

September 2, 2014

VIA EMAIL ONLY

File: D.18.05.ZA-14-090

Jesse Auspitz
Planner II
Town of Niagara-on-the-Lake
1593 Four Mile Creek Road, P.O. Box 100
Virgil, ON L0S 1T0

Dear Mr. Auspitz:

**Re: Regional and Provincial Review Comments
Zoning By-law Amendment Application
Proposed Site Specific Single-Detached Residential Zoning
113 Byron Street (Northeast Side) - Southeast Side of Wellington Street
Town of Niagara-on-the-Lake**

Regional Development Services staff has reviewed the information circulated for this application to amend the Zoning By-law. The subject land is currently zoned Established Residential (ER). The amendment proposes site specific zoning to permit three single-detached dwellings on three future lots to be created through consent applications. Further to our discussion, the following Provincial and Regional comments are provided to assist the Town in considering the application.

A preconsultation meeting for the proposal was held on March 6, 2014 with the owner and staff from the Town. The Region provided written preliminary comments for this meeting.

Provincial and Regional Planning Policies

The property is within the Urban Area Boundary for the Town of Niagara-on-the-Lake according to the Regional Official Plan. The Provincial Policy Statement designates the subject land as within a settlement area where development is generally concentrated and an appropriate range and mix of land uses is to be provided. The Provincial Growth Plan for the Greater Golden Horseshoe identifies the land as within the Built-up Area. The Regional Official Plan indicates the area is within the Built Boundary.

These planning documents include policies that support intensification of land uses in urban areas where appropriate servicing and infrastructure exist. Planning authorities shall provide for a range of housing types and densities to meet the projected needs of current and future residents. The subject land is a large corner lot containing an existing single-detached house, pool and shed. The proposed new residential dwellings would contribute to the available variety of housing types in the community. The additional units will help the Town to achieve intensification targets (currently 15%) for new development within the Built-up Area as indicated in the Growth Plan and Regional policies. The application represents an efficient use of urban residential land and existing services.

Archaeological Resources

Based on Provincial screening criteria, the site exhibits potential for the discovery of archaeological resources. An archaeological assessment must be submitted to the Ministry of Tourism, Culture and Sport for review and satisfy Provincial criteria. In case the related future consent applications are not finalized, it is recommended that archaeological concerns be satisfied prior to assigning additional zoning rights for the development of the property. The archaeological assessment requirement can either be addressed prior to passing the amending zoning by-law or through the inclusion of a Holding (H) provision in the by-law.

Servicing Capacity

There are servicing capacity limitations at the Region's existing Wastewater Treatment Plant (WWTP) serving development within the urban area of the Old Town and Virgil. A new WWTP is anticipated to be completed by 2017. There is currently some servicing capacity remaining at the existing WWTP. However, this capacity includes servicing allocation commitments for development previously approved by the Town but not yet constructed. It is understood the proposed development is subject to the Town's "Allocation of Waste Water Servicing Interim Policy" (By-law 4600-12). This policy provides guidance to the Town for determining priorities in allocating the limited servicing capacity based on the status of development approvals on the date the policy was adopted.

Conclusion

Regional Development Services staff has no objection to the proposed Zoning By-law amendment from a Provincial or Regional perspective, subject to the acceptance of an archaeological assessment of the property by the Ministry of Tourism, Culture and Sport or the inclusion of a Holding (H) provision in the amending zoning by-law requiring such acceptance, and the satisfaction of any local requirements.

If you have any questions or wish to discuss these comments, please contact me at extension 3391 or Lindsay Earl (Senior Planner) at extension 3387.

Please send a copy of the staff report and notice of the Town's decision on this application.

Yours truly,



Richard Wilson, MCIP, RPP
Planner

c. Marilyn Radman - Regional Development Services Division