

APPENDIX A



Planning and Development Services

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Via Email

May 9, 2022

Region Files: D.10.06.OPA-22-0009
D.18.06.ZA-21-0134
D.19.06.SP-21-0103

Shannon Larocque, MCIP, RPP
Senior Planner
Town of Pelham
20 Pelham Town Square
Fonthill, ON L0S 1E0

Dear Ms. Larocque:

**Re: Regional and Provincial Comments
Official Plan Amendment, Zoning By-law Amendment, and Site Plan
Town Files: OP-AM-01-22, AM-03-21, SP-06-21
Owner: Avaia Development and Real Estate Ltd.
Agent: Mary Lou Tanner (Niagara Planning Group)
15 Highway 20 East
Town of Pelham**

Regional Planning and Development Services staff has reviewed the information circulated with the application for a proposed Official Plan Amendment and re-submission of a Zoning By-law Amendment, and Site Plan to facilitate the development of a residential 4 storey apartment building with a total of 24 dwelling units on lands municipally known as 15 Highway 20 East in the Town of Pelham.

The Official Plan Amendment proposes to permit the construction of a 4 storey structure, whereas the maximum permitted building height in the Town's Official Plan within the "Downtown Transitional Area" is 2 storeys. The Zoning By-law Amendment proposes to rezone the subject lands from "General Commercial" to a site-specific "Residential Multiple 2 ("RM2") Zone", and requests modified provisions for minimum lot area, minimum building height, minimum amenity area, minimum number of parking spaces, and minimum ingress and egress standards for parking spaces to permit the proposed development. The site plan will facilitate the development of the residential apartment building.

The need for a Local Official Plan Amendment ("OPA") was identified by Town staff as a requirement to address an increase in building height and the proposed change to a

solely residential use. The proposed development concept continues to propose a building height of 14.27m, which exceeds the maximum height of 13m that was previously approved for the property through a separate Minor Variance application (approved in 2013). The resubmission of the Zoning By-law Amendment and Site Plan applications are to respond to agency feedback that has been received to date.

A pre-consultation meeting for the proposal occurred on April 14, 2020. Regional staff had provided comments (dated January 14, 2022) in response to the initial circulation of the Zoning By-law Amendment and Site Plan applications. The following Provincial and Regional comments are provided to assist the Town in considering this 2nd submission.

Provincial and Regional Policies

The subject lands are located within a “Settlement Area” under the *Provincial Policy Statement, 2020* (“PPS”), designated “Delineated ‘Built-Up’ Area” in *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* (“Growth Plan”) and designated “Urban (Built-Up) Area” in the *Regional Official Plan* (“ROP”).

Provincial and Regional policies direct for development to take place in the Urban Area to support intensified development where appropriate servicing and infrastructure exists. Intensification and infill is emphasized to foster the development of complete communities that have a mix of diverse land uses and housing choices, improve social equity and quality of life, expand access to multiple forms of transportation, and provide spaces that are vibrant and resilient in their design. A full range of residential uses are generally permitted within the Urban Area subject to the availability of adequate municipal infrastructure, and other policies relative to land use compatibility and environmental conservation.

The proposed development is considered infill development, and will result in residential intensification within the Built-Up Area, which will make more efficient use of designated urban land and existing infrastructure. Growth management policies state that until the Region has completed its municipal comprehensive review, and it is approved and in effect, an annual minimum intensification target of 15% will apply to the portion of the Built-Up Area within the Town of Pelham. The proposed construction of a 4 storey, 24 unit residential apartment building will contribute to the Town’s intensification target. While both Provincial and Regional policy emphasize intensification where appropriate, Regional staff acknowledges that local compatibility considerations and interface with neighbouring land uses is a local planning matter to be addressed by Town planning staff and Council. Further, staff notes that there are no environmental concerns.

As such, Regional staff do not object to the proposed applications, in principle, as the development is consistent with the PPS and conforms to Provincial and Regional growth management policies, subject to the comments of this letter.

Noise Impacts

As indicated in the Regional comment letter dated January 14, 2022, the “*Environmental Noise Feasibility Assessment*” prepared by RJ Burnside and Associates Limited (dated July 2020) provided that mitigation measures should be implemented, including the provision of central air conditioning in all units and the inclusion of standard warning clauses in all property and tenancy agreements and offers of purchase and sale regarding potential adverse noise impacts from road traffic along Regional Road 20.

Based on the submitted materials with the applications, the site design has not changed, therefore the conditions identified in the Region’s comment letter (dated January 14, 2022) remain and are included in the Appendix.

Archaeological Potential

The PPS and ROP provide direction for the conservation of significant cultural heritage and archaeological resources. Specifically, Section 2.6.2 of the PPS and Policy 10.C.2.1.13 of the ROP state that development and site alteration are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved.

A Letter of Acknowledgement from the Ministry of Heritage, Sport, Tourism, and Culture Industries (“MHSTCI”) has been provided with the 2nd submission of the Zoning By-law Amendment, confirming that all archaeological resource concerns for the property have met the Ministry’s licensing and resource conservation requirements. Regional staff offer no further requirements with respect to archaeological resources at this time.

In recognizing that no archaeological survey, regardless of its intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff will require that a standard warning clause be included within the Site Plan Agreement, relating to deeply buried archaeological materials that may be encountered during grading and construction activities. An appropriate condition is included in the Appendix.

Site Condition

As indicated in the Regional comment letter dated January 14, 2022, Regional staff remain satisfied that the requirements for the filing of a Record of Site Condition (“RSC”) has been addressed. As such, staff offer no further site condition requirements.

Urban Design

Regional Urban Design staff has reviewed the “*Addendum to the Planning Justification Report*” prepared by NPG Planning Solutions (dated April 7, 2022) and the “*Landscape Plan*” (revisions dated March 28, 2022), and offer no further comments or requirements.

Regional Road Allowance

In the Regional comment letter dated January 14, 2022, a road widening allowance was requested to be gratuitously granted to Niagara Region. The comments are provided below for information as well as an applicable condition is noted in the Appendix.

The subject property has frontage along Regional Road 20 (Highway 20). This section of road has a substandard road allowance. The designated road allowance is 20.1m as identified in the ROP. Therefore, the applicant is required to gratuitously grant the following widening to the Region:

- An irregular widening across the frontage of the subject with a max distance of 2.43m. This is required in order to achieve 10.05m from the original centerline of this road section.
- Currently there is a proposed entranceway/stairs that will encroach into the Regions new road allowance. Please note that no new entranceways or stairs should be proposed within the Regions right-of-way.

The requested widening is to be conveyed free and clear of any mortgages, liens or other encumbrances, and is to be described by Reference Plan. The cost of providing this plan will be the full responsibility of the applicant. The applicant will arrange for the land surveyor for the property to submit the preliminary undeposited survey plan along with all related documents to Regional Surveys staff for approval. Regional Surveys staff will advise the land surveyor of any required revisions to the plan. Once the plan is deposited and the transfer registered, the Region will clear the applicable condition.

Should the applicant have any questions, please direct them to contact the individuals listed below:

Norma Price, Law Clerk

Phone: (905) 980-6000 Ext. 3339.

E-mail: norma.price@niagararegion.ca

For inquiries specific to the transfer of property to the Region:

Normans Taurins, Manager, Surveys and Property Information

Phone: (905) 980-6000 Ext. 3325.

E-mail: normans.taurins@niagararegion.ca

Regional Permit Requirements

Regional Transportation staff has reviewed the submitted material for the Site Plan Application. Staff observe that the Site Plan drawings show an odd jog in the sidewalk. This should be removed and a new sidewalk constructed straight should be provided.

The note for reinstatement shall be revised to the following (Reinstatement Specifications are attached for reference):

"Disturbed surfaces, including asphalt pavement, shoulders, line painting and grass boulevard/ditch to be restored as per Region of Niagara Reinstatement Specifications. Final asphalt reinstatement to be minimum 60mm HL3HS surface asphalt and minimum 120mm HL8HS base asphalt (in 2 lifts) or match existing depth c/w 600mm lap joint. Surface asphalt to be paver laid and include tack coat. Trench backfills within roadways to be with full depth granular 'A' compacted to (100% SPDD)".

Regional Construction Encroachment Permit

Prior to any construction/work taking place within the Regional road allowance, a Regional Construction, Encroachment, and entrance Permit must be obtained from the Transportation Services Division, Public Works Department.

Regional Sign Permit

Please note that the placement of any sign, notice or advertising device within 20m of the centerline of Highway 20 will require a Regional Sign permit.

Permit applications can be made through the following link:

<http://niagararegion.ca/living/roads/permits/default.aspx>

Stormwater Management

Regional staff has reviewed the "Storm Water Management Design Brief" and "Servicing and Grading Plan" prepared by Hallex Engineering Ltd. (dated March 21, 2022). The Plan proposes water quality and quantity control prior to discharge to Highway 20 storm sewer. Staff request the following be addressed in next submission:

- Provide a 2-year storm peak flow comparison between pre- and post-development. Regional staff strongly encourage Low Impact Development stormwater management measures to mitigate development impacts.
- Provide the SWMM 5.1 model input and output regarding storage sizing.
- The orifice control must be permanently fixed in order to eliminate the possibility of the control device being physically removed. Please provide orifice details on the re-submitted plan.

Regional staff would prefer that the development's stormwater outlet connect to the catch basin rather than across the sanitary, which would require a cut / construction across one lane of traffic on Highway 20.

Waste Collection

Regional waste collection comments provided in the letter dated January 14, 2022 remain. The Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:

- Recycling blue / grey containers – no limit (weekly collection).
- Organic green containers – no limit (weekly collection).
- Garbage / waste bags or containers – 2 per unit to a maximum of 24 (bi-weekly collection).
- Curbside collection only.

Regional staff has reviewed the submitted Site Plan and note the inclusion of molok units on site. The applicant is advised that this type of collection services is not provided by the Region and that waste collection will be the responsibility of the owner through a private contractor and not the Niagara Region. Notwithstanding the above comments, the site remains eligible for the weekly curbside collection for recycling and organics.

Conclusion

Regional Planning and Development Services staff is satisfied that the proposed Local Official Plan Amendment, Zoning By-law Amendment applications to permit a 4 storey, 24 unit residential development at 15 Highway 20 East in the Town of Pelham, is consistent with the PPS and conforms to the Growth Plan and ROP, subject to any local compatibility concerns and requirements.

Regional staff notes that in accordance with ROP Policies 14.E.7 and 14.E.8, the Memorandum of Understanding, and By-law No. 2019-73, the reviewed Local Official Plan Amendment is exempt from Regional Council Approval.

With respect to the proposed Site Plan Application, Regional staff requires the submission of an revised Civil Plan that includes an updated the restoration note (as noted under "Regional Permit Requirements" above), as well as further consideration with respect to the storm outlet (as noted under "Stormwater Management" above).

D.10.06.OPA-22-0009

D.18.06.ZA-21-0134

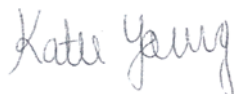
D.19.06.SP-21-0103

May 9, 2022

Should you have any questions related to the above comments, please contact the undersigned at Katie.Young@niagararegion.ca, or Alexander Morrison, Senior Development Planner at Alexander.Morrison@niagararegion.ca.

Please send copies of the staff report and notice of the Town's decision on these applications.

Kind regards,



Katie Young
Development Planner, Niagara Region

cc:

Cheryl Selig, Manager (A), Development Planning, Niagara Region
Alexander Morrison, Senior Development Planner, Niagara Region
Susan Dunsmore, Manager, Development Engineering, Niagara Region
Maggie Ding, Stormwater Management Engineer, Niagara Region
Khaldoon Ahmad, Manager, Urban Design and Landscape Architecture, Niagara Region

Attachment:

Appendix: Regional Conditions of Site Plan Approval

Appendix

Regional Conditions of Site Plan Approval

15 Highway 20 West, Town of Pelham

1. That the Site Plan Agreement includes the following warning clause with respect to the potential identification and protection of archaeological resources:
 - *“Should deeply buried archaeological remains/resources be found during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-212-8886) and contact a licensed archaeologist to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.*

In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.”
2. That the Owner agrees to implement the recommended site and building design mitigation measures / devices and warning clauses of the “Environmental Noise Feasibility Assessment” prepared by RJ Burnside and Associates Limited (dated July 2020).
3. That the Owner agrees to include the following warning clauses in all Agreements of Purchase and Sale or Lease or Occupancy for all units:
 - *“Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”*
 - *“This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closes, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”*
 - *“Purchasers/tenants are advised that due to the proximity of the adjacent Fonthill Shopping Centre, noise from the Fonthill Shopping Centre may at times be audible.”*

4. The Owner is advised that the development does not comply with Niagara Region's Corporate Policy for Waste Collection therefore garbage collection will be the responsibility of the owner through a private contractor and not the Niagara Region.
5. That the Owner agrees to include the following clauses in any Purchase and Sale, Lease or Tenancy Agreements for all units:
 - *“Owners/Purchasers/Tenants are advised that the subject property does not comply with Niagara Region's Corporate Policy for Waste Collection therefore this service will be the responsibility of the owner through a private contractor and not the Niagara Region. The site remains eligible for Regional curbside collection of recycling and organic material.”*
6. That the Owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development.
7. That prior to any construction taking place within the Regional Road allowances, the Owner shall obtain a Regional Construction Encroachment, Entrance, and Sign Permit from the Permits section of the Niagara Region Transportation Services Division.
8. That the Owner dedicate an irregular road widening to the Niagara Region along the frontage of Regional Road 20 (Highway 20) prior to the issuance of a building permit, to the satisfaction of the Niagara Region Planning & Development Services Department. All costs for providing the necessary survey plan and all related documents are the responsibility of the applicant.

SPEC. #1

**SPECIFICATIONS FOR REINSTATEMENT
IN GRASSED BOULEVARDS IN
URBAN AREAS**

1.0 General

- 1.1 “Boulevard” means all parts of the highway save and except any roadway, shoulder, driveway or sidewalk.
- 1.2 Grassed areas disturbed by the applicant shall be restored matching the original surfaces as closely as possible.

2.0 Special Provisions

The provisions of OPSS 410, 501, 503, 504, 514, 570, 571, 701 and NPSCD Special Provisions C1, D1, B21 shall apply except as amended or extended herein.

- 2.1 Trenches in boulevards shall be backfilled with native material compacted to 90% Standard Proctor Density in 300 mm lifts.
- 2.2 Final restoration:
- a) On grassed areas showing evidence that regular grass cutting is practiced, such as lawns, this restoration shall consist of the supply and placement of:
 - (i) 100 mm of topsoil with nursery sod.
 - (b) Weather conditions permitting, boulevard areas shall be reinstated within 7 days of backfilling of the trench. Areas disturbed during the winter months shall be reinstated by the first day of the following June.
- 2.3 All paved boulevards to be reinstated to existing conditions or better.

SPEC. #2

SPECIFICATIONS FOR REINSTATEMENT OF BOULEVARDS IN RURAL AREAS

1.0 General

- 1.1 “Boulevard” means all parts of the highway save and except any roadway, should, driveway or sidewalk.

2.0 Special Provisions

The provisions of OPSS 314, 410, 501, 503, 504, 514, 570, 571, 572, 701 and NPSCD Special Provisions C1, D1, B21 and B22 shall apply except as amended or extended herein.

- 2.1 Trenches in boulevards shall be backfilled with native material compacted to 90% of the maximum dry density in 300 mm lifts.
- 2.2 Where shoulders are being restored with granular material and the boulevard is being restored with native material, the boulevard shall be completed first to ensure that native material does not spill into the shoulder trench.
- 2.3 Grassed areas disturbed by the applicant shall be restored matching the original surface as closely as possible.
- 2.4 In rural areas not showing evidence of having been cut on a regular basis except for the purpose of noxious weed control, 50 mm of topsoil and either a suitable grass seed mix or nursery sod shall be provided.
- 2.5 Weather conditions permitting, boulevard areas shall be reinstated within 7 days of backfilling of the trench. Areas disturbed during the winter months shall be reinstated by the 1st day of the following June.
- 2.6 All paved boulevards to be reinstated to existing conditions or better.

SPEC. #3

**SPECIFICATIONS FOR REINSTATEMENT
OF SIDEWALKS AND CURB AND GUTTERS**

1.0 General

- 1.1 “Sidewalk” includes all such parts of a highway as are set aside or improved by the appropriate Road Authority for the use of pedestrians or used by the general public for the passage of pedestrians.
- 1.2 “Curb” includes all such parts of a highway as are set aside or improved by the appropriate Road Authority to facilitate roadway drainage system(s) within urbanized areas and/or at bridges and culverts.

2.0 Special Provisions

- 2.1 The provisions of OPSS 314, 353, 351, and NPSCD Special Provisions B8 and B9 shall apply except as amended or extended herein.
- 2.2 Supplementary special provisions for sidewalk reinstatement have not been included, as each municipality has separate standards related to sidewalk construction and restoration. For information related to sidewalk reinstatement, contact the local municipal office within whose jurisdiction construction will occur.

SPEC. #4

SPECIFICATIONS FOR REINSTATEMENT OF DRIVEWAYS

1.0 General

1.1 “Driveway” means that part of the highway that is improved, designed, or ordinarily used for vehicular access to private or public property.

2.0 Special Provisions

The provisions of OPSS 311, 314, 350, 506 and NPSCD Special Provisions B3, B14, B16, B17, B18 and B23 shall apply except as amended or extended herein.

2.1 The edges of all excavations made in concrete or asphalt surface driveways, shall be made by a concrete saw or by other suitable cutting equipment prior to the excavation and such edges of the cut must be straight and clean prior to reinstatement.

In the case of concrete driveways, the limit of restoration shall be the nearest existing construction joint as directed or at the limit of excavation.

In the case of asphalt driveways, the edges must be tack coated with a suitable asphalt emulsion prior to the placement of the final surface layer of asphalt.

In the case of paving (stone) brick driveways, the paving stones shall be disassembled and stockpiled and reused in the reinstatement. The filling of the voids in the restored brick work shall be limestone screenings swept and vibrated into place.

2.2 Driveways shall be backfilled as follows:

- (a) Driveways – Granular “A” limestone aggregate material compacted to 100% of the maximum dry density in maximum 300 mm lifts to the driveway base elevation. Suitable, recycled material may be used as backfill with the written permission of the Road Authority. The driveway base material shall be Granular “M” limestone aggregate compacted to 100% of the maximum dry density in maximum 150 mm lifts as specified hereinafter.
- (b) Wherever the depth of an asphalt driveway exceeds the dimensions provided in this section, the thickness of HL8 MDBC used to restore the cut shall be increased to match existing.

2.3 Temporary Restoration:

- (a) Where the work is not completed in one working day and must be temporarily closed up overnight or for a weekend, then one of the following three alternative procedures shall be followed:
 - (i) the opening will be covered with a minimum 20 mm steel plate designed to support vehicular traffic. Such plate is to be securely anchored to the road surface and the trench must be adequately shored to prevent failure. If available, HL3 hot mix asphalt or high performance cold patch shall be placed on the edges of the steel plate to form a minor ramp for vehicle transition.
 - (ii) the trench will be backfilled and compacted to a depth of 80 mm below grade, and remaining trench will be temporarily backfilled with high performance cold patch or if available hot mix asphalt.
 - (iii) With the permission of the Road Authority, the trench may also be completely backfilled with Granular “A” limestone aggregate and compacted with the surface area treated with calcium chloride.
- (b) In the case of inclement weather (i.e. winter works), the trench will be backfilled to a depth of 80 mm below grade, and remaining trench depth shall be temporarily covered with high performance cold patch asphalt material, or HL8 MDBC. At the time of final pavement restoration, the temporary top surface shall be removed to the required thickness to allow for the permanent asphalt (surface course). The maintenance of the temporary surface shall be the responsibility of the applicant until the final restoration is made.

2.4 Unpaved driveways will be restored in accordance with the provisions of SP 3, with the surface area treated with calcium chloride. Depths shall be as follows:

- (a) Residential 200mm
- (b) Commercial 300mm
- © Industrial 375mm

2.5 Concrete driveways shall restored as follows:

- (a) Residential driveways: 75 mm Granular “A” + 150 mm concrete;
- (b) Commercial and Industrial driveways: 150 mm granular “A” + 150 mm concrete.

Driveway concrete thickness shall match the existing thickness to a minimum of 150 mm. Increased thickness, when authorized, will be pro-rated.

Granular “A” base shall be compacted to 100% of the maximum dry density.

2.6 Asphalt driveways shall be restored as follows:

- (a) Residential Driveways/Walkways: 50 mm HL3 Fine (Modified) + 200 mm Granular "M" limestone aggregate
- (b) Commercial Driveways: 40 mm HL3 + 50 mm HL8 MDBC + 300 mm Granular "M" limestone aggregate
- (c) Industrial Driveways: 40 mm HL3 + 50 mm HL8 MDBC + 375 mm Granular "M" limestone aggregate

The Granular "M" limestone aggregate base shall be compacted to 100% of the maximum dry density.

2.7 Paving (stone) Brick Driveways shall be restored as follows:

Construct a 300 mm granular base with Granular "A" (limestone) compacted to a density of 100 % of the maximum dry density and overlain by 50 mm of limestone screening. Place the paving stones to match existing grade and fill the voids in the completed brick work with limestone screenings.

Revised February 2008

SPEC. #5

SPECIFICATIONS FOR REINSTATEMENT OF SHOULDERS

1.0 General

- 1.1 “Shoulder” means that portion of the highway lying adjacent to the roadway where there is no barrier curb, and which is improved to support a stopped vehicle.

2.0 Special Provisions

The provisions of OPSS 314 shall apply except as amended or extended herein.

- 2.1 In construction applications where work is off the roadway in the boulevard/ditch area the shoulders, if affected, shall be restored to their original condition or better. The shoulder area(s) shall be scarified and all contaminated materials removed prior to final restoration. Top dress shoulder with 50 mm of Granular M' limestone aggregate.

- 2.2 Where construction is directly impacting the shoulder area and full depth granular is required all trenches must be backfilled as follows:

- (a) From bottom of excavation to base of shoulder Granular “A” limestone aggregate shall be compacted to 100% of the maximum dry density in 300 mm maximum lifts.

Suitable recycled material may be used as backfill with the written permission of the Road Authority.

- (b) Shoulder Restoration:

Granular “M” limestone aggregate compacted to 95% of the maximum dry density in maximum 150 mm lifts.

The granular material for shoulder construction shall be placed by means of a shoulder spreader. Where obstacles on the shoulder prohibit the efficient use of a spreader, the shoulder material to be placed adjacent to such obstacles may be end dumped. Where practical, compact the granular to 95% maximum dry density.

In situation where the shoulder widths prohibit the efficient use of a spreader, the shoulder material shall be carefully placed in such a manner

as to minimize the amounts of shouldering granular on the newly placed asphalt. Where practical, compact the granular to 95% maximum dry density.

For gravel roads, this shall be considered permanent surface restoration.

All paved shoulders to be reinstated to existing conditions or better.

Revised February 2008

SPEC. #6

SPECIFICATIONS FOR REINSTATEMENT OF ROADWAYS

1.0 General

- 1.1 “Roadway” means that part of highway that is improved, designed, or ordinarily used for vehicular traffic.

2.0 Special Provisions

Unless soil conditions, utility locations, or other extraneous conditions dictate, all crossings of paved roads shall be undertaken by boring or similar construction methods to ensure the minimum disruption to road traffic and roadway surface.

The provisions of OPSS 310, 314, 350, 360, 501, 503, 504, 506, 507 and NPSCD Special Provisions B3, B14, C1 and D1 shall apply except as amended or extended herein.

- 2.1 The edges of all excavations made in concrete or asphalt surface roadways shall be made by a concrete saw or by other suitable cutting equipment prior to the excavation, and such edges of the cut must be straight and clean prior to pavement restoration.

- 2.2 All roadways shall be restored to their original conditions or better.

- 2.3 Trenches must be backfilled as follows:

- (a) From bottom of excavation to road subgrade

Granular “A” limestone aggregate compacted to 100% of the maximum dry density in maximum 300 mm lifts.

Suitable recycled material may be used as backfill with the written permission of the Road Authority.

- (b) Roadway base (granular)

Granular “A” limestone aggregate compacted to 100% of the maximum dry density in maximum 150 mm lifts. For gravel roads, this shall be considered permanent surface restoration.

- (c) In situations where the Road Authority has recently completed road reconstruction and/or rehabilitation the trench backfill shall be non-shrink

concrete and shall be placed from bottom of excavation to top of road base elevation. Non-shrink concrete should meet current OPS materials specifications 1359.

2.4 Surface Restoration- Temporary

- (a) Where the work is not completed in one working day and must be temporarily closed up overnight or for a weekend, then one of the following two alternative procedures shall be followed:
 - (i) the opening will be covered with a minimum 20 mm steel plate designed to support vehicular traffic. Such plate is to be securely anchored to the road surface and the trench must be adequately shored to prevent failure. If available, HL3 hot mix asphalt or high performance cold patch shall be placed on the edges of the steel plate to form a minor ramp for vehicle transition.
 - (ii) the trench will be backfilled and compacted to a depth of 80 mm below grade, and remaining trench will be temporarily backfilled with high performance cold patch or if available hot mix asphalt.
 - (iii) With the permission of the Road Authority, the trench may also be completely backfilled with Granular “A” and compacted with the surface area treated with calcium chloride.

- (b) In the case of inclement weather (i.e. winter works) the trench will be backfilled to a depth of 80 mm below grade, and remaining trench depth shall be temporarily covered with high performance cold patch material, or HL8 MDBC. At the time of final pavement restoration, the temporary surface shall be removed to the required thickness to allow for the permanent asphalt (surface course thickness as per SP 2.6). The maintenance of the temporary surface shall be the responsibility of the applicant until the final restoration is made.

2.5 Surface Restoration – Permanent

Permanent pavement restoration shall not be undertaken earlier than two weeks after temporary restoration. During winter months, permanent restoration shall depend upon weather conditions and the availability of appropriate materials. Hot mix asphalt may be used for permanent restoration during winter months with the prior written approval of the Road Authority.

- (a) For trench restoration on gravel road refer to condition SP 2.3.

Longitudinal trenches shall be milled to a minimum depth of 60 mm. The length and width of asphalt reinstatement will require a site meeting with the Region of Niagara and area municipality to determine extent of reinstatement.

- (b) All asphalt pavements shall be reinstated by matching the existing depth, or a minimum of 180 mm in total, (120 mm of base course and 60 mm top course), in 50 mm lifts of HL8 HS for roads with heavy truck traffic and bus routes or HL8 MDBC for moderate truck traffic and milled a minimum 0.6 m beyond the sawcut limit unless the pavement surface is further distressed as a result of construction activity and reinstated with 60 mm of HL3 HS surface course. The edges must be tack coated with a suitable asphalt emulsion prior to the replacement of the final surface layer of asphalt.
- (c) For composite pavements the asphalt wearing course shall be reinstated in accordance with SP 2.6(b) or to the full original depth of asphalt pavement, whichever is the greater.

NOTE: Materials, production and placement of hot mix asphalt shall conform to OPS and NPSCD specification including provisions for Quality Control and Quality Assurance.

- (d) Concrete pavements shall be reinstated to the full original depth of concrete and shall be not less than 30 MPa high early concrete with 5% + /-1% air entrainment, meeting current O.P.S. Materials Specifications 1350 (material) and concrete joint details O.P.S.D. 552 and 560.
- (i) Placing and Finishing Equipment

Equipment used for placing, consolidated and finished concrete shall be a self-propelled, vibratory steel screed or steel cylinder screed with integral internal vibration including automatic shut-off, leveling auger and shall operate on fixed forms. For repair areas less than 3m in length, the concrete may be consolidated with hand held external vibrators and finished with a wood or steel screed capable of leveling the concrete without bowing.

- (ii) Opening the Repair Areas to Traffic

Repair areas shall not be subjected to traffic until the concrete has achieved a minimum compressive strength of 20.0 MPa, based on standard cylinder compressive strength testing. The Owner will carry out sufficient concrete testing to evaluate the strength versus age properties of the mix in order to assess the time for opening of the road to traffic.

(iii) Quality Assurance

Criteria for Determining Unacceptable Concrete

Unacceptable concrete shall be removed and replaced at the Contractor's cost. Unacceptable concrete includes:

- Concrete which does not meet the minimum 20.0 MPa prior to opening traffic
- Concrete which does not meet the minimum 30.0 MPa at 28 days
- Concrete which is cracked
- Concrete which does not meet surface tolerance requirements
- Concrete which has a damaged surface due to vehicle, pedestrian, or other traffic during the contract period.

2.6 Restoration of Railway Crossing Rehabilitation

Road reinstatement for track crossings shall be hot-mix asphalt from the mud rail to the limit of asphalt removal. Rubberized matting will not be permitted outside the mud rail. All works shall be coordinated through the Regional Roads Area Manager.

Revised August 2012

Memo

To: Shannon Larocque, Senior Planner

CC: Jason Marr, Director of Public Works; Barb Wiens, Director of Planning and Development; Derek Young, Manager of Engineering

From: Taylor Boyle, Engineering Technologist

Date: 9 May 2022

File No.: SP-06-21

RE: **Zoning By-Law Amendment and Site Plan Approval
15 Highway 20 East**

Town of Pelham Public Works' Staff have reviewed the above noted application to address the technical concerns related to the Site Plan Application and Zoning By-Law Amendment application 2nd submission for 15 Highway 20 East.

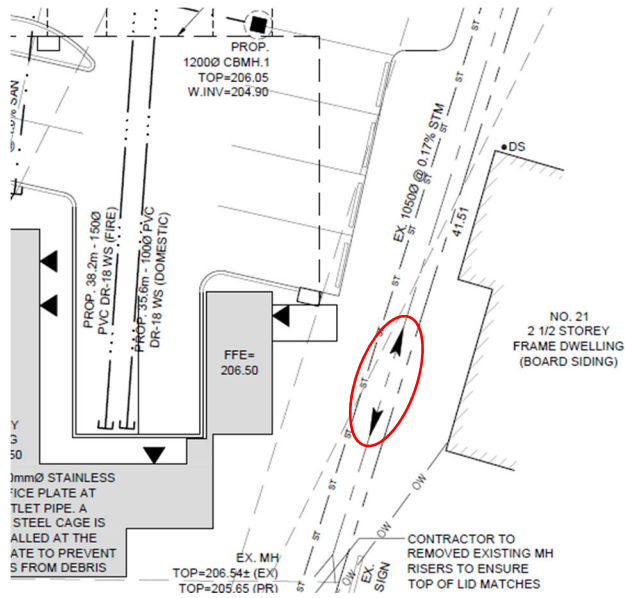
Town Staff have reviewed the following documentation for the purpose of this application:

- Site Services Plan (C1), prepared by Hallex Engineering, dated June 2021;
- Site Drainage Plan (C2), prepared by Hallex Engineering, dated June 2021; and
- Storm Water Management Design Brief, prepared by Hallex Engineering, dated March 21, 2022;

The following comments shall be addressed to the satisfaction of the Director of Public Works. Note that further comments to be forthcoming on subsequent submissions.

Site Servicing Plan

That the developer clarify what the arrows are for. Please see below.



Easement

1. Town staff have no concerns regarding the pavement area located within the easement area.

In order to maintain access to the easement in perpetuity, please restrict any development to lower type vegetation and no large trees.

2. Staff request clarification on the use of the “Terrafirm Slope Stabilization System” within the easement.

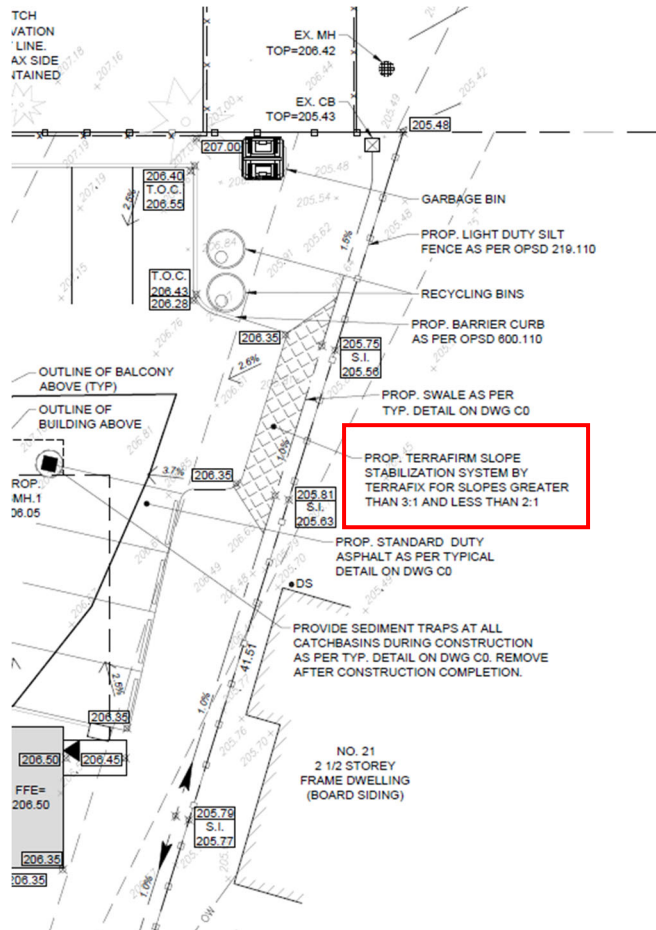
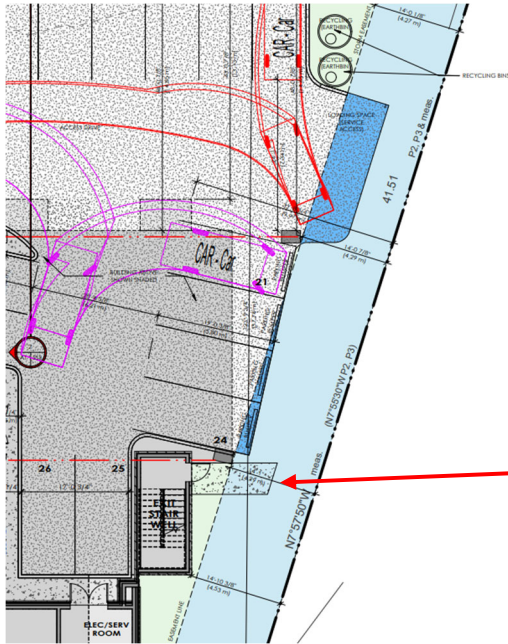


Figure 1: Site Drainage Plan

- Staff have concerns regarding adequate cover for the 1050mm \varnothing storm sewer with the proposed slope along the eastern side of the property. Please ensure that there will be adequate cover as per Ontario Provincial Standards.

4. That the developer confirm that the area shown below will be a concrete sidewalk?

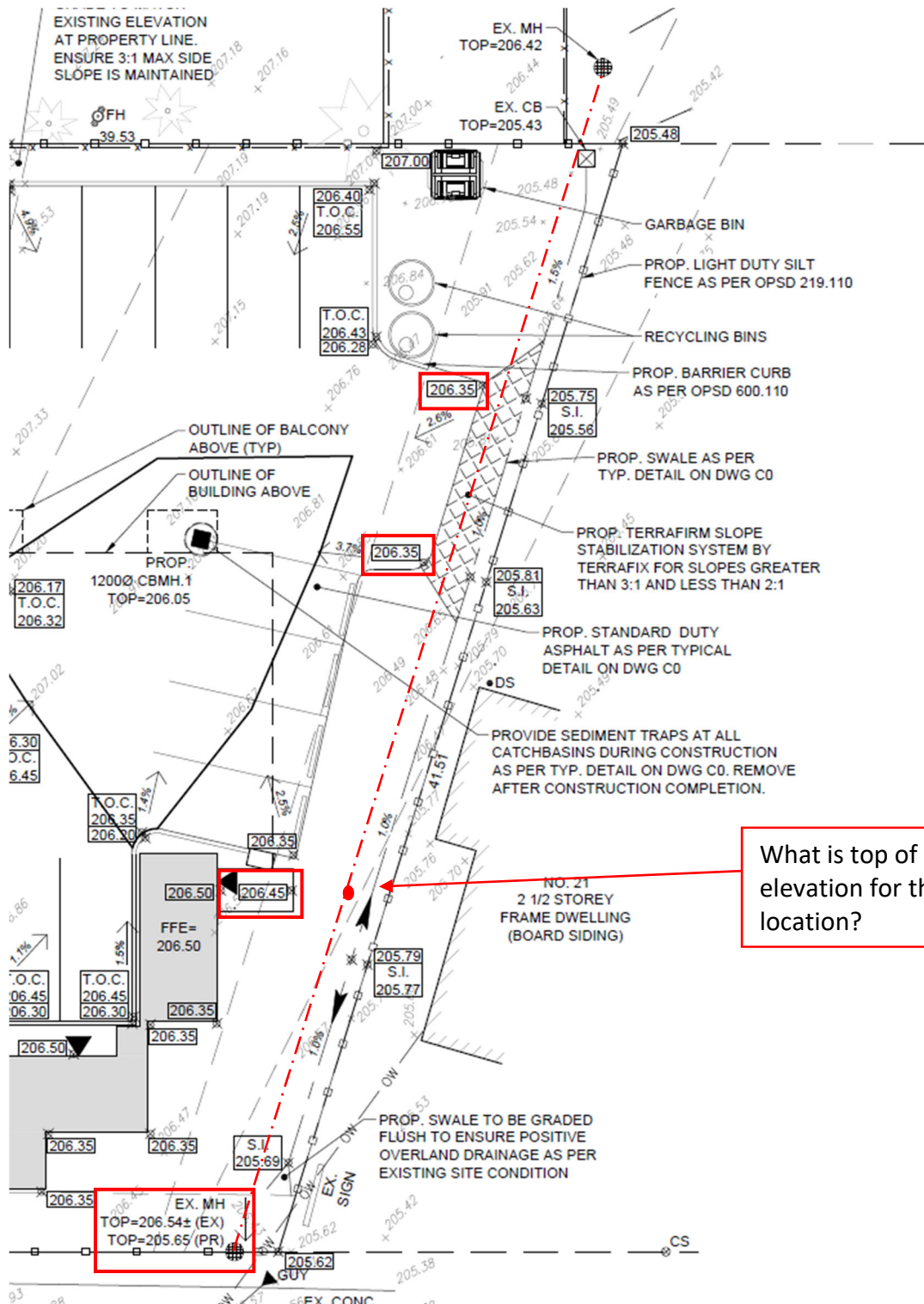


Will this be a concrete Sidewalk?

Site Drainage Plan (C2)

Town Staff request more information regarding the proposed swale.

Staff request confirmation that there will be adequate cover for the existing STM.



What is top of pipe elevation for this location?

Concept Grading Plan (C1)

No further comments or concerns.

Shannon Larocque

From: SHETTY Dolly <Dolly.Shetty@HydroOne.com> on behalf of LANDUSEPLANNING <LandUsePlanning@HydroOne.com>
Sent: Tuesday, December 21, 2021 11:09 AM
To: Shannon Larocque
Subject: Pelham - 15 Highway 20 East - SP-06-2021

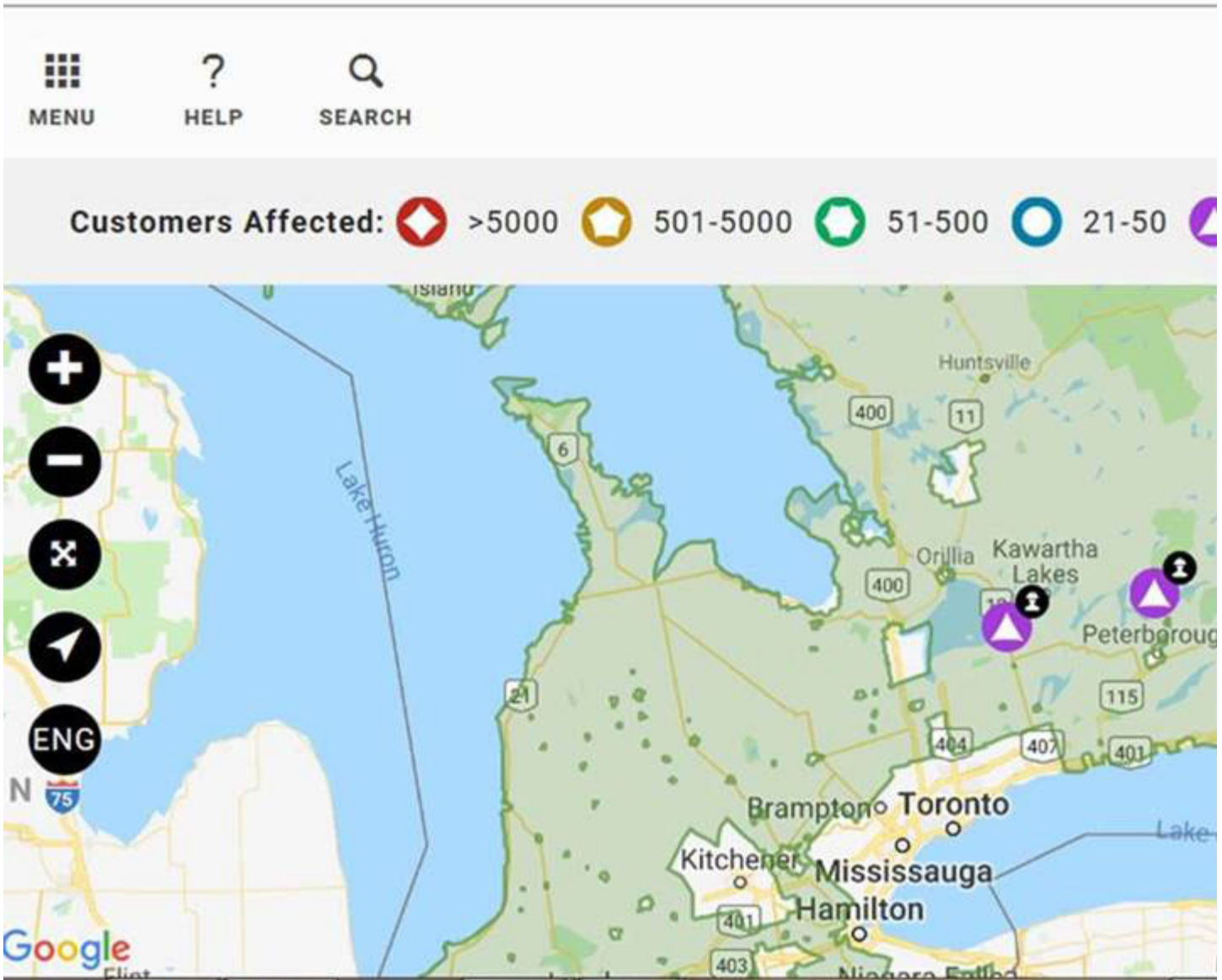
Hello,

We are in receipt of Application SP-06-2021 dated December 7, 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: Shannon Larocque <SLarocque@pelham.ca>

Sent: Tuesday, December 7, 2021 4:22 PM

To: LANDUSEPLANNING <LandUsePlanning@HydroOne.com>

Subject: Request for Comments - Applications for Zoning By-law Amendment & Site Plan Approval - 15 Highway 20 East

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

Good Afternoon,

We are in receipt of applications for zoning by-law amendment and site plan approval (files AM-03-2021 & SP-06-2021) for the above property.

Application materials are attached.

Your comments would be appreciated by January 4, 2021.

If you have any questions or require any further information, please contact me.

Best Regards,

Shannon



Shannon Larocque, MCIP. RPP.

Senior Planner

Town of Pelham

D: 905-980-6661 | E: slarocque@pelham.ca

T: 905-892-2607 x319

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

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Shannon Larocque

From: circulations@wsp.com
Sent: Wednesday, December 8, 2021 6:24 AM
To: Shannon Larocque
Subject: ZBLA (AM-03-2021) and Site Plan Application (SP-06-2021), 15 Highway 20 E., Pelham.

2021-12-08

Shannon Larocque

Pelham

, ,

Attention: Shannon Larocque

Re: ZBLA (AM-03-2021) and Site Plan Application (SP-06-2021), 15 Highway 20 E., Pelham.; Your File No. AM-03-2021,SP-06-2021

Our File No. 92071

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

Please note that WSP operates Bell's development tracking system, which includes the intake of municipal circulations. WSP is mandated to notify Bell when a municipal request for comments or for information, such as a request for clearance, has been received. All responses to these municipal circulations are generated by Bell, but submitted by WSP on Bell's behalf. WSP is not responsible for Bell's responses and for any of the content herein.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact planninganddevelopment@bell.ca

Should you have any questions, please contact the undersigned.

Yours truly,

Ryan Courville
Manager - Planning and Development
Network Provisioning
Email: planninganddevelopment@bell.ca

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February 2, 2022

Shannon Larocque, MCIP, RPP
Senior Planner
Town of Pelham
20 Pelham Town Square
PO Box 400
Fonthill, ON L0S 1E0

Dear Shannon,

Re: Site Plan Control Application, Zoning By-law Amendment
Aiva Development and Real Estate Ltd.
15 Highway 20 East (Regional Road 20)
Town of Pelham
File No.: SP-06-2021, AM-03-2021

Enbridge Gas Inc. does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

This response does not constitute a pipe locate, clearance for construction or availability of gas.

The applicant shall contact Enbridge Gas Inc.'s Customer Connections department by emailing CustomerConnectionsContactCentre@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

Sincerely,



Alice Coleman
Municipal Planning Analyst
Long Range Distribution Planning

—
ENBRIDGE
TEL: 416-495-5386
MunicipalPlanning@enbridge.com
500 Consumers Rd, North York, ON, M2J 1P8

enbridgegas.com

Safety. Integrity. Respect. Inclusion.