

**AMENDMENT NO. 33**  
**to the**  
**OFFICIAL PLAN**  
**of the**  
**CORPORATION OF THE CITY OF WELLAND**

**DAY MONTH, 2022**

**THE CORPORATION OF THE CITY OF WELLAND  
BY-LAW NUMBER 2021-XX**

**A BY-LAW TO AUTHORIZE THE ADOPTION  
OF OFFICIAL PLAN AMENDMENT NO. 33**

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

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

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

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

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

**AND WHEREAS** the Regional Municipality of Niagara has exempted Official Plan Amendment No. 33 to the Official Plan of the Corporation of the City of Welland from approval in accordance with the Memorandum of Understanding between the Regional Municipality of Niagara and the Corporation of the City of Welland.

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

1. That the Corporation of the City of Welland hereby adopts and approves Official Plan Amendment No. 33 for the Corporation of the City of Welland.
2. That Staff is hereby authorized and directed to give Notice of Council's adoption of Amendment No. 33 to the Official Plan of the Corporation of the City of Welland in accordance with Section 17(23) of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS DAY OF MONTH, 2022.**

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

**Amendment No 33**  
  
**to the**  
  
**Official Plan**  
  
**of the**  
  
**Corporation of the City of Welland**

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

Date: .....

\_\_\_\_\_  
GRANT MUNDAY, B.A.A., MCIP, RPP  
INTERIM DIRECTOR  
DEVELOPMENT AND BUILDING SERVICES  
THE CORPORATION OF THE CITY OF WELLAND

**AMENDMENT NO. 33 TO THE OFFICIAL PLAN OF THE  
CORPORATION OF THE CITY OF WELLAND**

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

**TITLE AND COMPONENTS**

This document, when approved in accordance with the Planning Act, shall be known as Amendment No. 33 to the Official Plan of the Corporation of the City of Welland.

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

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

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

**PURPOSE OF THE AMENDMENT**

The purpose of Official Plan Amendment No. 33 is to redesignate the lands shown on the attached Schedule B to Low Density Residential, Medium Density Residential and Core Natural Heritage. The purpose of the Amendment is to allow the property to be developed with a 3 storey twenty four (24) unit apartment condominium plan accessed from Aqueduct Street and to create one lot fronting onto Gadsby Avenue for residential purposes.

**LOCATION**

The lands subject to this Amendment are located on the east side of Aqueduct Street, north side of Gadsby Avenue, south of Aqueduct Street Park, and north of Thorold Road. The lands are 0.63 hectares in size.

**BASIS**

The subject lands are within the urban area boundary for the City of Welland and currently designated Low Density Residential and Parks, Open Space, and Recreation. The lands are currently vacant. A proposal has been put forth to redevelop the lands with a 3 storey 24 unit apartment building off of Aqueduct Street and one lot fronting onto Gadsby Avenue.

## **PART B - THE AMENDMENT**

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the following Policies and the map referred to as Schedule "A" - Land Use Plan and Policies, constitutes Amendment No. 33 to the Official Plan of the Corporation of the City of Welland.

### **MAP CHANGES**

1. Schedule A, City Structure Map is hereby amended by identifying additional Environmental Conservation Areas on the property.
2. Schedule B, Land Use Map is hereby amended by identifying the lands as Residential and Core Natural Heritage.
3. Schedule B1, Residential Hierarchy Land Use Map is hereby amended by identifying the lands as Low Density Residential, Medium Residential and Core Natural Heritage.
4. Schedule C, Core Natural Heritage System Map is here by amended by identifying the Environmental Conservation Areas on the property.
5. Schedule C1, Components of the Natural Heritage System Map is hereby amended by identifying the additional Environmental Conservation Areas on the property.

**SCHEDULE "A" LAND USE PLAN**

## **PART C - THE APPENDICES**

The following appendices do not constitute part of Amendment No.33 to the Official Plan of the Corporation of the City of Welland, but are included only as information supporting the amendment.

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



**APPENDIX I - AFFIDAVIT**

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

AND

IN THE MATTER OF THE ADOPTION OF  
OFFICIAL PLAN AMENDMENT NO. 33 BY BY-  
LAW 2021-XX PASSED BY COUNCIL OF THE  
CORPORATION OF THE CITY OF WELLAND  
ON DAY MONTH, 2022

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

1. I am the Director, Development and Building Services of the Corporation of the City of Welland.
2. That in accordance with Section 17(15) of The Planning Act, as amended and Section 3 of Ontario Regulation 543/06, Notice of the Public Meeting was published in the Niagara This Week Newspaper on Thursday, October 6th, 2022. I hereby certify that the required Public Meeting was held on Tuesday, December 6th, 2022 by the Council of the Corporation of the City of Welland.
3. A list of all persons or public bodies which made oral submissions at the Public Meeting is attached as Schedule "A" to this Affidavit.
4. That in accordance with Section 17(23) of The Planning Act, as amended, and Ontario Regulation 543/06, the requirements for the giving of Notice of Adoption of the Amendment have been complied with.
5. That in accordance with Section 7(7) of Ontario Regulation 543/06, the decision of Council is consistent with the Policy Statements issued under sub-Section 3(1) of the Act and conforms to any applicable Provincial Plan or Plans.

Sworn before me at the City of Welland  
in the Regional Municipality of Niagara,  
this X day of MONTH, 2022.

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**SCHEDULE "A" TO APPENDIX 1 - AFFIDAVIT**

List of individuals who made oral submission at the Statutory Public Meeting conducted concerning Amendment No. 33 to the Official Plan of the Corporation of the City of Welland.

In Support

In Opposition

**APPENDIX II - NOTICE OF ADOPTION**

CITY OF WELLAND  
NOTICE OF ADOPTION OF  
AMENDMENT NO. 33 TO THE  
OFFICIAL PLAN OF THE CORPORATION OF THE CITY OF WELLAND

Take notice that the Council of the Corporation of the City of Welland passed By-law 2022-XX, being a By-law to adopt Amendment No. XX to the Official Plan on DAY MONTH, 2022 under Section 17(23) of The Planning Act, as amended.

The Purpose of Amendment No. 33 is to redesignate the property to Low Density Residential, Medium Density Residential and Core Natural Heritage.

The Effect of the redesignation is to permit the development of the property with a twenty-four (24) unit apartment condominium plan accessed from Aqueduct Street and a single lot fronting onto Gadsby Avenue.

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

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

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

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

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

The land to which this proposed Amendment to the Official Plan applies is also the subject of a Zoning By-law Amendment 2022-33.

A copy of the Amendment and Staff Report are available for inspection by the public as of MONTH DAY, 2022 at by contacting the Planning Department at [devserv@welland.ca](mailto:devserv@welland.ca).

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

GRANT MUNDAY, B.A.A., MCIP, RPP  
DIRECTOR  
DEVELOPMENT AND BUILDING SERVICES  
OF THE CORPORATION OF THE CITY OF WELLAND

***APPENDIX III***

***- MINUTES OF PUBLIC MEETING -***

***APPENDIX IV - STAFF REPORT***

NOTE: Incorporate additional written comments received after date of report.

***APPENDIX V - COUNCIL RESOLUTION***

