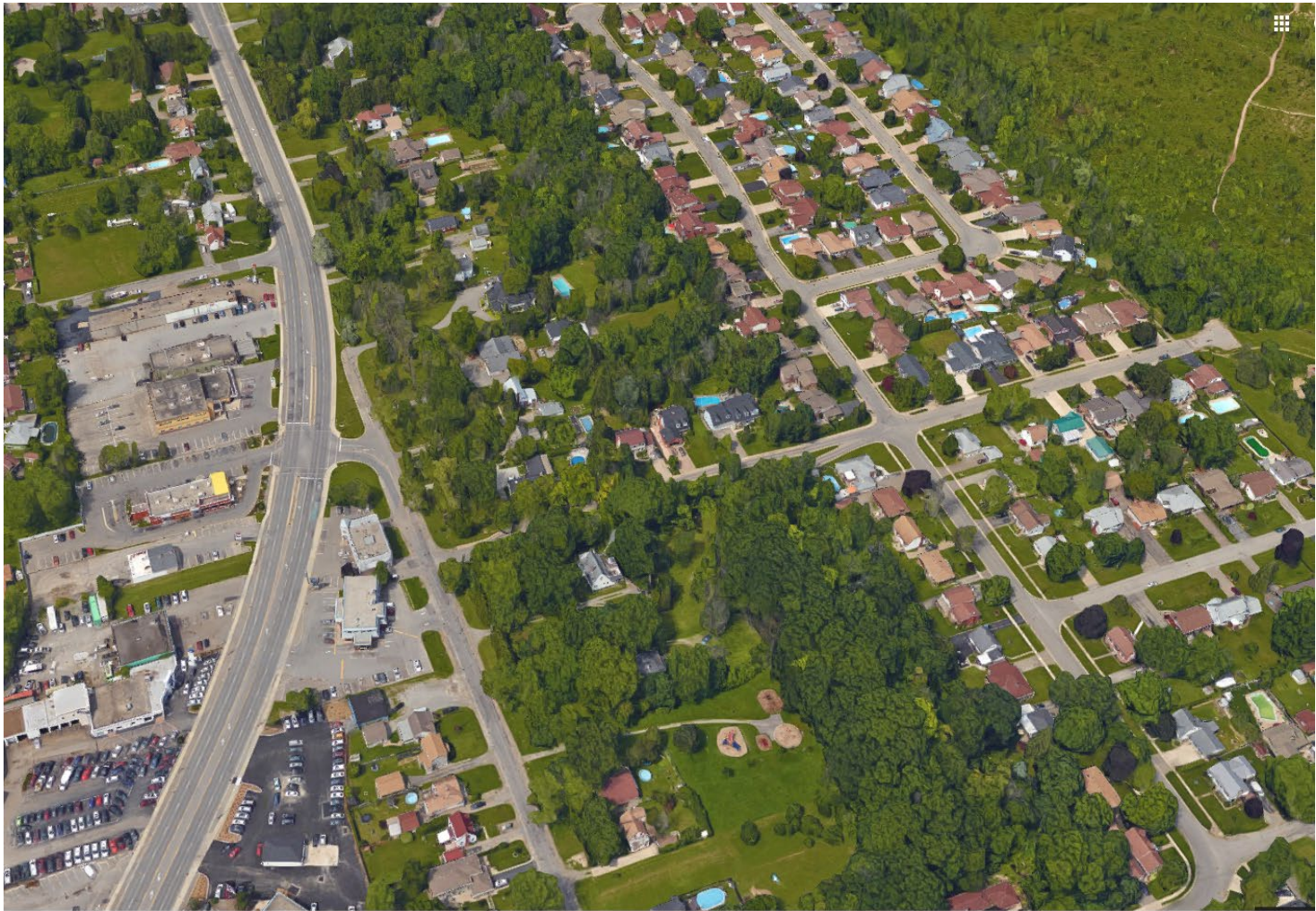


City of Welland
Proposed Development 670 Niagara
Street
File 2024-1; OPA49

Presentation by Fox Estates Residents
Statutory Public Hearing April 2, 2024



History of OPA 77

Presented by: Gary Talosi – Resident

History of OPA 77

- Late 1980's east side of Niagara Street property owner posted a sign "land available for commercial development" (zoning was R1)
- Niagara Street owners wanted opportunity to sell to developers in future at increased prices
- Neighbours abutting wanted to protect their single detached properties
- City wanted development as multi-unit residential, not just commercial

History of OPA 77

- Neighbours hired a lawyer and planner to assist with negotiations, we wanted to be part of the solution, rather than against development
- Negotiations resulted in OPA77, a compromise agreed to by all 3 parties: The City, Niagara Street owners, and the neighbours of Niagara Street owners

Provisions in OPA 77

- “When High Density Housing abuts Low Density Residential Zone, **all Necessary Protective Measures will be provided** to protect the amenities of the Low Density Housing Zone, including: setback, ...buffering ,
etc. OPA77 Provision 5.6 (e)

OPA 77 Provisions

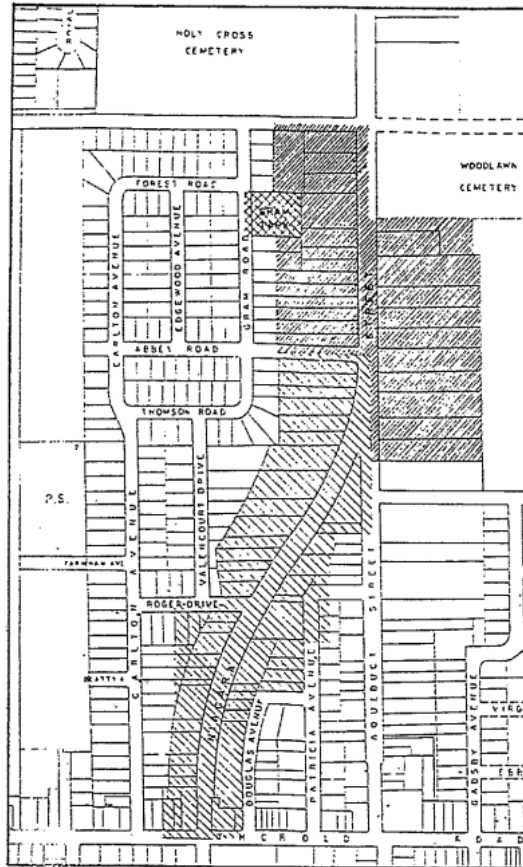
- “Building Heights will be limited to eight storeys.” OPA77 5.6(j)
- “The apartment building closest to properties fronting onto Hilda Street will be limited to 5 storeys and contain a minimum yard area of 18 metres between the building and the rear property line of the abutting properties fronting into Hilda Street” OPA77 5.6 (l)
- “The City shall take all necessary measures to preserve existing trees and other significant flora”
OPA 77 7.4

OPA77 Provisions

- **“A minimum 30 metre wide treed buffer strip** located along the rear property lines of properties fronting on the East side of Niagara Street from Hilda Street to Woodlawn Cemetery will be preserved, landscaped and **zoned as Open Space** in the implementing zoning bylaw. **A 9 metre wide treed buffer strip** shall be established along the rear property lines of properties fronting onto Hilda Street” OPA77 7.16

OPA77 Becomes Law

- Statutory Public Hearing OPA77 – June 20,1991
- Approved by City Council - Sept 19, 1991
- Region of Niagara approved OPA77 – Nov, 1991
- Province of Ontario approved OPA77 – July 17,1992



AMENDMENT No. 77
TO THE OFFICIAL
PLAN FOR THE
WELLAND PLANNING
AREA

SCHEDULE 'A'
LAND USE PLAN

NOTE:

THIS SCHEDULE FORMS PART
OF AMENDMENT No. 77 TO
THE OFFICIAL PLAN FOR THE
WELLAND PLANNING AREA AND
MUST BE READ IN CONJUNCTION
WITH WRITTEN TEXT.

LEGEND:

Lands to be designated RESIDENTIAL



Lands to be designated COMMERCIAL - GENERAL



Lands to be designated OPEN SPACE



DATE : October 1991

prepared by the Department of Planning and Development

Scale 1 : 7200

Not all of OPA77 included in OP2010

- City implementing Comprehensive Zoning Bylaw in 2017
- Neighbours learned by chance on May 11, 2017 that not all of OPA 77 was carried forward into Official Plan 2010
- Neighbours were not individually notified of the loss of important provisions of OPA77
- OPA77 needed a specific public process of existing and adjacent property owners to implement.
- A similar process should be needed to undo it, but there was none.

Two Planning Principles were clearly established by OPA77 in 1991:

1. The lands on the east side of Niagara Street between Hilda Street and Woodlawn Cemetery can be developed as High Density Housing
2. When High Density Housing is proposed which abuts a Low Density Residential Zone, all necessary protective measures will be provided to protect the amenities of the Low Density Housing Zone

Principle 1 is still in place. Principle 2 was lost, without notice or negotiation, when some provisions of OPA77 were not included in the New Official Plan in 2010.

Principle 2 must be re-established

This is a 30 metre Setback



This is a 30 metre Treed Buffer



Summary of What Happened

OPA 77

OP 2010

Niagara Street Property owners

Can sell to developers at increased prices

YES

YES

City of Welland

Multi-Unit Res Zoning on East Side of Niagara Street

YES

YES

Neighbours of Niagara Street Properties

Open Space Zoning & Treed Buffers to protect
their single detached properties

YES

NO!

Conclusion

Our requests are as follows:

1. Limit building heights to eight storeys.
2. Re-establish 30 meter wide treed buffer and 9 meter wide treed buffer in designated areas
3. Provide all necessary protective measures to protect the amenities of low density housing zones abutting proposed high density housing

City of Welland
Proposed Development 670 Niagara
Street
File 2024-1; OPA49

Presentation by Fox Estates Residents
Statutory Public Hearing April 2, 2024



Traffic Concerns

Presented by: Jim Fazzari – Resident

Niagara Region Transportation Master Plan – Needs & Opportunities

competitive for a wider range of trips, and address this challenge.

More than half (54%) of personal trips and 69% of work trips within Niagara Region are less than five kilometres long—a distance easily covered by bike in fewer than 20 minutes. Despite this, only 4% of all trips and 7% of trips to work are made by cycling or walking. Even more of the trips (75%) within individual municipalities are less than five kilometres long, but only 5% are made by foot or bike.

Exhibit 2.9: Motorized Trips by Mode, 2011 and 2041

Mode	2011 Trips	2011 Share	2041 Trips	2041 Share
Auto	1,116,000	96.0%	1,614,000	96.0%
Auto Driver	883,000	75.9%	1,280,000	76.1%
Auto Passenger	234,000	20.1%	334,000	19.9%
Public Transit	19,000	1.6%	31,000	1.8%
School Bus	28,000	2.4%	36,000	2.1%
Total Motorized	1,164,000	100.0%	1,681,000	100.0%

Source: Niagara Regional Travel Forecasting Model

Niagara Region Transportation Master Plan – Executive Summary

Niagara Region Transportation Master Plan
Executive Summary

Final – October 2017

6.2 Public Transit

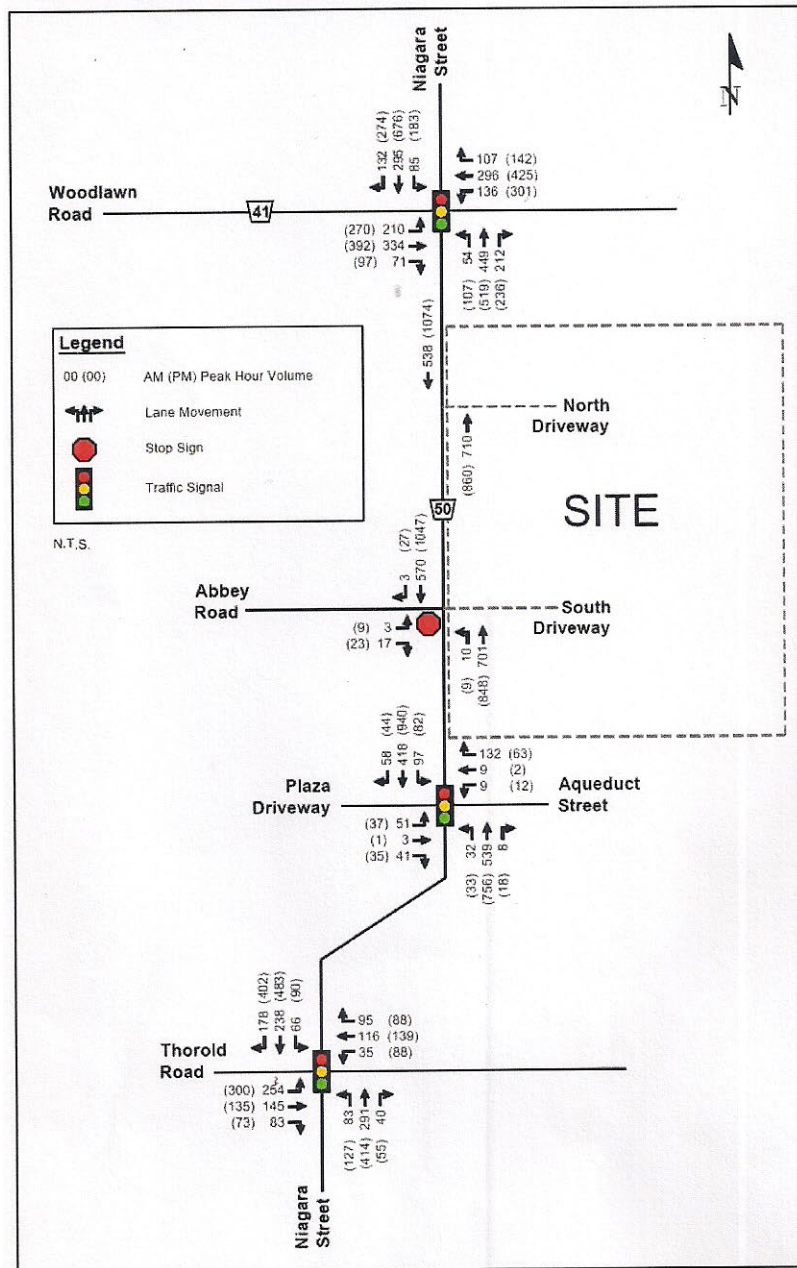
Transit service levels in Niagara Region are among the lowest in Ontario's regional municipalities. The dispersed communities in Niagara are difficult to serve efficiently and cost-effectively using traditional fixed-route services.

Estimates based on the Regions %'s

- Auto
 - 1196 units (not occupants but units)
 - 76.1% (auto & driver)
 - Estimated 910 vehicles/units
- Walking & Riding
 - 1196 units (not occupants but units)
 - 7% (personal & work related)
 - Estimated 84 units
- Public Transit
 - 1196 units (not occupants but units)
 - 1.8% (public transit)
 - Estimated 22 units
- School Bus
 - 1196 units (not occupants but units)
 - 2.1% (school bus)
 - Estimated 25 units

Volumes are illustrated in Figure 5. All traffic counts and signal data are in Appendix A.

Figure 5: Existing Traffic Volumes



Current Traffic volumes

- Northbound AM 710
- Northbound PM 864
- Southbound AM 538
- Southbound PM 1074

Burnside Transportation Study shows Niagara Street / Woodlawn Avenue currently exceeds Level of Service at Peak Time

Additional Sources of Traffic

- 699 Niagara Street (128 units)
- 695 Niagara Street (110 units)
- 777 Niagara Street - Proposed new retail space
(where current Peavy Mart is)
- 800 Niagara Street (1300 units) Warbler Place
- 1002 Niagara Street (368 units)
(where current Bowlarama is)
- Aqueduct Street /Gadsby Avenue access/egress
from 24 townhouse build

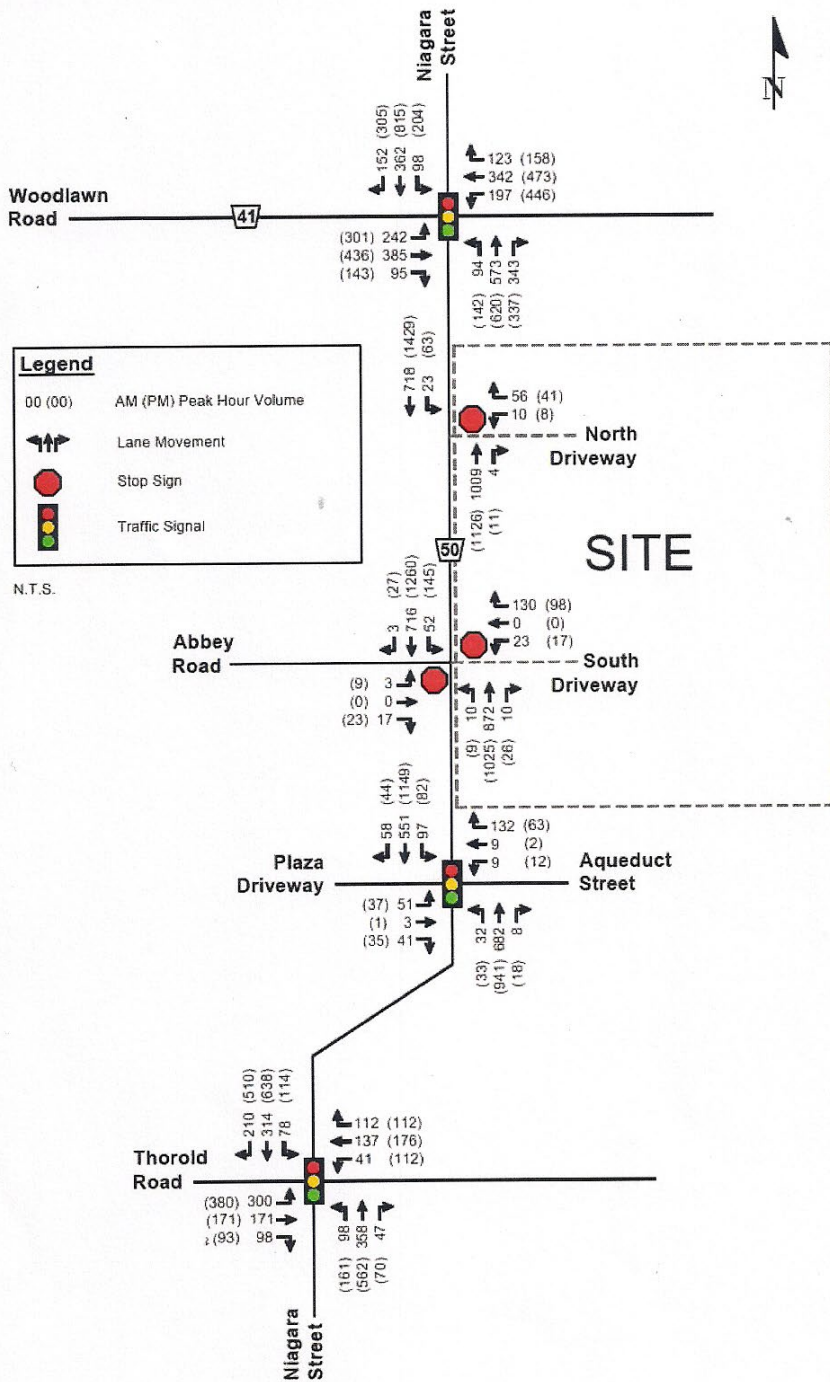
Estimated Traffic volumes in 2035

Northbound AM
1009 (increase 30% from present)

Northbound PM
1126 (increase 23% from present)

Southbound AM
718 (increase 25% from present)

Southbound PM
1429 (increase 25% from present)



Estimated Traffic volumes in 2035

Traffic from subject lands

Traffic Direction Totals

% of 1196 units

% of units unaccounted for

Northbound AM

1009

186

Southbound AM

718

33

219

18%

82%

Northbound PM

1126

139

Southbound PM

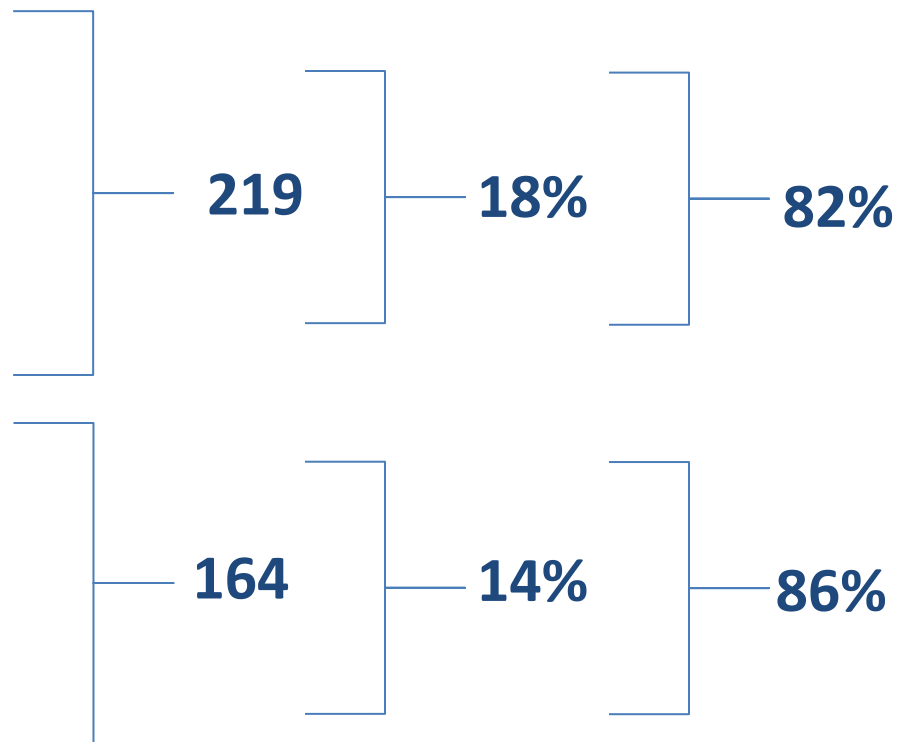
1429

25

164

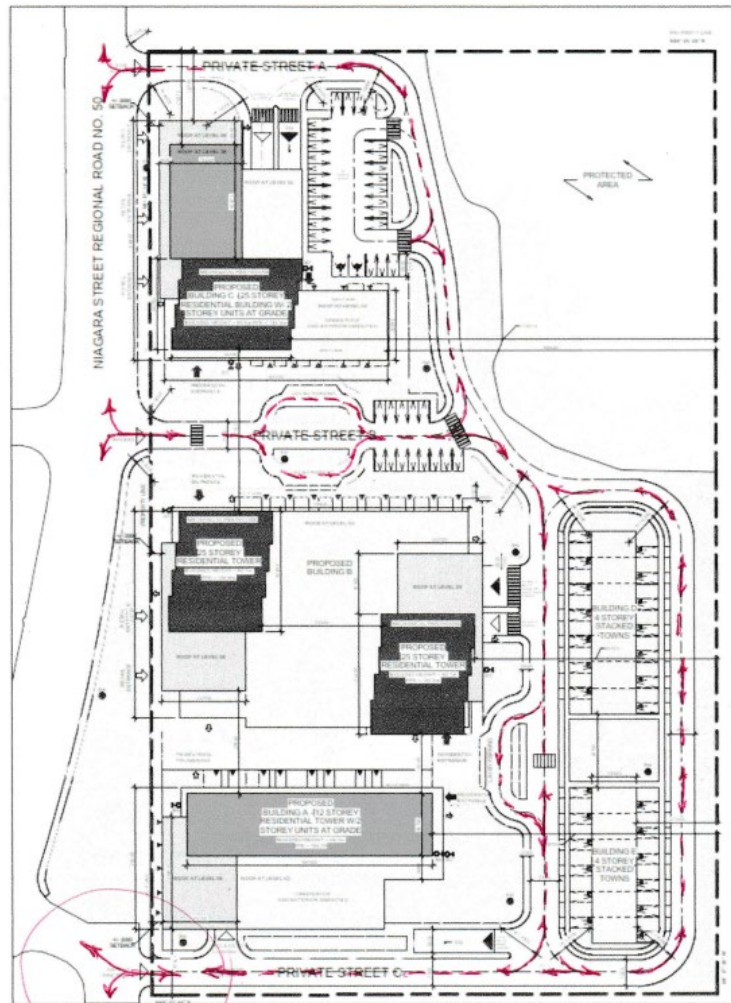
14%

86%



Site Traffic Flow

Figure 10: Proposed Conceptual Site Plan



- There are 3 entrances and exits to the development
- The purpose of the locked gate at the South West end of the subject lands to Aqueduct Street was stipulated to be used for Emergency Services only. Access & Egress would be controlled but no explanation to how it will be controlled for that purpose only.
- Uncontrolled access would have an effect on the results of the traffic studies performed at Niagara and Aqueduct Streets, potentially changing its current level of service
- If Niagara/Aqueduct Streets could be used, what is the impact ? Would it improve or degrade intersection functions?
- What caveats would the City place on the developer to ensure this access remains in tact as presented – **a restricted access**. Non-enforcement of this allows the developer to change its designated purpose making traffic studies of the roadways surrounding the development moot.

N.R. Transportation Impact Assessment Guidelines

Niagara Region recognizes the importance of all modes of transportation to its citizens and businesses and to their ability to move around and through the Region. The Niagara Region Official Plan includes a number of objectives and policies that demonstrate this. The Region's Official Plan states that there is a desire for a safe, convenient, efficient, aesthetic, and economical transportation system for its residents and businesses, including the provision of efficient transit services. **It is important to ensure that new developments and redevelopments are planned with these objectives in mind as well.**

3.6.4 Safety Impact Analysis

Potential safety or operational issues associated with the following, as applicable, should be identified:

- Weaving maneuver.
- Merging conflicts.
- Transit operational conflicts.
- Corner clearances.
- Sight distances.
- Vehicle-pedestrian and vehicle-cyclist conflicts.
- Traffic infiltration.
- Access conflicts.
- Cyclist movements.
- Heavy truck volumes and consideration (e.g., turning paths) and size of the trucks.
- Speeding.

The safety impact analysis should include but is not limited to:

- A road safety review of existing conditions including any remedial measures to address unusual collision patterns that are identified through the Scope of Work.
- An estimate of the impacts that the development will have on collision patterns.

Where the development is expected to contribute to speeding or other road safety issues, the Developer will be required to review existing speed and traffic data (available from the Region) and propose road safety countermeasures, in consultation with Regional staff,

Traffic Impact

- Bicyclists leaving the north/south driveway complying with **By-Law 80-2000 [part 6 point 6.3 – No person shall drive a bicycle or vehicle upon a sidewalk]**, will inevitably drive onto the roadway causing vehicles to **weave and maneuver** around slower moving cyclists with potential for **vehicle-cyclists conflicts**
- Southbound /Left hand turns from the subject property two driveways will cause **access conflicts** as northbound traffic is blocked by vehicles and cyclists trying to merge into southbound traffic



2019

Annual Collision Report

Intersections with the Highest Frequency of Fatal and Injury Collisions, 5 Years (2015-2019)

Description	Municipality	Jurisdiction	Collision Frequency
Dorchester Road at Lundy's Lane	Niagara Falls	Regional	15
Niagara Street at Vine Street / Facer Street	St. Catharines	Regional	14
Lundy's Lane at Montrose Road	Niagara Falls	Regional	14
Drummond Road at Lundy's Lane	Niagara Falls	Regional	13
Dorchester Road at Thorold Stone Road	Niagara Falls	Regional	12
Dorchester Road at McLeod Road	Niagara Falls	Regional	12
Kalar Road at Lundy's Lane	Niagara Falls	Regional	11
Drummond Road at McLeod Road	Niagara Falls	Regional	11
Carlton Street & North Service Road at Geneva Street	St. Catharines	Regional	10
Prince Charles Drive North at Thorold Road	Welland	Regional	10
Niagara Street at Woodlawn Road	Welland	Regional	10
East Main St/Schisler Road at Moyer Road/Doans Ridge Road	Niagara Falls	Regional	10
McLeod Road at Oakwood Drive/Ramp	Niagara Falls	Regional	10
Neilson Avenue at Welland Avenue	St. Catharines	Municipal	10

Intersections with the **Highest Frequency of Fatal and Injury Collisions, 5 Years (2015-2019)**

Description

Municipality Jurisdiction Collision

Frequency

Road Sections with the Highest Frequency of Fatal and Injury Collisions, 5 Years (2015-2019)

Description	Municipality	Jurisdiction	Collision Frequency
Welland Avenue between Grantham Avenue & Export Avenue	St. Catharines	Municipal	13
Ontario Street between Byron Avenue & Scott Street West	St. Catharines	Regional	9
Lundy's Lane between Allanport Road & Highway 58 & Centre Street	Thorold	Regional	9
Stevensville Road between Bertie Street & Gorham Road & Bowen Road	Fort Erie	Regional	7
Oakwood Drive between McLeod Road & Ramp & Montrose Road	Niagara Falls	Municipal	5
Main Street between Barker Street & Pear Street & Ferry Street & Lundy's Lane	Niagara Falls	Municipal	5
Lundy's Lane between Drummond Road & Leonard Ave	Niagara Falls	Regional	5
South Pelham Road between Balsam Street & Sumbler Road	Welland	Regional	5
King Street between Eleventh Street & Thirteenth Street	Lincoln	Regional	5

Niagara Street at Woodlawn Road Welland Regional 10

Within 968 feet/295 metres of a high collision intersection, and as identified in the Burnside Transportation Study currently exceeds Level of Service at Peak Time, this project adds two accesses to Niagara Street.

Speeding and aggressive driving contribute to severity and frequency of collisions. In Ontario, speeding related collisions constituted 14.7% of total fatalities in 2019¹. Police collision reports identify the at-fault driver action which potentially contributed to the collision.

The following actions are categorized as aggressive driving:

- Following too close
- Speed too fast
- Exceeding speed limit
- Lost control

Based on 2015-2019 collision data, aggressive driving contributed to 31.6% of all collisions.

¹ Ontario Road Safety Annual Report, 2019, Page 1

Traffic Relief

Burnside – 670 Niagara Street Transportation Study [page 9 point 3.1]

Future Road Network

- **There are no planned road network improvements on Niagara Street, Thorold Road or Woodlawn Road within the study area up to the horizon year of 2035.**

Welland Transportation Planning Model Results – 2051 Horizon Year [page 8]

- **No road widenings are required along the City roadway corridors through to the ultimate 2051 horizon year.**

Niagara Region Roadworks

- **With the recent roadworks completed at the intersection of Niagara Street and Woodlawn Road within the last year, the Region has no project on the books to revisit this intersection or introduce dedicated bicycle lanes.**

In Summary – PEER Review

- Access & egress from the two private driveways and the impact on the traffic flow from both vehicles and cyclists
- Realistic numbers regarding vehicle use and non-vehicle use in line with the Regions forecasting
- Identifying measures to minimize impediments to traffic flow on Niagara Street and the surrounding area

City of Welland
Proposed Development 670 Niagara
Street
File 2024-1; OPA49

Presentation by Fox Estates Residents
Statutory Public Hearing April 2, 2024



Parking Concerns

Presented by: Terry Zorgel – Resident

Parking Study

**670 Niagara Street Transportation
Study
Welland ON**

The Development Squad GP Inc.

**R.J. Burnside & Associates Limited
1465 Pickering Parkway Suite 200
Pickering ON L1V 7G7 CANADA**

**November 2023
300052233.0000**



Parking Study

Parking & Loading Review

According to the City's Zoning By-law 2017-117 (ZBL), there will be an overall deficit of 258 parking spaces. However, it is our opinion that the proposed parking supply rates, that are based on the approved parking rates for the proposed residential development at the Seaway Mall, will meet or exceed future parking demand.

In addition, the ZBL has no visitor parking requirements. It is our opinion that a parking supply should be provided for visitors and 57 parking spaces are proposed.

According to the ZBL, the development will require ten barrier free spaces and 24 are proposed, which will exceed the ZBL requirements.

The development proposes 299 bicycle spaces for residents and two spaces for retail uses, which will meet the ZBL requirements.

A minimum of three loading spaces are required by the ZBL and three spaces are proposed.

Parking Study

9.0 Parking Review

9.1 Vehicle Parking

The City's Zoning By-law 2017-117 (ZBL) was reviewed to determine vehicle parking requirements for the proposed development. The results of the analysis are summarized in Table 14 and the applicable excerpts are provided in Appendix H.

Table 14: Vehicle Parking Requirements

Use	ZBL Use	Size (units or sqm)	Parking Rate	Req'd Spaces	Supply	Deficit / Surplus
Townhouse	Street Townhouse Dwelling	26	1 / unit	26	26	0
Apartment (Building A & B)	Apartment Dwelling (unit < 50 sqm)	63	0.3 / unit	1,111	796	-315
	Apartment Dwelling	747	1 / unit			
Apartment (Building C)	Apartment Dwelling (unit < 50 sqm)	21	0.3 / unit			
	Apartment Dwelling	339	1 / unit			
Visitor		1,196	Not Req'd	0	57	+57
Residential Subtotal				1,137	879	-258
Retail	Retail	1,121	1 / 30 sqm	37	37	0
Total				1,174	916	-258

Based on the City's ZBL requirements, there will be a deficit of 315 resident spaces, a surplus of 57 visitor spaces, for a total deficit of 258 spaces.

It is our opinion that the ZBL parking requirement for apartment residents is significantly higher than what actual future parking demand will be based on the following:

- The proposed TDM measures that will discourage the use of motor vehicles.
- The proximity of the Seaway Mall and many other commercial uses in the area are within walking distance of less than ten minutes.

Parking Study

11.4 Parking Review

11.4.1 Vehicle Parking

According to the City's Zoning By-law 2017-117 (ZBL), there will be a deficit of 315 resident spaces and a surplus of 57 visitor spaces.

It is our opinion that the ZBL parking requirement for apartment residents is significantly higher than what actual future parking demand will be based on the following:

- The many robust TDM measures that will discourage the use of motor vehicles.
- The proximity of the Seaway Mall and many other commercial uses in the area are all within walking distance of less than five minutes.

It is our opinion that the proposed parking supply rates, that are based on the approved parking rates for the proposed residential development at the Seaway Mall, will meet or exceed future parking demand.

In addition, the ZBL has no visitor parking requirements. It is our opinion that a parking supply should be provided for visitors and 57 visitor parking spaces are proposed.

11.4.2 Barrier Free Parking

According to the ZBL, the development will require ten barrier free spaces and the proposed supply is 24 spaces, which will exceed the ZBL requirements.

11.4.3 Bicycle Parking

The ZBL requires 0.25 long-term, resident, bicycle spaces per unit and one short-term retail bicycle space per 1,000 m². A total of two retail and 299 resident bicycle spaces will be required and are proposed.

Parking Demand Calculations

- City's Zoning Bylaw 2017-117 (CZB)
- Burnside Study identifies deficit of 258 spaces using Welland CZB requirements
- Recommends 57 Visitor parking spaces, as none required in CZB
- Total deficit of 315 spaces including visitors
- Parking Ratio of 0.948 (spaces/apartment units)

CZB Parking Comparisons

- Welland CZB has the lowest Parking Ratio in Niagara, less than 1.0, with no provision for Visitor parking
- Niagara Falls has the highest, at 1.4 spaces/unit

Table 17 *Parking Requirements in Surrounding Municipalities)*

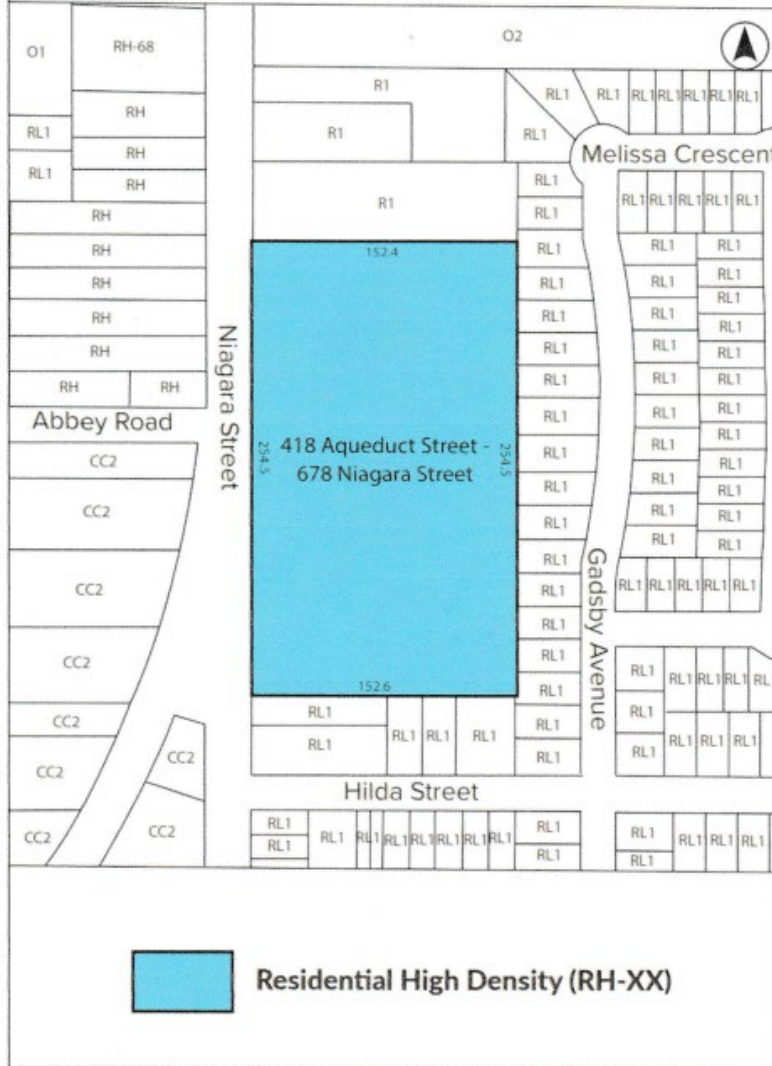
Municipality	Resident Requirement (spaces per dwelling unit)	Source
Niagara-on-the-Lake	1 per dwelling unit	Comprehensive Zoning By-Law 4316-09, Table 6-5
Pelham	1.25 per dwelling unit	Comprehensive Zoning By-law 4481 (2022), Section 4.1.1
Port Colborne	1.25 per dwelling unit	Comprehensive Zoning By-law 6575/30/18, Section 3.1.1
St. Catharines	1.25 per dwelling unit	Comprehensive Zoning By-law 2013-283, Section 3.12.1
Thorold	1.25 per dwelling unit (under appeal)	Comprehensive Zoning By-law By-law No. 60-2019, Table 4.1
Welland	1 per dwelling unit	New Comprehensive Zoning By-Law 2017-117, Table 6.4.1

Comparison

If this development were proposed in:

- Niagara Falls - 1674 spaces PR = 1.4
- St Catharines - 1494 spaces PR = 1.25
- Welland - 1137 spaces PR = 0.95
- Dev. Squad - 879 spaces PR = 0.73

SCHEDULE A TO ZONING BY-LAW AMENDMENT



 Residential High Density (RH-XX)

In Conclusion

- What is the justification for a parking ratio of 0.73 spaces per unit – it seems very low. The Transportation Study does not provide a rationale for this
- Before Council makes a decision, the appropriateness of this number should be demonstrated
- What will Council do if parking is insufficient and spills over onto other properties ?

City of Welland
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File 2024-1; OPA49

Presentation by Fox Estates Residents
Statutory Public Hearing April 2, 2024



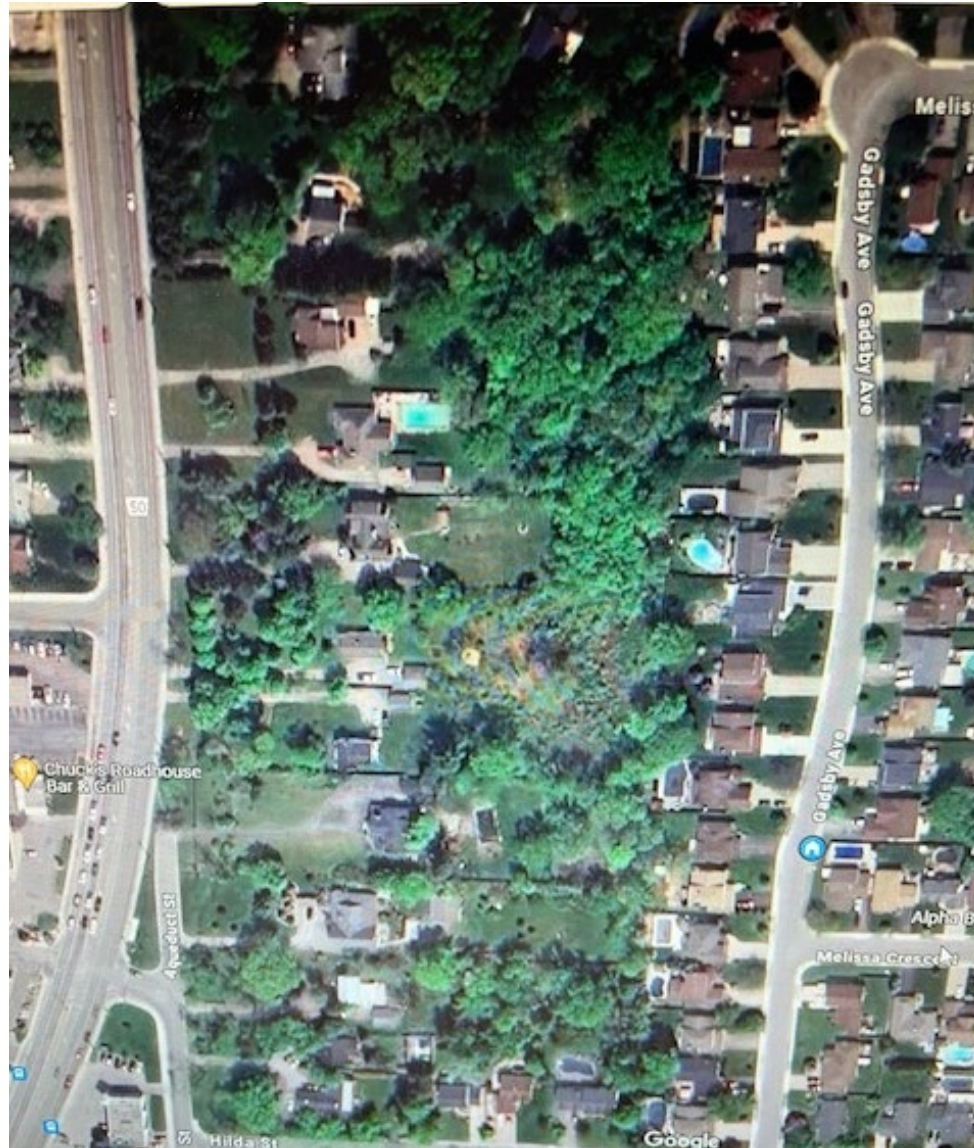
Environmental Concerns

Presented by: John Sojda – Resident

Aerial Photo of Natural Heritage Woodlot



Google Earth View of Proposed Development



Natural Heritage Feature – Woodlot Area

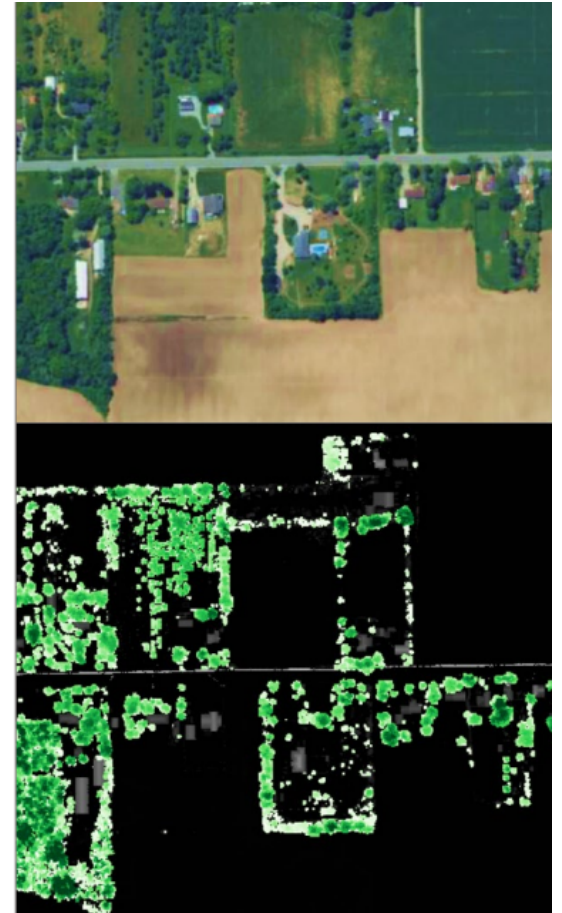
Ontario Ministry of Natural Resources and Forestry



Tree and Forest Canopy Project

Overview

- The Niagara Region Tree and Forest Canopy (TFC) project is a quantified assessment of the regional TFC and additional landcover classes
- Provides a baseline for the Region's current TFC
- Will support and inform future direction and implementation of environmental projects and climate change initiatives
- Quantify high-level ecosystem benefits



Tree and Forest Canopy Project

Report No. PDS 4-2024 Planning and Economic Development Committee
Niagara Region February 7, 2024

Municipal Results

Municipality	Land Area (ha)	TFC	Grass and non-treed Vegetation	Soil and Bareland	Buildings	Impervious Cover
Fort Erie	16,535	34.8%	31.8%	24.8%	2.2%	6.5%
Pelham	12,580	31.4%	31.2%	31.5%	1.9%	4.0%
Niagara Falls	20,833	30.5%	35.0%	20.9%	3.7%	10.0%
Port Colborne	12,069	28.4%	29.1%	35.7%	1.8%	5.1%
Thorold	8,332	26.6%	32.1%	31.7%	2.3%	7.3%
Wainfleet	21,626	25.9%	19.3%	52.2%	0.6%	2.0%
Grimsby	6,854	23.9%	29.7%	34.5%	3.5%	8.4%
St. Catharines	9,598	22.4%	30.3%	15.7%	10.6%	21%
Welland	8,112	22.1%	43.3%	16.2%	5.5%	12.9%
Lincoln	16,217	21.9%	22.6%	48.1%	2.4%	5.0%
West Lincoln	38,628	20.7%	18.6%	58.1%	0.6%	1.9%
Niagara-on-the-Lake	13,108	18.0%	23.4%	49.5%	2.8%	6.2%
Regional Average:	184,492	25.4% (46789 ha)	26.7% (49205 ha)	39.3% (72550 ha)	2.5% (4591 ha)	6.1% (11314 ha)

Species at Risk – *Eurybia divaricata*

Species at Risk Act
Recovery Strategy Series

Recovery Strategy for the White Wood Aster (*Eurybia divaricata*) in Canada

White Wood Aster



2018



Government
of Canada

Gouvernement
du Canada

Canada

CFZ 50 Meter Buffer



Proposed 30 Meter Buffer

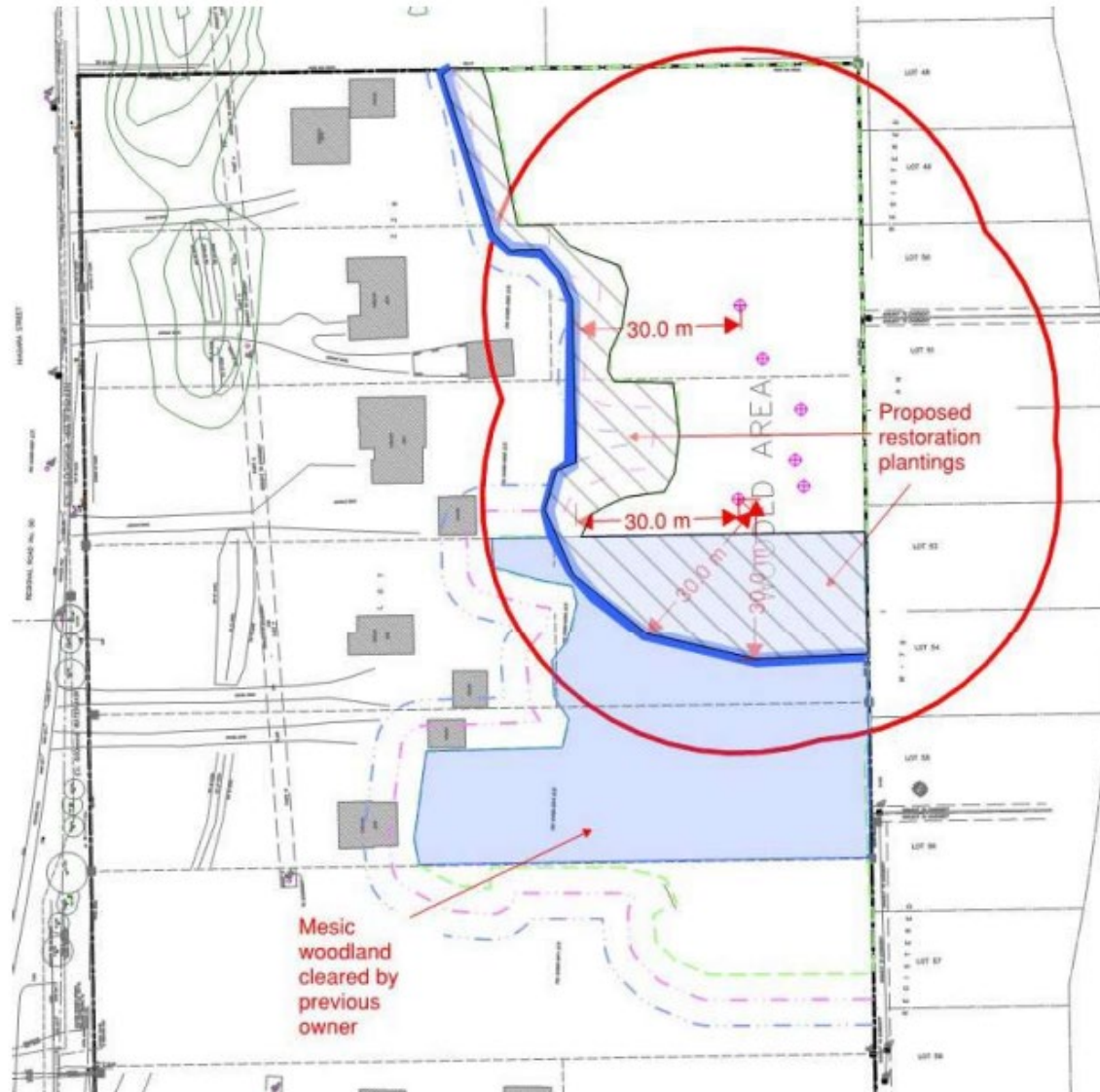
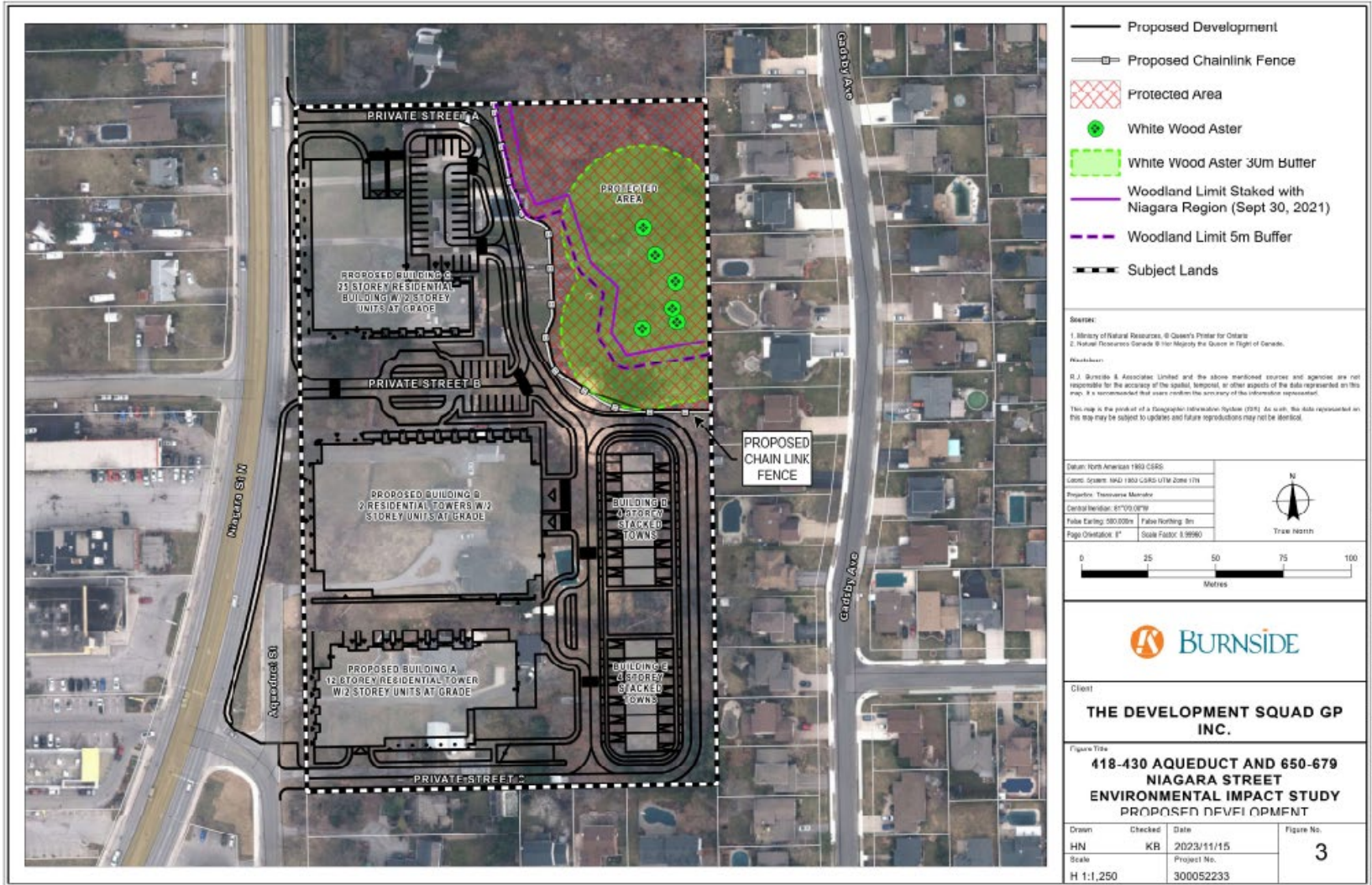


Figure 3 of EIS



File Path: I:\environment\work\300052233 - Niagara St & Aqueduct (17x14x17) - 010022331 Report\Appendices\3331-Figure 3-Appendix A.pdf - Sheet Date: 2023/11/15 - Time: 10:09 AM

View From My Back Yard



View From My Back Yard



Environmental Concerns

Conclusions

- The Environmental Impact Study needs to be more comprehensive and Peer reviewed
- The large reduction in the 50m CFZ to a smaller 30m CFZ will lead to more habitat destruction of the “protected area”.
- Who will be responsible to protect the habitat during construction and afterward how will it be maintained?

City of Welland
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Presentation by Fox Estates Residents
Statutory Public Hearing April 2, 2024



Noise Concerns

Presented by: Sam Kalmuk – Resident

Noise – MECP Required Measures

- The development is Class 1 because it is located on an arterial road, typical of a major population centre
 - 50 dBA maximum allowable noise level
- The adjoining area to the North, East and South is Class 2 – a quiet residential neighbourhood
 - 45dBA maximum allowable noise level

MECP B11 – Development of Adjacent Lands

- Identifies that where a site being developed is in proximity to noise sensitive land uses (such as residential) ...
- It is considered the responsibility of the proponent/developer to ensure compliance with the applicable sound limits, and
- for this responsibility to be reflected in the land use planning decisions

Noise Issues

- It appears that the Consultant applied MECP Class 1 criteria to the adjacent single detached residences, rather than the more stringent MECP limits appropriate for a Class 2 Area (45 dBA)
- More stringent noise abatement is required to prevent negative impacts to the peaceful enjoyment of existing residents

Internal Stationary Noise Sources

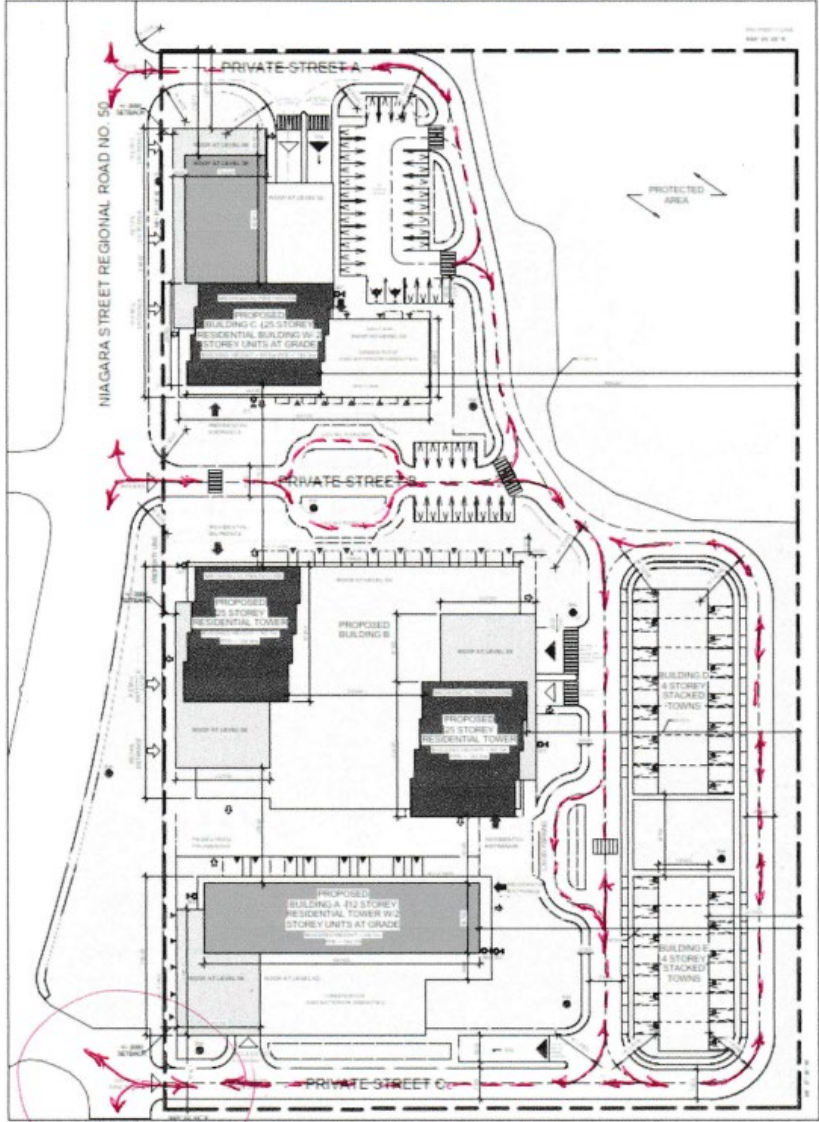
- The Consultant identified stationary noise sources within the development:
 - Garage exhaust fans (3)
 - Water cooled chillers (4)
 - Emergency Generators (3)
 - Penthouse HVAC Equipment
- Abatement is required to meet MECP Requirements
- Estimates and assumptions for location and size of equipment only at this point

Internal Noise Sources

Reference Figure 5



Figure 10: Proposed Conceptual Site Plan



Traffic Noise from Site Roadways must be considered - especially site roads directly alongside adjacent residential properties

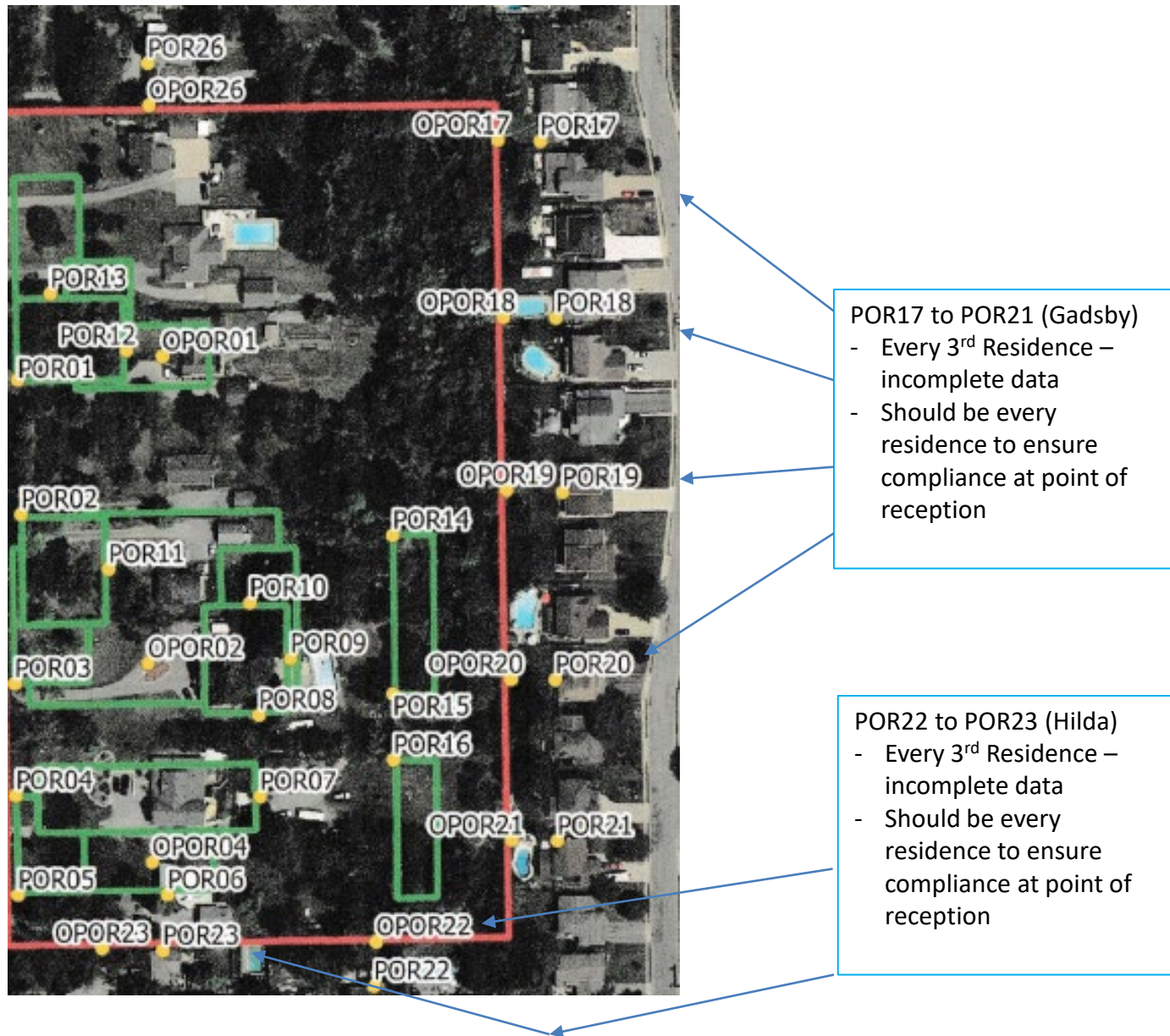
Internal Stationary Noise Sources

The study also needs to consider noise from:

- The Stacked Townhome – AC units
- The 12 Storey Building A – individual apartment ACs
 - The Developer plans to have residents install AC Units at occupancy
 - Apartment AC units should be included in the study now, to specify noise ratings and ensure compliance when units are installed later
- Automobile traffic internal to the complex
 - Roadways beside the property lines of the existing residences
 - Parking garage entry/exits
 - Pick up drop off areas to the towers.
- The noise study is incomplete, must include these noise sources

Points of Reception

Figure 4



Implementation Procedures

- Prior to Site Plan Approval, an Acoustical Consultant must conduct a Detailed Environmental Noise Assessment to finalize the acoustic requirements of ALL noise sources
- Prior to Issuing a Building Permit, an Acoustical Consultant must confirm that requirements are met and *issue a certificate of compliance to the City of Welland*
- Prior to occupancy – A Detailed Environmental Noise Assessment to *issue a certificate of compliance to City of Welland*

Conclusion

- Noise studies and abatement must ensure the continued quiet enjoyment of existing residences, at a minimum MECP Class 2 requirements
- Noise from apartment and townhouse AC's must be part of noise studies and abatement
- Noise from internal roadway traffic, especially roads that run immediately behind existing residential owners must be part of noise studies and abated
- Qualified acoustical consultants must certify compliance at every stage of project development
- During Construction – ensure compliance to City Noise Bylaw 2015-23 - Noise prohibited 6pm to 7 am daily

City of Welland
Proposed Development 670 Niagara
Street
File 2024-1; OPA49

Presentation by Fox Estates Residents
Statutory Public Hearing April 2, 2024

Shadow Impacts

presented by:

Kiron D. Bondale, PMP, PMI-ACP, PMI-RMP, ICP-ACC, DAC, DAVSC, PSM II
(resident of Melissa Crescent)

Point of reference: City of Mississauga

- Mississauga has had significant development over the past 25 years including the construction of multiple high rise residential buildings
- Their “Standards for Shadow Studies” requires:
 - **Residential Private Outdoor Amenity Spaces:** To maximize the use of private residential amenity spaces during spring, summer and fall, shadow impacts from proposed developments should not exceed **one hour** in duration on areas such as private rear yards, decks, patios and pools of surrounding residential dwellings on each of the following dates: June 21 & September 21
 - **Building faces to allow for the possibility of using solar energy:** Shadow impacts from proposed developments should not exceed **one hour** in duration on the roofs, front, rear and exterior side walls of adjacent low rise (one to four story) residential buildings including townhouses, detached and semi-detached dwellings on September 21.

Shadow impacts from proposal: 9 AM



JUNE 20



SEPTEMBER 21

Shadow impacts from proposal: 10 AM



JUNE 20



SEPTEMBER 21

Shadow impacts from proposal: 11 AM



JUNE 20



SEPTEMBER 21

Shadow impacts from proposal: Noon



JUNE 20



SEPTEMBER 21

Shadow impacts from proposal: 1 PM



JUNE 20



SEPTEMBER 21

Shadow impacts from proposal: 2 PM

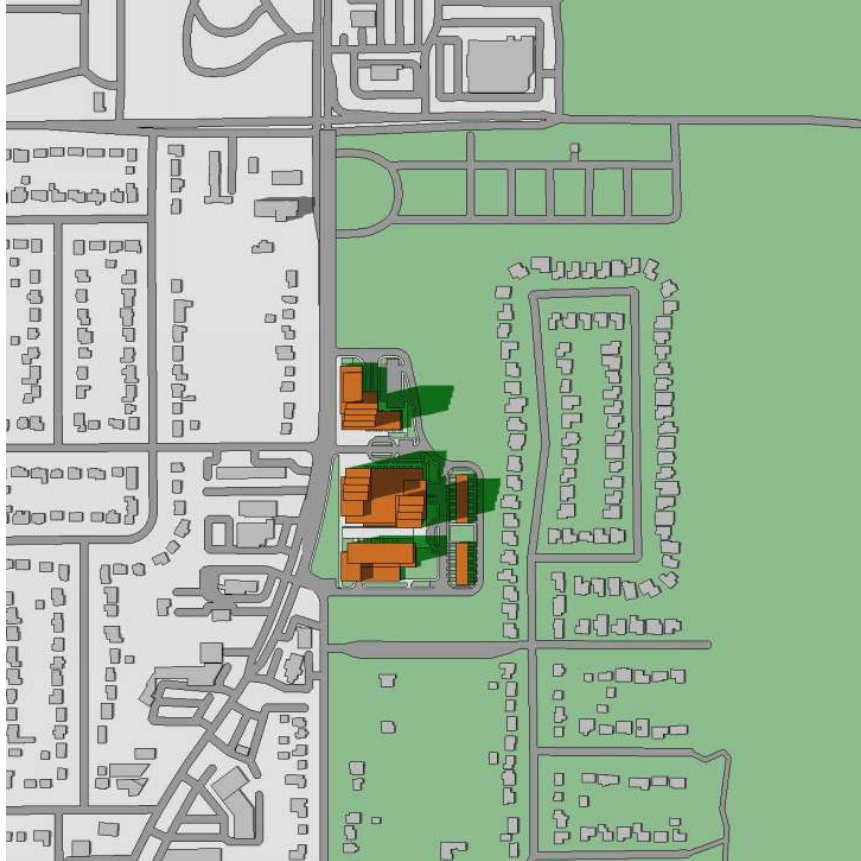


JUNE 20



SEPTEMBER 21

Shadow impacts from proposal: 3 PM

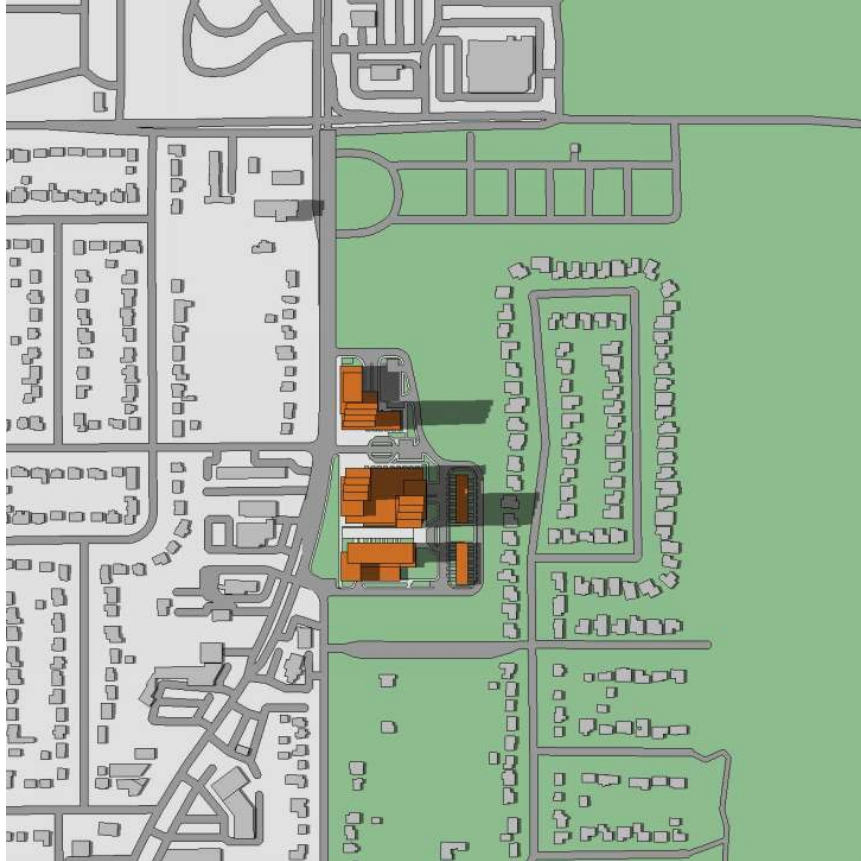


JUNE 20



SEPTEMBER 21

Shadow impacts from proposal: 4 PM



JUNE 20

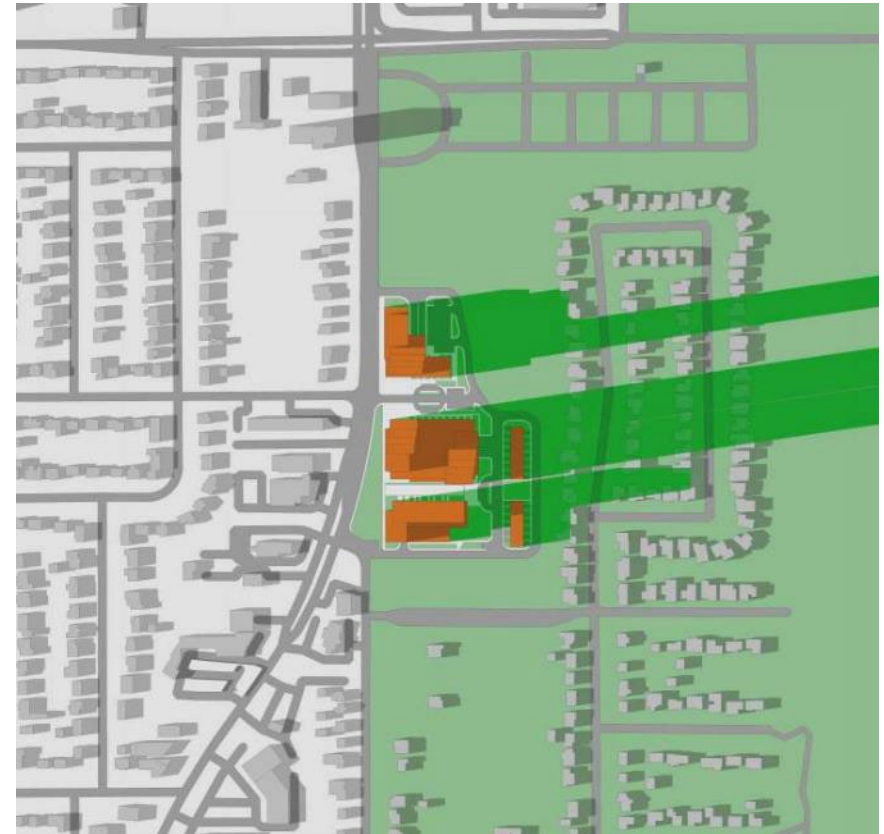


SEPTEMBER 21

Shadow impacts from proposal: 5 PM



JUNE 20

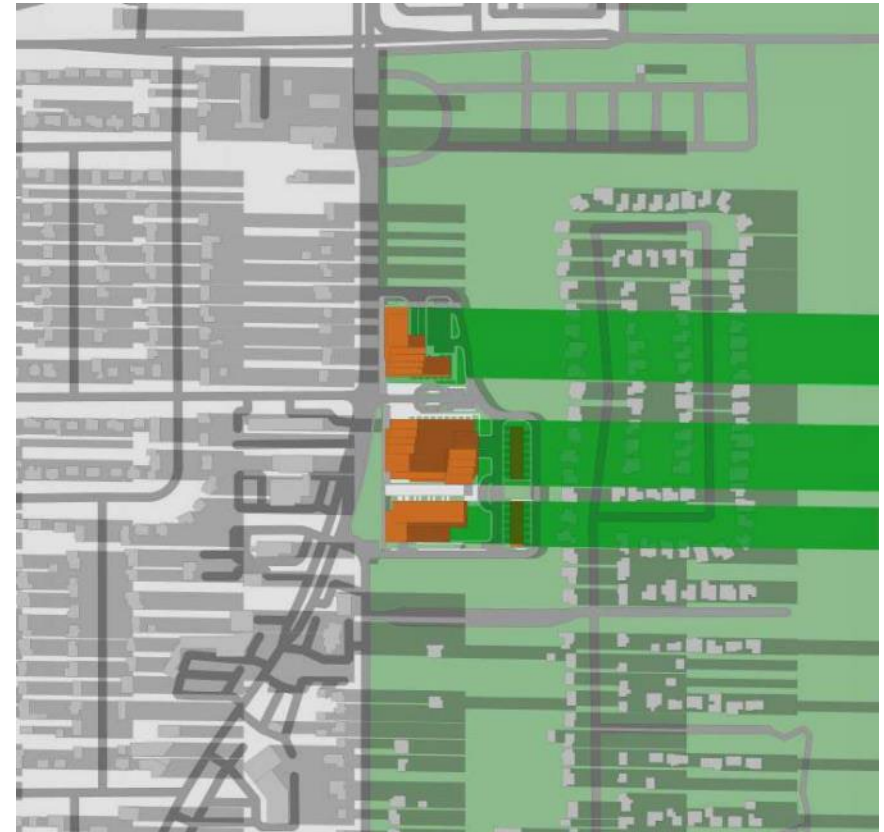


SEPTEMBER 21

Shadow impacts from proposal: 6 PM



JUNE 20



SEPTEMBER 21

December impacts are longer & farther reaching



DECEMBER 21, 9 AM

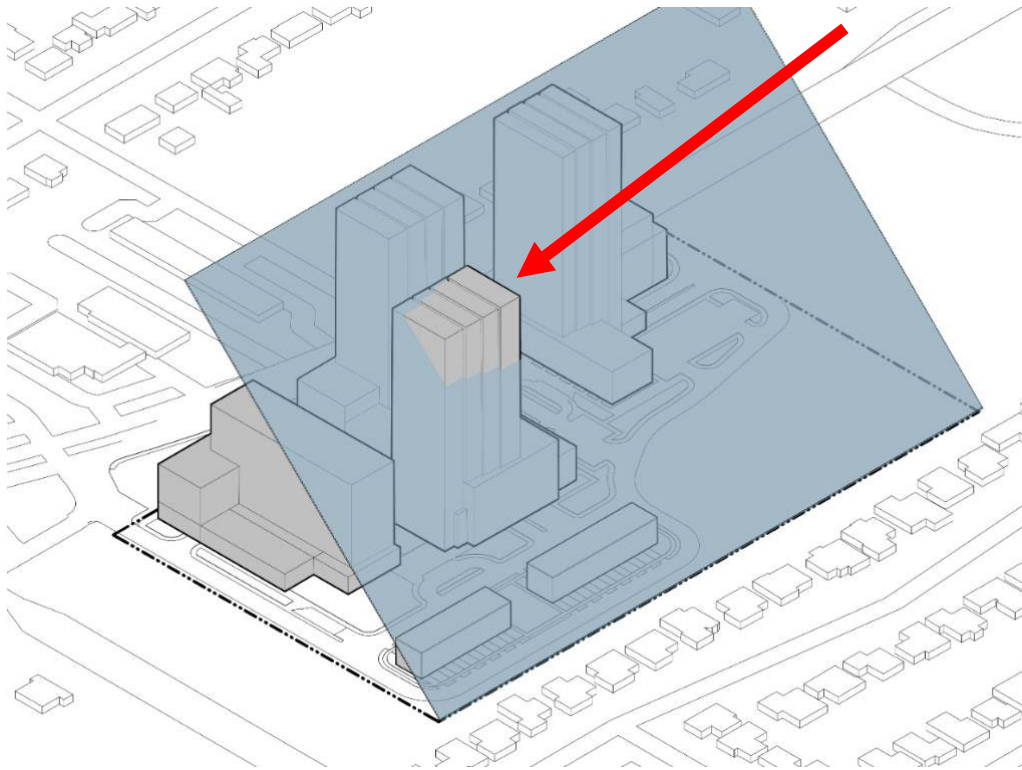


DECEMBER 21, 2 PM

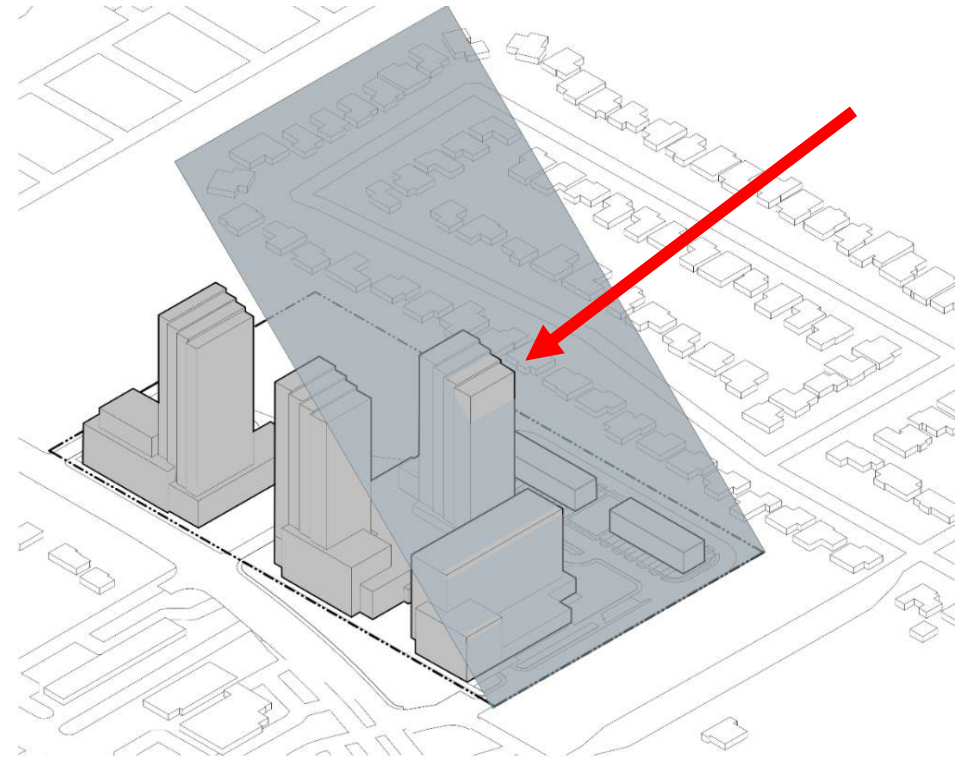
Lost hours of sunshine

Date	Current hours of sunshine	Future hours of sunshine	Loss
March 21	12 hours	9.25 hours (houses on west side of Niagara Street) & 7.75 hours (Gadsby Ave)	2.75 – 4.25 hours
June 21	15.5 hours	11.5 hours (houses on west side of Niagara Street) & 10.5 hours (houses on Gadsby Ave)	4 – 5 hours
September 21	12 hours	9 hours (houses on west side of Niagara Street) & 7.75 hours (houses on Gadsby Ave)	3 – 4.25 hours
December 21	9 hours	6.75 hours (houses on west side of Niagara Street) & 6.15 hours (houses on Gadsby Ave)	2.25 – 2.75 hours

Lack of a true angular plane from highest to lowest buildings



Angular plane towards East



Angular plane towards South

Summary of impacts

- Almost two hundred homes on Gadsby Avenue, Melissa Crescent and nearby houses on the west side of Niagara Street
- More than three hours reduction of sunlight during summer hours impacting:
 - Family events and barbecues
 - Swimming pools (including solar heaters)
 - **Gardening** – plant species requiring full sun
 - Solar energy production – photovoltaic/thermal
 - Well known relationship between sufficient sunlight exposure and mental health
- For working residents, this will eliminate their chance to benefit from sunshine in their front or back yards during the summer months after returning home from work

Our rose garden thriving due to current full sun exposure



Current



Potential future



In conclusion...

- If approved, this proposal will significantly impact the **livability, health and well-being** enjoyed by existing residents as a result of the reduction in sunshine hours without options for mitigation and would not demonstrate **responsible governance** by the City
- A reduction in the height of the towers with sufficient set back from Gadsby Avenue would ensure that the shadows cast by the proposed buildings do not encroach over the property lines for existing residents

City of Welland
Proposed Development 670 Niagara
Street
File 2024-01; OPA49

Presentation by Fox Estates Residents
Statutory Public Hearing April 2, 2024



Community Support

presented by:

Sandy Smelsky
(resident of Gadsby Avenue)

Overview

- Based on feedback from our lawyer, we decided a petition would be helpful to demonstrate the extent of community support against this proposal
- A paper petition was developed and distributed to group members on March 20 and an online petition via Change.org was created and started on March 26
- Signatures were solicited from residents in the immediate area, from those living in the rest of Welland & from interested people outside of Welland

Manual Petition

To: The Council of the City of Welland c/o City Clerk, 60 East Main Street, Welland, ON, L3B 3X4

I/We the undersigned, petition the Council of the City of Welland as follows:

I am 18 years of age or older and I **oppose** the proposed Amendments to City of Welland Official Plan/Zoning By-law – **File # 2024-01 & OPA #49**

#	PRINTED NAME	PRINTED ADDRESS	SIGNATURE

By signing this petition, I hereby acknowledge that this petition will become a record belonging to the City of Welland and that all information contained in this petition will be available for viewing by the public and may be reproduced in a future City Council agenda.

Online Petition (<https://chng.it/CqgmTGVQys>)



Oppose the Proposed Amendments to the City of Welland Official Plan/Zoning By-law – File # 2024-01/OPA # 49

A proposal has been submitted to the City of Welland by The Development Squad to modify the existing Zoning By-Laws and Official Plan to permit construction of three (3) apartment buildings with commercial uses at grade, two (2) blocks of stacked townhouse dwellings and underground parking on the East side of Niagara Street just South of Woodlawn Cemetery.

Two of the apartment buildings (one of which has two towers) will be 25 stories tall, and the overall complex is expected to have 1196 units with only 916 parking spaces provided. We are in support of developing this area in a manner which is compatible with the existing homes and does not create significant quality of life, privacy and safety issues for both existing and new residents.

A Statutory Public Hearing is being held on the evening of April 2 at City Hall for City Council to hear concerns from local residents.

If you are over 18 years of age, a City of Welland resident, and wish to oppose this proposal, please sign this petition by scanning the QR code below with your smartphone. If you do not live in Welland, you can still sign our petition, but please indicate the city you live in when you provide your name (e.g. *John Smith (Toronto)*).

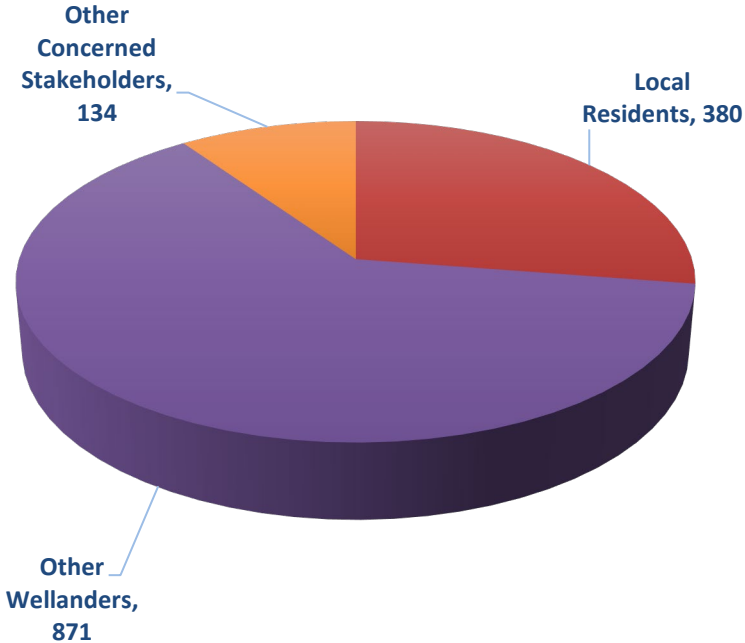
If you have signed our paper-based petition, you do not need to sign this online one.



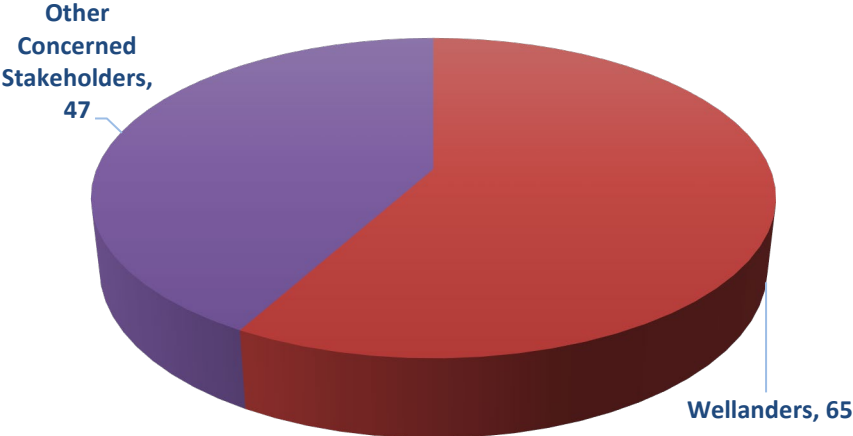
If you have signed our paper-based petition, you do not need to sign this online one.



Petition results



Paper petition (total: 1385)



Online petition (total: 112)

Concerns raised by residents of Gadsby Avenue, Hilda Street & Melissa Crescent

- Close proximity of existing single-family homes to the development & lack of an acceptable buffer zone between existing backyards and the development.
- Noise
- Loss of back yard & front yard privacy
- Shadowing and obstruction of views
- Off-site parking problems caused by insufficient parking on development
- Possible flooding during extreme weather occurrences and potential wastewater backups due to strain and undercapacity of area infrastructure
- **All of these impacts will be much worse during the prolonged construction period for the proposed development**

Concerns raised by other residents of Welland & outlying areas

- Increased traffic congestion on Niagara St., Aqueduct St., Hilda St., Gadsby Ave South, Thorold Road, Abbey Road, Gram Ave., Carlton Ave. & Roger Dr.
- Increased risk of collisions at Niagara Street & Woodlawn Road and other intersections on Niagara Street
- Impact on schools, medical services, emergency services
- Future need to widen Niagara Street & Niagara Street /Woodlawn Road intersection
- **All of these impacts will be much worse during the prolonged construction period for the proposed development**

Recent remarks from Premier Ford

- Hamilton residents will “lose their minds” if a multi-storey residence is built alongside single-dwelling homes.
- Ford said residents would lose backyard privacy, have less street parking available and face traffic congestion
- A “massive mistake” that would raise the ire of residents living in traditional single-family suburbs

(CBC News, March 22, 2024 & Global News, March 21, 2024)

In conclusion...

- NO to Official Plan Amendment(OPA 49) & Zoning By-law Amendment(2024-01)
- NO to a height of 25 storeys
- NO to a density of 315 units per net hectare
- NO to four storey multiple dwellings (stacked townhomes)
- YES to a 30 meter treed buffer on the East boundary & a 9 meter treed buffer on the South boundary and height of buildings limited to 8 storeys