



# Planning Justification Report

**13 Mountain Street &  
19-23 Elm Street**

Town of Grimsby

**Prepared For**  
Woolverton Holdings Corporation

May 2025



Job Number

2118

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This Planning Justification Report has been prepared in support of applications by Woolverton Holdings Corporation to amend the Town of Grimsby Official Plan and Zoning By-law 14-45, as amended. The applications seek to permit a mid-rise, mixed-use building on the lands municipally known as 13 Mountain Street and 19-23 Elm Street in the Town of Grimsby, located generally south of the Main Street commercial core in the downtown area.



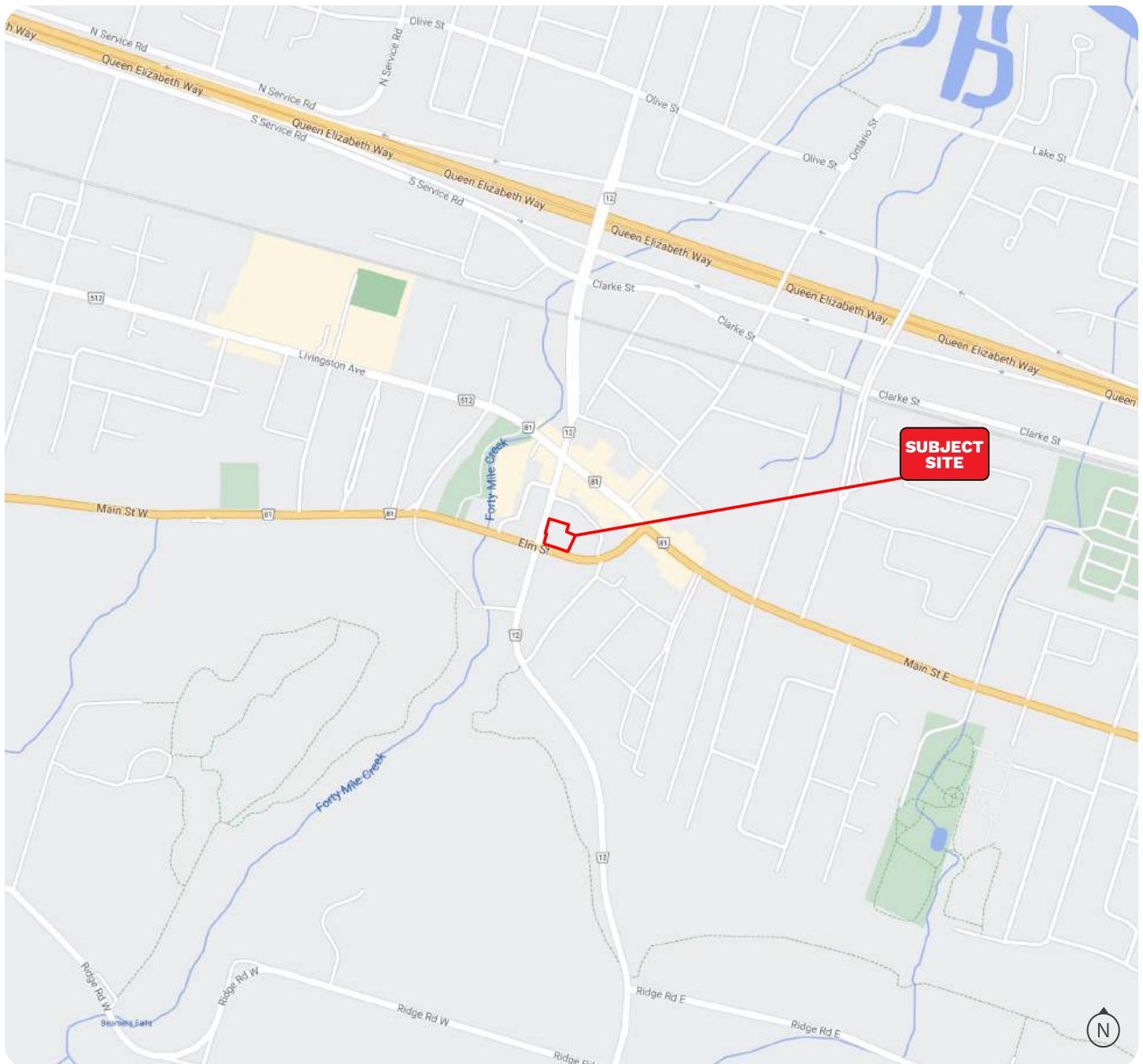
The background of the slide features a photograph of two hands pinning a map. One hand is in the foreground, holding a red pushpin, while the other is slightly behind it. The map is spread out on a surface, and several other red pushpins are visible. The entire image is covered with a semi-transparent red filter. Overlaid on the left side of the image is a large white circle containing the number '1'.

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# Introduction

This Planning Justification Report has been prepared in support of applications by Woolverton Holdings Corporation (the "Owner") to amend the Town of Grimsby Official Plan and Zoning By-law 14-45, as amended. The applications seek to permit a mid-rise, mixed-use building on the lands municipally known as 13 Mountain Street and 19-23 Elm Street in the Town of Grimsby (the "subject site"), located generally south of the Main Street commercial core in the downtown area (see **Figure 1**, Location Map).

In May 2021, the Owner submitted applications for Official Plan and Zoning By-law Amendments for a portion of the subject site located at 13 Mountain Street and 19 Elm Street (the "Original Applications"). The Original Applications contemplated the development of a 7-storey mixed-use building, incorporating the adaptive re-use of the existing Woolverton House and Woolverton Hall into the base of the new building.



**Figure 1** - Location Map

A Planning Justification Report dated May 2021 was prepared by our office in support of this original proposal (the "2021 Planning Report"). Through the review and approval process of the Original Applications, which included an appeal to the Ontario Land Tribunal (the "OLT"), the Owner acquired the adjacent property at 21 Elm Street and revised their development proposal to incorporate this additional site area. This version of the proposal was addressed in our July 2023 Planning Rationale Addendum Letter (the "2023 Addendum").

In February 2024, through a settlement with the Town, the OLT approved the Original Applications, as amended, to permit a 7-storey mixed-use building on 13 Mountain Street and 19-21 Elm Street (see Town of Grimsby Official Plan Amendment No. 18 and By-law No. OLT-24-001) (the "Approved Proposal"). The Approved Proposal included 120 dwelling units and a total gross floor area of 9,697 square metres, with a resulting density of 2.86 FSI.

Following this approval, the Owner acquired an additional contiguous property along Elm Street, 23 Elm Street, and has crafted a revised development vision for the comprehensive subject site. The subject applications for Official Plan and Zoning By-law amendments would permit the redevelopment of the subject site with an 8-storey mixed-use building that continues to integrate and adaptively reuse the existing, now heritage-designated, Woolverton Hall and Woolverton House (the "Revised Proposal"). The revised built form will accommodate a greater quantity of new housing on the subject site, including 10 percent affordable units, in addition to new retail and community space opportunities. Overall, the Revised Proposal provides for 177 dwelling units, 449 square meters of community hub space and 279 square metres of retail space, with a resulting net density of 2.92 FSI.

From a land use planning perspective, the Revised Proposal will support the character and vitality of Downtown Grimsby by providing a range of housing options within walking distance of the many amenities available in the downtown.

By redeveloping an underutilized site and increasing the provision of new housing, the Revised Proposal optimizes the use of land and infrastructure consistent with provincial planning direction and will contribute to the Province's target of 1.5 million new homes by 2031. The Revised Proposal generally conforms with the policy directions set out for the *Downtown-Intensification* designation in the Town of Grimsby Official Plan (the "Grimsby OP") and will contribute to the established and evolving character of the downtown through the proposed retail and community hub spaces, along with the proposed publicly accessible plaza along Mountain Street and courtyard along Elm Street.

From an urban design perspective, the Revised Proposal will result in a contextually appropriate building given the subject site's location along a Regional Arterial Road within Grimsby's Downtown Intensification area. The incorporation and adaptive re-use of the existing heritage buildings responds to the traditional character of the area and the provided ground floor setbacks provide ample space and opportunity for a high-quality public realm. The Revised Proposal is appropriately massed and compatible with the existing and planned context and does not result in any unacceptable built form impacts. The Revised Proposal will implement the objectives of the design policies in the Grimsby OP and associated guidelines by introducing new high quality private and publicly-accessible spaces that will enhance the livability of the downtown and support a pedestrian-friendly scale along the adjacent public streets.

Subject to the additional comments set out in this Planning Justification Report, the findings and analysis set out in our 2021 Planning Report and 2023 Addendum continue to be relevant and accurate. This report concludes that the proposed development represents good land use planning and urban design and will positively contribute to Downtown Grimsby through the introduction of new residential units, retail and community space, and publicly accessible outdoor spaces.





# Site & Surroundings



Section 2 of our 2021 Planning Report provided a description of the original subject site, which consisted of the two properties at 19 Elm Street and 13 Mountain Street, and its surrounding context. Section 3 of our 2023 Addendum provided a description of 21 Elm Street, and its immediate surroundings. This Planning Rationale report provides an updated description of the comprehensive subject site and highlights any changes to the surrounding context that has occurred since 2023. It is recommended that this section be read in conjunction with our 2021 Planning Report and 2023 Addendum.

### 2.1 Expanded Subject Site

The subject site includes the properties municipally addressed as 13 Mountain Street and 19, 21, and 23 Elm Street (see **Figures 2 & 3**). Based on this assembly, the subject site has an area of approximately 4,513.5 square metres, with a frontage of approximately 68 metres on Mountain Street and 64 metres on Elm Street. With the addition of 23 Elm Street, the area of the subject site in the Revised Proposal has increased by approximately 921.5 square metres when compared to the Approved Proposal. The collective subject site now assembles a majority of the small parcels along the north side of Elm Street to create a more viable development site and remove direct adjacency between the subject site and house form buildings.

The subject site is currently occupied by five low-rise buildings and substantial areas of paved surface parking. The properties that comprise the subject site and their current uses are described below:

- 19 Elm Street: Woolverton Hall (Heritage Designation By-law 23-36), a former two-storey Baptist Church that has been converted for various past uses and currently houses a retail store;
- 13 Mountain Street: Woolverton House (Heritage Designation By-law 23-35), a 2-storey house-form building currently used for office on the ground floor and a single residential dwelling unit on the second floor. To the rear of Woolverton House is a small 2-storey building that contains a retail store and music school;
- 21 Elm Street: a 2-storey house-form building currently converted for use by a healthcare office on the ground floor and a residential unit above; and
- 23 Elm Street: a 2-storey single detached dwelling.



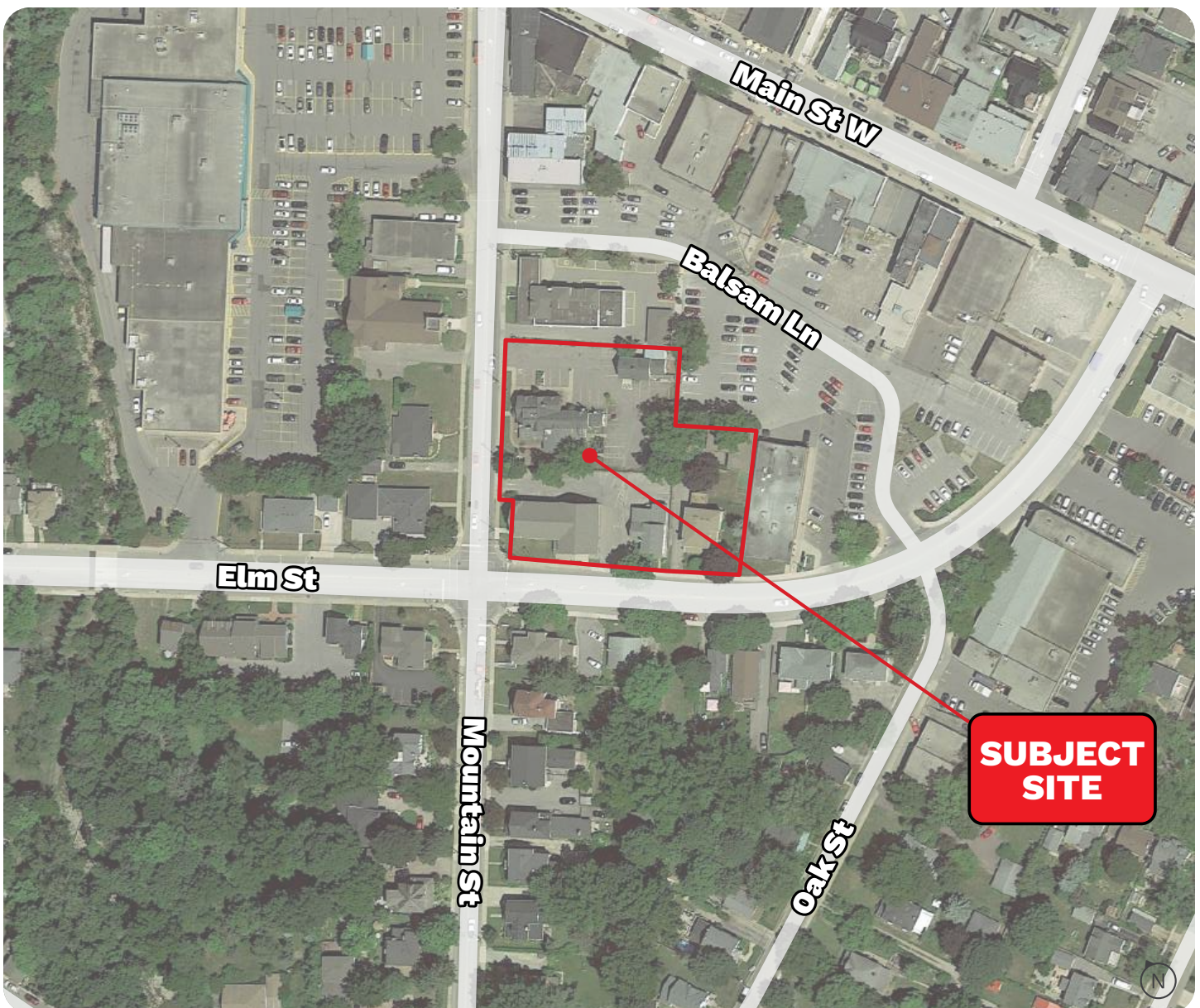
**Figure 2 - Drone Photo - View looking Northeast from Mountain Street & Elm Street**



In terms of vehicular access, each of the properties that comprise the subject site has direct access onto the street they front, with the corner property at 19 Elm Street having access onto both Elm Street and Mountain Street.

In terms of topography, there is a moderate increase in grade from the north to the south end of the subject site. As such, there is an existing retaining wall that runs along the south property line of 13 Mountain Street.

There are existing mature trees located in the front yards of 21 and 23 Elm Street, as well as the rear yard of 23 Elm Street and along the property line between 13 Mountain Street and 19 Elm Street. Additional existing small trees and shrubs are located throughout the subject site, generally located adjacent to the existing structures. In September 2024, an updated Arborist Report and Tree Protection Plan was completed for the expanded subject site and has been included with the submission.



**Figure 3 - Aerial Photo - Site Context**

## 2.2 Surroundings

The subject site is located within Downtown Grimsby, a mixed-use area that generally extends from the CN rail line to the north to the south side of Main Street East/Elm Street in the south, from Nelles Boulevard to Robinson Street North. Currently, the area is comprised of a variety of commercial, institutional, civic, cultural and residential uses, along with natural areas along Forty Mile Creek. The historic Main Street remains the commercial centre of the area and has been carefully maintained with a consistent street wall condition and a number of retail, restaurant and service uses at-grade.

A detailed description of the area context and immediate surroundings is summarized in Section 2.2 of our 2021 Planning Report and Section 3.2 of our 2023 Addendum. Subsequent to these reports, it is noted that construction is now underway for the four-storey mixed-use building located at 21-23 Main Street East and 6 Doran Avenue. No new development applications or other significant built form changes have occurred within Downtown Grimsby since the Original Applications were submitted in 2021.

## 2.3 Transportation Network

The road network and transit service within Downtown Grimsby remain consistent with the descriptions provided in Section 2.4 of our 2021 Planning Report. Although the Niagara Regional Official Plan (the "Regional OP") has been updated since the Original Applications were submitted, the planned right-of-way width for Mountain Street remains the same (20.1 metres) as identified on Schedule M of the previous Regional Official Plan.

The subject site is served by Niagara Region Transit's ("NRT") on-demand "MicroTransit" ride-share service. This program provides direct travel from starting locations in Grimsby to any other location within Grimsby, Pelham, Lincoln, West Lincoln, and Wainfleet. Outside of these zones, the MicroTransit system can be used to the nearest Direct Access Point for connections to conventional bus routes; these include St. Catharines Bus Terminal, Welland Bus Terminal and Port Colborne City Hall.

In terms of broader regional public transit, the subject site is located approximately 3 kilometres or a 6-minute drive to the future Grimsby GO Train Station at the intersection of Casablanca Boulevard and South Service Road. Originally announced in 2016, the Province reaffirmed their commitment to the project in a January 2025 announcement stating that the contract for the third party delivery of the design and construction of the station will be awarded in Spring 2025. Until such time as the new GO Station is operational, Grimsby continues to be served by GO Bus Route 12 which provides service between the Niagara Falls Bus Terminal and the Burlington GO Station and GO Bus Route 11 which provides service between Brock University and Aldershot GO Station.





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Proposal

### 3.1 Description of the Revised Proposal

The Revised Proposal provides for the careful redevelopment of the subject site with a new mid-rise, mixed-use building supported by the integration and adaptive re-use of the heritage-designated Woolverton House and Woolverton Hall buildings, as well as new retail and community hub spaces and publicly accessible open spaces. The Revised Proposal is for an 8-storey mixed-use building with a measured height of 34.0 metres inclusive of a 4.5-metre-tall mechanical penthouse. The building includes a total of 177 purpose-built rental residential dwelling units, including 10% affordable rental units, along with two ground floor retail units and community hub spaces on the ground floor and second floor. The Revised Proposal includes a total gross floor area of approximately 13,200 square metres, consisting of 12,472 square metres of residential space, 279 square metres of retail space and 449 square metres of community hub space. The resulting density is 2.92 times the net area of the lot.



Proposal Rendering, looking Northeast from Mountain Street and Elm Street (Prepared by Studio JCI)

## Site Organization

At the ground floor, the Revised Proposal incorporates a mix of active street-fronting uses, including a residential lobby at the northwest corner fronting Mountain Street, two new distinct 139 square metre retail/commercial units located along the south end of the building fronting Elm Street, residential indoor amenity space and a community hub space within the Woolverton Hall building (see **Figure 4**, Ground Floor Plan). A second community hub space is located at the northeast corner of the building fronting onto the existing Balsam Lane parking lot. Both community hub spaces have their own distinct building entrances. This space consists of a ground floor entrance lobby with dedicated elevator access to a space of approximately 199 square metres on the upper ground floor level. These ground floor animation uses have been carefully located to wrap the internalized parking levels located at, below and above-grade.

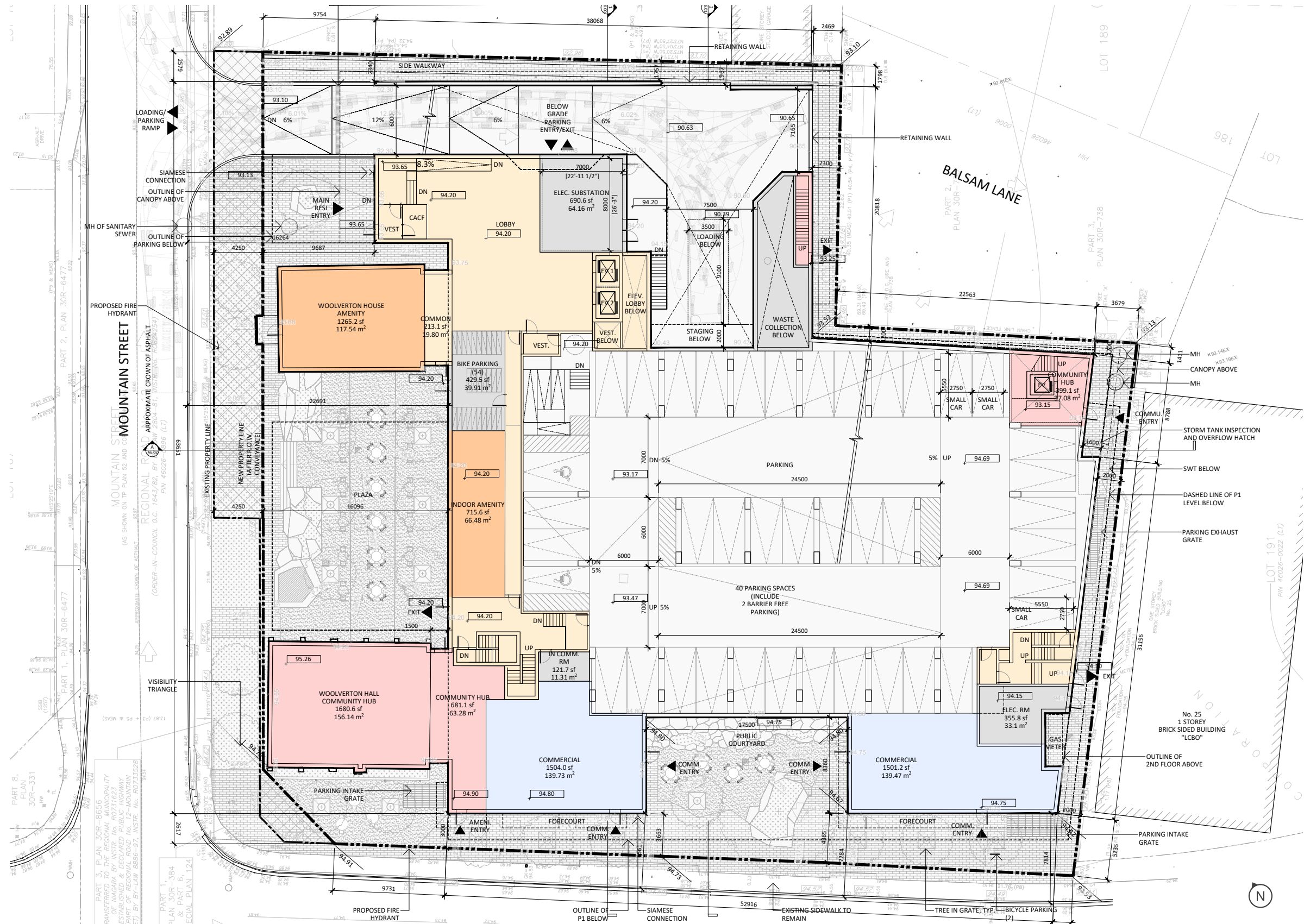
A key element of the Revised Proposal is the provision of publicly accessible open spaces that will complement the proposed uses on site and create community gathering spaces in the Downtown District. The proposed publicly accessible open spaces include a plaza along Mountain Street between Woolverton House and Woolverton Hall, as well as a courtyard between the two proposed retail units on Elm Street. Each of these spaces will be activated in varying manners through a detailed landscape program. In addition, the Revised Proposed incorporates an elevated private courtyard amenity space for building residents located adjacent to the publicly accessible courtyard on Elm Street. In accordance with Grimsby OP Policy 3.5.6.4, the Owner's intent for these spaces is to satisfy the Town's desire for "Village Squares" throughout the Downtown and for these Village Square spaces to fulfil all or part of the required parkland dedication for the Revised Proposal.

Vehicular circulation on-site is provided through a single driveway access to Mountain Street at the northwest corner of the subject site. This driveway allows vehicles to access the proposed internalized loading space and parking garage. The Revised Proposal continues to provide for a road widening along Mountain Street with a typical width of 4.2 metres along the frontage of 13 Mountain Street and 0.3 metres along the frontage of 19 Elm Street.

In terms of pedestrian circulation, a 1.6-metre pedestrian north-south walkway along the east property and a 1.7-metre east-west walkway along the north property line are proposed. These walkways are intended to provide pedestrian connection from Mountain Street and Elm Street to the Balsam Lane parking lot and the proposed adjacent community hub space.

Finally, beyond the boundaries of the subject site and outside of the scope of the subject applications, the Owner has been working collaboratively with the Town of Grimsby to animate and activate the portion of the Balsam Lane parking lot directly abutting the subject site with a flexible "market square". The market square would feature upgrading paving and landscaping elements to allow this space to be utilized alternately for parking and as a community event space. Recently, a pop-up winter holiday market was held in this space to test the concept. The upper-ground level community hub space within the Revised Proposal has been strategically located to complement the Balsam Lane market square.





**Figure 4 - Ground Floor Plan (Prepared by Studio JCI)**

## Built Form

The Revised Proposal continues to allow the forms of the Woolverton House and Woolverton Hall to define the streetscape along Mountain Street, with the new building massing to the rear. After the Mountain Street road widening conveyance, the new building has a minimum setback of 7.7 metres at the building's northwest corner adjacent to the building's primary residential entrance. Between Woolverton House and Woolverton Hall, the new building is set back 16.0 metres from Mountain Street to accommodate the proposed plaza. Along Elm Street, the building has a minimum setback of 3.0 metres with a further setback of 8.3 metres provided for the courtyard between the two retail units. A minimum setback of 2.0 metres is provided to the east property line abutting 25 Elm Street and a minimum setback of 0.5 metres is provided to the east property line abutting the Balsam Lane parking lot. To the north, the building is setback a minimum of 1.5 metres to the north property line abutting 11 Mountain Street and a minimum setback of 1.1 metres is provided to the adjacent Balsam Lane parking lot (See **Figure 5**).

At the ground floor, the proposed building is generally consistent with the overall building setbacks outlined above. However, along the east property line abutting the Balsam Lane parking lot, the building is in-set at the ground floor to allow for a minimum clearance of 1.9 metres in this location. Similarly, at the northwest corner of the building, the ground floor is in-set adjacent to the residential lobby, with a setback of 9.2 metres to Mountain Street.

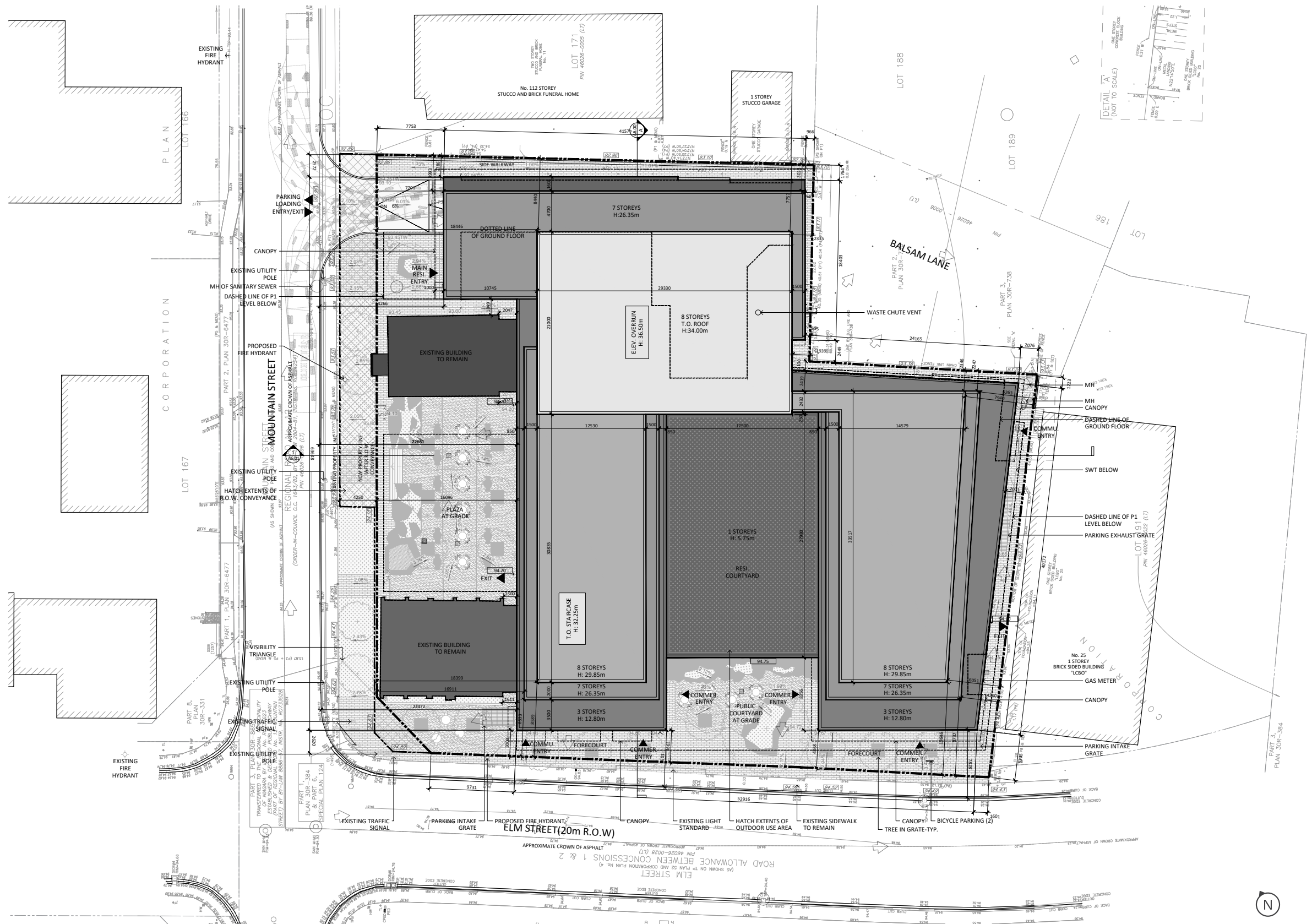
At Level 2, a stepback along the north façade results in a minimum setback of 3.0 metres to the north property line abutting the property at 11 Mountain Street. At this level along the Elm Street frontage, the building's mass is divided into an east and west "wing" which are connected by the massing at the north end of the building. At Level 2, the elevated private courtyard outdoor amenity area is located between the two wings, above the upper ground floor parking level. The separation distance between the residential units fronting onto this courtyard is 17.5 metres at Levels 2 and 3.

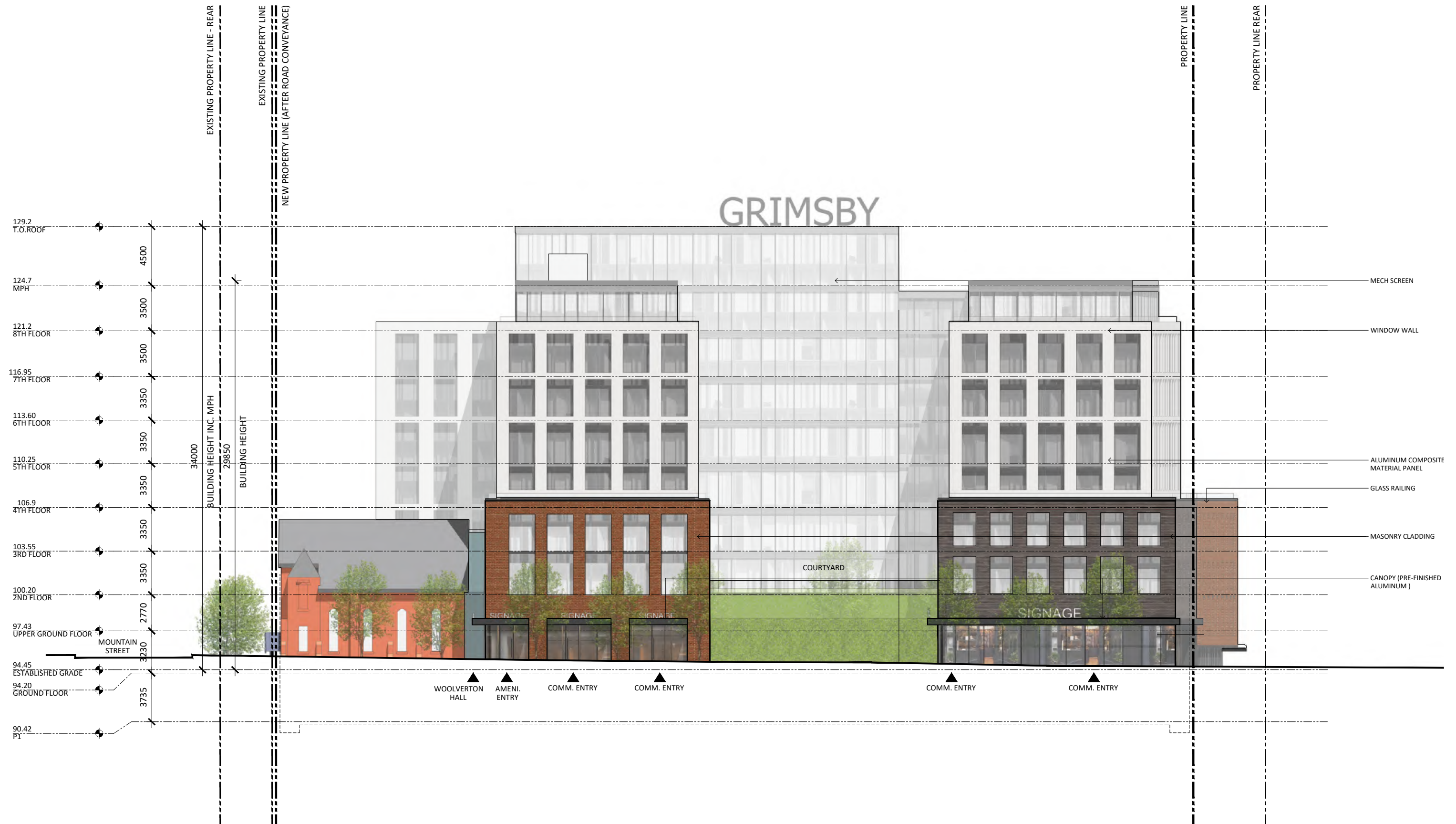
At Level 4, the building façade along Elm Street steps back 3.5 metres from the façade of the lower levels, while the main façade along Mountain Street steps back 0.8 metres from the lower levels. Stepbacks are also provided at this level to the east property line abutting 25 Elm Street and to the north property line abutting the Balsam Lane parking lot, resulting in minimum setbacks of 4.2 and 2.2 metres respectively. An 0.8 metre stepback is provided along the east and west interior façades fronting the elevated private courtyard, increasing the separation distance between the east and west wings to 19.2 metres.

Additional stepping and an overall reduction in the building mass are incorporated at Level 8, resulting in a minimum setback of 18.3 metres to Mountain Street, 8.5 metres to Elm Street, 6.0 metres to the east property line abutting 25 Elm Street, 2.0 metres to the east property line abutting Balsam Lane parking lot, 7.7 metres to the north property line abutting 11 Mountain Street, and a minimum of 2.8 metres to the north property line facing the Balsam Lane parking lot. Stepbacks of 1.5 metres are provided along both the east and west building façades fronting onto the elevated private courtyard, further increasing the separation distance of the east and west wings to 22.2 metres.

A mechanical penthouse, which has an area of approximately 634 square metres, is located above Level 8 and is set back a minimum of 18.6 metres to Mountain Street, 38.7 metres to Elm Street, 2.3 metres to the east property line facing the Balsam Lane parking lot, and 7.7 metres to the north property line abutting 11 Mountain Street. Two rooftop placemaking signs are proposed above the mechanical penthouse level, including a sign facing Mountain Street that reads 'Woolverton' and another sign facing Elm Street that reads 'Grimsby'.







**Figure 6 - South Elevation** (Prepared by Studio JCI)





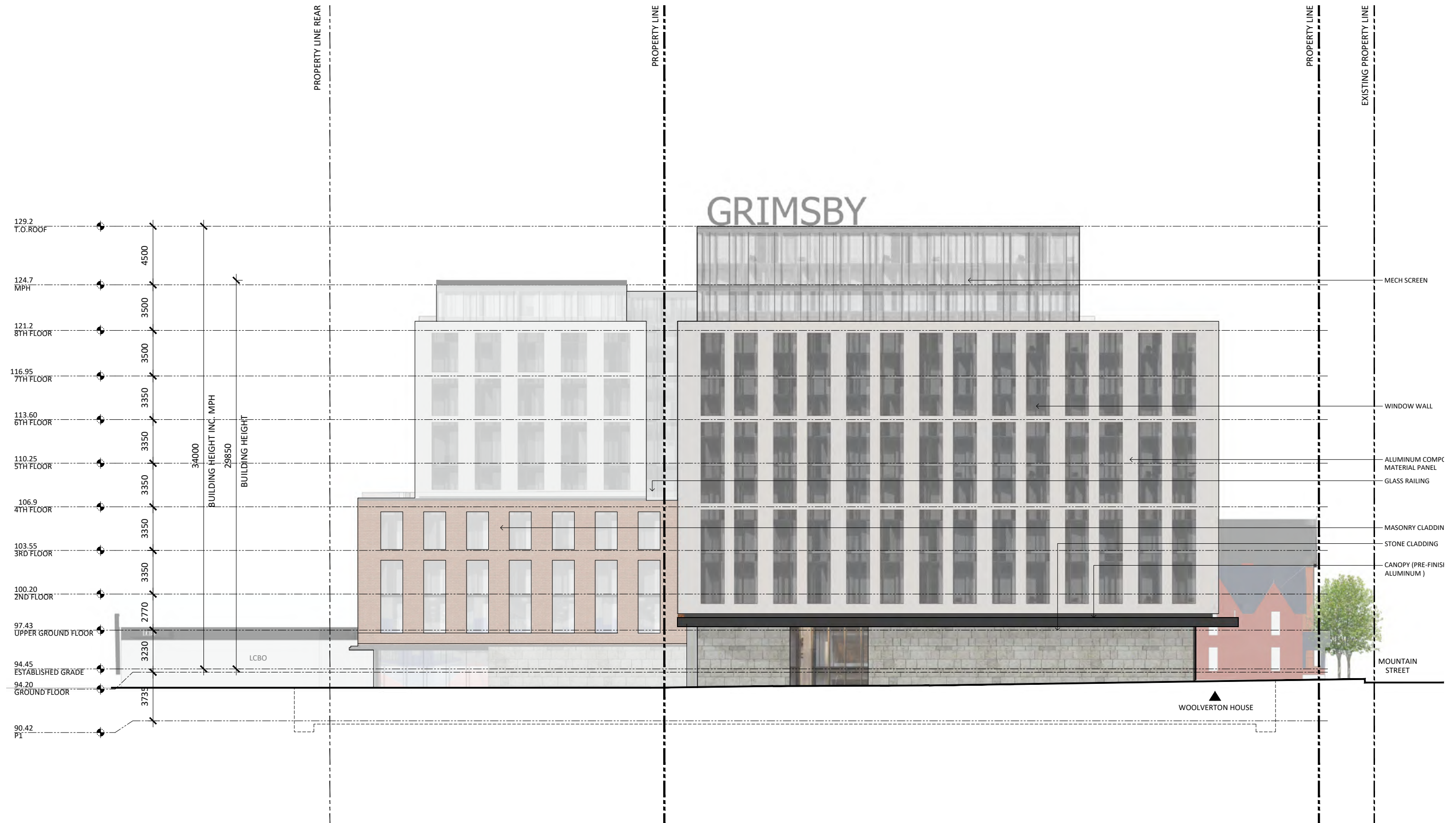


Figure 8 - North Elevation (Prepared by Studio JCI)





Figure 9 - East Elevation (Prepared by Studio JCI)

## Dwelling Units & Amenity Space

The Revised Proposal includes a total of 177 purpose-built rental dwelling units, with a mix of 21 studio units (12%), 24 one-bedroom units (14%), 102 two-bedroom units (58%) and 30 three-bedroom units (17%). This unit mix includes one existing three-bedroom unit located on the second floor of the Woolverton House which will be maintained through the redevelopment. At this time, the Owner intends to provide 10% of the proposed dwelling units at affordable rental rates in accordance with the requirements and affordability definition of CMHC's MLI Select program. These units will be operated in collaboration with a local community service provider.

A total of 173 square metres of indoor amenity space for the building's residents is proposed on the ground floor, with 190 square metres of outdoor amenity space at Level 2 within the elevated private courtyard. This outdoor amenity space includes private terraces for individual units fronting onto the courtyard, as well as common space for use by all residents. Overall, the Revised Proposal provides for approximately 2.0 square metres of amenity space per dwelling unit.

## Parking, Loading & Access

Vehicular access is provided from Mountain Street via a 6-metre-wide driveway parallel to the north property line abutting 11 Mountain Street. The Revised Proposal includes an integrated canopy structure that encloses the majority of the driveway leading to the parking garage entrance and loading space. The loading space is located entirely within the massing of the new building and has a width of 3.5 metres, length of 9.1 metres and a vertical clearance of 6.1 metres. A staging area is provided adjacent to the loading space, along with the building's waste collection room.

Parking for the Revised Proposal is provided in an integrated parking garage that utilizes the existing grade change on the subject site to accommodate one level below-grade, one level within the ground floor and one level between the ground floor and Level 2. The above-grade parking levels are predominately wrapped with active uses along all street frontages.

Within the parking levels, 150 parking spaces are provided, including 121 parking spaces for residents and 27 spaces for residential visitors and non-residential uses and 2 car-share parking spaces. Of these spaces, 136 are standard parking spaces that meet the Town's parking stall size requirements, 8 are "small car" parking spaces that are slightly deficient in size, and 6 are accessible parking spaces in accordance with the Town's requirements. As set out in the Transportation Report prepared in support of the subject applications (see **Section 5.7**), in addition to the on-site parking spaces, the Owner also intends to provide a cash-in-lieu of parking payment for a maximum of 15 spaces, as was negotiated through the Approval Proposal and noted in Zoning Exception 337, and is seeking to carry forward permissions for a further reduction of 3 parking spaces currently permitted through Zoning Exception 115 and an acquired parking certificate for 21 Elm Street.

In addition to the vehicular parking, the Revised Proposal provides for 54 residential bicycle parking spaces and 2 retail bicycle parking spaces. The residential bicycle parking spaces are provided in a storage room located on the ground floor of the building adjacent to the main residential lobby. The retail bicycle parking spaces are provided exterior to the building, within the setback at-grade along Elm Street.

### 3.2 Key Statistics

**Table 1** below provides a summary of the key statistics for the Revised Proposal as compared to the Approved Proposal. The Revised Proposal statistics are reflective of the architectural plans prepared by Studio JCI dated May 16, 2025.

**Table 1 - Comparison of Key Statistics**

Statistic	Approved Proposal	Revised Proposal
<b>Site Area</b>		
Gross Site Area	3,592 square metres	4,710 square metres
Road Widenings	195 square metres	197 square metres
Net Site Area	3,397 square metres	4,513 square metres
<b>Gross Floor Area</b>		
Residential GFA	9,168 square metres	12,472 square metres
Retail GFA	529 square metres	279 square metres
Community Hub GFA	---	449 square metres
Total Gross Floor Area	9,697 square metres	13,200 square metres
<b>Building Height</b>		
Storeys	7 storeys	8 storeys
Measured Height (to top of MPH)	28.85 metres	34 metres
<b>Floor Space Index</b>	2.86	2.92
<b>Lot Coverage</b>	66%	59%
<b>Residential Dwelling Units</b>		
Studio	---	21 (12%)
One Bedroom	77 (64%)	24 (14%)
Two Bedroom	30 (25%)	102 (57%)
Three Bedroom	13 (11%)	30 (17%)
Total Dwelling Units	120 (100%)	177 (100%)
<b>Amenity Areas</b>		
Indoor Amenity	124 square metres	173 square metres
Outdoor Amenity	---	190 square metres
Total Amenity Area	124 square metres	363 square metres
<b>Vehicular Parking Space</b>		
Resident	120 spaces	121 spaces
Non-Resident	37 spaces	29 spaces
Total Vehicle Spaces	157 spaces	150 spaces
<b>Bicycle Parking Spaces</b>		
Resident	80 spaces	54 spaces
Non-Resident	10 spaces	2 spaces
Total Bicycle Spaces	90 spaces	56 spaces

### 3.3 Application History & Public Consultation Summary

As previously noted, a portion of the subject site was proposed for redevelopment with a 7-storey mixed-use building through the Original Applications, which were submitted by the Owner in May 2021. Despite Town Planning Staff recommending approval of the Original Applications, Town Council refused the applications in March 2022. This refusal was appealed to the OLT, after which 21 Elm Street was acquired by the Owner and a settlement was negotiated with the Town. This settlement, which continued to provide for a 7-storey building on the expanded site, was approved by the OLT on February 8, 2024, resulting in Official Plan Amendment No. 18 and Site-specific By-law No. OLT-24-001 coming into force.

Leading up to and throughout the review process for the Original Applications, the Owner led a robust public consultation program, including one-on-one discussions with key stakeholders, a preliminary concept introduction video, project website and website feedback form. They also participated in Town-led consultation initiatives, including a community open house and statutory public meeting.

Following the approval of the Original Applications, the Owner acquired 23 Elm Street, further expanding the boundaries of the development site. As such, the properties that comprise the subject site are now subject to different zoning requirements (including building height, lot coverage, setbacks and parking rates) with the properties at 13 Mountain Street and 19-21 Elm Street being subject to Official Plan Amendment No. 18 and Site-Specific By-law No. OLT-24-001 and the property at 23 Elm Street being subject to the parent permissions of the Grimsby OP and Zoning By-law 14-45.

A Pre-Application Consultation Meeting to consider a new development proposal for the comprehensive subject site was held on September 5, 2024, and was attended by the Owner, their consultant team, Town of Grimsby and Niagara Region staff, as well as representatives of various relevant commenting agencies. The purpose of this meeting was to review the conceptual development proposal and to identify the *Planning Act* applications and necessary supporting materials required to advance the redevelopment. A 10-storey mixed-use building concept was presented at this meeting, with a massing similar to the current 8-storey proposal.

The Owner has now initiated a public consultation strategy to support the current applications and is looking forward to continuing to engage with all interested stakeholders throughout the review process. The goal of this work is to inform and engage with the community proactively and to learn about various stakeholder perspectives. The desired outcome is for the public and interested stakeholder groups to feel engaged and informed, and to provide a variety of ways to get involved at key milestones throughout the process.

On October 4, 2024, the Owner elected to host a pre-application community open house. The open house was hosted at the Town's Carnegie Building and was attended by approximately 25 community members. Feedback received at the open house related to the need for rental and affordable housing in the Downtown, as well as parking, traffic and construction concerns. The 10-storey concept discussed at the Pre-application Consultation Meeting was presented to the public for feedback.

A subsequent Public Information Centre meeting was held by the Town on December 4, 2024 in the Town Hall atrium. Information boards with the 10-storey Pre-application Consultation proposal were on display, with the Owners and Town staff in attendance to answer any questions regarding the proposal. The Town also distributed pamphlets to the public in attendance.

### 3.4 Required Approvals

Following the Pre-Application Consultation Meeting and community open house, the Owner has engaged in ongoing conversations with Grimsby Town staff to advance the development concept for the subject site, resulting in the Revised Proposal as described in **Section 3.1** above. Through these conversations, the overall building height was reduced to 8-storeys.

For the Revised Proposal, the Owner intends to continue their community engagement efforts. This will include updates to the project website, [www.thewoolverton.ca](http://www.thewoolverton.ca), which will share information and updates with stakeholders and the broader community about the applications and provide access to materials. The associated project email, [grimsby@castlepointnuma.com](mailto:grimsby@castlepointnuma.com) will be maintained as a channel for stakeholders to engage directly with members of the project team. Both the project website and email will provide the community with an information hub for learning about the Owner's plans for the subject site. The Owner has also continued to engage a dedicated community liaison to act as their representative in the community and to bring direct community feedback to the Owner and project team.

In addition, the Revised Proposal will be listed on the Town's current planning applications webpage once the application has been submitted and deemed complete. The Town may also choose to create a "Let's Talk Grimsby" site to collect additional feedback. The owner will install a development application notice sign on the subject site to notify the community of the application. Lastly, Town Staff will coordinate a Statutory Public Meeting that will be held in Council Chambers at a future date.

This community engagement strategy is intended to be inclusive of anyone who is interested in the future of the subject site. The Owner hopes that the consultation done to date and their plan for future engagement efforts provides opportunity for all those interested in engaging throughout the development application review process. The project team is open to and welcomes feedback on the engagement process and look forward to working with all stakeholders.

In our opinion, the Revised Proposal conforms with the Regional OP and is in conformity with the land use permissions and urban structure set out in the Grimsby OP. However, as the *Downtown – Intensification* designation policies of the Grimsby OP limit the height of new buildings to 4 storeys, or 6 storeys where a visual impact assessment demonstrates no detrimental impact on the views of the Escarpment, an Official Plan Amendment is required to permit the proposed building height of 8 storeys.

The Revised Proposal also requires an amendment to the Town's Zoning By-law 14-45, as amended, in order to carry-over permissions from Site-Specific By-law No. OLT-24-001 to the entire subject site, such as the definition and use of a community hub. In addition, amendments are required to increase the permitted height, revise the required at grade and above grade setbacks, and to provide for a site-specific parking rate, among other performance standards as necessary to accommodate the Revised Proposal.

An application for Site Plan Control will be required and submitted at a later stage of the development application process.





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# Policy & Regulatory Context

As set out below, it is our opinion that the Revised Proposal is supportive of the policy directions in the Provincial Planning Statement, 2024 (the "2024 PPS"), the Greenbelt Plan, the Niagara Escarpment Plan (the "NEP"), the Niagara Region Official Plan (the "Regional OP"), and the Grimsby OP, all of which promote and encourage intensification within the existing built-up area.

Section 4.0 of our 2021 Planning Report includes a full summary of the applicable planning and regulatory context applicable to 13 Mountain Street and 19 Elm Street as of the date of that report. Furthermore, Section 3.3 of our 2023 Addendum includes a summary of the applicable planning and regulatory context applicable to 21 Elm Street. Except which explicitly stated in the following subsections, the information provided in these two previous reports continues to be relevant and accurate.

On this basis, the following subsections provide a summary of key applicable policies and regulations in force or in-development that are relevant to the Revised Proposal and the expanded subject site, with a focus on changes that have occurred since the drafting of our 2021 Planning Report. As such, this section should be read in conjunction with Section 4 of our 2021 Planning Report.

## 4.1 Provincial Bills & Regulations

### Bill 23

On October 25, 2022, the Province of Ontario introduced Bill 23 (*More Homes Built Faster Act, 2022*) which introduced legislative changes to facilitate and streamline the construction of new homes over the next 10 years to address Ontario's housing crisis. Bill 23 received Royal Assent on November 28, 2022, amending nine different provincial statutes and introducing one new statute.

With respect to the *Planning Act*, Bill 23 introduced a number of amendments including the creation of two different classes of upper-tier municipalities: those which have planning responsibility and those which do not, subject to varying effective dates.

This amendment removed planning policy and approval responsibilities from such upper-tier municipalities, including certain appeal rights, and functionally made the Minister of Municipal Affairs and Housing the approval authority for official plans and official plan amendments for lower tier municipalities that, for municipal purposes, form part of an upper-tier municipality without planning responsibilities.

Bill 23 also added Subsection 70.13 to the *Planning Act* with respect to transition for upper-tier municipalities without planning responsibilities. Subsection 70.13(1) states that the "effective date" generally means the day on which subsection 1(2) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force. It is noted that this subsection did not come into force until after Bill 185 received Royal Assent and further amended the definition of "upper-tier municipality without planning responsibilities".

Furthermore, Subsection 70.13(2) states that:

*"the portions of an official plan of an upper-tier municipality without planning responsibilities that are in effect immediately before the effective date and that apply in respect of any area in a lower-tier municipality are deemed to constitute an official plan of the lower-tier municipality, and this official plan remains in effect until the lower-tier municipality revokes it or amends it to provide otherwise."*

In addition, Bill 23 also introduced changes to Section 42 of the *Planning Act* with respect to parkland dedication. These changes related to the maximum amount of land that can be conveyed for parkland, removing parkland dedication requirements for affordable housing units, and, among others, allowed for encumbered parkland and privately owned publicly accessible spaces ("POPS") to be eligible for parkland credits. While many of these changes came into force when Bill 23 received royal assent on November 28, 2022, those changes relating to encumbered parkland and POPS as parkland have not been proclaimed into force by the Lieutenant Governor as of the date of this report.

## Bill 185

On April 10, 2024, the Province introduced Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*), which received Royal Assent on June 6, 2024. As with Bill 23, Bill 185 amended a number of provincial statutes, including the *Planning Act*.

Through the changes introduced via Bill 185, the definition of upper-tier municipality without planning responsibilities was repealed and a new definition introduced which specifically identifies the Regional Municipalities of York, Peel and Halton as having this status and to provide that four other specified upper-tier municipalities, including Niagara Region, will be upper-tier municipalities without planning responsibilities on dates to be named by proclamation of the Lieutenant Governor. This new definition came into force on July 1, 2024.

As set out in the transition regulations in Subsection 70.13 of the *Planning Act* noted above, on the effective date of each identified region becoming an upper-tier municipality without planning responsibility, the Official Plan of such region will be deemed to constitute an official plan of the lower-tier municipalities within the region.

## Amendments to Ontario Regulation 525/97

Ontario Regulation ("O. Reg.") 525/97 is a long-standing regulation to the *Planning Act* that exempts certain municipalities from Ministerial approval for official plan amendments.

O. Reg. 525/97 was amended by the Province effective July 1, 2024 in accordance with the changes introduced to the *Planning Act* through Bill 185 relative to upper-tier municipalities without planning responsibilities.

On December 20, 2024, the Province further amended to O. Reg 525/97 which, among other changes, established a proclamation date of March 31, 2025 on which the Region of Niagara will become an upper-tier municipality without planning responsibilities. This amendment means that the only official plan matters in the Town of Grimsby which would require approval from the Minister as of March 31, 2025 would be new official plans, official plan amendments adopted in accordance with section 26 of the *Planning Act* and official plan amendments addressing policies required in connection with a protected major transit station area.

## 4.2 Provincial Planning Statement, 2024

On August 20, 2024, the Ministry of Municipal Affairs and Housing released the Provincial Planning Statement 2024 (the “2024 PPS”), which came into effect on October 20, 2024. The PPS replaced the previously in-effect Provincial Policy Statement (2020) and Growth Plan for the Greater Golden Horseshoe (2019).

The 2024 PPS provides policy direction on matters of Provincial interest related to land use planning and development and will apply to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024.

In accordance with Section 3(5) of the *Planning Act*, all decisions that affect a planning matter are required to be consistent with the PPS. In this regard, Policy 6.1 provides that the PPS “shall be read in its entirety and all relevant policies are to be applied to each situation”.

As compared with the 2020 PPS and 2019 Growth Plan, the 2024 PPS is intended to reduce and streamline planning rules, simplify approvals to build homes and eliminate duplication between planning documents. It emphasizes flexibility, with the intent of helping get more homes built across the province, while continuing to protect agricultural lands, cultural heritage and natural areas.

Chapter 1 of the 2024 PPS sets out the Province’s current vision for Ontario, emphasizing the importance of building housing to serve a fast-growing province:

*“More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. This is why the province has set a goal of getting at least 1.5 million homes built by 2031. Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come.”*

Chapter 1 goes on to describe Ontario’s land use planning framework, stating that this framework and the decisions that are made within it:

*“...shape how our communities grow and prosper. Prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation for all Ontarians.”*

One of the key policy directions that continues to be expressed in the 2024 PPS is to build complete communities with a mix of housing options and promoting efficient development and land use patterns.

Policy 2.1.4 directs that an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a. maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and
- b. maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.

Policy 2.1.6 provides that planning authorities should support the achievement of complete communities by, among other things, accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs.

With respect to housing, Policy 2.2.1(a) provides that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households.

Policy 2.2.1(b) provides that this should also be done by permitting and facilitating all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, and all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites 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 (see below).

Further, Policy 2.2.1(c) and (d) direct that an appropriate range and mix of housing options and densities is provided by promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation, and by requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations.

Section 2.3 of the 2024 PPS contains policies related to settlement areas, which continue to be defined as urban areas and rural settlement areas within municipalities (such as cities, towns, villages, and hamlets) and built-up areas where development is concentrated and which have a mix of land uses and are lands which have been designated in an official plan for development over the long term.



Policy 2.3.1.1 directs that settlement areas shall be the focus of growth and development, and that within settlement areas, growth should be focused in, where applicable, strategic growth areas. Policy 2.3.1.2 goes on to state that land use patterns within settlement areas should be based on densities and a mix of land uses which: efficiently use land and resources; optimize existing and planned infrastructure and public service facilities; support active transportation; are transit-supportive, as appropriate; and are freight-supportive.

Policy 2.3.1.3 directs planning authorities to 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. On this basis, Policy 2.3.1.4 encourages planning authorities to establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

Section 2.4.1 includes policies related to strategic growth areas, which are defined as:

*“nodes, corridors, and other areas within settlement areas that have been identified by municipalities to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include major transit station areas, existing and emerging downtowns, lands in close proximity to publicly-assisted postsecondary institutions and other areas where growth or development will be focused, that may include infill, redevelopment (e.g., underutilized shopping malls and plazas), brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas”.*

It is our opinion that the subject site is within a strategic growth area in accordance with the 2024 PPS definition given its location within Downtown Grimsby and along a regional arterial road (Mountain Street). In addition, Schedule A of the Grimsby OP identifies the subject site as being within a *Major Intensification Area*.

Policy 2.4.1.1 encourages planning authorities to identify and focus growth and development in strategic growth areas. Policy 2.4.1.2 directs that, to support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development, strategic growth areas should be planned: to accommodate significant population and employment growth; as focal areas for education, commercial, recreational, and cultural uses; to accommodate and support the transit network and provide connection points for inter-and intra-regional transit; and to support affordable, accessible, and equitable housing.

Policy 2.4.1.3 provides that planning authorities should, among other things, identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas, and permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form.

Section 2.8 of the PPS provides policies for supporting a modern economy. Policy 2.8.1.1 encourages planning authorities to promote economic development and competitiveness by, among others: providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; and encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities.



Section 2.9 of the PPS addresses energy conservation, air quality and climate change. Policy 2.9.1 directs planning authorities to plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that: support the achievement of compact, transit-supportive, and complete communities; incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities; support energy conservation and efficiency; promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.

Chapter 3 of the PPS includes policies related to infrastructure and facilities. Generally, the infrastructure policies set out in Chapter 3, like those in Chapter 3 of the former Growth Plan, place an emphasis on the need to integrate land use planning and investment in both infrastructure and transportation.

Policy 3.1.1 provides that infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs, and that planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are financially viable over their life cycle, leverage the capacity of development proponents, where appropriate, and are available to meet current and projected needs.

The need to make good use of existing infrastructure is emphasized by Policy 3.1.2, which provides that, before consideration is given to developing new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized, and opportunities for adaptive re-use should be considered, wherever feasible.

Policy 3.9 provides that healthy, active and inclusive communities should be promoted, including by planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including parklands, public spaces and open space areas.

With respect to implementation, Policy 6.1.1 provides that the 2024 PPS shall be read in its entirety and all relevant policies are to be applied to each situation. Policy 6.1.6 requires that planning authorities keep their zoning by-laws up-to-date with their official plans and the PPS by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development. Policy 6.1.7 requires that where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the PPS, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with the Provincial Planning Statement.

For the reasons set out in **Section 5** of this report, it is our opinion that the Revised Proposal and the subject Official Plan Amendment and Rezoning applications are consistent with the 2024 PPS, in particular those policies relating to residential intensification and the efficient use of land and infrastructure.

### 4.3 Greenbelt Plan, 2017

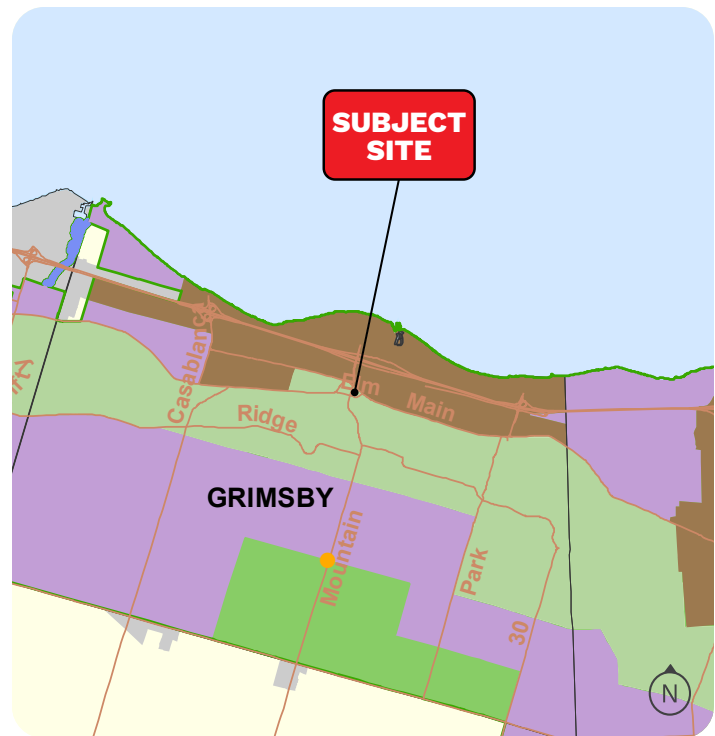
The Greenbelt Plan was originally approved under the Greenbelt Act, 2005 and took effect on December 16, 2004. An amended Greenbelt Plan was approved by the Lieutenant Governor in Council, Order in Council No. 1025/2017 as an amendment to the 2005 Greenbelt Plan and came into effect on July 1, 2017.

Schedule 2 – Niagara Peninsula Tender Fruit and Grape Area of the Greenbelt Plan, identifies the entirety of the subject site as being within the Niagara Escarpment Plan Area (see **Figure 10**). Appendix II further identifies the subject site as being within an Urban Area under the Niagara Escarpment Plan. On this basis, as set out in Section 2.2 of the Greenbelt Plan, the Protected Countryside policies do not generally apply to the subject site.

### 4.4 Niagara Escarpment Plan, 2017

The Niagara Escarpment Plan derives its authority from the *Niagara Escarpment Planning and Development Act*. It was originally approved on June 12, 1985, and was subsequently revised through reviews in 1990, 1995 and most recently in 2017. The current version of the NEP came into effect on June 1, 2017.

The purpose of the NEP is to provide for the maintenance of the Niagara Escarpment and lands in its vicinity substantially as a continuous natural environment and to ensure only such development occurs as is compatible with that natural environment.



#### Legend

- Greenbelt Area\*
- Protected Countryside
- Niagara Peninsula Tender Fruit and Grape Area
- Towns / Villages
- Hamlets
- Urban River Valleys
- Niagara Escarpment Plan Area
- Settlement Areas Outside the Greenbelt
- Upper and Single-Tier Municipal Boundaries
- Lower-Tier Municipal Boundaries
- Road or Highway

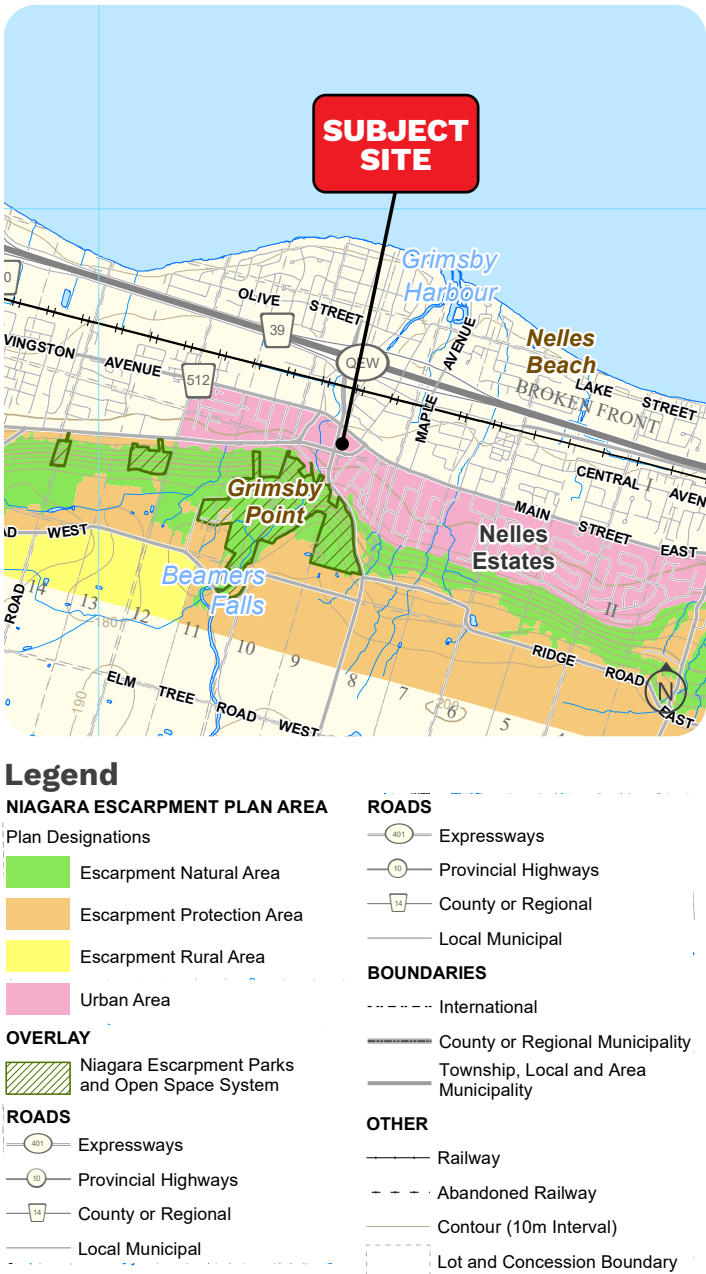
**Figure 10** – Greenbelt Plan: Schedule 2 – Niagara Peninsula Tender Fruit and Grape Area

Map 1 - Niagara Region of the NEP designates the subject site as being within an Urban Area, (see **Figure 11**). As set out in Section 1.7, the objective of the Urban Areas designation is to minimize the impact and prevent further encroachment of urban growth on to the Escarpment environment. The subject site is not within the Niagara Escarpment Commission’s development permit area.

The Urban Areas designation for the subject site and the related relevant policies of the NEP have not changed since the drafting of our 2021 Planning Report. As such, please refer to that report for a complete summary of the applicable policies. However, of particular relevance to the Revised Proposal, we note that Policy 2.13(1) provides that development shall ensure the protection of the scenic resources of the Escarpment, while Policy 2.13(2) states that where a visual impact on the scenic resources is identified as a concern by the implementing authority, a visual impact assessment shall be required.

In addition, Policy 2.13(4) sets out appropriate siting and design measures to be used to minimize the impact of development on the scenic resources of the Escarpment, including, among others: establishing appropriate setbacks and maximum building heights; and changing the orientation and height of built form to reduce visibility and skylining.

For the reasons set out in **Section 5** of this report, it is our opinion that the Revised Proposal and the subject Official Plan Amendment and Rezoning applications conform with the applicable policies of the NEP.



**Figure 11 - Niagara Escarpment Plan: Map 1 - Niagara Region of the NEP**

## 4.5 Niagara Region Official Plan, 2022

The Niagara Region Official Plan is the Region of Niagara's long-term, strategic policy planning framework for managing growth, and is intended to guide land use and development in Niagara until 2051 and beyond. The Regional OP was adopted by Regional Council in June 2022 and was approved by the Minister of Municipal Affairs and Housing with modifications in November 2022.

Notwithstanding modifications included in the Minister's November 2022 decision, on November 16, 2023, the Minister of Municipal Affairs and Housing introduced the Planning Statute Law Amendment, 2023 ("Bill 150"), which received royal assent on December 6, 2023 and reversed previous Provincial decisions on the official plans of 12 municipalities and regions, including Niagara Region. As a result, only certain limited modifications introduced by the Minister in their November 2022 decision remain in-effect. The current consolidation of the Regional OP, dated May 2024, reflects these changes.

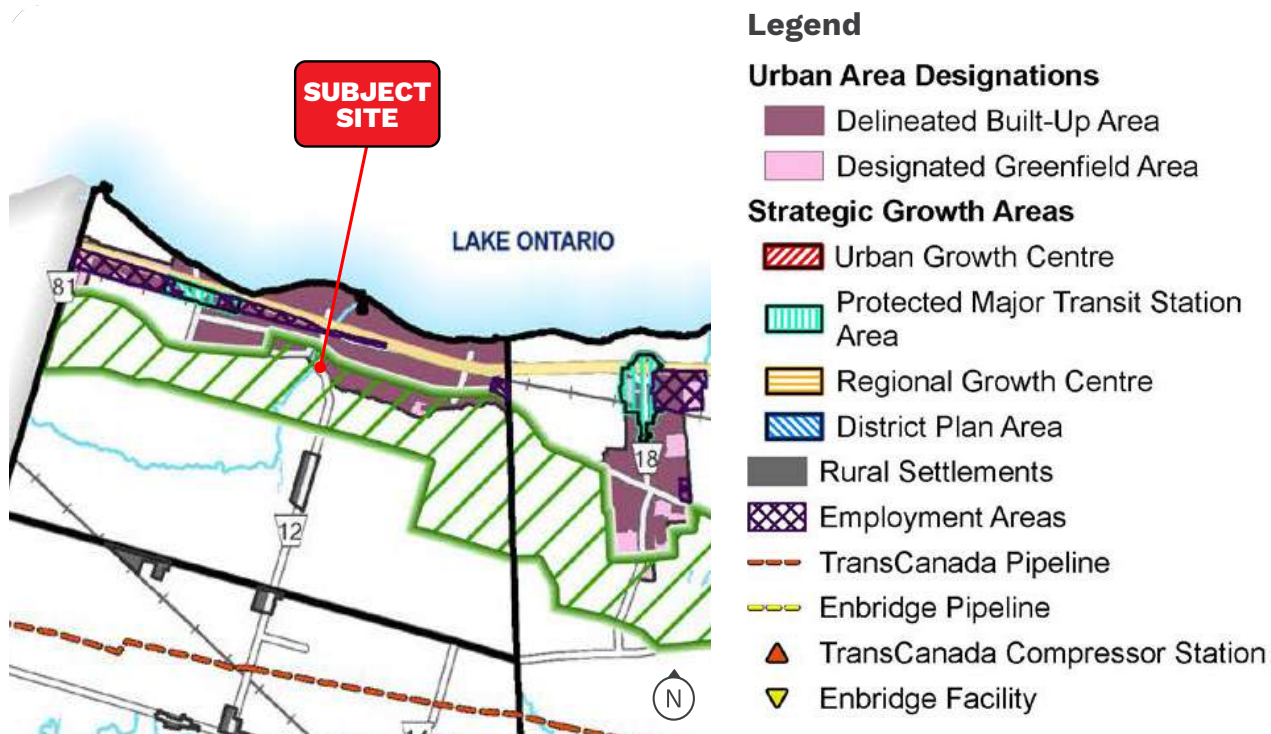
Furthermore, in consideration of the changes to the *Planning Act* brought in through Bill 23 and Bill 185 and the changes to O. Reg. 525/97 described in **Section 4.2** above, Niagara Region became an upper-tier municipality without planning responsibilities on March 31, 2025. As set out in the transition regulations, the Regional OP is now deemed to be an official plan of the Town of Grimsby (and of other municipalities within Niagara Region).

As such, the policies outlined below will continue to be relevant and applicable to the proposed development and the subject Official Plan Amendment and rezoning applications after March 31, 2025; however, the implementation of these policies will be left to the Town of Grimsby to implement.

## Regional Structure Policies

Section 2.1.1 of the Regional OP sets out policies for Regional Growth Forecasts, including Policy 2.1.1.1 which states that population and employment forecasts provided in Table 2-1 for all lower tier municipalities are to be the basis for all land use decisions to 2051. In this respect, Table 2-1 forecasts a population of 37,000 residents and 14,960 employees for the Town of Grimsby by 2051. Policy 2.1.1.2 clarifies that the forecasts in Table 2-1 are a minimum, while Policy 2.1.1.3 states that forecasts in Table 2-1 are to be used to determine the location and capacity of infrastructure, public service facilities, and the delivery of related programs and services to 2051.

With respect to Regional Structure, Section 2.2 contains policies which seek to establish a regional structure that directs forecasted growth to settlement areas, with most development to occur in urban areas where municipal water and wastewater systems/services exist or are planned, and a range of transportation options can be provided. Schedule B - Regional Structure, identifies the subject site as being within the Region's Delineated Built-Up Area and within the Niagara Escarpment Plan Area (see **Figure 12**).



**Figure 12 - Niagara Regional Official Plan: Schedule B – Regional Structure**

Policy 2.2.1.1 provides that development in urban areas (which includes delineated built-up areas and designated greenfield areas) will integrate land use planning and infrastructure to manage forecasted growth and to support (among others):

- the intensification and density targets set out in the Regional OP;
- a compact built form, a vibrant public realm, and a mix of land uses to support the creation of complete communities;
- a diverse range and mix of housing types, unit sizes and densities to accommodate current and future market-based and affordable housing needs;
- 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;
- opportunities for transit-supportive development;
- opportunities for intensification, including infill development;
- opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of the established residential neighbourhoods;
- the development of a mix of residential built forms in appropriate locations, such as local growth centres, to ensure compatibility with established residential areas;
- orderly development in accordance with the availability of the provision of infrastructure and public service facilities; and
- mitigation and adaptation to the impacts of climate change by, among other items, promoting built forms and land use patterns that improve community resilience and sustainability, reduce greenhouse gas emissions and conserve biodiversity.



## Housing Policies

Within urban areas, Policy 2.2.2.1 directs growth to be accommodated primarily through intensification in built-up areas, including within local growth centres and corridors as identified by local area municipalities. To this effect, it is noted that “local growth centres and corridors” are defined in the Regional OP as “areas outside of strategic growth areas that will be the focus for growth within area municipalities” and notes that they “will vary in size, nature and character, and may including traditional downtown cores” among other locations.

Policy 2.2.2.5 directs that a minimum of 60 percent of all residential units occurring annual in Niagara Region will be within built-up areas, while Policy 2.2.2.6, through Table 2-2, establishes a minimum residential intensification target of 4,500 units (or 98%) for Grimsby. Policies 2.2.2.7 though 2.2.2.10 direct the preparation of intensification strategies by local area municipalities, including the identification of local growth centres as a focus for intensification (Policy 2.2.2.8), which shall be implemented through local official plan and zoning by-laws (Policy 2.2.2.10).

Section 2.3 of the Regional OP sets out policies with regard to the provision of an adequate supply of housing, which is key to good quality of life. Policy 2.3.1.1 plans for the development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, throughout settlement areas to meet housing needs at all stages of life.

Policy 2.3.1.4 states that new residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by facilitating compact built form and incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development. Policy 2.3.1.5 provides that new residential development and residential intensification should incorporate universal design standards to meet housing needs at all stages of life.

Policy 2.3.2.3 establishes minimum targets to encourage the development of affordable housing, which includes 20 percent of all new rental housing to be affordable; and 10 percent of all new ownership housing to be affordable.

Policy 2.3.3.1 outlines a series of tools that will be considered to support the development of affordable and attainable housing. These include, among others:

- flexibility in the scale, form and types of residential uses permitted as-of-right;
- the inclusion of a mix of unit sizes in multi-unit developments to accommodate a diverse range of household sizes and incomes; and
- site standards that facilitate the development of additional residential units, such as reduced setbacks, narrower lot sizes and reduced parking standards.

## Urban Design Policies

Section 6.2 of the Regional OP sets out a series of urban design policies, the objectives of which are to commit to excellence in urban design, enhance the public realm and promote active transportation, and identify and establish tools for urban design implementation. In this respect, Policy 6.2.1.1 promotes excellence and innovation in architecture, landscape architecture, site planning, streetscape design and overall community design to ensure built environments are attractive, walkable, accessible, diverse and functional.

Policy 6.2.1.3 provides that, areas strategically identified for intensification, including strategic growth areas, local growth centres and corridors, shall be designed to be pedestrian oriented with vibrant mixed-uses incorporating, where feasible, public gathering areas and public art. Furthermore, Policy 6.2.1.4 promotes revitalization and redevelopment within downtowns and community cores to enhance their existing character.

Policy 6.2.1.8 states that the Region shall promote, among other things, the creation of liveable and vibrant urban areas and streets; community design that encourages a mix of land uses, a vibrant public realm and compact built form; and the integration of views of built and cultural heritage features, landmarks and significant natural heritage features to enhance a sense of place.

## Cultural Heritage Policies

Section 6.5 of the Regional OP sets out policies that support the identification, conservation, wise use and management of cultural heritage resources throughout Niagara Region. Policy 6.5.1.1 provides that significant cultural heritage resources shall be conserved in order to foster a sense of place and benefit communities, including First Nations and Métis communities.

Through Policy 6.5.1.2, the Region encourages local area municipalities to designate properties of cultural heritage value or interest, either individually or as part of a larger area or Heritage Conservation District, under the Ontario Heritage Act. In this respect, it is noted that two of the properties that comprise the expanded subject site, being 19 Elm Street and 13 Mountain Street were designated pursuant to Part IV of the Ontario Heritage Act in 2023.

Policy 6.5.1.6 states that development and site alteration on protected heritage property or adjacent lands shall not be permitted, except where the proposed development and site alteration has been evaluated through a heritage impact assessment and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

For the reasons set out in **Section 5** of this report, it is our opinion that the Revised Proposal and the implementing Official Plan Amendment and rezoning applications conform with the policies of the Regional OP.

## 4.6 Town of Grimsby Official Plan, 2012

The Town of Grimsby Official Plan was adopted by Town Council in 2009 and approved by the former Ontario Municipal Board in 2012, replacing the former 1988 Official Plan for the Town, as amended. Since its approval the Grimsby OP has been subject to several amendments, these being primarily site and area specific changes, including Amendment No. 18 which applies to the majority of the subject site with the exception of the newly acquired 23 Elm Street.

While an Official Plan review process is currently underway by the Town of Grimsby as set out in **Section 4.7** below, there have been no substantive changes to the policy framework for the subject site since the drafting of our 2021 Planning Report, save and except for Amendment No. 18 as noted above. On this basis, please refer to our 2021 Planning Report for a detailed summary of the applicable policies contained within the Grimsby OP. The below highlights are provided for ease of reference.

Schedule A of the Grimsby OP identifies the entirety of the subject site as being within an Urban Settlement Area, as well as a Major Intensification Area associated with the Downtown, and the Niagara Escarpment Plan Area (see **Figure 13**). Furthermore, Schedule B-2, Land Use - Urban Settlement Area (East), designates the subject site as *Commercial Core - Intensification* (see **Figure 14**), while Schedule B-3, Land Use - Downtown District designates the subject site as *Downtown - Intensification* (see **Figure 15**).

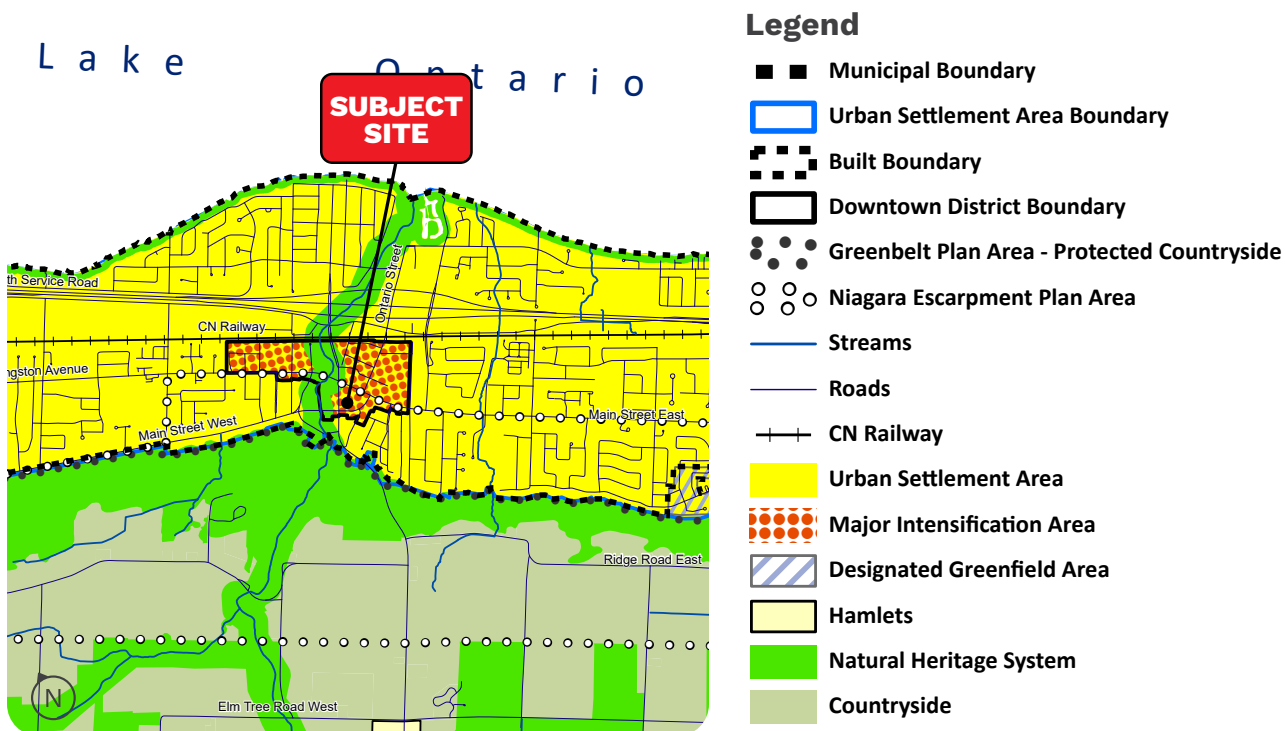
Section 3.5 of the Grimsby OP sets out policies with respect to the Downtown District, with policies for the *Downtown – Intensification* designation contained in Subsection 3.5.5. Policy 3.5.5.6 specifies that density will not be specifically regulated within the *Downtown – Intensification* designation but will be considered a product of the relationship between height and lot coverage.

With respect to height, Policy 3.5.5.7 directs that new buildings shall have a minimum building height of 2 storeys, and a maximum building height of 4 storeys. Policy 3.5.5.8 goes on to state that Council may, in consultation with the Niagara Escarpment Commission, consider buildings up to 6 storeys provided a visual impact assessment is submitted and the angular plane requirements of Section 3.5.6.7 are implemented. The visual impact assessment must demonstrate that views of the Escarpment are not detrimentally impacted.

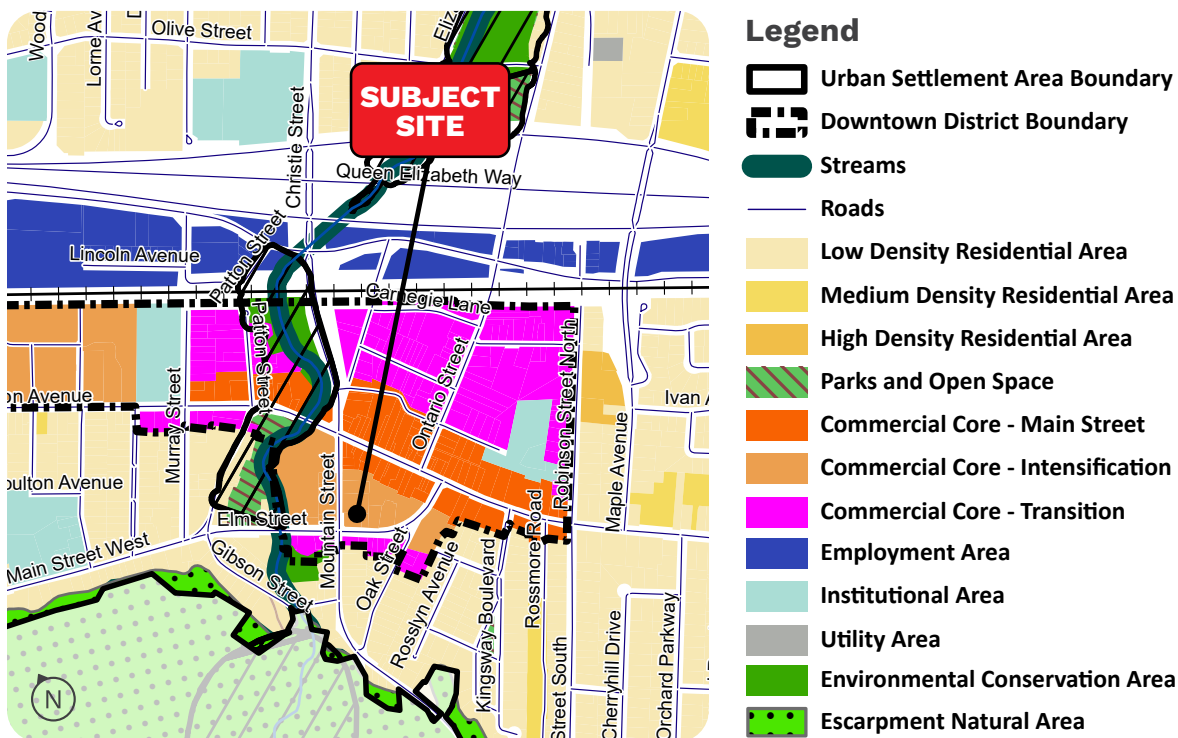
Amendment No. 18 added a new subsection to Policy 3.5.5.8 which states that: “Notwithstanding Policy 3.5.5.8, the maximum height for a building at 13 Mountain Street, 19 Elm Street and 21 Elm Street shall be 7 stories.”

For the reasons set out in **Section 5** of this report, it is our opinion that the Revised Proposal and the implementing Official Plan Amendment and rezoning applications conform with the policies of the Grimsby OP.

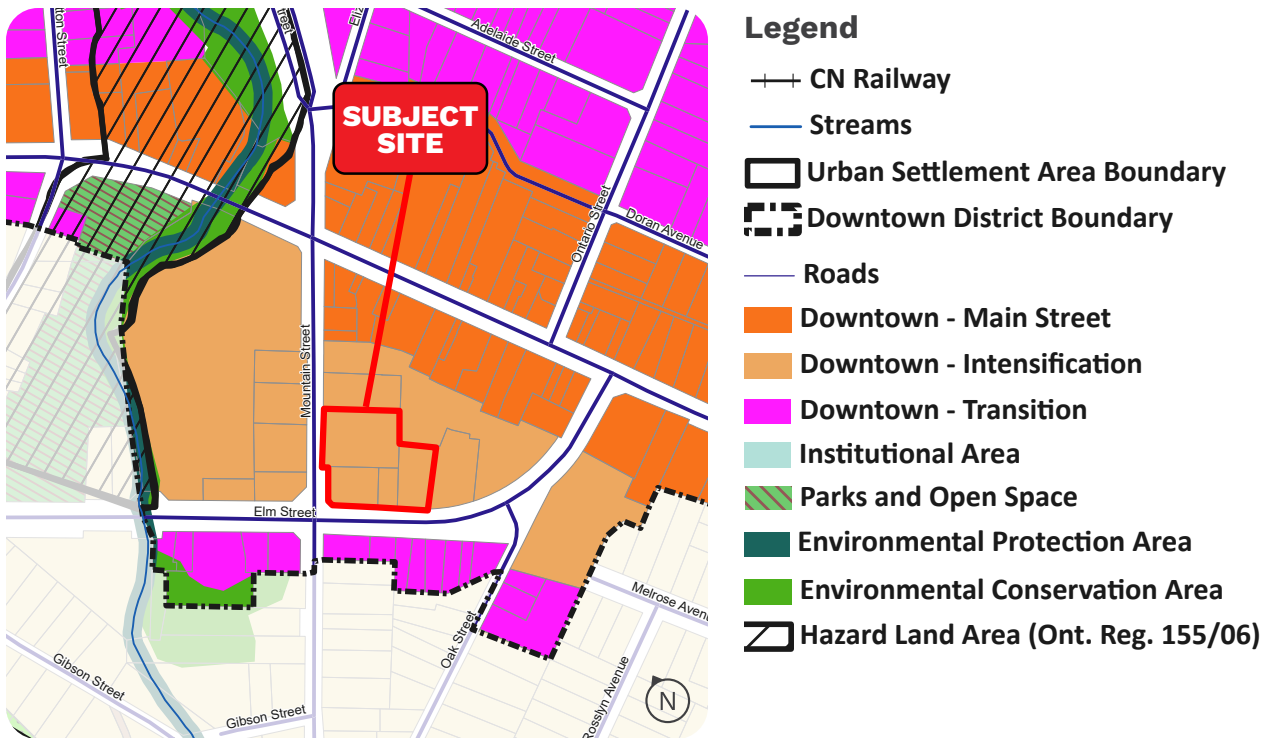




**Figure 13 - Grimsby Official Plan: Schedule A - Municipal Structure**



**Figure 14 - Grimsby Official Plan: Schedule B-2 - Land Use - Urban Settlement Area (East)**



**Figure 15** - Grimsby Official Plan: Schedule B-3 - Land Use - Downtown District

## 4.7 Envision Grimsby, Official Plan Review

The Town of Grimsby initiated a review of their Official Plan in June 2023. Entitled "Envision Grimsby", this Official Plan review process contains five phases from visioning through to Official Plan approval. The third phase of the review, "preparing the plan" is currently underway, with a draft Official Plan targeted for the second half of 2025.

As part of the second phase of Envision Grimsby, "Policy Directions" a series of policy direction reports were produced on key areas for consideration in the new Official Plan. This includes Policy Direction Report 9 – Focusing on the Downtown, which presents key considerations with respect to the future of Downtown Grimsby, as well as input and findings from Downtown-focused engagement events including a four-day design charrette hosted in May 2024.

Key considerations outlined in this report include, among others:

- height permissions for new development to accommodate growth;
- the potential for a civic/cultural hub in the Downtown that could house various public amenities;
- improvements to cycling and pedestrian connections;
- more public events and festivals;
- affordable housing; and
- heritage building preservation.

Building on these considerations and emerging solutions employed in similar communities throughout Ontario, the report sets out a series of policy ideas for Downtown Grimsby. Among others, these include: permissions for mixed-use development across the downtown; the identification and prioritization of appropriate areas of the downtown for redevelopment; promoting the conversion of surface parking lots into mixed-use buildings and public amenities; and requiring new major developments to locate their parking underground.

Draft policies for the new Official Plan were not available for review as of the date of this report.

On May 12, 2025, Hemson Consulting presented Grimsby's Intensification Strategy, which is intended to inform the new Official Plan growth forecasts. The purpose of this strategy is to establish appropriate population and employment targets through the 2051 planning horizon and provide important input to the planning of infrastructure needed to support intensification.

As part of the Intensification Strategy, three growth scenarios were created to test demand to the planning horizon to 2051. Scenario 2: Momentum Growth is the recommended scenario, and it assumes higher demand in key areas (e.g. Downtown areas and GO Station), as well as an average of 350 units per year. In addition, the Intensification Strategy speaks to an ultimate capacity for an additional 14,600 units in the Downtown Area through mixed-uses in compact urban form.

## 4.8 Grimsby Zoning By-law 14-45

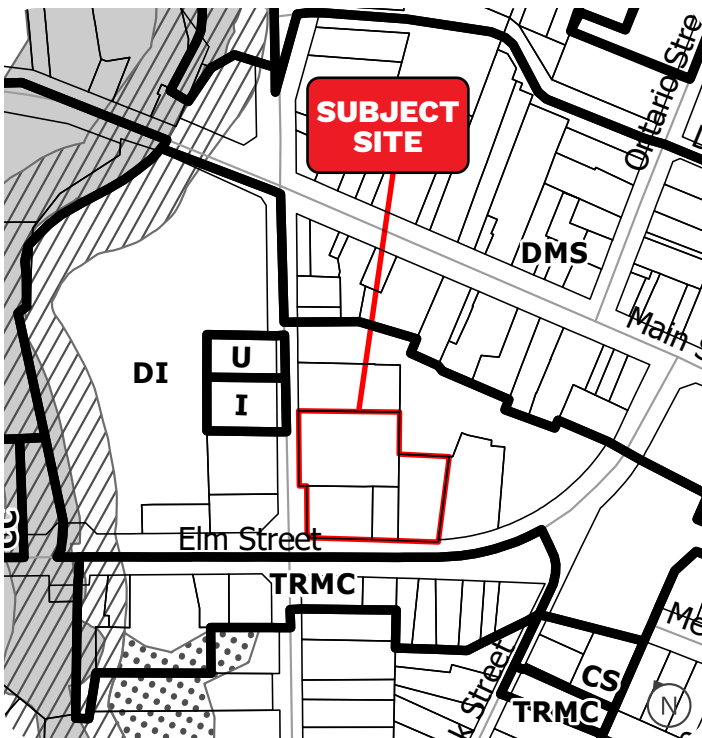
The Town of Grimsby Zoning By-law 14-45, as amended ("Grimsby Zoning By-law") zones the entirety of the subject site DI - Downtown Intensification on Schedule 12-A (see **Figure 16**). Schedule 12-B identifies two different Site Specific Exceptions as applying to portions of the subject site as follows: Site Specific Exception 377 for 13 Mountain Street and 21 Elm Street; and Site Specific Exceptions 115 and 377 for 19 Elm Street (see **Figure 17**). No Site Specific Exceptions currently apply to the remaining portion of the subject site at 23 Elm Street.

On a general basis, the DI Zone permits a broad range of commercial and residential uses, including apartment buildings, dwelling units, offices, retail stores, restaurants, service shops, places of entertainment, and community recreational centres, among others and subject to specific use qualifications. It is noted that the DI Zone permits dwelling units only at or above the second storey. Site Specific Exception 115 also permits custom workshops and garden centres, while Site Specific Exception 377 further permits a community hub and dwelling units located at or above the first storey.

The lot, building and yard requirements of the DI Zone are as follows, among other built form-related regulations:

- Maximum lot coverage: 40%;
- Front yard setback: minimum 0 metres, maximum 6 metres;
- Exterior side yard setback: minimum 0 metres, maximum 6 metres;
- Interior side yard setback: minimum 2 metres; maximum 4 metres;
- Rear yard setback: minimum 7.5 metres; and
- Height: minimum 7.5 metres (2-storeys), maximum 15 metres (4-storeys).



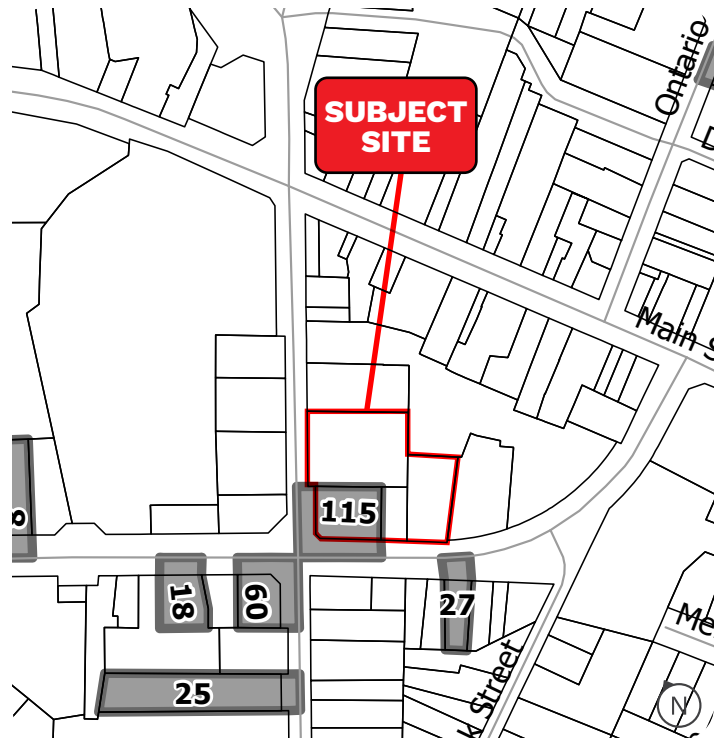


**Figure 16** - Zoning By-law 14-25: Schedule 12A

Site Specific Exception 377 amends these requirements, among others, as follows:

- Maximum lot coverage: 70%;
- Exterior side yard setback: maximum 7.7 metres;
- Interior side yard setback: minimum 1.5 metres;
- Rear yard setback: minimum 1.5 metres; and
- Height: maximum 26 metres (7 storeys).

The main parking and loading provisions of the Grimsby Zoning By-law require parking to be provided at a rate of 1.25 spaces per dwelling unit, plus 0.25 visitor parking spaces per dwelling unit for residential dwelling units in an apartment building.



**Figure 17** - Zoning By-law 14-25: Schedule 12B

Site Specific Exception 377 amended these rates for the applicable portion of the subject site to 1.0 spaces per dwelling units, plus 0.25 visitor parking spaces per dwelling unit. Parking requirements for non-residential uses are based on the use; for retail stores a rate of 1 space per 28 square metres of gross retail floor area applies and for all commercial uses not individually specified, 1 space per 30 square metres of gross floor area. These non-residential rates were not amended through Site Specific Exception 377; however, Site Specific Exception 115 does provide for a parking reduction of 2 less spaces than the standard by-law requirement where a road widening has been dedicated.

## 4.9 Grimsby Community Benefits Charge By-law 24-53

On July 8, 2024, Grimsby Town Council adopted a Community Benefits Charge ("CBC") By-law under Section 37 of the *Planning Act* and approved a corresponding CBC Strategy prepared by Hemson Consulting.

By-law No. 24-53, as adopted, imposes a CBC on all development or redevelopment with 5 or more storeys and that add 10 or more residential units, with specific exemptions set out in O. Reg. 509/20. The amount of the CBC payable is 4 percent of the value of the land to be developed or redeveloped on the day before the first building permit is issued, with an adjustment to account for any existing gross floor area to be retained. The Town's CBC By-law makes allowance for in-kind contributions in-lieu of payment of a portion or all of the CBC otherwise required, subject to the owner entering into an agreement with the municipality that addresses the provision of the facilities, services or matters to be contributed.

It is noted that the Town's CBC By-law identifies "Affordable Housing" among its list of facilities required, in whole or in part, to meet the increased need for service arising from CBC-eligible development.

## 4.10 Downtown Grimsby Community Improvement Plan & Design Guidelines

As set out in our 2021 Planning Report, the Downtown Grimsby Community Improvement Plan and associated Downtown Grimsby Design Guidelines were completed in February 2010. The design guidelines are intended to provide guidance to property owners, business owners and developers when designing and developing new buildings or making improvements to the facades of buildings.

In early 2022, the Town of Grimsby initiated a process entitled "Downtown Reimagined" with the goal of refreshing the Downtown Grimsby Community Improvement Plan Design Guidelines, specifically as they relate to the section of Main Street between Mountain Street and Elm Street. This process sought to utilize the construction of a new watermain along Main Street in Downtown Grimsby as an opportunity to implement streetscape improvements. A final public information centre for the Downtown Reimagined process was held on November 30, 2023. As noted in the presentation materials from that event, the "Urban Design Guidelines – Public Realm Update" was primarily developed to support the realization of Main Street. The update is intended to augment rather than replace the 2010 Downtown Grimsby Design Guidelines and they are to be read together.

While the specific details set out in the "Downtown Reimagined" document are targeted towards public-realm improvements along Main Street, it is noted that a set of guiding principles are identified as applying to "all public and private development and redevelopment within the Downtown. The guiding principles relevant to the Revised Proposal include:

- Activating the street by prioritizing pedestrian and enhancing the pedestrian experience;
- Incorporating sustainability and innovation into all elements of design;
- Sustained economic vibrancy; and
- Distinct and authentic place making.

A photograph of two women in an office setting, looking down at a model or document. The woman on the left is wearing a striped shirt, and the woman on the right is wearing a light blue button-down shirt. They are both focused on their work. The background is slightly blurred, showing office shelves and equipment. A large white circle with the number 5 is overlaid on the left side of the image.

5

# Planning & Urban Design Analysis



## 5.1 Intensification

Residential and mixed-use intensification of the subject site is supportive of policy directions articulated in the Provincial Planning Statement, the Region of Niagara Official Plan, and the Town of Grimsby Official Plan, all of which promote intensification in strategic growth areas and on sites that are well served by municipal infrastructure. The proposed redevelopment will contribute to the Town and Region's intensification targets, through the introduction of an appropriately-scaled mixed-use building on an underutilized site that balances the need for growth with the applicable policies of the Greenbelt Plan and Niagara Escarpment Plan.

The subject site is located along a Regional Arterial Road (Mountain Street) and within Downtown Grimsby, which is identified as a "Major Intensification Area" in the Grimsby OP. On this basis, the subject site is located within a "strategic growth area" pursuant to the definition in the 2024 PPS, which includes existing downtowns and lands along arterial roads, among other locations. Strategic growth areas are a focus for growth and development and are intended to accommodate intensification and mixed-use development to support the achievement of complete communities and a compact built form (2024 PPS Policies 2.4.1.2 and 2.3.1.3).

The appropriateness of redevelopment and intensification on the subject site was demonstrated through the approval of the Original Applications. While the subject applications seek to expand the land area subject to this redevelopment, the overall scale of intensification is similar to that which was previously approved in 2024, with a slight increase to reflect the evolving policy framework that emphasizes the need for new housing in Ontario generally.

The Revised Proposal will support the optimization of land and infrastructure which reflects policies in the Regional and Grimsby OP that promote intensification throughout the built-up area. In particular, the proposed development would help implement the policies of Section 2.2.2 of the Regional OP, which direct population growth to be accommodated primarily through intensification in built-up areas, including "local growth centres and corridors", with an intensification target of 98 percent for the Town of Grimsby. While the Grimsby OP has not yet been updated to reflect this intensification target, the Policy 2.4.4 does direct 80 percent of residential growth after 2015 to occur through intensification.

It continues to be our opinion that the subject site is underutilized in its current form considering its location in Downtown Grimsby and the applicable policy framework. In particular, it is noted that the subject site now includes nearly 30 percent of the properties designated as *Downtown-Intensification* in the Grimsby OP and that the Downtown is one of only two Major Intensification Areas in the Town. On this basis, the current use of the subject site for low-rise commercial and residential buildings with large surface parking areas is inefficient and does not support the Town's vision for the Downtown.

The Revised Proposal will increase the utilization of the subject site and both contribute to and make better use of the existing infrastructure within the Downtown. In this regard, the Revised Proposal has been designed to accommodate new residential, retail and community hub uses in a compact built form that integrates the existing heritage resources on the property. It makes efficient use of the subject site and will contribute to the vitality of the Downtown through new residents, publicly accessible gathering spaces and the provision of indoor community hub space.

The optimization of density on the subject site is consistent with both good planning practice and will support the broader policy goals set by the Province, Region and the Town. The Revised Proposal presents an opportunity to provide a higher-intensity mix of uses that can be supported by the existing infrastructure in the area in a form that does not result in unacceptable impacts onto surrounding properties. The Revised Proposal will provide new housing in a well-served area, where future residents can utilize existing community services and amenities and support the continued success of the Downtown.

## 5.2 Housing

From a housing perspective, the proposal will support the Province's goal of building at least 1.5 million new homes by 2031. While a specific housing target for Grimsby has not been established by the Province, it is noted that the Regional OP establishes a minimum residential intensification target for Grimsby of 4,500 new units within the Town's built boundary by 2051. The Revised Proposal will make a significant contribution to this target, providing much needed housing to accommodate the Region's population targets to 2051, specifically the target of 37,000 residents in Grimsby.

In accordance with Policy 2.3.1.1 of the Regional OP and Policy 2.5.1 of the Grimsby OP, the Revised Proposal will contribute to the range of housing options available in Downtown Grimsby by introducing new purpose-built rental housing that includes a variety of unit sizes, as well as the provision of 10 percent affordable units. Specifically, the Revised Proposal will create 177 new rental dwelling units, including 21 studio units (12%), 24 one-bedroom units (14%), 102 two-bedroom units (58%) and 30 three-bedroom units (17%). This proposed range of unit types provides a variety of housing options, including housing suitable for young professionals, families with children and seniors who may be looking to downsize.

With respect to affordability, we note that Policy 2.3.2.3 of the Regional OP establishes a minimum target for 20 percent of all new rental housing to be affordable. However, it is noted that there are no Regional or Grimsby OP policies which mandate the provision of affordable housing within all new developments on the subject site. Notwithstanding, the Owner is electing to provide 10 percent of the proposed dwelling units as "affordable" units which will substantially contribute to the Region's affordable housing targets.

These units are being provided in accordance with CMHC's "MLI Select" program which stipulates that these units are to be secured as affordable for a 10-year commitment, with rents at 30% of the "median renter income" for the market area or a comparable area where renter income data is not available. It is noted that this definition differs from the definition of "affordable" in the Regional and Grimsby OP which, in the case of rental housing, defines affordable as the least expensive of: a unit for which the rent does not exceed 30 per cent of gross annual household income for low and moderate income households; or a unit for which the rent is at or below the average market rent of a unit in the regional market area. Despite these differences in definition, preliminary analysis suggests that both definitions will result in similar rent levels for these affordable units.

In consideration of the Town's new CBC By-law as described in **Section 4.9**, the Owner will be requesting that the proposed affordable rental dwelling units be provided as an in-kind contribution. Subject to the Town's valuation processes for this contribution, it is anticipated that these units will meet or exceed the required CBC contribution value.

## 5.3 Land Use

The proposed mix of uses, including residential units, at-grade retail and community hub space is appropriate and desirable in land use planning terms. The proposed retail and community uses are compatible with the existing mixed-use context of Downtown Grimsby and will support the long-term vitality and small-town atmosphere of the Downtown community. The proposed residential uses are desirable given the subject site's location within a strategic growth area and will diversity the Town's existing housing supply by introducing a form (mid-rise) and tenure (rental) of housing that is not well-represented in the Downtown.

The Regional OP encourages pedestrian oriented, vibrant mixed-uses incorporating public gathering areas and public art in areas strategically identified for intensification (Policy 6.2.1.3). The Grimsby OP similarly promotes the mixing of permitted uses within the *Downtown – Intensification* designation and on individual development sites and within individual buildings, as well as the provision of uses that animate the streetscape, encourage the use of sidewalks, promote retail continuity and provide for a more pedestrian focused environment (Policies 3.5.5.4 and 3.5.5.5).

The Revised Proposal seeks to implement this policy direction by including a range of active uses which are complimented by publicly accessible open spaces. In this way, the proposed building will complement and strengthen the Downtown by providing new community and retail space to serve existing area residents and new dwelling units for future residents who will support the existing businesses and services Downtown.

Specifically, the two proposed 139 square metre street-related retail units will contribute to the activation of the public realm along Elm Street, extending and complementing the existing retail strip along Main Street. The proposed community hub spaces within Woolverton Hall and fronting onto the Balsam Lane parking lot will anchor and support the publicly accessible Village Square spaces proposed on-site and the evolving market square concept within the adjacent Balsam Lane parking lot.

The *Downtown – Intensification* designation in the Grimsby OP provides for a broad range of commercial, residential, community, institutional and cultural uses, among others (Policy 3.5.5.5). The base DI zoning of the subject site implements these land use permissions, by allowing a similar array of uses, including office, retail, restaurants and community recreational centres, as well as residential uses. As noted previously, Zoning Exception 377, which applies to the subject site except for 23 Elm Street, adds "Community Hub" as a permitted use. While not generally defined in Zoning By-law 14-45, Exception 377 defines this use as "a premises or facility providing non-residential and/or community-based activities and services, such as arts, crafts, technology and multi-media, food and beverage, recreational, social, charitable and educational activities." The subject applications look to carry forward this permitted use and definition for the comprehensive subject site.



## 5.4 Height, Massing & Density

Finally, the proposed publicly accessible open spaces, which include the plaza space along Mountain Street and the courtyard space along Elm Street, will provide places of socialization for those who live and work in the Downtown. These spaces align with the direction of Grimsby OP Policy 3.5.6.4 regarding the strategic distribution of "Village Square" spaces throughout the Downtown to ensure east access and multiple opportunities for rest, relaxation and visual interest. It is noted that this policy provides that these spaces may be privately owned and provides consideration for privately owned Village Squares as fulfilling all or part of the required parkland dedication for a development, whether or not the land is dedicated to the Town.

In consideration of Policy 3.5.6.4, as well as the changes to Section 42 of the *Planning Act* with respect to parkland dedication set out in **Section 4.1** of this report, the Owner requests that the Town accept the two proposed publicly-accessible open spaces in the Revised Proposal as satisfying the parkland dedication requirements for the proposed development. Our preliminary calculations indicate that the area of these two spaces (372 square metres for the Mountain Street Plaza and 147 square metres for the Elm Street courtyard), well exceed the parkland dedication area requirement for the Revised Proposal.

It is our opinion, and as outlined in **Section 5.1** above, the subject site is an appropriate location for mid-rise intensification in land use policy terms. From a built form perspective, the subject site is an appropriate location for the scale and form of development proposed in consideration of the following characteristics:

- the expanded subject site's large size, which has increased by 32 percent from the site area for the Approved Proposal (from 0.33 net hectares to 0.45 net hectares);
- its location on Mountain Street, which is classified as an Arterial Road under the Region's Road Classification system;
- its designation as *Downtown – Intensification* under the Grimsby OP;
- the consolidation of properties along Elm Street, which removes any direct adjacency between the subject site and a detached dwelling;
- the adjacency to a Town-owned parking lot which is unlikely to redevelop in the short-term and provides adequate separation to the protected Main Street character area;
- the distance to the nearest *Parks* designated lands; and
- the emerging policy context through the Grimsby OP review process, which recommends an average of 350 units per year.

In consideration of the above, the subject site is well situated to accommodate the 8-storey height of the Revised Proposal, which has been strategically massed to achieve an appropriate built form relationships with the surrounding uses, public realm and on-site cultural heritage resources.

As with the Approved Proposal, development of the subject site continues to be constrained by the incorporation and adaptive re-use of the existing structures on-site which reduces the available site area for redevelopment. With the addition of 23 Elm Street to the subject site, additional height beyond that contemplated in the Approved Proposal is necessary to accommodate a functional and feasible development proposal in this location. Given the Provincial direction to expedite the delivery of new housing throughout Ontario, it is our opinion that limited additional height in this location is both appropriate and reasonable to allow the development of new rental residential dwelling units to proceed.

Grimsby OP Policy 3.5.5.8 permits heights of up to 6-storeys in the *Downtown-Intensification* designation subject to the undertaking of a visual impact assessment that demonstrates that views of the Escarpment are not detrimentally impacted. As outlined in further detail in **Section 5.5**, an update to the visual impact assessment has been completed for the Revised Proposal with similar findings to that which was completed for the Approved Applications. While the increased height will have impacts onto views of the escarpment slope from 2 of the 20 identified viewpoints, the escarpment landform will remain prominent and will not be detrimentally impacted.

In terms of massing, the Revised Proposal has been carefully sited and sculpted to fit within the existing and planned built form context along both street frontages, while also establishing a gateway into Downtown Grimsby. The proposed building will support an appropriate and pedestrian-friendly scale along the adjacent public streets, while establishing the mid-rise character envisioned for the *Downtown – Intensification* designation. Furthermore, the incorporation and adaptive re-use of the existing on-site historic buildings responds to and supports the traditional character of the area, and the proposed new building has been designed to allow these original site elements to continue to define the adjacent streets.

Along Mountain Street, the Revised Proposal continues to allow the retained Woolverton House and Woolverton Hall to take prominence, with the new building being well set back from the street frontage. While this configuration was not anticipated by the built form and design policies of the Grimsby OP, it continues to be our opinion that the proposed design will support the desired pedestrian-oriented character along Mountain Street through the incorporation of ground floor animation uses and the incorporation of the publicly accessible plaza between the retained buildings. Stepping along the west façade of the new building will further serve to support this adjacent pedestrian realm and will provide variation and articulation of the building's massing for the purposes of visual interest and comfort at the ground level.

Along Elm Street, the Revised Proposal provides a setback that is aligned with the retail building to the east and creates a consistent street wall condition. Due to the irregular, curved nature of the street in this location, the resulting setback value to Elm Street varies along this frontage, between 3.0 metres and 5.2 metres. Within this setback, a paved forecourt is provided between the street and the new retail units, with a landscaped courtyard space carved out between the retail units to provide a further "Village Square" type-space to support the evolving public realm along Elm Street. To maintain a pedestrian-scale built form along Elm Street, stepbacks at Level 4 and Level 8 pull this façade away from the street and will reduce the perceived height of the building. This massing strategy responds to the Grimsby OP policies which encourage massing options that establish an appropriate relationship to the surrounding built form while creating a streetscape scaled to the pedestrian.

## 5.5 Built Form Impacts

From a density perspective, it is our opinion that the proposed density of 2.92 net FSI is appropriate and desirable and represents a very minor increase in density relative to the increase in site area from the Approved Proposal. In this respect, the proposed site density has increased from 2.86 to 2.92 net FSI, or a gross floor area increase of 36 percent relative to a site area increase of 32 percent. In our opinion this density increase reflects the evolving policy framework since the Original Applications were approved, in particular the 2024 PPS which places a renewed emphasis on the getting more homes built across the province while optimizing infrastructure through efficient development and land use patterns.

Furthermore, it is noted that the Grimsby OP does not include density limitations within the *Downtown – Intensification* designation and rather provides that density will be considered as a product of the relationship between height and lot coverage. While the Revised Proposal contemplates a height that exceeds the limits set out in the Grimsby OP, this is balanced by a relatively low lot coverage for an urban area of 62 percent. On this basis, it is our opinion that the proposed density represents an appropriate balancing of height and lot coverage in consideration of the proposed built form design, site context and urban structure. Finally, as detailed in **Section 5.5** below, the Revised Proposal has no unacceptable built form impacts, represents good urban design, and is supported by hard and soft services, with no significant infrastructure capacity concerns.

From our evaluation and review detailed below, it is our opinion that the Revised Proposal will result in no unacceptable built form impacts onto the surrounding context or within the subject site itself. Consideration of potential built form impacts includes, light, view and privacy ("LVP") impacts, shadow impacts, wind impacts, and Niagara Escarpment view impacts. The design and massing of the Revised Proposal, including the overall height, the separation distance of the building's east and west wings from each other and the gradual stepping down in height towards street frontages, help to mitigate any impacts. In our opinion, the built form impacts that do arise from the proposal are minimal and acceptable within an urban context.

### Light, Views & Privacy

LVP impacts are considered to ensure that the residents of existing and proposed buildings have adequate access to light, views and privacy. LVP impacts are generally addressed through a combination of spatial separation, setbacks, building orientation and mitigating measures between buildings. In our opinion, LVP impacts resulting from the Revised Proposal are minimal given the proposed separation distance of the new building from the neighbouring buildings and land uses.

By virtue of the right-of-way widths associated with Mountain Street and Elm Street (planned to be 20 metres and 20.1 metres, respectively), the separation distance between the residential units within the proposed building and the properties to the west and the south will be significant enough to mitigate any privacy or overlook concerns. In addition, the proposed new building will be setback a minimum of 7.7 metres from the Mountain Street property line (Mountain Street) post road widening and 2.6 metres from the Elm Street property line. These setbacks comply with the minimum exterior side yard setback (Mountain Street) established in applicable Zoning Exception 337 and the minimum front yard setback (Elm Street) of 0.0 metres for the DI Zone.



In addition, stepbacks have been provided at Levels 4 and 8 along both street frontages, further mitigating any perceived LVP impacts.

To the north, the adjacent lands are currently occupied by a 2-storey funeral home (11 Mountain Street). The Revised Proposal provides for a minimum rear yard setback of 1.7 metres in this location, which exceeds the minimum rear yard setback requirement of 1.5 metres set out in Zoning Exception 337. Additional separation to the north is provided through stepbacks at the upper levels.

To the east, the abutting lands at 25 Elm Street are currently occupied by a 1-storey retail store (LCBO). Zoning By-law 14-45 requires a minimum interior side yard setback of 2.0 metres; however, Zoning Exception 337 amended this provision to require a minimum interior side yard setback of 1.5 metres. Although this exception does not apply to 23 Elm Street, it is our opinion that the minimum interior side yard setback of 1.6 metres provided in this location in the Revised Proposal is sufficient given the retail use of the abutting property. As along the other facades, additional stepping is provided at Levels 4 and 7 along the east façade.

In addition, the proposal also has frontage onto the Balsam Lane parking lot to the north and east. Minimum setbacks of 1.1 metres and 0.5 metres are provided to the north and east in this location respectively. While these setbacks do not comply with the regulations of Zoning By-law 14-45 or Zoning Exception 337, it is our opinion that they are appropriate considering the parking lot use of the adjacent lands in this location. As the parking lot is owned and operated by the Town of Grimsby, the redevelopment of these lands is unlikely; however, should the Town choose to redevelopment these lands, there are only two residential units on each level that front onto this adjacent property and in both cases the units are dual-aspect, with main windows on a different façade of the building.

Finally, within the site itself, the building has been massed to limit LVP concerns between units that face one another in the east and west building wings. In this respect, a minimum separation distance of 17.5 metres is provided between the wings, with the separation distance increasing to 19.2 metres and 22.2 metres at Levels 4 and 8, respectively. In our opinion, the proposed separation distance and resulting facing conditions result in sufficient separation to achieve appropriate LVP conditions.

## Shadow Impacts

A Sun-Shadow Study (the "Shadow Study") has been prepared by Studio JCI Architects (dated April 25, 2025) to review the shadow impacts resulting from the Revised Proposal. Based on the Town's 2023 Shadow Study Terms of Reference, a Shadow Study is required for buildings greater than 6 storeys in height in order to assess the shadow impacts from new development onto outdoor amenity space in the private and public realm, the public realm adjacent to public streets, parks, open spaces and natural heritage areas.

The Shadow Study illustrates shadow impacts resulting from the Revised Proposal with a comparison to an as-of-right massing based on the in-force zoning permissions for the subject site. Shadow impacts are illustrated for April 21<sup>st</sup>, June 21<sup>st</sup>, March/September 21<sup>st</sup> and December 21<sup>st</sup> at hourly intervals from 10am to 6pm, in accordance with the Town's Terms of Reference.

Within the subject site, the Revised Proposal will result in shadow impacts onto the elevated private courtyard outdoor amenity space throughout the year; however, access to sunlight in this location has been maximized through the incorporation of the building wings terracing at Level 4 and Level 8. In this respect, on April 21<sup>st</sup>, June 21<sup>st</sup> and March/September 21<sup>st</sup>, much of the private courtyard will have access to sunlight for a 3 hour period from 1:00 p.m. to 3:00 p.m. This is reduced to a 2 hour period on December 21<sup>st</sup>.

The proposed publicly-accessible open spaces on the site will also experience shadow impacts from the Revised Proposal. Along Mountain Street, the proposed plaza will be shadowed in the morning but will have access to sunlight from 1:00 p.m. onwards on April 21<sup>st</sup>, June 21<sup>st</sup> and March/September 21<sup>st</sup>. On December 21<sup>st</sup>, the plaza will be shadowed throughout the day by the proposed new building in the morning and early afternoon and by the existing Woolverton Hall in the later afternoon/evening. Along Elm Street, the proposed courtyard will experience shadowing from the Revised Proposal at 10:00 a.m. and after 5:00 p.m. on April 21<sup>st</sup> and June 21<sup>st</sup> with a reduction in the extent of the shadowing at these times on March/September 21<sup>st</sup>. Shadows from the proposal will not impact this space on December 21<sup>st</sup>.

The Revised Proposal will not result in any shadow impact onto the adjacent public realm along Elm Street. However, the proposal will result in some shadowing onto the adjacent public realm along Mountain Street, Balsam Lane, Main Street and Ontario Street, as follows:

- On April 21<sup>st</sup>, March/September 21<sup>st</sup> and December 21<sup>st</sup> shadow impacts onto Mountain Street are limited to 3 hours in the morning and are generally consistent with the as-of-right massing. This is reduced to 2 hours in the morning on June 21<sup>st</sup>.
- Onto Balsam Lane and the surrounding parking lot, the Revised Proposal casts shadows from 12:00 p.m. onwards on April 21<sup>st</sup>, March/September 21<sup>st</sup> and June 21<sup>st</sup> and from 11:00 a.m. onwards on December 21<sup>st</sup>. However, it is noted that this public realm element does not contain sidewalks and is generally used only for parking and vehicle circulation.
- Shadows from the Revised Proposal reach the intersection of Main Street and Ontario Street at 6:00 p.m. on March/September 21<sup>st</sup>, with additional incremental shadowing on December 21<sup>st</sup> onto a small portion of Main Street from 2:00 p.m. to 4:00 p.m. and Ontario Street at 4:00 p.m.

In our opinion, the above shadowing onto public streets is acceptable and adequacy limited considering the built-up character of these streets and the fact that all streets will continue to receive several continuous hours of sunlight throughout the year. In addition, it is noted that these impacts are generally similar to those resulting from the as-of-right massing.

With respect to nearby parks, open spaces and natural heritage areas, at no times of the year will the Revised Proposal cast shadows onto the nearby green spaces including the Coronation Park, Grimsby Lions Community Pool, the field area at St. Joseph Catholic Elementary School or the conservation land along the Niagara Escarpment.

The subject site is designated *Downtown - Intensification* in the Grimsby OP, as are the lands to the north, east and west, whereas the lands to the south are designated *Downtown - Transition*. As noted above, the Revised Proposal does not cast any shadows onto Elm Street, nor does it shadow any of the *Downtown - Transition* designated lands to the south. The Shadow Study demonstrates there will be minor incremental shadow impacts onto adjacent properties to the north, east, and west of the subject site; however, these impacts are generally fast moving and will not detrimentally impact the use of these lands which includes parking lots, a funeral home, a retail store, a place of worship and two single-detached dwellings. Of the impacted surrounding properties, it is noted that the two single-detached dwellings on the west side of Mountain Street are impacted the least, with shadows reaching only the front yards of these dwellings at 10:00 a.m. on March/September 21<sup>st</sup> and December 21<sup>st</sup>.

Overall, the Shadow Study demonstrates that shadows cast from the Revised Proposal have been adequately limited, and that the proposed massing has been designed to minimize shadows to the greatest extent possible through the incorporation of setbacks, stepbacks and an appropriate overall building height.

## Wind Impacts

A Pedestrian Level Wind Study (the “Wind Study”) was prepared by Gradient Wind Engineers & Scientists (dated April 16, 2025) in support of the redevelopment of the subject site. It is noted that the Wind Study was initially prepared in November 24 and was based on a 10-storey building massing that was being considered at that time. In this regard, an addendum paragraph has been added to the Executive Summary of the Wind Study, which notes that the conclusions and recommendations provided in the Wind Study remain representative for the 8-storey massing of the Revised Proposal. The changes between the previous 10-storey massing and the current 8-storey massing are considered modest from a wind engineering perspective.

The purpose of the Wind Study was to investigate pedestrian wind conditions within and surrounding the subject site, and to identify areas where wind conditions may interfere with certain pedestrian activities so that mitigation measures may be considered, where required, in accordance with the Niagara Region wind comfort and safety criteria. The Wind Study was prepared in accordance with the Niagara Region Terms of Reference Guide 2022. The Wind Study involved the simulation of wind speeds for sixteen (16) wind directions in a three-dimensional (3D) computer model using the computational fluid dynamics (CFD) technique, combined with meteorological data integration, and the synthesis of computational data with Niagara Region wind criteria.

The analysis completed as part of the Wind Study found that, most grade-level areas within and surrounding the subject site are predicted to experience conditions that are considered acceptable for the intended uses throughout the year.

Specifically, conditions over most surrounding sidewalks, neighbouring surface parking lots, the proposed residential courtyard, and in the vicinity of the proposed building access points, are considered acceptable. The Wind Study does note that given its mostly suburban-style surroundings and the limited built-up massing in the vicinity of the proposed development, the proposed development is exposed to prevailing winds from the southwest. As a result, isolated areas that may occasionally be considered uncomfortable for walking during the winter are predicted to the north, northwest, and southeast of the subject site. The windier conditions are mostly located over roadway surfaces and away from pedestrian accessible areas, and conditions over most of the nearby sidewalks are suitable for walking, or better, throughout the year.

The Wind Study notes that the extent of mitigation measures for the proposed plaza and the public courtyard is dependent on the programming of these spaces, such as designated seating or lounging areas. If required by programming, future targeted mitigation elements will be determined during the future Site Plan Approval application process.

Overall, the Wind Study concluded that the no pedestrian areas within or surrounding the subject are expected to experience conditions that could be considered dangerous. During extreme weather events, (for example, thunderstorms, tornadoes, and downbursts), these events are generally short-lived and infrequent and there is often sufficient warning for pedestrians to take appropriate cover.

## Niagara Escarpment View Impacts

As set out in **Section 4.4** of this report, the subject site is designated within an *Urban Area* in the Niagara Region of the Niagara Escarpment Plan. Objective 1.7.5.1 of the NEP requires that all development be of an urban design that is compatible with the scenic resources of the Escarpment and that, where appropriate, provision for maximum heights, adequate setbacks and screening are required to minimize the visual impact of urban development. In this regard, a Visual Impact Assessment ("VIA Study") is required to describe changes to views and landscape character and assess the visual impact of the proposed development.

In March 2020, Seferian Design Group prepared a VIA Study in support of the Original Applications. Following the acquisition of 21 Elm Street, the VIA Study was revised by SvN Architects in December 2023 in support of the Approved Proposal. The VIA Study has now been further updated by Studi JCI (dated April 2025) in support of the Revised Proposal, which includes additional annotation and imagery to reflect the proposed 8-storey building now contemplated for the subject site.

The VIA Study analyzed 20 receptor points, of which the Revised Proposal was found to be visible from 10, with there being no visual change for the other 10. For all but 3 of the 10 receptor points where the Revised Proposal was found to be visible through the VIA Study, the determined magnitude of visual impact was determined to be "low" or "partial".

The 3 receptor points where the impact was determined to be "full" include a point looking southwest towards the site from Main Street West, a point looking south from the intersection of Main Street and Mountain Street, as well as a point looking northeast from the Grimsby Mountain Lookout along the Bruce Trail. At each of these points, impacts with respect to the landscape character sensitivity, magnitude of landscape resource change, and magnitude of visual resource change were analyzed. For the first two of these receptor points, the Revised Proposal was found to impact views of the Escarpment slopes, while for the third, the Revised Proposal primarily impacts views of Main Street and other locations in Downtown Grimsby but does not obstruct views of Lake Ontario. Despite the increased height of the Revised Proposals, these findings remain generally consistent with those of the original VIA Study completed for the Original Applications.

Overall, the VIA Study concludes that the Revised Proposal has a partial impact on the surrounding environmental overall and recommends that, due to the urban nature of the site, additional mitigation measures should be explored in conjunction with the Town of Grimsby during the Site Plan Approval design stage of the project.



## 5.6 Urban Design

An Urban Design Brief (the “UDB”) dated May 2025, has been prepared by Bousfields Inc. in support of the Revised Proposal. The UDB provides the vision and design rationale for the form and pattern of development proposed for the subject site and addresses the applicable policy framework.

The UDB sets out a vision and objectives for the Revised Proposal, provides an inventory and analysis of the existing condition of the subject site and surrounding context, and outlines the proposed urban design approach. There are a number of proposed sustainable design initiatives presented in the UDB, which include adaptive re-use, compact built form, green roof and stormwater management, alternative modes of transportation, biodiversity and plant selection, among others.

Section 6.0 of the UDB sets out a response to the existing urban design framework provided in the Regional OP, Grimsby OP, Regional Model Urban Design Guidelines, Downtown Grimsby Design Guidelines, and Downtown Grimsby Reimagined Public Realm update.

The UDB concludes that the Revised Proposal for the subject site is supportive of the policy directions related to urban design in the Regional OP and the Revised Proposal will maintain the intent of the applicable policy and regulatory framework, namely implementing the objectives of the design policies in the Grimsby OP by introducing new high quality private spaces that will enhance the livability of the Downtown and support a pedestrian-friendly scale along the public streets. The Revised Proposal for the subject site will contribute positively to Grimsby’s Downtown District through the introduction of a new and distinct building of high-quality design incorporating new residential uses, commercial, and community space, as well as attractive and welcoming publicly accessible outdoor spaces and landmark signage on the mechanical penthouse level.

## 5.7 Transportation & Servicing

### Transportation

A Transportation Considerations Study (the "Transportation Report") has been prepared by BA Group Ltd. (dated May 2025), to review the key transportation-related aspects of the Revised Proposal. The Transportation Report concludes that traffic operations at the area intersections within the study area are acceptable today and will remain acceptable in the future with the redevelopment of the site as planned. In addition, the Transportation Report concludes that site related impacts on traffic operations are minor in comparison to future background traffic conditions.

The Revised Proposal is forecasted to generate 60 and 65 two-way residential trips during the weekday morning and afternoon peak hours and forecasted to generate 5 and 20 two-way retail trips during the weekday morning and afternoon peak hours, respectively. Site related volume changes can be acceptably and appropriately accommodated at the area intersections and proposed site driveway.

With respect to the proposed vehicular parking supply, the Transportation Report provides that application of the parking standards in Zoning By-law 14-45 Exception 377 would require the provision of 232 parking spaces including 177 residential spaces (1.25 spaces per unit), 45 residential visitor spaces (0.25 spaces per unit) and 10 retail spaces (1 spaces per 28 square metres of non-residential GFA). Notwithstanding, the Transportation Report finds that the proposed reduced on-site parking supply of 150 spaces, including 121 resident spaces, 27 visitor/commercial spaces and 2 car-share spaces, along with the proposed off-site parking and compensation strategy, is considered appropriate and in alignment with local and regional policies promoting sustainable urban growth and a reduced reliance on personal vehicles.

It is noted that the proposed residential parking rate in the draft Zoning By-law Amendment is a blended rate for all residential units. However, in function, separate parking rates for the market-rate rental units and the affordable rental units are contemplated, with 0.81 spaces being provided per market unit and 0 spaces being provided for the affordable units. In addition, the draft Zoning By-law Amendment allows for a reduction of 4 resident parking spaces per provided car-share space.

The commercial/visitor parking spaces are proposed in a common area of the parking garage and will be available to both groups on a non-exclusive basis. A time-of-use shared parking provision has also been added to the draft Zoning By-law Amendment for these uses. In addition, the Owner proposes to carry forward the applicable permissions of Zoning Exceptions 155 and 377 which respectively permit the reduction of 2 parking spaces where a road widening is provided and up to 15 parking spaces to be addressed through a cash-in-lieu payment. Finally, the Owner also intends to apply an existing "acquired parking certificate" associated with the property at 21 Elm Street which permits the reduction of 1 additional parking space.

The Transportation Report finds that the combination of robust TDM measures, site context, alignment with regional and locally policy objectives, and proximity to public parking facilities demonstrate that a reduced parking supply is supportable within the Downtown Intensification area of Grimsby.

One (1) loading space with dimensions 3.5 metres in width, 9 metres in length, and a height clearance of 6.1 metres is proposed per the requirements outlined in the Town of Grimsby Zoning By-law 14-45. The proposed loading space contemplates that refuse collection is to be serviced by a private contractor.

In terms of bicycle parking, the Revised Proposal includes 54 bicycle parking spaces for residential and residential visitor use, along with 2 bicycle parking spaces for the non-residential uses. The provided bicycle parking spaces meet the minimum requirements under Zoning By-law 14-45 which requires a total of 55 bicycle parking spaces. The Transportation Report notes that the proposed bicycle parking supply facilities and supporting access arrangements, are appropriate and will adequately support the proposed non-residential development as planned.

## Servicing

A Functional Servicing and Stormwater Management Report (the "Servicing Report") has been prepared by R.J. Burnside & Associates Limited (dated May 16, 2025) in order to provide site-specific information regarding capacity and management methods related to water servicing, stormwater servicing, and sanitary servicing for the proposed development.

The Servicing Report determined that the calculated domestic water demand from the Revised Proposal is 1.51 L/s for maximum daily demand and the calculated fire flow demand for the Revised Proposal is 3,091 USGPM (195 L/s). The new proposed service connections consist of both a 200 mm fire service connection, and a 150 mm domestic supply connection. Fire hydrant flow testing was completed, and it was determined that the existing municipal water supply network will not be impacted by Revised Proposal and that the existing municipal water supply network can adequately service the subject site.

With respect to stormwater servicing, stormwater runoff from the site will be controlled on-site to attenuate post-development condition flow rates to less than existing. Post-development 100-year design storm flow rates from the subject site to Balsam Lane have been overcontrolled to be less than or equal to the existing 2-year design storm event runoff rates to the existing storm sewer on Balsam Lane. Water quantity control will be achieved through a proposed below grade stormwater tank/chamber, while stormwater quality control will be achieved through the installation of an OGS (Stormceptor EF4) unit to treat the majority of the subject site.

A CCTV investigation was completed to verify the alignment and condition of the existing storm sewer connection on Balsam Lane. As a result, the new storm sewer service connection will consist of a 300 mm diameter storm sewer at a 0.84% slope and will be connected to the existing 300 mm diameter storm sewer located within the existing parking lot connected to Balsam Lane. Sediment and erosion control measures will be undertaken during construction and further refined with the Region and Town prior to the issuance of a building permit.

In terms of sanitary servicing, the total peak sanitary sewer flow rate for the Revised Proposal, including the infiltration and groundwater allowances, has been calculated as 5.02 L/s. The new sanitary sewer service connection consists of a 300 mm diameter sanitary sewer at a 1.5% slope and connected to the existing 375 mm sanitary sewer located on Mountain Street.

In summary, the Servicing Report concludes that the subject site can be sufficiently serviced with respect to water supply, sanitary drainage, and stormwater management.



# Conclusion



For the reasons set out in this report, it is our opinion that the Revised Proposal for the subject site, and specifically the requested official plan and zoning by-law amendments, represents a contextually appropriate mid-rise development that will support the ongoing function and planning vision for Downtown Grimsby. Located at a significant intersection and the southerly gateway entrance into Downtown Grimsby, the proposal represents an appropriate and well-designed response to the unique characteristics of the subject site, as well as the Town of Grimsby.

This report concludes that the proposal is consistent with the 2024 PPS and is in conformity with the policies of the Greenbelt Plan, the Niagara Escarpment Plan, the Regional OP and the Grimsby OP, which promote intensification on underutilized sites within built-up urban areas. In addition to supporting broad public policy objectives, the proposed residential, commercial and community hub uses on the subject site, along with new publicly accessible open spaces, will contribute to the ongoing evolution and growth of Downtown Grimsby and will contribute to sustaining the Downtown as a vibrant, destination, mixed-use community.

From a land use planning perspective, the subject site is well-suited for mid-rise mixed-use development given its location along a Regional Arterial Road (Mountain Street) and within an intensification area identified in both local and regional policy documents. The proposal generally conforms with the policy directions set out for the *Downtown – Intensification* designation of the Grimsby OP, specifically those that identify this as one of only two major intensification areas within the Town. Ultimately, the proposal will result in appropriate and desirable mixed-use intensification, including adaptive reuse of existing heritage designated buildings, contributing to the achievement of a complete community.

From a built form perspective, the proposal generally conforms with the applicable policies of the Grimsby OP and primarily requires an amendment to the maximum height permissions within the *Downtown – Intensification* designation. In our opinion, the proposed increases in building height to 8-storeys from the 6-storeys permitted in the parent policies and 7-storeys permitted for a portion of the subject site through Grimsby OPA 18, is appropriate and has been adequately assessed with respect to built form impacts.

The integration of the existing heritage-designated Woolverton House and Woolverton Hall into the base levels of the new building, along with the introduction of a new publicly accessible "village square" spaces along Mountain Street and along Elm Street, will create a unique architectural addition to the Downtown that will set a high standard for future developments. Therefore, while varying slightly from the prescribed built form and massing permissions of the Grimsby OP, the proposal will successfully implement the objectives of the design policies for the Downtown District by enhancing the livability and physical appeal of the Town through the introduction of new high quality private spaces and buildings that will contribute to the built environment and provide visual diversity, interest and beauty.

In summary, it is our opinion that the proposal results in an appropriate and desirable use of the subject site and represents good planning and urban design. As such, we recommend approval of the requested official plan and zoning by-law amendments.

