

Planning Justification Report

Bartlett Avenue, Grimsby

Application for Consent to Sever and Zoning By-law Amendment



Prepared for Larry Thornley Enterprises Limited.
by Arcadis IBI Group

December 9, 2022

IBI GROUP

Table of Contents

1	Introduction	1
2	Site Description and Surrounding Context	1
2.1	Site Description and Location	1
2.2	Surrounding Context	3
3	Site and Area Images	4
4	Development Proposal	6
5	Formal Pre-Consultation	7
6	Supporting Studies, Reports and Materials	7
6.1	Functional Servicing and Stormwater Management Brief	7
6.2	Stage 1 & 2 Archaeological Assessment.....	7
7	Planning Applications	8
7.1	Consent to Sever	8
7.2	Zoning By-law Amendment.....	8
8	Current Planning Status	8
8.1	Planning Act R.S.O. 1990, c.P.13.....	9
8.2	Provincial Policy Statement 2020	10
8.3	Greenbelt Plan 2017	19
8.4	Niagara Escarpment Plan 2017	20
8.5	Growth Plan for the Greater Golden Horseshoe 2022	24
8.6	Region of Niagara Official Plan 2022.....	29
8.7	Town of Grimsby Official Plan 2012	35
8.8	Town of Grimsby Zoning By-law (By-law 14-45, as amended)	48
9	Proposed Zoning By-law Amendment	49
10	Conclusions and Recommendations	51
	Appendix A – Draft Zoning By-law Amendment	1

List of Tables

Figure 2-1: Parcel Mapping of the Subject Lands, Retrieved from Geowarehouse	2
Figure 2-2: Aerial Mapping of the Subject Lands, Retrieved from Geowarehouse	2
Figure 2-3: Aerial of Subject Lands and Surrounding Uses, Retrieved from Google Maps	4
Figure 3-1: 3-D North South View of the Subject Lands, Retrieved from Google Earth	4
Figure 3-2: 3-D East-West View of the Subject Lands, Retrieved from Google Earth	5
Figure 3-3: View of Subject Lands along Bartlett Avenue, Retrieved from Google Streetview	5
Figure 4-1: Proposed Concept Plan, prepared by IBI Group.....	6
Figure 8-1: Detailed Greenbelt Mapping, Retrieved from the Greenbelt Plan.....	19
Figure 8-2: Niagara Escarpment Plan Mapping, Retrieved from Niagara Escarpment Plan	20
Figure 8-3: Excerpt of Table 2-1 - 2051 Population and Employment Forecasts, Retrieved from Regional Official Plan	30
Figure 8-4: Excerpt of Table 2-2: Niagara Region Minimum Residential Intensification Targets by Local Area Municipality 2021-2051	31
Figure 8-5: Excerpt of Schedule B: Regional Structure, Retrieved from Regional Official Plan	32
Figure 8-6: Excerpt of Schedule J1: Transportation Infrastructure, Retrieved from Regional Official Plan.....	34
Figure 8-7: Schedule A - Municipal Structure, Retrieved from the Town of Grimsby Official Plan	37
Figure 8-8: Schedule B - Land Use, Retrieved from Town of Grimsby Official Plan	40
Figure 8-9: Schedule C- Transportation, Retrieved from Town of Grimsby Official Plan .	46
Figure 8-10: Schedule 14A & 15A Map Excerpt of the Subject Lands	48

List of Tables

Table 2-1: Summary of Surrounding Uses	3
Table 4-1: Proposed Site Statistics	6
Table 8-1: Regional Official Plan Designations	29
Table 8-2: Town of Grimsby Official Plan Designations Applicable to the Subject Lands	36
Table 9-1: Proposed Site Modifications	50

1 Introduction

Larry Thornley Enterprises Limited (herein referred to as the “Owner”) is the owner of approximately 0.14 hectares of land located on the west side of Bartlett Avenue in the Town of Grimsby, Ontario (herein referred to as the “subject lands”). The subject lands do not have a municipal address and are legally described as Part of Lot 2 in Concessions 1 & 2, Part of Road Allowance between Concessions 1 & 2 and Part 1 Reference Plan 30R-5766 in the geographic Township of North Grimsby in the Town of Grimsby. The subject lands are currently vacant and covered by trees. The Owner is proposing to sever the lands to create three (3) lots and construct one (1) single detached dwelling on each severed lot.

A Zoning By-law Amendment (“ZBLA”) and Consent to Sever applications are required to facilitate the proposed development. The subject lands are currently zoned ‘Residential Detached 1 (RD1.15) within the Town of Grimsby Zoning By-law 14-45. A ZBLA is required to rezone the subject lands to the ‘Residential Detached 4’ (RD4) Zone to allow the proposed residential lots with site-specific modifications related to front and rear yard setbacks and maximum lot coverage. Concurrent Consent to Sever applications are required to allow for the creation of the three (3) lots.

Arcadis IBI Group has been retained by the Owner to provide planning advice and assistance on the development of the subject lands. The authors of this report have come to an independent professional planning opinion, which supports the applications as they are reflective of good planning and are in the public interest. This Planning Justification Report (“PJR”) provides a thorough discussion and analysis on current and applicable Provincial legislation and plans, local planning documents, supporting studies, technical works, and other relevant matters in the context of the proposed development.

2 Site Description and Surrounding Context

The following subsections provide a review of the context, existing uses and conditions of the subject lands and surrounding area. These elements frame the discussion on the proposed planning applications, as well as the associated planning comments and justification.

2.1 Site Description and Location

The subject lands do not have a municipal address and are located along the western side of Bartlett Avenue, between the intersections of Main Street East and Muscat Drive. The subject lands are legally described as Part of Lot 2 in Concessions 1 & 2, Part of Road Allowance between Concessions 1 & 2 and Part 1 Reference Plan 30R-5766 in the geographic Township of North Grimsby in the Town of Grimsby.

The subject lands are irregular in shape with an approximate frontage of 52 metres along Bartlett Avenue, an approximate lot depth of 30 metres, and an approximate lot area of 0.14 hectares (1,418 square metres).

The subject lands have a relatively flat topography. The subject lands are currently vacant and covered by trees.

Please refer to **Figures 2-1 & 2-2** below for a general location of the subject lands.



Figure 2-1: Parcel Mapping of the Subject Lands, Retrieved from GeoWarehouse



Figure 2-2: Aerial Mapping of the Subject Lands, Retrieved from GeoWarehouse

2.2 Surrounding Context

The subject lands are located in eastern Grimsby and are bound by Main Street East to the north, Bartlett Avenue to the east, the Niagara Escarpment to the south and Park Road South to the west.

Directly to the north of the subject lands is the Newcare medical clinic. Further north of Main Street East are small-scale commercial uses and low-density residential dwellings. Several retirement homes are located north along Bartlett Avenue.

Directly east of the subject lands is Bartlett Avenue. At the south-east corner of Bartlett Avenue and Main Street East is a commercial plaza, containing a medical office, and service commercial uses. Low-density residential uses predominate east of the subject lands, with a public park (Golf Wood Parks) and the Mountainview Reformed Church located in the midst.

Low-density residential uses are located south of the subject lands. This pattern of development continues until the Niagara Escarpment.

Directly west of the subject lands are low-density residential uses. Park Public School is located further north-west of the subject lands.

Overall, the subject lands are surrounded by low-density residential uses and are serviced by complementary land uses, such as commercial and institutional uses. A summary of surrounding uses is outlined in **Table 2-1** below whereas **Figure 2-3** displays the surrounding context of the subject lands.

NORTH	EAST
<ul style="list-style-type: none"> • Newcare Medical clinic • Service Commercial Uses (Vik's Meats, Desjardins) • Low- Density Residential Uses • Retirement Homes (Aspira Lincoln Park Retirement Living, Evergreen Terrace, Shalom Manor & Gardens) 	<ul style="list-style-type: none"> • Low Density Residential Uses • Commercial plaza • Golf Woods Park • Mountainview Christian Reformed Church
SOUTH	WEST
<ul style="list-style-type: none"> • Low-Density Residential Uses • Niagara Escarpment 	<ul style="list-style-type: none"> • Low-Density Residential Uses • Park Public School

Table 2-1: Summary of Surrounding Uses



Figure 2-3: Aerial of Subject Lands and Surrounding Uses, Retrieved from Google Maps

3 Site and Area Images

Figures 3-1 to 3-3 below further show images of the existing conditions of the subject lands and surrounding context, retrieved from Google Earth and Google Streetview.

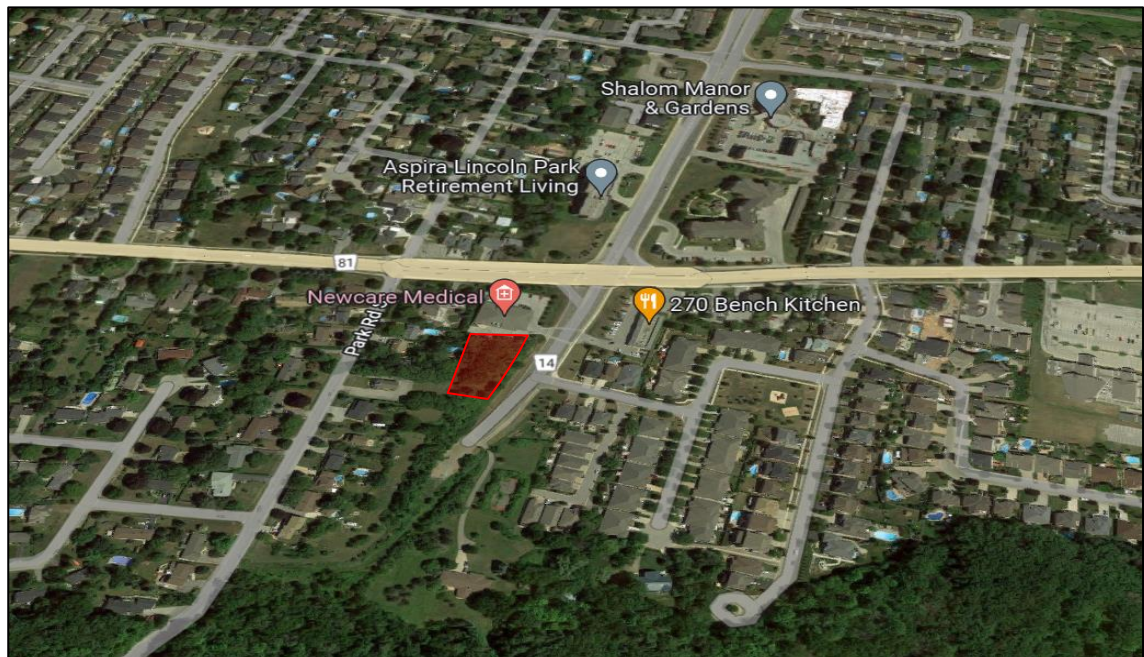


Figure 3-1: 3-D North South View of the Subject Lands, Retrieved from Google Earth

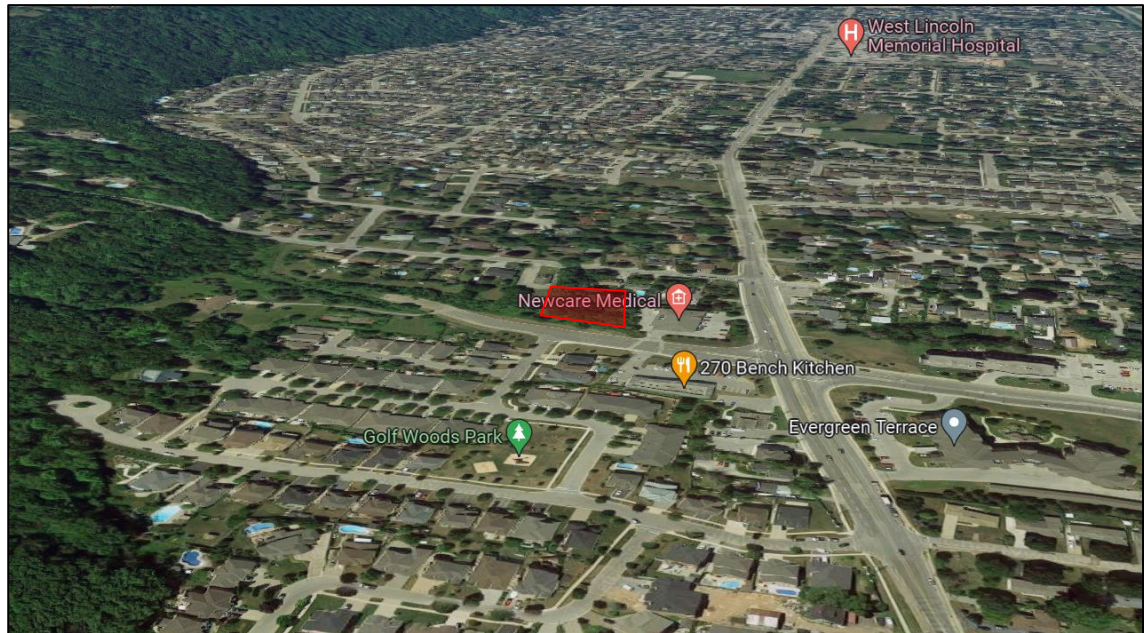


Figure 3-2: 3-D East-West View of the Subject Lands, Retrieved from Google Earth



Figure 3-3: View of Subject Lands along Bartlett Avenue, Retrieved from Google Streetview

4 Development Proposal

The proposal for the subject lands is to sever the property into three (3) lots for the purpose of creating three (3) single detached dwellings fronting onto Bartlett Avenue, as shown in **Figure 4-1** below. A full version of the Concept Plan has been submitted as part of this application.

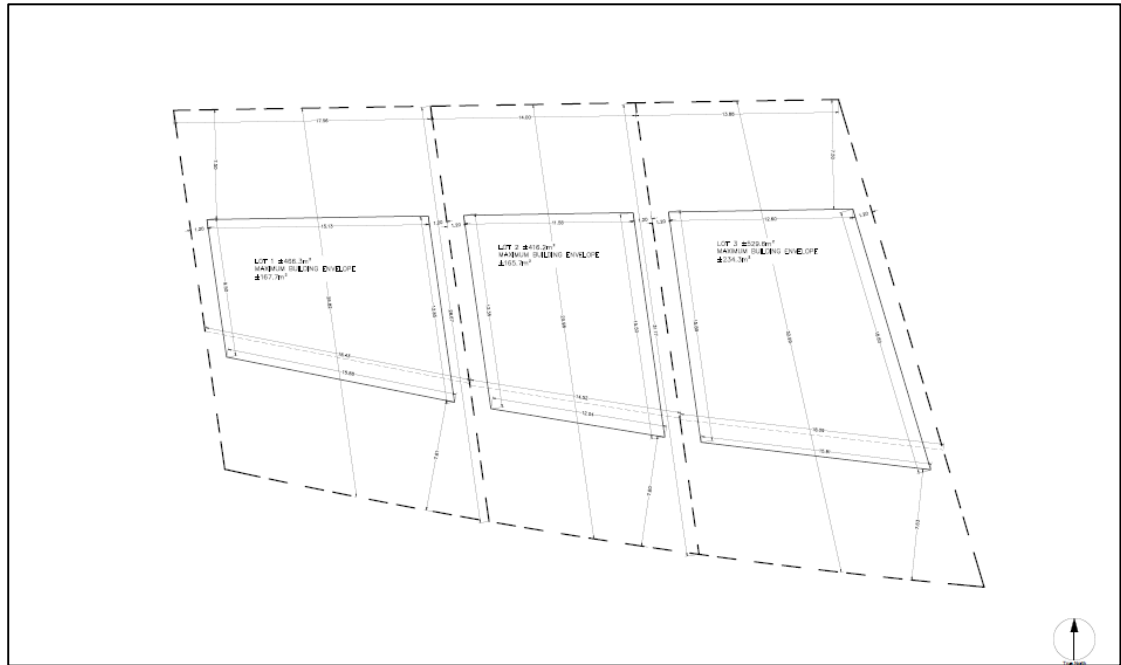


Figure 4-1: Proposed Concept Plan, prepared by IBI Group

The proposed general minimum/maximum statistics are provided in the **Table 4-1**.

REGULATIONS	PROPOSED LOT 1	PROPOSED LOT 2	PROPOSED LOT 3
Min. Lot Area	±466.6m ²	±416.5m ²	±529.9m ²
Max. Lot Coverage	40.4% ±188.2 m ²	43.4% ±180.6 m ²	42.2% ±223.6 m ²
Min. Lot Frontage	18.43 m	14.52m	18.09m
Min. Front Yard	6.0 m	6.0 m	6.0 m
Min. Interior Side Yard	1.2m	1.2m	1.2m
Min. Exterior Side Yard	N/A	N/A	N/A
Min. Rear Yard	7.5m	7.5m	7.5m

Table 4-1: Proposed Site Statistics

5 Formal Pre-Consultation

An initial Pre-Consultation meeting with the Town of Grimsby occurred on April 21st, 2022 to discuss the subject lands and the Preliminary Concept Plan prepared at the time, which contemplated the creation of three (3) lots on Bartlett Avenue through a Consent and a Zoning By-law Amendment Application. In addition to the aforementioned applications, the following studies, reports, and materials required by for a complete application have been submitted;

- Application Fees
- Planning Justification Report
- Stage 1 Archaeological Assessment;
- Stormwater Management Plan and Sediment and Erosion Control Plan;
- Draft Zoning By-law Amendment;
- Zoning Matrix;
- Survey;
- Functional Servicing Report;
- Grading and Servicing Plan;
- Preliminary Site Plan; and
- Landscape / Streetscape Plan.

6 Supporting Studies, Reports and Materials

The Town's pre-consultation meeting outlined the information and materials required to submit a complete application. In accordance with this document and in the interest of good planning, technical studies were completed. All these reports and plans will be included separately. An overview of these professional studies and reports are provided below.

6.1 Functional Servicing and Stormwater Management Brief

S. Llewellyn & Associates ("SLA") was retained by the Owner to prepare a Functional Servicing and Stormwater Management Brief ("Brief") which summarizes the functional servicing and stormwater management strategy for the proposed development. The Brief concluded that the existing storm sewer on Bartlett Avenue has sufficient capacity to support the proposed development and that the proposed private 100mmØ sanitary sewer is adequately sized to service the proposed development and will discharge to the existing 200mmØ sanitary sewer along Bartlett Avenue. The Brief also concluded that the proposed private 25mmØ water service, designed and constructed in accordance with the Town of Grimsby standards, is proposed to service the development and will connect to the existing 200mmØ watermain within the boulevard along Bartlett Avenue.

6.2 Stage 1 & 2 Archaeological Assessment

Earthworks Archaeological Services Inc. ("Earthworks") was retained by the Owner to prepare a Stage 1 & 2 Archaeological Assessment in support of an application for Site Plan Approval. Following the Stage 1 Archeological Assessment, Earthworks concluded that a Stage 2 Archeological Assessment was required as the subject lands contained evidence of

archaeological potential, as there is a registered archaeological site and a historic transportation route, Regional Road 81 or Main Street West, 300 metres from the subject lands. However, Earthworks concluded that as the archaeological survey from Stage 2 did not yield any evidence of archaeological material, no additional archaeological assessments are recommended.

7 Planning Applications

To permit the proposed development, approval of two (2) planning applications will be required. At the time of the pre-consultation meeting it was identified that a Site Plan Application would be required following successful ZBLA and Consent applications, however, with the Royal Assent of Bill 23 Site Plan approval will no longer be required.

7.1 Consent to Sever

A Consent to Sever application is required to allow for the creation of the three (3) lots to accommodate the new single detached dwellings.

Please refer to **Appendix A** for the Consent Sketches.

7.2 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 the 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 12th, 2012. Zoning By-law 14-45 was passed on May 20th, 2014 pursuant to Section 34 of the Planning Act.

Currently, the subject lands are zoned 'Residential Detached 1' (RD1.15), which permits single detached dwellings with a maximum lot coverage of 15%. Therefore, a Zoning By-law Amendment is required to rezone the subject lands to the 'Residential Detached 4 Zone (RD4)', with site specific provisions, which is a more appropriate Residential zone category to facilitate the proposed development.

With reference to the proposed RD4 Zone, the ZBLA will also address front and rear yard setbacks and maximum lot coverage.

Please refer to the proposed changes in Section 9.1 of this report and the Draft Zoning By-law Amendment in **Appendix B**.

8 Current Planning Status

The following subsections provide an assessment of the proposed development against current and applicable planning policy, including the Planning Act, Provincial Policy Statement 2020, Greenbelt Plan, Niagara Escarpment Plan 2017, Growth Plan for the Greater Golden Horseshoe 2020, Region of Niagara Official Plan, Town of Grimsby Official Plan and Town of Grimsby Zoning By-law. These documents are reviewed in detail below and specific policies are quoted following which a planning comment is provided along with subsection summaries.

8.1 Planning Act R.S.O. 1990, c.P.13

The Planning Act, R.S.O. 1990, c. P.13 (the “Planning Act”) deals with land use planning in Ontario and outlines how land is controlled and the roles of various levels of government. **O.Reg 545/06** discusses the ability and requirements for a Municipality to enact and amend Zoning By-laws. Powers with respect to Zoning By-laws under Section 34 of the *Planning Act* include, amongst other things: the ability to prohibit erecting, locating or using of buildings or structures; for prohibiting any use of land; for regulating the type of construction and the height, bulk, location size, floor area, spacing, character and use of buildings or structure; and for requiring provision and maintenance of parking facilities. The last date of consolidation was November 28th, 2022. The following excerpts and comments apply to the subject planning applications.

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 to carry out their responsibilities under the *Planning Act*. Applicable matters listed in that section which pertain to the proposed applications include:

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

Planning Comment: A Stage 1 & 2 Archeological Assessment was prepared by Earthworks Archeological Services Inc. The Assessment concluded that the subject lands did not yield any evidence of archaeological material, and no additional archaeological assessments are recommended.

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;*

Planning Comment: The FSR prepared by S. Llewellyn & Associates Limited confirmed that the existing municipal water, storm and sanitary sewers have sufficient capacity to support the increase in residential density on the subject lands resulting from the proposed development.

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

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

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

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

o) *the protection of public health and safety;*

Planning Comment: The proposed development of three (3) single detached dwellings will contribute to the range of housing in the Town of Grimsby, while maintaining compatibility with the surrounding neighbourhood. The existing neighbourhood character commonly provides low-density residential dwelling types, such as single detached dwellings.

There is an appropriate distribution of educational, health, and recreational facilities within the surrounding area to support the proposed minor increase in population. Within one (1) kilometre of the subject lands, there is the: Mountainview Christian Reformed Church, Park Public School, Newcare Medical Clinic, Golf Woods Park and retirement homes. There is sufficient pedestrian connections and trails available from the subject lands to the surrounding land uses to foster active transportation and protect public health and safety.

There are no hazard connections pertaining to the subject lands that would result in an adverse effect to ones’ public health and safety.

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

Planning Comment: As per the Town of Grimsby Official Plan, the subject lands are located within the Urban Area boundary, in which development is encouraged according to upper tier and lower tier applicable planning policy framework, demonstrated in the following sections of the report.

Additionally, the proposed built form and lots will contribute to a sense of place and be complimentary to the existing low-density residential uses and road network design (Bartlett Avenue).

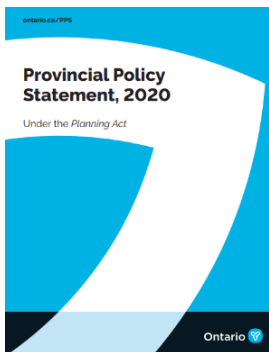
Currently, the Town of Grimsby does not operate a public transit system. However, Niagara Region offers transit services, such as Niagara Region Transit on Demand and the Red Cross Grimsby Accessible Transportation program. Furthermore, provided the introduction of the GO Station and approved public transit pilot, the option for transit is gradually becoming feasible. The proposed development contributes to the viability of transit in Grimsby, while offering alternative methods of transportation by way of proximity to active transportation infrastructure and complementary land uses, which will reduce the dependence on automobiles and contribute to the mitigation of greenhouse gas emissions.

Planning Act Conclusion: The proposed applications are subject to Section 34 and 51 of the Planning Act, as an amendment to the Town of Grimsby Zoning By-law and a Consent Application is required. The applications will be processed in accordance with those sections of the Planning Act. The proposed development is consistent with the Planning Act, as it will:

- Not develop upon lands with significant archaeological potential;
- Have full access and efficiently utilize existing municipal services along Bartlett Avenue;
- Focus residential growth and intensification within the Urban Area boundary;
- Provide additional housing forms in the form of single detached dwellings;
- Be well designed, vibrant, and attractive to encourage a sense of place; and
- Improve public health and contribute to the mitigation of greenhouse gases by efficiently utilizing an undeveloped parcel of land within access to complementary uses.

8.2 Provincial Policy Statement 2020

The PPS provides policy direction on matters of provincial interest regarding land use planning and sets the foundation for land use planning and development regulations. The main considerations of this document pertain to protecting resources of provincial interest, the built and natural environment and public health and safety. The PPS focuses growth within Settlement Areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety. It recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate



appropriate development to meet the full range of current and future needs, while achieving efficient development patterns.

On February 28, 2019, the Provincial Government issued a new Provincial Policy Statement 2020. It replaced the Provincial Policy Statement issued on April 30, 2014. The PPS was issued under Section 3 of the *Planning Act* and came into effect on May 1, 2020. In this regard, Section 3 of the *Planning Act* requires that land use planning decisions be consistent with the PPS. The PPS provides direction for municipal planning documents and to individual site-specific developments.

Municipal Official Plans are to be consistent with the PPS. The PPS applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after this date. Therefore, the proposed ZBLA is subject to, and is assessed against, the applicable policies of the PPS.

For the purposes of this report, the version of the PPS available online at <https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf> was used.

The PPS is to be read in its entirety. With respect to the specific policies in the PPS 2020 document, several are applicable to the subject lands in general, and to the proposed development and ZBLA.

8.2.1 Section 1 – Building Strong Healthy Communities

Section 1 of the PPS focuses on building strong, healthy Communities. Sub-Section 1.1 provides direction for managing and directing land use to achieve efficient and resilient development and land use patterns.

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

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, 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 long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*

Planning Comment: The subject lands are vacant and are currently underutilized. The proposed development will more efficiently utilize the subject lands than the existing conditions without compromising public health and safety. As outlined by the FSR prepared by S. Llewellyn & Associates Limited, the proposed development will utilize existing municipal infrastructure along Bartlett Avenue to infill and intensify the subject lands. This will reduce the need for uneconomical land and infrastructure expansions, thereby sustaining the financial well being of the province and the municipality.

The proposed development of three single detached dwellings will contribute to an increase in the mix and range of housing available within the Town of Grimsby. It will be compatible with the existing character in the neighbourhood. The subject lands are within a neighbourhood location that promotes efficient development and land use patterns due to the proximity to land uses that are walkable, including recreational, institutional, and commercial uses.

Given that the proposed development is infill in nature, closes a gap in the streetscape of Bartlett Avenue, provides density on a vacant parcel of land, is within the Urban Area and utilizes existing

municipal infrastructure, it is our professional opinion that the proposed applications are a form of efficient development.

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

Planning Comment: In terms of accessible design, the completed project will be fully compliant with applicable law with respect to accessibility standards, including accessible driveways and road/sidewalk infrastructure. These elements will be reviewed at a detailed design stage and implemented through building permit and construction.

- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs*

Planning Comment: As the subject lands are located within the Urban Area, it has access to municipal water and sewage infrastructure. The FSR Memo prepared by S.Llewellyn & Associates Limited Consulting Engineers conclude that adequate capacity is available within the municipal water and sewage systems and no constraints are expected.

There are a broad range of public service facilities existing such as the Grimsby Fire Department, Niagara Regional Police and West Lincoln Memorial Hospital that will accommodate the proposed minor increase in population as a result of the propose development.

- h) *promoting development and land use patterns that conserve biodiversity; and*

Planning Comment: The subject lands are within proximity to a broad range of complementary land uses (i.e. open space, institutional) which encourages alternative methods of transportation.

Policy 1.1.2 *Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.*

Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

Nothing in policy 1.1.2 limits the planning for infrastructure, public service facilities and employment areas beyond a 25-year time horizon.

Planning Comment: The subject lands are currently underutilized and can be serviced by existing municipal infrastructure. The proposed development provides housing opportunities for the forecasted increasing population, more efficiently utilizes the subject lands and maintains the character of the existing neighbourhood. It is a form of intensification within the existing Built-Up Area, necessary to prevent additional land consumption, while accommodating forecasted needs.

Subsection 1.1.3 Settlement Areas

Policy 1.1.3.1 *Settlement areas shall be the focus of growth and development.*

Planning Comment: The subject lands are currently located within the existing Settlement Area, in which growth and development should be focused. The development of the vacant parcel of land will represent an efficient utilization, by providing a compatible functional layout of lots.

Policy 1.1.3.2 *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) *efficiently use land and resources;*
- b) *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*

- c) *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) *prepare for the impacts of a changing climate;*
- e) *support active transportation;*
- f) *are transit-supportive, where transit is planned, exists or may be developed; and*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Planning Comment: As noted above, the proposed development more efficiently uses the subject lands, than existing conditions, and will be supported by existing infrastructure and public service facilities within the Region and Town. Further the increase in dwelling units increase the feasibility of local transit implementation for Grimsby.

The subject lands are in a location, which has proximity to a range of complementary land uses, including recreation, institutional, and commercial, encouraging alternative methods of transportation, subsequently reducing the amount of greenhouse gas emissions.

Policy 1.1.3.3 *Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

Policy 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.*

Policy 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 Urban area boundary, where intensification as proposed is encouraged. The proposed development mildly intensifies the subject lands, creating a compact built form without resulting in adverse risks to public health and safety, as reasonable and compatible site-specific zoning regulations are proposed, and the design will be accessible for all.

Subsection 1.4 Housing

Policy 1.4.1 *To provide for an appropriate range and mix of housing options 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 15 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 suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably

zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

Planning Comment: The proposed development will contribute to accommodating forecasted residential growth through residential infill and intensification on the subject lands, which are vacant and can accommodate residential development. Furthermore, the FSR confirmed the existence and capacity of municipal infrastructure to service the proposed development.

Policy 1.4.2 *Where planning is conducted by an upper-tier municipality:*

- a) *the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and*
- b) *the allocation of population and units by the upper-tier municipality shall be based on and reflect provincial plans where these exist.*

Planning Comment: The 2022 Niagara Region Official Plan has allocated 37,000 people by 2051 for the Town of Grimsby. The proposed development will contribute to accommodating the forecasted population growth allocated to the Town.

Policy 1.4.3 *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs 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 and which aligns with applicable housing and homelessness plans. 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 housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 2. *all types of residential intensification, including additional residential 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 for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- f) *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 three single detached dwellings, increasing the mix and range of dwelling types within 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, due to access along Bartlett Avenue and public service facilities and infrastructure are readily available to support the proposed increase in population. Lastly, the proposed development will maintain an appropriate level of health and safety, by conforming to AODA standards, maintaining appropriate setbacks, and ensuring sanitary and sewer infrastructure capacity is sufficient to service the proposed lots.

Subsection 1.5 Public Spaces, Recreation, Parks, Trails and Open Space

Policy 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 and active community, by creating three single detached lots on a vacant parcel of land along Bartlett Avenue and closing the streetscape gap, thus creating an eyes on the street type of environment. In addition, future residents will have access to spaces for community connectivity and publicly accessible built and natural settings for recreation such as Golf Woods Park and Denick Park, which are within one kilometer of the subject lands.

Subsection 1.6.6 Sewage, Water and Stormwater

Policy 1.6.6.1 *Planning for sewage and water services shall:*

- a) *accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:*
 1. *municipal sewage services and municipal water services; and*
 2. *private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible;*
- 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. *prepares for the impacts of a changing climate;*
 3. *is feasible and financially viable over their lifecycle; and*
 4. *protects human health and safety, 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; and*

Policy 1.6.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*

Policy 1.6.6.6 *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.

Policy 1.6.6.7 *Planning for stormwater management shall:*

- a) *be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) *minimize, or, where possible, prevent increases in contaminant loads;*
- c) *minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) *mitigate risks to human health, safety, property and the environment;*
- e) *maximize the extent and function of vegetative and pervious surfaces; and*
- f) *promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

Planning Comment: The Brief prepared by S. Lewellyn & Associates Limited concluded that the existing storm sewer on Bartlett Avenue has sufficient capacity to support the proposed development and that the proposed private 100mmØ sanitary sewer is adequately sized to service the proposed development and will discharge to the existing 200mmØ sanitary sewer along Bartlett Avenue. The Brief also concluded that the proposed private 25mmØ water service, designed and constructed in accordance with the Town of Grimsby standards, is proposed to service the development and will connect to the existing 200mmØ watermain within the boulevard along Bartlett Avenue. Details regarding final engineering designs are provided in subsequent plans.

Subsection 1.6.7 Transportation Systems

Policy 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.*

Policy 1.6.7.2 *Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.*

Policy 1.6.7.4 *A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

Planning Comment: Given the urban structure and population of the Town of Grimsby, the primary method of travel is the private automobile. The residential built form within the Town is predominately low density, which is generally not supportive of local public transit infrastructure. As such, it is proposed that each of the three single detached dwelling will have a driveway and garage. However, there are a range of complementary land uses with pedestrian access within the surrounding area, that may be accessed by active transportation.

Subsection 1.7 Long-Term Economic Prosperity

Policy 1.7.1 *Long-term economic prosperity should be supported by:*

- b) *encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
- c) *optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
- e) *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;*

- j) *promoting energy conservation and providing opportunities for increased energy supply;*
- k) *minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and*
- l) *encouraging efficient and coordinated communications and telecommunications infrastructure.*

Planning Comment: The proposed development contributes to the housing supply within the Town of Grimsby to support a diverse workforce and make use of existing infrastructure and public service facilities, including communications and telecommunications. As well, the proposed development encourages a sense of place, as it is a well-designed built form. In regard to energy conservation, the proposed development will make efficient use of an undeveloped parcel of land by increasing the number of residential units from zero to three and will not result in negative impacts to the surrounding area and natural environment.

Subsection 1.8 Energy Conservation, Air Quality and Climate Change

Policy 1.8.1 *Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:*

- a) *promote compact form and a structure of nodes and corridors;*
- e) *encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;*
- f) *promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and*
- g) *maximize vegetation within settlement areas, where feasible.*

Planning Comment: The proposed lots are located along Bartlett Avenue which is a Regional Road. The proposed increase in density and overall proximity of the subject lands to complementary land uses (i.e. recreational, open space, and institutional) support alternative methods of transportation such as walking and biking to decrease the number of vehicular trips and the release of greenhouse gas emissions.

8.2.2 Section 2 Wise Use and Management of Resources

Section 2.0 of the PPS provides policies pertaining to the **Wise Use and Management of Resources**.

Subsection 2.2 Water

Policy 2.2.1 *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;*
- d) *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;*
- e) *maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;*
- f) *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;*
- g) *planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;*
- i) *ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.*

Planning Comment: The FSR Brief concluded that the existing storm sewer on Bartlett Avenue has sufficient capacity to support the proposed development.

Subsection 2.6 Cultural Heritage and Archaeology

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

Policy 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.*

Policy 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.*

Policy 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 Stage 1 & 2 Archaeological Assessment was prepared by Earthworks Archeological Services Inc. The Assessment concluded that as the archaeological survey from Stage 2 did not yield any evidence of archaeological material, no additional archaeological assessments are recommended.

Provincial Policy Statement, 2020 Conclusion: The proposed development is consistent with the Provincial Policy Statement 2020, as it will;

- More efficiently utilize the subject lands than the existing conditions;
- Be located within the Urban Area Boundary, where residential growth and development shall be focused;
- Facilitate residential intensification and infill on vacant lands to accommodate forecasted population by providing three single detached dwelling units;
- Be fully serviced by efficiently utilizing existing municipal infrastructure; and
- Support alternative methods of transportation such as walking and biking, as the subject lands are in proximity to complementary land uses



8.3 Greenbelt Plan 2017

The Greenbelt Plan was prepared and approved under the Greenbelt Act, 2005. The Greenbelt Plan 2017 took effect on July 1st, 2017. The Greenbelt Plan outlines policies related to the protection of the agricultural land base and the ecological and hydrological features, areas, and functions.

For the purposes of this report, the version of the Greenbelt Plan last consolidated at <https://files.ontario.ca/greenbelt-plan-2017-en.pdf> was used.

8.3.1 Section 2 Geographic Specific Policies in the Protected Countryside

Subsection 2.2 Lands within the Niagara Escarpment Plan Area

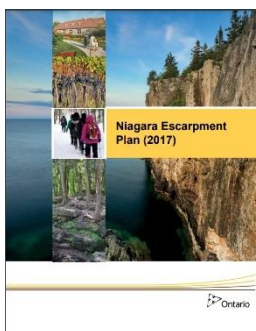
The requirements of the NEP, established under the Niagara Escarpment Planning and Development Act, continue to apply and the Protected Countryside policies do not apply, with the exception of section 3.3.

Planning Comment: As seen in **Figure 8-1**, the subject lands are designated Niagara Escarpment Plan Area, which are subject to policies of the Niagara Escarpment Plan.



Figure 8-1: Detailed Greenbelt Mapping, Retrieved from the Greenbelt Plan

Greenbelt Plan 2017 Conclusion: The Greenbelt Plan identifies that the subject lands are within the Niagara Escarpment Plan Area designation.



8.4 Niagara Escarpment Plan 2017

The Niagara Escarpment Plan, 2017 was authorized under the Niagara Escarpment Planning and Development Act and came into effect on June 1, 2017. The Niagara Escarpment Plan outlines policies related to the maintenance of the Niagara Escarpment and surrounding land as a continuous natural environment.

For the purposes of this report, the version of the Niagara Escarpment Plan last consolidated at <https://escarpment.org/wp-content/uploads/2021/05/NEP-Consolidation-April-5-2021-FINAL.pdf> was used.

As seen in **Figure 8-2**, the subject lands are being located within the Urban Area.

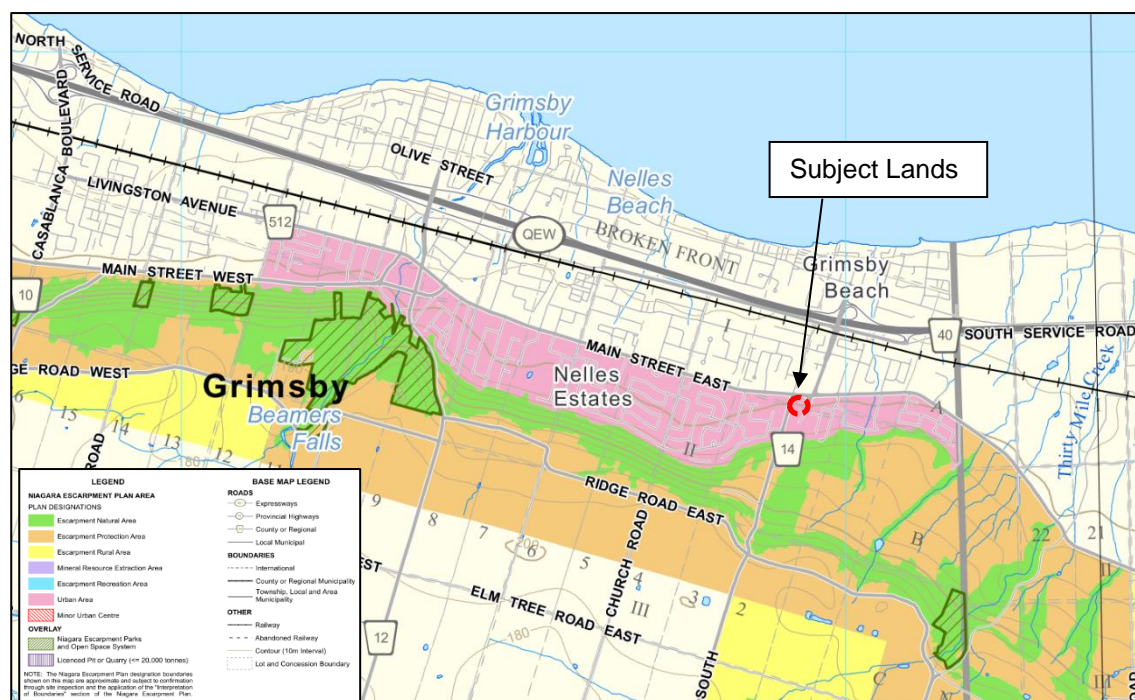


Figure 8-2: Niagara Escarpment Plan Mapping, Retrieved from Niagara Escarpment Plan

8.4.1 Part 1 Land Use Policies

Section 1.7 Urban Area

Policy 1.7 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 To minimize the impact and prevent further encroachment of urban growth on the Escarpment environment.

Policy 1.7.3 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 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 bylaws 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: As seen in **Figure 8-2**, the subject lands are identified as being located within the Urban Area of the Niagara Escarpment Plan Area, which is where the Town of Grimsby has generally indicated for urban development to be focused. The proposed development results in the creation of three lots, 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.*

Planning Comment: The proposed heights are similar in scale to the single detached dwellings adjacent to the subject lands on Park Road South and appropriate setbacks have been provided to ensure the design of the development is compatible with the scenery of the Escarpment.

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.*

Planning Comment: The proposed development is not anticipated to result in negative impacts to air quality, is compact in form, and will be built using modern construction methods which will result in reduced energy consumption and reduced greenhouse gas emissions.

3. *The co-location of compatible public services should be promoted to address local community needs in convenient locations that are accessible by walking, cycling and public transit, where available.*

Planning Comment: The proposed increase in density is minor and capable of being supported by public services, which are located in close proximity to the subject lands and are accessible by walking, cycling, and public transit.

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.*
6. *Lots within the Urban Area shall not be enlarged to encroach into the Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas in order to provide more area for development.*
7. *Notwithstanding Objectives 5 and 6 above, new lots may include Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas designation under the following circumstances:*
 - a. *correcting conveyances;*
 - b. *where the land has, or is to be, acquired by a public body or an approved conservation organization; or*
 - c. *enlarging existing lots provided that no further fragmentation of the Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource*

Extraction Areas adjacent to the Urban Area would result and there is sufficient area in the Urban Area to accommodate development.

Planning Comment: The proposed development will provide appropriate setbacks to maintain appropriate space between buildings and roads. Furthermore, the subject lands are located approximately 240 metres from Escarpment Natural Area, therefore the proposed development will not encroach onto the Escarpment Natural and Escarpment Protection Areas.

8. *Adequate public access to the Escarpment should be provided by such means as parking areas, walkways or pedestrian trails (e.g., the Bruce Trail).*
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 protection of hydrologic features and functions;*
 - c. *the protection of agricultural lands, including prime agricultural areas;*
 - d. *the conservation of cultural heritage resources, including features of interest to First Nation and Métis communities;*
 - e. *considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate;*
 - f. *sustainable use of water resources for ecological and servicing needs; and*
 - g. *compliance with the targets, criteria and recommendations of applicable water, wastewater and stormwater master plans, approved watershed planning and/or subwatershed plan in land use planning.*
10. *Municipalities are encouraged to pass sign by-laws to ensure that the community character and scenic resources of Urban Areas are maintained and enhanced.*

Planning Comment: The proposed development will ensure the protection of the natural heritage features on and abutting the subject lands, through the use of appropriate buffers. The proposed development will be built with modern construction methods to help achieve reductions in greenhouse gas emissions and improve resilience to the impacts of a changing climate. The proposed development will provide for the sustainable use of water resources for ecological and servicing needs through the connection to existing services on Bartlett Avenue.

8.4.2 Part 2 Development Criteria

Policy 2.2 *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 *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 three 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, setbacks and vehicular entrance locations create a built form that maintains the community character. The Niagara Escarpment and Bruce Trail will be in no way impacted by the proposed development.

Niagara Escarpment Plan Conclusion: The proposed development conforms to the Niagara Escarpment 2017, as it will:

- does not encroach into the Escarpment Natural, Escarpment Rural and Escarpment Mineral Resource Extraction Areas;
- create new lots that maintain and enhance the existing community character;
- efficiently utilize existing municipal infrastructure;
- contributes to reducing the amount of greenhouse gas emissions by supporting active transportation.

8.5 Growth Plan for the Greater Golden Horseshoe 2022

The Growth Plan for the Greater Golden Horseshoe 2019 (the “Growth Plan”) was prepared and approved under the Places to Grow Act, 2005 and took effect on May 16th, 2019. The Growth Plan provides policies to guide future growth and development within the Greater Golden Horseshoe (“GGH”) to a time horizon to the year 2051. Overall, the Growth Plan has projected a population of 674,000 in the year 2051 for the Niagara Region.

For the purposes of this report, the version of the Growth Plan last consolidated on August 28th, 2020 at <https://files.ontario.ca/mmah-place-to-grow-office-consolidation-en-2020-08-28.pdf> was used.

The following policies are applicable to the development proposal.

8.5.1 Section 2 Where and How to Grow

Subsection 2.2.1 Managing Growth

Policy 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 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;*
- b) *growth will be limited in settlement areas that:*
 - i. *are rural settlements;*
 - ii. *are not serviced by existing or planned municipal water and wastewater systems; or*
 - iii. *are in the Greenbelt Area;*
- 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 planned public service facilities;*
- d) *development will be directed to settlement areas, except where the policies of this Plan permit otherwise;*
- e) *development will be generally directed away from hazardous lands; and*



Planning Comment: The Growth Plan has projected a 2051 population of 674,000 for the Region of Niagara. Therefore, the proposed development will contribute to providing housing to accommodate the proposed increase in population within the Town of Grimsby. The subject lands are located within the Urban Area Boundary with access to municipal water and wastewater systems, which is where growth and development should be focused. In addition, the proposed increase in residential dwelling types in the Town of Grimsby supports the achievements of a complete community, along with being in close proximity to complementary uses (i.e. institutional, commercial, open space) and supporting active transportation (sidewalks). Furthermore, the proposed development is directed away from hazardous lands.

Policy 1.1.2.4 *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 additional residential 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) *provide for a more compact built form and a vibrant public realm, including public open spaces;*
- f) *mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability;*
- g) *integrate green infrastructure and appropriate low impact development*

Planning Comment: The proposed three single detached dwellings will add to the mix of housing types in the Town of Grimsby. Further, they provide a more affordable option than the existing single detached dwellings due to the division of land and a compact built form. The proposed dwellings will be available for people of all ages and abilities, by meeting urban design and site standards to be discussed in the detailed design phase. The subject lands are within proximity and connected by existing active transportation infrastructure to a variety of commercial, recreational, open space, and institutional land uses, therefore alternative methods of transportation to the automobile are encouraged to reduce greenhouse gas emissions and encourage healthy living.

Subsection 2.2.2 Delineated Built-up Area

Policy 2.2.2.1 *By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:*

- a) *A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the*

Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area; and

Policy 2.2.2.3 *All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:*

- c) *encourage intensification generally throughout the delineated builtup area;*
- 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 50% minimum target for all residential development occurring annually within the delineated built-up area, while providing a desirable urban structure and infilling underutilized lands within the Urban Area Boundary. The proposed low-density residential uses will be similar in height to the existing single detached homes along Bartlett Avenue and provide appropriate setbacks to create a consistent streetwall. Furthermore, the proposed intensification is supported by the FSR Brief and Archaeological Assessment.

Subsection 2.2.6 Housing

Policy 2.2.6.1 *Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:*

- a) *support housing choice through 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 additional residential units and affordable housing to meet projected needs of current and future residents; and*

Policy 2.2.6.2 *Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing 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.*

Policy 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.*

Policy 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 forecasted population growth and the achievement of minimum intensification targets in the Niagara Region, particularly in the Town of Grimsby. In addition, the proposed development adds to the mix and range of housing options and densities, by intensifying the subject lands with single detached

dwellings. The number of residential units provided by the subject lands will increase by three, while maintaining the low-density character of the surrounding neighbourhood. The FSR submitted with this application concluded that the proposed mild intensification development can be accommodated and serviced by existing municipal infrastructure.

8.5.2 Section 3 Infrastructure to Support Growth

Subsection 3.2.6 Water and Wastewater Systems

Policy 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;*

Planning Comment: The FSR confirmed that the proposed development is appropriate and serviceable according to all current and applicable design standards, including sanitary, water, storm and utilities.

8.5.3 Section 4 Protecting What is Valuable

Subsection 4.2.7 Cultural Heritage Resources

Policy 4.2.7.2 *Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources.*

Policy 4.2.7.3 *Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.*

Planning Comment: The Stage 1 & 2 Archaeological Assessment concluded that as the archaeological survey from Stage 2 did not yield any evidence of archaeological material, no additional archaeological assessments are recommended.

Subsection 4.2.9 Culture of Conservation

Policy 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 and recycling of water;*
- b) *energy conservation for existing buildings and planned developments, including municipally owned facilities, 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;*
- 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. *enhanced waste reduction, composting, and recycling initiatives, and the identification of new opportunities for energy from waste, source reduction, reuse, and diversion, where appropriate;*
 - ii. *a comprehensive plan with integrated approaches to waste management, including reduction, reuse, recycling, composting, diversion, and disposal of residual waste;*
 - iii. *promotion of building conservation and adaptive reuse, as well as the reuse and recycling of construction materials; and*
 - iv. *consideration of waste management initiatives within the context of long-term regional planning, and in collaboration with neighbouring municipalities*

Planning Comment: The proposed development more efficiently utilizes the subject lands than the existing conditions, creating an efficient development pattern. In addition, intensifying lands within the Urban Settlement Area promotes the preservation of open spaces. Furthermore, the Brief prepared by S.Llewellyn & Associates Limited confirmed that an existing storm sewer on Bartlett Avenue has sufficient capacity to support the proposed development.

Subsection 4.2.10 Climate Change

Policy 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 other provincial plans and policies for environmental protection, that will include:*

- a) *supporting the achievement of complete communities as well as the minimum intensification and density targets in this Plan;*
- 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 for the Growth Plan and water resource systems;*
- g) *promoting local food, food security, and soil health, and protecting the agricultural land base;*
- 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 density targets of the Growth Plan and a complete

community. In terms of stormwater management, the FSR outlined that existing municipal infrastructure can be utilized.

Growth Plan for the Greater Golden Horseshoe, 2020 Conclusion: The proposed development conforms to the Growth Plan for the Greater Golden Horseshoe 2020, as it will:

- Efficiently develop and infill a vacant parcel of land within the Urban Settlement Area Boundary of Grimsby, through a compact layout;
- Increase densities and add to dwelling diversity within the Built Boundary;
- Effectively utilize existing municipal infrastructure to support the proposed development; and
- Contribute to achieving residential intensification targets for the Region of Niagara and subsequent accommodation for an anticipated increase in population to 2051

8.6 Region of Niagara Official Plan 2022

The Region of Niagara Official Plan (the “ROP”) outlines policies for the physical, economic, and social development until the year 2051 within Niagara Region. Policies are related to growth management, protection of the natural environment, resources and agricultural land, and the provision of infrastructure.

In 1973, the original policy plan was approved. The Regional Council approved By-law 2022-47 adopting the new Niagara Official Plan on June 23, 2022. The adopted plan was approved with modifications by the Minister on November 4th, 2022.

For the purposes of this report, the 2014 consolidated version of the ROP available online at <https://www.niagararegion.ca/official-plan/recommended.aspx> was used.

The following designations apply to the subject lands.

SCHEDULES	DESIGNATIONS
Schedule B – Regional Structure	Designated Built-Up Area Niagara Escarpment Plan Area
Schedule J1 – Transportation	Bartlett Avenue: Regional Road Conceptual Planned Corridor

Table 8-1: Regional Official Plan Designations

8.6.1 Chapter 2 Growing Region

Section 2.1 Forecasted Growth

Subsection 2.1.1 Regional Growth Forecasts

Policy 2.1.1.1 Population and employment forecasts listed in Table 2-1 are the basis for land use planning decisions to 2051.

Planning Comment: The proposed development will assist the Region in achieving the forecasted population for the Town of Grimsby of 37,000 people for the year 2051 (identified in **Figure 8-3**) by providing three additional dwelling units.

Table 2-1 – 2051 Population and Employment Forecasts by Local Area Municipality

Municipality	Population	Employment
Fort Erie	48,050	18,430
Grimsby	37,000	14,960
Lincoln	45,660	15,220
Niagara Falls	141,650	58,110
Niagara-on-the-Lake	28,900	17,610
Pelham	28,830	7,140
Port Colborne	23,230	7,550
St. Catharines	171,890	79,350
Thorold	39,690	12,510
Wainfleet	7,730	1,830
Welland	83,000	28,790
West Lincoln	38,370	10,480
Niagara Region	694,000	272,000

Figure 8-3: Excerpt of Table 2-1 - 2051 Population and Employment Forecasts, Retrieved from Regional Official Plan

Section 2.2 Regional Structure

Subsection 2.2.1 Managing Urban Growth

Policy 2.2.1.1 *Development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:*

- a) *the intensification targets in Table 2-2 and density targets outlined in this Plan;*

Planning Comment: The residential intensification targets in the Niagara Region, which are minimum standards that are allowed and encouraged to be exceeded, are identified in **Figure 8-4**. The proposed development contributes to achieving the Region of Niagara target of 60% intensification annually and the Town of Grimsby residential target of 98%. The Town of Grimsby has a limited amount of developable land due to the Niagara Escarpment, natural hazards and Lake Ontario, resulting in a high annual residential target outlined by Niagara Region.

Table 2-2: Niagara Region Minimum Residential Intensification Targets by Local Area Municipality 2021-2051

Municipality	Units	Rate
Fort Erie	3,680	50%
Grimsby	4,500	98%
Lincoln	8,895	90%
Niagara Falls	10,100	50%
Niagara-on-the-Lake	1,150	25%
Pelham	1,030	25%
Port Colborne	690	30%
St. Catharines	18,780	95%
Thorold	1,610	25%
Wainfleet	0	0%
Welland	10,440	75%
West Lincoln	1,130	13%
Niagara Region	62,005	60%

Figure 8-4: Excerpt of Table 2-2: Niagara Region Minimum Residential Intensification Targets by Local Area Municipality 2021-2051

- b) *a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;*
- c) *a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing need*

Planning Comment: The proposed development of three single detached dwellings will add to the mix of housing types and densities in the Town of Grimsby. It is a mild form of intensification on the subject lands, creating a compact built form and contributing to a complete community. This type of residential intensification provides a more affordable option than the existing single detached dwellings due to the division of land into smaller lots and subsequent lower rates per parcel.

- d) *social equity, public health, and safety and the overall quality of life for people of all ages, abilities and incomes by expanding convenient access to:*
 - i. *a range of transportation options, including public transit and active transportation;*
 - iv. *the public realm, including open spaces*

Planning Comment: The subject lands are within proximity to, and connected by existing sidewalks to, a variety of recreational, commercial and institutional land uses, therefore alternative methods of transportation to the automobile are encouraged to reduce greenhouse gas emissions and encourage healthy living.

- e) *built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure to support the financial well-being of the Region and Local Area Municipalities;*
- h) *opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods;*
- k) *orderly development in accordance with the availability and provision of infrastructure and public service facilities; and*

Planning Comment: The subject lands are currently a vacant parcel of land located within the Urban Area of Grimsby. This is an inefficient land use pattern, considering the existing infrastructure is capable of withstanding greater capacity and the subject lands have frontage onto Bartlett Avenue, a Regional Road. The proposed development more efficiently utilizes the subject lands and provides a mild form of intensification with the creation of three single detached lots that respects the existing character of the surrounding neighbourhood. This form of intensification is necessary to prevent additional land consumption.

Subsection 2.2.2 Strategic Intensification and Higher Densities

Policy 2.2.2.3 Built-up areas and strategic growth areas identified in Policy 2.2.2.1 are shown on Schedule B.

Policy 2.2.2.4 Settlement area boundaries, built-up areas, strategic growth areas, and designated greenfield areas, where applicable, shall be identified in Local official plans.

Policy 2.2.2.5 A Regional minimum of 60 per cent of all residential units occurring annually will be within built-up areas

Planning Comment: The proposed development involves a mild form of residential intensification within the Delineated Built-Up Area, outlined in **Figure 8-5**, as encouraged. In addition to contributing to achieving the residential intensification target of 60% outlined by the Region, the proposed development will contribute to accommodate forecasted increase in population.

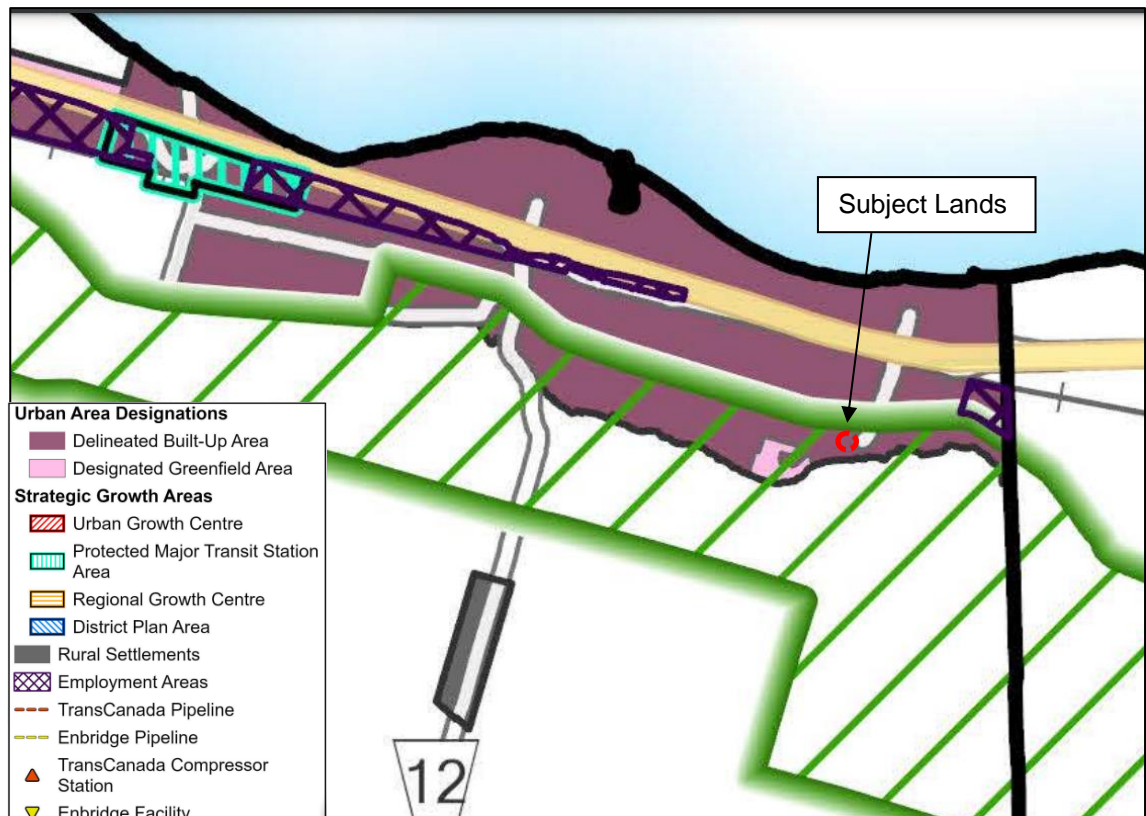


Figure 8-5: Excerpt of Schedule B: Regional Structure, Retrieved from Regional Official Plan

Section 2.3 Housing

Subsection 2.3.1 Provide a Mix of Housing Options

Policy 2.3.1.1 *The development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life.*

Policy 2.3.1.4 *New residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:*

- a) *facilitating compact built form; and*
- b) *incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.*

Policy 2.3.1.5 *New residential development and residential intensification should incorporate universal design standards to meet housing needs at all stages of life*

Planning Comment: The proposed development increases the variety of housing types in the community by providing three new single detached dwellings on the subject lands. The proposed dwellings will be accessible and more affordable than the existing single detached dwellings due to smaller land parcels and a compact built form. The proposed development will be able available for people of all ages and abilities, by meeting urban design and site standards to be discussed in the detailed design phase.

8.6.2 Chapter 5 Connected Region

Section 5.1 Multi-Modal Transportation System

Subsection 5.1.5 Ensure Regional Roads Accommodate Future Growth and Support Diverse Forms of Transportation

Policy 5.1.5.1 *As conditions of the approval of a development application under the Planning Act:*

- a) *the Region may acquire land from the landowner required for the road allowance as identified in Schedule M, at no cost to the Region and free of all encumbrance, encroachments, and improvements unless otherwise agreed to by the Region; and*
- b) *the Region shall be provided with a certificate of an Ontario Land Surveyor noting that all legal survey documentation on the widened road allowance is in place.*

Planning Comment: Figure 8-6 below identifies Bartlett Avenue as a Regional Road. The proposed development will not interfere with the existing functionality of the Regional Arterial Road.

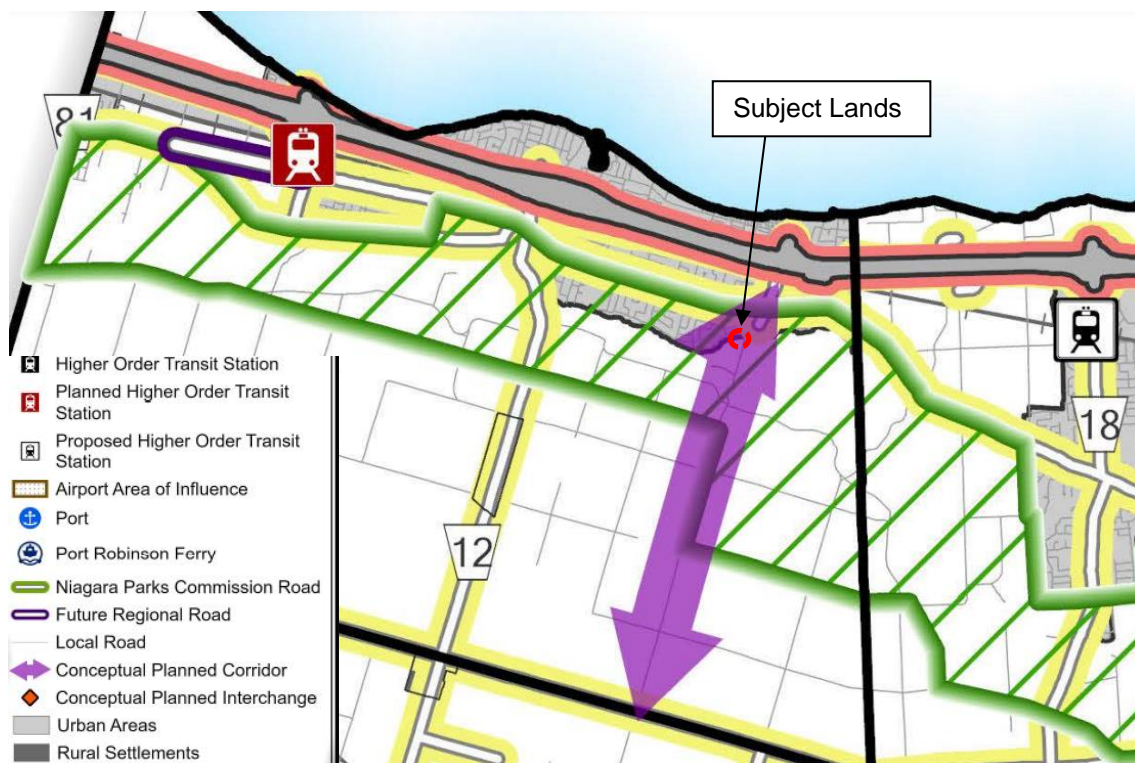


Figure 8-6: Excerpt of Schedule J1: Transportation Infrastructure, Retrieved from Regional Official Plan

Section 5.2 Infrastructure

5.2.1 Infrastructure Planning, Development, and Asset Management

Policy 5.2.1.4 Infrastructure investment shall be leveraged to direct and support growth and development within strategic growth areas as well as to achieve the minimum intensification and density targets identified in this Plan.

Policy 5.2.1.5 Before consideration is given to developing new infrastructure, the Region and Local Area Municipalities shall optimize the use of existing infrastructure, and plan and direct growth in a manner that promotes efficient use of existing services.

Subsection 5.2.2 Municipal Water and Wastewater Servicing within Urban Areas

Policy 5.2.2.2 Municipal water and wastewater systems/services are the required form of servicing for development in urban areas.

Policy 5.2.2.4 Prior to approval of development, the municipality shall ensure that required water and wastewater services and servicing capacity is available to support the development.

Planning Comment: The proposed development is proposed to connect to existing municipal services, including storm, sanitary and water. Please refer to the FSR for further details.

8.6.3 Chapter 6 Vibrant Region

Section 6.2 Urban Design

Policy 6.2.1.5 The public realm shall be enhanced through urban design and improvements, and investment that contributes to safe, attractive complete streets and desirable communities.

Policy 6.2.1.6 Active transportation shall be promoted through the cohesive and collaborative design of streets, building interfaces and public spaces.

Policy 6.2.1.7 *Sustainable design principles shall be applied to the public realm, infrastructure, public service facilities, development and streets.*

Policy 6.2.1.8 *The Region shall promote:*

- d) *well-designed buildings, high quality streetscapes, and attractive public spaces that create neighbourhood character and strengthen community identity and diversity;*

Planning Comment: The existing concept plan is preliminary as details regarding private site design including building materials and landscaping will be provided at a later design stage. The Draft Zoning By-law proposes minimum site-specific regulations to ensure that the proposed development is an appropriate scale, which will compliment the existing neighbourhood character.

Section 6.4 Archaeology

Subsection 6.4.2 Conservation in Accordance with Provincial Requirements

Policy 6.4.2.6 *Where a site proposed for development is located within an area of archaeological potential, the Local Area Municipality shall circulate the application and a Stage 1 Archaeological Assessment by a licensed archaeologist, as well as a Stage 2 Assessment, where required, to the Region as part of a complete application. This policy applies when any part of a development application falls within an area of archaeological potential as identified on Schedule K and will be addressed as early as possible in the planning process. For lands located outside a settlement area boundary where site alteration or development will not affect the entire property, the archaeologist may consult with the Province on a property-by-property basis to determine if these areas can be exempt or the assessment can be scoped.*

Planning Comment: A Stage 1 & 2 Archaeological Assessment was prepared by Earthworks Archeological Services Inc. The Assessment concluded that as the archaeological survey from Stage 2 did not yield any evidence of archaeological material, no additional archaeological assessments are recommended.

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

- Contribute to achieving the forecasted population for the Region of Niagara and Town of Grimsby, by providing three additional single detached units;
- Contribute to achieving the Region of Niagara target of 60% residential intensification annually and the Town of Grimsby residential intensification target of 98%;
- Be a mild form of intensification, which will respect existing community character;
- Focus residential intensification within the Urban Built-Up Area;
- Make efficient use of the subject lands and existing municipal services and infrastructure;
- Add to the range of dwelling types in the neighbourhood;

8.7 Town of Grimsby Official Plan 2012

The Town of Grimsby Official Plan (the “Official Plan”) was approved by the Ontario Municipal Board on May 12th, 2012. The Official Plan guides planning decisions related to social, economic, and environmental land use matters within the Town of Grimsby. Furthermore, the Official Plan implements the policies of the Province of Ontario and Niagara Region Policy Plan while reflecting the characteristics of the Town of Grimsby. The Official Plan has a planning horizon to the year 2031 and is reviewed every five (5) years to ensure that the direction for land use planning is adequate and appropriate.

For the purposes of this report, the version of the plan that was used is available online at <https://www.grimsby.ca/en/doing-business/resources/Documents/Full-Official-Plan-2019.pdf>.

The following designations apply to the subject lands.

SCHEDULE	DESIGNATION
Schedule A – Municipal Structure	Urban Settlement Area
Schedule B – Land Use	Low Density Residential Area
Schedule B-2 – Urban Settlement Area (East)	Low Density Residential Area
Schedule C – Transportation and Trails	Bartlett Avenue – Regional Arterial

Table 8-2: Town of Grimsby Official Plan Designations Applicable to the Subject Lands

8.7.1 Section 2 Municipal Structure

Section 2.3 Municipal Structure Elements

Policy 2.3.1 *The key structural elements of the Municipal Structure are illustrated schematically on Schedule A, and include:*

- a) *The Urban Settlement Area and containing:*
 - i. *The Urban Settlement Area Boundary,*
 - ii. *The Built Boundary,*
 - iii. *Designated Greenfield Areas,*
 - iv. *Major Intensification Areas and the Downtown, and*
 - v. *Stable Residential Neighbourhoods;*
- e) *The Niagara Escarpment Plan; and,*

Subsection 2.3.2 The Urban Settlement Area

Policy 2.3.2.2 *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 *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 *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 and Built-Boundary, as shown in **Figure 8-7** where intensification and development, as proposed is encouraged. The proposed development of three single detached dwellings maintains the low-density residential character of the neighbourhood and is compatible and similar in scale with existing surrounding dwellings on Park Street Road and Muscat Drive

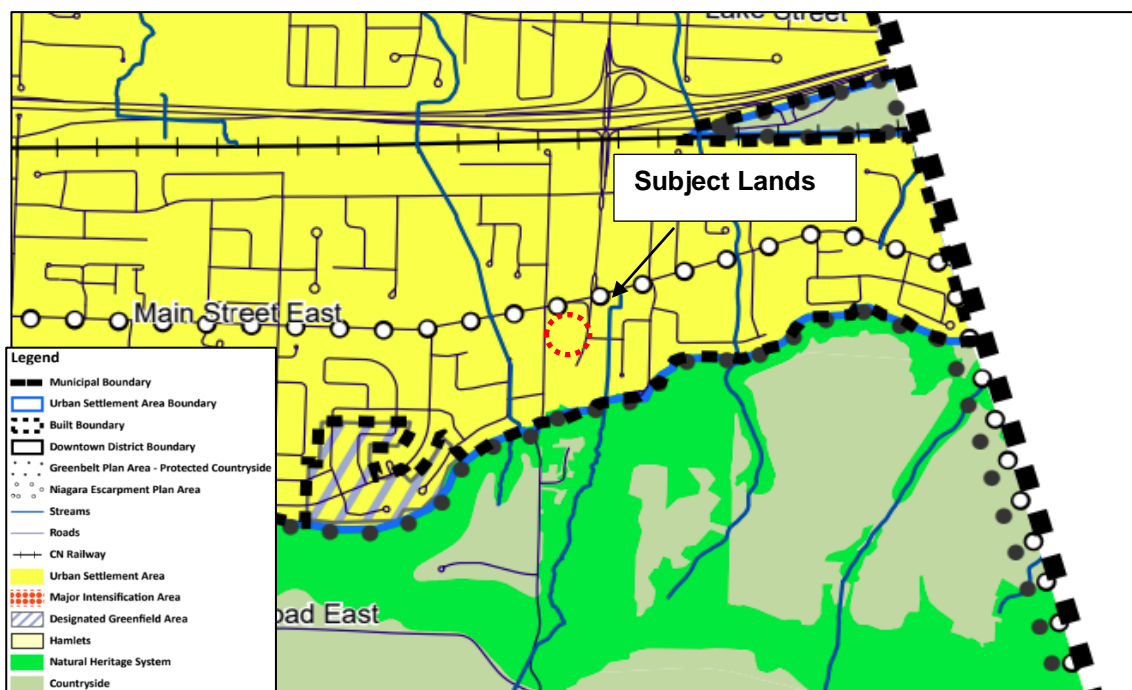


Figure 8-7: Schedule A - Municipal Structure, Retrieved from the Town of Grimsby Official Plan

Subsection 2.4 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;*
- b) *Direct the majority of intensification to two major intensification areas in the Downtown and Casablanca interchange area;*
- c) *Set a minimum density target within the Casablanca interchange area through the implementing Secondary 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;*
- e) *Permit and encourage the creation of secondary suites within the Urban Settlement Area subject to the policies of Section 3.4.1.10;*
- 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; and*

- g) To facilitate intensification, the Town may offer development incentives such as:*
 - i. Reduced parkland dedication requirements;*
 - ii. Reduced parking standards;*
 - iii. Reduced Development Charges; and,*
 - iv. Pre-zoning by the Town*

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. It is noted that the Region of Niagara 2020 Official Plan has proposed a higher intensification rate of 98% for the Town of Grimsby, however the Town of Grimsby Official Plan has not been updated as of yet and outlines that 80% of new dwellings should be provided for through intensification. These targets are a minimum standard as Grimsby has a limited amount of developable land within the municipality due to natural hazards arising from the Niagara Escarpment and Lake Ontario.

The proposed development is a mild form of intensification and infill that will efficiently utilize lands within the Urban Settlement Area and respect the existing character of the surrounding neighbourhood, while increasing the availability of single detached residential dwellings within a desirable area.

Furthermore, the proposed increase in density is minor and can be supported by existing infrastructure and public service facilities.

Subsection 2.5 Housing

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 2.5.2 *The Town shall seek to maintain at all times a 10-year supply of residential designated lands. In this context, designated means in approved Secondary Plans where applicable.*

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 2.5.6 *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. 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 reduced 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; and/or*

Planning Comment: The proposed development contributes to the supply of residential housing within the Town of Grimsby on lands zoned for single detached dwellings. The proposed intensification and infill are viable as there is sufficient capacity of existing municipal infrastructure to accommodate the proposed three single detached dwelling units. The proposed dwelling type will contribute to diversifying the housing in the Town of Grimsby, providing accommodations that are more affordable than some of the existing housing, due to smaller units. The proposed dwelling type, built form, and lot configurations are similar to the existing development pattern along Park Road South and Muscat Drive, ensuring that there are no issues relating to shadowing, overlook, character, density, and privacy.

8.7.2 Section 3 – Land Use Policies

Subsection 3.4 Residential Neighbourhoods

Subsection 3.4.1 General Residential Policies

Policy 3.4.1.1 *The following policies apply to the Low Density Residential, Medium Density Residential, High Density Residential, and Residential/Mixed Use Area designations.*

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, sewers, sanitary, storm, utilities, parks, and schools.

Subsection 3.4.2 Low Density Residential Area

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;*

Planning Comment: As seen in **Figure 8-8**, 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.

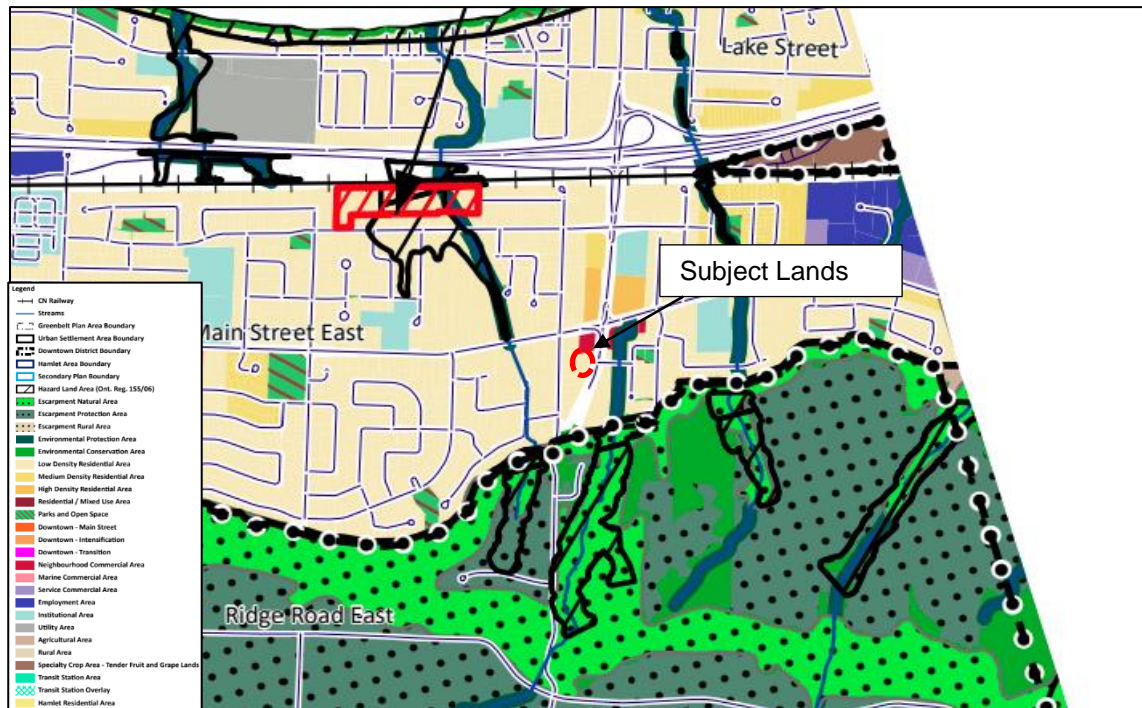


Figure 8-8: Schedule B - Land Use, Retrieved from Town of Grimsby Official Plan

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 3.4.2.5 *Within stable residential neighbourhoods, the maximum permitted height and density may be lower than that permitted in Sections 3.4.2.2 and 3.4.2.4 in order to conform to the urban design criteria in Section 3.4.7.*

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 will maintain compatibility with adjacent properties, as it does not exceed a height of 2.5 storeys or 9 metres. The proposed development will also respect the character and image of the neighbourhood as it proposes similar lot configurations and setbacks. Furthermore, the proposed density is 3.54 units per net residential hectare, which is acceptable for the subject lands as it is below the maximum outlined in the Town’s Official Plan.

Subsection 3.4.7 Design Policies for Residential Neighbourhoods

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 lot sizes are appropriate for the proposed single detached dwellings, as they are similar to existing development patterns along Park Road South and Muscat Drive. Bartlett Avenue has existing sidewalks, which will allow for pedestrian movement and achieving cost efficient development patterns.

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) *To support public transit and for reasons of public safety and convenience, the main entrances to homes and multi-residential buildings shall be clearly visible and located on a public road or onto public open spaces.*
- d) *Access from sidewalks and public open space areas to primary building entrances shall be convenient and direct, with minimum changes in grade.*
- e) *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: The proposed development is compatible with the neighbouring built-form, as it proposes site specific provisions that are consistent with modern development standards and ensure appropriate development setbacks that will mitigate any potential nuisance from privacy and noise. The proposed entrances to the dwellings are visible from the street as they front onto Bartlett Avenue. Specific site design and details will be addressed at a future building permit review stage.

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;*
- iii. *Buildings located adjacent to, or at the edge of parks, natural hazards and natural heritage and open spaces will provide opportunities for overlook into the open space, natural hazards and natural heritage;*
- iv. *The massing, siting and scale of buildings located adjacent to, or along the edge of a park or open space, natural hazard or natural heritage will create a degree of enclosure or definition appropriate to the type of open space, natural hazards and natural heritage they enclose; and,*
- v. *Buildings of significant public use or architectural merit may be sited to specifically differ from the surrounding urban fabric in order to emphasize their importance as landmarks.*

Planning Comment: The proposed development will enclose the streetscape and create a cohesive built form, as it is currently discontinuous due to the vacant parcels of land at the south end of Bartlett Avenue. The proposed buildings are aligned parallel to the existing built form along Muscat 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 development is compatible with the surrounding low-density residential neighbourhood. The proposed lots fronting onto Bartlett Avenue will have appropriate setbacks in line with the existing dwellings at Park Road South and Muscat Drive. Details regarding landscaping, tree removal, and site/building materials will be determined at a future stage of the planning process, ensuring that the existing character of the surrounding residential neighbourhood is respected.

- 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 the adjacent housing form, by comprising of low density single detached dwellings, with similar heights to the surrounding stable residential neighbourhood. Further, the proposed development consists

of similar yard setbacks to the adjacent lots with frontage onto Bartlett Avenue to create a consistent street pattern.

- 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 that the development maintains a consistent relationship with the existing adjacent housing arrangements to avoid inappropriate interfaces between the buildings. Specifically, the RD4 Zone is being proposed with site specific provisions to accommodate the mild form of infill, which is also in line with the existing lots at Muscat Drive.

- 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:*
1. *On smaller infill properties, provide lots, which maintain the established rhythm of lot sizes and frontages on adjacent housing lots;*
 3. *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 within the existing stable residential neighbourhood, as the lots on Muscat Drive and Park Road South each consist of single detached dwellings. In terms of setbacks, they will be consistent with the low density residential development in the neighbourhood, resulting in a similar lot coverage.

8.7.3 Section 4 – Environmental Management and Sustainability

Subsection 4.1 Healthy Landscape

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 proposed development has been designed to avoid negative environmental impacts and will be constructed to maintain ecosystem health and integrity.

Subsection 4.5 Energy Conservation and Climate Change

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 building heights that are similar to the dwellings existing in the surrounding stable residential neighbourhood. Therefore, there are no concerns related to extensive loss of sunlight on adjacent lands uses. As stated previously, the subject lands have adequate access to complementary land uses including schools, recreational uses, and open space through the existing road network and sidewalk.

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: A Stage 1 & 2 Archaeological Assessment was prepared by Earthworks Archeological Services Inc. The Assessment concluded that as the archaeological survey from Stage 2 did not yield any evidence of archaeological material, no additional archaeological assessments are recommended.

8.7.4 Section 5 – Infrastructure and Transportation

Subsection 5.1 Water Supply

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.*

Subsection 5.2 Sanitary Sewage Treatment

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 and the proposed development can be serviced through the connections to existing municipal water and

sewage systems. The FSR prepared by S. Llewellyn & Associates provides details on the existing and proposed servicing connections.

Subsection 5.3 Stormwater Management

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;*
- c) *Minimize alterations to the natural drainage boundaries;*
- d) *No creation of new flood or erosion problems or aggravation of existing flood or erosion problems;*
- e) *Minimize pollutant loadings to the watercourses, including phosphorus, in accordance with the water quality targets that are established from time to time;*
- f) *Net gain of fish habitat;*
- g) *Minimize changes to base flow quality and quantity in receiving watercourses;*
- h) *Minimize and consolidate the number of stormwater treatment facilities;*
- i) *Where possible enhance natural vegetation along stream corridors;*
- j) *Incorporate enhanced stormwater management design; and*
- k) *Demonstrate that the matters in Section 4.2.5 are addressed.*

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 the net reduction of surficial aquifer recharge, increased potential for contamination, the creation of new flood or erosion problems, or increased the number of stormwater management facilities.

Subsection 5.4 Roads and Transit

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: As seen in **Figure 8-9**, Bartlett Avenue is a Regional Arterial Road, which permits the movement of traffic through and within the Town. However, Bartlett Avenue ends south of the subject lands due to the presence of the Niagara Escarpment. Therefore, it should be considered similar to Park Road South and Muscat Drive, which are local roads that have access to Main Street East. These local roads are adjacent to Bartlett Avenue and commonly consist of individual sites of wide lot widths and single detached dwellings.



Figure 8-9: Schedule C- Transportation, Retrieved from Town of Grimsby Official Plan

Subsection 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.*

Policy 5.4.3.5 *On two lane rural arterial roads, the Town may consider providing wide paved shoulders for use by slower moving farm vehicles where appropriate.*

Planning Comment: As previously mentioned, Bartlett Avenue is a Regional Arterial Road, as shown in **Figure 8-9**. However, Bartlett Avenue ends south of the subject lands due to the presence of Niagara Escarpment. Therefore, it is appropriate for the proposed three single detached dwellings to front onto Bartlett Avenue.

Subsection 5.5 Parking

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.*

Planning Comment: It is anticipated that the proposed development will provide two parking spaces per residential dwelling unit (garage and driveway).

8.7.5 Section 7 Streetscape Design

Policy 7.1.1 *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.*

Planning Comment: There are currently sidewalks on the east side of Bartlett Avenue, south of Main Street East. North of Main Street East, Bartlett Avenue has sidewalks on both sides up until Central Avenue. These sidewalks will provide access for pedestrians to nearby amenities and services.

8.7.6 Section 8 Cultural Heritage and Archaeology

Policy 8.21 *Where a Stage 1 archaeological assessment is required, it shall be prepared prior to submission of an application for development. Where the Stage 1 study identifies areas of archaeological potential, a further Stage 2 archaeological assessment and fieldwork by a licensed archaeologist shall be provided at the time of submission of an application for plan of subdivision or site plan approval. If archaeological resources are identified in the assessment, the application shall include a conservation plan to conserve any archaeological resources identified for protection.*

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: A Stage 1 & 2 Archaeological Assessment was prepared by Earthworks Archeological Services Inc. The Assessment concluded that as the archaeological survey from Stage 2 did not yield any evidence of archaeological material, no additional archaeological assessments are recommended.

Town of Grimsby Official Plan Conclusion: The proposed development conforms to the Town of Grimsby Official Plan, as it will:

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

- Be a permitted use within the Low Density Residential designation, as the proposed development contemplates the construction of three single detached dwellings.
- Conform to the 25 units per net hectare maximum density for lands designated Low Density Residential, as 3.54 units per hectare are proposed;
- Maintain the intent of the existing road network;
- Not cause adverse impacts to the Bartlett Avenue streetscape or residential neighbourhood
- Add to the range of dwelling types and tenures to accommodate various ages and income levels;
- Maintains the intent of the Niagara Escarpment Urban Area designation

8.8 Town of Grimsby Zoning By-law (By-law 14-45, as amended)

The Town of Grimsby Zoning By-law 14-45 (the “Zoning By-law”) controls the use of land in the Town of Grimsby. It states how land may be used, where buildings and other structures can be located, the types of buildings that are permitted and how they may be used, and the lot sizes and dimensions, parking requirements, building heights, and setbacks from the streets.

For the purposes of this report, the version last consolidated in August 2019 was used and is available online at

<https://www.grimsby.ca/en/resourcesGeneral/Documents/PlanningDepartment/FULL-Zoning-By-law-14-45-Office-Consolidation-2019-COMPRESSED-FOR-WEBSITE.pdf>.

As seen in **Figure 8-10**, the subject lands are zoned Residential Detached 1 Site Specific Exception 15 (RD1.15) Zone. The following uses are permitted under Section 7.1 Permitted Uses:

- Bed and breakfast
- Group Home
- Single detached dwelling

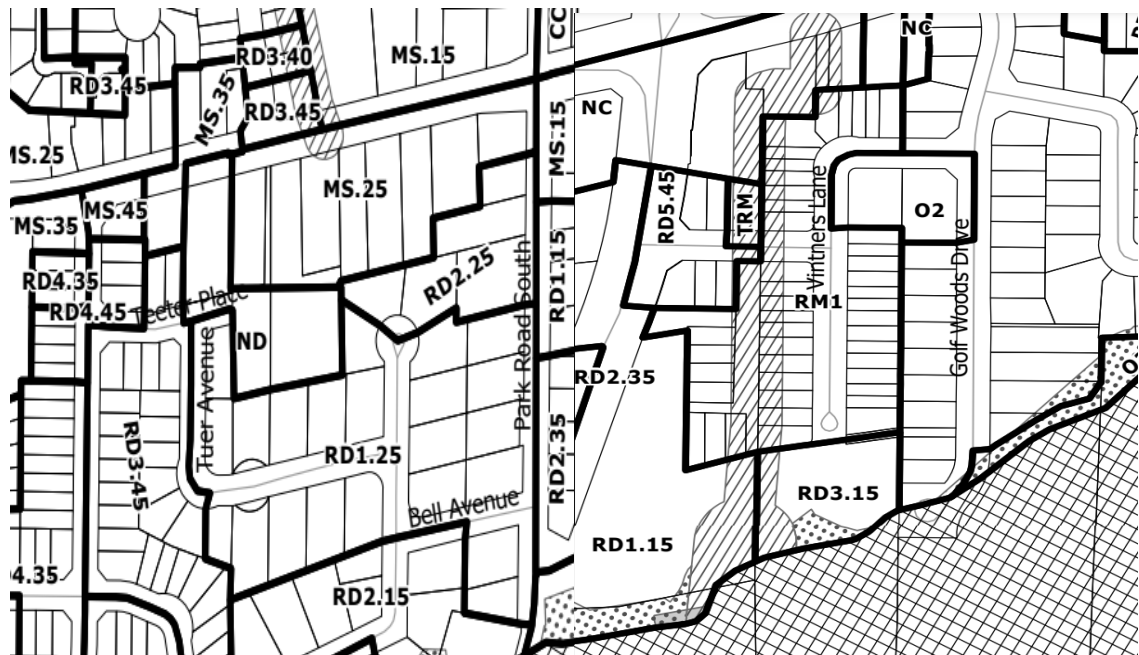


Figure 8-10: Schedule 14A & 15A Map Excerpt of the Subject Lands

Planning Comment: While the existing zone permits single detached dwellings, the subject lands will be rezoned to Residential Detached 4 (RD4) with site specific exceptions to address lot coverage, front and rear yard setbacks of the proposed development. The proposed development reflects a cohesive development pattern with the existing lots along Muscat Drive.

9 Proposed Zoning By-law Amendment

Under Section 34 of the Planning Act, a Zoning By-law Amendment may be used to amend any by-law passed under that section. Zoning By-law 14-45 was passed on May 20th, 2014 pursuant to Section 34 of the Planning Act.

Currently the subject lands are zoned Residential Detached 1 (RD1.15), which permits single detached dwellings with a maximum lot coverage of 15%. The proposed Zoning By-law Amendment is required to rezone the subject lands to Residential Detached 4 (RD4) Zone to allow the proposed residential lots.. It is being requested that the RD4 Zone be modified to recognize site-specific provisions relating to maximum lot coverage, and minimum front yard and rear yard setbacks.

Table 9-1 outlines the proposed modifications for the RD.4 Zone for the proposed single detached dwellings.

REGULATION		RD.4 ZONE	PROPOSED MODIFICATIONS
Permitted Uses		<ul style="list-style-type: none"> • Bed and Breakfast • Group Home • Single Detached Dwellings 	<ul style="list-style-type: none"> • Single Detached Dwellings
Minimum Lot Area	Lot 1	400 square metres	466.6 square metres
	Lot 2		416.5 square metres
	Lot 3		529.9 square metres
Maximum Lot Coverage		-	45%
Minimum Lot Frontage	Lot 1	12 metres	18.4 metres
	Lot 2		14.5 metres
	Lot 3		18.0 metres
Minimum Front Yard		Minimum Yard of 7 Park: 7.5 metres Maximum Yard of 264 Main Street East: 8.8 metres	6.0 metres
Minimum Interior Side Yard		1.2 metres	1.2 metres
Minimum Exterior Side Yard		6.0 metres	N/A
Minimum Rear Yard	Lot 1	Minimum 7.5 metres or 25% of the Depth of the Lot: 6.70 metres	7.5 metres

	Lot 2	Minimum 7.5 metres or 25% of the Depth of the Lot: 7.5 metres	7.5 metres
	Lot 3	Minimum 7.5 metres or 25% of the Depth of the Lot: 8.25 metres	7.5 metres
Lot Depth	Lot 1	N/A	26.8 metres
	Lot 2		29.9 metres
	Lot 3		32.9 metres
Maximum Building Depth	Lot 1	20 metres	12.8 metres
	Lot 2		15.5 metres
	Lot 3		18.6 metres
Maximum Height		9 metres	9 metres

Table 9-1: Proposed Site Modifications

9.1.1 Maximum Lot Coverage

As seen in **Figure 8-10**, the abutting lots along Muscat Drive have a maximum 45% lot coverage. Similarly, the recently approved lots to the immediate south of the subject lands were also approved through a ZBLA with a maximum lot coverage of 45%. The proposed modification to include a maximum lot coverage of 45% to the RD4 Zone maintains a consistent lot coverage already found in the neighbourhood.

9.1.2 Minimum Front Yard

The Town of Grimsby Zoning By-law indicates that the minimum front yard for the RD4 Zone shall be the lesser of the current front yard or the average of the front yard of two adjacent properties. The Zoning By-law requires a maximum front yard of 8.8 metres, whereas the proposed development proposes a reduced maximum front yard of 6.0 metres.

The proposed reduction to the maximum front yard is consistent with modern development standards and will allow appropriate space for parking spaces in the driveways.

9.1.3 Minimum Rear Yard

As per the Town of Grimsby Zoning By-law, minimum rear yard is calculated as 25% of the Depth of the Lot. The Zoning By-law requires a minimum rear yard of 8.25 metres for Lot 3, whereas the proposed development proposes a reduced minimum rear yard of 7.5 metres. This calculation would result in rear yard depths of less than 7.5m for Lots 1 & 2, however a consistent setback of 7.5m would apply for all lots.

The intent of a rear yard setback is to provide suitable amenity space and maintain compatibility with surrounding neighbours. The reduction in minimum rear yard setback will provide appropriate space between abutting buildings and adequate amenity space for the lots.

10 Conclusions and Recommendations

The owners of approximately 0.14 hectares of land located on the west side of Bartlett Avenue are proposing to sever the lands to create three (3) lots and construct one (1) single detached dwelling on each severed lot.

To facilitate the proposed development, Zoning By-law Amendment and Consent applications are required. A Zoning By-law Amendment with site specific exceptions related to maximum lot coverage, front and rear yard setbacks is required to rezone the lands from the current Residential Detached 1 (RD1.15) Zone to Residential Detached 4 (RD4) Zone with Site Specific Exceptions.

The proposed Zoning By-law Amendment and Consent to Sever applications are:

- consistent with the 2020 Provincial Policy Statement, as they provide a form of mild infill and intensification within the Built-Up Area and utilize existing municipal services and infrastructure;
- Conforms with the policies of the Greenbelt Plan and Niagara Escarpment Plan, by meeting expectations of the Urban Area designation;
- Conform to the Growth Plan for the Greater Golden Horseshoe, as they add a mix of housing types to meet the Region of Niagara forecasted population target;
- Conform to the Niagara Region Official Plan, as they contribute to achieving the Region of Niagara target of 60% residential intensification annually and Town of Grimsby residential intensification target of 98%
- Conform to the Town of Grimsby Official Plan, as they are in line with the Low Density Residential Area designation and compatible with the existing single detached dwellings within the neighbourhood
- Provides the appropriate land use permission and controls within the Town of Grimsby Zoning By-law No. 14-45;
- Represents good planning and is in the public interest.

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 **9th day of December 2022.**



Isabelle Ilagan
Planning Student



Ritee Haider BES MCIP RPP
Planner

Appendix A – Draft Zoning By-law Amendment

The Corporation of the Town of Grimsby

By-law No. ----

A By-law to Amend By-law 14-45, as Amended

(Part of Lot 2, Concession 1, & 2, Part of Road Allowance between Concessions 1 & 2 and Part 1
Reference Plan 30R5766)

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 & 15A 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 Residential Detached 1 "RD1.15" Zone to a Residential Detached 4 (RD4.45) – Modified Zone.
2. Schedule 14B & 15B 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 11: 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 _____, 2022.

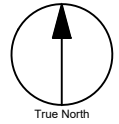
Mayor

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 Lot 2, Concession 1, & 2, Part of Road Allowance between Concessions 1 & 2 and Part 1 Reference Plan 30R57661 in the Town of Grimsby, Regional Municipality of Niagara	RD4			<i>Maximum Lot Coverage: 45%</i> <i>Minimum Front Yard: 6.0 metres</i> <i>Minimum Rear Yard: 7.5 metres</i>



MAIN STREET EAST

PARK ROAD SOUTH

BARTLETT AVENUE



This Schedule "A" to By-law No. 22-

Passed the _____ day of _____, 2022

Clerk

Mayor

Schedule A

Map Forming Part of By-law
No. 22-__

To Amend Zoning By-law
No.14-45

Subject Lands

Part of Lot 2, Concession 1, Bartlett Avenue



Lands to be rezoned from Residential
Detached 1 "RD1.15" Zone to
Residential Detached 4 "RD4.45"
Modified Zone

Scale:
N.T.S.

File Name/Number

Date:
2022-12-12

Planner/Technician

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT