

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: March 05, 2020

CASE NO(S):

PL180693
PL180694

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant/Appellant:	156 Fitch Street Limited C/O Realstar Management Partnership
Subject:	Proposed Plan of Subdivision
Property Address/Description:	156 Fitch Street
Municipality:	City of Welland
Municipal File No.:	26CD-14-18001
LPAT Case No.:	PL180693
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LPAT Case Name:	156 Fitch Street Limited v. Welland (City)

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LPAT Case Name:	158 Fitch Street Limited v. Welland (City)

Heard: December 10, 2018 in Welland, Ontario

APPEARANCES:**Parties****Counsel**

156 Fitch Street Limited in care of
Realstar Management

Patrick Maloney

158 Fitch Street Limited in care of
Realstar Management

Patrick Maloney

City of Welland

Thomas Hanrahan

DECISION DELIVERED BY JOHN DOUGLAS AND ORDER OF THE TRIBUNAL**INTRODUCTION**

[1] This was a hearing in the matter of appeals to the Local Planning Appeal Tribunal (the “Tribunal”) pursuant to s. 51(39) of the *Planning Act* (the “Act”) by 156 Fitch Street Limited (in care of Realstar Management) and 158 Fitch Street Limited (in care of Realstar Management) (the “Applicant/Appellant”) of a decision of the City of Welland (“City”) Council to refuse applications for conversion of apartment buildings, one located 156 Fitch Street (Prince Court) and the second at 158 Fitch Street (Princess Manor) (the “subject properties”), to condominiums.

[2] The applications are to convert two existing five storey apartment buildings, 156 Fitch Street having 112 dwelling units and 158 Fitch Street having 104 dwelling units, to condominium ownership. The intent of the conversion is to continue to operate the building as rental units which can result in tax savings which can be passed on to the tenants in lower rental rates. The Applicant/Appellant has indicated that both apartment buildings are to remain in the ownership of Realstar Management, and the individual units will not be sold off.

[3] The subject properties, located at the north west corner of Fitch Street and First Avenue, share an entrance and parking area. To the east of the subject properties is

Chippewa Park, to the south are single detached residential dwellings, to the west is Fitch Street Public School and to the north is a five storey apartment building. Further north are more single detached dwellings.

[4] The Tribunal was advised that municipal staff had recommended that the applications be approved subject to four conditions identified in a report to Council by City Planning Staff, dated March 6, 2019:

1. The Owner enter into a Site Plan Agreement with the City of Welland, to be registered on the title of the property.
2. That the Owner provide any necessary easements to any agencies, free and clear of all encumbrances.
3. That the proponent provide a detailed up-to-date report outlining the condition of the subject buildings, prepared by a qualified professional for review and comments.
4. That if approval is not given to this Plan within three (3) years of the approval date and no extensions have been given, Draft Approval shall lapse. If the Owner wishes to request extension to Draft Approval, a written request with reasons why the extension is required must be received by the City prior to the lapsing date; and further, [sic]

[5] The Tribunal was further advised that City Council had refused the applications because of concern raised by the City's Treasurer related to potential decreased tax revenue that could result from the conversion.

[6] There were no requests for party or participant status at the hearing.

[7] Mr. Maloney requested, pursuant to the Rule 16.02 of the Tribunal's *Rules of Practice and Procedure* which were in effect at the time of the hearing, that Tribunal File numbers PL180693 and PL180694 be consolidated. The Tribunal heard submissions in favour of consolidation. There were no parties or participants present that objected to consolidation.

[8] Given that the properties are under the same ownership, that the properties are adjacent to each other, that the nature of the proposal for both sites is the same, and

given that the City did not object, the Tribunal finds it appropriate that these files be consolidated.

[9] Mr. Maloney called four witnesses in support of the proposed applications:

- Rachelle Larocque, a Planning Supervisor with the City of Welland appeared under subpoena. Following submissions from the parties, the Tribunal qualified Ms. Larocque to provide expert opinion evidence in land use planning in this matter;
- Owen Hughes is a Senior Appraiser and Partner with Colliers International. Following submissions from the parties, Mr. Hughes was qualified by the Tribunal to provide expert opinion evidence related to the appraisal of the subject properties in this matter;
- Daryl Keleher is a Senior Director with Altus Group Economic Consulting. Following submissions from the parties, Mr. Keleher was qualified by the Tribunal to provide expert opinion evidence with respect to housing policy, land economics and land use planning in this matter;
- David Aston is a Senior Planner and Partner in MHBC Planning Limited. Following submissions from the parties, Mr. Aston was qualified by the Tribunal to provide expert opinion evidence in land use planning in this matter.

[10] No witnesses were called by the City to provide evidence in opposition to the proposed applications.

[11] With respect to the application for condominium conversion the Tribunal considers whether or not the proposal has regard to matters of Provincial interest pursuant to s. 2 and s. 3(5) of the Act, and whether the proposal conforms to policies in

the Regional Municipality of Niagara (“Region”) Official Plan (“NROP”) and City’s Official Plan (“OP”). According to the evidence before the Tribunal a key issue in this matter relates to Policies 11.A.5 of the NROP and Policy 4.2.3.10 of the City’s OP which sets out a two-part test with respect to condominium conversions:

NROP Policy 11.A.5 The Region requires the local municipalities to adopt policies discouraging the demolition or conversion of rental housing to condominium ownership in situations where the vacancy rate is less than 3 percent and the ownership housing to be created is not considered affordable.

City OP Policy 4.2.3.10 Affordable Housing – The City will work with the Regional Municipality of Niagara, not-for-profit housing agencies and the private sector to ensure that a sufficient supply of housing is provided which is affordable to low and medium income households. ... The City will support the Region in discouraging the conversion of rental accommodation to condominium ownership where the vacancy rate is less than 3 percent and the ownership housing being provided is not considered to be affordable.

[12] Ms. Larocque noted that the intent of the NROP Policy 11.A.5 is to discourage situations where affordable residential units are being taken out of the market, especially when opportunities of finding affordable accommodations are limited in a municipality. She noted that the Region chose to use the word “discourage” not “prohibits” with respect to the demolition or conversion of rental housing to condominium ownership which she felt introduced a degree of flexibility to the policy.

[13] Ms. Larocque opined that the way NROP Policy 11.A.5 is written, an Applicant would have to fail both tests. She testified that Region Staff is satisfied with the analysis and justification provided in the consultant’s report and consider the application to be consistent with the intent of Policy 11.A.5. Ms. Larocque’s testimony did not change under cross-examination.

[14] Mr. Aston also opined that the NROP Policy 11.A.5 and the City’s OP Policy 4.2.3.10 are not worded in such a way as to prohibit conversion from rental housing to condominium. Mr. Aston further opined, based on their interpretation of the policies, that conversion is permitted if one of the two tests is met.

[15] With respect to the first part of the test with respect to discouraging conversion where the vacancy rate is less than three percent, the three planning experts acknowledged that based on a strict interpretation of the first part of the test, the vacancy rate was below 3%. At the time the applications were made, the 2017 Canada Mortgage and Housing corporation ("CMHC") rental vacancy rate in the City was 1.4%, which Ms. Larocque noted would mean that the proposal does not satisfy the first test. However, she advised that CMHC vacancy rates do not factor in rental accommodation within residential dwellings or mixed use buildings. Therefore, Ms. Larocque testified that staff preferred to place more weight on the second portion of the two-part test regarding the affordability of the units that are created.

[16] Mr. Keleher's testimony echoed that of Ms. Larocque with respect to vacancy rates. He agreed that the CMCH vacancy rate is calculated based on the number of private rental apartment units, of which there are 2730 in the City. He noted that other rental units available on the market are not factored into the CMHC, which include secondary suites and rented condominium units. He testified, for example, that in October 2018 there were 215 privately owned townhouse units available for rent, which would not be captured in the calculation of the CMHC vacancy rate.

[17] The second test under NROP Policy 11.A.5 and City's OP Policy 4.2.3.10 addresses affordability. Although the Applicant/Appellant indicated that the intent is to continue to rent out the units following the proposed condominium conversion, the fact is that the units once converted could be sold. To this end, the Tribunal heard evidence related to the affordability of the units as rental units and the affordability of the units if at some time they are sold.

[18] Ms. Larocque testified that the majority of the units in the apartments on the subject properties would not be considered affordable. She noted that based on the report prepared by the Applicant/Appellant's consultant, only two units in 156 Fitch Street (Prince Court) meet the CMHC's definition of affordable. The consultant's report further noted that when the conversions take place there may be savings through realty

tax savings, which are required by the *Residential Tenancies Act* (“RTA”) to be passed on to residents in the form of rent reduction. When realty taxes are reduced by more than 2.49%, the RTA entitles residents to receive a rent reduction. A rent reduction for units within this building is anticipated to lead to the creation of an additional affordable unit(s).

[19] Mr. Keleher’s testimony addressed the issue of affordability in some detail. He took the Tribunal through a rental housing affordability analysis he had conducted. Mr. Keleher testified that the definition of affordable rental housing in the City’s OP includes two possible approaches to quantifying affordable housing units.

[20] The first option is units for which the rent does not exceed 30% of annual household income for low-and-moderate income renter households. He advised the Tribunal that based on his calculations the 2016 Annual Household Income – 60th percentile Renter Households in St. Catharines-Niagara Census Metropolitan Area (“CMA”) is \$41,324 which indexed to 2018 dollars would be \$42,977. He testified that 30% of Indexed Annual Income is \$12,893. This means that monthly rent of \$1,074 or lower would be considered affordable.

[21] The second option from the City’s OP is to define affordable units as those that are below the average rent of units in the regional market area. He explained to the Tribunal that for the December 2017 data, he applied data from the 2017 CMHC Rental Market Report and for the November 2018 data analysis he used the 2018 CMHC Rental Market Report to determine the applicable affordability thresholds for rental units, by unit type. Figure 2 in the Altus Group Economic Consulting report (page 168, Tab 19 in Exhibit 1) provides a breakdown of the affordability thresholds:

Unit Type	2018 CMHC RMR November 2018 Data	2017 CMHC RMR December 2017 Data
1- Bedroom Units	\$871 per month	\$822 per month
2 – Bedroom Units	\$1,036 per month	993 per month
3 – Bedroom Units	\$1,159 per month	1,141 per month
All Units	\$979 per month	\$931 per month

[22] Based on his analysis Mr. Keleher testified that two rental units within Prince Court (156 Fitch Street) are currently considered affordable and 10 rental units within Princess Manor (158 Fitch Street) are currently considered affordable.

[23] Mr. Keleher reminded the Tribunal that based on the RTA, if the owner receives a tax savings of greater than 2.49%, the savings in excess must be passed on to the tenants. Mr. Keleher testified that, as a result of the condominium conversion, the average per unit rent reduction has been estimated to be \$40. Based on the estimated rent reduction of \$40 per unit, Mr. Keleher testified that there would be an increase in the number of affordable rental units at Prince Court (156 Fitch Street) from the current two to four units, and for Princess Manor (158 Fitch Street) from the current 10 to 21 units. Based on the increase in the number of affordable rental units at both properties, Mr. Keleher opined that the proposed conversion meets the second test of the two part test in the NROP and City OP.

[24] Mr. Keleher then took the Tribunal through his ownership housing affordability analysis, in consideration of the possibility that once converted from rental to condominium that units could be sold.

[25] With respect to affordability of the units should they be sold, Mr. Keleher relied in part on the appraisal evidence of Mr. Hughes.

[26] Mr. Hughes directed the Tribunal to the Current Short Narrative Appraisal Report

he had prepared for the subject properties. The evidence provided by Mr. Hughes was used in part by Mr. Keleher in his testimony regarding the second part of the two-part test regarding affordability.

[27] Mr. Hughes testified that he had conducted a Highest and Best Use analysis considering the physical characteristics and land use regulations governing the subject property. Once this was complete, he then collected comparable data based on the Highest and Best Use conclusions. The Highest and Best Use of a property can be defined as that use which generates the highest net returns to the land in the form of money or amenities over a given period of time. Such a use must be legal and probable. He noted that if the present use of a property is considered to represent its Highest and Best Use, the implication is that the present use will most probably continue to remain into the foreseeable future. Mr. Hughes concluded that the Highest and Best Use of the subject property as improved is considered synonymous with its current use as a multi-residential rental complex with potential to convert to condominium status.

[28] Mr. Hughes testified that there are various approaches to value that can be utilized in the appraisal approach. He explained that in his opinion the most appropriate approach with respect to the subject properties is the Direct Comparison Approach to Value, which is based on the fact that an informed purchaser will not pay more than the cost of acquiring an existing property with the same utility.

[29] The Appraisal Report includes a Table of Subject Property Valuations based on the Direct Comparison Approach – as if Converted to Condominium:

Apartment No.	Bedrooms	Estimated Market Value
158 Fitch St. (Princess) Unit 314	1 bedroom (675 square feet (sq ft))	\$170,000
158 Fitch St. (Princess) Unit 216	2 bedroom (871 sq ft)	\$185,000
158 Fitch St. (Princess) Unit 310	3 bedroom (975 sq ft)	\$200,000

156 Fitch St. (Prince) Unit 111	1 bedroom (871 sq ft)	\$175,000
156 Fitch St. (Prince) Unit B4	2 bedroom (975 sq ft)	\$190,000
156 Fitch St. (Prince) Unit 101	3 bedroom (1010 sq ft)	\$210,000

[30] Mr. Keleher outlined how he had estimated the number of units that would be affordable, once converted, by reviewing the City's definition of ownership housing, which according to the City's OP is based on the least expensive result of two calculation methods. As a result, only the calculation method that results in the least expensive estimate for ownership housing is being addressed in this decision. This method looks at housing for which the purchase price results in annual accommodation costs that do not exceed 30% of gross annual household income for low and moderate incomes (households with incomes in the lowest 60% of the income distribution of the regional market area).

[31] According to Mr. Keleher's evidence the 60th percentile income for the St. Catharines-Niagara CMA (the regional market area), based on the 2016 Census data, would be approximately \$76,740. After applying an index factor of 4% to bring it into 2018 terms, the annual income for low-and-moderate-income households is \$79,810. Using the ratio from the definition of affordable housing, 30% of annual household income equates to \$23,943 per year or \$1,995 per month. Mr. Keleher took the Tribunal through his assumptions, estimates and calculations for the "annual accommodation costs". Mr. Keleher testified that the monthly costs (mortgage, mortgage insurance, and property taxes) associated with a house that has a value of \$307,362 works out to \$1,995 per month, or 30% of annual household income.

[32] Mr. Keleher provided the Tribunal with the results of the Ownership Affordability Analysis. He noted that, according to the appraisal information of Mr. Hughes, that

should the units be sold instead of rented, they would be expected to have a selling price of between \$170,000 and \$210,000 which he noted is substantially lower than the affordable ownership pricing threshold (\$307,362) calculated under the November 2018 data. Based on this data Mr. Keleher testified that if the units were sold it would see the number of affordable units at 156 Fitch Street and 158 Fitch Street increase from 12 affordable units to 216 affordable units.

[33] Mr. Keleher testified that whether the units were retained as rental units (as proposed) or were sold, it is anticipated that there will be an increase in the number of affordable units, and he opined that as a result the proposed conversion addresses part two of the two-part test set out in NROP Policy 11.A.5 and City's OP Policy 4.2.3.10, as well as the policies set out in the Provincial Policy Statement, 2014 ("PPS") and the Growth Plan for the Greater Golden Horseshoe, 2017 ("Growth Plan 2017").

[34] Based on the uncontested evidence of Ms. Larocque, Mr. Hughes and Mr. Keleher, the Tribunal is satisfied that the proposed conversion addresses NROP Policy 11.A.5 and City's OP Policy 4.2.3.10.

[35] The Tribunal also heard evidence from Ms. Larocque, Mr. Keleher and Mr. Aston with respect to whether the proposal has regard to matters of provincial interest under the Act (in particular s. 2 and s. 51(24)), is consistent with the PPS, conforms to the Growth Plan 2017, conforms to the NROP and City OP and the City's Zoning By-law No. 2017-117 ("ZBL"), and whether the proposal represents good planning. It should be noted that at the time of the hearing the Growth Plan 2017 was in force and effect.

[36] Ms. Larocque testified that the subject properties are located within the Settlement Area Boundary of the City, and that provincial policy as set out in the PPS and Growth Plan 2017 encourages a range and mix of housing types, and include policies with respect to the provision of housing which is affordable to low and moderate income levels. Ms. Larocque opined that the proposed conversions are consistent with provincial interests set out in the Act, the PPS and the Growth Plan 2017.

[37] Ms. Larocque testified that the subject properties are located within the designated built-up area in the NROP, are designated as Residential High density residential in the City's OP, and that the existing use is permitted and supported. She further testified that the subject properties are zoned Residential High Density (RH) in the City's ZBL. Ms. Larocque did note that the lot at 156 Fitch Street does not meet the minimum requirement lot frontage requirements, however, she noted that the lot did meet the minimum requirements in the previous ZBL (ZBL No. 2667). She noted that the lot is now deemed to be legal non-conforming. All other requirements are met. Ms. Larocque testified that no external changes to the buildings are proposed and City staff had determined that an application to amend the ZBL was not required.

[38] With respect to the financial concerns raised by the Treasurer, Ms. Larocque noted that staff had been asked to review the application again in light of those concerns. She testified that although the potential financial impacts were important for Council to consider, financial impacts are not something staff normally consider when reviewing planning applications. The financial considerations are not planning matters. As a result, planning staff's analysis and recommendations did not change from their first review and report to the second.

[39] Referring to the conditions set out in the staff report (see paragraph [4]), Ms. Larocque noted that the fourth condition ends with the words "and further". She advised the Tribunal that an error had been made in preparing the report. There should be a fifth condition that reads: "That the Applicant provide a final plan of condominium for approval, to the satisfaction of the City of Welland."

[40] The Applicant/Appellant had no objection to adding the fifth condition. The five conditions are set out in Attachment 1 to this decision and order for 156 Fitch Street, and Attachment 3 for 158 Fitch Street, and a draft Plan of Condominium appears as Attachment 2 for 156 Fitch Street, and Attachment 4 for 158 Fitch Street.

[41] In summary, Ms. Larocque opined that the proposed condominium conversion to

change the tenure of the subject apartment building from rental units to condominium units represents good planning; is consistent with the PPS and conforms with the Growth Plan 2017 by providing a range and mix of housing types and tenures; is consistent with Region and City policies regarding condominium conversions; and, may result in an increase in the number of affordable housing units within the City.

[42] Mr. Keleher's testimony regarding provincial and municipal policy echoed that of Ms. Larocque. He drew the Tribunal's attention to the definition of affordable and low and moderate income households in the PPS and testified that these definitions are very similar to those set out in the NROP and City OP. Mr. Keleher opined that the proposed conversions for 156 and 158 Fitch Street are consistent with the PPS; conform with the policies of the Growth Plan 2017; conform with the NROP and City OP and represent good planning.

[43] Mr. Aston drew the Tribunals attention to a letter dated January 8, 2018 from Realstar Management to the Residents of Prince Court and Princess Manor. The letter provides information to the residents about the proposed conversion, and that they may receive a rent reduction equivalent to the landlord's per suite property tax reduction resulting from the conversion. The letter also informed the tenants that:

... after conversion to a condominium, your residency continues to be governed by the Ontario RTA in the same way as at present. The RTA declares that you have the right of residency in the building. Hence, the current owner or any subsequent owner cannot terminate your residency to sell your suite to someone else. In fact, if the landlord ever decides to sell your apartment unit, you have a first right to buy the unit. If you do not buy, you still have a lifetime right to remain as a resident in the apartment unit.

[44] Mr. Aston then took the Tribunal to excerpts from the RTA and addressed the security of tenure for the residents. He further advised the Tribunal that to his knowledge no member of the public (including the tenants) attended the public hearing to speak out against the proposed conversion.

[45] Mr. Aston testified that these are existing buildings, constructed in the 1960s, and

there is no question that municipal services are available. He advised the Tribunal that the proposed plans of condominium are to be standard plans of condominium consisting of both units and common elements. He opined that the proposed conversions have had appropriate regard for provincial interest under s. 2 of the Act.

[46] Mr. Aston testified that the proposed conversions apply to lands within a settlement area boundary, promotes efficient use of municipal infrastructure, contributes to an appropriate range and mix of residential uses, supports policies with respect to complete communities and meets the policies and definitions regarding affordable housing in the PPS and the Growth Plan 2017. He opined that the proposed conversion was consistent with the PPS and conformed to the policies of the Growth Plan 2017.

[47] Mr. Aston took the Tribunal through the criteria set out in s. 51(24) of the Act. He opined that the proposed conversion has had appropriate regard to all the criteria set out in s. 51(24), and specifically addressed s. 51(24)(d1) with respect to affordability. He noted that following conversion the market value of the units will be below the affordability threshold, per the testimony of Mr. Hughes and Mr. Keleher, and as a result these units will represent affordable home ownership opportunities in a stable residential neighbourhood, in a building that is well-established and equipped with appropriate facilities.

[48] Mr. Aston's testimony with respect to conformity of the proposed conversions to the NROP and the City's OP echoed that of Ms. Larocque and Mr. Keleher, particularly with respect to the two-part test under NROP Policy 11.A.5 and City's OP Policy 4.2.3.10. He opined that the proposal conformed to both the NROP and the City's OP.

[49] Mr. Aston testified that he agreed with the recommendation of the City's planning staff to council, including the four conditions, and supported the fifth condition proposed by Ms. Larocque in her testimony.

[50] In summary, Mr. Aston opined that the proposed conversions have had

appropriate regard for matters of provincial interest under the Act, specifically s. 2 and s. 51(24); are consistent with the PPS; conform with the policies of the Growth Plan 2017; conform with the NROP and City's OP, and represent good planning in the public interest.

CONCLUSION

[51] Upon the findings made, the uncontested planning evidence of Ms. Larocque, the appraisal evidence of Mr. Hughes, the land use planning, land economics and housing policy evidence of Mr. Kelehar, the planning evidence of Mr. Aston, and the whole of the evidence inclusive of the documentary record, the Tribunal finds that conversions of the tenure of housing at 156 Fitch Street (Prince Court) and at 158 Fitch Street (Princess Manor) from rental apartments to condominiums, subject to the conditions set out in Attachments 1 and 3 (respectively) and the draft Plans of Condominium set out in Attachments 2 and 4 (respectively), are consistent with the PPS, conform with the Growth Plan 2017 and have had appropriate regard to any matters of provincial interest including s. 51(24) of the Act, and represent good planning in the public interest.

ORDER

[52] The Tribunal orders that Tribunal file numbers PL180693 and PL180694 are consolidated.

[53] The Tribunal orders that the appeals are allowed and approves the condominium conversion of:

- 156 Fitch Street (Prince Court) subject to the conditions set out in Attachment 1 and the Plan of Condominium set out in Attachment 2.

- 158 Fitch Street (Princess Manor) subject to the conditions set out in Attachment 3 and the Plan of Condominium set out in Attachment 4.

“John Douglas”

JOHN DOUGLAS
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Tribunals Ontario - Environment and Land Division
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

ATTACHMENT 1

Conditions of Draft Approval (156 Fitch Street/Prince Court):

1. The Owner enter into a Site Plan Agreement with the City of Welland, to be registered on the title of the property.
2. That the Owner provide any necessary easements to any agencies, free and clear of all encumbrances.
3. That the proponent provide a detailed up-to-date report outlining the condition of the subject buildings, prepared by a qualified professional for review and comments.
4. That if approval is not given to this Plan within three (3) years of the approval date and no extensions have been given, Draft Approval shall lapse. If the Owner wishes to request extension to Draft Approval, a written request with reasons why the extension is required must be received by the City prior to the lapsing date; and further,
5. That the Applicant provide a final plan of condominium for approval, to the satisfaction of the City of Welland.

SITE PLAN Scale 1:400

EX. MEDIUM DENSITY RESIDENTIAL

Additional Lands Owned by Applicant
Subject to Application No. 26CD-14-18002

EX. PUBLIC SCHOOL

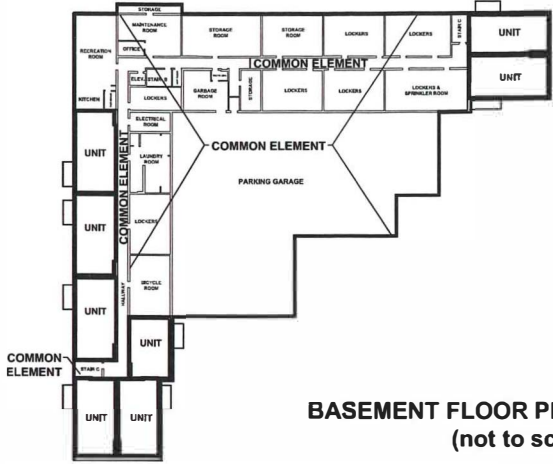
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First Ave

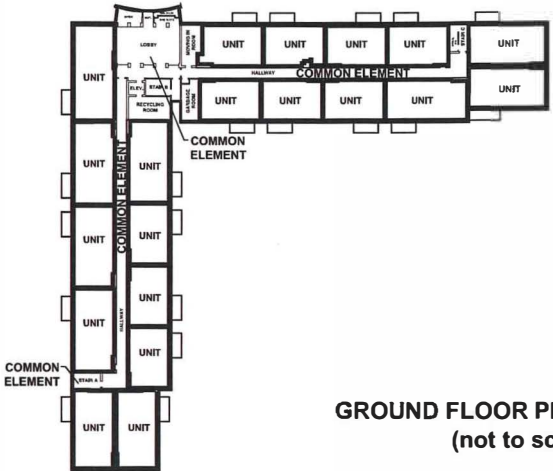
Fitch St

Sydney Pl

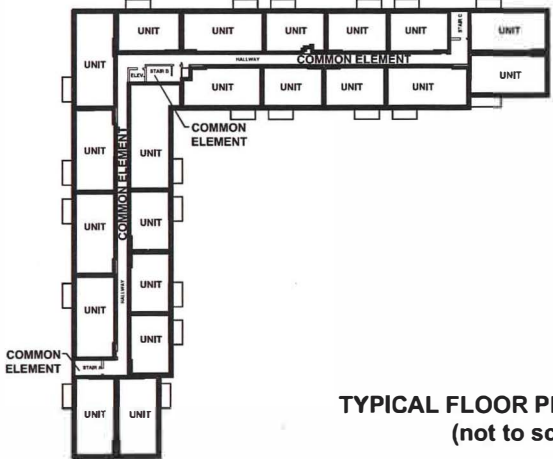
EX. LOW DENSITY RESIDENTIAL



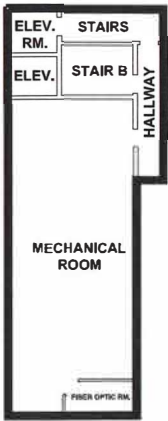
BASEMENT FLOOR PLAN
(not to scale)



GROUND FLOOR PLAN
(not to scale)



TYPICAL FLOOR PLAN
(not to scale)



ROOF PLAN
(not to scale)

Legal Description

156 Fitch St
Pt Twp Lt 250 Thorold As In Ro418958,
S/t & T/w Ro191780 : Welland

Owner's Certificate

I CERTIFY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO
SUBMIT THIS PLAN FOR APPROVAL

DATE: DECEMBER 5, 2018

Wayne Squibb

Key Plan



Subject Site



Scale: NTS

Source: City of Welland Open Data

Additional Information Required Under Section 51(17) of the Planning Act
R.S.O. 1990, c.P.13 as Amended

A. As Shown	B. As Shown	C. As Shown
D. Residential, Parking	E. As Shown	F. As Shown
G. As Shown	H. Municipal Water Supply	I. Miscellaneous
J. As Shown	K. All Services As Required	L. As Shown

Area Schedule

Total Units	112	Parking Provided	122
Total Site Area	11,612 m ²		
Total Building Area	1,790 m ²		
Total Asphalt Area	2,933 m ²		
Total Landscape Area	6,889 m ²		

NOTES:

- All dimensions are in metres unless otherwise shown.
- Existing residential parcel fabric approximate
- Contours generated from 2015 SWOOP DTM
- Easement Location to be verified by survey

1.	Dec. 5, 2018	For client review;	G.C.
Revision No.	Date	Issued / Revision	By



Approval Stamp

Date

December 5, 2018

Drawn By

GC

Plan Scale

See Plan

File No.

10139W

Checked By

D.A.

Project

Other

156 Fitch Street

File Name DRAFT PLAN OF CONDOMINIUM

Scale Bar

K:\10139W-Fitch St-Welland\CDPDP_CONDO_BURE_C32018.dwg

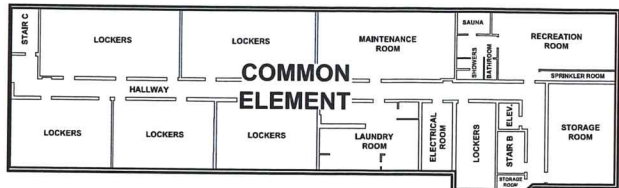
ATTACHMENT 3

Conditions of Draft Approval (158 Fitch Street/Prince Court):

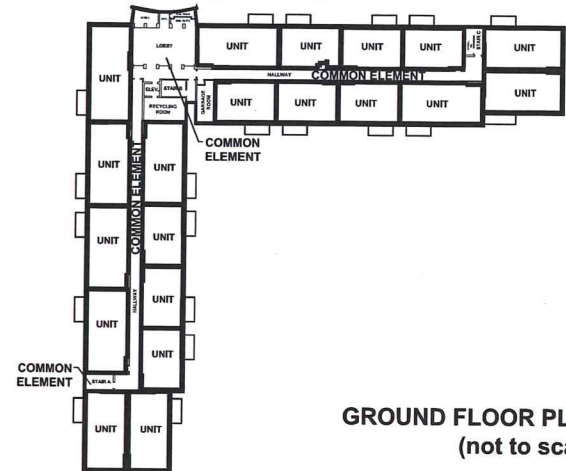
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3. That the proponent provide a detailed up-to-date report outlining the condition of the subject buildings, prepared by a qualified professional for review and comments.
4. That if approval is not given to this Plan within three (3) years of the approval date and no extensions have been given, Draft Approval shall lapse. If the Owner wishes to request extension to Draft Approval, a written request with reasons why the extension is required must be received by the City prior to the lapsing date; and further,
5. That the Applicant provide a final plan of condominium for approval, to the satisfaction of the City of Welland.

ATTACHMENT 4

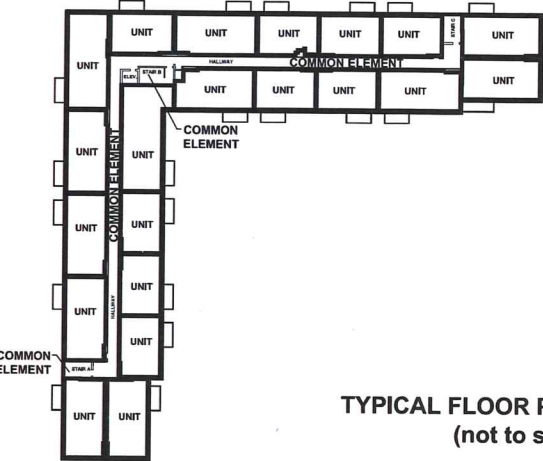
SITE PLAN Scale 1:400



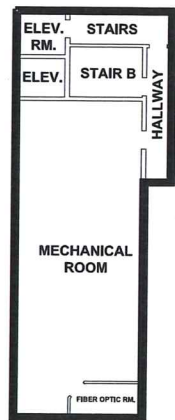
BASEMENT FLOOR PLAN (not to scale)



GROUND FLOOR PLAN (not to scale)

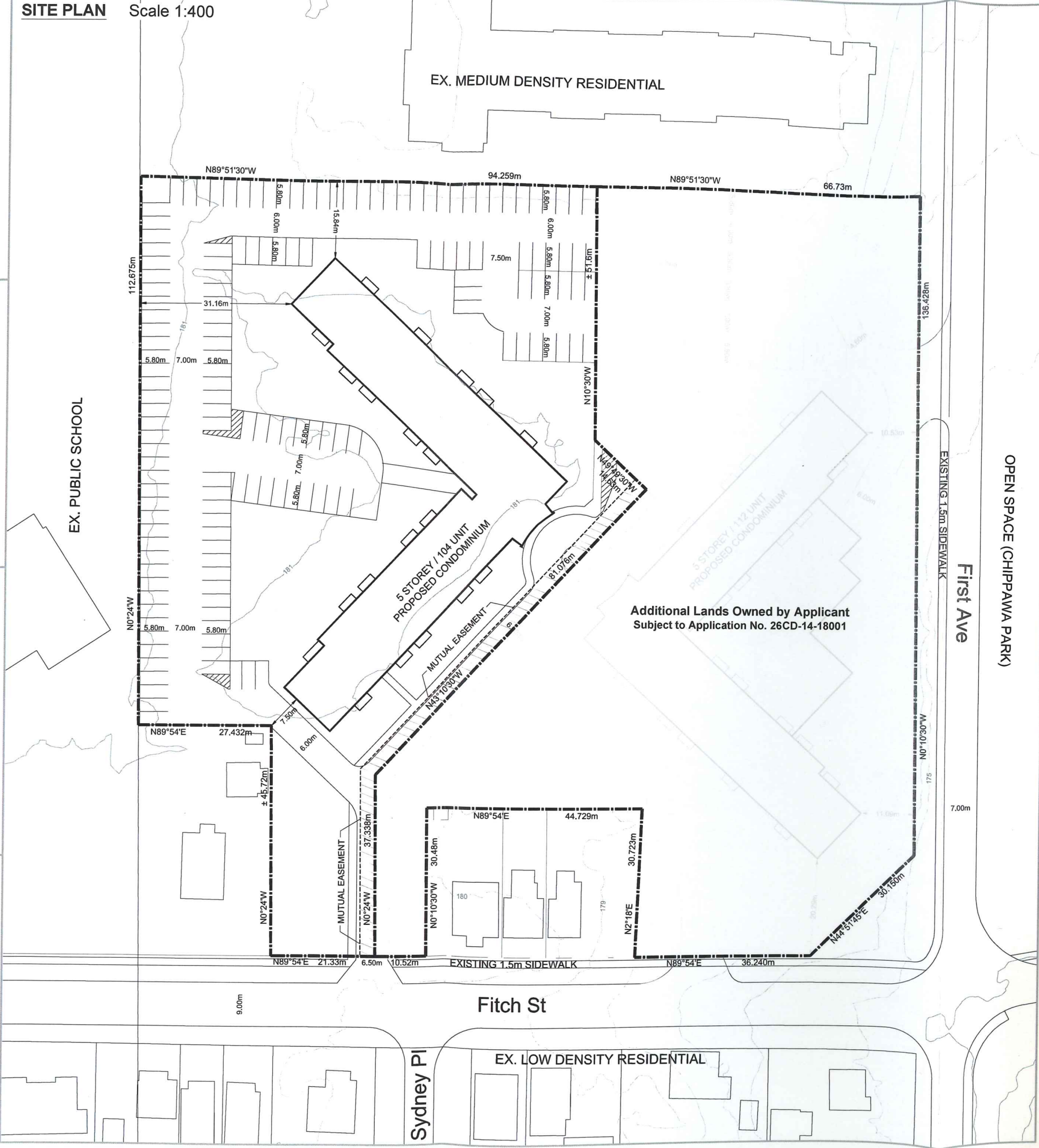


TYPICAL FLOOR PLAN (not to scale)



ROOF PLAN (not to scale)

EX. PUBLIC SCHOOL



Legal Description

158 Fitch St
Pt Twp Lt 250 Thorold As In Ro418960;
S/t & T/w Ro157418 & Ro157419 ; Welland

Owner's Certificate
I CERTIFY AUTHORIZED MACNAUGHTON HERMES BRITTON CLARKSON PLANNING LIMITED TO
SUBMIT THIS PLAN FOR APPROVAL.

DATE: DECEMBER 5, 2018

Wayne Squibb

Key Plan



Subject Site
Scale: NTS
Source: City of Welland Open Data

Additional Information Required Under Section 51(17) of the Planning Act R.S.O. 1990, c.P.13 as Amended

- | | | |
|-------------------------|-----------------------------|------------------|
| A. As Shown | B. As Shown | C. As Shown |
| D. Residential, Parking | E. As Shown | F. As Shown |
| G. As Shown | H. Municipal Water Supply | I. Miscellaneous |
| J. As Shown | K. All Services As Required | L. As Shown |

Area Schedule

Total Units	104	Parking Provided	154
Total Site Area	11,034 m ²		
Total Building Area	1,790 m ²		
Total Asphalt Area	5,105 m ²		
Total Landscape Area	4,138 m ²		

- NOTES:
- All dimensions are in metres unless otherwise shown.
 - Existing residential parcel fabric approximate
 - Contours generated from 2015 SWOOP DTM
 - Easement location to be verified by survey

1.	Dec. 5, 2018	For client review;	G.C.
Revision No.	Date	Issued / Revision	By

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
300-540 BRIDGEWING CENTRE DR. HITCHCOCK, ONT. L2E 8V7 | P: 519.576.3650 F: 519.575.0121 | WWW.MHBCPLAN.COM

Approval Stamp	Date	December 5, 2018
	Drawn By	GC
	Plan Scale	See Plan
	File No.	10139W
	Checked By	D.A.
	Other	

158 Fitch Street

File Name DRAFT PLAN OF CONDOMINIUM



K110139W-Fitch St WellandDPOP_CONDO_A_DEC5_2018.dwg