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PLANNING RATIONALE REPORT

Dain East Subdivision
401 Canal Bank Street, Welland, ON



Prepared For:
555 CANAL BANK DEVELOPMENTS GP INC.
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0.0 SUMMARY

An official plan amendment, zoning by-law amendment and redline revision to an approved draft plan of subdivision are being filed on behalf of 555 Canal Bank Developments GP Inc (555 Canal Bank) for revisions to an approved residential subdivision on lands known municipally as 401 Canal Bank Street in the Dain City area of Welland Ontario. These lands were originally approved by Council for a residential subdivision in 2006 with revised approvals issued in 2007 resulting from comments related to required minimum setbacks from industrial uses (Provincial D-6 guidelines). The 2007 approvals, which have since been granted an extension until September 2020, were such that certain lands (the buffer lands) were excluded from the approved subdivision. In 2008, shortly after the revised approvals, the adjacent industrial use (that prompted the need for a 300 metre buffer) shut down and the site has been vacant ever since. In 2019, 555 Canal Bank purchased the adjacent industrial site with the intent to develop it as a mixed-use community thereby eliminating any future need for a buffer.

At this time planning applications are being submitted in support of the residential development of the Site and are meant to generally re-instate the original (2006) residential approvals that allowed for development of the whole site. The enclosed applications no longer identify and exclude the buffer lands. Specifically, the proposal would allow for a maximum development of 1,405 residential units consisting of a mix of detached dwellings, semi-detached dwellings and townhouses, a stormwater management pond, parks and open space on approximately 72 hectares of land currently designated "Greenfield Area" by the City's Official Plan.

The City of Welland Official Plan states that it "supports compact, mixed-use, transit supportive neighbourhoods on its Greenfield Areas that allow for the efficient use of land, infrastructure and public service facilities" (WOP 3.4.5.1.C). The proposed subdivision is compact and allows for the efficient use of land, infrastructure and public services; furthermore, supports the ultimate achievement of minimum density targets as required by the Province, the Region and the City.

In conclusion, the subject applications are consistent with, and have regard for, provincial planning policies and objectives as well as those of the Niagara Region, City of Welland and Niagara Peninsula Conservation Authority. These policies continue to support residential development of the subject site, encourage the logical extension of the Dain City community to the Site and supports the infrastructure and amenities proposed to support the community.

The proposed applications for official plan amendment, zoning by-law amendment and redline revision to the approved draft plan of subdivision represent good land use planning, are consistent with the PPS, conform to the Growth Plan and we recommend their approval in support of 555 Canal Bank's proposed Dain City Subdivision.

1.0 INTRODUCTION

Armstrong Planning and Project Management has been retained by 555 Canal Bank Developments GP Inc. (555 Canal Bank) in support of the development of lands known municipally as 401 Canal Bank Street (the Site) as outlined in **Figure 1** (Site and Context Plan). The Site is generally rectangular (tapered) in shape and has an “arm” that projects westward towards Canal Bank Street from the north west corner of the site. In 2006, an official plan amendment, zoning by-law amendment and draft plan of subdivision were approved by Council to allow up to 982 dwelling units, roads, parks, open space and a storm water management pond (City of Welland File No. 26T-14-06002). Following approvals, the owners of the adjacent industrial lands submitted comments associated with the Province’s D-6 compatibility requirements related to setbacks from industrial sites. In 2007, as a result of these comments and ensuing discussions, the original planning approvals were revised to include a 300m buffer designated and zoned as open space thereby excluding certain lands from the draft plan by way of a redline revision. The site-specific official plan amendment (OPA 119), zoning by-law amendment (ZBA 2006-162) and draft plan of subdivision subsequently approved as a redline are attached as **Appendix A**.

In 2008, one year after the revised approvals were issued, the John Deere manufacturing plant (who requested the 300m buffer that resulted in a redline to the draft plan and revised OPA and ZBA) shut down and the John Deere lands have been vacant ever since. In 2019 555 Canal Bank purchased the adjacent industrial lands (the “John Deere lands”) and as a result there is no more need for a 300m buffer on the 401 Canal Bank site. Furthermore, all buildings on the John Deere lands were demolished during late summer/fall of 2019. It is the intent of 555 Canal Bank to develop the John Deere lands as mixed-use community including residential, mixed-use, open space and parkland. Applications for which will be made through a separate submission sometime in the near future.

At this time, 555 Canal Bank has hired Armstrong Planning & Project Management to coordinate planning submissions in support of new applications for the Site to amend the official plan and zoning by-law and to revise (through redline) the approved draft plan of subdivision. This will facilitate the full build-out of the Site and will reinstate the residential approvals originally (2006) permitted on the Site. The enclosed applications are meant to amend Schedule A and certain text of the Official Plan (Land Use Map and densities), amend the zoning by-law to reflect a revised draft plan (lot/block layout) and housing types being offered by the Owner and redline the approved draft plan to reflect the new road and block plans for the lands.

In support of the enclosed applications and following the recent purchase, by the Owner, of 555 Canal Bank Street a master neighbourhood plan was drafted to demonstrate the ultimate vision for the two properties. The master neighbourhood plan, attached as **Figure 2** (Draft Community Master Plan), provides an overall vision for development of two significant pieces of vacant land within the Dain City area of Welland. Applications for the John Deere lands will be submitted at a later date.

Finally, the purpose of this report is to evaluate conformity of the revised development scheme and associated applications (official plan amendment, zoning by-law amendment and redline to the existing draft plan of subdivision) to the current planning policy framework at the provincial and local levels. A review of the Provincial Policy Statement 2020 (‘PPS’), the Growth Plan for the Greater Golden Horseshoe

(the 'Growth Plan'), the Niagara Region Official Plan ('NROP'), the City of Welland Official Plan ('WOP') and other relevant policies and guidelines relating to the subject lands, have been conducted. This report provides an analysis of and justification for the proposed development (as revised) in accordance with good planning principles and as a basis for the advancement of certain planning applications through the planning process.

1.1 SUPPORTING DOCUMENTATION

In support of the official plan amendment, zoning by-law amendment and redline to the draft plan of subdivision, the following materials have been included to facilitate staff's review of the enclosed applications:

1. Noise and Vibration Feasibility Study, prepared by HGC Engineering, dated March 10, 2020;
2. Updated Traffic Analysis (Phase 1), prepared by WSP, dated March 2020;
3. Functional Servicing Report, prepared by Upper Canada Consultants, dated March 2020;
4. Stormwater Management Plan, prepared by Upper Canada Consultants, dated March 2020;
5. Land Use Compatibility – Air Quality Assessment, prepared by SLR Consulting (Canada) Ltd. dated February 2020;
6. Welland City Water and Wastewater Servicing – Preliminary Capacity Assessment, prepared by WSP, dated March 10, 2020; and
7. Planning Justification Report by Armstrong Planning & Project Management, dated March 12, 2020.

The intent of submitting these materials is to update the reports currently on file so they reflect the proposed draft plan (as proposed via redline #2) and current local information and standards.

1.2 CURRENT STATUS OF LAND

Soil testing conducted on site has identified contamination as a result of past land use (including the construction of the Welland Shipping Canal, an old railway line that ran through the site and a former auto wreckage yard). A Phase 2 Environmental Site Assessment was completed by EXP (dated June 5, 2019) and has previously been submitted to Christine Rossetto at the City of Welland in support of applications to participate in the City's brownfield remediation incentive programs; additional copies are not included in this submission but can be provided upon request. Previously this site was owned by the federal government and was used to support construction of the Welland Shipping Canal (it is effectively a stockpile of waste material generated through excavation of the canal). One by-product of the canal excavation is a significant amount of peat that is buried throughout the site. It is the intent of the owner to remove the peat at the same time as remediation is taking place as both require the removal of soils from the site. Existing grades are significantly higher on site (9-13 metres) than on the surrounding lands and slopes from adjacent lands to the top of the stockpile are man-made and very steep.

At this time, the subject lands are vacant but were draft approved in 2006 and revised via redline revision in 2007 for a residential development with up to 982 residential units (Redline #1; as shown in **Appendix A**). Redline #1 incorporated a 300m buffer providing separation from the now vacant industrial lands to the west as requested through discussions with the former owners of the John Deere lands (now vacant industrial land). Extensions to the 2007 draft plan approval have been requested and granted by the City

ensuring the approvals are still valid (and did not lapse). The extension was granted until September 2020 and another extension will be requested this summer if necessary. At this time the Owners have prepared a submission to redline the existing approval (Redline #2) to amend the site area to include lands that used to fall within the 300m buffer.

The subject site was purchased by 555 Canal Bank in 2019 and shortly thereafter a detailed engineering submission for development of the southern portion of the subdivision (phase 1) was submitted to the City for review. Since then 555 Canal Bank also purchased the adjacent industrial lands at 555 Canal Bank Street (the “John Deere Lands”) which have not been used for industry since the plant closure in 2008. This has provided the opportunity for the Owners to revisit the existing approvals of 401 Canal Bank Street. Specifically, as described previously, the intent is to revise the existing planning approvals for the site to re-incorporate lands within the 300m buffer.

2.0 SITE LOCATION & CONTEXT

2.1 General Location

The site is located in Dain City at the south end of Welland. Specifically, the site is located south of Townline Tunnel Road (Highway 58A), north of Forks Road, east of a railway corridor, the vacant “John Deere lands”, Verbio Diesel Canada Corporation (south-west; previously known as Atlantic Biodiesel) and Canal Bank Street, and west of the Welland Shipping Canal (**Figure 1**). The lands are legally described as:

Part of Lots 20, 21, 22 and 23 Concession 5. Part of the road allowance between Lots 20 and 21 Concession 5 and Part of the road allowance between Lots 22 and 23 Concession 5 (closed by By-law No. 855, Instrument No. HU8243; Geographic Township of Humberstone) City of Welland, Regional Municipality of Niagara.

2.2 Surrounding Land Uses

Land uses and built form characteristics in the vicinity of the subject lands include (**see Figure 3, Surrounding Land Use Map**):

- NORTH:** The lands immediately north of the Site consist predominately of the Canadian National Rail principal mainline and Townline Tunnel Road (Regional Highway 58A). North of Highway 58A, uses include light industrial, utility and residential.
- SOUTH:** Directly south of the site along Forks Road there are several existing residential detached homes and further south are vacant lands recently approved for residential development.
- EAST:** the Welland Shipping Canal and further east, federally owned lands.
- WEST:** A rail corridor runs north-south along the full west property-line, adjacent to the rail line (and further west) is Verbio Diesel Canada Corporation (previously Atlantic Biodiesel) and vacant land formerly, the John Deere facility. To the west of the John Deere lands is Canal Bank Street and the Welland Recreational Waterway.

The subject site is directly east of Verbio Diesel Canada Corporation and an active rail line used for shunting and moving cars to and from Verbio. Both Verbio and the rail line produce stationary noise that must be studied to ensure proper mitigation (if needed) can be incorporated into subdivision design. Once impacts are assessed, mitigation measures can be designed to minimize impact on the future residential land use. A noise and vibration report was completed by HGC and is enclosed for further review. Based on the current land classification and existing noise levels a +/- 10m berm and fence have been designed to reduce the impact on adjacent homes.

It is the intent of the owner to request that certain lands adjacent to the west property-line be considered a “Class 4 area” under the Environmental Noise Guidelines. With this designation it will be possible to reduce the overall height and footprint of the berm proposed and free up space to build a trail or walkway that runs north-south adjacent to the west property-line. This trail could be used to join Forks Road and any future trail that might run within the Seaway lands under the bridge and westbound towards the Recreational Canal (see **Figure 6**).

3.0 PROPOSED DEVELOPMENT

3.1 Development Proposal: 555 Canal Bank’s Dain City Subdivision

The proposed development (Redline #2; **Figure 4**) includes a variety of homes with up to seven (7) different unit types. Specifically, the current lotting plan contemplates a mixture of townhouses, semi-detached homes and single detached homes with frontages of 8m, 9m, 10m, and 11m. **Figure 5** (Proposed Breakdown by Unit Type) provides a breakdown of lot types proposed throughout the subdivision. The proposed development also includes a stormwater management pond, open space and three park blocks providing ample access to greenspace (with particular focus on creating connections to the Welland Shipping Canal; **Figure 6** – Proposed Greenspace and Trail Network). Furthermore, Street A has been widened to 23m from Forks Road to the intersection with Street X creating a welcome entry and sense of arrival to the subdivision.

The subject site contributes to the development of a compact urban form and the creation of a complete community by providing a range of housing, improving access to open space and using good urban design practices to improve the streetscape and pedestrian environment. The road pattern has been laid out in a grid format maximizing opportunity for easy and quick pedestrian, bicycle and vehicular connections. Furthermore, cap end blocks have been designed along Street A ensuring that homes are positioned to frame the street using good urban design practices to welcome residents to the community.

The road system includes Street A, a collector road designed with a 21m right of way (except at the subdivision entrance where it is designed to 23m as indicated above) while the remaining local roads have been designed to 18m widths. Also included as part of the proposed development is the urbanization of Forks Road in front of the Site.

The City’s urban design guidelines state that “canals and waterways can have a dramatically important role in defining sense of place and well-being” thoughtful design of the subdivision has led to the placement of the central neighbourhood park directly adjacent to the Canal ensuring public access is provided and celebrated (visual access only as physical access is prohibited by the St. Lawrence Seaway).

There is a second park and associated open space to the north end of the site that also provides visual access for the community to the canal; a third park in the north west corner of the subdivision ensures easy access to parks for all residents throughout the proposed community. Furthermore, there are two significant open space blocks being proposed along the west and north-east property lines. In total the proposed development is 72.132 hectares and includes 3.639 hectares (5%) of parkland and an additional 13.338 hectares (18.5%) of open space (**see Figure 6**, Proposed Greenspace and Trail Network).

The redline revisions proposed to the approved draft plan support the creation of a mixed-use and compact development with connected open space and will allow for the full buildout of the subject site (for Redline #2 proposed draft plan of subdivision see **Figure 4**). At this time, it is thought that the subdivision will be registered in 3 phases as outlined in **Figure 7** (Phasing Map). The preliminary phasing plan has been set out based on the logical phasing of services and to be able to respond appropriately to changing market demands as each phase is built. Phasing may change over time as the plan evolves and is being presented on a preliminary basis only.

Table 1 outlines the proposed unit breakdown by type for 555 Canal Bank's proposed Dain City Subdivision. In order to maximize flexibility, the draft plan includes lotless blocks which identify a minimum lot frontage and a maximum number of lots within each development block. This format is widely used and accepted in neighbouring municipalities including the County of Brant and City of Hamilton.

Table 1: Dain City Subdivision by 555 Canal Bank – Dwelling Units by Type

LANDS	Draft Plan of Subdivision		
	Block Plan	Area (ha)	Maximum Number of Lots
Residential Detached (10.0m minimum)	1-2, 4, 5, 7, 19, 21, 22, 24, 29, 54, 58, 59, 60, 69, 92-94, 98, 101-105, 109	12.015	360
Residential Detached (8.0m minimum)	3,6,8,10-14,16,18,20,23,25,26,28, 30,32,33,36-41-44,45,48-53,55,57,61, 62, 64-66,68,70,72-74,76-78,80-82,84- 88,90,91,95,97,99,10,106,108,110,111 ,113-116,118,120-124	18.864	725
Residential Attached (5.5m minimum)	9,15,17,27,31,34,35,42,43,46,47,56,63 ,67,71,75,79,83,89,107,112, 117,119	6.273	320
Parks & Open Space	125-127,129-130	16.977	
Stormwater Management	128	2.078	
Roads		15.925	
TOTALS		72.132 ha	1,405 units

3.2 Description of Planning Applications

Official plan and zoning by-law amendment applications along with a redline revision of the approved draft plan of subdivision are being submitted concurrently to expedite planning approvals needed to support development of the Site.

An official plan amendment is required to re-designate certain lands from Open Space to Residential Low Density and to amend the density range permitted within the low-density residential designation. OPA 119 was approved on the subject site in October 2006; following this approval and after discussions with the adjacent land owner the original approval was revised to exclude certain lands from the subdivision and establish a 300m buffer between existing industrial and proposed residential uses. As a result, in September 2007, OPA 119 was amended under provisions of subsection 17(34) of the *Planning Act R.S.O 1990*, to change the designation for certain low-density residential lands to open space (see **Appendix A**, current Official Plan mapping).

The current official plan amendment proposed in this application is technical in nature and is meant to re-instate the previously approved low-density residential designation to lands throughout the subject site, removing the 300m buffer, (see **Figure 8**, Proposed Official Plan Amendment) and to update the text as needed to reflect the density permitted within the Low-Density designation as proposed by the Owner. The current subdivision plan includes a mix of housing types and sizes providing a range of affordability to purchasers. To support a range of housing and lot sizes, the density proposed through this application for lands designated “low-density residential” is from 29 to 58 net units per hectare. A copy of the proposed official plan amendment can be found in **Appendix B**.

The site-specific zoning by-law amendment now proposed would update zoning over the entire site to reflect a new road and lot layout and reflect a different housing product built by 555 Canal Bank. Specifically, the provision table under RL2-58 will be revised to reflect zoning standards needed for the dwelling types proposed by the owner and Schedule A of the by-law will be updated to reflect the new draft plan layout. This is a technical amendment to re-instate residential zoning on lands previously excluded as a direct result of the 300m buffer, and revised mapping to respond to the underlying draft plan revisions. Proposed zoning would facilitate the development of a mix of townhouses, semi-detached homes and detached homes (5.5m, 8m, 9m, 10m and 11m frontages) and update the City’s zoning standards to accommodate the homes proposed by 555 Canal Bank (see **Figure 9**, Proposed Zoning Map).

A copy of the proposed zoning by-law amendment can be found in **Appendix C**.

Finally, the draft plan of subdivision redline submission is meant to update the draft plan layout and to include the lands previously inside the 300m buffer. The new layout also provides a better community structure by consolidating park blocks so they are larger, more accessible and more programable. A copy of the proposed draft plan of subdivision can be found in **Figure 4**.

4.0 POLICY CONTEXT

Planning approvals were granted for the Site in 2006 (with revised approval granted in 2007) to accommodate a residential subdivision; however, in support of the proposed changes a fulsome policy review of the current policy regime has been completed. The following sections include detailed information regarding the applicable planning policy including the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Region of Niagara Official Plan, Niagara Peninsula Conservation Authority, City of Welland Official Plan and City of Welland Zoning By-law 2017-17.

4.1 Provincial Policy Statement

The Provincial Policy Statement (PPS, 2020) provides policy direction on land use planning and development matters of Provincial interest while ensuring the protection of Provincial resources, public health and safety, and the quality of the natural and built environments. All planning decisions in Ontario must be consistent with the policies of the PPS.

PPS 2020 was released by the Province on February 28, 2020 and comes in to effect on May 1, 2020. From the onset the focus of PPS 2020 is to “assist in the increased supply of housing, support jobs and reduce barriers and other costs in the land use planning system (Ministry of Municipal Affairs and Housing, 2019)”. The PPS has updated its policies in order to support the provision of a greater mix of housing options and to support residential intensification while responding to current and future needs of communities.

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

Section 1.0 of the PPS provides policy direction related to the development of strong, healthy communities encouraging efficient development patterns and provides an emphasis on redevelopment and intensification. Section 1.1.1 of the PPS states that “healthy, livable and safe communities are sustainable 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 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;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- 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;*
- f) *improving accessibility for persons with disabilities and the elderly by addressing land use barriers which restrict their full participation on society;*
- g) *ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) *promoting development and land use patterns that conserve biodiversity; and*
- i) *preparing for the regional and local impacts of a changing climate.*

The proposed development supports a more efficient land use and compatible built form for the surrounding area and provides for a variety of housing forms and sizes. These policies encourage the

establishment of sustainable communities by recognizing that the Province's long-term success is dependent upon land use planning changes being managed wisely.

The concept of the importance of intensification and redevelopment throughout the urban area is further outlined in Section 1.1.2:

Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternative time period has been established for specific areas of the Province as a result of the provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

Within settlement areas sufficient land shall be made available through intensification and redevelopment and, if necessary re-designated growth areas

Furthermore, one component of the PPS's vision for developing healthy communities is through the redevelopment and intensification of underutilized sites. The proposed development allows for a more efficient use of a brownfield site within a designated settlement area. Section 1.1.3. of the PPS states that:

the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities.

Within the settlement areas, land use patterns shall:

be based on densities and a mix of uses which are appropriate for and efficiently use, the infrastructure and public services facilities which are planned or available... (Section 1.1.3.2 b) and shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Section 1.1.3.3 states

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 site, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The subject lands have an overall site area of approximately 72 hectares and are one of three brownfield development sites in the Dain City area capable of supporting a large residential development. Specifically, this site was draft plan approved for a residential subdivision in 2007 (original approval was granted in October 2006 but revised in September 2007); this approval is still in place following several extensions were granted by Council.

Section 1.1.3.4 of the PPS states that

appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The proposed subdivision provides intensification of an underutilized brownfield site through the introduction of a compact form of development consisting of a mix of single detached, semi-detached and townhouse units.

The PPS recognizes that intensification is required to accommodate growth within existing settlement areas. The proposed development intensifies an otherwise built up area within the urban area. The proposal appropriately utilizes land and resources by connecting to existing services and public utilities which are currently available.

Housing

Section 1.4.1 in the PPS encourages the provision of a range and mix of housing options and densities and states that planning authorities shall be able to accommodate a minimum of 15 years' worth of growth through intensification and maintain capacity within existing systems to service at least a three-year supply.

The City of Welland must supply land and units based on the allocation of population and units by the Region of Niagara and must plan to provide a range and mix of housing types and densities.

The proposed plan updates an existing (approved) draft plan of subdivision; offers a range and mix of housing options including townhouses, semi-detached and single-detached units and represents significant intensification within the urban area.

Public Spaces, Recreation, Parks, Trails and Open Space

The PPS also encourages the creation of healthy and active communities by planning for public spaces that foster interaction and facilitate active transportation (1.5.1.a), that provide a full range and distribution of publicly accessible amenity (1.5.1.b) and provide public access to shorelines (1.5.1.c).

The proposed plan has been updated to combine a number of smaller "pocket parks" to create more usable park space easily accessible to all residents and encourages active transportation by including a more grid-like road network with small blocks.

Sewage, Water and Stormwater

The PPS states that existing municipal sewage and water services should be used wherever feasible (Policy 1.6.6.2) and that planning for stormwater management shall ensure systems that are optimized, feasible and financially viable over the long-term, minimize contaminant loads, erosion and changes to water balance, mitigates risk to human health, property and the environment, maximize the extent and function of infiltration and promote stormwater best practices (1.6.6.7). The proposed subdivision makes use of existing sewage and water services and uses best practices to avoid negative impact on the existing environment.

Energy Conservation, Air Quality and Climate Change

The PPS encourages efficient growth by promoting the creation of compact urban form as well as the use of and provision for active transportation throughout new (and existing) development. The Dain East subdivision is compact in form and provides a strong network of connected streets that encourage and support the use of active transportation by residents.

The proposed subdivision is consistent with the Provincial Policy Statement. Specifically, it supports the creation of strong, healthy communities by achieving efficient and resilient land use patterns, providing a range and mix of housing form and public spaces while taking advantage of existing infrastructure.

4.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) is a policy document prepared and approved under the Places to Grow Act, 2005 and took effect on May 16, 2019. The Growth Plan directs the efficient use and management of land and resources within the Greater Golden Horseshoe (GGH) to support economic opportunity, protect the environment and help communities achieve high quality of life (Growth Plan 2019).

Section 2, “Where and how to Grow” provides direction on how to manage growth within built up areas, including urban growth centres as well as direction on housing, employment and new development in Designated Greenfield Areas.

Specifically, policy 2.2.1 Managing Growth states that

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;*

Section 2.2.6, Housing states that

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.

The approved Dain City subdivision, revised through this application, is within a designated urban area boundary (City of Welland), makes use of existing water and wastewater systems and supports the achievement of a complete community by providing a range and mix of housing conveniently located to easily provide access to daily necessities (jobs, public service facilities).

The proposed subdivision lands are identified as “Designated Greenfield” by Schedule 2 a Place to Grow Concept and Section 2.2.7, Designated Greenfield Areas provides that:

1. *New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that:*
 - a. *Supports the achievement of complete communities;*
 - b. *Supports active transportation; and*
 - c. *Encourages the integration and sustained viability of transit services.*

Furthermore, Section 2.2.7 outlines minimum density targets applicable to all designated greenfield areas. Specifically, policy 2.2.7.2 a) states that minimum density targets for Niagara Region is not less than 50 residents and jobs per hectare. The minimum density target is to be measured over the entire designated greenfield area of the Region (excluding only natural heritage features and areas, natural heritage systems and floodplains, provided the development is prohibited in these areas, rights of way electricity and other energy transmission lines, freeways and railways, employment areas and cemeteries (Policy 2.2.7.3).

Table 3 outlines how the proposed development meets (and exceeds) the minimum density target established by the Province.

Table 3: Density Calculation based on Growth Plan (2019)

	# of Units	# of people per unit ⁽¹⁾	Total population generated	Total Jobs generated (work from home @ 7% ⁽¹⁾)
Townhouse	320	2.12	678	47
Single & Semi Detached	1085	2.91	3157	221
			TOTAL PPL+J/U	4,103
	TOTAL SUBDIVISION AREA LESS EXCLUSIONS	56.207 ha	TOTAL DENSITY (# of people & jobs /total area)	72.9 people and jobs per hectare

(1) *Number of people per unit (by type) and total work from home jobs generated are as outlined by the Region of Niagara Development Charge Background Study (Dec 6, 2017)*

As outlined above, the Dain City subdivision conforms to the policies of the Growth Plan. Specifically, it helps to achieve a complete community that supports healthy and active living, prioritizes intensification of an already built up area (Dain City), makes efficient use of land and infrastructure, supports a range and mix of housing and promotes connectivity with existing cultural resources (the Welland Shipping Canal and Recreational Canal).

5.0 LOCAL POLICIES

5.1 Niagara Region Official Plan

The Niagara Region Official Plan (NROP) is meant to provide policy direction and objectives that manage growth throughout the Region. Further to the NROP, growth must be planned in an efficient, balanced and sustainable way that creates complete communities.

The subject Site has been identified by the Region as Designated Greenfield Area by Schedule A (Regional Structure) and being part of the Niagara Economic Gateway (Schedule G1). Furthermore, the Site is

located adjacent to a potential natural heritage corridor (Schedule C; referring to the rail corridor), part of the “Welland Gas Field” (Schedule D3), adjacent (but with no direct access) to the regional bicycle network (located east of the Welland Shipping Canal and west of the Welland Recreational Waterway; Schedule E). A fulsome policy review of the NROP (2014) was undertaken keeping these designations in mind. However, to be sure, this application is for a redline to an approved draft plan of subdivision; the lands have already been approved for residential development. Regardless, policies of the current NROP (2014) continue to support the propose development and are outlined further below.

Chapter 2 of the NROP, “Growing the Economy” provides strategic objectives meant to support growth throughout the Region. These objectives provide direction on how and where new development should happen while protecting and enhancing the Region’s natural heritage features.

Chapter 3, employment includes Policy 3.A.3.6 which specifically addresses land use compatibility with planned residential. The subject Site is within the Niagara Economic Centre and is draft plan approved for residential development. Detailed studies (as required by Ministry of Environment, Conservation and Parks; MOECC) being submitted have assessed compatibility between existing industry and the proposed development. Any adverse effects identified through these studies will be mitigated against through the use of various design techniques. For example, a berm and noise fence has been proposed adjacent to the existing rail line that runs to the west of the site.

Among other goals, policies in Chapter 4 (Managing Growth), are intended to direct growth to Niagara’s existing Urban Areas (where possible to within built-up areas and designated intensification areas), to prevent development in inappropriate areas, to build compact, mixed use communities, and to direct growth in ways that promote the efficient use of existing municipal services.

The subject site is currently identified as “Designated Greenfield Area” within the Urban Area Boundary of Welland (Schedule A of the Region’s Official Plan).

Policies in 4.C.5 Greenfield Development and 4.C.6.1 Greenfield Density Target require greenfield development to be planned as complete communities by “...making a significant contribution to the growth of the respective Urban Areas as a complete community” (4.C.5.1.b)) and “creating street patterns that are fine grain and in grid pattern, supporting transit and active transportation within the area and adjacent areas” (4.C.5.1.d).

Furthermore, as required by the Growth Plan, the NROP sets out gross density targets of 50 people and jobs per hectare across all Designated Greenfield Areas. Density proposed by Redline #2 draft plan of subdivision as defined by the NROP (Policy 4.C.6.1) is as follows in **Table 4**.

Table 4: Density Calculation based on Niagara Region Official Plan

<i>Density Calculation as per Niagara Region Official Plan (Policy 4.C.6.1)</i>	
TOTAL SUBDIVISION AREA	72.132 hectares
TOTAL NATURAL/NON-DEVELOPABLE FEATURES	0.000 hectares
TOTAL # OF PEOPLE & JOBS*	4,104 people & jobs
TOTAL DENSITY	56.85 people & jobs per hectare

* calculated based on:
Single Units: 1,085 units x 2.91 ppl/unit
Semi/Townhouse Units: 320 units x 2.12 ppl/unit
Work From Home: 1,405 units x 7% (as per Niagara Region’s DC background study Dec 2017)

Policy 4.C.7.1 also states that Municipal official plans are to adopt minimum and maximum residential densities that distinguish against gross and net densities as well as policies that encourage or require higher residential densities in greenfield areas. Calculation of net densities are discussed further in Section 5.2 City of Welland Official Plan; however, proposed densities for the subject site, identified as a “Designated Greenfield Area”, exceed the City’s densities outlined for low-density areas which supports policy 4.C.7.1.

Although the proposed density is higher than the gross density identified by Policy 4.C.6.1, Policy 4.C.7.1.b elaborates and states that municipal official plans “shall include policies for achieving higher residential and employment densities in greenfield areas”. At 56.85 people and jobs per hectare, the proposed subdivision conforms to this policy as it was approved on lands within a designated greenfield area.

Chapter 7 of the NROP provides direction on the protection and enhancement of the Natural Environment; although no core natural heritage features have been identified on site it is directly adjacent to a “potential natural heritage corridor”. This relates to the rail corridor to the west of the site which could potentially act as a natural corridor. The proposed subdivision has been designed to incorporate setbacks from the west property line; these setbacks were determined based on the necessary setbacks to (1) the rail road and (2) the active biodiesel plant to the west of the railway. These setbacks act to provide ample separation between the potential natural heritage corridor and the future residential uses.

Furthermore, the development proposes the creation of new neighbourhood parks and open space adding to the existing natural systems within the Region. The subdivision has been designed to create opportunities for residents to be exposed to new green spaces including the proposed naturalized stormwater management pond, neighbourhood parks and other open space and provides (visual) access to the adjacent shipping canal. In total, the proposed development includes 16.98 hectares (23.5%) of open space and parkland.

Chapter 8, Infrastructure, is meant to “provide a framework and policy linkages for the coordination of infrastructure planning, land use planning, and infrastructure investment to implement this Plan (Objective 8.A.1)”. It is understood that past draft plan approvals on this site included certain servicing related conditions whereby servicing will need to be issued by the Municipality prior to registration. Following a detailed investigation by WSP (see Welland City Water and Wastewater Servicing – Preliminary Capacity Assessment prepared dated March 10, 2020) servicing capacity is available within the

existing systems but does require certain upgrades (sewer on Forks Road; to be further discussed in the previously noted report and Functional Servicing Report by Upper Canada Consultants).

The Region provides direction on Housing and Community Services in Chapter 11 and encourages “the provision of a variety of housing types within urban communities and neighbourhoods to serve a variety of people...” as well as the creation of “attractive well-designed residential development” (Policy 11.A.1 and 11.A.2). The proposed redline revision incorporates a higher design standard for the intersection of Street A and Forks Road, provides attractive and safe community spaces through the grid-like road layout and open park blocks and includes a mix of housing types including townhouses, semi-detached and detached units providing affordable options to future residents. Finally, the Site is located on an existing brownfield; remediation will be completed by the Owner (through support from the Region and the City in the form of various incentive programs) and will improve the Dain City area by removing the possibility of future contamination or leaching from the site.

The Niagara Region is currently developing a new Niagara Official Plan through a Municipal Comprehensive Review. It is our understanding that the Region expects to release draft policies and mapping sometime this year and a draft official plan in 2021 targeting December 2021 for approval of the final Plan. At this time no draft residential or growth policies have been released to the public and have not been included in this review.

The subject site was approved for a residential subdivision in 2007; since then policy documents, including the Niagara Region Official Plan have been updated. Following a comprehensive policy review as detailed above, the redline revisions proposed to the approved draft plan (File No. 26T-14-06002) meet the intent of policies outlined in the Niagara Region Official Plan.

5.2 The Corporation of City of Welland Official Plan

(May 2010, Consolidated November 4, 2019)

The City of Welland Official Plan (WOP) came into effect in May 2010 (consolidated November 4, 2019) and is meant to provide direction on where and how to grow to strengthen Welland’s reputation as an adaptable, supportive and innovative place to live and work. The City builds on its designation as being part of the Region’s Economic Centre by ensuring development happens in appropriate areas and “supports the conservation of valuable economic, environmental and cultural resources” (Section 3.1).

The proposed development site is located in the southern tip of the City of Welland and has been identified as “Greenfield Area” by Schedule A – City Structure of the City’s Official Plan. Land uses currently designated on site reflect land uses approved through the 2007 site specific official plan amendment and include “Open Space and Recreation” and “Low Density Residential” (as per Schedule B and B1 of WOP). The Site is adjacent to a Natural Heritage Corridor (associated with the adjacent railway tracks to the west of the site as outlined by Schedule C of the WOP), and has been identified as a site for planned services (as per Schedule D of the WOP). In addition, soil investigations on site have identified contamination as a result of historic land use and the lands have been designated as Brownfield (vacant lands that are former industrial lands and are now contaminated). With support from the City and

Region's incentive programs, the Owner plans to clean up the contamination of this land in support of the approved and proposed residential development.

The proposed lands have been designated "Greenfield Area", a designation given to lands identified within the urban area boundary but outside of the built boundary and planned to accommodate future growth. Policy 3.4.5.1.B states that "Greenfield lands provide the City with an opportunity to build comprehensive, compact and integrated new neighbourhoods". The proposed redline revision (and associated housekeeping OPA and ZBA) proposes a complete subdivision with well thought out roads, accessible and appropriately sized parks and excellent access to open space and the Welland Shipping Canal.

The City of Welland identifies a density target for all greenfield developments to be 50 residents and jobs combined per gross hectare (Policy 3.4.5.1.E). The Plan goes on to state that not all development needs to achieve this target implying that some greenfield development will need to exceed this target.

The proposed redline revision results in a subdivision with a maximum gross density (as defined by the Region) of 56.85 people and jobs per hectare therefore meeting the density target established by the Plan (see Table 4).

The WOP includes policies that set out a residential hierarchy within the urban area including low, medium and high density residential. The land use designation currently applied to the site will be updated to reflect the current redline revision of the draft plan however the overall designations on site will not change. The existing and proposed land use on site will be Low Density Residential and Open Space & Recreation.

Policies for Low Density Residential state that the planned density is between 15 and 24 dwelling units per net hectare of land (Policy 4.2.2.2.A). Permitted uses include single-detached, semi-detached and townhouse units. The proposed redline revision would support a maximum net density of 58 dwelling units per hectare (see **Table 5**). This reflects a compact urban form that offers a variety of more affordable homes and lot sizes. Overall the maximum density within the draft plan would be no more than 38 units per net hectare.

OPA 119, approved by Council in 2007, included a site-specific density that would allow between 23 and 31 units per net hectare on Site. At this time, the proposed official plan amendment (Appendix B) includes changes that would allow a higher density within the "low density residential" designation; however, the housing form proposed by 555 Canal Bank does fall within that anticipated by the policy. The Region's Official Plan includes policy 4.C.7.1 that supports higher net densities on Designated Greenfield Areas; this site is identified as designated greenfield area and therefore (based on regional policies) can support higher densities.

Furthermore, that the existing policy is discretionary and as a result does allow certain flexibility. Specifically, Policy 4.2.2.2.A states:

Planned Function

The Low Density Residential designation is intended to provide housing for residential

development at a minimum density of 15 dwelling units per net hectare of land and a maximum density of 24 dwelling units per net hectare of land.

The official plan amendment proposed through the associated applications would allow a maximum density of 38 units per net hectare as measured over the entire subdivision. The intent of the “low density residential” designation to provide for single-detached, semi-detached and townhouse units would not change.

The proposed net density of the whole subdivision as well as a breakdown by unit type as outlined by the City’s Official Plan is provided in Table 5 below.

Table 5: Density Calculation based on the City of Welland Official Plan

<i>Density Calculation as per City of Welland Official Plan (Policy 4.2.2.2.A)</i>			
TOTAL DENSITY BY UNIT TYPE	# Units	Area	Density
<i>Townhouse & Semi Detached (5.5m)</i>	320	6.273 ha	57.7 upnh ⁽¹⁾
<i>Single Detached (8.0m min.)</i>	725	18.864 ha	38.4 upnh ⁽¹⁾
<i>Single Detached (10.0m min.)</i>	360	12.015 ha	29.9 upnh
TOTAL DENSITY OF THE PROPOSED SUBDIVISION	1,405	37.152 ha	37.8 upnh⁽¹⁾
TOTAL DENSITY	37.8 units per net hectare		

It is the City’s desire to maintain a healthy environment for present and future generations and in support, the City’s Official Plan outlines a number of policies meant to restrict inappropriate development that may provide a negative impact to the wellbeing of businesses and residents throughout the City. The subject Site has been approved for residential development and the current draft plan layout continues to provide positive stimulus to the area. The lands do not currently support any natural features except a potential wildlife corridor associated with a drainage channel adjacent to the western property-line; the drainage feature will be realigned and naturalized preserving and improving it as a natural feature on site.

Furthermore, because of its historic use (stockpiling throughout construction of the Welland Shipping Canal) the site does not currently provide a positive environment for plant growth and does not support significant animal life (as evidenced through the limited growth on site over the last 40-50 years). Incorporating new open space and park blocks will be a significant improvement to what is there now and will offer a new amenity to the neighbourhood.

Dain City is located in the southern part of Welland and more particularly, the subject site is located between two shipping canals and south of a major railway and Townline Tunnel Road creating a unique condition. At present the site is accessible only from Canal Bank Street (as a matter of public safety the Forks Road bridge, which used to provide access over the Welland Recreation Canal, was demolished in 2019) however it is understood that discussions are ongoing as to whether or not funding can be secured to support the re-construction of the Forks Road bridge to provide a secondary access point to the community.

The internal structure of the subdivision is such that pedestrian and vehicular traffic is accommodated and passage simplified through a grid-like pattern and sidewalks are provided throughout.

The subdivision proposed by 555 Canal Bank is supported by various policies of the City's Official Plan. The subject site was previously approved for residential and ancillary uses and is currently designated low density residential and open space and recreational; this will not change. The designations within the site will remain the same but mapping updates will refine the locations of each land use. Finally, in order to allow additional flexibility of housing density the official plan amendment also includes an update to the text that will allow a higher density within the lands while maintaining the allowable housing form (towns, semi's and detached homes). In our opinion, following a fulsome review of the existing policies, the subdivision as currently proposed conforms to the intent of the Official Plan.

5.3 Niagara Peninsula Conservation Authority

The Niagara Peninsula Conservation Authority (NPCA) approved the original draft plan of subdivision application for the subject site on October 29, 2007. Through a letter on July 18, 2017 NPCA requested that the original conditions of Draft Approval be revised to include a condition requiring the Owner to obtain work permits from the NPCA prior to any site works related to natural features on site.

The NPCA identified three watercourses on site; all three are associated with existing or past railroad tracks (drainage features channeling water away from the tracks) and were approved for removal (two watercourses that run east-west along what used to be a railway) or relocation (one watercourse that runs north-south along the existing railway tracks).

Permits will be sought from NPCA prior to any works on site.

5.4 City of Welland - Urban Design Guidelines

In August 2014, the City of Welland developed an Urban Design Guideline meant to support the creation of vibrant communities by providing parameters that apply to different forms of development; including residential. Special emphasis has been placed on the value that the canals and other waterways bring to building and strengthening communities.

Furthermore, the guidelines are meant to establish appropriate built form and architecture, to cultivate identity and sense of space and to incorporate measures of healthy communities through urban design. The proposed subdivision has been designed to incorporate a compact urban form, promote shoreline (visual) connections (to the Welland Shipping Canal) and facilitate active transport by way of a grid-like road network with short blocks.

The Urban Design Guidelines have been reviewed and relied upon during the design of the subdivision. The proposed subdivision is low-density residential and incorporates diversity in lot widths, lot depths and dwelling types. Homes address the street and blocks have been designed to minimize the number of homes flanking major streets. Homes will be designed to generally maintain a 6.0m setback from the road to the garage, pairing of driveways will be included where possible (but not everywhere) to facilitate

opportunities for on-street parking and massing and architecture of homes will be compatible throughout the various house typologies.

Materials and colour palettes will be developed to create high quality streetscapes to promote a sense of visual continuity throughout the area.

In summary, the proposed subdivision will thoughtfully respond to the City of Welland's Urban Design Guidelines to support the creation of a strong and healthy community.

6.0 SERVICING AVAILABILITY

The Dain City area of Welland is currently serviced by sanitary, water and storm sewers that will be extended to the proposed development site (as previously approved by Council). Servicing studies updated in support of this development have identified certain upgrades that are required prior to the full build out of the proposed subdivision; however, these studies have also confirmed that Phase 1 can proceed as planned prior to any upgrades being done. It is the intent of 555 Canal Bank to work with the City to identify, coordinate and complete upgrades (as needed) with City and Regional support (where available) prior to the Registration of any future phases (Phase 2 and Phase 3).

At this time the Region is completing upgrades to a forcemain in Dain City with completion scheduled for Spring 2021; they are also planning to start state of good repair maintenance of the Dain City pumping station later this year. Both of these will benefit the ultimate build-out of the proposed subdivision.

7.0 ZONING BY-LAW

The proposed subdivision lands are currently zoned RL2-58, O1, O2 as per maps H4 and I4 of the City's New Comprehensive Zoning By-law (2017-117). Schedule B (Special Exceptions) to By-law 2017-117 includes special exception #58 (RL2-58) which incorporates the zoning standards previously approved by site specific by-law for the development site (ZBL 2006-152).

The proposed development requires a zoning by-law amendment for three reasons. (1) To re-instate residential zoning on lands within the 300m buffer which is no longer needed; (2) to adjust the existing residential and open space zoning to reflect the new draft plan; and (3) to update the zoning standards to reflect product being proposed by 555 Canal Bank. Specifically zoning proposed through the enclosed applications would allow for a mix of housing including detached dwellings (8.0m and 10.0m minimum lot frontages) and attached dwellings (5.5m minimum lot frontages); through this application we are requesting that the lands be re-zoned as shown in **Figure 9** to:

- Zone RL2-58 (10.0m minimum), single detached with special standards;
- Zone RL2-58 (8.0m minimum), single detached with special standards;
- Zone RL2-58 (5.5m minimum), semi-detached with special standards;
- Zone RL2-58 (5.5m minimum), attached with special standards;
- Zone OS1
- Zone OS2

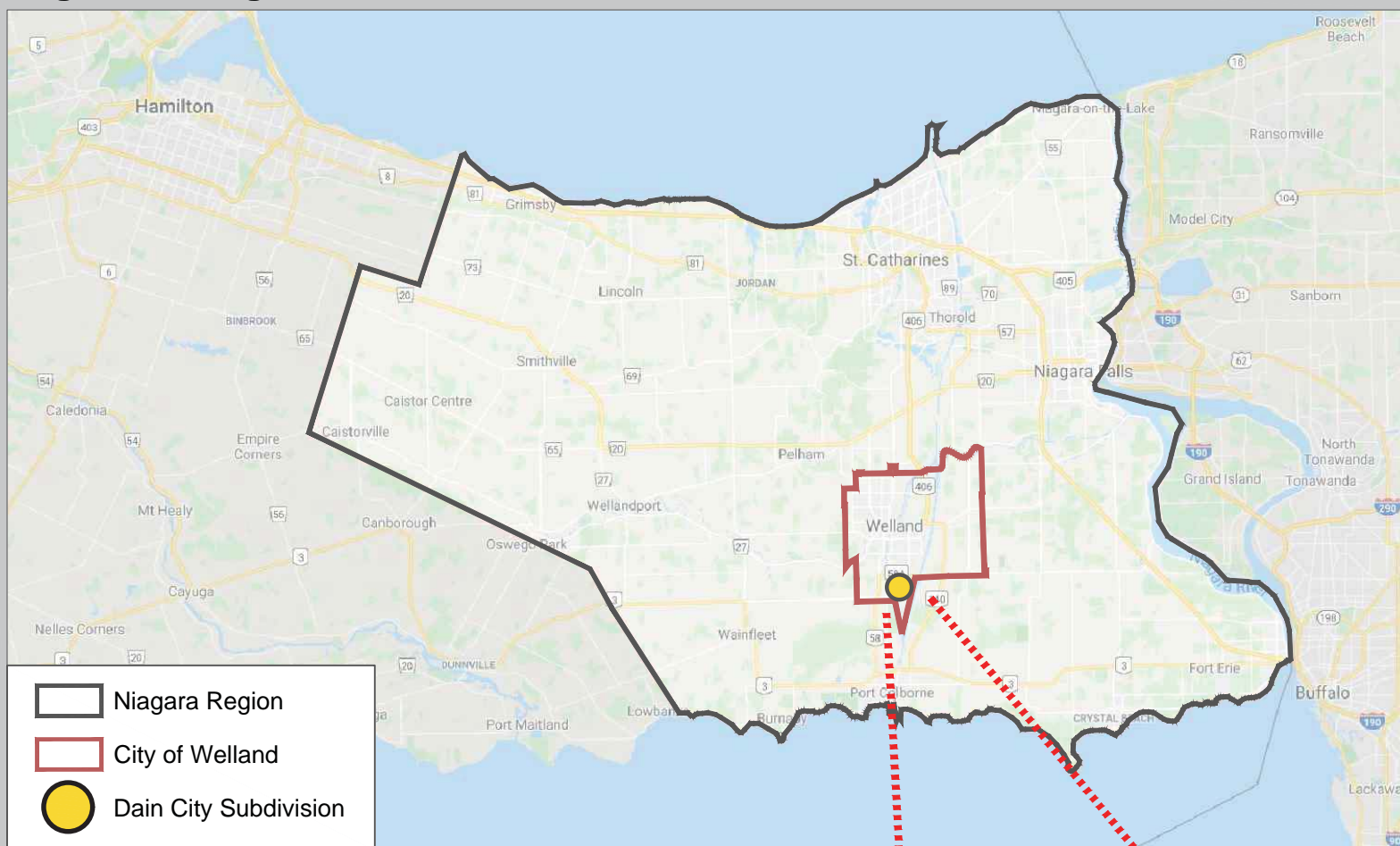
The proposed subdivision has been designed to reflect development and growth policies and to meet density requirements as set out by the Province, Region and City of Welland. In order to achieve these requirements, the enclosed zoning by-law amendment (Appendix C) requests modified performance standards that provide relief from the current zoning standards outlined by the City of Welland's Comprehensive Zoning By-law (117-17).

8.0 CONCLUSION

In conclusion, the subject applications are consistent with, and have regard for, provincial planning policies and objectives as well as those of the Niagara Region, City of Welland and Niagara Peninsula Conservation Authority. These policies continue to support residential development of the subject site, encourage the logical extension of the Dain City community to the Site and supports the infrastructure and amenities proposed to support the community.

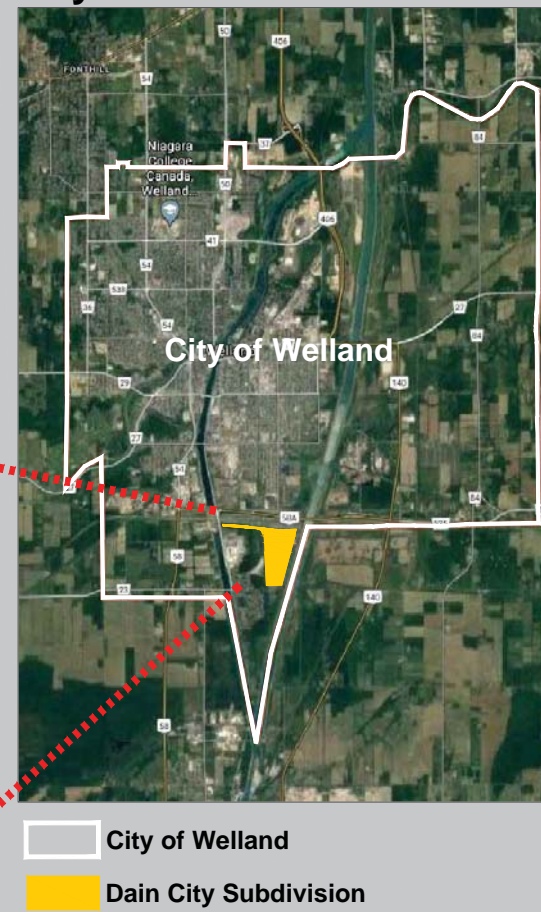
The proposed applications for official plan amendment, zoning by-law amendment and redline revision to the approved draft plan of subdivision represent good land use planning, are consistent with the PPS, conform to the Growth Plan and we recommend their approval in support of 555 Canal Bank's proposed Dain City Subdivision.

Region of Niagara



- Niagara Region
- City of Welland
- Dain City Subdivision

City of Welland



- City of Welland
- Dain City Subdivision

Dain City Subdivision



Dain City Subdivision (File No. 26T-14-06002)

Figure 1: Site and Context Plan

555 Canal Bank's Dain City Subdivision, Welland ON

Date:
Mar 12, 2020



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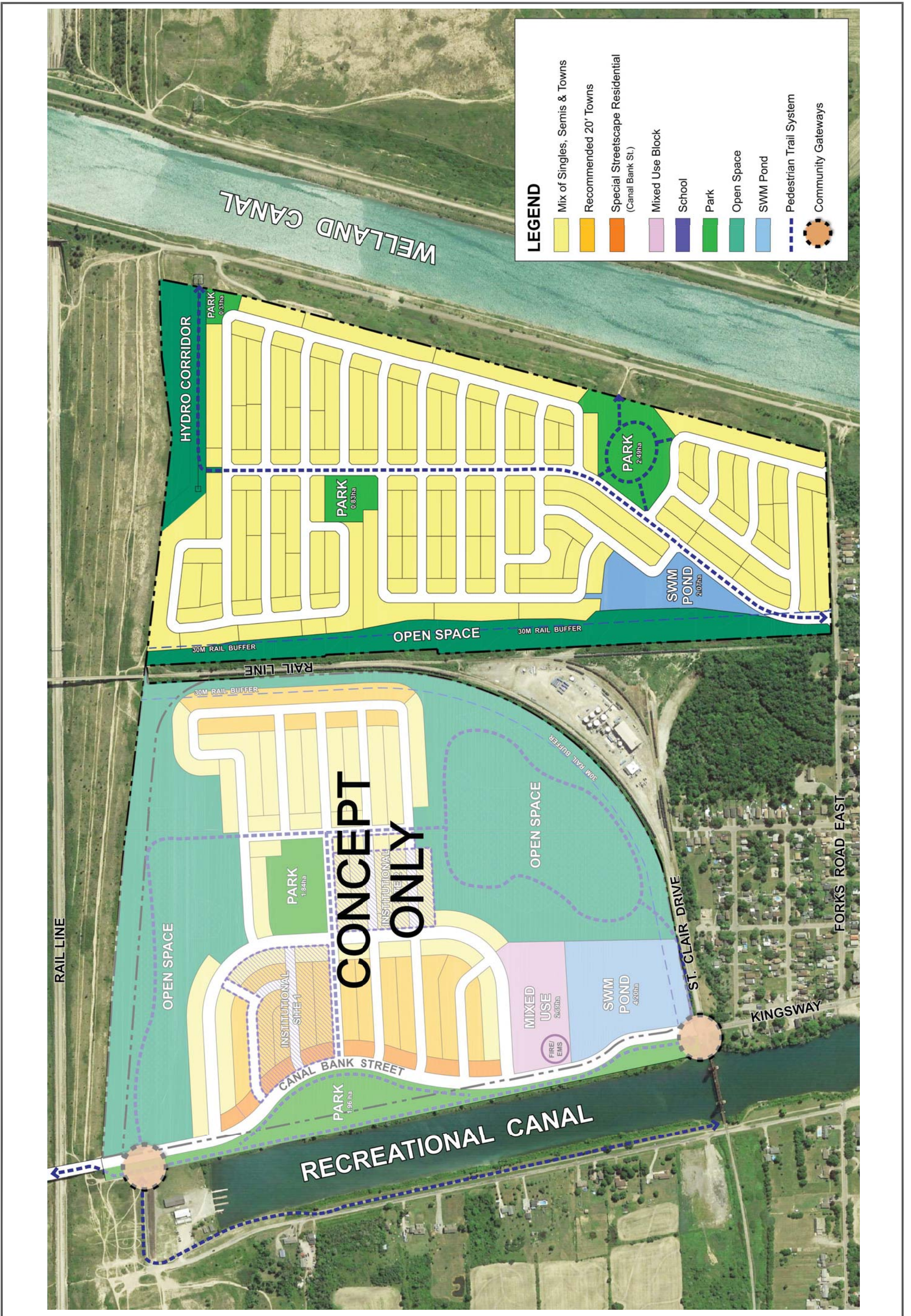


Figure 2: Draft Community Master Plan
 555 Canal Bank's Dain City Subdivision, Welland ON

Date:
 Mar 12, 2020



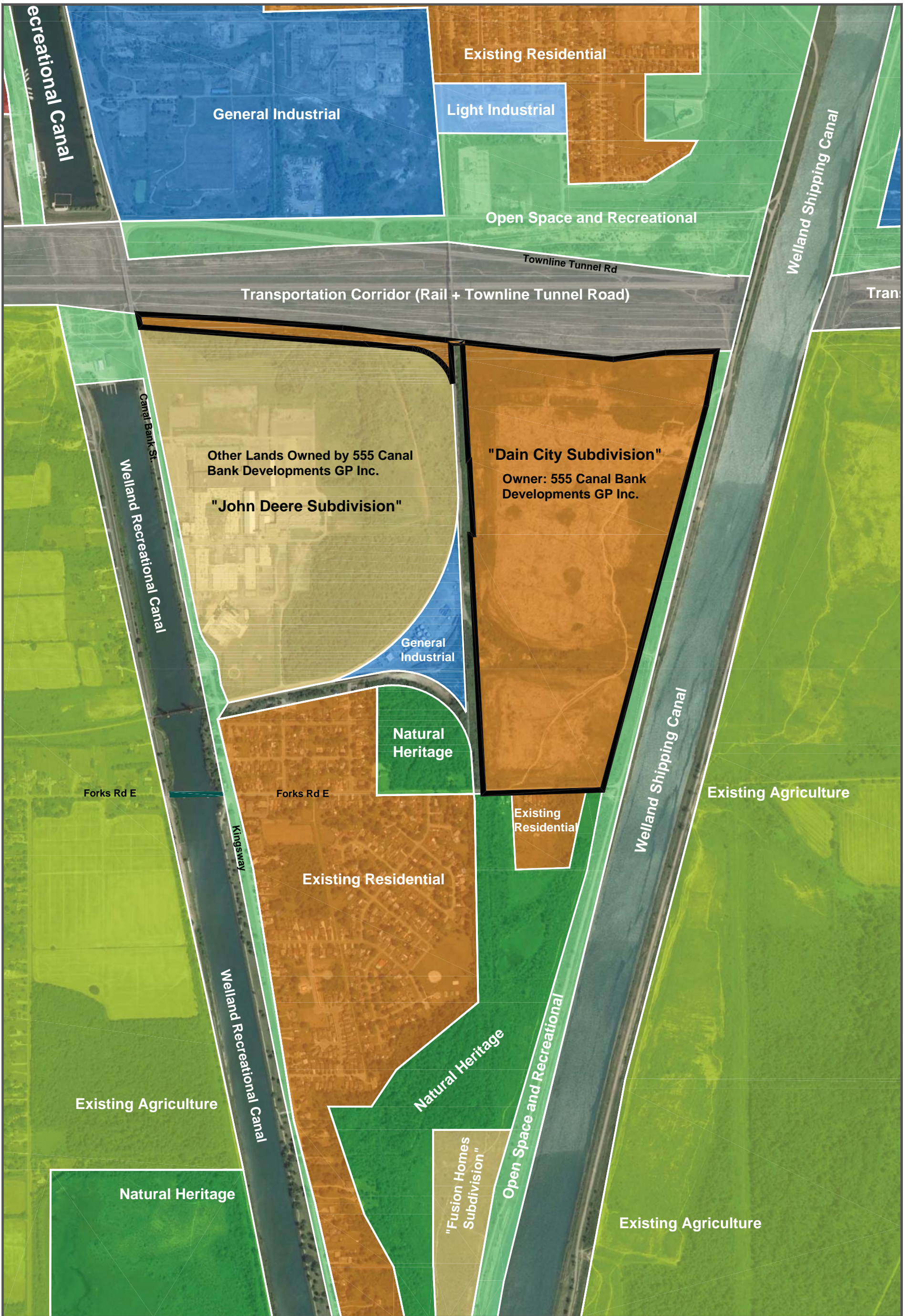










Figure 3: Surrounding Land Use Map

555 Canal Bank's Dain City Subdivision, Welland ON

- | | |
|---|---|
|  Existing Residential |  Transportation Corridor |
|  Future Residential |  General Industrial |
|  Existing Agriculture |  Light Industrial |
| |  Natural Heritage |
| |  Open Space and Recreational |

Date:
Mar 12, 2020



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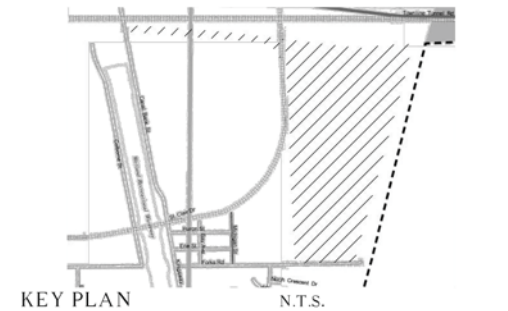
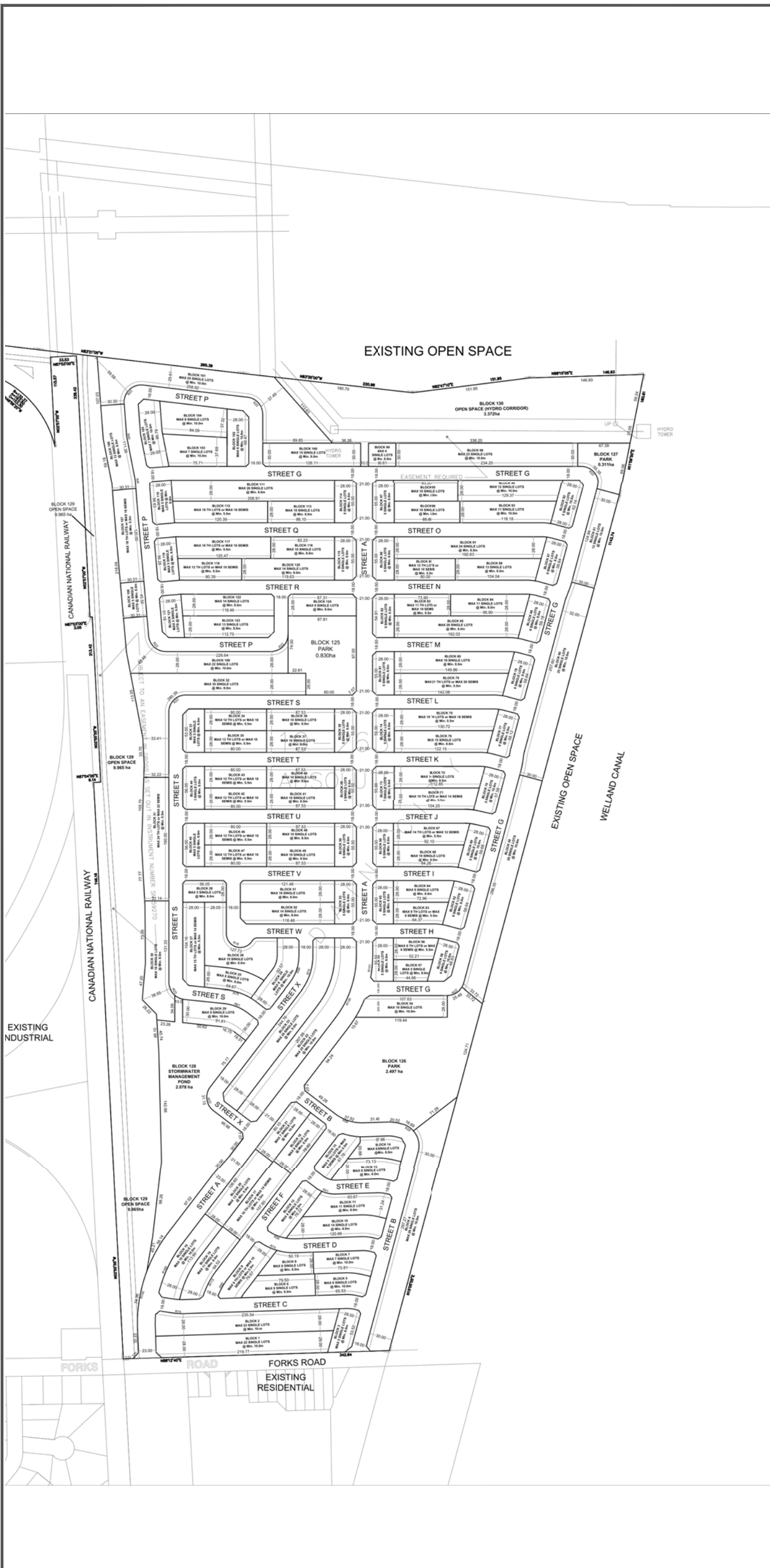


ADDITIONAL INFORMATION
 OF THE PLANNING ACT R.S.O. 1990, c.P13

- SHOWS ON EXISTING PLANS
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SCHEDULE OF LAND USE

Proposed Land Use	Units	Reference	Area (Ha.)
Residential Single 10.0m	360	Blocks 1-24, 25-30, 31-36, 37-42, 43-48, 49-54, 55-60, 61-66, 67-72, 73-78, 79-84, 85-90, 91-96, 97-102, 103-108, 109-114, 115-120, 121-126, 127-132, 133-138, 139-144, 145-150, 151-156, 157-162, 163-168, 169-174, 175-180, 181-186, 187-192, 193-198, 199-204, 205-210, 211-216, 217-222, 223-228, 229-234, 235-240, 241-246, 247-252, 253-258, 259-264, 265-270, 271-276, 277-282, 283-288, 289-294, 295-300, 301-306, 307-312, 313-318, 319-324, 325-330, 331-336, 337-342, 343-348, 349-354, 355-360, 361-366, 367-372, 373-378, 379-384, 385-390, 391-396, 397-402, 403-408, 409-414, 415-420, 421-426, 427-432, 433-438, 439-444, 445-450, 451-456, 457-462, 463-468, 469-474, 475-480, 481-486, 487-492, 493-498, 499-504, 505-510, 511-516, 517-522, 523-528, 529-534, 535-540, 541-546, 547-552, 553-558, 559-564, 565-570, 571-576, 577-582, 583-588, 589-594, 595-600, 601-606, 607-612, 613-618, 619-624, 625-630, 631-636, 637-642, 643-648, 649-654, 655-660, 661-666, 667-672, 673-678, 679-684, 685-690, 691-696, 697-702, 703-708, 709-714, 715-720, 721-726, 727-732, 733-738, 739-744, 745-750, 751-756, 757-762, 763-768, 769-774, 775-780, 781-786, 787-792, 793-798, 799-804, 805-810, 811-816, 817-822, 823-828, 829-834, 835-840, 841-846, 847-852, 853-858, 859-864, 865-870, 871-876, 877-882, 883-888, 889-894, 895-900, 901-906, 907-912, 913-918, 919-924, 925-930, 931-936, 937-942, 943-948, 949-954, 955-960, 961-966, 967-972, 973-978, 979-984, 985-990, 991-996, 997-1002, 1003-1008, 1009-1014, 1015-1020, 1021-1026, 1027-1032, 1033-1038, 1039-1044, 1045-1050, 1051-1056, 1057-1062, 1063-1068, 1069-1074, 1075-1080, 1081-1086, 1087-1092, 1093-1098, 1099-1104, 1105-1110, 1111-1116, 1117-1122, 1123-1128, 1129-1134, 1135-1140, 1141-1146, 1147-1152, 1153-1158, 1159-1164, 1165-1170, 1171-1176, 1177-1182, 1183-1188, 1189-1194, 1195-1200, 1201-1206, 1207-1212, 1213-1218, 1219-1224, 1225-1230, 1231-1236, 1237-1242, 1243-1248, 1249-1254, 1255-1260, 1261-1266, 1267-1272, 1273-1278, 1279-1284, 1285-1290, 1291-1296, 1297-1302, 1303-1308, 1309-1314, 1315-1320, 1321-1326, 1327-1332, 1333-1338, 1339-1344, 1345-1350, 1351-1356, 1357-1362, 1363-1368, 1369-1374, 1375-1380, 1381-1386, 1387-1392, 1393-1398, 1399-1404, 1405-1410, 1411-1416, 1417-1422, 1423-1428, 1429-1434, 1435-1440, 1441-1446, 1447-1452, 1453-1458, 1459-1464, 1465-1470, 1471-1476, 1477-1482, 1483-1488, 1489-1494, 1495-1500, 1501-1506, 1507-1512, 1513-1518, 1519-1524, 1525-1530, 1531-1536, 1537-1542, 1543-1548, 1549-1554, 1555-1560, 1561-1566, 1567-1572, 1573-1578, 1579-1584, 1585-1590, 1591-1596, 1597-1602, 1603-1608, 1609-1614, 1615-1620, 1621-1626, 1627-1632, 1633-1638, 1639-1644, 1645-1650, 1651-1656, 1657-1662, 1663-1668, 1669-1674, 1675-1680, 1681-1686, 1687-1692, 1693-1698, 1699-1704, 1705-1710, 1711-1716, 1717-1722, 1723-1728, 1729-1734, 1735-1740, 1741-1746, 1747-1752, 1753-1758, 1759-1764, 1765-1770, 1771-1776, 1777-1782, 1783-1788, 1789-1794, 1795-1800, 1801-1806, 1807-1812, 1813-1818, 1819-1824, 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ADDITIONAL INFORMATION
 Required Under Section 51(17)
 Of The Planning Act R.S.O. 1990 c.P.13

a. SHOWN ON DRAFT PLAN
 b. SHOWN ON DRAFT AND KEY PLANS
 c. SHOWN ON KEY PLAN
 d. LAND TO BE USED IN ACCORDANCE WITH LAND USE SCHEDULE
 e. SHOWN ON DRAFT PLAN
 f. SHOWN ON DRAFT PLAN
 g. SHOWN ON DRAFT PLAN AND KEY PLAN
 h. MUNICIPAL PIPED WATER TO BE PROVIDED
 i. SOIL IS SILTY CLAY
 j. SHOWN ON DRAFT PLAN
 k. ALL MUNICIPAL SERVICES TO BE PROVIDED
 l. SHOWN ON DRAFT PLAN

SCHEDULE OF LAND USE

TOTAL SITE AREA - 72.132 ha

Proposed Land Use	Units	Reference	Area (Ha.)
Residential Singles 10.0m	360	Blocks 1-2,4,5,7,19, 21,22,24, 29,54,58,59, 60,69,92-94,98,101-103,	12,015
Residential Singles 8.0m	725	Blocks 3,6,8,10-14,16,18, 20,23,25,26,28,30,32,33, 36-41,44,45,48-53,55,57, 61,62,64-66,68,70,72-74, 76-78,80-82,84-88,90,91, 95-97,99,100,106,108, 110-111,113-16,118.	18,864
Residential Townhomes 5.5m	320	Blocks 9,13,17,27,31,34, 35,42,43,46,47,56,63,67, 71,75,79,83,89,107,112, 117,119.	6,273
Park		Blocks 125-127	3,639
Stormwater Management Pond		Block 128	2,078
Open Space		Blocks 129-130	13,338
ROADS:			
21m - 23m R.O.W. (Street A)			2,665
18m R.O.W. (Streets B-X)			13,260
TOTAL	1405		72.132

Proposed Summary Yield

Proposed Unit Mix	Unit Count with Alternate 5.50m Townhouse Units	Unit Count with Alternate 5.50m Semi-Detached Units
Residential Singles 10.0m	360	360
Residential Singles 8.0m	725	725
Residential Townhomes 5.5m	320	
Residential Semi-Detached 5.5m		284
TOTAL	1405	1369

5		
4		
3		
2		
1		
No.	REVISION	DATE

REVISIONS

OWNER'S CERTIFICATE
 WE, BEING THE REGISTERED OWNER OF THE SUBJECT LANDS HEREBY AUTHORIZE ARMSTRONG PLANNING AND PROJECT MANAGEMENT TO PREPARE AND SUBMIT A DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

SIGNED _____ DATE _____

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

SIGNED *C.P. [Signature]* DATE FEBRUARY 20, 2020

DAIN CITY EAST
DRAFT PLAN OF SUBDIVISION

PART LOTS 20, 21, 22 AND 23, CONCESSION 5,
 PART OF THE ROAD ALLOWANCE BETWEEN
 LOTS 20 AND 21, CONCESSION 5, AND PART
 OF THE ROAD ALLOWANCE BETWEEN LOT
 22 AND 23, CONCESSION 5,
 (CLOSED BY BY-LAW 855, INST NO. HU8243)
 GEOGRAPHIC TOWNSHIP OF HUMBERSTONE)
 THE CITY OF WELLAND
 REGIONAL MUNICIPALITY OF NIAGARA

DESIGN: _____ DRAWN: _____ SCALE: 1:2000
 APPROVED: _____ DATE: February 20, 2020 PROJECT No. 19.2681.00
 DRAWING No. Dain City East Subdivison.dwg PHASES 1-3

Figure 4-B: Proposed Draft Plan (Redline #2)
 555 Canal Bank's Dain City Subdivision, Welland ON

Source: Armstrong Planning & Project Management

Date: Mar 12, 2020



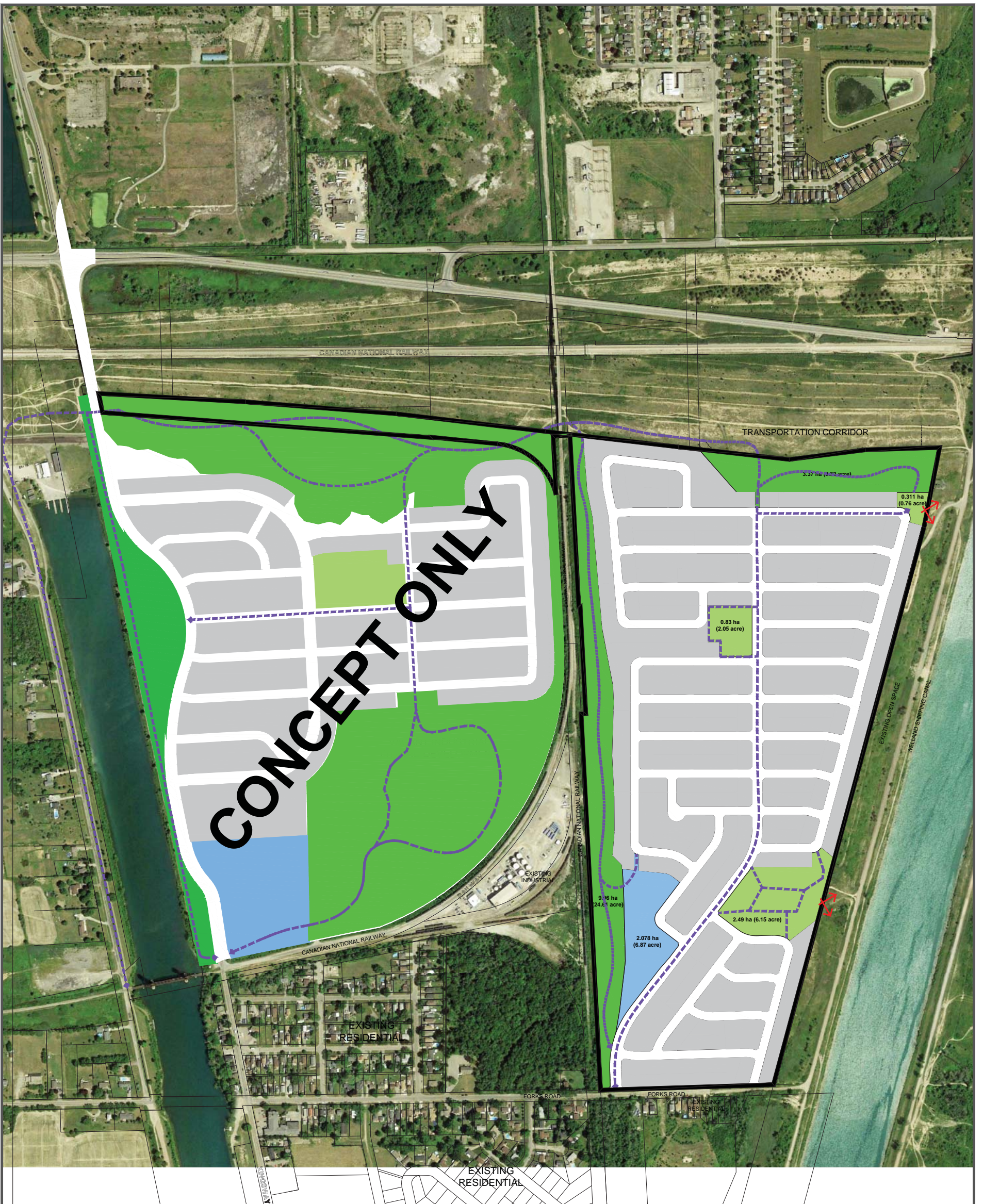
Figure 5: Proposed Unit Type
 555 Canal Bank's Dain City Subdivision, Welland ON

Source: Armstrong Planning & Project Management

Date:
 Mar 12, 2020



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Legend:

- Park
- Open Space
- Storm Water Management
- Pedestrian Trail System
- Sightline to Canal

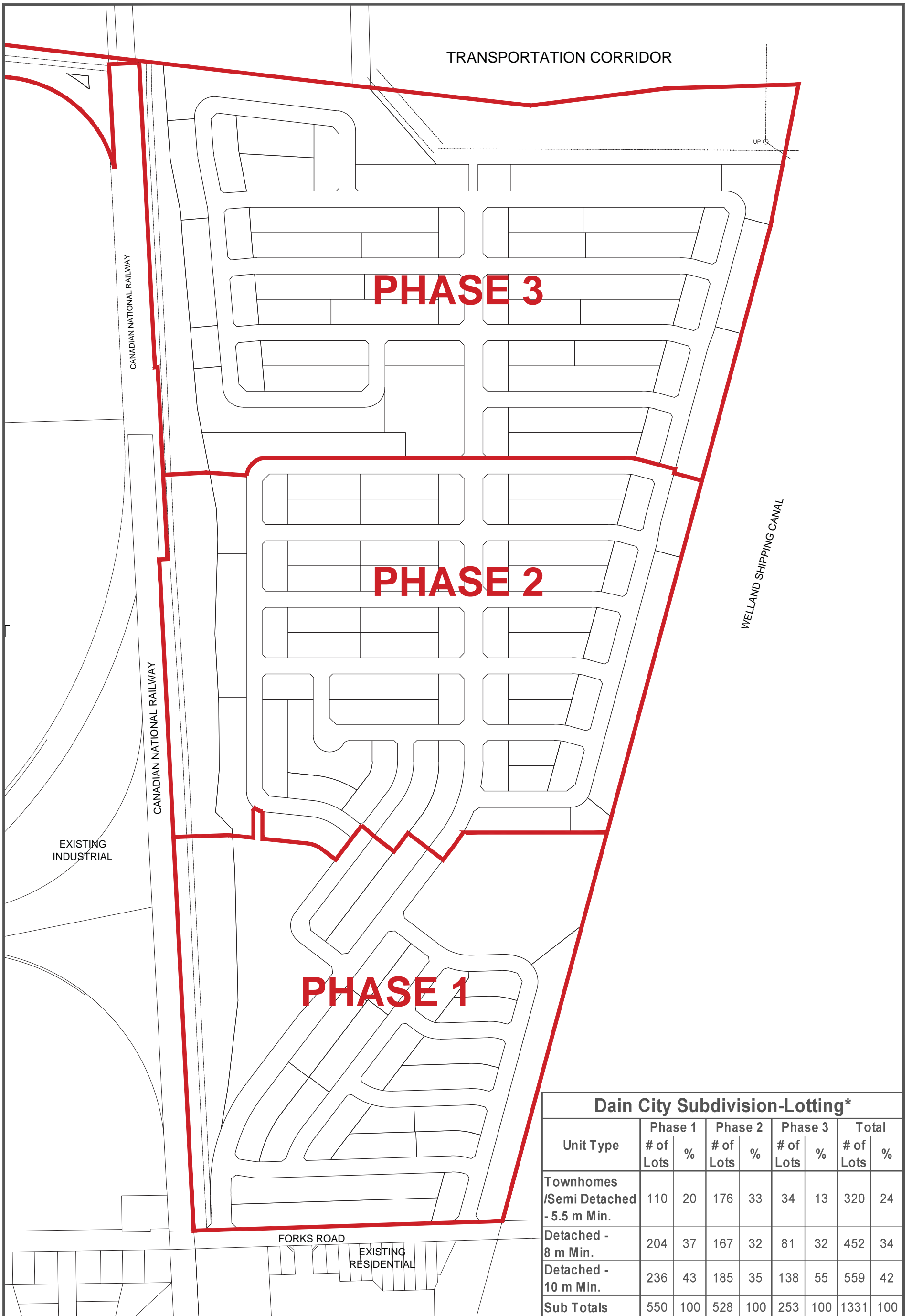
Figure 6: Open Space and Trail Plan

555 Canal Bank's Dain City Subdivision, Welland ON

Date:
Mar 12, 2020



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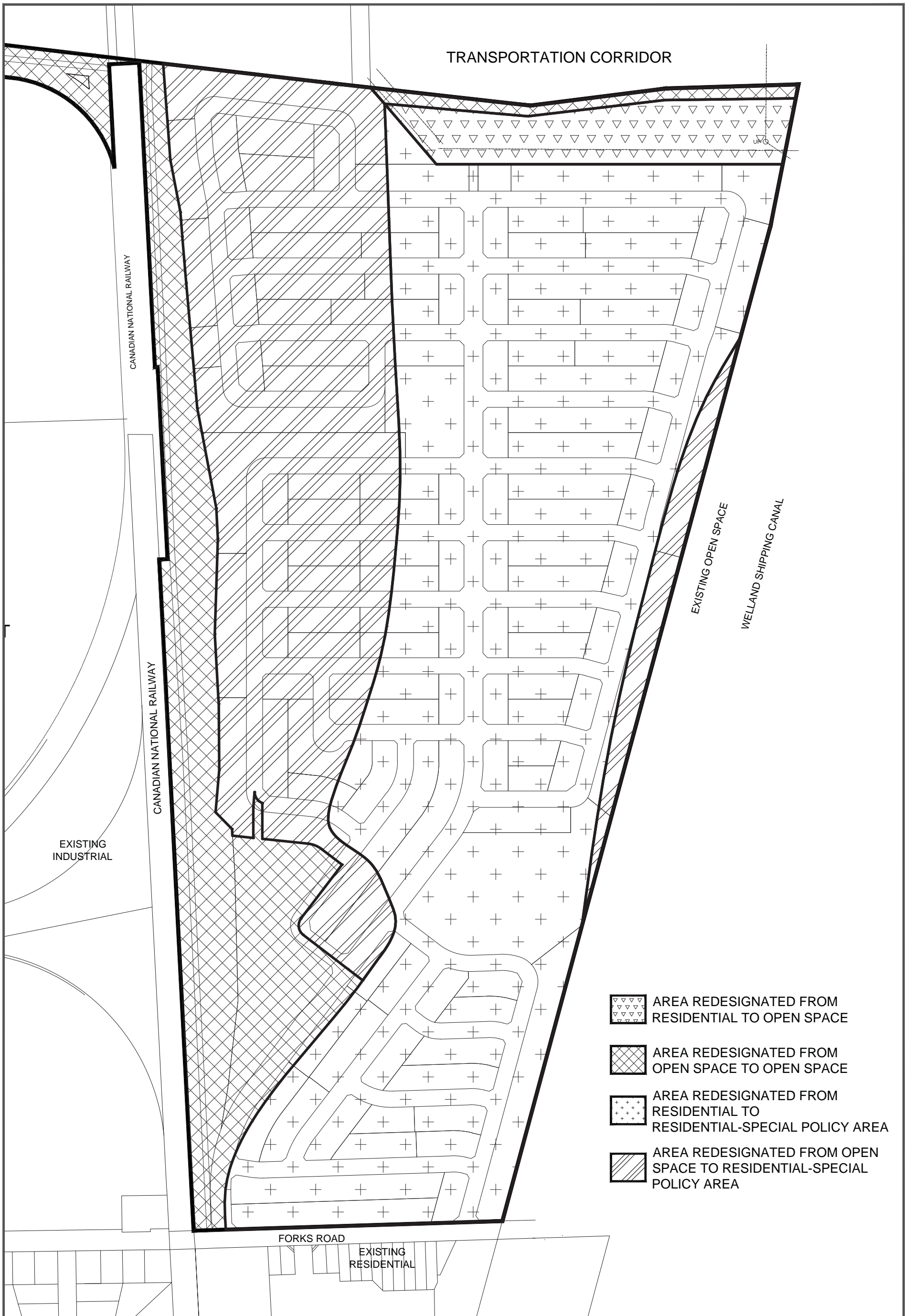
Dain City Subdivision-Lotting*								
Unit Type	Phase 1		Phase 2		Phase 3		Total	
	# of Lots	%	# of Lots	%	# of Lots	%	# of Lots	%
Townhomes /Semi Detached - 5.5 m Min.	110	20	176	33	34	13	320	24
Detached - 8 m Min.	204	37	167	32	81	32	452	34
Detached - 10 m Min.	236	43	185	35	138	55	559	42
Sub Totals	550	100	528	100	253	100	1331	100

* Phasing and lot counts are conceptual and subject to change.

Figure 7: Phasing Map
 555 Canal Bank's Dain City Subdivision, Welland ON

Date: Mar 12, 2020

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**Figure 8: Proposed Official Plan Amendment
Schedule "A" - Land Use Plan**

555 Canal Bank's Dain City Subdivision, Welland ON

Source: Armstrong Planning & Project Management, City of Welland Official Plan

Date:
Mar 12, 2020



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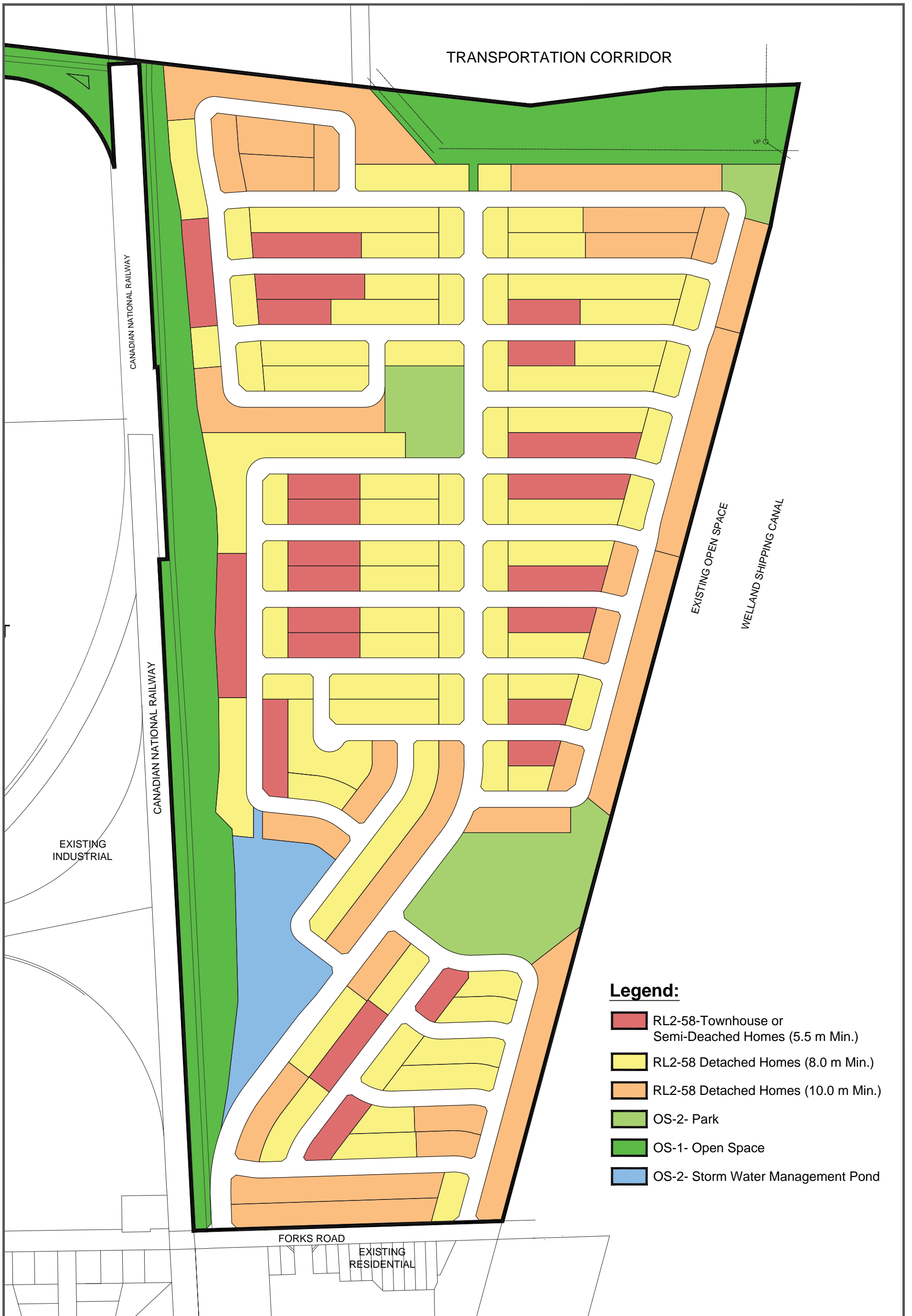


Figure 9: Proposed Zoning
555 Canal Bank's Dain City Subdivision, Welland ON

Source: Armstrong Planning & Project Management, City of Welland New Comprehensive Zoning By-Law 2017-117

Date:
Mar 12, 2020



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APPENDIX A

2007 Planning Approvals

OPA 119

ZBA 2006-162

DRAFT PLAN


OFFICIAL PLAN AMENDMENT NO. 119
DAIN CITY RESIDENTIAL DEVELOPMENT
CITY OF WELLAND

The Amendment No. 119 to the Official Plan of the City of Welland, adopted by the Council of the City of Welland, is hereby modified under the provisions of subsection 17 (34) of the Planning Act, R.S.O. 1990, as follows:

1. Policy Revisions, Part B – The Amendment, Policies, Residential Special Policy, Phasing, is hereby modified by adding the bolded text:
 - *Schedule "B" illustrates the sequence of development. It is intended that lands within Phase I of the development as shown on Schedule "B" ~~are be outside the influence area (300 metres radius)~~ in accordance with Ministry of Environment Guidelines D-6, Compatibility Between Industrial Facilities and Sensitive Land uses.*
 -

As thus modified, Amendment No. 119 to the Official Plan for the City of Welland is hereby approved under subsection 17 (34) of the Planning Act, R.S.O. 1990.

DATE: September 6th, 2007


David J. Farley
Director of Planning Services
Regional Municipality of Niagara

i

THE CORPORATION OF THE CITY OF WELLAND
BY-LAW NUMBER 2006 - 156

A BY-LAW TO AUTHORIZE THE SIGNING
OF OFFICIAL PLAN AMENDMENT NO. 119

WHEREAS the Official Plan of the Welland Planning Area was adopted by the City of Welland on April 1, 1952

AND WHEREAS amendments have since been made to the Official Plan of the Welland Planning Area

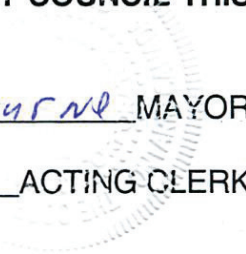
AND WHEREAS Amendment No. 6 was an Official Plan Amendment which covered only a portion of the Township of Crowland and which has since been annexed to the City of Welland

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

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

1. That the Corporation of the City of Welland hereby adopts Official Plan Amendment No. 119 for the City of Welland.
2. The Acting City Clerk is hereby authorized and directed to make application to The Regional Municipality of Niagara for the approval of the aforementioned Amendment No. 119 to the Official Plan of the Welland Planning Area.
3. This By-law shall come into force and take effect on the day of the final passing by the Council of The Corporation of the City of Welland upon final approval by The Regional Municipality of Niagara.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS 10TH DAY OF OCTOBER, 2006.


Damian Foulbourne MAYOR
Barbara Gallaccio ACTING CLERK

Amendment Number 119

to the

Official Plan

for the

City of Welland

This amendment to the Official Plan for the City of Welland, which has been adopted by the Council of the Corporation of the City of Welland, is hereby approved pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13, as Amendment Number 119 to the Official Plan for the City of Welland.

Date:

THE REGIONAL MUNICIPALITY OF NIAGARA

**AMENDMENT NO. 119 TO THE OFFICIAL PLAN OF THE
WELLAND PLANNING AREA**

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

INTRODUCTION

The Official Plan of the Welland Planning Area was adopted by the City of Welland on April 1, 1952. The Official Plan covered only that part of the Welland Planning Area which constituted the City of Welland at that time. One hundred and eighteen amendments have since been made to the Official Plan of the Welland Planning Area.

PURPOSE OF THE AMENDMENT

The purpose of Official Plan Amendment No. 119 is to provide a framework for the orderly development of a healthy and sustainable neighbourhood for the present and future residents of this area of Dain City. This Amendment applies specific land use designations and policies to promote the development of an attractive, safe, accessible and sustainable environment within the Amendment Area.

The subject lands are currently covered by Official Plan Amendment No. 67. The designations and policies contained herein shall replace those contained in Official Plan Amendment No. 67 as they apply to these lands.

LOCATION

The parcel of land, subject to this Amendment is comprised of approximately 72 hectares bound generally by the Welland By-Pass Canal to the east, Forks Road to the south, Townline Tunnel Road to the north and Canal Bank Street and the John Deere Plant to the west. Surrounding land uses are residential to the south, the Welland Canal and rural uses to the east and industrial to the north and west.

BASIS

The subject lands are currently designated Open Space and Industrial Heavy and Open Space by Official Plan Amendment No. 67. These lands are within the urban area boundary of the City of Welland. The policies contained in this Amendment recognize this area of Dain City as the location of a future neighbourhood where special land use and development policies will apply to create a desirable and healthy living environment.

PART B - THE AMENDMENT

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the following Special Land Use and Development Policies and attached Schedules identified as Schedule "A" and "B", constitutes Amendment No. 119 to the Official Plan for the City of Welland Planning Area.

POLICIES

RESIDENTIAL – SPECIAL POLICY AREA

- (a) The Residential – Special Policy Area designation of land means that the predominant use of land and buildings shall be for residential purposes. A range of housing opportunities for all ages and lifestyles will be encouraged in order to accommodate the different and changing housing needs of the community. Uses permitted include single-detached dwellings, semi-detached dwellings, townhouse units, three and four unit dwellings and other forms of innovative multiple unit dwellings. Other uses, which are complementary to, and serve the principal residential use, such as parks and parkettes, are also permitted.
- (b) Home occupations are permitted by this Plan within the Residential – Special Policy Area designation and shall be permitted in the Zoning By-law. Home occupation uses are intended to be those economic activities which are conducted within a residential dwelling unit primarily by the residents of that unit. Such uses are intended to allow people to conduct small-scale, business or office uses from their homes. Home occupations are not intended to permit economic activities which are more appropriately located in commercial or industrial areas. Home occupations shall not occupy more than 25% of the floor area of the main dwelling, shall not cause any noise, odour or visual display which would be inappropriate in a residential area and shall not generate vehicular traffic in volumes or of a nature inappropriate for the residential area.
- (c) The density of development shall generally be not less than 23 dwelling units per net hectare and not greater than 31 dwelling units per net hectare of land. Net area is calculated as an area of one or more lots, blocks, parcels of land, the principal use of which is for residential purposes. Lands for other uses accessory to the basic residential uses, such as roads, parks, environmental protection areas, and storm water management facilities are not included in the net area calculation.

- (d) Residential projects shall be consistent with the design policies of this Plan and may be subject to Site Plan Approval.
- (e) The scale, design and pattern of development within the Residential – Special Policy Area designation should create an attractive, safe, pedestrian-oriented streetscape.
- (f) The integration of a variety of compatible housing types and building styles into the streetscape will be encouraged.
- (g) Adequate off-street parking facilities are to be provided with vehicular access points designed to minimize any danger to vehicular traffic and pedestrian movements and shall be appropriately treated with a view to safety and minimizing any adverse impacts on surrounding land uses.
- (h) Residential areas shall be designed to allow for convenient pedestrian and cyclist movements.
- (i) Every effort will be made to protect residential development from the impact of noise, vibration, odour, traffic and other impacts which may be generated from surrounding land uses. In this regard the following guidelines shall apply:
 - Residential development in the vicinity of existing industrial land uses shall incorporate appropriate mitigating measures and/or separation distances to ensure land use compatibility including the use of adequate separator, berms, landscaping and fencing.
 - Such measures or distances shall be determined by appropriate studies addressing potential impacts. Potential impacts for analysis shall be identified by the City in consultation with lead agencies.

Open Space

The predominant use of lands in areas designated Open Space shall be for open space purposes including passive and active recreational pursuits. Linkages in the form of pathways, shall be developed as part of an open space system to physically connect this area to the existing trail system. In addition, public works such as storm water management facilities, as approved by appropriate agencies, may be permitted in areas designated Open Space. Consideration shall be given to the public acquisition of Open Space lands through the development approval process.

Although storm water facilities are not considered to be part of the required open space dedications, such facilities shall be integrated into the open space system, wherever

practical, to provide a continuous open space system through the area and beyond. To this end, the storm water facility located within the area shall be designed and constructed as an accessible, attractive feature. Said facility shall be landscaped with natural vegetation and may provide other amenities such as pathways, gazebos, fountains and similar features. The storm water management facility shall be designed and constructed to the satisfaction of the City and other approval agencies. All costs associated with the construction of the facility shall be borne by the proponent.

Lands designated as Open Space and used for public works uses, such as storm water management purposes, shall not be acceptable as part of the 5 per cent dedication for park or other public recreational purposes under the Planning Act. All lands dedicated to the City shall only be accepted when minimum site and location standards and site preparation have been deemed acceptable by the City.

Transportation

The road plan is designed to facilitate the movement of people throughout the neighbourhood and to the community beyond. It is intended that the local roads system will accommodate, as may be appropriate, the requirements of vehicles, public transit, pedestrians, bicycles, and other supporting features such as parking, laneways, street furniture and tree planting.

Consideration may be given to reduced right-of-way widths for local roads in order to encourage innovative community forms and more efficient use of land and infrastructure. The proponent shall provide evidence that the proposed reduced right-of-way widths will not adversely impact road function and safety, and will accommodate, to the satisfaction of the City and all other applicable agencies, all required utilities. Any reduced right-of-way widths shall be approved by the City, however they will not require an amendment to the right-of-way widths in the Plan.

Local roads are to provide access to abutting properties and shall not be designed for through traffic. The needs of pedestrians and cyclists shall be recognized and accommodated in the design of local roads.

The requirement for sidewalks, daylighting triangles etc. shall be determined at the Plan of Subdivision stage.

Roads entering the neighbourhood shall be treated as gateways to the neighbourhood using techniques such as planted medians and rights-of-way, special plantings, pavement treatments and lighting. Materials and techniques used must be low maintenance in nature.

Calming measures to manage traffic speeds and volumes to a level compatible with and

conducive to other neighbourhood activities shall be implemented wherever possible.

Parking

Parking areas shall be provided for all land uses in the area in accordance with the parking provisions of the Zoning By-law.

Servicing

The Dain City Area will be developed on full municipal services through the extension of municipal water, sanitary sewer and utility systems and through the construction of storm water management facilities. All development and all public works within this area of Dain City shall be undertaken in an orderly, cost-efficient manner consistent with the City's and the Region's servicing systems and in accordance with the following:

- All new development shall be connected to the municipal sewer and water services system. In addition, storm water management facilities shall be constructed to accommodate storm water from the area.
- The standards of the City of Welland and other agencies shall be taken into consideration at the time of preparing Plans of Subdivision and detailed engineering drawings.
- Prior to the approval of each phase of development, the City may require the preparation and approval of reports to ensure that the next phase of development is appropriate.

Design

The intent of this Plan is to promote the development of an attractive, safe, accessible and sustainable urban environment within the Dain City Area by consistently applying the following urban design principles in the consideration of development:

- (a) Encouraging a variety of building types and designs.
- (b) Encouraging energy efficient designs for plans of subdivision, site plans, buildings and public works.
- (c) Promoting barrier-free (physically accessible) design.
- (d) Promoting safe and attractive streetscapes through street lighting,

pedestrian linkages, bicycle paths, tree planting, gateway (entrance) features, building location, orientation, height, massing and facades.

- (e) Encouraging safe and efficient pedestrian and vehicular movements through the design of subdivisions and site plans.
- (f) Encouraging the use of alternative engineering and road design standards as deemed appropriate by the City.
- (g) Encouraging transit-supportive design of subdivisions and buildings.

Phasing

Development shall proceed in a logical manner. To this end, prior to granting development approvals, the City shall be satisfied that adequate services including storm water, primary watermains, sanitary sewers, roadways, emergency access and other municipal services are, or will be, made available to support the development.

Schedule "B" illustrates the sequence of development. It is intended that lands within Phase 1 of the development as shown on Schedule "B" ~~be outside the Influence Area~~ ^{are} (300 metre radius) in accordance with Ministry of Environment Guideline D-6, Compatibility Between Industrial Facilities & Sensitive Land Uses.

Prior to permitting development beyond Phase 1, the City shall be satisfied that all necessary studies, including noise, odour, vibration, air quality, traffic, servicing, environmental, etc., as they relate to development beyond Phase 1, have been completed to the satisfaction of the City. As determined by the City, said studies may require peer review, the cost of which is to be borne solely by the proponent of the development.

The Holding (H) Symbol authorized by the Planning Act shall be used in conjunction with the Zoning coverage of the Area to permit development only when it is deemed by the City to be appropriate. To this end, the City shall have regard to the following in consideration of lifting the Holding (H) Symbol:

- All requirements of the City, Region, Provincial agencies and other authorities have been met.
- Any necessary agreements have been registered on Title, or registration is imminent, to ensure that all provisions of this Plan, as may be applicable, the conditions of draft plan approval and/or site plan approval, have been complied with.

MODIFICATION

NO. (1)
 UNDER SECTION 17(34) OF
 THE PLANNING ACT, 1990

- Sufficient capacity, as confirmed by the appropriate agencies, must be available respecting servicing and roadways to accommodate the anticipated demands created by the proposed development.
- All other requirements of the City and other agencies have been met.

Implementation

Development shall be approved by Plans of Subdivision and Site Plan Agreements, where appropriate.

Zoning By-laws shall be enacted to implement this Plan and Plans of Subdivision/Condominium and/or comprehensive Site Plans.

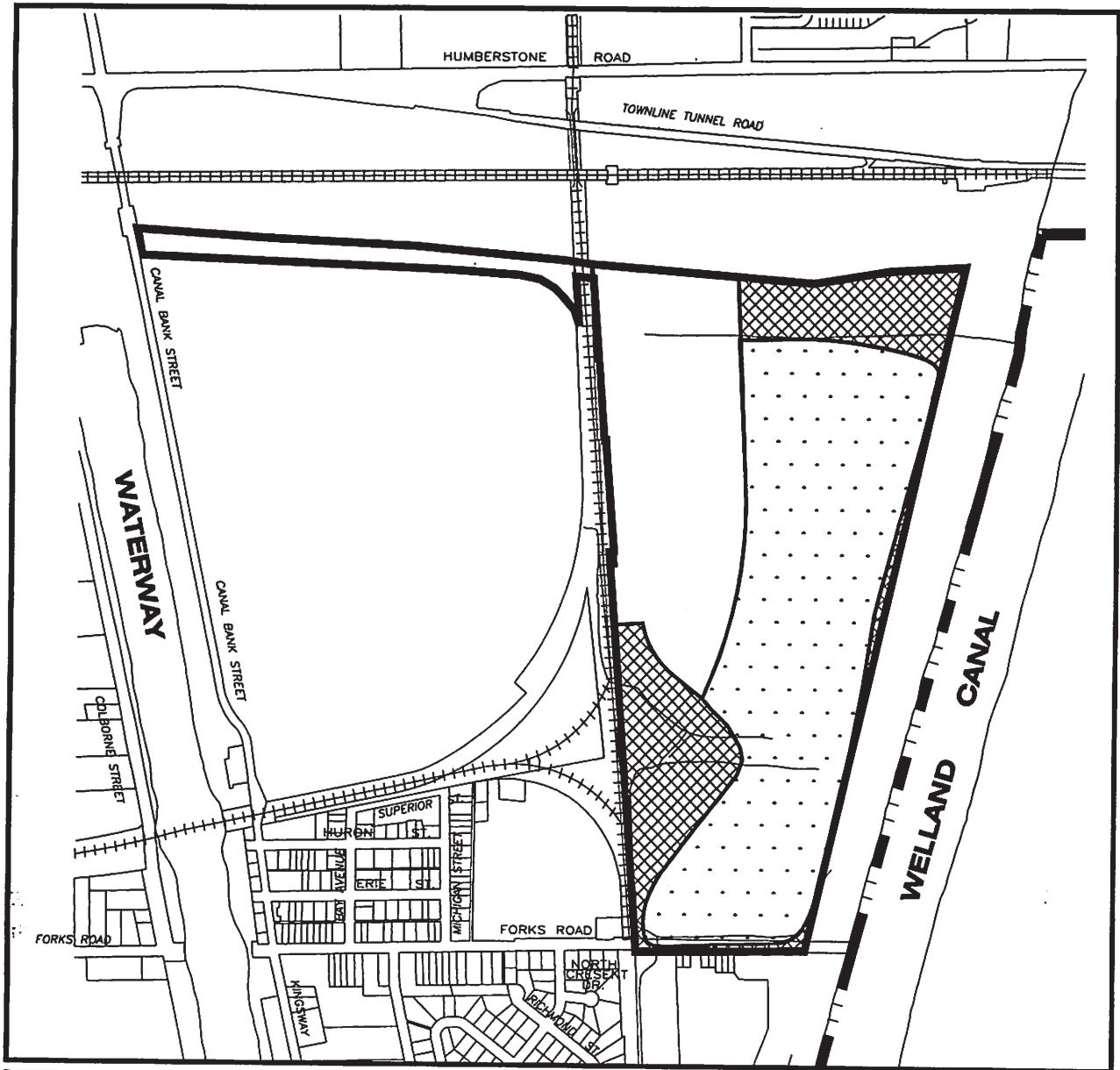
Development of public works and community facilities shall be in accordance with the policies of the City.

Interpretation

The policies for this area of Dain City should be read in conjunction with other policies, where noted.

The boundaries between land use designations and the location of roads shown on the accompanying Schedules are approximate except where they coincide with clearly defined features. Minor adjustments shall not require an Amendment to this Plan.

SCHEDULE "A" - LAND USE PLAN



**SCHEDULE "A" TO AMENDMENT NO. 119
TO THE OFFICIAL PLAN FOR THE WELLAND PLANNING AREA**

LAND USE PLAN

**NOTE: THIS SCHEDULE FORMS PART OF AMENDMENT NO. 119
TO THE OFFICIAL PLAN FOR THE WELLAND PLANNING AREA
AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT**



**AREA REDESIGNATED FROM
OPEN SPACE
TO RESIDENTIAL -
SPECIAL POLICY AREA**

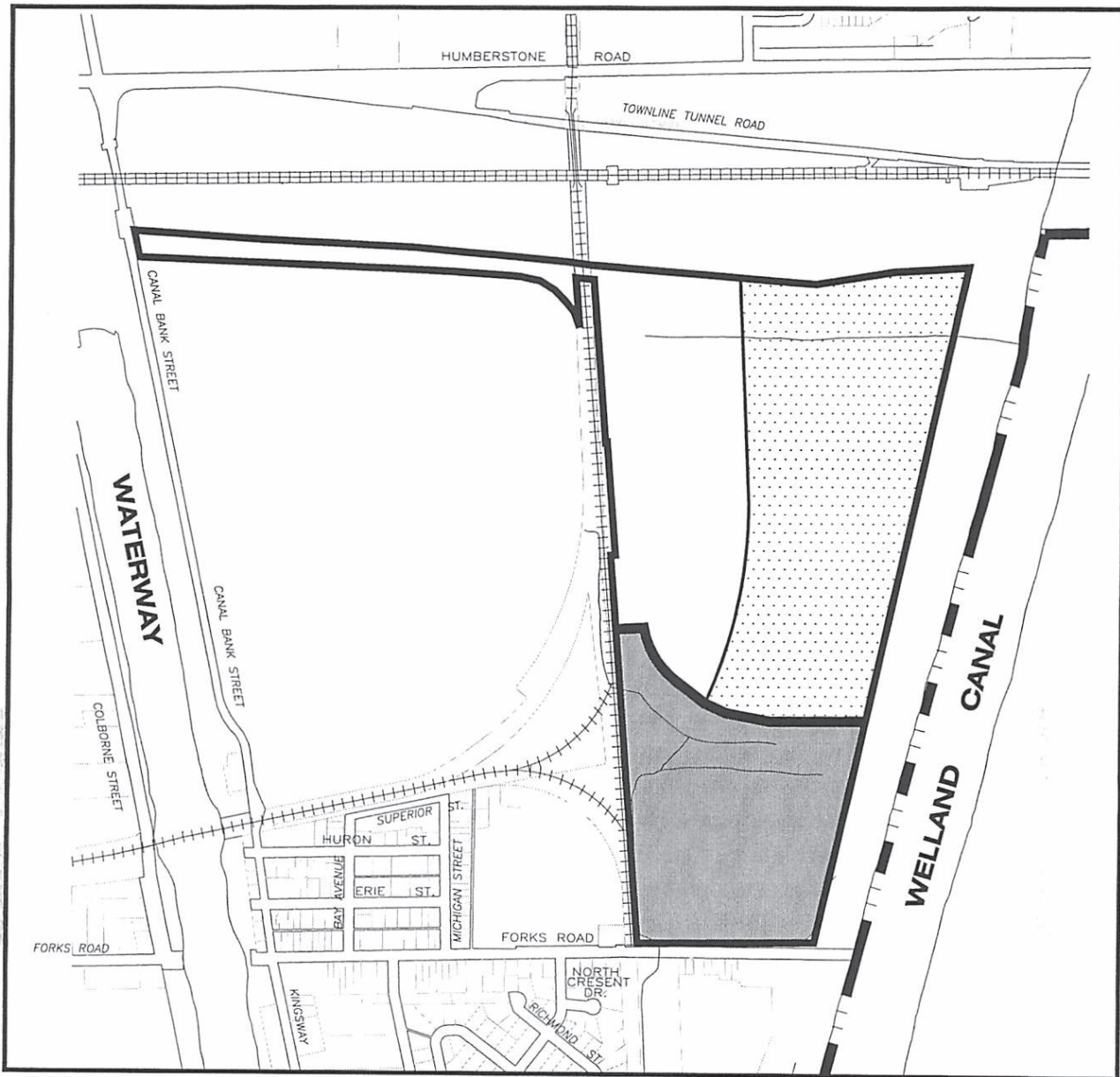


**AREA REDESIGNATED FROM
OPEN SPACE
TO OPEN SPACE**



**CITY OF WELLAND
PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION**

SCHEDULE "B" - DEVELOPMENT SEQUENCE



SCHEDULE "B" TO AMENDMENT NO. 119 TO THE OFFICIAL PLAN FOR THE WELLAND PLANNING AREA DEVELOPMENT SEQUENCE

NOTE: THIS SCHEDULE FORMS PART OF AMENDMENT NO. 119
TO THE OFFICIAL PLAN FOR THE WELLAND PLANNING AREA
AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT



PHASE 1



PHASE 2



CITY OF WELLAND
PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

PART C - THE APPENDICES

The following appendices do not constitute part of Amendment No.119, but are included only as information supporting the amendment.

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

APPENDIX I - AFFIDAVIT

IN THE MATTER OF SECTION 6, ONTARIO
REGULATION 198/96

AND


IN THE MATTER OF THE ADOPTION OF
OFFICIAL PLAN AMENDMENT 119 BY BY-
LAW 2006-156 PASSED BY COUNCIL OF
THE CORPORATION OF THE CITY OF
WELLAND ON OCTOBER 10, 2006

I, Donald B. Thorpe of the City of Welland in the Regional Municipality of Niagara,
make oath and say as follows:

1. I am the General Manager, Planning and Development Services of The Corporation of the City of Welland.
2. That in accordance with Section 17(15)(c) of The Planning Act, as amended and Section 2 of Ontario Regulation 198/96, I have caused notice of the Public Meeting to be published in the Welland Tribune on Saturday, July 8, 2006. I hereby certify that the required Public Meeting was held on Tuesday, August 1, 2006 by the Council of the Corporation of the City of Welland.
3. That in accordance with Section 17(31) of The Planning Act, as amended, and Section 6(5) of Ontario Regulation 198/96 a list of all persons or public bodies which made oral submissions at the Public Meeting are attached as Schedule "A" to this Affidavit.
4. That in accordance with Section 17(23) of The Planning Act, as amended, and Ontario Regulation 198/96, I hereby certify that the requirements for the giving of notice of adoption of the Amendment in accordance with Section 17(23) have been complied with.

Sworn before me at the City of Welland
in the Regional Municipality of Niagara,
this 18th day of October, 2006.




Christine Leigh Rossetto, a
Commissioner, etc., Regional
Municipality of Niagara, for The
Corporation of the City of Welland.
Expires December 9, 2007

SCHEDULE "A" TO APPENDIX 1 - AFFIDAVIT

List of individuals who made oral submission at the Statutory Public Meeting conducted August 1, 2006 concerning Official Plan Amendment No. 119 .

John Pennachetti, President, Dain City Development Inc., 31 Davisville Avenue, Toronto, Ontario, M4S 1G3 in support of the Application

Brent Clarkson, MHBC, 7050 Weston Road, Woodbridge, Ontario, L4L 8G6 in opposition to the Application on behalf of John Deere

APPENDIX II - NOTICE OF ADOPTION



**CITY OF WELLAND
NOTICE OF ADOPTION OF
OFFICIAL PLAN NUMBER 119 TO THE
OFFICIAL PLAN FOR THE WELLAND PLANNING AREA**

Take notice that the Council of The Corporation of the City of Welland passed By-law 2006-156, being a By-law to authorize the execution of Official Plan Amendment Number 119, on October 10, 2006 under Section 17(22) of The Planning Act, as amended.

The Purpose of Official Plan Amendment No. 119 is to provide a framework for the orderly development of a health and sustainable neighbourhood for the present and future residents of this area of Dain City.

The Effect of the redesignation is to apply specific land use designations and policies to promote the development of an attractive, safe, accessible and sustainable environment within the Amendment Area.

A copy of the Amendment and Staff Report is available for inspection by the public as of July 30, 2006 at the office of the Acting Clerk during regular office hours.

The lands subject to the Amendment are also the subject of an application under The Planning Act, as amended for Application for Draft Plan of Subdivision - File 26T-14-06002 and Application for Zoning By-law Amendment - File 2006-07.

Any person or public body shall be entitled to receive notice of the proposed decision of the approval authority, if a written request to be notified of the proposed decision is made to:

The Regional Municipality of Niagara,
P. O. Box 1042,
2201 St. David's Road,
Thorold, Ontario. L2V 4T7.
Attention: Regional Clerk

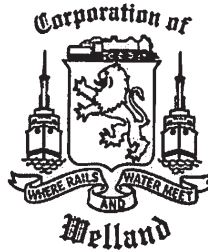
Questions concerning the Amendment should be directed to the City of Welland Planning and Development Services at (905) 735-1700, Extension 2251.

Dated at the City of Welland this 18th day of October, 2006.

Donald B. Thorpe
GENERAL MANAGER
PLANNING AND DEVELOPMENT SERVICES
OF THE CORPORATION OF THE CITY OF WELLAND

APPENDIX III

- MINUTES OF PUBLIC MEETING -



COUNCIL MEETING, AUGUST 1, 2006

**TO HOLD PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT; AND TO
CONSIDER THE ITEMS AS OUTLINED IN THE SPECIAL COUNCIL AGENDA**

**CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

His Worship Mayor Damian Goulbourne in the Chair.

Members Present: Councillors: D. Alexander (6:10 p.m.), M. Belcastro, P. Chiocchio, M. Dzugan (6:00 p.m.), D. Fortier, P. Grenier (6:10 p.m.), M. A. Grimaldi, J. Larouche, S. O'Dell, and B. Sharpe.

Members of the Staff and Others Present:

Acting City Clerk B. Gallaccio
City Solicitor G. Banks (until 8:15 p.m.)
General Manager Engineering, Public Works & Transportation Services D. Shantz (7:20 p.m.)
General Manager Financial & Corporate Services/Treasurer – Acting City Manager B. Silvestri
General Manager of Planning and Development Services D. Thorpe (6:20 p.m.)
General Manager of Parks and Recreation B. LaPlante (7:20 p.m.)
General Manager of Human Resources R. Beaumont (until 7:10 p.m.)
Deputy Clerk C. Mintoff (7:20 p.m.)
Transit Manager D. Stuart (7:20 p.m.)

STATUTORY PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Larouche presided as Chair of the Public Hearing:

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2006 - 152

BEING A BY-LAW TO AMEND CITY OF WELLAND ZONING BY-LAW 2667 (DAIN CITY DEVELOPMENT INC. - FILE 2006-07) NORTH SIDE OF FORKS ROAD, WEST OF THE WELLAND CANAL AND EAST OF CANAL BANK STREET

WHEREAS the Council of the Corporation of the City of Welland adopted By-law 2667 on the 21st day of October, 1958;

AND WHEREAS the said By-law 2667, as amended, was approved by the Ontario Municipal Board on the 27th day of November 1962;

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 Subsection 1 of Section 36 of The Planning Act, R.S.O. 1990, Chapter P.13 as amended, provides that the Council of a local municipality may, in a By-law passed under Section 34, by the use of the Holding Symbol "H" in conjunction with any use designation, specify the use to which lands, buildings or structures may be put at such time in the future as the Holding Symbol is removed by amendment to the By-law;

AND WHEREAS the Council of the Corporation of the City of Welland deems it expedient to amend said Zoning By-law 2667.

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

That Schedule "A" to By-law 2667 be and the same is hereby amended as follows:

1. That Part of Lots 20 and 21 inclusive, part of road allowance between Lots 20 and 21, Concession 5, in former Township of Humberstone, now the City of Welland, being part of Parts 1 to 3 inclusive, Plan 59R-12698 and shown on Schedule "A" attached hereto as "Change to H-RM3-X21 Zone" is hereby rezoned H-RM3-X21 Zone;
2. That the uses permitted in the H-RM3-X21 Zone shall be as follows: single-detached dwelling, semi-detached dwelling, street townhouses as set out in the Zoning Provisions Table forming part of this By-law;
3. The provisions of the H-RM3-X21 Zone shall be those provided in the attached Zoning Provisions Table:

ZONING PROVISIONS TABLE

ZONE	PERMITTED USES	MINIMUM LOT REQUIREMENTS				MINIMUM YARDS (M)				MINIMUM DWELLING FLOOR AREA (PER UNIT)	MAXIMUM BUILDING HEIGHT
		FRONTAGE (M)	AREA (M ²)	LANDSCAPED OPEN SPACE	FRONT	SIDE		REAR			
						TO GARAGE	TO UNIT		INTERIOR		
H-RM3-X21	Single-detached dwellings with attached garage in front	11.25	337	25%	6.0	4.5	1.2	3.0	7.5	104.5	12.5
H-RM3-X21	Single-detached dwellings with attached garage in rear	11.25	337	25%	n/a	3.0	0.6	3.0 to building 6.0 to garage	7.5 0.6 to attached garage on corner lot	104.5	12.5
H-RM3-X21	Single-detached dwellings with attached garage accessed via laneway	7.95	238	25%	n/a	3.0	0.6	2.4 to laneway 3.0 to street	1.0 0.6 to attached garage on lane flankage corner lot	104.5	12.5
H-RM3-X21	Semi-detached dwellings with attached garage accessed via street	20.0 (10.0 per unit)	600 (300 per unit)	25%	6.0	4.5	Common Wall - 0 1.2 (other than common wall)	3.0 to building 6.0 to garage	7.5 0.6 to attached garage on corner lot (exterior unit)	104.5	12.5
H-RM3-X21	Semi-detached dwellings with attached garage accessed via laneway	14.6 (7.3 per unit)	438 (219 per unit)	25%	n/a	3.0	Common Wall - 0 0.6 (other than common wall)	2.4 adjacent to laneway 3.0 adjacent to street	1.0 to laneway 0.6 to attached garage on corner lot	104.5	12.5
H-RM3-X21	Townhouse Units with attached garage in front	6.75	202 (per unit)	25%	6.0	4.5	Common Wall - 0 End Unit - 1.2	3.0 to building	7.5	104.5	12.5
H-RM3-X21	Exterior Townhouse Units with attached garage in rear (corner lot) accessed via street	6.75	202 (per unit)	25%	n/a	3.0	Common Wall - 0	3.0 to building 6.0 to garage	0.6 to attached garage on corner lot (exterior unit)	104.5	12.5
H-RM3-X21	Townhouse Units with garage accessed via laneway	6.75	202 (per unit)	20%	n/a	3.0	Common Wall - 0 0.75 (other than common wall) End Unit - 1.2	3.0	1.0 to attached garage accessed via laneway	104.5	12.5
H-RM3-X21	Exterior Townhouse Units (lane flankage) with attached garage in rear (corner lot) accessed via laneway	6.75	202 (per unit)	25%	n/a	3.0	Common Wall - 0	2.4 to building 4.2 to garage	0.6 to attached garage on corner lot (exterior unit)	104.5	12.5

4. The number of dwelling units per block as shown on Schedule "B" to this By-law shall be as follows:

BLOCK NO. (DRAFT PLAN)	BLOCK NO. (REGISTERED PLAN)	MINIMUM NO. OF UNITS	MAXIMUM NO. OF UNITS
1		20	26
2		19	25
3		5	9
4		9	13
5		15	21
6		12	18
7		11	17
8		7	10
9		8	12
10		7	8
11		7	8
14		7	11
15		18	21
16		20	26
17		13	15
18		14	16
22		6	8
23		6	8
24		4	6
25		5	7
26		3	5
27		18	22
31		6	8
32		6	8
33		5	8
34		6	8
35		3	5
39		6	8
40		6	8
41		6	8
42		6	9
43		6	7
48		6	8
49		6	10
50		8	12
51		6	7
57		6	8
58		6	8
59		3	5
60		3	5
61		5	8
62		5	8
63		3	5
64		19	25
70		6	8
71		6	8
72		3	5
73		3	5
74		7	10
75		8	11
76		3	5
82		6	9
83		6	9
84		3	5
85		3	5
86		8	12
87		9	13
88		3	5
91		28	38

5. All other general provisions of By-law 2667, as amended, shall apply save and except the following:

Notwithstanding Sections 2, 5 and 6 of By-law 2667, as amended, references to street therein shall include laneways assumed for public use;

Notwithstanding Section 5.3(c) and Schedule "E" of By-law 2667, as amended, Accessory Buildings or Structures shall be located in the rear yard and shall be at least 0.6 metres from the nearest lot line. Accessory Buildings greater than 10 square metres in area also shall be located at least 0.6 metres from any main building;

Notwithstanding Section 5.3(d) of By-law 2667, as amended, the total lot coverage of all Accessory Buildings and Structures on a lot shall not exceed 75% of the footprint of the main building. This does not apply to decks or open air swimming pools. In all cases, the minimum percentage of landscaped open space identified on the Zoning Provisions Table forming part of this By-law shall prevail;

Notwithstanding Section 5.7 of By-law 2667, as amended, projections such as eaves, bay windows (without floor area), sills, gutters, chimneys, or pilasters not projecting more than: (i) 0.3 metres into any required yard in relation of the main building provided that such encroachments are permitted by the Ontario Building Code or other such legislation; (ii) 0.3 metres into any required yard for eaves, gutters in relation to accessory buildings and structures are permitted;

Notwithstanding Section 5.7 of By-law 2667, as amended, roofed porches/platforms, having a maximum height of 4.5 metres and the stairs that are used to provide access to the porch/platform from the ground may encroach:

- a) into the required front yard provided that no part of the roofed porch or stairs is located closer than 1.0 metre from the front lot line on all lots except corner lots. In the case of corner lots no part of the roofed porch/platform or stairs is permitted closer than 2.4 metres from the front lot line and exterior side lot line;
- b) into the required interior side yard a distance of 0.2 metres if the required interior side yard is 0.6 metres; and,
- c) into the required interior side yard a distance equal to one-half (1/2) of the required interior side yard where the required side yard is greater than 0.6 metres.

Notwithstanding Section 5.7(d) of By-law 2667, as amended, porches/platforms may exceed 75% of the width of the main building;

Notwithstanding Section 5.10 of By-law 2667, as amended, no main buildings shall exceed 12.5 metres in building height;

Notwithstanding Section 5.20.1 of By-law 2667, as amended, each required parking space shall be made accessible for ingress and egress by means of a hard surface driveway being a minimum of 2.7 metres in width to the street or laneway;

Notwithstanding Schedule "E", "E1" and "E2" and Section 6.3 (a) of By-law 2667, as amended, in the case of a corner lot, the front yard setback only shall be measured from the shortest front lot line defined upon the establishment of the final lot lines;

6. Notwithstanding Section 6.3 (b) of By-law 2667, as amended, the minimum widths for exterior side yards set out in the Zoning Provisions Table forming part of this By-law shall prevail;

7. For the purposes of this By-law, the following definitions shall apply:
Privacy Yard – means a yard adjoining an exterior wall of a dwelling unit, clear and unobstructed by any public or joint pedestrian access or surface parking area, other than a private driveway for the dwelling unit;

8. That Part of Lots 20 and 21 inclusive, part of road allowance between Lots 20 and 21, Concession 5, in former Township of Humberstone, now the City of Welland, being part of Parts 1 to 3 inclusive, Plan 59R-12698 and shown on Schedule "A" attached hereto as "Change to O1 Zone" is hereby rezoned O1 Zone;

9. For the purposes of this By-law the minimum distance of buildings or structures from all lot lines shall be 3.0 metres;


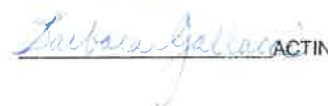
10. That Part of Lots 20 and 21 inclusive, part of road allowance between Lots 20 and 21, Concession 5, in former Township of Humberstone, now the City of Welland, being part of Parts 1 to 3 inclusive, Plan 59R-12698 and shown on Schedule "A" attached hereto as "Change to O2-X7 Zone" is hereby rezoned O2-X7 Zone;

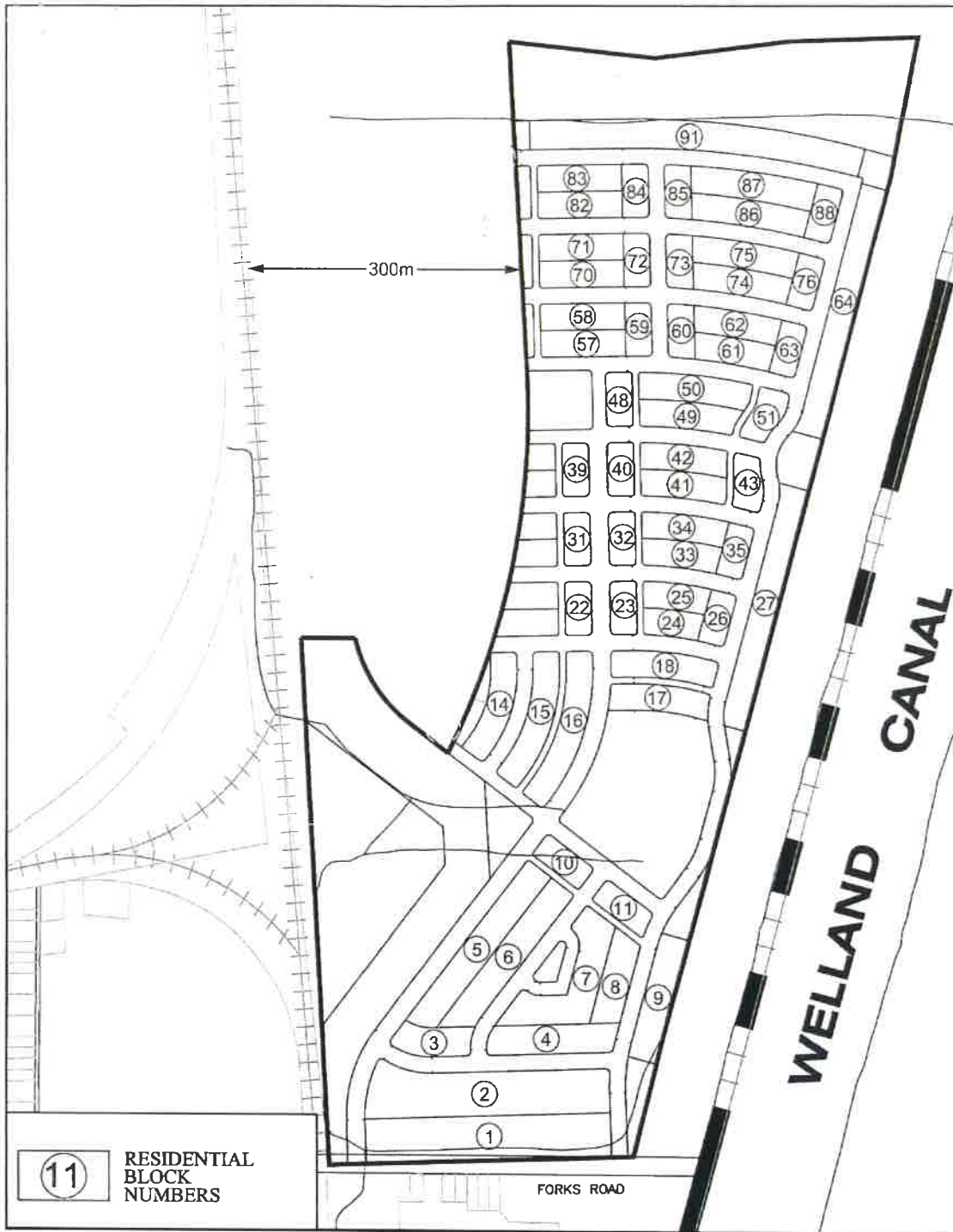
11. The uses permitted in the O2-X7 Zone shall be as follows: a park, a walkway, a play lot, a pavilion, play fields, playgrounds, athletic fields, bleachers, pool, botanical gardens, band stands, skating rink, bowling greens, tennis courts and a public parking lot;

12. For the purposes of this By-law the minimum distance of buildings or structures from all lots lines shall be 6.0 metres.

13. This By-law shall become effective upon approval of Official Plan Amendment No. 119.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS 17TH DAY OF OCTOBER, 2006.

 MAYOR
 ACTING CLERK



**THIS IS SCHEDULE "B" TO BY-LAW 2006-162
PASSED THE 17TH DAY OF OCTOBER, 2006**

SKETCH SHOWING

**PART OF LOTS 20 AND 21
PART OF THE ROAD ALLOWANCE BETWEEN
LOTS 20 AND 21
CONCESSION 5**

**City of Welland
Regional Municipality of Niagara**



MAYOR *Robert J. Lamborne*

ACTING CLERK *Barbara Gallaccio*



**CITY OF WELLAND
PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION**



CITY OF WELLAND
CLERK'S DEPARTMENT
Civic Square
60 East Main Street
Welland, ON L3B 3X4
Phone: 905-735-1700 Fax: 905-732-1919
www.welland.ca

DECLARATION UNDER SECTION 34(22) OF THE PLANNING ACT,
R.S.O. 1990, c. P. 13

I, CRAIG A. STIRTZINGER, hereby declare that the Notice of By-law Number 2006-162 of the City of Welland, passed by the Council of The Corporation of the City of Welland on the 17th day of October, 2006, was given in the manner and form and to the persons prescribed by regulation made by the Lieutenant Governor-in-Council under subsection 18 of Section 34 of the Planning Act, R.S.O. 1990, c. P. 13.

I also declare that the 20-day appeal period expired on the 14th day of November, 2006, and to this date, no notice of appeal with respect to this by-law has been filed by any person in the office of the Clerk.

Whereas Official Plan Amendment Number 119, adopted by By-law Number 2006-156, was approved by the Regional Municipality of Niagara on September 6, 2007, now therefore By-law Number 2006-162 is hereby approved.

Dated this 11th day of October, 2007.

Craig A. Stirtzinger
GENERAL MANAGER, COMMUNICATIONS,
COUNCIL AND LEGISLATIVE SERVICES/CITY CLERK



THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2006 - 169

A BY-LAW TO AUTHORIZE ACCEPTANCE OF AN OFFER TO PURCHASE FROM DAKSTAR NANTICOKE LTD. FOR THE SALE OF PART LOTS 2 AND 3 AND PLAN 564, MUNICIPALLY KNOWN AS 17-19 EAST MAIN STREET

WHEREAS Dakstar Nanticoke Ltd. has made an offer to purchase surplus lands, on the south side of East Main Street, being Part of Lots 2 and 3, Plan 564, municipally known as 17-19 East Main Street, in the City of Welland, for the consideration of Forty-Three Thousand---(\$43,000.00)---Dollars;

AND WHEREAS Council deems it necessary and advisable to accept the offer, subject to the terms and conditions specified in the Agreement of Purchase and Sale.

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

1. That the Agreement of Purchase and Sale between the Corporation and Dakstar Nanticoke Ltd., attached hereto as Schedule "A" and forming for all purposes a part of this by-law, and the execution thereof, is hereby authorized, approved, and accepted, and the Mayor and Clerk shall be and they are hereby authorized and directed to sign, in their respective capacities, all documentation to effect a conveyance of the subject property, subject to approval of the documents by the City Solicitor; and the Clerk shall cause the corporate seal of the municipality to be affixed thereto, subject to the conditions expressed in the said Agreement.
2. That as required by the **Land Registration Reform Act, R.S.O. 1990, c.L.4,** and related Regulations, to permit electronic registration of documents, the City Solicitor and/or Law Clerk are hereby authorized and directed to execute the necessary documents to effect both execution and registration of the conveyance approved by Council.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS 24th DAY OF **October**, 2006.


MAYOR


ACTING CITY CLERK

APPENDIX B

PROPOSED OFFICIAL PLAN AMENDMENT (*current*)

DRAFT OFFICIAL PLAN AMENDMENT FOR 555 CANAL BANK DEVELOPMENTS GP INC.

PART A - THE PREAMBLE

(This does not constitute part of the Amendment)

INTRODUCTION

The Official Plan of the City of Welland was adopted by the City of Welland on May 4, 2010, by By-law 2010-55, and approved, in part, with modifications and deferrals by Niagara Regional Council on September 15, 2011. **XXXXXX amendments have since been made to the Official Plan of the City of Welland.**

PURPOSE

The purpose of the Official Plan Amendment No. **XXX** is to complete the framework for the orderly development of a healthy and sustainable neighborhood for the present and future residents of this area of Dain City. The Amendment applies specific land use designations and policies to promote the development of an attractive, safe, accessible and sustainable environment within the Amendment Area. The designations and policies contained herein shall replace those contained in the Official Plan of the City of Welland as they apply to these lands.

The subject lands are currently covered by Official Plan amendment No. 119. The designations and policies contained herein shall replace those contained in Official Plan Amendment No. 119 as they apply to these lands.

LOCATION

The parcel of land, subject to this Amendment is comprised of approximately 72 hectares bound generally by the Welland Shipping Canal to the east, Forks Road to the south, Townline Tunnel Road (Highway 58A) to the north and vacant land (formerly John Deere Plant) and Canal Bank Street to the west. Surrounding lands uses are residential to the south, the Welland Shipping Canal and rural uses to the east and industrial and vacant lands to the west and a transportation corridor (rail and road), some light industrial and residential to the north.

BASIS

The subject lands are currently designated Open Space and Recreation and residential by the City of Welland Official Plan. These lands are within the urban area boundary of the City of Welland. The policies contained in this Amendment recognize this area of Dain City for neighbourhood development and continue the land use policies currently established fostering the creation of a desirable and healthy living environment.

PART B: THE AMENDMENT

All of the Amendment entitled PART B: THE AMENDMENT, consisting of the following land use and development policies and the attached Schedules identified as Schedules “A” an “B”, constitute Amendment No. **XXX** to the Official Plan of the City of Welland.

POLICIES

Residential—Special Policy Area

- a) The Residential-Special Policy Area designation of land means that the predominant use of the land and buildings shall be for residential purposes. A range of housing opportunities for all ages and lifestyles will be encouraged in order to accommodate the different and changing housing needs of the community. Uses permitted include single-detached dwellings, semi-detached dwellings, townhouse units, three- and four- unit dwellings and other forms of innovative multiple unit dwellings. Other uses, which are complementary to, and serve the principal residential uses, such as parks and parkettes, are also permitted.
- b) Home occupations are permitted by this Plan within the Residential-Special Policy Area designation and shall be permitted in the Zoning By-law. Home occupation uses are intended to be those economic activities which are conducted within a residential dwelling unit primarily by the residents of that unit. Home occupations are not intended to permit economic activities which are more appropriately located in commercial or industrial areas. Home occupations shall not occupy more than 25% of the floor area of the main dwelling, shall not cause any noise, odour or visual display which would be inappropriate in a residential area and shall not generate vehicular traffic in volumes or of a nature inappropriate for the residential area.
- c) The density of the development shall generally be not less than 29 dwelling units per net hectare and not greater than 58 dwelling units per net hectare of land. Net area is calculated as an area of one or more lots, blocks, parcels of land, the principal use of which is for residential purposes. Lands for other uses accessor to the basis residential uses, such as road, parks environmental protection areas, and storm water management facilities are not included in the net area calculation.
- d) Residential projects shall be consistent with the design policies of this Plan and may be subject to Site Plan Approval.
- e) The scale, design and pattern of development within the Residential – Special Policy Area designation should create an attractive, safe, pedestrian-oriented streetscape.
- f) The integration of a variety of compatible housing types and building styles into the streetscape will be encouraged.

- g) Adequate off-street parking facilities are to be provided with vehicular access points designed to minimize any danger to vehicular traffic and pedestrian movements and shall be appropriately treated with a view to safety and minimizing any adverse impacts on surrounding land uses.
- h) Residential areas shall be designed to allow for convenient pedestrian and cyclists movements.
- i) Every effort will be made to protect residential development from the impact of noise, vibration, odour, traffic and other impacts which may be generated from surrounding land uses. In this regard the following guidelines shall apply:
 - Residential development in the vicinity of existing industrial land uses shall incorporate appropriate mitigating measures and/or separation distances to ensure land use compatibility including the use of adequate separator berms, landscaping and/or fencing.
 - Such measures or distances shall be determined by appropriate studies addressing potential impacts. Potential impacts for analysis shall be identified by the City in consultation with lead agencies.

Open Space

The predominant uses of lands in areas designated Open Space shall be for open space purposes including passive and active recreational pursuits. Linkages in the form of pathways, shall be developed as part of an open space system to physically connect this area to the existing trail system. In addition, public works such as storm water management facilities, as approved by appropriate agencies, may be permitted in areas designated Open Space. Consideration shall be given to the public acquisition of Open Space lands through the development approval process.

Although storm water facilities are not considered to be part of the required open space dedications, such facilities shall be integrated into the open space system, wherever practical, to provide a continuous open space system through the area and beyond. To this end, the storm water facility located within the area shall be designed and constructed as an accessible, attractive feature. Said facility shall be landscaped with natural vegetation and may provide other amenities such as pathways, gazebos, fountains and similar features. The storm water management facility shall be designed and constructed to the satisfaction of the City and other approval agencies. All costs associated with the construction of the facility shall be borne by the proponent.

Lands designed as Open Space and used for public works uses, such as storm water management purposes, shall not be acceptable as part of the 5 per cent dedication for park or their public recreational purposes under the *Planning Act*. All lands dedicated to the City shall only be accepted when minimum site and location standards and site preparation have been deemed acceptable by the City.

Transportation

The road plan is designed to facilitate the movement of people throughout the neighbourhood and to the community beyond. It is intended that the local roads system will accommodate, as may be appropriate, the requirements of vehicles, public transit, pedestrians, bicycles, and other supporting features such as parking, laneways, street furniture and tree planting.

Consideration may be given to reduce right-of-way widths for local roads in order to encourage innovative community forms and more efficient use of land and infrastructure. The proponent shall provide evidence that the proposed reduced right-of-way widths will not adversely impact road function and safety, and will accommodate, to the satisfaction of the City and all other applicable agencies, all required utilities. Any reduced right-of-way widths shall be approved by the City; however, they will not require an amendment to the right-of-way widths in the Plan.

Local roads are to provide access to abutting properties and shall not be designed for through traffic. The needs of pedestrians and cyclists shall be recognized and accommodated in the design of local roads.

The requirement for sidewalks, daylight triangles etc. shall be determined at the Plan of Subdivision stage.

Roads entering the neighbourhood shall be treated as gateways to the neighbourhood using techniques such as planted medians and rights-way, special plantings, pavement treatments and lighting. Materials and techniques used must be low maintenance in nature.

Parking

Parking areas shall be provided for all land uses in the area in accordance with the parking provisions of the Zoning By-law.

Servicing

The Dain City Area will be developed on full municipal services through the extension of municipal water, sanitary sewer and utility systems and through the construction of storm water management facilities. All development and all public works within this area of Dain City shall be undertaken in an orderly, cost efficient manner consistent with the City's and the Regional servicing system and in accordance with the following:

- All new development shall be connected to the municipal sewer and water services system. In addition, storm water management facilities shall be constructed to accommodate storm water from the area.
- The standards of the City of Welland and other agencies shall be taken into consideration at the time of preparing Plans of Subdivisions and detailed engineering drawings.

- Prior to the approval of each phase of development, the City may require the preparation and approval of reports to ensure that the next phase of development is appropriate.

Design

The intent of this Plan is to promote the development of an attractive safe, accessible and sustainable urban environment within the Dain City Area by consistently applying the following urban design principles in the consideration of development:

- a) Encouraging a variety of building types and designs
- b) Encouraging energy efficient designs for plans of subdivision, site plans, buildings and public works
- c) Promoting barrier-free (physically accessible) design
- d) Promoting safe attractive streetscapes through street lighting, pedestrian linkages, bicycle paths, tree planting, gateway (entrance) features, building location, orientation, height, massing and facades.
- e) Encouraging safe and efficient pedestrian and vehicular movements through the design of subdivision and site plans.
- f) Encouraging the use of alternative engineering and road design standards as deemed appropriate by the City.
- g) Encouraging transit-supportive design of subdivision and buildings.

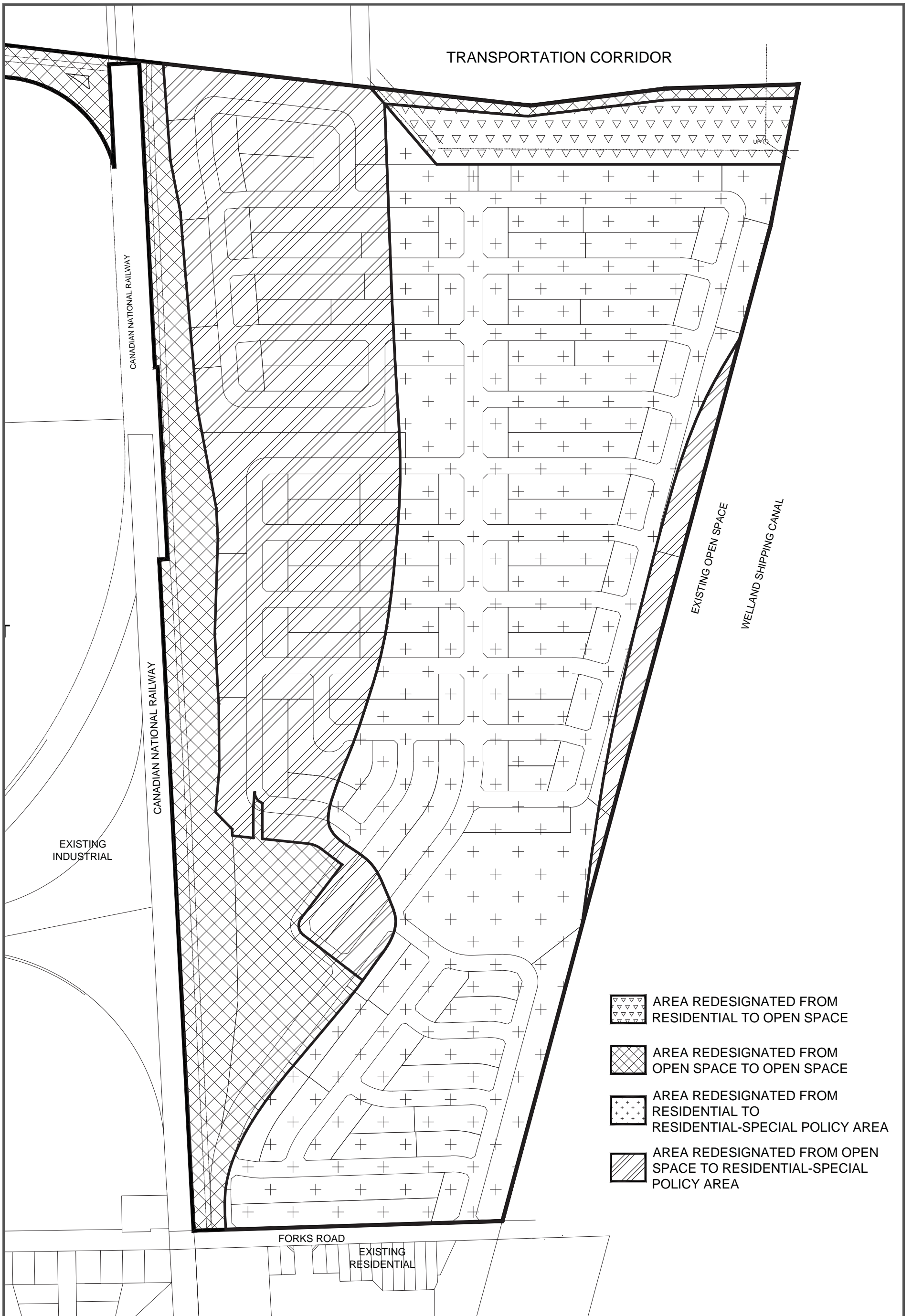
Phasing

Development shall proceed in a logical manner. To this end, prior to granting development approvals, the City shall be satisfied that adequate services including storm water, primary watermains, sanitary sewers, roadways, emergency access and other municipal services are, or will be, made available to support the development.

Interpretation

The policies for this area of Dain City should be read in conjunction with other policies, where noted.

The boundaries between land use designations and the location of roads shown on the accompanying Schedules are approximate except where they coincide with clearly defined features. Minor adjustments shall not require an Amendment to this Plan.



**Figure 8: Proposed Official Plan Amendment
Schedule "A" - Land Use Plan**

555 Canal Bank's Dain City Subdivision, Welland ON

Source: Armstrong Planning & Project Management, City of Welland Official Plan

Date:
Mar 12, 2020



armstrong
planning | project management

APPENDIX C

PROPOSED ZONING BY-LAW AMENDMENT (*current*)

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NO. XXXX-XX

BEING A BY-LAW TO AMEND CITY OF WELLAND ZONING BY-LAW 2017-117 (555 CANAL BANK DEVELOPMENTS GP INC. – FILE 2020-XX) NORTH SIDE OF FORKS ROAD, WEST OF THE WELLAND CANAL AND EAST OF CANAL BANK STREET.

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

AND WHEREAS the said By-law 2017-17, as amended came into force on the 16th day of November, 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:

1. That Schedule “A”, Zone Maps, to By-law 2017-117 be and the same is hereby amended as follows:

Part of Lots 20, 21, 22 and 23, Concession 5, Part of the Road Allowance between Lots 20 and 21, Concession 5, and Part of the Road Allowance between Lot 22 and 23, Concession 5, (closed by By-law 855, INST No. HU8243) Geographic Township of Humberstone, the City of Welland, shown on Schedule “A” attached hereto as “Change to RL2” is hereby re-zoned to RL2-58 Zone, “Change to OS1” is hereby re-zoned OS1 and “Change to OS2” is hereby re-zoned OS2.

2. Schedule “B”, 58. RL2-58, of By-law 2017-117 be deleted in its entirety and replaced with:

- 1) That the uses permitted in the Residential Low Density RL2-58 Zone shall be as follows: single-detached dwelling, semi-detached dwelling, and street townhouses as set out in the Zoning Provisions Table 1 forming part of this By-law;

Zoning Provisions Table 1:

The provisions of the RL2-58 Zone shall be those provided in the attached Zoning Provisions Table:

Column 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 11
Zone/Use	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)
RL-2-58									
Single Detached 8.0m (min)	224 m ²	8.0 m	4.5m and 6.0m (1)	0.6m and 1.2m(4)	1.0 m	6.0 m	13.0 (3,5)	50%	20%
Single Detached 10.0m (min)	280 m ²	10.0 m	4.5m and 6.0m (1)	0.6m and 1.2m(4)	1.0 m	6.0 m	13.0 (3,5)	50%	20%
Semi-Detached Dwelling	300.0 m ² for each dwelling and 150 m ² for each unit	11.0 m for each dwelling and 5.5m for each unit	4.5m and 6.0m (1)	1.0 m (2)	1.0 m	6.0 m	13.0 (3,5)	50%	20%
Street Townhouse 3-Storey	NA	5.5 m /unit	3.5m and 6.0m (1)	1.0 m (2)	1.0 m	6.0 m	13.0 (3,5)	60%	20%

(1) 6.0 m to garage

(2) No interior side yards are required where the lot line is the dividing line between attached units

(3) 3-Storeys

(4) A minimum of 0.6 m on one side and minimum of 1.2 m on the other

(5) Lots that are directly adjacent to a railway right of way cannot be greater than 2-storeys or 11.0m in height

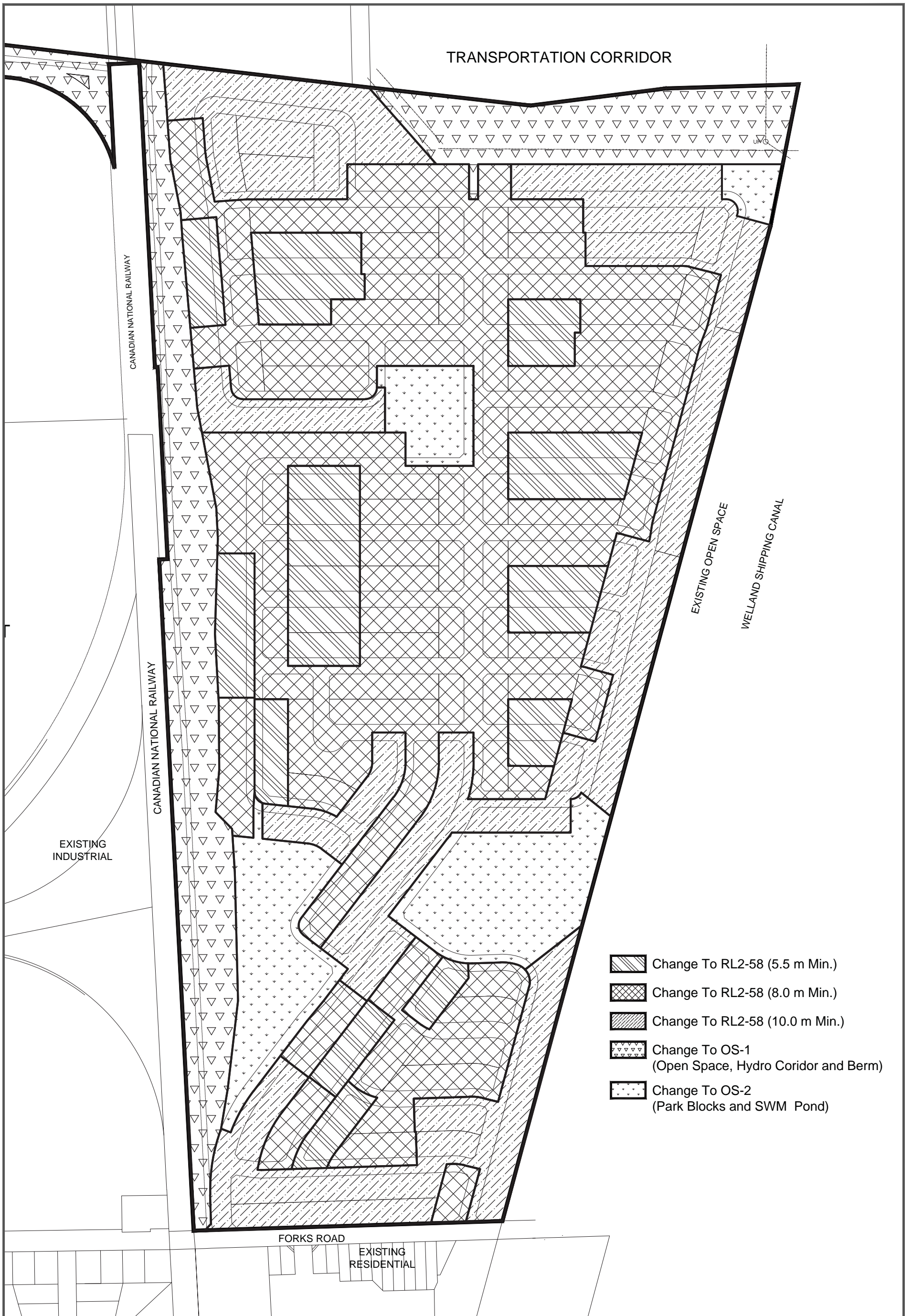
- 2) All other general provisions of By-law 2017-117, as amended, shall apply save and except for the following:
- a. Notwithstanding Section 4, “Landscaping” in how it relates to Landscape Area (minimum) means the open, unobstructed space, at grade which is used for the growth and maintenance of grass, flowers, shrubbery and other landscaping which may include fountains, reflecting pools or similar areas, but does not include any access driveway or ramp, parking lot, rooftop area without a green roof or any open space beneath or within any building or structure but does include a walkway.
 - b. Notwithstanding Section 5.10.5 Decks, Porches, Steps
 - i. Open or roofed porches and stairs may project 2.5 metres into any required front or exterior side yard and 3.0 metres into any rear yard, provided the structure is not higher than 3.0 metres from grade.
 - ii. Decks may project a maximum of 3.75 metres into the required rear yard, provided said deck is not higher than 3.0 metres above-grade.
- 3) Notwithstanding Section 6.9.1 Residential parking Requirements, Single-Detached, Two-Unit dwellings the following shall apply:
The parking space size located within a garage shall have a minimum width of 3.0 metres and have a minimum length of 6.0 metres. Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space.
- 4) Notwithstanding Section 6.9.2 Residential Parking Requirements, Street Townhouse Dwellings the following shall apply:
The parking space size located within a garage shall have a minimum width of 3.0 metres and have a minimum length of 6.0 metres. Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space.
- 5) The maximum number of dwelling units per block are as per identified on the draft approved plan of subdivision; the total number of new lots within the subdivision shall not exceed 1,405 lots [for greater clarity this number does not include blocks being conveyed to the City of Welland including but not limited to Open Space, Park, and stormwater management ponds].

3. This By-law shall become effective upon approval of Official Plan Amendment No. XXX.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL
THIS __ DAY OF _____, 2020.

_____ MAYOR

_____ ACTING CLERK



Schedule "A"- Zoning By-Law Amendment

555 Canal Bank's Dain City Subdivision, Welland ON

Date:
Mar 12, 2020



Source: Armstrong Planning & Project Management, City of Welland New Comprehensive Zoning By-Law 2017-117