

**Subject:** Recommendation Report for Site Plan  
Application – 190 Canboro Road (File no. SP-02-19)

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2020-88 as it pertains to application File no. SP-02-19 for 190 Canboro Road; and**

**THAT Council approve the By-law, attached hereto as Appendix A, authorizing the Mayor and Clerk to enter into the Site Plan Agreement with Dehaan Homes Inc. on behalf of the Town.**

**Background:**

The property is located on the south side of Canboro Road west of Oakridge Boulevard, municipally known as 190 Canboro Road. The surrounding land uses include single detached residences to the north, east and west and a valley land parcel and single detached dwellings to the south. A vacant single detached dwelling and two accessory structures are located on the lands and they are proposed to be demolished to accommodate the proposed redevelopment.

The property has previously been the subject of applications for consent approved by the Committee of Adjustment (Application B14/2016P) and a Development Agreement approved by Council (Application DA-04-2017) that addressed the developer's responsibilities for the extension of municipal services. The consent allowed the creation of the parcel and was finalized in January 2018. In December 2017, Council approved the Development Agreement. The Development Agreement was a condition of the provisional consent and the work associated with the Development Agreement is complete.

Figure 1 – Location Map



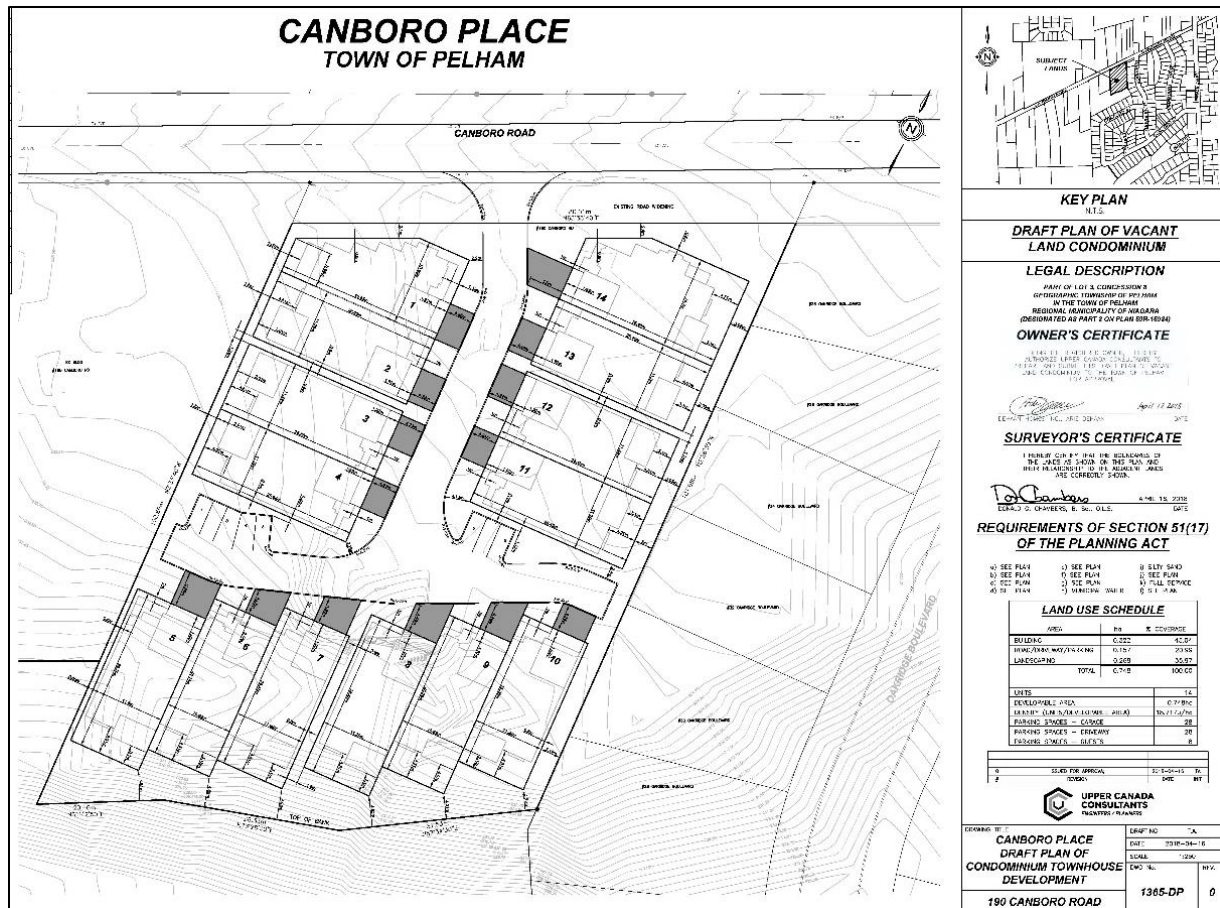
The applicant proposes to construct 14 block townhouse dwellings along with associated internal road, parking areas and amenity spaces consistent with the approved zoning on the lands.

On September 4, 2018, Council granted draft plan approval for condominium and approved By-law 4031 (2018) amending the zoning of the property from R1



(Residential One) to RM1-285 (Residential Multiple 1- 285) to permit block townhouse dwellings as shown on the site plan. The Draft Plan of Condominium permits 14 block townhouse dwellings (0.322 ha), 0.157 ha for roadways, parking areas and driveway and 0.269 ha for landscaping. The proposed draft plan of condominium is shown on Figure 2.

Figure 2: Draft Plan of Condominium



Following Council approval for the site plan agreement, the next step will be to enter into a condominium agreement which will assume the requirements of the site plan agreement.

## Analysis:

### Planning Act

Section 41 (2) of the *Planning Act* states that where an official plan shows or describes a potential site plan control area, the Council of the local municipality may, by by-law, designate the whole or any part of such area as

a site plan control area. Policy E1.4 of the Town's Official Plan, 2014, designates all areas of the Town as proposed site plan control area. By-law No. 1118 (1987) designates all of the Town of Pelham as a site plan control area and exempts certain land uses from site plan control. The proposed improvements to the subject lands are not exempt from site plan control. Consequently, the proposed development requires site plan control.

*Provincial Policy Statement, 2020*

The Provincial Policy Statement (PPS), 2020 supports the efficient use of lands and development patterns that support sustainability by promoting livable, healthy and resilient communities, protecting the environment, public health and safety and facilitating economic growth. The subject lands are considered to be within a Settlement Area. Settlement areas are to be the focus for growth and development and their vitality and regeneration shall be promoted.

Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and mix of land uses that efficiently use land and resources, are appropriate for and efficiently use infrastructure and public service facilities, minimize negative impacts to air quality and climate change and promote energy efficiency, prepare for the impacts of a changing climate, support active transportation and are transit and freight supportive.

Policy 1.1.3.3 provides for the promotion of intensification and redevelopment accommodating a significant supply and range of housing options where it can be accommodated taking into account the building stock, availability of existing and planned infrastructure and public service facilities required to accommodate the needs of the development.

The proposed development of the 14 block townhouse dwellings on the subject parcel is considered to provide for appropriate intensification and will add additional housing options that can be supported by the existing infrastructure, support active transportation, is transit supportive and minimize impacts on air quality and climate change. The proposed buildings will be constructed to be energy efficient. The landscape plan incorporates native species which are better adapted to the local climate and will mitigate biodiversity loss due to a changing climate.

***Growth Plan for the Greater Golden Horseshoe, 2019***

The subject parcel is identified as being within a Delineated Built-up Area according to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan policies aim to build stronger, prosperous communities by directing growth to built-up areas, promoting transit-supportive densities and a healthy mix of residential and employment land uses, preserving employment areas, planning for community infrastructure, and supporting the conservation and protection of natural systems, prime agricultural areas, and cultural heritage.

Policy 2.2.2.1(a) requires a minimum of 50 percent of all new residential development to occur within the delineated built-up area.

Policy 2.2.2.3(b) encourages intensification generally throughout the built-up area and investment in services that will support intensification.

The proposed zoning by-law amendment will facilitate residential development and intensification within the delineated built-up area. The second dwelling unit will contribute to a mix of residential land uses and provides for a degree of housing choice. Based on this, the application is consistent with the Growth Plan for the Greater Golden Horseshoe.

The proposed development of fourteen (14) block townhouse dwellings is an appropriate example of intensification within the built-up area and will help in achieving the intensification targets that have been established for the Town of Pelham.

*Regional Official Plan, consolidated August 2015*

The Region of Niagara identifies this property as Built-up Area. It is an objective of the Regional Official Plan that intensification be directed to built-up areas and the Plan establishes a minimum intensification target of 15% for the total annual development in Pelham.

The Region also supports the inclusion of urban design analysis and guidelines for various types of plans and development projects.

Policy 11.A.1 encourages the provision of a variety of housing types within urban communities and neighbourhoods to serve a variety of people as they age through their life cycle.

Policy 11.A.2 states the Region encourages the development of attractive,

well designed residential development that: provides for active transportation; de-emphasizes garages; emphasizes the entrance and point of access to neighbourhoods; is accessible to all persons; incorporates the principles of sustainability in building design; provides functional design solutions for waste collection and recycling; provides an attractive, interconnected and active transportation friendly streetscape; contributes to a sense of safety within the public realm; balances the need for private and public space; creates or enhances an aesthetically pleasing and functional neighbourhood; and, encourages a variety of connections between land uses based on diverse transportation modes, allowing people to move freely between the places where they live, work and play.

The proposed site plan (Figure 3) depicts an attractive and well designed development which contributes to the variety of housing types in the neighbourhood and gentle intensification. Active transportation and connectivity is encouraged through the provision for a sidewalk extension along Canboro Road. Opportunities for additional connections are limited due to the ravine located south of the property.

From an urban design perspective, garages are deemphasized with no garages included on the Canboro Road building facades, providing a positive public realm contribution to Canboro Road. Further, the garages are recessed from the building face on the internal road. The development will be accessible, meet energy efficient building design requirements and allow for curbside pickup of waste collection and recycling. The development provides for private amenity spaces for each residential unit. The building elevations (Figure 4) and landscaping will make for an aesthetically pleasing development and contribute positively to the overall neighbourhood.

*Figure 3: Site Plan*



*Town of Pelham Official Plan (2014)*

The lands are designated Urban Living/Built Boundary in the Town's Official Plan. The permitted use in this designation includes a full range of residential uses including townhouse dwellings.

Policy B1.1.5 requires that when considering a Site Plan application to permit a townhouse development, Council shall be satisfied that the proposal: respects the character of adjacent residential neighbourhoods, in terms of height, bulk and massing; can be easily integrated with surrounding land uses; will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads; and is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site.

In response to Policy B1.1.5, Planning staff are of the opinion that the development as proposed respects the character of adjacent residential neighbourhoods with respect to height, bulk and massing. The design of the units reflect traditional design elements that are consistent with the character of the area and integrate well with the neighbouring land uses. Only five dwellings comprising three separate buildings are proposed to abut existing residential uses on Oakridge Boulevard and heights will comply with the standard building height zoning requirements of Fonthill's residential neighbourhoods. The proposed block townhouses can easily integrate with surrounding land uses and a similar townhouse development has successfully integrated with the adjacent residential area south of the subject property. Public Works staff reviewed the proposed development application and have not expressed any concerns about traffic or site servicing matters. The site plan depicts adequate parking, outdoor amenity areas, landscaping and buffering.

#### *Zoning By-law 1136 (1987)*

The lands are zoned a site specific Residential Multiple 1-285 Zone which permits block townhouse dwellings and uses buildings and structures accessory to the foregoing permitted uses. Council approved the site specific zoning By-law 4031 (2018) on September 4, 2018 that includes site specific zoning regulations to permit development in accordance with the proposed site plan.

The Zoning By-law requires 1.5 parking spaces for a block townhouse dwelling. The development consists of 14 block townhouse dwellings with 21 required parking spaces. Each unit has a double car garage with the ability to



park two vehicles in the driveway providing 4 parking spaces/unit. In addition, 8 visitor parking spaces are provided. The number of parking spaces provided at 64 greatly exceeds the zoning requirement of 21 required spaces.

### *Submitted Reports*

The applicant submitted an Engineering Design Brief that addressed servicing matters related to stormwater management, water and sanitary sewer servicing requirements. The Brief was reviewed by the Town Public Works staff and revisions were made to address staff comments. A clause has been included in the Site Plan Agreement requiring the installation of the stop signs.

The applicant also submitted an Environmental Impact Study, Geotechnical Report and Archaeological Assessment.

It is noted that the Department of Public Works, Fire Services, and the Building Department had no issues or objections to the site plan being recommended for approval. All requested conditions from Town staff and private utilities have been included in the Site Plan Agreement.

The proposed block townhouses are appropriate in scale, massing and height and meet the Zoning By-law requirements with regards to height, parking requirements, access, landscape buffers, etc. The property is large enough to accommodate the proposed buildings and parking areas and provide for appropriate amenity area and landscaped open space.

Town staff have reviewed the proposed lighting, landscaping, servicing and grading plans and are satisfied that the development will be aesthetically pleasing and not negatively impact neighbouring property owners. The engineering design of the site services and grading and drainage plan meet the Town requirements.

### **Financial Considerations:**

The applicant has paid the required site plan approval application fee to cover a portion of staff time for review and processing. The applicant will also be required to pay the required fee for the agreement to cover legal fees for registration as well as to provide financial security to the Town in the event of non-compliance with the site plan agreement.

**Alternatives Reviewed:**

Though not recommended, Council could refuse the application for site plan approval or request changes to the agreement.

**Strategic Plan Relationship: Build Strong Communities and Cultural Assets**

Council is obligated to make a decision with respect to the application by the *Planning Act*, R.S.O. 1990, C.P.13. While consideration of this request is not a specific action in the Strategic Plan, diversification of ownership options and housing types within the urban area of the Town contribute to building a stronger community.

**Consultation:**

For Council's information, site plan control is not a public process under the Planning Act as it is an agreement between the land owner and the Town; therefore, there are no notice requirements for site plan control applications. A public process was taken as part of the application for zoning by-law amendment in accordance with the requirements of the *Planning Act*.

The application was circulated to Town Departments, including Public Works and Fire and Emergency Services as well as utilities, the Niagara Region and the Niagara Peninsula Conservation Authority for review and comment. All Departments and agencies have offered no objections to approval of the site plan application subject to appropriate clauses being included in the site plan agreement. The applicant has satisfactorily addressed the Niagara Peninsula Conservation Authority's concerns regarding stormwater management and impacts on the valley lands. An easement in favour of the Town, for stormwater purposes over the adjacent property is required along with Conservation Authority approved work permits prior to construction commencing is required and have been included as conditions of the site plan agreement.

Planning staff are of the opinion that the executed site plan agreement will result in the appropriate development of the site and represents good planning and therefore recommend that Council approve the by-law to enter into a site plan agreement with Dehaan Homes Inc.

**Other Pertinent Reports/Attachments:**

Appendix A By-law to Enter into Site Plan Agreement with Dehaan Homes Inc. and proposed Site Plan Agreement

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