

COMMUNITY PLANNING & DEVELOPMENT QUARTERLY REPORT

Monday, October 18, 2021

Reporting Period: Community Planning and Development Department Quarterly Report for the period: July 1 – September 30, 2021

Recommendation:

BE IT RESOLVED THAT Council receive the Q3/2021 Community Planning and Development Department Report, for information.

Department Overview and Statistics:

The Planning Department continues to work on the following development applications: 9 Subdivision Applications, 5 condominium applications, 4 Official Plan Amendment applications, 15 Zoning By-Law Amendments, 6 applications for Site Plan Approvals, 10 consent applications, 7 minor variance applications and 4 Niagara Escarpment Development Permit applications.

Planning staff approved 1 site plan agreement application for a 5 storey, 132 unit assisted living retirement residence in East Fonthill.

There is one appeal relating to a Development Charges By-law Amendment; 3 appeals on the Cannabis Official Plan Amendment and 3 appeals relating to the Cannabis Zoning By-law Amendment. A Case Management Conference was held with regards to the 3 appeals on the Cannabis Official Plan and Zoning By-law amendments on June 29th, 2021 at which time the Tribunal scheduled a 4-day hearing to hear these appeals commencing on January 24th, 2022. The OLT appeal on the extension of the interim control by-law has been withdrawn by the appellant and the OLT has closed their file on the matter.

The court application by Woodstock Biomed with regards to the initial Interim Control By-law is also pending and the responding material was filed with the Courts. The parties are awaiting a court date.

Two court applications to quash the Odorous Industries Nuisance By-law have been filed with the courts and filing materials are pending by both parties.

An appeal has been received with regards to Council's refusal to pass a zoning by-law amendment for 1307 Haist Street. Minutes of Settlement were agreed to by Council and presented to the OLT with the OLT approving the Minutes of Settlement and Zoning By-law Amendment through its decision of September 17, 2021. This matter is now concluded and the zoning by-law amendment in effect.

Further there is a court application by C. Montemurro relating to the issuance of a building permit, responding materials have been filed with the courts and staff were deposed. The original hearing date was scheduled for March 25th, 2021 and was cancelled by the courts with a new date scheduled for June 28th, 2021. The June date was also cancelled and rescheduled to September 27th, 2021. The matter was not heard on September 27th as there was no Judge available to hear the matter on that day. The matter will be rescheduled to a date after November 22, 2021. At this time the parties are awaiting a new court date.

A second public meeting was held regarding Second Dwelling Units in June. A Public Meeting was scheduled for 1365 Station Street Official Plan and Zoning By-law Amendment applications and was requested to be adjourned by the applicant. A Public Meeting was held with regards to the proposed Zoning By-law Amendment and revised Draft Plan of Subdivision for 155 Port Robinson Road.

Building:

The Building Department continues to receive incoming permit applications consistent with seasonal trends and remains occupied with inspections. The building department was able to conduct a total of 1,016 inspections since the 2021 second quarterly report.

Building Activity Statistics from July 1 – September 30, 2021:

Months	Building Permits	Inspections	Demolitions	Commercial Sq. Ft.		New Dwellings	Value of Construction
July	40	365		3	3,701	28	\$10,919,500
August	29	318	2	2	2,039	9	\$6,162,300
September	25	333		4	5,936	10	\$44,589,907
Total:	94	1,016	2	9	11,676	47	\$61,671,707

Building Permit Time Frames from July 1 – September 30, 2021:

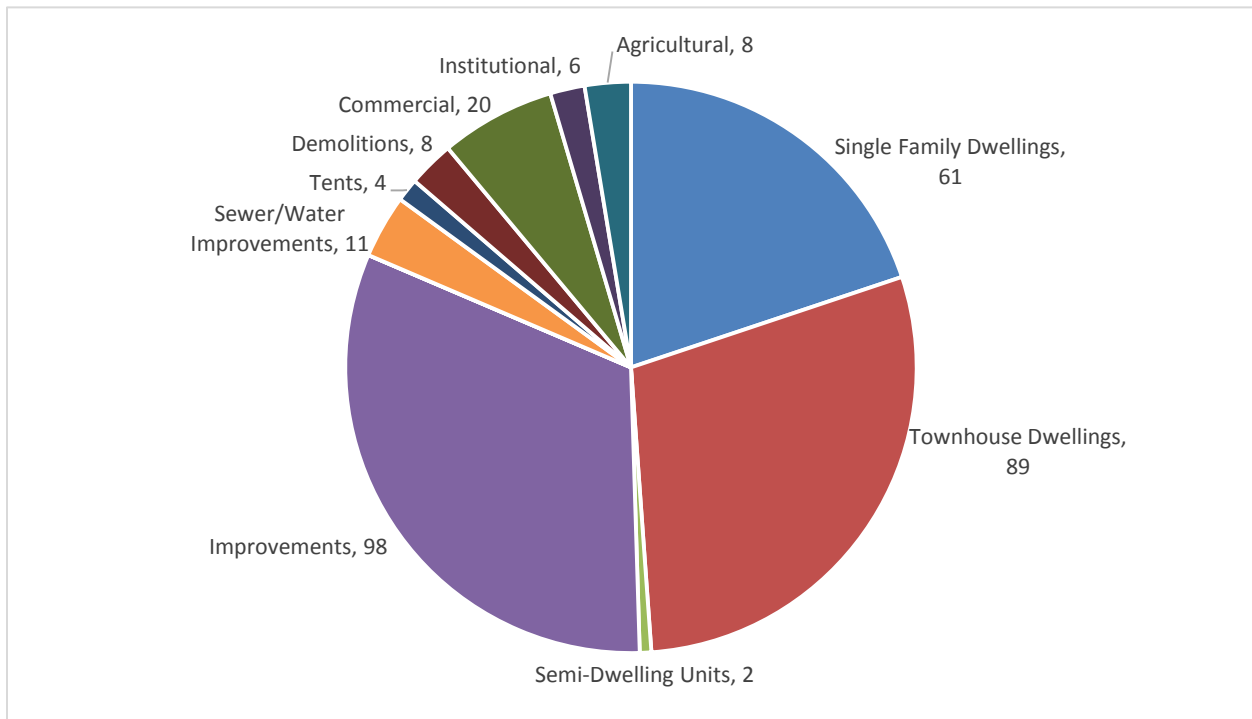
Building Type and Number of required days to issue	Number of Permits Issued	Average Number of Days to Issue Permit
House: 10 days	71	7
Small Building: 15 days	16	11
Large Building: 20 days	7	11
Complex Building: 30 days		
Total:	94	

Major Building Projects Over \$250,000 (excluding single family dwelling units):

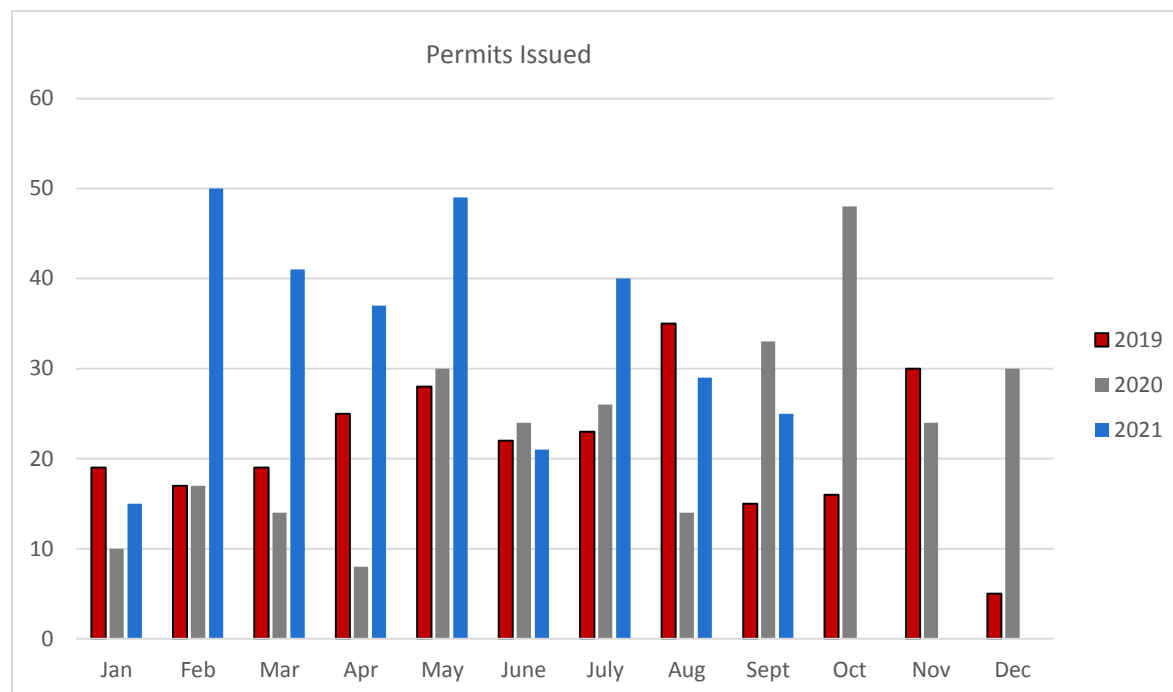
- 1) Alterations to a single family dwelling, \$500,000
- 2) 6-Storey mixed use building, \$40,000,000

Town Development Charges collected by the Finance Department for the period July 1 to September 30, 2021 total \$606,301.

Building Permit Breakdown (Year to Date):



Comparative Building Activity Statistics from 2019 to 2021:



Projects:

Cannabis – The Cannabis Control Committee continues to meet with regards to implementation of OINBL. The cannabis producers have filed court actions against the Town with regards to the OINBL. A 4-day Ontario Land Tribunal (OLT) hearing has been scheduled for January 24, 2022 to hear the appeals on the Official Plan and Zoning By-law amendments that were adopted by Council to address planning matters related to cannabis land use. The Town's external legal counsel is engaging in discussions with the appellants on these matters.

Comprehensive Zoning By-law The first phase of public consultation has been initiated and the public engagement page regarding the Zoning By-law review and update has been launched on the Town website at the following link <https://engagingpelham.ca/comprehensive-zoning-bylaw-review>. Planning staff continued with 'Tuesday's with Tara' where Planning Staff are available to take one-on-one questions via calls and meetings with the public on matters related to the Zoning By-law review. The Zoning By-law review and update is a significant undertaking and involves looking at the By-law in its entirety. A status report on what we heard during the engagement process to date was presented to Council in August.

Second Dwelling Unit Official Plan and Zoning By-law Amendment: of particular interest to the public is second dwelling unit permissions to comply with *More Homes, More Choice Act*. A public meeting on this topic was held on February 8th and June 12th and a public on-line engagement page was launched on the Town website at the following link <https://engagingpelham.ca/second-dwelling-units>. The recommendation report on this matter was presented to Council in July and August with Council adopting the Official Plan and Zoning By-law amendments on September 7, 2021.

Comprehensive Parking Strategy Due to the pandemic restrictions and Stay at Home Order with the regards the ability of businesses to be open to the public this project has been delayed. The consultants are working on parking count surveys and parking surveys were launched on the Engaging Pelham webpage to gain public input and feedback on parking concerns in downtown Fonthill, Fenwick and Ridgeville and at the MCC.

Big Creek Municipal Drain Assessment Schedule Update K. Smart Associates is completing this work on behalf of the Town. The project has been expanded to include an update to the assessment schedules for the Nunn, Disher, Swayze and Ridgeville drains.

Constituent Concerns and Issues Arising:

n/a

Employee Updates:

The Senior Planner attended Near-Urban Nature Network: A Solution for Climate Change and Biodiversity.

The Building Intake/Zoning Technician completed Plumbing All Buildings course and examination, and Ontario Building Officials Association Energy Efficiency Design course.

The Director attended a seminar on the proposed amendments to the Land Use Compatibility Guidelines hosted by the Ministry of Environment, Conservation and Parks in June and presented at the AMO Conference on Pelham's experience with cannabis in August.

The Policy Planner resigned from the Town to take a planning position with another municipality.

Grants, RFPs, Agreements:

RFP for Vision and Design of Town Square was released.

Meetings:

On-going meetings:

- EOC Meetings
- Cannabis Control Committee Meetings
- OBOA Niagara Chapter Meetings
- Pre-Consultation Meetings
- SLT Meetings
- Joint Health & Safety Meetings
- Area Planners Meetings
- Regional Process Improvement Team Meetings
- Internal Budget Meetings

In addition to the various conversations with property owners and consultants regarding potential development applications, Staff have been involved in meetings regarding the following substantive matters:

- Meeting with Region of Niagara Planning Staff on Regional Official Plan update
- Merritt and Rice Road EA Stakeholder and Agency Meeting
- Region of Niagara DC Study Update Stakeholder Meeting