

Planning Justification Report

## 226-228 Main Street East, Grimsby, ON

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Zoning By-law Amendment and Draft Plan of Vacant Land Condominium



Prepared for David & Donna Latchford  
by IBI Group  
December 19, 2018

# Document Control Page

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# 1 Introduction

David and Donna Latchford are the owners of the lands municipally referred to as 226 and 228 Main Street East, in the Town of Grimsby. 226 Main Street East consists of a one-storey single detached dwelling and an accessory vinyl clad garage, whereas 228 Main Street East is vacant, consisting of trees and shrubs. The owners are proposing to demolish all existing buildings and redevelop the lands with eight single detached dwellings. A Vacant Land Plan of Condominium is proposed with eight residential lots being “parcels of tied land” owning the common element block. The common element block will contain the driveway, landscaped area, and a small visitor parking area.

IBI Group has been retained by David and Donna Latchford to prepare: a concept plan, a draft plan, a planning justification report, a functional servicing report, and engineering plans. Also, IBI Group is responsible for coordinating the zoning by-law amendment and draft plan of vacant land condominium applications in regard to the proposed development. Further, Cultural Heritage and Archaeological Impact Assessments have been prepared by AIS in support of the application. The purpose of the zoning by-law amendment is to create site-specific zoning on the subject lands to address provision variances to the applicable zoning by-law, and ultimately ensure consistency with Provincial policies and conformity with Provincial and local plans. Accordingly, this report analyzes the proposed development concept in the context of current and applicable Provincial policy and plans, local planning documents, supporting studies, and other relevant matters. The conclusions provide an independent planning opinion based on this detailed analysis.

## 2 Site Description and Surrounding Context

The following subsections provide a review of the context, existing uses and conditions of the subject lands. These elements frame the discussion on the proposed development and planning applications, as well as the planning comments and justification. The full size survey is provided as part of the zoning by-law amendment application package.

### 2.1 Site Description

The subject lands consist of two land parcels, identified in **Figure 1**. The subject lands are interior lots, located east of Downtown Grimsby and legally described as Part of Block 72 Registered Plan 30R-8865, Lot 3 and Lot 4, Concession 2 in the Town of Grimsby, Regional Municipality of Niagara. The subject lands have an approximate total lot frontage of 27.74 metres (91.01 feet), depth of 119.15 metres (390.91 feet), and land area of 4,762 sq. metres (0.48 hectares).

226 Main Street East consists of a one-storey vinyl clad single detached dwelling setback approximately 75 metres from the front property line, with an asphalt driveway access onto Main Street East. Beyond the existing single detached dwelling is a vinyl clad garage with a gravel driveway access extending from the existing asphalt driveway. 228 Main Street East has a lot frontage of 6.40 metres (21.00 feet), lot depth of approximately 114.32 metres (375.07 feet), and land area of 2,350 sq. metres (0.24 hectares).

228 Main Street East consists of trees and shrubs, and is vacant, as shown in **Figure 2**. 226 Main Street East has a lot frontage of approximately 21.33 metres (69.98 feet), lot depth of approximately 119.15 metres (390.91 feet), and land area of approximately 2,412 sq. metres (0.24 hectares).

## 2.2 Site Context

The subject lands are bound by Dorchester Drive to the east, Main Street East to the north, Baker Road South to the west and Udell Way to the south.

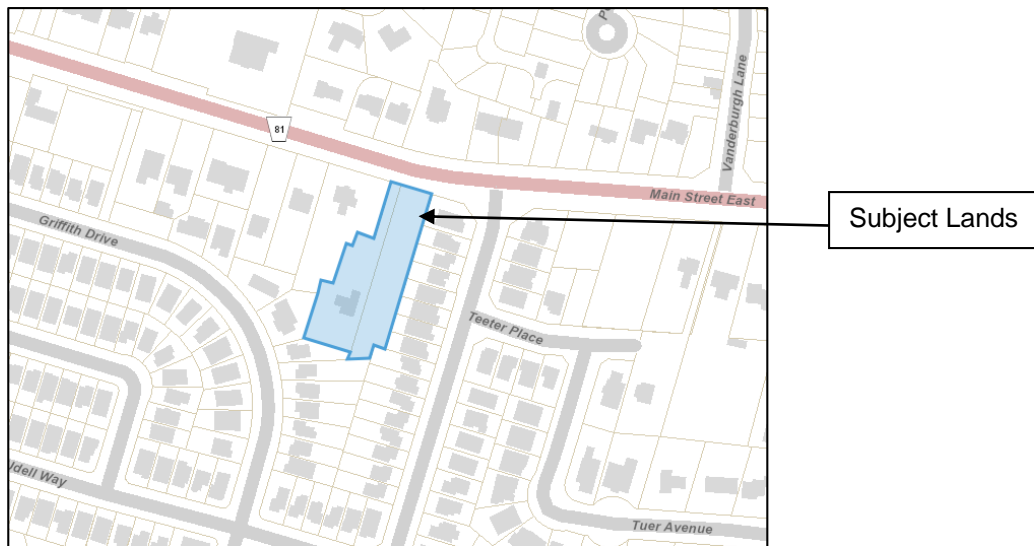
Directly to the west of the subject lands are single detached dwellings that front onto Griffith Drive, which is part of the Dorchester Estates Subdivision, consisting of low density residential and complementary land uses. Also, immediately to the west of the subject lands are single detached dwellings that front onto Main Street East, which has medium to high traffic volumes and consists of various residential and commercial lands uses and densities on either side.

North adjacent to the subject lands are more low density single detached residential dwellings with direct driveway access onto Main Street East. Behind the single detached dwellings, also north of the subject lands, is a relatively new subdivision with low density residential land uses such as street fronting townhouse dwellings, single detached dwellings and semi-detached dwellings with access onto either private or local roads. Further, northwest of the subject lands is the Park Public Elementary School, situated on a through lot, with access onto Main Street East and Marilyn Street.

To the southeast of the subject lands is the remainder of the Dorchester Estates Subdivision consisting of low density residential land uses. Immediately to the east of the subject lands are single detached dwellings fronting onto Main Street East as far to the Park Road South intersection. Several of the buildings along Main Street East have heritage value. The following municipal addresses are designated Heritage Sites: 203 Main Street East (Built in the 1840s with Neo-classical features), 212 Main Street East (Built in 1860 with Georgian style verandah and three gables), and 245 Main Street East (Built in 1846 and rebuilt in 1874 following a fire). Also, 224 Main Street East adjacent to the west of the subject lands consists of the Udell House, which was built in 1888 and is designated as being of cultural heritage value or interest.

Overall, the area immediately surrounding the subject lands consist of low density residential and complementary land uses. Additionally, the existing residential neighbourhood has a history that contributes to forming a distinct neighbourhood character.

**Figure 1** below also shows the approximate shape and extent of the subject lands, outlined in blue, and was created using the online Niagara Region Navigator mapping tool.



**Figure 1** Approximate Subject Area Map of 226-228 Main Street East, Grimsby, sourced from Niagara Region Navigator

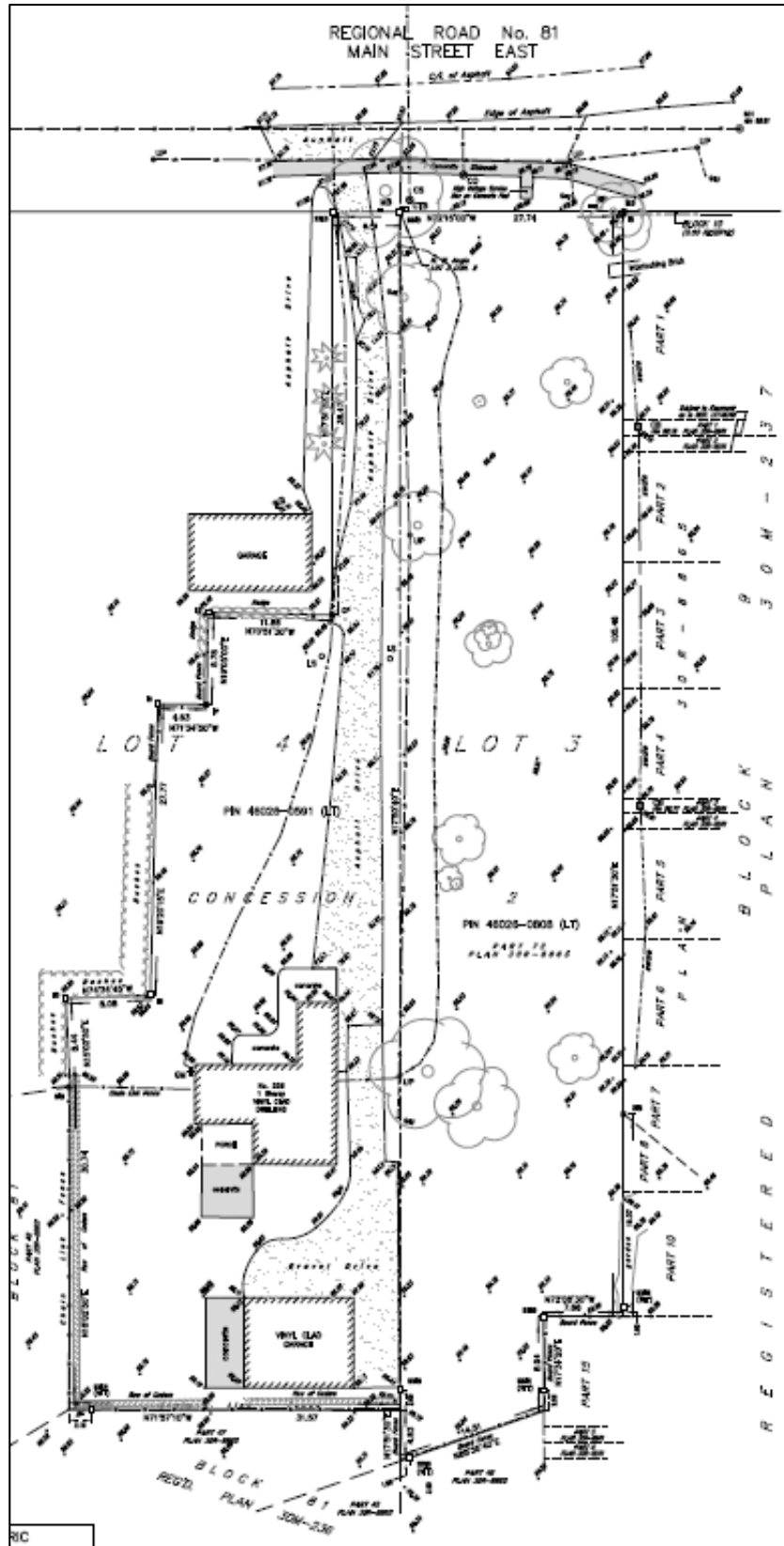


Figure 2 Survey of 226-228 Main Street East, prepared by A.T. McLaren



### 3 Site and Area Images

Figures 3 – 7 below show images of the existing site conditions of the subject lands, through the effective use of aerial photos and street view images.



Figure 3 Conditions of the Subject Lands, Retrieved from Google Earth (2017 Aerial)

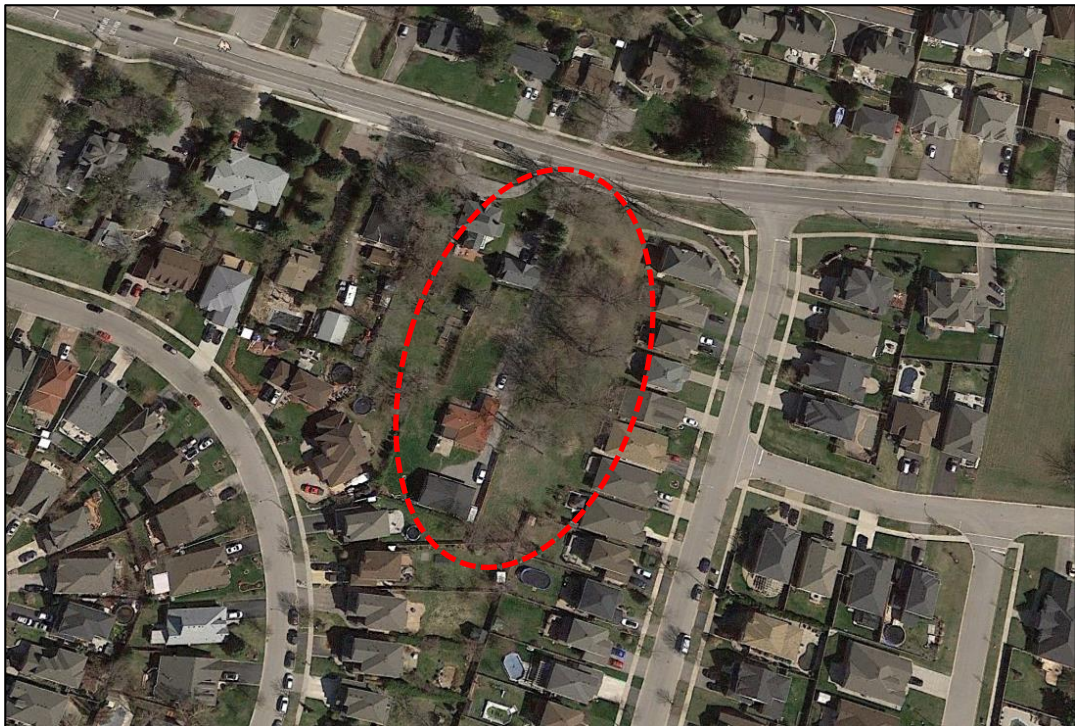
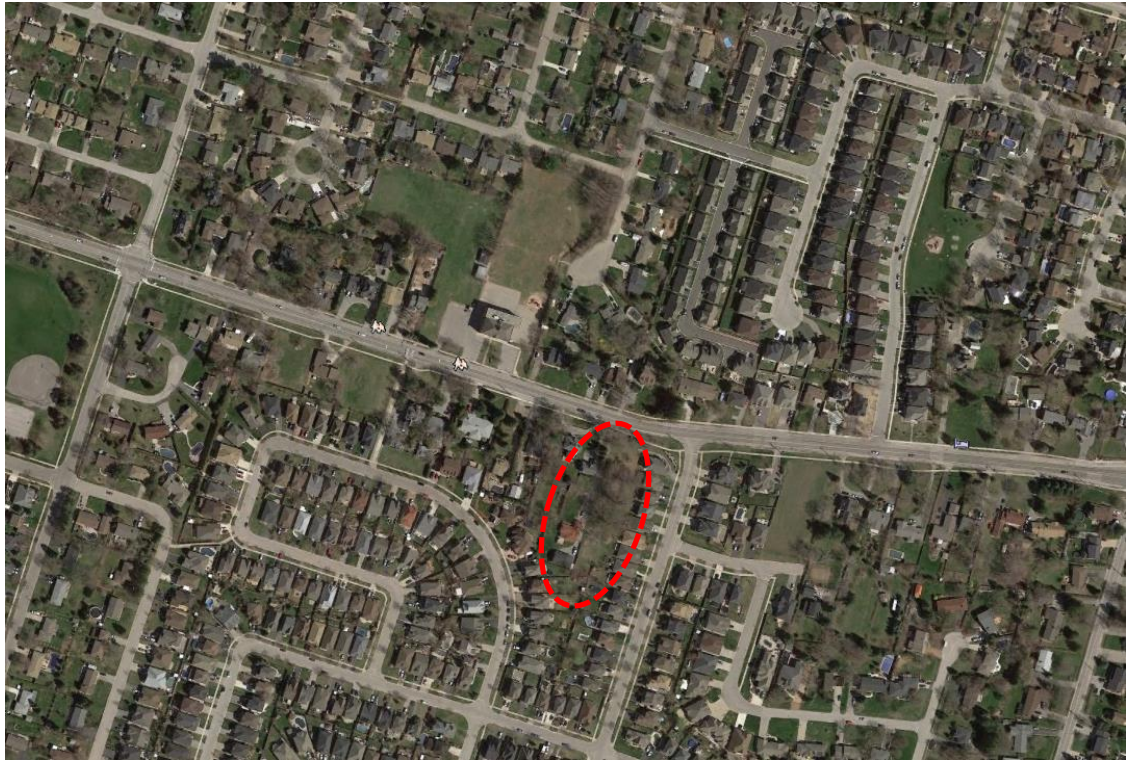


Figure 4 Subject Lands and Surrounding Context, Retrieved from Google Earth (2017 Aerial)



**Figure 5** Subject lands and Surrounding Area, Retrieved from Google Earth (2017 Aerial)



**Figure 6** Front View of 226 & 228 Main Street East, Grimsby, Retrieved from Google Street View 2016



**Figure 7** Front View of 224 Main Street East (“Udell House”), Grimsby, Retrieved from Google Street View 2017

## 4 Development Proposal

There are eight lots proposed to front upon a private road, which will be a Common Element to the eight proposed lots, shown in **Figure 8** below. A Vacant Land Plan of Condominium is proposed with the eight lots being “parcels of tied land” owning the common element block. The common element block will contain the driveway, together with a small area capable of accommodating visitor parking and landscaped area. The proposed private road will provide access onto Main Street East. Preliminary elevation drawings are provided in **Figures 9 – 10**. The proposed general minimum and/or maximum site statistics are provided in **Table 1** below:

SITE STATISTICS	PROPOSED
Lot Frontage (minimum)	12.0 metres
Lot Area (minimum)	130 sq. metres
Front Yard Setback to Habitable Portion of Dwellings (minimum)	4.5 metres
Front Yard Setback to Garage (minimum)	6.0 metres
Interior Side Yard (minimum)	1.55 metres
Exterior Side Yard (minimum)	3.0 metres
Rear Yard Setback (minimum)	6.0 metres
Lot Coverage (maximum)	75%
Building Depth (maximum)	20.8 metres
Building Height (maximum)	9 metres or 2.5 storeys
Parking Spaces (minimum)	2 spaces per unit + 0.625 per visitor space

**Table 1** Site Statistics Proposed

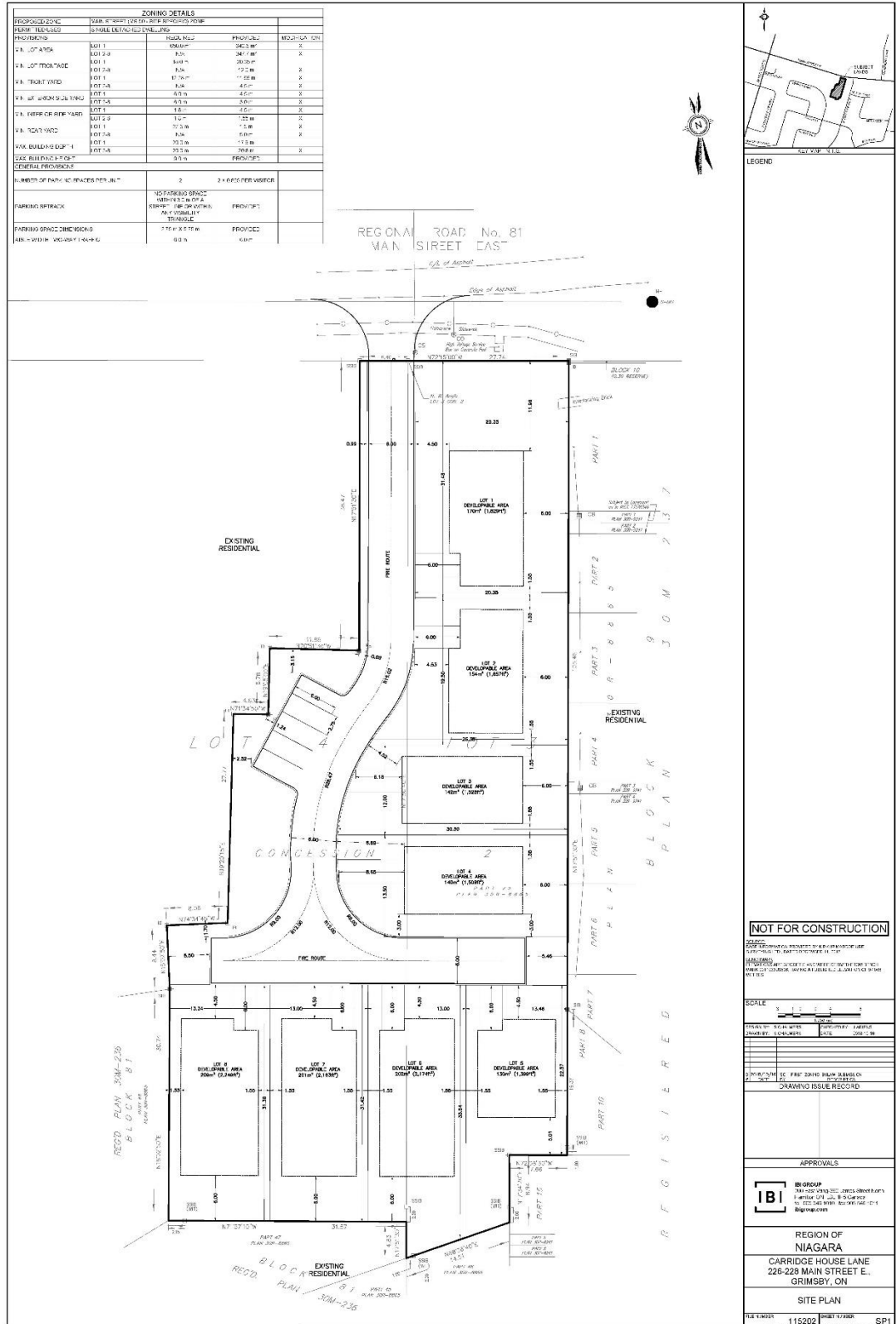


Figure 8 Proposed Development Concept Plan



**Figure 9** Streetscape Lots 1-4, Prepared by Orchard Design Studio Inc.



**Figure 10** Streetscape Lots 5-8, Prepared by Orchard Design Studio Inc.

## 5 Formal Pre-consultation

A formal pre-consultation meeting occurred on May 17, 2018 to discuss the proposed redevelopment of the subject lands, the concept plan prepared at that time, and the necessary planning approvals. The applicant, agent, and various staff members were present to discuss the development of the eight single detached dwellings. In general, the Town of Grimsby Staff were supportive of the proposed design. The following studies, reports, and materials required by the Town of Grimsby for a complete application have been submitted with the planning applications:

- Cover Letter;
- Application Form;
- Application Fees;
- Planning Rationale Report;
- Stage 1 Archaeological Assessment;
- Functional Servicing Report;
- Stormwater Management Plan;
- Cultural Heritage Resource Assessment Report;
- Streetscape Elevations;
- Full Coloured Renderings; and,
- Fire Route Plan.

## 6 Planning Applications

To permit the proposed development, approval of various planning applications will be required. These are discussed in the subsections below.

### 6.1 Zoning By-law Amendment

The Town of Grimsby's Zoning By-law No. 14-45 comprehensively deals with zoning throughout the Town, establishing zones and regulations for the use of all land and the use and location of all buildings or structures on lands located within the Town of Grimsby. It replaces Zoning By-law 71-74, as amended in its entirety and Township of North Grimsby By-law 1050, as amended in its entirety. Zoning By-law No. 14-45 is in conformity with the Town of Grimsby Official Plan, approved by the Ontario Municipal Board under the Planning Act on May 12, 2012. Zoning By-law 14-45 was passed on May 20, 2014, pursuant to Section 34 of the Planning Act, RSO.

226 Main Street East is zoned "Main Street – 15" (MS.15), whereas 228 Main Street East is zoned "Main Street – 35" (MS.35) on Schedule 14A in Zoning By-law 14-45. The Main Street zone permits: bed and breakfast, converted dwelling, group home, single detached dwelling, and a home occupation and/or secondary suite as an accessory use. Considering single detached dwellings are proposed, there are no concerns related to the use proposed on the subject lands.

In regard to MS zoning provisions, the existing regulations are required:

PROVISION	MS ZONE
Minimum Lot Area (sq. metres)	650
Maximum Lot Coverage	<p><i>The maximum lot coverage is shown on the schedules in Section 15 as a percentage of the lot area, and is denoted by the number following the Zone Symbol, where the number denotes the maximum lot coverage.</i></p> <p>Therefore, 226 Main Street East is permitted to have a maximum lot coverage of 15%, whereas 228 Main Street East is permitted to have a maximum lot coverage of 35%.</p>
Minimum Lot Frontage	18 m
Minimum Front Yard	<p><i>The minimum front yard shall be the lesser of</i></p> <p><i>a) the current front yard or</i></p> <p><i>b) the average of the front yard of two adjacent properties. Where there are no existing neighbouring dwellings, the minimum front yard shall be 4.5 m. or</i></p> <p><i>c) where there is only one building on the adjacent properties, the current front yard of the one building.</i></p> <p>Therefore, the proposed Lot 1 is permitted to have a minimum front yard setback of 12.28 metres, whereas the proposed Lots 2-8 are permitted to have a minimum front yard setback of 4.5 metres.</p>
Minimum Exterior Side Yard	6 m
Minimum Interior Side Yard	1.8 m

Minimum Rear Yard	<i>In the Main Street Zone (MS), the distance between the front lot line and the rear wall of a building may be no more than the average of the distance between the front lot line and rear wall of the buildings on the two adjacent properties, plus 1 metre or where there is only one building on the adjacent lots, the current distance between the front lot line and rear wall of the one building, plus one metre.</i>  Therefore, the permitted minimum rear yard setback is 6.9 metres.
Maximum Building Depth	20 m
Maximum Height	9 m

**Table 2** Existing Regulations for the MS Zone

A ZBLA will be required to change the zoning to a more appropriate zone and address site-specific provisions, which are discussed and justified in Section 9.1 of this Report.

## 6.2 Vacant Land Plan of Condominium Registration

An application for a vacant land condominium registration is being submitted concurrently with the zoning by-law amendment application. As previously mentioned, a Vacant Land Plan of Condominium is proposed with the eight lots being POTL owning the common element block. The common element block will contain the driveway, landscaped area, together with a small area capable of accommodating visitor parking. Such visitor parking block is not considered essential, given that all of the homes will likely have two car garages and double driveways. As a Vacant Land Plan of Condominium, custom homes can then be created using each of the vacant lots.

In this type of corporation: buildings do not need to be constructed before the condominium corporation is registered, structures can be built after the declarant registers the condominium, and several types of structures can be accommodated in a single development. The registration of the condominium plan will provide the required description and declaration, which will deal primarily with the individual unit descriptions, development size, construction or design standards, maintenance requirements, and roadways and internal common areas as the common elements components.

# 7 Supporting Studies, Reports, and Materials

A Cultural Heritage Assessment, Stage One and Two Archaeological Assessment, and Functional Servicing Report have been prepared by various consultants in support of the proposed development and subsequent planning applications. Summaries of these reports are provided below.

## 7.1 Heritage Impact Assessment

A Heritage Impact Assessment (HIA) has been prepared by ASI Archaeological & Cultural Heritage Services for the proposed development, as it is located east adjacent of the heritage property at 224 Main Street East, known as the Udell House, which was designated under Part IV of the Ontario Heritage Act. Also, the HIA was necessary, as the subject lands are located along the Grimsby Main Street Scenic Highway Heritage Route, Hamilton Grimsby and Beamsville Electric Railway Cultural Heritage Landscapes, and the Grimsby Main Street East/Park School Scenic Highway Heritage Route. The HIA involved: reviewing background studies and archival

research, a site survey, heritage evaluation, impact assessment and analysis, and report preparation.

As a result of the HIA, it was determined by ASI that the proposed development at 226 and 228 Main Street East will conserve the cultural heritage value of the adjacent property at 224 Main Street East in manner consistent with best practices in heritage conservation and will have no significant impacts. Nonetheless, ASI also found that there are potential impacts on the heritage character of the streetscape due to the removal of two existing mature trees and contemporary residential infill. Therefore, recommendations pertaining to tree removal and landscape treatments were provided to ensure the proposed development is visually and physically compatible with the residential character of the road. Provided the appropriate design measures are implemented at a detailed stage of the planning process, the proposed development is appropriate from a cultural heritage perspective and will particularly be in character with the adjacent Udell designated house. For details on the HIA, please refer to the report prepared by ASI submitted alongside the planning application for 226 and 228 Main Street East.

## 7.2 Archaeological Assessment

A Stage 1 and 2 Archaeological Assessment (AA) have been conducted by ASI in support of the proposed development. Stage 1 of the AA consisted of background research to evaluate the study area in terms of: known and/or registered archaeological sites, aspects of the physical setting pertinent to historic and pre-contact human occupation, potential for pre-contact occupation, and potential for historic occupation. The research resulted in the conclusion that there was potential for finding both Euro-Canadian and Indigenous resources within the subject lands, requiring a Stage 2 AA.

Stage 2 of the AA consisted of a field study involving a test-pit survey at five metre intervals, in addition to excavating three one-metre square test units in an area where cultural material was recovered. The Stage 2 AA resulted in the identification of one multi-component site, the Kitchener Site (AhGv-52), an early-to-mid nineteenth-century Euro-Canadian domestic occupation with cultural heritage value or interest. Therefore, ASI recommended that a comprehensive Stage 3 AA with a small pre-contact Indigenous lithic component be conducted to more fully identify the character, extent, and significance of the archaeological deposits. The Stage 3 AA will be prepared at a future stage of the planning process.

A supplementary document pertaining to Indigenous engagement was prepared by ASI, confirming that an engagement process was undertaken and/or representation of various Indigenous communities was present during the Stage 1 and 2 AA for the subject lands. For details on the Stage 1 and 2 AA and/or the Indigenous engagement, please refer to the three documents prepared by ASI pertaining to the AA and submitted alongside the planning application for 226 and 228 Main Street East.

## 7.3 Functional Servicing Report

A Functional Servicing Report (FSR) has been prepared by IBI Group in support of the proposed development, providing details on the existing and proposed conditions of the subject lands. Specifically, IBI Group reviewed utilities, erosion and sediment control, storm water drainage and management, water supply and distributions, grading, and sanitary sewers. Based on all components of the servicing review and design, IBI Group believes that the proposed development can be serviced according to all current and applicable design standards.



## 8 Current Planning Status

The following subsections provide an assessment of the proposed development against current and applicable planning policy, including the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Town of Grimsby and Town of Grimsby Zoning By-law 14-45.

### 8.1 Planning Act, 2005

Section 2 of the Planning Act refers to matters of provincial interest that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, must have regard to, among other matters in order to carry out their responsibilities under the Act:

(a) *the protection of ecological systems, including natural areas, features and functions;*

(c) *the conservation and management of natural resources and the mineral resource base;*

**Planning Comment:** The subject lands do not have any significant ecological systems that require conservation and management. There are currently approximately 14 trees on the subject lands, which are proposed to be removed and replanted strategically to complement the proposed development. During a detailed design stage, a landscape plan will be prepared to demonstrate the proposed outdoor amenity areas, including trees, gardens, surface materials, lighting, and irrigation.

(d) *the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*

**Planning Comment:** As previously mentioned, 224 Main Street East to the west of the subject lands consists of the Udell House, which was built in 1888 and is designated as being of cultural heritage value or interest. Specifically, the designation “recognizes the architectural value of the building in context of its contribution to the heritage character of the Town of Grimsby. The building demonstrates excellent examples of the Italianate elements in its architectural design.” Moreover, as previously mentioned, the following municipal addresses are designated Heritage Sites: 203, 212, and 245 Main Street East, as several lots fronting onto Main Street East contribute to a history that forms a distinct neighbourhood character. As a result, a HIA was prepared by ASI and determined that the proposed development at 226 and 228 Main Street East will conserve the cultural heritage value of the adjacent property at 224 Main Street East in manner consistent with best practices in heritage conservation and will have no significant impacts. Moreover, it was recommended by ASI to limit tree removal and provide landscape treatments (i.e. location of the vehicular entrance, building setback, height, massing, and materials) that are visually and physically compatible with the residential character of the road. **Figure 11** below provides a preliminary 3D visual of the proposed streetscape along Main Street East, prepared by Orchard Design Studio Inc., being complementary and subordinate to and distinguishable from the existing adjacent heritage property and early-twentieth century residential character of the road.

In addition, archaeological potential was considered feasible during a Stage 1 AA by ASI due to the local indicators such as proximity to known archaeological sites (within 1km of 22 registered archaeological sites), early historic settlement and transportation routes. As Stage 2 AA by ASI identified a one multi-component site, the Kitchener Site (AhGv-52), an early-to-mid nineteenth-century Euro-Canadian domestic occupation with cultural heritage value or interest, resulting in a Stage 3 AA that will be prepared at a future stage of the planning process.



**Figure 11** Proposed Grimsby Streetscape

- (e) *the supply, efficient use and conservation of energy and water;*
- (f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- (g) *the minimization of waste;*

**Planning Comment:** There is existing sanitary infrastructure surrounding the subject lands within all roadways, whereas the proposed development would have a connection to Main Street East. In terms of water, there is an existing watermain along Main Street East with a 150mm diameter and along Dorchester Drive with a 250mm diameter. Additionally, there are existing communication utilities along Main Street East. Please refer to the FSR prepared by IBI Group for details.

- (h) *the orderly development of safe communities*
  - (h.1) *the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- (i) *the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- (j) *the adequate provision of a full range of housing, including affordable housing;*
- (o) *the protection of public health and safety;*

**Planning Comment:** The proposed development contributes to the range of housing in the Town of Grimsby, while maintaining the distinct character along Main Street. The surrounding neighbourhood commonly provides low density residential dwelling types, such as: single detached dwellings, street fronting townhouses, and semi-detached dwellings. There is an appropriate distribution of educational, health, social, cultural and recreational facilities within the surrounding area to support the proposed minor increase in population. For instance, within 1km of the subject lands there is the: Park Public Elementary School, Sherwood Hills Park, West Lincoln Memorial Hospital, Cole's Florist & Garden Centre, the Bruce Trail, and the Mountainview Christian Reformed Church. Moreover, there are sufficient pedestrian connections available from the subject lands to the surrounding land uses and within the ROW to foster active transportation and protect public health and safety. Similarly, there are no hazardous concerns pertaining to the subject lands that would result in an adverse effect to one's public health and safety. In terms of accessible design to ensure safety for all citizens, the completed projected will fully comply with applicable law with respect to accessibility standards. This will include elements such as accessible parking spaces, accessible interior design, and accessible road and sidewalk infrastructure (i.e. smooth surfaces, curb cuts and ramps) – to be reviewed at a detailed design stage of the planning process and implemented through built permit and construction stages.

- (p) the appropriate location of growth and development;*
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- (r) the promotion of built form that,*
  - i) is well-designed,*
  - ii) encourages a sense of place, and*
  - iii) provides for public spaces that are of high quality , safe, accessible, attractive and vibrant;*
- (s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.*

**Planning Comment:** The subject lands are located within the Urban Area Boundary and Built-up Area of the Niagara Region and Town of Grimsby, in which development is encouraged according to lower-tier applicable planning policy framework. Additionally, the proposed built form is complementary to the existing low density residential uses and road network design. The subject lands are fronting onto a Regional Arterial Road, in which is intended to accommodate higher traffic volumes and incorporate active transportation infrastructure, such as bike routes and sidewalks. Currently, there is no public transit available in the Town of Grimsby due to the small population size and subsequent lack of viable tax base to support a full-fledged transit system. However, provided the introduction of the GO Station, forecasted increasing populations, new developments, and approved public transit pilot, the option for transit is gradually becoming feasible. The proposed development is contributing to the viability of transit in Grimsby while offering alternative methods of transportation to the automobile by way of active transportation infrastructure and advantage of proximity to complementary land uses, contributing to the reduction of greenhouse gas emissions, and prolonging the impacts of climate change.

Section 34 of the Planning Act provides policies related to Zoning By-laws, such as restricting use of land, construction of buildings or structures, loading or parking facilities, and areas, height, and density. Specifically, Section 34(10) of the Planning Act discusses the opportunity for amending Zoning By-laws, despite any other provision under Section 34 of the Planning Act.

**Planning Comment:** The proposed development is subject to Section 34 of the Planning Act, as it requires an amendment to Zoning By-law 14-45. The subject lands are currently zoned Main Street (MS.15) and Main Street (MS.35), whereas they require a change to a more appropriate zone with site-specific provisions related to the proposed eight-unit residential development.

Section 51 of the Planning Act pertains to Plan of Subdivision Approvals, such as timing, consultation, and contents of the plan. Specifically, some of the contents required include: the approximate dimensions and layout of the proposed lots, existing contours or elevations as may be required to determine the grade of the land to be subdivided, and natural and artificial features.

**Planning Comment:** The proposed development is subject to Section 51 of the Planning Act, as it requires a draft plan of subdivision to divide the vacant lands into eight lots intended to accommodate single detached dwellings. The proposed draft plan will be in accordance with Section 51 of the Planning Act.

**Planning Act Planning Conclusion:** In summary, the proposed development is consistent with all applicable laws of the Planning Act for the following reasons:

- it has full access to municipal services;
- it focuses residential growth within the Built-up Area and Urban Boundary;
- it increases the viability of transit along Main Street in Grimsby;
- it appropriately addresses heritage and archaeological concerns;

- it is well-designed, vibrant, and attractive to encourage a sense of place, ensure public safety and accessibility for all; and,
- it contributes to combating climate change by more efficiently utilizing land and encouraging alternative methods of transportation to the automobile.

## 8.2 Provincial Policy Statement, 2014

The Provincial Policy Statement 2014 was approved by the Lieutenant Governor in Council, Order in Council No. 107/2014 and is issued under Section 3 of the Planning Act. The PPS came into effect on April 30, 2014 and replaces the previous version of the PPS that was issued on March 1, 2005. This document provides direction on matters of Provincial interest related to land use planning and development. Key themes that are focused on pertain to long term: economic growth, clean and healthy environments, protection of public health and safety, and efficient and effective land use planning. This section thoroughly reviews all applicable policies to the proposed development and provides associated justification for the concept plan, as Section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policies statements issued under the Act. Below are pertinent policies, followed by our planning comments.

**Section 1** of the PPS focuses on building strong and healthy communities by way of supporting diverse population and social well-being, protecting the environment and public health and safety, facilitating economic growth, and essential creating a desirable place that is liveable.

**Section 1.1.1** – *Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet the long term needs;*
- c) avoid development and land use patterns which may cause environmental or public health and safety concerns;*
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*

**Planning Comment:** The proposed development more efficiently utilizes the subject lands than the existing single detached dwelling and accessory structure without compromising public health and safety. The eight proposed single detached dwellings will contribute to an increase in the mix and range of housing available in the Town of Grimsby. The subject lands are within a neighbourhood location that promotes efficient development and land use patterns due to proximity to complementary land uses that are walkable, including: recreation, commercial shops, commercial dining, open space, and institutional uses.

- f) improving accessibility for persons with disabilities and older persons by identifying, preventing, and removing land use barriers which restrict their full participation in society;*

**Planning Comment:** In terms of accessible design to ensure safety for all citizens, the completed projected will fully comply with applicable law with respect to accessibility standards. This will include elements such as accessible parking spaces, and accessible road and sidewalk infrastructure (i.e. smooth surfaces, curb cuts and ramps) – to be reviewed at a detailed design stage and implemented through built permit and construction stages.

- g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet the current and projected needs; and*

**Planning Comment:** The FSR prepared by IBI Group confirms that the necessary infrastructure is available for the proposed development to be functional according to current and applicable design standards. There are a broad range of public service facilities existing, such as the Grimsby Fire Department, Niagara Regional Police – 8 District Department, and West Lincoln Memorial Hospital that will adequately service the proposed minor increase in population as a result of the proposed development.

- e) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.*

**Planning Comment:** The proposed development ensures the habitable portion of the dwelling is closer to the street than the driveway to minimize focus on the automobile. Additionally, there is an existing public concrete sidewalk along Main Street East and the subject lands are in proximity to a broad range of complementary land uses (i.e. commercial shops, schools, open space, trails, etc.), encouraging alternative methods of transportation to the private automobile to destinations within the Town of Grimsby.

**Section 1.1.3** provides policy direction regarding the vitality and economic prosperity of Settlement Areas, including cities and towns.

**Section 1.1.3.1** states that *Settlement Areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*

**Planning Comment:** The subject lands are currently located within the Settlement Area, in which growth and development should be focused. Further, the subject lands consist of a single detached residential dwelling and accessory garage structure on a total of 0.48 hectares of land with development potential, which is inefficient considering the existing infrastructure is capable of withstanding a greater capacity. Additionally, the proposed development provides housing opportunities for the forecasted increasing population in Grimsby, more efficiently utilizes the subject lands, and maintains the character of the surrounding neighbourhood.

**Section 1.1.3.2** *Land use patterns within the settlement areas shall be based on:*

- a) densities and a mix of land uses which:*
- 1. efficiently use land and resources;*
  - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned of available, and avoid the need for their unjustified and/or uneconomical expansion;*
  - 3. minimize negative impacts to air quality and climate change and promote energy efficiency;*
  - 4. support active transportation;*
  - 5. are transit supportive, where transit is planned, exists, or may be developed; and*

**Planning Comment:** As noted-above, the proposed development more efficiently utilizes the subject lands than the existing development, supported by existing infrastructure and public service facilities. Further, the increase in dwelling units increases the feasibility of local transit implementation for Grimsby, whereas none currently exist. Also, the subject lands are in a location accessible to a range of complementary land uses, such as recreation, institutional, commercial, and employment connected by bike routes and/or sidewalks from the subject lands, encouraging alternative methods of transportation to the automobile, subsequently reducing the amount of greenhouse gas emissions and prolonging impacts of climate change.

**Section 1.1.3.3** *Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitability existing or planned infrastructure and public service facilities requires to accommodate projected needs.*

*Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.*

**Section 1.1.3.4** *Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*

**Section 1.1.3.5** *Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.*

**Planning Comment:** The subject lands are located within the built-up area, where intensification and redevelopment as proposed is encouraged. The proposed redevelopment mildly intensifies the subject lands, creating a compact built form without resulting in any adverse risks to public health and safety, as reasonable site-specific zoning regulations are proposed and the design will be accessible for all.

**Section 1.4** provides detailed policies specific to Housing.

**Section 1.4.1** states that *in order to provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

- a) *Maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*
- b) *Maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitable zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

**Planning Comment:** The proposed residential dwellings contribute to accommodating residential growth through residential intensification and redevelopment. Further, the FSR prepared by IBI Group confirms the existence of municipal infrastructure to service the proposed development.

**Section 1.4.3** requires 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:*

- a) *Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*
- b) *Permitting and facilitating:*
  1. *All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and*
  2. *All forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3*

- c) *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;*
- d) *Promoting densities of 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*
- e) *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.*

**Planning Comment:** The proposed development includes eight single detached dwellings within a vacant land condominium tenure, increasing the mix and range of dwelling types and tenures in the Town of Grimsby. Additionally, the proposed development will contribute to achieving the minimum target for moderate income households, as residential intensification results in smaller lots and subsequent lower rates per land parcel. Moreover, the subject lands are an appropriate location for new housing and increased residential densities, as public service facilities and infrastructure are readily available to support the proposed increase in population. The proposed development contributes to a compact form, supporting transit viability along Main Street. Lastly, the proposed development maintains an appropriate level of health and safety by conforming to most, if not all, AODA minimum standards, maintaining appropriate setbacks, incorporating direct connections and pedestrian-oriented infrastructure, and ensuring sanitary and sewer infrastructure capacity is sufficient to service the proposed development.

**Section 1.5** discusses how healthy and active communities should be promoted, ultimately aiming towards creating public spaces, recreation, parks, trails and open space.

**Section 1.5.1** *Healthy, active communities should be promoted by:*

- a) *planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) *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;*

**Planning Comment:** The proposed development supports a healthy community by bringing the habitable portion of the dwelling closer to the front of the street to create an “eyes on the street” type of environment, in addition to maintaining the pedestrian sidewalk that connects the subject lands to other parcels along Main Street East, encouraging active transportation and community connectivity. Within a 1km radius of the subject lands there is the: Sherwood Hills Park, Park Public School (equipped with a basketball court, batting cage, open space, and playground), Bruce Trail, and Dorchester Estates playground and tennis court to provide a full range of recreational opportunities.

**Section 1.6** frameworks the policies applicable to the issue of infrastructure and public service facilities, including policies for sewage, water and stormwater.

**Section 1.6.1** states *that infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs.*

*Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning so that they are:*

- a) *financially viable over their life cycle, which may be demonstrated through asset management planning; and*
- b) *available to meet current and projected needs.*

**Section 1.6.2** *Planning authorities should promote green infrastructure to complement infrastructure.*

**Section 1.6.3** *Before consideration is given to developing new infrastructure and public service facilities:*

- a) *the use of existing infrastructure and public service facilities should be optimized; and*
- b) *opportunities for adaptive re-use should be considered, wherever feasible.*

**Section 1.6.4** *Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services.*

**Section 1.6.5** *Public service facilities should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation.*

**Planning Comment:** The proposed development is strategically located in an area intended to support residential development; therefore, public service facilities, electricity generation, transmission and distribution facilities, and infrastructure already exist in the surrounding area of the subject lands. The FSR prepared by IBI Group confirms the existing services are capable of supporting the proposed development according to all current and applicable design standards. Also, as previously mentioned, public service facilities such as the Grimsby Police Station and Fire Station are available to support the proposed increase in population. Lastly, there is no transit in the Town of Grimsby, but the proposed development contributes to transit viability.

**Section 1.6.6.1** states that *planning for sewage and water services shall:*

- a) *Direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:*
  - 1. *municipal sewage services and municipal water services*
- b) *Ensure that these systems are provided in a manner that:*
  - 1. *can be sustained by the water resources upon which such services rely;*
  - 2. *is feasible, financially viable and complies with all regulatory requirements; and*
  - 3. *protects human health and the natural environment*
- c) *Promote water conservation and water use efficiency*
- d) *Integrate servicing and land use considerations at all stages of the planning process;*

**Section 1.6.6.2** outlines that *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.*

**Section 1.6.6.6** states that *subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5 planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.*



**Section 1.6.6.7** details policies for planning for stormwater management, requiring that:

- a) *Minimize, or, where possible, prevent increases in contaminant loads;*
- b) *Minimize changes in water balance and erosion;*
- c) *Not increase risks to human health and safety for property damage;*
- d) *Maximize the extent and function of vegetative and pervious surfaces; and*
- e) *Promote stormwater management best practices, including stormwater attenuation and re-use, and low-impact development*

**Planning Comment:** The FSR conducted by IBI Group anticipates that sanitary and water servicing for the proposed development will be addressed with a connection to Main Street East. In regards to storm servicing and management, two options were explored and include: a sewer extension from the current end of the sewer at the catch basin manhole in front of 212 Main Street East or create a storm sewer connection to the double catch basin just east of Main Street East and Dorchester Drive. Following a more detailed analysis, the Dorchester connection was determined the best solution. Stormwater management best practices are encouraged through low impact development measures at a detailed design stage. Details regarding final engineering design are provided in the FSR and subsequent plans.

**Section 1.6.7** provides a range of policies applicable to transportation systems.

**Section 1.6.7.1** *Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.*

**Section 1.6.7.2** which indicates that *efficient use shall be made of existing and planned infrastructure, including through the use of transportation demand management where feasible.*

**Section 1.6.7.4** outlines that *a land use pattern, density and mix of uses should be promoted to minimize length and number of vehicle trips and support current and future use of transit and active transportation.*

**Section 1.6.7.5** requires that *transportation and land use considerations shall be integrated at all stages of the planning process.*

**Planning Comment:** The primary method of transportation is the private automobile, provided the existing population and land use planning circumstances in the Town of Grimsby. The Town of Grimsby has a total population of 27,314 (2016 census) and a generally low density residential built form, not supporting the implementation of local public transit infrastructure. GO services from the Greater Toronto Hamilton Area are proposed to be extended, with a station in Grimsby, St. Catharines, (potentially Lincoln) and Niagara Falls to support long-term growth, prosperity and sustainability. The subject lands are approximately 5.5km from the proposed station area, resulting in insufficient accessibility to the future GO Station without access to a private automobile or alternative methods of transit (i.e. buses). Therefore, each single detached dwelling is proposed to have a driveway and garage, accommodating the most common method of transportation. The proposed increase in density subsequently increases the viability for transit options along Main Street East and to the future GO Station and existing VIA Rail Station on Ontario Street (+/- 30-minute walk from subject lands). Also, there are a range of complementary land uses within the surrounding area of the subject lands that may be accessed by active transportation.

**Section 1.7.1** explores the support for long-term economic prosperity.

*Long-term economic prosperity should be supported by:*

- c) *Maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets*

- d) *encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;*
- i) *promoting energy conservation and providing opportunities for development of renewable energy systems, including district energy;*
- j) *minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and*
- k) *encouraging efficient and coordinated communications and telecommunications infrastructure.*

**Planning Comment:** The proposed development supports long-term economic prosperity by enhancing the vitality and viability along the main street in Grimsby through a mild form of residential intensification and increasing populations that have complete access to existing services and infrastructure, including communications and telecommunications. Further, the proposed development encourages a sense of place and considers cultural planning and well-designed built form that respects the adjacent heritage site, following considerations taken from comments and recommendations outline by ASI in their CHA. In regards to energy conservation, the subject lands are being more efficiently utilized as a result of the proposed redevelopment by increasing the number of residential units from one to eight in an area surrounded by alike and supporting land uses. The existing trees are proposed to be removed and replaced with the exact locations identified during the detailed design stage to consider ecological benefits provided by nature.

**Section 1.8** addresses the need to conserve energy, reduce the amount of greenhouse gas emissions, improve air quality, and prolong the impacts of climate change.

**Section 1.8.1** states that *planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:*

- a) *promote compact form and a structure of nodes and corridors;*
- b) *promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;*
- e) *improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;*
- f) *promote design and orientation which:*
  - 1. *maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation; and*
  - 2. *maximizes opportunities for the use of renewable energy systems and alternative energy systems; and*
- g) *maximize vegetation within settlement areas, where feasible.*

**Planning Comment:** The proposed development is connected to Main Street East by-way of a sidewalk for pedestrian access and private road for vehicular and cycling access. The proposed increase in density and overall proximity of the subject lands to complementary land uses (i.e. commercial, recreational, and institutional) support alternative methods of transportation to the private automobile such as walking and biking to decrease the number of vehicular trips and subsequent release of greenhouse gas emissions. All trees proposed to be removed will be replanted and shown on a Vegetation and/or Tree Management Plan to be prepared at a detailed design stage to maximize energy efficiency and conservation, considering the mitigating effects of vegetation within settlement areas.

**Section 2.0** outlines the importance of conserving biodiversity, protecting natural heritage, agricultural resources, and water, and protecting the health of the Great Lakes.

**Section 2.1.1** states that *natural features shall be protected for the long term.*

**Section 2.1.2** *The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

**Planning Comment:** The subject lands currently consist of approximately fourteen trees to be removed and relocated on the subject lands to ensure the long-term ecological function of the natural feature.

**Section 2.2** Water provides policy direction targeted to issues of water use and management, including stormwater management.

Specifically, **Section 2.2.1** states that *planning authorities shall protect, improve or restore the quality and quantity of water by:*

- a) *Using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development*
- c) *Identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed*
- d) *Maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas*
- e) *Implementing necessary restrictions on development and site alteration to:*
  1. *Protect all municipal drinking water supplies and designated vulnerable areas; and*
  2. *Protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features and their hydrologic functions*
- f) *Planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality*
- h) *Ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces*

**Planning Comment:** In terms of stormwater management, a storm sewer connection to the double catch basin just east of Main Street East and Dorchester Drive is proposed. Site-specific design related to stormwater management best practices are encouraged through low impact development measures at a detailed design stage to further address water quantity and quality.

**Section 2.6** focuses on the preservation of cultural heritage and archaeology. Specifically, the following subsections are applicable to the subject lands:

**Section 2.6.1** *Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*

**Section 2.6.2** *Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.*

**Section 2.6.3** *Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.*

**Section 2.6.4** *Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.*

**Planning Comment:** A CHA and Stage 1 and 2 AA were prepared by ASI to determine the archaeological potential of the subject lands and to assess and mitigate any impacts on both the subject lands and Main Street East streetscape. The CHA provided recommendations pertaining to tree removal and landscape treatments to ensure the proposed development is visually and physically compatible with the residential character of the road. Provided the appropriate design measures are imposed at a detailed stage of the planning process, the proposed development is appropriate from a cultural heritage perspective. The Stage 2 AA recommended that a Stage 3 be executed, as a one multi-component site was identified, the Kitchener Site (AhGv-52), an early-to-mid nineteenth-century Euro-Canadian domestic occupation with cultural heritage value or interest. The Stage 3 AA will be prepared at a future stage in the planning process.

**Section 3** of the PPS concentrates on protecting public health and safety by reducing public cost or risk from natural or human-made hazards.

**Section 3.1.3** *Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.*

**Planning Comment:** The proposed development will not result in any public health and safety issues, as appropriate measures are taking place that consider crime prevention through environmental design ("CPTED"), such as natural surveillance (i.e. maintained vegetation and street lighting), natural access control (i.e. curb cuts and paths to direct pedestrian traffic), distinction of private property (i.e. clear sightlines and entrances), and maintenance through a condominium corporation. Moreover, potential impacts from climate change that potentially increase the risk associated with natural hazards are prolonged by effectively incorporating landscaping techniques accordingly at a detailed design stage. Further, the FSR confirms that the subject lands will be sufficiently graded to help deal with stormwater quantity.

**Provincial Policy Statement Planning Conclusion:** The proposed development is consistent with the Provincial Policy Statement, as:

- the proposed development more efficiently utilizes the subject lands than the existing single detached dwelling and accessory structure;
- the subject lands are currently located within the Settlement Area, in which residential growth and development should be focused;
- the proposed development can be fully serviced according to all current and applicable design standards;
- the proposed increase in density increases the viability for transit and housing affordability;
- the overall proximity of the subject lands to complementary land uses support alternative methods of transportation to the private automobile such as walking and biking to decrease the number of vehicular trips and subsequent release of greenhouse gas emissions; and,

- there are no concerns pertaining to heritage impact on the adjacent heritage property or streetscape, provided appropriate design recommendations are implemented.

In contrast, the existing development is inconsistent with the Provincial Policy Statement, as it:

- inefficiently utilizes the subject lands by mostly remaining vacant;
- does not support transit viability; and,
- does not provide a mix and range of dwelling types and tenures, including more affordable housing opportunities.

### 8.3 Growth Plan for the Greater Golden Horseshoe, 2017

The Places to Grow Act, 2005 provides the basis for regional growth plans that govern land use policies, such as the Growth Plan for the Greater Golden Horseshoe (Growth Plan) 2017. The Growth Plan directs growth and development in the Greater Golden Horseshoe (GGH), aiming to build stronger, prosperous communities by better managing growth. More specifically, the Growth Plan encourages a strong economy, social equity, and a clean and healthy environment. Section 5(b) of the Planning Act requires decisions that affect planning matters to conform to Provincial plans, including the Growth Plan, or shall not conflict with them, as the case may be. The following policies discussed are particularly applicable to the proposed development in the Town of Grimsby on Main Street East.

**Section 2.2.1** of the Growth Plan deals with managing growth.

**Section 2.2.1.1** *Population and employment forecasts contained in Schedule 3 will be used for planning and managing growth in the GGH to the horizon of this Plan in accordance with the policies in subsection 5.2.4.*

**Section 2.2.1.2** *Forecasted growth to the horizon of this Plan will be allocated based on the following:*

- a) *The vast majority of growth will be directed to the settlement areas that:*
  - i. *have a delineated built boundary;*
  - ii. *have existing or planned municipal water and wastewater systems; and*
  - iii. *can support the achievement of complete communities*
- c) *Within settlement areas, growth will be focused in:*
  - i. *delineated built-up areas;*
  - ii. *strategic growth areas;*
  - iii. *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
  - iv. *areas with existing or planning public service facilities;*
- e) *Development will be directed to settlement areas, except where the policies of this Plan permit otherwise;*
- f) *Development will be generally directed away from hazardous lands*

**Planning Comment:** According to **Figure 12** below, the Region of Niagara's population is expected to increase by 67,000 from 2031 to 2041. Therefore, the proposed development will contribute to providing housing to accommodate the proposed increase in population for residents in the Town of Grimsby. Moreover, the subject lands are located within the Settlement Area, within the delineated built boundary, with access to municipal water and wastewater systems, which is where growth is encouraged and focused. In addition, the proposed increase in residential

dwelling types and tenures in the Town of Grimsby supports the achievement of a complete community, along with being within proximity to complementary uses and supporting active transportation. Higher order transit is proposed in the west of Grimsby, approximately 5.5km away from the subject lands, creating demand for the private automobile; however, local transit options are being considered by the Town, and the proposed development increases the viability for transit to be available along Main Street East. Lastly, the proposed development is directly away from hazardous lands.

<b>Distribution of Population and Employment for the Greater Golden Horseshoe to 2041 (figures in 000s)</b>						
	<b>POPULATION</b>			<b>EMPLOYMENT</b>		
	<b>2031</b>	<b>2036</b>	<b>2041</b>	<b>2031</b>	<b>2036</b>	<b>2041</b>
Region of Durham	970	1,080	1,190	360	390	430
Region of York	1,590	1,700	1,790	790	840	900
City of Toronto	3,190	3,300	3,400	1,660	1,680	1,720
Region of Peel	1,770	1,870	1,970	880	920	970
Region of Halton	820	910	1,000	390	430	470
City of Hamilton	680	730	780	310	330	350
<b>GTAH TOTAL*</b>	<b>9,010</b>	<b>9,590</b>	<b>10,130</b>	<b>4,380</b>	<b>4,580</b>	<b>4,820</b>
County of Northumberland	100	105	110	36	37	39
County of Peterborough	70	73	76	20	21	24
City of Peterborough	103	109	115	52	54	58
City of Kawartha Lakes	100	101	107	29	30	32
County of Simcoe	See Schedule 7	456	497	See Schedule 7	141	152
City of Barrie		231	253		114	129
City of Orillia		44	46		22	23
County of Dufferin	80	81	85	29	31	32
County of Wellington	122	132	140	54	57	61
City of Guelph	177	184	191	94	97	101
Region of Waterloo	742	789	835	366	383	404
County of Brant	49	53	57	22	24	26
City of Brantford	139	152	163	67	72	79
County of Haldimand	57	60	64	22	24	25
Region of Niagara	543	577	610	235	248	265
<b>OUTER RING TOTAL*</b>	<b>2,940</b>	<b>3,150</b>	<b>3,350</b>	<b>1,280</b>	<b>1,360</b>	<b>1,450</b>
<b>TOTAL GGH*</b>	<b>11,950</b>	<b>12,740</b>	<b>13,480</b>	<b>5,650</b>	<b>5,930</b>	<b>6,270</b>

*Note: Numbers rounded off to nearest 10,000 for GTAH municipalities, GTAH Total and Outer Ring Total, and to nearest 1,000 for outer ring municipalities.  
 \* Total may not add up due to rounding.*

**Figure 12** Schedule 3 of the Growth Plan – Distribution of Population and Employment for the Greater Golden Horseshoe to 2041

**Section 2.2.1.4** Applying the policies of this Plan will support the achievement of complete communities that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;

- b) *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) *provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- d) *expand convenient access to:*
  - i. *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
  - ii. *public service facilities, co-located and integrated in community hubs;*
  - iii. *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
  - iv. *healthy, local, and affordable food options, including through urban agriculture;*
- e) *ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;*
- f) *mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and*
- g) *integrate green infrastructure and low impact development*

**Planning Comment:** The proposed eight single detached dwellings will increase the mix of residential types and tenures in the Town of Grimsby. Further, they provide more affordable housing options than the existing single detached dwelling due to the division of land and a more compact built form. The proposed dwellings are available for people of all ages and abilities by meeting AODA standards, urban design, and site standards to be discussed in detail at a detailed design stage. Due to the proximity of the subject lands to a variety of recreational, commercial, and institutional land uses in addition to the existing connective active transportation infrastructure, alternative methods of transportation to the automobile are encouraged to reduced greenhouse gas emissions and encourage public health. Currently there is no local public transit to move people around Grimsby, but is being contemplated by the Town of Grimsby staff, with increased viability as a result of the proposed development.

**Section 2.2.2** explores used of delineated Built-Up areas, in which the subject lands are located.

**Section 2.2.2.1** *By the year 2031, and for each year thereafter, a minimum of 60 per cent of all residential development occurring annually within each upper- or single-tier municipality will be within the delineated built-up area.*

**Section 2.2.2.2** *By the time the next municipal comprehensive review is approved and in effect, and each year until 2031, a minimum of 50 per cent of all residential development occurring annually within each upper- or single-tier municipality will be within the delineated built-up area.*

**Section 2.2.2.3** *Until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply.*

**Section 2.2.2.4** *All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:*

- a) *encourage intensification generally to achieve the desired urban structure;*
- b) *identify the appropriate type and scale of development and transition of built form to adjacent areas;*

- d) *ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;*
- e) *prioritize planning and investment in infrastructure and public service facilities that will support intensification; and*
- f) *be implemented through official plan policies and designations, updated zoning and other supporting documents.*

**Planning Comment:** The proposed development contributes to meeting the minimum target for all residential development occurring annually within the delineated built-up area each year before 2031 of 50% and each year after 2031 of 60% through residential intensification, while providing a desirable urban structure. The proposed low density residential land uses are similar in height with the existing dwellings in the surrounding residential neighbourhood. The proposed development provides appropriate setbacks from the adjacent developments, as the proposed private road increases the distance between the existing heritage house and proposed dwellings. Additionally, the proposed single detached dwellings back onto lots with existing single detached dwellings that front onto either Dorchester Drive or Griffith Drive with rear yard setbacks no less than five metres. This proposed mild form of intensification is supported by existing infrastructure and public service facilities, as previously explained. Additionally, the proposed road network is similar to existing streets and entrances parallel to Main Street East, such as Walker Court, Cherrywood Avenue, and Vanderburgh Lane. The proposed zoning will continue to permit all of the proposed uses in the Main Street (MS) zone for complete community purposes. Lastly, the proposed intensification is supported by a: HIA, AA, and FSR.

**Section 2.2.6** of the Growth Plan provides guidance on housing.

**Section 2.2.6.1** *Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will each develop a housing strategy that:*

- a) *supports the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:*
  - i) *identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and*
  - ii) *establishing targets for affordable ownership housing and rental housing;*

**Section 2.2.6.2.** *Notwithstanding policy 1.4.1 of the PPS, 2014, in preparing a housing strategy in accordance with policy 2.2.6.1, municipalities will support the achievement of complete communities by:*

- a) *planning to accommodate forecasted growth to the horizon of this Plan;*
- b) *planning to achieve the minimum intensification and density targets in this Plan;*
- c) *considering the range and mix of housing options and densities of the existing housing stock; and*
- d) *planning to diversify their overall housing stock across the municipality.*

**Section 2.2.6.3** *To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.*

**Section 2.2.6.4** *Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for intensification and redevelopment.*



**Planning Comment:** The proposed development contributes to accommodating the forecasted population growth in the Niagara Region, particularly in the Town of Grimsby. In addition, the proposed development increases the mix and range of housing options and densities, intensifying the subject lands with single detached dwellings that have a vacant land condominium type of tenure. The number of residential units provided by the subject lands will increase by six, while maintaining the low density character of the surrounding neighbourhood, simultaneously supporting the achievement of a complete community. The FSR prepared by IBI Group confirms that the proposed mild intensification and redevelopment project can be accommodated and serviced according to all applicable and current design standards.

**Section 3** of the Growth Plan provides the policies applicable to infrastructure, making specific reference to the infrastructure needed to support growth. While the focus in this section is on planning for and providing infrastructure as defined by the Plan, there are individual policies relevant to the proposed development.

**Section 3.2.2.2** *The transportation system within the GGH will be planned and managed to:*

- a) *provide connectivity among transportation modes for moving people and for moving goods;*
- b) *offer a balance of transportation choices that reduces reliance upon the automobile and promotes transit and active transportation;*
- c) *be sustainable and reduce greenhouse gas emissions by encouraging the most financially and environmentally appropriate mode for tripmaking and supporting the use of zero- and low-emission vehicles;*
- d) *offer multimodal access to jobs, housing, schools, cultural, and recreational opportunities, and goods and services;*
- f) *provide for the safety of system users.*

**Section 3.2.2.3** *In the design, refurbishment, or reconstruction of the existing and planned street network, a complete streets approach will be adopted that ensures the needs and safety of all road users are considered and appropriately accommodated.*

**Section 3.2.2.4** *Municipalities will develop and implement transportation demand management policies in official plans or other planning documents or programs to:*

- a) *reduce trip distance and time;*
- b) *increase the modal share of alternatives to the automobile, which may include setting modal share targets;*
- c) *prioritize active transportation, transit, and goods movement over single-occupant automobiles;*
- d) *expand infrastructure to support active transportation*

**Planning Comment:** The existing sidewalk will be maintained to allow various forms of active transportation to and from the subject lands, offering alternative transportation methods to the private automobile, in hopes to reduce the amount of greenhouse gas emissions and subsequently prolong the adverse impacts of climate change. Fortunately, there are a broad range of complimentary land uses such as schools, retirement homes, commercial services, commercial shops, churches, and parks within proximity to the subject lands that would support active transportation. Nonetheless, the proposed private road will connect to Main Street East and subsequent garages and driveways are proposed per dwelling unit, as the most common method of transportation in Grimsby is the automobile, due to the low density built form and lack of transit.

**Section 3.2.3.2** *All decisions on transit planning and investment will be made according to the following criteria:*

- b) prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels;*
- d) expanding transit service to areas that have achieved, or will be planned to achieve, transit supportive densities and provide a mix of residential, office, institutional, and commercial development, wherever possible;*
- g) contributing towards the provincial greenhouse gas emissions reduction targets.*

**Section 3.2.3.4** *Municipalities will ensure that active transportation networks are comprehensive and integrated into transportation planning to provide:*

- a) safe, comfortable travel for pedestrians, bicyclists, and other users of active transportation; and*
- b) continuous linkages between strategic growth areas, adjacent neighbourhoods, major trip generators, and transit stations, including dedicated lane space for bicyclists on the major street network, or other safe and convenient alternatives.*

**Planning Comment:** Higher residential densities are appropriate along Main Street to optimize the efficiency and viability of one of the most commonly used transportation corridors in Grimsby. Increasing densities along the Main Street will likely result in an increase in economic activity and viability of implementing a local transit system. There is a pilot project considered for spring 2018, resulting in an increase of at least \$50 to local taxes to subsidize two local bus routes that would help the town staff understand ridership and for residents to adjust their transportation patterns. Moreover, Main Street East is already equipped with paved shoulders and sidewalks, providing safe and comfortable linkages to adjacent neighbourhoods for bicyclists and other uses of active transportation.

**Section 3.2.6.2** *Municipal water and wastewater systems and private communal water and wastewater systems will be planned, designed, constructed, or expanded in accordance with the following:*

- a) opportunities for optimization and improved efficiency within existing systems will be prioritized and supported by strategies for energy and water conservation and water demand management;*
- b) the system will serve growth in a manner that supports achievement of the minimum intensification and density targets in this Plan;*

**Section 3.2.8.2** *Public service facilities and public services should be co-located in community hubs and integrated to promote cost-effectiveness.*

**Planning Comment:** As previously mentioned, the FSR prepared by IBI Group confirms that the proposed development and associated residential intensification is appropriate and serviceable according to all current and applicable design standards, including sanitary, water, storm and utilities. Moreover, there are a variety of public services existing in the community to support the proposed development, such as: Grimsby Fire Department, Niagara Regional Police – 8 District Department, and West Lincoln Memorial Hospital.

**Section 4.2** of the Growth Plan details guidance for protecting valuable environmental resources, such as water, natural heritage, hydrological features, agriculture, mineral aggregates, and cultural heritage.

**Section 4.2.7.1** *Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.*

**Section 4.2.7.2** *Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.*

**Planning Comment:** Main Street East consists of a variety of sites and homes designated as heritage conservation to foster a sense of place, including the Udell House at 224 Main Street East, which was built in 1888 and is recognized for its architectural excellence. The proposed single detached dwellings will be designed using inspiration from the Udell House's architecture, to enhance the preliminary drawings prepared and provided by Orchard Designs. Further, there are several local indicators that the subject lands had archaeological potential, such as proximity to known archaeological sites (within 1km of 22 registered archaeological sites), early historic settlement and transportation routes. A Stage 2 AA recommended a Stage 3 AA be conducted, as the Stage 2 identified one multi-component site on the subject lands, the Kitchener Site (AhGv-52), an early-to-mid nineteenth-century Euro-Canadian domestic occupation with cultural heritage value or interest. The Stage 3 AA will be prepared at a future stage of the planning process.

**Section 4.2.9.1** *Municipalities will develop and implement official plan policies and other strategies in support of the following conservation objectives:*

- a) *water conservation, including through:*
  - i. *water demand management for the efficient use of water; and*
  - ii. *water recycling to maximize the reuse*
- b) *energy conservation for existing buildings and planning developments, including municipality owned facilities through:*
- c) *air quality improvement and protection, including through reduction in emissions from municipal, commercial, industrial, and residential sources; and*
- d) *integrated waste management, including through:*
  - i. *identification of opportunities for conservation, energy efficiency and demand management, as well as district energy generation, renewable energy systems and alternative energy systems and distribution through community, municipal, and regional energy planning processes, and in the development of conservation and demand management plans;*
  - ii. *land use patterns and urban design standards that support energy efficiency and demand reductions, and opportunities for alternative energy systems, including district energy systems; and*
  - iii. *other conservation, energy efficiency and demand management techniques to use energy wisely as well as reduce consumption;*

**Planning Comment:** The proposed development more efficiently utilizes the subject lands than the existing single detached dwelling and accessory structure, creating an energy efficient development solution. In addition, by intensifying lands within the built boundary, greenfields are being preserved and air quality maintained, essentially concentrating greenhouse gas emissions within the Town, which will then be mitigated through vegetative, energy efficient building, and active transportation infrastructure design solutions. Lastly, the FSR addresses how to accommodate stormwater quantity and quality as a result of the proposed development.

**Section 4.2.10.1** *Upper- and single-tier municipalities will develop policies in their official plans to identify actions that will reduce greenhouse gas emissions and address climate change adaptation goals, aligned with the Ontario Climate Change Strategy, 2015 and the Climate Change Action Plan, 2016 that will include:*

- a) *supporting the achievement of complete communities as well as the minimum intensification and density targets in this Plan;*

- b) reducing dependence on the automobile and supporting existing and planned transit and active transportation;*
- d) undertaking stormwater management planning in a manner that assesses the impacts of extreme weather events and incorporates appropriate green infrastructure and low impact development;*
- e) recognizing the importance of watershed planning for the protection of the quality and quantity of water and the identification and protection of hydrologic features and areas;*
- f) protecting the Natural Heritage System and water resource systems;*
- g) promoting local food, food security, and soil health [...];*
- h) providing direction that supports a culture of conservation in accordance with the policies in subsection 4.2.9; and*
- i) any additional policies to reduce greenhouse gas emissions and build resilience, as appropriate, provided they do not conflict with this Plan.*

**Planning Comment:** The proposed development mildly intensifies the subject lands with residential infill and contributes to achieving the density targets of the Growth Plan and a complete community. Further, the viability of transit is increased along Main Street East as a result of increased densities, whereas active transportation is already planned, connecting adjacent neighbourhoods and complementary land uses within the surrounding area and encouraging alternative methods of transportation to the automobile and reducing subsequent greenhouse gas emissions. In terms of conservation, the existing trees will be relocated and detailed on a Landscape Plan and/or Tree Management Plan at a detailed design stage, alongside architectural considerations of the heritage culture along Main Street East. In terms of stormwater management, the FSR provides the most feasible option for dealing with stormwater runoff quantity by utilizing existing municipal infrastructure; whereas quantity will be dealt with using low impact development.

**Growth Plan for the Greater Golden Horseshoe Planning Conclusion:** The proposed development conforms to the Growth Plan for the Greater Golden Horseshoe, as it:

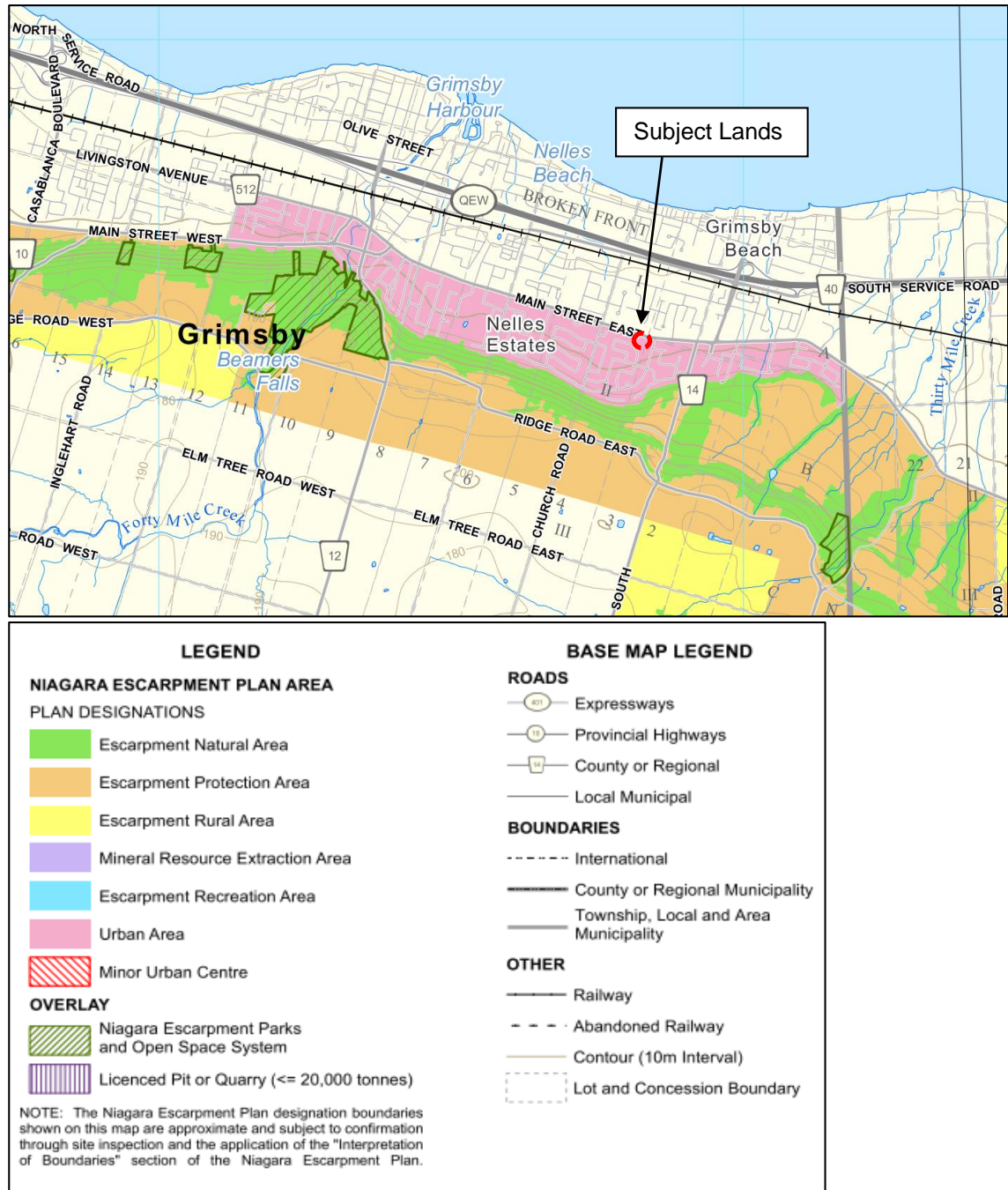
- increases densities and dwelling options within the built boundary, consequently increasing local public transit viability along Main Street East;
- provides vehicular and active transportation connections from the subject lands to the surrounding municipal network;
- effectively utilizes existing municipal infrastructure to support the proposed development;
- respects the existing character along Main Street East, including heritage culture, privacy, archaeological concerns, setbacks, and dwelling types; and,
- contributes to achieving residential intensification targets for the Region of Niagara and subsequent accommodation for an anticipated increase in population to 2041.

Conversely, the existing development does not conform to the Growth Plan for the Greater Golden Horseshoe, as it:

- inefficiently utilizes the subject lands within the built-up area and along a commonly used transportation corridor in Grimsby;
- does not increase the range and mix of housing types in Grimsby; and,
- does not support intensification targets or provide accommodation to support the proposed increase in population for the Region of Niagara outlined in the Growth Plan.

## 8.4 Niagara Escarpment Plan, 2017

The Niagara Escarpment Plan (2017) was approved by the Lieutenant Governor in Council, Order in Council No. 1026/2017, as an amendment to the Niagara Escarpment Plan (NEP) effective June 1, 2017. This Plan was implemented to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with the natural environment. **Figure 13** highlights the subject lands as being located within the Urban Area on Map 1 – Niagara Region of the Niagara Escarpment Plan, 2017.



**Figure 13** Niagara Escarpment Plan Map 1 – Excerpt of Subject Lands

### **Policy 1.7 Urban Area**

*This designation identifies Urban Areas in which the Escarpment and closely related lands are located. In some areas, the Escarpment is still largely undeveloped although surrounded by existing development (e.g., Hamilton). In other areas, urban growth already has encroached substantially on the Escarpment (e.g., former Town of Warton).*

#### **Policy 1.7.1 Objective**

*To minimize the impact and prevent further encroachment of urban growth on the Escarpment environment.*

#### **Policy 1.7.3 Boundaries**

*The boundaries of the Urban Area designation generally reflect those areas within a municipality identified for urban development in municipal official plans and/or secondary plans. Some lands within a municipal boundary may not be designated as Urban Area because of the presence of natural heritage or hydrologic features or functions.*

#### **Policy 1.7.4 Permitted Uses and Lot Creation**

*Proposed uses and the creation of new lots may be permitted, subject to conformity with Part 2, Development Criteria, the Development Objectives and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan.*

*Changes to permitted uses, expansions and alterations of existing uses or the creation of new lots within the Urban Area designation will not require an amendment to the Niagara Escarpment Plan.*

**Planning Comment:** The subject lands are identified as being located within the Urban Area of the Niagara Escarpment Plan, which is where the Town of Grimsby has generally indicated for urban development to be focused. The proposed development results in the creation of eight lots and units, which may be permitted subject to conformity of Part 2 of the NEP. The permitted uses will remain the same as those existing in the Town of Grimsby Zoning By-law 14-45.

#### **Policy 1.7.5 Development Objectives**

- 1. All development shall be of an urban design compatible with the scenic resources of the Escarpment. Where appropriate, provision for maximum heights, adequate setbacks and screening are required to minimize the visual impact of urban development.*
- 2. Development within Urban Areas should encourage reduced energy consumption, improved air quality, reduced greenhouse gas emissions (consistent with provincial reduction targets to 2030 and 2050) and work towards the long-term goal of low-carbon communities, including net-zero communities and increased resilience to climate change, including through maximizing opportunities for the use of green infrastructure and appropriate low impact development.*
- 4. Development within Urban Areas shall not encroach into Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas.*
- 5. New lots within Urban Areas shall not be created if such lots encroach into Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas adjacent to the Urban Area.*
- 9. Growth and development in Urban Areas shall be compatible with and provide for:
  - a) the protection of natural heritage features and functions;*
  - b) the conservation of cultural heritage resources, including features of interest to First Nation and Metis communities;**

- c) *considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of changing climate;*
- d) *sustainable use of water resources for ecological and servicing needs; and*
- e) *compliance with targets, criteria and recommendations of applicable water, wastewater and stormwater master plans, approved watershed planning and/or subwatershed plan in land use planning.*

**Planning Comment:** There is no encroachment into the Escarpment Natural, Escarpment Rural or Mineral Resource Extraction Areas as a result of the proposed development. The proposed heights and setbacks are similar to the surrounding area and subsequent low density residential developments. Reduced energy consumption results from the proposed development, as the subject lands will be more efficiently utilized than the existing single detached dwelling and accessory structure. The proposed development also increases transit viability and supports active transportation, as previously discussed, contributing to the decrease of greenhouse gas emissions. The existing trees on the subject lands will be relocated and demonstrated on a Vegetation Plan and/or Tree Management Plan during the detailed design stage of the planning process. In terms of cultural heritage and archaeology, a HIA and Stage 1 and 2 AA were prepared by ASI to determine whether or not the proposed development is appropriate from a heritage and archaeological perspective. Ultimately, the CHA provided recommendations pertaining to tree removal and landscape treatments to ensure the proposed development is visually and physically compatible with the residential character of the road. Provided the appropriate design measures are imposed at a detailed stage of the planning process, the proposed development is appropriate from a cultural heritage perspective. Further, the Stage 2 AA recommended that a Stage 3 be executed, as a one multi-component site was identified, the Kitchener Site (AhGv-52), an early-to-mid nineteenth-century Euro-Canadian domestic occupation with cultural heritage value or interest. The Stage 3 AA will be prepared at a future stage of the planning process.

**Policy 2.2 General Development Criteria**

*The objective is to permit reasonable enjoyment by the owners of all lots that can sustain development.*

1. *The Escarpment environment shall be protected, restored and where possible enhanced for the long term having regard to single, multiple or successive development that have occurred or are likely to occur.*
2. *The site shall not be prone to natural hazards, and the development will not impact the control of these natural hazards including flooding hazards, erosion hazards, or other water-related hazards and hazard events associated with unstable soil or unstable bedrock.*
3. *Development is permitted only on an existing lot of record.*
6. *Any development permitted should be designed and located in such a manner as to promote design and orientation that:*
  - a) *Maximizes energy efficiency and conservation and considers the mitigating effects of vegetation;*
  - b) *Maximizes opportunities for the use of renewable energy systems and alternative energy systems; and*
  - c) *Reduces greenhouse gas emissions so that the development is contributing to the goal of low-carbon communities and net-zero communities in Minor Urban Centres, Urban Areas, and Escarpment Recreation Areas.*

**Planning Comment:** The proposed development does not impact any natural hazards, and the Escarpment environment will be protected. Further, as previously mentioned, the proposed development efficiently utilizes existing municipal services, reduces greenhouse gas emissions by increasing transit viability and providing active transportation infrastructure, and will relocate existing trees where reasonable.

**Policy 2.4 Lot Creation**

*The objective is to direct the formation of new lots to those locations that are the least environmentally sensitive.*

1. *Lot creation, including lots created within Urban Areas, Minor Urban Centres and Escarpment Recreation Areas, shall be subject to conformity with official plans and/or secondary plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan, and the criteria set out under Part 2, Development Criteria.*
2. *New lots to meet residential needs should be created primarily in designated Urban Areas, Minor Urban Centres and Escarpment Recreation Areas.*
3. *Ribbon or strip development should be prevented.*
4. *The size and configuration of new lots shall be subject to the requirements of official plans and/or secondary plans, and where applicable, zoning by-laws and the objectives of the designation.*
5. *New lots must:*
  - a) *maintain and enhance the existing community character and/or open landscape character of the Escarpment; and*
  - b) *protect and enhance existing natural heritage and hydrologic features and functions.*
6. *Prior to commenting upon proposals for new lots, the implementing authority shall consider:*
  - a) *the number, distribution and density of vacant lots in the area;*
  - b) *the additional lots that may be created in conformity with this Plan;*
  - c) *the consequences of the development of the lots with regard to the objectives of the designation; and*
  - d) *providing for or protecting public access to the Niagara Escarpment, including the Bruce Trail corridor.*

**Planning Comment:** The proposed development includes the creation of six new lots within the Urban Area which conforms to the Local and Regional Official Plans, explored in Section 8.6 and 8.7 of this report. There is no ribbon or strip development resulting from the proposed development. The proposed lot sizes, 11.96 metre minimum front yard setback from Main Street East, vehicular entrance location and building materials create a built form that maintains the community character, and respects the cultural heritage streetscape of Main Street East and adjacent heritage property. The HIA report prepared by ASI confirms that the proposed development will not have an adverse impact on the adjacent heritage property or Main Street East streetscape with heritage value, provided the recommendations pertaining to landscape features and tree removal are implemented. Some of the existing trees are proposed to be removed and replaced, as will be demonstrated on a Vegetation Plan and/or Tree Management Plan at the detailed design stage of the planning process. The Niagara Escarpment and Bruce Trail will be in no way impacted by the proposed development.

**Niagara Escarpment Plan Planning Conclusion:** The Niagara Escarpment Plan identifies the subject lands as being within the Urban Area of the 2017 Niagara Escarpment Plan. The proposed



development conforms to the NEP, as it: does not encroach into the Escarpment Natural, Escarpment Rural or Mineral Resource Extraction Areas; creates new lots that maintain and enhance the existing community character; efficiently utilizes existing municipal infrastructure; contributes to reducing the amount of greenhouse gas emissions by supporting active transportation and transit viability; and, relocates all existing trees.

## 8.5 Niagara Regional Policy Plan, 2015

The Region Official Plan (ROP) was approved in 2015 and sets out policies for the physical, economic and social development within the Niagara Region, which includes the Town of Grimsby. In 1972 a Working Draft of the Regional OP was distributed for public consultation. Following public consultation and various meetings, revisions and the final production of the Niagara Region Official Plan were produced. Urban Area Boundaries were revised in 1979 and 1980, and a major review of the plan was adopted by Council in November 1991. These policies were modified and approved by the Minister of Municipal Affairs in December 1994. The following policies, designations, and planning comments apply to the subject lands.

SCHEDULE	DESIGNATIONS
A – Regional Structure	Urban Area Boundary Built-up Area Niagara Escarpment Plan (NEP) Area
D1 – Potential Resource Areas: Stone	Ordovician Formation
E – Niagara Region Bicycle Network	Main Street East – Regional Bicycle Network Urban Area

**Table 3** Niagara Policy Plan Designations for 226-228 Main Street East

**Policy 2.D.2.1** *The Region will encourage local municipalities through their Official Plans and Neighbourhood Plans to identify and provide for high quality tourism related development and redevelopment opportunities within existing urban areas that are compatible with and respects the distinctive character of the communities.*

**Policy 2.D.2.4** *The Region will work with and support local municipal initiatives to enhance driving and cycling opportunities along the Wine Route corridors where appropriate and in consultation with the cooperation of any affected property owners.*

**Policy 2.D.2.5** *The Region, in cooperation with local municipalities and other Provincial agencies and through the Regional Niagara Cycling Committee and Greater Niagara Circle Route Committee will support and promote a Wine Route network and will support the provision of bicycle lanes in accordance with and as provided for on the Niagara Cycling Network as approved in the Policy Plan. This provision is in no way intended to support the establishment of bike lanes on local and Regional roads that are not part of the approved Bicycling Network.*



**Planning Comment:** The subject lands are located along the Wine Route, as shown in **Figure 14** above. The Wine Route supports bicycling and high quality tourism related development, as long as it respects distinctive characters of surrounding communities. The residential neighbourhood consisting of the subject lands contains low density residential dwellings within the immediate area. The Vinifera Inn on Winery Row is less than 300m away of the subject lands, whereas other economic attractions are closer to approximately 500m - 1km away. Additionally, the closest winery along the Wine Route is the Peninsula Ridge Estates Winery, over 2km away from the subject lands. Therefore, provided the subject lands are not immediately adjacent to economic activity related to the Niagara Region Wine Route, single detached dwellings are an appropriate land use, alongside existing low density residential land uses, as permitted in Zoning By-law 14-45.

**Policy 4.B.3.1** *The Region will maintain the ability to accommodate residential growth within the Regional Market Area:*

- a) *For a minimum of ten years through residential intensification and redevelopment and, if necessary, through lands which are designated and available for residential development; and,*
- b) *For a minimum of three years through lands with servicing capacity that are suitably zoned to facilitate residential intensification and redevelopment or are in draft approved and registered plans.*

**Policy 4.C.1.1** *Intensification includes all forms of development that occur within the Built-up Area as identified on Schedule A of this Plan. The Region will promote intensification by:*

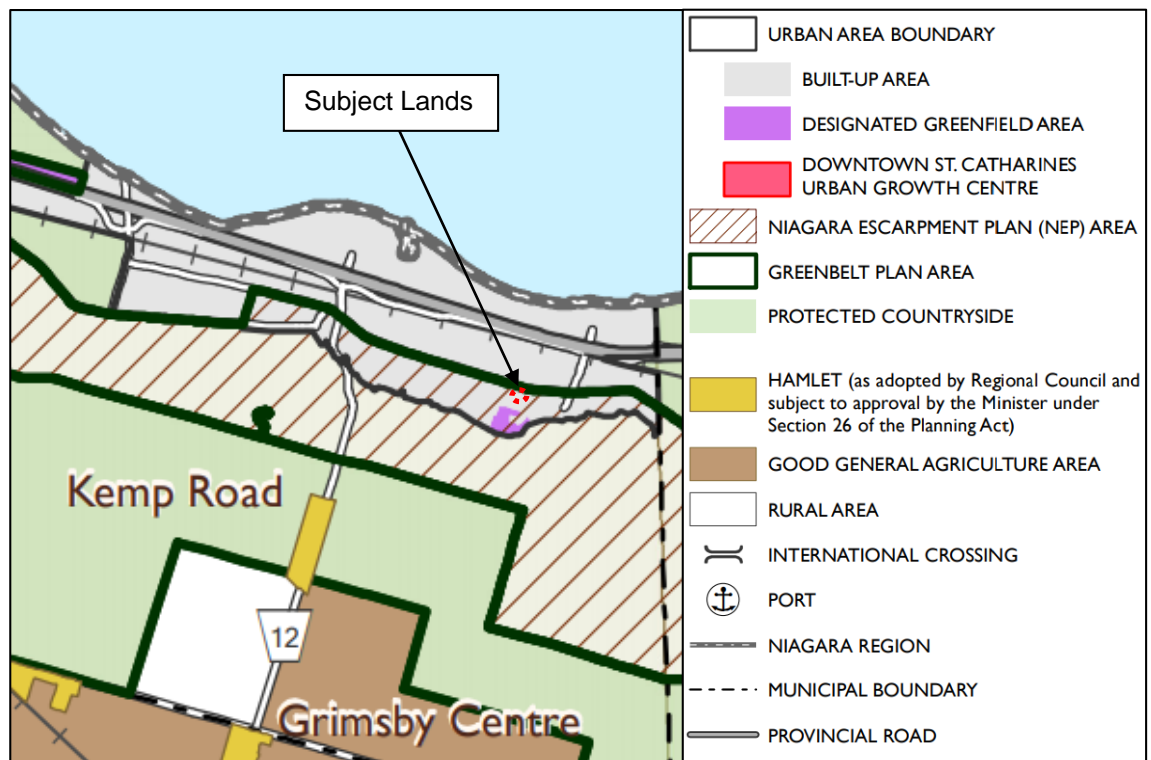
- a) *Providing a Regional framework for measuring intensification.*
- b) *Supporting infrastructure development and improvements in Local Municipally Designated Intensification Areas where upgrades or improvements to Regional infrastructure works are required.*
- c) *Working with local municipalities to develop intensification strategies including but not limited to coordination between growth management and the maintenance and expansion of utility infrastructure, both in terms of technological advancement and service provision.*
- d) *Monitoring intensification rates across the Region on an annual basis.*

**Policy 4.C.2.1** *Each municipality will develop and implement through its local official plan and other supporting documents, a strategy and policies for promoting intensification and achieving the intensification targets set out in Sub-section 4.C.4 of this Plan. Local official plans shall:*

- a) *Incorporate the Built Boundary delineated on Schedule A of this Plan as the basis for identifying the Built-up Area;*
- b) *Generally encourage intensification throughout the Built-up Area;*
- c) *Identify specific Intensification Areas to support the achievement of the intensification targets, including downtowns, intensification nodes and corridors and strategically located brownfield and greyfield areas.*
- d) *Plan Intensification Areas to attract a significant portion of population and employment growth, relative to the shape and character of the community.*
- e) *Plan Intensification Areas to provide a diverse mix of land uses that complement and support the overall residential intensification objective. These may include, employment, commercial, recreation, institutional and other compatible land uses in relative proportions dependent on area characteristics and the intended critical mass of residential development.*

- f) Plan Intensification Areas so as to be transit supportive and link intensification opportunities with existing or planned future transit hubs and active transportation routes.
- g) Plan Intensification Areas so as to reduce traffic congestion, improve circulation, and encourage active transportation. Where opportunities exist, best efforts should be made to establish fine grain, grid street patterns with active transportation facilities and linkages.
- h) Plan each Intensification Area to achieve higher densities than currently exist within the Intensification Area. It is expected that Intensification Areas will generally achieve higher densities than the surrounding areas.
- i) Ensure that Intensification Areas provide appropriate densities and transitional areas to ensure relative compatibility with surrounding neighbourhoods, including the use of minimum and maximum heights and densities.
- k) Identify opportunities for providing affordable housing within Intensification Areas.

**Planning Comment:** The proposed development involves a mild form of residential intensification within the Built-up Area, outlined in **Figure 15**, as encouraged. The subject lands are not immediately within the designated Intensification Area of the Town’s Plan (which is concentrated around the Mountain Street and Livingston Avenue/Main Street East intersection), but are approximately 1.5km east within a residential neighbourhood. Therefore, the proposed development aims to intensify the subject lands with low density dwelling types that are appropriate within the existing neighbourhood, simultaneously increasing the density of the subject lands. The proposed development supports the viability of transit and active transportation, maintains community character, and provides a more affordable housing option than the existing single detached dwelling due to intensification.



**Figure 15** Schedule A – Regional Structure Excerpt of Subject Lands

**Policy 4.C.3.1** By the year 2015 and for each year thereafter, a minimum of 40% of all residential development occurring annually within Niagara will occur within the Built-up Area of Niagara’s communities.

**Policy 4.C.3.2** *The rate of intensification occurring in Niagara will be measured by calculating the total number of residential units created on an annual basis within the Built-up Areas of Niagara in relation to the total number of units created within Niagara Region.*

**Policy 4.C.3.3** *Beginning in 2009, the Region will track residential intensification rates on an annual basis and prepare an annual report. The Region will work closely with local municipalities to determine the preferred method for tracking residential intensification rates.*

**Policy 4.C.4.1** *The following residential intensification targets are to be met by Niagara’s local municipalities and are considered to be minimum standards.*

**Policy 4.C.4.2** *Local municipalities will develop their own residential intensification targets and strategies, which may equal or exceed these minimum standards, and incorporate the targets into their official plans.*

Municipality	Residential Intensification Target (percent of total annual development)
Town of Fort Erie	15%
Town of Grimsby	80%
Town of Lincoln	40%
City of Niagara Falls	40%
Town of Niagara on-the-Lake	15%
Town of Pelham	15%
City of Port Colborne	15%
City of St. Catharines	95%
City of Thorold	15%
Township of Wainfleet	-
City of Welland	40%
Township of West Lincoln	15%
<b>REGION OF NIAGARA</b>	<b>40%</b>

**Planning Comment:** The residential intensification targets for the Region and the municipalities it encompasses are identified above. These residential intensification targets are minimum standards, as noted in **Policy 4.C.4.1**, which are allowed and encouraged to be exceeded. The proposed development contributes to succeeding the Region of Niagara target of 40% residential intensification annually and Town of Grimsby residential intensification target of 80%. The Town of Grimsby has a limited restriction on developable land due to natural hazards, including Lake Ontario to the north and the Niagara Escarpment Plan to the south, resulting in a high annual residential intensification target outlined by the Region of Niagara. Further, **Figure 16** below shows a forecasted total population (with undercount) increase for Grimsby of 1,582 from 2021 to 2031 and total populations in households increase of 1,500 from 2021 to 2031. Therefore, in addition to contributing to succeeding residential intensification targets outlined by the region, the proposed development contributes to accommodating the forecasted increase in population.

Development Location	Forecast Period	Total Households	Total Population	Total Population With Undercount <sup>1</sup>	Total Population in Households <sup>1</sup>
Grimsby	2006	8,745	23,900	24,900	24,500
	2011	9,560	25,900	26,900	26,400
	2016	10,090	27,100	28,200	27,600
	2021	10,540	27,900	29,000	28,400
	2026	10,950	28,400	29,500	28,900
	2031	11,400	29,400	30,582	29,900

**Figure 16** Table 4-1: Niagara Region, Population, Household and Employment Forecast by Local Municipality, 2006-2031 Excerpt

**Policy 4.G.2.1** *Urban communities (i.e. Urban Areas) are generally comprised of the following key structural elements:*

- a) *Residential areas and housing;*
- b) *Commercial areas;*
- c) *Community facilities and institutions;*
- d) *Mixed use areas;*
- e) *Public realm, including cultural amenities;*
- f) *The Core Natural Heritage System and hydrological features;*
- g) *Employment areas.*

**Policy 4.G.3.1** *The Region encourages the local municipalities to establish official plan policies and other measures supporting development that addresses the principles of environmental sustainability including:*

- a) *Reducing energy demands;*
- b) *Designing development to optimize passive solar energy gains;*
- c) *Providing for on-site, renewable energy generation and co-generation and district energy systems*
- d) *Maximizing water conservation, including water efficient landscaping and collection and reuse of clean water;*
- e) *Providing appropriate stormwater infiltration at source;*
- f) *Integrating green roofs into energy and water conservation strategies;*
- g) *Providing for collection and storage of recyclable wastes on site;*
- h) *Integrating active transportation and transit into development plans; and*
- i) *Maintaining and enhancing natural heritage and hydrological features and functions in accordance with Chapters 7 of this Plan. The Region shall assist and support the local municipalities in developing such policies and measures to implement them.*

**Planning Comment:** The subject lands are part of the residential areas and housing structural element of the Urban Area. The proposed redevelopment includes residential infill and

intensification, more efficiently utilizing the subject lands and existing municipal infrastructure, while maintaining the character of the residential neighbourhood. Site design details regarding renewable energy would be discussed at the detailed design stage of the planning process. Stormwater quantity is proposed to be dealt with using existing municipal sewers, whereas quality is proposed to be dealt with using low impact development measures. Main Street East is a bicycle route and has existing pedestrian infrastructure, connecting the subject lands to complementary land uses within the residential neighbourhood, further encouraging alternative methods of transportation to the automobile.

**Policy 4.G.6.1** *Settlement areas consist of Urban Areas and hamlets as delineated on Schedule A. These boundaries shall be precisely defined in the local official plan.*

**Policy 4.G.6.2** *Urban Areas will be the focus for accommodating the Region's growth and development. Accordingly, neither the expansion of existing hamlet and village boundaries nor the establishment of new hamlets or villages is permitted.*

**Policy 4.G.7.1** *Urban Areas are defined on Schedule A and are designated in local official plans. Urban Areas have municipally provided services, including water and sewage services.*

**Policy 4.G.7.2** *Urban Areas will be the focus of the Region's long term growth and development.*

**Policy 4.G.8.1** *Built-up Areas are lands located within Urban Areas which have been identified by the Ministry of Infrastructure (formerly the Ministry of Public Infrastructure Renewal). Built-up Areas will be the focus of residential and employment intensification and redevelopment within the Region over the long term.*

**Planning Comment:** The subject lands are located within the Settlement Area, Urban Area, and Built-up Area in the Region of Niagara, as shown on Schedule A in **Figure 15**. The proposed development is appropriate over the long term, as it focuses residential intensification and redevelopment within the Built-up Area. Additionally, the development is proposed in the Urban Area, where municipal services are provided, including water, sanitary, and sewage services. No urban boundary expansions result from the proposed redevelopment.

**Policy 4.J.1** *The Region promotes urban design analysis, municipal beautification, streetscape improvements, public art and the establishment of public gardens to ensure our communities remain attractive places, enhance our quality of life, and encourage tourism.*

**Policy 4.J.2** *The Region promotes adoption of its Model Urban Design Guidelines or similar community design guidelines by the local municipalities to support the development of a strong sense of place and an overall approach to development which considers design at a broader neighbourhood and/or community scale.*

**Policy 4.J.3** *The Region encourages inclusion of urban design analysis in the preparation of local official plans, neighbourhood plans, secondary plans, community improvement plans, public works projects, and private development projects. In support of this initiative the Region also encourages use of enhanced visualization techniques to foster collaboration in design review.*

**Policy 4.J.4** *The Region encourages complementary private realm site design that addresses public safety, active transportation, landscaping, and human scale in buildings facing public space.*

**Planning Comment:** The proposed development conforms to urban design guidelines outlined in the Town of Grimsby Official Plan, and expanded upon in Section 8.7 of this report. The existing concept plan is preliminary, as details regarding the private site design relating to landscaping will be explored at a detailed design stage. Nonetheless, minimum site-specific regulations are proposed in the draft Zoning By-law found in **Appendix A** to ensure an appropriate scale is implemented and setbacks are sufficient from adjacent uses for safety, privacy and character purposes. Private garages will be provided per dwelling unit, allowing a safe place for residents to store bicycles and other active transportation equipment in addition to their vehicles.

## Section 6 Resources

*The Niagara Region is fortunate in having large deposits of sand, gravel, stone and shale as illustrated on Schedules D1 through D4. These mineral resources play a significant role in the Region's economy in providing necessary raw materials for buildings, roads and other construction projects. Policies for mineral resources are intended to ensure that these natural resources are available for future use and that their management is compatible with the natural and human environment.*

**Planning Comment:** Schedule D1 designates the subject lands and the surrounding area as Ordovician Formation, referring to rocks formed from sediment deposition during the Ordovician period. There are no mineral resources identified on the subject lands; however, if mineral resources did exist on the subject lands, it would not be appropriate to extract resources in this urban setting, as it would significantly disrupt the stable residential neighbourhood.

**Policy 7.A.2.1** *Development and site alteration shall only be permitted if it will not have negative impacts, including cross-jurisdictional and cross-watershed impacts, on:*

- a) *The quantity and quality of surface and ground water;*
- b) *The functions of ground water recharge and discharge areas, aquifers and headwaters;*
- c) *The natural hydrologic characteristics of watercourses such as base flow;*
- d) *Surface or ground water resources adversely impacting on natural features or ecological functions of the Core Natural Heritage System or its components;*
- e) *Natural drainage systems, stream forms and shorelines; and*
- f) *Flooding or erosion.*

**Policy 7.A.2.2** *Development and site alteration shall be restricted in the vicinity of vulnerable surface and ground water features of importance to municipal water supplies so that the safety and quality of municipal drinking water will be protected or improved.*

**Policy 7.A.2.4** *Efficient and sustainable use of water resources shall be promoted, including practices to conserve water and protect or enhance water quality.*

**Policy 7.A.2.6** *A stormwater management plan and a sediment and erosion control plan prepared and signed by a qualified engineer may be required with a development application depending on:*

- a) *The scale and nature of the proposal; and*
- b) *Site-specific environmental conditions. A stormwater management plan shall be required with an application for development or site alteration in the Unique Agricultural Areas.*

**Policy 7.A.2.7** *A stormwater management plan submitted with an application for development shall demonstrate that the proposal will minimize vegetation removal, grading and soil compaction, erosion and sedimentation, and impervious services as well as meeting the requirements of*

**Policy 7.A.2.6** *Stormwater management facilities shall not be constructed in Core Natural Heritage Areas, Fish Habitat, key hydrologic features, or in required vegetation protection zones in the Unique Agricultural Areas unless permitted under Chapter 7.B of this Plan.*

**Policy 7.A.2.9** *Development and site alteration shall not have significant adverse impacts on ground water quality or quantity. In areas where development and site alteration could significantly affect ground water quality or quantity the Region shall require further review of potential impacts.*

**Planning Comment:** As previously mentioned, stormwater quantity is proposed to be dealt with using existing municipal sewers, whereas quality is proposed to be dealt with using low impact development measures.

**Policy 7.A.3.3** *The Region shall encourage the Federal and Provincial governments and local municipalities to pursue reductions in air pollutant and greenhouse gas emissions and to develop and implement strategies to adapt to the impacts of climate change.*

**Planning Comment:** As previously mentioned, the proposed development contributes to the reduction of greenhouse gas emissions by: being located within proximity to complementary land uses, better utilizing the subject lands, and focusing on a pedestrian-oriented environment (i.e. providing garages as safe storage space for bicycles, ensuring the habitable portion of the dwelling is closer to the street line, ensuring infrastructure is designed to be accessible by all, and maintaining pedestrian and cycling access to and from the subject lands).

**Section 8** of the Region of Niagara Official Plan discusses objectives and policies related to infrastructure.

**Policy 8.B.8** *All new development which is proposed to be connected to existing combined sewer facilities shall be served with separated systems within the property limits of the development. The continued separation of storm and sanitary flows beyond the boundaries of the development will be dependent upon the available capacity within the existing sewer system, the treatment plant and the proximity of suitable storm outlets to the development.*

**Policy 8.B.12** *Construction of new, or expansion of existing, municipal water and wastewater systems should only be considered where the following conditions are met:*

- a) *Strategies for water conservation and other water demand management initiatives are being implemented in the existing service area;*
- b) *Plans for expansion or for new services are to serve growth in a manner that supports achievement of the intensification target and density target in this Plan; and c) Plans have been considered in the context of applicable inter-provincial, national, bi-national, or state-provincial Great Lakes Basin agreements and are in compliance with the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement.*

**Policy 8.B.18** *Any extensions of the existing water supply or sewage disposal systems of the local municipalities must have the prior approval of the Region, and within the area of the Niagara Escarpment Plan, must conform with the Niagara Escarpment Plan Policies.*

**Policy 8.B.21** *All new urban development areas must be provided with separate storm drainage systems. All new private development must also be provided with separate storm drainage connections. Where feasible and economical, existing municipal combined sewage and storm drainage systems shall be separated.*

**Planning Comment:** The proposed development is proposed to connect to existing municipal services, including storm, sanitary, and sewage. Please refer to the FSR for details. In terms of stormwater quality, low impact development principles will be considered at a detailed design stage, particularly when creating the Vegetation Plan.

**Section 9** of the Regional Policy Plan provides objectives and policies related to safe, convenient, efficient, aesthetic and economic transportation systems for all modes of transportation intending to move people and goods.

**Policy 9.B.1** *The Region will:*

- a) *Ensure that corridors are identified and protected to meet current and projected needs for various modes of travel including active transportation.*
- b) *Support opportunities for multi-modal use where feasible, in particular prioritizing transit and goods movement needs over those of single occupant automobiles.*

**Policy 9.B.2** *Planning for transportation systems and facilities should be sensitive to community values and the physical setting, embodying the principles of context sensitive design:*



- a) *Involving the public and stakeholders early and continuously throughout the planning process.*
- b) *Designing transportation systems to accommodate all desired modes of transportation.*
- c) *Balancing transportation safety, mobility, cost and community and environmental goals.*
- d) *Identifying and addressing community and environmental values and conserving or enhancing environmental, aesthetic, cultural, historic, economic and natural resources.*
- e) *Applying flexibility to tailor engineering standards to local conditions and values.*

**Planning Comment:** Main Street East is identified in the Town of Grimsby Official Plan as a Regional Arterial Road. The ROW width of Main Street East is 26.2 metres, as shown in **Figure 17**, whereas there is an existing ROW width of approximately +/- 24 metres, requiring an additional 1.1 metres to be given to the Region at no cost. As Main Street East is a commonly used corridor in Grimsby and typically facilitates higher levels of traffic, it has a larger ROW to accommodate future growth and development. There are paved shoulders and sidewalks existing that will be maintained for active transportation purposes. The proposed development considers the existing conditions and future road widening, ensuring not to interfere with the transportation network. The proposed road is private, has a ROW width of 6 metres and has direct access onto Main Street East.

Town of Grimsby			
Regional Road Number	Road Name	Segment	Width In Metres
10	Casablanca Boulevard	Main Street West – QEW	26.2
	Mountain Road	Mud Street – Ridge Road East	26.2
12	Mountain Road	Ridge Road East – Main Street West	20.1
		Christie Street	Main Street West - QEW
	Christie Street	QEW – Olive Street	30.5
14	Park Road / Bartlett Avenue	East of Park Road South – Main Street East	39.6
	Bartlett Avenue	Main Street East – Central Avenue	35.4
39	QEW North Service Road	West Limit of Grimsby – Olive Street	26.2
40	QEW South Service Road	West Limit of Grimsby – East Limit of Grimsby	26.2
73	Mud Street West and East	West Limit of Grimsby – East Limit of Grimsby	26.2
81	Main Street West	West Limit of Grimsby – Casablanca Boulevard	26.2
		Casablanca Boulevard – Robinson Street	20.1
		Robinson Street – East Limit of Grimsby	26.2
512	Livingston Avenue	Oakes Road – Casablanca Boulevard	30.5
		Casablanca Boulevard – Main Street West	26.2

**Figure 17** Table 9-1 Road Allowance Widths Excerpt

**Policy 9.C.24** *Consistent with the Regional Niagara Bikeways Master Plan, the Wine Route and other policies in this plan, specific roads and bridges that have a distinctive historical and cultural character should be recognized in the Regional and local municipal official plans and encouraged by the Region. Regional Roads with tourism attributes are: Regional Road 81 in Grimsby (Main Street East/ West), Lincoln (King Street) and St. Catharines (St. Paul Street West); Regional Road 24 north of Regional Road 81 in Lincoln (Victoria Avenue); Regional Road 39 (North Service Road) in Lincoln and St. Catharines; Regional Road 87 in St. Catharines (Lakeshore Road) and Niagara-on-the-Lake (Lakeshore Road); Regional Road 3 in Wainfleet (Lakeshore Road), Port Colborne (Main Street West) and Fort Erie (Garrison Road); and Regional Road 1 in Fort Erie (Dominion Road).*

**Policy 9.C.25** *Along these Roads and where Regional Roads are adjacent to significant built heritage resources, the Region shall conserve the heritage attributes of the roadway and require measures to mitigate any negative impacts to roads or adjoining cultural heritage resources and will promote pedestrian-friendly and aesthetically pleasing streetscape design in accordance with*

*the following: Road allowance changes and Class Environmental Assessments associated with proposed road improvements shall be reviewed giving a high priority to conservation and promotion of the scenic natural, and cultural amenities and character of the area while maintaining accessibility for farm vehicle traffic; The Region shall consider character appropriate and distinctive design treatments of Regional Road rights-of-way, including but not limited to: decorative paving, locally significant material, public art, traffic calming, unique signage and lighting features, sidewalk furniture and plaques or other means of permanent commemoration; and, The Region shall consider appropriate and desirable infrastructure for Regional Road rights-of-way, including street lighting, transit facilities, and cycling facilities, consistent with the other policies of this Plan.*

**Planning Comment:** Main Street East is identified as having historical and cultural character in the Town of Grimsby. A HIA prepared by ASI confirms that the proposed development will not have an adverse impact on the cultural heritage or character of the existing neighbourhood, provided their recommendations pertaining to landscape features and tree removal are executed.

**Policy 9.C.28** *The Region encourages tree planting and other forms of landscaping along all Regional Roads and abutting private property to ensure aesthetically pleasing streetscapes. Wherever possible and within technical and budgetary constraints, the Region shall plant trees along Regional Roads and abutting properties as a means of achieving attractive treed avenues. The Region shall endeavour to minimize the removal of trees, and any damage to existing trees.*

**Policy 9.C.34** *A key design objective for Regional Roads is to develop context-sensitive solutions that balance safety, visual amenity, pedestrianism and the ability to move large volumes of traffic. The balancing of these issues may include permitting or removing on-street parking, allowing or limiting access to adjacent properties, and modifying the pavement width or other measures to facilitate traffic flow or calming while contributing to a positive appearance, sense of place, and community interaction. The Region will implement the approved "Model Urban Design Guidelines" or its successor to facilitate this balance of both traffic flow and community environments. Design guidelines shall also be prepared for Regional Roads in non-urban areas.*

**Planning Comment:** A Landscape Plan and/or Tree Preservation Plan will be prepared and submitted at a detailed design stage of the planning process, replanting a tree for each one that is removed to accommodate the proposed development and consider ecological benefits.

**Policy 9.E.1** *Public transit will be the first priority for transportation infrastructure planning and major transportation improvements for moving people in Niagara.*

**Policy 9.E.2** *The Region will make recommendations on transit planning according to the following criteria:*

- a) *Using transit infrastructure to shape growth, and planning for high residential and employment densities that ensure the efficiency and viability of existing planned transit service level.*
- c) *Expanding transit service to areas that have achieved, or will be planned to achieve transit supportive residential and employment densities, together with a mix of residential, office, institutional and commercial development wherever possible.*
- e) *Developing transit linkages among the Settlement Areas in Niagara and with settlement areas outside the Region.*
- f) *Increasing the modal share of transit in Niagara.*
- g) *Supporting multi-modal transportation where feasible.*

**Policy 9.E.5** *Planning of new development areas shall take into consideration bus route planning and pedestrian accessibility to routes.*

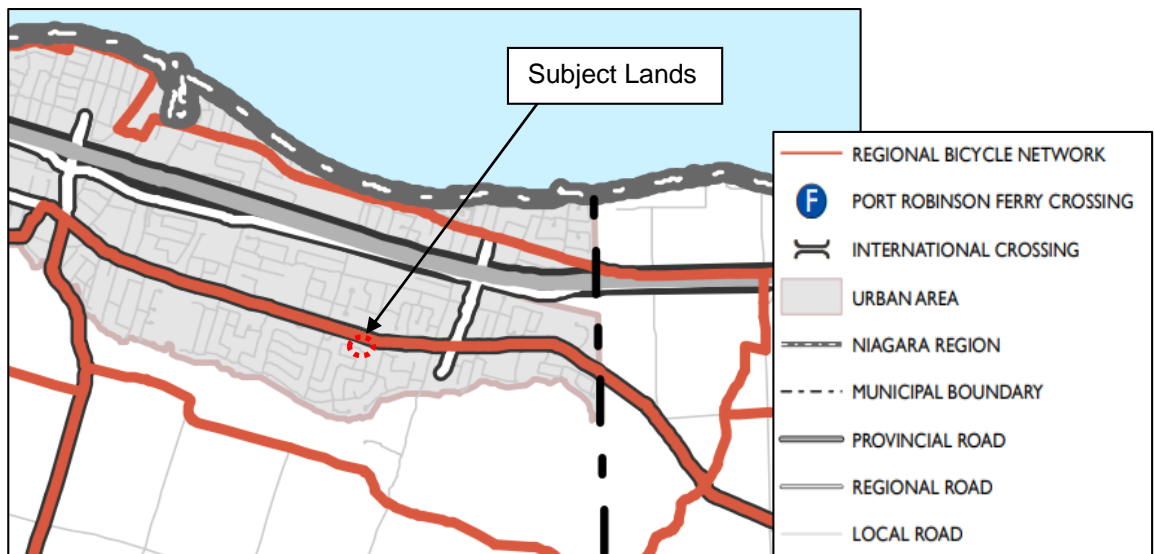
**Planning Comment:** The Town of Grimsby does not have a local public transit system due to the impracticality resulting from the population size and low density residential built form in Grimsby; however, provided the 80% annual residential intensification target, forecasted population increase, influx in development applications, and operation of a GO Transit Station, the viability for a local public transit system is increasing. The proposed development increases residential densities while respecting the cultural heritage and character of the residential neighbourhood along Main Street East. Further, the subject lands are within proximity to complimentary land uses (i.e. schools, parks, and churches), also increasing the viability of a multi-modal transportation system.

**Policy 9.F.2.1** *The Niagara Region will Ensure timely implementation, monitoring and updating of the overall Bicycling Network shown on Schedule E, where it follows Regional, municipal and other on and off-road routes, and facilitate implementation elsewhere, with continuous and safe linkages through the Niagara Region’s Capital Works programs and related programs of other agencies and partnerships (i.e. Waterfront Regeneration Trust, Niagara Parks Commission, Ministry of Transportation, International Bridge Authorities, Railways, Transport Canada and other jurisdictions).*

**Policy 9.F.2.12** *The Region and the local municipalities will ensure that pedestrian and bicycle networks are integrated into transportation planning to:*

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

**Planning Comment:** Figure 18 below is an excerpt from Schedule E – Niagara Region Bicycle Network of the Niagara Region Policy Plan, where Main Street East is identified as a Regional Bicycle Network, to provide safe linkages through Niagara Region’s various programs and partnerships. The proposed development will not adversely impact these connections, rather likely increase the number of users. The proposed development includes a garage for each dwelling unit, providing a safe bicycle parking spaces.



**Figure 18** Schedule E – Niagara Region Bicycle Network

**Section 10** of the Region of Niagara Official Plan discusses value related to creativity to enhance place people live, learn, work, play, create and invest among policies and objectives.

**Policy 10.C.2.1.1** *Significant built heritage resources and cultural heritage landscapes shall be conserved using the provisions of the Heritage Act, the Planning Act, the Environmental Assessment Act, the Funeral, Burial and Cremations Act and the Municipal Act.*

**Policy 10.C.2.1.2** *The Region shares an interest in the protection and conservation of significant built heritage resources and encourages local municipalities to develop policies to protect and conserve locally significant built heritage resources and to utilize its authority under the Ontario Heritage Act to designate individual properties, cultural heritage landscapes and heritage conservation districts that are of cultural heritage value or interest.*

**Policy 10.C.2.1.5** *Where development, site alteration and/ or a public works project is proposed on or adjacent to a significant built heritage resource(s) or cultural heritage landscapes , a heritage impact assessment will be required. The findings of the assessment shall include recommendations for design alternatives and satisfactory measures to mitigate any negative impacts on identified significant heritage resources.*

**Planning Comment:** As previously discussed, there are a variety of heritage sites along Main Street East, including: 203 Main Street East (Built in the 1840s with Neo-classical features), 212 Main Street East (Built in 1860 with Georgian style verandah and three gables), and 245 Main Street East (Built in 1846 and rebuilt in 1874 following a fire). Additionally, the dwelling west adjacent to the subject lands is designated as having heritage significance. As a result, a CHA was prepared to ensure the proposed development takes appropriate measures to eliminate any potential adverse impact on the neighbourhood's cultural heritage character. It was determined that the proposed development will not have an adverse impact on the adjacent designated heritage property or the Main Street East streetscape, provided the recommendations from ASI pertaining to landscape features (i.e. location of the vehicular entrance, building setback, height, massing, and materials) and tree removal are implemented. Please refer to the CHA report prepared by ASI for details.

**Section 11** reviews housing and community policies for the Niagara Region within the policies and objectives.

**Policy 11.A.1** *The Region encourages the provision of a variety of housing types within urban communities and neighbourhoods to serve a variety of people as they age through the life cycle.*

**Policy 11.A.2** *The Region encourages the development of attractive, well designed residential development that:*

- a) *Provides for active transportation within neighbourhoods with connections to adjacent residential and commercial areas, parks and schools.*
- b) *De-emphasizes garages, especially in the front yard.*
- c) *Emphasises the entrance and points of access to neighbourhoods.*
- d) *Is accessible to all persons.*
- e) *Incorporates the principles of sustainability in building design.*
- f) *Provides functional design solutions for such services as waste collection and recycling.*
- g) *Provides an attractive, interconnected and active transportation friendly streetscape.*
- h) *Contributes to a sense of safety within the public realm.*
- i) *Balances the need for private and public space.*
- j) *Creates or enhances an aesthetically pleasing and functional neighbourhood.*

k) *Encourages a variety of connections based on transportation mode between land uses based on diverse transportation modes, allowing people to move freely between the places where they live, work and play.*

**Policy 11.A.3** *The Region encourages housing which allows people to work at home or in relatively close proximity to work.*

**Policy 11.A.16** *The Region encourages the local municipalities to investigate and implement dwelling unit size regulation as a means to provide affordable housing.*

**Planning Comment:** The proposed development increases the variety of housing types and tenures in the community by providing eight new single detached dwellings within a vacant land condominium tenure type. The proposed dwellings are accessible and more affordable than the existing single detached dwelling due to the smaller land parcels and dwelling units. Also, the proposed dwellings require less laborious work and subsequent yard and/or house maintenance due to the condominium fee benefits, catering to a broad range of ages and incomes. Moreover, connections are provided from the subject lands to adjacent neighbourhoods, parks, schools, and commercial uses by active transportation infrastructure or a road network. The proposed dwellings front onto a private road, resulting in most of the dwelling facades not being directly visible from Main Street East; however, the habitable portion of the dwelling is proposed closer to the private street than the garage to deemphasize the automobile and promote an “eyes on the street” environment. Further, the existing zone permits a home occupation as an accessory use to the dwelling, which will continue. From a servicing standpoint, the proposed development is functional according to the FSR. In terms of aesthetics and respect for cultural heritage character, a preliminary architectural design has been prepared by Orchard Designs which will be finalized during the detailed design stage, along with a Landscape Plan and/or Tree Management Plan.

**Region of Niagara Official Plan Planning Conclusion:** The proposed development conforms to the Region of Niagara Official Plan, as it:

- is appropriate over the long term by focusing residential intensification and redevelopment within the Built-up Area, accessing existing municipal infrastructure, in addition to supporting the viability of a local public transit system;
- is appropriate from a cultural heritage and archeological standpoint according to the CHA and AA prepared by ASI;
- increases the range of dwelling types and tenures, providing a more affordable and accessible housing option than the existing single detached dwelling, catering to various ages and income-levels;
- contributes to achieving the Region of Niagara target of 40% residential intensification annually and Regional Town of Grimsby residential intensification target of 80%;
- contributes to accommodating the forecasted increase in population of 1,582 from 2021 to 2031;
- more efficiently utilizes the subject lands and existing municipal infrastructure; and,
- considers the existing conditions and future road widening, ensuring not to interfere with the transportation network or ROW width of 26.2 metre.

In contrast, the existing development does not conform to the Region of Niagara Official Plan, as it:

- does not use the existing municipal infrastructure to its full capacity or intensify the Built-up Area; and,
- does not increase the provisions of housing types and tenures or the Regional intensification targets.

## 8.6 Town of Grimsby Official Plan, 2012

The Town of Grimsby Official Plan was approved by the Ontario Municipal Board on May 12, 2012. This Plan provides direction regarding economic, social and environmental matters related to land use. In addition, this Plan implements the policies of the Province of Ontario and Niagara Region Policy Plan while respecting specific details and characteristics of the Town of Grimsby, for example the historic character along Main Street. The Town of Grimsby Official Plan has a planning horizon to the year 2031, and is reviewed every five (5) years to ensure the land development direction is relevant and all-encompassing. The following designations, policies, and planning comments are applicable to 226 and 228 Main Street East.

SCHEDULE OR APPENDIX	DESIGNATIONS
Schedule A – Municipal Structure	Urban Settlement Area Niagara Escarpment Plan Area
B – Land Use	Low Density Residential Area
B2 – Land Use – Urban Settlement Area (East)	Low Density Residential Area
C – Transportation	Main Street East – Regional Arterial Bike Routes
Appendix 5 – Areas of High Aquifer Vulnerability	Areas of High Aquifer Vulnerability

**Table 4** Town of Grimsby Official Plan Designations for 226-228 Main Street East

To begin, **Section 2.3** of the Town Official Plan provides policies related to municipal structure elements.

**Policy 2.3.2.2** *Urban Settlement Area Boundary* Schedule A illustrates the Urban Settlement Area boundary which serves to distinguish between areas intended for future urban development and areas where agriculture or other rural uses are intended to remain predominant over the long term.

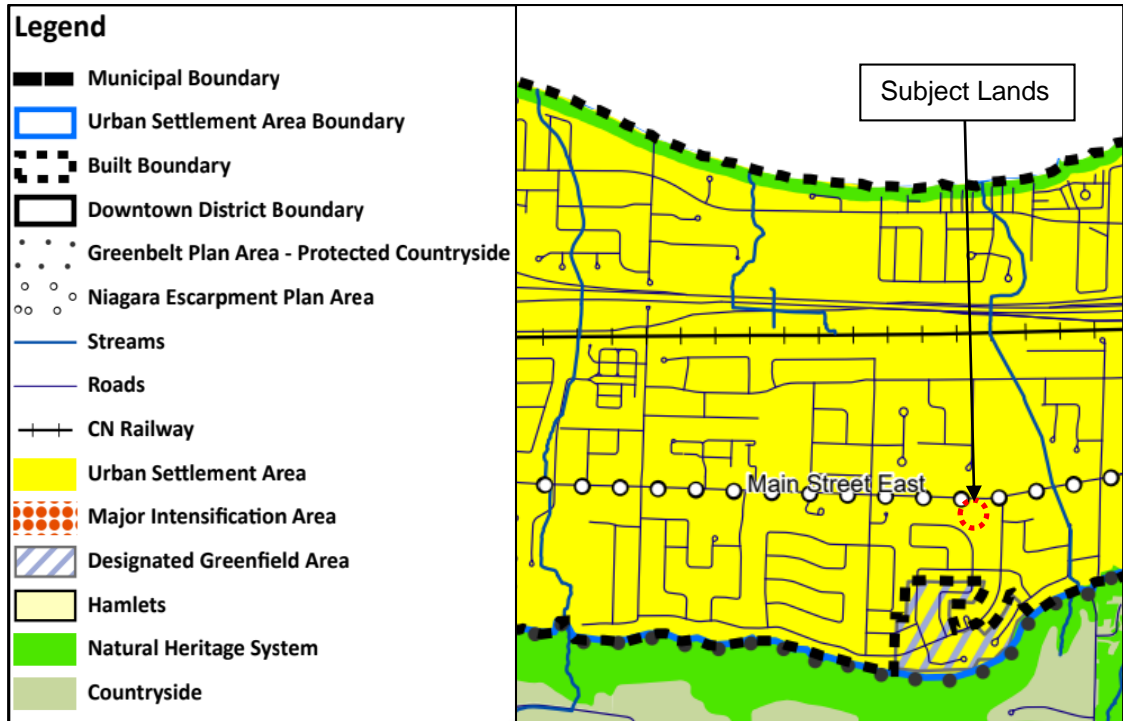
**Policy 2.3.2.3** *The Urban Settlement Area will accommodate the majority of residential and employment growth within the municipality on the basis of full municipal services.*

**Policy 2.3.2.4** *Built Boundary* Schedule A also delineates the built boundary for the Town of Grimsby. Development within the built boundary contributes towards the intensification target in Section 2.4.4. However, within the stable residential neighbourhoods, intensification will be limited. An intensification strategy in Section 2.4.6 sets out the means to achieve the intensification target.

**Policy 2.3.2.10** *Stable Residential Neighbourhoods* Outside of the major intensification areas and the Employment Areas, the majority of the Urban Settlement Area within the built boundary is considered a stable residential neighbourhood. Stable residential neighbourhoods are intended to retain their existing character with limited change. This does not mean that new housing must mimic the character, type and density of existing housing but rather it shall fit into and reinforce the stability and character of the neighbourhood. Within this area, infill and intensification may be permitted where it respects the scale and built form of the surrounding neighbourhood, conforms to the land use policies of Section 3.4, and meets the compatibility criteria in Section 3.4.7.

**Planning Comment:** The subject lands are located within the Urban Settlement Area Boundary and Built Boundary, as shown on Schedule A of the Town of Grimsby Official Plan and in **Figure 19** below, where intensification and redevelopment as proposed is encouraged. The subject lands

are also part of a stable residential neighbourhood that has an established character that must not be adversely impacted as a result of development. The proposed development maintains the low density residential nature of the stable residential neighbourhood and takes precautions to ensure cultural heritage is considered for the built form design and lot configuration. According to the CHA prepared by ASI there are no adverse impacts on the existing stable residential neighbourhood as a result of the proposed development from a cultural heritage perspective, provided the recommendations pertaining to landscape features and tree removal are applied.



**Figure 19** Schedule A – Municipal Structure Excerpt of Subject Lands

**Section 2.4** of the Town of Grimsby’s Official Plan provides policies and land use planning direction on growth management.

**Policy 2.4.1** *The projected population for the Town of Grimsby by the year 2031 is 32,800 people. The Urban Settlement Area will accommodate the majority of residential and employment growth within the municipality while limited growth may occur within the Hamlet Settlements.*

**Policy 2.4.4** *The Town shall target for approximately 80 per cent of new dwelling units to be provided through intensification after 2015.*

**Policy 2.4.6** *To achieve the target set out in Section 2.4.4, the Town shall implement the following Intensification Strategy:*

- a) *Encourage 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;*
- d) *Infill and intensification within the stable residential neighbourhood component of the Urban Settlement Area may be permitted where it respects and reinforces the stability of the residential neighbourhoods and is of a scale and built form that reflects the surrounding neighbourhood. The tests of appropriate infill and intensification shall be determined through the compatibility criteria set out in Section 3.4.7;*

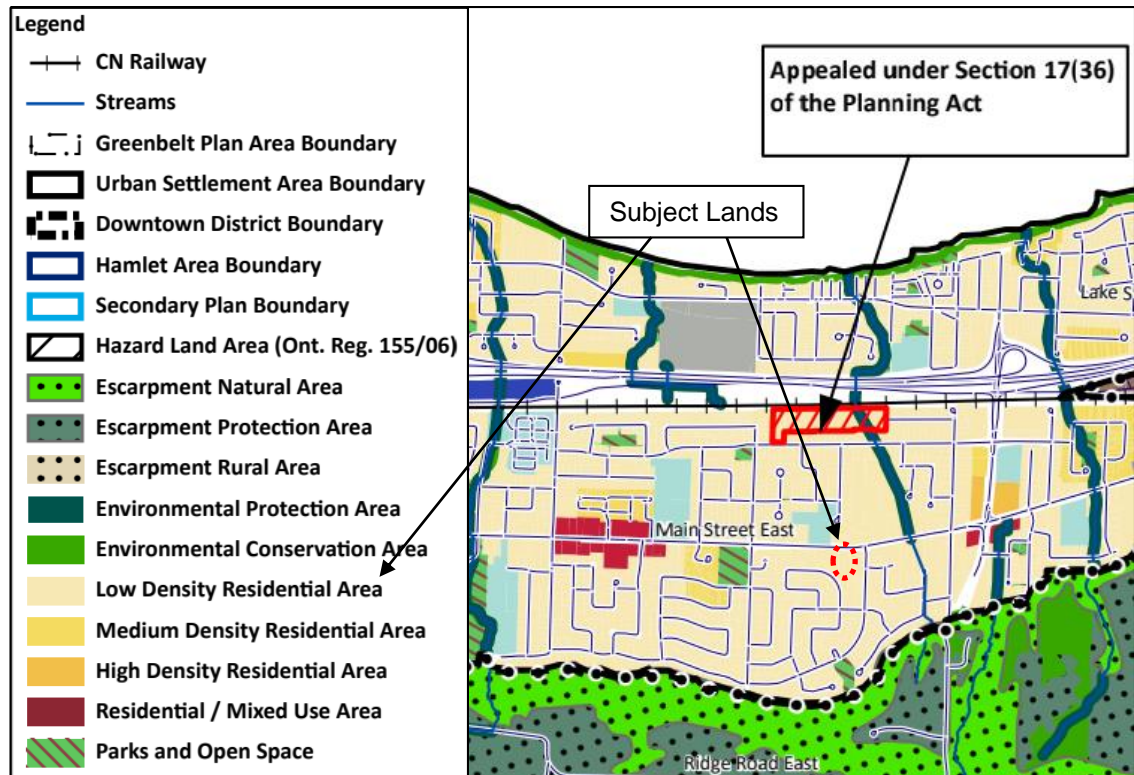
- f) *All intensification and infill development within the built boundary shall be subject to site plan control to ensure that the built form and physical look of the built form is compatible with the neighbourhood;*

**Policy 2.4.7** *Planning for infrastructure and public service facilities shall be integrated with the planning for development, both intensification and greenfield development, to ensure that public infrastructure and services are available to meet current and projected needs while being provided in an efficient and cost-effective manner.*

**Planning Comment:** The proposed development will contribute to accommodating the forecasted increase in population of 5,486 people from 2016 to 2031. The Town of Grimsby and Region of Niagara Official Plans state that 80% of new dwelling units are to be provided through intensification after 2015 by effectively utilizing infill and intensification within the built-up area, as proposed. The Town of Grimsby has met this 80% target through the implementation of various medium and high density residential development projects. However, this 80% residential intensification is a minimum standard, as Grimsby has a limited restriction on developable land due to natural hazards, including Lake Ontario to the north and the Niagara Escarpment Plan to the south. Further, provincial planning policies encourage development within the Built-up area rather than inefficiently sprawling to destroy valuable natural resources such as the Greenbelt and Niagara Escarpment. Additionally, the proposed development provides a mild form of intensification and infill that respects the existing character of a stable residential neighbourhood while increasing the availability of single detached residential dwellings within a desirable area to reside. The proposed increase in density and population is minor and capable of being supported by existing public service facilities and municipal infrastructure. Therefore, the proposed development tastefully contributes to exceeding the minimum standard of 80% of new residential dwelling units to be provided through intensification after 2015.

An excerpt of Schedule B – Land Use from the Regional Official Plan is shown in **Figure 20** and designates the subject lands as Low Density Residential Area. The generally low density residential neighbourhood scale and cultural heritage character were taken into consideration during the preliminary site design. The dwelling closest to the street is setback a similar distance as the adjacent heritage home, providing an appropriate transition between the dwelling on 224 Main Street East and 263 Dorchester Drive. Further, there is a private lane and drive aisle separating the proposed single detached dwellings and the Udell House, creating an added buffer. The single detached dwellings fronting onto Dorchester Drive have an existing rear yard setback of at least 6.6 metres, providing an additional buffer to the proposed rear and side yard setbacks of the dwellings on the subject lands. Further, the lot frontages proposed are consistent with the existing lots in the neighbourhood that generally do not front onto Main Street East, as the proposed lots front onto a private road. Also, the proposed lot adjacent to Main Street East closes the opening in the existing streetscape, completing the street by proposing a single detached dwelling that has similar setbacks and lot frontage of the adjacent sites. Further, vehicular access to lot 1 is from the proposed private road, creating a false front onto Main Street East, completing the streetscape. The Draft Plan of Vacant Condominium process will ensure the physical look of the built form is compatible with the existing stable residential neighbourhood. A preliminary perspective drawing has been prepared by Orchard Design Studio Inc., shown in **Figure 11**, demonstrating the potential for heritage character consistency through the effective use of architecture and site design standards.





**Figure 20** Schedule B – Land Use Excerpt of Subject Lands

**Policy 2.5.1** *The Town shall encourage the development industry to provide housing which includes a variety of dwelling unit types in terms of density, tenure, unit size and price including special needs housing.*

**Policy 2.5.3** *The Town shall endeavour to maintain at all times a 3-year supply of housing units on lands suitably zoned to facilitate residential intensification and redevelopment and in registered, or draft approved plans of subdivision. The Town shall request the Region to endeavour to ensure sufficient servicing capacity to accommodate this housing.*

**Policy 2.5.4** *The Town shall permit and facilitate all forms of residential intensification in accordance with the Intensification Strategy in Section 2.4.6.*

**Policy 2.5.5** *In considering applications for infill and intensification, the Town shall consider the impact on adjacent residential uses including overlook and shadowing, the character of the surrounding area and the need for a transition in heights and densities adjacent to existing residential uses as per Section 3.4.7.*

**Policy 2.5.6** *The Town in collaboration with the Region shall seek to facilitate the provision of affordable housing by:*

- a) *Promoting higher density housing forms in appropriate locations, as set out in the land use designations of this Plan. Such housing is more affordable due to reduce per unit land costs; and/or*
- b) *Encouraging smaller units including secondary suites. Such housing is more affordable due to lower construction and renovation costs;*

**Planning Comment:** The proposed development contributes to supplying residential housing within lands suitably zoned for single detached residential dwelling. The proposed intensification and redevelopment is viable due to the sufficient capacity of existing municipal infrastructure to accommodate the proposed eight single detached dwelling units. The proposed dwelling type and

tenure contribute to the diversifying the housing stock in the Town of Grimsby, providing accommodations that are more accessible and affordable than some of the existing housing, due to smaller units and higher densities, catering to a broad range of ages and incomes. The proposed dwelling type, built form, and lot configurations are similar to those existing in the surrounding area, ensuring there are no issues related to shadowing, overlook, character, density, or privacy.

**Policy 3.4.1.2** *Every lot shall have access to an open, improved public road which is maintained on a year round basis.*

**Policy 3.4.1.4** *Adequacy of Municipal Services*

*In all instances of development or redevelopment, the adequacy of municipal services to serve the proposals will be considered. The Town may require development to be appropriately phased if it is found that municipal services are inadequate to serve site-specific development proposals. Municipal services include not only the services relating to water supply, sanitary sewage disposal and storm drainage but also roads, park, and school facilities.*

**Planning Comment:** The proposed development has adequate access to municipal services, including roads, sewer, sanitary, storm, utilities, parks, and schools.

**Policy 3.4.2.1** *Within the Low Density Residential Area, permitted uses shall include:*

- a) Single detached dwellings, semi-detached dwellings, linked semi-detached dwellings, secondary suites and duplexes;*
- b) Home Occupations subject to Section 3.4.1.5;*
- c) Parks and open spaces;*
- d) Community facilities;*
- e) Public and private utilities;*
- f) Bed and Breakfast Establishments subject to Section 3.4.1.6;*
- g) Local Convenience/Service Retail subject to Section 3.6.2;*
- h) Day Care Facilities subject to Section 3.4.1.8;*
- i) Places of Worship subject to Section 3.4.1.9;*
- j) Elementary Schools; and*
- k) Group Homes.*

**Planning Comment:** As previously mentioned, the subject lands are located within the Low Density Residential Area. Single detached dwellings are proposed on the subject lands, as permitted within the Low Density Residential Area designation and the existing zone.

**Policy 3.4.2.2** *Low density residential building forms shall not exceed a height of 2.5 storeys.*

**Policy 3.4.2.3** *All Low Density Residential development shall be compatible with adjacent properties and shall respect the character and image of the neighbourhood.*

**Policy 3.4.2.4** *Low density residential uses shall have a density of not more than 25 units per net residential hectare.*

**Policy 3.4.2.6** *All development within the Low Density Residential Area designation shall conform to the Urban Design Policies for Residential Neighbourhoods in Section 3.4.7.*

**Policy 3.4.2.7** *All new residential development, and additions greater than 20% of the existing floor area, within stable residential neighbourhoods shall be subject to site plan approval at the discretion of the Town, which shall consider the compatibility criteria of Section 3.4.7.4.*

**Planning Comment:** The proposed built form does not exceed a height of 2.5 storeys or 9 metres, maintaining compatibility with adjacent properties. The character and image of the neighbourhood is further preserved by proposing consistent lot configurations, setbacks, dwelling types, and architectural features as found within the existing neighbourhood. Further, the proposed density is 23 units per net residential hectare, which is acceptable for the subject lands as it is below the maximum 25 units per net residential hectare outlined in the Town's Official Plan. The subject lands are subject to draft plan approval, as the proposed residential development is greater than 20% of the existing floor area.

**Policy 3.4.7.1 Development Blocks and Lots – General Criteria**

- a) *New development blocks shall be based on a rectilinear grid system of public roads unless natural features or other existing constraints require deviation from that pattern. Lanes are permitted but not required.*
- b) *The size and configuration of each new development block will:*
  - i) *Be appropriate to its intended use;*
  - ii) *Facilitate and promote pedestrian movement; and,*
  - iii) *Provide a sufficient number and, where appropriate, a range of building lots to achieve cost effective and efficient development.*
- c) *Each development lot in a block will:*
  - i) *Have frontage on a public road; and,*
  - ii) *Be of sufficient size and appropriate configuration to accommodate development that reflects the planning and urban design policies set out in this Official Plan.*
- d) *Notwithstanding Section 3.4.7.1.c), a lot that does not have frontage on a public road may be permitted, provided the front lot line adjoins public open space fronting a public road, and the rear lot line adjoins, and has access from a rear lane.*

**Planning Comment:** The proposed lots are based on a rectilinear grid system which includes a proposed private road. The lot sizes are appropriate for the proposed single detached dwelling types, fronting onto a private road, with access to a public road – Main Street East. Also, the proposed lot 1 has frontage onto both Main Street East and the proposed private road, where increased setbacks are considered accordingly. Main Street East has an existing sidewalk that is proposed to be maintained, and the new size and configuration of the lot will facilitate pedestrian movement and achieve cost effect and efficient development.

**Policy 3.4.7.2 General Built Form**

- a) *New development shall be compatible with adjacent and neighbouring built form by ensuring that the siting and massing of new buildings does not result in undue adverse impacts on adjacent properties particularly in regard to adequate privacy conditions for residential buildings and their outdoor amenity areas.*
- b) *To ensure that the compatibility referenced in a) is achieved; the implementing Zoning By-law will establish appropriate setback and yard requirements which recognize the existing built-form character.*
- c) *Access from sidewalks and public open space areas to primary building entrances shall be convenient and direct, with minimum changes in grade.*
- d) *To minimize disruptions to traffic flow and to maximize safety and the attractiveness of Arterial Roads, individual direct vehicular access shall be minimized, and, in some cases prohibited.*

**Planning Comment:** As previously discussed, the proposed development is compatible with the neighbouring built form by considering massing, outdoor amenities, and site-specific setback provisions to prevent issues related to privacy and noise. The proposed entrances for the dwellings are visible from the street and are setback closer than the garage for safety and pedestrian-oriented environment purposes. A private road is proposed to connect the lot frontages to Main Street East, restricting direct access onto a Regional Arterial Road that typically has higher levels of traffic flow. Specific site design and details related to surface materials will be addressed at a detailed design phase of the planning process.

**Policy 3.4.7.3 Location of Buildings with Respect to Roads, Parks, Open Space, Natural Hazards and Natural Heritage**

a) *To reinforce the road, lane and block pattern, the following measures shall be employed:*

- i) *All buildings will be aligned parallel to a public road;*
- ii) *Siting and massing of buildings will provide a consistent relationship, continuity and enclosure to the public roads;*

**Planning Comment:** The proposed 2.5 storey single detached dwelling closest to Main Street East encloses the streetscape and creates a cohesive built form and streetscape in which is currently discontinuous due to the vacant land use on 228 Main Street East. The proposed buildings are aligned parallel with the existing dwellings fronting onto Main Street East or Dorchester Drive.

**Policy 3.4.7.4 Compatibility Criteria for Stable Residential Neighbourhoods**

a) *It is a fundamental principle to avoid and/or mitigate any inappropriate interface between buildings and/or uses. As such, the concept of compatible development is of paramount importance throughout Residential Neighbourhood areas. All development applications shall be reviewed with respect to their compatibility with existing and/or approved developments.*

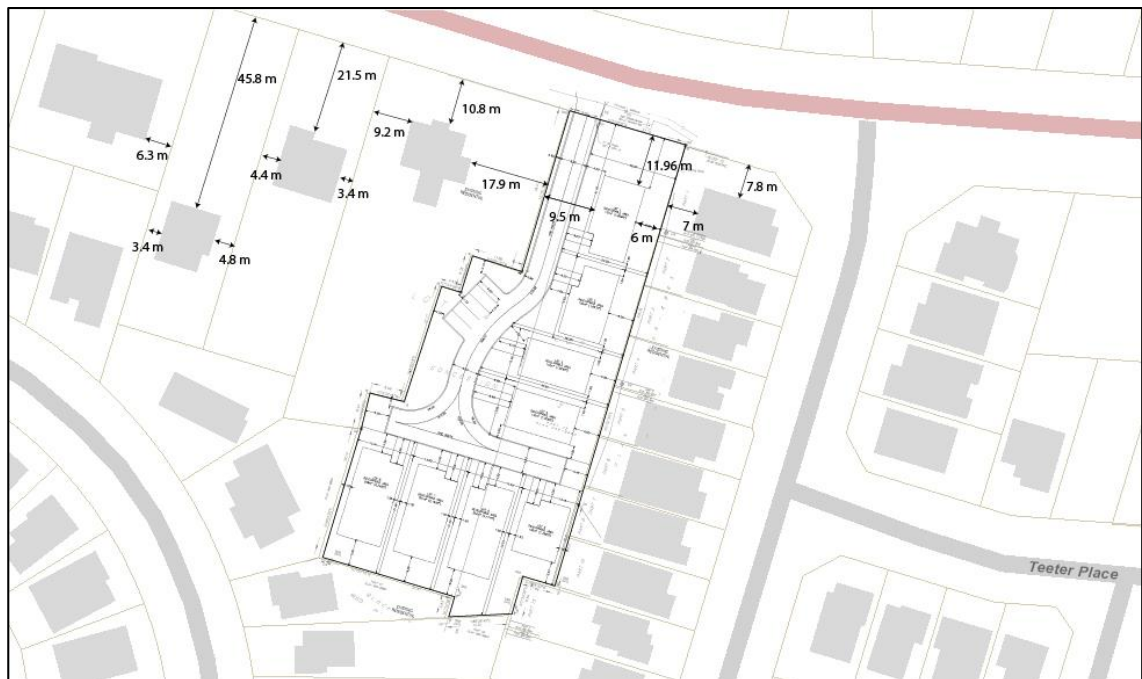
**Planning Comment:** The proposed minor infill redevelopment is compatible with the surrounding low density residential neighbourhood. Lot 1 of the proposed development will have an appropriate setback from Main Street East that is consistent with adjacent lots with frontage onto Main Street East to maintain the historic streetscape, as shown in **Figure 21** below and **Figure 11**. Further, appropriate building materials and landscaping will be used to ensure consistency with the existing heritage character of the surrounding area. Details regarding landscaping, tree removal, and site/building materials will be determined at future stage of the planning process, ensuring to respect the existing character of the surrounding stable residential neighbourhood.

b) *New dwellings within stable residential neighbourhoods shall provide a consistent relationship with existing adjacent housing forms and the arrangement of these existing houses on their lot. As such, new dwellings shall:*

- i) *Provide a building height which reflects the pattern of heights of adjacent housing;*
- ii) *Provide for a similar lot coverage to adjacent housing to ensure that the massing or volume of the new dwelling reflects the scale and appearance of adjacent housing;*
- iii) *Maintain the predominant or average front yard setback for adjacent housing to preserve the streetscape edge, and character;*
- iv) *Provide for similar side yard setbacks to preserve the spaciousness on the street;*
- v) *Provide a built form that reflects the variety of façade details and materials of adjacent housing, such as porches, windows, cornices and other details; and*

- vi) *Provide a limitation on the width of a garage so that the dwelling reflects the façade character of adjacent housing.*

**Planning Comment:** The proposed development provides a consistent relationship with adjacent housing forms by comprising of low density single detached residential dwellings with 2.5 storeys, similar to dwellings within the surrounding stable residential neighbourhood. Further, the proposed development consists of similar yard setbacks to the adjacent lots with frontage onto Main Street East to preserve the spaciousness on the street, as shown in **Figure 21**. In terms of built form façade, the proposed dwellings are intended to have similar architectural features as the existing buildings within the stable residential neighbourhood, such as peaked roofs, dormers, open gable roof styles, porches, and double hung windows. Please refer to the elevation drawings prepared by Orchard Design Studio Inc. in section 4 of this report for details. Additionally, the location of the garage for lot 1 will be located at the rear of the building to reflect the façade design of adjacent housing.



**Figure 21** Proposed Site Plan and Surrounding Area

- c) *Site specific zoning may be required for new dwellings to ensure that the criteria set out in subsection b) and h) are met.*

**Planning Comment:** Site-specific zoning is proposed to ensure the development maintains a consistent relationship with the existing adjacent housing arrangements to avoid inappropriate interface between buildings. Specifically, the Main Street Zone is being proposed with site-specific provisions to accommodate the mild form of infill and subsequent site configuration, including rear yard setbacks and building depth. As a result, the proposed development will be zoned to ensure that the criteria set out in subsection b) and h) are met.

- e) *New lots within stable residential neighbourhoods shall provide a consistent relationship with existing adjacent housing lots. As such applications for consents and plans of subdivision shall:*
- i) *On smaller infill properties, provide lots, which maintain the established rhythm of lot sizes and frontages on adjacent housing lots;*

- iii) *Create a street and block pattern, which serves as a seamless extension of the surrounding neighbourhoods by providing an interconnected block structure and the extension of the existing local road network.*

**Planning Comment:** The proposed single detached dwellings are a compatible use with the existing stable residential neighbourhood, as the adjacent lots each consist of single detached dwellings. The proposed building height is no larger than 2.5 storeys, as existing in the surrounding neighbourhood. In terms of setbacks, they are consistent with the most recent low density residential development within the surrounding neighbourhood, resulting in similar lot coverage. Details proposed related to architecture must be sensitive to the adjacent dwelling at 224 Main Street East, recognized for its historic architectural features. The proposed garages are not completely visible from Main Street East.

h) *Along and fronting onto Main Street East and West, new development shall:*

- i) *Reflect the character of large estate houses; and*
- ii) *Meet the requirements of subsection b) and e); and*
- iii) *Preserve Main Street's wooded character.*

i) *Notwithstanding subsection h), where properties are deep, low density housing forms may be permitted 'behind' the frontage lots provided the frontage lots respect the large estate lot character of the street and the 'rear' lots meet the requirements of subsection b) and e).*

**Planning Comment:** The proposed development proposes frontage onto a private condominium road that connects to Main Street East, with the side of the building, similar to several other cases along Main Street East. Any of the trees removed will be replanted and shown on a Vegetation and/or Tree Management Plan at the draft plan design stage of the planning process to maintain Main Street's wooded character. The subject lots are deep, which is when low density housing forms may be permitted behind the lots fronting onto Main Street, as proposed.

**Section 4** of the Town of Grimsby Official Plan regards environmental management and sustainability, providing policy direction related to stormwater management, healthy landscapes, land resources, and air quality and climate change.

**Policy 4.1.1** *An ecosystem approach shall be employed in the consideration of all land use matters and shall address:*

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

**Policy 4.1.2** *Development, including infrastructure, should maintain, enhance or restore ecosystem health and integrity. First priority is to be given to avoiding negative environmental impacts. If negative impacts cannot be avoided then mitigation measures shall be required.*

**Planning Comment:** The existing trees on the subject lands have been removed, as they were not maintained, in poor health, and a risk to the public. For example, one of the large trees on the subject lands near Main Street East was half dead and there was concern of the tree falling on adjacent homes provided any storms or detrimental weather conditions arose. A landscape plan will be prepared at a detailed phase of the planning process for economic, health, social, and environmental reasons such as reduce stormwater runoff and controlling temperatures.

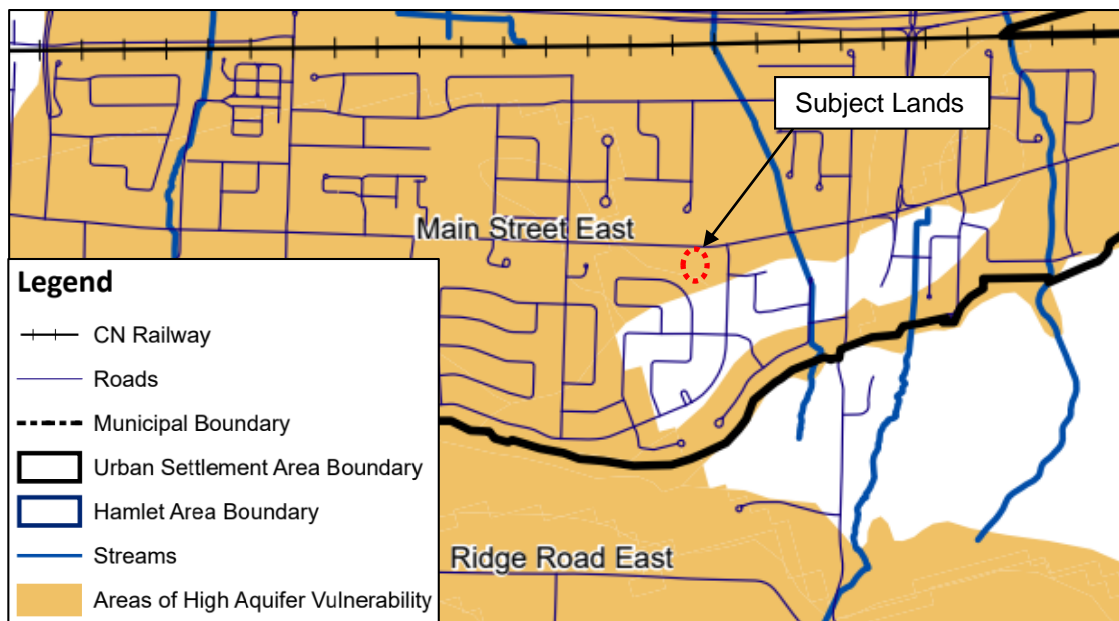
**Policy 4.2.1** *Development and site alteration shall be restricted in the vicinity of significant groundwater recharge, surface water features and areas of high aquifer vulnerability along with ground water features of importance to municipal water supplies so that the safety, quality and*

quantity of ground water will be protected or improved or restored. Areas of potential significant groundwater recharge are schematically delineated in Appendix 4. Areas of high aquifer vulnerability have been mapped by the Niagara Peninsula Conservation Area, as shown on Appendix 5.

**Policy 4.2.2** Areas of significant groundwater recharge and discharge can have implications for development. However, the scale of mapping available makes it difficult to quantify the significance of the recharge or discharge function in these areas and the implications for development. As such, more detailed hydrogeological studies shall be required, through secondary plan studies and prior to approval of any site specific applications for Official Plan Amendment or rezoning, to identify and refine groundwater recharge /discharge areas and areas of high aquifer vulnerability, to assess impact from development and to protect the hydrological integrity of significant groundwater recharge and discharge functions.

**Policy 4.2.6** Mitigative measures and/or alternative development approaches may be required in order to protect, improve, or restore similar surface water features, sensitive ground water features and their hydrologic functions.

**Planning Comment:** The proposed development is within the area of high aquifer vulnerability, as shown in **Figure 22** below. Therefore, safe groundwater that consists of high quality and quantity is prevalent on the subject lands, and must be protected, improved, and/or restored. Following discussions with Town Staff and as per the pre-consultation document, a hydrological study is not required as part of the rezoning application despite being located within an area of high aquifer vulnerability. The FSR prepared by IBI Group provides mitigative measures for stormwater quantity, whereas the Landscape Plan provided at the draft plan design stage will contribute to addressing any stormwater quality concerns.



**Figure 22** Appendix 5 – Areas of High Aquifer Vulnerability and Intake Protection Zone Excerpt of Subject Lands

**Policy 4.4.1** In the review of development applications, the following development guidelines shall be considered:

- a) New roads should be designed to harmonize with the existing topography to the extent possible, thus minimizing changes;

**Policy 4.4.2** *As a condition of development approval, applicants shall identify planning, design, grading and construction practices that keep disturbance of landform character to a minimum.*

**Policy 4.4.3** *Planning applications shall integrate natural features and natural vegetation, including the planting of native species, into development plans.*

**Planning Comment:** The proposed private road connects to an existing Regional Arterial Road (Main Street East) without significantly negatively impacting traffic levels, due to only increasing the number of units on the subject lands by six. Further, there is only one access proposed to Main Street East, as existing, in approximately the same location as existing, which minimizes changes to the existing topography. The proposed will be provided in detail at a future date to ensure the landform character is minimally disturbed. Vegetative features will be finalized during the draft plan design stage of the planning process.

**Policy 4.5.1** *In order to reduce energy consumption, reasonably compact forms of development shall be maintained in conjunction with efficient pedestrian, bicycle and vehicular transportation networks.*

**Policy 4.5.2** *Neighbourhood services and facilities including public recreational facilities shall be provided close to residential development to help reduce automobile trips.*

**Policy 4.5.3** *When considering building forms, development which results in extensive loss of sunlight to adjacent land uses shall be discouraged.*

**Planning Comment:** The proposed development will consist of buildings heights that are the same as dwellings existing in the surrounding stable residential neighbourhood. Additionally, there are ample rear yard setbacks proposed. Therefore, there are no concerns related to extensive loss of sunlight on adjacent land uses.

**Policy 4.5.4** *The Town shall encourage and support energy conservation, district heating and combined heat and power, and alternative and renewable energy sources developed in accordance with Provincial and Federal legislation, policies and regulations.*

**Policy 4.5.5** *The Town will encourage and facilitate the application of energy conservation measures in the design and construction of new buildings and in the rehabilitation and upgrading of existing buildings and structures.*

**Planning Comment:** The proposed development provides a more compact form of development than the existing built form, while ensuring to maintain the low density residential neighbourhood character of the surrounding area. Neighbourhood services are existing within proximity to the subject lands to support the proposed development, including Sherwood Hills Park and Park Public School, encouraging the reduced number of trips by automobile. Due to the low density nature of the proposed development, similar building heights to adjacent land uses, and proposed building setbacks, there are no concerns related to extensive loss of sunlight to adjacent land uses. Ultimately, the proposed development is supporting energy conservation by more efficiently utilizing the existing municipal services and subject lands than the existing use.

**Policy 4.7.10 Cultural Heritage Resources**

*The Town shall maintain and conserve the cultural heritage features of the Escarpment Plan Area through the following:*

- a) *Care shall be taken to preserve known archaeological sites (especially native burial sites) or areas where such sites might reasonably be expected to exist.*
- b) *Existing heritage features, areas and properties should be retained and reused.*
- c) *New development including reconstruction and alterations should be in harmony with the area's character and the existing heritage features and building(s) in general mass, height and setback and in the treatment of architectural details, especially on building facades.*



- d) *Where new development involves a heritage feature it should express the feature in some way. This may include one or more of the following:*
  - i) *Preservation of the heritage resource or cultural landscape in its original setting as part of the new development;*
  - ii) *Preservation and display of fragments of the former building's features and landscaping;*
  - iii) *Marking the traces of former locations, shapes and circulation lines;*
  - iv) *Displaying graphic verbal descriptions of the former use; and*
  - v) *Reflection of the former architecture and use in the new development.*
- e) *Where development will destroy or significantly alter cultural landscapes or heritage features, actions should be taken to salvage information on the features being lost. Such actions could include archaeological salvage excavation, and the recording of buildings or structures through measured drawings or photogrammetry or their physical removal to a different location.*

**Planning Comment:** As previously mentioned, 224 Main Street East consists of a single detached dwelling which is designated. In addition, archaeological potential was considered possible due to local indicators such as proximity to known archaeological sites (22 registered archaeological sites within 1km of the subject lands) and early historic settlement and transportation routes. As a result, a HIA was prepared to confirm whether or not the proposed development has an impact on the cultural heritage character of the subject lands and/or surrounding residential neighbourhood. Further, and Stage 1 and 2 AA were prepared to determine whether or not the subject lands have archaeological significance.

The CHA provided recommendations pertaining to tree removal and landscape treatments to ensure the proposed development is visually and physically compatible with the residential character of the road. Provided the appropriate design measures are imposed at a detailed stage of the planning process, the proposed development is appropriate from a cultural heritage perspective. The Stage 2 AA recommended that a Stage 3 be executed, as a one multi-component site was identified, the Kitchener Site (AhGv-52), an early-to-mid nineteenth-century Euro-Canadian domestic occupation with cultural heritage value or interest. The Stage 3 AA will be prepared at a future stage of the planning process.

In terms of architectural features, preliminary elevations were provided by Orchard Design as part of the Zoning By-law Amendment application, which will be updated and finalized during the draft plan design stage, after input is provided from heritage planning staff and the public.

**Section 5.0** provides policy direction on infrastructure and transportation.

**Policy 5.1.1** *All new development, within the Urban Settlement Area boundary shall be required to be connected to the water system as a condition of approval.*

**Policy 5.2.1** *All new development within the Urban Settlement Area Boundary shall be required to be connected to the sewage system in accordance with the requirements of the Town as a condition of approval.*

**Planning Comment:** The subject lands are within the Urban Settlement Area Boundary, where the proposed development is to be connected to the municipal water and sewage systems in accordance with the requirements of the Town as a condition of approval. The FSR prepared by IBI Group provides details on the existing and proposed servicing connections.

**Policy 5.3.4** *A stormwater management plan shall demonstrate that the proposal will minimize vegetation removal, grading and soil compaction, erosion and sedimentation, and impervious services. Stormwater management facilities shall not be constructed in Environmental Protection*

*Areas or Environmental Conservation Areas or the associated vegetation protection zones unless permitted under Section 3.1.2.5.*

**Policy 5.3.8** *All new developments shall incorporate generally accepted Best management practices, which shall be the highest level determined to be technically and economically feasible, and shall meet the following criteria:*

- a) No net reduction in surficial aquifer recharge or discharge;*
- b) Minimize potential for contamination of groundwater and surface water;*
- d) No creation of new flood or erosion problems or aggravation of existing flood or erosion problems;*
- h) Minimize and consolidate the number of stormwater treatment facilities;*
- j) Incorporate enhanced stormwater management design; and*

**Policy 5.3.12** *Maximizing opportunities for stormwater management at the site level using the LID approaches of Section 5.3.12 are recommended for all new land uses.*

**Planning Comment:** The subject lands are not located in an area of Environmental Conservation or Protection. Further, the proposed development does not result in: net reduction in surficial aquifer recharge or discharge, increase potential for ground or surface water contamination, the creation of new flood or erosion problems, or increase the number of stormwater treatment facilities. Stormwater management practices that incorporate best management practices will be proposed and outlined in detail at a future date.

**Policy 5.4.1.1** *The road pattern as shown on Schedule C is based on the establishment of a hierarchy of roads which reflects the following principles:*

- a) The overall road pattern should be in harmony with the proposed road pattern for the adjoining municipalities, the Regional road system and the Provincial highway system;*
- b) Provincial highways provide for large volumes of traffic through the Town;*
- c) Regional roads and Town arterial roads permit the movement of traffic through and within the Town;*
- d) Collectors provide access to specific areas and individual sites within the Town and carry traffic between Regional / Town arterial roads and local roads; and*
- e) Local roads provide access to individual sites and carry traffic between individual sites and collector roads.*

**Planning Comment: Figure 23** identifies Main Street East as a Regional Arterial Road, which permits the movement of traffic through and within the Town. Given the unique character and history along Main Street East, individual sites commonly consisting of wide lot widths and single detached dwellings have direct access onto Main Street East as well as local roads providing access for multi-unit dwellings and various residential lots. For example, Walker Court and Wentworth Drive are local roads connecting to Main Street East within 1km of the subject lands, shown in **Figure 23**. The proposed private road is planned to have access onto Main Street East, providing a connection to eight single detached dwellings.

**Policy 5.4.3 Regional Arterial Roads**

**Policy 5.4.3.1** *This road designation applies to roads under the jurisdiction of the Region.*

**Policy 5.4.3.2** *The construction, maintenance and design of Regional arterial roads are not subject to the requirements of this Plan. However, the Town shall review any proposed widenings, realignments or new construction and advise the Region of any concerns.*

**Policy 5.4.3.3** Consideration shall be given, where appropriate, to reducing the number of driveways along Regional arterial roads through the provision of service roads, shared driveways, and common off street parking areas.

**Policy 5.4.3.4** Reverse lotting shall be discouraged and only permitted where there is no other alternative.

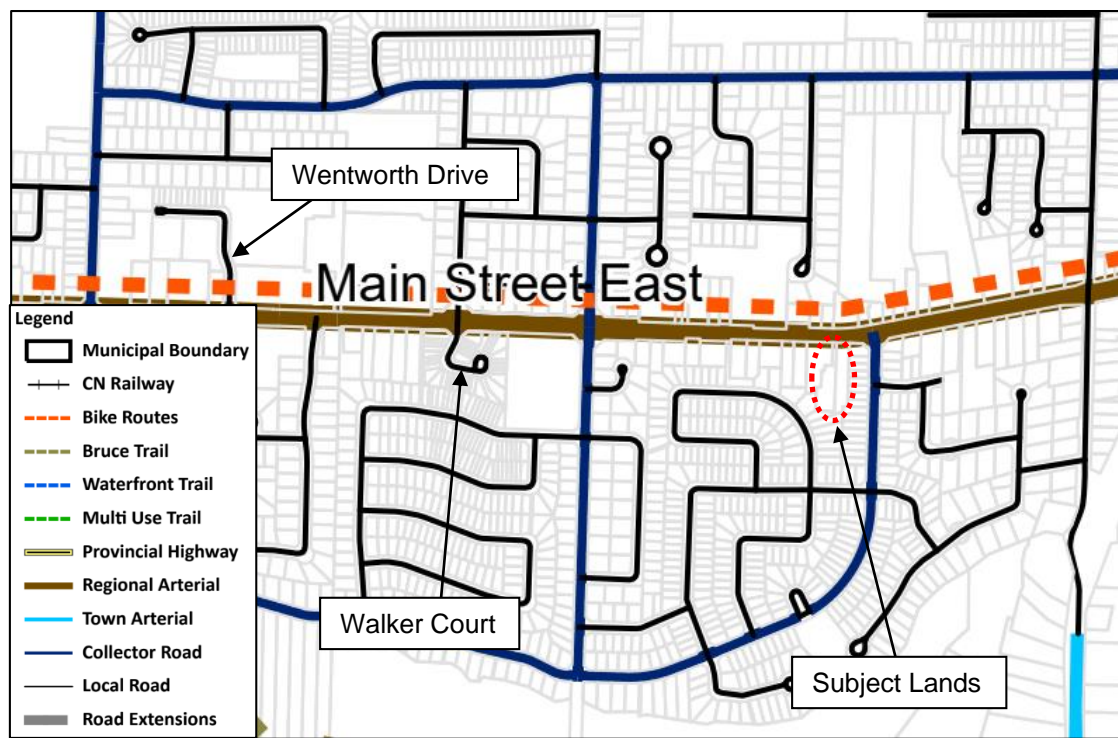
**Planning Comment:** As previously mentioned, Main Street East is a Regional Arterial Road, as shown on **Figure 23**. The proposed development does not result in any additional accesses onto Main Street East, rather slightly more traffic from the same access point. The proposed development takes into consideration road widening and does not obstruct the existing transformer, concrete sidewalk, and paved shoulders within the existing ROW, immediately in front of the subject lands.

**Policy 5.5.1** The Town will ensure that adequate public and/or private parking facilities are provided for all new development including parking necessary to meet accessibility standards.

**Policy 5.6.3.1** A continuous pedestrian and bicycle trail system linking parks and community facilities shall be identified on Schedule C. The bicycle trail system component of Schedule C shall include both on-street and off-street routes.

**Policy 5.6.3.3** This Plan will ensure the integration of cycling opportunities with the Niagara Wine Route and the Niagara Region Bicycle Network.

**Planning Comment:** The proposed development provides two parking spaces per residential dwelling unit (garage and driveway) and an additional five spaces for visitors along the west portion of the subject lands. As previously mentioned, Main Street East is a designated Bike Route, as shown in **Figure 23** below, providing infrastructure to encourage alternative methods of transportation than the private automobile for residents and visitors of the proposed development. Typically, 50% visitor parking is desirable, whereas the proposed development is providing 63%.



**Figure 23** Schedule C – Transportation Excerpt of Subject Lands

**Section 6** of the Town of Grimsby Official Plan provides land use planning guidance on controlling noise and vibration from roads, rail, and air traffic.

**Policy 6.2.1** *Applicants, for residential and other sensitive developments on lands within the vicinity of railways, the Queen Elizabeth Way and Regional arterial roads, shall be required to submit a noise impact study. The study will be evaluated by the Town in consultation with applicable agencies and will indicate the total noise impact on the site and recommend noise control measures; which may include increased setbacks.*

**Planning Comment:** A Noise Impact Study was not required by the Town in order to submit a complete application due to the low speeds on Main Street East. Moreover, the QEW and railway are an appropriate distance away from the subject lands to prevent a nuisance related to noise on the proposed development.

**Section 7** explores streetscape design policies for establishing the character of the Town or specific neighbourhoods and sectors of the Town.

**Policy 7.1.1** *General Policies*

*The Town shall consider the following as general design policies for the road and street network:*

- a) *Provide access for vehicles, pedestrians and bicycles, opportunities for vistas, view corridors and pedestrian amenity areas, and space for utilities and services.*
- b) *Design all streetscape elements such as sidewalks, paving patterns, seating, and signage, to be consistent and complementary to the character of the community.*
- c) *Design street lighting with regard for vehicular, cyclist and pedestrian requirements so that the size, height, and style of lighting reflects the hierarchy of the road.*

**Policy 7.3.1** *Along Main Street outside of the Downtown District, additional streetscape design requirements shall apply as follows:*

- a) *Preserve to the greatest extent, mature vegetation, remnants of agricultural activity and other natural features within the site and along the street edge and at the Escarpment; and*
- b) *Incorporate areas for pedestrian paths to connect to the existing, informal walking paths and footbridges; and,*
- c) *Require larger building setbacks to maintain the existing streetscape character.*

**Planning Comment:** The purpose of the private road is to provide a road connection to Main Street East from the eight proposed residential lots. Main Street East currently consists of paved shoulders on either side of the street, boulevards on the outside of each paved shoulder, and sidewalks on the outside of each paved boulevard – please refer to **Figure 24** for details. The mature trees along the streetscape will be preserved where possible; a Tree Management Plan and/or Landscape Plan will be provided at the draft plan design stage to detail surface materials outlining informal paths for pedestrians and trees to be preserved. The proposed setback for the dwelling nearest to Main Street East is roughly 10m, maintaining the existing streetscape character.



**Figure 24** Main Street East Cross-Section

**Section 8** of the Town of Grimsby Official Plan provides land use planning guidance on cultural heritage and archaeology.

**Policy 8.1** *The Town shall encourage the preservation of buildings and sites having historical and/or architectural value or interest and significant cultural heritage landscapes.*

**Policy 8.18** *Development and site alteration may be permitted on in the vicinity of protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.*

**Policy 8.22** *Development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential as determined through a Stage 1 or Stage 2 archaeological assessment, if the significant archaeological resources will be conserved by removal and documentation, or by preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration, which maintains the heritage integrity of the site are permitted.*

**Policy 8.23** *The Town will have regard for known built heritage resources, significant cultural heritage landscapes and known archaeological resources in the undertaking of municipal public works, such as roads and infrastructure projects carried out under the Municipal Class Environmental Assessment (EA) process.*

**Planning Comment:** The proposed development is in a residential neighbourhood with a distinct character and cultural heritage features. As previously mentioned, the following municipal addresses are designated Heritage Sites on Main Street East: 203, 212, and 245. Additionally, the adjacent lands to the west of the subject lands have a home designated for its architectural features. As a result, a HIA was prepared and determined that the proposed development does not adversely impact the existing streetscape or adjacent heritage property, provided ASI's recommendations are implemented. Moreover, the subject lands were determined by the Town to likely to have archaeological potential due to the history of the residential area and prevalence of archaeological sites in the surrounding area. Therefore, a Stage 1 and 2 AA were conducted by ASI, finding that a Stage 3 will be required, as a one multi-component site was identified, the Kitchener Site (AhGv-52), which is an early-to-mid nineteenth-century Euro-Canadian domestic occupation with cultural heritage value or interest. The Stage 3 AA will be prepared at a future stage of the planning process.

**Town of Grimsby Official Plan Planning Conclusion:** The proposed development is in conformity with the Town of Grimsby Official Plan, as it:

- more efficiently utilizes the subject lands and existing municipal services and infrastructure, resulting in energy conservation;

- is within the anticipated density for lands designated Low Density Residential, as 23 units per hectare are proposed, and 25 units per hectare is the maximum density permitted;
- maintains the intent of the existing road network, encouraging active transportation;
- will not adversely impact the Main Street East streetscape , residential neighbourhood, and/or adjacent designated heritage home;
- increases the range of dwelling types and tenures to accommodate various ages and income levels;
- is within an areas of high aquifer vulnerability and associated plans will be provided to address stormwater quantity and quality; and,
- maintains the intent of the Niagara Escarpment Plan Urban Area designation.

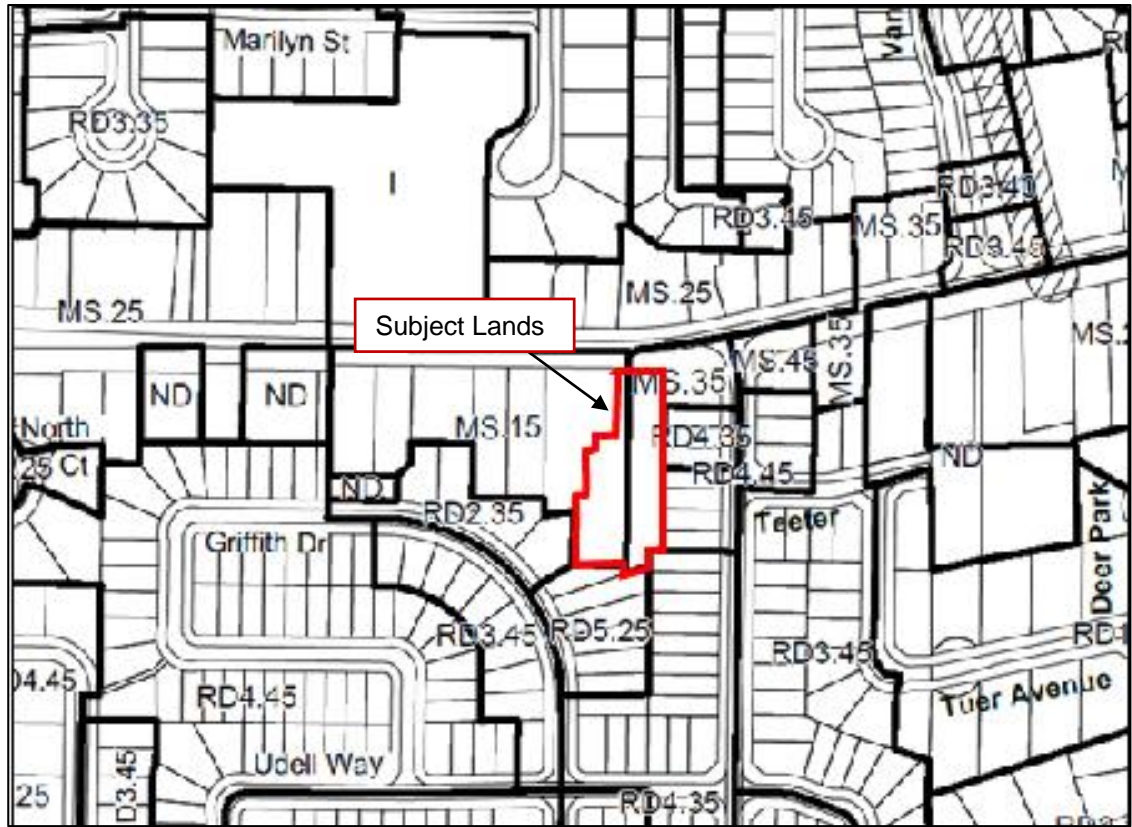
The existing development does not conform to the Town of Grimsby Official Plan, as it: inefficiently utilizes the subject lands and existing municipal services and infrastructure, and is significantly below maximum low density residential targets. Further, the streetscape is currently inconsistent, as the existing single detached dwelling has a much greater setback that the adjacent single detached residential dwellings, resulting in low visibility from the street.

## 8.7 Town of Grimsby Zoning By-law No. 14-45

As previously mentioned, the subject lands are regulated by the Town of Grimsby Zoning By-law 14-45. The subject lands are currently zoned Main Street (MS), as seen in **Figure 25**. Specifically, 226 Main Street East is currently zoned Main Street (MS.15), and 228 Main Street East is currently zoned Main Street (MS.35), where the numbers following the zone pertain to maximum lot coverage restrictions. The following uses are permitted in the Main Street Zone under Section 7.0 Residential Zones Permitted Uses:

- Bed and breakfast;
- Converted dwelling;
- Group home; and,
- Single detached dwelling.

A home occupation and secondary suite are permitted as an accessory use only.



**Figure 25** Schedule 14A Zoning Map Excerpt of Subject Lands

The existing regulations highlighted below that are highlighted in red do not align with the existing Main Street Zone provisions. Therefore, a site-specific by-law is required to accommodate the proposed residential development.

PROVISION		MAIN STREET (MS)	PROPOSED
Minimum Lot Area	Lot 1	650 sq. m	640 sq. m
	Lot 2-8	N/A	347.7 sq. m
Minimum Lot Frontage	Lot 1	18 m	27.74 m
	Lot 2-8	N/A	12.0
Minimum Front Yard	Lot 1	12.28 m	11.96 m
	Lot 2-8	N/A	4.5 m
Minimum Exterior Side Yard	Lot 1	6 m	4.5 m
	Lot 2-8	N/A	3 m
Minimum Interior Side Yard Setback	Lot 1	1.8 m	6 m
	Lot 2-8	N/A	1.55 m
Minimum Rear Yard Setback	Lot 1	27.5 m	1.55 m
	Lot 2-8	N/A	5.0 m
Minimum Building Depth	Lot 1	20 m	17.97 m

	Lot 2-8	N/A	20.87 m
Minimum Building Height		9 m	9 m or 2 storeys

**Table 5** – Existing Main Street Zone Provisions versus Proposed Provisions

## 9 Proposed Planning Instruments

Under Section 34 of the Planning Act, a Zoning By-law Amendment (“ZBLA”) may be used to amend any by-law passed under that section. Specifically, the proposed ZBLA is required to amend Schedule 14A and 14B of Zoning By-law 14-45 to change the zoning from Main Street (MS.15) and (MS.35) to a Main Street (MS-\_\_\_) Modified Zone that address uses and provisions in accordance with the proposed development. The proposed site-specific zone is more appropriate, conforms to all applicable plans and is consistent with the PPS.

### 9.1 Zoning By-law Amendment

A draft ZBLA has been prepared for the subject lands based on the current concept plan an, is provided in **Appendix A** of this report. As previously mentioned, 226 Main Street East is currently zoned Main Street (MS.15) and 228 Main Street East is currently zoned Main Street (MS.35), which permit a bed and breakfast, converted dwelling, group home and single detached dwelling. It is being requested that the Main Street (MS-\_\_\_) – Modified Zone be used to address site-specific regulations pertaining to single detached dwellings with garage access from a lane, as the existing zoning only has concern for provisions to a street. The proposed modifications from the existing Main Street Zone are shown in **Table 6**, with associated justification below.

PROVISION	MAIN STREET (MS.15) AND (MS.35)	MAIN STREET (MS-___)
For single detached dwelling with frontage onto a public street		
Minimum Lot Area	650 sq. metres	640.5 sq. m
Maximum Lot Coverage	15% and 35%	26%
Minimum Front Yard	12.28 m	11.5 m
Minimum Exterior Side Yard	6 m	4.5 m
Minimum Exterior Side Yard to a Garage	N/A	6 m
Minimum Rear Yard	6.9 m	1.5 m
For single detached dwelling with frontage onto a lane		
Minimum Lot Area	N/A	360 sq. m
Minimum Lot Coverage	N/A	50%
Minimum Lot Frontage	N/A	12 m
Minimum Front Yard	N/A	4.5 m
Minimum Front Yard to a Garage	N/A	6 m
Minimum Exterior Side Yard	N/A	3.0 m



Minimum Interior Side Yard	N/A	1.55 m
Minimum Rear Yard	N/A	5.0 m
Maximum Building Depth	N/A	20.81 m

**Table 6** Main Street Zone Proposed Site-specific Amendments

*Minimum Lot Area*

The required minimum lot area of 650 sq. metres as per the MS Zone is intended to maintain the large lot residential character along Main Street. The proposed lot area for Lot 1 with frontage onto Main Street East is approximately 640 sq. metres, which is 10 sq. metres less than the requirement of the MS Zone in Zoning By-law 14-45, maintaining the large lot residential character along Main Street East. Additionally, the proposed lane increases the perceived lot area and distance from the Udell House, further maintaining the historical streetscape along Main Street.

Zoning By-law 14-45 currently does not provide provisions for minimum lot area pertaining to lots fronting onto a lane. The proposed minimum lot area of 360 sq. m applies for Lot 5 due to the irregularly shaped parcel. The proposed lot areas for the lots fronting onto the lane are appropriate for the subject lands, as they will not adversely impact the Main Street streetscape. Further, smaller lots behind the Main Street lots are supported in Policy 3.4.7.4 f) of the Town of Grimsby Official Plan, alongside intensification policies in the Region of Niagara Policy Plan and Growth Plan.

*Maximum Lot Coverage*

Zoning By-law 14-45 regulates lot coverage with the number provided behind the zone letters on the zoning maps. Therefore, 226 Main Street East is currently required to have a maximum lot coverage of 15% and 228 Main Street is required to have a maximum lot coverage of 35% on Schedule 14A, resulting in an average lot coverage of 25%. The proposed maximum lot coverage for Lot 1 is 26%, which is only one percent less than the existing average lot coverage permission for the subject lands, will not create an adverse impact on the Main Street streetscape. Nonetheless, lot coverage restrictions are unnecessary, as the maximum lot coverage naturally exists once the minimum setbacks are established.

Zoning By-law 14-45 currently does not provide provisions for maximum lot coverage pertaining to lots fronting onto a lane. The proposed minimum lot coverage provision proposed for Lots 2-8 that front onto a lane is 50%. Particularly, the 50% lot coverage applies to Lot 5, which is smaller than the others with an irregularly shaped land parcel. Lot 5 is not visible from Main Street and will not result in an adverse impact to the existing character of the residential neighbourhood.

*Minimum Lot Frontage*

The purpose of the minimum lot frontage requirement of 18 metres for the lots along Main Street East is to preserve the large lot residential character of the historic neighbourhood. The proposed minimum lot frontage for Lot 1 that fronts onto Main Street East is 27.74 metres, consistent with the current provisions. Further, the proposed private road is located in generally the same location as the existing driveway, maintaining the streetscape character.

Zoning By-law 14-45 currently does not provide provisions for minimum lot frontage pertaining to lots fronting onto a lane. The proposed minimum lot frontage for Lots 2-8 that front onto a lane is 12 metres. These lots do not significantly contribute to the Main Street streetscape, as they are located behind the Main Street lots. The lot frontages for the lots fronting onto a private lane are consistent, resulting in a unified private streetscape and an appropriate zoning provision.

#### *Minimum Front Yard*

The minimum front yard setback proposed for Lot 1 is 11.5 metres, whereas approximately 12.28 metres is required. The proposed variance is minor and respects the existing streetscape, as shown in **Figure 11**.

Zoning By-law 14-45 currently does not provide provisions for minimum front yard pertaining to lots fronting onto a lane. However, the Main Street Zone includes a clause stating that where there are no existing neighbouring dwellings, the minimum front yard shall be 4.5 metres. The proposed minimum front yard for Lots 2-8 that front onto a lane is 4.5 metres, which is consistent with other lots that front onto a public street without existing neighbouring dwellings in the Main Street Zone.

#### *Minimum Exterior Side Yard*

The proposed minimum exterior side yard setback for Lot 1 is 4.5 metres, which is from the private road and consistent with the minimum front yard setback proposed for Lots 2-8. The front yard for Lot 1 is calculated from the shorter lot line, which happens to be along Main Street East; therefore, the existing exterior side yard for Lot 1 is align with the front yard setbacks of Lots 2-8. Moreover, the proposed minimum exterior side yard setback to a garage for Lot 1 is 6 metres to accommodate for parking, similar to the front yard setbacks to a garage for Lots 2-8.

The proposed minimum exterior side yard of 3 metres is applicable to Lot 4. The minimum 6 metre exterior side yard required under By-law 14-45 for the MS Zone is intended for lots with heavier traffic intersections to prevent visual barriers when maneuvering around corners. Private roads are better known for having smaller exterior yards; for example, 63 Lake Street in the Town of Grimsby has a draft plan of vacant land condominium for eleven lots, whereas the exterior yard setback is as small as 2 metres. Lot 4 on the proposed concept plan is adjacent to the private road, where there will be extremely low levels of traffic volumes, as only Lot 5 is located beyond Lot 4. Additionally, there is a turn-around space with minimal roadway to allow increased speeds resulting from Lot 5 traffic, especially in comparison to corner lot intersections that involve Main Street East.

#### *Minimum Interior Side Yard*

Zoning By-law 14-45 currently does not provide provisions for minimum interior side yards pertaining to lots fronting onto a lane. The proposed minimum side yard for the lots with frontage onto a lane is 1.55 metres, which conforms to the Building Code and Fire Separation requirements and results in the adequate separation and the ability to accommodate minor drainage swales in-between the single detached dwellings, if necessary.

#### *Minimum Rear Yard*

The proposed minimum rear yard setback for Lot 1 is 1.5 metres. The proposed single detached dwelling on Lot 1 has driveway access from a lane in addition to frontage onto Main Street East. Therefore, the proposed rear yard setback of 1.5 metres could more appropriately be referred to as a side yard based on the lots fronting onto a lane. The proposed 1.5 metres is consistent with other side yards of lots consisting of single detached dwellings with frontage onto a private lane in regard to the subject lands.

#### *Maximum Building Depth*

The maximum building depth of 20.87 metres is proposed for Lots 5-8. The front, side, and rear yard setbacks arbitrarily create a maximum developable land area, which includes a maximum building depth. The building depth regulation is unnecessary, as it does not adversely impact the streetscape or the adjacent dwellings, as the case may be. Moreover, the variance is less than one metre and does not create an adverse impact on the existing residential neighbourhood.

## 9.2 Draft Plan of Vacant Land Condominium

A draft plan of vacant land condominium is proposed as per the Planning Act and Condominium Act. This planning instrument provides a tool to divide the existing parcel into eight residential lots, intended to accommodate single detached dwellings. Additionally, the vacant land condominium component of this planning instrument creates “parcels of tied land” where there is a common element owned by each lot collectively. The common element block will contain the driveway, landscaped area, and a small area capable of accommodating visitor parking.

# 10 Conclusions and Recommendations

This Planning Justification Report has provided a thorough analysis of the proposed development in regards to applicable Provincial, Regional and local planning policy. The subject lands are suitable for development, particularly the proposed concept plan. David and Donna Latchford intend to develop the lands with eight single detached dwellings. In order to permit the proposed development, a zoning by-law amendment is required to change zones and permit site specific regulations. A draft plan of vacant land condominium is required to subdivide the existing lots into eight residential lots being “parcels of tied land” owning the common element block. The common element block will contain the driveway, landscaped area, and a small area capable of accommodating visitor parking.

The Town of Grimsby is facing a significant shortage of urban residential land and will be running out of greenfield in the near future. The Town is also constrained by the Niagara Escarpment Plan and the Greenbelt Plan, with little to no flexibility with urban boundary expansions. Accordingly, the municipality needs to seize opportunities for redevelopment and infilling in order to maintain the supply of vacant lots for future development purposes. The proposal represents a mild form of infilling and intensification, given that only six additional lots are proposed on the subject lands.

The proposed development and subsequent Zoning By-law Amendment:

- are consistent with the 2014 Provincial Policy Statement, as they represent a form of infill and redevelopment the built boundary and utilize existing municipal infrastructure;
- conform to the 2017 Places to Grow – Growth Plan for the Greater Golden Horseshoe, as they add a mix of housing types and tenures to meet the Town of Grimsby Provincial targets;
- conform to the Niagara Escarpment Plan by meeting expectations of the Urban Area designation;
- conform to the Niagara Regional Policy Plan, as they efficiently utilize lands within the Built-up area and respect the character of the existing residential neighbourhood;
- conform to and implements the intent of the Town of Grimsby Official Plan, as they are compatible with the existing Subdivision by proposing a mild form of intensification;
- are supported by various studies submitted with the application, including a Stage One and Two Archaeological Study, Functional Servicing Report, and Cultural Heritage Impact Study; and,
- represents “good planning” and is in the public interest.

Whereas, the existing development and zoning on the subject lands:

- are inconsistent with the 2014 Provincial Policy Statement, as they underutilize existing infrastructure and deep lots within the urban area and built boundary;

- do not conform to the 2017 Places to Grow – Growth Plan for the Greater Golden Horseshoe, as they do not significantly contribute to the residential targets outlined by the province; and,
- do not conform to the Region of Niagara Official Plan, as they do not efficiently utilize existing infrastructure within the Built-up area to increase the provision on housing types and tenures;
- do not conform to the Town of Grimsby Official Plan, as they do not efficiently utilize existing municipal services and infrastructure in the built-up area and do not maintain streetscape continuity.

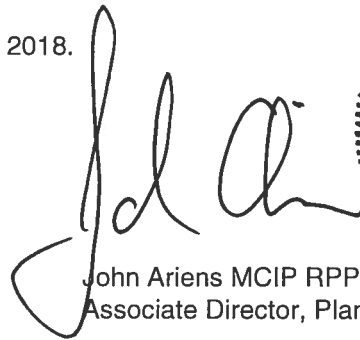
Based on a review of the subject lands, the surrounding lands, supporting studies, and the applicable planning policy framework, the application represents good planning, will facilitate intensification within the Town’s urban area, and will add additional housing opportunities for the existing and future residents.

Respectfully submitted this 19<sup>th</sup> day of December, 2018.

Regards,  
IBI Group



Julia Redfearn BES  
Planner



John Ariens MCIP RPP  
Associate Director, Planning Lead



*I hereby certify that this Planning Justification Report was prepared under the direction of a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.*

# Appendix A – Draft Zoning By-law

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**The Corporation of the Town of Grimsby**  
**By-law No. ----**  
**A By-law to Amend By-law 14-45, as Amended**  
(226-228 Main Street East)

**Whereas** the Council of the Corporation of the Town of Grimsby deems it expedient to amend By-law No. 14-45, as amended;

**Now therefore** the Council of the Corporation of the Town of Grimsby enacts as follows:

1. Schedule 14A of By-law No. 14-45, as amended, is hereby further amended by changing the zoning of the lands shown on Schedule "A" to this By-law as Subject Lands from a Main Street "MS.15" Zone and Main Street "MS.35" Zone to a Main Street (MS-\_\_) – Modified Zone.
2. Schedule 14B of By-law No. 14-45, as amended, is hereby further amended by adding exception number ---- to the lands shown on Schedule "A" to this By-law as Subject Lands.
3. Table 12: Permitted Use, Lot, Building, and Structure Exceptions of Section 7.0 Residential Zones of By-law No. 14-45, as amended, is hereby further amended by adding the row identified on Table "A" to this by-law.

Dated at the Town of Grimsby this \_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

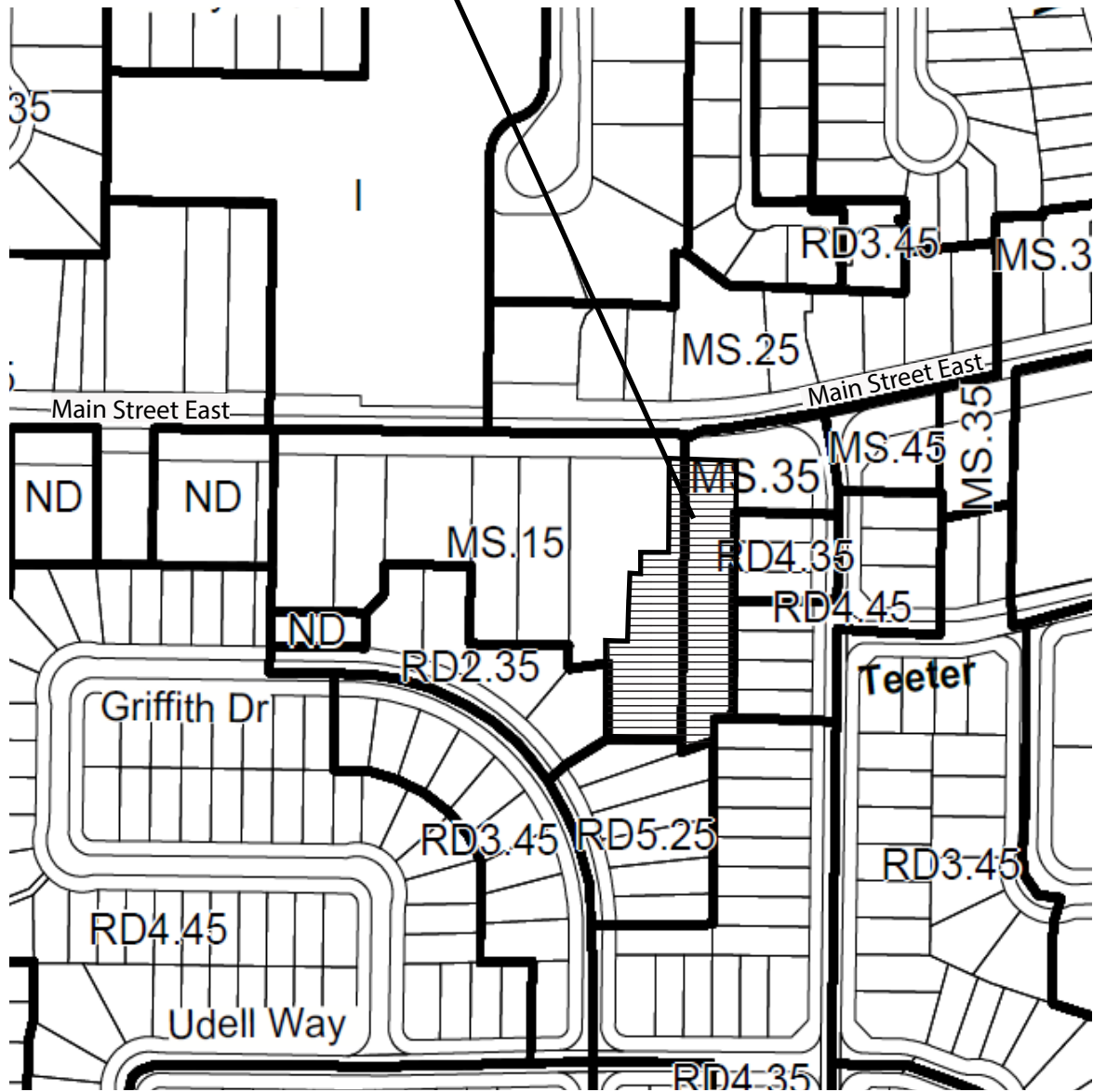
\_\_\_\_\_  
Clerk

Table "A" to By-law ----

**Permitted Use, Lot, Building and Structure Exceptions**

Site Specific	By-law #	Address	Zone	Additional Permitted Uses	Sole Permitted Uses	Regulations
XX	----	Part of Block 72, Registered Plan 30R-8865 Lot 3 & 4, Concession 2 – 226 & 228 Main Street, Town of Grimsby	MS	-		<p>For single detached dwelling with frontage onto a public street:</p> <ul style="list-style-type: none"> <li>- <i>Minimum Lot Area:</i> 640 sq. metres</li> <li>- <i>Maximum Lot Coverage:</i> 26%</li> <li>- <i>Minimum Front Yard:</i> 11.5 metres</li> <li>- <i>Minimum Exterior Side Yard:</i> 4.5 metres</li> <li>- <i>Minimum Exterior Side Yard to Garage:</i> 6.0 metres</li> <li>- <i>Minimum Rear Yard:</i> 1.5 metres</li> </ul> <p>For single detached dwelling with frontage onto a lane:</p> <ul style="list-style-type: none"> <li>- <i>Minimum Lot Area:</i> 360 sq. metres</li> <li>- <i>Maximum Lot Coverage:</i> 50%</li> <li>- <i>Minimum Lot Frontage:</i> 12.0 metres</li> <li>- <i>Minimum Front Yard Setback:</i> 4.5 metres</li> <li>- <i>Minimum Front Yard Setback to a Garage:</i> 6.0 metres</li> <li>- <i>Minimum Exterior Side Yard:</i> 3.0 metres</li> <li>- <i>Minimum Interior Side Yard to a Lane:</i> 1.2 metres</li> <li>- <i>Minimum Rear Yard:</i> 5.0 metres</li> <li>- <i>Maximum Building Depth:</i> 21.0 metres</li> </ul> <p>- Policy 4.29 i) of Section 4.0 General Provisions does not apply</p>

# Subject Lands



THIS IS SCHEDULE "A" TO BY-LAW NO.  
---PASSED THE --- DAY OF ---, 2019

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

THE CORPORATION OF THE TOWN OF GRIMSBY

SCALE

FILE NUMBER

PAGE --- OF ---

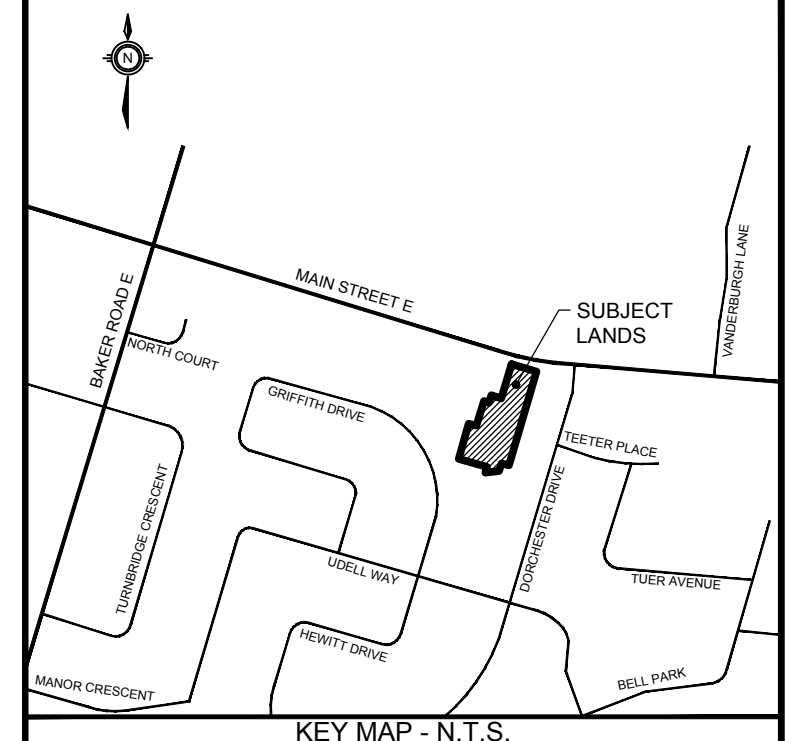
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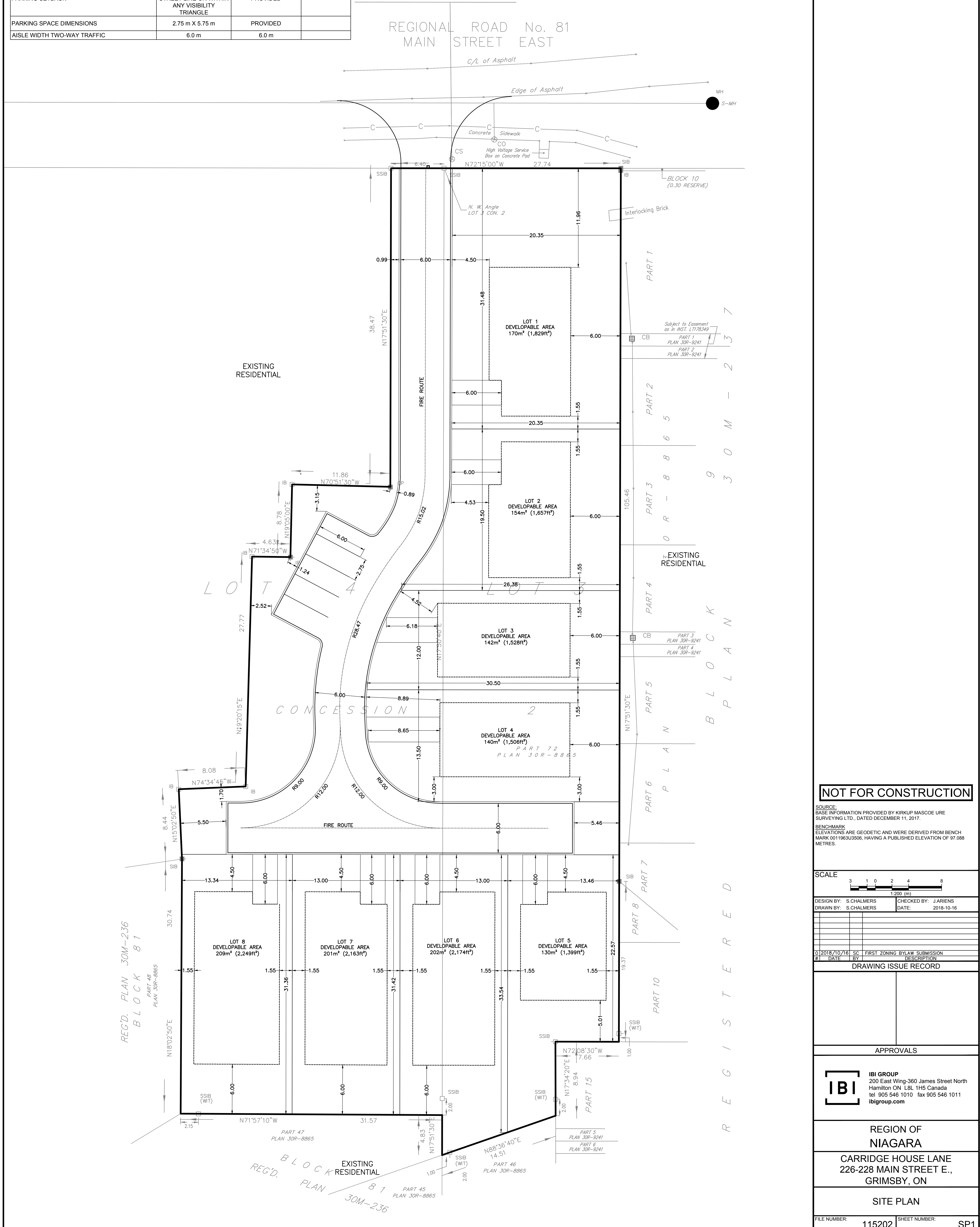
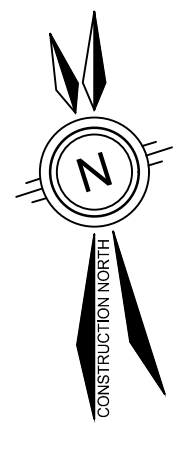
# Appendix B – Draft Plan

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ZONING DETAILS				
PROPOSED ZONE	MAIN STREET (MS.50 - SITE SPECIFIC) ZONE			
PERMITTED USES	SINGLE DETACHED DWELLING			
PROVISIONS	REQUIRED	PROVIDED	MODIFICATION	
MIN. LOT AREA	LOT 1	650.0 m <sup>2</sup>	640.5 m <sup>2</sup>	X
	LOT 2-8	N/A	347.7 m <sup>2</sup>	X
MIN. LOT FRONTAGE	LOT 1	18.0 m	20.35 m	X
	LOT 2-8	N/A	12.0 m	X
MIN. FRONT YARD	LOT 1	12.28 m	11.96 m	X
	LOT 2-8	N/A	4.5 m	X
MIN. EXTERIOR SIDE YARD	LOT 1	6.0 m	4.5 m	X
	LOT 2-8	6.0 m	3.0 m	X
MIN. INTERIOR SIDE YARD	LOT 1	1.8 m	4.5 m	X
	LOT 2-8	1.8 m	1.55 m	X
MIN. REAR YARD	LOT 1	27.5 m	1.5 m	X
	LOT 2-8	N/A	5.0 m	X
MAX. BUILDING DEPTH	LOT 1	20.0 m	17.9 m	X
	LOT 2-8	20.0 m	20.8 m	X
MAX. BUILDING HEIGHT	9.0 m		PROVIDED	
GENERAL PROVISIONS				
NUMBER OF PARKING SPACES PER UNIT	2	2 + 0.625 PER VISITOR		
PARKING SETBACK	NO PARKING SPACE WITHIN 3.0 m OF A STREET LINE OR WITHIN ANY VISIBILITY TRIANGLE	PROVIDED		
PARKING SPACE DIMENSIONS	2.75 m X 5.75 m	PROVIDED		
AISLE WIDTH TWO-WAY TRAFFIC	6.0 m	6.0 m		

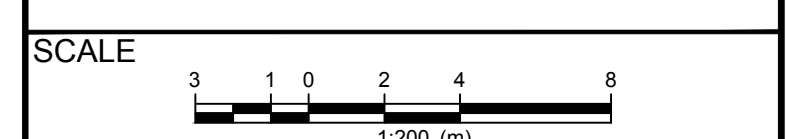


LEGEND



**NOT FOR CONSTRUCTION**

SOURCE: BASE INFORMATION PROVIDED BY KIRKUP MASCOE URE SURVEYING LTD., DATED DECEMBER 11, 2017.  
 BENCHMARK: ELEVATIONS ARE GEODETIC AND WERE DERIVED FROM BENCH MARK 0011963U3506, HAVING A PUBLISHED ELEVATION OF 97.088 METRES.



DESIGN BY: S. CHALMERS CHECKED BY: J. ARIENS  
 DRAWN BY: S. CHALMERS DATE: 2018-10-16

#	DATE	SC	DESCRIPTION
0	2018/10/16	SC	FIRST ZONING BYLAW SUBMISSION

DRAWING ISSUE RECORD	

APPROVALS

**IBI GROUP**  
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 ibigroup.com

REGION OF NIAGARA  
 CARRIDGE HOUSE LANE  
 226-228 MAIN STREET E.,  
 GRIMSBY, ON

SITE PLAN

FILE NUMBER: 115202 SHEET NUMBER: SP1