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PLANNING RATIONALE REPORT

Proposed Dain West Subdivision
475-635 Canal Bank Street, Welland, ON



Prepared For:
555 CANAL BANK DEVELOPMENTS GP INC.
September 4, 2020

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SUMMARY

A regional official plan amendment, official plan amendment, zoning by-law amendment and draft plan of subdivision application are being filed on behalf of 555 Canal Bank Developments GP Inc. (555 Canal Bank) in support of a mixed-use subdivision including residential, institutional, mixed-use commercial, parks, open space and storm water management pond. The lands are known municipally as 475-635 Canal Bank Street and are located in Dain City at the south end of Welland.

The enclosed application would allow up to 870 residential dwellings consisting of a mix of detached, semi-detached and townhouses, a 4.0-hectare mixed-use block that can accommodate approximately 280,000 square feet of commercial, office, retail, service and light industrial uses, an elementary school and various parks and open spaces on approximately 74 hectares of land.

The site is currently designated Employment Land by the Region; however, it is not identified as a Provincially Significant Employment Zone (PSEZ) and recent schedules released to support the ongoing Municipal Comprehensive Review (MCR) now identify the site as Urban Area. The regional official plan amendment enclosed with this application is a private application seeking the re-designation of the site to Urban Area, a land use supported by the ongoing MCR. If approved, the Welland official plan amendment enclosed with this application would conform to the Urban Area designation being requested through the regional official plan amendment.

Detailed studies in support of the proposed subdivision were completed including investigations related to engineering (servicing availability, stormwater management), soils (geotechnical, hydrogeological), environment (ecological review, environmental site assessment), traffic and land use compatibility (noise, vibration and air quality) and have confirmed that the proposed subdivision can be built with minimal impact to the new and existing community. Where minor impacts were identified, specific mitigation measures have been incorporated into the subdivision to ensure compatibility between existing and proposed land. Each of the enclosed studies should be reviewed in their entirety.

The proposed development provides space for approximately 800 jobs in a 4.0-hectare mixed-use block, elementary school block and some employment created through individuals working from home. The draft subdivision plan allows the site to meet provincial policy that requires the replacement of space for a similar number of jobs on site.

The proposed subdivision is an efficient use of land, infrastructure and public service facilities; it is consistent with, and has 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 support the redevelopment and intensification of the site and encourage the logical extension of Dain City.

The proposed applications for regional official plan amendment, official plan amendment, zoning by-law amendment and draft plan of subdivision represent good land use planning, are consistent with the PPS, conform to the Growth Plan, meet the general intent of the Niagara Region Official Plan, Welland Official Plan and are consistent with policies of the Niagara Peninsula Conservation Authority and we recommend their approval in support of 555 Canal Bank's proposed Dain West Subdivision.

1.0 INTRODUCTION

This Planning Rationale Report has been prepared in support of an application by 555 Canal Bank Development GP Inc. (555 Canal bank) to amend the Niagara Region Official Plan, the City of Welland Official Plan and City of Welland Zoning By-law 2017-117 (as amended) and to request approval for a Draft Plan of Subdivision with respect to approximately 74 hectares (185 acre) of lands known municipally as 475, 555 and 635 Canal Bank Street in Dain City, Welland (**Figure 1**). The subject site was previously home to the John Deere Manufacturing Plant however, in 2008, John Deere announced the closure and relocation of its Welland plant and the site has been vacant since 2009.

555 Canal Bank purchased the lands in February 2019 and in August of that same year the old plant buildings were demolished as a matter of public safety on site and within the community.

Development applications proposed for this site support the creation of new and complete community consisting of approximately 4 hectares of mixed-use lands including community commercial and other uses, up to 670 single detached dwellings, approximately 160-200 semi-detached and/or townhouse dwellings, a neighbourhood park, a linear park, open space blocks, a stormwater management facility, and an elementary school. The proposed development is one of two communities currently planned by 555 Canal Bank within the Dain City area. The second site owned by 555 Canal Bank is currently subject to an official plan amendment application, zoning by-law amendment application and draft plan of subdivision (redline) to update an approved subdivision located at 401 Canal Bank Street (City File No. 26T-14-06002). Although the adjacent site has a municipal address to the north of the subject site, it is located to the east beside the adjacent CN Rail line; access to 401 Canal Bank Street is from Forks Road (**Figure 2**).

In order to understand the overall buildout contemplated by 555 Canal Bank for these two subdivisions MBTW has created a master plan concept (**Figure 2**). The plan incorporates appropriate land use designations and subdivision design and demonstrates how cultural heritage resources, landscapes and natural heritage areas have, where possible, been enhanced, preserved and/or protected.

The Dain City Master Plan shows the relationship between two developments currently proposed by the applicant within the Dain City area and how they relate to the surrounding lands. From a land use perspective, the proposed development helps to complete the Dain City neighbourhood which currently includes two large vacant brownfield sites (the two sites owned by 555 Canal Bank). There are other minor infill opportunities including a recently approved subdivision to the south of Forks Road, but this development, along with the lands at 401 Canal Bank Street represent the majority of developable lands within Dain City.

At this time, on behalf of the owner, Armstrong Planning & Project Management is coordinating planning applications for the site to amend the Niagara Region Official Plan, City of Welland Official Plan and Comprehensive Zoning By-law 2017-117, as amended, and is requesting approval for a draft plan of subdivision for the subject site.

The enclosed applications are meant to amend schedules and text from the official plans and to allow flexibility in the current zoning standards to support the proposed draft plan of subdivision. The content of the applications is discussed further in Section 2.3 of this report.

The following report is meant to provide information on the enclosed applications and to evaluate conformity of the proposed development scheme with the current planning policy framework at both provincial and local levels. A review of the Provincial Policy Statement 2020 (PPS), the Growth Plan for the Greater Golden Horseshoe 2020, the Niagara Region Official Plan (Niagara OP), the City of Welland Official Plan (Welland OP) and other relevant policies and guidelines relating to the subject lands has been completed. This report provides an analysis of and justification for the proposed development 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 regional official plan amendment application, official plan amendment application, zoning by-law amendment application and draft plan of subdivision application, in addition to this Planning Justification Report, the following materials have been completed and are enclosed to facilitate staff's review:

1. Draft Plan of Subdivision by Armstrong Planning & Project Management dated July 9, 2020;
2. Environmental Impact Study by Terrastory Environmental Consultants, dated August 2020;
3. Geotechnical Investigation Report by EXP Services Inc. dated August 28, 2020;
4. Environmental Site Assessment (Phase 1 and 2) by exp dated March and August, 2019;
5. Land Use Compatibility Air Quality, by SLR Consulting, dated July 2020;
6. Noise & Vibration Feasibility Study, by HGC Engineering dated August 31, 2020;
7. Welland City Water and Wastewater Servicing-Preliminary Capacity Assessment, prepared by WSP, dated August 28, 2020;
8. Functional Servicing Report, by Upper Canada Consultants dated August 2020;
9. Stormwater Management Report, by Upper Canada Consultants dated August 2020;
10. Transportation Impact Study, by WSP, dated July 2020;
11. Hydrogeological Investigation by EXP Services Inc., dated August 28, 2020;
12. Water Balance Assessment by EXP Services Inc., dated July 31, 2020;
13. Architectural and Urban Design Brief, prepared by Armstrong Planning & Project Management dated August 28, 2020; and
14. Mixed-Use Block and Dain City Economic Cluster by Armstrong Planning & Project Management dated August 28, 2020.

The intent of submitting these materials is to provide municipal staff and other commenting agencies with relevant information and data necessary to complete a comprehensive review of the proposal such that they may respond with appropriate comments and/or questions in support of advancing the applications towards necessary planning approvals.

1.2 LOCATION AND CURRENT STATUS OF LAND

The subject site, known municipally as 475, 555 and 635 Canal Bank Street, is located in Dain City at the south end of Welland on lands formerly occupied by the John Deere Manufacturing Plant (**Figure 3**).

The site is uniquely situated between two canals; surrounding land uses are as follows:

- To the West: The Welland Recreational Canal is directly to the west of the site and west of that is agricultural lands and Highway 58.
- To the North: Townline Tunnel Road (also, Highway 58) and the CN's Stamford Sub Rail Line; further north is Open Space and Recreational Lands and then mostly vacant industrial lands.
- To the East: The CN Canal Sub Rail Line (operated by Gio Rail) and other lands owned by the applicant (401 Canal Bank Street); further east is the Welland Shipping Canal.
- To the South: To the south east is Verbio Diesel Canada, a biodiesel plant, and directly south is the small primarily residential community of Dain City.

The subject site has been identified as a brownfield (vacant or underutilized industrial land that is complicated by environmental contamination as a result of past use) and is currently designated "Employment Land" within the Niagara OP; however, as part of their ongoing Municipal Comprehensive Review the Region is proposing to re-designate the lands "Urban Area". The "Urban Area" designation will allow for a mix of uses that support a growing community. The Welland Official Plan (Welland OP) currently identifies the lands as "General Industrial".

1.3 Employment Land – Land Use Designation

The current Niagara OP identifies the subject site as part of the Niagara Economic Gateway (Niagara OP Schedule G1) and, more specifically, as "Employment Land" (Niagara OP Schedule G2). Section 3.A.3 of the Niagara OP states that employment land investment should be concentrated in strategic locations for investment; the subject site does not fall within an area identified for strategic investment; it is not part of a Provincially Significant Employment Zone (PSEZ) or within a strategic employment area as identified by the City of Welland. Furthermore, Niagara Region is currently in the midst of a Municipal Comprehensive Review (MCR) and through this process they are proposing to re-designate the subject site as "Urban Area" (as per DRAFT Schedule G3 (Employment Areas; **Figure 4**)).

The Province grants authority to the Municipality, through the Growth Plan, to determine if a proposed land use change is a conversion or a re-designation. Through recent discussions with Niagara Region and the City of Welland it has been confirmed that the change in land use is a re-designation and not a conversion. Additional discussion on provincial policy is included in Section 3.0 of this report.

The Region has recently completed additional detailed review of their employment areas through the MCR process and has identified 31 "Employment Areas" that share certain traits and characteristics (lot size, access to infrastructure and servicing, flexible planning policies etc) that make lands within an employment area better suited to support continued employment use and new employment growth. The subject site has not been included in any of the 31 Employment Areas identified by the Region;

instead it is one of many sites currently designated as Employment Land that the Region is proposing to re-designate as “Urban Area”.

Detailed discussion on how the Region developed their employment lands review strategy and ultimate proposal is outlined in “New Niagara Official Plan – Niagara Region’s Employment Area Strategy: Background Report and Recommendations” (dated March 20, 2020). Since this report was released in March 2020 the Province has issued an updated Land Needs Methodology and revised growth numbers (August 28, 2020) that reflect current growth patterns and extend the planning horizon from 2041 to 2051. This will impact the Region’s recent official plan review in that additional employment and residential lands may be needed to support another 10 years of growth. At this time, although it is unclear how this may impact the Region’s MCR and proposed Employment Areas, we believe there is a high likelihood that the Region will not revise their proposed Employment Area Strategy for Dain City.

The Region is currently reviewing their MCR and land needs calculations to reflect the new Growth Plan policies and updated Land Needs Assessment Methodology; once this information becomes available a comprehensive Employment Lands Needs Study will be completed by IBI Group and submitted in support of this application. To date the Region has been held up and not able to complete their MCR and land needs calculations because of delays at the province related to the land needs assessment methodology that was recently released. It is understood that the Region is working diligently to complete their land needs assessment based on the province’s new methodology and will use this information to inform their MCR and updated growth policies. Once this information is available from the Region, IBI Group will be in a position to complete their Land Needs study based on the agreed upon Terms of Reference. It is anticipated that this work will be complete in early Q4 of 2020.

For employment lands to succeed and be meaningful they should meet the changing needs of industry, be well connected to existing or planned infrastructure and be appropriately separated from other sensitive land uses (for example, existing residential). To be clear, we believe that the Region will continue to move their MCR and associated regional official plan amendment forward and preserve the proposed re-designation of the subject site to Urban Area because the subject site in Dain City has been vacant for over a decade, is relatively isolated and is no longer an appropriate, viable or needed site for employment.

In addition, 83 ha of employment lands that are better situated (adjacent to Highway 140 and within 3km to Highway 406) have recently been brought into the Urban Boundary¹. This may reduce even further the viability of the subject site for industry and diminish the overall attractiveness for investment by large employers.

Employment use and industry within Niagara Region is on the decline. This is especially true in the manufacturing sector and with other large industrial employers in the Region that have seen a steady

¹ On April 20, 2020 the Ministry of the Attorney General sent a letter to the Local Planning Appeal Tribunal withdrawing the Province’s appeal to Regional Policy Plan Amendment-4 (RPPA 4-2013). RPPA-4 brought in an additional 227ha of land, including 83ha of new employment land, formerly owned by the federal government.

decline over the last 20+ years². Dain City is no exception; in 2008, after 100 years, the John Deere Manufacturing Plant previously located on the subject site announced it was shutting down and would relocate its Welland operation to sites outside of Canada (Mexico & Wisconsin). Since the plant's closure in 2009, the site has been vacant; unable to attract a new user.

Although full servicing is available, the Dain City peninsula is accessed by one local road (a recent change). Forks Road bridge was demolished as a matter of public safety at the beginning of 2019³ however a recent funding announcement suggests that there are plans to rebuild the bridge and once again introduce a second connection between the "mainland" and the peninsula. Ultimately, truck traffic generated by an industrial user on the site would have to share the roads with local traffic and would be limited to using Forks Road (two-lane local road) or Canal Bank Street (two-lane collector).

These reasons, alone or collectively, may be playing a part in making the subject site less attractive to large-scale industrial and employment users and supports the Region's recent decision to re-designate the lands as Urban Area, a designation that would allow other non-employment uses on site.

In addition, jobs in the Region are shifting; generally manufacturing and industry is on the decline and the construction and service-producing sector (healthcare and social assistance, food services and accommodation and public administration) is on the rise. Although industrial and manufacturing jobs have been on the decline in Niagara Region over the last 20 years, Welland has recently managed to attract some manufacturing companies including Innio (Advent International) that opened in 2018 and Welded Tube of Canada Corporation that opened in 2011. The subject site was not identified as a desirable location for these investments which supports the idea that vacant employment land in Dain City may no longer offer a competitive and suitable place for major employment.

The City of Welland is promoting the use and enjoyment that come as a direct result of seeing and using the Welland Recreational Canal and associated trail system. The Parks, Recreation & Culture Master Plan (July 2019) provides direction on how to achieve the City's vision for creating great public spaces that encourage connections, creativity and play by and among its residents. One component being encouraged through this plan is the use and enjoyment of the Welland Canal Parkway Trail. The only section of trail currently "missing" is shown as a conceptual trail along the east side of the recreational canal from Highway 58A south into Dain City along the west side of the subject site. New industry proposed adjacent to the recreational canal may be required to meet more stringent urban design policies that could limit site design, function and use. This could further reduce the attractiveness of the subject site when comparing it to other, more centrally located, less restricted employment lands.

Lastly, the site includes space for approximately 800 jobs on site; this includes a 4.0-hectare mixed-use block sized to accommodate approximately 280,000 square feet zoned to allow a variety of retail, commercial, office, service, and light industrial uses and an elementary school.

² Niagara's Changing Economic Structure, NCO Policy Brief #24, by Adam Durrant & Carol Phillips October 2015

³ On July 6, 2020, Infrastructure Ontario announced approximately \$5,000,000.00 of funding for the construction of the former Forks Road Bridge over the Welland Canal.

A review of employment land policies and the proposed re-designation is further outlined in detail as a component of the Provincial and Local Policy reviews found in Section 3.0 and 4.0 respectively. Generally, the subject site has not been identified for strategic investment for employment uses and no longer has the physical and land use characteristics needed to attract and support viable employment lands.

2.0 PROPOSED DEVELOPMENT

2.1 Development Proposal: 555 Canal Bank's Dain West Subdivision

The regional official plan amendment application, official plan amendment application, zoning by-law amendment application and draft plan of subdivision application have been prepared to respond to the Region's planned re-designation of the subject site to Urban Area and to facilitate completion of the Dain City community. This land use designation would allow for a mix of different uses, including retail, commercial, office, services (etc), residential, institutional and parks & open space. This mixed-use approach has been applied to the subject site and is illustrated in the enclosed draft plan of subdivision (**Figure 5**).

The proposed Dain West subdivision as outlined in **Figure 5**, if approved, would include the realignment of Canal Bank Street and support the creation of a 1.9 hectares neighbourhood park that abuts the recreational canal and the creation of a network of new streets with two new connections to Canal Bank Street. The proposed street network is generally in grid form and will allow for quick and direct connections through the site for pedestrians, cyclists and vehicles. The subdivision will preserve, protect and where possible enhance two large woodlots one to the north (10.18ha) and one to the south (16.27ha) and create a new 50m wide (2.25ha) linear park along the east property line to also act as a wildlife corridor and provide noise mitigation from the adjacent land use. In total, 5.7% of the subject site is being proposed as parkland and 35.5% is being retained as open space. A parks and open space plan for the proposed Dain West subdivision is identified in **Figure 6**.

The Niagara Catholic District School Board has requested a 2.02ha (5 acre) site which has been shown as a block adjacent to Street A (local collector street within the subdivision) and the south woodlot. If the catholic district school board decides the site is not required, the plan also shows an underlying block and road layout that is meant to allow the complete buildout of the site without changes to the plan. There is also a large 4 ha mixed-use block with frontage on Canal Bank Street and Street A.

The mixed-use block has been sized to provide space for a similar number of jobs on site (as required by Growth Plan Policy 2.2.5.14; see Section 3.2 for further discussion). Employment permitted within the mixed-use block, supported by the enclosed zoning by-law amendment (see **Appendix C**), would vary and include a wide range of opportunities including service commercial, retail, office, commercial schools, industry incubators and/or ancillary jobs that otherwise support the manufacturing and industrial sectors.

Lastly, low density residential uses including 8.0m and 10.0m detached, 8.0m detached through-lots, 5.5m semi-detached and 5.5 townhouses are proposed throughout the subdivision. Through-lots (8.0m)

are being proposed fronting onto Canal Bank Street and backing onto Street C, a design element that animates both streets but keeps driveways and access off the proposed arterial road; vehicular access is from the rear (Street C; as defined in the proposed by-law). The lots have been designed with dual frontages and each facade of the building adjacent to a public street will be given special treatment through the use of distinctive architectural detail and high-quality materials. This will ensure that the buildings appropriately address the public realm. Treatment for this housing type is described further in the Dain West Subdivision Architectural and Urban Design Guidelines submitted in support of this application.

The proposed subdivision includes the realignment and widening of Canal Bank Street. Currently, Canal Bank Street is designated as an arterial road (Welland OP, Schedule E) but is only 15m wide. The proposed widening will make Canal Bank Street a full 30m right of way adjacent to the development site. The plan also includes one 21m primary local road (Street A) that will act as a local collector within the subdivision. All other internal streets will be 18m wide with the exception of Street M. Street M is a single loaded (or zero loaded) road that is adjacent to the linear park and has been designed to include a section of 15.0m right of way. This 15m right-of-way abuts Block 66, the proposed linear park, that will include a trail/walkway and maintains a pavement width of 8.5m while providing sufficient space for utilities and other fixtures within the right of way. A cross section for a typical 15.0m right of way as proposed, is included as **Figure 7**.

Table 1 outlines the land use breakdown of the subject site and the proposed unit count by type for the proposed Dain West subdivision. In order to maximize flexibility, the draft plan includes lotless blocks which identify a minimum lot frontage and maximum lot count 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: Proposed Dain West Subdivision by 555 Canal Bank Land Use and Lot Breakdown

Draft Plan of Subdivision			
LANDS	Block #	Area (ha)	Maximum # of Lots
Residential Detached (10.0m)	6, 19, 22, 61-62	2.052	54
Residential Detached (8.0m)	1—5, 7, 10, 14-18, 23, 25-29, 33, 34, 37-45, 47, 53, 55, 57, 59, 60	15.429	554
Residential Detached – Through Lot (8.0m)	8, 9, 20, 21	1.398	60
Residential Attached (5.5m)	11-13, 24, 30, 31, 32, 35-36, 46, 48, 49, 50, 51, 52, 54, 56, 58	3.791	202
Mixed-Use Block	63	4.056	
Elementary School	64	2.326	
Parks & Walkways	66-67, 68-69, 70	4.297	
Stormwater Management	65	2.526	
Open Space	71-73	26.518	
Roads (30m, 21m, 18m and 15m)	Canal Bank Street, Street A, Streets B-M	12.336	
TOTAL		74.729	870

At this time, it is thought that the subdivision will be completed in two phases as outlined in a Phasing Plan attached as **Figure 8** (subject to change). This Phasing will allow for the complete realignment of Canal Bank Street, creation of the neighbourhood park and construction of Street A to ensure two access and egress points to the proposed subdivision are registered as part of Phase 1.

The subject site has been thoughtfully designed to protect and enhance natural features on site and provide a variety of elements that create a complete community including institutional, commercial, retail and office uses, a stormwater management pond and neighbourhood parks. The proposed subdivision will complement and support the existing Dain City neighbourhood.

2.2 Mixed-Use Block

Block 63 on the proposed draft plan (**Figure 5**) is a 4.0-hectare mixed-use block meant to accommodate a variety of employment types. This block provides space for a similar number of jobs on site as were present when the John Deere Manufacturing Plant was operating. At present, the mixed-use block has been designed to support space for up to 700 jobs. In addition, 100 community-based jobs will be supported throughout the remainder of the subdivision within an elementary school and through work from home.

A conceptual design (subject to change) for the block was completed to determine how it would provide space for jobs on site and currently includes five (5) buildings ranging in height from 2 to 4 storeys. These buildings are meant to accommodate a variety of uses that will support the existing and proposed population of Dain City including medical offices, banks, restaurants, grab-and-go retail, medical offices, daycare etc. In addition, zoning also allows for offices, destination retail, tourism related retail (likely associated with the recreational canal and Flatwater Centre), boutique hotel, and conference and banquet space. Finally, zoning also allows for limited light industrial and ancillary uses.

A preliminary concept plan for the mixed-use block is included as **Figure 9** and a detailed framework outlining how space for jobs will be provided on site as well as an outline of what policy and zoning standards will be implemented to encourage the site to succeed is provided in further detail in the Mixed-Use Block & Dain City Economic Cluster report attached (August 2020).

2.3 Planning Applications

In support of the proposed Dain West subdivision as described in section 2.1 above, the following planning applications are being submitted:

- (1) Niagara Region Official Plan amendment application;
- (2) Welland Official Plan amendment application;
- (3) Zoning By-law amendment application; and
- (4) Draft Plan of Subdivision application.

These applications are being submitted concurrently to expedite planning approvals needed to support development of the site and to make best use of staff and public resources. The application to amend the Niagara Region Official Plan (Niagara OP) will be to re-designate the subject site from Employment

Land to Urban Area and update the Core Feature mapping. This request reflects the Region's most recent plans to re-designate the site as outlined in their draft official plan amendment, as presented to the public in March 2020. A copy of the proposed Regional Official Plan Amendment is attached as **Appendix A**.

The application to amend the Welland Official Plan (Welland OP) will amend mapping as well as certain text. Specifically, the proposed Welland OP amendment will update mapping to re-designate the subject site to allow a mix of low-density residential, community commercial, office and other employment uses and open space to reflect land use as proposed by the draft plan of subdivision. In addition, the amendment proposes a change to the density range allowed within the "low-density" designation. The current subdivision plan includes a mix of housing types and lot sizes, permitted within the low-density designation supporting a range of affordability to purchasers. To support this variety of housing and lot sizes, the density proposed through this application for lands designated "low-density residential" ranges from 26 to 54 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, as proposed, would update zoning over the entire site to reflect the land uses and product types proposed by the draft plan of subdivision. Specifically, the residential low-density RL-2 zoning provision will be modified to reflect zoning standards needed for the dwelling types proposed by 555 Canal Bank and the Community Commercial CC2 zoning provision will be modified to allow a greater range of non-residential uses on site that may better serve the community and provide greater opportunities for businesses. In addition, Schedule A of the by-law will be updated to reflect zoning based on the draft plan layout. Proposed zoning would facilitate the development of a mix of townhouses, semi-detached, and detached homes (5.5m, 8.0m, and 10.0m frontages), community commercial uses and a variety of open space uses.

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

Finally, the draft plan of subdivision supports the creation of a complete community and provides community amenities unique to its location in Dain City, adjacent to the recreational canal. It protects two significant woodlots on site and provides a mix of uses and range of housing types. A reduced size copy of the proposed draft plan of subdivision can be found in **Figure 5** and a large format plan is enclosed as part of this application.

3.0 PROVINCIAL POLICY CONTEXT

The proposed development of the subject site must be reviewed in accordance with the Planning Act, RSO 1990, Provincial Policy Statement 2020 and the Growth Plan for the Greater Golden Horseshoe (2020). Provincial policy (the Provincial Policy Statement and Growth Plan) provides the legislative authority to municipalities to approve changes in designation land uses, amend official plan policies and approve draft plans of subdivision in support of new or re-development.

Through this legislative authorities municipalities may also determine whether a change in land use is a conversion or a re-designation. Niagara Region and the City of Welland have confirmed that the

proposed land use change from Employment Land (Niagara OP) and General Industrial (Welland OP) to Urban Area (Niagara OP) and Residential and Commercial (Welland OP) is a re-designation and not a conversion.

3.1 The Planning Act R.S.O. 1990, c.P.13

The Planning Act provides direction on how land uses are controlled and by who. It promotes sustainable economic development, provides a land use planning system and ensures that matters of provincial interest are integrated into planning decisions. The Provincial Policy Statement and Growth Plan are both prepared under the authority of the Planning Act.

Decisions made by planning approval authorities must have regard for matters of provincial interest and be consistent with the Provincial Policy Statement (section 2 and 3, the Planning Act). Matters of provincial interest are outlined in Part I, Section 2 of the *Planning Act* and include (but are not limited to):

- (a) protecting ecological systems, including natural areas, features and functions;
- (c) conservation and management of natural resources and the mineral resource base;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (h) the orderly development of safe and healthy communities;
- (i) the adequate provision and distribution of educational, health social, cultural and recreational facilities;
- (j) the adequate provision of a full range of housing;
- (k) the adequate provision of employment opportunities;
- (l) the protection of the financial and economic wellbeing of the Province and its municipalities;
- (p) the appropriate location of growth and development;
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

In addition, the *Planning Act* gives authority to municipalities to create and allow amendments to official plans, zoning by-laws and draft plans of subdivision so long as they have regard for matters of provincial interest as outlined in the *Planning Act*. The enclosed regional official plan amendment, official plan amendment, zoning by-law amendment and draft plan of subdivision support growth and development (intensification) in an already built-up area, promotes sustainable development and active transport with an efficient grid-like road network, and makes efficient use of existing services (Water and wastewater) by connecting to existing systems and supporting upgrades to these systems if/as needed. The proposed development protects ecological systems including natural areas, features and functions by protecting and, where possible, enhancing, two large woodlots on site, provides for a range of housing types and lot sizes, and makes adequate provisions for employment in a 4.0-hectare mixed-use block on site.

The proposed subdivision has regard for matters of provincial interest as outlined in the *Planning Act*.

3.2 Provincial Policy Statement (2020)

The Provincial Policy Statement 2020 (PPS) provides policy and regulation on matters of provincial interest that guide land use planning and development within the Province. The PPS came into effect on May 1, 2020 and is issued under authority of the *Planning Act* (Section 3).

One of the primary goals of the PPS is to provide a framework and direction on how to build strong healthy communities that focus growth, through efficient development patterns, in urban and rural settlement areas.

Section 1 of the PPS provides guidance on how to build strong and healthy communities and provides policies that support the creation of efficient settlement areas that balance and ensure compatibility between different land uses. Through these policies the province establishes a method on how to create healthy, livable and safe communities (Policy 1.1.1) by promoting efficient land use patterns that accommodate an appropriate range and mix of residential unit types, employment, institutional, recreation, park and open space lands while avoiding patterns that may cause safety concerns. It also promotes the integration of land use planning and growth management to ensure cost-effective development patterns that optimize public transit and infrastructure investments while conserving biodiversity and responding to regional and local impacts of a changing climate.

The proposed development of the subject site represents intensification of an already built up area within the urban boundary of Welland. The subject site has been designed to accommodate a range and mix of uses including a variety of housing types (townhouses, semi-detached, single detached), commercial, retail, institutional (school), parks and significant open space in a manner that is efficient, makes use of existing and planned infrastructure and protects two significant woodlots within the Dain City area of Welland.

Section 1.1.3 Settlement Areas, outlines the importance of the “vitality and regeneration of settlement areas” as a critical component of the long-term economic prosperity of an area. Furthermore, “Settlement areas shall be the focus for growth and development” within the province and promote opportunities for intensification and redevelopment where it can be accommodated.

Section 1.2.6, Land Use Compatibility, states that *Major facilities* and *sensitive land uses* must avoid or minimize and mitigate potential adverse effects from odour, noise and other contaminants on public health and to ensure long term viability of *major facilities*. Furthermore, where avoidance isn’t possible, it will only support the creation of sensitive land uses if the development meets certain standards that protect the long-term relationship between the two uses. The proposed development incorporates mitigation (setbacks, noise barrier (berm/wall) and material upgrades (as/where needed) that ensure both uses can co-exist without creating adverse impacts on the other.

Section 1.3, Employment, outlines that planning authorities shall promote economic development and competitiveness by “providing an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs” of a community. The proposed development includes a large mixed-use block that will provide opportunities for a range and mix of employment uses (retail, tourism, office, health and wellness, service commercial, community commercial and limited light industrial) and

supports the creation of a livable and resilient community (Policy 1.3.1d). The Region has identified the subject lands as being employment land outside of an Employment Area and so policies in section 1.3.2 do not apply.

Furthermore, although the subject site is currently identified as “Employment Land” by the Region of Niagara, through an ongoing MCR the Region is proposing to re-designate the subject site (along with a number of other sites within the Region) to “Urban Area”. The lands have not been identified as part of a Provincially Significant Employment Zone (PSEZ) and have been vacant for over ten (10) years. The proposed re-designation does not negatively impact the Region’s mix and range of employment lands over the short- or long-term planning horizon. The Region continues to provide opportunity for a diversified economic base by identifying strategic sites for investment that can maintain separation and support mitigation from sensitive land uses protecting lands that are in proximity to major goods movement facilities and corridors. In addition, the site includes a 4.0-hectare mixed-use block that incorporates space for a variety of different jobs in the retail, commercial, office, arts and light industrial sectors.

Section 1.4, Housing, encourages “an appropriate range and mix of housing options and densities”. The proposed subdivision includes a variety of housing types and lot sizes in different forms supporting the Regional and City need to achieve a minimum density target.

Section 1.5, Public Spaces, Recreation, Parks, Trails and Open Spaces, provides direction meant to inform the creation of healthy and active communities through subdivision design. The proposed subdivision is laid out in a grid pattern to meet the needs of pedestrians and foster interaction and community connectivity. Visual and physical connections are provided to the Welland Recreational Canal and to two large woodlots at the north and south end of the proposed subdivision. The owner has also agreed to review the possibility of developing a trail network through the woodlots and parks that would further encourage connection to green infrastructure on site. Trails through the woodlots would need to be reviewed and approved by appropriate agencies.

Section 1.6, Infrastructure and Public Service Facilities, provides direction on the efficient use of existing and proposed infrastructure upgrades. There is existing water, sanitary and storm services within Dain City and servicing of the proposed site will maximize use of existing and planned infrastructure including completion of any upgrades identified through detailed study and design of the site.

Section 1.8, Energy Conservation, Air Quality and Climate Change, requires that land use development patterns act to prepare for and, where possible, mitigate the impacts of climate change. The proposed subdivision promotes compact form and structure and the use of active transportation to support the reduction of greenhouse gas emissions and improved air quality.

The protection of natural heritage resources and cultural heritage resources to preserve their economic, environmental and social benefits is required through policies in Section 2.0 (Wise Use and Management of Resources). The proposed site has been thoughtfully designed to protect and, where possible, enhance natural features for the long term, specifically it maintains two large woodlots, creates a 50m corridor connecting the two, and maximizes positive impact from views of the Welland Recreational

Canal. This will help to maintain the long-term ecological function and biodiversity of the natural heritage systems, maintain a connection with the cultural heritage of the area and emphasize the importance of the Welland Recreational Canal to the history of Welland.

The proposed land uses (**Figure 10**) and road network identified through the draft plan of subdivision represents an efficient, compact land use form that provides for the creation of a healthy, livable and safe residential community supported by commercial uses, parks, schools and open space.

It is our professional opinion that the proposed applications are consistent with the Provincial Policy Statement.

3.3 Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow, Growth Plan for the Greater Golden Horseshoe 2020 (Growth Plan) builds on policies in the Provincial Policy Statement and is meant to provide additional direction on how to address specific issues within different regions of Ontario. The Growth Plan was approved under the Places to Grow Act, 2005 and took effect on August 28, 2020.

The Growth Plan provides direction on where and how to grow in a way that supports the achievement of complete communities by supporting economic prosperity, protecting the environment and helping communities achieve a high quality of life. Through this plan growth is generally directed to existing settlement areas and is limited in rural settlements, lands that are not serviced and lands within the Greenbelt Area (Policy 2.2.1.2). Application of policies in this plan is meant to result in the creation of complete communities that will have a diverse range of land uses, provide a mix of housing types, expand access to publicly-accessible open spaces, parks and trails, be in a more compact built form, mitigate and adapt to climate change impacts and integrate green infrastructure and low impact development (Policy 2.2.1.4).

The proposed development is within the built-up area in the city of Welland and helps to create a complete community by providing a range and mix of residential units in compact form, a large mixed-use block that supports a variety of community commercial uses, an elementary school site, and parks and other open spaces.

The subject site is currently designated "Employment Land" by the Niagara Region Official Plan however, at this time the Region is undertaking a Municipal Comprehensive Review (MCR) and through this they are planning to re-designate the lands to "Urban Area". In addition, the Region has identified 31 Employment Areas and the subject site does not fall within an Employment Area. As such, this review has been completed with the understanding that the lands are Employment Lands outside of an Employment Area.

Policy 2.2.5.14 states:

Outside of employment areas, development criteria should be established to ensure that the redevelopment of any employment lands will retain space for a similar number of jobs to remain accommodated on site.

The proposed development includes a mixed-use block that is approximately 4.0-hectare (9.8 acres) in size located adjacent to Canal Bank Street. This block is meant to accommodate space for a similar number of jobs to remain on site. At present, and for the last 10+ years the site has provided approximately three (3) jobs. These jobs are related to site security. Previously, at the time of plant closure the site accommodated 800 jobs (in various shifts). Although Niagara Region states that the overall employment land density within the Region is 21 jobs per hectare (of employment lands) it varies highly between municipalities. For example, average employment density within St. Catharines is 41 jobs/ha whereas average employment density for Welland and Port Colborne is 8 jobs/ha⁴.

At this time a development concept has been prepared to accommodate approximately 800 jobs; the mixed-use block supports space for up to 700 jobs and 100 jobs will be provided elsewhere in the community within the elementary school block and as work from home. Section 2.2 of the Planning Justification Report reviews in further detail how the mixed-use block can support jobs and the site-specific zoning by-law amendment proposed for the subject lands provides the instrument needed to support it (see Appendix C).

Policy 2.2.5.15 states that the retail sector will be supported by encouraging the integration of retail and service uses with other land uses to support the achievement of complete communities. The proposed development includes a large mixed-use block meant to include retail and community commercial space, office, limited light industrial and other employment uses to support a complete community.

Municipalities are required to support housing choice by achieving minimum intensification and density targets by identifying a diverse range and mix of housing types and densities. The proposed subdivision includes a range and mix of residential unit types and a large mixed-use block and meets municipal intensification and density targets.

Policy 2.2.5.18 recognizes the creation of a Gateway Economic Zone and Gateway Economic Centre near the Niagara-United States border. The subject site is located within the Gateway Economic Centre.

Policy 2.2.5.27 gives the Minister authority to identify Provincially Significant Employment Zones (PSEZ's) and "may provide specific direction for planning in those areas ..." (Growth Plan Policy 2.2.5.27). In an effort to protect jobs, attract investment and maintain existing industry in the area, the Minister recently identified a number of Provincially Significant Employment Zones (PSEZ's) throughout the Greater Golden Horseshoe. PSEZ's are strategically located to protect stable employment areas that support economic development and job creation. The subject site has not been identified as part of a Provincially Significant Employment Zone.

The subject property falls within a built-up area in an existing settlement area and is not considered to be development within a "Designated Greenfield Area"; as a result, density targets outlined in Section 2.2.7 Designated Greenfield Areas do not apply. Notwithstanding, the proposed subdivision has a

⁴ Based on information included in Appendix B: Physical and market review of Niagara's employment areas of the New Niagara Official Plan, Niagara Region's Employment Area Strategy: Background Report and Recommendation (Mar 20, 2020).

proposed density of 65.79 people and jobs per hectare which exceeds the minimum density target that would typically apply to a large-scale development such as this. Table 2 outlines the calculation for total density of people and jobs per hectare within the proposed subdivision.

Table 2: Density as per the Growth Plan

	# of Units	Number of People per Unit ⁽¹⁾	Total Population Generated	Total Jobs generated ⁽¹⁾
Townhouse	202	2.12	428	10
Single & Semi Detached ⁽²⁾	668	2.91	1,944	35
School Block				55
Mixed-Use Block ⁽³⁾				700
			TOTAL PPL & JOBS	3,172
TOTAL SUBDIVISION AREA LESS EXCLUSIONS ⁽⁴⁾		48.211	TOTAL DENSITY (# of people & jobs/hectare)	65.79

(1) Number of people per unit (by type) is generated as outlined by the Region of Niagara Development Charge Background Study (December 6, 2017); and total work from home jobs (5%) is as per Regional comments in relation to file 26T-14-06002 dated June 26, 2020 (the Region of Niagara Development Charge Background Study (December 6, 2017) suggests, work from home is 7%) .

(2) If the school is built assume 55 jobs from the school and a loss of approximately 55 single detached homes

(3) Mixed-Use block provides space for approximately 700 jobs (Policy 2.2.5.14 of the Growth Plan for the Greater Golden Horseshoe).

(4) Exclusions as defined by Policy 2.2.7.3a) of the Growth Plan.

Section 3, Infrastructure to Support Growth states that “well planned infrastructure is essential to the viability of Ontario’s communities.” The subject site is located within a built-up area of Welland with access to full servicing (existing or planned) and access to public service facilities making best use of existing municipal investments.

Section 4, Protecting what is Valuable, provides direction on how to protect (among other things) natural heritage and cultural heritage features. The proposed development has been designed to protect and enhance (where possible) two large woodlot features, include a system of publicly accessible parkland, open space and trails and foster a sense of place by celebrating and emphasizing the Welland Recreational Canal through subdivision and parkland design.

It is our professional opinion that the proposed applications conform to the Growth Plan.

4.0 LOCAL POLICIES

4.1 Niagara Regional Official Plan

The Niagara Region Official Plan (ROP) was last consolidated in 2014 and provides policy direction and vision for future physical, social and economic growth in the Region. At this time, the Region is undergoing a Municipal Comprehensive Review (MCR) that is meant to bring its plan into conformity with other provincial policies and plans amended since its approval in 2014 and provide policy direction and guidelines to manage growth until 2041* (Note*: likely to be revised to 2051 based on the new Growth

Plan (2020)). Although the MCR is not complete the Region has released certain draft policies for review and discussion.

On August 28th the Province released a revised Land Needs Assessment Methodology (LNM) and Growth Plan (2020) that, among other things, increases the planning horizon from 2041 to 2051. As a result, the Region will be required to review their ongoing MCR and all draft policies released to date for conformity to the new Growth Plan (2020). At the time of submission, the New Niagara OP has not been finalized or released in draft. In support of this planning justification the existing and in force Regional Official Plan (2014 Consolidation) and draft policies (if/where available) as they exist today were reviewed.

4.1.1 Regional Official Plan (2014 Consolidation)

The Regional Official Plan (Niagara OP) identifies the subject site as “Built-Up Area” as per Schedule A (Regional Structure), Part of the “Gateway Economic Centre” as per Schedule B (Niagara Economic Gateway) and “Employment Land” as per Schedule G2 (Niagara Economic Gateway: Employment Lands). In addition, Schedule C (Core Natural Heritage) identifies certain lands within the site as “Environmental Conservation Area” and certain lands adjacent to the site as “Potential Natural Heritage Corridor” (these lands are associated with the adjacent railway).

Further to provincial policy, the Niagara OP identifies an area of land described as the “Niagara Economic Gateway”; this gateway is comprised of the Gateway Economic Zone and the Gateway Economic Centre. These designations are meant to recognize the importance of cross-border trade with the United States.

The subject site (and the whole urban area within the city of Welland) is designated as part of the Gateway Economic Centre (Schedule G2, Regional Official Plan; **Figure 11**). The Region acknowledges that although there are opportunities for development on certain employment lands within the Economic Gateway there are also many challenges including access to servicing, land use compatibility and environmental constraints. The Region further acknowledges that the goal of the Region is to attract new employment uses to strategic locations taking advantage of unique locational opportunities. The subject site is not identified as being part of any of the strategic locations as outlined by Policy 3.A.3.1.

As outlined above, at this time the subject site is designated Employment Land by Schedule G2 of the Niagara OP. Notwithstanding the present designation, the Region is currently nearing completion of a Municipal Comprehensive Review (MCR) of their Official Plan (2014 Consolidation). Through this review they are recommending a change to the land use designation of the site from Employment Land to Urban Area. This acknowledges that the subject site no longer represents ideal employment land. In truth, the lands have been vacant for over 10 years and are challenged by limited access, land use compatibility with existing adjacent sensitive land uses and environmental constraints.

As previously noted, the site is a Brownfield; Policy 3.D.5 states that the Region promotes “... the redevelopment of brownfield sites,... into mixed-use areas that include a variety of employment, institutional, entertainment, recreational and residential uses.” Currently the mixed-use subdivision proposed for the site includes a variety of uses including residential, a 4.0-hectare mixed-use block, an

elementary school, parks and open space and a stormwater management pond. The mixed-use block is meant to accommodate a variety of employment opportunities and has been designed to retain space for a similar number of jobs to remain on site (see **Figure 5**). Further discussion on the mixed-use block is included in Section 2.2 of this report.

Section 4 of the Niagara OP, Managing Growth, provides direction on how to direct and manage growth within settlement areas through the creation of complete communities by supporting compact, mixed-use, transit supportive and active transportation-friendly communities while ensuring availability of sufficient employment land to support growth in Niagara. In addition, Objectives 4.A.1.1 and 4.A.1.2 state that the majority of growth should be directed to existing urban areas and especially through intensification within the built-up area.

The subject site is within the built-up area of the City of Welland and therefore development on site is considered intensification. The Region has identified an intensification target for the City of Welland and expects that 40% of all residential development within the City will occur within the Built-Up Area (Policy 4.C.4.2). The proposed subdivision will support the Region's mandated intensification target for Welland through the addition of up to 870 new homes, a 4.0-hectare mixed-use site and an elementary school (+/-2 hectares).

Specific density targets have been outlined by the Region for Designated Greenfield Areas, although these targets do not apply to the subject site, density has been calculated based on the current development proposal and the proposed development meets (and exceeds) the Region's density target of 50 people and jobs per hectare as outlined below in **Table 3**.

Table 3: Density Calculation based on Niagara Region Official Plan

Density Calculation as per Niagara Region Official Plan (Policy 4.C.6.1*)	
TOTAL SUBDIVISION AREA	74.729 ha
TOTAL NATURAL/NON-DEVELOPABLE FEATURES	26.518
TOTAL # of PEOPLE & JOBS**	3,172
TOTAL DENSITY	65.79people/jobs/ha

*Policy 4.C.6.1 does not apply to intensification lands but has been used as a method to calculate density on site.

** Calculation based on:

Single Units	668 x 2.91 ppl/unit
Semi/Townhouse Units	202 x 2.12 ppl/unit
Work from Home:	870 units x 5%
Mixed-Use Block:	4ha @ 700 jobs
Elementary School Site:	55 jobs

Note – ppl/unit and W.F.H. #'s are based on comments received from Region staff (5%); this is different than W.F.H as outlined in Niagara Region's DC Study dated December 2017 (7%).

The Growth Plan gives municipalities the authority to determine whether a proposed change in land use designation is considered a conversion. Through discussions with regional staff it has been confirmed that the land use change proposed for the subject site constitutes a re-designation (and not a conversion) and so policies under section 4.E Employment Lands Conversion do not apply.

Phasing of Development as envisioned by the Region is outlined in Section 4.F. Policy 4.F.1.2 states that priority should be given to intensification and infill that aims to complete existing neighbourhoods and communities. The proposed subdivision is within the built-up area of Welland and will help to complete the existing Dain City community providing residential intensification, as well as new parks, a school, open space and significant employment uses that support the existing and proposed community.

Chapter 7, Natural Environment, includes policies meant to support an integrated approach to protecting and enhancing the environment and acknowledges that it must be a cooperative effort made between landowners, residents, community organizations and the government. Schedule C, Core Natural Heritage, identifies environmental conservation areas on site and a potential natural heritage corridor adjacent to the site (a functioning CN Rail corridor; **Figure 12**). The proposed development has been designed to preserve, protect and enhance, where possible, two existing regionally significant woodland features as well as meadow lands preserved to provide habitat for yellow fruited sedge. The proposed Niagara OP amendment includes revisions to Schedule C: Core Natural Heritage and Schedule G2: Gateway Employment to reflect land uses draft plan of subdivision proposed for the subject site.

The Region hopes to restore and enhance the long-term ecological health and integrity of natural features by limiting development within the Core Natural Heritage System. Policy 7.B.1.11, allows development in environmental conservation areas and on lands adjacent to environmental conservation areas where a land owner can demonstrate that, over the long term, there will be no significant negative impact to the Core Natural Heritage System. An Environmental Impact Statement (EIS) prepared by Terrastory Environmental Consulting (July 2020) is included as part of this submission. This report provides a comprehensive biophysical characterization of the site, identifies potential for adverse effects on the natural environment and natural heritage features of the site and makes recommendations for mitigation and enhancement measures that will result in no overall net impact on natural features onsite. It is our opinion that by implementing recommendations made by Terrastory (August 2020), the proposed development conforms to Policy 7.B.1.11.

Chapter 8, Infrastructure, provides a framework to ensure infrastructure planning, land use planning and infrastructure investment are coordinated to make the most efficient use of land and capital investments by the Region. The redevelopment of the proposed site optimizes the use of existing wastewater infrastructure supporting existing capital investment made by the Region; servicing requirements are discussed further in Section 5.0 of this report.

Chapter 9, Transportation, promotes the creation of a multimodal transportation system to move people and goods easily and efficiently throughout the Region. The proposed subdivision is accessed via Canal Bank Street and has been designed in a grid-like pattern to accommodate and encourage active transportation. In addition, trails have been proposed throughout the plan that make connections to existing and planned trails along the recreational canal to encourage exploration of the neighbourhood on foot or bike.

Chapter 10, Creative Niagara, provides direction on how the Region plans to support creative people and places through investment into a wide range of cultural assets. The proposed development supports

creative placemaking through the provision of a new park adjacent to the Welland Recreational Canal and could provide opportunity, through the mixed-use block or new park, to create a cultural hub. This new park and associated amenities will complement the Welland International Flatwater Centre located just north west of the site and creates a unique opportunity to provide public access to the waterfront, encouraging its full use and enjoyment by the community and its visitors. Furthermore, Chapter 10.F, Welland Canal Cultural Heritage Landscape, provides specific direction for the Welland Canal. The canal is a “key physical structural element of Niagara Region” and provides a “cultural heritage resource of outstanding significance”. Although the recreational canal is no longer used for the movement of goods it has become a cultural destination for sport and leisure.

Finally, Chapter 11, Housing and Community Services, encourages the provision of a variety of housing types within urban communities to serve a variety of people while incorporating enhanced design elements to strengthen the community structure. The proposed subdivision includes a modern streetscape that encourages active transportation and a range of residential forms including various lot sizes and dwelling types. A grid-like street pattern and integrated trail network will allow for quick and easy connections and support safe movement on site for pedestrians and cyclists. Furthermore, urban design guidelines prepared for the site outline how design will help to create an esthetically pleasing and functional neighbourhood.

Through the Official Plan, the Region encourages the creation of sustainable complete communities that make efficient use of land, resources and infrastructure, promote compact transit friendly development, support intensification, conserve natural resources and maintain or enhance natural systems while integrating cultural programs and facilities within the urban area. Development of the subject site, as contemplated by 555 Canal Bank proposes the intensification of an underutilized (vacant) site, conserves two large woodlots enhances public access to parks, trails and open space and ensures the efficient use of existing servicing and infrastructure.

4.1.2 New Niagara Official Plan

The Niagara Region is currently developing a new Regional Official Plan through a Municipal Comprehensive Review. The Region’s New Official Plan (New OP) is meant to implement provincial policies and plans that have been amended since the Regional Official Plan was approved in 2014. Specifically, this includes:

1. Niagara Escarpment Plan (2017);
2. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020);
3. Greenbelt Plan (2017); and
4. Provincial Policy Statement (2020).

It is our understanding that the Region expects to release draft policies and mapping sometime later this year and will release a draft official plan sometime in 2021. At this time no draft residential or growth policies have been released to the public and are not included in this review. However, on March 20, 2020, the Region released “Niagara Region’s Employment Area Strategy: Background Report and Recommendations” as well as a draft version of Chapter 3, Employment and a proposed Schedule G3 –

Employment Areas to the New OP. This new schedule identifies Employment Areas proposed throughout the Region and categorizes the subject site as “Urban Area” (i.e. not an Employment Area; **Figure 4**). This proposed re-designation acknowledges and responds to the fact that the site may no longer be of a high quality and that other sites within the Region offer a more strategic setting for employment growth.

At this time, the recommendation report and proposed policies do not reflect the new Growth Plan (2020), released August 28th 2020, and will need to be reviewed to ensure conformity with the new provincial policies.

A thorough review of the proposed employment policies (chapter 3) as previously released by the Region confirm that the subject site is still not considered part of a strategic location for employment investment. Although it does not apply to the subject lands, the New OP includes a new section (Section 3.E – Employment Areas) that provides direction on lands designated “Employment Area” by Schedule G3 (proposed). Lastly, Section 4.E – Employment Conversion has been revised to respond to Growth Plan Policy 2.2.5.14 and specifically, Policy 4.E.3 states:

“Outside of employment areas, development criteria should be established by the Region and local municipalities to ensure that the redevelopment of any employment lands will retain space for a similar number of jobs to remain on site. Development applications shall satisfy all applicable development criteria”

As previously discussed, the proposed development includes space for up to 800 jobs on site. Currently, and for the last 10+ years the site has supported approximately 3 jobs (security); previously, at the time of plant closure, the site supported approximately 800 jobs provided in various shifts.

A Regional Official Plan Amendment (ROPA) is being made in support of the proposed draft plan of subdivision. It is meant to expedite the Region’s re-designation of the site from Employment Land to Urban Area.

The proposed development represents an inclusive and complete community that enhances connections to and along the recreational canal and contributes to the local economy and vitality of Dain City. It meets the intent and direction of the Region’s Official Plan (2014) and New Official Plan and supports the neighbourhood’s continued growth as a cultural, economic and recreational destination.

4.2 The Corporation of the City of Welland Official Plan

(May 2010, Consolidated November 4, 2019)

The City of Welland Official Plan (Welland OP) came into effect in May 2010 (consolidated November 4, 2019) and provides 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 acknowledges and builds on its designation as being part of the Region’s Economic Centre by supporting development in strategic areas and supports the conservation of valuable resources (Section 3.1).

The subject site is located in the Dain City neighbourhood in the south end of Welland. More precisely the development lands are located on a peninsula between the Welland Recreational Canal and the new Welland Shipping Canal. **Figure 3** identifies the context of and around the proposed development lands, showing the original (now recreational) canal directly west of Canal Bank Street and the subject site and the new shipping canal to the east. Specifically, Schedule A of the Welland OP identifies the lands as being part of the Built-up Area of Welland and Schedule B of the Welland OP identifies the subject site as “General Industrial” and “Core Natural Heritage System” (see **Figure 13**). The Core Natural Heritage features identified on site are “Significant Woodlots” (Schedule C1). In addition, the site is adjacent to a “Natural Heritage Corridor” which reflects the corridor created by the railway line that runs in a north-south direction adjacent to the site. Schedule D, confirms that water and wastewater servicing are available and provided to the site. Finally, soil investigations of the subject site have identified contamination as a result of historic land use (industrial) and as a result, the lands have been identified as brownfield (vacant lands that are former industrial lands and are now contaminated). With support from the City and the Region’s incentive programs, the Owner intends to clean the soils to ensure the proposed subdivision lands meet all provincial standards and regulations prior to construction.

As part of the official plan, the City of Welland has outlined seven (7) key Community Strategic Directions that are meant to advise decision making and investment by the City. The Community Strategic Directions that direct growth and decision making are:

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

One important component of the proposed development is the change in land use from employment to residential and mixed-use. In our opinion, the proposed change in land use designation aligns with the City’s seven Community Strategic Directives.

The proposed development supports a Leadership Community by responding to changing market needs and making the most of a unique opportunity. The proposal represents a complete community within the Economic Gateway including homes of various types and sizes, parks and recreation space as well as a large mixed-use block that creates opportunity for office, retail and commercial businesses in a new economic cluster in Dain City. This mixed-use block creates an opportunity for a new community hub within Dain City; a destination that can be enjoyed by local residents and visitors who are attracted by uses permitted on site, the proposed connection to the waterfront and other local amenities.

The proposed Dain West subdivision promotes sustainability by intensifying an already built-up area, makes use of existing infrastructure, including active transit as a foundation for community design, and preserves and protects natural features on site. In addition, it is the intent of the owner to create a well-

connected system of sidewalks and trails throughout the site to make connections with existing infrastructure along the recreational canal. Community design also maximizes the number of “eyes” on the street, thoughtfully designed streetscape and lighting ensures visibility is maintained throughout and will support the feeling of safety by residents and visitors.

This subdivision will help to enhance the existing Welland trail network and enrich Dain City’s cultural identity taking advantage of opportunities for beautification, fostering community pride through the development of a new waterfront park, improved streetscapes and visual access to the canal.

The subject site was previously the home of the John Deere Manufacturing Plant but has been vacant for over 10 years (since 2009); environmental testing of the soils has confirmed that the lands constitute a brownfield. The proposed development includes the necessary remediation of the site to meet environmental standards as regulated by the Province. The change in land use associated with this application is a positive evolution of a employment lands that no longer meets industry needs. The re-designation of these lands to urban area supports the intensification of an existing built-up area, makes use of existing infrastructure, provides new parks, trails and open space networks within the community, fosters a sense of pride and ownership within Dain City and encourages better and more appropriate use of the lands.

Section 3, Growth Management, of the City’s official plan outlines the City’s strategy on where and how to grow by directing growth to lands within the urban area boundary that have access to full servicing including, with appropriate emphasis, on planned infill and intensification along the Welland Recreational canal. Section 3.4.4.1.C provides clear support for intensification of lands within the City stating that it provides a “viable approach to reducing the amount of Greenfield land needed for growth, takes advantage of already serviced but underutilized land, and helps to improve the vibrancy and aesthetics of Welland’s existing areas”. Furthermore, it identifies four areas that should be the focus of intensification (1) the Downtown; (2) brownfield sites, (3) along the Welland Recreational Waterway, and (4) key transit corridors. The subject site is located on a brownfield site adjacent to the Welland Recreational Canal and part of the proposed redevelopment includes the realignment of Canal Bank Street to support the creation of a 1.9-hectare park directly beside the Welland Recreational Canal. Approval of the proposed Dain West subdivision will help the City meet its local municipal intensification target of 40% as mandated by the Region.

Section 4 of the City’s Official Plan includes policies that provide direction on lands within the Urban Area. These policies support opportunities and encourage intensification and redevelopment within the built-up areas of the city and go on to outline three different hierarchies of residential development including low, medium and high density. The proposed subdivision has been designed as a low-density community including detached homes and townhomes and also includes a potential 5-acre elementary school site, parks, trails, open space and a 4.0-hectare mixed-use block that will be zoned to allow a variety of different uses.

The Welland OP states that densities for low-density residential areas are intended to be at a minimum of 15 dwelling units per net hectare of land and a maximum density of 24 dwelling units per net hectare

of land (4.2.2.2.A). Permitted uses include single-detached, semi-detached and townhouse units. The proposed draft plan of subdivision includes single-detached, semi-detached and townhouse uses as contemplated by the “low-density” designation but would have a maximum net density of 54 dwelling units per hectare (see **Table 4**). The proposed maximum density reflects a compact urban form that offers a variety of more affordable housing options (a range in housing type and lot size). Overall, the maximum density of the low density residential area of the plan would be no more than 38.5 units per net hectare.

The official plan amendment proposed through the enclosed applications would allow a maximum density of 54 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 and therefore, in our professional opinion, the intent of the official plan is met.

The proposed density of the subdivision (net) as well as the breakdown by unit type as outlined by the City’s Official Plan is provided in **Table 4** below.

Table 4: Dain West Subdivision Net Density

<i>Density Calculation as per City of Welland Official Plan (Policy 4.2.2.2.A)</i>			
TOTAL DENSITY BY UNIT TYPE	# UNITS	AREA (ha)	DENSITY
<i>Townhouse & Semi Detached (5.5m)</i>	202	3.791	53.28
<i>Single Detached-Through Lot (8.0m)</i>	60	1.398	42.92
<i>Single Detached (8.0m)</i>	554	15.429	35.90
<i>Single Detached (10.0m)</i>	54	2.052	26.315
TOTAL DENSITY OF THE PROPOSED SUBDIVISION	870	22.67	upnh ⁽¹⁾
TOTAL DENSITY	38.38 units per net hectare		

(1) upnh: units per net hectare.

Policy 4.2.3.1 states that “new development in existing neighbourhoods...shall reinforce or improve upon the character defined by the existing built form and landscaping.” The proposed subdivision reinforces and improves the existing character of Dain City, a primarily residential community in the south-end of Welland. The existing community contains a mix of one and two -storey homes, parks and some non-residential uses. The proposed subdivision includes a similar form of development and mix of uses. Design of the homes will be controlled through the draft zoning by-law attached as **Appendix C** to this report as well as through Urban Design and Architectural Guidelines included with this submission.

Policy 4.2.3.3 provides direction on the siting of new elementary schools encouraging them to be located adjacent to public parks and open spaces, centrally located and to minimize conflict with pedestrians. The elementary school site proposed on the enclosed draft plan of subdivision (**Figure 5**) is strategically located close but not adjacent to Canal Bank Street allowing the site to be a safe distance from the arterial corridor. Furthermore, the school site is centrally located within the subdivision and adjacent to a large woodlot being protected through this plan.

The subject site is currently designated General Industrial by Schedule B (Land Use Map) of the Welland Official Plan (**Figure 13**). Section 4.3 provides direction of Employment Areas and includes policies that

generally protect and encourage redevelopment and intensification of existing employment lands. Despite these policies, the site has remained vacant for over 10 years and recently, 83 hectares of more desirable employment lands were brought into the urban area boundary potentially making the subject site even more challenging as a preferred site for new employment uses. Policy 4.3.1.7 is meant to prevent conversion of Employment Areas to non-employment uses however, the City of Welland has confirmed that the proposed change in land use is a re-designation and not a conversion. Policy 4.3.3.6 states that industrial traffic should be directed away from, and not through, residential areas. Dain City is a primarily residential peninsula with limited access. New largescale manufacturing or industrial use of the subject site would require the use of local roads within a residential area (Dain City) and would not be consistent with this policy however the proposed subdivision would not be inconsistent with this policy.

Furthermore, the Region is currently working to complete a Municipal Comprehensive Review through which they have proposed the subject site be re-designated to Urban Area. This new designation responds to the historic rejection of this site as a viable option for new employment uses and will support the proposed re-designation of the land use by the City of Welland to permit a residential and mixed-use subdivision as currently proposed.

In order to protect the adjacent industrial land uses (including the railway and bio-diesel plant located to the east and south east), the subject site has been designed to incorporate features that mitigate impacts of the adjacent industry. Mitigation measures were determined by professional engineers through completion of various studies including noise, vibration and air quality (reports enclosed with this application and discussed further in Section 7.0 of this report). These studies have determined that impacts of the adjacent land use can be minimized by incorporating features including a noise barrier (berm and/or wall) and material upgrades (windows, addition of ducting for air conditioning) and conclude that the proposed land use will not be negatively impacted by adjacent industry and conversely that the adjacent industry will not be negatively impacted by the proposed land uses.

Policies in Section 6, City-Wide Land Use Policies, provide direction on a number of issues including (1) the environment, (2) parks, open space and recreation, (3) Welland Recreational Waterway, (4) transportation, (5) infrastructure and utilities, (6) arts, culture and heritage and (7) area specific policy areas. The following provides a brief outline of how the proposed mixed-use subdivision has considered these policies.

(1) Environment: there are two existing woodlots identified as “Core Natural Heritage Feature” on the site (**Figure 12**). One at the north and one at the south-east corner of the subject lands; both are being preserved, protected and, where possible, enhanced and are captured within Open Space block 72 and 73 on the proposed Draft Plan of Subdivision (**Figure 5**). Terrastory Environmental Consulting has completed a comprehensive ecological review of the lands and has recommended specific setbacks and enhancement for each feature to ensure they are protected from the impacts of development and where they may be impacted that such impact is offset somewhere else on the plan. In addition, a 50-metre-wide corridor is being provided at the east side of the site to allow safe passage between the two features. Further details of the studies completed and specific recommendations can (and should) be

reviewed as part of the Environmental Impact Statement (Terrastory, 2020) enclosed as part of the application.

(2) Parks, Open Space and Recreation: The proposed subdivision design currently includes three parks; one 1.9-hectare park (“Canal Bank Park”) is planned beside the recreational canal, a 2.25-hectare linear park, is planned along the east property line and a small 0.048ha park provides visual and physical connection from the subdivision (Street C) to Canal Bank Park and Recreational Canal. The subject site is strategically located adjacent to the Welland Recreational Canal and the proposed realignment of Canal Bank Street has created a unique opportunity to develop a large park with direct access to the canal. In total, 4.2 hectares of parkland and 26.5 hectares of open space are provided within this plan. It may also be possible to construct a network of trails through the woodlots and stormwater management pond connecting the new community to the existing (and proposed) waterfront trails.

New parkland proposed on the subject site represents 5.6% of the lands (or 8.7% of the developable area (site area less core features)). An Open Space and Trail Plan is included as **Figure 6**.

In July 2019, the City of Welland released a Parks, Recreation & Culture Master Plan. This plan provides direction on how the City would like to create a distinctive place for arts, culture, and sports through a natural experience. The creation of “Canal Bank Park” is an excellent opportunity for the City to implement its vision, providing investment in outdoor infrastructure and making opportunities to support health and wellness among residents and visitors of the area. It is approximately 500m south of the Flatwater Centre and presents an opportunity to support and grow on the tools and amenities provided by the first-class facility and connect to existing city and region-wide trail networks.

(3) Welland Recreational Waterway: The City aims to maintain or enhance public access to the Welland Recreational Canal so that all citizens have an opportunity to enjoy the waterfront area (6.3.1.2). As previously described the proposed subdivision supports the creation of a neighbourhood park adjacent to the recreational canal facilitating citizen use and enjoyment of the canal. This Plan provides a vision for Parks, Recreation and Culture in the City of Welland and the necessary tools for implementing its vision. Through this document the City aims to support developing opportunities within its cultural system for connection creativity and play. The Welland Recreational Waterway provides a unique experience to residents and visitors and the proposed “Canal Bank Park” would be no exception.

(4) Transportation: The subject site is located in Dain City, on a peninsula, at the south end of Welland, more particularly between two shipping canals, south of Townline Tunnel Road and east of Canal Bank Street. Access to the site is currently limited to a single road. At present, Canal Bank Street provides entry and exit to all of Dain City. A second point of access, the Forks Road bridge, was demolished in the spring of 2019 following reports that it was a danger to public safety. On July 6, 2020, the province announced funding to support the reconstruction of Forks Road bridge which will re-establish a second point of access to Dain City.

As previously discussed, Canal Bank Street is designated as and being designed as (through the proposed realignment) an arterial road. It will be widened to 30.0 metres along the full extent of the site. Road design is further discussed as part of the Functional Servicing Report prepared by Upper Canada Consultants (dated August 2020, submitted under separate cover). There are currently no bus routes that service Dain City; however, the widening of Canal Bank Street and current road layout of the proposed subdivision could support a bus route if services are extended.

(5) Infrastructure and Utilities: As a new subdivision, the proposed Dain West development will be designed to accommodate utilities necessary to serve it and, as an infill site within an existing community, has access to existing storm, sanitary and water services. Upon detailed review of existing servicing it is understood that some municipal infrastructure will require upgrades to accommodate the full build out of Dain East (File No. 26T-14-06002) and Dain West (current submission). Certain upgrades are ongoing (forcemain) and others, like repairs to reduce or eliminate inflow and infiltration to the Dain City Pumping Station are needed and proposed as future works. Upgrades necessary to support the proposed subdivision are discussed further by Upper Canada Consulting in the Functional Servicing Report (August 2020) enclosed and summarized in Section 5.0 below.

(6) Arts, Culture & Heritage: The City of Welland has a long history that is deeply rooted to the canals and, Dain City, in particular, has a unique opportunity to increase awareness of and play off its strategic location and proximity to both Welland canals. Design elements proposed for “Canal Bank Park” can be used to enhance the awareness of the City’s cultural heritage and history related to the historic engineering feat and opportunity the Seaway brought to the region.

(7) Area Specific Policies: Policy 6.7.4 outlines policies specific to “Area 4”, the former John Deer Site and Adjacent lands (Dain East Subdivision, 401 Canal Bank Street). At the time the Official Plan was written the City was still contemplating possible land use for both sites and in 2011 completed a Land Use Study for the area that considered future development potential (and a variety of uses) on site. It recommended making changes to the planned function of the lands to reflect a multi-functional area that incorporates sensitive land uses (residential) and light and general industrial. The subject site has been vacant for over 10 years, is relatively isolated, and no longer represents an appropriate, viable or needed Employment Land. Section 6.7.4.1 acknowledges that a new vision for these lands is needed and will be incorporated into the Official Plan.

The mixed-use subdivision proposed on the subject site conforms to the intent of the policies of the Welland Official Plan. An official plan amendment is required as a technical amendment to update Schedule A, B, B1, B2, C, and C1 as well as an update to certain text to reflect the densities proposed within the Low-Density Residential land use designation. Changes to the Official Plan as proposed through the enclosed application conform to and reflect the Region’s recent desire to re-designate the subject site (and other lands) from “Employment Area” to “Urban Area” and in our professional opinion the proposed subdivision conforms to the general intent of the City of Welland Official Plan.

A copy of the proposed official plan amendment is included as **Appendix B** to this submission.

4.3 Niagara Peninsula Conservation Authority

Niagara Peninsula Conservation Authority's (NPCA) mandate is to promote environmental conservation and support sustainable development practices across the watershed. To do this, they act as both a regulatory authority and commenting agency in matters of land development within the Niagara Peninsula Watershed. The NPCA aims to protect natural systems over the long term and have developed policies that support, encourage and require certain undertakings compelling land owners to meet minimum performance standards.

An Environmental Impact Statement (EIS) prepared by Terrastory Environmental Consulting (August 2020) is included as part of this submission and provides a comprehensive biophysical characterization of the site, identifies potential for adverse effects on the natural environment and natural heritage features of the site and makes recommendations for mitigation and enhancement measures that will result in no overall net impact on the natural features on site. Specifically, this report includes a review and identification of the existing biophysical conditions of the site, a thorough review and significance assessment of features and species on site as well as an in-depth review of applicable policies (including provincial, municipal and agency (NPCA) policies). Finally, the report also reviews the proposed development plan and develops a conceptual mitigation and enhancement plan to ensure no net impact on the natural heritage features of the area.

NPCA regulated features within the study area include wetlands, including some that exceed 2 hectares in size, and watercourses (man-made drainage ditches). NPCA policy 8.1.2.3 requires wetland evaluations where there are unevaluated wetlands and development or site alteration is proposed but allows an exception where appropriate natural buffers have been established. As previously noted, there are two woodlots on site (the north woodlot and the south woodlot); within each of these woodlots there are wetlands, two wetlands are greater than 2-hectares. The proposed subdivision protects both the north and south woodlot and associated wetlands including a 15m buffer adjacent to any part of the feature's boundary defined by woodlot edge and a 30m buffer where the feature's boundary is defined by wetland edge. Wetlands on site that are greater than 2-hectares are being preserved on site and therefore will not be evaluated.

NPCA policy 8.2.2.6 allows passive recreational development (trails and boardwalks) within regulated features and as a result, a network of passive recreational trails is being contemplated through the two features that would connect to existing and proposed trail networks within the subdivision and along the recreational canal. Trails would create a unique amenity to the community, provide an opportunity to educate the public (through signage) and encourage and support more active lifestyles for residents.

Policy 8.2.2.8 allows for the alteration of non-provincially significant wetlands if no alternative exists and may require the creation of new wetlands to offset those lost. Certain wetlands that will be altered and/or removed will be replaced and added to the NPCA regulated area as further described by Terrastory in the Environmental Impact Statement.

Policies 8.2.3.1 and 8.2.3.2 regulate site alteration within 30m of a wetland. As indicated above, the proposed subdivision incorporates 30m setbacks from wetlands and proposes only enhancement works

and/or passive recreational trails within the setback lands. Any trail network proposed in support of this community would require NPCA review and approval prior to construction.

NPCA policies related to watercourses prevent interference with a watercourse (unless otherwise allowed by NPCA; policy 9.2.2), any alteration to a watercourse must be approved by the NPCA and meet their standards and regulations and must not negatively impact flooding or erosion (policy 9.2.3.2).

All watercourses on site are visibly man-made drainage channels (straight drainage ditches with no natural meanders). Many of which were designed to support other infrastructure on site including ditches to collect runoff from parking lots and other areas associated with the previous land use on site. Removal of these drainage ditches is further discussed in the EIS enclosed with this application.

Finally, the NPCA also regulates the placement of fill greater than 250m³ which is only permitted where it does not interfere with a watercourse or wetland, will not negatively impact conservation of land and significant features and is setback 30m from wetlands greater than 2ha and 15m from wetlands that are less than 2ha. The Dain West lands are currently very flat and in order to design a servicing plan that operates at desired levels it is essential that parts of the site be raised. Upper Canada Consultants has prepared a grading plan, enclosed with this submission, that identifies finished grades throughout the site and at the interface with retained natural features. An NPCA permit (File No. PLPER 20200526) will be secured prior to commencing any site alteration including the importation of clean fill.

A Restoration and Enhancement Plan outlines how the proposed development addresses NPCA policies and protects, enhances and/or replaces natural heritage features on site (see Figure 7 of the Environmental Impact Statement by Terrastory Environmental Consulting Inc., August 2020).

In our professional opinion the proposed development conforms to development policies of the Niagara Peninsula Conservation Authority.

4.4 City of Welland Urban Design Guidelines

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

Specifically, the guidelines are meant to establish appropriate built form and architecture, to cultivate identity and a 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 connections to the recreational canal and facilitate active transport through the inclusion of a grid-like road network and easy access to a variety of community commercial uses within a 4.0-hectare mixed-use block.

The City's urban design guidelines were reviewed and relied upon during design of the proposed subdivision and have been used as the starting point to create the "Dain West Architectural & Urban Design Control Guidelines (UACG's)". The proposed subdivision incorporates a mix of low density

residential, community commercial and other employment uses, an elementary school and parks, trails and open space uses. Subdivision design incorporates a diversity in lot widths, depths and dwelling/building types. Homes have been designed to address the street and the mixed-use block and school block have been situated to maximize access and functionality. Where through lots are proposed along Canal Bank Street, they have been thoughtfully designed to incorporate high levels of architectural detail and high-quality materials so that both facades abutting the public street appear to be the “front” of the dwelling (dual frontages).

Homes have generally been designed to maintain a 6.0 metre setback from the road to the garage, pairing of driveways (where possible) will support on-street parking and massing and architecture of the homes will be compatible throughout the various dwelling typologies.

Materials and colour palettes will be developed to create high quality streetscapes promoting a sense of visual continuity throughout the area. This palette will extend to the mixed-use block, ensuring a level of stability and connection between the various land uses on the subject site.

Additional attention will be made to create a sense of arrival and space, where possible, through the use of streetscape details, gateway features and signage. Emphasis will be placed on creating a coordinated and appropriate design scheme so that the new development integrates with its surrounding context including the existing Dain City residential neighbourhood.

Further discussion and detail related to the urban and architectural design framework is outlined in the Dain West Subdivision Urban and Architectural Design Guidelines enclosed with this application.

5.0 SERVICING AVAILABILITY

The Dain City area of Welland, including the subject site, is serviced by sanitary, water and storm infrastructure that will be extended (as needed) to service the proposed Dain West development. Servicing studies have been completed to confirm available capacity and identify upgrades that may be needed to support the full build out of the site.

The Region is currently constructing a forcemain that conveys sewage from the Dain City Pumping Station (DCPS) to the Ontario Street Pumping Station (OSPS). This upgrade is expected to be finished in the spring of 2021. They are also planning to start state-of-good-repair maintenance to the DCPS later this year. Both of these ongoing works will benefit the ultimate build-out of the proposed subdivision.

The City has identified an issue with excessive inflow and infiltration (I&I) of the existing sewer system throughout Dain City and is currently working to identify sources and problem areas of this I&I. Once problem areas have been identified the City will recommend an overall mitigation strategy to limit I&I in the system freeing-up wet weather capacity in the existing DCPS.

The proposed subdivision will connect to an existing 400mm sanitary sewer that exits the site at the south end, crossing the St. Clair Avenue right-of-way and running south down Bay Avenue, ultimately ending up at the DCPS. Under existing conditions and following completion of the forcemain construction, the DCPS will have capacity to pump the proposed dry weather flows to the OSPS.

System improvements and upgrades will be necessary to the DCPS to accommodate proposed wet weather flows and eliminate unnecessary inflow and infiltration. To start, the existing site is covered by a network of old and leaking pipes that will be removed as part of site preparation efforts certainly helping to eliminate some of the I&I experienced within the Dain City sanitary system. Also, investigation will confirm unauthorized sources of inflow to the sanitary sewer (i.e. downspout connections to the sanitary sewer), which will be disconnected.

The subject site is currently fed by an existing 200mm watermain on Canal Bank Street and internal 200mm and 300mm watermain's that connect under the adjacent (east side) railway corridor (GioRail – Canal Sub Rail Line) to the existing 400mm watermain on the Dain City Subdivision Lands (401 Canal Bank Street; File No. 26T-14-06002). Existing internal watermains that fed the old manufacturing facility will be removed as part of site preparations and replaced with PVC watermain within the proposed road networks (to be reviewed and approved later through detailed design). On behalf of the City of Welland, GHD completed a watermain hydraulic model and confirmed that the pressure will be sufficient if grades proposed for the Dain West subdivision are less than 185m⁵. Based on current design, the maximum proposed grade for roads within the subdivision is 181.30m and meets this requirement.

Storm sewers have been designed on site to capture rainfall events and direct them towards a stormwater management pond proposed at the south west corner of the development site. From there, the treated stormwater will be released (through controlled release) to the Welland Recreational Canal. One small component of the site (grassed area) will collect clean rainfall and drain to the east towards an existing drainage ditch, into a culvert under the railway and then into a creek proposed on the Dain City Subdivision (401 Canal Bank Street lands). This creek ultimately outlets to the Welland Recreational Canal.

This report should be read in conjunction with other studies submitted in support of the proposed development and is not meant to stand alone.

The subject site is within a built-up area of Welland and has access to existing servicing. Prior to the complete build out of the subdivision certain upgrades will be required but can be accommodated. It is the intent of the applicant to work with City and/or Region staff to identify, coordinate and complete any additional upgrades required as a result of the proposed subdivision.

6.0 TRAFFIC

Dain City, in the south end of Welland is located on a man-made peninsula created as a result of the construction of the Welland Recreational Canal (original shipping canal) and the Welland Shipping Canal (by-pass canal). As a result, it has limited access.

Current access to Dain City is by way of Canal Bank Street. Historically, it was also accessed by a bridge over the recreational canal along Forks Road; however, in early 2019 the Forks Road bridge was demolished due to immediate safety concerns. On July 6, 2020, the province of Ontario announced

⁵ Empire Homes Development – Water Distribution System Review, prepared by GHD, dated December 3, 2019

funding in support of the reconstruction of Forks Road Bridge that will re-establish a second connection to Dain City.

In support of the proposed subdivision, 555 Canal Bank enlisted WSP to complete a Traffic Impact Study to identify upgrades needed to facilitate new growth in Dain City as contemplated by the Dain West Subdivision (this review also includes population generated from the Dain East subdivision as per File 26T-14-06002).

Based on the results of the Traffic Impact Study (July 2020), WSP concluded that development as proposed by the Dain West subdivision, can be accommodated with certain upgrades to the existing network and further study (following significant build out of the Dain East and Dain West lands).

A detailed review of the Traffic Impact Study completed for the subject site should be reviewed in its entirety.

7.0 LAND USE SENSITIVITY

The subject site is located to the north west of Verbio Diesel Canada an existing biodiesel plant (Class II Industry). In order to ensure land use compatibility is achieved between Verbio Diesel and the proposed subdivision land use compatibility assessments were conducted and their associated reports have been reviewed and enclosed with this application. Assessments were completed for (1) air quality (report by SLR dated July 2020) and (2) for noise & vibration (report by HGC Engineering dated August 31, 2020).

A review of the existing industries surrounding the subject site was performed in accordance with the D-6 Guidelines. It was determined that adjacent Class II industry (Verbio Diesel Canada) will not be of concern to the proposed development from an air quality perspective.

A review of existing industries and road and rail traffic noise was completed and it was determined that MECP/CN sound level guidelines at the proposed residential and mixed-use development can be achieved providing certain recommendations are met. In addition, following initial study, certain lands adjacent to Canal Sub Rail line were designated a Class 4 acoustical environment. Recommendations to mitigate impact from road and rail include the use of forced air ventilation systems and the provision for future installation of central air conditioning systems, upgraded building construction (insulation, window construction etc), noise warnings in agreements of purchase and sale and the construction of a berm along the CN Canal Sub rail line (Gio Rail).

This report should be read in conjunction with other studies submitted in support of the proposed development and is not meant to stand alone. A detailed review of the Air Quality Assessment and Noise & Vibration Feasibility Study completed for the subject site should be completed in their entirety.

8.0 FINANCIAL IMPACT TO REGION AND CITY

The subject lands have been identified as a brownfield site and as a result, through the Brownfield Community Improvement Plan (CIP) are eligible for certain incentive programs. Specifically, in June 2019, the owner submitted a Brownfields Incentive Programs Application Form to request access to

three different incentive programs offered through the CIP including the Brownfield Tax Assistance Program (TAP), Brownfield Increment Grant Program (TIG) and the Brownfield Fees Grant Program.

These programs are meant to offset the cost of environmental remediation and redevelopment of Brownfield properties. Redeveloping this site for residential, mixed-use and community uses will increase the municipal and regional tax base and revitalize a vacant site. Overall, redevelopment of the subject site will provide social, economic and environmental benefits to Dain City, Welland and the Region of Niagara.

The total Brownfield Incentives requested through the CIP program (to be provided by the City of Welland and the Region of Niagara) could be as much as eighteen million dollars (\$18,000,000.00; including potentially \$10,000,000 from the City and conceivably \$8,000,000 from the Region) in addition, it is estimated that the proposed subdivision will generate two-hundred and fifty million dollars (\$250,000,000.00) in assessed value. This estimate includes only a possible assessment of residential units it does not include any other economic benefits that may stem directly or indirectly from a project of this size.

The proposed redevelopment of the subject site will increase the long-term assessment base and property tax revenues for these vacant lands at a regional and city level and the total amount of tax assistance requested under the CIP will not exceed the cost of rehabilitating the land.

9.0 ZONING BY-LAW

The proposed subdivision lands are currently zoned G1, General Industrial, OS-2, Community Open Space and Environmental Conservation Overlay as per maps H3, H4, I3 and I4 of the City's new Comprehensive Zoning By-law 2017-117, as amended.

The proposed development requires a zoning by-law amendment to re-designate lands on site to allow residential, community commercial, and open space zoning to reflect the proposed draft plan and to update certain 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 types including detached dwellings (8.0m, 8.0m through lot and 10.0m lot frontages), attached dwellings (5.5m lot frontages), and community commercial (CC2) which will allow a variety of non-residential uses that serve the direct community and community at large. Through this application we are requesting that the lands be re-zoned as shown in **Figure 14**. A draft zoning by-law amendment is included as **Appendix C** to this report and supports the proposed change in zoning from General Industrial (G1) to the following:

- Zone RL2-XX – attached and detached residential uses with special standards;
- Zone CC2-XX – community commercial uses with special standards and uses;
- Zone OS1
- Zone OS2

The proposed subdivision has been designed to reflect development and growth policies and to meet minimum density requirements as set out by the Province of Ontario, Region of Niagara and City of

Welland and to protect certain natural heritage features on site. In order to achieve these requirements, the enclosed zoning by-law amendment requests modified performance standards that provide relief from the current zoning standards outlined by the City of Welland's Comprehensive Zoning By-law (2017-117, as amended). The proposed amendment meets the intent of the Official Plan and the Zoning by-law and will allow the re-development of an underutilized brownfield site in Dain City.

The proposed site-specific zoning by-law is attached as **Appendix C**.

CONCLUSION

The residential and mixed-use development proposed for 475-635 Canal Bank Street represents a unique opportunity to intensify approximately 74 hectares of brownfield lands in Dain City, an otherwise built-up community in the south end of Welland.

Provincial policies are in place to provide direction and guidance on matters of provincial interest as they relate to land use planning and development within the Province. They also provide the legislative authority to municipalities to determine whether a change in land use is a conversion or a re-designation. The Region and City have both determined that the land use change proposed for the subject site is a re-designation.

To satisfy provincial and regional policy, the proposed redevelopment should provide space for a similar number of jobs on site as before the land use change. The proposed Dain West subdivision currently provides space for up to 800 jobs on site through the inclusion of a 4.0-hectare mixed-use block, elementary school and includes some work-from-home.

The subject site is not identified as a Provincially Significant Employment Zone (PSEZ) and recent information released in support of Niagara Region's Municipal Comprehensive Review (MCR) outlines the Region's intent to re-designate the site as Urban Area. The regional official plan amendment being sought through the enclosed applications is a private application seeking the re-designation of the site to Urban Area and reflects the Region's plan to do the same. The official plan amendment (city) is meant to allow the proposed mixed-use subdivision including residential and a variety of employment uses. The zoning by-law amendment is meant to update existing zoning standards to reflect the form and density of the product proposed by 555 Canal Bank Developments GP Inc. and to support the wide variety of non-residential uses proposed for the mixed-use block.

The proposed draft plan of subdivision includes a variety of land uses including residential, community commercial, office, limited light industrial, and service commercial, parks, open spaces and an elementary school and makes best use of existing and planned services and supports the creation of a complete community.

The enclosed applications support the intensification of underutilized lands within the built-up urban area, encourage the remediation and clean-up of brownfield sites and support the creation of complete communities. Furthermore, the proposed development represents the build out of a large under-utilized site in the Dain City community, maximizes the use of existing services and provides unique



neighbourhood amenities that will facilitate active lifestyles and improve public access to the Recreational Canal.

In conclusion, the subject applications are consistent with and have regard for the policies and objectives outlined in the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2020). They implement the intent of the Niagara Region Official Plan, the City's Official Plan, represent good planning, are in the public interest and we recommend their approval in support of 555 Canal Bank's proposed Dain West subdivision.

FIGURES

Region of Niagara



-  Niagara Region
-  City of Welland
-  Dain West Subdivision

City of Welland



-  City of Welland
-  Dain West Subdivision

Dain City Subdivision



-  Dain West Subdivision

Figure 1: Site and Context Plan
555 Canal Bank's Dain West Subdivision, Welland ON

Date:
Sep 3, 2020



armstrong
planning | project management

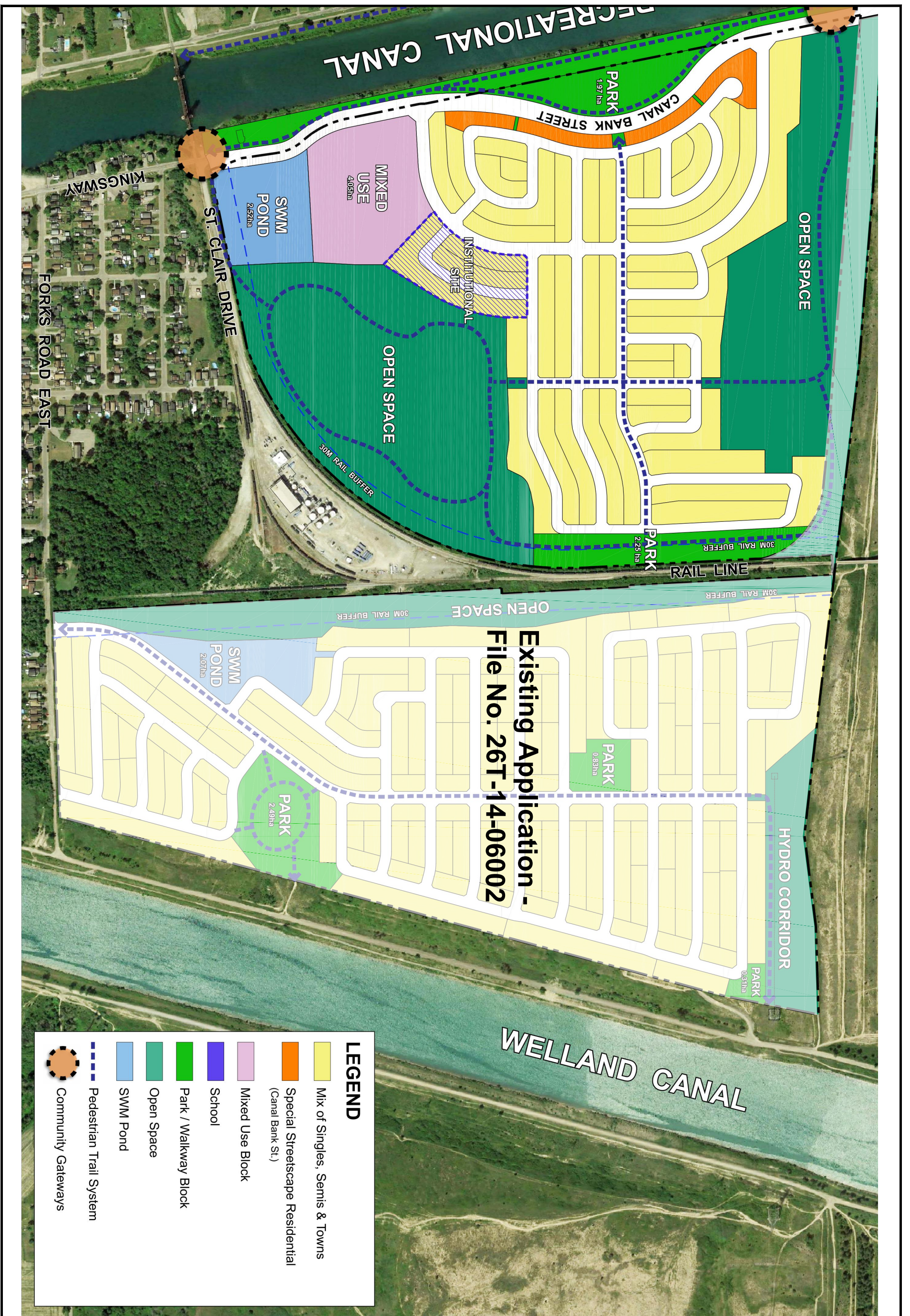


Figure 2: Draft Community Master Plan
555 Canal Bank's Dain west Subdivision, Welland ON

Source: Armstrong Planning & Project Management, MBTW Group

Date:
Sep 3, 2020



armstrong
planning | project management

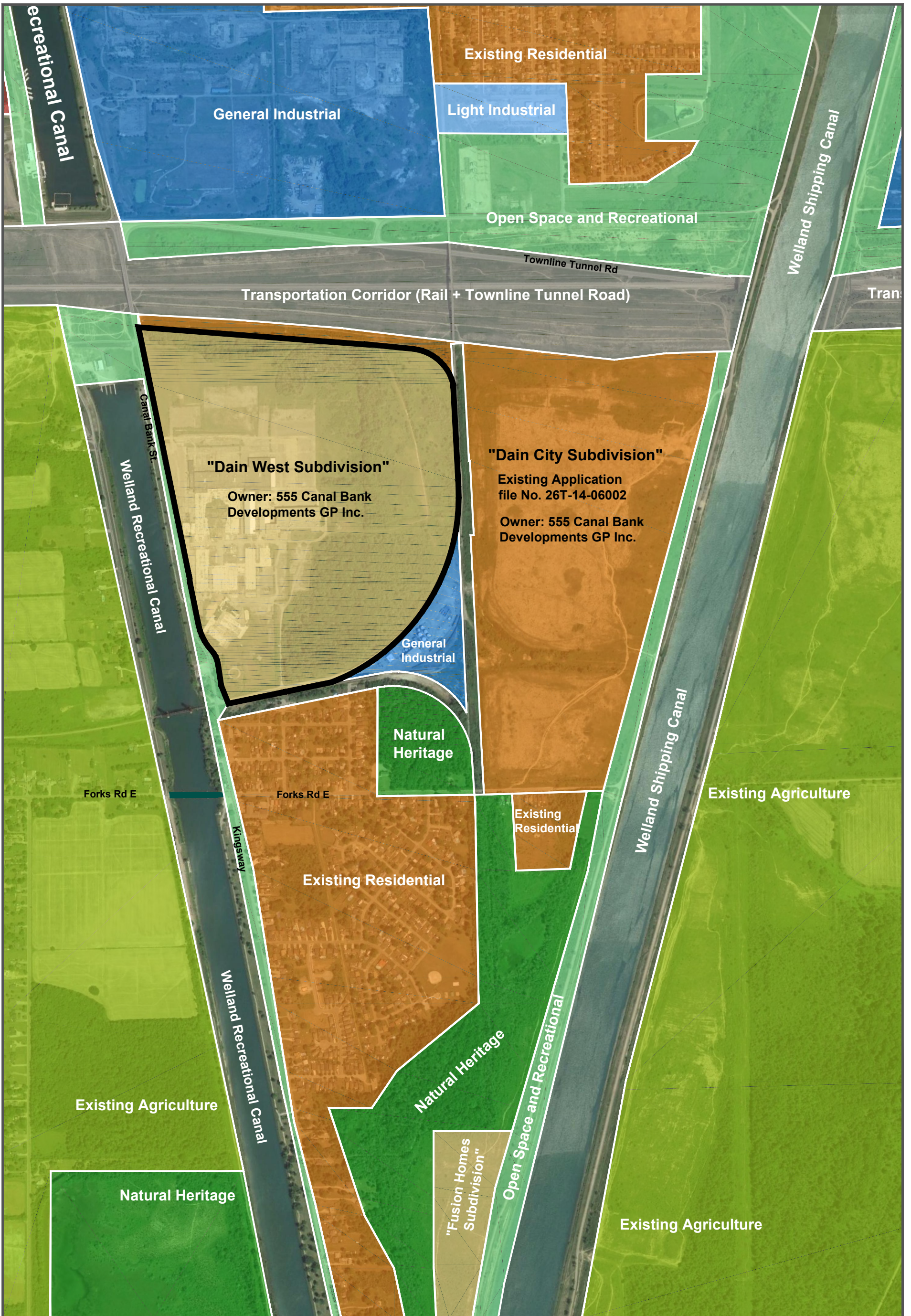


Figure 3: Surrounding Land Use Map
 555 Canal Bank's Dain West Subdivision, Welland ON

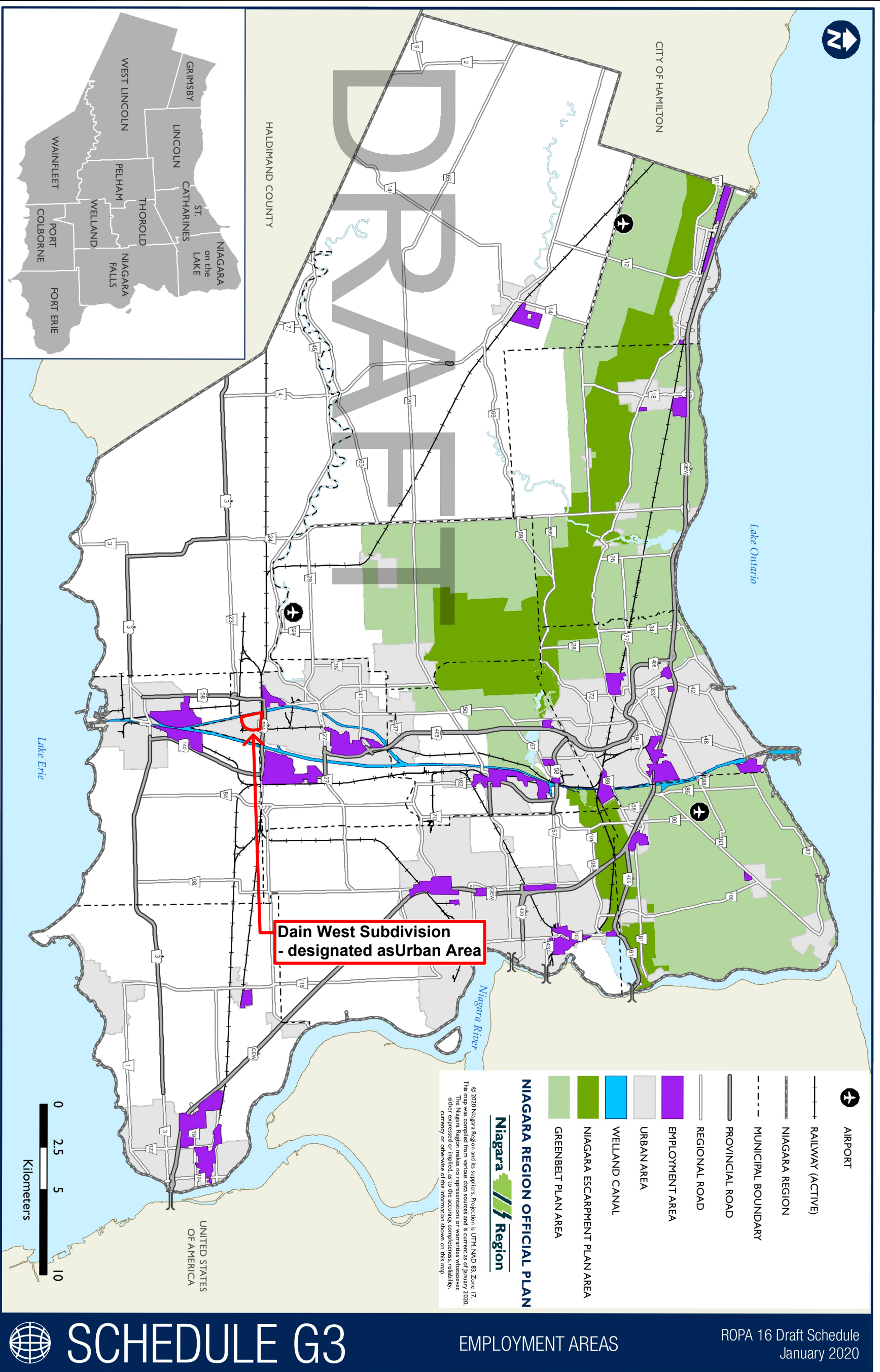
Source: Armstrong Planning & Project Management, Google Maps, City of Welland Official Plan

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

Date:
 Sep 3, 2020



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SCHEDULE G3

EMPLOYMENT AREAS

ROPA 16 Draft Schedule
January 2020

Figure 4: Niagara Region New Official Plan - Schedule G3 (Proposed), January 2020
 555 Canal Bank's Dain West Subdivision, Welland ON

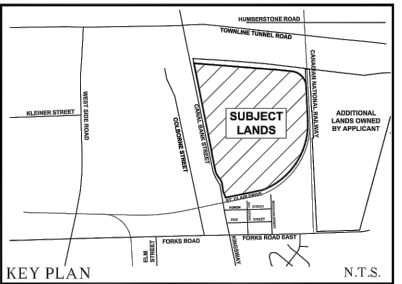
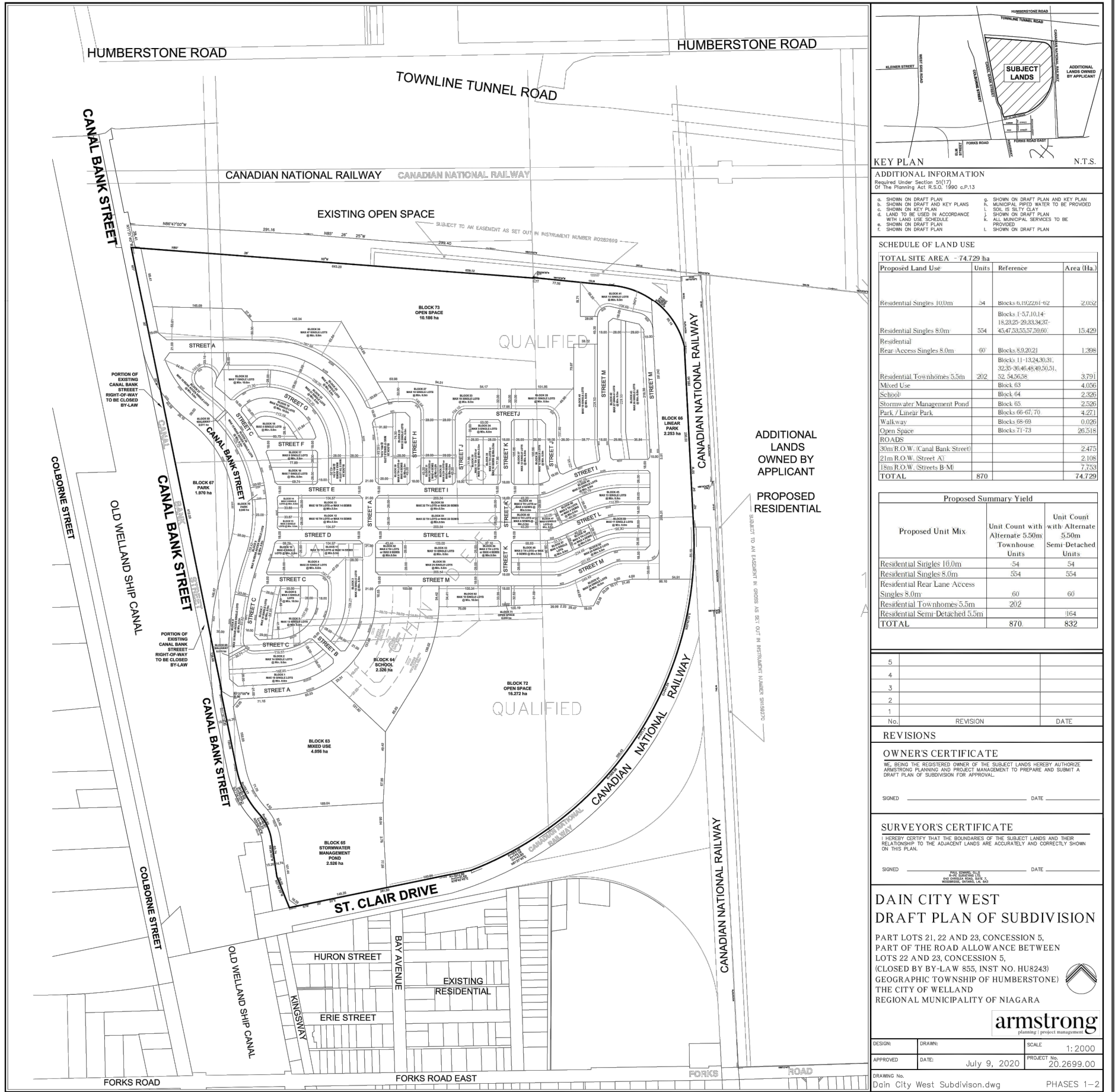
Dain West Subdivision

Source: Niagara Region New Official Plan (ROPA 16 DRAFT SCHEDULE, 2020), Armstrong Planning & Project Management

Date:
Sep 3, 2020



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ADDITIONAL INFORMATION
 Required Under Section 51(17) Of The Planning Act R.S.O. 1990 c.P.13

SCHEDULE OF LAND USE

Proposed Land Use	Units	Reference	Area (Ha.)
Residential Singles 100m	54	Blocks 6, 19, 22, 21-02	2,032
Residential Singles 80m	554	Blocks 1-5, 7, 10, 14, 18, 23, 25-29, 33, 34, 37-45, 47, 53, 55, 57, 58, 60	15,429
Residential Rear Access Singles 8.0m	60	Blocks 5, 9, 20, 21	1,308
Residential Townhomes 5.5m	202	Blocks 11-13, 24, 30, 31, 32, 35-36, 46, 48, 49, 50, 51, 52, 54, 56, 58	3,791
Mixed Use		Block 63	4,056
School		Block 64	2,526
Stormwater Management Pond		Block 65	2,526
Park / Linear Park		Blocks 66-67, 70	4,271
Walkway		Blocks 68-69	0,026
Open Space		Blocks 71-73	26,515
ROADS			
30m R.O.W. (Canal Bank Street)			2,475
21m R.O.W. (Street A)			2,106
18m R.O.W. (Streets B-M)			7,753
TOTAL	870		74,729

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 100m	54	54
Residential Singles 8.0m	554	554
Residential Rear Lane Access Singles 8.0m	60	60
Residential Townhomes 5.5m	202	
Residential Semi-Detached 5.5m		164
TOTAL	870	832

No.	REVISION	DATE
5		
4		
3		
2		
1		

REVISIONS

OWNER'S CERTIFICATE
 I, 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 _____ DATE _____

DAIN CITY WEST DRAFT PLAN OF SUBDIVISION

PART LOTS 21, 22 AND 23, CONCESSION 5, PART OF THE ROAD ALLOWANCE BETWEEN LOTS 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: July 9, 2020 PROJECT No. 20,2699.00
 DRAWING No. Dain City West Subdivision.dwg PHASES 1-2

Figure 5: Proposed Draft Plan of Subdivision
 555 Canal Bank's Dain West Subdivision, Welland ON

Source: Armstrong Planning & Project Management

Date: Sep 3, 2020

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EXISTING RESIDENTIAL

Legend:

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

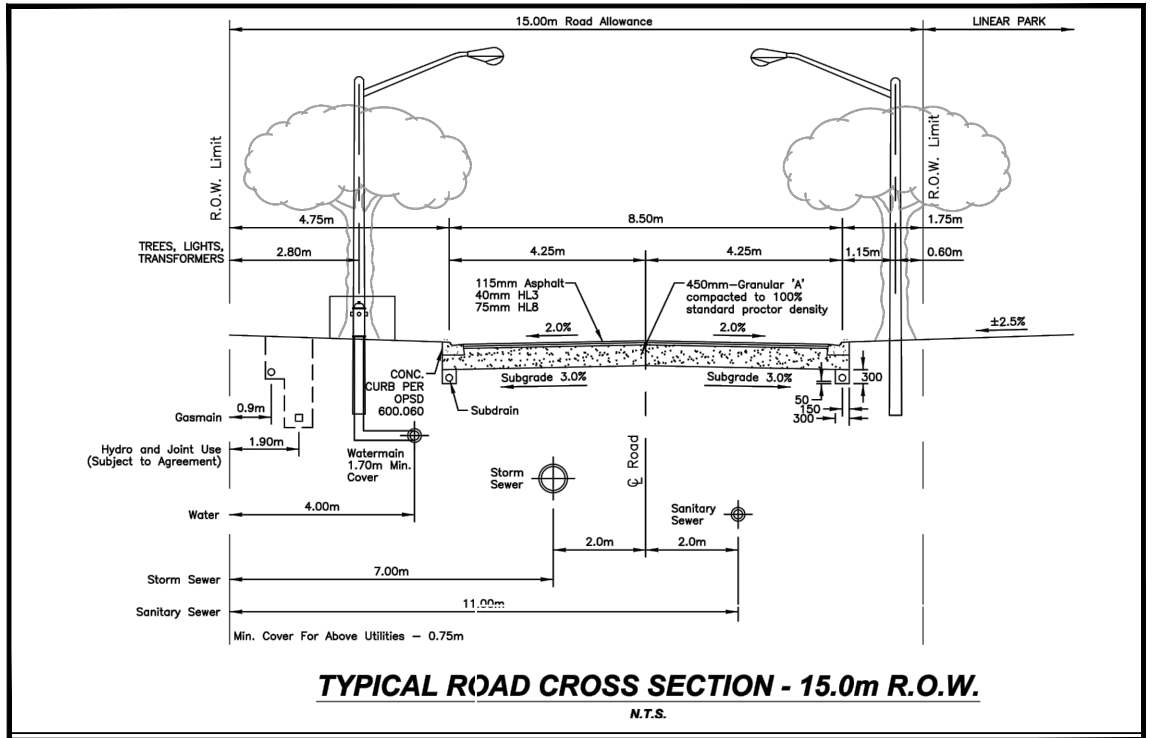
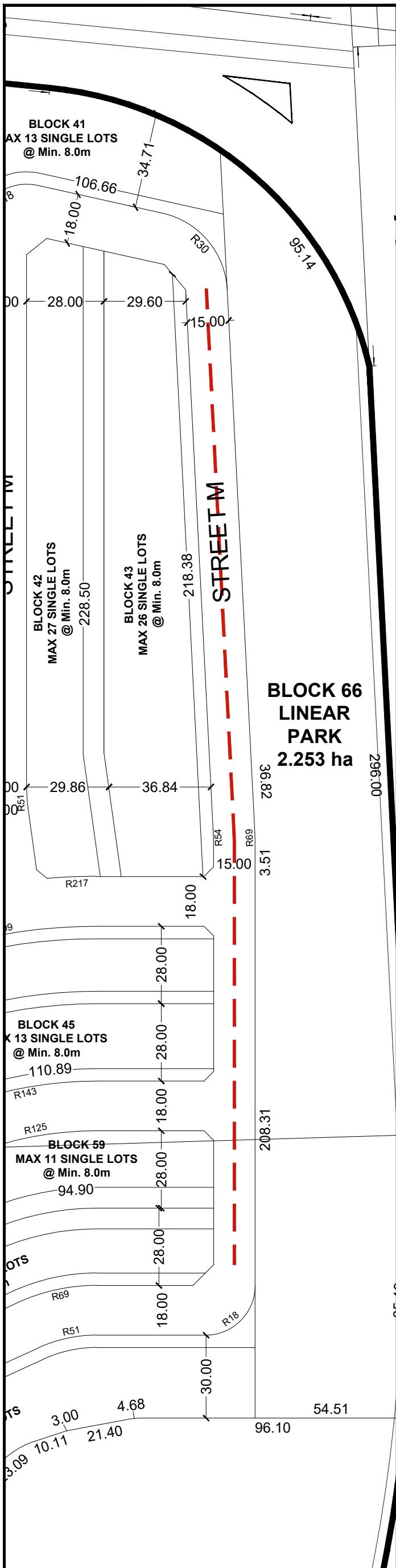
Figure 6: Open Space and Trail Plan
555 Canal Bank's Dain west Subdivision, Welland ON

Source: Armstrong Planning & Project Management

Date:
Sep 3, 2020



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TYPICAL URBAN ROAD X-SECTION 15.0 METER RIGHT OF WAY STREET 'M'

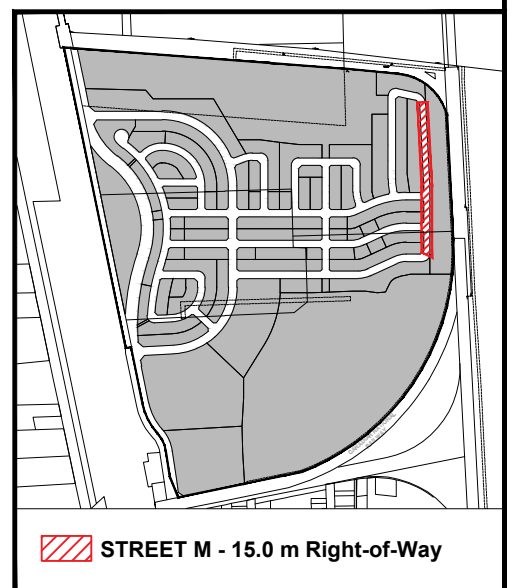


Figure 7: 15.0 m Right-of-Way
555 Canal Bank's Dain West Subdivision, Welland ON

Date:
Sep 3, 2020



--- STREET M - 15.0 m Right-of-Way

Source: Armstrong Planning & Project Management

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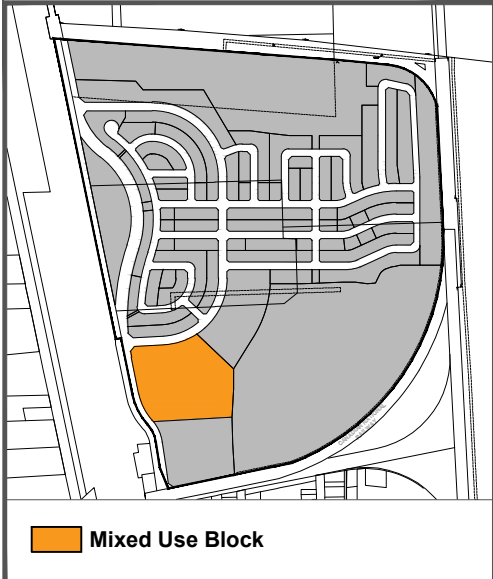
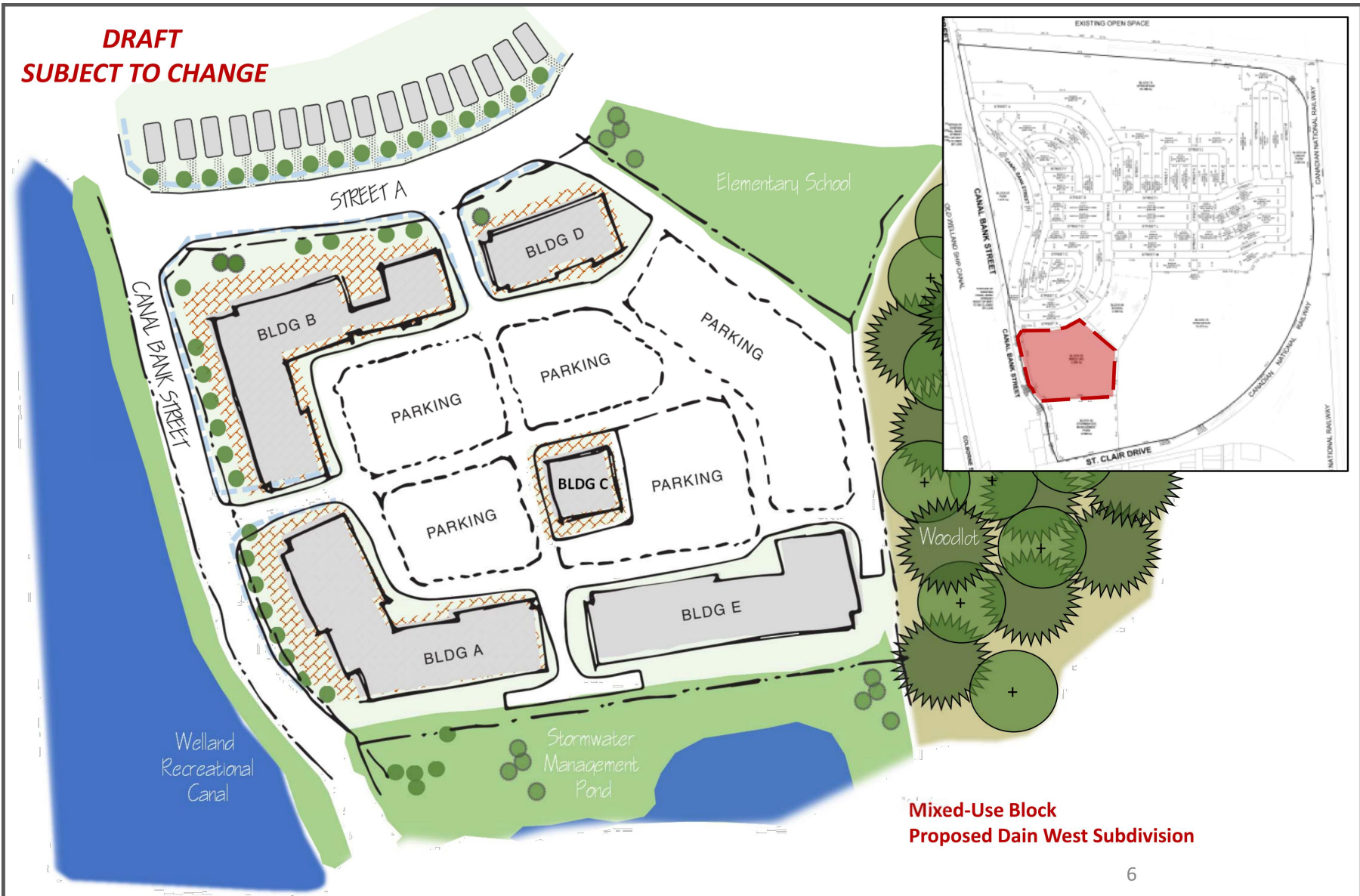


Figure 9: Mixed Use Block Concept Plan

555 Canal Bank's Dain West Subdivision, Welland ON

Source: Armstrong Planning & Project Management

Date:
Sep 3, 2020



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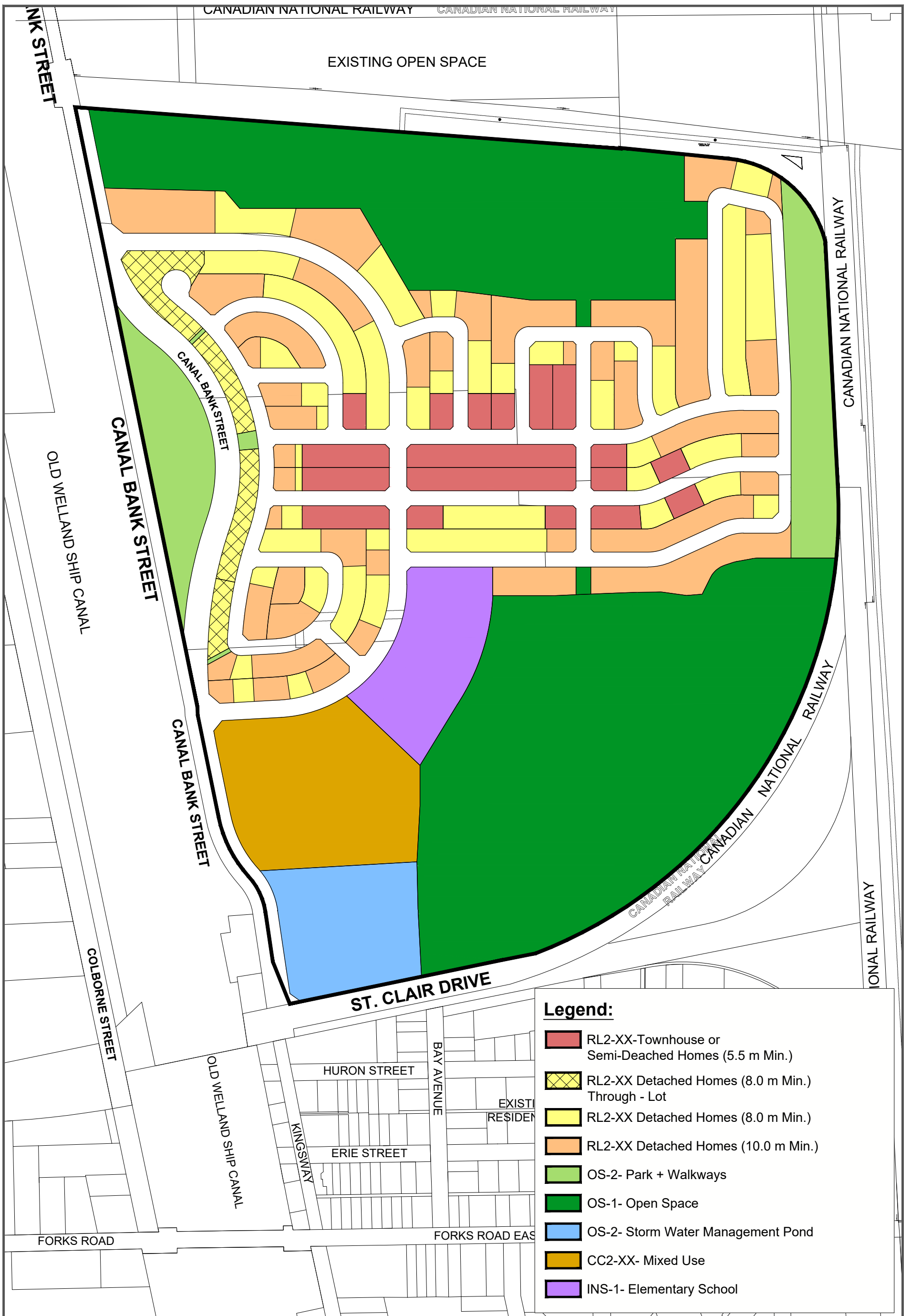


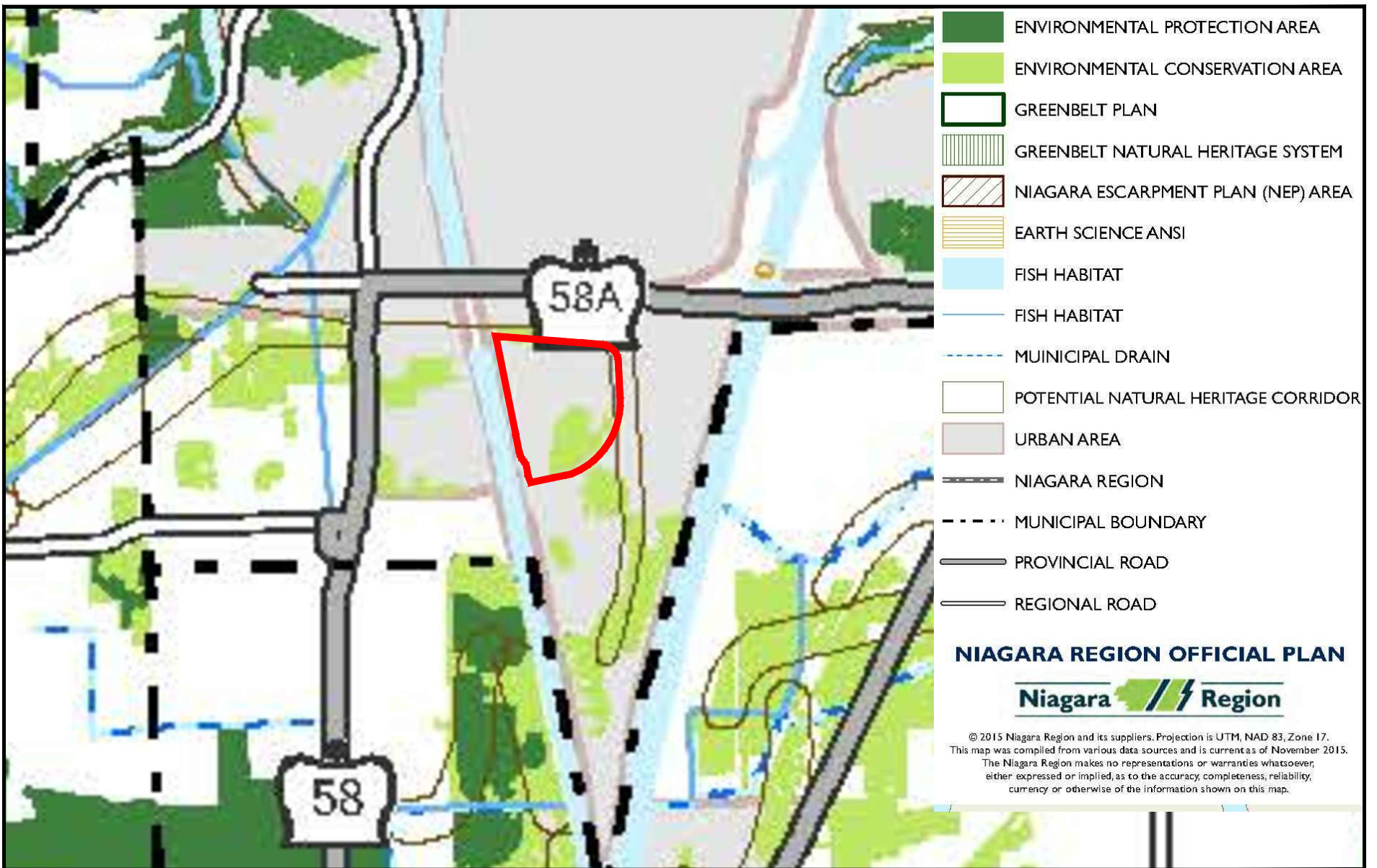
Figure 10: Land Use

555 Canal Bank's Dain West Subdivision, Welland ON

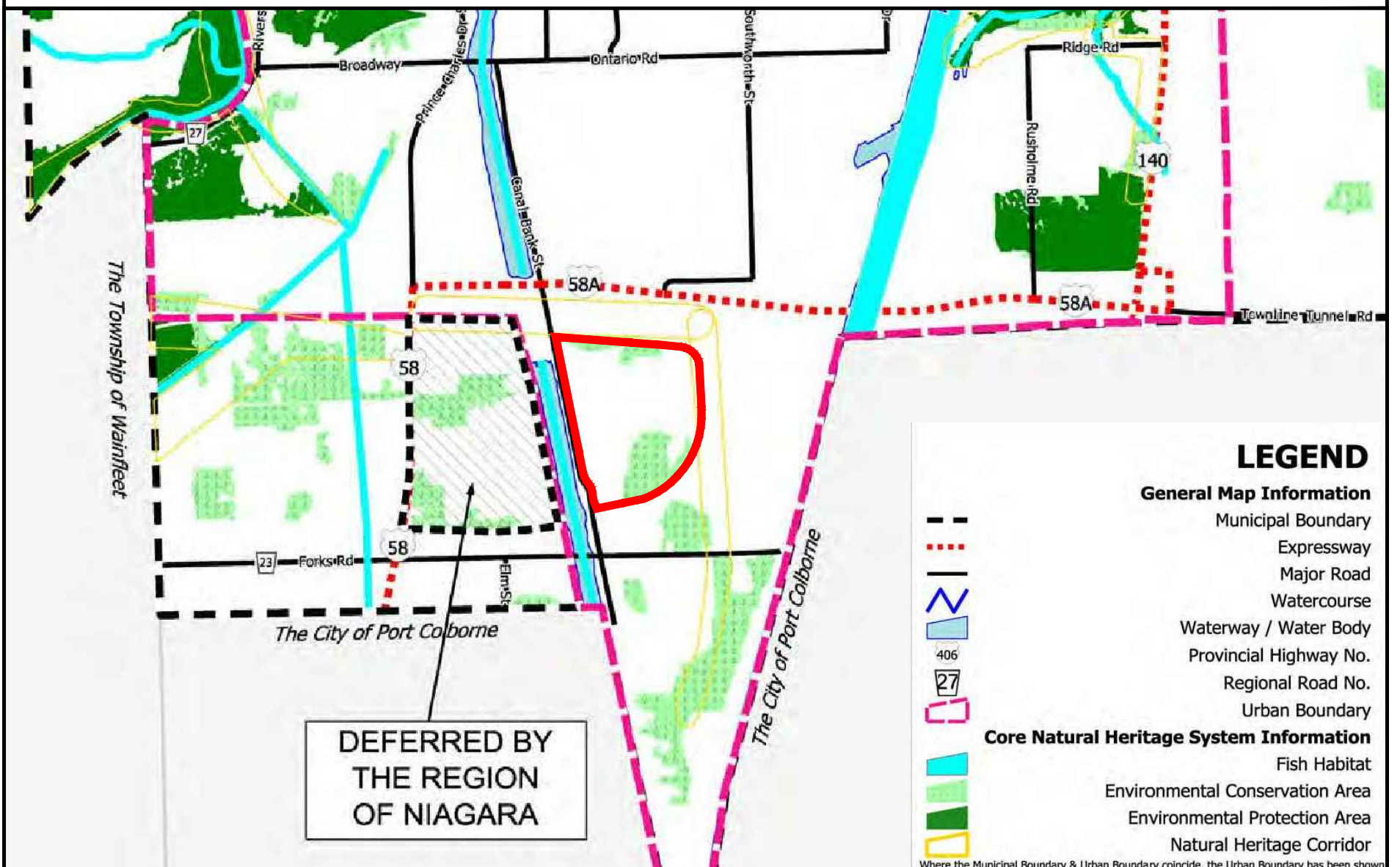
Date:
Sep 3, 2020



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Niagara Region Official Plan - Schedule C: Core Natural Heritage - Published November 2015



City of Welland Official Plan - Schedule C: Core Natural Heritage System - Revised July 15, 2020

<p>Figure 12: Natural Heritage System 555 Canal Bank's Dain West Subdivision, Welland ON</p> <p>Source: Niagara Region Official Plan, City of Welland Official Plan, Armstrong Planning & Project Management</p>	<p>□ Dain West Subdivision</p>	<p>Date: Sep 3, 2020</p>	
		<p>armstrong planning project management</p>	

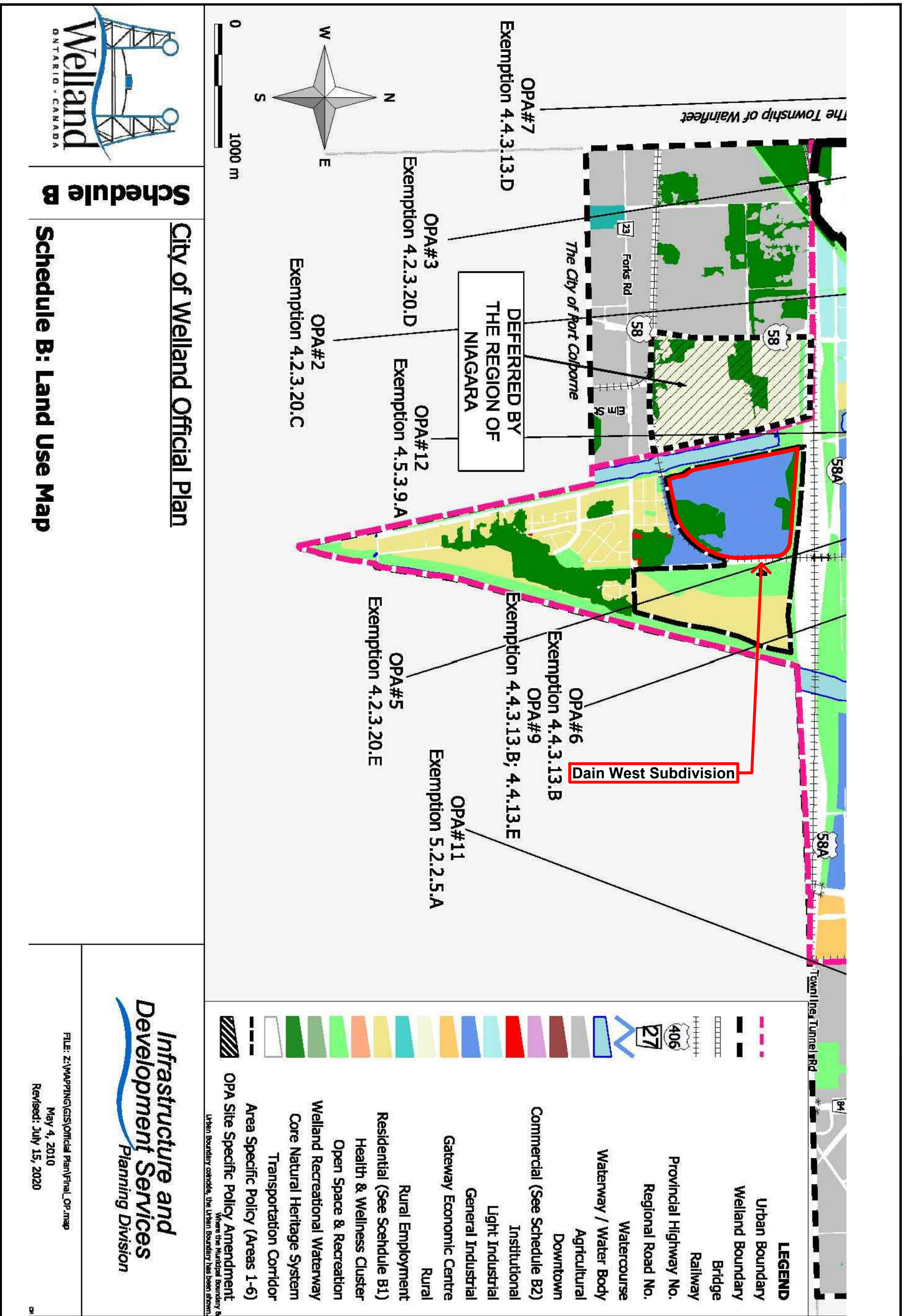


Figure 13: City of Welland Official Plan - Schedule B: Land Use Map, Revised July 15, 2020

555 Canal Bank's Dain West Subdivision, Welland ON

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

Date:
Sep 3, 2020



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Dain West Subdivision

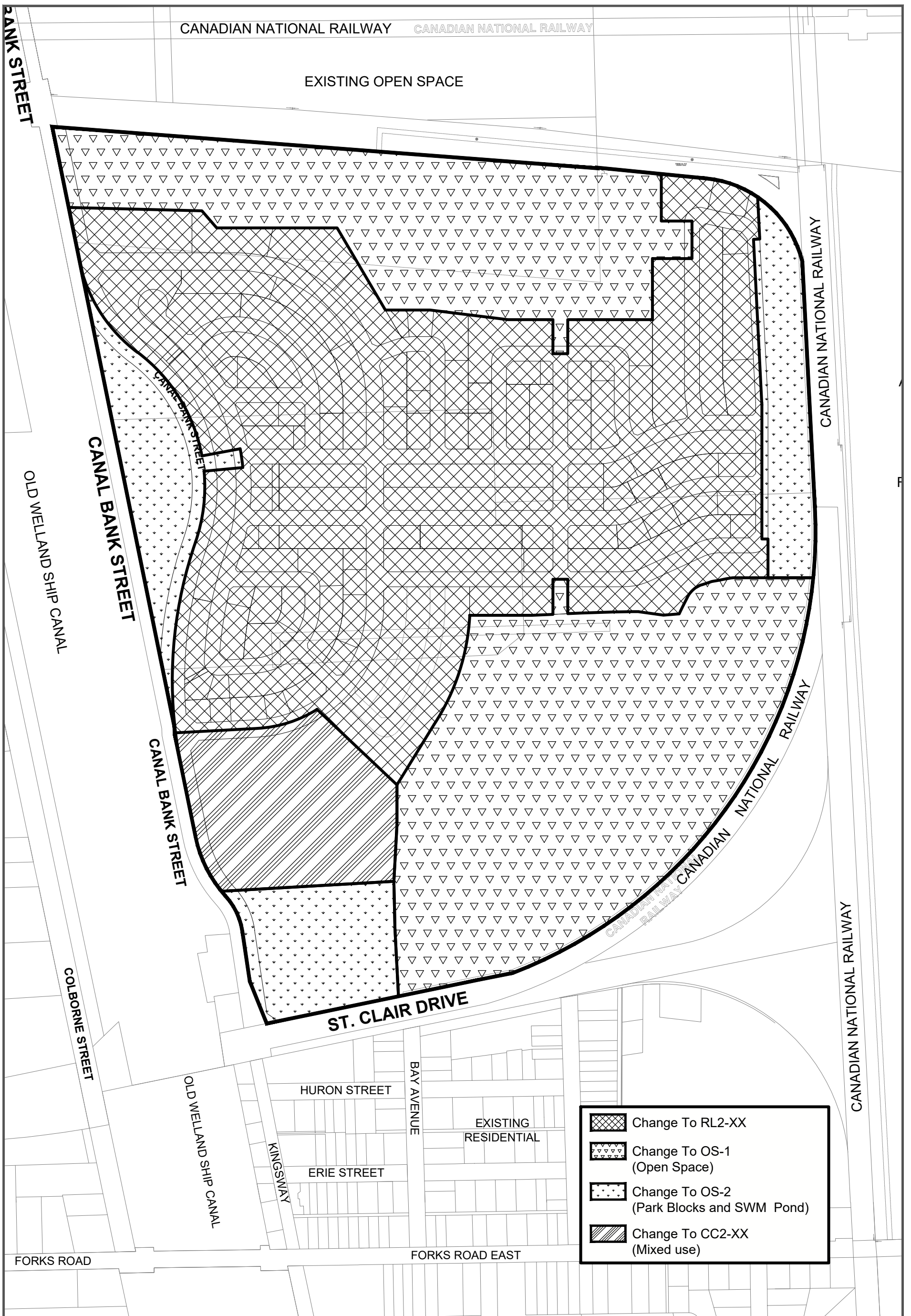


Figure 14: Schedule "A"- Zoning By-Law Amendment
 555 Canal Bank's Dain West Subdivision, Welland ON

Date:
 Sep 3, 2020



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

APPENDIX A

Draft Regional Official Plan Amendment

REGIONAL OFFICIAL PLAN AMENDMENT X

TO THE NIAGARA REGION

OFFICIAL PLAN

PART “A” – THE PREAMBLE

The preamble provides an explanation of the Amendment including the purpose, location, background, and basis of the policies and implementation, but does not form part of this Amendment.

- Title and Components
- Purpose of the Amendment
- Location of the Amendment
- Background
- Basis for the Amendment
- Implementation

PART “B” – THE AMENDMENT

The Amendment describes the additions and/or modifications to the Niagara Region Official Plan, which constitute Official Plan Amendment No. X.

- Map Change
- Text Change

PART “C” – THE APPENDICES

The Appendices provide information, public participation and agency comments relevant to the Amendment, but do not form part of this Amendment.

PART "A" – THE PREAMBLE

TITLE AND COMPONENTS:

This document, when approved in accordance with Section 17 of the Planning Act, 1990, shall be known as Regional Official Plan Amendment X (ROPA X) to the Niagara Region Official Plan. Part "A" – The Preamble, contains background information and does not constitute part of this Amendment. Part "B" – The Amendment, consisting of map and text changes, constitutes Amendment X to the Niagara Region Official Plan. Part "C" – The Appendices, does not constitute part of the Amendment. These Appendices contain information related to public involvement and agency comments associated with the Amendment.

PURPOSE OF THE AMENDMENT:

The purpose of this amendment is to update mapping to the Regional Official Plan to redesignate the subject lands from "Employment Land" to "Urban Area" and "Environmental Conservation Area".

LOCATION OF THE AMENDMENT:

This amendment applies to the lands known Municipally as 475-635 Canal Bank Street in Dain City, Welland Ontario.

BACKGROUND:

The owner of the subject lands requested a Regional Official Plan Amendment (ROPA) to accommodate redevelopment of the subject lands from vacant industrial to a mixed-use subdivision that includes Commercial, Residential, Parks and Open Space and Environmental Conservation Areas.

BASIS FOR THE AMENDMENT:

1. This Amendment establishes a new land use designation for the subject site.
2. The change in this Amendment is consistent with and implement the *Planning Act*, the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2019) and the Niagara Region Official Plan.
3. The Amendment was the subject of a Public Meeting held under the *Planning Act* on XXXX, XX, 2020. Public and agency comments were addressed as part of the preparation of this Amendment.
4. Based on the Region's review of the *Planning Act*, the Provincial Policy Statement, the Regional Official Plan, public consultation, and agency consultation, Regional staff is of the opinion that the Amendment is consistent with and conforms to Provincial and Regional policies and plans and represents good planning.

IMPLEMENTATION:

Section 14, Implementation of the Niagara Region Official Plan, shall apply where applicable.

PART “B” – THE AMENDMENT

ROPA X

To the Niagara Region

Official Plan

Map Change:

Schedule C, Core Natural Heritage, is amended by adding certain lands on the subject site to the “Environmental Conservation Area” designation and Schedule G2, Niagara Economic Gateway Employment Lands, is amended by removing certain lands from the “Employment Land” designation and adding them to the “Urban Area” designation.

Text Change:

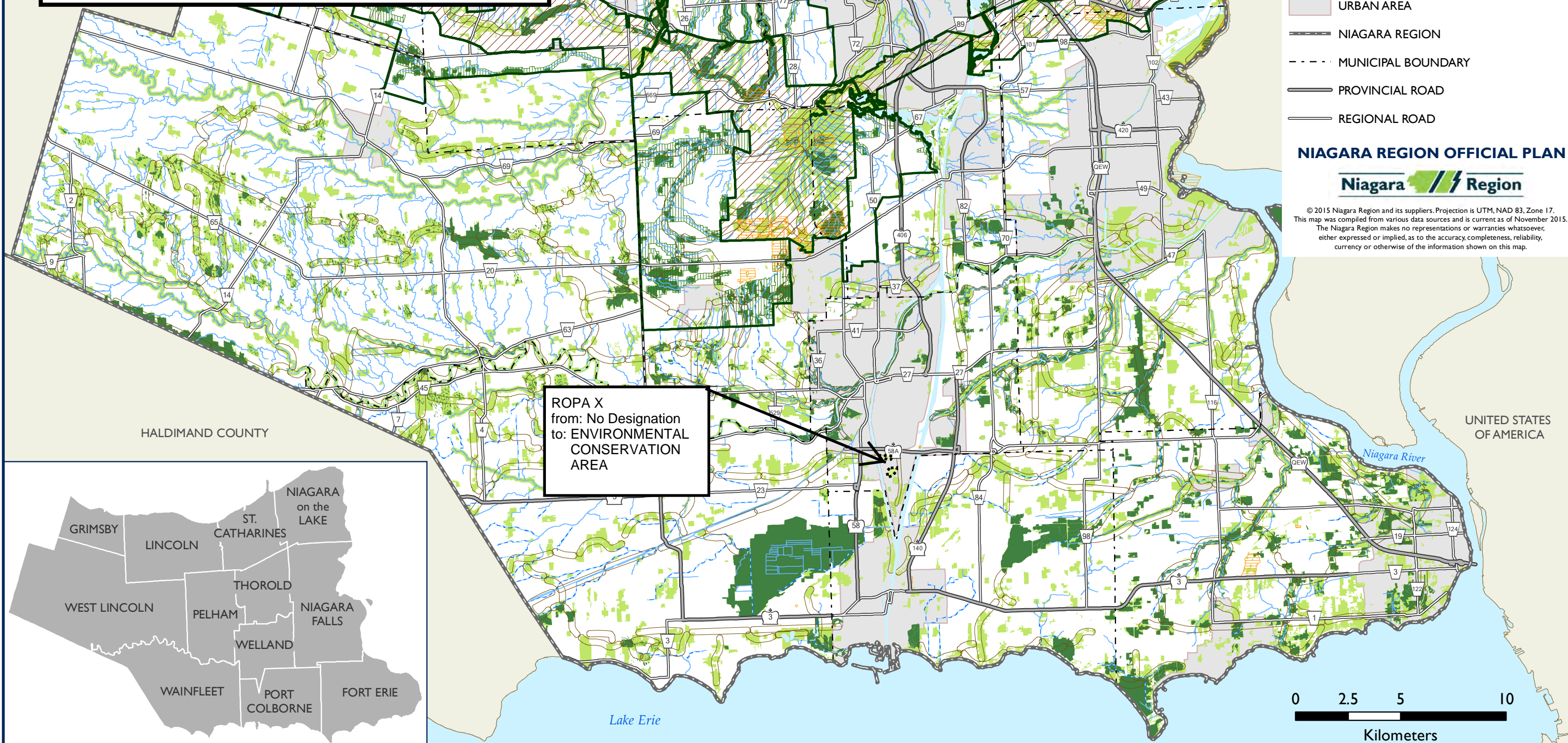
Not Applicable to this Amendment.

PART "C" – THE APPENDICES



REGIONAL OFFICIAL PLAN AMENDMENT X TO THE NIAGARA REGION OFFICIAL PLAN

Lake Ontario



- ENVIRONMENTAL PROTECTION AREA
- ENVIRONMENTAL CONSERVATION AREA
- GREENBELT PLAN
- GREENBELT NATURAL HERITAGE SYSTEM
- NIAGARA ESCARPMENT PLAN (NEP) AREA
- EARTH SCIENCE ANSI
- FISH HABITAT
- FISH HABITAT
- MUNICIPAL DRAIN
- POTENTIAL NATURAL HERITAGE CORRIDOR
- URBAN AREA
- NIAGARA REGION
- MUNICIPAL BOUNDARY
- PROVINCIAL ROAD
- REGIONAL ROAD

NIAGARA REGION OFFICIAL PLAN

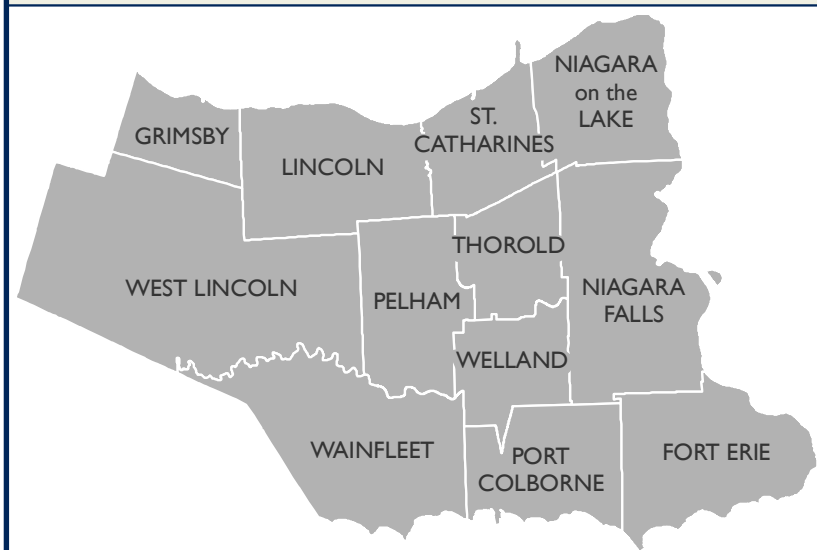


© 2015 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17. This map was compiled from various data sources and is current as of November 2015. The Niagara Region makes no representations or warranties whatsoever, either expressed or implied, as to the accuracy, completeness, reliability, currency or otherwise of the information shown on this map.

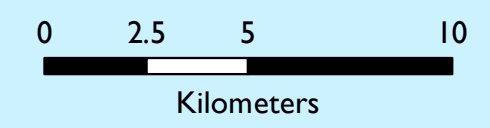
ROPA X
from: No Designation
to: ENVIRONMENTAL
CONSERVATION
AREA

HALDIMAND COUNTY

UNITED STATES OF AMERICA



Lake Erie



APPENDIX B

Draft Official Plan Amendment

AMENDMENT NO. XX

to the

OFFICIAL PLAN

of the

CORPORATION OF THE CITY OF WELLAND

SEPTEMBER X, 2020

**THE CORPORATION OF THE CITY OF WELLAND
BY-LAW NUMBER 2020-**

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

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

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

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

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

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

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

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

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

**READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS
XTH DAY OF SEPTEMBER, 2020.**

_____ MAYOR

_____ CLERK

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

This Amendment to the Official Plan for the City of Welland, which was adopted by the Council of the Corporation of the City of Welland on **MONTH DAY, 2020** and to which no appeal was filed, came into effect on pursuant to Section 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

Date:

GRANT MUNDAY, B.A.A.
MANAGER OF DEVELOPMENT APPROVALS
INFRASTRUCTURE AND DEVELOPMENT SERVICES
THE CORPORATION OF THE CITY OF WELLAND

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

PART A - THE PREAMBLE (This does not constitute part of the Amendment)	1
TITLE AND COMPONENTS	1
PART B - THE AMENDMENT	2
SCHEDULE "A" LAND USE PLAN	3
PART C - THE APPENDICES	4
APPENDIX I - AFFIDAVIT	5
SCHEDULE "A" TO APPENDIX 1 - AFFIDAVIT	6
APPENDIX II - NOTICE OF ADOPTION	7
APPENDIX III - MINUTES OF PUBLIC MEETING -	9
APPENDIX IV - STAFF REPORT	10
APPENDIX V - COUNCIL RESOLUTION	106

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

TITLE AND COMPONENTS

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

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

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

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

PURPOSE OF THE AMENDMENT

The purpose of Official Plan Amendment No. XX is to redesignate the lands shown on attached Schedule "A" from General Industrial and Core Natural Heritage System to Special Policy Area Residential, Commercial, Core Natural Heritage System and Parks, Open Space, and Recreation. The purpose of the amendment is to redesignate the lands to allow for a mixed-use subdivision. The Special Policy Low Density Residential will permit a minimum density of XX units per net hectare and a maximum density of 54 units per net hectare. The uses permitted in the Low Density Residential and Commercial designation shall be those permitted in the Special Policy Area.

LOCATION

The lands are located on the north side of St. Clair Drive, west of the CN Canal Sub Rail Line, south of Highway 58A, and east of the Welland Recreational Canal. The lands are approximately 74 hectares in size.

BASIS

The subject lands are within the urban area boundary for the City of Welland and currently designated General Industrial and Core Natural Heritage System. This amendment will permit the redesignation of the lands to support the development of a mixed-use residential subdivision within the built boundary in the City of Welland.

PART B - THE AMENDMENT

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

MAP CHANGES

1. Schedule A, City Structure Map is hereby amended by identifying additional Environmental Conservation Areas on the property.
2. Schedule B, Land Use Map is hereby amended by identifying the special exception on the property.
3. Schedule B1, Residential Hierarchy Land Use Map is hereby amended by identifying the special exemption on the property.
4. Schedule B2, Commercial Hierarchy Land Use Map is hereby amended by identifying the special exemption on the property.
5. Schedule C1, Components of the Natural Heritage System Map is hereby amended by identifying the special exemption on the property.

TEXT CHANGES

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

4.2.3.20 Exceptions

4.2.3.20 F Notwithstanding the density provisions of Section 4.2.2.2, the lands will be permitted to have a minimum density of **XX** units per net hectare and a maximum density of 54 units per net hectare.

SCHEDULE "A" LAND USE PLAN

DRAFT

PART C - THE APPENDICES

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

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

DRAFT

APPENDIX I - AFFIDAVIT

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

AND

IN THE MATTER OF THE ADOPTION OF
OFFICIAL PLAN AMENDMENT NO. XX BY BY-
LAW 2020- PASSED BY COUNCIL OF THE
CORPORATION OF THE CITY OF WELLAND
ON MONTH DATE, 2020

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

1. I am the Manager of Development Approvals, Infrastructure and Development Services of the Corporation of the City of Welland.
2. That in accordance with Section 17(15) of The Planning Act, as amended and Section 3 of Ontario Regulation 543/06, Notice of the Public Meeting was published in the Niagara This Week Newspaper on **XXXXXX**, 2020. I hereby certify that the required Public Meeting was held virtually on **XXXXXX**, 2020 by the Council of the Corporation of the City of Welland.
3. A list of all persons or public bodies which made oral submissions at the Public Meeting is attached as Schedule "A" to this Affidavit.
4. That in accordance with Section 17(23) of The Planning Act, as amended, and Ontario Regulation 543/06, the requirements for the giving of Notice of Adoption of the Amendment have been complied with.
5. That in accordance with Section 7(7) of Ontario Regulation 543/06, the decision of Council is consistent with the Policy Statements issued under sub-Section 3(1) of the Act and conforms to any applicable Provincial Plan or Plans.

Sworn before me at the City of Welland
in the Regional Municipality of Niagara,
this DATE day of MONTH, 2020.

SCHEDULE "A" TO APPENDIX 1 - AFFIDAVIT

List of individuals who made oral submission at the Statutory Public Meeting conducted **XXXXXXX, 2020** concerning Amendment No. **XX** to the Official Plan of the Corporation of the City of Welland .

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APPENDIX II - NOTICE OF ADOPTION

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

Take notice that the Council of the Corporation of the City of Welland passed By-law **2020-**, being a By-law to adopt Amendment No. **XX** to the Official Plan on **DATE, 2020** under Section 17(23) of The Planning Act, as amended.

The Purpose of Amendment No. **XX** is to redesignate a portion of the property from General Industrial to Low Density Residential, Commercial, Core Natural Heritage System and Parks, Open Space, and Recreation and to identify the Low Density Residential areas on the property as a Special Policy Area and to identify the Commercial areas on the property as a Special Policy Area. The Low Density Residential Special Policy Area will allow for a minimum density of **XX** units per net hectare and a maximum of 54 units per net hectare. The Commercial Special Policy Area will identify Dain City Square a Community Commercial Node and be planned to accommodate up to 280,000 square feet of commercial space (including limited light industrial) and allow residential uses on the ground floor.

The Effect of the redesignation is to allow for the development of the property with a mixed-use subdivision with a mix of single detached and townhouse dwellings, commercial, as well as parks, stormwater management facilities, and potentially an elementary school.

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

Any person or agency may appeal, to the Local Planning Appeal Tribunal, in respect to the Amendment to the Official Plan by filing with the Clerk of the City of Welland, no later than **DATE MONTH, 2020**, a notice of appeal setting out the specific part of the proposed Amendment to the Official Plan to which the appeal applies, set out the reasons for the appeal and be accompanied by the fee prescribed under the Local Planning Appeal Tribunal Act in the amount of \$1,100.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

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

Only individuals, Corporations or public bodies may appeal a Decision of the municipality to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated Association or Group. However, a notice of appeal may be filed in the name of an individual who is a member of the Association or the Group on its behalf.

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

The land to which this proposed Amendment to the Official Plan applies is also the subject of a Zoning By-law Amendment (File No. 2020-0X) and Draft Plan of Subdivision (XXT-20-XXXXX).

A copy of the Amendment and Staff Report are available for inspection by the public as of August 13, 2020 on the City of Welland website www.welland.ca/council/AgendasMinutes.asp.

Dated at the City of Welland this DATE day of MONTH, 2020.

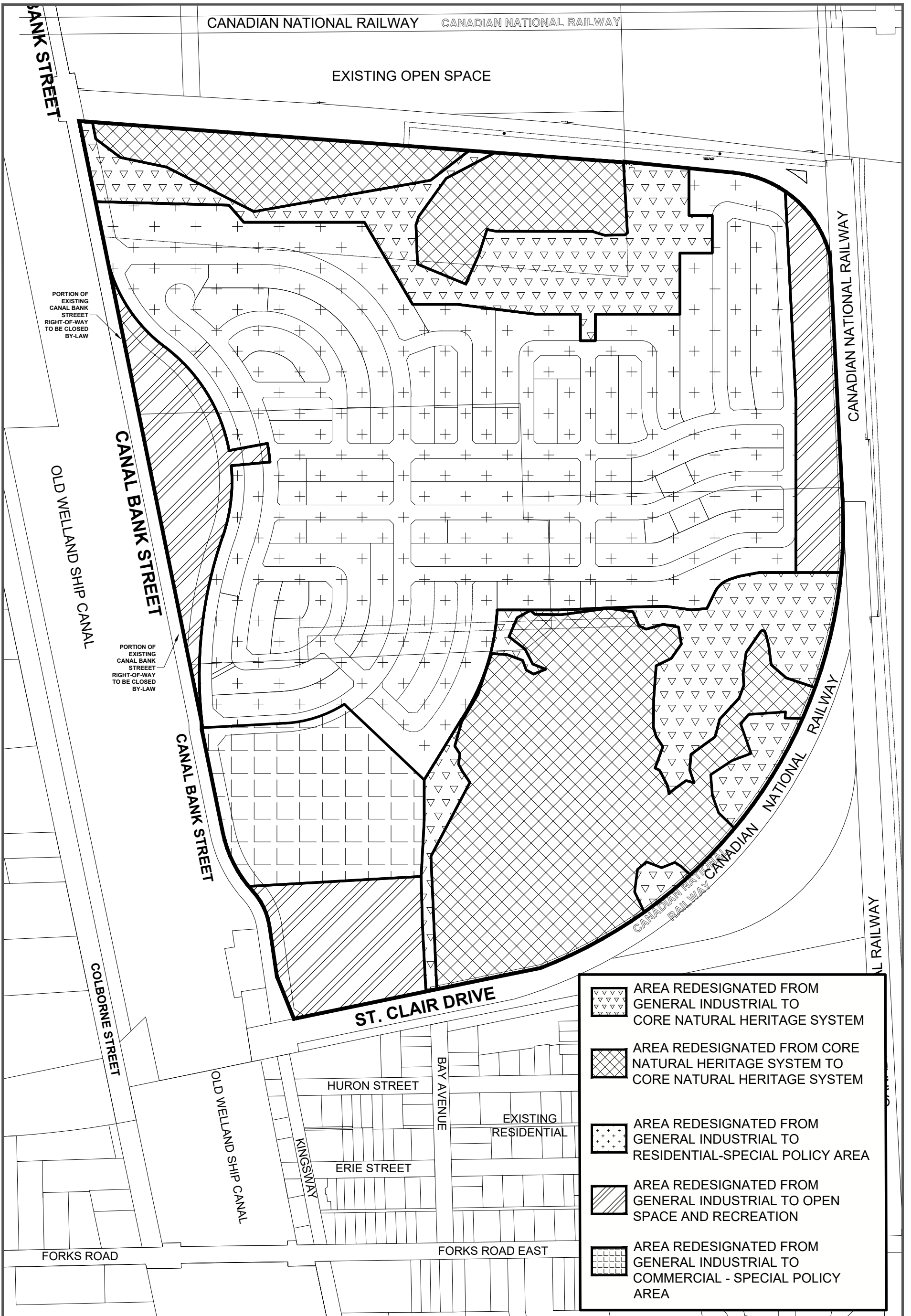
GRANT MUNDAY, B.A.A., MCIP, RPP
MANAGER OF DEVELOPMENT APPROVALS
INFRASTRUCTURE AND DEVELOPMENT SERVICES
OF THE CORPORATION OF THE CITY OF WELLAND

DRAFT

DRAFT

APPENDIX V - COUNCIL RESOLUTION

DRAFT



**Proposed Official Plan Amendment
Schedule "B" - Land Use Plan**

555 Canal Bank's Dain West Subdivision, Welland ON

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

Date:
Sep 3, 2020



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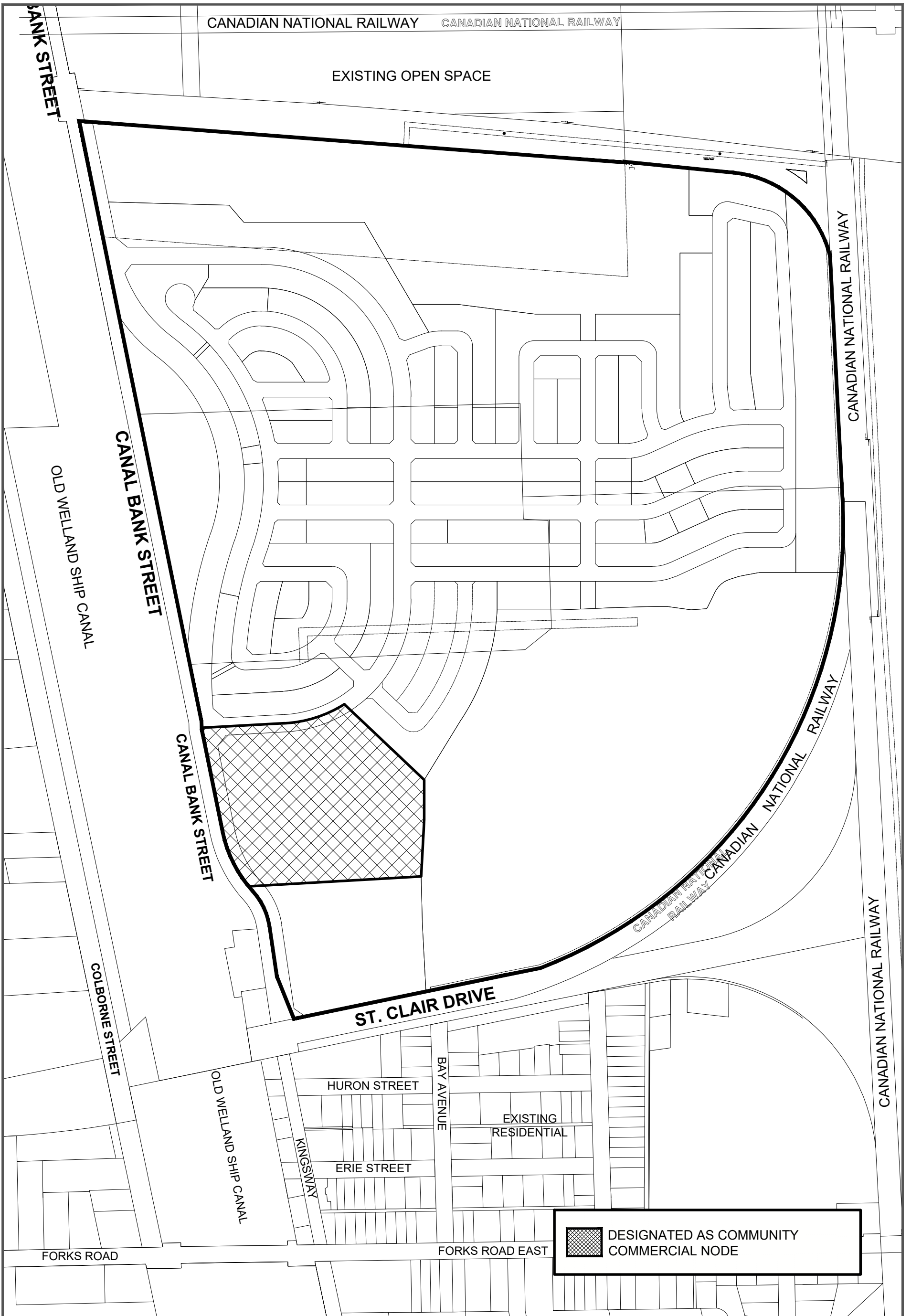
Proposed Official Plan Amendment
Schedule "B1" - Residential Hierarchy Land Use
 555 Canal Bank's Dain West Subdivision, Welland ON


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


Date:
 Sep 3, 2020



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 DESIGNATED AS COMMUNITY COMMERCIAL NODE

<p>Proposed Official Plan Amendment Schedule "B2" - Commercial Hierarchy Land Use 555 Canal Bank's Dain West Subdivision, Welland ON</p> <p>Source: Armstrong Planning & Project Management, City of Welland Official Plan</p>	<p>Date: Sep 3, 2020</p>	
<p>armstrong planning project management</p>		

APPENDIX C

Draft Zoning By-law Amendment

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 ST. CLAIR DRIVE, WEST OF CANADIAN NATIONAL RAILWAY AND EAST OF CANAL BANK STREET.

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

AND WHEREAS the said By-law 2017-117, 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, as amended, be and the same is hereby amended as follows:

That Part of Lots 21, 22 and 23, Concession 5, Part of the Road Allowance between Lots 22 and 23, Concession 5 (Closed by By-law 855, INST No. HU8243) Geographic Township of Humberstone, City of Welland, shown on Schedule “A” attached hereto as “Change to RL2” is hereby re-zoned as **RL2-XX Zone**, “Change to CC2” is hereby re-zoned to **CC2-XX Zone**, “ Change to H-INS1” is hereby re-zoned to **H-INS1-XX**, “Change to OS1” is hereby re-zoned to OS1 and “Change to OS2” is here by re-zoned to OS2.

2. Schedule “B”, RL2-**XX** be added as Special Exception No. **XX** to By-law 2017-117, as amended, as follows:
 - 1) Uses permitted in the Residential Low Density RL2-**XX** Zone are as set out in By-law 2017-17, as amended, subject to the Zoning Provisions in Table 1 forming part of this By-law;
- 2) Notwithstanding Regulations for Residential Zones as listed in Table 7.3.1 of By-law 201-17, as amended, the following provisions apply:

Zoning Provisions Table 1

The provisions of the **RL2-XX** Zone shall be those provided in the Zoning Provisions Table below:

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-XX									
Single Detached, 8.0m (min) – Through-Lot	180 m ²	8.0 m	2.0m (5)	0.6m and 1.2m (4)	1.0m	4.5m and 6.0m (1)	13.5m (3)	NA	NA
Single Detached, 8.0m (min)	220 m ²	8.0 m	4.5m and 6.0m (1)	0.6m and 1.2m (4)	1.0m	6.0m	13.0m (3)	50%	20%
Single Detached 10.0m (min)	275 m ²	10.0 m	4.5m and 6.0m (1)	0.6m and 1.2m (4)	1.0m	6.0m	13.0m (3)	50%	20%
Semi-Detached	300 m ² for each dwelling and 150 m ² for each unit	11.0m for each dwelling and 5.5m for each unit	4.5m and 6.0m (1)	1.0m (2)	1.0m	6.0m	13.0m (3)	50%	20%
Street Townhouse	NA	5.5m for each unit	3.5m and 6.0m (1)	1.0m (2)	1.0m	6.0m	13.0m (3)	60%	20%

Notes:

- (1) 6.0m to the 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 0.6m on one side and minimum of 1.2 m on the other side;
- (5) The “Front Yard” of a through-lot abuts Canal Bank Street.

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- 3) All other general provision of By-law 2017-117, as amended, shall apply save and except for the following:
- a. Notwithstanding Section 4, “Landscaping”, 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 4, “Lot Line, Front” for any through lot abutting Canal Bank Street the front lot line shall be Canal Bank Street.
 - c. Notwithstanding Section 5.10.5 Decks, Porches, Steps
 - i. For Detached Dwelling, Two-Unit Dwelling and Street Townhouse, 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.
 - ii. For Detached Dwelling, Two-Unit Dwelling and Street Townhouse, Decks may project a maximum of 3.75 metres into the required rear yard.
 - iii. For a Detached Dwelling, Two-Unit Dwelling and Street Townhouse, open or roofed decks, including rooftop decks, may be located on the first, second and/or third floor;
 - iv. For a Detached Dwelling, Through-Lot, open or roofed porches and stairs may project 1.5 metres into any required front or exterior side yard and 3.75 metres into any rear yard.
 - v. For a Detached Dwelling Through-lot, open or roofed decks, including rooftop decks, may be located on the first and/or second and/or third floor.
 - vi. For a Detached Dwelling-Rear Lane, decks may project a maximum of 3.75 metres into any rear yard.

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- d. Notwithstanding Section 5.12.2
 - i. Privacy Screens are permitted on decks and balconies for single-detached and single-detached through-lot dwellings subject to the following regulations:
 - 1. Maximum Height from platform: 2.0 metres
 - 2. Setback from a street: 2.0 metres
 - 3. Setback from a Side Lot Line: 0.6 metres and 1.2 metres (a minimum of 0.6m on one side and minimum of 1.2m on the other side)
 - 4. Setback from a Rear Lot Line: 1.0 metre

- e. Notwithstanding Section 6.1.6 Parking Space Dimensions Section 6.16 b) shall not apply.

- f. Notwithstanding Section 6.9.1 Residential Parking Requirements, Single Detached, Single Detached Through-Lot, Two-Unit dwellings the following shall apply:
 - i. 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.
 - ii. Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space.

- g. Notwithstanding Section 6.9.2 Residential Parking Requirements, Street Townhouse Dwellings the following shall apply:
 - i. 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.
 - ii. Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space.

- h. The maximum number of dwelling units per block are as identified on the draft approved plan of subdivision; the total number of new lots within the subdivision shall not exceed 870 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 and does not include any commercial or residential lots to be created within the mixed-use block].

3. Schedule "B", XX. CC2-XX, of By-law 2017-117, as amended, be added as a Special Exception No. XX as follows:

- 1) In addition to the uses permitted in the Community Commercial Corridor as outlined by Table 8.2.1 (Permitted Uses in Commercial Zones) in By-law 2017-117, as amended, the following uses shall also be permitted: Supermarket, Retail Centre, Retirement Home, Hotel, Assembly Hall, Research & Development Establishment, Art Gallery, Commercial Parking Lot, Parking Structure or Garage, and Street Townhouses as set out in the Zoning Provisions Table 2 forming part of this by-law.

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Zoning Provisions Table 2

The provisions of the **CC2-XX** Zone shall be those provided in the Zoning Provisions Table below:

Column 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col.11	Col.12
Zone Uses	Lot Area (min)	Lot Frontage (min)	Front Yard (min and max)	Side Yard Interior (min)	Side Yard Exterior (min and max)	Rear Yard (min)	Building Height (max)	Gross Floor Area (max) (1)	Landscaped Area (min)	Lot Coverage (max)
CC2-XX										
CC2-XX	NA	NA	0.0 m and 3.0 m (2)	0 m (3)	3.0 m and NA	3.0 m	24.0 m (4)	NA	15%	NA

- (1) For all permitted Commercial uses on a lot;
- (2) Maximum front yard for a residential front yard for a residential use is 10 metres
- (3) 4.5m for any non-residential use abutting a lot in any Residential or Institutional Zone; 1.2m for any residential use abutting a lot in any Residential or Institutional Zone.
- (4) 8 storeys

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- 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”, 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 not include a walkway.
 - b. Notwithstanding Section 4, “Lot Line, Front” for any lot abutting Canal Bank Street means Canal Bank Street.
 - c. Notwithstanding Section 5.4 Apartment Units in Commercial and Mixed-Use Zones, Apartment unit(s) may be located on the first storey of a residential, commercial or mixed-use building.
 - d. Notwithstanding Section 6.1.6 Parking Space Dimensions Section 6.1.6 b) shall not apply.
 - e. Notwithstanding Section 6.9.2 Residential Parking Requirements, Street Townhouse Dwellings the following shall apply:
 - i. 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.
 - ii. Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space.
 - f. Notwithstanding Section 6.9.3 Residential Parking Requirements, Multiple Dwellings and Apartments, the following shall apply:
 - i. Parking may be provided between the façade and front lot line for Dwelling Maisonette/Back-to-Back, Dwelling Multiple, Dwelling Stacked Townhouse, Dwelling, and Townhouse.
 - ii. 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.
 - iii. Stairs, to a maximum of 3 risers, shall be permitted to encroach into this parking space.

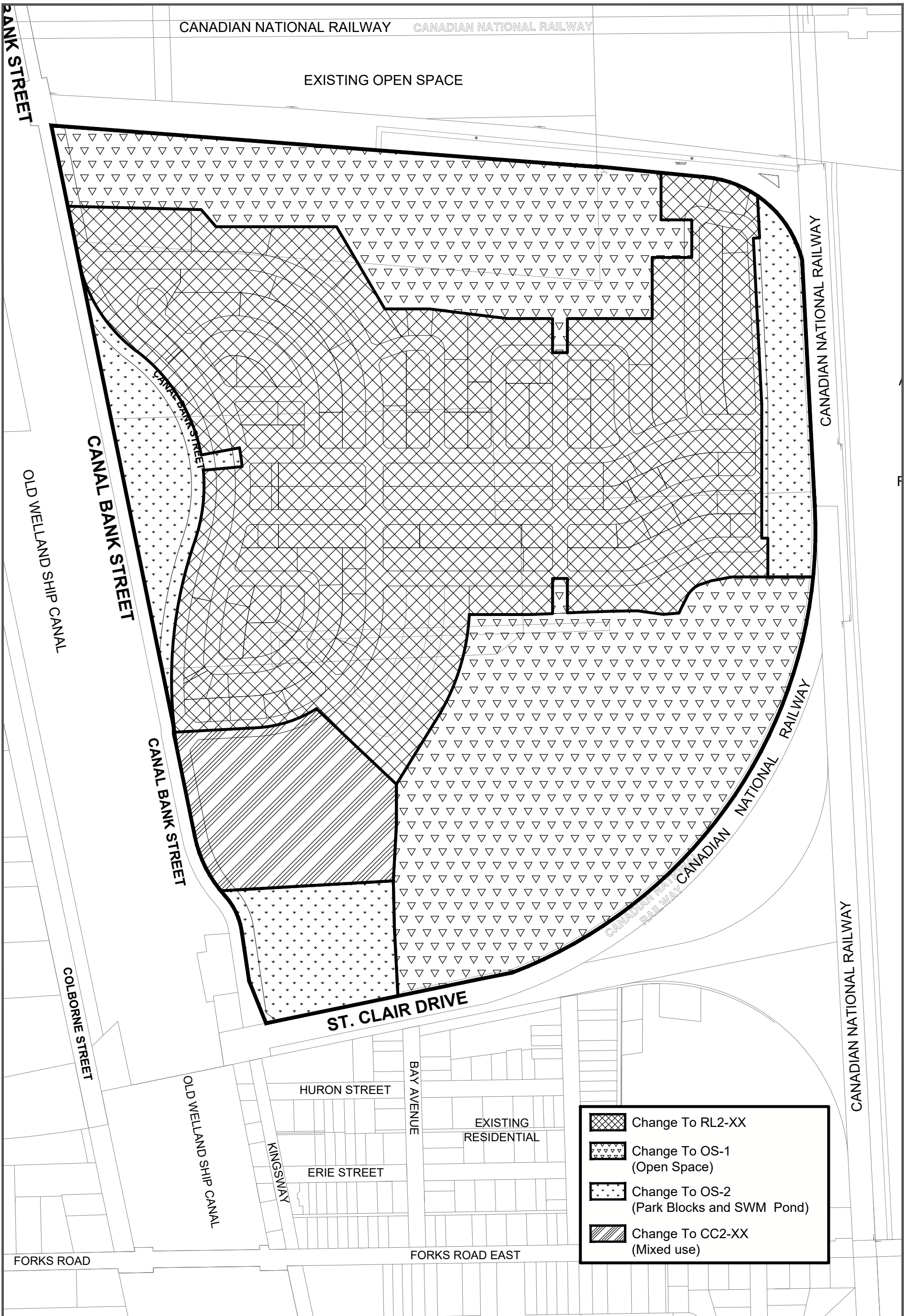
5. This By-law shall become effective upon approval of Official Plan Amendment No. XXX.

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 West Subdivision, Welland ON

Date:
Sep 3, 2020



armstrong
planning | project management