

Public Meeting Under the Planning Act Agenda

PCOW-03/2020 Public Meeting Under Planning Act

Monday, July 13, 2020

4:30 PM

Town of Pelham Municipal Office - Council Chambers

20 Pelham Town Square, Fonthill

If you require any accommodations for a disability in order to attend and participate in meetings or events, please contact the Office of the Clerk at 905-892-2607 ext. 315 or 320. Taping and/or recording of meetings shall only be permitted in accordance with the Procedure By-law. Rules of Decorum apply to observers.

	Pages
1. Call to Order and Declaration of Quorum	
2. Adoption of Agenda	
3. Disclosure of Pecuniary Interest and General Nature Thereof	
4. Planning Act Application: 26CD19-01-2020 - Part 5, 59R-16105 (Northeast corner of Wellspring Way/ Summersides Blvd)	3 - 5
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4.1.1 Draft Plan Condominium Recommendation Report - Summersides Mews (26CD19-01-2020) Part 5, RP 59R- 16105, 2020-0093-Planning	14 - 42
4.2 Applicant's Presentation	
4.3 Public Input	

4.4 Committee Input

5. Adjournment

Notice of Public Meeting

DATE: Monday, July 13, 2020 at 4:30 PM

PLACE: This hearing will be held remotely by webcast.

Town Council approved Public Hearings to be held remotely during an emergency via By-law No. 4231 (2020). The Town of Pelham will be livestreaming this Public Meeting at the following link: <https://www.youtube.com/user/TownOfPelham>

Owner/Agent: Summerside Blvd Inc. / Better Neighbourhoods Inc.

File Number: 26CD19-01-2020

Subject Lands: Part 5, RP 59R-16105 (northeast corner of Wellspring Way / Summersides Blvd)

Public Meeting for a Draft Plan of Condominium in accordance with Section 50 of the [Planning Act](#), R.S.O. 1990, as amended.

An application for draft plan of (vacant land) condominium approval was received for the property known legally as Part 5 on RP 59R-16105 (see reverse).

The condominium development would allow individual ownership of the 41 dwelling units, and establish the common elements of the condominium corporation such as the laneway and visitor parking areas. The proposed development has already received Site Plan Approval (file no. SP-03-19).

YOUR INPUT IS ENCOURAGED: Please provide input by speaking at the public meeting or by making a written submission to the Town of Pelham. Unless indicated otherwise, personal information and all comments will become part of the public record and may be publicly released. To provide input in writing, or to request personal notice if the proposed draft plan of condominium is approved, please send all correspondence by **12:00 PM on Wednesday, July 8, 2020** for inclusion in the public meeting agenda package c/o Town Clerk, Nancy J. Bozzato, PO Box 400, 20 Pelham Town Square, Fonthill, Ontario L0S 1E0, or by email at njbozzato@pelham.ca. Verbal comments will be received remotely at this public hearing using the Zoom platform. To participate remotely, please pre-register with the Clerks office by sending an email to clerks@pelham.ca before **12:00 PM on Friday, July 10, 2020**. All registrants will be provided with instructions on how to use your computer, tablet or phone to participate in the Public Meeting. Registrants will also be notified of Council's decision. If you have not submitted written comments or pre-registered before the aforementioned deadlines, but wish to submit comments during the Public Meeting, you may livestream the meeting from the Town of [Pelham's YouTube channel](#) and email comments to clerks@pelham.ca during the public commenting portion of the subject application only. If your comments are not received prior to the closing of the public commenting portion of the meeting, they will not be considered.

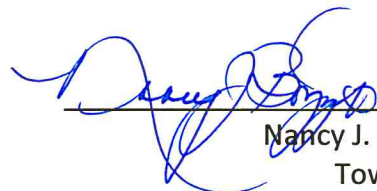
NEED MORE INFORMATION: For more information, please contact Curtis Thompson by email at cthompson@pelham.ca or at 905-892-2607 ex. 324. A copy of the staff Report regarding the proposed application as well as any additional information may be obtained on the Town's website at <http://calendar.pelham.ca/council> or at Town Hall after 4:30 PM on Thursday, July 9, 2020.

IMPORTANT INFORMATION: If a person or public body does not make oral submissions at a public meeting or make a written submission to the Town of Pelham before the proposed draft plan of condominium approval is given, the person or public body is not entitled to appeal the decision to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submission at a public meeting or make written submission to the Town of Pelham before the proposed by-law is adopted, or draft plan of condominium approval is given, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so.

If you wish to be notified of the granting of approval of Draft Plan of Condominium, you must make a written request to the Clerk of the Town of Pelham and such request must include the name and address to which such notice should be sent.

Dated at the Town of Pelham, this 18th day of June, 2020



Nancy J. Bozzato
Town Clerk

Date of Mailing: 18th June, 2020

NOTICE REQUIREMENTS

Application for Draft Plan of Condominium *Summersides Mews – Part 5 on RP 59R-16105*

File. 26CD19-01-2020
(Summerside Blvd Inc.)

An application for Draft Plan of (vacant land) Condominium for the development of 41 dwelling units and associated common elements including visitor parking and private laneway.

The Planning Act requires under Section 50 that Council must hold at least one public meeting for the purpose of informing the public of the proposed draft plan of condominium approval.

This public meeting has been called to satisfy these requirements. Notice of this meeting was provided by prepaid first class mail to all persons, who are listed as owners in the last revised assessment roll, within 120 metres of the subject property on June 18, 2020. The notice provided information on the property and the proposed Draft Plan of vacant land Condominium.

In addition to providing information on the application, we will also receive any comments which any member of the public may wish to offer.

If you wish to receive a copy of the Notice of Decision, please contact the Clerk in writing as soon as possible. Contact information is available on the Town's website and will also be displayed on the last slide of the staff Presentation to follow shortly.

If a person or public body would otherwise have an ability to appeal the decision of the Town of Pelham to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Pelham before the by-law is passed, the person or public body is not entitled to appeal the decision.

In closing, we stress that the proposed Draft Plan of Condominium deals with tenure only, and the development is already subject to a previously approved Site Plan Agreement.

Public Meeting for *Summersides Mews* (Part 5, RP 59R-16105)

Draft Plan of Condominium Application

File No. 26CD19-01-2020



Purpose & Location

Draft Plan of Condominium:

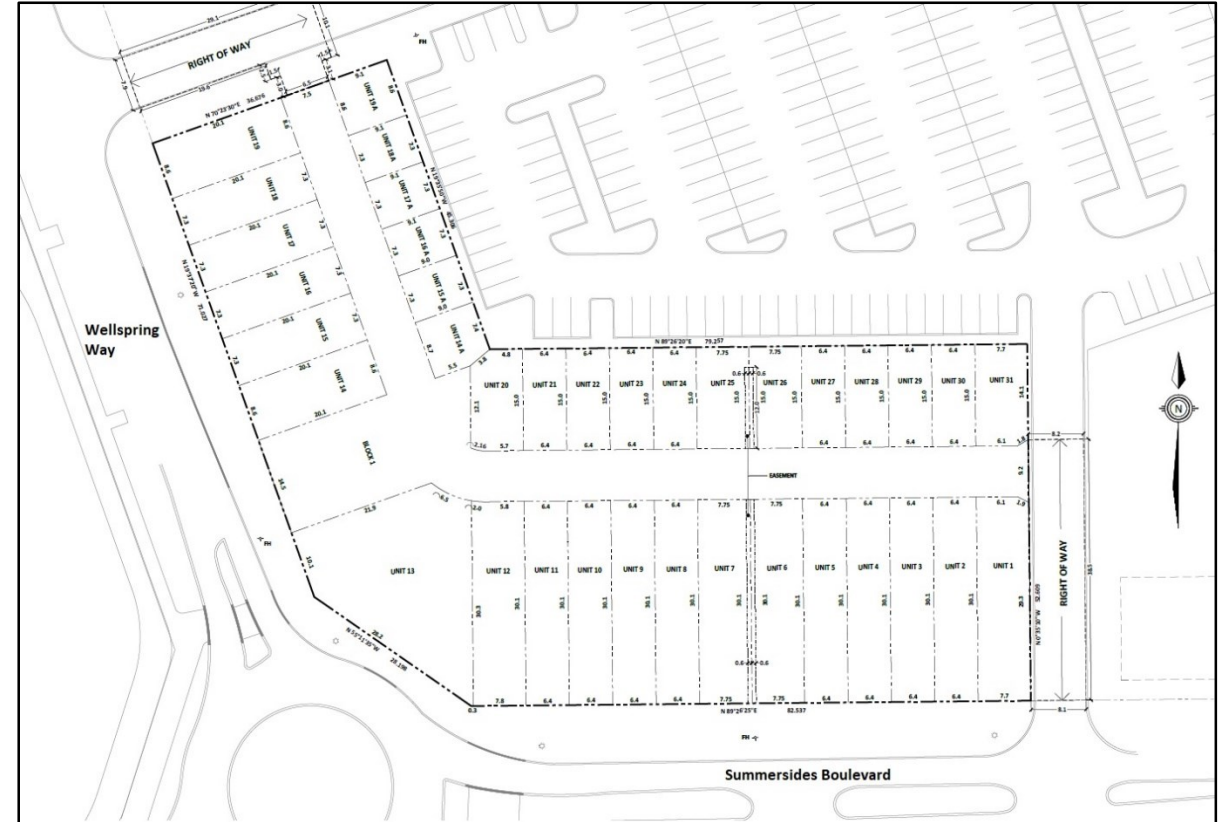
- Allows the units to be individually owned with joint ownership of common areas (e.g. laneway, parking lot) through a condominium corporation

Location:

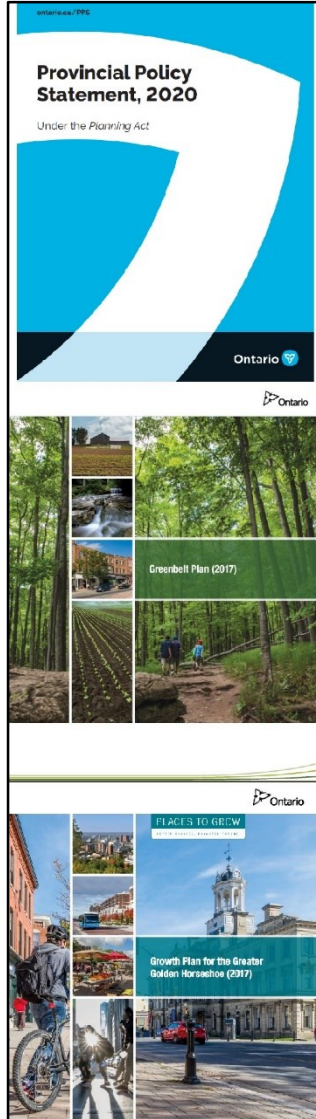
Northeast corner of Wellspring Way & Summersides Boulevard

Legal Description:

Part 5 on RP 59R-16105, and Part of Block 4 on Plan 59M-432



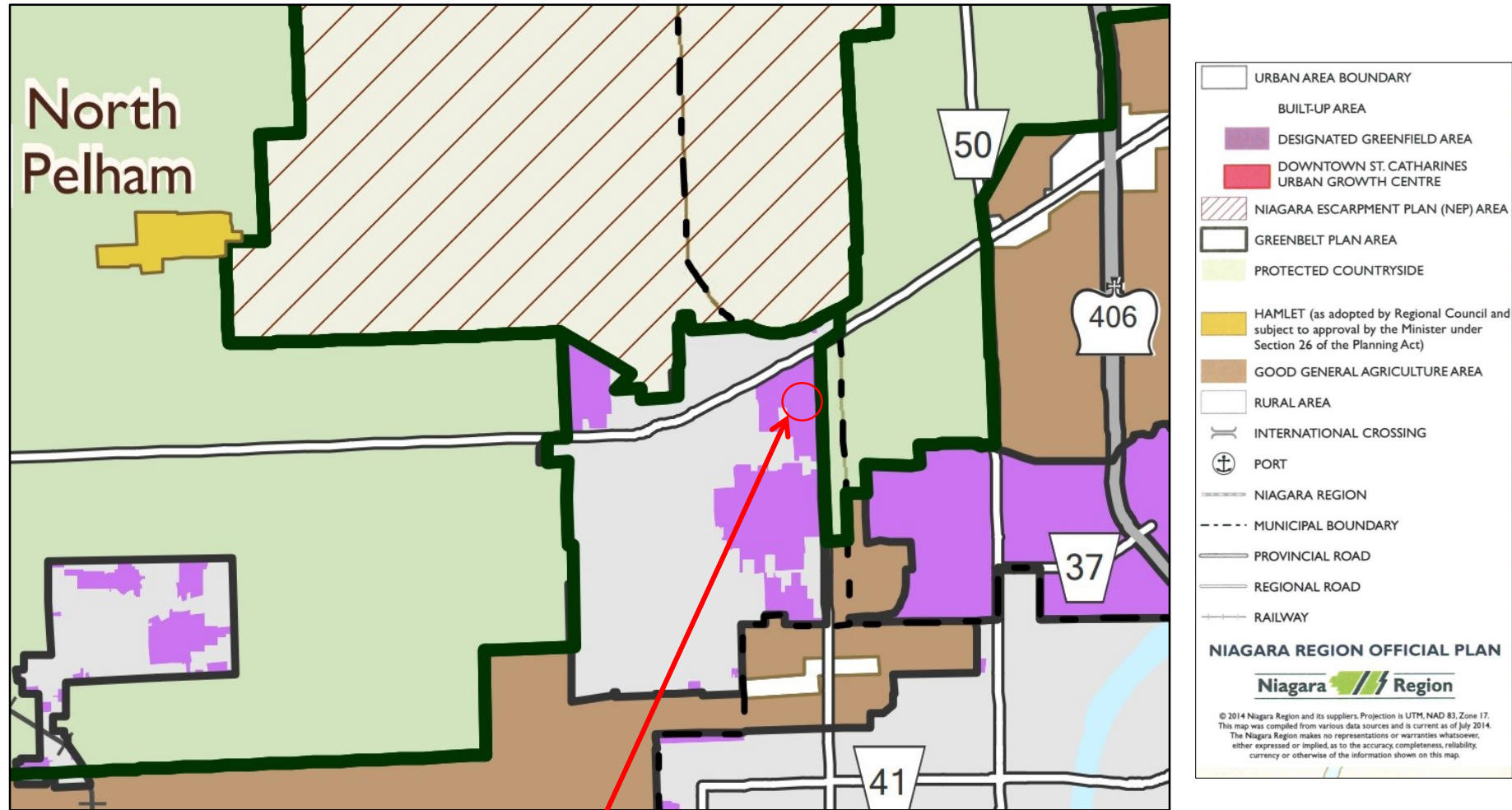
Provincial Policies



- Provincial Policy Statement (2020)
 - located within a *Settlement Area*
- Greenbelt Plan (2017)
 - located within a *Settlement Area* outside of the Greenbelt Plan
- Growth Plan for the Greater Golden Horseshoe (2019)
 - located within a *Settlement Area* and a *Designated Greenfield Area*

Niagara Region Official Plan (2014)

- Designated :
- Designated Greenfield Area within the Urban Area Boundary

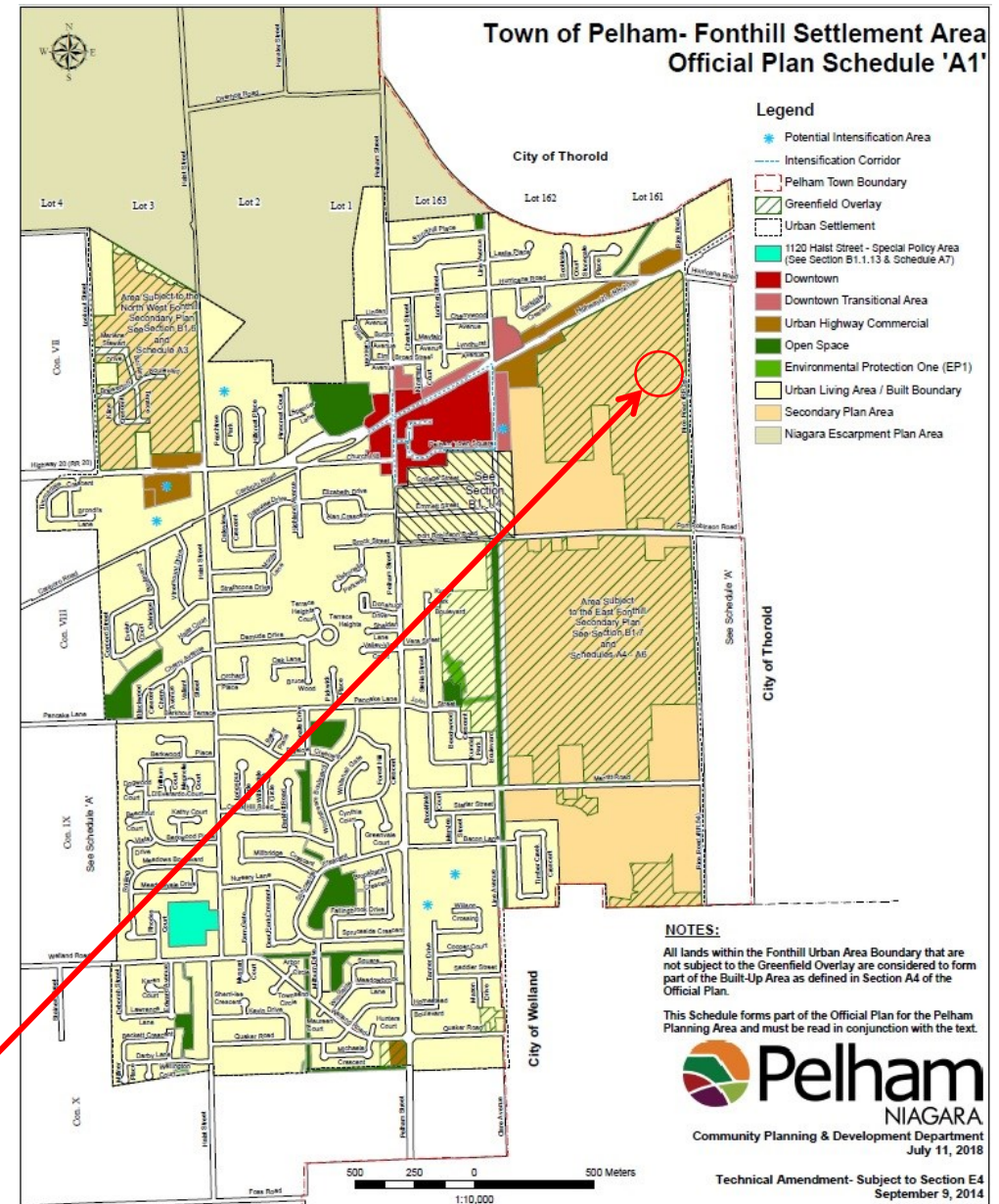


Approximate Location of Subject Land

Pelham Official Plan (2014)

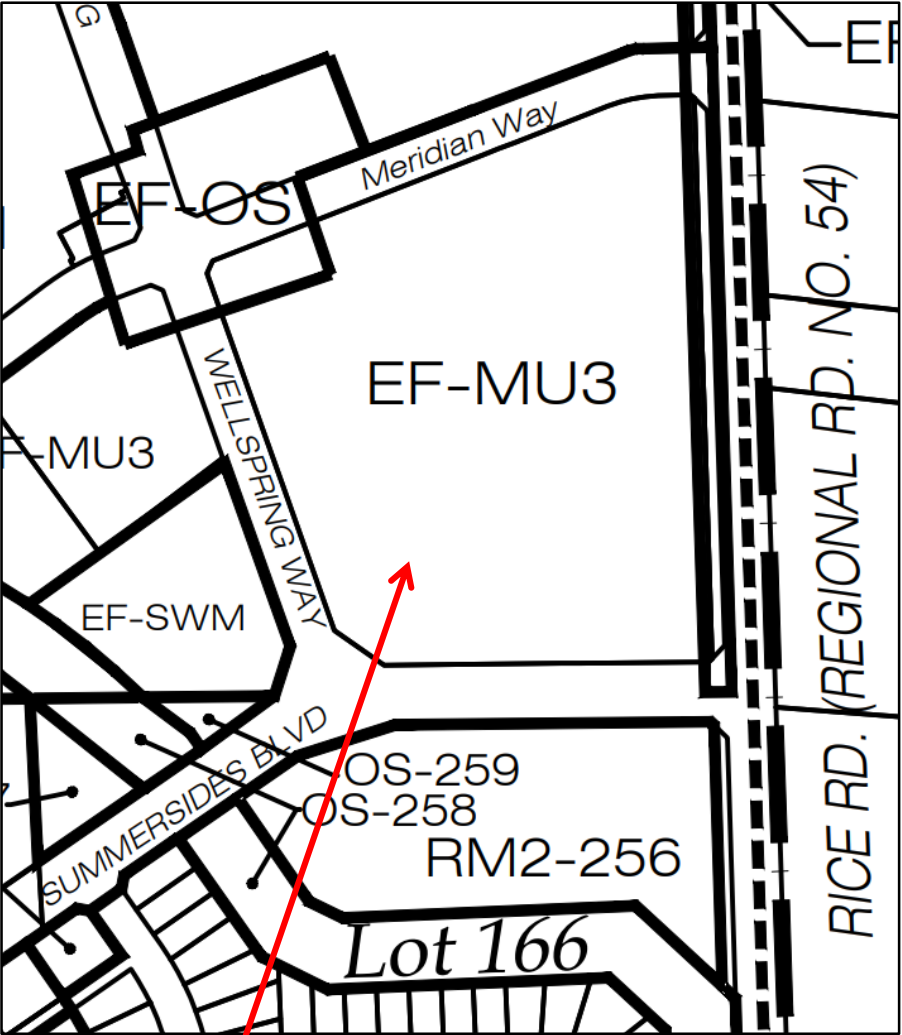
- Designated:
 - *Secondary Plan Area / Greenfield Overlay*
- East Fonthill Secondary Plan designation:
 - EF – Mixed Use

Approximate Location
of Subject Land



Pelham Zoning By-law No. 1136 (1987)

Existing zoning:
East Fonthill – Mixed Use 3 (EF-MU3)



Location of Subject Land

Consultation

- **Public**
 - No comments received to date
- **Niagara Region**
 - No objection subject to the Condominium Agreement assuming the Site Plan Agreement obligations.
- **Town Public Works, Building**
 - No comments.
- **Bell Canada, Hydro One, Enbridge Gas, Canada Post,**
 - No objection.

Questions & Comments

Requests to receive a copy of the Notice of Decision can be directed to:

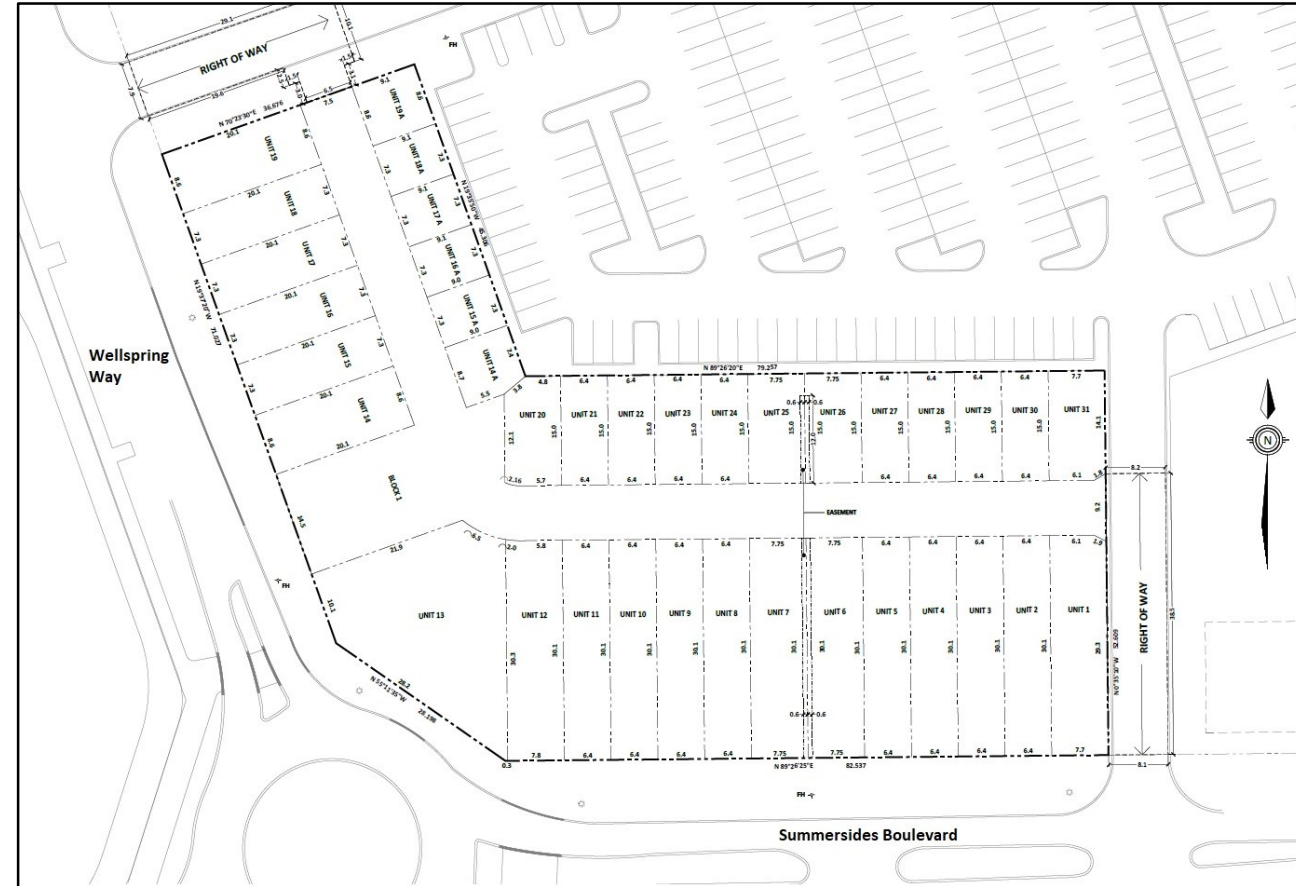
Nancy Bozzato, Clerk

nbozzato@Pelham.ca

Or by mail,

20 Pelham Town Square

PO Box 400, Fonthill, ON L0S 1E0



Questions and comments on this file may be directed to:

Curtis Thompson, Planner

(905) 892-2607 x. 324

cthompson@pelham.ca

**Subject: Draft Plan of Condominium Approval Recommendation Report
– Summersides Mews (26CD19-01-2020) Part 5 on RP 59R-16105**

Recommendation:

BE IT RESOLVED THAT Council receive Report # 2020-0093-Planning pertaining to Draft Plan of Condominium file 26CD19-01-2020; and

THAT Council approve the draft plan of condominium subject to the conditions attached hereto as Appendix D; and

THAT, the Mayor or designate be authorized to sign the draft plan as 'approved' 20 days after notice of Council's decision has been given as per the *Planning Act*, provided no appeals have been lodged.

Background:

The purpose of this report is to provide Council with a recommendation regarding an application for draft plan of vacant land condominium approval under Section 50 of the *Planning Act* for the lands described as Part 5 on RP 59R-16105, referred to as *Summersides Mews*. The draft plan of condominium application would facilitate individual ownership structure of each of the 41 block dwelling units and establish common elements such as the laneway and visitor parking lot.

The subject lands are currently vacant and located on the northeast corner of the roundabout at Summersides Boulevard and Wellspring Way. The lands are surrounded by the Meridian Community Centre to the north, vacant land to the east and south, and a stormwater management pond to the west (Figure 1).

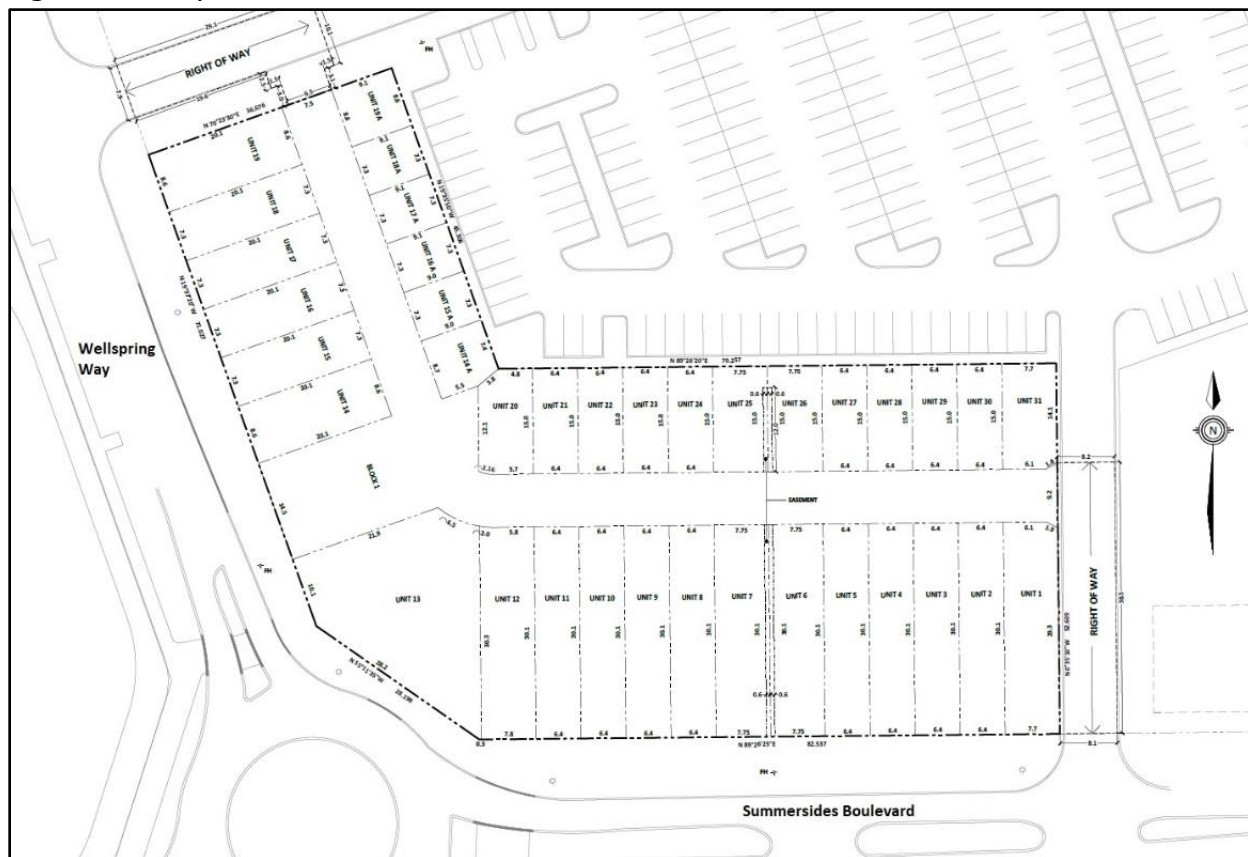


Figure 1: Subject Lands

Council previously approved the Site Plan Control Agreement for this development (file no. SP-03-19) which allows for the development of a multi-unit residential site. This draft plan of condominium application would facilitate an individual ownership structure as follows:

- One five (5) unit, apartment building (Unit 13);
- 36 townhouse dwellings consisting of 24 individual townhouse dwellings (Units 1 – 12, 20 – 31) and 6 individual townhouse dwellings (Units 14 – 19) with 6 detached second (accessory) dwelling units (Units 14A – 19A) connected in ownership with their principle townhouse unit.
- Common element laneway and parking lot.

Figure 2: Proposed Draft Plan of vacant land Condominium



The proposed condominium's ownership model for six (6) of the townhouse units is unique for the Region because some of these houses could be more affordable for new home owners thanks to being partially subsidised by rental income from their connected accessory apartment, or alternatively serve as an adaptable living arrangement for growing families. Typically, most condominium corporations enact very restrictive covenants and by-laws regulating such housing arrangements, effectively locking out, or excluding an integral sector of the population who may

need to rely on that supplementary rental income to qualify for mortgage financing, (i.e. young families), or to accommodate a multi-generational family. As a result, this proposal is unique because both the zoning and condominium requirements permit the accessory dwelling unit model.

Analysis:

Planning Act

Section 51 (24) of the Act identifies the criteria to be considered in considering a draft plan of subdivision (condominium), regard shall be had to the health, safety, convenience, accessibility and welfare of present and future inhabitants of the municipality. The criteria includes matters of Provincial interest highlighted in Section 2 as well as the logic in site geometry, adequacy of utilities / municipal services and school sites among other things.

Town Planning staff is of the opinion the proposed draft plan of condominium application meets, exceeds or does not conflict with any matter of Provincial interest identified in Section 2 of the Act.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

Section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act. The PPS recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility provided that provincial interests are upheld. PPS policies represent minimum standards.

The subject land is located in a ‘Settlement Area’ according to the PPS. Policy 1.1.3.1 states that settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

Planning staff are of the opinion the draft plan of condominium is consistent with the PPS as it promotes a diverse tenure structure by providing a hybrid ownership model with potential for rental units in an effort to accommodate a broader range of income levels.

Growth Plan for the Greater Golden Horseshoe (2019)

This Plan informs decision-making regarding growth management and environmental protection in the Greater Golden Horseshoe (GGH). All decisions made after May 16, 2019 that affect a planning matter will conform with this Growth Plan, subject to any legislative or regulatory provisions providing otherwise. The policies of this Plan take precedence over the PPS to the extent of any conflict.

Policy 2.2.6.2 Housing – states that notwithstanding policy 1.4.1 of the PPS (2014), in implementing policy 2.2.6.1, municipalities will support the achievement of *complete communities* by:

- a) planning to accommodate forecasted growth to this Plan's horizon;
- b) planning to achieve the minimum intensification and density targets in this Plan;
- c) considering the range and mix of housing options and densities of the existing housing stock; and
- d) planning to diversify their overall housing stock across the municipality.

The proposed draft plan of vacant land condominium will help facilitate a more diverse ownership and rental tenure structure for the 41 approved residential dwelling units in a variety of housing types that are relatively compact, walkable in form and that help to support the existing municipal infrastructure within the East Fonthill neighbourhood.

Regional Official Plan (Consolidated August 2014)

The Regional Official Plan designates the subject land as 'Designated Greenfield Area' within the Urban Area Boundary.

Policy 4.C.5 states *Designated Greenfield Areas* will be planned as compact, complete communities by: Where permitted by scale, accommodating a range of land uses. Where limited by scale or configuration, making a significant contribution to the growth of the respective *Urban Area*. Providing opportunities for integrated, mixed land uses. Ensuring that Greenfield development is sequential, orderly and contiguous with existing built-up areas.

Town Planning staff are of the opinion the draft plan of condominium makes effective use of the vacant lands situated in an evolving mixed-use neighbourhood by providing a diverse range of housing types and tenures.

Niagara Region staff do not object to the proposed draft plan of condominium, subject to the condominium agreement requiring the condominium corporation to assume the terms of the Site Plan Agreement.

Pelham Official Plan (2014) & East Fonthill Site Master Plan

The Town of Pelham Official Plan is the primary planning document that will direct the actions of the Town and shape growth that will support and emphasize Pelham's unique character, diversity, cultural heritage and protect our natural heritage features.

The local Official Plan designates the subject land as 'Secondary Plan Area' within the Fonthill Settlement Area. More specifically, the East Fonthill Secondary Plan designates this parcel as EF – Mixed Use within the Commercial/Employment Centre.

Policy A2.2.2 Growth & Settlement – states that it is a goal of this Plan to encourage residential development applications occurring in the *urban areas*, to provide for affordable housing and diversity in housing in an effort to accommodate a broad range of income levels among other things. Policy

A2.3.2 Urban Character – stated objectives of this Plan include (among others): To enhance the *urban areas* as diverse, livable, safe, accessible and attractive communities. To ensure that new development areas are integrated into the fabric of the existing community in conformity with approved Secondary Plans. To encourage the development of neighbourhoods which are compact, pedestrian-friendly and provide a mix of housing types.

Policy B1.7.3.1 (East Fonthill) Development Objectives – states that the following private (and public) development objectives will be implemented by the mechanisms in the Official Plan, the implementing Zoning and Site Plan Approvals. The East Fonthill development objectives (that relate to this draft plan of condominium application) are:

Policy B1.7.3.1 (East Fonthill) Development Objectives – states that the following private (and public) development objectives will be implemented by the mechanisms in the Official Plan, the implementing Zoning and Site Plan Approvals. The East Fonthill development objectives (that relate to this draft plan of condominium application) are:

b) To ensure a well-designed, attractive, pedestrian-and bicycle-friendly community that includes an appropriate mixture of housing types, as well as locally focused retail/commercial uses and places of worship. Several housing types, unit sizes and tenure are being provided which help cater to different age cohorts and income brackets.

Policy B1.7.3.2 Affordable Housing – states that it is the Plan’s objective that a minimum of 25% of all new residential development within the East Fonthill Secondary Plan Area meet the Provincial definition for *affordable* housing.

Affordable housing will also be encouraged to locate in proximity to community facilities and existing or potential public transit routes and active transportation routes. *Affordable* housing may be achieved by:

- i) Promoting higher density housing forms;
- ii) Building smaller units;
- iii) Applying government grants and/or subsidies, including land dedication;
- iv) Waiving or reducing municipal permit fees, development charges, or taxes;
- and
- v) Encouraging the development of accessory apartments.

The approved Site Plan provides medium density, ground-oriented residential building types. The apartment building and several townhouse units accommodate smaller floor areas, which help to ensure purchase (or rental) costs do not become overly exclusive in price. No government grants or subsidies are part of this proposal. Six (6) of the townhouse units are proposed to be connected in ownership with six (6) larger townhouses and will function as detached accessory apartments.

The proposed draft plan of (vacant land) condominium conforms to the Pelham Official Plan as it supports additional housing, a variety of housing types & tenures that help accommodate a broader range of future resident incomes.

Pelham Zoning By-law No. 1136 (1987), as amended

The subject lands are zoned ‘East Fonthill – Mixed Use 3’ (EF-MU3) in accordance with Pelham Zoning By-law 1136 (1987), as amended by By-law No. 3543 (2014).

The proposed development complies with the Zoning By-law.

Financial Considerations:

The applicant is responsible for all costs associated with the proposed development, which includes site servicing, landscaping, consulting & legal fees. The Condominium Agreement ensures the obligations of the Site Plan Agreement are assumed which already required the developer to provide financial security to the Town in the event site works are not undertaken.

Alternatives Reviewed:

Council may choose to not approve the draft plan of condominium and associated Condominium Agreement with the owner; however, this will eliminate the individual

sale of the dwelling units, limit future sale transactions and result in the whole property being owned by one party and be full rental tenure.

Strategic Plan Relationship: Build Strong Communities and Cultural Assets

The proposed development enhances the East Fonthill Mixed Use Centre by providing a variety of housing options and tenures. The proposed housing choices are relatively more affordable than local comparables, despite some of the dwelling units not having sound comparables, as the housing type / tenure are rather unique for the Region. Ultimately, Planning staff are of the opinion that the proposed draft plan of condominium will positively contribute to building a more resilient, sustainable and strong community.

Consultation:

Agency & Public Comments

On February 4th 2020, a 'Request for Comments' was circulated to agencies directly affected by the proposed application including internal Town departments (i.e. Public Works, Fire, etc.) and external agencies (i.e. Niagara Region, Canada Post, Enbridge etc.).

The comments received by all stakeholders echoed comments previously submitted with the Site Plan Approval, and declared no objections subject to the Site Plan Agreement obligations being assumed in the Condominium Agreement.

Two *Public Hearing* signs have been posted on the subject land's frontages in accordance with the prescribed timeframes outlined in the *Planning Act*, as well as individual *Public Notices* delivered by mail to all assessed property owners within 120 metres of the subject land's boundaries. No public comments have been received to date.

Planning Staff Comments

A pre-consult was held with the applicant(s) of the property and staff from the Town and Niagara Region Planning & Development Services on December 20, 2018 to discuss the development applications.

The subject lands are located on the northeast corner of the roundabout intersection of Summersides Boulevard and Wellspring Way. The lands are currently surrounded by the Meridian Community Centre to the north, vacant land to the east & south, and an open space stormwater management pond to the west.

The proposed draft plan of (vacant land) condominium seeks to allow individual ownership for most of the dwelling units through a Condominium Agreement and associated condominium corporation. The physical development and dwelling units

have already been approved by Council through a Site Plan Agreement that was ratified on the 27th of April, 2020.

This staff *Recommendation Report* consolidates and analyzes applicable planning policy, agency and staff comments as well as submitted applicant material for Council's consideration in rendering an informed decision.

In response to various agency comments received, Planning staff advises that all requested conditions will be included as conditions in the Condominium Agreement, or have already been included under the existing Site Plan Agreement.

In Planning staff's opinion, the application represents good land use planning and is consistent with the PPS and conforms to Provincial, Regional, and local plans and will implement the approved site plan for the development.

Other Pertinent Reports/Attachments:

- Appendix A:
 - Draft Plan of Condominium (dated 2020-04-27)
- Appendix B:
 - Draft Reference Plan (dated 2020-06-10)
- Appendix C:
 - Agency Comments Consolidated
- Appendix D:
 - Conditions of Draft Plan of Vacant Land Condominium Approval

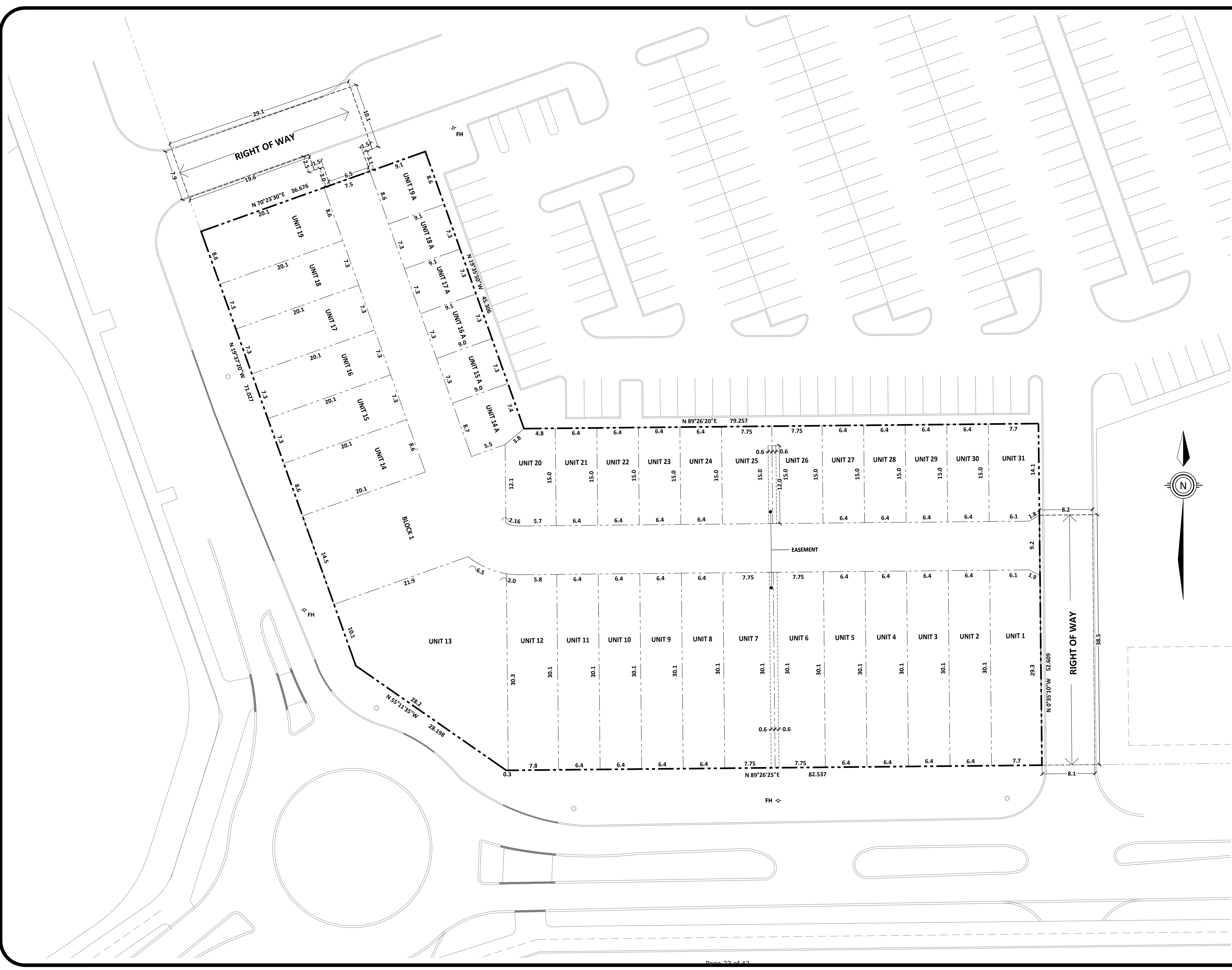
Prepared and Recommended by:

Curtis Thompson, B.URPI
Planner

Barbara Wiens, MCIP, RPP
Director of Community Planning and Development

Prepared and Submitted by:

David Cribbs, BA, MA, JD, MPA
Chief Administrative Officer



REQUIREMENTS OF SECTION

51(17) OF THE PLANNING ACT

- (A) SEE PLAN

(C) SEE PLAN

(E) SEE PLAN

(G) SEE PLAN

(I) SILTY CLAY

(K) FULL SERVICES
- (B) SEE PLAN

(D) SEE PLAN

(F) SEE PLAN

(H) MUNICIPAL

(J) SEE PLAN

(L) SEE PLAN

METRIC NOTE

DISTANCE SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING 0.3048

LEGAL DESCRIPTION

PART OF BLOCK 4, REGISTERED PLAN 59M-432, TOWN OF PELHAM, REGIONAL MUNICIPALITY OF NIAGARA.

LANDUSE SCHEDULE		
UNIT/ BLOCK	USE	AREA (m²)
1-12	STREET TOWNHOUSES	2473.0
13	APARTMENT	536.2
14-19	STREET TOWNHOUSES	934.4
14A-19A	PARKING FOR UNIT 14-19 AND ACCESSORY APARTMENT	420.5
20 - 31	MEWS TOWNHOUSES	1227.8
BLOCK 1	COMMON ELEMENT	1425.0
TOTAL		7016.9

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY AUTHORIZE BETTER NEIGHBOURHOODS INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF PELHAM.

OWNER

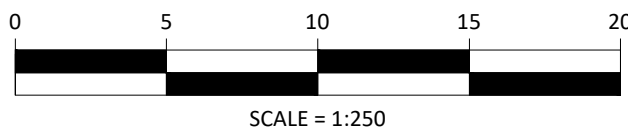
DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

*William A. Mascoe*05/04/2020

William A. Mascoe, O.L.A. DATE



b

better
neighbourhoods

DEVELOPMENT CONSULTANTS

190A Ontario Street, Ontario L2R 5K3
Office: 905.684.8585 betterneighbourhoods.ca

PROJECT TITLE:

SUMMERSIDES MEWS
Town of Pelham, Ontario

DRAWING TITLE:

**DRAFT PLAN
OF VACANT LAND
CONDOMINIUM**

DATE OF ISSUE:

2020 04 27

DRAWING No:

0310 DPVLC1

REV. NO:

0

Planning and Development Services

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

Via Email Only

March 5, 2020

File No.: D.11.06.CD-20-0002

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

Dear Mr. Thompson:

Re: **Application for Draft Plan of (Vacant Land) Condominium Approval**
Location: Part 5, 59R-16105
Agent: Better Neighbourhoods Inc.
Proposal: 30 Street Townhouse Units and 1 Apartment Block
Town File: 26CD19-01-2020

Regional Development Planning and Engineering staff reviewed the information circulated with the application for Draft Plan of (Vacant Land) Condominium Approval for lands legally described as Part of Block 4, 59M-432 (Part 5 on 59R-16105) in the Town of Pelham. The application and fees were received on February 4, 2020.

The Draft Plan of Condominium, prepared by Better Neighbourhoods Inc. (dated 2019-12-17 and certified by William A. Mascoe, OLS) proposes the creation of 30 condominium units for townhouse dwellings, 6 condominium units for garages associated with townhouse units 14-19 with accessory dwelling units above, one unit for a future apartment building (3 storey, 5 units), and one block for common element area for visitor parking and a private road.

A concurrent application for site plan approval was reviewed by the Region and the most recent comments were provided by letter dated October 8, 2019. A preconsultation meeting for both applications was held on December 20, 2018, and was attended by Town and Regional staff, as well as the owners and agents.

Regional staff provides the following comments to assist the Town in their consideration of the application from a Provincial and Regional perspective.

Provincial and Regional Policies

The subject land is located within a Settlement Area under the 2014 Provincial Policy Statement (PPS), designated Greenfield Area under the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) and Urban Area (Greenfield) in the Regional Official Plan (ROP).

The PPS directs growth to settlement areas, and encourages the efficient use of land, resources, infrastructure and public service facilities that are planned or available. The Growth Plan contains policies that encourage the development of designated Greenfield Areas into complete communities that achieve a minimum density target of 50 residents and jobs combined per hectare, with a diverse mix of land uses and range of housing types, taking into account affordable housing and densities that meet the projected needs of current and future residents.

The ROP permits a full range of residential, commercial and industrial uses generally within the Urban Area, subject to the availability of adequate municipal services and infrastructure. The policies promote higher density development in Urban Areas and support growth that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara. The ROP directs that designated Greenfield Areas are to be planned to achieve a minimum density target of 50 people and jobs per hectare across all Greenfield Areas in Niagara, in alignment with the Growth Plan.

The proposal is consistent with Provincial and Regional growth management policies. The proposed condominium exceeds the minimum density target and will yield a density of approximately 142 people and jobs per hectare (based on 35 units, 0.7017 ha of land area and 2.76 persons per unit as provided for in Table 4-1 of the ROP). The draft plan will contribute to meeting the overall density target of 50 people and jobs per hectare for Greenfield Areas across the Town of Pelham, and will provide additional housing in the neighbourhood. Regional staff commends the applicant for incorporating a variety of housing types (townhouse, low rise apartment and accessory dwellings) within the proposed development, which aligns with Provincial and Regional policies directing the provision of housing that is affordable, accessible and suited to the needs of a variety of households and income groups.

Archaeological Resources

The PPS and ROP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, Section 2.6.2 of the PPS and Policy 10.C.2.1.13 of the ROP state that development and site alteration are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved.

The land was identified as having high archaeological potential at the preconsultation meeting, as a result of proximity to a watercourse and several registered archaeological

sites. As indicated in Regional comment letter dated May 24, 2019 provided through the site plan approval process, archaeological potential was addressed and the Ministry acknowledgement letter was issued through the subdivision approval process for these lands. As such, Regional staff has no further concerns with regard to archaeology on this site.

Recognizing that no archaeological survey, regardless of its intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff requested the inclusion of a standard archaeological clause in the site plan agreement relating to deeply buried archaeological materials that may be encountered during grading and construction activities. Provided the condominium agreement requires the condominium corporation to assume the terms of the site plan agreement, Regional staff has no further requirements.

Agricultural Warning Clause

As indicated in Regional comment letter dated May 24, 2019 provided through the site plan approval process, lands on the east side of Rice Road fall outside of the Urban Area boundary and are designated for agricultural use. Regional staff requested the inclusion of a standard warning clause in the site plan agreement relating to potential impacts (noise, odour and dust) from nearby agricultural activities and agricultural related traffic. Provided the condominium agreement requires the condominium corporation to assume the terms of the site plan agreement, Regional staff has no further requirements.

Waste Collection

All collection limits, requirements, specifications, and conditions related to waste outlined in the Regional comment letter dated May 24, 2019 provided through the site plan approval process still apply, except for the requirement for an easement as a result of the revised site plan (dated 2020 01 20) indicating a 6.5 metre road width with one surface treatment. Provided the condominium agreement requires the condominium corporation to assume the terms of the site plan agreement, and the site plan conditions are addressed, Regional staff has no further requirements.

Conclusion

In conclusion, the proposal is consistent with the PPS and conforms to the intent of Provincial or Regional policies. Regional staff has no objection to the Draft Plan of (Vacant Land) Condominium from a Provincial and Regional perspective, subject to:

- the previous site plan conditions outlined in the Regional comment letter dated May 24, 2019 being addressed; and,
- the condominium agreement requiring the condominium corporation to assume the terms of the site plan agreement.

March 5, 2020

Should you have any questions related to the above comments, please feel free to contact me at 905-980-600 ext. 3432 or Lola Emberson, MCIP, RPP, Senior Development Planner, at 905-980-6000 ext. 3518.

Please send a copy of the staff report from the Town and notice of Council's decision on this application when available.

Kind regards,



Britney Fricke, MCIP, RPP
Development Planner

cc: Lola Emberson, MCIP, RPP, Senior Development Planner, Niagara Region
Matteo Ramundo, Development Approvals Technician, Niagara Region

Curtis Thompson

From: circulations@wsp.com
Sent: February 23, 2020 6:50 PM
To: Curtis Thompson
Subject: Draft Plan of Condominium - 33 Wellspring Way (Wellspring Way and Summersides Blvd.), Pelham - File No. 26CD19-01-2020

Follow Up Flag: Follow up
Flag Status: Flagged

2020-02-23

Curtis Thompson

Pelham

, ,

Attention: Curtis Thompson

Re: Draft Plan of Condominium - 33 Wellspring Way (Wellspring Way and Summersides Blvd.), Pelham - File No. 26CD19-01-2020; Your File No. 26CD19-01-2020

Our File No. 86470

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application.

The following paragraph is to be included as a condition of approval:

“The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements”.

We hereby advise the Developer to contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development.

As you may be aware, Bell Canada is Ontario’s principal telecommunications infrastructure provider, developing and maintaining an essential public service. It is incumbent upon the Municipality and the Developer to ensure that the development is serviced with communication/telecommunication infrastructure. In fact, the 2014 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1).

The Developer is hereby advised that prior to commencing any work, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is available. In the event that such

infrastructure is unavailable, the Developer shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

If the Developer elects not to pay for the above noted connection, then the Developer will be required to demonstrate to the satisfaction of the Municipality that sufficient alternative communication/telecommunication will be provided to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. Please note, however, that **all responses to circulations and other requests, such as requests for clearance, come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

As of June 1, 2019, Meaghan Palynchuk will be taking maternity leave and returning in the first quarter of 2020. In my absence please contact Ryan Courville for any matters concerning this file.

Yours truly,

Ryan Courville
Access Network Provisioning Manager
Municipal Relations
Phone: 416-570-6726
Email: planninganddevelopment@bell.ca

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-LAEmHhHzdJzBITWfa4Hgs7pbKI

February 11, 2020

SHANNON LAROCQUE
TOWN OF PELHAM
20 PELHAM TOWN SQUARE
FONTHILL, ONTARIO, L0S 1E0

Re: FILE # 26CD19-01-2020 Summersides Mews

Dear Curtis,

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 town of Pelham 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 development.

- 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

Officer, Delivery Planning

(226) 268-5914

Andrew.Carrigan@Canadapost.ca

March 10, 2020

Curtis Thompson, B.URPI
Planner
Town of Pelham
20 Pelham Town Square
PO Box 400
Fonthill, ON L0S 1E0

Dear Curtis,

Re: Draft Plan of Condominium
Summersides Boulevard Inc.
Part 5 on 59R-16105, and Part Block 4 on 59M
Town of Pelham
File No.: 26CD19-01-2020

Enbridge Gas Inc. 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 contact Enbridge Gas Inc.'s Customer Connections department by emailing CustomerConnectionsContactCentre@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, Silva cells, and/or soil trenches) and/or asphalt paving.

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 Inc. at no cost.

Sincerely,



Alice Coleman
Municipal Planning Analyst
Long Range Distribution Planning

ENBRIDGE GAS INC.
TEL: 416-495-5386
MunicipalPlanning@enbridge.com
500 Consumers Rd, North York, ON, M2J 1P8

enbridgegas.com

Safety. Integrity. Respect.

From: Jodi Legros
To: Curtis Thompson
Subject: FW: Pelham - Wellspring Way & Summersides Blvd - 26CD19-01-2020
Date: Thursday, June 18, 2020 12:26:00 PM



Jodi Legros
Administrative Assistant Community Planning and Development
Town of Pelham
T: 905-892-2607 x321 | E: jlegros@pelham.ca
20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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From: LandUsePlanning@HydroOne.com [mailto:LandUsePlanning@HydroOne.com]

Sent: Thursday, June 18, 2020 12:28 PM

To: Jodi Legros <JLegros@pelham.ca>

Subject: Pelham - Wellspring Way & Summersides Blvd - 26CD19-01-2020

Hello,

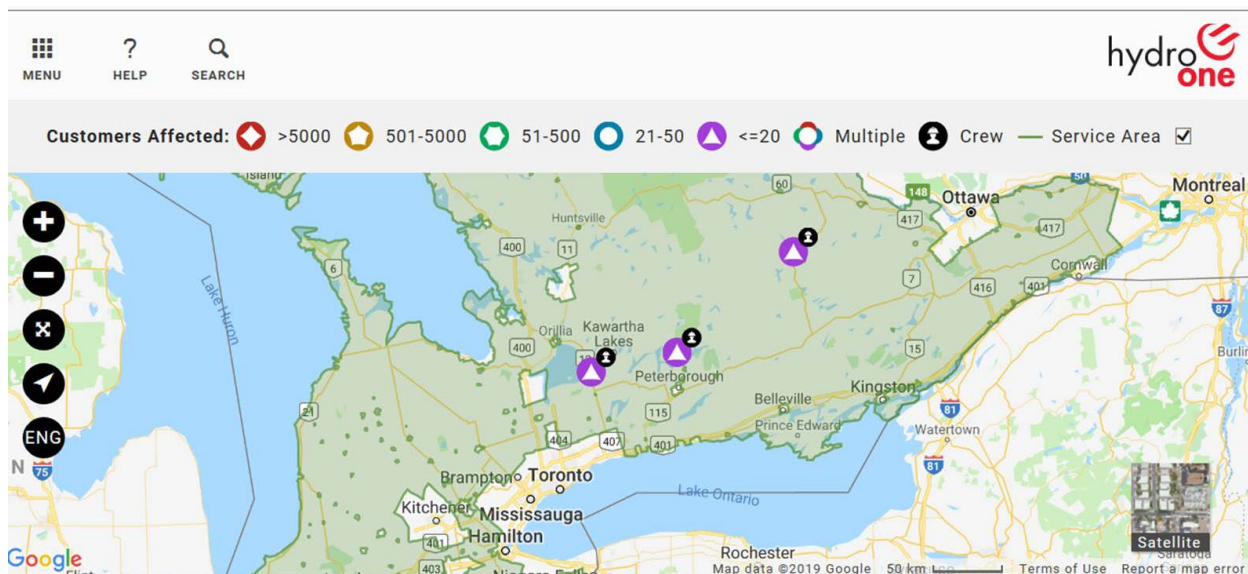
We are in receipt of your Plan of Condominium application, 26CD19-01-2020 dated June 18, 2020. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. [Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.](#)

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local Area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at Subdivision@HydroOne.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link:

<http://www.hydroone.com/StormCenter/>

Please select "Search" and locate address in question by entering the address or by zooming in and out of the map



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

Dennis De Rango

Specialized Services Team Lead, Real Estate Department

Hydro One Networks Inc.

Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

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Curtis Thompson

From: LandUsePlanning@HydroOne.com
Sent: February 4, 2020 1:20 PM
To: Curtis Thompson
Subject: Pelham - Wellspring Way and Shaw Ave - 26CD19-01-2020

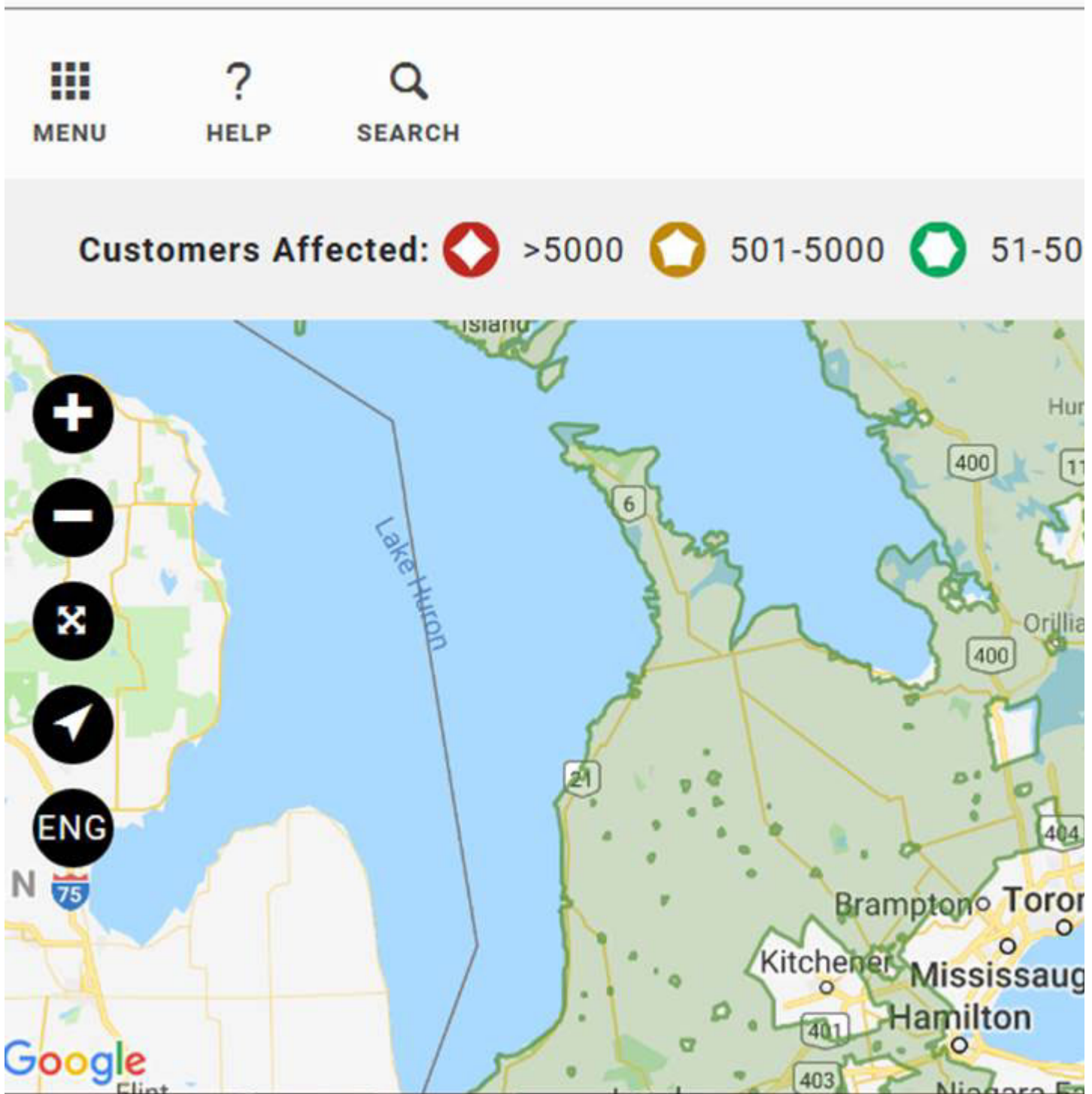
Hello,

We are in receipt of your Plan of Subdivision application, 26CD19-01-2020 dated February 4, 2020. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@Hydroone.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link:
<http://www.hydroone.com/StormCenter3/>

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

Dennis De Rango

Specialized Services Team Lead, Real Estate Department
Hydro One Networks Inc.
Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

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Memorandum

Public Works Department - Engineering

To: Curtis Thompson, Planner

CC: Jason Marr, Director of Public Works; Barb Wiens, Director of Planning and Development

From: Tolga Aydin, Engineering Technologist

Date: May 14, 2020

Subject: Summersides Mews – **Draft Plan of (Vacant Land) Subdivision**

The Public Works Department has reviewed the submitted documentation regarding the proposed development known as Summersides Mews. Please note the following notes and conditions provided.

The following submitted drawings have been considered for the purpose of this application:

- Draft Plan of (Vacant Land) Condominium, prepared by Better Neighbourhoods, dated December 17, 2019

Public Works has no comments.

DRAFT PLAN CONDO COMMENTS

Date: February 25, 2020

Re: 26CD19-01-2020

The building department offers no comment at this time,

Respectfully,
Belinda Menard, Dipl., Const. Eng. Tech.
Building Intake/Plans Examiner

Curtis Thompson

From: Bob Lymburner
Sent: February 4, 2020 3:46 PM
To: Curtis Thompson
Subject: RE: Request for Comments - Draft Plan Condo (Summersides Mews) (26CD19-01-2020)

Fire has no comment



Bob Lymburner
Fire Chief
Director of Fire and By-Law Services
Town of Pelham
T: 905-892-2607 x203 | E: blymburner@pelham.ca
177 Highway 20 West | PO Box 323 | Fonthill, ON | L0S 1E0

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From: Curtis Thompson
Sent: Tuesday, February 04, 2020 1:05 PM
To: Derek Young; Jason Marr; Bob Lymburner; Mike Zimmer; Dev Planning Applications - Region (devtplanningapplications@niagararegion.ca); 'Fricke, Britney'; Canada Post-Niagara; Belinda Menard; Bell Canada; Enbridge- Municipal Planning (MunicipalPlanning@enbridge.com); Niagara Peninsula Energy (info@npei.ca); Hydro One-Land Use Planning (landuseplanning@hydroone.com); Sue Mabee (sue.mabee@dsbn.org); scott.whitwell@ncdsb.com
Cc: Shannon Larocque
Subject: Request for Comments - Draft Plan Condo (Summersides Mews) (26CD19-01-2020)

Hello,

We are in receipt of an application for **Draft Plan of (vacant land) Condominium** (26CD19-01-2020) for the lands known as **Part 5 on RP 59R-16105** (Summersides Mews).

The submitted material attached includes:

- Application
- Draft Plan of Vacant Land Condominium
- RP 59R-16105

Your comments would be appreciated by **Tuesday, February 25th 2020**. Hardcopies will also be provided to the Region.

If you require any further information, please let Shannon Larocque (slarocque@pelham.ca / 905-892-2607 x. 319) know as I will be away until Feb 24th 2020.



Curtis Thompson, B.U.R.P.I.
Planner
Community Planning &
Development

e: cthompson@pelham.ca
p: 905.892.2607 x324
pelham.ca

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

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Conditions of Draft Plan of Vacant Land Condominium Approval for Summersides Mews (File No. 26CD19-01-2020)

Draft Plan

- Approval applies to the lands legally described as Part of Block 4, Plan 59M-432 and Part 5 on RP 59R-16105 subject to an easement in gross, as in SN535625; Town of Pelham, Regional Municipality of Niagara, prepared by Matthews, Cameron, Heywood – Kerry T. Howe Surveying Ltd., dated March 7, 2018. More specifically, the Draft Plan of Vacant Land Condominium prepared by Better Neighbourhoods Inc. dated 2020-04-27 which includes the following:
 - 41 dwelling units
 - 30 townhouses
 - 6 detached accessory apartments (connected in ownership w/ units 14-19)
 - 5 – unit apartment building
 - Common element
 - Private laneway & visitor parking
- The headings inserted in these draft plan conditions are inserted for convenience only and shall not be used as a means of interpreting these draft plan conditions.

Agreements & Financial Requirements

1. The Owner shall provide three (3) paper copies and an electronic copy of the pre-registration plan, prepared by an Ontario Land Surveyor, and a letter to the Department of Community Planning & Development stating how all the conditions imposed have been, or are to be fulfilled.
2. The Owner shall agree to pay to the Town all required processing and administration fees.
3. The Owner shall submit a Solicitor's Certificate of Ownership for the Vacant Land Condominium land to the Town prior to the preparation of the Condominium Agreement.
4. The Owner shall enter into a Condominium Agreement with the Town, to be registered on title, to satisfy all requirements, financial or otherwise, related to the development of the land, and assuming the requirements of the Site Plan Agreement prior to final approval of the plan of condominium.
5. This approval is for a period of three (3) years. Approval may be extended pursuant to Section 51 (33) of the *Planning Act R.S.O. 1990, c. P.13* but no extension can be granted once the approval has lapsed. If the Owner wishes to request an extension to the approval, a written explanation must be submitted for Town Council's consideration.
6. If final approval is not given to this draft plan within three (3) years of the draft plan approval date, and no extensions have been granted, approval will lapse under Section 51 (32) of the *Planning Act R.S.O. 1990, c. P.13*.

7. It is the Owner's responsibility to fulfill the conditions of draft plan approval and to ensure that the required clearance letters are forwarded to the Town, quoting file number **26CD19-01-2020**.

Warning Clauses

8. The Owner shall agree in the Condominium Agreement to include a clause within all Offers of Purchase and Sale Agreements advising prospective purchasers that private roadways are subject to a Condominium Corporation and agreements for maintenance, snow removal and garbage pick-up. Owners are advised that all accesses and laneways are to be kept free and clear of vehicles to ensure that emergency service, snow removal and waste collection vehicles have continued access and that failure to comply with this clause will result in ticketing and potentially towing. In addition, all snow stockpiling must take place within the condominium property's boundaries.

Final Approval

9. Subject to the conditions set forth herein, this Draft Plan of (Vacant Land) Condominium is approved under Section 51 (31) of the *Planning Act R.S.O. 1990, c. P.13*. Final approval shall be granted by the Town.

Clearance of Conditions

Prior to granting final plan approval, the Department of Community Planning & Development requires written notice from applicable Town Departments and agencies indicating that their respective conditions have been satisfied and fees have been paid.