

June 1, 2022

Please reply to St. Catharines Office
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Via email to: hwillford@pelham.ca

Holly Wilford
Town Clerk
PO Box 400, 20 Pelham Town Square
Fonthill, ON L0S 1E0

Dear Ms. Wilford:

Re: Public Comments-Proposed Comprehensive Zoning By-law
Our File No.: 134444

We are the solicitors for [REDACTED], and [REDACTED], who have several development interests in the Town of Pelham. They have consulted with a planner firm and architectural firm and wish to provide comments on the proposed Comprehensive Zoning By-law.

In terms of preliminary comments, it has become clear from the Report of the Ontario Housing Affordability Task Force that the housing situation in Ontario and in the Town of Pelham is in a crisis and there is a real and present need for housing that is more affordable to all residents in the Town of Pelham, particular to the low- or moderate-income earners. The current market that has resulted in elevated housing prices has strengthened the need for additional housing stock, particularly in the Town.

With that in mind, our clients are supportive of opportunities for appropriate and compatible infill and intensification and have considered that in the following comments:

Definitions

Height - Regarding the definition of height, the new ZBL proposes to change how height is measured, namely from the finished grade level to the highest point of the roof surface or parapet. This will have the result of lower height requirements for residential dwellings. It is our clients' submission that new housing will be pressured to grow vertically and therefore this provision will limit the height. Moreover, from an architectural perspective, the market for new housing is desirous of taller ceilings, which this provision would limit.

Client Committed. Community Minded.

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Our clients' respectfully request that height continued to be calculated from the mid-point of the roof.

General Provisions

Secondary Dwelling Unit ("SDU")- it is our clients' position that the Township should not set a limit for an SDU for one per dwelling. In reality, there may be opportunities in larger homes for two SDU's, while still being able to achieve the other zoning requirements (i.e., parking, maximum square footage). Additionally, a property owner may want multiple SDUs, and limiting one per dwelling will force the person to have the additional SDU in an accessory building. It would be simpler of the additional SDU be constructed within the existing dwelling.

Section 6 – Residential Zones

Our clients do support the introduction of maximum front yard setbacks, reductions of minimum lot areas and frontages, reduced yard setbacks, increases to maximum lot coverages and removal of minimum gross floor areas.

Overall, in our client's submission, the zoning performance standards that are in place for R1 zones should be more reflective of a R2 zone. We also recommend that the Town consider "up-zoning" any lands that are adjacent to arterial or collector roads or streets that are generally busier. Additionally, lands that are within close proximity to Downtown Nodes & corridors should play a greater role in supporting the Town's intensification, walkability & transit goals.

Residential 1 Zone

As noted above, it is our clients view that the R1 zone should be eliminated or reduced significantly in many parts of Fonhill and Fenwick, or more closely reflect a traditional R2 zone. It is our clients position that the new Comprehensive Zoning By-law should address the "missing middle" (as addressed by the Provincial government) and allow greater flexibility for medium density development within an established neighbourhood. This would allow greater opportunity for infill opportunities, and would assist the Town in meeting its intensification targets, providing a greater range of housing type in the Town and provide housing that is more affordable.

Our clients request that a semi-detached dwelling and townhouse dwellings and other forms of medium density be included as a permitted use within the R1 zone. We also recommend smaller minimum lot frontages at 13 m and smaller minimum lot areas at 400 m² for single detached dwellings and reduced zoning requirements for any other form of housing.

Residential 2 Zone

Our clients are seeking townhouses be added as a permitted use within the R2 Zone, with reduced zoning requirements.

For single detached, our client is requesting reduced lot frontages to 11 m, reduced minimum lot areas to 275 m² and reduced minimum rear yard setbacks to be 6 m.

For semi-detached dwellings and duplexes, our client is requesting reduced minimum lot area to 150 m² per dwelling unit and reduced minimum rear yard setbacks to be 6 m.

Residential 3 Zone

Our client supports more lands within the Town be zoned to R3, as there is very little example of such zoning.

Our clients are seeking townhouses be added as a permitted use within the R2 Zone, with reduced zoning requirements.

For semi-detached dwellings and duplexes, our client is requesting reduced minimum lot area to 150 m² per dwelling unit and reduced minimum rear yard setbacks to be 6 m.

For triplex dwellings, our client is requesting reduced lot frontages to 12 metres, reduced minimum lot area and reduced minimum rear yard setbacks to be 6 m.

Residential Multiple One Zone

Our client supports the expanded list of permitted uses and requests that more lands be designated within the RM1 Zone.

Our client is requesting the minimum lot frontage for triplex and fourplex be set at 12 m, and the minimum rear yard setback be set at 6 m. We also request that there be a removal of the landscape strip requirement as these forms of multi-unit residences are highly compatible with lower density housing forms.

Residential Multiple Two Zone

Our client is requesting reduced minimum lot frontage requirements for apartment dwellings. We would also request that the provision for maximum density be removed. This would be governed by the Town's Official Plan and would unnecessarily limit density within an apartment dwelling.

Greenfield Residential Zones

Our clients support Greenfield Residential Zones be allowed for greater intensification with the Town.

On behalf of our client, we respectfully request that the Town consider and include the above noted suggestions into the new Comprehensive Zoning By-law. We would also ask that you continue to provide notice of any decision with respect to this matter.

Yours very truly

Sullivan Mahoney LLP

Per:

A handwritten signature in black ink, appearing to read 'J. Patrick Maloney', written in a cursive style.

J. Patrick Maloney

JPM:sb