
MEMORANDUM

CL-C 5-2021

Subject: Northwest Welland Secondary Plan – Regional Interest

Date: January 21, 2021

To: Regional Council

From: Kirsten McCauley, Acting Manager – Long Range Planning

The purpose of this memorandum is to address the City of Welland's request for Regional exemption to the City's Official Plan Amendment 29 – Northwest Welland Secondary Plan ("NW SP"). This exemption is not supported by Regional staff.

The City of Welland's request for exemption was made immediately prior to the Region's January 13, 2021 Planning and Economic Development Committee meeting. Since this request was received late, the Region did not address this issue in its Staff Report PDS 3-2021 relating to the NorthWest Welland Expansion.

Regional Staff were surprised to receive this request as the Region exchanged several communications with City staff relating to the Expansion and NW SP prior to January 13, 2021. At no time during this correspondence did the City suggest it sought to break from the agreed-to process of having the Region retain approval authority of the NW SP after the Expansion was complete.

The Region is the approval authority for boundary matters. Since 2017, the Region has supported Welland's two phase work plan for the NorthWest expansion and NW SP.

The boundary expansion is the first phase in the Northwest Welland work plan. In Staff's view, all matters relating to the boundary expansion have been addressed. On that basis, Staff provided the above-noted Report PDS 3-2021 recommending approval of Regional and Local Official Plan Amendments that expand Welland's urban boundary.

The second phase is the specific planning of the expansion lands through a Secondary Plan. A Secondary Plan considers how development will logically occur and ensures a coordinated approach to land use and mix of built form, consideration of infrastructure and transportation requirements, natural and cultural heritage protection, urban design, or similar matters beyond the general policy of the Official Plan.

The NW SP is partially complete. Portions of the NW SP that relate to the Region's interest are outstanding or remain unresolved, as set out further below.

Region and City staff have had many meetings relating to the NW SP. Most recently, on September 15, 2020, Region and City staff met to discuss the outstanding information required relating to infrastructure, phasing and natural heritage. At this meeting, the City agreed to provide additional information to address the Region's comments. This is the information that remains outstanding.

The City elected to adopt the NW SP at its Council meeting on October 27, 2020. No notice was provide to the Region, nor was the information set out at the September 15, 2020 meeting addressed.

The Region did not object to the City's adoption of the NW SP in October. This is because the City and Region agreed to address the outstanding matters at a later time as the Region would be the approval authority for the NW SP. The City is now seeking to depart from that process.

As previously noted, no advance notice was provided that the City sought the NW SP to be exempt from Region's approval. A last minute request was made which did not provide the Region an opportunity to identify outstanding Regional matters identified in September in PDS 3-2021.

The Region's Official Plan contains exemption policies for local Official Plan Amendments that reflect the collaborative relationship between the Region and its local municipal partners. The exemption policies provide direction for when a local amendment could be exempt from the Region's approval, as well as a list of criteria where the Region would maintain approval authority. In the case of OPA 29, the Region continues to have interest in potential cross-jurisdictional matters related to infrastructure, potential impacts to the Region's capital forecasts and the natural environment.

The outstanding items that are of Regional significance include the following items.

Infrastructure

Required Information to address Regional Matters: Updated technical report, Provide Phasing Plan and Additional Secondary Plan policy

Implication: Potential cross-jurisdictional matters as current regional infrastructure jointly services Pelham, Thorold and Welland.

The existing Regional infrastructure that services the East Fonthill Secondary Plan and Port Robinson West Secondary Plan areas goes through a portion of the NW SP. Both the East Fonthill and Port Robinson Secondary Plans provided detailed information on servicing and phasing to full build out. The NW SP is proposing to utilize the capacity within the Regional infrastructure in this area.

A phasing plan was identified as a requirement for the NW SP. Welland did not provide a phasing plan or any detailed policies on phasing or infrastructure in the NW SP. This requirement was specifically identified as critical item at the above-mentioned September meeting. The City advised that a phasing plan was being prepared; however, it remains outstanding.

The Region's Water/Wastewater and Development Engineering staff have advised that a phasing and staging plan along with anticipated timing and flows for the proposed development is required for the northwest area to better understand the necessary required infrastructure upgrades. Once received, the Region can review and include policy within the NW SP to protect the Region's interest and investment in infrastructure.

A key purpose of the NW SP is to coordinate development. The Region is concerned that, without a phasing plan, leapfrog development and requests for individual connections to the existing Regional trunk infrastructure will be made through future development applications. There is a deep Regional trunk sanitary sewer approximately 6 to 7 metres below the road, and therefore a phasing plan can assist understanding how a local sewer network will connect to facilitate development in the future.

The City also committed to having the consultant update the Northwest Welland Secondary Plan Municipal Servicing Conceptual Design Report to correct information, respond to outstanding questions, and investigate alternative options for servicing the study area. This update is still outstanding.

In addition to the above updated report, the financial impact assessment would need to incorporate and consider any costs associated with the infrastructure improvements.

The existing Master Servicing Plan (MSP) does not contemplate development within the NW SP area as it was outside of the urban boundary when the MSP was prepared. The current upgrades planned for the Towpath Sewage Pumping Station were based on timing and flows from the previously mentioned urban areas and secondary plans in Thorold and Pelham.

The information provided through a NW SP phasing plan, once provided, can assist with the update to the MSP which will commence in early 2021 and would provide key scheduling information to ensure that the upgrades required would be in place prior to development applications or assist staff in advising developers of potential constraints in servicing.

The Towpath Sewage Pumping Station currently provides servicing capacity to the Port Robinson Secondary Plan in Thorold and the East Fonthill Secondary Plan in Pelham which both provided detailed servicing strategies. Capacity required for the NW SP area at the Towpath Sewage Pumping Station was not previously considered as it was not part of the urban area.

Environmental

Required Information to address Regional Matters: Additional policy

Implication: The Secondary Plan is lacking consideration for natural corridor protection.

As noted, the NW SP is the opportunity to provide more detailed policy direction that is specific to the study area. Regional Environmental Planning staff accepted the level of detail provided within the Background Report for the purpose of the boundary expansion. However, the Secondary Plan policy does not reflect that same level of detail and needs to be revisited.

In particular, the Region is concerned with protection of potential corridors and connections between natural features within the study area. The Region's comments suggested that ecological corridors, linkages and wildlife culvert policies should be introduced in the Secondary Plan, and road design should consider wildlife crossings in appropriate locations (e.g., First Avenue, north of Quaker Road).

Policy to this effect was not included in the Secondary Plan. Corridors are essential in maintaining and enhancing biodiversity in an ecosystem. There is a concern, especially in the south-end of the study area, that if corridors are not incorporated into the plan further, fragmentation of the natural heritage system. This fragmentation will result in negatively impacting biodiversity and species richness.

Stormwater Management

Required Information to address Regional Matters: Provide Stormwater Management Study

Within the responses provided by the City to the Region's comments, it indicates that the Stormwater Management Study has been updated to include new wording. The Region has not received an updated report.

Development Planning

Required Information to address Regional Matters: Provide policy that addresses decommissioning of wells

A policy should be included in the Secondary Plan that requires the decommissioning of wells to protect the health of the groundwater system.

Transportation

Required Information to address Regional Matters: Additional policy

The NW SP Transportation Assessment provided a high level review of the existing transportation network, comments from past reports, traffic modeling, and future road improvements.

By 2031 (assumed build out of the NW SP area), Rice Road is proposed to be widened to 2 lanes in each direction between Port Robinson Road and Woodlawn Road. Merritt Road is assumed to be extended from Cataract Road to Rice Road and widened to 2 lanes in each direction by 2031. Signalization of Rice Road and Quaker Road with left turn lanes at all approaches is required by 2031. The new collector road intersecting on Rice Road will be under stop control and require 30 metre left turn lanes (north and south) on Rice Road.

Although the Region had no specific concerns regarding the proposed road network at this time, further detailed transportation impact analysis for developments along Rice Road and the future collector road will be required during planning applications as all assumed Regional Road improvements may not be fully complete. In general, direct access points along a Regional Road are to be in accordance with the Region's access management policy and access should be directed to the future City collector roads. Any future access or road on to a Regional Road is required to be reviewed and approved by the Region.

Additionally, the Region suggested the City incorporate more detailed direction for complete streets design within the Secondary Plan policy.

Funding

The City of Welland received a Regional planning grant to support their work for the NW SP. As part of the agreement for this funding, the City was required to work closely with the Region through the process. The City's adoption of the Secondary Plan without addressing the Region's concerns does not meet the intent of the regional grant. We question the value of the grant in the event the Secondary Plan is exempt from Regional approval with the above-noted matters unresolved.

Next Steps

The Region will continue to work expeditiously with the City to complete the NW SP. The timing depends on how expeditiously the City will complete the above-noted matters which have been outstanding since September.

This memorandum has been forwarded to City staff and a meeting is being arranged. Following this meeting, the Region can provide a more detailed timeline for further reporting on the Secondary Plan.

Respectfully submitted and signed by

Kirsten McCauley, MCIP, RPP
Planning and Development Services