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July 25, 2024

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**Re: Addendum – D-6 Land-Use Compatibility / Mitigation Study
8168 McLeod Road, Niagara Falls
RWDI Reference No. 2201764**

Dear Nicholas,

RWDI AIR Inc. (RWDI) was retained by Lotus Land development Corporation to prepare a land-use compatibility study for the proposed development at 8168 McLeod Road in Niagara Falls. RWDI prepared and issued a study titled "D6 Land-Use Compatibility / Mitigation Study, 8168 McLeod Road", dated June 30, 2022. The Regional Municipality of Niagara Falls (Region) reviewed the study and issued the following comment and request for an addendum regarding RWDI's findings:

The Land Use Compatibility Study identified three sites that could potentially influence the proposed development, including vacant light industrial land located 175 m east of the subject land, Coach Canada (7302 Kalar Road), and Niagara Peninsula Energy (7447 Pin Oak Drive). Staff requests an Addendum to the study be provided to clarify how Coach Canada and Niagara Peninsula Energy identified in the Land Use Compatibility Study were determined to be Class I based on the D-6 Guidelines, as staff have reviewed previous compatibility studies that note these industries to be Class II based on outdoor storage.

This letter was prepared to address the Region's comment and serve as an Addendum to the RWDI study.

As per Section 1.1 of Guideline D-6, "the objective of the guideline is to prevent or minimize the encroachment of sensitive land use upon industrial land use and vice versa". The lots that are immediately adjacent to the proposed development (Coach Canada and Niagara Peninsula Energy) are not industrial facilities and do not manufacture products. D-6-1 provides some guidance on industrial characterization based on the outputs, scale, process and intensity of the facility. This is not intended to be a comprehensive guide but a guide on how to categorize industries. Since this guide pertains to industrial facilities, care must be taken when applying the same criteria to commercial facilities. When using this guide to categorize a facility as a Class I, II or III, a number of the criteria should apply. Meeting a single criteria does not automatically place a facility in a specific Class. It merely suggests that there is good indication that a specific Class could apply. As an example, a large vehicle auction storage yard would meet the "large scale" criteria but fails to meet the rest of the criteria as vehicles are moved in and out usually during auctions and not continuously throughout the day. Other factors come into consideration, such as proximity to existing sensitive land uses (e.g. residential), mitigation features (e.g. berms and barriers), etc.

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Although Niagara Peninsula Energy stores materials outdoors, they do not meet all the Class II industrial characterization criteria. RWDI conducted a day-long site visit to observe activities in the area, which concluded that any stored materials are not accessed on a regular basis and on-site traffic was occurring at the eastern end of the site, closer to Pin Oak Drive, and not near the proposed development. Coach Canada experiences more movement than Niagara Peninsula Energy but still relatively infrequent traffic only when buses arrive and depart. Sound levels at the property were not significant when compared to the road traffic in the area. Furthermore, there is an existing development that is closer to the sites than the proposed development. This limits the potential influence area of the commercial facilities. Lastly, even if both sites were reclassified as Class II facilities, sufficient evidence through sound level measurements and noise modelling has been provided as part of the Noise and Vibration Study report, to show that the NPC-300 sound levels will be met at the property with the provision of a noise barrier wall. Per D-6 guidance, controls and buffering methods can reduce the influence area. The recommend noise barrier is such a control.

We trust the above clarification is sufficient justification for classifying the aforementioned adjacent facilities as Class I.

Yours truly,

RWDI

A handwritten signature in black ink that reads "Brad Bergeron".

Brad Bergeron, d.E.T., A.Sc.T.
Sr. Project Manager | Principal

A handwritten signature in black ink that appears to be "Slavi Grozev".

Slavi Grozev, B.A.Sc., P.Eng.
Senior Engineer | Associate

BCB/SVG/jo



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STATEMENT OF LIMITATIONS

This memorandum entitled Addendum – D-6 Land-Use Compatibility / Mitigation Study was prepared by RWDI AIR Inc. (“RWDI”) for Lotus Land Development Corporation (“Client”). The findings and conclusions presented in this report have been prepared for the Client and are specific to the project described herein (“Project”). The conclusions and recommendations contained in this report are based on the information available to RWDI when this report was prepared. Because the contents of this report may not reflect the final design of the Project or subsequent changes made after the date of this report, RWDI recommends that it be retained by Client during the final stages of the project to verify that the results and recommendations provided in this report have been correctly interpreted in the final design of the Project.

The conclusions and recommendations contained in this report have also been made for the specific purpose(s) set out herein. Should the Client or any other third party utilize the report and/or implement the conclusions and recommendations contained therein for any other purpose or project without the involvement of RWDI, the Client or such third party assumes any and all risk of any and all consequences arising from such use and RWDI accepts no responsibility for any liability, loss, or damage of any kind suffered by Client or any other third party arising therefrom.

Finally, it is imperative that the Client and/or any party relying on the conclusions and recommendations in this report carefully review the stated assumptions contained herein and to understand the different factors which may impact the conclusions and recommendations provided.