

# Planning Justification Report

## 450 Rice Road, Welland ON

Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Vacant  
Land Condominium

October 2024

Upper Canada Consultants  
3-30 Hannover Drive  
St. Catharines, ON, L2W 1A3



**UPPER CANADA  
CONSULTANTS**  
ENGINEERS / PLANNERS

File No. 2201

## Table of Contents

PREFACE .....	3
DESCRIPTION AND LOCATION OF THE SUBJECT LANDS.....	5
THE PROPOSED DEVELOPMENT.....	8
REQUIRED APPLICATIONS .....	11
Official Plan Amendment.....	11
Zoning By-Law Amendment.....	12
Draft Plan of Vacant Land Condominium .....	12
RELATED STUDIES AND REPORTS.....	13
PROVINCIAL LEGISLATION AND PLANS .....	16
PLANNING ACT (R.S.O. 1990).....	16
2024 PROVINCIAL PLANNING STATEMENT.....	27
NIAGARA OFFICIAL PLAN (2022).....	35
CHAPTER 2 – GROWING REGION.....	35
CHAPTER 3 – SUSTAINABLE REGION.....	41
CHAPTER 6 – VIBRANT REGION.....	41
CITY OF WELLAND OFFICIAL PLAN (2011).....	44
SECTION 2 COMMUNITY STRATEGIC DIRECTIONS .....	45
SECTION 3 GROWTH MANAGEMENT .....	46
SECTION 4 URBAN AREA LAND USE POLICIES .....	49
SECTION 6 CITY-WIDE LAND USE POLICIES.....	51
NORTHWEST WELLAND SECONDARY PLAN POLICIES.....	52
CITY OF WELLAND ZONING BY-LAW (By-Law 2017-117).....	57
PLANNING POSITION.....	62

## **Appendices**

Appendix I – Draft Plan of Vacant Land Condominium

Appendix II – Pre-Consultation Notes

Appendix III – Draft Official Plan Amendment

Appendix IV - Draft Zoning By-law Amendment

## 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 Vacant Land Condominium at 450 Rice Road in the City of Welland, within the 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 residential use.

The proposed Official Plan Amendment seeks align the developable portion of the lands to a Medium Density Residential designation and to align the Environmental Conservation designation to reflect the realigned Towpath Drain as approved through an NPCA permit and its associated buffer areas.

The proposed Zoning By-law Amendment seeks to facilitate the proposed zoning within the Northwest Welland Secondary Plan (NWSP) to provide for a one hundred and thirty-nine (139) unit condominium residential development and environmental protection of the Towpath Drain and buffer area associated with the lands.

The proposed Draft Plan of Vacant Land Condominium will implement the lots within the boundary of the subject lands. Through the registration of the Vacant Land Condominium, the road widening and Towpath Drain with associated buffer land and multi-use trail will be dedicated to the Niagara Region, and Municipality, respectively.

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

- Site Plan
- Draft Plan of Vacant Land Condominium
- Stage 2 Archaeological Assessment
- Functional Servicing Report and Stormwater Management Plan
- Traffic Impact Assessment
- Colour Demonstration Plan
- Environmental Impact Study
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment

- Preliminary Geotechnical Investigation and Hydrogeological Assessment

## DESCRIPTION AND LOCATION OF THE SUBJECT LANDS

The submitted applications pertain to lands known municipally as 450 Rice Road in the City of Welland, within the Regional Municipality of Niagara. The subject lands are legally known as Part of Township Lot 174, 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)**

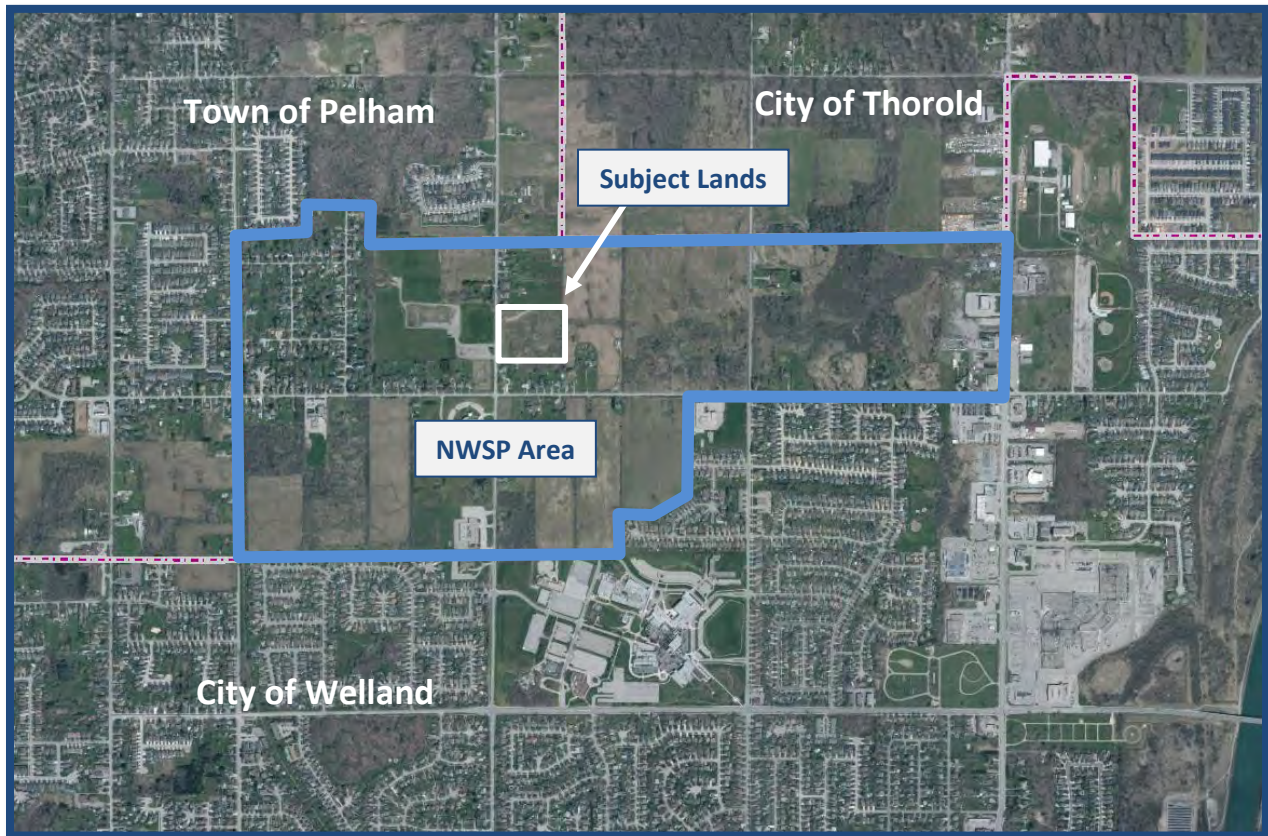
### Northwest Welland Secondary Plan Area (NWSP)

The Subject Lands are located within the Northwest Welland Secondary Plan Area; lands within this Area are generally described as the Northwest Welland Expansion Lands. This geographic

area measures approximately 190 hectares in area, and is located within the City of Welland's Urban Area. The lands are predominantly designated for Greenfield development, with some Built-up Area in the western part of the Plan.

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 development at the developers' cost to service the development.

As shown in **Figure 2**, the subject lands are near the centre of this Plan Area, fronting Rice Road.

### Property Context

The property is 4.045-hectares in total area and has approximately 202-metres of frontage along the east side of Rice Road.

The existing grade of the subject lands is generally flat and is currently occupied by agricultural fields, the Towpath Drain along the northern portion of the property, and one single-detached dwelling in the south-west corner.

As noted, the Towpath Drain traverses the northern property line of the subject lands. As such, this area is proposed to be excluded from the Draft Plan of Vacant Land Condominium as a separate Environmental Conservation Block that is 0.669-hectares in size. This area is to include a 3-metre-wide multi-use path and be dedicated to the City upon the registration of the Condominium.

0.053 hectares of land will also be dedicated, though to the Niagara Region, upon registration of the Condominium for the road widening along Rice Road (Regional Road 54).

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).

### Adjacent Lands

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

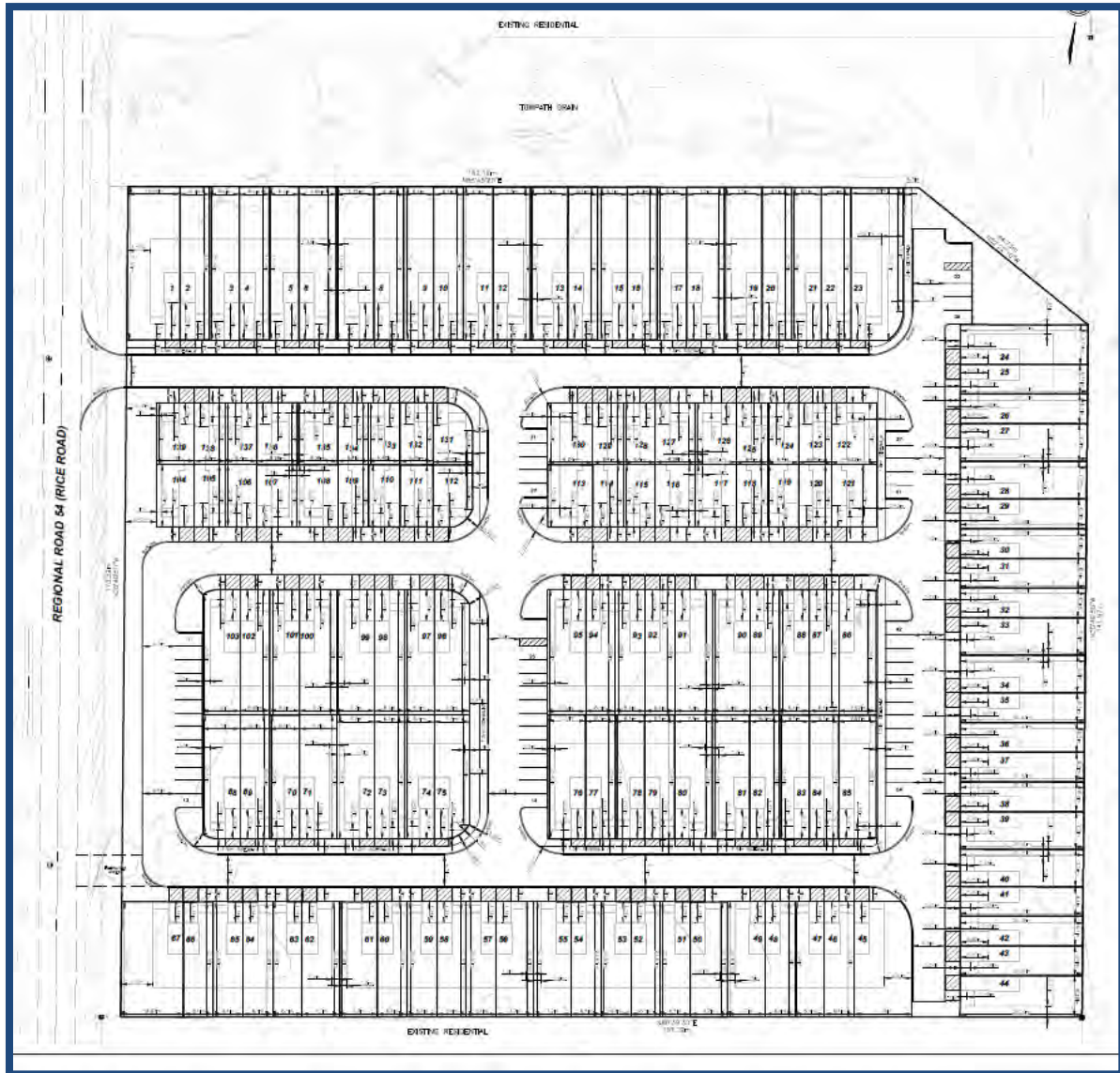
- North:** Towpath Drain, low density residential and the Town of Pelham
- South:** Single-detached dwellings, Quaker Road and future development lands. These future development lands are for mixed-use commercial and medium density residential
- East:** Undeveloped lands that are proposed for low density residential uses, environmental lands and First Avenue
- West:** Rice Road and future residential development lands under the same ownership, as well as future mixed-use commercial lands



## THE PROPOSED DEVELOPMENT

The applicant is proposing the development of a condominium that includes one hundred and thirty-nine (139) dwelling units. These units consist of one hundred and three (103) block townhouse units, and thirty-six (36) back-to-back townhouse units.

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



**Figure 3 – Draft Plan of Vacant Land Condominium**

### Housing Form

Block townhouses and back-to-back townhouses are proposed for this condominium.

The block townhouses have interior lot frontages of 6.1-metres with varying exterior lot frontages. The back-to-back townhouses have interior lot frontages of 6.4-metres with varying exterior lot frontages.

These dwelling types are appropriate for this Secondary Plan Area as they will be compatible with the surroundings and adhere to the proposed zoning of the Secondary Plan. These dwelling types will provide a range of built forms that will contribute to the diversification of the housing supply in Welland. The proposed development forms adhere to the objectives of the Niagara Region and the local Official Plan.

### Transportation Systems

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

There is one main access into the proposed condominium that is off of the east side of Rice Road (Regional Road 54). Within the condominium is a grid-like road network with 6.5-metre cross-sections and 1.5-metre-wide sidewalks on one side of the private roadways.

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 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

The northern portion of the subject lands contains the Towpath Drain. These lands are excluded from the Vacant Land Condominium as Environmental Conservation Lands. These lands are to include a 3-metre-wide multi-use trail that will run along the south side of the Towpath Drain, and connect to a larger future trail network. These lands are to be dedicated to the Municipality upon registration of the condominium.

### Parks and Open Spaces

As the parcel contains a portion of the Towpath Drain, through the registration of the Vacant Land Condominium, 0.669 hectares, will be dedicated to the City that will include a multi-use recreational trail. This trail will connect to a larger recreational trail network that is planned for

the NWSP Area. On the west side of Rice Road is also a planned neighbourhood park that will service the surrounding residents, including those that will reside in this condominium site.

## **REQUIRED APPLICATIONS**

A pre-consultation meeting was held on May 16<sup>th</sup>, 2024 to discuss the applications.

As outlined by City of Welland planning staff, applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Vacant Land Condominium 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
- Conceptual Site Plan
- Draft Plan of Vacant Land Condominium
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Colour Demonstration Plan
- Archaeological Assessment
- Environmental Impact Study
- Geotechnical Investigation
- Functional Servicing Report with Stormwater Management Plan
- Transportation Impact Study

An Erosion and Sediment Control Plan will be provided through conditions of Draft Plan of Vacant Land Condominium Approval.

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 Vacant Land Condominium is also submitted in order to implement the lots 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 change the land use designation from “Mixed-

Use”, “Medium Density Residential”, “Low Density Greenfield Residential” and “Environmental Conservation Area” to “Medium Density Residential” and “Environmental Conservation Area”. This amendment is required to align the proposed Environmental Conservation Area designation boundary with the aligned Towpath Drain and to permit an increase in density to accommodate the proposed one hundred and thirty-nine (139) unit residential condominium development.

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 facilitate the proposed zoning within the Northwest Welland Secondary Plan (NWSP) to provide for one hundred and thirty-nine (139) residential dwelling units and environmental protection of the Towpath Drain and buffer area associated with the lands. The proposed zoning will rezone the entirety of the parcel from “Agricultural – A1” to “site-specific Residential Medium-Density (RM) and “Environmental Conservation (EC).”

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

### **Draft Plan of Vacant Land Condominium**

The proposed Draft Plan of Vacant Land Condominium will implement the lots within the plan area. The plan proposes block townhouses and back-to-back townhouses, with an internal grid-like road network, and visitor parking. Through the registration of the Condominium, the Towpath Drain lands that are outside of the Condominium Plan area will be dedicated to the City, and the road widening will be dedicated to the Niagara Region.

A copy of the Draft Plan of Vacant Land Condominium 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 Vacant Land Condominium, 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, 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.

#### *Water Servicing*

It was determined that the existing municipal watermain system on Rice Road is to be upgraded from a 150mm diameter watermain to a 300mm diameter watermain to have sufficient capacity to provide both domestic and fire protection water supply. There will be a private water hydrant provided on site.

#### *Sanitary Servicing*

The existing municipal sanitary sewer system downstream of the site will have adequate capacity for the proposed residential development. The site will outlet to the existing Regional Sanitary Sewer on Rice Road, and will be serviced with a 200mm diameter sanitary sewer.

#### *Stormwater Management Plan*

The adjacent site on the west of Rice Road has the same ownership and will include a new stormwater management facility for quality and quantity controls. The adjacent site will over control quantity so 450 Rice Road does not require on site quantity controls.

450 Rice Road will outlet to the Towpath Drain and quality controls will be provided to enhanced levels with a proposed oil/grit separator upstream of the outlet to the watercourse.

### **Transportation Impact Assessment (Paradigm Transportation Solutions Ltd.)**

A Transportation Impact Assessment was prepared by Paradigm Transportation Solutions Ltd. to assess current traffic, as well as the additional traffic generated by the proposed development, analyze the traffic impact on the adjacent roadway network and provide the municipality and

owner with any improvements required to mitigate the identified effects of the site-generated traffic.

It was concluded that full-build out of the proposed development will not warrant a southbound left-turn lane, and that development volumes will result in minor increases in the surrounding area intersection volumes under peak conditions, which should not be perceptible.

Further, it was concluded that the Region is to optimize the traffic signal timings at the intersection of Rice Road with Highway 20 and Woodlawn Road as an interim solution until the Merritt Road/Rice Road Class EA improvements are implemented, as deficiencies currently exist at this intersect and are projected to further degrade as a result of future growth.

#### Stage 2 Archaeological Assessments (Detritus Consulting Ltd.)

A Stage 2 Archaeological Assessment was prepared by Detritus Consulting Ltd. upon the recommendation of the Stage 1 Archaeological Assessment conducted for the entirety of the Secondary Plan Area.

The Stage 2 Assessment of the subject lands resulted in the identification of no archaeological resources, therefore, no additional archaeological assessment of the subject lands was recommended.

A Ministry Acknowledgement Letter is forthcoming and will be provided through the conditions of approval.

#### Environmental Impact Study (Beacon Environmental)

An Environmental Impact Study was prepared by Beacon Environmental to detail and evaluate the natural heritage features associated with the subject lands and assess the potential impacts of the proposed development on ecological features and functions and provide recommendations to mitigate the potential impacts. 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 and Hydrogeological Assessment (Soil Mat Engineers & Consultants Ltd.)

A Preliminary Geotechnical Investigation and Hydrogeological Assessment was prepared by Soil-Mat Engineers & Consultants Ltd. 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.

Five (5) 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.

All details of the conditions encountered in the boreholes and results of the field and laboratory tests are included in the report along with comments and recommendations.



## **PROVINCIAL LEGISLATION AND PLANS**

Land use planning applications within the City of Welland Settlement Area are subject to the policies of the Ontario *Planning Act* (R.S.O. 1990), 2024 Provincial Planning Statement (PPS). Specific references to applicable Provincial policies are provided in brackets.

### **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), 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 and hazard areas were generally mapped and subsequently designated within the Secondary Plan Schedule of the Official Plan (Schedule G: Northwest Welland Secondary Plan). These features, to a large degree, have been evaluated and addressed through the ongoing NPCA Work Permit application process. The proposed zoning restricts development within Natural Heritage Features and is therefore consistent with this *Planning Act* Requirement.

The EIS that has been prepared for the subject lands, includes mitigation and enhancement measures for the ecological function of the new drain, and it was concluded that with the implementation of the recommended design and construction mitigation measures, the proposed development will protect and respect the natural heritage system.

***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 and inform the application to expand the urban area and implement secondary planning.

Along with this submission is a Functional Servicing Report with a Stormwater Management Plan, as well as a Transportation Impact Assessment that further supports the development of the proposed lands for residential uses within the NWSP Area.

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

The proposed subdivision will also be 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. 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 subject lands are part of an urban boundary expansion area that is primarily designated for residential growth and development. These uses have been contemplated as part of an extensive, comprehensive Secondary Plan process.

The proposed residential development is appropriately located along a Regional Road (Rice Road). The proposed development accommodates residential growth 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 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

The lands are also in close proximity to existing City parks and recreational spaces including Welland Sports Complex. Places of worship, the Seaway Mall, medical centres, pharmacies, fitness facilities, restaurants, grocery stores, the public library and more are all within 2-kilometres of the subject lands.

Further, the proposed condominium is directly adjacent to the Towpath Drain that has a proposed trail network that will connect to a future adjacent parkland on the west side of Rice Road. The proposed multi-purposed trail supports leisure activities such as walking and jogging, and active transportation such as cycling.

All-in-all, the subject lands are considered to be well-supported by educational, health, social, cultural and recreational facilities.

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

The NWSP land use plan identifies lands for low-density and medium-density residential uses. The Plan also identifies lands for mixed-use development.

The proposed residential development will include one hundred and thirty-nine (139) dwelling units. These dwellings will include both block townhouses and back-to-back townhouses under condominium tenureship. Though these houses will not be considered affordable, they will contribute to affordability by increasing the supply of housing within the area and achieving a broader range of housing under different tenureship and different price points. The proposed dwelling types are relatively more attainable than large 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 one-hundred and thirty-nine (139) 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.

***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 Provincially-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 are not encumbered by any significant physical, geographic or environmental constraints, and benefit from proximate transportation networks and existing municipal infrastructure.

The subject lands are located adjacent to a Regional roadway (Rice Road), various existing and planned residential parks, schools and commercial opportunities. The utilization of these undeveloped urban lands for residential growth maximizes housing potential and reinforces the property as an appropriate location for growth and development.

The subject lands are located within the City of Welland Settlement Area Boundary and Regionally Designated Greenfield area, and are provided with municipal services, 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 throughout the urbanization of Rice Road and Quaker Road will include active transportation routes, and a multi-use trail along the Towpath Drain Corridor.

Overall, the proposed development will facilitate the design of a pedestrian friendly neighbourhood 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 built forms exhibit good urban design principles and engage positively with the public realm along Rice Road. The inclusion of urban elements will improve the current visual condition of the property to the benefit of the surrounding lands.

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 to adhere to all demographics.

There is pedestrian access to Rice Road from the southern portion of the property, as well as along the entrance of the condominium site. There is also a northern sidewalk access to the multi-use trail along the Towpath Drain that connects to the future parkland on the western side of Rice Road. Rice Road will also be improved to provide a sidewalk along the east side allowing for connectivity to the broader area.

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*, are consistent with the Provincial Policy Statement and conform with the Growth Plan.

### **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 53 of the *Planning Act*. Section 53(12) required that when considering an application for Consent and Approval Authority 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), 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 condominium is within the Northwest Welland Secondary Plan Area, an area that is planned for new development and within the public interest. The proposed

condominium 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 different housing type, fulfilling a significant market need. The development contributes to the diversification and expansion of the available housing supply in the area, and will efficiently utilize underutilized urban serviced land.

Considering the lands are within a Secondary Plan area, the proposed condominium is within the public interest, and the noted favourable attributes further indicate that the proposed development is not premature, but rather represents a logical location for residential development.

*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 is consistent with the surrounding proposed land uses, creating a contiguous development pattern, gently introducing increased density. The proposed development will represent 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 and align the Environmental Conservation Area designation boundary.

*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 and along a Regional 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. Therefore, the land is considered to be appropriate for the intended condominium 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 two varieties of townhouses, 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.

***e) 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 road network consists of private roadways with 6.5-metre cross-sections. This residential development will be provided access by way of Rice Road (Regional Road 54). The Transportation Impact Assessment has been submitted with the applications which confirm that the proposed development will have minor impacts on the adequacy or safety of the road network. It is noted that Rice Road will be improved in this area and an Environmental Assessment has recently been completed that detailed those improvements.

***f) 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.

***g) 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 Towpath Drain runs east-west along the most northern portion of the subject lands. This Drain area is designation Environmental Conservation Area and is intended to be excluded from the condominium and dedicated to the City upon registration of the Condominium which will be indicated through Conditions of Approval.

***h) conservation of natural resources and flood control;***

The Towpath Drain is to be realigned along the northern portion of the subject lands, and a 30-metre corridor that will be naturalized with plantings of shrubs and trees will be provided for mitigation and enhancement of the ecological function of the new drain. There will also be diversity in flow channel substrate, enhancement through the creation of shallow and deep-water wetland pockets and the flow channel will meander.

***i) 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.

***j) 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.

***k) 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 block outside of the proposed Condominium Plan is to be dedicated to the City upon registration of the Condominium. This block will include a 3-metre-wide multi-use trail that will be for public recreational use.

Cash-in-lieu of parkland dedication will also be provided.

***l) 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.

Energy efficient design may also be explored through the development of detailed building plans.

*m) 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 Condominium and Site Plan approval which ensures that all matters affecting the approval authority and commenting agencies are adequately addressed prior to the commencement of development.

## 2024 PROVINCIAL PLANNING STATEMENT

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, 2020 while building upon housing-supportive policies from both documents.

It provides municipalities with the tools and flexibility required 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 regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

### Planning for People and Homes (PPS 2.1)

Section 2.1 of the PPS provides guidance for population forecasts, and required municipalities and planning authorities to provide sufficient land to accommodate an appropriate range and mix of land uses to meet projected needs informed by provincial guidance.

Section 2.1.6 directs 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 applications are consistent with the direction of Section 2.1 of the PPS as they facilitate the development of additional housing opportunities on serviced urban lands within a Secondary Plan Area that is anticipated for growth and development.

The proposed townhouse condominium development 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, parks and open space resulting in recreational uses. The development includes two types of townhouses that will adhere to all different demographics, improving social equity and overall quality of life.

### **Housing (PPS 2.2)**

As per Section 2.2.1, planning authorities must ensure a diverse range of housing options and densities to meet current and future needs by setting minimum affordable housing targets, addressing the full range of housing including affordable housing needs, and supporting residential intensification, including redevelopment of underutilized sites. They must also promote efficient land use, infrastructure, and active transportation, while prioritizing transit-supportive development and intensification near transit corridors and stations.

Table 2-2 of the Niagara Official Plan forecasts that the City of Welland will have a population of 83,000 people by 2051. This anticipated growth must be supported by an increase in housing supply and a range and mix of dwelling forms of different affordability ranges.

The entirety of the Northwest Welland Secondary Plan Area is estimated to be developed with approximately 4,500 residential dwelling units. These units will consist of a range of low and medium density forms, ranging from single-detached dwellings to apartment dwellings.

As previously noted, the proposed development will contribute one hundred and thirty-nine (139) townhouse dwelling units under condominium tenureship. These townhouses include block townhouses and back-to-back townhouses, adding to the medium density variety of housing within the area. This development is a compact and efficiently designed development form that contributes to a range and mix of housing options resulting in different affordability thresholds. This development efficiently uses underutilized lands and infrastructure, and provides a transit-supportive density, therefore portraying many characteristics that are desirable and appropriate.

### **Settlement Areas and Settlement Area Boundary Expansions (PPS 2.3)**

Section 2.3.1 details the general policies for settlement areas, as they are to be the focus of growth and development. These areas are to be based on densities and a mix of land uses that

efficiently use land and resources; optimize existing and planned infrastructure and public service facilities; support active transportation; are transit-supportive, as appropriate; and freight-supportive.

In order to support the achievement of complete communities, intensification and redevelopment is to be supported by planning authorities, by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Sections 2.3.1.4 to 2.3.1.6 state that minimum targets for intensification and redevelopment within built-up areas are to be established, and density targets for designated growth areas are encouraged to plan for a target of 50 residents and jobs per gross hectare.

The proposed residential development meets and exceeds the minimum density target of 50 residents and jobs per gross hectare, by including medium density residential on site. The development will assist in optimizing both existing and planned infrastructure, efficiently utilizing underutilized land, supporting active transportation by including sidewalks throughout the private site, and having an increased density that is considered transit-supported.

As per Section 2.3.2, the proposed development is within an area that was selected for a settlement area boundary expansion. As such, these lands are planned for future growth and development.

### **Energy Conservation, Air Quality and Climate Change (PPS 2.9)**

Section 2.9 directs that planning authorities must plan to reduce greenhouse gas emissions and adapt to climate change by promoting compact, transit-supportive communities, integrating climate considerations into infrastructure planning, supporting energy conservation, promoting green infrastructure and active transportation, protecting the environment, and improving air quality. Additionally, they should adopt any other measures that enhance community resilience and help mitigate climate change impacts.

Constructing the proposed development as townhouses rather than single-detached dwellings poses many positive benefits with respect to reducing greenhouse gas emissions. This compact form of housing takes climate change into consideration and provides many efficiencies.

Further energy efficiencies will be explored through detailed design.

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

Section 3.1 outlines that infrastructure and public service facilities are to be provided in an efficient manner and strategically located while accommodating projected needs to provide cost-effectiveness.

As the proposed residential development is within a Secondary Plan Area the surrounding structure and services have been efficiently and cohesively planned in order to provide for an orderly development of these lands with coordinated and integrated services.

### **Transportation Systems (PPS 3.2)**

Section 3.2 policies of the PPS direct that transportation systems should be safe, energy-efficient, and facilitate the movement of people and goods, while supporting zero- and low-emission vehicles. Efficient use of existing and planned infrastructure should be prioritized, using transportation demand management strategies where feasible. Connectivity within and between transportation systems and modes should be planned, maintained, and improved, including across jurisdictional boundaries, as part of a multimodal transportation system.

A Transportation Impact Study was prepared by Associated Engineering that identified and prescribed transportation network improvements that will support the development of the Northwest Welland Secondary Plan Area. These improvements include widenings, signalization and the integration of additional public transit and active transportation elements.

The proposed development includes a private internal grid-like road network that will be integrated into the existing road network with access along Rice Road, as well as sidewalks throughout the site. A Transportation Impact Assessment was prepared by Paradigm Transportation Solutions Limited for the proposed development, that noted the improvements that were recommended through the Merritt Road/Rice Road Class EA are to be implemented to provide optimal service.

### **Sewage, Water and Stormwater (PPS 3.6)**

Section 3.6.1 outlines that planning for sewage and water services should prioritize accommodating forecasted growth by efficiently using and optimizing existing municipal and private communal systems. This approach ensures that services can be sustained by available water resources, remain financially viable over their lifecycle, and protect both human health and the natural environment, particularly water quality and quantity. The services should also align with broader municipal planning efforts.

Additionally, planning should encourage water and energy conservation, integrating servicing with land use considerations throughout the process, and assessing opportunities to reallocate unused capacity to support housing needs. All planning should be consistent with specific servicing policies to ensure effective and sustainable management of water and sewage services.

A Functional Servicing Report was prepared for the entire Northwest Welland Secondary Plan Area. It identified required upgrades to implement the proposed future developments. This includes upgrades to and extension of existing City of Welland Sanitary and Water services. These improvements will be front ended by developers whose cost's will be split through a Developers Group Cost Sharing Agreement.

It was determined that the existing municipal watermain system on Rice Road is to be upgraded from a 150mm diameter watermain to a 300mm diameter watermain to have sufficient capacity to provide both domestic and fire protection water supply. There will be a private water hydrant provided on site.

The existing municipal sanitary sewer system downstream of the site will have adequate capacity for the proposed residential development. The site will outlet to the existing Regional Sanitary Sewer on Rice Road, and will be serviced with a 200mm diameter sanitary sewer.

Section 3.6.8 suggests that stormwater management planning should be integrated with sewage and water services to ensure systems are optimized, retrofitted, and financially sustainable over their lifecycle. It aims to minimize or prevent increases in stormwater volume and contaminants, control erosion, and maintain water balance, using green infrastructure where possible.

Furthermore, planning should mitigate risks to health, safety, property, and the environment, maximize vegetative and permeable surfaces, and encourage best practices such as stormwater reuse, water conservation, and low-impact development. Finally, it must align with comprehensive municipal plans that address the cumulative impacts of stormwater on a watershed scale.

The adjacent site on the west of Rice Road has the same ownership and will include a new stormwater management facility for quality and quantity controls. The adjacent site will over control quantity so 450 Rice Road does not require on site quantity controls.

450 Rice Road will outlet to the Towpath Drain and quality controls will be provided to enhanced levels with a proposed oil/grit separator upstream of the outlet to the watercourse.



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

Section 3.9 directed that to promote healthy, active, and inclusive communities, planning should ensure that public streets and spaces are safe, accessible, and encourage social interaction and active transportation. It should also provide diverse recreational opportunities for people of all ages and abilities, including parks, trails, and natural areas, while offering public access to shorelines. Moreover, the protection of provincial parks and conservation areas should be recognized, with efforts to minimize any negative impacts on these protected spaces.

The proposed development includes a 0.669-hectare block that will be dedicated to the City for the protection of the Towpath Drain. Within this block is also a 3-metre multi-use trail that is to be used for recreation. As the proposed development is within a Secondary Plan Area, there is proposed parkland on the west side of Rice Road that is to be utilized as a neighbourhood park.

### **Natural Heritage (PPS 4.1)**

Sections 4.1.1 and 4.1.2 of the PPS outline that natural features and areas must be preserved for the long term, with a focus on maintaining or enhancing their diversity, connectivity, and ecological functions. Efforts should ensure that the biodiversity of natural heritage systems is sustained, restored, or improved where possible. This involves recognizing and preserving the connections between natural heritage areas, as well as between surface and groundwater features, to support the overall ecological health and balance of the region.

The evaluations of the Natural Heritage System under OPA 29 have refined the boundaries of natural features in the Northwest Welland Secondary Plan area. These features are further detailed through Environmental Impact Studies (EIS) related to the Towpath Drain's realignment and development proposals.

The EIS prepared by Beacon Environmental for the proposed development confirms the protection and enhancement of the Towpath Drain corridor. And as per Section 4.1.5, demonstrates that there will be no negative impacts on the natural features or their ecological functions.

### **Water (PPS 4.2)**

Planning authorities are responsible for protecting, improving, or restoring water quality and quantity by employing a watershed-based approach for integrated, long-term planning that accounts for the cumulative impacts of development. This includes minimizing potential negative impacts across jurisdictions and watersheds, identifying and maintaining water resource systems, and implementing restrictions on development to safeguard municipal drinking water supplies

and vulnerable areas. To add, they must focus on protecting and restoring vulnerable surface and groundwater and their hydrologic functions, promote efficient and sustainable water resource use through conservation practices, and consider environmental lake capacity when relevant.

The proposed development will be provided with adequate municipal services. The existing watermain will be upgraded to provide both domestic and fire protection water supply.

#### **Cultural Heritage and Archaeology (PPS 4.6)**

Section 4.6 of the PPS outlines that protected heritage properties, including built heritage resources and cultural heritage landscapes, must be conserved. Development and site alteration are not allowed on lands with archaeological resources unless these resources are preserved.

Similarly, development on adjacent lands is restricted if it impacts heritage attributes. Planning authorities are encouraged to create archaeological management plans and strategies for conserving significant heritage resources. They must also engage early with Indigenous communities to ensure their interests are considered in the protection and management of archaeological and heritage resources.

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.

A Stage 2 Archaeological Assessment was subsequently completed by Detritus Consulting Ltd. for the subject lands. This Assessment concluded that no further assessments are required for the subject land and Ministry Acknowledgement is forthcoming.

#### **Coordination (PPS 6.2)**

Section 6.2.1 details that a coordinated, integrated, and comprehensive approach is essential for effective planning across municipalities, government agencies, and service managers. This involves managing growth and development in alignment with infrastructure planning, public service facilities, and economic development strategies. It also includes the management of natural and cultural heritage, transportation, waste systems, and addressing housing needs.

Consistent with this policy direction, a pre-consultation meeting for the proposed development was held on May 16<sup>th</sup>, 2024. The pre-consultation meeting allowed for the upper and lower-tier municipalities and other commenting agencies to review and comment on the development proposal early in the process. This coordinated approach allows for appropriate consideration to

be made during the planning stage to ensure that potential areas of concern are suitably addressed.

## **NIAGARA OFFICIAL PLAN (2022)**

The Niagara Official Plan (NOP) was approved by the Minister of Municipal Affairs and Housing on November 4, 2022. It 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 one hundred and thirty-nine (139) 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 4**. The subject lands also have access to existing water and wastewater systems and are therefore an appropriate location to accommodate prescribed growth.

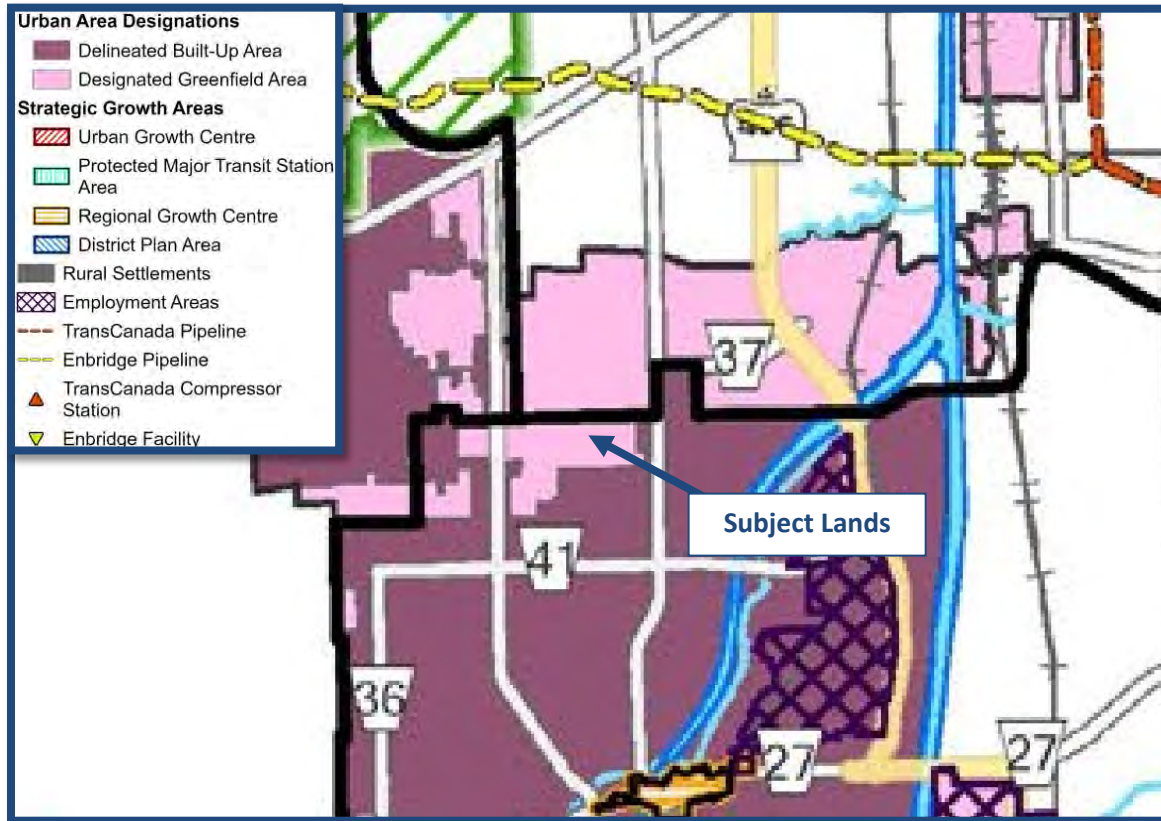


Figure 4 – Schedule 'B' of the Niagara Official Plan (Cropped)

The proposed development will contribute one hundred and thirty-nine (139) dwelling units, consisting of one hundred and three (103) block townhouses and thirty-six (36) back-to-back townhouses. The subject lands are a logical location for medium density residential development and can be serviced by existing public 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 subject lands will be conveniently located near complementary recreational and mixed uses, thus enhancing accessibility. By contributing to the mix of 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 two types of condominium townhouse dwellings. This integration of further housing options within the surrounding 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 condominium represents a compact and efficient development that provides for the efficient use of land and infrastructure. The condominium will be supported by existing and proposed upgraded municipal and Regional infrastructure that is available in Rice Road. The provision of additional housing units will help to optimize the efficient use of the existing 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. 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 lands that are currently underutilized, surrounded mainly by other underutilized lands that are proposed for development, primarily residential uses, thus making for a practical use of existing land to intensify.

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 is in the centre of a Secondary Plan Area that was recently approved and as such, the character of the area will change. The proposed residential development will introduce a condominium of block and back-to-back townhouses into the area. As this area is considered a developing area, the proposed residential uses are appropriate and compatible, accommodating for the projected growth in the area, while generally maintaining the character of the adjacent residential areas.

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.

**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 94.081 people and jobs per hectare is achieved, as calculated in **Table 1**.

<b>Table 1 – Greenfield Density Calculation</b>						
<i>People</i>				<i>Jobs</i>		
<b>Unit Type</b>	<b>Unit Count</b>	<b>Ratio (PPU)<sup>1</sup></b>	<b>Total</b>	<b>Unit Count</b>	<b>Ratio (at home employment)</b>	<b>Total</b>

<sup>1</sup> Niagara Region Development Charges Background Study (2022), Schedule 3

<b>Block Townhouses</b>	103	2.189	225.467 people	139	5% of dwellings	6.95 jobs
<b>Back-to-Back Townhouses</b>	36	2.189	78.804 people			
<b>Subtotal</b>	304.271 people			6.95 jobs		
<b>Total</b>	311.221 people and jobs					
<b>Land Area</b>	3.308 ha (exclusive of the road widening & environmental area)					
<b>Greenfield Density</b>	<b>94.081 people and jobs per hectare</b>					
* Niagara Region Development Charges Background Study, Appendix A Schedules 5 & 9a (Watson & Associates Economists Ltd., May 30, 2022)						

The 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. Nonetheless, 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 mixed uses, low and medium density residential. This density is provided by way of condominium townhouse units including both block townhouses and back-to-back townhouses.

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.

The proposed development is within the Designated Greenfield Area, and will occur contiguous to the Built-up Area that is to the south. The proposed development is part of the greater planned Secondary Plan Area known as the Northwest Welland Secondary Plan. Since the Plan was approved, the subject lands are one of the first parcels to proceed with a planning application. 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. Nonetheless, infrastructure capacity is available, as detailed in the Functional Servicing Report prepared by Upper Canada Consultants. All-in-all, this development will utilize underutilized infrastructure within the area.

There are sidewalks throughout the condominium along one side of the private road network. 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. This will significantly improve connectivity and the ability to increase the use of active transportation.

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 Vacant Land Condominium will provide block and back-to-back townhouse dwelling 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 2.2.3.3.1 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), an Environmental Impact Study was prepared to demonstrate that there will be no negative impact on the features or their ecological functions. It further demonstrated how the development can be located, designed and constructed to maintain and enhance the ecological functions of the natural heritage corridor. Lastly, a southerly branch of the watercourse is identified previously as a Headwater Drainage Feature was determined to not be present in the field as referenced in the EIS. The Towpath Drain corridor is designated Environmental Conservation on Schedule G of the Secondary Plan, and is proposed to be zoned Environmental Conservation Area.

## **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 centre of the Northwest Welland Secondary Plan Area; a Plan was prepared for this new Designated Greenfield Area within the Urban Area Expansion 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 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 greenfield density target of 50 people and jobs per hectare, and increasing the housing supply with built forms such as two varieties of townhouses contributes to providing 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 Towpath Drain that traverses the northern portion of the subject lands. The Towpath Drain and surrounding lands will be designated Environmental Conservation and dedicated to the City upon the registration of the Condominium. The lands are provided with municipal services and will include sidewalks on one side of the private, 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.

In conclusion, the proposed condominium aligns with the stipulations 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 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 Mixed Use, Medium Density Residential, Low Density Residential and Environmental Conservation Area. It is proposed that the designations be amended to Medium Density Residential and Environmental Conservation Area. The in-effect Official Plan designation is shown in **Figure 5**, and the Official Plan Amendment Schedule 'A' is shown on **Figure 6**.

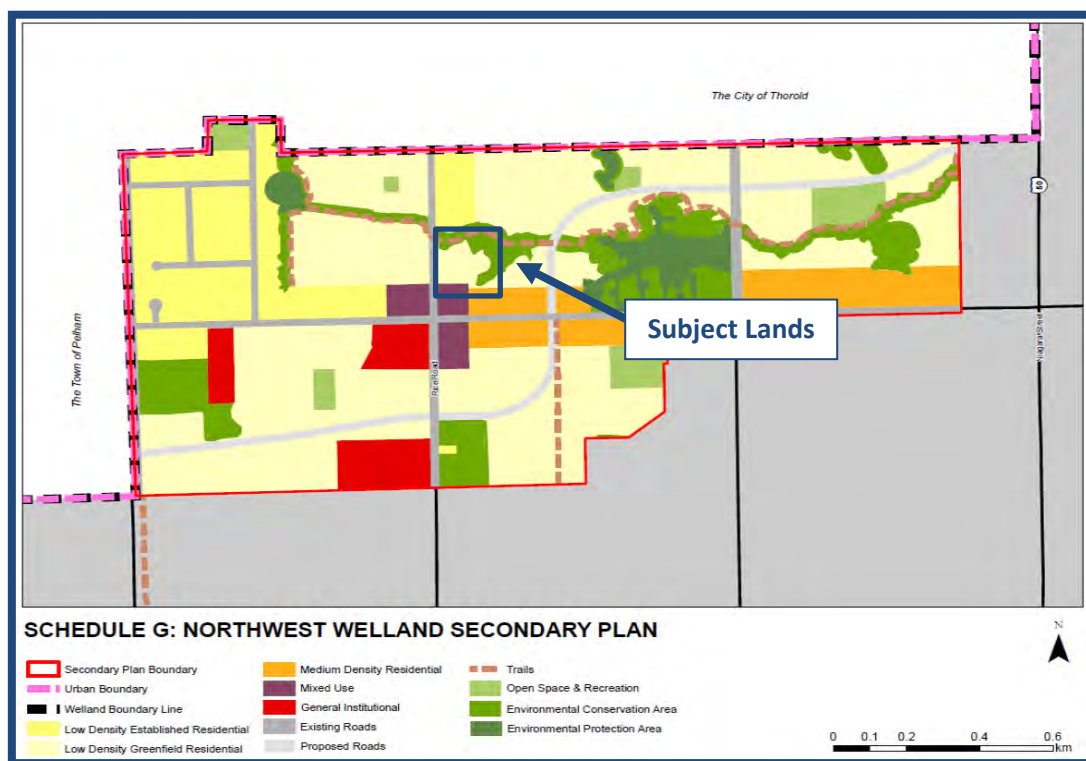


Figure 5 - Northwest Welland Secondary Plan - Schedule G of the City of Welland Official Plan

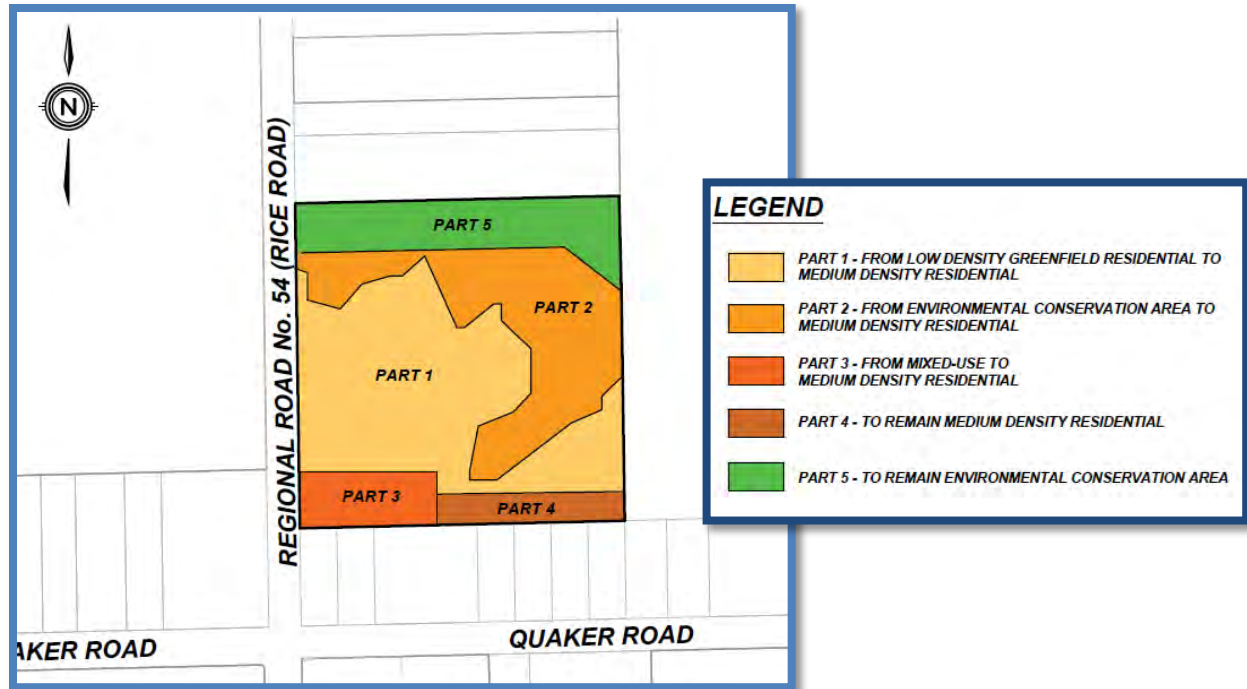


Figure 6 – Official Plan Amendment Schedule ‘A’

## 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, one hundred and thirty-nine (139) new residential units will be added into the area. These new housing opportunities will be provided as two dwelling forms that include block townhouse dwellings and back-to-back townhouse dwellings.

The proposed development will increase the available housing supply and contribute to a full range of housing forms, densities and tenures. The proposed increase in housing diversity can contribute to greater housing attainability and better affordability within the market.

The proposed development will benefit from proximity to nearby municipal parks and open spaces created through the Northwest Welland Secondary Plan. The subject lands are also directly adjacent to lands designated Mixed Use.

Therefore, 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. 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. The lands within the Plan area are designated for low- and medium- density residential uses development.

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.

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 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 2.1 of the Niagara Official Plan, the City of Welland has a forecasted population of 83,000 people and 28,790 jobs by the year 2051.

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. To achieve this target, 27,590 total housing units are required to be constructed within the City by 2031. Of these units that are projected to be constructed, 3,210 of them are to be medium density dwelling forms.

To accommodate this growth, a mix of dwelling forms are required. As such, the development of the subject lands includes two types of townhouse dwelling units under condominium tenureship. 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 94.081 people and jobs per hectare.

The proposed compact development with two types of built forms adheres to the density target of the Greenfield area and noted above 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 block and back-to-back townhouses are appropriate as they provide additional variety and tenure forms into the 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 underutilized urban lands.

As the proposed development is within a Greenfield Area, 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 open spaces.

#### 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 subject lands are proposed to be designated Medium Density Residential within the Northwest Welland Secondary Plan Area of the City of Welland Official Plan. The northern portion of the land are proposed remain designated Environmental Conservation Area.

#### *Section 4.2.2.3 – Medium Density Residential*

As per Section 4.2.2.3, the Medium Density Residential designation permits residential development within a density range of 25 to 60 dwelling units per net hectare of land. The permitted housing forms include triplexes, four-plexes, townhouses, stacked townhouses, and low-rise apartment housing.

The proposed residential development includes block townhouses and back-to-back townhouses, with a density of 41.83 units per hectare. The 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 impacts of garages. There will also be an internal sidewalk system providing connectivity to Rice Road and the proposed multi-use trail.

All-in-all, this development is appropriate for the Medium Density Residential land use designation.

### 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 94.081 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 townhouse-built forms will integrate with the proposed surrounding residential and 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.

## **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. Through this Draft Plan of Vacant Land Condominium application, cash-in-lieu of parkland will be paid to be utilized to provide adequate open space for these Secondary Plan area lands. A future park is proposed west of the side fronting on Rice Road.

The northern portion of the subject lands that contains the Towpath Drain will include a 3-metre-wide multi-use path that is a portion of a larger planned trail network. This trail will also connect to the proposed parkland on the west side of Rice Road adjacent to the subject lands.

### **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 access from the public realm. 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.

### **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 in Northwest Welland to evolve 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 existing vacant land 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 Medium Density Residential and Environmental Conservation to reflect the alignment of the Towpath Drain.

It is noted that a portion of the site is to be redesignated from Low Density Greenfield Residential to Medium Density Residential since the proposed density is higher than what is permitted in the Low-Density Greenfield Residential areas. It is acknowledged though that townhouses are permitted in the Low-Density Greenfield Residential Areas.

A portion of the lands are to be redesignated from Environmental Conservation Area to Medium Density Residential to coincide with the realignment of the Towpath Drain and the elimination of a Headwater Feature that is not present on the site in accordance with the findings of the EIS.

Finally, a smaller portion of the site is proposed to be redesignated from Mixed Use to Medium Density to align with the property line of the lands and the small portion of the lands will remain as Medium Density Residential. Overall, the developable portion of the lands will all be Medium Density Residential and that portion impacted by the realigned Towpath Drain will be

designated Environmental Conservation providing for a consistent and comprehensive development plan for 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.

#### Medium Density Residential

The intention of the Medium Density Residential designation is to provide residential development at increased densities to support walkability, transit and active transportation, as well as the viability of the future mixed-use node located at Quaker Road and Rice Road.

The majority of the Medium Density policies are in alignment with the Official Plan Section 4.2.2.3, and have been defined above.

With respect to the scale of development, the highest densities within this designation are encouraged to be developed adjacent to the Mixed-Use Designation area at Quaker Road and Rice Road. The subject lands are located directly north of a Mixed-Use parcel of land, as such, this is an appropriate designation for the subject lands.

#### Parks, Open Space and Recreation

Within Northwest Welland, lands designated as Parks, Open Space and 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 condominium site does not include a parkette or neighbourhood park, however, it does include a 3-metre-wide multi-use trail that is to be contiguous to the neighbouring lands to further integrate the community within an active transportation network and provide 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;

- 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 condominium that will connect to the trail network along the Towpath Drain, and future multi-use trail along Rice Road which will link to Quaker Road. Therefore, the proposed condominium 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.

#### Transportation

A Transportation Impact Analysis 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 for both active transportation and traffic. Improvements are anticipated with respect to capacity, active transportation and transit.



For the proposed development it was concluded that full-build out will result in minor increases in the surrounding area intersection traffic volumes under peak conditions, which will not pose any concerns.

Further, it was concluded that the Region is to optimize the traffic signal timings at the intersection of Rice Road with Highway 20 and Woodlawn Road as an interim solution until the Merritt Road/Rice Road Class EA improvements are implemented, as deficiencies currently exist at this intersect and are projected to further degrade as a result of future growth.

### Infrastructure and Utilities

An initial Functional Servicing Report was completed for the entirety of the NWSP are 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 Functional Servicing Report concludes that the existing municipal watermain system on Rice Road is to be upgraded from a 150mm diameter watermain to a 300mm diameter watermain to have sufficient capacity to provide both domestic and fire protection water supply. There will be a private water hydrant provided on site.

The existing municipal sanitary sewer system downstream of the site will have adequate capacity for the proposed residential development. The site will outlet to the existing Regional Sanitary Sewer on Rice Road, and will be serviced with a 200mm diameter sanitary sewer.

The adjacent site on the west of Rice Road has the same ownership and will include a new stormwater management facility for quality and quantity controls. The adjacent site will over control quantity so 450 Rice Road does not require on site quantity controls.

450 Rice Road will outlet to the Towpath Drain and quality controls will be provided to enhanced levels with a proposed oil/grit separator upstream of the outlet to the watercourse.

## 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 7**, the subject lands are zoned Agricultural.

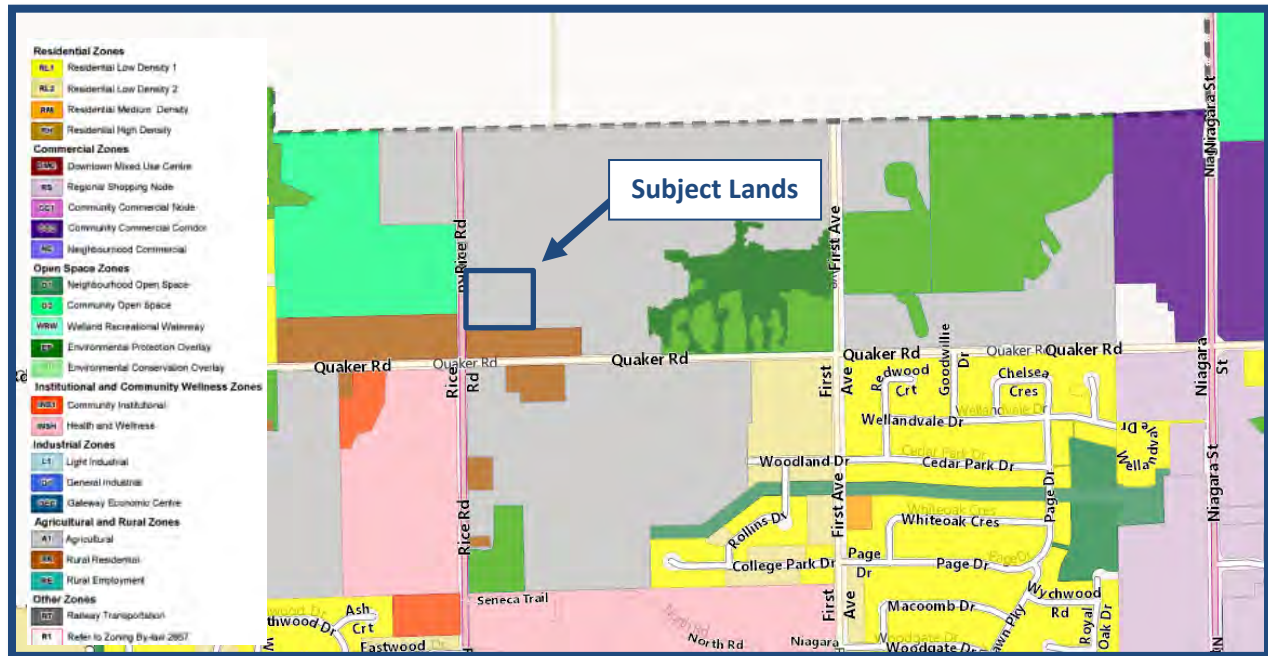


Figure 7 - In-effect Zoning within NWSP Area

To establish conformity with the Northwest Welland Secondary Plan and the proposed Official Plan designation, an amendment to the current zoning is proposed. **Figure 8** illustrates the proposed Zoning By-law Amendment, proposing to zone the lands site-specific Residential Medium Density and Environmental Conservation. These zones are tailored to the subject lands and the proposed condominium, as well as provides alignment for the implementation of the Secondary Plan policies.

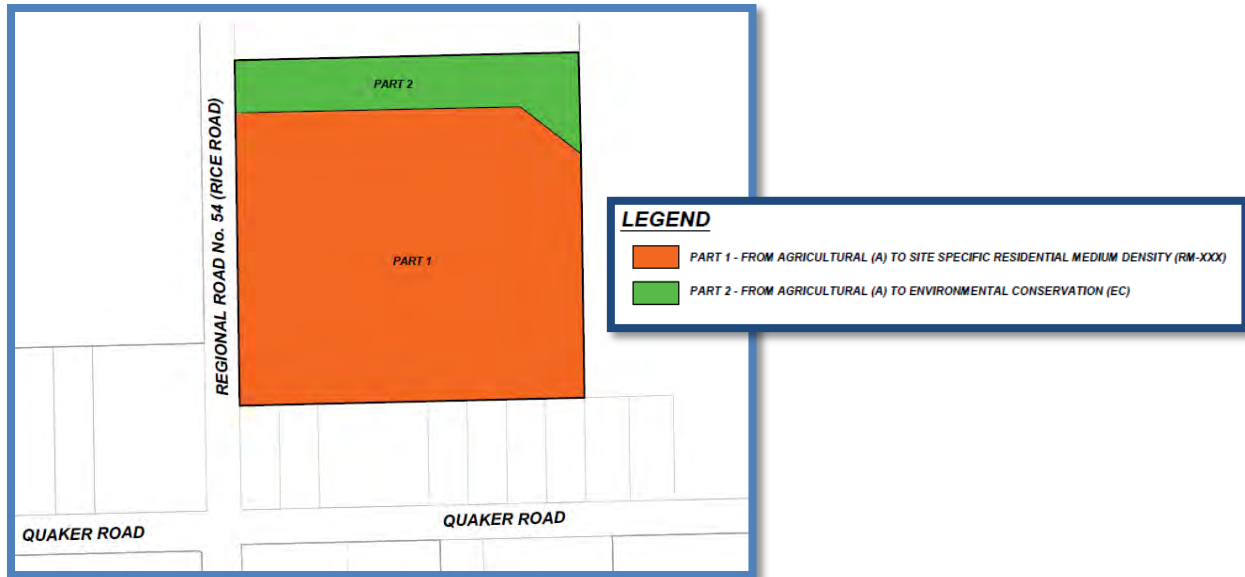


Figure 8 – Zoning By-law Amendment Schedule ‘A’

### Residential Medium-Density Zone (RM-XX)

The Residential Medium-Density Zone is intended to pertain to residential lands that are adjacent to the existing primary road network including Rice Road, Quaker Road, Clare Avenue and First Avenue. Given the proximity to Rice Road, which is a higher-order roadway, the subject lands are ideal for medium density development as they have desirable access to servicing and have greater opportunities for higher density development and high-quality urban design. Permitted residential land uses within this Zone include single-detached, semi-detached, two-unit, townhouse and apartment dwellings. Site-specific permissions are requested for the block townhouse dwellings and back-to-back townhouse dwellings as shown in **Table 2**.

### Environmental Conservation Zone (EC-XX)

The Environmental Conservation Zone is proposed to be applied to natural heritage features that do not fall within the Environmental Protection Zone, that are subject to the Environmental Conservation Area Policies of the City and Niagara Official Plans. As concluded within the EIS, the Towpath Drain lands are classified as Environmental Conservation, and as such, this zoning is proposed.

The site-specific provisions that are required to facilitate the preferred development-built form are outlined below in **Table 2**. Though the current zoning is Agricultural, Table 2 illustrates the appropriate zoning provisions per By-law 2017-117 for the proposed land use and built-form.

There are minor changes with respect to the block townhouse zoning, including minimum front yard to dwelling distance and to decrease the parking space dimension requirement. The back-to-back townhouses are considered 'multiple dwellings', rather than being provided with a standalone definition, and a site-specific request has been made for the minimum front yard requirement as well accommodate the proposed dwelling type.

Table 2 Section 7.3: Regulations for Residential Zones Residential Medium Density			
Provisions (Block Townhouses)	By law 2017 117	Provided	Proposed
Minimum Lot Area	N/A	N/A	N/A
Minimum Lot Frontage	30 m	171.02 m	No Change
Minimum Front Yard	To Dwelling – 4.5 m To Garage – 6.0 m	4.55 m 6.0 m	<b>3.0 m</b> No Change to Garage
Minimum Interior Side Yard	Between Townhouse Blocks 1.0 m Between Dwellings 0.0 m	3.0 m 0 m	No Change No Change
Minimum Exterior Side Yard	1 m	N/A	N/A
Minimum Rear Yard	6 m	6.01 m	No Change
Maximum Building Height	11 m (3-storeys)	2-storeys	No Change
Maximum Lot Coverage	55%	32.77%	No Change
Minimum Landscaped Area	20%	38.15%	No Change
Provisions (Multiple Dwelling)	By law 2017 117	Provided	Proposed
Minimum Lot Area	N/A	N/A	N/A
Minimum Lot Frontage	15 m	171.02 m	No Change
Minimum Front Yard	4.5 m	7.23 m	<b>3.0 m</b>
Minimum Interior Side Yard	3.0 m	48.04 m	No Change
Minimum Exterior Side Yard	4.0 m	N/A	No Change
Minimum Rear Yard	7.5 m	45.64 m	No Change
Maximum Building Height	20.0 m (6-storeys)	3-storeys	No Change
Maximum Lot Coverage	55%	32.77%	No Change
Minimum Landscaped Area	20%	38.15%	No Change

<b>Section 5: General Provisions</b>	
<b>Vacant Land and Common Element Condominiums Section 5.6.2 a)iii)</b>	<b>Proposed</b>
Each dwelling unit shall have an unobstructed access at grade or ground floor level, having a minimum width of 1.0 metres, from the front yard to the rear yard of the lot either by: 1. Direct access on the lot without passing through any portion of the dwelling units; or 2. Direct access through the dwelling unit without passing through a living or family room, dining room, kitchen, bathroom, bedroom or recreation room or any hallway that is not separated by a door to any such room; or 3. Access over adjacent lands that, if the lands are not owned by the City or the Region of Niagara, are secured by an easement or are a common element of the Condominium	<b>Delete</b>
<b>Encroachments: Permitted Yard, Setback and Height Encroachments Section 5.10.5.a) &amp; d)</b>	<b>Proposed</b>
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	No Change
Decks may project into any required front or exterior side yard a distance of not more than 1.5 metres provided said structure is not higher than 4.0 metres from grade	No Change
<b>Section 6: Parking and Loading Regulations</b>	
<b>Parking Space Dimension Section 6.1.6.b)</b>	<b>Proposed</b>
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	<b>Delete</b>
<b>Required Parking Table 6.4.1 &amp; Table 6.7.1</b>	<b>Proposed</b>
Required Parking (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)	<b>Delete</b>

## 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 Vacant Land Condominium for lands known as 450 Rice Road. The applications have been submitted to facilitate the development of the lands to create one hundred and three (103) block townhouses and thirty-nine (39) back-to-back townhouses, yielding a total of one hundred and thirty-nine (139) dwelling units. These proposed townhouse units are proposed under condominium tenureship.

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 Medium Density Residential and Environmental Conservation Area, and zoned as site-specific Residential Medium Density and Environmental Conservation.

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,



Chelsea Liotta  
Planning Coordinator  
Upper Canada Consultants

Reviewed by,



William Heikoop, B.U.R.Pl., MCIP, RPP  
Planning Manager  
Upper Canada Consultants

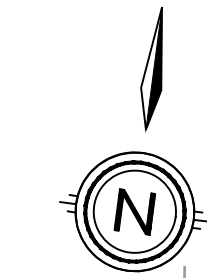
**Appendix I**  
**Draft Plan of Vacant Land Condominium**

---

---



# 450 RICE ROAD CITY OF WELLAND



UNIT No.	UNIT AREA SQ. M	EXCL. USE AREA SQ. M	UNIT No.	UNIT AREA SQ. M	EXCL. USE AREA SQ. M
1	340.02	4.57	70	155.16	4.57
2	191.97	4.57	71	195.93	4.57
3	191.91	4.57	72	195.87	4.57
4	191.85	4.57	73	155.15	4.57
5	191.78	4.57	74	155.14	4.57
6	241.61	4.57	75	178.96	4.56
7	242.64	4.57	76	196.62	4.57
8	191.56	4.57	77	155.20	4.57
9	191.50	4.57	78	154.97	4.57
10	191.44	4.57	79	155.10	4.57
11	191.37	4.57	80	195.84	4.57
12	241.56	4.57	81	195.70	4.57
13	241.65	4.57	82	155.22	4.57
14	191.15	4.57	83	154.99	4.57
15	191.09	4.57	84	154.83	4.57
16	191.02	4.57	85	195.09	4.57
17	190.96	4.57	86	196.91	9.12
18	241.04	4.57	87	156.29	9.12
19	240.94	4.57	88	156.20	9.12
20	190.74	4.57	89	156.40	9.12
21	190.67	4.57	90	197.48	9.12
22	190.61	4.57	91	197.46	9.12
23	329.68	4.57	92	156.40	9.12
24	213.58	9.15	93	156.40	9.12
25	159.37	9.15	94	156.30	9.12
26	159.05	9.15	95	198.39	9.12
27	200.37	9.15	96	180.49	9.16
28	199.86	9.15	97	156.41	9.12
29	157.91	9.15	98	156.41	9.12
30	157.80	9.15	99	197.45	9.12
31	157.57	9.15	100	197.57	9.12
32	156.95	9.15	101	156.42	9.12
33	197.73	9.15	102	156.31	9.12
34	197.22	9.15	103	196.98	9.12
35	155.82	9.15	104	99.04	9.20
36	155.50	9.15	105	81.43	9.20
37	155.18	9.15	106	81.43	9.20
38	154.86	9.15	107	105.39	9.20
39	195.09	9.15	108	105.41	9.20
40	194.57	9.15	109	81.43	9.20
41	153.73	9.15	110	81.43	9.20
42	153.41	9.15	111	86.33	9.20
43	153.09	9.15	112	98.81	9.20
44	210.63	9.15	113	117.65	9.20
45	274.09	9.15	114	81.46	9.20
46	143.93	9.15	115	81.47	9.20
47	143.96	9.15	116	165.43	9.20
48	143.89	9.15	117	105.46	9.20
49	181.71	9.15	118	81.49	9.20
50	181.66	9.15	119	81.50	9.20
51	143.96	9.15	120	86.37	9.20
52	143.91	9.15	121	117.19	9.20
53	143.92	9.15	122	117.24	9.20
54	143.92	9.15	123	86.37	9.20
55	181.75	9.15	124	81.51	9.20
56	181.75	9.15	125	81.51	9.20
57	143.94	9.15	126	105.50	9.20
58	143.95	9.15	127	105.48	9.20
59	143.95	9.15	128	81.51	9.20
60	143.86	9.15	129	81.51	9.20
61	181.97	9.15	130	117.74	9.20
62	181.69	9.15	131	96.37	9.18
63	144.07	9.15	132	86.30	9.20
64	143.98	9.15	133	81.44	9.20
65	143.98	9.15	134	81.44	9.20
66	143.89	9.15	135	105.38	9.20
67	301.58	9.15	136	105.39	9.20
68	195.38	4.57	137	81.44	9.20
69	155.06	4.57	138	81.44	9.20
TOT UN AREA	22034.67		139	99.04	9.20
TOT EXCL USE	1085.34				
TOT LANDSCAPE	10101.71				
TOT LOT AREA	32227.72				

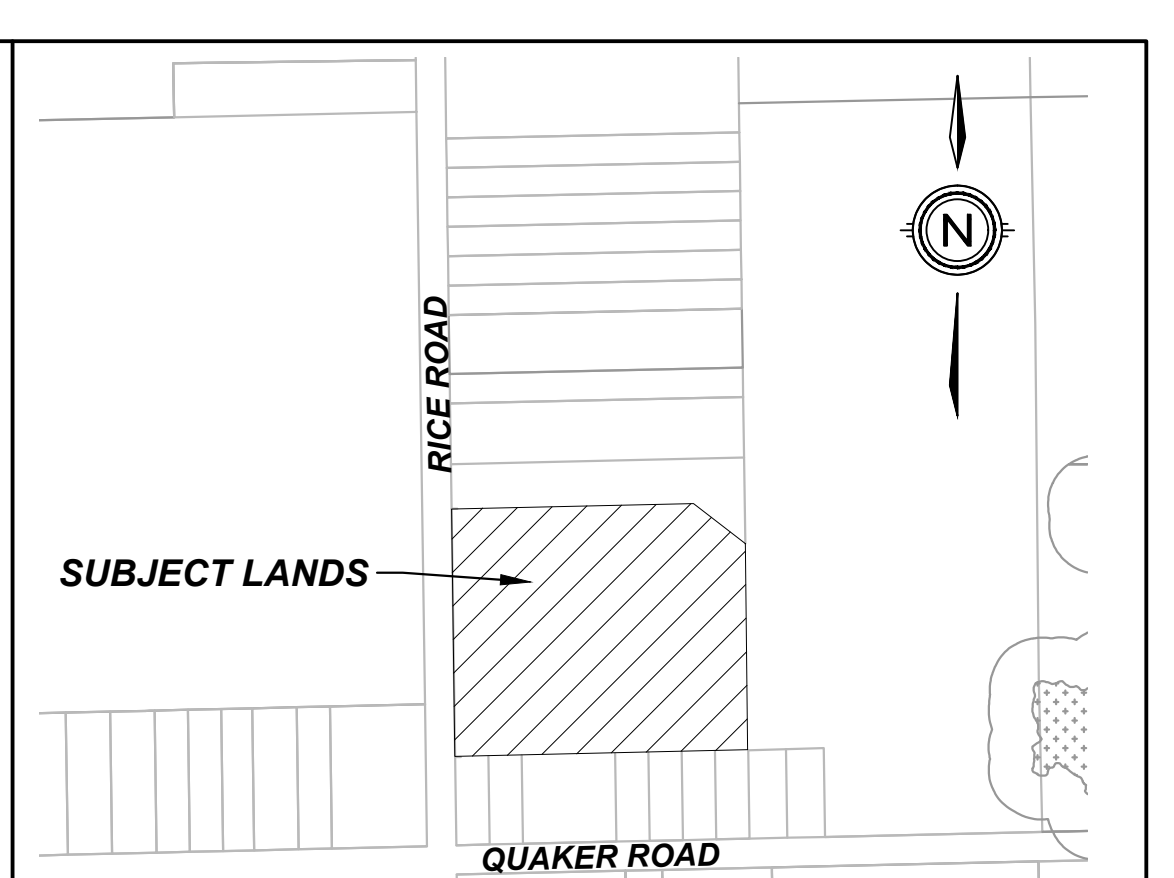
DRAWING FILE: F:\2201\Engineering\2201-BASE.dwg PLOTTED: Oct 30, 2024 - 10:32am PLOTTED BY: TALEN

(FUTURE RESIDENTIAL)

REGIONAL ROAD 54 (RICE ROAD)

NO0'49'50"W  
117.039m

NO0'49'50"W  
141.97m



**KEY PLAN**  
N.T.S.

**LEGAL DESCRIPTION**  
PART OF TOWNSHIP LOT 174  
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.

*[Signature]* OCTOBER 8, 2024  
DATE

**SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT THE BOUNDARIES OF  
THE LANDS TO BE SUBDIVIDED ARE  
CORRECTLY SHOWN.

*[Signature]* OCT. 10, 2024  
J.D. BARNES LIMITED DASHA PAGE, O.S. DATE  
21-16-353

**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

**SITE STATISTICS**

AREA	ha	% COVERAGE
BUILDING (139 UNITS)	1.262	38.15
ROADWAY/PARKING	0.962	29.08
LANDSCAPE	1.084	32.77
TOTAL	3.308	100.00
DENSITY		42.01 un/ha

#	ISSUED FOR REVIEW	DATE	INIT
0	ISSUED FOR REVIEW	2024-10-30	TA
	REVISION		

**UPPER CANADA  
CONSULTANTS**  
ENGINEERS / PLANNERS

DRAWING TITLE: **DRAFT PLAN OF  
VACANT LAND  
CONDOMINIUM**

DRAFTING: TA  
DATE: OCTOBER 30, 2024  
PRINTED: OCTOBER 30, 2024  
SCALE: 1:400  
DWG No.: **2201-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: 450 Rice Road Approximate Land Area (metric): 4.05 ha

Site Legal Description: PT TWP LOT 174

### 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: wheikoop@ucc.com

### Application Type:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Regional Official Plan Amendment         | <input checked="" 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 type="checkbox"/> Draft Plan of Subdivision                | <input type="checkbox"/> Conversion                           |   |
| <input type="checkbox"/> Consent (Land Severance)                 | <input type="checkbox"/> Other                                |   |
| <input checked="" 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 condominium development with 139 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: Mixed Use, Medium Density Residential, Low Density Residential 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 + \$136 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	\$17,321			
Consent				
Site Plan Agreement	\$9,390			
Other		\$2,060 – SWM Review \$535 – EIS terms of reference \$2,700 – Major EIS Review \$290 – Minor Urban Design		
<b>TOTAL</b>				

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 Vacant Land Condominium, and Site Plan Control to be submitted.
- How the lands are to be organized to be discussed, and for lands to be dedicated to the City, potential for draft plan of subdivision first to dedicate any required lands prior to condominium application.

### Engineering Division

- A storm water management report is required, demonstrating that stormwater flows can be controlled from 5-year post to 2-year pre-development levels and 100-year post to 100-year pre-development levels, and treated to an enhanced level of protection (80% TSS removal) per ETV criteria.
- 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.
- Full SPA drawings including Site Plan, Site service, Site Grading, Landscaping, 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.

### Building Division

- Planning approvals/agreements required 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)
- For Building Permit submission requirements, contact Building Division regarding Application Forms, design requirements and fees [erwin.pasigan@welland.ca](mailto:erwin.pasigan@welland.ca) or [brian.mykytuik@welland.ca](mailto:brian.mykytuik@welland.ca) Building Services Technicians
- Demolition Permit required to remove existing buildings on site.
- Separate Site Servicing Permit (underground water, sanitary, storm) will be required
- 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
- Confirm stormwater management/grading approvals and capacity of existing infrastructure through Engineering Division.
- Site servicing within the road allowance must be approved by the City with the issuance of a Site Servicing Road Occupancy Permit (ROP) and Region approvals for sanitary sewer connections.
- Obtain consent from the City of Welland Engineering Division for the connection to the potable water system supplied with water from the drinking water system in accordance with Sentence 7.6.2.1 (2) Division B of the 2012 Ontario Building Code, and;
- Obtain approval from the City of Welland Engineering Division for the connection of the Sanitary drainage system to the Public Sanitary Sewer including the connection of the Storm drainage system to the public storm sewage works in accordance with Sentences 7.1.5.1 (2), 7.1.5.2 (2) Div. B. (Required prior to Building Permit issuance)

- 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
- Further technical comments will be provided through Site Plan circulation phase. Ontario Building Code Matrix is to be provided on the Site Plan Drawing indicating use and building classification(s), building area, number of stories, type of construction, occupant load, presence of firewalls, number of residential units, designation of fire access route, location of nearest fire hydrants, spatial separation etc.

### **Traffic Division**

- Recommends that no light trespasses on the future adjoining properties

### **Parks Division**

- It appears the attached site plan application is consistent with the approved Northwest Secondary Plan and supports a connection for the City's Approved Community Trail Strategy
- Consistency will be reviewed throughout the planning process.

### **Fire Division**

- Future site plan submissions to show location of fire access, width and dimensioning, and how it is to be access (e.g. fence, chain, laneway, key access etc).
- Additional hydrants will be required, details to be assessed at future planning applications.

### **Welland Hydro**

- Comments

### **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 Block 2, on the provided Site Plan, is 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 2 is 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 Block 2 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 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.
  - o 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 Condo:
      - Less than 100 lots - \$4,746.
      - More than 100 lots - \$7,684.
    - Site Plan Control: Multiple Residential - \$9,040.
- 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.

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 (See Notes for additional details)	No. of Copies		Notes
				Elect Digital	Paper	
X	X		Planning Justification Report			*See Regional notes for their timing
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			*See Regional notes for their timing
	X		Archaeology Assessment			*See Regional notes for their timing
			Cultural Heritage Impact Assessment*			
	X		Environmental Impact Study			*See Regional notes for their timing
			Environmental Planning Study/ Sub-Watershed Study			
			Tree Inventory Preservation Plan			
			Floodplain and Hazard Lands Boundary Plan			
X			Geotechnical			
			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			*See Regional notes for their timing
			Phasing Plan			
			Sensitive Land Use Report			
			Slope Stability Report			
X	X	X	Stormwater Management Plan			*See Regional notes for their timing
	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 comments

**Notes:**

1. The purpose of this document is to identify the information required to commence processing and evaluating an application as set out in the Planning Act. This pre-consultation process is designed to proceed based on the mutual agreement of the parties as shown by the signatures below.
2. Pre-consultation does not imply or suggest any decision whatsoever on behalf of staff or the City to either support or refuse the application.
3. The applicant should be aware that the information provided is accurate as of the date of the preconsultation meeting. Should an application not be submitted in the near future, and should other policies, by-laws or procedures be approved by the Province, City, Region or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect at the time of the submission of a formal application. If an application is not submitted within 1 year, it is advisable that the applicant confirm with the City the directives of the original preconsultation meeting.
4. Any application submitted without the information identified in this Pre-consultation Document will be deemed incomplete and not processed. Alternately, staff may recommend refusal of the application based upon insufficient information to properly evaluate the application.
5. The applicant acknowledges that the City and Region considers the application forms and all supporting materials including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents and hereby confirms that the consent of the authors of all supporting reports have been obtained, to permit the City and Region to release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.
6. It is hereby understood that during the review of the application additional studies or information may be required as a result of issues arising during the processing of the application or the review of the submitted studies.
7. If the City or Region does not have sufficient expertise to review and determine that a study is acceptable, the City may require a peer review. The cost of the peer review shall be paid for by the applicant. The Terms of Reference for a peer review is determined by the City or Region.
8. Some studies may require NPCA review and clearance/approval. In this instance, the NPCA review fee shall be paid by the applicant.
9. All plans and statistics must be submitted in metric.

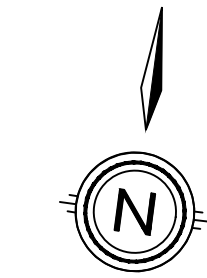
**Signatures:**

<u>Taylor Meadows</u>		
<u>Planning Staff</u>	<u>Infrastructure &amp; Dev. Services (sig)</u>	<u>Date</u>
<u>Caitlin Kovacs</u>		
<u>Planning Staff</u>	<u>Infrastructure &amp; Dev. Services (sig)</u>	<u>Date</u>
<u>Joe Thompson</u>		
<u>Infrastructure Svc. Staff</u>	<u>Infrastructure &amp; Dev. Services (sig)</u>	<u>Date</u>
<u>-----</u>		
<u>Infrastructure Svc. Staff</u>	<u>Infrastructure &amp; Dev. Services (sig)</u>	<u>Date</u>
<u>Jennifer McRae</u>		
<u>Building Staff</u>	<u>Infrastructure &amp; Dev. Services (sig)</u>	<u>Date</u>
<u>Fatmagul Burucu</u>		

Building Staff <u>Ali Khan</u>	Infrastructure & Dev. Services (sig)	Date
Traffic, By-laws & Parking <u>Tanya Korolow</u>	Traffic, By-laws & Parking (sig)	Date
Fire Services <u>Connor Wilson</u>	Fire & Emergency Services (sig)	Date
Regional Staff <u>Maged Elmadhoon</u>	Regional Staff (signature)	Date
Regional Staff <u>Meghan Birbeck</u>	Regional Staff (signature)	Date
NPCA Staff <u>William Heikoop</u>	NPCA Staff (signature)	Date
Agent <u>Jillian Richards</u>	Agent (signature)	Date
Owner <u>Tanya Hill - SNGR</u>	Owner (signature)	Date
Other <u>Zachery Sherwood - WHESC</u>	Other (signature)	Date
Other <u>Abby Lee - MCFN</u>	Other (signature)	Date
----- <u>Other</u>	Other (signature)	Date
----- <u>Other</u>	Other (signature)	Date
----- <u>Other</u>	Other (signature)	Date

# 450 RICE ROAD CITY OF WELLAND

201.22m  
N88°39'30"E

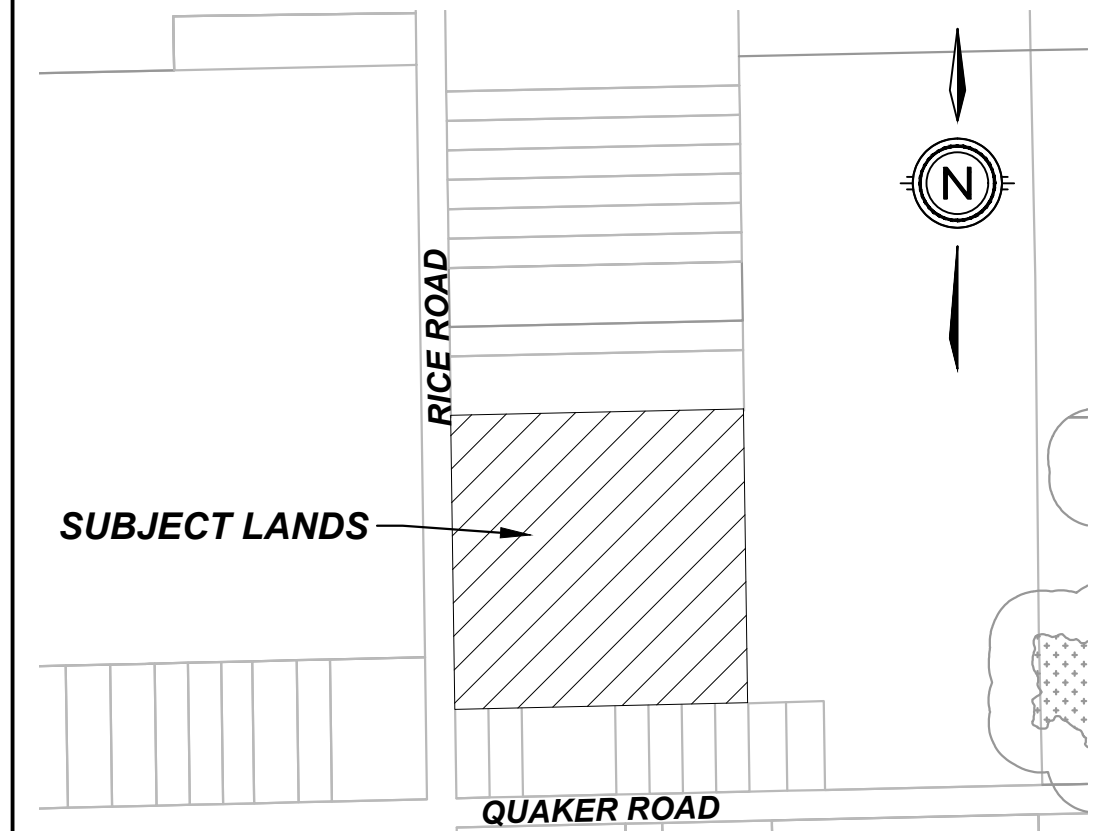


REGIONAL ROAD 54 (RICE ROAD)

201.02m  
N00°49'50"W

201.02m  
N00°49'50"W

N88°39'30"E  
201.22m



**KEY PLAN**  
N.T.S.

## LEGAL DESCRIPTION

PART OF TOWNSHIP LOT 174  
GEOGRAPHIC TOWNSHIP OF THOROLD  
NOW IN THE CITY OF WELLAND  
REGIONAL MUNICIPALITY OF NIAGARA

## LAND USE SCHEDULE

AREA	ha	% COVERAGE
BUILDING (139 UNITS)	1.262	37.98
ROADWAY/PARKING	0.962	28.95
LANDSCAPE	1.099	33.07
<b>TOTAL</b>	<b>3.323</b>	<b>100.00</b>
DENSITY		41.83 un/ha

**PARKING REQUIREMENTS**  
1 SPACE PER UNIT = 139 x 1 = 139 SPACES  
PROVIDED  
139 DRIVEWAY SPACES + 54 SURFACE = 193 SPACES

#	ISSUED FOR REVIEW	2024-04-15	TA
0	REVISION	DATE	INIT



<b>SITE PLAN OPTION A</b>	DRAWING TITLE	DRAFTING	TA
		DATE	APRIL 15, 2024
		PRINTED	APRIL 15, 2024
		SCALE	1:400
	DWG No.	2201-SP-OPA	REV
			0

PRELIMINARY

**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 B to facilitate the development of a condominium residential development, and protect an environmental conservation area.

**LOCATION**

The lands subject to this Amendment are located on the east side of Rice Road (Regional Road No. 54), north of Quaker Road, and are know municipally as 450 Rice Road. The lands are legally described as Part of Township Lot 174, 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 Mixed Use, Medium Density Residential, Low Density Residential, and Environmental Conservation Area. A proposal has been put forth to designate the lands for Medium Density Residential and maintain a portion of the Environmental Conservation Area. The proposed residential development for the Medium Density Residential portion includes one hundred and thirty-nine (139) townhouse dwelling units.

## **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.

The effect of this Official Plan Amendment is to change the designation of the subject lands from Mixed Use, Medium Density Residential, Low Density Residential and Environmental Conservation Area to Medium Density Residential and Environmental Conservation Area on Schedule B1 of the Official Plan to allow for the development of a condominium townhouse development.

### **MAP CHANGES**

1. Schedule A, City Structure Map is hereby amended by refining the Environmental Conservation Areas on the property.
2. Schedule B, Land Use Map is hereby amended by identifying the lands as Residential and Core Natural Heritage.
3. Schedule B1, Residential Hierarchy Land Use Map is hereby amended by identifying the lands as Medium Density Residential and Core Natural Heritage.
4. Schedule C, Core Natural Heritage System Map is hereby amended by identifying the Environmental Conservation Area on the property.
5. Schedule C1, Components of the Natural Heritage System map is hereby amended by refining the Environmental Conservation Area on the property.

**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 Direction 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 Provincial Plan or 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 Medium Density Residential and maintain a portion of the Environmental Conservation Area.

The Effect of the redesignation is to allow for the development of a condominium townhouse development.

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.

Any person or agency may appeal, to the Ontario Land Tribunal, in respect to the Amendment to the Official Plan 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 \$300.00 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 individuals, Corporations or public bodies 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.

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 -***

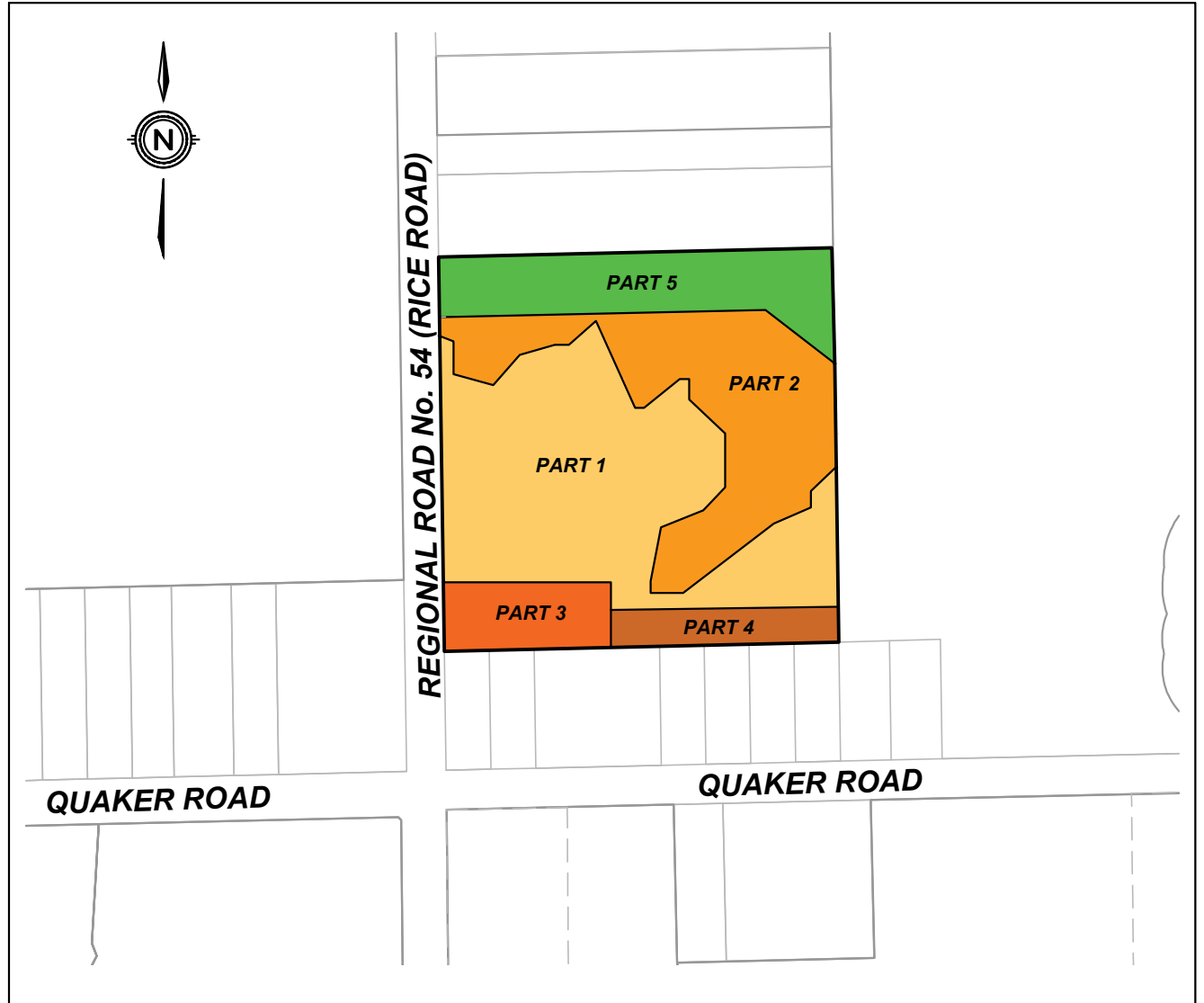
***APPENDIX IV - STAFF REPORT***

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

***APPENDIX V - COUNCIL RESOLUTION***

**LEGEND**

-  PART 1 - FROM LOW DENSITY GREENFIELD RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL
-  PART 2 - FROM ENVIRONMENTAL CONSERVATION AREA TO MEDIUM DENSITY RESIDENTIAL
-  PART 3 - FROM MIXED-USE TO MEDIUM DENSITY RESIDENTIAL
-  PART 4 - TO REMAIN MEDIUM DENSITY RESIDENTIAL
-  PART 5 - TO REMAIN ENVIRONMENTAL CONSERVATION AREA



**450 REGIONAL ROAD 54 (RICE ROAD)**  
**SCHEDULE 'A' TO OFFICIAL PLAN AMENDMENT No. \_\_\_\_\_**

MAYOR: \_\_\_\_\_

CLERK: \_\_\_\_\_



**Appendix IV**  
**Draft Zoning By-law Amendment**

---

---

## Schedule C

### 450 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 17<sup>th</sup> 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)' to 'site-specific Residential Medium Density (RM-XX)' and 'Environmental Conservation (EC).'
3. Notwithstanding the provisions of Section 5 General Provisions, Section 6 Parking and Loading, 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 5.6.2a) iii) Vacant Land and Common Element Condominiums** *Delete*

#### **Section 5.10.5 Decks, Porches, Steps**

*a) 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.*

*d) decks may project into any required front or exterior side yard a distance of not more than 1.5 metres provided said structure is not higher than 4.0 metres from 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 Medium Density**

**RM-XX:**

**Block Townhouses:**

*Minimum Front Yard* *3.0 m to dwelling*

**Multiple Dwelling (Back-to-Back Townhouses):**

*Minimum Front Yard* *3.0 m to dwelling*

**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 AGRICULTURAL (A) TO SITE SPECIFIC RESIDENTIAL MEDIUM DENSITY (RM-XXX)
-  PART 2 - FROM AGRICULTURAL (A) TO ENVIRONMENTAL CONSERVATION (EC)

**450 REGIONAL ROAD 54 (RICE ROAD)  
SCHEDULE 'A' TO ZONING BY-LAW AMENDMENT No. \_\_\_\_**

MAYOR: \_\_\_\_\_  
CLERK: \_\_\_\_\_

