

Planning Justification Report



**Official Plan & Zoning By-law Amendment**

650-678 Niagara Street and 418-430 Aqueduct Street

Date: December 8, 2023

For: The Development Group

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## 1.0 Introduction

NPG Planning Solutions Inc. are planning consultants to The Development Group, “Owners” of approximately 3.88 hectares of land in Welland, municipally addressed as 418, 424, 430 Aqueduct Street, and 650, 656, 664, 670, 678 Niagara Street (the “Subject Lands”). NPG has been retained to provide professional planning advice, in the form of a Planning Justification Report (the “PJR”), on application(s) for Official Plan Amendment and Zoning By-law Amendment to facilitate the development of three high-rise residential towers, and two (2) stacked townhouse blocks with underground parking and surrounding landscaped areas. McCallum Sather has prepared a Site Plan for the development on the Subject Lands (see **Appendix A**).

The City of Welland's Comprehensive Zoning By-law No. 2667 zones the Subject Lands "Single Detached Dwelling – first density zone (R1)," which permits only a single-detached dwelling. A Zoning By-law Amendment is necessary to rezone the Subject Lands to "Residential High Density" (RH) Zone, including several site-specific provisions. This amendment is necessary to facilitate the development of the proposed mixed-use residential towers and stacked townhouses.

The City of Welland Official Plan Amendment designates the Subject Lands High Density Residential. An official plan amendment is required to increase the permitted maximum building height and density. It further requests the inclusion of Stacked Townhomes in areas designated for High-Density Residential use.

This PJR provides an overview of the proposed development and evaluates the appropriateness of the application(s) for an Official Plan Amendment and Zoning By-Law Amendment against policies in the Planning Act, the Provincial Policy Statement (“PPS”), the Growth Plan for the Greater Golden Horseshoe (“Growth Plan”), the Niagara Official Plan, the Welland Official Plan, the Welland Urban Design Guidelines, and the Welland Zoning By-law No. 2017-117.

## 2.0 Description of Subject Lands and Surrounding Area

The Subject Lands, as shown in **Figure 1 - Aerial Context** on the following page, are located on the east side of Niagara Street, being Regional Road #50 as per Schedule J1 “Transportation Infrastructure” of the Niagara Official Plan (the “NOP”) and east of Aqueduct Street. Aqueduct Street is a Collector Road as per Schedule E “Road hierarchy” of the City of Welland’s Official Plan. These schedules can be referenced in the Appendix.

The Subject Lands are rectangular in shape with approximately 254 metres of frontage and 152 metres of depth, and a total area of approximately 38,794 m<sup>2</sup> (3.88 hectares). The subject lands comprise of eight municipal properties. Currently, each parcel features a single-detached dwelling along with its associated accessory structures. The detached dwellings are set well-back from the street with open front lawns and mature trees. The lands have a gentle slope from west to east.

An Environmental Impact Study (EIS) has been included with the application(s). The EIS identifies that a Headwater Drainage Feature (HDF) traverses the subject lands at the west, however, field tests have indicated that the feature would not prohibit future development. Towards the north-east corner of the Subject Lands is a forested area identified in the EIS as Regionally Significant Woodland due to the presence of White Wood Aster (WWA) which is listed as threatened on the species of risk in Ontario (SARO) and threatened under the federal species at risk act (SARA). A 30-metre critical function zone is proposed from the threatened species which will not reduce the quality of habitat or impact the WWA. The Subject Lands have not been identified as containing archaeological potential in accordance with “Schedule K” of the NOP.

**Figure 1** highlights surrounding land uses around the Subject Lands. The abutting lands to the north, south and east primarily zoned for low density residential. However, the Subject Lands are identified as an intensification area as outlined in Schedule A of the Welland Official Plan (included in **Appendix D** of this report) and designated High Density Residential as outlined in Schedule B1 (included in **Appendix E** of this report) due to the proximity to the commercial corridor.



**Figure 1 - Aerial Context**



**North:** Low Density Residential  
**East:** Low Density Residential  
**South:** Low Density Residential  
**West:** Low Density Residential (Zoned for High Density Residential) / Commercial

**Figure 2 - Community Amenities Map** highlights various community amenities and active transportation facilities within a 500-metre and 1-kilometre radius of the Subject Lands.

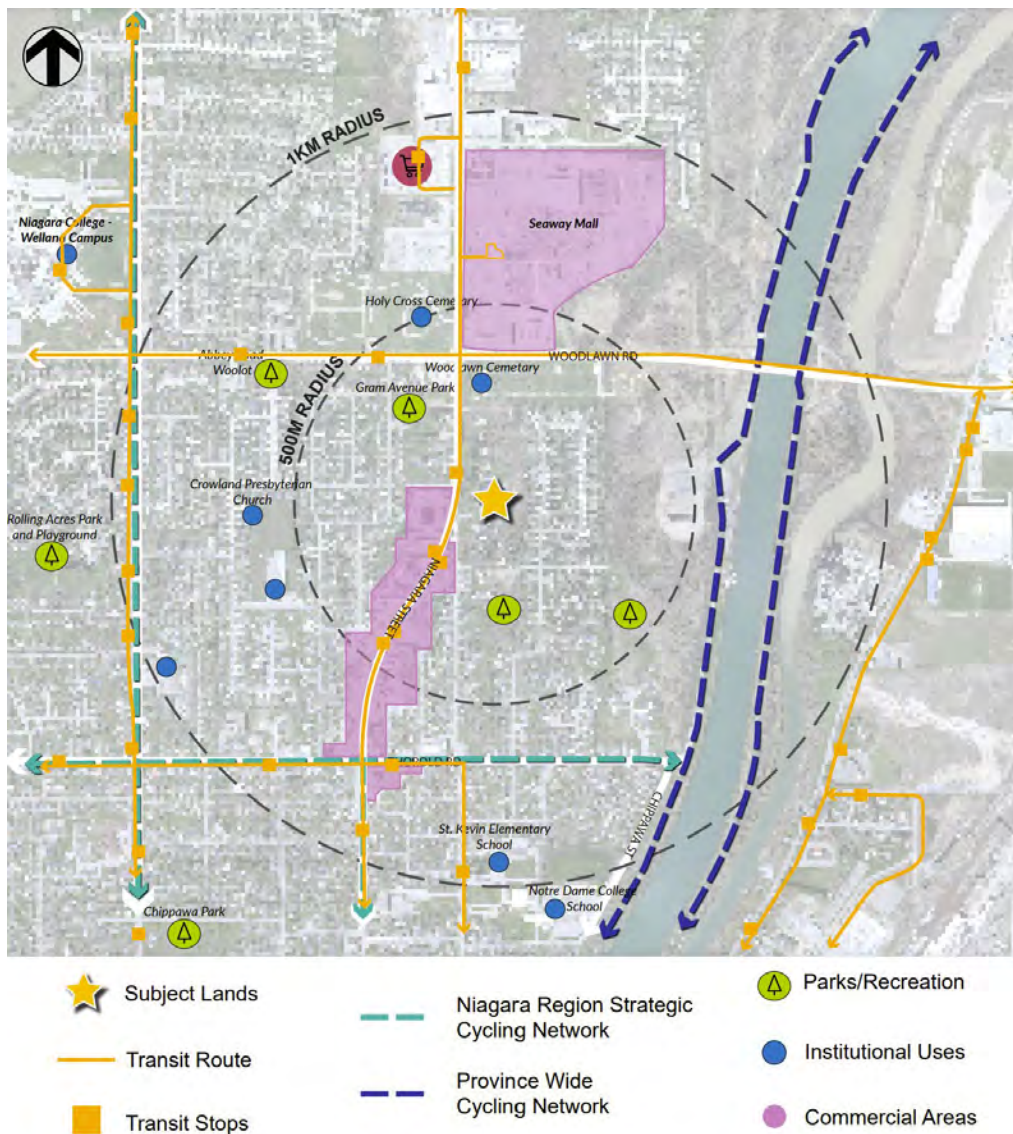
The Subject Lands are located along a key central community corridor, which is intended to serve as a focus of commercial activity along major access corridors to serve the public. These corridors are to be safe, pedestrian friendly and transit oriented. Included are a range of retail, office, and service commercial uses. Approximately 250-metres north of the Subject Lands is the Seaway Mall, which is identified as a Community Commercial Node in the Official Plan. Community Commercial Nodes are meant to serve as focal points for adjacent neighborhoods.

Additionally, there are a range of institutional facilities accessible from the subject lands. Glendale Public School is located along Farnham Avenue, approximately five hundred

(500) metres southwest of the Subject Lands. St. Kevin Elementary School and Notre Dame College School are located approximately one (1) kilometre south of the Subject lands. Niagara College’s Welland campus is located approximately 1.3 kilometres north-east of the Subject Lands.

The Subject Lands have convenient access to multiple transportation options, including public transit and active transit. The City of Welland is serviced by the Niagara Region Transit system with an abundance of transit stops along Niagara Street. The nearest bus stop is presently situated at the intersection of Niagara Street and Abby Street. Furthermore, the Subject Lands are situated near active transit options, including the cycling trails, most notably the Welland Canal, which is part of the Niagara Region Strategic Cycling Network spanning the region.

**Figure 2 - Community Amenities Map**





## 2.1 Site Photos

The Subject Lands are further contextualized by photos collected during a site visit on July 27, 2023. Please refer to the following photos for greater detail on the current state of the Subject Lands and the surrounding land uses (See photos 1-13).

*Photo 1 – Front Perspective of Subject Lands*





***Photo 2 – Front perspective of 424 Aqueduct Street  
(Part of Subject Lands – House to be demolished)***



***Photo 3 – Front perspective of 678 Niagara Street  
(Part of Subject Lands – House to be demolished)***



**Photo 4 – Community Commercial Corridor - South of Subject Lands**



**Photo 5 – High Density Residential in proximity to Subject Lands**





*Photo 6 – Single Detached Dwellings west of Subject Lands (Designed High Density in Welland Official Plan)*



*Photo 7 – View of Aqueduct Park (in proximity to Subject Lands)*





*Photo 8 - View of Aqueduct Park (in proximity to Subject Lands)*



*Photo 9 – The Welland Canals Parkway Trail (in proximity to Subject Lands)*





### 3.0 Proposed Development

The application(s) for an Official Plan Amendment and a Zoning By-law Amendment are required to facilitate the development of three (3) high-rise residential towers ranging in height from 12 to 25 storeys, to include commercial uses at grade. The residential towers are generally concentrated along Niagara St, which is an arterial road. The development further proposes two (2) stacked townhouses with surrounding amenity area to serve as a transition to low density residential uses to the east. A total of 1196 new dwelling units would be provided within the development. Parking for the proposed development is proposed to be accommodated in two (2) levels of underground parking with some above grade parking. The concept site plan is provided for reference in **Appendix A**.

Together the three (3) towers would provide 1,170 new dwelling units encompassing residential and amenity space, as well as retail and commercial uses. The application(s) further propose two (2) four-storey stacked townhouses (Building D & Building E) on the Subject Lands which will introduce a further 26 dwelling units to the Subject Lands.

The proposal is anticipated to be a phased development. The phasing details shall be determined at a later date.

Vehicular access to the Subject Land is proposed from Niagara Street. Private Streets A and B. Additionally, one (1) access point (Private Street C) on Aqueduct Street serves as an exit for private vehicles while also functioning as a designated fire route.

A total of 916 parking spaces are proposed to serve the uses within the development. 850 parking spaces are proposed to accommodate parking requirements for the residential towers and twenty-six (26) parking spaces are proposed to accommodate the dwelling units within the stacked townhouses. Forty (40) parking spaces are situated at grade level. Thirty-seven (37) of the grade level parking spaces shall be reserved for commercial/retail use. The remaining three (3) spaces will be reserved for visitor parking.

The following is a breakdown of each building within the development:

#### **Building A**

Building A contemplates a twelve (12) storey building with two (2) levels of underground parking. The total above grade gross building area consists of 16,613 m<sup>2</sup>. A total of 219 Residential Apartments are proposed in a mix of Studio Apartments, 1-Bedroom, 2-Bedroom and 3-Bedroom Apartments.

Pedestrian access is accommodated through a pedestrian promenade, establishing a safe and convenient connection from the Niagara Street public sidewalk to the primary residential entrance(s) into the building. The primary building entrance to the lobby is located along the rear building elevation directly adjacent to proposed lay-by parking accessible from the internal roadway. Access to the underground parking area and loading area is accessible via the internal road network.

Parking for Building A is provided by a large two-level underground parking garage that extends beneath both Building A and Building B, providing underground parking for both Building(s). The parking garage includes 512 parking spaces.

### **Building B**

Building B contemplates a 2-tower building with a 3-storey above-grade parking garage. Both the eastern and western towers are proposed at 25-storeys with an intermediate 4-storey and 6-storey podium. The total above-grade gross building area, excluding parking garage consists of 75,470m<sup>2</sup>. A total of 591 Residential Apartments are proposed in a mix of Studio Apartments, 1-Bedroom, 2-Bedroom and 3-Bedroom Apartments. Building B also contemplates 692 m<sup>2</sup> of retail space fronting the public sidewalk along Niagara Street.

Pedestrian access is provided via the proposed pedestrian promenade providing direct access to the primary entrance from the public sidewalk. There are two primary residential entrances to Building B. There is one dedicated entrance to both the eastern and western tower(s). Both primary entrances are directly adjacent to lay-by parking and safe pedestrian access.

As previously mentioned, Building B shares a 2-storey underground parking garage with Building A. Additionally, there are 132 parking spaces distributed between Levels 1, 2 and 3 of the above-grade parking structure. Access to the parking area and loading areas is accessible along the rear building elevation.

### **Building C**

Building C contemplates an L-shaped building with three (3) distinct podium levels at varying heights (floor levels 4, 6 and 9), being 25-storeys at the highest point along Niagara Street. The total above grade gross building area, excluding parking garage consists of 38,287 m<sup>2</sup>. A total of 360 residential apartments are proposed with a mix of studio apartments, 1-bedroom, 2-bedroom and 3-bedroom apartments. Building C also provides 429 m<sup>2</sup> of retail space fronting the public sidewalk along Niagara Street.

Pedestrian access is directly adjacent to the public sidewalk along Niagara Street. Lay-by parking is provided which is adjacent to the primary residential entrance off Private Street 'B.'

Building C contains 206 parking spaces, which are accommodated in two levels below grade. Access to the parking area and loading area is accessible from Private Street 'A'.

### **Buildings D & E**

Included within this proposal are two (2) blocks of four (4) storey stacked townhouses, which are identified as Building D and Building E in **Appendix A** of this report. Building D includes fourteen (14) dwelling units, each with a separate entrance and an individual parking space. Each individual dwelling unit occupies two (2) storeys. Building E is the same design as Building D, except that it includes twelve (12) dwelling units.

Access to the stacked townhouses is provided by the development's internal road network.

### **Official Plan Amendment**

The Subject Lands are currently designated "High Density Residential" in the City of Welland Official Plan. The OPA (Official Plan Amendment) is required to accommodate the following within the proposed development:

- Increase the current permitted maximum building height from 5-8 storeys to a maximum of 25 storeys.
- Increase the density from a maximum of 125 units per hectare to 315 units per hectare.
- Permit the use of stacked townhouses in the high-density residential area.

### **Zoning By-law Amendment**

The City of Welland is governed by two Zoning By-laws. On November 16, 2017, Zoning By-law No. 2017-117 came into effect, excluding specific properties, including but not limiting to 418, 424, and 430 Aqueduct Street; 650, 656, 664, 670, and 678 Niagara Street (the "Subject Lands"). Council recommended that these properties not be adopted by the new Zoning By-law at the time to allow for additional consultation and review, in response to neighborhood appeals. Since 2017, the Subject Lands have remained unaffected by the adoption of Zoning By-law No. 2017-117.

The Subject Lands are currently zoned "Single Detached Dwelling – First Density Zone (R1)" Zone in section 7 of Zoning By-law No. 2667. Permitted uses are limited to a single-detached dwelling and Bed and Breakfast.

To accommodate the higher density development for the Subject Lands, a Zoning By-law Amendment is proposed from to re-designate the existing 'R1' Zone under the preceding Zoning By-law to "Residential High Density (RH)" Zone with site-specific provisions pertaining to permitted uses, parking requirements, and specific zoning regulations, under Zoning By-law No. 2017-117.

The site-specific amendments are outlined in greater detail in Section 6.0 of this PJR.

## **4.0 Supporting Studies Review**

The required Pre-Consultation Meeting was held with the City of Welland and external agencies on June 22nd, 2023. The following studies and plans were required to be submitted with the application(s) for Official Plan and Zoning By-law Amendment:

1. Planning Justification Report
2. Architectural Plans (Site Plan, Floor Plans, Elevation Drawings, Cross-Sections)
3. Noise Impact Study
4. Environmental Impact Study

5. Landscape / Streetscape Plan
6. Pedestrian Level Wind Study
7. Traffic Impact Study
8. Functional Servicing & Stormwater Management Report
9. Geotechnical Study
10. Tree Inventory and Preservation Plan

While a shadow analysis and parking analysis were not specifically required within the Pre-Consultation form; these studies have been prepared and submitted with the application(s). Furthermore, a Geotechnical Study and Tree Inventory and Preservation Plan will be submitted as part of future planning application(s).

The required studies and plans have been submitted as supporting documentation for the proposed development and should be read and reviewed in conjunction with this PJR. These studies have been prepared by qualified professionals according to industry standards. A thorough review of each document has been undertaken in preparing this PJR and it is noted that no significant issues have been raised as a result of the proposed development.

#### 4.1 Architectural Plans

McCallum Sather has prepared a conceptual architectural design package for the proposed development, dated November 17, 2023. The plans and drawings include the proposed Site Plan, conceptual floor plans, parking layout, elevation details, building sections, and concept renderings for the buildings.

#### 4.2 Noise Impact Study

R.J. Burnside & Associates Limited completed an Environmental Noise Feasibility Assessment, dated November 2023, to analyze potential noise impacts and ambient noise based on a 20-year future traffic forecast for Niagara Street (classified as a Regional Road). The assessment includes several requirements and notes that if all prescribed noise mitigation measures are implemented, sound levels at all developed lots will meet the Ministry of the Environment, Conservation, and Parks noise guideline requirements.

The report specifies that Buildings B and C are required to install central air conditioning, and Building A must be constructed to allow occupants to install conditioning in the future at their discretion. The assessment mandates that the Sound Transmission Class (STC) rating for the exterior walls of Buildings A, B, and C must be at least 31. Additionally, it states that the Window STC rating must be a minimum of 27 for Buildings A, B, and C. Buildings D and E may be built using standard construction materials.



### 4.3 Environmental Impact Study

R.J. Burnside & Associates Limited prepared a Scoped Environmental Impact Statement, dated November 2023, as required by the Niagara Peninsula Conservation Authority (NPCA), due to a partially open swale that is classified as a watercourse that traverses the west lot line. According to Burnside's Functional Servicing Report and Stormwater Management Report (2023), the proposed redevelopment incorporates a design featuring one drainage area that outlets to the existing storm sewer within Niagara Street. The design aims to control post-development flows to pre-development levels for all storm events up to and including a 100-year storm event, connecting directly to the existing 1200 mm diameter storm sewer. These stormwater management measures are intended to maintain the function of the existing regulated feature, ensuring the conveyance of stormwater flows.

Additionally, the Region of Niagara has identified wooded areas within the site as potential Significant Woodland.

A constraint analysis revealed that the woodland in the northeast corner of the subject lands has been recognized as regionally significant due to the presence of a threatened species, 'White Wood Aster'. Development will be buffered from the natural heritage feature, and impacts on its ecological function are not anticipated provided that mitigation measures are implemented.

Burnside has recommended a 30-metre Critical Function Zone (CFZ) instead of the standard 50 meters, asserting that this reduction will not compromise habitat quality or impact the Water Wellhead Area (WWA). Discussions with the MECP regarding the proposed buffer distance are on-going.

### 4.4 Landscape / Streetscape Plan

R.J. Burnside & Associates Limited has prepared a Concept Landscape Plan, dated June 21, 2023. A more detailed Landscape Plan will be developed at Site Plan Control stage.

### 4.5 Pedestrian Level Wind Study

Rowan Williams Davies & Irwin Inc. (RWDI) prepared a Pedestrian Level Wind Study, dated October 27, 2023, to evaluate the potential wind impact of the proposed development in pedestrian areas, based on Computational Fluid Dynamics modelling. RWDI noted that even though wind would be re-directed to ground level due to the height of the proposed development relative to its surroundings, several positive features in the massing design would moderate wind impacts to a large extent. As such, it was concluded that wind conditions on and around the existing site are suitable for the intended pedestrian use throughout the year.

## 4.6 Transportation Study & Parking Analysis

R.J. Burnside & Associates Limited prepared a Transportation Study, with parking analysis, dated November 2023. The purpose of the Transportation Study was to assess the potential impact of the proposed development on the surrounding transportation infrastructure and traffic flow. It also assessed parking requirements for the proposed development.

The study found that, under existing and future conditions during peak hours, all intersections, except for Niagara Street and Woodlawn Road, are expected to operate with excess capacity (Level of Service E or better) and maintain acceptable queue lengths. However, at the Niagara Street/Woodlawn Road intersection during the evening (PM) peak hour, the westbound left turn lane and southbound through-right turn lane are projected to exceed their storage capacity in the future. Signal timing adjustments were made for future conditions, and it was recommended that the Region monitor these movements for potential improvements.

The parking analysis highlighted a significant gap between the proposed parking and the mandated parking requirement stipulated in Zoning By-law 2017-117. Nevertheless, the report concludes that the Zoning By-law's parking requirement for apartment residents is considerably higher than the actual parking demand. The report states that the proposed parking supply rates that are based on the approved parking rates for the proposed residential development at the Seaway Mall, will meet or exceed future parking demand. The report further states that the proposed plan intends to reduce the parking demand by promoting accessible forms of transportation as well as public transit. Please refer to the Transportation Study and Parking analysis for further details.

## 4.7 Functional Servicing Report

R.J. Burnside & Associates Limited prepared a Functional Servicing and Stormwater Management Report, dated November 2023, to confirm an adequate supply and on-site distribution of municipal water to meet domestic and fire flow requirements. It further evaluates the capacity for sanitary servicing and explores opportunities and constraints in stormwater management. This involves determining suitable methods for stormwater runoff attenuation and treatment, designing post-development stormwater controls to meet required runoff rates, and ensuring compliance with stormwater management requirements stipulated by the City of Welland, Regional Municipality of Niagara, and Niagara Peninsula Conservation Authority.

The Functional Servicing Report and Stormwater Management Report recommended that for water servicing, fire protection would rely on existing and proposed hydrants, with specific requirements for each building. Building B would require a booster pump for sufficient flow, and NFPA standards would be achieved in Buildings A, B, and C.

Regarding storm servicing, post-development flows would match pre-development levels with a runoff coefficient of 0.35. Storm connections would link to existing systems, and controls will be in place for quantity, retention, and quality using a stormwater management tank, on-site reuse, and an Isolator Row.

For sanitary servicing, drainage from different buildings would connect to existing sewer lines to the north or south, and the development would generate a peak flow of 49.89 L/s.

Please refer to the Functional Servicing Report and the Stormwater Management Report for more detailed information.

## 4.8 Shadow Study

McCallum Sather submitted a Sun/Shadow Study dated November 17, 2023, for this application. Referencing the Niagara Regions DRAFT Terms of Reference (TOR), the analysis focused on four key dates: March 21<sup>st</sup>, June 21<sup>st</sup> (summer solstice), September 21<sup>st</sup> (autumnal equinox) and December 21<sup>st</sup> (winter solstice). Notably March 21<sup>st</sup> was studied as instead of April 21<sup>st</sup> which was recommended by the DRAFT TOR as this date is the vernal equinox. These dates are commonly selected for sun shadow studies due to their alignment with the equinoxes, representing the seasonal averages, and the solstices, representing the Sun's highest and lowest point in the sky.

To minimize the impact on nearby low-density residential dwellings, the proposed shape and orientation of the buildings have been carefully considered. According to the Sun/Shadow study, during the vernal and autumnal equinox, adjacent properties will not be affected by shadows until 3:00 PM, ensuring approximately six hours of sunlight from 9:00 AM to 3:00 PM. During the summer solstice, with the sun at its peak, adjacent properties shall not be affected by shadows until 4:00 PM, allowing for approximately seven hours of sunlight from 9:00 AM to 4:00 PM. Notably, fewer properties are affected during this period. Even during the winter solstice, when the sun is lowest, there are at least four hours without shadows on adjoining properties. This impact is considered less significant during winter months when outdoor activity is reduced.

## 5.0 Planning Policies

### 5.1 Planning Act, R.S.O. 1990, c.P.13

Section 2 of the *Planning Act* identifies matters of Provincial interest that Council shall have regard to in carrying out its responsibilities under the *Planning Act*. These matters are analyzed in Table 1, below:

**Table 1: Matters of Provincial Interest**

Matter of Provincial Interest	Analysis
<b>(a) the protection of ecological systems, including natural areas, features and functions</b>	There are notable woodlands located on the north-east corner of the Subject Lands. An EIS identified there are White Wood Aster (WWA) plants located within the Woodland, which is a threatened species under the Federal Species at Risk Act. A thirty (30) metre buffer (critical function zone) is proposed from the plants to ensure the species and its habitat will be protected. There is also a five to ten metre buffer proposed along the dripline, to protect the existing Woodlands.
<b>(b) the protection of the agricultural resources of the Province</b>	The Subject Lands are within an Urban Area Boundary. Facilitating development in the Urban Area Boundary reduces pressure to urbanize agricultural areas.
<b>(c) the conservation and management of natural resources and the mineral resource base</b>	The proposed development will not impact natural resources or mineral resources.
<b>(d) the conservation of features of significant architectural, cultural, historical, archaeological, or scientific interest</b>	<p>An archaeological assessment was not required as the Subject Lands are not located within the Area of Archaeological Potential outlined on 'Schedule K' of the NOP.</p> <p>The Subject Lands do not contain architectural, cultural, historical, or scientific interest.</p>
<b>(e) the supply, efficient use and conservation of energy and water</b>	The proposed development has a compact built-form and density that would contribute to the efficient use of municipal services and energy.
<b>(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems</b>	The proposed development would optimize the use of existing municipal services on an already serviced but underutilized parcel of land.
<b>(h) the orderly development of safe and healthy communities</b>	The application(s) would facilitate appropriate development standards for



Matter of Provincial Interest	Analysis
	<p>intensification and redevelopment, while avoiding or mitigating risks to public health and safety, in accordance with policies contained within Section 1.0 of the PPS, regarding building strong healthy communities. This matter is discussed in Section 5.2 of this PJR.</p>
<p><b>(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies</b></p>	<p>The City of Welland has established an Accessibility Advisory Committee (AAC), which offers input on development application(s) as determined by the Chief Building Official. The AAC's role includes identifying and eliminating obstacles for individuals with disabilities and advancing equal opportunities for all residents, regardless of their abilities.</p> <p>Future Site Plan application(s) would need to comply with <i>O. Reg. 191/11: Integrated Accessibility Standards</i> under the <i>Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11</i>.</p>
<p><b>(k) the adequate provision of employment opportunities</b></p>	<p>Building B and Building C as proposed would introduce additional commercial / retail uses along Niagara Street.</p>
<p><b>(l) the protection of the financial and economic well-being of the Province and its municipalities</b></p>	<p>The efficient use of lands and compact built form allows for the efficient use of municipal water and sewage services and on-going infrastructure maintenance costs.</p>
<p><b>(o) the protection of public health and safety</b></p>	<p>The Subject Lands are not impacted by any known hazards.</p>
<p><b>(p) the appropriate location of growth and development</b></p>	<p>The Subject Lands are within Welland's Built-up Area. Additionally, the City of Welland identified the Subject Lands as an Intensification Area per 'Schedule A' of the OP, due to its proximity to a key transportation corridor, and the diverse range of surrounding employment/commercial uses.</p>

Matter of Provincial Interest	Analysis
<p><b>(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians</b></p>	<p>The Subject Lands are located on Niagara Street (Regional Road 50), which is a key transportation corridor that is regularly served by Welland Public Transit.</p> <p>The proposed density and compact built form support the achievement of development at a walkable scale.</p>
<p><b>(r) the promotion of built form that,</b></p> <ul style="list-style-type: none"> <li><b>(i) is well-designed,</b></li> <li><b>(ii) encourages a sense of place, and</b></li> <li><b>(iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant;</b></li> </ul>	<p>The proposed development has a modern, compact design that will set the standard for adjacent areas identified for future intensification. The new proposed high-rise mixed-use development is designed to minimize its effect on the surrounding low-density residential neighbourhood, through massing, design, and site layout with consideration for transition between densities. The proposed development includes outdoor amenity space and to retain the wooded area to the east. Compliance with Urban Design Guidelines ensures the creation of attractive and vibrant public spaces. Overall, the development aims to provide innovative design, a unique sense of place, and high-quality, safe, accessible, and vibrant public spaces.</p>
<p><b>(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.</b></p>	<p>The compact built form and mix of land uses is in proximity to public transit and options for active transit reducing automobile dependence, and consequently the necessity to consume fossil fuels.</p>

Subsection 3(5) of the *Planning Act* requires that decisions of Council shall be consistent with provincial policy statements and shall conform with provincial plans that are in effect.

Subsection 14.7(3) of the *Planning Act* requires a municipality to prepare and adopt an official plan.

Section 22 of the *Planning Act* permits a person or public body to request an amendment to the official plan.

Subsection 24(1) of the *Planning Act* requires that by-laws passed by Council shall conform to official plans that are in effect.

Section 34 of the *Planning Act* permits councils of local municipalities to pass and/or amend zoning by-laws for such purposes as may be set out in the by-law, and for regulating construction and land use within the municipality.

Consistency and conformity with Provincial, Regional and Town policies are discussed in-depth in the subsequent sections of this report. Subject to the analysis provided in the following sections of this report, the application(s) are considered to comply with the provisions of the *Planning Act*.

## 5.2 Provincial Policy Statement (2020)

The PPS sets the policy foundation for regulating land use in Ontario. It requires that developments make efficient use of land and services and supports opportunities for long-term economic prosperity.

### 5.2.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

Section 1.1 of the PPS promotes sustainable development. Relevant policies are as follows:

#### **POLICY**

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- 1.1.1 *Healthy, liveable, and safe communities are sustained by:*
- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
  - b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
  - e) *promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

### **Section 1.1.3. – Settlement Areas**

- 1.1.3.1 *Settlement areas shall be the focus of growth and development.*
- 1.1.3.2 *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*
- a) *efficiently use land and resources;*
  - b) *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
  - c) *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
  - d) *prepare for the impacts of a changing climate;*
  - e) *support active transportation;*
  - f) *are transit-supportive, where transit is planned, exists or may be developed; and...*
- 1.1.3.3 *Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

## **ANALYSIS**

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The Subject Lands are located within a Settlement Area. The proposed development aligns with Settlement Area policies in the PPS by converting land currently occupied with single-detached dwellings into a compact urban district, accommodating diverse residential types and utilizing existing infrastructure. It adheres to appropriate intensification standards, offers a mix of residential options, and optimizes municipal infrastructure. Additionally, the development is transit supportive, promoting active transportation and clean energy for a sustainable community with reduced reliance on private vehicles.

### **5.2.2 Housing**

Section 1.4 of the PPS provides policy direction regarding housing. The following policies are applicable to the proposal:

## **POLICY**

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- 1.4.3. *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and*



*affordable housing needs of current and future residents of the regional market area by:*

*b) permitting and facilitating:*

- 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
- 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

*c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*

*d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*

*e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*

## **ANALYSIS**

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The application(s) align with the housing policies of the PPS by introducing development standards that encourage residential intensification, compact urban form, and a diverse range of housing options in the form of high-rise mixed-use and stacked townhouses in a community predominantly consisting of single-detached housing types. The proposed development is situated along an arterial road, ensuring convenient access to multiple public transportation options.

### **5.2.3. Sewage, Water and Stormwater**

Section 1.6.6 of the PPS provides direction regarding Sewage, Water and Stormwater services. The following policies apply to the proposal:

## **POLICY**

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### **Section 1.6.6 – Sewage, Water and Stormwater**

*1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and*

*redevelopment shall be promoted wherever feasible to optimize the use of the services.*

## **ANALYSIS**

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The proposed development is a form of intensification that will make use of the City's existing municipal sewage and water services. Please refer to the Functional Servicing & Stormwater Management Report for further details.

### **5.2.4. Transportation Systems**

Section 1.6.7 of the PPS provides direction regarding transportation systems. The following policies apply to the proposal:

## **POLICY**

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### **Section 1.6.7 – Transportation Systems**

**1.6.7.4**      *A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

## **ANALYSIS**

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The Subject Lands offer multiple transportation options beyond personal vehicles. Niagara Street is a Regional Road that provides regular public transportation services with a bus stop conveniently located across from the Subject Lands at the intersection of Niagara Street and Abbey Road.

Opportunities for active transportation are also available, due in large to the proximity of the Welland Canal Trail to the Subject Lands, which is a part of the Provincial Bicycle Network. Neighbouring collector and arterial roads including First Avenue and Thorold Road, are included in the Region's Strategic Cycling Network. Please refer to Schedule J2 – Strategic Cycling Network of the NOP included in **Appendix C** of this report.

The proposed development benefits from nearby amenities, including the Seaway Mall, various restaurants, and future commercial/retail establishments. Providing residential uses in proximity to these amenities supports active transportation.

There are all several ways that the proposed development will reduce reliance on private vehicles. These are described in Section 8.0 of the Transportation Study and Parking Analysis included with the application(s).

## **SUMMARY**

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Based on the foregoing review, the application(s) are consistent with the policies of the PPS.

## 5.3 Growth Plan for Greater Golden Horseshoe (Office Consolidation 2020)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) builds upon the policy foundation provided by the PPS and provides additional and more specific land use planning policies for the Greater Golden Horseshoe. Section 1.2.1 of the Growth Plan outlines guiding principles for land development, resource management, and public investments. These principles advocate for the creation of complete communities that support healthy and active living, catering to people's needs across their lifetimes. Additionally, the plan encourages a diverse mix of housing options, including affordable and additional residential units, to accommodate households of all sizes, incomes, and ages. The Subject Lands are identified as part of the Built-up Area, as specified in Schedule 2 of the Growth Plan.

### 5.3.1 Managing Growth

Section 2.2.1 Growth Plan provides the following policies with respect to managing growth:

#### **POLICY**

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2. *Forecasted growth to the horizon of this Plan will be allocated based on the following:*
  - a) *the vast majority of growth will be directed to settlement areas that:*
    - i. *have a delineated built boundary;*
    - ii. *have existing or planned municipal water and wastewater systems; and*
    - iii. *can support the achievement of complete communities<sup>1</sup>...*
  - c) *within settlement areas, growth will be focused in:*
    - i. *delineated built-up areas;*
    - ii. *strategic growth areas;*
    - iii. *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*

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<sup>1</sup>Complete Communities: *Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts. – Growth Plan for Greater Golden Horseshoe*

*iv. areas with existing or planned public service facilities...*

4. *Applying the policies of this Plan will support the achievement of complete communities that:*
- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
  - b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
  - c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
  - d) expand convenient access to:*
    - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
    - ii. public service facilities, co-located and integrated in community hubs;*
    - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
    - iv. healthy, local, and affordable food options, including through urban agriculture;*
  - e) provide for a more compact built form and a vibrant public realm, including public open spaces;*
  - f) mitigate and adapt to the impacts of a changing climate, improve resilience, and reduce greenhouse gas emissions, and contribute to environmental sustainability...*

## **ANALYSIS**

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The application(s) conform to the policies for managing growth. The proposed development is within a settlement area and offers existing infrastructure to support growth, with easy access to commercial amenities, job opportunities, and easy access to public transportation. The development would provide compact housing types to address the housing demand within the region and promote active transportation options and access to green spaces. The proposed development further contributes to the creation of a complete community by providing housing in proximity to employment opportunities and amenities. The development would transform a low-density neighborhood into a vibrant, mixed-use area, reducing private automobile usage and contributing to greenhouse gas emission reduction.

### 5.3.2. Delineated Built-up Areas

Section 2.2.2 Growth Plan provides the following policies regarding delineated built-up areas:

#### **POLICY**

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1. *By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:*
  - a) *A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area...*
2. *Until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply.*
3. *All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will: ...*
  - a) *identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;*
  - b) *identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;*
  - c) *encourage intensification generally throughout the delineated built-up area;*
  - d) *ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;...*
  - f) *be implemented through official plan policies and designations, updated zoning and other supporting documents.*

#### **ANALYSIS**

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The application(s) would facilitate intensification within a strategic growth area located within the delineated built-up area of Welland. These application(s) also contribute to the achievement of complete communities through the provision of housing options not typical in the surrounding area being supported by convenient access to local stores, and services and a full range of transportation options. These application(s) seek to bring the



land use into conformity with the high-density land use for which the Subject Lands is already designated within the City of Welland OP.

### 5.3.3. Housing

Section 2.2.6 of the Growth Plan provides policies with respect to housing. The following policies apply:

#### **POLICY**

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1. *Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:
  - a) support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
    - i. identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents...*
2. *Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:
  - a) planning to accommodate forecasted growth to the horizon of this Plan;
  - b) planning to achieve the minimum intensification and density targets in this Plan;
  - c) considering the range and mix of housing options and densities of the existing housing stock; and
  - d) planning to diversify their overall housing stock across the municipality.*

#### **ANALYSIS**

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Policy 2.2.6 of the Growth Plan focuses on housing, emphasizing the need for diverse housing options and densities to meet the projected needs of residents. The application(s) align with this policy by enabling a full range of housing options.

#### **SUMMARY**

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Based on the foregoing policy analysis, the application(s) conform with the Growth Plan.

## 5.4 Niagara Official Plan (2022)

The Niagara Official Plan (NOP) is the Regional Municipality of Niagara’s long-term, strategic policy planning framework for managing growth coming to Niagara. The policies of NOP guide land use and development, thereby influencing economic, environmental, and planning decisions to 2051 and beyond.

The following table identifies the Regional Schedules pertaining to the Subject Lands:

**Table 1 – NOP Schedules and Designations of Subject Lands**

SCHEDULE	SUBJECT LAND DESIGNATION
<b>B – Regional Structure</b>	Urban Area – Built Up Area
<b>J1 – Transportation infrastructure</b>	Niagara Street is a Regional Road
<b>J2 – Strategic Cycling Network</b>	Neighbouring collector & arterial roads (i.e., Niagara Street, First Avenue, Thorold Road) form part of the Region’s Strategic Cycling Network.  The Welland Canal Parkway Trail located east of the Subject Lands is identified as forming part of the Province-wide Cycling Network.

The Subject Lands are located within the Delineated Built-up Area as per Schedule B of the NOP, and as referenced in **Appendix B** of this PJR. Niagara Street is identified as a Regional Road per Schedule J1 of the Niagara Official Plan. As noted in Table 2, the Subject Lands are adjacent to a variety of cycling networks within the surrounding area. Schedule J2 of the NOP is included in **Appendix C** of this report.

### 5.4.1. Managing Urban Growth

Section 2.2.1 of the NOP provides policy direction for managing urban growth within the region. The following policies apply:

#### **POLICY**

- 2.2.1.1** *Development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:*
- a) the intensification targets in Table 2-2 and density targets outlined in this Plan;*
  - b) a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational*

*uses, and public service facilities, to support the creation of complete communities;*

- c) a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs.*
- d) social equity, public health and safety, and the overall quality of life for people of all ages, abilities, and incomes by expanding convenient access to:
  - i. a range of transportation options, including public and active transportation...*
  - e) built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure to support the financial well-being of the Region and Local Area Municipalities;*
  - f) opportunities for transit-supportive development pursuant to Policies 2.2.17, 2.2.2.18 and 2.2.2.19...*
  - i) the development of a mix of residential built forms in appropriate locations, such as local growth centres, to ensure compatibility with established residential areas...*
  - k) orderly development in accordance with the availability and provision of infrastructure and public service facilities;*
  - l) mitigation and adaptation to the impacts of climate change by:...*
    - iii. promoting built forms, land use patterns, and street configurations that improve community resilience and sustainability, reduce greenhouse gas emissions, and conserve biodiversity.**

## **ANALYSIS**

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The application(s) would fulfill the noted objectives in the NOP by strategically implementing intensification and higher densities to meet the municipality's minimum targets. The proposed high-rise mixed-use development creates a compact and vibrant built form with diverse land uses within the Subject Lands, fostering a complete community. This approach aims to reduce reliance on private vehicles, promoting public transport and active transportation to mitigate greenhouse gas emissions and conserve biodiversity.

## 5.4.2. Strategic Intensification and Higher Densities

Section 2.2.2. of the NOP provides policies with respect to intensification, as follows:

### **POLICY**

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- 2.2.2.1 *Within urban areas, forecasted population growth will be accommodated primarily through intensification in built-up areas with particular focus on the following locations:*
- b) areas with existing or planned public service facilities;*
  - c) other locations with existing or planned transit service, with a priority on areas with existing or planned frequent transit...*
  - d. local growth centres and corridors, as identified by Local Area Municipalities.*
- 2.2.2.6 *Local Area Municipalities shall establish intensification targets in their official plans that meet or exceed the targets identified in Table 2-2 (Table 2-2 identifies 10,440 units and a 75% intensification rate for Welland.)*

### **ANALYSIS**

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The proposed high-rise mixed-use development is considered to be intensification as promoted in the NOP and would contribute to meeting regional intensification targets for the City. The application(s) would facilitate appropriate development standards to support the achievement of complete communities and facilitate compact built form within a local growth centre. For these reasons, the application(s) conform with Section 2.2.2 of the NOP.

## 5.4.3. Housing

Section 2.3.1 of the NOP provides policy direction regarding housing within the region. The following policies apply:

### **POLICY**

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- 2.3.1.1 *The development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life.*
- 2.3.1.4 *New residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:*
- a) facilitating compact built form...*

## **ANALYSIS**

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The application(s) would enable the construction of a high-rise residential development and stacked townhouses in an area dominated by single-detached dwellings, enhancing the diversity of housing densities. The development includes a range of unit sizes with provisions for studios, one-bedroom, two-bedroom and three-bedroom apartment units to meet housing needs at all stages of life. This form of residential intensification aligns with policies promoting compact built form.

Section 5.2 of the NOP includes policies which ensure the region's existing and future development is supported by infrastructure that is planned, constructed, and managed in an integrated, efficient, and environmentally sustainable manner.

### **5.4.4 Municipal Water, Wastewater and Stormwater Management**

Section 5.2 of the NOP promote sustainable development by ensuring well-planned and managed infrastructure. The following relevant policies deal with infrastructure services such as municipal water, wastewater and stormwater.

## **POLICY**

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### **Section 5.2.2 – Municipal Water and Wastewater Servicing within Urban Areas**

- 5.2.2.1 *Adequate water supply and sewage collection shall be provided to meet the existing and future development needs in alignment with the growth management policies of this Plan, the Water and Wastewater Master Servicing Plan and the Region's capital budget process.*
- 5.2.2.1 *Adequate water supply and sewage collection shall be provided to meet the existing and future development needs in alignment with the growth management policies of this Plan, the Water and Wastewater Master Servicing Plan and the Region's capital budget process.*
- 5.2.2.2 *Municipal water and wastewater systems/services are the required form of servicing for development in urban areas.*
- 5.2.2.4 *Prior to approval of development, the municipality shall ensure that required water and wastewater services and servicing capacity is available to support the development.*

### **Section 5.2.5 – Stormwater Management and the Planning Process**

- 5.2.5.1 *All new development and redevelopment in settlement areas must be provided with separate storm drainage systems or separate storm drainage connections.*



## ANALYSIS

The Functional Servicing and Stormwater Management Report (FS&SMR) assumes that the site is viable for servicing through the existing municipal infrastructure. Comprehensive details are provided in the FS&SMR accompanying these application(s), offering a thorough examination of the proposed infrastructure and its alignment with stormwater management standards.

## SUMMARY

Based on the foregoing, the application(s) conform with and do not conflict with the NOP.

### 5.5 City of Welland Official Plan (2017)

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

The WOP identifies goals, objectives, and policies to achieve its stated purpose: The designations for the Subject Lands identified in the WOP are provided in the following table:

*Table 2 - Town OP Schedules and Designations of Subject Lands*

SCHEDULE	SUBJECT LAND DESIGNATION
<b>A – Land Use Map</b>	Intensification Area
<b>B1 – Land Use Map</b>	High Density Residential
<b>E – Road Hierarchy</b>	Niagara St – Arterial Rd

The site is designated High Density residential per Schedule B1 of the WOP which can be referenced in **Appendix E** of this PJR. Moreover, the Subject Lands are located within a designated Intensification area per Schedule A of the WOP, as shown in **Appendix D** of this report. Niagara Street is an arterial road per Schedule E of the WOP.

The WOP sets out Community Strategic Directions in section 2.1, which form the foundation and basis of the OP. The proposed development which is facilitated by the amendment to the WOP aligns with the Community Strategic Directions as outlined below:

- i. A leadership community;
- ii. A complete community;
- iii. An economic gateway;
- iv. A sustainable City;
- v. A safe, healthy and accessible City;
- vi. A proud and attractive City; and,
- vii. A good neighbour.

The proposed high-rise, mixed-use development showcases leadership by adapting to evolving market demands for a broader range of housing options for both current and future Welland residents. The development contributes to a complete community by providing a range of housing options with convenient access to public transit and a mix of jobs, services, schools, and green space. The variety of apartment sizes ranging from studio units to three-bedroom units supports family building and allows for aging-in-place. The development would contribute significantly to the City's sustainability efforts by transforming 3.88 hectares of under-utilized urban lands along an arterial road into a compact, mixed-use neighborhood with existing access to municipal services. This development seeks to decrease dependence on private vehicles by establishing convenient access to services and amenities in a pedestrian-friendly environment that encourages active transportation and public transit usage. Furthermore, the project prioritizes safety through strategic site and building design, incorporating clear sightlines with more "eyes on the street," contributing to community safety.

### 5.5.1. Growth Management

Chapter 3 establishes the City's Growth Management policies.

## **POLICY**

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### **Section 3.2 – Planning Objectives**

3.2            *The growth-related objectives of this Plan are:*

- i. To direct urban growth to lands located within the designated Urban Area.*
- iii. To protect stable neighbourhoods by directing more dense development to the Downtown and strategically located intensification areas within Welland's Built-Up Area.*
- 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.*

## **ANALYSIS**

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The proposed high-rise, mixed-use development facilitates the achievement of the City's growth-related objectives outlined in subsection 3.2 by directing dense development to Intensification Areas, and providing official plan policies and zoning standards that would

facilitate compact, mixed-use, transit supportive, pedestrian friendly areas within the Built-Up Area.

### 5.5.2. Intensification

Section 3.4.4.1 of the Welland OP sets out the intensification strategy and targets for the City. Intensification is an appropriate means of accommodating growth since it makes better use of existing serviced land, which contributes to community vibrancy.

The Welland OP provides the following relevant direction for intensification:

## **POLICY**

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- 3.4.4.1.c *Intensification of residential and employment areas will be encouraged since it offers opportunities for economic development; is a viable approach to reducing the amount of Greenfield land needed for growth; takes advantage of already serviced but underutilized land; and helps to improve the vibrancy and aesthetics of Welland's existing areas. Intensification is encouraged throughout the Built-Up Area, however, the strategic location for intensification projects should generally be within the Downtown, on brownfield sites, along the Welland Recreational Waterway and along key transit corridors within the City as these areas are considered to be the most appropriate locations for intensification. Refer to Schedule A, which identifies Welland's strategic intensification areas and the Built-Up Area.*
- 3.4.4.1.D *The City will plan to meet its local municipal intensification target of 40% as recommended by the Regional Municipality of Niagara. Achieving the 40% target means that 40% of all annual housing development should occur within the City's Built-Up Area after 2015. Welland's intensification unit target, based on the housing forecasts in Policy 3.3.3, is 1,975 units (2016-2031).*
- 3.4.4.1.E *The City's strategy for achieving its intensification target includes the following:*
- i. Designating lands with intensification potential in this Plan as Medium or High Density Residential, or as mixed-use through an Area Specific Policy;*
  - ii. Providing land use compatibility Policies in this Plan to ensure that intensification occurs in an appropriate manner;*
  - iii. Providing Policies in this Plan which allow for appropriate infilling throughout the Built-Up Area.*

3.4.4.1.F *This Plan provides a number of urban design Policies for different forms of development. Refer to the applicable Policy or Policies for:*

*iii. High Density development, 4.2.2.4.C;*

## **ANALYSIS**

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The application(s) conform with the above policies by facilitating intensification within an area designated both for intensification and for high-density development, along a major transportation corridor, situated in proximity to a diverse array of commercial uses.

### **5.5.3. Housing and Residential**

Housing and Residential policies are found in Section 4.2 and are guided by the following objectives:

## **POLICY**

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### **Section 4.2.1 – Planning Objectives**

- 4.2.1.1 *Provide for the Orderly Growth and Distribution of Residential Areas*
- 4.2.1.2 *Efficient and Logical Development Pattern*
- 4.2.1.3 *Residential Uses Ranging in Type and Tenure*
- 4.2.1.4 *Residential Uses Ranging in Affordability*
- 4.2.1.5 *Support the City's Existing and Planned Residential Fabric*
- 4.2.1.6 *Carefully Balance the Supply of Residential Land with the Demand for New Land*
- 4.2.1.7 *Support Existing Areas and Designations*
- 4.2.1.8 *Promote Opportunities for Intensification and Redevelopment*
- 4.2.1.9 *Develop New Sustainable Neighbourhoods*
- 4.2.1.10 *Develop Attractive, Accessible and Pedestrian Friendly Neighbourhoods*

## **ANALYSIS**

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The application(s) would facilitate redevelopment that is compact with diverse housing options in an area considered ideal for intensification by the city. The Subject Lands proximity to a major transit line and surrounding commercial amenities make it conducive to alternative forms of transportation, reducing reliance on private vehicles.

### **5.5.4. High Density Residential**

The WOP Land Use policies are provided in subsection 4.2.2, with the following relevant policies provided for High Density Residential in subsection 4.2.2.4.

## **POLICY**

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### *4.2.2.4.A Planned Function*

*The High Density Residential Designation is intended to provide housing for residential development at a minimum density of 61 dwelling units per net hectare of land and a maximum density of 125 dwelling units per net hectare of land. High Density Residential uses will generally be located close to, or within, activity nodes (or be planned as a catalyst for an activity node within a Secondary Plan or Master Plan) where the intensity of residential development supports commerce and transit ridership, and generates pedestrian traffic to enliven neighbourhood streets.*

### *4.2.2.4.B Permitted Uses*

*Permitted uses include medium-rise and high-rise apartment housing. Accessory private recreation facilities or amenities for the benefit of the immediate residents are permitted. Small scale neighbourhood convenience or personal service uses scaled to serve the needs of the residents of the development may be permitted on the ground floor of medium-rise and high-rise apartments. Elementary schools and places of worship are permitted in circumstances where there are no reasonable alternatives for location of a new facility within the Low and Medium Density designations.*

### *4.2.2.4.C Scale*

*High Density Residential lots may accommodate medium-rise and high-rise apartments where the issues of casting of shadows, obstruction of views, and privacy for adjacent lots need to be managed and potential negative impacts minimized. Generally, High Density Residential buildings should be between 5 and 8 stories. Density and building heights are intended to decrease as the distance of the building from activity nodes increases.*

### *4.2.2.4.D Design*

*High Density Residential will be encouraged to have a covered entrance which is aligned with the street and main building entrance. Buildings should incorporate a built form, architectural articulation, exterior materials, and window design which prevent large continuous “slab” walls. Buildings should incorporate landscaping in all yards to provide a buffer between the building and adjacent sensitive land uses. Parking areas should be located in the side or rear yard and/or underground. Large at-grade or above-grade parking shall not dominate the site. At-grade parking will be provided as multiple landscaped parking areas distributed throughout the site with a logical circulation pattern. Where underground or structured (above grade) parking is provided, an amendment to this Plan is not required for increased density, provided that proposed built form is consistent with the Policies of this Plan. The site will be designed to provide for the collection and storage of recyclable wastes on site.*



## ANALYSIS

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The proposed application(s) aim to support the creation of a well-planned, high-density residential development. More than 90% of the required parking is strategically placed underground or seamlessly integrated into the building structure. Grade level parking discreetly sits at the rear of the site or is concealed behind the proposed high-rise buildings. Additionally, the proposal includes a commercial/retail space component, in accordance with subsection 4.2.2.4.B of this Plan.

While the proposed density exceeds the plan's limits, it's relevant to note that at the present time, the City of Welland is currently preparing a new Official Plan which will be made available for the public to review by the beginning of 2024. Policy makers have identified that the new WOP proposes to increase the maximum allowable height to 16 storeys and the maximum permitted density to 300 units per hectare in high-density residential areas. Although the proposed development still surpasses the previously noted limitations, it is better aligned with the city's proposed long-term vision than the existing use. This type of development is appropriate on the Subject Lands given its proximity to the Community Commercial Corridor, the Regional Shopping node (Seaway Mall) and given the future high-density development that is foreseen to be developed across Niagara Street from the Subject Lands. Please refer to Schedule B1 & B2 located in the Appendix.

### 5.5.5. Additional Policies

Section 4.2.3 contains additional policies pertaining to the development of residential neighbourhoods that are relevant to the proposed amendment:

## POLICY

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### 4.2.3.6 Infill and Intensification Development

*Infilling and intensification is encouraged throughout the City's existing built up residential areas. Intensification in residential areas should address (notwithstanding the requirements for a severance, site plan or plan of subdivision):*

	<i>Requirement</i>	<i>How Requirement is Satisfied</i>
<i>i.</i>	<i>Land use and neighbourhood character compatibility</i>	The Subject Lands are within an area of the city which has been identified for intensification. The proposed development is located along an arterial road in proximity to a Commercial Corridor and a Regional Shopping Node (Seaway Mall). Additional high-density development is envisioned to be constructed across Niagara Street, as per Schedule B1 of the WOP. The proposed development is compatible with the surrounding neighbourhood. For a comprehensive understanding of the site & building design strategies

		engaged to facilitate a gradual transition from low-density to high-density residential, please refer to Section 5.6 of this report.
ii.	<i>Lot pattern and configuration</i>	The proposed development will likely be achieved through a Plan of Condominium to create a series of blocks and road networks; however, the details are still forthcoming.
iii.	<i>Accessibility</i>	The proposed development will create pedestrian connections that are accessible throughout the development. The residential towers will be required to meet the accessibility requirements in the Ontario Building Code at the time of construction
iv.	<i>Parking requirements</i>	The application(s) have requested modified parking standards to promote transit use, and active transportation for residents. The reduced parking ratios, as well as the modified parking provisions where there is a car sharing and/or bicycle sharing program on the property is intended to reduce the need for people to own a car as there will be options other than ownership provided, also, the property is in an area that provides transit connections and services are within a walkable distance.
v.	<i>The potential for additional traffic and traffic manoeuvrability</i>	R.J. Burnside & Associates Limited conducted a comprehensive Transportation Study to assess the traffic conditions pre and post development. They concluded the under existing and future conditions during peak hours, all intersections except for Niagara Street and Woodlawn Road are expected to operate with excess capacity. The Transportation Study recommends that the Region monitor the westbound left turn lane and the southbound through-right turn lane at the Niagara St / Woodlawn Road intersection for potential improvements.
vi.	<i>The potential for transit ridership</i>	Subject Lands adjacent to key transportation corridor with transit stop directly across from Subject lands. Proposal offers rider friendly technology such as in-building transit displays which will provide real-time bus arrival information and a one-time \$25 transit subsidy to help encourage use of alternative transportation.
vii.	<i>Natural (including natural hazards) and built heritage conservation / protection;</i>	An EIS identified that there is a threatened species under the Federal Species at Risk Act located in the existing woodlot, located on the Subject Lands. A thirty (30) metre buffer (critical function zone) is proposed from the plants to ensure the species and it's habitat will be protected.

viii.	<i>The available capacity of municipal infrastructure; and,</i>	R.J. Burnside & Associates Limited prepared a Functional Servicing and Stormwater Management Report to confirm an adequate supply and on-site distribution of municipal water to meet domestic and fire flow requirements. Please refer to the FS & SMR included with these application(s) for further details.
ix.	<i>Residential intensification targets identified in this Plan.</i>	These application(s) will contribute to achieving the City of Welland's intensification targets as established in the Niagara Official Plan (NOP). Table 2-2 of the NOP requires that the City of Welland provide 10,440 additional housing units by the year 2051. These application(s) would provide for in excess of 10% of that target. The City of Welland is permitted to exceed its intensification target.

4.2.3.7 *New High Density Residential land uses should be located along existing or planned future transit corridors, within the Downtown, on brownfield sites or along the Welland Recreational Waterway and the Welland River.*

## **ANALYSIS**

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The proposed development is located on an existing transit corridor, and in proximity to the Welland Recreational Waterway.

### **5.5.6. Policies**

Section 6.5.2 contains policies pertaining to municipal infrastructure and utilities.

## **POLICY**

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### **6.5.2.4 Water and Sanitary Sewerage**

6.5.2.4.B *Water Supply within the Urban Area All new development within the Urban Area is required to be connected to the water system as a condition of development.*

6.5.2.4.E *Sanitary Sewage Supply within the Urban Area All new development within the Urban Area is required to be connected to the sanitary sewage system as a condition of development.*

### **6.5.2.5 Stormwater**

6.5.2.5.B *Innovative Techniques - The City encourages the use of innovative techniques to reduce the need for large stormwater management facilities, thereby reducing run-off and improving water quality. Innovative techniques include, but are not limited to, rainwater harvesting systems (rain barrels and cisterns), green roofs, landscape*

*systems and vegetated swales, downspout disconnection and permeable surfaces.*

## **ANALYSIS**

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The Functional Servicing and Stormwater Management Report (FS & SMR) assumes that the site is viable for servicing through the existing municipal infrastructure. Comprehensive details are provided in the submitted FS & SMR report accompanying these application(s), offering a thorough examination of the proposed infrastructure and its alignment with stormwater management standards.

## **SUMMARY**

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Based on the foregoing, the application(s) conform with and do not conflict with the Welland Official Plan.

### **5.6 Welland Urban Design Guidelines (2014)**

The purpose of these Design Guidelines is to offer a practical and adaptable framework for evaluating new development and redevelopment within the city. In particular, the Urban Design Guidelines aim to present a set of overarching urban design principles that can be applied to various types of development, including high-rise residential, mixed-use development proposals and stacked townhouses.

The Urban Design Goals included in the Table below are included within Section 2.0 of the Urban Design Guidelines. They introduce the foundational principles which encompass heritage preservation, modern design practices, and emerging urban design trends. These recurring principles serve as the building blocks for understanding how urban design can influence changes in the physical environment, directly addressing the dynamic requirements of Welland and its evolving landscape.

<b>Urban Design Goal</b>	<b>How that Goal is Accomplished</b>
<b>Provide a Multi-Functional &amp; Multi-Modal Streetscape Network</b>	This high-rise, mixed-use development proposal is situated along a prominent commercial corridor, with a strong emphasis on improving walkability and accessibility. Accessed directly from Niagara Street, it offers convenient access to public transportation. Furthermore, the development is supportive of bicycling, aligning with sustainable and active transportation options. The proposal strikes a balance between providing sufficient parking for private vehicles and ensuring that accessible transportation alternatives are readily available,



	<p>promoting a well-rounded approach to mobility and urban design.</p>
<p><b>Promote a Convenient &amp; Connected Open Space Network</b></p>	<p>The high-rise, mixed-use development proposal incorporates a thoughtfully designed pedestrian promenade that will serve as a crucial element in realizing the objectives of establishing a sustainable, pedestrian-friendly, and interconnected urban environment. This secure area provides residents with the option to enjoy outdoor seating, direct access to Niagara Street, and the commercial conveniences outlined in the proposal.</p> <p>The Pedestrian Promenade is purposefully crafted to cultivate a feeling of open space amidst the envisioned residential towers. Additionally, various seating areas are also proposed across the property, providing residents with ample opportunities to relax and enjoy the outdoors.</p>
<p><b>Protect and Enhance Natural Heritage</b></p>	<p>The proposal incorporates the existing natural elements on the subject lands. It includes a thirty-meter buffer zone surrounding the woodlot in the northeast corner. Additionally, there is a headwater drainage feature (HDF) which traverses the subject lands near the western boundary. The Stormwater Management Report, as included with these application(s) concludes that drainage will be dealt with appropriately.</p>
<p><b>Establish Appropriate Built Form &amp; Architecture</b></p>	<p>This proposal demonstrates careful consideration for the low-density residential homes situated adjacent to the east lot line. To address compatibility, low-rise stacked townhomes have been introduced as a transition in built-form between the existing low-density neighbourhoods and the proposed high-rise residential buildings. The stacked townhouse units are positioned with an approximate setback of 20 meters from the rear property line, allowing for landscaping to provide further buffering between the proposed development and existing built form. Furthermore, the high-rise buildings maintain an approximate setback of 66.5 meters from the rear property line, while Tower C has an even greater setback of more than 110 meters. All towers adhere to the angular plane regulations, with only a slight</p>

	<p>protrusion at the southeastern corner of Building B. The majority of the building height has been strategically placed along the western lot line to mitigate potential shadow impacts on the neighbouring land uses. Additionally, the building design contains several podium levels that have been limited to 5-8 storeys to reduce visual impacts from the tower on the skyline.</p>
<p><b>Cultivate Identity &amp; Sense of Place</b></p>	<p>The proposed architectural design and landscaping in the applications aim to create a unique sense of place. The combination of residential and commercial spaces, seamlessly connected to the street, encourages interaction and engagement between public and private areas.</p>
<p><b>Incorporate Measures of Healthy Communities and Sustainability through Urban Design</b></p>	<p>Niagara Street, located south of Thorold Avenue, is a recognized component of the Strategic Cycling Network, as identified in the Niagara Official Plan. Notably, Niagara Street provides a direct connection to the Niagara Waterway Trail, which is itself a key element of the province-wide cycling network. Moreover, those traveling on foot can readily access the Waterway Trail from Woodlawn Road, located less than 1-kilometre from the Subject Lands.</p>

### 5.6.1 High Density Residential

Section 3.1.2.3 contains policies pertaining to high density residential buildings which includes both high density and medium density residential.

## **POLICY**

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### ***Building Siting and Location***

- *Where mid-rise or high-rise buildings are proposed, the tallest buildings should be located furthest from any adjacent pre-existing low-density neighbourhoods to mitigate shadow impacts. These buildings should be located towards other similar height buildings or adjacent to major roads and intersections.*

### ***Setbacks***

- *Where mid-rise and high-rise buildings abut low-rise building sites, ensure a setback that mitigates shadow impact.*

- *In locations where mid-rise and high-rise building sites are bound by similar sites, ensure a minimum separation distance of 15-metres between buildings with an existing blank wall, and a 20-metre separation where and there is an existing window wall.*

### **Vehicular Access and Parking/Garages**

- *Consolidate vehicular entrances to serve multiple buildings in order to minimize the number of interruptions on the street, and to reduce the number of potential conflicts with pedestrians and cyclists.*
- *Access parking and service areas from lanes or side streets where possible.*
- *Limit the prominence of vehicular entrances and integrate them into the scale of the façade.*
- *Underground parking should be considered.*
- *Surface parking should be provided as well, but should be kept to a minimum.*
- *Rear yard parking is preferred. Front yard parking should be avoided.*
- *Where surface parking is provided, appropriate screening from public view should be achieved.*

### **ANALYSIS**

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The majority of the proposed building height is intentionally situated along Niagara Street, furthest from the low-density residential areas to the east, with the aim of creating a gradual transition in density. Low-rise stacked Townhouses have been purposefully proposed between the proposed high-density residential towers and the existing low-density single detached dwellings to the east of the Subject Lands. Through the design and orientation of the proposed development, shadow impacts on adjacent low-rise neighbourhoods are minimized. The Sun/Shadow Study included with these application(s) show that the proposed buildings will not cast shadows on the adjacent properties to the east until approximately 3:00 PM, providing approximately six hours of unaffected sunlight. Additionally the proposal complies with the setback requirements outlined in the Urban Design Guidelines.

The high-rise residential development is strategically situated along Niagara Street, a Regional Road with convenient access to a variety of accessible and public transportation options. The application(s) also ensure adequate parking space for personal vehicles. The parking facilities are thoughtfully integrated into the design to minimize their impact on the streetscape, with some levels accommodated below grade to reduce visual impacts from the street. For specific parking rates, please consult Section 6.0 of this PJR. Any surface-level parking that is present is screened from the streetscape or positioned approximately 60 meters from the front lot line and is designed to serve the needs of both the proposed commercial uses and residential uses.

## 5.6.2. Massing and Built Form

Section 4.1.1 contains policies pertaining to general massing and built form.

### **POLICY**

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#### ***Massing and Built Form***

- *Buildings greater than 3 storeys shall address the pedestrian scale through the use of a 2 to 3 storey base built form or podium. This can be achieved through various techniques such as stepping back the upper storeys, change in materials, the use of projections such as awnings, or the use of cornices to articulate or architecturally enrich the base built form.*
- *Building massing should be scaled to create appropriate and graduated transitions to neighbouring built form and open spaces. Abrupt changes in scale are to be avoided. This can be achieved through the configuration of new development that creates stepped built form to achieve smooth transitions, or through the use of varying building heights of different built form within a single development parcel.*
- *Buildings above 3 storeys should be stepped back to express a base, middle and top, and also to control the overall massing of the building and minimize shadow impacts on adjacent properties. The step back could vary from site to site based on the existing adjacent conditions.*
- *Buildings taller than 3 storeys are subject to an angular plane setback of 45 degrees.*

### **ANALYSIS**

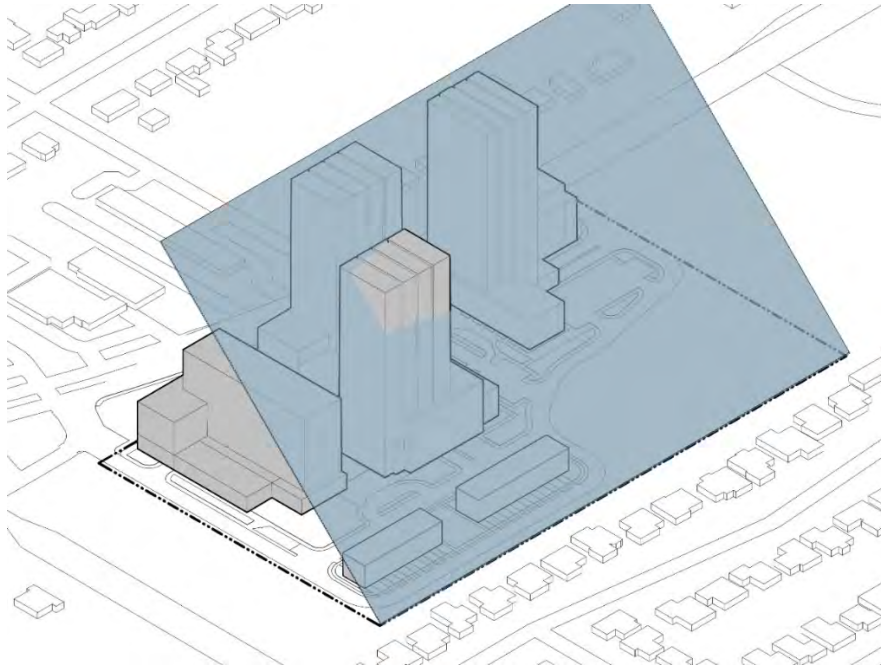
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These application(s) would facilitate a gradual transition in building height from existing the low-rise neighbourhoods located to the south and east of the subject lands. The proposed high-rise residential development generally conforms to the angular plane regulations, with only a subtle protrusion noticeable at the southeastern tower of Building B from the east lot line and the south lot line. The small protrusion is not anticipated to result in significant visual or shadow impacts on existing adjacent neighbourhoods as proven by the Sun/Shadow study included with these application(s). For further reference on the angular plane(s), please refer to **Figure 3** and **Figure 4** below.

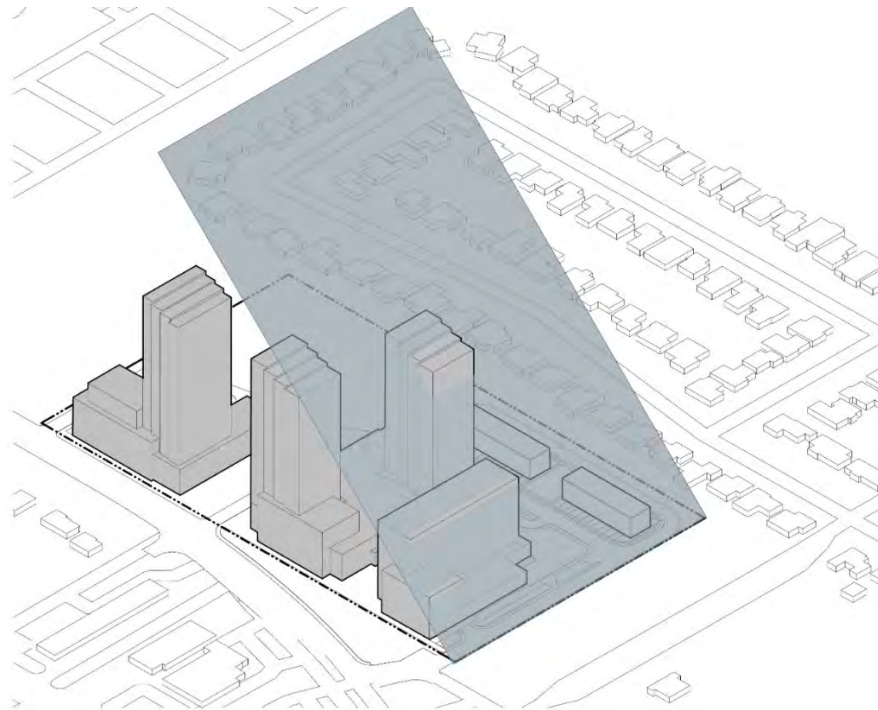
In addition, the application(s) prioritize the development of a pedestrian-friendly streetscape by incorporating strong podium conditions in alignment with the intent of the Design Guidelines. These podium levels, ranging from 5 to 8 stories, are thoughtfully designed to minimize the visual impact and massing of the buildings, both from the public streetscape and on the skyline.



**Figure 3 – Angular Plane from East Lot Line**



**Figure 4 – Angular Plane from South Lot Line**



## **SUMMARY**

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Based on the foregoing analysis, the application(s) conform with the Welland Urban Design Guidelines.

## 6.0 Proposed Zoning By-law Amendment

The Subject Lands are presently zoned single-detached dwelling – first density zone – R1 in accordance with Zoning By-law No. 2667. To facilitate the proposed development, the applicant is proposing to change the current zoning as described above, to a site-specific High Density Residential Zone (RH-XX). Site-specific provisions are proposed to permit multiple dwellings (stacked townhouses), increased building height, and a reduction to parking space requirements.

A Draft Zoning By-law has been prepared and can be found in **Appendix I – Draft Zoning By-law Amendment** of this report.

REGULATION	RH ZONE REQUIREMENT	PROPOSED	COMPLIANCE
<b>Section 6. Parking and Loading Regulations</b>			
<b>Table 6.4.1: Required Parking Spaces</b>	Apartment Dwelling:  <i>1.0 space(s) per unit, except where a dwelling unit is 50.0 m<sup>2</sup> in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 spaces for each such unit and no visitor parking is required.</i>  Requirement = 1,174 Spaces	Apartment Dwelling:  <i>1.0 space(s) per unit, except where a dwelling unit is 60.0 m<sup>2</sup> in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 spaces for each such unit and no visitor parking is required.</i>  Provided = 916 Spaces	<b>No</b>
	Street Townhouse Dwelling:  <i>1 space per unit; one of which may be provided in an attached or detached garage.</i>  Requirement = 26 Spaces	Street Townhouse Dwelling:  <i>1 space per unit; one of which may be provided in an attached or detached garage.</i>  Provided Spaces = 26 Spaces	<b>Yes</b>
	Retail or Retail Centre:  <i>1 space per 30.0 m<sup>2</sup> of gross floor area</i>  Required Spaces = 38 Spaces	Retail or Retail Centre:  <i>1 space per 30.0 m<sup>2</sup> of gross floor area</i>  Required Spaces = 42 Spaces	<b>Yes</b>

<b>Parking Space Dimensions</b>	90-degree Parking Spaces: Width: <b>2.75 metres</b> Length: <b>5.5 metres</b> Access Aisle Width: <b>6.0 metres</b>	90-degree Parking Spaces: Width: <b>3.0 metres</b> Length: <b>6.0 metres</b> Access Aisle Width: <b>6.0 metres</b>	<b>Yes</b>
<b>Table 6.5.1: Barrier Free Parking</b>	50 – 100 Spaces (Commercial) Requirement = 2 Spaces	50 – 100 Spaces (Commercial) Provided = 2 Spaces	<b>Yes</b>
	100 or more spaces (Residential) <i>2 spaces plus for every additional 100 required spaces, 1 additional barrier free space shall be provided.</i> Requirement = 10 Spaces	100 or more spaces (Residential) <i>2 spaces plus for every additional 100 required spaces, 1 additional barrier free space shall be provided.</i> Requirement = 22 Spaces	<b>Yes</b>
<b>Barrier Free Parking Space Dimensions</b>	Width: <b>4.5 metres</b> Length: <b>5.5 metres</b>	Width: <b>4.5 metres</b> Length: <b>6.0 metres</b>	<b>Yes</b>
<b>Loading Spaces</b>	Requirement = 3 Spaces	Provided = 3 Spaces	<b>Yes</b>
	Width: <b>3.5 metres</b> Length: <b>12.0 metres</b> Min. Ver. Clearance: <b>4.2 metres</b>		<b>Yes</b>
<b>Table 6.7.1: Bicycle Parking</b>	Apartment Dwelling / Multiple Dwelling: <i>0.25 spaces per dwelling unit</i> Requirement = 296 Spaces	Apartment Dwelling / Multiple Dwelling: <i>0.25 spaces per dwelling unit</i> Provided = 545 Spaces	<b>Yes</b>
	Office, Retail Uses <i>1 space per 1,000.0 m2 of gross floor</i> Requirement = 2 Spaces		<b>Yes</b>
<b>General Provisions for Bicycle Parking Spaces</b>	Width: <b>0.6 metres</b> Length: <b>1.8 metres</b> Access Aisle Width: <b>1.5 metres</b>	Width: <b>0.6 metres</b> Length: <b>1.8 metres</b> Access Aisle Width: <b>1.5 metres</b>	<b>Yes</b>
<b>Section 7 – Residential Zones</b>			

<b>Permitted Uses</b>	Apartment Dwelling	Apartment Dwelling	<b>Yes</b>
	Retail Establishment	Retail Establishment	<b>Yes</b>
		Multiple Dwelling	<b>No</b>
<b>Lot Area (min.)</b>	1,000 m <sup>2</sup>	38,000 m <sup>2</sup>	<b>Yes</b>
<b>Lot Frontage (min.)</b>	40 metres	254.55 metres	<b>Yes</b>
<b>Front Yard (min.)</b>	3.0 metres	3.0 metres	<b>Yes</b>
<b>Side Yard Interior (min.)</b>	3.0 metres	12.255 metres	<b>Yes</b>
<b>Side Yard Exterior (min.)</b>	3.5 metres	N/A	<b>N/A</b>
<b>Rear Yard (min.)</b>	7.0 metres	> 7.0 metres	<b>Yes</b>
<b>Building Height (max.)</b>	32 metres (8 storeys)	84.7 metres (25 storeys)	<b>No</b>
<b>Lot Coverage (max.)</b>	50%	30%	<b>Yes</b>
<b>Landscaped Area (min.)</b>	15% of the lot area	31.7% of the lot area	<b>Yes</b>

## Permitted Uses

The proposed zoning amendment seeks to permit multiple dwellings (stacked townhouses) on the subject lands. The City's Zoning By-law does not currently permit this form of development in High-Density Residential Zones. This amendment can be supported because the stacked townhouses facilitate a smooth transition in building height between the existing low-density residential homes and the planned high-rise mixed-use development. The addition of stacked townhouses complements the proposed high-rise structures, providing an accessible housing option directly from ground level. This offers a unique housing choice uncommon in the area, aligning with provincial, regional, and municipal policies. Overall, the proposal ensures a balanced and innovative approach to urban development.



## **Maximum Building Height**

The proposed Zoning By-law Amendment seeks to increase the maximum building height of the High-Density Residential Zone for apartment buildings from 35 metres (8 storeys) to 84.7 metres (25 storeys). This amendment can be supported because the Subject Lands, as recognized by the City, are an ideal location for intensification as indicated by Schedule A of the WOP. Situated directly along a Regional Road, with access to a diverse range of commercial uses, along with prospects for enhanced public transit, it presents an ideal setting for urban development. Although the proposed building heights exceed the current Official Plan and Zoning By-law density and height limitations, the City of Welland has acknowledged the necessity to update these regulations, in order to permit a maximum height of sixteen (16) storeys and a maximum permitted density of 300 units per hectare.

To create a balanced urban environment, the proposed massing incorporates a gradual transition in height. This is especially important considering the existing low-rise residential dwellings to the east and south of the subject lands. To achieve this transition, low-rise stacked townhomes are thoughtfully integrated between the planned mixed-use residential towers and the rear property line. Additionally, the proposed high-rise mixed-use residential towers adhere to angular plane regulations, with only minor deviations. Notably, shadow studies indicate that the proposed development will have minimal impact on adjacent low-density residences during peak hours of the day.

## **Parking and access requirements**

The proposed zoning amendment would provide 916 parking spaces for the Apartment Dwelling Units at a rate of 1.0 space(s) per unit, except where a dwelling unit is 60.0 m<sup>2</sup> in gross floor area or less, in which case parking shall be provided at a rate of 0.3 spaces for each unit. The City's Zoning By-law requires a rate of 1.0 spaces per unit, except where a dwelling unit is 50.0 m<sup>2</sup> in gross floor area or less, in which case parking shall be provided at a rate of 0.3 spaces for each unit.

The reduction in parking is supported by the Transportation Study and Parking Analysis, which contends that the proposed project aims to reduce dependence on private vehicles. This goal will be realized through a commitment to bolstering accessible transportation options, emphasizing, and endorsing public transit use, and mandating residents to individually pay for parking spaces.

The proposed plan encompasses secure bicycle storage, complete with conveniently placed bicycle repair stations. Strategically positioned bicycle racks located near residential and commercial entrances, coupled with information packages detailing available transit, walking, and cycling options for residents, contribute to a pedestrian-friendly environment. Moreover, residents will incur fees for parking space usage. The subject lands offer direct access to nearby public transportation options, with residents benefiting from a one-time \$25 transit subsidy, which would encourage the use of alternative transportation. In-building transit displays would provide real-time bus arrival information, underscoring the holistic approach to promoting sustainable mobility.

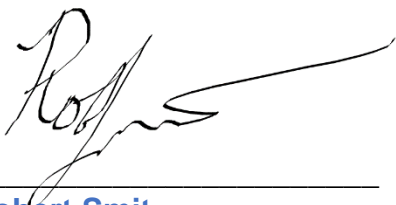
These initiatives collectively align with regional strategies aimed at reducing the dependence on private vehicles.

## 7.0 Summary and Conclusion

It is our opinion that the proposed Official Plan Amendment and Zoning By-law Amendments represent good land use planning, are in the public interest and should be approved for the following reasons:

1. The proposal is consistent with the Provincial Policy Statement (2020) and is in conformity with the Growth Plan, Niagara Official Plan, and the City of Welland Official Plan;
2. The proposal supports residential mixed-use intensification within a strategic growth area located in proximity to a commercial corridor and a regional shopping node, fostering the development of a complete community;
3. The proposal will assist the municipality in achieving the minimum intensification targets identified in the Niagara Official Plan;
4. The development will make efficient use of existing municipal services and facilities;
5. The proposed density is appropriate for the Subject Lands due to its location on a Regional and arterial road – Niagara Street. The location provides access to local public transit and other active transportation choices; and
6. The Applications facilitate development that includes purpose-built rental units and units intended for sale in the City of Welland. The proposal includes a mix of unit types which contribute to a more diversified mix of housing options.

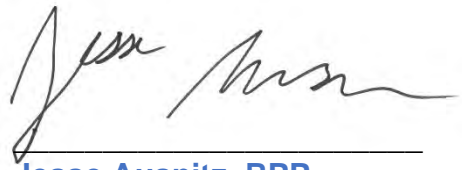
Report prepared by:



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**Robert Smit**  
Planner  
*NPG Planning Solutions Inc.*

Report reviewed and approved by:



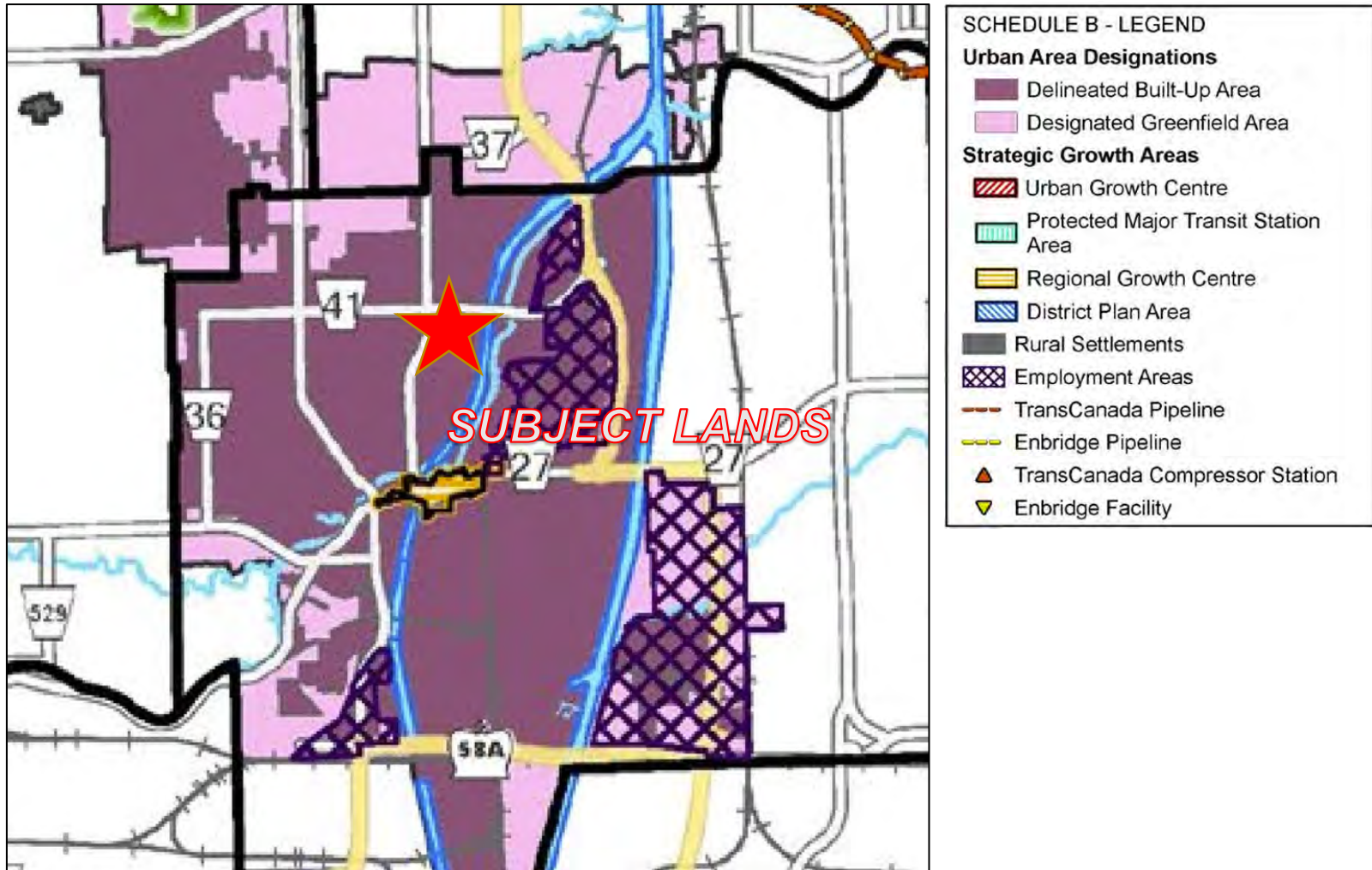
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**Jesse Auspitz, RPP**  
Senior Planner  
*NPG Planning Solutions Inc.*

## 8.0 Appendices

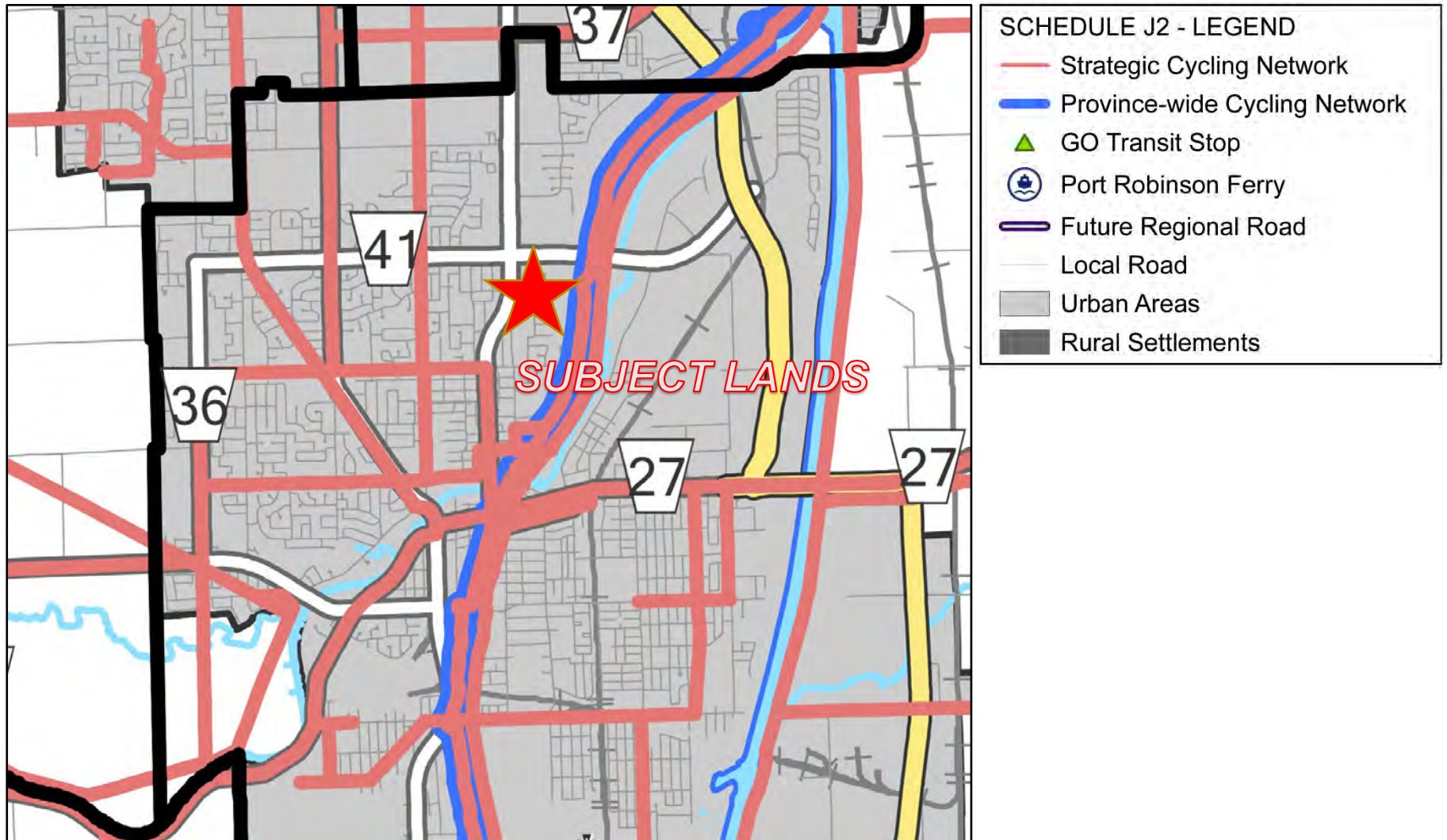


Appendix B – Regional Structure – NOP Schedule B

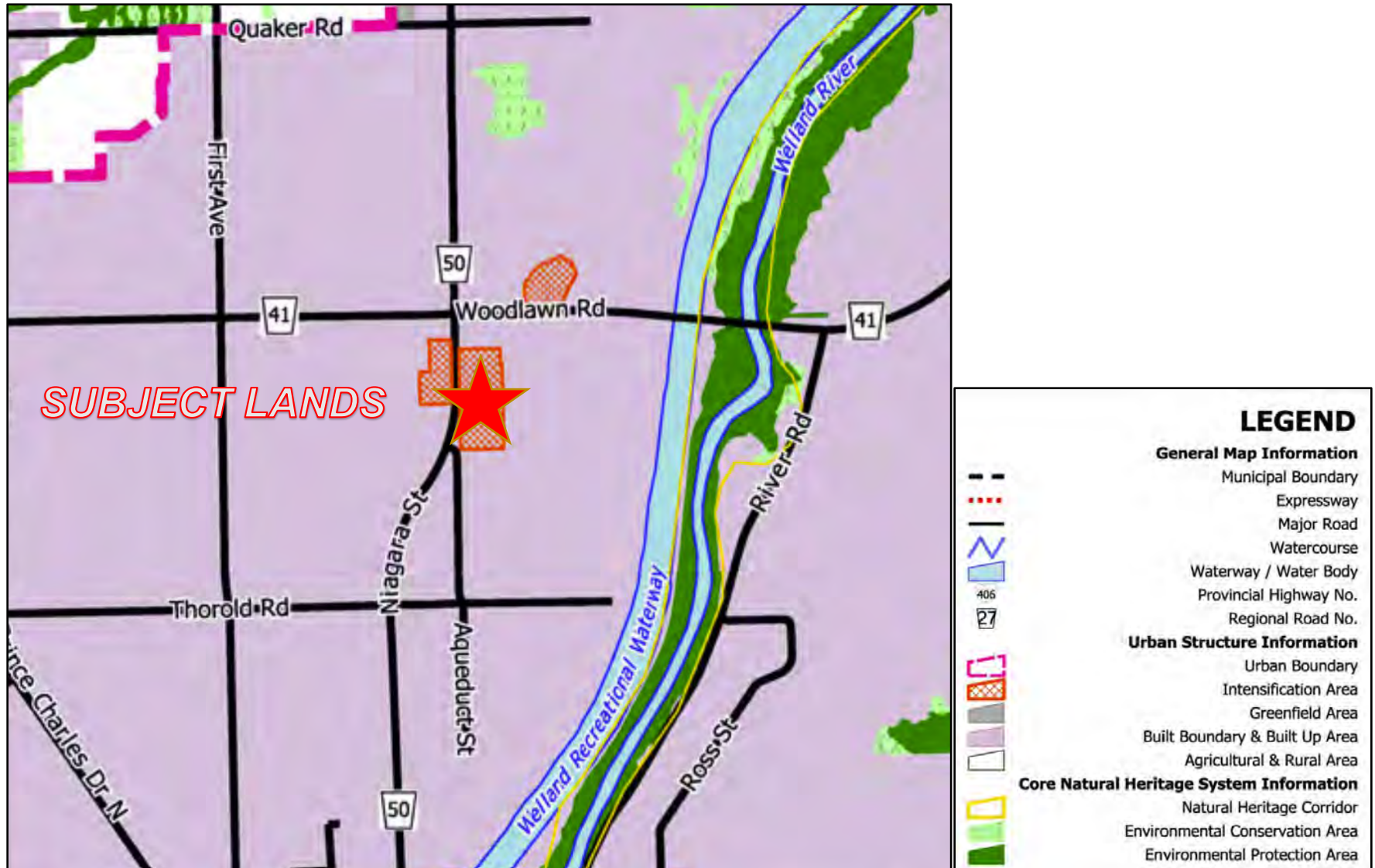




Appendix C – Strategic Cycling Network – NOP Schedule J2

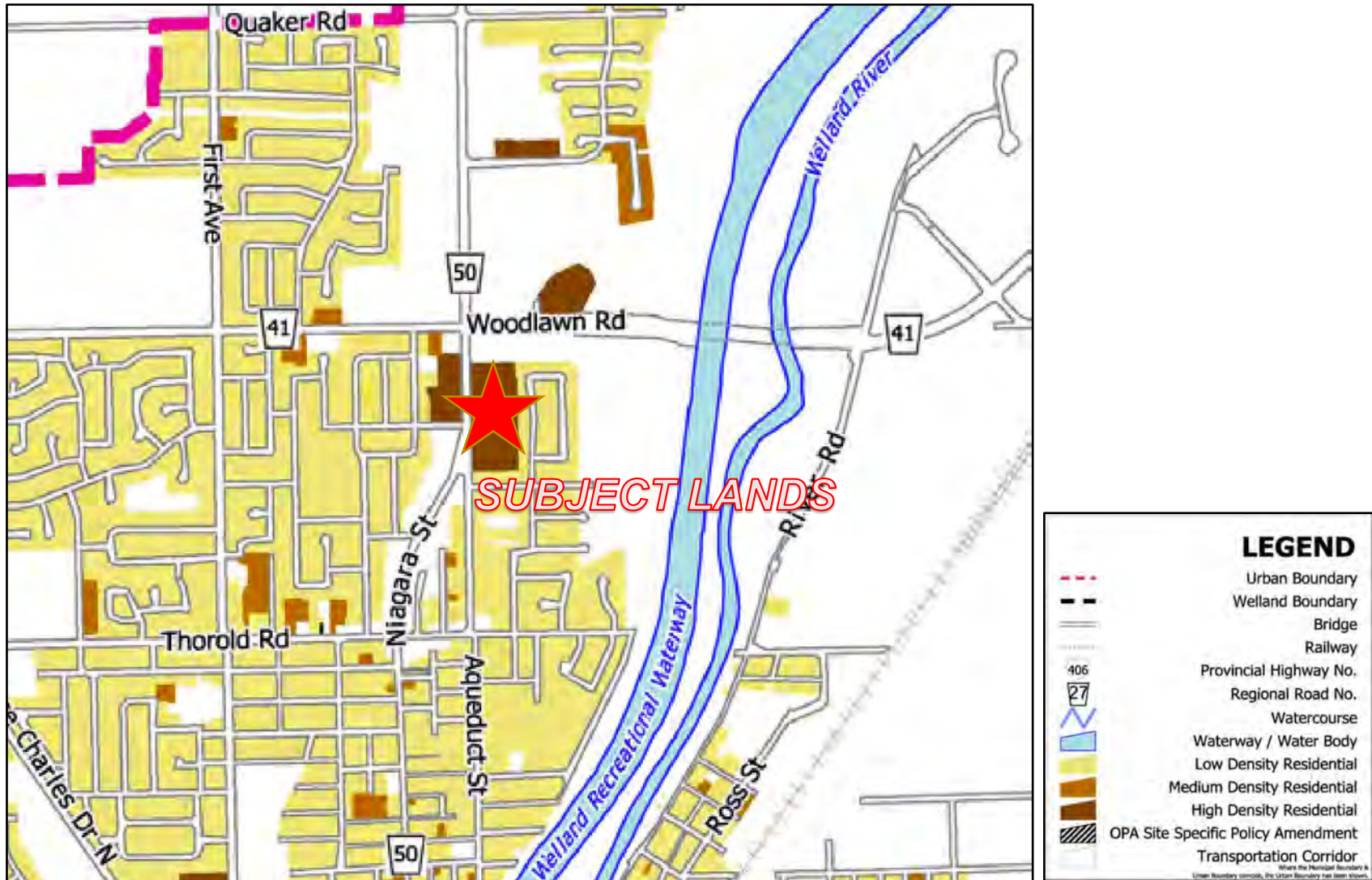


Appendix D – City Structure –WOP Schedule A

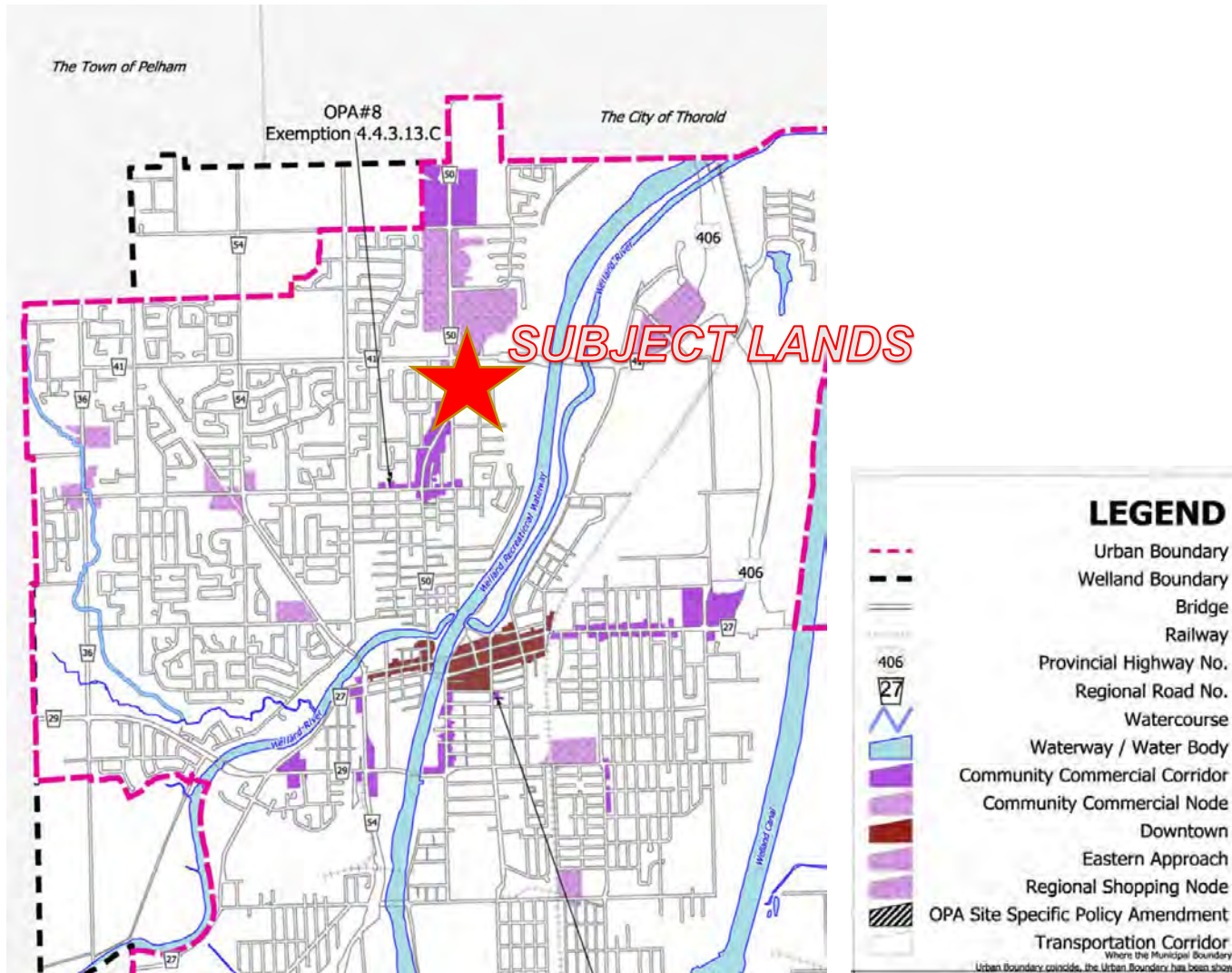




Appendix E – Residential Hierarchy Land Use –WOP Schedule B1

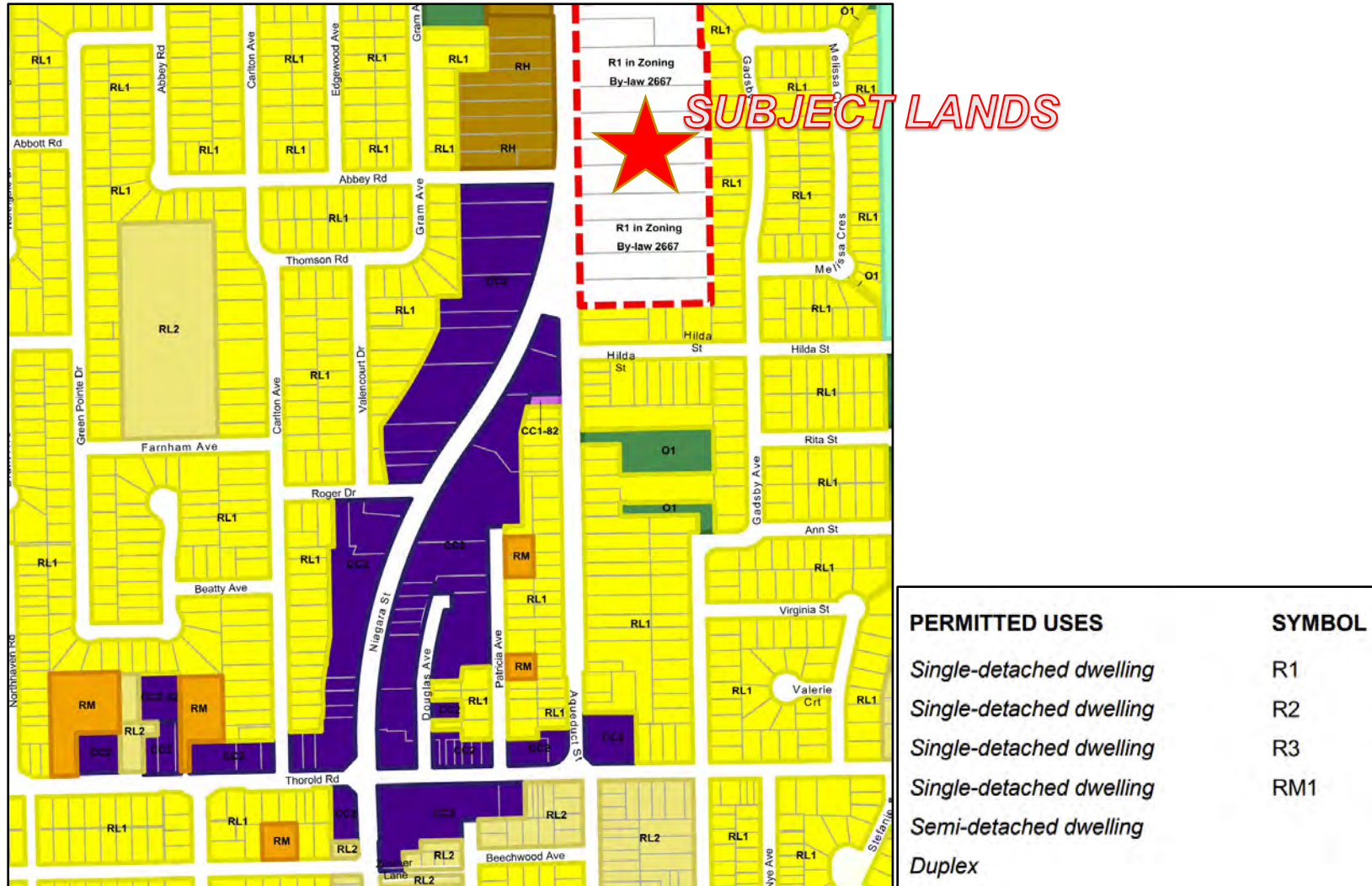


Appendix F – Commercial Hierarchy Land Use Map –WOP Schedule B2





Appendix G – By-Law 2017-117 Zoning Map – Schedule A - Map D3





## **PART B - THE AMENDMENT**

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the following Policies constitutes Amendment No. XX to the Official Plan of the Corporation of the City of Welland.

### **TEXT CHANGES**

1. The Official Plan of the City of Welland is hereby amended by adding the following:

4.2.3.20 Exemptions

4.2.3.20 Notwithstanding the scale provisions under Section 4.2.2.4.C, a twelve (12) storey apartment building including 224 dwelling units, a twenty-five (25) storey apartment building including 593 dwelling units and a twenty-five (25) storey apartment building with 366 dwelling units shall be permitted on the lands located on and between 418 Aqueduct Street and 678 Niagara Street. Notwithstanding the permitted uses noted in Section 4.2.2.4.B, a four (4) storey stacked townhouse building including fourteen (14) dwelling units and a four (4) storey stacked townhouse building including twelve (12) dwelling units shall be permitted on the lands located on and between 418 Aqueduct Street and 678 Niagara Street. Notwithstanding the density provisions of Section 4.2.2.4.A, the maximum permitted density of the lands located on and between 418 Aqueduct Street and 678 Niagara Street shall be 315 units per net hectare. (LANDS INCLUDING AND BETWEEN 418 AQUEDUCT ST AND 678 NIAGARA ST)

## SCHEDULE "A" LAND USE PLAN



Appendix I – DRAFT Zoning By-law Amendment

**THE CORPORATION OF THE CITY OF WELLAND  
BY-LAW NUMBER 2021 - \_\_\_\_\_**

**BEING A BY-LAW TO AMEND CITY OF WELLAND ZONING BY-LAW 2017-  
117**

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

**AND WHEREAS** Subsection 1 of Section 34 of The Planning Act R.S.O. 1990, Chapter P.13 provides that local Councils may pass Zoning By-laws;

**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:**

That Schedule "A" to By-Law 2017-117 be and the same is hereby amended as follows:

1. <ENTER LEGAL ADDRESS>, City or Welland, shown on Schedule "A" attached hereto as "Change to RH-XX" is hereby changed to RH-XX.
2. That the provisions in the RH-XX shall be those provided for in the RH Zone, save and except as follows:
  - All other general provisions of By-law 2017-117, as amended, shall apply save and except for the following:
    - a. Notwithstanding Section 4, "Building Height", where height is established as a number of storeys, height means the number of storeys.
    - b. Notwithstanding Section 5.10.8, Height Exemptions
      - i. A structure shall be permitted to enclose a space, thereby forming either part or all of a penthouse (mechanical).
    - c. Notwithstanding Section 6.4, Required Parking and Queuing Space by Use:

<b>Use</b>	<b>Required Number of Spaces</b>
Apartment Dwelling less than 60 square metres in floor area	0.3 spaces per Unit
Apartment Dwelling greater than 60 square metres in floor area	1.0 space per Unit

- d. Notwithstanding Section 7.2, Permitted Uses:
  - i. That “Multiple Dwelling” be Permitted in RH-XX Zone and subject to the provisions outlined in Table 1.
- e. Notwithstanding Section 7.3, Regulations for Residential Zones: The provisions of the RH-XX Zone shall be those provided in Zoning Provisions Table 1 (attached).

**Table 1**

Zone/Uses	Lot Area (min)	Lot Frontage (min)	Front Yard (min)	Side Yard Interior (min)	Side Yard Exterior (min)	Rear Yard (min)	Building Height (max)	Lot Coverage (max)	Landscaped Area (min)
RH-XX									
Apartment Dwelling	1000.0 m <sup>2</sup>	40.0 m	3.0 m	3.0 m	N/A	7.0 m	84.7 m (1)	50%	30%
Multiple Dwelling	N/A	N/A	N/A	13.0 m	N/A	21.5 m	10.5 m	30%	30%



**SCHEDULE "A" LAND USE PLAN**

