

Public Meeting Under the Planning Act Agenda

PCOW-06/2022

Monday, July 11, 2022

5:30 PM

Town of Pelham Municipal Office - Council Chambers

20 Pelham Town Square, Fonthill

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

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

Pages

1. Call to Order and Declaration of Quorum

Moment of Silence in Memory of

1.1. Land Recognition Statement

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

2.	Adoption of Agenda	
3.	Disclosure of Pecuniary Interest and General Nature Thereof	
4.	Planning Act Application: 26T19-03-2021 & AM-12-2021 Tanner Extension	4 - 22
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	<u>Pre-Registered Members of the Public</u>	
	1. Jim Shaw	
	<u>Written Correspondence</u>	
	1. Brad and Donna Gautreau	
	2. Susan Turner	
4.4.	Committee Input	
4.5.	Presentation of Resolutions	
5.	Planning Act Application: 26T19-01-2022 & AM-02-2022 Park Place West	67 - 86
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	<u>Written Correspondence</u>	
	1. Hummel Properties Inc.	
	2. Bill Heska	
5.4.	Committee Input	
5.5.	Presentation of Resolutions	

6. Adjournment

Notice of Public Meeting

DATE: July 11, 2022 at 5:30 PM

PLACE: This hearing will be held remotely by Zoom Webinar.

Town Council approved Public Hearings to be held remotely via By-law No. 4422 (2022). The Town of Pelham will be livestreaming this Public Meeting at the following link: <https://www.youtube.com/user/TownOfPelham>

File Numbers: 26T19-03-2021 & AM-12-2021

Subject Lands: North Side of Tanner Drive, East of Pelham Street,
West of Line Avenue (Tanner Extension)

Public Meeting for a **Draft Plan of Subdivision and Zoning By-law Amendment** in accordance with Sections 51 and 34 of the [Planning Act](#), R.S.O. 1990, as amended.

Applications for Draft Plan of Subdivision and Zoning By-law Amendment were received for the property located on the north side of Tanner Drive, east of Pelham Street and west of Line Avenue known legally as Part of Lot 177 (Geographic Township Of Thorold), in the Town of Pelham, Regional Municipality of Niagara (see attached plan).

The proposed Zoning By-law Amendment would rezone the lands from the Residential One – Holding (R1(H)) zone to site specific Residential 2 (R2), Residential Multiple 1 (RM1) and Open Space (OS) zones. The zoning change would permit the use of the lots for single detached dwellings, street townhouse dwellings and parkland as proposed by the draft plan of subdivision subject to special regulations.

The proposed draft plan of subdivision would create 11 lots for single detached dwellings, 2 blocks for 10 townhouse dwellings, 1 block for park, 2 blocks for 0.3 reserves and 0.2954 hectares for future roadways.

YOUR INPUT IS ENCOURAGED: Please provide input by speaking at the public meeting or by making a written submission to the Town of Pelham. Unless indicated otherwise, personal information and all comments will become part of the public record and may be publicly released. To provide input in writing, or to request personal notice if the proposed draft plan of subdivision and zoning by-law amendment are approved, please send all correspondence by **12:00 PM on Wednesday, June 29, 2022** for inclusion in the public meeting agenda package c/o Town Clerk, Holly Willford, PO Box 400, 20 Pelham Town Square, Fonthill, Ontario L0S 1E0, or by email at hwillford@pelham.ca. Comments and requests received after this date will still be received by Council, however they may not be published as part of the public meeting agenda. Verbal comments will be received remotely at this public hearing using the Zoom platform. To participate remotely, please pre-register with the Clerks office by sending an email to clerks@pelham.ca before **12:00 PM on Friday, July 8, 2022**. All registrants will be provided with instructions on how to use your computer, tablet or phone to participate in the Public Meeting. Registrants will also be notified of Council's decision. If you have not submitted written comments or pre-registered before the aforementioned deadlines, but wish to submit comments during the Public Meeting, you may livestream the meeting from the Town of [Pelham's YouTube channel](#) and email comments to clerks@pelham.ca during the public commenting portion of the subject applications only. If your comments are not received prior to the closing of the public commenting portion of the meeting, they will not be considered.

NEED MORE INFORMATION: For more information, please contact Shannon Larocque, MCIP, RPP, Senior Planner, at 905-980-6661 or 905-892-2607 ext. 319, or email at slarocque@pelham.ca. A copy of the Information Report regarding the proposed application as well as any additional information may be obtained on the Town’s website at <http://calendar.pelham.ca/council> or from the Community Planning and Development Department after 4:30 pm on Wednesday, July 6, 2022.

IMPORTANT INFORMATION:

If a person or public body would otherwise have an ability to appeal the decision of the Town of Pelham’s Municipal Council to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written statements to the Town of Pelham before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Pelham before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

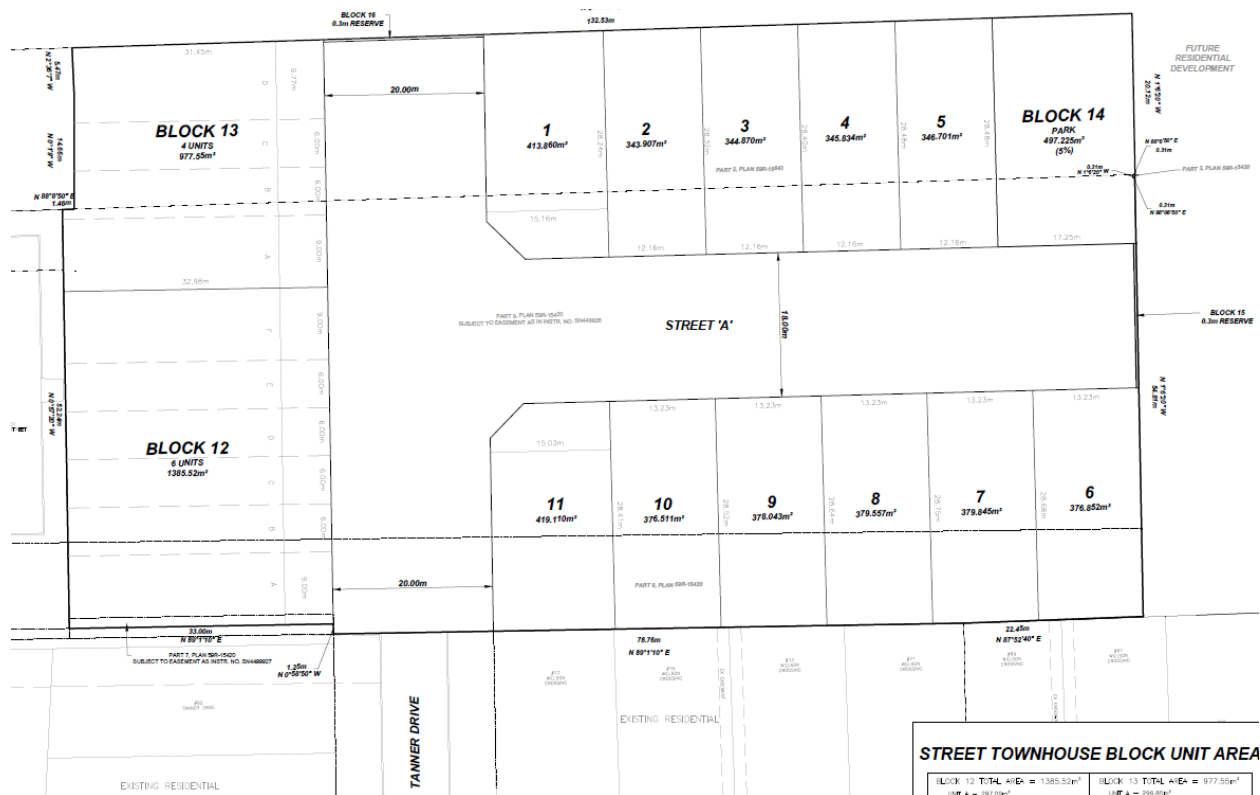
Dated at the Town of Pelham, this 17th day of June, 2022.



Holly Willford
Town Clerk

Date of Mailing: June 17, 2022

PROPOSED DRAFT PLAN OF SUBDIVISION



*Pdf plans available for viewing on the Town of Pelham website at:
www.pelham.ca/news

NOTICE REQUIREMENTS

**Town of Pelham Applications for
Draft Plan of Subdivision and Zoning By-law Amendment
Property north of Tanner Drive, east of Pelham Street and west of
Line Avenue
(Tanner Extension)
File Nos 26T19-03-2021 & AM-12-2021**

Draft Plan of Subdivision and Zoning By-law Amendment to permit the use of the property for 11 lots for single detached dwellings, 2 blocks for 10 townhouse dwellings and 1 block for park.

The Planning Act requires under Sections 34 and 51 that Council must hold at least one public meeting for the purpose of informing the public in respect of the proposed applications.

This public meeting has been called to satisfy this requirement. Notice of this meeting was provided by prepaid first class mail to all persons, who are listed as owners in the last revised assessment roll, within 120 metres of the subject property on June 17, 2022. The notice provided information on the property and the proposed draft plan of subdivision and zoning by-law amendments.

In addition to providing information, we will also receive any comments which any member of the public may wish to offer.

If you wish to receive a copy of the Notice of Decision, please contact the Clerk in writing as soon as possible. Contact information is available on the Town's website and will also be displayed on the last slide of the staff Presentation to follow shortly.

If a person or public body would otherwise have an ability to appeal the decision of the Town of Pelham to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Pelham before the by-law is passed, the person public body is not entitled to appeal the decision.

In closing, we stress that at this point no decision has been made on the proposed applications and therefore any comments received will be considered by Council.

Public Meeting for Tanner Extension

Draft Plan of Subdivision and Zoning By-law Amendment Applications

26T19-02-2021 & AM-07-2021

July 11, 2022

Location & Purpose

Location:

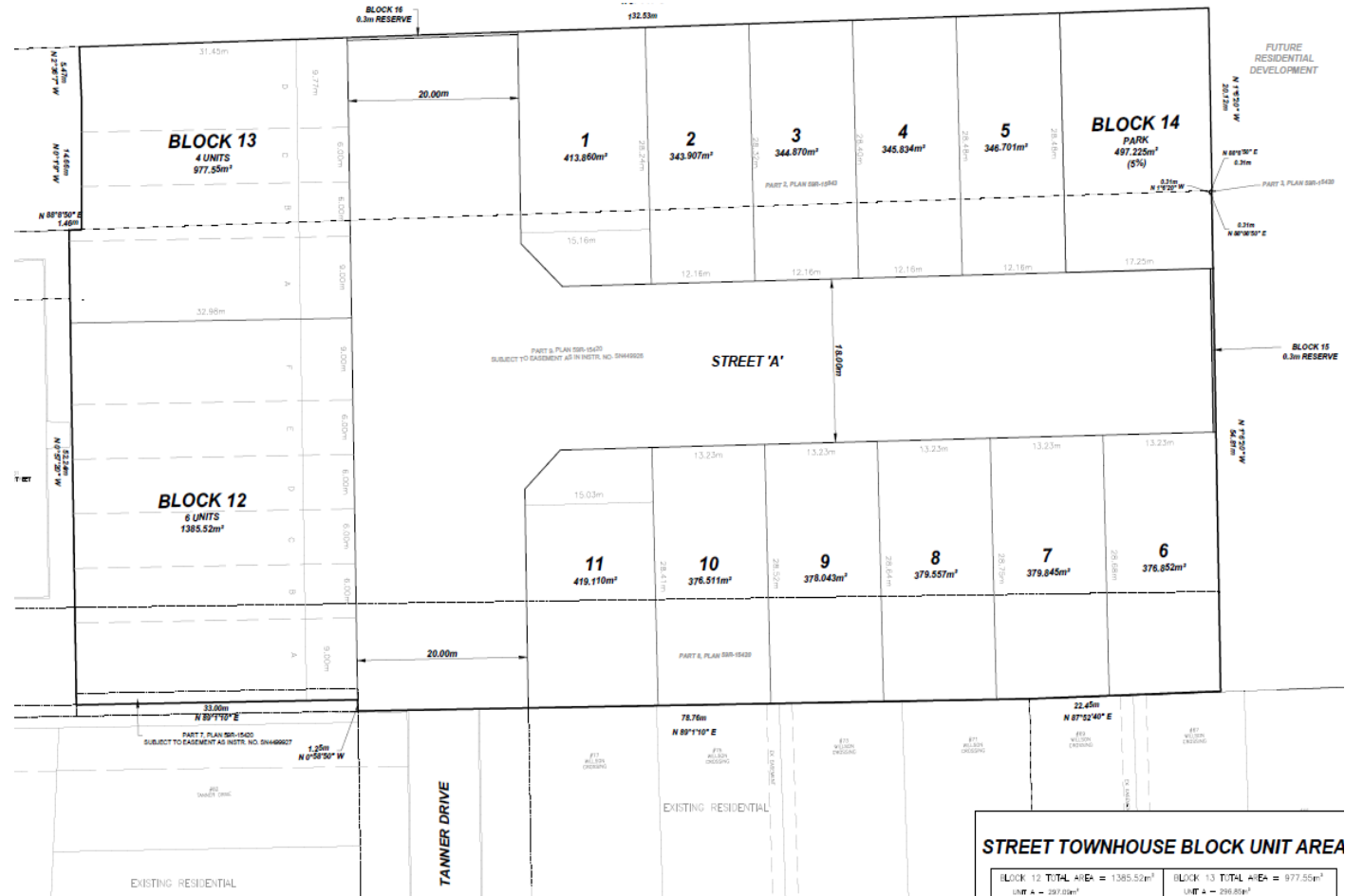
North side of Tanner Drive, east of Pelham Street and west of Line Avenue

Purpose:

- Create 11 lots for single detached dwellings, 2 blocks for 10 townhouse dwellings, 1 block for parkland and associated future roadways.
- Rezone to site specific Residential 2 (R2), Residential Multiple 1 (RM1) and Open Space (OS) zones to permit the use of the lots for the uses proposed in the subdivision.









Proposed Draft Plan of Subdivision



Lot 177 – Concept E



Legend

	Single - Detached		Commercial / Residential
	Townhouses		Study Area
	Low-rise Apartments		Pathways
	Open Space		

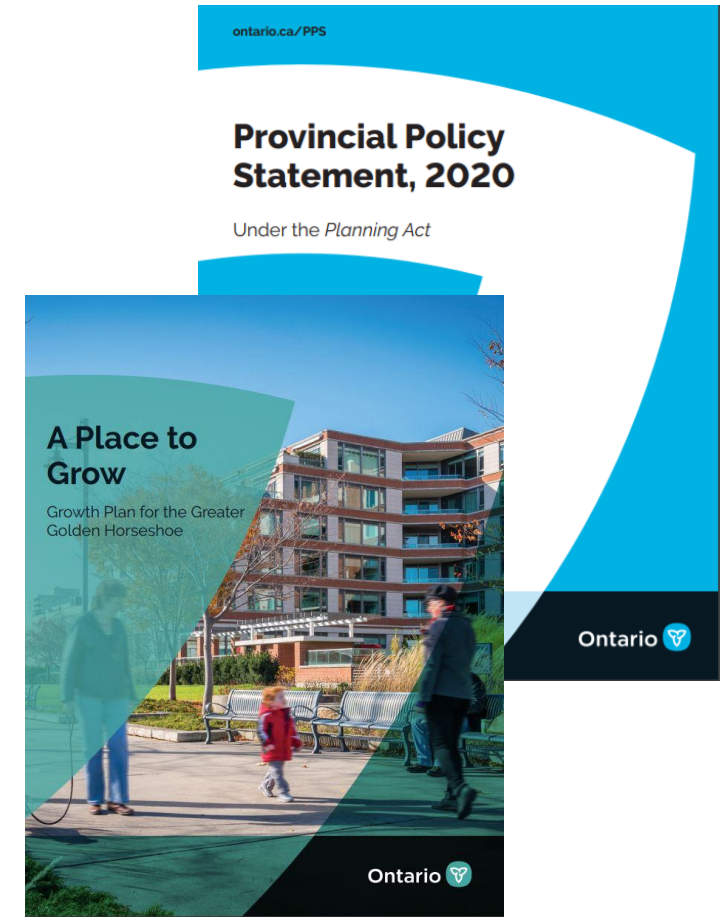
Provincial Policies & Plans

Provincial Policy Statement, 2020

- Settlement Area

Growth Plan for the Greater Golden Horseshoe, 2019

- Delineated Built-up Area

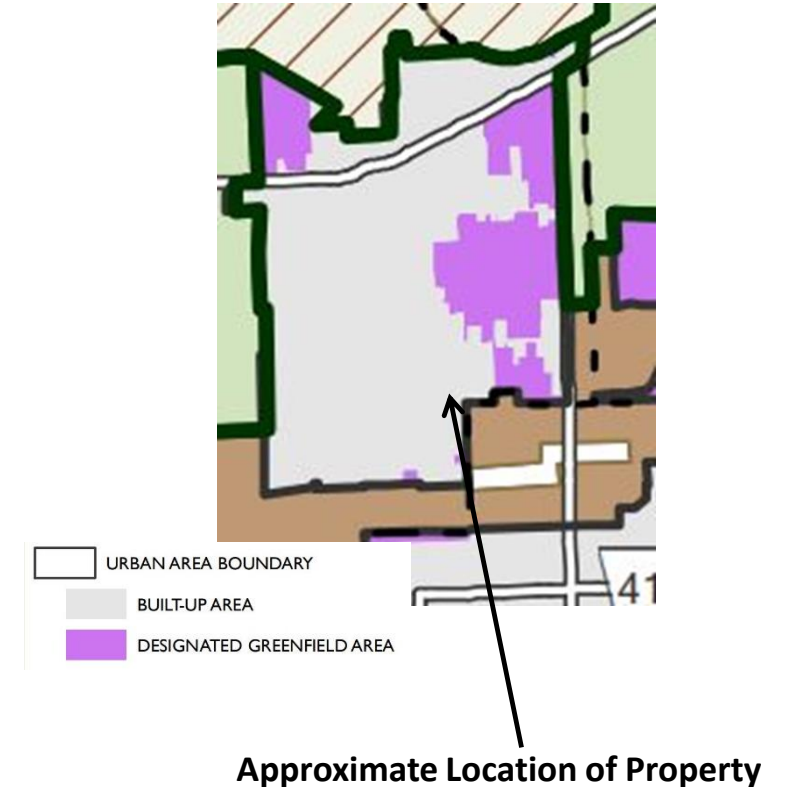


Niagara Region Official Plan

Urban Area

Designated Built-up Area

- Accommodate a range of land uses.
- Focus of residential and employment intensification and redevelopment within the Region over the long term (Policy 4.G.8.1).
- Minimum intensification target of 15% for the total annual development in Pelham.

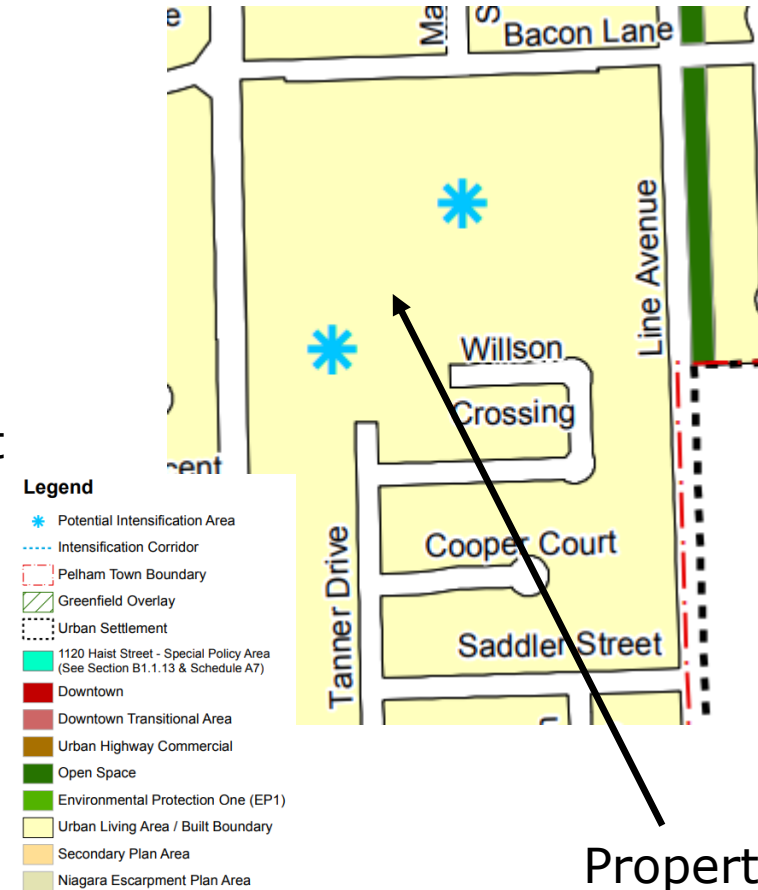


Town Official Plan

Urban Living Area / Built Boundary

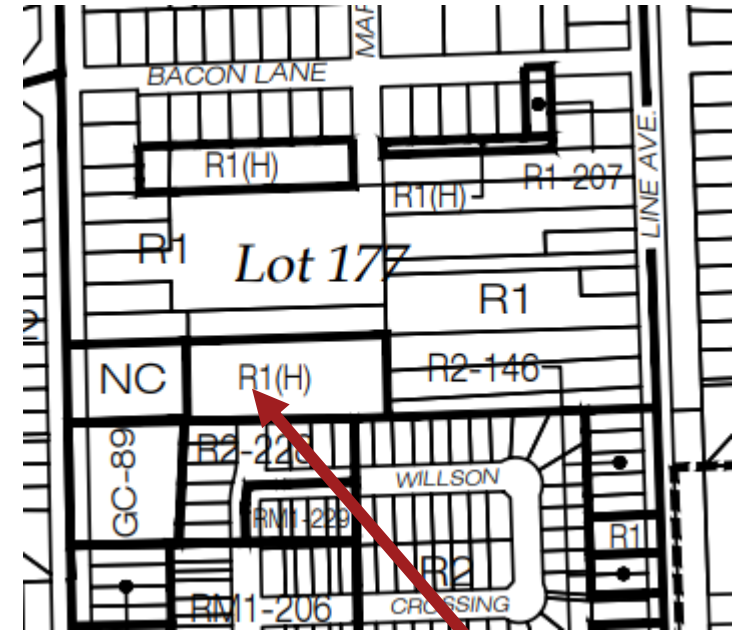
Potential Intensification Area

- Urban Living Area/Built Boundary supports all types of residential uses.
- Policies in B1.1.3 require intensification and redevelopment proposals to achieve a unit density that is in keeping with the character of the density of the neighbourhood.
- Policies in B1.1.11 for Lot 177 require mix of housing types to ensure affordability, acquisition of parkland, phased in and orderly development, interconnected roadways and active transportation linkages and environmental protection.



Zoning By-law 1136 (1987)

- R1(H) – (Residential One - Holding)
- requesting site specific R2 (Residential 2), RM1 (Residential Multiple 1) and OS (Open Space) to permit single detached dwellings, street townhouse and parkland subject to site specific regulations.



Property Location

Requested Site Specific R2 Zone

14.2 Zone Requirement	Standard R2 Requirement	Requested R2 Requirement
(a) Minimum Lot Area	360m ²	350m ²
(b) Minimum Lot Frontage	12 metres; 15 metres corner lot	No change
(c) Maximum Lot Coverage	50 percent	No change
(d) Minimum Front Yard	6.5 metres	4.0 metres building face; 6.0 metres garage
(e) Minimum Interior Side Yard	1.5 metres on one side and 3.0 metres on the other where no attached garage or carport or 1.5 metres on both sides where an attached garage or carport.	1.2 metres
(f) Minimum Exterior Side Yard	5 m from the side lot line or 15 m from the centre line of the road whichever is the greater	3 metres
(g) Minimum Rear Yard	7.5 metres	6 metres
(h) Maximum Height	10.5 metres	No change
(i) Minimum Ground Floor Area	(i) 93 m ² for one storey; (ii) 55 m ² for two storey	No change

Requested Site Specific RM1 Zone

16.3 Zone Requirements for Street Townhouses	Standard RM1 Requirement	Requested RM1 Requirement
(a) Minimum Lot Frontage	6 m per dwelling unit; 9 m interior lot containing a dwelling attached on one side only	No change
(b) Minimum Corner Lot Frontage	14 m	No change
(c) Minimum Lot Area	230 m ² (2,475.78 ft ²) per dwelling unit	188 m ² per interior unit
(d) Minimum Front Yard	7.5 metres	6 metres
(e) Minimum Exterior Side Yard	7.5 metres	3 metres
(f) Minimum Interior Side Yard	3 metres	1.5 metres
(g) Minimum Rear Yard	7.5 metres	6 metres
(h) Maximum Building Height	10.5 metres	No change
(i) Minimum Ground Floor Area	one storey 88 m ² ; two storeys 50 m ²	No change
(j) Planting Strips	1.5 metres where abutting R1 or R2 zone	Delete

Requested Site Specific OS Zone

26.2 Open Space Regulations	Standard OS Requirement	Requested OS Requirement
(a) Minimum Lot Area	0.8 ha	497 m ²

Comments

Niagara Region Planning & Development Services

No objection subject to conditions.

Bell Canada, Enbridge Gas, Hydro One & Canada Post

Requests standard conditions of approval.

Niagara Peninsula Conservation Authority

No comments or concerns.

Fire Services

Cul-de-sacs exceeding 90m in length shall provide an adequate turnaround facility. A development which has only one roadway as a access point and exceeds 90m in length shall have all units in the development sprinklered

Public Works No concerns noted.

Pelham Active Transportation Committee

Support the pedestrian pathways and linkages to other routes in that area, sidewalks that meet AODA requirements, with a minimum of a sidewalk on one side of the street and with a preference to have sidewalks on both sides of the street.

Brad & Donna Gautreau

Concerned that the draft plan is not consistent with Concept E, which was previously endorsed by Council. Does not want development proceeding in a manner that may affect the ability for the Town to acquire the desired parkland in this area.

Susan Turner

Believes development should not occur on these lands until an access to Bacon Lane is provided. Concerned that only access to main roads is Saddler Street and Homestead Boulevard, which could become blocked at times.

Technical Reports

- Environmental Impact Study prepared by Beacon Environmental dated November 2021
- Functional Servicing Report prepared by Upper Canada Consultants Engineers/Planners dated December 2021
- Geotechnical Report prepared by Soil-Mat Engineers & Consultants Ltd. dated September 17, 2021
- Phase One Environmental Site Assessment prepared by Soil-Mat Engineers & Consultants Ltd. dated October 5, 2021
- Phase Two Environmental Site Assessment prepared by Soil-Mat Engineers & Consultants Ltd. dated November 2, 2021
- Planning Justification Report prepared by Upper Canada Consultants Engineers/Planners dated December 2021

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

Conclusion

No decisions or recommendations concerning these applications have been or will be made at this meeting.

Following review of comments received, a recommendation report will be prepared for Council's decision at a later date.

Please ensure you provide your contact information as soon as possible if you wish to receive future notices.

Questions & Comments

Shannon Larocque, Senior Planner

905-892-2607 x319

slarocque@pelham.ca



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

July 11, 2022

Subject: Information Report – Draft Plan of Subdivision and Zoning By-law Amendment - Tanner Extension

Recommendation:

THAT Committee receive Report # 2022-148 for information as it pertains to File Nos. 26T19-03-2021 & AM-12-2021;

AND THAT Committee direct Planning staff to prepare the Recommendation Report on this topic for Council's consideration.

Executive Summary:

The purpose of this report is to provide the Council and the public with an opportunity to receive information regarding the applications for draft plan of subdivision (Tanner Extension) and Zoning By-law amendment.

The proposed draft plan of subdivision would create 11 lots for single detached dwellings, 2 blocks for 10 townhouse dwellings, 1 block for park, 2 blocks for 0.3 reserves and 0.2954 hectares for future roadways.

The proposed Zoning By-law Amendment would rezone the lands from the Residential One – Holding (R1(H)) zone to site specific Residential 2 (R2), Residential Multiple 1 (RM1) and Open Space (OS) zones. The zoning change would permit the use of the lots for single detached dwellings, street townhouse dwellings and parkland as proposed by the draft plan of subdivision subject to special regulations.

Location:

The property is located on the north side of Tanner Drive, east of Pelham Street and west of Line Avenue (Figure 1) and legally known as Part of Lot 177 (Geographic Township Of Thorold), in the Town of Pelham, Regional Municipality of Niagara. Tanner Drive is proposed to be extended through the subject lands.

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Figure 1: Property Location



The surrounding land uses include a mix of uses including single detached dwellings to the north, south and east and a commercial plaza and residential use to the west. The vacant lot to the southwest fronting on Pelham Street was approved in February 2016 for 3-storey mixed use development consisting of 8 ground floor commercial units and 20 apartment units.

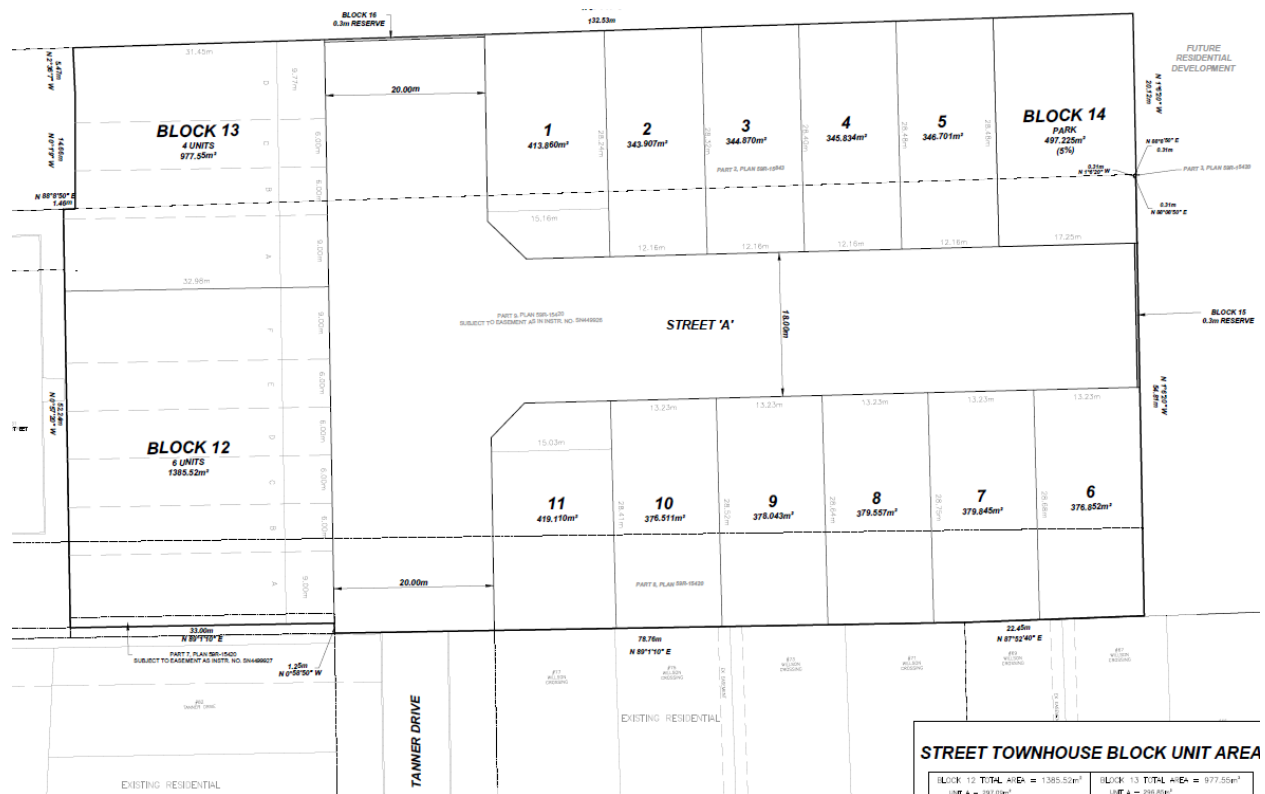
Project Description and Purpose:

The property is approximately 0.9932 hectares in size. The draft plan of subdivision shows 11 lots for single detached dwellings, 2 blocks for 10 street townhouse dwellings and a block for future park (Figure 2).

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Figure 2: Draft Plan of Subdivision



This property is part of Lot 177, which has long been identified as an area for intensification and redevelopment in Fonthill. In 2015, the Town hired the Planning Partnership to undertake a Secondary Plan for the remaining developable area in Lot 177 and make recommendations for how these lands could best be developed with consideration given for existing residents, natural heritage features, traffic calming, active transportation, servicing, the need for parkland as well as applicable planning policies with respect to density targets and housing types. As part of this process, consultation took place with property owners in the area as well as Town Public Works, Recreation, Culture and Wellness and Community Planning and Development Staff. This resulted in the development of a preferred development concept (Concept E) for the lands. Concept E was endorsed by Council in 2016.

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Figure 3: Concept E



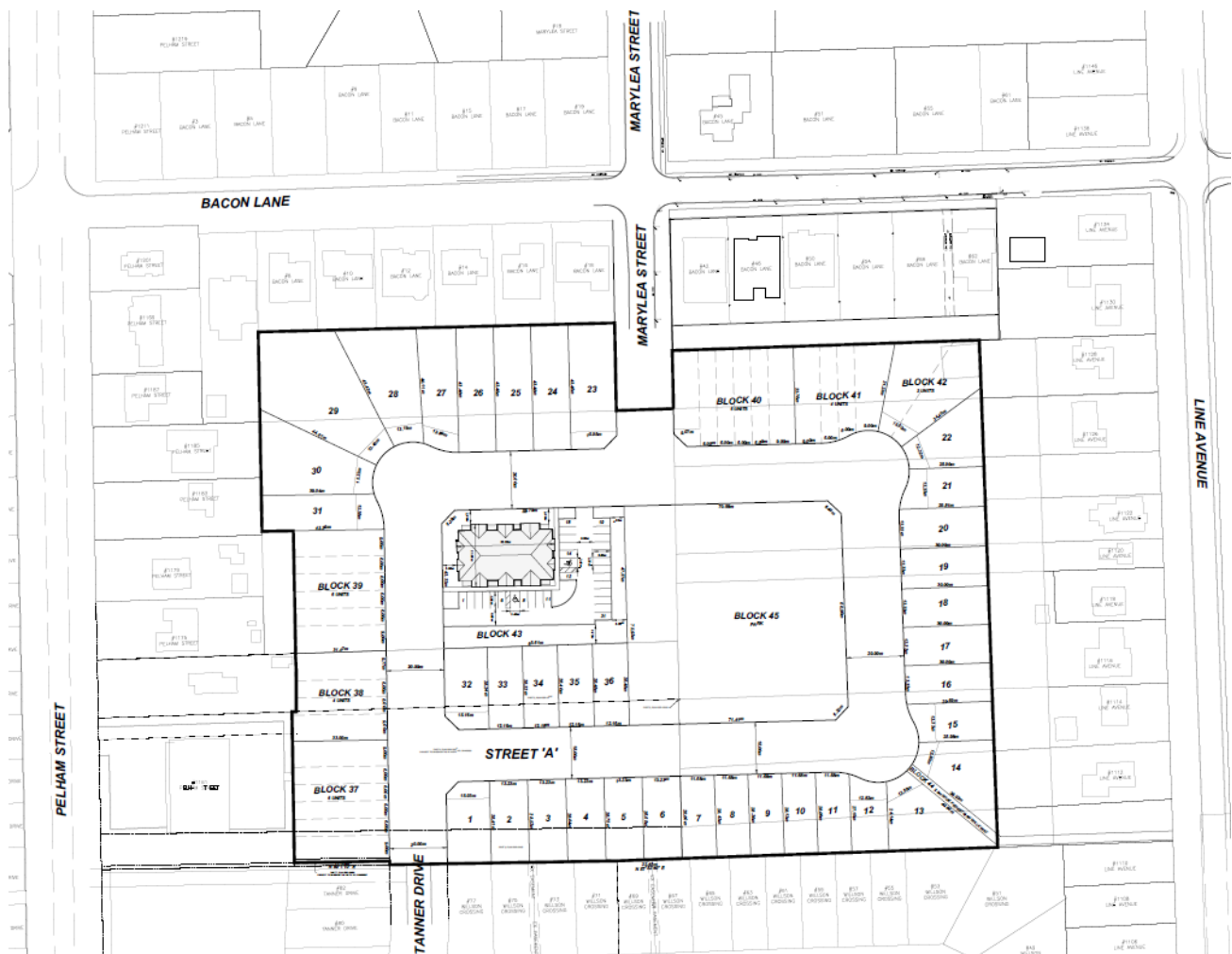
The location of the subject lands are outlined in blue on the preferred Concept E.

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The Tanner Extension Draft Plan of Subdivision (land highlighted in blue above) differs slightly from Concept E proposing additional single detached dwellings on a portion of the lands that were contemplated for low-rise apartments. In order to address this, the applicant prepared an updated concept plan (Figure 4) to demonstrate that the remainder of the lands could still develop meeting the required densities, and objectives of providing a variety of housing types and addressing the need for parkland while incorporating the desired road network and active transportation connections as contemplated by Concept E.

Figure 4: Updated Development Concept Prepared by Applicant



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This updated Concept would then be used as the preferred plan going forward when development proposals are received on the remainder of the lands in the Lot 177 area.

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”.

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

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.

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

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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.

Growth Plan for the Greater Golden Horseshoe, 2019

The subject parcel is identified as being within a Delineated Built-up 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 2.2.2.1(a) requires a minimum of 50 percent of all new residential development to occur within the delineated built-up area.

Policy 2.2.2.3(b) encourages intensification generally throughout the built-up area and investment in services that will support intensification.

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Regional Official Plan, consolidated August 2015

The subject land is located within the Urban Area Boundary of the Town of Pelham and is designated Built-up Area in the Regional Official Plan. It is an objective of the Regional Official Plan that intensification be directed to built-up areas and the Plan establishes a minimum intensification target of 15% for the total annual development in Pelham.

Built-up Areas will be the focus of residential and employment intensification and redevelopment within the Region over the long term (Policy 4.G.8.1).

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 subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of Significant Woodland. Policy 7.B.1.11 states that development and site alteration may be permitted in Environmental Conservation Areas; and on adjacent lands to Environmental Protection and Environmental Conservation Areas if it has been demonstrated that, over the long term, there will be no significant negative impact on the Core Natural Heritage System component or adjacent lands and the proposed development or site alteration is not prohibited by other Policies in this Plan. The proponent shall be required to prepare an Environmental Impact Study (EIS) to demonstrate this.

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Town of Pelham Official Plan, 2014

The property is designated Urban Living Area/Built Boundary and Potential Intensification Area in the Town of Pelham Official Plan.

Permitted uses in the Urban Living Area are single detached residential dwelling units, accessory apartments in single detached dwellings, semi-detached, townhouse, multiple and apartment dwellings, home occupations, bed and breakfast establishments in single detached dwellings, private home day care and complementary uses such as residential care facilities, daycare centres, institutional uses and convenience commercial uses.

Policy B.1.13 requires the Town to accommodate at least 15% of projected housing growth within the existing built boundaries of Fonthill and Fenwick.

Further, Policy B1.1.3 (b) requires intensification and redevelopment proposals to achieve a unit density that is in keeping with the character of the density of the neighbourhood.

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:

- 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.

B1.1.11 Lot 177 Special Policy also applies to the lands. Policy B1.1.11.2 states that the residential neighbourhood of Lot 177 represents one of the most substantial infill areas within the Fonthill Urban Area after the Secondary Plan Areas. As a result, the Provincial Growth Plan has placed about 15% of the land in Lot 177 in a Greenfield designation. These lands are identified on Schedule A1 to this Plan as Greenfield Overlay. This means that these lands are required to achieve population densities of 50 people and jobs per hectare. Policy B1.1.11.3 indicates that Lot 177 should

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accommodate at least 200 new units in order to meet the density target of 50 jobs and persons per hectare.

Policy B1.1.11.4 indicates that development proposals shall provide for a mix of dwelling unit types to assist in ensuring an affordable housing supply can be accommodated. Housing types will be located in such a manner as to enhance the physical and living environments of the neighbourhood. In order to minimize the impact of medium density development on the residents of the neighbourhood, such development will be located adjacent to or be directly accessible to parks and open space areas and/or Pelham Street or Quaker Road. The building height of medium density developments shall not exceed three (3) storeys.

B1.1.11.6 indicates that as part of the development review process, it is a priority for the Town to acquire suitable land for a public park to serve the needs of residents within the Lot 177 development area. In making efforts to secure suitable lands, the following guidelines will be considered:

- Between 0.8 and 1.2 hectares (2 to 3 acres) of land be established for recreational purposes;
- The park centrally located within safe convenient walking distance of the majority of neighbourhood residents; and,
- Appropriate linear parks or walkways should be developed to access the park.

The policies in this Plan regarding the acquisition of parkland through the development process also apply in the Lot 177 Special Policy Area. However, given the fragmented nature of land in Lot 177, Council may acquire suitable lands for a park independent of the development process.

Policy B1.1.11.7 indicates that the provision of sewerage, water, stormwater drainage, roads and other municipal services will be achieved with minimum costs to the Town and phased in an orderly and efficient manner. Development of the Lot 177 lands will commence at the southerly limit and proceed sequentially in a northerly direction. Out of phase development will only be considered where the developer is willing to pay the cost of oversizing services beyond the limit of the development to a suitable outlet.

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Policy B1.1.11.8 states that in order to accommodate development within Lot 177, off-site road improvements and storm sewer extensions are required. The cost of undertaking such works shall be borne by the developers. The Town will ensure that internal road alignments are adequate for emergency vehicles and do not jeopardize the logical and orderly development of other land available for development. Where any proposed subdivision of land would preclude the development of a suitable system of interconnecting roadways, subdivision design modifications will be effected before development proceeds. The Town may acquire lands required to accommodate a preferred roadway to assist in the coordination and orderly build out of Lot 177. Costs incurred in the acquisition process will be collected through an area specific development charge or other suitable mechanism or agreement and the cost of road construction will be borne by development proponents through subdivision agreements.

B1.1.11.9 states that in order to achieve orderly development and effective use of land within the Lot 177 Special Policy Area, it is incumbent upon the proponents of future development to coordinate their proposals and work together. The Town is prepared to be a partner in this coordination and will use its authority under the Planning Act, the Municipal Act, the Development Charges Act or other applicable legislation wherever necessary to implement these policies.

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 this 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,

**Community Planning & Development Department
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- 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.

Town of Pelham Zoning By-law 1136 (1987), as amended

The property is zoned Residential One Holding (R1-H). The Residential One (R1) zone permits one single detached dwelling and uses, buildings and structures accessory thereto as well as home occupations. The Holding symbol is in place to prohibit development on the property until such time that a draft plan of subdivision is approved by Council.

The requested zoning by-law amendment would amend the zoning to site-specific Residential 2 (R2), Residential Multiple 1 (RM1) and Open Space (OS) zones and lift the holding provision. The zoning change would permit the use of the lots for single detached dwellings, street townhouse dwellings and parkland as proposed by the draft plan of subdivision subject to special regulations.

The requested site-specific zoning regulations are provided in Tables 1, 2 and 3.

Table 1: Requested Site Specific Residential Two Zone Requirements

14.2 Zone Requirement	Standard R2 Requirement	Requested R2 Requirement
(a) Minimum Lot Area	360m ²	350m ²
(b) Minimum Lot Frontage	12 metres; 15 metres corner lot	No change
(c) Maximum Lot Coverage	50 percent	No change
(d) Minimum Front Yard	6.5 metres	4.0 metres building face; 6.0 metres garage
(e) Minimum Interior Side Yard	1.5 metres on one side and 3.0 metres on the other where no attached garage or carport or 1.5 metres on both sides where an attached garage or carport.	1.2 metres
(f) Minimum Exterior Side Yard	5 m from the side lot line or 15 m from the centre	3 metres

**Community Planning & Development Department
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14.2 Zone Requirement	Standard R2 Requirement	Requested R2 Requirement
	line of the road whichever is the greater	
(g) Minimum Rear Yard	7.5 metres	6 metres
(h) Maximum Height	10.5 metres	No change
(i) Minimum Ground Floor Area	(i) 93 m ² for one storey; (ii) 55 m ² for two storey	No change

Table 2: Requested Site Specific Residential Multiple One Zone Requirements

16.3 Zone Requirements for Street Townhouses	Standard RM1 Requirement	Requested RM1 Requirement
(a) Minimum Lot Frontage	6 m per dwelling unit; 9 m interior lot containing a dwelling attached on one side only	No change
(b) Minimum Corner Lot Frontage	14 m	No change
(c) Minimum Lot Area	230 m ² (2,475.78 ft ²) per dwelling unit	188 m ² per interior unit
(d) Minimum Front Yard	7.5 metres	6 metres
(e) Minimum Exterior Side Yard	7.5 metres	3 metres
(f) Minimum Interior Side Yard	3 metres	1.5 metres
(g) Minimum Rear Yard	7.5 metres	6 metres
(h) Maximum Building Height	10.5 metres	No change
(i) Minimum Ground Floor Area	one storey 88 m ² ; two storeys 50 m ²	No change
(j) Planting Strips	1.5 metres where abutting R1 or R2 zone	Delete

Table 3: Requested Site Specific Open Space Zone Requirements

26.2 Open Space Regulations	Standard OS Requirement	Requested OS Requirement
(a) Minimum Lot Area	0.8 ha	497 m ²

**Community Planning & Development Department
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Submitted Reports:

Environmental Impact Study prepared by Beacon Environmental dated November 2021

Functional Servicing Report prepared by Upper Canada Consultants Engineers/Planners dated December 2021

Geotechnical Report prepared by Soil-Mat Engineers & Consultants Ltd. dated September 17, 2021

Phase One Environmental Site Assessment prepared by Soil-Mat Engineers & Consultants Ltd. dated October 5, 2021

Phase Two Environmental Site Assessment prepared by Soil-Mat Engineers & Consultants Ltd. dated November 2, 2021

Planning Justification Report prepared by Upper Canada Consultants Engineers/Planners dated December 2021

Copies of the reports are available by contacting the Planning Division.

Agency Comments:

The applications were circulated to commenting agencies and Town Departments. The following comments have been received:

Niagara Region Planning & Development Services

No objection to the proposed Zoning By-law Amendment and Draft Plan of Subdivision from a Provincial and Regional perspective, subject to any local requirements, and the conditions included in the Appendix.

Bell Canada Requests standard conditions of approval.

Enbridge Gas Requests standard conditions of approval.

Canada Post Requests standard conditions of approval relating to Community Mailbox Program.

Hydro One No comments or concerns.



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

July 11, 2022

Niagara Peninsula Conservation Authority

No comments or concerns.

Fire Services

As per 7.1 (f). Cul-de-sacs exceeding 90m in length shall provide an adequate turnaround facility.

As per 7.4 Single access routes, a development which has only one roadway as a access point and exceeds 90m in length shall have all units in the development sprinklered as per NFPA 13, designs shall meet or exceed this standard and shall be approved by the Chief Fire Official.

Public Works No concerns noted.

Pelham Active Transportation Committee

Support the pedestrian pathways and linkages to other routes in that area, sidewalks that meet AODA requirements, with a minimum of a sidewalk on one side of the street and with a preference to have sidewalks on both sides of the street.

Public Comments:

On June 17, 2022 a public meeting notice was circulated to all property owners within 120 metres of the property's boundaries. In addition, a public notice sign was posted facing Tanner Drive. The following comments have been received at the time of writing of this report:

Brad & Donna Gautreau

Concerned that the draft plan is not consistent with Concept E, which was previously endorsed by Council. Does not want development proceeding in a manner that may affect the ability for the Town to acquire the desired parkland in this area.

Susan Turner

Believes development should not occur on these lands until an access to Bacon Lane is provided. Concerned that only access to main roads is Saddler Street and Homestead Boulevard, which could become blocked at times.



Community Planning & Development Department Planning Application Report

July 11, 2022

Staff Comments:

The purpose of this report is to provide the Council and the public with information regarding the applications, applicable policies, and comments received to date. The purpose of the public meeting is to receive feedback and input from the public and for the applicant to respond to inquiries. Committee may also provide recommendations for proposed changes to or conditions of approval for the draft plan of subdivision based on the public, agency or staff input and consistency with approved plans. A future report with recommendations and proposed draft plan of subdivision conditions will be presented to Council for decision once all feedback is received.

Alternatives:

There are no alternatives as Council is statutorily obligated to host a public meeting and make a decision on the applications.

Attachments:

Appendix A Agency Comments

Prepared and Recommended by:

Shannon Larocque, MCIP, RPP
Senior Planner

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

Reviewed and Submitted by:

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

Shannon Larocque

From: circulations@wsp.com
Sent: Thursday, January 27, 2022 5:32 PM
To: Shannon Larocque
Subject: ZBLA (AM-12-2021) and Draft Plan of Subdivision (26T19-03-2021), North of Tanner Dr, Pelham.

2022-01-27

Shannon Larocque

Pelham

, ,

Attention: Shannon Larocque

Re: ZBLA (AM-12-2021) and Draft Plan of Subdivision (26T19-03-2021), North of Tanner Dr, Pelham.; Your File No. AM-12-2021,26T19-03-2021

Our File No. 92453

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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Feb 9, 2022

SHANNON LAROCQUE
TOWN OF PELHAM
20 PELHAM TOWN SQUARE
FONTHILL, ONTARIO, L0S 1E0

Re: Draft Plan of Subdivision - Tanner Extension

Dear Shannon,

This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.

I will specify the conditions which I request to be added for Canada Post Corporation's purposes.

The owner shall complete to the satisfaction of the Director of Engineering of the town of Pelham and Canada Post:

- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
 - ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b) The owner further agrees to:
 - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the development.

- ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
 - iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me.

I appreciate the opportunity to comment on this project.

Regards,

A. Carrigan

Officer, Delivery Planning

(226) 268-5914

Andrew.Carrigan@Canadapost.ca

March 18, 2022

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

Dear Shannon,

Re: Draft Plan of Subdivision, Zoning By-law Amendment
1970097 Ontario inc. & 851858 Ontario Inc.
Pelham Road – Tanner Drive Extension
Town of Pelham
File No.: 26T19-03-2021, AM-12-2021

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.

A handwritten signature in black ink that reads 'Alice Coleman'.

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.

Shannon Larocque

From: Jason Longhurst
Sent: Monday, June 27, 2022 10:23 AM
To: Shannon Larocque
Subject: RE: Tanner Extension Draft Plan of Subdivision

Hi Shannon,

Two comments for this one,

As per our Municipal Engineering Design Manual

- 1- As per 7.1 (f). Cul-de-sacs exceeding 90m in length shall provide an adequate turnaround facility.
- 2- As per 7.4 Single access routes, A development which has only one roadway as a access point and exceeds 90m in length shall have all units in the development sprinklered as per NFPA 13, designs shall meet or exceed this standard and shall be approved by the Chief fire official.

Thank You

Have a great day

Jason



Jason Longhurst

Fire Prevention Officer

Town of Pelham

D: 905-980-6647 | E: jlonghurst@pelham.ca

T: 905-892-2607 x202

177 Highway 20 West | PO Box 323 | Fonthill, ON | L0S 1E0

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From: Shannon Larocque
Sent: June 23, 2022 10:58 AM
To: Jason Longhurst <JLonghurst@pelham.ca>
Subject: Tanner Extension Draft Plan of Subdivision

Hi Jason,

Did Fire have any comments regarding this application? I am just preparing a report for the public meeting and would like to include your comments.

Thanks,
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: SHETTY Dolly <Dolly.Shetty@HydroOne.com> on behalf of LANDUSEPLANNING <LandUsePlanning@HydroOne.com>
Sent: Monday, February 7, 2022 9:48 AM
To: Shannon Larocque
Subject: Pelham - Draft Plan of Subdivision - Tanner Extension - AM-12-2021 and 26T19-03-2021

Hello,

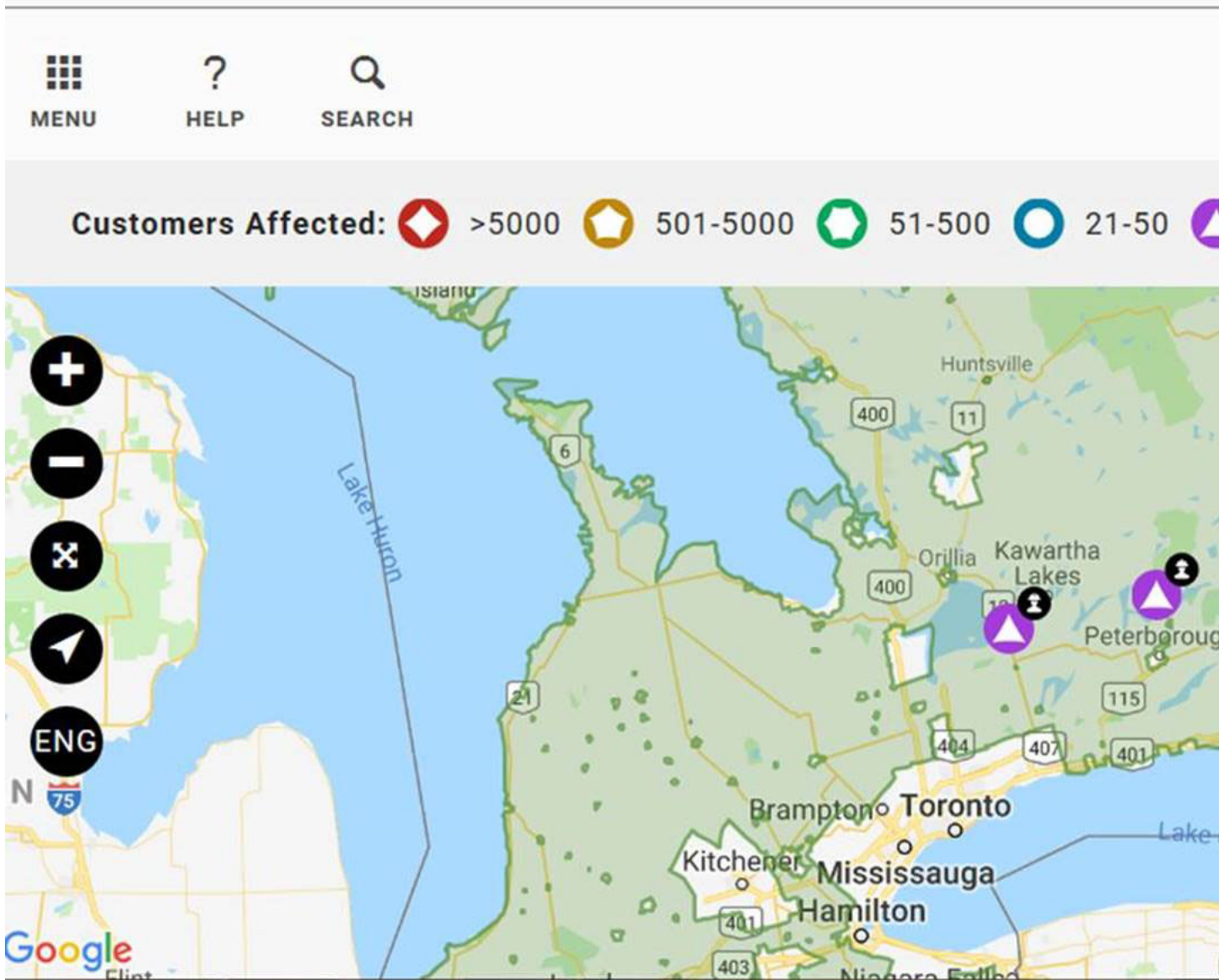
We are in receipt of Application AM-12-2021 & 26T19-03-2021 dated January 26, 2022. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

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: Wednesday, January 26, 2022 3:58 PM

To: info@npei.ca; LANDUSEPLANNING <LandUsePlanning@HydroOne.com>; andrew.carrigan@canadapost.ca; MunicipalPlanning@enbridge.com; circulations@mmm.ca; jim.sorley@npei.com; Newdevelopment@rci.rogers.com

Subject: Request for Comments - Applications for Zoning By-law Amendment & Draft Plan of Subdivision - Tanner Extension

*** 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 the above applications (File nos. AM-12-2021 & 26T19-03-2021).

The application materials are attached.

Your comments would be appreciated by February 16, 2022.

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: Taran Lennard <tlennard@npca.ca>
Sent: Monday, June 13, 2022 10:21 AM
To: Shannon Larocque
Subject: RE: Request for Comment - Applications for Zoning By-law Amendment & Draft Plan of Subdivision - Tanner Extension

Hi Shannon,

I hope you are keeping well.

I have reviewed this file and a Terms of Reference was completed and reviewed by NPCA, as well as a site visit. It was indicated that there were no unevaluated features present on this subject lot, and as such the NPCA is satisfied with the proposal as presented. Our Agency would offer no further comments or concerns with the approval of this application.

Thank you,

Taran Lennard
Watershed Planner

Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2
Tel: 905-788-3135 | extension 277
email: tlennard@npca.ca

[NPCA Watershed Explorer](#)

Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. The NPCA main office is open by appointment only with limited staff, please refer to the [Staff Directory](#) and reach out to the staff member you wish to speak or meet with directly.

Updates regarding NPCA operations and activities can be found at [Get Involved NPCA Portal](#), or on social media at facebook.com/NPCAOntario & twitter.com/NPCA_Ontario.

For more information on Permits, Planning and Forestry please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>

Memo

To: Kenny Ng, 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: 17th February 2022

RE: Draft Plan of Subdivision & Zoning By-Law Amendment – Tanner Extension

The Public Works Department has reviewed the submitted documentation regarding the proposed Draft Plan of Subdivision & Zoning By-Law Amendment for Tanner Extension. Please note the following comments

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.

DRAFT PLAN OF SUBDIVISION (17147-DP)

Town staff have reviewed the submitted Draft Plan of Subdivision, prepared by Upper Canada Consultants (dated Dec 16, 2021) and offer the following comments:

1. Staff request that Street 'A' have a road width of 20 metres like the surrounding streets. Staff request that the developer revise the plans and resubmit to the Town for review and approval.

COST SHARING AGREEMENT

In 2020 the cost sharing agreement between the Town of Pelham and proposed development owner expired. Therefore, the Town of Pelham will not be requiring funds for the existing storm sewer.

Planning and Development Services

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

February 15, 2022

File No.: D.11.06.SD-22-0006
D.18.06.ZA-22-0014

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

Dear Ms. Larocque:

**Re: Regional and Provincial Comments
Zoning By-law Amendment and Draft Plan of Subdivision
Town File Nos.: AM-12-2021 & 26T19-03-2021
Applicant: 1970097 Ontario Inc. & 851858 Ontario Inc.
Agent: Upper Canada Consultants (William Heikoop)
Location: Tanner Drive Extension
Legal Description: Part of Lot 177, Plan 59R-1542, Parts 7 and 8, Registered
Plan 59R-15743 Part 2 (Roll Number: 273203001906205)
Town of Pelham**

Regional Planning and Development Services staff have reviewed the information circulated with the applications for Zoning By-law Amendment and Draft Plan of Subdivision for the above-noted lands.

The Draft Plan of Subdivision, prepared by Upper Canada Consultants (dated December 16, 2021) proposes the creation of 17 lots for single detached dwellings (Lots 1-17), one block (Block 18) for a park, and associated roadways on a 0.9932 hectare property. The Zoning By-law Amendment proposes to rezone the lands from a Residential (R1) zone to a site-specific Residential 2 (R2) zone, with modified provisions pertaining to minimum lot area, lot frontage, front yard, interior side yard, exterior side yard, and rear yard, for the area where single detached dwellings are proposed, and a site-specific Open Space (OS) zone, with a modified provision pertaining to minimum lot area, for the proposed parkland block.

A pre-consultation meeting for this proposal was held on March 18, 2021. The following Provincial and Regional comments are provided to assist the Town in considering these applications.

Provincial and Regional Policies

The subject property is located within a Settlement Area under the Provincial Policy Statement (PPS), designated Delineated Built-Up Area under A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) and designated Urban Area (Built-Up Area) in the Regional Official Plan (ROP).

The PPS and Growth Plan direct growth to Settlement Areas and the Delineated Built-Up Area to efficiently use existing servicing, infrastructure, and public service facilities. An emphasis is placed on intensification and infill to foster the development of complete communities that have a mix of diverse land uses, and a range of housing options for the current and future population.

The ROP permits a full range of residential, commercial and industrial uses within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure, and other policies relative to land use compatibility and environmental conservation. Additional comments on the proposal's conformity to Provincial and Regional policies from an environmental perspective are provided in the subsequent Core Natural Heritage System section. The policies of the ROP promote higher density development in Urban Areas, supporting growth that contributes to the overall goal of providing a sufficient supply of housing that is accessible and suited to the needs of a variety of households and income groups in Niagara. 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 development is considered infill development, and will contribute to the Town's intensification target. The proposal therefore generally conforms to Provincial and Regional growth management policies, by utilizing existing services and providing additional housing in the neighbourhood. Regional staff acknowledge that local compatibility considerations and interface with neighbouring land uses, including built form and height, are local planning matters to be addressed by Town Planning staff and Council.

Core Natural Heritage System

The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of Significant Woodland. As such, consistent with ROP Policy 7.B.1.11, an Environmental Impact Study (EIS) was requested at the pre-consultation to demonstrate that there will be no significant negative impact on the feature or its ecological function as a result of the proposed development.

Regional Environmental Planning staff have reviewed the EIS, prepared by Beacon Environmental Limited (dated November 2021), which concludes that no woodland exists within or directly adjacent to the subject lands and, as such, there are no Regionally-designated natural heritage features present on-site. Regional Environmental Planning staff agree that there are no Regionally-designated natural heritage features present on-site, and thus there will be no on-site impact to the Region's CNHS as a result of the proposed development; however, staff do not have sufficient information to conclude that the wooded areas on the adjacent properties to the east do not contain Regionally-designated natural heritage features. Accordingly, to ensure there will be no adverse impact to these adjacent wooded areas, Regional staff recommend that the installation of erosion and sediment control fencing be required around the perimeter of the subject property for the duration of construction. Additionally, any vegetation removals should only occur outside of breeding bird nesting period and active bat season. Conditions to implement these recommendations are included in the Appendix.

Regional Environmental Planning Staff note that further assessment of the adjacent woodland will be required through any future *Planning Act* applications for the adjacent lands. As the proposed 'Street A' terminates at these adjacent lands, it is recommended that the Town consider any impacts this need for future study may have on the future road network in this location.

Change of Land Use/Site Condition

Section 3.2.2 of the PPS requires that sites with contaminants be assessed and remediated as necessary to ensure that there will be no adverse effects to human health and safety. The subject property was previously severed from the adjacent commercial property to the west (1161 Pelham Street). As conveyed at the pre-consultation meeting, a mandatory filing of a Record of Site Condition (RSC) is required in accordance with O. Reg. 153/04, given the proposed change of use of these lands from commercial to residential.

In this regard, Phase One and Two Environmental Site Assessments (ESA), both prepared by Soil Mat Engineers and Consultants Ltd. (dated October 5, 2021 and November 2, 2021 respectively) were submitted with the applications. The Phase One ESA identified two areas of potential environmental concern on the property as a result of historical pesticide use on the property, as well as underground fuel storage on an adjacent property. Based on the findings of the Phase One ESA, a Phase Two ESA was required to assess the soil and groundwater conditions at the site prior to submitting a RSC. The Phase Two ESA found that soil and groundwater conditions on the site met the Ministry of the Environment, Conservation and Parks' (MECP) Table 2 (Full Depth Generic Site Condition Standards in a Potable Ground Water Condition) Site Conditions Standards, with the exception of elevated levels of Sodium Absorption Ratio, as well as Sodium and Chloride in soil and groundwater samples collected on-site.

In accordance with O. Reg. 153/04, the RSC must be filed prior to change in site use. As of the date of this letter, no RSC had been filed on the Registry. Accordingly, a condition has been included in the Appendix to require the filing of the RSC prior to final approval of the Draft Plan of Subdivision.

Servicing

As a condition of draft plan approval, the Region must review and approve the proposed new and extended sewer services under the MECP Environmental Compliance Approval (ECA) Transfer of Review Program. No construction of infrastructure should commence until the required ECAs are obtained. Conditions to implement these servicing requirements are included in the Appendix.

Stormwater Management

Regional staff have reviewed the submitted Functional Servicing Report prepared by Upper Canada Consultants (dated December 2021). The stormwater management plan identifies that the proposed development will discharge to the existing storm sewer on Tanner Drive. This storm sewer discharges to the Harold Black stormwater management facility, which provides water quality and quantity controls for the storm sewershed. The Report identifies that water quality and quantity controls are not required on-site as the proposed development is within the designated runoff coefficient and drainage catchment of the existing storm pipe.

From a Regional perspective, staff have no objection, in principle, to the proposed stormwater management plan. Town staff should be satisfied that their storm water infrastructure requirements will be adequately addressed.

Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Corporate Policy and Procedure Requirements for Waste Collection. 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 met:

- No limit blue/grey containers;
- No limit green containers; and,
- 2 garbage containers per unit (bi-weekly).

In order for the above-noted services to be provided, the developer shall comply with Niagara Region's Corporate Policy and Procedure Requirements for Waste Collection.

The required forms and the waste collection policy can be found at the following link:
www.niagararegion.ca/waste.

In order to ensure that the site will meet the design requirements for Regional curbside waste collection, prior to final approval of the draft plan of subdivision, plans are required to demonstrate that the development will meet the policy. This will include the submission of Regional truck turning templates for review and approval.

Based on the submitted Draft Plan of Subdivision, temporary cul-de-sacs and easements will be required at the terminus of Tanner Drive and 'Street A' in order for Regional waste collection to be provided prior to build-out of the adjacent lands. These should also be shown on the required plans.

Conditions to address the waste collection requirements are included in the Appendix.

Conclusion

In conclusion, 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 any local requirements, and the conditions included in the Appendix.

Subject to the conditions included in the Appendix, 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.

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

If you have any questions related to the above comments, please contact me at Amy.Shanks@niagararegion.ca, or Aimee Alderman, MCIP, RPP, Senior Development Planner at Aimee.Alderman@niagararegion.ca.

Kind regards,



Amy Shanks
Development Planner

cc: Aimee Alderman, MCIP, RPP, Senior Development Planner, Niagara Region
Susan Dunsmore, P. Eng., Manager of Development Engineering, Niagara Region
Adam Boudens, Senior Environmental Planner Niagara Region

Appendix I
Regional Conditions of Draft Plan of Subdivision Approval
Tanner Drive Extension, Town of Pelham

1. That following completion of any remediation and/or risk assessment work, if required, a Record of Site Condition (RSC) shall be filed on the Ministry of the Environment, Conservation and Parks' Environmental Site Registry in accordance with Environmental Protection Act and associated regulations as amended. Copies of the Environmental Site Assessment and site remediation reports as well as a copy of the Ministry of the Environment, Conservation and Parks' written acknowledgement of the filing of the RSC, together with a certification from a Qualified Professional (QP) that the development lands meet the applicable standard(s) of the intended land uses shall be submitted to Niagara Region. A reliance letter from a QP shall also be submitted to Niagara Region, to indicate that, despite any limitations or qualifications included in the above submitted reports/documents, the Region is authorized to rely on all information and opinions provided in the reports submitted, in order to clear this condition.
2. That an Erosion and Sediment Control (ESC) Plan be prepared for review and approval by Niagara Region. All ESC measures shall be maintained in good condition for the duration of construction until all disturbed surfaces have been stabilized. Muddy water shall not be allowed to leave the site. The ESC plan shall contain a note indicating that storage of equipment and materials and the fueling of equipment is not permitted within 30 metres of the eastern boundary of the subject property.
3. That vegetation removals be undertaken between October 1st and March 14th, outside of both the breeding bird nesting period and active bat season. A survey for active bird nests should be conducted prior to any vegetation removal or site alteration planned to occur during this window.
4. That the owner submit a written undertaking to Niagara Region that draft approval of this subdivision does not include a commitment of servicing allocation by the Regional Municipality of Niagara, as this servicing allocation will be assigned at the time of registration, and any pre-servicing will be at the sole risk and responsibility of the owner.
5. That the owner submit a written undertaking to Niagara Region that all offers and agreements of Purchase and Sale, which may be negotiated prior to registration of this subdivision, shall contain a clause indicating that a servicing allocation for this subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the Town.

6. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings (with calculations) for the sanitary and storm drainage systems required to service this development, and obtain the Ministry of the Environment, Conservation and Parks, Compliance Approval under the Transfer of Review Program.
7. That in order to accommodate Regional waste collection services, the owner is required to submit engineering plans for review and approval.
8. That the owner ensure that all streets and development blocks can provide an access in accordance with the Regional Municipality of Niagara policy and by-laws relating to collection of waste and recycling throughout all phases of development. If developed in phases, where a through street is not maintained, the owner shall provide a revised draft plan to reflect a proposed temporary turnaround/cul-de-sac with a minimum curb radius of 12.8 metres.
9. That the owner shall comply with Niagara Region's Corporate Policy for Waste Collection and complete the Application for Commencement of Collection and required Indemnity Agreement.

Clearance of Conditions

Prior to granting final approval, the Town of Pelham must be in receipt of written confirmation that the requirements of each condition have been met satisfactorily and that all fees have been paid to the satisfaction of Niagara Region.

Subdivision Agreement

Prior to final approval for registration, a copy of the executed Subdivision Agreement for the proposed development should be submitted to Niagara Region for verification that the appropriate clauses have been included. Niagara Region recommends that a copy of the draft agreement be provided in order to allow for the incorporation of any necessary revisions prior to execution.

Note: Clearance requests shall be submitted to the Region in accordance with the Memorandum of Understanding, which stipulates that requests for formal clearance of conditions are to be received and circulated to the Region by the local municipality. The local municipality is also responsible for circulating a copy of the draft agreement, and the Region is unable to provide a final clearance letter until the draft agreement is received. The Region is committed to reviewing submissions related to individual conditions prior to receiving the formal request for clearance; however only one formal clearance letter will be issued. In this regard, studies and reports (one hard copy and a PDF digital copy that is AODA compliant) can be sent directly to the Region with a copy provided to the local municipality.

TANNER EXTENSION

TOWN OF PELHAM

DRAFT PLAN OF SUBDIVISION ZONING BY-LAW AMENDMENT

William Heikoop, MCIP, RPP
Senior Planner
Upper Canada Consultants



**UPPER CANADA
CONSULTANTS**
ENGINEERS / PLANNERS

Subject Lands



Area: 0.99 hectares

Located at the terminus of Tanner Drive

Surrounded by commercial and residential development and vacant residential lands

Official Plan Designation: Urban Living Area

Subject to "Lot 177 Area" OP policies

Zoning: R1(H)



Supporting Studies

Environmental Site Assessment Phase 1 &2

- Results demonstrate no issues with existing soils

Environmental Impact Study

- Evaluated nearby wooded area to North & East.
- No impacts development.

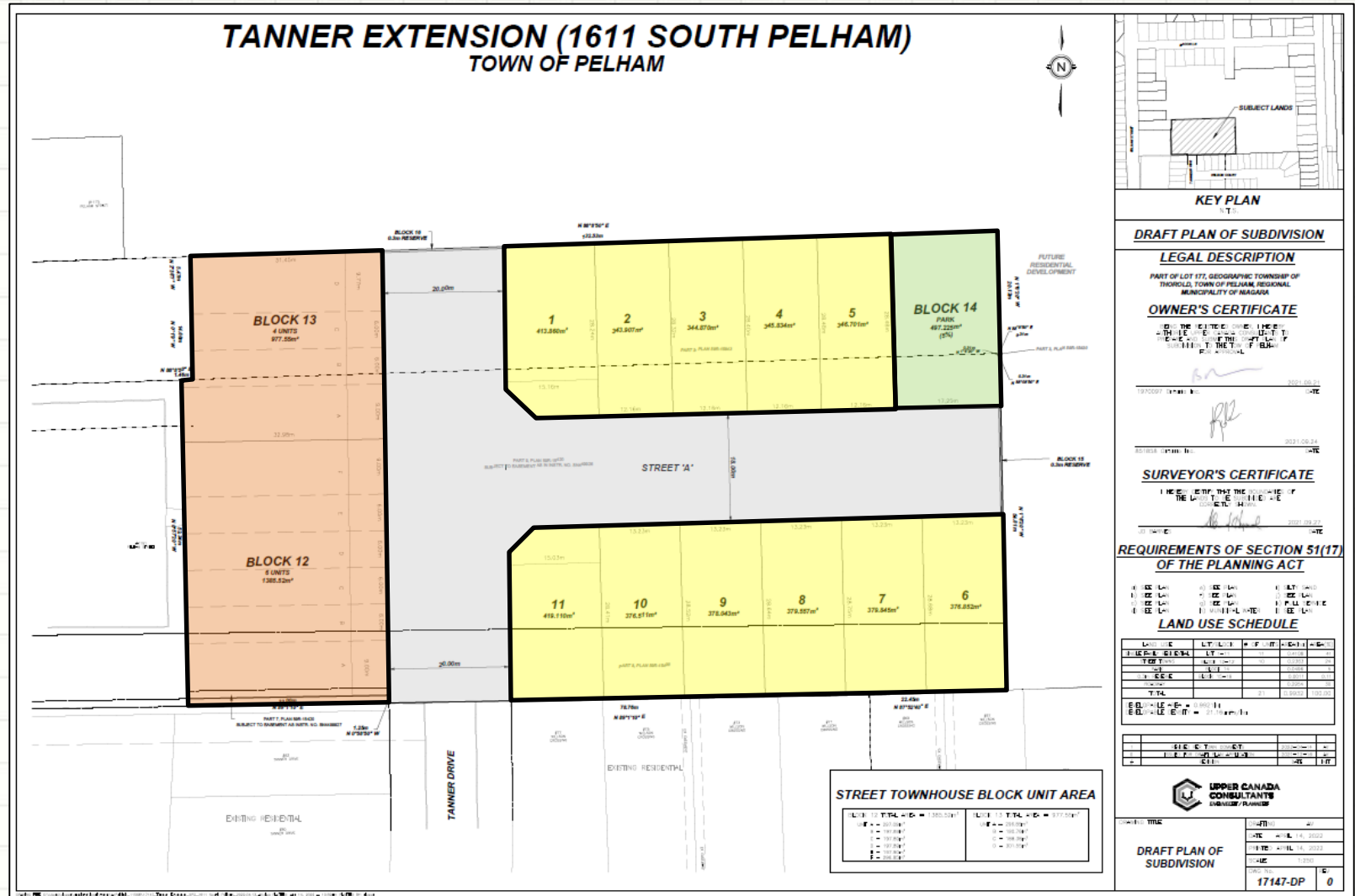
Functional Servicing Study

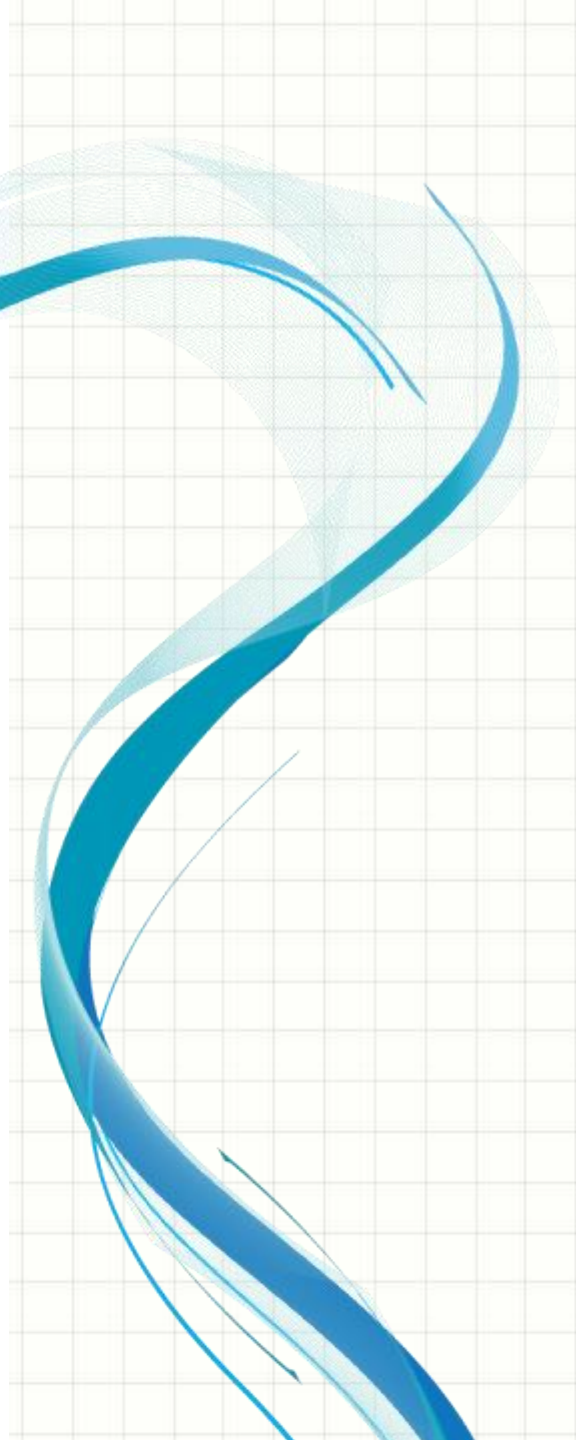
- Integrated with adjacent development in Lot 177.
- Flows and existing infrastructure designed and sized to accommodate.

Planning Justification Report

- Meets Lot 177 policies requiring 50 pjh.

Proposed Development





Thank you & Questions

Shannon Larocque

From: brad gautreau [REDACTED]
Sent: Sunday, March 13, 2022 9:25 PM
To: Barbara Wiens
Cc: Shannon Larocque
Subject: Re: Tanner Extension Draft Plan of Subdivision

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Shannon Larocque;

I am writing in response to the public notice, regarding “Tanner Street expansion” proposal: Draft Plan of Subdivision

As a resident of Willson Crossing, FontHill & Township of Pelham, my comments are both specific & general.

My previous investigations found historical “studies” have been done regarding any future development within the Lot 177, Planning area.

Quite a bit of time, money and thought was put into the proposed options A to E.

Again, my understanding is that planning staff position was to put forward a recommendation to council supporting option “E”. Which was approved by previous council.

The options, on my review, took into consideration future densities, road allowances and a long awaited community park: Within the remainder of lot 177.

My opinion & recognized by staff, the proposed extension of Tanner, 11 Lots etc. does not fit into any of the proposed options A-E.

The proposed development is not consistent with the preferred option for development in this area.

The proposed development **would further stymie the ability to have land allowance for a community park.** Quite simply where would it go & who would pay for it?

In previous conversations with Pelham staff it was my understanding that “any future development within Lot 177, would happen on a land consolidation basis” (understood as best case scenario).

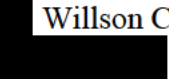
That would enable the implementation of not only the community park, but the required Provincial ”places to grow density recommendations”, within the in-place. Pelham secondary Plan.

I need not get into the importance of a community park. That has been discussed and detailed in the historical background.

Lot 177 development area, needs a community park. Any development impeding that eventual outcome should be avoided.

I can be reached for comments or questions.

Regards Brad & Donna Gautreau

 Willson Crossing, Fonthill

Willson Crossing
Fonthill, ON
L0S 1E4



February 18, 2022.

Planning Services Division
Town of Pelham
20 Pelham Town Square
P. O. Box 400
Fonthill, ON
L0S 1E4

Dear Sirs:

RE: Proposed Subdivision - Tanner Extension

As a resident of Willson Crossing, I am concerned about the above noted proposed subdivision.

This area, bordered by Bacon Lane, Line Avenue, Homestead Avenue/Brayden Way and Pelham Road is serviced by 2 entrances/exits. One is Homestead Avenue leading to Pelham Road. The other is Saddler Rd. leading to Line Avenue. If Tanner is blocked north of Saddler, everyone living to the north of that intersection is preventing from leaving. Blocking can happen in a variety of ways, including emergency vehicles. This proposed subdivision adds 17 new dwellings, and no new access.

Therefore, the subdivision should not be approved until an access to Bacon Lane is established. This could be done by the use of a temporary road, as was approved for the Willson Crossing Subdivision prior to the extension of Tanner Road. This temporary road connected the area to Line Avenue. Or indeed, property for a permanent road could be expropriated. The road between houses on Bacon Lane leading to the property north of the proposed subdivision is already established and has been for years.

The approval of this subdivision should be contingent upon the establishment of another point of ingress/egress.

Yours truly

A handwritten signature in cursive script that reads "Susan Turner".

Susan Turner

Notice of Public Meeting

DATE: July 11, 2022 at 5:30 PM

PLACE: This hearing will be held remotely by Zoom Webinar.

Town Council approved Public Hearings to be held remotely via By-law No. 4422 (2022). The Town of Pelham will be livestreaming this Public Meeting at the following link: <https://www.youtube.com/user/TownOfPelham>

File Numbers: 26T19-01-2022 & AM-02-2022
Park Place West

Subject Lands: East of Station Street, North of Summersides
Boulevard

Public Meeting for a **Draft Plan of Subdivision and Zoning By-law Amendment** in accordance with Sections 51 and 34 of the [Planning Act](#), R.S.O. 1990, as amended.

Applications for Draft Plan of Subdivision and Zoning By-law Amendment were received for property located east of Station Street and north of Summersides Boulevard known legally as Part of Lots 5, 6, 7, 8, 9 and 11, Plan 717 in the Town of Pelham, Regional Municipality of Niagara (see attached plan).

The proposed Zoning By-law Amendment would rezone the lands from the Agricultural (A) zone to site-specific Residential 2 (R2) and Residential Multiple 1 (RM1) zones. The zoning change would permit the use of the lots for single detached dwellings, semi-detached dwellings and street townhouse dwellings as proposed by the draft plan of subdivision subject to special regulations.

The proposed draft plan of subdivision would create 12 lots for single detached dwellings, 8 blocks for 16 semi-detached dwellings, 5 blocks for 18 street townhouse dwellings and 0.4595 hectares for future roadway.

YOUR INPUT IS ENCOURAGED: Please provide input by speaking at the public meeting or by making a written submission to the Town of Pelham. Unless indicated otherwise, personal information and all comments will become part of the public record and may be publicly released. To provide input in writing, or to request personal notice if the proposed draft plan of subdivision and zoning by-law amendment are approved, please send all correspondence by **12:00 PM on Wednesday, June 29, 2022** for inclusion in the public meeting agenda package c/o Town Clerk, Holly Willford, PO Box 400, 20 Pelham Town Square, Fonthill, Ontario L0S 1E0, or by email at hwillford@pelham.ca. Comments and requests received after this date will still be received by Council, however they may not be published as part of the public meeting agenda. Verbal comments will be received remotely at this public hearing using the Zoom platform. To participate remotely, please pre-register with the Clerks office by sending an email to clerks@pelham.ca before **12:00 PM on Friday, July 8, 2022**. All registrants will be provided with instructions on how to use your computer, tablet or phone to participate in the Public Meeting. Registrants will also be notified of Council's decision. If you have not submitted written comments or pre-registered before the aforementioned deadlines, but wish to submit comments during the Public Meeting, you may livestream the meeting from the Town of [Pelham's YouTube channel](#) and email comments to clerks@pelham.ca during the public commenting portion of the subject applications only. If your comments are not received prior to the closing of the public commenting portion of the meeting, they will not be considered.

NEED MORE INFORMATION: For more information, please contact Shannon Larocque, MCIP, RPP, Senior Planner, at 905-980-6661 or 905-892-2607 ext. 319, or email at slarocque@pelham.ca. A copy of the Information Report regarding the proposed application as well as any additional information may be obtained on the Town’s website at <http://calendar.pelham.ca/council> or from the Community Planning and Development Department after 4:30 pm on Wednesday, July 6, 2022.

IMPORTANT INFORMATION:

If a person or public body would otherwise have an ability to appeal the decision of the Town of Pelham’s Municipal Council to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written statements to the Town of Pelham before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Pelham before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

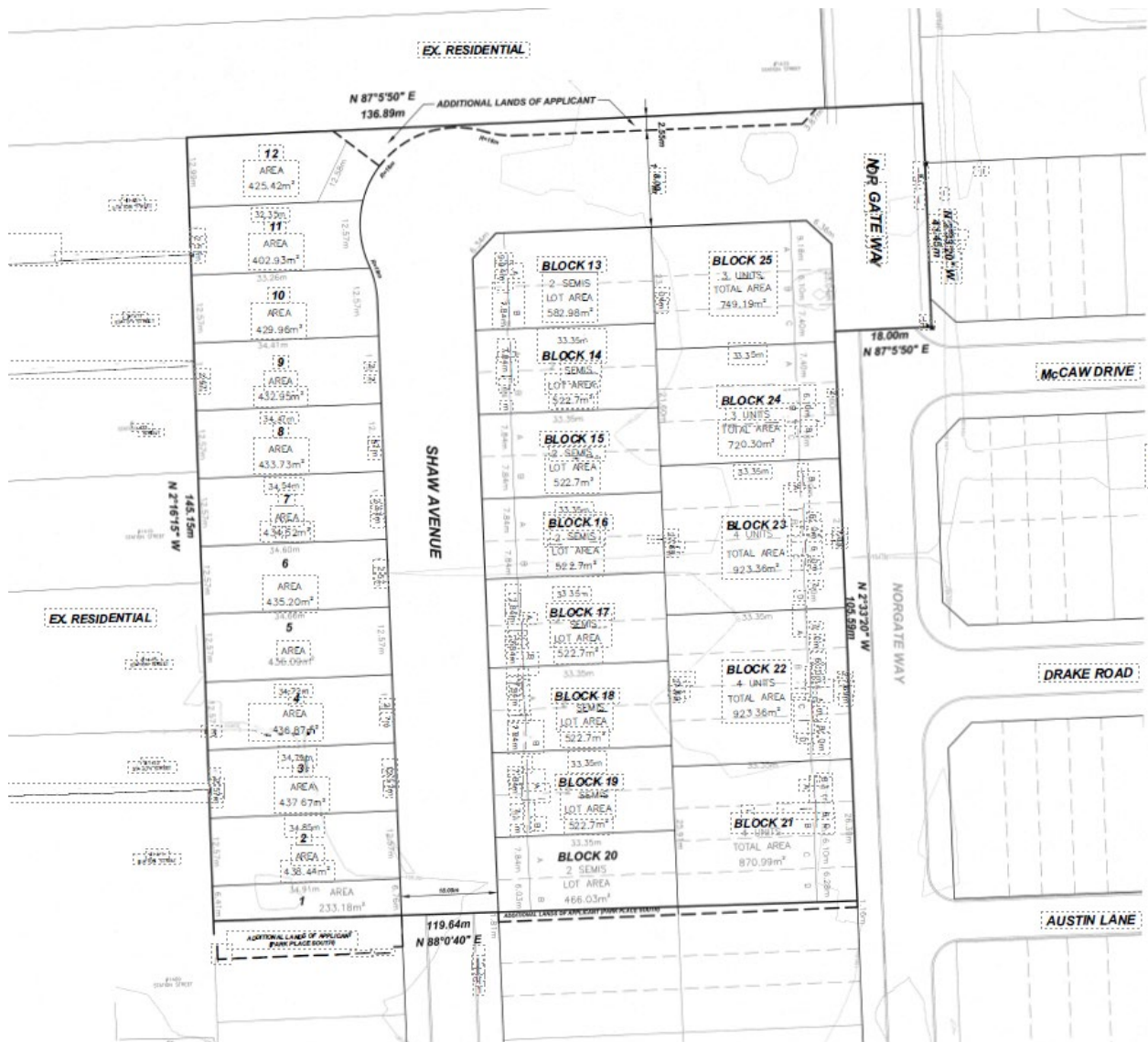
Dated at the Town of Pelham, this 17th day of June, 2022.



Holly Willford
Town Clerk

Date of Mailing: June 17, 2022

PROPOSED DRAFT PLAN OF SUBDIVISION



*Pdf plans available for viewing on the Town of Pelham website at:
www.pelham.ca/news

NOTICE REQUIREMENTS

**Town of Pelham Applications for
Draft Plan of Subdivision and Zoning By-law Amendment
Property east of Station Street and north of Summersides
Boulevard (Park Place West)
File Nos 26T19-01-2022 & AM-02-2022**

Draft Plan of Subdivision and Zoning By-law Amendment to permit the use of the property for 12 lots for single detached dwellings, 8 blocks for 16 semi-detached dwellings, 5 blocks for 18 street townhouse dwellings and 0.4595 hectares for future roadway.

The Planning Act requires under Sections 34 and 51 that Council must hold at least one public meeting for the purpose of informing the public in respect of the proposed applications.

This public meeting has been called to satisfy this requirement. Notice of this meeting was provided by prepaid first class mail to all persons, who are listed as owners in the last revised assessment roll, within 120 metres of the subject property on June 17, 2022. The notice provided information on the property and the proposed draft plan of subdivision and zoning by-law amendments.

In addition to providing information, we will also receive any comments which any member of the public may wish to offer.

If you wish to receive a copy of the Notice of Decision, please contact the Clerk in writing as soon as possible. Contact information is available on the Town's website and will also be displayed on the last slide of the staff Presentation to follow shortly.

If a person or public body would otherwise have an ability to appeal the decision of the Town of Pelham to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Pelham before the by-law is passed, the person public body is not entitled to appeal the decision.

In closing, we stress that at this point no decision has been made on the proposed applications and therefore any comments received will be considered by Council.

Public Meeting for Park Place West

Draft Plan of Subdivision and Zoning By-law Amendment Applications

26T19-01-2022 & AM-02-2022

July 11, 2022

Location & Purpose

Location:

East of Station Street and north of Summersides Boulevard

Purpose:

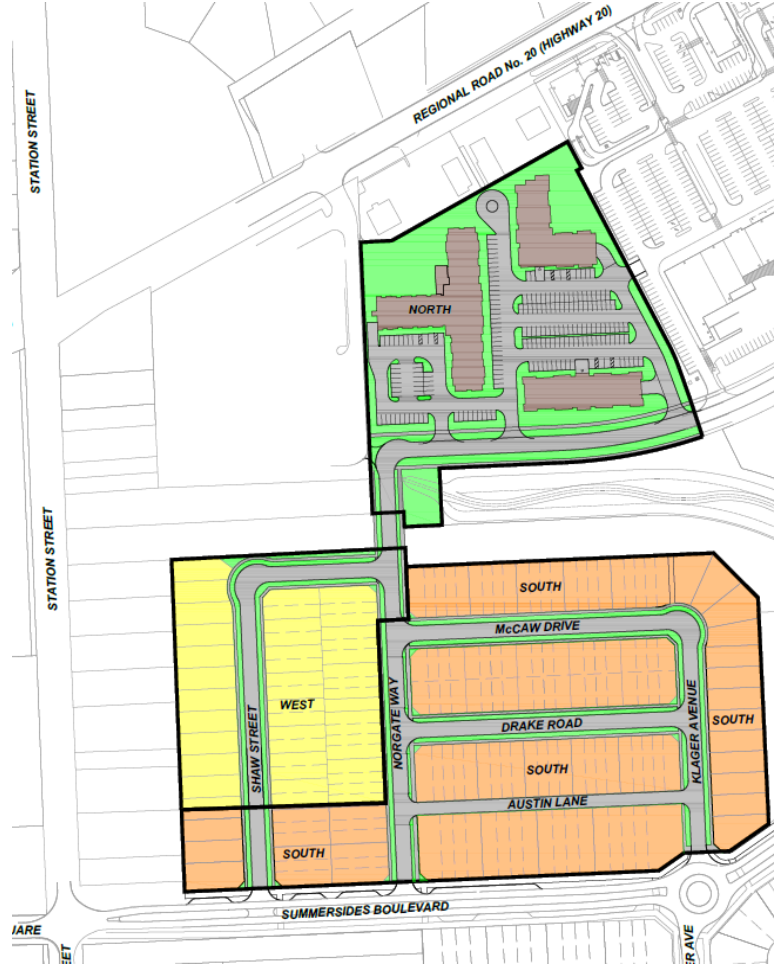
- Create 12 lots for single detached dwellings, 8 blocks for 16 semi-detached dwellings, 5 blocks for 18 street townhouse dwellings and associated future roadway.
- Rezone to site specific Residential 2 (R2) and Residential Multiple 1 (RM1) zones to permit the use of the lots as proposed in the subdivision.



Proposed Draft Plan of Subdivision



Subdivision Context



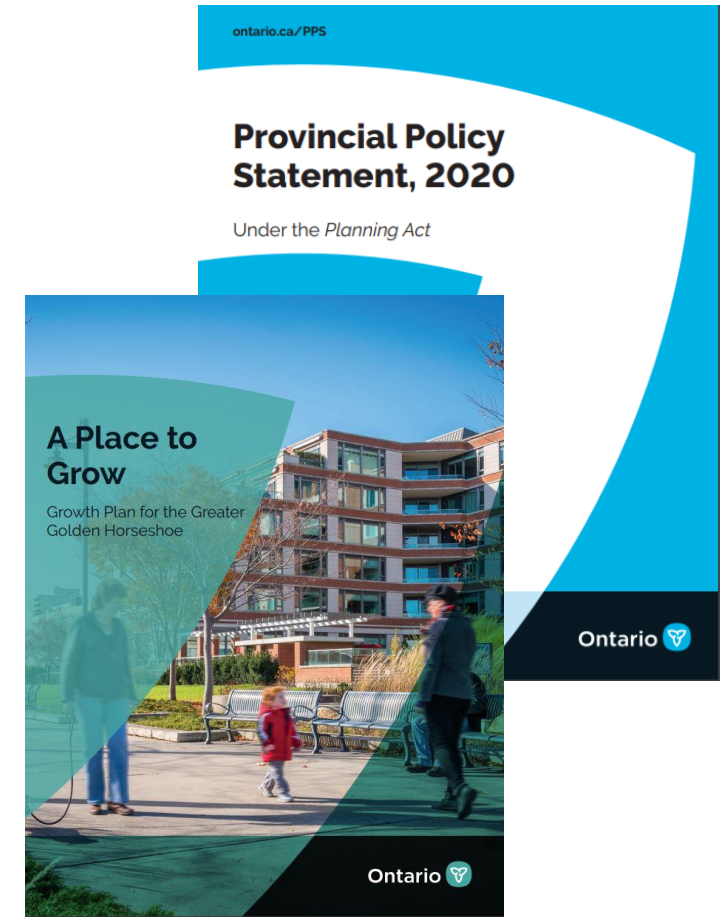
Provincial Policies & Plans

Provincial Policy Statement, 2020

- Settlement Area

Growth Plan for the Greater Golden Horseshoe, 2019

- Delineated Built-up Area

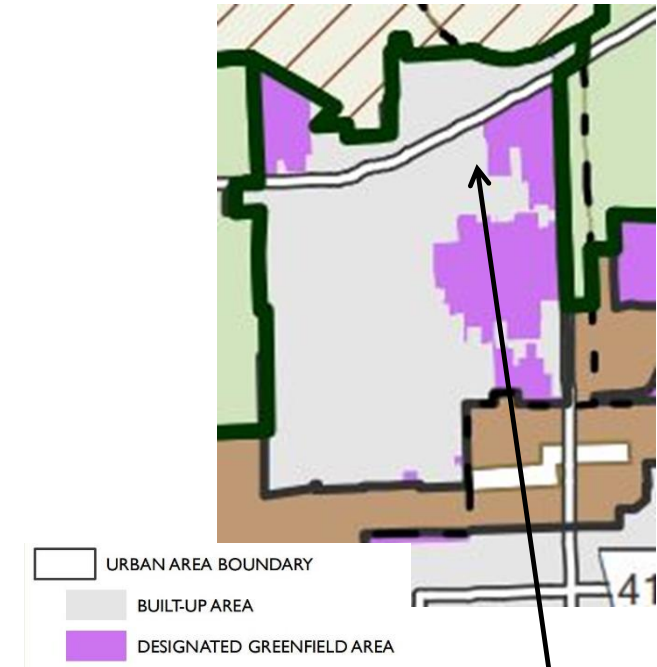


Niagara Region Official Plan

Urban Area

Designated Built-up Area

- Accommodate a range of land uses.
- Focus of residential and employment intensification and redevelopment within the Region over the long term (Policy 4.G.8.1).
- Minimum intensification target of 15% for the total annual development in Pelham.

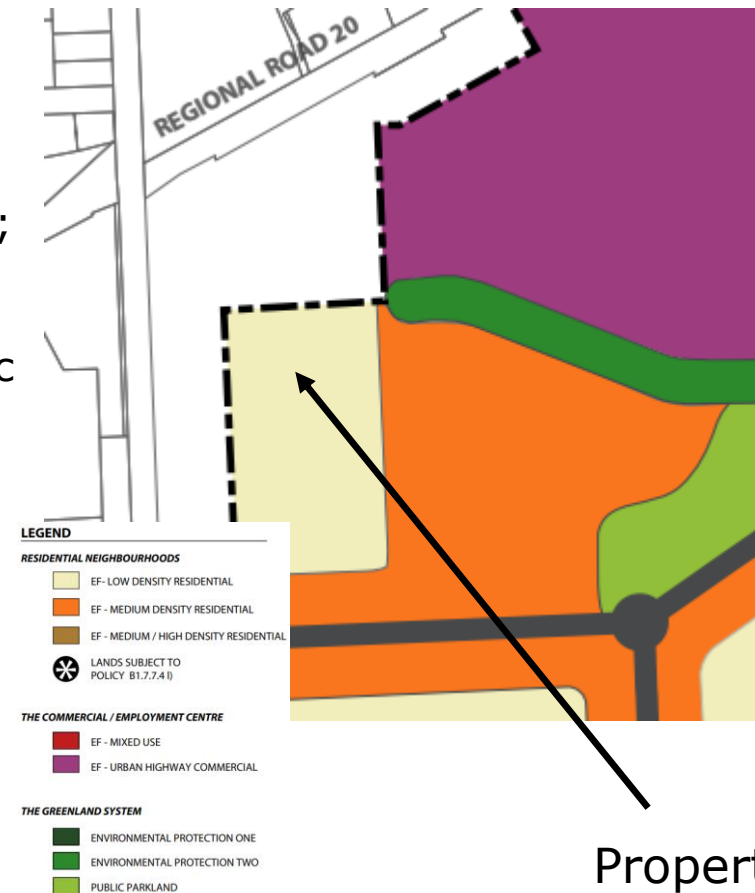


Approximate Location of Property

Town Official Plan

EF – Low Density Residential

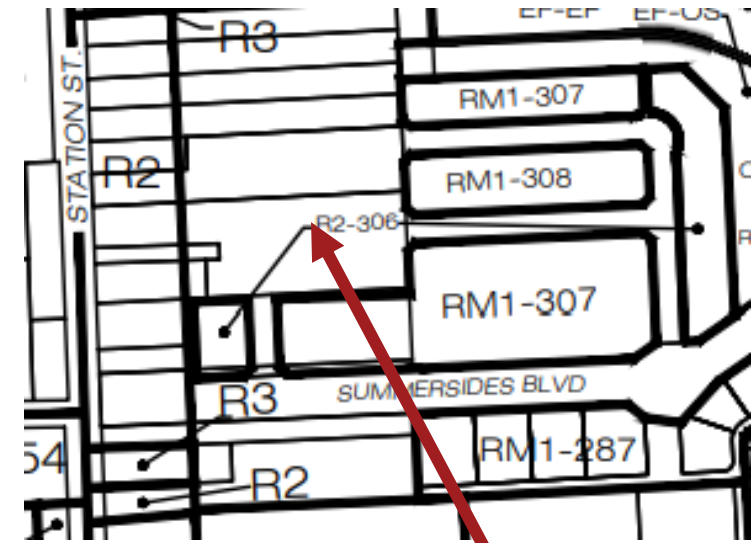
- Permits single detached and semi-detached dwelling units; accessory apartments/secondary suites; accessory buildings and structures related to the primary residential dwelling unit; home occupations; places of worship; day nurseries; convenience retail and service commercial uses; parks, parkettes and open space linkages; and public uses and public and private utilities.
- Policy B.1.7.7.3.1(b) allows townhouses in the EF- Low Density Residential designation provided they are not more than 60% of the total number of dwelling units within any individual plan of subdivision.
- Neighbourhood 1 shall achieve an overall minimum gross density of approximately 57 persons and jobs per gross hectare combined.



Property Location

Zoning By-law 1136 (1987)

- A (Agricultural) zone
- requesting site specific R2 (Residential 2) and RM1 (Residential Multiple 1) to permit single detached dwellings, semi-detached dwellings and street townhouse dwellings.



Property Location

Requested Site Specific R2 Zone

14.2 R2 Zone Requirements	Standard R2 Regulation	Requested Site-Specific R2 Regulation
(a) Minimum Lot Area	360 m ²	No change
(b) Minimum Lot Frontage	12 m; 15 m corner lot	No change
(c) Maximum Lot Coverage	50%	No change
(d) Minimum Front Yard	6.5 metres	4 m to building face; 6 m to garage
(e) Minimum Interior Side Yard	1.5 m on one side and 3 m on the other side where no attached carport or garage; 1.5 m with an attached carport or garage	1.2 m
(f) Minimum Exterior Side Yard	Greater of 5 m from the side lot line or 15 m from the centre line of the road	No change
(g) Minimum Rear Yard	7.5 metres	6.0 metres
(h) Maximum Height for a Dwelling	10.5 metres	No change
(i) Minimum Ground Floor Area	(i) one storey 93 m ² ; (ii) two storeys 55 m ²	(i) one storey 88m ² ; (ii) two storey no change

Requested Site Specific RM1 Zone

16.2 RM1 Zone Requirements for Semi-detached Dwellings	Standard RM1 Zone Regulations	Requested RM1 Zone Regulations
(a) Minimum Lot Frontage	19 m	7.8 m
(b) Minimum Lot Area	156 m ² per dwelling unit	No change
(c) Maximum Lot Coverage	Deleted	No change
(d) Minimum Front Yard	7.7 m	3 m to building face; 6 m to garage
(e) Minimum Interior Side Yard	Greater of one-half of the building height or 3 m	1.2 m
(f) Minimum Exterior Side Yard	Greater of one-half of the building height or 5.5 m	3 m
(g) Minimum Rear Yard	7.7 m	6.0 m
(h) Maximum Building Height	10.5 m	No change
(i) Minimum Floor Area	55m ²	No change

Requested Site Specific RM1 Zone

16.3 Zone Requirements for Street Townhouses	Standard RM1 Requirement	Requested RM1 Requirement
(a) Minimum Lot Frontage	6 m per dwelling unit; 9 m interior lot containing a dwelling attached on one side only	6 m per dwelling unit; 7.5 m interior lot attached on one side only
(b) Minimum Corner Lot Frontage	14 m	7.5 m
(c) Minimum Lot Area	230 m ² per dwelling unit	170 m ² per dwelling unit
(d) Minimum Front Yard	7.5 m	3 m to building face; 6 m to garage
(e) Minimum Exterior Side Yard	7.5 m	3 m
(f) Minimum Interior Side Yard	3 m	1.2 m or 0 m to common wall
(g) Minimum Rear Yard	7.5 m	6 m
(h) Maximum Building Height	10.5 m	No change
(i) Minimum Ground Floor Area	one storey 88 m ² ; two storeys 50 m ²	No change
(j) Planting Strips	1.5 metres where abutting R1 or R2 zone	Delete

Requested Site Specific General Provisions

6.0 General Provisions	Standard General Provisions	Requested General Provisions
6.27 Daylighting Triangle	On a corner lot within the Daylighting Triangle, no sign, fence, landscaping, building or structure shall be greater than 0.5 m in height above the elevation of the ground at the street line, regardless of whether or not any such landscaping materials form part of a required planting strip.	A building or structure shall be permitted within the daylighting triangle subject to meeting the minimum exterior side and front yard regulations.
6.35 Yard Encroachments Permitted (c) Unenclosed Porches, Balconies, Steps & Patios	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 0.6m above grade.	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 4.5 m of the rear lot line provided that, such uses are not more than 2.0 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.

Comments

Agency

Public

Niagara Region Planning & Development Services

No objection to the proposed Zoning By-law Amendment and Draft Plan of Subdivision from a Provincial and Regional perspective, subject to any local requirements, and the conditions included in the Appendix.

Enbridge Gas

Requests standard conditions of approval.

Canada Post

No conditions or concerns.

Public Works

Technical comments to be included as conditions of draft plan approval and detailed engineering design.

Technical Reports

- Planning Justification Report prepared by Upper Canada Engineers/Planners dated March 2022
- Stage 1-2 Archaeological Assessment for Rear Lands of 1409, 1415, 1419 & 1423 Station Street prepared by Detritus Consulting Ltd. dated September 2018
- Stage 1-2 Archaeological Assessment for part of 1411, 1413, 1415, 1419, 1423, 1427, 1431, 1433 & 1435 Station Street prepared by Detritus Consulting Ltd. dated January 2021
- Stage 3 Archaeological Assessment & Supplementary Documentation for 1409 Station Street prepared by Detritus Consulting Ltd. dated April 2021
- Environmental Noise Feasibility Study prepared by Valcoustics Canada Limited dated February 2022
- Functional Servicing Report prepared by Upper Canada Engineers/Planners dated May 2022

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

Conclusion

No decisions or recommendations concerning these applications have been or will be made at this meeting.

Following review of comments received, a recommendation report will be prepared for Council's decision at a later date.

Please ensure you provide your contact information as soon as possible if you wish to receive future notices.

Questions & Comments

Shannon Larocque, Senior Planner

905-892-2607 x319

slarocque@pelham.ca

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

July 11, 2022

**Subject: Information Report – Applications for Draft Plan of Subdivision
& Zoning By-law Amendment – Park Place West****Recommendation:**

THAT Committee receive Report #2022-151 for information as it pertains to File Nos. 26T19-01-2022 & AM-02-2022 regarding Park Place West;

AND THAT Committee direct Planning staff to prepare the Recommendation Report on this topic for Council's consideration.

Executive Summary:

The purpose of this report is to provide the Council and the public with an opportunity to receive information regarding the applications for draft plan of subdivision (Park Place West) and Zoning By-law amendment.

The proposed Zoning By-law Amendment would rezone the lands from the Agricultural (A) zone to site-specific Residential 2 (R2) and Residential Multiple 1 (RM1) zones. The zoning change would permit the use of the lots for single detached dwellings, semi-detached dwellings and street townhouse dwellings as proposed by the draft plan of subdivision subject to special regulations.

The proposed draft plan of subdivision would create 12 lots for single detached dwellings, 8 blocks for 16 semi-detached dwellings, 5 blocks for 18 street townhouse dwellings and 0.4595 hectares for future roadway.

Location:

The property is located east of Station Street and north of Summersides Boulevard known legally as Part of Lots 5, 6, 7, 8, 9 and 11, Plan 717 in the Town of Pelham, Regional Municipality of Niagara (Figure 1). The surrounding land uses include an existing residential use to the north fronting Station Street and a commercial plaza, future residential development to the south and east (Park Place South) and existing residential uses along Station Street to the west.

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Figure1: Property Location



Project Description and Purpose:

The property is 1.8168 hectares in size. The property is land that was consolidated through acquisitions of the rear yards of the existing residential uses fronting Station Street through the consent process over a number of years.

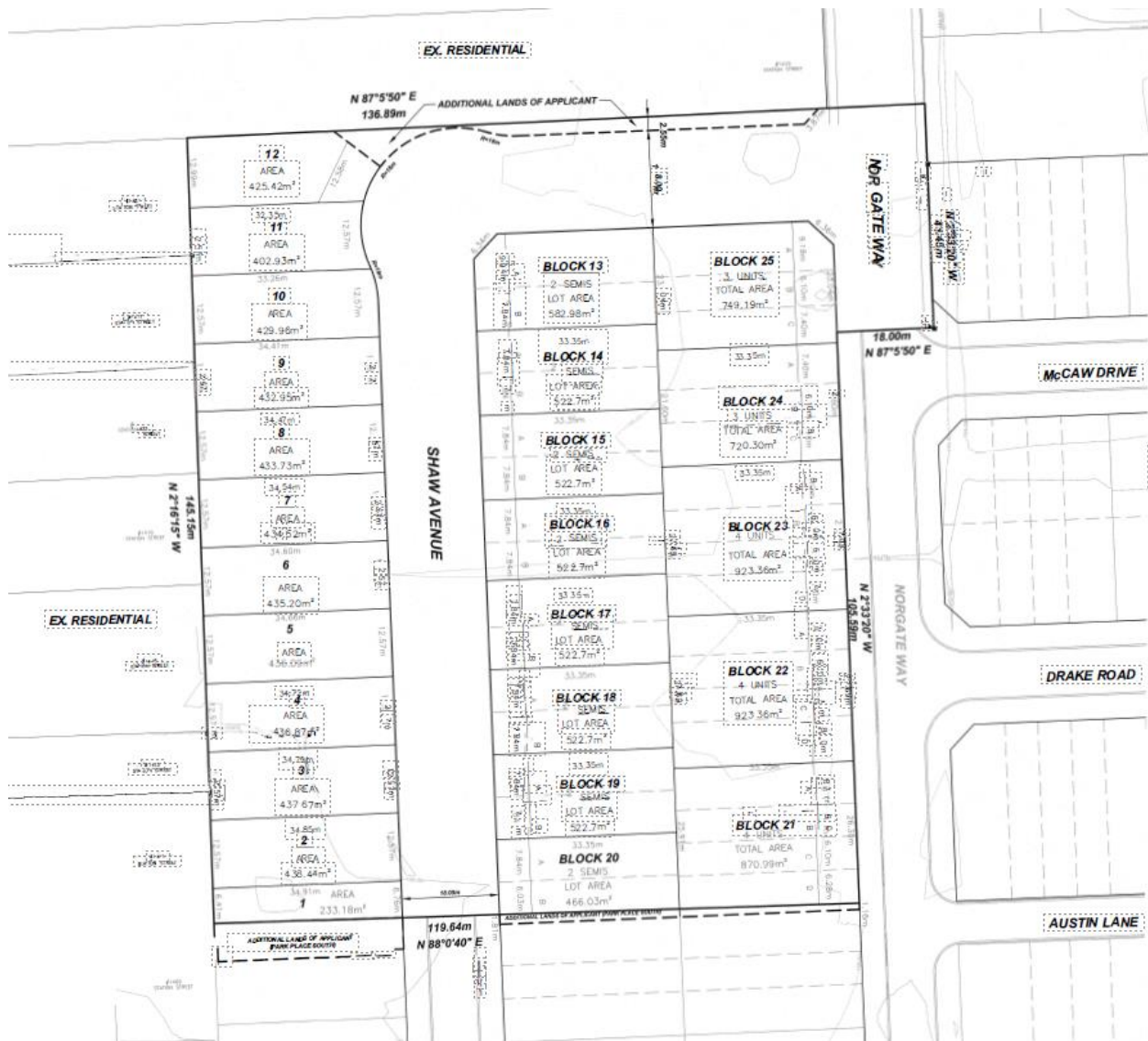
The draft plan of subdivision proposes 12 lots for single detached dwellings, 8 blocks for 16 semi-detached dwellings, 5 blocks for 18 street townhouse dwellings and 0.4595 hectares for future roadway (Figure 2). The proposed road (Shaw

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Avenue) will connect with the street network in the conditionally approved Park Place South and Park Place West draft plans of subdivision (Figure 3).

Figure 2: Draft Plan of Subdivision

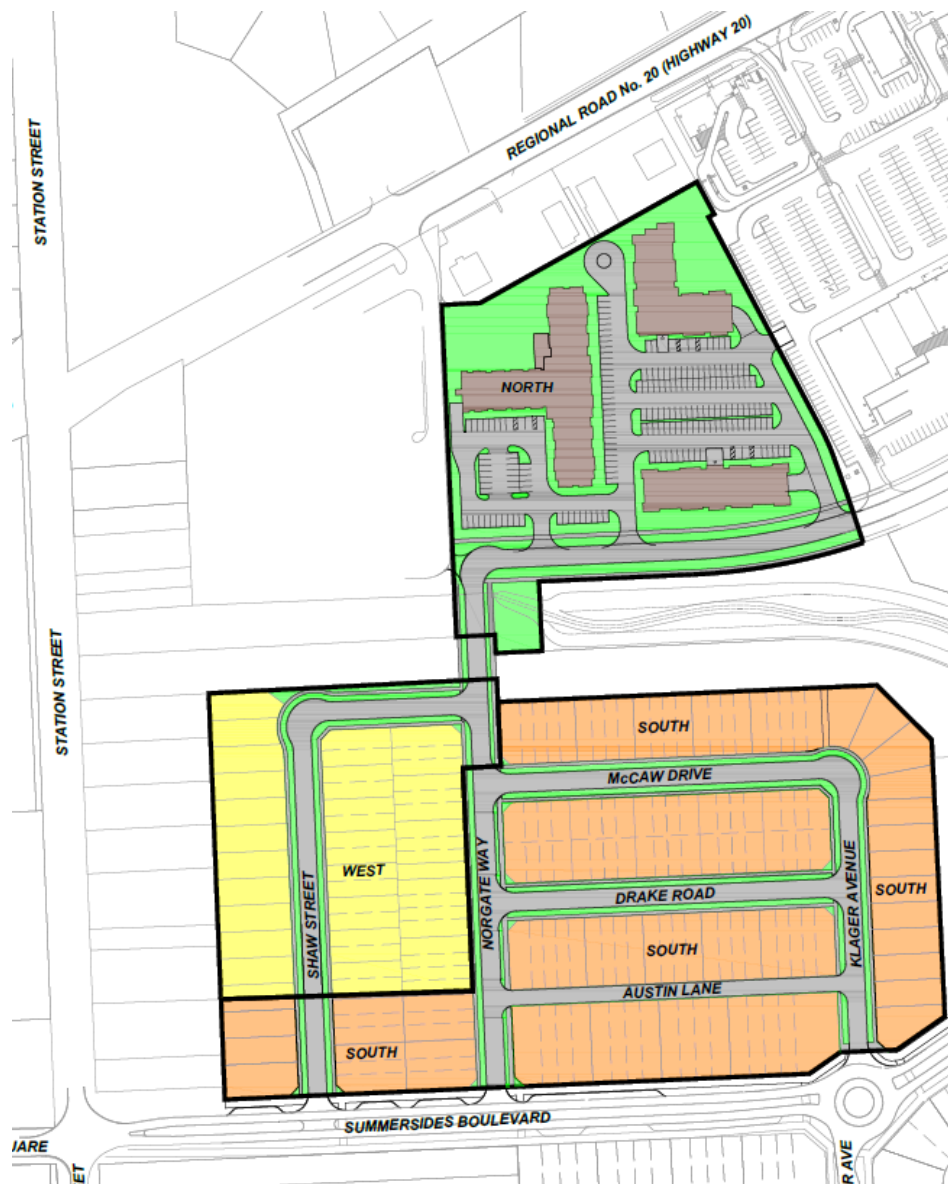


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For context, Figure 3 illustrates the location and layout of Park Place South, West and North Subdivisions and how they connect with one another and the adjacent road network in the East Fonthill neighbourhood, i.e. Summersides Boulevard and Meridian Way.

Figure 3: Park Place South, West and North Subdivisions



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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”.

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

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;
- 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;

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- 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.

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 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.

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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.

Growth Plan for the Greater Golden Horseshoe, 2019

The subject parcel is identified as being within a Delineated Built-up 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 2.2.2.1(a) requires a minimum of 50 percent of all new residential development to occur within the delineated built-up area.

Policy 2.2.2.3(b) encourages intensification generally throughout the built-up area and investment in services that will support intensification.

Regional Official Plan, consolidated August 2015

The subject land is located within the Urban Area Boundary of the Town of Pelham and is designated Built-up Area in the Regional Official Plan. It is an objective of the Regional Official Plan that intensification be directed to built-up areas and the Plan establishes a minimum intensification target of 15% for the total annual development in Pelham.

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Built-up Areas will be the focus of residential and employment intensification and redevelopment within the Region over the long term (Policy 4.G.8.1).

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.

Town of Pelham Official Plan, 2014

The subject parcels are located within the East Fonthill Secondary Plan Area and designated EF- Low Density Residential in the Town's Official Plan, 2014.

Permitted uses in the EF- Low Density Residential designation are single detached and semi-detached dwelling units; accessory apartments/secondary suites; accessory buildings and structures related to the primary residential dwelling unit; home occupations; places of worship; day nurseries; convenience retail and service commercial uses; parks, parkettes and open space linkages; and public uses and public and private utilities. Policy B.1.7.7.3.1(b) allows townhouses in the EF- Low Density Residential designation provided they are not more than 60% of the total number of dwelling units within any individual plan of subdivision.

Policies B1.7.7.3.2(a), (b), (c) and (d) indicates that single-detached units should be developed at a density of 10 units per net hectare up to 30 units per net hectare; b) semi-detached units shall range from a minimum of 20 units per net hectare, up to 40 units per net hectare; and permitted street townhouse dwellings

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shall be developed at densities ranging from a minimum of 20 units per net hectare up to 50 units per net hectare; the maximum building height for any building within the EF-Low Density Residential designation shall be 3 storeys, or 10.5 metres, whichever is less;

The lands form part of Neighbourhood 1 on Schedule A4 'Structure Plan' and considered to be within the 'Built Boundary'. According to Policy B1.7.7.2 b)(i), Neighbourhood 1 shall achieve an overall minimum gross density of approximately 57 persons and jobs per gross hectare combined.

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.

The zoning by-law amendment application seeks approval to amend the zoning from the Agricultural (A) zone to site-specific Residential 2 (R2) and Residential Multiple 1 (RM1) zones. The zoning change would permit the use of the lots for single detached dwellings, semi-detached dwellings and street townhouse dwellings as proposed by the draft plan of subdivision subject to special regulations. The site-specific zoning regulations are provided in Tables 1, 2, 3 and 4.

Table 1: Site-Specific R2 Zone Regulations

14.2 R2 Zone Requirements	Standard R2 Regulation	Requested Site-Specific R2 Regulation
(a) Minimum Lot Area	360 m ²	No change
(b) Minimum Lot Frontage	12 m; 15 m corner lot	No change
(c) Maximum Lot Coverage	50%	No change
(d) Minimum Front Yard	6.5 metres	4 m to building face; 6 m to garage

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14.2 R2 Zone Requirements	Standard R2 Regulation	Requested Site-Specific R2 Regulation
(e) Minimum Interior Side Yard	1.5 m on one side and 3 m on the other side where no attached carport or garage; 1.5 m with an attached carport or garage	1.2 m
(f) Minimum Exterior Side Yard	Greater of 5 m from the side lot line or 15 m from the centre line of the road	No change
(g) Minimum Rear Yard	7.5 metres	6.0 metres
(h) Maximum Height for a Dwelling	10.5 metres	No change
(i) Minimum Ground Floor Area	(i) one storey 93 m ² ; (ii) two storeys 55 m ²	(i) one storey 88m ² ; (ii) two storey no change

Table 2: Requested RM1 Zone Regulations for Semi-Detached Dwellings

16.2 RM1 Zone Requirements for Semi-detached Dwellings	Standard RM1 Zone Regulations	Requested RM1 Zone Regulations
(a) Minimum Lot Frontage	19 m	7.8 m
(b) Minimum Lot Area	156 m ² per dwelling unit	No change
(c) Maximum Lot Coverage	Deleted	No change
(d) Minimum Front Yard	7.7 m	3 m to building face; 6 m to garage
(e) Minimum Interior Side Yard	Greater of one-half of the building height or 3 m	1.2 m
(f) Minimum Exterior Side Yard	Greater of one-half of the building height or 5.5 m	3 m
(g) Minimum Rear Yard	7.7 m	6.0 m
(h) Maximum Building Height	10.5 m	No change
(i) Minimum Floor Area	55m ²	No change

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Table 3: Requested RM1 Zone Regulations for Street Townhouse Dwellings

16.3 Zone Requirements for Street Townhouses	Standard RM1 Requirement	Requested RM1 Requirement
(a) Minimum Lot Frontage	6 m per dwelling unit; 9 m interior lot containing a dwelling attached on one side only	6 m per dwelling unit; 7.5 m interior lot attached on one side only
(b) Minimum Corner Lot Frontage	14 m	7.5 m
(c) Minimum Lot Area	230 m ² per dwelling unit	170 m ² per dwelling unit
(d) Minimum Front Yard	7.5 m	3 m to building face; 6 m to garage
(e) Minimum Exterior Side Yard	7.5 m	3 m
(f) Minimum Interior Side Yard	3 m	1.2 m or 0 m to common wall
(g) Minimum Rear Yard	7.5 m	6 m
(h) Maximum Building Height	10.5 m	No change
(i) Minimum Ground Floor Area	one storey 88 m ² ; two storeys 50 m ²	No change
(j) Planting Strips	1.5 metres where abutting R1 or R2 zone	Delete

Council may note that Lot 1 and Block 20 are undersized with respect to the zone regulations, however the intention is that Lots 1 and Block 20 will be merged with other lands owned by the applicant in the Park Place South subdivision to meet the zone requirements. This will be ensured through a future condition of draft plan approval.

Table 4: Requested Changes to General Provisions for Site-Specific R2 and RM1 zones

6.0 General Provisions	Standard General Provisions	Requested General Provisions
6.27 Daylighting Triangle	On a corner lot within the Daylighting Triangle, no	A building or structure shall be permitted within

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6.0 General Provisions	Standard General Provisions	Requested General Provisions
	sign, fence, landscaping, building or structure shall be greater than 0.5 m in height above the elevation of the ground at the street line, regardless of whether or not any such landscaping materials form part of a required planting strip.	the daylighting triangle subject to meeting the minimum exterior side and front yard regulations.
6.35 Yard Encroachments Permitted (c) Unenclosed Porches, Balconies, Steps & Patios	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 0.6m above grade.	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 4.5 m of the rear lot line provided that, such uses are not more than 2.0 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.

Submitted Reports:

Planning Justification Report prepared by Upper Canada Engineers/Planners dated March 2022

Stage 1-2 Archaeological Assessment for Rear Lands of 1409, 1415, 1419 & 1423 Station Street prepared by Detritus Consulting Ltd. dated September 2018

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Stage 1-2 Archaeological Assessment for part of 1411, 1413, 1415, 1419, 1423, 1427, 1431, 1433 & 1435 Station Street prepared by Detritus Consulting Ltd. dated January 2021

Stage 3 Archaeological Assessment & Supplementary Documentation for 1409 Station Street prepared by Detritus Consulting Ltd. dated April 2021

Environmental Noise Feasibility Study prepared by Valcoustics Canada Limited dated February 2022

Functional Servicing Report prepared by Upper Canada Engineers/Planners dated May 2022

Copies of the reports are available by contacting the Planning Division.

Agency Comments:

The applications were circulated to commenting agencies and Town Departments. The following comments have been received:

Niagara Region Planning & Development Services

No objection to the proposed Zoning By-law Amendment and Draft Plan of Subdivision from a Provincial and Regional perspective, subject to any local requirements, and the conditions included in the Appendix.

Enbridge Gas Requests standard conditions of approval.

Canada Post No conditions or concerns.

Public Works Technical comments to be included as conditions of draft plan approval and detailed engineering design.

Public Comments:

On June 17, 2022 a public meeting notice was circulated to all property owners within 120 metres of the property's boundaries. In addition, a public notice sign was posted facing Summersides Boulevard. No comments have been received at the time of writing of this report.



Community Planning & Development Department Planning Application Report

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Staff Comments:

The purpose of this report is to provide the Council and the public with information regarding the applications, applicable policies, and comments received. The purpose of the public meeting is to receive feedback and input from the public and for the applicant to respond to inquiries. Committee may also provide recommendations for proposed changes to or conditions of approval for the draft plan of subdivision based on the public, agency or staff input and consistency with approved plans. A future report with recommendations and proposed draft plan of subdivision conditions will be presented to Council for decision once all feedback is received.

Alternatives:

There are no alternatives as Council is statutorily obligated to host a public meeting and make a decision on the applications.

Attachments:

Appendix A Agency Comments

Prepared and Recommended by:

Shannon Larocque, MCIP, RPP
Senior Planner

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

Reviewed and Submitted by:

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



Enbridge Gas Inc.
500 Consumers Road
North York, Ontario M2J 1P8
Canada

April 12, 2022

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

Dear Shannon,

Re: Draft Plan of Subdivision, Zoning By-law Amendment
Mountainview Homes (Niagara) Ltd.
Park Place West
Part of Lots 5, 6, 7, 8, 9 and 11, Plan No. 717
Town of Pelham
File No.: 26T19-01-2022, AM-02-2022

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,

A handwritten signature in blue ink that reads 'Casey O'Neil'.

Casey O'Neil
Sr Analyst Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-5180
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

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; Haneen Al Jbawi, Engineering Technologist; Gimuel Ledesma, Engineering Technologist;

From: Taylor Boyle, Engineering Technologist

Date: 11th April 2022

RE: Draft Plan of Subdivision – Park Place West

Town of Pelham Public Works Staff have reviewed the above noted application, and supporting documentation, to address the technical concerns regarding the proposed draft plan of subdivision for Park Place West.

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.

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

- Functional Servicing Report – Park Place West Subdivision, prepared by Upper Canada Consultants, dated February 2022;
- Draft Plan of Subdivision (1890-DP), prepared by Upper Canada Consultants, dated March 3, 2022;
- Concept Plan Option 2 (2096-CP2), prepared by Upper Canada Consultants, dated October 26, 2021; and
- Overall Storm Drainage Area Plan (1890-OVL-STM), prepared by Upper Canada Consultants, dated February 18, 2022;

FUNCTIONAL SERVICING REPORT

Stormwater Management Plan

1. The maximum allowable ponding elevation from the overland flow routes during the 100-year storm event is 0.2 meters as per the Town of Pelham Design Standards. Relief should be provided in low points to prevent ponding at the centre line.

Overall Storm Drainage Area Plan

2. Town staff requests clarification on why location A2 – Shaw Avenue is proposing a 450mm dia. Storm sewer, and B6 – Shaw Avenue is proposing a 450mm dia. Storm sewer, but location B4 – Shaw Avenue is proposing a 375mm dia. Storm sewer at 79.8 capacity.
3. As per Town of Pelham Engineering Design Standards Section 3.6.5, Town staff require that additional rear yard catch basins be installed to ensure that the maximum drainage area per catch basin is no more than four single family lots.

Please note that the Town does not permit Rear Yard Catch Basins to drain to other Rear Yard Catch Basins. Please design accordingly.

4. The developer should be made aware that there is a payment required for storm sewer oversizing in East Fontheil as part of the cost-sharing agreement storm sewer oversizing completed by the Town. The cost of the oversizing fee to be forthcoming.

Planning and Development Services

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

April 13, 2022

File No.: D.18.06.ZA-22-0031
D.11.06.SD-22-0015

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

Dear Ms. Larocque:

**Re: Regional and Provincial Comments
Zoning By-law Amendment and Draft Plan of Subdivision
Park Place West
Town File Nos.: 26T19-01-2022 & AM-02-2022
Applicant: Mountainview Homes (Niagara) Ltd.
Agent: Upper Canada Consultants (Matt Kernahan)
Legal Description: Part of Lots 5, 6, 7, 8, 9, and 11, Registered Plan 717
Town of Pelham**

Regional Planning and Development Services staff have reviewed the information circulated with the applications for a Zoning By-law Amendment and Draft Plan of Subdivision for above-noted lands, identified as Park Place West, in the Town of Pelham.

The Draft Plan of Subdivision, prepared by Upper Canada Consultants (dated March 3, 2022, and certified by J.D. Barnes Limited on March 3, 2022) proposes the creation of 12 lots for single-detached dwellings (Lots 1-12), 8 blocks (Blocks 13-20) for 16 semi-detached dwellings, 5 blocks (Blocks 21-25) for 18 street townhouse dwellings, and a right of way on a 1.82 hectare property.

The Zoning By-law Amendment proposes to rezone the subject lands from the current Agricultural (A) zone to a site-specific Residential 2 (R2) zone for the single-detached dwellings, and a site-specific Residential Multiple 1 (RM1) zone for the semi-detached and street townhouse dwellings.

A pre-consultation meeting for this proposal was held on October 21, 2021. The following Provincial and Regional comments are provided to assist the Town in considering this application.

Provincial and Regional Policies

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

The PPS and Growth Plan direct growth to Settlement Areas and the Delineated Built-Up Area to efficiently use existing servicing, infrastructure, and public service facilities. An emphasis is placed on intensification and infill to foster the development of complete communities that have a mix of diverse land uses, and a range of housing options for the current and future population. The ROP permits a full range of residential, commercial and industrial uses generally within the Urban Area, subject to the availability of adequate municipal services and infrastructure, and other policies relative to urban design, compatibility and environmental conservation. The policies of the ROP promote higher density development in Urban Areas, supporting growth that contributes to the overall goal of providing a sufficient supply of housing that is accessible and suited to the needs of a variety of households and income groups in Niagara.

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 development is considered infill development, and will contribute to the Town's intensification target, and therefore aligns with Provincial and Regional growth management policies by utilizing existing services and providing additional housing in the neighbourhood.

Regional staff note that the Town's East Fonthill Secondary Plan provides detailed policies for the comprehensive development of this area. The ROP encourages local municipalities to use secondary plans to establish a blueprint for good long term community development, and to ensure a commitment to growth management and phasing of development. Accordingly, the Town should be satisfied that the proposed development aligns with the general intent and long term vision outlined in the secondary plan. Regional staff acknowledge that local compatibility considerations and interface with neighbouring land uses, including built form and height, are local planning matters to be addressed by Town Planning staff and Council.

Noise Impacts

The subject property is located in close proximity to Regional Road 20 (Highway 20), and loading facilities and HVAC units associated with a nearby commercial plaza. Policy

1.2.6.1 of the PPS requires that major facilities (including transportation infrastructure and corridors) and sensitive land uses (including residential) be planned to “ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety...”. To implement these policies, the Ministry of the Environment, Conservation and Parks (MECP) Noise Guidelines (NPC-300) are to be applied in the land use planning process to prevent or minimize future land use problems.

At the pre-consultation meeting, Town and Regional staff required the submission of a noise study to evaluate impacts from the nearby noise sources. An Environmental Noise Feasibility Study, prepared by Valcoustics Canada Limited (dated February 25, 2022) was submitted with the applications. The study predicts that indoor and outdoor sound levels for the future dwelling units will comply with the MECP NPC-300 guidelines, provided standard warning clauses are included in all property and tenancy agreements and offers of purchase and sale regarding potential adverse noise impacts. Conditions to implement the recommendations of the noise study are included in Appendix I.

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.

At the pre-consultation meeting, the subject lands were identified as having high archaeological potential due to their proximity to several registered archaeological sites. In this regard, the following reports were submitted with the applications:

- Stage 1 and 2 Archaeological Assessment Rear Lands at 1409, 1415, 1419 and 1423 Station Street, prepared by Detritus Consulting Ltd. (dated September 14, 2018);
- Stage 1 and 2 Archaeological Assessment of Part of Lots at 1411, 1413, 1415, 1419, 1423, 1427, 1431, 1433 and 1435 Station Street, prepared by Detritus Consulting Ltd. (dated January 14, 2021); and
- Stage 3 Archaeological Assessment AgGt-265, 1409 Station Street, prepared by Detritus Consulting Ltd. (dated April 19, 2021).

The Stage 1 and 2 assessments together apply to the entirety of the subject lands, as well as lands to the south, which are associated with a separate draft-approved subdivision, known as Park Place South. The Stage 1 and 2 assessments did not identify any archaeological resources on the subject lands; however, one site (AgGt-265) was identified on a portion of the lands to the south. The Stage 3 assessment that was submitted with the application applies to AgGt-265, and resulted in the recovery of

113 pre-contact aboriginal artifacts. Based on the artifacts recovered, the report concludes that AgGt-265 retains no further cultural heritage value and interest, and therefore further Stage 4 mitigation of the site is not warranted.

In letters dated December 30, 2019, August 11, 2021, and July 7, 2021, the Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) confirmed that all archaeological resource concerns associated with the submitted assessments have met licensing and resource conservation requirements. Regional staff note that the Ministry's letters references Stage 1 and 2 Archaeological Assessments dated October 29, 2018 and August 9, 2021, whereas the reports received with the applications were dated September 14, 2018 and January 14, 2021, respectively. Accordingly, Regional staff will require that the applicant forward a copy of the final reports that were submitted to the MHSTCI as a condition of draft plan approval.

Additionally, recognizing that no archaeological survey, regardless of its intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff recommend the inclusion of a standard warning clause in the subdivision agreement, relating to deeply buried archaeological materials that may be encountered during grading and construction activities. A condition requiring this clause has been included in Appendix I.

Servicing

Any extension of municipal sewers to service the proposed development will require an MECP Environmental Compliance Approval application, which can be obtained through the Region's Transfer of Review program or through the pending Consolidated Linear Environmental Compliance Approval system. No construction of infrastructure should commence until such approvals are obtained. Appropriate conditions are included in Appendix I in this regard.

Stormwater Management

Regional staff have reviewed the Functional Servicing Report, prepared by Upper Canada Consultants (dated February 2022), and note that the subject lands are within the designated drainage area of an existing stormwater management pond, and the stormwater from this development will be directed to this facility (pond). Regional staff note that the average percent of imperviousness originally assigned to the pond's drainage area was 43.5%. As any changes to the imperviousness of the drainage area may affect the pond's operational conditions to meet desired control targets, Regional staff will require that the report be updated to confirm the proposed development will not negatively affect this facility, as well as address any on-site control measures that may be required.

Conditions requiring the submission of detailed stormwater management plans and implementing clauses in the subdivision agreement are included in Appendix I.

Waste Collection

Niagara Region provides curbside waste and recycling collection for developments which meet the requirements of Niagara Region's Waste Collection Policy. The subject lands are eligible to receive Regional curbside waste and recycling collection, provided that the owner brings the waste and recycling containers to the curbside on the designated collection day, and that the following limits are met:

- No limit blue/grey containers (collected weekly);
- No limit green containers (collected weekly); and,
- 2 garbage containers per unit (collected bi-weekly).

In order to ensure that the site will meet the design requirements for Regional curbside waste collection, engineering plans, which include Regional truck turning templates, will be required. Additionally, staff will require confirmation as to which of the surrounding roadways will be constructed prior to registration, to determine if temporary cul-de-sacs and easements will be required. Dimensions of these roadways will also be required to determine if the waste collection trucks will be able to access the proposed development.

Conditions to address waste collection requirements are included in Appendix I.

Conclusion

In conclusion, 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 the conditions outlined in Appendix I, and any local requirements. Subject to the satisfaction of the conditions in Appendix I, the proposal is consistent with the Provincial Policy Statement (PPS), and conforms to the intent of the Growth Plan and Regional Official Plan (ROP).

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

If you have any questions related to the above comments, please contact me at Amy.Shanks@niagararegion.ca, or Aimee Alderman, MCIP, RPP, Senior Development Planner at Aimee.Alderman@niagararegion.ca.

Kind regards,



Amy Shanks, MCIP, RPP
Development Planner

cc: Aimee Alderman, MCIP, RPP, Senior Development Planner, Niagara Region
Susan Dunsmore, P.Eng., Manager of Development Engineering, Niagara
Region
Maggie Ding, P.Eng., Stormwater Management Engineer, Niagara Region

Appendix I
Regional Conditions of Draft Plan of Subdivision Approval
Park Place West, Town of Pelham

1. That the applicant submit the Stage 1 and 2 Archaeological Assessment Rear Lands at 1409, 1415, 1419 and 1423 Station Street, prepared by Detritus Consulting Ltd. (dated October 29, 2018), and Stage 1 and 2 Archaeological Assessment of Part of Lots at 1411, 1413, 1415, 1419, 1423, 1427, 1431, 1433 and 1435 Station Street, prepared by Detritus Consulting Ltd. (dated August 9, 2021) to Niagara Region.

2. That the subdivision agreement include the following clause:

“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, the Ministry of Heritage, Sport, Tourism and Culture and Industries 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.”

3. That the owner submit a written undertaking to Niagara Region that draft approval of this subdivision does not include a commitment of servicing allocation by the Regional Municipality of Niagara, as this servicing allocation will be assigned at the time of registration, and any pre-servicing will be at the sole risk and responsibility of the owner.
4. That the owner submit a written undertaking to Niagara Region that all offers and agreements of Purchase and Sale, which may be negotiated prior to registration of this subdivision, shall contain a clause indicating that a servicing allocation for this subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the Town.

5. That, prior to final registration of this plan of subdivision, the owner shall submit the design drawings (with calculations) for the sanitary and storm drainage systems required to service this development and obtain the required Environmental Compliance Approvals.
6. That the owner provide engineering plans to Niagara Region for review and approval to confirm whether the development can accommodate Regional waste collection services.
7. That the owner ensure that all streets and development blocks can provide an access in accordance with the Regional Municipality of Niagara policy and by-laws relating to collection of waste and recycling throughout all phases of the development. If developed in phases, where a through street is not maintained, the owner shall provide a revised draft plan to reflect a proposed temporary turnaround/cul-de-sac, with a minimum curb radius of 12.8 metres.
8. That the owner shall comply with the Niagara Region's Corporate Waste Collection Policy, and complete the application for commencement of collection and indemnity agreement.
9. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision, as well as the following plans, designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment, Conservation and Parks documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors, to Niagara Region for review and approval:
 - i) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site to the existing stormwater management facility; and
 - ii) Detailed erosion and sedimentation control plans.
10. That the subdivision agreement between the owner and the Town contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the condition above.

Clearance of Conditions

Prior to granting final approval, the Town of Pelham must be in receipt of written confirmation that the requirements of each condition have been met satisfactorily and that all fees have been paid to the satisfaction of Niagara Region.

Subdivision Agreement

Prior to final approval for registration, a copy of the executed Subdivision Agreement for the proposed development should be submitted to Niagara Region for verification that

the appropriate clauses have been included. Niagara Region recommends that a copy of the draft agreement be provided in order to allow for the incorporation of any necessary revisions prior to execution.

Note: Clearance requests shall be submitted to the Region in accordance with the Memorandum of Understanding, which stipulates that requests for formal clearance of conditions are to be received and circulated to the Region by the local municipality. The local municipality is also responsible for circulating a copy of the draft agreement, and the Region is unable to provide a final clearance letter until the draft agreement is received. The Region is committed to reviewing submissions related to individual conditions prior to receiving the formal request for clearance; however only one formal clearance letter will be issued. In this regard, studies and reports (one hard copy and a PDF digital copy that is AODA compliant) can be sent directly to the Region with a copy provided to the local municipality.

DELIVERY PLANNING
CANADA POST CORPORATION
955 Highbury Avenue North
London ON N5Y 1A3

April 20, 2022

SHANNON LAROCQUE
PELHAM
P.O. BOX # 400
20 PELHAM TOWN SQUARE
Fonthill, Ontario L0S 1E0

RE: Park Place West

Dear Shannon:

Canada Post Corporation has no requirements or conditions regarding this project as the development in question falls within the Post Office Box-served boundaries of the Fonthill Post Office.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding this decision, I can be reached at 226-268-5914 or the above noted address.

I appreciate the opportunity to comment on this project.

Regards,

A. Carrigan

Andrew Carrigan
Delivery Services Officer



PARK PLACE WEST

TOWN OF PELHAM

DRAFT PLAN OF SUBDIVISION ZONING BY-LAW AMENDMENT

Matt Kernahan, MCIP, RPP
Planning Manager
Upper Canada Consultants



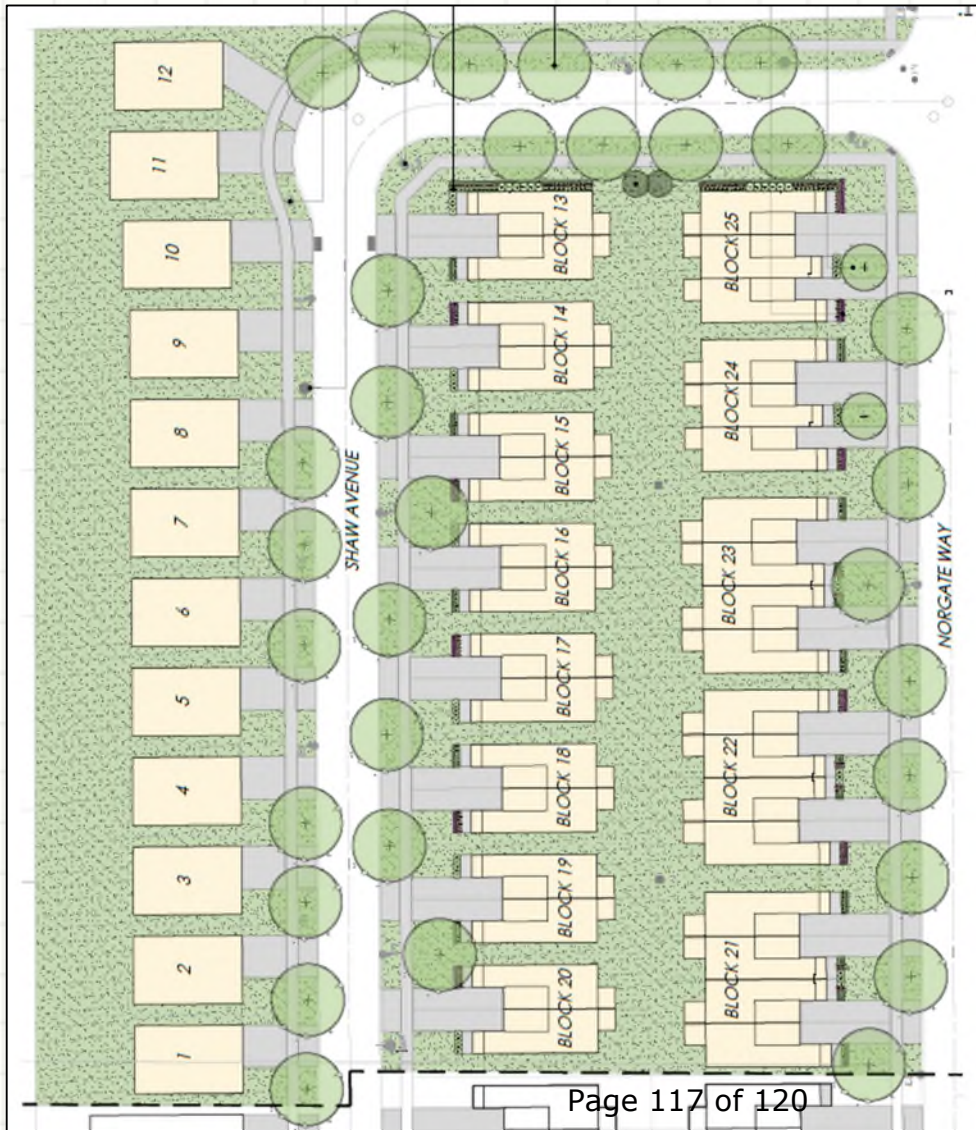
Site Context



Subject Applications



Development Concept



Questions?



HUMMEL PROPERTIES INC.
P.O. Box 612
St. Davids ON L0S 1P0
Telephone (905) 262-0346

June 22nd 2022

Town of Pelham
20 Pelham Town Square
P.O. Box 400
Fonthill, ON. L0S 1E0

Attention: Ms. Holly Willford, Town Clerk,

Re: 26T19-01-2022 & AM-02-2022
Park Place West

Hummel Properties Inc. (HPI) is a land owner in the East Fonthill Secondary Plan Area and is in receipt of the Notice of Public Meeting for the above noted development.

HPI would like to offer our support for the approval of the above-noted subdivision by Mountainview Homes.

The proposed plan is a logical extension of an approved road network and offers a range of new housing types, which is encouraged in the East Fonthill Secondary Plan. The proposed higher density mix will be located in close proximity to the established commercial area and represents good land use planning.

HPI looks forward to seeing this development proceed. Please forward a copy of the decision when it is available.

Thank you for the opportunity to comment on the application. If you require any additional information, please do not hesitate to contact the undersigned.

Your truly,



Jennifer Vida, MCIP, RPP
Director of Development
Hummel Properties Inc.

Cc: Mountainview Homes, via email
Barb Wiens, Director of Community Planning and Development, via email

Sarah Leach

To: Sarah Leach
Subject: RE: Park Place West

From: Bill Heska [REDACTED]
Date: June 30, 2022 at 7:22:04 AM EDT
To: Holly Willford <HWillford@pelham.ca>
Cc: slaroque@pelham.ca
Subject: Park Place West

Good morning Holly,

I have reviewed the Notice of Public Meeting for Park Place West, File No. 26T19-01-2022 & AM-02-2022 and have the following comments.

In all there 12 single detached+ 128 semi-detached + 90 townhouses= a total of 230 residential units on .4595 hectares- HIGH density housing.

1. Parking- I assume that the owners will park on their property- in their garage and/or driveway. Where do the visitors park, there is no provision? On street parking will not allow larger trucks (service, delivery, emergency, etc.) to access the area without difficulty. Where does the Town pile the snow in a winter storm?
2. Access to the subdivision- Will there be 2 roads off Summerside Boulevard?
3. Public parks, playground, and green space- there is no provision for any of these details? Where will the children play and residence go to enjoy the outdoors in their neighbourhood?

Please consider these concerns for the Park Place West subdivision development.

Regards,

Bill Heska
[REDACTED]
Fonthill, Ontario
L0S1E0