
February 27, 2019

File: D.06.06.CS-19-007

By Email Only

Ms. Nancy Bozzato
Secretary-Treasurer of the Committee of Adjustment
Town of Pelham
20 Pelham Town Square, P.O. Box 400
Fonthill, Ontario
L0S 1E0

Dear Ms. Bozzato:

RE: Application for Consent
Location: 204 Canboro Rd
Proposal: consent to sever
Your File: B2/2019P

Regional staff has reviewed the consent application to convey an easement in perpetuity over Part 2, to the benefit of Part 3 for use of discharging storm water. Parts 1 and 2 are to be retained for continued use of residential property known municipally as 204 Canboro Road in the Town of Pelham. Regional Staff offers the following comments to assist the Committee in their consideration of the consent application.

Provincial and Regional Policy

The subject lands are located within a Settlement Area under the Provincial Policy Statement (PPS) and are within the Delineated Built-Up Area under the 2017 Growth Plan for the Greater Golden Horseshoe (Growth Plan). 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 complete communities with a diverse mix of land uses and range of housing types, taking into account affordable housing and densities.

The subject lands are within the Urban Area in the Regional Official Plan (ROP). A full range of residential, commercial and industrial uses are permitted generally within the Urban Areas, subject to the availability of adequate municipal services and infrastructure. The proposed consent application will help in addressing potential storm water management concerns for neighbouring properties. The proposal maintains the intent of Provincial and Regional policies.

Core Natural Heritage

Environmental Planning Staff have reviewed the application for consent for 204 Canboro Road in the Town of Pelham.

The application is made to permit the consent for the purposes of an easement to allow the discharge of stormwater over the valley. Regional Environmental Staff note that based on

previous determinations, there are no natural heritage concerns on the subject property (see 26CD19-02018).

With this said, Regional Environmental Staff note that ROP Policy 7.A.6.5d) states that "along valleylands where the valley bank height is equal or greater than 3 meters....vegetation below the top of the valley slope shall not be disturbed". As such, there is a concern should the proposal for the easement to convey water over the top of bank include the need to remove vegetation. The Niagara Peninsula Conservation Authority (NPCA) continues to be responsible for the review and comment on planning applications related to their regulated features. The NPCA is the lead agency for natural hazards associated with valley slopes and therefore the Region defers to the NPCA as it relates to the proposal to convey water down the valley slope.

Conclusion

Regional Planning and Development Services staff has no objection to the consent application, subject to local and other planning requirements, pertaining to the hazards associated with the valley slopes as there is a concern that the proposal may include vegetation removal.

Should you have any questions concerning the above noted comments, please contact me at 905-685-4225 extension 3518 or Jennifer Whittard, Manager of Environmental Planning, at extension 3430.

Please send notice of the Committee's decision on this application.

Sincerely,



Alexsandria Pasquini
Development Planner

cc: Mr. Aaron Butler, MCIP, RPP, Senior Development Planner (Niagara Region)
Mrs. Jennifer Whittard, Manager Environmental Planning (Niagara Region)