

Additional Comments Submitted/Proposed New Zoning By-law Corrections

Item Number	Item	Description	Staff Response
1	New Letter dated September 18, 2017 received from Daniele Tronko RE: 111, 114, 142 Second Street, 105 First Street	Do not want Zoning changed on this block.	Copy of letter is attached. Staff are not recommending changing this Zoning. The area in question is designated Institutional in the Official Plan. The proposed Zoning here is INS1 which is the smaller scale institutional zoning in the proposed by-law. Staff feel this is appropriate Zoning for this area given the surrounding mix of institutional type uses in the area (daycare, school, Goodwill, Retirement Homes, Medical Offices, Hospital, Housing, Places of Worship).
2	Letter dated July 5, 2017 from Jennifer Vida, Upper Canada Consulting re: vacant lands on the North Side of Sumbler Road.	The letter was accidentally left out of the Council package, however, was reflected in the Comment Matrix.	The requested change was already made to the proposed Zoning for this property.
3	Comment Sheet dated May 25, 2017 from John Sojda.	The letter was included in the Comment Matrix, however, did not appear in the proper section of Appendix III - Correspondence	Copy of letter is attached. Please see Comment Matrix for Staff response.
4	Email dated September 25, 2017 from J. Patrick Maloney	The email indicates that the Report and Comment Matrix indicate that accessory dwelling unit use has been added to the Agricultural/Rural Zones however, it is not reflected in the proposed By-law.	Staff have reviewed this and it appears this was inadvertently left out of the By-law. It was meant to be included as a permitted use in the RR and A1 Zones.

5	Email dated September 25, 2017 from Rick Goupil, RJR Excavating	The email indicates they are oppose the proposed new By-law.	Staff spoke with the author of the email and he indicated one property he owns is being Zoned I1-Light Industrial under the new By-law but it was Zoned I2 – Heavy Industrial under the current By-law. Staff have reviewed this, however, the subject lands are designated Light Industrial in the Official Plan. Staff are of the opinion the proposed I1 Zoning is appropriate.
6	Letter dated October 6, 2017 from Cheryl Selig, T. Johns Consulting Group Ltd. RE: 650-698 Niagara Street	The letter indicates that a 30m and 9m treed buffer is appropriate and will achieve a density of 61-125 Units per hectare.	Staff have reviewed the letter and plan and note the following: - The plan does not meet the 125 units per hectare nor does it factor in the 20% increase in density. - The proposal assumes land assembly which is prohibitive to seeing these lands develop. - The parcels are large enough to be developed individually. - The 30m and 9m buffers do not provide the type of flexibility needed to see these lands develop.
7	Email dated September 20, 2017 from John Conlin, Conlin Engineering	The email raises concerns about the Zoning of certain properties on Doan's	Staff have this and the proposed Zoning is the best assignment of the Zones between A and

		Ridge Road from Lyons Creek Road to Miller Road	RR. Generally speaking larger lots got the A Zoning. The RR was generally assigned to smaller lots or where the OP would permit severances. Generally speaking the west side of Doan's Ridge is not severable because of strict OP policies despite the presence of Municipal water.
8	Letter dated October 3, 2017 from Thomas A. Richardson, Sullivan Mahoney LLP	Requesting that the Zoning of the subject lands located on the west side of Colborne Street, north of Forkes Road and east of Highway 58 be deferred.	Staff have reviewed this. We are still of the opinion that the lands should be Zoned A1 as per the proposed By-law. Regardless of the outcome of the Regional Official Plan Amendment. The proposed Zoning provides interim protection to ensure that prime agricultural lands is not further subdivided or that potential development lands are not fragmented further.
9	Email dated October 10, 2017 from Jonathan Whyte, Mountainview Homes	Requesting the EP overlay zone be adjusted to reflect revised PSW mapping for the lands which form part of the former Sumbler Estates Subdivision.	Staff have reviewed this. We have no issue with a mapping change here. This change could be made once the By-law is in place as the EP overlay Zone is proposed to be flexible and could change without amendment to the Plan.
10	Email dated October 1, 2017 from Travers Fitzpatrick representing Doral Holdings	Requesting a number of changes to the RS-15 and RS-17 Zone	Staff have review this request and are recommending that Council defer consideration of the RS-

			15 and RS-17 Zoning and deals with this area separately.
11	Email dated October 1, 2017 from Nikolas Papapetrou	Requesting staff to reconsider the proposed development permissions contained in the latest draft Zoning By-law.	Staff have review this request and are recommending that Council defer consideration of the RS-15 and RS-17 Zoning and deals with this area separately.

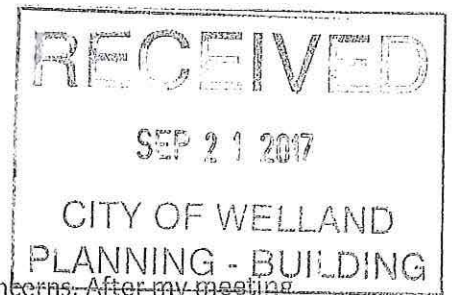
Proposed Corrections

Item Number	Item	Description	Staff Response
12	Map F3	44 Riverside Drive was to be changed from RL1 to RL2.	The change is reflected in the Comment Matrix but did not appear on the map. Amended Map F3 attached.
13	Map G3	30 Broadway was to be change from CC2 to RL2. 15 Broadway was to be changed from RL2 to CC2.	The changes were reflected in the Comment Matrix but did not appear on the map. Amended Map G3 attached.
14	Map D1	The proposed EP overlay zone over the Sumbler Estates subdivision site does not reflect the updated MNR mapping for the site.	Amended Map D1 attached.
15	Map I4 & H4	The proposed Site Specific Zone for the Dain City subdivision site was not reflected on the map but appears in the list of special exceptions	Amended Map I4 & H4 attached.
16	Page 7-2	The check mark was missing for Multiple Dwelling under the RL2 Zone	Amended Page 7-2 attached.
17	Page 13-1	An accessory dwelling unit was intended to be	The Staff report and comment matrix

		included as a permitted use for A1 and RR Zoned properties.	indicate that this change was made. Amended Page 13-1 attached.
18	Page 7-2	The By-law was intended to be amended to allow for four roomers and boarders.	The definition of Boarding & Lodging was amended previously but Section 5.33 was inadvertently missed. Amended page 7-2 attached.

September 18, 2017 Revised September 21, 2017

Dear Grant Munday, Mayor Campion, Rose Difellice and City Council,



I must first thank you for your time and the opportunity to present our concerns. After my meeting with the mayor and Rose last week I had a chance to speak with Father Nick from St. John the Baptist @111 Second St. and discussed this issue with him. Himself and his parishners are also against the proposed changes and stand united with us in this proposal. Their church has been there for decades and they feel strongly that things should stay the same as it has been a quiet place to come and freely enjoy religious activities. Jesus overturned the money changers tables in the synagogues because religious and spiritual ideals or beliefs do not go with commerce.

Our Temple was purchased in 2012 and before we approached the city on the uses that were permitted there and what would be involved if they were to be changed. The city was not interested in helping or changing the zoning even though it would generate income. Our first thought was to be able to make money to fund the Temple because we want everything to be free to anyone who comes and by the way we are non-denominational and welcome people of all faiths and respect their beliefs. First idea was sunk but because we are committed to doing the right thing despite our cost, creation showed us opportunity. We moved forward knowing that this is the worst INVESTMENT to make monetarily but this is the best place in town to do what we have endeavoured to do and that is provide a physical, mental, spiritual and loving sanctuary. Our Temple is committed to do what is best for EVERYONE and EVERYTHING not what is just best for us and that is the proper way to build safe sustainable communities.

This block has been a religious hub and many memories have been etched here but there has been a lot of love and compassion on these lands for many years which leave a very positive energy behind. Our Temple was once a Presbyterian Church but is shaped similarly to a classic Buddhist Temple and also has no religious markings of any kind so it was really the only fit for us. We are currently undergoing renovations and are making our yard into a Meditation Garden where people can go to experience positive energy and learn how to make it part of their everyday life. With the current state of affairs in the world I think we need more places like our temple and not more commerce. Business, a "private club" or??? Would not show the same respect to our Temples and Churches and could restrict our rights to practice our faiths fully. We have already experienced negative and illegal effects by people interested in commercializing the Orthodox Church.

Being centrally located and close to a lot of marginalized people who could learn how to change their lives for the better our Temple is an asset for the city. Meditation and positive energy projection will reach out and create a ripple effect enriching people's lives. What we are asking for is very simple because we (Church of Higher Consciousness and St. John the Baptist) both purchased these properties with the existing zoning and are expecting that the city, mayor and council will do everything to help protect our investments in all PEOPLE. Uses permitted were as follows a PLACE OF WORSHIP, a SINGLE-DETACHED DWELLING, a SCHOOL, a DAY CARE FACILITY, a library, a museum. That was the way it was and that is the way it should stay but we would concede to allowing a park, Community Garden or Art

Gallery as these would have minimal impact on PLACES OF WORSHIP. All the other proposed changes will definitely have a negative impact on all of us as they open opportunity for profit which we all know does not favour doing the "right thing". We are not asking to stop growth in the city but to not allow the changes only on our block. There are plenty of commercial or institutional spaces for sale and areas in the city that would better suit the proposed changes, so let them go there.

We are all aware that we are currently without representation from council and that the city at this time is not favouring our proposal. We ask that the city takes this proposal to heart as the first obligation of the city is to protect its people and there are a lot of people right now that need protecting. We will be here for a long time so it is not even the people now but for future generations that will also be affected. As for council you were elected to protect your constituents and even though we may not be in your ward there are still many people from your wards that will be affected so you must protect them also. Who is to say that down the road there would be a right fit but not the right zoning then there is a process already in place to change that and we would not oppose. Father Nick and I have taken care of each other and worked harmoniously together as neighbours and the Holy Trinity Orthodox Church was in sharp decline when we moved in so we never really got to know each other. In essence there are only five properties that will be affected by this proposal 111, 114, 142 Second St., 105 First St. and the city lot on First St.

Feel free to contact me with any questions or queries on conclusion it would seem clear that the right thing to do is in your hands.

Namaste and many blessings,



Daniele Tronko, elder

Church of Higher Consciousness

114 Second St.

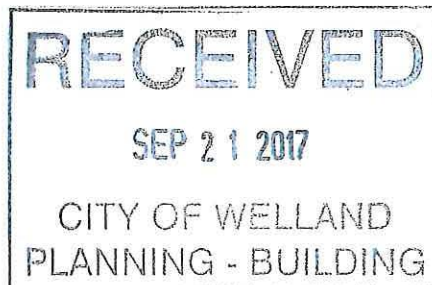
Welland, Ontario

L3B 4T9

905 359 0040

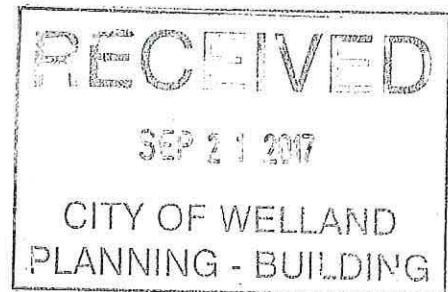
Revision

The Mayor expressed a concern about time on this proposal so I had to work on it quickly and because I already had numerous commitments my work went late and I left out a few important points. Firstly we are North American Buddhist which takes the original teachings of the Buddha (Theravada) and since we are North American, the traditions of the indigenous peoples of this land. The native peoples were



living harmoniously with the land and that is something that is VERY needed in our current society. We are connecting and working with the indigenous communities to restore the proper balance of life.

Secondly I had mentioned that this proposal only affects very few properties which are DEVALUEING. When we purchased in 2012 the property was valued at \$440,000 by MPAC, after we purchased the MPAC assessment dropped to \$210,000. MPAC did not recognize us as a religious not for profit although we were recognized by the Federal and Provincial governments. The city took the stand that it only follows what MPAC says and cannot influence them. Now after many dollars spent MPAC has to acknowledge us as tax exempt and since then we have been reassessed as of October 18, 2016. MPAC's assessed value on January 1, 2012 was \$210,000 and their reassessed value on January 1, 2016 is \$193,000 a devaluation of \$17,000. Despite the 20-30% increase in residential properties in the last few years in Welland the properties in our block have decreased 220%. Basically the properties in our block are worthless as based by MPAC and the city will have to follow their lead. MPAC sets the standard so you cannot dismiss our claim as the properties in question have little monetary value but an extremely high spiritual value for the people of our community.





UPPER CANADA
CONSULTANTS
ENGINEERS / PLANNERS



July 5th 2016

File C773

City of Welland
60 East Main Street
Welland, ON
L3B 3X4

Dear: Grant Munday, Planning Supervisor,

Re: Request to Re-zone lands on Sumbler Road

On behalf of Lucchetta Homes, we are preparing this letter as request to the City of Welland to consider a zoning request for lands on Sumbler Road. We understand that the City of Welland is currently undertaking their Comprehensive Zoning update which will see the City of Welland Zoning By-law being brought into conformance with the City of Welland Official Plan and other applicable current policy. Through the comprehensive update, it is requested that the lands on Sumbler Road, owned by Lucchetta Homes be put into a zoning category, which would permit the development of street townhouses.

The subject lands are part of a larger parcel of land which has frontage on Sumbler Road but expands to the north. The area of lands to north are partially encumbered by an existing Provincially Significant Wetland associated with the Draper's Creek Wetland Complex. This area of land is not permitted to be developed and will be placed into an Environmental Protection Zone according to the Draft Comprehensive Zoning By-law. This area is shown in green in the figure below. The rest of the lands have development potential and are shown to be zoned Residential Low Density 1 in the Draft Comprehensive Zoning By-law. This area is shown as yellow in the figure below. The Low Density 1 Zone in the Draft Comprehensive Zoning By-law permits Single Detached Dwellings and Two-Unit Dwellings along with accessory uses.

Lucchetta Homes wishes to develop the subject lands in the future for townhouses. In order to permit the future development the lands would have to be re-zoned to permit townhouses. Through this letter we request that the lands shown to be zoned as Low Density 1 Zone in the Draft Comprehensive Zoning By-law be zoned Residential Low Density 2 Zone. The Residential Low Density 2 Zone permits a wider variety of low density residential dwelling types including townhouses.

Planning Act

The Planning Act mandates that decisions on land use shall have regard to matters of provincial interest. Matters of provincial interest include Provincially Significant Wetlands. There is an identified Provincially Significant Wetland on the subject lands. The proposed change in zoning only includes only the land outside of the identified Provincially Significant Wetland. The wetland is proposed to be maintained and

remain undeveloped through this request. The request therefore has regard to the Planning Act and matters of Provincial Interest.

Provincial Policy Statement

The subject lands are located within the identified Settlement Area of the City of Welland where development, urban land uses and growth are to be directed. Development is also to be directed away from Natural Heritage features including Provincially Significant Wetlands. As noted above, the requested change only applies to the lands outside of the Provincially Significant Wetlands. The Wetland is proposed to be maintained and undeveloped through this request. The requested change is therefore consistent with the Provincial Policy Statement.

The Growth Plan

The subject lands are identified as part of the built-up Settlement Area in the Growth Plan. The Growth Plan directs growth to existing settlement areas in order to ensure that lands outside of the urban boundary can be maintained. The Growth Plan also provides policies in relation to the protection of Natural Heritage features including Provincially Significant Wetlands. As noted above, the requested change only applies to the lands outside of the Provincially Significant Wetlands. The Wetland is proposed to be maintained and undeveloped through this request. The requested change is conforms to The Growth Plan.

Niagara Regional Official Plan

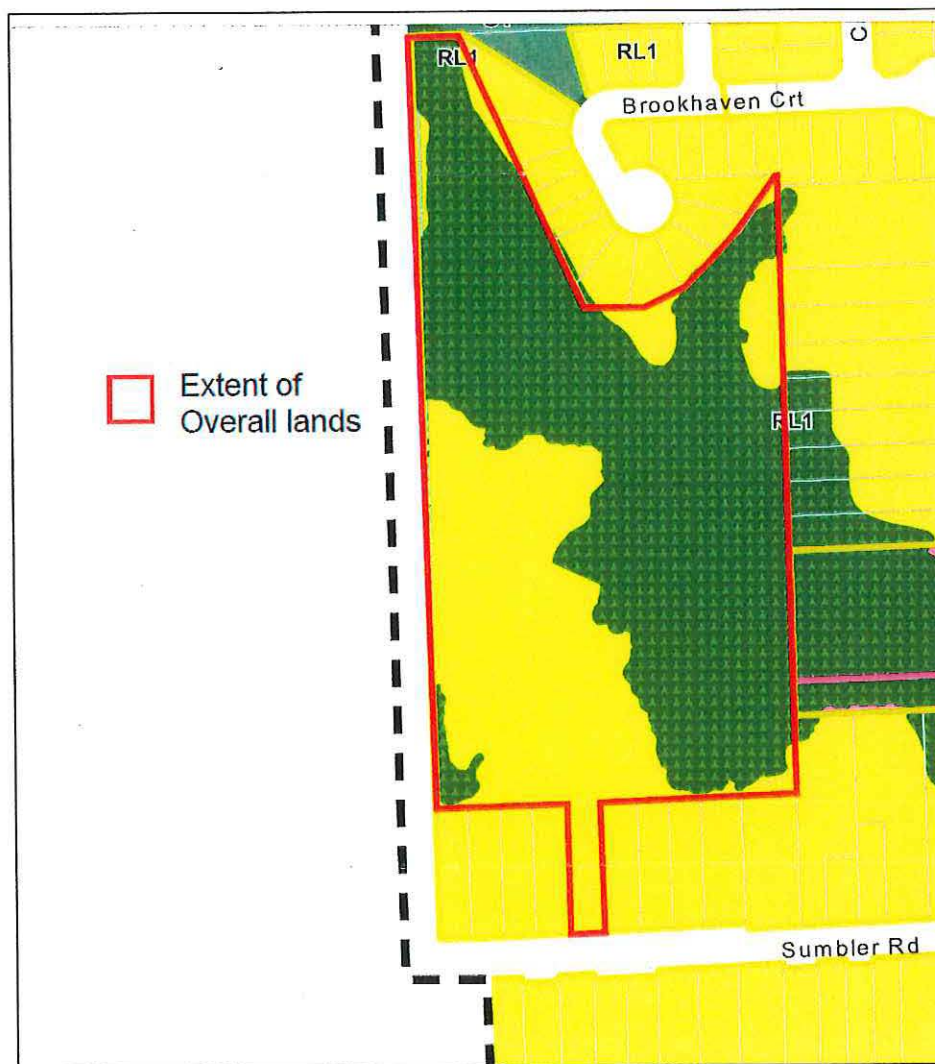
The subject lands are designated as Urban Built-up Area and Environmental Protection Area in the Regional Official Plan. The area of land that is designated Environmental Protection Area does not permit any form of development. The area of land that is designated as Urban Built-up permits a range of urban land uses including residential uses. As noted above, the requested change only applies to the lands outside of the Provincially Significant Wetlands. The Wetland is proposed to be maintained and undeveloped through this request. The requested change conforms to the Niagara Regional Official Plan.

City of Welland Official Plan

The subject lands are designated Low Density Residential and Environmental Protection according to the City of Welland Official Plan. The Environmental Protection designation does not permit any form of development. The Low Density Residential designation permits a range of residential land uses including single detached dwellings, semi-detached dwellings and townhouses. As noted above, the requested change only applies to the lands outside of the Provincially Significant Wetlands. The Wetland is proposed to be maintained and undeveloped through this request. The requested change conforms to the City of Welland Official Plan.

Figure 1: Excerpt from Schedule A, Map D1 of the City of Welland Draft Comprehensive Zoning By-law:

This figure shows the extent of the subject lands and the corresponding zoning that is proposed for the lands in the Draft Comprehensive Zoning By-law. The lands shown as green are proposed to be zoned Environmental Protection Zone and the lands shown as yellow are proposed to be zoned Low Density Residential 1.



The proposed change to the zoning on the subject lands from Residential Low Density 1 to Residential Low Density 2 conforms to the City of Welland Official Plan, the Regional Official Plan and Provincial Plans, is consistent with the Provincial Policy Statement and has regard to matters of Provincial Interest and is therefore considered good planning.

If you require any additional information or require any clarification on this request, please do not hesitate to contact the undersigned. Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Vida', with a stylized flourish at the end.

Jennifer Vida, MCIP, RPP
Senior Project Planner
Upper Canada Consultants

Cc: Lucchetta Homes, via email



City of Welland
Infrastructure and Development Services
Planning and Building Division
60 East Main Street, Welland, ON L3B 3X4
Phone: 905-735-1700 Ext. 2251 | Fax: 905-735-8772
Email: devserv@welland.ca | www.welland.ca

**ZONING BY-LAW REVIEW
COMMENTS
(Please Print)**

RECEIVED

MAY 25 2017

CITY OF WELLAND
PLANNING - BUILDING

Name JOHN SOJDA

Address 255 GADSBY AVE

City WELLAND

Postal Code L3C 6M2

Telephone No. 905-735-4974 Email twocats@cogeco.ca

Would you like to be notified by?

☒ Email

☐ Regular Mail

I am asking the city to include in the new Zoning By-Law, the agreed to and negotiated 30 metre setback as per the October 1991 OPA#77 Amendment. This would keep and protect the existing Carolinian Forest mature trees at our rear lot lines on Gadsby and serve as an existing buffer to any future development.

I've lived at this location for 36 years and the neighbours and I enjoy relative quiet in this sub division as the present forest blocks the ever-increasing traffic-noise on Niagara St. In addition to the loss of the present wildlife habitat, loss of privacy, it would pain me greatly to see 8 storey buildings and Niagara St. traffic from my back yard with no trees to act as a buffer.

I've attached a picture of my back yard (my property line ends just past the white tub).



I know in 10 years it may look quite different but hopefully with trees.

Best Regards,

John Sojda

May 24/17

John Sojda

If you would like more information on the project please contact Grant Munday, Manager of Development Approvals, 905-735-1700, Extension 2240 or email zoningreview@welland.ca

www.welland.ca/Development/ZoningReview.asp



Grant Munday

From: Patrick Maloney <pmaloney@sullivanmahoney.com>
Sent: September 25, 2017 5:08 PM
To: Grant Munday; Rachelle Larocque
Subject: Draft Comprehensive Zoning By-law

Good evening Grant and Rachelle,

Thank you for sending through a revised copy of the City's draft zoning by-law.

I have reviewed your comment matrix and it appears that you have accepted an accessory dwelling unit as a permitted use in the Agricultural Zone. However, when I reviewed the draft by-law and the tracked changes by-law, an accessory dwelling unit is not listed as a permitted use. I note that it is listed in the Residential zone.

Am I missing something or should this be corrected?

Thanks,

Patrick

J. Patrick Maloney

Junior Partner

SULLIVAN MAHONEY LLP
40 Queen Street, P.O. Box 1360
St. Catharines, Ontario L2R 6Z2

Direct Dial: (905) 688-5403
Facsimile: (905) 688-5814



This communication is intended only for the named recipient(s) and is private, confidential and privileged. Any unauthorized use or disclosure of this communication is prohibited. If you receive this communication in error, please notify the sender immediately by return mail, by telephone at (905) 688-6655 or by contacting lawyers@sullivanmahoney.com and immediately deleting the communication from any computer. Thank you.

3 4

Grant Munday

From: rjrexcavating <rjrexcavating@cogeco.ca>
Sent: September 25, 2017 4:02 PM
To: Grant Munday
Subject: Re: NEW COMPREHENSIVE ZONING BY-LAW RECOMMENDATION REPORT AND NOTICE OF GENERAL COMMITTEE MEETING

I oppose

Rg

Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

From: Grant Munday <grant.munday@welland.ca>
Date: 2017-09-25 3:55 PM (GMT-05:00)
To: Zoning Review <zoningreview@welland.ca>
Subject: NEW COMPREHENSIVE ZONING BY-LAW RECOMMENDATION REPORT AND NOTICE OF GENERAL COMMITTEE MEETING

City of Welland Staff have completed the draft final single new Comprehensive Zoning by-law and this has been released for public and stakeholder consultation and comments.

A Public Information Meeting was held on Monday, May 29, 2017. The Statutory Public Meeting was held on Tuesday, June 6, 2017 in the Council Chambers and was continued on Tuesday, June 13, 2017

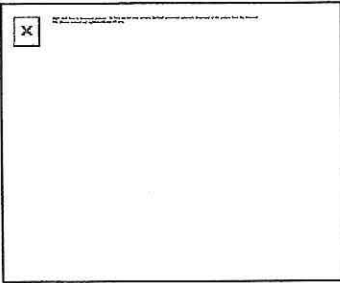
The Final Recommendation Report & Zoning By-law are now available for review and will be considered by General Committee on **Tuesday, October 10, 2017 @ 6pm in the Council Chambers, Welland City Hall, 2nd Floor, 60 East Main Street, Welland, Ontario.**

Please find links to the relevant documents under Current Status at:

<https://www.welland.ca/Planning/ZoningReview.asp>

Paper copies are also available for viewing at Welland City Hall, Planning and Building Division, 2nd Floor, 60 East Main Street, Welland, Ontario.

For more information contact Grant Munday, Manager of Development Approvals, 905-735-1700 x2240 or zoningreview@welland.ca



Grant Munday, B.A.A.

Manager of Development Approvals

Planning Division

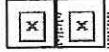
Development and Infrastructure Services

Corporation of the City of Welland

60 East Main Street, Welland, Ontario L3B 3X4

Phone: (905)735-1700 Ext. 2240 Fax: (905)735-8772

www.welland.ca



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

October 6, 2017

City of Welland
City Clerk Division
60 Main Street East
Welland, ON L3B 3X4

Dear Mayor and Council:

RE: COMPREHENSIVE ZONING BY-LAW-Report P&B-2017-53

T. Johns Consulting Group has been retained by the landowners on Gadsby Avenue and Hilda Street, who provided input at the Public Meeting for the Comprehensive Zoning By-law, to submit a written request with respect to the proposed zoning on the east side of Niagara Street south of Woodlawn Cemetery and north of Hilda Street.

We respectfully request that Council consider the following information and request when approving the City of Welland Comprehensive Zoning By-law with specific regard to item 2 on page 11 in Report P&B-2017-53 "High Density Zoning on the East Side of Niagara Street, South of Woodlawn Road and the Woodlawn Cemetery".

The lands are comprised of 11 parcels municipally known as 650-698 Niagara Street and 418-430 Aqueduct Street, each with an existing single-detached residential dwelling. The lands are designated High Density in the City of Welland Official Plan (2010).

Residents are objecting to the fact that the proposed High Density Zone does not reflect OPA 77 (1991), which was agreed upon between the residents of Gadsby Avenue and Hilda Street, the landowners on Niagara Street, and the City of Welland. The decision ensured a minimum 30 metre and 9 metre treed buffer between the proposed high density development and the existing low density residential uses fronting onto Gadsby Avenue and Hilda Street respectively. It is acknowledged that the OPA 77 was not carried over into the implementing City of Welland Official Plan (2010); however, T. Johns Consulting Group does confirm that the 30 metre and 9 metre treed buffer is reasonable and appropriate to incorporate into the Comprehensive Zoning By-law for this specific site while still maintaining the intent of the Official Plan with regards to intensification and high density development for these properties. In support of this request we have prepared a concept plan for demonstration purposes to show that the requested zoning will still permit intensification and achieving high density yields.

The concept plan provides for the required parking and respects all other zone standards while also implementing the requested 30 metre and 9 metre treed buffer that was agreed upon in 1991 when the lands were first identified for intensification. The plan proposes a public street and anticipates the redevelopment of the 11 properties resulting in roughly 550 units. With the public

street and the layout proposed, the lands could be developed in four phases and can proceed incrementally without the assembly of all 11 properties. With the addition of the public street and the land assembly of three to five properties as shown on the concept, the intensification can occur in an orderly manner without negatively impacting the functioning of Niagara Street, as the driveways are consolidated and there is a new public street for access.

The proposed High Density Zone in the Draft Comprehensive Zoning is the appropriate zone for lands fronting a transit corridor; however, there needs to be consideration for providing an appropriate transition from High Density to Low Density Residential built form.

The rationale for zoning a site-specific 30 metre strip of land at the rear of the 11 properties fronting on Niagara Street and Aqueduct Street and the 9 metre strip of land on the south side of 418 Aqueduct Street to Neighbourhood Open Space "O1" Zone is as follows:

- 1) Providing a 30 metre and 9 metre treed buffer in this site specific circumstance is reasonable

The objectives of all parties are achieved if the 30 metre and 9 metre treed buffer is maintained. The landowners fronting on Niagara Street have the potential to develop their properties within the permitted density ranges. For the landowners of the properties on Niagara Street, it will help address noise attenuation in the future and mitigate against issues of both car and parking lot lights affecting the neighbours. It should also be noted that should underground parking be provided there is additional opportunity for units and landscaping. Additionally, should the lands be developed as a plan of condominium instead of with a public street, it would reduce the Right of Way requirement and change the pattern of development while accommodating more units and increased density.

With the 30 metre and 9 metre treed buffer provided, there is still the potential for over 500 apartment units on the lands that would be available for development, which achieves Official Plan and Zoning expectations. The residents of Gadsby Avenue and Hilda Street are provided a buffer from a permitted development that could potentially result in over 500 units compared to the existing 11 single detached dwellings. As demonstrated with the attached plan it is feasible to achieve a density of 103 units per hectare or some other similar density. Given the potential scale of the development on the lands, it is reasonable to allow for an exceptional buffer area.

Zoning is generally implemented based on consideration of a typical scenario. Site specific zoning is a tool used to address special circumstances to ensure better compatibility when there are atypical circumstances such as significant intensification abutting stable, established neighbourhoods and no transition in density from one to the other. In this case, there is the potential for a significant number of units on these properties; therefore, an increased buffer is reasonable and represents good planning.

As the urban environment is intensified, it is reasonable to maintain some additional open space for the health of the environment and to mitigate against impacts of climate change.

These properties are ideal for including a 30 metre and 9 metre treed buffer as the lands can still be developed efficiently, the treed area exists so developers will not need to vegetate the treed buffer, and the location of the buffer does not hinder access to the site.

2) Official Plan policies related to Intensification are still being achieved

Subsection 3.4.4.1.A of the Official Plan defines Intensification as:

Intensification is defined in the Provincial Policy Statement as the development of a property, site or area at a higher density than currently exists through redevelopment (including reuse of brownfield sites) or development of vacant or underutilized lots within previously developed areas, infill development, and the expansion or conversion of existing buildings.

An increase from 11 units to a potential 550 units is significant intensification and therefore consistent with current planning policies.

3) Official Plan policies related to High Density yields can be achieved

The attached Concept Plan demonstrates that it is possible to achieve development at a density range of between 61 and 125 units per hectare, as per the Official Plan policies, while also providing the 30 metre and 9 metre treed buffer.

4) A significant amount of the Official Plan projected growth of high density development is accommodated

The Official Plan's Growth Targets, as outlined in Subsection 3.3, anticipates 680 new high density dwelling units between 2006-2031, contributing to 10% of the City's overall housing unit growth. The provided concept plan provides 552 units (i.e. 81% of the 680 unit forecast). Given that there are other lands in the City identified for High Density Residential it is reasonable to conclude that these properties do not have to provide an even higher unit yield in order for the City to achieve its intensification target. Based on the proposed zoning, the required density of 61-125 units per hectare for high density residential development can be achieved.

5) Official Plan Amendment 77 was approved with a maximum density of 100 units, the same range as the current Official Plan

OPA 77 (1991) was implemented with a maximum density of 100 units per hectare which is on the high end of the density range permitted in the current Official Plan (61-125 units/hectare). In 1991, it was believed these densities were achievable, while also providing a 30 metre and 9 metre treed buffer. There is no reason to believe that, with today's standards, 100 units/hectare is not achievable. In fact, the attached plan demonstrates that it is possible.

SUMMARY

The lands can maintain a site-specific 30 metre and 9 metre treed buffer while meeting the intentions of the City's intensification targets and High Density Residential policies as implemented in the Official Plan. The proposed buffer on these specific properties will provide an appropriate transition between the two land uses and foster a more compatible mix of uses given the potential scale of redevelopment on these 11 properties. In this specific case, it is reasonable to implement the requested revision to the Comprehensive Zoning By-law.

It is requested that Council pass a motion to zone the 30 metre strip of land at the rear of the 11 properties fronting on Niagara Street and Aqueduct Street, known municipally as 650-698 Niagara Street and 418-430 Aqueduct Street and a 9 metre strip of land on the south side of 418 Aqueduct Street to Neighbourhood Open Space "O1" Zone.

Respectfully,
T. JOHNS CONSULTING GROUP LTD.



Cheryl Selig MCIP, RPP
Associate

Grant Munday

From: John Conlin <johnconlin@bell.net>
Sent: September 20, 2017 3:21 PM
To: Grant Munday
Cc: Travers Fitzpatrick
Subject: New Zoning Bylaw

Dear Grant

I have asked that my name be on the list of people to be notified of activities related to this bylaw. If my name is not on that list, please add it. I am interested in the bylaw relative to a number of clients. I have not received notice from the City of plans to bring this to Committee on Sept. 26 or to Council on October 2.

Could you advise me of your intended procedures for the future? We have already discussed issues related to Vermeer's Garden Centre and 42 Prince Charles Drive.

I am concerned that the existing residential uses on Doan's Ridge Road from Buchner to Miller Road and on Ridge Road east of Doan's Ridge are not recognized. These areas are shown as Agricultural on the OP Land Use Map (Schedule A) but they are long time residential uses served by a City water main (Doan's Ridge). The east side of Doan's Ridge is shown as Rural Residential from Lyons Creek Road to Buchner Road on the proposed zoning map (Schedule B) but Agricultural from Buchner Road to Miller Road. This is inconsistent, in my opinion and puts these property owners at a disadvantage for a number of reasons. Legal non conforming is not desirable for these people.



Per: John Conlin MBA, P.Eng., RPP, MCIP, EP
President
Conlin Engineering Ltd.

SULLIVAN MAHONEY^{LLP}
LAWYERS

Via Email to mayor@welland.ca

October 3, 2017

Reply to St. Catharines Office
THOMAS A. RICHARDSON, C.S.
905.688.2207 – Direct line
tarichardson@sullivanmahoney.com

*Certified Specialist (Municipal Law – Local
Government/Land Use Planning and Development)*

Mayor Frank Campion and Members of City Council
City of Welland
60 East Main Street
Welland, ON L3B 3X4

Dear Mayor Campion and Members of Council:

**Re: Recommendation Report, City of Welland Comprehensive Zoning By-law
Report P&B-2017-53
Our File No. 87908**

We act as solicitors for members of the Froude family who are the owners of several parcels of land located on the west side of Colborne Street in the City of Welland. You may recall that we made submissions to the City Council with respect to the proposed Comprehensive Zoning By-law on June 6, 2017.

Our clients have now received a copy of Report P&B-2017-53. That report recommends no change to the Zoning By-law as it affects lands located on the west side of Colborne Street. It is proposed that our clients' lands be zoned A1 for Agricultural purposes.

You will recall our submissions that our clients are opposed to the proposed rezoning of their lands on the basis that their lands are currently designated under City of Welland Official Plan Amendment No. 67 which accorded the east half of these lands as a Special Status Area, while the west half were designated for Light Industrial purposes. Official Plan Amendment No. 67, passed by the City of Welland Council on November 22, 1988, so designates these lands. That Official Plan amendment has never been repealed.

40 Queen Street, P. O. Box 1360, St. Catharines, Ontario L2R 6Z2 Telephone: 905-688-6655, Facsimile: 905-688-5814
4781 Portage Road, Niagara Falls, Ontario L2E 6B1 Telephone: 905-357-0500, Facsimile: 905-357-0501
www.sullivan-mahoney.com

V.F. Muratori, Q.C.	P.B. Bedard	T.A. Richardson	P.M. Sheehan	W.B. McKaig	J. Dallal	D.A. Goslin
J.M. Gotti	R.B. Culliton	J.R. Bush	P.A. Mahoney	B.A. Macdonald	M.J. Bonomi	G.W. McCann
S.J. Premi	C. D'Angelo	R. Vacea	T. Wall	B.J. Troup	D.M. Willer	L.K. Parsons
J.P. Maloney	M.D. Atherton	M.W. Vanooosveen	D. Continenza	L. Sgambelluri	D.A. Maloney	P.A. Bush
C.L. Dilts	B.L. Bush	R.C. Corbett				

While the City of Welland passed a new Official Plan in 2010, the portion of the plan addressing our clients' lands has never been approved by the Regional Planning Committee. The Regional Planning Committee has urged Regional staff and the City of Welland to find a solution to the removal of existing rights from the subject property. To date, no such solution has been achieved. However, we are currently awaiting confirmation from Regional and City planning staff of a further meeting to again attempt to find a compromise. That meeting is anticipated to occur later in October.

Until a determination as to the appropriate designation in the Official Plan, zoning these lands A1 will place that portion of the Zoning By-law in non-conformity with the Official Plan. Consequently, we request that Council refrain from passing the Zoning By-law as it affects the subject lands until a resolution is obtained with respect to both the Official Plan and the Zoning By-law.

In closing, we wish to point out that there are errors in the staff report when it describes these lands as prime agricultural lands. The lands are broken up into small land holdings, making each land holding unviable for agricultural purposes. The soil classification is 3W, meaning that it requires drainage. Because of the small land holdings, the installation of drainage is not practical or economical.

The staff report indicates that Official Plan Amendment No. 67 is considered to be bad planning. That Official Plan amendment was initiated by and supported by the City of Welland and its planning staff of the day as well as by Regional planning staff and Council. The Regional planning report recommending an amendment to the Regional Policy Plan to accommodate the request of the City of Welland indicated that the Ministry of Agriculture and Food had no objection to the urban area expansion. The Regional report stated that "the Regional Niagara Policy Plan shows this area as 'rural' or an area of poorer agricultural land. The potential of the land for agricultural production is considered low, primarily due to the high proportion of the land used for spoil heaps and the storage of tailings, existing development in the area and the relatively low soil capability classification (3W)." The Regional report had attached as Appendix III a report addressing soil capability and existing land uses on the subject lands. That report states in part that the Class 3W soils tend to be of poorer quality and might be considered borderline between "Good General Agricultural" or "Rural" in the Regional Policy Plan. Fifty (50%) percent of the soils are then classified as Class 2D. The "D" in the Class 2D soils denotes undesirable soil structure and/or permeability.

With respect to existing land uses, that report indicated that agricultural activities are largely restricted to the south and west portions of the area. Much of the area consists of woodlots, scrub and idle agricultural land.

The original request by the City of Welland sought to designate all of these lands as Light Industrial. It was the area residents in 1987 who sought residential uses for the lands occupied by their homes. The City and the Region agreed. Consequently, the area was designated as a Special Policy Area.

Our clients continue to believe that a solution utilizing a Special Policy Area will achieve the goals of both the City of Welland and the area residents.

Page Three

In order to permit a resolution to this longstanding dispute can be found, we respectfully request that the City refrain, at this time, from rezoning the subject lands located on the west side of Colborne Street, south of Forks Road and east of Highway 58.

Yours very truly,

SULLIVAN, MAHONEY LLP

Per:



Thomas A. Richardson, C.S.

TAR:sm

cc—Ms. Tara Stephens, City Clerk

cc—Mr. Grant Munday, Manager of Development Approvals

cc—Mr. Thomas G. Hanrahan, Lancaster Brooks & Welch LLP

cc—Mr. and Mrs. Harold Froude and Mr. and Mrs. Dan Froude

cc—Mr. Greg Hynde

Grant Munday

From: Jonathan Whyte <Jonw@mountainview.com>
Sent: October 10, 2017 1:45 PM
To: Grant Munday
Cc: Jennifer Vida (JVida@ucc.com)
Subject: 633 South Pelham Road - EC Overlay
Attachments: Sumbler Estates (Welland) - Wetland.pdf

Hi Grant,

Further to our conversation, the EC overlay mapping for the property known municipality as 633 South Pelham Road is inconsistent with the MNR confirmed boundary of the wetland on the property.

This link shows the current proposed EC overlay for the site.

https://www.welland.ca/planning/zoningreview/DraftZoning2016_Page-D1.pdf

Enclosed is the NPCA mapping that accurately reflects the boundary of the PSW, along with their default 30 meter buffer. We're in the process of completing the EIS work and anticipate that it will support a reduced buffer, but the boundary of the feature itself is accurately reflected on the enclosed. Can you please update the overlay on the City's comprehensive zoning mapping prior to the zoning being adopted for this property?

If you can please confirm that this change has been made prior to public meeting that would be greatly appreciated.

All the best,

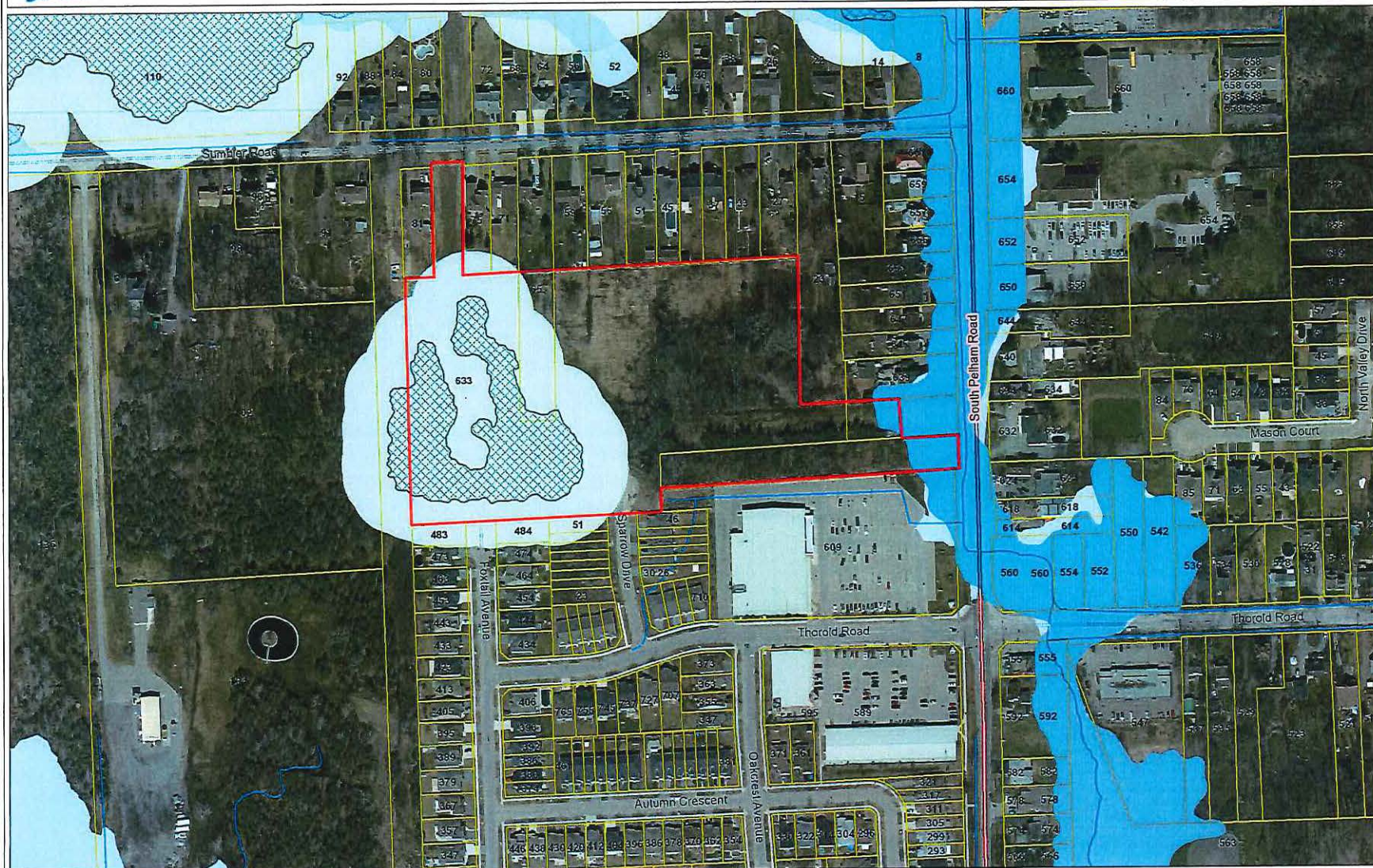


Jonathan Whyte

3350 Merrittville Hwy, Unit #9
Thorold, ON, L2V 4Y6
tel. 905.688.3100
fax. 905.688.5524
direct line. 905.323.6215
jonw@mountainview.com
www.mountainview.com

This email and any files transmitted may contain information which is confidential. If you are not one of the intended recipients of this message, please advise the sender immediately by reply e-mail and delete this message and attachments without retaining a copy. You should not disseminate, distribute or copy this e-mail. To the extent this e-mail is confidential, it shall be treated as confidential and the information in it may not be used or disclosed except for the purpose for which it has been sent. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Mountainview Group. Finally, the recipient should check this email and any attachments for the presence of viruses. Mountainview Group accepts no liability for any damage caused by any virus transmitted by this email.

Proposed Sumbler Estates (Welland)



- Legend**
- NPCA ADMINISTRATIVE B.O.L.
 - Regulated Floodplain Extent
 - Advisory (CWR)
 - Regulated
 - OWES WETLANDS
 - Non-Provincially Significant Wetland
 - Provincially Significant Wetland
 - Wetland Allowance
 - RMN Streets
 - Provincial
 - Regional
 - Municipal Other
 - RMN Assessment Parcels
 - MEMBER MUNICIPALITY Lab
 - Member Municipal Boundary L
 - 2K Hydrography
 - AIRPORTS
 - NPCA Watershed Municipality
 - NPCA Extended Context Area Surround
 - Norfolk, New York, Grand Island, D
 - Lake Erie, Lake Ontario, Niagara R
 - Surround - Hamilton/Halton
 - 2010 Niagara Air Photos

1:2,483
8/16/2014



0.1 0 0.06 0.1 Kilometers

This map is for illustrative purposes only. Information contained herein is not intended to constitute advice, is not a substitute for professional review or a site survey, and is subject to change without notice. The NPCA takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user. THIS IS NOT A PLAN OF SURVEY.

Notes
Regulated Wetland

Grant Munday

From: Travers Fitzpatrick <traversfitzpatrick@gmail.com>
Sent: October 1, 2017 4:41 PM
To: Grant Munday
Cc: Alanna; Mike Belcastro
Subject: Comments on FINAL DRAFT of new Zoning By-law

Grant, I have reviewed that Final Draft of the new Zoning By-law & have the following comments on behalf of Doral Holdings/Seaway Mall:

1. Footnote #2 to Table 12.2.1 Permitted Uses in Industrial Zones reads: "Shall only be permitted as an accessory use in a mixed use building/property". **We believe that the words "as an accessory use" should be deleted.** The uses which are restricted by the existing wording are main or principal uses and not accessory uses. The uses in question are: Athletic/Fitness Establishment; Day Care Centre; Financial Institution; Medical Office or Clinic; Restaurant; Service Commercial Establishment; and Survey, Engineering, Planning or Design Business.
2. Exception Zone RS – 15 Primeway Drive Canadian Tire. The parking standard of 1 space per 93 sq. metres of building area has been left out of the Zone Provisions.
3. Further, the reference to Gross Leasable Floor Area in the Exception Zone RS – 15 should read Gross Floor Area to correspond with the definition section of the By-law. There is no definition of Gross Leasable Floor Area in the by-law as there is in By-law 2667.
4. Upon further review of Exception Zone RS – 17 Niagara Centre, we would like to raise the following matters:

The Official Plan Policy 4.4.2.4 B Permitted Uses for the West Side of the Eastern Approach in which area Exception Zone RS -17 is located states as follows:

"West Side Permitted retail uses on the West Side of the Eastern Approach are limited to one home improvement store. Big box retail and wholesale uses are permitted on the undeveloped portion of the West Side, south and west of the existing home improvement store, provided that they are consistent with policies 4.4.3.2, 4.4.3.3 and 4.4.3.5 of this Plan. A range of commercial service uses, including automobile dealerships, service stations, restaurants, fast food outlets, business service establishments, business offices, banks, commercial recreation uses, hotels, motels and call centres as well as fabricating and processing establishments and warehousing operations are also permitted on the site."

The final draft of the by-law proposes to permit **ALL the uses of the RS Zone** plus five (5) specifically named uses which we believe are permitted in the RS Zone in any case. The uses permitted in the RS Zone are far more extensive than what is contemplated by the Official Plan for the Eastern Approach. **As a consequence we recommend that the uses permitted in the Exception RS -17 Zone be limited the uses permitted in the existing H-C4-X9 Zone. This would be consistent with the OMB Order on this matter.**

Further, we also recommend that the lands be zoned **Holding** so as to ensure any development of the lands conforms with the Official Plan particularly Official Plan Policy 4.4.3.6 which reads as follows:

"4.4.3.6 Exceptions

Notwithstanding the policies of 4.4.2.4c and 4.4.3.2, the development of large retail and wholesale uses and/or future expansions for the department store and home and auto supply store and the home improvement store located within the Eastern Approach may be permitted without Amendment to this Plan provided that a Market Impact Study is prepared by the proponent. The Market Impact Study shall be subject to Peer Review by the City, in consultation with the Region, at the expense of the proponents. Any development of large retail and wholesale uses and/or future expansions will require a site specific Zoning by-law amendment."



SMARTREIT®

700 APPLEWOOD CRES. SUITE 200 | VAUGHAN, ON. CANADA L4K 5X3
T 905 326 6400 F 905 326 0783

October 1, 2017

Delivered by Email

City of Welland
Planning Division
Civic Square, 60 East Main Street
Welland, ON. L3B 3X4

Attention: Mr. Grant Munday – Manager of Development Approvals

**RE: City of Welland Zoning By-Law Review
Draft Comprehensive Zoning By-Law
SmartREIT Lands – Intersection of Highway 406 and Woodland Road**

Dear Sir:

We have been actively participating in the City's on-going Zoning By-Law Review project and have previously submitted comments (May 5, 2016 and May 10, 2017) with respect to the SmartREIT lands located at the intersection of Highway 406 and Woodland Road.

The SmartREIT lands are currently developed for retail uses which include a Walmart and a Canadian Tire store. The overall development concept for the property contemplates the full build out of the property with a wide range of commercial uses. It is SmartREIT's experience that flexible development permissions are critical as they allow for new commercial development to proceed in response market trends.

The importance of flexible commercial development permissions is acknowledged in the staff recommendation report dated September 26, 2017 (P&B-2017-53) which states:

"The proposed Commercial Zones and their respective regulations will help promote and enhance Commercial and economic activity. Many of the use restrictions and regulations have been relaxed to promote the expansion and redevelopment of existing and vacant commercial lands."

SmartREIT is discouraged to see that the flexibility through increased development permissions previously proposed are no longer proposed in the latest draft Zoning By-Law which will be presented to the General Committee on October 10, 2017.

SmartREIT respectfully requests that staff reconsider the proposed development permissions contained in the latest draft Zoning By-Law. Flexibility through increased development permissions would promote the future development of the SmartREIT lands resulting in the creation of additional jobs and increased commercial opportunities for the City of Welland.

SmartREIT respectfully submits the enclosed comments. For ease of review, our comments are attached in a table format with specific reference to the applicable sections within the draft Zoning By-Law.

Please do not hesitate to contact the undersigned should staff have any comments or wish to discuss SmartREIT's comments in further detail.

Sincerely,

A handwritten signature in black ink, appearing to read 'N. Papapetrou', written over the word 'Sincerely,'.

Nikolas Papapetrou
Land Development Associate

ATTACHMENT #1

COMMENT	REQUEST
SECTION 4 - DEFINITIONS	
Gross Leasable Floor Area – the definition of Gross Leasable Floor Area is not included in the Draft Zoning By-Law. Site Specific Exception RS -15 establishes a minimum <i>Gross Leasable Area</i> restriction.	-The proposed definition of <i>Gross Floor Area</i> excludes common areas such as mechanical rooms, hallways and corridors. This is consistent with the definition of <i>Gross Leasable Floor Area</i> in the In-Force Zoning By-Law. - We request that <i>Gross Leasable Floor Area</i> be replaced with <i>Gross Floor Area</i> for Site Specific Exception RS-15.
SCHEDULE B – SPECIAL EXCEPTIONS	
Section 15 – Special Exception RS-15 The in-force Zoning By-Law contains site specific provisions for RS-15 lands (under current by-law - C4-X13 zone). Under the in-force Zoning By-Law a Bank is permitted. Site specific exception RS-15 does not permit a bank.	-We request that a bank be permitted within the RS-15 zone so as to maintain the as of right use permissions.
Section 15 – Special Exception RS-15 With the exception of the above noted comment, the latest draft Zoning By-Law proposes to maintain the existing list of site specific use permissions for the RS-15 zone. Within the parent RS Zone (Regional Shopping Node) a wide range of new uses are proposed to be permitted. The intent is to increase flexibility and encourage new development within the City of Welland. These new use permissions were historically extended to the lands zoned RS-15 in the previous draft Zoning By-Law. The RS-15 lands are designated as Commercial (Eastern Approach) within the City of Welland Official Plan. Section 4.4.2.4.B (East Side) of the Official Plan establishes a list of permitted uses which includes complementary uses. Section 4.4.2.4B states: “Permitted uses on the East Side of the Eastern Approach are limited to one department store, a home and auto supply store, business offices, personal service establishments, banks, restaurants, fast food outlets and other such complementary uses....”	-Consistent with the overall direction to promote commercial and economic activity by expanding the list of permitted uses within Commercial Zones, SmartREIT requests that the following uses be added as they would be considered as complementary to the RS-15 zone. • Accessory Uses, Buildings and Structures; • Custom Workshop; • Drive-Through Establishment; • Garden Centre; • Grocery Store; • Health Related Retail Use; • Home Furnishing Establishment; • Mini Storage; • Motor Vehicle Sales Dealership; • Motor Vehicle Service Station; • Outside Display and Sales Area; • Pet Care Establishment; • Pet Shop;

	• Place of Entertainment; • Repair Shop; • Retail Centre; • Supermarket; • Veterinary Clinic; • Hotel; • Motel; • Medical Office or Clinic; and • Recreational Establishment;
Section 16 – Special Exception RS-16 Similarly to the above noted comment, the latest draft Zoning By-Law proposes to maintain the existing list of site specific use permissions for the RS-16 zone. Within the parent RS Zone (Regional Shopping Node) a wide range of new uses are proposed to be permitted. The intent is to increase flexibility and encourage new development within the City of Welland. These new use permissions were historically extended to the lands zoned RS-16 in the previous draft Zoning By-Law. The RS-16 lands are designated as Commercial (Eastern Approach) within the City of Welland Official Plan. Section 4.4.2.4.B (West Side) of the Official Plan establishes a list of permitted uses which includes a range of commercial service uses. Section 4.4.2.4B states: “Permitted retail uses on the West Side of the Eastern Approach are limited to one home improvement store. Big box retail and wholesale uses are permitted on the undeveloped portion of the West Side, south and west of the existing home improvement store, provided that they are consistent with policies 4.4.3.2, 4.4.3.3 and 4.4.3.5 of this Plan. A range of commercial service uses, including automobile dealerships, service stations, restaurants, fast food outlets, business service establishments, business offices, banks, commercial recreation uses, hotels, motels and call centres as well as fabricating and	-Consistent with the overall direction to promote commercial and economic activity by expanding the list of permitted uses within Commercial Zones, SmartREIT requests that the following uses be added as they would be considered as complementary to the RS-16 zone. • Accessory Uses, Buildings and Structures; • Custom Workshop; • Drive-Through Establishment; • Garden Centre; • Grocery Store; • Health Related Retail Use; • Home Furnishing Establishment; • Mini Storage; • Motor Vehicle Sales Dealership; • Motor Vehicle Service Station; • Outside Display and Sales Area; • Pet Care Establishment; • Pet Shop; • Place of Entertainment; • Repair Shop; • Retail Centre; • Supermarket; • Veterinary Clinic;

processing establishments and warehousing operations are also permitted on the site."

- Hotel;
- Motel; and
- Medical Office or Clinic;



Zoning By-law 2017-XX

SCHEDULE "A"

Zone Categories

Residential Zones

- RL1** Residential Low Density 1
- RL2** Residential Low Density 2
- RM** Residential Medium Density
- RH** Residential High Density

Commercial Zones

- DMC** Downtown Mixed Use Centre
- RS** Regional Shopping Node
- CCA** Community Commercial Node
- CCC** Community Commercial Corridor
- NC** Neighbourhood Commercial

Open Space Zones

- O1** Neighbourhood Open Space
- O2** Community Open Space
- WRW** Welland Recreational Waterway
- EP** Environmental Protection Overlay
- EC** Environmental Conservation Overlay

Institutional and Community Wellness Zones

- INS1** Community Institutional
- INSH** Health and Wellness

Industrial Zones

- L2** Light Industrial
- GI** General Industrial
- GEC** Gateway Economic Centre

Agricultural and Rural Zones

- A1** Agricultural
- RR** Rural Residential
- RE** Rural Employment

Other Zones

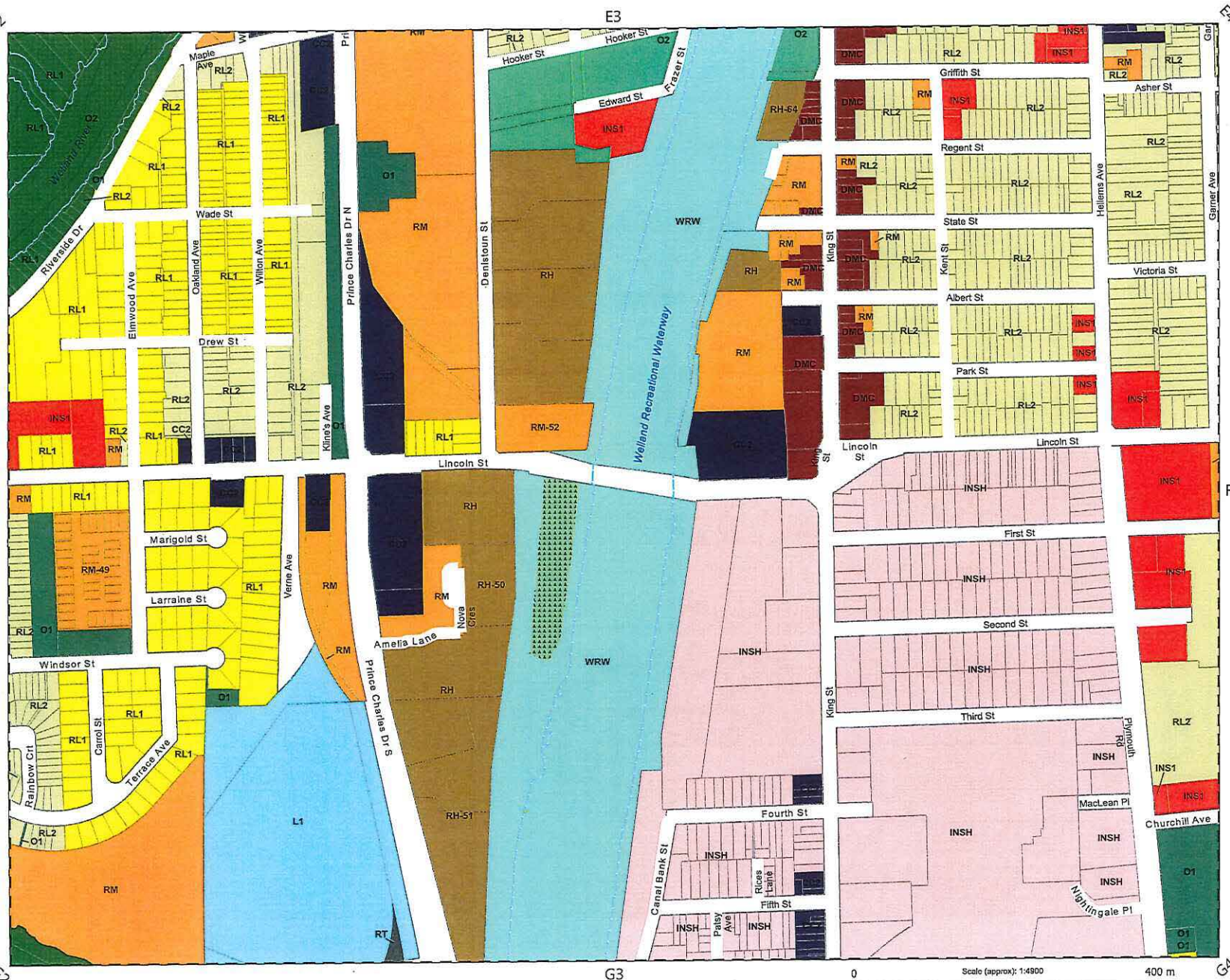
- RT** Railway Transportation

REVISION DATE: October 10, 2017, REV. - 3

Copyright © 2017 The Corporation of the City of Welland and its Suppliers.



Infrastructure and
Development Services
Planning Division





Zoning By-law 2017-XXX

SCHEDULE "A"

Zone Categories

Residential Zones

- RL1 Residential Low Density 1
- RL2 Residential Low Density 2
- RM Residential Medium Density
- RH Residential High Density

Commercial Zones

- BMC Downtown Mixed Use Centre
- RS Regional Shopping Node
- CC1 Community Commercial Node
- CC2 Community Commercial Corridor
- NC Neighbourhood Commercial

Open Space Zones

- OA Neighbourhood Open Space
- OC Community Open Space
- WRW Welland Recreational Waterway
- EP Environmental Protection Overlay
- EC Environmental Conservation Overlay

Institutional and Community Wellness Zones

- INS1 Community Institutional
- INSH Health and Wellness

Industrial Zones

- L1 Light Industrial
- GI General Industrial
- GEC Gateway Economic Centre

Agricultural and Rural Zones

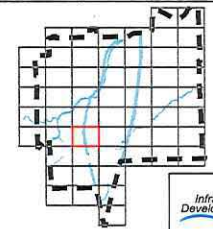
- A1 Agricultural
- RR Rural Residential
- RE Rural Employment

Other Zones

- RT Railway Transportation

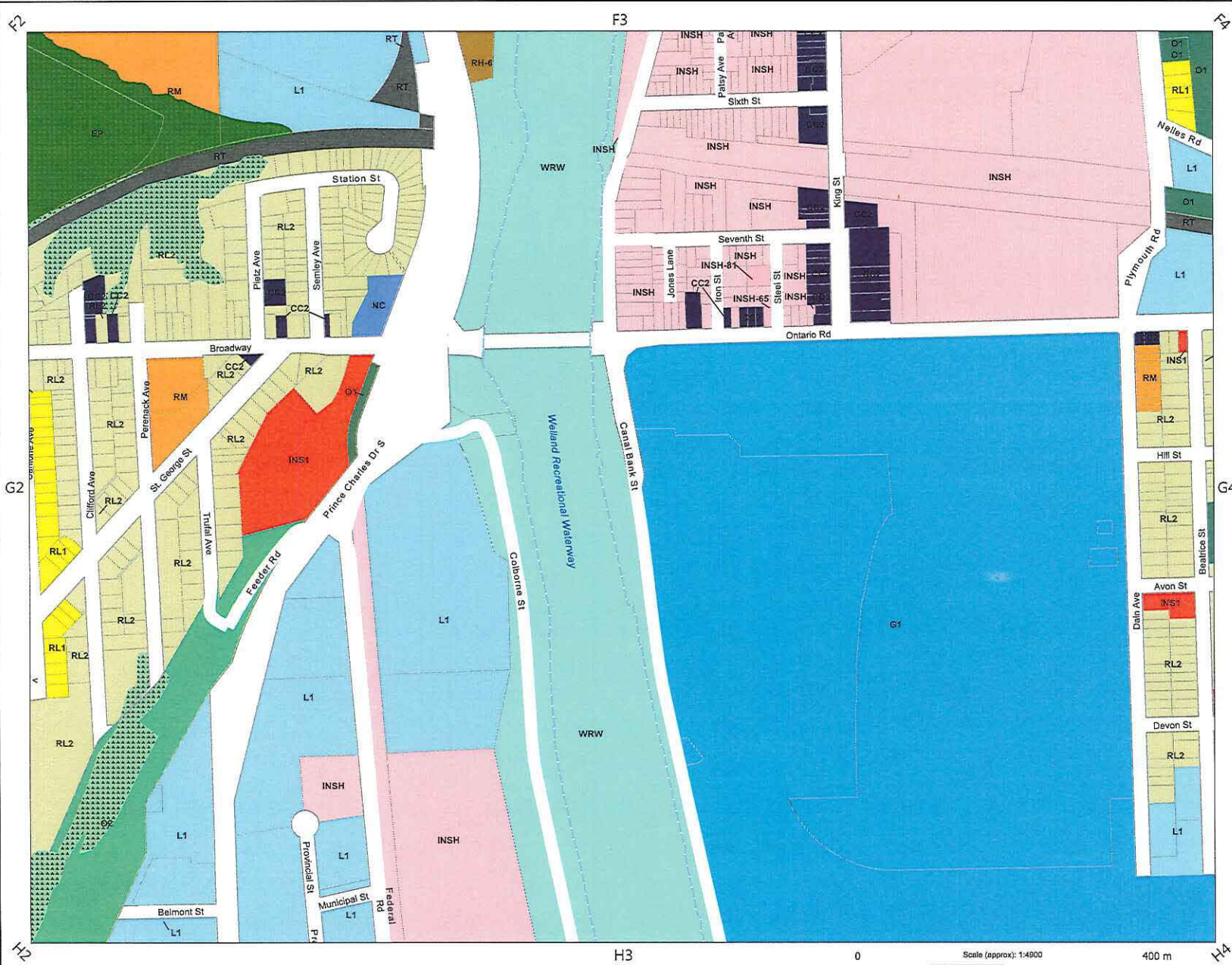
REVISION DATE: October 10, 2017, REV. - 3

Copyright © 2017 The Corporation of the City of Welland and its Suppliers.



Infrastructure and
Development Services
Planning Division

Z:\MAPPING\GIS\Zoning\2017 Draft Zoning.map



0 Scale (approx): 1:4800 400 m

"The information contained in this map may represent planned or proposed changes to the City of Welland (the City) and its Suppliers. It is not intended to be used for any other purpose. The City and its Suppliers do not warrant the accuracy or completeness of the information contained in this map. The City and its Suppliers do not accept any liability for any loss or damage arising from the use of this map. The City and its Suppliers do not accept any liability for any loss or damage arising from the use of this map. The City and its Suppliers do not accept any liability for any loss or damage arising from the use of this map."



Map D1

Zoning By-law 2017-XXX

SCHEDULE "A"

Zone Categories

Residential Zones

- RL1 Residential Low Density 1
- RL2 Residential Low Density 2
- RM Residential Medium Density
- RH Residential High Density

Commercial Zones

- DME Downtown Mixed Use Centre
- RS Regional Shopping Node
- CC1 Community Commercial Node
- CC2 Community Commercial Corridor
- NC Neighbourhood Commercial

Open Space Zones

- O1 Neighbourhood Open Space
- O2 Community Open Space
- WRW Welland Recreational Waterway
- EP Environmental Protection Overlay
- ECO Environmental Conservation Overlay

Institutional and Community Wellness Zones

- INSA Community Institutional
- INSH Health and Wellness

Industrial Zones

- LI Light Industrial
- GI General Industrial
- GEC Gateway Economic Centre

Agricultural and Rural Zones

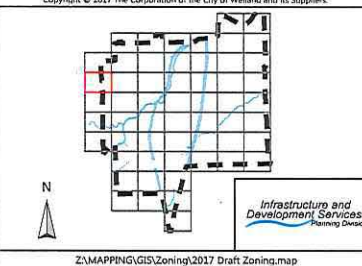
- A1 Agricultural
- RR Rural Residential
- RE Rural Employment

Other Zones

- RT Railway Transportation

REVISION DATE: October 10, 2017, REV. - 3

Copyright © 2017 The Corporation of the City of Welland and its Suppliers



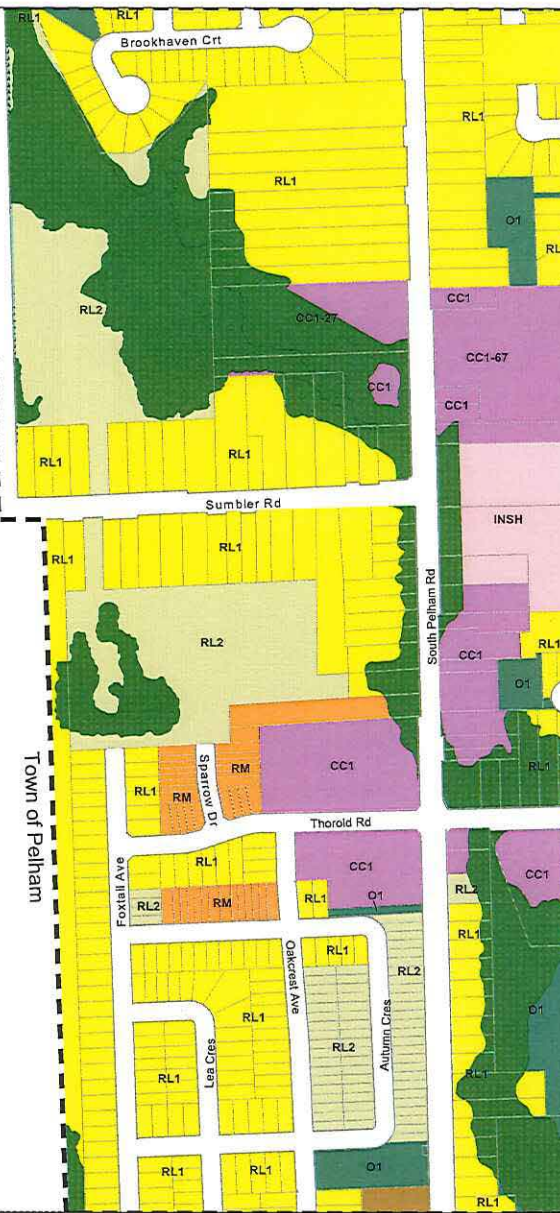
C1

D2

D2

E2

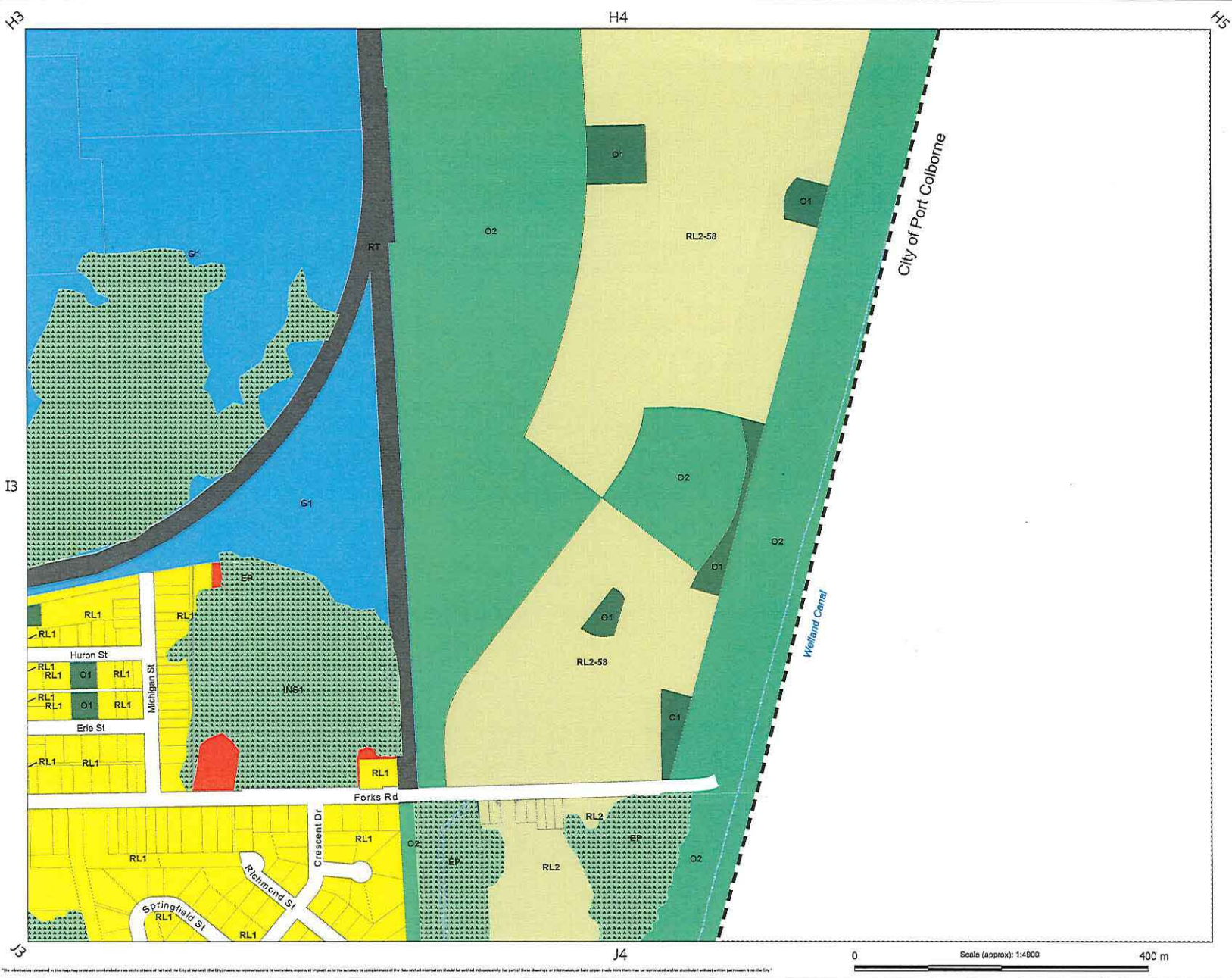
E1



Scale (approx): 1:4900 0 400 m

"The information contained in this map may represent intended errors or omissions, or be based on information that is not current or complete. The City of Welland does not warrant the accuracy or completeness of the information, or the reliability of the information, or the results of any use of the information. The City of Welland is not responsible for any errors or omissions, or for any use of the information."

17



Zoning By-law 2017-XXX **SCHEDULE "A"**

Zone Categories

Residential Zones

- RL1 Residential Low Density 1
- RL2 Residential Low Density 2
- RM Residential Medium Density
- RH Residential High Density

Commercial Zones

- DMC Downtown Mixed Use Centre
- RS Regional Shopping Node
- CC1 Community Commercial Node
- CC2 Community Commercial Corridor
- NC Neighbourhood Commercial

Open Space Zones

- O1 Neighbourhood Open Space
- O2 Community Open Space
- WRW Welland Recreational Waterway
- EP Environmental Protection Overlay
- ECO Environmental Conservation Overlay

Institutional and Community Wellness Zones

- INS1 Community Institutional
- INSH Health and Wellness

Industrial Zones

- LI Light Industrial
- GI General Industrial
- GEC Gateway Economic Centre

Agricultural and Rural Zones

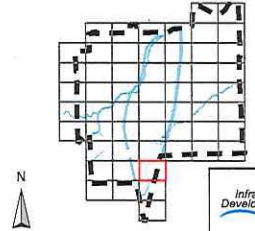
- A1 Agricultural
- RR Rural Residential
- RE Rural Employment

Other Zones

- RT Railway Transportation

REVISION DATE: October 10, 2017, REV. - 3

Copyright © 2017 The Corporation of the City of Welland and its Suppliers.

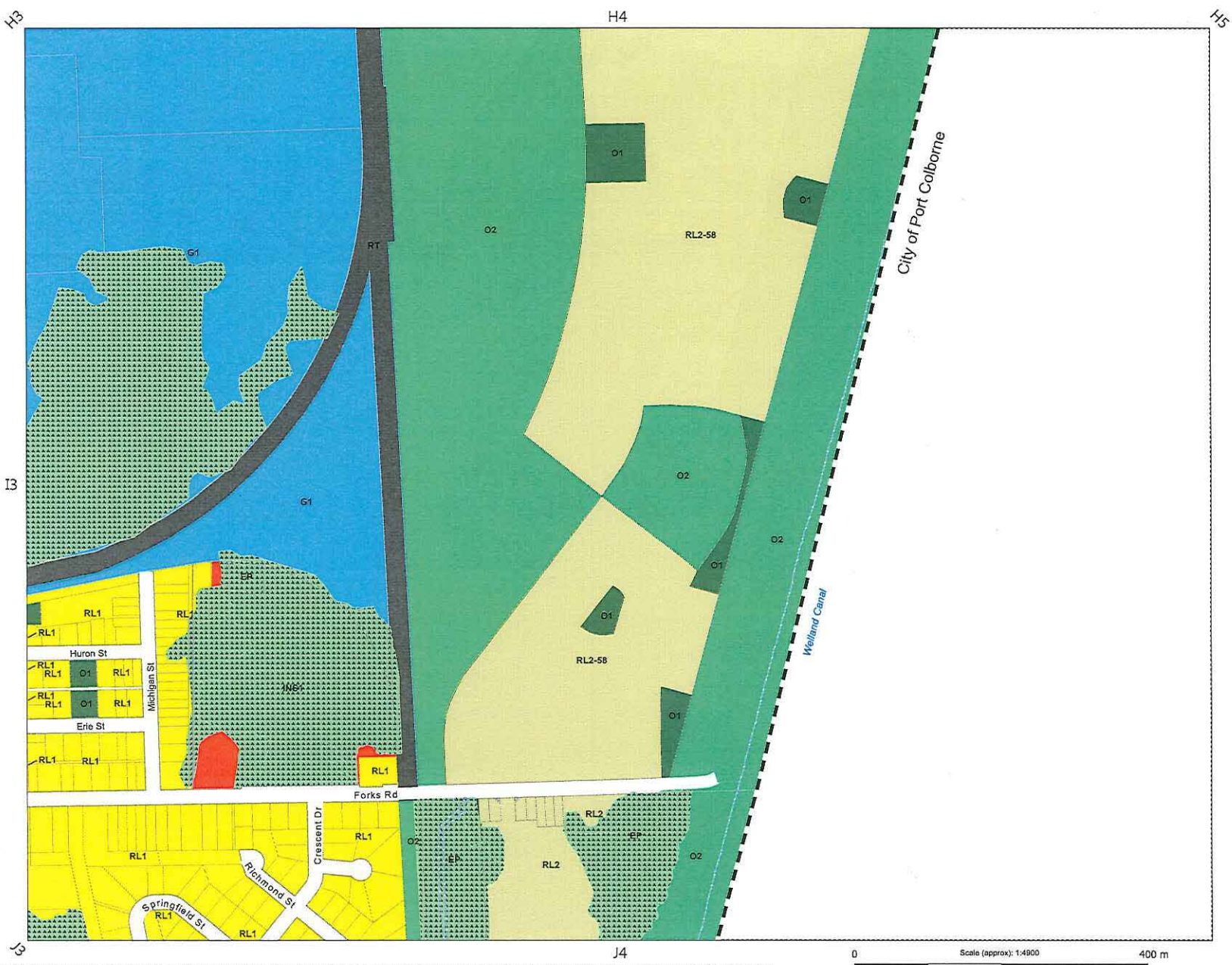


Infrastructure and Development Services
Planning Design

Z:\MAPPING\GIS\Zoning\2017 Draft Zoning map

"The information contained in this map may represent copyrighted works or other works of the City of Welland. The City makes no representations or warranties, express or implied, as to the accuracy or completeness of the data and all information should be verified independently. No part of these drawings, or information, or their copies may be reproduced or distributed without written permission from the City."

15



This information contained in this map may represent a current or future use of land and the City of Welland and its Suppliers make no representation or warranty as to the accuracy or completeness of the information contained in this map. The City of Welland and its Suppliers accept no liability for any loss or damage, whether direct or indirect, arising from the use of this map. The City of Welland and its Suppliers accept no liability for any loss or damage, whether direct or indirect, arising from the use of this map.



Map I4

Zoning By-law 2017-XXX SCHEDULE "A"

Zone Categories

Residential Zones

- RL1 Residential Low Density 1
- RL2 Residential Low Density 2
- RM Residential Medium Density
- RH Residential High Density

Commercial Zones

- BMC Downtown Mixed Use Centre
- RS Regional Shopping Node
- CC1 Community Commercial Node
- CC2 Community Commercial Corridor
- NC Neighbourhood Commercial

Open Space Zones

- O1 Neighbourhood Open Space
- O2 Community Open Space
- WRW Welland Recreational Waterway
- EP Environmental Protection Overlay
- ECO Environmental Conservation Overlay

Institutional and Community Wellness Zones

- INSI Community Institutional
- INSH Health and Wellness

Industrial Zones

- L1 Light Industrial
- GI General Industrial
- GEC Gateway Economic Centre

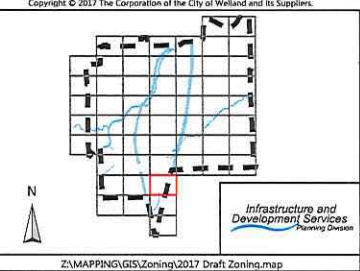
Agricultural and Rural Zones

- A1 Agricultural
- RR Rural Residential
- RE Rural Employment

Other Zones

- RT Railway Transportation

REVISION DATE: April 19, 2017, REV. - 2
Copyright © 2017 The Corporation of the City of Welland and its Suppliers.



Infrastructure and Development Services
Planning Division

Z:\MAPPING\GIS\Zoning\2017 Draft Zoning.map

15

16

City of Welland | Zoning By-law

Column 1	Column 2	Column 3	Column 4	Column 5
Permitted Uses	RL1	RL2	RM	RH
Day Care			✓	✓
Garden Suite	✓(4)	✓(4)		
Group Home	✓	✓	✓	✓
Home Occupation	✓(5)	✓(5)	✓(5)	✓(5)
Multiple Dwelling		✓	✓	
Retirement Home			✓	✓
Semi-Detached Dwelling	✓	✓		
Single-Detached Dwelling	✓	✓		
Street Townhouse Dwelling		✓	✓	
Townhouse Dwelling (Block)		✓	✓	
Two-Unit Dwelling	✓	✓		
Commercial				
Art Gallery				✓(6)
Pet Shop				✓(6)
Restaurant				✓(6)
Retail Establishment				✓(6)
Grocery Store/Supermarket				✓(6)
Day Care Centre				✓(6)

Footnotes:

- (1) Refer to Section 5.2 - Accessory Dwelling Units
- (2) Refer to Subsection 5.3 - Accessory Uses, Buildings and Structures
- (3) Refer to Section 5.5 - Bed and Breakfast Establishments
- (4) Refer to Section 5.15 - Garden Suites
- (5) Refer to Section 5.18 - Home Occupations

Deleted: May

SECTION 13 AGRICULTURAL AND RURAL ZONES

The Agricultural and Rural Zones apply to lands designated AGRICULTURAL, RURAL and RURAL EMPLOYMENT in the Official Plan.

13.1 Applicable Zones

The Agricultural and Rural Zones of this By-law apply to lands Zoned:

- A1 Agricultural
- RR Rural Residential
- RE Rural Employment

13.2 Permitted Uses

Uses permitted in a Zone are noted by the symbol "✓" in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 13.2.1. A number(s) following the symbol "✓", Zone heading or identified permitted use, indicates that one or more special regulations apply to the use noted or, in some cases, to the entire Zone.

No person shall within any Agricultural or Rural Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 13.2.1. Special regulations are listed in the footnotes at the end of the permitted uses in Table 13.2.1.

Table 13.2.1: Permitted Uses in Agricultural and Rural Zones

Column 1	Column 2	Column 3	Column 4
Permitted Uses	A1	RR	RE
Accessory Uses, Buildings and Structures	✓(1)	✓(1)	✓(1)
<u>Accessory Dwelling Unit</u>	✓	✓	
Agriculture	✓	✓	✓
Agri-Tourism	✓(8)		✓
Agriculture-Related Uses	✓		✓
Bed and Breakfast Establishment	✓	✓	✓
Cemetery	✓	✓	

5.32 Regulation for Consolidated Lot Development

- a) Where two or more abutting lots under one identical ownership are consolidated for the purpose of development, the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any Zoning regulations provided that all applicable regulations of this By-law relative to the consolidated lot development and its external lot lines are complied with.
- b) Where a comprehensive Condominium Plan of Subdivision has received Draft Plan Approval, as well as any required Site Plan Approval, and where registration of the plan is intended to occur in phases and/or stages, the lands to which the Draft Approved Plan of Condominium is to be located, shall be deemed to be one lot for the purpose of applying the provision of the By-law. Zoning By-law provisions shall apply only to the external lot lines of the overall Condominium Plan, not to internal lot lines resulting from the registration of any Condominium phase.

5.33 Roomers and Boarders

Nothing in this By-law shall prevent the keeping of not more than four roomers or boarders in any single-detached dwelling, two-unit dwelling, street townhouse dwelling or multiple dwelling.

Deleted: two

5.34 Seasonal Outdoor Display and Sales Area

Nothing in this By-law shall prevent an area set aside outside of a building or structure within a Commercial Zone which is used in conjunction with a lawful business located within the building or structure and located on the same lot, to be used for the display or retail sales of seasonal produce or new merchandise, provided such area:

- a) Is seasonal in nature and does not include a permanent retailing area; and
- b) Is not located within a fire lane, parking or loading spaces required to fulfill the provisions of the By-law or a driveway or passageway which provides an access route for vehicular traffic across the lot or to an improved street which abuts said lot.

5.35 Seasonal Outdoor Uses

Where permitted by this By-law, a seasonal outdoor use shall be subject to the following provisions:

- a) A seasonal outdoor use shall be prohibited on a vacant lot;