



SHAPING GREAT COMMUNITIES

October 5, 2021

File: 18137

Mr. Andrew Bryce  
Manager, Current Planning  
City of Niagara Falls  
4310 Queen Street  
Niagara Falls ON L2E 6X5

Dear Mr. Bryce:

**RE: 2<sup>nd</sup> Submission – Proposed Mixed Use Residential Development  
AM-2020-005, Official Plan and Zoning By-law Amendment Applications  
26CD-11-2020-001, Niagara Village Draft Plan of Subdivision Application  
6000 Marineland Parkway, Niagara Falls  
Niagara Village (Thundering Waters Golf Course)**

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On behalf of 2592693 Ontario Inc., GSP Group Inc. is pleased to submit our response to the initial comments received by the City related to the above noted Official Plan and Zoning By-law Amendment, and Draft Plan of Subdivision applications for the lands municipally known as 6000 Marineland Parkway in the City of Niagara Falls (currently known as the Thundering Waters Golf Course).

In response to the comments received, please find attached a Summary Comment Response Table (**Attachment A**) including all comments received, and our response to them. The draft plan of subdivision (**Attachment B**) has generally been amended as follows:

- Conrail Drain is no longer rerouted and is shown to continue in its current location (i.e., no modification to the Conrail Drain alignment is proposed);
- Removal of Oldfield Road Extension and correction of ownership (i.e., removal of lands not owned by applicant);
- Rerouting of Street K from Drummond Road Extension (vs Oldfield Road Extension);
- Addition of a more centrally located community park;
- Modifications to address setbacks from environmental features; and
- Modifications to address noise attenuation requirements.

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

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In response to the draft plan of subdivision modifications and circulation comments received, the draft Official Plan amendment (OPA) and draft Zoning By-law amendment (ZBA) have been updated as well and included as **Attachments C and D**.

In response to the revised DPS, OPA and ZBA several reports have been revised/updated and included in this submission for your circulation and review as follows:


- Environmental Impact Statement, R.J. Burnside & Associates Limited, July 2021
- Functional Servicing Report, R.J. Burnside & Associates Limited, July 2021
- Stormwater Management Report, R. J. Burnside & Associates Limited, July 2021
- Traffic Study, R.J. Burnside & Associates Limited, July 2021
- Water Balance analysis, R.J. Burnside & Associates Limited, July 2021
- Noise and Vibration Report, Golder Associates Ltd., September 2021
- Air Quality Feasibility Assessment, Golder Associates Ltd., October 2021
- Preliminary Concept Plan – Block 280, ICON Architects Inc., August 2021
- Block 280 design description, ICON Architects Inc., August 2021
- Preliminary massing models for Block 280, ICON Architects Inc., August 2021.

### **Block 280 – West of Woodland and Salit Steel**

A preliminary concept plan and massing model has been prepared by ICON architects for Block 280 that demonstrates the ability to develop this block with a continuous 6 storey apartment structure as noise attenuation using a single loaded corridor with units facing west only. Based on this architectural design solution to noise mitigation, no privacy areas or noise sensitive rooms are exposed to the east face of the building. This is an increasingly common approach used to mitigate noise sensitive uses adjacent to industry and/or noise sources. Sample images of developments designed and approved adjacent to the QEW in Grimsby and Georgetown designed by ICON are attached as **Attachment E**.

We look forward to the opportunity to further discuss these applications and responses with staff. Should you have any questions, or require any additional information, please do not hesitate to contact me directly at 289-778-1428 or by email at [bkhes@gspgroup.ca](mailto:bkhes@gspgroup.ca)

Yours truly,  
**GSP Group Inc.**



Brenda, MCIP, RPP  
Associate- Senior Planner

*cc: 2592693 Ontario Inc.*

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## Niagara Village Development

### Comments Summary/Response Table (latest update October 1, 2021)

Comment Date/Source	Comments	Follow up / Response	Row #
<p>Oct. 29, 2020 email WSP on behalf of Bell Canada</p>	<p>We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:</p> <p><i>“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.</i></p> <p><i>The Owner agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”</i></p> <p>The Owner is advised to contact Bell Canada at <a href="mailto:planninganddevelopment@bell.ca">planninganddevelopment@bell.ca</a> during the detailed utility design stage to confirm the provision of communication / telecommunications infrastructure needed to service the development.</p> <p>It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.</p> <p>If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.</p>	<p><b>Burnside</b></p> <p>Conditions are acceptable. Will work with Bell at detailed design stage.</p>	<p>1</p>
<p>Oct.28, 2020 District School Board of Niagara (Sue Mabee)</p>	<p>DSBN Planning staff has completed its review and has no objections to the applications. Future students from the area north of the CP Rail/Conrail Drain would attend Heximer PS (JK-G. 8) and students south of the CP Rail/Conrail Drain would attend River View PS (JK-Gr.8). Future secondary students residing in either area would attend Stamford Collegiate School (Gr. 9-12).</p> <p>Boar staff request that, as a condition of approval, sidewalks be constructed within the development to facilitate student travel to the school/bus stop locations.</p>	<p>No action required. Requested sidewalk connection are a standard DPS requirement.</p>	<p>2</p>

Comment Date/Source	Comments	Follow up / Response	Row #
<p>Sept. 16, 2020 Hydro One (Dennis De Rango)</p>	<p>As the subject land is abutting and/or encroaching onto a HONI high voltage transmission corridor (the “transmission corridor”), HONI does not approve of the proposed subdivision at this time pending review and approval of the required information.</p> <p>Please be advised that the transmission corridor lands affected by the proposed development and identified as such herein are subject to a statutory right in favour of HONI pursuant to Section 114.5(2) of the Electricity Act, 1998, as amended. The owner of these lands is Her Majesty, the Queen In Right of Ontario, as represented by The Minister of Infrastructure (MOI). Ontario Infrastructure &amp; Land Corporation (“OILC”) as agent for the Province, must review and approve all secondary land uses such as roads that are proposed on these lands. HONI is currently acting as a service provided to OILC, and undertakes this review on their behalf.</p> <p>The comments detailed herein do not constitute an endorsement of any element of the subdivision design or road layout, nor do they grant any permission to access, use, proceed with works on, or in any way alter the transmission corridor lands, without the express written permission of HONI.</p>	<p><b>GSP</b> The transmission corridor referred to is located on the lands to the east closer to Marineland Parkway – we are not proposing to cross the corridor.</p>	3
	<p>The following should be included as Conditions of Draft Approval:</p> <ol style="list-style-type: none"> <li><i>Any proposed secondary land use on the transmission corridor is processed through the Provincial Secondary Land Use Program (PSLUP). The developer must contact Jim Oriotis, Sr Real Estate Coordinator at 1-647-938-6261 to discuss all aspects of the subdivision design, ensure all of HONI’s technical requirements are met to its satisfaction, and acquire the applicable agreements.</i></li> </ol>	<p><b>Burnside:</b> The HONI corridor abuts the north limit of a portion of the owner’s lands that will remain as-is. No work is intended within or near the HONI corridor.</p> <p>Furthermore, no construction access will be permitted through the HONI corridor, except on existing public streets (such as Drummond Road and Oldfield road).</p>	4
	<ol style="list-style-type: none"> <li><i>Prior to HONI providing its final approval, the developer must make arrangements satisfactory to HONI for lot grading and drainage. Digital PDF copies of the lot grading and drainage plans (True scale), showing existing and proposed final grades, must be submitted to HONI for review and approval. The drawings must identify the transmission corridor, location of towers within the corridor and any proposed uses within the transmission corridor. Drainage must be controlled and directed away from the transmission corridor.</i></li> </ol>		5

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	<p>3. Any development in conjunction with the subdivision must not block vehicular access to any HONI facilities located on the transmission corridor. During construction, there must be no storage of materials or mounding of earth, snow or other debris on the transmission corridor.</p>		6
	<p>4. At the developer's expense, temporary fencing must be placed along the transmission corridor prior to construction, and permanent fencing must be erected along the common property line after construction is completed.</p>		7
	<p>5. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this subdivision will be borne by the developer, The developer will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the subdivision."</p>		8
	<p>6. This letter and the conditions contained therein should in no way be construed as permission for or an endorsement of proposed location(s) for any road crossing(s) contemplated for the proposed development. This permission may be specifically granted by OILC under separate agreement(s).</p> <p>Proposal for any secondary land use including road crossings on the transmission corridor are processed through PSLUP. HONI, as OILC's serviced provider, will review detailed engineering plans for such proposals separately, in order to obtain final approval.</p>		9
	<p>Should approval for a road crossing be granted, the developer shall then make arrangement satisfactory to OILC and HONI for the dedication and transfer of the proposed road allowance diction to the City of Niagara Falls.</p> <p>Access to, and road construction on the transmission corridor is not to occur until the legal transfer(s) of lands or interests are completed.</p> <p>In addition, HONI requires the following be conveyed to the developer as a precaution:</p>		10

Comment Date/Source	Comments	Follow up / Response	Row #
	<p>7. The transmission lines abutting the subject lands operate at either 500,000, 230,000 or 115,000 volts. Section 188 of Regulation 213/91 pursuant to the Occupational Health and Safety Act, require that no object be brought closer than 6 metres (20 feet) to an energized 500kV conductor. The distance for 230 kV conductors is 4.5metres (15 feet), and for 115 kV conductors is 3 metres (10 feet). It is the developer's responsibility to be away that the conducts can raise and lower without warning, depending on the electrical demand placed on the line.</p>		
<p>May 6, 2020 City of Niagara Falls – Zoning Comments</p>	<p>Comments regarding regulations of the R3 zone with what is proposed for the lands described as R3 and R3(H)-XX1:</p> <ul style="list-style-type: none"> <li>• The applicant has included group dwellings as a permitted use. Group dwellings means an arrangement on the same lot of two or more townhouse dwellings or apartment dwellings or combination thereof. Townhouse dwellings and apartment dwellings are not permitted uses of the R3 zone and have not been requested.</li> <li>• Lots 1 and 2 require site specific relief for lot frontage for a corner lot</li> </ul> <p>Comments regarding regulations of the R4 zone with what is proposed for the lands described as R4(H)-XX2 and R4-XX3:</p> <ul style="list-style-type: none"> <li>• The applicant has proposed to include a regulation for maximum gross leasable floor area for retail/commercial uses. Retail/commercial uses are not permitted in the R4 zone.</li> <li>• Please confirm the regulations applied for are for all uses.</li> </ul> <p>Comments regarding regulations of the R4 zone with what is proposed for the lands described as R4-XX4 and R4(H)-XX5:</p> <ul style="list-style-type: none"> <li>• Please confirm the regulations applied for are for all uses.</li> </ul> <p>Comments regarding regulations of the OS zone with what is proposed for the lands described as OS-XX6 and OS(H)-XX7:</p> <ul style="list-style-type: none"> <li>• No comment.</li> </ul> <p>Comments regarding regulations of the OS zone with what is proposed for the lands described as OS:</p> <ul style="list-style-type: none"> <li>• No comment.</li> </ul>	<p><b>GSP Group</b> Revisions made to the draft ZBA prior to external circulation. Refer to email sent to Andrew Bryce and revised ZBA.</p>	<p>11</p>

Comment Date/Source	Comments	Follow up / Response	Row #
August 19 2020 Planning (Andrew Bryce)	<ul style="list-style-type: none"> <li>It is recommended that a zone permitting a mix of commercial and residential uses be considered for the mixed use blocks, with the necessary site specific regulations. The Neighbourhood Commercial (NC) or General Commercial (GC) zones contained in by-law No. 79-200 may serve in this regard.</li> </ul>	<b>GSP:</b> Amended DPS and associated ZBA eliminated commercial uses.	12
	<ul style="list-style-type: none"> <li>No conceptual drawings have been provided for the medium density and mixed use blocks to evaluate the site specific regulations requested or to confirm regulations will permit the desired development. It is recommended that conceptual drawings be provided to assist in reviewing departures from the requested standards.</li> </ul>	<b>GSP/ICON:</b> See attached concept plans and 3D images prepared by ICON Architects..	13
	<ul style="list-style-type: none"> <li>The City's practice is to place lands intended to be preserved in a natural state under an Environmental Protection Area (EPA) zone instead of the proposed Open Space (OS) Zones.</li> </ul>	<b>GSP:</b> Agreed. Refer to revised DPS and ZBA	14
	<ul style="list-style-type: none"> <li>The PJR notes that a portion of the site needs to be deemed as Class 4 receptors under the Ministry of Environment, Conservation and Park's Noise Guideline NPC-300 although there is not proposed policy addressing this in the draft Official Plan amendment. The City's experience is that such a receptor needs to be formally designated in the Official Plan or through an Official Plan Amendment.</li> </ul>	<b>GSP:</b> Refer to amended draft OPA - to be finalized following completions of Noise Study review by City/Region.	15
	<ul style="list-style-type: none"> <li>The Plan identifies a portion of the Conrail drain is proposed to be rerouted through the subject lands. A remnant portion of the Conrail Drain (between Blocks 249 250, 258 and 259), while not included in the plan of subdivision is proposed to be acquired by the applicant and rezoned site specific R4(H) and OS (H). To date City has not endorsed this proposal or offered City lands for sale. As noted in our pre-consultation notes, further discussion with Legal Services and Municipal Work is necessary to determine if the proposal is feasible and supportable.</li> </ul>	The existing Conrail Drain will remain where it currently is located, and the subdivision will be built around it, without any further impact on the Conrail Drain / <b>Solicitor</b>	16
	<ul style="list-style-type: none"> <li>Staff remain concerned that per previous correspondence, CP rail was unresponsive of the two at grade rail crossings proposed.</li> </ul>	CP sold land to developer for development purposes. Appropriate	17

Comment Date/Source	Comments	Follow up / Response	Row #
		setbacks have been provided to address CP rail guidelines.	
	<ul style="list-style-type: none"> <li>Transportation Services strongly recommends a second means of access for the southerly part of the subdivision (Street F).</li> </ul>	<b>Burnside:</b> The TIS includes a discussion on the emergency access through the SWM pond block. Refer to revised DPS which provides for emergency access	18
	<ul style="list-style-type: none"> <li>The extension of Oldfield road appears to cross private land owned by the Niagara South Condominium Corporation No. 118 (Thundering Waters). Does the applicant intend to acquire the affected lands.</li> </ul>	<b>Burnside:</b> The Draft Plan has been revised to avoid these lands.	19
	<ul style="list-style-type: none"> <li>Similarly, development of Blocks 245 and 276 appear to rely on access to private roads that are part of the existing Thundering Waters residential condominium. The condominium corporation will need to be engaged to discuss how these lands will be accessed and developed.</li> </ul>	Refer to updated DPS.	20
	<ul style="list-style-type: none"> <li>A possible future access to Marineland parkway has been shown running north-east parallel to the Conrail Drain. Transpiration Services notes a public access should be considered along this route a most of the development traffic destined north or west. This would require the acquisition of privately held lands not owned by the applicant and may impact certain easemnte.</li> </ul>	Appropriate has been provided pursuant to the DPS. Cannot require extension of road over land developer does not own.	21
	<ul style="list-style-type: none"> <li>Parks design have expressed a preference for a large centralized park in the general location of the Drummond Road extension, or two smaller parks along the Oldfield Road extension and the current clubhouse. Any further changes to the plan or road network will need to be reviewed by Parks Design.</li> </ul>	<b>GSP:</b> Refer to revised DPS. Centralized Park provided.	22
	<ul style="list-style-type: none"> <li>The City requires that at least one open house to be held where the details of the applications can be reviewed and discuss with area property owners. Planning staff recommends that there be further discussion on the matters raised above and comments received by key outside agencies (i.e., CP Rail and Region) prior to the open house being scheduled.</li> </ul>	To be considered following 2 <sup>nd</sup> submission.	23
November 23, 2020 Niagara	Regional staff are unable to support the proposed Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision as detailed in the following comments. The proposal is not consistent with the Provincial Policy Statement and does not conform with Provincial Plans and the		24



Comment Date/Source	Comments	Follow up / Response	Row #
	<p>Regional Official Plan from a land use compatibility and environmental policy perspective. Revisions to the proposed plan and the submitted studies are required to address these concerns prior to the applications being presented to City Council.</p> <p>Provincial and Regional Policies The subject lands are located within a Settlement Area under the 2020 Provincial Policy Statement (PPS). The PPS directs growth to settlement areas, and encourages the efficient use of land, resources, infrastructure, and public service facilities that are planned or available.</p>	<p><b>GSP:</b> Refer to PJR prepared by GSP Group which demonstrates PPS and ROP conformity.</p>	
	<p>The majority of the lands are designated Delineated Built-up Area, with a small area identified as Greenfield at the south-west end of site, under the 2020 A Place to Grow Growth Plan for the Greater Golden Horseshoe (Growth Plan). The Growth Plan contains policies that encourage the development of complete communities with a diverse mix of land uses and range of housing types, taking into account affordable housing and densities. Growth management policies state that until the Region completes the municipal comprehensive review, it is approved, and in effect, the annual minimum intensification target contained in the Regional Official Plan for the Delineated Built-Up Area (40%) will continue to apply. The proposal will contribute to the City's intensification target. The Growth Plan also contains policies that call for development in Greenfield areas to be planned, designated, zoned and designed in a manner that supports the achievement of complete communities, supports active transportation and encourages the integration and sustained viability of transit services. The Growth Plan provides direction for minimum density target for designated Greenfield Areas (50 residents and jobs per hectare for Niagara). Based on the information outlined on the application form, the proposed development will exceed the 50 residents and jobs per hectare, which conforms to the Growth Plan. However, the Region encourages a broader provision of land uses to contribute to the creation of a more complete community and address the land use compatibility comments outlined in more detail below.</p>	<p><b>GSP</b> Group to ensure Regional staff is aware of commercial/mixed use area</p>	25
	<p>The subject lands are designated Urban Area in the Regional Official Plan (ROP). The ROP promotes higher density development in Urban Areas and supports growth that contributes to the overall goal of providing a</p>		26

Comment Date/Source	Comments	Follow up / Response	Row #
	<p>sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara. A full range of residential, commercial and industrial uses are permitted generally within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure and other policies relative to land use compatibility and environmental conservation.</p> <p>Additional comments on alignment with Provincial and Regional policies from an environmental and land use compatibility perspective are provided below.</p>		
	<p>Niagara Economic Gateway Zone</p> <p>In recognition of Niagara Region's importance in cross border trade, the 2006 Greater Golden Horseshoe Growth Plan provided Niagara with the Gateway Economic Zone and Centre designation. The intention was to guide planning and economic development to support economic diversity through increased opportunities for cross border trade and the movement of goods. In the Niagara Region's 2014 Niagara Gateway Economic Zone and Centre Community Improvement Plan, Employment Lands in five municipalities (which included the City of Niagara Falls) were also identified as central to the revitalization, diversification, and strengthening of the region's economy. The Niagara Region's 2019 Economic Development Strategic Action Plan included a commitment to supporting business growth and retention of employers within the region.</p> <p>The area surrounding 6000 Marineland is comprised of important employment lands that are within close proximity to international border crossings and support the movement of goods. Schedule G2 of the Regional Official Plan identifies the adjacent lands as Employment Land.</p> <p>The redevelopment of the aforementioned lands for residential uses would present current and future compatibility issues for the nearby employment lands that include a number of existing significant employment/industrial uses. Regional Economic Development staff are of the opinion that the change to residential uses would negatively impact the retention and expansion of existing businesses and the ability to attract new industrial investment to the area.</p>	<p>Refer to updated DPS including development concepts prepared by ICON Architects regarding medium density blocks in proximity to existing industries.</p>	27

Comment Date/Source	Comments	Follow up / Response	Row #
	<p>Land Use Compatibility</p> <p>The PPS calls for a coordinated, integrated and comprehensive approach to land use planning matters. Specifically, sensitive land uses are to be planned to “ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety...” (Policy 1.2.6.1). To implement this policy, the Ministry of Environment Conservation and Parks (MECP) Land Use Planning Policy guidelines (the guidelines) are to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses on industrial uses. Guideline D-1 “Land Use Compatibility Guidelines” and Guideline D-6 “Compatibility between Industrial Facilities and Sensitive Land Uses” were considered in the review of this application. The MECP’s Publications NPC-300 “Environmental Noise Guidelines” is discussed in the next section of this letter under Noise Impacts.</p> <p>The proposed residential use is considered a ‘sensitive land use’ as outlined in the guidelines. The land is located within an area comprised largely of industrial uses with some residential use. The surrounding land uses are as follows:</p> <ul style="list-style-type: none"> <li>• North- Residential</li> <li>• West- Residential (north) and Industrial (Chemtrade Logistics) (south)</li> <li>• South- ‘Medium’ and ‘Heavy’ Industrial (Ramsey Road and Progress Street industrial area) and Natural Heritage Features</li> <li>• East- Heavy Industrial (Salit Steel- Class 2 and Washington Mills- Class 3 and L. Walter &amp; Sons Excavating Ltd.- Class 3)</li> </ul> <p>There is also an active rail line (industrial spur line) running through the centre of the site that serves surrounding industrial uses.</p> <p>As conveyed at the pre-consultation meetings, the D-1 and D-6 guidelines indicate that industrial land uses and sensitive land uses are normally incompatible due to possible adverse effects on sensitive land uses created by industrial operations in close proximity. The guidelines indicate that a sensitive land use should not be permitted closer than the specified</p>		28

Comment Date/Source	Comments	Follow up / Response	Row #									
	<p>minimum separation distance, unless impacts from industrial activities can be mitigated to the level of “trivial impact (i.e. no adverse effects)”. The MECP has identified, through case studies and past experience, potential influence areas (i.e., areas within with adverse effects may be experienced) for industrial land uses based on a classification system. In the absence of studies that specify actual influence areas for a particular industrial facility, Regional staff use these potential influence areas to screen for potential incompatibilities. The D-6 guideline also requires that the minimum separation distance (MSD) between industrial facilities and sensitive uses be based on these classifications, using a predictable “worst case scenario” and the permitted uses in the zoning by-law. Both the potential influence area and MSD is outlined below:</p> <p>Potential Influence Area Minimum Separation Distance</p> <table border="1" data-bbox="380 675 877 773"> <tr> <td>Class I Industry</td> <td>70m</td> <td>20m</td> </tr> <tr> <td>Class II Industry</td> <td>300m</td> <td>70m</td> </tr> <tr> <td>Class III Industry</td> <td>1000m</td> <td>300m</td> </tr> </table> <p>Although there is some leniency to base the influence area/setback on existing industrial uses, this would require an amendment to the zoning for those properties to restrict permissions to the existing uses to ensure compatibility is maintained. This approach is considered onerous for both the City and the land owners of the existing industrial facilities, because it disadvantages their right to expand/alter their operations in the future.</p> <p>The D-6 guidelines acknowledge that it may not be possible to achieve the recommended MSD in areas where infilling, urban redevelopment and/or a transition to mixed use are taking place. In order to consider a reduction to the recommended MSD, justification through an impact assessment (i.e., a use specific evaluation of the industrial processes and the potential for off-site impacts on existing and proposed sensitive land uses), as detailed in Section 4.10 of the D6 guidelines, is required. Mitigation to the greatest extent possible is the key to dealing with less than the minimum separation distance. This is further discussed in the Noise and Vibration Feasibility Study and Air Quality Assessment section below.</p>	Class I Industry	70m	20m	Class II Industry	300m	70m	Class III Industry	1000m	300m	<p>Refer to updated Noise Report prepared by Golder which addresses D-6 Guidelines as well as the proposed development concepts prepared by ICON Architects.</p>	
Class I Industry	70m	20m										
Class II Industry	300m	70m										
Class III Industry	1000m	300m										
	Noise and Vibration Feasibility Study, Air Quality Assessment		29									



Comment Date/Source	Comments	Follow up / Response	Row #
	<ul style="list-style-type: none"> <li>• evaluation of Salit Steel based on D-6 guidelines and Section 9 approval;</li> <li>• modeling assessment for Mancuso Chemicals Limited;</li> <li>• updated modelling assessments for Washington Mills, Chemtrade, and Quality Ready Mix.</li> </ul> <p>Regional Staff cannot support the applications from a land use compatibility perspective.</p>		
	<p>Natural Heritage</p> <p>Regional Environmental Planning staff have reviewed the following documentation submitted in support of the applications:</p> <ul style="list-style-type: none"> <li>• Environmental Impact Study, prepared by R.J. Burnside &amp; Associates Limited (dated March 11, 2020);</li> <li>• Stormwater Management Report, prepared by R.J. Burnside &amp; Associates Limited (dated March 2020); and,</li> <li>• Functional Servicing Report, prepared by R.J. Burnside &amp; Associates Limited (dated March 11, 2020).</li> </ul> <p>Comments in this regard are attached as <b>Appendix 3 (row 89)</b> to this letter. A number of concerns were identified that must be addressed in an updated EIS or EIS addendum in order to satisfy the Region and confirm the conclusions of the EIS are valid, specifically that potential impacts on adjacent lands and Fish Habitat, Significant Woodland and Significant Wildlife Habitat features can be appropriately mitigated. Regional Staff cannot support the applications from an environmental perspective, as detailed in Appendix 3.</p>	<p><b>Burnside</b> – refer to Appendix 3 (row 89) response below</p>	30
	<p>Environmental Site Assessment/Record of Site Condition</p> <p>The subject lands are currently used as a golf course, which is considered a commercial use as defined by the Environmental Protection Act. The Environmental Protection Act, and regulations O. Reg. 153/04, 511/09 and 407/19, require that a Record of Site Condition (RSC) be filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental</p>		31

Comment Date/Source	Comments	Follow up / Response	Row #
	<p>Site Registry (ESR) prior to any change in land use to a more sensitive use (i.e. commercial to residential). Furthermore, PPS Policy 3.2.2 states that "sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects." The PPS defines "adverse effects" to include harm or material discomfort to any person, an adverse effect on the health of any person, and/or impairment of the safety of any person.</p> <p>In this regard, a Phase 1 Environmental Site Assessment (ESA), prepared by Golder Associates Ltd. (dated February 1, 2017) and Phase 2 Environmental Site Assessment, prepared by Golder Associates Ltd. (dated June 2018) was submitted with the applications. The Phase 1 ESA found six areas of potential environmental concern on site and two on neighbouring properties, as illustrated in Figure 3 of the Phase 1 ESA. The Phase 2 ESA was required to support the submission of a RSC, and found that soil and groundwater on the site met the Table 9 Site Conditions Standards for all analytical parameters. No further environmental work was recommended.</p> <p>As of the date of this letter, no RSC had been filed on the MECP ESR. Regional staff note that the Phase 1 and 2 ESAs will need to be updated to support the filing in accordance with the updated Ontario Regulations.</p> <p>Regional staff note for information that both the PPS (3.2.3) and Growth Plan (4.2.9.2) encourage and support, where feasible, on-site and local re-use of excess soil through planning and development approvals, while protecting human health and the environment. The Region encourages the proponent to consider reuse of excess soil in an effort to conserve resources.</p>		
	<p>Archaeological Potential</p> <p>The PPS and Regional Official Plan (ROP) provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, Section 2.6.2 of the PPS and Policy 10.C.2.1.13 of the ROP state that development (including the construction of buildings and structures requiring approval under the Planning Act) and site alteration</p>		32

Comment Date/Source	Comments	Follow up / Response	Row #
	<p>(activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of the site) are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved.</p> <p>Based on the Ministry of Heritage, Sport, Tourism and Culture Industries' Criteria for Evaluating Archaeological Potential, the subject lands exhibit potential for the discovery of archaeological resources due to proximity (within 300m) to past and present watercourses and one registered archaeological site. In this regard, a Stage 1 Archaeological Assessment, prepared by Golder (dated April 26, 2018), and Stage 2 Archaeological Assessment, also prepared by Golder (dated January 8, 2019), were submitted with the applications. The Stage 2 assessment included test pit survey at five metre and ten metre intervals within the Project Area, as well as test pitting to within one metre of existing built structures. The Stage 2 assessment recommended that the Project Area be considered free from further archaeological concern and that no further archaeological assessment is necessary.</p> <p>An acknowledgement letter from the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) (dated April 17, 2020), was submitted indicating the MHSTCI is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licenses. The letter confirms the report was entered into the Ontario Public Register of Archaeological Reports. The letter references a Stage 2 Archaeological Assessment dated April 3, 2020, whereas the report the Region received was dated January 8, 2019. A copy of the April 3, 2020 assessment is required in order to conclude the Region's interest in archaeology on this site and satisfy the above noted Provincial and Regional policy.</p>	<p><b>Golder -</b> Clarification of report dates required.</p>	
	<p>General Site Servicing</p> <p>Regional staff note that servicing will be under the jurisdiction of the City of Niagara Falls and will require the construction of water, sanitary and storm services for the proposed development area. However, the Region must</p>		33



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	review and approve any new/extended sewer services under the Ministry of Environment, Conservation and Parks Transfer of Review Program.		
	<p>Regional Services</p> <p>Region staff acknowledge that no connections are proposed to the existing 1050 mm diameter Regional trunk watermain as part of this development. The current site servicing strategy is proposing two new connections to the existing 1200 mm diameter Regional sanitary trunk sewer at Drummond Road and Oldfield Road, in order to service the new internal sanitary sewer system. The applicant should be advised that prior to any future connections to the Regional Infrastructure, detailed drawings showing the connections to the 1200 mm Regional sanitary trunk sewer will need to be provided along with an application letter from the City and the Regional connection permit fee of \$1250.00. The future connection request will be circulated to Regional Water and Wastewater staff for review and approval. Please be advised the manhole that is proposed as the outlet has several existing sewer connections therefore future connection details will need to include all the existing sewer connections. Please contact Susan Dunsmore, P. Eng., Manager of Development Engineering (905-980-6000 ext. 3661 or susan.dunsmore@niagararegion.ca).</p> <p>Region staff also note that there is an easement for the existing Regional watermain and sanitary sewer, which cross through the subject property, running from Oldfield Road to John Daly Way. Region staff acknowledge, as noted in the submitted servicing study and through previous correspondence with the applicant's consultant, that it has been proposed to reduce the width of this easement from the existing 50.0 metres to 23.0 metres. Regional staff have reviewed the current proposal to reduce the existing easement width and have expressed concerns with respect to future construction requirements and associated costs related to future Regional infrastructure repairs and new installations/ expansion. Therefore, Region staff are currently of the opinion that the existing easement area should not be reduced. All future plans submitted for review and approval should clearly identify the existing Regional Infrastructure easement.</p> <p>Please be advised that Niagara Region is currently undertaking a Schedule 'C' Class Environmental Assessment to plan for a new wastewater</p>	<p><b>Burnside:</b> Proposed Water Service Pipe for the southern portion of proposed subdivision is connected to existing 300mm water service pipe. The north portion will be serviced by connecting to the exiting 1050mm water chamber as shown in Drawing WAT1.</p> <p>Detail Connection Drawings will be provided in the detail design stage.</p> <p><b>Burnside:</b> Revisions to DPS required to increase width of road to accommodate full width of easement. No lotting or development is proposed within the Easement, except for proposed Street K and parkland.</p>	34

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	<p>treatment plant and improvements to wastewater systems in the South Niagara Falls area. Please note that interim servicing options are being developed by City and Regional staff through the review process being undertaken as part of the EA. Further details and information about the project can be found on Niagara Region's website at the following link: <a href="https://www.niagararegion.ca/projects/south-niagara-falls-treatment-plant/default.aspx">https://www.niagararegion.ca/projects/south-niagara-falls-treatment-plant/default.aspx</a></p>		
	<p>Sanitary</p> <p>The applicant should be advised that this site falls within the South Side High Lift SPS sewershed. This sewershed has been allocated growth out to 2041 in consultation and collaboration with the City of Niagara Falls. The study was completed at a high level and did not allocate capacities to individual properties.</p> <ul style="list-style-type: none"> <li>The current operational firm capacity of the South Side High Lift SPS is 760.0 L/s.</li> </ul>	<p><b>Burnside</b> reviewed and confirmed that the current capacity of the High Lift PS is 760 L/s and currently runs at 726L/s. As the latest Sanitary Master Plan (by Region of Niagara) states, the High Lift PS will be above capacity by 2041 (1093L/s with 333 L/s Deficit), and therefore, requires a wet weather flow reduction program including a new proposed WWTP to be located South East of our development site. Burnside is in close contact with the region and follows the planning progress of the new WWTP. Any further implementation will be included in our detail design stage.</p>	35
	<p>The Master Servicing Plan (MSP) has identified the existing design peak wet weather flow is close to the capacity of the station and the projected 2041 design peak wet weather flow will exceed the current capacity.</p> <ul style="list-style-type: none"> <li>The MSP did note that the combination of this sewershed and the other SPS sewersheds contributing to the South Side High Lift SPS would develop constraints during wet weather events.</li> <li>The MSP has identified the need for a new South Niagara Falls Wastewater Treatment Plant (WWTP) to accommodate anticipated future growth in South Niagara Falls, which is anticipated to be in service by 2028. The Environmental Assessment for this new WWTP commenced in 2018.</li> <li>Therefore, no upgrades were planned for the South Side High Lift SPS; however, a wet weather flow reduction program for South Niagara Falls was identified in the MSP. The Region and City are working together</li> </ul>	<p><b>Burnside</b> is in close contact with the region and follows the planning progress of the new WWTP. Any further implementation will be included in our detail design stage</p>	36

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	<p>on the South NFLS Servicing Strategy and wet weather/Inflow &amp; Infiltration reduction program to accommodate some development in the interim before the new South Niagara Falls WWTP is in service.</p> <ul style="list-style-type: none"> <li>The MSP can be found at the following link:  <a href="http://www.niagararegion.ca/2041/master-servicing-plan/default.aspx">http://www.niagararegion.ca/2041/master-servicing-plan/default.aspx</a></li> </ul>		
	<p>Stormwater Management</p> <p>Niagara Region staff have reviewed 'Stormwater Management Report Niagara Village Development (dated March 2020)' and 'Functional Servicing Report (dated March 11, 2020) all by R.J. Burnside &amp; Associated Limited. Region staff understands that two stormwater management (SWM) ponds are to be built to service the proposed development bisected by CP railway. The proposed SWM plan aims to provide Enhanced standard treatment, control post-development peak flows to pre-development levels, and control instream erosion at the south watercourse. Comments in this regard are attached as <b>Appendix 4 (row 95)</b> to this letter.</p>	<p>Response to comments are on Line 95 below</p>	37
	<p>Traffic Impact Study</p> <p>Regional Transportation staff have reviewed the 'Niagara Village Transportation Study' by R.J. Burnside &amp; Associates Ltd., dated March 2020 and note that the intersection at Regional Road 102 (Stanley Avenue) and Chippawa Parkway is under review through a separate subdivision approval process. With respect to the intersection at Regional Road 102 (Stanley Avenue) and Regional Road 47 (Lyon's Creek Road), the Region continually monitors Regional intersections and when warranted, improvements are scheduled. The applicant should be advised that if the at-grade railway crossings of the Canadian-Pacific Railway are not approved, Niagara Region will require a revised Traffic Impact Study for review and approval.</p> <p>In addition, Region staff acknowledge that the City of Niagara Falls is completing a detailed design for the intersection of Regional Road 49 (McLeod Road) and Drummond Road. Please be advised that Region staff defer to the City with respect to comments on the Transportation Study regarding this intersection. Region staff understand that the Transportation</p>	<p>The City of Niagara Falls received a copy of the TIS and provided comments which have been addressed.</p>	38

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	<p>Study will be made available to City of Niagara Falls Engineering staff to ensure that any study recommendations can be appropriately implemented into the detailed intersection design</p>		
	<p>Waste Management</p> <p>Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The proposed residential lots are eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are met:</p> <p>Proposed Residential Lots:</p> <ul style="list-style-type: none"> <li>• No limit blue/grey containers;</li> <li>• No limit green containers; and,</li> <li>• 2 garbage bag/can, collected every-other-week.</li> </ul> <p>The draft plan of subdivision was reviewed for the potential for Regional waste collection services to be provided throughout the subdivision, however, further review will be required once the site design has been finalized and the final drawings submitted. In order to receive Regional curbside waste collection services, the proposed road network will need to comply with Niagara Region's Corporate Waste Collection Policy and be able to accommodate the Regional waste collection vehicle (see attached truck turning template).</p> <p>Regional staff note in order for Regional waste collection services to be provided, the developer/owner shall comply with Niagara Region's Corporate Waste Collection Policy and complete the Application for Commencement of Collection. The required forms and policy can be found at the following link: <a href="http://www.niagararegion.ca/waste">www.niagararegion.ca/waste</a></p> <p>Should the proposed development be unable to meet the requirements for Regional waste collection, the owner will be required to arrange for waste collection through a private contractor and not Niagara Region.</p>	<p>Burnside has included a Waste Collection Access Review in Section 7.1 and Appendix N of the TIS.</p>	<p>39</p>

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<p>Niagara Region – <b>Appendix 1</b> (Noise and Vibration Study)</p> <p>WSP Peer Review Comments dated November 13, 2020</p>	<p>1. The Golder Reports did discuss the following three topics:  - Topic A: Impact of the environment on the Project;  - Topic B: Impact of the Project on the environment; and  - Topic C: Impact of the Project on itself.</p> <p>It is WSP’s opinion that the Golder Reports discussed all three topics within the Golder Reports. A high level discussion related to Topics B and C were provided in the Golder Reports. WSP does not feel that there needs to be more comprehensive discussions to address Topics B and C at this time for this proposed development. WSP recommends that detailed assessments of the potential impact of the Project to the environment and on itself be completed at the next stage of the approvals process.</p> <p>Document Review - As listed in the table above, there are other proposed developments within the area, and as noted in the Golder Reports, some of those reports were reviewed. The classification of industrial facilities nearby are not consistent between all the reports (i.e. Chemtrade being classified as a Class III facility in RWDI report and in the Arcadis report designated it as a Class II facility). Golder mentions they used Arcadis D6 report to form the basis of the list of industrial facilities surrounding the Site. WSP is satisfied with this approach after reviewing multiple reports and the industrial facilities that were carried forward in a preliminary review is similar to other studies that were completed for that area (i.e. Salit Steel, Washington Mills, Quality Ready Mix and Chemtrade). Other notable ones in previous studies were L. Walter and Sons Excavating, but noted that during site visits it was not audible and therefore not carried forward in detailed review.</p> <p>2. WSP agrees that the Golder Reports were conducted in accordance with the applicable noise and vibration guidelines.</p>	<p><b>Golder</b></p> <p>No response is required.</p>	40
	<p>3. Review of the classification of noise sensitive area in the Golder Reports:</p> <p><b>Class 4:</b> As mentioned in the Golder Reports, upon pre-consultation with the City and reviewing meeting minutes from the City on November 13, 2018 that Salit Steel is committed to meeting Class 4 sound level limits at the proposed condo development located at 7711 Green Vista Gate.</p>	<p><b>Golder – SD/SC/JT</b></p> <p>It was not Golder’s intent to suggest reclassifying existing sensitive land use to a Class 4 designation, but rather, as the application for these lands are to redevelop the lands, it is Golder’s</p>	41

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	<p>It was Golder's opinion that the following areas of the Site should be designated as a Class 4:</p> <ul style="list-style-type: none"> <li>• North and East sections of the Site (i.e. adjacent to Salit Steel and Green Vista Gate Development)</li> <li>• Area directly adjacent to Chemtrade (i.e. north of the rail line)</li> </ul> <p>WSP notes that NPC-300 definition under Class 4 mentions that areas with existing noise sensitive land use(s) cannot be reclassified as Class 4 areas unless these areas are being redeveloped. There are existing receptors within the area around Green Vista Gate that would qualify as Class 2 receptors.</p>	<p>opinion that certain areas of the Project Site could be eligible for a Class 4 designation as the respective NPC-300 requirements are met, other than having received formal confirmation from the planning authority at this time. According to NPC-300, when an existing noise sensitive land use that is classified as a Class 1 or Class 2 area is replaced, redeveloped or rebuilt, the proposed new noise sensitive land uses may be classified as a Class 4 area.</p> <p>Of note: to be consistent with the detailed technical assessments completed by the noise consultants retained by various industries, Golder considered the designation of the respective consultant when assessing the potential impact on the compliance status of the industrial operations.</p>	
	<p><b>Class 2:</b> Golder correctly describes the classification of the noise sensitive area (southwestern section of the Site), as a Class 2 area as per NPC-300. In addition, correctly identifies the NPC- 300 sound level limits (Table 2 and 3 of the Golder Reports). Note: The supplied CadnaA/A files in the Golder Reports defined the daytime as being 07-00 to 23:00 hours which combines the daytime and evening hours as indicated in NPC-300. This was acceptable for Plane of Window receptors as the criteria is the same for day and evening, however for Outdoor point of reception the criteria are different for day vs evening.</p>	<p><b>Golder – SD/SC/JT</b> Golder initially only considered the most stringent limit (i.e., the nighttime limit for Plane of Window Points of Reception (PORs) or evening for Outdoor PORs) as it was conservatively assumed the industrial facilities operations remained the same for 24 hours per day. The Updated Noise and Vibration Report (Updated N&amp;V Report) considers daytime, evening and nighttime impacts separately, which is based on; available information, assumptions and consideration to meeting MECP limits at existing PORs. To be able to</p>	42

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		prepare the Updated N&V Report the noise modelling was updated accordingly. Note that the CadnaA modelling file still defines the daytime and nighttime periods in the same way (07:00 to 23:00 and 23:00 to 07:00, respectively) for the purposes of assessing transportation noise. For the industrial facilities, predicted nighttime noise levels were considered for the evening period for Class 2 areas Outdoor PORs, whereas predicted daytime noise levels were considered for the evening period for POW and Outdoor PORs for Class 1 areas and POW for Class 2 areas.	
	<p><b>IMPACT OF THE ENVIRONMENT ON THE PROJECT – STATIONARY NOISE SOURCES (TOPIC A)</b></p> <p>NOISE MEASUREMENTS</p> <p>4. WSP agrees with the 25 key industrial facilities chosen to be initially assessed as indicated in Table 11 of the Golder Reports and provided results that are shown in Appendix D for those 25 industrial facilities.</p> <p>5. WSP notes that site visits were only conducted during the daytime, no night time measurements or observations were conducted. Therefore, Golder worst-case assumptions of 24/7 operations are acceptable for preliminary noise assessment.</p> <p>6. WSP notes that measurements were not conducted at the industrial facilities but at the proposed Site and publicly accessible areas (such as roads and sidewalks). For a preliminary noise assessment this assessment method is considered acceptable.</p>	<p><b>Golder</b></p> <p>No response is required.</p>	43
	<p><b>ASSESSMENT METHODOLOGY</b></p>	<p><b>Golder</b></p> <p>No response is required.</p>	44

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	<p>7. Calculations were performed using the predictive computer model CadnaA/A software of which uses the implementation of ISO Standard 9613-2 to assess the impacts from nearby stationary noise sources which WSP notes is the appropriate analysis method. Golder noted that the ground attenuation, absorptive parameters, barriers and reflection parameters were taken into account. WSP notes that inputs to the model were provided in the Appendix to verify the key parameters.</p>		
	<p>8. In the Golder Reports, Golder made some assumptions in the development of the prediction modelling. WSP agrees with the majority of the assumptions but had the following comments on some of those assumptions:</p> <p>a) Golder assumed industrial facilities operate 24/7. Other studies conducted a more thorough site visit/interview process and was able to achieve actual operating hours for the same facilities assessed in this study (i.e. Chemtrade, Salit Steel, etc.). WSP, notes that the assumption of operating 24/7 is a conservative approach for a preliminary review, however; with actual operating hours applied and impacts could potentially be reduced during the evening or night.</p> <p>b) Golder noted that of the 25 key industrial facilities, as per Section 4.6 only five (5) of those facilities were willing to provide information / participate (Salit Steel, Chemtrade, Brunner Manufacturing &amp; Sales Ltd, Tecna-Division of Brunner, and Washington Mills Electro Minerals Corporation). However, in Section 5.1.2 Golder mentions that only additional information was provided by Chemtrade, Salit Steel and Washington Mills. Please provide clarification on what information was provided by Brunner Manufacturing &amp; Sales Ltd and Tecna-Division of Brunner or why information was not gathered for those two facilities as the report indicates they were willing to participate.</p> <p>c) Golder noted that Dufferin Ready Mix and Lafarge Quality Ready Mix (QRM) are two industrial facilities that Golder has experience with similar facilities and therefore Golder considered multiple point sources with data from in house. WSP agrees with this</p>	<p><b>Golder</b></p> <p>8. a) The Updated N&amp;V Report considers daytime, evening and nighttime impacts separately, which are based on; available information, assumptions and consideration to meeting MECP limits at existing PORs.</p> <p>Note that some of the previous noise studies listed by WSP were not available to Golder and therefore the conservative approach that Golder took was considered to be appropriate. The studies listed by WSP have now been reviewed for relevant information, however Golder's methodology included reaching out to the industrial facilities and obtaining facility-specific information that was made available to Golder. It is Golder's opinion the preferred approach is to consider the latest information and obtain it directly from the industrial facilities themselves but appreciate this is not always possible. Golder recently reached out to the five key industries in April/May 2021 to obtain updated noise information regarding their facilities, if available.</p>	45



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	<p>methodology, however it should be noted that RWDI already conducted a study based on the QRM facility in the Thundering Waters Secondary Plan – Air Quality, Noise and Vibration Feasibility Assessment Version 2 Report (June 2016) and the Riverfront Community Air Quality, Noise and Vibration Impact Assessment Report (January &amp; August 2019). RWDI had telephone conversations with QRM staff which provided hours of operation and typical plant operations throughout the day. They used sound data from RWDI’s internal database of similar equipment operating at a different site. They noted the following activities: Truck Movement (aggregate, cement and loader), Cement Truck Unloading (south and north doors), enclosed conveyor, loader, aggregate truck unloading, aggregate truck idling, powder cement truck unloading, cement truck mix and wash. Golder had the following sources: Cement Truck Blower, Loader, Truck Loading (Fan On and Off), Truck Rinsing (Fan On and Off). WSP feels that the assessment should be consistent for both studies and be similarly aligned.</p> <p>d) Golder noted that the following noise data was supplied by three industrial facilities:</p> <table border="1" data-bbox="478 857 1243 1138"> <thead> <tr> <th data-bbox="478 857 751 889">Industrial Facility</th> <th data-bbox="751 857 1243 889">Information Provided</th> </tr> </thead> <tbody> <tr> <td data-bbox="478 889 751 954">Chemtrade</td> <td data-bbox="751 889 1243 954">Acoustic Assessment Report (AAR – 2013)</td> </tr> <tr> <td data-bbox="478 954 751 1045">Salit steel</td> <td data-bbox="751 954 1243 1045">Noise modelling contours from their steady-state and impulsive onsite activities (2018)</td> </tr> <tr> <td data-bbox="478 1045 751 1138">Washington Mills Electric Minerals Corporation</td> <td data-bbox="751 1045 1243 1138">Acoustic Assessment Summary Table</td> </tr> </tbody> </table> <p>WSP notes that none of the above supporting information was supplied in the Noise Report Appendices for verification. Please provide.</p> <p>WSP notes that the Noise Impact Study prepared by J.E. Coulter Associates Ltd. (Feb 2017) for Green Vista Gate development conducted site visits to Salit Steel, Chemtrade and Washington Mills to gather actual operating hours, noise measurements and truck</p>	Industrial Facility	Information Provided	Chemtrade	Acoustic Assessment Report (AAR – 2013)	Salit steel	Noise modelling contours from their steady-state and impulsive onsite activities (2018)	Washington Mills Electric Minerals Corporation	Acoustic Assessment Summary Table	<p>8. b) The necessary information regarding Brunner Manufacturing &amp; Sales Ltd and Tecna-Division of Brunner operations with respect to noise was obtained during the field reconnaissance survey and therefore additional information was not deemed necessary. In addition, based on available information it is understood these facilities did not have noise assessments supporting their ECA applications.</p> <p>8. c) Golder disagrees that our study be solely limited to being consistent and similarly aligned with studies prepared by others. It is our opinion that our study should be based on the available information at the time of the study and it should represent the industrial facilities’ latest existing operations. If information on future operations is provided by the industrial facilities, this should be considered as well. The previous studies may no longer be representative of the industrial facilities’ operations. Golder recently reached out to the ready mix facilities in April/May 2021 to obtain updated noise information regarding their facilities, however no information was provided. The Updated N&amp;V Report considered a combination of publicly readily available information, Golder’s experience on similar projects and information provided directly by the industrial facilities.</p>	
Industrial Facility	Information Provided										
Chemtrade	Acoustic Assessment Report (AAR – 2013)										
Salit steel	Noise modelling contours from their steady-state and impulsive onsite activities (2018)										
Washington Mills Electric Minerals Corporation	Acoustic Assessment Summary Table										

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	<p>movement. Based on that report the following information is available and compared to the information used in the Golder preliminary noise analysis:</p> <table border="1" data-bbox="485 370 1236 756"> <thead> <tr> <th data-bbox="485 370 632 415">INDUSTRIAL FACILITY</th> <th data-bbox="632 370 932 415">GOLDER REPORT</th> <th data-bbox="932 370 1236 415">J.E COULTER REPORT</th> </tr> </thead> <tbody> <tr> <td data-bbox="485 415 632 516">Chemtrade</td> <td data-bbox="632 415 932 516">AAR Sources Included: Compressor, CO2 Truck Loading, Rail Car Unloading Pump (4), Portable Compressor, Scrubber, Railcar Air Break</td> <td data-bbox="932 415 1236 516">Site Visit Measurements Included: locomotive idling, truck movements, and rail car shunting (impulsive source).</td> </tr> <tr> <td data-bbox="485 516 632 659">Salit Steel</td> <td data-bbox="632 516 932 659">Impulsive Sources Presumed: Beam Offcuts in Bins (east and west bin) and material handling in north yard.</td> <td data-bbox="932 516 1236 659">Site Visit Impulsive Sources Included: Beam at Truck, Scrap in waste bin, Truck coupling and de-coupling to trailer. Site Visit Steady-state Sources Included: Cat loader, Truck idling, and Truck Movement</td> </tr> <tr> <td data-bbox="485 659 632 756">Washington Mills Electro Minerals Corporation</td> <td data-bbox="632 659 932 756">A single point source for the facility, which is assumed to be based on nearby measurements or the acoustic assessment report which was provided to Golder.</td> <td data-bbox="932 659 1236 756">Concluded this facility will have no noise impact due to the large setback distance. *Other studies included a review of this facility and notes are mentioned below.</td> </tr> </tbody> </table> <p>The assessment should be consistent for both studies and be similarly aligned. For Washington Mills as per the 2007 Thunder Waters Village Noise and Vibration Impact Study, mentions there are two noise sources onsite, one is a dust collector and the other is a conveyor belt. It was noted that the large buildings provide ample shielding of the overall noise levels monitored. Novus Noise Study (2017) noted that the facility operations were audible, and that it operates under an ECA, which included noise mitigation measures to bring the facility into compliance at adjacent existing receptors (which are slightly closer than the proposed Site).</p> <p>e) Golder noted they mitigated assumed Salit Steel noise source emissions so they comply with Class 4 sound levels at the proposed location of Green Vista Gate development, as per the November 13, 2018 meeting minutes. WSP agrees they would have had to mitigate their noise levels, however just reducing the source may not have been possible. Mitigation measures such as noise barriers may be required. The barriers may be effective in one direction but not in another. A conversation with Salit Steel is required.</p>	INDUSTRIAL FACILITY	GOLDER REPORT	J.E COULTER REPORT	Chemtrade	AAR Sources Included: Compressor, CO2 Truck Loading, Rail Car Unloading Pump (4), Portable Compressor, Scrubber, Railcar Air Break	Site Visit Measurements Included: locomotive idling, truck movements, and rail car shunting (impulsive source).	Salit Steel	Impulsive Sources Presumed: Beam Offcuts in Bins (east and west bin) and material handling in north yard.	Site Visit Impulsive Sources Included: Beam at Truck, Scrap in waste bin, Truck coupling and de-coupling to trailer. Site Visit Steady-state Sources Included: Cat loader, Truck idling, and Truck Movement	Washington Mills Electro Minerals Corporation	A single point source for the facility, which is assumed to be based on nearby measurements or the acoustic assessment report which was provided to Golder.	Concluded this facility will have no noise impact due to the large setback distance. *Other studies included a review of this facility and notes are mentioned below.	<p>Golder conducted a conservative assessment based on; our experience with ready mix facilities and the consideration that the ready mix facilities' operations meet the Class 2 area sound level limits at existing POR.</p> <p>8. d) Golder does not currently have the industrial facilities' permission to share the information they provided in the report, and therefore the supporting information from Chemtrade, Salit Steel, and Washington Mills cannot be included in the Updated N&amp;V Report.</p> <p>As discussed above, Golder disagrees that our study be solely limited to being consistent with studies prepared by others in the past. It is our opinion that our study should be based on the available information at the time of the study and it should represent the industrial facilities' latest existing operations. The previous studies may no longer be representative of the industrial facilities' operations. Golder recently reached out to Washington Mills in April/May 2021 to obtain updated noise information regarding their facilities. Washington Mills provided an up-to-date Acoustic Assessment Summary Table (AAST) and supporting figure, and Golder updated the computer noise model accordingly, which included adding a number of additional noise sources.</p>	
INDUSTRIAL FACILITY	GOLDER REPORT	J.E COULTER REPORT													
Chemtrade	AAR Sources Included: Compressor, CO2 Truck Loading, Rail Car Unloading Pump (4), Portable Compressor, Scrubber, Railcar Air Break	Site Visit Measurements Included: locomotive idling, truck movements, and rail car shunting (impulsive source).													
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Washington Mills Electro Minerals Corporation	A single point source for the facility, which is assumed to be based on nearby measurements or the acoustic assessment report which was provided to Golder.	Concluded this facility will have no noise impact due to the large setback distance. *Other studies included a review of this facility and notes are mentioned below.													

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	<p>f) Golder notes in the Golder Reports that various woodlots in the areas surrounding the Site were also considered to provide acoustical attenuation. WSP notes that MECP has strict policies on when woodlots can be included in modelling analysis. More information regarding types of trees (i.e. deciduous, coniferous) or the average height of the woodlot has to be considered and if applicable to be used as localized shield. Figures provided did not make note of which woodlots were incorporated into the model as localized shielding.</p> <p>g) The Golder Reports outlines the building heights and the number of storeys and is summarized in Table 12. WSP notes that this information differs from Golder's Air Quality Study where some residential apartments and retirement home may extend up to 6 storeys in height.</p> <p>h) Golder mentioned that the potential impact on the environment (i.e. road traffic, rail traffic and stationary sources) of the Riverfront Community located southwest of the Site was not included in the Study. WSP agrees and notes that this should be looked at during detailed design, when the Riverfront Community has conducted a Transportation Study.</p>	<p>8e) Golder agrees, further discussion with Salit Steel to discuss noise mitigation is required. Note, Salit Steel is now registered on EASR since January 2020 and, according to the registry, has an AAR and Noise Abatement Action Plan (NAAP) demonstrating they are currently out of compliance at existing receptors, including the Green Vista Gate Development, and which lays out how they plan to meet MECP sound level limits at existing receptors. Golder reached out to Salit Steel on April 20, 2021 and requested these reports to confirm the latest available information is being considered in the assessment, however they are not amenable to providing the information or the supporting noise prediction modelling files. Golder has submitted a Freedom of Information Request to the MECP to attempt to obtain these reports but has not yet received them and the timeline of receiving the requested information is unknown. In the Updated N&amp;V Report, Golder developed a potential mitigation scenario for Salit Steel which considered source-based mitigation (a combination of noise barriers and a reduction in sound power level) which demonstrated compliance with MECP sound level limits at existing PORs, as legally required under the MECP EPA. With the understanding that a NAAP has been developed and in the absence of specific details regarding</p>	

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		<p>the mitigation measures, Golder deemed this approach appropriate until additional information is provided by Salit Steel. The feasibility of this potential mitigation scenario was not considered at this time since Salit Steel indicated they would not be providing any additional information.</p> <p>8f) After additional review, the foliage objects representing the woodlots in the noise prediction model have been removed and the modelling results were updated accordingly.</p> <p>8g) The residential apartments and retirement home considered in the air quality assessment were part of a previous version of the built-form. The newer built-form considered in the noise assessment was developed after the air quality assessment was completed. The air quality and noise reports have been updated to consider the proposed built-form and respective building heights.</p> <p>8h) No response is required.</p>	
	<p>9. Golder noted that industrial facilities resulting in non-compliance with MECP Class 2 sound level limits within the project site were carried forward to a more detailed modelling assessment. WSP notes that that Golder Reports does not include any results from the preliminary analysis, please provide an updated table of results and compared with MECP Class 2 limits based on preliminary analysis.</p>	<p><b>Golder – SD/SC/JT</b> Preliminary analysis results from the screening assessment are provided in the Updated N&amp;V Report.</p>	46
	<p>10. Golder noted that a second round of modelling, which included the following facilities: Chemtrade, Dufferin Ready Mix, QRM, Salit Steel and</p>	<p><b>Golder – SD/SC/JT</b></p>	47

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	<p>Washington Mills noise contours were predicted for 1.5 m, 4.5 m, 7.5 m and 10.5 m . WSP agrees that this is conducted in accordance with the NPC-300 Guidelines.</p> <p>11. Golder recommended that backup beepers even though not considered a source of stationary noise, should still have a further discussion with nearby industrial facilities regarding possible measures to reduce the potential for nuisance complaints. WSP agrees that is true that backup beepers are not considered a stationary source under NPC-300, however there is the potential for noise complaints from those safety features and the opportunity to address it now.</p>	<p>10. No response is required.</p> <p>11. Golder has reached out to the industrial facilities to further discuss their operations and were hoping to further discuss the potential for nuisance complaints due to reversing warning devices, but this has not occurred to-date. Golder recommends that the Project team continues to pursue further discussion with the nearby industrial facilities regarding possible measures to reduce the potential for nuisance complaints. Additional mitigation measures to reduce the potential for nuisance complaints due to reversing warning devices are included in the Updated N&amp;V Report.</p>	
	<p><b>Results</b></p> <p>12. Results from preliminary (25 facilities) and a secondary screening analysis (5 facilities) were not shown in a Table and compared against Class 2 and 4 MECP sound level limits (SLL) within the Golder Reports. Please provide supporting information (i.e. Table of Results) to back up the statement regarding that majority of the facilities (20 facilities) were found to be in compliance with Class 2 SLL for steady-state and impulsive noise sources.</p> <p>13. The only results for stationary noise impacts, was noise contour figures provided at various heights (1.5 metres to 10.5 metres) that showed maximum noise levels from the most significant industrial facilities. However, these results do not indicate if it is based on steady state sources or impulsive source(s). Please provide clarification what types of sources do these Figures represent. WSP notes that impulsive sources are not to be added together but compared separately for each occurrence.</p>	<p><b>Golder – SD/SC/JT</b></p> <p>12. Results from both the screening and detailed assessments are provided in table form in the Updated N&amp;V Report.</p> <p>13. The referenced figures represent both; the steady and impulsive noise sources and were not added together. As Salit Steel's worst-case impulsive source scenarios considered in the assessment had 9 or more impulses per hour, the most restrictive sound level limit was the same as for steady stationary sources, therefore both types of noise source were presented on a single figure.</p>	48

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	<p>WSP notes that this is conservative as this is a combined sound levels from all operating industrial facilities. NPC-300 SLL are set out for each facility to comply with those limits based solely on their operations alone. It is also noted that the assumption was made that these facilities run 24/7, which is conservative for a screening assessment. However, based on the studies that were done for the area in previous years more detailed operating hours were available and should have been used in this assessment.</p>	<p>The figures show the maximum noise level from either steady or impulsive noise sources from any one facility (i.e., a max hold of the noise contours from all industries) and not the sum of noise levels from all facilities.</p> <p>As noted above, the Updated N&amp;V Report considers daytime, evening and nighttime impacts separately.</p>	
	<p>14. Golder mentions that even if the entire site was designated as Class 4 area, Chemtrade and Salit Steel based on the (secondary) screening analysis would still result in non-compliance with MECP Class 4 SLL. Again, these results were not displayed in a table but rather the viewer has to refer to Figures in the back of the report and interpolate from noise contours. WSP suggests providing tables to present the results in a clearer fashion.</p>	<p><b>Golder – SD/SC/JT</b> This information is provided in table form in the Updated N&amp;V Report.</p>	49
	<p>15. With the assumed operating scenarios and noise sources considered in the Golder Reports, WSP agrees that the results shown in the Figures will create a significant noise impact on the proposed development and that Chemtrade and Salit Steel produce the highest potential noise levels onto the proposed Site.</p>	<p><b>Golder</b>  No response is required.</p>	50
	<p>16. Golder indicated the results indicate noise mitigation measures would be required. Golder has made the following mitigation suggestions:</p> <ol style="list-style-type: none"> <li>a. Noise barriers/berms;</li> <li>b. Orientation of buildings and outdoor points of reception with respect to noise sources;</li> <li>c. No noise sensitive spaces on specific facades; and</li> <li>d. Sealed windows (under certain circumstances as defined in NPC-300).</li> </ol> <p>WSP agrees that noise mitigation is required and aligns with other studies that were conducted for the area. In addition, WSP agrees with the listed possible mitigation strategies.</p>	<p><b>Golder</b>  No response is required.</p>	51
	<p><b>MITIGATION</b></p>	<p><b>Golder</b></p>	52

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	<p>17. Golder suggests that further discussions with the five (5) industrial facilities that were identified in the previous section should be conducted to gather better information to provide and implement better noise mitigation. WSP agrees, however more detailed information was completed for other studies (interviews and on-site measurements and visits) and could have been used for this Golder Reports at the time of the study.</p> <p>18. It is WSP's opinion the entire development site should be defined as a Class 2 area.</p> <p>e. Golder considered the SLL for a Class 4 area for the north and east sections of the site and in the area directly adjacent to Chemtrade.</p> <p>f. Golder considered SLL for a Class 2 area for the remaining area to the southwestern section of the Site.</p> <p>19. As per MECP's guidelines, the fact that other developments in the surrounding area have recently received the Class 4 designation cannot be used as the basis for designation of the Project Site as Class 4. As per guidelines, the Project Site must go through the land use planning process. The Golder Reports should show the impacts based on Class 2 and Class 4 and provide mitigation to meet both designations.</p> <p>20. Golder mentions that noise contours received from Salit Steel indicate that their facility is exceeding the Class 2 sound level limits at several existing points of reception (POR's), therefore, the noise prediction modelling was altered so that Salit Steel noise sources are mitigated such that it meets Class 2 sound level limits at the existing PORs. WSP agrees this is an expected requirement that Salit Steel meet the MECP requirements set out in NPC-300 at the existing POR's, however confirmation should be obtained from Salit Steel as to how they plan to mitigate. WSP notes that the noise contours provided by Salit Steel were not provided in the Appendix. Please provide.</p> <p>21. Golder recommends further discussion with Salit Steel to carry out actual site-specific noise impacts associated with their operations and possible</p>	<p>17. As discussed above, Golder disagrees that our study be solely limited to being consistent with studies prepared by others in the past. It is our opinion that our study should be based on the available information at the time of the study and it should represent the industrial facilities' latest existing operations. The previous studies may no longer be representative of the industrial facilities' operations. Golder recently reached out to the ready mix facilities in April/May 2021 to obtain updated noise information regarding their facilities, however no information was provided. The Updated N&amp;V Report considered a combination of publicly readily available information, Golder's experience on similar projects and information provided directly by the industrial facilities.</p> <p>18/19. As discussed above, Golder believes that sections of the Project Site could be eligible for a Class 4 designation. However, Golder updated the report showing the mitigation required to meet Class 1/Class 2 and Class 4 sound level limits in the entire Project Site.</p> <p>20. Salit Steel is now registered on EASR since January 2020 and, according to the registry, has an AAR and NAAP demonstrating they are currently out of compliance at existing receptors, including the Green Vista</p>	

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	<p>at-source noise mitigation options. As per a letter from the City (Meeting Minutes from November 13, 2018) regarding 7711 Green Vista Gate Development mitigation was recommended to Salit Steel and Salit Steel agreed to those mitigation suggestions. WSP notes that it is not clear if this was considered in this report. In addition, the Golder Reports only assumes noise sources based on off-site observations.</p> <p>22. Golder recommends further discussion with Chemtrade to carry out actual site-specific noise impacts associated with their operations and possible at-source noise mitigation options. WSP notes that the AAR was supplied by Chemtrade, this information should have been included in the Appendix, in addition, a noise study for 7711 Green Vista Gate Development performed site visits and actual site-specific noise measurements this should be taken into consideration.</p> <p>23. Golder recommends for the ready-mix facilities that if noise data or addition information is available, the noise emissions and operational parameters (i.e. daytime, evening and nighttime operations, number of expected trucks per hour) could be refined and the need for noise barriers or other mitigation measures could be revised. WSP notes that previous studies completed by RWDI for the Riverfront community (in 2019) performed interviews and gathered operational parameters and truck numbers that could have been used in this assessment.</p> <p>24. Golder recommends further discussion with Washington Mills to carry out actual site-specific noise impacts associated with their operations. WSP agrees that a detailed assessment is to be carried out, and that possible mitigation options would be discussed at that time. Golder mentions that Washington Mills impacts were based on the information they provided (acoustic assessment table), and that a single POR along the eastern edge of the Project Site has a predict sound levels reaching up to 47 dBA. Golder mentions that this is below Class 4 limits and does not propose any mitigation options. However, as Class 4 designation would have to be requested and approved by local planning authorities, other options of mitigation to Class 2 limits would have to be provided.</p>	<p>Gate Development, and which lays out how they plan to meet MECP sound level limits at existing receptors. Golder reached out to Salit Steel on April 20, 2021 and requested these reports to confirm the latest available information is being considered in the assessment, however they are not amenable to providing the information or the supporting noise prediction modelling files. Golder has submitted a Freedom of Information Request to the MECP to attempt to obtain these reports but has not yet received them and the timeline of receiving the requested information is unknown.</p> <p>Golder agrees that discussions with Salit Steel are required to confirm their current NAAP they are implementing to meet applicable sound level limits at existing receptors. We continue to make the recommendation for further discussions in the Updated N&amp;V Report.</p> <p>Golder does not currently have permission from Salit Steel to provide their noise contours in the report and therefore they cannot be included in the Updated N&amp;V Report.</p> <p>21. In the letter referenced here (Meeting Minutes from November 13, 2018), it states that Salit Steel will mitigate but does not state what mitigation they will implement. As noted above, in the Updated N&amp;V Report,</p>	



Comment Date/Source	Comments	Follow up / Response	Row #
		<p>Golder developed a potential mitigation scenario for Salit Steel which considered source-based mitigation (a combination of noise barriers and a reduction in sound power level) which demonstrated compliance with MECP sound level limits at existing PORs.</p> <p>22. Golder does not currently have permission from Chemtrade to provide their AAR and therefore it cannot be included in the Updated N&amp;V Report. Golder reached out to Chemtrade to request their more recent AAR however they are not amenable to providing them. Golder believes the information provided directly from Chemtrade (the 2013 AAR, which outlines their noise sources and associated sound power levels), combined with their AAST from their EASR registration in 2019, is more appropriate to consider than previous studies completed by others.</p> <p>23. Golder's preferred approach is that the best available information be used in the assessment that represents the industrial facilities' latest existing operations, and if available, future operations, provided by the industrial facilities themselves. The previous studies may no longer be representative of the industrial facilities' operations. Golder recently reached out to the ready mix facilities in April/May 2021 to obtain updated noise information regarding their facilities, however no information was provided.</p>	

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		<p>Golder conducted a conservative assessment based on; our experience with ready mix facilities and the consideration that the ready mix facilities' operations meet the Class 2 area sound level limits at existing POR.</p> <p>24. Updated noise information was received from Washington Mills in April 2021 and the noise model and Updated N&amp;V Report was updated accordingly. The Updated N&amp;V Report summarizes the mitigation required to demonstrate compliance with Class 1/Class 2 and Class 4 sound level limits.</p>	
	<p><b>IMPACTS ON PROPOSED DEVELOPMENT FROM SURROUNDING ENVIRONMENT – TRANSPORTATION NOISE SOURCES (TOPIC A)</b></p> <p>25. WSP agrees that the major transportation noise source that have a potential to impact the impacting the development are the following:</p> <ul style="list-style-type: none"> <li>• Roads: Drummond Road (and Extension), Marineland Parkway, McLeod Road, Ramsey Road, Oldfield Road (and Extension) and Stanley Avenue.</li> <li>• Rail: CP Montrose Subdivision.</li> </ul> <p>Golder also included the following roads in the impact assessment:</p> <ul style="list-style-type: none"> <li>• Existing Roads: Chippawa Creek, Chippawa Parkway, Don Murie Street, Lyons Creek, McLeod Road, Montrose Road, Progress Street, QEW, and Ramsey Road.</li> <li>• Proposed Roads: Street C, and Street F.</li> </ul> <p>26. WSP agrees that aircraft noise is not likely to impact the site based on available information.</p> <p>27. Golder mentions that Helicopter activity was observed on site due to tourist activities. It was recommended that aircraft activity from the</p>	<p><b>Golder</b></p> <p>No response is required.</p>	53

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	<p>tourist area be reviewed upon detailed design and future noise studies. WSP agrees that this does have a potential to create a nuisance and should be investigated further.</p>		
	<p><b>CRITERIA</b></p> <p>28. WSP notes that the criteria listed in the Golder Reports (Road and Rail Traffic Noise Criteria) was correctly taken from NPC-300 guideline for the following:</p> <ul style="list-style-type: none"> <li>g. MECP Road Traffic and Rail Traffic Noise Criteria;</li> <li>h. Outdoor Living Area Criteria;</li> <li>i. Ventilation Requirement Criteria;</li> <li>j. Building Component Criteria; and</li> <li>k. Warning Clauses</li> </ul>	<p><b>Golder</b></p> <p>No response is required.</p>	54
	<p><b>TRAFFIC DATA</b></p> <p>29. WSP has reviewed the Road Traffic Data provided and made the following notes:</p> <ul style="list-style-type: none"> <li>l. Golder references road traffic data was taken from the Transportation Study done by R.J. Burnside (January 2020), or AADT values were provided from the City or MTO. WSP could not verify this information as it was not provided in an Appendix in the report. Please provide.</li> <li>m. To calculate future AADT volumes from City or MTO traffic data, a growth rate of 2% per year to a 10-year horizon (2031) methodology was said to be applied and is considered acceptable. Data was not provided in the Appendix to verify.</li> <li>n. A typical day/night split % of 90/10 was used, except for the MTO which used 85/15 and is considered acceptable and normal values.</li> <li>o. Medium and heavy-duty truck % was based on existing traffic data provided by Burnside, and based on AASHTO Guide based on road classification. WSP agrees with this methodology; however, Table 13 does not have a column for road classification therefore it can not easily be verified that this methodology was used.</li> <li>p. WSP confirms that the posted speed limits listed in Table 13 are correct and that proposed speed limits would be 50 km/hr.</li> </ul>	<p><b>Golder – SD/SC/JT</b></p> <p>29.l) The raw traffic volumes considered in the assessment are provided in the Updated N&amp;V Report.</p> <p>29.m) The raw traffic volumes considered in the assessment are provided in the Updated N&amp;V Report.</p> <p>29.n) No response is required.</p> <p>29.o) Road classification was based on the AADT values presented in Table 13 of the N&amp;V Report and Table 7-1 in Adaptation and Verification of AASHTO Pavement Design Guide for Ontario Conditions – Final Report. The roads were classified as Major Arterial based on their AADTs (i.e., &gt;5000). This information is included in the Updated N&amp;V Report.</p>	55

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		29.p) No response is required.																																				
	<p data-bbox="428 370 1268 431">WSP has reviewed the Rail Traffic Data provided by Canadian Pacific (CP) and it is consistent with the other studies in the area.</p> <table border="1" data-bbox="382 464 1157 1005"> <thead> <tr> <th data-bbox="382 464 491 634">STUDY</th> <th data-bbox="491 464 604 634">EXISTING NO. OF TRAINS DAY/NIGHT<sup>1</sup></th> <th data-bbox="604 464 716 634">FUTURE NO. OFF TRAINS DAY/NIGHT<sup>2</sup></th> <th data-bbox="716 464 827 634">NO. OF LOCOMOTIVES DAY/NIGHT</th> <th data-bbox="827 464 938 634">NO. CARS DAY/NIGHT</th> <th data-bbox="938 464 1050 634">MAX SPEED LIMIT (KPH)</th> <th data-bbox="1050 464 1157 634">CP DATA DATE</th> </tr> </thead> <tbody> <tr> <td data-bbox="382 634 491 711">NOVUS (JAN 2017)</td> <td data-bbox="491 634 604 711">1 / 1</td> <td data-bbox="604 634 716 711">Same</td> <td data-bbox="716 634 827 711">2</td> <td data-bbox="827 634 938 711">19 (8*)</td> <td data-bbox="938 634 1050 711">24*</td> <td data-bbox="1050 634 1157 711">Nov 2016</td> </tr> <tr> <td data-bbox="382 711 491 834">J.E. COULTER (FEB 2017)</td> <td data-bbox="491 711 604 834">2 / 2</td> <td data-bbox="604 711 716 834">2.6 / 2.6</td> <td data-bbox="716 711 827 834">2</td> <td data-bbox="827 711 938 834">19 (8)</td> <td data-bbox="938 711 1050 834">40</td> <td data-bbox="1050 711 1157 834">Oct 2016</td> </tr> <tr> <td data-bbox="382 834 491 906">RWDI (JAN 2019)</td> <td data-bbox="491 834 604 906">10 / 5</td> <td data-bbox="604 834 716 906">Same</td> <td data-bbox="716 834 827 906">2</td> <td data-bbox="827 834 938 906">19 (8)</td> <td data-bbox="938 834 1050 906">40</td> <td data-bbox="1050 834 1157 906">Jan 2016</td> </tr> <tr> <td data-bbox="382 906 491 1005">GOLDER (JUNE 2020)</td> <td data-bbox="491 906 604 1005">1 / 2</td> <td data-bbox="604 906 716 1005">Same</td> <td data-bbox="716 906 827 1005">2</td> <td data-bbox="827 906 938 1005">20</td> <td data-bbox="938 906 1050 1005">40</td> <td data-bbox="1050 906 1157 1005">Nov 2018</td> </tr> </tbody> </table> <p data-bbox="428 1008 1268 1097">q. (*) Novus used the average of 8 cars and used a speed limit of 24 kph versus using the maximum of 19 cars per train and used a speed limit of 24 kph versus 40 kph of which was in CP's traffic data.</p> <p data-bbox="428 1130 1268 1341">r. CP rail data was consistent for all studies and that the track is constructed using jointed track versus continuously welded, which has the potential to increase noise impacts. Noise levels should be adjusted by +5 dBA, as per FTA Guidance for jointed track construction. Please confirm this adjustment was applied in the assessment, as WSP does not see any notion in the supplied Cadna Sound library in the Appendix.</p>	STUDY	EXISTING NO. OF TRAINS DAY/NIGHT <sup>1</sup>	FUTURE NO. OFF TRAINS DAY/NIGHT <sup>2</sup>	NO. OF LOCOMOTIVES DAY/NIGHT	NO. CARS DAY/NIGHT	MAX SPEED LIMIT (KPH)	CP DATA DATE	NOVUS (JAN 2017)	1 / 1	Same	2	19 (8*)	24*	Nov 2016	J.E. COULTER (FEB 2017)	2 / 2	2.6 / 2.6	2	19 (8)	40	Oct 2016	RWDI (JAN 2019)	10 / 5	Same	2	19 (8)	40	Jan 2016	GOLDER (JUNE 2020)	1 / 2	Same	2	20	40	Nov 2018	<p data-bbox="1293 342 1528 370"><b>Golder – SD/SC/JT</b></p> <p data-bbox="1293 402 1650 430">29.q) No response is required.</p> <p data-bbox="1293 462 1749 581">29. r) This has been updated in the Updated N&amp;V Report. It did not impact the conclusions of the noise assessment.</p> <p data-bbox="1293 613 1650 641">29.s) No response is required.</p> <p data-bbox="1293 673 1644 701">29.t) No response is required.</p> <p data-bbox="1293 734 1650 761">29.u) No response is required.</p>	56
STUDY	EXISTING NO. OF TRAINS DAY/NIGHT <sup>1</sup>	FUTURE NO. OFF TRAINS DAY/NIGHT <sup>2</sup>	NO. OF LOCOMOTIVES DAY/NIGHT	NO. CARS DAY/NIGHT	MAX SPEED LIMIT (KPH)	CP DATA DATE																																
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	<p>s. [1] For the number of existing trains (day/night), CP noted in 2016 that there were 10 trains per month during the day and 5 trains per month doing the night. However, in RWDI CP correspondence, CP omitted the “per month” after the number of trains per day and night, and thus RWDI assumed that as that many trains per day and night. Therefore, the assumptions of worst-case number of trains per day and night are varied for each report. Golder CP 2018 data, provided number of trains per day as 0 for day and 2 for night, but Golder based their number of trains per day and night on site observations and WSP is ok with that application.</p> <p>t. [2] For the number of future trains, only J.E. Coulter projected the rail data as per CP rail guidance at a 2.5% per annum over 10 years to account for growth. The other studies mentioned that due to it being a spur line, and its main purpose to serve existing industry on an on-demand basis that the volumes are assumed to remain the same for the 10-year horizon. The various reports indicate that CP does not expect growth of industry in the area based on a conversation with CP personnel. WSP agrees with that assumption.</p> <p>u. No whistle noise was included for all studies, as CP noted that whistling is prohibited at the current at-grade crossings in the vicinity of the Site. Golder noted that there will be two new at-grade crossings and assumed that whistle noise will be prohibited at these crossings as well. WSP agrees with that assumption.</p>		
	<p><b>METHODOLOGY</b></p> <p>30. WSP notes that the analysis used the computer software CadnaA/A to assess the potential noise impacts from the road and rail traffic on the proposed development. This software implements RLS-90 (road traffic) and FTA/FRA (rail traffic) algorithms, respectively. Golder notes that RLS-90 noise prediction model has a very good agreement with the MECP’s original model, ORNAMENT, which is the basis of the DOS-based STAMSON modelling software at close range. Golder provided a sample calculation for a comparison of the ORNAMENT and RLS-90 calculation results in the Appendix of the Golder Reports. WSP is in</p>	<p><b>Golder – SD/SC/JT</b></p> <p>No response is required.</p>	57

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	<p>agreement that Cadna can carry out noise predictions similar to the MECP STAMSON using RLS-90 and FTA/FRA algorithms.</p> <p>WSP notes that sample Cadna/A output files for roadway assessment was not provided in the Appendix, however configuration files, sound levels library, buildings, ground absorption, roads, rail lines and type and number of trains were provided in the Appendix. WSP does not require the output files, given the other information provided</p>		
	<p><b>RESULTS AND RECOMMENDATIONS</b></p> <p>31. Golder notes several times that the project design will meet the CP requirements of a 15 m setback distance between the dwellings and the railway right-of-way. WSP agrees.</p> <p>32. WSP notes that Figures 12 and 13 have noise barriers located on the drawings which do not match any recommendations for Transportation Noise Impacts. WSP notes that the noise barriers shown were presented for stationary noise mitigations suggestions and are not to be included for transportation analysis. Please provided clarification why are they included in the figure and if they were included in the model run for transportation analysis and results presented in Table 15.</p> <p>33. WSP notes that an additional figure be included that summarizes the Transportation Noise Impact Recommendations (i.e. OLA Barrier Requirements, Building Ventilation Requirements, and Building Component Requirements) for each building (or lot). This would provide clarity to the City Planning department and the developer or the proposed recommendations for the Project Site.</p>	<p><b>Golder – SD/SC/JT</b></p> <p>31. No response is required.</p> <p>32. The noise barriers shown on Figures 12 and 13 have been removed from the road and rail figures in the Updated N&amp;V Report as they are not required for the purposes of the transportation assessment.</p> <p>33. This is provided in the Updated N&amp;V Report.</p>	58
	<p>34. Golder recommendations put forth based on the CadnaA results presented in Table 15 in Section 5.1.4.2 was the following:</p> <p>a. <u>Outdoor Living Areas (OLA) and Acoustic Barriers</u>: results indicate the sound levels are less than the daytime limit of 60 dBA but greater than 55 dBA. As per NPC-300 (and Table 7 in the Report) indicates, noise controls are not required but owners /tenants must be warned about excessive noise in OLAs via a warning clause. WSP agrees.</p>	<p><b>Golder – SD/SC/JT</b></p> <p>34. a) No response is required.</p> <p>34. b) These comments have been incorporated into the Updated N&amp;V Report.</p>	59

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	<p>b. <u>Indoor Living Areas and Ventilation Requirements:</u> WSP does agree with Golder that some buildings will require the following based on results provided within the Golder Reports:</p> <ul style="list-style-type: none"> <li>• Some of the buildings are equipped with Forced Air System with the provision for installing air-conditioning (based on daytime noise level predictions).</li> <li>• Some buildings air-conditioning is mandatory to allow windows to remain closed (based on night time noise predictions).</li> </ul> <p>WSP notes that even though that is correct based on daytime and night sound impacts there are two different recommendations, however, the only one recommendation per building should be recommended based on the worst-case sound impacts (day or night). WSP notes that in Section 7 – Recommendations of the Golder Reports, that final recommendations only mention the provision for air conditioning and the associated warning clause (type D). It should be noted that through-the wall air conditioning units are not recommend. As WSP noted above, indications of what buildings require what type of building ventilation based on the worst-case impacts (day/night) should be clearly marked in a figure.</p>		
	<p>c. <u>Building Façade Construction Requirements:</u></p> <ul style="list-style-type: none"> <li>i) WSP does agree with Golder that based on preliminary analysis, upgraded building components are required.</li> <li>ii) WSP also agrees with the recommendation that the first row of dwellings next to railway tracks within 100 m of the tracks to be built to a minimum of brick veneer or masonry equivalent construction, from the foundation to the rafters as the rail traffic Leq (24-hour) is greater than 60 dBA.</li> <li>iii) Golder does not provide walls, patio doors, or window STC suggestions due to limited information at the time of study. WSP recommends that typical assumptions can be assumed and preliminary STC recommendations can be made and included as a recommendation at this stage of the approval process. It can be updated and reviewed upon detailed design.</li> </ul>	<p><b>Golder – SD/SC/JT</b></p> <p>34. c. i) No response is required.</p> <p>34. c. ii) No response is required.</p> <p>34. c. iii) Preliminary STC recommendations are included in the Updated N&amp;V Report.</p>	60

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	<p>d. <u>Transportation Warning Clauses:</u></p> <p>i) Results indicate that the OLA is greater than 55 dBA and less than or equal to 60 dBA. And as indicated in NPC-300 if noise control measures are not provided to reduce the sound level to 55 dBA. Then prospective purchasers or tenants should be informed of potential noise problems by a warning clause (NPC-300 Type A). Golder mentioned a warning clause is required. Indicated in Section 5.1.4.2 - Results.</p> <p>ii) Results indicate some buildings require forced air heating with the provisions for installing air condition, this should be implemented with a warning clause (NPC-300 Type C) and that for some buildings due to nighttime POW noise levels, that air conditioning is mandatory, this should be implemented with a warning clause (NPC- 300 Type D). (Warning Clause mention in Section 7 – Conclusions and Recommendations)</p> <p>iii) CP provided warning clause for developments within industrial spur lines (Warning Clause mentioned in Section 4.4 – CP Montrose Subdivision Rail Line). WSP notes that while some warning clauses were mentioned within various sections of the report, some were not mentioned with this section but is mentioned later in the conclusion and recommendations section.</p>	<p><b>Golder</b></p> <p>34d) The Updated N&amp;V Report includes additional detailed text for warning clauses in the appropriate sections.</p>	61
	<p><b>IMPACTS ON PROPOSED DEVELOPMENT FROM SURROUNDING ENVIRONMENT – TRANSPORTATION VIBRATION SOURCES (TOPIC B)</b></p> <p><b>CRITERIA</b></p> <p>35. WSP agrees that vibration should be considered in the Golder Reports, due to the proposed Site being within 75 m of the rail right-of-way as per RAC Guidelines.</p> <p>36. Golder correctly refers to the latest guidance (FCM/RAC Proximity Guidelines, dated May 2013), and quote the correct vibration limits which are that vibration conditions should not exceed 0.14 mm/s RMS averaged over a one second time-period at the proposed building.</p>	<p><b>Golder</b></p> <p>No response is required.</p>	62



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	<p>37. Golder accurately refers to the RAC Guideline methodology that vibration measurements will be conducted at the closest proposed residential receptor and/or the minimum building setback (i.e. 30 m for a main line rail and 15 m for a branch or spur line). In addition, that a minimum of five train pass bys will be recorded at each measurement location.</p> <p>38. It should be noted that the RAC Guideline also mentions that an acoustic consultant should carry out vibration measurements and if an excess of the limit were measured, isolation measures shall be investigated to ensure living areas do not exceed 0.14 mm/sec RMS.</p>		
	<p><b>METHODOLOGY</b></p> <p>39. WSP agrees that vibration measurements were conducted in accordance with RAC Guidelines.</p> <p>40. Golder took measurements at the ROW edge, 30 m and 60 m from the ROW. Golder indicates that the buildings as per site plan provided are expected to be located as close as approximately 30 m from the ROW. WSP questions why Golder did not do vibration measurements from 15 metres away, as required for a spur line.</p>	<p><b>Golder – SD/SC/JT</b></p> <p>No response is required.</p> <p>Locations of the vibration measurements were selected based on the information available at the time of the field program; buildings were expected to be located as close as approximately 30 m from the ROW. The built form of the development was updated since the completion of the field program. Therefore it was recommended that additional vibration measurements be carried out during detailed design.</p>	63
	<p><b>RESULTS</b></p> <p>41. Golder notes that measured vibration levels at the nearest foundation (approximately 30 m from the rail ROW) to the spur line are expected to be exceed the criterion of 0.14 mm/s RMS. Table of train pass-bys and vibration results at various locations were not presented in the report or in the Appendix. Please provide.</p>	<p><b>Golder – SD/SC/JT</b></p> <p>A graph of these results is provided in the Updated N&amp;V Report.</p>	64

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	<p>42. Golder proposes that vibration measurements should be conducted during detailed design to determine if mitigation is required. WSP recommends isolation measure suggestions as per RAC Guideline is required at this stage in the approval process. It can be updated and reviewed upon detailed design.</p>	<p>Section 6.2 in the Noise and Vibration Report listed potential vibration mitigation measures including isolating building foundation and/or columns using rubber/engineered pads. Additional text is provided in the Updated N&amp;V Report based on the RAC Guideline.</p>	
	<p><b>IMPACTS TO SURROUNDING ENVIRONMENT FROM NOISE GENERATED FROM PROPOSED DEVELOPMENT (TOPIC B)</b></p> <p>43. WSP agrees with Golder recommendations regarding sound levels from noise sources such as rooftop air handling units, cooling towers or dry coolers, emergency generators, parking garage ventilation, etc. should comply with MECP NPC-300 Guideline. It should be noted that the Class 4 designation has not been approved and can only be used upon approval, and thus at the time Class 2 limits are to be used until further notice.</p> <p>44. WSP agrees with Golder's semi-quantitative assessment of future residential road traffic noise and the application of MECP and Ministry of Transportation Noise Guideline (i.e. noise increase above ambient by more than 5 dBA, mitigation should be investigated) for roadway noise assessments. WSP agrees based on the information Golder presented in the Noise Study (as Traffic Data was not provided in the Appendix), that the future traffic increase will not impact existing dwellings and there for no mitigation is required. Golder recommends that an assessment of the traffic noise due to the Project to be reviewed when the Transportation Study is finalized and WSP agrees that a more detailed assessment should be conducted.</p>	<p><b>Golder</b> No response is required.</p>	65
	<p><b>IMPACTS ONTO ITSELF FROM NOISE GENERATED FROM PROPOSED DEVELOPMENT (TOPIC C)</b></p> <p>45. WSP agrees that OBC specifies the minimum required sound insulation characterise for demising partitions, in terms of Sound Transmission Class (STC) values.</p>	<p><b>Golder</b> No response is required.</p>	66

Comment Date/Source	Comments	Follow up / Response	Row #			
	<ul style="list-style-type: none"> <li>a. STC 50 (laboratory rating) for demising partitions between a dwelling unit and other spaces in a building in which noise may be generated; and</li> <li>b. STC 55 (laboratory rating) for demising partitions between a dwelling unit and an elevator shaft or refuse shut.</li> </ul> <p>46. WSP agrees with the other best practice guidelines looking to electro-mechanical equipment and that during detailed design a quantitative assessment be carried out.</p>					
	<p><b>CONCLUSIONS AND RECOMMENDATIONS</b></p> <p>SUMMARY OF FINDINGS AND RECOMMENDATION:  Due to the stage of design drawings or application, the Golder Reports has recommended with confirmation of requirements at a later date; this includes:</p> <ul style="list-style-type: none"> <li>1) Due to nearby stationary noise sources not achieving compliance with MECP Class 2 sound level limits the following is recommended: <ul style="list-style-type: none"> <li>a. The option for certain areas within the Project Site to be designated as Class 4 area (which requires approval from land use planning authority, the City).</li> <li>b. Discussions with surrounding existing industrial facilities to gather more detailed information.</li> <li>c. Detailed noise assessment based on surrounding existing industrial facilities (include mitigation and measures that may require agreement between the Project and the owner of the noise source and the city to deal with potential concerns and conflicts. These agreements may include arrangements to implement a combination of at-source mitigation measures at the industrial facilities, and at-receptor mitigation measures on the Project Site.</li> <li>d. To meet Class 2 or 4 designations, the following mitigation options were recommended:</li> </ul> </li> </ul> <table border="1" data-bbox="436 1377 1276 1409"> <tr> <td data-bbox="436 1377 634 1409">AREA</td> <td data-bbox="634 1377 934 1409">BARRIER</td> <td data-bbox="934 1377 1276 1409">OTHER</td> </tr> </table>	AREA	BARRIER	OTHER	<p><b>Golder</b></p> <p>Golder has addressed WSP's comments in the Updated N&amp;V Report, as described in the comments above.</p>	67
AREA	BARRIER	OTHER				

Comment Date/Source	Comments			Follow up / Response	Row #
	North and East Sections of the Project Site	5 m high noise barrier/berm along the eastern edge of the Site	<ul style="list-style-type: none"> <li>- Certain buildings will need designed with no PORs* a facades</li> <li>- Enclosed noise buffers can considered at locations pro Class 4 designation is app</li> </ul>		
	Project Site Area directly adjacent to Chemtrade	Two 3 m high noise barrier/berm facing Chemtrade	<ul style="list-style-type: none"> <li>- Certain buildings will need designed with no PORs* a facades.</li> <li>- Enclosed noise buffers can considered at locations pro Class 4 designation is app</li> </ul>		
	Southwester Section of the Project Site	3 m high noise barrier/berm facing Chemtrade and the rail line; and  3 – 5 m high noise barrier/berm facing the ready-mix facilities	<ul style="list-style-type: none"> <li>- First row of low density ho facing Chemtrade to have PORs* on the second stor façade facing Chemtrade;</li> <li>- The medium density area i southwest corner of the Si certain buildings should ha PORs* along facades.</li> </ul>		
	<p>Notes: * i.e., balcony/terrace that is more than 4 m deep, or windows or doors to noise sensitive spaces</p> <p>2) Due to nearby transportation noise and vibration sources the following is recommended:</p> <ol style="list-style-type: none"> <li>a. Installation of central air conditioning system;</li> <li>b. Exterior wall constructions will need to be of high sound transmission class (brick cladding or an acoustical equivalent) will be required;</li> <li>c. Upgraded window and operable door glazing above the Ontario Building Code requirements;</li> <li>d. Vibration measurements should be conducted, and isolation mitigation is required.</li> </ol>				

Comment Date/Source	Comments	Follow up / Response	Row #
	<p>3) Inclusion of applicable MECP's warning clauses for stationary sources, transportation sources (ventilation requirements, outdoor living area, CP rail) and Class 4 warning clause if granted approval by the land use planning authority.</p> <p>4) Mechanical units interfacing with the environment to meet the NPC-300 requirements; and</p> <p>5) A detailed noise and vibration study will be required during detailed design to determine specific noise control measures for the development.</p> <p>WSP notes that not all of the proposed Niagara Village development will be subject to another review from the Region of Niagara's planning approval process (i.e., the individual lots). A detailed noise and vibration study will be required as a condition of Draft Plan of Subdivision Approval.</p> <p>Golder Associates Corporation is requested to provide a response addressing WSP's concerns and clarifications in order to complete the peer review process of the Golder Reports.</p>		
<p>Niagara Region – <b>Appendix 2</b> (Air Quality Assessment ) WSP Peer Review Comments</p>	<p>INTRODUCTION</p> <ol style="list-style-type: none"> <li>1. The Report outlines that the Site will be re-developed into a residential subdivision containing villas, townhouses, residential apartments, a retirement home, municipal roads, and open recreation spaces. Based on the Draft Plan of Subdivision dated May 29, 2019, this has been deemed acceptable.</li> <li>2. The Report states that some residential apartments and a retirement home may extend up to six storeys in height. The Draft Plan of Subdivision dated May 29, 2019 lists "low rise apartments"; however, a maximum building height is not provided. Rationale should be provided for assuming a maximum building height of six storeys when the Niagara Region Model Urban Design Guidelines (2005) refers to "low-rise" as maximum three to four storeys. Discussion on conservatism of six storey height assumption should be presented.</li> </ol>	<p>The Draft Plan of Subdivision has been updated since the Air Quality Assessment was originally prepared. In addition, ICON architects prepared models for 6 storey apartments along the east property line to illustrate how they will be incorporated into the overall design.</p>	68

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	<p>METHODOLOGY</p> <p>1. The proposed development does not include industrial land uses; therefore, the assessment focused on the suitability of introducing sensitive land uses to the subject area. As such, the air quality assessment included an assessment of existing air emission sources, a land use compatibility assessment, and an air quality assessment for facilities within the study area which may impact the Site. WSP agrees with this approach.</p>		
	<p><b>IDENTIFICATION OF EXISTING AIR EMISSION SOURCES</b></p> <p>1. The general approach for identifying existing industrial air emission sources is adequate based on the Ministry of the Environment, Conservation and Parks (MECP) D series guidelines. Section 3.0 of the Report identifies the following industrial facilities located within 1 km of the proposed development:</p> <ul style="list-style-type: none"> <li>• Mancuso Chemicals Limited;</li> <li>• Washington Mills;</li> <li>• Chemtrade Logistics Inc.;</li> <li>• Fencast Industries;</li> <li>• Can Mar Manufacturing Inc.;</li> <li>• Barbisan Allmetal Designs;</li> <li>• Niagara Industrial Finishes Inc.;</li> <li>• Pumpcrete;HOCO Limited;</li> <li>• St. Lawrence Cement;</li> <li>• Laurcoat Inc. (Earl);</li> <li>• Brunner Manufacturing &amp; Sales Ltd.;</li> <li>• H &amp; L Tool and Die Ltd.;</li> <li>• Niagara Pattern Ltd.;</li> <li>• Laurcoat Inc. (Dorchester);</li> <li>• CYRO Canada Inc.;</li> <li>• Corporation of the City of Niagara Falls;</li> <li>• Lafarge Quality Ready Mix;</li> <li>• Salit Steel; and,</li> <li>• Palfinger.</li> </ul>	No follow up required	69

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	<p>2. Additional facilities within the study area which have the potential for air emissions have been identified and are not included in the Report. These facilities should be included in the Report, or rationale be provided as to why these facilities were removed from the study:</p> <ul style="list-style-type: none"> <li>• Airwood Vents Inc.- 6167 Don Murie St;</li> <li>• Marine Clean - 6220 Don Murie St;</li> <li>• Air Liquide Canada Store - 6090 Don Murie St;</li> <li>• Full Circle Industrial Solutions - 5795 Don Murie;</li> <li>• Gordon Wright Limited - 6255 Don Murie St;</li> <li>• Food Roll Sales (Niagara) Ltd - 8464 Earl Thomas Ave; and,</li> <li>• Niagara Bus Wash - 6441 Kister Rd.</li> </ul>	<p><b>Golder</b> These facilities either do not currently have approvals under Section 9 of the EPA and/or received their approval after the Air Quality Assessment was prepared. They will be added to the updated Air Quality Assessment, however, as per point 4, they are not anticipated to require further assessment.</p>	70
	<p>3. Airwood Vents Inc., located at 6167 Don Murie Street, was not included in the Report. It should be noted that the facility is operating under a Section 9 approval for air emissions, dated May 6, 2019. The Report should be updated to include this facility as part of the D-6 Guideline assessment. Based on proximity to the proposed development, Airwood Vents Inc. would not require further assessment as part of the Air Quality Assessment section of the Report.</p>	<p><b>Golder</b> This facility filed the EASR application after the draft Air Quality Assessment was prepared. It will be incorporated into the updated Air Quality Assessment, however, as identified, it is not expected to require further assessment</p>	71
	<p>4. Based on proximity to the proposed development, the facilities listed in point #2 are not expected to require further air quality assessment.</p>	<p>This comment is acknowledged. No further action required</p>	72
	<p>5. The Report identifies Salit Steel, located at 7771 Stanley Avenue, as a facility operating without Section 9 approval. It should be noted that the facility is operating under a Section 9 approval for air emissions, dated January 30, 2020. The Report should be updated to include this facility as one which is operating under Section 9 approval.</p>	<p><b>Golder</b> This facility filed the EASR application after the draft Air Quality Assessment was prepared. The updated Air Quality Assessment will identify that this facility operates under a Section 9 approval.</p>	73
	<p>6. Transportation sources identified in the Report include two major roadways within 500 m of the proposed development, Marineland Parkway and McLeod Road. An air quality assessment was not completed for these roadways based on distance to the proposed development, annual average daily traffic data, and existing residential developments located closer to the roadways. WSP does not agree with this approach as air quality impacts from the resuspension of particulate matter less than 2.5 µm in diameter (PM2.5) could travel further than 500 m; although it does diminish, the impacts are unknown. In addition,</p>	<p><b>Golder</b> As per the conference call between Niagara Region, WSP, Golder and GSP on April 9<sup>th</sup>, 2021, it is understood that given the distance of these roads to the Proposed Development (over 450m away), no further modelling is required.</p>	74

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	<p>existing residential developments closer to the identified roadways does not justify that air quality at the proposed development will not be impacted, as concentrations of particulate matter may already be impacting existing residences. It is also expected that annual average daily traffic would increase in the future as a result of development in the area. Please include particulate emissions from Marineland Parkway and McLeod Road in the assessment or provide additional rationale for not including these sources in the assessment.</p>		
	<p>7. The Report identified a CN rail corridor which runs through the proposed development as a transportation source of air emissions. Air emissions from trains on the rail corridor were not included in the air quality assessment as the rail was considered a tertiary branch line and consists of infrequent rail traffic. Please provide a reference for train frequency data to further justify excluding air emissions from the rail line.</p>	<p><b>Golder</b> According to the Railway Association of Canada's (RAC) Online Map (<a href="https://rac.jmaponline.net/canadianrailatlas/">https://rac.jmaponline.net/canadianrailatlas/</a>), the rail line that passes through the Project Sites centre is owned by CP and is the CP Montrose Subdivision. CP identified this rail line as an industrial spur line in a letter to Golder dated November 2018. A copy of this letter was included in Appendix A of the noise study but will also be included in the updated Air Quality Assessment, as requested.</p>	75
	<p><b>D-6 LAND USE COMPATIBILITY</b></p> <ol style="list-style-type: none"> <li>1. The land use compatibility assessment was completed in accordance with the "Compatibility between Industrial Facilities and Sensitive Land Uses", published by the Ministry of the Environment, Conservation and Parks (MECP) as the D-6 Guideline. WSP agrees with this approach.</li> <li>2. The classification of industrial facilities in the Report is adequate based on the definitions of a Class I, Class II, and Class III facility provided in the D-6 Guideline.</li> <li>3. Based on the D-6 Guideline, industrial facilities identified in the Report were appropriately assessed based on their Class designation, distance</li> </ol>	<p>No further action required</p>	76



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	from site, and whether the facility was located within the potential zone of influence and/or the recommended minimum separation distance.		
	4. The D-6 Land Use Compatibility assessment should be updated to include Airwood Vents Inc. as this facility is located within the study area. Salit Steel was assessed using the D-6 Guideline, however the assessment of Salit Steel should be review and updated, as required, based on the facility operating under Section 9 approval.	<b>Golder</b> The updated Air Quality Assessment will identify these facilities and the D-6 Classifications of these facilities	77
	5. Based on the land use compatibility assessment, Mancuso Chemicals Limited, Washington Mills, Chemtrade Logistics Inc., Quality Ready Mix, and Salit Steel were identified as facilities requiring further air quality assessment. WSP agrees with these conclusions based on facility operations and distance to the proposed development.	No further action required	78
	<b>AIR QUALITY ASSESSMENT</b>  1. Based on the land use compatibility assessment findings, WSP agrees that the five (5) facilities assessed in Section 5.0 of the Report would require further air quality assessment. These facilities include Salit Steel, Mancuso Chemicals Limited, Washington Mills, Chemtrade Logistics Inc., and Quality Ready Mix.	No further action required	79
	2. In order to assess frequency of winds blowing from the existing industrial facilities to new and existing residences, a wind rose should be included in the Report.	<b>Golder</b> A wind rose will be included in the updated Air Quality Assessment	80
	3. Salit Steel was identified as a facility operating without a Section 9 approval. It should be noted that this facility operates under a Section 9 approval, dated January 30, 2020. The air quality assessment for this facility should be updated based on the Section 9 approval.	<b>Golder</b> This facility filed the EASR application after the draft Air Quality Assessment was prepared. The updated Air Quality Assessment will identify that this facility operates under a Section 9 approval.	81
	4. A qualitative air quality assessment for Mancuso Chemicals Limited was completed as a copy of the facility's Emission Summary and Dispersion Modelling (ESDM) report was not available. A modelling assessment was not completed for emissions from the facility as only short stacks (less than 2 m above roof height) were identified and the facility is	<b>Golder</b> As per the conference call between Niagara Region, WSP, Golder and GSP on April 9 <sup>th</sup> , 2021, it is understood that given the distance of Mancuso	82

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	<p>greater than 400 m from the proposed development. Maximum emission concentrations were assumed to be closer to the stacks; therefore, were not expected to impact the proposed development. WSP does not agree with this approach as stack parameters such as diameter, flow rate, and velocity, along with meteorological conditions would also impact emissions from the facility. A modelling assessment should be completed for the facility, or additional rationale should be provided for not further assessing emissions from the facility. In addition, the Report notes that the facility has historically been a source of odour complaints. Further assessment should be completed for emissions from the facility to investigate whether odour emissions from the facility are impacting existing residential developments in the area, or whether the facility has implemented mitigation to minimize impacts from odour emissions.</p>	<p>Chemicals to the Proposed Development (over 450m away, separated by dense woodland), the nature of the emission sources and the fact that it operates under an existing ECA for air emissions, no further modelling is required.</p>	
	<p>5. An air quality assessment for Washington Mills was completed using publicly available emission data from the National Pollutant Release Inventory (NPRI) for 2016, as the facility's ESDM report was not available. Historical Environmental Compliance Approvals (ECA) indicate that the facility has two stacks, which h were assumed to be located on the boundary closest to the proposed development. Historical ECAs were also used to obtain stack parameters for modelling. It was also assumed that all reported emissions for suspended particulate matter and chromium were released from these stacks. The modelling assessment was carried out using AERMOD version 16216r and accompanying MECP meteorological dataset for the area. A receptor grid was placed over the proposed development from 0 – 24 m in height in increments of 3 m, spaced 25 m apart. Particulate matter less than 10 µm in diameter (PM10) and PM2.5 should also be considered in the modelling assessment based on Ontario's Ambient Air Quality Criteria (AAQC) guideline for planning purposes, or justification for why these contaminants were excluded should be provided. Since the facility operates a furnace and reported chromium emissions to NPRI, hexavalent chromium should be considered in the modelling assessment, or further justification as to why hexavalent chromium was not included should be provided.</p>	<p><b>Golder</b> The updated Air Quality Assessment will use the current regulatory version of AERMOD. An assessment of PM<sub>10</sub> and PM<sub>2.5</sub> will also be included. However, based on the maximum predicted concentrations of suspended particulate matter, this is not anticipated to affect the outcomes of the assessment.</p> <p>The Washington Mills facility is not identified as a source of hexavalent chromium under either the NPRI or the Environmental Bill of Rights posting that supported the ECA application. As a result, it is understood that the Washington Mills facility is not a source of hexavalent chromium. This information was already stated in the Air Quality Assessment. Golder has reached out to Washington Mills for a copy of their ESDM report, if hexavalent chromium is identified in the</p>	83

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		Emission Summary Table received, an assessment of hexavalent chromium emissions from the Washington Mills facility will be added to the updated Air Quality Assessment.	
	6. An air quality assessment for Chemtrade Logistics Inc. was completed using the facility's ESDM report. Stack parameters and emission rates were obtained from the facility's ESDM report. Hydrogen sulphide, sulphuric acid, sulphur dioxide, and nitrogen oxides were modelled as these were identified as the four most significant contaminants. The modelling assessment was carried out using AERMOD version 16216r and accompanying MECP meteorological dataset for the area. A receptor grid was placed over the proposed development from 0 – 24 m in height in increments of 3 m, spaced 25 m apart. Total reduced sulphur (TRS) should also be included in the assessment, or rationale should be provided as to why TRS was not included.	<b>Golder</b> TRS was not identified in the 2013 ESDM report provided by Chemtrade and was therefore not considered in the Air Quality Assessment. It is understood that the ESDM report for Chemtrade was updated in 2019, Golder has requested a copy of this document and will update the Air Quality Assessment if it is provided.	84
	7. An air quality assessment for Quality Ready Mix was completed using a simplified emission estimate and dispersion modelling as the facility does not operate under a Section 9 approval. Modelling was completed based on total suspended particulate matter emissions from a 20 m tall baghouse dust collector exhaust using the MECP outlet loading concentration 20 mg/m <sup>3</sup> and a typical exhaust flow rate of 10,000 cfm. The modelling assessment was carried out using AERMOD version 16216r and accompanying MECP meteorological dataset for the area. A receptor grid was placed over the proposed development from 0 – 24 m in height in increments of 3 m, spaced 25 m apart. Based on aerial images of the site, large stockpiles of materials are stored outdoors. These sources should be considered in the air quality assessment for particulate matter (PM <sub>2.5</sub> and PM <sub>10</sub> ) and crystalline silica, or rationale should be provided as to their exclusion.	<b>Golder</b> The updated Air Quality Assessment will use the current regulatory version of AERMOD. An assessment of PM <sub>10</sub> , PM <sub>2.5</sub> and crystalline silica will also be included. However, based on the maximum predicted concentrations of suspended particulate matter, this is not anticipated to affect the outcomes of the assessment. As stated in the Air Quality Assessment, the Quality Ready Mix facility is located over 290 m from the closest residence at the Proposed Development, with a buffer of dense woodland in between. As a result, fugitive dust from outdoor stockpiles are not anticipated to significantly impact air quality at the Proposed Development.	85

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	<p>8. Overall, WSP agrees with the modelling approach for each facility, however maximum building height should be confirmed based on site plan drawings. In addition, an example emission rate calculation should be provided along with modelling outputs (i.e. contour figures or AERMOD result summary tables) for each assessment. The Report states that AERMOD version 16126 was used in the modelling assessment. AERMOD was updated to version 19191 on July 10, 2019; therefore, version 16126 is no longer an accepted version of AERMOD for regulatory modelling. Please update the model to version 19191 along with any results, if required.</p>	<p><b>Golder</b> The Air Quality Assessment was prepared using the current regulatory version at the time of the assessment. The updated Air Quality Assessment will use the updated regulatory version.</p>	86
	<p><b>SUMMARY OF FINDINGS AND RECOMMENDATIONS</b></p> <p>The following summary outlines the finding of WSP's peer review of the Air Quality Assessment prepared by Golder Associates Limited, dated November 2019:</p> <ul style="list-style-type: none"> <li>• The Report was completed in accordance with the "Compatibility between Industrial Facilities and Sensitive Land Uses", published by the Ministry of the Environment, Conservation and Parks (MECP) as the D-6 Guideline;</li> <li>• WSP agrees with the classification of industrial facilities in the Report based on the D-6 Guideline;</li> </ul>	No further action required	87
	<ul style="list-style-type: none"> <li>• The list of existing air emission sources should be updated to include the following facilities within the study area: <ul style="list-style-type: none"> <li>○ Airwood Vents Inc.- 6167 Don Murie St;</li> <li>○ Marine Clean - 6220 Don Murie St;</li> <li>○ Air Liquide Canada Store - 6090 Don Murie St;</li> <li>○ Full Circle Industrial Solutions - 5795 Don Murie;</li> <li>○ Gordon Wright Limited - 6255 Don Murie St;</li> <li>○ Food Roll Sales (Niagara) Ltd - 8464 Earl Thomas Ave; and,</li> <li>○ Niagara Bus Wash - 6441 Kister Rd.</li> </ul> </li> </ul>	<p><b>Golder</b> The additional facilities identified either do not currently have approvals under Section 9 of the EPA and/or received their approval after the Air Quality Assessment was prepared. The updated Air Quality Assessment will include the identification of facilities surrounding the Proposed Development based on available information at the time of the update.</p> <p>The updated Air Quality Assessment</p>	88

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	<ul style="list-style-type: none"> <li>• The D-6 Land Use Compatibility assessment should be updated to include the list of facilities identified in the previous bullet, however these facilities would not require further air quality assessment;</li> <li>• WSP agrees with the list of facilities requiring further air quality assessment based on Class designation, distance from site, and whether the facility was located within the potential zone of influence and/or the recommended minimum separation distance;</li> <li>• The D-6 Land Use Compatibility and air quality assessment for Salit Steel should be updated based on the facility's Section 9 approval dated January 30, 2020;</li> <li>• Emissions from Marineland Parkway and McLeod Road should be assessed further to determine potential air quality impacts to the proposed development;</li> <li>• Further rationale should be provided for excluding air emissions from the CN rail line, particularly with regards to train frequency data to further justify excluding air emissions from the rail line;</li> <li>• A wind data assessment, including wind rose, should be included in the Report to assess frequency of winds blowing from industrial facilities to the proposed development;</li> <li>• A modelling assessment should be completed for Mancuso Chemicals Limited, or additional rationale should be provided for not further assessing emissions from the facility;</li> <li>• The air quality modelling assessment for Washington Mills should consider PM2.5, PM10, and hexavalent chromium, or further justification should be provided as to why these contaminants were not included;</li> <li>• The air quality modelling assessment for Chemtrade Logistics Inc. should consider TRS emissions, or rationale should be provided as to why TRS was not included;</li> </ul>	<p>will reflect EASR/ECA applications made since the initial report as prepared.</p> <p>As previously identified in this document, emissions from Marineland Parkway and McLeod road do not require further assessment due to their distance from the Proposed Development. A copy of the correspondence from CN rail identifying the frequency of trains on the rail line (less than 2 per day) will be included in the updated Air Quality Assessment.</p> <p>A wind rose will be included in the updated Air Quality Assessment</p> <p>The air quality modelling for each facility will be updated as per the comment responses previously identified in this document and to reflect the latest Site Plans.</p> <p>Where publicly available information was used to develop emission estimates, sufficient information is already included in the Air Quality Assessment to re-calculate emission rates. Emission rates for Chemtrade were taken directly from the ESDM report for the facility and were not re-calculated by Golder, therefore sample calculations will not be provided. The inclusion of contour plots is not anticipated to be necessary as the predicted concentrations of all compounds are expected to be below</p>	

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	<ul style="list-style-type: none"> <li>The air quality modelling assessment for Quality Ready Mix should include outdoor stockpiles as sources of emissions. The assessment should also include particulate matter emissions (PM2.5 and PM10) and crystalline silica;</li> <li>Rationale should be provided for assuming a maximum building of 6 storeys based on site plan drawings;</li> <li>Example emission rate calculations should be provided along with modelling outputs (i.e. contour figures or AERMOD result summary tables) for each facility modelled to identify where the maximum concentration of each contaminant occurred on the proposed development;</li> <li>Modelling assessments should be updated using AERMOD version 19191 along with any results, if required;</li> <li>WSP agrees that the proposed development is not expected to adversely impact local air quality; and,</li> <li>Further assessment needs to be completed for surrounding industrial and transportation emissions sources to determine whether the proposed development will be impacted by their operations.</li> </ul> <p>Golder Associates Limited is requested to provide a response addressing WSP's concerns and clarifications in order to complete the peer review process of the Report.</p>	<p>the relevant O. Reg. 419/05 air quality criteria at all receptor locations at the Proposed Development.</p> <p>As discussed above, modelling will be updated to include the current regulatory version of AERMOD and to use the latest site plans for the Proposed Development. This is not anticipated to impact the conclusions of the Air Quality Assessment</p>	
<p>November 23, 2020 - Niagara Region – <b>Appendix 3</b> - Environmental Planning Comments</p>	<p>An Environmental Impact Study (EIS), prepared by R.J. Burnside &amp; Associates Limited (March 11, 2020) was submitted in support of the proposed development as required by Regional and Local Official Plan (OP) policies. The purpose of the EIS was to demonstrate that, over the long-term, there will be no significant negative impact to the Core Natural Heritage System (CNHS) components or adjacent lands.</p> <p>The EIS confirmed the presence of an Environmental Protection Area (EPA) associated with the Niagara Falls Slough Forest Provincially Significant Wetland (PSW) Complex at the western extent of the subject lands. The</p>	<p><b>Burnside</b> – MNR did not review Polygon #26 during their site investigation.</p>	89

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	<p>consultants, through consultation with the Ministry of Natural Resources and Forestry (MNR), modified the boundaries of the PSW and staff are satisfied with the correspondence provided. Additional wetlands were identified at the eastern extent of the property (ELC Polygon 26), but the EIS does not indicate whether the MNR reviewed this area to determine if the wetlands are part of the PSW complex. However, as development is not proposed in this area, staff will not require that the consultant engage in further consultation with the MNR. Any future development proposals that identify unmapped wetlands will be expected to complete an Ontario Wetland Evaluation System (OWES) assessment to determine their significance.</p> <p>The findings further identify the presence of Environmental Conservation Areas (ECA) throughout the subject lands associated with both Significant Woodland and Significant Wildlife Habitat (SWH). However, the extent of Significant Woodland appears to have been incorrectly identified. Consistent with Regional Official Plan (ROP) policy 7.B.1.5, a woodland is significant if it meets one or more of the listed criteria. One of the criteria corresponds with Significant Wildlife Habitat and as such, any woodlands, regardless of size, that contain SWH meet the criteria to be designated as Significant Woodland. Additional details are provided below.</p> <p>The EIS also indicates that the two watercourses on the subject lands (Conrail Drainage Channel and Unnamed Intermittent Watercourse) as well as Ponds C-F contain Type 3 Marginal Fish Habitat. Ponds A and B were determined to be man-made features that are not connected to a watercourse or other ponds, and therefore they are not considered Fish Habitat as defined by the Fisheries Act.</p> <p>Regional Environmental Planning staff have reviewed the EIS and are generally in agreement that the proposed development can be accommodated in this location without a significant negative impact to the CNHS. Specifically, staff are supportive of the avoidance measures used through design to protect the PSW and unevaluated wetlands in situ. However, a number of concerns were identified that should be addressed in an updated EIS or EIS addendum in order to satisfy the Region that the conclusions of the EIS are valid, specifically that potential impacts on adjacent lands and to Fish Habitat, Significant Woodland and SWH features</p>	<p><b>Burnside</b> – Section 5.4 of the EIS has been updated to identify that 6 wooded ecosites are considered Significant Woodland</p>	

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	<p>can be appropriately mitigated. Details are provided in the subsections below.</p> <p><b>Provincially Significant Wetlands (PSW) and Unevaluated Wetlands</b></p> <p>1. The EIS proposes a 30 m buffer adjacent to the PSW located at the western extent of the property and a 15 m buffer adjacent to the unevaluated wetland located at the eastern extent of the property. As outlined in the above text, the unevaluated wetland does not appear to have been assessed to determine whether it should be complexed in with the adjacent PSW's. Although staff are not requesting the completion of an OWES assessment, we are requesting that additional justification be provided in an EIS Addendum to support a reduced 15 m buffer in this area. In addition, staff note that the PSW's located adjacent to the subject lands along the southern boundary of the property do not appear to have been included in the evaluation. As such, an analysis of any potential impacts is required as well as a discussion of appropriate buffer widths.</p>	<p><b>Burnside</b> – the buffer for the wetland within Polygon 26 has been increased from 15 metres to 30 metres to allow greater setback. No grading or other development impacts are proposed in this area, only woodland and other ecosystem restoration work</p>	
	<p><b>Significant Woodlands and Vegetation</b></p> <p>2. The extent of Significant Woodland on the property does not appear to have been correctly assessed. As noted above, consistent with Regional Official Plan (ROP) policy 7.B.1.5, a woodland is significant if it meets one or more of the listed criteria, one of the criteria being the presence of SWH. The EIS indicates that all ecosites with mature deciduous trees were confirmed to support bat habitat within the Study Area (page 69). Based on this assessment those areas meet criteria to be designated Significant Woodland. As such, staff request that all polygons containing deciduous trees be reassessed to determine if they meet Significant Woodland criteria. The EIS Addendum should include updated mapping to clearly identify the extent of Significant Woodland on the property. The EIS Addendum should then quantify the total amount of Significant Woodland proposed for removal and indicate how the test of no negative impact is being achieved. Please be specific and tie in any proposed restoration strategies and mitigation measures, as appropriate.</p>	<p><b>Burnside</b> – Section 5.4 of the EIS has been updated to identify that 6 wooded ecosites are considered Significant Woodland. A total area of 63,759 square metres of significant woodland (cultural woodland and forest) have been calculated to be removed. We are proposing that approximately 65,000 square metres of new forest and treed swamp created in the open space block surrounding Polygon 26.</p> <p><b>Burnside</b> – The practicality of this shape of a lot with this full hedgerow is</p>	90



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	<p>3. The Ecological Land Classification Map (Figure 2) identifies a Red Oak-Maple Cultural Hedgerow (Polygon 10) on the subject property. The Conceptual Development Map (Figure 8) shows lot lines extending into this feature (Lots 5-20). In order to preserve canopy cover and buffer the development from the adjacent land use, the hedgerow feature should remain intact. The EIS Addendum and any updated Site Plans should consider opportunities to protect and enhance this feature by maintaining it within single ownership (i.e., remove lot lines currently fragmenting the feature).</p>	<p>not practical. Also, these trees provide screening from the established development to the north and future occupants are anticipated to want to retain these trees.</p>	
	<p><b>Significant Wildlife Habitat (SWH) and Species-at-Risk (SAR)</b></p> <p>4. The EIS reports that Tall Boneset is present in ELC Polygons 16 (CUT/G112S), 17 (CUM) and 23 (FOD9-2/G125Tt). If rare species (i.e., Tall Boneset, S1) are found on site or within adjacent lands, their locations and habitat extent must be mapped and SWH functions assessed. As there is currently development proposed within Polygon 17, the EIS Addendum should address any potential impacts and how they will be mitigated. The same comment applies to any other S1-S3 species identified on the subject lands.</p> <p>5. The EIS reports that Turtle Wintering Areas are present on the subject lands but it is not clear which ponds have been confirmed to provide habitat. The EIS also indicates that direction has been sought from MNRF biologists to determine whether irrigation ponds can be considered SWH. The EIS Addendum should clarify the extent of Turtle Wintering Areas on the property and include a section that details how the test of no negative impact will be achieved if the habitat is proposed to be removed.</p> <p>6. The EIS indicates that Reptile Hibernacula is present around the area of ELC Polygon 15, where development, including the realignment of the Conrail Drainage Channel, is currently proposed. However, there is limited discussion related to how any potential negative impacts will be avoided in the impact analysis or mitigation section. Please update one or more of these sections accordingly.</p>	<p><b>Burnside</b> – relocation of the impacted individuals to retained portions of Polygon 16, where it currently is found is recommended. No other flora S1-S3 were identified.</p> <p><b>Burnside</b> – the survey stations TWT-2, 3 and 5 all had confirmed five or more Midland painted turtles. Suitable compensation habitat is proposed in the pit and mound ponds in the restoration area and the stormwater ponds.</p> <p><b>Burnside</b> – The potential hibernacula are found within polygon 17 which will be impacted. Recreation of the hibernacula within retained areas such as polygon 16 and west of polygon 26 is recommended.</p>	91
	<p><u>Water Balance and Natural Heritage Functions</u></p>		92

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	<p>7. The EIS requires further integration as it relates to the water balance to demonstrate no negative impacts to the CNHS. The water balance should clearly identify and illustrate the catchment and in particular, the points of inflow and outflow associated with the wetlands proposed to be retained. Further, the water balance should be broken down on a monthly basis to allow the ecological consultant to assess potential impacts to the PSW and unevaluated wetlands. The analysis should also consider impacts to the PSW's located directly adjacent to the subject lands.</p> <p>8. Staff note that the Unnamed Intermittent Watercourse currently outlets to adjacent lands, which includes a PSW. This watercourse and associated ponds are proposed for removal to accommodate the development. However, it is not clear if impacts to the hydrology of adjacent lands has been considered. Clarification should be provided in the above noted study requirement.</p>	<p><b>Burnside</b> – A water balance memo has been prepared that addresses this.</p> <p><b>Burnside</b> – The Water Balance memo and SWM report both confirm the flows to the adjacent wetland and other downstream areas.</p>	
	<p><u>Impact Analysis, Mitigation and Opportunities for Enhancement (Linkages)</u></p> <p>9. Section 7.6 of the EIS discusses landscape connectivity and concludes that the proposed development is not anticipated to impact the limited connectivity within the site. The EIS indicates that the presence of golfers, maintenance equipment, adjacent residential and industrial land use and coverage by manicured turf results in a significant barrier to providing meaningful connectivity functions. It is staff's assessment that a golf course does not impede wildlife movement (Terman, 1997; Green &amp; Marshall, 1987), and as such we request that the EIS Addendum include a specific section detailing how connectivity between CNHS features will be maintained post development. Specifically, staff suggest that there may be an opportunity to utilize and enhance the connectivity function provided by the existing railway corridor to connect Block 254 (Open Space) to the PSW located at the western extent of the subject lands. Further, Park Block 252 may provide better connectivity function if it were reconfigured and relocated adjacent to the railway corridor. Additionally, approaches should be considered to provide better linkages to CNHS features located on adjacent lands.</p>	<p><b>Burnside</b> –Connectivity for wildlife will be maintained through the Conrail drain and rail corridor, as well as the 6 metre wide multi-use trail along the south side of the rail corridor to facilitate east-west movement. The proximity and direct connection to the eastern restoration block (around polygon 26), EPA blocks 286 &amp; 288 at the west limit of the site will promote north-south connections. These onsite blocks compliment the offsite larger natural features to the west, east and south.</p>	93

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	<p>Staff also note that the extension of Ramsey Road and Oldfield Road will result in barriers to wildlife movements between the PSW's located on adjacent lands and the Open Space Block. The EIS Addendum must consider this barrier and provide appropriate mitigation measures to limit impacts to wildlife.</p> <p>10. The EIS identifies Block 254 (Open Space) as providing habitat for multiple SWH types (e.g., Waterfowl Stopover and Staging Area, Colonially-nesting Bird Breeding Habitat, Amphibian Breeding Habitat, etc.) but proposes a minimal 15 m buffer. It is staff's assessment that the significance of this feature necessitates a larger setback from the medium density blocks proposed directly adjacent. As such, staff request that the discussion on buffers should be supplemented to provide a defensible rationale for the proposed buffer widths and design in the context of the natural heritage feature functions they are protecting, and the adjacent land use. For example, the buffer should be related back to the protection of the identified wetlands and SWH functions in the context of the proposed neighbourhood.</p> <p>In addition, staff have concerns with the proposed addition of habitat directly adjacent to an industrial use. As such, the EIS Addendum should include a discussion that considers potential impacts and confirms that this is an appropriate location for enhancement.</p>	<p><b>Burnside</b> – The passage of wildlife will be maintained through the Conrail Drain, rail corridor and proposed 6 metre multi-use trail</p> <p><b>Burnside</b> – Wildlife and their supporting habitat that is currently present on the site, that will be enhanced through restoration work in the open space block will be tolerant of the noise and activity (e.g. truck traffic, presence of people) of the urban setting of the subject site.</p>	
	<p><b>CONCLUSION</b></p> <p>At this time, Environmental Planning staff cannot recommend conditions of approval as additional information is requested to confirm that the proposal will not have significant negative impacts to the CNHS. An EIS Addendum (with changes clearly identified to facilitate review, preferably in the form of a comment matrix) is requested to address the concerns summarized above.</p> <p>Please note that the Niagara Peninsula Conservation Authority (NPCA) continues to be responsible for the review and comment on planning applications related to their regulated features. As such, the NPCA should be consulted with respect to the PSW and requirements under the NPCA</p>		94

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	Regulations. If NPCA comments regarding the PSW differ from those above, NPCA comments should take precedence.		
November 23, 2020 - Niagara Region – <b>Appendix 4</b> – Stormwater Management Comments	<p>1. SWM plan for development south of CPR corridor:</p> <ul style="list-style-type: none"> <li>a. The “external drainage” catchments EXT1 and EXT2 (refer to Figure 4 of SWM Report) are part of the property. Please provide drainage features of the external parcels north of Ramsey Road between the property and Stanley Avenue.</li> <li>b. The grading plan (refer to SWM Report section 4.3.1.1 and Drawing GRD2 in FSR) proposes to alter the existing drainage conditions of the Woodlot (i.e. Block 254) and to retain water within Block 254. The proposed storm system will not collect water from this area. The proposed grading/drainage measures are contingent on approval of the Environmental Impact Study.</li> </ul>	<p><b>Burnside</b></p> <ul style="list-style-type: none"> <li>a. The overland flow information for the external parcels north of Ramsey Road have been added to the pre-development drainage plan in the SWM report. Catchments EXT1 and EXT2 are no longer labelled as external.</li> <li>b. Noted.</li> </ul>	95
	<p>2. SWM plan for development north of CPR corridor:</p> <ul style="list-style-type: none"> <li>a. The plan must demonstrate that the elimination of the existing north Pond will not negatively affect the existing stormwater management plan of the existing development at Lionshead Avenue. The Pond receives water from a 675mm outfall prior to discharge to Conrail Drain. The proposed plan will redirect this existing storm system to Conrail drain directly (refer to drawing CUSP in FSR).</li> <li>b. The plan must demonstrate that the proposed realignment of Conrail drain will not reduce its capacity in terms of safely conveying stormwater to the downstream.</li> </ul>	<p><b>Burnside</b></p> <ul style="list-style-type: none"> <li>a. From survey information there does not appear to be any control provided in the existing north Pond for the development prior to outletting to the Conrail Drain. Numerous attempts have been made to obtain a copy of the Stormwater Management report for the existing development at Lionshead Avenue to confirm if the pond was intended to serve as part the design however to date we have not been able to obtain a copy of this report.</li> <li>b. The proposed draft plan no longer proposes to realign the Conrail Drain</li> </ul>	96
	<p>3. SWM pond design:</p> <ul style="list-style-type: none"> <li>a. South Pond forebay is proposed to accept two inlets at an opposite direction; as such, the required dispersion length may not be met.</li> </ul>	<p><b>Burnside:</b></p> <ul style="list-style-type: none"> <li>a. The south pond has been revised to incorporate a berm separating the two inlets into two separate forebays,</li> </ul>	97

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	<p>Re-configure the pond forebay or incorporate berms to prevent re-suspending sediment and/or inflow short-circuiting.</p> <ul style="list-style-type: none"> <li>b. South Pond is to detain 25mm rainfall-runoff. Demonstrate a downtime of 24 hours of erosion control storage can be met.</li> <li>c. Provide access to SWM pond inlet and outlet for inspection and maintenance.</li> <li>d. Provide SWM pond operation and maintenance manual.</li> </ul>	<p>meeting the design requirements in accordance with MECP guidelines for each forebay.</p> <ul style="list-style-type: none"> <li>b. The south pond stormwater management calculations demonstrate that the 25mm event can be detained for 24 hours based on preliminary orifice sizing. Refer to Section 5.3.1.5 of the SWM Report for details.</li> <li>c. Maintenance access roads have been provided to the SWM pond inlets and outlets for inspection and maintenance as shown on the SWM pond figures.</li> <li>d. Stormwater management pond operations and maintenance manuals have been prepared and provided in Appendix E of the SWM Report.</li> </ul>	
	<p>4. Overall SWM plan and analysis:</p> <ul style="list-style-type: none"> <li>a. Highlight the blocks, i.e. medium density development that need on-site peak flow control and indicate the control target for each block on an overall SWM plan.</li> <li>b. Indicate how overland flow from roadway low points will be conveyed to a SWM pond.</li> <li>c. Indicate the interim measures required for erosion, pond siltation and sedimentation, downstream works and riparian flow considerations during the construction phase.</li> <li>d. Outline the appropriate LID measures to be implemented in various land uses and measures to disconnect impervious areas to storm sewer, as XIMP less than TIMP is used in analysis.</li> <li>e. Provide the Technical Memo – Water Balance to the Region and supplement the results of post-development water balance to the greatest extent possible.</li> <li>f. Provide a model schematic to show how each catchment is included in the model analysis</li> </ul>	<p><b>Burnside</b></p> <ul style="list-style-type: none"> <li>a. The medium density blocks that require on-site peak flow control and the required control target are labelled on Figure 5 of the SWM Report.</li> <li>b. The overland flow route from the roadway low points has been indicated on drawings GRD1, GRD2, and GRD3 provided in the SWM Report. The pond Figures (Figure 6 &amp; Figure 8) show the overland flow route into the ponds.</li> <li>c. A conceptual erosion and sediment control plan has been provided with the SWM Report. Refer to Section 7.0 in the SWM Report for details on erosion and sediment control during construction.</li> </ul>	98

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	<p>g. Confirm all flows from the medium density blocks are included in the SWM pond routing, as the controlled flows will be conveyed via storm sewer to the pond. The command 'dualhyd' used in model analysis is to bypass major flow to pond.</p> <p>h. Confirm groundwater flow direction.</p>	<p>d. Using an XIMP that is approximately 50 to 75% of the TIMP value for residential development is standard practice. This has been described in detail in Section 5.2.2 of the SWM Report.</p> <p>e. A water balance technical memo has been provided with the submission.</p> <p>f. Model schematics have been provided in the SWM Report showing how each catchment is included in the model.</p> <p>g. In order to ensure all flows from the medium density blocks are included in the SWM pond routing, a route reservoir command has been used instead of the 'dualhyd' command to ensure all flows are conveyed to the stormwater management ponds.</p> <p>h. The groundwater flow direction is described in Section 2.3 of the SWM Report.</p>	
<p>Dec 16, 2020' (email) City Municipal Works – Nick Golia</p>	<p>Municipal Works echoes Transportations comments regarding access to the Development with the thought of utilizing Thundering Waters Boulevard out to McLeod Road. Currently Thundering Waters Boulevard is a private road that was constructed as part of the Thundering Woods Golf Course through Siteplan Agreement. The road has yet to receive top lift asphalt which is tied to the lands in question. With redevelopment of the Golf Course taking place Municipal Works recommends that Thundering Waters Boulevard be brought up to Municipal Standards including but not limited to base asphalt, curb repairs, Concrete Sidewalk and Streetlighting improvements with the intention in mind to transfer this access to the Municipality and ultimately be deemed a Public R.O.W. Further discussion</p>	<p><b>Burnside:</b> The TIS has shown that an access through this private driveway is not required. Furthermore, no lands adjacent to this existing driveway access road are contemplated as part of this draft plan application. <b>Burnside</b> – need to set up meeting with City staff to discuss ownership of Thundering Waters Boulevard.</p>	<p>99</p>

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	of this approach is needed with the Municipality as well as all private stakeholders to that access.		
	The Applicant indicates that they wish to relocate a portion of the Conrail Drain for ease of servicing lands in light of the CP Rail. Municipal Works is not against the approach as long as the post design can meet the intent of the original design or better. Ultimately this would require Council's endorsement and all costs associated with this work included any possible land valuation will be the sole responsibility of the applicant. Further discussion should be made with Municipal Works as the Draft plan addresses other issues like site access and the CP rail crossing.		100
	Conditions of Draft plan will include the requirements of a detailed review of the local systems to ensure post development flows can be accommodated. Any Capacity improvements to the Local system will be at the sole responsibility of the Development. A Third Party review of the proposed watermain system may be required to ensure proposed watermain looping meets the needs of the Municipality and as such any cost associated with such review will be the sole responsibility of the Development. All recommendations would be required as part of the detailed design.	<b>Burnside</b> Will be addressed in the detail design stage	101
	It should be noted that Regional comments regarding servicing capacities with the South Side High Lift Pumping Station and all other Regional Infrastructure must be addressed prior to final approval.	<b>Burnside.</b> Noted	102
	In conclusion, Municipal Works has no objections to the Development with the understanding that further reviewing of the above and matters identified by other Departments and external Agencies are addressed.		103
Dec. 17, 2020 CP rail	CP does not support new at-grade crossings. In fact, CP is constantly trying to reduce the number of at-grade crossings in our system to improve safety for CP and the public.	Lands purchased for CP for purposes of redevelopment.	104
	In addition, CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. The safety and welfare of residents can be adversely affected by rail operations and CP is not in favour of		105

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	residential uses that are not compatible with rail operations. CP freight trains operate 24/7 and schedules/volumes are subject to change. Those guidelines are available here: <a href="http://www.proximityissues.ca/">http://www.proximityissues.ca/</a>		
	We recommend a clause be inserted in all offers of purchase and sale or lease and in the title deed or lease of each dwelling within 300m of the railway right of way, warning prospective purchasers of tenants of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operation, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and the individual units, and that the railway will not be responsible for complaints to claims arising from the use of its facilities and/or operations.		106
	Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.		107
December 10, 2020 Niagara Peninsula Conservation Authority Comments	The EIS identified additional unmapped wetlands along the eastern side of the subject property. This area is referred to as the Red Oak Mineral Slough Forest/Oak Hardwood Swamp (SWD1/polygon 26) within the EIS. Per NPCA policy 8.1.2.3, this area should be evaluated following procedures in the Ontario Wetland Evaluation System (OWES) by a qualified wetland evaluator and submitted to the MNRF for review and approval. NPCA staff note that this polygon is within complexing distance and appears to be hydrologically connected to two units of the Provincially Significant Niagara Falls Slough Forest Wetland Complex. This OWES evaluation is required before reducing the 30m buffer from any wetland. Should this not be completed at this stage due to the proposed development layout, a 30m buffer should remain in place until such time that the area can be properly evaluated. NPCA staff are supportive of the 30 m buffer however, insufficient rationale has been provided to indicate that a buffer reduction is protective of the hydrologic and ecologic functions identified within Polygon 26.	<b>Burnside</b> - A buffer of 30m that will have restoration enhancements has been applied between this polygon on the medium density blocks.	108
	Several wetland units are slated for removal from the landscape to facilitate the proposed development plan. NPCA Policy 8.2.2.8 allows the removal of non-provincially significant wetlands provided they are offset by a wetland which is greater in both function and area to that which is	<b>Burnside</b> – The development proposes the removal of a portion of Polygon 14 (SWD1) which is 3877 square metres. The open water ponds and the	109



Comment Date/Source	Comments	Follow up / Response	Row #
	<p>disturbed. Additional information is required regarding the area of wetland proposed for removal and the area to be compensated to ensure conformity with NPCA policy.</p>	<p>channels that are classified as shallow marsh that will be removed are not considered in this calculation due to their contrived nature</p>	
	<p>The proposed Storm Water Management Plan will collect storm water in two distinct areas Block 258 and 259 north of the rail line and Block 260 south of the rail line. Block 260 is proposed to outlet to a regulated watercourse and a unit of the Provincially Significant Niagara Falls Slough Forest Wetland Complex, ultimately discharging into the Welland River (Type 2 Fish Habitat) and the Provincially Significant Welland River East Wetland Complex. The NPCA will require the storm water to be treated to an enhanced level and require a NPCA work permit in order for these works to be undertaken, if it can proven that there will be no negative impact. (Water balance to be completed as the first step).</p>	<p><b>Burnside</b> The stormwater proposed to outlet from Block 260 has been designed to be treated to an enhanced level.</p>	110
	<p>A Water Balance Study is requested for the wetlands present on the subject lands as well as those that will be impacted by the proposed development, namely those located immediately adjacent to the southern property boundary. This study is required to determine the pre-construction water balance and assess the impacts of the post-construction water balance on the wetlands found within the study area. This study should be scoped by the NPCA prior to commencement.</p>	<p><b>Burnside</b> A Water Balance Memo is included with the submission. This memo addresses the water balance to features within the site and to offsite lands near the southern boundary</p>	111
	<p>The photos and descriptions of the watercourses presented in the EIS indicate that these features meet the definition of a watercourse as defined in the Conservation Authorities Act. In addition, the site visit NPCA staff conducted on October 27th, 2020 shows that the watercourses identified on site were active and filled with water. The Conservation Authorities Act defines a watercourse as an identifiable depression in the ground in which water regularly or continuously occurs. Therefore, the watercourses are considered regulated features by the NPCA.</p>	<p><b>Burnside</b> The intermittent watercourse has been assessed as providing limited depth and water flow that is supported by irrigation and underdrainage.</p>	112
	<p>The EIS indicates generally that water levels within the ponds and watercourses are augmented by pumping from the Welland River into Pond D and that without this anthropogenic contribution water levels would decrease dramatically and potentially no longer support aquatic species. However, Pond A is described as being isolated from Pond D and remains the largest pond on the property. Further, flow directions reported in the</p>	<p><b>Burnside</b> A Water Balance Memo is included with the submission that addresses inputs to various ponds and watercourses, confirming the natural vs anthropogenic inputs.</p>	113

Comment Date/Source	Comments	Follow up / Response	Row #
	EIS are not away from Pond D suggesting that there is a source of hydraulic input to these watercourses other than the reported anthropogenic pumping to Pond D. Additional information is required to understand the hydrology of the watercourses and ponds, a hydrogeological study is requested.		
	A Water Balance is required to be completed to establish hydrologic inputs to the ponds and watercourses to understand the potential impacts to the watercourses of infilling the ponds.	<b>Burnside</b> A Water Balance Memo is included with the submission.	114
	The proposed Draft Plan will result in the infilling of all ponds and watercourses with the exception of the Conrail Drain and Ponds B (isolated) and C (online). This will result in the removal of approximately 1,700 linear meters of watercourse and approximately 1.4 hectares of pond habitat. The NPCA is not supportive of the proposed design to remove these watercourses from the landscape and incorporate them entirely into the storm water management system. A revised Draft Plan should be developed which incorporates the maintenance of open channel(s) within the final design.	<b>Burnside</b> the intermittent channel is still proposed for removal under the revised plan; however, 2 new channels are proposed that will incorporate natural channel design features and online ponded areas to support fish habitat. The manmade ponds are connected to the intermittent watercourse as water features though golf course design to retain run-off and are highly impacted from nutrients. Two offline ponds are proposed to be retained.	115
	The Conrail Drain is proposed to be realigned. NPCA policies allow for the realignment of watercourses provided the conditions of Policy 9.2.3.2 are met which include that the need for the alteration has been demonstrated to the satisfaction of the NPCA. Additional information is requested as to why the Conrail Drain is proposed to be realigned.	<b>Burnside</b> The Conrail Drain is no longer proposed to be realigned.	116
	Based on the deficiencies addressed above, NPCA cannot provide conditions for the proposed Draft Plan of Subdivision or provide support for the Official Plan Amendment until further information is received, both from the consultants and the MNRF regarding the wetland boundary adjustments. With respect to the Zoning By-Law Amendment, it is premature for the NPCA to comment before environmental feature boundaries have been confirmed. Below is a list of requirements from the NPCA:		117

Comment Date/Source	Comments	Follow up / Response	Row #
	<ul style="list-style-type: none"> <li>Polygon 26 is either required to be evaluated through the OWES protocol and be reviewed and approved by the MNR (with written confirmation provided by MNR) or a 30m vegetated wetland buffer shall be applied to this area.</li> </ul>	<b>Burnside</b> A 30 metre buffer that will have restoration enhancements has been applied to this polygon	118
	<ul style="list-style-type: none"> <li>Additional information is required regarding the area of wetland proposed for removal and the area to be compensated based on NPCA policies.</li> </ul>	<b>Burnside</b> the total area of wetland removal is 3877 square metres as a result of the loss of the portion of Polygon 14. This removal area will be compensated within the restoration block (east of Polygon 26)	119
	<ul style="list-style-type: none"> <li>A Hydrogeological Study is required to better understand the hydrology of the watercourses and ponds.</li> </ul>	<b>Burnside</b> A hydrogeological Study is included with this submission	120
	<ul style="list-style-type: none"> <li>Scoped Water Balance Study</li> </ul>	<b>Burnside</b> A Water Balance Memo is included with the submission	121
	<ul style="list-style-type: none"> <li>Justification for the Conrail Drain realignment</li> </ul>	<b>Burnside</b> N/A. The Conrail Drain is no longer proposed to be realigned.	122
	<ul style="list-style-type: none"> <li>Revision of the Draft Plan of Subdivision incorporating open channels</li> </ul>	<b>GSP Group/Burnside</b> Open channels have been included to the extent possible. Some watercourses were mostly anthropogenic and have been re-created to the extent possible elsewhere on site.	123

**Community Comments**

Comment Date/Source	Comments	Follow up / Response	Row #
<p>Sept. 8, 2020 (email)</p> <p>Resident: Joe Mrozek</p>	<p>It would appear that the extension of Oldfield Rd. includes a portion of Eaglewood Drive which is a private road that is part of the Thundering Waters vacant land condominium (TWVLC). I am not aware of the condominium consenting to the inclusion of its property in this application. If somehow this is your clients land then the condo plan must be wrong and we have been misled by the City and the developer. How does your client propose to address this issue?</p>	<p><b>GSP Group</b> Amend Draft plan to exclude lands noted.</p>	<p>1</p>
	<p>In your Planning Report you make reference to the Thundering Waters vacant land condominium as being sort of the first phase of the redevelopment of the underutilized golf course for residential. I was wondering where you got that information from? When Council approved the OPA's and rezonings for the Thundering Waters golf course and vacant land condominium were they aware that it was only the first phase of the complete redevelopment of these lands for residential purposes? If they were, would they then be complicit with the developer taking financial advantage of the homeowners in the vacant land condo knowing that it would be redeveloped a few years down the road? I tend to believe that when Council approved the development in its current form that they were providing certainty to the homeowners on the golf course that it would be there for quite some time. All of the marketing for the vacant land condo was on the basis of a golf course and premiums were charged for the lots. When the previous owners of the golf course, the developer/builder of the homes and the City were asked about the status of the golf course the redevelopment of the property was never mentioned. As I mentioned in a previous email to you the</p>	<p><b>GSP Group</b> The Planning Justification Report makes reference to the fact that the lands that currently form a part of the condominium were once approved for the golf course.</p> <p>Similarly, the lands subject to the current redevelopment applications are currently occupied by the remaining golf course lands.</p> <p>There is no mention of redevelopment phasing.</p> <p>Under the Planning Act, any property owner has the right to apply for development approvals. How or if these applications are approved is the subject to the current development approvals process. There is no 100% certainty in the continued use of properties over time.</p>	<p>2</p>

Comment Date/Source	Comments	Follow up / Response	Row #
	<p>previous owners indicated to me that they sold the property as a golf course and not future development land. It would appear that some people provided misinformation in order to profit off the homeowners in typical bait and switch move just like the current developer of the Upper Vista Condo still flogging golf course views at a premium price when he is fully aware of the proposed development. If these applications are approved, who will compensate these residents. Your client will surely profit from the fact that there are high end homes surrounding his proposal. The proposed subdivision layout and neighbourhood design guidelines seem to take advantage of that.</p>		
	<p>In one of the background reports reference is made to John Daly Way as providing access to a portion of this proposal. This is a private road along with the services in that road owned by the TWVLC. How is your client going to develop the landlocked parcel on John Daly Way?</p>	<p><b>Solicitor</b> The “landlocked” parcel (on the revised proposed draft plan), has easement rights as well.</p>	3
	<p>There is another landlocked parcel behind the townhomes on Green Vista Gate that is encumbered with both a Regional trunk watermain and trunk sewer main. You are showing this as parkland. Will it be given to the City, TWVLC or the homeowners backing onto it?.</p>	<p>Discussion with the City is required. The future ownership and maintenance of this Block has not yet been determined.</p>	4
	<p>What is the purpose of the future Thundering Waters Way road connection? Who will build a kilometer of road for no real purpose other than another means of egress. Who will it benefit? It is currently a landlocked parcel that was created by the previous golf course owners. They sold it off to profit from the frontage the parcel once had on Marineland Parkway. TWVLC uses it as access along with the golf course for golfers but nobody maintains it or seems to care about it. Also nobody seemed to care about a future</p>	<p>The future road access is identified as a future option should the City/Region require it. At this time, the owner has no intent to construct the road, nor is it required from a transportation/traffic perspective.</p>	5

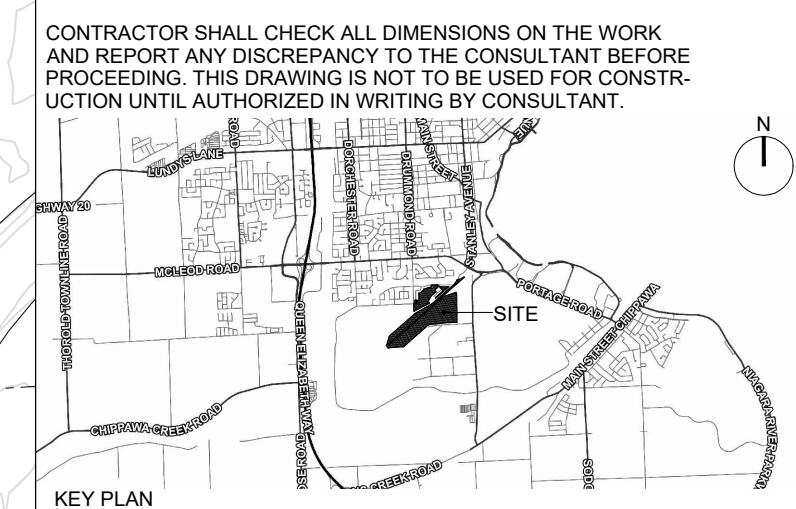
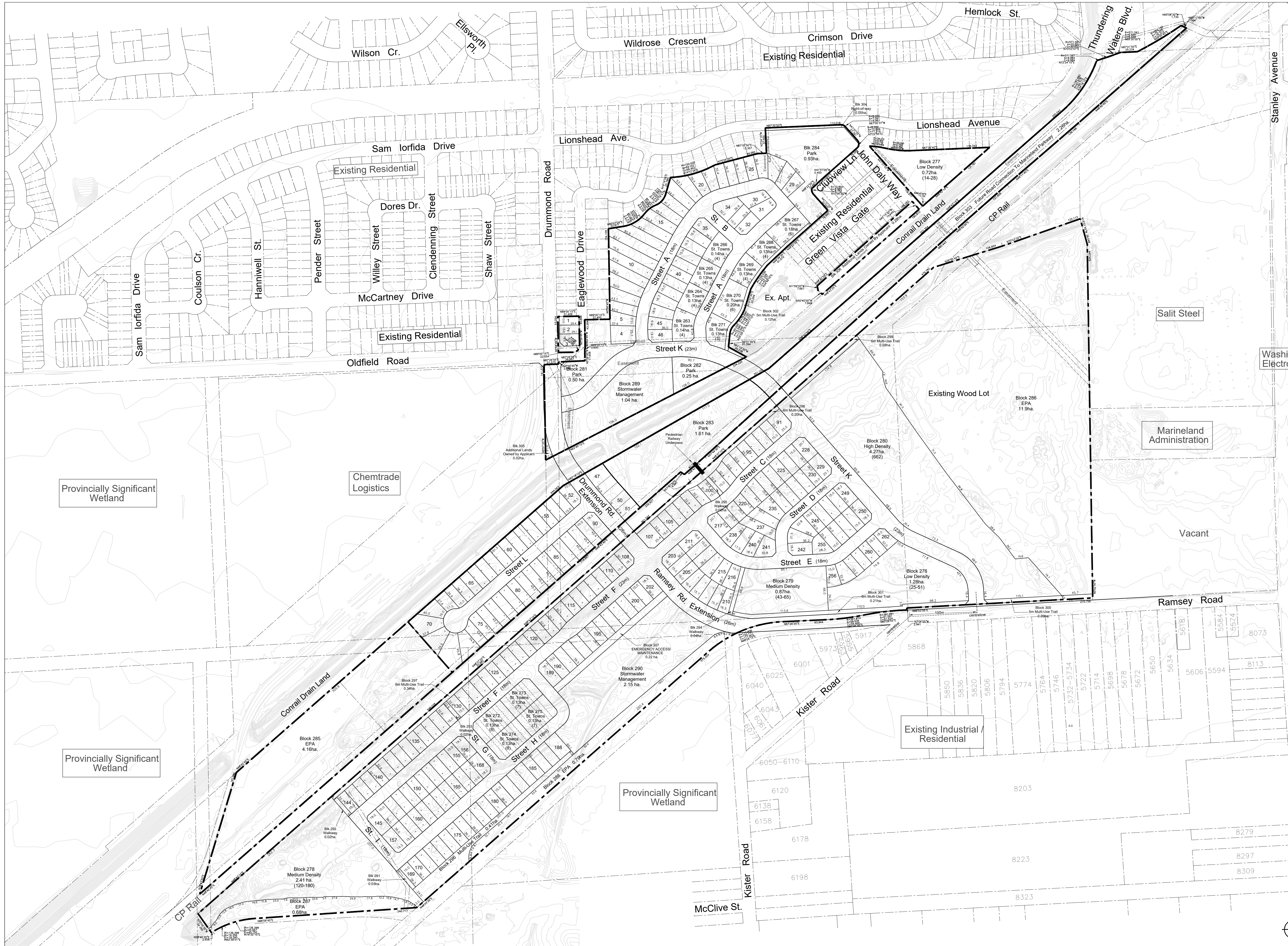
Comment Date/Source	Comments	Follow up / Response	Row #
	road connection when the parcel was sold. Why is it important now after the potential to build it seems remote?		
	It seems odd that the Golder report did not find any contaminants on the property given the fact that a significant portion of the site was used as a railyard for 100 years according to your reports. I have noticed for a number of years what may be a hydrocarbon sheen on the fourth hole that is wet throughout most of the year. In addition some of the berms constructed on the former railyard appear to have used railroad ballast. Is that a suitable material for residential development? Were any of the sampling boreholes placed on the former railyard? In addition there was a berm constructed on the property a little more than a year ago near what appears to be an abandoned manhole for no apparent reason, I have pictures I took in April of 2019 soon after the berm was constructed. Was something buried there?	<b>Golder</b>	6
Comments received via email 4/22/2021 from John Grubich (Traffic Planning Supervisor – Niagara Falls) to Andrew Bryce	The applicant should be getting a guarantee from CP on the proposed road/rail crossings. Riverfront was not granted a crossing. Secondly, as we had commented on the Riverfront application, Transportation Staff would only support one at-grade rail crossing.		7

Comment Date/Source	Comments	Follow up / Response	Row #
	<p>The lots are separated from the rail right-of-way by a 6 metre wide green space / multi-use trail. Typically rail spur lines require a 15 metres setback measured from the mutual property line to the building face for new residential development. The applicant should also be getting direction from CP on appropriate setbacks/buffers from their rail line</p>	<p>Setbacks from the spur line were considered and are in accordance with guidelines that CP had provided</p>	8
	<p>Any new at grade rail crossing will need to be designed to meet all federal regulations, which includes providing minimum sight lines and providing safety warning systems. Having roads curve on approach to the rail crossing may with abutting residential dwellings may obstruct the required sight lines of the warning system.</p>	<p>Acknowledged. A detailed review will be conducted at the new at grade rail crossing under a detailed design stage. We recommend that railway crossing warning system be located approximately 15 metres from the centre of the crossing intersections. Traffic heading northbound will stop at the rail before crossing and traffic heading southbound will stop at the intersection. Eastbound and westbound traffic will not be impacted.</p>	9
	<p>Converting Thundering Waters Boulevard into a public road provides an additional connection to a major arterial road, especially since most of the development traffic is destined to the north or west. Thundering Waters Boulevard should connect with the Oldfield Road extension to provide connectivity to the subdivision. There is a note for a future roundabout where these two roads meet; however we have concerns with two major roads intersecting so close to a rail line. A minimum 30 metre distance between the railway right-of-way and any vehicular ingress/egress is required. One reason for realigning the drainage channel may be to provide additional setback of Thundering Waters Boulevard to the rail line as it connects with Oldfield Road.</p>	<p>Thundering Waters Boulevard currently provides a connection to the condominium and will remain in its present form.</p> <p>No connection is proposed to the Draft Plan and therefore the roundabout and intersection discussions becomes moot.</p>	10
	<p>The proposal abuts the Stanley Avenue Industrial Park and Ramsey Road is used as a secondary means in and out of</p>	<p>Under total conditions, development traffic will</p>	11

Comment Date/Source	Comments	Follow up / Response	Row #
	<p>the subdivision. Ramsey Road consists of a mix of small industrial uses and residential. Heavy industrial are located south. We had a traffic count done on Kister Road south of Ramsey Road last year. Although the road only carried about 300 cars a day, 13% of the traffic was a vehicle with or without a trailer that has a total length above 10 metres, even though trucks are prohibited from using Ramsey Road. GR Can has initially proposed to use the former Ramsey Road allowance as an additional outlet at the onset but concerns were raised by the Stanley Avenue Industrial Park on residential traffic infiltrating the business community.</p>	<p>contribute approximately 11% to the Stanley Road / Ramsey Road intersection. Ramsey Road provides the most direct way to access the development from Stanley. Residential traffic is not anticipated to be utilizing other roadways in the Industrial Park given the road pattern to get to and from their homes unless the resident worked within the park itself. As a result, it is anticipated that there will be little to no infiltration of residential traffic in the business community.</p>	
	<p>The part of the subdivision accessed through Street F has one outlet only for 108 single family dwellings and up to 231 medium density units. A secondary means of egress is strongly recommended, especially since the only means of access is within 50 metres of the rail line. I assume Fire will provide similar comments on the one access</p>	<p>Addressed. The updated concept plan illustrates an emergency / maintenance access to the south connecting into Ramsey Road. This will act as a secondary access.</p>	12
	<p>The traffic report estimated that 85% of the development traffic would use Drummond Road, and the remaining 15% on Ramsey Road. The Official Plan classifies Drummond Road as a local road south of McLeod Road. Drummond Road should be upgraded to a major collector road classification. New left turn lanes will be required for north, east and westbound traffic at Drummond Road &amp; McLeod Road and it is our understanding that these improvements are scheduled in a future phase by the Region. The traffic report strictly was an analysis of how this subdivision would impact the surrounding road network and it did not address any of the above comments.</p>	<p>Acknowledge. Due to the function and required traffic capacity of Drummond Road, we would support the City's decision to revise the classification of this roadway to a major collector or an arterial road.</p> <p>In addition, the TIS took into consideration the improvements at the Drummond Road / McLeod Road intersection (i.e. the exclusive northbound, eastbound and westbound left turn lanes). However, in the TIS we recommend that these improvements be brought forward sooner, horizon year 2027.</p>	13

P:\18137-Invest Group-Niagara Village Development\documents\OPA-ZBA-DPS Applications\September 2021 Resubmission\Comment Summary Response Table.docx





REVISION	
NO.	DESCRIPTION
01	23/05/2019 DRAFT SUBDIVISION PLAN
02	28/05/2019 DRAFT SUBDIVISION PLAN
03	29/05/2019 DRAFT SUBDIVISION PLAN
04	19/08/2019 DRAFT SUBDIVISION PLAN (GSP)
05	05/09/2019 DRAFT SUBDIVISION PLAN (GSP)
06	09/19/2019 DRAFT SUBDIVISION PLAN (GSP)
07	12/12/2019 DRAFT SUBDIVISION PLAN (GSP)
08	28/01/2020 DRAFT SUBDIVISION PLAN (GSP)
09	10/02/2020 DRAFT SUBDIVISION PLAN (GSP)
10	16/03/2021 DRAFT SUBDIVISION PLAN (GSP)
11	07/07/2021 DRAFT SUBDIVISION PLAN (GSP)

**LEGEND**

	Property Line		City Owned Land to be Acquired
	Realigned Conrail Drain		

**LAND USE SCHEDULE**

USE	LOTS / BLOCKS	UNITS	AREA (ha.)
Single Detached Residential	1-262	262	15.49
Street Townhouses	263-275	69	2.10
Low Density Residential	276-277	39-79	2.00
Medium Density Residential	278,279	163-247	3.59
High Density Residential	280	662	4.27
Park / Parkette	281-285		3.29
Environmental Protection Area	286-289		17.53
Stormwater Management	290,291		3.19
Walkway	292-296		0.13
Multi-Use Trail	297-303		1.45
Future Road Connection	304		2.26
Right-of-way	305		0.05
Additional Lands	306,307		0.30
Emergency Access/Maintenance	308		0.22
Roads			8.63
<b>TOTAL</b>		1195-1319	64.50

**UNIT BREAKDOWN**

Singles	262
Street Townhouses	69
Low Density Residential (towns, back-to-back towns)	39-79
Medium Density Residential (towns, back-to-back towns, or low rise apartments)	163-247
High Density Residential (3 story back-to-back towns, 3 1/2 story stacked towns, 6 storey apartments)	662
<b>Total</b>	<b>1195-1319</b>

**ADDITIONAL INFORMATION**  
 (UNDER SECTION 51(17) OF THE PLANNING ACT)  
 INFORMATION REQUIRED BY CLAUSES a,b,c,d,e,f,g,j and I ARE AS SHOWN ON THE DRAFT PLAN.  
 i) Municipal water supply  
 j) Silt clay and minor sand  
 k) All sanitary and storm sewers as required

**OWNER'S CERTIFICATE**  
 I AUTHORIZE THE GSP GROUP INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE CITY OF NIAGARA FALLS.

February 24, 2020  
 DATE  
 2602093 ONTARIO INC.  
 SIRHAN SALTJAJI  
**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY SHOWN.  
  
 J.D. BARNES LIMITED  
 DASHA PAGES 01-02  
 DATE: Feb 25, 2020

Client Information:  
  
**INVEST GROUP LTD**  
 4306 Village Center Court, Mississauga  
 F: 905.281.4590 | C: 416.522.7734  
 F: 905.277.0086 | Skype: Saltjaji

**PROJECT:**  
**NIAGARA VILLAGE**  
**DRAFT PLAN OF SUBDIVISION**  
 Part of Lots 1 and 3, Plan 4  
 Part of Blocks 'A', 'B', 'C' and 'F', Plan 8  
 Part of Lots 189, 195, 215, 216 and 217  
 And Part of the Road Allowance Between Lots 195 and 196 (CLOSED BY BY-LAW No. 9, INSTR. ST2498)  
 And Part of the Road Allowance Between Lots 195 and 216, 217 (CLOSED BY BY-LAW No. 9, INSTR. ST2498)  
 And Part of the Road Allowance Between Lots 216 and 217 (CLOSED BY BY-LAW No. 10, INSTR. ST21822)  
 Geographic Township of Stamford  
 City of Niagara Falls

**DRAWING SCALE:**  
**1:2500**  
**DATE:**  
**2019-05-29**

**CITY OF NIAGARA FALLS**

**By-law No. 2020-**

A by-law to provide for the adoption of Amendment No. **XXX** to the City of Niagara Falls Official Plan (OPA #**XXX**)

**THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS, IN ACCORDANCE WITH THE PLANNING ACT, 1990, AND THE REGIONAL MUNICIPALITY OF NIAGARA ACT, HEREBY ENACT AS FOLLOWS:**

1. The attached text and mapping constituting Amendment No. **XXX** to the City of Niagara Falls Official Plan is hereby adopted.

Passed this  day of , 20XX

.....  
WILLIAM G. MATSON, ACTING CITY CLERK

.....  
JAMES M. DIODATI, MAYOR

First Reading: , 20XX

Second Reading: , 20XX

Third Reading: , 20XX

**PART 1 – PREAMBLE**

**(i) Purpose of the Amendment**

The purpose of this amendment is to include a set of policies that provide a policy direction for the development of the lands within the area known as Niagara Village.

**(ii) Location of the Amendment**

The amendment applies to the land shown on Map 1

**(iii) Details of the Amendment**

**Map Changes**

- Schedule A – Land Use has been amended to:
  - Remove the subject lands from the “Special Policy Area 39” and “Special Policy Area 56” and create a new “Special Policy Area XX”
  - Redesignate a portion of the subject lands from Open Space to Residential and from Open Space to Environmental Protection Area
- Schedule A-1 Natural Heritage Features and Adjacent Lands has been amended to reflect the location of the Provincially Significant Wetland located in the south western portion of the subject lands
- Creation of Schedule A-7 - Potential Woodland Removal and Enhancement/Rehabilitation Areas, identifying the woodlands to be removed and the areas to be enhanced and/or rehabilitated

**Text Changes**

The amendment deletes the existing Special Policy Area No. 39 text and replaces it with revised policies, creating a new Special Policy Area No. XX

**(iv) Basis of the Amendment**

The revised schedules and policies will guide the residential and mixed-use development as well as the protection of the natural heritage features on the subject lands. This amendment will limit development in a manner that will protect the Provincially Significant Wetlands while establishing a mixed-use neighbourhood.

The land affected by this amendment is recognized as a combination of built-up area and greenfield. There is existing residential development to the north and to the west of the subject lands. There are industrial lands nearby to the south of Ramsey Road and east and west of the subject lands.

The purpose of the proposed land uses is to meet the policies of *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* and to facilitate the creation of a mixed-use neighbourhood with a variety of housing forms to meet the needs of a range of ages and households. The neighbourhood will provide a continuous trail network, connecting the subject lands' natural areas to new public parks and existing open space.

This amendment was the subject of comprehensive public consultation. A Community Open House was held on November 28, 2018. In addition, a Stakeholder Open House was held on November 28, 2018. The statutory meeting was held on XXXX. Council considered and approved the staff report that contained XX recommendations which are incorporated into this amendment. Further discussions were held with commenting agencies after the public meeting to ensure that the amendment implemented their comments as well as the recommendations of the staff report.

## **PART 2 – BODY OF THE AMENDMENT**

All of this part of the document entitled PART 2 – BODY OF THE AMENDMENT, consisting of the following text and attached maps, constitute Amendment No. **XXX** to the Official Plan of the City of Niagara Falls.

### **DETAILS OF THE AMENDMENT**

The Official Plan of the City of Niagara Falls is hereby amended as follows:

#### **MAP CHANGES**

i) SCHEDULE A – LAND USE PLAN of the Official Plan is amended by:

- Redesignating the subject lands from “Open Space” to “Residential” and from “Open Space” to “Environmental Protection Area”
- Removing the subject lands from “Special Policy Area 39” and “Special Policy Area 56”; and
- Adding the subject lands to a new “Special Area **XX**”.

as shown on the map attached entitled “Map 1 to Amendment No. **XXX**”

ii) SCHEDULE A-1 - NATURAL HERITAGE FEATURES of the Official Plan is amended by:

- Adding the Provincially Significant Wetland in the western portion of the subject lands as “Environmental Protection Area”

as shown on the map attached entitled “Map 2 to Amendment No. **XXX**”.

iii) A new SCHEDULE A-7 – POTENTIAL ENHANCEMENT/REHABILITATION AREAS is added as shown on the map attached entitled ‘Map 3 to Amendment No. **XXX**’.

#### **TEXT CHANGES**

i) PART 2, SECTION 13.39 SPECIAL POLICY AREA “39” is hereby deleted;

ii) PART 2, SECTION 13.73 SPECIAL POLICY AREA “**XX**” is hereby created with the following:

13.7 SPECIAL POLICY AREA “**XX**”

Special Policy Area “XX” applies to approximately 63 hectares of land located at the foot of Oldfield and Drummond Roads, being the former Canadian Pacific Railway Marshalling yard. These lands are designated “Residential, “Open Space”, and “Environmental Protection Area”. The following policies apply to the subject lands:

### **Noise, Odour, and Dust Mitigation**

- 13.XX.1 Detailed air quality, noise and vibration studies will be required for any residential development proposed near a major facility such as industrial use, as part of subsequent *Planning Act* applications, including Zoning By-law Amendments, Draft Plans of Subdivision or Condominium, or Site Plan Approval. The implementation of any mitigation measures (i.e., physical noise barriers, building orientation, separation buffers) required to meet Provincial Guidelines (i.e., NPC-300) shall be determined and approved by the City through the Site Plan Approval process or prior to registration for individual lots.
- 13.XX.2 Council may use Holding Provisions in the implementing Zoning By-law to ensure appropriate separation, buffering, and/or mitigation measures are implemented prior to development as recommended by appropriate studies to ensure that the Ministry of the Environment and Climate Change’s recommended limits related to noise, odour, and/or dust are met.
- 13.XX.3 Guidelines from the Ministry of the Environment and Climate Change (MOECC) will be applied to limit potential for future land use conflicts with new sensitive land uses near existing industrial uses. Warning clauses shall be included in subdivision agreement(s), condominium agreements, site plan agreement(s) and purchase and sale agreements where appropriate regarding the proximity of heavy industrial land uses and railway lines to residential dwellings and the possibility that noise and vibration from them may be discernable.
- 13.XX.4 That the lands identified on Map 1 be deemed Class 4 receptors pursuant to the Ministry of Environment Conservation and Park’s noise Guidelines NPC-300.

## **Stormwater Management**

- 13.XX.5 Storm water management facilities may be located in any land use designation within the Special Policy Area with the exception of the Environmental Protection Area.

## **Transportation**

- 13.XX.6 A minimum right-of-way width of 18.0 m is permitted for local roads within the Special Policy Area.

## **Woodland Removal**

- 13.XX.7 The owner shall enter into a compensation agreement with the City, prior to development, that addresses the plantings and restoration work shown conceptually on Schedule A-7. This agreement shall be supported by an Environmental Impact Study (EIS) to be completed in accordance with Part 2, Policy 11.1.18 of this Plan.

## **Residential Uses**

- 13.XX.8 The lands designated “residential” within the Special Policy Area shall provide a mix of one or more of the following residential forms throughout the Special Policy Area:
- a) Single detached dwellings;
  - b) Street townhouses;
  - c) Block townhouses;
  - d) Back-to-back townhouses;
  - e) Stacked townhouses, and
  - f) Apartments.
- 13.XX.9 Notwithstanding Policy 1.15.5 of this Plan, block townhouses, back-to-back townhouses, stacked townhouses of not more than 4 storeys, and apartments of not more than 6 storeys can be developed to a maximum net density of 155 units per hectare with a minimum net density of 50 units per hectare. Such development is permitted along local roads.

### **Multi-Use Trail Network**

- 13.XX.10 A network of multi-use trails shall be established throughout the Special Policy Area including, at a minimum, adjacent to the rail corridor and adjacent to Ramsey Road.


### **Thundering Waters Boulevard**

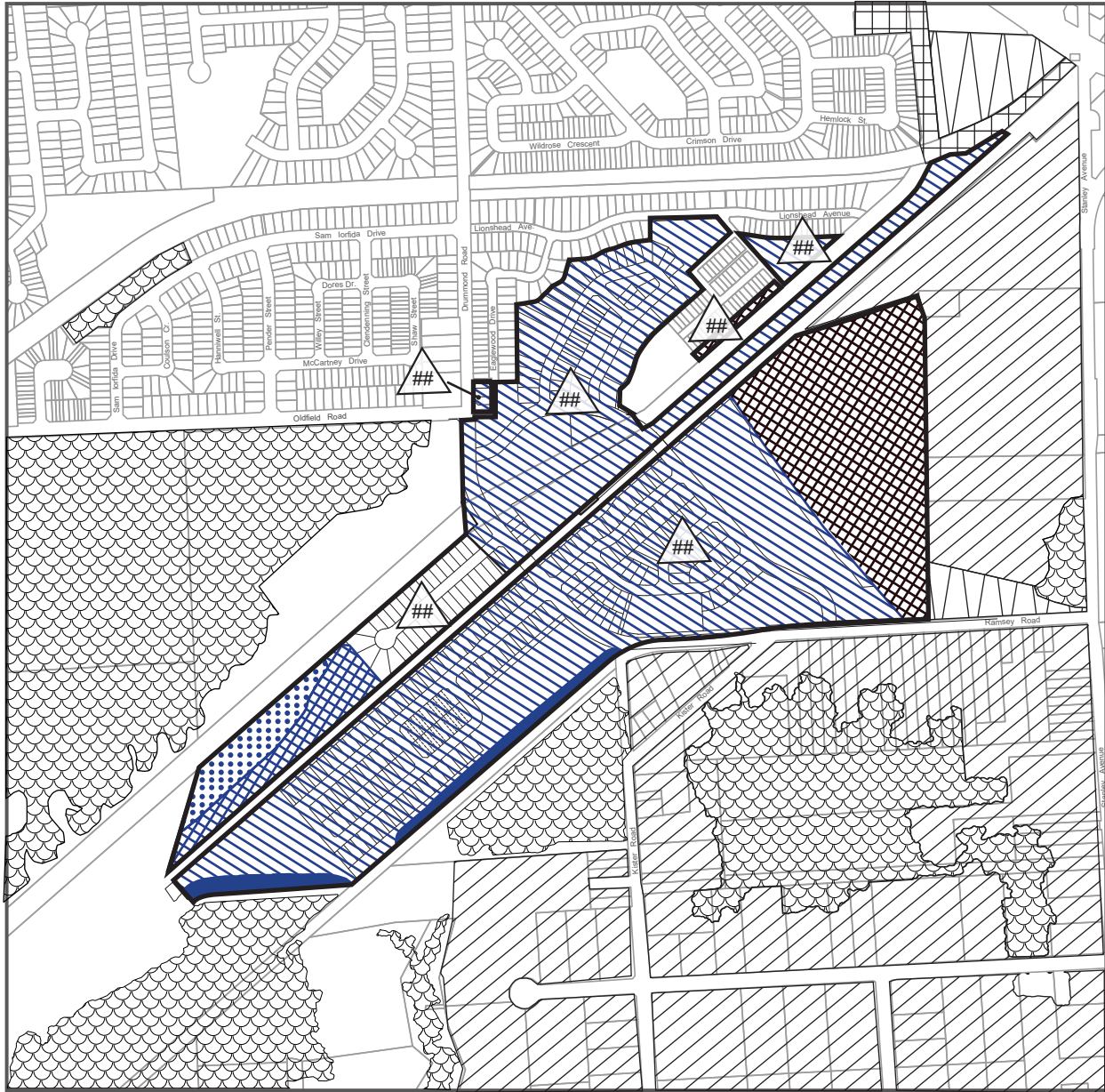
- 13.XX.11 Should Thundering Waters Boulevard become a municipal road at some point in the future, consideration shall be given to connect Thundering Waters Boulevard to the Oldfield Road Extension within the Special Policy Area.













# MAP 1 TO AMENDMENT NO. XX

## SCHEDULE – A – TO THE OFFICIAL PLAN

 Area Affected by this Amendment – Proposed change from Open Space, Residential, and Special Policy Areas 39 and 56 to Residential, Environmental Protection Area, and Special Policy Area XX



**CITY OF NIAGARA FALLS OFFICIAL PLAN**  
**EXCERPT FROM SCHEDULE - A - FUTURE LAND USE PLAN**

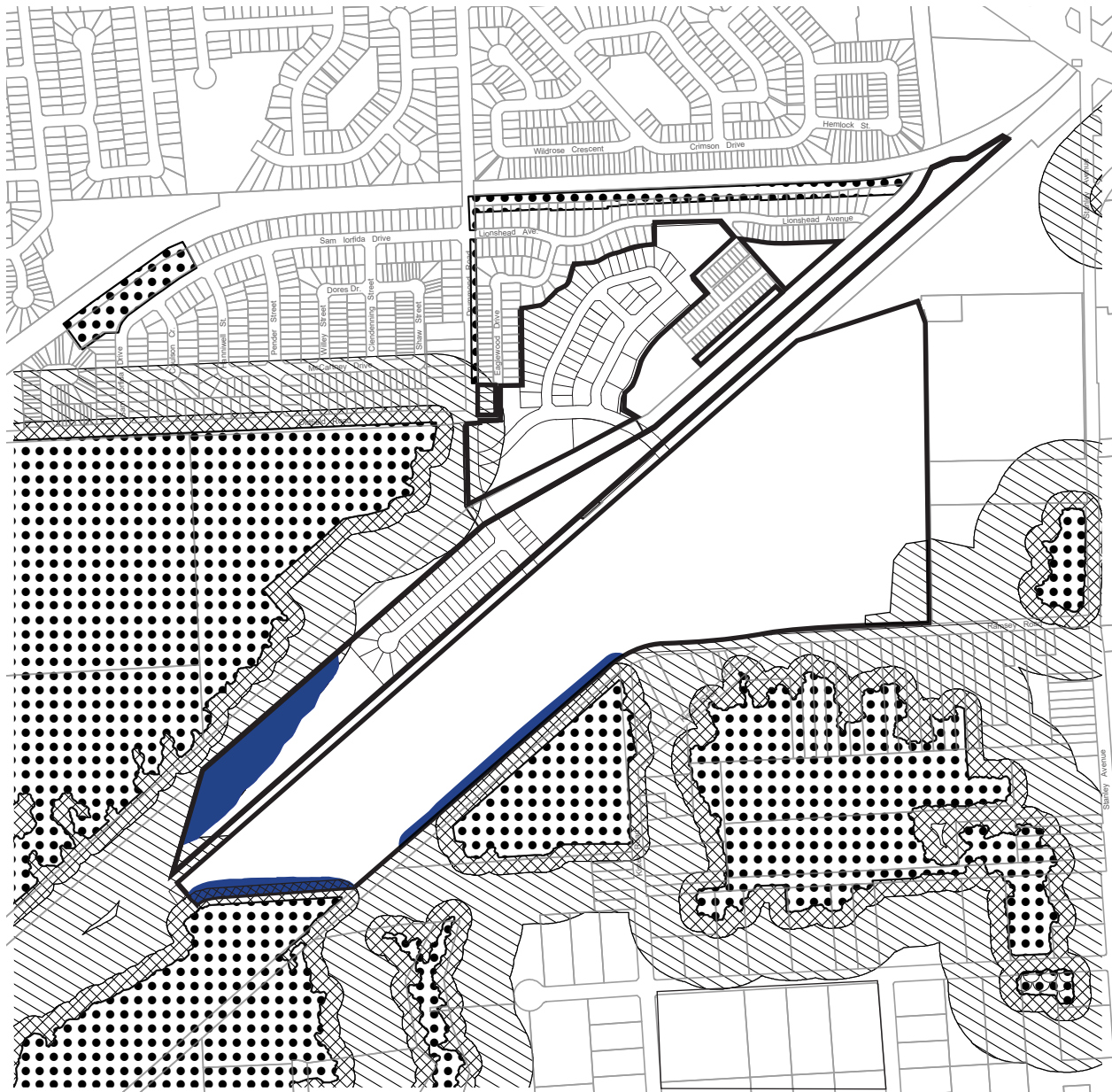
- |   |  |
|---|--|
|  Residential                     |  Open Space to Residential                    |
|  Industrial                      |  Open Space to Environmental Protection Area  |
|  Resort Commercial               |  Residential to Environmental Protection Area |
|  Environmental Conservation Area |  Residential to Open Space                    |
|  Environmental Protection Area   |  |
|  Open Space                      |  |

NOTE: This schedule forms part of Amendment No. ### to the Official Plan for the City of Niagara Falls and it must be read in conjunction with the written text



# MAP 2 TO AMENDMENT NO. XX SCHEDULE – A1 – TO THE OFFICIAL PLAN

 Area Affected by this Amendment – Add Environmental Protection Area



## CITY OF NIAGARA FALLS OFFICIAL PLAN EXCERPT FROM SCHEDULE - A1 - NATURAL HERITAGE FEATURES AND ADJACENT LANDS

-  Environmental Protection Area
-  Wetland Buffer Area
-  Adjacent Lands
-  Environmental Protection Area to be added

NOTE: This schedule forms part of Amendment No. ### to the Official Plan for the City of Niagara Falls and it must be read in conjunction with the written text

**CITY OF NIAGARA FALLS**

**DRAFT**

**By-law No. 2021-█**

A by-law to amend By-law No. 79-200, to permit mixed-use development on the Lands.

**THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS, IN ACCORDANCE WITH THE PLANNING ACT, 1990, AND THE REGIONAL MUNICIPALITY OF NIAGARA ACT, HEREBY ENACT AS FOLLOWS:**

1. The Lands that are the subject of and affected by the provisions of this by-law are described in Schedule 1 of this by-law and shall be referred to in this by-law as the "Lands". Schedule 1 is part of this by-law.
2. The Lands shall be identified as Parcels R3, R3(H)-XX1, R4(H)-XX2, R4-XX3, OS-XX4, , OS and EPA.
3. The purpose of this by-law is to amend the provisions of By-law No. 79-200, to permit the use of the Lands in a manner that would otherwise be prohibited by that by-law. In the case of any conflict between a specific provision of this by-law and any existing provision of By-law No. 79-200, the provisions of this by-law are to prevail.
4. For the purposes of this By-law and in addition to Section 2, Definitions of Zoning By-law 79-200, the following definitions shall apply:
  - (a) TOWNHOUSE, BACK-TO-BACK means a residential building containing a minimum of 4 and a maximum of 16 units, and with a maximum length of 55 metres, having attached units separated by a common party wall above grade including a common or party wall without a rear yard setback, and whereby each unit has an independent entrance to the unit from the outside accessed through the front elevation or side elevation of the dwelling unit.
  - (b) TOWNHOUSE, STACKED means a residential building containing a minimum of four and maximum of 20 units provided that:
    - (i) Stacked townhouse buildings shall have a maximum length of 60m;
    - (ii) Not more than half of all dwelling units shall be on the ground floor;
    - (iii) Dwelling units shall be fully attached to adjoining units; and

- (iv) Access to all second level units shall be from an interior stairway within the stacked townhouse building.
  - (c) GROUP DWELLINGS means an arrangement on the same lot of two or more townhouse dwellings, back-to-back townhouse dwellings, stacked townhouse dwelling or apartment dwellings or a combination thereof.
  - (d) AMENITY AREA means the area situated within the boundaries of a project intended for recreational purposes, which may include open spaces, patios, balconies, communal play areas, lounges, sun decks and roof decks but shall not include the area occupied at grade by the buildings, service areas, parking and driveways.
5. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following uses and regulations shall be the permitted uses and regulations governing the permitted uses on and of the Lands.
- (a) Notwithstanding the Permitted Uses and Regulations of Section 7.8, the following shall apply for parcels R3 and R3(H)-XX1:
    - (i) Permitted uses include, group dwellings, townhouse dwellings and the uses permitted in an R3 zone;
    - (ii) The regulations of the R4-XX3 shall apply to group dwellings and townhouse dwellings;
    - (iii) Dwellings shall be set back a minimum of 15.0 m from the railway right-of-way. An unoccupied building, such as a garage, may be built closer;
    - (iv) Where a noise barrier is not required, a 1.5 m-high chain link fence is required for properties abutting the railway right-of-way;
    - (v) The balance of the regulations specified for the remaining R3 uses.
  - (b) Notwithstanding the Permitted Uses and Regulations of Section 7.9, the following shall apply for parcels R4(H)-XX2:

(i) Permitted uses include townhouse dwellings, group townhouses, back to back townhouses, stacked townhouses, and accessory buildings and accessory structures, subject to the provisions of section 4.13 and 4.14.:	
(ii) Minimum setback from a railway right-of-way;	15.0 metres
(iii) Maximum height	

a.	Group dwellings, townhouses, back-to-back townhouses and stacked townhouses	3½ storeys
b.	Apartments	6 storeys
(iv)	Minimum lot frontage	100m
(v)	Minimum lot area	4 hectares
(vi)	Where a noise barrier is not required, a 1.5 m-high chain link fence is required for properties abutting the railway right-of-way;	
(vii)	Minimum setback from west street line	1.5 metres
(viii)	Minimum setback from east property line	1.5 metres
(ix)	Minimum setback from Ramsey Road	9.0 metres
(x)	Minimum amenity area	25m <sup>2</sup> per unit
(xi)	Minimum landscaped open space	30% of lot area

- (c) Notwithstanding the provisions of Section 7.9, the following regulations apply for parcel R4-XX3:

(i)	Permitted uses include townhouses, group townhouses, back to back townhouses, stacked townhouses, and accessory buildings and accessory structures, subject to the provisions of Section 4.13 and 4.14.	
(ii)	Minimum lot frontage	100 metres
(iii)	Minimum lot area	2 hectares
(iv)	Minimum front yard depth	3.0 metres
(v)	Minimum rear yard depth	7.5 metres
(vi)	Minimum interior yard depth	3.0 metres
(vii)	Minimum exterior side yard depth	4.5 metres
(viii)	Minimum landscaped open space	30% of lot area
(ix)	Minimum amenity area	25m <sup>2</sup> per unit
(x)	Maximum height of building or structure	3½ storeys
(xi)	Where a noise barrier is not required, a 1.5 metre-high chain link fence is required for properties abutting the railway right-of-way;	
(xii)	Minimum setback from a railway right of way	15 metres
(xiii)	The balance of the regulations specified for an R4 use.	

- (d) The following regulations apply for parcels OS-XX4 :
- (i) Permitted uses include:
    - a. stormwater management facilities; and
    - b. the uses permitted in an OS zone.
  - (ii) The balance of the regulations specified for an OS use.
- (e) The following regulations apply for parcels OS:
- (i) Permitted uses include multi-use trails, parkland, and uses permitted in an OS zone;
  - (ii) The balance of the regulations specified for an OS use.
6. The holding (H) symbols that appears on Schedule 1 attached hereto are provided for in the City of Niagara Falls Official Plan pursuant to Section 36 of the Planning Act. No person shall use the Lands described in Section 1 of this by-law and shown hatched and designated R3(H) and numbered XX1 and R4(H) and numbered XX2 on the plan Schedule 1 attached hereto for any purpose, prior to the H symbol being removed pursuant to the Planning Act. Prior to the H symbol being removed, the landowner or developer shall:
- (a) submit a Site Plan Approval application including design drawings, details, and updated noise report that assesses noise impacts from surrounding industries for review and approval by the City.
7. The provisions of this By-law shall be shown on Sheet C6 of Schedule "A" of By-law No. 79-200 rezoning the Lands from OS and numbered 611, OS(H) and numbered 611, OS(H) and numbered 611 and 612, and OS to R3, R3(H) and numbered XX1, , R4(H) and numbered XX2, R4 and numbered XX3, , EPA, and OS and numbered XX4,
8. Section 19 - Exceptions and Special Provisions of By-law 79-200 is amended by adding thereto:
- |          |                             |
|----------|-----------------------------|
| 19.1.XX1 | Refer to By-law No. 2021-XX |
| 19.1.XX2 | Refer to By-law No. 2021-XX |
| 19.1.XX3 | Refer to By-law No. 2021-XX |
| 19.1.XX4 | Refer to By-law No. 2021-XX |
| 19.1.XX5 | Refer to By-law No. 2021-XX |
| 19.1.XX6 | Refer to By-law No. 2021-XX |

19.1.XX7 Refer to By-law No. 2021-XX

19.1.XX8 Refer to By-law No. 2021-XX

Passed this [ ] day of [ ], 20XX

.....  
WILLIAM G. MATSON, CITY CLERK

.....  
JAMES M. DIODATI, MAYOR

First Reading: [ ], 20XX

Second Reading: [ ], 20XX

Third Reading: [ ], 20XX

# SCHEDULE 1 TO BY-LAW No. 2020-##

Subject Land 



## AMENDING ZONING BY-LAW No. 79-200

Description: Part of Lots 1 and 3, Plan 4  
 Part of Blocks 'A', 'B', 'C', and 'F', Plan 8  
 Part of Lots 189, 195, 215, 216, and 217  
 Part of the Road Allowance Between Lots 195 and 196 (closed by By-Law No. 9, Instr. ST2498)  
 Part of the Road Allowance Between Lots 195 and 216, 217 (closed by By-Law No. 9, Instr. ST2498)  
 Part of the Road Allowance Between 216 and 217 (closed by By-Law No. 9, Instr. ST2498)

Applicant: 2592693 Ontario Inc

Assessment #'s: 272511000112710; 272511000112720; 272511000112730; 272511000199800



July 2021



ICON Architects Inc.  
Sample Projects – Single loaded Corridor Developments

**Image 1:** 1 Rosetta Street, Georgetown ON  
Adjacent to GO train depot station to the south.



**Image 2:** 1 Rosetta Street – internal view – away from noise



**Image 3:** 1 Rosetta Street – external view – facing noise



**Image 4:** 565 North Service Road, Grimsby ON  
Adjacent to QEW

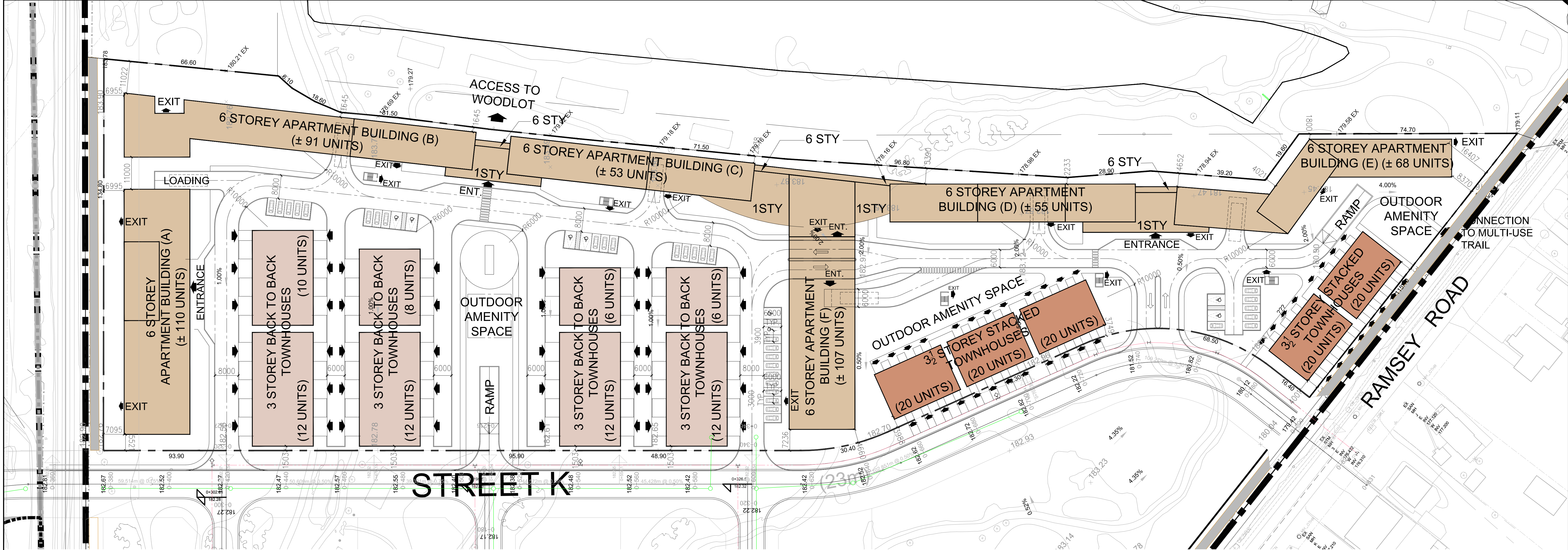


**Image 5:** 565 North Service Road, Grimsby ON – internal view – away from noise source



**Image 6:** 565 North Service Road, Grimsby ON – internal view – away from noise source





### Niagara Village

#### PRELIMINARY STATS

		m2	ft2	hectare
Site Area		43,023.80	463,103.9	4.30
Density (units/hectare)	153.87			
Total Units	662			

Apartment Buildings - Unit Breakdown				
	Units			Total Units
	1B/1B+D	2B/2B+D	3B/3B+D	
Building A	30	53	27	110
Building B	28	52	11	91
Building C	17	26	10	53
Building D	16	29	10	55
Building E	20	31	17	68
Building F	25	60	22	107
<b>Total</b>	136	251	97	484
<b>Proposed Unit Mix</b>	28%	52%	20%	
<b>Required Unit Mix</b>	25%	50%	25%	

Townhouses		
3 Storey Back To Back Townhouses		78
3 1/2 Storey Stacked Townhouses		100
<b>Total</b>		178

#### Parking required

Unit type	number of units	ratio	req
3 Storey Back To Back Townhouses	78	1	78
3 1/2 Storey Stacked Townhouses	100	1	100
Apartment Buildings	484	1	484
Visitors	662	0.4	265
<b>Total parking required</b>			<b>927</b>

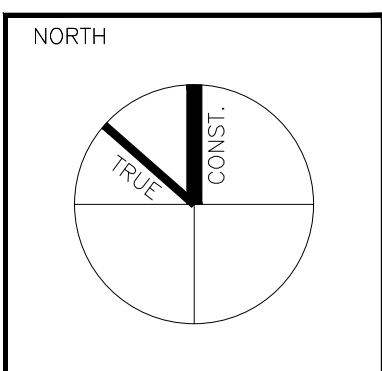
#### Parking provided

Unit type	At grade	UG1	UG2	Total
3 Storey Back To Back Townhouses	78	0	0	78
3 1/2 Storey Stacked Townhouses	0	100	0	100
Apartment Buildings	0	645	121	766
Visitors	40	0	0	40
<b>Total parking provided</b>				<b>984</b>

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PROPOSED 6 STOREY RESIDENTIAL BUILDING NIAGARA, ON

PROPOSED 6 STOREY RESIDENTIAL BUILDING NIAGARA, ON

DRAWING TITLE  
**SITE PLAN**

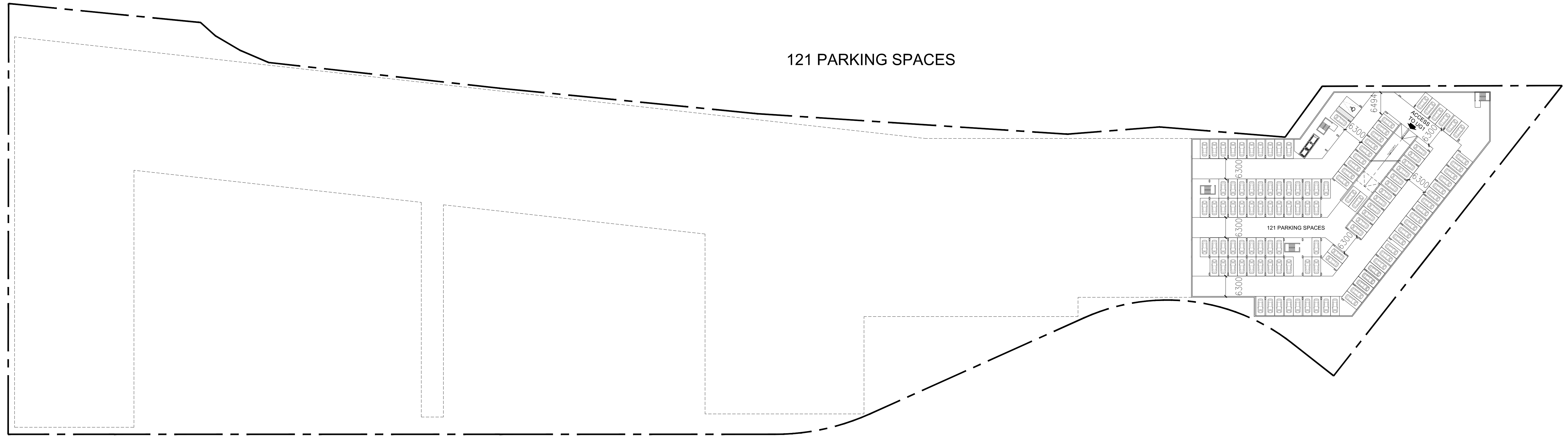
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Project No. 21109

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Checked by: RE  
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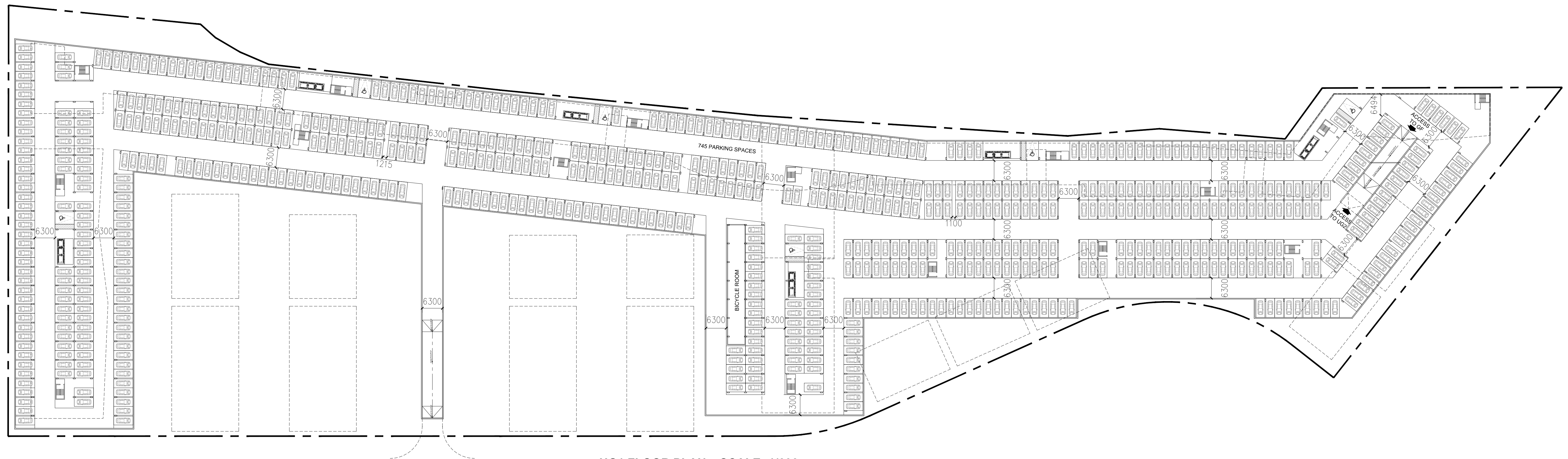
915 - 4789 VONDELE ST. TORONTO, ONT. M6K 3G5  
TEL: 416-224-0505 FAX: 416-224-0504



121 PARKING SPACES



UG2 FLOOR PLAN \_ SCALE: 1/600

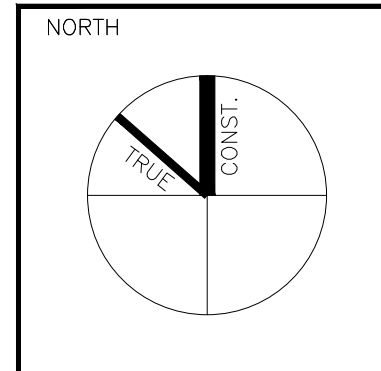


UG1 FLOOR PLAN \_ SCALE: 1/600

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NO.	REVISION/ISSUE	DATE	NO.	REVISION/ISSUE	DATE



PROPOSED 6 STOREY  
 RESIDENTIAL BUILDING  
 NIAGARA, ON

PROPOSED 6 STOREY  
 RESIDENTIAL BUILDING  
 NIAGARA, ON

DRAWING TITLE  
**FLOOR PLANS (UG1 - UG2)**

Scale:  
 1/600

Date:  
 AUG.12, 2021

Project No.  
 21109

Drawn by:  
 RK

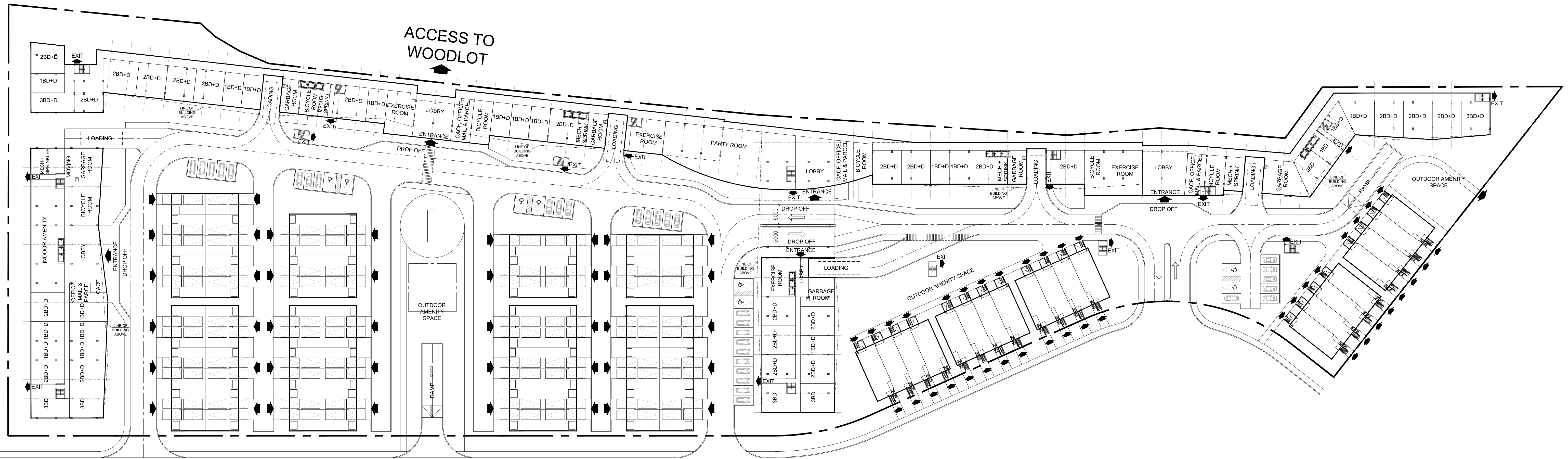
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Drawing No.  
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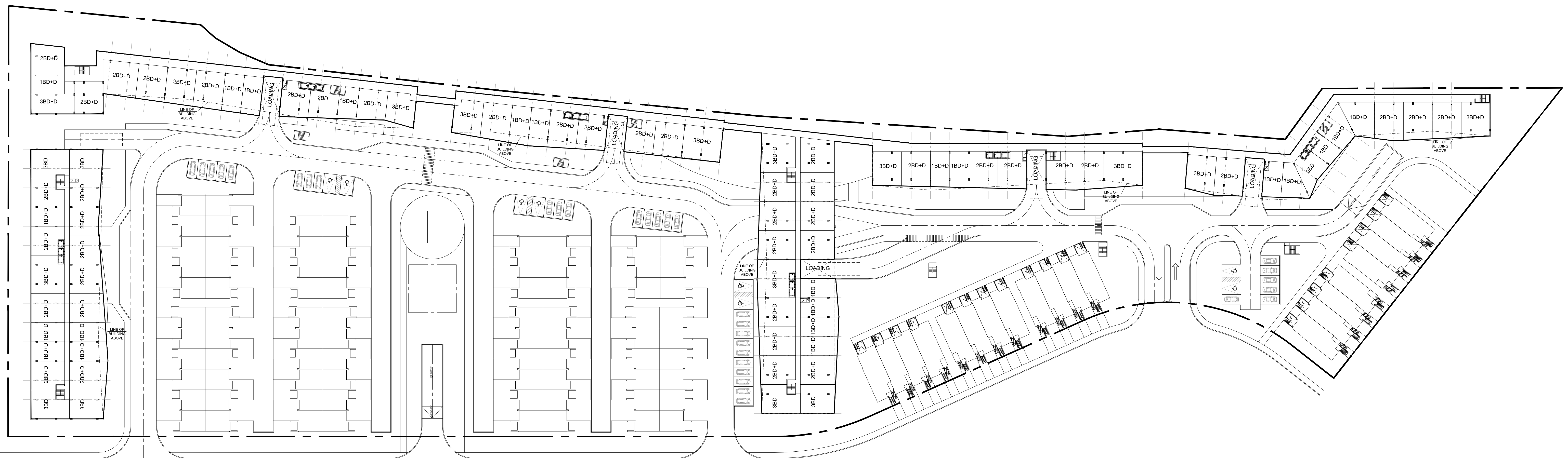
815 - 1478 VONDELT ST. TORONTO  
 ON M5S 1C5  
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GROUND FLOOR PLAN \_ SCALE: 1/600

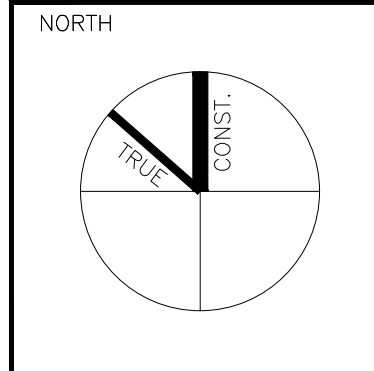


2ND FLOOR PLAN \_ SCALE: 1/600

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**PROPOSED 6 STOREY  
RESIDENTIAL BUILDING  
NIAGARA, ON**

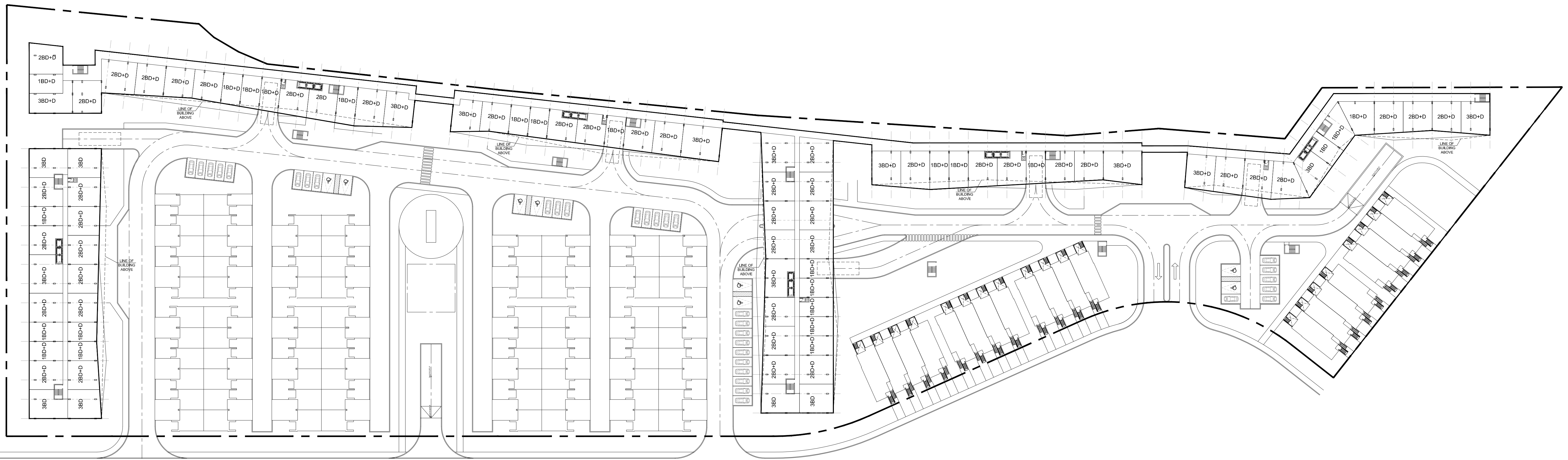
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Date: AUG.12, 2021  
Project No. 21109

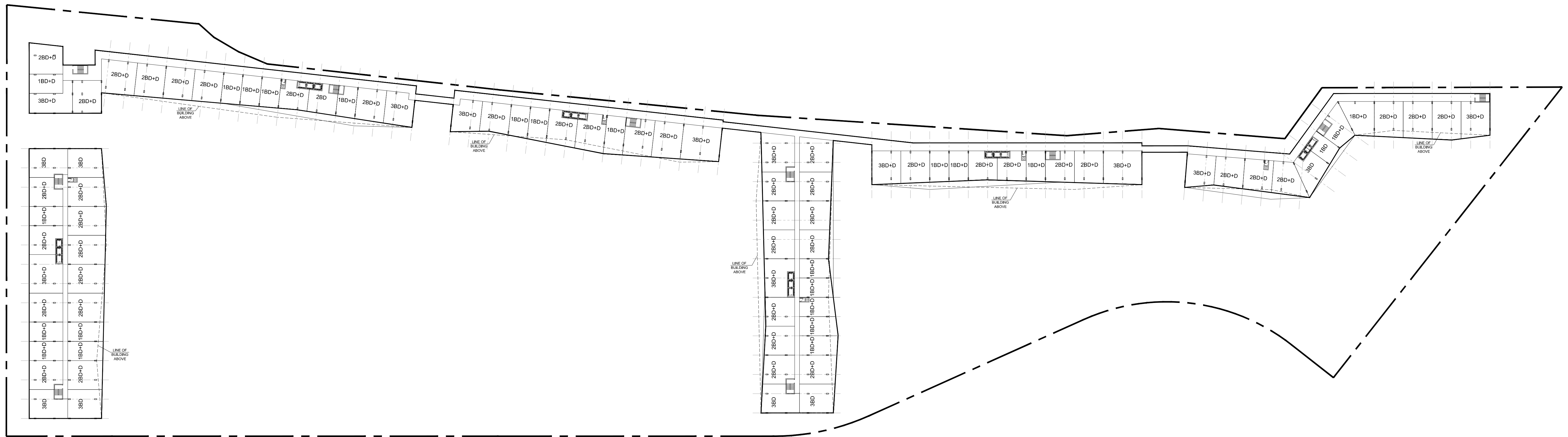
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Checked by: RE  
Drawing No. A202

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3RD FLOOR PLAN \_ SCALE: 1/600

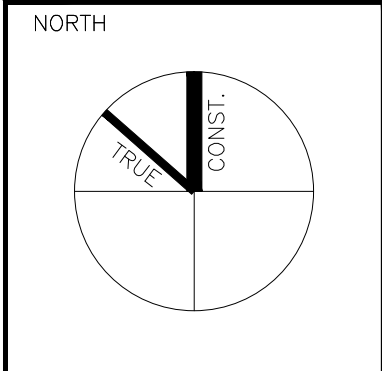


4TH FLOOR PLAN \_ SCALE: 1/600

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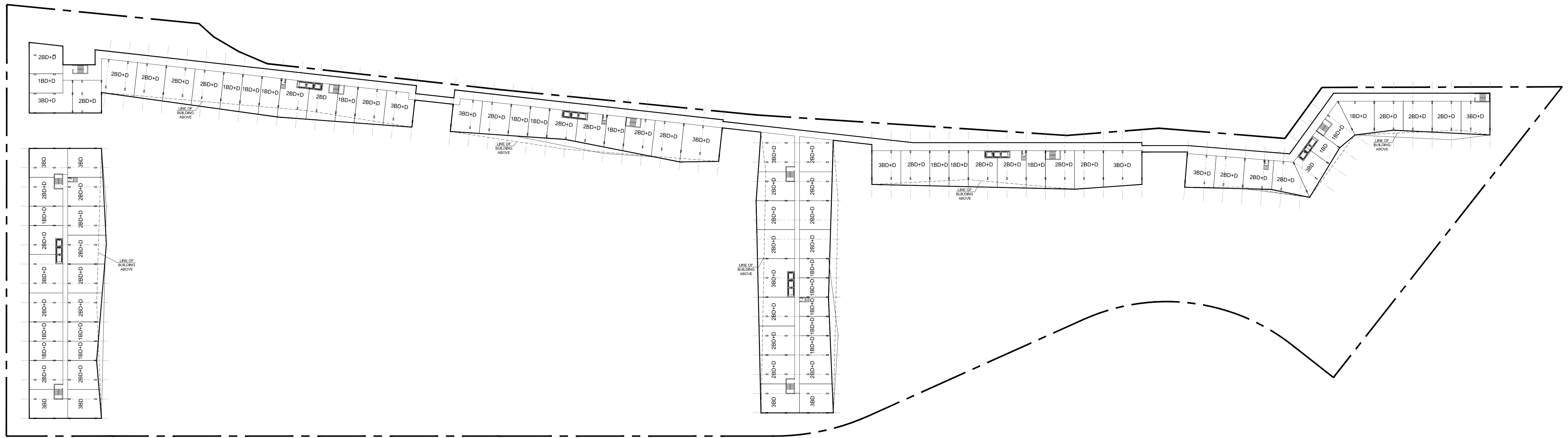


**PROPOSED 6 STOREY  
 RESIDENTIAL BUILDING  
 NIAGARA, ON**

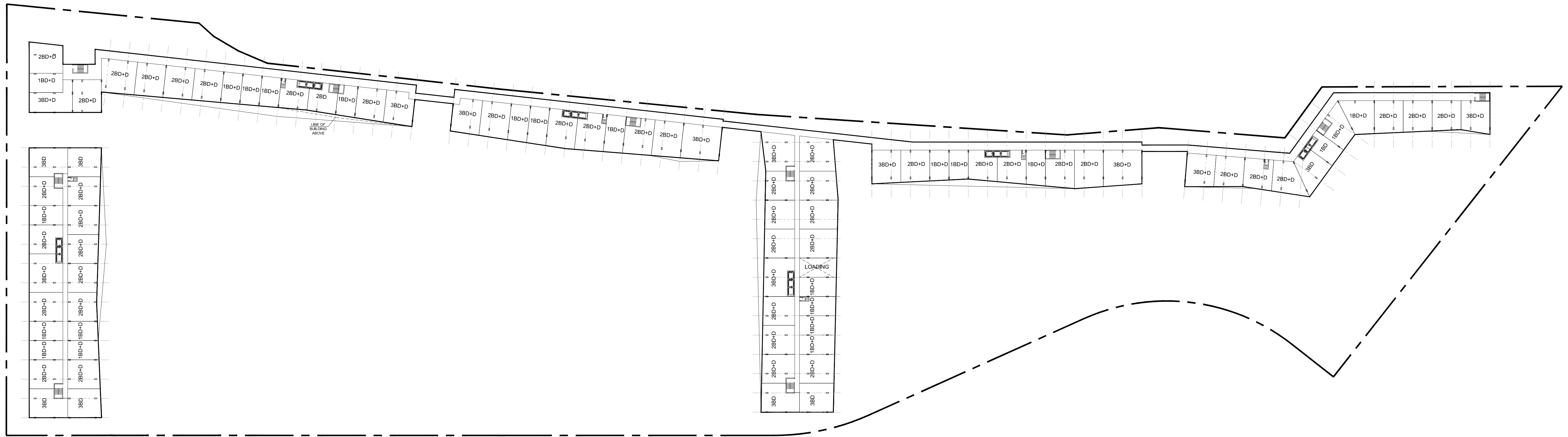
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Date:	AUG.12, 2021
Project No.:	21109
Drawn by:	RK
Checked by:	RE
Drawing No.:	A203

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5TH FLOOR PLAN \_ SCALE: 1/600

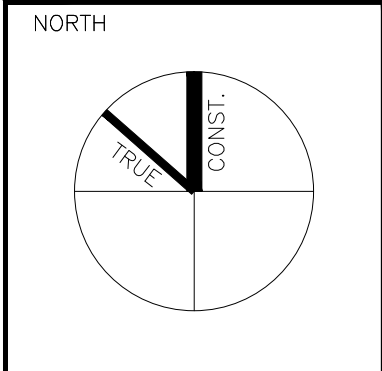


6TH FLOOR PLAN \_ SCALE: 1/600

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NO.	REVISION/ISSUE	DATE	NO.	REVISION/ISSUE	DATE



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**PROPOSED 6 STOREY  
 RESIDENTIAL BUILDING  
 NIAGARA, ON**

DRAWING TITLE  
**FLOOR PLANS (5TH - 6TH)**  
 Scale: 1/600  
 Date: AUG.12, 2021  
 Project No. 21109  
 Drawn by: RK  
 Checked by: RE  
 Drawing No. A204

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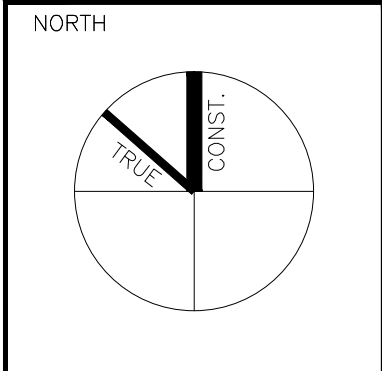


ROOF FLOOR PLAN \_ SCALE: 1/600

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NO.	REVISION/ISSUE	DATE	NO.	REVISION/ISSUE	DATE



**PROPOSED 6 STOREY  
 RESIDENTIAL BUILDING  
 NIAGARA, ON**

DRAWING TITLE  
**FLOOR PLANS (ROOF)**

Scale:  
 1/600

Date:  
 AUG.12, 2021

Project No.  
 21109

Drawn by:  
 RK

Checked by:  
 RE

Drawing No.  
 A205

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