which the land use policies of the Plan have been prepared. It establishes priorities including the accommodation of growth and change, housing, and achieving a sustainable community. To achieve a sustainable community, this includes providing choices and opportunities for employment, housing, transportation, social, recreational, and cultural amenities. A sustainable community also makes efficient use of its infrastructure by focusing on a compact, mixed-use, walkable, bikeable and connected community.</p> <p>To accommodate growth, housing and employment will primarily be accommodated within the designated Urban Area. Given the City's finite Urban Area, growth will be accommodated through the efficient use of vacant and occupied lands, through a more compact built form and density. Growth will also be accommodated through the application of design initiatives that support compatible, innovative, efficient and sustainable building, site, streetscape, neighbourhood and community design. Further, the Plan states that to accommodate future residents, growth will require evolution from traditional development patterns and trends. As such, new types of housing shall be provided in a manner not to compromise, but to accentuate and enhance the character, structure,</p>

	<p>function and accessibility of established residential neighbourhoods and activity areas. New housing will also be encouraged to support housing diversity for a range of life stages, special needs, incomes and ages to promote social inclusion and promote affordable housing options.</p> <p>Part D of the Plan, 'Land Use Policies', emphasizes more compact, innovative and alternative design to manage development. The proposal conforms to the Plan as it intends to develop vacant and underutilized serviced lands in a manner that is considerate of the surrounding area while also contributing to intensification within the City's urban area. The proposal provides additional residential units within the city, providing future residents with access to a neighbourhood that is serviced by existing infrastructure, including multiple transit routes. Community uses, such as schools, parks and recreation facilities are within proximity. Further, a variety of commercial services and retail uses are available within proximity to the subject lands. The proposed 365 units are a mix of apartment and townhouse units, thus contributing to the mix of housing options within the city to provide housing for households of different sizes, ages and incomes. At a gross density of approximately 327 units / ha, this residential development makes efficient use of a vacant brownfield / greyfield site within the built-up area.</p> <p>A sustainable community is one that has a vibrant downtown. One of the primary objectives in support of this principle is the creation of residential uses in or in close proximity to downtown. The subject lands are within 1.5 kilometres of downtown. Residential development of the site supports these objectives.</p>
ii) Consistency with Provincial and upper tier government plans, policies and legislation	As is required of the municipality, Provincial and Regional policies are entrenched in the Garden City Plan, as outlined above and throughout this report. The proposal complies with Provincial and Regional land use policies.
iii) The availability and suitability of land already designated for the proposed use, the need for and the feasibility of the proposed use	While designated Intensification Areas are the primary emphasis for housing intensification, the Garden City Plan supports appropriate and compatible infill and intensification in all neighbourhoods to meet housing needs and manage growth. The City's policies encourage the redevelopment of vacant and underutilized sites within the urban area to avoid the need to consider urban boundary expansions to meet housing needs. The proposed private road development is a good example of

	<p>compatible, transit-supportive intensification that will add to the range of housing types available in the neighbourhood.</p> <p>There is a limited supply of vacant land in the City's urban area and a further limited amount that is designated High Density Residential. The increase in density on the subject lands will allow 365 dwelling units to be added to the city's housing stock. The mix of apartment and townhouse units lends to providing a greater range of units to meet the diverse housing needs for households of various sizes, ages and incomes within the city.</p>
iv) The compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses	<p>The adjacent uses are medium density residential, commercial, greenspace and mixed use (formerly employment / industrial). Dwelling types in the surrounding neighbourhood consist of a mix of detached and semi-detached dwellings, with low-rise apartment buildings located to the south.</p> <p>A potential compatibility consideration relates to the uncertainty with how the former employment / industrial lands to the north (282 Ontario Street) will be redeveloped and potential impacts related to air emissions if the site were to remain industrial in nature. The City has initiated a Secondary Plan Study on these lands and the recent Land Needs Assessment undertaken by the City and forming the basis of OPA 26 resulted in designation of these lands from Employment to Mixed Use in the Official Plan.</p> <p>With 365 new dwelling units at 10 Pleasant Avenue, making use of vacant lands that are underutilized, the proposal represents an increase in permitted density from a current maximum of 99 units per hectare to 327 units per hectare. The increase in density is mitigated by the proposed design of the site. The conceptual site plan indicates three-storey townhouse dwellings to be located along the southern extent of the property, abutting the adjacent properties zoned Medium Density Residential (R3). The proposed nine-storey apartment building is located towards the Pleasant Avenue and Thomas Street frontages, and the proposed site-specific Special Provision proposes to establish a maximum permitted height of 33 metres and require minimum setbacks from each of the lot lines, tied to various building heights to ensure as the building gets taller, the setbacks increase.</p>

	<p>The future site plan application process will require adequate landscaping and buffers along lot lines and sufficient setbacks to mitigate potential adverse impacts to the surrounding lots. The majority of parking spaces are located underground, with one entrance to the site from Thomas Street.</p> <p>A site plan agreement will allow staff to ensure adequate fencing, screening and landscaping is provided to further soften the impact of the development on surrounding properties.</p>
v) The potential of the proposal to cause instability within an area intended to remain stable	<p>The nearby residential areas to the east and south developed during the early part of the twentieth century. There are a range of dwelling types in these neighbourhoods from detached dwellings to low-rise apartment buildings. The proposal will see a nine-storey apartment building and three-storey townhouses. To the west of the property is a commercial corridor along Ontario Street, which includes a range of commercial uses.</p> <p>The addition of 365 units is not anticipated to cause destabilization of the area, which currently has medium density residential uses, as well as being proximal to other uses and services that would benefit from additional residential units. Although the proposal is a higher density than the surrounding properties, the subject lands are large enough to accommodate a mid-rise apartment building that largely complies with current City regulations. The proposal meets City requirements regarding building height and achieves the intent of the Official Plan and Zoning By-law with its proposed setbacks, landscape buffers and frontage along Pleasant Avenue and Thomas Street. The development has been designed with variations in the height and setbacks (stepping) to assist with the transition to the existing neighbourhood as best as possible.</p> <p>The subject lands are a unique site in that they are vacant and underutilized serviced urban lands. The proposed application is intended to provide intensification in the city within an existing neighbourhood that benefits from various services and community uses.</p>
vi) The ability of the City's infrastructure and public service facilities to	<p>The subject lands are serviced by water, sanitary and storm sewer services. Through the site plan approval process, the applicant will be required to submit detailed</p>

accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure and public service facility improvements in other areas of the city	site servicing and storm water management designs which meet City and MECP standards. Servicing Reports submitted to date indicate that existing municipal services have adequate capacity to accommodate the proposed development.
vii) The financial implications, both cost and revenues, to the City	The proposed development presents no cost implications to the City. Any improvements to municipal infrastructure to the site which may be necessary to accommodate the development will be at the sole cost of the applicant. The development of the vacant lands to a private road development with apartment units, townhouse units, and residential convenience commercial will result in an increase to the assessed value of the property, and in-turn, increase tax revenues for the City.
viii) The degree to which approval of the amendment would establish an undesirable precedent	The approval of this application does not establish an undesirable precedent. The review is based on the individual context and circumstances of the area. The lands immediately to the south on Beech Street (north and south sides) also abutting designated lands on Ontario Street are designated Medium Density Residential. Designating the subject lands high density residential will result in a potential gradation of density to the former employment / industrial lands to the north. The site is appropriately located for residential intensification in close proximity to an arterial road and at the fringe of a commercial node. It will facilitate an apartment building that has been designed to complement the existing character of the surrounding area and is not anticipated to result in any adverse impacts.

In addition to the evaluation of a proposal against Section 16.1 of the Garden City Plan, there are additional policies that need to be considered. An analysis of Section 7.1 (c) urban design policies is conducted in the zoning by-law section of this report. Relevant policies from Sections 4.2, 4.3 and 7.1 (e) and (g) are assessed below.

Policy 4.2 (b) calls for “innovative, sustainable and context sensitive building, site, streetscape and neighbourhood design” and 4.2 (d) identifies the need for “compatibility of new development and redevelopment within established areas”. The proposed Official Plan Amendment accomplishes these policies by developing vacant lands with existing services available, rather than proposing development on lands that do not have municipal infrastructure or services. This lessens the environmental impact of the development and improves the project’s overall sustainability. The proposed development improves the streetscape through the infill of vacant lands and

demonstrates context sensitivity by gradually increasing the height of buildings within the site, increasing the setback from abutting residential lots to the south and the park to the east. With access to the site via Thomas Street, the proposal demonstrates context sensitivity by locating the drive aisle mid-block and separated from the neighbouring lot at 75 Thomas Street by a newly proposed townhouse unit.

Policy 4.2 (i) calls for a “range of choices for housing and transportation”. This application proposes 365 new dwelling units, with a mix of one, two and three-bedroom apartment units and townhouse units. This appeals to residents that may not wish to live in a larger housing form. Given the location of the property, it is also appealing to residents that do not have a vehicle and rely on alternative methods of transportation.

Section 4.3 of the Garden City Plan speaks specifically to the built form that development and redevelopment must achieve. The scale, height, and massing of the proposed apartment building at 10 Pleasant Avenue are appropriate for the site context given the size of the lot and proposed setbacks and landscape buffers. The proposed special provision includes a maximum height for an apartment building of 33 metres and 12 metres for townhouses. There is typically no maximum height in high density residential zones for apartment buildings, and the proposed maximum of 33 metres is considered appropriate in relation to the surrounding Medium Density Residential zone which permits a maximum height of 20 metres and Commercial zone, which has no maximum height. While the proposed nine-storey apartment building is taller than the existing built form in the surrounding area, the conceptual site plan indicates the building will have a number of steps to assist in providing a height transition and ensure the building will not dominate the streetscape of the neighbourhood. The plan indicates a transition in height from three storeys at the southern extent of the site, with heights of seven storeys (24.9 m) along the Pleasant Street frontage and five-storeys (18.7 metres) along the Thomas Street frontage, with increased setbacks as the building height increases to the nine-storey (33 metre) peak. The majority of the structure is directed towards the north and east edges of the site, with patios, the commercial unit and walkway connections proposed at grade, resulting in the building addressing both the Pleasant Avenue and Thomas Street frontages and animating the streetscape. The proposed stepping will also assist in minimizing sun shadows, light trespass and glare and wind effects. Design elements, including windows, doors, colours and textures will be regulated through the site plan approval process.

Section 4.3 of the Garden City Plan also states that development will locate parking in a manner that minimizes impact to the surrounding area and environment by consolidating the width of driveways and curb cuts, providing underground parking where possible, limiting surface parking between the building and the public street, and providing connection to the public street. The proposed site layout achieves the intent of these policies by locating a majority of the parking for the development underground, limiting the surface parking area to 14 spaces, located behind the proposed buildings, out of view from the public street, providing sidewalk connections to each of the street frontages, and proposing one driveway access to the site from Thomas Street, limiting the number of required curb cuts.

Section 7.1 (e) and (g) of the GCP states that development and redevelopment within the Urban Area shall be evaluated having regard for supporting connectivity to public transit and active transportation, and supporting the best use of existing resources, infrastructure and service capacity. The proposal for 10 Pleasant Avenue would provide future residents with access to existing transit routes that connect to key locations in the city, as well as transfer options to other routes within the city and region. The proposed development would be serviced using existing municipal services and infrastructure.

Based on the policy evaluation above, staff are satisfied that the proposed Official Plan Amendment meets the intent of the Official Plan and recommend approval.

Zoning By-law

Zoning By-law 2013-283 zones the subject lands Medium Density Residential with a Special Provision and Holding Provision (R3-142-H1) (Appendix 7). The R3 zone permits a variety of residential uses including detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings as well as apartment buildings with a maximum building height of 20 metres. Private road developments with the aforementioned dwelling types are also permitted.

The proposed Zoning By-law Amendment seeks to change the zoning for 10 Pleasant Avenue to High Density Residential, revise the existing site-specific special provision, and retain the existing Holding Provision (R4-142-H1)(Appendix 8). The change to R4 zoning will permit detached, semi-detached, duplex, triplex, fourplex, quadruplex and townhouse dwellings as well as apartment buildings. Private road developments with the aforementioned dwelling types are also permitted in the R4 zone.

This change is being sought to permit the proposed private road development with 365 units in an apartment building and townhouses at 10 Pleasant Avenue. The amendment to the existing special provision is being sought to establish site specific zoning provisions for setbacks, landscaping, parking and provision of amenity space on site. The special provision also adds a maximum building height to the apartment building as it relates to the proposed reduced setbacks and a maximum building height for the proposed townhouse dwellings. The proposed special provision (R4-142) is outlined below and in Appendix 12.

Provision	Standard R4 Zone Requirement	Proposed R4 Zone Requirement
<i>Private Road Development</i>		
Minimum front yard to an apartment building/long term care facility	3 m for portion of building less than 14 m in height / 5 m for portion of building 14 m in height or greater	1.5 m for portion of building less than 25 m in height / 3.0 m for portion of building 25 m in height or greater

Minimum exterior side yard to an apartment building/long term care facility	3 m for portion of building less than 14 m in height / 5 m for portion of building 14 m in height or greater	3.5 m for portion of building less than 18.7 m in height / 5.5 m for portion of building greater than a height of 18.7 m but less than 25 m / 7.5 m for portion of building 25 m in height or greater
Minimum rear yard to an apartment building/long term care facility	4.5 m for portion of building up to 14 m in height / additional 0.5 m for each additional 1m of building height	40 m
Minimum interior side yard to an apartment building / long term care facility for a maximum extent of 30 metres, measured from the front lot line (Pleasant Avenue)	3 m for portion of building up to 14 m in height / additional 0.5 m for each additional 1m of building height	6 m for portion of building less than 25 m in height / 8.0 m for portion of building 25 m in height or greater
Maximum height for an apartment building / long term care facility	-	33 m
Minimum exterior side yard for townhouse dwelling unit	3 m to dwelling / 6 m to garage	2 m
Maximum building height for a townhouse dwelling unit	11 m	12 m
Minimum distance from private road to front wall of a dwelling (townhouse)	3 m	2.5 m
Minimum distance from private road to end wall of a dwelling (townhouse)	3 m	1 m
Minimum parking (private road development)	1.25 spaces per unit	0.95 spaces per unit
Minimum parking (residential convenience uses)	Varies from 1 space per 20 m ² to 1 space per 28 m ²	0 spaces
Location of required bicycle parking	Shall be located at a principal entrance of a building	Permitted away from principal building entrance
Minimum landscape buffer between a parking area with 5 to 20 parking spaces and an abutting residential zone	3 m	2 m

Maximum Gross Leasable Floor Area of individual residential convenience use	No individual use shall exceed 150 m ²	490 m ²
Parking space dimension when obstructed	3 m if obstructed on one side / 3.5 m if obstructed on two sides	<p>If a standard parking space is obstructed on one or two sides by a wall, column or other obstruction, the Standard Minimum Parking Space Dimension of 2.6 m (width) by 5.2 m (depth) shall apply only if:</p> <p>The wall, column, or other obstruction does not project into the parking space;</p> <p>The wall, column, or other obstruction is located at the front or rear of the parking space and does not exceed a length of 1.0 m</p>
Amenity Area	-	<p>A minimum amenity area of 10 m² provided for each unit, of which 400 m² shall be provided in one communal outdoor area containing playground equipment. Amenity Area can include a combination of communal outdoor area, communal indoor area, private balconies, and private terraces.</p>

Section 7.1 (c) of the GCP states that development and redevelopment within the Urban Area shall be evaluated having regard for building, site, streetscape, and neighbourhood 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) Adequate and appropriate lot size, shape and configuration, access, on-site facilities and outdoor amenity areas to accommodate use;
- iv) Provision of parking areas that do not dominate the site physically or visually and maximize opportunities for perimeter and internal landscaping.

The proposed change to R4 and site-specific provisions have been evaluated below against priorities and directions from the GCP:

Built Form and Integration into the Neighbourhood

The proposed nine-storey, 351 dwelling unit apartment building and 14 townhouse units of three-storey height at 10 Pleasant Avenue is designed to make the best use of the vacant serviced lands while also being sensitive to the surrounding neighbourhood. The proposed maximum apartment building height of 33 metres with steps at five storeys (18.7 metres) and seven-storeys (24.9 metres), and minimum rear yard setback of 40 metres, providing a setback greater than the maximum height of the apartment building, will ensure that the structure will provide needed intensification while also corresponding in scale, height and massing with surrounding dwellings. The proposed maximum height of 12 metres for townhouse dwellings represents a minor increase from the typically permitted 11 metres. The slight increase in height is partially attributed to the accommodation of an underground parking level, which accommodates 14 parking spaces dedicated for the use of the townhouse units. In addition to achieving the minimum setbacks from a rear wall to an abutting lot line, the conceptual site plan indicates the townhouse units will also be stepped, providing a seven metre building height closest to the abutting residential uses, with the increased 12 metre building height along the private road. The proposed building elevations are included in Appendix 2. The proposed façade fronting onto Pleasant Avenue and Thomas Street will improve the streetscape through infill of a vacant property along with introduction of patios, walkways and installing multiple tree plantings. The proposed interior side yard setbacks provide adequate space for landscaping, drainage and a privacy buffer between the proposed building and existing adjacent commercial uses. Adequate landscape buffers are provided along lot lines, with proposed reduced landscape buffers along pinch points or drive aisles that can accommodate landscaping. A site plan agreement will be employed to minimize impact and address privacy concerns caused by these reduced setbacks through appropriate fencing, landscaping and screening.

Adverse Impacts on Neighbouring Properties

As noted, the proposed apartment building has been designed to fit within the surrounding area and minimize adverse impacts on neighbouring properties. Staff are satisfied that the proposed building provides adequate setbacks and buffers to adjacent properties. Following staff's technical review, it was determined that the existing infrastructure is sufficient to accommodate the proposed development. Thus, it is not anticipated that the proposal will have adverse impacts to the surrounding area regarding infrastructure capacity.

Setback Reductions

The requested reductions in setbacks to the front and exterior side yard are considered appropriate in this context. The reduced front and exterior side yards are requested to allow the building to address the street frontages, and proposes greater setbacks along the Thomas Street frontage, where the development faces Alex MacKenzie Park. The reduced setbacks along the Pleasant Avenue frontage are proposed partly to recognize the impact of the required road widening, which will result in an additional 3.8 metres added to the City boulevard and the reduced setbacks will not negatively impact the Pleasant Avenue streetscape. The area along both frontages has sufficient space between the sidewalk and property line to avoid negatively impacting the public realm with a reduced setback. The site plan process will further ensure that harmony between the building and streetscape are achieved through building design. The proposed minimum rear yard setback of 40 metres exceeds what is typically required for an apartment building in the R4 zone and serves to ensure a suitable transition is provided from the existing Medium Density Residential (R3) zone to the south and the proposed high density development on the subject lands. Together, the proposed front, exterior side and rear yard setbacks allow a building appropriate in its context on a highly visible corner adjacent to a park, allowing a stronger street presence and achieving an appropriate level of intensification.

A portion of the interior westerly side yard is proposed to be reduced for a portion of the building 25 metres in height from 8.5 metres to 6 metres and for a portion of the building 33 metres in height from 12.5 metres to 8 metres. The proposed reduction applies only to the first 30 metres along the interior side yard, measured from Pleasant Avenue. The interior side yard setback beyond this extent is compliant with the standard R4 requirement of 3 metres for the first 14 metres in height and an additional 0.5 metres for each 1 metre in height beyond 14 metres. The proposed westerly side yard setback of 6 metres occupies approximately one third of the length of the apartment building and abuts a two-storey commercial building. The zoning setbacks are established to prevent building massing from crowding the lot line and to provide a buffer for privacy, landscaping and drainage. As noted, staff are satisfied that the proposed interior side yard setbacks are adequate. Privacy will be considered in the site plan agreement by requiring landscaping and a perimeter fence to further enhance privacy.

Parkland and Private Amenity

The minimum landscaped open space requirements for private road developments in the R4 zone is 25%. The conceptual site plan indicates the provision of approximately 36% landscaped open space, which exceeds the minimum requirement. The special

provision proposes a minimum amenity area of 10 square metres per unit, of which at least 400 square metres is to be provided in one communal outdoor amenity area, containing playground equipment. The proposed amenity area requirements are supported by staff, as the lands are located in the Central District of the City's Parks Policy Plan (PPP), an area currently underserved in terms of parkland. Alternative approaches to the provision of parkland, such as the proposed special provision relating to private amenity space, is supported by the Parks Policy Plan.

Landscape Buffer

The proposed reduction in the landscape buffer along the parking area abutting a residential zone from 3.0 to 2.0 metres is considered acceptable. Along the southern extent of the property, the lands abut residentially zoned properties. The conceptual site plan indicates the parking area towards the southwestern corner of the site, abutting a mix of commercial and residentially zoned properties. The plan indicates a private amenity area and open landscaped space along the southeastern extent of the rear lot line, and the portion deficient in landscape buffer width abuts two of the seven properties along the rear lot line. Through the future Site Plan process staff will require the landscape buffers to be planted in a way that provides a sufficient buffer between the proposed development and surrounding uses. Additionally, a board-on-board fence will be a requirement of Site Plan to further buffer the parking lot from neighbouring properties.

Parking Reduction

Private road developments require a minimum parking ratio of 1.25 parking spaces per dwelling unit. When applied to the proposed 365 units in the development, a minimum of 456 parking spaces are required. The proposal also indicates a proposed 490 square metres of residential convenience use, which is permitted as an accessory use to an apartment building and can include place of worship, service commercial, retail, day care, restaurant, office, and indoor recreation facility. The parking requirement for the residential convenience use varies depending on the use, from one space per 20 square metres to one space per 28 square metres. At this time, the specific use that will occupy the space is unknown, so the greater requirement of one space per 20 square metres has been applied. With 490 square metres of residential convenience use proposed, a minimum 25 spaces would be required. The residential and commercial uses proposed required a combined total of 481 spaces.

The applicant has requested a reduction in parking for a private road development from 1.25 spaces per unit to 0.98 spaces per unit and a reduction for residential convenience commercial uses (place of worship, service commercial, retail, day care, restaurant, office, and indoor recreation facility) from 1 space per 20 square metres to 0 spaces. The proposed reduction would result in a total of 359 parking spaces provided whereas 481 are currently required. The conceptual site plan (Appendix 2) provides 14 spaces at-grade, 14 spaces within garages (accessed through an underground garage) for the 14 townhouse units and 331 spaces in an underground parking garage. The applicant proposes to provide a reduced parking ratio for residential units and no parking requirement for the accessory use of residential convenience use, which could include a variety of commercial uses.

The Garden City Plan provides policies that reductions in parking need to be assessed against. Section 5.4.2 stipulates that reduction or elimination of parking will be considered where:

- i) shared parking is possible;
- ii) transit is readily available or where transit facilities are provided;
- iii) bicycle parking and facilities, or community facilities, are provided;
- iv) land, beyond minimum requirements, is dedicated for safe active transportation facilities and connectivity;
- v) land, beyond minimum requirements, is dedicated for greening and landscaping initiatives.

The subject lands are located in close proximity to several local transit routes including bus routes 302 / 402, 305, 412, 301 / 401, 306 / 406 as well as two identified transfer locations including Ontario Street and Welland Avenue, and Lake Street and Russell Avenue. The development is within 2 kilometers of the Downtown Bus Terminal which is an approximately 25 minute walk or eight minute bike ride, and provides additional local, regional, and intercity transit options.

The proposed parking reduction is not expected to cause unacceptable levels of spillover parking in adjacent areas. The location of the development north of the downtown district and within proximity to Ontario Street has the benefit of being within reasonable walking and cycling distance of a significant number of amenities including various medical clinics, a variety of shops, recreational activities, parks and trails, places of worship, community facilities and a higher concentration of jobs. The proximity to amenities allows future residents the ability to live without vehicles. Additionally, there is on-street parking available in the vicinity along Pleasant Avenue, Thomas Street, and Beech Street, which will assist in accommodating temporary parking needs such as commercial and visitor parking subject to the posted parking regulations. The parking reduction is considered appropriate for this location and is not expected to result in significant impacts on the surrounding neighbourhood.

Modified Stall Width

The applicant has provided rationale from a qualified professional indicating that parking spaces impacted by columns and pillars remain functional if the column or pillar does not exceed a length of more than 1.0 metre and provided the column or pillar does not project into the parking space. The City's zoning by-law requires parking stalls to be 2.6 metres wide. When a stall abuts a column or wall on one side, the width must be 3 metres; stalls abutting a column or wall on two sides need to be 3.5 metres wide. The increase in width is to permit room for vehicle doors to open and for people to be able to move around a parked vehicle. In other municipalities, the required width is relaxed if the obstruction only occurs within the first metre of the stall depth, meaning doors could still open on most models of cars. The City of St Catharines' Zoning By-law does not currently make that distinction.

For the proposed building, 249 of the underground parking stalls that abut columns are 2.6 metres in width. The columns are located within the first metre of the parking stalls, meaning they will not interfere with opening vehicle doors. The columns are on only one side of the parking stall, allowing for people to maneuver around the column by walking to the other side of the vehicle, if required. The drive aisles are 6.7 metres in width, which will provide enough room to access the parking stalls.

The applicants submitted a review of the parking design by LEA Consulting Ltd., a consulting engineering firm. The review concludes “the provision of a 0.3 m column adjacent to a 2.6 m parking space does not obstruct the door swing of a vehicle. The proposed parking garage design will maintain a 0.9 m clearance between adjacent stalls, which provides sufficient room for passengers to enter / exit their vehicle even if an adjacent vehicle is present.” The City’s traffic technologist reviewed the parking garage layout and the LEA Consulting Ltd. report and concurs with the findings that the 249 parking stalls deficient in width can still fully function as parking stalls. Since the parking spaces impacted by columns or pillars remain functional parking spaces, staff are satisfied with the proposed modification in required parking stall width for parking spaces with an obstruction no more than 1 metre in length.

Bicycle Parking and Facilities

The proposal shows parking or storage areas for 50 bicycles throughout the site. This includes parking for 12 bicycles along the Pleasant Avenue frontage, 12 along the Thomas Street frontage and 26 on the ground floor, within the building. The proposal exceeds the minimum number of 40 bicycle parking spaces for an apartment building with 351 units. The City’s Zoning By-law requires that bicycle parking is provided at the principal entrance of a building. The special provision proposes to permit parking to be provided away from the principal entrance, which would allow for the bicycle parking to be supplied in a variety of locations on the site. On a site of this size, providing bicycle parking in multiple locations on site is beneficial to support easy access and multiple options for visitors and residents to the site.

Active Transportation

While the development promotes active transportation and will provide future residents with access to transit routes and bike lanes, the site is not large enough to provide active transportation facilities and connections. However, there will be 50 spaces for bicycle parking onsite, which exceeds the minimum requirement for the proposal.

Residential Convenience Use

Residential Convenience Uses are permitted on the ground floor of apartment buildings in the R3 and R4 zones. The uses permitted include place of worship, service commercial, retail, day care, restaurant, office, and indoor recreation facility. They are permitted as an accessory use and the by-law establishes that no individual use shall exceed 150 square metres and the combined gross leasable floor area of all residential convenience uses on site shall not exceed 5% of the total residential floor area. The special provision proposes to permit a maximum gross leasable floor area of 490 square metres for an individual use. Based on the scale and density of the proposed development, a gross leasable floor area of 490 square metres for an individual use

would still satisfy the intent of the accessory function, and support convenience commercial uses that serve not the only the future residents of the development but could also service the surrounding neighbourhood and visitors to the Alex MacKenzie Park.

Holding (H) Provision

The Zoning By-law Amendment is being recommended for approval with a Holding (H1) Provision, which stipulates that an Environmental Site Assessment is required to be completed prior to development occurring, and if required, a Record of Site Condition must be filed to ensure that the condition of the site meets developable residential standards. The H1 Provision is being recommended as the site was previously used as a commercial parking lot and is proposed to be used for residential purposes. The lands will be studied, and if required, cleaned to residential standards. The Holding Provision must be removed prior to development proceeding.

The public notice issued for the subject applications indicated that a new Holding Provision (H26) was proposed regarding parkland dedication. Upon further review of the applications, it has been determined that a holding provision for parkland dedication is not necessary, as dedication of parkland is a standard requirement that will be addressed through the future application for Site Plan Approval.

Environmental Remediation and Record of Site Condition

As a standard condition of Draft Plan of Subdivision approval, the owner is required to file a Record of Site Condition with the Ministry of Environment and Climate Change, to be finalized prior to Plan registration. The site was previously used as a parking lot and may be subject to contamination. The site will be cleaned to residential standards prior to any development occurring.

Site Plan Control

Should the requested amendments to the Official Plan and Zoning By-law be approved, Site Plan Approval will be required to develop the proposed private road development.

Site plan control is the City's primary tool for implementing City standards and urban design guidelines; it regulates the placement of buildings, architectural elevations, access, parking, site servicing, grading, drainage, lighting, landscaping, fencing, storage of waste and other details of site design. Appendix 2 provides the proposed conceptual site design.

A public information session relating to the detailed design of the site will be hosted by staff as part of the site plan process. Through that forum, Planning Services staff and the applicant will present the refined designs to the public for information purposes. A site plan includes the registration of an agreement against the title of the lands that will be legally binding upon the existing and future property owners. The applicant will be required to post securities to ensure the terms of the agreement are carried out.

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 Amendments. The feedback that has been received is outlined below and has been considered in the recommendation of this report.

Niagara Region

The Regional Official Plan promotes development that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara. The proposed development would assist the City in achieving their intensification target (currently 95%) for new residential development within the Built-up Area as indicated in the Growth Plan and Regional policies. The proposal will result in the creation of a mixed-use building and townhouse units, which will provide an alternative form of housing, offering a range of options in the neighbourhood to meet the needs of a variety of households, populations and income groups. Accordingly, Regional staff is satisfied that the proposed amendments align with the intent of Provincial and Regional policies for intensification and providing a range of land uses within the settlement area.

Given the outstanding assessment and remediation works on this site to address the change in land use, Regional staff support the implementation of a Holding (H) provision in the amending By-law to require the filing of a Record of Site Condition (RSC).

Regional Planning and Development Services staff offers no objection to the proposed Official Plan and Zoning By-law Amendment applications.

Community, Recreation and Culture Services (CRCS)

The subject lands are located in the Central District of the Parks Policy Plan (PPP), an area currently underserved in terms of parkland. While the City should continue its efforts to acquire additional land in the Central District for parkland purposes, alternative approaches to the provision of parkland are supported by the PPP. These include the creation of Special Urban Parks (such as parkettes and plazas), requirements for greening and open space within private developments (implemented through the Zoning By-law), and the provision of private amenity space within developments.

CRCS is supportive of the proposed site-specific zoning for the property, in which minimum amenity areas of 10 square metres per dwelling unit are prescribed, with 400 square metres required to be dedicated to a private communal playground space.

As a condition of the future site plan agreement on this property, the applicant will be required to provide parkland dedication. Cash in lieu of parkland dedication can be directed to the parkland reserve fund, from which monies can be used to acquire additional parkland or to improve existing parkland in the neighbourhood. CRCS staff will continue to work with Planning staff to identify opportunities for additional parkland in the area through the Ontario Street Corridor Secondary Plan Study.

Development Engineering

Development engineering staff have no objection to the application for official plan amendment and zoning by-law amendment. The Functional Servicing Report submitted, prepared by Upper Canada Consultants dated July 26, 2022, certifies the site will contribute 18.28 L / s to the municipal sanitary sewer on Thomas Street and ultimately occupy 2.7% of its capacity, as well as a maximum of 0.5% capacity of the downstream trunk sewer to Carlton Street. The proposed development results in negligible increases in the sewer system and is not expected to trigger any required upgrades in the downstream system.

Detailed drainage design and servicing drawings will be required through the site plan approval process. The City will be requiring a dedication of land approximately 3.9 metres in width to add to the Pleasant Avenue right of way and 0.86 metres to add to the Thomas Street right of way.

Traffic

No objection to the applications for Official Plan Amendment and Zoning By-law Amendment. Traffic staff offer no concerns with the submitted traffic impact study.

District School Board Niagara

No objections to the proposed Official Plan and Zoning By-law Amendments. Future students from the development would attend Harriet Tubman Public School and St. Catharines Collegiate Secondary School.

Public Consultation

Open House

A public notice advising of a public open house was mailed to property owners within 120 metres of the property on June 13, 2022 (Appendix 9). This public notice was also shared through the City's digital channels and appeared on the City's website.

A digital public open house was held by Planning and Building Services over the Zoom platform on July 14, 2022. The purpose of the open house was to present the applicant's proposed Official Plan Amendment, Zoning By-law Amendment and conceptual site plan and offer an opportunity for attendees to ask questions and provide comments before staff recommendations are presented to Council for consideration. Members of the public were required to register in advance to speak to the applications at the public open house. As an alternative, the public was also invited to submit written or emailed comments and questions. While the open house was conducted over the Zoom platform, it was live streamed on the City's YouTube channel and has been available for viewing on YouTube since the open house.

The City received comments from eleven members of the public via email. 39 members of the public registered to attend the public open house, of which 16 spoke during the meeting.

The questions and concerns raised at the public open house and in written or emailed submissions are compiled into similar themes below followed by a staff response.

Comment: Concern that the subject lands would be developed before potential contamination from historic use on this site, and the surrounding former employment / industrial lands has been remediated.

Response: The subject applications propose to establish the land use permissions for the site only. The existing and proposed zoning for the site includes a Holding Provision, which needs to be lifted before any development can take place. Prior to development taking place on site, additional applications, such as Lift of Holding, Site Plan Approval and building permits, would be required. These future applications will only be approved once it has been demonstrated to the City and Ministry of Environment that any potential contamination of the site has been evaluated and addressed, and that the lands are suitable for residential use.

An Environmental Site Assessment is required to be completed prior to plan registration, and if required, a Record of Site Condition must be filed to ensure that the condition of the site meets developable residential standards. This requirement is entrenched in the Zoning By-law as a Holding (H) symbol and is also included as a condition of Draft Plan of Subdivision approval.

Comment: Concern that there is a lot of vehicle traffic currently, with drivers not respecting speed limits and stop signs. What measures will be implemented to ensure the traffic generated by a high density development will not negatively impact the surrounding neighbourhood?

Response: There were no concerns from either the City's traffic department or Regional staff regarding the submitted Traffic Impact Study, and no measures, such as signalized intersections or traffic calming were identified as being necessary as a result of the proposed development. The development is proposed to have one access to Thomas Street, which is located between Pleasant Avenue and Beech Street. It is the responsibility of all drivers to follow Ontario traffic laws. Concerns with driver behaviour are best addressed through enforcement.

Comment: Having a single entrance into and out of the site will result in a huge impact to Thomas Street.

Response: The proposed single entrance to the site limits the number of driveways from the site to Pleasant Avenue and Thomas Street, which benefits the streetscape and improves accessibility, where fewer curb cuts are required.

Comment: Overflow of parking from site to utilize on-street parking is a concern.

Response: On-street parking is permitted on Pleasant Avenue, Thomas Street, Beech Street, as well as other streets within the surrounding neighbourhood. Use of the on-street parking, in accordance with posted signage, is permitted. The special provision proposes a parking ration of 0.95 spaces per unit, which indicates that nearly all of the proposed units could have access to their own parking space. The proposed reduction in parking for the residential convenience use may see patrons utilizing on-street parking for short-term periods. Due to the location of the subject lands in walkable distance to bus routes and a commercial corridor, residents of the proposed development may not require the use of a personal vehicle.

Comment: Appreciation expressed for the design of the building, including the use of brick, orientation, and stepping.

Response: Many of the built form elements are reflected in the proposed special provision. Design details, such as building materials, plantings and fencing, will be further reviewed and solidified through future planning applications, such as site plan approval.

Comment: Will the development include or be required to include affordable units?

Response: There is currently no requirement for the development to include a ratio of affordable units. The applicant may choose to include affordable units.

Comment: The applications appear to be premature and should be considered in conjunction with the surrounding lands through the Ontario Street Corridor Secondary Plan.

Response: While the subject lands are located within the study area associated with the Secondary Plan, the applications were received and deemed complete prior to initiation of the Secondary Plan. In addition, unlike the former employment / industrial lands at 282 and 285 Ontario Street, which are currently zoned Employment, the subject lands are designated and zoned to permit residential uses. Staff are satisfied it is appropriate to consider the subject applications in advance of the Secondary Plan and that the approval of the applications are not prejudicial to the outcome in the land use study.

Comment: Concern that Harriet Tubman Elementary School is currently at capacity and cannot take on additional students. Where will future residents of this site be accommodated?

Response: The District School Board of Niagara was circulated the subject applications and provided comments which indicate that future residents of the subject site can be accommodated at Harriet Tubman Public School and St. Catharines Collegiate Secondary School.

Comment: Will the proposed units be rental or condominium tenure?

Response: No application for Plan of Condominium has been received relating to the proposed development. The Applicant could submit an application for Plan of Condominium at a later stage in the process.

Public Notice

A public notice advising of the public meeting was mailed to property owners within 120 metres of the property on August 23, 2022 (Appendix 10).

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 external 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 Ontario Land Tribunal, then the planner who has provided the second opinion shall be retained for the purpose of a hearing.

Financial Implications

There are no financial implications associated with this report.

Environmental Sustainability Implications

The development of this vacant site to accommodate residential use within the City's Urban Area contributes to environmental sustainability by reducing urban and suburban sprawl.

Conclusion

In summary, staff are recommending approval of the proposed Official Plan Amendment and Zoning By-law Amendment, subject to the recommendations set out in this report. The Amendments would facilitate the efficient and appropriate use of vacant lands within the urban area, in close proximity to downtown and with access to existing infrastructure, services, transit, and community facilities. The proposed private road development consisting of apartment and townhouse dwelling units will contribute to the City's intensification targets and to the range of available housing in the community.

These Applications for Official Plan Amendment and Zoning By-law Amendment have regard for matters of provincial interest, are consistent with the Provincial Policy Statement, conform to and do not conflict with the Growth Plan for the Greater Golden Horseshoe, and conform to and do not conflict with both the Region of Niagara's Official Plan and the City of St. Catharines Official Plan, subject to the staff recommendations herein.

Notifications

It is in order to advise David Falletta, Bousfields Inc., at 1 Main Street East, Suite 200, Hamilton, Ontario L8N 1E7, the owner's agent.

Prepared by

Taya Devlin
Senior Planner

Submitted by

Margaret Josipovic, MPA
Manager of Planning Services

Approved by

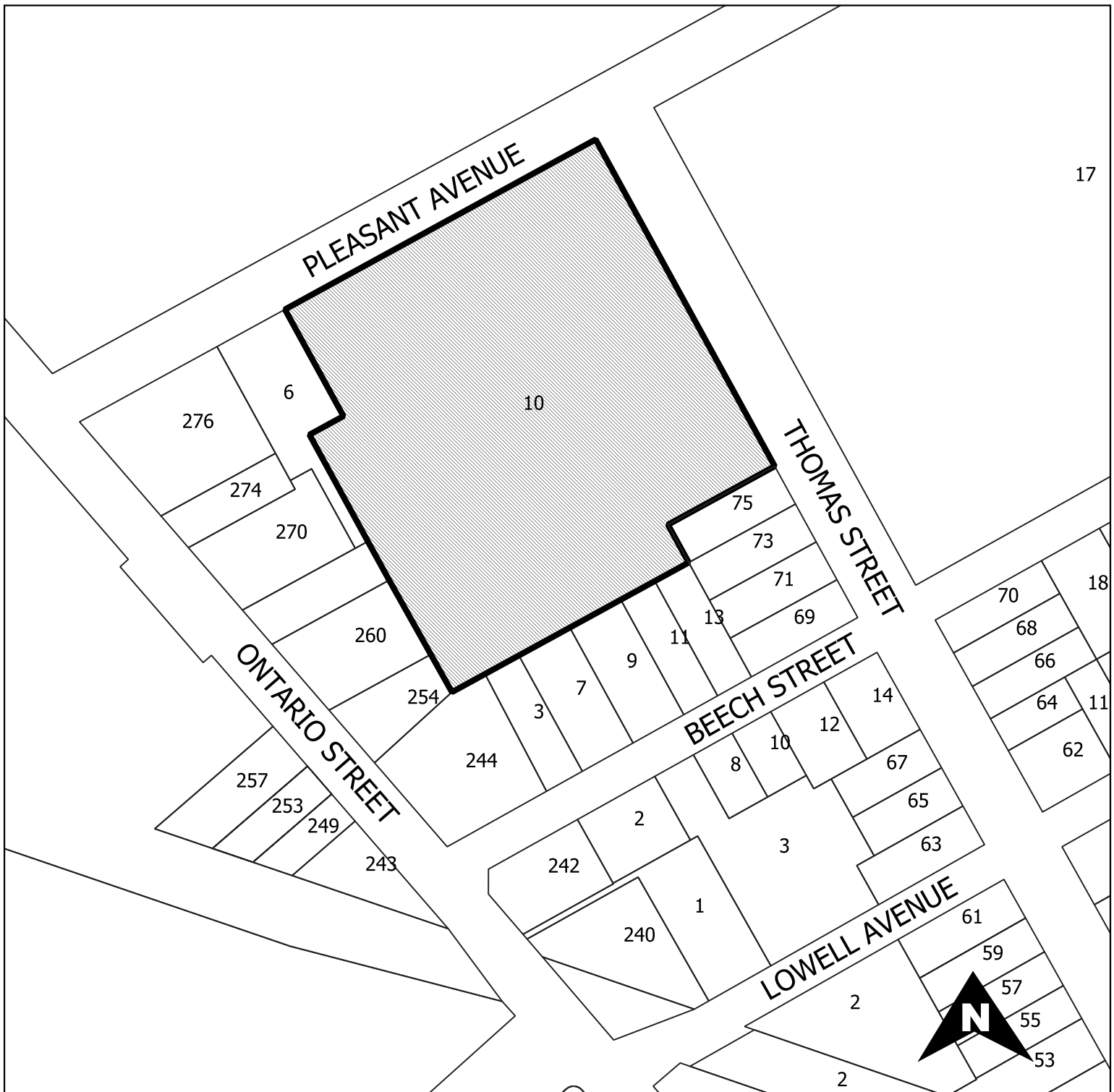
Tami Kitay, MPA MCIP RPP
Director of Planning and Building Services

Appendices

- Location Map and Legal Description
- Conceptual Site Plan and Building Elevations
- Ontario Planning Framework
- Official Plan Schedule D1
- Existing Official Plan Schedule E4
- Proposed Official Plan Schedule E4
- Existing Zoning
- Proposed Zoning
- Open House Notice
- Public Meeting Notice
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment

Location Map

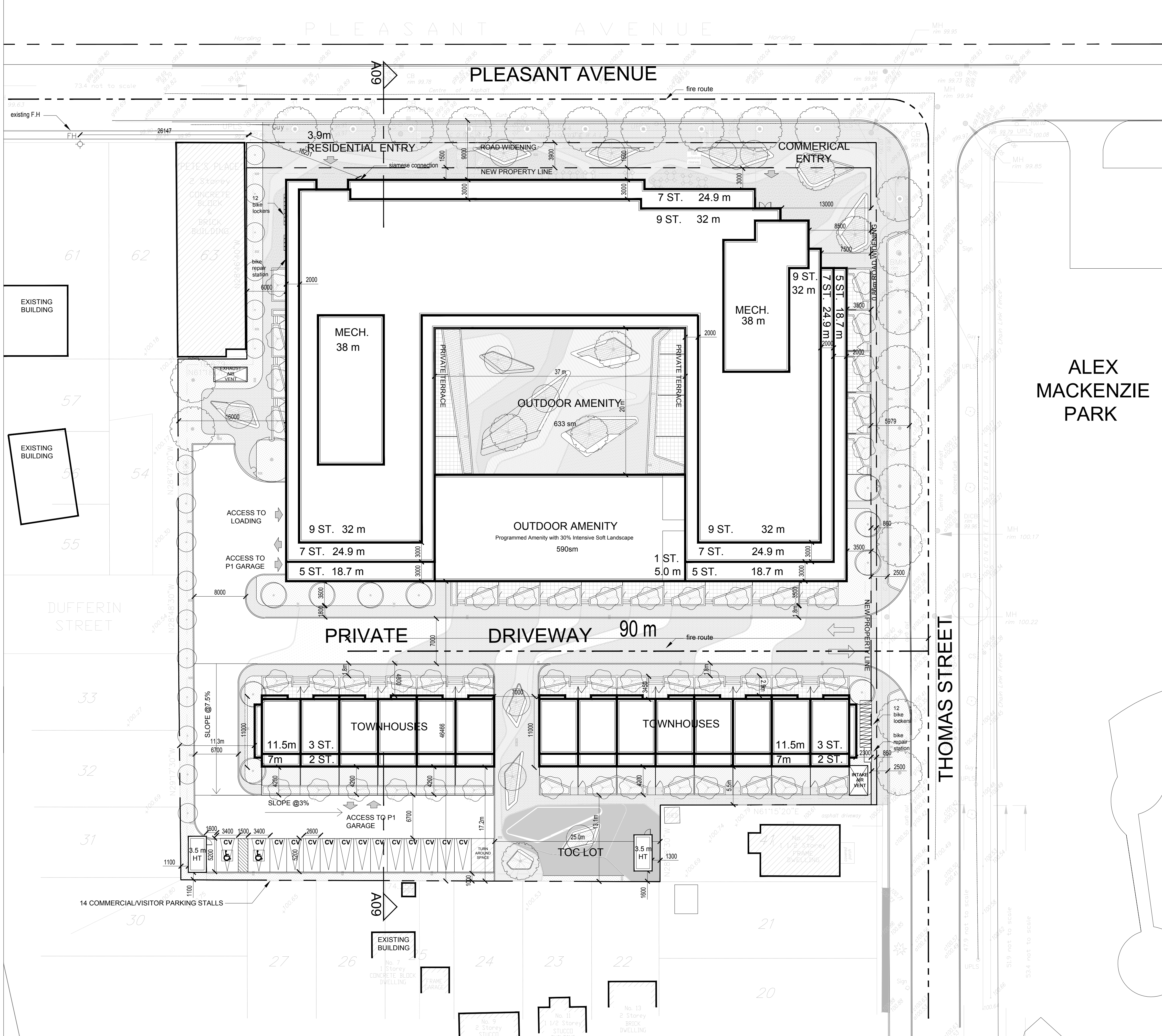
1



 Subject Lands

10 Pleasant Avenue

File No.: 22 104646 OP & 22 104644 ZA



ALEX
MACKENZIE
PARK

10 PLEASANT AVENUE
ST. CATHARINES, ONTARIO
SITE PLAN

PROJECT NO. 136491
Scale : 1 : 300

A01

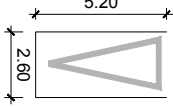
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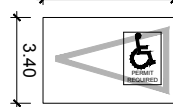
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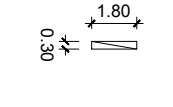


Issued for OPA/ZBA Apr 27-2022
Issued for OPA/ZBA Jun 27-2022
Issued for OPA/ZBA Aug 12-2022

LEGEND

- 

DENOTES STANDARD PARKING STALL SIZE
- 

DENOTES STANDARD STALL SIZE
- 

DENOTES STANDARD BICYCLE PARKING
- CV

COMMERCIAL VISITOR PARKING STALLS
- CS

CAR SHARE PARKING STALLS
- R

RESIDENTIAL PARKING STALLS
- EVSE

ROUGHED IN CONDUITS FOR ELECTRIC VEHICLES

P1 PARKING COUNT

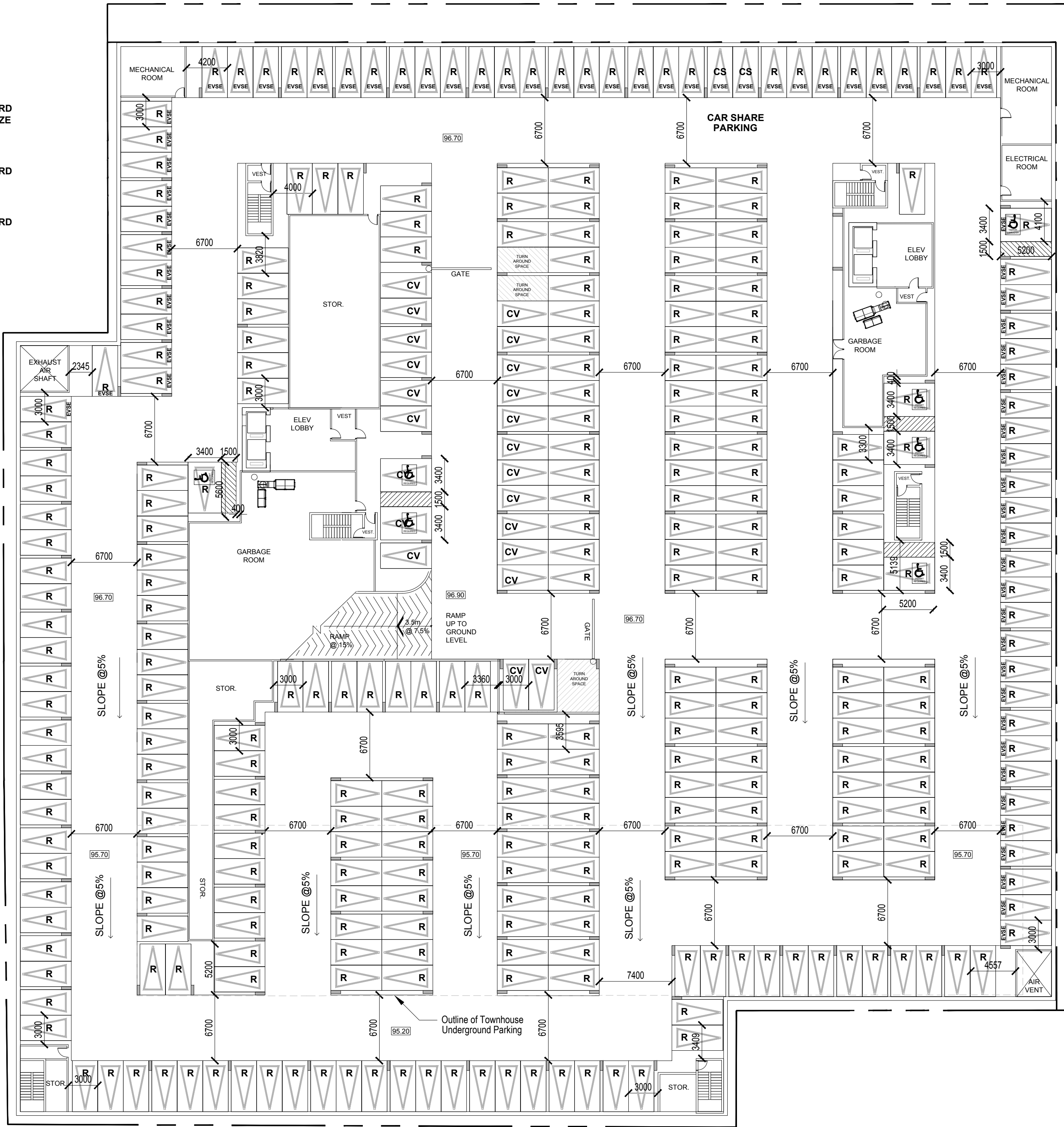
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COMMERCIAL/ VISITOR PARKING STALLS
- 2

CAR SHARE PARKING STALLS
- 307

RESIDENTIAL PARKING STALLS
- TOTAL

331 P1 PARKING STALLS
- P1 INCLUDES 69 SPACES WITH EVSE
- P1 INCLUDES 7 ACCESSIBLE SPACES



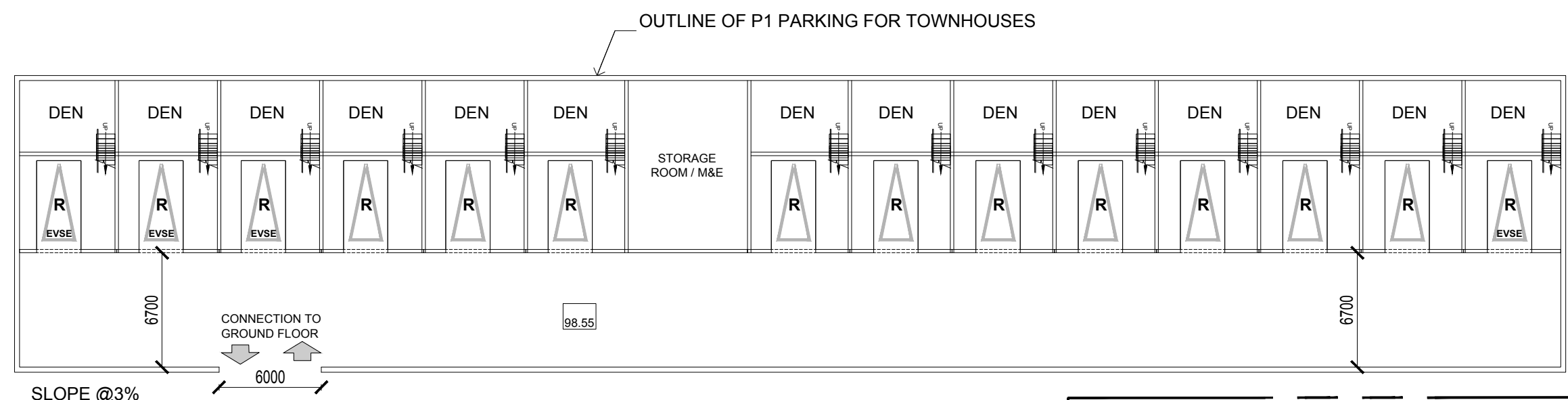
P1 Floor Plan

TH UNDERGROUND PARKING COUNT

- 14

RESIDENTIAL PARKING STALLS

TH UNDERGROUND FLOOR PLAN INCLUDES 3 SPACES WITH EVSE



TH Underground Parking Floor Plan

10 PLEASANT AVENUE
ST. CATHARINES, ONTARIO
P1 FLOOR & TH UNDERGROUND PARKING PLAN

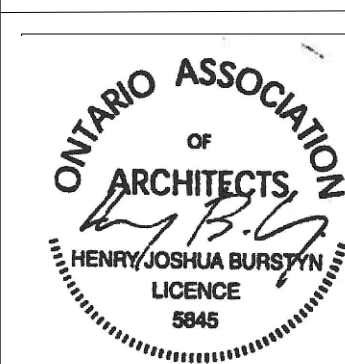
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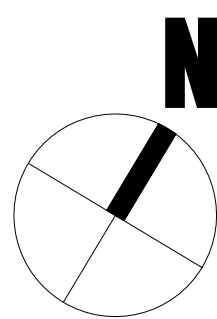
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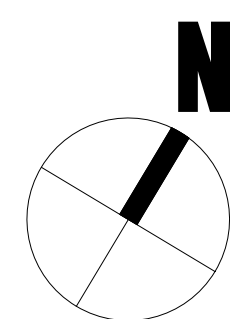
IBI GROUP ARCHITECTS
7th Floor-55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

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Issued for OPA/ZBA Aug 12-2022

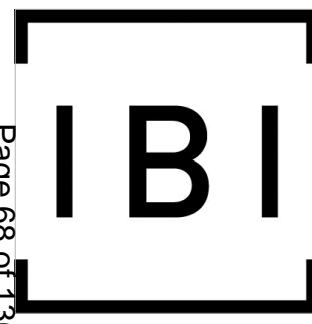




A09



Planning and Building Services, 10 Pleasant Avenue Official Plan and Zoning

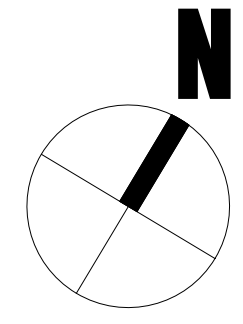


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SEAL



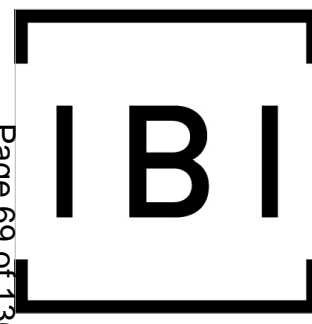
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Issued for OPA/ZBA Jun 27-2022
Issued for OPA/ZBA Aug 12-2022



**10 PLEASANT AVENUE
ST. CATHARINES, ONTARIO
EAST ELEVATION**

PROJECT NO. 136491
Scale : 1 : 150

A11

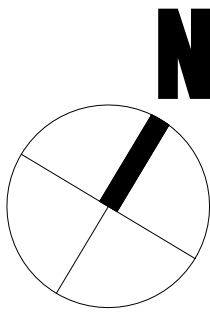


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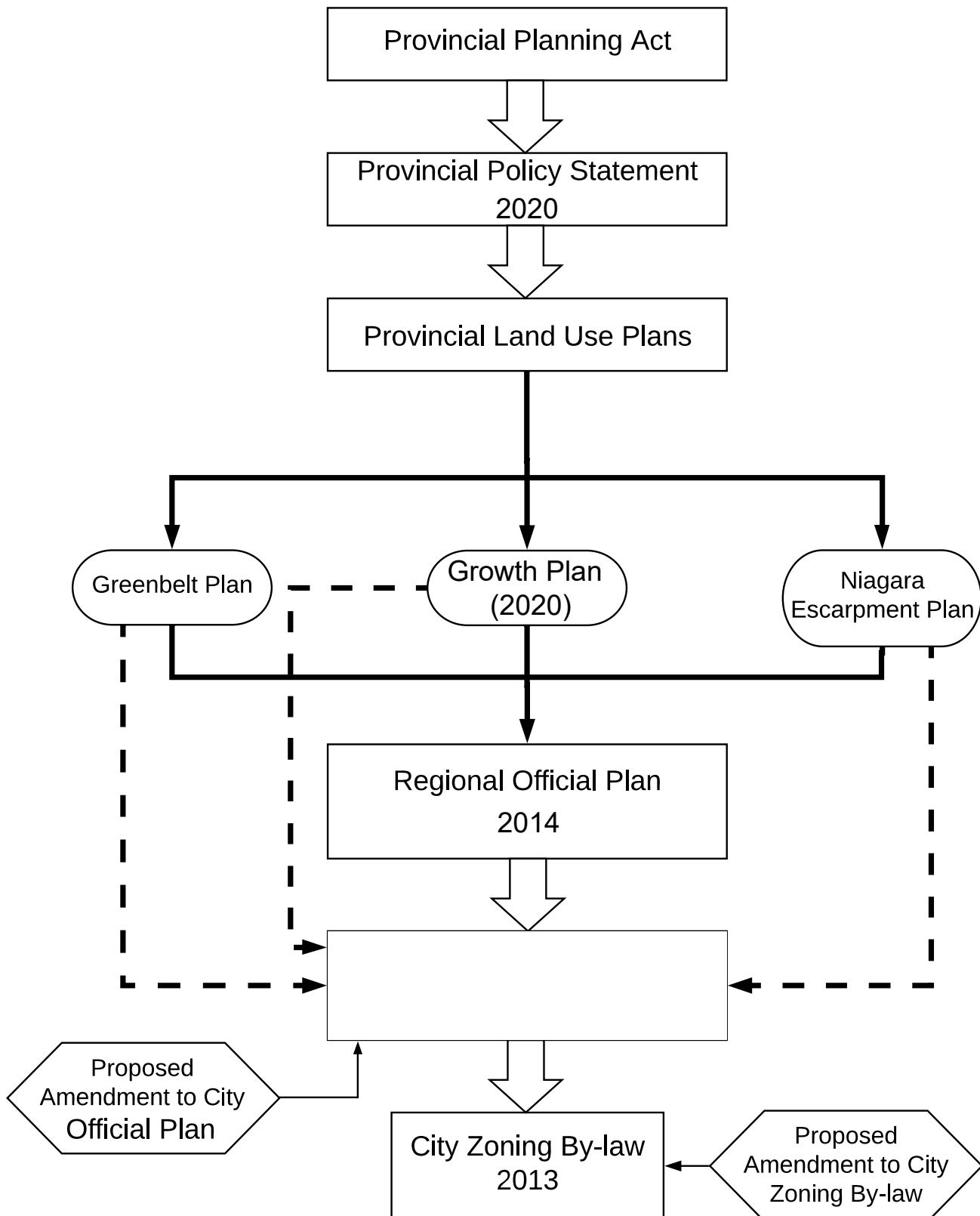


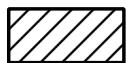
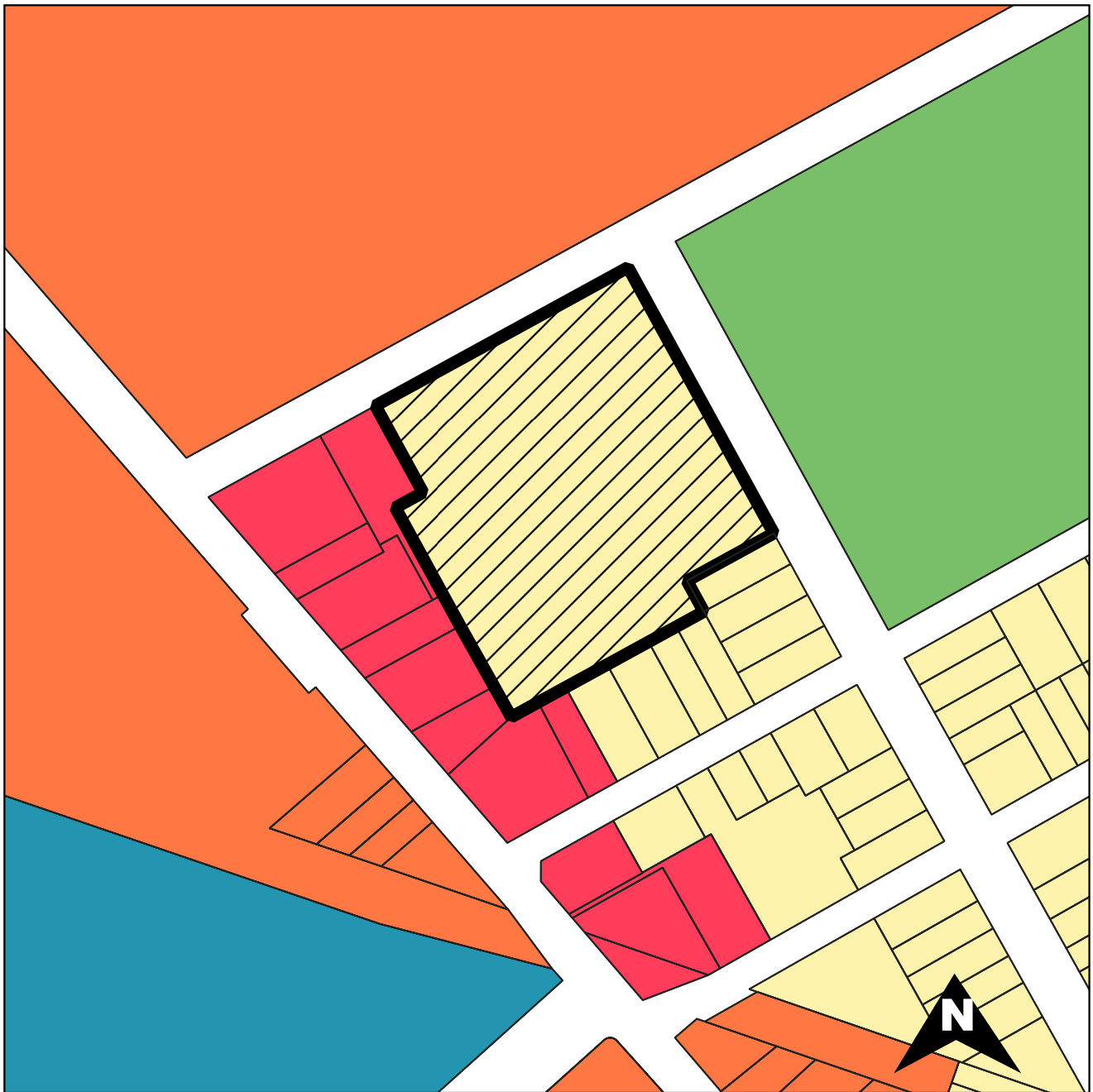
**10 PLEASANT AVENUE
ST. CATHARINES, ONTARIO
INSIDE NORTH ELEVATION**

PROJECT NO. 136491
Scale : 1 : 150

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Ontario Land Use Planning Framework





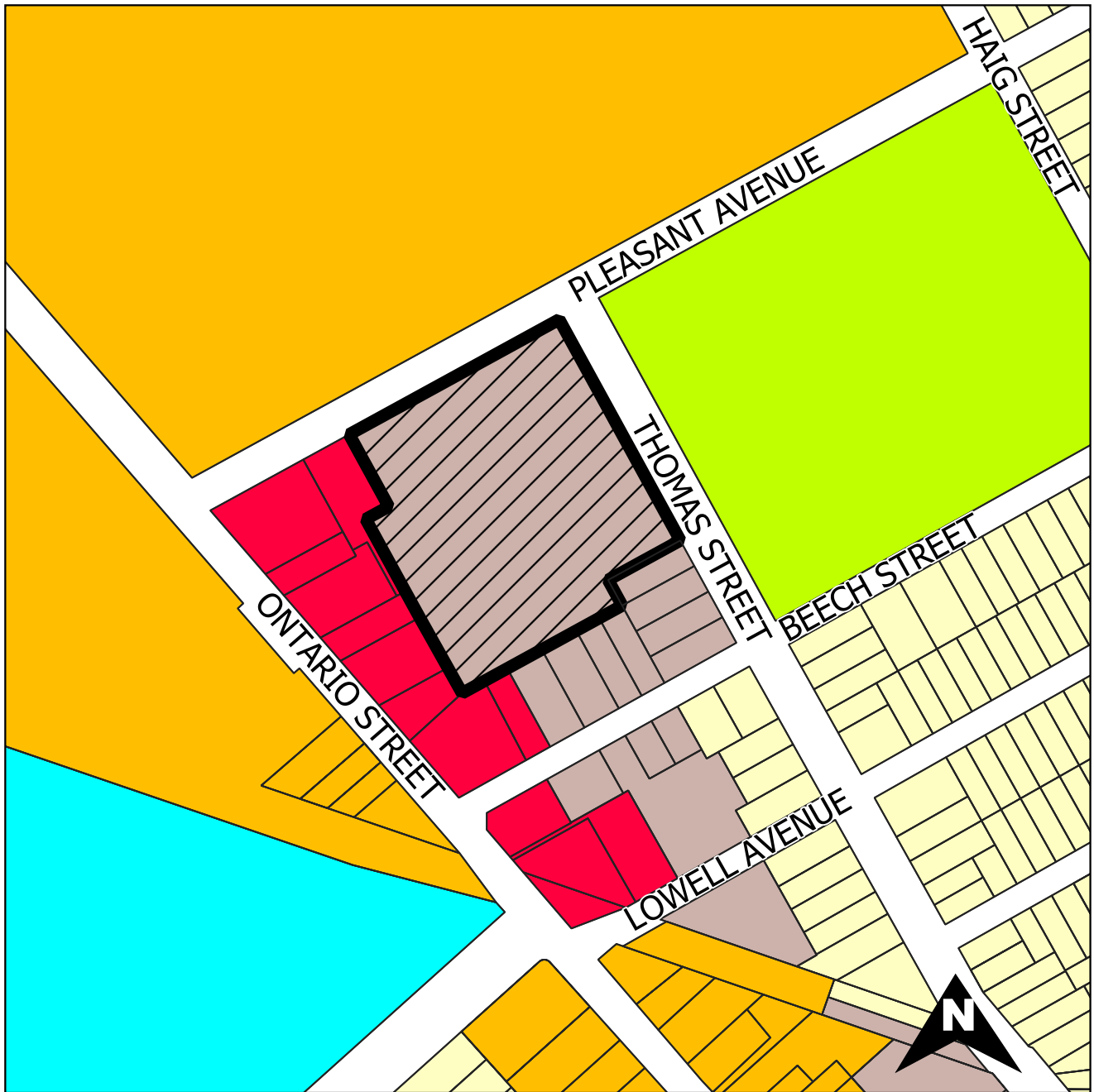


Subject Lands **10 Pleasant Avenue**

Land Use Designations

 Neighbourhood Residential
 Employment
 Commercial

 Mixed Use
 Parkland & Open Space



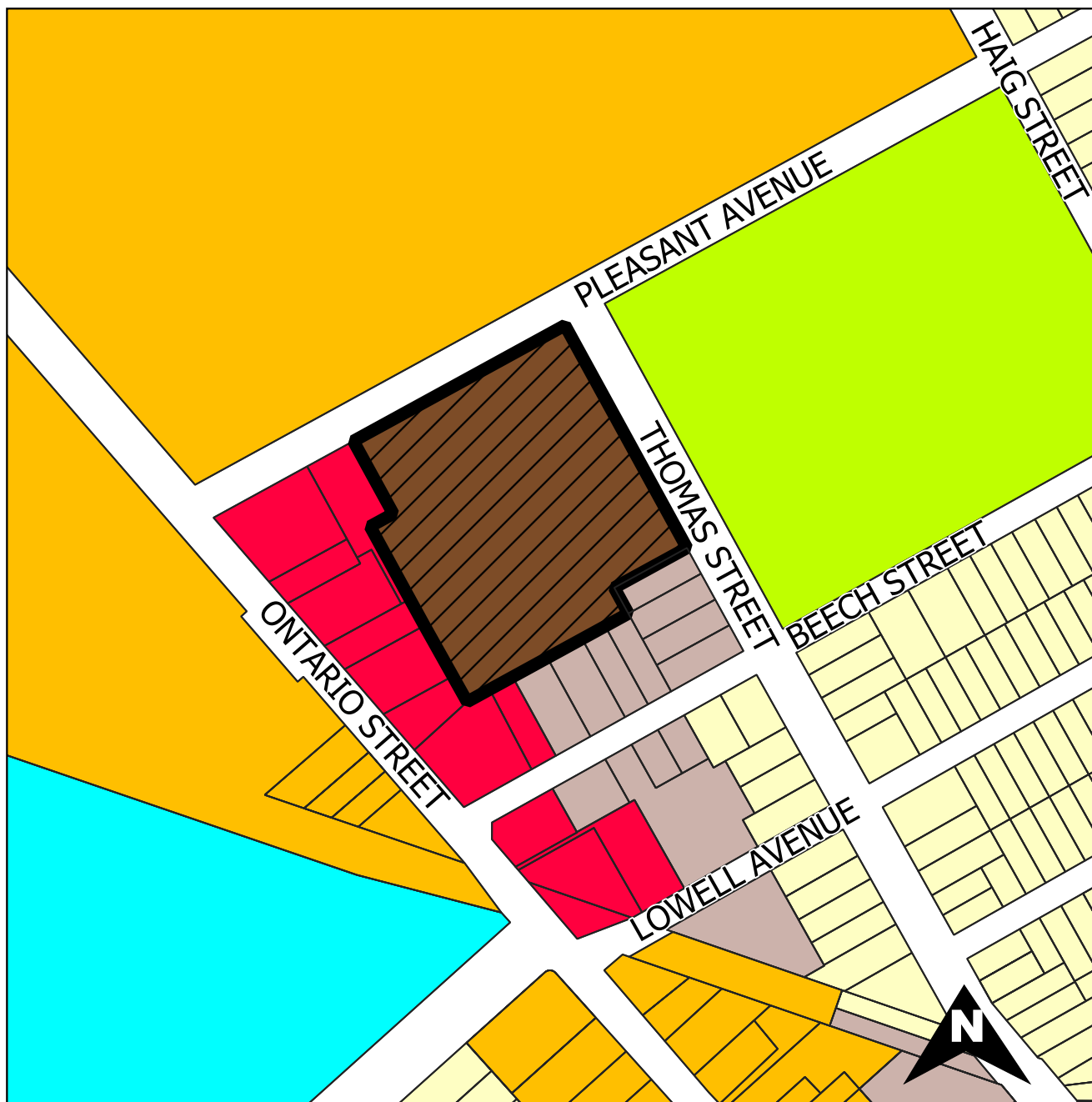
Subject Lands

10 Pleasant Avenue

Land Use Designations

- Community Commercial
- General Employment
- Low Density Residential (20 to 32 units / ha)
- Medium Density Residential (25 to 99 units / ha)
- High Density Residential (85 units / ha or greater)
- Mixed Use
- Parkland & Open Space

The Garden City Plan
Central Planning District
(Proposed Schedule E4)



Subject Lands

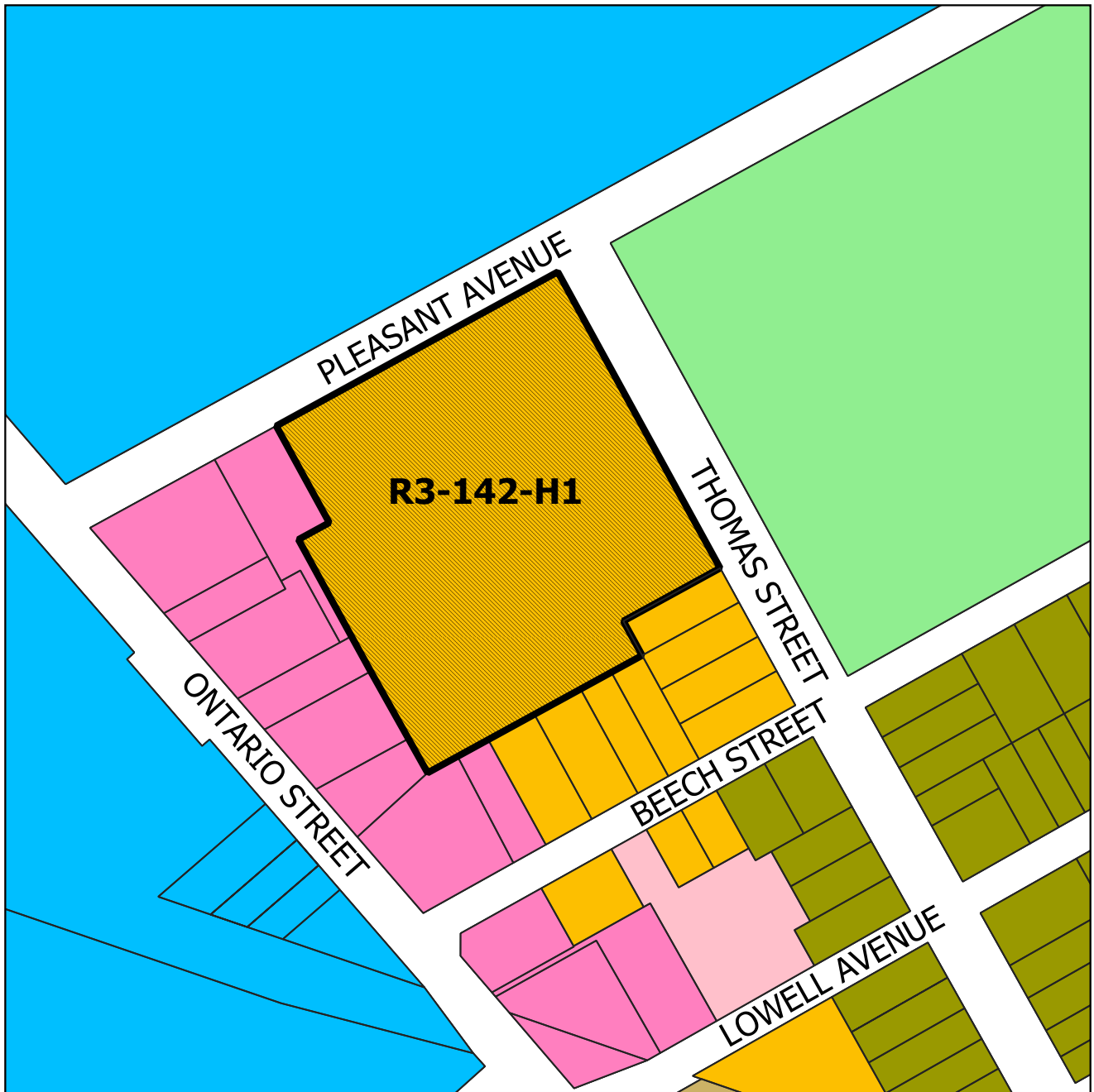
10 Pleasant Avenue

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- General Employment
- Low Density Residential (20 to 32 units / ha)
- Medium Density Residential (25 to 99 units / ha)
- High Density Residential (85 units / ha or greater)
- Mixed Use
- Parkland & Open Space

Zoning By-Law 2013-283

7



Subject Lands

10 Pleasant Avenue

R3 - Medium Density Residential
with Special Provision and Holding
Provision (R3-142-H1)

Zones

C1

Local Convenience Commercial

C2

Community Commercial

E2

General Employment

G3

Major Green Space

M1

Medium Density Mixed Use

R1

Low Density Residential - Suburban Neighbourhood

R2

Low Density Residential - Traditional Neighbourhood

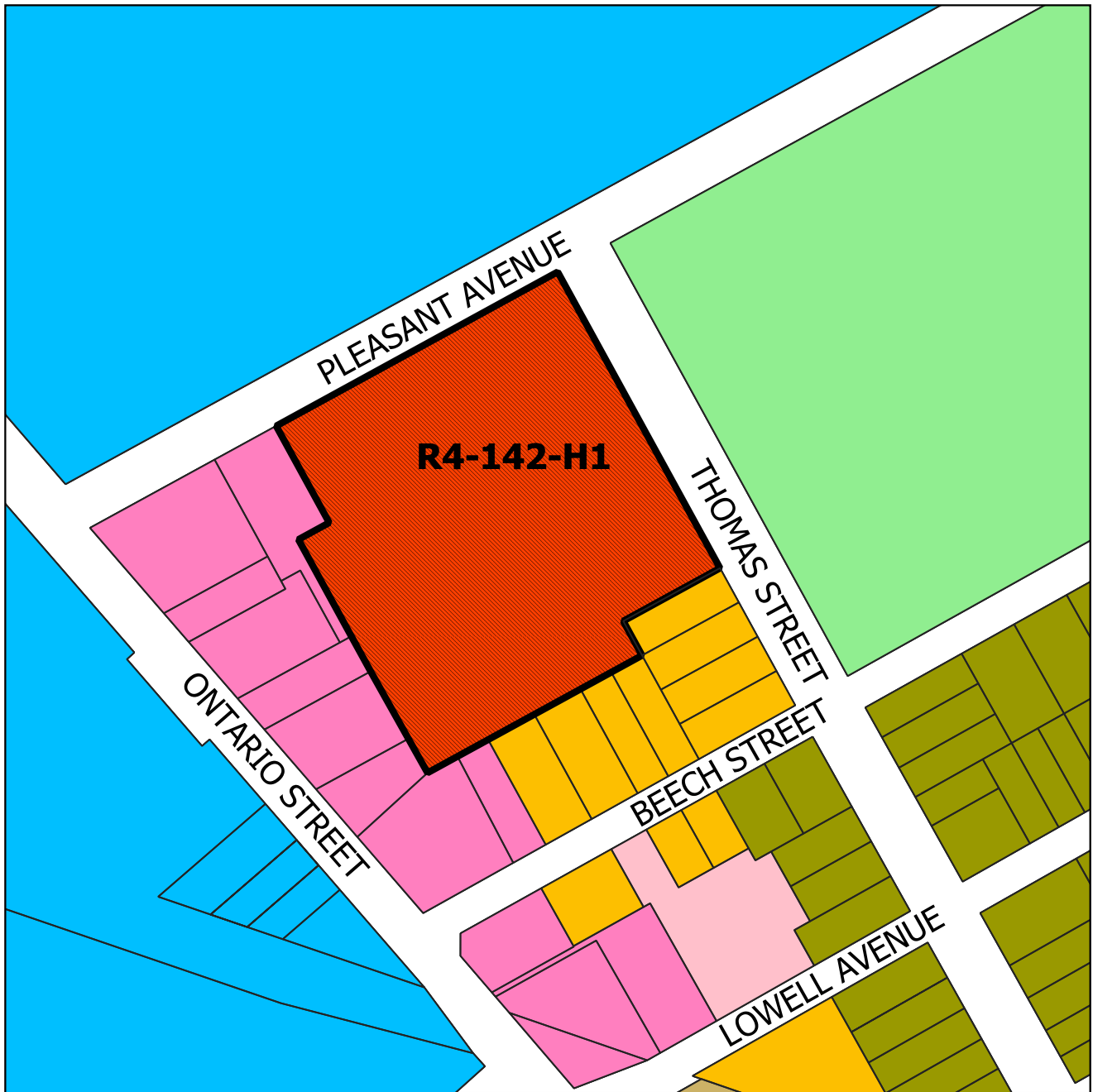
R3

Medium Density Residential



Zoning By-Law 2013-283

8



Subject Lands

10 Pleasant Avenue

Proposed to be rezoned from R3 - Medium Density Residential with Special Provision and Holding Provision (R3-142-H1) to R4 - High Density Residential with Special Provision (Modified) and Holding Provision (R4-142-H1)

Zones

- C1 Local Convenience Commercial
- C2 Community Commercial
- E2 General Employment
- G3 Major Green Space
- M1 Medium Density Mixed Use
- R1 Low Density Residential - Suburban Neighbourhood
- R2 Low Density Residential - Traditional Neighbourhood
- R3 Medium Density Residential
- R4 High Density Residential



June 13, 2022

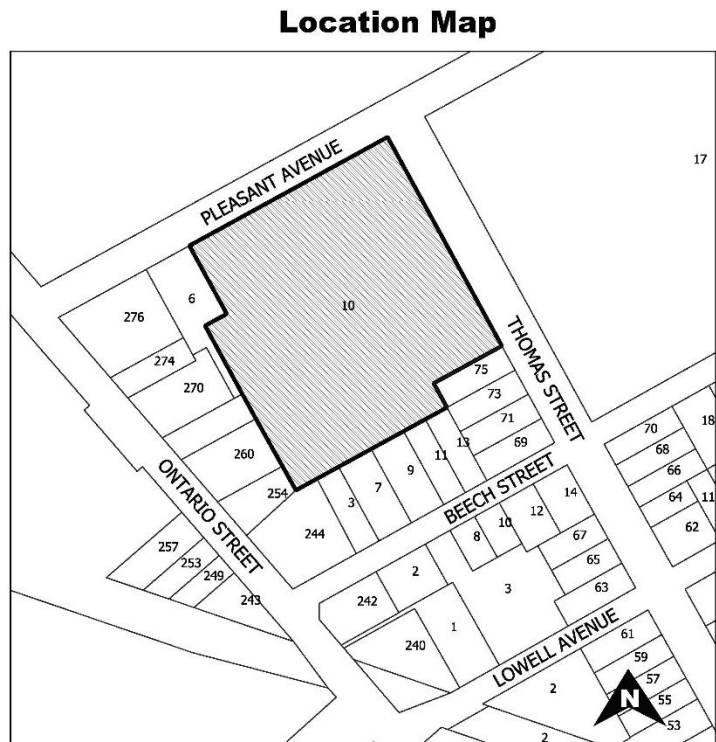
File No.: 22 104646 OP & 22 104644 ZA

Application for Official Plan and Zoning By-law Amendment

Notice of Online Open House

The Planning and Building Services Department is hosting an Online Open House to provide information and receive public input regarding Applications for an Official Plan Amendment and Zoning By-law Amendment for lands known municipally as 10 Pleasant Avenue.

The Amendments are required to permit a proposed development consisting of a nine-storey (32 m), 351-unit apartment building with 490 m² ground floor commercial, and 14 three-storey (11.5 m) townhouse dwelling units. A total of 359 parking spaces are proposed, with the majority of spaces provided underground. The enclosed plan illustrates the layout of the proposed development.



 Subject Lands

10 Pleasant Avenue

File No.: 22 104646 OP & 22 104644 ZA

The City's Official Plan currently designates the subject lands Medium Density Residential permitting a density range generally between 25 and 99 units per hectare. The Applicant has requested an Official Plan Amendment to redesignate the lands to High Density Residential to permit the proposed uses and density.

The City's Zoning By-law currently zones the subject lands Medium Density Residential with Special Provision and Holding Provision (R3-142-H1). The Applicant has requested the subject lands be rezoned to High Density Residential with Special Provision and Holding Provision (R4-142-H1) to permit the proposed uses and density, as well as amending the site-specific provisions for building setbacks, landscaping and parking.

The City is seeking your comments on this Application before a staff recommendation is finalized and a decision is made by Council at a later date.

Details of Online Open House

Date: Thursday, July 14, 2022

Time: 5:30 pm

Location: To be held electronically via Zoom

Residents can participate in three different ways:

1. By mailing your comments/questions or by e-mailing to Taya Devlin (tdevlin@stcatharines.ca)
2. By registering to participate electronically via Zoom by no later than Tuesday, July 12, 2022 at the following link: www.stcatharines.ca/PlanningOpenHouse; or
3. By registering to participate by telephone by no later than Tuesday, July 12, 2022. Please call 905-688-5601, extension 1709 and leave a message with your name and phone number; staff will respond to your voicemail prior to the Online Open House to provide you with the call-in number for the event and additional information about the process.

PO Box 3012, 50 Church St., St. Catharines, ON L2R 7C2

Tel: 905.688.5600 | TTY: 905.688.4889 | www.stcatharines.ca

To participate in the Online Open House via Zoom or by telephone, please read the following information:

- All requests must be received in advance of the meeting as noted above.
- The Online Open House will be held using Zoom (Zoom is a free online meeting tool).
 - Visit www.zoom.us to learn more about Zoom.
 - To participate, you are responsible for accessing Zoom on your device (i.e. laptop, PC, mobile phone, tablet) and ensuring that your device meets the minimum technical requirements needed to run Zoom.
- The Online Open House will be broadcast live on YouTube (www.stcatharines.ca/YouTube) and an archived recording of the meeting will be available on the City's website.
- To ensure optimal audio and visual representation, participants will be limited to one individual speaking at a time.
- If participants want to share any visual material, graphics, power points etc., the materials must be submitted to Taya Devlin at tdevlin@stcatharines.ca by no later than Wednesday, July 13, 2022.
- Participants must take part in a brief test session with City staff in advance of the Open House. This test session is to ensure everyone is able to successfully participate in the meeting using the Zoom platform.

Copies of all submitted plans and documents may be viewed by:

- navigating to <https://www.stcatharines.ca/development>;
- contacting Taya Devlin at tdevlin@stcatharines.ca; or
- at the Online Open House.

Please note that the information submitted with this Application is preliminary. Additional, revised, or further refined information will be uploaded to the City's website via the link above as it becomes available. Please check the website for updates.

The Online Open House is an initial opportunity for public input prior to a formal Legislative Public Meeting on the matter at which time City Council will consider a staff report, recommendation and a decision. The formal Legislative Public Meeting will be held at a later date with notice of that meeting provided approximately thirty (30) days prior.

If you wish to be notified of the decision of Council for the Corporation of the City of St. Catharines on the proposed Official Plan Amendment and Zoning By-law Amendment, you must make a written request to Kristen Sullivan, Acting City Clerk, 50 Church Street, St. Catharines.

If a person or public body would otherwise have an ability to appeal the decision of Council for the Corporation of the City of St. Catharines to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a Public Meeting or make written submissions to Council for the Corporation of the City of St. Catharines before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a Public Meeting, or make written submissions to Council for the Corporation of the City of St. Catharines before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

Further information about the Official Plan and Zoning By-law Amendment applications may be obtained by contacting Taya Devlin, Senior Planner, in the Planning and Building Services Department at (905) 688-5601, Extension 1709, or the City's TTY number (text telephone) 905-688-4TTY (4889), or by email: tdevlin@stcatharines.ca.



Kristen Sullivan, Acting City Clerk

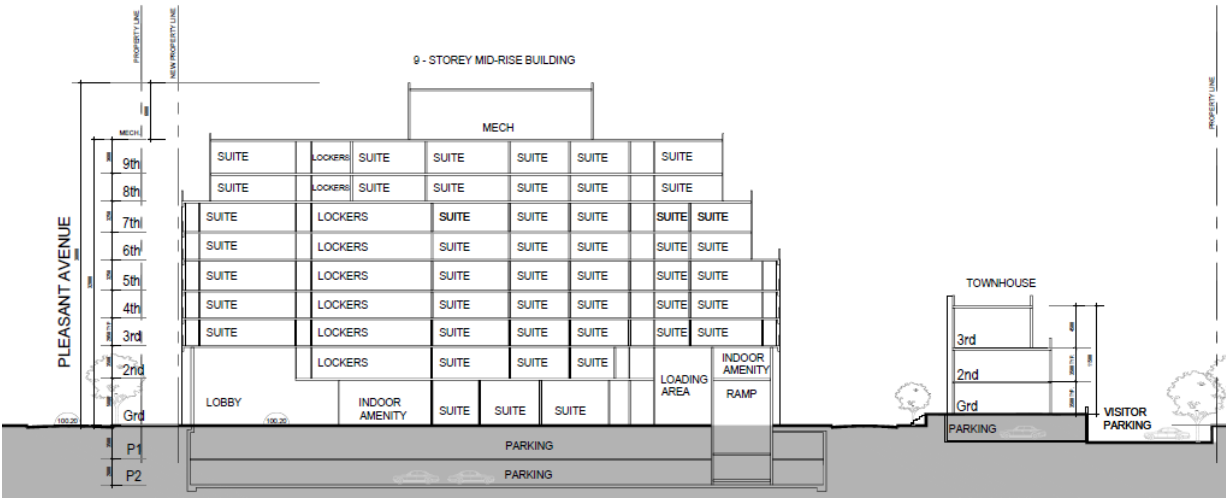
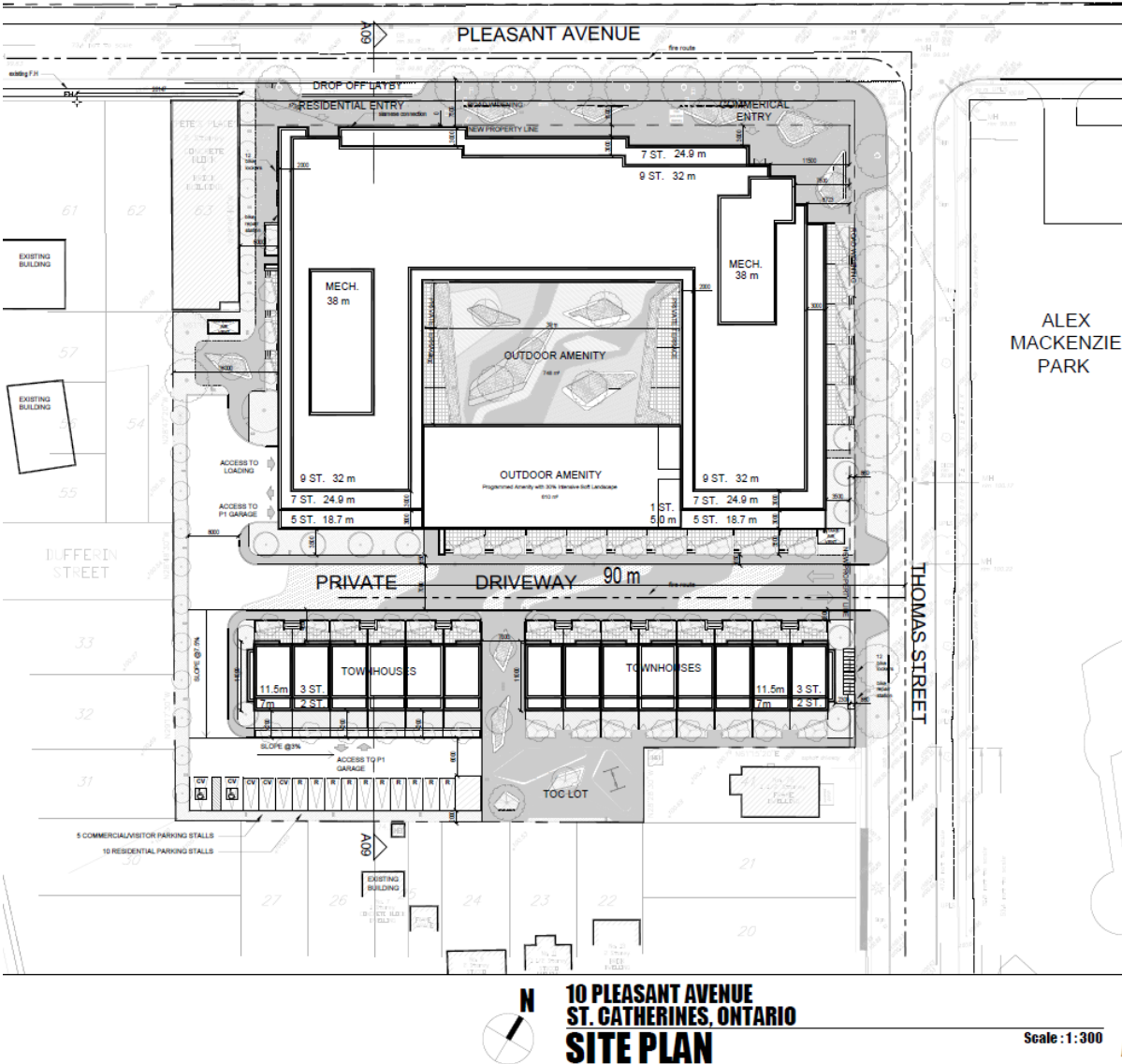
Ontario Street Corridor Secondary Plan Study

On May 30, 2022, Council endorsed terms of reference to undertake the Ontario Street Corridor Secondary Plan Study. The study terms of reference identify study area boundaries and key elements of the study, including context, planning framework, guiding principles and objectives, study management, public engagement, deliverables, and timeline. It is estimated that the study will take approximately two and a half years to complete.

The subject lands at 10 Pleasant Avenue are located within the Secondary Plan Study Area, however the study does not prevent landowner's from submitting applications under the Planning Act. The applicant has submitted applications for Official Plan Amendment and Zoning By-law Amendment, which under the Planning Act, are required to be considered within 120 days of receipt. While staff consider the applications for Official Plan Amendment and Zoning By-law Amendment submitted for 10 Pleasant Avenue, the Secondary Plan Study will also be underway.

Neighbourhood and community-wide public engagement, consultation and input is a critical component in the success of the Secondary Plan Study. The project team welcomes and encourages any and all public review and input into the study exercise and development of a recommended secondary plan.

For more information regarding the Secondary Plan Study, please visit engagestc.ca/OntarioStreetStudy





Planning and Building Services

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

Phone: 905.688.5600
Fax: 905.688.5873
TTY: 905.688.4TTY (4889)

10

August 23, 2022

File Nos: 22 104646 OP & 22 104644 ZA

City of St. Catharines Legislated Public Meeting

To consider an application to amend the Official Plan and Zoning By-law at 10 Pleasant Avenue

The Site

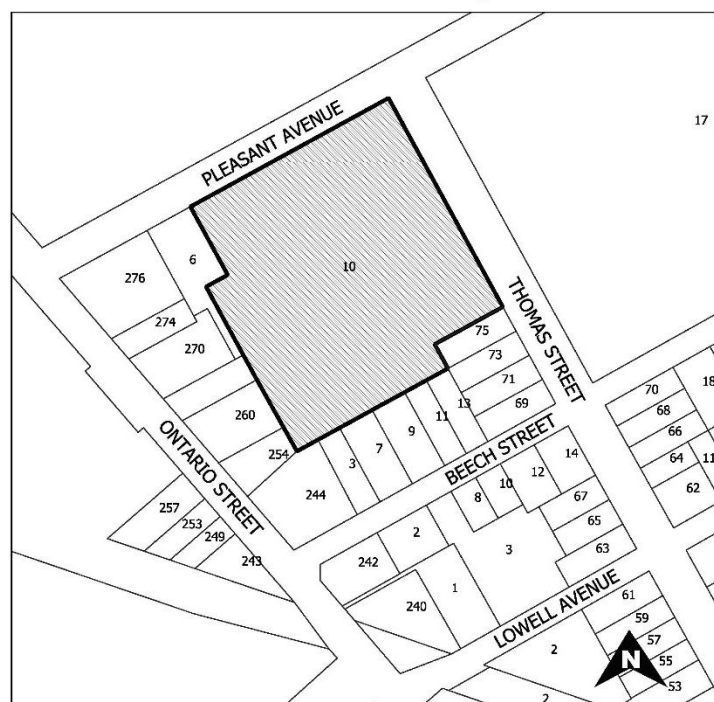
The proposed Official Plan and Zoning By-law Amendment is for the lands shown on the map below:

The Proposal

The Planning and Building Services Department received an application for Official Plan Amendment and Zoning By-law Amendment for lands located at 10 Pleasant Avenue. The application was declared complete on May 27, 2022, pursuant to section 34 (10.4) of the Planning Act., based on the information submitted with the application and a preliminary review by staff.

The proposed development is for a private road development with a total of 365 units, 490 square metres of commercial space, and 359 parking spaces. The residential units are proposed in a combination of 351 apartment units in a nine-storey (33 m) building and 14 three-storey (12 m) townhouse dwelling units. Of the 359 parking spaces proposed, 345 are shown to be located underground, and 14 at grade, with an additional 50 bicycle spaces.

Location Map



Subject Lands

10 Pleasant Avenue

File No.: 22 104646 OP & 22 104644 ZA

The City's Official Plan currently designates the subject lands Medium Density Residential permitting a density range generally between 25 and 99 units per hectare. The Applicant has requested an Official Plan Amendment to redesignate the lands to High Density Residential to permit a density of 85 units per hectare or greater.

The City's Zoning By-law currently zones the subject lands Medium Density Residential with Special Provision and Holding Provision (R3-142-H1). The Applicant has requested the subject lands be rezoned to High Density Residential with Special Provision and Holding Provisions (R4-142-H1-H26) to permit the proposed uses and density, as well as amending the special provision for various site specific zoning including building setbacks, height, landscaping, parking, commercial floor area, and amenity areas. The existing Holding Provision is proposed to remain, and a new Holding Provision is also proposed regarding parkland dedication.

The proposed Official Plan Amendment, Zoning By-law Amendment, and application materials are available for review and comment and may be found in the 10 Pleasant Avenue folder at www.stcatharines.ca/development as well as at the Planning and Building Services Department, City Hall.

Legislated Public Meeting

City Council is hosting a Legislated Public Meeting on September 12, 2022 to receive input and comment on the proposed Official Plan and Zoning By-law Amendments, after which Council will consider approval of the amendments.

Details of the Legislated Public Meeting are as follows:

Date: Monday, September 12th, 2022

Time: 6:00 pm

Location: Meeting will be held electronically

Due to COVID-19 protocols, this meeting will be an electronic meeting, affording both telephone and electronic participation. Please note that in-person participation is not permitted at this time.

The staff report, draft Official Plan and Zoning By-law Amendments will be made available through the Council agenda, which is scheduled to be published on September 2, 2022.

Visit www.stcatharines.ca/Council for information on how to access and participate in the meeting, and how to request and make a delegation before Council.

Written submissions must be received by noon the Thursday before the public meeting by mailing or delivering them to:

City of St. Catharines Legal and Clerk Services/City's Clerks Division, City Hall, 50 Church Street, P.O. Box 3012, St. Catharines, ON, L2R 7C2.
Refer to File Nos: 22 104646 OP & 22 104644 ZA

Email submissions may also be made by noon the day of the public meeting and directed to clerks@stcatharines.ca. Both oral and written comments and recommendations received will be taken into account by City Council in making a decision on the subject matter.

Important Public Meeting Information

i. If a person or public body would otherwise have an ability to appeal the decision of Council of the City of St. Catharines to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of St. Catharines before the proposed Official Plan Amendment is adopted and Zoning By-law Amendment is passed, the person or public body is not entitled to appeal the decision.

ii. If a person or public body does not make oral submissions at a public meeting, or make written submissions to Council of the City of St. Catharines before the proposed Official Plan Amendment is adopted and Zoning By-law Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If you wish to be notified of the decision of the Corporation of the City of St. Catharines on the proposed Zoning By-law and Official Plan Amendment, you must make a written request to:

City of St. Catharines Legal and Clerk Services/City's Clerks Division, City Hall, 50 Church Street, P.O. Box 3012, St. Catharines, ON, L2R 7C2.
Refer to File Nos: 22 104646 OP & 22 104644 ZA

Contact

For more information about this matter, including information about appeal rights, please contact Taya Devlin, Senior Planner, Planning and Building Services Department at 905-688-5601, ext. 1709, via email at tdevlin@stcatharines.ca or the City's TTY number (text telephone) at 905-688-4889.



Kristen Sullivan, City Clerk

CITY OF ST. CATHARINES
BY-LAW NO. _____

A By-law to provide for the adoption of an amendment to the Official Plan of St. Catharines.

THE COUNCIL OF THE CORPORATION OF THE CITY OF ST. CATHARINES enacts
as follows:

- 1. The attached maps forming part of Amendment No. 34 to the Garden City Plan (City of St. Catharines Official Plan) are hereby adopted.
- 2. This By-law shall come into force and effect on the day after the last day for filing notice of appeal or as otherwise provided for in the Planning Act.

Read and passed this _____ day of _____ 2022.

CLERK

MAYOR

Amendment No. 34 to the Garden City Plan
(City of St. Catharines Official Plan)

This Amendment No. 34 to the Garden City Plan (City of St. Catharines Official Plan), which has been adopted by the Council of the Corporation of the City of St. Catharines, is approved under Section 17 of the Planning Act.

DRAFT

PART A – THE PREAMBLE	An explanation of the amendment but does not constitute part of the amendment.
PART B – THE AMENDMENT	Consisting of the following maps (Schedule A) which constitute Amendment No. 34 to the Garden City Plan (City of St. Catharines Official Plan).
PART C – THE APPENDICES	Do not constitute part of this Amendment. These Appendices contain background data, planning considerations and public involvement associated with the amendment.

DRAFT

PART A – THE PREAMBLE

Official Plan Amendment No. 34 is an amendment to:

- a) Schedule E4 to designate the lands known municipally as 10 Pleasant Avenue, as illustrated in Schedule A, from Medium Density Residential to High Density Residential to permit a private road development consisting of a 9-storey apartment building and 3-storey townhouses.

PART B – THE AMENDMENT

Details of Official Plan Amendment No. 34

The Garden City Plan (City of St. Catharines Official Plan) is hereby amended as follows:

- a) That Schedule E4, Central Planning District, be amended by designating the lands known municipally as 10 Pleasant Avenue, as illustrated in Schedule A, to High Density Residential.

PART C – THE APPENDICES

The following Appendices do not constitute part of the amendment to the Official Plan but are included as information supporting the amendment.

- Appendix 1 A copy of the “Public Notice” to citizens which outlines City Council’s intent to consider an amendment to the Official Plan in association with an amendment to the City’s Comprehensive Zoning By-law.
- Appendix 2 A copy of the staff report which relates to the proposed Official Plan Amendment and the associated Zoning By-law Amendment to the City’s Comprehensive Zoning By-law.
- Appendix 3 Minutes of the Public Meeting held virtually on September 12, 2022.

Appendix 1 A copy of the “Public Notice” to citizens which outlines City Council’s intent to consider an amendment to the Official Plan.

DRAFT

Appendix 2 A copy of the staff report which relates to the proposed Official Plan amendment and the associated amendment to the City's Comprehensive Zoning By-law.

DRAFT

Appendix 3 Minutes of the Public Meeting held virtually on September 12, 2022.

DRAFT

CITY OF ST. CATHARINES

BY-LAW NO. _____

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.”

THE COUNCIL OF THE CORPORATION OF THE CITY OF ST. CATHARINES enacts as follows:

1. THAT Section 15.1, Schedule A (A13), Zoning Maps, be amended by changing the zoning of the lands known municipally as 10 Pleasant Avenue, as illustrated on Schedule A, attached to and forming part of this by-law, to High Density Residential with Special Provisions 142 and Holding Provision 1 (R4-142-H1).
2. THAT Section 13.1, List of Special Provisions, Special Provision 142 be amended as follows:

Special Provision	Zone	Schedule A	Schedule B	Location	By-law
142	R4	13		10 Pleasant Avenue	2022- <div></div>
A private road development shall be subject to the following provisions:					
1.	Minimum front yard to an apartment building/long term care facility			1.5 m for portion of building less than 25 m in height / 3.0 m for portion of building 25 m in height or greater	
2.	Minimum exterior side yard to an apartment building/long term care facility			3.5 m for portion of building up to 18.7 m in height / 5.5 m for portion of building greater than a height of 18.7 m but less than 25 m / 7.5 m for	

		portion of building 25 m in height or greater
3.	Minimum rear yard to an apartment building/long term care facility	40 m
4.	Minimum interior side yard to an apartment building/long term care facility for a maximum extent of 30 metres, measured from the front lot line (Pleasant Avenue)	6 m for portion of building less than 25 m in height / 8.0 m for portion of building 25 m in height or greater
5.	Maximum building height for an apartment building/long term care facility	33 m
6.	Minimum exterior side yard for townhouse	2 m
7.	Maximum building height for a townhouse	12 m
8.	Minimum distance from private road to front wall of a dwelling (townhouse)	2.5 m
9.	Minimum distance from private road to end wall of a dwelling (townhouse)	1 m
10.	Minimum parking (private road development)	0.95 spaces per unit
11.	Minimum parking (residential convenience uses)	0 spaces
12.	Location of required bicycle parking	Required bicycle parking spaces are permitted to be located away from the principal entrance of a building
13.	Minimum landscape buffer between a parking area with 5 to 20 parking spaces and an abutting residential zone	2 m
14.	Maximum GLFA of individual Residential Convenience Use	490 m ²
15.	Parking Space Dimension when Obstructed by a wall, column, or other obstruction	<p>If a standard parking space is obstructed on one or two sides by a wall, column or other obstruction, the Standard Minimum Parking Space Dimension of 2.6 m (width) by 5.2 m (depth) shall apply only if:</p> <ul style="list-style-type: none"> - The wall, column, or other obstruction does not project into the parking space; and - The wall, column, or other obstruction is located at the front or rear of the

		parking space and does not exceed a length of 1.0 m
16.	Amenity Area	A minimum amenity area of 10 m ² provided for each unit, of which 400 m ² shall be provided in one communal outdoor area containing playground equipment. Amenity Area can include a combination of communal outdoor area, communal indoor area, private balconies, and private terraces.

3. All other provisions of By-law No. 2013-283, as amended from time to time, not considered in this By-law shall continue to apply to the lands described on the Schedule attached hereto and forming part of this By-law.
4. This By-law shall come into force and effect on the date of passing by Council, subject to the provisions of the Planning Act, R.S.O. 1990, c.P.13, as amended.

Read and passed this day of 2022.

CLERK

MAYOR



Corporate Report City Council

Report from: Planning and Building Services, Planning Services

Report Date: August 26, 2022

Meeting Date: September 12, 2022

Report Number: PBS-138-2022

File: 20 117419 OP

Subject: Planning Act Public Meeting and Recommendation Report; Application to Amend Official Plan; Subject Lands: 406 Lakeshore Road; Applicant: Macdonald Sager Manis, on behalf of 1984396 Ontario Inc.

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: economic, social, and environmental



Recommendation

That Council deny the proposed amendment to the City of St. Catharines Official Plan (the Garden City Plan) for the lands known municipally as 406 Lakeshore Road; 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 upon expiration of the appeal period, staff be directed to forward any valid appeals to the Ontario Land Tribunal for consideration and final approval;

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

Summary

An application to amend the City's Official Plan has been made on behalf of 1984396 Ontario Inc. for lands located at 406 Lakeshore Road. The requested Amendment would change the land use designation on most of the property from Employment to Neighbourhood Residential to allow for the construction of a residential subdivision. For the reasons detailed in this report, Staff do not support the requested change in land use designation and recommend that Council deny the application.

Relationship to Strategic Plan

Economic Sustainability: The proposal supports private investment through the construction of a new residential subdivision. The proposal would not support the goal of building and growing a diverse and resilient economy through urban regeneration.

Social Well-Being: The proposed development does not support the goal of building strong, inclusive neighbourhoods that provide high quality of life for residents of all ages. The proposed development would be isolated from other residential communities, with poor access to community facilities, transit and neighbourhood-supporting uses.

Environmental Stewardship: The proposed development does not support the goal of continued responsible community planning and decision-making that balances growth, enhances quality of life, manages emergencies, and minimizes the environmental impacts of climate change. The proposed development is consistent with a car-centric suburban development pattern.

Background

The subject lands are located in an employment area near the northeast corner of the city, in Port Weller East. The City is required to maintain a supply of employment lands to accommodate forecasted employment growth, which will be discussed further in this report. In 2017, the City retained a consultant to undertake an employment Land Needs Assessment to identify if the current supply of employment lands would be sufficient to accommodate the growth forecasts and if there were excess employment lands that could be converted to other uses. The study identified a surplus of employment lands.

In conjunction with the Land Needs Assessment, the City initiated Official Plan Amendment no. 26 to evaluate employment lands for possible conversion to other uses. Several conversion requests were received and considered, including for 406 Lakeshore Road. OPA no. 26 was adopted by Council on November 30, 2020, and approved by Niagara Region on March 25, 2021, and included the redesignation of lands on Ontario Street, lands west of Vansickle Road, and lands on Fourth Avenue to Mixed Use. The subject lands at 406 Lakeshore Road were not recommended or approved for conversion through OPA no. 26. OPA no. 26 was subsequently appealed by Timberlee Glen Developments to the Ontario Land Tribunal. The Tribunal later dismissed that appeal on April 7, 2022, along with a subsequent review of that decision, and as such, OPA no. 26 is now in force and effect.

At Council's meeting of October 18, 2021, Council passed a motion requesting that the Minister of Municipal Affairs and Housing apply a Minister's Zoning Order (MZO) to the subject lands at 406 lakeshore Road to ensure the long-term protection of employment lands and confirming a General Employment "E2" Zone for the property. At time of writing this report, no MZO has been issued.

In parallel to the appeal of OPA no. 26 (which was a City-initiated amendment), 1984396 Ontario Inc. also made a private application for an Official Plan Amendment at 406 Lakeshore Road. That private application is the subject of this report. A complete

application for the requested Official Plan Amendment was received on October 25, 2021.

In accordance with Section 22 (7.3) of the Planning Act, a decision by Council to deny this Official Plan Amendment request could not be appealed to the Ontario Land Tribunal as it seeks to remove land from an area of employment, as defined in the Act. The Planning Act defines area of employment as being “an area of land designated in an official plan for clusters of business and economic uses including, without limitation, the uses listed in subsection (5), or as otherwise prescribed by regulation”. These uses include manufacturing uses, warehousing uses office uses, associated retail uses, and ancillary facilities. This report describes how the subject lands form part of an area of employment through the existing land use designations.

Report

Location and Site Description

The subject lands at 406 Lakeshore Road are approximately 18 hectares in size and are located along the south side of Lakeshore Road, extending between Seaway Haulage Road to the west and Read Road to the east. Read Road along the site's eastern limit also serves as the municipal boundary between St Catharines and Niagara on-the-Lake. A location map is included as Appendix 1. The site is currently used principally as an orchard and includes a single home and associated farm buildings. The property is generally flat and has been farmed since at least the 1930s.

Surrounding land uses include a mix of industrial operations to the north, opposite Lakeshore Road; predominantly agricultural and rural residential uses to the east and south, including greenhouses; and industrial operations to the west, opposite Seaway Haulage Road and adjacent to the Welland Canal. These industrial operations to the west include the Heddle Shipyards and the Stubbe's concrete facility. The surrounding context is characterised by a mix of industrial and agricultural uses. The few homes near the subject lands are farmhouses or previous farm severances.

Development Proposal

The requested Official Plan Amendment seeks to change the land use designation on most of 406 Lakeshore Road from Employment to Neighbourhood Residential (Schedule D1 of the Official Plan) to facilitate the construction of a residential subdivision. The applicant provided a concept plan for this future subdivision, which is included as Appendix 2, and forms the basis of the proposed Official Plan Amendment. The concept plan includes the following elements:

1. 4.98 ha of low-density housing, limited to the southern half of the project, which is identified as being a mix of single and semi-detached dwellings;
2. 1.1 ha of medium-density housing along the eastern edge of the project, which is identified as being townhouse dwellings;
3. 1.71 ha of high-density housing, which includes one block identified as being for an assisted living facility;

4. 0.43 ha of land identified as a mixed-use site along the Lakeshore Road frontage;
5. 1.52 ha of parkland at the centre of the project;
6. 3.73 ha of commercial / light industrial land located parallel to Seaway Haulage Road; and
7. 1.39 ha for a stormwater management channel that runs parallel to the commercial / light industrial lands.

The applicant further requests the redesignation of most of the subject lands on Schedule E2 of the City's Official Plan (North Planning District) from General Employment to a mix of Low Density Residential, Medium Density Residential, High Density Residential, Mixed-Use, and Parkland and Open Space, consistent with the submitted concept plan. Based on the unit projections identified on the concept plan, the project would result in the construction of 794 units. If the Official Plan Amendment request were to be approved, further applications for draft plan of subdivision approval and a zoning by-law amendment would be required, along with site plan approval for the apartment buildings and any commercial uses.

In addition to the requested change in land use designation, the applicant has also requested that Council approve a Special Policy Area to apply a Class 4 designation, thereby permitting less stringent noise impact standards. The Ministry of the Environment, Conservation and Parks' Environmental Noise Guidelines (NPC-300) address minimum separation distances for sensitive uses from various classes of industrial facilities, as well as maximum daytime and nighttime noise level limits for sensitive uses. A Class 4 designation under NPC-300, which must be approved by the City, would allow for higher daytime and night-time sound level limits than would otherwise be permitted for the proposed housing and associated outdoor living areas.

Planning Policy Context

Provincial planning legislation requires Council's decision on a planning application to be consistent with the Provincial Policy Statement, and to conform to or not conflict with provincial plans, as the case may be. Accordingly, planning staff have evaluated the application to amend the City's Official Plan against the policies of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the Garden City Plan, all of which apply to this application. Staff's recommendation has been formulated accordingly.

For Council's reference, a chart illustrating the land use planning framework in Ontario, as it relates to applications for an Official Plan Amendment, is outlined in Appendix 3.

Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS), provides policy direction on matters of provincial interest related to land use planning and development. Section 3(5) of the Planning Act stipulates that; decisions of Council "shall be consistent" with the PPS. Sections of the PPS which are particularly relevant to the subject proposal are summarized below.

Settlement Areas

The subject lands are located within a Settlement Area (ie. urban area). While the lands have never been developed for urban uses, they are located within the boundaries of St. Catharines' designated urban area. Section 1.1.3 of the PPS identifies Settlement Areas as the focus for growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

While the subject lands are located within a Settlement Area, the isolated location of the subject lands and its lack of integration with public service facilities and other neighbourhood-supporting uses does not allow for the efficient use of public service facilities. The car-dependent location of the development does not minimize negative impacts to air quality, is not transit-supportive, and is not walkable due to its isolation from neighbourhood-supporting uses such as schools and shopping. Further, the requested land use change would not be freight-supportive as it would reduce opportunities to utilize the Welland Canal, a federally-regulated major goods movement corridor, in association with planned industrial uses.

Land Use Compatibility

Section 1.2.6.1 of the PPS speaks to land use compatibility, stating that sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. Section 1.2.6.2 goes on to describe that where avoidance is not possible, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following criteria are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) there is an identified need for the proposed use;
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

The proposed development represents a sensitive land use in close proximity to established and planned industrial uses, along with marine facilities. The development has not been planned to avoid potential adverse impacts on the proposed sensitive uses, as evidenced by the requested Class 4 designation and reduced setbacks from industrial operations. In this context, avoidance of land use conflicts could be achieved by not placing sensitive land uses on the subject lands. Further, the proposal does not satisfy the above-noted criteria as there is no identified need for additional greenfield residential lands in St Catharines and alternative locations for each of the proposed uses exist throughout the city. Adverse impacts to the proposed sensitive land uses have not been minimized, again as evidenced by the Class 4 designation request, and potential impacts to neighbouring industrial uses have not been minimized.

Employment

Employment areas are defined Section 6.0 of the PPS as being “those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.” The subject lands at 406 Lakeshore Road are located in an employment area as defined by the PPS, as evidenced by the Employment land use designation in the City’s Official Plan that applies to the subject and surrounding lands to the north, east and west.

Section 1.3.2 of the PPS describes that planning authorities shall plan for, protect and preserve employment areas for current and future uses, and that at the time of the official plan review or update, planning authorities should assess employment areas identified in local official plans to ensure that this designation is appropriate to the planned function of the employment area. Within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses. Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas.

The conversion of lands in employment areas to non-employment uses may be permitted through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion. The City recently completed an Employment Land Needs Assessment which culminated in the approval of OPA no. 26. This study assessed the City’s ability to accommodate forecasted employment growth and to identify appropriate lands for potential conversion. The subject lands at 406 Lakeshore Road were not recommended or approved for conversion to non-employment uses through OPA no. 26 and are required for employment purposes over the long term to accommodate the City’s employment growth forecasts. Niagara Region’s municipal comprehensive review process has also concluded and similarly identified a need to maintain the subject lands for employment uses, as evidenced by the Core Employment designation in the new Niagara Official Plan that will be discussed later in this report. OPA no. 26 confirmed that the existing Employment land use designation is appropriate for the planned function of the Port Weller East employment area. Further, both the City’s Official Plan, through approval of Official Plan Amendment No. 26, and the Region of Niagara Official

Plan, through completion of their municipal comprehensive review, identify the lands as being within one of six identified Employment Areas in the City intended for long term protection of employment lands and jobs.

Housing

Section 1.4.3 of the PPS requires municipalities to provide an appropriate range and mix of housing options and densities by means including directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available, by requiring transit-supportive development, and by prioritizing intensification.

The subject lands are a greenfield site at the eastern limit of the city. The site is surrounded by farmland and industry, or industrial zoned lands, and would be isolated from other neighbourhoods, public service facilities and other neighbourhood-supporting uses. The site is not served by transit within a walkable proximity and the proposed development pattern is reflective of suburban sprawl, which is not consistent with the City's established approach to growth management that prioritises intensification.

Infrastructure and Public Service Facilities

Section 1.6 of the PPS states that infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs. The applicant has not yet demonstrated to the satisfaction of City or Regional staff that the proposed development can be adequately serviced as proposed. See additional discussion in the circulation comments section of this report.

Protecting Public Health and Safety

Policy 3.2.2 states that sites with contaminants shall be assessed and remediated as necessary prior to any activity on the site such that there will be no adverse effects with the proposed use.

A Phase 1 Environmental Site Assessment (ESA) was prepared to identify Potentially Contaminating Activities and Areas of Potential Environmental Concern associated with the longstanding farming operations on site and potential impacts from adjacent lands. The assessment identified 9 Areas of Potential Environmental Concerns on the subject lands caused 7 identified on-site and 9 identified off-site Potential Contaminating Activities. The report recommends further investigation of both soil and ground water. A Phase II ESA would be required moving forward, including site remediation if required. Further confirmation that all areas of concern have been addressed and/or eliminated would be required through future planning approvals if the land use change is approved.

PPS Summary Opinion

The proposed Official Plan Amendment represents a conversion of land within an employment area to non-employment uses. The subject lands are needed to accommodate the City's long-term employment growth forecasts, as reflected in the Garden City Plan and in the adopted Niagara Official Plan. The proposed residential development has not been adequately planned to avoid potential land use conflicts with surrounding uses. A residential

subdivision in this location would be isolated from other residential communities, representing a development pattern that does not make efficient use of public service facilities and is not transit-supportive. For reasons that include the above, Staff are of the opinion that the proposed Official Plan Amendment is not consistent with the Provincial Policy Statement.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan), builds on the PPS and establishes a land use planning and growth management framework for the lands within the Greater Golden Horseshoe (GGH) region, including St Catharines. The Growth Plan provides population and employment growth forecasts for all upper and single-tier municipalities within the GGH and establishes minimum density and intensification targets for the accommodation of growth. Sections of the Growth Plan which are particularly relevant to the subject proposal are summarized below.

Employment

Section 2.2.5 of the Growth Plan states that economic development and competitiveness in the GGH will be promoted by ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan. The Growth Plan goes on to describe in this section that municipalities should designate and preserve lands within settlement areas located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities.

The subject lands are designated and zoned to accommodate a variety of employment uses and have been identified as being required to accommodate forecasted employment growth. The employment growth forecasts identified in the Growth Plan identify a total of 272,000 jobs in the Niagara Region by 2051, which corresponds to an estimated increase of 84,830 jobs throughout Niagara Region according to the Region's Land Needs Assessment (June 2022). It is the responsibility of Niagara Region to distribute this growth between the lower-tier municipalities, including St. Catharines. The recently adopted Niagara Official Plan allocates 79,350 jobs to St Catharines by 2051, which resents an estimated increase of 17,570 jobs that need to be accommodated. According to the Region's Land Needs Assessment, most of these jobs are expected to be population-related employment or office jobs, but 1,880 of these new jobs are forecasted to be employment land employment, which would be accommodated on lands such as 406 Lakeshore Road.

The subject lands are an appropriate location for industrial and manufacturing employment uses as they are contiguous with an existing and long-established industrial area, are appropriately sized to accommodate a variety of employment uses, and they are located near a major goods movement corridor, being the Welland Canal.

The Growth Plan goes on to describe that municipalities will designate all employment areas in official plans and protect them for appropriate employment uses over the long-

term, and that municipalities will plan for all employment areas within settlement areas by prohibiting residential uses that are not ancillary to the primary employment use. Similar to the PPS, the Growth Plan describes that development of sensitive land uses will avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment. The proposed residential development does not avoid these adverse impacts, whereas avoidance is possible.

Section 2.2.5.9 of the Growth Plan details the circumstances under which the conversion of lands within employment areas to non-employment uses may be permitted. Such a conversion may be permitted only through a municipal comprehensive review and where it is demonstrated that:

- a) there is a need for the conversion;
- b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;
- c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;
- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and
- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.

The requested employment land conversion does not satisfy these criteria. A need has not been demonstrated for additional greenfield housing lands in St. Catharines; the lands are required to allow the City to maintain a sufficient supply of employment lands to accommodate forecasted growth, the proposed housing would diminish the viability of the remaining employment area by introducing sensitive uses and would fragment the employment area, and there is no planned expansion of public service facilities to support the proposed use. The municipal comprehensive review processes have concluded, and both review processes (the City's and the Region's) identified a need for the subject lands to remain designated for employment uses, as evidenced by the Employment Area designations contained in the Garden City Plan, as amended by OPA no. 26, and the adopted Niagara Official Plan.

Growth Plan Summary Opinion

Similar to staff's review of consistency with the PPS, the proposed Official Plan Amendment represents a conversion of land within an employment area to non-employment uses. The subject lands are required to accommodate the City's long-term employment growth forecasts to the 2051 horizon. The requested employment land conversion does not satisfy the requirements set out in the Growth Plan for such a conversion, nor would the requested residential subdivision be compatible or appropriate in this context. Staff are of the opinion that the proposed Official Plan Amendment conflicts with and does not conform to the Growth Plan.

Regional Official Plan

2014 Regional Official Plan

Under the current Regional Official Plan, 2014 (ROP), the subject lands are identified as a Designated Greenfield Area that is located within the Urban Area Boundary for the City of St. Catharines. The 2014 ROP does not explicitly map employment areas but does provide policy direction related to employment lands under Section 3.C which echo the employment lands policies of the PPS and Growth Plan, including the following:

- a) Providing an appropriate mix of employment uses, including industrial, commercial and institutional uses to meet long term needs;
- b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) Planning for, protecting and preserving employment areas for current and future use; and
- d) Incorporating employment area conversion policies implementing Chapter 4.E in local official plans.

Section 3.C goes on to the state that local municipalities should designate and preserve lands within Urban Areas which are adjacent to or in close proximity to existing major highway interchanges, ports or rail yards as employment areas providing for manufacturing, warehousing, transportation and associated retail, office and ancillary employment uses, where appropriate. The Region strongly supports local and regional efforts to develop clusters of associated economic activities. Where new sensitive land uses are proposed adjacent to or in proximity to employment areas, analysis is required to assess any constraints the introduction of such uses will have on the types of uses which could locate within all or portions of the employment area and/or on any existing employment uses.

Section 4.E of the ROP identifies criteria for the consideration of employment land conversions, which may only occur through a municipal comprehensive review. These criteria are similar to those found in the Growth Plan and are listed below.

- a) There is a need for the conversion.
- b) The municipality will meet the employment targets allocated to the municipality pursuant to this Plan.
- c) The conversion will not adversely affect the overall viability of the employment area and the achievement of the municipal intensification target, density targets and other policies of this Plan.
- d) There is existing or planned infrastructure in place to accommodate the proposed use.
- e) The lands are not required over the long term for employment purposes for which they are designated.
- f) Cross jurisdictional issues have been considered.

2022 Regional Official Plan (new)

On June 23, 2022, Regional Council adopted the Niagara Official Plan. This new plan is awaiting approval from the Ministry of Municipal Affairs and Housing and will replace the 2014 Regional Official Plan. The new Plan was informed by a land needs assessment that was initiated in 2015 and culminated in final study dated June 2022, to determine how much land is needed to accommodate forecasted residential and employment growth to 2051. The land needs assessment informed the establishment of population and employment growth allocations in the Plan that distribute the forecasted growth between the local municipalities.

The new Plan also identifies and protects employment areas for a range of employment uses, including heavy industrial, light industrial, and knowledge and innovation industries, with associated new mapping. Schedule G of the Plan maps employment areas throughout the region, identifying the subject lands forming part of the STC-1 employment area, which is classified as a Core Employment Area. Per Section 4.2.1.5 of the Plan, Core Employment Areas are clusters of traditional employment uses, such as industrial, manufacturing, construction, transportation, and warehousing and shall be protected and planned for similar employment uses, major facilities, and freight-supportive forms of development and redevelopment. The proposed land uses would not be permitted with the Core Employment Area.

It is staff's opinion that the requested Official Plan Amendment represents an employment land conversion that does not satisfy the criteria detailed in the Regional Official Plan (2014) for the conversion of employment lands. The amendment does not protect employment lands for long term needs, does not adequately manage sensitive uses, and does not maintain a planned cluster of associated economic activities, being the employment area. The proposed amendment conflicts with the Regional Official Plan, 2014. Further, it is the opinion of staff that the requested Official Plan Amendment would also conflict with the recently adopted new Niagara Official Plan (currently awaiting final formal approval by the Province) which designates the subject lands for Core Employment use.

Official Plan (Garden City Plan)

The City's Official Plan, The Garden City Plan (GCP), designates 406 Lakeshore Road as Employment and further identifies these lands as being within an Employment Area on Schedule D1 – General Land Use Plan (Appendix 4). Schedule E2 of the GCP provides additional land use direction for the North Planning District and designates the lands as General Employment (Appendix 6).

The General Employment land use designation is intended to provide for a full range of industrial operations, industrial service uses, knowledge-based employment and business opportunities, together with a limited range of retail, service commercial, entertainment, recreation, institutional and office uses primarily intended to serve and support the businesses and employees within the immediate employment area. Section 10.3.1 of the GCP identified permitted uses in General Employment areas, which include:

- i. industrial operations, transportation terminals, repair activities, service trades, construction activities, warehouse, storage, car wash;
- ii. knowledge based research, technology, service, communication, information, management uses; adult oriented uses;
- iii. major large scale recreation uses; and
- iv. small scale subordinate retail, service commercial, office, indoor recreation, entertainment and institutional uses intended primarily to serve and support the businesses and employees within the immediate employment area;

The applicant has requested that most of the subject lands be redesignated to Neighbourhood Residential on Schedule D1 – General Land Use Plan. A strip of land along the Seaway Haulage Road frontage would be retained as Employment with the intention that the strip of new buildings could provide an improved transition between the future residential subdivision and the Heddle Shipyard. A copy of the proposed revisions to Schedule D1 is included as Appendix 5.

The applicant has further requested that Schedule E2 – North Planning District be amended to change the land use designation from General Employment to a mix of low density, medium density, high density, mixed use, and parkland and open space uses, consistent with the submitted development concept (Appendix 2). A copy of the proposed revisions to Schedule E2 is included as Appendix 7. Staff note that while the concept plan denotes the strip of employment land along the Seaway Haulage Road frontage as being intended for service commercial / light industrial uses, the requested Official Plan Amendment does not include an associated change in designation to Business Commercial Employment for these lands. As proposed, they would remain General Employment, permitting heavy industry.

In addition to the changes in land use designation to implement the development concept, the applicant has also requested approval to apply a new Special Policy Area to the subject lands that would apply a Class 4 designation allowing for relaxed noise limits for the proposed new sensitive land uses. The full draft Official Plan Amendment requested by the applicant is included as Appendix 9.

Housing Growth

Section 2.3.3 of the GCP addresses the accommodation of growth within St Catharines and describes that this Plan emphasizes the provision of new housing through the efficient use of vacant and occupied lands; higher density of development; small lot infill; intensification; mixed use development; and reuse, rehabilitation and redevelopment of the built form, including brownfield and greyfield sites. The vast majority of new housing is intended to be accommodated within the built boundary through infill, intensification and redevelopment and the Plan establishes a minimum intensification target within the built boundary of 95 per cent annually, consistent with the target established in the Regional Official Plan. The subject lands are a greenfield site located outside of the built boundary. The magnitude of development contemplated on the subject lands is not consistent with the growth management strategy established in the Official Plan and would undermine the City's ability to achieve its 95% intensification target.

Employment

The GCP, as amended by OPA no. 26, identifies the subject land as being located within an Employment Area on Schedule D – Municipal Structure and on Schedule D1 – General Land Use Plan. As per Section 2.3.3.6 of the GCP, Employment Areas are designated areas containing employment lands to protect for and support the long-term provision of employment land jobs and opportunities. To accommodate projected employment growth forecasts, and support long-term sustainable employment opportunities, economic development and competitiveness, this Plan promotes and emphasizes, among other matters, 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. Further, the Plan promotes and emphasizes the clustering of like activities to support compatible development and encourage integrated, interactive, and connected business and employment opportunities.

Section 10.1 further states that it is a policy of this Plan to protect and preserve designated Employment Areas and Employment Lands for employment uses, and in so doing:

- a) to designate Employment Areas to protect for long term provision of employment land jobs.
- b) to maintain a sufficient supply of vacant designated Employment lands within the Urban Area to meet anticipated short and long-term employment land needs, including allowance for variability of choice in terms of location, use, property size and servicing needs for a diverse range of employment uses and opportunities; and
- c) to support the retention or relocation of existing employment uses, and the reuse, rehabilitation, redevelopment and intensification of existing developed properties for expanded or new employment uses and opportunities within the Employment lands designation

Section 10.2 states that the City will only consider the conversion of lands designated Employment in this Plan to a non-employment designation, or to add a use or range of uses to an Employment designation that are primarily permitted in a non-employment designation(s) and not contemplated in the Employment designation, subject to the Provincial A Place to Grow Plan. Staff have already identified that the requested employment land conversion fails to satisfy the criteria outlined in the Growth Plan.

Amendments to the Plan

Section 16.1 of the GCP identifies several matters to be evaluated when considering every application to amend the Plan. These considerations include:

- i. the degree of conformity of the proposed amendment to the general intent, purpose and philosophy of this Plan, particularly the vision, planning principles and general policies of the Plan;
- ii. consistency with Provincial and upper tier government plans, policies and legislation;

- iii. the availability and suitability of land already designated for the proposed use, and the need for, and the feasibility of the proposed use;
- iv. the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses;
- v. the potential of the proposal to cause instability within an area intended to remain stable;
- vi. the ability of the City's infrastructure and public service facilities to accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure and public service facility improvements in other areas of the City;
- vii. the financial implications, both costs and revenues, to the City; and
- viii. the degree to which approval of the amendment would establish an undesirable precedent.

The requested Official Plan Amendment does not satisfy many of the above considerations. The proposal is not consistent with the established vision and strategy for the accommodation of both employment and residential growth; staff have already described in this report how the proposal is not consistent with provincial land use policy, particularly as they relate to employment land conversions; there is no identified need for additional greenfield residential land to accommodate the City's housing growth forecasts; the proposal is expected to create instability in a planned employment cluster through the introduction of close proximity sensitive uses; and the proposal would establish an undesirable precedent.

Class 4 Designation

The proposed Official Plan Amendment includes a request for Council to approve a Special Policy Area for the subject lands that would apply a Class 4 designation per the The Ministry of the Environment, Conservation and Parks Environmental Noise Guidelines (NPC-300). This Class 4 designation would increase the permissible noise level limits for the proposed housing, allowing them to be exposed to higher levels of both indoor and outdoor noise than would otherwise be permitted. City Council is the approval authority for the consideration of such a request. The concept plan prepared by the applicant and the implementing Official Plan Amendment has been prepared on the assumption that Council would grant this request. It is the opinion of the staff that the Class 4 designation tool may be appropriate in certain instances to promote intensification and infilling in more dense, built-up areas, however the use of this tool is not appropriate in the requested context of a large greenfield site at the edge of the city.

If Council were to approve the requested change in land use designation from employment to neighbourhood residential, but not approve the requested Class 4 designation, significant changes to the concept development plan would be required, including larger setbacks from neighbouring industrial operations – particularly Heddle. The applicant has not provided a concept development plan that depicts this alternate scenario, but their submitted noise study identifies that it would likely necessitate the following changes:

- More extensive use of mid-rise buildings with single-loaded construction;
- Buffer zone using commercial, light industrial or non-residential land uses;
- Phasing that introduces mitigative buildings first; and
- Mitigation measures on industrial lands (e.g., Stubbe's, Heddle).

Zoning By-law

The subject lands are zoned General Employment – E2 in the City's Zoning By-law (2013-283) as shown in Appendix 8. The General Employment zoning category permits both light and heavy industrial uses, along with a limited range of other employment activities including auto repair, heavy equipment sales and research facilities. If the requested Official Plan Amendment is approved, a subsequent application to amend the zoning by-law would be required to implement the land use mix contemplated in the concept plan. This may include additional site-specific zoning standards to address built form, density and compatibility considerations.

Circulation of Application

The applications were circulated to all relevant departments and agencies in accordance with the *Planning Act*. The feedback received is outlined below and has been considered in the recommendation of this report.

Niagara Region

Regional staff identified that they are unable to support the proposed Official Plan Amendment due to policies and analysis surrounding the employment land conversion, land use compatibility, traffic impacts, and site servicing. Regional staff specifically identified several concerns related to land use compatibility between the proposed sensitive land uses and the nearby existing and permitted industrial uses. Regional staff retained WSP Canada Inc. to undertake peer reviews of both the applicant's noise study and air quality assessment. These peer reviews found a number of issues with the submitted studies and Regional staff advised that they were of the opinion that the proposed development is unable to achieve land use compatibility in accordance with the Provincial Policy Statement.

In addition to identified deficiencies with the land use compatibility assessment, Regional staff also identified deficiencies with the submitted traffic study, servicing strategy and stormwater management approach, and identified the need for further information or clarifications. At this time, no subsequent materials have been provided.

With respect to servicing, Regional staff advised that the Haulage Road Sewage Pumping Station has recently been reconstructed for operational / maintenance reasons; however the station's capacity was not changed as a large amount of growth was not anticipated in this area. A capacity upgrade would be needed for the pumping station or an alternative route would be required under the Welland Canal, connecting to the Regional trunk sewer.

With respect to traffic impacts, Regional staff commented that further study would be required to investigate projected traffic impacts on the intersections of Lakeshore /

Niagara and Carlton Street / Welland Canals Parkway due impacts of diverted traffic associated with bridge closures. Regional staff also requested additional information and revisions to the preliminary traffic assessment from the applicant.

Niagara Peninsula Conservation Authority

NPCA staff confirmed that there are no regulated environmental features on the subject lands and that they have no comments at this time.

Town of Niagara-on-the-Lake

The application was circulated to neighbouring Niagara-on-the-Lake for comment due to the proximity of the proposed development to the municipal boundary. No technical comments were received from Town staff but the proposal was discussed at the Town Council Meeting of November 22, 2021, where Town Council passed the following motion:

“WHEREAS the City of St. Catharines has provided a notice of complete application under the Planning Act for the property at 406 Lakeshore Road; and

WHEREAS this property is situated on a critical arterial road to and from Niagara-on-the-Lake, and very close to the border of this municipality; and

WHEREAS the Region has expressed support for the City of St. Catharines’ position;

THEREFORE BE IT RESOLVED that the Town of Niagara-on-the-Lake also wishes to express its support for the City of St. Catharines’ request for a MZO in this area.

Development Engineering

Development Engineering staff advised that further information and more detailed servicing plans would be required to confirm that the subject lands can be adequately serviced for the proposed use and without adverse impact on surrounding lands. Staff identified that further study of the water system was required to identify adequate water needs and usage for the proposed development, while maintaining the existing system without any adverse effects to other users.

Staff also identified concerns with the preliminary strategy for sanitary sewage flows, which suggested the use of storage facilities for sewage with a controlled release to the undersized pumping station. Staff advised that this approach would not be acceptable and that the applicant would need to either upgrade the sewage pumping station or provide necessary improvements to the downstream gravity system to accommodate the proposal.

With respect to stormwater management, staff noted that the applicant proposed to drain the lands into an existing ditch / creek outlet that extends northward towards Lake Ontario and crosses through Happy Rolph’s. Staff identified that further study would be

required to assess the capacity of this creek to accommodate the proposed flows, including the ponds at Happy Rolph's, the ability of this drainage channel to withstand prolonged flows, and to identify any required improvements.

Community Recreation and Community Services

CRCS staff advised that the requested employment lands conversion would result in a land use pattern that was not anticipated when the City's Parks Policy Plan was developed. If the conversion is approved, new parkland would be required within the proposed subdivision. The applicant would be responsible for the dedication of this land to the City for parks use and would be responsible for all costs associated with constructing the park. The size of the parkland block shown on the concept plan is acceptable to CRCS, endorsement of the exact location and configuration of the parkland at this stage would be premature. If the requested OPA is approved, park location and design would be addressed in further detail through the subsequent subdivision approvals process.

Transportation

City transportation staff identified no concerns with the application but noted that Lakeshore Road is Regional and that the operation of this corridor and associated intersections would be addressed principally by Regional staff through their review and comment.

Fire Services

Fire Services advised that due to the potential for increased emergency response times associated with the Welland Canal, all residential dwelling units in the proposed development would need to be provided with fire sprinklers. It should be noted that the City does not have a Fire Station existing or proposed for the east side of the Welland Canal and that furthermore, the closest Fire Station in Niagara on the Lake is located approximately 8.2km from the subject lands.

St Catharines Transit

St. Catharines Transit advised that Port Weller East is currently serviced by on-demand transit and that Transit has no plans to provide fixed route service to this area. The unpredictability of the raising canal bridges would make a fixed route scheduled service very difficult to provide.

Public Consultation

A public notice advising of a public open house was mailed to all property owners within 120 metres of the property on November 22, 2021, including property owners in Niagara-on-the Lake within that distribution radius. This public notice also appeared on the City's website. An online public open house was held by Planning and Building Services via the Zoom platform on December 15, 2021. The purpose of the open house was to share information regarding the proposed Official Plan Amendment and associated concept plan, and to offer an opportunity for attendees to ask questions and provide comments for consideration by staff and by the applicant before recommendations are presented to Council for their consideration. Community

members were also invited to submit written comments and question to staff. While the open house was conducted over the Zoom platform, it was simultaneously live streamed on the City's YouTube channel.

The City received several comments and questions from community members both during the open house and through email correspondence. Common themes, and associated staff responses are described below.

1. Traffic: Concerns about traffic volume increases associated with the new development, and particularly implications due to bridge closures and related back-ups and delays. Weekend traffic peaks associated with tourism activities must also be considered.

Response: The preliminary traffic assessment submitted by the applicant identifies that site traffic from the development will generally contribute to increased traffic activity in the study area, but that the existing transportation network is expected to be able to accommodate the proposed development. The traffic assessment notes that signal timing may need to be adjusted at the intersection of Lakeshore Road and Bunting Road and no further intersection implements are identified. This traffic assessment has not yet been found acceptable by Niagara Region transportation staff and further assessment would be required if the proposed development were to proceed.

2. Emergency Services: Concerns about lack of access to the proposed development from emergency response vehicles due to regular bridge closures and associated congestion.

Response: St Catharines Fire Services has advised that due to the potential for increased response times associated with bridge closures, that all dwelling in the proposed development would need to be equipped with sprinklers.

3. Industrial Noise: Concerns about compatibility of new housing with the surrounding industry and farm operations. The proposed subdivision would be sandwiched between a shipyard and farmland and will generate complaints. These businesses and residents should be allowed to operate without being pressured to change to accommodate a new residential area.

Response: Portions of the proposed development are located in closer proximity to industrial uses than would typically be permitted. The Heddle Shipyard is a Class III industrial facility per NPC-300 and sensitive uses should be setback a minimum of 300 metres from this facility, whereas sensitive uses are proposed at a setback of approximately 150 metres. Further the greenhouses to the east are a Class II facility and require a 70-metre setback to sensitive uses, whereas townhouse dwellings are proposed with effectively no setback from this facility. The applicant has requested that City Council approve a Class 4 designation on the subject lands to allow for relaxed noise standards. If the proposed

development is approved, new residents would experience noise impacts from the neighbouring industrial uses. Mitigation measures would be required to reduce these impacts, along with warning clauses for new dwelling residents, however noise impacts are still expected to be observed. Additional impacts from surrounding farm operations are also anticipated. Compatibility issues associated with noise impacts are expected if the application were to be approved.

4. Canal Noise: Shipping traffic on the canal is also noisy and causes vibrations to existing homes. This includes the bridge sirens, boat horns and engine noise.

Response: The submitted noise study considered transportation impacts associated with Lakeshore Road and Read Road but did not address potential noise and vibration impacts associated with shipping traffic on the Welland Canal. If the development is approved, more detailed noise studies would be required and the potential impacts of shipping traffic can be further addressed at that time.

5. Environmental: Concerns about environmental impacts associated with clearing the orchard for housing, including wildlife displacement.

Response: The existing lands are already designated for employment uses which includes both heavy and light industry and the existing orchard could already be cleared for development under these existing land use permissions. There are also no regulated environment features on the subject lands such as wetlands, fish habitat or significant woodlands. Development of these lands is expected to result in the displacement of existing wildlife that occupies or utilizes the site. Staff have had discussions with a representative to the Species at Risk Branch of the Ministry of Environment, Conservation and Parks. The Ministry representative identified no know species at risk on the subject lands.

6. Land Use: Area residents generally expressed a preference for maintaining the subject lands as an orchard. If the orchard is to be removed and developed, area residents appeared to be split on whether they would prefer to see housing or industrial uses on the subject lands.

Response: As noted above, the existing lands are already designated for employment uses which includes both heavy and light industry and the existing orchard could be cleared for development. The existing land use permissions provide no assurance that the existing orchard will be maintained.

Community members that identified a preference for housing on the site, as opposed to employment uses, identified a potential for greater compatibility with the existing adjacent rural homes, as well as the potential of the new residential density to support new neighbourhood-supporting commercial uses that would benefit the larger Port Weller East community.

Residents that identified a preference to retain the employment use permissions on the lands identified traffic impacts, servicing constraints, and lack of compatibility with the existing rural setting as being among the reasons for their opposition to the proposal.

7. Residential Noise: Concerns about noise impacts associated with the proposed subdivision use.

Response: The residential subdivision would be expected to generate noise impacts typical of a suburban residential neighbourhood, including noises related to transportation, property maintenance, and use of outdoor amenity space. Noise mitigation measures are generally not required between adjacent residential uses, including where the future subdivision would abut existing residences.

8. Privacy and Buffering: Concerns about loss of privacy associated with the proposed subdivision. There is also a desire to see buffering around the perimeter of the new development.

Response: The concept plan depicts residential lots that back onto or abut existing residential lots. No buffering or mitigation is typically required between neighbouring low density residential uses. The concept plan also includes two blocks for high density development and depending on the ultimate height configuration of those buildings, there is potential for overlook, shadow and wind impacts on adjacent lands. These impacts would be further confirmed through subsequent approvals if the requested land use change is approved.

9. Comment: Some residents inquired about whether would receive sewer connections for their rural properties if the if the development is approved.

Response: There are no existing or planned sanitary sewers along Read Road and the preliminary servicing strategy would direct all sewers from the development out to either Lakeshore Road or to a new outlet under the Welland Canal to the west. No new sewer connections for existing rural homes would be accommodated.

10. Comment: Residents were concerned about maintaining the rural character of the surrounding area and believed that the residential subdivision would diminish this character.

Response: The proposed development is consistent with a typical suburban land use pattern. While three blocks are proposed to accommodate apartment-type built forms, most of the lands are proposed to accommodate low density suburban housing stock. Neither of these building forms would be reflective of the prevailing mixed rural / industrial character along the three streets fronting the proposed development. The existing context provides a logical land use

transition between the rural landscape of Niagara-on-the-Lake and residential communities west of the Welland Canal in St Catharines. Staff agree that that a residential subdivision in this location would appear out of context.

11. Comment: Several community members inquired about the status of an alternative concept plan that was presented by the applicant's consultant at a February 24, 2022 meeting of the Port Weller Residents Association.

Response: Staff are aware that alternative concept plan was presented to community members at this meeting and that the revised concept plan featured higher residential densities on a reduced residential land area. This new concept plan was not submitted to the City for review or comment. This report evaluates and provides recommendation regarding the concept plan that accompanied the applicant's October 2021 submission and is attached as Appendix 2.

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 external 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 Ontario Land Tribunal, then the planner who has provided the second opinion shall be retained for the purpose of a hearing.

Financial Implications

There are no immediate financial implications associated with this report.

Environmental Sustainability Implications

While the subject lands are already designated for urban development, the requested change in land use designation from employment to residential would facilitate the construction of an isolated residential subdivision that lacks walkability, transit support, community amenities, and integration with existing communities. The proposal represents an undesirable land use pattern and is not consistent with the principles of sustainability.

Conclusion

The proposed Official Plan Amendment would redesignate 406 Lakeshore Road from Employment to Neighbourhood Residential to facilitate the planned construction of a predominantly residential development. The request represents the conversion of lands in an employment area to non-employment uses and fails to satisfy the requirements for considering such a change. The subject lands are required to remain designated for employment to accommodate forecasted employment growth over the long term. Further, the proposed development does not achieve an appropriate level of compatibility with surrounding uses and would represent an undesirable development pattern that is inconsistent with the City's established growth management framework. The proposal is not consistent with the PPS, does not conform to the Growth Plan, the

Regional Official Plan or the Garden City Plan, and is not consistent with the principles of good land use planning. Staff recommend that the application be denied.

Notifications

It is in order to advise Ron Kanter of Macdonald Sager Manis and Don Mason of 1984396 Ontario Inc., the applicants; and Matthew James Werner, the Owner.

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Approved by

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Appendices

- Appendix 1 – Location Map
- Appendix 2 – Conceptual Site Plan
- Appendix 3 – Ontario Planning Framework
- Appendix 4 – Official Plan Schedule D1
- Appendix 5 – Proposed Official Plan Schedule D1
- Appendix 6 – Official Plan Schedule E2
- Appendix 7 – Proposed Official Plan Schedule E2
- Appendix 8 – Existing Zoning
- Appendix 9 – Proposed Draft Official Plan Amendment

Location Map

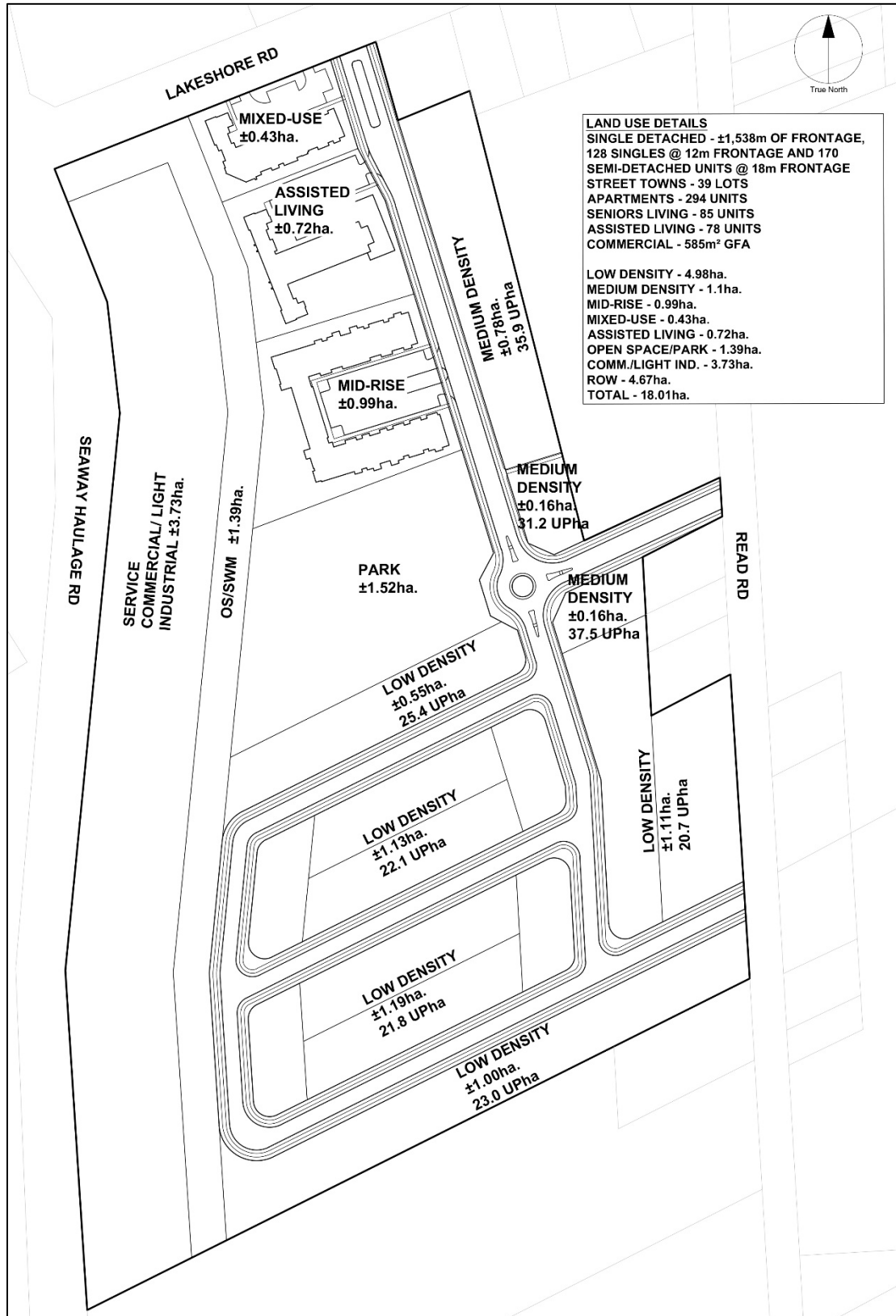


 **Subject Lands**

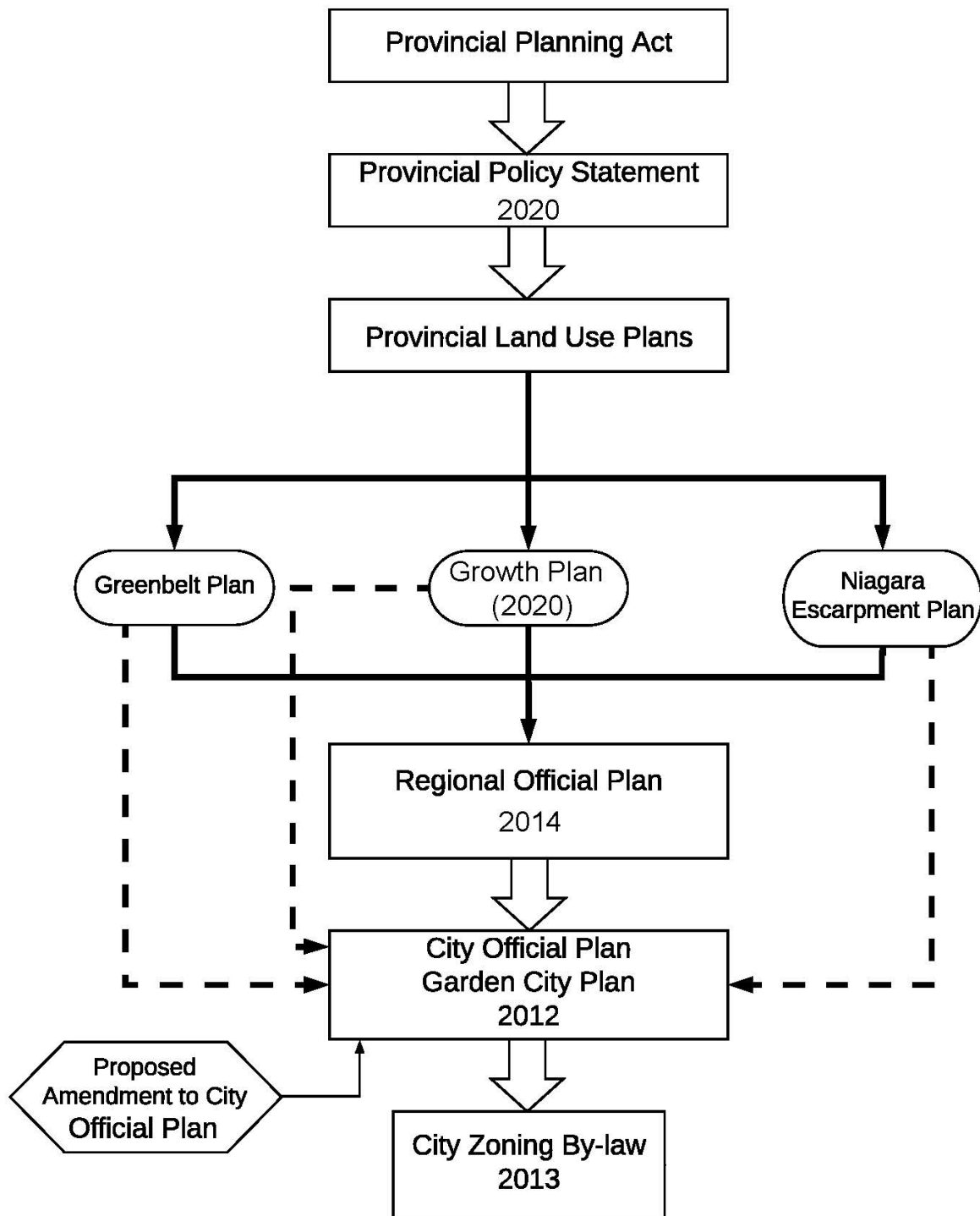
406 Lakeshore Road

File: 20 117419 OP

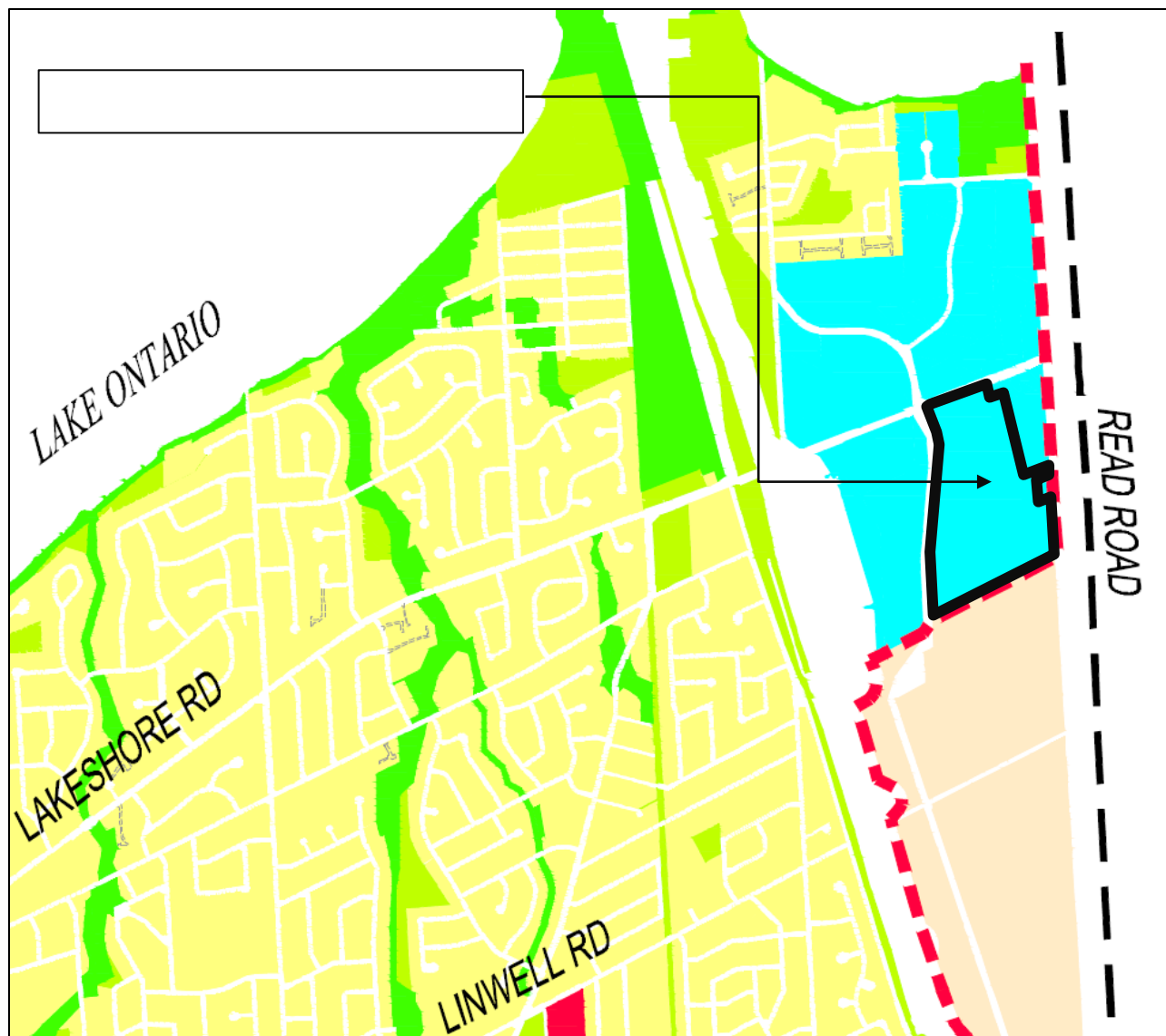
Concept Development Plan











Ontario Land Use Planning Framework

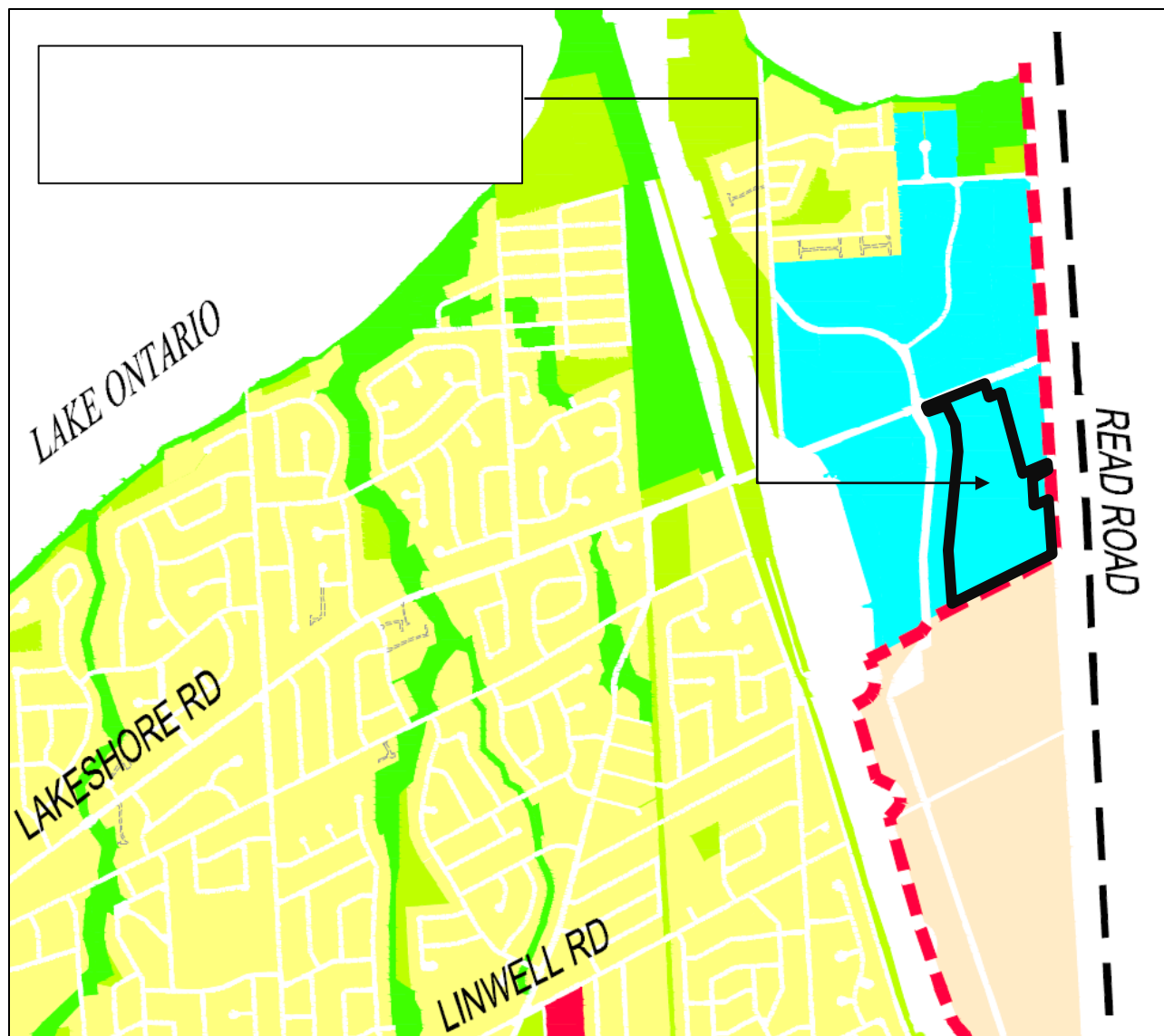


Existing Land Use Designation
General Land Use Plan - Schedule D1
Garden City Plan



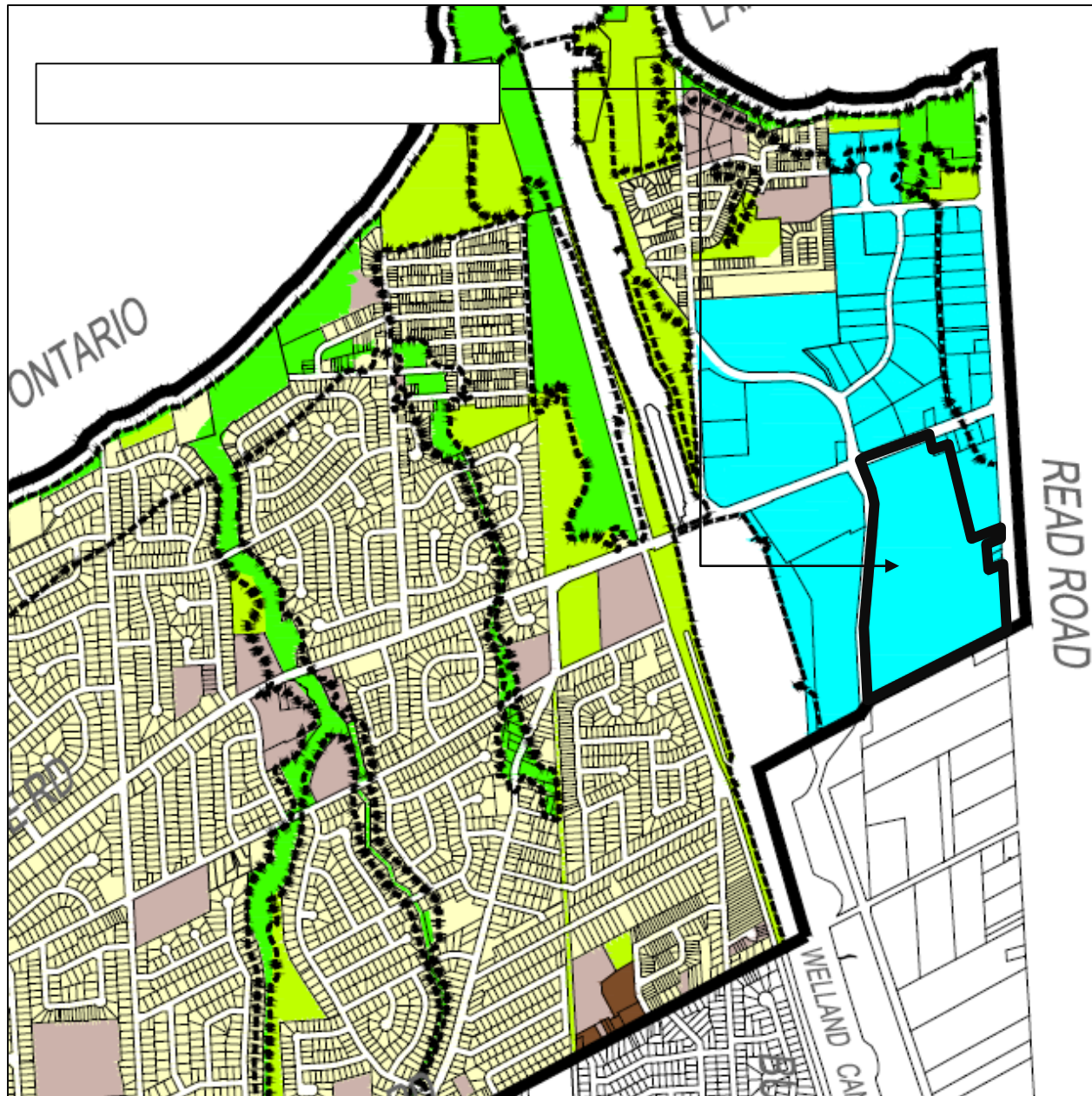
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|---|---|
|  Neighbourhood Residential |  Natural Areas |
|  Employment |  Parkland & Open Space |
|  Commercial |  Agriculture |
|  Mixed Use |  Urban Area Boundary |

**Proposed Land Use Designation
General Land Use Plan - Schedule D1
Garden City Plan**



- | | |
|---------------------------|-----------------------|
| Neighbourhood Residential | Natural Areas |
| Employment | Parkland & Open Space |
| Commercial | Agriculture |
| Mixed Use | Urban Area Boundary |

Existing Land Use Designation North Planning District - Schedule E2 Garden City Plan

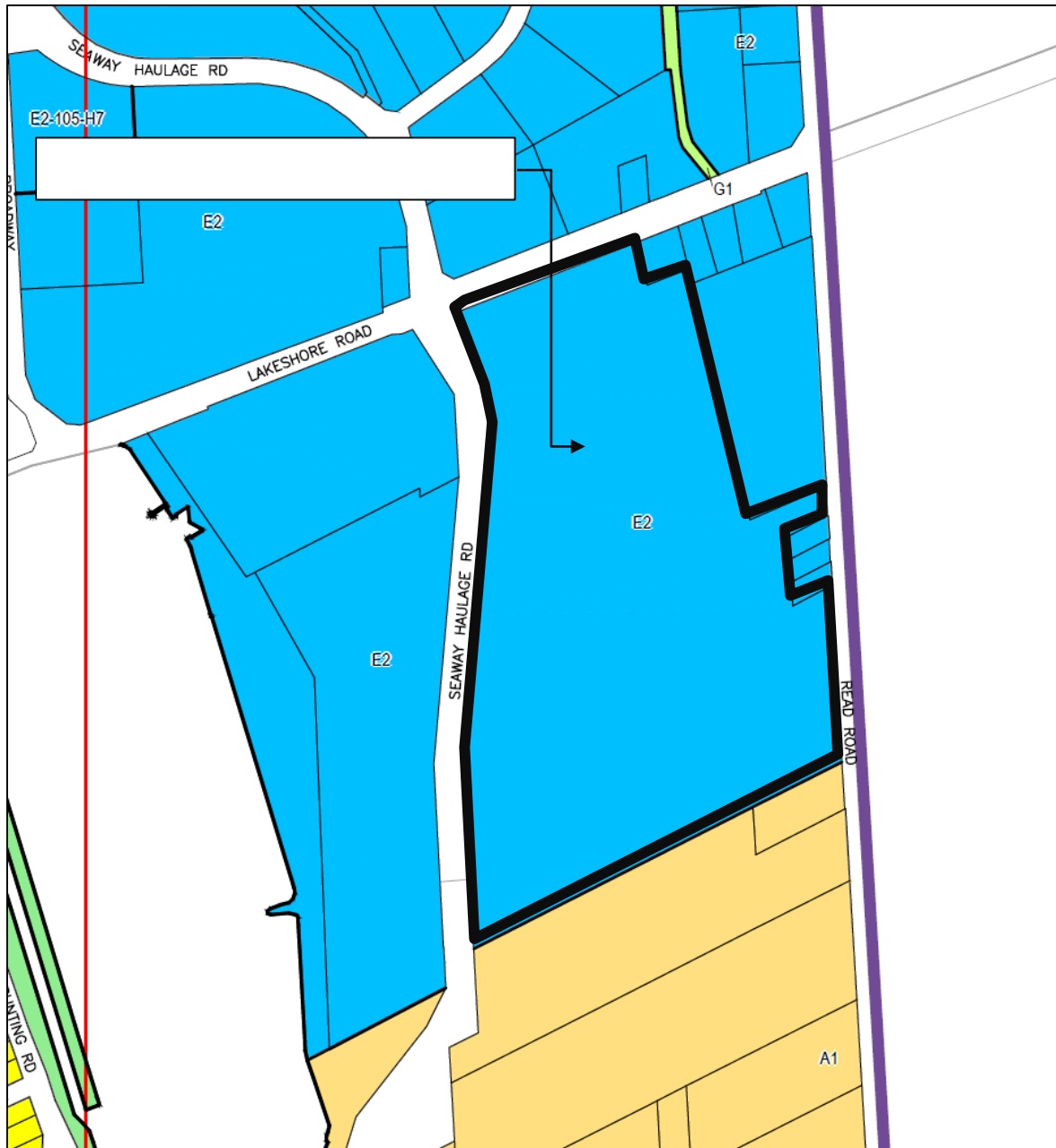


- | | |
|---|--------------------------------|
| Low Density Residential (20 to 32 units / ha) | Mixed Use |
| Medium Density Residential (25 to 99 units / ha) | General Employment |
| High Density Residential (85 units / ha or greater) | Business Commercial Employment |
| Major Commercial | Parkland & Open Space |
| Community Commercial | Natural Areas |
| Arterial Commercial | Natural Area Extent Line |

Proposed Land Use Designation Amendments North Planning District - Schedule E2 Garden City Plan



Zoning By-law (2013-283) Existing Zoning - Schedule A4



- | | |
|--|---|
| R1 Low Density Residential
- Suburban Neighbourhood | M1 Medium Density Mixed Use |
| R2 Low Density Residential
- Traditional Neighbourhood | M2 Medium / High Density Mixed Use |
| R3 Medium Density Residential | M3 High Density Mixed Use |
| R4 High Density Residential | G1 Conservation / Natural Area |
| C1 Local Convenience Commercial | G2 Minor Green Space |
| C2 Community Commercial | G3 Major Green Space |
| C3 Arterial Commercial | I1 Local Neighbourhood Institutional |
| C4 Major Commercial | I2 Community Institutional |
| C5 Downtown Commercial Core | I3 Major Institutional |
| C6 Downtown Traditional Main Street | A1 Agriculture |
| E1 Business Commercial Employment | A2 Agriculture Only |
| E2 General Employment | A3 Agriculture Commercial / Industrial |
| | Municipal Boundary |

THE CITY OF ST. CATHARINES

Draft Official Plan Amendment No. XXXX-21 to the City of St. Catharines Garden City Official Plan

PORT WELLER EAST

DRAFT

AMENDMENT NO. XXXX-21 TO THE GARDEN CITY OFFICIAL PLAN
OF THE CITY OF ST. CATHARINES

CITY OF ST. CATHARINES
Port Weller East

INDEX

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SECTION 2	PURPOSE OF THE AMENDMENT
SECTION 3	BASIS OF THE AMENDMENT
SECTION 4	THE AMENDMENT

AMENDMENT NO. XXXX-21 TO THE GARDEN CITY OFFICIAL PLAN OF THE CITY OF ST. CATHARINES

SECTION 1 – TITLE AND COMPONENTS

This amendment shall be referred to as Amendment No. XXXX-21 to the City of St. Catharines Garden City Official Plan and will become part of Table 'A' of the plan. This amendment is comprised of Sections 1 to 4 inclusive.

SECTION 2 – PURPOSE OF THE AMENDMENT

The purpose of the Official Plan Amendment is to change the land use designation and amend Map E-2 to add a site specific policy area that permits the proposed land uses and a Class 4 designation on the subject lands. The subject lands are municipally known as 406 Lakeshore Road in the City of St. Catharines. The implementation of a Class 4 designation will allow for the proposed residential uses to be within the minimum 300.00m setback from a Class III facility. The proposed development consists of a comprehensively planned mixed-use development which features a range and mix of low, medium and high density residential dwellings, open space and mixed-use commercial/ residential.

The amendment comprises of the following changes:

- Map D-2 is amended by changing the land use designation from Employment to Class 4 Neighbourhood Residential as shown on Schedule 'A' attached hereto;
- Map E-2 is amended by changing the land use designation from General Employment as shown on Schedule 'B' attached hereto to the land use designations identified in Schedule 'C' attached hereto;
- Map F-1 is amended by adding the central piece of land identified as Parkland & Open Space on Schedule 'C' attached hereto as Parks.
- Adding Special Policy Area No. XXXX-21 to Table "A" of the City of St. Catharines Garden City Official Plan to permit a site specific noise allowance to the adjacent Class III facility to the immediate west of the subject lands, municipality known as 340 Lakeshore Road and to allow site-specific residential density permissions.

SECTION 3 – BASIS OF THE AMENDMENT

City of St. Catharines Garden City Official Plan

The subject lands are currently designated as Employment under Schedule D-2 and General Employment under Schedule E-2 of the 2010 City of St. Catharines Garden City Official Plan. A Neighbourhood Residential designation is proposed on Schedule D-2 to capture the nature of the proposed primarily residential community. The proposed low density residential, medium density residential, high density residential, community commercial, mixed-use and parkland & open space are proposed on Schedule E-2 with site-specific density provisions to permit the proposed development. The Class 4 designation is being proposed to allow for the proposed residential uses to be allowed within the minimum 300.00m setback from a Class III facility (Heddles Shipyards, Stubbe's Concrete) as described in the Land Use Compatibility Assessment and Noise Study Addendum Report, prepared by RWDI, dated June 23, 2020 and August 6, 2021 respectively. Under the D-6 Guidelines below provides the Industrial Categorization Criteria for a Class I to Class III industry:

Table 5: Guideline D-6 Industrial Categorization Criteria

Criteria	Class I	Class II	Class III
Outputs	<ul style="list-style-type: none"> • Sound not audible off property • Infrequent dust and/ or odour emissions and not intense 	<ul style="list-style-type: none"> • Sound occasionally audible off property • Frequent dust and/ or odour emissions and occasionally intense 	<ul style="list-style-type: none"> • Sound frequently audible off property • Persistent and intense dust and/ or odour emissions
Scale	<ul style="list-style-type: none"> • No outside storage • Small scale plant or scale is irrelevant in relation to all other criteria 	<ul style="list-style-type: none"> • Outside storage permitted • Medium level of production 	<ul style="list-style-type: none"> • Outside storage of raw and finished products • Large production levels
Process	<ul style="list-style-type: none"> • Self-contained plant or building which produces / stores a packaged product • Low probability of fugitive emissions 	<ul style="list-style-type: none"> • Open process • Periodic outputs of minor annoyance • Low probability of fugitive emissions 	<ul style="list-style-type: none"> • Open process • Frequent outputs of major annoyances • High probability of fugitive emissions
Operation / Intensity	<ul style="list-style-type: none"> • Daytime operations only • Infrequent movement of products and/or heavy trucks 	<ul style="list-style-type: none"> • Shift operations permitted • Frequent movements of products and/or heavy trucks with the majority of movements during daytime hours 	<ul style="list-style-type: none"> • Continuous movement of products and employees • Daily shift operations permitted

Figure 1: Table 5 from the Land Use Compatibility Assessment, prepared by RWDI, dated June 23, 2020

The Land Use Compatibility Assessment provides feedback regarding NPC-300 and the requirement for a Class 4 Land Use Designation. The Environmental Noise Guideline NPC-300, Stationary and Transportation Sources – Approval and Planning (MOE, 2013) from MECP outlines requirements for noise to address compatibility between noise sources and sensitive land uses. Class 4 designations are applied to suitably address the permission of residential uses adjacent to the existing and proposed Class III industrial to the west (Hedde Shipyards, Stubbe's Concrete); as such, buildings should be designed to address the applicable requirements under NPC-300.

In order to provide compatibility within the adjacent Class III designation, the development proposal has proposed a buffer area comprised of service commercial/ light industrial along the western portion of the subject lands. This provides additional separation to mitigate noise impacts. If the Class 4 designation is not approved further mitigation design measures can be introduced including more extensive use of mid-rise buildings with single-loaded construction, phasing that introduces mitigative buildings first; and mitigation measures on industrial lands. Further information regarding NPC-300 and the anticipated Class 4 Land Use Designation is discussed in a Land Use Feasibility Assessment ("LUFA"), Noise Study Addendum Report. Building height restrictions should be applied at the rezoning stage of the planning process.

Niagara Regional Official Plan

Niagara Regional Official Plan, 2014

The Niagara Regional Official Plan is the long-range, community planning document that is used to guide the physical, economic and social development in the Niagara Region. The policy document outlines objectives, policies and mapping that implement the Region's approach to managing growth, growing the economy, protecting the environment and providing infrastructure. The policy document

was prepared in 2014 and is currently the documentation in place for the Niagara Region. The subject lands are located within the Greenfield Area on Schedule A Regional Structure of the Niagara Regional Official Plan. Designated Greenfield Areas are defined as *the area within the settlement area that is not Built-Up Area*, as described under Section 4.G.9.1 of the Niagara Regional Official Plan. The proposed development and OPA contribute to achieving the minimum combined gross density target of 50 people and jobs per hectare across all designated Greenfield Areas. Additionally, the proposed development and OPA integrate residential, commercial, light industrial, and recreational land uses to efficiently utilize vacant lands within the urban boundary, as encouraged in the Niagara Regional Official Plan.

Niagara Regional Municipal Comprehensive Review: New Niagara Regional Official Plan

Initiated in 2014, the Niagara Region is currently conducting a Municipal Comprehensive Review in order to ensure their official plan is in accordance with all new provincial legislation and plans. At this time background research, stakeholder meetings and public consultation has occurred and the first draft of the new Niagara Regional Official Plan is anticipated for the end of 2021. As part of this review, the Niagara Region's Employment Area Strategy document has been released which provides noise considerations under the anticipated Industrial policies. The policy is as follows:

Section 2.2.1 Industrial Areas: Industrial areas within Southern Ontario offer a mix of heavy, general, and light industrial uses and primarily accommodate employment sectors related to manufacturing, utilities, wholesale trade, distribution and warehousing, transportation, and ancillary commercial service uses to the primary employment use. Industrial areas typically require the following physical attributes:

- **Land use compatibility** – separation and buffering of industrial uses are important to ensure public safety through minimizing noise, odour, truck traffic, and air pollution experienced by nearby non-employment and other sensitive land uses

The Land Use Compatibility Assessment, Noise Study Addendum, and Supplementary Air Quality Assessment were prepared in support of this development proposal. The Noise Study determined that the sound levels estimated from the nearby Heddle Shipyards and Stubbe's Concrete Terminal have an impact on the proposed development, thus a Class 4 land use designation is proposed. It is the recommendations of this report that a Class 4 land use designation together with the proposed service commercial/ light industrial buffer area, can appropriately address the compatibility between the proposed residential use and the existing Class III industry. The Supplementary Air Quality Assessment outlines that sensitive uses must be located 100 m or greater from the ship yard property and 70 m from the concrete terminal site to the west in order to avoid adverse air quality impacts. The report determined that the proposed sensitive uses have adequate separation from the existing heavy industrial uses.

Provincial Policy Statement (PPS), 2020

The PPS provides policy direction on matters of provincial interest regarding land use planning and sets the foundation for land use planning and development regulations. The PPS focuses growth within Settlement Areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety. It recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns.

The proposed development more efficiently utilizes the subject lands than the current land use, simultaneously supporting the surrounding employment area by offering housing opportunities and

recreational open space for the existing workforce, in addition to further employment opportunities. The proposed development will create numerous jobs and significantly increase economic activity in the City of St. Catharines. Specifically, short and long-term jobs will be generated that have not existed for years on the subject lands related to processing building and planning applications, construction, retail, service commercial, and light industrial employment positions, and retirement home care positions.

Moreover, the PPS encourages appropriate affordable and market-based range and mix of residential types. The proposed development incorporates an affordable housing component, as there is a mix and range of dwelling types and tenures to offer various housing options that cater to a variety of demographics, incomes and abilities. Additionally, Habitat for Humanity will have 10 townhouse units and Niagara Regional Housing was offered land or a small apartment building for affordable housing purposes, provided the proposed employment conversion request is approved.

The proposed development has been assessed from an environmental and public health and safety perspective. A Phase I ESA was prepared that identified 9 APECs on the subject lands caused by 7 PCAs occurring on-site and 9 PCAs occurring off-site. A Phase II ESA to completely eliminate the potential for adverse environmental impacts shall be completed at a subsequent stage in the planning process and prior to physical residential development.

Additionally, a LUFA, Noise Study Addendum Report and Supplemental Air Quality Assessment Report were prepared by RWDI to assess the potential for impact from the adjacent and nearby properties that may be a source of pollutants, dust, odour, noise and/or vibration on the proposed development. The study investigated the compatibility of the proposed development with existing industrial land uses up to 1000m from the subject lands, with specific consideration of the adjacent ship yard and proposed concrete terminal. As a result of proximity to existing employment industries, a Class 4 land use designation is being sought to suitably address the compatibility from a noise perspective. As such, a service commercial/ light industrial buffer area is proposed to address the applicable requirements under NPC-300. Traffic noise was also evaluated as part of the LUFA. Sound levels from Lakeshore Road can be addressed by the normal means of site layout, noise barriers and suitable setback distances. In some cases, achieving the indoor sound level limits can also be done by closing windows, providing central air condition and warning residents. Additional safety features will be incorporated during the detailed design stage of the planning process by-way of effective crime prevention through environmental design ("CPTED") techniques. Overall, the proposed development can be compatible with the existing employment area and will not result in any environmental or public health and safety concerns.

Lastly, the PPS provides a set of criteria for lands within existing employment areas to be converted to a designation that permits non-employment uses, including:

- a) *There is an identified need for the conversion and the land is not required for employment purposes over the long term;*
- b) *The proposed uses would not adversely affect the overall viability of the employment area; and*
- c) *Existing or planned infrastructure and public service facilities are available to accommodate the proposed use.*

The subject lands do not contribute to the economic prosperity of the Niagara Region, as they have remained underutilized for employment land purposes for years. There is an identified surplus of 20 ha of employment land across the Region of Niagara. It is recommended that employment land employment jobs be reallocated from St. Catharines to other area municipalities, notably the Gateway Economic Zone and Centre. The proposed development would not adversely affect the overall viability and vitality of the existing employment area, rather increase transit viability and provide housing options for the existing workforce. The TIS and FSR prepared by IBI Group demonstrate that existing or planned infrastructure are available to accommodate the proposed development. Whereas, existing

public service facilities within 1.5 kilometres of the subject lands that are available to support the proposed development including, but are not limited to: Eastport Park, Jones Beach, Port Weller Community Centre, Malcolmson Eco Park, Port Weller Public School, Charles Ansell Park, Assumption Catholic School, Bogart Street Park, Arthur Street Park, Waterfront Trail, and Holy Cross Catholic Secondary School. In regard to emergency service vehicles, they would come from Fire Station 2 at 190 Linwood Road and would have a travel time of approximately 7 minutes via Bridge 1 and 12 minutes via the Carlton Street Bridge if Bridge 1 was raised.

Evidently, the proposed OPA is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan)

The 2019 Growth Plan for the Greater Golden Horseshoe ("Growth Plan") is a Provincial Policy document that has been prepared in order to direct, plan and encourage growth within the GGH. The GGH is one of the fastest growing regions in North America and is anticipated to continue growing. In order to accommodate such growth, the Province of Ontario adopted the Growth Plan under the Places to Grow Act, 2005. The provincial plan offers the framework for implementing strong, healthy and complete communities by better managing growth in the Region.

The Growth Plan provides employment conversion policies relevant to the conversion proposal for the subject lands and directly adjacent properties. In addition, the Growth Plan provides policies to guide future growth and development within the GGH up to the year 2051. Overall, population forecasts have been updated under Schedule 3, projecting a 2051 population of 674,000 people and 272,000 jobs for the Region of Niagara. In order to accommodate the expected population and employment growth, the Growth Plan indicates a need for compact development that intensifies population densities in Settlement Areas, optimizing existing infrastructure and protecting the natural environment.

The Growth Plan encourages complete communities comprising a diverse mix of land uses, improved social equity, mix of housing options, more compact built form, green infrastructure, consideration for impacts to climate change, and convenient access to transportation and public service facilities. The proposed development supports the achievement of a complete community by providing a compact built form featuring a diverse mix of land uses that will increase the walkability score of the area. The proposed development improves social equity and overall quality of life, including human health by addressing potential noise, odour, and vibrational impacts from the existing industry; RWDI recommended in their LUFA that the City should consider applying a Class 4 designation prior to construction in order to suitably address the permission of residential uses adjacent to existing Class III industries. Additionally site design safety measures will be incorporated during the detailed design stage of the planning process, including lighting, cross-walks, etc. The proposed mix and range of housing includes low, medium and high density options of which 10 townhouses will be affordable through a partnership with Habitat for Humanity. Additionally, affordable housing donations to Niagara Regional Housing are still on the table as another affordable housing alternative. With respect to impacts of climate change, the proposed development encourages alternative methods of transportation and more efficiently utilizing land, resources and infrastructure within the urban boundary. Green infrastructure and low impact development will be considerations at the detailed design stage of the planning process.

The subject lands are located within the Greenfield Area, where a minimum density target of not less than 50 residents and jobs combined per hectare are required. The Growth Plan defines designated greenfield area as *lands within settlement areas (not including rural settlements) but outside of delineated built-up areas that have been designated in an official plan for development and are required to accommodate forecasted growth to the horizon of this Plan. Designated greenfield areas do not include excess lands*. The proposed development contributes to achieving the minimum density target of 50 residents and jobs combined per hectare, as the density target excludes employment areas. Also, the proposed development will ironically generate many more jobs than have existed on

the subject lands for years, as it requires a change of land use designation from employment that is intended to accommodate jobs.

Lastly, the Growth Plan provides a set of criteria for lands within existing employment areas to be converted to a designation that permits non-employment uses, including:

- a) *There is a need for the conversion*
- b) *The lands are not required over the horizon of this Plan for the employment purposes for which they are designated;*
- c) *The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;*
- d) *The proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and*
- e) *There are existing or planned infrastructure and public service facilities to accommodate the proposed uses.*

This location is ideal for employment conversion, as it has not functioned as employment for years and has been unable to utilize the potential benefits of being located within proximity to the Welland Canal; marine-related transportation uses would require direct port access for which the subject lands do not provide. Alternatively, the proposed development generates economic development and competitiveness by creating short and long-term jobs, increasing transit viability east of the Welland Canal to provide for the existing workforce, and efficiently utilize existing and planned services and infrastructure (i.e. communications, roads, sewers, regional bicycle network, etc.). There will be a compatible interface between the existing/ proposed employment area and proposed non-employment area to maintain land use compatibility, notably through the introduction of the service commercial/ light industrial buffer area between the exiting industrial uses to the west and the proposed sensitive land uses. Other potential compatibility measures include more extensive use of mid-rise buildings with single-loaded construction, phasing that introduces mitigative buildings first, and mitigation measures on industrial lands. Additional noise mitigations can be implemented through an effective use of the Class 4 designation outlined in NPC-300, further explored in the LUFA and Noise Study Addendum Report.

Evidently, the proposed OPA conforms to the Growth Plan.

SECTION 4 – THE AMENDMENT

Being a by-law to amend the Corporation of the City of St. Catharines Garden City Official Plan, as amended, of the City of St. Catharines.

WHEREAS St. Catharines is empowered to enact this by-law, by virtue of the provisions of Section 34 of the *Planning Act*, R.S.O., 1990, c. P. 13, as amended;

WHEREAS this by-law conforms to the City of St. Catharines Official Plan;

NOW THEREFORE, the Council of the Corporation of St. Catharines enacts as follows:

1. **THAT** this by-law shall apply to the lands described **PT LT 61 CP PL 5 GRANTHAM AS IN RO527208 E/S 30R3062 EXCEPT PT 2, 4 & 6, 30R10760; EXCEPT PT 1 30R13649 CITY OF ST. CATHARINES**

2. **THAT** the City of St. Catharines Garden City Official Plan is hereby amendment as follows:

MAP CHANGE

- a) Amending Schedule D1 – General Land Use Plan by:
 - i) Designating the lands identified on Schedule ‘A’ attached hereto as “Class 4 Neighbourhood Residential” instead of “Employment”.
- b) Amending Schedule E2 – Land Use Designations by:
 - i) Designating the lands identified on Schedule ‘B’ attached hereto as the range in land uses identified on Schedule ‘C’ attached hereto.
- c) Amending Schedule F1 – Parkland and Major Trails by:
 - i) Designating the central piece of land identified as Parkland & Open Space on Schedule ‘C’ attached hereto as Parks.

TEXT CHANGE

- a) Table A is amended by adding Site Specific Policy Area XXXX-21 as follows:

XXXX-21 Table A

Special Policy Area XXXX-21 applies to approximately 17.4 hectares of land on the south side of Lakeshore Road, east of Seaway Haulage Road, within the urban boundary, as identified on Schedule ‘A’ attached hereto. The land may be developed with a mixed use community, comprising: apartment buildings, multiple dwellings, residential care facility, assisted living facility, street townhouse dwellings, back-to-back townhouse dwellings, semi-detached dwellings, and single detached dwellings in accordance with the maximum densities outlined on Schedule ‘D’ attached hereto. The land is in proximity to Class III (Heavy) Industries as defined under the land use compatibility guidelines published by the Ministry of Environment and Climate Change (MOECC). These industries are located to the west of Seaway Haulage Road.

- i) Due to the proximity of the Class III Industries, the land is classified as a Class 4 area pursuant to the MOECC Noise Guideline – Stationary and Transportation Sources – Approval and Planning (NPC-300). To ensure land use compatibility with nearby industries, appropriate mitigation measures, as determined through land use compatibility and noise studies, shall be incorporated into the implementing zoning by-law, plan of subdivision, plan of condominium, and/or site plan approval. Warning clauses shall be included in agreements to notify the residents of potential noise impacts from nearby operations.

READ a first and second time this _____

Read a third time and finally passed this _____

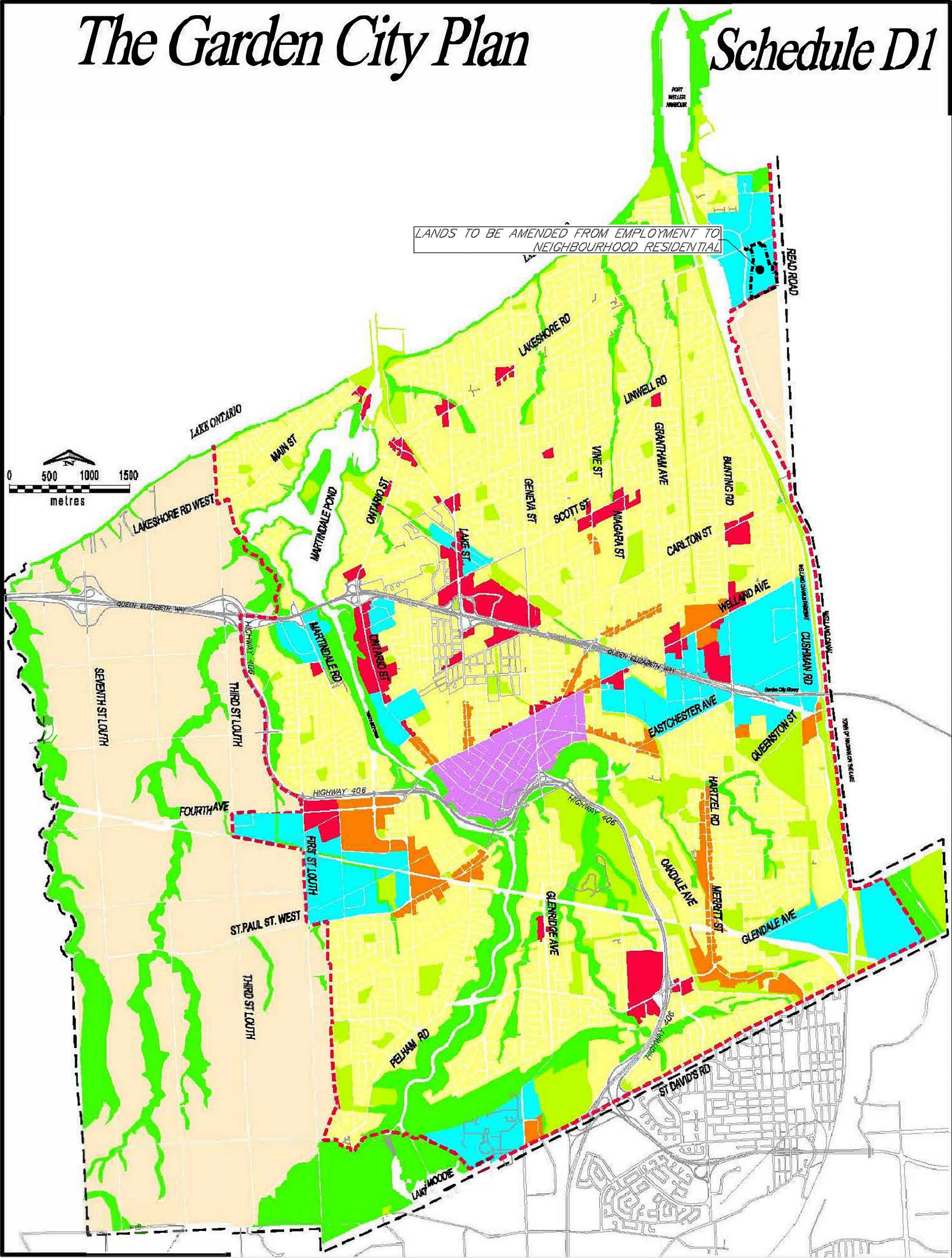
Mayor

City Clerk

DRAFT

The Garden City Plan

Schedule D1



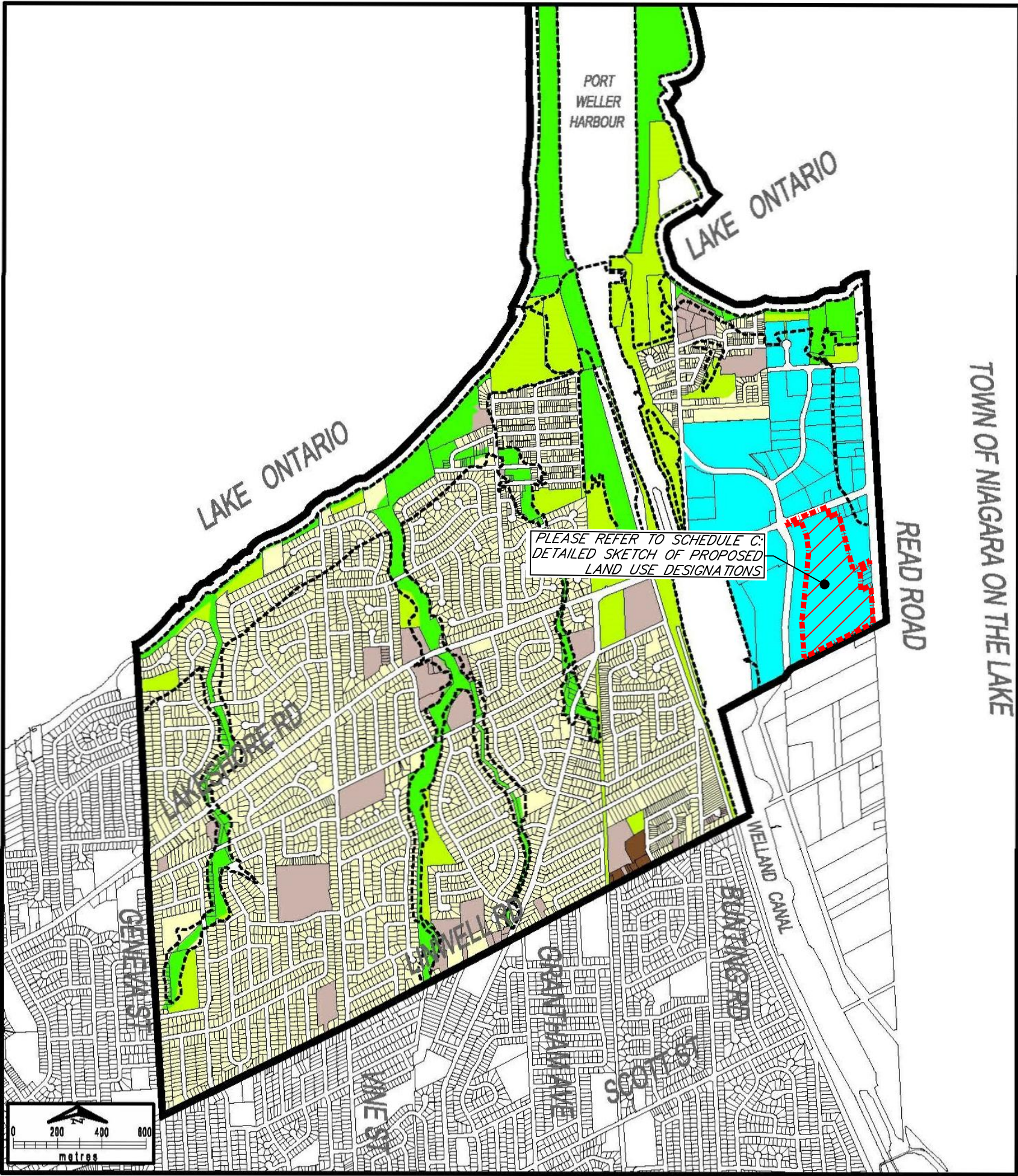
General Land Use Plan

- Neighbourhood Residential
 - Employment
 - Commercial
 - Mixed Use
 - Natural Areas
 - Parkland & Open Space
 - Agriculture
 - Downtown
- Urban Area Boundary

CITY OF ST. CATHARINES
PLANNING AND BUILDING SERVICES
OFFICIAL PLAN JANUARY 31, 2014

The Garden City Plan

North Planning District Schedule E2

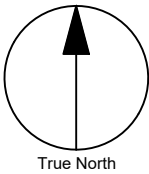







Land Use Designations


- Low Density Residential (20 to 32 units / ha)
- Medium Density Residential (25 to 99 units / ha)
- High Density Residential (85 units / ha or greater)
- Major Commercial
- Community Commercial
- Arterial Commercial

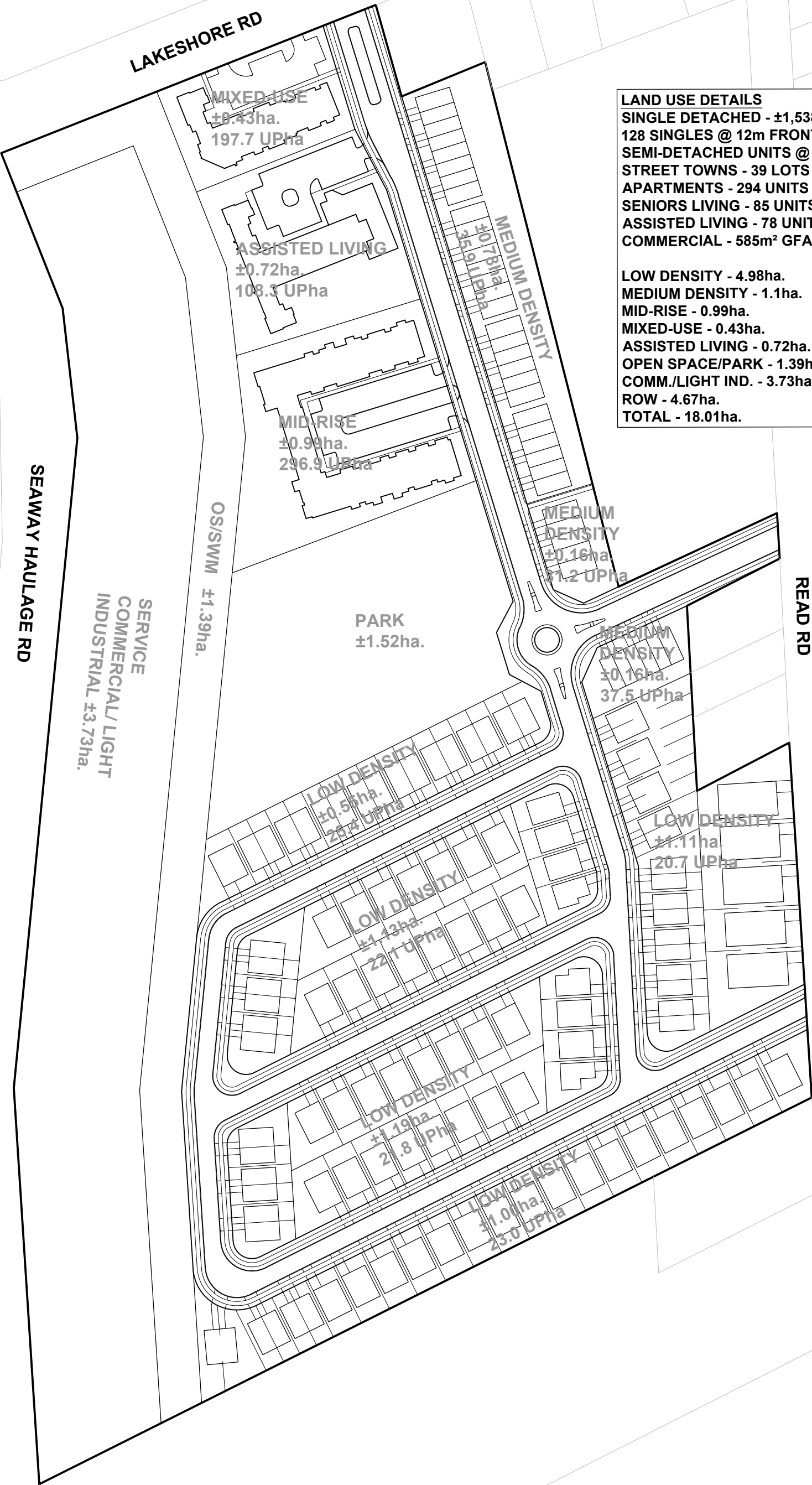
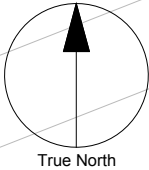
- Special Study Area
- Mixed Use
- General Employment
- Business Commercial Employment
- Parkland & Open Space
- Natural Areas
- Natural Area Extent Line

NOTWITHSTANDING LAND USE DESIGNATIONS SHOWN ON THIS SCHEDULE, THE USE OF LAND WITHIN OR ADJACENT TO THE NATURAL AREA EXTENT LINE MAY BE SUBJECT TO ADDITIONAL REGULATION OR RESTRICTION. REFER TO PART D, SECTION 13.2 NATURAL AREA POLICIES, ALSO SEE SCHEDULES F2, F3, F4 AND F5



- LEGEND
-  LANDS TO BE AMENDED FROM GENERAL EMPLOYMENT TO CLASS 4 LOW DENSITY RESIDENTIAL
 -  LANDS TO BE AMENDED FROM GENERAL EMPLOYMENT TO CLASS 4 MEDIUM DENSITY RESIDENTIAL
 -  LANDS TO BE AMENDED FROM GENERAL EMPLOYMENT TO CLASS 4 HIGH DENSITY RESIDENTIAL
 -  LANDS TO BE AMENDED FROM GENERAL EMPLOYMENT TO CLASS 4 MIXED-USE
 -  LANDS TO BE AMENDED FROM GENERAL EMPLOYMENT TO CLASS 4 PARKLAND & OPEN SPACE

CLIENT DON MANSON 1858 AVENUE RD, TORONTO, ON	PROJECT NAME PORT WELLER EMPLOYMENT CONVERSION 406 LAKESHORE RD, ST. CATHARINES, ON		PRIME CONSULTANT  IBI GROUP Suite 200 - 360 James Street North Hamilton ON L8L 1H5 Canada tel 905 546 1010 fax 905 546 1011 ibigroup.com	
	SCALE: 1:2500	DATE: 2021 08 24	FIGURE NAME DETAILED SKETCH OF EMPLOYMENT LANDS TO BE AMENDED	FIGURE NO. 1
	PROJECT MGR: JR	DRAWN BY: SC		
	CHECKED BY: JR	APPROVED BY: JR		
	PROJECT NO: 118855			REVISION 1



LAND USE DETAILS
SINGLE DETACHED - ±1,538m OF FRONTAGE, 128 SINGLES @ 12m FRONTAGE AND 170 SEMI-DETACHED UNITS @ 18m FRONTAGE
STREET TOWNS - 39 LOTS
APARTMENTS - 294 UNITS
SENIORS LIVING - 85 UNITS
ASSISTED LIVING - 78 UNITS
COMMERCIAL - 585m² GFA

LOW DENSITY - 4.98ha.
MEDIUM DENSITY - 1.1ha.
MID-RISE - 0.99ha.
MIXED-USE - 0.43ha.
ASSISTED LIVING - 0.72ha.
OPEN SPACE/PARK - 1.39ha.
COMM./LIGHT IND. - 3.73ha.
ROW - 4.67ha.
TOTAL - 18.01ha.

CLIENT 1984396 ONTARIO INC. 1858 AVENUE RD, TORONTO, ON	PROJECT NAME PORT WELLER EMPLOYMENT CONVERSION 406 LAKESHORE RD, ST. CATHARINES, ON		PRIME CONSULTANT <div>IBI GROUP Suite 200 - 360 James Street North Hamilton ON L8L 1H5 Canada tel 905 546 1010 fax 905 546 1011 ibigroup.com</div>	
	SCALE: 1:2000	DATE: 2021 08 30	FIGURE NAME CONCEPT PLAN - DENSITY	FIGURE NO. 1
	PROJECT MGR: J.REDFEARN	DRAWN BY: J.MARCUS		
	CHECKED BY: J.ARIENS	APPROVED BY:		
	PROJECT NO: 118855		REVISION 0	

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By-law List – September 12, 2022

- (a) A By-law to amend By-law No. 2021-67 entitled “A By-law to provide for the licensing, regulating and inspecting of Short-term Rentals in the City of St. Catharines.” (One reading – with respect to a housekeeping amendment. Delegation of Powers and Duties By-law No. 2020-156.)
- (b) A By-law to provide for the adoption of an amendment to the Official Plan of St. Catharines. (One reading – with respect to 10 Pleasant Avenue. To be considered by Council, September 12, 2022.)
- (c) 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 10 Pleasant Avenue. To be considered by Council, September 12, 2022.)
- (d) A By-law to confirm the proceedings of council at its meeting held on the 12th day of September 2022. (One reading - with respect to confirming the proceedings of the meeting held on September 12, 2022.)