

5736 WOODLAND BOULEVARD



5/25/2026

PLANNING JUSTIFICATION REPORT

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1.0 INTRODUCTION

Plan Muskoka has been retained by Matthew Baldassarro to review a proposed zoning by-law amendment to facilitate future consent applications for the property located at 5736 Woodland Boulevard in the City of Niagara Falls. The purpose of this report is to provide planning justification for staff and Council's consideration regarding the applications, which will be filed with the City of Niagara Falls planning department under separate cover.

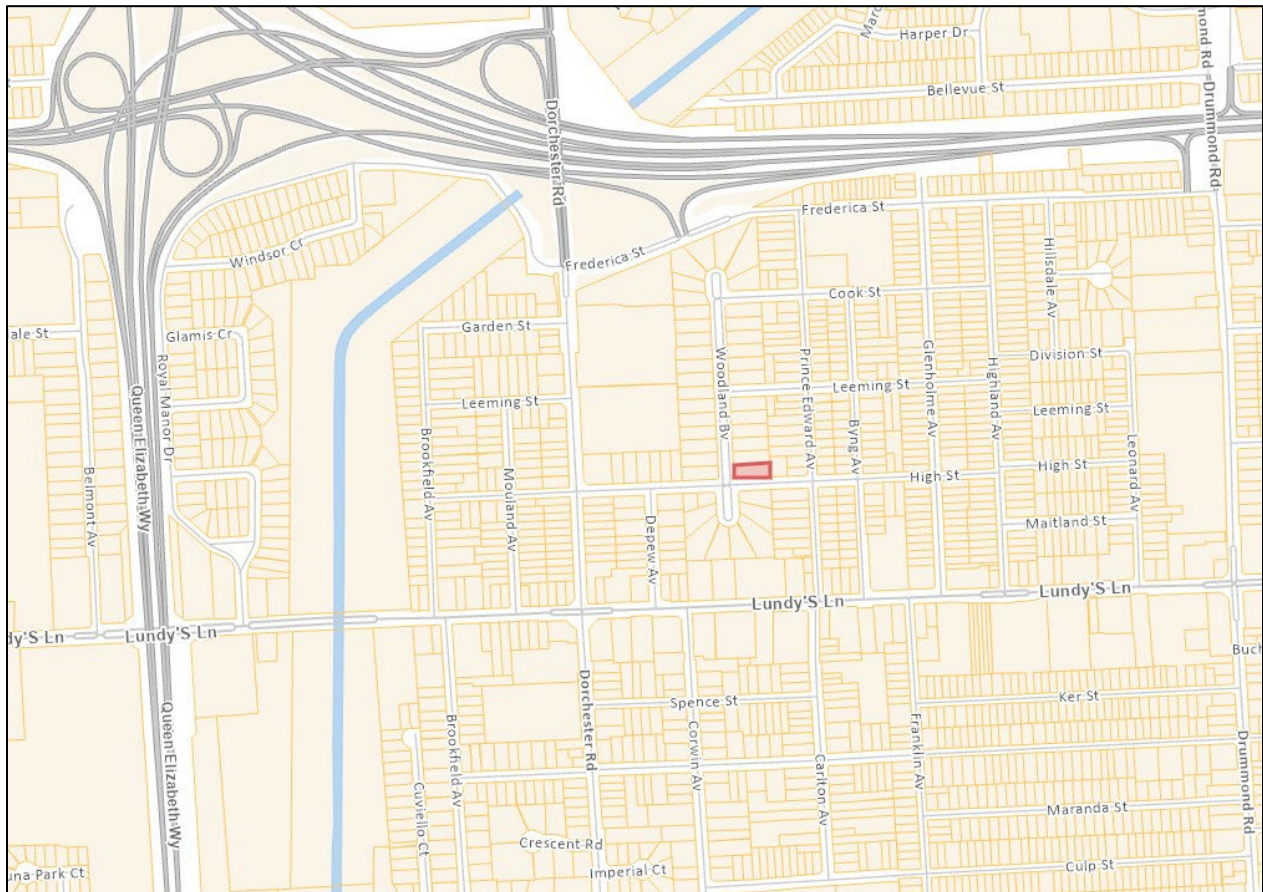


Figure 1: Key Map Showing Location of Subject Lands (Niagara Falls Viewer)

2.0 SITE CHARACTERISTICS

The subject lands are located at 5736 Woodland Boulevard and are legally described as Lot 10, Plan 73, Stamford, Niagara Falls. The property is approximately 0.12 hectares in area with 21.96 metres of frontage on Woodland Boulevard and 57.9 metres of frontage on High Street. The subject lands are generally level and grassed with some

mature vegetation along the lot lines and are presently developed with a legal non-conforming quadruplex dwelling and detached garage.

The immediate surrounding uses are predominantly low-density residential (detached dwellings). Located within 500 metres of the subject lands are a group townhouse dwelling development and parkland to the northeast along Prince Edward Avenue; group townhouse dwelling units and institutional uses (places of worship) to the west along Dorchester Road; and a range of general commercial uses located to the south along Lundy's Lane.



Figure 2: Aerial Map of Subject Lands (Niagara Falls Viewer)

The subject lands are within the Residential land use designation according to Schedule A of the City of Niagara Falls Official Plan and are zoned Residential 1B Density (R1B) according to the City of Niagara Falls Zoning By-law 79-200.

3.0 PROPOSAL

The applicants propose to create three new residential lots, as illustrated in Figure 3 below. Each severed lot would have an area of approximately 219.7 square metres and 10 metres of frontage on High Street and be developed with a detached dwelling. The retained lot would have an area of approximately 610.2 square metres, maintaining the existing 21.95 metres of frontage on Woodland Boulevard as well as 27.9 metres of frontage on High Street. The quadruplex dwelling will be located on the retained lot and the existing detached garage will be demolished.

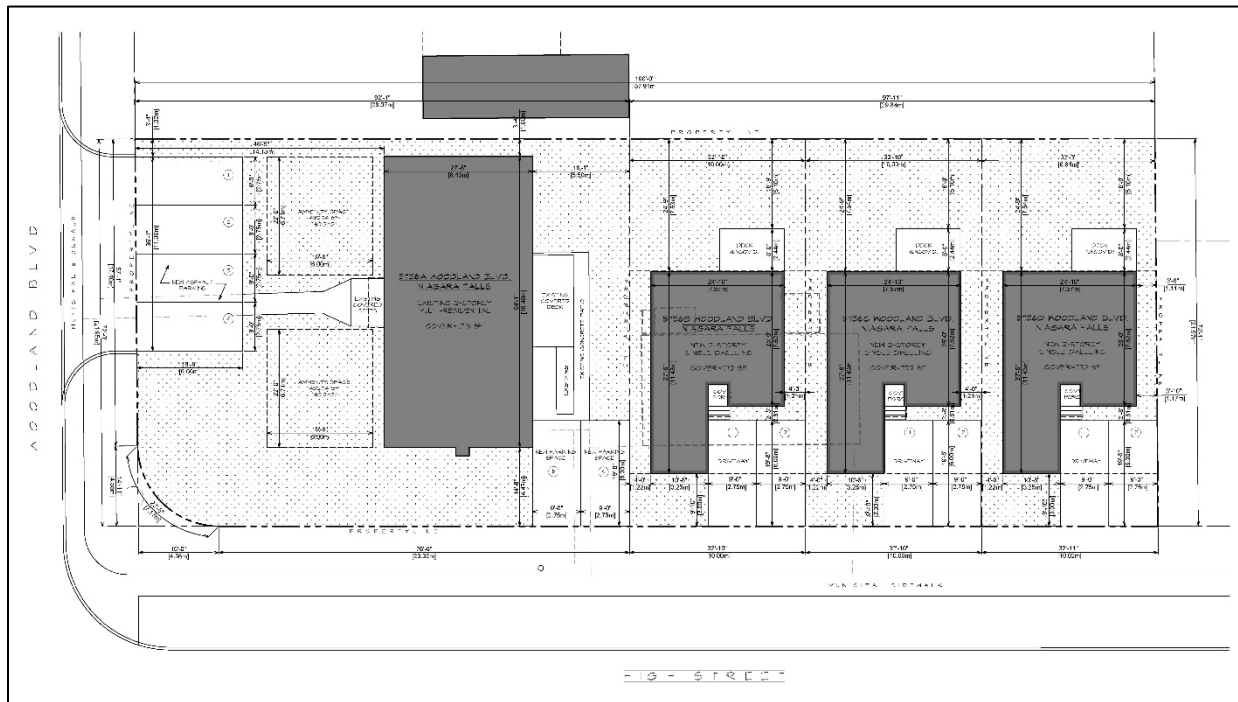


Figure 3: Proposed Consent Sketch/Lot Configuration (Core Design Drafting)

Through pre-consultation meetings with City staff, it was determined that as the existing quadruplex dwelling is a legal non-conforming use, the retained lot should be changed to a zone that permits the use as-of-right. Additionally, the eastern half of the lot will be rezoned to a different residential density zone to facilitate the proposed lot creation. Staff also requested that a Zoning By-law amendment be passed on the subject lands prior to filing applications for consent to ensure appropriate zoning can be achieved.

Therefore, to permit the proposed lot creation, a Zoning By-law amendment application will be filed to amend the zoning from the Residential 1B Density Zone to:

- 1) A Residential Three (R3) Zone with a site-specific exception to:
 - i) permit a minimum lot area of 610 square metres, where Table 7.8.2 of the Zoning By-law requires a minimum lot area of 940 square metres for a quadruplex dwelling;
 - ii) recognize the existing lot frontage, where Table 7.8.2 of the Zoning By-law requires a minimum lot frontage of 25.5 metres for a quadruplex dwelling unit on a corner lot;
 - iii) recognize the existing interior side yard width of 1 metre, where Table 7.8.2 of the Zoning By-law requires a minimum interior side yard width of 1.2 metres; and,
 - iv) permit a minimum rear yard depth of 5.5 metres for the existing quadruplex dwelling, where Table 7.8.2 of the Zoning By-law requires a minimum rear yard depth of 7.5 metres.

- 2) A Residential 1F Density (R1F) Zone with a site-specific exception to permit a minimum lot area of 219 square metres to facilitate the future consent applications, where Table 7.5A.2 of the Zoning By-law requires a minimum lot area of 320 square metres.

4.0 PLANNING FRAMEWORK

To come to a professional opinion regarding the consistency and conformity of the proposed development and if the proposal represents good planning, a review of all relevant planning documents is required. These documents consist of the Provincial Planning Statement (2024), the Niagara Official Plan, the City of Niagara Falls Official Plan, and the City of Niagara Falls Zoning By-law 79-200. Therefore, the purpose of this report is to examine the proposal and determine whether the proposal is consistent with, conforms to, and/or complies with all the above-mentioned documents.

4.1 PROVINCIAL PLANS

Section 51 (24) (a) through Section 53 (12) of the *Planning Act* requires that consents (along with all other decisions) have regard for matters of provincial interest referred to in Section 2. Section 3 (5) of the *Planning Act* states:

"A decision of a council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter,

- a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and*
- b) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be."*

As such, the determination must be made that the proposed development is consistent with the Provincial Planning Statement (2024) in order for the City of Niagara Falls Council to make the decision to approve the proposed Zoning By-law amendment and consent applications. Below is a review of the relevant sections of the Provincial Planning Statement (2024) against the proposed development.

4.1 PROVINCIAL PLANNING STATEMENT (2024)

The Provincial Planning Statement (2024) (the 'PPS') is a broad-ranging policy document that provides direction for development across all of Ontario.

The PPS seeks to create healthy, liveable and safe communities that are sustained by objectives such as promoting efficient land use patterns that are transit supportive, accommodating an appropriate range and mix of housing, including affordable housing, and promoting cost-effective development patterns to minimize land consumption and servicing costs.

The subject lands are located within the settlement area of the City of Niagara Falls. Section 2.3.1.1 states that *"settlement areas shall be the focus of growth and development."* Section 2.3.1.2 states that *"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) optimize existing and planned infrastructure and public service facilities;*
- c) support active transportation;*
- d) are transit-supportive, as appropriate; ...*

The proposal aims to create additional housing on an underutilized parcel of property within an existing built-up area. By creating additional lots, the permitted number of dwelling units will increase, thereby minimizing land consumption, optimizing the use of existing infrastructure and bringing additional residents to the area, which supports existing transit systems. Being located within the delineated built-up area, residents have access to parks and recreational facilities that support active lifestyles, as well as utilizing active transportation to nearby public and commercial services.

Niagara Region online mapping indicates that the subject lands are located in close proximity (~275 metres) to existing transit bus stops and are near existing and proposed bicycle routes and multi-use trails. Further, mapping shows that the lands are within one kilometre of public service facilities such as municipal parks and schools, as well as the commercial uses such as grocery stores and pharmacies along Lundy's Lane that support the daily needs of residents. The proximity of these services to the subject lands will minimize the length and number of required vehicle trips while supporting the existing transit systems and active transportation networks. With this in mind, the proposal is consistent with this section of the PPS.

Section 2.3.1.3 states that *"planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities."* Further, Section 2.3.1.4 states that *"planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions."*

In addition to the above, Section 2.2.1 states that *"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 that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;*
- 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 the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3"*
- c) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and*
- d) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations. requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

The proposal to increase the maximum residential development density of the subject lands is consistent with the above policies. The proposed development is within the urban area and will contribute to the minimum intensification target of 50% for all residential units occurring annually within the City of Niagara Falls. The proposed lot creation will provide additional housing within the built-up area where existing infrastructure and public service facilities are readily available to accommodate additional development. The PPS is supportive of these opportunities as infrastructure efficiencies increase through additional users being added to the existing municipal systems. This is achieved while maintaining compact form and without risk to public health and safety, as the increase in density is incremental and compatible with the surrounding area both in use and housing types.

Section 3.6.2 of the PPS states that *"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."* The subject lands, being serviced by municipal water and sewage services and proposing an intensification of the existing residential land use, is consistent with Section 3.6.2.

Based on the above analysis, it is my professional opinion that the proposed development is consistent with the Provincial Planning Statement (2024).

4.2 NIAGARA OFFICIAL PLAN (MAY 2024 CONSOLIDATION)

The Niagara Official Plan is a broad policy document that provides a framework to address such matters as growth management, employment, the natural environment and transportation systems across the 12 lower-tier municipalities of the Region of Niagara.

The subject lands are within the Urban Area – Delineated Built-Up Area land use designation according to Schedule B of the Niagara Official Plan.

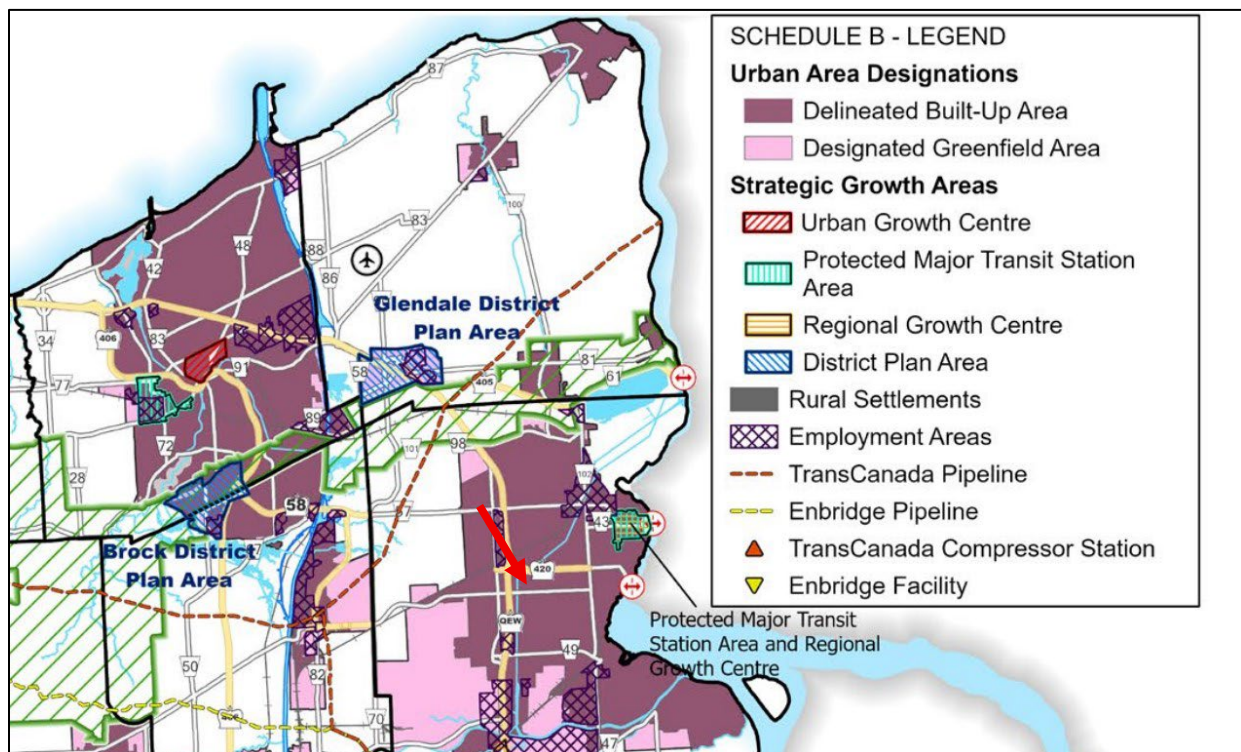


Figure 4: Excerpt of Schedule B – Regional Structure (Niagara Official Plan)

The Niagara Official Plan emphasizes the achievement of complete communities that provide most of the necessities for daily living. This is achieved by goals such as directing growth to serviced areas; prioritizing intensification to optimize the use of the existing infrastructure and supply of land; and providing a diverse range and mix of housing options. Section 2.2 of the Niagara Official Plan establishes a regional structure that directs growth to settlement areas, stating that *“most development will occur in urban areas, where municipal water and wastewater systems/services exist or are planned and a range of transportation options can be provided,”* which is consistent with the subject lands.

Section 2.2.1.1 of the Niagara Official Plan states that *“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;*
- 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 needs;*
- 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;*
 - ii. affordable, locally grown food and other sources of urban agriculture;*
 - iii. co-located public service facilities; and*
 - iv. the public realm, including open spaces, parks, trails, and other recreational facilities;*
- 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;*
- f. opportunities for transit-supportive development pursuant to Policies 2.2.2.17, 2.2.2.18 and 2.2.2.19;*
- g. opportunities for intensification, including infill development, and the redevelopment of brownfields and greyfield sites;*
- h. opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods;*
- i. the development of a mix of residential built forms in appropriate locations, such as local growth centres, to ensure compatibility with established residential areas;*
- j. conservation or reuse of cultural heritage resources pursuant to Section 6.5;*
- k. orderly development in accordance with the availability and provision of infrastructure and public service facilities; and*
- l. mitigation and adaptation to the impacts of climate change by:*
 - i. protecting natural heritage features and areas, water resource systems, and other components of the Region’s natural environment system pursuant to Section 3.1;*

- ii. *where possible, integrating green infrastructure and low impact development into the design and construction of public service facilities and private development; and*
- iii. *promoting built forms, land use patterns, and street configurations that improve community resilience and sustainability, reduce greenhouse gas emissions, and conserve biodiversity."*

The proposal to create additional lots on the subject lands, being within the settlement area of Niagara Falls and optimizing the use of existing municipal infrastructure and public services, is consistent with these directives. The existing quadruplex dwelling will be retained to continue to provide rental units for residents. The proposed lot creation contributes to the range of housing options within an existing community, while providing a more compact built form. Being in close proximity to schools, public spaces and commercial services, the location is ideal for the promotion of both active transportation and the use of the existing public transit.

Section 2.2.2.1 states that *"within urban areas, forecasted population growth will be accommodated primarily through intensification in built-up areas with particular focus on the following locations:*

- a. *strategic growth areas, including:*
 - i. *Downtown St. Catharines urban growth centre;*
 - ii. *protected major transit station areas;*
 - iii. *regional growth centres; and*
 - iv. *district plan areas identified in Section 6.1;*
- b. *areas with existing or planned public service facilities;*
- c. *other locations with existing or planned transit service, with a priority on areas with existing or planned frequent transit service; and*
- d. *local growth centres and corridors, as identified by Local Area Municipalities."*

As noted, the subject lands are within the built-up urban area of Niagara Falls, in an area with existing infrastructure, transit, and public services facilities, and are therefore an appropriate location for residential intensification.

Section 2.2.2.5 states that *"a Regional minimum of 60 percent of all residential units occurring annually will be within built-up areas."* Table 2-2 of the Official Plan specifies the minimum residential intensification target for the City of Niagara Falls to be 50% with a target of 10,100 units between 2021-2051.

The redevelopment of the subject property with a more compact form of housing at a higher density than currently permitted nevertheless contributes to achieving the provision of residential units and intensification targets identified above.

Section 5 of the Niagara Official Plan speaks to responsible and well-planned infrastructure for new developments, touching on items such as cost savings that can be achieved by heavier densities within communities and the importance of transportation systems, specifically transit and active transportation networks. As has been discussed in this report already, the proposed development is located within the built-up area of Niagara Falls where existing municipal infrastructure, including municipal water and sewer services, stormwater management, utilities and waste management, is already available to sustain residential development. The proposed lots are located in an area with existing transit and active transportation routes and are also in close proximity to commercial services, providing multimodal access to jobs housing, schools, cultural, and recreational opportunities, and goods and services.

Based on the above analysis, it is my professional opinion that the proposed development conforms to the Niagara Official Plan.

4.3 CITY OF NIAGARA FALLS OFFICIAL PLAN

The City of Niagara Falls Official Plan (the '**Official Plan**') establishes land use policy that is more specific to the municipality and its needs. The Official Plan is written to guide growth and development in accordance with provincial policy with emphasis on cost-effective use of infrastructure and intensification.

Part 1, Section 2 of the Official Plan outlines growth objectives for the City, including to direct growth to the urban area and away from non-urban areas; to support increased densities, where appropriate, and the efficient use of infrastructure within the Built-Up section of the urban area; to achieve a minimum of 40% of all residential development occurring annually within the Built Up Area shown on Schedule A-2 by the year 2051; and to increase the supply of affordable housing options in the City and aim to achieve an annual target of 40% of all new housing developed meeting the definition of "affordable".

Part 1, Section 3 of the Official Plan outlines the intensification strategy for the City, explaining that *"the opportunity for increased densities within the Built Area Boundary shall*

be provided to make use of existing infrastructure, buildings and available transit within the Residential land use designation."

Part 1, Section 4 of the Official Plan provides several goals related to the provisions of housing. These goals are intended to ensure housing is available throughout the City to meet the varying financial needs of existing and future residents; diversify the City's housing supply to include a wider range of price points, mix of housing types and densities, and a range of options for housing tenure (rental and ownership); and remove barriers to the creation of a range and mix of housing types, including alternative forms of housing throughout the City.

Schedule A of the Official Plan illustrates that the subject lands are within the Residential land use designation, while Schedule A-2 indicates that the subject lands are located within the Built-Up Area. The proposal to create new lots and thereby increase the number of residential units on an underutilized parcel of land contributes to achieving the intensification and housing targets noted above.

Part 1, Section 4.3 states that *"opportunities for a choice of housing including type, tenure, cost and location shall be provided to meet the changing needs of households throughout the Built-up Area and Greenfield Area. In order to achieve this goal, the City shall support the following:*

4.3.1 Multiple unit developments, smaller lot sizes and innovative housing forms.

4.3.2 Development of vacant land, and more efficient use of under-utilized parcels and existing housing stock.

Part 1, Section 4.6 states that *"the City, in its review of subdivision/rezoning applications, will encourage provision of varying lot sizes, housing form and unit size in order to contribute to affordability."* The proposed development is consistent with these strategic directions, which are further reiterated through the land use policies of Section 2, as outlined below.

Part 2, Section 1.1 explains that *"the predominant use of land in areas designated Residential shall be for dwelling units of all types catering to a wide range of households. Predominant uses shall include single detached and semi-detached dwellings, duplexes, triplexes, quadruplexes, townhouses, apartments, group homes and other forms of residential accommodation."* The existing quadruplex dwelling on the retained lot and the proposed single detached

dwelling use on the severed lots conform with the permitted uses of the Residential land use designation.

Part 2, Section 1.4 states that *"the development and redevelopment of residential lands in the City shall primarily be by plan of subdivision incorporating a mix and variety of dwellings and supporting uses to foster the development of a complete community. Consents to sever individual parcels of land shall only be permitted when it can be demonstrated that a plan of subdivision is not necessary to implement the policies of this Plan or applicable secondary plan."* Given that the proposed lots are located on a municipal street with existing municipal services and infrastructure already available to support the lot creation, a plan of subdivision is not necessary. This is also in accordance with Part 2, Section 1.7, which states that *"all residential development shall require proper and adequate municipal services."*

Part 2, Section 1.10 states that *"it is recognized that opportunities exist throughout the Built-Up Area as shown on Schedule A-2 to create new housing units. Intensification, while maximizing the density of a given land area, shall be designed to integrate into the surrounding neighbourhood. The following policies are to be considered in the design of residential development, intensification and infilling and read in conjunction with the policies of PART 1, Sections 2 and 3: ..."* A brief comment on conformity with each of the policies is included below.

1.10.1 *The character of the existing neighbourhoods within the Built-up Area shall be retained. Accordingly, residential development, intensification and infilling shall blend into the lot fabric, streetscape and built form of a neighbourhood.*

The proposed severed lots meet the minimum frontage requirements of the R1F Zone, which is a key factor that influences the character of a neighbourhood through its effect on housing density and streetscape. With respect to the proposed lot area of the severed lots, integrating various lot sizes improves community character by fostering housing diversity and a range of lot sizes within established neighbourhoods provides options for different household sizes.

1.10.2 *A gradation of building heights and densities will be encouraged together with sufficient horizontal separation distances between taller buildings and low rise dwellings in order to ensure a complementary arrangement of residential uses.*

The existing quadruplex dwelling is a low-rise building that has long been established in the neighbourhood. The proposed lot creation would allow for the development of low-rise (two-storey) dwelling units, providing a transition between the existing multi-unit structure and the existing low-density uses to the east.

1.10.3 Generally, development within the Built-up Area should be at a higher density than what currently exists in the neighbourhood. A harmonious mix of single and multiple accommodation will be encouraged through the Built-up Area so that at any one time a variety of housing types will be available suitable for different age groups, household sizes and incomes.

The proposal to redevelop an underutilized parcel of property in an existing built-up area with a higher residential density than existing conforms to the intent of this policy. The proposed mix of housing types and incremental increase in density conforms to this policy. The lots proposed to be created will be developed with single detached dwellings with accessory dwelling units, contributing to the mix of housing envisioned within the Built-up Area, while at the same time remaining compact in form but also at a scale appropriate to the broader surrounding neighbourhood, which is characterized by a mix of housing types and uses.

1.10.4 The conservation and renewal of the existing housing stock shall be encouraged as an important element in meeting future housing needs. In addition, the maintenance and rehabilitation of existing housing will be promoted by discouraging unnecessary demolition or conversion to non-residential uses through such mechanisms as demolition control and application of the Maintenance and Occupancy Standards By-law.

The proposal to retain the existing four-unit dwelling while making better use of underutilized lands for new residential uses meets this policy.

1.10.5 Single detached housing is the dominant housing form in existing residential neighbourhoods. Increasing the amount of various types of multiple residential accommodations is encouraged in order to provide for an overall mix of housing within all communities. The inclusion of various housing forms through subdivisions, intensification and infilling shall not be mixed indiscriminately, but will be arranged in a gradation of building heights and densities according to the following policies:

- (i) *Single and semi-detached dwellings, street townhouses, block townhouses and other compatible housing forms are to be developed to a maximum net density of 40 units per hectare with a minimum net density of 20 units per hectare and should generally be located on local or collector roads. New housing forms are to be of a height, massing and provide setbacks that are in character with the surrounding neighbourhood.*
- (ii) *Stacked townhouses, apartments and other multiple housing forms with building heights of not more than 4 storeys can be developed to a maximum net density of 75 units per hectare with a minimum net density of 50 units per hectare. Such development should be located on collector roads and designed with a street presence that is in character with the surrounding neighbourhood. In addition, setbacks should be appropriate for the building height proposed and greater where abutting lands are zoned for single or semi-detached dwellings. ...*

The density proposed for the subject lands equals approximately 58.3 units per hectare overall. The retained lot containing the quadruplex would have a density of approximately 65.5 units per hectare, being within the density range indicated above. The severed lots would have a density of approximately 45.5 units per hectare, being slightly in exceedance of the maximum density of 40 units per hectare (+5.5 units per hectare). This overage does not represent even a full unit over the maximum of 40 units per hectare; 2 units would have resulted in 30 units per hectare, being well below the maximum of 40 units per hectare yet indicative of the availability of additional density beyond 2 units. The resulting density of 3 units is closer to 40 units per hectare than 2 would be. To look at the situation more tangibly, at the proposed density of 45.5 units per hectare, each lot falls short of the maximum required lot area by ± 30 square metres, being a very minimal amount of land area. Despite this, each lot still provides ample area for a building envelope, parking area, and amenity space. Furthermore, the proposed development plan demonstrates that the lots can be developed with new detached dwellings that meet the required frontage, setbacks and height permissions and fit into the existing character of the surrounding area, which is predominantly developed with single detached dwellings. Finally, the wording of Section 1.10.5 (i) does not contain strong wording such as "shall be", which in turn allows for the maximum density numerical value to be used as a guideline. This is similar to how maximum height is treated by Part 2 Section 1.5. which states that building heights referred to in the OP are intended as a general guide and suitable, well designed developments that exceed

those limits can be implemented through a zoning by-law amendment. In consideration of the above, the proposal is in conformity with the density policies of the Official Plan.

In addition to the above, the retention of the existing quadruplex dwelling and the addition of new single-detached dwellings contribute to the range of housing envisioned in the Official Plan. As explained throughout this report, the proposed lot sizes are a compact form of development that will promote the use of the existing transit and active transportation networks given the close proximity of services and amenities. The future dwellings on the severed lots are intended to comply with regular minimum/maximum regulations of the Zoning By-law to ensure that the siting and massing is appropriate and compatible with existing dwellings in the surrounding area.

As evidenced by the policies referenced throughout this section, compatibility with the existing character of a neighbourhood is a key factor in determining the appropriateness of new development. It is my professional opinion that the proposed severed lots do generally maintain consistency with the lot fabric in the area despite being numerically smaller in lot area. The proposed lots have frontage and area sufficient for one dwelling per lot, similar to their surroundings. The resulting development of the lands will not appear out of place within the surrounding area, particularly with the range of uses and diversity of built form within a 500-metre radius of the subject lands. The nature of intensification and infilling relies partially on the division of properties into smaller, more compact form. I do not believe the proposal for these lands will result in any negative impacts to the surrounding neighbourhood.

Part 4, Section 8 of the Official Plan outlines policies for the division of land by consent. Section 8.1.1 directs that *"consents may be permitted on an infilling basis. The size of any parcel of land created should be appropriate for the use proposed considering the public services available and conformity to the provisions of the Zoning By-law."*

Three new lots are proposed to be created and no expansion of municipal infrastructure is required to service the proposed development. The proposed lots each have suitable access and comply with the minimum lot frontage requirements of the Zoning By-law. While relief is required to recognize the proposed lot area of the severed lots, the applicants have demonstrated that a suitable building envelope can be provided on each lot that complies with all other requirements of the Zoning By-law, including setbacks, lot coverage and parking and entrance standards.

The frontage of the retained lot is not proposed to change as a result of the new lot creation, and the application would simply recognize the existing frontage along Woodland Boulevard. The proposed lot sizes of the severed lots, while different than the immediately adjacent development, are nonetheless compatible with the surrounding area. As noted above, the proposed severed lots have been designed to be developed with single detached units that conform to the provisions of the Zoning By-law respecting setbacks, lot coverage and height permissions, suggesting the scale of development is appropriate.

Section 8.1.3 states that *"consents will only be permitted when the land fronts on a public road which is of an acceptable standard of construction."* Further, Section 8.1.4 states that *"in no case should the future development of rear lands be prejudiced as a result of a severance. Regard should be had to servicing requirements and for the need to reserve adequate future street access points to rear lands."* Both the severed and retained lots will continue to have frontage on and gain access from public streets suitable for the existing and proposed residential uses. No transportation concerns were identified during the pre-consultation process in regards to the proposed consent to create three new lots.

Based on the above analysis, it is my professional opinion that the proposed development conforms to the City of Niagara Falls Official Plan.

4.3.1 HOUSING IMPACT STATEMENT

Part 1, Section 4.4 of the Official Plan states that *"applications for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Draft Plan of Condominium shall include, as part of a complete application, the submission of a housing impact statement, either as a standalone report for large-scale projects, or as a section within a planning justification report for small-scale projects, demonstrating how the proposal implements the City's Housing Strategy. The housing impact statement shall include the following:*

- a) The proposed housing mix by dwelling type and number of bedrooms, as applicable;*
- b) How the proposal contributes to achieving the City's annual housing targets as outlined in Part 1, Section 4, Policy 4.8 a) and b);*
- c) The estimated rents and/or sales prices of the development, indicating where they are either above or below the threshold for affordable as defined by the Niagara Region and the City;*

- d) *Where construction of the units is expected to occur in phases, information regarding the number of housing units that would meet Niagara Region's and the City's definition of affordable to be provided per phase, where applicable; and,*
- e) *The proposed legal and/or financial mechanisms to ensure the delivery of any proposed new affordable housing commitments, and mechanisms to retain the long-term affordability of units, where applicable."*

The proposed development is extremely minor, thus only requiring a Housing Impact Statement within this Planning Justification Report. With the proposal being primarily of a land division nature, the analysis becomes more subjective, as final designs of the structures proposed for the severed lots have not been completed. Nonetheless, this sub-section will shed some light on unit types and their proposed affordability with the limited information available.

The proposal contains a total of 7 dwelling units, being 4 dwelling units in an existing quadruplex and 3 proposed single-detached dwellings. Each existing unit in the quadruplex is a 2-bedroom unit that is presently rented out for \$1,500 per month. The proposed single-detached dwellings are intended to be constructed as two-story homes with a main unit and an additional dwelling unit ("ADU") in the basement. The conceptual floor plans illustrate that the main unit will be 3 bedrooms and the basement ADU will contain 2 bedrooms. The developer estimates rental prices will be anywhere from \$1,200-1,600 depending on the final size/number bedrooms in each unit.

Part 1, Section 4.8 of the Official Plan states that *"based on projections, it is expected that 20,220 new residential units will be built in the City between 2021 and 2051, or 674 new units on an annual basis. The City will aim to exceed the minimum targets for affordable housing established by the Niagara Region, which is set as 20% of all new rental housing built will be affordable and 10% of all ownership will be affordable. As such, the City has set an annual target of 40% of all new units meeting the definition of "affordable". In this regard, the City will aim to achieve a minimum of 270 units to be built annually between 2021 and 2051 and beyond as affordable, with the following breakdown (the figure below provides an illustration of this for further clarity):*

- a) *135 units per year to be built with a purchase price or rental price at or below the identified threshold for affordable in accordance with the Niagara Region's definition of affordable.*

- b) 135 units per year to be built as rental units that would be affordable to rental households in the 30th income percentile or lower based on income deciles presented in the City's annual housing monitoring report. Rental unit support provided by Regional Housing Services shall be in alignment with the Region's Consolidated Housing Master Plan and dependent on available resources.

The City of Niagara Falls 2024 Development & Housing Monitoring Report states that "Affordable", as defined in the 2024 Provincial Planning Statement, is housing for which the purchase price results in annual accommodation costs that do not exceed 30 percent of gross income for low and moderate-income households. Affordability is measured across a spectrum of income levels with low income represented by households earning up to \$64,800 annually and moderate incomes represented by households earning between \$64,800 and \$103,572 annually." The Report further states "the average rent for tenants in Niagara Falls was \$1,420, an increase from 2023's average rent of \$1,343. The average rent for St Catharines – Niagara as reported by CMHC for a bachelor apartment was \$988, for a 1 bedroom \$1,251, for a 2 bedroom \$1,474, and for a 3+ bedroom was \$1,527. Though a higher vacancy rate indicates the supply of rental housing has been growing, an increase in the average rent for tenants could be attributed to the general rising cost of maintaining a rental unit. In spite of this year's higher rental vacancy rate, the City must continue to add to the existing rental housing stock as outlined in the Council approved 2022 Housing Strategy."

The Region of Niagara Affordable Housing Strategy provides the following definitions:

- **Affordable market housing:** Rental or ownership housing provided by the market for low and moderate income households
- **Attainable market housing:** Rental or ownership housing provided by the market for medium income households that may be challenged to access rental and ownership options
- **Low income household:** A household with annual income (before tax) of up to \$29,400, which can afford up to \$735 per month for housing costs
- **Moderate income household:** A household with annual income (before tax) of \$29,401 to \$52,500, which can afford up to \$1,313 per month for housing costs
- **Medium income household:** A household with annual income (before tax) of \$52,501 to \$83,900 which can afford up to \$2,098 per month for housing costs

Based on the above definitions and housing data, the following assumptions can be made regarding the affordability of each existing and proposed unit:

UNIT	PRICE	CITY OF NIAGARA		REGION OF NIAGARA	
		Affordable	Attainable	Affordable	Attainable
Quad-1	\$1,500	X			X
Quad-2	\$1,500	X			X
Quad-3	\$1,500	X			X
Quad-4	\$1,500	X			X
Dwelling-1	\$1,600	X			X
ADU-1	\$1,200	X		X	
Dwelling-2	\$1,600	X			X
ADU-2	\$1,200	X		X	
Dwelling-3	\$1,600	X			X
ADU-3	\$1,200	X		X	

Therefore, based on the City of Niagara affordability ranges, all 10 existing/proposed units are considered affordable while based on the Region of Niagara income data, 3 of 10 are considered affordable with the remaining being attainable. No specific phasing is proposed as all lots are proposed to be created simultaneously and no commitments to affordable housing are proposed for this development.

4.4 CITY OF NIAGARA FALLS ZONING BY-LAW 79-200

The City of Niagara Falls Zoning By-law 79-200 (the 'Zoning By-law') implements the Official Plan with provisions and regulations that control development form and function. The subject lands are presently zoned Residential 1B Density (R1B). Through pre-consultation meetings with planning staff, it was determined that the subject lands should be rezoned to the Residential Mixed (R3) Zone to legalize the existing non-conforming quadruplex dwelling use and to the Residential 1F (R1F) Zone to facilitate the proposed lot creation.

The table below indicates the relevant required provisions of the R3 zone and how the proposed lot creation and existing development measure against those provisions:

R3 ZONE REGULATION	REQUIRED	PROPOSED
Minimum Lot Area – Quadruplex Dwelling (Table 7.8.2 (a) (v))	940 square metres	610.2 square metres

Minimum Lot Frontage – Quadruplex Dwelling on Corner Lot (Table 7.8.2 (b) (ix))	25.5 metres	21.95 metres*
Minimum Front Yard Depth (Table 7.8.2 (c) (i))	3 metres	±12 metres
Minimum Rear Yard Depth (Table 7.8.2 (d))	7.5 metres	5.5 metres
Minimum Interior Side Yard Width (Table 7.8.2 (e))	1.2 metres	1 metre*
Minimum Exterior Side Yard Width (Table 7.8.2 (f) (i))	3 metres	>3.0 metres
Maximum Lot Coverage (Table 7.8.2 (g))	55%	26.2%
Maximum Building Height (Table 7.8.2 (h))	10 metres	<10 metres
Minimum Landscaped Open Space (Table 7.8.2 (m))	25% of lot area	57.2%
Minimum Number of Parking Spaces (4.19.1)	1.4 parking spaces for each dwelling unit = 5.6 spaces	6 spaces

*Denotes existing/legal non-complying

As is indicated in the table above, relief is required to permit the proposed lot area and frontage of the retained lot for the existing quadruplex dwelling use.

With respect to the lot frontage of the retained lot, the Zoning By-law deems the lesser lot line to be the frontage for a corner lot, which in this instance, is the Woodland Boulevard lot line. However, no reductions to the existing frontage are proposed as a result of the proposed consent applications and the existing frontage has served the existing quadruplex dwelling for over 40 years. Further, the retained lot will have 27.9 metres of frontage on High Street. As such, this exception is more technical in nature.

While the lot area of the retained lot requires relief, the proposed lot area is sufficient to sustain the existing quadruplex dwelling and the required parking and provide amenity areas of approximately 80 square metres per unit. The lands to be severed have no functional value to the existing quadruplex dwelling.

While relief is required from the minimum required setback requirements for the quadruplex, the resulting setback of 5.5 meters still provides enough area for privacy separation and amenity area for the retained lands.

Section 7.5A.1 of the Zoning By-law indicates that detached dwelling is a permitted use in the R1F Zone, which matches the proposed use of the three severed lots.

The table below indicates the relevant required provisions of the R1F zone and how the proposed lot creation and conceptual development plans measure against those provisions:

R1F ZONE REGULATION	REQUIRED	SEVERED LOTS
Minimum Lot Area (Table 7.5A.2 (a))	320 square metres	219.7 square metres
Minimum Lot Frontage (Table 7.5A.2 (b))	10 metres	10 metres
Minimum Front Yard Depth (Table 7.5A.2 (c) (i))	3 metres	3 metres
Minimum Rear Yard Depth (Table 7.5A.2 (d))	7.5 metres	7.5 metres
Minimum Interior Side Yard Width (Table 7.5A.2 (e))	0.9 metres	1.1 metres
Maximum Lot Coverage (Table 7.5A.2 (g))	45%	32.4%
Maximum Building Height (Table 7.5A.2 (h))	10 metres	7.9 metres

As explained in Section 4.2 of this report, the proposed development meets the intent of the Niagara Official Plan and the City of Niagara Falls Official Plan, which promote compact, transit-supportive development in appropriate locations. The proposed lot creation to facilitate the development of single-detached dwellings, being permitted uses of the Residential land use designation, is the expected use of the subject lands, likely for perpetuity or the foreseeable future.

Although the lot area for each of the proposed severed lots is below the minimum area requirement for the R1F zone, the applicants have prepared a conceptual site plan that illustrates that each lot can be developed while maintaining the required setbacks, lot

coverage and parking requirements, and providing an amenity area of approximately 50 square metres per unit. This suggests that the proposed lot area is appropriate and can function suitably for the development of each lot.

The proposed relief will allow for the construction of additional dwelling units through the redevelopment of an urban parcel of land, on which intensification is promoted. The subject lands are an appropriate location for increased density, being within the built-up area of Niagara Falls, near existing transit routes, and in close proximity to the commercial services concentrated along Lundy's Lane. Overall, the redevelopment of the property appears to maintain the character of the area and is compatible with existing built form in this area of Niagara Falls.

Lastly, it should be noted for discussion purposes that the Province of Ontario has recently proposed changes to the *Planning Act* under Bill 98 (the *Building Homes and Improving Transportation Infrastructure Act, 2026*), which would create a regulation-making authority to allow the Minister of Municipal Affairs and Housing to set a minimum lot size on parcels of urban residential land, outside the Greenbelt Area. Any municipal zoning requirement for minimum frontage and/or minimum depth that would not allow for the minimum lot size standard to be met would be inapplicable.

The minimum lot size proposed by the province through these changes is 175 square metres, which each severed lot and the retained lands exceed. While consultation is still ongoing as of the date of writing this report, it is a good indication of the shift in policy direction to enable more affordable housing by reducing the up-front cost of land within urban serviced areas and creating opportunities for gentle density and infill.

5.0 SUMMARY AND CONCLUSIONS

The subject lands are located at 5736 Woodland Boulevard and are legally described as Lot 10, Plan 73, Stamford, Niagara Falls. The property is approximately 0.12 hectares in area with 21.95 metres of frontage on Woodland Boulevard and 57.9 metres of frontage on High Street. The subject lands are generally level and grassed with some mature vegetation along the lot lines and are presently developed with a legal non-conforming quadruplex dwelling and detached garage.

The applicants propose to create three new residential lots. Each severed lot would have an area of approximately 219.7 square metres and 10 metres of frontage on High

Street and be developed with a detached dwelling. The retained lot would have an area of approximately 610.2 square metres, maintaining the existing 21.95 metres of frontage on Woodland Boulevard as well as 27.9 metres of frontage on High Street. The quadruplex dwelling will be located on the retained lot and the existing detached garage will be demolished.

Through pre-consultation meetings with City staff, it was determined that as the existing quadruplex dwelling is a legal non-conforming use, the retained lot should be changed to a zone that permits the use as-of-right. Additionally, the eastern half of the lot will be rezoned to a different residential density zone to facilitate the proposed lot creation. Staff also requested that a Zoning By-law amendment be passed on the subject lands prior to filing applications for consent to ensure appropriate zoning can be achieved.

Therefore, to permit the proposed lot creation, a Zoning By-law amendment application will be filed to amend the zoning from the Residential 1B Density Zone to:

- 1) A Residential Three (R3) Zone with a site-specific exception to:
 - i) permit a minimum lot area of 610 square metres, where Table 7.8.2 of the Zoning By-law requires a minimum lot area of 940 square metres for a quadruplex dwelling;
 - ii) recognize the existing lot frontage, where Table 7.8.2 of the Zoning By-law requires a minimum lot frontage of 25.5 metres for a quadruplex dwelling unit on a corner lot;
 - iii) recognize the existing interior side yard width of 1 metre, where Table 7.8.2 of the Zoning By-law requires a minimum interior side yard width of 1.2 metres; and,
 - iv) permit a minimum rear yard depth of 5.5 metres for the existing quadruplex dwelling, where Table 7.8.2 of the Zoning By-law requires a minimum rear yard depth of 7.5 metres.

- 2) A Residential 1F Density (R1F) Zone with a site-specific exception to permit a minimum lot area of 219 square metres to facilitate the future consent applications, where Table 7.5A.2 of the Zoning By-law requires a minimum lot area of 320 square metres.

Based on the analysis provided in this report, it is my professional planning opinion that the proposed development has regard to Section 51 (24) of the *Planning Act* and is:

- i. consistent with the Provincial Planning Statement (2024),
- ii. in conformity with the Niagara Official Plan, and,
- iii. in conformity with the City of Niagara Falls Official Plan.

Furthermore, in my professional opinion, the proposal represents good planning.

PLAN MUSKOKA



Savas Varadas, MCIP, RPP
Principal

CURRICULUM VITAE OF SAVAS VARADAS

ACADEMIC BACKGROUND

SEPTEMBER 1999 – MAY 2003

UNIVERSITY OF WATERLOO

Bachelor of Environmental Studies
Honours Planning – Geography Minor

PROFESSIONAL EXPERIENCE

SEPTEMBER 2015 – PRESENT
(~10 YEARS)

PLAN MUSKOKA

Planning and Development Consulting

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Planning Consulting for a wide range of Planning Act applications and Land Development related projects, such as Official Plan and Zoning By-law Amendments, Plans of Subdivision and Condominium, Minor Variances, Site Plan Approvals, Consents, and Development Permits. Also, consulting services have been provided for Project Management, FIT Application Zoning Certificates, Professional Evidence at the Ontario Land Tribunal (previously LPAT/OMB), and Zoning Analysis Reporting

APRIL 2004 – AUGUST 2015
(11 YEARS, 5 MONTHS)

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