

Planning Justification Report

469 & 509 Rice Road, Welland ON

Official Plan Amendment, Zoning By-law Amendment and Draft Plan of
Subdivision

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PREFACE

Upper Canada Consultants has been retained by BSF Communities Inc., to prepare a Planning Justification Report in relation to applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision at 469 and 509 Rice Road in the City of Welland, within the Regional Municipality of Niagara. The subject lands are legally known as Part of Township Lot 175, Geographic Township of Thorold, now in the City of Welland, Regional Municipality of Niagara.

The submitted Official Plan and Zoning By-law Amendment applications have been prepared to facilitate the development of the subject lands for proposed residential use.

The proposed Official Plan Amendment seeks amend the Low Density Greenfield Residential policies affecting the subject lands to permit multiple dwellings and increase the density permission; shift the location of the Open Space & Recreation designation to recognize the location of the parklands, trail corridor on the west limits and stormwater management ponds; align the Environmental Conservation designation to reflect the realigned Towpath Drain and its associated buffer areas as approved through an NPCA permit; and maintain and to align the Environmental Protection Area designation with the natural heritage feature on the lands.

The proposed Zoning By-law Amendment seeks to rezone the lands to permit the proposed residential development consisting 58 single detached residential lots, 7 rear lane street townhouse units, 257 street townhouse units and 76 back to back townhouse units. The Zoning By-law Amendment will also provide for an Open Space Zoning on lands to be developed for a public park and stormwater management ponds, and place the lands associated with the approved realigned Towpath Drain and the buffer area and an existing woodland feature in an Environmental Conservation Overlay and Environmental Protection Overlay Zone.

The proposed Draft Plan of Subdivision will provide for the proposed road and lot fabric and blocks of land to be conveyed to the City of Welland and Region of Niagara within the boundary of the subject lands. It is proposed that the lands associated with the realigned Towpath Drain and its buffer area, the woodland feature, stormwater management blocks, trail block and a park block will be conveyed to the City of Welland and lands for road widening purposes along the west side of Rice Road will be conveyed to the Region of Niagara upon registration and final approval of the subdivision plan.

This Planning Justification Report provides an analysis of how the applications satisfy the requirements of the *Planning Act*, are consistent with the Provincial Planning Statement (2024), and conform to the 2022 Niagara Official Plan and the City of Welland Official Plan (as amended).

This Planning Justification Report should be read in conjunction with the following reports and materials:

- Draft Plan of Subdivision
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Stage 1-2 Archaeological Assessment
- Ministry Acknowledgement Letter
- Environmental Impact Study
- Geotechnical Investigation (469 Rice Road)
- Phase 1 and 2 Environmental Site Assessment (469 Rice Road)
- Phase 1 Environmental Site Assessment (509 Rice Road)
- Functional Servicing Report with Stormwater Management Plan
- Transportation Impact Study

DESCRIPTION AND LOCATION OF THE SUBJECT LANDS

The submitted applications pertain to lands known municipally as 469 and 509 Rice Road in the City of Welland, within the Regional Municipality of Niagara. The subject lands are legally described as Part of Township Lot 175, Geographic Township of Thorold, Now in the City of Welland, Regional Municipality of Niagara.

The subject lands are shown in **Figure 1**, below.

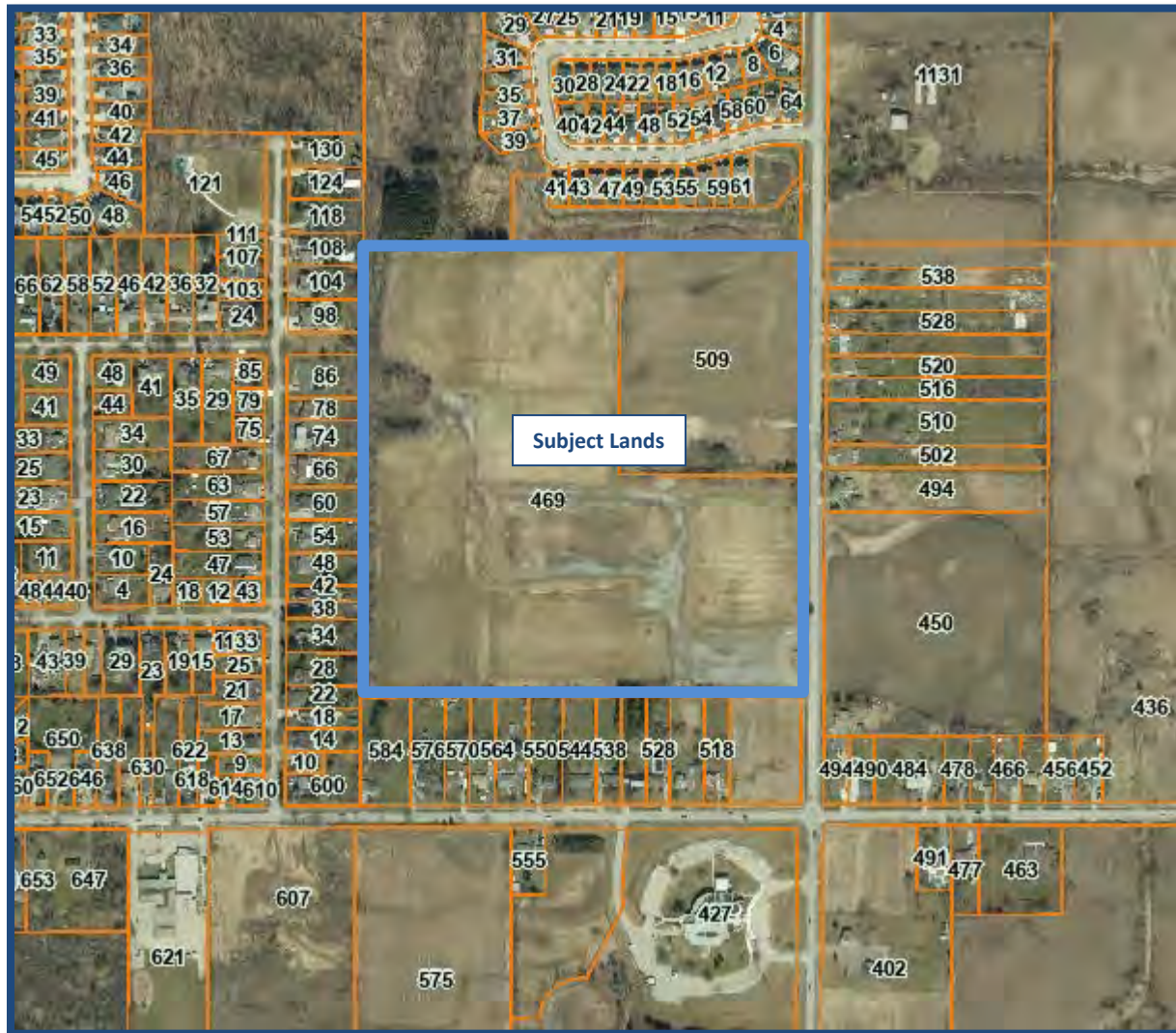


Figure 1 - Aerial View of Subject Lands (Cropped from Niagara Navigator)

469 Rice Road are the former Welland Soccer Club lands and 509 Rice Road is a former rural residential lot and both properties are currently vacant and total comprise of 16.246 ha in area.

Northwest Welland Secondary Plan Area (NWSP)

The Subject Lands are located within the Northwest Welland Secondary Plan Area; lands within this Area are generally described as the Northwest Welland Urban Expansion Lands. This geographic area measures approximately 190 hectares in area, and is located within the City of Welland's Urban Area. The lands within the Plan area are predominantly designated for Greenfield development, with some Built-up Area in the western part of the Plan area.

This Plan area is generally situated with the Town of Pelham and City of Thorold Municipal Boundaries to the north, commercially zoned lots along Niagara Street to the east, existing residential and Niagara College to the south, and Clare Avenue/Line Road and the Pelham Municipal Boundary to the west.

A map showing the visual extend of the NWSP Area is included below in **Figure 2**.

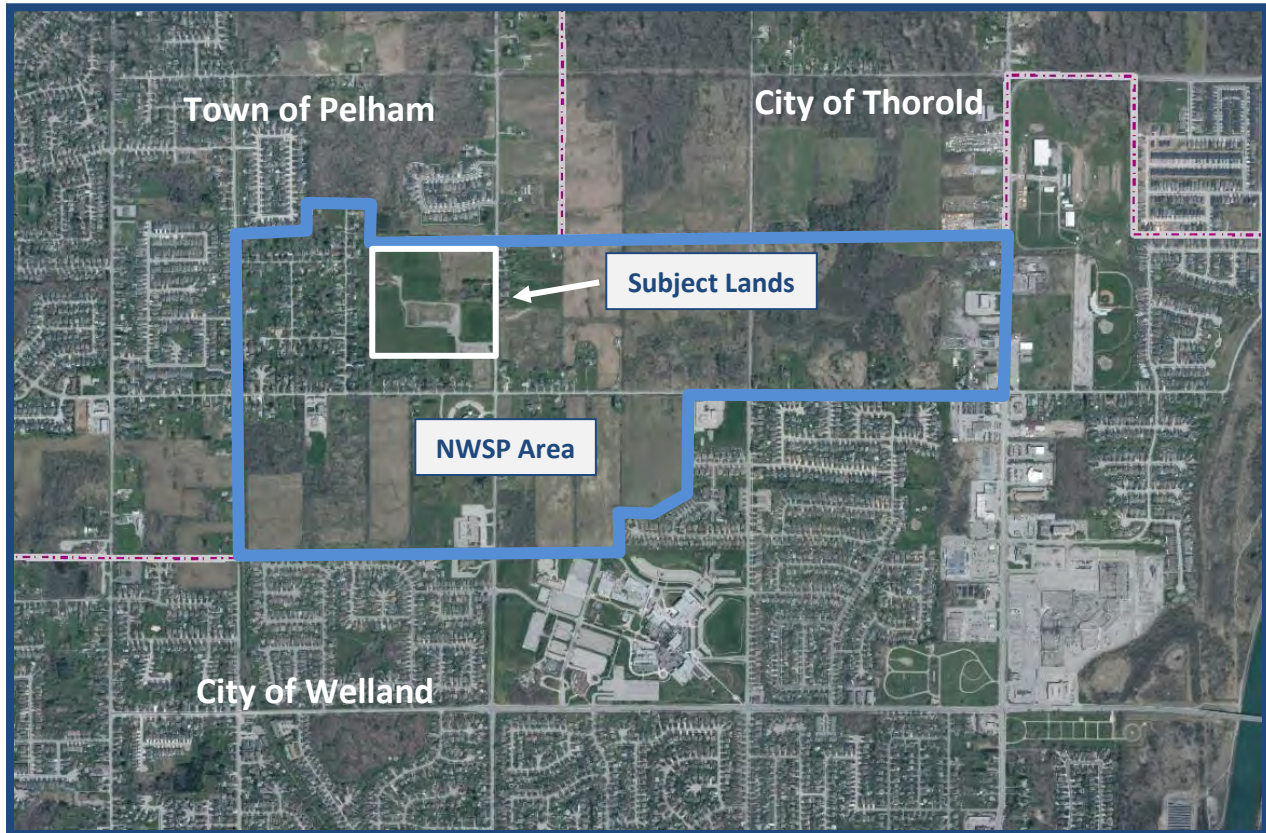


Figure 2 – Aerial View of the NWSP Area (Cropped from Niagara Navigator)

The NWSP Area is well-served by Regional and Local roads including Quaker Road which runs east-west through the area. Line Avenue/Clare Avenue, Rice Road (Regional Road 54) and Cataract Road/First Avenue all run north-south through the area.

Municipal sanitary sewers and water services (with capacity to accommodate the proposed development) are located at the boundary of the NWSP Area and will be extended within the proposed plan of subdivision at the developer's cost.

As shown in **Figure 2**, the subject lands are at the north limit of this Secondary Plan area along the west side of Rice Road.

Property Context

The subject lands gross 16.246-hectares in total area with a net developable area of 13.976 hectares, with 406.57-metres of frontage along the west side of Rice Road. The property is located within the Welland Urban Area Boundary, more specifically the NWSP Area, and is within the designated Greenfield Area per the Niagara Official Plan (2022).

The majority of the subject lands represent former grass soccer fields and associated parking area, and an agricultural field.

As noted, an intermittent watercourse being the Towpath Drain traverses in an east/west direction through the subject lands. A portion of this watercourse is enclosed where it flows under the former soccer fields. A small woodland feature designated as Other Woodlands is also located on the western edge of the property and a small on-line stormwater pond at the west limit of the Drain is also located in this area.

Adjacent Lands

The subject lands are located within the Urban Boundary Area of the City of Welland, and are surrounded by existing and planned urban land uses. These uses are outlined as follows;

- North:** Rosewood Subdivision and significant natural heritage features.
- South:** Single-detached dwellings on lands designated for mixed-use development
- East:** Existing single-detached dwellings, future condominium townhouse site under the same ownership
- West:** Single-detached dwellings

THE PROPOSED DEVELOPMENT

The applicant is proposing the development of a plan of subdivision that includes the following:

- 58 single detached dwellings
- 264 street townhouse units of which 7 units are a rear lane product (Blocks 59 and 60) and 257 units are typical street townhouse units
- 76 back-to-back townhouse units for a total of 398 dwelling units
- a park block and walkway block being 0.701 ha in area
- 2 stormwater management blocks consisting of 1.016 ha of land
- an environmental block consisting of 1.184 ha of land
- 2 blocks for the realigned Towpath Drain being 1.086 ha
- roadways that comprise an area of 3.737 ha and
- 1 block for road widening being 0.203 ha in area.

The proposed Draft Plan of Subdivision is shown below in **Figure 3** and **Appendix I** to this report.

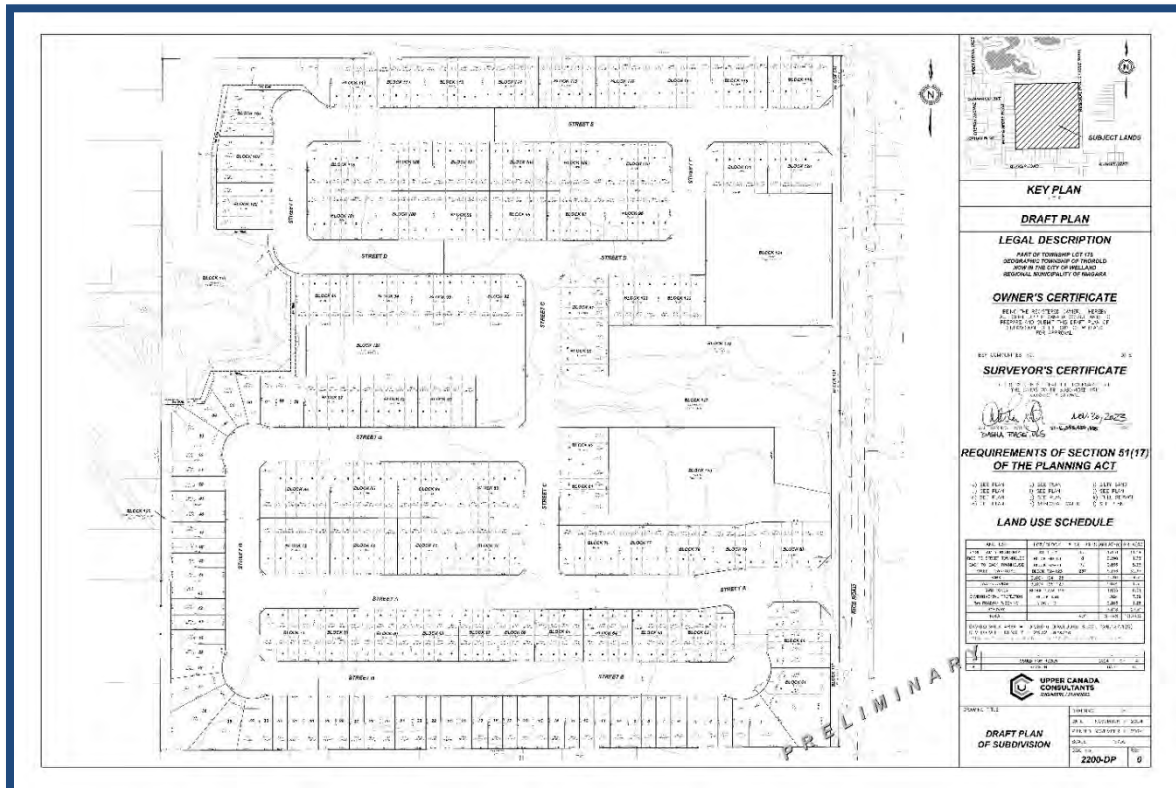


Figure 3 – Draft Plan of Subdivision

Housing Form

A mix of housing is proposed consisting of single-detached, street townhouse and back-to-back townhouse units. All the units are freehold.

The lots for the single-detached dwellings are considered to be small lot singles with lot frontage ranging from 8.53m to 11.72m. The street townhouse units consist of interior townhouse units having a frontage of 6.1m with varying exterior unit frontages. The back-to-back townhouses units have interior frontages of 6.4m and a varying exterior unit frontage of 7.95m to 10.4m.

It is acknowledged that the residential density is higher than surrounding established lower density residential areas, however single-detached dwellings will abut existing single-detached dwelling and the mix of single-detached dwellings and townhouse dwellings is appropriate. Residential use adjacent to existing residential uses is considered to be a compatible land use. The smaller lot size and mix of unit development is being considered to improve housing affordability, increase the housing supply and provide for housing choice and diversity. The proposed development forms adhere to the objectives of the Niagara Region and City Official Plans.

Transportation Systems

The subject lands are accessible by private vehicle and active transportation (walking/cycling). All dwelling units will front onto a proposed internal public road network.

Two public streets are proposed to provide access to the subdivision from the west side of Rice Road (Regional Road 54) being Street "A" and Street "E". All the internal streets will be designed to municipal standards. Within the subdivision area a series of internal public streets in a grid-like road network with 20m cross-sections. Sidewalks will be internal to the site on one side of the roadways, along with a 3.0m wide multi-use trail along the realigned Towpath Drain and along the western edge of the development. In addition, the existing multi-use trail on Rice Road is proposed to be extended along the Rice Road frontage of the subject lands as part of the future reconstruction of Rice Road.

Public transit services have not been fully expanded to this portion of the municipality, as it is within a new Secondary Plan area. Nonetheless, there is a bus stop at Eastwood Drive and Rice Road that is 750-metres from the subject lands. It is anticipated that over time improvements will be made to transit routes and facilities within the Northwest Welland Secondary Plan area to accommodate transit users more effectively as the area builds out.

Natural Heritage and Hazards

A small woodland is located in the northwest portion of the lands and is designated as Environmental Protection and Environmental Conservation. This woodland feature and the setback from the dripline edge are contained within Block 129 on the draft plan of subdivision and identified for protection. No development or site alteration is proposed within this block and it is to be dedicated to the City upon final approval and registration of the subdivision plan to ensure its long-term protection.

The Towpath Drain exists on the subject lands and is a watercourse that traverses the property generally in an east/west direction and is regulated by the Niagara Peninsula Conservation Authority (NPCA). The NPCA has approved a realigned Towpath Drain within Blocks 125 and 126 on the draft plan. These Blocks are to be conveyed to the City upon final approval and registration of the subdivision plan. The Towpath Drain on the lands exists partially encased under the former soccer fields and partially as a poorly defined open channel. The approved realignment will provide for a 30m wide naturalized corridor consisting of an open, meander channel design with an appropriate buffer area and enhanced buffer plantings that will improve the ecological function and quality of this watercourse. The works associated with the realignment of the Towpath Drain were approved through an NPCA work permit issued in April 2024.

Parks and Open Spaces

Block 124 as shown on the proposed draft plan of is subdivision is a proposed park being 0.578 ha in area and Block 123 is a walkway block and is 0.123 ha in area. The walkway block is located at the rear of the single detached lots on the western edge of the property and will provide an additional buffer to the existing residential neighbourhood to the west. The park block will serve as a local neighbourhood park for this subdivision and the lands on the east side of Rice Road. Blocks 123 and 124 are to also to be conveyed to the City of Welland as parkland dedication.

Blocks 127 and 128 are the proposed stormwater management blocks that will also provide additional opportunities for open space within the development plan. Bock 127 is proposed to be a wet pond, while Block 128 which is adjacent to the park block will be designed as a dry pond.

Phasing of the Development

The proposed subdivision is currently contemplated to be developed in 3 phases, however the phasing is subject to change based on market conditions and other factors. Currently Phase 1 will include the realignment of the Towpath Drain, construction of the 2 stormwater management facilities and the development of 15 single detached dwellings, 85 townhouse units and 32 back-to-back townhouse units with the partial construction of Street "A" and "B", Street "C" and the

REQUIRED APPLICATIONS

A pre-consultation meeting was held on May 16th, 2024 to discuss the applications and receive feedback on the proposal and an understanding of the study requirements necessary to support the applications.

As outlined by City of Welland planning staff, applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision are required to facilitate the proposed development.

As set out within the pre-consultation agreement, complete application requirements for the required applications include:

- Planning Justification Report
- Subdivision Plan
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Urban Design/Landscape Plans
- Archaeological Assessment
- Environmental Impact Study
- Geotechnical Investigation
- Environmental Site Assessment
- Functional Servicing Report with Stormwater Management Plan
- Transportation Impact Study
- Erosion and Sediment Control Plan

The Urban Design/Landscape Plan, a Geotechnical Investigation for 509 Rice Road, and an Erosion and Sediment Control Plan will be provided through conditions of Draft Plan of Subdivision Approval. At this time, a Colour Demonstration Plan is provided to demonstrate the landscaping and streetscape.

A copy of the Pre-consultation Agreement is included as **Appendix II** to this report.

An Official Plan Amendment application and Zoning By-law Amendment application are required to align the land use designations and zoning with the proposed residential uses within the Northwest Welland Secondary Plan Area. A Draft Plan of Subdivision is also submitted in order to implement the lots and blocks within this proposed development. This report has been prepared to address the requirement for a Planning Justification Report supporting the development plan.

The scope of the submitted applications is as follows:

Official Plan Amendment

An Official Plan Amendment has been submitted to permit multiple dwellings being back-to-back townhouses and an increase in density for the “Low Density Greenfield Residential” designation; to align the “Environmental Conservation Area” designation with the approved alignment of the Towpath Drain; to shift the location of the “Open Space & Recreation” designation to align with the location of the proposed park on the north side of the proposed dry stormwater management pond north of the Towpath Drain and include the stormwater management facilities and the pedestrian walkway on the west limits of the subject lands in the “Open Space & Recreation” designation; and to align the Environmental Protection designation with the woodland feature on the lands.

The Draft Official Plan Amendment is included as **Appendix III** to this report.

Zoning By-Law Amendment

A Zoning By-law Amendment has been submitted to address zoning requirements for the proposed subdivision plan. The proposed zoning will rezone the entirety of the subject lands from “Community Open Space – O2” and the “Agricultural Zone – A1” to a site-specific “Residential Low Density 2 (RL2-NWSP)” zone, a site specific “Residential Medium Density (RM-NWSP)” zone, “Neighbourhood Open Space (O1-NWSP)” zone, “Environmental Conservation Overlay (EC-NWSP)” zone and “Environmental Protection Overlay (EP-NWSP)” zone to permit the proposed residential development, parkland development and protection of the natural environmental features associated with the woodland feature and the approved realigned Towpath Drain watercourse.

The Draft Zoning By-law Amendment is included as **Appendix IV** to this report.

Draft Plan of Subdivision

The proposed Draft Plan of Subdivision will provide for the creation of the road, lot and block fabric within the plan area. The plan proposes freehold single detached, street townhouses, back-to-back townhouses, with an internal grid-like local road network. Also included in the plan are open space blocks for a future park and multi-use trail, blocks to provide for the protection of the woodland feature and to accommodate the realigned Towpath Drain and road widenings. The open space blocks, woodland block and blocks containing the realigned Towpath Drain are to be conveyed to the City of Welland and the blocks for the road widenings are to be conveyed to the Region of Niagara. The internal road network will also ultimately be assumed by the City of Welland. A copy of the Draft Plan of Subdivision is included as **Appendix I** to this report.

RELATED STUDIES AND REPORTS

Consistent with the submission requirements outlined during pre-consultation (see **Appendix II**) and in addition to this Planning Justification Report, the studies and reports listed below have been submitted with the Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications. A brief overview of their conclusions is provided below. Please refer directly to the reports and studies for more detailed information.

Functional Servicing Report / Stormwater Management Plan (Upper Canada Consultants)

A Functional Servicing Report (FSR), inclusive of a Stormwater Management Plan, has been prepared by Upper Canada Consultants and submitted with the applications. This Report outlines how the proposed development will be serviced with water, sanitary and stormwater infrastructure. The report also considered the road widening requirements for Rice Road, Regional Road 54.

The FSR identifies that the proposed upgrades of the watermain on Rice Road should increase from a 250mm trunk watermain to a 300mm trunk watermain that will connect with the existing 300mm watermain on Quaker Road. The reason for this increase in size is that a planned 150mm connection to the east to the existing 300mm watermain on Quaker Road will not be possible through a planned private condominium development, therefore the proposed 250mm trunk on Rice Road should be increased to 300mm diameter. Internally the proposed subdivision will be serviced by a watermain system consisting of 300mm, 200mm and 150mm diameter mains which are anticipated to provide adequate capacity for domestic water supply and fire protection. Also, as part of Phase 1 of the subdivision will be the looping of the watermain with the existing watermain at Summerlea Avenue and Montgomery Road to the west.

Regarding sanitary sewer servicing there is an existing 600mm diameter Regional sanitary sewer on Rice Road that flows southerly to an existing 750mm diameter Regional sanitary trunk on Quaker Road that flows easterly and ultimately outlets to the Towpath Road Sanitary Pumping Station. The subdivision is proposed to be serviced internally by a 200mm diameter sanitary sewer. The future peak sanitary flow from the proposed development is calculated at 13.77L/s which will occupy 3.0% of the full flow capacity of the existing sewer on Rice Road. The receiving sanitary sewer system has adequate capacity to receive the future sanitary flows from the subject lands.

The FSR includes preliminary layout of the proposed internal storm sewers and discharging stormwater management facilities. Two stormwater management facilities are proposed along

the north and south side of the realigned Towpath Drain. The stormwater management facilities will be designed to address both quantity and quality controls.

With regards to the road widening requirements for Rice Road, the FSR has been determined that a 5.0m road widening on the west side of Rice Road from the subject lands, together with a 4m road widening on the east side of Rice Road is adequate to provide for an urban cross section and ultimate roadway right-of-way with of 29.0m for Rice Road. The urban cross section would include the provision of storm sewers, a sanitary sewer and watermain under the roadway platform, increased travel lanes being two lanes for both north and southbound directions, a centre turning lane, a 3.0m multi-use trail on the west side and 1.8m sidewalk on the east side together with street lighting, boulevard trees and fire hydrants

The urbanization of Rice Road in this area with the provision of curb, gutter and storm sewers is appropriate given the urban development that is proposed on both the east and west sides of Rice Road and the surrounding urban context. It is noted that the Merritt Road and Rice Road Class EA considered a different design for Rice Road in this area, primarily related to maintaining the roadside ditches vs. the provision of storm sewers. However, the approved realignment of the Towpath Drain and the necessary culvert crossings have been designed to accommodate the flows from new municipal storm sewers on Rice Road to outlet directly into the Towpath Drain, which is a more appropriate consideration given the urban context vs. maintaining roadside swales. **Figure 5** below illustrates the proposed 29m roadway cross section for Rice Road.

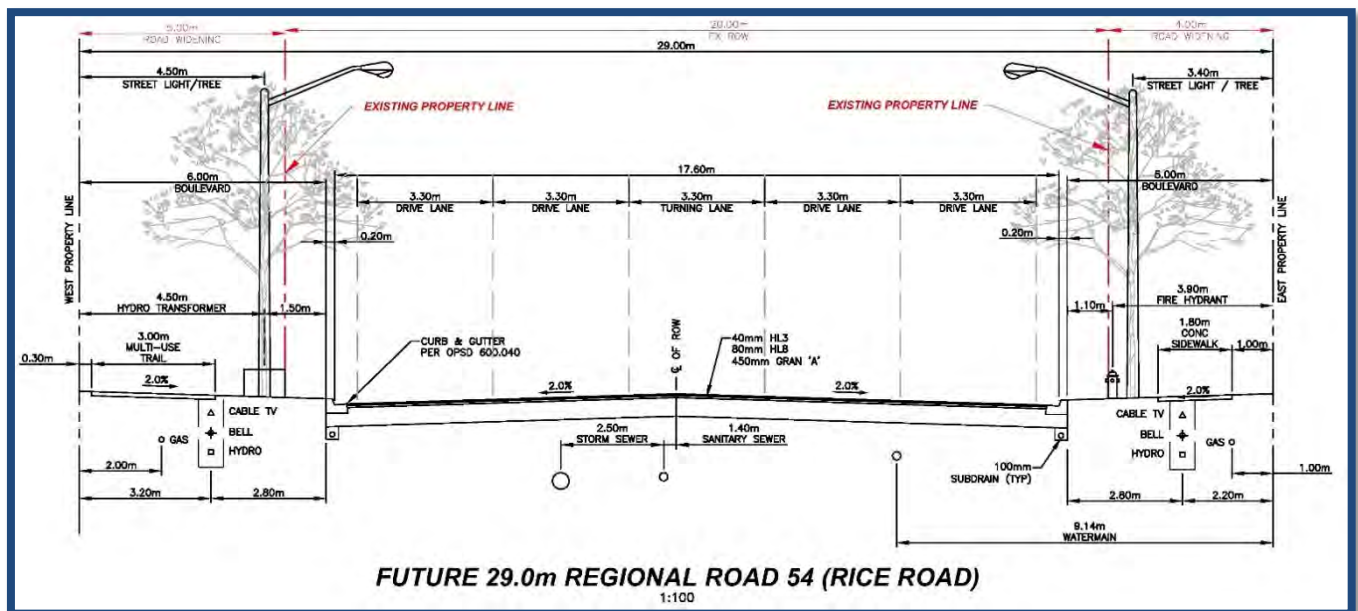


Figure 5 – Proposed Rice Road 29.0m Cross Section

It is understood that the Region of Niagara is targeting undertaking the works to improve Rice Road in 2031 and detailed design for the improvements has not been undertaken to date. Therefore, the consideration of alternatives to the design to accommodate storm sewers vs. roadside swales can still be considered and is appropriate for the urban context.

Transportation Impact Study (Paradigm Transportation Solutions Limited)

A Transportation Impact Study was completed to evaluate the impacts of the proposed development may have on the existing transportation system. It is noted that this Transportation Impact Study evaluated an earlier plan consisting of 60 single detached and 346 townhouse units for a total of 406 units, however, the development plan has been revised slightly and now consists of 58 single detached and 340 townhouse units for a total of 398 units, being a decrease of 8 units. The decrease of 8 units does not materially impact on the findings of the Transportation Impact Study and would result in a slight improvement. Under full build out, the development is projected to generate approximately 177 new vehicle trips during the weekday AM peak hour and 230 new vehicle trips during the weekday PM peak hour.

It was noted that the signalized intersections of Rice Road and Highway 20 and Rice Road and Port Robinson Road will experience increased demand and improvements to the signal timing could be an interim solution. Ultimately, it is noted that with the future extension of Merritt Road between Rice Road and Cataract Road will provide for increased capacity through alternative routes and volumes on Rice Road are anticipated to be reduced by approximately 25%.

The all-way stop control intersection at Rice Road and Quaker Road is also projected to experience increase demand, however the planned improvements (signalization with dedicated turn lanes) at this intersection identified in the Merritt Road and Rice Road Class EA should resolve the forecasted congestion and the increased delay at this intersection is considered to be tolerable until such time as the improvements are made.

Also, at full build out of this subdivision, a left turn lane at Rice Road and Street "A" with 15m of storage capacity is warranted with the current configuration of Rice Road. However, it is noted that the planned improvements to Rice Road in this area (anticipated to occur in 2031) will include a centre turning lane, thereby eliminating the need for the left turn lane at Street "A". Further, it was determined that Phase 1 of the subdivision (15 single detached and 117 townhouse units) could proceed without triggering the need for the northbound left turn lane on Rice Road at Street "A" and in the absence of the Rice Road improvements being undertaken based on vehicle trip projections. Should Phase 2 or 3 of the subdivision proceed or any combination of single detached and townhouse units that exceed the generation of 91 weekday

PM peak hour vehicle trips prior to the improvements to Rice Road being completed, a left turn lane at Rice Road and Street "A" with 15m storage capacity would be required.

Stage 1-2 Archaeological Assessments (Detritus Consulting Ltd.)

A Stage 1-2 Archaeological Assessment was conducted by Detritus Consulting Ltd. to assess the archaeological potential of the subject lands. The Stage 2 assessment resulted in the identification of no archaeological resources on the lands, therefore no further archaeological assessment on the subject lands was recommended.

A Ministry Acknowledgement Letter has been provided and included in this submission.

Environmental Impact Study (Beacon Environmental)

An Environmental Impact Assessment was completed by Beacon Environmental that evaluated the natural heritage features on the subject lands, potential impacts from the proposed development and mitigation and enhancement measures.

A small woodland is located in the northwest portion of the lands and is designated as Environmental Protection and Environmental Conservation. In this area are 3 species at risk (SAR) being the endangered Butternut and Eastern Flowering Dogwood trees and threatened White Wood Aster. A minimum 10m setback from the dripline edge is recommended to be maintained from this woodland feature along with enhanced buffer plantings and permanent fencing to provide for protection of woodland feature and SAR and mitigate against impacts from the proposed development. This woodland feature and the 10m setback from the dripline edge are contained within Block 129 on the draft plan of subdivision and identified for protection. Also included in this block is small naturalized storm pond that is to be retained.

The Northwest Welland Secondary Plan Municipal Servicing Conceptual Design Report identified the need for a waterline extension crossing through this woodland feature to provide for looping of the water service on Summerlea Avenue to the water service in the proposed subdivision. The FSR submitted with this application also identifies this waterline extension. To mitigate against the impacts of crossing this woodland feature with this waterline extension, the EIS identified two options to consider. First, if open trench construction is proposed for the waterline extension, following the completion of the works, the disturbed areas will be naturalized with plantings of trees and shrubs with species that currently occur in the crossing, or alternatively; if directional drilling construction for the waterline is proposed (the recommended preferred method to ensure no alteration to the woodland feature), the crossing should be monitored for 2 years following the construction of the waterline to assess if any trees have been impacted and

where trees have been identified as dead or dying as a result of the works, they should be replaced at a ration of 1:3. The preferred mitigation measure can be made a condition of subdivision approval. No other development or site alteration is proposed within this woodland feature block and it is to be dedicated to the City upon final approval and registration of the subdivision plan to ensure its long-term protection.

The requirement of an enhanced buffer planting plan to increase the protective function of the dripline buffer should be undertaken as part of the trail design in the buffer area adjacent to the woodland feature and include dense vegetation intermixed with open meadow to provide habitat diversity and a continuous 1.5m high chain link fencing with no gates along the edge of the trail are also recommended to be conditions of subdivision approval along with the mitigation measures for the waterline extension, to be implemented by the developer. Also, the EIS recommends that to the extent possible grading of rear lots along the limit of the woodland feature block should not alter existing surface waterflows associated with the woodland edge.

The realigned Towpath Drain (Blocks 125 and 126) will consist of a 30m naturalized corridor in which the new watercourse will be located. The redesigned drain corridor will provide for improved terrestrial and aquatic movements. A naturalized planting plan has been approved for entire Towpath Drain corridor as part of the overall approved realignment through the Secondary Plan area. Only one street crossing of this corridor is proposed in the subdivision design and to mitigate the impact of this crossing the design for the culvert should ensure that an aquatic corridor and movement for small mammals is maintained and the NPCA be consulted and approve the design of the culvert crossing. It also recommended that a continuous 1.5m high chain link fence be installed along the length of the perimeter of the corridor with no gates as condition of draft plan approval. Blocks 125 and 126 will be conveyed to the City upon final approval and registration of the subdivision plan to ensure long-term protection of this feature.

The EIS also evaluated a narrow single tree hedgerow located along the west boundary of the subject lands, south of the Towpath Drain and woodland block. This hedgerow has experienced significant human impact with intrusions into it from existing residential properties on Montgomery Road. This hedgerow is also not connected to another EPA or ECA area to the south. The findings of the EIS indicates that the hedgerow does not support a wildlife corridor function linking to another EPA or ECA area and accordingly, the ECA designation of this hedgerow is not supported. The hedgerow is identified as Block 123 on the proposed draft plan of subdivision and is proposed to be designated as Open Space & Recreation and rezoned to the Open Space 1 Zone to support a pedestrian trail connection and is recommended that as a condition of subdivision approval a tree preservation plan and landscape enhancement plan be undertaken as part of the trail design along with the installation of a continuous 1.5m high chain link fencing with no gates

along the rear yards of lots that abut this block.

During construction, the EIS also recommends certain mitigation measure including the preparation of a sediment and erosion control plan for the newly realigned Towpath Drain, the installation of paige wire fencing and filter cloth along the perimeter of the realigned Towpath Drain and the woodland feature block prior to construction commencing and the maintenance of such fencing and filter cloth during the entire construction period with its removal only when construction work is completed and soils are stabilized, and no storage of equipment or materials or fueling of equipment within 30m of the woodland block or the realigned Towpath Drain blocks, restrict tree and vegetation removal to between October 1 and March 31.

The EIS concludes that with the implementation of the recommended design and construction mitigation measures, the proposed plan is supported with respect to maintaining the natural heritage system of the City of Welland, Niagara Region and the Province.

Preliminary Geotechnical Investigation Report (Landtek Limited)

A Preliminary Geotechnical Investigation was prepared by Landtek Limited for 469 Rice Road to assess the site subsurface soil and groundwater conditions, and to provide comments and recommendations with respect to the design and construction of the proposed development, from a geotechnical point of view.

Nine (9) sampled boreholes were advanced in different locations throughout the site and representative samples of the subsoils were recovered at selected depth intervals and underwent a general field examination and visual, tactile, and olfactory classifications in a laboratory. Routine moisture content tests were also performed on all soil samples recovered from borings. One monitoring well was installed in borehole 3 and based on the water level reading groundwater level was at 2.2m below existing ground level.

All details of the conditions encountered in the boreholes and results of the file and laboratory tests are included in the report along with comments and recommendations regarding foundation design matters, floor slab and perimeter drainage considerations, pressure considerations on subsurface walls, concrete, excavation and backfilling matters, site servicing and pavement considerations.

A Geotechnical Investigation Report for 509 Rice Road has not been completed and it is appropriate that a condition of subdivision approval be applied to require such study prior to final approval of the subdivision plan.

Phase 1 and 2 Environmental Site Assessment (Landtek Limited)

A Phase 1 and 2 Environmental Site Assessment was undertaken for 469 Rice Road. A total of 9 boreholes were drilled and soil samples were taken. The soil samples were analysed for petroleum hydrocarbon compounds (PHC), volatile organic compounds (VOC), organochlorine pesticides (OC), metals and inorganic parameters. The results of the soil samples analysed for PHC, VOC, OC and for metals and inorganic parameter concentrations were all below the maximum allowable standards established by the Ministry of the Environment and Climate Change (MOECC). As a result, the report concludes that there are no obvious issues or evidence of major environmental concern on the site and no further environmental evaluation of the site is required.

PROVINCIAL LEGISLATION AND POLICIES

Development applications within the City of Welland are subject to the Ontario *Planning Act* (R.S.O. 1990) and 2024 Provincial Planning Statement (PPS). An assessment of how the submitted applications satisfy applicable Provincial legislation and policies is provided below.

Planning Act (R.S.O. 1990)

The *Planning Act* regulates land use planning in the Province of Ontario. The *Act* prescribes matters of Provincial Interest with regard to land use planning and the necessary procedures to be adhered to when making applications for development.

Section 2 – Matters of Provincial Interest

Section 2 of the *Planning Act* addresses matters of Provincial interest that a planning authority must have regard for when contemplating a land use planning application. Matters of Provincial Interest include:

- a. the protection of ecological systems, including natural areas, features and functions;*
- b. the protection of the agricultural resources of the Province;*
- c. the conservation and management of natural resources and the mineral resource base;*
- d. the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*
- e. the supply, efficient use and conservation of energy and water;*
- f. the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- g. the minimization of waste;*
- h. the orderly development of safe and healthy communities;*
(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
- i. the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- j. the adequate provision of a full range of housing, including affordable housing;*
- k. the adequate provision of employment opportunities;*
- l. the protection of the financial and economic well-being of the Province and its municipalities;*
- m. the co-ordination of planning activities of public bodies;*
- n. the resolution of planning conflicts involving public and private interests;*
- o. the protection of public health and safety;*

- p. *the appropriate location of growth and development;*
- q. *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- r. *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;*
- s. *the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.*

With regard to these matters, the applications specifically implement subsections a), d), f), h), j), i), l), p), q), and r).

a) *the protection of ecological systems, including natural areas, features and functions;*

As part of the Secondary Plan process, natural heritage features were generally mapped and subsequently designated within the Secondary Plan Schedule of the Official Plan (Schedule G: Northwest Welland Secondary Plan). These features have been further evaluated and addressed through the approval of the NPCA Work Permit application process for the realignment of the Towpath Drain and the EIS in support of the subject applications. The proposed Official Plan amendment will align the Environmental Conservation designation with the approved realigned Towpath Drain, align the Environmental Protection designation to include the woodland block and buffer area and the proposed Zoning By-law amendment application will further restrict development within these natural heritage features and provide for their protection. Through the proposed subdivision application approval, the lands associated with these natural heritage features and their buffers will be conveyed to the City of Welland, furthering the long-term protection of these features. Therefore, the proposed applications are consistent with this *Planning Act* requirement to provide for the protection of the natural features on the subject lands and their corresponding ecological functions.

The EIS also evaluated a hedgerow along the western edge of the property and determined that this hedgerow does not provide any ecological function as it has been impacted by human intrusions from the existing residences along Montgomery Road and is narrow in width. A proposed pedestrian trail will be provided in this area, providing as much protection

as possible to this corridor that will function as a passive recreational amenity, however it is acknowledged that it this hedgerow is not significant and does not provide for an ecological function.

d) *the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*

A Stage 1 Archaeological Assessment was completed for the entirety of the NWSP Area by ASI Archaeological and Cultural Heritage Services in 2018. This Study concluded that the entirety of the Secondary Plan Area is deemed to contain Archaeological potential and recommended that all future development applications within the NWSP Area must complete a Stage 2 Archaeological Assessment.

As such, a Stage 2 Archaeological Assessment was completed by Detritus Consulting Ltd. for the subject lands. This Assessment conclude that no further assessments are required for the subject land and Ministry Acknowledgement is forthcoming.

f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*

Through the preparation of the NWSP, the City of Welland undertook servicing and transportation studies to justify, inform and implement the Secondary Plan.

Along with this submission is a Functional Servicing Report with a Stormwater Management Plan, as well as a Transportation Impact Study that further supports the development of the subject lands for residential uses within the NWSP Area. The proposed development can be accommodated with the planned improvements to the infrastructure systems.

The subject lands are designated to permit urban development. The applications will facilitate development that will efficiently utilize future infrastructure investments such as roads, watermains, sanitary sewer, storm sewer and typical utilities.

The proposed subdivision will also be serviced by, and provided with Regional waste collection.

h) *the orderly development of safe and healthy communities;*

(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

The subject lands are designated for residential growth and development that will contain

a public park and multi-use trails. These uses have been contemplated as part of previous planning approvals associated with the NWSP Area. The orderly development of healthy and safe communities is best achieved through a proactive and detailed planning process, such as secondary or master planning. The street system will be designed to be safe and in accordance with the City Engineering standards. In addition, the pedestrian system including on-street sidewalks and the multi-use trails will be designed to meet accessibility and safety standards for pedestrians.

The proposed residential development is appropriately located with access off of a Regional Road (Rice Road). The proposed development accommodates residential and open space uses that is compatible and contiguous with the proposed and surrounding existing neighbourhood. The location is accessible and opportune for residential development as it is within a planned community. The inclusion of additional housing opportunities and forms and public recreational spaces contributes to the orderly development of safe and healthy communities, fostering a cohesive and balanced community.

i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;

The proposed development is near several schools including;

- Alexander Kuska Catholic Elementary School
- Nouvel Horizon French Elementary School
- Quaker Road Public School
- Welland Centennial Secondary School
- Niagara College – Welland Campus

A future public park is being proposed on the subject lands. This area is currently not serviced with parkland other than the nearby school yards. In addition, the development will be serviced by a multi-use trail on the west side of Rice Road, along the buffer area of the Towpath Drain and along the west boundary of the property connecting the trail along the Towpath Drain. The proposed multi-purposed trails support leisure activities such as walking and jogging, and active transportation such as cycling.

The subject lands are considered to be supported by an adequate amount of educational, health, social, cultural and other recreational facilities located throughout the City.

j.) the adequate provision of a full range of housing, including affordable housing;

The NWSP land use plan identifies lands for a variety of land uses including low and medium-density residential uses, mixed use, institutional, open space and environmental conservation and protection.

The proposed residential development will provide a mix of freehold housing units including 59 single detached, 265 townhouse and 76 back-to-back townhouse units for a total of 400 dwelling units. Though these dwelling units will not be considered affordable by the Provincial definition, they will contribute to affordability by increasing the supply of housing within the City and achieving a broader range of housing choice with different price points. The proposed dwelling types are relatively more attainable than traditional dwellings on larger freehold lots.

l) the protection of the financial and economic well-being of the Province and its municipalities;

The proposed developments can benefit the financial and economic well-being of the Province and its municipalities as cumulatively they will introduce 398 new residential dwelling units within the City of Welland. The addition of these units improves housing availability in the City and contributes to the overall economic resilience and vitality of the area.

The proposed developments will also generate development charges and long-term property tax revenue. These economical and financial contributions support the sustainable growth and prosperity of the Region and municipality, which subsequently supports the local economy. In addition, the residential development at the density proposed is financially more sustainable than traditional low density residential development.

p) the appropriate location of growth and development;

The subject lands are located within the Welland Settlement Area / Urban Area Boundary, which is a preferred and prescribed location for growth in Provincial, Regional and local land use planning documents. The subject property is also situated within the designated Greenfield Area boundary, which has a minimum density target of 50 people and jobs per hectare. The appropriateness of this location for residential development was established through the completion of the NWSP.

The subject lands contain a significant woodland feature and a portion of the Towpath Drain. These natural heritage features on the property will be enhanced and protected.

The subject lands are located adjacent to a Regional roadway (Rice Road), and can be serviced

by various existing schools, community facilities and nearby commercial opportunities. The utilization of these undeveloped urban lands for residential growth and open space use maximizes housing potential, the development of community facilities and reinforces the property as an appropriate location for growth and development with neighbourhood recreational opportunities.

The subject lands are located within the City of Welland Settlement Area Boundary and Regionally Designated Greenfield area, and are provided with municipal services and in an area planned for growth, therefore the subject lands are an appropriate location for growth and development.

q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

The introduction of medium density residential development to this area contributes to the promotion of transit-supportive population densities. This, in turn, enhances the future sustainability and expansion of public transit services within the community.

As set forth in the updated Transportation Assessment prepared by Associated Engineering (2023) for the NSWP area, this area is a prime location for the development and expansion of active transportation routes and public transit services.

The proposed development will include sidewalks to accommodate pedestrians. In addition, planned improvements to Rice and Quaker Roads that will include cycling lanes on Quaker Road and a multi-use trail on Rice Road. Also, a multi-use trail along the Towpath Drain Corridor is planned along with a trail system along the western edge of the property that will provide further opportunities for active transportation and a connected pedestrian system.

Overall, the proposed development will facilitate the design of a pedestrian friendly neighbourhood at a density that will be supportive of public transit.

r) the promotion of built form that,

a. is well-designed,

b. encourages a sense of place, and

c. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

The proposed subdivision design exhibit good urban design principles and engage positively with the public realm along Rice Road. The inclusion of urban elements and protection of the natural heritage features will enhance the urban condition of the property to the benefit of

the surrounding lands and future residents. The protection of the natural heritage features contributes to creating a sense of place combined with other amenities such as the proposed park, multi-use trails and naturalized stormwater management facilities. The multi-use trail and sidewalk system will provide for connectivity to adjacent areas. Further the public open spaces will be designed to be safe, accessible, attractive and vibrant in accordance with the City's standards.

The proposed development will be well-designed with an attractive built form. The preliminary development plans emulate modern development characteristics that will integrate with other proposed development in the surrounding neighbourhood. The proposed dwelling units have been thoughtfully designed to provide a variety of housing units for a variety of demographics.

Section 3 of the *Planning Act* requires that, in exercising any authority that affects a planning matter, municipalities "shall be consistent with the policy statements" and "shall conform to the Provincial plans that are in effect on that date, or shall not conflict with them, as the case may be." The following sections of this report outline how the submitted applications satisfy the requirements of the *Planning Act*, and are consistent with the Provincial Policy Statement.

Section 22 – Official Plan Amendments

Applications for Official Plan Amendments are considered under Section 22 of the *Planning Act*. Amendments to municipal by-laws are permitted, subject to the provision of prescribed information. This application has been filed with the required fee and supporting materials requested through pre-consultation.

Section 34 – Zoning By-laws and Amendments

Applications for Zoning By-law Amendments are considered under Section 34 of the *Planning Act*. Amendments to municipal by-laws are permitted, subject to the provision of prescribed information. This application has been filed with the required fee and supporting materials requested through pre-consultation.

Section 51 – Draft Plans of Subdivision

Applications for Land Division are governed under Section 51 of the *Planning Act* and in particular must have regard for the matters under Section 51(24) of the *Planning Act*.

Section 51 (24) the *Planning Act* prescribes that “In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,” items a) to m). An overview of how each item is addressed is provide below.

a) *the effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2;*

As noted above, the applications satisfy clauses a), d), f), h), i), j), l), p), q), and r) of Section 2 of the *Planning Act*.

b) *whether the proposed subdivision is premature or in the public interest;*

The proposed subdivision is within the Northwest Welland Secondary Plan Area, an area that is planned for new development and within the public interest. The proposed subdivision is not considered premature as significant work has been undertaken to provide for development in this area.

The subject site is adjacent to existing residential development, and surrounded by future mixed-use and residential development, has full access to services and utilities, and has access to public roadways.

The proposed development addresses the demand for a variety of housing types, fulfilling a market need. The development contributes to the diversification and expansion of the available housing supply in the area, and will efficiently utilize current underutilized urban serviced land.

Considering the lands are within a Secondary Plan area, the proposed subdivision is within the public interest, and in an area planned for development and is therefore not premature, but rather represents a logical location for residential development that can be readily serviced.

c) *whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

The subject lands are within the Northwest Welland Secondary Plan Area and the proposal is compatible with the surrounding proposed land uses, creating a contiguous development pattern, gently introducing increased density. The proposed development represents the overall vision for this Secondary Plan area, by providing a compact development that accommodates an appropriate mix of housing types. A more detailed review of Official Plan conformity is provided further on in this report, as an Official Plan Amendment application has been submitted to provide for increased density, shift the location and enlarge the area of the Open Space & Recreation designation and align the Environmental Protection and

Environmental Conservation Area designation boundary. It is noted that the proposed Official Plan amendment is for a special policy designation to be applied to the Low Density Greenfield Residential designation as it applies to the subject lands to permit multiple dwellings and an increase in density threshold. It is noted however, that the requested Official Plan amendment is consistent with the policy direction being contemplated in the draft Official Plan update that that the City is considering with respect to both the use permissions and the density threshold.

d) the suitability of the land for the purposes for which it is to be subdivided;

The property is located in a suitable location for development as it is within a Secondary Plan Area that is planned for growth and development and situated along a Regional Road considered to be an arterial road. It has full municipal services available and is free of significant development encumbrances. The property is generally flat and is ready for residential development. Approval for the realigned Towpath Drain has been obtained and the significant natural heritage features will be protected. That portion of the land that is suitable for development is considered to be appropriate for the intended residential subdivision development.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

While the applications do not include affordable housing as defined by the Province of Ontario, the proposed development actively contributes to the availability of housing which in turn can lead to attainability. The proposed development includes three varying housing types, providing a range of housing that will vary in price. These efforts promote housing that accommodates a wider range of residents, prioritizing inclusivity and meeting the diverse housing needs of the community.

d) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The proposed internal road network will consist of public roadways with 20-metre cross-sections. This residential development will be provided access by way of Rice Road (Regional Road 54). The Transportation Impact Study submitted with the applications confirm that the proposed development will have minimal impact on the adequacy or safety of the road network. The Study identified some interim measures that may be required prior to the improvements to Rice Road and the completion of the Merritt Road extension. Also, it has

been determined that Phase 1 of the subdivision can proceed without triggering the need of a left turn lane, or alternatively having the improvements to Rice Road made. Rice Road is proposed to be improved by the Region in this area and a 5.0m wide road widening has been provided for on the plan to accommodate improvements.

e) the dimensions and shapes of the proposed lots;

The applications propose the creation of rectangular shaped lots which form a lotting pattern that is consistent with the surrounding proposed residential development and existing, established neighbourhood. The proposed lot dimensions and shapes are shown on the Draft Plan and area appropriate for the proposed development and will contribute towards creating a vibrant neighbourhood.

f) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The approved realignment of the Towpath Drain and improvements to it will traverse east-west through the subject lands. This Drain area is designated as an Environmental Conservation Area and is intended to be dedicated to the City upon registration of the subdivision which will be indicated through Conditions of Approval. The existing woodland feature and associated buffer areas continue to be designated for Environmental Protection and will also be dedicated to the City upon registration of the subdivision ensuring its long-term protection. The lands immediately to the north of the subject lands contain a larger natural heritage features and a watercourse that are protected from development and are owned by the Town of Pelham.

g) conservation of natural resources and flood control;

The Towpath Drain is to be realigned and improved as it traverses through of the subject lands and eastward to Niagara Street. A 30-metre corridor along the Drain will be established and naturalized with plantings of shrubs and trees to provide for mitigation and enhancement of the ecological function of the Drain. There will also be diversity in flow channel substrate, enhancement through the creation of shallow and deep-water wetland pockets along the length of the Drain and the flow channel will meander. Currently a portion of the Drain is enclosed on the subject lands where it is under the former soccer fields. Realigning and opening the channel up and providing for an appropriate buffer and plantings will improve the ecological function and flood control requirements of this Drain on the subject lands.

h) the adequacy of utilities and municipal services;

A Functional Servicing Report, prepared by Upper Canada Consultants, outlines how the proposed development will be serviced has been submitted with the applications. As confirmed in the report, municipal infrastructure is readily available, and has sufficient capacity to service the proposed development. Other local servicing utilities are also available and the proposed development will also be serviced by local utilities.

i) the adequacy of school sites;

The subject lands are in close proximity to several schools;

- Alexander Kuska Catholic Elementary School
- Nouvel Horizon French Elementary School
- Quaker Road Public School
- Welland Centennial Secondary School
- Niagara College – Welland Campus

The local school boards (DSBN, NCDSB) will have the opportunity to comment on development applications to confirm adequacy of service. Through the Secondary Plan process no new school sites were identified as needed in this area by the School Boards.

j) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

The Towpath Drain blocks, woodland block, stormwater management blocks, park block and trail block are proposed to be dedicated to the City upon registration of the Subdivision. In addition, road widening is proposed to be provided to the Region of Niagara along west side of Rice Road. The road widening along Rice Road will provide for road improvements to Rice Road including a future centre turning lane, urbanization and a 3-metre-wide multi-use trail that will be for public recreational use.

k) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

The coordinated development of a large parcel of land provides for increased efficiencies in the servicing and construction of the development. Further, the proposed development achieves a compact land use pattern that helps to optimize the use of infrastructure and provides improved energy efficiencies over traditional single-detached residential development.

The proposed housing units will also meet the energy efficient design requirements of the Ontario Building Code.

l) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

The proposed development is subject to Draft Plan of Subdivision approval which ensures that all matters affecting the approval authority and commenting agencies are adequately addressed prior to the commencement of development and that the subdivision will be designed in accordance with Town and Regional design standards as appropriate. The proposed land uses include single detached, street townhouse units and back-to-back to townhouse units which are exempt from site plan control. The street townhouse blocks vary in size of 3, 4, 5 and 6 units per block and the back-to-back townhouse blocks are comprised of 6 and 8 units.

Provincial Policies

Land use planning applications within the City of Welland Settlement Area are subject to the policies of the 2024 Provincial Planning Statement (PPS). Specific references to applicable Provincial policies are provided in brackets.

2024 Provincial Planning Statement (PPS)

The Provincial Planning Statement, 2024, is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow; Growth Plan for the Greater Golden Horseshoe, 2019 and builds on the housing-supportive policies from these previous documents.

The PPS provides municipalities with the policy tools and flexibility to build more homes, enabling them to;

- plan for and support development, and increase the housing supply across the province
- align development with infrastructure to build a strong and competitive economy that is investment-ready
- foster long-term viability of rural areas
- protect agricultural lands, the environment, public health and safety

The PPS sets the policy foundation for guiding development and land use province-wide, helping to achieve the provincial goal of meeting the needs associated with population growth while enhancing the quality of life for all Ontarians. The PPS recognizes the diversity across Ontario and

that local context is important. Policies are outcome oriented, while some policies provide flexibility in their implementation provided provincial interests are upheld.

Planning for People and Homes (PPS 2.1)

The PPS provides that planning authorities shall base population and employment growth forecasts on projections published by the Ministry of Finance and may modify as appropriate. Also planning authorities can continue to use population and employment forecasts previously issued by the Province for the purpose of land use planning. Section 2.1.4 directs that planning authorities shall maintain the ability to accommodate residential growth for a minimum of a 15 years through lands that are designated and available for residential development and land with servicing capacity to provide a minimum of 3-year supply of residential units that are zoned, including units in draft approved and registered plans.

Section 2.1.6 states that planning authorities should support the achievement of complete communities by;

- accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities, and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs;
- improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- improving social equity and overall quality of life for people of all ages, ability, and incomes, including equity-deserving groups.

The proposed plan of subdivision is within an area that is designated to accommodate residential growth and in an area that has servicing capacity to accommodate the planned residential units. The proposed residential plan of subdivision contributes to the achievement of a complete community by providing a mix of housing opportunities in an area that is planned to be supported by a variety of transportation options, institutional uses, and recreational uses. The proposed plan of subdivision provides appropriate lands to be used for parks and recreation purposes through the creation of parkland and the development of a multi-use trail system along the Towpath Drain. The subdivision will be designed to meet accessibility requirements to ensure people of all ages and abilities can navigate safely within the development and the range of housing choice and recreational land proposed is targeted towards providing improved social equity and quality of life for all people.

Housing (PPS 2.2)

The PPS provides that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents by:

- a) establishing and implementing minimum targets for the provision of housing that is affordable to low- and moderate-income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs;
- b) permitting and facilitating:
 - 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
 - 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units;
- c) promoting densities for new housing which efficiently use land, resources, Infrastructure and public service facilities, and support the use of active transportation; and
- d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

The proposed plan of subdivision contributes to providing range of housing options and density beyond the traditional single detached residential unit subdivision. While the housing is not specifically affordable housing in accordance with the provincial definition, it is housing is more affordable and attainable than traditional single detached subdivision A mix of housing is proposed and at a higher density than a traditional subdivision, such as those to the south, which uses land, resources and infrastructure more efficiently and is more transit supportive as well. Opportunities for active transportation are being provided with the establishment of a multi-use trails along the Towpath Drain and Rice Road that will link with other planned developments in the area and with the Town of Pelham to the south. Further, bicycle lanes are planned on Quaker Road which is to the south and will also improve active transportation within the area.

Settlement Areas and Settlement Area Boundary Expansions (PPS 2.3)

Settlement areas are to be the focus of growth and development and land use patterns within settlement areas are to be based on densities and a mix of land uses that:

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation;
- d) are transit-supportive, as appropriate; and
- e) are freight-supportive

Planning authorities are to support intensification and redevelopment to support the achievement of complete communities and establish and implement minimum targets for intensification and redevelopment within built-up areas. Planning authorities are also encouraged to establish density targets for designated growth areas and establish and implement phasing policies, where appropriate, to ensure development is orderly and aligns with the timely provision of infrastructure and public service facilities.

The proposed applications are for land located within a settlement area and within an area planned for future residential growth. The subdivision has been designed to use land efficiently and optimize both existing and planned infrastructure and public service facilities. The subdivision has also been designed to include opportunities for active transportation, is at a density that is transit supportive and aligns with the medium residential density thresholds established by the City of Welland.

Strategic Growth Areas (PPS 2.4)

The PPS provides that planning authorities are encourage to identify and focus growth in strategic growth areas and strategic growth areas should be planned:

- a) to accommodate significant population and employment growth;
- b) as focal areas for education, commercial, recreational, and cultural uses;
- c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and
- d) to support affordable, accessible, and equitable housing.

to support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development.

Planning authorities are to prioritize planning and investment in infrastructure and public service facilities in strategic growth areas; to identify the appropriate type and scale of development and transition of built form for adjacent areas; to permit development and intensification to support the achievement of complete communities and a compact built form; consider a student housing strategy when planning for strategic growth areas; and support redevelopment of commercially designated retail lands to support mixed use residential uses.

The subject lands are located within the Northwest Welland Secondary Plan area which is the area of Welland that has been planned for significant population growth and an area that has been prioritized by the Region and the City for investment in infrastructure to facilitate the future growth. Through the Secondary Plan approval process the consideration of education, commercial, recreation and cultural uses was considered and appropriate areas were identified for mixed use and recreational/open space uses in addition to areas for residential growth at differing densities. The proposed plan of subdivision and corresponding Official Plan and Zoning By-law amendment applications, considers the policies of the Secondary Plan and while there is some realignment of the Environmental Conservation, Environmental Protection and Open Space & Recreation land use designations these realignments are necessary to reflect the approved realignment of the Towpath Drain, an improved location of the park block that provides better access to the park for future residents in the area and beyond and the limits of the woodland natural heritage feature and its buffer. Also, the proposed use permissions and density increase in the Low-Density Greenfield Residential designation is aimed at providing a greater range of housing options and choice in an effort to achieve compact development, transit supportive development and development that is potentially more attainable to a greater number of people thereby improving housing equity.

General Policies for Infrastructure and Public Service Facilities (PPS 3.1)

Infrastructure and public service facilities are to be provided in an efficient manner while accommodating projected needs and the planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they:

- a) are financially viable over their life cycle, which may be demonstrated through asset management planning;
- b) leverage the capacity of development proponents, where appropriate; and
- c) are available to meet current and projected needs.

The Northwest Secondary Plan and supporting studies identify the infrastructure and public service facilities that are needed, and the requirements for coordination and integration to support the land use and growth of this new planned area of Welland. The major land owners in the Plan area have entered into cost sharing agreements to equitably share the costs associated with undertaking the required infrastructure improvements. Front ending agreements with the City/Region may be required as condition of subdivision approval to ensure that the improvements occur in a timely manner and appropriate costs recovery mechanisms are established.

Transportation Systems (PPS 3.2)

The policies of the PPS provide that transportation systems provided should be safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs and support zero and low-emission vehicles. An efficient use of existing and planned infrastructure, including the use of transportation demand management strategies should be considered, where feasible. Further, as part of a multi-modal transportation system, connectivity within and among systems should be planned, maintained and improved, including connections which cross jurisdictional boundaries.

The proposed street network within the plan of subdivision will be designed to municipal standards to provide for the safe movement of people within the development with direct access to Rice Road at two locations. Rice Road is an arterial road, that links City of Welland with the Town of Pelham. Rice Road is planned to be improved including the provision of additional travel lanes, turning lanes and extension of the multi-use trail on the west side of Rice Road. Sidewalks will be included within the development plan to provide a safe system for pedestrian movements and a multi-use trail is proposed along the Towpath Drain that will also connect with the proposed multi-use trail on Rice Road that will support opportunities for active transportation. The multi-use trail along Towpath Drain is also intended to be extended through the Northwest Welland Secondary Plan area to the east providing connectivity with this larger planned development area.

Transportation and Infrastructure Corridors (PPS 3.3)

The PPS provides that planning authorities shall plan for and protect corridors and rights-of-ways for infrastructure of all types to meet current and projected needs. Major goods movement facilities and corridors are to be protected for the long term. Also, planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and adverse effects from the corridor and transportation facilities. The colocation of linear infrastructure should be promoted where appropriate.

Rice Road is the major transportation corridor and it is planned to be improved. It is understood that the Region of Niagara is targeting undertaking these improvements to Rice Road in 2031. The proposed plan of subdivision contemplates a 5.0m road widening in favour of the Region of Niagara along the west side of Rice Road. A corresponding 4.0m road widening is also

contemplated for the east side of Rice Road so that Rice Road would have an ultimate right-of-way of width of 29.0m. Together, the road widenings will provide ample room for the anticipated additional travel lanes, centre turning lane, multi-use trail and other urban linear infrastructure required to support this new growth area. A road cross section has been prepared to demonstrate how a 29.0m right-of-way can accommodate the necessary infrastructure requirements, travel lanes and turning lanes.

In accordance with the findings of the Transportation Impact Study, Phase 1 of the subdivision can proceed without the improvements to Rice Road having been completed. Phase 2 and 3 of the subdivision will require the improvements to Rice Road, or alternatively a left turn lane at the intersection of Street “A” and Rice Road will be required.

Land Use Compatibility (PPS 3.5)

The policies in this section provide for that major facilities and sensitive land uses are to be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminant, minimize risk to public health and safety and to ensure the long-term operational and economic vitality of major facilities.

The proposed residential development is a sensitive land use that is not in proximity to any major facility. The consideration of residential use of the land as an appropriate and compatible land use was addressed through the Northwest Welland Secondary Plan.

Sewage, Water and Stormwater (PPS 3.6)

The policies in this section of the PPS address the requirements for planning for sewage and water services. Municipal sewage and municipal water services are the preferred form of servicing within settlement areas. Planning for sewage and water services are to ensure efficient use and optimization of existing municipal sewage and municipal water services to accommodate forecasted growth; ensure that services can be sustained by the water resources which such services rely on, is feasible and financially viable over the life cycle, protects human health and safety and the natural environment including quality and quantity of water, and aligns with comprehensive planning for these services where applicable. Planning for these services is also to promote water and energy conservation and efficiency, integrate servicing and land use considerations, consider opportunities to allocate and reallocate unused system capacity to support efficient use of these services and meet current and projected needs for increased housing supply.

Planning for stormwater management is to integrated with planning for sewage and water services to ensure systems are optimized, retrofitted as appropriate, feasible and financially

viable over their full life cycle. Further, planning for stormwater management is to minimize or where possible, prevent or reduce increases in stormwater volumes and contaminant loads; minimize erosion and changes in water balance, mitigate risks to human health, safety and the environment; maximize the extent and function of vegetative and pervious surfaces; promote best practices including stormwater attenuation and re-use, water conservation and efficiency and low impact development; and align plans that consider cumulative impacts of stormwater from development on a watershed scale.

The planning for municipal water, municipal sewage and stormwater management systems was considered as part of the Northwest Welland Secondary Plan process with the preparation of Conceptual Municipal Servicing Design Report. Planned improvements to existing systems have been identified to accommodate the project growth of this area and provide for efficiency with the existing systems. Further the FSR for the proposed subdivision has also been prepared that confirms that with the planned improvements to the watermain on Rice Road there is adequate capacity to provide domestic water supply and fire protection within the planned subdivision, the receiving sanitary sewer system has adequate capacity following upgrades that are currently underway to the existing Towpath Sanitary Pumping Station and associated forcemain and the Welland Wastewater Treatment Plant are complete and the proposed internal storm sewers and stormwater management facilities provide appropriate stormwater management controls to service the development.

Waste Management (PPS 3.7)

The PPS provides that waste management systems need to be planned for and provided that are of an appropriate size, type and location to accommodate present and future requirements, and facilitated integrated waste management.

Waste management planning is a responsibility of the Region of Niagara. The subdivision has been designed in consideration of the Region of Niagara's requirements to accommodate waste pick-up vehicles. The Humberstone landfill site operated by the Region of Niagara services residents and businesses in the City of Welland and offers residential and commercial waste disposal, household hazardous waste disposal, reusable clothing and goods drop off, tires disposal, electronics recycling, fats, oils and grease disposal and disposal of oversized items. No issues regarding waste management capacity have been identified.

Public Spaces, Recreation, Parks, Trails and Open Space (PPS 3.9)

Healthy, active, and inclusive communities are to be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;
- b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

The proposed subdivision plan has been designed and laid out with safety in mind. The public streets will be designed in accordance with municipal standards ensuring the safe movement of people and vehicles. Sidewalks will be planned through the community to provide for safe pedestrian movements and a multi-use trail is planned along the Towpath Drain and will connect with a broader trail system that will facilitate opportunities for active transportation and community connectivity. The layout of the subdivision for the most part provides for housing units facing housing units which foster social interactions amongst neighbours. The proposed subdivision design also includes lands to be used for future park purposes and is to be dedicated to the City of Welland. While the park design has not been determined at this stage, it's location alongside the proposed Rice Road multi-use trail will provide opportunities for improved public access to the site. The Towpath Drain will be realigned and naturalized with a multi-use trail located in the Drain corridor providing for a public trail system in a natural setting. The woodland block is also being protected and will contain a trail linkage as well in a natural setting.

Natural Heritage (PPS 4.1)

The PPS provides that natural features and areas are to be protected for the long term. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems should be maintained, restored or where possible, improved, recognizing linkages between and among natural features and areas, surface water features and ground water features. Natural heritage systems are to be identified recognizing they will vary in size and form. Specifically, development and site alteration are not permitted in significant wetlands and significant coastal wetlands. Development and site alteration are also not permitted in significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest, and other coastal wetlands unless it is demonstrated that there will be no negative impact on natural features or their ecological function. Also, development and site alteration are not permitted in fish habitat, and habitat of

endangered and threatened species except in accordance with provincial and federal requirements. Further, development and site alteration shall not be permitted on adjacent lands of natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impact on the natural features or on their ecological functions. The only exception to the above is that nothing is intended to limit the ability of agricultural uses to continue.

Regarding the subject lands no significant natural heritage features or areas were identified on the subject lands. Along the northwest limit of the lands is a woodland feature that is classified as other woodland, i.e. not significant, however it does contain species at risk. This woodland feature is intended to be protected and is designated as Environmental Protection Area and no development or site alteration will occur within this woodland area or within 10m or dripline edge of the woodland feature except for portions of a 3.0m trail does encroach within the 10m dripline setback, but not within the feature.

Also, the Towpath Drain is not identified as a feature on the subject lands and is partially enclosed. It is intended that the Towpath Drain will be improved, restored and naturalized on the subject lands which will improve its ecological function and ability to function as a linkage on the subject lands. The Towpath Drain will also be improved and naturalized through the Secondary Plan area improving its overall ecological function.

Water (PPS 4.2)

Regarding water resources, planning authorities are to protect, improve and restore the quality and quantity of water by using the watershed as ecologically meaningful scale for integrated and long-term planning; minimizing potential negative impacts, including cross jurisdictional watershed impacts; identifying water resources; implementing necessary restrictions on development and site alteration to protect drinking water supplies and designated vulnerable areas and protect, improve or restore vulnerable surface and ground water and their hydrologic function; planning for efficient and sustainable use of water resources through water conservation and sustaining water quality; and ensuring consideration of environmental lake capacity where applicable. Development and site alteration shall be restricted near sensitive water features and sensitive ground water features such that these features will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches. Municipalities are also encouraged to undertake watershed planning and collaborate with applicable conservation authorities.

With respect to the proposed development the Towpath Drain will be protected, improved and restored and there will be restrictions on development within the Towpath Drain corridor with

only a multi-use trail being permitted within the protected corridor. Natural channel design will be employed and the adjacent lands within the corridor will be naturalized improving the surface water quality. In addition, while the Drain will be the stormwater outlet, the stormwater management facilities will be designed to address both quality and quantity ensuring the water entering the Drain meets appropriate standards.

Cultural Heritage and Archaeology (PPS 4.6)

The PPS provides that protected heritage properties shall be conserved and development on adjacent lands shall not be permitted unless the heritage attributes of the protected heritage property will be conserved. Also, planning authorities shall not permit development or site alteration on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. Planning authorities are also encouraged to develop and implement archaeological management plans and proactive strategies for conserving significant built heritage resources and cultural heritage landscapes. Finally, Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.

The subject lands are not considered to be a protected heritage property and does not contain built heritage resources or cultural heritage landscape features. A Stage 1-2 Archaeological Assessment was completed in August 2022 and no archaeological resources were identified, therefore, no further archaeological assessment of the area was recommended.

General Policies for Implementation and Interpretation (PPS 6.1)

This section of the PPS requires that in order to protect provincial interests, planning authorities keep their Official Plans and Zoning By-laws up to date with the Provincial Planning Statement and where a planning authority decides on a planning matter before their official plan has been updated to be consistent with the PPS, it must still make a decision that is consistent with the PPS. In addition, wherever possible and practical approvals under the *Planning Act* and other legislation or regulation, i.e. *Environmental Assessment Act*, should be integrated provided the intent of both processes are met. Municipalities are also encouraged to monitor and report on implementation of the policies in their official plans and density targets represent minimum standards and municipalities are encouraged to go beyond these minimum targets.

The subject applications are consistent with the policies of the PPS and it is noted that the proposed Official Plan amendment will be proposed to permit multiple dwellings and provide an

increase in density on the subject lands consistent with what is being contemplated in the Official Plan update that the City is considering for Low Density Residential areas.

Coordination (PPS 6.2)

This section of the PPS provides for the a coordinated, integrated and comprehensive approach when dealing with planning matters with lower and upper tier municipalities, other orders of government, agencies, boards and housing Service Managers. Planning authorities are to engage early with Indigenous communities and the public and stakeholders; collaborate with school boards and publicly assisted post secondary institutions; and coordinate emergency management and other economic, environmental and social planning considerations. Further, planning authorities shall:

- a) identify and allocate population, housing and employment projections;
- b) identify areas where growth and development will be focused, including strategic growth areas, and establish any applicable minimum density targets;
- c) identify minimum density targets for growth and development taking place in new or expanded settlement areas, where applicable; and
- d) provide policy direction on matters that cross municipal boundaries.

Through the development of the Northwest Welland Secondary Plan there was coordination between the lower and upper tier municipality, with the NPCA, school boards and other agencies. Further through the pre-consultation provided another opportunity for early consultation and finally through the application review process there will further opportunity for consultation and coordination of these specific development applications.

NIAGARA OFFICIAL PLAN (2022)

The Niagara Official Plan (NOP) outlines the long-term strategic policy planning framework for managing growth in the Region to a planning horizon ending in 2051.

The Plan's focus is primarily on implementing the Provincial Policy Statement and other Provincial Plans and Guidelines, and providing regional-level land use planning direction on growth, the natural environment, infrastructure and other attributes or circumstances unique to Niagara.

Chapter 2 – Growing Region

Chapter 2 of the NOP contains the Regional level growth policy direction for Niagara Region and the twelve (12) local municipalities inclusive of population and employment forecasts, intensification targets and specific locations and methods for development.

The NOP directs growth and development to Settlement Areas where full urban services are available, as well as public transit, community and public services and employment opportunities.

2.1 – Forecasted Growth

Per Section 2.1 of the NOP, the Region of Niagara is anticipated to have a population of 694,000 people and 272,000 jobs by the year 2051, representing an increase of over 200,000 people and 85,000 jobs from 2021. These population and employment forecasts are further broken down by municipality in Table 2-1. Per Table 2-1, Welland has a forecasted population of 83,000 people and 28,790 jobs by 2051.

The proposed development will contribute 398 new residential dwelling units into the City's housing supply within the Northwest Welland Secondary Plan Area and will assist in achieving the City's annual growth and targets.

2.2 – Regional Structure

Section 2.2 establishes the regional land use structure, based on Provincial directives, which dictate how the projected growth is to be accommodated. A majority of growth is to occur within the Settlement Area, where water and wastewater systems exist or are planned. The Settlement Area is further broken down into the delineated Built-up Area and the designated Greenfield Area.

The subject lands are located within the City of Welland Urban Area (Settlement Area) and are within the Designated Greenfield Area as per the Regional Plan shown in **Figure 6**. The subject

lands also have access to existing water and wastewater systems and are therefore an appropriate location to accommodate prescribed growth.

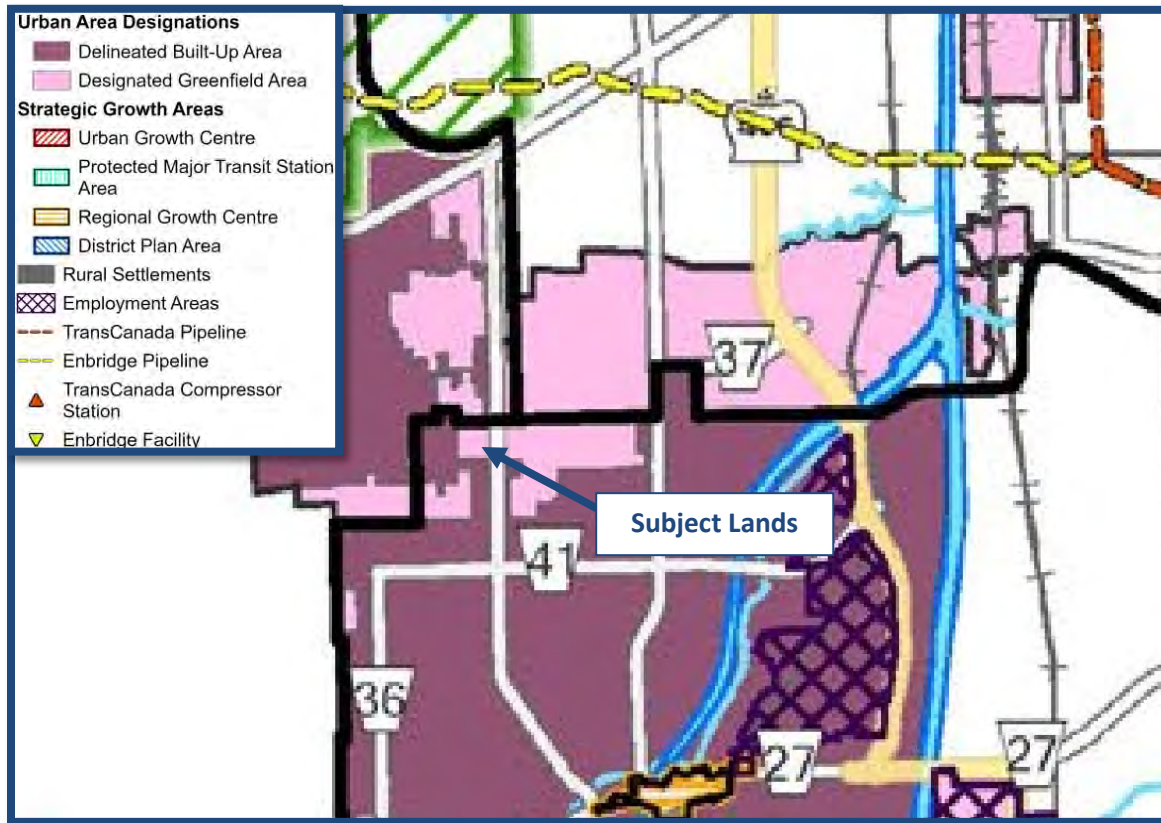


Figure 6 – Schedule 'B' of the Niagara Official Plan (Cropped)

The proposed development will contribute 398 dwelling units, consisting of 58 single detached dwellings, 7 rear lane townhouse units and 257 typical street townhouse units and 76 back-to-back townhouses. The subject lands are a logical location for medium density residential development with a mix of housing units being located within a planned new growth area and can be serviced by existing public arterial roadway access and municipal infrastructure. The proposed development will assist the Region and City in the achievement of their annual growth targets.

2.2.1 – Managing Urban Growth

Section 2.2.1 of the Niagara Region Official Plan contains policies pertaining to the management of urban growth. Generally, these policies direct growth to occur in a manner that supports the achievement of intensification targets, is compact and vibrant, is inclusive of a mix of land uses and housing forms, and efficiently utilizes existing services and transportation networks/services.

The applications conform with this policy direction through the provision of a mix of residential housing forms on urban, serviced land. The proposed development will assist the City in rounding out available lands with a logical development pattern that will contain vibrant housing forms and streetscapes.

Overall, the applications are considered to conform with the Niagara Region Official Plan and implement its growth management direction in an appropriate, efficient and context sensitive manner.

Policy 2.2.1.1 b) states that development in urban areas should support a compact built form, a vibrant public realm, and a mix of land uses to support the creation of complete communities. The proposed development exemplifies these principles by offering a more compact built form that is compatible with the proposed and existing surrounding area, increasing the diversity in the range of residential housing types. The proposed development also includes the provision of public lands for parks purposes in support of the creation of a complete community. The subject lands are also conveniently located near complementary mixed uses and schools that are accessible to the residents of this development. By contributing to the mix of residential land uses in the area, the proposed development assists in the creation of a comprehensive and complete community.

Policy 2.2.1.1 c) states that development in urban areas should accommodate a diverse range and mix of housing types, unit sizes and densities to accommodate future and current market-based and affordable housing needs. The proposed development aligns with this policy by offering three types of freehold dwelling units; single-detached, street townhouse and back-to-back townhouses. This integration of housing options within a traditional single detached residential area improves and diversifies the availability of housing options. It provides further alternative options for individuals based on factors such as household size, income levels, and housing preferences, ensuring a more inclusive and adaptable housing environment.

Policy 2.2.1.1 e) states that development in the urban area should support built-forms, land use patterns and street configurations that minimize land consumption, and reduce the cost of municipal water and wastewater systems and services. The proposed subdivision represents a compact and efficient development that provides for the efficient use of land and infrastructure. The development will be supported by existing municipal infrastructure that is to be extended to the site. The provision of additional housing units will help to optimize the efficient use of the existing and proposed municipal infrastructure.

Policy 2.2.1.1 f) states that development in the urban area should support opportunities for transit supportive development. The proposed development of the subject lands contributes to

the accommodation of transit-supportive density which improves the feasibility of providing transit service to this area. The proposed development is within an urban boundary area known as the Northwest Welland Secondary Plan area. The increased density in this area introduces opportunities to provide and/or improve transit routes and facilities within the Secondary Plan area to accommodate transit users more efficiently.

Policy 2.2.1.1. g) states that that development in urban areas should support opportunities for intensification, including infill development. This development consists of urban greenfield lands that are currently undeveloped, adjacent to existing residential development and other lands suitable for development. While the lands are a greenfield development site vs. an infill site, the density of the site is proposed to be increased supporting intensification generally.

Policy 2.2.1.1 h) states that development in urban areas should support opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established neighbourhoods. The proposed development considers the character of the surrounding area and will provide for single detached dwellings backing onto existing established single detached dwellings with townhouse units being provided in the interior of the site and along the Rice Road. Residential use is a compatible land use with the existing adjacent residential uses.

Policy 2.2.1.1 k) states that orderly development in accordance with availability and provision of infrastructure should be accommodated within the urban area. The subject lands are located adjacent to existing residential areas which have full municipal services. The proposed development represents the logical and orderly progression of development which optimizes the use and provision of infrastructure and is in an area planned for development.

2.2.2 Strategic Intensification and Higher Densities

As noted, the subject lands are located within the Designated Greenfield Area. Per Policies

2.2.2.23 and 2.2.2.24 of the NOP, Designated Greenfield Areas shall achieve a minimum density of 50 people and jobs per hectare. Based on the proposed development, a density of 66.774 people and jobs per hectare is achieved, as calculated in **Table 1**.

Table 1 – Greenfield Density Calculation						
<i>People</i>				<i>Jobs</i>		
Unit Type	Unit Count	Ratio (PPU)¹	Total	Unit Count	Ratio (at home employment)	Total
Single-Detached Dwelling	58	2.929	169.882	398	5% of dwellings	19.9 jobs
Street Townhouses	264	2.189	577.896 people			
Back-to-Back Townhouses	76	2.189	166.365 people			
Subtotal	914.143 people			19.9 jobs		
Total	934.043 people and jobs					
Land Area	13.988 ha (exclusive of the environmental area & watercourse)					
Greenfield Density	66.774 people and jobs per hectare					
* Niagara Region Development Charges Background Study, Appendix A Schedules 5 & 9a (Watson & Associates Economists Ltd., May 30, 2022)						

The minimum density target of 50 residents and jobs per hectare set out by the Region does not apply on a site by site basis, but collectively across Designated Greenfield Area lands on a municipal-wide basis, excluding areas constrained by environmental features, utility corridors, cemeteries and employment areas. Further it is noted that the 50 residents and jobs per hectare is a minimum target and can be higher. The proposed residential development meets and exceeds the density target, and therefore conforms to the Policy.

The proposed development provides appropriate density for an area that is proposed for future residential use. This density is provided by way of single-detached, street townhouse, and back-to-back townhouse freehold dwelling units.

Policy 2.2.2.25 of the Regional Plan directs that Designated Greenfield Areas will be planned as complete communities by:

- a) ensuring that development is sequential, orderly and contiguous with existing built-up areas;
- b) utilizing proactive planning tools in Section 6.1 and Section 6.2, as appropriate;
- c) ensuring infrastructure capacity is available; and
- d) supporting active transportation and encouraging the integration and sustained viability of public transit service.

¹ Niagara Region Development Charges Background Study (2022), Schedule 3

The proposed development is within the Designated Greenfield Area, and will occur contiguous to the Built-up Area that is to the west and the new growth area to the east. The proposed development is part of the greater planned Secondary Plan Area known as the Northwest Welland Secondary Plan. The proposed development on the subject lands are being planned comprehensively with the lands to the east. As such, the proposed development is both sequential and orderly.

As the subject lands are within a Secondary Plan Area, Section 6.1 and 6.2 are addressed.

The Northwest Welland Stormwater Management Implementation Plan and Northwest Welland Secondary Plan Municipal Servicing Design Report identify the upgrades required to the existing Sanitary and Water Sewer System to achieve the proposed densities of the Secondary Plan. Infrastructure capacity is available, as detailed in the Functional Servicing Report prepared by Upper Canada Consultants. All-in-all, this development will utilize available infrastructure within the area.

There are sidewalks proposed throughout the subdivision along one the public road network, in addition to a multi-use trail system along the Towpath Drain corridor and along the west limits of the lands. Anticipated improvements for this Secondary Plan area include the construction of either a dedicated bicycle lane on both sides or a multi-use pathway on one side of both Quaker Road and Rice Road. Together, this will significantly improve connectivity and the ability to increase the use of active transportation. Further the density of the proposed development also supports the use of public transit service in the area.

Overall the applications are considered to conform with the NOP and implement its growth management direction in an appropriate, efficient and context sensitive manner. The proposed development will assist the Region in the achievement of its Greenfield Density target and utilize underutilized lands and existing infrastructure within the Urban Boundary.

2.3 – Housing

The objectives of the policy direction under Section 2.3 of the NOP are to provide a mix of housing options to address current and future needs, to provide more affordable and attainable housing options, and to plan to achieve affordable housing targets through land use and financial incentive tools.

2.3.1 – Provide a Mix of Housing Options

Policy 2.3.1.1 directs that a range and mix of densities, lot and unit sizes and housing types should be accommodated in the settlement area to meet housing needs at all stages of life.

The Northwest Welland Secondary Plan area will facilitate a range of low and medium density housing forms that include single-detached, semi-detached, townhouse and apartments dwelling units. The absence of high-density housing permissions is intentional and appropriate, as these development opportunities and forms are best directed to the City of Welland Regional Growth Area (Downtown Welland), intensification corridors and within the Built-up area.

The proposed Subdivision will provide single-detached, street townhouse and back-to-back townhouse units that range in size, contributing to the diversification of housing supply in Niagara. This variety of housing improves accessibility and affordability for both homeowners and renters. Therefore, this development effectively addresses the provision of diverse housing options and meets the needs of individuals at various stages of life, aligning with the goals outlined in this policy.

2.3.3 – Tools to Achieve Affordable and Attainable Housing

The proposed development consists of two different types of townhouse dwelling units. This proposed housing will accommodate a range of household sizes and incomes, and increases the housing supply, which supports the development of affordable and attainable housing as provided in Policy 2.3.3.1 d).

Chapter 3 – Sustainable Region

Chapter 3 of the Niagara Official Plan contains the policies pertaining to the natural environment hazards and natural resources. Specifically, these policies pertain to features shown on *Schedule C1 – Natural Environment System Overlay and Provincial Natural Heritage System* and *Schedule C2 – Natural Environment System – Individual Components and Features*.

Per Policy 3.1.30.4 of the 2022 Niagara Official Plan, “*Where a secondary plan has been approved after July 1, 2022, those portions that are not subject to a draft approved plan of subdivision or plan of condominium shall be approved in accordance with the approved mapping and policies of the secondary plan.*”

As the subject lands are impacted by the Region’s Natural Environment System (NES) specifically a natural heritage feature identified as ‘other woodlands’, an Environmental Impact Study was prepared to demonstrate that there will be no negative impact on the feature or their ecological function. It further demonstrated how the development can be located, designed and constructed to maintain and enhance the ecological function and protection of species at risk in this natural heritage feature and through the reestablishment of the Towpath Drain corridor on the lands, improve the ecological function of this watercourse, particularly where it is buried.

Chapter 6 – Vibrant Region

6.1 – District Plans and Secondary Plans

Secondary Plans establish detailed policies and guidelines build on significant community consultation that directs development within a certain area. They are intended for proactively planning for growth which assists in achieving mixed-use, compact built form, providing a range and mix of housing options, protecting established neighbourhoods, encouraging transit-supportive development, supportive public service facilities, protecting and enhancing the natural environment, establishing direction to mitigate and adapt to climate change and support high quality public spaces.

The subject lands are located in the western half of the Northwest Welland Secondary Plan Area; a Secondary Plan was prepared for this new Designated Greenfield Area, as this area was larger than 15 hectares.

As per Section 6.1.4.7, secondary plan policies and schedules are to ensure there is diversity and a mix of land uses and built forms; high quality urban design and public realm; parks and open space; refinement and implementation of the Region’s natural environmental system; adequate infrastructure including transit and active transportation; support of sustainable and resilient communities; and locations with public service facilities.

The proposed development contributes to Secondary Plan policies as the proposal increases density and provides different built forms, includes a multi-use trail along the Towpath Drain, protects natural heritage features and enhances the Towpath Drain and surrounding land, and there is adequate infrastructure in the area that is planned to be improved through the build-out of the Secondary Plan area.

The proposed plan meets and exceeds the minimum greenfield density target of 50 people and jobs per hectare, and increasing the housing supply with built forms such as small lot single detached units and two varieties of townhouse units contributes to providing more housing choice aimed at more attainable housing.

6.2 – Urban Design

As per Section 6.2, Urban Design has been taken into consideration to ensure the dwelling units are both attractive and functional, and incorporate with the surrounding neighbourhoods in order to create a complete community. These dwellings will contribute to the creation of a liveable and vibrant urban area, that is safe and offers high quality streetscapes and public spaces. The objective is to strengthen community identity and diversity and the integration of

this development will do just that. The values of Urban Design have been taken into great consideration with this development, as it illustrates how the built form, streetscape and public realm can achieve the desired level of quality required.

The proposed development includes appropriate buffering surrounding the woodland feature and Towpath Drain that traverses through the subject lands. The woodland feature is designated Environmental Protection Area and the Towpath Drain and surrounding buffer lands will be designated Environmental Conservation and both will be dedicated to the City upon the registration of the subdivision, supporting their long-term protection. The development will be serviced with public municipal services and a public road network with sidewalks on one side of the internal road network. It is recommended and anticipated that bicycle lanes/sidewalks or a multiuse trail be constructed along Rice Road, and that transit will extend through the Secondary Plan Area. Further a multi-use trail along the Towpath Drain corridor and along the hedgerow to the west will also be provided further enhancing the public realm by providing access to natural areas and active transportation opportunities.

In conclusion, the proposed subdivision aligns with the policy requirements outlined by emphasizing a comprehensive approach to urban planning and design within a Secondary Plan Area. By incorporating a mix in built forms, prioritizing high-quality urban design and public realm enhancements, the development strives to contribute to fostering sustainable and resilient communities. Through thoughtful consideration of urban design principles, the proposed dwellings not only fulfill functional needs but also contribute to the creation of a cohesive and vibrant urban environment. Ultimately, with provisions for a mix in built forms, buffers along the Towpath Drain, protection of natural heritage features and pedestrian infrastructure, the development emphasizes its commitment to enhancing community well-being and connectivity.

CITY OF WELLAND OFFICIAL PLAN (2011)

The City of Welland Official Plan (2011) provides a 20-year land use vision for the community and is supported by a set of broad strategic community directions. The Official Plan helps the community achieve its long-term vision by implementing a range of local, regional and provincial policies, plans and strategies.

The approval of OPA 29, being the Northwest Welland Secondary Plan provides site-specific and general policy direction on the subject lands. An analysis of applicable general Official Plan policies and those specific to the NWSP Area are included within this portion of the Planning Justification Report.

The subject lands are currently designated Low-Density Greenfield Residential, Open Space and Recreation, Environmental Conservation Area and Environmental Protection Area.

It is proposed that the designations refined and amended to Low Density Greenfield Residential – Special Policy, Open Space & Recreation, Environmental Conservation Area and Environmental Protection Area. The in-effect Official Plan designation is shown in **Figure 7**, and the Official Plan Amendment Schedule 'A' is shown on **Figure 8**.

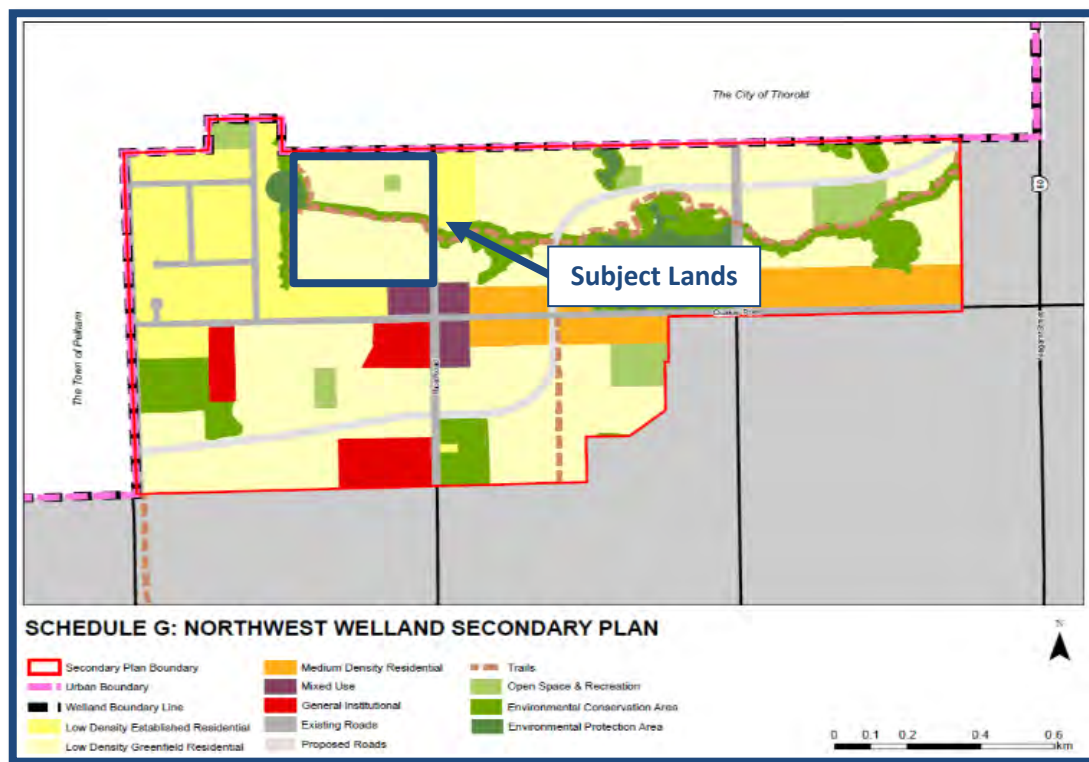













Figure 7 - Northwest Welland Secondary Plan - Schedule G of the City of Welland Official Plan

LEGEND	
	PART 1 - FROM LOW DENSITY GREENFIELD RESIDENTIAL TO LOW DENSITY GREENFIELD RESIDENTIAL SPECIAL POLICY AREA
	PART 2 - FROM ENVIRONMENTAL CONSERVATION AREA TO LOW DENSITY GREENFIELD RESIDENTIAL SPECIAL POLICY AREA
	PART 3 - FROM OPEN SPACE & RECREATION TO MEDIUM DENSITY RESIDENTIAL SPECIAL POLICY AREA
	PART 4 - FROM ENVIRONMENTAL CONSERVATION AREA TO LOW DENSITY GREENFIELD RESIDENTIAL SPECIAL POLICY AREA
	PART 5 - FROM ENVIRONMENTAL PROTECTION AREA TO LOW DENSITY GREENFIELD RESIDENTIAL SPECIAL POLICY AREA
	PART 6 - FROM LOW DENSITY GREENFIELD RESIDENTIAL TO OPEN SPACE & RECREATION
	PART 7 - FROM ENVIRONMENTAL CONSERVATION AREA TO OPEN SPACE & RECREATION
	PART 8 - TO REMAIN ENVIRONMENTAL CONSERVATION AREA
	PART 9 - FROM ENVIRONMENTAL CONSERVATION AREA TO ENVIRONMENTAL PROTECTION AREA
	PART 10 - FROM LOW DENSITY GREENFIELD RESIDENTIAL TO ENVIRONMENTAL PROTECTION AREA
	PART 11 - TO REMAIN ENVIRONMENTAL PROTECTION AREA

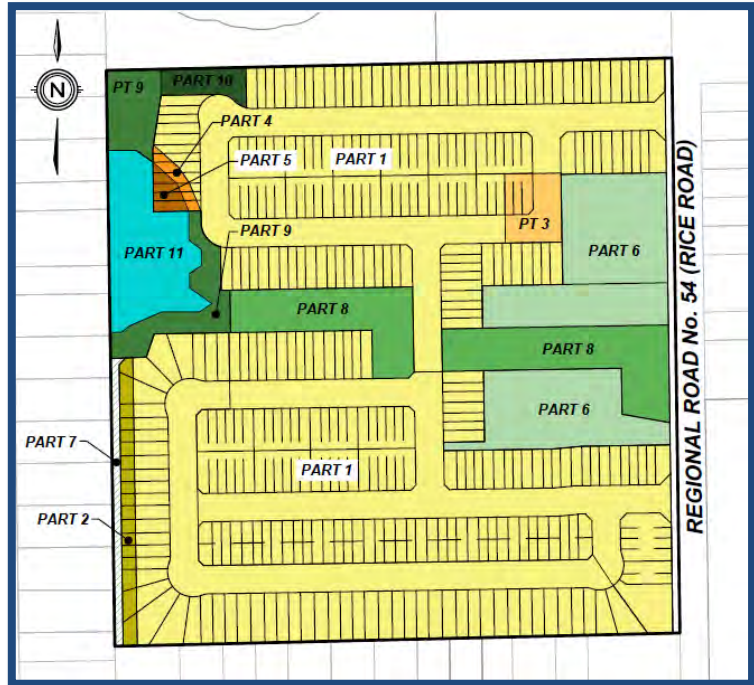


Figure 8 – Official Plan Amendment Schedule ‘A’

The proposed special policy designation for the Low-Density Greenfield Residential is to permit multiple dwellings and an increase in density. The proposed change to the Open Space & Recreation designation is to shift the location of the proposed park block and include the storm water management facilities and trail on the west limits of the lands within that designation, the proposed change to the Environmental Conservation designation is to align the designation with the realigned Towpath Drain and the change to the Environmental Protection Area designation is to properly align the designation with extent of the woodland feature and its dripline buffer on the lands.

Section 2 Community Strategic Directions

The City’s strategic directions are contained within Section 2 of the Plan and include that the City of Welland is desired to be:

- A Leadership Community
- A Complete Community
- An Economic Gateway
- A Sustainable City
- A Safe, Healthy and Accessible Community
- A Proud and Attractive City

- A Good Neighbour

The proposed development will contribute to the achievement of these community directions, specifically those related to being a Complete Community.

Complete Community (Section 2.3)

Complete communities meet the daily needs of people throughout their lifetime by providing convenient access to an appropriate mix of employment, community services, and a full range of housing types. Convenient access to public transportation and options for safe, non-motorized travel are also important components of complete communities. Together, these elements provide a lifetime of opportunities for living, working, wellness, education, entertainment and recreation.

The proposed development is a part of the Northwest Welland Secondary Plan Area that is anticipated to be constructed as a comprehensive complete community. As proposed, 398 new residential units will be added into the area. The lands have easy, convenient and direct access to Rice Road, a Regional collector road.

The new housing opportunities will provide three varying dwelling forms that include small lot single detached, street townhouse dwellings and back-to-back townhouse dwelling units. The proposed development will increase the available housing supply and contribute to providing a range of freehold housing forms and densities.

The proposed increase in housing diversity can contribute to greater housing attainability and improved affordability within the market. The subject lands are also directly adjacent to lands designated Mixed Use and the increase in density can support these future uses as well.

The proposed development will benefit a new public park and open space trail system connecting through the Northwest Welland Secondary Plan area. The stormwater management facilities are located adjacent to the Towpath Drain and the proposed park block providing opportunities to increase the greenway system and provide co-benefits to these uses. **Figure 9** below is an illustrated colour rendering of the subdivision.



Figure 9 – Coloured Rendering of Development Plan

The approval of the submitted applications can assist the municipality in the attainment of complete community goals and objectives.

Section 3 Growth Management

Section 3 of the City’s Official Plan contains policy direction related to growth and development in the community.

As noted in Section 3.1, *“The foundation of the City’s growth management strategy is to direct all urban growth to lands within the designated Urban Area Boundary. Growth and development within the Urban Area Boundary will be on land serviced with municipal water and sanitary wastewater services.”*

The applications conform with this policy direction by facilitating residential development on

lands within the Welland Urban Area Boundary in an area planned for new growth. The subject lands will be serviced by existing urban infrastructure including municipal watermain and sanitary and storm sewers that are designed in accordance with the recommendations of the Northwest Welland Stormwater Management Implementation Plan and Northwest Welland Secondary Plan Municipal Servicing Design Report.

Planning Objectives (Section 3.2)

The Official Plan contains nine growth objectives, which include:

- i. To direct urban growth to lands located within the designated Urban Area.
- ii. To preserve prime agricultural lands and direct rural growth to existing developed area in the vicinity of Cooks Mills.
- iii. To protect stable neighbourhoods by directing more dense development to the Downtown and strategically located intensification areas within Welland's Built-Up Area.
- iv. To encourage the redevelopment of brownfield areas.
- v. To prevent urban development in inappropriate areas, thus contributing to the conservation of resources, such as provincially significant wetlands, aggregate resource areas, cultural heritage resource areas, prime agricultural lands and the linked natural heritage system.
- vi. To build compact, mixed-use, transit supportive, pedestrian friendly areas within the Built-Up Area and Greenfield Areas.
- vii. To provide a framework for transforming Welland into a complete community.
- viii. To ensure the availability of a sufficient supply of designated employment and residential land to meet the City's projected long-term growth.
- ix. To prohibit the establishment of new settlement areas.

The proposed development will satisfy and achieve several objectives set out in Section 3.2 of the Official Plan. The subject lands are located within the Welland Urban Area and are within a Secondary Plan Area that includes designated greenfield areas.

Evaluations of the natural heritage system were completed as part of OPA 29. The limits of the Natural Heritage Features within the Northwest Welland Secondary Plan area have been further refined through the EIS studies for the alignment of the Towpath Drain and the proposed applications. The EIS was prepared by Beacon Environmental confirms the protection and enhancement of the Towpath Drain corridor and the protection of a woodland feature containing species at risk.

The submitted applications will permit a compact residential development along a Regional Road,

adjacent to Mixed Use lands, that will be supportive of the expansion of public transit services and will be pedestrian friendly, incorporating sidewalks throughout the development and the protection of environmental features associated with the existing woodland feature and the enhancement of the Towpath Drain.

Growth Forecast (Section 3.3)

The City of Welland Official Plan was approved in 2011 and continues to contain previous population and housing forecasts. These projections will be updated through a future comprehensive update to the Official Plan to ensure conformity with the recently approved Niagara Official Plan. As set out in Section 3.3.1 of the Official Plan, the forecasted population for Welland in the year 2031 is 69,300 persons.

As set out in Section 2.1 of the Niagara Official Plan, the most up to date population and employment forecasts for the City of Welland is 83,000 people and 28,790 jobs by the year 2051.

To accommodate the forecasted growth, whether it is to 2031 or 2051, a mix of dwelling forms are required. As such, the development of the subject lands includes three freehold dwelling unit types. The entirety of the Northwest Welland Secondary Plan is to include a variety of dwelling-built forms that will be crucial to the City's ability to meet and accommodate prospective growth values.

City Structure (Section 3.4)

The subject lands are located within the Urban Area boundary and the Designated Greenfield Area. Accordingly, the applications must conform with the Urban Area and Greenfield Development policies of the Official Plan.

Section 3.4.2 Urban Area

Section 3.4.2 of the Official Plan contains policy direction for the Welland Urban Area, as well as lands within the Built Boundary and Greenfield Areas.

The Welland Urban Area is a location of development certainty for private investment that is intended to be served with municipal services and roads. The Urban Area constitutes the geographic area where growth is forecasted to occur to the planning horizon.

The subject lands are located within the Welland Urban Area and Designated Greenfield Area. As the submitted amendments seek permission to facilitate residential development on lands that are supported by full municipal services, and therefore the applications are considered to conform to the Urban Area policies of the City's Official Plan.

Section 3.4.5 Greenfield Development

As per Section 3.4.5 of the Official Plan, Greenfield Areas are located outside of the City's Built Boundary, but within the Urban Boundary. Greenfield lands provide the City with an opportunity to comprehensively build compact and integrated neighbourhoods. The growth objectives associated with Greenfield developments are to establish denser, more compact, mixed-use and transit supportive neighbourhoods as that allow for the efficient use of land, infrastructure and public service facilities and support the City's strategic direction to build a complete community.

Designated Greenfield Areas, such as the subject lands are to be planned to support the achievement of development densities that meet or exceed 50 residents and jobs combined per gross hectare. The proposed development meets and exceeds the minimum Designated Greenfield Area density target, with 66.774 people and jobs per hectare.

The proposed compact development with varying housing-built forms adheres meets and exceed the density target of the Greenfield area and responds directly to the need for more housing within the City to support the projected population.

Section 4 Urban Area Land Use Policies

Section 4 of the City of Welland Official Plan contains the general policy framework for development within the Welland Urban Area.

Housing and Residential (Section 4.2)

Section 4.2.1 Planning Objectives

Generally, the planning objectives for residential development and housing found in Section 4.2.1 of the Official Plan seek to establish:

- An appropriate distribution of residential areas;
- Compact, efficient and logical patterns of development;
- An appropriate range and mix of land uses;
- Housing that is planned and developed to meet the needs of citizens at all levels of income; *and*
- Convenient access to transit, shopping, open spaces, recreation and urban amenities.

The submitted applications conform with this policy direction by proposing residential development that is contiguous to existing and future residential uses, has access to full municipal services and is located adjacent a Regional roadway.

The proposed dwelling unit types are appropriate as they provide additional housing variety and choice into an area which currently predominantly comprises of single-detached dwellings. By incorporating these built forms, the supply of housing increases and these built forms provide greater attainability. The proposed development form is compact in nature and efficiently utilizes urban lands while providing opportunities for recreation and access to open spaces.

As the proposed development is within a Greenfield Area and a new growth area for the City, the area is developing and greater services will be provided as the area is built out. The subject lands are also in close proximity to necessities and urban amenities, transit, schools and shopping.

Section 4.2.2 Land Use Policies

Residentially designated lands are integral to the achievement of Regional and municipal growth targets and their development potential should be maximized to limit the need for urban expansion or conversion of employment lands.

The residential portion of the subject lands are designated Low Density Greenfield Residential within the Northwest Welland Secondary Plan Area of the City of Welland Official Plan. The portion of the land associated with the woodland feature will remain designated as Environmental Protection Area and the area associated with the realigned Towpath Drain will remain as Environmental Conservation Area, while the Open Space & Recreation designated lands will shift locations slightly to abut the west side of Rice Road and include the trail on the west limits of the lands.

Section 4.2.2.2 – Low Density Residential

As per Section 4.2.2.2, the Low-Density Residential designation permits residential development within a density range of 15 to 24 dwelling units per net hectare of land. The permitted housing forms include single detached, semi-detached, townhouse and duplex dwelling units.

The proposed residential development includes small lot single detached, street townhouses and back-to-back townhouses, with an overall density of 28.47 units per hectare, and net density of 47.83 units per net hectare. The single-detached and townhouse units will be 2-storeys in height and have front porches or covered entrances, as well as attached garages that are set back to ensure the streetscape is dominated by the landscaping, and front entrance of the dwelling, minimizing the visual impact of garages. The back-to-back townhouses will be 3-storeys in height. There will also be an internal sidewalk system providing connectivity to Rice Road and the proposed multi-use trail.

The proposed Official Plan amendment is to add multiple dwellings as a permitted use for the

back-to-back townhouse units and to increase the density to 60 units per hectare on a site-specific basis for this site. The proposed Official Plan amendment provides for development that is appropriate for the Low-Density Greenfield Residential land use designation. The proposed development offers housing choice that is low density in character and built form that transitions well with the existing established residential neighbourhood, i.e., single detached units backing onto existing single detached units, with street and back-to-back townhouse units internal to the subdivision plan. The mix of housing provides housing choice while contributing to a compact urban development plan. The inclusion of multiple dwellings as a permitted use and the density threshold of 60 units per hectare is consistent with the proposed Official Plan update and what the City is considering for low density development in the future.

Section 4.2.3 Additional Policies

Design policies for new neighborhoods are to be planned to support the Region's density target of combined 50 residents and jobs per gross hectare on designated Greenfield lands as per Section 4.2.3.2. The proposed development meets and exceeds the Region's density target, with a Greenfield Density of 66.774 people and jobs per hectare.

New neighbourhoods are to have clearly defined character with built form and landscaping which meets or exceeds the standards established by other development in the region. They are to be visually interesting by discouraging repetitive built form and incorporating a variety of building materials. The proposed development will integrate and appropriately transition with the proposed surrounding established residential area and the planned mixed-use development within the Northwest Welland Secondary Plan Area. A variety of building treatments will be used to provide variety and interest to the building design.

Below are two street townhouse designs that fit on the same size block, but are varying in design with one being traditional and the other modern and each utilize a variety of building materials to provide interest and discourage a repetitive building design and are complimentary to one another and provide an attractive streetscape. In each case, the front porch and entrance is prominent and emphasized with porticos and the visual impact of the garage is minimized by recessing the garage. Doubling up of the driveways allows for adequate area is provided to accommodate boulevard tree plantings.



A further example is provided below illustrating two traditional designed street townhouse blocks that also utilizes varying building materials combined with articulation of the plane of the front façade to provide interest and an attractive streetscape. Each also emphasizes the front porch and recesses the garage beyond the front wall of the building minimizing the visual impact of garages on the streetscape.



The proposed back-to-back to townhouse units as illustrated below also exhibit traditional design elements through pitched roofs, gables and window placement and utilize a variety of building materials and colour to provide for interest and contribute positively to the streetscape. The design of these units is also complimentary to the street townhouse units. In addition, the front façade has an articulating front plane that helps define each unit and each unit has a recessed balcony for private outdoor amenity space.



The proposed single detached lots will also be 2-storey in height and be a mix of traditional and modern designs that use a variety of building materials and colour, roof pitches and prominent front porches to provide interest and an attractive streetscape.

Section 6 City-Wide Land Use Policies

Parks, Open Space and Recreation (Section 6.2)

Policy 6.2.3.1 A states that “In accordance with the *Planning Act*, as a condition of development approval, the City of Welland may require the applicant to dedicate up to 5% of the gross area for the provision of public open space, other than roads, in residential developments, and up to 2% for commercial or industrial developments”.

The City of Welland Parks, Recreation and Culture Master Plan was approved in 2019 and provides strategic, long term direction to the City on the provision of recreational lands and opportunities within the community, among other items.

The establishment of new parkland is expected due to the overall scale of the Northwest Welland Secondary Plan and the need to provide adequate community recreational opportunities. To that end, the proposed draft plan of subdivision contemplates the dedication of 0.701ha land for parks purposes comprising of 0.578ha park block (Block 124) along the west side of Rice Road and 0.123ha trail block (Block 123) on the west side of the subject lands.

Further a 3.0m multi-use trail will be provided in the buffer area of the re-aligned Towpath Drain and along the edge of the dripline buffer of the woodland feature. The trail along the Towpath Drain will also extend eastward through the Secondary Plan area providing for a connected trail system through the Plan area.

Transportation (Section 6.4)

Generally, the City of Welland Official Plan promotes a multi-modal approach to transportation within the municipality. This includes an emphasis on growing public transit and providing pedestrian and cycling infrastructure and roadways that meet the needs of current and future residents.

The subject lands will be developed inclusive of pedestrian oriented amenities including sidewalks and a multi-use trail system that supports active transportation, including walking and cycling. The proposed development density is deemed to be transit supportive and should serve as justification for the future provision of transit service into this portion of the municipality. In addition, planned on-road cycling improvements are planned for Quaker Road as well the extension of the multi-use trail on Rice Road which will also improve active transportation opportunities and connectivity to the area.

Infrastructure and Utilities (Section 6.5)

Consistent and in conformity with Provincial and Regional policy direction and the City of Welland Official Plan, all new development within the Urban Area is to be connected to the water and sanitary system.

The proposed development will extend, and be connected to existing municipal water and wastewater services, and the proposed development will assist in the optimization of efficiently utilizing this infrastructure. As confirmed by the Functional Servicing Report prepared by Upper Canada Consultants, the existing infrastructure can adequately accommodate the proposed development.

Northwest Welland Secondary Plan Policies

The Northwest Welland Secondary Plan is intended to direct development so that the area evolves into a complete community that will accommodate future growth and development that respects the existing built form and character of the area and natural environment. The Northwest Welland Secondary Plan Area covers approximately 190 hectares of land along Quaker Road and is generally bound by the Town of Pelham and City of Thorold to the north, the Niagara College Welland Campus to the south, the rear lot lines of properties abutting Niagara Street to the east, and Line Avenue and Clare Avenue to the west.

New low-density residential areas will develop on vacant designated lands within the community, and new medium density residential growth will serve to intensify Quaker Road to the east of

Rice Road, providing for a more walkable, transit supportive community close to parks, trails, and schools.

The objectives of the plan area as follows:

- To protect and enhance natural heritage features, areas, and corridors of Northwest Welland within the City's broader linked natural heritage system
- To promote healthy and active living for all ages and abilities by providing active transportation options and development a continuous and connected open space system, a safe and walkable pedestrian realm, and a trail system that links the community to destinations such as natural areas, parks, schools, stores, and recreation areas
- To create a unique and inclusive community for residents by providing for a diverse range of housing types and a variety of uses located within the area
- To maintain the low-density residential character of existing neighbourhoods, while development a new community that is compact, connected, walkable and diverse
- To reduce traffic congestion by providing a balanced road network for local residents, businesses, students, and visitors supportive of the public transit network
- To conserve, protect and integrate built and cultural heritage elements as per Section 6.6 of the Plan
- To implement sustainable community design initiatives that ensure conservation of water resources and adaptation to climate change

Land Use Structure (Section 7.3.1.6)

The subject lands are proposed to be designated Low Density Greenfield Residential – Special Policy, Open Space & Recreation, Environmental Conservation Area to reflect the alignment of the Towpath Drain and Environmental Protection Area designation associated with the woodland feature at its buffer.

It is noted that the Special Policy designation for the Low Density Greenfield Residential designation is to permit multiple dwellings and an overall increase in density for the subdivision at 29 units per hectare.

The Environmental Conservation Area and Environmental Protection designations will shift somewhat to coincide with the realignment of the Towpath Drain and the woodland feature on the site in accordance with the findings of the EIS. The Open Space & Recreation designation is also proposed to be shifted somewhat to the east to be flanking Rice Road and be larger in size to include the stormwater management facilities and a trail along the west limits of the lands.

Residentially designated lands within the NWSP are integral to the achievement of Regional and municipal growth targets. The development potential of these lands is to be maximized to limit the need for urban expansion or conversion of employment lands. The subject development achieves this by making efficient use of the development lands, adhering to the objectives of the Secondary Plan by achieving greater number of units and densities than would be provided otherwise.

Low Density Greenfield Residential

The intention of the Low Density Greenfield Residential designation is to provide low rise residential development that does not cause significant issues with adjacent lots as it relates to shadows, obstruction of views and privacy. New residential developments are to provide an appropriate transition of lots sizes adjacent to Low Density Established Residential designations.

The proposed subdivision plan does provide a transition with the existing established residential uses with single detached lots backing onto existing single detached lots on Quaker Road and Montgomery Road. The proposed lots that back onto the lots on Montgomery Road are also further buffered by a walkway connection (Block 123) along the existing hedgerow. Efforts will be made to protect the trees within Block 123 that do not interfere with the siting of a trail. It is noted that the adjacent existing established residential lots are larger in size with deeper rear yard setbacks that contribute towards the spatial separation between the proposed new residential dwellings. Residential uses abutting residential use is considered to be compatible and adverse land use impacts are not anticipated from the proposed residential development on the existing adjacent residential uses.

All the dwelling units will front the public streets providing a positive relationship with the street edge and public realm, and will have a consistent building setback framing the street. A safe pedestrian system and active transportation network is proposed through the provision of sidewalks and trails and access to the park block.

Parks, Open Space and Recreation

Within Northwest Welland, lands designated as Open Space & Recreation are to be developed and maintained as neighbourhood parks, which are to facilitate the immediate recreation needs of a neighbourhood within walking distance of the area being served. The proposed subdivision contemplates the creation of a 0.578ha park block to be dedicated to the City of Welland, along with an additional 0.123ha trail block for future recreational use. The park and trail block will serve the proposed subdivision and the surrounding area to support the recreational needs of the broader community. Further a 3.0m wide multi-use trail is also proposed along the Towpath

Drain and will be contiguous and integrate with lands to the east to support active transportation and passive recreational opportunities.

Environmental Conservation Area

The Northwest Welland area has a number of identified potential Headwater Drainage Features. The Environmental Conservation protection is intended to ensure that these features are properly classified and evaluated prior to development of adjacent lands. The re-aligned Towpath Drain and accompanying EIS reports accurately delineated these features, as well as propose enhancements that restore lost functions and natural channel design. Pursuant to policy 6.1.2.3.C of the Welland Official Plan, development may be permitted within the Environmental Conservation area subject to an EIS to the satisfaction of the City in accordance with policy 7.11.5 of the Plan.

The subject lands contain a portion of the Towpath Drain, that is to remain designated as Environmental Conservation Area. As such, an Environmental Impact Study was prepared to confirm the buffers, functionality and sustainability of the feature. As the Drain has been realigned through the Plan area, for mitigation and enhancement of the ecological function, the following features were included in the design of the Drain channel;

- A corridor width of 30m;
- Flow channel meanders;
- Diversify in flow channel substrate
- Creation of wetland areas for compensation for wetland loss at a minimum ratio of 1:1;
- Wetland function enhancement through the creation of shallow and deep-water wetland pockets; and
- Planting to create a naturalized corridor.

As permitted, a trail is proposed to run along the south side of the Towpath Drain and the proposed trail development will not impose any negative impacts on the natural heritage feature of the Drain.

Sustainability

The proposed development includes sidewalks throughout the subdivision that will connect to the trail network along the Towpath Drain as well as connect the north side of the Towpath Drain with the area south of the Towpath Drain, and the future multi-use along Rice Road which will link to Quaker Road. Therefore, the proposed subdivision plan is designed to support walking, cycling, and transit as preferred modes of transportation, in order to reduce traffic and encourage active and sustainable lifestyles for residents. Native trees will also be planted in the front yards

of the proposed dwelling units. Appropriate stormwater management techniques will be employed to ensure the Towpath Drain is enhanced and its ecological function is improved.

Transportation

A Transportation Impact Study was prepared for the entirety of the Northwest Welland Secondary Plan Area. Due to the state of the existing road network in this area, there are many opportunities for improvements to the transportation network for both active transportation and traffic. Improvements are anticipated with respect to capacity, active transportation and transit including anticipated improvements to Rice Road and Quaker Road.

A Transportation Impact Study was prepared for the subject lands as well and the findings of the Study, determined that Phase 1 of the subdivision can proceed without the improvements to Rice Road having been completed. Phase 2 and 3 of the subdivision will require the improvements to Rice Road, i.e. centre turning lane, or alternatively a left turn lane at the intersection of Street "A" and Rice Road will be required.

Infrastructure and Utilities

An initial Functional Servicing Report was completed for the entirety of the NWSP area for proposed conceptual water, sanitary, and storm servicing. These analyses were used to develop general recommendations for municipal water, sanitary, and storm servicing requirements in the Secondary Area. A further Functional Servicing Report has been prepared for the subject lands.

The FSR identifies that the proposed upgrades of the watermain on Rice Road should increase from a 250mm trunk watermain to a 300mm trunk watermain that will connect with the existing 300mm watermain on Quaker Road. The reason for this increase in size is that a planned 150mm connection to the east to the existing 300mm watermain on Quaker Road will not be possible through a planned private condominium development, therefore the proposed 250mm trunk on Rice Road should be increased to 300mm diameter. Internally the proposed subdivision will be serviced by a watermain system consisting of 300mm, 200mm and 150mm diameter mains which are anticipated to provide adequate capacity for domestic water supply and fire protection.

Regarding sanitary sewer servicing there is an existing 600mm diameter Regional sanitary sewer on Rice Road that flows southerly to an existing 750mm diameter Regional sanitary trunk on Quaker Road that flows easterly and ultimately outlets to the Towpath Road Sanitary Pumping Station. The subdivision is proposed to be serviced internally by a 200mm diameter sanitary sewer. The future peak sanitary flow from the proposed development is calculated at 13.77L/s which will occupy 3.0% of the full flow capacity of the existing sewer on Rice Road. The receiving

sanitary sewer system has adequate capacity to receive the future sanitary flows from the subject lands.

The FSR includes preliminary layout of the proposed internal storm sewers and discharging stormwater management facilities. Two stormwater management facilities are proposed along the north and south side of the realigned Towpath Drain. The stormwater management facilities will be designed to address both quantity and quality controls.

The subdivision will also be serviced with other utilities including natural gas, hydro and telecommunication systems.

CITY OF WELLAND ZONING BY-LAW (By-Law 2017-117)

The Zoning of the lands within the NWSP Area were not amended concurrently with Official Plan Amendment 24 or 29. The purpose of the Zoning By-law Amendment is to align the proposed zoning with the proposed designation. As shown in **Figure 10**, the subject lands are zoned Community Open Space, Environmental Conservation Overlay and Agricultural.

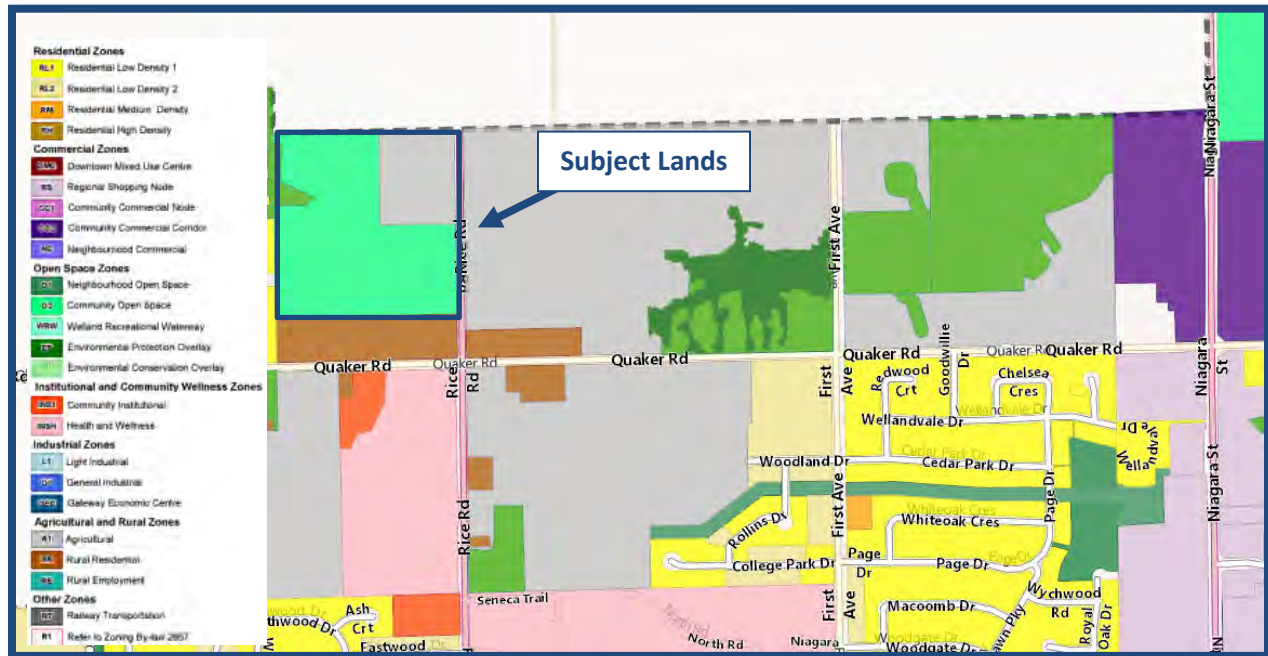


Figure 10 - In-effect Zoning within NWSP Area

To establish conformity with the Northwest Welland Secondary Plan and the proposed Official Plan designation, an amendment to the current zoning is proposed. **Figure 11** illustrates the proposed Zoning By-law Amendment, proposing to zone the lands to a site-specific Residential Low Density 2 Zone, a site-specific Residential Medium Density zone, Environmental Protection Overlay, Environmental Conservation Overlay and Neighbourhood Open Space zone. These zones are tailored to the subject lands and the proposed subdivision, as well as provides alignment for the implementation of the Secondary Plan policies.

LEGEND

-  PART 1 - FROM COMMUNITY OPEN SPACE (O2) TO RESIDENTIAL LOW DENSITY 2 SITE SPECIFIC (RL2-XXX)
-  PART 2 - AGRICULTURAL (A1) TO RESIDENTIAL LOW DENSITY 2 SITE SPECIFIC (RL2-XXX)
-  PART 3 - FROM COMMUNITY OPEN SPACE (O2) TO RESIDENTIAL MEDIUM DENSITY SITE SPECIFIC (RM-XXX)
-  PART 4 - FROM AGRICULTURAL (A1) & COMMUNITY OPEN SPACE (O2) TO NEIGHBOURHOOD OPEN SPACE (O1)
-  PART 5 - FROM COMMUNITY OPEN SPACE (O2) TO ENVIRONMENTAL CONSERVATION OVERLAY (EC)
-  PART 6 - FROM COMMUNITY OPEN SPACE (O2) TO ENVIRONMENTAL PROTECTION OVERLAY (EP)

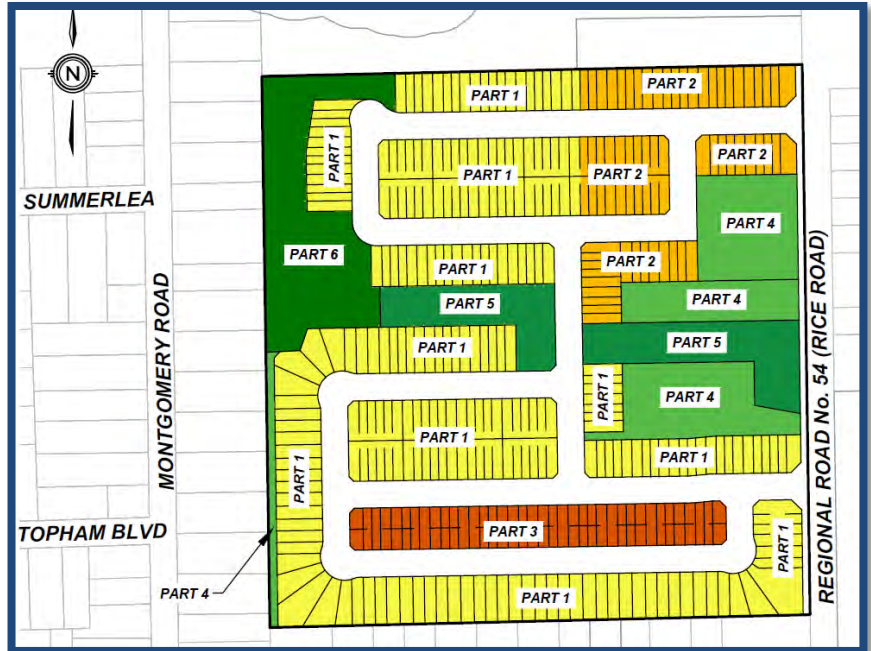


Figure 11 – Zoning By-law Amendment Schedule ‘A’

Residential Low Density 2 Zone & Residential Medium Density (RL2-NWSP-??, RM2-NSWP-??)

The proposed Residential Low Density 2 Zone is a site-specific zone that will implement the proposed draft plan of subdivision and will permit the proposed single detached and street townhouse units. The proposed site-specific Residential Medium Density Zone will permit the back-to-back townhouse (multiple dwelling) units. Given the proximity to Rice Road, which is a higher-order roadway, the subject lands are ideal for the mix and range of dwelling units proposed as they have desirable access to servicing and have greater opportunities for compact urban development and high-quality urban design. The requested permitted residential land uses include single-detached, townhouse and multiple dwellings. Site-specific permissions are requested for each housing form as shown in **Table 1** below.

TABLE 1

Residential Low Density 2 Site-Specific Zone

Section 7.2: Permitted Uses

Permitted Uses	Proposed Uses
Accessory Dwelling Unit; Accessor Uses, Buildings and Structures; Bed and Breakfast; Block Townhouse; Garden Suite; Group Home; Home Occupation; Multiple Dwelling; Semi-Detached Dwelling; Short-Term Rental; Single-Detached Dwelling; Street Townhouse Dwelling; Townhouse Dwelling; Two-Unit Dwelling	Single-Detached Dwelling; Street Townhouse Dwelling (front face and rear garage access);

Section 7.3: Regulations for Residential Zones – Residential Low Density 2

Provisions (Single-Detached Dwellings)	By-law 2017-117	Provided	Proposed
Minimum Lot Area	270.0 m ²	251.41 m²	250 m²
Minimum Lot Frontage	9.0 m	8.53 m	8.50 m
Minimum Front Yard	To Dwelling – 4.5 m To Garage – 6.0 m	To Dwelling - 3.0 m To Garage - 6.0 m	To Dwelling - 3.0 m To Garage – No Change
Minimum Interior Side Yard	1.0 m	0.6 m on one side 1.2 m on the other side	0.6 m on one side 1.2 m on the other side
Minimum Exterior Side Yard	1.0 m	1.0 m	No Change
Minimum Rear Yard	6.0 m	6.0 m	No Change
Maximum Building Height	11 m (3-storeys)	2-storeys	No Change
Maximum Lot Coverage	50%	Not Applicable	Not Applicable
Minimum Landscaped Area	20%	Not Applicable	Not Applicable
Provisions (Street Townhouse)	By-law 2017-117	Provided	Proposed
Minimum Lot Area	N/A	N/A	No Change
Minimum Lot Frontage	6.0 m/unit	6.1 m	No Change
Minimum Front Yard	To Dwelling – 4.5 m To Garage – 6.0 m	To Dwelling - 3.0 m To Garage - 6.0 m	To Dwelling - 3.0 m To Garage – 6.0 m
Minimum Interior Side Yard	1 m Not required where lot line is the dividing line between attached units	1 m Not required	No Change No Change
Minimum Exterior Side Yard	1 m	1 m	No Change
Minimum Rear Yard	6 m	6 m	No Change
Maximum Building Height	11 m (3-storeys)	2-storeys	No Change
Maximum Lot Coverage	55%	Not Applicable	Not Applicable
Minimum Landscaped Area	20%	Not Applicable	Not Applicable

Residential Medium Density Site-Specific Zone

Section 7.2: Permitted Uses

<p style="text-align: center;"> Accessory Dwelling Unit; Accessory Uses, Buildings and Structures; Apartment Dwelling; Block Townhouse; Boarding and Lodging House; Day Care; Group Home; Home Occupation; Multiple Dwelling; Retirement Home; Short-Term Rental; Street Townhouse Dwelling; Townhouse Dwelling </p>	<p style="text-align: center;">Multiple Dwelling (Back-to-Back Townhouse)</p>
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Section 7.3: Regulations for Residential Zones – Residential Medium Density

Provisions (Multiple Dwelling) (Back-to-Back Townhouse)	By-law 2017-117	Provided	Proposed
Minimum Lot Area	N/A	N/A	No Change
Minimum Lot Frontage	15 m	6.4 m	6.4 m
Minimum Front Yard	4.5 m	3.0 m	3.0 m
Minimum Interior Side Yard	3.0 m Not required where lot line is the dividing line between attached units	1.2 m Not required	1.2 m No Change
Minimum Exterior Side Yard	4.0 m	1.2 m	1.2 m
Minimum Rear Yard	7.5 m	Not required where lot line is the dividing line between attached units	Not required where lot line is the dividing line between attached units
Maximum Building Height	20.0 m (6-storeys)	11 m (3-storeys)	No Change
Maximum Lot Coverage	55%	Not Applicable	Not Applicable
Minimum Landscaped Area	20%	Not Applicable	Not Applicable

Section 5: General Provisions	
Encroachments: Permitted Yard, Setback and Height Encroachments Section 5.10.5.a) & e)	Proposed
Open or roofed porches and stairs may project 1.5 metres into any required front or exterior side yard and 3.0 metres into any rear yard, provided the structure is not higher than 1.5 metres from grade.	
Decks may project a maximum of 3.75 metres into the required rear yard, provided said deck is not higher than 2.4 metres above-grade.	
Section 6: Parking and Loading Regulations	
Parking Space Dimension Section 6.1.6.b)	Proposed
Where a parking space is located abutting or near a wall, column or other similar surface that obstructs the opening of the doors of the parked vehicle or limits access to a parking space, the minimum width of the parking space shall be increased by 0.3 metres for each side that is obstructed	Not Applicable
Required Parking Table 6.4.1 & Table 6.7.1	Proposed
Required Parking (Singles, Townhouse and Multiple Dwelling – 1 space per unit)	No Change
Required Bicycle Parking (Apartment Dwelling, Multiple Dwelling, Retirement Home – 0.25 spaces per dwelling unit)	Not Applicable

Neighbourhood Open Space Zone (O1-NWSP)

The Neighbourhood Open Space Zone permits parks, trails and passive recreational uses that are meant to serve the surrounding community. The proposed park block and the multi-use trail block along the west side of the subdivision are proposed to be zoned Neighbourhood Open Space.

Environmental Conservation Zone Overlay (EC-NWSP)

The Environmental Conservation Zone Overlay permits conservation use, flood and erosion control facilities, forestry, fish and wildlife management and passive recreation trails. The lands associated with the realigned Towpath Drain and buffer area are to be zoned Environmental Conservation Zone Overlay. The multi-use trail along the north side of the realigned watercourse would be permitted. As concluded within the EIS, the Towpath Drain lands are classified as Environmental Conservation, and as such, this zoning is proposed.

Environmental Protection Overlay (EP-NWSP)

The Environmental Protection Overlay also permits conservation use, flood and erosion control facilities, forestry, fish and wildlife management and passive recreation trails. The lands associated with the woodland natural heritage feature and dripline setback are to be zoned

Environmental Protection Overlay. The multi-use trail within the dripline setback is permitted and no development or site alteration is proposed within the woodland natural heritage feature. As concluded within the EIS, it is appropriate for these lands to be zoned as Environmental Protection Overlay.

PLANNING POSITION

On behalf of BSF Communities Inc., Upper Canada Consultants has submitted concurrent applications to the City of Welland for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for lands known as 469 and 509 Rice Road. The applications have been submitted to facilitate the phased development of the lands to create 398 freehold dwelling units consisting of 58 single detached dwellings, 264 street townhouses and 76 back-to-back townhouses.

The subject lands are located within the Welland Settlement Area and the Designated Greenfield Area. The lands are within the Northwest Welland Secondary Plan Area, and proposed to be designated Low Density Greenfield Residential – Special Policy Area, Environmental Conservation Area, Environmental Protection Area and Open Space & Recreation and zoned as site-specific Residential Low Density 2, site specific Residential Medium Density, Environmental Conservation, Environmental Protection and Neighbourhood Open Space zones.

The proposed development supports the sustainable land use patterns outlined in Provincial Land use documents in achieving compact land uses that help to optimize the efficient use of existing infrastructure. It balances the accommodation of prescribed growth targets and respects the character of the surroundings, improves house choices, and is an efficient use of land.

Based on the analysis of the Applications, preliminary Plans and Draft Amendments, it has been demonstrated that the applications:

- Have regard for, and satisfy the relevant sections of Section 2 the *Planning Act*;
- Are consistent with the 2024 Provincial Planning Statement;
- Are in conformity with the 2022 Niagara Official Plan;
- Are in conformity with the City of Welland Official Plan.

It is our opinion that the applications will facilitate appropriate forms of development that will contribute to the achievement of community goals and additional housing supply and forms. The applications are considered to be in the public interest and represent good planning.

Prepared by,



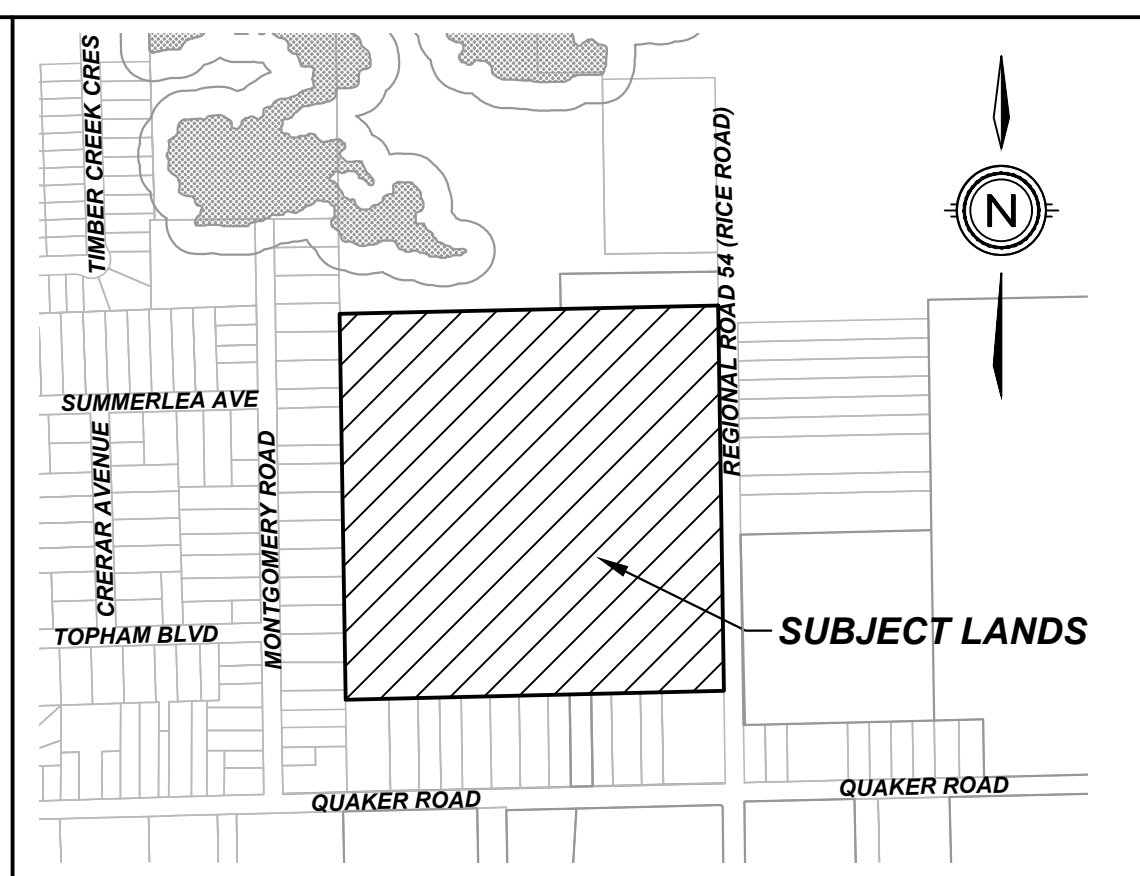
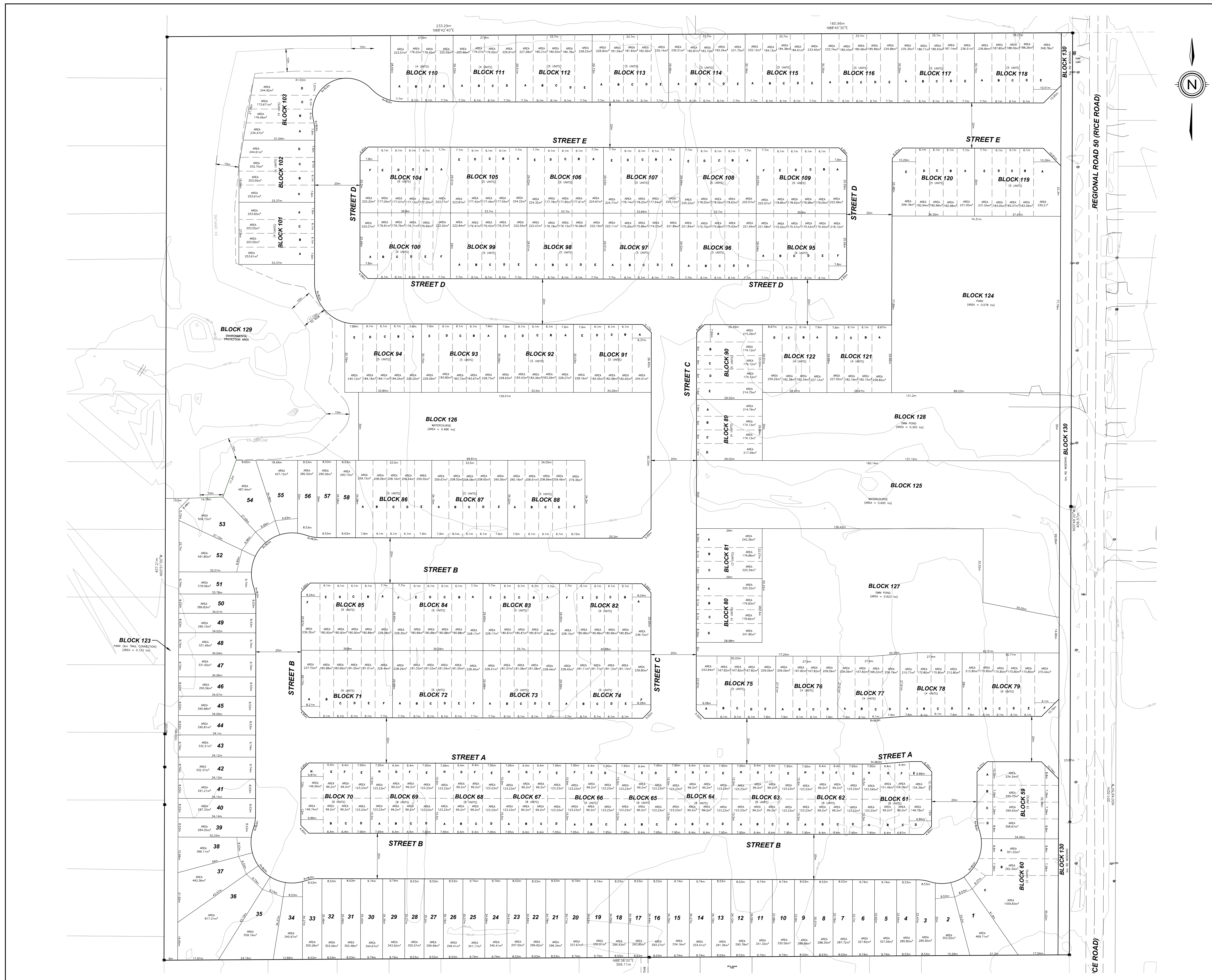
Barbara Wiens

Planning Associate

Upper Canada Consultants

Appendix I
Draft Plan of Subdivision





KEY PLAN
N.T.S.

DRAFT PLAN

LEGAL DESCRIPTION

PART OF TOWNSHIP LOT 175
GEOGRAPHIC TOWNSHIP OF THOROLD
NOW IN THE CITY OF WELLAND
REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY AUTHORIZE UPPER CANADA CONSULTANTS TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE CITY OF WELLAND FOR APPROVAL.

BSF COMMUNITIES INC. DECEMBER 9, 2024 DATE

SURVEYOR'S CERTIFICATE

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

J.D. BARNES LIMITED NOV. 30, 2023 DATE
DASHA PAGE, OLS 21-16, 355, 354, 355

REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

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

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	LOT 1-58	58	1.976	12.16
RICE RD STREET TOWNHOUSE	BLOCK 61-70	7	0.280	1.72
BACK TO BACK TOWNHOUSE	BLOCK 59-60	76	0.861	5.30
STREET TOWNHOUSE	BLOCK 71-122	257	5.205	32.04
PARK	BLOCK 123-124		0.701	4.31
WATERCOURSE	BLOCK 125-126		1.086	6.68
SWM PONDS	BLOCK 127-128		1.016	6.25
ENVIRONMENTAL PROTECTION	BLOCK 129		1.184	7.29
5m ROADWAY WIDENING	BLOCK 130		0.203	1.25
ROADWAY	BLOCK 130		3.737	23.00
TOTAL		398	16.246	100.00

DEVELOPABLE AREA = 13.976ha (EXCLUDES BLOCK 125,126,129)
DEVELOPABLE DENSITY = 28.48 units/ha
PARK - 0.701ha/13.976ha = 5.02% OF DEVELOPABLE AREA

ISSUED FOR REVIEW	2024-12-04	TA
REVISION	DATE	INIT



DRAWING TITLE	DRAFTING	TA
DRAFT PLAN OF SUBDIVISION	DATE	DECEMBER 9, 2024
	PRINTED	DECEMBER 9, 2024
	SCALE	1:750
	DWG. No.	2200-DP
	REV	0

Appendix II
Pre-Consultation Notes



Pre-consultation Meeting Form

City of Welland
Region of Niagara
Niagara Peninsula Conservation Authority

Persons intending to make an application for a proposed development are required to consult with planning staff prior to submitting an application. A pre-consultation meeting will identify what is required to be submitted for a complete application and will provide the opportunity to discuss:

- the nature of the application;
- development and planning issues;
- fees;
- the need for information and/or reports to be submitted with the application;
- the planning approval process;
- other matters, as determined.

Pre-Consultation Meeting Date: May 16, 2024

Site Address: 469 and 509 Rice Road **Approximate Land Area (metric):** 16.25 ha

Site Legal Description: PT TWP LOT 175

Owner Contact Information:

Name of Owner: BSF Communities Inc.

Phone Number: 905-688-3100 Email: jillianr@mountainview.com

Principal Contact: Upper Canada Consultants – c/o William Heikoop

Phone Number: 905-688-9400 Email: whaikoop@ucc.com

Application Type:

- | | | |
|---|---|---|
| <input type="checkbox"/> Regional Official Plan Amendment | <input type="checkbox"/> Draft Plan of Condominium | <input checked="" type="checkbox"/> Zoning By-law |
| <input checked="" type="checkbox"/> Local Official Plan Amendment | <input type="checkbox"/> Vacant Land & Common Element | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Draft Plan of Subdivision | <input type="checkbox"/> Conversion | |
| <input type="checkbox"/> Consent (Land Severance) | <input type="checkbox"/> Other | |
| <input type="checkbox"/> Site Plan Approval | <input type="checkbox"/> Minor Variance | |

Local Municipal Contact: Taylor Meadows **Phone:** 905-735-1700 x 2246 **Email:** taylor.meadows@welland.ca

1. Brief description of proposed development:

The proposal seeks to construct a residential development with 421 dwelling units.

2. Check All Applicable: Brownfield Greenfield Built-up Local CIP Area

3. Development Charges: Regional Local NCDSB

4. Existing Regional Policy Plan Designation: Designated Greenfield Area

Conformity with Regional Policy Plan land use designations and policies? : yes no unknown

If 'No', what is the nature of the amendment needed? _____

5. Existing Local Official Plan Designation: Low Density Residential, Parks and Open Space, and Environmental Conservation Area.

Conformity with Official Plan land use designations and policies? Yes No

If 'No', what is the nature of the amendment needed? The subject lands have split designations and land uses should be aligned with the applicable zone and density provisions.

6. Existing Zoning: Agriculture – A1

Conformity with existing zoning?: Yes No

If 'No', what is the proposed zoning: See planning comments.

7. Is Site Plan approval required? Yes No

8. Fees (2024) Required at time of Submission of the Application

Application	Local Planning Department	Region of Niagara	Niagara Peninsula Conservation Authority	Other Fees
Regional Official Plan Amendment				
Local Official Plan Amendment	\$9,841 or \$14,470 if concurrent with Zoning By-law Amendment	\$5,695	\$1,695	
Zoning By-law Amendment	\$9,841 or \$14,470 if concurrent with Official Plan Amendment	\$1,440	\$1,695	
Plan of Subdivision	\$16,341 + \$139 per lot or block excluding 0.3m reserves	\$5,525 + \$1,915 per hectare	\$4,746 – fewer than 100 lots \$7,684 – more than 100 lots	
Plan of Condominium				
Consent				
Site Plan Agreement				
Other		\$2,060 SWM Review \$535 EIS Terms of Reference \$2,700 EIS Major Review \$290 Minor Urban Design		
TOTAL				

Notes on Fees:

- Notwithstanding the fees noted above, all fees are payable based upon the rate in the fee schedule by-law in effect on the date the application is received.
- Further fees may be required at a later date as per the fee schedule by-law.
- Separate cheques shall be made payable to the appropriate agency.

9. Additional Agencies to be contacted:

HYDRO PIPELINES MTO* OTHER _____

* If MTO is to be circulated – upload submission to the Highway Corridor Management System via Land Development Portal

10. Additional Comments:

- Niagara Region comments will be provided separately.

Planning Division

- It is noted that the proposal intends to facilitate rezoning of the lands via a Community Infrastructure and Housing Accelerator (CIHA) request (or similar tool).
- Pending the outcome of the CIHA request application for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision
- The lands are within the Northwest Secondary Plan and have associated land use designations. The overall lands have been comprehensively planned and the subject property has been identified to include a public park. The park may be located anywhere within the subject lands but should be located so that it is in a reasonable location that is accessible. A connection to the trails planned by the Community Trails Strategy is strongly encouraged.
- The lands are part of the City's Community Trails Strategy which identifies two trail connections through the site. One that runs north/south along the western boundary of the site and one that runs east/west connecting the north/south trail to Rice Road.

Engineering Division

- A storm water management report is required, demonstrating that the site will conform with the Northwest Welland Stormwater Management Implementation Plan (prepared by UCC, dated October 31, 2022) and providing detailed design information for the storm water management pond required on this property.
- A Functional Servicing report is required, identifying maximum day water demands, required fire flow, and sanitary flows from the site, as well as the impact these will have on existing infrastructure. The FSR should demonstrate conformance with the latest Conceptual Servicing Design Report for the Northwest Welland Secondary Plan area.
- Full subdivision drawings including, Master Servicing, Master Grading, Plan and Profile, General Notes and Details, and Sediment and Erosion Control will be required for review and approval.
- There are outstanding comments on the TIS update submitted for the CIHA that need to be addressed. Approval of the updated TIS is required to proceed with the development of this parcel.
- Depending on the timing of the development, additional water and sanitary modelling may be required to confirm phasing. This modelling would be at the applicant's expense per the City's fee bylaw.
- Please note that the minimum right of way width for local road is 20m and 23m for a collector road.

Building Division

- Planning Approvals required prior to Building Permit issuance. Applications cannot be made until the Subdivision Agreement is Registered and Conditions are met. Servicing, roadways, street names etc. to be finalized with the Engineering Division prior to Building Permit Applications.
- Approval must be obtained from the Niagara Peninsula Conservation Authority prior to the construction or alteration of any building affected by floodplain or fill line regulations. (Required prior to Building Permit issuance)
- A Record of Site Condition must be filed with the Ministry of the Environment for any change in use of property from commercial, industrial, or community use to institutional (including a school or daycare), parkland, residential (including overnight health care facility), agricultural or other use, or as otherwise described in O.Reg. 153/04. (Required prior to Building Permit issuance)
 - o *Excerpt from the OBC:*
 - o *Applicable Law OBC 1.4.1.3.*
 - o *(ix) section 168.3.1 of the Environmental Protection Act with respect to the construction of a building to be used in connection with a change of use of a property,*
 - o *Excerpt from Environmental Protection Act:*

- *Prohibition on certain changes of use*
 - *168.3.1 (1) Subject to subsection (2), a person shall not,*
 - *(a) change the use of a property from industrial or commercial use to residential or parkland use;*
 - *(b) change the use of a property in a manner prescribed by the regulations; or*
 - *(c) construct a building if the building will be used in connection with a change of use that is prohibited by clause (a) or (b). 2001, c. 17, s. 2 (37).*
 - *Exception*
 - *(2) Subsection (1) does not apply if,*
 - *(a) a record of site condition has been filed in the Registry in respect of the property under section 168.4*
- For Building Permit submission requirements, contact Building Division regarding Application Forms, design requirements and fees erwin.pasigan@welland.ca or brian.mykytuik@welland.ca Building Services Technicians
 - Demolition Permit required to remove existing buildings on site.
 - Geotechnical report/subsurface investigation completed by a Professional Engineer is required. Their recommendations for building design to be incorporated and referenced in the Structural drawings
 - Site servicing within the road allowance must be approved by the City with the issuance of a Site Servicing Road Occupancy Permit (ROP) Region approvals for sanitary sewer connections.
 - Development Charges are applicable and will be calculated during a Permit Application Review. If the owner wishes to estimate the fee at this stage of the development process, prior to building permit review process, please review the requirements in the respective Development Charges By-laws.
 - Cash-in-lieu of parkland dedication fees to be collected at the time of Building Permit issuance – To be determined by current rates (or confirmation of parkland dedication). Contact Nicolas.Aiello@welland.ca, Policy Planning Supervisor

Parks Division

- Subject to the Northwest Secondary Plan approval, parks and Forestry is requesting that land be set aside for parkland dedication as per the approved plan for this parcel. Also, we are requesting for land to be set aside for the approved Community Trail Strategy.

Fire Division

- Identify hydrant locations on site plan

Welland Hydro

- Developer to enter into a subdivider's agreement with Welland Hydro Electrical System Corp (WHESC).
- Electrical distribution design and drawings are to be completed by Developers' consultant and submitted to Welland Hydro Electric System Corp (WHESC) for review and approval. Design to follow the relevant WHESC design guidelines.
- The Developers' consultant is to provide WHESC with a load calculation summary to assist with determining servicing requirements.
- The proposed development must meet the clearance requirements of section 3.1.19.1 "Clearance to Buildings" of the Ontario Building Code. See link below for further information.
https://wellandhydro.com/wp-content/uploads/2022/06/WH_Clearances-to-Overhead-Electrical-Infrastructure.pdf
- The design shall include adequate clearance to facilitate the installation(s) of a padmounted transformer(s) as per CSA 22.3 No. 7-20 Section 10
- Metering locations to be reviewed and approved by WHESC.
- Associated costs to provided WHESC's portion of servicing will be estimated once review and approval the provided design package has been completed.
- Expansion of existing hydro infrastructure will be required in order to facilitate servicing. Costs associated with this expansion are the responsibility of the Developer.
- Please complete WHESC's new subdivision service application via the link included below.

- <https://wellandhydro.com/accounts-billing/subdivision-electrical-servicing-request-form/>
- If easement(s) are required by WHESC to service this development or any future adjacent developments, the applicant shall provide at their expense all necessary registered easements.
- Arrange for disconnection and removal of existing hydro services prior to demolition of any structures within the noted lands. Please complete WHESC's removal of electrical service request form via the link included below. <https://wellandhydro.com/accounts-billing/remove-electrical-services-request-form/>
- Contact WHESC's Engineering department if you have any further questions or concerns.

Mississaugas of the Credit First Nation

- MCFN Requests that a Stage 1 Archeological Assessment be undertaken and circulated to MCFN for review and comment. If a Stage 2 Archeological Assessment is warranted MCFN requests participation. Contact Abby Lee, abby.laforme@mncfn.ca

Six Nations of the Grand River

- SNGR Requests a Stage 1 Archeological Assessment be undertaken and circulated to Six Nations. If a Stage 2 Archeological Assessment is warranted SNGR requests participation. Contact Tany Hill, tanyahill-montour@sixnations.ca

Niagara Peninsula Conservation Authority

- The subject property is impacted by Towpath Drain and associated buffer and floodplain.
- The NPCA will require that the size of Blocks 132, 133, & 136, on the provided Site Plan, are confirmed to be in conformity with the watercourse realignment permit, to the satisfaction of the NPCA.
 - o The NPCA will not support lot creation in flood hazards.
 - o The NPCA has recently release a work permit for the watercourse realignment of Towpath Drain.
 - o One of the intentions of the realignment was for the floodplain of the Towpath Drain to be captured within the channels of the watercourse.
 - o If Block 132, 133, & 136 are size appropriately to reflect the watercourse realignment permit, then no lot lines would be expected to dissect the flood hazard.
- The NPCA will require that Blocks 132, 133, & 136 be appropriately zoned to recognize the flood hazard, as such the block is to be zoned Hazard or a similar Municipal EC/EP Zone.
- If changes are proposed to the trail as it was proposed in the watercourse realignment permit the NPCA will require that trail designs are circulated for review.
- The NPCA will require that the size of Street C (specifically the culver), on the provided Site Plan, is confirmed to be in conformity with the watercourse realignment permit, to the satisfaction of the NPCA.
- The NPCA will request an Erosion and Sediment Control Plan showing Type and location of measures be submitted to the satisfaction of the NPCA.
- The NPCA would also request circulation of the Storm Water Management Report/ Functional Servicing Plan and Grading Plan.
- Any outfall to the creek will need to ensure that there is no downstream erosion and no negative impacts to the floodplain.
- As such, the NPCA will require all planning applications be formally circulated with a review fee:
 - o Currently fees are:
 - Official Plan Amendments: Minor - \$1,695.
 - Zoning By-law Amendment: Major - \$1,695.
 - Draft Plan of Subdivision:
 - Less than 100 lots - \$4,746.
 - More than 100 lots - \$7,684.
- Plan review applications that fall into one or more categories will be charged one fee, at the highest rate, when the applications are submitted at the same time.

- Please note that any development within the regulated area (including stormwater outfalls) will require NPCA review and approval and possible work permits.

Town of Pelham

- The Town of Pelham Public Works team would like to be circulated on a future stormwater management plan to review potential implications with respect to Rosewood Estates.
- Future construction traffic should not be diverted onto Town of Pelham Roads and that the Town should be consulted on any future road closures.
- Planning staff would recommend that a park be included in the plan since there is no public amenity space located nearby and little private outdoor amenity space for the back to back townhouse units.
- In order to promote walkability and connectivity in the area, and with the development being disconnected from other developments, the long block lengths of Street B and E should be broken up and sidewalks should be provided on both sides of the streets and on Rice Road. The Town of Pelham maintains a multi-use path on the west side of Rice Road (north of Merritt Road) and there are plans to continue sidewalks south in future for connectivity.
- The Town of Pelham owns the properties to the north containing the Provincially Significant Wetland, Woodland and Watercourse. Recognizing that an Environmental Impact Study will be required in support of the applications, which will make recommendations for mitigation. The Town would like the recommended mitigation measures (which may include invasive species removal, buffer planting and fencing) to maintain the health and integrity of these natural features going forward and to avoid further maintenance/restoration being required by the Town of Pelham.

11. **Site Visit:** _____

12. **Incentive Programs:** _____

13. Required Information and Studies to be submitted with the Application(s). Studies identified with an asterisk* will likely require a peer review at the cost of the developer. **Please ensure all digital copies are provided as an Accessible Document.**

Local	Region	NPCA	Reports, Studies, Plans (<i>See Notes for additional details</i>)	No. of Copies		Notes
				Elect Digital	Paper	
X	X		Planning Justification Report			
X			Conceptual Site Plan, Subdivision Plan			
			Draft Regional Policy Plan Amendment			
X			Draft Local Official Plan Amendment			
			Land Use/Market Needs*			
	X		Urban Design/Landscape Plans			
	X		Archaeology Assessment			
			Cultural Heritage Impact Assessment*			
	X		Environmental Impact Study			
			Environmental Planning Study/ Sub-Watershed Study			
			Tree Inventory Preservation Plan			
			Floodplain and Hazard Lands Boundary Plan			
X			Geotechnical			
X	X		Environmental Site Assessment			
			Air Quality/Noise & Vibration Study*			
			Agricultural Impact Assessment			
			Farm Operation and Ownership			
			Minimum Distance Separation I & II			
			Mineral Aggregate Resources			
X	X	X	Municipal Servicing Study			
			Phasing Plan			
			Sensitive Land Use Report			
			Slope Stability Report			
X	X	X	Stormwater Management Plan			
	X		Transportation Impact Study/Parking Impact Analysis			
			Hydrogeological Study and Private Servicing Plans*			
			Soil report			
			Financial Impact Assessment*			
			Shadow Analysis			
			Risk Management Study			
			Gas Well Study/Gas Migration Study			
			Wind Study*			
		X	Other*			*Erosion and Sediment Control Plan, see NPCA notes

Building Staff	Infrastructure & Dev. Services (sig)	Date

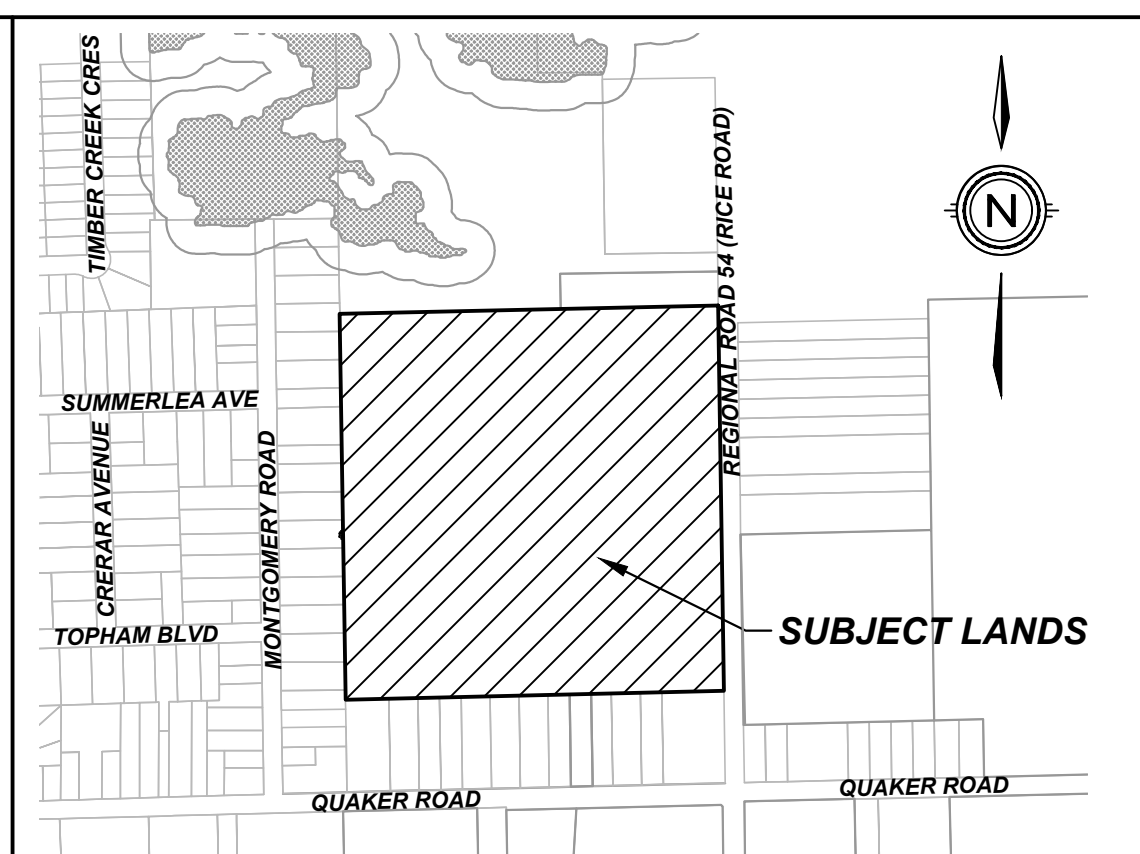
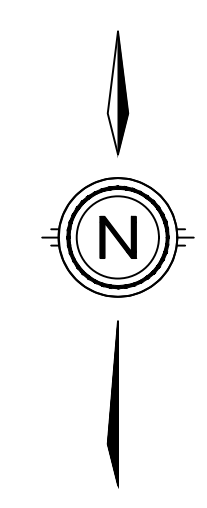
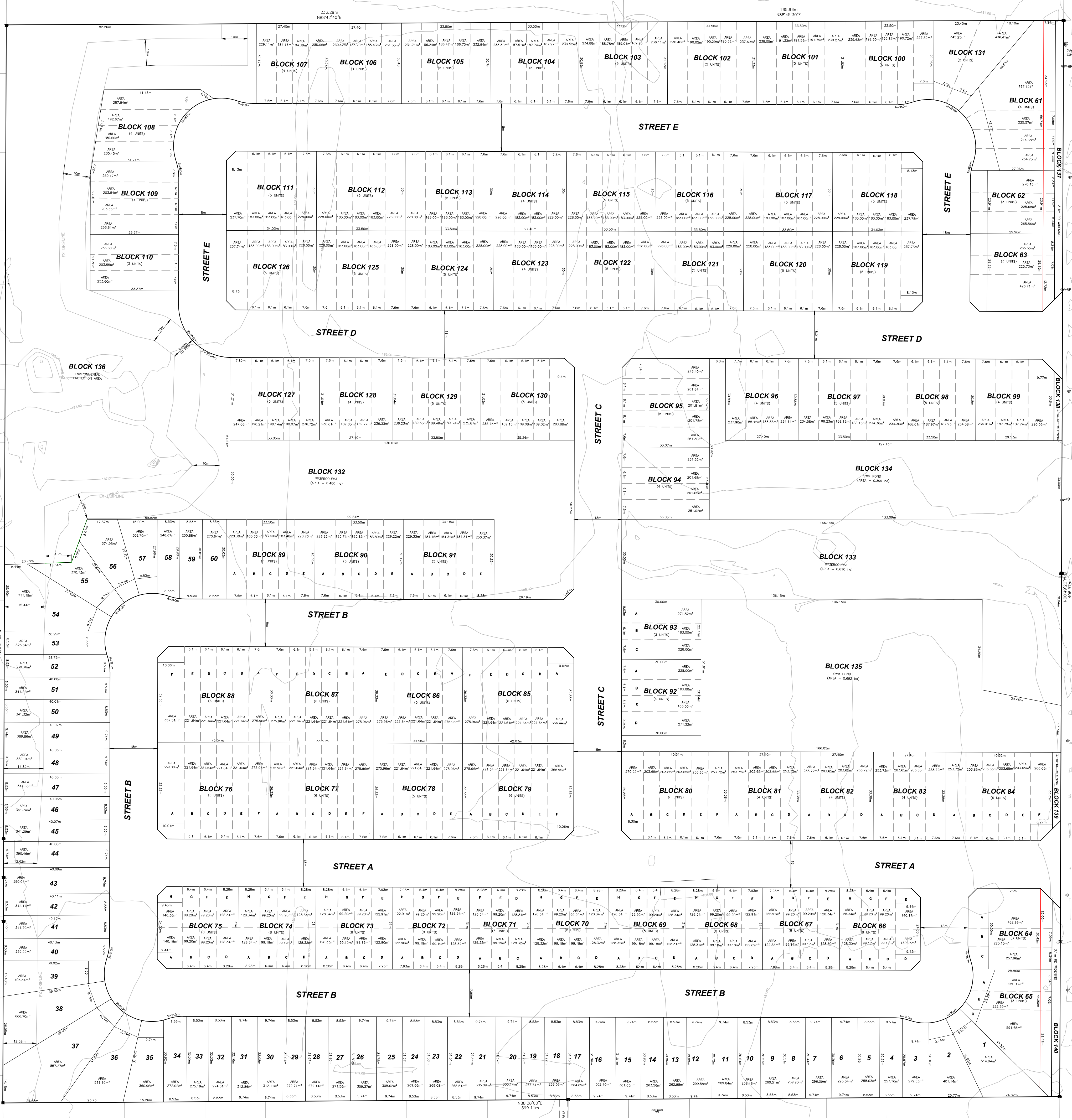
Building Staff	Infrastructure & Dev. Services (sig)	Date
Ali Khan		
Traffic, By-laws & Parking	Traffic, By-laws & Parking (sig)	Date
Tanya Korolow		
Fire Services	Fire & Emergency Services (sig)	Date
Connor Wilson		
Regional Staff	Regional Staff (signature)	Date

Regional Staff	Regional Staff (signature)	Date
Meghan Birbeck		
NPCA Staff	NPCA Staff (signature)	Date
William Heikoop		
Agent	Agent (signature)	Date
Jillian Richards		
Owner	Owner (signature)	Date
Tanya Hill - SNGR		
Other	Other (signature)	Date
Zachery Sherwood - WHESC		
Other	Other (signature)	Date
Abby Lee - MCFN		
Other	Other (signature)	Date

Other	Other (signature)	Date

Other	Other (signature)	Date

Other	Other (signature)	Date



KEY PLAN
N.T.S.

DRAFT PLAN

LEGAL DESCRIPTION

PART OF TOWNSHIP LOT 175
GEOGRAPHIC TOWNSHIP OF THOROLD
NOW IN THE CITY OF WELLAND
REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY
AUTHORIZE UPPER CANADA CONSULTANTS TO
PREPARE AND SUBMIT THIS DRAFT PLAN OF
SUBDIVISION TO THE CITY OF WELLAND
FOR APPROVAL.

OWNER'S NAME _____ DATE _____

SURVEYOR'S CERTIFICATE

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

[Signature] Nov. 30, 2023
J.D. BARNES LIMITED
DASHA PAGE, OLS
21-16, 355, 356, 358

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

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

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	LOT 1-60	60	2.020	12.43
RICE RD STREET TOWNHOUSE	BLOCK 61-65	16	0.496	3.05
BACK TO BACK TOWNHOUSE	BLOCK 66-75	78	0.891	5.48
STREET TOWNHOUSE	BLOCK 76-130	265	5.764	35.49
SEMI-DETACHED RESIDENTIAL	BLOCK 131	2	0.078	0.48
WATERCOURSE	BLOCK 132-133		1.090	6.71
SWM PONDS	134-135		1.110	6.83
ENVIRONMENTAL PROTECTION	BLOCK 136		1.231	7.58
ROADWAY WIDENING	BLOCK 137-140		0.071	0.44
ROADWAY			3.495	21.51
TOTAL		421	16.246	100.00

DEVELOPABLE AREA = 12.815ha (EXCLUDES BLOCK 132-136)
DEVELOPABLE DENSITY = 32.85 units/ha

#	ISSUED FOR REVIEW	DATE	TA
0	ISSUED FOR REVIEW	2024-02-28	TA
#	REVISION	DATE	INIT



DRAFT PLAN OF SUBDIVISION	DRAWING TITLE	DRAFTING	TA
		DATE	FEBRUARY 28, 2024
		PRINTED	FEBRUARY 28, 2024
		SCALE	1:750
		DWG. No.	2200-DP
	REV	0	

Appendix III
Draft Official Plan Amendment

AMENDMENT NO. X
to the
OFFICIAL PLAN
of the
CORPORATION OF THE CITY OF WELLAND

XX X, 2024

**THE CORPORATION OF THE CITY OF WELLAND
BY-LAW NUMBER 2024-XX**

**A BY-LAW TO AUTHORIZE THE ADOPTION
OF OFFICIAL PLAN AMENDMENT NO. XX**

WHEREAS the Official Plan of the Corporation of the City of Welland was adopted by the City of Welland on May 4, 2010.

AND WHEREAS the Regional Municipality of Niagara gave partial approval to the Official Plan on October 21, 2011.

AND WHEREAS the Ontario Municipal Board gave partial approval to the Official Plan on June 24, 2014.

AND WHEREAS the Council of the Corporation of the City of Welland deems it expedient to amend the Official Plan.

AND WHEREAS the Regional Municipality of Niagara is the approval authority for Amendments to the Official Plan of the Corporation of the City of Welland.

AND WHEREAS the Regional Municipality of Niagara has exempted Official Plan Amendment No. XX to the Official Plan of the Corporation of the City of Welland from approval in accordance with the Memorandum of Understanding between the Regional Municipality of Niagara and the Corporation of the City of Welland.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF WELLAND ENACTS AS FOLLOWS:

1. That the Corporation of the City of Welland hereby adopts and approves Official Plan Amendment No. XX for the Corporation of the City of Welland.
2. That Staff is hereby authorized and directed to give Notice of Council's adoption of Amendment No. XX to the Official Plan of the Corporation of the City of Welland in accordance with Section 17(23) of the *Planning Act*.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS
XX DAY OF XX 2024.**

_____MAYOR

_____CLERK

Amendment No. XX
to the
Official Plan
of the
Corporation of the City of Welland

This Amendment to the Official Plan for the City of Welland, which was adopted by the Council of the Corporation of the City of Welland on XX X, 2024 and to which no appeal was filed, came into effect on pursuant to Section 17 and 21 of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended.

Date:

GRANT MUNDAY, B.A.A.
DIRECTOR OF PLANNING AND DEVELOPMENT
SERVICES
THE CORPORATION OF THE CITY OF WELLAND

**AMENDMENT NO. XX TO THE OFFICIAL PLAN OF THE
CORPORATION OF THE CITY OF WELLAND**

PART A - THE PREAMBLE (This does not constitute part of the Amendment)	1
TITLE AND COMPONENTS	1
PART B - THE AMENDMENT	2
SCHEDULE "A" LAND USE PLAN	3
PART C - THE APPENDICES.....	4
APPENDIX I - AFFIDAVIT	5
SCHEDULE "A" TO APPENDIX 1 - AFFIDAVIT	6
APPENDIX II - NOTICE OF ADOPTION.....	7
APPENDIX III - MINUTES OF PUBLIC MEETING	9
APPENDIX IV - STAFF REPORT	10
APPENDIX V - COUNCIL RESOLUTION.....	25

PART A - THE PREAMBLE (This does not constitute part of the Amendment)

TITLE AND COMPONENTS

This document, when approved in accordance with the Planning Act, shall be known as Amendment No. XX to the Official Plan of the Corporation of the City of Welland.

Part "A", the Preamble, does not constitute part of this Amendment.

Part "B", the Amendment, consists of the map and text changes.

Part "C", the Appendices, which does not constitute part of this Amendment, contains the background data, planning considerations and public involvement associated with this Amendment.

PURPOSE OF THE AMENDMENT

The purpose of Official Plan Amendment No. XX is to redesignate the lands shown on the attached Schedule "G" to facilitate the development of a 398-unit residential development, recognize the realignment of the Towpath Drain, protection of a woodland feature and development of a park and stormwater management facilities.

LOCATION

The lands subject to this Amendment are located on the west side of Rice Road (Regional Road No. 54), north of Quaker Road, and are know municipally as 469 and 509 Rice Road. The lands are legally described as Part of Township Lot 175, Geographic Township of Thorold, Now in the City of Welland, Regional Municipality of Niagara.

BASIS

The subject lands are within the Urban Area Boundary for the City of Welland and are currently designated Low-Density Greenfield Residential, Environmental Conservation Area, Environmental Protection Area and Open Space & Recreation. A proposal has been put forth to designate the lands for Low Density Greenfield Residential – Special Policy Area and align the location of the Environmental Protection Area designation with the woodland feature and buffer area, align the Environmental Conservation Area designation with the approved realignment of the Towpath Drain and relocate the Open Space & Recreation designation to align with the location of the proposed park and stormwater management facilities. The proposed Special Policy for the Low-Density Greenfield designation is to permit multiple dwellings being back-to-back townhouse units and an overall increase in density for the development plan to 60 units per net hectare.

PART B - THE AMENDMENT

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the following Policies and the map referred to as Schedule "A" - Land Use Plan and Policies, constitutes Amendment No. XX to the Official Plan of the Corporation of the City of Welland.

Details of the Amendment

1. Section 4.2.2.2A is amended by deleting "maximum density of 24 dwelling units per net hectare of land" and replacing it with "maximum density of 60 dwelling units per net hectare" on lands shown "Low Density Greenfield Residential – Special Policy Area" being Parts 1 – 5 on Schedule "A" attached hereto.
2. Section 4.2.2.2B is amended by adding "multiple dwellings" after "townhouse" in the first sentence for lands shown as "Low Density Greenfield Residential – Special Policy Area" being Parts 1 – 5 on Schedule "A" attached hereto.
3. Schedule G Northwest Welland Secondary Plan is hereby amended to redesignate lands shown on Schedule "A" attached hereto as follows:
 - a) Part 1 from "Low Density Greenfield Residential" to "Low Density Greenfield Residential – Special Policy Area";
 - b) Part 2 from "Environmental Conservation Area" to "Low Density Greenfield Residential – Special Policy Area";
 - c) Part 3 from "Open Space & Recreation" to "Low Density Greenfield Residential – Special Policy Area";
 - d) Part 4 from "Environmental Conservation Area" to "Low Density Greenfield Residential – Special Policy Area";
 - e) Part 5 from "Environmental Protection Area" to "Low Density Greenfield Residential – Special Policy Area";
 - f) Part 6 from "Low Density Greenfield Residential" to "Open Space & Recreation";
 - g) Part 7 from "Environmental Conservation Area" to "Open Space & Recreation"
 - h) Part 8 to remain "Environmental Conservation Area"
 - i) Part 9 from "Environmental Conservation Area" to "Environmental Protection Area"
 - j) Part 10 from "Low Density Greenfield Residential" to "Environmental Protection Area"
 - k) Part 11 to remain as "Environmental Protection Area".

SCHEDULE "A" LAND USE PLAN

PART C - THE APPENDICES

The following appendices do not constitute part of Amendment No. XX to the Official Plan of the Corporation of the City of Welland, but are included only as information supporting the amendment.

- APPENDIX I - Affidavit
- APPENDIX II - Notice of Adoption
- APPENDIX III - Minutes of Public Meeting
- APPENDIX IV - Staff Report
- APPENDIX V - Council Resolution (Certified)

APPENDIX I - AFFIDAVIT

IN THE MATTER OF SECTION 7, ONTARIO
REGULATION 543/06

AND

IN THE MATTER OF THE ADOPTION OF
OFFICIAL PLAN AMENDMENT NO. XX BY
BY-LAW 2024-XX PASSED BY COUNCIL OF
THE CORPORATION OF THE CITY OF
WELLAND ON XX XX, 2024.

I, Grant Munday of the City of Welland in the Regional Municipality of Niagara,
make oath and say as follows:

1. I am the Director of Planning and Development Services of the Corporation of the City of Welland.
2. That in accordance with Section 17(15) of the *Planning Act*, as amended and Section 3 of Ontario Regulation 543/06, Notice of the Public Meeting was published in the Welland Tribune on X. I hereby certify that the required Public Meeting was held on X by the Council of the Corporation of the City of Welland.
3. A list of all persons or public bodies which made oral submissions at the Public Meeting is attached as Schedule "A" to this Affidavit.
4. That in accordance with Section 17(23) of the *Planning Act*, as amended, and Ontario Regulation 543/06, the requirements for the giving of Notice of Adoption of the Amendment have been complied with.
5. That in accordance with Section 7(7) of Ontario Regulation 543/06, the decision of Council is consistent with the Policy Statements issued under sub-Section 3(1) of the Act and conforms to any applicable Plans.

Sworn before me at the City of Welland
in the Regional Municipality of
Niagara, this X day of XX, 2024.

SCHEDULE "A" TO APPENDIX 1 - AFFIDAVIT

List of individuals who made oral submission in support of the application at the Statutory Public Meeting conducted X, 2024 concerning Amendment No. X to the Official Plan of the Corporation of the City of Welland

In Support

In Opposition

APPENDIX II - NOTICE OF ADOPTION

CITY OF WELLAND
 NOTICE OF ADOPTION OF
 AMENDMENT NO. X TO THE
 OFFICIAL PLAN OF THE CORPORATION OF THE CITY OF WELLAND

Take notice that the Council of the Corporation of the City of Welland passed By-law 2023-X, being a By-law to adopt Amendment No. X to the Official Plan on X, 2023 under Section 17(23) of the *Planning Act*, as amended.

The Purpose of Amendment No. X is to redesignate lands shown on Schedule A to Low Density Greenfield Residential – Special Policy, Environmental Protection Area, Environmental Conservation Area and Open Space & Recreation.

The Effect of the redesignations are to allow for the development of a 398 unit residential subdivision plan.

Pursuant to Section 17(23.1)(a) of the *Planning Act*, as amended, City Council took into consideration all written and oral presentations made to it before rendering a decision.

An appeal, to the Ontario Land Tribunal, in respect to the Amendment to the Official Plan may be made by filing with the Clerk of the City of Welland, no later than X, 2024, a notice of appeal setting out the specific part of the proposed Amendment to the Official Plan to which the appeal applies, set out the reasons for the appeal and be accompanied by the fee prescribed under the Ontario Municipal Board Act in the amount of \$1000.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

The proposed Amendment to the Official Plan is exempt from approval by the Regional Municipality of Niagara and the Decision of Council is final if a notice of appeal is not received on or before the last day for filing a notice of appeal.

Only the person or public body that requested the amendment, the Minister and the approval authority may appeal a Decision of the municipality to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated Association or Group. However, a notice of appeal may be filed in the name of an individual who is a member of the Association or the Group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the Plan was adopted, the person or public body made oral submissions at a Public Meeting or written submissions to the Council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

The land to which this proposed Amendment to the Official Plan applies is also the subject of an Application for Zoning By-law Amendment - File 2023-XX and Draft Plan of Subdivision Application – File 26TXXXXXX.

A copy of the Amendment and Staff Report are available for inspection by the public as of X, 2024 at Infrastructure and Development Services - Planning Division, 60 East Main Street, Welland during regular office hours.

Dated at the City of Welland this X day of X, 2024.

GRANT MUNDAY, B.A.A.
DIRECTOR OF PLANNING AND DEVELOPMENT
SERVICES
OF THE CORPORATION OF THE CITY OF
WELLAND

APPENDIX III












- MINUTES OF PUBLIC MEETING -

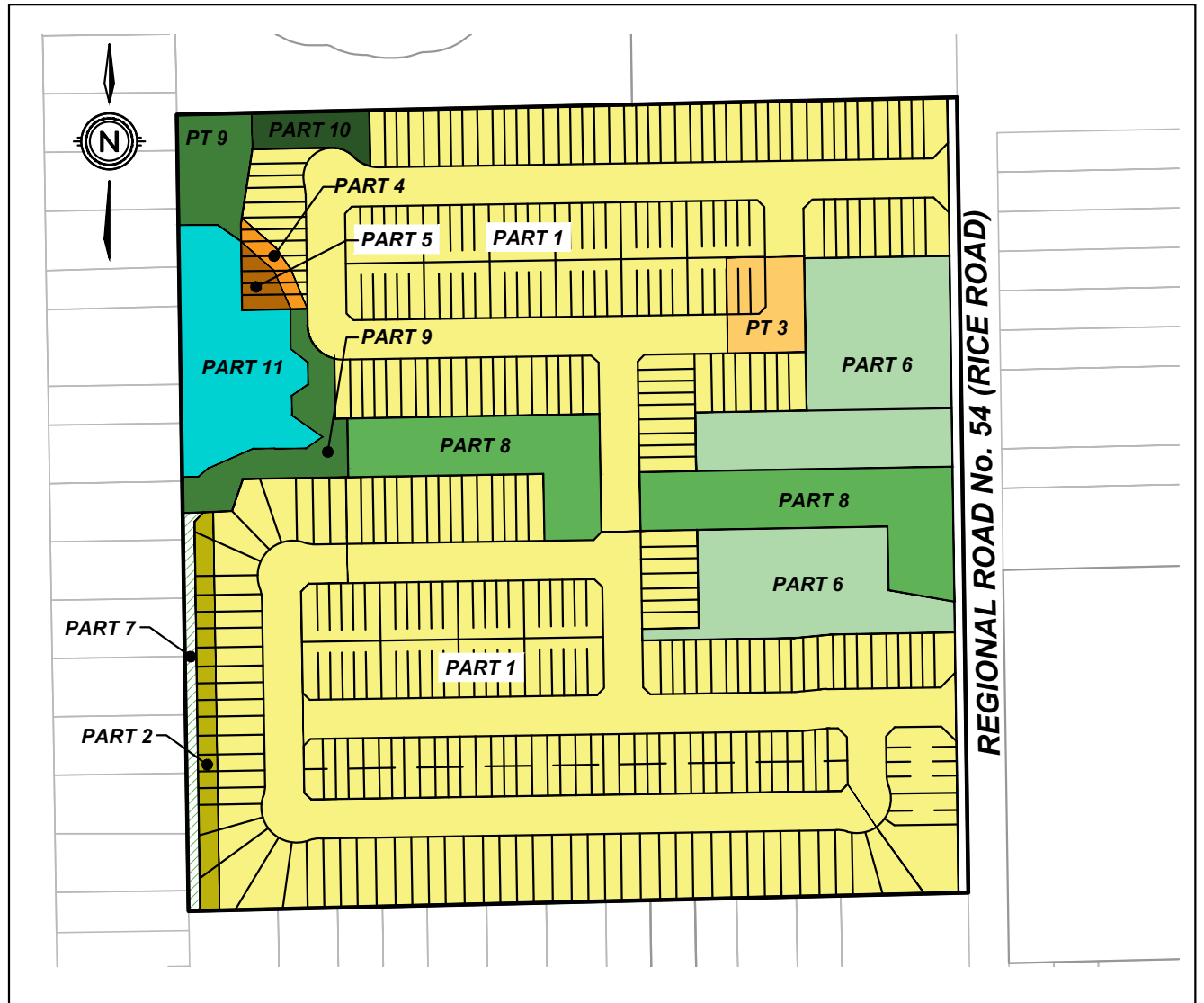
APPENDIX IV - STAFF REPORT

NOTE: Incorporate additional written comments received after date of report.

APPENDIX V - COUNCIL RESOLUTION

LEGEND

-  PART 1 - FROM LOW DENSITY GREENFIELD RESIDENTIAL TO LOW DENSITY GREENFIELD RESIDENTIAL SPECIAL POLICY AREA
-  PART 2 - FROM ENVIRONMENTAL CONSERVATION AREA TO LOW DENSITY GREENFIELD RESIDENTIAL SPECIAL POLICY AREA
-  PART 3 - FROM OPEN SPACE & RECREATION TO LOW DENSITY GREENFIELD RESIDENTIAL SPECIAL POLICY AREA
-  PART 4 - FROM ENVIRONMENTAL CONSERVATION AREA TO LOW DENSITY GREENFIELD RESIDENTIAL SPECIAL POLICY AREA
-  PART 5 - FROM ENVIRONMENTAL PROTECTION AREA TO LOW DENSITY GREENFIELD RESIDENTIAL SPECIAL POLICY AREA
-  PART 6 - FROM LOW DENSITY GREENFIELD RESIDENTIAL TO OPEN SPACE & RECREATION
-  PART 7 - FROM ENVIRONMENTAL CONSERVATION AREA TO OPEN SPACE & RECREATION
-  PART 8 - TO REMAIN ENVIRONMENTAL CONSERVATION AREA
-  PART 9 - FROM ENVIRONMENTAL CONSERVATION AREA TO ENVIRONMENTAL PROTECTION AREA
-  PART 10 - FROM LOW DENSITY GREENFIELD RESIDENTIAL TO ENVIRONMENTAL PROTECTION AREA
-  PART 11 - TO REMAIN ENVIRONMENTAL PROTECTION AREA



**469 & 509 REGIONAL ROAD 54 (RICE ROAD)
SCHEDULE 'A' TO OFFICIAL PLAN AMENDMENT No. ____**

MAYOR: _____

CLERK: _____



Appendix IV
Draft Zoning By-law Amendment

Schedule C

469 and 509 Rice Road - Draft Zoning By-Law Amendment

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER _____

BEING A BY-LAW TO AMEND THE CITY OF WELLAND ZONING BY-LAW 2017-117 (450 Rice Road)

WHEREAS the Council of the Corporation of the City of Welland adopted By-law 2017-117 on the 17th day of October 2017;

AND WHEREAS the Council of the Corporation of the City of Welland deems it expedient to amend said Zoning By-law 2017-117.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF WELLAND ENACTS AS FOLLOWS:

1. That the City of Welland Zoning By-law 2017-117 is hereby amended.
2. That Schedule 'A' to the City of Welland Zoning By-law 2017-117, as amended, is hereby further amended as shown on Schedule 'A' attached hereto and forming part of this By-law by, zoning the lands identified as 'Agricultural (A1)', 'Environmental Conservation Overlay (EC)', and 'Community Open Space (O2)' to 'site-specific Low Density Greenfield Residential (RL2-XX)', 'site-specific Residential Medium Density (RM-XX)', 'Neighbourhood Open Space (O1)', 'Environmental Conservation Overlay (EC)' and 'Environmental Protection Overlay.'
3. Notwithstanding the provisions of Section 5 General Provisions, Section 6 Parking and Loading, Section 7.2 Permitted Uses and Section 7.3 Regulations for Residential Zones contained in Zoning By-law 2017-117, the following provisions shall apply to the lands shown on Schedule 'A' attached hereto.

Section 5 General Provisions

Section 5.10.5a) *Open or roofed porches and stairs may project 1.5 metres into any required front or exterior side yard and 3.0 metres into any rear yard, provided the structure is not higher than 1.5 from grade.*

Section 5.10.5e) *Decks may project a maximum of 3.75 metres into the required rear yard, provided said deck is not higher than **2.4 metres** above grade.*

Section 6 Parking and Loading Regulations

Section 6.1.6b) Parking Space Dimensions *Delete*

Section 6.7 Bicycle Parking *Delete*

Section 7.3 Regulations for Residential Zones – Residential Low Density 2

RL2-XX:

Single-Detached

<i>Minimum Lot Area</i>	<i>250 m²</i>
<i>Minimum Lot Frontage</i>	<i>8.5 m</i>
<i>Minimum Front Yard</i>	<i>3.0 m to dwelling</i>
<i>Minimum Interior Side Yard</i>	<i>0.6 m on one side</i> <i>1.2 m on the other side</i>
<i>Minimum Rear Yard</i>	<i>5 m</i>
<i>Maximum Lot Coverage</i>	<i>Delete</i>
<i>Minimum Landscaped Area</i>	<i>Delete</i>

Street Townhouse Dwelling (front face and rear garage access);

<i>Minimum Front Yard</i>	<i>3 m to dwelling</i>
<i>Maximum Lot Coverage</i>	<i>Delete</i>
<i>Minimum Landscaped Area</i>	<i>Delete</i>

Section 7.3 Regulations for Residential Zones – Residential Medium Density

RM-XX:

Multiple Dwelling (Back-to-Back Townhouses):

<i>Minimum Lot Frontage</i>	<i>6.4 m</i>
<i>Minimum Front Yard</i>	<i>3.0 m</i>
<i>Minimum Interior Side Yard</i>	<i>1.2 m</i>
<i>Minimum Exterior Side Yard</i>	<i>1.2 m</i>
<i>Minimum Rear Yard</i>	<i>No required where lot line is the dividing line between</i> <i>attached units</i>
<i>Maximum Lot Coverage</i>	<i>Delete</i>
<i>Minimum Landscaped Area</i>	<i>Delete</i>

That Schedule 'A' attached hereto shall be read with and form part of this By-law.

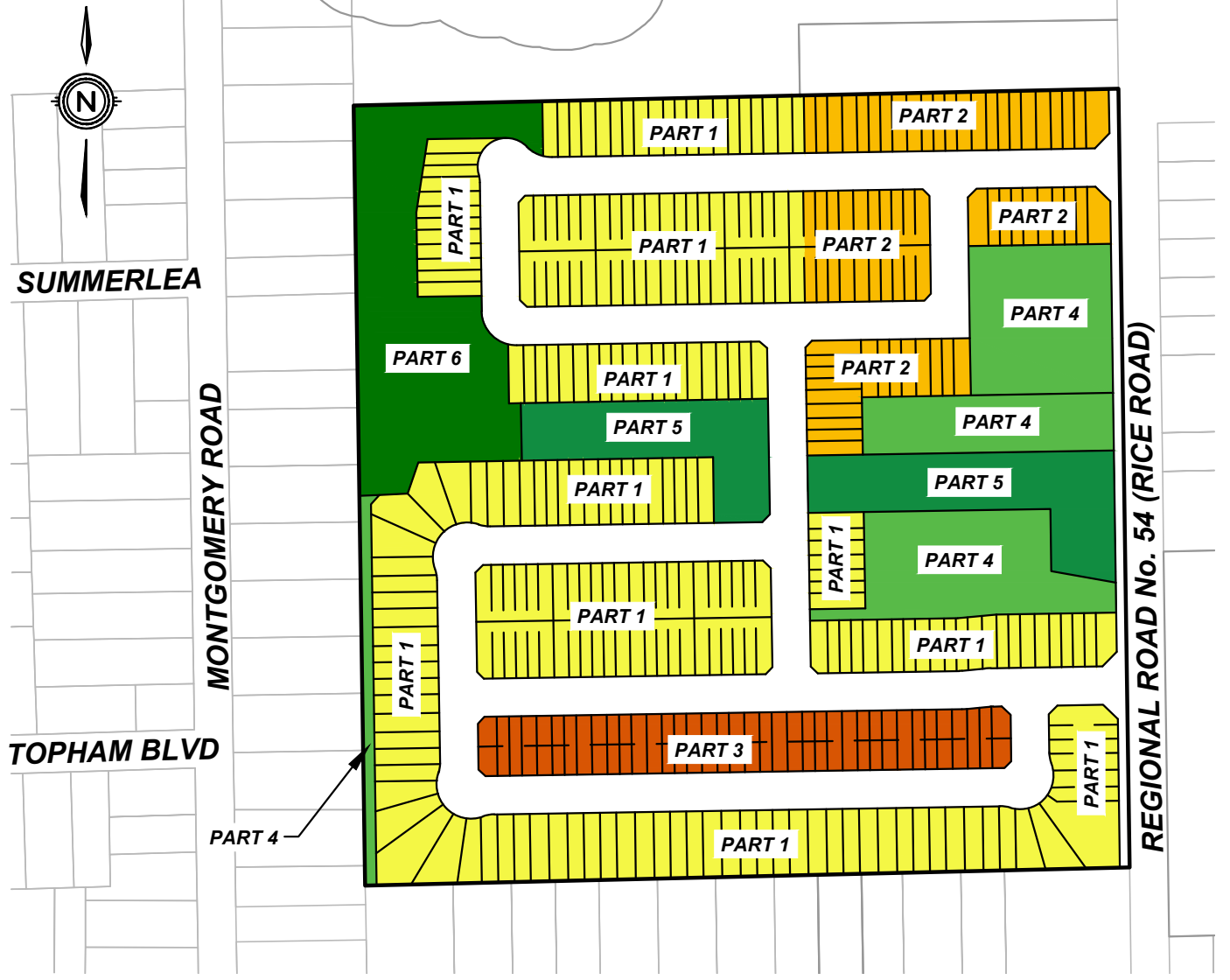
READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS _____ DAY OF _____, 2024.

MAYOR

CLERK

LEGEND

-  PART 1 - FROM COMMUNITY OPEN SPACE (O2) TO RESIDENTIAL LOW DENSITY 2 SITE SPECIFIC (RL2-XXX)
-  PART 2 - AGRICULTURAL (A1) TO RESIDENTIAL LOW DENSITY 2 SITE SPECIFIC (RL2-XXX)
-  PART 3 - FROM COMMUNITY OPEN SPACE (O2) TO RESIDENTIAL MEDIUM DENSITY SITE SPECIFIC (RM-XXX)
-  PART 4 - FROM AGRICULTURAL (A1) & COMMUNITY OPEN SPACE (O2) TO NEIGHBOURHOOD OPEN SPACE (O1)
-  PART 5 - FROM COMMUNITY OPEN SPACE (O2) TO ENVIRONMENTAL CONSERVATION OVERLAY (EC)
-  PART 6 - FROM COMMUNITY OPEN SPACE (O2) TO ENVIRONMENTAL PROTECTION OVERLAY (EP)



469 & 509 REGIONAL ROAD 54 (RICE ROAD)
 SCHEDULE 'A' TO ZONING BY-LAW AMENDMENT No. ____

MAYOR: _____

CLERK: _____

