



## **BELL CANADA COMMENTS**

**From:** [circulations@wsp.com](mailto:circulations@wsp.com)  
**To:** [Robyn McIntyre](#)  
**Subject:** OPA (D09-02-2023), ZBLA (D14-04-2023), & Draft Plan of Condominium (D07-01-2023), 2248 Centre St., Thorold  
**Date:** April-17-23 10:45:32 AM

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2023-04-17

Robyn McIntyre

Thorold

, ,

Attention: Robyn McIntyre

**Re: OPA (D09-02-2023), ZBLA (D14-04-2023), & Draft Plan of Condominium (D07-01-2023), 2248 Centre St., Thorold; Your File No. D09-02-2023,D14-04-2023,D07-01-2023**

To Whom this May Concern,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“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.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.

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.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

We note that WSP operates Bell Canada’s development tracking system, which includes the

intake and processing of municipal circulations. However, **all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

Should you have any questions, please contact the undersigned.

Yours truly,

Juan Corvalan  
Senior Manager - Municipal Liaison  
Email: [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca)

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-LAEmHhHzdJzBITWfa4Hgs7pbKI



# **CANADA POST CORPORATION COMMENTS**



CANADA POST  
955 Highbury Ave N  
London ON N5Y 1A3  
[CANADAPOST.CA](http://CANADAPOST.CA)

POSTES CANADA  
955 Highbury Ave N  
London ON N5Y 1A3  
[POSTESCANADA.CA](http://POSTESCANADA.CA)

April 19, 2023

ROBYN MCINTYRE  
PLANNER  
540 BINGEMANS CENTER DRIVE

Re: 2248 Center Street

Dear Robyn,

This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.

I will specify the conditions which I request to be added for Canada Post Corporation's purposes.

The owner shall complete to the satisfaction of the Director of Engineering of the City of Thorold and Canada Post:

- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
  - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
  - ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b) The owner further agrees to:
  - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.

- ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
  - iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
  - iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me.

I appreciate the opportunity to comment on this project.

Regards,

*A. Carrigan*

Andrew Carrigan  
Delivery Services Officer  
[Andrew.Carrigan@canadapost.ca](mailto:Andrew.Carrigan@canadapost.ca)



# **CITY OF THOROLD BUILDING COMMENTS**

**From:** [Jason Simpson](#)  
**To:** [Robyn McIntyre](#)  
**Cc:** [Nick Bogaert](#)  
**Subject:** RE: Request for Agency Comments - 2248 Centre Street (OPA / ZBA / Condo)  
**Date:** April-19-23 10:58:37 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)

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Comments from the Building Division:

1. A private hydrant will be required on the property (not shown) to facilitate fire suppression on the property. The private hydrant is noted within the submitted functional services report but not identified on the submitted plan(s).



**Jason Simpson** CBCO

Director of Development Services  
Development Services

**City of Thorold**

905-227-6613 x244

P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON., L2V 4A7

[www.thorold.ca](http://www.thorold.ca)

---

**From:** Robyn McIntyre <[rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)>  
**Sent:** April 18, 2023 4:23 PM  
**To:** Robyn McIntyre <[rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)>  
**Cc:** Nick Bogaert <[nbogaert@mhbcplan.com](mailto:nbogaert@mhbcplan.com)>  
**Subject:** RE: Request for Agency Comments - 2248 Centre Street (OPA / ZBA / Condo)  
**Importance:** High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Please be advised, we have not yet received your comments on the below mentioned applications.

**Comments are due in two days, on April 20<sup>th</sup>, 2023.**

Thank you,

**ROBYN MCINTYRE**, BES | Planner (she/her)

*I am currently working remotely and can best be reached at [rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)*

**MHBC** Planning, Urban Design & Landscape Architecture

540 Bingemans Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 | F 519 576 0121  
| [rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)



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**From:** Robyn McIntyre

**Sent:** April-06-23 12:23 PM

**To:** Robyn McIntyre <[rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)>

**Cc:** Nick Bogaert ([nbogaert@mhbcplan.com](mailto:nbogaert@mhbcplan.com)) <[nbogaert@mhbcplan.com](mailto:nbogaert@mhbcplan.com)>

**Subject:** Request for Agency Comments - 2248 Centre Street (OPA / ZBA / Condo)

Good Afternoon,

Please be advised, MHBC Planning is providing temporary land use planning services under contract to the City of Thorold.

At the below link, please find the application and associated materials submitted for the Official Plan Amendment (D09-02-2023), Zoning Bylaw Amendment (D14-04-2023), and Condominium (D07-01-2023) applications at 2248 Centre Street in the City of Thorold. Submission materials can be found at the following OneDrive link: [2248 Centre Street \(OPA, ZBA, Condo\)](#)

Kindly forward your comments to this email address ([rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)) by the **end of the day on April 20th, 2023**.

Please feel free to reach out if you should have any questions.

Thank you,

**ROBYN MCINTYRE, BES | Planner** (she/her)

*I am currently working remotely and can best be reached at [rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)*

**MHBC Planning, Urban Design & Landscape Architecture**

540 Bingham Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 | F 519 576 0121  
| [rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)

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# **CITY OF THOROLD FIRE AND EMERGENCY SERVICES COMMENTS**

**From:** [Vince Giovannini](#)  
**To:** [Robyn McIntyre](#)  
**Cc:** [Nick Bogaert](#)  
**Subject:** RE: Request for Agency Comments - 2248 Centre Street (OPA / ZBA / Condo)  
**Date:** April-19-23 1:15:13 PM  
**Attachments:** [image002.png](#)  
[image001.png](#)  
[image015.png](#)  
[image016.png](#)  
[image017.png](#)  
[image018.png](#)  
[image019.png](#)

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Good afternoon, the Fire Service have no comment or objection.

Thank you.



**Vince Giovannini**

Captain of Fire Prevention  
Fire and Emergency Services

**City of Thorold**

905-227-6613 x303

P.O. Box 1044, 3540 Schmon Parkway, Thorold, ON., L2V 4A7

[www.thorold.ca](http://www.thorold.ca)

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**From:** Robyn McIntyre <[rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)>  
**Sent:** Thursday, April 6, 2023 12:23 PM  
**To:** Robyn McIntyre <[rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)>  
**Cc:** Nick Bogaert <[nbogaert@mhbcplan.com](mailto:nbogaert@mhbcplan.com)>  
**Subject:** Request for Agency Comments - 2248 Centre Street (OPA / ZBA / Condo)

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Good Afternoon,

Please be advised, MHBC Planning is providing temporary land use planning services under contract to the City of Thorold.

At the below link, please find the application and associated materials submitted for the Official Plan Amendment (D09-02-2023), Zoning Bylaw Amendment (D14-04-2023), and Condominium (D07-01-2023) applications at 2248 Centre Street in the City of Thorold. Submission materials can be found at the following OneDrive link: [2248 Centre Street \(OPA, ZBA, Condo\)](#)

Kindly forward your comments to this email address ([rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)) by the **end of the day on April 20th, 2023.**

Please feel free to reach out if you should have any questions.

Thank you,

**ROBYN MCINTYRE, BES | Planner** (she/her)

*I am currently working remotely and can best be reached at [rncintyre@mhbcplan.com](mailto:rncintyre@mhbcplan.com)*

## **MHBC Planning, Urban Design & Landscape Architecture**

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| [rncintyre@mhbcplan.com](mailto:rncintyre@mhbcplan.com)

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## **CN RAIL COMMENTS**

**From:** [Proximity](#)  
**To:** [Robyn McIntyre](#)  
**Subject:** 2023-04-11\_CN\_RES\_Request for Agency Comments - 2248 Centre Street (OPA / ZBA / Condo)  
**Date:** April-11-23 2:45:21 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Hello Robyn,

Thank you for consulting CN on the application mentioned in subject. CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

1. Safety setback of principal buildings from the railway rights-of-way to be a minimum of 15 metres.
2. The Owner shall install and maintain a chain link fence of minimum 1.83 meter height along the mutual property line.
3. The Owner shall engage a consultant to undertake an analysis of noise. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
4. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

5. The storm water management facility must be designed to direct away all runoff waters away from CN right of way including ditches, culverts and tracks.
6. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
7. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
8. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

CN will review the Noise study and the storm water management report and will provide you with our comments.

Thank you and do not hesitate to contact me with any questions.

Best regards

**Ashkan Matlabi**, Urb. OUQ. MBA

Urbaniste sénior / Senior Planner (CN Proximity)  
Planning, Landscape Architecture and Urban Design  
Urbanisme, architecture de paysage et design urbain



E : [proximity@cn.ca](mailto:proximity@cn.ca)  
T : 1-438-459-9190  
1600, René-Lévesque Ouest, 11e étage  
Montréal (Québec)  
H3H 1P9 CANADA  
[wsp.com](http://wsp.com)

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**From:** Robyn McIntyre <[rmcintyre@mhbcpplan.com](mailto:rmcintyre@mhbcpplan.com)>  
**Sent:** Thursday, April 06, 2023 12:23 PM  
**To:** Robyn McIntyre <[rmcintyre@mhbcpplan.com](mailto:rmcintyre@mhbcpplan.com)>  
**Cc:** Nick Bogaert <[nbogaert@mhbcpplan.com](mailto:nbogaert@mhbcpplan.com)>  
**Subject:** Request for Agency Comments - 2248 Centre Street (OPA / ZBA / Condo)

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Good Afternoon,

Please be advised, MHBC Planning is providing temporary land use planning services under contract to the City of Thorold.

At the below link, please find the application and associated materials submitted for the Official Plan Amendment (D09-02-2023), Zoning Bylaw Amendment (D14-04-2023), and Condominium (D07-01-2023) applications at 2248 Centre Street in the City of Thorold. Submission materials can be found at the following OneDrive link: [2248 Centre Street \(OPA, ZBA, Condo\)](#)

Kindly forward your comments to this email address ([rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)) by the **end of the day on April 20th, 2023.**

Please feel free to reach out if you should have any questions.

Thank you,

**ROBYN MCINTYRE, BES | Planner** (she/her)

*I am currently working remotely and can best be reached at [rmcintyre@mhbcplan.com](mailto:rmcintyre@mhbcplan.com)*

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## DEVELOPMENT PROJECT REVIEW

PLEASE CHECK ALL APPLICABLE		
<input type="checkbox"/> Official Plan Amendment	<input type="checkbox"/> Zoning By-law Amendment	<input type="checkbox"/> Plan of Condominium
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Consent	<input type="checkbox"/> Other
<input type="checkbox"/> Variance	<input type="checkbox"/> Plan of Subdivision	

TO BE COMPLETED BY MUNICIPALITY/PROPONENT	
1	Proponent's name and contact information
2	Proponent's lawyer's name and contact information
3	Proponent's consultant(s) name(s) and contact information
4	Municipality
5	Municipal Address of Proposed Development
6	PIN(s) for Proposed Development
7	Legal Name of Owner on Title
8	Municipal Application Number(s)
9	Is a Staff Report available? If so, please attach all Staff Report(s)
10	Date Application(s) filed with Municipality
11	Status of the Application(s)
12	Have conditions of approval been provided by the municipality and/or CN? If so, please attach all conditions of approval
13	Has a Noise and Vibration Study or Drainage / Storm Water Management Plan been prepared? If so, please attach all Reports, Addenda, Peer Review Comments
14	Is the Proposed Development Plan for a condominium or freehold?
15	Municipal planner's name and contact information
16	Property specific concerns identified by CN and/or municipality (i.e. drainage, setback, grading)

Further to the applicable conditions of approval, the Owner shall enter into and register:

- ☐ CN's standard development agreement (the "CN Agreement") with the necessary revisions to address the Owner's development, and/or
- ☐ CN's standard environmental easement ("Transfer of Easement"),  
and shall pay CN's reasonable costs in preparing and negotiating the Transfer of Easement or the CN Agreement and Transfer of Easement (as applicable).

Date (day/month/year)

	/		/	
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Name




# **DISTRICT SCHOOL BOARD OF NIAGARA COMMENTS**



**I Matter  
At DSBN**

DISTRICT SCHOOL BOARD OF NIAGARA

191 Carlton St. ■ St. Catharines, ON ■ L2R 7P4 ■ 905-641-1550 ■ [dsbn.org](http://dsbn.org)

April 20, 2023

Tara O'Toole  
Manager of Planning  
Planning & Development Services  
City of Thorold  
P.O. Box 3540 Schmon Pkwy  
Thorold, ON L2V 4A7

RE: 2248 Centre Street (OPA / ZBA / Condo)  
File No. D09-02-2023, D14-04-2023 and D07-01-2023

Dear Ms. O'Toole:

Thank you for circulating the District School Board of Niagara (DSBN) the above noted applications. The applications propose the development of a 15-unit townhouse plan of condominium on 2248 Centre St. Official Plan and Zoning By-law applications have been submitted to facilitate the proposed development.

DSBN Planning staff has completed its review and has no objections to the applications. We request that, as a condition of approval, sidewalks be constructed within the subdivision to facilitate student travel to the school/bus stop locations. Future students from the development would attend Ontario PS (JK – Gr.8) and Thorold Secondary School (Gr. 9-12).

If you have any questions, feel free to contact me at ext. 54225

Yours truly,

Sue Mabee, MCIP, RPP  
Supervisor of Planning Services



## **ENBRIDGE COMMENTS**

April 19, 2023

Robyn McIntyre, BES  
Planner  
City of Thorold  
Planning & Development Services  
3540 Schmon Parkway, PO Box 1044  
Thorold, ON L2V 4A7

Dear Robyn,

Re: Draft Plan of Condominium, Official Plan Amendment, Zoning By-Law Amendment  
Lally Holdings Ltd.  
2248 Centre Street  
City of Thorold  
File No.: D07-01-2023, D09-02-2023, D14-04-2023

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.


This response does not constitute a pipe locate, clearance for construction or availability of gas.

The applicant shall use the [Enbridge Gas Get Connected tool](https://enbridge.outsystemsenterprise.com/GetConnected_Th/Login2?OriginalURL=https%3A%2F%2Fenbridge.outsystemsenterprise.com%2FGetConnectedApp_UI%2F) to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping and/or asphalt paving.  
([https://enbridge.outsystemsenterprise.com/GetConnected\\_Th/Login2?OriginalURL=https%3A%2F%2Fenbridge.outsystemsenterprise.com%2FGetConnectedApp\\_UI%2F](https://enbridge.outsystemsenterprise.com/GetConnected_Th/Login2?OriginalURL=https%3A%2F%2Fenbridge.outsystemsenterprise.com%2FGetConnectedApp_UI%2F))

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas at no cost.

Sincerely,



**Jasleen Kaur**  
Municipal Planning Coordinator  
**Engineering**

**ENBRIDGE**  
TEL: 437-929-8083  
500 Consumers Rd, North York, ON M2J1P8  
[enbridge.com](https://enbridge.com)  
**Safety. Integrity. Respect. Inclusion.**



## **HYDRO ONE COMMENTS**

**Hydro One Networks Inc.**  
**Facilities & Real Estate**  
P.O. Box 4300  
Markham, Ontario L3R 5Z5  
www.HydroOne.com



**Courier:**  
185 Clegg Road  
Markham, Ontario L6G 1B7

VIA E-MAIL ONLY TO Robyn McIntyre <rmcintyre@mhbcplan.com>

April 24, 2023

Dear Robyn McIntyre:

**Re: Draft Plan of Condominium, Lally Homes LTD.**  
**2248 Centre Street**  
**City of Thorold**  
**File: D07-01-2023**

---

Please be advised that Hydro One Networks Inc. ("HONI") has completed a preliminary review of the proposed plan of the above noted condominium application. 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 condominium **at this time**, pending review and approval of the required information.

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(1) 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 & Lands 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 provider to OILC, and undertakes this review on their behalf.

The comments detailed herein **do not** constitute an endorsement of any element of the condominium 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.

Should the developer require any use of and/or access to the transmission corridor at any time, the developer must contact **Alan Liu** at **alan.liu@hydroone.com** in order to ensure all of HONI's technical requirements are met to its satisfaction, and acquire any applicable agreements.

The following should be included as **Conditions of Draft Approval**:

1. 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.
2. Any development in conjunction with the condominium 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.

3. 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.
4. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this condominium 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 condominium.
5. 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). Proposals for any secondary land use including road crossings on the transmission corridor are processed through the Provincial Secondary Land Use Program (PSLUP). HONI, as OILC's service provider, will review detailed engineering plans for such proposals separately, in order to obtain final approval.

Should approval for a road crossing be granted, the developer shall then make arrangements satisfactory to OILC and HONI for the dedication and transfer of the proposed road allowance directly to the City of Thorold

Access to, and road construction on the transmission corridor is not to occur until the legal transfer(s) of lands or interests are completed.

In addition, HONI requires the following be conveyed to the developer as a precaution:

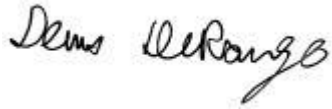
6. The transmission lines abutting the subject lands operate at either 500,000, 230,000 or 115,000 volts. Section 188 of Regulation 213/91 pursuant to the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the developer's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the *Act*. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

Our preliminary review only considers issues affecting HONI's transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier.

If you have any questions, please contact me at [dennis.derango@hydroone.com](mailto:dennis.derango@hydroone.com) or at 905-946-6237.

Yours truly,



A handwritten signature in black ink, reading "Dennis De Rango". The signature is written in a cursive, flowing style.

Dennis De Rango  
Specialized Services Team Lead, Real Estate  
Hydro One Networks Inc.



# **MISSISSAUGAS OF THE CREDIT FIRST NATION COMMENTS**

April 19, 2023

Robyn McIntyre  
BES|Planner  
MHBC Planning, Urban Design & Landscape Architecture  
RE: 2248 Centre Street, Thorold

Dear Robyn,

MCFN DOCA would like to submit the following comments regarding 2248 Centre Street, Thorold.

We are the Mississaugas of the Credit First Nation (MCFN), descendants of the Mississaugas of the River Credit. This project is being proposed for development on the treaty lands of the MCFN, more precisely, the Between the Lakes Treaty No. 3 of 1792.

In light of this, the MCFN Department of Consultation and Accommodation (DOCA) must be in receipt of all environmental reports and must be engaged in all archaeological studies. This engagement includes in-field participation by having MCFN community members present when any archaeological assessments are being conducted and a review of all reports prior to submission to the ministry for clearance. This engagement is at cost of the proponent.

Thank you



Abby (LaForme) Lee  
Acting Consultation Coordinator, MCFN DOCA- [Abby.LaForme@mncfn.ca](mailto:Abby.LaForme@mncfn.ca)

Cc: Mark LaForme, Director, MCFN DOCA – [Mark.LaForme@mncfn.ca](mailto:Mark.LaForme@mncfn.ca)





# **NIAGARA PENINSULA CONSERVATION AUTHORITY COMMENTS**

April 19, 2023

Via Email Only

Robyn McIntyre  
Planner  
MHBC Planning (on behalf of the City of Thorold)  
540 Bingemans Centre Drive, Suite 200  
Kitchener ON, N2B 3X9

NPCA File No.: PLPDV202300402

Dear Ms. McIntyre,

**Re: Niagara Peninsula Conservation Authority (NPCA) Comments  
Conditions of Draft Plan Approval  
City of Thorold: 2248 Centre Street**

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The NPCA has received a request to review the complete application in relation to a proposed Vacant Land Condominium, Official Plan Amendment, and Zoning By-Law Amendment. This application is inclusive of 15 townhouse units, and associated lot grading and visitor parking area at the rear of the property.

### **NPCA Policy**

#### **NPCA Policies, Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document.**

The NPCA regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under *Ontario Regulation 155/06 of the Conservation Authorities Act*. The NPCA's *Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority* (NPCA policies) provides direction for managing NPCA regulated features.

On January 1, 2023, a new Minister's regulation (Ontario Regulation 596/22: Prescribed Acts – Subsections 21.1.1 (1.1) and 21.1.2 (1.1) of the Conservation Authorities Act) came into effect which provides that conservation authorities (CAs) may not provide a municipal (Category 2) or other (Category 3) program or service related to reviewing and commenting on proposals, applications, or other matters under a prescribed Act, including the Planning Act. Ontario Regulation 596/22 does not affect CAs provision of mandatory or Category 1 programs or services (i.e., natural hazards and wetlands) related to reviewing and commenting on a proposal, application, or other matter made under those Acts. Municipalities are still required to circulate planning applications and technical reports to CAs so that we may review and comment on natural hazard and wetland matters per Ontario Regulation 686/21.

#### **Official Plan and Zoning By-Law Amendment**

The NPCA notes that this application for Official Plan Amendment is to permit a density of 19.38 units per hectare, whereas 9.77 units per hectare are permissible under the current Official Plan. Further, the amendment to the Zoning By-Law is to amend the property zoning from R1A-1 to R3, and from R1A to R3D.

As these applications are for density, and residential property zoning changes, the NPCA would not offer objections to their approval.

### **Draft Plan of Subdivision**

The NPCA requests the applicant specify the buffer width to the regulated watercourse on the property. Through previous discussions, a minimum 5 metre buffer was required. The NPCA will require clarity on the appropriate drawings identifying the buffer width, prior to expressing our Agencies support through draft plan conditions.

### **Conclusion**

At this time, NPCA staff have no objections to the approval for the applications of Official Plan and Zoning By-Law Amendment. The NPCA requires further information before expressing support for the Draft Plan of Subdivision.

I trust the above will be of assistance to you. Should you have any further questions or require further information in this matter, please do not hesitate to call. For administrative purposes, please forward any decisions and resolutions of your Committee. In the event of an appeal to the Ontario Land Tribunal (OLT) please send notice of any Case Management Conference.

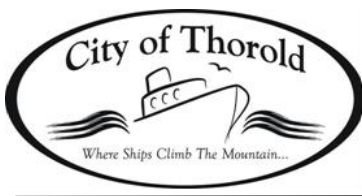
Thank you,



Taran Lennard  
Watershed Planner II  
(905) 788-3135 ext. 277  
tlennard@npca.ca



# **CITY OF THOROLD ENGINEERING COMMENTS**



**To:** Cam Lang (Emerald Development Group)  
**From:** Haesun Jung  
**Subject:** 2248 Centre Street  
**Date:** June 19, 2023

Engineering reviewed the submitted plans and will require the following at the time of site plan approval:

- Labels of all proposed pipe materials, (water, storm and sanitary) will need to be on the General Servicing Plan (GSP). This include labels of any existing hydrant in close proximity with the proposed development.
- Downspout location will need to be shown on the plan. Please note that downspout shall be directed away from existing or proposed neighboring properties.
- Locations of proposed or existing fences, if any within the development will need to be shown on the GSP.

Should you have any question, please feel free to contact the undersigned.

Haesun Jung Engineering Technician I, Engineering Division <a href="mailto:haesun.jung@thorold.ca">haesun.jung@thorold.ca</a> (905) 227-6613 Ext. 291	Ugo Obiako, M.Eng., C.E.T., P. Eng.  Project Manager, Engineering Division <a href="mailto:Ugo.Obiako@thorold.ca">Ugo.Obiako@thorold.ca</a> (905) 227-6613 Ext. 294
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## **NIAGARA REGION COMMENTS**

## **Growth Strategy and Economic Development**

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7  
(905) 980-6000 Toll-free: 1-800-263-7215

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### **Via Email**

May 17, 2023

Region Files: D.10.09.OPA-23-0020  
D.18.09.ZA-23-0039  
D.11.09.CD-23-0006

Robyn McIntyre  
Planner  
MHBC on Behalf of the City of Thorold  
3540 Schmon Parkway  
Thorold, ON L2V 4A7

Dear Ms. McIntyre:

**Re: Regional and Provincial Comments**  
**Official Plan Amendment, Zoning By-law Amendment, Vacant Land**  
**Condominium**  
**City Files: D14-05-2023**  
**Applicant: Lally Holdings**  
**Agent: Emerald Development Group (Cam Lang)**  
**2248 Centre Street**  
**City of Thorold**

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Growth Strategy and Economic Development staff has reviewed the Official Plan Amendment, Zoning By-law Amendment and Vacant Land Condominium Applications for 2248 Port Robinson Road located in the City of Thorold. The Applicant is proposing to develop the subject lands to facilitate the creation of 15 residential townhouse units.

An Official Plan Amendment is required to permit a density of 19.38 units/ha where 9.77 units per hectare is currently permitted by way of a Site-Specific Official Plan Amendment.

The Zoning By-Law Amendment proposes to change the current Zoning from R1A-1 to R3D to permit a private street development.

A pre-consultation meeting was held on December 2, 2021. The following comments are provided to assist the City of Thorold with their review of the proposed Zoning By-law Amendment, Official Plan Amendment, and Vacant Land Condominium Applications.

## **Provincial and Regional Policies**

The *Provincial Policy Statement, 2020* (“PPS”) designates the subject land within the “Settlement Area”. The *Niagara Official Plan* (“NOP”) and the *Growth Plan for the Greater Golden Horseshoe* (“*Growth Plan*”) designates the property as “Delineated Built-up Area”. The NOP, PPS, and Growth Plan together direct development to take place in urban areas to support intensified development where appropriate servicing and infrastructure exist. The NOP permits a full range of residential, commercial, and industrial uses within the Urban Area, subject to the availability of adequate municipal services and infrastructure.

Regional staff has reviewed the *Planning Justification Report* prepared by Emerald Development Group (dated February 2023). Staff is satisfied with the justification as the proposed development will assist the City of Thorold in achieving their intensification target of 25 % and contribute to a compact urban form that can support the achievement of complete communities.

Section 2.2.1.1 of the NOP encourages opportunities for the integration of gentle density and a mix and range of housing options that consider the character of established residential neighbourhoods. City staff should be satisfied that the interface of the established residential uses has been addressed in the site design.

As such, Regional Staff does not object to the proposed development, subject to the comments below.

## **Archaeological Potential**

The PPS and NOP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, Section 2.6.2 of the PPS and Policy 6.4.2.1 of the NOP state that development and site alteration is not permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

During the pre-consultation meeting held on December 2, 2021 Regional staff indicated that an archaeological assessment would not be required, but would require the inclusion of a standard warning clause should archaeological resources be discovered during construction. As such, the following warning clause be included in the Condominium Agreement:

*“Should deeply buried archaeological remains/resources be found during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Citizenship and Multiculturalism and contact a licensed archaeologist to carry out an archaeological*

*assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.*

*In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Public and Business Services Delivery (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, the Ministry of Citizenship and Multiculturalism should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act."*

## **Land Use Compatibility**

During the pre-consultation meeting held on December 2, 2021, Regional staff requested that a Noise and Vibration Study be conducted to identify the impacts from the nearby active rail line. A Noise and Vibration Study Control Feasibility Study was conducted by SS Wilson Associates (Dated January 16, 2023) was submitted. The study identifies that the sound levels at the outside walls of some of the dwellings will exceed the recommended objective sound levels. The study recommends that units should be equipped with a ducted forced air heating system. It is indicated that indoor noise controls should also be implemented through the appropriate warning clauses. Due to the proximity of the CN Stamford Subdivisions rail line, vibration mitigation measures are recommended to be implemented in the foundations of building facades exposed to rail noises, along with suitable acoustic insulation in the form of brick veneer or acoustically equivalent construction. The appropriate warning clauses can be found in the attached Appendix.

## **Site Condition**

The subject lands were previously used as a meat packaging facility which is considered a commercial use. During the pre-consultation meeting, Regional staff requested that a Phase 1 & 2 Environmental Site Assessment ("ESA") be prepared by a Qualified Professional and submitted to the Niagara Region. 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 Site Registry ("ESR") prior to any change in land use to a more sensitive use (i.e. commercial to residential). Furthermore, the PPS 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.

A Phase 1 ESA, prepared by Spice Environmental Inc. (dated September, 2018) was circulated along with the Zoning By-law Amendment Application. The Phase 1 ESA concluded that actual or potential contamination may be present on the property in four identified areas of potential concern. As such, a limited Phase 2 ESA was required. A Phase 2 ESA, also prepared by Spice Environmental Inc. (dated February 2020) was submitted. The Phase 2 ESA consisted of the following:

- Drilling of a total of thirteen (13) borings to depths ranging from 1.55 to 8.44 metres below ground surface, with five (5) boreholes completed as 50mm diameter Schedule 40 PVC monitoring wells, with monument casings;
- Submission of representative and/or worst case soil (22) and groundwater (11) samples (including requisite QA/QC samples) to AGAT Laboratories Ltd. (CAEAL-accredited certified laboratory) for chemical analyses representative of the Contaminants of Concern (COCs) identified through the Phase One ESA;
- Comparison of the soil and groundwater quality results with the applicable Site Condition Standards for future Residential land use, set-out in Ontario Regulation 153/04, as amended to assess compliance.

The Phase 2 ESA concluded that the site conditions satisfy the applicable Site Condition Standards for future residential use. Regional staff is satisfied with the Phase 1 and 2 ESA work and require that an RSC is filed with the MECP and submitted to the Niagara Region as a condition of the Condominium Agreement. Staff request that a letter of reliance is provided from a Qualified Professional for both the Phase 1 & 2 ESA work to Regional staff to indicate that, despite any limitations or qualifications included in the above submitted reports/documents, the Region is authorized to rely on all information and opinions provided in the reports submitted.

## **Natural Heritage**

A pre-consultation meeting for the proposal was held prior to the approval of the Niagara Official Plan (“NOP”) by the Minister of Municipal Affairs and Housing on November 4, 2022. Policy 3.1.30.3.1 of the NOP states that, where a formal pre-consultation meeting has been completed within one (1) year of the approval of the NOP, and environmental requirements have been established through a signed pre-consultation agreement that has not expired, required environmental studies may be evaluated in accordance with the Regional policies that existed at the time the pre-consultation meeting was completed (provided the application is submitted within two years of the approval of the NOP). Accordingly, the environmental policies of the previous Regional Official Plan (“ROP”) apply to the proposal.

Under the ROP, although the subject parcel was not mapped as being impacted by the Region’s Core Natural Heritage System (“CNHS”), based on aerial imagery available to the Region, it appeared that there were wooded areas and potential wetlands located

throughout the subject property. There was also a surface drainage feature located in the centre of the property that potentially provided fish habitat. As such, staff requested a site visit to confirm requirements.

Staff visited the property on January 14<sup>th</sup>, 2022 and confirmed based on observations made on the site walk that the Region would not require the completion of environmental studies in support of the development applications as no Regionally designated features were present on-site. That said, staff encouraged the applicant to retain as much native vegetation as possible and consider planting additional native trees, shrubs and groundcover post construction to enhance biodiversity on the subject lands. The Planning Justification Report prepared by Emerald Development Group, dated February 2023, commits to addressing this request through the preparation of a Landscape Plan as part of the detailed Site Plan Control Application process.

## **Servicing**

Servicing will be under the jurisdiction of the City of Thorold and will require the construction of new water main, storm sewer and sanitary sewer. The Region must review and approve any new/extended sanitary and storm sewers under the Ministry of Environment Transfer of Review Program or confirm capacity in the Regional system prior to approval through the City's Consolidated Linear ECA. Drawings with calculations for the services must be submitted to this department for approval.

## **Waste Collection**

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is 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:

- Garbage: 2 bags/cans per unit max collected every-other-week;
- Recycling: weekly blue/grey boxes or carts (unlimited);
- Organics: weekly green bins or carts (unlimited).
- Curbside Collection Only.

Regional staff has reviewed the submitted material future submissions are to include a plan showing the truck route and turning templates, as well as showing the trucks entering and exiting the development from both directions on Centre Street.

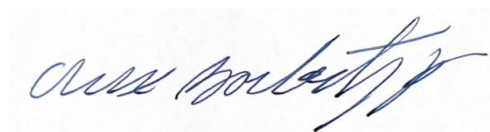
If the above mentioned requirements cannot be met, waste collection will be the responsibility of the owner through a private contractor and not Niagara Region.

## Conclusion

In conclusion, Growth Strategy and Economic Development staff does not object to the proposed Official Plan Amendment, Zoning By-law Amendment, and Vacant Land of Condominium Applications provided that the Region's Conditions of Vacant Land Condominium Approval as set out in the attached Appendix are satisfied. Once these conditions have been fulfilled, it is staff's opinion that the proposed development is consistent with the PPS and conforms to Provincial and Regional growth management policies. City staff should be satisfied that any local requirements for the Application are met and that the proposed development is compatible with the surrounding area.

Should you have any questions related to the above comments, please contact the undersigned at [Alex.Bokestyn@niagararegion.ca](mailto:Alex.Bokestyn@niagararegion.ca), or Pat Busnello, Manager of Development Planning at [Pat.Busnello@niagararegion.ca](mailto:Pat.Busnello@niagararegion.ca).

Best regards,



Alex Bokestyn  
Development Planner, Niagara Region

cc: Pat Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region  
Susan Dunsmore, P.Eng. Manager of Development Engineering, Niagara Region  
Adam Boudens, MSc. Senior Environmental Planner, Niagara Region

**Appendix**  
**Niagara Region's Conditions of Draft Plan of Condominium Approval**  
**2248 Centre Street, Thorold**

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1. That the Condominium Agreement contain the following warning clause with respect to the protection of any archaeological resources that may be encountered during construction activities:

*“Should deeply buried archaeological remains/resources be found during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Citizenship and Multiculturalism (416-212-8886) and contact a licensed archaeologist to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.*

*In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Public and Business Services (416-326- 8800) must be contacted. In situations where human remains are associated with archaeological resources, the Ministry should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.”*

2. That the Condominium Agreement contain provisions whereby the Owner agree to implement the recommendations of the Noise Impact and Vibration Study prepared by SS Wilson Associates, Dated January 16, 2023. Including provisions for vibration mitigation measures to be implemented in the foundations of building facades exposed to rail noises, along with suitable acoustic insulation in the form of brick veneer or acoustically equivalent construction.
3. That the Condominium Agreement contain the following clauses relative to noise impacts:

**All Units**

*“Purchasers/tenants are advised that despite the inclusion of noise control features within this development area and within the dwellings, sound levels from increasing road and rail traffic may continue to be of concern, occasionally interfering with some activities of the dwelling occupants as the sound level exceeds the Municipality's and the Ministry of the Environment, Conservation and Parks noise criteria.”*

*“Purchasers/tenants are advised that the projected outdoor sound levels in the outdoor landscaped area due to existing and future rail traffic on the nearby rail line may exceed the provincial noise standards for outdoor living areas, and that*



*such noise may at times interfere with outdoor activities should the owners/occupants desire to use such areas.”*

**All units containing balconies (if present)**

*“Purchasers/tenants are advised that despite the inclusion of noise control features within this development and within the dwellings, sound levels from increasing road and rail traffic will continue to be of concern as the levels in the balcony exceed the Ministry of the Environment, Conservation and Parks criteria”.*

*“Warning: The CN Stamford Subdivision (operated by CN) and its assigns and successors in interest has or have right-of-way within 300 m from the subject land hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future, including the possibility that they or any railway company entering into an agreement with this railway company to use the right-of-way or their assigns or successors as aforesaid may expand their operations. The expansion may affect the living environment of the residents in the vicinity notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CN will not be responsible for any complaints or claims arising from the use of such facilities and/or operations on, over or under the aforesaid right-of-way.”*

4. That a Record of Site Condition be completed, filed on the Ministry of the Environment, Conservation and Parks' Environmental Site Registry, and submitted to Niagara Region with a certification from a Qualified Professional (QP) that the development lands meet the applicable standard(s) of the intended land uses.
5. That the Owner/Developer provides a written acknowledgement to Niagara Region Planning and Development Services Department stating that draft approval of this condominium does not include a commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the Owner/Developer.
6. That the Owner/Developer provides a written undertaking to Niagara Region Planning and Development Services Department stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this condominium shall contain a clause indicating that servicing allocation for the condominium will not be assigned until the plan is registered, and a similar clause be inserted in the Condominium Agreement between the Owner/Developer and the City.

7. That the Owner/Developer shall comply with Niagara Region's Corporate Policy for Waste Collection and complete the Application for Commencement of Collection prior to Regional curbside waste collection services commencing.
8. The following warning shall be included in the Condominium Agreement and inserted into all Offers and Agreements of Purchase and Sale or Lease for each property to survive closing:  
*"Purchasers are advised that a properly executed Indemnity Agreement must be submitted from the private property owner(s) or property management company with signing authority to Niagara Region in order to maintain waste collection services on private roadway(s) and/or property (ies)."*

### **Clearance of Conditions**

Prior to granting final approval, the City of Thorold must be in receipt of written confirmation that the requirements of each condition have been met satisfactorily and that all fees have been paid to the satisfaction of Niagara Region.

### **Condominium Agreement**

Prior to final approval for registration, a copy of the executed Condominium Agreement for the proposed development should be submitted to Niagara Region for verification that the appropriate clauses have been included. Niagara Region recommends that a copy of the Draft Agreement be provided in order to allow for the incorporation of any necessary revisions prior to execution.

**Note:** Clearance requests shall be submitted to the Region in accordance with the Memorandum of Understanding, which stipulates that requests for formal clearance of conditions are to be received and circulated to the Region by the City of Thorold. The City of Thorold is also responsible for circulating a copy of the Draft Agreement, and the Region is unable to provide a final clearance letter until the Draft Agreement is received. The Region is committed to reviewing submissions related to individual conditions prior to receiving the formal request for clearance. In this regard, studies and reports (one hard copy and a PDF digital copy) can be sent directly to the Region with a copy provided to the City of Thorold.