SS Wilson Associates
CONSULTING & ENGINEERING

REPORT NO. WA24-018

LAND USE COMPATIBILITY ASSESSMENT
PROPOSED NORTHWEST SECONDARY PLAN AREA
NIAGARA FALLS, ONTARIO

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EXECUTIVE SUMMARY

SS Wilson Associates (SSWA) was retained by the City of Niagara Falls to prepare a Land Use Compatibility Study for the proposed Secondary Plan Area referred to as the Northwest Secondary Plan Area. This compatibility study considers air quality, odour, dust, noise, and vibration emissions from neighboring industries as per the Government of Ontario document D-6: "*Compatibility between Industrial Facilities.*"

The results of the survey and review confirm that the proposed Secondary Plan Area is expected to be compatible with the existing neighboring industries without any adverse impacts. This is to say that no disruptive impacts as a result of air quality, odour, dust emissions, noise, and vibration are anticipated, and the proposed Secondary Plan Area should be considered compatible with all existing and proposed uses in the vicinity.

Efforts made by Walker Industries to introduce a future landfill where existing quarry operations are occurring shall be subject to their own investigations. These investigations will be required to treat the Northwest Secondary Plan Area as a residential community use in respect of their own potential for emissions to be mitigated.

1.0 INTRODUCTION

1.1 SS Wilson Associates (SSWA) was retained by the City of Niagara Falls to prepare a Land Use Compatibility Study as outlined in the Ministry of Environment, Conservation and Parks (MECP) D-1 and D-6 guidelines for the proposed Northwest Secondary plan areas in the City of Niagara Falls, Ontario.

1.2 As per "Attachment 2" in a document received by SSWA on April 22, 2024, prepared by the City staff, a compatibility assessment is required to identify all potential sources of incompatibility from outside sources on sensitive land uses within the Northwest Secondary Plan Area (Plan Area), planned primarily as a residential community, and in accordance with the MECP D-6 guidelines; and to Identify existing areas of influence and typical setbacks that will need consideration during land use planning exercises together with any typical mitigation practices that could be explored as well.

1.3 The objective of this report is to review the surrounding land uses for the potential to cause adverse effects in terms of noise, dust, odour, vibration, and other contaminants to support City initiated Official Plan Amendments and any subsequent Zoning By-Law Amendments to provide for the future development of lands within the Plan Area. It is to be noted that a quantitative assessment of adverse effects has not been undertaken as part of this land use compatibility assessment, which has been performed based on the MECP D-6 guideline distance setbacks and industrial classifications; in such a case where a potential incompatibility has been identified by this study, which warrants the need for additional analysis and studies, such detailed studies will undertake the necessary quantitative analyses in the form of measurements, predictions, calculations, etc.

1.4 The subject site is known as the Northwest Secondary Plan Area, in the City of Niagara Falls. The Plan Area is bounded on the north side by Mountain Road, to the south by an existing residential subdivision, to the west by Kalar Road, and to the east by the Queen Elizabeth Way (QEW). A Key Plan showing the location of the Plan Area is included in Figure 1.

1.5 This report is based on the features relevant and proximate in relation to the proposed plan area as a residential community as shown in the Location Map prepared by the City, dated June 7, 2023. The Location Plan is included in Figure 2. This location map illustrates the location of the Northwest Plan Area in the broader context and relationship to the City's urban area boundaries.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT AND SURROUNDING AREA

2.1 Proposed Development Concept

The subject site is proposed to be developed/ redeveloped, with the City generating two proposed land use options for the Northwest Secondary Plan Area in their Phase 2 work program for further assessment and consultation at a later date. This Secondary Plan area is comprised of new urban expansion lands brought into the urban area boundary by Niagara Region for "community use" during their new Official Plan process in 2022.

2.2 Surrounding Area Description

The area surrounding the site on all sides generally consists of ground-based residential to the south, long-standing commercial designation and zoning on the east side of the QEW remaining un-developed, and agricultural lands to the north, which fall within the Greenbelt and Niagara Escarpment Plan Areas. Lands to the west are generally environmental (wetlands) and Agricultural use. The lands west are also subject of a Ministers Zoning Order (MZO) that intends for agri-tourism use, which provides for a golf course, resort style villas, and boutique hotel accommodations. It is not certain when such development may occur on these westerly adjacent lands, however the permissions are in place.

The Walker Brother Quarry further to the West is the primary use identified by the City staff, which is of interest with respect to compatibility, as outlined in numerous meetings. The facility property limits are greater than 1000m from the property line of the subject Secondary Plan Area, which as per the MECP, does not warrant land use compatibility assessment. The distance setbacks and potential for impacts will be discussed further in Sections 4.0 of this report.

2.3 Official Plan & Zoning Details of Proposed Site and Surrounding Area

The Plan Area is zoned agricultural as per Niagara Falls (Zoning Bylaw 79-200) and is classified as a Designated Greenfield Area as per Niagara Region Official Plan (Schedule B – Regional Structure, May 2024 Consolidation). The City will recognize these Greenfield lands as being added to its urban area boundary as part of the required conformity amendments included in the City's new Official Plan process, currently underway. The City's new Official Plan will identify the appropriate urban designation for the Plan Area, providing the appropriate accommodation for the secondary planning requirements.

The lots immediately to the south of the subject property are zoned as residential, with varying densities. The areas to the west are zoned Agri-tourism (via MZO), and Environmental Protection Area. The remaining lands to the east are zoned for

Tourist Commercial (undeveloped), and Residential beyond that. Lands to the north are designated Escarpment Rural Area in the Niagara Escarpment Plan and remain in agricultural use.

A map from the Niagara Region Official Plan is included in Appendix A.

A map showing the existing City of Niagara Falls Official Plan designations is provided as Appendix B. The new City Official Plan (currently in process) will update designation of the Plan Area accordingly.

3.0 ASSESSMENT CRITERIA AND METHODOLOGY

3.1 General Information

The intent of this study is to survey the area surrounding the Plan Area to identify whether any of the existing or proposed future land uses present a potential concern with regard to incompatibility. In the case where the potential for compatibility concerns exists, additional investigation will be warranted to determine the severity of potential impacts and to identify control measures to eliminate or mitigate adverse effects. The assessment has been based on SSWA's experience with industrial facility emissions within the MECP frameworks in the context of land use planning and applications for Environmental Compliance Approvals.

3.2 D-Series Guidelines

The D-series guidelines were developed in 1995 by the MECP with the intent to provide a methodology for reviewing cases where non-sensitive land uses are proposed to be located in proximity to sensitive land uses, or vice versa, to identify the potential for adverse effects related to environmental contaminants. Several D-series guidelines exist for likely sources of potential incompatibility, such as sewage treatments plants (D-2), oil & gas pipelines (D-3), landfills (D-4), and water service (D-5), with the overarching methodology being described in D-1 "*Land Use and Compatibility*".

The specific document which will apply in the subject case is that for industrial land uses, i.e., D-6 "*Compatibility between Industrial Facilities,*" which will be the primary reference for this assessment. The D-6 guideline is concerned with adverse effects as a result of "*point source and/or fugitive air emissions such as* ***noise, vibration, odour, dust*** *and others, either through normal operations, procedures, maintenance or storage activities, and/or from associated traffic/transportation.*"

The definition of "adverse effects" is included in the Environmental Protection Act (EPA), and can include one or more of the following:

- Impairment of the quality of the natural environment for any use that can be made of it
- Injury or damage to property or to plant or animal life
- Harm or material discomfort to any person
- An adverse effect on the health of any person
- Impairment of the safety of any person
- Rendering any property or plan or animal life unfit for human use
- Loss of enjoyment of normal use of property; and
- Interference with the normal conduct of business

3.2.1 D-6 Guideline Classifications and Setback Distances

The primary mechanism used within D-6 to identify and to limit the potential for adverse effects is the use of distance setbacks based on the classification of an industry within certain criteria.

A given property or land use must be characterized as light, medium, or heavy industrial referred as Class I to Class III, respectively. The table below illustrates the industrial categorization criteria as identified in Appendix A of D-6, referred to as D-6-1 "*Industrial Categorization Criteria.*"

Industrial Categorization Criteria (per D-6-1)					
Category	**Outputs**	**Scale**	**Process**	**Operation /Intensity**	**Possible examples**
Class I – Small Scale Industrial	• Noise: Sound not audible off property • Dust and/or Odour: Infrequent and not intense • Vibration: No ground borne vibration on plant property	• No outside storage • Small scale plant or scale is irrelevant in relation to all other criteria for this Class	• Self-contained plant or building which produces/stores a packaged product. Low probability of fugitive emissions	• Daytime operations only • Infrequent movement of products and/or heavy trucks	• Electronics manufacturing and repair • Furniture repair and refinishing • Beverages bottling • Auto parts supply • Packaging and crafting services • Distribution of dairy products • Laundry and linen supply
Class II – Medium Scale Industrial	• Noise: Sound occasionally audible off property • Dust and/or Odour: Frequent and occasionally intense • Vibration: Possible groundborne vibration, but cannot be perceived off property	• Outside storage permitted • Medium level of production allowed	• Open process • Periodic outputs of minor annoyance • Low probability of fugitive emissions	• Shift operations permitted • Frequent movement of products and/or heavy trucks with the majority of movements during daytime hours	• Magazine printing • Paint spray booths • Metal command • Electrical production manufacturing • Manufacturing of dairy products • Dry cleaning services • Feed packing plant
Class III – Large Scale Industrial	• Noise: sound frequently audible off property • Dust and/or Odour: Persistent and/or intense • Vibration: Ground-borne vibration can frequently be perceived off property	• Outside storage of raw and finished products • Large production levels	• Open process • Frequent outputs of major annoyances • High probability of fugitive emissions	• Continuous movement of products and employees • Daily shift operations permitted	• Manufacturing of paint and varnish • Organic chemicals manufacturing • Breweries • Solvent recovery plants • Soaps and detergent manufacturing • Manufacturing of resins and costing • Metal manufacturing

The notes on the subject table indicate that the categorization of a particular industry can vary with respect to the specific site conditions. It is noted that some of the uses listed in the 'Possible examples' column might otherwise be considered a commercial use (i.e., auto parts supply, dry cleaning, etc.) however in the context of D-6, these uses are considered as industrial uses.

The D-6 guidelines list specific distance setback criteria for Class I to Class III industries to identify the potential for incompatibilities, and to mitigate such adverse effects. The guideline defines "influence areas" for the various classes of industries to identify the potential area of influence within which adverse effects may be experienced, outlined in D6-4.1.1 "*Potential influence areas for industrial land uses.*" Further to this, the guideline also defines "minimum separation distance" between industrial and sensitive uses to provide buffer space between the uses to mitigate adverse effects, as outlined in D6-4.3. The guideline recommends that "*no incompatible development […] should occur [within the minimum separation distances] even if additional mitigation for adverse effects […] is provided.*" However, the guideline also states that such development may be permitted to proceed in the case of redevelopment, infilling, and mixed-use areas, as defined in D6-4.10. The table below illustrates the area of influence and minimum separation distance setbacks for each of the industrial classifications.

Industry Classification	Influence Area (D6-4.1.1)	Minimum Separation Distance (D6-4.3)
Class I – Light Industrial	70 m	20 m
Class II – Medium Industrial	300 m	70 m
Class III – Heavy Industrial	1,000 m	300 m

The distance setbacks above are measured from the property lines of the source and receiver land uses, to guarantee full use of the property area upon each site.

It is important to note that the proposed redevelopment will be to construct the primary and secondary dwellings further to the south on the subject property, and as such any effects perceived upon the site will necessarily be reduced at the future dwellings, due to the increase in distance setback from any potential sources. Nevertheless, the subject analysis will consider whether there is the potential for any adverse impacts anywhere upon the subject property.

The guideline in Section 4.1.3 also indicates that the influence area may be reduced through the use of industrial controls applied at the industrial source, which may enable an industry to be categorized as a lesser Class, thereby reducing the necessary minimum separation distance requirements set out above.

In cases where the distance setback between a sensitive land use is within the influence area for a given industry, additional studies should be conducted to assess impacts based on more detailed designs for respective development proposals.

As part of this land use compatibility assessment, SSWA has prepared a diagram outlining the various distance setbacks with respect to the Plan Area limits, which contains the proposed sensitive uses, and identifies whether any potential Class I, II, and III industries were within the relevant setbacks based on aerial photography; the setback figure is included in Figure 3. These classifications were then

considered based on-site visits to observe/ confirm uses in relation to the Plan Area on March 7, 2023.

Figure 3 illustrates the distance setbacks surrounding the Plan Area and all of the potential industrial sites which were considered in this assessment.

3.3 MECP Environmental Compliance Approvals

In addition to the review of all facilities within the distance setbacks identified in D-6, this land use compatibility assessment included a review of any existing Environmental Compliance Approvals (ECAs) held by the surrounding properties. The MECP requires that industrial facilities obtain and maintain an ECA to ensure compliance with all applicable limits for any potential off-site adverse effects. The presence of an ECA for a subject facility represents an undertaking to measure, monitor, and control emissions and adverse effects at offsite points of reception to avoid or mitigate impacts.

SSWA utilized the MECP's online Access Environment tool in order to collect any and all ECA documentation in the areas of influence surrounding the Plan Area . Where a property was subject to an ECA, reference is made in the analysis below.

3.4 Meteorological Data

Weather conditions, in particular wind speed and direction, can cause airborne contaminants, particularly odour, noise, and dust, to propagate further and to increase the potential influence area for a given industry.

The wind rose diagram for the area close to the Plan Area was sourced from meteoblue.com, to determine the prevailing wind direction and intensity. The wind rose diagram is included in Figure 4 and shows that typically the wind in the subject area prevails from a south-westerly/ Westerly direction. This is favourable from a land use compatibility perspective, as there are no sources South-west/ West of the proposed secondary plan area. As such, the prevailing wind is expected to drive airborne contaminants away from the site most of the time.

4.0 SURVEY OF SURROUNDING INDUSTRIES

4.1 The influence areas for this project as set out in the D-6 Environmental Guideline are illustrated in Figure 3. SSWA utilized this figure to identify potential sites for observation, and later conducted onsite investigation to assess the potential for impacts from the subject facilities, where local industries were visited, inventoried, and examined.

At the time the site visit, there was no noticeable dust, odour, air quality or vibration impacts observed from any of the surrounding industries on the proposed site. The noise environment around the proposed site was dominated by noise from surrounding road traffic. The potential impacts from each individual site are discussed in detail in the following sections.

It is important to note that the proposed uses within the Plan Area itself are not considered to be of concern with respect to impacts upon the neighbouring properties. The proposed undertaking to develop / redevelop sites within the Plan Aera are not expected to introduce any permanent sources of noise, vibration, odour, or dust as it pertains to the MECP D Series Compatibility Guidelines. As such, this analysis has only considered the impacts from external sites upon the Plan Area as being consider a sensitive receptor.

The following is a summary and analysis of all neighboring industries of concern as per their respective D-6-1 industrial categorization criteria classification, as well as a determination regarding additional assessment.

4.2 The Walker Brothers Quarry

The Walker Brothers Quarry to the West is the primary use identified by the City staff which is of interest with respect to compatibility, as outlined in numerous meetings. The MECP Guideline for which this study is based on (D-6) does not apply to pits and quarries, rather, defers these guidelines to site specific studies. Current efforts are underway by Walker Brothers to modify post-extraction use of their current quarrying operations, to provide for a Landfill; however, the timeline of this remains uncertain at the time of this report. City and public consultation by Walker Brothers would indicate approximately 7 years of extraction remains before exhaustion. Should all necessary approvals be acquired, the use as a landfill would be expected immediately thereafter and could see operations as a landfill for an additional 20-30 years before ultimately being capped with a final land use to be determined (such as agricultural or open space use).

Should quarry blasting continue at the time of development of this Northwest Secondary plan area, blasting operations should be confirmed to be in compliance with NPC-119, and all other applicable documents. As such, SSWA recommends

independent noise/vibration, odour, and dust studies be undertaken to address the impact of the neighbouring Quarry on the Plan Area, especially as it pertains to blasting activities.

4.3 Storm Sewers, Sanitary Sewers, and Landfill

In SSWA's collection of Municipal and Provincial data, there were found to be a number of sanitary sewers, storm sewers, and landfill sites which have been established under their respective Environmental Compliance Approvals (ECA's). These sites and facilities are operating within this study's area of concern as per D6-4.1.1. These sewers and landfill sites are expected to be of no concern and need not be considered further.

4.4 Gauld Nurseries

Company Name	Gauld Nurseries
Address	8865 Mountain Rd.
Approx. Distance to Plan Area	700 m
Figure 3 Reference Number	1
Industry Classification Assessment	Class II
ECA Number	N/A

The MECP D-Series guidelines consider a number of operations as "industrial" uses, which might otherwise be considered as "commercial" or other similar use. For example, the Appendix A document, D-6-1, includes such uses as auto parts supply stores or dry-cleaning services as industrial uses. As such, Gauld Nurseries on Mountain Road was considered for adverse impacts. However, the subject facility is considered equivalent in potential for impacts as a Class II industry, due to the nature of the machinery and activities on site. As the facility is located well outside of both the Class II influence area and minimum separation distances (300m and 70m, respectively), the facility is expected to be of no concern and need not be considered further.

4.5 Commercial Plaza to the south

Company Name	A number of retail shops to the south of the subject lands
Address	3770 Montrose Rd.
Approx. Distance to Plan Area	850 m
Figure 3 Reference Number	2
Industry Classification Assessment	Class II
ECA Number	N/A

The second land use identified in proximity to the subject development site is a commercial plaza south of the Plan Area at the intersection with Montrose Road,

which encompasses a number of shops, including Dollarama, and Food Basics. It should be noted that the Food Basics building itself is outside of the 1000m distance band set out by the MECP, however, the property is within these limits.

Similar to the last industry, the plaza is not necessarily an industrial land use, but as a significant land use in the vicinity, it has been considered for completeness.

The subject facility was visited by SSWA staff to observe the potential for emissions from the facility. None were noted at the time. Based on the observations of the facility, it appears to bear most characteristics of a Class II industry, with occasional emissions perceptible off property and medium levels of activity (Mainly due to truck deliveries and cold food storage from Food Basics); however, none of the subject emissions will be perceived upon the Plan Area .

The facility is located approximately 850m from the subject residential site, which places it far beyond the influence area and minimum separation distance for a Class II industry, and there are a number of other residential properties between the residential site and this industry which would be impacted more significantly if there were any concerns with respect to compatibility.

It should be noted that, SSWA has been made aware of a development application for use as residential are in process which would further render the this potential source as being of no concern.

As such, no concerns with respect to compatibility were found in relation to the commercial facility, and no further assessment is considered necessary.

5.0 CONCLUSIONS

A Land Use Compatibility assessment has been conducted in order to assess the potential for adverse impacts in terms air quality, dust, odour, noise, and vibration as perceived on the Northwest Secondary Plan Area as a result of nearby industries.

A site visit was conducted to assess the actual perceived effects of fugitive dust, odour, noise, and vibration emissions on the Plan Area . Neighboring industries were also researched in order to gain a comprehensive understanding of the process taking place at each industry. Further, MECP Environmental Compliance Approvals for these neighboring industries were examined in order to assess the mitigation measures already put into place, as well as to gain further knowledge of the industries.

All of the above investigations cumulatively conclude that the neighboring industries are not expected to have any adverse effects on the proposed development as it pertains to dust, odour, vibration, and noise, and that the proposed development is anticipated to be compatible with the surrounding land uses.

With regard to the Walker Brothers existing Quarry operations to the west, for which The MECP D-series guidelines do not apply, SSWA recommends independent noise/vibration, odour, and dust studies be undertaken to address the impact of the proximate Quarry on the Plan Area, especially as it pertains to blasting activities.

As such, the proposed Secondary Plan Area should be considered compatible with all existing and proposed uses with respect to the MECP D-Series guidelines, specifically D-6.

Lastly, respecting Walker Brothers efforts to gain permissions for a landfill operation on (future) exhausted quarry lands, it will be the responsibility of the applicant to demonstrate compatibility of their proposed operations on that of the sensitive receptors located in the Northwest Secondary Plan Area, an addition of the serviced urban area boundary of the City of Niagara Falls by Niagara Region in November 2022, for community use.

FIGURES

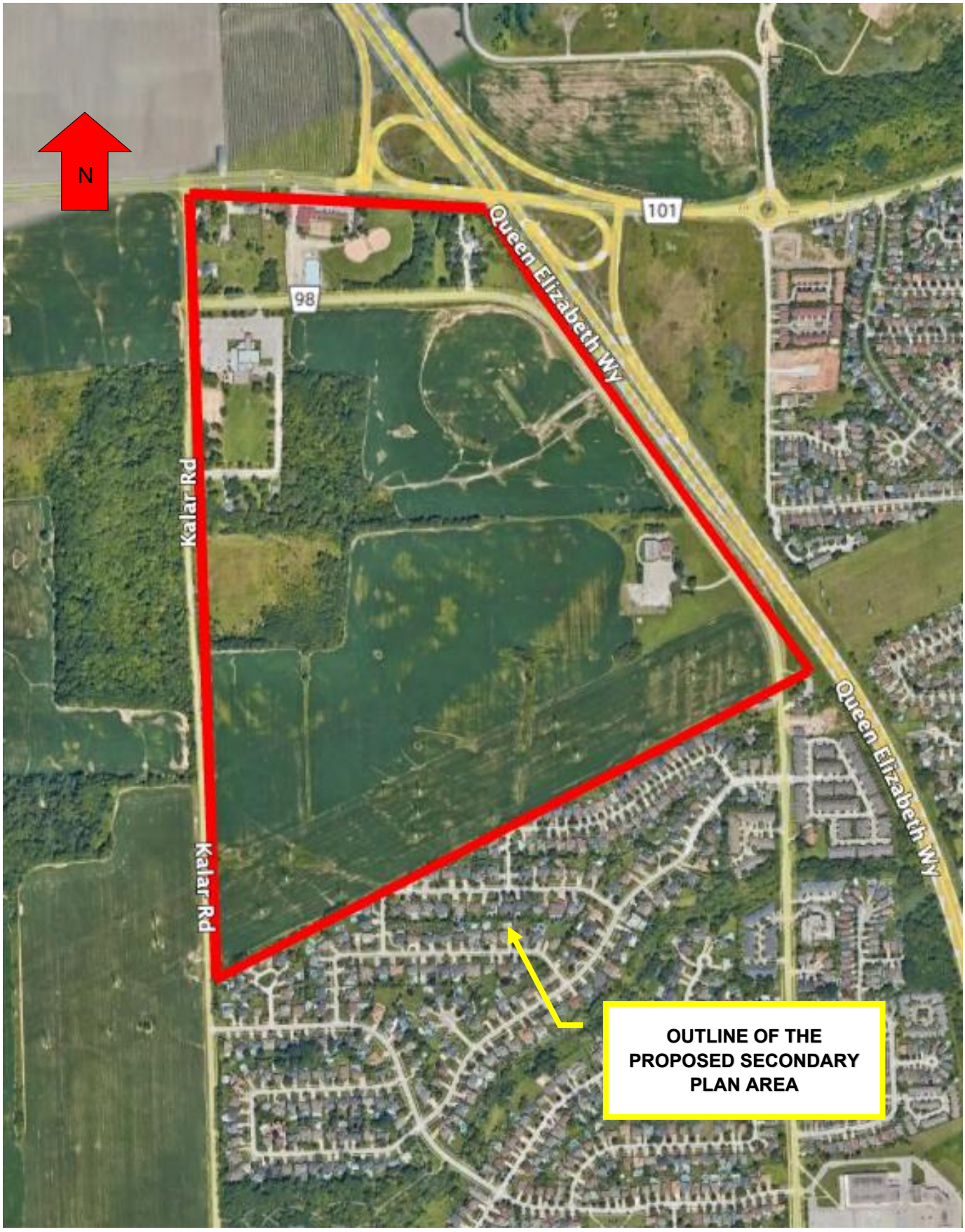
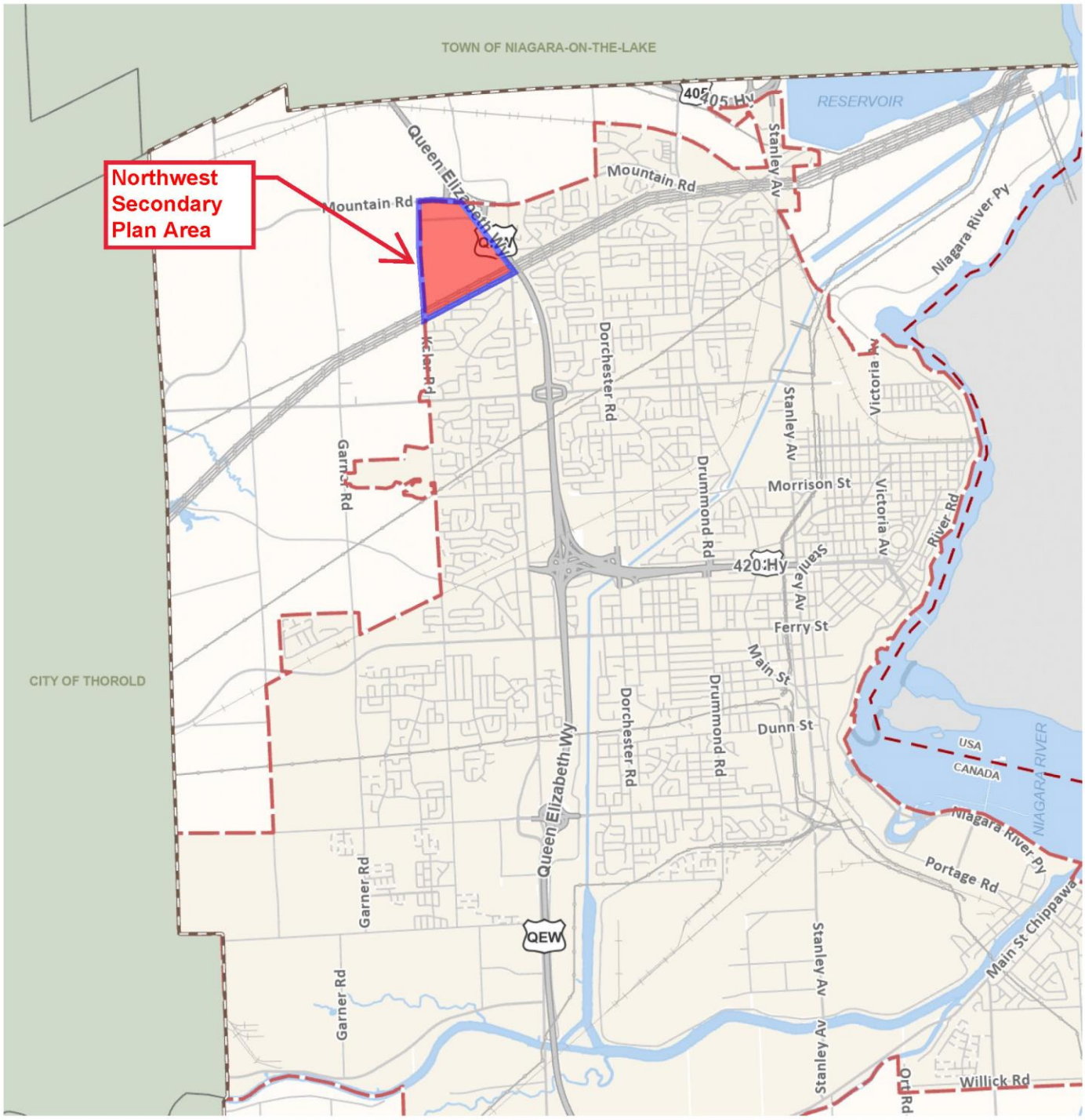


FIGURE 1
KEY PLAN

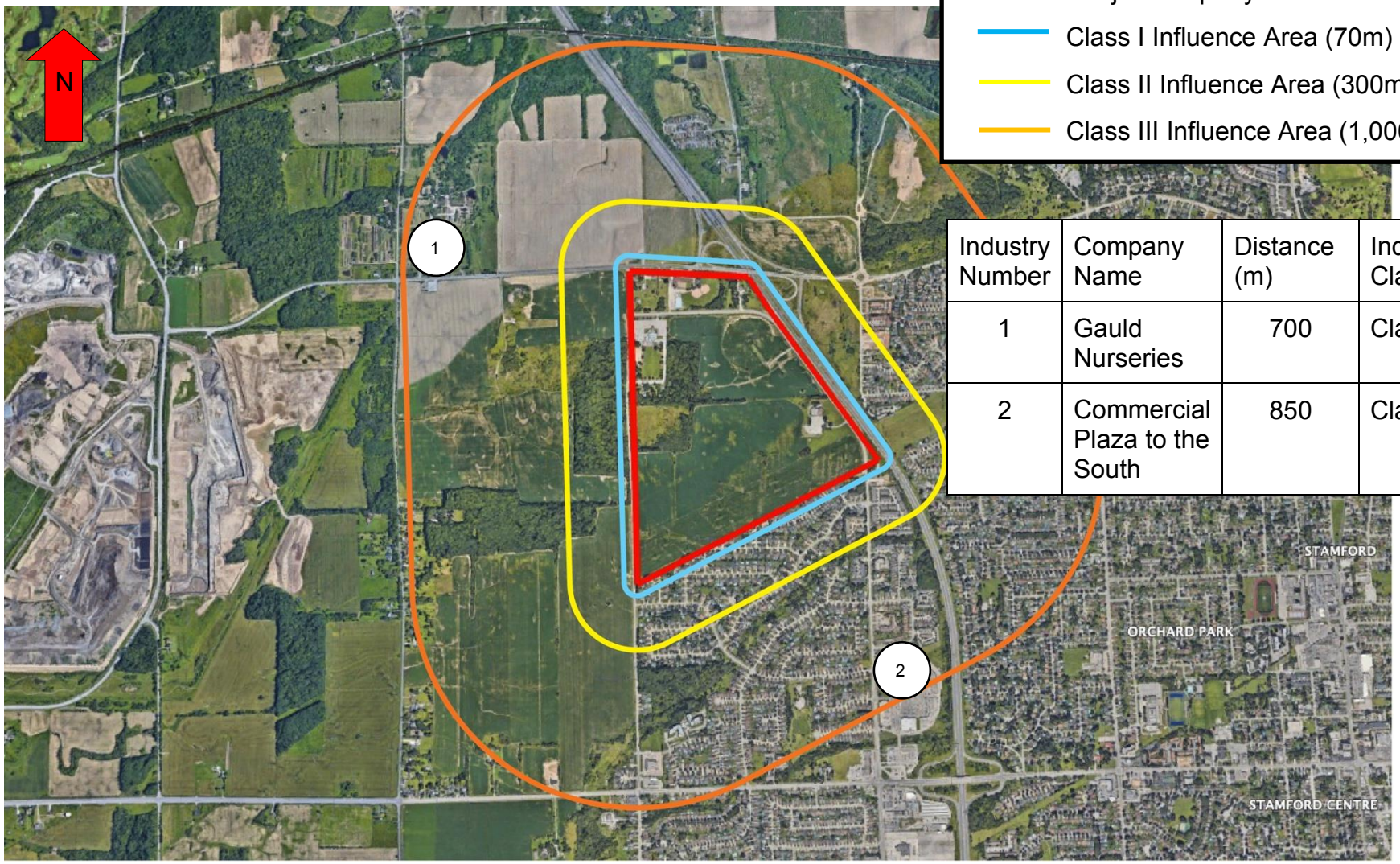
Northwest Secondary Plan Area - Location Map



This data is provided "as is" and the City of Niagara Falls (the City) makes no representations or warranties, expressed or implied, as to the accuracy or completeness of the data. The maps and drawings contained herein are intended for general layout purposes only and shall not be considered as official plans or drawings. For further information, please contact the City. The City shall not be held liable for special, incidental, consequential or indirect damages arising from the use of this data. Users assume all risks in using this data. No part of these digital images, or information, or hardcopies made from them may be reproduced and/or distributed without this disclaimer.

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FIGURE 2
PROPOSED LOCATION MAP
NORTHWEST SECONDARY PLAN AREA



LEGEND

- Subject Property
- Class I Influence Area (70m)
- Class II Influence Area (300m)
- Class III Influence Area (1,000m)

Industry Number	Company Name	Distance (m)	Industry Classification
1	Gauld Nurseries	700	Class II
2	Commercial Plaza to the South	850	Class II

FIGURE 3
D-6 DISTANCE SETBACKS

Niagara Falls
43.10°N, 79.07°W (184 m asl).
Model: ERA5T.

meteoblue

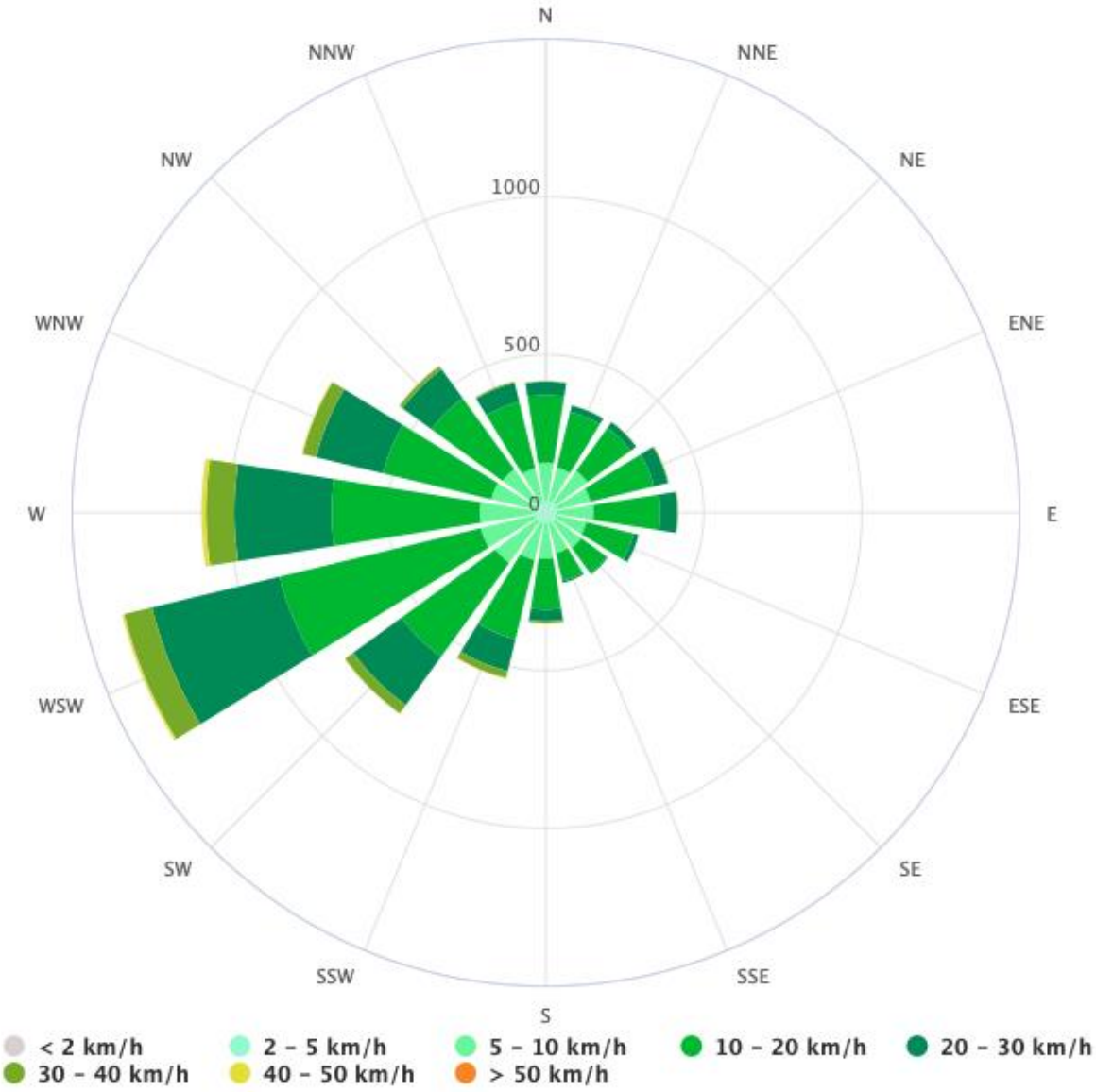
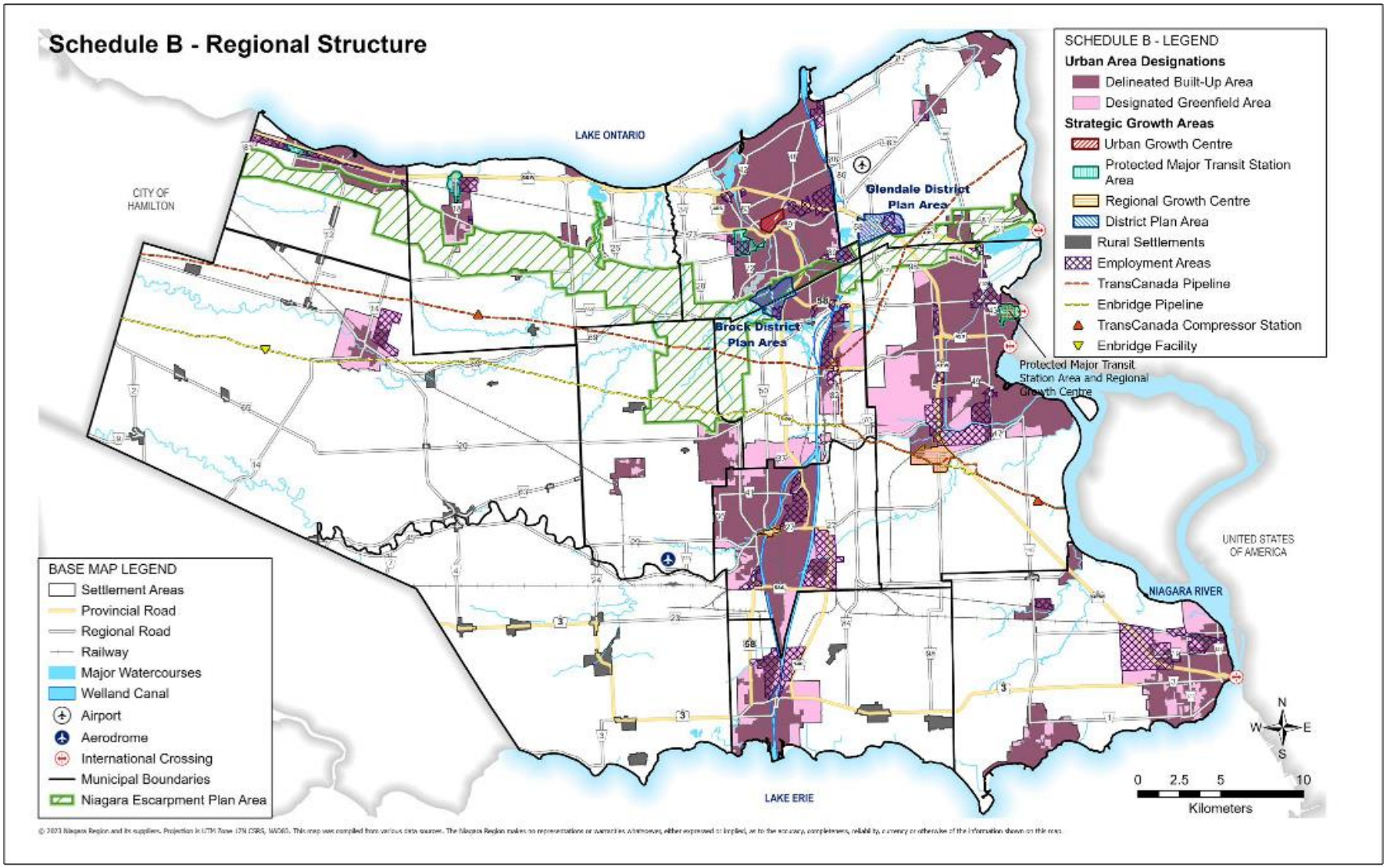
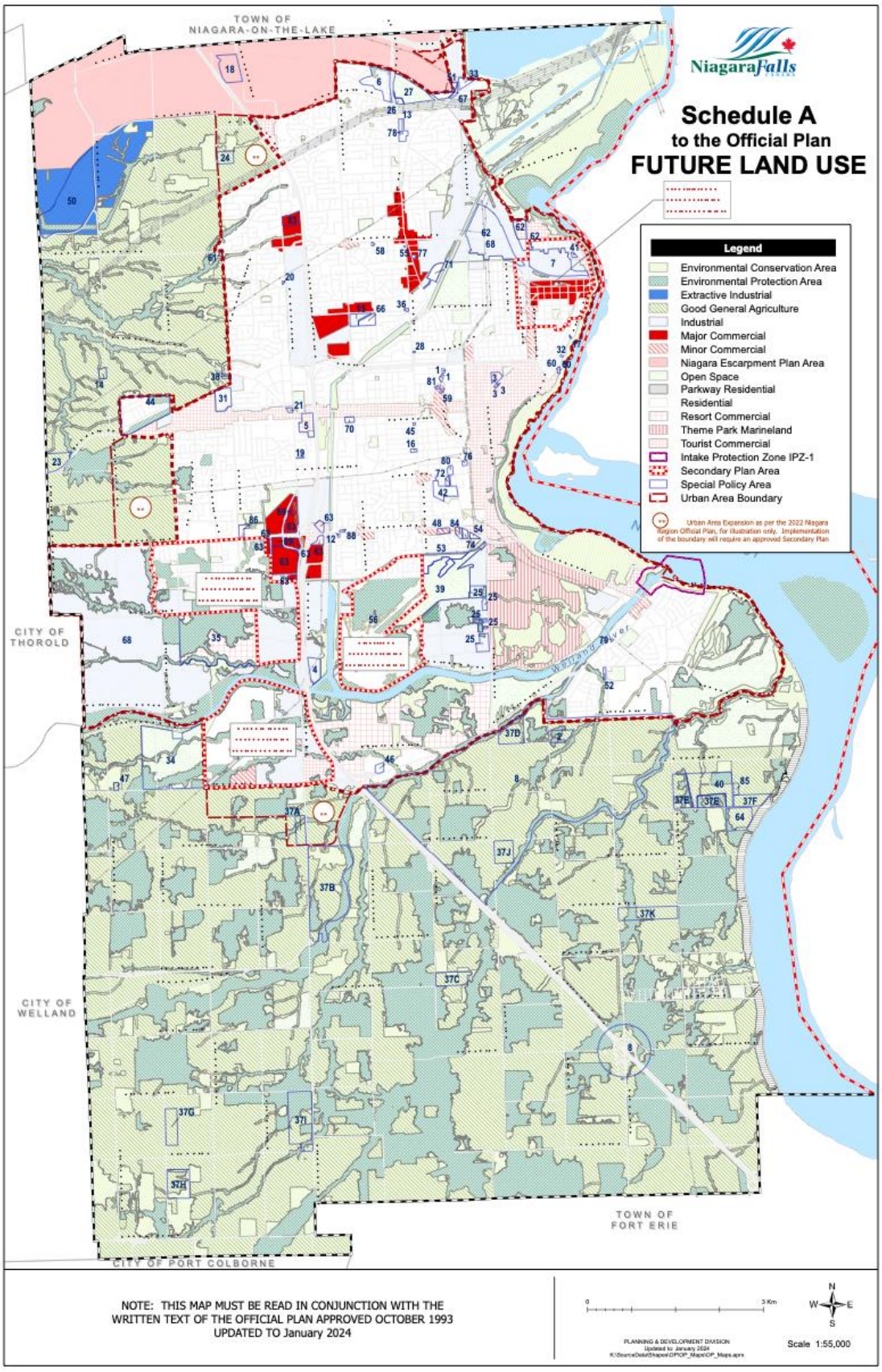


FIGURE 4
WIND ROSE DIAGRAM

APPENDIX A
NIAGARA REGION OFFICIAL PLAN REGIONAL STRUCTURE


Schedule B - Regional Structure
LAKE ONTARIO
CITY OF HAMILTON
Glendale District Plan Area
Brock District Plan Area
Protected Major Transit Station Area and Regional Growth Centre
UNITED STATES OF AMERICA
NIAGARA RIVER
LAKE ERIE
SCHEDULE B - LEGEND
Urban Area Designations
Delineated Built-Up Area
Designated Greenfield Area
Strategic Growth Areas
Urban Growth Centre
Protected Major Transit Station Area
Regional Growth Centre
District Plan Area
Rural Settlements
Employment Areas
TransCanada Pipeline
Enbridge Pipeline
TransCanada Compressor Station
Enbridge Facility
BASE MAP LEGEND
Settlement Areas
Provincial Road
Regional Road
Railway
Major Watercourses
Welland Canal
Airport
Aerodrome
International Crossing
Municipal Boundaries
Niagara Escarpment Plan Area
N
W
E
S
0 2.5 5 10
Kilometers

Appendix B
CITY OF NIAGARA FALLS OFFICIAL PLAN – SCHEDULE A – LAND USE PLAN


TOWN OF NIAGARA-ON-THE-LAKE
CITY OF THOROLD
CITY OF WELLAND
TOWN OF FORT ERIE
CITY OF PORT COLBORNE
NiagaraFalls
Schedule A
to the Official Plan
FUTURE LAND USE
Legend
Environmental Conservation Area
Environmental Protection Area
Extractive Industrial
Good General Agriculture
Industrial
Major Commercial
Minor Commercial
Niagara Escarpment Plan Area
Open Space
Parkway Residential
Residential
Resort Commercial
Theme Park Marineland
Tourist Commercial
Intake Protection Zone IPZ-1
Secondary Plan Area
Special Policy Area
Urban Area Boundary
Urban Area Expansion as per the 2022 Niagara Region Official Plan, for illustration only. Implementation of the boundary will require an approved Secondary Plan
Welland River
NOTE: THIS MAP MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT OF THE OFFICIAL PLAN APPROVED OCTOBER 1993 UPDATED TO January 2024
3 Km
N
W
E
S
PLANNING & DEVELOPMENT DIVISION
Scale 1:55,000