



Department of Community  
& Development Services  
Telephone (905) 468-3266  
Facsimile (905) 468-0301

# The Town of Niagara-On-The-Lake

1593 Four Mile Creek Road  
P.O. Box 100  
Virgil, Ontario  
L0S 1T0

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**Report:** CDS-15-076A

**Committee Date:**

**Due in Council:**

February 01, 2016

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**Report To:** Lord Mayor and Council

**Subject:** Warner Road - Collection 8 (formerly Collection 15)

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## 1. RECOMMENDATION

It is respectfully recommended:

- 1.1 that the Draft Zoning By-law Amendment attached as Appendix A for "Collection 8" be approved by Council.
- 1.2 that Council determine that further notice is not required for the changes to the proposed Zoning By-law Amendment.

## 2. PURPOSE / PROPOSAL

The proposed Zoning By-law Amendment would facilitate the development of eight (8) single detached dwelling units, fronting on a public road (cul-de-sac). Site-specific provisions are proposed as follows:

- Maximum lot coverage - 35%.  
35% lot coverage may be increased to 40% where the area of increase is used for attached covered and unenclosed porches
- Minimum front yard setback - 4.5 m
- Maximum front yard setback - delete
- Minimum front yard setback to front face of attached garage - 6.0 m
- Minimum interior side yard setback - 1.2 m

All other provisions of the Town's Zoning By-law, for properties zoned "St. Davids Community Zoning District – Residential (R1)" continue to apply.

## 3. BACKGROUND

Applications were received for a Draft Plan of Vacant Land Condominium, an Official Plan Amendment and a Zoning By-law Amendment to facilitate the development of a residential condominium consisting of fifteen (15) townhouse units with road access on Warner Road. Council deferred a decision on the November 23, 2015 meeting. It was recommended that the applications on Warner Road be referred back to staff for further



discussion with affected residents on density, height, lighting, privacy and safety and a further report come back to Council at the first meeting in January 2016. The Operations Department was requested to review speed limits and lighting on Warner Road to report in January 2016 if any adjustments are required. The Operations Department's review is included in Appendix C.

#### Site Description and Surrounding Land Uses

The property is located within the urban area of St. Davids. The subject lot is vacant and consists of 8,781 m<sup>2</sup>, with frontage on Warner Road. Surrounding land uses include single detached residential dwellings to the north, east and south. The dwelling located at the corner of Warner Road and Four Mile Creek Road is known as the Woodbourne House and is designated under Part IV of the Ontario Heritage Act. Adjacent to the property at the west is a place of worship. Pinecroft Estates is located south-west of the subject property is designated Medium Density and permits up to fifty-one (51) townhouse dwellings and six (6) semi-detached dwellings.



#### Planning Act

Section 34(17) of the *Planning Act* states where a change is made in a proposed By-law after the holding of the public meeting mentioned in subclause (12) (a) (ii), the council shall determine whether any further notice is to be given in respect of the proposed By-law and the determination of the council as to the giving of further notice is final and not subject to review in any court irrespective of the extent of the change made in the proposed By-law.

#### Official Plan

The property is designated for Low Density Residential uses.

#### Zoning By-law

The property is also zoned "St. Davids Community Zoning District - Residential (R1)."



### Circulation Comments

The revised application was circulated to internal and external agencies. Comments with regard to the proposal were requested to be received by December 24, 2015. A Public Information Meeting with regard to the proposed changes was scheduled for January 5th, 2015. Comments are included in Appendix C.

### Public Information Meeting

One of the approved motions of the November 23, 2015 Council meeting was that the proposal be referred back to staff for further discussion with affected residents on density, height, lighting, privacy, and safety and a further report come back to Council at the first meeting in January 2016. Based on this motion, a Public Information Meeting was held on January 5, 2016. Residents had the opportunity to discuss these matters and there were no further concerns on these points. During the meeting, changes to the proposed Zoning By-law Amendment were presented. Mailed notification was sent to residents that either provided written comments or commented at the statutory Public Meeting. Planning staff, four residents, the owner, and the agent attended the Public Information Meeting.

The main comments of the Public Information Meeting were as follows:

#### Coverage:

- Residents requested to know why the increase in coverage was necessary.  
*The agent suggested that the proposed lots would be large in size, and that lots would not consist of large houses on small lots.*

#### Drainage

- One of the residents stated that a swale goes through the subject property, with the outlet being at the resident's property.
- There were concerns raised regarding the high water table and adverse impact to adjacent lots.  
*The agent commented that in accordance with the Drainage Act adverse impact to adjacent lands is not permitted.*
- Residents raised concerns regarding the impacts to the stormwater management pond in St. Davids.
- It was noted at the meeting that drainage will be addressed at the subdivision stage.

#### Trees

- One of the residents commented that there was a dead tree hanging over his property; his property was damaged when one of the branches broke.
- There is a Butternut Tree on the property, which is protected under the Endangered Species Act.  
*The agent states that permits are being obtained from the Ministry of Natural Resources and Forestry to remove the subject tree.*

### Urban Design



- Residents wished to know how the houses would look.  
*The agent commented that the lots would be sold individually, with house designs to be determined by the property owner.*

#### **4. DISCUSSION / ANALYSIS**

A site-specific Zoning By-law Amendment, attached as Appendix A is proposed to facilitate the development of eight (8) single detached residential dwelling units (see Appendix B for anticipated Subdivision Plan). This application is a response to a deferral of applications supported by Town Staff, for an Official Plan Amendment, a Zoning By-law Amendment, and Draft Plan of Vacant Land Condominium to permit the development of fifteen (15) townhouse dwelling units. The density of the proposed development is significantly reduced from the original proposal (the density of the original plan was 22.75 units per hectare; the density of the proposed plan is anticipated to be 12.16 units per hectare).

The impacts of the proposed development on adjacent land uses are also reduced with respect to lighting and privacy. With the original plan, the interior side yards of some of the townhouse dwelling units abutted adjacent uses, providing for a 3 metre setback to adjacent uses; and all covered porches had a rear yard setback at 4.5 metres. With the anticipated plan, any dwelling will be required to be setback 7.5 metres from adjacent properties.

When the original plan was reviewed by Council, there were comments provided with regard to the height of the proposed dwellings. The Town's "St. Davids Community Zoning District – Residential (R1)" zone permits a maximum height of 10.0 metres for single detached residential dwellings, which is large enough to accommodate a two storey or three storey dwelling, depending on roof pitch, style of dwelling, and size of the building footprint. The revised Zoning By-law Amendment will maintain the existing height provision. In considering the scale of adjacent residential dwellings, the existing height provisions are appropriate. The anticipated dwellings will also be further set back from the property boundaries of adjacent dwellings than proposed with the original plan, which will mitigate the adverse impacts with regard to height.

Although the proposed plan is at a lower density than the previous plan, it still represents urban infill on a currently under utilized site in the urban boundary. The anticipated development represents intensification and infilling within appropriate areas of the Built-up Area, supported by Official Plan Amendment 43, as well as Regional and Provincial Policy. The proposal Zoning By-law Amendment is also consistent with the St. Davids Urban Design Guidelines, and in particular the following policies:

- The Zoning By-law will allow for a minimum front yard setback of 4.5 metres, which is the minimum recommended in the St. Davids Urban Design Guidelines.
- Garages require a 6.0 metre front yard setback, with is consistent with the St. Davids Urban Design Guidelines, calling for the avoidance of a "garage dominated streetscape."
- The Zoning By-law Amendment provides extra coverage for porches. Covered



porches are encouraged in the St. Davids Urban Design Guidelines.

Since a further application for Subdivision Approval will be required in order to proceed with the development of the subject parcel, it is recommended that a holding provision be included in the Zoning By-law Amendment until a Subdivision Agreement is entered into pertaining to the lands. A holding provision is permitted under Section 22.6 of the Town's Official Plan.

## **5. FINANCIAL IMPLICATIONS**

There are no cost or revenue implications for the Town arising from this proposal. The applicant will be required to bear all the costs associated with this proposal and will be required to pay building permit and development charge fees prior to construction.

## **6. COMMUNICATIONS**

Attached for Council's consideration is the proposed draft Zoning By-law Amendment. Should Council adopt the proposed Zoning By-law Amendment, there is a twenty (20) day appeal period after which the by-law will be in effect if no appeals are received.

## **7. CONCLUSION**

The subject property is located within the urban area boundary of St. Davids, which is designated for residential use. The proposed Zoning By-law Amendment will facilitate intensification within the Built-up Area. The proposal is consistent with Provincial and Town policy that encourages the efficient use of urban land and infrastructure and provides for a range of housing choices within urban area boundaries. As the proposed development is consistent with all relevant policies, staff recommend that the attached Zoning By-law Amendment (Appendix A) be approved. As per Section 34(17) of the Planning Act, Council can move forward with the new proposed Zoning Bylaw without providing further public notice.

**Respectfully submitted,**



**Jesse Auspitz**  
**Planner II**



**John Henricks, MCIP, RPP**  
**Director of Community**  
**& Development Services**



**Shirley Cater, MCIP, RPP, EcD**  
**Manager of Planning**



**Sheldon Randall**  
**Interim Chief Administrative Officer**

ATTACHMENTS



**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE  
BY-LAW NO. 4316XX - 16**

Collection 8  
Roll 2627 020 02508 1000

A BY-LAW TO AMEND BY-LAW NO. 4316-09, AS AMENDED, ENTITLED  
A BY-LAW TO REGULATE THE USE OF LANDS AND THE ERECTION,  
USE, BULK, HEIGHT, LOCATION, AND SPACING OF BUILDINGS AND  
STRUCTURES WITHIN THE TOWN OF NIAGARA-ON-THE-LAKE.

**WHEREAS** the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

**AND WHEREAS** this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE** enacts as follows:

1. Schedule "A-23" of By-law 4316-09, as amended, is further amended by changing the zoning of the subject lands identified on Map A (attached to and forming part of this By-law) from "Residential (R1) Zone" to "Residential (R1-25-H) – Site Specific Holding Zone."
2. Section 9.13 Site Specific Exceptions, St. Davids Community Zoning District, as amended, is hereby further amended by adding the following subsection:

**9.13.25 Collection 8**

In lieu of the corresponding provisions of Subsection 9.4, the following provisions shall apply on the subject lands:



9.13.25.2 Zone Requirements for Development (R1-25-H)

|     |  |                |
|-----|--|----------------|
| (c) | Maximum lot coverage of 35%.<br><br>35% lot coverage may be increased to 40% where the area of increase is used for attached covered and unenclosed porches. |                |
| (e) | Minimum front yard setback   | 4.5 m          |
| (f) | Maximum front yard setback   | Not Applicable |
| (g) | Minimum front yard setback to front face of attached garage  | 6.0 m          |
| (h) | Minimum interior side yard setback   | 1.2 m          |

3. That no development shall occur on the property until the Holding "(H)" provision of this By-law is removed. The holding provision shall be removed upon application from the Owner and approval of a Subdivision Agreement, pertaining to the lands.

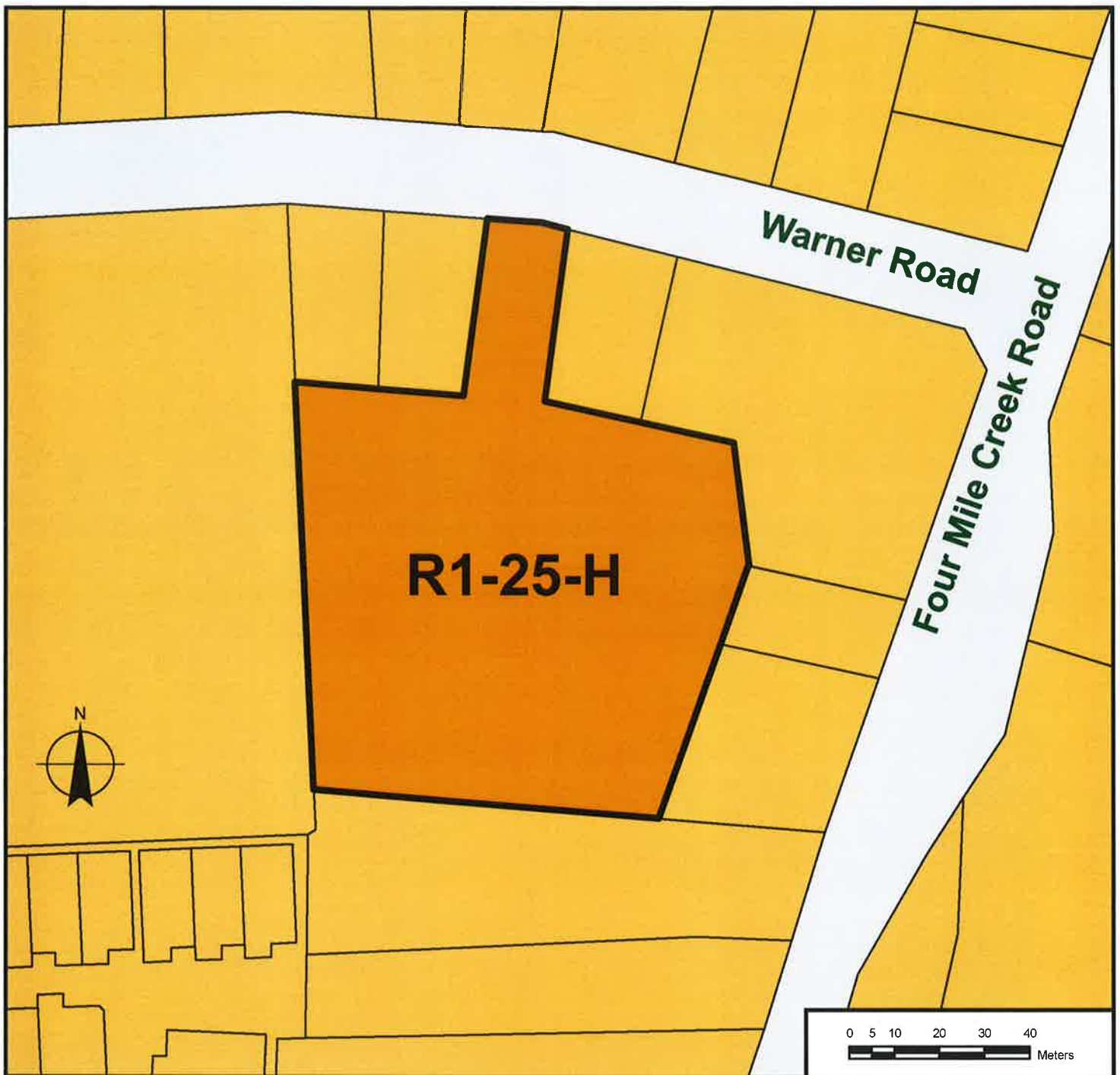
4. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
LORD MAYOR PAT DARTE

\_\_\_\_\_  
TOWN CLERK HOLLY DOWD





DISTANCES ARE SHOWN IN METERS

**MAP A ATTACHED TO BY-LAW 4316BS-16, BEING AN AMENDMENT TO SCHEDULE "A-23" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 18TH DAY OF JANUARY 2016.**

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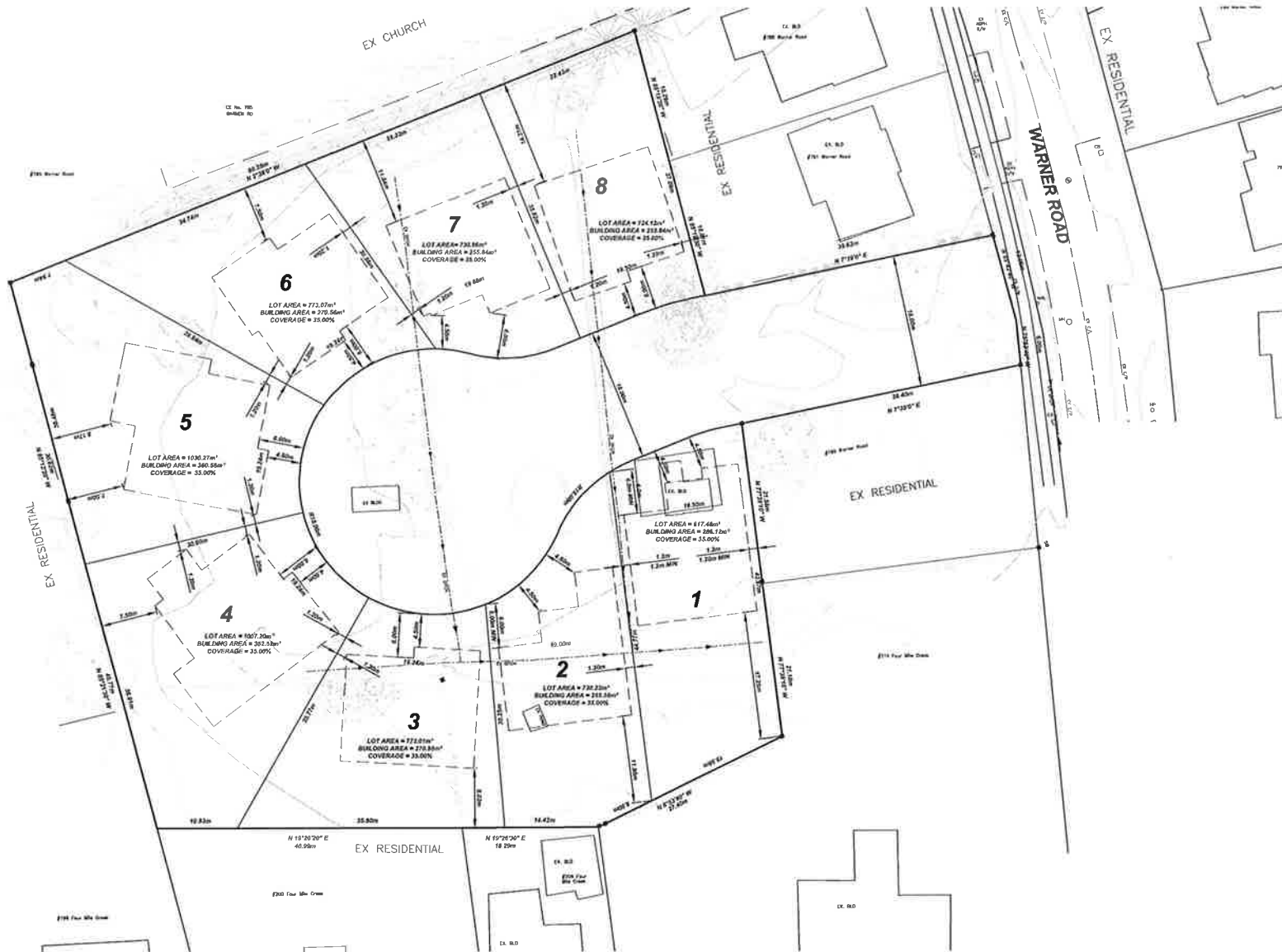
LORD MAYOR  
PAT DARTE

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TOWN CLERK  
HOLLY DOWD



# DRAFT PLAN OF SUBDIVISION TOWN OF NIAGARA ON THE LAKE



## KEY PLAN N.T.S.

## DRAFT PLAN OF SUBDIVISION

### LEGAL DESCRIPTION

PLAN OF SURVEY  
PART OF LOT 80  
GEOGRAPHIC TOWNSHIP OF NIAGARA  
TOWN OF NIAGARA-ON-THE-LAKE  
REGIONAL MUNICIPALITY OF NIAGARA

### OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY  
AUTHORIZE UPPER CANADA CONSULTANTS TO  
PREPARE AND SUBMIT THIS DRAFT PLAN OF  
VACANT LAND CONDOMINIUM TO THE  
TOWN OF NIAGARA ON THE LAKE  
FOR APPROVAL.

1475944 ONTARIO LIMITED: DATE

### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF  
THE LOTS TO BE SUBDIVIDED ARE  
CORRECTLY SHOWN.

DONALD G. CHAMBERS B.S.C., D.L.S. DATE

### REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

- |             |             |                    |
|-------------|-------------|--------------------|
| a) SEE PLAN | d) SEE PLAN | i) SILTY SAND      |
| b) SEE PLAN | e) SEE PLAN | j) SEE PLAN        |
| c) SEE PLAN | f) SEE PLAN | k) FULL SERVICE    |
| d) SEE PLAN | g) SEE PLAN | h) MUNICIPAL WATER |
| e) SEE PLAN | h) SEE PLAN | i) SEE PLAN        |

### LAND USE SCHEDULE

| LAND USE                  | LOT/BLOCK | # OF UNITS | AREA(%) | AREA(%) |
|---------------------------|-----------|------------|---------|---------|
| SINGLE FAMILY RESIDENTIAL | LOT 1-8   | 8          | 0.878   | 14.94   |
| ROADWAY                   |           |            | 0.225   | 39.05   |
| TOTAL                     |           |            |         |         |
|                           |           | 8          | 0.878   | 100.00  |

DEVELOPABLE AREA = 0.6556ha (EXCLUDING ROADWAY)  
DEVELOPABLE DENSITY = 12.16 units/ha

| REVISION | DATE       | BY |
|----------|------------|----|
| 1        | 2015-03-04 | MC |

UPPER CANADA  
CONSULTANTS  
ENGINEERS / PLANNERS  
261 Marlindale Road  
Unit A1  
Niagara Falls, ON  
Phone: (905) 688-2400  
Fax: (905) 688-5274

DRAWING TITLE: DRAFT PLAN OF SUBDIVISION

DRAFTING: BY

DATE: DECEMBER 18, 2015

SCALE: 1:250

DWG No. 1311-DP

REV. 0

Appendix B



January 08, 2016

Sent Via E-mail Only

File: D.18.05.ZA-15-054

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

Dear Mr. Auspitz:

**Re: Provincial and Regional Comments  
 Revised Zoning By-law Amendment ("Collection 8")  
 Applicant: Centennial Construction and Contracting (Niagara) Inc.  
 Agent: Upper Canada Consultants  
 Address: South Side of Warner Road, West Side of Four Mile Creek Road  
 Town of Niagara-on-the-Lake**

A previous Draft Plan of Vacant Land Condominium application was submitted in June 2015 in order to facilitate the development of fifteen (15) townhouse dwellings, also known as the "Collection 15". Regional Development Services staff provided comments on July 13, 2015 for the proposal, as well as concurrent Official Plan and zoning by-law amendment applications submitted with the draft plan to allow townhouse dwellings on the subject property. It is understood that in their meeting on November 23, 2015, Town Council had deferred the applications to allow for further consideration of the impacts of the development in terms of density, height, lighting, privacy, and pedestrian safety.

As a result, Regional staff has received a revised zoning by-law amendment application for the creation of eight (8) single detached lots with site specific setback requirements to the Residential 1 (R1) zone. The applicants have indicated that a subsequent Draft Plan of Subdivision application will follow the proposed amendment. Town staff has requested an expedited review of the proposed zoning by-law amendment, and Regional staff offers the following comments regarding Provincial and Regional policy to assist the Town in their consideration of the revised application.

### **Regional and Provincial Planning Review**

The subject lands are located within a Settlement Area according to the 2014 Provincial Policy Statement (PPS) and designated as within a Built-up Area according to the policies of the Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS and Growth Plan contain policies that direct major growth and development to Settlement Areas, support intensification, and provide for an appropriate range of housing types and densities required to meet the social and physical well-being of current and future residents. The lands are located within the Urban Area Boundaries for the Town of Niagara-on-the-Lake and designated as



within a Built-up Area according to the Regional Official Plan. The Growth Plan's general intensification policies require that by the year 2015 and for each year thereafter, a minimum of 40 per cent of all residential development occurring annually within each upper-tier municipality will be within Built-up Areas. Accordingly, the Regional Official Plan provides for a residential intensification target of 15 per cent for the Town of Niagara-on-the-Lake.

Regional staff supported the initial development proposal for fifteen (15) townhouse dwellings as it was considered to add to the range of housing options available in the neighbourhood and would have assisted the Town in meeting its residential intensification target. Based on the information provided with the application, the revised proposal is a relatively low density development of eight (8) single-detached dwellings and an on-site density of approximately 9.11 units per hectare. Regional and Provincial policies directs developments within the Built-up Area to make efficient use of available urban land and infrastructure that is planned or available. As such, though the revised application proposes a loss of only seven (7) units as compared to the previous proposal, Regional staff suggests that the Town consider the provision of a built form which makes more efficient use of the subject property.

### **Natural Heritage**

The Regional Official Plan's Core Natural Heritage mapping identifies an Environmental Conservation Area (ECA) Valley Shoreline Buffer feature adjacent to the subject property that is associated with a watercourse on the east side of Four Mile Creek Road. The proposal does not appear to affect this environmental feature. In accordance with the Memorandum of Understanding and the protocol between the Region and the Niagara Peninsula Conservation Authority (NPCA), the NPCA is responsible for the review and comment on all planning applications for impacts on the natural environment. Please refer to the comments of the NPCA regarding any environmental issues associated with the applications.

### **Archaeological Resources**

As noted for the previous proposal, the subject lands exhibit potential for the discovery of archaeological resources based on Provincial screening criteria, including the site's topography, its proximity to a primary watercourse (Four Mile Creek), and its proximity to a historically significant transportation route. The subject lands are also identified in the Town's Archaeological Master Plan as within an area of archaeological potential. In this regard, a Stage 1 & 2 Archaeological Assessment was prepared by Mayer Heritage Consultants Inc. and submitted with the above-noted applications. The archaeological assessment acknowledges that no archaeological resources were encountered during the physical assessment of the lands and, therefore, no further assessment of the property is recommended.

As a condition of a previous consent application for 214 Four Mile Creek Road, the Town of Niagara-on-the-Lake was to receive a letter from the Ministry of Tourism, Culture and Sport regarding the above archaeological assessment to confirm that all archaeological resources concerns on the subject lands had met licensing and resource conservation requirements. Regional staff understands that this letter was received and addressed to the satisfaction of the Province and the Town of Niagara-on-the-Lake, and that the study has been entered into the Ontario Public Register of Archaeological Reports.



## **Environmental Site Assessment and Soil Sampling**

A Phase I Environmental Site Assessment (ESA) for the subject lands, prepared by Exp Services Inc. on May 7, 2014, identified an Area of Potential Environmental Concern related to the historic use of the property as an orchard. As a result, a shallow soil characterization program, including chemical analysis, was conducted by Exp Services Inc. in order to assess soil quality and potential contaminants of concern, specifically, organochlorine pesticides and metals. The results of the soil testing found that the subject lands meet the Ministry of Environment and Climate Change (MOECC) Table 1 Site Condition Standards for the proposed use.

## **Waste Collection**

The proposed public road identified within the concept drawing appears to provide access for Regional waste collection vehicles. The right-of-way shown on the drawing should accommodate the required pavement width/design and cul-de-sac pavement turning radius (12.8 metres). A detailed Regional review for waste collection will be undertaken during the subsequent Draft Plan of Subdivision application.

## **Conclusions**

Regional staff does not object to the proposed zoning by-law amendment application, but advises the Town to consider the above comments with regards to the proposed density on the subject property. Regional staff will review and provide comments on the future circulation of the Draft Plan of Subdivision application for this development. If you have any questions concerning the comments above, or if you would like a hard copy of the comments, you may reach me at 905-685-4225 extension 3590, or Richard Wilson, Senior Development Planner, at extension 3391. Please send notice of Council's decision on this application.

Yours truly,



Alexandria Tikky  
Development Planner

c: Mr. P. Busnello, Manager, Planning & Development Services Dpmnt, Niagara Region  
Ms. S. Mastroianni, Planning Approvals Analyst, Niagara Peninsula Conservation Authority  
Ms. J. Vida, Manager, Planning and Development, Upper Canada Consultants



Good Morning!  
Happy New Year!

Mr. Hendricks,

I am writing to follow up after a meeting with Councillor Betty Disero on December 8th, 2015 regarding some specifics about the *Warner Road-Collection 15 Condominium* Proposal. She has recommended that you are the "go to" person regarding some of our specific concerns with respect to this particular development. We are looking to you for assistance in addressing these issues with the developer. In brief, our concerns and suggested solutions are as follows:

**DENSITY ...**

The proposed development is considered by us and our neighbours to be too high a density to fit into the immediately surrounding neighbourhood. A lot of buildings are being squeezed into a small parcel of land. As expressed all along, our preference remains that a development of lower profile and density versus one of higher density be permitted.

There are numerous factors and shortfalls in the proposed development that lead to this conclusion including:

- A lack of space for a tree canopy and green space
- No sidewalks included thereby prohibiting pedestrian movement to interface with traffic
- Lack of road allowance to accommodate proper access for drive by service by municipal (and most likely private) garbage collection vehicles
- A development that does not fit into the St. Davids Urban Design Guidelines with respect to:



- "cul de sacs should not be permitted"
- "a variety of dwelling types and front yard setbacks"
- "new development should be consistent in form and design with the surrounding existing built fabric"

***Suggested solutions are:***

- Reduce the number of buildings allowed in development to a number that would allow for more green space, a tree canopy, sidewalks and proper access for drive by service by garbage collection vehicles
- As indicated in the Community and Development Advisory Committee Report #CDS-15-076 "On any given street in St. Davids there is a striking lack of repetition; lot sizes, house types, building heights, materials and colours are consistently different. This rich architectural language should inspire designers of new buildings. On each street, a variety of building types and sizes should be provided to prevent monotony and encourage a diverse community fabric." The Advisory Committee observations and recommendations as reported should be heeded and adhered to when consideration is given to this (or ANY) new development!
- Moving forward, there should be a reassessment of the Town's Guidelines used in calculating lot coverage when it comes to condominium developments.

**DRAINAGE ...**

We continue to have serious concerns about the potential grading of the development lands and how this will impact our property and the properties of neighbours. Given that our property directly abuts the development land and that we are



located on the "down" slope, we are worried about a possible build up of the development lands by the developer in order to accommodate their construction needs. The water table in this area is very high and several neighbours have experienced some flooding.

***Suggested solutions are:***

- Asking the development company for a detailed study to determine the extent of the water table directly under their lands with a report as to the possible adverse effects that the development of this land might have on surrounding properties.
- The preparation of a revised drainage plan if deemed necessary.
- A meeting prior to approval of the development to discuss the water table study report results and any possible new drainage plans.

We realize that some of these concerns might have already been addressed given that we have just this week received notice of a *Warner Road - Collection 8* Proposal and an upcoming Special Meeting to discuss the proposed changes to this development. We have checked the Town website for more specifics about this. Could you kindly direct us to or email to us any new information that you might have so that we have an opportunity to consider and discuss it in advance of the January 5th meeting.

Thank you,  
Gerald and Frances Berry  
789 Warner Road





Operations Department  
(Engineering Section)  
INTERDEPARTMENTAL MEMO

**SUBJECT:**

**Warner Road  
Traffic and Street Lighting Review  
Re: Proposed Collection 8 Development**

**To:**

**Jesse Auspitz, Planner II**

**Date:**

**January 8, 2016**

**Prepared By:**

**Marci Weston, Engineering Technologist – Traffic  
Jeff Vyse C.E.T., Engineering Supervisor**

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**BACKGROUND INFORMATION**

Further to the motion by Councillor Betty Disero that “Report CDS-15-076, Warner Road be referred back to staff for further discussion with affected residents ... and further request Operations staff to review speed limits and lighting on Warner Road to report in January 2016 if any adjustments are required.”, traffic speed and street lighting reviews were conducted on Warner Road between Tanbark Road and Four Mile Creek Road with results as noted below.

**TRAFFIC SPEED AND VOLUMES**

Warner Road between Tanbark Road and Four Mile Creek Road is classified as a Local Residential (L/R) roadway and was recently rebuilt to accommodate the anticipated capacity requirements of adjacent development, both existing and potential. The 2014 peak season traffic count on this road logged an Average Annual Daily Traffic Volume (AADT) of 1,029 vehicles,

A traffic volume and speed study was conducted on Warner Road between Tanbark Road and Four Mile Creek Road during the week of November 26 to December 1, 2015. The AADT for the study period was 563 vehicles, which reflects the seasonal fluctuation of traffic loads on Niagara-on-the-Lake roadways.

There is an adequate Level of Service (LOS) at both the Warner/Tanbark and Warner/Four Mile Creek Road intersections, with no observed queuing or excessive delays to traffic. The proposed development is expected to contribute a maximum of 77 vehicle trips per day at peak season, which will not change the current LOS of the bracketing intersections.

Speed data collected during the study period indicates that Warner Road has a slight speeding problem. A roadway is considered to have a speeding problem if the 85<sup>th</sup> percentile (the speed at which or below 85% of the traffic is travelling) is more than 10 km/hr over the speed limit. The 85<sup>th</sup> percentile speeds for eastbound and westbound traffic were 63.99 km/hr and 62.59 km/h respectively, with the majority of speeding vehicles operating in the 51 to 59 km/hr range. It should be noted that the current roadside environment on the south side



of Warner Road is semi-urban with large lot frontages, significant open space and no intersecting roadways between Tanbark and Four Mile Creek Road - features which tend to encourage higher operating speeds. It is anticipated that increased development will provide a more urban streetscape on the south side of the street, providing cues to drivers which will help lower operating speeds.

A search of the Town's collision database indicates that there have been no collisions on Warner Road between Tanbark and Four Mile Creek Road in the past 5 years, and no speed-related collisions have been logged since the inception of the database in 1993.

In summary, this data indicates that the speed limit of 50 km/hr is appropriate and the minor speeding which is occurring may be addressed through enforcement, public education and simple traffic calming strategies.

## **STREET LIGHTING**

The Operations Department has reviewed the existing street lighting on Warner Road from Tanbark Road to Four Mile Creek Road and offer the following comments:

Currently there are nine (9) LED cobra head street lights on the north side of Warner Road mounted on existing wood poles (see location map attached). There are existing street lights located approximately 10 metres east of and 30 metres to the west of the proposed development limits fronting on Warner Road. The existing street lights were converted to LED in 2015 and meet the North American RP-8 lighting standards.

Based on the above, we deem the existing lighting along Warner Road to be adequate. Future design of street lighting on the subject property should incorporate a new street light at the entrance just south of the existing sidewalk to enhance and provide safety for pedestrian traffic along this walk.



