



**Community Planning & Development Department
Planning Application Report**

January 10, 2022

Subject: Recommendation Report for Applications for Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments – Park Place North

Recommendation:

BE IT RESOLVED THAT Council receives Report #2022-05 for information as it pertains to File Nos. 26T19-03-2020, OP-AM-03-21 & AM-12-20 relating to Park Place North;

AND THAT Council directs Planning staff to prepare the by-laws for approval of the Official Plan and Zoning By-law amendments for Council's consideration.

AND THAT Council approves the Draft Plan of Subdivision, attached as Appendix A, subject to the conditions in Appendix B.

Executive Summary:

The purpose of this report is to provide Council with a recommendation regarding applications for Official Plan, Zoning By-law Amendment and Draft Plan of Subdivision for Park Place North.

Location:

The subject property is located east of Station Street, south of Highway 20 known legally as Part of Lot 3 & 4, Registered Plan 717; Part of Thorold Township Lot 167, Geographic Township of Thorold, now all in the Town of Pelham, Regional Municipality of Niagara (Figure 1). The surrounding land uses are commercial (retail stores and restaurants) to the north, east and west and future park/multi-use trail, residential uses (Park Place South) and watercourse to the south.

Figure 1: Property Location



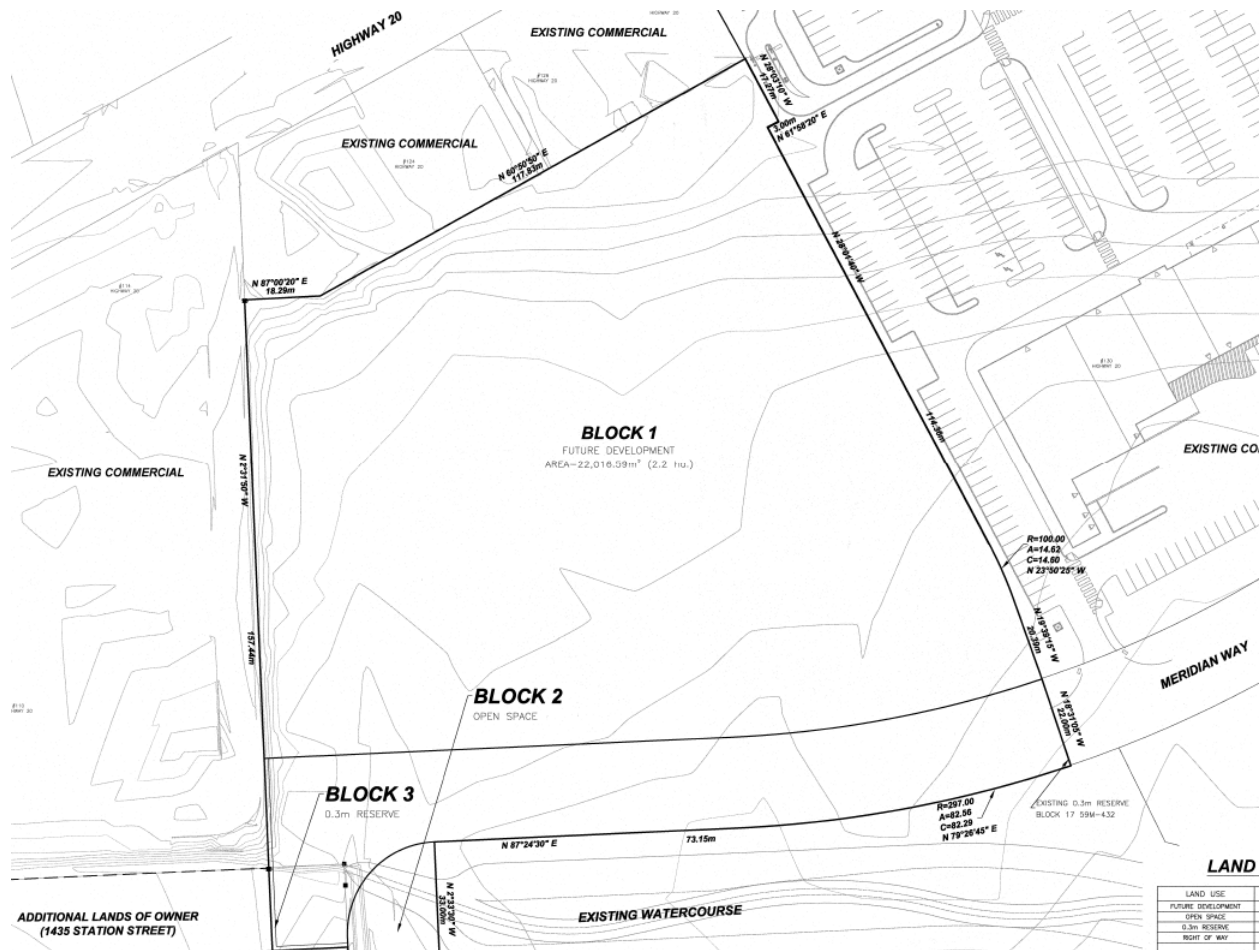
Project Description and Purpose:

The property is 2.744 hectares. The draft plan of subdivision proposes one block for future development (2.202 ha), 1 block for open space (0.062 ha) along with associated roadway (0.002 ha) which would be an extension of Meridian Way (Figure 2).

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Figure 2: Proposed Draft Plan of Subdivision



The proposed Official Plan Amendment would amend Policy B1.7.8.2(d)(i) by reducing the minimum parking requirement for seniors housing from 0.75 spaces/unit to 0.5 spaces/unit.

The proposed Zoning By-law Amendment would rezone the lands from A (Agricultural) to a site specific RM2 (*Residential Multiple 2*) and the EF-EP (*East Fonthill – Environmental Protection*) zones. The zoning change would permit the use of the property for apartment dwellings, nursing homes, senior citizens’ homes and block townhouse dwellings with reductions to the standard general provisions and residential zone requirements and recognize the location of the existing watercourse.

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The applicant has provided three different concept plans to demonstrate how the site could develop in the future. Concept 1 shows a retirement home and two apartment dwellings (Figure 3). Concept 2 (Figure 4) shows 2 apartment dwellings and 58 block townhouse dwellings and Concept 3 (Figure 5) shows a residential retirement home and 43 block townhouse dwellings.

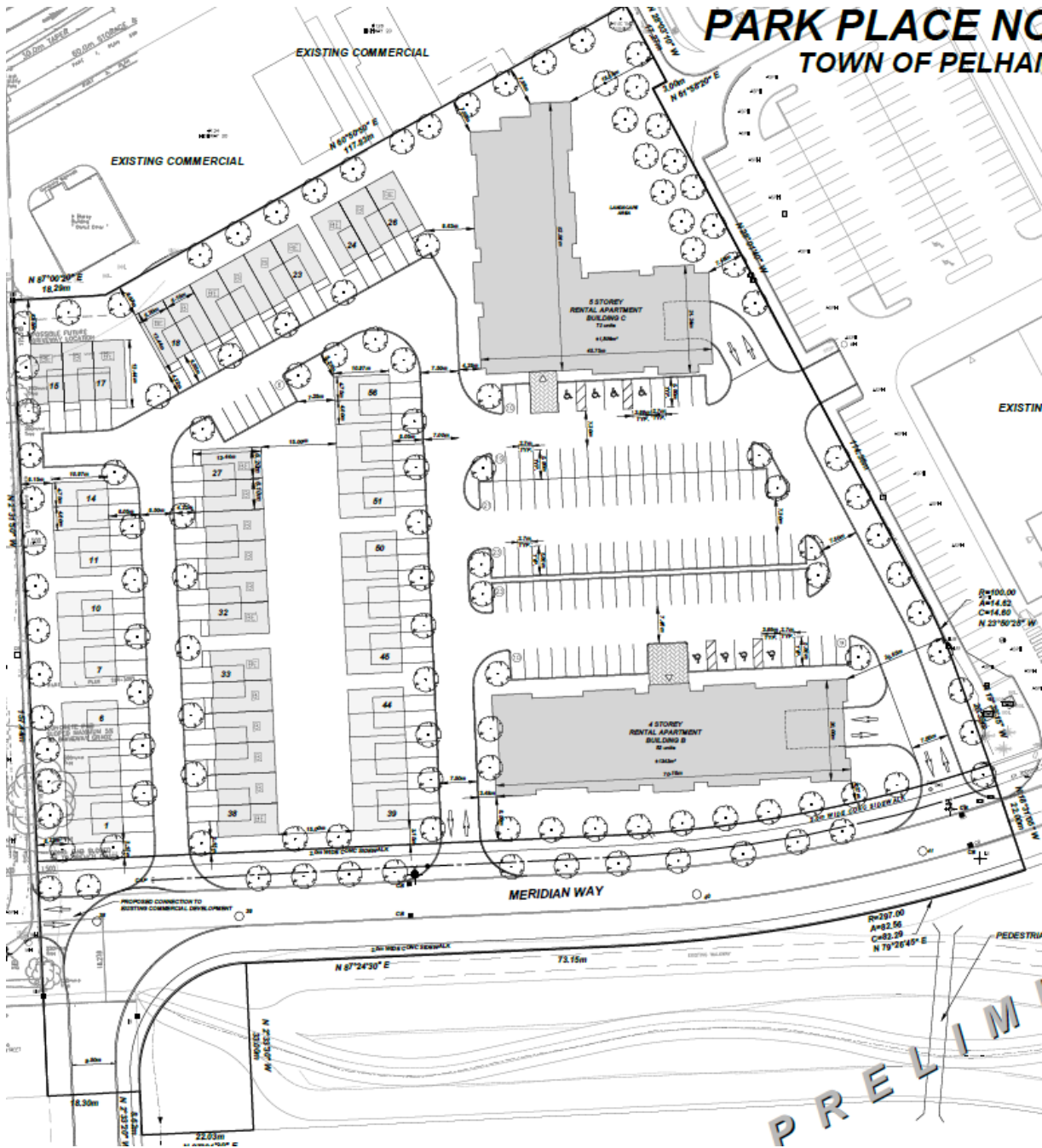
Figure 3 – Concept 1 – 2 Apartment Dwellings & 1 Residential Retirement Home



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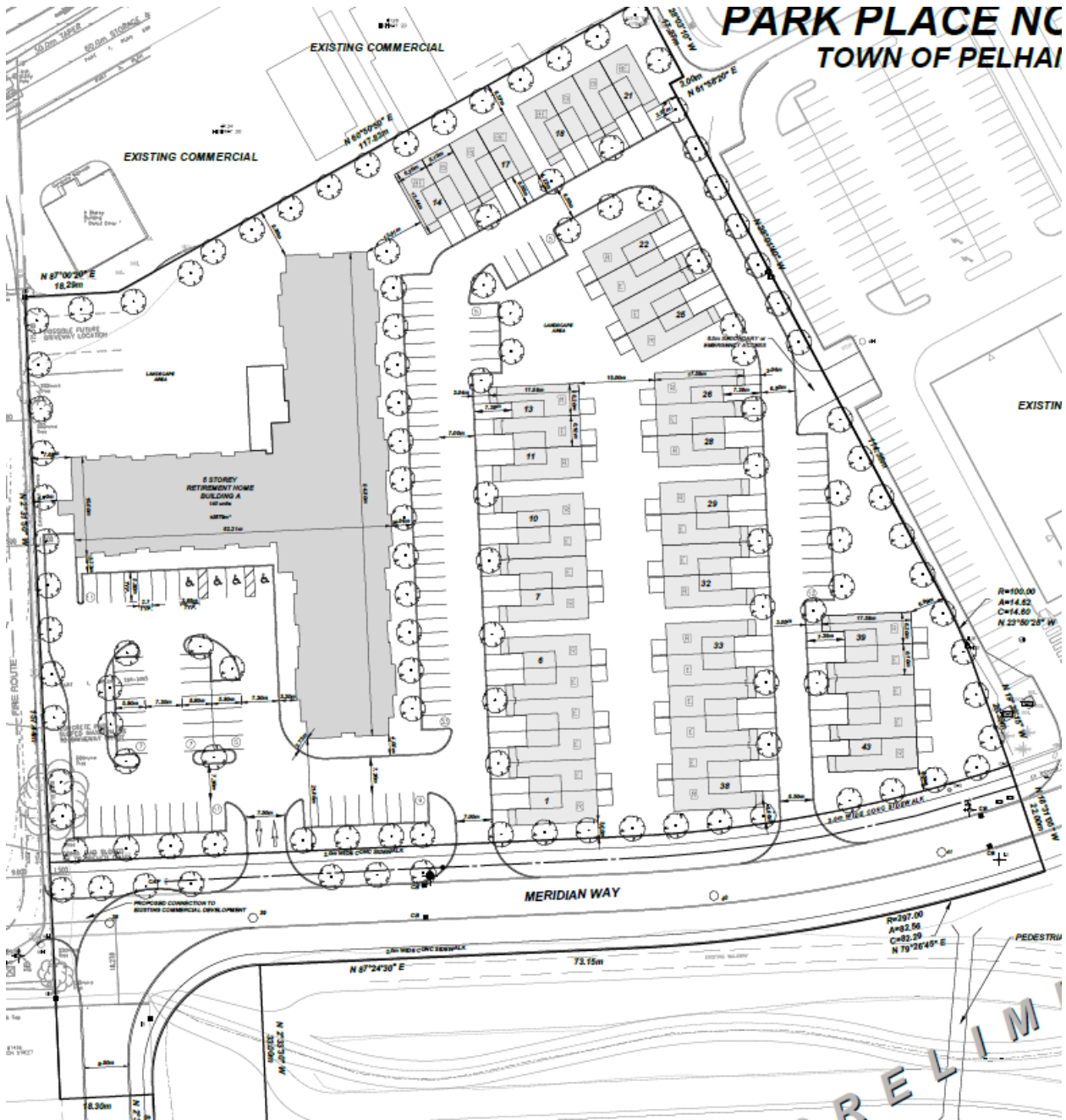
Figure 4: Concept 2 – 2 Apartment Dwellings & 58 Block Townhouse Dwellings



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Figure 5: Concept 3 – Residential Retirement Home & 43 Block Townhouse Dwellings





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If the applications are approved, site plan approval will still be required for the detailed site design and servicing.

Policy Review:

Planning Act, 1990

Section 3 of the *Planning Act* requires that, in exercising any authority that affects a planning matter, planning authorities "shall be consistent with the policy statements" issued under the *Planning Act* and "shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be".

Sections 34 and 22 of the Act allows for consideration of amendments to the zoning by-law and official plan.

Section 51 of the Act allows for consideration of a plan of subdivision.

Section 51 (24) of the Act states that in considering a draft plan of subdivision regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to:

- The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- Whether the proposed subdivision is premature or in the public interest;
- Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- The suitability of the land for the purposes for which it is to be subdivided;
- The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- The dimensions and shapes of the proposed lots;
- The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- Conservation of natural resources and flood control;



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- The adequacy of utilities and municipal services;
- The adequacy of school sites;
- The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and,
- The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act.

Analysis of Section 51 (24) of the *Planning Act* will be provided under the Town of Pelham Official Plan analysis below.

Greenbelt Plan, 2017

The subject parcel is located in an identified settlement area that is outside of the Greenbelt Plan Area; therefore, the policies of the Greenbelt Plan do not apply.

Niagara Escarpment Plan, 2017

The subject parcel is not located in the Niagara Escarpment Plan Area; therefore, the Niagara Escarpment Plan policies do not apply.

Provincial Policy Statement, 2020

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

Section 3 of the *Planning Act* requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the *Act*. The PPS recognizes the diversity of Ontario and that local context is important. Policies are



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outcome-oriented, and some policies provide flexibility provided that provincial interests are upheld. PPS policies represent minimum standards.

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

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 draft plan of subdivision will help to facilitate a mix of housing options in the East Fonthill neighbourhood and within the Settlement Area as a whole. The density of the development provides for the efficient use of land and planned/existing infrastructure that minimizes land consumption and costs of servicing. The development will be transit and active transportation supportive due to the location along existing transit routes and will be well served by sidewalks, bike lanes and the multi-use path. There are adequate public service facilities, including a planned neighbourhood park directly south of the property. The Community Centre and library are also located within a short distance.

Based on this information, the proposed draft plan of subdivision, official plan and zoning by-law amendments are consistent with the Provincial Policy Statement subject to approval of the recommended conditions of draft plan approval.



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Growth Plan for the Greater Golden Horseshoe, 2019

The subject parcel is identified as being within a Designated Greenfield 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 2.2.7.1 requires that new development in designated greenfield areas will be planned, designated and zoned to support the development of complete communities, support active transportation and encourage integration of transit services.

The minimum density target for designated greenfield areas is 50 jobs and persons per hectare (2.2.2.2(a)).

The proposed development will contribute to the creation of a complete community by providing additional housing options that will allow residents to age in place. The proposed sidewalks and future site plan application will provide connectivity to the commercial areas, neighbourhood parks, bike lanes and off-road trails. The development can be served by existing transit systems. Adherence to the East Fonthill Urban Design Guidelines will assist in the creation of high quality residential construction. The proposed draft plan of subdivision has a density of approximately 297.5 persons and jobs per gross hectare ensuring that the minimum overall 50 jobs and persons per hectare density is achieved. It is Planning staff's opinion that the applications are consistent with the policies of the Growth Plan for the Greater Golden Horseshoe.

Regional Official Plan, consolidated August 2015

The subject land is located within the Urban Area Boundary of the Town of Pelham and is Designated Greenfield Area in the Regional Official Plan.



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Designated Greenfield Areas will: accommodate a range of land uses; make a significant contribution to the growth of the respective urban area as a complete community; provide opportunities for integrated, mixed land uses; create street patterns that are fine grain and in grid pattern; support transit and active transportation within the area and to adjacent areas; ensure that greenfield development is sequential, orderly, and contiguous with existing built-up areas; and, ensure that the provision of municipal servicing is in accordance with the water and wastewater servicing master plans (Policy 4.C.5.1).

The Region will require a minimum combined gross density target of 50 people and jobs per hectare across all designated greenfield areas.

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 development provides a mix of housing types that contribute to the creation of a complete community and serve residents during all stages of their lives. The street pattern will connect to existing and future neighbourhoods. Active transportation is supported through the sidewalk and future pedestrian connections that will be provided as part of a future site plan approval application.

Municipal servicing will be in keeping with Regional and Town servicing plans. The minimum density target of 50 jobs and persons per hectare for greenfields is being



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achieved. The development will be serviced by municipal sewage and water services.

The building designs will be energy efficient and meet the requirements of the Ontario Building Code. The development will be eligible for Regional waste collection and the road network has been designed to accommodate the collection vehicles. The future building designs will be required to conform to the urban design guidelines for East Fonthill which encourage high quality design. For these reasons, it is Planning staff's opinion that the applications conform to the policies of the Regional Official Plan.

Town of Pelham Official Plan, 2014

The property is located in the East Fonthill Secondary Plan Area and designated Commercial/Employment Centre on Schedule 'A4' – Structure Plan and EF – Urban Highway Commercial on Schedule 'A5' – Land Use Plan. The EF – Urban Highway Commercial designation permits

- commercial, professional and/or government offices;
- research and data processing facilities;
- retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas greater than 150 square metres. retail commercial uses with a Gross Leasable Floor Area of between 100 and 150 square metres subject to a zoning by-law amendment;
- space extensive retail uses such as: Automotive related products;
- large and bulky goods such as furniture and appliances; home improvement materials; supermarkets;
- hardware; and, nursery or garden supply products;
- hotels and tourist accommodations;
- conference centres;
- cultural, recreational and entertainment uses;
- public and private institutional uses;
- live-work units;
- townhouses and apartment buildings;
- accessory apartments/secondary suites;
- housing for seniors and/or special needs housing;
- child care facilities;

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- parking facilities at-grade and/or in structure;
- cycling facilities;
- parks and parkettes; and,
- public uses and public and private utilities.

The uses proposed in the draft plan of subdivision are permitted in the Urban Highway Commercial designation.

Policy B1.7.8.4.2(a) requires the lands designated EF-Urban Highway Commercial to achieve a minimum density of 50 persons and jobs combined per gross hectare; b) Residential development shall be developed at densities ranging from a minimum of 35 units per net hectare, up to 160 units per net hectare.

Policy B1.7.8.4.2(c) requires the minimum building height for any building within the EF-Urban Highway Commercial designation to be 2 storeys, or 6.0 metres, whichever is greater.

Policy B1.7.8.4.2(e) requires development within the EF-Urban Highway Commercial designation to only proceed on the basis of a Site Master Plan which shall form the basis of an Implementing Zoning By-law Amendment, followed by Site Plan Approval.

The proposed draft plan will achieve a density of 297.5 persons and job per hectare which exceeds the minimum density of 50 persons and jobs combined per gross hectare. The requested zoning regulations would permit a maximum density of 160 units per net hectare and a maximum building height of 5 storeys for apartment dwellings and housing for seniors. The applications conform to the Policies B1.7.8.4.2(c) and (e).

Policy B1.7.8.2(c) states that prior to considering an application for Zoning By-law Amendment and/or Site Plan approval, Council shall be satisfied that:

- i) Adequate parking for automobiles and bicycles and loading facilities are provided on the site;
- ii) Buildings located at the entrance points to the Fonthill Urban Area or at the intersection of any Collector Main Street and Highway 20, such buildings are designed to provide or maintain a desirable gateway to the community;

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- iii) New or redeveloping uses incorporate landscaping to enhance the site and surrounding areas;
- iv) Outdoor storage areas, where permitted, are substantially screened from view from passing traffic; and,
- v) All options respecting shared access from the road are reviewed and implemented, if feasible.

Future parking on Block 1 will be required to meet the zoning regulations. All of the requested zoning regulations will meet the requirements of the Official Plan with the exception of the seniors housing. Items, such as bicycle parking, landscaping, screening of storage areas and access will be further reviewed as part of future applications for Site Plan approval.

Policy B1.7.8.2 (d) indicates that based on the mixed-use nature of the Commercial/Employment Centre, typical parking requirements may be reduced and shared parking considered in recognition of the parking efficiencies offered by mixed-use development forms. The minimum and maximum parking standards throughout the Commercial/Employment Centre are: i) For Residential uses – 1.00 to 1.25 spaces/unit. Seniors housing will have a minimum of 0.75 spaces/unit.

The requested Official Plan Amendment would amend Policy B1.7.8.2(d)(i) by reducing the minimum parking requirement for seniors housing from 0.75 spaces/unit to 0.5 spaces/unit.

The building operator for the seniors housing will be required to ensure that sufficient parking spaces are provided for residents, staff and visitors when entering into lease agreements. The site is located close to amenities and accessible by both active and public transportation making it less likely future resident will be car dependent especially when considering their demographics. There will be the ability for shared parking arrangements with the apartment dwellings. In addition, the applicant has provided parking ratios for comparable seniors housing projects in other municipalities which are functioning well and many are less than 0.5 spaces/unit. As a result, Planning staff are satisfied that the requested Official Plan amendment is appropriate and can be supported.

Policy B1.1.5 requires that when considering a Zoning By-law amendment to permit a townhouse development, Council shall be satisfied that the proposal:



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- a) Respects the character of adjacent residential neighbourhoods, in terms of height, bulk and massing;
- b) Can be easily integrated with surrounding land uses;
- c) Will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads; and
- d) 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. All development will have to be consistent with the Urban Design Guidelines which will ensure that these items are considered in the design. The future residential development of this property was considered during the preparation of the East Fonthill Secondary Plan and supporting studies including traffic. Traffic congestion is not anticipated as a result of the townhouses. Finally, the concept site plans showing the block townhouse dwellings show adequate parking, recreational areas, landscaping and buffering.

Official Plan Policy D5.3 requires that prior to the consideration of an application for Plan of Subdivision, Council shall be satisfied that: a) The approval of the development is not premature and is in the public interest; b) The lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities, as required; c) The density of the development is appropriate for the neighbourhood as articulated in the policies of these Plan that relate to density and intensification; d) The subdivision, when developed, will be easily integrated/connected with other development in the area through the use of roadways, natural corridor linkages and trails to accommodate active transportation; e) The subdivision conforms with the environmental protection and management policies of this Plan; and, f) The proposal conforms to Section 51 (24) of the Planning Act, as amended. This policy is similar to the requirements in Section 51(24) of the Planning Act, as amended.

Analysis of Section 51(24) of the Planning Act and Policy D5.3 of the Town's Official Plan, 2014

Effect of Development on Matters of Provincial Interest



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Planning staff have reviewed the applications to ensure that they are consistent with the Provincial Policy Statement, 2020 and conform to applicable Provincial plans. In Planning staff's opinion, the development addresses all matters of Provincial interest outlined in Section 2 of the Planning Act.

Whether the Proposed Subdivision is Premature or in the Public Interest

The proposed subdivision is not premature and is in the public interest.

Whether the Plan Conforms to the Official Plan and Adjacent Plans of Subdivision

Subject to the requested Official Plan amendment, the draft plan of subdivision will conform to the Official Plan and the East Fonthill Secondary Plan. The plan allows for connectivity to future plans of subdivision that are adjacent to this site.

Suitability of Land for the Purposes of which it is to be Subdivided

The subject land is a Built-up Area within Fonthill's settlement area.

The density of the development is appropriate for the East Fonthill Secondary Plan – Commercial/Employment Centre and lands designated EF – Urban Highway Commercial.

There are no changes to any environmental features as a result of the current applications.

The Number, Width, Location, Proposed Grades, Elevations of Highways, their Adequacy, and the Highways linking the Highways in the Proposed Subdivision with the Established Highway System

The subdivision will have access from the Meridian Way and Norgate Way and then Summersides Boulevard in the future. The proposed street networking provides connectivity to the established highway system, adjacent development and generally conforms to the street patterns depicted in the East Fonthill Demonstration Plans.

Grading and servicing will also be reviewed further and approved as conditions of draft plan approval.

Dimensions and Shapes of the Proposed Lots



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The proposed subdivision proposes regularly shaped lots that will allow the appropriate siting of the future dwellings, driveways, amenity and parking areas.

The Restrictions or Proposed Restrictions, if any, on the Land Proposed to be Subdivided or the Buildings and Structures Proposed to be Erected on it and the Restrictions, if any, on Adjoining Land

There are no restrictions on the land proposed to be subdivided or on adjoining lands. The development must conform to the requested zoning by-law (as well as other municipal by-laws, where applicable).

Conservation of Natural Resources and Flood Control

The proposed draft plan of subdivision will not negatively impact the conservation of natural resources or flood control. Stormwater management plans will be reviewed and approved by Public Works as part of the draft plan conditions. The existing storm system has been sized to accommodate storm flows from these lands.

The Adequacy of Utilities and Municipal Services

Utility companies have been circulated the applications and no comments have been received to indicate that services are not adequate.

The Adequacy of School Sites

The development applications were circulated to the local school boards and no comments were received to indicate that the school sites are not adequate.

Adequacy of Parkland and Open Space, Community Facilities, and Other Amenities, as Required (D5.3)

The proposed development is located north of the future neighbourhood park on the which will be easily accessible to the development. Future park designs and programming will be coordinated and implemented by the Department of Recreation, Culture and Wellness. The Community Centre is also located near the proposed development, i.e., within walking distance. Private amenity space will also be located on the property.

The Area of Lane, if any, Within the Proposed Subdivision that, Exclusive of Highway, is to be Conveyed or Dedicated for Public Purposes



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The draft plan proposes to dedicate Block 2 (watercourse) to the Town for environmental protection and continuation in its natural state.

Section 51(3) of the Planning Act permits the Town, in lieu of accepting conveyed or dedicated land, to require the payment of money by the owner of the land to the value of the land (five (5) percent of the land included in the plan) otherwise to be conveyed.

The Extent to which the Plan's Design Optimizes the Available Supply, Means of Supplying, Efficient Use and Conservation of Energy

The design of the proposed development optimizes the available land supply and will aid in the efficient use and conservation of energy.

The Interrelationship between the Design of the Proposed Plan of Subdivision and Site Plan Control Matters Relating to any Development on the Land, if the Land is also Located Within a Site Plan Control Area designated under Subsection 41(2) of This Act.

The proposed dwellings within the draft plan of subdivision will require site plan approval. The proposed plan of subdivision allows for site plan control matters to be addressed at a later date.

In Planning staff's opinion, the proposed draft plan of subdivision will conform to Section 51 (24) of the Planning Act and Policy D.5.3 of the Town's Official Plan, 2014.

As discussed above, it is Planning staff's opinion that the draft plan of subdivision and requested official plan and zoning provisions conform to the policies of the Town of Pelham Official Plan.

Site Master Plan for Town of Pelham East Fonthill Mixed Use Centre, 2015

The Site Master Plan conceptually shows the location of future buildings, open space system, street and pedestrian connections in the Commercial/Employment Area (Figure 6). The Site Master Plan also contains urban design criteria which are similar to those contained in Appendix B to the Official Plan. Policy B1.7.4.2 of the Official Plan requires all development within the Secondary Plan Area to be generally consistent with the Urban Design Guidelines.

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Figure 6: Development Concept Plan



The concept plans provided by the applicant are generally consistent with the Site Master Plan in terms of the street network, vehicular and pedestrian connections. The design concept is also generally consistent. These items will be further reviewed at the time of a future application for Site Plan approval for consistency with the Site Master Plan.

Zoning By-law 1136 (1987), as amended

The subject parcel is zoned Agricultural (A) which permits agricultural uses including greenhouses; seasonal or permanent farm help houses on farms larger than 10 hectares; one single detached dwelling on one lot; home occupations; kennels; animal hospitals; uses, buildings and structures accessory to the foregoing permitted uses; and forestry and conservation uses.



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The zoning by-law amendment application seeks approval to amend Zoning By-law No. 1136 (1987) from the Agricultural (A) zone to site specific RM2 (Residential Multiple 2) and the EF – EP (East Fonthill Environmental Protection) zones.

The East Fonthill Environmental Protection zone will apply to the watercourse. The uses permitted in the East Fonthill Environmental Protection zone are conservation uses; flood and erosion control works; and, trails for cyclist and pedestrians, including bridges. In an East Fonthill Environmental Protection (EF - EP) Zone, no person shall erect any building or structure, except structures for conservation purposes, structures for flood and erosion control or recreational trails and bridges authorized by the Conservation Authority.

The site specific Residential Multiple 2 zone would permit apartment dwellings, nursing homes, senior citizens’ homes and block townhouse dwellings. The site specific zoning regulations are provided in Table 1.

Table 1: Site Specific RM2 Zone Regulations

<i>Section</i>	<i>Existing</i>	<i>Requested</i>
<i>5.0 Definitions</i>	<i>Not defined</i>	<i>Pedestrian Bridge or Canopy - means a structure connected to two buildings for use by pedestrians to pass between two buildings.</i>
<i>6.16 Parking Area Regulations (e)</i>	<i>1.5 spaces/apartment dwellings unit</i> <i>1.5 spaces / block townhouse dwelling unit</i> <i>1 space / senior citizen apartment house unit</i> <i>1 space/2 nursing home beds</i>	<i>Minimum Number of Parking Spaces</i> <i>i) 1.25 spaces / apartment dwelling unit</i> <i>ii) 1.5 spaces / Block townhouse dwelling unit</i> <i>iii) 0.5 spaces per nursing home or senior citizens house unit</i>

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<i>Section</i>	<i>Existing</i>	<i>Requested</i>
<p>6.35 Yard Encroachments Permitted c) Unenclosed Porches, Balconies, Steps & Patios</p>	<p>Notwithstanding the yard provisions of this By-law to the contrary, unenclosed porches, balconies, steps and patios, covered or uncovered may project into any required yard a maximum distance of 1.5 m provided that, in the case of porches, steps or patios, such uses are not more than 1.3 m above ground. Patios may project into any required rear yard provided they are not more than 0.6 m above grade.</p>	<p>Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2 m of the front lot line or exterior side lot line, and 2 m of the rear lot line provided that, such uses are not more than 1.3 m above ground. Uncovered patios and decks shall not be permitted within 1.2 m of a rear or side lot line provided that, such uses are not more than 0.3 m above ground.</p>
<p>Section 17.1 – Permitted Uses</p>	<p>Apartment dwellings; uses, buildings and structures accessory to the foregoing permitted uses.</p>	<p>add block townhouses, nursing homes and senior citizens apartment houses</p>
<p>Section 16.4 – Regulations for block townhouses a) Minimum Lot Frontage</p>	<p>30 m</p>	<p>Delete Block townhouses may be accessed via private road within the subdivision plan</p>
<p>b) Minimum Lot Area</p>	<p>2000m²</p>	<p>2000m²</p>
<p>c) Maximum Density</p>	<p>35 units per hectare</p>	<p>20-60 units per hectare</p>
<p>d) Maximum Front Yard</p>	<p>7.5 m on either a street or an internal roadway</p>	<p>3 m to front face; 6 m to garage</p>
<p>e) Minimum Interior Side Yard</p>	<p>4.5 m, except that where the rear of a building faces the side yard the minimum side yard shall be 7.5 m, and the</p>	<p>1.2 m, except where the rear of the building faces a side yard, the minimum side yard shall be 6.0 m and the minimum side</p>

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<i>Section</i>	<i>Existing</i>	<i>Requested</i>
	<i>minimum side yard abutting a street or an internal roadway shall be 7.5 m</i>	<i>yard abutting a street or internal roadway shall be 2.0 m.</i>
<i>f) Minimum Rear Yard</i>	<i>7.5 m</i>	<i>6 m</i>
<i>g) Maximum Building Height</i>	<i>10.5 m</i>	<i>10.5 m</i>
<i>h) Minimum Ground Floor Area for a Dwelling</i>	<i>(i) one storey 88 m² (ii) two storeys 50 m²</i>	<i>delete</i>
<i>i) Minimum distance between dwellings on the same lot</i>	<p><i>i) Any face of one townhouse shall be no closer to any side of another townhouse than 9 m.</i></p> <p><i>ii) Any face of any townhouse shall be no closer than 15 m to any face of another townhouse.</i></p> <p><i>iii) Any side of any townhouse shall be no closer than 9 m to any side of another townhouse.</i></p>	<p><i>i) Any face of one townhouse shall be no closer to any side of another townhouse than 9 m.</i></p> <p><i>ii) Any face of any townhouse shall be no closer than 15 m to any face of another townhouse.</i></p> <p><i>iii) Any side of any townhouse shall be no closer than 3 m to any side of another townhouse.</i></p>
<i>j) Minimum landscaped area</i>	<i>25%</i>	<i>25%</i>
<i>k) Planting strip</i>	<i>A planting strip of 1.5 m minimum in width shall be provided where the boundary of an (RM1) zone abuts an (R1) or (R2) zone.</i>	<i>Delete – not applicable</i>
<i>L) Amenity area</i>	<i>An amenity area shall be provided of a size that will contain at least 2.5</i>	<i>delete</i>

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<i>Section</i>	<i>Existing</i>	<i>Requested</i>
	<i>m² of area for each one-bedroom unit and at least 5 m² of area for each two or more bedroom units in one location for recreational use for the residents of the development.</i>	
<i>Section 17.2 – Regulations for Apartment Dwellings</i>		<i>Apply regulations for nursing homes and senior citizens apartment houses</i>
<i>a) Minimum lot area</i>	<i>150 m² per dwelling unit</i>	<i>75m² per dwelling unit</i>
<i>b) Minimum lot frontage</i>	<i>30 m</i>	<i>30 m (for entire site). Frontage requirement deleted for land division subsequent to Plan registration, subject to site plan approval.</i>
<i>c) Minimum lot depth</i>	<i>38 m</i>	<i>38 m</i>
<i>d) Maximum density</i>	<i>65 units per hectare</i>	<i>130 units per hectare</i>
<i>e) Maximum lot coverage</i>		<i>30 percent</i>
<i>f) Minimum front yard</i>	<i>one-half the height of the building or 7.5 m, whichever is the greater</i>	<i>4 m to Meridian Way. Front yard setback to lot lines created subsequent to plan registration is deleted subject to site plan approval.</i>
<i>g) Minimum rear yard</i>	<i>one-half the height of the building or 12 m, whichever is the greater</i>	<i>7 m to northerly lot line as shown on "Park Place North Draft Plan of Subdivision. Rear yard setback to lot lines created subsequent to Plan registration is deleted subject to Site Plan Approval</i>
<i>h) Minimum interior side yard</i>	<i>one-half the height of the building or 6 m, whichever is the greater</i>	<i>4.5 m, except 0 m for an enclosed or unenclosed pedestrian bridge</i>

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<i>Section</i>	<i>Existing</i>	<i>Requested</i>
<i>i) Minimum exterior side yard</i>	<i>one-half of the building height or 5.5 m, whichever is the greater</i>	<i>one half the height of the building, or 7 m to Meridian Way, whichever is greater</i>
<i>j) Minimum landscaped area</i>	<i>35%</i>	<i>35%</i>
<i>k) Maximum building height</i>	<i>5 storeys</i>	<i>5 storeys</i>
<i>l) Minimum floor area per dwelling unit</i>	<i>(i) Bachelor 42 m²</i> <i>(ii) One bedroom 56 m² plus 9 m² for each additional bedroom</i>	<i>delete</i>
<i>m) Amenity area</i>	<i>An amenity area shall be provided of a size that will contain at least 2.5 m² area for each one-bedroom unit and at least 5 m² of area for each two or more bedroom units in one location for recreational use for the residents of the development.</i>	<i>delete</i>

Planning staff recognize that the requested zoning by-law amendment reflects the developer's desire to have flexibility in terms of the future use of Block 1 in order to respond to market changes. While Planning staff do not object to any of the requested permitted uses, it is desirable to provide a variety of housing types in this area in order to achieve a complete community and offer housing at various levels of affordability. Therefore, in addition to the regulations requested by the applicant, Planning staff recommend that a provision be added to the zoning regulations to permit not more than 50% of the units to be developed for block townhouse dwellings. This will ensure that a variety of housing types are included.

With the inclusion of this additional regulation, the proposed zoning change will conform to the policies of the Official Plan. The zone standards will allow for



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efficient residential development while respecting the needs of future residents. In Planning staff's opinion, the proposed zoning change will apply good planning principles.

Submitted Reports:

Planning Justification Report dated December 17, 2020 prepared by Upper Canada Consultants

The Planning Justification Report concludes that the Park Place North Development is an appropriate Greenfield Development proposal that represents an efficient, well-designed development with access to full municipal services. The proposal is consistent with the Provincial Policy Statement and conforms to applicable Provincial Plans and policies of the Region of Niagara Official Plan and Town of Pelham Official Plans. The application proposes compatible and appropriate development for the subject lands, represents good planning and should be supported.

Urban Design Brief dated June 23, 2020 prepared by Michael Spaziani Architect Inc.

The Urban Design Brief indicates that the proposed urban design approach on this site respects the general direction of the Secondary Plan Guidelines. Through the Site Plan Application process, details with respect to building materials and landscape will be developed to the Town's satisfaction. The report concludes that the conceptual design complies with the East Fonthill Secondary Plan.

Functional Servicing Report revised April 2021 prepared by Upper Canada Consultants

The Functional Servicing Report makes recommendations for stormwater management, water and sanitary servicing. These recommendations will be required to be integrated into the engineering design for the subdivision which is required to be reviewed and approved by the Town as a condition of approval.

Stage 1 Archaeological Assessment dated July 2007 prepared by Mayer Heritage Consultants Inc.

Stage 2 Archaeological Assessment dated October 2007 prepared by Mayer Heritage Consultants Inc.



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Stage 3 Archaeological Assessment dated June 2008 prepared by Mayer Heritage Consultants Inc.

The Stage 3 Archaeological Assessment recommended no further investigation and a letter was provided by the Ministry of Culture concurring with this recommendation. Regional staff noted that the Archaeological Assessments do not address the small portion of the rear yard of 1439 Station Street also included as part of the subject lands and have requested a condition of approval (included in Appendix B) to address this.

Digital copies of the reports are available by contacting the Planning Division.

Agency Comments:

The application was circulated to commenting agencies and Town Departments. The following comments have been received:

Niagara Region Planning & Development Services

“Regional staff have no objection to the proposed zoning by-law amendment and draft plan of subdivision from a Provincial and Regional perspective, subject to Block 2 being placed in an appropriate Environmental Conservation zone, as well as the draft plan conditions outlined in Appendix I. Subject to this zoning and the requested draft plan conditions, the proposal is consistent with the Provincial Policy Statement (PPS) and conforms to Provincial Plans and the Regional Official Plan (ROP) from a Provincial and Regional perspective.”

Pelham Active Transportation Committee

“The Active Transportation Demonstration Plan in the East Fonthill Secondary Plan shows the multi-use path that generally follows the watercourse from the Steve Bauer Trail opposite Kunda Park ending at the southwest corner of the Park Place North development. This trail provides off-road access for pedestrians and cyclists to the Meridian Centre and the commercial area along Hwy 20. It is important that the multi-use path continue through the Park Place North Development to Hwy 20 in the area of Sobey’s / LCBO to provide access to the Steve Bauer Trail on the north side of Hwy 20 at this location.”

Bell Canada

Requests standard conditions of approval.



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<i>Canada Post</i>	Requests standard conditions of approval relating to Centralized Mail Facility for Multi-unit buildings.
<i>Enbridge Gas Inc.</i>	Requests standard conditions of approval.
<i>Hydro One</i>	No comments or concerns.
<i>Public Works</i>	Provided technical comments regarding the preliminary Functional Servicing Report and Plans.

Public Comments:

On November 22, 2021 a public meeting notice was circulated to all property owners within 120 metres of the property's boundaries. In addition, public notice signs were posted facing Summersides Boulevard and Meridian Way. A public meeting was held on December 13, 2021. No members of the public provided input in writing or verbally during the public meeting or at the time of writing of this report.

Council comments received during the public meeting were supportive of the proposed development and acknowledged the need for senior's housing with varying levels of care, accessible housing and the age in place concept that was presented by the applicant.

Staff Comments:

Commenting agencies, departments and utilities offered no objections to the applications subject to conditions. All requested conditions of approval from agencies and utilities have been included in the recommended conditions contained in Appendix B to this report.

Comments from the Pelham Active Transportation Committee (PATC) are noted and Planning staff have included a condition requiring the developer to include active transportation connections as outlined in the East Fonthill Secondary Plan Area Active Transportation Demonstration Plan as part of the future application for site plan approval.

In summary, it is Planning staff's opinion that the proposed draft plan of subdivision, official plan and zoning by-law amendments are consistent with



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Provincial policy and plans, conform to the Regional and Town Official Plans and represent good planning and therefore, should be approved subject to the recommended conditions of draft plan approval contained in Appendix B.

Alternatives:

Council could choose not to approve the applications for draft plan of subdivision and amendment to the Official Plan and Zoning By-law.

Council could choose to approve the applications subject to additional modifications.

Attachments

Appendix A Park Place North Draft Plan of Subdivision

Appendix B Conditions of Draft Plan Approval

Prepared and Recommended by:

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Senior Planner

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

Reviewed and Submitted by:

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Chief Administrative Officer