

Planning Justification Report
ZONING BY-LAW AMENDMENT

694-698 Niagara Street

City of Welland

Revised January 2026

Upper Canada Consultants
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UCC File No. 25031

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PREFACE

Upper Canada Consultants has been retained by 1000044827 Ontario Inc. to prepare a Planning Justification Report in Relation to an application for Zoning By-law Amendment for the lands municipally known as 694-698 Niagara Street in the City of Welland. The subject lands are legally known as LT 44 PL M79; S/T BB92143, LT17423; WELLAND and PT TWP LT 239 THOROLD, AS IN RO431029; S/T BB92143, RO192898 WELLAND.

An application for Zoning By-law Amendment has been prepared to facilitate the development of a 7-Storey residential apartment building. The building proposes 6-storeys of residential units, totaling 217 units, with parking facilities located on the first floor of the building.

The proposed Zoning By-law amendment seeks to rezone the lands from Single-Detached Dwelling – First Density Zone (R1) of City of Welland Zoning By-law 2667 to Residential High Density (RH) under the City of Welland Zoning By-law 2017-117.

This Planning Justification Report provides an analysis of how the application satisfies the requirements of the *Planning Act*, are consistent with the Provincial Planning Statement (2024), and conform to the Niagara Official Plan (2022), and City of Welland Official Plan (as amended).

This report should be read in conjunction with the following materials:

- Preliminary Site Plan prepared by Brouwer Architecture Inc.
- Floor Plans, Building Elevations, Building Perspectives, and Parking Garage Floor Plan prepared by Brouwer Architecture Inc.
- Shadow Study and Visual Angular Plane Study prepared by Brouwer Architecture Inc.
- Draft Zoning By-law Amendment prepared by Upper Canada Consultants
- Functional Servicing Report and Stormwater Management Plan prepared by Upper Canada Consultants
- Transportation Assessment by Paradigm Transportation Solutions Limited
- Environmental Impact Study Memo prepared by Myler Ecological Consulting
- Pedestrian Level Wind Study prepared by Gradient Wind Engineering Inc.

Future Applications

Future development applications include;

Site Plan Control

An application for Site Plan Approval will be required to be made to the City of Welland prior to issuance of a building permit.

DESCRIPTION AND LOCATION OF SUBJECT LANDS

The Zoning By-law amendment pertains to the lands known municipally as 694-698 Niagara Street in the City of Welland. The lands are within the City of Welland Urban Area Boundary and identified as being within the Built Up Area of the City of Welland and within an Intensification Area as identified on Schedule A of the City of Welland Official Plan. The lands are also designated as High Density Residential under Schedule B of the City of Welland Official Plan. The lands are currently zoned Single-Detached Dwelling – First Density Zone (R1) under City of Welland Zoning By-law 2667.

An aerial image displaying the subject lands is provided below as **Figure 1**.

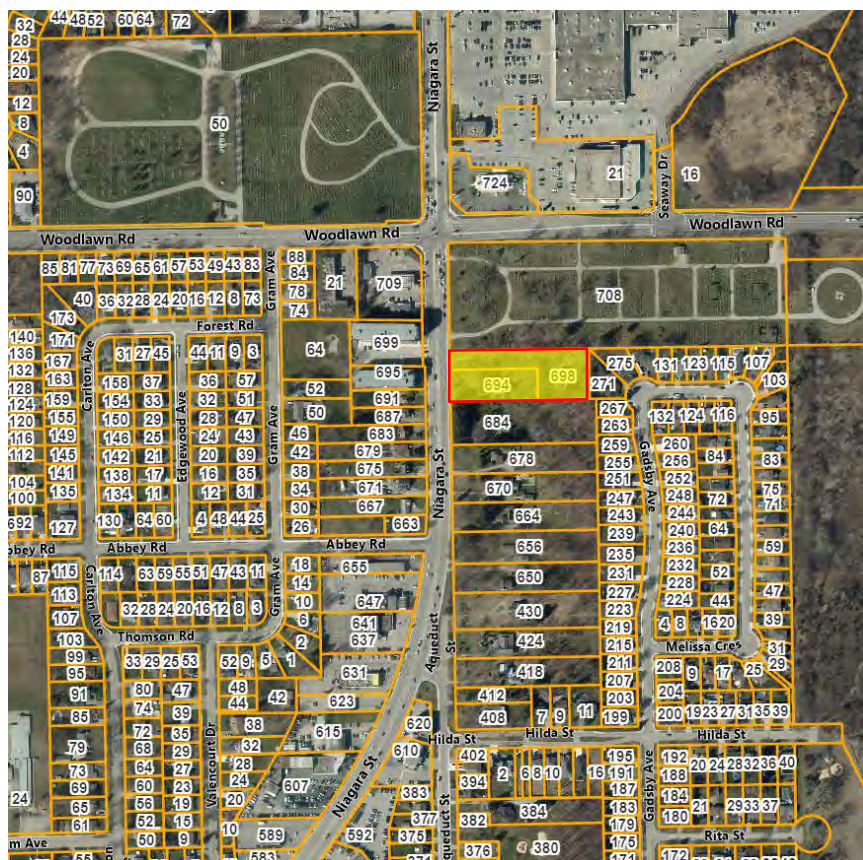


Figure 1 – Aerial View of Subject Lands

Location of Subject Lands and Property Context

The subject lands are located south of the Woodlawn Road and Niagara Street intersection. The subject lands measure 7,705 square metres (0.7705 hectares) in area. The lands contain a frontage of 53.19 metres along Niagara Regional Road 50, known as Niagara Street in the City of Welland.

The subject lands contain two properties purchased by the same owner. Both 694 Niagara Street and 698 Niagara Street currently each contain a single detached dwelling.

Adjacent Lands

Existing and approved/proposed land uses adjacent to the subject lands include:

- North:** Woodlawn Cemetery, Seaway Mall, and commercial uses and higher density residential uses.
- South:** A single-detached dwelling and a proposed mixed-use development containing 879 dwelling units comprised of buildings reaching 16 storeys in height. It is noted that the development applications to the south have recently been denied by City Council and it is anticipated that the decision will be appealed to the Ontario Land Tribunal (OLT).
- East:** Single-detached residential dwellings.
- West:** A 7-storey and a 5-storey residential apartment buildings, and single-detached dwellings.

Niagara Street in this area is best characterized as a redeveloping high-density residential and commercial corridor. The area has been experiencing intensification through redevelopment of underutilized lands and is in a stage of transition. There are also proposed developments facilitating intensification and higher density land uses to the north and south of the site. An aerial image of the subject lands, surrounding land uses and area that have approved and/or active development applications is displayed below in **Figure 2**.



Figure 2 – Surrounding Land Uses

Transportation Systems

The subject lands are accessible by private vehicle and active transportation via Niagara Street (Regional Road #50), a 5-lane Regional arterial road. Niagara Street contains sidewalks on both sides of the street that make the site easily accessible to pedestrians. Also 120 metres to the north is Woodlawn Road, (Regional Road #41), a 4-lane Regional arterial road.

The subject lands within close proximity to Niagara Regional Transit (NRT) Routes #508 and #509 and transit hubs located at the Seaway Mall and Niagara College. NRT Route#70 and #75 provide connections between Welland and the City of St. Catharines with stops at Seaway Mall, Niagara College, Brock University, the Pen Centre, and downtown St. Catharines, Routes #60 and #65 provide connections between Welland and the City of Niagara Falls with stops at Niagara College, the Welland Bus Terminal, Schisler and Montrose Road, Kalar Road and

Lundy's Lane, the Canadian Drive hub, Montrose Road and Lundy's Lane and the Dorchester and Morrison Road hub in Niagara Falls, while Routes #508 and #509 provide connections within the City of Welland. The Seaway Mall hub is located approximately 400 metres north of the subject lands and the Niagara College hub is located approximately 1 kilometre to the west. NRT Route #509 features a stop approximately 150 metres south of the subject property at the intersection of Abbey Road and Niagara Street. All of the stops are easily accessible by foot from the subject lands and can service the residents of the proposed development.

The subject property is also located approximately 2.5 kilometres west of the access ramp on Woodlawn Road onto Ontario Highway #406. This highway is a key transportation route linking Welland and St. Catharines, as well as providing a connection to the Queen Elizabeth Way.

Natural Heritage and Hazards

A pre-consultation meeting was hosted by the City of Welland on May 1st, 2025 between the applicant, City staff, and external agencies to discuss and provide commentary on the proposed development. Through this review, the Niagara Peninsula Conservation Authority (NPCA) provided comments that there was an NPCA regulated watercourse and an associated 15 metre buffer area, and potential unevaluated wetlands. The NPCA stated that, regarding the watercourse, the NPCA can entertain a proposed realignment of the watercourse, provided the NPCA policies are met. The NPCA also required a site visit from their staff to determine the presence or absence of the potential wetland.

A site visit was conducted with NPCA staff, City of Welland staff, the applicant, and the applicant's environmental consultant, Myler Ecological Consulting (Myler). The site visit confirmed that there were no wetlands on the subject lands, and that the NPCA had no concerns with the entombment and realignment of the watercourse, provided that a Technical Memo was provided for review to address NPCA policy. Myler Ecological Consulting prepared an Environmental Impact Study Memo, with the Technical component addressing NPCA comments contained within, to accompany this submission, and the memo is attached as **Appendix III.**

In addition to addressing the NPCA comments, regarding the entombment of the watercourse, Myler has provided the EIS Memo to satisfy City of Welland staff that there are no environmental features on the site that will be impacted by the proposed development, to determine natural heritage policy conformity, and to determine how environmental features on other lands within the area differ and are separate from the subject lands.

Myler's Environmental Impact Study Memo concluded that:

- The existing watercourse on the subject lands exhibited ephemeral/intermittent flow and was observed as dry without flow or standing water at the time of site visits and contained manicured lawn vegetation and no aquatic vegetation or habitat and no amphibians, reptiles or other wildlife dependent on aquatic habitat. It was noted that the watercourse discharges directly to a municipal storm sewer. Further it was also noted that upstream of the subject lands extensive enclosure of the watercourse is also proposed. The NPCA policy compliance assessment supported the enclosure of the watercourse.
- There are no NPCA-regulated wetlands on the site;
- There are no natural heritage features on the site;
- There are no White Wood Aster species at risk on the site;
- There is a separation between the subject lands, and the proposed development at 418, 424, 430 Aqueduct Street and 650, 656, 664, 670, and 678 Niagara Street. The separation includes 46 metres of a manicured lawn and, as such, the environmental features identified in the Scoped Environmental Impact Statement, prepared by R.J. Burnside and Associates Limited for the proposed development at Aqueduct and Niagara Street, are separate and not present on the subject lands at 694 and 698 Niagara Street;
- The anticipated tree removal to allow residential development of the site is not subject to the Regional Woodland By-law; and
- Since no natural heritage features occur on the subject lands and the lands are separated by 46 metres from other natural heritage features found in proximity to the subject lands the natural heritage policies of the City of Welland and Region of Niagara Official Plans are not triggered or contravened by the proposed development of the site.

As such, there are no significant natural heritage features on the subject lands.

Parks and Open Spaces

There are many parks within a short distance from the subject lands including;

- Gram Avenue Park (~175 metres west)
- Aqueduct Park (~450 metres south)

- Jennifer Park (~500 metres southeast)

Additionally, the subject lands are located approximately 700 metres west of the Welland Recreational Waterway Trail system. The Welland Recreational Waterway features pedestrian walking and cycling infrastructure, natural views and water related recreational activities.

PROPOSED DEVELOPMENT

The applicant is proposing to construct a 7-storey apartment building containing 6 floors of residential apartments totaling 217 units. The proposed building will feature an at-grade parking garage containing 58 standard parking spaces and 2 barrier free parking stalls, and 84 standard surface parking spaces plus 1 surface barrier free parking space, a total of 145 parking spaces. A conceptual Site Plan of the subject lands is included below as **Figure 3**, and attached as **Appendix I**.

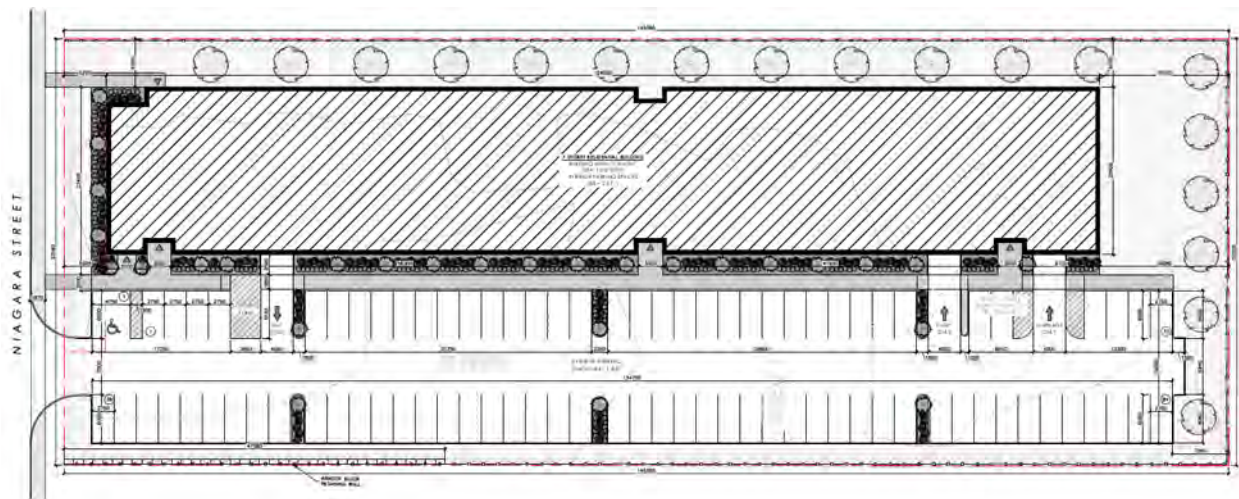


Figure 3 – Conceptual Site Plan

The proposed building elevations and renderings are displayed in **Figures 4 to 7**, below.

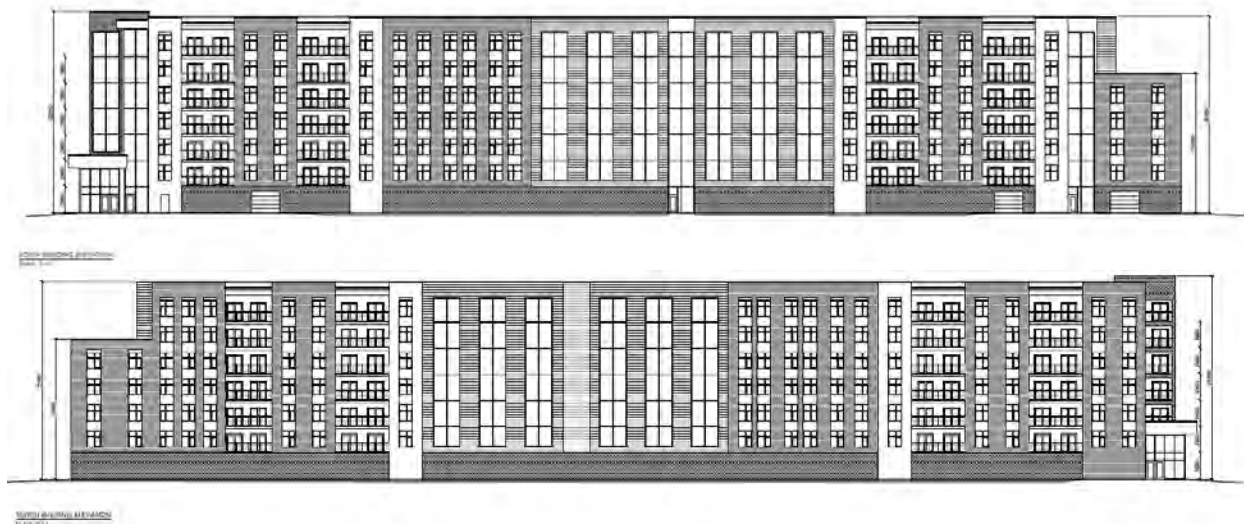


Figure 4 - North Building Elevation



Figure 5 - Building Aerial Perspective



Figure 6 – Front Entry Perspectives



Figure 7 – Front Entry Perspectives

REQUIRED APPLICATIONS

A meeting was held on May 1, 2025 for the purposes of pre-consulting with the City of Welland, Niagara Region and external agencies regarding the proposed development. The purpose of this meeting is to outline the required applications, and supporting plans and documents that are required to facilitate the proposed development.

As outlined by the City of Welland Planning Division, a Zoning By-law Amendment is required to rezone the lands to permit the proposed development.

The pre-consultation outlined the studies and plans that are required for a complete application for Zoning By-law Amendment. These requirements include:

- Planning Justification Report
- Conceptual Site Plan
- Draft Zoning By-law Amendment
- Functional Servicing Report
- Stormwater Management Report
- Shadow Analysis
- Transportation Impact Study
- Wind Study
- Environmental Impact Study Memo

A copy of the pre-consultation agreement is included as **Appendix VI** to this report.

Zoning By-law Amendment

The Zoning By-law Amendment Application has been submitted to rezone the lands from Single Detached Dwelling – First Density Zone (R1) in City of Welland Zoning By-law 2667 to Residential High Density (RH) in City of Welland Zoning By-law 2017-117. This rezoning is necessary to permit the use of an apartment building and to align with the City of Welland Official Plan which designates the lands as High Density Residential.

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

Future Applications

Future applications include an application for Site Plan Control.

RELATED STUDIES AND REPORTS

Functional Servicing/Stormwater Management Report

Upper Canada Consultants has prepared a Functional Servicing and Stormwater Management Report to support the Zoning By-law Amendment Application. The report outlines how the proposed development will be serviced with water, sanitary, and stormwater infrastructure.

Regarding water and sanitary infrastructure, the Functional Servicing Report found that the existing municipal watermain system is expected to have adequate capacity to provide both domestic and fire protection water supply, and the existing sanitary sewer on Regional Road 50 (Niagara Street) is expected to have adequate capacity for the proposed development.

Regarding stormwater management, the report found outlines that quantity controls will be provided by the on-site storm sewer system, and will control the 5 and 100 year storm events to existing levels, and that quality controls will be provided by a Hydroworks Oil/Grit separator to MECP Enhanced protection (80% TSS Removal). The existing watercourse that traverse the front portion of the 694 Niagara Street property will be redirected through pipes and will outlet in the existing 450mm diameter storm pipe located at the northwest corner of 694 Niagara Street which outlets to an existing 1350mm diameter storm sewer on Niagara Street.

An existing sanitary sewer easement traverses the western portion of the lands will need to be realigned to accommodate the proposed development. This realignment can be addressed through the future site plan application and approval process.

Shadow Analysis

A Shadow Analysis was prepared by Brouwer Architecture Inc. to determine the effect the proposed development may have regarding shadowing of the neighbouring properties. The shadow analysis is provided as **Appendix IV**, below.

The analysis displays renderings of the shadows that will be casted as a result of the proposed development at the times of 10:00am, 1:00pm, and 6:00pm on the dates of April 21, June 21, September 21, and December 21, to determine the impact of shadowing throughout the year. The shadow study found that during the spring and summer months, from April 21 to September 21, the surrounding parcels of land will receive at least 6 hours of sunlight which will not be impeded by the proposed development.

During the winter months, from December 21 to April 21, when the shadows are the longest, a small portion of the land to the north being a cemetery will be in shadow for the majority of the

day while the remaining portion of the lands and the surrounding parcels will receive at least 6 hours of sunlight between the hours of 10:00am and 6:00pm.

The proposed development will not cause significant shadowing impacts on adjacent land uses.

Visual Angular Plane Study

Brouwer Architecture Inc. has completed a review of the proposed building's angular plane. An angular plane analysis is completed to evaluate the visual and physical relationship between a proposed development and its surrounding land uses. The analysis is displayed through illustrations of a 45 degree line extending from the property lines of adjacent land uses to the building. Generally, no windows should be located above the 45 degree angular plane in order to preserve the privacy of adjacent uses, and mitigate massing impacts.

As shown in the submitted Visual Angular Plane Study, included as **Appendix V**, the proposed buildings angular plane, outlined in blue, the proposed building is within the acceptable angular plane from both the east and south property lines, which contain lower density land uses. There are no windows or balconies proposed in locations that exceed the allowable angular plane. It is noted that the rear of the building does contain a step back for the top 2 stories which ensures that a positive angular plane condition can be met.

Transportation Assessment

Paradigm Transportation Solutions Limited has prepared a Transportation Assessment to understand how the additional traffic generated by the proposed development may impact the surrounding road network. The Transportation Assessment included a review of the major intersections in the area including Niagara Street at Woodlawn Road and Thorold Road, both of which are already experiencing congestion and are expected to operate at high levels of delay during commuter peak times in the future, even without the development.

The assessment found that the development is forecast to have minimal impact on the study area road system and intersections. The development's traffic adds minimal delay, less than five seconds per movement at nearby intersections and is not seen as the primary cause of future congestion.

The Transportation Assessment suggested potential mitigation measures that the Region of Niagara and City of Welland may wish to explore, including dual left turn and exclusive right turn lanes at key intersections, however it is noted that physical space limitation may restrict their implementation and further review and evaluation by the Region of Niagara would be required to confirm the feasibility of these potential improvements.

The study concludes that the proposed development is not expected to worsen local traffic

conditions significantly, and can therefore proceed.

Environmental Impact Study Memo

As discussed in the report above, Myler Ecological Consulting has prepared Environmental Impact Study Memorandum to address possible concerns from the NPCA and the Niagara Region regarding potential unevaluated wetlands, realignment of a watercourse, and the potential of other woodlands, as defined by the Niagara Region, on the property, and concern from City of Welland staff regarding the potential of environmental features on the subject lands

A site visit was conducted on July 30th, 2025 and attended by Upper Canada Consultants, Myler Ecological Consulting, and NPCA staff to inspect and determine the presence or absence of potential wetlands, view the watercourse that is to be realigned and enclosed, and to gather information on the vegetation to determine if the vegetation met the criteria for a Woodland as outlined in the Niagara Region's Woodland By-law.

As a result of the site visit, the NPCA were able to confirm there were no wetlands on the property, and that the NPCA had no concerns with the entombment and realignment of the watercourse, provided that a Technical Memo was provided to address NPCA policies. The Memo provided a compliance assessment of the NPCA policies and found that the enclosure/entombment of the watercourse is supported subject to detailed design and obtaining a work permit approval from the NPCA.

Through this EIS Memo, Myler was able to determine that there were no NPCA-regulated wetlands on the site, and that the enclosure of the NPCA-regulated watercourse was necessary to allow the residential development of the site to be undertaken in accordance with NPCA policies. Furthermore, Myler determined, through site observations, and review of the Regional Woodland By-law, that the vegetation on the site did not meet the criteria of a woodland, and the anticipated tree removal to facilitate the development is not subject to the Regional Woodland By-law. Additionally, there is a separation of 46 metres containing a manicured lawn between the subject lands and the proposed development at 418, 424, 430 Aqueduct Street and 650, 656, 664, 670, and 678 Niagara Street. While environmental features were identified in the Scoped Environmental Impact Statement, prepared by R.J. Burnside and Associates Limited for the proposed neighboring development, these features are separate and not present on the subject lands at 694 and 698 Niagara Street. Further, there were no species at risk, including White Wood Aster, and no natural heritage features present on the lands at 694 and 698 Niagara Street.

As such, there are no significant natural heritage features on the subject lands.

The recommended mitigation measures outlined in the EIS Memo include the implementation of temporary erosion and sedimentation measures to avoid intermittent flow, and the timing of tree and shrub removal to be conducted between October and March to avoid local bird

nesting and bat roosting season.

Pedestrian Level Wind Study

Gradient Wind completed a Pedestrian Level Wind Study to determine the impact that the proposed development may have on wind comfort conditions and wind safety. Gradient Wind provides simulations of wind speeds for 16 wind directions in a three-dimensional computer model using the computational fluid dynamics technique, combined with meteorological data integration to assess wind comfort and safety conditions of the existing conditions, and proposed development conditions.

To be cognizant of the changing landscape along Niagara Street, and the proposed high density development located at 650, 656, 664, 670, 678 Niagara Street and 418, 424 and 430 Aqueduct Street, to the south of the subject lands, multiple scenarios were modelled. The study contains simulations that include the proposed development to the south of the subject lands, simulations without the proposed development, and simulations of existing conditions, for context.

The simulations, and report produced by Gradient Wind determined that all grade-level areas within and surrounding the subject site are predicted to experience acceptable conditions for pedestrian use throughout the year prior to and following the future buildout. Public sidewalks, Woodlawn Cemetery, neighbouring surface parking lots and drive aisles, the proposed drive aisle, surface parking and walkways, and areas within the vicinity of building access points are considered acceptable.

PROVINCIAL LEGISLATION

Development applications within the City of Welland are subject to the Ontario *Planning Act* (R.S.O. 1990), and the Provincial Planning Statement (2024). Justification for how the proposed applications align with the applicable Provincial legislation and policies is provided below.

PLANNING ACT (R.S.O. 1990)

The *Planning Act* is provincial legislation that outlines policies for land use planning in Ontario. The Act prescribes matters of provincial interest in which planning authorities shall have regard for when evaluating development applications.

Section 2 – Matters of Provincial Interest

Section 2 of the *Planning Act* outlines matters of provincial interest. They are as follows:

- a) the protection of ecological systems, including natural areas, features and functions;
- b) the protection of the agricultural resources of the Province;
- c) the conservation and management of natural resources and the mineral resource base;
- d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- e) the supply, efficient use and conservation of energy and water;
- f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) the minimization of waste;
- h) the orderly development of safe and healthy communities;
 - h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
- i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- j) the adequate provision of a full range of housing, including affordable housing;
- k) the adequate provision of employment opportunities;
- l) the protection of the financial and economic well-being of the Province and its

municipalities;

- m) the co-ordination of planning activities of public bodies;
- n) the resolution of planning conflicts involving public and private interests;
- o) the protection of public health and safety;
- p) the appropriate location of growth and development;
- q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- r) the promotion of built form that,
 - i) is well-designed,
 - ii) encourages a sense of place, and
 - iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- s) the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.

The proposed development has regard for provincial interest items e), f), h), h.1), i), j), l), p), q), and r).

e) the supply, efficient use and conservation of energy and water;

The proposed development will efficiently make use of existing municipal water services. As displayed in the Functional Servicing Report, prepared by Upper Canada Consultants, the existing watermain system has adequate capacity to provide the development with domestic and fire protection water supply. It is also noted that higher density developments such as apartment type buildings tend to be more energy efficient than conventional low-density residential uses.

f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

The proposed development will make use of existing infrastructure including roads, watermain, sanitary sewer, and storm sewer. As noted, the existing municipal watermain system has sufficient capacity to support the development. Further, the

existing sanitary sewer system has adequate capacity to service the proposed building, and stormwater flows will be controlled for quality and quantity and discharged into the existing storm sewer along Niagara Street. Further the lands are serviced with existing utilities and communication services and the proposed development will provide for an efficient use of these services as well.

h) the orderly development of safe and healthy communities;

The subject lands are designated for high density residential development. The proposal will facilitate 217 new residential apartment dwelling units on an underutilized parcel of land consistent with the Official Plan designation for the lands and the planned intended use providing for the orderly development of this area of Niagara Street corridor.

Recently two apartment buildings across the street to the west of the subject lands have been developed, and proposed mixed-use high-rise buildings are planned to the south on lands that are also designated for high density residential use.

The proposed development will provide for an additional 217 apartment dwelling units within the area that is planned for high density residential use and contribute to a greater mix of housing options within the City of Welland and an overall supply of housing. This will assist in facilitating the development of safe and healthy communities.

The subject lands front on a street with sidewalks servicing the development and is located within walking distance to commercial area to the north, south and east, and to Niagara College to the west. The subject lands are also within the vicinity of NRT routes that residents of the development can access. Being located in close proximity to facilities that meet the daily needs of the residents of the proposed development will promote walkability and opportunities for active transportation which contribute to the development of healthy communities.

h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

The proposed site will feature barrier free parking spaces located next to principal entrances to the building. Barrier free space #1 is located next to the principal entrance at the front of the building and barrier free spaces #2 and #3 are located within the at-grade parking garages immediately next to the elevators. In addition, a certain percentage of the units will be designed to be barrier free in accordance with the requirements of the Ontario Building Code. The proposed development will accommodate persons with disabilities.

- i) *The adequate provision and distribution of educational, health, social, cultural and recreational facilities.*

Within the City of Welland are a number of educational, health, social, cultural and recreational facilities that can support the future residents of the proposed development. In particular, the subject lands are located near several schools including:

- Glendale Public School (~480 metres west);
- Niagara College (~1 kilometre west);
- St. Kevin Catholic Elementary School (~1.15 kilometres south);
- Notre Dame College School (~1.15 kilometres south)
- Ecole Secondaire Catholique Saint-Jean-de-Brebeuf (~1.15 kilometres to the east)

The subject lands are located near several parks and recreational facilities including:

- Gram Avenue Park (~175 metres West);
- Aqueduct Park (~450 metres south);
- Jennifer Park (~500 metres southeast)
- Youngs Sport Complex (~1.5 km to the east)
- Welland Recreational Trail and Waterway (~780 meters to the east)

The subject lands are also located within close proximity to several health and social uses including:

- Shopping Mall (~300 metres north);
- Walk in Clinic (~300 metres north);
- Pharmacy (~300 metres north);
- Grocery Store (~600 metres north);
- Doctor's Office (~900 metres north)

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

The proposed development contributes to a full range of housing by introducing 217

new apartment dwelling units to the housing stock of the City of Welland including a mix of studio, 1 bedroom, 1 bedroom plus a den and 2 bedroom units that will cater to meeting the needs of a range of types of households at various income levels. The inclusion of a variety of types of apartment dwelling units improves the housing options within the City.

l) the protection of the financial and economic well-being of the Province and its municipalities;

The development will generate development charges and long-term property tax revenue which will support the financial well-being of the Province and its municipalities. In addition, the development is transit supportive the supports the viability of delivering transit services and makes and efficient use of existing infrastructure that supports the economic well-being of the City and Regional governments in the delivery of municipal services and infrastructure.

p) the appropriate location of growth and development;

The subject lands are designated High Density Residential in the City of Welland Official Plan and are located within the urban area of the City of Welland, where growth and development are to be encouraged and where higher density residential development such as apartment uses are intended to locate. The subject lands have access to existing municipal services that the development proposes to connect to.

Furthermore, the subject lands are located within an Intensification Area as outlined in the City of Welland Official Plan Schedule A: City Structure. These areas have been identified by the City of Welland as areas where intensification and redevelopment should occur.

There are similar high-density residential developments located across the street from the subject lands to the west and planned for the area. The Niagara Street corridor is transitioning to a high-density residential corridor and the proposed development will compliment and fit the development vision of the for this corridor.

The subject lands are not constrained by any significant physical, , or geographical features and have access to a Regional Road maintained year-round. Further, the Technical Memorandum prepared by Myler Ecological Consulting demonstrated that the lands are not constrained by any significant natural heritage features. The lands are an 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;

The proposed development is located within close proximity to Niagara Regional Transit (NRT) Routes #508 and #509 that connect with other areas in the City of Welland, Routes 70 and 75 that provide connections to major areas in the City of St. Catharines and Routes #60 and #65 that provide connections to hubs in the City of Niagara Falls. The addition of 217 residential units contributes to the promotion of transit-supportive population densities that can increase ridership on these routes and support the viability of delivering transit services over the long term.

Niagara Street features sidewalks on both sides of the street which can service the development and provide opportunities for walkability and active transportation. Additionally, the lands are located approximately 700 metres west of the Welland Recreational Waterway Trail system which contains pedestrian paths for walking, cycling and active transportation. The addition of 217 new residential units support the active transportation and sidewalk network in the City.

r) the promotion of built form that,

i) is well-designed,

ii) encourages a sense of place, and

iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

The proposed building design exhibits good urban design principles and will provide a positive streetscape along Niagara Street with an enhanced design of the building and lobby facing the frontage of the property. The building features generous setbacks from the east and south property lines, away from existing residential uses. Additionally, there is a step back at the rear of the building to minimize the impact of the building height and ensure appropriate privacy for abutting residential uses and to align with a 45-degree angular plane.

The development will provide for intensification within an Intensification Area, as outlined by the City of Welland Official Plan, in an area that is well serviced by commercial, recreational, educational and transportation uses and infrastructure. This contributes to a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

Section 2.1.6 of the PPS provides policy direction for supporting the achievement of complete communities. Complete communities are places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, public service facilities, local stores and services. Complete communities are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.

Section 2.1.6 outlines that planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

The proposed development supports the achievement of complete communities by contributing to a range and mix of land uses within the area of the subject lands and providing additional housing options in the form of apartment dwellings of various sizes. The development has frontage on a Regional Road and has access to public transportation and active transportation infrastructure. The lands are situated near several schools, parks, commercial and health related uses; the development of the subject lands as proposed and in proximity to these other uses and transit provides opportunities to improve social equity and quality of life for the residents of the development.

Section 2.2 of the PPS outlines policies related to housing within the province. Planning authorities are to provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area. This is to be

achieved by permitting and facilitating:

1. All housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
2. All types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3.

This section also directs planning authorities to promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation. Planning authorities are also to require transit-supportive development and prioritize intensification in proximity to transit.

The proposed development features the redevelopment of residential land used for single detached residential purposes for residential apartment dwelling units. The development will facilitate intensification in the area and contribute to the provision of a range of housing options. The development is supported by a Regional Road containing sidewalks on both sides of the street and Regional Transit supporting the delivery of public transportation options. The 7 storey apartment building facilitate intensification and is a more efficient use of land than the current uses on the subject lands. The proposed development aligns with the housing policies of section 2.2 of the PPS.

Section 2.3 of the PPS provides policy direction for lands within settlement areas. Settlement areas are defined in the PPS as urban areas and rural settlement areas within municipalities. They are comprised of built-up areas where development is concentrated and which have a mix of land uses and lands which have been designated in an official plan for development over the long term. The subject lands are located within the settlement area of Welland.

Section 2.3.1 provides general policies for settlement areas. These areas are to be the focus of growth and development within municipalities. Land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;
- b) Optimize existing and planned infrastructure and public service facilities;
- c) Support active transportation;

- d) Are transit-supportive, as appropriate; and
- e) Are freight-supportive.

Section 2.3.1.3 directs planning authorities to support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Section 2.1.3 also directs planning authorities to establish density targets for intensification and redevelopment within the built-up areas, based on local conditions.

The subject lands are within the settlement area and the built-up area of the City of Welland. The proposed development features an efficient use of land, and residential intensification of underutilized lands that will optimize existing water and wastewater infrastructure available to the lands and nearby public service facilities, support active transportation infrastructure, and represents transit-supportive development. The proposed development will assist in supporting the achievement of complete communities by providing for intensification and contributing to a mix of housing options that differ from traditional grade-oriented housing, and will assist the City of Welland in meeting their intensification targets. The development aligns with Section 2.3 of the PPS.

Chapter 3 – Infrastructure and Facilities

Policy 3.1.2 of the PPS states that before consideration is given to developing new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized and opportunities for adaptive re-use should be considered, wherever feasible. Furthermore, policy 3.6.2 outlines that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety.

The proposed development will align with Chapter 3 of the PPS and the policies relating to infrastructure and facilities. The development will redevelop existing underutilized lands and will facilitate intensification and optimize the use of existing infrastructure and public service facilities including schools and public recreational facilities. The proposed development will be serviced by existing municipal water and wastewater services and aligns with policy 3.6.2 of the PPS.

NIAGARA OFFICIAL PLAN (2022)

The Niagara Official Plan (NOP) serves as the Regional Municipality of Niagara's long-term strategic framework for managing growth and guiding land use planning and development across the region through 2051. The Region of Niagara is now an upper tier municipality without planning responsibilities and the NOP has become an Official Plan of the City of Welland and remains in effect until such a time as the City of Welland adopts a new Official Plan, or amends the plan to provide otherwise. The City of Welland is now responsible for the implementation of the Niagara Official Plan.

Chapter 2 – Growing Region

Chapter 2 of the NOP contains policy direction related to growth within the Niagara Region and population and employment forecasts, intensification targets, and locations and policies for development within the Region and the 12 municipalities. The objective of this chapter is to coordinate regional growth forecasts with land use, transportation, and financial planning.

2.1 – Forecasted Growth

Section 2.1 of the NOP contains the population and employment forecasts for the Niagara Region and each of the local area municipalities. By the year 2051, the Niagara Region is forecasted to have a population of 694,000 people and 272,000 jobs. The City of Welland is forecasted to have a population of 83,000 people and 28,790 jobs by the year 2051.

The proposed development will assist the City of Welland in accommodating this growth by providing 217 new residential units to the housing stock within the City of Welland.

2.2 – Regional Structure

Section 2.2 of the NOP establishes the regional structure that directs forecasted growth to settlement areas. Settlement areas are comprised of urban areas, which include built-up areas, designated greenfield areas, and strategic growth areas, as well as rural settlements.

Section 2.2 also directs most development to occur in urban areas, where municipal water and wastewater systems/services exist or are planned and a range of transportation options can be provided. This section also states that strategically directing growth can be achieved through a balanced mix of built forms in communities within the Niagara Region. These policies contribute to the creation of complete communities.

The objectives of section 2.2 are to:

- a) Manage growth within urban areas;

- b) Accommodate growth through strategic intensification and higher densities;
- c) Protect and enhance the character of rural settlements;
- d) Plan for the orderly implementation of infrastructure and public service facilities; and ensure settlement area expansions support Regional forecasts and growth management objectives; and
- e) Promote transit-supportive development to increase transit usage, decrease greenhouse gas emissions, and support the overall health of the community.

The Niagara Official Plan Schedule B – Regional Structure outlines the urban area designations. As shown below in **Figure 8**, the subject lands are designated Delineated Built-Up Area.

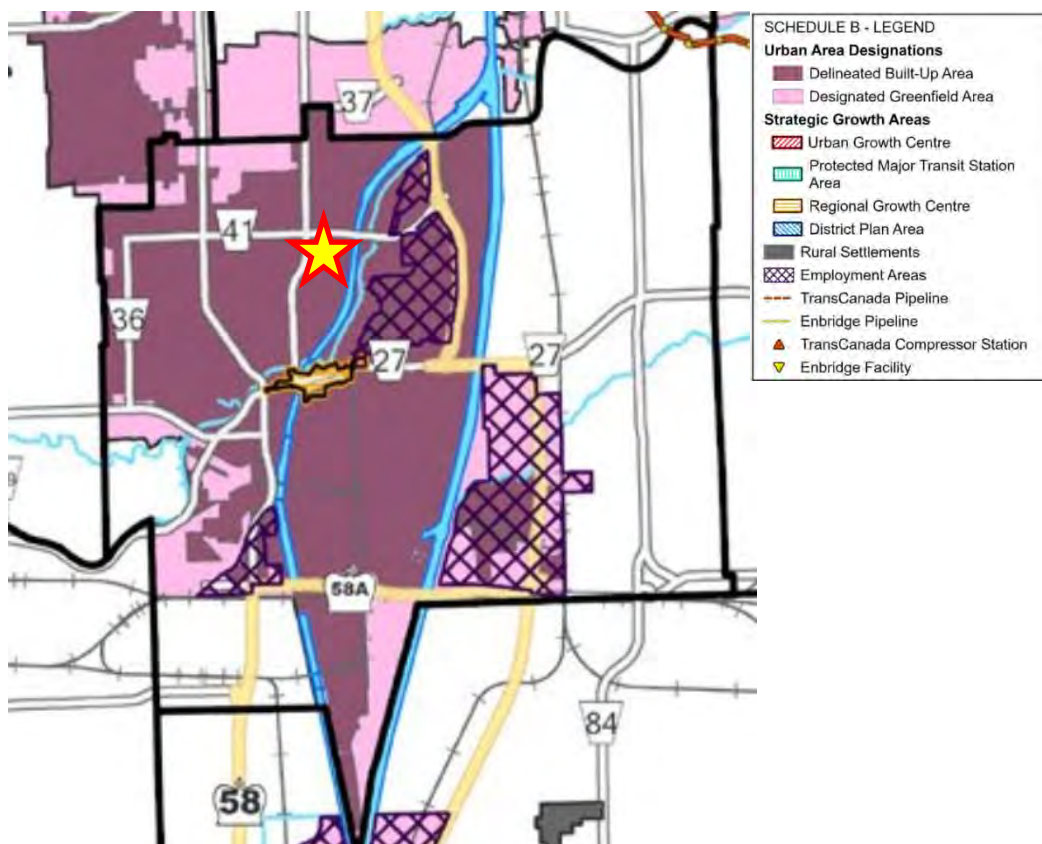


Figure 8 – Niagara Official Plan – Schedule B – Regional Structure

The proposed development features the redevelopment of underutilized lands and accommodates growth through intensification and at a higher density in an area that is planned for intensification and high-density residential uses. The development will be serviced by existing municipal infrastructure. The subject lands are located with convenient access to active and public transportation options and the proposed development has the potential to increase

the use of these options and reduces greenhouse gas emissions.

The lands are designated 'Delineated Built-Up Area' by the NOP. As per section 2.2, this designation is to be the focus of growth and development, and intensification and higher density. Lands with this designation are the appropriate location for development. The proposed development aligns with the policies outlined in section 2.2 of the NOP.

2.2.1 – Managing Urban Growth

Section 2.2.1 of the NOP provides policies for managing urban growth in the Niagara Region. The policies under this section direct how land use patterns and built forms are to be configured to support the achievement of complete communities.

Section 2.2.1.1 b) requires development in urban areas to support a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities.

The proposed development features a compact, high-density built form consisting of 217 apartment dwelling units. The subject lands are located in close proximity to commercial uses, employment uses, recreational uses, and public service facilities. There are active transportation and public transit opportunities in the surrounding area and the proposed development supports the creation of complete communities.

Section 2.2.1.1 c) directs development to support a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs.

The development proposes to introduce 217 new residential apartment dwelling units to the housing stock of the City of Welland. This will contribute to a mix of housing types in an area that contains new apartment building uses and established single-detached neighborhoods. The introduction of the new apartment dwellings will diversify the housing options in the surrounding area. The proposed apartment building has been designed and sited to minimize impacts on the adjacent low-density residential uses.

Section 2.2.1.1 d) directs development to support social equity, public health and safety, and the overall quality of life for people of all ages, abilities and incomes by expanding convenient access to a range of transportation options, including public transit and active transportation, public service facilities, and open spaces, parks, trails and other recreational facilities.

The proposed development aligns with the direction of section 2.2.1.1 d). The subject lands have convenient access to active and public transportation options, public service facilities,

parks, trails, commercial uses, and health related uses which supports social equity, safety and overall improved quality of life for the people that will reside in the proposed development.

Section 2.2.1.1 e) requires development to support built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure to support the financial well-being of the Region and Local Area Municipalities.

The proposed development fronts on to a Regional Road maintained year-round and proposes to connect to existing municipal infrastructure. The design of the site is an efficient use of land and proposes a high-density land use with a compact built form. The proposal aligns with section 2.2.1.1 e).

Policy 2.2.1.1 f) requires that development support opportunities for transit-supportive development.

The subject lands are located along a transit route a short distance from Niagara Regional Transit (NRT) Routes #60, #65, #70, #75, #508 and #509 stops. The addition of 217 residential dwelling units in close proximity to these routes has the potential to increase ridership on these routes and support the delivery of transit services over the long term.

Section 2.2.1.1 g) requires support for opportunities for intensification, including infill development and the redevelopment of brownfield and greyfield sites.

The development proposed is a redevelopment of underutilized lands which supports the intensification of residential use of the lands for 217 new residential apartment dwelling units.

Policy 2.2.1.1 h) encourages opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods.

The subject lands are designated for high-density development by the City of Welland Official Plan and are located in an area with other high-density apartment land uses. The development will assist in providing additional high-density housing options within the city and aligns with the vision for the Niagara Street corridor as an area for intensification and high-density residential development.

Section 2.2.1.1 k) encourages orderly development in accordance with the availability and provision of infrastructure and public service facilities.

The development proposes to connect to existing municipal water and wastewater infrastructure that has capacity to accommodate the development. The subject lands are

situated close to available public transit opportunities, active transportation facilities, and parks and open spaces, commercial, and health-related uses. The proposal aligns with section 2.2.2.1 k) and represents orderly development in an area that is planned to redevelop and intensify for high density residential uses.

2.2.2 – Strategic Intensification and Higher Densities

Section 2.2.2 of the NOP directs forecasted population growth to be accommodated primarily through intensification in built-up areas. This section also implements residential intensification targets for the Built-Up Areas of the Niagara Region and the Local Area Municipalities. **Figure 9** below displays the intensification targets.

Table 2-2 Niagara Region Minimum Residential Intensification Targets by Local Area Municipality 2021-2051

Municipality	Units	Rate
Fort Erie	3,680	50%
Grimsby	4,500	98%
Lincoln	8,895	90%
Niagara Falls	10,100	50%
Niagara-on-the-Lake	1,150	25%
Pelham	1,030	25%
Port Colborne	690	30%
St. Catharines	18,780	95%
Thorold	1,610	25%
Wainfleet	0	0%
Welland	10,440	75%
West Lincoln	1,130	13%
Niagara Region	62,005	60%

Note: Local Area Municipalities may plan for additional *intensification* units and higher *intensification* rates within *built-up areas* than those identified in Table 2-2 for *infrastructure* purposes as it reflects *development* trends and land use permissions at the time of Local conformity.

Figure 9 – Niagara Official Plan Table 2-2 – Niagara Region Minimum Residential Intensification Targets by Local Area Municipality 2021-2051

As displayed in Table 2-2, the City of Welland has an intensification rate of 75% of new residential units to be located within the Built-Up Area of the City of Welland. The Niagara Region has an intensification rate of 60% of new residential units to be located within the Built-Up Areas across the region.

The proposed development would assist the City of Welland and Region of Niagara in meeting the intensification targets outlined under Table 2-2 of the NOP as it would introduce 217 new apartment dwelling units within the Built-Up Area of the City of Welland.

2.3 – Housing

Section 2.3 provides regional policy related to housing to support the achievement of the objectives outlined under this section. These objectives include providing a mix of housing options to address current and future needs, providing more affordable and attainable housing options within Niagara's communities, and planning to achieve affordable housing targets through land use and financial incentive tools. The proposed development increases the housing mix and supply, in particular with apartment type units by providing a range and mix of size of units from studio, 1 bedroom, 1 bedroom with a den and 2 bedroom units which provides for improved housing affordability and attainability.

2.3.1 – Provide a Mix of Housing Options

This section of the NOP provides policies related to intensification and providing for a mix of housing options. Policy 2.3.1.1 encourages the development of a range of mix of densities, lot and unit sizes, and housing types throughout settlement areas to meet housing needs at all stages of life.

Policy 2.3.1.4 encourages new residential development and residential intensification to be planned and designed to mitigate and adapt to the impacts of climate change by facilitating a compact built form and incorporating sustainable housing construction materials or practices, green infrastructure, and low impact development.

The proposed development aligns with the policies of section 2.3.1. The development features residential intensification within the Built-Up Settlement Area of the City of Welland and provides for 217 residential units in a compact built form that utilizes sustainable building materials.

5.2.1 – Infrastructure Planning, Development and Asset Management

Section 5.2.1.3 requires that infrastructure planning shall be aligned with land use planning, infrastructure investment, and watershed planning. As outlined in the Natural Heritage Technical Memo, a site visit was attended by Myler Ecological Consulting and NPCA staff to assess the watercourse that traverses through the subject lands. The Memo determined that the watercourse can be entombed and relocated while still aligning with NPCA policies.

Policy 5.2.1.5 requires that before consideration is given to developing new infrastructure, the Region and Local Area Municipalities shall optimize the use of existing infrastructure.

The proposed development will be serviced by existing municipal water and wastewater services that are available to the subject lands. The existing municipal infrastructure has sufficient capacity to support the proposed development and does not require significant

improvements or expansions to accommodate the proposed development.

5.2.5 – Stormwater Management and the Planning Process

Section 5.2.5.1 requires that all new development and redevelopment in settlement areas must be provided with separate storm drainage systems or separate storm drainage connections. The FSR that has been prepared indicates that an on-site storm sewer system can be provided that will control the 5 and 100 year storm events to existing levels and suitable storm quality controls to the MECP standards will be included in the design. All storm water will be directed to the existing 1350 mm diameter storm sewer in the Niagara Street road allowance.

6.2 – Urban Design

The NOP States that urban design is the practice of making places that are attractive, memorable, and functional. It involves the arrangement, appearance, and relationship between buildings, outdoor spaces, transportation systems, services, and amenities.

From an urban design perspective, the proposed development improves the streetscape and public realm of Niagara Street at this location. Siting the proposed building close to the front lot line provides for a strong urban street edge. An added benefit from placing the building closer to the street line is that it has a traffic calming benefit that aides in slowing the speed of traffic. From a pedestrian perspective, sidewalk connections from the public street are provided to connect the building to the public sidewalk and provide for ease of access to the sidewalk network and pedestrian connectivity.

As shown on the building elevation plans, the front of the building has 2 levels of glazing that allow for permeability and positive engagement with the public realm. The front of the building is then stepped back from the third floor up minimizing the impact of the building height on the public realm and maintaining a pedestrian scale of the development. In addition, adequate spacing is provided in the front yard to accommodate landscaping and foundation plantings along the front of the building that will soften the building and provide for an attractive streetscape.

Also, as shown in the elevations and renderings above, the built form includes a variety of exterior materials, colour, balconies, step backs, windows, and articulation in the plane of the building in order to be more visually appealing, break up the mass of the building, provide interest and to prevent continuous “slab” walls. Landscaping is proposed in all of the yards and the final detailed design of the landscaping will be determined through the Site Plan Control process. A significant portion of the parking is located within the building and the remainder of the parking area is located in the side yard minimizing the impact on the streetscape. The parking area facing the street can also be landscaped to screen it from view.

Overall, the siting of the proposed building, relationship with the street, location of the parking areas, pedestrian connectivity and scale, and building design are positive from an urban design perspective and contribute to a pleasing development.

Section 6.2.1.8. b) states that the Region shall promote community design that:

- i. Offers a range of transportation options, including public transit and active transportation;
- ii. Respects the complete streets approach by creating safe and attractive interconnected streets; and
- iii. Encourages a mix of land uses, a vibrant public realm and compact built form.

The proposed development aligns with the community design policies of section 6.2.1.8 b). The subject lands are located along a public transit route and active transportation infrastructure, including sidewalks and pedestrian pathways along the Welland Recreational Waterway.

Niagara Street is a Regional Arterial Road and is well connected with the road network in the City. The proposed development will introduce a new high-density residential land use featuring a compact built form that contributes positively to creating a vibrant public realm.

CITY OF WELLAND OFFICIAL PLAN (2011)

The City of Welland Official Plan provides a 20-year land use vision for the community and guides land use, growth, and development. The Official Plan helps the community achieve its long-term vision by implementing a range of local, regional and provincial policies, plans and strategies.

An overview of the conformity with the applicable policies of the Official Plan is provided below.

Section 2 – Community Strategic Directions

The strategic community directions for the City of Welland are outlined under section 2. According to these directions, Welland is:

- A leadership community;
- A complete community;
- An economic gateway;
- A sustainable City;
- A safe, healthy and accessible City;
- A proud and attractive City; and,
- A good neighbour.

The proposed development will assist the City in achieving these strategic directions, specifically, by supporting the achievement of a complete community.

2.3 – Complete Community

Section 2.3.1 explains that complete communities meet all people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, services, a full range of housing, and community infrastructure including affordable housing, schools, recreation and open spaces. Convenient access to public transportation and options for safe, non-motorized travel is also an important component of a complete community. Complete communities provide a lifetime of opportunities for living, working, wellness, education, entertainment and recreation. The City of Welland aspires to be a complete community.

The proposed development will assist the City of Welland in achieving a complete community by introducing a new high-density land use that contributes to a range of housing within the city. The development is an efficient, compact built form and is situated on lands that have convenient access to public transit and active transportation infrastructure. The lands are located near and walkable to a range of land uses including commercial, health-related uses, schools, and parks and open spaces.

Section 3 – Growth Management

Section 3 of the City of Welland Official Plan outlines Welland's growth management strategy and policies related to growth and development within the city. Section 3.1 states that the foundation of the City's growth management strategy is to direct all urban growth to lands within the designated Urban Area Boundary. Furthermore, growth and development within the Urban Area Boundary will be on land serviced with municipal water and sanitary wastewater services.

The subject lands are located within the Urban Boundary Area of the City of Welland and within the Built Up Area. The lands are also within an Intensification Area as outlined on the City of Welland Official Plan Schedule A: City Structure. A portion of Official Plan Schedule A showing the subject lands is displayed below as **Figure 10**.



Figure 10 – City of Welland Official Plan – Schedule A: City Structure

3.2 – Planning Objectives

Section 3.2 states that the growth-related objectives of the City of Welland Official Plan are:

- i. To direct urban growth to lands located within the designated Urban Area.
- ii. To preserve prime agricultural lands and direct rural growth to existing developed area in the vicinity of Cooks Mills.
- iii. To protect stable neighbourhoods by directing more dense development to the Downtown and strategically located intensification areas within Welland's Built Up area.
- iv. To encourage the redevelopment of brownfield areas.
- v. To prevent urban development in inappropriate areas, thus contributing to the conservation of resources, such as provincially significant wetlands, aggregate resource areas, cultural heritage resource areas, prime agricultural lands and the linked natural heritage system.
- vi. To build compact, mixed-use, transit supportive, pedestrian friendly areas within the Built Up Area and Greenfield Areas.
- vii. To provide a framework for transforming Welland into a complete community.
- viii. To ensure the availability of a sufficient supply of designated employment and residential land to meet the City's projected long-term growth.
- ix. To prohibit the establishment of new settlement areas.

The development proposed is an appropriate location for growth and development. The subject lands are within the Built Up Area and an Intensification Area as outlined in Schedule A of the City of Welland Official Plan. The proposed development will facilitate intensification in an area that is intended for residential intensification. The subject lands have access to public transit and active transportation facilities and features a compact built form that is surrounded by a mix of land uses. The proposal aligns with the policies of Section 3.2.

3.3 – Growth Forecast

Section 3.3 of the City of Welland Official Plan features population, employment and housing forecasts. The City of Welland Official Plan was approved in 2011 and these forecasts are to be updated to be consistent with the Niagara Official Plan.

Table 2-1 of the Niagara Official Plan forecasts a population and employment forecast of 83,000 people and 28,790 jobs for the City of Welland by the year 2051. Table 2-2 of the NOP

establishes a minimum intensification target of 10,440 new residential units within the Built Up Area of the City of Welland by the year 2051.

The proposal of a 217-unit residential apartment building will assist the City of Welland in accommodating the population growth by increasing the number of dwelling units within the City. Further, the proposal will assist the City of Welland in meeting the minimum intensification targets outlined in the Niagara Official Plan.

3.4 – City Structure

As shown in Schedule A of the City of Welland Official Plan and **Figure 10** above, the subject lands are within the Urban Area and specifically, the Built Up Area. The lands are also within an Intensification Area. These areas are to be the focus of growth, development, and intensification within the city.

3.4.2 – Urban Area

Section 3.4.2 provides policy direction and guides development within the Urban Area of the City of Welland. The Urban Area is comprised of two sub-areas, the Built Up Areas and Greenfield Areas. The planned function of the Urban Area is to control the limits of urban development and to provide private sector investors with development certainty as the boundary clearly demarcates the lands which are intended to be served with full municipal services.

Section 3.4.2.3 states that the Built Boundary represents the limits of existing development within the existing Built Up Area. The Built Boundary is important for measuring intensification rates, as all growth within the Built Boundary is considered to be intensification.

The proposed development consists of intensification of the subject lands within the Built Up Area and an Intensification Area within the City of Welland. The proposed development aligns with the intention of the policies of the Urban Area and Built Up Area.

3.4.4.1 – Intensification

Per section 3.4.4.1, intensification is defined as the development of a property, site or area at a higher density than currently exists through redevelopment or development of vacant or underutilized lots. Section 3.4.4.1.B outlines that intensification is an appropriate means of accommodating growth since it makes better use of existing serviced land. The increase in housing units created by intensification is considered to be a good approach to maintaining and improving vibrancy.

Section 3.4.4.1.C provides the city's intensification strategy. Intensification of residential and

employment areas will be encouraged since it offers opportunities for economic development, is a viable approach to reducing the amount of Greenfield land needed for growth; takes advantage of already serviced but underutilized land, and helps to improve the vibrancy and aesthetics of Welland's existing areas. This section also states that intensification is encouraged throughout the Built Up Area, however, the strategic location for intensification projects should be within the downtown, on brownfield sites, along key transit corridors and the Welland Recreational Waterway as these areas are identified as Welland's strategic intensification areas outlined in Schedule A: City Structure, and are considered to be the most appropriate locations for intensification.

The proposed development features redevelopment of underutilized lands and facilitates intensification within the Built Up and Intensification Areas. The subject lands have access to existing municipal services and is the appropriate location for this type of development. The proposal aligns with the intensification policies of the City of Welland Official Plan.

Section 4 – Urban Area Land Use Policies

Section 4 of the City of Welland Official Plan outlines specific land use policies for the different designations under the Official Plan.

4.2 – Housing and Residential

Section 4.2 contains land use policies related to housing and the residential designations. The planning objectives of this section include:

- Provide for orderly growth and distribution of residential areas;
- Efficient and logical development pattern;
- Residential uses ranging in type and tenure;
- Residential uses ranging in affordability;
- Support the City's existing and planned residential fabric;
- Carefully balance the supply of residential land with the demand for new land;
- Support existing area and designations;
- Promote opportunities for intensification and redevelopment;
- Develop new sustainable neighbourhoods; and
- Develop attractive, accessible and pedestrian friendly neighbourhoods

The proposal of a 217-unit residential apartment building is an efficient use of the subject lands and features a compact built form. The development facilitates orderly growth in an appropriate area that has been identified by this Official Plan as focus areas for intensification and high-density residential use. The proposal introduces new high-density housing options and aligns and supports the existing area and designations as the residents of the development can make use of the surrounding schools, parks, open spaces and commercial uses. The subject lands have access to public transit and active transportation facilities.

4.2.2 – Land Use Policies

Section 4.2.2 provides the residential hierarchy, residential designations, and provides land use policies for the different residential designations. As shown in **Figure 11** below, the subject lands are designated as High Density Residential.



Figure 11 – City of Welland Official Plan – Schedule B1: Residential Hierarchy Land Use Map

4.2.2.4 – High Density Residential

Section 4.2.2.4 provides land use policies for the High Density Residential designation. The permitted residential uses under this designation include medium-rise and high-rise apartment housing. The intended scale of the High Density Residential designation is medium-rise and high-rise apartments between 5 and 8 storeys where issues of casting of shadows, obstruction of views, and privacy for adjacent lots are managed and potential negative impacts minimized.

The proposed development features a building height of a permitted 7 storeys. The building has

been designed in a way that mitigates issues of privacy by featuring a step back at the rear of the building, and ensuring that there are no windows located above the allowable 45 degree angular plane, as displayed in the Visual Angular Plane Study, prepared by Brouwer Architecture Inc. Further, Shadow Study, prepared by Brouwer Architecture Inc. and the Pedestrian Level Wind Study, prepared by Gradient Wind, determined that there will not be any significant negative impacts due to wind or shadowing created by the proposed development.

The design policies under section 4.2.2.4.D encourage high density residential to have a covered entrance which is aligned with the street and main building entrance. Buildings are encouraged to incorporate a built form, architectural articulation, exterior materials, and window design which prevent continuous “slab” walls. Buildings should incorporate landscaping in all yards to provide a buffer between the building and adjacent sensitive land uses. Parking areas should be located in the side or rear yard and/or underground.

The proposed building features a covered entrance and a main lobby for access to the building at the front of the building directly off of Niagara Street. The front yard setback of the proposed building is 4.85 metres from front lot line providing for a strong urban street edge that engages the street. Sidewalk connections from the public street are provided to connect the building with the sidewalk and provide for ease of access to the public sidewalk network and pedestrian connectivity. As shown on the building elevation plans, the front of the building has 2 levels of glazing that allow for permeability and positive engagement with the public realm. The front of the building is then stepped back from the third floor up minimizing the impact of the building height on the public realm.

In addition, adequate spacing is provided in the front yard to accommodate landscaping and foundation plantings along the front of the building that will soften the building and provide for an attractive streetscape. Also, as shown in the elevations and renderings above, the built form includes a variety of exterior materials, colour, balconies, step backs, windows, and bump outs in order to be more visually appealing, break up the mass of the building, provide interest and to prevent continuous “slab” walls. Landscaping is proposed in all of the yards and the final detailed design of the landscaping will be determined through the Site Plan Control process. Parking is located within the building and in the side yard minimizing the impact on the streetscape. The proposed building design, orientation and siting of the parking areas are consistent with the City Official Plan requirements for high density residential developments.

The planned function of the High Density Residential designation is to provide housing for residential development between 61 dwelling units per net hectare and 125 dwelling units per net hectare. The proposed development exceeds the density requirements, with a density of 282.93 units per net hectare, however, per policy 4.2.2.4.D, states that where underground or structured parking is provided, an amendment to this Plan is not required for increased density.

The proposed development features structured parking on the first floor of the building and as result an amendment to permit the increase in density is not required in this instance.

4.2.3.6 – Infill and Intensification Development

Policy 4.2.3.6 outlines criteria for evaluating infilling and intensification, while explaining that infilling and intensification is encouraged throughout the City's existing built up residential areas. The policy states that intensification in residential areas should address:

- i. Land use and neighbourhood character compatibility;
- ii. Lot pattern and configuration;
- iii. Accessibility;
- iv. Parking requirements;
- v. The potential for additional traffic and traffic manoeuvrability;
- vi. The potential for transit ridership;
- vii. Natural (including natural hazards) and built heritage conservation / protection;
- viii. The available capacity of municipal infrastructure; and
- ix. Residential intensification targets identified in this plan.

i. Land use and neighbourhood character compatibility

The proposed land use is permitted under the subject land's High Density Residential Official Plan designation. There are apartment buildings directly across Niagara Street that have similar scale, massing, configuration and height to what is being proposed as a result of this Zoning By-law Amendment Application. There are many commercial and recreational uses in the surrounding area, including the Seaway Mall, that will benefit from the additional residents in the area, and service the residents of the proposed apartment dwelling. The proposed building has been sited and oriented to integrate with the neighbourhood and contribute positively to the public realm. It is acknowledged that the Niagara Street corridor in this location is transitioning to a high-density residential corridor and the proposed development is consistent with that vision. The proposed building has a step back at the front and the rear which mitigates impacts of building height and in particular ensures compatibility with the low-density residential uses to the rear. Further, a generous rear yard setback of 16 metres is provided that provides appropriate separation and buffering of the proposed building to the low-density residential uses. It is

noted that the rear yard setback exceeds the height of the 5 storey component of the building that is backs onto the low density residential and is more than half the height of the overall building height. Further, wood board fencing will be provided along rear and side lot lines along with a 1.5 metre planting buffer that will also assist in mitigating impacts. The proposal is compatible with the surrounding land uses and appropriate design measures have been implemented to minimize impacts on the adjacent low-density residential uses to the extent that the impacts are not considered to be adverse. Further, the character of the neighbourhood is one that is transitioning from a low density neighbourhood to high density residential corridor and the proposed development reflects the vision of how Niagara Street is to redevelop as while maintaining land use compatibility with the adjacent low-density residential uses.

ii. Lot pattern and configuration

The subject lands are uniform and rectangular in shape. Lot pattern, size and configuration are sufficient to meet the requirements of the Residential High Density (RH) zone with respect to lot frontage and lot area. Further, the lot pattern and configuration are sufficient to support the proposed building, and to provide for setbacks, parking areas, and landscaping of the site that either meet or exceed the requirements of the Residential High Density (RH) Zone.

iii. Accessibility

The proposed development features 2 metre sidewalks traversing along the building throughout the site, and connecting to the sidewalks along Niagara Street. There are barrier free parking spaces located next to the building entrances. One barrier free space is provided next to the main lobby entrance on the surface level parking area, and two barrier free parking spaces are provided within the at-grade structured parking area next to the entrance to the lobby, and connecting to the elevators. The site layout has been designed with accessibility in mind and the proposed building will meet the accessibility and barrier free requirements of the Ontario Building Code when it is constructed.

iv. Parking Requirements

The City of Welland Zoning By-law 2017-117 requires a parking ratio of 1 space per dwelling unit, except where a dwelling unit is 50 metres squared or less in gross floor area, in which case, parking shall be required at a rate of 0.3 spaces per unit. The development proposes 109 dwelling units above 50 metres squared in area and 108 units under 50 metres squared. Based on these unit counts, 142 parking spaces are required, and the development proposes 142 standard parking spaces and 3 barrier free spaces for a total of 145 parking spaces.

The City's Zoning By-law requires 2 barrier free parking spaces when 100 or more standard parking spaces are required, plus 1 additional barrier free parking space for every additional 100 standard parking spaces. For this development, 2 barrier free parking spaces are required, and 3 barrier free parking spaces are provided.

Additionally, bicycle parking spaces are required at a rate of 0.25 spaces per dwelling unit for apartment buildings. The proposed development requires 55 bicycle parking spaces, and 55 have been provided.

The proposed development meets all the parking requirements.

It is noted that the proposed development is accessible by foot to many amenities that meet the daily needs of the residents of the proposed development allowing for many residents to not have cars, reducing the dependency on the automobile. Also, the proposed development is located along an existing transit route and within walking distance to the transit hubs located at the Seaway Mall and Niagara College allowing for many residents to utilize transit vs. having their own vehicles, also reducing the dependency on the automobile. While a reduction to the parking standard is not being requested with this development application, a parking standard of less than 1 space per dwelling unit can be supported given the location of the subject lands and availability of transit services.

v. The potential for additional traffic and traffic maneuverability

As discussed above, Paradigm Transportation Solutions Limited has prepared a Transportation Assessment Report as a supporting study for the proposed Zoning By-law Amendment application. The study assessed the intersections at Niagara Street and Woodlawn Road, Niagara Street and Abbey Road, Niagara Street and Aqueduct Street, Niagara Street and Roger Drive, and Niagara Street and Thorold Road.

The report found that the proposed development's traffic adds minimal delay, less than 5 seconds per movement at nearby intersections and is not seen as the primary cause of future congestion. The study concludes that the proposed development is not expected to worsen local traffic conditions significantly and can therefore proceed.

The site has also been designed to allow for safe on-site traffic movements and maneuverability that will allow for vehicles to safely enter and exit the proposed development.

vi. The potential for transit ridership

As noted above, the subject lands are located along NRT Routes on Niagara Street and near the transit hubs at Seaway Mall and Niagara College. The addition of 217 new residential

dwelling units in this area has the potential to increase ridership on these transit routes as well as improve the delivery of transit services over the long term.

vii. Natural (including natural hazards) and built heritage conservation / protection

As determined in the EIS Memo, there are no significant natural heritage features on the subject lands. Furthermore, there are no built heritage features on the site.

vii. The available capacity of municipal infrastructure

As outlined in the Functional Servicing Report, the existing municipal watermain and sanitary sewer along Niagara Street have adequate capacity to provide domestic and fire protection water supply, and sanitary services. In addition, a storm sewer also exists on Niagara Street that currently services the lands and has capacity to accommodate storm flows from the site. An existing sanitary sewer easement traverses the western portion of the lands and will need to be realigned to accommodate the proposed development; this can be addressed through the future site plan application and approval process.

ix. Residential intensification targets identified in this plan

The City of Welland Official Plan intensification targets are based on the previous recommendation from the Niagara Region at 40%. Since the Official Plan was adopted, the Niagara Region has implemented a new Official Plan with updated residential intensification targets for all of the local municipalities. As discussed in the Niagara Official Plan section above, the City of Welland now has a higher intensification rate of 75% and the Region, as a whole, has a target of 60% of new residential units to be located within the Built-Up Areas of the Niagara Region.

The proposed development features the redevelopment of an underutilized lands, designated as High Density Residential, and within an Intensification area, and introduces 217 new residential units within the Built Up Area of the City of Welland. The proposed development will assist the City of Welland and the Niagara Region in achieving their intensification targets.

CITY OF WELLAND ZONING BY-LAW

Zoning Amendment

The Zoning By-law Amendment Application has been submitted to rezone the lands to Residential High Density (RH) in order to align with the City of Welland Official Plan designation of these lands, and to facilitate the construction of a 7-storey residential apartment building.

The subject lands are currently zoned Single Detached Dwelling – First Density Zone (R1) in the City of Welland Zoning By-law 2667. However, these lands have been identified for redevelopment and intensification by the City of Welland Official Plan. The Official Plan designates the subject lands as High Density Residential, and identifies the area surrounding and containing the subject lands as an Intensification Area. When Zoning By-law 2017-117 was adopted, the lands designated at High Density Residential along the Niagara Street corridor were not included in the By-law at that time and remained under Zoning By-law 2667, consequently a Zoning By-law amendment is required to bring the lands into conformity with the City Official Plan.

The proposed Zoning Amendment will align with the City's direction to facilitate intensification in this area, and the proposed development conforms to the City of Welland Official Plan, and the Residential High Density (RH) zone. There are no site-specific provisions requested as part of this Amendment.

Zoning Regulations

The following charts outline how the proposal aligns or exceeds with the provisions of the Residential High Density (RH) zone, and other applicable provisions of the City of Welland Comprehensive Zoning By-law 2017-117.

Section 7.3.1 – Regulations for Residential Zones

Provision (Apartment Dwellings)	Requirement	Provided
Lot Area (min)	1000 m ²	7,705 m ²
Lot Frontage (min)	40 m	53.19 m
Front Yard (min)	3 m	4.85 m
Side Yard Interior (min)	3 m	6 m
Side Yard Exterior (min)	3.5 m	n/a
Rear Yard (min)	7 m	16.0 m
Building Height (max)	32 m (8 Storeys)	22.55 m (7 Storeys)
Lot Coverage (max)	50%	33%
Landscaped Area (min)	15%	27%

Section 6.4.1 – Residential and Accessory Residential Uses in All Zones Except Downtown Zones – Required Parking Spaces

Required Number of Parking Spaces (Apartment Dwellings)	Requirement	Provided
1 space per unit, except where a dwelling unit is 50.0 m2 in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 spaces for each such unit and no visitor parking is required	142	142

Section 6.5.1 – Barrier Free Parking

Required Number of Barrier Free Parking Spaces	Requirement	Provided
Required Parking Spaces: 100 or More	2	3

Section 6.7.1 – Bicycle Parking

Required Number of Bicycle Parking Spaces	Requirement	Provided
Apartment Dwelling, Multiple Dwelling, Retirement Home	0.25 per Dwelling Unit	0.25 per Dwelling Unit
Total Bicycle Parking for 217 Dwelling Units	55	55

PLANNING POSITION

The proposed development facilitates intensification and redevelopment within the Built Up Urban Area of the City of Welland. This intensification is supported by the policies outlined in Provincial land use documents. The development features a compact built form and efficient use of existing infrastructure. The development assists the Niagara Region and City of Welland in meeting their intensification targets, improves housing availability, and contributes to providing for a range of housing options while still aligning with the vision for the Niagara Street corridor and at the same time providing for development that is compatible with adjacent land uses.

Based on the analysis above, it has been demonstrated that the proposed development:

- Has regard for matters of Provincial Interest outlined in Section 2 of the *Planning Act*;
- Is consistent with the 2024 Provincial Planning Statement;
- Conforms to the 2022 Niagara Official Plan; and
- Conforms to the City of Welland Official Plan.

It is our opinion that the proposed Zoning By-law Amendment application will facilitate residential intensification in an appropriate area for growth and development that is planned and intended for high-density residential uses. The Zoning By-law Amendment application is the first step in the approval process and will be followed by site plan approval. The development represents good land use planning, and will contribute to the achievement of a complete community.

Prepared by,



Callum Gomez, CPT
Development Coordinator
Upper Canada Consultants

Reviewed by,

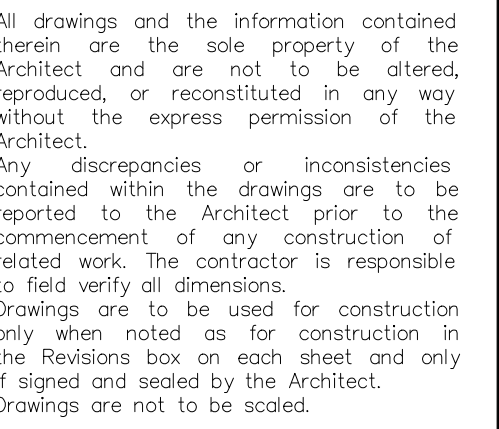
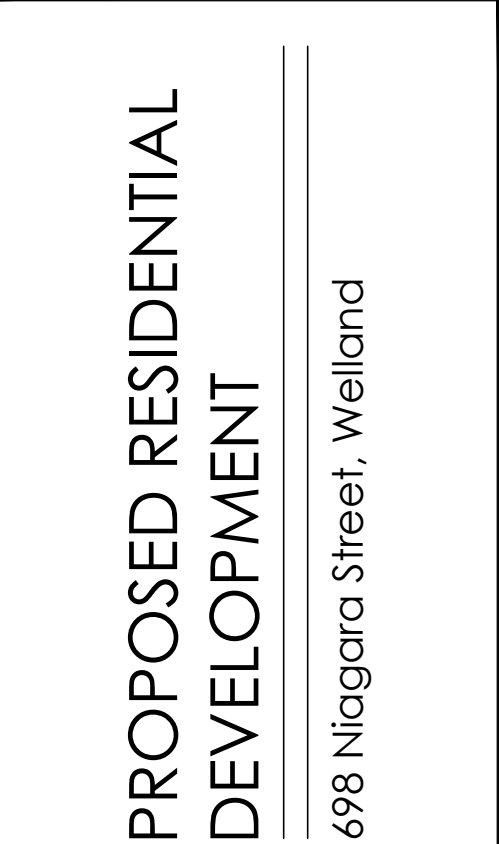


William Heikoop, B.U.R.Pl., RPP, MCIP
Planning Manager
Upper Canada Consultants

Appendix I

Concept Plan



[illegible][illegible]

RAWN: S.D.	DRAWING: A1-1
CHECKED: J.B.	
PROJECT: 2443	
DATE: Sep-25	REVISION: ----



ZONING STATISTICS		
	REQUIRED	PROPOSED
LOT AREA (MIN.)	1000 SQM.	7,705 SQM.
LOT FRONTAGE (MIN.)	4.0m	53.19m
FRONT YARD (MIN.)	3.0m	4.85m
INT. SIDE YARD (MIN.)	3.0m	6.0m
EXT. SIDE YARD (MIN.)	3.5m	N/A
REAR YARD (MIN.)	7.0m	16.1m
BUILDING HEIGHT (MAX.)	32.0m (8 STOREYS)	
LOT COVERAGE (MAX.)	50%	33%
LANDSCAPED AREA (MIN.)	15%	27%

Appendix II
Draft Zoning By-law Amendment

Schedule C

694-698 Niagara Street - Draft Zoning By-Law Amendment

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER _____

BEING A BY-LAW TO AMEND THE CITY OF WELLAND ZONING BY-LAW FROM SINGLE DETACHED DWELLING – FIRST DENSITY ZONE (R1) IN CITY OF WELLAND ZONING BY-LAW 2667 TO RESIDENTIAL HIGH DENSITY (RH) IN CITY OF WELLAND ZONING BY-LAW 2017-117 (694-698 Niagara 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 Council of the Corporation of the City of Welland deems it expedient to amend said Zoning By-law 2017-117.

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

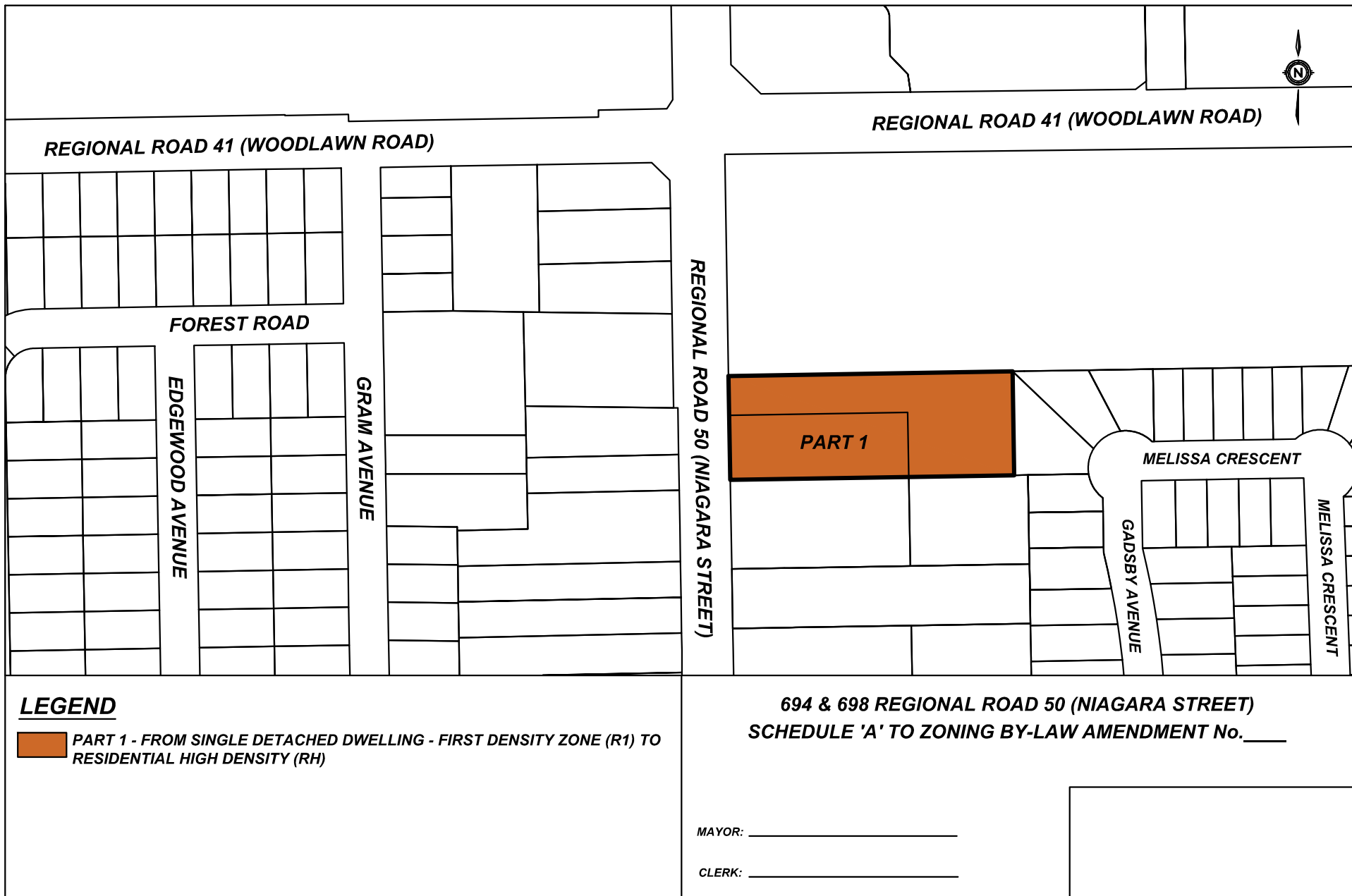
1. That the City of Welland Zoning By-law 2017-117 is hereby amended.
2. That Schedule 'A' to the City of Welland Zoning By-law 2017-117, as amended, is hereby further amended as shown on Schedule 'A' attached hereto and forming part of this By-law by, zoning the lands identified as 'Single Detached Dwelling – First Density Zone (R1)', to 'Residential High Density (RH)'.

That Schedule 'A' attached hereto shall be read with and form part of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS _____ DAY
OF _____, 2025.

_____ MAYOR

_____ CLERK



Appendix III
Environmental Impact Study and Natural Heritage
Technical Memo

Myler Ecological Consulting

7 Olive Crescent, Stoney Creek, ON L8G 2T2 | (289)700-3038 | bmyler@cogeco.ca

17 December, 2025

Taylor Meadows
Manager of Development Planning
Planning and Development Services
City of Welland, Civic Square
60 East Main Street
Welland ON L3B 3X4

RE: Environmental Impact Study Memorandum – 694 & 698 Niagara Street, Welland

Introduction

Myler Ecological Consulting (Myler) was retained by Darryl Trudel (the proponent) to assess and respond to potential natural heritage constraints to development at 694 and 698 Niagara Street, Welland (the site) that have been the subject of Niagara Peninsula Conservation Authority (NPCA) comments provided to the City of Welland (the City) and that have been addressed in consultation with NPCA.

NPCA and the City initially requested submission of a Natural Heritage Technical Memorandum, which Myler completed on 24 October 2025.

Subsequently, in consideration of the identification of natural heritage features on other lands in the neighbourhood that are not abutting but are nearby the site, the City requested submission of an Environmental Impact Study (EIS) Memorandum to expand upon the Natural Heritage Technical Memorandum by addressing the following:

- Findings of the nearby neighbour's EIS as they relate to the site.
- City of Welland and Niagara Region Official Plan natural heritage policy conformity of the proposed residential redevelopment of the site.
- Additional legislative conformity (e.g., provincial Endangered Species Act, federal Fisheries Act).
- Assessment of potential natural heritage features at the site.

In other words, the City requested that the EIS Memorandum provides a discussion of the findings of the neighbour's EIS and a demonstration of how the site differs from the neighbour's site in terms of presence/absence of natural heritage features.

An electronic copy of the Scoped Environmental Impact Statement (Revision 2) – The Development Squad GP Inc. – 418, 424, 430 Aqueduct Street and 650, 656, 664, 670, and 678 Niagara Street, Welland ON (R.J. Burnside & Associates Ltd., 10 September 2024) was provided to Myler.

This EIS Memorandum was prepared by Myler to provide the required additional review, discussion and conclusions while retaining the content of the previously submitted Natural Heritage Technical Memorandum. As such, it can serve either to complement or to supersede that document.

Initial Reconnaissance

Myler's involvement with the site commenced with a 22 November 2024 reconnaissance-level desktop review of agency mapping and site visit. Apart from an isolated and short segment of NPCA-regulated watercourse (**Figure 1**, below), no natural heritage features were mapped on the site in the City's Official Plan (OP), on NPCA regulation mapping, or on Niagara Region (the Region) Natural Environment System (NES) mapping, and none were observed by Myler during the site visit.



Figure 1: Excerpt of NPCA Watershed Explorer mapping showing the site (red outline) and the NPCA-regulated watercourse (blue line) and regulation area (dark shading) near Niagara Street.

Further, Myler noted at the time that the watercourse segment exhibited characteristics of an ephemeral or intermittent flow regime, with no areas of flowing or standing water, and lacked aquatic habitat characteristics of any sort, including conditions that would be indicative of fish habitat. The watercourse segment's banks and channel contained terrestrial plant species and was manicured as part of the site's existing residential front yards. And given that the watercourse was observed to drain directly into the Niagara Street storm sewer, there is no possibility of periodic, event-based fish migration to the site from downstream reaches.

Similar manicured conditions characterized the watercourse upstream (south) of the site on the neighbouring 684 Niagara Street. Further upstream the watercourse is completely enclosed across 678 Niagara Street and NPCA regulation area was not applied to the watercourse on that property or on 670 and 664 Niagara Street. A second, and final, regulated segment is mapped on the front yard swales of seven contiguous properties south of 664 Niagara Street. Myler's observations of air photos and from Niagara Street indicated a lack of aquatic habitat associated with the watercourse upstream of the site.

As such, the entire extent of regulated watercourse was found to be limited to only the two isolated segments within the residential front yards. The northerly/downstream segment is approximately 80 metres in length, which includes the lowermost approximately 40 metres that crosses the site and drains directly into the Niagara Street storm sewer through a large catch basin structure. The separate southerly/upstream segment is approximately 210 metres in length. As such, the entirety of the regulated length of the watercourse is approximately 290 metres of ephemeral/intermittent channel, all of which drains directly to the storm sewer.

Pre-Consultation

Pre-consultation with the City occurred on 01 May 2025. Comments related to natural features or natural heritage were received from the participating NPCA staff and included the mapped and regulated watercourse segment and plus the potential for occurrence on site of unevaluated wetland. NPCA indicated in the comments a willingness to consider watercourse alterations that comply with NPCA policy and the need to participate in a site visit to confirm the presence or absence of the suspected unevaluated wetlands.

Myler and the proponent conducted a second reconnaissance of the site on 27 May 2025 to investigate the potential wetland occurrence. Only two tiny, isolated low areas were observed on the site, and no wetland was observed on neighbouring properties adjacent to the site. The two tiny low spots on the site were observed to be isolated from local drainage, including the regulated watercourse, and neither was characterized by dominance of wetland plant species. As such, neither was considered to represent potential NPCA-regulated wetland.

A site visit with NPCA staff (Theresa Bukovics) was conducted on 30 July 2025. Absence of unevaluated wetland constraints on and adjacent to the site was confirmed with NPCA. The watercourse segment was observed with NPCA staff and the need to enclose the regulated watercourse segment on the site was discussed. NPCA staff indicated during the site visit that a late summer botanical investigation at the site should include checking for White Wood Aster, a plant species at risk (SAR) that occurs in some parts of Welland and that was confirmed to occur nearby and reported in the R.J. Burnside EIS.

Following the NPCA site meeting, NPCA watershed planner Paige Pearson provided updated NPCA comments in an email dated 11 August 2025 which confirmed:

- No regulated wetlands are present.
- NPCA support of enclosure or “entombment” of the watercourse segment subject to receipt of a technical memo demonstrating both the need for enclosure and that the enclosure would have no negative impact on the hydrologic function of the watercourse or create conditions that would exacerbate natural hazards (i.e., human health and safety, damage/destruction of property, flooding, erosion, soil/bedrock stability) associated with the watercourse.

NPCA described the technical memo as including an NPCA policy overview, a description of the watercourse condition and character, a description of the proposed works, a description of potential impacts and proposed mitigation measures, and documentation that the watercourse indeed discharges directly to the storm sewer. Each of these requirements is addressed below.

Watercourse Enclosure

The need for the watercourse enclosure was not established by Myler, but was described to Myler (and to NPCA staff during the 30 July 2025 site visit) by the proponent’s engineer and architect as dictated by existing topography at and adjacent to the site that necessitates enclosure to facilitate the site’s access to Niagara Street and fulsome use of the site’s area to support the residential redevelopment.

Further, extensive additional enclosure of watercourse segments upstream/south of the site was mentioned by NPCA staff and is recommended in the R.J. Burnside EIS supported by their analysis of the watercourse features and functions.

The proposed watercourse enclosure is described in the Functional Servicing Report (FSR) prepared for the proponent by Upper Canada Consultants (UCC). UCC confirmed that the watercourse segment at the site discharges through an existing 450mm pipe to the 1350mm municipal storm sewer beneath Niagara

Street. The FSR also describes, along with proposed stormwater management measures for the site that will mitigate potential impacts of the site's redevelopment, including the watercourse enclosure.

Quantity control described in the FSR will avoid exacerbation or creation of natural hazards by maintaining existing flow conditions in the developed condition. Quality controls described in the FSR will mitigate water quality impacts in the site's discharge to the municipal storm sewer beneath Niagara Street.

Although not explicitly discussed in the FSR, Myler assumes and recommends that temporary erosion and sedimentation controls would be specified during site preparation and construction, including during construction of the watercourse enclosure. Additionally, Myler recommends that the enclosure be completed in the dry by avoiding conditions of ephemeral/intermittent flow in the watercourse, which does not appear to be a particularly challenging measure for this particular watercourse.

Myler conducted a follow-up site visit on 02 September 2025 to further document the condition of the watercourse segment and to fulfil the NPCA request for a botanical inventory and identification of vegetation communities.

The watercourse segment was once again observed by Myler to exhibit ephemeral/intermittent flow conditions as it was again dry, without flow or standing water, and contained manicured front yard vegetation. There was no observed aquatic vegetation or habitat, and no amphibians, reptiles or other wildlife potentially dependent on aquatic habitat were observed. Fish habitat is absent within the watercourse segment as Myler's observations once again confirmed the impossibility of periodic upstream fish migration owing to the discharge directly to the municipal storm sewer and the absence of aquatic habitat on the watercourse segments upstream of the site.

The portion of the site containing the watercourse, and the watercourse channel itself, were yet again confirmed by Myler's observations to be in a manicured condition consistent with the existing residential use of the site and therefore not possessed of any natural vegetation community described by the provincial Ecological Land Classification (ELC). The watercourse segment traverses a mown front yard turfgrass area with planted amenity trees, shrubs and plants plus a typical assortment of weed species (see **Photos 1** and **2**, below).

Accordingly, Myler observed a total of 26 common plant species (appended), including trees, shrubs and herbaceous plants, at or adjacent to the watercourse segment at the site. None of these species is a provincially listed SAR or would qualify as regionally rare or uncommon per the Niagara Region Natural Areas Inventory (NAI). Fully aquatic plant species were absent. Upland terrestrial plant species dominated the list and dominated the site at and adjacent to the watercourse segment in terms of area and proportion.



Photo 1: Watercourse segment on site, facing upstream. Note manicured lawn, planted Yucca, weeds, and dry channel with terrestrial plants.



Photo 2: Watercourse segment facing downstream towards storm sewer catch basin (in shadow in background beneath shrubs and trees). Note topography and depth below Niagara Street in background. Myler's observations confirmed a lack of aquatic or riparian habitat and associated wildlife that might otherwise trigger recommendations for specialized mitigation measures such as salvage of fish, amphibians and reptiles.

Only a general mitigation measure is recommended for removal of trees and shrubs at and near the watercourse segment and throughout the site to avoid potential impacts to nesting birds and roosting bats. Tree and shrub removal during the October-March period will achieve seasonal avoidance of the local bird nesting season and the active roost period of Ontario bats.

NPCA policy compliance of the proposed watercourse enclosure is described below per NPCA Policy 9.2.3.2 sections a) through h) that establishes NPCA's criteria for assessing watercourse alterations:

- a) "The need for the watercourse alteration has been demonstrated to the satisfaction of the NPCA": Residential redevelopment of the site requires connection to Niagara Street at the established grade of that municipal road plus fulsome use of the site for new residential buildings, parking and services. NPCA staff noted similar enclosure as imminent for the watercourse segments on the lands subject to the R.J. Burnside EIS and as recommended in that EIS.
- b) "The watercourse has been evaluated under NPCA's Procedural Manual and the alteration would be supported": The watercourse has been evaluated from engineering (i.e., hydrology) and ecological (i.e., fisheries/aquatic habitat and riparian habitat) perspectives by UCC and Myler, respectively. UCC has determined that the enclosure and associated SWM measures will maintain hydrologic function. Myler has determined the absence of aquatic habitat, including fish habitat, and riparian habitat in the manicured condition of the watercourse. R.J. Burnside's EIS findings were similar as regards the watercourse on those nearby lands and likewise supported a recommendation of enclosure on that site. Accordingly, neither of natural hazard nor natural heritage impacts are identified for the watercourse enclosure.
- c) "The proposed works are in accordance with NPCA standards": Myler expects that UCC will prepare a detailed design of the proposed works that will be subject to NPCA Work Permit application and review to ensure NPCA standards are met. For this watercourse, with ephemeral/intermittent flow regime, discharge directly to existing storm sewer, and lack of sensitive ecological features and functions, it is anticipated that NPCA standards will be met.
- d) "Any proposed channel realignment shall only be allowed such that any required riparian buffer will not cross any property lines": Enclosure rather than realignment is proposed. Additionally, NPCA acknowledged that enclosure is already indicated for adjacent upstream portions of the watercourse (i.e., the portion of the watercourse south of the site on the lands studied by R.J. Burnside). As such, riparian buffer considerations are not applicable.
- e) "The proposed watercourse alteration does not increase flood plain elevations, flood frequency, erosion rates or erosion frequency along either side of the watercourse, upstream and/or downstream of the proposed works": UCC's FSR has described a plan to enclose the watercourse and with stormwater management measures maintain flow conditions. As such, upstream impacts are not expected. NPCA additionally acknowledged that enclosure is indicated upstream of the site (i.e., the portion of the watercourse south of the site on the lands studied by R.J. Burnside). Downstream impacts are limited to considerations of municipal storm sewer capacity, which UCC addressed in the FSR and through proposed on-site quantity (and quality) controls.
- f) "The works will not adversely affect the hydrologic function of the watercourse and riparian zone": The UCC FSR describes how proposed site stormwater management will complement the proposed enclosure to maintain the watercourse's hydrologic function without adverse effects. Myler confirmed the watercourse's riparian zone to be manicured residential front yard, which is not sensitive to adverse impacts.
- g) "Adequate erosion protection measures are utilized when required": Myler expects that UCC will prepare a detailed design in support of an NPCA Work Permit application that will include erosion protection measures during site preparation and construction, including the recommended completion of the watercourse enclosure in the dry (i.e., when there is no flow in the ephemeral/intermittent watercourse).
- h) "Sediment control measures are incorporated during the construction phase to the satisfaction of the NPCA": Myler expects that UCC will prepare a detailed design in support of an NPCA Work

Permit application that will include construction phase temporary sediment control measures at the site.

Neighbouring Scoped EIS Findings

The R.J. Burnside Scoped EIS addressed a residential redevelopment site comprised of eight contiguous existing residential properties south of the site and separated from the site by the approximately 46 metre width of 684 Niagara Street.

The lands that R.J. Burnside studied included an upstream portion of the same watercourse that crosses the subject site at 694 and 698 Niagara Street.

Additionally, the lands that R.J. Burnside studied included vegetated portions that were tentatively mapped in eastern/rear portions of many of the existing residential properties as contiguous potential woodland and/or wetland on NPCA's updated vegetation community mapping based on desktop analysis of aerial imagery.

R.J. Burnside's studies included vegetation community mapping, botanical and wildlife inventories, and assessment of the watercourse. These studies supported conclusions and recommendations including the extent of natural heritage features as development constraints, SAR occurrence, and management of the watercourse.

In terms of drainage, the R.J. Burnside EIS reported drainage of the westerly portion of their site to the "drainage ditch along the frontage of the properties" which is the watercourse that crosses the 694 and 698 Niagara Street site. Easterly portions of their site were reported to drain in an easterly direction into rear yard swales and catchbasins to the east, without connection to the 694 and 698 Niagara Street site.

Vegetation community mapping reported in the Scoped EIS identified three vegetation community polygons and one vegetation community inclusion. Two separate cultural woodland polygons were identified, one extending across the rear portions of 664, 670, and 678 Niagara Street and one contained entirely within the rear of 418 Aqueduct Street. The site was otherwise covered by manicured residential vegetation (as well as existing houses, outbuildings, driveways and residential hardscape features). A small swamp inclusion of approximately 0.12 hectares was mapped within the rear yards of 650 and 656 Niagara Street.

The northeast cultural woodland polygon was staked on-site with Niagara Region staff and R.J. Burnside reported its area as approximately 0.475 hectares and speculated that it was part of a total area of approximately 1.1 hectares of cultural woodland "when including the offsite extension to the north".

The southeast cultural woodland was reported to be approximately 0.21 hectares in size.

Botanical inventory confirmed the occurrence of the provincially threatened White Wood Aster in the cultural woodland in the northeast corner of R.J. Burnside's site.

Breeding bird surveys identified only common species that are typical of urban areas. Investigation of existing buildings confirmed the absence of provincially threatened Chimney Swift and the then provincially threatened but now "special concern" Barn Swallow.

Only a single frog, a Western Chorus Frog, was heard calling during the breeding amphibian survey, confirming the absence of substantial amphibian breeding habitat.

The EIS reported no SAR bats identified by acoustic monitoring within the northeast cultural woodland polygon. Most of the recorded bat calls were attributed to Big Brown Bat. However, the recent addition of

previously non-SAR bats to the provincial list of endangered bat species includes the Silver Haired Bat, Hoary Bat, and Eastern Red Bat that were recorded at the cultural woodland acoustic survey location. Preservation of the cultural woodland in that location will avoid conflict with the potential occurrence of those newly listed bat species.

Incidental wildlife observations reported in the Scoped EIS were limited to Eastern Gray Squirrel.

Significant wildlife habitat per provincial Significant Wildlife Habitat Criteria Schedules for Ecoregion 7E was determined to be absent based on the biological inventories, mapping and observations by R.J. Burnside.

Significant habitat of threatened and endangered species (i.e., SAR habitat) was determined by R.J. Burnside to be limited to that of the White Wood Aster in the northeast cultural woodland polygon. As noted above, protection of the cultural woodland polygon will avoid conflict with newly listed bat SAR whose potential occurrence was indicated by identification of their calls by the acoustic survey conducted in the woodland.

The northeast polygon of cultural woodland was identified by R.J. Burnside as significant woodland due to combined criteria of total area and the occurrence of endangered White Wood Aster.

The swamp wetland inclusion was not determined to be NPCA-regulated wetland and as no significant natural heritage feature or function was determined to occur in that area it was identified for removal.

Headwater drainage feature assessment applied to the watercourse in the western part of the R.J. Burnside site yield observations similar to those of Myler at 694 and 698 Niagara Street. R.J. Burnside found the watercourse to be dry on all site visits, with an ephemeral/intermittent flow regime, and described the eight segments on the eight properties as “grassed swales or enclosed”. The watercourse was identified as of “limited value as terrestrial habitat” and “lacks standing water and habitat structure to support breeding amphibians”. The watercourse was determined not to represent direct or seasonally occupied fish habitat.

In summary, the R.J. Burnside Scoped EIS identified only approximately 0.475 hectares of cultural woodland plus recommended buffers as a constraint to development on their site as significant woodland and habitat of the endangered White Wood Aster. The Scoped EIS included speculation of the occurrence of additional woodland north of the R.J. Burnside study area. The watercourse was determined to lack fish habitat and through headwater drainage feature assessment was determined not to be of management concern and was recommended to be fully enclosed.

Relevance of the R.J. Burnside EIS Findings to the 694 & 698 Niagara Street Site

The R.J. Burnside EIS findings were in some ways similar to the results of Myler’s assessment of potential natural heritage features at 694 and 698 Niagara Street:

- Conclusions regarding the watercourse were identical between the studies, leading in each case to a conclusion of the absence of fish habitat and a recommendation of enclosure.
- Both studies observed a local drainage divide between the eastern and western portions of the respective sites such that the rear yards of the existing homes are not connected with and do not drain to the western watercourse.
- R.J. Burnside found most of their site to be manicured residential vegetation similar to that observed by Myler across the entire 694 and 698 Niagara Street site.

However, R.J. Burnside’s findings and Myler’s observations of their respective sites also differed in several key fundamental elements:

- While R.J. Burnside observed two small polygons of cultural woodland and a small swamp wetland inclusion on their site, Myler observed only very small groups and linear hedgerows of trees within the manicured 694 and 698 Niagara Street site. The groups of trees on Myler's site were too small to be mapped as distinct vegetation communities.
- Myler's observations confirmed the absence of White Wood Aster on 694 and 698 Niagara Street.
- And while R.J. Burnside reported cultural woodland extending north of their site onto neighbouring lands, Myler's observations southward over the fence to 684 Niagara Street found that property to be entirely manicured at ground level and with an obviously low tree density, too low to qualify as woodland. Myler found that 684 Niagara Street separates the 694 and 698 Niagara Street site from R.J. Burnside's site and its protected cultural woodland area and the associated White Wood Aster occurrence with its manicured width of approximately 46 metres.

As such, the 694 and 698 Niagara Street site was found to differ from the neighbouring lands studied by R.J. Burnside in that it does not contain cultural woodland, wetland, SAR or any other natural heritage features, such that there are no natural heritage constraints to development on the site.

Further, the sites are separated by the approximately 46 metres width of the manicured 684 Niagara Street residential property. And while the western parts of both sites drain to the existing watercourse, the eastern or rear yard parts of the sites are not connected by drainage. As such that there is no need to consider recommending a buffer within the 694 and 698 Niagara Street site to protect the retained cultural woodland and its White Wood Aster on the R.J. Burnside site.

The Myler and R.J. Burnside findings are aligned regarding the watercourse and its management through enclosure.

Presence/Absence of Natural Heritage Features at the Site

Myler's study found no natural heritage features on or immediately adjacent to the 694 and 698 Niagara Street site.

The separation of the site from the natural heritage features identified and recommended for retention on the R.J. Burnside site by approximately 46 metres manicured width of 684 Niagara Street precludes consideration of a protective buffer extending onto the site.

Policy Conformity and Legislative Compliance

As no natural heritage features occur on the site, and the site is separated from the natural features identified on the R.J. Burnside site by approximately 46 metres, a distance greater than any required or recommended buffer width, the natural heritage policies of the City of Welland and Niagara Region Official Plans are neither triggered nor contravened by the proposed residential redevelopment of the site.

As Myler observed no SAR or SAR habitat on the site, residential redevelopment will comply with the provincial Endangered Species Act.

As the watercourse was determined by Myler and R.J. Burnside to lack direct fish habitat, its enclosure will not contravene the federal Fisheries Act.

Removal of vegetation to prepare the site for residential redevelopment will avoid contravention of the Migratory Birds Convention Act through seasonal avoidance of bird nesting season or through the completion of nest surveys to identify and protect active nests.

Vegetation Removal – Regional Woodland By-law Compliance

In consideration of the NPCA's updated ELC mapping's tentative application of wetland/woodland to portions of the site and adjacent properties, Myler's observations and assessment included determination of woodland presence/absence and the potential implications for Regional Woodland By-law compliance.

The NPCA ELC mapping appeared to indicate the potentially extensive occurrence of contiguous woodland throughout the neighbourhood and extending onto the site. However, Myler's observations during each of the site visits confirmed the occurrence of trees only in narrow boundary hedgerows less than 20 meters in width and in small groups of trees, with the largest being less than 0.13 hectares. Additionally, Myler observed isolation of the trees on the site from any woodland area that may occur elsewhere in the neighbourhood by the open, manicured condition of the neighbouring property at 684 Niagara Street.

The Regional Woodland By-law applies to woodlands having an area of one hectare or more. None of the small groups of trees on the site satisfies the one hectare minimum size criterion.

The Regional Woodland By-law can apply to smaller woodland areas, less than one hectare, where the local municipality has delegated such authority. That is not the case in the City of Welland.

As such, the Regional Woodland By-law does not apply to tree removal to prepare the site for residential redevelopment.

Conclusion and Recommendations

Based on site observations, on consultation with NPCA, and on review and consideration of the R.J. Burnside EIS that was prepared for nearby neighbourhood lands, Myler therefore concludes:

- Myler determined, and NPCA concurred and confirmed, the absence of NPCA-regulated wetland at the site.
- Myler determined the absence of natural heritage features at the site.
- Myler determined the absence of the suspected White Wood Aster SAR at the site.
- Myler observed a separation between the sites of approximately 46 metres of manicured neighbouring property that precludes consideration of a buffer extending onto the site from natural heritage features identified on the R.J. Burnside site.
- Myler determined through site observations, and with input from the UCC FSR and the proponent's architect, that the enclosure of the NPCA-regulated watercourse segment is both necessary to allow residential redevelopment of the site and able to be completed in accordance with NPCA policies. R.J. Burnside's EIS reported similar conclusions and recommendations for their portion of the watercourse.
- Myler determined through site observations and review of the Regional Woodland By-law that anticipated tree removal to allow residential redevelopment of the site is not subject to the Regional Woodland By-law.

Recommended mitigation measures:

- Temporary erosion and sedimentation measures/strategies, including timing of the watercourse enclosure to avoid intermittent flow and work "in the dry" and standard construction-period erosion and sedimentation controls during site preparation and construction.
- No requirement for fish/wildlife salvage for the watercourse enclosure, as neither fish nor wildlife habitat occurs within the on-site segment.
- Seasonal timing of tree and shrub removal during the October – March period to avoid the local bird nesting season and active bat roosting season. Failing seasonal avoidance, tree and shrub

removal during the bird nesting season is recommended to be guided by the results of a nest survey completed by a qualified biologist.

I trust that the City (and NPCA) will find Myler's assessment and recommendations acceptable and will support initiation of site preparation activities and the proposed enclosure of the on-site segment of regulated watercourse to allow residential redevelopment of the site. I would be pleased to discuss further with the City (and NPCA) if required.

Sincerely,



**Barry Myler
Biologist**

Botanical Inventory - 1030 Niagara Street, Welland

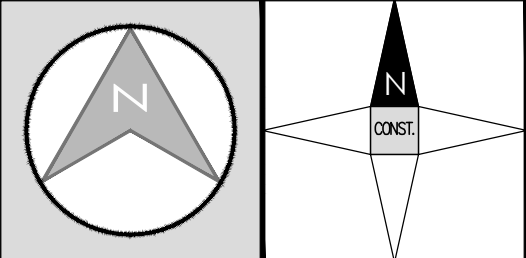
Scientific Name	Common Name	Niagara Status NAI (2010)	SRANK
Trees			
Acer negundo	Manitoba Maple	Common (Native)	S5
Acer platanoides	Norway Maple	Introduced (Common)	SE5
Carya ovata	Shagbark Hickory	Common (Native)	S5
Fraxinus pennsylvanica	Red/Green Ash	Common (Native)	S5
Gleditsia triacanthos var. inermis	Honeylocust (thornless cultivar)		
Malus pumila	Apple	Introduced (Common)	SE5
Picea pungens	Colorado Spruce		
Tilia americana	Basswood	Common (Native)	S5
Ulmus americana	American Elm	Common (Native)	S5
Shrubs & Vines			
Euonymus alata	Winged Euonymus	Introduced (Rare)	SE2
Juniperus chinensis	Chinese Juniper		
Lonicera tatarica	Tartarian Honeysuckle	Introduced (Common)	SE5
Rosa rubiginosa	Sweetbrier	Introduced (Rare)	SE4
Herbaceous Plants			
Calystegia sepium	Hedge Bindweed	Common (Native)	S5
Daucus carota	Wild Carrot	Introduced (Common)	SE5
Geum canadense	White Avens	Common (Native)	S5
Glechoma hederacea	Creeping Charlie	Introduced (Common)	SE5
Leersia oryzoides	Rice Cut Grass	Common (Native)	S5
Lysimachia nummularia	Moneywort	Introduced (Common)	SE5
Oxalis stricta	European Wood-sorrel	Common (Native)	S5
Poa pratensis ssp. Pratensis	Kentucky Blue Grass	Introduced (Common)	SE5
Solanum dulcamara	Climbing Nightshade	Introduced (Common)	SE5
Sonchus arvensis	Perennial Sow Thistle	Introduced (Common)	SE5
Symphiotrichum lanceolatum	Panicled Aster	Common (Native)	S5
Taraxacum officinale	Common Dandelion	Introduced (Common)	SE5
Yucca filamentosa	Yucca	Introduced (Rare)	SE1?

NIAG	definition	number	notes
C	common (native)	279	16% (26% of native taxa)
U	uncommon (native)	190	11% (17% of native taxa)
R	rare (native)	439	26% (41% of native taxa)
RH	rare historic (native)	179	11% (16% of native taxa)
	native (total)	1100	65%
IC	introduced (common)	107	6% (19% of introduced taxa)
IU	introduced (uncommon)	78	5% (14% of introduced taxa)
IR	introduced (rare)	313	18% (54% of introduced taxa)
IH	introduced (historic)	80	5% (14% of introduced taxa)
I	introduced (total)	587	35%
DD	data deficient (status undetermined)	13	1% (all native)
hyb	hybrid	18	1% (9 native, 9 introduced)
	provincial conservation concern (S1, S2, S3, SH, SX) and native	172	10% (16% of native taxa)
	Species At Risk (SAR) and native	24	1% (2% of native taxa)
total		1696	

Appendix IV

Shadow Study





All drawings and the information contained therein are the sole property of the Architect and are not to be altered, reproduced, or reconstituted in any way without the express permission of the Architect.
Any discrepancies or inconsistencies contained within the drawings are to be reported to the Architect prior to the commencement of any construction of related work. The contractor is responsible to field verify all dimensions.
Drawings are to be used for construction only when noted as for construction in the Revisions box on each sheet and only if signed and sealed by the Architect.
Drawings are not to be scaled.

SEAL:



PROJECT NAME:
PROPOSED RESIDENTIAL DEVELOPMENT
698 Niagara Street, Welland

REVISION:			
#	REVISION	DATE	BY

DRAWING TITLE:
Sun Study Analysis

DRAWN: S.D.	DRAWING: A3-2
CHECKED: J.B.	REVISION: ----
PROJECT: 2443	
DATE: Sep-25	

APRIL 21

JUNE 21

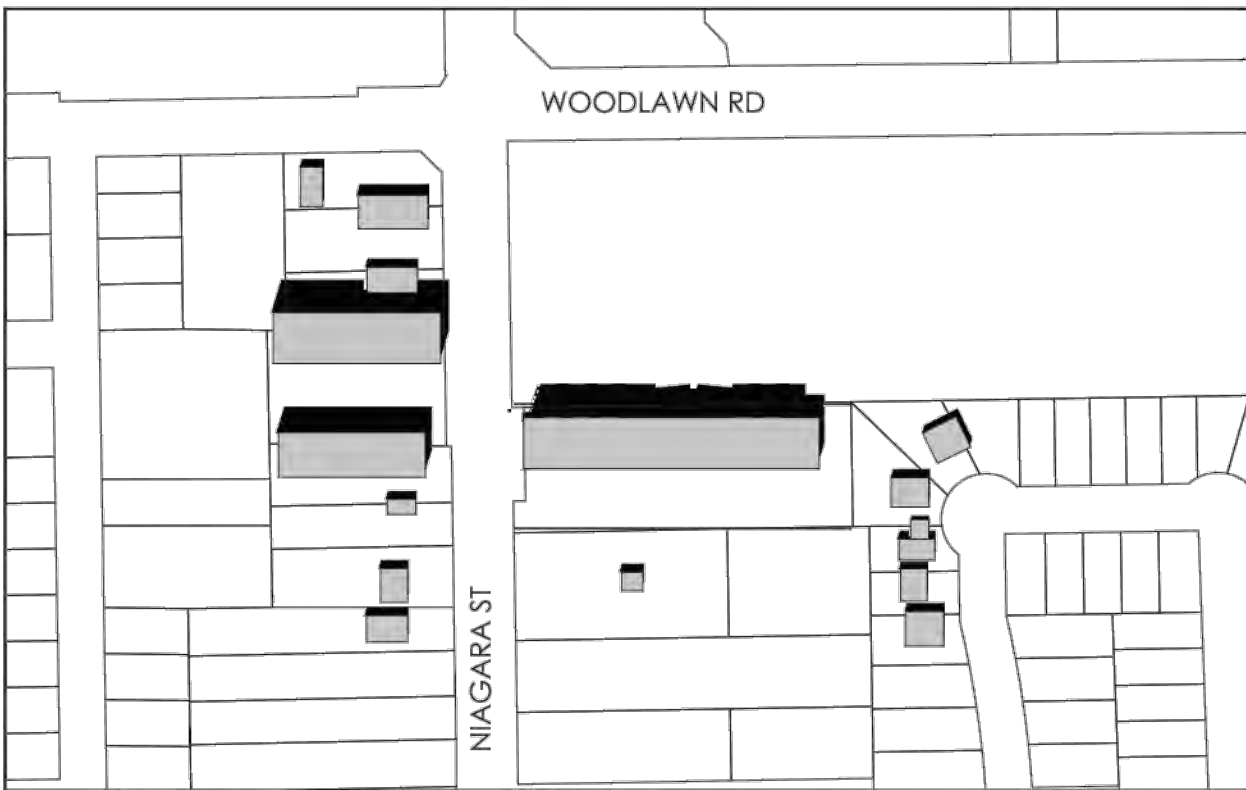
SEPTEMBER 21

DECEMBER 21

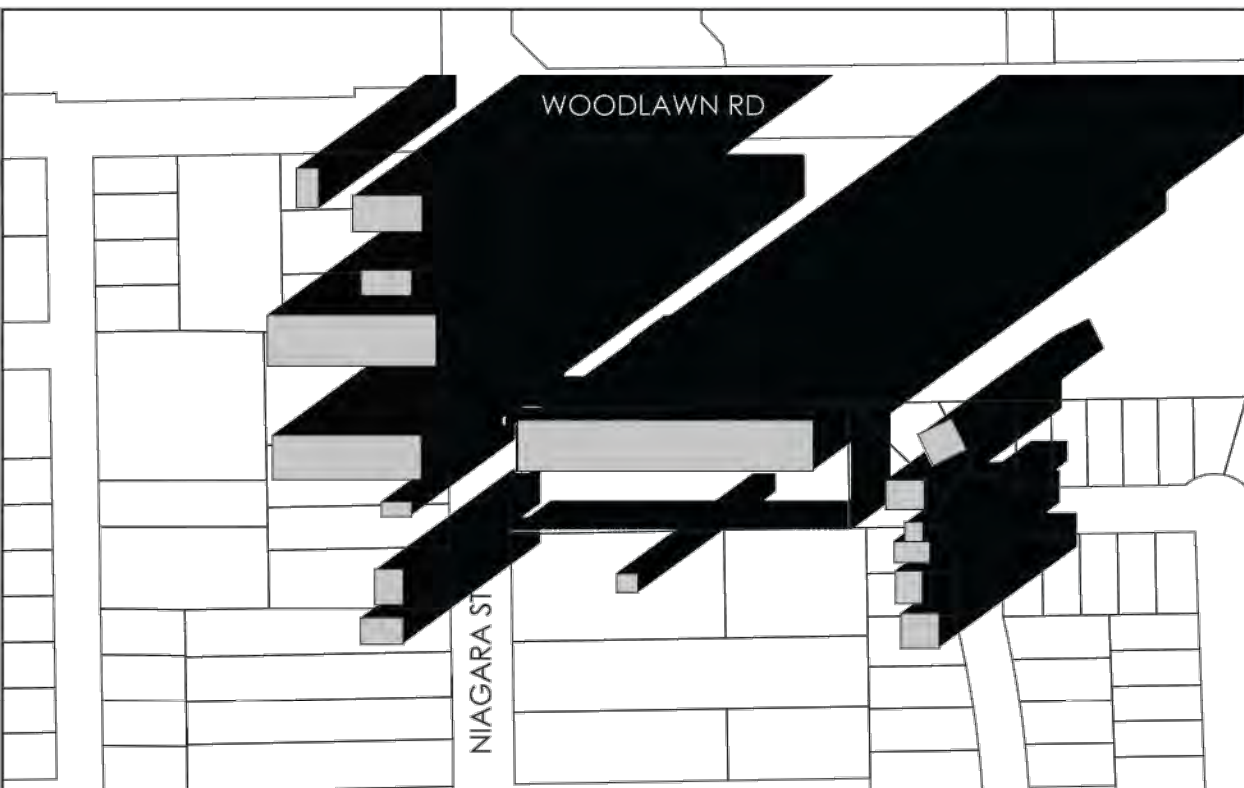
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1:00PM



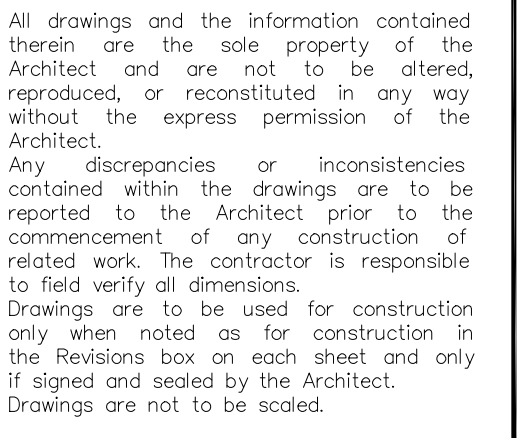
6:00PM



Appendix V

Visual Angular Plane Study





SEAL:



PROJECT NAME:

PROPOSED RESIDENTIAL DEVELOPMENT

698 Niagara Street, Welland

REVISION:

DRAWING TITLE:

Building Perspectives & Visual Angular Plane Study

DATE:
Sep-25

VISION:

A3-3

VISION:

Appendix VI

Pre-Consultation Notes





City of Welland Pre-consultation Meeting Form

Date: Thursday, May 1, 2025

Persons intending to make an application for a proposed development are to consult with planning staff prior to submitting an application. A pre-consultation meeting will identify what is required to be submitted for a complete application and will provide the opportunity to discuss:

- the nature of the proposal;
- the planning approval process;
- any information and/or reports to be submitted with the application;
- fees, development charges, and potential community improvement plans; and
- other matters, as determined.

City Contact: Taylor Meadows, (905) 735-1700 ext. 2246, taylor.meadows@welland.ca

1. Attendance:

City: Taylor Meadows, Caitlin Kovacs, Paige Fournier, Tyler Galloway, Michael Greenlee, Joe Thompson, Mateo Mussari, Marcus Titone, Tanya Korolow,

Agency: Zach Sherwood (WHESC), Lauren Vanderlingen (SNGR), Tierra Henhawk (SNGR), Paige Pearson (NPCA)

Owner/Agent: Darryl Trudel, Jason Brouwer (Brouwer Architecture Inc.), William Heikoop (UCC), Callum Gomez (UCC)

2. Contact Information:

Principal Contact: ☐ Owner ☒ Agent

Owner: Darryl Trudel

Phone: (289) 696-0023

Email: darryl@pdkinvestments.ca

Agent: Upper Canada Consultants c/o Callum Gomez

Phone: (905) 688-9400

Email: callum@ucc.com

3. Site Details:

Site Address: 694 & 698 Niagara Street

Approximate Land Area (metric): 0.77 ha

Site Legal Description: PT TWP LOT 239 & PLAN M79 LOT 44

☐ Brownfield ☐ Greenfield ☒ Built-up ☐ Other

4. Community Improvement Plans:

Potentially eligible plans:

☐ Brownfield ☐ Gateway ☐ Downtown ☐ Affordable Housing

Contact for more details: CIPS@welland.ca

5. Project Details:

Brief description of the proposal: The proposal seeks to redevelop the lot with a seven (7) storey apartment building and the associated parking area at grade.

Existing Regional Official Plan designation: **Delineated Built-up Area**

Conformity with Regional Official Plan designation and policies?

☒ Yes

☐ No

If 'No' what is the nature of the amendment needed?

Existing Local Official Plan designation: **High Density Residential**

Conformity with Local Official Plan designation and policies?

☒ Yes

☐ No

If 'No' what is the nature of the amendment needed?

Existing zoning: **First Density Zone – R1 (Zoning By-law 2667)**

Conformity with existing zoning?

☐ Yes

☒ No

If 'No' what is the nature of the amendment needed? Amendment required to facilitate desired built form and use.

Is Site Plan Control required?

☒ Yes

☐ No

6. Applications and Fees (2025):

	Application Type	City Fee	Region of Niagara Fee	Conservation Authority Fee	Notes:
	Regional Official Plan Amendment				
	City Official Plan Amendment				
<input checked="" type="checkbox"/>	Zoning By-law Amendment	\$10,137	\$725 – Stormwater Review \$1,365 – Traffic Study Review	\$6,893	
	Plan of Subdivision				
	Plan of Condominium				
<input checked="" type="checkbox"/>	Site Plan Approval	\$9,672	\$1,325 – Major Engineering Review	\$9040	
	Consent				
	Minor Variance				
	Part Lot Control By-law				
	Other				
	Total:				

Development Charges

☒ Local

☒ Regional

☒ NCDSB

Parkland Dedication

☒ Yes

☐ No

Notes on Fees:

- Notwithstanding the fees noted above, all fees are payable based upon the rate in the fee schedule by-law in effect on the date the application is received.
- Further fees may be required at a later date as per the fee schedule by-law.
- Separate cheques shall be made payable to the appropriate agency.

7. Additional Agencies to be Contacted:

	Agency	Notes
X	Hydro	
	Pipelines	
	Ministry of Transportation	If circulated upload submission to the Highway Corridor Management System via Land Development Portal
X	Propane Operator(s)	
	Railway(s)	

8. Additional Comments:

*Niagara Region comments will be provided separately.

Planning Division

- The policies of the [City of Welland Official Plan](#) apply to this proposal. The policies of the High Density Residential designation can be found in Section 4.2.2.4 of the Official Plan.
- Proposal will require a [Zoning By-law Amendment](#) to facilitate the use and built form.
- Application for [Site Plan Control](#) to be submitted once the appropriate designation and zone are in place.

Engineering Division

- A Storm water management report is required, demonstrating that stormwater flows can be controlled from 5-year post to 2-year pre-development levels and 100-year post to 100-year pre-development levels. Stormwater flows must also be treated to an enhanced level of protection (80% TSS removal per ETV criteria).
- A functional servicing report is required, identifying maximum day water demands, required fire flow, and sanitary flows from the site, as well as the impact these will have on existing infrastructure.
- Full SPA drawings including Site Plan, Site Servicing, Site Grading, Landscaping, and Sediment and Erosion Control will be required for review and approval.
- Water and Sanitary modelling are required for this development. Using the functional servicing report for this development, the City will have the modelling completed at the applicant's expense. The 2025 cost based on the number of units proposed is \$5,000 plus HST (\$2,500 for water and \$2,500 for sanitary) per the City's fee bylaw. The modelling will be initiated once the fee is received, and the necessary design information is provided.
- There are two sanitary easements in favour of the City of Welland on the property. One along the north property line, and one on the west side of the property. No structures are to be constructed within these easements.
- The City of Welland owned watermain is in the boulevard on the west side of Niagara Street. Connection to this main will require regional infrastructure to be crossed. In addition to the City of Welland's Site Servicing Road Occupancy Permit, Regional permits and approvals are required.
- The City of Welland acknowledges that the Region is requesting a Traffic Impact Study and will participate in the terms of reference.

Building Division

- Planning approvals/variances/agreements and addressing required prior to Building Permit Applications. Appeal period date to lapse prior to Permit issuance.
- Approval must be obtained from the Niagara Peninsula Conservation Authority prior to the construction or alteration of any building affected by floodplain or fill line regulations. (Required prior to Building Permit issuance)
- For Building Permit submission requirements, contact Building Division regarding Application Forms, design requirements and fees erwin.pasigan@welland.ca brian.mykytuik@welland.ca Building Services Technicians
- Signs are subject to separate Permit Applications. Compliance with the City of Welland Sign By-law and section 3.15 of the OBC to be demonstrated.
- Demolition Permit required to remove existing buildings on site.
- Separate Site Servicing Permit (underground water, sanitary, storm) is required.
- Geotechnical report/subsurface investigation completed by a Professional Engineer is required. Their recommendations for building design to be incorporated and referenced in the Structural drawings. Include slope stability considerations.
- Confirm stormwater management/grading approvals and capacity of existing infrastructure through Engineering Division.
- Functional Servicing Report prepared by a Professional Engineer to be submitted to Building Division. (double check servicing related to sewage systems)
- Site servicing within the road allowance must be approved by the City with the issuance of a Site Servicing Road Occupancy Permit (ROP).
- Obtain approval from the City of Welland Engineering Division for the connection to the potable water system supplied with water from the drinking water system in accordance with Sentence 7.6.2.1 (3.1) Division B of the 2024 Ontario Building Code, and;
- Obtain approval from the City of Welland Engineering Division for the connection of the Sanitary drainage system to the Public Sanitary Sewer including the connection of the Storm drainage system to the public storm sewage works in accordance with Sentences 7.1.2.1 (1), 7.1.2.2 (1) Div. B of the 2024 Ontario Building Code (Required prior to Building Permit issuance)
- Development Charges are applicable and will be calculated during a Permit Application Review. If the owner wishes to estimate the fee at this stage of the development process, prior to building permit review process, please review the requirements in the respective Development Charges By-laws.
- Cash-in-lieu of parkland dedication fees to be collected at the time of Building Permit issuance – To be determined by current rates or appraisal obtained by the City of Welland. Contact Nicolas.Aiello@welland.ca, Policy Planning Supervisor
- Further technical comments will be provided through Site Plan circulation phase. Ontario Building Code Matrix is to be provided on the Site Plan Drawing for each building indicating use and building classification(s), building area, number of stories, type of construction, occupant load, presence of firewalls, number of residential units, designation of fire access route, location of nearest fire hydrants, spatial separation etc.

Traffic Division

- A Traffic Impact Study will be required at the time of Zoning By-law Amendment application.
- Contact Ali Khan, ali.khan@welland.ca to discuss scope prior to submission.

Fire Division

- Fire Access Route – General – The site plan must demonstrate conformance with the requirements of Subsection 3.2.5. of the Ontario Building Code (Access for firefighting.)
- Principal Entrance – The principal entrance to the premise for firefighters is to be indicated on the site plan.
- Fire Hydrants – The location of any existing or proposed fire hydrants are to be indicated on the site plan.
- Fire Department Connection – The site plan shall indicate the location of all required fire department connections and the unobstructed distance to the nearest fire hydrant.
- Any other fire department concerns may be addressed through the normal building permit process prior to construction.

Parks Division

- With proximity to the City owned cemetery and age of burials in this front part of the cemetery, we recommend a stage 1&2 archeology study be completed along the north property line of the proposed development site. Also, please have the developer confirm through survey work if any municipal trees along the south lot line of the Cemetery will be negatively impacted by the proposal. If so, please have the developer reach out to Ryan Nolan - Parks and Forestry Supervisor for a follow up inspection and to determine next steps.

Welland Hydro

- Electrical distribution designs are to be completed by the Developers' Consultant and submitted Welland Hydro-Electric System Corp (WHESC) for review and approval.
- The proposed development must meet the clearance requirements of section 3.1.19.1 "Clearance to Buildings" of the Ontario Building Code (OBC). See link below for further information. An existing overhead poleline is present along the West property line.
 - o https://wellandhydro.com/wp-content/uploads/2022/06/WH_Clearances-to-Overhead-Electrical-Infrastructure.pdf
- The Developers' consultant is to provide WHESC with a load calculation summary to assist with determining servicing requirements.
- The point of service is to be the existing pole line located on the East side of Niagara Street.
- Associated costs to provided WHESC's portion of servicing will be estimated once review and approval of the provided design package has been completed.
- The current lead time from the transformer manufacturer is 52 weeks. An order for the transformer will not be placed until the noted estimate deposit is received.
- Electrical metering location to be reviewed and approved by WHESC. WHESC is to be provided with unimpeded access to metering location, via an exterior door directly to the metering room. A copy of the keys for the electrical room must be provided to WHESC prior to energization
- If easement(s) are required by WHESC to service this development, existing adjacent properties or any future adjacent developments, the applicant shall provide at their expense all necessary registered easements.
- Secondary infrastructure supplying the Development is to be Customer owned.
- Please complete WHESC's new service application via the link included below.
 - o <https://wellandhydro.com/accounts-billing/electrical-service-connection-request-form-2/>

- Arrange for disconnection and removal of existing hydro services prior to demolition of any structures within the noted lands. Please complete WHESC's removal of electrical service request form via the link included below.
 - o <https://wellandhydro.com/accounts-billing/service-modifications/>
- Contact WHESC's Engineering department if you have any further questions or concerns.

Niagara Peninsula Conservation Authority

- Based on the NPCA mapping, the subject property contains the following features:
 - o An NPCA regulated watercourse and an associated 15m buffer area
 - o Potential unevaluated wetlands (i.e., purple area)
- **Watercourse**
 - o As per the NPCA mapping, parcel 694 has an identified NPCA regulated watercourse of which extents north to parcel 698 of which appears to be culverted to maintain drainage.
 - o Although it is the NPCA's preference to leave watercourses in-situ, the NPCA can entertain a proposed realignment of the watercourse to ensure conveyance of flows are maintained. Additional works such as proposed watercourse crossings (i.e., culvert or other) can be entertained as well should this be proposed by the applicant. If proposed, the NPCA would require compliance with the current NPCA Policies and all works shall meet the satisfaction of the NPCA.
 - o Outlined below are the NPCA current Policy requirements that pertain to proposed watercourse alterations (i.e., realignment) and watercourse crossings as per Section 9.2.3.2 and 9.2.4.
- 9.2.3.2 Criteria for Assessing Watercourse Alterations
 - o The following policies apply to the alteration of a watercourse:
 - a) The need for the watercourse alteration has been demonstrated to the satisfaction of the NPCA;
 - b) The watercourse has been evaluated under NPCA's Procedural Manual and the alteration would be supported;
 - c) The proposed works are in accordance with NPCA standards;
 - d) Any proposed channel realignment shall only be allowed such that any required riparian buffer will not cross any property lines;
 - e) The proposed watercourse alteration does not increase flood plain elevations, flood frequency, erosion rates or erosion frequency along either side of the watercourse, upstream and/or downstream of the proposed works;
 - f) The works will not adversely affect the hydrologic function of the watercourse and riparian zone;
 - g) Adequate erosion protection measures are utilized when required; and
 - h) Sediment control measures are incorporated during the construction phase to the satisfaction of the NPCA.
- The NPCA will require natural channel design for a watercourse realignment. For either option the 100 year flow must be conveyed.
- 9.2.4 Watercourse Crossings
 - o Watercourse crossings, including infrastructure which goes over a watercourse or underneath it, such as bridges, culverts, pipelines, channel enclosures of less than 20 metres and causeways may be permitted, subject to the following:
 - a) There are no reasonable alternatives to the crossing;

- b) Where physical alterations to the watercourse are required, they are in accordance with policy 9.2.3.2;
 - c) Where feasible, crossings avoid any bends in the watercourse;
 - d) The preferred location for crossings is in areas which are already disturbed, making use of existing impacted or open areas on the channel bank or valley slope;
 - e) The risk for increased flooding as a result of the crossing, either upstream or downstream, is mitigated;
 - f) Risks associated with erosion are addressed;
 - g) The design minimizes impacts on the hydrological features and functions, with a preference for open bottom structures and where appropriate, restoration measures are included to the satisfaction of the NPCA; and,
 - h) Maintenance requirements are minimized.
- In regard to the requirements outlined above, the justification and demonstration of the requirements are to be completed by a qualified professional engineer to the satisfaction of the NPCA. The NPCA can be of assistance to scope out the requirements directly with a hired consultant.
- **Potential unevaluated wetlands**
- With consideration to prior wetland assessments within nearby southern lots, the NPCA would like to assess if extent of the wetlands are also present on the subject property. As such, the NPCA would conduct a site visit to verify the presence or absence of wetland on the subject property along the eastern portion.
 - o Should wetlands be verified present on the subject property, the NPCA will be able to identify the wetland boundary and provide comments as to what extent of protection (i.e., buffer) would be required between the wetland and the area of development.
 - o Site visit and wetland assessments are completed within the growing season being, mid-May through until mid-October. Please contact the NPCA directly to arrange a site visit and other external staff including municipal planners are welcome to attend if preferred.
 - o Following a completed site visit, the NPCA will be able to provide fulsome comments with consideration to the conceptual site plan including any potential requirements including possible technical studies.
- It should be noted that the proposal suggests development on parcels 698 & 694 Niagara Street. At this time, it is to the understanding of the NPCA that these two lots are not as one. The NPCA will require confirmation for if a boundary adjustment is to be proposed to turn the two lots into one as our policies for criteria for watercourse realignment have restrictions for crossing property lines.
- All proposed works that encroach within NPCA regulated areas shall comply with the current NPCA Policies and are to meet the satisfaction of the NPCA staff. The NPCA would require reviewing and approve all proposed works within the NPCA regulated limits with NPCA issued work permits prior to the start of development.
- The NPCA will require a circulation for a review fee. As per the current Schedule 'A' fees (attached), the following fees would be required prior to the submission of the applications:
 - o Zoning By-law Amendment
 - Major (with a technical study review): \$6893.00
 - o Site Plan Control
 - Multiple Residential, Commercial, Industrial: \$9040.00

- Plan review applications that fall into one or more categories will be charged one fee, at the highest rate, when the applications are submitted at the same time. Please refer to the attached fee schedule and refer to Schedule "A" notes for greater detail regarding the NPCA fee requirements.

Mississaugas of the Credit First Nation

- MCFN Requests that a Stage 1 Archeological Assessment be undertaken and circulated to MCFN for review and comment. If a Stage 2 Archeological Assessment is warranted MCFN requests participation. Contact Abby Lee, abby.laforme@mncfn.ca
- If these studies have already been conducted please circulate them to Abby Lee.

Six Nations of the Grand River

- SNGR requests a Stage 1 Archeological Assessment be undertaken and circulated to Six Nations. If a Stage 2 Archeological Assessment is warranted SNGR requests participation. Contact Tany Hill, tanyahill-montour@sixnations.ca
- If these studies have already been conducted please circulate them to Tanya Hill.
- SNGR requests a 10:1 tree replacement ratio, and a 3:1 wetland replacement ratio on site and a 4:1 wetland replacement ratio off site.

9. Submission Checklist:

Required Information and Studies to be submitted with the Application(s). Studies identified with an asterisk* will likely require a peer review at the cost of the developer. **Please ensure all digital copies are provided as an Accessible Document.**

Local	Region	NPCA	Reports, Studies, Plans (<i>See Notes for additional details</i>)	Notes
			Agricultural Impact Assessment	
			Air Quality/Odour/Noise & Vibration Study*	
			Archaeology Assessment	
			Cultural/Built Heritage Impact Assessment*	
			Draft Local Official Plan Amendment	
			Draft Plan of Subdivision/Condominium	
			Draft Regional Policy Plan Amendment	
X			Draft Zoning By-law Amendment	
			Environmental Impact Study	
			Environmental Planning Study/ Sub-Watershed Study	
			Environmental Site Assessment	
			Farm Operation and Ownership	
			Financial Impact Assessment*	
			Floodplain and Hazard Lands Boundary Plan	
X			Functional Servicing Report	
			Gas Well Study/Gas Migration Study	
X			Geotechnical Report/Slope Stability Report	
			Hydrogeological Study and Private Servicing Plans*	
			Land Use Compatibility Study/Market Needs*	
			Mineral Aggregate Resources	
			Minimum Distance Separation I & II	
			Phasing Plan	
X			Planning Justification Report	
			Risk Management Study	
X			Sediment and Erosion Control Plan	
			Sensitive Land Use Report	
X			Servicing and Grading Plans	
X			Shadow Analysis	
X			Site Plan/Site Survey/Consent Sketch	
			Social Impact Assessment	
			Soil Report	

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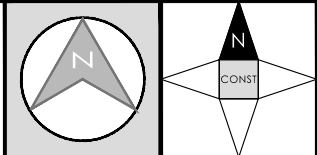
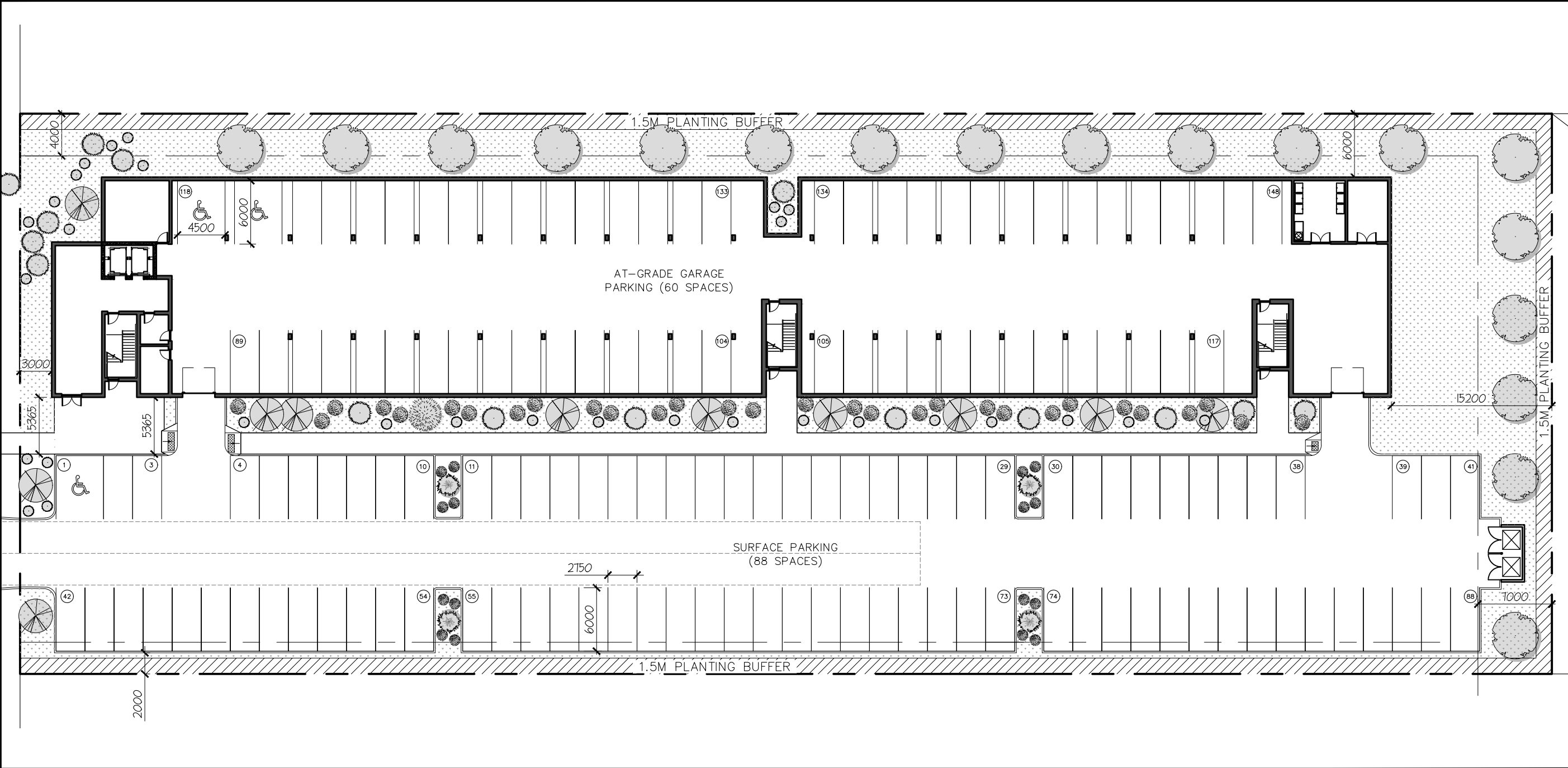
X	X		Stormwater Management Report	
			Tree Inventory Preservation Plan	
X	X		Transportation Impact Study/Parking Impact Analysis	
X			Urban Design/Landscape Plans	
			Visual Impact Assessment	
X			Wind Study*	
			Other*	

Notes:

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

10. Signatures:

Taylor Meadows Planning Staff	Planning & Dev. Services (sig)	01-05-2025 Date
Caitlin Kovacs Planning Staff	Planning & Dev. Services (sig)	01-05-2025 Date
Marcus Titone Building Staff	Planning & Dev. Services (sig)	01-05-2025 Date
Mateo Mussari Engineering Staff	Infrastructure Services (sig)	01-05-2025 Date
Ali Khan Transportation Staff	Infrastructure Services (sig)	01-05-2025 Date
Tanya Korolow Fire Services Staff	Welland Fire & Emergency Services (sig)	01-05-2025 Date
Dave Steven Parks & Forestry Staff	Community Services (sig)	01-05-2025 Date
Josh Wilson Regional Staff	Niagara Region (sig)	01-05-2025 Date
Paige Pearson Conservation Staff	Niagara Peninsula Cons. Authority (sig)	01-05-2025 Date
Zachery Sherwood Hydro Staff	Welland Hydro Electric System Corp. (sig)	01-05-2025 Date
Darryl Trudel Owner	Owner (sig)	01-05-2025 Date
Callum Gomez Agent	Agent (sig)	01-05-2025 Date
Abby Lee (MCFN) Other	Other (sig)	01-05-2025 Date
Tierra Henhawk (SNGR) Other	Other (sig)	01-05-2025 Date



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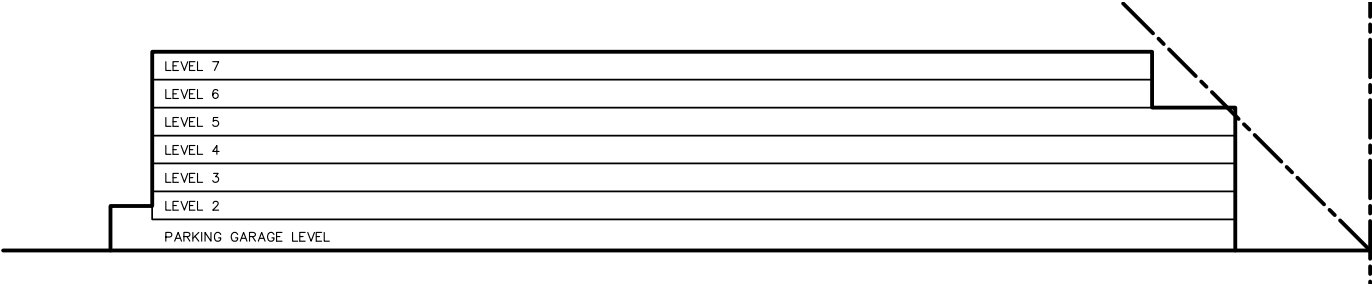


PROJECT TITLE:
698 NIAGARA STREET DEVELOPMENT
698 NIAGARA STREET
WELLAND, ON

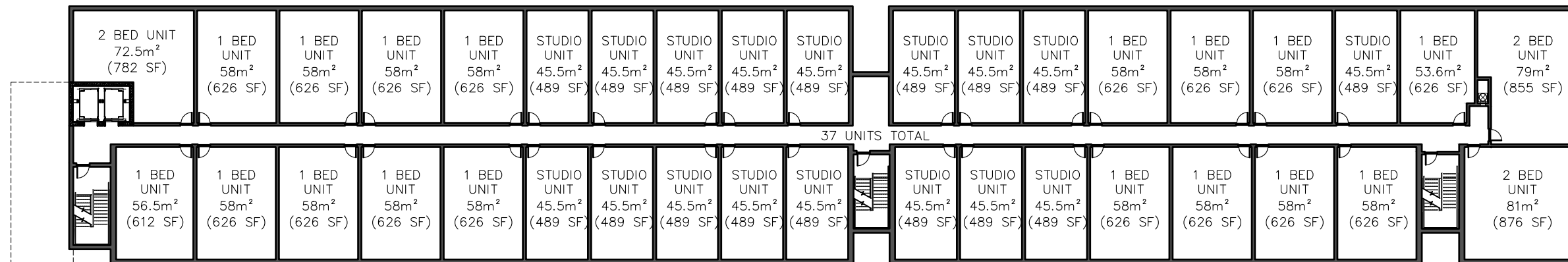
DRAWING TITLE:
SITE PLAN - PARKING
LEVEL PLAN

DRAWN: O.G.
CHECKED: J.B.
PROJECT #: 2443
DATE: Apr-2025
REVISION: -

DRAWING #:
C-1

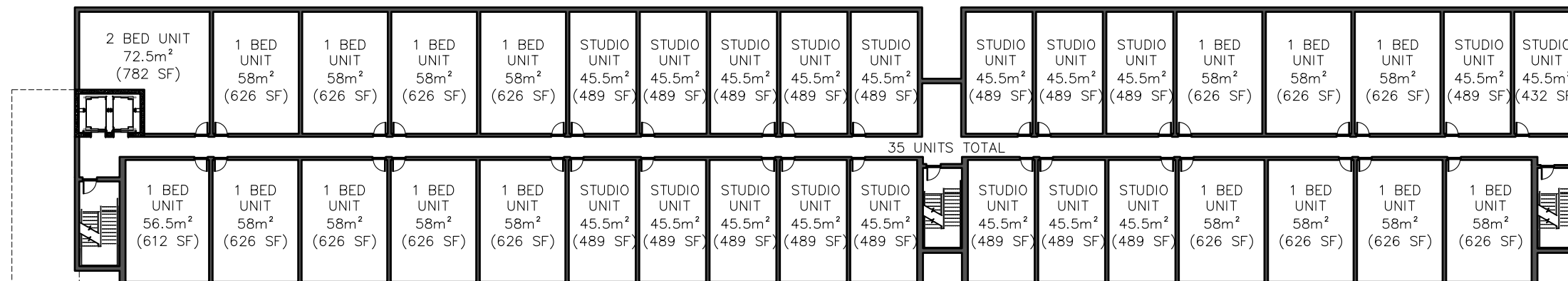


UNIT/PARKING NUMBERS			
	NUMBER OF UNITS:	REQUIRED	PROPOSED
6 STOREY BUILDING (6 RESIDENTIAL FLOORS)		1 PER UNIT (OVER 50m ²) 0.3 PER UNIT (UNDER 50m ²)	
2 BEDROOM	14	14	
1 BEDROOM	100	100	
STUDIOS	104	32	
TOTAL UNITS	218	3 (B.F. PKG.)	
TOTAL PARKING REQ'D:		146	
TOTAL PARKING PROP.:			148



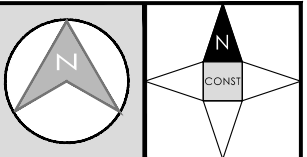
FLOOR PLAN - LEVELS 2-5

SCALE: NTS



FLOOR PLAN - LEVELS 6-7

SCALE: NTS



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PROJECT TITLE:

698 NIAGARA
DEVELOPMENT

698 NIAGARA STREET
WELLAND, ON

DRAWING TITLE:

FLOOR PLANS -
FLOORS 2-5 - FLOORS
6-7

DRAWN:	O.G.
CHECKED:	J.B.
PROJECT #	2443
DATE:	Apr-2025
REVISION:	-

DRAWING #:

C-2