

# PLANNING JUSTIFICATION REPORT

## PROPOSED RESIDENTIAL DEVELOPMENT PRIMONT (THOROLD/WELLAND) INC., QUAKER ROAD CITY OF WELLAND



**WEBB**  
PLANNING CONSULTANTS

JULY 2024

## I PROJECT OVERVIEW

WEBB Planning Consultants (WEBB PC) are retained by Primont (Thorold/Welland) Inc. to provide land use planning services in connection with the planned development of their property located within the Northwest Secondary Plan Area, City of Welland.

Encompassing a total area of 30.14 hectares, the lands proposed for development are generally located at the northerly boundary of the Welland Urban area, immediately to the south of the City of Thorold municipal boundary. Primont's landholding extends into Thorold, encompassing some 30 hectares of additional lands that will be the subject of future planning applications upon the municipality advancing the necessary master plan studies.

The Northwest Welland Secondary Plan applies to a landholding of approximately 190 hectares that was brought into the Welland Urban Area by Official Plan Amendment No. 29. The Secondary Plan was undertaken as a comprehensive process that considered a range of issues including population and employment growth, the natural environment, transportation, and the efficient expansion of municipal infrastructure. The plan provides for Northwest Welland to evolve into a complete community that will accommodate future growth with new residential areas to develop as extensions of existing established neighbourhoods.

The Primont landholding in Northwest Welland is bounded by Quaker Road to the south, First Avenue to the east, the urban boundary to the north, and additional future development lands to the west. The lands intended for development are generally interior to the site as the property includes a large pocket of natural heritage features along the Quaker Road and First Avenue frontages that is planned to be protected and retained as open space.

Consistent with Policies of the adopted Secondary Plan, the Primont lands are proposed to be developed with a mix of housing types and densities to ensure a broad range of housing options are achieved. The proposed Draft Plan of Subdivision provides for a mix of development blocks for single detached dwellings, townhouses, maisonettes, and multiple dwellings in a mid-rise building. The unit mix is balanced with 300 ground related units and 400 apartment style dwellings for a combined total in the range of 700 dwelling units.

The required municipal planning approvals to implement the development include an Application for Draft Plan of Subdivision and Applications to amend the City's Official Plan and Zoning By-law. In addition, the proposal includes development of municipal infrastructure that is proposed to cross lands that are assumed as Provincially Significant Wetland. In keeping with the Provincial Policy Statement, the development of the Collector Road is to be evaluated by a Class Environmental Assessment that will be processed jointly with the Planning Act Applications. All public notices and documentation will advise that the proposal is being advanced in accordance with both the Environmental Assessment Act and the Planning Act.

The purpose of this Planning Justification Report is to provide a planning analysis in support of the planning applications to confirm the development is consistent with and conforms to the applicable planning policy framework. This PJR evaluates the proposal in the context of the applicable Provincial, Regional and local Planning Policy framework and provides our planning analysis and opinion in support of the proposal.

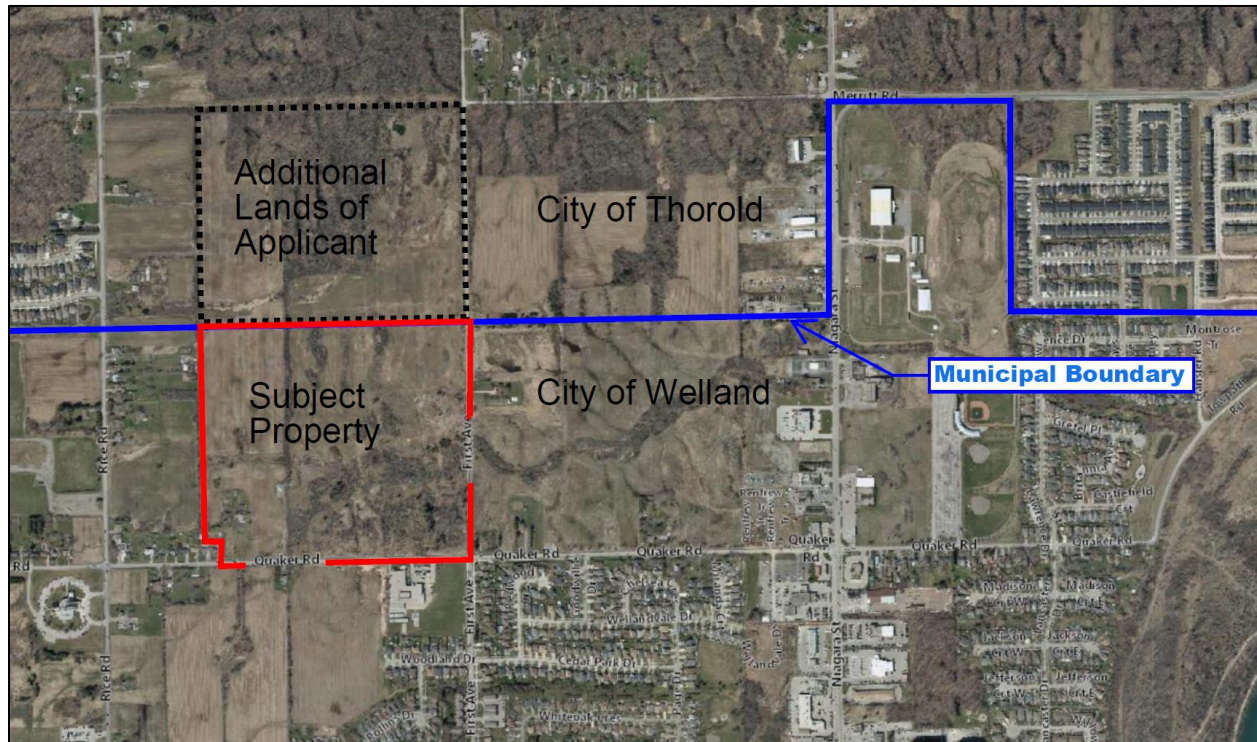
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## 1.0 PROPERTY DESCRIPTION & CONTEXTUAL ANALYSIS

As illustrated by the following Figure 1, the subject property is located north of Quaker Road, West of First Avenue with the municipal boundary between the City's of Welland and Thorold as the north lot line. The Primont landholding extends into the City of Thorold, encompassing approximately 30 hectares of additional lands that are proposed for future development.



**FIGURE 1: PROPERTY LOCATION AND AREA CONTEXT**

The subject property and adjoining lands were recently added to the City of Welland Urban Area Boundary through the adoption of the Northwest Welland Secondary Plan. Encompassing an area of approximately 190 hectares, the lands are contiguous to existing urban neighbourhoods and strategically located as a logical expansion of the Welland Urban Boundary.

The Primont lands have historically been in use for agricultural purposes with an undeveloped natural area that encompasses the south-east portion of the site, abutting Quaker Road and First Avenue. The topography of the property is generally flat, the lands drain to an existing watercourse – the Towpath Drain, which bisects the property and flows to the east towards the Welland River.

Soil conditions have been investigated by Soil-Mat Engineers, testing confirms native soils consisting of silty clay with traces of sand and silt with some clay at lower levels. A Hydrologic Assessment undertaken by Terra Dynamics determined that static seasonal groundwater levels are relatively shallow across the site, typically ranging in depth between 0.2 to 0.5 metres, flowing to the east.

The natural area on the site includes portions of the Niagara Street Cataract Road Woodlot Wetland Complex, the Towpath Drain, additional unevaluated wetlands and wooded areas. The significant features are subject to Provincial Policy and partially Regulated by the Local Conservation Authority. The accompanying Environmental Impact Study completed by GEI Consultants has evaluated all natural features on the site to establish the appropriate boundaries of the natural features and recommended the widths of the associated buffers to ensure the long-term protection and preservation of the natural features.

As there are no existing buildings or structures on the lands, there are no built heritage resources of concern. To address the potential for archaeological resources, a Stage 1 and 2 Archaeological Assessment has been completed by ASI with Indigenous consultation. The Assessments have been submitted to the Ministry of Citizenship and Multiculturalism with acknowledgement letters issued by the Ministry.

The Stage 1 and 2 reporting confirmed the easterly portion of the lands as free of any further archaeological concerns and recommended no further assessment be required. The Stage 2 Assessment for the westerly portion of the lands resulted in the identification indigenous sites and recommended the completion of a Stage 3 Assessment. There will be no disturbance of the lands subject to further assessment until such time as the field work and reporting has been completed and accepted by the Ministry.

The development of the surrounding area is limited, reflecting the historical rural character and limited access to municipal services. The lands abutting to the west and the lands located to the east of First Avenue are similar to the subject lands, historically agricultural but also planned for urban development as part of the Northwest Welland Secondary Plan area.



FIGURE 2: EXISTING LOCAL & REGIONAL TRANSIT

As the lands are located at the periphery of the existing built-up area, there is presently limited public transit by either the City of Welland or Regional Transit services. The preceding Figure 2 illustrates the existing transit routes in proximity to the subject lands, Welland Transit Route 509 and Regional Routes 60A/65A and 70/75. At present there are no stops in immediate proximity to the subject lands but this will be re-evaluated as development proceeds as the new communities are being designed to be transit supportive.

The lands to the south-east are within the current urban area and developed as a mixed-use neighbourhood, an urban fabric of homes developed on full urban services. The immediate area has developed with a range of community facilities including the Quaker Road Public School located immediately to the south of the Primont lands. Further south is the campus of Niagara College and the Niagara Centre YMCA, additional public service facilities that contribute to the evolution of the existing neighbourhoods towards complete communities where residents can live, work and play.

## **2.0 DEVELOPMENT PROPOSAL AND REQUIRED PLANNING APPROVALS**

The subject property is planned to be developed in keeping with the intent of the Northwest Welland Secondary Plan. The intended land uses are predominantly residential, with low density residential to the interior of the site and a block for medium density housing to be located on an adjoining arterial road frontage.

The additional considerations to the design of the new neighbourhood include recognition of the limit of development applicable to the natural heritage features and associated buffers, accommodation of the re-alignment of the Towpath Drain and the establishment of a new collector road that bisects the property and provides connectivity with the adjoining development lands.

Policies also encourage the establishment of a trail system and active transportation options to promote healthy and active living for all ages and abilities. These elements will enable a connected open space system and walkable neighbourhood that links the community to destinations including natural areas, parks, schools, stores and recreation areas. These structural elements will ensure the growth of new residential areas as extensions of existing established neighbourhoods.

Setting aside the environmental lands and associated buffers, the net developable area of the subject property is reduced to just under 15 hectares, this land area to accommodate all residential blocks, parkland, stormwater management blocks, and municipal roads. The following Figure 3 illustrates the development concept and proposed uses.



**FIGURE 3: DEVELOPMENT CONCEPT**

The proposed housing mix is comprised of ground related housing in the form of single detached dwellings, street townhouses, block townhouses and maisonettes (back-to-back townhouses). Lots for single detached dwellings will have a range of widths (27', 33' and 36'). The townhouses will have widths of 20', the back-to-back townhouses are proposed at 21' width. In total, 151 singles are proposed and 130 townhouses for a combined total of 281 ground related units.

The majority of the townhouse product will be created as street facing units oriented to the abutting new municipal roads. The exception is the parcel abutting the Quaker Road frontage that is proposed to accommodate block townhouses within a Condominium tenure, where the individual units will front onto a private (shared) street. The dwellings are proposed as rear lane townhouse units, the final layout and design will be subject to additional planning review under applications for Plan of Condominium and Site Plan Control.

A single block is proposed to be developed for medium density housing in the form of a mid-rise apartment building. The location of the medium density block is proposed to be relocated from the location shown by the Secondary Plan to the north-east area of the Plan. The relocation retains the key attributes with frontage on an arterial road (First Avenue), immediate proximity to the planned collector road, and a location that backs onto Open Space, a locational objective of the City's Urban Design Guidelines specific to medium density housing forms. The recommended location does necessitate a minor revision to the

Secondary Plan Land Use Plan, the alternative location in our view is appropriate and ensures the appropriate mix of housing is achieved.

With respect to creating a connected open space network, public trail system and active streets, the plan achieves this policy objective by designing the new neighbourhood to integrate the blocks for the natural features, parks, stormwater management and roads to ensure connectivity is achieved for new residents within the development and integration with the adjoining established neighbourhoods.



**FIGURE 4: PROPOSED TRAIL SYSTEM**

As illustrated by the above excerpt from the rendered Draft Plan, a public trail system is proposed to be created within the blocks for the realignment of the Towpath Drain. This system will connect to a proposed trail that is to be located within the buffer block of the environmental block which in turn will connect to trails within the SWM Block and adjoining Park Block to establish a connected trail system.

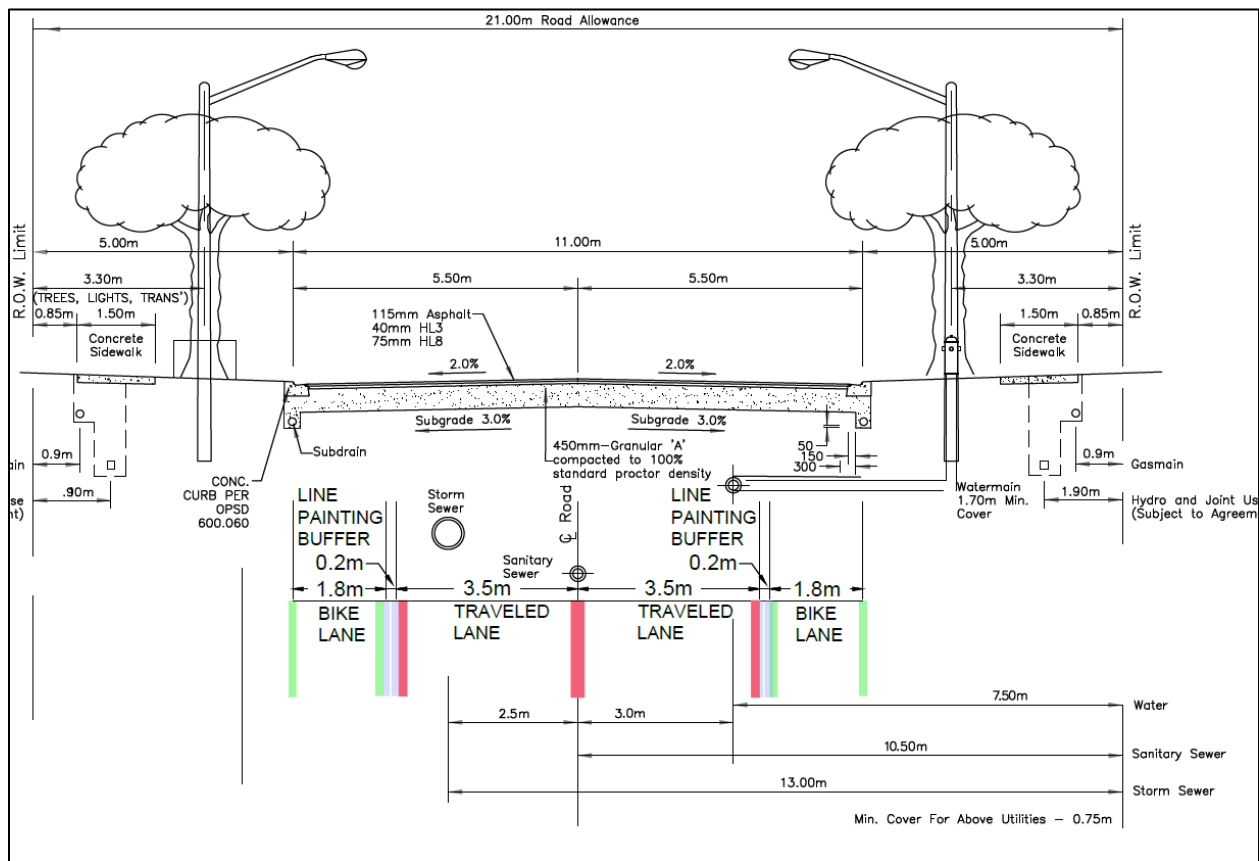
The plan also provides for a parkette at the collector road entrance to the lands, adjoining the Quaker Road frontage. The proposed Block implements the Vision and Intent of the Northwest Welland Urban Design Guidelines which encourage the development of smaller parkettes to support increased green space access for residents.

This connected network further implements Policy objectives that encourage a linked system to enable residents to reach destinations including natural areas and parks, and external destinations including schools, stores and other community facilities.



The principle of comprehensive development and connectivity also includes design of a road network which integrates abutting development parcels and provides for the efficient design of municipal infrastructure. The Draft Plan implements this principle with proposed road connections to the development lands abutting to the west and north, and the design of centralized SWM facilities that are sized to accommodate adjoining lands, this approach minimizes long term operating and maintenance costs to the municipality.

The promotion of active transportation includes opportunities for walking and cycling within the public realm portion of the streetscape. The design of the roads for the new neighbourhood follows the design principles for complete streets wherein the road cross section will include typical requirements for automobiles plus added amenities and infrastructure to accommodate walking and cycling. The following Figure 5 illustrates the planned cross section for the proposed collector road which includes 1.5 metre wide sidewalks separated from the travelled portion of the street by landscaped boulevards and the addition of dedicated on-street bike lanes.



**FIGURE 5: PRELIMINARY COLLECTOR ROAD CROSS SECTION**

The proposed development has been reviewed by City and agency staff through the pre-application consultation process. A virtual pre-consultation meeting was held on January 19, 2024, with a written summary document subsequently issued by City Planning Staff. The summary document outlines the required Planning Approvals to implement the proposal and

the scope of the accompanying technical studies and plans that are required as a 'complete application' to facilitate a comprehensive review of the proposal.

The creation of the various development parcels, blocks for open space and infrastructure, and dedication of the roads as municipal streets will require an Application for Draft Plan of Subdivision under Section 51 of the Planning Act. Draft Plan Approval will be obtained on the basis of a functional level of engineering design and additional supporting studies to address matters including identification and protection of environmental features, cultural heritage resources, traffic and transportation requirements. Registration of the Subdivision and lot creation will occur upon the proponents addressing the recommended Conditions of Draft Plan Approval to the satisfaction of the City, Region of Niagara, Conservation Authority and additional agencies and utilities.

The City of Welland is presently working with the Province of Ontario to adopt as-of-right Zoning Regulations that will facilitate the planned development of lands within the limits of the Northwest Secondary Plan. Initially formulated under the Community Infrastructure and Housing Accelerator (CIHA) program, the Province has modified the framework to accelerate the delivery of much needed housing supply and is currently processing Regulations pursuant to an MZO - Municipal Zoning Order.

However, as the timing for Provincial approval of the MZO is unknown, out of an abundance of caution Primont will submit and process private applications for Official Plan and Zoning By-law amendments to implement the Draft Plan of Subdivision.

The proposed Official Plan amendment is necessary to modify the mapping and the text of the Secondary Plan. The modification to the land use plan proposes to maintain the medium density housing form but shift the location of the block to an alternative location that fronts onto the north-south arterial road, First Avenue. Modifications to the Policies for the Low and Medium Residential Designations seek to increase the permitted density ranges and building heights for the mid-rise housing form that will align with draft Regulations that are proposed to be implemented by the MZO.

The proposed amendment to the Zoning By-law seeks to implement the specific Regulations that would otherwise be implemented by the MZO. The modified Regulations include additional definitions to encompass the full range of proposed housing forms, modifications to the General Provisions of the parent By-law and the establishment of new Low Density and Medium Density Zone categories. The Zoning By-law amendment will also implement the appropriate Zone categories for the environmental areas, open space and infrastructure blocks.

Copies of the draft OPA and ZBA are attached to this PJR as Appendices "B" and "C".

The block townhouses and mid-rise apartment building will be subject to additional planning approvals that will be processed following approval of the Draft Plan and OPA/ZBA. Both housing options will be subject to Site Plan Approval to enable the review and approval of detailed matters including urban design, civil engineering, landscaping, lighting plans, and additional matters deemed necessary by the City. The block townhouses will be subject to an

application for Draft Plan of Condominium to create the private street and common elements and creation of the parcels of tied land for the individual dwelling units.

### 3.0 PLANNING POLICY FRAMEWORK

The proposed development has been considered in the context of the applicable Planning Policy framework which includes the Planning Act, the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe. The local policy framework is provided by the Region of Niagara Official Plan, the City of Welland Official Plan and comprehensive Zoning By-law 050-2014.

#### 3.1 PLANNING ACT

We have reviewed Section 2 of the *Planning Act* for the purpose of identifying the relevant matters of Provincial interest that shall have regard for in reviewing the applications. They include the following:

- a. subsection 2(a) – the protection of ecological systems, including natural areas, features and functions;
- b. subsection 2(d) – the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- c. subsection 2(f) – the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- d. subsection 2(h) – the orderly development of safe and healthy communities;
- e. subsection 2(i) – the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
- f. subsection 2(j) – the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- g. subsection 2(k) – the adequate provision of a full range of housing, including affordable housing;
- h. subsection 2(m) – the protection of the financial and economic well-being of the Province and its municipalities;
- i. subsection 2(n) – the coordination of planning activities of public bodies;
- j. subsection 2(o) – the resolution of planning conflicts involving public and private interests;
- k. subsection 2(q) – the appropriate location of growth and development;
- l. subsection 2(r) – the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- m. subsection 2(s) - the promotion of built form that,
  - i. is well-designed,
  - ii. encourages a sense of place, and
  - iii. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.
- n. subsection 2(t) – the mitigation of greenhouse gas emissions and adaptation to a changing climate.

In our opinion, the Planning Application has due regard to all of these identified matters of Provincial interest. The approval of the Zoning By-law amendment would facilitate the implementation of these interests in an efficient, effective and contextually appropriate manner.

### **3.2 PROVINCIAL POLICY STATEMENT (PPS - 2020)**

The proposed development of the subject property is consistent with Section 1.0 of the PPS, Policies for Building Strong Healthy Communities. The proposal to develop a residential neighbourhood with an appropriate range and mix of housing options is appropriate for and efficiently uses existing infrastructure, promoting cost effective development patterns which minimize land consumption and servicing costs.

Having regard for the Settlement Area Policies, Section 1.1.3, the development is located within a designated settlement area, such locations shall be the focus of growth and development. The density of development is an efficient use of underutilized land and has been confirmed to be an appropriate and efficient use of the available and planned infrastructure. The proposal is transit supportive given a location in proximity to existing bus routes and supports active transportation based on the existing and planned network of walking and cycling infrastructure.

Policy 1.2.2 calls for Planning authorities to engage with Indigenous communities and coordinate on land use planning matters. The City of Welland has a consultation strategy in place to ensure that Indigenous communities are involved in planning matters and will be provided copies of relevant background studies including Archaeological Assessments.

The proposal is consistent with the Settlement Area Policies of Section 1.1.3 as the property is within a designated settlement area which is the intended location to focus growth and development. The proposed uses will maintain the pattern for a mix of land uses within the settlement area that is appropriate for and efficiently uses the available and planned infrastructure and public service facilities. The design of the site promotes alternative transportation and is transit supportive to the extent possible.

With respect to Infrastructure and Public Service Facilities – Policy 1.6, development within settlement areas having existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of existing infrastructure and public service facilities. The FSR and SWM Reports completed in support of the development proposal address Policy 1.6 – Infrastructure, confirming the development can be efficiently serviced by existing infrastructure. The proposal promotes a land use pattern, density and mix of uses to support current and future use of transit and active transportation.

Section 1.8 sets out Policies for Energy Conservation, Air Quality and Climate Change wherein Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns. The preliminary SWM report confirms the adoption of best practices for low impact development strategies to mitigate flooding and

erosion hazards. The overall site design aims to reduce environmental impacts by maintaining existing drainage patterns and encouraging ground water infiltration to the extent possible.

To address the Natural Heritage Policies of Section 2.1, early consultation with Regional, municipal staff and the local Conversation Authority established that the site contains natural heritage features that were identified at a preliminary level by the supporting studies of Secondary Plan. As a pre-requisite to any development or site alteration, the proponents have completed the appropriate studies to ensure the identification and protection of the features comprising the natural heritage system. The accompanying EIS provides for the detailed delineation of sensitive areas and recommends buffers widths and treatments to ensure the proposed development will not result in any negative impacts.

It is noted that the Collector Road that is planned to facilitate an appropriate road network is proposed to cross the assumed PSW that extends northerly from the existing PSW. The Natural Heritage Policies of the PPS generally prohibit development within PSW's with the exception of infrastructure that is authorized under an Environmental Assessment process. In this instance, the developer has initiated a Class EA process for the proposed collector road that will be processed jointly with the Planning Act applications.

Section 2.6 - Cultural Heritage and Archaeology, requires the identification and protection of any cultural heritage resources. The lands are vacant and do not contain any built heritage resources. Policy 2.6.2 states that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

A Stage 1 and 2 Archaeological Assessment has been completed by ASI with the input of indigenous consultation and submitted to the Ministry of Citizenship and Multiculturalism. Based on the findings of the initial Assessment, ASI have recommended the completion of further Stage 3 and potential Stage 4 Assessments. There will be no disturbance of the lands until such time as the assessment has been completed and accepted by the Ministry to confirm the lands do not contain archaeology resources or alternatively the resources have been assessed and preservation techniques accepted. The Stage 3 work is on-going, the reporting will be submitted to the Ministry and municipality upon completion.

Section 3.1 - Natural Hazards, states development shall generally be directed to areas outside of hazardous lands adjacent to rivers, streams and small inland lake systems which are impacted by flooding hazards and/or erosion hazards. Based on the findings of the supporting studies, it is confirmed that the lands proposed for residential development are absent of any such hazards.

On the basis of the above comments, the proposed development is consistent with the applicable Policies of the PPS.

### 3.3 PLACES TO GROW - GROWTH PLAN FOR THE GGH – 2020

The Growth Plan builds upon the policy foundation provided by the PPS and provides additional and more specific land use planning policies that focus on key planning issues facing specific geographic areas in Ontario, providing strategic guidance and direction for addressing those issues. The City of Welland is located within the Outer Ring of municipalities as identified in the Growth Plan. According to mapping in the City's Official Plan, the subject lands are outside the delineated Built Boundary of the City and therefore considered to be within a Designated Greenfield Area and subject to the applicable policies.

The following discussion identifies the relevant Growth Plan policies and describes how conformity is achieved in each instance.

The proposal conforms with Part 2 of the Plan - policies for Where and How to Grow, and specifically, the general policies for Managing Growth in Section 2.2.1.

The property is within settlement area having a delineated built boundary, there are existing and planned municipal water and wastewater systems able to support the development, and the area continues to evolve as a complete community. The property conforms with Policy wherein growth is to be focused in locations with existing transit and areas with existing public service facilities.

The proposal also implements a primary intent of the policies in Section 2.2.1.4, namely, to support the achievement of complete communities by adding to the diverse range and mix of housing options, creation of jobs, shops and services in close proximity to each other. This includes the provision of a diverse range of housing options, having convenient access to a range of transportation options, public service facilities and publicly accessible open space and recreational facilities.

The proposal conforms with the intent of the Housing policies of Section 2.2.6. Municipalities will support a choice in housing through the achievement of the minimum intensification and density targets by identifying a diverse range and mix of housing options and densities, including the provision of affordable housing to meet the projected needs of current and future residents.

As the property is located outside of the built-up area boundary, Policy 2.2.7 - Designated Greenfield Areas applies. Policy 2.2.7.1 states that new development in designated greenfield areas will be planned and designed in a manner that supports the achievement of complete communities, supports active transportation, and encourages the integration of sustained viability of transit.

Policy 2.2.7.2 (a) states the minimum density target applicable to the entirety of the Designated Greenfield Area of not less than 50 residents and jobs combined per hectare. This density target is included in both the Regional and Local Official Plan as the minimum density target applicable to all lands within the Northwest Welland Secondary Plan.

The projected number of persons per hectare from the development will meet and exceed the minimum density target. Based on data contained in the City's most recent Development Charges Background Study, the population estimates for various housing forms include 2.53 persons per single detached dwelling, 2.26 for townhouses and 1.63 persons per apartment dwelling. Based on the anticipated mix of housing units within the Draft Plan, the Primont development will yield approximately 1360 persons, a density of approximately 87 persons per hectare (excluding environmental areas). This density will assist the municipality in meeting the density target across the entirety of the designated Greenfield Areas.

This development proposal conforms with the intent for new development that is planned and designed to achieve complete communities. The proposal offers a mix of housing choices of varying densities within an area evolving with a broad mix and scale of land uses. The design of the new community provides for the integration of the site with the adjoining public street network, sidewalks and on-street cycling infrastructure, facilitating active transportation.

Policies for Infrastructure to support growth are prescribed in Part 3 of the Growth Plan. It is noted that the proposed redevelopment of the subject lands can be accommodated by extensions to the existing municipal services including wastewater, water and stormwater systems. This approach supports the Growth Plan principle that significant cost savings can and should be achieved by ensuring that existing infrastructure, including municipal services and transit, are optimized.

Part Four of the Growth Plan outlines Policies for the protection of Valuable Resources, including natural heritage features and cultural heritage resources. As noted in the PPS discussion above, a number of studies have been prepared in support of the development to confirm that the existing natural heritage system boundaries have been incorporated in the development with the recommended buffers. Cultural Heritage Resources are being conserved through the completion of Archaeological Assessments and recommended mitigation measures.

Based on the above considerations, the proposed development conforms with the relevant Policies of the Growth Plan and with the Growth Plan as a whole.

### **3.4 NIAGARA REGION OFFICIAL PLAN**

#### **3.4.1 OVERVIEW AND APPLICABLE DESIGNATIONS**

The Official Plan for the Regional Municipality of Niagara was adopted by Regional Council in June 2022 and approved by the Ministry of Municipal Affairs and Housing on November 4th, 2022. The approved Official Plan outlines a comprehensive framework of new and revised Policies to guide growth and development to the planning horizon of 2051.

The Regional Official Plan (ROP) is a long range community planning document that is intended to guide the physical, economic and social development of the Region. The Plan implements the Regions approach to managing growth, growing the economy, protecting the natural environment, resources and agricultural land, and providing infrastructure. The

Official Plan for the City of Welland provides detailed land use Policies and shall be prepared in conformity with the ROP.

Having the regard for the applicable Schedules of the ROP, the subject property is designated as below:

**Schedule B – Regional Structure:** Urban Area: Designated Greenfield Area

**Schedule C1 – Natural Environment System Overlay:** Natural Environment System Overlay

**Schedule C2 – Natural Environment System:** PSW, Other Wetlands, Other Woodlands, Stream

**Schedule J2 – Strategic Cycling Network:** Cataract Road

### **3.4.2 GROWTH MANAGEMENT**

Section 2.0 of the ROP outlines the Regional population and employment growth forecasts, the basis to co-ordinate land use, transportation, infrastructure and financial planning.

The Region of Niagara has an overall growth forecast of 694,000 persons to the planning horizon of 2051, an increase of 200,000 from 2021. The growth forecasts are divided among the various municipalities for planning purposes with the City of Welland to achieve a population of 84,000 persons by 2051.

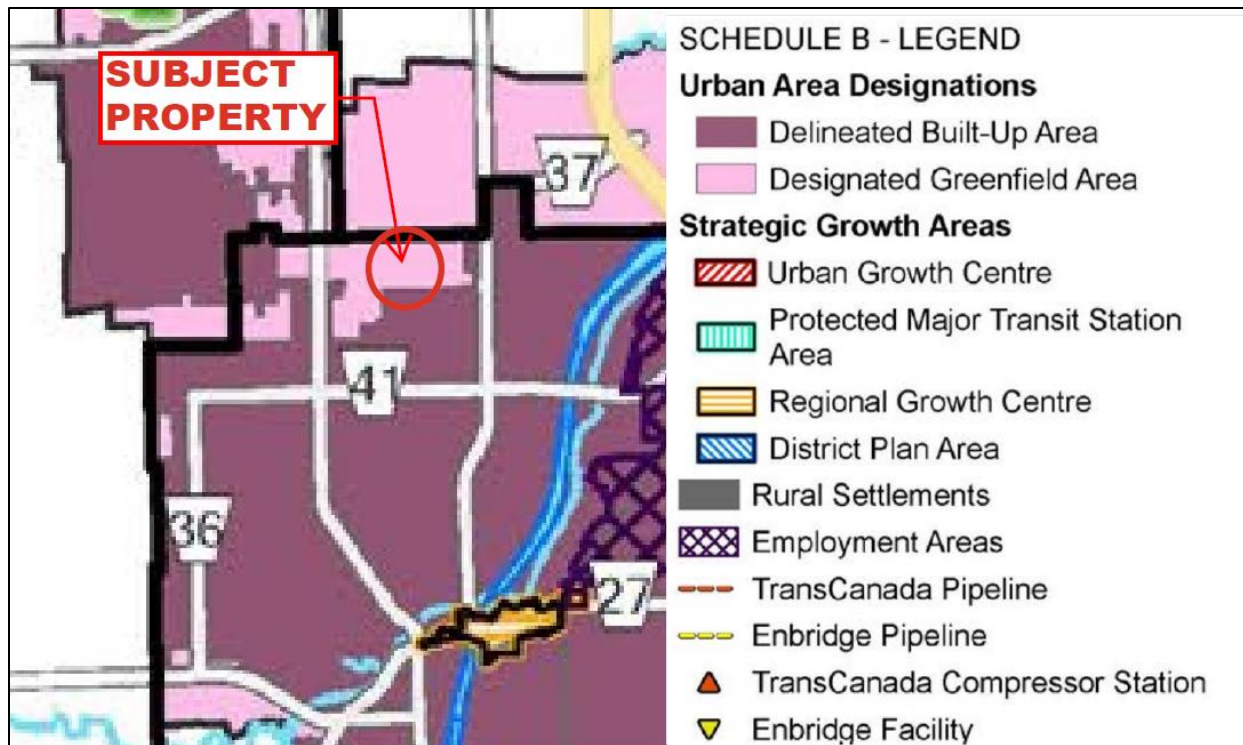
As detailed in Section 2.2 of the Plan, the Policies establish a Regional structure that directs the majority of forecasted growth to Settlement Areas. Settlement areas are comprised of both urban areas, which include built-up areas, designated greenfield areas and strategic growth areas, as well as rural settlements. The majority of development is to occur in urban areas, where municipal water and wastewater systems and services either exist or are planned and a range of transportation options can be provided.

As illustrated by the following Figure 6, an excerpt from the Regional Structure Plan, the subject property is within the Welland Urban Area and a Designated Greenfield Area.

The Policies for Designated Greenfield Areas are outlined in Policies 2.2.2.23 thru 2.2.2.25 and establish a minimum greenfield density target of 50 residents and jobs combined per hectare as measured across the entire Region. Local official plans are required to achieve the minimum greenfield density target and are encouraged to exceed this minimum.

Based on data contained in the most recent Development Charges Background Study, the population estimates for various housing forms include 2.53 persons per single detached dwelling, 2.26 for townhouses and 1.63 persons per apartment dwelling. Based on the anticipated mix of housing units within the Draft Plan, the Primont development will yield approximately 1360 persons, a density of approximately 87 persons per hectare.





**FIGURE 6: SCHEDULE B - REGIONAL STRUCTURE (EXCERPT)**

The Policy objectives for Designated greenfield are to plan such areas as complete communities by following principles that include ensuring development is sequential, orderly and contiguous with existing built-up areas, ensuring infrastructure capacity is available and supporting transportation including integrated and sustained viability of public transit service and opportunities for active transportation.

The Northwest Secondary Plan adopted by the local municipality adheres to these Policy objectives as the coordinated background studies that informed the Secondary Plan focused on the efficient provision of infrastructure, community design and sustainability, this framework is implemented by the draft plan.

The ROP reinforces the importance of an adequate supply of housing as a key to quality of life. In alignment with the Region's Housing and Homelessness Action Plan, the policies in this section support the provision of a range and mix of housing options that are essential for the creation of complete communities and support the regional economy.

The Primont development proposal implements the Housing Policies by facilitating a range of housing types and densities. The ground related housing includes a mix of detached dwellings with varying lot and house sizes, the townhouse dwellings include street townhouses, block townhouses in a condominium tenure and back-to-back townhouses. The development also includes multiple dwelling units in a mid-rise building, ensuring the overall mix provides a range of housing options that will cater to all current and future residents of the City.

### 3.4.3 SUSTAINABLE DEVELOPMENT

Chapter 3 of the Niagara Official Plan sets out a Policy framework to achieve the objective of sustainable development, the key consideration being identification and protection of the Region's natural environment system. The natural environment system is comprised of two primary components – a natural heritage system and a water resource system.

The two components are described in Section 3.1 of the Plan as below:

*The natural heritage system is made up of features such as wetlands, woodlands, valleylands, and wildlife habitat, as well as components such as linkages, buffers, supporting features and areas, and enhancement areas. The intent of the natural heritage system is to preserve and enhance the biodiversity, connectivity, and long-term ecological function of the natural systems in the region.*

*The water resource system is made up of both groundwater features and surface water features and areas. The intent of the water resource system is to protect the ecological and hydrological integrity of water resources and the various watersheds in the region. The natural heritage and water resource systems are ecologically linked, rely on and support each other, and have many overlapping components.*

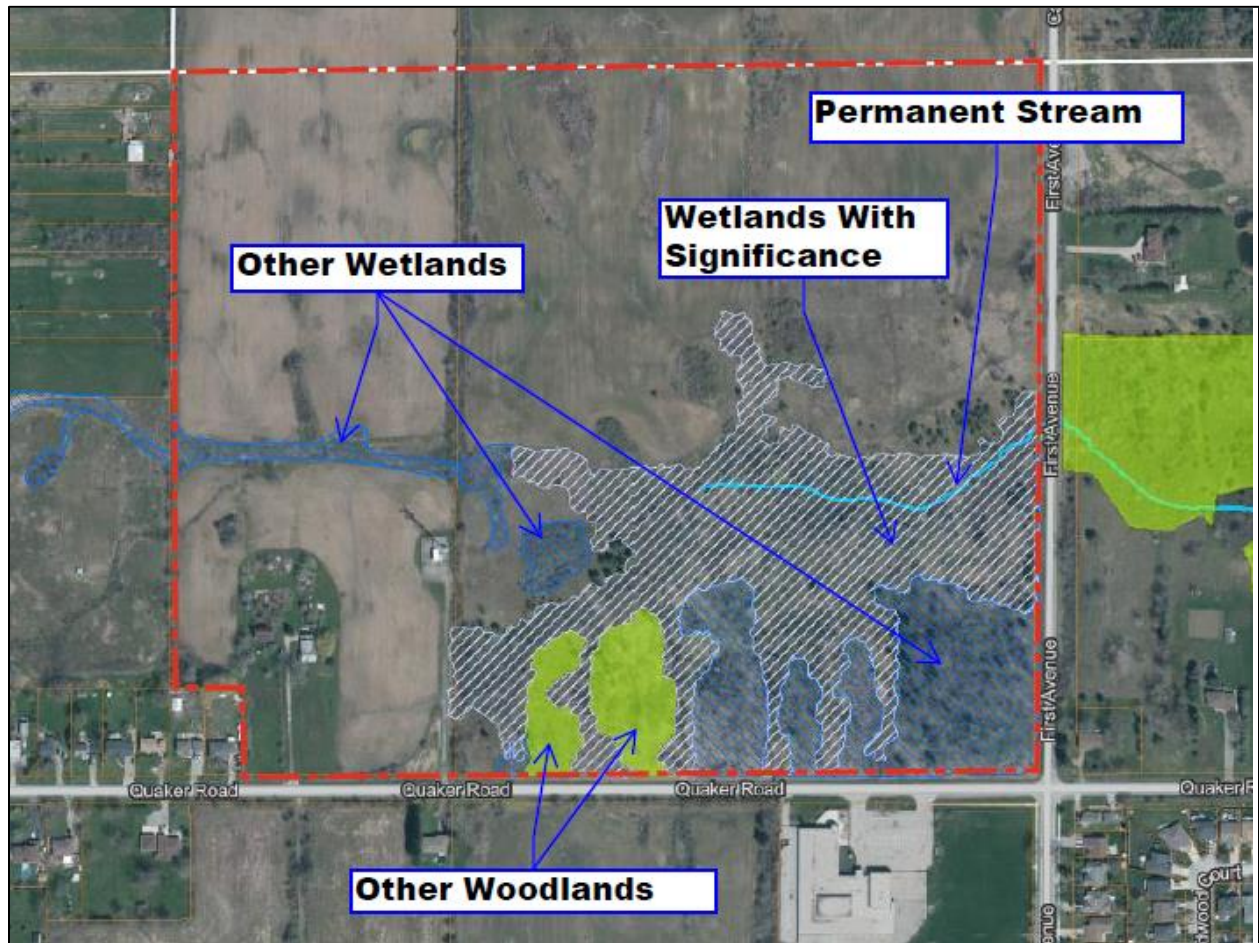
As a further distinction, the Region's Natural Environment system includes two provincially mapped systems – the Natural Heritage System for the Growth Plan and the Greenbelt Plan Natural Heritage System. Certain geographic areas are included in the Niagara Escarpment Plan Area (NEPA). For the purpose of applying the Policies of the Plan, the subject property and the adjoining lands are located on lands outside of the Provincial Natural Heritage System and NEPA and are therefore subject to the Policies of Section 3.1.9 of the Plan.

Schedule C2 of the Plan illustrates the mapped features of the natural heritage system including individual natural heritage features and areas, key natural heritage features, key hydrologic features, and other individual components. The individual features and components of the natural environment system that are mapped on Schedule C2 include:

- a. significant woodlands;
- b. other woodlands;**
- c. provincially significant wetlands;**
- d. other wetlands and non-provincially significant wetlands;**
- e. life science areas of natural and scientific interest;
- f. earth science areas of natural and scientific interest;
- g. permanent and intermittent streams;**
- h. inland lakes; and
- i. linkages

The following Figure 7 is an excerpt from the Region's On-line mapping showing the applicable mapped features of the Natural Heritage System which include the features noted in **bold** (as above) - provincially significant wetlands, other wetlands, other woodlands, and the permanent stream associated with the Towpath Drain. All of these features are categorized

as features of the natural environment system for the geographic areas located outside of the Provincial Natural Heritage System.



**FIGURE 7: NATURAL HERITAGE SYSTEM (ONLINE MAPPING - EXCERPT)**

Policy acknowledges that the boundaries of the various natural features are to be evaluated and verified by an EIS prepared in support of the development proposal. The accompanying EIS prepared by GEI has completed this work and provided refinements where appropriate, this includes a change to the PSW limits to include “Assumed PSW” lands located to the north of the existing PSW and shown on the Draft Plan of Subdivision as being within the Environmental Area, Blocks 27 and 28.

The Policies of Section 3.1.9.7 outline the Policy framework for the permitted uses within and adjacent to Natural Heritage Features and Areas outside of a Provincial Natural Heritage System.

Consistent with The PPS, Policy 3.1.9.5.1 states development and site alteration shall not be permitted in the following features and areas:

- i. provincially significant wetlands;

- ii. significant coastal wetlands; and
- iii. significant woodlands.

Development and site alteration shall not be permitted in the following natural heritage features and areas unless it has been demonstrated through the preparation of an environmental impact study that there will be no negative impacts on the natural features or their ecological functions:

- i. other woodlands;
- ii. significant valleylands;
- iii. significant wildlife habitat; and
- iv. areas of natural and scientific interest.

Notwithstanding Policy 3.1.9.5 stating no development being permitted with these significant features, Policy 3.1.9.5.3 identifies a limited range of uses that may be permitted within a natural heritage feature, limited to forest, fish and wildlife management, conservation and flood/erosion control project, infrastructure, expansions or alternations to exiting uses. Directly relevant to the subject proposal is the permission for infrastructure, the full Policy as below:

*3.1.9.5.3 Notwithstanding Policy 3.1.9.5.1 permitted uses in a natural heritage feature and area are limited to:*

- c. activities that create or maintain infrastructure authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the Environmental Assessment Act.*

The proposed collector road that implements the road pattern of the Secondary Plan is proposed to cross the northerly extension of the PSW. As discussed in other sections of this PJR, the proposed crossing of the feature is the subject of a review undertaken as a Class Environmental Assessment undertaking which will follow the requirements of the Environmental Assessment Act and processed in parallel with the Planning Act applications.

As identified on Figure 7, the mapping of natural features of the subject property includes delineation of “Other Wetlands”. According to the Glossary of the ROP, these are defined as below:

*Lands that meet the definition of a wetland, and which have not been evaluated as a provincially significant wetland.*

As detailed in Policy 3.1.9.5.6, where an “Other Wetland” has been identified on lands within a settlement area, the Region shall require that an evaluation be undertaken through an environmental impact study, and if required, a wetland evaluation using the Ontario Wetland Evaluation System, and/or hydrological evaluation as part of an application for development or site alteration. The EIS shall determine the appropriate classification and protection or management of the feature, the possible outcomes of the evaluation completed with Policy

could include the in-situ protection with appropriate buffers or incorporation of the hydrologic function into the design of the development.

The accompanying EIS completed by GEI has evaluated these other wetlands in keeping with accepted Ministry practices and determined that portions of the mapped feature are to be complexed with the adjoining PSW's. The exception is the "other wetland" feature that coincides with westerly segment of the Towpath Drain. The GEI EIS identified these two areas as unevaluated wetland communities and noted they will be realigned within channel Blocks 8 & 9 per the approved NPCA Permit.

Where development and site alteration is proposed of lands adjacent to a natural heritage feature or area, Policy requires the completion of an environmental impact study and/or hydrological evaluation to determine that there will be no negative impacts on the feature, ecological function, or hydrologic function.

Where development is proposed on lands within a designated settlement area that is outside the provincial natural heritage system, Policy does not establish minimum buffer widths. In this circumstance, Policy for Buffers in Settlement areas states mandatory buffers are required, the width of an ecologically appropriate buffer determined by completion of an EIS.

Section 3.1.9.9 outlines the Specific Policy framework to establish the appropriate buffer widths. The width of the buffer would be based on the sensitivity of the ecological functions from the proposed development or site alteration, and the potential for impacts to the feature and ecological functions as a result of the proposed change in land use.

Policy acknowledges that the local Conservation Authorities may have their own buffer requirements. Policy 3.1.9.9.3 states that reductions may be considered in settlement areas where supported by a site specific study that is approved by the local area municipality, the Region and the Conservation Authority.

The accompanying EIS has undertaken the appropriate evaluation and recommends buffer widths for the on-site natural heritage features as below. The buffers widths are illustrated on the Draft Plan of Subdivision and incorporated as part of the environmental area blocks. The buffer blocks and the environmental area are intended to be conveyed to the municipality as a Condition of Development Approval.

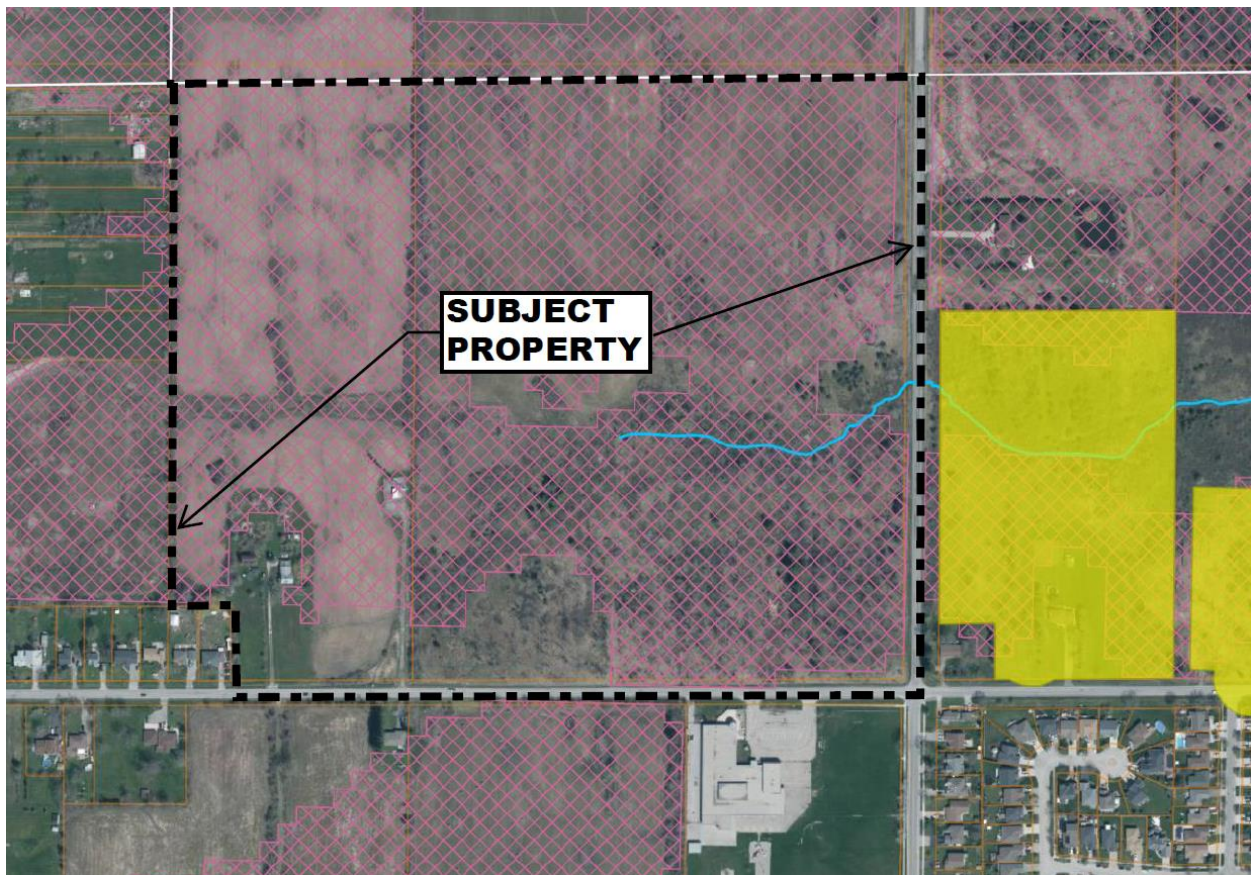
The EIS recommended buffer widths are:

- PSW: 30.0 metres
- Significant woodland: 10.0 metres

Permitted uses in the buffers are limited and generally include the exceptions described in Policy 3.1.9.9.2 (including infrastructure). Within settlement areas, consideration can also be given to including passive recreational uses such as trails, provided an appropriate buffer width is maintained, as determined through the environmental impact study and/or hydrological evaluation.

The Draft Plan implements this policy objective and does provide for the connected trail system to utilize portions of the Buffer. The details for the specific location and construction of the trail within the buffers is recommended to be further evaluated and implemented by Conditions of Draft Plan Approval.

The second component of the natural environment system is the Water Resource System. As illustrated by Figure 8 below, there are two layers of the system that are located on or adjacent to the Primont Lands – the property is subject to the overlay depicting the Significant Groundwater Recharge Areas, the lands to the east are indicated as within a Highly Vulnerable Aquifer (HVA) – both defined as Key Hydrologic Areas. A portion of the Towpath Drain watercourse is identified as a permanent/intermittent stream, a Key Hydrologic Feature.



**FIGURE 8: WATER RESOURCE SYSTEM (ONLINE MAPPING - EXCERPT)**

Pursuant to Policy 3.1.10.1, the ROP states that development or site alteration shall not be permitted in these areas unless it can be demonstrated no negative impacts on water quantity and quality, the hydrologic functions of these areas and features and natural hydrologic characteristics.

To assess the hydrogeology of the site and surrounding area, Primont has retained Terra Dynamics Consulting Inc. As documented in the accompanying Hydrogeologic Study, the

Hydrologic Areas and Features within and adjoining the Primont lands have been investigated for potential impacts arising from the development of the subject lands. The Report demonstrates compliance with the applicable Policy of Section 3.1.10.1 of the ROP as the property is confirmed as not containing HVA's, there are no negative impacts to the hydrologic integrity of the watershed, and no negative impacts to the Towpath Drain are predicted as it has been identified as intermittent and having no baseflow or groundwater inputs. Lastly, the report concludes no negative impacts to the wetlands are predicted as they are primarily sustained by precipitation.

#### **3.4.4 TRANSPORTATION**

As noted, the arterial roads that are adjoining the subject lands are all under jurisdiction of the City of Welland. The nearest Regional Roads are Niagara Street to the east and Merrit Road to the north-east, providing a connection to Highway 406. The Niagara Bikeways Master Plan, Schedule J2 of the Plan, identifies Cataract Road as a part of the cycling network.

The Transportation Policies of the ROP identify the Regions role is planning and implementing a sustainable transportation system to accommodate forecasted population and employment growth. The Region will work with Local Area Municipalities, partnering agencies, and other public entities to implement a multimodal transportation system that allows all users to travel in a safe, accessible, convenient, and affordable manner regardless of their chosen method of transportation.

A multi-modal system is achieved in Niagara by co-ordination of transportation options including road infrastructure, public transit, and an enhanced network of interconnected active transportation systems. Planning Policies encourage safe and convenient inter-municipal and intra-municipal travel for active transportation users that will provide continuous linkages from neighbourhoods to strategic growth areas, employment land, tourism destinations, public service facilities, post-secondary institutions and transit stations. Roads shall be designed to include sidewalks and dedicated lane space for cyclists on the major street network, or other safe and convenient alternatives.

The Primont development implements the Regional objectives for a multi-modal and sustainable transportation system. The development integrates with the hierarchy of local and intra-municipal roads with walking and cycling infrastructure and establishes a linked off-street trail network that will foster safe and healthy lifestyles.

#### **3.4.5 ARCHAEOLOGY**

Consistent with Provincial Policy, the Archaeological Policies of the ROP recognize the importance of conserving archaeological resources and the potential to commemorate significant archaeological discoveries in recognition of their contribution to Niagara's unique community identity.

The Regions role is to manage archaeological data and potential mapping on behalf of the local area municipalities. The Region will support the identification of archaeological

resources and areas of archaeological potential and ensure archaeological resources are conserved in accordance with Provincial requirements.

In accordance with Provincial Requirements, Policy 6.4.2.1 states that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.

As documented earlier in this report, a Stage 1 and 2 Archaeological Assessment has been completed by ASI with Indigenous consultation and submitted to the Ministry of Citizenship and Multiculturalism. ASI had recommended the completion of further Stage 3 Assessment for a portion of the lands. The Stage 3 Assessment is on-going, the reporting will be submitted to the Ministry, Region and area municipality upon completion.

On the basis of the above discussion, it is our opinion that the proposed development conforms to the Policies of the Regional Official Plan.

### **3.5 CITY OF WELLAND OFFICIAL PLAN (2010)**

#### **3.5.1 OVERVIEW AND APPLICABLE LAND USE DESIGNATIONS**

The City of Welland Official Plan was adopted by City Council in May 2010 and approved with minor modifications by Regional Council in September 2011. The on-line version of the Official Plan is updated to November 4, 2019.

The Northwest Secondary Plan was added to the Official Plan as Amendment No. 29, adopted by City Council on October 27, 2020, and approved by Regional Council in July 2021.

The Official Plan provides a 20 year vision for the City with the intent that the document be reviewed and updated on a five year basis to ensure provincial and regional conformity, to monitor progress and make modifications as required.

It is understood that the City is presently undertaking an Official Plan review with a draft document currently in circulation. Based on our review of the draft version, we can confirm that the Northwest Secondary Plan has been fully incorporated and mapping updated to reflect the addition of the area into the Welland Urban Boundary. The following analysis focuses on the in-force document, should the draft Official Plan be adopted we will provide the appropriate evaluation.

Having regard to the applicable Schedules of the Plan, the subject property is identified as below:

**Schedule A - City Structure** – the subject property is located outside the Urban Boundary and designated as Agricultural and Rural Area. The environmental features are identified as



Environmental Protection Area and Environmental Conservation Area. OPA 29 subsequently added the Northwest to the Urban Area and designated the lands for residential uses.

**Schedule B – Land Use Map** - the subject property is located outside the Urban Boundary and designated as Agricultural and Rural Area. The environmental features are identified as Environmental Protection Area and Environmental Conservation Area. OPA 29 subsequently added the Northwest to the Urban Area and designated the lands for residential uses.

**Schedule C – Core Natural Heritage System** - The environmental features are identified as Environmental Protection Area and Environmental Conservation Area.

**Schedule C1 – Components of the Natural Heritage System** - The environmental features are identified as including Provincially Significant Wetland, Significant Woodlands, and a Watercourse.

**Schedule C2 – Flood Hazards** – the Towpath Drain is illustrated as a watercourse with segments shown as Flood Hazard.

**Schedule E – Road Hierarchy** – the abutting major roads, Quaker Road and Cataract Road, are both categorized as Arterial Roads.

**Schedule G – Northwest Welland Secondary Plan** – the subject lands are fully within the Urban Boundary and designated as Low Density Greenfield Residential, Medium Density Residential, Open Space & Recreation, Environmental Protection Area and Environmental Conservation Area. A proposed municipal road transects the subject property with a schematic trail system providing a mid-block linkage through the lands.

**Appendix I - Northwest Welland Hydrological features** – identifies portions of the Core Natural Heritage System to include Floodplain and Potential Corridors.

### 3.5.2 GROWTH MANAGEMENT

Section 3.0 sets out the Growth Management Policies of the Plan. As a broad principle, the foundation of the City's growth management strategy is to direct all urban growth to lands within the designated urban area boundary, on land serviced with municipal water and sanitary wastewater services. Designated greenfield areas are supported as a component of the strategic growth framework, these areas to achieve a compact and transit supportive form of development.

The relevant growth related objectives of the plan include directing urban growth to lands located within the urban area, the conservation of resources such as PSW's and the linked natural heritage system, and to build compact, mixed use, transit supportive pedestrian friendly areas within the designated greenfield areas. The planned development of the Primont lands implements these specific objectives as the lands are within the designated urban area, the plan ensures the conservation of the natural heritage features as part of a larger linked natural heritage system, and the subdivision design provides compact residential

areas that will be supportive for transit and alternative transportation and contribute to Wellands growth as a complete community.

The current Official Plan provides growth objectives to the horizon year of 2031, a 25 year planning period based on preparation of the Plan in 2006. The growth forecast anticipates a population of 63,900 by the year 2031, an increase of 13,600 persons. The future housing growth is projected to increase to 27,590 dwelling units to the year 2031, an increase of 6,875 dwelling units. It is noted that the population and housing forecasts reflect the Plans land use designations and policies based on the Official Plans land use designations and would not have included the additional population and housing arising from the subsequent adoption of the Northwest Welland Secondary Plan Area.

The planned population, housing and employment forecasts are to be accommodated by an overall structure of the City that combines Urban Areas, Rural Areas, the Natural Heritage System, and major infrastructure including the Welland Canal and Provincial Highways. The Structural Elements relevant to growth of the Subject lands include the Urban Area Policies of Section 3.4.2 and the Greenfield Development Policies of Section 3.4.5.

As directed in Section 3.4.2, the lands within the Urban Area Boundary are to be the focus for all urban development, the lands within the Area are either already serviced or intended to be provided with full municipal services. The land supply within the urban boundary representing the supply of designated urban land necessary to accommodate the majority of the City's Planned growth.

Designated Greenfield Areas are those area within the Urban Area Boundary that are located outside of the Built Boundary that was determined by the Province in 2006 and implemented by the municipality in 2008. The Greenfield areas are generally those lands within the Urban Area that are not built up, this is the applicable structural element that applies to the Primont lands and balance of the lands within the Northwest Welland Secondary Plan Area.

The Policies for the Greenfield Areas confirm their importance in providing the City the opportunity to build new neighbourhoods that are a compact, mixed use, transit supportive and integrated as a means of supporting the City's strategic direction to build an overall complete community. New neighbourhoods that are denser, more compact and transit supportive will ensure the efficient use of land, infrastructure and public service facilities.

All greenfield areas are to be planned to support the achievement of a density target of not less than 50 residents and jobs per hectare, measured across the entirety of the Greenfield Area. The density target will be achieved by ensuring minimum residential densities are achieved, planning for areas to include a mix of low, medium and high density development and encouraging mixed use development.

The comprehensive planning process which led to the adoption of the Northwest Welland Secondary Plan directly implements the Official Plans objectives for Greenfield Development. The new growth areas will be provided full municipal services through the efficient extension of existing municipal with growth to occur in an orderly and logical manner. The land use plan

provides for a mix of residential densities including mixed use development, the resulting densities achieving and exceeding the Greenfield minimum density target.

### **3.5.3 URBAN AREA LAND USE POLICIES**

The Policies for the various land Use Designations are outlined in Section 4.0 of the Official Plan.

General planning objectives for residential areas include direction for new development to occur in a compact, efficient, and logical pattern. Development will be planned to ensure an appropriate range of residential uses with differing types and tenures of housing units encouraged. Affordability is encouraged to meet the needs of citizens at all levels of income. By adherence to Urban Design Guidelines, the City will ensure all new development is designed in an attractive manner, accommodating the needs of pedestrians and as well as active modes of transportation.

The Primont development conforms with these general planning objectives by providing a mix of dwelling types and tenures including detached dwellings with a range of lot and house sizes, ground related multiple dwellings and mid-rise apartment dwellings with freehold and condominium tenure. The mix of housing options will satisfy the objectives to cater to a range of income levels with the overall design framework intended to create an attractive neighbourhood that emphasizes pedestrian amenities and caters to an active and healthy lifestyle.

Residential land uses within the urban area are classified into one of three land use categories – Low, Medium and High Density Residential. The Northwest Welland Secondary Plan provides limited additional Policies, primarily relying on the policies of the parent document to guide the development of areas designated as Low and Medium Density.

Development in the Low Density Greenfield Residential Designation of the Secondary Plan shall be in accordance with the Planned Function, Permitted Uses, Scale and Design of the Low Density Residential Designation per Section 4.2.2.2 of the Plan. The Permitted Density range is 15 to 24 dwelling units per net hectare of land, the permitted housing forms include single and semi-detached, triplex and townhouse housing units and dwellings shall generally have a low rise scale that does not cause significant issues with the casting of shadows obstruction of views and privacy for adjacent lots.

Design policies encourage appropriately scaled and designed dwellings that are attractive and will animate the streetscape based on massing, architectural design and emphasis a positive interaction between the public and private realms.

It is noted that the Primont Plan implements the permitted range of dwelling types yet seeks an increase in the permitted density range to allow a maximum density of 44 units per net residential hectare. The proposed density increase for the Primont aligns with the updated density objectives of the Secondary Plan Area as planned to be implemented by the Minisiters Zoning Order and will ensure that the minimum density targets for the Greenfield Areas are achieved.

A fulsome discussion demonstrating compliance with the urban design objectives of the Plan, including the City-wide Guidelines and the Northwest Welland Guidelines, is provided in a following section of this report.

Development of lands designated as Medium Density shall be in accordance with Section 4.2.2.3 of the Plan which outlines the permitted uses, scale and design for this category of residential use. The intended density range is Permitted uses include townhouses and low rise apartment housing, the scale shall not cause significant issues with the casting of shadows and obstruction of views for adjacent lots.

Design considerations encourage landscaping as a buffer to adjoining sensitive land uses, parking areas to be located in the side or rear yards, where parking is provided underground increased densities will be permitted without and amendment to the plan.

The Primont plan is proposing an amendment for the medium density block, a shift in location from Quaker Road to a location along Cataract Road and an increase in the maximum building height to 12 storeys and a corresponding increase in density to permit 380 dwelling units per net hectare.

The shift in location of the medium density block is deemed to achieve the locational criteria for higher density uses, the block will front onto an arterial road and the increased building height will not result in any adverse impacts to the adjoining lower density uses with respect to casting of shadows or obstructions of views and the location does not directly abut other residential uses and the preliminary building location ensure adequate separation.

The increase in density is deemed to be appropriate, similar to the low density increase the proposal does align with the updated density objectives of the Secondary Plan Area as planned to be implemented by the Minisisters Zoning Order and will ensure that the minimum density targets for the Greenfield Areas are achieved. The combined unit count is consistent with the share of units that have been assigned to the Primont Lands based on updated dwelling unit and population targets for the Secondary Plan area.

### **3.5.4 CITY WIDE LAND USE POLICIES**

Section 6.0 of the Plan sets out Policies for designations and land uses that apply across the City, to both the urban and rural areas. Policies that are directly relevant to the subject property include Section 6.1 – Natural Environment, Section 6.2 – Parks, Open Space and Recreation, Section 6.4 - Transportation, and Section 6.5 - Infrastructure.

#### **3.5.4.1 ENVIRONMENT**

Policies for the natural environment are outlined in Section 6.1 of the Plan. General Objectives state the City will employ an ecosystem based approach to planning and development with the core objective of protecting natural the heritage system from degradation and inappropriate development.

The components of the Core Natural Heritage System consist of Core Natural Areas within four categories - Environmental Protection Areas, Environmental Conservation Areas, Natural Heritage Corridors and Fish Habitat.

Schedule C1 illustrates the specific components of the Environmental Protection Area and Environmental Conservation Area based on available information. Specific to the subject property, the mapping indicates the presence of Provincially Significant Wetland, Significant Woodlands, a Watercourse and associated Flood Hazard.

Policy confirms that the appropriate studies will be undertaken at the land development stage to precisely delineate the limits of the features, their significance and associated buffers to ensure no negative impacts result from new development. Minor boundary adjustments to the limits of the Core Natural Areas may be permitted without Amendments to the Official Plan subject to consultation with the Region, Niagara Peninsula Conservation Authority (NPCA) and Provincial Ministries.

Where development is proposed on lands adjacent to the Core Natural Heritage System, Policy 6.1.2.3.C requires the completion of an Environmental Impact Study (EIS) to demonstrate there will be no negative impacts on the natural features or their ecological functions.

GEI Consultants have completed an EIS in support of the development proposal, the terms of reference of the Study previously reviewed and accepted by the City of Welland, Region of Niagara and the NPCA. As an initial step towards completing the EIS, GEI and staff from the City Region and NPCA completed a site visit in June of 2021 with the limits of the various features being evaluated and surveyed by an OLS, the resulting boundary is included in the EIS and shown as a layer on the Draft Plan of Subdivision.

In addition to satisfying Policy 6.1.2.3.C, the EIS has also had regard for the Environmental Policies contained in the Northwest Welland Secondary Plan, specifically Policies which require evaluation of the small wetlands less than 0.5 hectares in area shown on Appendix I Map 4. The EIS evaluates these wetlands and provides recommendations to determine if they warrant protection or alternatively be included in the development lands. In addition, the EIS has evaluated the proposed development within the alignment of the potential Natural Heritage Corridor illustrated on Appendix I of the Secondary Plan and provides discussion to confirm the linkage function of the corridor can be maintained.

Specific to the proposed Collector Road that is proposed to bisect the subject property, Policy 6.1.2.3.E characterizes this as an essential public use of a linear nature. Such linear uses are permitted to locate within the Core Natural Heritage System or adjacent lands where an Environmental Assessment for the proposed Use has been approved under Provincial or Federal Legislation. The location of the proposed collector road does coincide with the potential Natural Heritage Corridors illustrated by the Secondary Plan. As detailed in the following discussion of the Secondary Plan, Policies for the potential Corridors confirm new municipal streets are a permitted use subject to the completion of a supporting EIS.

The planning approvals for the subject lands have specifically been tailored to comply with Policy 6.1.2.3.E by adapting the approvals process as a Consolidated Planning Act and

Environmental Assessment Act undertaking with all associated notice and reporting requirements being adhered to in keeping with the applicable Statutes and Guidelines. The evaluation of the alignment of the proposed collector road is to be documented in a parallel Report completed by HDR Inc., providing the technical basis to document conformity with the Class EA process.

Consistent with Provincial Policy, new development shall not be permitted within areas subject to natural hazards. Policy 6.1.3.6 – Natural Hazards, references Schelde C2 of the Plan as illustrating hazardous lands and sites which may include flood hazards and steep slopes. The development proposal does not propose any development within or abutting such features. The proposed re-alignment of the Towpath Drain pursuant to the NPCA Permit does include channel segments with associated floodplains. The Draft Plan of Subdivision for the Primont lands includes appropriately sized Blocks for the realigned channel, sized to ensure that no part of the floodplain and associated hazard extends to the adjoining lands proposed for lot creation.

#### **3.5.4.2 PARKS, OPEN SPACE AND RECREATION**

The Primont proposal implements the Planning Objectives as the overall design of the new neighbourhood provides for an integrated systems of parks, open spaces and recreational opportunities. The design includes a continuous trail system that will physically link the components for convenient access by residents within the subdivision and links to recreational opportunities throughout the City.

The Draft Plan provides opportunities for both active and passive leisure activities. Integration with the components of the natural heritage system contribute to a green community that provides significant open space and protected natural heritage areas. For active uses, the plan provides a neighbourhood park that is centrally located and accessible to residents as well as a parkette and an entry feature to the new neighbourhood.

The distribution of parks of varying sizes within the Plan aligns with Policy which encourages a hierarchy and equitable distribution of parks and open spaces throughout the City. The programming and detailed design of the parks and connected trail system will be addressed by way of the Conditions of Draft Plan Approval.

#### **3.5.4.3 TRANSPORTATION**

Transportation Policies are outlined in Section 6.4 of the Plan. As a general objective, Policy aims to reduce the dependence on automobiles and develop a diverse transportation system that supports a variety of modes including road, transit, cycling and walking.

All roads within the City are classified according to their function, the hierarchy is intended to optimize the road networks for the purpose of accommodating traffic for intra-city, regional and inter-City traffic while minimizing disruption to the quality of life for local residents. The hierarchy will direct large volumes of commercial and truck traffic around residential area and facilitate the establishment of public transit and on-street cycling routes.

Policy 6.4.2.1.B & 6.4.2.1.C set out the definitions and functions for the road classifications as illustrated on Schedule “E” and outline the planned minimum right-of-way widths as below:

- Arterial Roads such as Quaker and Cataract Roads are classified as Arterial Roads, intended for traffic movement servicing moderate to large volumes of inter-city and/or through traffic at moderate speeds. Generally, the minimum right-of-way widths should be 30.0 metres.
- Collector Roads are intended where traffic movements and land access are of equal importance, serving moderate volumes of traffic at moderate speeds. Generally, the minimum right-of-way widths should be 24.5metres. The proposed road crossing the Primont lands is not specifically classified as a collector road by Schedule “E”. The supporting TIS has however evaluated its function and anticipated volumes and recommends classification as a Collector Road.
- Local Roads are intended to be used primarily for land access, serving low volumes of traffic. Generally, the minimum right-of-way widths should be 20.0 metres.

Policy 6.4.2.1.D recognizes circumstances where alternative road designs less than the minimum standards may be considered. Where reductions are proposed, the City will ensure that:

- i. The planned function of the road is capable of accommodating anticipated travel demand;*
- ii. Municipal services, including maintenance and emergency services can be delivered in a safe and efficient manner;*
- iii. The proposed right of way is consistent with planned adjacent land uses; and,*
- iv. The road design is consistent with the Objectives and Policies of Section 6.4 of this Plan.*

The accompany TIS completed by CGH Transportation Inc. has undertaken an evaluation of the planned roads network for the Primont Lands having regard for the above criteria and is recommending alternative road widths of 21.0 metres for the collector road and 18.0 metres for the local streets. Refer to Section 8.1 of the TIS for an evaluation of the above criteria.

To facilitate an appropriate modal split with alternative modes of transportation, Policies of the Transportation Section also encourage the establishment of infrastructure for additional modes including transit, cycling and walking and TDM measures.

At present, Welland Transit Route 509 that travels on Quaker Road, between First Road and Niagara Street, servicing the existing residential neighbourhood to the south. It is anticipated that the local transit routes will be re-evaluated upon build out of the northwest Welland Secondary Plan Area to ensure the Policy objective of 90% of new residential units within proposed subdivisions are within 400 metres of a transit stop.

The proposed road network also implements Policy objectives for the City and Regional planned cycling system, intended to develop as a continuous and safe system of on-street

and off-street cycling trails. Cataract Road is identified in the Region's Transportation Master Plan as a cycling route, part of the Niagara Bikeways Master Plan. Internal to the subdivision both the collector road and the local streets are designed to include on-street cycling infrastructure that will connect to the proposed public trail system through the channel blocks and the environmental areas. Detailed design of the public multi-purpose trail system, including use for cycling, will be completed as a condition of Draft Plan Approval.

#### **3.5.4.4 INFRASTRUCTURE**

Consistent with the Sustainability Policies of the Plan, Section 6.5 of the Plan sets out the policies for the provision of appropriate municipal services including the minimum standard of ensuring lands within the urban area are provided with efficient municipal water, sanitary sewage and storm water management services. Policy emphasizes the priority for considerations of climate change and sustainable provision of services, considerations to include financial viability, protection of human health, and the protection and enhancement of natural features and systems.

All new development within the urban area shall be connected to the Regional water and sanitary systems, the City to work with the Region to ensure there is a sufficient planned supply of water capacity within the treatment plant and sufficient reserve capacity within the sanitary treatment plant to serve Welland to accommodate the long term growth based on the projections in this Plan.

The City encourages the use of innovative techniques for Stormwater management to reduce the need for large stormwater management facilities, thereby reducing run-off and improving water quality and quantity.

As documented in the accompanying Studies completed by Walter Fedy Engineering, servicing upgrades are necessary to implement the extension of municipal water and sanitary systems.

#### **3.5.5 SUMMARY**

On the basis of the above discussion, it is our opinion that the proposed development conforms to the Policies of the City's Official Plan.

### **3.6 NORTHWEST WELLAND SECONDARY PLAN**

The Northwest Welland urban expansion area was added to the City's Urban Boundary to accommodate future urban growth in an orderly and sequential manner. Encompassing an area of approximately 190 hectares, the area is to be planned as a new complete community that will integrate with the surrounding built-up area, provide connections and effectively accommodate existing and planned infrastructure.

The planning objectives to guide the evolution of the area into a complete community include the protection and enhancement of natural heritage features, promotion of healthy and active living by providing active transportation options and a continuous and connected open space



system, providing a diverse range of housing types and variety of uses. Design principles emphasize a residential character that is compact, connected and walkable. Incorporation of sustainable design initiatives will ensure conservation of water resources and adaption to climate change.

The initial housing targets for the Secondary Plan Area anticipated a total of 1850 dwelling units. These growth targets were subsequently updated through the background studies prepared in support of the CIHA application (now MZO), with the Primont lands assigned a target of 800 dwelling units of the overall growth target of 4,350 units.

### 3.6.1. RESIDENTIAL LAND USE

As illustrated by Figure 10 below, the excerpt from Schedule G – Land Use Map, the subject lands have two designations for residential development – Low Density Greenfield Residential and Medium Density Residential. The natural heritage features are designated as Environmental Protection for the Core Area which include the PSW and Environmental Conservation applicable to the other woodlands and wetland areas. An additional natural area is shown to the north of the Collector Road adjoining a block intended as Open Space & Recreation to accommodate parkland.

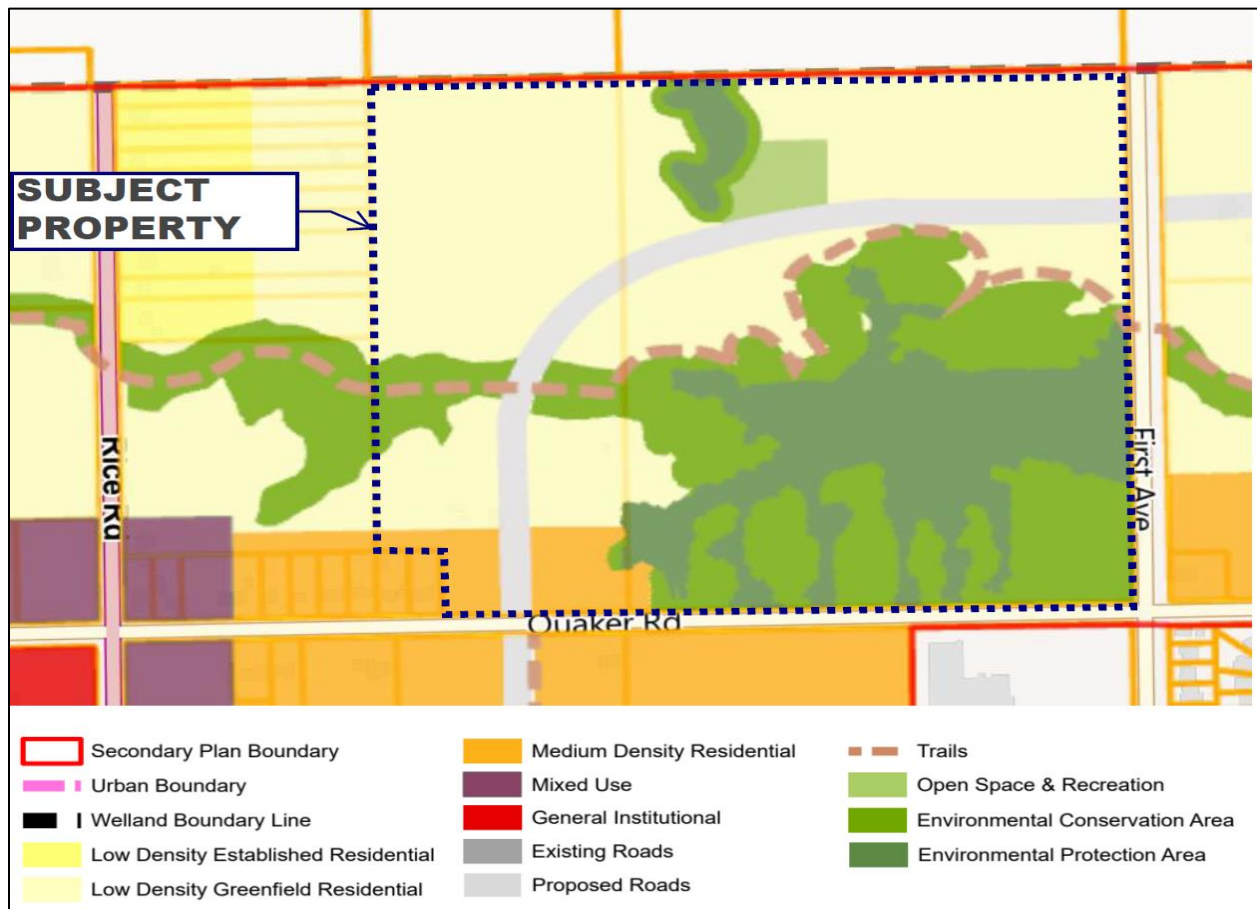


FIGURE 10: SCHEDULE G (EXCERPT)

The Low-Density Greenfield designation is the predominant designation applying to the subject lands, intended for low density development of designated vacant lands. The permitted density is in accordance with the Low-Density Designation of the Official Plan, a range of 15 to 24 dwelling units per net residential hectare. The permitted housing forms are generally ground related and include single and semi detached, triplex, townhouses and duplexes.

The intended scale of development is low rise dwellings which do not cause significant compatibility issues with respect to casting of shadows, obstruction of views and privacy for adjacent lots. Based on maximum dwelling heights of 3 storeys, the proposed mix of dwelling types will not create adverse conditions with respect to overlook and privacy, the lotting pattern of the Draft Plan designed to create an appropriate interface between dwellings and yards intended as private amenity space.

General design principles emphasize the importance of creating a streetscape that is predominated by consistent building setbacks, front yard landscaping, porches or covered entrances with windows and doors oriented to the street. Low Density development shall reflect the design and built form direction of both the City-wide Urban Design Guidelines as well as the Northwest Welland Urban Design Guidelines.

The Medium Density Residential designation is intended to provide for residential development at increased densities along primary arterials roads that frame the secondary plan area including Quaker Road. The preferred land use plan prioritized a location for higher density uses along Quaker Road and within 400 metres of the mixed use zone at the intersection of Rice & Quaker Roads.

The permitted density and uses for lands designated Medium Density shall be in accordance with the Medium Density Designation of the parent Official Plan, Sections 4.2.2.3.A and 4.2.2.3.B. The Designation has a permitted density range of 25 to 60 dwelling units per net residential hectare with the permitted housing forms to include ground related dwellings including townhouses and stacked townhouses, and low rise apartment housing. The intended scale is a maximum height of 6 storeys. Where adjacent to Low Density Development, medium density housing forms should provide appropriate transitions in height, density, and scale.

As discussed in the preceding Section of this PJR, the implementation of the Primont Plan proposes amendments to the Residential Policies and Mapping of the Secondary Plan - an alternative location for the medium density block and modified density and height provisions.

The proposed shift of the medium density block to the Cataract Road frontage is deemed appropriate as it will be located at the intersection of the proposed collector road and the existing arterial road, two higher order roads suitable for the associated traffic volumes and location at the periphery of the neighbourhoods, focusing lower intensity uses to the interior of the neighbourhood. The location does not immediately abut any lower density development, and backs onto the open space system, an appropriate context for the proposed increased building height to a maximum of 12 storeys.

The modifications to the Policies for the Low and Medium Density Residential Designations are necessary based on increased growth targets for the Secondary Plan Area, the overall unit count being increased to 4,350 dwelling units with 800 dwelling units allocated to the Primont Lands. The Draft Plan achieves this growth objective with a mix of lot-less blocks that are planned to accommodate the mix of dwelling types and densities to ensure the development achieves conformity with Policies that encourage a range and mix of housing options.

As detailed in the accompanying draft OPA at Appendix “A”, the proposal will increase the permitted density to 44 units per net residential hectare and 380 units per net residential hectare for the low and medium density designations respectively.

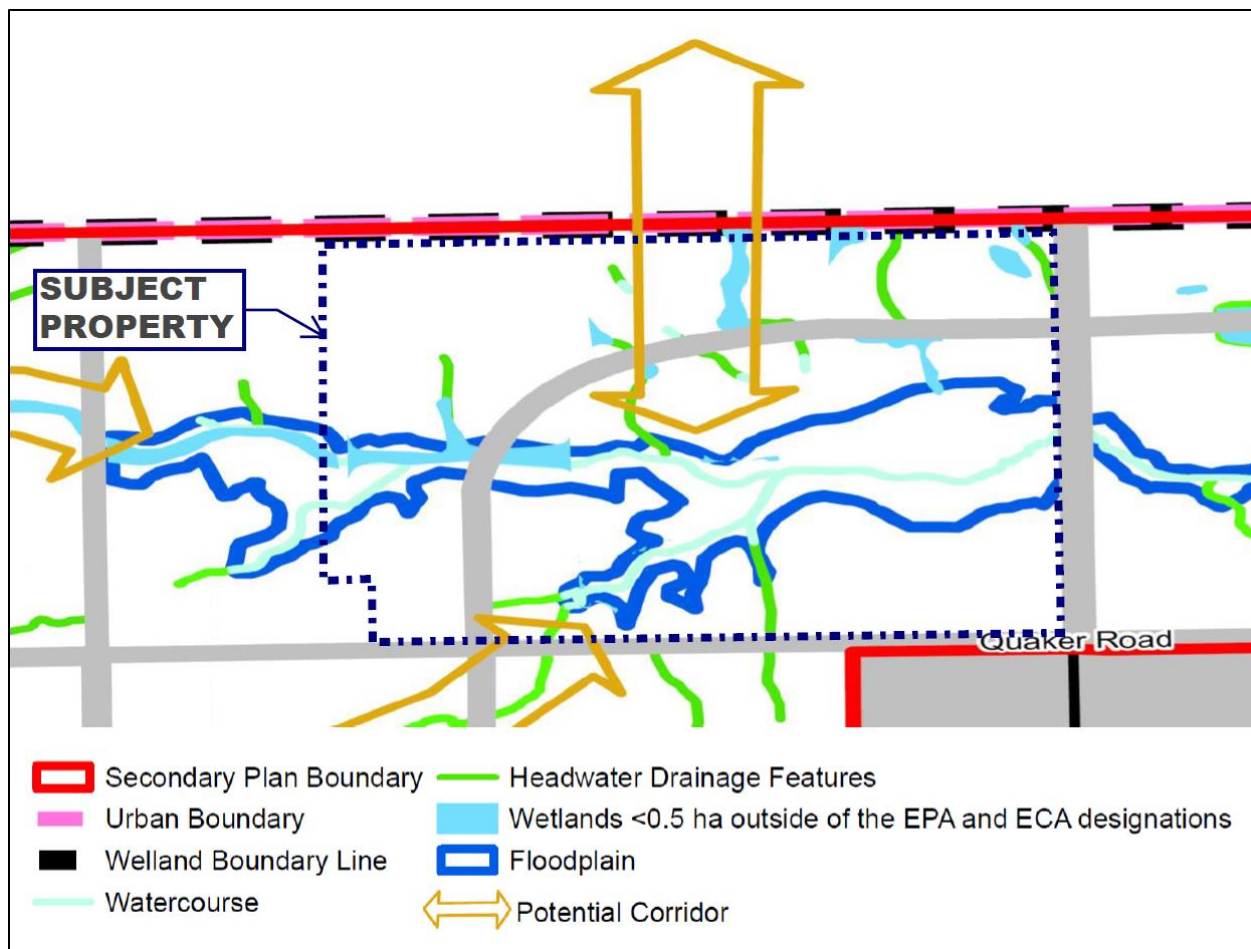
### **3.6.2 OPEN SPACE AND RECREATION**

Lands designated Open Space and Recreation are to be developed and maintained as Neighbourhood Parks which shall serve the immediate recreation needs of a neighbourhood within walking distance of the area being served. The intended locations are symbolically shown on Schedule G and shall be further delineated at the time of development approval. Policies also encourage the development of Parkettes within Low Density Residential neighbourhoods to support increased access to greenspace for residents. The Draft Plan implements these policies objectives with a centrally located neighbourhood park and proposed parkette as an entry feature to the new community.

### **3.6.3 ENVIRONMENTAL POLICIES**

The Secondary Plan outlines specific policies for the Environmental Protection and Environmental Conservation designations in addition to the Policies of the parent Official Plan. The Policies cross reference an added Schedule to the Secondary Plan that illustrates key hydrogeological features within the Secondary Plan area, an excerpt of the schedule identifying the location of the subject property and associated natural features is provided by Figure 11 as below.

The subject lands contain several features that have been investigated by the accompanying EIS, these include the small wetlands, Headwater Drainage Features and conceptual corridors. Specific to the wetlands, the evaluation contained in the EIS confirms the wetlands are not significant and are proposed for removal. The Corridor shown on Appendix I generally aligns with the proposed northerly extension of the PSW to include the vegetation communities which are assumed to meet the significance threshold and are deemed as PSW's and identified as “Assumed PSW” in the EIS.



**FIGURE 11: APPENDIX I – MAP 4 – NORTHWEST WELLAND HYDROGEOLOGICAL FEATURES**

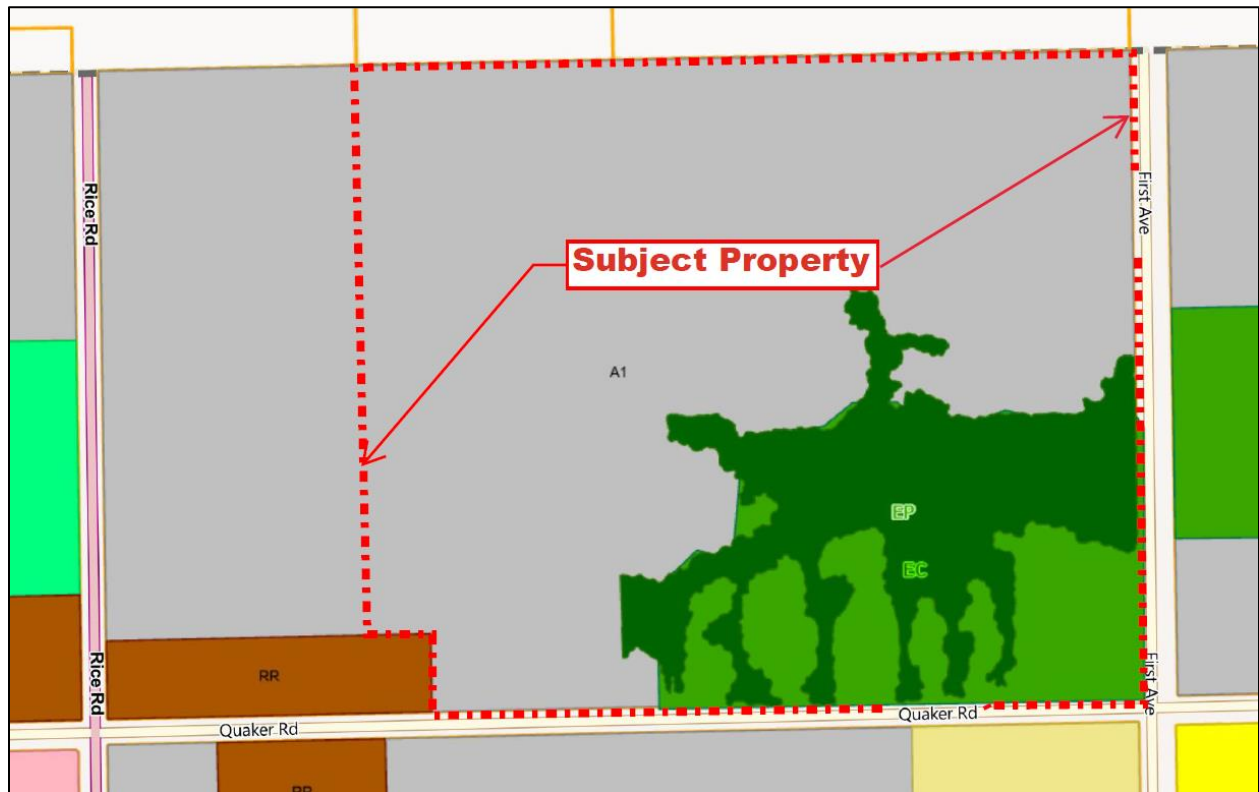
The existing watercourse has been evaluated as part of the Permit Application to facilitate the minor re-alignment of the Towpath Drain watercourse. NPCA has granted approval of the Permit and recommended channel design which has been incorporated in the Draft Plan of Subdivision as specific blocks that will accommodate the channel, associated floodplain and section of the proposed trail system that transects and connects the new neighbourhood.

### 3.6.4 SUMMARY

Having regard for the preceding discussion, it is our opinion that the proposal conforms with the general intent of the Secondary Plan, the proposed amendments will achieve the updated population and dwelling unit objectives and provide for an appropriate built form and the protection of the natural heritage system while achieving a desirable connected open space network that will foster a healthy and vibrant neighbourhood.

### 3.5 CITY OF WELLAND ZONING BY-LAW

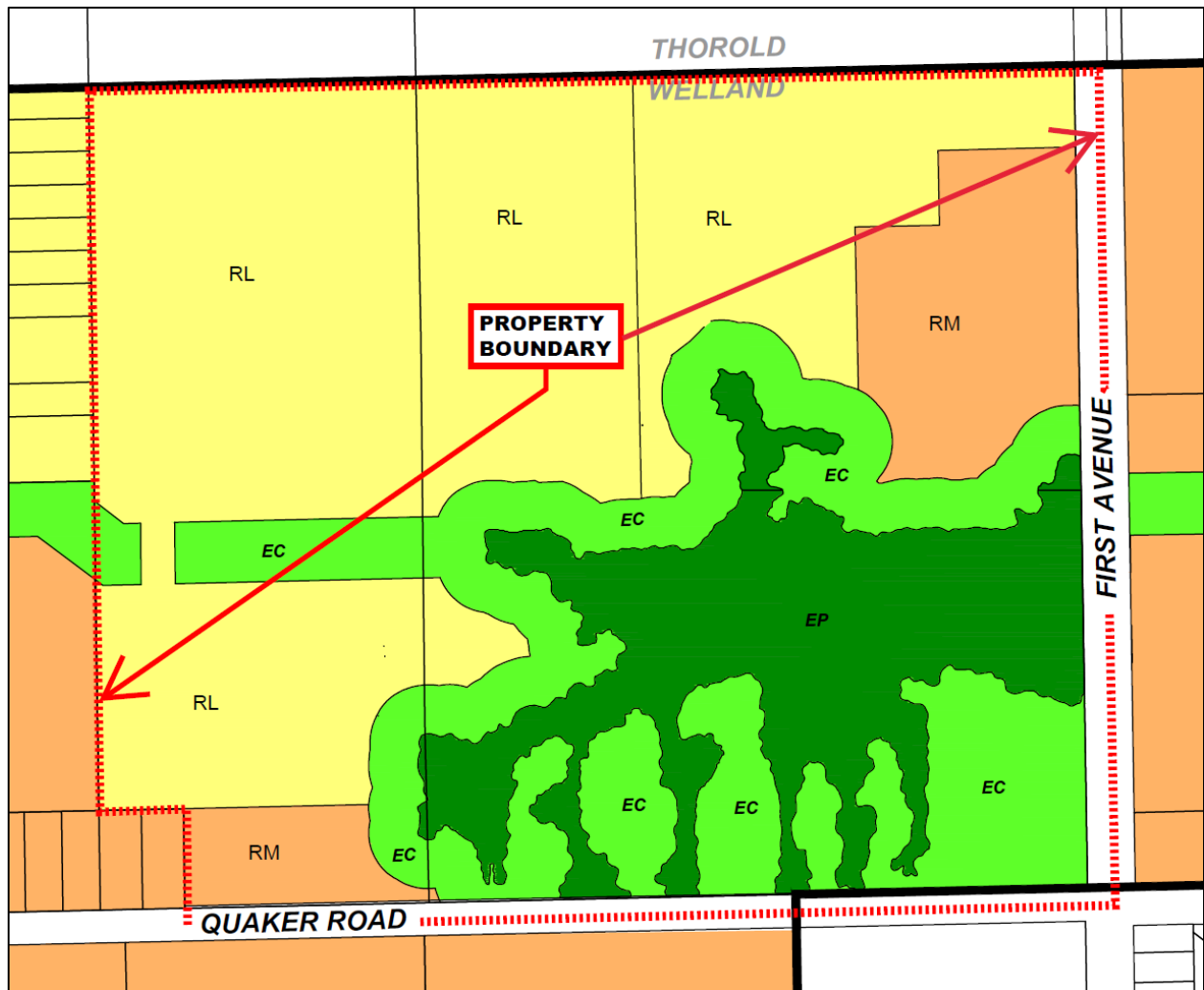
As illustrated by the following excerpt from Schedule “A” - Zoning Map for the City of Welland, the subject property is predominantly Zoned as “A1” – Agricultural. The natural heritage resources on the property are zoned as “EP” – Environmental Protection, applicable to the Core Areas, and “EC” – Environmental Conservation, applicable to the wooded areas and unevaluated wetlands.



**FIGURE 12: CURRENT ZONING**

The proposed amendment to the Zoning By-law seeks to implement the specific Regulations that would otherwise be implemented by the MZO. The modified regulations include additional definitions to encompass the full range of proposed housing forms, modifications to the General Provisions of the parent By-law and the establishment of new Low Density and Medium Density Zone categories. The Zoning By-law amendment will also implement the appropriate Zone categories for the environmental areas, open space and infrastructure blocks.

The following figure is an excerpt of the Zoning Schedule that is to be implemented by the MZO and generally establishes the preferred Zone boundaries to implement the Draft Plan. It is recognized that the Schedule will be refined through the Draft Plan review process and an updated Schedule will be prepared to reflect any modifications to the Zone boundaries.



**FIGURE 13: PROPOSED ZONING (EXCERPT FROM SCHEDULE "A")**

The framework of the draft Zoning Regulations provides two categories for Residential uses – Low and Medium Density. The approach is intended to provide flexibility and broaden the range of housing forms that can be implemented with each category. The Low density Zone includes the full range of ground related housing types including single and semidetached, street townhouses, block townhouses, stacked townhouses and maisonettes or back-to-back townhouses. The medium density category is differentiated as it includes the added built form of mid-rise apartment buildings to ensure the complete continuum of housing options are achieved.

A copy of the draft Zoning By-law amendment is attached to this report as Appendix "A". It is understood that the Regulations of the draft By-law will be the subject of further refinement through the planning application review process. A final draft of the amending By-law will be prepared in consultation with City Planning Staff.

It is noted that the application for Zoning By-law amendment will be withdrawn should the MZO come into effect prior to the County completing the processing of the Application.

## 4.0 URBAN DESIGN

A supporting document to the Northwest Welland Secondary Plan (NWSP) is a comprehensive Urban Design Guideline adopted to provide a design framework that encourages the creation of a successful and sustainable urban community. Prepared by SGL Planning & Design Inc., the Guidelines are to be read in conjunction with the existing City-wide Urban Design Guidelines adopted in 2014, and relevant Policies of the Secondary Plan.

The Northwest Welland UDG (NWUDG) are organized to provide guidance for each community structure element of the NWSP. In the context of the Primont lands, this includes new greenfield residential low rise neighbourhoods, new medium density residential areas, as well as, parks, trails and the natural heritage system. The UDG describes the vision and intent for each of the community structure elements and outlines a series of design guidelines that direct site panning, built form, access, and landscape design for specific elements.

The NWUDG sets out a vision for the secondary plan area to evolve into a complete community that respects the existing character and built form of the adjoining urban area as well as the natural environment. New low density residential areas are to develop as extensions of existing areas with appropriate intensification, providing a more walkable, transit supportive community that is close to parks, trails and schools.

The planned structure of the evolving community encompassing the Primont lands will include a mix of low and medium density residential development integrated with the areas existing natural heritage system. The NWUDG calls for the creation of an integrated trail system spanning the Secondary Plan area, acting as a spine for active transportation. Streetscape design for the adjoining arterial roads is to include sidewalks, multi-use paths and bike lanes to facilitate active transportation and linkages to Niagara College and public service facilities within adjoining established neighbourhoods.

Part 3 of the NWUDG outlines design guidance for low density residential neighbourhoods, emphasizing the intent to include a full range of low density development including detached and semi-detached, duplex and triplex dwellings and townhouses. The density and design should be planned to respect surrounding land uses and existing character of surrounding neighbourhoods taking into consideration appropriate transitions in height, massing, setbacks and built form details. Additional guidance includes:

- *Low density dwellings encouraged to front onto public streets, trails parks and the natural heritage system;*
- *Rear facades where backlotting onto parks trial or open space is proposed should be designed to match or exceed the quality of front façade*
- *Well-designed garages should complement the dwellings and improve the quality of the street scape;*

- *Dwellings located along arterial, or collector roads should be sited to front the street, where practical vehicular access should be provided from a rear lane or street behind the buildings.*

Additional considerations from the City-wide UDG for low density housing include:

- *Diversity in lot widths, depths and dwelling types;*
- *Consistent front yard setbacks with main entrances facing the street with connecting walkway or driveway;*
- *Enhanced side elevations where corner dwelling facing the street;*
- *Minimum garage setback of 6.0 metres, driveway widths generally no wider than the garages they serve;*
- *Garages should not become a dominant feature of the main façade, consider innovative design techniques such as recess from the front façade.*

Primont homes takes pride in their approach to neighbourhood design with an emphasis on meeting or exceeding the objectives of design guidelines. The layout of the draft plan and preliminary product design for low density housing is highlighted as below to demonstrate compliance with the urban design guidelines:

- The project implements a range of dwelling types and sizes – detached dwellings of varied widths, street townhouses, block (condominium) townhouses, and back-to-back townhouses.
- The development does not immediately adjoin existing residential development which lesson concerns for transitions in building in height and massing. The built form within the Draft Plan is generally similar with heights of only 2 – 3 storeys, ample rear yards for private amenity space, and appropriate setbacks to preserve privacy and avoid overlook;
- The townhouse units within the planned condominium block (Block 1) will have ‘front’ elevations with primary entrances facing the arterial and collector road frontages, garages will be accessed from the interior private streets;
- Garages are recessed from the primary façade and achieve the minimum setback of 6.0 metres;
- As illustrated by Figure 14 below, Primont design precedents for detached housing, the architecture incorporates high quality design and materiality, garages are not the dominant feature of the façade and incorporate detailing, corner units have enhanced elevations with windows and entrances oriented to the flankage;





**FIGURE 14: PRIMONT DESIGN – CORNER LOT & SMALL SINGLE**

The mix of dwelling types is varied to ensure a range of housing choices will be provided, catering to a range of family sizes and incomes to address housing affordability. Figure 15 below illustrates typical street townhouse design incorporating ample window openings, primary entrances oriented to the street with pedestrian connectivity, and appropriately scaled garage openings.



**FIGURE 15: STREET TOWNHOUSE DWELLINGS**

Part 4 of the NWUGD outlines the applicable design guidelines for medium density residential development. It is noted that the framework includes guidance for townhouses and low-rise apartment buildings. As townhouses are also addressed in the Low Density Guidelines, the following discussion will focus on the apartment form of medium density housing.

The vision for new medium density residential growth in the form of higher intensity built form is to support a more walkable, transit supportive community that is close to parks, trail and schools. Development should be designed to animate the street edge and provide for a safe and comfortable public realm. The Secondary Plan envisions the majority of the medium density housing form to locate along Quaker Road, functioning as a connective spine leading to and from the future mixed use node located at Quaker and Rice Road.

The Primont Plan proposes to amend the land use plan and relocate the Medium Density Block to a location on Cataract Road at the intersection of the proposed collector road. The location generally conforms with the Secondary Plan and Design Guidelines given a location at the periphery of the neighbourhood, access to higher order roads and immediate proximity to open space and the linked trail system. Expansion of the public transit network is anticipated to align with the higher order roads which infers the location at the intersection of the planned collector road and Cataract Road will have immediate proximity to future transit stops.

Design Guidance that applies to the mid-rise apartment form is premised on ensuring matters of land use compatibility are achieved with respect to transition of scale, considerations of shadow impacts and loss of privacy and overlook.

Detailed plans have not yet been advanced for the Primont medium density block. The block is strategically sited with respect to the road network and adjoining development blocks to mitigate potential incompatibilities. The immediately abutting lands include the Environmental Area and a block for stormwater management and frontage onto an Arterial Road (Cataract Road) with the proposed collector road to the north.

The Built form and architectural design of the proposed mid-rise will be subject to a future application for Site Plan Approval, this being the appropriate stage to demonstrate compliance with the design guidance of the NWUDG and the City-wide Guidelines. Key considerations will include the interface of the building with the adjoining public realm to create a positive streetscape and pedestrian realm. The location of surface parking will be screened from surrounding residential areas and streetscapes through landscaping or built form features. The overall building massing will be designed to mitigate any adverse impacts with respect to shadowing and overlook.

Part 6 of the NWUGD provides guidelines for the creation of an integrated system of parks, trails and natural areas, reinforcing the Secondary Plan objectives for these elements to contribute to the area as a valuable resource and important life quality element.

The Primont Plan has been designed to protect and enhance the natural areas and establish a connected system that establishes a network comprising the realigned Towpath Drain, SMW facilities and the proposed neighbourhood park. The integration of these elements will establish a trail system in keeping with the intent of the Design Guidelines to support overall access to green space and connectivity to adjoining neighbourhoods. The following Figure 16 illustrates the connected system of the Primont plan and implementation of the design objectives.

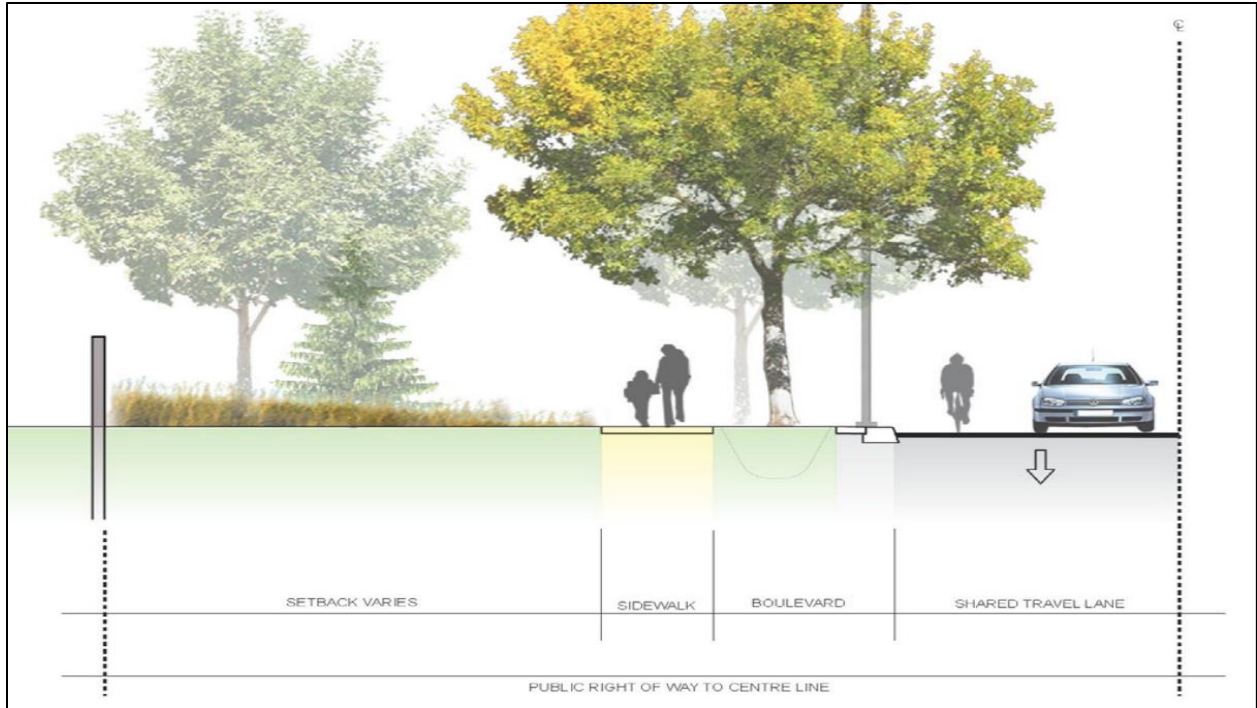


**FIGURE 16: PROPOSED CONNECTED TRAIL SYSTEM**

An additional design consideration that is relevant to the subdivision is consideration of Streetscaping Guidelines as outlined in the City-wide Urban Design Guidelines. As detailed in Part 5.0, the Guidelines offer key design principles that address each major street typology with suggested solutions to achieve betterment of the public realm. Directly relevant to the Primont development are recommended design elements to be incorporated within the proposed collector and local Roads.

The Design Guidelines for these typologies recommend widths of travel lanes, incorporation of cycle lanes, composition of boulevards, public sidewalk widths and development setbacks, the standards varying based on the planned function, anticipated traffic volumes and access to adjoining lands. Appropriate design ensures a functional road network but also places where social interaction can occur and active and healthy lifestyles are promoted.

The Roads widths for the Primont development are premised on a 21.0 metre cross section for the Collector Roads and 18.0 metres for the local roads. The following Figure 17 is an excerpt from the City-wide Guidelines illustrating the desired cross section for a Local Road. The accompanying TIS has undertaken an analysis of the proposed cross section and confirms the width appropriate, matters of detailed design will be addressed in fulfilling the applicable Conditions of Draft Plan Approval.



**FIGURE 17: LOCAL ROAD CROSS SECTION**

Based on the above discussion, it is our opinion the proposal has appropriate regard for both the NWUDG and the City-wide Urban Design Guidelines. The preparation of detailed plans will be implemented by way of the Conditions of Draft Plan Approval that will accompany approval of the Plan of Subdivision.

## 5.0 SUPPORTING STUDIES

The scope of the studies that are required to accompany submission of the planning applications were identified through the Pre-consultation process. The required studies and plans are intended to facilitate a comprehensive review of the proposed development and, where applicable, provide information that informs the planning opinion.

The following discussion provides a brief overview of the key studies that have been prepared in support of the development proposal. The summary is in addition to the subject Planning Justification Report which also includes the discussion of the applicable Urban Design Guidelines.

### 5.1 Environmental Impact Assessment, GEI Consultants

As the subject lands contain and are adjacent to features of the Natural Heritage System (NHS), the completion of an Environmental Impact Study (EIS) is necessary to demonstrate compliance with a framework which includes Policies from multiple levels including Provincial, Regional and the local municipality, and the Conservation Authority. The EIS shall identify the various features of the NHS on or adjacent the subject lands and evaluate the scope of

development to demonstrate there will be no negative impacts on the natural features or their ecological functions.

GEI Consultants have completed an EIS in support of the development proposal, the terms of reference of the Study previously reviewed and accepted by the City of Welland, Region of Niagara and the NPCA. As an initial step towards completing the EIS, GEI and staff from the City, Region and NPCA completed a site visit in June of 2021 with the limits of the various features being evaluated and surveyed by an OLS. The resulting boundary is included in the EIS and shown as a layer on the Draft Plan of Subdivision.

The fieldwork completed in support of the EIS has evaluated the subject property to identify potential natural heritage features. Where not already identified by the MNR or their designates, the evaluation undertaken by GEI subjected the vegetation and wetland communities to further evaluation and has made recommendations to deem certain areas as "Assumed PSW". As illustrated by the Figures within the EIS and the corresponding Blocks shown on the Draft Plan of Subdivision, the limits of the existing Niagara Street Cataract Road Woodlot Wetland Complex is to be supplemented by the addition of "Assumed PSW" abutting to the north, these lands assumed to meet the significance threshold and are deemed as PSW's.

The wooded area that is located adjacent to the north-east limit of the PSW has been assessed based on Provincial and Regional Criteria for Significant Woodlands. These vegetation communities are deemed to meet the threshold as a Significant Woodland based on criteria including size, ecological function, uncommon characteristic and economic and social functional value.

The EIS has also had regard for the Environmental policies contained in the Regional Official Plan and Northwest Welland Secondary Plan, specifically policies which require evaluation of "other wetlands" and small wetlands less than 0.5 hectares in area as shown on Appendix I Map 4 of the Secondary Plan. The EIS characterizes these wetlands as small, isolated tableland wetlands and confirms they are not determined to be significant.

The "other wetlands" and small wetlands are generally not proposed to be retained, their removal is not anticipated to result in any negative impacts to the existing NHS which will be further enhanced with the recommended buffers. The exception is two wetland communities associated with the Towpath Drain which is to be realigned with the watercourse per the Approved Permit issued by the NPCA.

To ensure the protection of the natural heritage features, the EIS recommends buffers adjoining the two features, a 30.0 metre buffer for the PSW and a 10.0 metre buffer for the significant woodlands. Consistent with Official Plan Policy, a public trail system is proposed to be established within the buffer areas and channel blocks, implementing Policy objectives to provide a connected system for access to open space and natural areas as part of an active and healthy community.

The limits of the two features are identified on the Draft Plan with their corresponding buffer widths, contained within Blocks 27 & 28. The realigned channel for the Towpath Drain and

associated vegetation communities are wholly contained with Blocks 8 and 9. These Blocks will be transferred to the City of Welland in fulfillment of Conditions of Draft Plan Approval, the Conditions will also provide direction with respect to the location and construction of the proposed trail system.

To ensure the proposed development does not result in adverse effects to the environmental areas, the EIS recommends monitoring during construction to effectively manage and mitigate potential impacts. This includes the monitoring of tree protection zones, monitoring of erosion and sedimentation control measures, and post construction compliance monitoring. The details of these monitoring programs will be further reviewed and determined pursuant to the applicable Conditions of Draft plan Approval.

The EIS concludes that no impacts are predicted to the natural heritage features as they are proposed to be retained and will be enhanced with the proposed buffers. The implementation of the recommended mitigation measures will be developed in detail in consultation with the City and commenting agencies.

## **5.2 Municipal Servicing Study, Walter Fedy**

Walter Fedy are retained by the proponents and have completed the comprehensive evaluation of the existing and planned municipal infrastructure that will be required to facilitate development. The development is planned to be provided with full urban services, connections to the existing municipal water and sanitary sewer systems and storm water management.

It is noted that the purpose of the FSR is to provide a functional level of analysis to confirm that the development can be provided with full municipal services. The further detailed engineering design for municipal infrastructure and storm water management will be implemented by the applicable Conditions of Draft Plan Approval appropriate to implement the Plan of Subdivision.

## **5.3 Stormwater Management, Walter Fedy**

Walter Fedy are retained by the proponents and have completed a preliminary stormwater management report in support of the proposed development. The objectives for the site were established based on consultation with the Region, Conservation Authority, and City staff. The purpose of the report is to identify an acceptable SWM approach and to demonstrate that adequate land area has been set aside to accomplish the objectives.

The key objectives for the report are to demonstrate that appropriate quantity and quality controls can be implemented to ensure no adverse impacts to downstream land and infrastructure, maintenance of base flows, and appropriate quality treatment. The SWM design incorporates Low Impact Development strategies as a means to minimize hydrologic impacts with the intent of mitigating potential flooding impacts and erosion associated with urbanization.

#### **5.4 Hydrogeologic Study and Water Balance Assessment, Terra Dynamics**

To assess the hydrogeology of the site and surrounding area, Primont has retained Terra Dynamics Consulting Inc. As documented in the accompanying Hydrogeologic Study and Water Balance Assessment, the Hydrologic Areas and Features within the adjoining the Primont lands have been investigated for potential impacts arising from the development of the subject lands.

The Report demonstrates compliance with the applicable Policies of Section 3.1.10.1 of the ROP as the property is confirmed as not containing HVA's, there are no negative impacts to the hydrologic integrity of the watershed, and no negative impacts to the Towpath Drain are predicted as it has been identified as intermittent and having no baseflow or groundwater inputs. Lastly, the report concludes no negative impacts to the wetlands are predicted as they are primarily sustained by precipitation.

The report outlines a series of recommendations for continued monitoring of the lands during and post construction. Where appropriate, these measures will be incorporated as Conditions of Draft Plan Approval and implemented accordingly.

#### **5.5 Traffic Impact Study – CGH Transportation**

CGH Transportation are retained by Primont to assess the Transportation impacts of the development proposal through the completion of a Traffic Impact Study (TIS). The Terms of Reference for the accompanying TIS were reviewed with City staff to ensure a fulsome evaluation having regard for City guidelines and applicable Official Plan Policies.

The scope of the TIS includes a review of the existing and planned conditions, a travel demand forecast, an operational analysis, and a transportation demand management plan. The TIS builds on the recommendations of the Transportation Assessment Report that was completed in support of the Northwest Welland Secondary Plan and provides a focused operations analysis focus on access to the development site from the adjoining arterial roads.

Based on their conclusion that the impact of the proposed development on the surrounding road network is relatively minor and can be mitigated by network and signal improvements, the planning applications are recommended to proceed from a transportation perspective.

The TIS does outline recommendations for Transportation Demand Management measures including improvements to the transit network and design of roads to include infrastructure for walking and cycling to foster a neighbourhood that supports active transportation. These measures to be implemented at the detailed design phase with applicable Conditions of Draft Plan Approval.

The TIS also provides an analysis of the proposed collector road and local streets having regard for the Transportation Policies of the City's Official Plan. Recognizing the widths of the proposed roads are reduced from the general minimum requirements, the TIS undertakes a fulsome analysis of the criteria outlined by Policy 6.4.2.1.D which allow for alternative design

standards to be considered. Section 8.1 of the TIS provides an analysis of the criteria and demonstrates conformity with the Policy framework to support the layout of the Draft Plan.

## **5.6 Geotechnical Study, Soil-Mat Engineers**

SOIL-MAT ENGINEERS & CONSULTANTS LTD. has completed the fieldwork, laboratory testing, and report preparation for a comprehensive Geotechnical investigation of the subject lands.

The purpose of this supplemental geotechnical investigation work is to assess the subsurface soil conditions, and to provide comments and recommendations with respect to the design and construction of the proposed development, from a geotechnical point of view.

The findings of the Study will inform the detailed design and engineering of the development on a range of matters including soil composition and ground water observations, earthworks and site grading, excavations for foundations, backfill considerations, SWM Pond considerations, pavement design.

While not specifically requested as part of the complete application submission, the Report is included with the submission to assist the municipality in their review of the development.

## **5.7 Archaeological Assessment**

To address the Policy requirements to conserve any potential cultural heritage resources, a Stage 1 and 2 Archaeological Assessment has been completed for the subject lands by ASI Heritage. The Assessment was undertaken in accordance with Provincial standards and was inclusive for consultation and monitoring with indigenous groups.

The findings of the Stage 1 and 2 Assessment which is included with the current application submission has recommended the completion of further Stage 3 Assessment for a portion of the lands. There will be no disturbance of the lands until such time as the assessments has been completed and accepted by the Ministry to confirm the lands do not contain archaeology resources or alternatively the resources have been assessed and preservation techniques accepted. The Stage 3 and potential Stage 4 work is underway, the reporting will be submitted to the Ministry, Region and area municipality upon completion.

## **5.8 Noise Feasibility Study, HGC Engineering**

HGC Engineering was retained by Primont to conduct a noise feasibility study for the proposed residential development. The purpose of the study is to address traffic noise from the adjoining arterial roads and the proposed collector road internal to the development and identify any required mitigation that may be necessary to ensure indoor and outdoor living spaces meet with the applicable guidelines of the Ministry of the Environment, Conservation and Parks (MECP), and the Region of Niagara.

Utilizing road traffic data that was prepared in support of the Northwest Welland Secondary Plan TIS, HGC calculated future traffic sound levels at various locations of the proposed



development. The predicted sound levels were compared to the Ministry and Regional Guidelines to determine compliance and potential mitigation.

The Study findings confirm that sound level predictions will exceed the MECP Guidelines at the proposed dwellings closest to the roadways. Mitigation in the form of acoustic barriers is required for specified locations and central air conditioning and forced air ventilation systems will also be required for certain dwellings. With the addition of standard warning clauses and building construction to meet with minimum requirements of the Ontario Building Code the development can appropriately mitigate adverse conditions.

## **6.0 PLANNING ANALYSIS AND CONCLUSION**

Consistent with the Land Use Plan of the adopted Secondary Plan, Primont lands are proposing to develop this 30 hectare parcel for a range housing types and densities to ensure a broad range of housing options are achieved. The proposed Draft Plan of Subdivision provides for a mix of development blocks for single detached dwellings, townhouses, maisonettes, and multiple dwellings in a mid-rise building. The unit mix is balanced with 300 ground related units and 400 apartment style dwellings for a combined total in the range of 700 dwelling units.

The Primont Plan has been designed to protect and enhance the natural areas and establish a connected system that establishes a network comprising the realigned Towpath Drain, SMW facilities and the proposed neighbourhood park. The integration of these elements will establish a trail system in keeping with the intent of the Design Guidelines to support overall access to green space and connectivity to adjoining neighbourhoods.

The principle of comprehensive development and connectivity is implemented by the proposal based on a road network which integrates with abutting development parcels and provides for the efficient design of municipal infrastructure. The Draft Plan implements this objective with proposed road connections to the development lands abutting to the west and north, the design of centralized SWM facilities that are sized to accommodate adjoining lands, this approach minimizes long term operating and maintenance costs to the municipality.

It is noted that the Collector Road that is planned to facilitate road network of the Secondary Plan is proposed to cross the assumed PSW that extends northerly from the existing PSW. The Natural Heritage Policies of the PPS generally prohibit development within PSW's with the exception of infrastructure that is authorized under an Environmental Assessment process. The Regional Official Plan and the Welland Official Plan outline similar policies wherein municipal infrastructure and in particular new roads are permitted subject to the necessary studies. In this instance, the developer has initiated a Class EA process to allow for the proposed collector road alignment, the Class EA will be processed jointly with the Planning Act applications.

The City of Welland is presently working with the Province of Ontario to adopt as-of-right Zoning Regulations that will facilitate the planned development of lands within the limits of the Northwest Secondary Plan. As the timing for Provincial approval of the MZO is unknown, out

of an abundance of caution Primont is submitting private applications to amend the Official Plan and Zoning By-law as necessary to implement the Draft Plan of Subdivision. Should the MZO come into force prior to adoption of the OPA & ZBA, those applications will be withdrawn and the Subdivision Plan will proceed independently to Draft Approval.

The proposal implements the relevant growth related objectives of the Regional and Local Plans, directing urban growth to lands located within the urban area, building compact, transit supportive and pedestrian friendly neighbourhoods within the designated greenfield areas. The planned development of the Primont lands implements these specific objectives as the lands are within the designated urban area, the plan ensures the conservation of the natural heritage features as part of a larger linked natural heritage system, and the subdivision design provides compact residential areas that will be supportive for transit and alternative transportation and contribute to Wellands growth as a complete community.

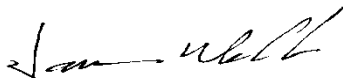
On the basis of the evaluation contained in this Planning Justification Report, informed by the findings of the supporting technical and design studies, it is our opinion that the proposed development conforms with and implements the Policies of the Regional and Local Official Plans. Matters of sustainability, protection of natural and cultural heritage resources, and an efficient intermodal transportation network are realized by the design of the Draft Plan and will be implemented through Conditions of Draft Plan Approval.

The proposal has been considered in the context of Provincial Policy including the Provincial Policy Statement and the Growth Plan and matters of Provincial Interest identified in the Planning Act. Having regard for the discussion contained in this PJR it is our opinion that the proposal is consistent with the PPS, conforms to the Growth Plan and facilitates the implementation of Provincial Interests in an efficient, effective and contextually appropriate manner.

In conclusion, it is our opinion that the requested planning approvals are appropriate for the orderly development of the property and represent good land use planning.

Respectfully Submitted,

**WEBB Planning Consultants**

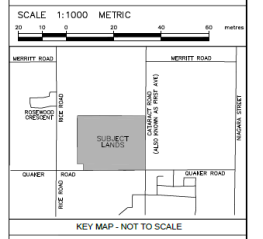


James Webb, MCIP, RPP

**APPENDIX "A"**

**DRAFT PLAN OF SUBDIVISION**

**DRAFT PLAN OF SUBDIVISION**  
**PRIMONT (THOROLD / WELLAND) INC.**  
 PART OF TOWNSHIP LOTS 174 AND 228, GEOGRAPHIC TOWNSHIP OF THOROLD, IN THE CITY OF WELLAND, REGIONAL MUNICIPALITY OF NIAGARA



**INFORMATION REQUIRED**  
 UNDER SECTION 51 (1) OF THE PLANNING ACT, R.S.O. 1990, c.P.13 AS AMENDED FEBRUARY 21, 2024

- (a) - AS SHOWN
- (b) - AS SHOWN
- (c) - AS SHOWN
- (d) - AS LISTED BELOW
- (e) - AS SHOWN
- (f) - AS SHOWN
- (g) - AS SHOWN
- (h) - MUNICIPAL WATER
- (i) - CLAY LOAM
- (j) - AS SHOWN
- (k) - MUNICIPAL SANITARY AND STORM SEWERS
- (l) - AS SHOWN

**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

SIGNED: \_\_\_\_\_  
 ROSA A. MCLAREN O.L.S.  
 A.T. MCLAREN LIMITED  
 DATE: \_\_\_\_\_

**OWNER'S CERTIFICATE**  
 I HEREBY CONSENT TO THE FILING OF THIS PLAN

SIGNED: \_\_\_\_\_  
 DATE: \_\_\_\_\_

**LAND USE SCHEDULE**

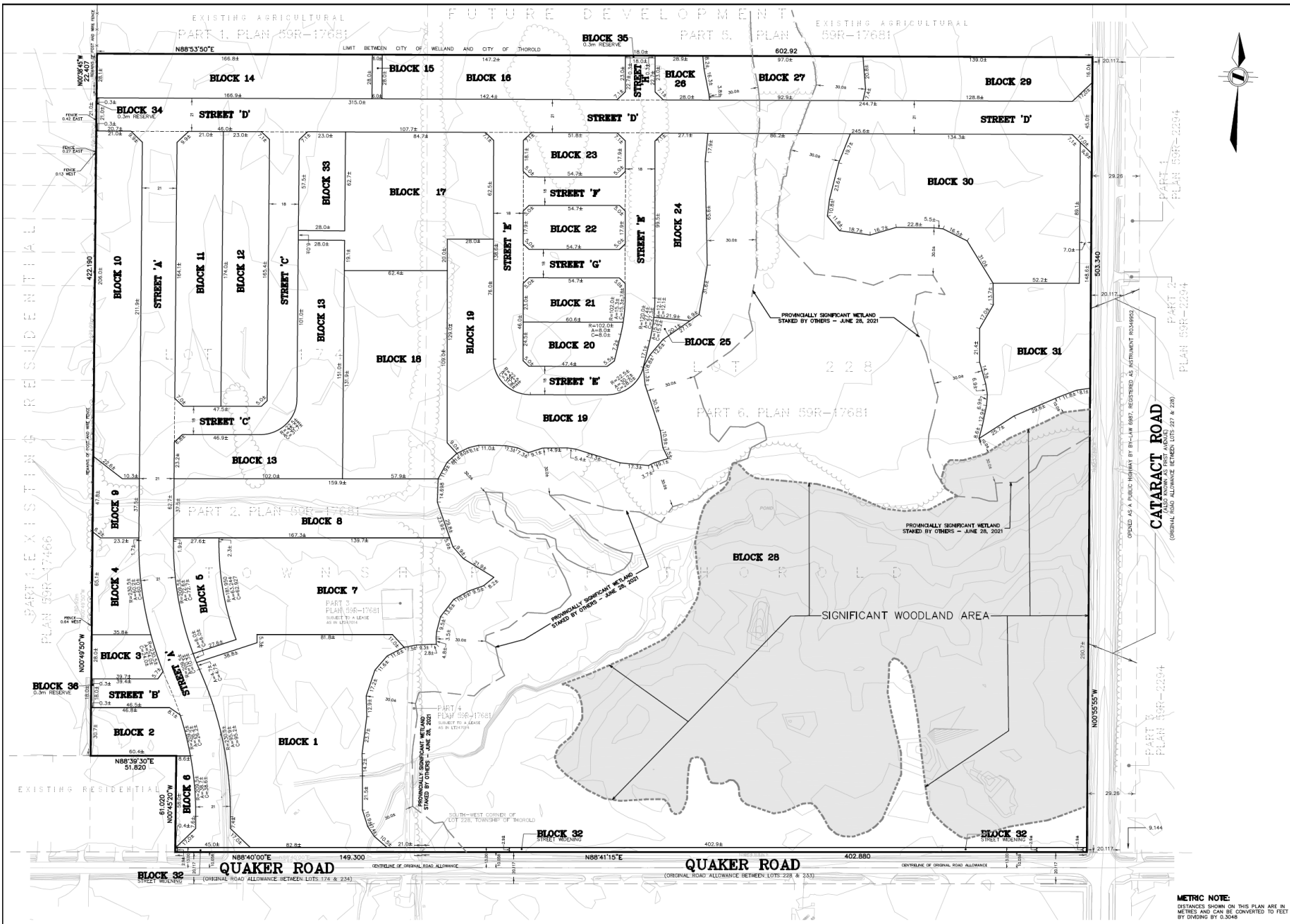
LAND USE	LOTS/BLOCKS	UNITS	AREA
LOW DENSITY RESIDENTIAL (FREESTAND)	BLOCKS 3, 4, 10, 14, 16, 19, 20-24, 26, 28, & 33	245-275+	6.187+ Ha
LOW DENSITY RESIDENTIAL (CONDOMINIUM)	BLOCK 1	44+	1.107+ Ha
MEDIUM DENSITY RESIDENTIAL	BLOCK 30	42+	1.109+ Ha
PARK LAND	BLOCK 17		0.749+ Ha
OPEN SPACE	BLOCKS 6, 15, 25		0.101+ Ha
STORM WATER MANAGEMENT	BLOCKS 7, 18, & 31		2.307+ Ha
ENVIRONMENTAL AREA	BLOCKS 27 & 28		13.832+ Ha
CHANNEL	BLOCKS 8 & 9		0.722+ Ha
ROADS, RESERVES & WIDENINGS	STREETS A, B, C, D, E, F, G, H AND BLOCKS 32, 33, 34, 35 & 36		3.697+ Ha
<b>TOTAL</b>		711-741+	30.142+ Ha

No.	DESCRIPTION	DATE	BY
3	ADDED WETLAND/WOODLAND	JULY 11, 2024	KM
2	UPDATED STORMWATER BLOCKS	JUNE 13, 2024	KM
1	ORIGINAL DRAWING	MARCH 15, 2024	KM

**REVISIONS**

**A.T. McLaren Limited**  
 LEGAL AND ENGINEERING SURVEYS  
 69 JONAS STREET SOUTH, SUITE 230  
 HAMILTON, ONTARIO, L8N 2B9  
 PHONE (905) 527-8559 FAX (905) 527-0032

**METRIC NOTE:**  
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



**APPENDIX "B"**

**DRAFT OFFICIAL PLAN AMENDMENT**

**Amendment No. XXX**  
**to the**  
**City of Welland Official Plan**

The following text, together with:

Appendix "A"	Schedule G: Northwest Welland Secondary Plan
--------------	--

attached hereto, constitutes Official Plan Amendment No. **XXX** to the City of Welland Official Plan.

**1.0 Purpose and Effect:**

The purpose of this Amendment is to amend the Northwest Welland Secondary Plan by modifying the location for the block of land to be designated as Medium Density Residential and by establishing Site Specific Policies that will apply to the Low Density Greenfield Residential designation that will permit an increased density, and Site Specific Policies that will apply to the Medium Density Residential Designation that will permit an increased density and an increase in the maximum permitted height to 12 storeys. The effect of this Amendment is to establish a policy framework that will guide the planned development of a 30 hectare plan of residential subdivision in keeping with the intent of the Northwest Welland Secondary Plan.

**2.0 Location:**

The lands affected by this Amendment are located at 436 Quaker Road, in the City of Welland and legally described as Part of Lots 174 and 228, Township of Thorold, Parts 2, 3, 4, & 6 of Plan 59R-17681.

**3.0 Basis:**

The basis for permitting this Amendment is as follows:

- Local Official Plan Amendment No. 29 was approved by Regional Council in July 2021 to implement the Northwest Welland Secondary Plan (NWSP), setting out the detailed land use framework for 190 hectares of land added to the Welland Urban Area pursuant to Regional Official Plan Amendment 19 which expanded Wellands Urban Boundary.

- Primont Thorold/Welland Inc. (Primont) are implementing the planned development of a 30 hectare parcel of land within the NWSP pursuant to a Draft Plan of Subdivision which establishes blocks for the protection of natural heritage features, municipal roads and storm water management, neighbourhood parks and open space, and development parcels that will accommodate a broad range of housing options.
- The NWSP Area has been the subject of further study in support of an Application for Community Infrastructure Housing Accelerator which will result in increased population and housing projections. Subject to Provincial guidance, the CIHA Application has since been modified to a Provincially initiated Municipal Zoning Order undertaking which is in the early stages of the review and approvals process.
- To achieve the updated population and housing targets that are directed to the Primont lands, the Draft Plan of Subdivision has been updated to reflect the appropriate mix of housing options which necessitates amendments to the Secondary Plan with respect to permitted densities and built form.
- The proposed Draft Plan maintains conformity with the directly relevant Policies of the NWSP and the general Policies of the City of Welland Official Plan with respect to the provision of housing, protection of the natural environment, provision of open space and neighbourhoods parks, transportation and overall design of a new neighbourhood with that will integrate with established areas and foster healthy and active lifestyles.
- The proposed development advances the City's economic development strategy and long-term economic prosperity by implementing development that will efficiently utilize existing and planned infrastructure and public service facilities.
- The Amendment is consistent with the Provincial Policy Statement, 2020 and A Place to Grow, 2020, as amended.

#### **4.0 Changes:**

##### **4.1 Text Changes:**

4.1.1 That Section 7.1.3.6 be amended by adding Policy No. xxx:

Notwithstanding the Policies for the Low Density Greenfield Residential designation and the Policies for the Medium Density Residential designation, the following shall apply to the lands identified as Site Specific Policy area "xxx":

- i. The Planned Function for lands designated Low Density Greenfield Residential shall permit a maximum density of 45 dwelling units per net hectare of land.
- ii. The Planned Function for lands designated Medium Density Residential shall permit a maximum density of 380 dwelling units per net hectare of land.
- iii. Notwithstanding the Policies for the Scale of land designated Medium Density Residential, a maximum height of 12 storeys shall be permitted.

## **4.2 Map/Schedule Changes:**

4.2.1 That Schedule G: Northwest Welland Secondary Plan is amended by:

- a) redesignating a portion of the lands from "Low Density Greenfield Residential" to "Medium Density Residential" and adding Site Specific Policy Area "xxx" to the subject lands.

as shown on Appendix "A" to this Amendment.

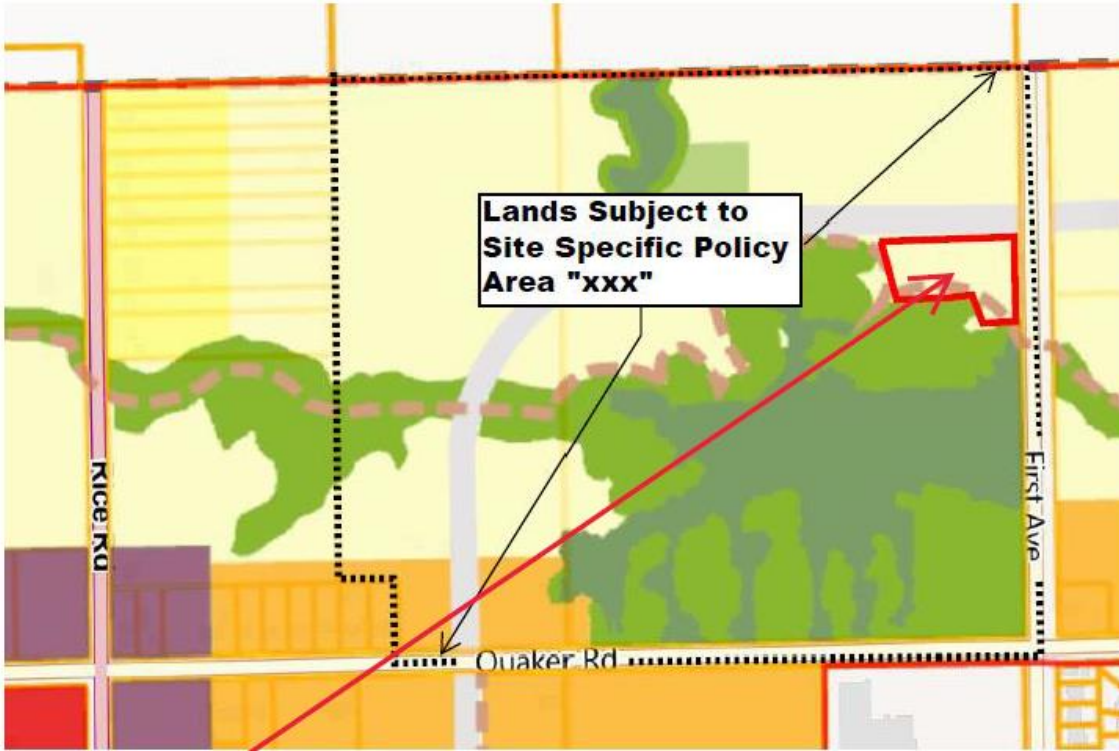
## **5.0 Implementation:**

An implementing Zoning By-law Amendment and Draft Plan of Subdivision will give effect to this Amendment.

This is Schedule "1" to By-law No. XX-XXX passed on the XX day of month, 2024.



**APPENDIX "A"**



**Lands Subject to  
Site Specific Policy  
Area "xxx"**

RICE KU

First Ave

Quaker Rd



**Lands to be Redesignated from Low Density  
Greenfield Residential to Medium Density  
Residential**

**APPENDIX "C"**

**DRAFT ZONING BY-LAW AMENDMENT**

**CITY OF WELLAND ZONING BY-LAW 2017 - 17**

## **Zoning By-law Amendment**

1. That the City of Welland By-law 2017-117, as amended from time to time and in its entirety applies to those lands, unless otherwise specified in this By-law, being the lands on accompanying Schedule “A”.

## **Permitted Uses**

2. Every use of land and every erection, location or use of any building or structures is prohibited on the lands identified on the map referred to in section 2, except for:

- i) In the **Residential Low-Density Zone (RL-NWSP)**

- a) Accessory Dwelling Units in accordance with Section 5.2 of the Zoning By-law;
- b) Accessory Uses, Buildings, and Structures in accordance with Section 5.3 of the Zoning By-law;
- c) Bed and Breakfast in accordance with Section 5.5 of the Zoning By-law;
- d) Garden Suite in accordance with Section 5.15 of the Zoning By-law;
- e) Home Occupation;
- f) Multiple Dwelling (Stacked Townhouses & Back-to-Back Townhouses);
- g) Open Space Uses in accordance with Zoning By-law Table 9.2.1 O1 (Column 2) uses;
- h) Semi-detached Dwelling;
- i) Short-term Rental in accordance with Section 5.37A of the Zoning By-law;
- j) Single Detached Dwelling;
- k) Stormwater Management Facilities;
- l) Street Townhouse Dwelling;
- m) Temporary Uses as outlined herein, and notwithstanding anything to the contrary provided herein, in accordance with Section 3.9 of the Zoning By-law;
- n) Block Townhouse Dwelling;
- o) Two-Unit Dwelling;
- p) Commercial uses in accordance with Zoning By-law Table 7.2.1 to a maximum of 100.0 m<sup>2</sup>.

- ii) In the **Residential Medium-Density Zone (RM-NWSP)**

- a) Accessory Dwelling Units in accordance with Section 5.2 of the Zoning By-law;
- b) Accessory Uses, Buildings, and Structures in accordance with Section 5.3 of the Zoning By-law;
- c) Apartment Dwelling;
- d) Bed and Breakfast in accordance with Section 5.5 of the Zoning By-law;
- e) Garden Suite in accordance with Section 5.15 of the Zoning By-law;
- f) Home Occupation;
- g) Multiple Dwelling (Stacked Townhouses & Back-to-Back Townhouses);
- h) Open Space Uses in accordance with Zoning By-law Table 9.2.1 O1 (Column 2) uses;
- i) Semi-detached Dwelling;
- j) Short-term Rental in accordance with Section 5.37A of the Zoning By-law;

- k) Single Detached Dwelling;
  - l) Stormwater Management Facilities;
  - m) Street Townhouse Dwelling;
  - n) Temporary Uses as outlined herein, and notwithstanding anything to the contrary provided herein, in accordance with Section 3.9 of the Zoning By-law;
  - o) Block Townhouse Dwelling;
  - p) Two-Unit Dwelling;
  - q) Commercial uses in accordance with Zoning By-law Table 7.2.1 to a maximum of 100.0 m<sup>2</sup>.
- iii) In the **Environmental Protection Overlay Zone (EP-NWSP)**
    - i) Uses in accordance with Section 10 of the Zoning By-law.
  - iv) In the **Environmental Conservation Overlay Zone (EC-NWSP)**
    - ii) Uses in accordance with Section 10 of the Zoning By-law;

### **Zoning Requirements**

#### **3. Implementation – Administration**

- i) Notwithstanding Section 1.15 of the Zoning By-law or anything else to the contrary, the Zone Boundaries for the Environmental Protection Overlay Zone (EP-NWSP) and Environmental Conservation Overlay Zone (EC-NSWP) may be revised without amendment to this Zoning Order or the Zoning By-law through the review and approval of an Environmental Impact Study (EIS) or other required studies and plans as deemed necessary by the applicable planning and regulatory authority.

In such cases where the EP or EC zones, are reduced, per the policy above, the adjacent zone/land use will be expanded onto the lands subject to the adjusted EP & EC zoned area. In such cases where the EP or EC zones, per the policy above, are increased, the appropriate zone as determined by the applicable planning and regulatory authority will be implemented on such area and prohibitions therein will be determined by the regulatory authority in accordance with this Zoning Order.

#### **4. Implementation – Clarification**

- i) Notwithstanding anything to the contrary in Zoning By-law, townhouse units that front on private roads shall be considered as “Block Townhouse Dwelling” or “Multiple Dwelling”
- ii) Notwithstanding anything to the contrary in the Zoning By-law, Lot Coverage shall be calculated on a comprehensive property basis and in such cases where there is condominium tenureship, common element areas are to be included as part of the total lot area.

#### **5. General Provisions**

- i) Notwithstanding Zoning By-law Section 5.4, stand-alone commercial and residential uses as noted in Section 2 herein are permitted independently or together as stand-alone buildings within the Mixed-Use Zone (MU-NWSP);
- ii) Notwithstanding Zoning By-law Section 5.6 or anything to the contrary, for Rental or Condominium developments, setbacks shall be taken from the dwelling to the internal roadway (back of curb), the existing or proposed property lines. Setbacks shall not be taken from a Condominium Unit line;
- iii) Notwithstanding Zoning By-law Section 5.7 (b), A temporary sales office, or a model home, used for the sale of residential, industrial or commercial lots or units in a Plan of Subdivision or a Plan of Condominium which has received Draft Approval or has been Zoned to permit the development shall be permitted for a maximum of five years. A temporary sales office, or model home, shall comply with the applicable setbacks for the Zone in which the office is located and will be subject to the necessary Development Agreements to the satisfaction of the City.
- iv) Notwithstanding Zoning By-law Section 5.10.5 Notwithstanding Zoning By-law Section 5.10.5 – Decks Porches Steps, an open or roofed porch and stair may project 0.9 metres into an interior side yard having a minimum dimension of 1.2 metres, applicable only to a single detached or two-unit dwelling and street townhouse.
- v) A walkway or retaining wall shall be permitted within a required planting strip;
- vi) Notwithstanding Zoning By-law Section 6.1.3 d) the required 3.0 metre planting strip may be reduced to a minimum of 1.0 metres at the discretion of the Director of Planning or their delegate without amendment to this Zoning Order or the Zoning By-law;
- vii) Notwithstanding Zoning By-law Section 6.1.6 b) where a parking space is abutting or near a wall, column or other similar surface that obstructs the opening of the doors, the minimum width shall be 2.75 metres;
- viii) Notwithstanding Zoning By-law Section 6.9.1 a) in the case of a Two Unit Dwelling the required parking spaces is permitted in tandem at a 0.0 metre setback from the street line;
- ix) Notwithstanding Zoning By-law Section 6.9.2 a) the required parking space for a street townhouse dwelling shall be located a minimum of 5.5 metres from a street line.
- x) Notwithstanding Zoning By-law Section 6.13 c) below grade parking structures are required to be setback 0.5 metres from all property lines, and may encroach into a landscape buffer a maximum of 1.5 metres;
- xi) Notwithstanding Zoning By-law Section 6.17 the required landscape buffers may be reduced at the discretion of the Director of Planning who shall be satisfied that appropriate landscaping can be provided in the reduced landscape buffer.

## 6. Residential Low-Density Zone (RL-NWSP)

- i) Regulations for Single Detached and Two Unit Dwellings:
  - a. Lot Area (min.) - 230 sq. m.
  - b. Lot Frontage (min.) – 8.0 m
  - c. Front Yard (min.) - 3 m (front face of dwelling) 5.5 m (garage)
  - d. Side Yard Interior (min.) – 0.6 m on one side and 1.2 m on the other, or 1.0m
  - e. Side Yard Exterior (min.) – 1.0 m

- f. Rear Yard (min.) – 6.0 m
  - g. Building Height (max) – 13.5 m
  - h. Lot Coverage (max) – Not Applicable
  - i. Landscaped Area (min.) – Not applicable
- ii) Regulations for Semi-detach Dwellings:
- a. Lot Area (min.) – 400 sq. m. for each dwelling and 200 sq. m for each unit
  - b. Lot Frontage (min.) – 12.0 m for each dwelling and 6.0 m for each unit
  - c. Front Yard (min.) - 3 m (front face of dwelling) 5.5 m (garage)
  - d. Side Yard Interior (min.) – 1.0m
  - e. Side Yard Exterior (min.) – 1.0 m
  - f. Rear Yard (min.) – 6.0 m
  - g. Building Height (max) – 13.5 m
  - h. Lot Coverage (max) – Not Applicable
  - i. Landscaped Area (min.) – Not applicable
- iii) Regulations for Street Townhouse Dwellings:
- a. Lot Area (min.) – Not Applicable
  - b. Lot Frontage (min.) – 5.0 m for each unit
  - c. Front Yard (min.) - 3 m (front face of dwelling) 5.5 m (garage)
  - d. Side Yard Interior (min.) – 1.0m, 0.0m along a common or party wall
  - e. Side Yard Exterior (min.) – 1.0 m
  - f. Rear Yard (min.) – 6.0 m
  - g. Building Height (max) – 14.5 m
  - h. Lot Coverage (max) – Not Applicable
  - i. Landscaped Area (min.) – 20%
- iv) Regulations for Block Townhouse Dwelling:
- a. Lot Area (min.) – Not Applicable
  - b. Lot Frontage (min.) – 12.0 m
  - c. Front Yard (min.) - 3 m (front face of dwelling) 5.5 m (garage)
  - d. Side Yard Interior (min.) – 1.0m, 0.0m along a common or party wall
  - e. Side Yard Exterior (min.) – 1.0 m
  - f. Rear Yard (min.) – 6.0 m
  - g. Building Height (max) – 14.5 m
  - h. Lot Coverage (max) – Not Applicable
  - i. Landscaped Area (min.) – Not Applicable
- v) Regulations for Multiple Dwellings (back-to-back and stacked townhouses):
- a. Lot Area (min.) – 100 sq. m. per dwelling unit
  - b. Lot Frontage (min.) – 12.0 m
  - c. Front Yard (min.) - 3 m (front face of dwelling) 5.5 m (garage)
  - d. Side Yard Interior (min.) – 1.0m, 0.0m along a common or party wall
  - e. Side Yard Exterior (min.) – 1.0 m

- f. Rear Yard (min.) – 6.0 m (0m for Back-to-Back Townhouses)
- g. Building Height (max) – 14.5 m
- h. Lot Coverage (max) – Not Applicable
- i. Landscaped Area (min.) – Not Applicable

vi) Regulations for uses not specified herein shall be in accordance with the Zoning By-law.

**7. Residential Medium-Density Zone (RM-NWSP)**

i) Regulations for permitted Residential uses are subject to the regulations of Section 8 above, except for Apartment Dwellings as specified below.

ii) Regulations for Apartment Dwellings:

- a. Lot Area (min.) - 780 sq. m.
- b. Lot Frontage (min.) – 30.0 m
- c. Front Yard (min.) - 0 m
- d. Side Yard Interior (min.) – 3.0 m
- e. Side Yard Exterior (min.) – 1.0 m
- f. Rear Yard (min.) – 6.0 m
- g. Building Height (max) – 41.0 m (12 storeys)
- h. Lot Coverage (max) – 65%
- i. Landscaped Area (min.) – 20%

iii) Regulations for uses not specified herein shall be in accordance with the Zoning By-law.

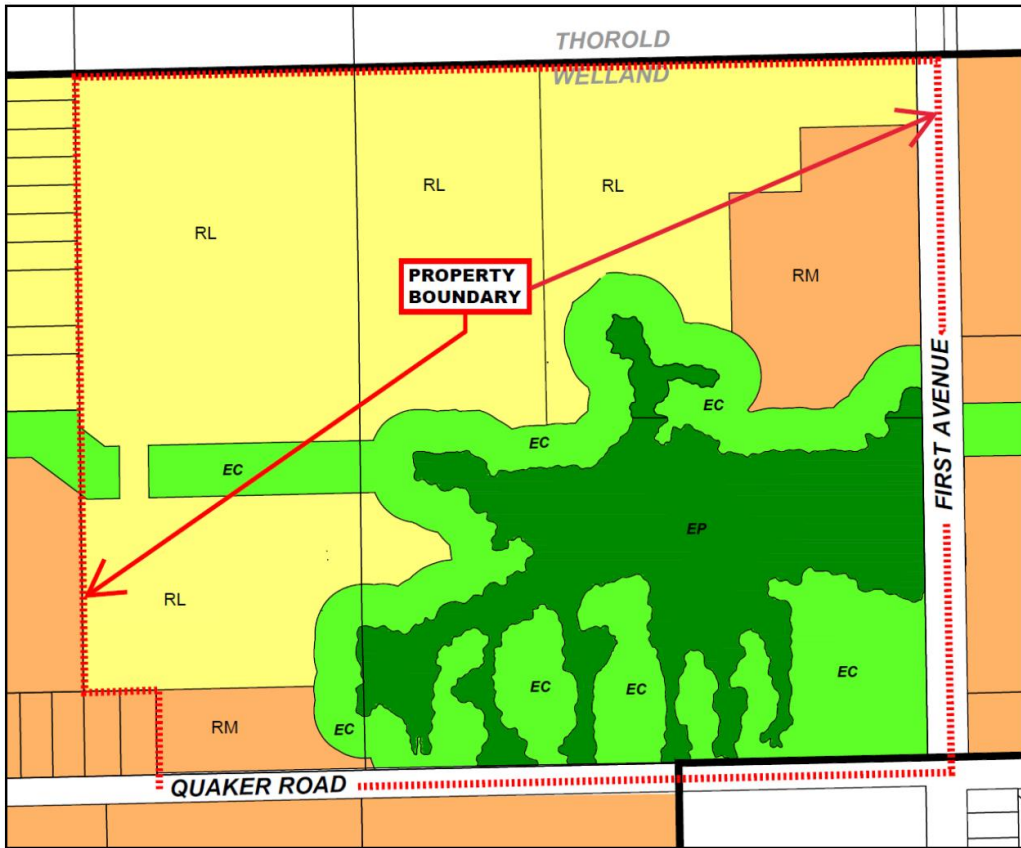
**8. Environmental Protection Zone (EP-NWSP)**

i) Regulations for uses specified herein shall be in accordance with Section 10 the Zoning By-law.

**9. Environmental Conservation Zone (EP-NWSP)**

ii) Regulations for uses specified herein shall be in accordance with Section 10 the Zoning By-law.

SCHEDULE "A"  
 435 QUAKER ROAD, CITY OF THOROLD



**LEGEND**

- |   |   |   |   |
|---|---|---|---|
|  | RESIDENTIAL LOW DENSITY<br>(RL-NWSP)    |  | INSTITUTIONAL (I-NWSP)                  |
|  | RESIDENTIAL MEDIUM DENSITY<br>(RM-NWSP) |  | ENVIRONMENTAL CONSERVATION<br>(EC-NWSP) |
|  | MIXED USE COMMERCIAL<br>(MU-NWSP)       |  | ENVIRONMENTAL PROTECTION<br>(EP-NWSP)   |