

Final

# Planning Justification Report

## 384 George Street, Port Stanley

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Prepared for Caliber Contracting  
by Arcadis IBI Group  
November 4, 2022

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IBI GROUP

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# 1 Introduction

On behalf of our client, Caliber Contracting, please accept this Planning Justification Report ("Report") and supporting material regarding the proposed development of the subject property municipally known as 384 George Street in the Community of Port Stanley ("Subject Lands", "Site" or "Subject Property").

Our client is proposing to develop the subject property to accommodate three (3) single detached dwelling units and five (5) townhouse dwelling units off a shared condominium street. In order to accommodate the proposed development a Site-Specific Zoning By-Law Amendment is required to the Village of Port Stanley Zoning By-Law.

This Report has been prepared as part of the complete Zoning By-Law Amendment Application required to advance the proposed development and provides an overview of our client's property, the surrounding area, the current applicable planning framework and the proposed planning applications. Land use planning rationale/justification and recommendations regarding the subject application are also provided.

This Report provides an analysis of the land use planning framework applicable to the subject property, including Provincial legislation, plans and policy, the County Official Plan, and the Municipality's planning framework. Based on our assessment of this planning framework, it is our opinion that the proposed development has regard for the "Matters of Provincial Interest" set out by the Planning Act and is consistent with the Provincial Policy Statement.

It is our opinion that the proposed development represents efficient redevelopment of a brownfield site and a desirable development within the Municipality's Settlement Area. For these reasons and other matters discussed in this Report, it is our opinion that the proposed development represents good land use planning.

## 2 Background

### 2.1 Description of the Subject Lands

The subject lands are known municipally as 384 George Street in the community of Port Stanley. The subject lands are legally addressed as LT 44-46 PL 223 Port Stanley, Central Elgin. The subject property has an approximate area of 3689.5 square metres and has a frontage of approximately 61 metres onto George Street.



Figure 1: Aerial Image of Subject Property

## 2.2 Existing Conditions and Neighbourhood Context

There are currently eight (8) buildings on the property. Seven of the buildings are used as rental accommodations/cottages, while the remaining building is used as a primary residential dwelling. An unpaved circular access lane with frontage onto George Street is also present on the site. Parking for cars is provided to the side of each unit.



Figure 2: Front View from George Street

Part of a larger woodlot is present along the southern lot line of the property which represents a natural heritage feature on the site. Several other trees exist on the subject property, separate from the woodlot.

The subject property is surrounded by a range of uses, though primarily by low-density residential uses as outlined below:

- To the north: Agricultural uses north of George Street.
- To the east: Low density residential uses (single detached dwellings).
- To the south: a natural heritage feature (woodlot).
- To the west: Low density residential uses (single detached dwellings).



Figure 3: Neighbourhood Context Map



As seen in the Neighbourhood Context Map, the subject property is also in proximity to other medium density uses (townhouse dwellings), the Port Stanley Downtown Area, and Lake Erie.

### 3 Proposed Development

Our client is proposing to develop the subject property to accommodate eight (8) dwelling units with a block of five (5) townhouse units oriented along the western property limits and three (3) single detached units. These dwelling units are proposed as individual condominium units, which will be subject to a future Condominium Application. Each unit will include individual parking spaces.

The subject lands will also be developed to include a shared condominium drive aisle providing access to each of the units, with access onto George Street. The development of the subject property will be separated from the Woodlot at the south lot line of the property by a ten-metre buffer.

The proposed Site Plan has been shown below.

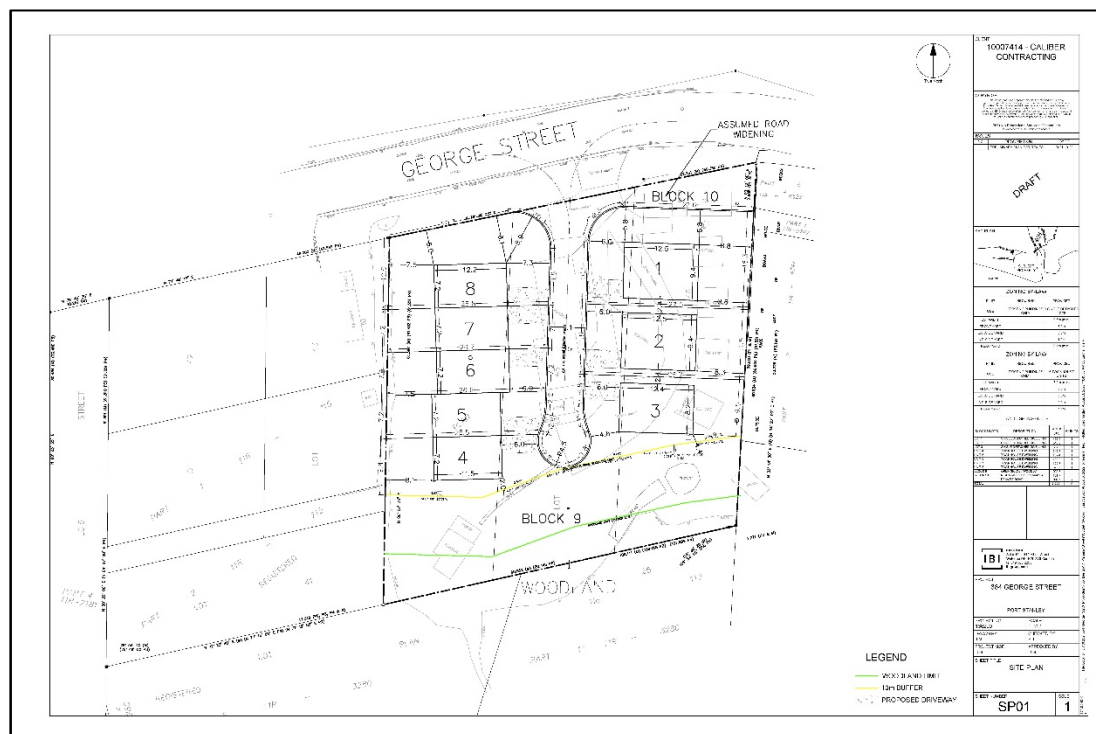


Figure 4: Site Plan

### 4 Land Use Planning Framework

The development of the subject property is guided by a range of Provincial legislation, policies and plans, the County of Elgin Official Plan, the Municipality of Central Elgin Official Plan and Zoning By-Law. This section of the Report outlines the applicable land use planning framework and how the application adheres to the applicable policies within.



## 4.1 Planning Act

The Planning Act, R.S.O. 1990 sets out the legislative framework for land use planning in Ontario and provides the authority for the Minister of Municipal Affairs and Housing to issue policy statements and plans to guide land use planning and development in the province. The Act also sets out the legislative framework for local land use planning tools and plans, including Official Plans, Zoning By-Laws, Plan of Condominium and Site Plan Approvals.

### 4.1.1 Matters of Provincial Interest

Section 2 of the Planning Act outlines various “Matters of Provincial interest”, which decision-makers must have regard to in carrying out their duties under the Act. These Matters are summarized and addressed in the following table:

PROVINCIAL INTEREST	DEMONSTRATION OF REGARD
a) The protection of ecological systems, including natural areas, features, and functions;	<ul style="list-style-type: none"> <li>The Natural Heritage Feature on the subject property is protected and maintained by a 10-metre buffer. An EIS has been undertaken to evaluate the impacts of the proposed development concept on the adjacent natural heritage features and has concluded impacts to natural heritage features and functions are not anticipated.</li> </ul>
b) The protection of agricultural resources of the Province;	<ul style="list-style-type: none"> <li>The subject lands are not identified as prime agricultural lands.</li> </ul>
c) The conservation and management of natural resources and the mineral resource base;	<ul style="list-style-type: none"> <li>No natural or aggregate resources are identified as being present on or near the subject property.</li> </ul>
d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;	<ul style="list-style-type: none"> <li>No features of significant architectural, cultural, historical, archaeological or scientific interest are anticipated to be impacted by the proposed development.</li> </ul>
e) The supply, efficient use, and conservation of energy and water;	<ul style="list-style-type: none"> <li>The proposed development is located within a Tier 1 Settlement Area which includes existing municipal servicing.</li> </ul>
f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;	<ul style="list-style-type: none"> <li>It is anticipated that the proposed development will connect to existing communication infrastructure, which will be confirmed through the Site Plan approvals process. The proposed development will also connect to existing municipal servicing.</li> </ul>
g) The minimization of waste;	<ul style="list-style-type: none"> <li>The proposed development will not require an expansion of infrastructure as it is being proposed in an existing Settlement Area.</li> </ul>
h) The orderly development of safe and healthy communities;	<ul style="list-style-type: none"> <li>The proposed development is consistent with the surrounding uses representing</li> </ul>

PROVINCIAL INTEREST	DEMONSTRATION OF REGARD
	a low density form of housing, limited to two storeys in height.
h.1) The accessibility for persons with disabilities to all facilities, services, and matters to which this Act applies;	<ul style="list-style-type: none"> <li>The proposed development will conform to the minimum requirements of the OBC to ensure that accessibility for persons with disabilities is provided.</li> </ul>
i) The adequate provision and distribution of educational, health, social, cultural, and recreational facilities;	<ul style="list-style-type: none"> <li>This matter of provincial interest is not considered relevant to the proposed development.</li> </ul>
j) The adequate provision of a full range of housing, including affordable housing;	<ul style="list-style-type: none"> <li>The proposed development contemplates a range of residential uses within a Settlement Area.</li> </ul>
k) The adequate provision of employment opportunities;	<ul style="list-style-type: none"> <li>This matter of provincial interest is not considered relevant to the proposed development.</li> </ul>
l) The protection of the financial and economic well-being of the Province and its municipalities;	<ul style="list-style-type: none"> <li>The proposed development will not require an expansion of infrastructure. Beyond that, this matter of provincial interest is not considered relevant to the proposed development.</li> </ul>
m) The co-ordination of planning activities of public bodies;	<ul style="list-style-type: none"> <li>The proposed development applications will be subject to municipal and agency review to ensure the coordination of development activities and the adherence of public policy.</li> </ul>
n) The resolution of planning conflicts involving public and private interests;	<ul style="list-style-type: none"> <li>The proposed development implements and considers the applicable Provincial and local planning framework.</li> </ul>
o) The protection of public health and safety;	<ul style="list-style-type: none"> <li>The proposed development will promote the protection of public health and safety by conforming to the requirements of the OBC.</li> </ul>
p) The appropriate location of growth and development;	<ul style="list-style-type: none"> <li>The proposed development is located within a Tier 1 Settlement Area as defined in the County Official Plan.</li> </ul>
q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;	<ul style="list-style-type: none"> <li>The proposed development is located in proximity to the Port Stanley Downtown area.</li> </ul>
r) The promotion of built form that, <ul style="list-style-type: none"> <li>i. is well-designed,</li> <li>ii. encourages a sense of place,</li> </ul>	<ul style="list-style-type: none"> <li>The built form of the proposed development contemplates a more efficient use of the subject lands while maintaining its compatibility with the surrounding uses.</li> </ul>

PROVINCIAL INTEREST	DEMONSTRATION OF REGARD
iii. and 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.	<ul style="list-style-type: none"> <li>Various energy saving, and environmental design considerations will be considered, to be confirmed through the Site Plan approval process.</li> </ul>

Based on the outlined consideration presented in the table above, it is our opinion that the proposed development has regard for the 'Matters of Provincial Interest' that have been set out by the Planning Act.

## 4.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy framework for efficient land use and development patterns that support sustainability by promoting strong, livable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth, as follows:

Policy No.	Policy	Discussion of Consistency
<b>1.1</b>	<b>Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns</b>	
<b>1.1.1</b>	<p>Healthy, livable and safe communities are sustained by:</p> <ul style="list-style-type: none"> <li>a) promoting efficient development and land use patterns which sustain the financial well being of the Province and municipalities over the long term;</li> <li>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;</li> <li>c) avoiding development and land use patterns which may cause</li> </ul>	<ul style="list-style-type: none"> <li>a) The proposed development is within a Settlement Area which promotes efficient development and land use patterns</li> <li>b) The proposed development will include a range of dwelling types, including townhouse units and single detached units</li> <li>c) It is not anticipated that the proposed development will</li> </ul>

Policy No.	Policy	Discussion of Consistency
	<p>environmental or public health and safety concerns;</p> <p>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</p> <p>e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;</p> <p>f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;</p> <p>g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;</p> <p>h) promoting development and land use patterns that conserve biodiversity; and</p> <p>i) preparing for the regional and local impacts of a changing climate.</p>	<p>cause an environmental or public health and safety concern. The proposed development will conform to the requirements of the OBC.</p> <p>d) The proposed development will not prevent the efficient expansion of settlement areas, as it is located within an existing Settlement Area</p> <p>e) The proposed development is located within a settlement area and will not require an expansion of infrastructure or municipal services.</p> <p>f) The proposed development will conform to the requirements of the OBC.</p> <p>g) It is anticipated that the necessary infrastructure, electricity generation facilities and distribution systems, and public service systems are available to meet the projected needs of the proposed development.</p> <p>h) No negative impacts to designated environmental features are anticipated.</p> <p>i) Various energy saving, and environmental design elements will be incorporated into the project, which will be confirmed through the site plan approvals process.</p>

Policy No.	Policy	Discussion of Consistency
<b>1.1.3 Settlement Areas</b>		
<b>1.1.3.1</b>	Settlement areas shall be the focus of growth and development.	a) The proposed development will facilitate development within an existing Settlement Area
<b>1.1.3.2</b>	<p>Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <ul style="list-style-type: none"> <li>a) efficiently use land and resources;</li> <li>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;</li> <li>c) minimize negative impacts to air quality and climate change, and promote energy efficiency;</li> <li>d) prepare for the impacts of a changing climate;</li> <li>e) support active transportation;</li> <li>f) are transit-supportive, where transit is planned, exists or may be developed; and</li> <li>g) are freight-supportive.</li> </ul>	<ul style="list-style-type: none"> <li>a) The proposed development will be located within an existing Settlement Area and will not require an expansion of infrastructure or municipal services.</li> <li>b) It is anticipated that the proposed development will make use of existing municipal services.</li> <li>c) Various energy saving, and environmental design elements will be incorporated into the project, which will be confirmed through the site plan approvals process.</li> <li>d) Various energy saving, and environmental design elements will be incorporated into the project, which will be confirmed through the site plan approvals process.</li> <li>e) The proposed development is located in proximity to the Port Stanley Downtown area.</li> <li>f) The proposed development is located in proximity to the Port Stanley Downtown area.</li> <li>g) Not applicable for the proposed development.</li> </ul>
<b>1.4 Housing</b>		
<b>1.4.1</b>	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	

Policy No.	Policy	Discussion of Consistency
	<p>regional market area, planning authorities shall:</p> <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul>	<ul style="list-style-type: none"> <li>a) The proposed development will provide for a range of residential dwelling types in a way that efficiently uses the subject lands</li> <li>b) The proposed development is located in an existing Settlement Area</li> </ul>

An assessment of the environmental policies of the PPS is provided in the EIS, submitted as part of the complete application. It is our understanding that the development is consistent with the PPS environmental policy direction as appropriate buffers have been provided and no adverse environmental impacts are anticipated as a result of the development.

It is our opinion, based on the policies extracted in the foregoing table, that the proposed development is in conformity with the policies of the Provincial Policy Statement.

### 4.3 County of Elgin Official Plan

The County of Elgin Official Plan provides direction and a policy framework for managing growth and land use decisions over the planning period to 2031. The Official Plan Consolidation came into force and effect in February 2015. All planning decisions within the County must conform to the County Official Plan, including the planning applications proposed in this Report.

#### 4.3.1 Settlement Areas

The County Official Plan (OP) identifies the subject property as being within a Tier 1 Settlement Area as per Schedule 'A' – Land Use of the Elgin Official Plan.

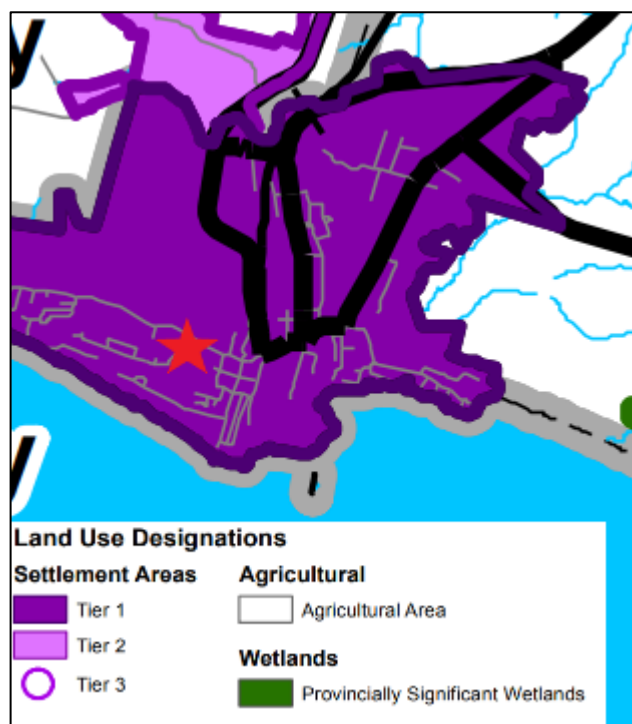


Figure 5: Land Use Designation - County of Elgin Official Plan

Development within Residential Areas in Tier 1 Settlement Areas is required to conform to the policies in the table below which set out the objectives of the Official Plan:

POLICY C1.1.1 – RESIDENTIAL AREAS	DISCUSSION OF CONFORMITY
a) maintain and enhance the character and identity of existing residential areas	The subject property is in close to proximity of other residential uses and is compatible with its surrounding land uses.
b) encourage the provision of a range of housing types to accommodate persons with diverse social and economic backgrounds, needs and desires while promoting the maintenance and improvement of existing housing;	The proposed development contemplates a range of residential dwelling types including townhouse and single detached units. This will add to the range of residential options in the community.
c) promote the efficient use of existing and planned infrastructure by supporting opportunities for various forms of residential intensification, where appropriate;	The proposed development is located within an existing Settlement Area and will not require the expansion of infrastructure.
d) encourage increases in density in new development areas to maximize the use of infrastructure and minimize the amount of land required for new development;	The proposed development contemplates an appropriate density given the existing land uses of the subject property. No greenfield development is being proposed.



POLICY C1.1.1 – RESIDENTIAL AREAS	DISCUSSION OF CONFORMITY
e) ensure that residential areas permit a variety of complementary and compatible land uses including special needs housing, community facilities, schools, small-scale commercial uses and recreational open space areas;	This policy is not applicable to the proposed development.
f) require a high standard of urban design for development and redevelopment; and,	The proposed concept for development contemplates a more efficient land use pattern within the subject property in comparison to the existing use.
g) encourage local municipalities to establish comprehensive design guidelines and policies to foster the establishment of communities that are safe, functional and attractive.	This policy is not applicable to the proposed development.

It is our opinion that the proposed development conforms to the policies regarding residential uses within Settlement Areas of the Official Plan.

The Official Plan further sets out policies that encourage the residential intensification of brownfield lands as extracted below:

#### **“C1.3.1 Goals**

*It is the goal of this Plan to meet the County's current and future housing needs by:*

- b) ensuring the provision of an appropriate range of housing types and densities to meet the needs of current and future residents;*
- h) encouraging the development and redevelopment of lands within settlement areas and in appropriate locations at higher densities to maximize the use of infrastructure; and,*
- i) encouraging the redevelopment of brownfield properties and incentives to achieve same.”*

#### **“C1.3.2 General Policies**

*The County supports:*

- a) residential intensification and redevelopment within settlement areas, where an appropriate level of physical services is or will be available in the immediately foreseeable future and subject to the policies of this Plan. In this regard, the County will require that 15 percent of all development occur by way of residential intensification and redevelopment;”*

The proposed development is consistent with the foregoing policies as it contemplates the redevelopment and residential intensification of a brownfield property within a Settlement Area. The proposed development also proposes an appropriate range of housing types and densities.

## 4.4 The County of Elgin Official Plan Review

The County of Elgin is currently undertaking their Official Plan Review process which was initiated in Winter 2021 and is scheduled to be completed in 2022. Based on our review of the municipal website, no draft policies or mapping for the updated Official Plan have been released to the public at this time.

## 4.5 The Municipality of Central Elgin Official Plan

The Municipality of Central Elgin Official Plan was prepared to replace the former Official Plans for a number of smaller municipalities, including the former Village of Port Stanley. The Official Plan provides guidance for land use and development for the 20 year planning period. The Official Plan was adopted by Council in February 2012 and was approved with modifications in February 2013.

### 4.5.1 Residential Land Use Designation

The subject property is designated as a Residential land use as per Schedule 'G' – Community of Port Stanley Land Use Plan of the Central Elgin Official Plan.

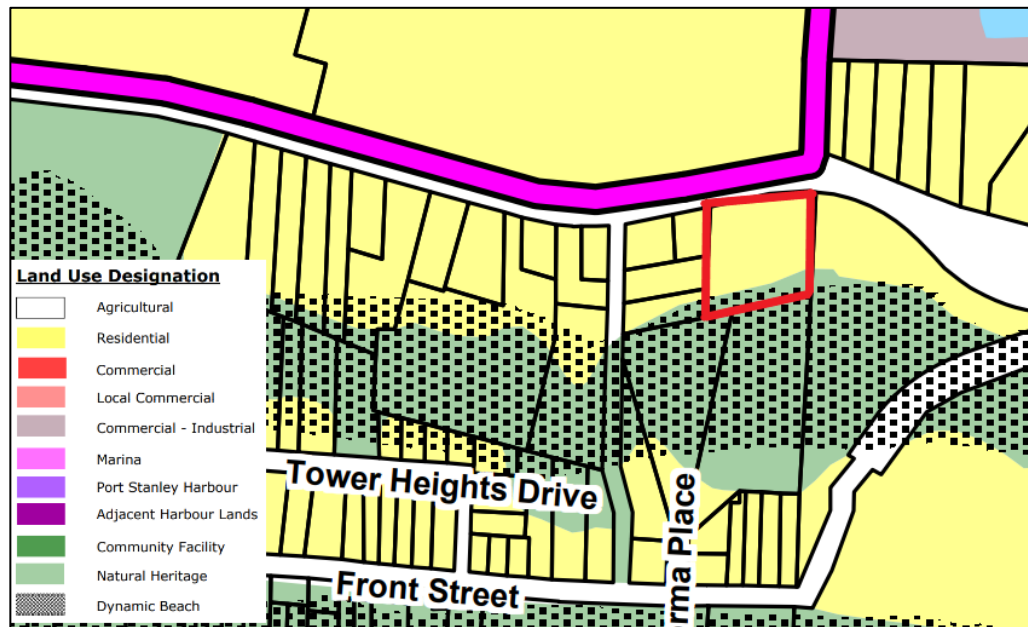


Figure 6: Land Use Designation - Central Elgin Official Plan

The policies applicable to the Residential land use designation of the subject property have been extracted in the table below and the conformity of the proposed development to these policies has been discussed:

OFFICIAL PLAN POLICY	DISCUSSION OF CONFORMITY
<b>2.3.2.1 Residential Intensification - Policies</b>	
a) Residential intensification shall only be supported within the built up areas of the Urban Settlement Areas identified in Subsection 2.1.1 to this Plan.	The subject property is located within a designated built up area and the proposed development contemplates residential intensification.

OFFICIAL PLAN POLICY	DISCUSSION OF CONFORMITY
b) Residential intensification shall only be permitted where full municipal sewer and water services exist, and in accordance with the policies of Subsection 2.8 to this Plan.	The subject property is located with a built up area where municipal sewer and water services exist.
c) Residential intensification shall comply with the policies contained within Section 4.0 of this Plan.	The proposed development complies with the policies of the residential designation found in Section 4.2.1.
<b>4.2.1 Residential Designation – Policies</b>	
a) Where land is designated Residential on the Land Use Schedules to this Plan, a range of residential dwelling types and densities shall be permitted, including single detached, semi- detached, duplex dwellings, triplex dwellings, townhouse dwellings and apartment dwellings. Conversion of existing dwellings to increase the number of dwelling units is also permitted.	The proposed development contemplates a range of dwelling types including townhouse units and single detached units.
<p>b) Ancillary uses such as schools, neighbourhood and community parks, trail connections, places of worship, home occupations, and community and social service facilities, shall also be permitted subject to the following:</p> <ol style="list-style-type: none"> <li>1. Only those uses which are compatible with and complementary to residential uses and where the amenities of adjacent residential areas are preserved through the provision of adequate buffering, landscaping, off-street parking, and vehicular access shall be permitted.</li> <li>2. Where possible, ancillary uses shall be grouped together to serve as focal points for residential areas, and to encourage the integration of parking, landscaping, and other facilities.</li> <li>3. The subject property is subject to Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended.</li> <li>4. Detailed development standards for ancillary uses permitted within the Residential designation shall be established in the implementing Zoning By-Law.</li> </ol>	No ancillary uses are proposed on the subject property.

OFFICIAL PLAN POLICY	DISCUSSION OF CONFORMITY
c) Accessory residential dwelling units are permitted in a single detached or semi-detached dwelling in the Residential designation, subject to meeting the policies of subsection 2.4.6.	No accessory residential dwelling units are proposed on the subject property.
d) Special need housing in accordance with the policies of subsection 2.4.4 shall be permitted in the Residential designation within Urban Settlement Areas	No special need housing is proposed on the subject property.
e) Where new residential development is proposed adjacent to any non-residential development, potential impacts from the non-residential developments on the residential development shall be assessed to the satisfaction of the Municipality to determine if mitigation is required. Mitigation may include, but not be limited to, such measures as building setbacks, landscaping and screening. The use of native species in landscaping shall be encouraged.	No non-residential uses exist on the lots that directly abut the subject property.
f) Existing cemeteries are permitted within the Residential designation. New cemeteries or the expansion or enlargement of existing cemeteries shall require an amendment to this Plan	No new cemeteries are proposed on the subject property.
<b>4.2.2 Density</b>	
<p>a) Within the Urban Settlement Areas where full municipal services are provided, a full range of low to high density residential uses shall be permitted in the Residential designation.</p> <p>b) The following residential density classifications shall apply:</p> <p>1. <b>Low density:</b> includes single detached dwellings, semi-detached dwellings, an accessory apartment in a single detached or semi-detached dwelling, duplex dwellings, triplex dwellings and converted single detached dwellings up to a maximum density of 22 units per net hectare (9 units per net acre).</p> <p>2. <b>Medium density:</b> includes town or row houses and apartments in a range of greater than 22 units per net hectare (9 units per net acre) up to a maximum of 35</p>	<p>The proposed development would be classified as a medium density development given that it includes townhouses and falls within the specified range of densities.</p> <p>The subject property is located within an Urban Settlement Area and this use would be permitted.</p>

OFFICIAL PLAN POLICY	DISCUSSION OF CONFORMITY
<p>units per net hectare (14 units per net acre).</p> <p>3. <b>High density:</b> includes apartments in excess of 35 units per net hectare (14 units per net acre).</p>	
<p>c) New medium or high density residential development shall be subject to the following policies:</p> <ol style="list-style-type: none"> <li>1. The proposed design of the residential development is compatible in scale with the character of surrounding uses;</li> <li>2. The site is physically suited to accommodate the proposed development;</li> <li>3. The proposed site can be serviced with adequate water supply and sanitary sewage disposal in accordance with the policies contained in Section 2.8 of this Plan;</li> <li>4. The property shall have direct access to an arterial or collector road maintained to a municipal standard with capacity to accommodate traffic generated from the site;</li> <li>5. Sufficient off-street parking facilities is provided in accordance with the standards set out in the Zoning By-law; and</li> <li>6. Consideration shall be given to matters related to land use compatibility, traffic impacts and proximity effects such as noise and visual impacts</li> </ol>	<ul style="list-style-type: none"> <li>• The proposed design is a more efficient use of the land in comparison to the existing design and is compatible in scale with the surrounding uses</li> <li>• The site currently contains 7 units while the proposed development contemplates 8 units in a more compact and orderly design</li> <li>• Municipal sanitary sewer and water supply services are available on the subject property.</li> <li>• The proposed development fronts onto a collector road</li> <li>• Adequate off street parking is provided for each unit proposed</li> <li>• The proposed development is compatible with its surrounding uses being a residential use, and no noise or visual impacts are anticipated.</li> </ul>
<p>d) Medium and high density residential projects shall be developed on the basis of comprehensive site plans. Such projects shall require an amendment to the zoning by-law and site plan approval.</p>	<p>This Report accompanies the submission of applications for a Zoning By-Law Amendment and Site Plan.</p>

The proposed development conforms to the policies of the Official Plan outlined in the foregoing table. The proposed development would represent a medium density use which is permitted in Urban Settlement Areas.

The subject property is also designated as a Natural Heritage designation with a Natural Hazard overlay as per Schedule 'G' – Community of Port Stanley Land Use Plan of the Official Plan.

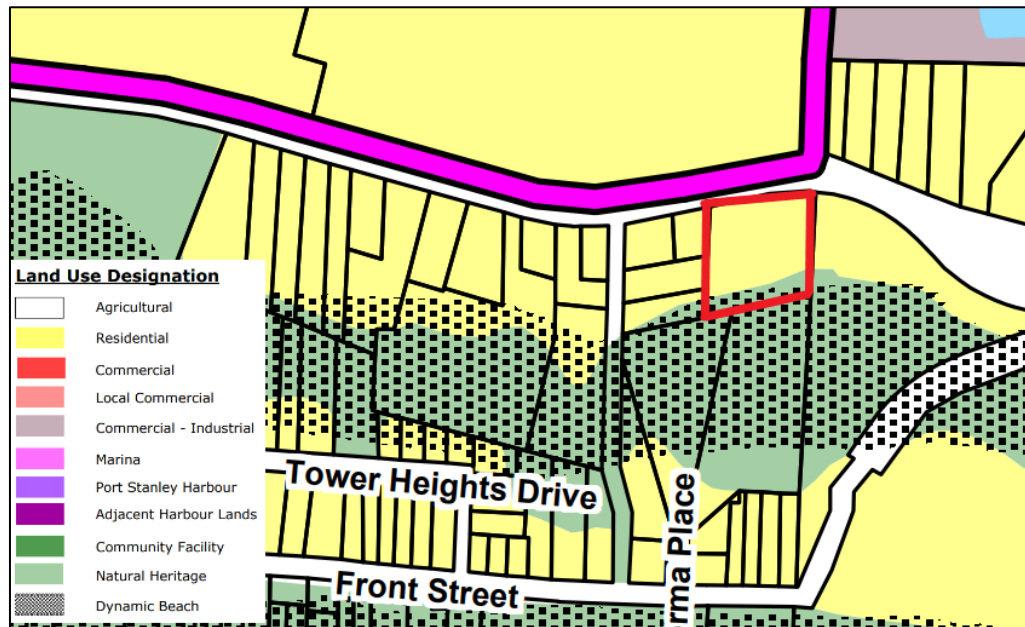


Figure 7: Land Use Designation - Central Elgin Official Plan

This designation refers specifically to the wooded portion of the subject property which is located along the southern lot line of the property. No development is proposed within this portion of the subject property. The Official Plan has included policies regarding the development of adjacent lands to a Natural Heritage feature as extracted below:

### **“3.1.2 Adjacent Lands**

*Adjacent lands include those lands within 120 metres of an area designated as “Natural Heritage” on the Land Use Schedules, or within 50 metres of an Earth Science ANSI shown on Schedule “A2”.*

#### *a) Where development or site alteration is proposed on adjacent lands:*

- 1. The proponent shall demonstrate to the satisfaction of the Municipality that there will be no negative impacts to the natural features and/or functions for which the area is designated;*
- 2. The proponent may be required to submit studies and documentation satisfactory to the Municipality in support of the proposed development, in accordance with the policies of Subsections 3.4 and 5.4 to this Plan; and*
- 3. The Municipality may seek advice from the local conservation authority and/or other relevant agencies in determining if there will be no negative impacts to the features and/or functions. The Municipality shall consult with the local conservation authority on all development applications within 120 metres of a wetland.*

#### *b) Where new development or site alteration is proposed that would change the use(s) or the density or intensity of development within an area that has already been subject of an EIS, an addendum to the EIS shall be required in accordance with the policies of this Plan to demonstrate that the proposed development or site alteration will not negatively impact the natural heritage features and/or their functions.”*

The proposed development contemplates no development in the wooded portion of the subject property and includes a 10 metre buffer between the woodlot and the developed area of the subject lands. It is our opinion that the proposed development is in conformity with all the applicable policies of the Central Elgin Official Plan.

## 4.6 The Municipality of Central Elgin Official Plan Review

The Municipality of Central Elgin is currently undertaking a review of their Official Plan, a process which was initiated in Spring 2021 and is scheduled to be completed in 2022. The updated document will provide a framework for growth, development, and protection of built and natural heritage assets across the municipality to 2046.

Draft schedules and policies have been made available to the public. According to these drafts, the land use designation of the subject property has not changed.

### 4.6.1 Residential Infill

It is our opinion that the general intent of the policies regarding residential infill found in section 2.3.2.1 remains unchanged and that the proposed development will continue to conform to this policy.

### 4.6.2 Adjacent Lands

The wording of section 3.1.2 regarding Adjacent Lands to a Natural Heritage feature has been modified to state the following:

*“a) Where development or site alteration is proposed on adjacent lands, and where those lands are contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area:*

*1. The proponent shall demonstrate to the satisfaction of the Municipality that there will be no negative impacts to the natural features and/or functions for which the area is designated and that an agreement be entered into with the municipality to address the works;”*

It is our opinion that the proposed development will continue to conform to this policy and that there will be no negative impacts on the natural heritage feature as a result of the redevelopment.

### 4.6.3 Residential Density

The wording of the Residential Density policies found under Section 4.3.2 has changed substantially from that of the current Official Plan. These policies have been extracted in the table below and the conformity of the proposed development to these policies have been discussed:

POLICY	DISCUSSION OF CONFORMITY
a) Within the Urban Settlement Areas where full municipal services are provided, a full range of low to high density residential uses shall be permitted in the Residential designation. The Municipality encourages a transition from low to medium to high-density to respect the massing, scale, design and physical character of neighbourhoods and ensure compatibility.	<ul style="list-style-type: none"> <li>The proposed development is located in an Urban Settlement Area with full municipal services. The proposed development is compatible with the scale and character of the surrounding neighbourhood uses.</li> </ul>
c) Medium density: includes town or row houses street townhouse dwellings, townhouse dwellings in a cluster development, multiple dwellings, and	<ul style="list-style-type: none"> <li>The proposed development would continue to be classified as a medium density development</li> </ul>



POLICY	DISCUSSION OF CONFORMITY
<p>apartments, and other forms of mid-rise housing in a range of greater than 22 units per net hectare (9 units per net acre) up to a maximum of 35 units per net hectare (14 units per net acre).</p> <ol style="list-style-type: none"> <li>1. The proposed design of the residential development is compatible in scale with the built form and the physical character of surrounding uses, and is consistent with the policy direction in the Community Design and Complete and Healthy Communities sections of the Plan;</li> <li>2. The site is physically suited to accommodate the proposed development. Consideration will be given to the preservation of features of the natural environment which may be compromised with more dispersed low-density development;</li> <li>3. Adequate recreational and amenities are provided on site;</li> <li>4. The site is in general proximity to a park, natural area, institutional use or commercial facilities;</li> <li>5. Medium density buildings will not exceed 6 storeys or 22 metres in height at the highest-grade elevation to ensure building heights and built forms are compatible with the built form and physical character of the neighbourhood. Exceptions may be considered where properties with unusual grade conditions exist.</li> <li>6. The proposed site can be serviced with adequate water supply and sanitary sewage disposal in accordance with the policies contained in Section 2.8 of this Plan;</li> <li>7. The property shall have direct access to an arterial or collector road maintained to a municipal standard with capacity to accommodate traffic generated from the site;</li> <li>8. Sufficient off-street parking facilities are provided in accordance with the standards set out in the Zoning By-Law. Surface</li> </ol>	<ul style="list-style-type: none"> <li>• The proposed design of the residential development is compatible in scale with the built form and physical character of the surrounding uses. Consistency with the Community Design and Complete and Healthy Communities sections of the Plan will be determined during the Site Plan process.</li> <li>• The site currently accommodates a similar use and density to that of the proposed development. The 10 metre buffer proposed on the subject property addresses the preservation of natural environment features.</li> <li>• The provision of recreation and amenity space will be determined during the Site Plan process.</li> <li>• The site is in proximity to a natural area.</li> <li>• The proposed development does not exceed 6 storeys in height</li> <li>• The subject site is currently serviced by municipal sanitary sewers and water supply services.</li> <li>• The property has direct access onto a collector road with capacity to accommodate traffic generated from the proposed development</li> <li>• Consideration has been given to land use compatibility, traffic impacts, and no noise or visual impacts are anticipated.</li> </ul>

POLICY	DISCUSSION OF CONFORMITY
<p>parking should be minimized in favour of more intensive parking; and</p> <p>9. Consideration shall be given to matters related to land use compatibility, traffic impacts and proximity effects such as noise and visual impacts.</p>	

Based on the foregoing chart, it is our opinion that the proposed development will continue to conform to the policies of the updated Official Plan.

## 4.7 Village of Port Stanley Zoning By-Law

The subject property is subject to a site-specific By-Law which amends the Village of Port Stanley By-Law No. 1507. This site-specific By-Law No. 2163 was passed in July 2017. A Comprehensive Zoning By-Law Review will be undertaken once the Official Plan Review is complete. The subject property is zoned as R1-67 and R1-68 or 'Residential Zone 1' with site-specific exceptions.

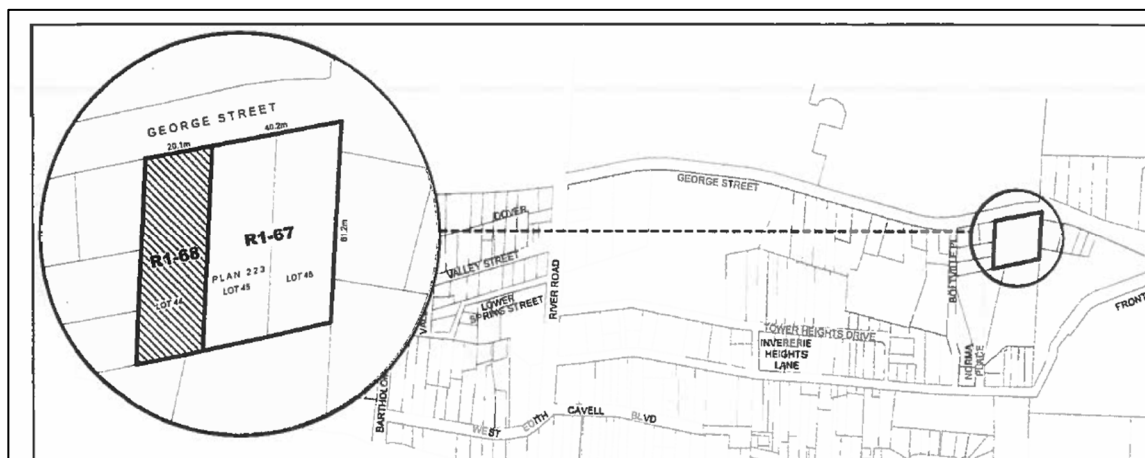


Figure 8: Zoning By-Law No. 1507

The underlying zoning for the property is R1. Permitted uses within this zone include residential uses, institutional uses lawfully existing, home occupations and accessory uses. permitted buildings or structures include one one-family detached dwelling or one unit of a detached dwelling.

Notwithstanding this underlying zoning, the subject property is subject to site specific exceptions R1-67 and R1-68, which permits the existing detached dwelling and seven (7) single detached dwellings (cottages).

The proposed development has contemplated three new single detached dwelling units on the lands zoned as R1-67 and relief would be required to accommodate these buildings.

## 5 Proposed Land Use Applications

This section of the report discusses the land use planning approvals required to accommodate the proposed development concept. The subject property will require a Zoning By-Law

Amendment to advance the proposed development concept. A Site Plan Application and Draft Plan of Condominium Application will also be required and will be submitted at a later date.

## 5.1 Zoning By-Law Amendment

The subject lands are currently zoned as Residential with Site-Specific Exemptions (R1-67 & R1-68) which permit the current uses of the subject property. Recognizing the existing site specific regulations apply the site which in essence permit eight residential buildings, the applicant is proposing to repeal and replace these exemptions with the following site specific regulations:

- Permitted uses: uses permitted within underlying R1 zone as well as townhouse units.
- Permitted density: maximum three single detached dwellings and five townhouse dwellings, notwithstanding minimum lot size and frontage requirements.
- Front Yard Setback (from George Street): 5.5 m.
- Side Yard Setback: 7.5 m.
- Setback from condominium drive aisle: 6 m.
- Permit use of shared condominium road in lieu of frontage onto a municipal road.
- Minimum lot area of 300 sq. m for single detached lots on a plan of condominium.
- Minimum lot area of 160 sq. m for townhouse lots on a plan of condominium.

## 6 Supporting Studies

The following section provides an overview of the studies undertaken and the professional opinions obtained in support of this Zoning By-Law Amendment application.

### 6.1 Functional Servicing Brief

A Functional Servicing Brief was prepared by Arcadis IBI Group in October 2022. The purpose of this brief is to address how existing infrastructure can be utilized to service the proposed development and how stormwater will be managed on the subject site. Key conclusions from the report include:

- The minimal increase in runoff for the 2-year to 100-year storm events will be accommodated with surface ponding and underground rock trenches.
- The 250-year storm flow has been designed to be conveyed overland to the George St right of way.
- The existing George St. watermain has sufficient capacity to support the installation of a new 50mm water service. Each unit shall be serviced off the 50mm development water main with 25mm services and individual unit water meters.
- The sanitary sewer on George St. has sufficient capacity to accommodate sanitary drainage from the proposed development. A 200mm service at 1.16% can service the proposed development.

### 6.2 Environmental Impact Study

An Environmental Impact Study (EIS) was completed by R.J. Burnside & Associates Limited in October 2022. The purpose of this report is to assess the natural heritage features on the

subject property and the lands immediately adjacent to the property, the potential impacts associated with the proposed development and the proposed mitigation measures. The key conclusions and recommendations of the report include:

- SWH and significant habitat of endangered / threatened species is not present within the development limits. The SWH that may be present within the adjacent forest will be sufficiently protected through a ten-metre buffer.
- Land clearing should be completed outside of the breeding bird season.
- Woody plantings consisting of native shrub and tree species are recommended along the forest margins within the buffer to offset the loss of landscape trees and to reduce indirect impacts to the forest feature. These plantings will provide additional habitat for migratory birds.
- Erosion and sediment control fencing should be placed along the limit of disturbance to prevent siltation.

## 7 Conclusions and Recommendations

This Planning Justification report provides an overview of the proposed development of the subject lands known municipally as 384 George Street in the Community of Port Stanley, as well as the surrounding context and the applicable land use planning policy. It also describes the required planning applications to permit the proposed development on the subject lands, which include a Zoning By-Law Amendment, a Draft Plan of Condominium and Site Plan application.

Based on the rationale outlined in this Report, it is our opinion that the Zoning By-Law Amendment is justified, is consistent with the applicable policies and general intent of the Planning Act, the Provincial Policy Statement, the County of Elgin Official Plan, and the Municipality of Central Elgin Official Plan. It is our opinion that this application serves the public interest and facilitates good planning in the municipality.

It is, therefore, our recommendation that the Municipality:

- Together with the completed application forms and fees, deem the Zoning By-Law Amendment application complete and process the application in accordance with the municipal process;
- Schedule a Public meeting to obtain comments from neighbouring residents, applicable commenting agencies and Council; and
- That Municipal staff circulate the applications materials, including this Report, to Council, technical review agencies, and the community as appropriate.

Yours truly,

**ARCADIS IBI GROUP**



Dave Galbraith, MCIP, RPP  
Associate, Manager – Planning

DG/baw