

Comment-Response Table: City of Welland, Draft Official Plan Commercial Policies			
Source of Comment	Date Submitted and Format	Comment	Response
Niagara Region	April 06, 2009 Email	<p>Comment 1</p> <p>The policies are written more as a description of existing commercial development in Welland rather than a plan or strategy to implement a vision that the City has for the future development and re-development of its commercial areas.</p>	<p>1.</p> <p>The background analysis included a supply-demand analysis (Regional Commercial Systems Study) which showed that the City has an oversupply of retail commercial designations. The direction of new OP policies was derived from the conclusions of the supply-demand analysis which stated that no expansions area needed. Accordingly, the OP policies focus on formally articulating the City's commercial hierarchy and planned functions. The City's new Official Plan will include broader policies for intensification and redevelopment for all major land uses.</p>
		<p>Comment 2</p> <p>Objectives 1.1.1.6 and 1.1.1.7 speak to options for intensification and redevelopment as well as the development of pedestrian friendly spaces. These objectives should be reflected in policies for the long-term redevelopment of all commercial greyfields into intensified, mixed-use, pedestrian-friendly areas with strong linkages to adjacent neighbourhoods and integration with the public realm infrastructure, particularly streets, by alternatives to the car.</p>	<p>2.</p> <p>Objectives 1.1.1.6 and 1.1.1.7 are implemented through policies 1.1.2.2 and in the subsequent policies for the Downtown, which are presently being developed in through the broader OP process. Refer to response 1.</p>

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		<p>Comment 3 Consideration should be given to long-term redevelopment toward a “Main Street” built form at intensity levels that are appropriate to the context</p>	<p>3. Main Street approach is the theme for Downtown policies.</p>
		<p>Comment 4 Welland historic downtown is a commercial area that operates in conjunction with the City’s civic centre. The importance of making provisions that will enhance the vitality and viability of downtowns and mainstreets is clearly outlined in Provincial policy and is reflected in the City’s progress to date. (PPS 1.7.1 b)</p>	<p>4. The Downtown policies are presently being developed through the broader OP process and will address the direction provided by the Region. Policies for the Downtown are being undertaken through the broader OP process because the Downtown functions as a mixed use node – and not a stand alone commercial node.</p>
		<p>Comment 5 Section 1.1.2.2 dealing with Welland’s downtown is simply a very brief description of the downtown as it stands at the moment. This section should be expanded to outline the vision the City has for this area and should include implementation strategies to actualize this vision.</p>	<p>5. See response above regarding Downtown.</p>
		<p>Comment 6 In sections 1.1.2.3 and 1.1.2.4 the planned functions, permitted uses and design guidelines are addressed for the other two commercial nodes. These should be addressed for the downtown as well.</p>	<p>6. See response above regarding Downtown.</p>

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		<p>Comment 7 In section 1.1.2.1, Commercial Hierarchy, the Downtown is listed as number one yet in section 1.1.2.3.D, Design, the “Regional Shopping Node” is said to be “the principal focus of commercial activity in the City”. This needs to be clarified.</p>	<p>7. The Regional Shopping Node is the principal focus of commercial activity within the City, as it contains the largest and most diverse amount of commercial uses found in the City. The Downtown has a commercial and retail function, but also has a residential, institutional, recreation and broader employment function compared to all other areas. It is the pre-eminent mixed use node in the City. Separate policies will be developed to articulate the long term vision for the Downtown, however, because it has a specialized retail function, it is recognized within the broader commercial hierarchy.</p>
		<p>Comment 8 Section 1.1.2.3 addresses what is termed a Regional Shopping Node. This area includes the Seaway Mall and the commercial areas that extend to the north and south of the mall along Niagara Street. The term Regional Shopping Node would suggest that this area is intended to draw its clientele from all of Niagara.</p>	<p>8. The term “Regional” is intended to refer to the trade area, not the Region of Niagara. The trade area includes Welland, Port Colborne, Wainfleet and Pelham and parts of Thorold and West Lincoln. Policies will be revised to clarify this point.</p>
		<p>Comment 9 Policy 1.1.2.3.A states that this area serves a clientele from adjacent local municipalities. To label this</p>	<p>9. See above response.</p>

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		commercial node as “Regional” is not accurate or appropriate. Another terminology such as “sub-regional” or “inter-municipal” should be used to describe this area.	
		<p>Comment 10 Section 1.1.2.3.D states that this node is to be pedestrian and transit-friendly as well as accessible but does not speak to how these principles will be implemented. If these ideas are to be implemented through site plan control, this should be made clear. While 1.1.3.6 states that all development within the City’s commercial area is subject to site plan control, it does not elaborate.</p>	10. Principles will be implemented through site plan control. Policies to be revised to reflect direction suggested by Region.
		<p>Comment 11 Section 1.1.2.3.D also states that facades, landscaping and site planning in general should compliment one another in a balanced and aesthetically pleasing way. How will fit be determined and measured? Is there a set of criteria such as urban design guidelines that will guide this process?</p>	11. Principles will be implemented through site plan control. Policies to be revised to reflect direction suggested by Region.
		<p>Comment 12 Policy 1.1.2.4.E states that the stand-alone large-format retail in the Eastern Approach node is to be user-friendly, barrier-free and accessible. As in section 1.1.2.3, how will be these requirements be determined and measured? Is there a set of criteria such as urban design guidelines to guide this process? For example, is there</p>	12. Principles will be implemented through site plan control. Policies to be revised to reflect direction suggested by Region.

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		any requirement that land be set aside for a bus shelter or that the bus route is to extend to the store fronts?	
		<p>Comment 13 Policy 1.1.3.2 addresses major applications in the City’s community commercial nodes or corridors, requiring market impact studies and peer reviews for any major proposal. Although policy 1.1.3.2, point iv indicates that these studies will address “potential market impacts” staff suggests clarification of this statement by expanding it as follows: “potential market impacts <i>on the downtown and on both existing and planned commercial areas</i>”. This same wording should be added in Policy 1.1.3.3 as well.</p>	13. Suggested change to be addressed in new policies.
		<p>Comment 14 Under Policy 1.1.3.2, point vi addresses the need to assess the adequacy of the existing transportation infrastructure, including consideration for pedestrians and cyclists. Staff suggests that specific mention of transit be included in this section</p>	14. Suggested change to be addressed in new policies.

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Private Citizen Mario Bevacqua	April 3, 2009 Email	Comment 1 Respectfully suggest that it be clarified that this recommended Commercial Policy Official Plan Amendment primarily relates to the retail sector. There are other "commercial uses" that should not be restricted by this amendment in terms of the requirements listed such as location. Furthermore, considering the "Eastern Approach" area it should be acknowledged that meetings have been held with staff in respect to areas on both sides of Woodlawn Road (north -adjacent to area in report and south - adjacent to City owned lands) that would be categorized under general heading of commercial. Again this proposed amendment should not automatically preclude development in these areas. In fact, consideration should be given to designating these areas as opportunities for growth given their location.	15. It would premature to designate any additional commercial land at this time. One of the key objectives of the Amendment is to provide support for the City's commercial hierarchy. In general, the limitations for expansion to existing commercial designations are related to commercial retail uses. The City will review any applications it receives as per policies 1.1.3.2 and 1.1.3.6
Calloway Mary Bull Wood Bull LLP on behalf of Calloway REIT	May 11, 2009 Letter attached in an email	Comment 1 There has been no apparent, serious consideration given to the manner in which the Commercial Policy Amendment will be integrated with any of the other amendments arising from the comprehensive Official Plan Review process for the City, and there has been no justification as to why the Commercial Policy Amendment should proceed ahead of the comprehensive Official Plan.	16. It is the City's intention to meld the commercial policies within the broader Official Plan process where there are overlaps – such as intensification or the downtown. The commercial policies have been treated as a separate process as the need for the update and review predated the decision for update of the entire OP.

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			The Commercial Policy Review began in 2007 and the OP review was launched in 2008.
		<p>Comment 2 In addition, the Commercial Policy Amendment should not proceed before the Region of Niagara has adopted its amendment to the Regional Official Plan in the context of the Growth Plan for the Greater Golden Horseshoe.</p>	<p>17. The Region has not articulated this view.</p>
		<p>Comment 3 It appears that the Commercial Strategy Study and the Commercial Policy Amendment are focusing on short term planning approach on the basis of existing commercial development in the City, rather than a long term planning framework that includes a vision for future development of commercial areas within the City and policies to guide the implementation of that vision over the 20 year horizon of the plan. It is apparent that a long term approach is the more appropriate approach for an official plan or commercial planning strategy, particularly in the context of the City's comprehensive Official Plan Review process.</p>	<p>18. See Response 1.</p>
		<p>Comment 4 There is no clear and coherent planning rationale for the distinctions made in the Commercial Policy Amendment regarding the various commercial areas,</p>	<p>19. See Regional Commercial Systems Study and Policy Directions report.</p>

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		their respective planned functions, and their floor area restrictions.	
		<p>Comment 5 Notwithstanding the recommendations of the Commercial Strategy Study that the Gateway Shopping Node is intended to serve as a “regional” focus of retail activity in the City and to serve a regional function, the Commercial Policy Amendment provides that the planned function of the “eastern Approach is intended to serve as a “sub-regional” focus of the retail and service activity in the City”. The concept of the “regional” and “sub-regional” centres and the proposal to differentiate between them requires further discussion.</p>	20. Policies to be revised to reflect regional function of Eastern Approach.
		<p>Comment 6 The floor area restrictions identified in the Commercial Policy Amendment should take into account the expansion to the Wal-Mart department store that was approved by Council at its meeting of the 28 April 2009 by the enactment of the Zoning By-law 2009-52. The floor area restrictions applicable to the Calloway Sites should provide a long term policy direction for expansion of the commercial centre and intensification of the Eastern Approach node.</p>	21. Policy to be revised to address suggestions that policies be revised to take into account expansion to Wal- Mart. Long term expansion of retail uses in the node should be tied to market demand and the criteria put forth in policy 1.1.3.4.
		<p>Comment 7 Contrary to the policies of the existing Official Plan for</p>	22. Policies for the Eastern Approach were

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		the Welland Planning Area (the “Official Plan”) that apply to the Calloway Sites, the Commercial Policy Amendment does not make any provision for future expansions to the anchor stores to take place without an amendment to the Official Plan, subject to the preparation of a market impact analysis in support of any such expansion. This is a material and unjustified change to the existing Official Plan policies that apply to the Calloway Sites.	intended to be based on existing permissions. Future expansions for retail uses will be tied to market demand. Accordingly, policies for the Eastern Approach will be revised to reflect existing permissions.
		<p>Comment 8 The permitted use and floor area restrictions identified in the Commercial Policy Amendment for the Eastern Approach effectively preventing any development on the West Site other than the home improvement store, although the existing policies of the Official Plan clearly intent the area to be developed for a range of commercial, business park and light industrial uses on the West Site. The approach in the Commercial Policy Amendment as it relates to the Eastern Approach is short-sighted and does not provide any long term planning framework for the Calloway Sites. It also substantially derogates from the existing Official Plan policies that apply to the West Site.</p>	23. West side permission added to reflect existing permissions.
		<p>Comment 9 The Regional Shopping Node identified in the Commercial Policy Amendment does not reflect the recommendations of the Commercial Strategy Study in</p>	24. Initially it had been suggested that the area be labelled as “Sub-Regional” to avoid confusion between the “Region of

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		regards to the planned function of the area as a sub-regional node.	Niagara” and the “Regional Trade Area”. In the context of the report the intent was to recognize the area as the focus of commercial and retail activity within the regional trade area. In the policies the label applies to the regional trade area (not Niagara Region), hence the name Regional Shopping Node. Note that both the Eastern Approach and Seaway Mall and vicinity serve the regional trade area.
		<p>Comment 10 The planned function of the Downtown should be more clearly identified in the Commercial Policy Amendment along with policies to guide the development of the Downtown.</p>	<p>25. See Response item 7.</p>
		<p>Comment 11 The Commercial Policy Amendment requires that market impact studies be prepared for “major applications”. However, the Commercial Policy Amendment does not clearly identify the market impact test and evaluation criteria that will be applied by the City in reviewing these studies and considering such applications. This is fundamental shortcoming as such policies are essential for the proper implementation of the intent of the Official Plan.</p>	<p>26. Policies to be clarified to include more specific direction for the market impact tests.</p>
		Comment 12	See Response 1.

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		In summary our client is concerned that this planning policy direction focuses on the status quo and does not provide a long term planning vision which is in keeping with the 20 year planning horizon of the Official Plan. It is clear that further consideration is required regarding the rationale for the proposed commercial structure, and understanding of the relationships between the commercial nodes, the policy direction regarding the planned functions of the commercial nodes, and the manner in which change will be managed in the commercial structure.	