Curtis Thompson

From: CRAIG EDWARDS [redacted]
Sent: May 3, 2019 12:44 PM
To: Curtis Thompson
Subject: Official Plan & Zoning By-law Amendments & Draft Plan of Subdivision re Saffron Meadows Phase # 3

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Mr. Curtis Thompson,

Thanks so much for meeting with my wife & I on Wednesday May 1, 2019 & reviewing the application for the potential amendment to the existing "Official Plan & Zoning By-law" for Saffron Meadows Phase # 3. As discussed, we will not be able to attend the public meeting to personally comment on this application on May 13, 2019 & therefore we are sending this correspondence in lieu of our attendance.

After reviewing the proposed official plan & zoning by-law amendment application, we feel that there are various issues which must be thoroughly addressed before an amendment should be granted.

Proposed "Street C" & Port Robinson Rd will serve as main transportation arteries providing access for hundreds of new residence heading out of or into the town centre. A thorough review of the expected traffic patterns, vehicle, pedestrian & bicycle use on Street C & Port Robinson Rd will need to take place to provide the proper "traffic calming" measures to adequately ensure a safe environment for all our constituents.

Proposed "Street C" will eventually intersect & then continue across Port Robinson Rd. This would be a great opportunity to introduce various traffic calming measures & use curb "extensions" & narrow the roadways at all four corners. As this will eventually be a major residential intersection, this could provide a perfect opportunity to properly position delineated pedestrian "cross walks" to allow the walking & cycling community to safely cross at this intersection. We would also suggest that the existing bicycle paths on each side of Port Robinson Rd be widened & traffic calming measures be implemented to the properly accommodate both existing & future vehicle, pedestrian & bicycle traffic. Furthermore, we would suggest that designated bicycle paths be considered & positioned on each side of the proposed Street C along with practical & strategically located traffic calming measures to ensure that vehicle drivers stay within posted residential speed limits.

This is the time to try and correct the problems that have overwhelmingly come to light with the Port Robinson Road construction and its design. We must not make the same mistakes with proposed Street C development. As residents that live, walk and drive this corridor daily we see first hand the struggles of the families in existing homes as well as the newly constructed homes in River Estates. When establishing driving paths (as that has the biggest impact on pedestrian and cycle traffic) most cars are not headed in a westerly pattern. Most head east towards Hwy 406 and the ability to keep cars within safe speeds while driving Port Robinson Road, Lametti and the future Street 'C' will be key to safety. The continuation of Street C north of Port Robinson Road won't be as widely used as one might think as it will used to get to the shopping plaza area. During critical times of the day(morning and evening commute times) most cars use Port Robinson Road and currently use Lametti as one outlet to get to Rice Road via Shaw or Sumersides to avoid the Rice Road and Port Robinson Road intersection as they drive towards Hwy 406. That won't change with a traffic light as many will try to avoid such an intersection. This will be a safety issue as drivers turn left on Rice Rd from Shaw or Summerside outlets. This will be our only chance to change the 'drag strip' design of Port Robinson Road. There must be some sort of physical deterrent to slow cars and trucks between Station Street and Rice Road to enhance the walkability and control the noise for all those living along the street. All proposed future development clearly shows more houses will be closer

to the road. Currently the noise level is a huge deterrent and we would expect that developers would want an improvement to make their homes more attractive for potential residents. Rear laneway access has zero impact on this issue. A roundabout at the intersection of Street C and Port Robinson Road would be the ideal solution. A two way stop (with a stop sign on Street C) would do little to improve any conditions and a four way stop with full cross walk markings would be a half-hearted attempt. At the very least if done with extended curbs (extending into Port Robinson Road) it may be a compromise. We are the individuals that spear-headed the implementation of the three way stop at Station St and Port Robinson Road and that was met with major objections at the time but at least it has saved some lives as cars do generally observe a 'rolling stop & slowdown'. Please listen to the residents that live in this region and watch with great empathy the new residents that try and walk their children to school everyday from the recently completed River Estates.

Controlled growth & strategic thinking are paramount to developing & maintaining a desirable & safe community environment. The Town of Pelham needs to thoroughly consider the residential impact of each new & existing roadway to properly address potential traffic congestion & it's impact on our daily lives!

Sincerely Mr & Mrs Edwards

May 07, 2019

Mayor and Members of Pelham Town Council
c/o Nancy J. Bozzato, Town Clerk
PO Box 400, 20 Pelham Town Square
Fonthill, Ontario, L0S 1E0

RE: File Nos Official Plan Application OP-AM-03-18, Zoning By-law Amendment AM-03-18 & Draft Plan of Subdivision 26T19-02-18 (Hert Inc.)

Thank you for the opportunity to submit comments in respect of the above noted applications. I appreciate the responsiveness of Staff, especially Curtis Thompson, in making the background information and reports in relation to these applications available.

We own 124 and 126 Port Robinson Road. These properties are located on the south side of Port Robinson Road, lying north of the proposed development and east of the proposed Street 'C' connection to Port Robinson Road.

The Town took great effort in establishing the East Fonthill Secondary Plan contained in Section B1.7 of the Official Plan. The Plan provides a comprehensive set of policies intended to result in a highly structured planned community.

Section B1.7.2 (Community Structure) identifies four residential neighbourhoods illustrated on Schedule A4 (excerpt below). The proposed development straddles the line dividing Neighbourhoods 2 and 3.

Section B1.7.4.1 identifies the provision of Demonstration Plans, an excerpt of Appendix A is provided below.

The Demonstration Plans are intended "…*to provide a detailed land use distribution and road pattern, as well as defining an open space and trails network*"; "…*to act as a guideline for successive development and approval processes that are required to implement this Plan, particularly zoning, required Master Plans and Draft Plans of Subdivision/Condominium*"

B1.7.4.1c) states:

> *All development within the East Fonthill Secondary Plan Area shall be generally consistent with the Demonstration Plans attached to this Plan as Appendix A. Adjustments and further refinements to the Demonstration Plans are anticipated and shall not require an Amendment to this Plan, provided that the intent and*

general design approach inherent to the Demonstration Plans are achieved to the satisfaction of the Town.

The proposed development is illustrated below. It is questionable if the proposed plan of subdivision reflects the intent and general design of the Demonstration Plan.

Section B1.7.7.2 (General Policies) contains the following specific requirements for the provision of a Neighbourhood Master Plan:

d) *A Neighbourhood Master Plan will be prepared for each of the four Residential Neighbourhoods. The required Neighbourhood Master Plan shall include the entire neighbourhood as identified on Schedule A4, and shall include the following components:*

i) ***Road, Block and Land Use Plan*** *– The Road, Block and Land Use Plan will identify the conceptual layout of the Site, including the distribution of land uses and building heights. This Plan will provide enough detail to ensure that the minimum overall density assigned to each of the Neighbourhoods has been achieved;*

ii) ***Streetscape and Open Space Plan*** *– The Streetscape and Open Space Plan will identify the function, design and treatment of all the internal road types. It will identify the location of all public sidewalks, on-street bikeways, and the various components of the open space system and trails network, and the integration of these facilities with existing, proposed and future land uses. The Streetscape and Open Space Plan will identify the linkages between proposed parks and parkettes;*

iii) ***Urban Design and Architectural Control Guidelines*** *– The Urban Design and Architectural Control Guidelines will provide more detail and implement the Urban Design Guidelines attached to this Plan as Appendix B, and any other applicable policies of this Plan. These Guidelines will articulate building height, massing and form, building setbacks, the arrangement of buildings on lots and the treatment of on-site parking. In addition, the urban and architectural control guidelines will identify the location and design treatment of landmark architectural features and architectural design requirements for all buildings, including landscape elements;*

iv) ***Servicing Plan*** *– The Servicing Plan shall include, but shall not be limited to, technical details regarding the provision of water, wastewater, stormwater management and public and/or private utilities; and,*

v) ***Environmental Impact Study*** *– An Environmental Impact Study (EIS), where required by the policies of the Official Plan. The required EIS shall include the contiguous lands of participating landowners.*

e) *The Demonstration Plans provided in Appendix A and the Urban Design Guidelines provided in Appendix B, attached, may constitute the Road, Block and Land Use Plan, the Streetscape and Open Space Plan and the Urban Design Guidelines components of the Neighbourhood Master Plan, if the proposed development is generally consistent with the Demonstration Plans and Urban Design Guidelines of Appendix A and B, to the satisfaction of the Town;*

f) *The Neighbourhood Master Plan shall form the basis of Draft Plan of Subdivision, implementing zoning, and/or Site Plan Approvals. Prior to development in any Residential Neighbourhood, the Town shall be satisfied that the Neighbourhood Master Plan has been completed, and all of the policies of this Plan have been appropriately fulfilled;*

The Consultant's Planning Impact Analysis, dated April 2018 mentions the requirement for a Neighbourhood Master Plan on page 26 but provides no further commentary or the required Master Plan.

The Consultant's November 27, 2018 "Addendum to Planning Justification Report/Response to Town Planning Comments", states, in part, on page 10:

> *The overall neighbourhood master plan that is provided in the Functional Servicing Report is a schematic plan to show how the neighbouring lands can be developed from a functional servicing perspective. In absence of development applications on lands to the west, it is very difficult to speculate how these lands will develop.*

The plans contained in the Functional Servicing Study, dated March 2019, are titled:

- SINGER'S DRAIN PHASE 3 WATER DISTRIBUTION PLAN
- SINGER'S DRAIN PHASE 3 SANITARY DRAINAGE AREAS
- SINGER'S DRAIN PHASE 3 STORM DRAINAGE AREAS
- SINGER'S DRAIN OVERALL STORMWATER MANAGEMENT AREAS

The plans illustrate a potential street layout and lot patterning on adjacent lands to the west; however, ignore the potential redevelopment of lands lying north that are designated Medium Residential Density. More importantly, they do not contain the level of detail required by subsections B1.7.7.2 d), e) and f) above for a Neighbourhood Master Plan.

In respect to d) iv) specifically, the Functional Servicing Study fails to identify the opportunity and designated potential for lands to the north, labelled 'EXISTING RESIDENTIAL" to be considered as part of the required Master Plan.

Section B1.7.11.5 (Subdivision of Land) contains detailed policy urging benefitting landowners to work together, and to enter into Developer's Group Agreements based on the requirements of this Plan.

Subsection iii) is of particular interest, stating (**bold** emphasis mine):

> *It is recognized that in circumstances where there are multiple landowners, a singular Developer's Group Agreement may not be possible. To be considered a Developer's Group Agreement in fulfilment of the requirements of this Plan,* ***the Agreement must include a landowner or landowners that represent at least 50% of the landholdings within the subject Neighbourhood****. This policy does not apply to lands within the identified Commercial /Employment Centre;*

While the applicant clearly represents 50% of Neighbourhood 3, the same cannot be said of Neighbourhood 2. For this reason, the applicant is required to attempt reaching an agreement with benefitting property owners. We have made various attempts to

address this issue with the applicant to no avail. In the absence of an agreement being provided in the supporting material, we assume that the applicant has not reached agreement with other parties in order to meet the required 50% representation.

Subsection vi) addresses a situation where landowners encounter some difficulty in achieving cooperation:

> *If a benefitting landowner within a Residential Neighbourhood or within the Commercial/Employment Centre wishes to submit a development application and has been unable to obtain the necessary participation of other benefitting landowners through a Developer's Group Agreement, notwithstanding best efforts to do so, then:*
>
> - *The **applicant landowner shall notify the Town in writing** that it proposes to submit an application for development on its lands, or a portion thereof, without a Developer's Group Agreement;*
>
> - *The **applicant landowner in said notice shall set out**, in compliance with the provisions of this Plan, that the development proposal is able to accommodate on it's lands, without the participation of other landowners or lands, appropriate urban development that represents a logical expansion of the existing community. **The applicant landowner shall** also elect in said notice, at its option, either to:*
>
> - ***Enter into a Development Agreement with the Town in lieu of other benefitting landowners; or,***
> - ***Enter into, with the Town, a Front-Ending Agreement in accordance with the provisions of Section 44 of the Development Charges Act, as amended.***
>
> - *The purpose of these alternative agreements shall be to ensure that a nonparticipating, benefitting landowner cannot develop their lands without appropriate compensation to the applicant landowner for any expenditures that exceeds the amount required to develop the applicant landowner's lands, and is a direct benefit to a non-participating, benefitting landowner; and,*
>
> - ***Nothing in the policy compels the Town to enter any agreements with any applicant landowner.***

In the absence of a Development Agreement with the Town, we question if the applicant has gained compliance in this respect.

Please be advised that this correspondence has been shared with the applicant and their agents.

Please consider this correspondence as our request for personal notice of Council's future consideration of any reports relating to these applications in addition to any decisions regarding same.

Thank you for your time in considering this correspondence, we look forward to further conversation.

Sincerely,

Craig & Kelly Larmour
[redacted]

STERLING
REALTY (NIAGARA) INC.

June 14, 2019

Town of Pelham
20 Pelham Town Square
P.O. Box 400
Fonthill, ON, L0S 1E0

Dear Mr. Curtis Thompson, Planner, B.URPI

Re: Saffron Meadows Phase 3 (162 Port Robinson Road)
File No. OP-AM-03-18, AM-03-18 & 26T19-02-18

Sterling Realty (Niagara) Inc. owns the lands directly adjacent to the above noted property, to the south and west of it. Sterling Realty is aware that Hert Inc. has applied for applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision to develop their lands for a residential subdivision. Sterling Realty is supportive of these applications that have been submitted by Hert Inc., as the proposed subdivision includes future road and pedestrian connections to the Sterling Realty lands which will provide for a comprehensively designed community.

It is understood between Hert Inc. and Sterling Realty that cost-sharing measures for stormwater management outlet facilities and other services will be addressed as part of the final detailed engineering design and through conditions of Draft Plan approval for the Saffron Meadows Phase 3 development which are to be prepared by the Town.

Sterling Realty requests that the Town of Pelham provide Sterling Realty with a copy of the Draft Plan conditions for these cost sharing measures prior to them being approved by council.

Sincerely,

John DeLisio
President
Sterling Realty (Niagara) Inc.

STERLING REALTY (NIAGARA) INC.
17 Dunbar Crescent, St. Catharines, Ontario L2W 1A6 Phone: 905-687-3342 Fax: 905-984-5866