

COUNCIL MEETING
PLANNING AND DEVELOPMENT SERVICES – PLANNING DIVISION

REPORT P&B-2025-31
July 8, 2025

SUBJECT: Hunters Pointe Redevelopment Subdivision – Request to Remove Condition of Draft Plan of Subdivision Approval for an Overpass

AUTHOR: Taylor Meadows, CPT, BURPI, RPP, MCIP
Manager of Development Planning

**APPROVING
MANAGER:** Michael Greenlee, RPP, MCIP
Manager of Planning

**APPROVING
DIRECTOR:** Grant Munday, B.A.A., RPP, MCIP
Director of Planning and Development Services

RECOMMENDATION:

THAT Council denies the request by 2599587 Ontario Ltd. (“**259**”) to amend the draft plan conditions of approval for the Hunters Pointe Subdivision by deleting Condition #92, which requires the construction of an overpass.

RELATIONSHIP TO STRATEGIC PLAN

This recommendation is aligned to Council’s strategic priority of ensuring “**Liveability**” by creating a sense of belonging while enhancing mobility by improving access to recreation and community events, ensuring adequate housing options, encouraging job growth, and improving ways to efficiently move people throughout the city.

EXECUTIVE SUMMARY:

A request for modification of a draft plan of subdivision condition has been received for the Hunters Pointe Redevelopment Subdivision. The proposal seeks to delete Condition #92 related to the construction of an overpass. Staff have reviewed this proposal and recommend that Council denies the request to delete Condition #92.

BACKGROUND:

On June 9, 2020 the Council of the City of Welland approved a draft plan of subdivision, official plan amendment and zoning by-law amendment for the lands municipally known as 289 Daimler Parkway, subject to conditions of draft plan approval (see Appendix II). At the time of the approval, one condition was added by Council via motion as follows:

“That an overpass be constructed to the satisfaction of the Ministry of Transportation (MTO), Region of Niagara and the City of Welland, from Hunters Pointe Redevelopment to Oxford Drive, crossing the 406 at the sole expense of the developer; and further, that the overpass permits safe passage of both vehicular and pedestrian traffic, that the developer pay for road upgrades on Oxford Drive [sic] to Atlas Avenue, and that the overpass be completed no later than when the development commences its 600th unit.”

Council’s decision to adopt the official plan amendment (“**OPA**”) and pass the zoning by-law amendment (“**ZBA**”) was appealed to the Ontario Land Tribunal (“**OLT**”) by Highland Residents Association (“**HRA**”) and the adjacent developer, 2090572 Ontario Inc. (“**209**”). Following a mediation process, the City entered into Minutes of Settlement with the HRA, 259 and 209 to resolve the appeals and the OLT approved a modified OPA and ZBA with conditions of draft approval on June 13, 2022.

On March 4, 2024 the City received a submission from Davies Howe LLP on behalf of 259 that requested the deletion of Condition #92 related to the construction of an overpass.

Upon receipt of the request to delete Condition #92, staff retained the consulting services of R.V. Anderson Associates Limited (“**R.V.**”) to complete a traffic impact study for the lands surrounding Daimler Parkway. R.V. is a multidisciplinary engineering consulting firm that specializes in a range of areas; including, transportation planning. The completed traffic impact study (TIS) is appended to this report for reference. The TIS provided the following conclusion:

“If the proposed magnitude of developments is to be implemented by the 2051 horizon, undesirable operating conditions are expected in the form of significant congestion along the Daimler Parkway corridor and queue spillback blocking adjacent intersections. Therefore, it is recommended that an additional non-emergency access be provided for the lands east of Highway 406 to accommodate the development traffic demand. The additional access will add new transportation capacity to the roadway network allowing for diversion of traffic away from the Daimler Parkway corridor thus improving its operation under the future (2051) total traffic scenario. Additionally, there will be surplus capacity within the roadway system to consider the potential for increased densities if desired. This additional route choice will also reduce out of way travel and overall commute time for the traffic heading to the south and west.”

The Minutes of Settlement related to this approval provide that if Council is to consider amending or deleting Condition #92, the City is to provide 259, 209 and the HRA with notice and an opportunity to make delegations. A circulation of the request to modify (delete) draft plan conditions in reference to this file was published in the Welland Tribune on April 15, 2025 and on the City's planning public notices webpage. A public meeting was held on April 29, 2025 at the General Committee meeting of Council.

The public meeting offered the opportunity to interested parties to provide oral submissions related to the request. In addition to counsel for 259, two (2) members of the public participated in addition to the applicant. Comments received included the following:

- Concerns related to the ability to access the area with emergency vehicles;
- Potential for traffic to increase and create congestion; and,
- Request to maintain previous decision.

DISCUSSION:

A request for modification to draft plan of subdivision conditions was received in reference to the proposed deletion of Condition #92 (see Appendix II) of the Hunters Pointe Subdivision.

As a result of this request, staff retained a traffic consultant to complete a Traffic Impact Study ("TIS"). The findings of this TIS support the construction of an additional non-emergency access to accommodate traffic to be generated by the Hunters Pointe Subdivision. The TIS suggests that the additional access is necessary to address an increase to transportation capacity which will accommodate the expected development in the area.

The submitted request was circulated for comment to local and external agencies; including, the MTO and Fire Division. It is noted that the MTO and Fire Division are supportive of maintaining the condition related to the construction of an overpass.

Based on the findings of the TIS and the comments provided from commenting agencies, Staff recommend that Council deny the request to remove Condition #92.

FINANCIAL:

There are no financial implications as a result of this report.

ATTACHMENT:

- Appendix I - Key Map
- Appendix II - Draft Plan of Subdivision Conditions

- Appendix III - Draft Plan of Subdivision
- Appendix IV - Consolidated Traffic Impact Study – Developable Lands East of Highway 406
- Appendix V - Relevant Correspondence