

# PLANNING JUSTIFICATION REPORT

OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT & PLAN OF  
SUBDIVISION



## Fifth Wheel Redevelopment

398 North Service Road  
Town of Grimsby

Date:

**January, 2019**

Prepared for:

**Losani Homes**

Prepared by: **MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)**

Our File 141961

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# 1.0 INTRODUCTION

MHBC has prepared this Planning Justification Report in support of applications by Losani Homes for the development of the subject property at 398 North Service Road. The subject property previously contained the Fifth Wheel truck stop.

This Report provides a planning analysis and summary of the relevant policy framework, planning considerations and technical studies involved to permit a mixed use development with a range of residential units, offices and park area, along the Lake Ontario waterfront. The subject property is located on the north side of North Service Road, just east of the interchange of the Queen Elizabeth Way (QEW) and Casablanca Boulevard, as shown on **Figure 1**.

The Fifth Wheel property is one of the last remaining large pieces of waterfront lands left to redevelop in the Town of Grimsby, representing an unprecedented opportunity for both intensification, and to provide public access to the waterfront and contribute to the development of the waterfront trail.

The subject lands are proposed to be redeveloped as follows:

- 6 mixed-use buildings, with residential units and employment uses fronting onto North Service Road;
- 7 blocks of townhouse dwellings and 1 block of back-to-back townhouse dwellings in closer proximity to the waterfront;
- Approximately 1.4 hectares of parkland is proposed to be dedicated through the Town, and a waterfront trail and active transportation connections are proposed;



A view of the proposed development from the Lake Ontario shoreline



- Outdoor amenity space and open space will be provided within the mixed-use development area; and
- 3 levels of underground parking to serve the proposed development, and minimize the amount of surface parking provided on site.

This Planning Report has been prepared for submission to the Town of Grimsby and includes the following:

- An introduction and general description of the subject lands, the proposed development as well as the proposed surrounding land uses and existing conditions to provide an understanding of the locational context;
- A review and assessment of the current Provincial, Regional and Municipal policy framework in relation to the proposed redevelopment;
- A description and justification of the proposed Official Plan Amendment Zoning By-law Amendment;
- A review and summary of other technical reports prepared in support of the proposed planning application.

This report has been prepared in support of the application for an Official Plan Amendment to permit the proposed increase in height, a Zoning By-law Amendment with special provisions to permit the proposed development as well as a Plan of Subdivision application. The proposed amendments and proposed development comply with Provincial, Regional and Municipal planning policy as detailed throughout this Report.


The applicant is requesting an Official Plan Amendment to permit the maximum proposed height of 22 storeys. The applicant is requesting to amend the current zoning of Neighbourhood Development, Private Open Space, EP Overlay and Hazard Overlay, to Mixed Use High Density Residential (MHD) and Public Open Space (O2). The amendment also proposes a modification to the Hazard Land Area and a modification to the Environmental Protection Area (supported by the Shoreline Study and Natural Hazards Assessments and Environmental Impact Study). Numerous studies have been prepared in support of the redevelopment of these lands, to demonstrate that the proposal is

Future applications may also be submitted in support of this application (i.e. site plan application, plan of condominium).



**Figure 1  
Location Map**

**LEGEND**

 Subject Lands

**DATE:** January, 2018

**SCALE:** 1:10,000

**FILE:** 14196I

**DRAWN:** JB



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**362 & 398 North Service Rd**  
Town of Grimsby  
Niagara Region

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# 1.1 Pre-Consultation

A formal pre-application consultation meeting was held for the development of the subject property and a copy of the Pre-consultation Agreement was issued on April 20, 2017. The Pre-Consultation Agreement identified the planning processes required to permit planned development on site. A list of the technical requirements for the submission of a complete application for a Zoning By-law Amendment and an application for Draft Plan Approval were included in the Pre-consultation Agreement.

A number of meetings and discussions occurred with Town staff in development the plans. This included early discussions on site design constraints and consideration. The proposed development concept has been ongoing for several years. Through numerous studies and consultation with the Town, the design of the proposed development has been refined over time to the point of this application.

The technical requirements to support the Zoning By-law Amendment Application and Plan of Subdivision Application are listed below:

- Cover Letter outlining the contents of the complete submission;
- Official Plan Amendment and Zoning By-law Amendment Application Forms;
- Section 37 Agreement/Community Benefit (for increased height and density);
- Relevant Application Fees;
- Planning Justification Report;
- Environmental Impact Study;
- Transportation Study;
- Stage 1 Archaeological Assessment or in the case of a Plan of Subdivision, a Stage 2 Archaeological Assessment as per Section 8.21 of the Official Plan;
- Municipal Water and Wastewater Servicing Study;
- Stormwater Management Plan and Sediment and Erosion and Control Plan;
- Natural Hazard Study;
- Geotechnical Engineering Study (including slope stability);
- Shoreline Study;
- Phase I and Phase II Environmental Site Assessment and Record of Site Condition (as applicable);
- Illumination Study (required for Site Plan submission);
- Noise Impact Study (required for Draft Plan Submission);
- Trails Plan;
- Parking Study;
- Urban Design Brief;
- Streetscape Elevations;
- Full Coloured Renderings;
- Park Analysis and Park Plan; and
- A digital copy of all submission requirements on a CD.

# 2.0 PROPOSED DEVELOPMENT

The overall vision for the development of the site is for a high density, mixed use development with a range of uses including a mix of residential unit types, employment and employment related uses, and parkland and green space. A preliminary site plan concept is enclosed in this report as **Figure 2**.



A view of the proposed development from the western side of the Lake Ontario shoreline.

## Mixed Use Development and Proposed Uses

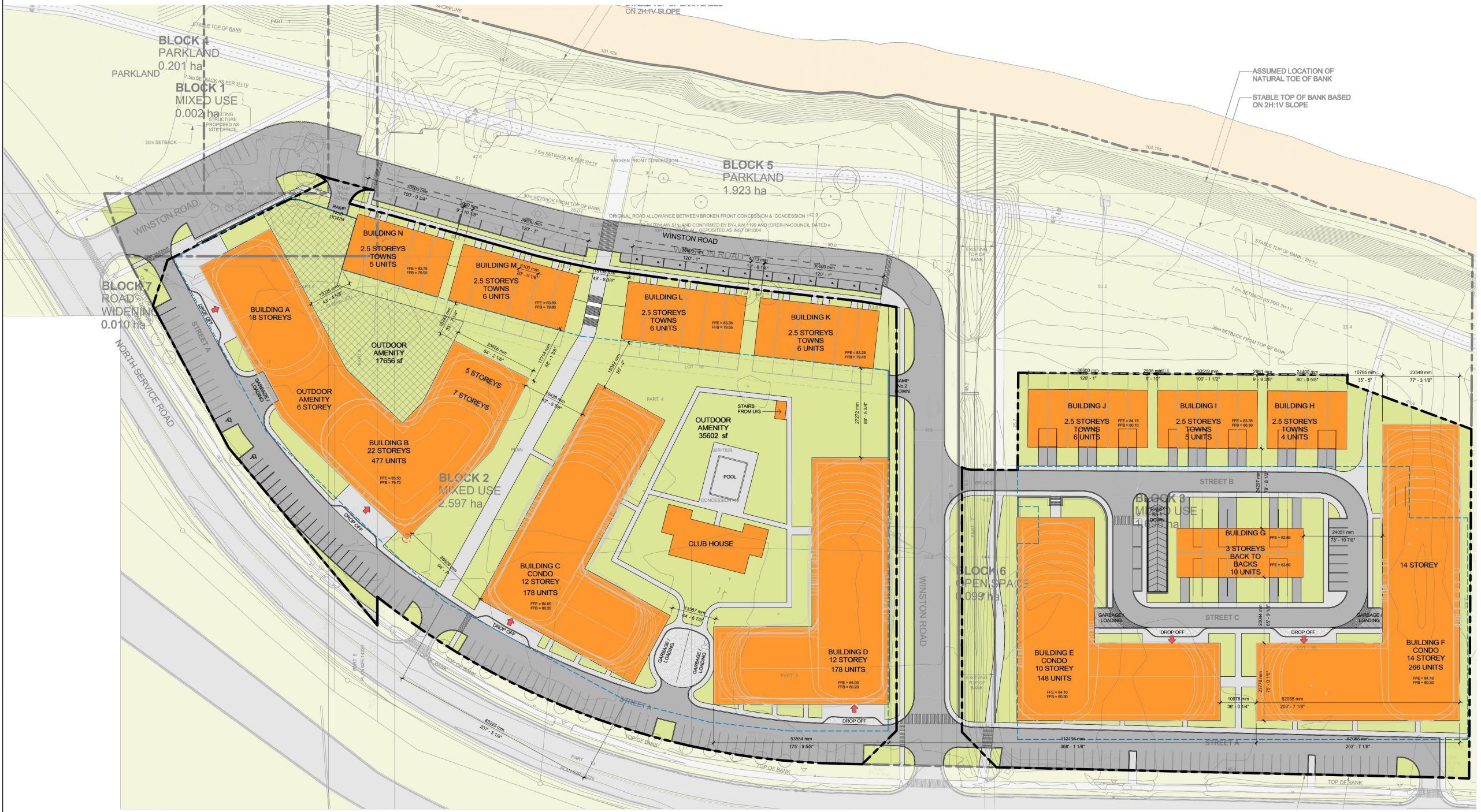
The intent of the proposed development is to create a mixed use community with a range of residential and office type uses, as well as additional uses to provide opportunities to live, work and play in one location.

The proposed development includes 1295 residential units, in various forms including townhouses, stacked townhouses, stacked back-to-back townhouses and apartment dwellings. The residential units will offer a range of unit types and sizes, including a range of 1 and 2 bedroom units.



# Figure 2 Site Plan

**362 & 398 North Service Rd**  
Town of Grimsby  
Niagara Region



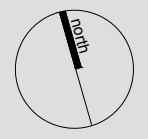
Source: Site Plan prepared by Chamberlain Architect Services Limited, May 31, 2018

Date: June 1, 2018

Scale: N.T.S

File: 141961

Drawn: JB



K:\141961-FIFTH WHEEL-GRIMSBY\REPORTS\SITE PLAN FIGURE.DWG

The following table is a breakdown of the proposed residential unit types:

Unit Type	Number of Buildings	Number of Units
Mixed Use/ Apartment Buildings	6	1247 units
Townhouse Units	7 Blocks	38 units
Back-to-Back Units	1 Block	10 units
<b>TOTAL</b>		<b>1295 units</b>

There are six mixed-use apartment buildings proposed for the subject site, with employment opportunities along the ground floor of each building, as detailed below:

	Residential Units	Employment GFA
<b>Building A / B</b>	477 units	8,142 square feet/ 756 square metres
<b>Building C / D</b>	356 units	20,054 square feet/ 1863 square metres
<b>Building E</b>	148 units	14,568 square feet/ 1353 square metres
<b>Building F</b>	266 units	14,652 square feet/ 1361 square metres
<b>TOTAL</b>	<b>1247 units (Apartment Units)</b>	<b>57,416 square feet/ 5,334 square metres</b>

Within the mixed use buildings, a total of 1247 apartment units are proposed, as well as 57,416 square feet (5,334 m<sup>2</sup>) of employment and employment related opportunities are available on site, with all employment space located on the ground floor with frontage onto North Service Road. A portion of this space (40%) is proposed to be mezzanine space, located above the first storey.

The proposed employment related uses are primarily intended to be complementary to the employment and residential uses. The subject lands are located along North Service Road and will also have frontage onto as well as easy access to the QEW, and are in a suitable location for office uses. The intent of providing office uses, will allow for the proposed development to have a true mixed use function, where people can both live and work.

While some office-related uses are proposed, these are limited to uses that will both support the viability of both the office and residential uses. The intent is that these uses will be small in scale and will serve those who live, work and visit the site, and will not impact the planned function of the Winston Road Main Street Area or the downtown.

A detailed list of the proposed uses is included in **Section 2.3** of this Report, and in the Draft Zoning By-law enclosed as **Appendix B**.



## Density

The proposed development provides for a density of 180 units per hectare and 504 people and jobs per hectare. These calculations are detailed in the following table:

Area and Density Calculations	
Total Residential Units	1295 units
Total Site Area (ha)	7.195
Total Employment Area (m <sup>2</sup> )	5334.12 (57,416 sq. ft.)
Residential Density Calculation (units per hectare)	180
Residential Density Calculation (gross floor area / lot area)	1.88
People and Jobs per Hectare	504

The subject site proposes a high density intensification opportunity located within the Winston / Casablanca node and within the Built-Up area of the settlement area. A detailed discussion surrounding the Winston Road Secondary Plan follows in **Section 4.5** of this Report.

## Height

The proposed heights of the 6 mixed use buildings range from 10 to 22 storeys in height. The range of building heights will allow for visual interest throughout the site, and allow for smaller tower footprints on the site, which will maximize green space on the site, and views through the site.

## Access

There are four vehicular access points proposed for the subject site via North Service Road.

- A right-in, right-out only access at the eastern edge of the site in front of Building F;
- A full access central to the site at Winston Road between Building D and Building E;
- A right-in, right-out only access further west, between Building B and Building C;
- A full access at the western edge of the site at Winston Road.

Pedestrian and cycling accesses will be provided via these four accesses onto North Service Road as well as from the proposed Waterfront trail network connections through the site and into and out of the site, as detailed in the Trails Plan prepared by MHBC Planning. Sidewalks will be provided along roads throughout the development.

## Parking

The proposed development will accommodate the majority of parking underground. Some parking is proposed to be surface parking, primarily to serve as visitor parking and employment parking.

Parking for the townhouse units is proposed to be within garages and driveways, and parking for the back-to-back units is intended to be surface parking located on the east and west side of the building.

Parking is also proposed near the intersection of Winston Road and North Service Road to provide parking for the waterfront trail and park space. As the lands on the front portion of the site are owned by the Ministry of Transportation, these parking spaces cannot be counted towards zoning by-law

requirements, however it is anticipated that they will be used for employment and visitor parking, as well as for parking near the Waterfront.

### **Parkland and Open Space**

The subject site is located immediately south of Lake Ontario. The Town of Grimsby has requested 30 metres of land adjacent to the Lake as parkland dedication. The proposed site plan includes 1.382 hectares of parkland, which is proposed to be dedicated to the Town.

## **2.1 Sustainable Development**

The proposed development will have consideration for sustainability and will have an environmentally responsible design.

The following are items relating to the surrounding context that will contribute to sustainable development:

- The location of the site will encourage other modes of transportation.
- A future GO Transit Rail station is proposed for the QEW and Casablanca interchange which will provide transit options.
- The proposed trail will provide for active transportation connections within and out of the site.

The following items will be incorporated into the site design:

- Stormwater quality control will be provided on site.
- A large waterfront trail and parkland is proposed to be provided along the Lake Ontario shore.
- Extensive landscaping efforts will be provided on site.
- Effort will be made to integrate community sidewalks into the property.
- Transportation demand management measures will include underground bicycle parking, and providing a trail and sidewalk throughout the site to encourage sustainable modes of travel.
- The site will provide for on-site waste management facilities, including recycling facilities which will be placed in suitable locations.

The following items will be incorporated into the building designs:

- The building will be designed with a high performance spray foam insulation system with integral continuous air and vapour barrier, which minimizes thermal bridging and energy loss through the building envelope.
- The building will be designed with industry standard environmental practices in mind and will be executed where appropriate.
- Roof top extensive green roofs will be reviewed and implemented where applicable.
- Light coloured roofing materials will be considered to reduce additional building heating loading.
- High performance glazing units and balcony doors will be selected.
- The building will be designed with modern energy-efficient design and materials.
- The building will have consideration for high quality building materials, and will reduce the need for material waste where possible.



In summary, the proposed site and building have been design to include elements of sustainable development.

## 2.2 Summary of Official Plan Amendment Application

To permit the proposed mixed use development the subject property will require an Official Plan Amendment in order to permit the proposed maximum height of 22 storeys, from 12 storeys, which is permitted in the Winston Road Secondary Plan.

A Section 37 bonusing agreement is proposed to permit the maximum height of 22 storeys, whereas the maximum permitted height is 12 storeys. Any future Section 37 agreement will be subject to Implementation Guidelines adopted by Council in accordance with Section 9.4.8 of the Official Plan.

## 2.3 Summary of Zoning By-law Amendment Application

To permit the proposed mixed use development the subject property will require a Zoning By-law Amendment to rezone the subject site in its entirety, as follows

The applicant is requesting to amend the current zoning by-law 14-45, which zones the site Neighbourhood Development, Public Open Space 1, Environmental Protection Overlay and Hazard Overlay to a Mixed Use High Density Residential (MHD) zone to permit the proposed range of housing units, and mix of employment related uses and Public Open Space 2 for the remainder of the lands to permit parks and open space.

The following provides a summary of the proposed uses in each zoning category:

Zoning Category	Proposed Uses
Mixed Use High Density Residential (MHD)	<ul style="list-style-type: none"> <li>• Apartment buildings</li> <li>• Back to back townhouse dwellings</li> <li>• Block townhouse dwellings</li> <li>• Stacked townhouse dwellings</li> <li>• Street townhouse dwellings</li> <li>• Office</li> <li>• Banquet facility</li> <li>• Restaurant</li> <li>• Theatre</li> <li>• Hotel</li> <li>• Studios</li> <li>• Ancillary retail sale</li> <li>• Commercial school</li> <li>• Custom workshop</li> </ul>

	<ul style="list-style-type: none"> <li>• Data processing</li> <li>• Industrial use</li> <li>• Research and laboratory</li> <li>• Professional and administrative office</li> <li>• Parking lot</li> <li>• Photocopy and print shop</li> <li>• Servicing shop</li> <li>• Warehousing and wholesaling</li> <li>• Entertainment facilities such as art galleries, outdoor theatre and musical facilities</li> <li>• Institutional uses, including government services, research and, training facilities</li> <li>• Prestige employment uses provided all operations are conducted indoors and the operations are deemed not to be obnoxious by reason of dust, odour, fumes, particulate matter, noise and/or excessive vibrations</li> <li>• Daycare facilities provided that such uses are internally integrated as a component of an office, hotel, institutional or mixed use building</li> <li>• Parks including a public waterfront promenade, parkettes and public squares</li> </ul>
Public Open Space 2 (OS2)	<ul style="list-style-type: none"> <li>• Parkland</li> <li>• Open Space</li> <li>• Hazard Lands</li> </ul>

The amendment also proposes a modification to the Hazard Land Area and a modification to the Environmental Protection Area (supported by the Environmental Impact Study). A Section 37 bonusing agreement is also proposed to permit a maximum height of 22 storeys, whereas the maximum permitted height is 12 storeys.

Site specific provisions are also proposed including reduced setbacks and reduced parking and are detailed in **Section 4.7** of this Report.

A draft zoning by-law is enclosed as **Appendix B** of this Report.

# 3.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The site is located in the northern portion of Grimsby, on the north side of North Service Road, just east of the interchange of the Queen Elizabeth Way (QEW) and Casablanca Boulevard, as shown on **Figure 1**. The site previously contained the Fifth Wheel truck stop.

The site measures approximately 7.195 hectares in size, of which approximately 4.38 hectares is developable. The site has approximately 446 metres of frontage on North Service Road. The site also has approximately 400 metres of frontage onto Lake Ontario to the north. 2 buildings, a restaurant and a truck wash, still exist on the site, which are proposed to be demolished.

The subject property is located along the shore of Lake Ontario, and is adjacent to the Casablanca Blvd and Queen Elizabeth Way interchange and will be in close proximity to the proposed GO Station. These features make the site an ideal location for a mixed use, high density development. Please refer to **Figure 3** –Context Plan which identifies adjacent land uses and amenities servicing the subject property

The proposed design for development is based on the potential for a land transfer as it relates to current portions of Winston Road. The intent is for this portion of the area to be incorporated into the design, while other portions will remain as public road. A condition of approval for the plan of subdivision would provide for the transfer process.

Surrounding land uses include the following, and are shown on the Context Plan, included as **Figure 3** in this Report:

**WEST:** There are single family dwellings located to the west, as well as Water Treatment Plan. A portion of lands to the West are proposed to be developed for residential uses.

**NORTH:** To the north of the subject site is Lake Ontario.

**EAST:** To the east of the subject property is the Casablanca Blvd. and Queen Elizabeth Way interchange. To the northeast is Casablanca Beach and the Grimsby Waterfront Trail. Further east, beyond the interchange, there is a mix of midrise residential development and commercial development.

**SOUTH:** To the south of the site is the Queen Elizabeth Way, provincial highway. Across the highway, there is a commercial development which contains a Rona, a Real Canadian Superstore and an Esso gas station. To the southwest, there is also commercial development including a highway style service station with restaurant uses, a Goodlife fitness centre and several automobile sales centres. There is a GO bus station and a park and ride facility also located to the southwest.

The existing GO bus station provides service for Route 12 which travels between St. Catharines and Burlington and offers connections to the Lakeshore West Line in Burlington for service to Union Station and beyond. The proposed GO train station is planned to be located in this location when GO train service is extended to Niagara, which is currently planned for 2021.





**Figure 3  
Context Map**

**LEGEND**

- Subject Lands
- Waterfront Trail
- Bike Routes

**DATE:** January, 2018

**SCALE:** 1:10,000

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**DRAWN:** JB



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## 3.1 Development in the Surrounding Area

The Town of Grimsby has been experiencing significant growth in recent years, specifically along the waterfront area, in proximity to the subject property. The announcement of GO Train service extending to Grimsby, as well as the new provincial targets outlined in the 2017 Growth Plan, are also contributing to the intensification in this area.

Within the Winston Road neighbourhood, there are several new developments in various stages of development approvals and construction. These various residential and mixed use developments have included both increases in permitted height as well as reductions in parking, which are two of the requests included in the proposed zoning by-law amendment for the proposed development.

Below, some of the recently approved / under construction developments which are precedents for the Fifth Wheel redevelopment are discussed.

### 1. 10 Windward Drive (Rosebay Construction Inc.)

The proposed development is located on the westerly side of the QEW and Casablanca Blvd. interchange.

A zoning by-law amendment was approved in January, 2017 to permit the proposed development, and rezone the site from Neighbourhood Development (ND) to Mixed Use High Density (MHD). The zoning by-law amendment also proposed density bonusing, and a number of site specific permissions, including accommodating "main street uses", building orientation, parking standards, height and floor area ratio. Section 37 (bonusing) was also considered in the by-law, as it relates to community benefits regarding increased height.

A site plan application for the proposed development was recommended for approval by staff on April 10, 2018. The design proposed in the report, is a revision to a previous design, which proposed two buildings of 14 and 18 storeys respectively. The new design proposed one tower with 20 storeys. The Winston Road Secondary Plan permits a maximum height of 12 storeys on this site. The 20 storey height was considered by Staff to conform to Provincial, Regional and Grimsby policies and comply with the Mixed Use High Density (MHD) zoning regulations for the site.

### 2. Lake House Subdivision (Branthaven)

Applications for a Zoning By-law Amendment and Plan of Subdivision were approved in 2015 and 2016. Site plan applications were approved in 2016, and the buildings have since been constructed. The development is located immediately opposite the Casablanca Blvd interchange, adjacent to Lake Ontario. The proposed development is a mix of apartment and townhouse units, as well as commercial space.

Development considerations included:

- A reduced parking rate of 1.2 spaces per unit for the residential uses, a reduction in parking for commercial spaces as well as to permit parking to be shared between the residential and commercial uses.

- Employment requirements that are outlined in the Official Plan and Winston Road Secondary Plan. The staff report explains that the Town had recently approved an Official Plan Amendment to remove the requirement for 30% employment and replace it with an Employment Area overlay designation.
- Environmental and Hazard Overlay zoning category. The NPCA identified that lands lakeside within 7.5 metres are to remain in the Hazard Overlay zone, and only minor non-habitable structures and trails may be permitted in the area.

In summary, staff support the zoning by-law amendment because it enabled a land use pattern, facilities and a built form that is supported by the relevant objectives and policies of the Grimsby Official Plan.

### **3. Aqua Zul (Homes by DeSantis)**

Applications for an Official Plan Amendment and Zoning By-law Amendment were submitted to the Town to facilitate the development of an apartment complex with 360 units. It was determined that the proposed Official Plan Amendment was consistent with the PPS, Growth Plan and Region of Niagara Official Plan, and that the Zoning By-law Amendment met the purpose and intent of the Grimsby Official Plan, which designates the site Mixed Use – High Density in the Winston Road Secondary Plan, with an Employment Overlay.

The proposed zoning by-law amendment provided for special provisions including, reduction for the required number of parking spaces, permitting shared parking with the adjacent office uses, and increasing the permitted number of dwelling units to a maximum of 163 units per hectare, and a maximum height of 10 storeys.

### **Summary**

In summary, the above applications, among others, are examples of recent development in the Grimsby Waterfront / Winston Road area. These applications suggest that waterfront development has been permitted, with predominantly residential development and some commercial uses, subject to supporting studies. Further, additional height and density has been permitted in some instances, as well as reduced parking rates. These amendments have been determined by Staff to be in conformity with provincial, regional and local planning policy.

The proposed redevelopment of the Fifth Wheel site, is similar in nature to these projects, and is reflective of the amendments that have occurred for recent developments, and has consideration for what the surrounding area.

# 4.0 PLANNING ANALYSIS

The following is a review of the provincial, regional and municipal land use policy framework related to the subject lands, and how the proposal has met those considerations.

## 4.1 Growth Plan for the Greater Golden Horseshoe

The 2017 Growth Plan for the Greater Golden Horseshoe ("Growth Plan") was released on May 18, 2017, and came into effect on July 1, 2017. The plan is a framework for implementing the Provincial Government's vision for building stronger, prosperous communities by better managing growth in the Greater Golden Horseshoe.

The policies of Places to Grow centre on the key themes of directing growth to Built-Up areas and the promotion of transit-supportive densities and a healthy mix of residential and employment land uses. Among the guiding principles of the plan include:

- Build compact, vibrant and complete communities
- Optimize the use of existing and new infrastructure to support growth in a compact, efficient form
- Provide for different approaches to managing growth that recognize the diversity of communities in the Greater Golden Horseshoe (GGH)

The subject site is located within the Built-Up Area. The Growth Plan identifies general intensification targets for the Built-Up Area, stating that a minimum of 50 percent of all annual residential development will be within the built up area until 2031.

The proposed development will contribute to the intensification target of 50% as it is within the built up area of the Growth Plan. The proposed additional dwelling units will intensify the existing residential area and optimize the use of existing infrastructure and add a total of 1295 new units to the site, located within the Built-Up area. Overall, the development achieves a density of approximately 180 units per hectare, and 504 people and jobs per hectare. Therefore, the proposed development represents a significant opportunity for intensification within the Town.

Based on the above, it is concluded that the proposed Zoning Amendment and Plan of Subdivision is in conformity with the policies of the Growth Plan.

## 4.2 Provincial Policy Statement (2014)

The Provincial Policy Statement, 2014 (PPS) was issued by the Province of Ontario in accordance with Section 3 of the Planning Act. The 2014 PPS applies to all decisions regarding the exercise of any authority that affects a land use planning matter made on or after April 30, 2014.

The PPS provides policy direction on matters of provincial interest related to land use planning and development. It is to be considered in all planning decisions. One of the key considerations of the PPS is that planning decisions 'shall be consistent with' the Policy Statement. The following is an analysis of the proposed development in the context of the policies in the PPS.

### Settlement Areas

The PPS states that Settlement Areas shall be the focus of growth and development, and that their vitality and regeneration shall be promoted. The proposed development is located within a designated settlement area. Further, land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- efficiently use land and resources;
- 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;
- minimize negative impacts to air quality and climate change, and promote energy efficiency;
- support active transportation;
- are transit-supportive, where transit is planned, exists or may be developed; and
- are freight-supportive.

As well, a range of uses and opportunities for intensification and redevelopment are encouraged.

The proposed development represents an example of both redevelopment and intensification. The site was previously developed as a truck stop, and is currently underutilized. The proposed development will provide an additional 1295 residential units, as well as employment and employment related uses, parkland and open space within the existing community of Grimsby. The proposed development will make efficient use of existing land, infrastructure and services, and is located along an existing regional road near an existing provincial highway interchange, and located in proximity to the existing GO Bus and future GO Train station.

### Employment

The PPS identifies that planning authorities shall promote economic development and competitiveness by:

- providing for an appropriate mix and range of employment and institutional uses to meet long term needs;
- providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses;
- encouraging compact, mixed use development that incorporates compatible employment uses to support liveable and resilient communities; and

- ensuring necessary infrastructure is provided for current and project needs.

The proposed development will provide opportunities to maintain employment uses and an opportunity for compatible employment uses (approximately 5,334 m<sup>2</sup>) in a compact mixed-use development that will support live-work opportunities.

## Housing

The PPS identifies that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- permitting and facilitating:
  - all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, including special needs requirements; and
  - all forms of residential intensification, including second units, and redevelopment;
- directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and
- establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

The proposed development will provide a range and mix of housing types and densities within itself and contribute to the range and mix of housing types offered in Grimsby. A mix of townhouse units, back-to-back townhouses, stacked back-to-back townhouses and apartment dwellings are proposed, including apartment dwellings in mixed use buildings. The proposal represents an example of intensification as no residential units are currently existing on the site and 1295 are proposed.

Existing infrastructure and services are present in the area surrounding the proposed development and will be able to support the projected increase in employment and jobs. The proposed density of the site will be 180 units per hectare and the proposed jobs and people per hectare will be 504, and will therefore contribute to the intensification targets.

## Public Spaces, Recreation, Parks, Trails and Open Space

The PPS identifies that healthy, active communities should be promoted by:

- planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;
- planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- providing opportunities for public access to shorelines; and
- recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

The subject property is located immediately south of Lake Ontario and offers an important waterfront connection. The proposed development will provide 1.382 hectares of parkland to the Town of Grimsby, and a trail will be constructed through this area to provide space for pedestrians, foster social interaction and facilitate active transportation. The shoreline area will be accessible to the public and provide opportunities for recreational activities.

### **Sewage, Water and Stormwater**

As per the PPS, municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

The subject lands are within the Built-Up Area, and have been previously development. The site is connected to full municipal services. The Functional Servicing Report prepared by R.J. Burnside confirms sufficient water and sewer capacity exists to accommodate the proposed residential units and employment space. A summary of this report is included in **Section 5.4** of this Report.

### **Natural Heritage Features and Hazardous Areas**

The PPS identifies that natural features and areas should be protected for the long term. An Environmental Impact Study (EIS) was prepared by GeoProcess in support of the applications and a summary of this report is included in **Section 5.1** of this Report.

The PPS also identifies that development shall generally be directed to areas outside of hazardous lands. A Natural Hazards and Shoreline Assessment was prepared by Shoreplan and is summarized in **Section 5.5** of the Report.

### **Transportation**

The PPS identifies that transportation and land use considerations shall be integrated at all stages of the planning process. Further, it promotes multimodal transportation systems, and a land use pattern, density and mix of uses which minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

The subject site is located adjacent to a major provincial highway interchange, of the Queen Elizabeth Way and Casablanca Boulevard, and located along North Service road, a major road. An existing GO Bus station exists to the southwest of the site on the opposite corner of the interchange, which provides Regional connections to the GTA, including downtown Toronto. In 2021, GO Rail is proposed to extend to this location and provide rail connections to the Lakeshore West line. As a result of the existing transit service and the planned transit expansion, the site is appropriately located for the amount of density proposed. As discussed above, a trail connection is proposed through the site, which will provide opportunities for active transportation within and out of the site.

A Transportation Impact Study (TIS) was prepared by Paradigm, and submitted in support of this application. A summary of this report is included in **Section 5.2** of this Report.



**Based on the above, it is concluded that the proposed Zoning Amendment is consistent with the policies of the Provincial Policy Statement.**

## 4.3 Region of Niagara Official Plan

The Region of Niagara Official Plan outlines a vision for growth and development within the Region and establishes a number of general policies to plan and manage growth and implement provincial land use policy. An overarching goal of the Regional Official Plan is to promote balanced growth by directing a larger share of new growth to the Built-Up Area. A review of the Regional Official Plan has identified that the subject property falls within the following designations of the Regional Official Plan:

- **Schedule A – Regional Structure** – Built Up Structure (**Figure 4**)
- **Schedule B- Agricultural Land Base** – Urban Area (**Figure 5**)
- **Schedule D1 – Potential Resource Area** – Ordovician Formation (**Figure 6**)
- **Schedule E – Niagara Region Bike Network** – Regional Bicycle Network (**Figure 7**)

Based on the identified designations, and through further review of relevant policy within the Region of Niagara Official Plan, we provide the following discussion to detail how all policies have been considered through the development of the design of the subject property.

### Urban Areas

The Region of Niagara Official Plan defines Urban Areas as areas with municipally provided services, including water and sewage services. These Areas are intended to be the focus of the Region's long term growth and development.

The proposed development is located within an Urban Area. The subject site will be serviced through municipal water, sanitary and storm services, as detailed in the FSR and Stormwater Management Report prepared by R.J Burnside submitted in support of the proposed applications. The proposed development will contribute to the Region's long term growth and development.

### Built-Up Areas

In support of the Growth Plan of the Greater Golden Horseshoe, the Region of Niagara Official Plan identifies Built-Up Areas as lands located within Urban Areas, which are to be the focus of residential and employment intensification and redevelopment within the Region over the long term. The region identifies that a minimum of 40% of all residential development will occur within the Built-Up area, however the intensification target for the Town of Grimsby is 80%.

The subject site is located within the Built-Up Area and represents an example of both redevelopment and intensification, by providing a large scale development with a range and mix of uses, including multiple residential and employment uses.

## **Municipal Population, Household and Employment Forecasts**

The Region of Niagara Official Plan has set a target population for the Town of Grimsby to be 56,300 in 2021 and 61,464 by 2031. It has also set an intensification target of 80%, and density target of 50 people and jobs per hectare. To achieve this goal the Region of Niagara has set out the number of people per household for 2021 to be calculated at a rate of 2.75 per unit for the Town of Grimsby.

If these rates are applied to the 1295 units proposed on the subject property a population of 3562 people can be projected for the site. Further, the property will accommodate 504 people and jobs per hectare, well above the target of 50 people and jobs per hectare, and will largely contribute to both housing and employment targets for the Region and Town of Grimsby.

## **Mixed Use Areas**

The Region encourages the development of mixed use areas in Niagara. Mixed Use areas should be planned to:

- accommodate a variety of complementary land uses, including residential, commercial, employment, recreation, institutional, the Core Natural Heritage System, hydrological features and open space;
- accommodate a variety of housing types, with an emphasis on providing opportunities for medium and high density residential development;
- allow for the mixing of land uses at several scales. Land use could be mixed within neighbourhoods, blocks, parcels and buildings;
- accommodate a variety of transportation modes, including walking, cycling and transit;
- direct particular attention to providing an attractive streetscape environment and public realm. A higher quality of public realm design is expected for mixed use areas compared to other residential areas, as mixed use areas often have a higher proportion of public space as compared to private space.

The development as proposed will provide for a mix of multiple residential uses and plans for employment and employment related uses at grade fronting along North Service Road in Buildings C, D, E and F. Other uses which have been planned for the site, but will be conveyed to the Town of Grimsby include an open space block which will aid in the stormwater management of the subject property as well as a park block designed with a waterfront trail and connection into the private development as well as the conveyance of the hazard lands (top of slope to shoreline).

The proposed development will contain a mix of multiple dwelling types including, townhouse units, back-to-back townhouses, stacked back-to-back townhouses and apartment dwellings. The Draft Plan of Subdivision outlines the mix of land uses on the subject property as well as the various blocks within the development and blocks to be conveyed.

The development provides a network for a number of transportation modes, including automobile, pedestrian and cycling. Connection points are provided throughout the development which provide access to the multi-use waterfront trail being conveyed to the Town of Grimsby. The internal road and sidewalk network also provides direct access to North Service Road and Winston Road. At this time, the Town of Grimsby does not provide for public transit, however, the site is in proximity to GO Bus service and future GO Rail service which provide connections throughout the Greater Golden Horseshoe.

Losani Homes plans to provide for an attractive streetscape environment throughout the development as a whole. The mixed use areas fronting on to North Service Road will provide for well-defined facades to separate the private residential uses from the employment and employment related uses, and also provide for a well-defined street edge along the sidewalk to define the public area. Details of the design will be determined through the site plan process by the Architect and Landscape Designer, and are discussed in the associated Urban Design Brief prepared by MHBC Planning dated May, 2018.

## **Urban Design and the Public Realm**

The Region of Niagara Official Plan has several urban design and public realm objectives, that relate to the proposed development including:

- Promoting urban design analysis, municipal beautification, streetscape improvements, public art and the establishment of public gardens to ensure its communities remain attractive places, enhance our quality of life, and encourage tourism.
- Encouraging complementary private realm site design that addresses public safety, active transportation, landscaping, and human scale in buildings facing public space.
- Promoting the development of the public realm in a manner that supports vibrant social and cultural gathering spaces easily accessed by a variety of transportation modes, particularly in the downtowns.

The site has two significant frontages (along the waterfront overlooking the public trail and along the street frontage of North Service Road).

A number of design considerations have been included in the overall site design and building massing, including:

- The proposed development plans to enhance the stream/corridor that divides the parcel into two.
- The site has been designed to provide a stepped building approach away from the waterfront/public trail system to maximize views to all units facing to the north.
- Along the North Service Road frontage the buildings have been planned with a podium style base and a stepped back tower to provide a human scale building when walking throughout the site.
- The goal is to maximize views throughout the site to allow for views to Lake Ontario and at the same time provide for eyes on the street throughout the development.
- The development provides for an accessible network throughout the site, by providing sidewalks throughout and trail connections through the various blocks. Direct and accessible connections are also provided to the parkland area, Winston Road and North Service Road.

The Plan of Subdivision provides for a large park block which will be conveyed to the Town of Grimsby and will include the Winston Road right of way dedication as well as a multi-use trail/parkland area which can be used for social and cultural gatherings. A bridge is also planned as part of the multi-use trail, which provides a view terminus from the public realm facing north on Winston Road and also an identifiable feature to allow for trail network users to understand that they have arrived at the subject property. For details about the proposed trail design, please refer to the associated Trails Plan, prepared by MHBC Planning dated May, 2018.

The Region encourages urban design analysis and enhanced visualization techniques to foster collaboration in design review for private development of private developments. A detailed summary and analysis of the Urban Design principles relating to the development of the site is provided in the associated Urban Design Brief prepared by MHBC Planning dated May, 2018.

The proposed development has also been approved for a Regional Development Charges Reduction, which includes the implementation of Smart Growth Criteria. Criteria that were considered for the reduction including the provision of underground parking, various design criteria, at grade employment and employment related uses, and bicycle parking requirements, the provision of a trail and sidewalks, and the provision of green roof capability, as well as other energy conservation measures.

## **Cycling**

The Niagara Region will require all proposed developments and infrastructure undertakings at the environmental assessment and planning approval stages, to provide facilities for cycling, including extensions and improvements to the bikeway network in keeping with the provisions of this Official Plan and the Regional Niagara Bikeways Master Plan, where feasible.

The Region and the local municipalities will ensure that pedestrian and bicycle networks are integrated into transportation planning to:

- Provide safe, comfortable travel for pedestrians and bicyclists within and between existing communities and new development.
- Provide linkages between intensification areas, adjacent neighbourhoods, and transit stations, including dedicated lane spaces for bicyclists on the major street network where feasible.
- Encourage provision of appropriate and sufficient bicycle parking facilities at major transit nodes and public and private facilities.

The site has been identified as part of the Region of Niagara's Bike Network. The site has been planned to provide the extension to the bike network along the waterfront, which will be conveyed as part of the parkland to the Town of Grimsby.

Cycling is encouraged within the subject property, where the proposed development provides for indoor bicycle parking within the development and on street bicycle racks for visitors to the residential units and employment units. Details of the indoor and outdoor bicycle parking will be determined through the Site Plan Approval process and detailed building design.

There are five connection points which integrate the planned multi use trail running along the water front to the public/private realms. Bicycle parking facilities will be provided on site. Locational details will be determined through the Site Plan Approval process.

## **Built Heritage Resources, Cultural Heritage Landscapes and Archaeological Resources**

Where an Archaeological Management Plan has not been completed the Region and local municipalities will require applicants to submit an archaeological assessment, should it be determined that the site meets the provincial and federal criteria for determining areas of archaeological potential. Archaeological assessment reports prepared by licensed consultant archaeologists based on clear, reasonable and attainable standards and guidelines as set out by the

Ministry of Tourism, Culture and Sport, as well as the terms and conditions of an archaeological license under the Ontario Heritage Act.

An Archaeological Assessment was requested for the submission by the Region of Niagara for the subject property. A summary of the Archaeological Assessment, prepared by Amick is provided in **Section 5.3** of this Report. The Archaeological Assessment concluded that no archaeological resources were encountered and the proposed undertaking is clear of any archaeological concern and that no further archaeological assessment of the study area is warranted.

### **Shorelines and Natural Hazards**

The Region Official Plan identifies that shorelines should be maintained, and where possible public access to open space along shorelines should be improved, while maintaining them in as natural condition as possible and promoting protection, restoration and enhancement.

Where major development is proposed:

- public access to the shoreline shall be provided,
- efforts shall be made to maintain a view of the shoreline from beyond the development;
- where feasible the shoreline should be maintained or restored to a naturally vegetated state; and
- suitable shoreline lands should be dedicated, where possible, to the appropriate public agency where such lands would provide public benefits or are identified as part of a planned public trail system, normally located above the stable top of bank.

The proposed development represents a significant opportunity for the shoreline of Lake Ontario. The proposal will provide and improve public access to the shoreline and views of the shoreline will be maintained, where possible. The shoreline lands are proposed to be dedicated, as part of the proposed 30 metre dedication to the Town of Grimsby.

Development within hazardous lands and sites, along the shorelines of Lake Erie and Lake Ontario shall not be permitted within the beach hazard limit, and may be permitted within the erosion hazard limit and the flooding hazard limit subject to Conservation Authority approval.

A Shoreline Hazard Assessment has been prepared by ShorePlan in support of this application, and a summary of this report is provided in **Section 5.5** of this Report.

**The proposed development addresses the applicable policies and conforms to the Region of Niagara Official Plan.**

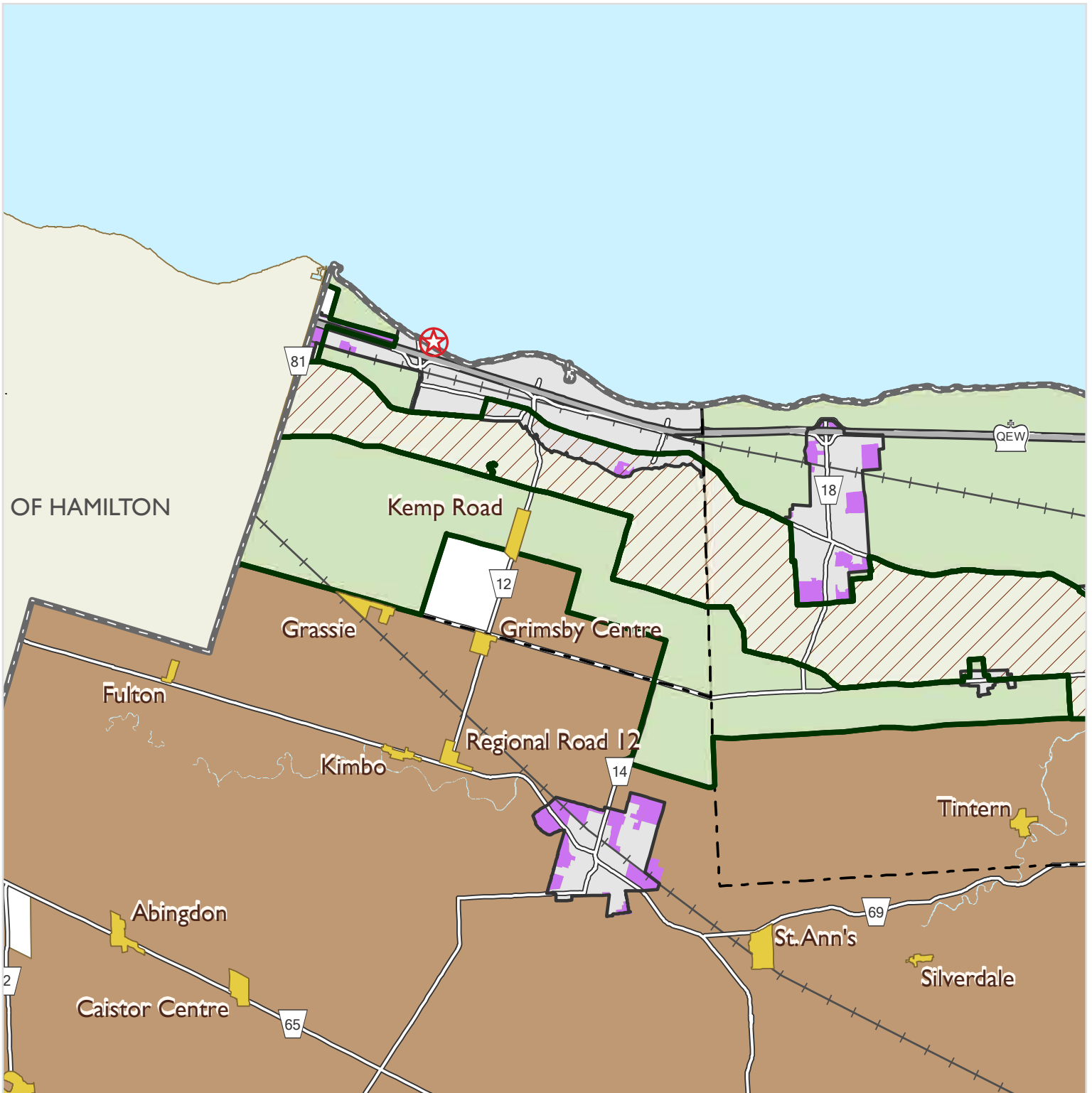


Figure 4  
**Niagara Region  
 Official Plan 2015  
 Schedule A -  
 Regional Structure**

362 & 398 North Service Rd  
 Town of Grimsby  
 Region of Niagara

**LEGEND**

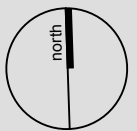
- Subject Lands
- URBAN AREA BOUNDARY
- BUILT-UP AREA
- DESIGNATED GREENFIELD AREA
- DOWNTOWN ST. CATHARINES URBAN GROWTH CENTRE
- NIAGARA ESCARPMENT PLAN (NEP) AREA
- GREENBELT PLAN AREA
- PROTECTED COUNTRYSIDE
- HAMLET (as adopted by Regional Council and subject to approval by the Minister under Section 26 of the Planning Act)
- GOOD GENERAL AGRICULTURE AREA
- RURAL AREA
- INTERNATIONAL CROSSING
- PORT
- NIAGARA REGION
- MUNICIPAL BOUNDARY
- PROVINCIAL ROAD
- REGIONAL ROAD
- RAILWAY

DATE: January 2018

SCALE: N.T.S.

FILE: 141961

DRAWN: JB



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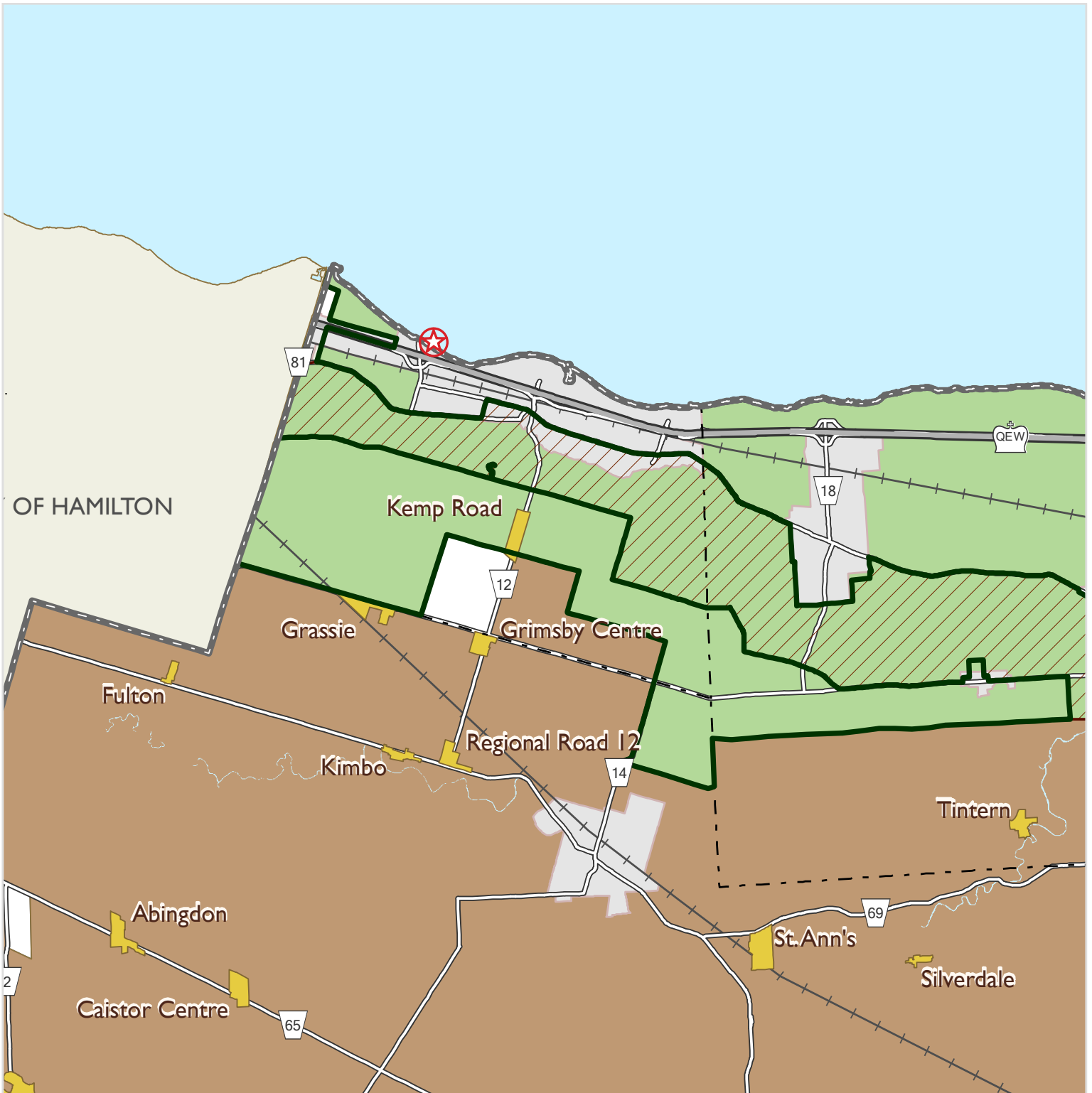















Figure 5  
**Niagara Region  
 Official Plan 2015  
 Schedule B -  
 Agricultural Land  
 Base**

362 & 398 North Service Rd  
 Town of Grimsby  
 Region of Niagara

**LEGEND**

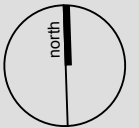
-  Subject Lands
-  UNIQUE AGRICULTURAL AREA
-  GOOD GENERAL AGRICULTURE AREA
-  RURAL AREA
-  GREENBELT PLAN AREA
-  NIAGARA ESCARPMENT PLAN (NEP) AREA
-  URBAN AREA
-  HAMLET (Refer to Policy 4.H.1.6)
-  NIAGARA REGION
-  MUNICIPAL BOUNDARY
-  PROVINCIAL ROAD
-  REGIONAL ROAD
-  RAILWAY

DATE: January 2018

SCALE: N.T.S

FILE: 141961

DRAWN: JB



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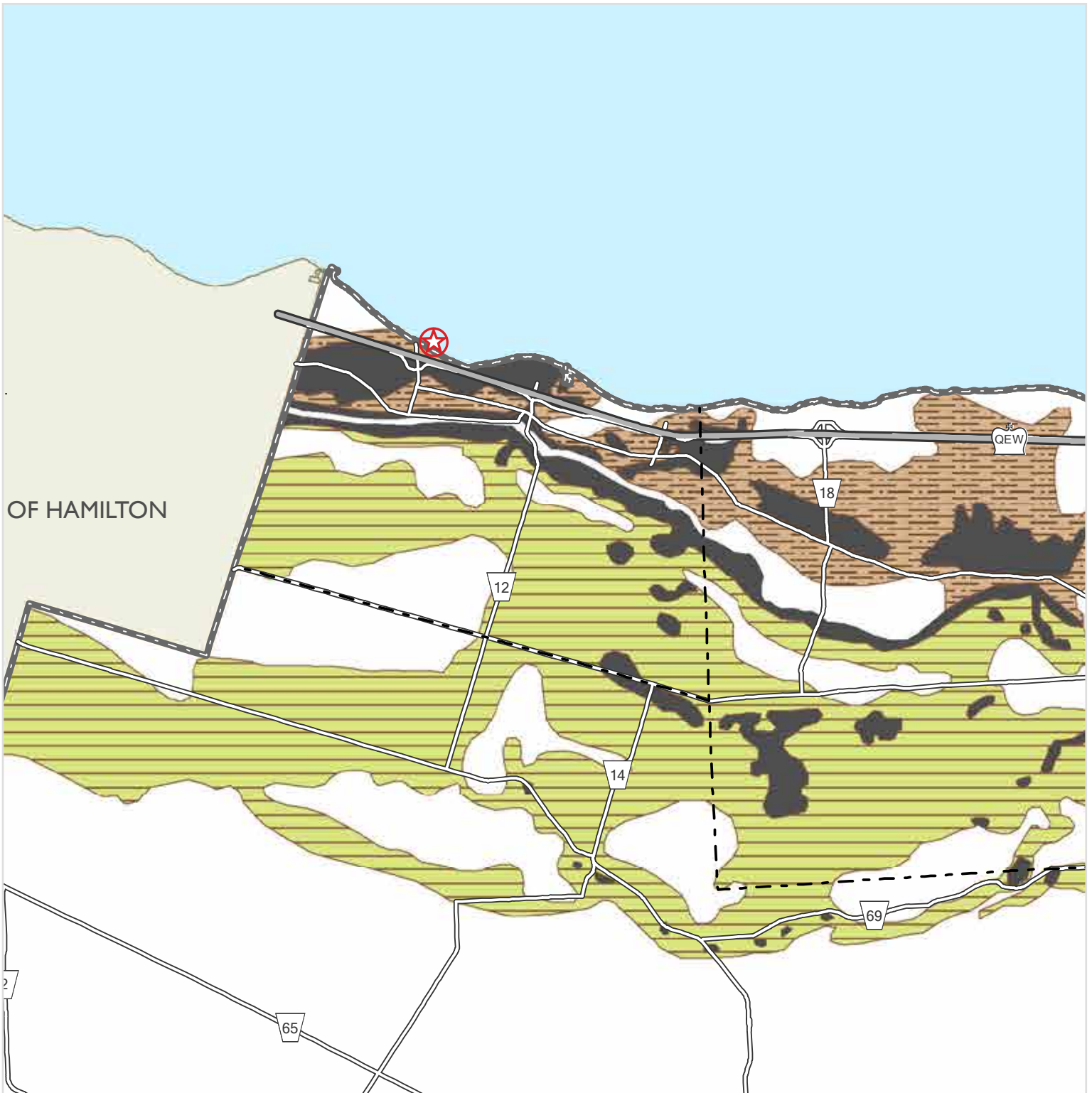











Figure 6  
**Niagara Region  
 Official Plan 2015  
 Schedule D1 -  
 Potential Resource  
 Areas: Stone**

362 & 398 North Service Rd  
 Town of Grimsby  
 Region of Niagara

**LEGEND**

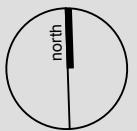
-  Subject Lands
-  ORDOVICIAN FORMATION
-  SILURIAN FORMATION
-  DEVONIAN FORMATION
-  OUTCROP - STONE WITHIN 3' OF SURFACE
-  NIAGARA REGION
-  MUNICIPAL BOUNDARY
-  PROVINCIAL ROAD
-  REGIONAL ROAD

DATE: January 2018

SCALE: N.T.S

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





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Figure 7  
**Niagara Region  
 Official Plan 2015  
 Schedule E -  
 Niagara Region  
 Bicycle Network**

362 & 398 North Service Rd  
 Town of Grimsby  
 Region of Niagara

**LEGEND**

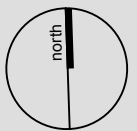
-  Subject Lands
-  REGIONAL BICYCLE NETWORK
-  PORT ROBINSON FERRY CROSSING
-  INTERNATIONAL CROSSING
-  URBAN AREA
-  NIAGARA REGION
-  MUNICIPAL BOUNDARY
-  PROVINCIAL ROAD
-  REGIONAL ROAD
-  LOCAL ROAD

DATE: January 2018

SCALE: N.T.S

FILE: 141961

DRAWN: JB



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## 4.4 Town of Grimsby Official Plan

The Official Plan for the Town of Grimsby came into effect on May 12, 2012. A review of the Official Plan has identified that the subject property falls within the following designations of the Official Plan:

- **Schedule A: Municipal Structure** – Urban Settlement Area, Within the Built Boundary, Major Intensification Area, Natural Heritage System (**Figure 8**)
- **Schedule B: Land Use** – Residential/ Mixed Use Area, Parks and Open Space, Hazard Land Area (**Figure 9**)
- **Schedule C: Transportation and Trails** - Bike Route and Waterfront Trail (**Figure 10**)
- **Appendix C- NPCA Regulated Areas** – NPCA Regulated Area (Ontario Regulation 155/06)

The subject site also falls within the Winston Road Neighbourhood Secondary Plan Area, which is detailed in **Section 5.5** of this Report.

Below is a review and discussion of the provisions associated with the designations in the Official Plan.

### **Urban Settlement Area and Major Intensification Area**

Urban Settlement Areas are intended to be the primary focus of and location for the majority of urban growth within the Town of Grimsby. These areas are envisioned to provide a broad range of housing opportunities, commercial facilities and services, recreation, culture, government facilities and services and employment opportunities. Further objectives for development within Urban Settlement Areas include:

- growing in a controlled, orderly fashion on full municipal services;
- ensuring that the land uses in the Urban Settlement Area contribute to and respect Grimsby's cultural heritage and small town character;
- ensuring that the Downtown will be enhanced as a vibrant place to live, work, and play; and
- recognizing the Downtown as the primary location for retail shopping, entertainment, restaurants and personal services including professional and government offices, which serve the residents of the Town.

The subject site is located within the built boundary, and therefore is considered intensification and contributes to the intensification target of this Plan.

There are two Major Intensification Areas, which represent two areas where the majority of intensification will be directed. The first is the Downtown, and the second is the Winston/Casablanca node, which includes the subject site. These two areas will be the primary focus for intensification and shall be planned and designed to meet intensification targets, of 80% of new dwelling units provided through intensification after 2015.

To achieve this intensification target, the Town has an Intensification Strategy, which relates to the subject site and the proposed development, by:

- encouraging infill and intensification throughout the built-up area of the Urban Settlement Area to achieve higher densities than what currently exist within the Intensification Area subject to the other policies of the intensification strategy and this Plan;
- directing the majority of intensification to two major intensification areas in the Downtown and Winston / Casablanca node;
- setting a minimum density target within the Winston/Casablanca node through the implementing Secondary Plan;
- requiring all intensification and infill development within the built boundary to be subject to site plan control to ensure that the built form and physical look of the built form is compatible with the neighbourhood; and
- the Town may offer development incentives such as reduced parkland dedication requirements, reduced parking standards, reduced development charges and pre-zoning.

The proposed development provides for a density of 180 units per hectare and 504 people and jobs per hectare, as detailed in **Section 2.0** of this Report. The subject site proposes a high density intensification opportunity located within the Winston / Casablanca node and within the Built-Up area of the settlement area. A detailed discussion surrounding the Winston Road Secondary Plan follows in **Section 4.5** of this Report.

### **Residential/ Mixed Use Area**

The Residential / Mixed Use Area represents locations with potential for intensified development and/or redevelopment in a mixed use form, including a mix of residential, convenience retail, service commercial, and prestige employment uses. The intent is to promote these areas for higher density, transit supportive and mixed use developments that take advantage of the attributes of their physical location. Permitted uses include townhouses, and other forms of multiple unit ground related housing, live-work units, stack and street townhouses, low rise apartment buildings, mixed use buildings with small-scale convenience retail and service commercial uses on the ground floor, parks and open space, community facilities, utilities, group homes and communal housing.

General policies for Residential / Mixed Use Areas direct that densities and heights may be permitted that reflect those of the High Density Residential Area designation through approved Secondary Plans. The proposed development is located within the Winston Road Secondary Plan Area.

The proposed development provides an opportunity for intensification and redevelopment and proposes a mix of permitted residential and employment uses in a range of buildings, including mixed use buildings. Details regarding land use, height and density are detailed further in the Winston Road Secondary Plan which is discussed in detail in **Section 4.5** of this Report. The Design Policies are discussed in detail in the associated Urban Design Brief prepared by MHBC Planning, dated May, 2018.

### **Parks and Open Space**

The Town of Grimsby's Official Plan identifies a fundamental principle to promote active, healthy lifestyles for its residents, including the provision of parks, trails and recreational facilities which are well located, connected, maintained and diverse. In the future, the Town's intent is to expand and improve this system, including the development of a parks and trails network to link residential areas, environmental features, the Escarpment, the waterfront and the downtown. Key objectives include the provision of physical and visual access to the Lake Ontario waterfront as an open space

amenity, conserve and protect shoreline and valley lands for recreational use, provide a system of parks and open space areas, an interconnected system of trails for pedestrians and cyclists, and to connect the Niagara Escarpment park system, the Bruce Trail and the Waterfront Trail. Permitted uses include passive and active recreational uses, conservation uses, cemeteries and public infrastructure. Private developments, should be planned in a comprehensive manner, and be integrated with adjacent land uses and preserve significant mature vegetation.

A significant amount of lake frontage and shoreline, adjacent to Lake Ontario will be dedicated to the Town as parkland. The subject site will provide a large area of parkland, including a portion of the Waterfront Trail, with trail connections within and into and out of the site. This parkland will provide opportunities for both passive and active recreation. The access to the waterfront will be enjoyed by the public and residents of the proposed development, and will contribute to the Town's intent of creating a Trail network. Further, the views of Lake Ontario will be maintained, where possible.

### **Hazard Lands, NPCA Regulated Area**

Hazard Lands include lands potentially unsafe for development due to flood hazard, erosion hazard, hazardous sites or steep slopes. A portion of the site is designated as Hazard Lands due to flooding hazards.

Within lands shown as Hazard Land Area, development and site alteration may be permitted where the effects and risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards including flood proofing, protection works, access as determined by the demonstration and achievement of all of the following:

- development and site alteration is carried out in accordance with flood proofing standards, protection works standards and access standards;
- vehicles and people have a way to safely enter the area during times of flooding erosion or other emergencies;
- new hazards are not created and existing hazards are not aggravated; and
- no adverse environmental impacts will result.

Permitted uses in the Hazard Lands area shall be limited to agricultural uses excluding new buildings, open space, existing uses, flood and/or erosion control works, other passive non-structural uses which do not affect flood flows and uses legally existing at the time of approval of the plan. Where the Hazard Land Area overlays an Environmental Protection Area or Environmental Conservation Area designation, agricultural uses shall be limited to existing uses and forestry, fish, wildlife or conservation management uses may also be permitted in accordance with Section 3.1.

A Shoreline Hazard Assessment has been prepared by ShorePlan in support of this application, which demonstrates that the site can be developed appropriately and hazard risks can be mitigated. The proposed zoning and plan of subdivision implement the recommendations and establishment blocks and zoning based on the detailed requirements. A summary of this report and the implications on the draft plan of subdivision is provided in **Section 5.5** of this Report.

### **Transportation, Bike Route and Waterfront Trail**

The Town of Grimsby Official Plan intends to provide a transportation plan to efficiently move goods and people and encourage a safe, convenient, efficient and useable transportation system. Particular



goals of the plan include the provision alternative modes of transportation to meet the needs of the non-driving population, encouraging active transportation such as walking and cycling, achieving long-term implementation of local public transportation, and extension of Regional public transportation routes, and building of complete streets.

North Service Road is identified as a Regional Arterial Road on Schedule C of the Official Plan. The road pattern is based on a hierarchy of roads. Region roads and town arterial roads permit the movement of traffic through and within the Town. The town will consider, where appropriate, reducing the number of driveways along Regional Arterial Roads, through the provision of service roads, shared driveways, and common off street parking areas.

A Bike Route and Waterfront Trail are both identified within the subject site on Schedule C. Bike Routes and Trails are crucial components of an integrated Parks and Open Space System. Bike routes shall accommodate linear/forms of recreation such as hiking, jogging and cross-country skiing and should attempt to follow natural linear features and serve as connections, where possible, to other components of the Parks and Open Space System.

The Town will endeavor to establish, improve and maintain the park routes and trails over time. In new development, park routes and trails will be secured through the use of the Planning Act. Bike Routes and Trails will be designed, built and maintained to Town standards.

With regard to the Waterfront Trail, the intent of the Plan is to link the Niagara Escarpment park system, the Bruce Trail and the Waterfront Trail. Further, along the Waterfront, on-street bike lanes and boulevard sidewalks shall be coordinated within bike lanes and walkways through waterfront parks to create a continuous waterfront trail system.

For a detailed summary of the proposed Waterfront Trail, please refer to the associated Trails Plan prepared by MHBC Planning, dated May, 2017.

In summary, the proposed development is consistent with the objective of the Residential / Mixed Use Area by providing for a range of unit types and mixed use development. Further, the proposal has considered transportation policies, parks and open space, and hazard land policies within the Town of Grimsby Official Plan.

### **Height and Density Bonusing**

The Official Plan contains policies associated with Height and Density bonusing. The policies establish an approach to consideration for authorization to increase height and/or density in exchange for community benefits.

The applications propose to increase the height permissions on the lands to allow a maximum height of 22 storeys, and 73.0 metres.

There is no need to increase the density permission given the size of the site and the proposed development, which has a floor area ratio of 1.88, which is less than the maximum permitted of 3.0, and therefore the proposed density is permitted on the site.

The proposed development represents good planning as it conforms with the policies of the Official Plan related to design, protection of natural areas, provision for a mix of uses and proposes

intensification in an area identified for higher density given its proximity to transit. The proposal also represents a brown field redevelopment opportunity within the town.

The relationship to the increase in height and density of the proposed development is the rationale for the request for the increase in height. The proposed development meets the density requirement of the Official Plan, however based on the requirement to provide a sufficient setback from the shoreline, parkland dedication and protection of view corridors, the massing of the development has been directed to the south portion of the site and increased in height to provide for accommodating appropriate intensification for redevelopment brownfield lands in proximity to transit.

The height is proposed across the site in a variety of buildings to provide the highest density towards the intersection as consideration of the geographic relationship of the development with existing and planned land uses. The variety in building heights will provide visual interest on the site, and maintain variety in the skyline.

The proposed development on the subject lands has considered community benefits, which have been influenced by the Official Plan policies and Implementation Guidelines, as follows:

- Provision of or improvements to open space, parkland or community facilities
- Enhanced urban design and placemaking features
- Provision of streetscape improvements
- Enhanced public access to Natural Heritage Features, or trails, and open spaces in the Niagara Escarpment
- Provision of smaller residential units, with a mix of unit sizes to improve affordability

The details of the bonusing framework will be prepared with City Staff through the application process and Section 37 agreement.

**The proposed Official Plan Amendment and Zone Change Application conforms to the general intent of the applicable land use policy framework of the Town of Grimsby Official Plan.**

## 4.5 Town of Grimsby Winston Road Secondary Plan

The subject lands are located within the Winston Road Neighbourhood Secondary Plan, which is included as Chapter 11 of Official Plan. A review of the Secondary Plan has identified that the subject property falls within the following designations:

- **Schedule F – Land Use:** Urban Settlement Area Boundary, Places to Grow Built Boundary, Mixed Use High Density, Employment Overlay (south portion), Parks and Open Space (northwestern portion) Environmental Protection Area (north portion), Streams, Hazard Land Area (**Figure 11**)
- **Schedule F1** – View Corridor through the site towards Lake Ontario (**Figure 12**)

The Plan identifies that the Winston Road Neighbourhood is one of a few remaining undeveloped stretches of Lake Ontario waterfront between Toronto and Grimsby. A great opportunity exists to create a waterfront community. The Neighbourhood is intended to be mixed use, vibrant, and offer a full range of housing opportunities and provide a strong sense of place. In addition to a range of residential housing densities, a range of employment opportunities also exist along the QEW frontage. It will be designed to be a walkable environment, and live-work uses will be encouraged.

Key elements of the neighbourhood generally include:

- a 'main street' area generally along Winston Road between Hunter Road and Windward Drive;
- respect low rise residential character in the west end of the neighbourhood;
- increase the mix of uses and densities towards the eastern edge, with the highest densities surrounding the Casablanca Road interchange;
- require commercial and prestige employment uses along the North Service Road east of Oakes Road and lands adjacent to the Casablanca Road Interchange, with higher quality design standards; and
- accommodate new residents and activities near the waterfront and maintain view corridors to the Lake, with the long term intent being to create a major public waterfront park.

Development within the Winston Road Area has been ongoing over the past several years. The subject property is one of the few remaining pieces left to be redeveloped, and is one of the largest portions of land.

The proposed development is located in close proximity of the Casablanca Road Interchange, and therefore is appropriate for higher density development. Employment opportunities are provided for in all six buildings fronting onto North Service Road. A large block will be conveyed to the Town for waterfront access, and will provide for public access to the waterfront. View corridors will be maintained throughout the site as demonstrated in the Urban Design Brief, prepared by MHBC Planning, dated May, 2018.

### Mixed Use

Mixed Use areas are the primary focal point of the community and are to be comprised of a variety of residential and employment generating uses including medium to high density residential

development, a mix of employment uses and community facilities and create a rich and vibrant environment for area residents. Specific objectives for these areas include:

- providing well-designed and attractive places for people to live and to work;
- providing vide for an appropriate range and mix of housing types, open space features and employment generating opportunities;
- ensuring that the noise impacts on the planned residential uses from the adjacent Queen Elizabeth Way are appropriately mitigated by intervening employment generating land uses
- protecting view corridors to Lake Ontario through the design of Mixed Use areas;
- providing for a pedestrian-oriented “main street” commercial area on Winston Road between Hunter Road and Windward Drive, which will function as the Neighbourhood Commercial area;
- promoting buildings located close to the street, which creative an active and visually stimulating walking and shopping environment;
- protecting lands in the High Density – Mixed Use Area that front onto the North Service Road and the QEW for prestige employment uses.

The **Mixed Use High Density** designation permits a very broad range of uses. It permits residential units including apartments, and townhouses integrated with apartments or mixed use buildings on the same site. It also permits uses such as offices, retail and service commercial uses, including restaurants provided that they are internally integrated with other uses, such as a mixed use building. A discussion regarding permitted non employment uses relative to Policy 11.3.3.1 c) of the Official Plan, is included below.

The subject property will provide for a high quality design with residential units, employment uses, and waterfront access, and open space areas for amenity space.

With regards to development policies, the Secondary Plan notes the following:

- **Density** - The minimum density shall be 1 times the lot area and the maximum density shall be 3 times the lot area.

The development proposes a density of 1.88 times the lot area, which is between the minimum and maximum density permissions. The density is approximately 180 units per hectare and 504 people and jobs per hectare. The proposed development provides for a mix of housing types. The apartment dwellings are proposed in six buildings of varying heights, ranging from 10 storeys to 22 storeys.

The proposed density for the site is 1.88 times the lot area, whereas 3.0 times the lot area is the permitted density, as detailed in the table below:

	Floor Space Ratio (FSR)	Gross Floor Area (GFA)
Permitted Density	3.0	2,323,389 sq. ft.
Proposed Density	1.88	1,456,688 sq. ft.

The proposed development proposes a gross floor area of 1,456,688 square feet, which is significantly less than what is permitted. By allowing an increased height of 22 storeys (Building A/B), the buildings occupy a smaller portion of the property, and increase the

amount of parkland and open space available on the remainder of the property. This includes the provision of a significant amount of waterfront access and open space adjacent to Lake Ontario.

- **Height** - the maximum height of any building shall be 12 storeys. However, The Town may consider higher buildings in exchange for the provision of community benefits in accordance with Section 37 of the Planning Act and provided the applicant submits transportation, view corridor, and shadowing studies, which demonstrate that the increased height will have no adverse impact and that views to the lake are protected.

The maximum permitted height in the Winston Road Secondary Plan is 12 storeys and the proposed height of 22 storeys will require an Official Plan Amendment.

The proposed variation in height will focus the tallest height on the western side of the property, and will provide for visual variety along the site. Justification for bonusing for increased in height is discussed in **Section 4.4** of this report. Studies submitted in support of the proposed development are summarized in **Section 5.0** and included as part of the submission of this application.

- **Building Location** - Buildings shall be located as close to the streetline as possible in order to facilitate pedestrian access.

All of the proposed apartment buildings and mixed use buildings are proposed to be fronting onto North Service Road. The smaller, townhouse style developments are located internal to the site, and all are located in close proximity to internal roadways so as to facilitate pedestrian access.

- **Access Points** - The number of access points from individual lots to public roads shall be minimized and shared access and internal connections between multiple lots is encouraged.

There are four vehicular access points proposed for the subject site via North Service Road, including two right-in, right-out only accesses, and two full-turn accesses. Internal roadways are provided for internal connections throughout the site.

- **Noise** - Appropriate noise mitigation measures shall be provided for residential development to address noise from the QEW and to minimize adverse impact on residential uses abutting employment uses. A noise study is required in support of development applications for residential development and shall consider all relevant provincial guidelines.

A noise study has been prepared in support of this application by Novus, dated May 2018, and summarized in **Section 5.8** of this Report.

- **Loading Areas** - Loading areas abutting mixed use and high density residential developments shall be designed to minimize adverse impacts on the residential uses and lighting shall be directed away from residential uses.

Loading areas are proposed in front of Building A and B, between Building C and D, and at the rear of Buildings E and F. They will be located away from pedestrian accesses to the residential uses.

- **Employment Overlay** - Lands immediately abutting the QEW and the portion of North Service Road east of Casablanca Boulevard within the employment overlay area shall be reserved for employment generating uses permitted in Section 11.3.3.1 a) of the Official Plan. The balance of the designation not within the employment overlay area shall be permitted and encouraged to be developed for a broad mix of uses.

Further, any new development located in this area, will allocate a minimum of 0.4 times the lot area for office employment uses, and a minimum of 50% of the total area on each block within the designation shall be developed for employment generating uses. The proposed development intends to achieve these policy requirements.

The proposed development will contain employment uses, in mixed use buildings on the ground floor of all 6 proposed buildings. These spaces will contain primarily office uses and other uses which support employment. A detailed list of proposed uses is included in Section **2.3** of this Report and **Appendix B**.

A total of 57,416 square feet (4,402 m<sup>2</sup>) GFA of employment space is provided. Further, 504 people and jobs per hectare is proposed, in support of the desired employment densities. The space will allow for employment and employment related uses, as detailed in Section **2.3** of this Report.

- **Winston Road Main Street Overlay**- Permitted retail uses shall serve a neighbourhood commercial function and be of a scale and extent so as to not impact on the function of the downtown and shall largely serve the daily and weekly shopping needs of residents of the Winston Road neighbourhood. Permitted uses in the Mixed Use High Density designation are identified in Section 11.3.3.1 a), however, based on discussions with Town Staff, the permitted uses listed in Section 11.3.3.1 c), which are permitted in the Winston Road Main Street Area, are not permitted on the subject lands.

Employment related uses will be permitted within the ground floor of all buildings. The intended uses will primarily serve those who live and work within the proposed development, as well as visitors to the area, including people who visit the waterfront trail and park area. A detailed list of proposed uses is included in Section **2.3** of this Report and **Appendix B**.

- **Parkland Dedication** - Parkland dedication obtained shall be used to create a public owned pedestrian promenade along the waterfront. This promenade shall be designed to create an active pedestrian, year-round, and multi-use public space and shall be a minimum of 30 metres in width abutting Lake Ontario. The promenade shall include a 5 metre wide boardwalk constructed by the applicant in a coordinated design approved by the Town.

A total of 1.382 hectares of parkland is proposed to be dedicated to the Town as part of the development, which represents approximately 19% of the subject property. These lands will include a public owned pedestrian promenade along the waterfront in order to provide



opportunities for active transportation, year-round, multi-use public space. Losani will construct a 5 metre wide boardwalk as part of the development. The parkland dedication amount also includes the portion of Winston Road fronting onto the park.

In addition to parkland dedication, this development proposes a significant amount of private amenity space. The external common amenity area totals approximately 53,258 square feet (4947 square metres). Additional private amenity area will be provided for the townhouse units.

- **Active Uses** - Every effort shall be made to encourage, stimulate and support active, publicly accessible uses including encouraging non-residential uses along the ground level frontages adjacent to the water's edge promenade.

In addition to the 5 metre boardwalk to be constructed, sidewalks and pedestrian connections will be provided throughout the site and active uses will be provided along the ground floors of the mixed use buildings, providing opportunities for non-residential uses.

- **Parking** - Adequate on-site parking shall be provided for residents and visitors, subject to the design policies of this Secondary Plan. Common parking area shall be appropriately screened with consideration given to safety and visual impact on the surrounding land and roadways.

The majority of parking for the proposed development will be located underground, with two levels of underground parking proposed. A total of 1856 parking spaces are proposed. Surface parking is proposed fronting onto North Service Road, primarily intended for visitor parking, employment parking and to serve the employment and employment related uses on site. Public parking will be provided off of Winston Road for convenient access to the Waterfront Trail and park space. A Parking Study has been submitted in support of this application and a summary of this Study is included in **Section 5.9** of this Report.

- **Utilities and Services** - New utilities and services shall be provided below grade. Where it has been demonstrated to the satisfaction of the Town that larger, aboveground utility infrastructure cannot be located below grade, such utility infrastructure shall be designed to be compatible with the surrounding built and natural environment.

All utilities and services will be designed to be compatible, and will be detailed through the Site Plan Application process.

- **Drive Thrus** - Drive-through facilities, where permitted, shall not locate stacking lanes, aisles or drive-through windows between the building and the street.

No drive-thru uses are proposed for the subject site.

- **Prestige Employment Uses** - Prestige employment uses abutting the QEW and the North Service Road shall contribute to a high quality business environment. Parking and loading areas shall be adequately screened and buffered in areas visible from the QEW and the North Service Road.

As discussed above, a wide range of employment uses will be permitted. Employment uses will have visibility and convenient access from North Service Road and the QEW, improving the viability of these lands for employment. These uses will not be obnoxious and require no outdoor storage, and have higher quality design standards and landscaping. A large portion of parking will be located underground.

The proposed development generally conforms to the Winston Road Neighbourhood Secondary Plan, as it is a mixed use, high density, development with a range of residential, employment and employment related uses. It will provide 1295 residential units in a range of unit types and has a proposed density of approximately 180 units per hectare and 504 people and jobs per hectare.

### **Parks and Open Space**

The Major Open Space Area recognizes lands in public and private ownership that provide opportunities for both passive and active recreation and conservation activities. Some of the lands provide educational, cultural and ecological functions in association with other open space components. Permitted uses include recreational activities, conservation uses, pedestrian and cycling trails, campground, marinas, community centres and recreational facilities and waterfront promenade.

The locations, configuration and boundaries of these lands should be confirmed through draft plans of subdivisions and the implementing zoning by-law.

The proposed development will contain a large parkland block, proposed to be dedicated to the Town (as detailed below). This block will contain opportunities for both active and passive recreation, and will contain the proposed waterfront promenade across the length of the subject lands. This will provide active transportation connections within and into and out of the site. The plan of subdivision submitted with this application proposes the block limits for the parkland block and open spaces blocks.

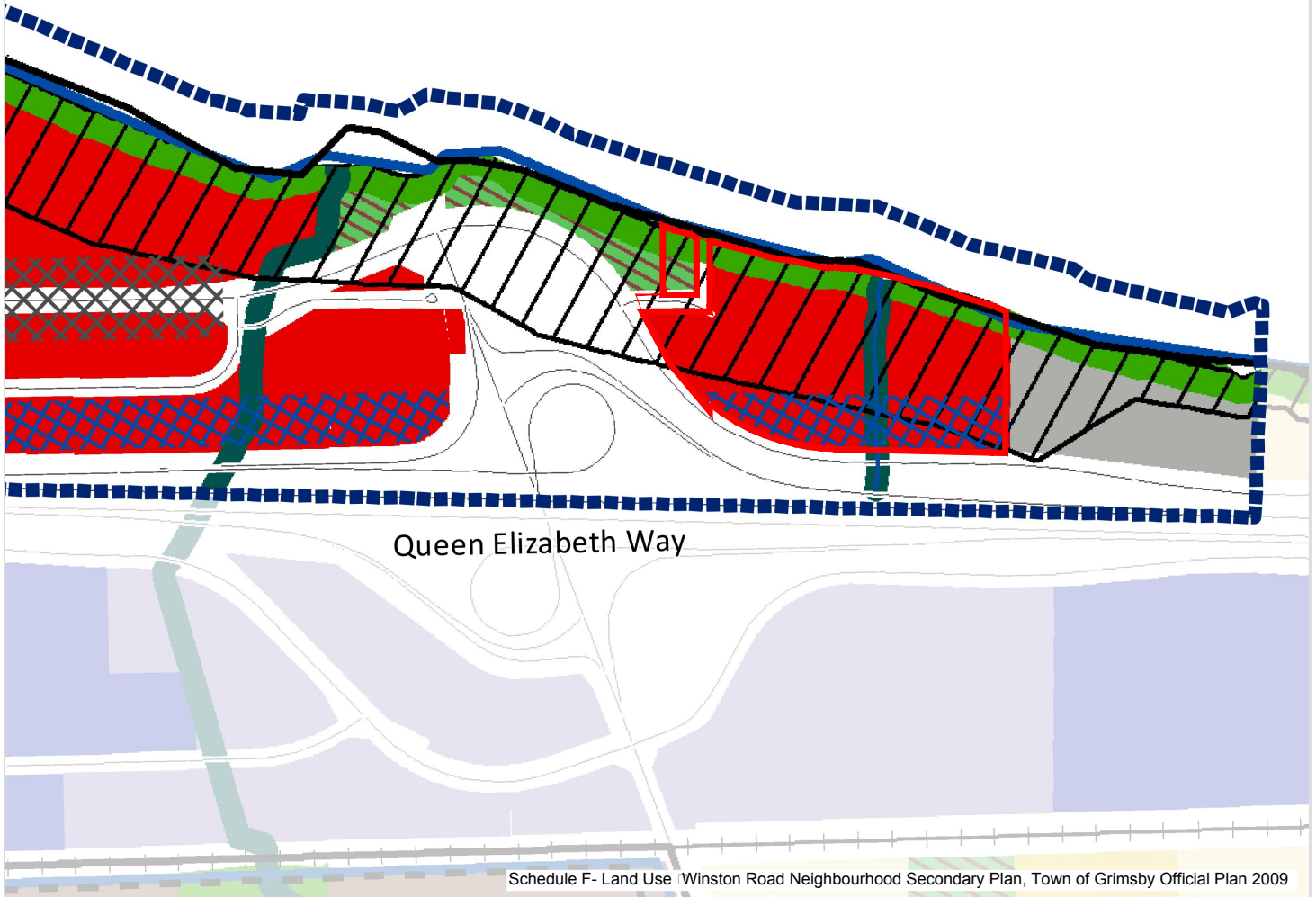
It is understood that the Town is in the process of preparing a Parks, Recreation and Culture Master Plan. Losani will work with the Town on implementation of a parkland vision for the portion of the lands within the plan of subdivision.

### **View Corridors**

Section 11.3.3.3 of the Official Plan identifies that development shall be required to protect and maintain view corridors to Lake Ontario with an approximate width of 30 metres and buildings above the third storey should be stepped back from the street and from view corridors to enhance views. The site has been designed to protect and maintain view corridors, where feasible.

A discussion related to the maintenance and protection of view corridors is discussed in detail in the associated Urban Design Brief, prepared by MHBC Planning, dated May, 2018 submitted in support of this application.

LAKE ONTARIO



Schedule F- Land Use (Winston Road Neighbourhood Secondary Plan, Town of Grimsby Official Plan 2009)

Figure 11  
**Town of Grimsby  
 Official Plan 2009**  
**Schedule F -  
 Land Use (Winston  
 Road Neighbourhood  
 Secondary Plan)**

**362 & 398 North Service Rd**  
 Town of Grimsby  
 Niagara Region

**LEGEND**

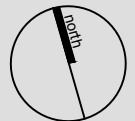
-  Subject Lands Secondary
-  Plan Boundary
-  Urban Settlement Area Boundary
-  Places to Grow Built Boundary
-  Streams
-  Hazard Land Area Ont. Reg. 155/06
-  Environmental Protection Area
-  Environmental Protection Area
-  Mixed Use - High Density
-  Parks and Open Space
-  Utility Area
-  Winston Road Main Street Overlay
-  Employment Overlay

**DATE:** January, 2018

**SCALE:** 1:7,500

**FILE:** 14196I

**DRAWN:** JB

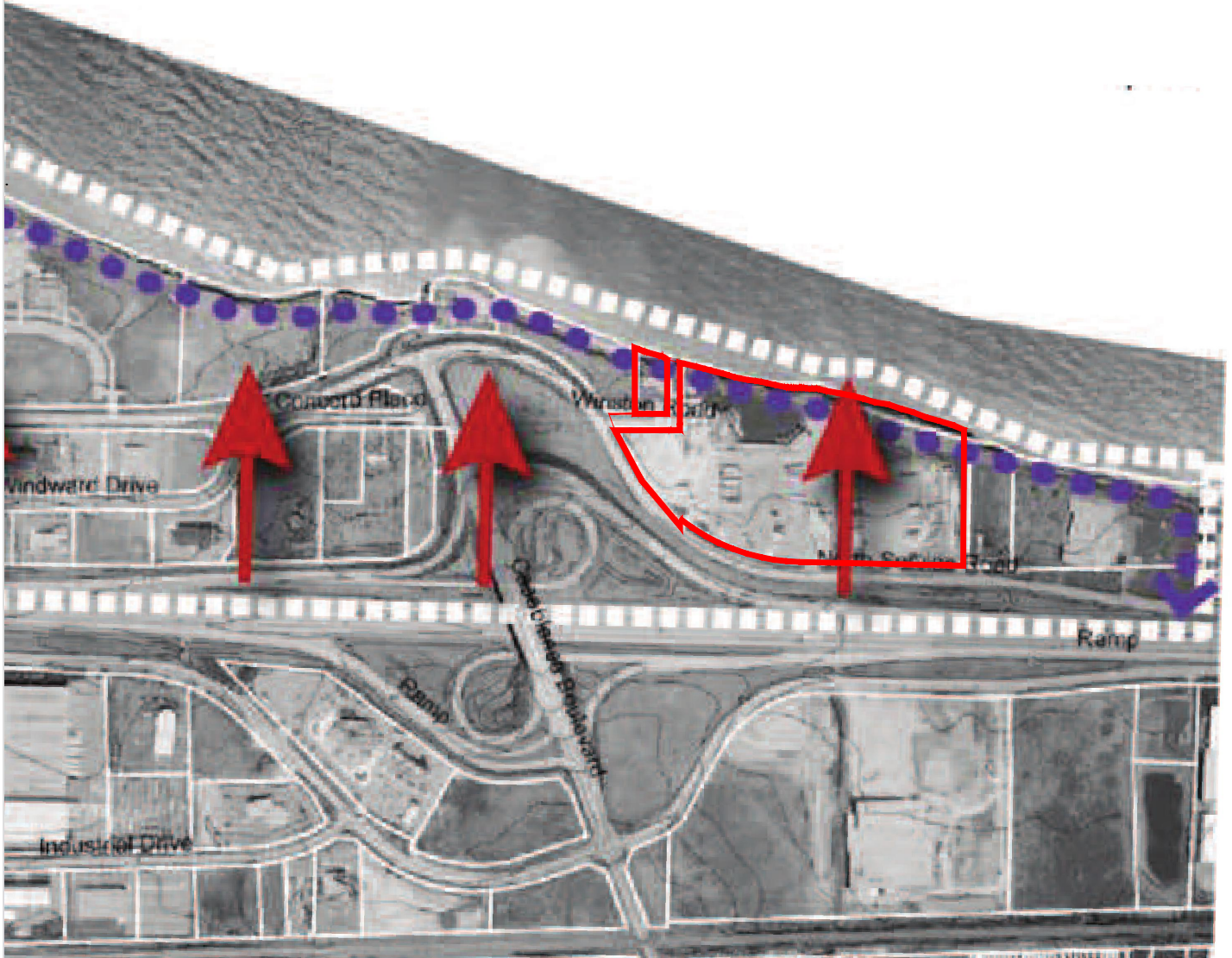


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**MHBC** PLANNING  
 URBAN DESIGN  
 & LANDSCAPE  
 ARCHITECTURE

200-540 BINGEMANS CENTRE DR. KITCHENER, ON, N2B 3X9  
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LAKE ONTARIO







Schedule F-1 - Trails and View Corridors - Winston Road Neighbourhood Secondary Plan, Town of Grimsby Official Plan 2009

Figure 12  
**Town of Grimsby  
 Official Plan 2009  
 Schedule F-1 -  
 Trails and View  
 Corridors (Winston  
 Road Neighbourhood  
 Secondary Plan)**

362 & 398 North Service Rd  
 Town of Grimsby  
 Niagara Region

**LEGEND**

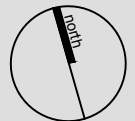
-  Subject Lands Secondary
-  Plan Boundary
-  Trail
-  View Corridor

**DATE:** January, 2018

**SCALE:** 1:7,500

**FILE:** 14196I

**DRAWN:** JB



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## 4.6 Town of Grimsby Zoning By-law 14-45 January 2017

As identified in schedule 4A of the Town of Grimsby Zoning By-law, the subject lands are zoned Neighbourhood Development (ND) and Private Open Space (O1). Through the centre of the site extending from North Service Road to the waterfront of Lake Ontario are Environmental protection. The gray area identified on Schedule 4A which extend along the waterfront moving halfway into the site are lands identified as Hazard lands. The existing zoning is shown on **Figure 13** of this Report.

The following uses are currently permitted on the site, in the various zones:

### Neighbourhood Development Permitted Uses:

- Bed and Breakfast, Group Home and Single Detached Dwelling (Permitted only as an existing use in an existing dwelling), Home Occupation and Secondary Suite

### Private Open Space Permitted Uses (O1):

- Limits open space permitted uses to a variety of uses for private access.

### Environmental Protection Zone Permitted Uses:

- Limits permitted uses to Agricultural use, excluding buildings, Conservation use, Flood and erosion protection work and Trail and pedestrian rest area

### Hazard Lands Permitted Uses:

- Limits permitted uses to Agricultural use, excluding buildings, Athletic field, Boat launching ramp, Conservation use, Docking facility, Flood and erosion protection work, Forestry use, Golf courses excluding buildings, Park, Picnic area, Playground, Trail and pedestrian rest area

### **Proposed Zoning Amendment:**

To permit the proposed mixed use development the subject property will require a Zoning Amendment. The applicant is requesting to rezone the subject lands from the current zoning of Neighbourhood Development, Private Open Space, EP Overlay and Hazard Overlay, to Mixed Use High Density Residential (MHD) and Public Open Space (O2), as detailed on **Figure 14**.

The rezoning also proposes a modification to the Hazard Land area and a modification to the Environmental protection area (supported by the Environmental Impact Study, detailed in **Section 5.1** of this Report). A bonusing agreement under Section 37 will be required to permit increased height and density on the subject site.

The rezoning of the site to Mixed Use High Density Residential (MHD) and Public Open Space (O2), will permit a broad range of uses, in conformity to the Official Plan, and allow for the development of a high density, mixed use development. The following uses are proposed to be permitted on the site:



Mixed Use High Density Residential Proposed Uses:

- Apartment buildings
- Back to back townhouse dwellings
- Block townhouse dwellings
- Stacked townhouse dwellings
- Street townhouse dwellings
- Office
- Banquet facility
- Restaurant
- Theatre
- Hotel
- Studios
- Ancillary retail sale
- Commercial school
- Custom workshop
- Data processing
- Industrial use
- Research and laboratory
- Professional and administrative office
- Parking lot
- Photocopy and print shop
- Servicing shop
- Warehousing and wholesaling
- Entertainment facilities such as art galleries, outdoor theatre and musical facilities
- Institutional uses, including government services, research and, training facilities
- Prestige employment uses provided all operations are conducted indoors and the operations are deemed not to be obnoxious by reason of dust, odour, fumes, particulate matter, noise and/or excessive vibrations
- Daycare facilities provided that such uses are internally integrated as a component of an office, hotel, institutional or mixed use building
- Parks including a public waterfront promenade, parkettes and public squares

Public Open Space Proposed Uses (O2):

- Parkland
- Open Space
- Hazard Lands

The following table summarizes the MHD zoning regulations and identifies any special provisions that are required as part of the Zoning By-law Amendment application:

Section	Regulation	Required	Proposed
<b>Section 7.0 - Residential Zones</b>			
Table 11: Regulations applying to Residential Zones	Min. Lot Area (sq.m.)	1858 square metres	16,980 square metres (not including parkland blocks which will be dedicated to the Town)
	Max. Lot Coverage	60%	Block 3 – 41.3% Block 4 - 42.4%



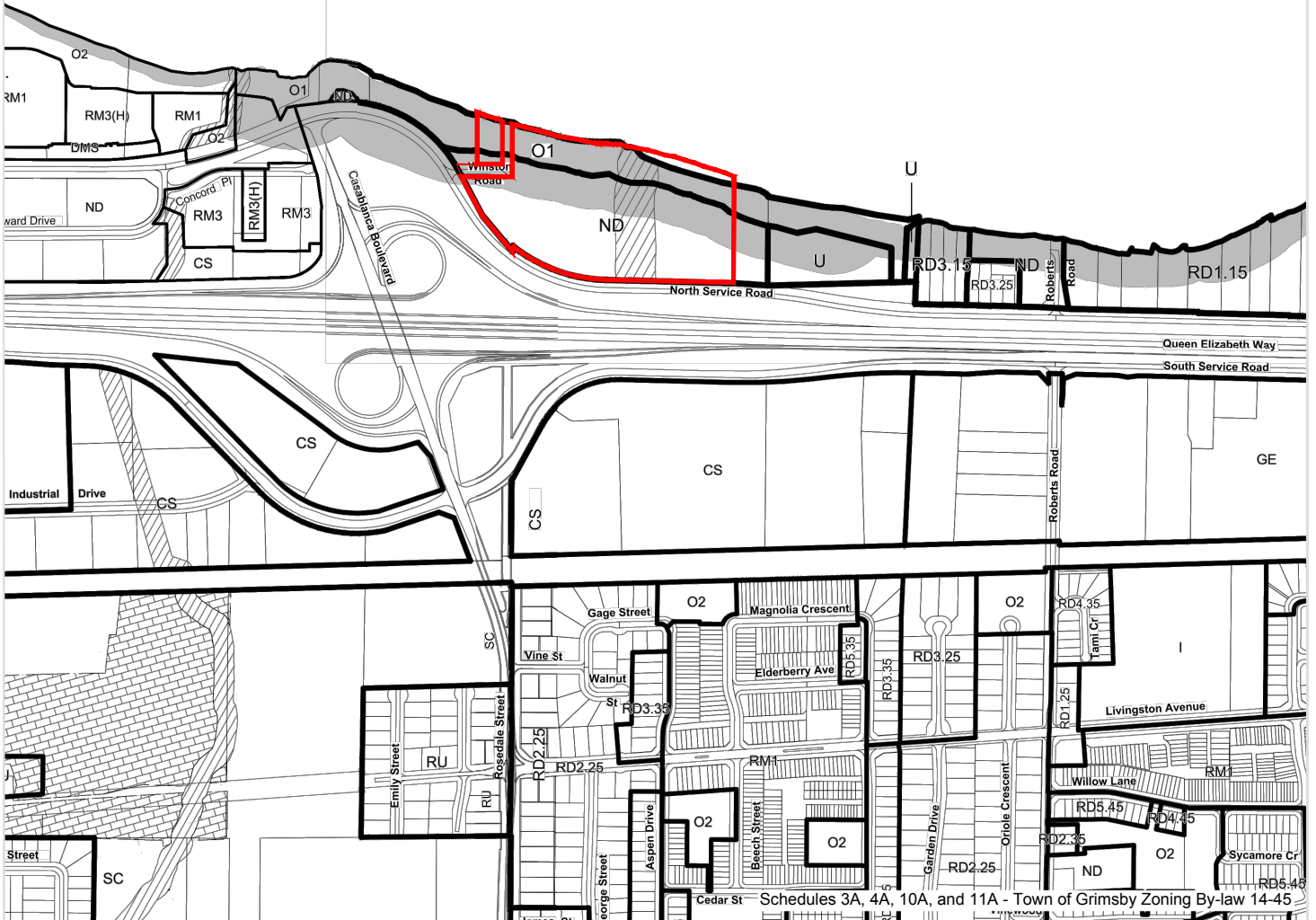
	Min. Lot Frontage	45 metres	144.4 metres
	Min. Front Yard	2.0 metres	14.0 metres
	Max. Front Yard	5.0 metres	19.3 metres*
	Min. Exterior Side Yard	2.0 metres	2.4 metres
	Max. Exterior Side Yard	5.0 metres	6.1 metres*
	Min Interior Side Yard	4.5 metres	2.6 metres*
	Min. Rear Yard	7.5 metres	2.3 metres*
	Max Building Depth	No Requirement	N/A
	Max. Building Height	38.0 metres (12 storeys)	73.0 metres (22 storeys) (Building A/B)*
<b>7.2.2</b>	<b>Additional Provisions</b>		
7.2.2.1	Maximum number of street townhouse dwellings in a street townhouse building	8	6
<b>7.2.2.3</b>	<b>Additional Provisions for Block Townhouse Dwellings</b>		
a)	Min. width of each block townhouse dwelling unit	5.0 metres	6.1 metres
b)	Min. separation between block townhouse buildings on same lot	Side Wall to Side Wall 1.8 m Rear Wall to Rear Wall 15.0 m Front Wall to Front Wall 13.5 m	Side Wall to Side Wall: 2.98 m (Between Building I and H) Rear Wall to Rear Wall: N/A Front Wall to Front Wall: 24.28 metres (Between Building G and I)
<b>7.2.2.5</b>	<b>Additional Apartment Building and Mixed Use Building Provisions within an MHD Zone</b>		
a)	Minimum balcony depth	1.5 metres	1.5 metres
b)	Minimum ground floor height where commercial uses are provided	4.5 metres	6.25 metres
c)	Maximum Building width	60.0 metres	26 metres (Building A & B)
d)	Minimum pedestrian perception step back above 3 <sup>rd</sup> storey	1.5 metres	1.5 metres
<b>7.2.2.6</b>	<b>Additional Provisions for the MHD Zone</b>		
a)	Percent of Lot Area dedicated to Employment generating uses	30%	24%*

b)	Individual retail store area	Max. 2500 square metres. per tenant	Max. not to be exceeded
c)	Minimum Building Setback from Lot Line abutting Lake Ontario	30.0m	30.0m
d)	Minimum permitted Gross Floor Area	1.0 times the lot area	1.88
	Maximum permitted Gross Floor Area	3.0 times the lot area	1.88
<b>Section 5.0 - Parking Requirements and Loading Requirements</b>			
Table 3	Residential Dwelling Unit - Townhouse	1.5 for each dwelling unit	2 spaces per unit for a total of 96 spaces
	Residential Dwelling Unit - Apartment Building	1.25 spaces per dwelling unit plus 0.25 visitor parking spaces for each dwelling unit	1.25 spaces per dwelling unit including visitor parking for a total of 1559 spaces*
	Retail	One space for each 28 m <sup>2</sup> of GFA	190 spaces provided
	Total Parking		1845 parking spaces
Section 5.18 b)	Bicycle Parking – Apartment	0.3 spaces per unit in a covered bicycle storage area = 375 spaces	375 spaces required 375 spaces proposed
Section 5.13	Accessible Parking Spaces	1 space per 20 parking spaces, (count towards required parking spaces)	88 spaces provided
Table 5	Loading Space Requirements	>14,000 square metres – 3 spaces plus 1 additional space for each 9,300 square metres of GFA	6

\*= special provision required

The site specific provisions identified in the table above, are detailed and justified in the following section, **Section 4.7.**

LAKE ONTARIO



**Figure 13**  
**Existing Zoning -**  
**Town of Grimsby**  
**Zoning By-law 14-45**

**LEGEND**

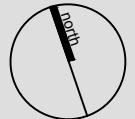
<span style="border: 2px solid red; display: inline-block; width: 15px; height: 10px; vertical-align: middle;"></span> Subject Lands	<span style="border: 1px solid black; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); display: inline-block; width: 15px; height: 10px; vertical-align: middle;"></span> Specialty Crop
RD1 Residential Detached 1	<span style="border: 1px solid black; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, black 2px, black 4px); display: inline-block; width: 15px; height: 10px; vertical-align: middle;"></span> EP Overlay
RD2 Residential Detached 2	<span style="border: 1px solid black; background: repeating-linear-gradient(-135deg, transparent, transparent 2px, black 2px, black 4px); display: inline-block; width: 15px; height: 10px; vertical-align: middle;"></span> EC Overlay
RD3 Residential Detached 3	<span style="background-color: #cccccc; display: inline-block; width: 15px; height: 10px; vertical-align: middle;"></span> Hazard Overlay
RD4 Residential Detached 4	
RD1 Residential Detached 1	
RM1 Residential Multiple 1	
RM3 Residential Multiple 3	
ND Neighbourhood Commercial	
CS Service Commercial	
GE General Employment	
I Institutional	
O1 Public Open Space 1	
O2 Public Open Space 2	
RU Rural	

**DATE:** January, 2018

**SCALE:** 1:10,000

**FILE:** 141961

**DRAWN:** JB



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**362 & 398 North Service Rd**  
 Town of Grimsby  
 Niagara Region

  
**PLANNING**  
**URBAN DESIGN**  
**& LANDSCAPE**  
**ARCHITECTURE**  
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LAKE ONTARIO

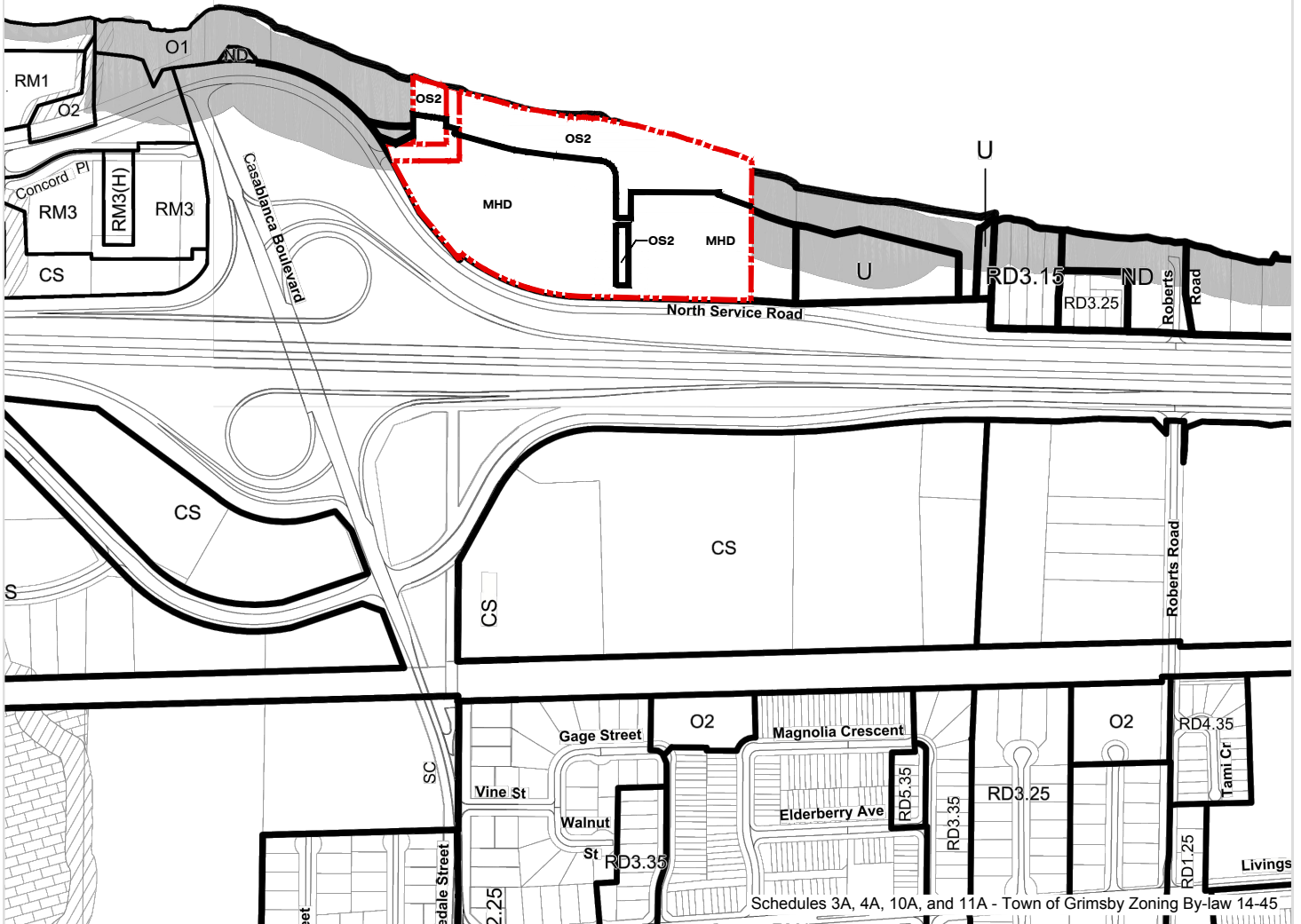



Figure 14  
Proposed Zoning

LEGEND

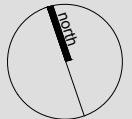
 Subject Lands to be rezoned from ND and O1 to MHD and OS2

DATE: May, 2018

SCALE: 1:7,500

FILE: 14196I

DRAWN: JB



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362 & 398 North Service Rd  
Town of Grimsby  
Niagara Region

**MHBC** PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

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## 4.7 Zoning By-law Amendment Request and Justification

The applicant is requesting the following special provisions to the Mixed Use High Density Residential to permit the proposed development:

1. **Maximum Front Yard Setback-** The maximum permitted front yard setback shall be 19.3 metres

The lands along North Service Road on the front portion along the entirety of the site are owned by the Ministry of Transportation. As a result, these lands are required to be available for future highway improvements and cannot be developed.

2. **Maximum Exterior Side Yard Setback -** The maximum permitted exterior side yard setback shall be 6.1 metres.

The increased maximum permitted exterior side yard setback is required between Building A and Winston Road, to allow for sufficient setback between the building and public road.

3. **Minimum Interior Side Yard Setback-** The minimum permitted interior side yard setback shall be 2.6 metres

The reduced minimum permitted interior side yard is required on the westerly side of Building E, and is located adjacent to an open space block which will allow sufficient setback from Winston Road.

4. **Minimum Rear Yard Setback-** The minimum permitted rear yard setback shall be 2.3 metres.

The minimum rear yard setback of 2.3 metres is located at the eastern edge of Building H, as a result of a diagonal lot line adjacent to the park block. The remaining units within Building H, I and J, have a minimum rear yard of 5.0 metres, which will allow for sufficient private amenity area. Further, these units will back onto the park block,

5. **Front Lot Line –** With regard to Block 3 and Block 4 of the plan of subdivision, for zoning purposes the lot line along North Service Road shall be deemed to be the *front lot line*

6. **Maximum Permitted Building Height –** The maximum permitted building height shall be 73.0 metres and 22 storeys.

The proposed increase in height is appropriate given the site's proximity to the Casablanca and QEW interchange, and proximity to existing and proposed transit routes, including GO Transit. Further, the height of the buildings has consideration for surrounding areas, and orients the buildings to front green space and streets. The highest density and height are located fronting onto North Service Road, allowing for a transition in height towards the waterfront.

- 7. Percent of Lot Area Dedicated to Employment Generating Uses** – The minimum percentage of lot area dedicated to employment generating uses is proposed to be 24%.

The proposed development will contain employment uses, in mixed use buildings on the ground floor of all 6 proposed buildings. These spaces will permit employment uses and may include employment related uses. A total of 57,416 square feet (5,334 m<sup>2</sup>) GFA of employment space is provided. Further, 504 people and jobs per hectare is proposed, in support of the desired employment densities.

- 8. Parking** – To permit a reduced residential parking rate of 1.25 spaces per unit, including visitor parking.

The applicant is requesting relief from Section 18A.3.1 h) to allow for a parking ratio of 1.25 space per unit including visitor parking, whereas the Zoning By-law requires a minimum of 1.25 space per unit, plus an additional 0.25 spaces per unit for visitor parking, for a total of 1.5 per unit.

The reduction is required to permit the proposed multiple dwellings and proposed mix of uses on the site. The townhouse dwellings will provide for 2 spaces per unit.

It should also be noted that 190 additional surface parking spaces will be provided which are located on the Ministry of Transportation lands and/or along Winston Road and have been counted towards the zoning by-law requirement. However, it is anticipated that these spaces will be used for both employment and residential visitor parking. If these spaces were included, the parking rate would be 1.4 spaces per unit, including visitor parking.

The proposed reduction could be considered as reducing the parking rate to 1 space per unit and maintaining 0.25 spaces per unit for visitor parking.

A Parking Study prepared by MHBC Planning and a Traffic Impact Study (TIS) prepared by Paradigm has been submitted concurrently with this application to provide justification for the reduction in parking requirement.

To support of this reduction, the Parking Study recognizes the proposed types of dwelling units, reviews similar development approvals and considers the proximity to the existing GO Bus station and proposed GO Rail station, the cycling amenities and also recommends TDM measures. A summary of the Parking Study is included in **Section 5.9** of this Report.

**Given the foregoing, it is our opinion that the proposed amendment is appropriate.**



# 5.0 TECHNICAL REPORTS

The following reports were requested through Pre-Submission Consultation to support the request for Zoning Amendment by commenting authorities. A short summary of the findings of each report has been provided below.

## 5.1 Environmental Impact Study

An Environmental Impact Study (EIS) was prepared by GeoProcess Research Associates dated May, 2018.

The EIS included a vegetation assessment, breeding birds survey, watercourse assessment, Lake Ontario shoreline characterization, and review of incidental wildlife, species at risk (SAR), and significant wildlife habitat screening and assessment. The EIS also provided a thorough review of the applicable provincial and regional natural heritage policy including the Provincial Policy Statement, Greenbelt Plan, Town of Grimsby Official Plan, Winston Road Secondary Plan, and NPCA regulations. It also reviewed federal regulations including the Department of Fisheries and Oceans Canada and the Endangered Species Act. The EIS reviewed the proposed development and completed an impact assessment, including cumulative impacts and also provided for mitigation measure and a monitoring plan.

Specifically with regard to the watercourse on the property, the EIS identified that the channel does not support direct fish habitat due to the upstream enclosure of the channel under the QEW and the barrier present from a large pile of boulders at its outlet to Lake Ontario.

The EIS concluded that the subject property supports cultural, successional vegetation communities, urban tolerant wildlife species and contains a single non-regulated watercourse feature. The extent of the property lies adjacent to Lake Ontario shoreline and its bluffs. The previous use of the property as a restaurant and truck spot resulted in a highly degraded, disturbed environment. Due to the historical and contemporary development of the southern lakeshore region, ecological communities and species with low tolerance to disturbance are not present. The EIS further concluded that the re-development meets the Official Plan and Provincial Policy requirements regarding environmental protection on redevelopment sites for intensification in developed areas, and the proposed development will not impact designated Species at Risk populations or Significant Wildlife habitat.

## 5.2 Traffic Impact Study

A Traffic Impact Study Brief (TIS) was prepared by Paradigm Transportation Solutions, dated May 30, 2018. The TIS made the following recommendations:

- Geometric modifications and additional turn-lane storage are recommended at the Casablanca Boulevard intersection with Winston Road/North Service Road. Extensive delays are forecast to occur on the northbound and westbound approaches. Expanded northbound geometry should be considered to reduce overall intersection delays. The westbound left-turn lane may require 130 metres of storage.
- Consideration be given to restricting the Driveway A and Driveway C connections to right-in/ right-out. Turning restrictions can be applied through use of raised centre medians. The cross-section elements and the general design planned on the Winston Road/North Service Road west of Casablanca Boulevard can be extended across the site's North Service Road frontage.
- The Winston Road (Site Access) and Driveway B intersections be designed to include auxiliary eastbound left-turn lanes on the North Service Road.
- The driveway connections be redesigned to include at least 25 metres of clear throat length.
- A secondary point of vehicular access to Buildings G-J east of the Bioswale be considered for emergency services.
- Pedestrian crosswalks be provided at all internal locations where sidewalks are proposed.
- All on-site sidewalks should conform to the Town's design standards and/or the AODA design standards for accessibility compliance.
- On-street bicycle lanes be provided along the site's North Service Road frontage.
- To manage the site's parking demand and mitigate the transportation impacts, a TDM program should be developed in support of the development and strategies may include
  - Unbundled parking and the building owner/occupant agrees to charge for parking as a separate cost to occupants.
  - Shared parking supply for visitors and patrons of the commercial uses.
  - Bicycle parking be provided to meet or exceed the Town's Zoning By-law requirement.
  - Landscaping plans consider enhancing the common amenity areas to include pedestrian amenities such as benches, seating areas and/or pedestrian scale lighting.
  - Development incorporates functional building entrances that are oriented to public space or to locations where pedestrians arrive from such as a street, square, park or plaza.
  - Shower and change facilities be considered for the non-residential land uses consistent with LEED requirements.

In summary, the TIS is supportive of the proposed development.

## 5.3 Stage 1 & 2 Archaeological Assessment

A Stage 1 & 2 Archaeological Study was completed by Amick Consultants Limited, dated October 19, 2017. The Stage 1 assessment recommended a Stage 2 assessment.

As a result of the Stage 2 Property Assessment of the study area, no archaeological resources were encountered. Consequently, the following recommendations were made:

- No further archaeological assessment of the study area is warranted;
- The Provincial interest in archaeological resources with respect to the proposed undertaking has been addressed; and
- The proposed undertaking is clear of any archaeological concern.

## 5.4 Functional Servicing and Stormwater Management Report

R.J. Burnside has prepared a Functional Servicing Report (FSR), dated May, 2018, in support of the proposed development and concluded that the development can be adequately serviced, as follows:

- The proposed storm drainage will be designed in compliance with the NPCA, MOECC, and Town of Grimsby guidelines and design standards.
- Stormwater quantity control is not required as the site is adjacent to Lake Ontario.
- Stormwater quality control will be provided to an enhanced level of control through four oil and grit separators and a bioswale.
- Two outlets to Lake Ontario are proposed to provide drainage of the internal lands, and conveyance of runoff from external lands.
- External drainage to the will be conveyed in 1350mm diameter storm sewer with the public open space.
- Water servicing will be accomplished by connection to the 300mm diameter watermain along North Service Road.
- The development will be serviced by connection to the existing 525mm sanitary trunk sewer along North Service Road.
- The site will be accessed by public roads and private driveway site entrances from North Service Road and Winston Road.
- Winston Road will be developed as a public road with layby and perpendicular parking.

In summary, the FSR demonstrates that the site can be adequately serviced.

## 5.5 Shoreline Study / Natural Hazards Assessment and Geotechnical

### Shoreline Hazard Assessment

ShorePlan completed a Shoreline Hazard Assessment for the subject site, dated January 14, 2016. The Assessment considered erosion, flooding and dynamic beach hazards of the site. The Assessment conclude that there is no dynamic beach and therefore no dynamic beach hazard. With regard to flood hazard, based on the existing top of bank, the design wave will not overtop the bank so the flood hazard limit is located somewhere on the bank, and the flood hazard is not the governing hazard. The erosion hazard is the governing hazard.

The stable slope allowance is the product of the bluff height and the assumed stable slope. Technical Guides provide a default stable slope of 3h:1v, in the absence of a site specific geotechnical assessment. The ShorePlan Assessment based on experience, and other geotechnical investigations, suggests that 3h:1v is a very conservative value and a 2h:1v is reasonable, subject to NPCA acceptance.

The possibility of encroachment into a shoreline hazard limit is considered by relevant documents including the PPS, Technical Guidelines and NPCA planning and regulation policies. The NPCA policies suggest that new habitable buildings / structures, redevelopment and additions, may be permitted within the erosion allowance provided that it meets the requirements of the protection work standard to the maximum extent and level possible based on site-specific conditions, it utilizes maximum lot depth and width, and as a minimum, uses a setback from the stable slope allowance of 7.5 metres.

The Assessment described two conceptual shoreline protection options as follows:

- Concept A – A revetment is a sloping stone shoreline protection structure commonly used on the Great Lakes.
- Concept B- An armour stone revetment/wall combination.

Further, the Assessment noted that the shoreline protection in the vicinity of the ravine will need to be considered in the detailed design of the shoreline protection. Two options were provided as follows:

- Option 1 - The 2 metre diameter storm sewer pipe be extended to outlet in the revetment slope and the area behind the revetment filled in and regraded, or
- Option 2- to construct a formal channel scour protection in the ravine and formal armour stone outlet within the shoreline protection structure.

The construction of shore protection will require agency acceptance or review from the NPCA, MNR, and DFO (if there is an increase in footprint below the High Water Mark). Details of these acceptances / review are included in the Assessment. Final design would be addressed as a condition of draft approval.

## **Slope Assessment**

Soil-Mat Engineers prepared a supplementary geotechnical review of the subject lands, dated March 3, 2016, specifically relating to slope assessment considerations, based on the construction of new shoreline protection works, as detailed in the ShorePlan assessment.

The proposed shoreline protection works will consist of a large armour stone revetment at an inclination of a 2 horizontal to 1 vertical, or combination of revetment and retaining wall. The grade above the proposed revetment will be flattened to 3 horizontal to 1 vertical.

Soil-Mat are of the opinion that, with the shore protection works implemented as per ShorePlan's report recommendations and design, that a 2 horizontal to 1 vertical slope is appropriate for use in the design, and that the slope would remain sufficiently stable in the long term and that further detailed analyses of the slope would not be warranted.

## **Geotechnical Investigation**

Terraprobe completed an additional geotechnical investigation dated July 13, 2018, to investigate and report on the subsurface soil, rock and ground water conditions of the site in relation to the proposed development. The report discussed the anticipated construction conditions pertaining to excavation, backfill and temporary ground water.

In summary, the above reports and assessments, have been reflected in the revised draft plan of subdivision, dated November 8, 2018, which identifies the development limits at a 7.5 metre setback from the stable top of bank (2 horizontal to 1 vertical slope).

## 5.6 Phase I and Phase II Environmental Site Assessment and Record of Site Condition

A Phase One Environmental Site Assessment (ESA) and Phase Two Environmental Site Assessment (ESA) were prepared by SoilMat dated April 7, 2017 and April 16, 2018, respectively.

The Phase One ESA included a historical records review, interviews and a site reconnaissance. The Phase One identified that the potential of site contamination was considered to be high and that additional investigations were required. Further, it identified that a Record of Site Condition (RSC) would be mandatory because of previous industrial land uses and proposed residential land uses.

The Phase Two ESA fieldwork program was carried out on January 17 and 18, 2018 and included securing both soil and groundwater samples.

Given the proposed future use of the site for residential uses, the site will be subject to a mandatory Record of Site Condition filing, and additional intrusive sampling is recommended. A Record of Site Condition will be prepared as the site is remediated. An "H" provision can be utilized to ensure an RSC or risk assessment is completed.

## 5.7 Urban Design Brief

The Urban Design Brief prepared by MHBC Planning dated, May, 2018, provides a summary and analysis of the applicable urban design policies in the Official Plan and Winston Road Secondary Plan, as the policies relate to the proposed redevelopment.

The Urban Design Brief also provides detail regarding elements of the proposed redevelopment including the Water's Edge Greenspace, Continuous Trail System, View Corridors as well as Low Impact Development and Amenity Areas, as well as Building Height and Orientation.

In summary, the Urban Design Brief concludes that the proposed master plan for the subject lands is appropriate and represents good planning.

## 5.8 Environmental Noise Impact Study

A noise study prepared by Novus Environmental, dated May 31, 2018, identifies the impacts of transportation noise, stationary noise, as well as impacts of the development of the surrounding area and itself.

The study concluded the following:

- The impacts of the environment on the proposed development can be adequately controlled with upgrades to the building construction, additional mitigation measures, and the ventilation and warning clause requirements identified in Part 1 of the Report.
- Impacts of the proposed development are expected to meet the applicable guideline limits, and can be adequately controlled by following the design guidance outlined in Part 2 of the Report.
- Impacts of the proposed development on itself can be adequately controlled by following the design guidance outlined in Part 3 of the Report.
- Given the early stage of design and the conservative analysis that has been completed, it is recommended that the acoustical requirements above should be refined by an Acoustical Consultant as the design progresses.
- As the mechanical systems for the proposed development have not been designed at the time of this assessment, the acoustical requirements above should be confirmed by an Acoustical Consultant as part of the final building design.

## 5.9 Parking Study

MHBC Planning prepared a Parking Study, dated August, 2018 which concluded that the proposed reduction in parking supply can be supported.

The Study considered the following:

- The proposed unit numbers and unit types and the proposed employment space;
- The proposed bicycle parking rate;
- Similar nearby developments which were recently approved for similar parking reductions;
- The site's location and proximity to Future Regional Transit Improvements including the Casablanca GO Station;
- Shared parking possibility between different uses (residential and employment)
- The proposed TDM recommendations;



# 6.0 SUMMARY and CONCLUSIONS



The proposed Official Plan Amendment, Zoning By-law Amendment and plan of subdivision applications for the subject lands is appropriate and represents good planning for the following reasons:

1. The proposal is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, by contributing to intensification and overall density targets within the Built-Up Area.
2. The proposal conforms to the Region of Niagara Official Plan, by contributing to overall intensification targets.
3. The proposal conforms to the general policies of the Town of Grimsby Official Plan and the Winston Road Secondary Plan policies, by providing a higher density, mixed use redevelopment for a site located in proximity of existing and planned transit routes.
4. The proposed development is in keeping with the various growth policies in provincial, regional and municipal policy documents by promoting the use efficient use of land, municipal water, sanitary sewer and stormwater services.
5. The proposed development supports intensification and growth policies in the provincial, regional and municipal planning policy and will contribute to a mix of uses, and housing types.

6. The proposed development will provide for a high quality development, with public access to the waterfront and open space, and provide for an improved pedestrian and cycling experience with the development of the Waterfront Trail.
7. The additional height and bonusing is appropriate given the proximity to major transportation connections and transit routes, and will provide for community benefits as identified in the Section 37 Implementation Guidelines and Official Plan, which will be detailed throughout the application process and Section 37 agreement.
8. The proposed reduction in parking is appropriate, and will provide adequate parking for the proposed development, as supported by the associated Parking Study.

Respectfully submitted,  
**MHBC**

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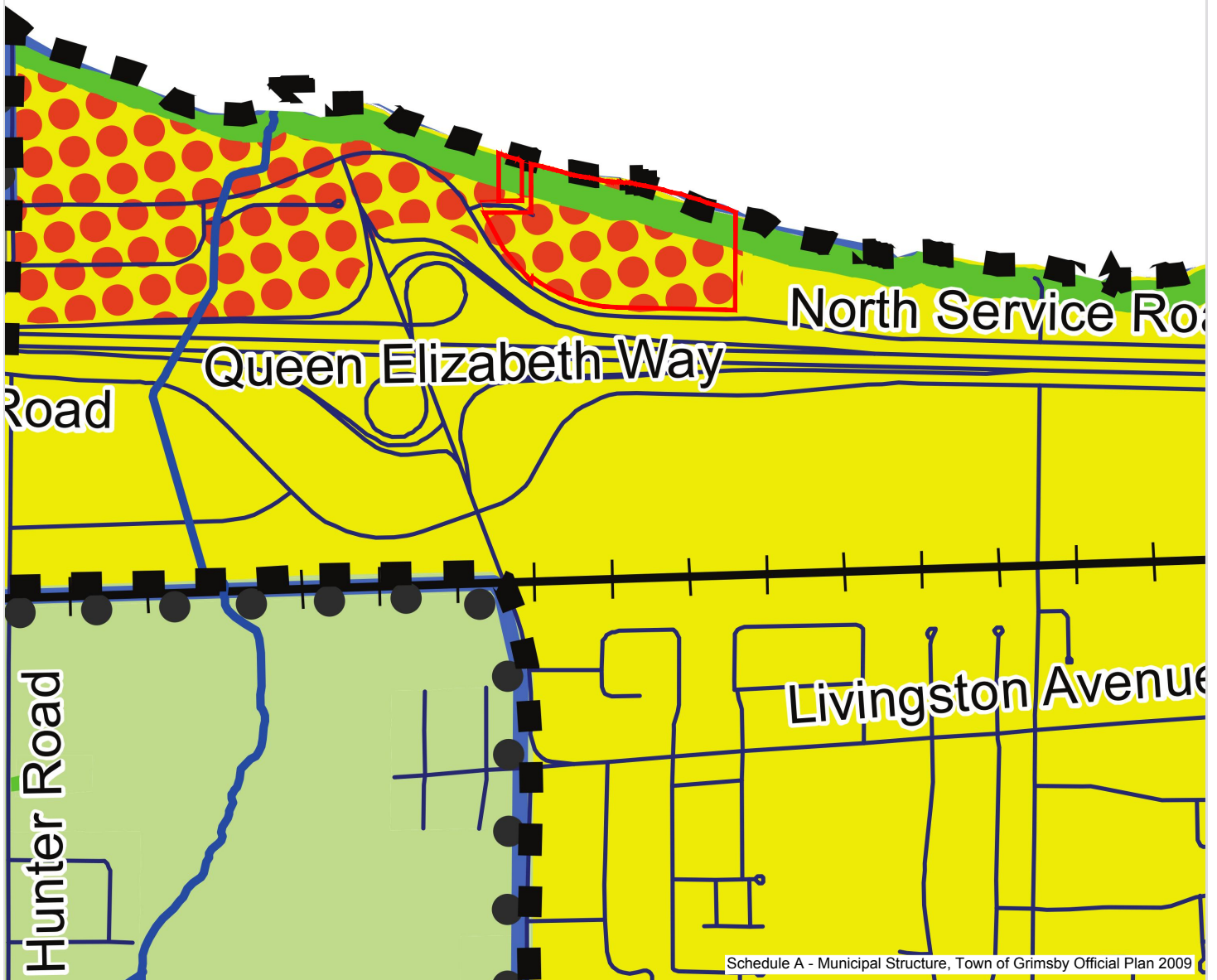
David W. Aston, MSc., MCIP, RPP  
Partner

A handwritten signature in black ink, appearing to read 'Smirtitsch', written in a cursive style.

Stephanie Mirtitsch, BES  
Planner

# Appendices

LAKE ONTARIO



Schedule A - Municipal Structure, Town of Grimsby Official Plan 2009

Figure 8  
**Town of Grimsby  
 Official Plan 2009  
 Schedule A -  
 Municipal Structure**

**362 & 398 North Service Rd**  
 Town of Grimsby  
 Niagara Region

**LEGEND**

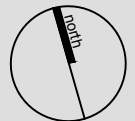
- Subject Lands
- Urban Settlement Area Boundary
- Built Boundary
- Greenbelt Plan Area - Protected Countryside
- Streams
- Urban Settlement Area
- Major Intensification Area
- Natural Heritage System
- Countryside

**DATE:** January, 2018

**SCALE:** 1:10,000

**FILE:** 14196I

**DRAWN:** JB



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LAKE ONTARIO

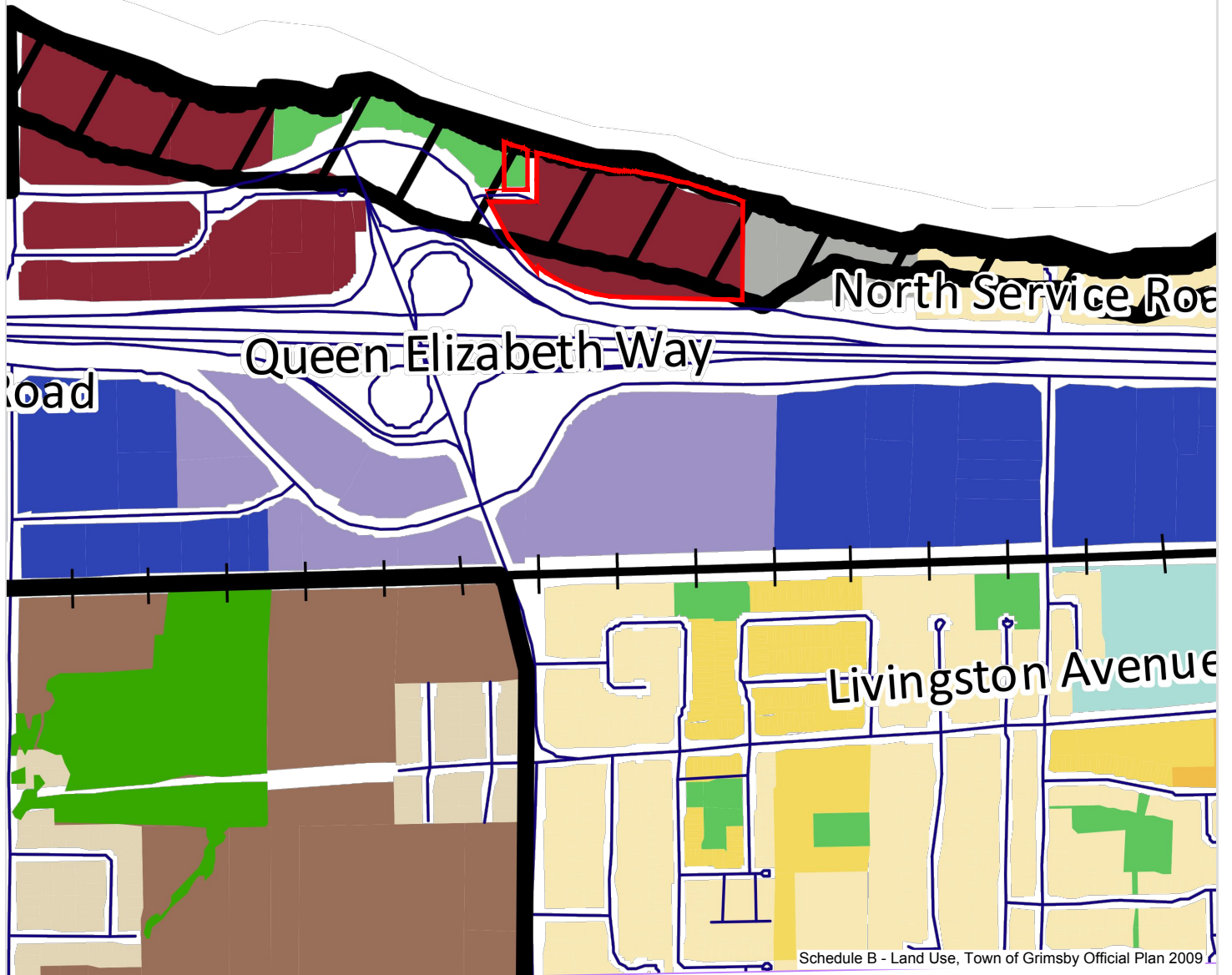


Figure 9  
**Town of Grimsby  
 Official Plan 2009  
 Schedule B -  
 Land Use**

**LEGEND**

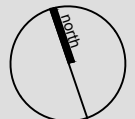
- Subject Lands
- Hazard Land Area Ont. Reg. 155/06
- Environmental Conservation Area
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Residential Mixed Use Area
- Parks and Open Space
- Service Commercial Area
- Employment Area
- Institutional Area
- Utility Area
- Specialty Crop Area - Tender Fruit and Grape Lands
- Rural Area

**DATE:** January, 2018

**SCALE:** 1:10,000

**FILE:** 14196I

**DRAWN:** JB



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 Niagara Region

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LAKE ONTARIO

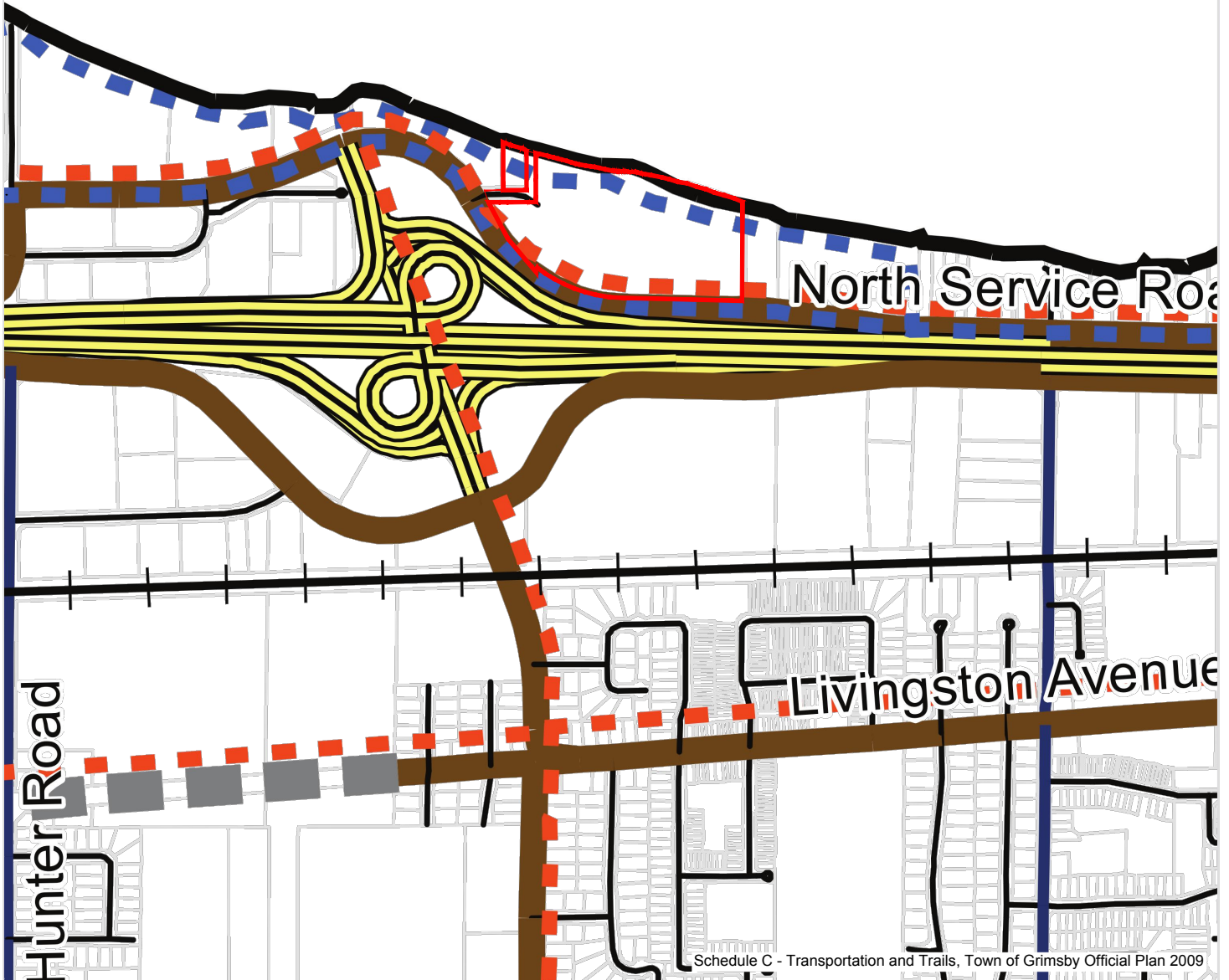


Figure 10  
**Town of Grimsby  
 Official Plan 2009  
 Schedule C -  
 Transportation and  
 Trails**

**362 & 398 North Service Rd**  
 Town of Grimsby  
 Niagara Region

**LEGEND**

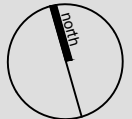
- Subject Lands
- Municipal Boundary
- Bike Route
- Waterfront Trail
- Provincial Highway
- Regional Arterial Road
- Collector Road Local
- Road
- Road Extension

**DATE:** January, 2018

**SCALE:** 1:10,000

**FILE:** 14196I

**DRAWN:** JB



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# Appendix A – Record of Pre-Submission Consultation



# TOWN OF GRIMSBY

## Planning Application Pre-consultation Agreement

Applicant: LOSANI

Site Location: 362 North Service Road

Proposal: Mixed Use - Employment / Residential

Official Plan Amendment <input type="checkbox"/>	Plan of Subdivision <input type="checkbox"/>
Zoning By-law Amendment <input checked="" type="checkbox"/>	Plan of Condominium <input type="checkbox"/>

**Important:** This form will be completed with Planning Services staff at a pre-consultation meeting and will form part of a complete application. All reports, documents and drawings must be submitted in paper and digital form (i.e. PDF) form. Please refer to application forms for standard submissions requirements i.e. Draft Zoning By-law, concept plan etc.

	Drawings and Reports	Required?	No. of copies	Notes
a)	A planning rationale report which evaluates the proposal against the relevant goals, objectives, policies and general purpose and intent of this Plan, the Niagara Region Policy Plan, the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the Greenbelt Plan where applicable	<input checked="" type="checkbox"/>	5	
b)	An environmental impact study as per Section 9.18 of the Official Plan	<input checked="" type="checkbox"/>	5	
c)	A transportation study	<input checked="" type="checkbox"/>	5	
d)	A shadow study	<input checked="" type="checkbox"/>		
e)	A Stage 1 archaeological assessment or in the case of a Plan of Subdivision or site plan approval, a Stage 2 archaeological assessment as per Section 8.21 of the Official Plan	<input checked="" type="checkbox"/>	5	
f)	A municipal water and wastewater servicing study	<input checked="" type="checkbox"/>	5	capacity and elevations



# TOWN OF GRIMSBY

## Planning Application Pre-consultation Agreement

g)	A stormwater management plan and sediment and erosion control plan as per Section 5.3 of the Official Plan	<input checked="" type="checkbox"/>	5	
h)	A natural hazard study as per Section 3.2.12 of the Official Plan	<input checked="" type="checkbox"/>	5	
i)	A geotechnical engineering study including slope stability as per Sections 3.2.6 and 3.6.4.3 of the Official Plan	<input checked="" type="checkbox"/>	5	
j)	A hydrogeology study as per Section 4.2.2 of the Official Plan	<input type="checkbox"/>		
k)	A hydrology study	<input type="checkbox"/>		
l)	A geotechnical slope stability study	<input type="checkbox"/>		
m)	A shoreline study	<input checked="" type="checkbox"/>	5	
n)	A natural heritage evaluation and hydrological evaluation	<input type="checkbox"/>		
o)	An agricultural assessment including a Minimum Distance Separation (MDS) analysis as per Section 3.3.3.9 of the Official Plan	<input checked="" type="checkbox"/>		
p)	A Phase I and Phase II environmental site assessment and Record of Site Condition as applicable	<input checked="" type="checkbox"/>	5	
q)	A noise impact study as per Section 6.2 of the Official Plan	<input checked="" type="checkbox"/>	Y	→ At DPS-Stage
r)	A vibration study as per Section 6.3 of the Official Plan	<input type="checkbox"/>		
s)	An illumination study	<input checked="" type="checkbox"/>		Site plan
t)	A trails plan	<input checked="" type="checkbox"/>	5	
u)	A parking study	<input checked="" type="checkbox"/>	5	
v)	A tree preservation plan inventory and prevention study/arboursit report	<input type="checkbox"/>		
w)	A retail market impact study as described in Sections 3.6.1.10, 3.6.3.3 and 3.6.3.6, of the Official Plan	<input type="checkbox"/>	Do not Support retail	



# TOWN OF GRIMSBY

## Planning Application Pre-consultation Agreement

x)	An urban design brief which assesses the compliance with the urban design policies of this Plan and any applicable urban design guidelines of the Town or Region	<input checked="" type="checkbox"/>	5	
y)	An extractive industrial site development plan and rehabilitation plan as per Section 3.11.7 of the Official Plan	<input type="checkbox"/>		
z)	Cultural Heritage Resource Assessment Report	<input type="checkbox"/>		
aa)	Heritage Conservation Plan	<input type="checkbox"/>		
ab)	Circulation to Heritage Advisory Committee for buildings fronting onto Main Street, adjacent to listed and designated properties.	<input type="checkbox"/>		
ac)	Streetscape Elevations illustrating adjacent buildings and landscapes for high profile locations	<input checked="" type="checkbox"/>	5	
ad)	Full coloured renderings to be provided at the time of submission - revised colour renderings to be provided at time of consideration of report by committee	<input checked="" type="checkbox"/>	5	Google sketchup compatible file.
ae)	Copies of all plans and studies on CD	<input checked="" type="checkbox"/>	2	
af)	Other <u>Park Needs Analysis and Park Plan</u>	<input checked="" type="checkbox"/>	5	prior to application submission
ag)	Other <u>submission and review of revised concept(s)</u>	<input checked="" type="checkbox"/>		" "
ah)	Peer review required for: i) Landscape/Tree Preservation ii) Urban Design Brief iii) Heritage iv) Retail Market Impact v) Storm Water Management vi) Other <u>traffic</u> **Peer Review Fees in accordance with Section 9.12.2 of the Official Plan are to be paid for by the applicant through a fees agreement	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>		

Peer Review: PJR Park Plan



# TOWN OF GRIMSBY

## Planning Application Pre-consultation Agreement

1. Conformity with Regional Official Plan land use designation? Yes  No   
 If "No", has an application been made to amend the Regional Official Plan?  
 Yes  No

2. Existing Grimsby Official Plan land use designation: Mixed Use-High Density  
 Conformity with the Town's Official Plan land use designation? Yes  No   
 If "No" what is the nature of the <sup>non-conformity</sup> amendment needed? 1) Employment Lands  
2) Parkland

3. Existing Grimsby Official Plan Overlay Designations: Hazard Overlay,  
Environmental Conservation Area and Employment  
Area

4. Existing Zoning: Category ND and O1  
 Conformity with the Town's Zoning By-law? Yes  No   
 If "No" what is the proposed zoning? \_\_\_\_\_

5. Section 37 Agreement/Community Benefits Required Yes  No   
*Note: if a Section 37 Agreement/Community Benefit is required for increased height/density the Town's Section 37 Process will come into effect.*

6. Related File No.: Site Plan

7. Additional Agencies to be contacted: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

8. Applicable External Agency Fees:  
 a) Regional Municipality of Niagara Yes  No   
 Amount: \_\_\_\_\_  
 b) Niagara Peninsula Conservation Authority Yes  No   
 Amount: \_\_\_\_\_



# TOWN OF GRIMSBY

## Planning Application Pre-consultation Agreement

### Important Notes:

- a) The purpose of this agreement is to identify the information required to commence processing a complete application as set out in the *Planning Act*. Pre-consultation does not imply or suggest any decision whatsoever on the part of Town staff or the Corporation of the Town of Grimsby to either support or refuse the application.
- b) This agreement expires 90 days from the date of signing or at the discretion of the Director of Planning.
- c) In the event that this Pre-consultation Agreement expires prior to the application being accepted by the Town, another agreement may be required.
- d) An application submitted without the information identified in this Pre-consultation Agreement will not be considered a complete application. If a site walk is required, the application will not be considered complete until it has taken place.
- e) All reports, documents and drawings must be submitted in paper and digital (i.e. PDF) form.
- f) Acknowledgement of Public Information:

The applicant acknowledges that the Town considers the application forms and all supporting materials, including studies and drawings, filed with any application to be public information, and to form part of the public record. By filing an application, the applicant consents to the Town photocopying, posting on the Internet and/or releasing the application and any supporting materials either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement.

- g) Additional studies may be required during the processing of an application, depending on the issues identified and information required, as the application proceeds through the planning review process.
- h) Applicants are advised that the removal of trees prior to a decision being made is strongly discouraged by the Town.

Is a site walk required as a second part of the pre-consultation meeting? Yes  No

If "Yes", the site walk is scheduled for (date & time): \_\_\_\_\_



# TOWN OF GRIMSBY

## Planning Application Pre-consultation Agreement

Janice Hogg  
Town Planning Staff

Janice Hogg  
Planning Staff (Signature)

April 20/17  
Date

Pat Bosuello  
Regional Planning Staff  
(If Required)

Pat Bosuello  
Regional Staff (Signature)

April 20/17  
Date

David DeLuce  
Conservation Authority Staff  
(If Required)

David DeLuce  
Conservation Authority Staff  
(If Required)

Apr 20/17  
Date

### Proponent Signatures:

By signing this agreement, I acknowledge that, subject to any appeals, the drawings, reports and other requirements indicated in the above table must be submitted along with a completed application form, any information or materials prescribed by statute, the required planning application fees and this executed Pre-consultation agreement to be considered complete. In addition, I have read, understood, and agreed to the "Notes" listed above.

David Aston  
Agent  
(I have the authority to  
bind the owner)

[Signature]  
Agent (Signature)

April 20/17  
Date

Loxani Homes (1988) Ltd.  
Owner

[Signature]  
Owner (Signature) **ASO.**

Apr 20/17.  
Date



# Appendix B – Draft Zoning By-law

APPENDIX 'A'  
THE CORPORATION OF THE TOWN OF GRIMSBY  
BY-LAW No. 18-XX  
A BY-LAW TO AMEND BY-LAW 14-45 (AS AMENDED)

(Fifth Wheel Lands, North Service Road)

Whereas the Council of The Town of Grimsby deems it expedient to amend the By-law No 14-45, as amended:

Now therefore, the Council of the Corporation of the Town of Grimsby enacts as follows

1. Schedule "3A" of By-law No. 14-45, as amended, is hereby further amended by changing the zoning from "ND" (Neighbourhood Development) and "OS1" (Private Open Space) on the lands identified on Schedule 'A' to this By-law as:
  - a) Area A to a Mixed Use High Density (MHD) Zone; and
  - b) Area B to a Public Open Space (OS2) Zone.
  
2. Schedule "3B" of Zoning By-Law No. 14-45, as amended, is hereby further amended by adding the Site Specific Exceptions as identified on Schedule 'A' to this By-law as:
  - a) Area A to exception number AAA; and
  - b) Area B to exception number BBB.
  
3. Notwithstanding Section 3.0 of the By-law, the front lot line shall be deemed to be the lot line along North Service Road.
  
4. Notwithstanding Table 10 of Section 7.1.1 of the By-law, the following uses shall be permitted within Area A:
  - a) Apartment building;
  - b) Back to back townhouse dwelling;
  - c) Block townhouse dwelling;
  - d) Stacked townhouse dwelling;
  - e) Street townhouse dwelling;
  - f) Banquet facility;
  - g) Office;
  - h) Restaurant;
  - i) Theatre;
  - j) Hotel;

- k) Studios;
- l) Ancillary retail sale;
- m) Commercial school;
- n) Custom workshop;
- o) Data processing;
- p) Industrial use;
- q) Research and laboratory;
- r) Professional and administrative office;
- s) Parking lot;
- t) Photocopy and print shop;
- u) Servicing shop;
- v) Warehousing and wholesaling;
- w) Entertainment facilities such as art galleries, outdoor theatre and musical facilities;
- x) Institutional uses, including government services, research and, training facilities;
- y) Prestige employment uses provided all operations are conducted indoors and the operations are deemed not to be obnoxious by reason of dust, odour, fumes, particulate matter, noise and/or excessive vibrations;
- z) Daycare facilities provided that such uses are internally integrated as a component of an office, hotel, institutional or mixed use building; and
- aa) Parks including a public waterfront promenade, parkettes and public squares.

5. Notwithstanding Table 11 of Section 7.2.1 of the By-law, the following provisions shall apply to Area A:

- a) The maximum permitted front yard shall be 19.3 metres.
- b) The maximum permitted exterior side yard shall be 6.1 metres.
- c) The minimum permitted interior side yard shall be 2.6 metres.
- d) The minimum permitted rear yard shall be 2.3 metres.
- e) The maximum building height shall be 73.0 metres or 22 storeys.

6. Notwithstanding Section 7.2.2.6 of the By-law, the following provision shall apply:

- a) The minimum percent of lot area dedicated to employment generating uses shall be 24%.

7. Notwithstanding Section 5.0 of the By-law, the following provision shall apply to Area A:

- a) The required parking rate for Residential Dwelling Unit – Apartment Building shall be 1.25 spaces per unit dwelling unit including visitor parking.