

Public Meeting Under the Planning Act Agenda

PCOW-06/2021

Tuesday, October 12, 2021

5:30 PM

Town of Pelham Municipal Office - Council Chambers

20 Pelham Town Square, Fonthill

During the ongoing global pandemic, Novel Coronavirus COVID-19, the Town of Pelham Council will continue to convene meetings in compliance with Provincial directives. Attendance by most Members of Council will be electronic. Public access to meetings will be provided via Livestream

www.youtube.com/townofpelham/live and subsequent publication to the Town's website at www.pelham.ca.

Pages

1. Call to Order and Declaration of Quorum

1.1. Land Recognition Statement

We begin this meeting by acknowledging the land on which we gather is the traditional territory of the Haudenosaunee and Anishinaabe peoples, many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties and is within the land protected by the Dish With One Spoon Wampum agreement. Today this gathering place is home to many First Nations, Metis, and Inuit peoples and acknowledging reminds us that our great standard of living is directly related to the resources and friendship of Indigenous people.

2. Adoption of Agenda

3.	Disclosure of Pecuniary Interest and General Nature Thereof	
4.	Planning Act Application: AM-05-2021 - Saffron Estates Phase 1 & 2 and River Estates Phase 2 Subdivisions	3 - 6
4.1.	Planning Report	7 - 19
4.1.1.	Zoning By-law Amendment (AM-05-2021) Saffron Meadows Phase 1 and 2 and River Estates Phase 2 - Information Report, 2021-0172-Planning	20 - 31
4.2.	Public Input	
4.3.	Committee Input	
4.4.	Presentation of Resolutions	
5.	Planning Act Application: AM-06-2021 - 588 Chantler Road	32 - 35
5.1.	Planning Report	36 - 45
5.1.1.	Zoning By-law Amendment (AM-06-2021) 588 Chantler Road - Information Report, 2021-0170-Planning	46 - 63
5.2.	Applicant's Presentation	
5.3.	Public Input	
5.4.	Committee Input	
5.5.	Presentation of Resolutions	
6.	Adjournment	

Notice of Public Meeting

Date: Tuesday, October 12, 2021 at 5:30 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. 4296 (2020). The Town of Pelham will be livestreaming this Public Meeting at the following link: <https://www.youtube.com/user/TownOfPelham>

Owner/Agent: Town of Pelham

File Number: AM-05-2021

Subject Lands: Saffron Estates Phase 1 & 2 and River Estates Phase 2 Subdivisions (north and south side of Port Robinson Road west of Rice Road)

Public Meeting for a **Zoning By-law Amendment** in accordance with Section 34 of the [Planning Act](#), R.S.O. 1990, as amended.

The Town of Pelham has initiated a Housekeeping Zoning By-law Amendment for the property known as Saffron Meadows Phase 1 & 2 and River Estates Phase 2 Subdivisions, and described legally as Blocks 31-36, 39 & 40, 44-47, Registered Plan 59M – 456, and Blocks 39 and 40, Registered Plan 59M-471 in the Town of Pelham, Regional Municipality of Niagara (see reverse).

The proposed Zoning By-law Amendment would rectify zoning interpretations and potential for non-compliance with the zoning by-law for the street townhouse blocks/units in the Subdivisions as it relates to lot frontage and exterior side yard setbacks.

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 rezoning or draft plan of subdivision is approved, please send all correspondence by **12:00 PM on Thursday, September 30, 2021** for inclusion in the public meeting agenda package c/o Town Clerk, Holly Willford, PO Box 400, 20 Pelham Town Square, Fonthill, Ontario L0S 1E0, or by email at HWillford@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, October 8, 2021**. 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 Kenny Ng by email at Kng@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 <https://events.pelham.ca/meetings> or at Town Hall after noon on Wednesday, October 6, 2021.

Important Information: If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Pelham in respect of the proposed rezoning before Council gives or refuses to give approval to the rezoning, the person or public body is not entitled to appeal the decision of the Town of Pelham to the Ontario Land 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 in respect of the proposed rezoning before Council gives or refuses to give approval to the rezoning, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so.

If you wish to be notified of the decision of Town Council in respect of the proposed rezoning, 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 15th day of September, 2021



Holly Willford
Clerk

Date of Mailing: 15th day of September, 2021

NOTICE REQUIREMENTS

**Application for Zoning By-law Amendment
*Saffron Meadows Phase 1 & 2 Subdivision and River Estates Phase 2
Subdivision***

File: AM-05-2021
(Town of Pelham)

A Housekeeping Zoning By-law Amendment to rectify non-compliance with the zoning by-law for the street townhouse blocks/units in the Subdivisions as it relates to lot frontage and exterior side yard setbacks to facilitate subsequent Part Lot Control Applications.

The *Planning Act* requires under Section 34 that Council must hold at least one public meeting for the purposes of informing the public in respect of the proposed zoning by-law amendment.

This public meeting has been called to satisfy this requirement. Notice of this meeting was published in the Voice of Pelham on September 22, 2021. The notice provided information on the property including the proposed zoning by-law amendment.

In addition to providing information, 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 Ontario Land Tribunal (OLT) 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 / public body is not entitled to appeal the decision.

In closing, we stress that at this point no decision has been made on the proposed Zoning By-law Amendment, and therefore any comments received will be taken into account for Council's consideration.

Public Meeting for Saffron Meadows Phase 1 & 2 and River Estates Phase 2 Subdivisions

Housekeeping Zoning By-law Amendment

AM-05-2021

October 12, 2021

Location & Purpose



River Estates Phase 2

South side of Summersides Boulevard, lying west of Rice Road
(96, 98, 100 Summersides Boulevard and 161 Susan Drive)

Saffron Meadows Phase 1

South side of Port Robinson Road, lying west of Rice Road
(120-130, 132, 134, 136, 138, 140 and 142 Lymburner Street)

Saffron Meadows Phase 2

South side of Port Robinson Road, lying west of Rice Road.
(1, 3, 5, 7, 11, 13, 15, 17, 33, 35, 37, 39, 43, 45, 47, 49, 53, 55, 57 and 59 Lymburner Street)

The proposed Zoning By-law Amendment would

- Rectify zoning interpretations and potential for non-compliance with the zoning by-law for the street townhouse blocks/units

Project Description

Application History

River Estates Phase 2

- Rezoned to site-specific provision: Residential Multiple 1 - 287 (RM1-287) by Amending By-law 4041 (2018)

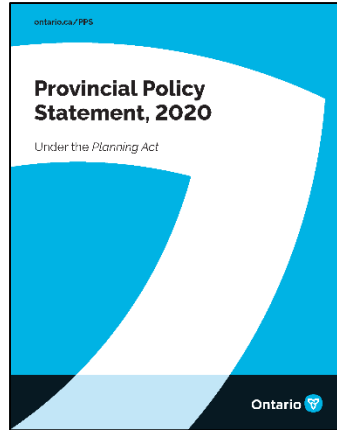
Saffron Meadows Phase 1 & 2

- Rezoned to site-specific provision: Residential Multiple 1 - 268 (RM1-268) by Amending By-law 3810 (2016).

All of the subdivisions have been registered, building permits have been applied for and construction has proceeded.

Policy Analysis

Provincial Policies



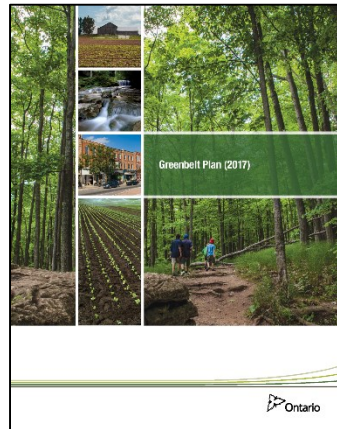
Provincial Policy Statement (2020)

- Located within a 'Settlement Area'



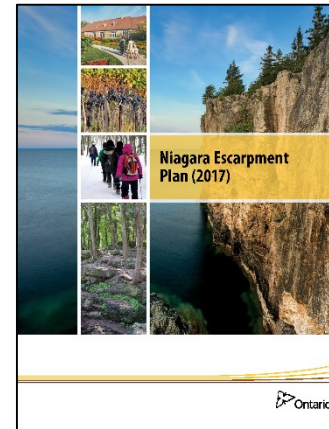
Growth Plan for the Greater Golden Horseshoe (2020)

- Located within a 'Settlement Area'



Greenbelt Plan (2017)

- Located outside of Greenbelt Plan Area
- Not applicable



Niagara Escarpment Plan (2017)

- Located outside of Niagara Escarpment Plan Area
- Not Applicable

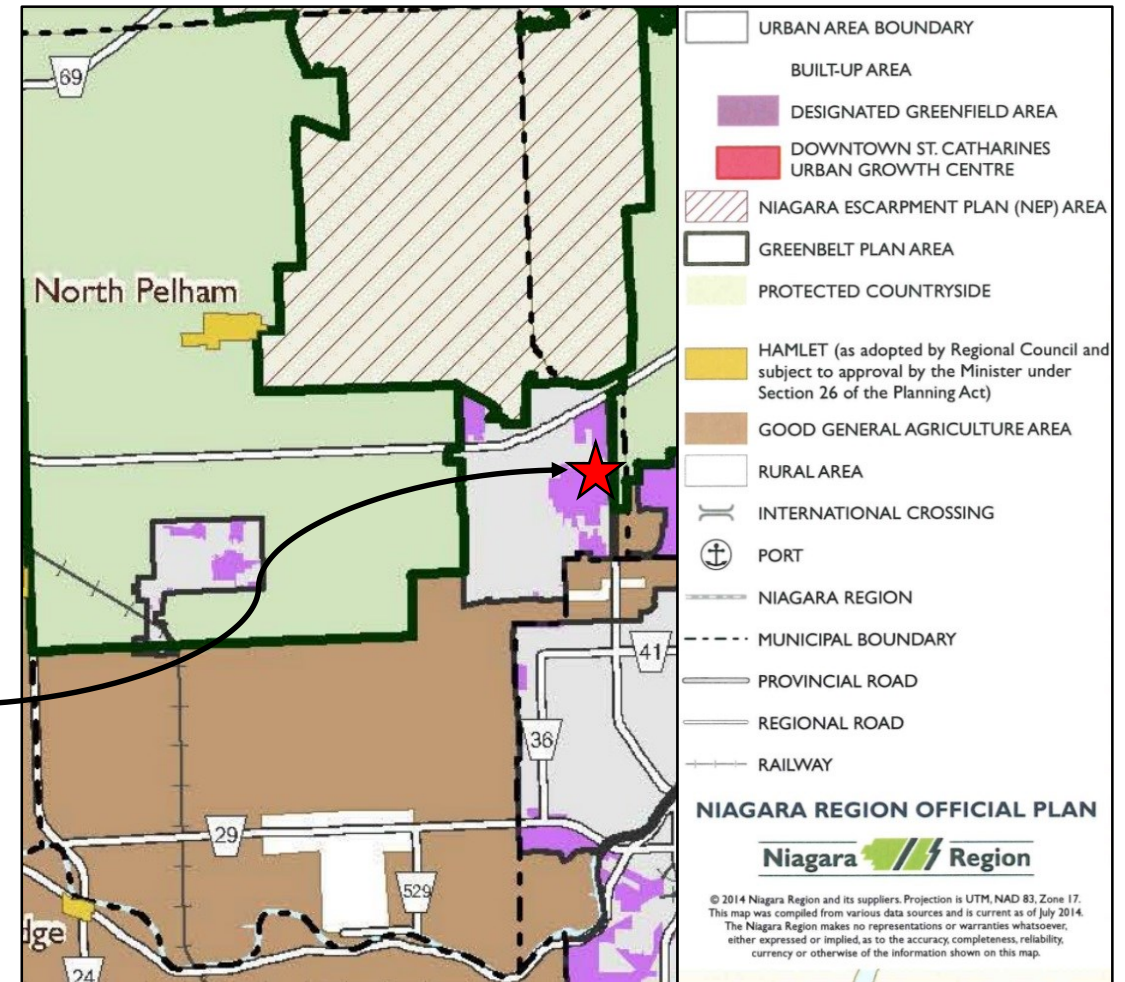
Policy Analysis

Niagara Region Official Plan (2014)

Designated:

- *Designated Greenfield Area*

Approximate Location of Subject Lands



Policy Analysis

Town of Pelham Official Plan (2014)

River Estates Phase 2:

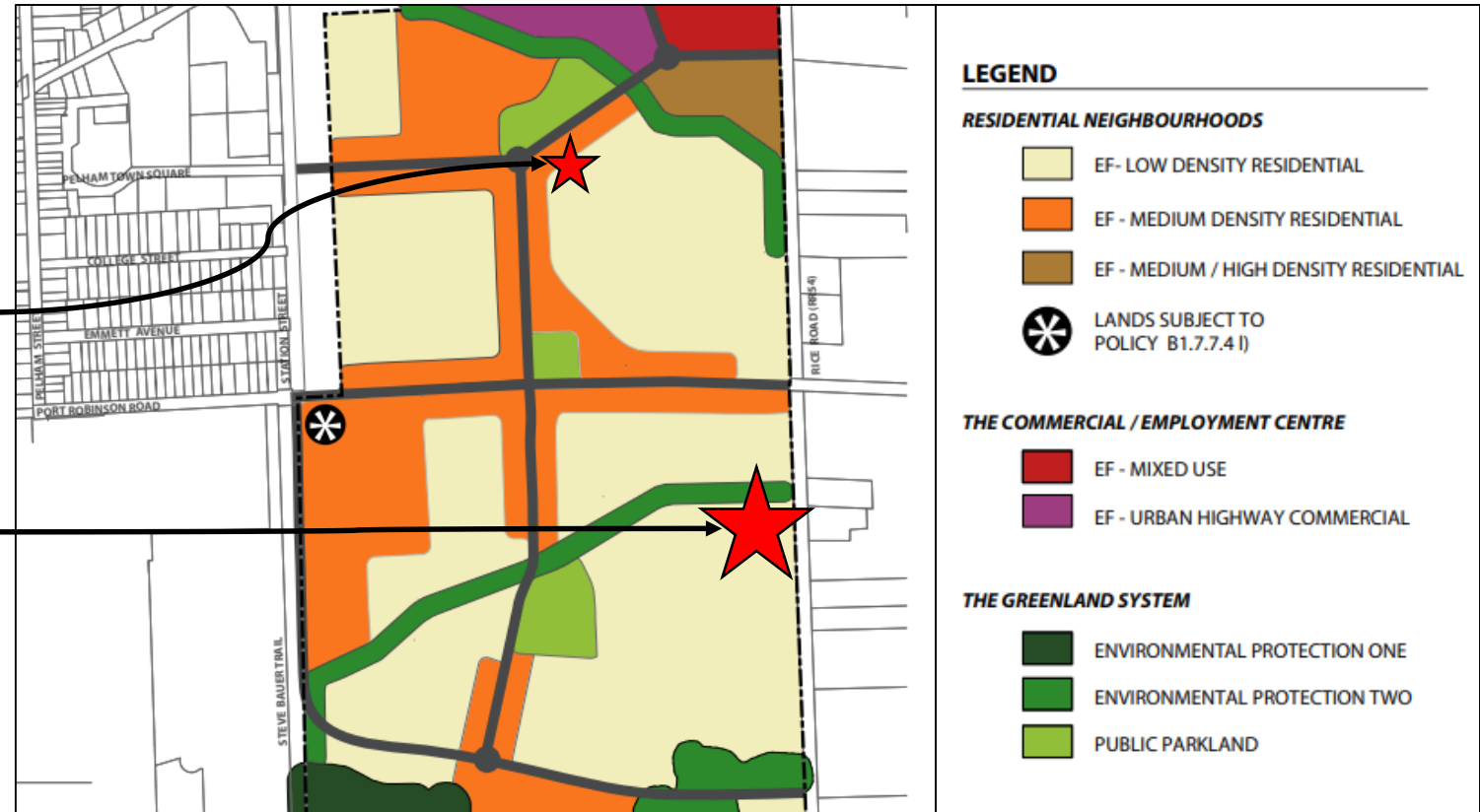
- EF – Medium Density Residential'

Location of
Subject Lands

Saffron Meadows Phase 1 & 2:

- EF – Low Density Residential'

Location of
Subject Lands



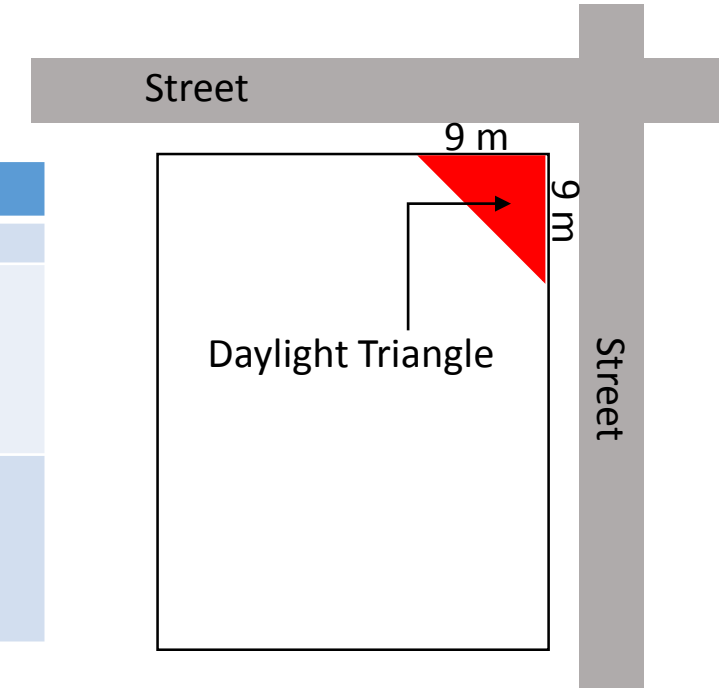
[illegible]

The proposed zoning by-law amendment will resolve zone requirement interpretations and potential issues when individual townhouse lots are created through part lot control, after the dwelling is constructed, to prevent unintentional non-complying situations.

Zoning Deficiencies

River Estates Phase 2

River Estates Phase 2 (Blocks 39 and 40, Registered Plan 59M-471)			
RM1-287	Zoning Regulation	Required	Existing
Block 39: 96, 98, 100 Summersides Boulevard and 161 Susan Drive	6.27 Daylight Triangles – no structure shall be greater than 0.5 m (1.64 ft) in the established Daylight Triangle	No structure greater than 0.5 m	Encroached
Block 40: 84, 86, 88 Summersides Boulevard and 160 Susan Drive	6.27 Daylight Triangles – no structure shall be greater than 0.5 m (1.64 ft) in the established Daylight Triangle	No structure greater than 0.5 m	Encroached



Daylight Triangle: means an area free of buildings or structures or other visual obstructions, and which are to be determined by measuring, from the point of intersection of street lines on a corner lot, a minimum of 9 m (29.53 ft) along each such street line and joining such points with a straight line, and the triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the "daylighting triangle".

Zoning Deficiencies

Saffron Meadows Phase 1

Saffron Meadows Phase 1 (Blocks 44, 45, 46 and 47, Registered Plan 59M-456)			
RM1-268	Zoning Regulation	Required	Existing
Block 44: 121, 123, 125, 127, 129 Lymburner Street	16.4 (b) Minimum Corner Lot Frontage (Site-Specific)	12 m	11.8 m
Block 45: 120, 122, 124, 126 Lymburner Street	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	7.7 m
Block 46: 128, 130, 132, 134 Lymburner Street	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	7.7 m
Block 47: 136, 138, 140, 142 Lymburner Street	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	7.57 m

Zoning Deficiencies

Saffron Meadows Phase 2

Saffron Meadows Phase 2 (Blocks 31, 32, 33, 34, 35 and 36, Registered Plan 59M-476)			
RM1-268	Zoning Regulation	Required	Existing
Block 31: 22, 24, 26, 28, 30 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	8.3 m
Block 32: 11, 13, 15, 17 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	8.75 m
Block 33: 33, 35, 37, 39 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	7.5 m
Block 34: 43, 45, 47, 49 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	7.65 m
Block 35: 53, 55, 57, 59 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	7.4 m
Block 36: 1, 3, 5, 7 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	8.7 m

Consultation

Public Comments

No public comments received to date.

Agency Comments

Enbridge Gas

- No objections.

Questions & Comments

Following tonight's meeting, questions and comments on this file may be directed to:

Kenny Ng, Planner

(905) 892-2607 x. 324

kng@pelham.ca



Subject: Information Report – Zoning By-law Amendment
Application (AM-05-2021)

Recommendation:

BE IT RESOLVED THAT Council receive Report # 2021-0172 for information and recommend to Council:

THAT Planning staff be directed to prepare the Recommendation Report for consideration of adopting the Zoning By-law Amendment.

Background:

The purpose of this report is to provide Council and the public with information regarding a housekeeping zoning by-law amendment to amend Zoning By-law No. 1136 (1987) for the lands within the Saffron Meadows Phase 1 & 2 and River Estates Phase 2 Subdivisions.

The proposed Zoning By-law Amendment would rectify zoning interpretations and potential for non-compliance with the zoning by-law for the street townhouse blocks/units in these two subdivisions as it relates to lot frontage and encroachment in the Daylight Triangle.

Location

The subject lands within the River Estates Phase 2 subdivision are located on the south side of Summersides Boulevard, lying west of Rice Road. Legally described as Blocks 39 and 40, Registered Plan 59M-471 and municipally known as 96, 98, 100 Summersides Boulevard and 161 Susan Drive, in the Town of Pelham.

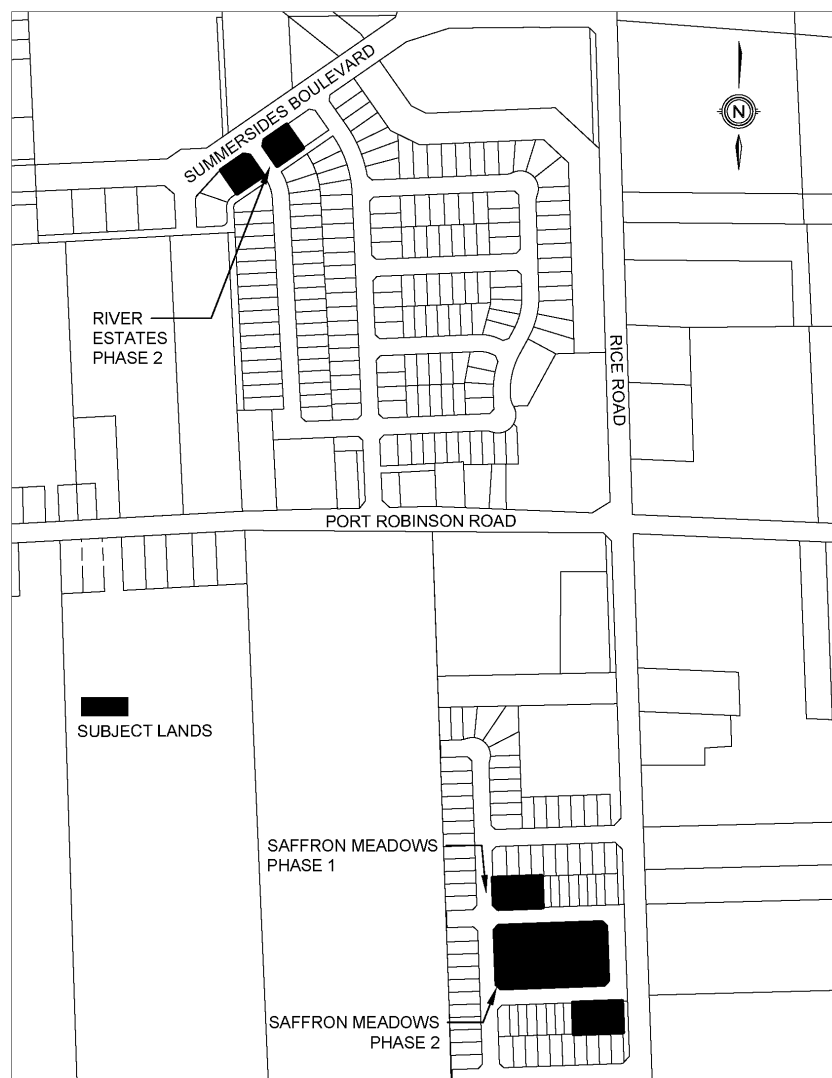
The subject lands within the Saffron Meadows Phase 1 subdivision are located on the south side of Port Robinson Road, lying west of Rice Road. Legally described as Blocks 44, 45, 46 and 47, Registered Plan 59M-456 and municipally known as 120-130, 132, 134, 136, 138, 140 and 142 Lymburner Street, in the Town of Pelham.

The subject lands within the Saffron Meadows Phase 2 subdivision are located on the south side of Port Robinson Road, lying west of Rice Road. Legally described as Blocks 31, 32, 33, 34, 35 and 36, Registered Plan 59M-476 and municipally known as 1, 3,

5, 7, 11, 13, 15, 17, 33, 35, 37, 39, 43, 45, 47, 49, 53, 55, 57 and 59 Lymburner Street, in the Town of Pelham.

The lots are under construction for street townhouses or have recently completed construction for townhouse units.

Figure 1: Key Map



Project Description and Purpose

The Saffron Meadows Phase 1 & 2 Subdivisions were rezoned to a site-specific provision: Residential Multiple 1 - 268 (RM1-268) by Amending By-law 3810 (2016). RM1-268 allows for the use of street townhouse and contains detailed regulations on the required lot and building. Saffron Meadows Phase 1 Subdivision agreement was registered on June 2018, and Saffron Meadows Phase 2 Subdivision agreement was registered on May 2020.

The River Estates Phase 2 Subdivision was rezoned to a site-specific provision: Residential Multiple 1 - 287 (RM1-287) by Amending By-law 4041 (2018). RM1-287 would allow for the use of street townhouse and contains detailed regulations on the required lot and building. River Estates Phase 2 Subdivision was registered on July 2019. All of the subdivisions have received building permits and construction have proceeded.

During the review of building permits for the street townhouse units, there has been confusion with regards to the interpretation of the lot frontage and exterior side yard setbacks. While the block of townhouse units conform to the requirements of the by-law, at time of building permit stage as the property the townhouse unit is located on is one large block and not an individual townhouse lot. The individual lot is created at Part Lot Control stage after the townhouse dwelling units are constructed. This has led to some variation in the interpretation of the by-law with building staff, planning staff and the designer and builder of the townhouse units. The proposed zoning by-law amendment is meant to resolve these interpretation issues of some of the zone requirements and resolve potential issues that arise when the individual lot is created through part lot control, after the dwelling is constructed so as to not create unintentional non-complying situations after the dwelling is constructed and the lot is created.

Analysis:

Planning Act

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.

Section 34 of the Act allows for consideration of amendments to the zoning by-law.

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.

The Provincial Policy Statement (PPS) designates the subject lands within the 'Settlement Area'. Policy 1.1.3.1 states that settlement areas will be the focus of growth and development and their vitality and regeneration shall be promoted.

The Growth Plan for the Greater Golden Horseshoe, 2017

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.

The subject parcel is located within a 'Settlement Area' according to the Growth Plan.

Regional Official Plan (Consolidated, August 2014)

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

Pelham Official Plan (2014)

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 lands as 'Secondary Plan Area' within the Fonthill Settlement Area. The East Fonthill Secondary Plan designates the subject lands in the River Estates Phase 2 Subdivision as 'EF – Medium Density Residential', and the subject lands in the Saffron Meadows Phase 1 and 2 Subdivision as 'EF – Low Density Residential'.

Zoning By-law 1136 (1987), as amended

The subject lands in the River Estates Phase 2 Subdivision are currently zoned 'Residential Multiple 1 - 287 (RM1-287)' by Amending By-law 4041 (2018). On June 30, 2020, the Committee of Adjustment approved minor variances A16/2020P and A17/2020P to permit the reductions to the front (Block 40) and exterior side yards (Block 39). Although the building locations were approved through the minor variances, a technical issue exists with respect to Section 6.27 Daylight Triangle of the Zoning By-law. The summary of zoning deficiencies for the townhouse blocks within the subdivision is below:

River Estates Phase 2 (Blocks 39 and 40, Registered Plan 59M-471)			
RM1-287	Zoning Regulation	Required	Existing
Block 39: 96, 98, 100 Summersides Boulevard and 161 Susan Drive	6.27 Daylight Triangles – no structure shall be greater than 0.5 m (1.64 ft) in the established Daylight Triangle (9 m x 9 m)	No structure greater than 0.5 m	Encroached
Block 40: 84, 86, 88 Summersides Boulevard and 160 Susan Drive	6.27 Daylight Triangles – no structure shall be greater than 0.5 m (1.64 ft) in the established Daylight Triangle (9 m x 9 m)	No structure greater than 0.5 m	Encroached

Daylight Triangle: means an area free of buildings or structures or other visual obstructions, and which are to be determined by measuring, from the point of intersection of street lines on a corner lot, a minimum of 9 m (29.53 ft) along each such street line and joining such points with a straight line, and the triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the "daylighting triangle".

The subject lands in the Saffron Meadows Phase 1 Subdivision are currently zoned 'Residential Multiple 1 - 268 (RM1-268)' by Amending By-law 3810 (2016). Below are the summary of zoning deficiencies of the townhouse blocks within the subdivision:

Saffron Meadows Phase 1 (Blocks 44, 45, 46 and 47, Registered Plan 59M-456)			
RM1-268	Zoning Regulation	Required	Existing
Block 44: 121, 123, 125, 127, 129 Lymburner Street	16.4 (b) Minimum Corner Lot Frontage (Site-Specific)	12 m	11.8 m
Block 45: 120, 122, 124, 126 Lymburner Street	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	7.7 m

Saffron Meadows Phase 1 (Blocks 44, 45, 46 and 47, Registered Plan 59M-456)			
RM1-268	Zoning Regulation	Required	Existing
Block 46: 128, 130, 132, 134 Lymburner Street	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	7.7 m
Block 47: 136, 138, 140, 142 Lymburner Street	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	7.57 m

The subject lands in the Saffron Meadows Phase 2 Subdivision are currently zoned 'Residential Multiple 1 - 268 (RM1-268)' by Amending By-law 3810 (2016). Below are the summary of zoning deficiencies of the townhouse blocks within the subdivision:

Saffron Meadows Phase 2 (Blocks 31, 32, 33, 34, 35 and 36, Registered Plan 59M-476)			
RM1-268	Zoning Regulation	Required	Existing
Block 31: 22, 24, 26, 28, 30 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	8.3 m
Block 32: 11, 13, 15, 17 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	8.75 m
Block 33: 33, 35, 37, 39 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	7.5 m
Block 34: 43, 45, 47, 49 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling	9 m	7.65 m

Saffron Meadows Phase 2 (Blocks 31, 32, 33, 34, 35 and 36, Registered Plan 59M-476)			
RM1-268	Zoning Regulation	Required	Existing
	attached on one side only		
Block 35: 53, 55, 57, 59 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	7.4 m
Block 36: 1, 3, 5, 7 Lymburner St	16.3 (a) Minimum Lot Frontage for an interior lot containing a dwelling attached on one side only	9 m	8.7 m

Financial Considerations:

n/a

Alternatives Reviewed:

Council could choose not to direct Planning Staff to prepare the Recommendation Report.

Consultation:

Agencies were circulated for review and comment on the application prior to scheduling the public meeting. See appendices for comprehensive agency / staff comments. No concerns were expressed from any agencies as of the writing of this report. Agency comments received to date are summarized below:

- Enbridge Gas (September 3, 2021)
 - No objection.

Public Comments:

On Wednesday, the 15th day of September 2021, a Public Meeting Notice was posted on the Town of Pelham website. On Wednesday, the 22nd day of September 2021, a Public Meeting Notice was published in the local newspaper. No public comments were received at the time of writing of this report.

Planning Staff Comments:

The purpose of this report is to provide Council and the public with information regarding the proposed By-law Amendment for the aforementioned subdivision townhouse blocks, applicable policies and comments received to date. Council may also provide recommendations for proposed changes to the zoning by-law amendment request based on the public, agency or staff input and consistency with approved plans.

The next steps are for staff to prepare a Recommendation Report for Council's consideration at a future meeting.

Other Pertinent Reports/Attachments:

- Appendix A
 - Key Map
- Appendix B:
 - Agency Comments

Prepared and Recommended by:

Kenny Ng, B.ES
Planner

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

Prepared and Submitted by:

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

SUMMERSIDES BOULEVARD

RIVER
ESTATES
PHASE 2

RICE ROAD

PORT ROBINSON ROAD



SUBJECT LANDS

SAFFRON MEADOWS
PHASE 1

SAFFRON MEADOWS
PHASE 2

From: [Municipal Planning](#)
To: [Kenny Ng](#)
Subject: RE: RE: Request for Comments - ZBLA (Saffron Estates Phase 1 & 2 and River Estates Phase 2) (AM-05-2021)
Date: Friday, September 3, 2021 4:07:22 PM

Thank you for your circulation.

Enbridge Gas Inc. does not object to the proposed application however, we reserve the right to amend our development conditions.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Alice Coleman

Municipal Planning Analyst
Long Range Distribution Planning
—

ENBRIDGE

TEL: 416-495-5386 | MunicipalPlanning@Enbridge.com
500 Consumers Road, North York, Ontario M2J 1P8

enbridge.com

Safety. Integrity. Respect. Inclusion.

From: Kenny Ng <KNg@pelham.ca>
Sent: Friday, September 3, 2021 2:29 PM
To: Andrew Carrigan <andrew.carrigan@canadapost.ca>; David Christensen <DChristensen@pelham.ca>; Derek Young <DYoung@pelham.ca>; devtplanningapplications@niagararegion.ca; Municipal Planning <MunicipalPlanning@enbridge.com>; Hydro One Planning (landuseplanning@hydroone.com) <landuseplanning@hydroone.com>; Jason Longhurst <JLonghurst@pelham.ca>; Jason Marr <JMarr@pelham.ca>; Mike Zimmer <MZimmer@pelham.ca>; MMM (circulations@mmm.ca) <circulations@mmm.ca>; 'Nicholas Godfrey' <ngodfrey@npca.ca>; NPEI (info@npei.ca) <info@npei.ca>; NPEI Jim Sorley <Jim.sorley@npei.ca>; Rogers (Newdevelopment@rci.rogers.com) <Newdevelopment@rci.rogers.com>; Shanks, Amy <Amy.Shanks@niagararegion.ca>; Taylor Boyle <TBoyle@pelham.ca>; Tolga Aydin <TAydin@pelham.ca>; Vickie vanRavenswaay <VvanRavenswaay@pelham.ca>
Cc: Shannon Larocque <SLarocque@pelham.ca>; Barbara Wiens <BWiens@pelham.ca>
Subject: [External] RE: Request for Comments - ZBLA (Saffron Estates Phase 1 & 2 and River Estates

EXTERNAL: PLEASE PROCEED WITH CAUTION.

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

Good afternoon,

We are processing a Town-initiated housekeeping Zoning By-law Amendment (AM-05-2021) for the lands at Saffron Estates Phase 1 & 2 and River Estates Phase 2 subdivision in Pelham. This by-law amendment seeks to rectify any zoning deficiencies resulting from the part-lot control applications for the townhouse block/units in the Subdivisions.

Please see attached materials, which include:

- Reference Plans
- Block Plans (44, 45, 46 and 47)
 - Block 44 does not meet 16.4(b) Minimum Corner Lot 12m Frontage (only 11.8m)
 - Block 45 does not meet 16.3(a) for interior lot containing a dwelling attached on one side only, 9m (only 7.7m)
 - Block 46 does not meet 16.3(a) for interior lot containing a dwelling attached on one side only, 9m (only 7.7m)
 - Block 47 does not meet 16.3(a) for interior lot containing a dwelling attached on one side only, 9m (only 7.57m)
- Planning Justification Reports (The planning justification report was originally prepared for Saffron Estates Phase 2 and River Estates Phase 2 minor variance applications, the decision was to proceed through a housekeeping zoning by-law amendment and the reports are being circulated as they provide the necessary information with regards to the proposed changes)

Comments would be appreciated by Sept 20th, 2021.

If you have any questions or concerns, or require additional information, please do not hesitate to contact me.

Best,



Kenny Ng, BES.

Planner

Town of Pelham

T: 905-892-2607 x324 | E: Kng@pelham.ca

20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

TOWN OF PELHAM CONFIDENTIALITY NOTICE

The information contained in this communication, including any attachments, may be confidential and is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, disclosure, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please

re-send this communication to the sender and permanently delete the original and any copy of it from your computer system. Thank you.

Notice of Public Meeting

Date: Tuesday, October 12, 2021 at 5:30 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. 4296 (2020). The Town of Pelham will be livestreaming this Public Meeting at the following link: <https://www.youtube.com/user/TownOfPelham>

Owner/Agent: Joyce & John Sonneveld / 1184505 Ontario Limited
File Number: AM-06-2021
Subject Lands: 588 Chantler Road (Roll # 2732 030 017 12400)

Public Meeting for a **Zoning By-law Amendment** in accordance with Section 34 of the [Planning Act](#), R.S.O. 1990, as amended.

An application for Zoning By-law Amendment was received for the property known as 588 Chantler Road, and described legally as Part of Lot 11, Concession 13 (see reverse).

The proposed Zoning By-law Amendment would rezone the lands from 'A' (*Agricultural*) to a site-specific 'A' (*Agricultural*) to accommodate the existing accessory structures on Part 1 and prohibit further residential construction on Part 2 as part of an '*agricultural-purposes only*' zoning.

The proposed rezoning is required as a condition of severance approval (file: B21-2021P) to facilitate the disposal of a surplus farm dwelling resulting from a farm consolidation.

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 rezoning or draft plan of subdivision is approved, please send all correspondence by **12:00 PM on Thursday, September 30, 2021** for inclusion in the public meeting agenda package c/o Town Clerk, Holly Willford, PO Box 400, 20 Pelham Town Square, Fonthill, Ontario L0S 1E0, or by email at HWillford@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, October 8, 2021**. 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 Kenny Ng by email at Kng@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 <https://events.pelham.ca/meetings> or at Town Hall after noon on Wednesday, October 6, 2021.

Important Information: If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Pelham in respect of the proposed rezoning before Council gives or refuses to give approval to the rezoning, the person or public body is not entitled to appeal the decision of the Town of Pelham to the Ontario Land 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 in respect of the proposed rezoning before Council gives or refuses to give approval to the rezoning, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so.

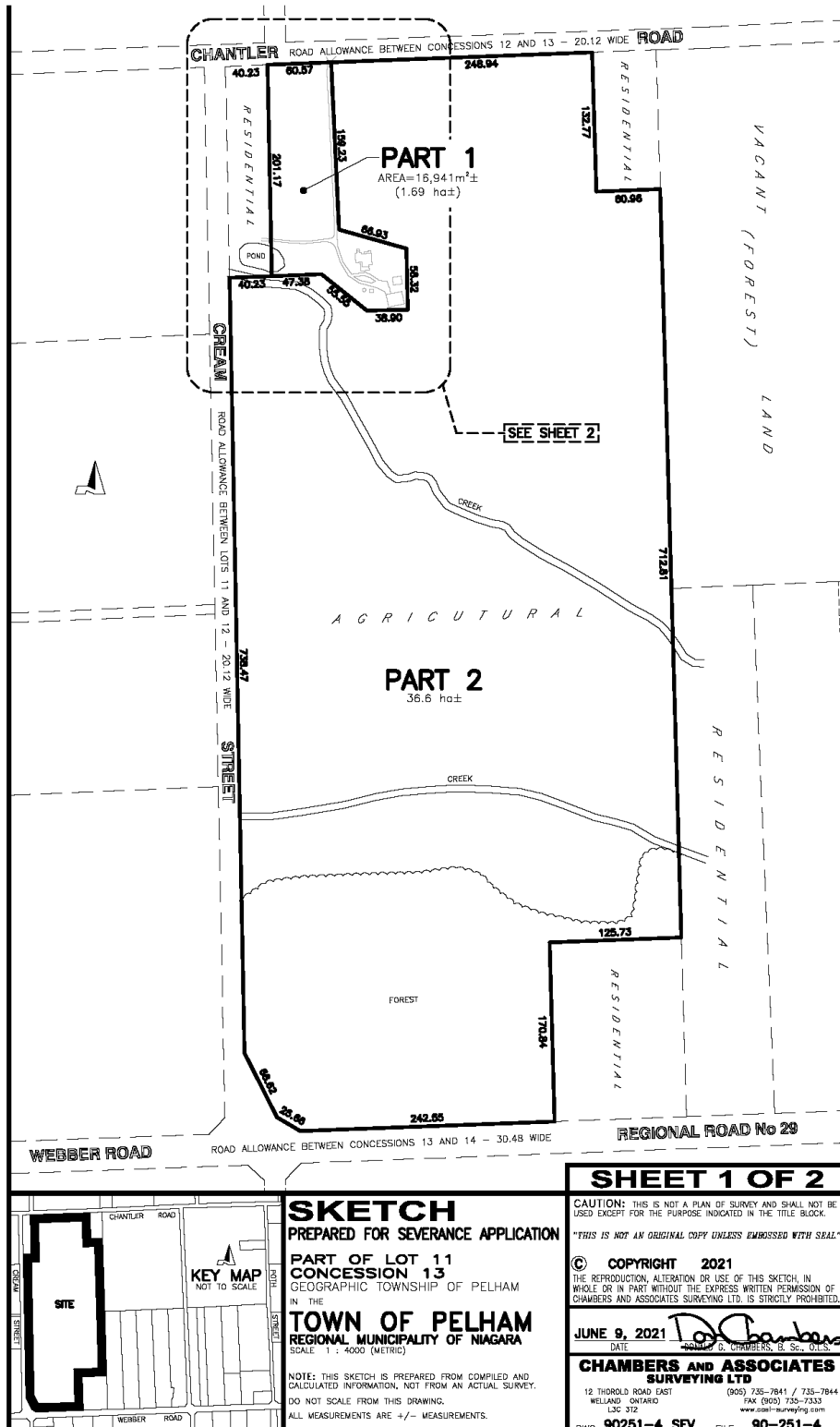
If you wish to be notified of the decision of Town Council in respect of the proposed rezoning, you must make a written request to the Clerk of the Town of Pelham and such request must include the name and address to which such notice should be sent.

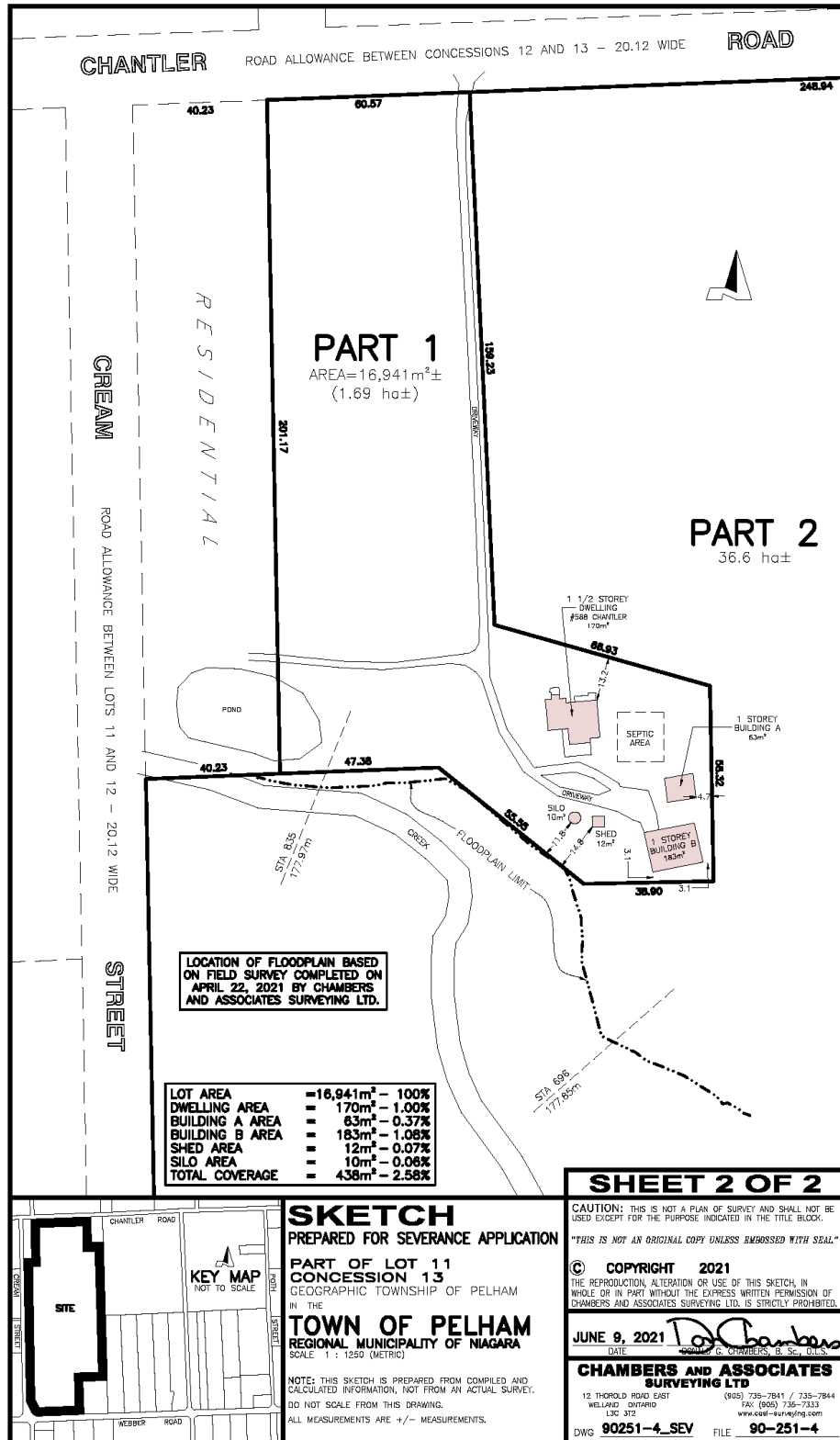
Dated at the Town of Pelham, this 15th day of September, 2021



Holly Willford
Clerk

Date of Mailing: 15th day of September, 2021





NOTICE REQUIREMENTS

Application for Zoning By-law Amendment

588 Chantler Road

File: AM-06-2021

(Joyce & John Sonneveld)

A Zoning By-law Amendment to prohibit further residential construction on farmland and to amend site-specific zoning provisions to facilitate a surplus farm dwelling severance resulting from a farm consolidation.

The rezoning application is a condition of severance approval by the Town's Committee of Adjustment (under file B21-2021P).

The *Planning Act* requires under Section 34 that Council must hold at least one public meeting for the purpose of informing the public in respect of the proposed zoning by-law amendment.

This public meeting has been called to satisfy this requirement. Notice of this meeting was provided by pre-paid first class mail to all persons, who are listed as owners in the last revised assessment roll and within 120 metres of the subject property on September 15 2021. The notice provided information on the property including the proposed zoning by-law amendment.

In addition to providing information, 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 Ontario Land Tribunal (OLT) 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 / public body is not entitled to appeal the decision.

In closing, we stress that at this point no decision has been made on the proposed Zoning By-law Amendment, and therefore any comments received will be taken into account for Council's consideration.

Public Meeting for 588 Chantler Road

Zoning By-law Amendment

Application

AM-06-2021

October 12, 2021

Location & Purpose

Location

588 Chantler Road (Part of Lot 11, Concession 13)
South side of Chantler Road, lying east of Cream Street

Purpose

The proposed amendment would rezone:

Part 1

Site-specific A (Agricultural) to amend the maximum lot coverage and maximum height required for accessory residential structures; and

Part 2

Site-specific agricultural purposes only (APO) zone to prohibit further residential construction in perpetuity.



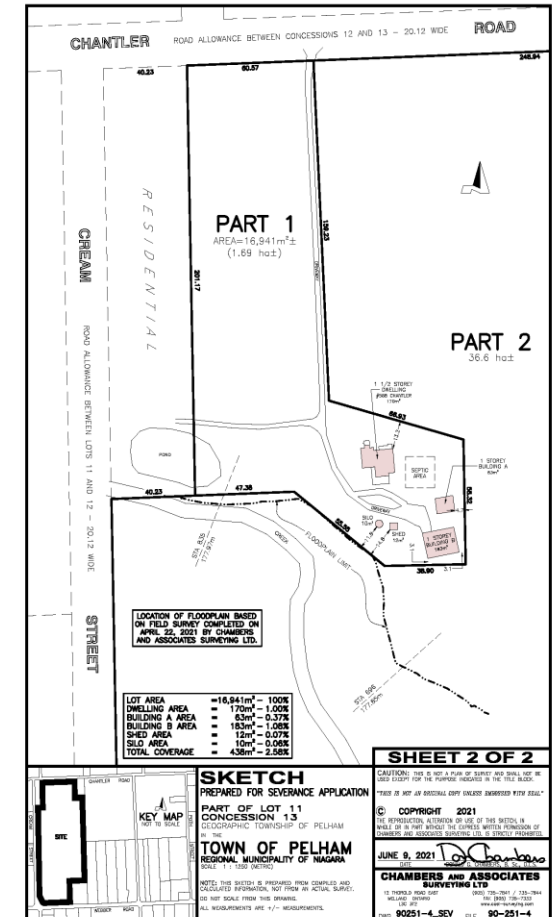
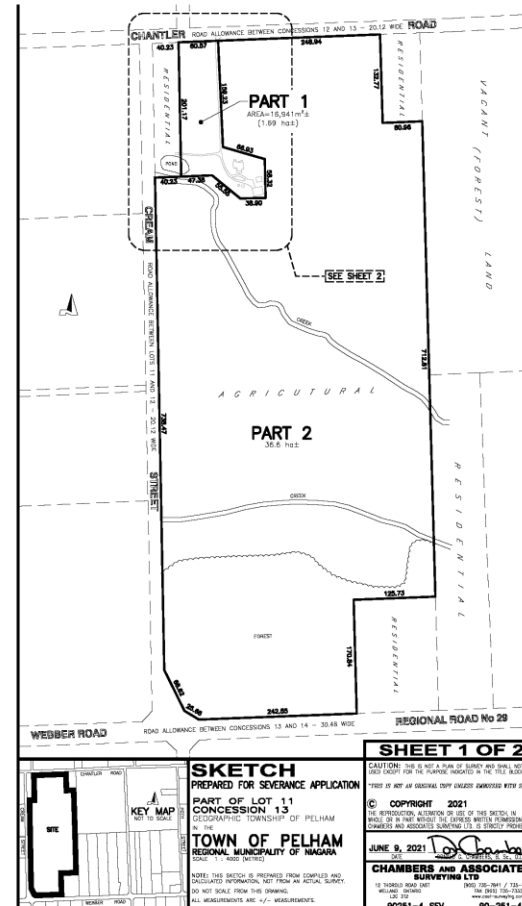
Project Description

Application History

Applicant applied for a consent application (B21-2021P) to dispose of surplus farm dwelling resulting from a farm consolidation.

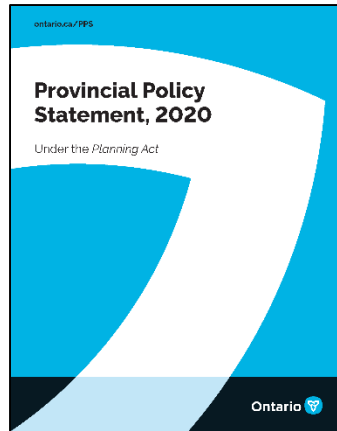
Committee of Adjustment conditionally approved the severance subject to conditions.

- Address zoning deficiencies resulting from lot creation on lot containing severed surplus farm dwelling (Part 1); and
- *Agricultural purposes only (APO)* zoning required as condition of severance approval to prohibit further residential construction on retained farmland (Part 2).



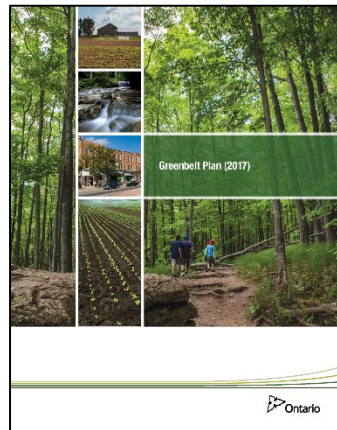
Policy Analysis

Provincial Policies



Provincial Policy Statement (2020)

- Located within a 'Prime Agricultural Area'



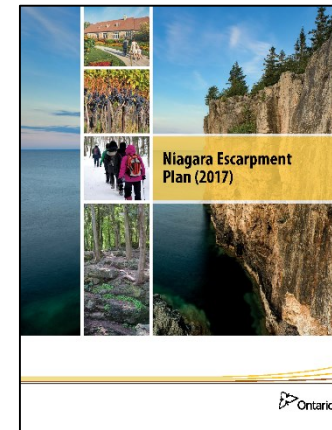
Greenbelt Plan (2017)

- Located outside of Greenbelt Plan Area
- Not applicable



Growth Plan for the Greater Golden Horseshoe (2020)

- Located outside of a Settlement Area
- Key natural heritage related policies apply



Niagara Escarpment Plan (2017)

- Located outside of Niagara Escarpment Plan Area
- Not Applicable

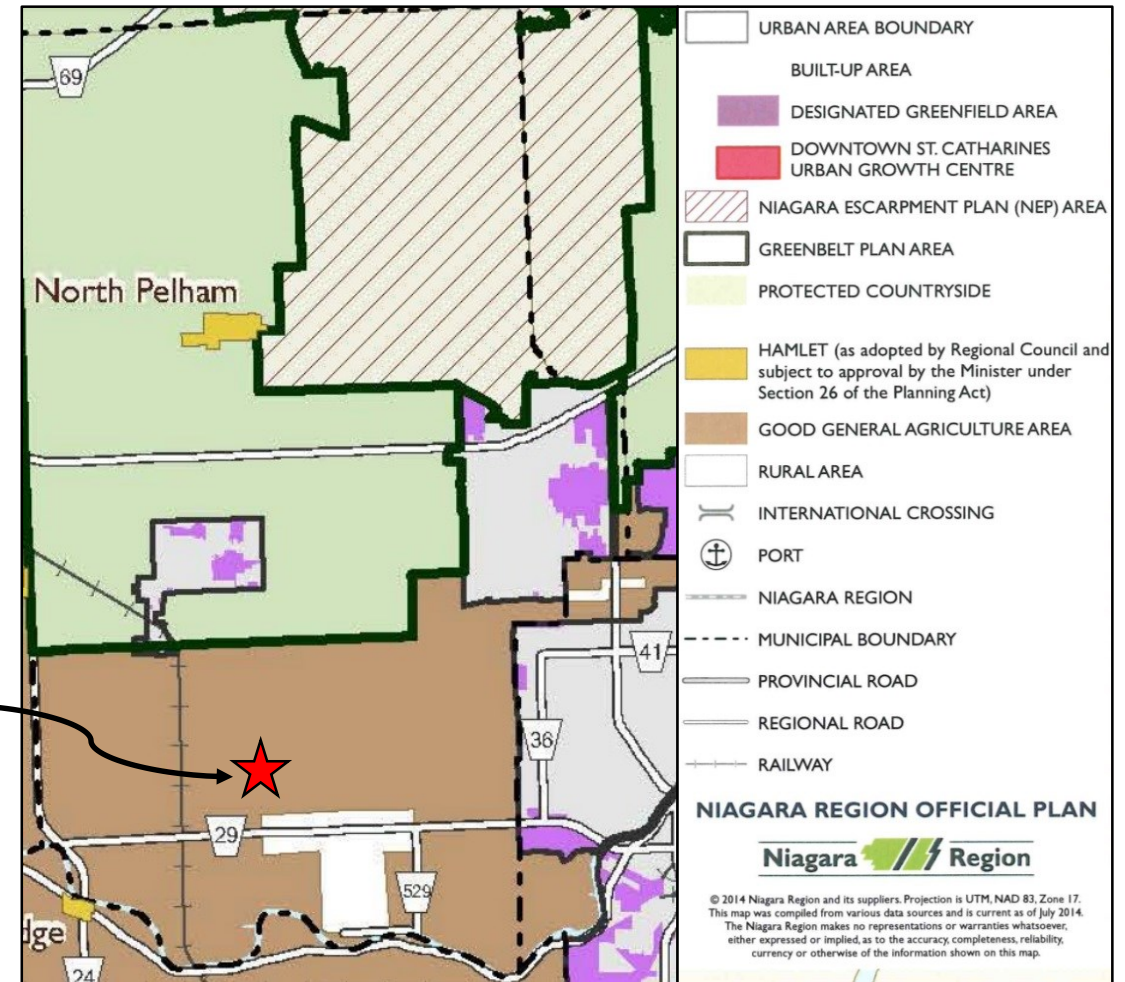
Policy Analysis

Niagara Region Official Plan (2014)

Designated:

- *Good General Agricultural Area*

Approximate Location of Subject Lands



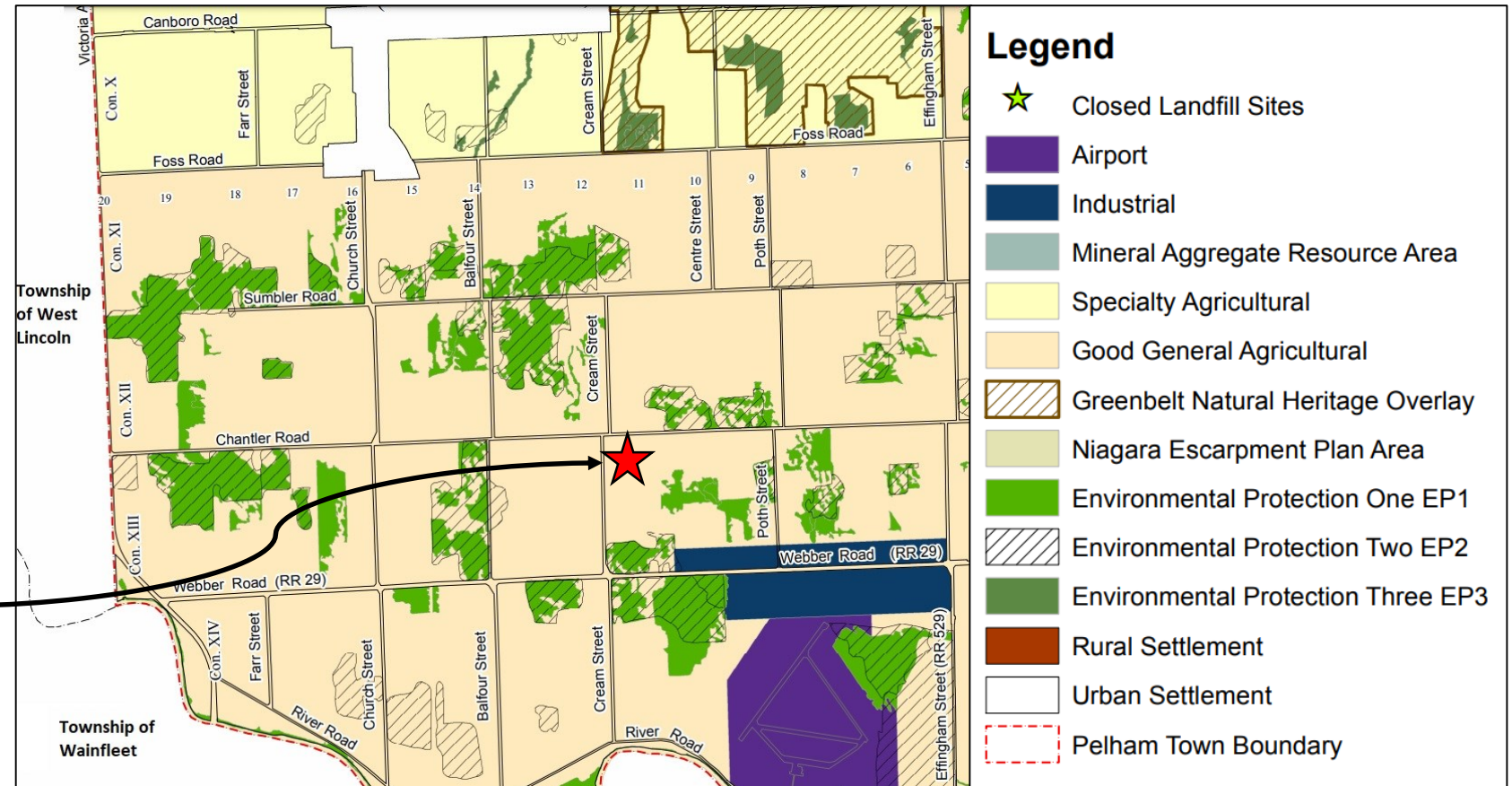
Policy Analysis

Town of Pelham Official Plan (2014)

Designated:

- *Good General Agricultural*

Approximate Location
of Subject Lands



Proposed Development

Town of Pelham Zoning By-law No. 1136 (1987)

Existing:

Agricultural – 25 (A-25) (north) and 'Light Industrial-25' (M1-25) (south)

Permitted uses (among others) include:

- Agricultural uses including greenhouses
- One single detached dwelling
- Accessory buildings
- Home occupations

Maximum height of all buildings and structures limited to 10.5 m (34.45 ft)

Proposed:

Part 1:

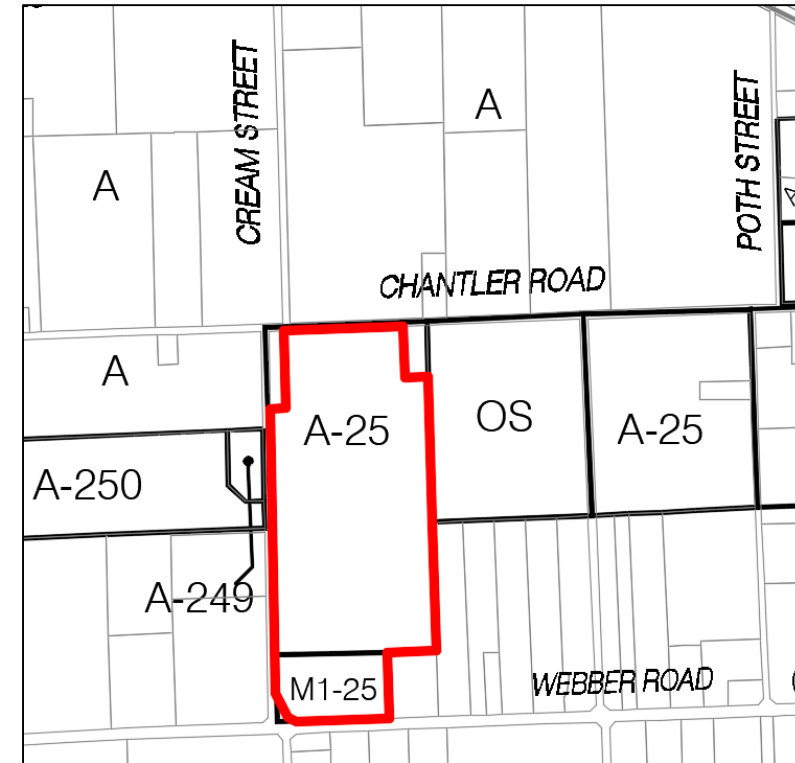
From **A-25** to **site-specific A (Agricultural)**

- Increase Maximum (accessory) Lot Coverage
- Increase Maximum (accessory) building height
- Continue to limit maximum height of all buildings to 10.5 m (34.45 ft)

Part 2:

From **A-25 & M1-25** to **site-specific A (Agricultural Purposes Only)**

- Prohibit further residential development
- Continue to limit maximum height of all buildings to 10.5 m (34.45 ft)



Consultation

Public Comments

No public comments received to date.

Agency Comments

Niagara Region

- Require prohibition of further residential construction on remnant farmland to maintain their support of the original severance application.

Canada Post

- No comments.

Hydro One

- No comments or concerns.

Enbridge Gas

- No objections.

Niagara Peninsula Conservation Authority

- No objections.

Town Building Division

- No comments.

Town Public Works Department

- No comments.

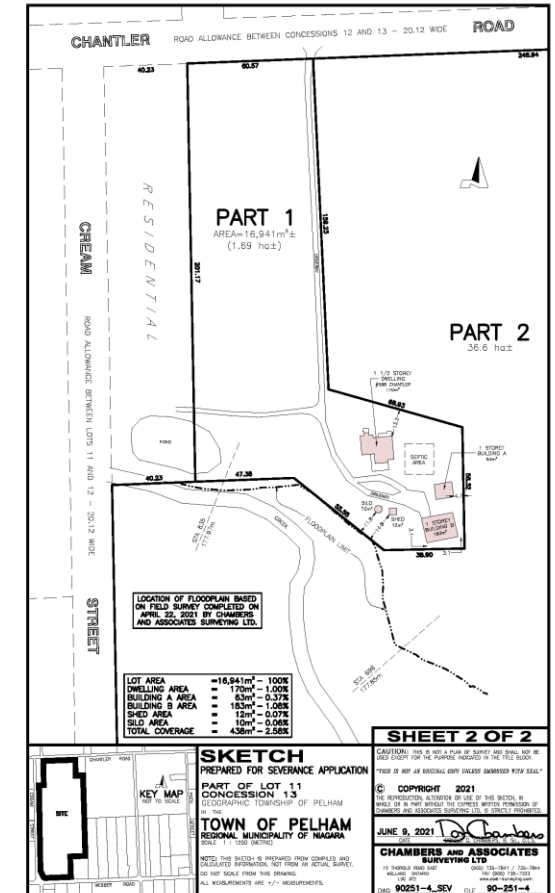
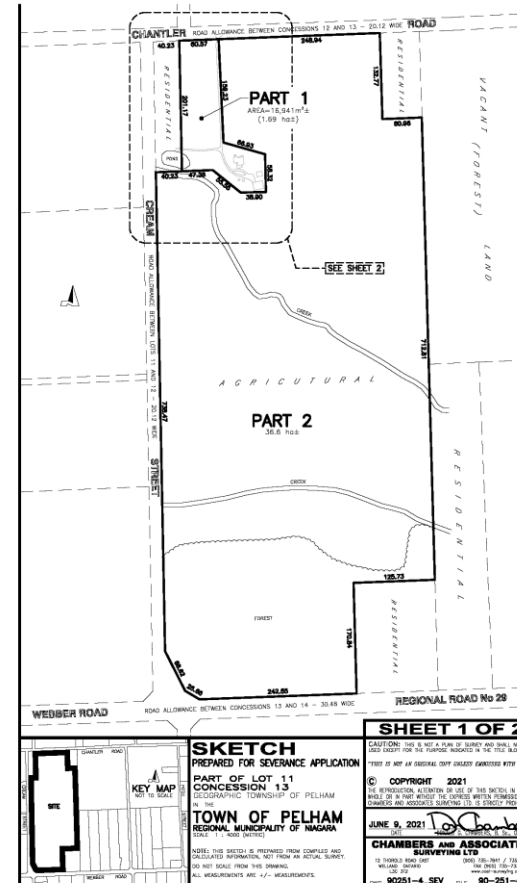
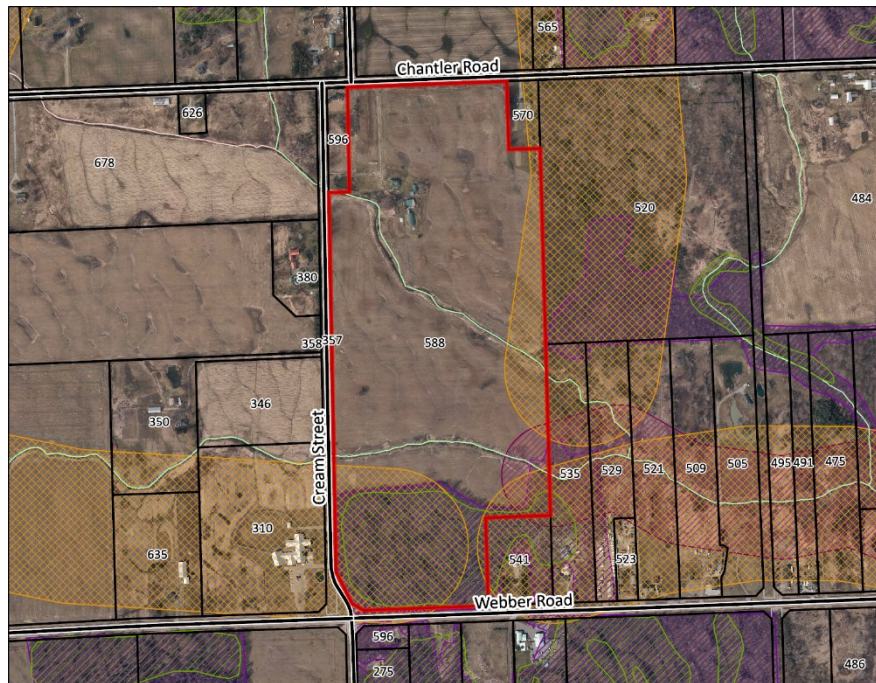
Questions & Comments

Following tonight's meeting, questions and comments on this file may be directed to:

Kenny Ng, Planner

(905) 892-2607 x. 324

kng@pelham.ca



Subject: Information Report – Zoning By-law
Amendment Application (AM-06-2021)**Recommendation:**

BE IT RESOLVED THAT Council receive Report # 2021-0170 for information and recommend to Council:

THAT Planning staff be directed to prepare the Recommendation Report for consideration of adopting the Zoning By-law Amendment.

Background:

The purpose of this report is to provide Council and the public with information regarding an application to amend Zoning By-law No. 1136 (1987) for the property known as 588 Chantler Road. The proposed zoning by-law amendment would rezone:

- Part 1
 - From Agricultural – 25 (A-25) to Site-specific A (*Agricultural*) to amend the maximum lot coverage and maximum height for accessory residential structures; and
- Part 2
 - From Agricultural – 25 (A-25) and Light Industrial – 25 (M1-25) to Site-specific APO (*Agricultural Purposes Only*) to prohibit further residential construction in perpetuity.

Location:

The subject lands are located on the south side of Chantler Road, lying east of Cream Street (Figure 1). Municipally known as 588 Chantler Road, in the Town of Pelham. The property currently supports one single detached dwelling, agricultural barns and productive farmland on a 38.3 hectares lot.

The subject lands are surrounded by:

- North – Agricultural / *key natural heritage features*

- East – Agricultural / rural residential dwellings / Harold S. Bradshaw Memorial Park
- South – Agricultural / rural residential dwellings / *key natural heritage features*
- West – Agricultural / rural residential dwellings

Figure 1: Subject Lands (588 Chantler Road)

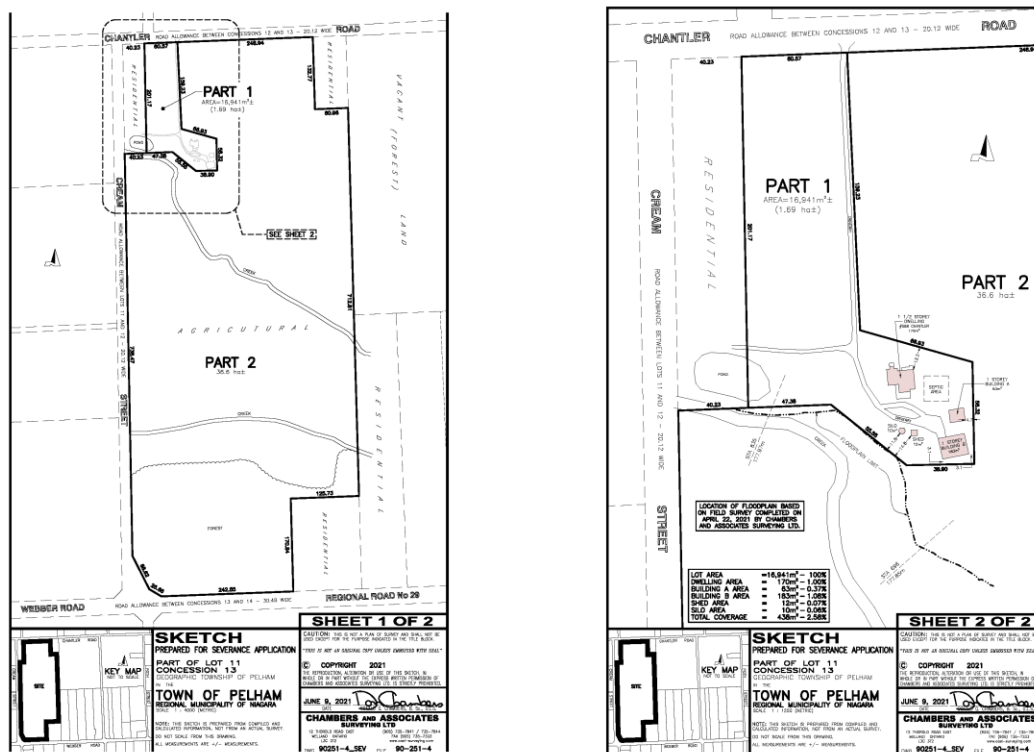


Project Description and Purpose

An application for Zoning By-law Amendment was received for 588 Chantler Road to facilitate a surplus farm dwelling severance. The Committee of Adjustment conditionally approved the severance (Figure 2) on August 3, 2021 (file B21-2021P). The zoning by-law amendment is a condition of severance approval.

The zoning by-law amendment would amend the existing Agricultural - 25 (A-25) and Light Industrial – 25 (M1-25) zone to a site-specific Agricultural (A) zone for Part 1 as well as rezone the retained lands (Part 2) to an Agricultural Purposes Only (APO) zone to prevent further residential construction.

Figure 2: Proposed Consent Sketch



The site-specific zoning provisions are described in greater detail in this Report. The existing residential dwelling and accessory buildings on Part 1 are proposed to remain and with the approval of the severance the accessory buildings become accessory to residential use, vs. being accessory to an agricultural use.

Analysis:

Planning Act

Section 2 of the Act addresses matters of Provincial interest and requires municipal Councils to have regard to, among other matters:

- The protection of ecological systems, including natural areas, features and functions;
- The protection of the agricultural resources of the Province;
- The conservation of significant cultural, archaeological or scientific interest;
- The efficient use and conservation of energy and water;
- The adequate provision and efficient use of transportation, sewage & water services and waste management systems;
- The minimization of waste;

- h) The orderly development of safe and healthy communities;
- l) The protection of the financial and economic well-being of the Province and its municipalities;
- o) The protection of public health and safety;
- p) The appropriate location of growth and development;
- r) The promotion of built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- s) The mitigation of greenhouse gas emissions and adaption to a changing climate.

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.

Section 34 of the Act allows for consideration of amendments to the zoning by-law.

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.

The Provincial Policy Statement (PPS) designates the subject land within the ‘Prime Agricultural Area’. The permitted uses (among others) include agricultural / agricultural related uses, limited residential development and home occupations. ‘Prime Agricultural Areas’ are defined as including associated Canada Land Inventory Class 4-7 lands as well as ‘Prime Agricultural Lands’ (Class 1-3 lands).

Policy 2.3.1 states that *prime agricultural areas* shall be protected for long-term agricultural use.

Policy 2.3.4.1 c) states that lot creation in *prime agricultural areas* is discouraged and may only be permitted for a residence surplus to a farming operation as a result of farm consolidation. Provided that, the new lot is limited to the size necessary to accommodate private water and sewage services and that new residential dwellings are prohibited on the remnant parcel of farmland created by the severance.

The applicant has stated the rationale for the larger parcel size proposed for Part 1 in the cover letter and Planning Justification Brief. Similar to the existing single detached dwelling, the existing barns and silos are considered surplus to the consolidating farmer's business needs as their equipment is stored nearby. These accessory structures are anticipated to remain and will become accessory structures to the residential use.

West of the driveway lies a large open space area, as this area is unfarmed, it is proposed to remain with the proposed lot, and is a contributing factor for the configuration and size of the residential lot, along with the existing setback of the dwelling. This open space area is not applicable for the applicant's farming needs and specifically the lot geometry and on-site natural heritage features create an obstacle for them to properly utilize this area of land for agricultural purposes and therefore, this open area is to remain with the newly created lot.

Niagara Region Official Plan (Consolidated, August 2014)

The Regional Official Plan designates the subject land as 'Good General Agricultural Area'. The predominant use of land will be for agricultural of all types.

The subject lands are impacted by the Region's Core Natural Heritage System (CNHS), consisting of the Upper Coyle Creek Provincially Significant Wetland Complex (PSW), Significant Woodland, Significant Valleyland, and Type 2 Fish Habitat.

The proposed lot is 1.69 ha in size and contains one vacant dwelling that will be serviced by the existing on-site private sewage system, three accessory buildings and a silo.

Policy 10.C.2.1.13 states that *development and site alteration* shall only be permitted on lands containing *archaeological resources or areas of archaeological potential* if the significant *archaeological resources* have been *conserved* by removal and documentation, or by preservation on site.

Development, by definition, includes lot creation according to the PPS. Although the subject lands exhibit composite potential for deeply buried archaeological resources according to the Town's Heritage Master Plan, Town Planning staff are of the opinion that this requirement can be waived given that there will be no new disturbance of the land associated with lot creation and the proposed rezoning will restrict new development.

Regional staff provided comments on the consent application (file B21-2021P) and offered no objections pending the remnant lands (Part 2) be rezoned to preclude further residential construction, and the Town is satisfied with any cultural heritage and Minimum Distance Separation requirements.

In conclusion, Regional staff are satisfied that the proposed development is consistent with Regional policies, and offer no objections and comments.

Pelham Official Plan (2014)

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 'Good General Agricultural' according to Schedule 'A'.

Policy B2.1.3.1 restricts lot creation in the *Good General Agricultural* area in an effort to maintain and protect agricultural resources of the Town, and by directing new residential growth to *urban settlement areas* or existing vacant building lots. However, this policy does allow for the creation of new lots in certain circumstances, specifically provision b), which states the lot is necessary to accommodate a surplus dwelling resulting from a farm consolidation in accordance with Policy B2.1.3.3.

Policy B2.1.3.3 provides consideration of consents related to farm consolidations. Existing farm dwellings rendered surplus as a result of a farm consolidation may be severed, regardless if the farm parcels subject to the consolidation are abutting or independent. Applications to sever a surplus farm dwelling should provide for a maximum lot area of 0.4 hectares. A larger lot size will be considered if an additional area is necessary to accommodate a private water and sewage disposal system. In addition, it shall be a requirement that the residual or consolidated farm parcel be zoned to preclude future residential use in perpetuity.

The proposed site-specific APO rezoning would facilitate the conditionally approved severance allowing for the disposal (selling off) of an existing residential dwelling that the applicant considers surplus to their farming needs. According to the application and *Planning Justification Brief*, this existing dwelling poses a financial burden to the applicant as it significantly raises the cost of property ownership carrying costs, (i.e. debt servicing, property tax etc.). The existing agricultural

structures are also not needed due to the farmer's nature of business (cash cropping) and storage of farm equipment on other nearby farm property.

Pelham Zoning By-law No. 1136 (1987)

The subject lands are currently zoned 'Agricultural-25' (A-25) and 'Light Industrial-25' (M1-25) according to Schedule 'A' and Schedule 'A6' of the Zoning By-law, respectively. A site-specific Zoning By-law Amendment is required as a condition of severance approval to prohibit further residential construction on Part 2 and to address any zoning deficiencies that result from the severance. The following zoning tables outline the regulations at issue.

Part 1 – Regulations for buildings accessory to residential dwellings (Section 7.7)

Zone Regulation	A zone Default	Proposed
Maximum Lot Coverage	1%	1.58%
Maximum Building Height	3.7 m	5.9 m (19 feet)

The site specific exceptions to the maximum lot coverage and maximum building height are required due to differing requirements for accessory structures for a residential use vs. accessory structures for an agricultural use. While there will be no physical change to the accessory structures and they met the by-law requirements as accessory structures to an agricultural use, they do not meet these requirements for an accessory structure to a residential use and therefore the zoning by-law will recognize these as opposed to creating a legal non-complying circumstance as result of the severance.

Part 2 – Permitted uses (Section 7.1)

- Agricultural purposes only to prohibit new residential construction.

The height restrictions provided by the existing 'Agricultural -25' (A-25) and 'Light Industrial -25' (M1-25) zones will continue to apply as they relate to limiting the height on properties that are in proximity to the airport.

Financial Considerations:

The applicant is responsible for all costs associated with development.

Alternatives Reviewed:

Council could choose not to direct Planning Staff to prepare the Recommendation Report.

Strategic Plan Relationship: Build Strong Communities and Cultural Assets

The efficient use and preservation of Prime Agricultural Land and resources supports the local and regional agricultural economy and helps build towards creating a strong community. The rezoning is required as a condition of severance approval which was granted by the Town's Committee of Adjustment on August 3, 2021. Allowing the consolidated farming business to dispose of (sell) the existing residential dwelling eases the financial burden normally associated with carrying expensive residential real estate (i.e. via debt servicing). This barrier to owning affordable agricultural land makes the purchasing of the retained farmland more attainable.

Consultation:

Agencies were circulated for review and comment on the application prior to scheduling the public meeting. See appendices for comprehensive agency / staff comments. Agency comments received to date are summarized below:

- Building Department (July 20, 2021)
 - No comments (from consent application).
- Canada Post (August 30, 2021)
 - No comments.
- Niagara Region Planning & Development Services (August 16, 2021)
 - Require the 'Agricultural Purposes Only' zoning to be obtained for their previous consent to sever application support.
- Niagara Peninsula Conservation Authority (July 21, 2021)
 - No objections (from consent application).
- Hydro One (September 24, 2021)
 - No comments or concerns.
- Enbridge Gas (August 13, 2021)
 - No objections.

Public Comments

On Wednesday, the 15th day of September 2021, a Public Meeting Notice was circulated to all property owners within 120 metres of the subject land's boundaries. In addition, a Public Notice sign was posted at the public street frontage on Chantler Road. No public comments were received at the time of writing of this report.

Planning Staff Comments

The purpose of this report is to provide Council and the public with information regarding the proposed rezoning application for 588 Chantler Road, applicable

policies and comments received to date. Council may also provide recommendations for proposed changes to the zoning by-law amendment request based on the public, agency or staff input and consistency with approved plans.

A pre-consultation was held with the applicant(s) of the property and staff from the Town and Niagara Region Planning & Development Services on April 1, 2021 to discuss the subject applications.

Regional and Town staff conducted a site visit on June 23, 2021 to meet with the applicant to better understand existing site conditions and the applicant's farming operation.

The applicant (River Bend Farms) operates a long standing, registered farming business growing cash crops such as corn, soybeans and wheat crops. The applicant owns approximately 409.7 hectares of land with another \pm 526 hectares being rented throughout the Township of Wainfleet and Town of Pelham. The personal residence of the applicant is within the Town of Pelham and their farming equipment is located nearby.

Subject to the input received at the Public Meeting, the next steps are for staff to prepare a Recommendation Report for Council's consideration at a future meeting.

Other Pertinent Reports/Attachments:

- Appendix A:
 - Proposed Consent Sketch
- Appendix B:
 - Agency Comments

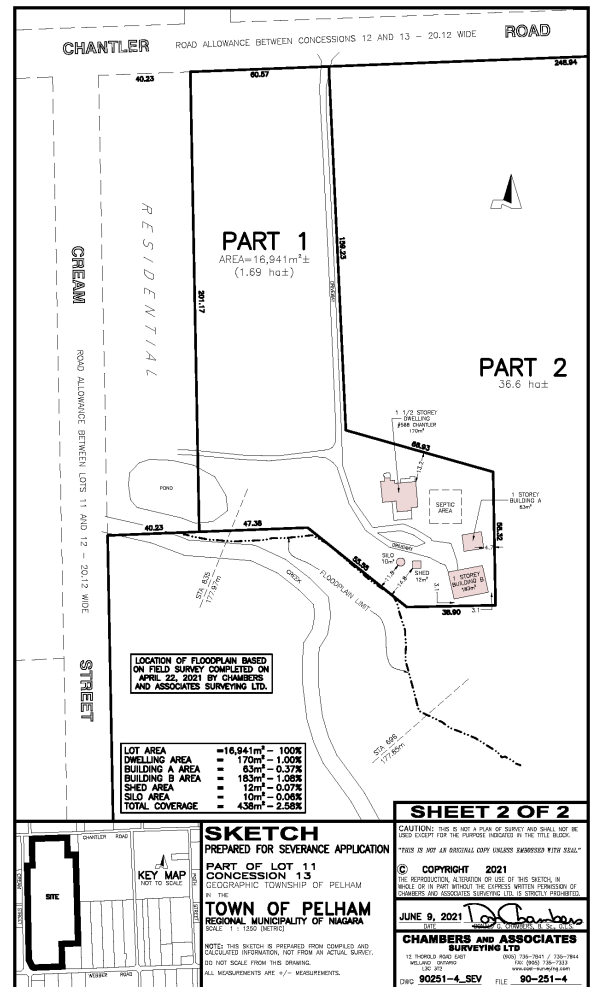
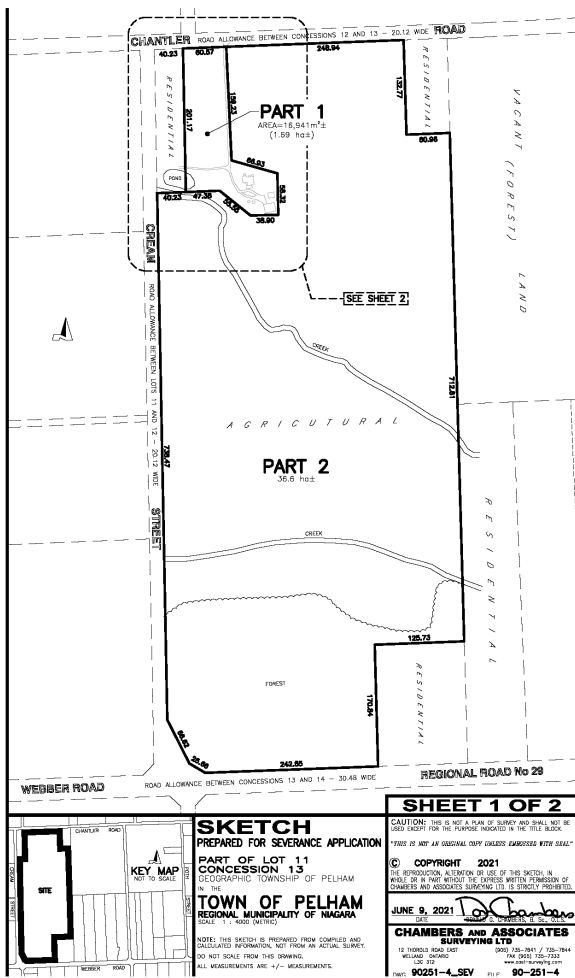
Prepared and Recommended by:

Kenny Ng, B.ES
Planner

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

Prepared and Submitted by:

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



From: [CARRIGAN, Andrew](#)
To: [Kenny Ng](#)
Subject: RE: Request for Comments - ZBLA (588 Chantler Road) (AM-06-2021)
Date: Monday, August 30, 2021 9:37:25 AM

Hi Kenny,

CPC has no comments regarding this zoning by-law amendment.

Thank you

From: Kenny Ng <KNg@pelham.ca>
Sent: August-13-21 10:39 AM
To: CARRIGAN, Andrew <andrew.carrigan@canadapost.postescanada.ca>; David Christensen <DChristensen@pelham.ca>; Derek Young <DYoung@pelham.ca>; devtplanningapplications@niagararegion.ca; Enbridge Planning (MunicipalPlanning@enbridge.com) <MunicipalPlanning@enbridge.com>; Hydro One Planning (landuseplanning@hydroone.com) <landuseplanning@hydroone.com>; Jason Longhurst <JLonghurst@pelham.ca>; Jason Marr <JMarr@pelham.ca>; Mike Zimmer <MZimmer@pelham.ca>; MMM (circulations@mmm.ca) <circulations@mmm.ca>; 'Nicholas Godfrey' <ngodfrey@npca.ca>; NPEI (info@npei.ca) <info@npei.ca>; NPEI Jim Sorley <Jim.sorley@npei.ca>; Rogers (Newdevelopment@rci.rogers.com) <Newdevelopment@rci.rogers.com>; Shanks, Amy <Amy.Shanks@niagararegion.ca>; Taylor Boyle <TBoyle@pelham.ca>; Tolga Aydin <TAYdin@pelham.ca>; Vickie vanRavenswaay <VvanRavenswaay@pelham.ca>
Cc: Barbara Wiens <BWiens@pelham.ca>; Shannon Larocque <SLarocque@pelham.ca>
Subject: Request for Comments - ZBLA (588 Chantler Road) (AM-06-2021)

This email is from an EXTERNAL sender. Please be CAUTIOUS, particularly with links and attachments. | Ce courriel est d'un expéditeur EXTERNE. Soyez PRUDENT, en particulier avec des liens et des pièces jointes.

Good morning,

We are in receipt of an application for Zoning By-law Amendment (AM-06-2021) for the lands at 588 Chantler Road in Pelham. This application seeks to rezone Part 2 as 'Agricultural Purposes Only' as a condition of severance approval, as well as some site-specific requests on Part 1.

Please see attached submitted materials, which include:

- Zoning By-law Amendment Application
- Surplus Farm Dwelling Application
- Consent Sketch (from consent file B21-2021P)
- Notice of Decision (from consent file B21-2021P)
- Planning Justification Brief

Comments would be appreciated by August 30th, 2021.

If you have any questions or concerns, or require additional information, please do not hesitate to contact me.

Best,



Kenny Ng, BES.

Planner

Town of Pelham

T: 905-892-2607 x324 | E: Kng@pelham.ca

20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

TOWN OF PELHAM CONFIDENTIALITY NOTICE

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From: [Municipal Planning](#)
To: [Kenny Ng](#)
Subject: RE: Request for Comments - ZBLA (588 Chantler Road) (AM-06-2021)
Date: Friday, August 13, 2021 1:18:54 PM

Thank you for your circulation.

Enbridge Gas Inc. does not object to the proposed application however, we reserve the right to amend our development conditions.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Alice Coleman
Municipal Planning Analyst
Long Range Distribution Planning

ENBRIDGE

TEL: 416-495-5386 | MunicipalPlanning@Enbridge.com
500 Consumers Road, North York, Ontario M2J 1P8

enbridge.com

Safety. Integrity. Respect.

From: Kenny Ng <KNg@pelham.ca>
Sent: Friday, August 13, 2021 10:39 AM
To: Andrew Carrigan <andrew.carrigan@canadapost.ca>; David Christensen <DChristensen@pelham.ca>; Derek Young <DYoung@pelham.ca>; devtplanningapplications@niagararegion.ca; Municipal Planning <MunicipalPlanning@enbridge.com>; Hydro One Planning (landuseplanning@hydroone.com) <landuseplanning@hydroone.com>; Jason Longhurst <JLonghurst@pelham.ca>; Jason Marr <JMarr@pelham.ca>; Mike Zimmer <MZimmer@pelham.ca>; MMM (circulations@mmm.ca) <circulations@mmm.ca>; 'Nicholas Godfrey' <ngodfrey@npca.ca>; NPEI (info@npei.ca) <info@npei.ca>; NPEI Jim Sorley <Jim.sorley@npei.ca>; Rogers (Newdevelopment@rci.rogers.com) <Newdevelopment@rci.rogers.com>; Shanks, Amy <Amy.Shanks@niagararegion.ca>; Taylor Boyle <TBoyle@pelham.ca>; Tolga Aydin <TAYdin@pelham.ca>; Vickie vanRavenswaay <VvanRavenswaay@pelham.ca>
Cc: Barbara Wiens <BWiens@pelham.ca>; Shannon Larocque <SLarocque@pelham.ca>
Subject: [External] Request for Comments - ZBLA (588 Chantler Road) (AM-06-2021)

EXTERNAL: PLEASE PROCEED WITH CAUTION.

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respond, click on links or open attachments unless you recognize the sender or know the content is safe.

Good morning,

We are in receipt of an application for Zoning By-law Amendment (AM-06-2021) for the lands at 588 Chantler Road in Pelham. This application seeks to rezone Part 2 as 'Agricultural Purposes Only' as a condition of severance approval, as well as some site-specific requests on Part 1.

Please see attached submitted materials, which include:

- Zoning By-law Amendment Application
- Surplus Farm Dwelling Application
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From: SHETTY Dolly on behalf of LANDUSEPLANNING
To: Jodi Legros
Subject: Pelham - 588 Chantler Rd - AM-06-2021
Date: Friday, September 24, 2021 10:29:18 AM
Attachments: image003.png

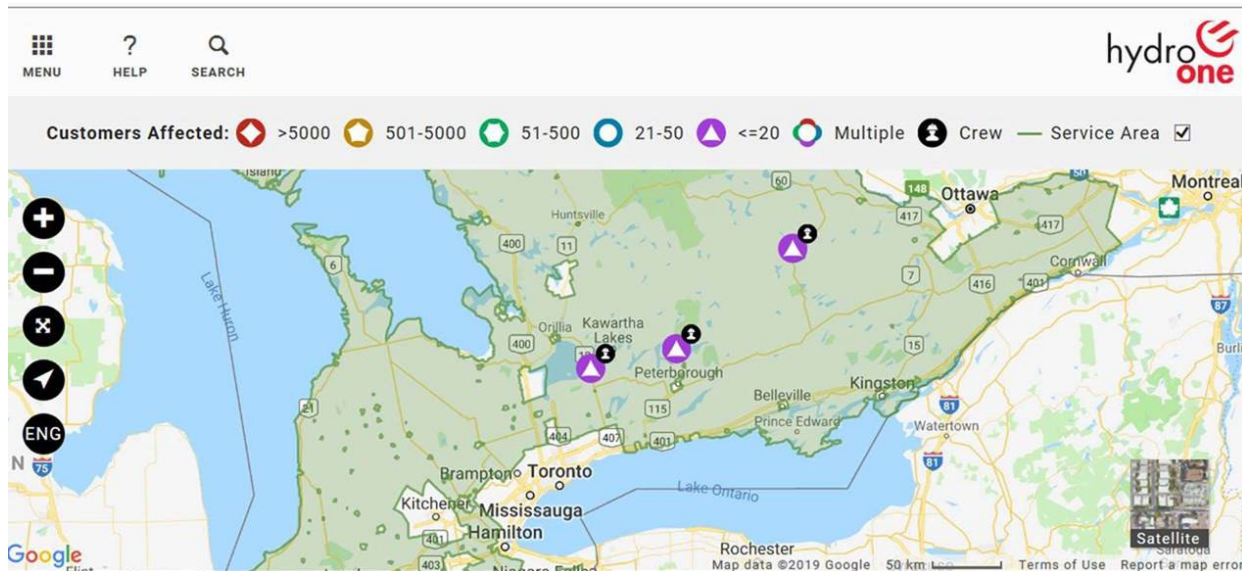
Hello,

We are in receipt of Application AM-06-2021 dated September 15, 2021. 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' please consult your local area Distribution Supplier.

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 Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

Thank you,

Best Wishes,

Dolly Shetty
Real Estate Assistant | Land Use Planning

Hydro One Networks Inc.
185 Clegg Road (R32)
Markham, ON | L6G 1B7
Email: Dolly.Shetty@HydroOne.com



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From: Jodi Legros <JLegros@pelham.ca>
Sent: Wednesday, September 15, 2021 10:28 AM
Subject: Notice of Public Meeting - October 12 2021, 588 Chantler Rd (AM-06-2021)

***** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. *****

Good Morning,

Please refer to attached Notice of Public Meeting.

Regards,



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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