



**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.

Community Planning & Development Department Planning Application Report

July 11, 2022

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.

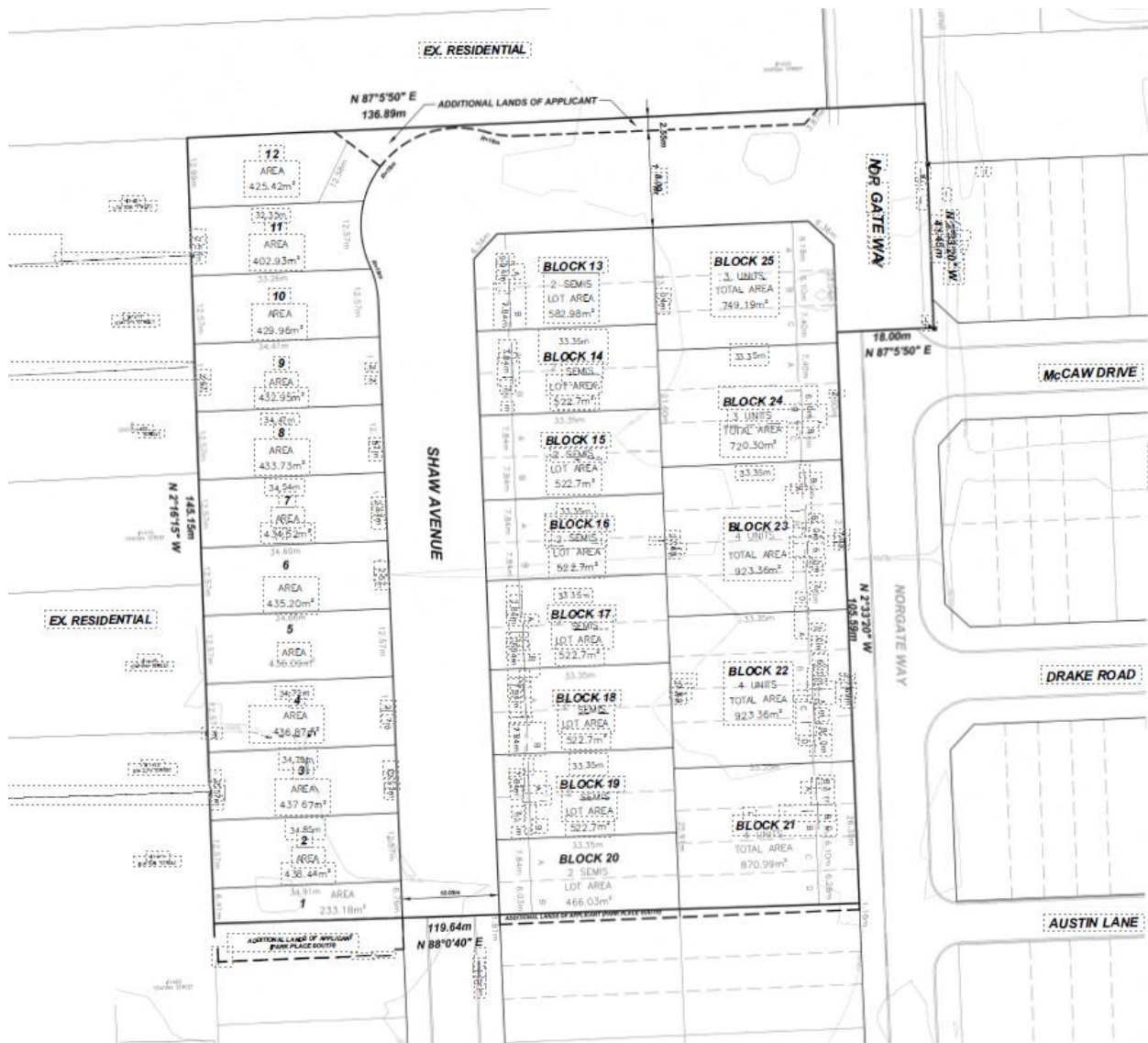
The draft plan of subdivision proposes 12 lots for single detached dwellings, 8 blocks for 16 semi-detached dwellings, 5 blocks for 18 street townhouse dwellings and 0.4595 hectares for future roadway (Figure 2). The proposed road (Shaw

Community Planning & Development Department Planning Application Report

July 11, 2022

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

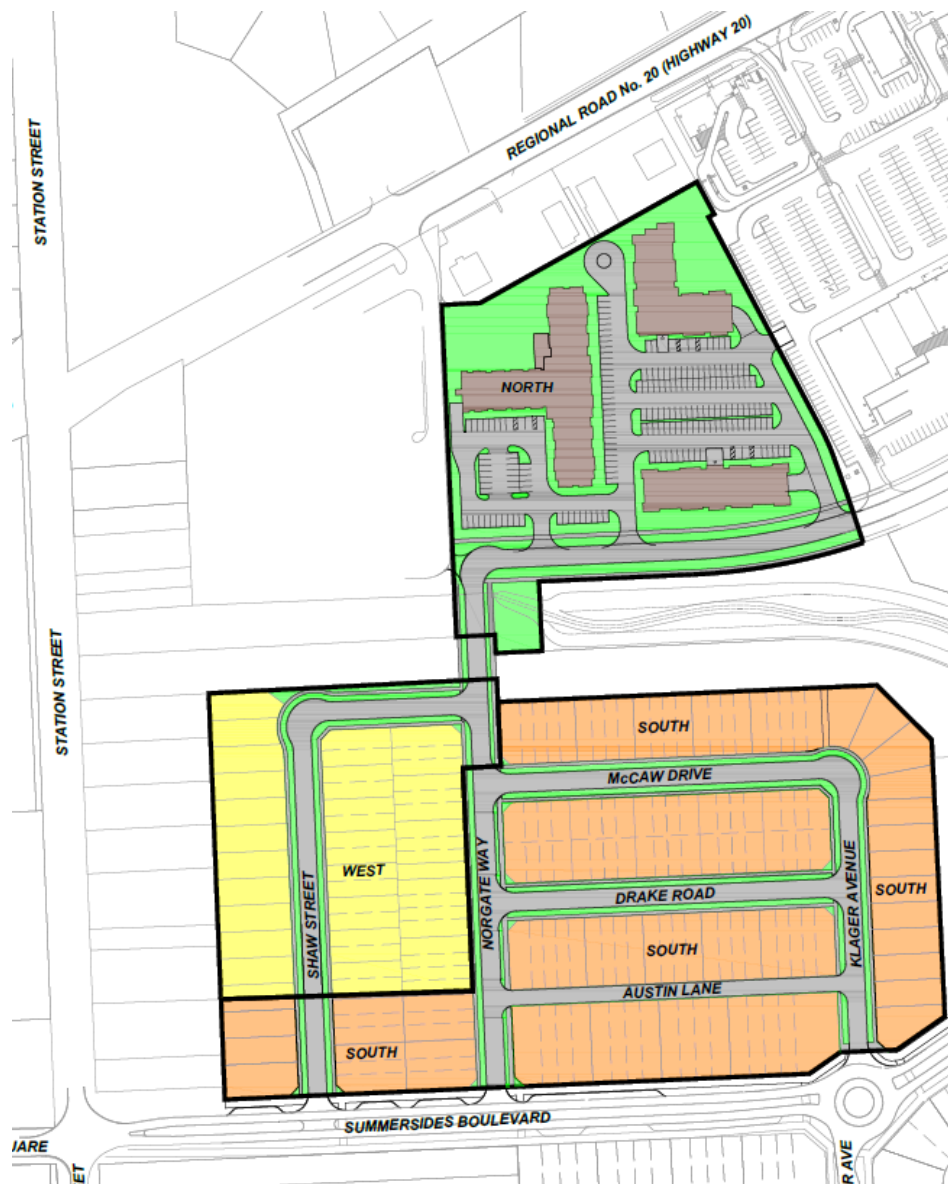


Community Planning & Development Department Planning Application Report

July 11, 2022

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





Community Planning & Development Department Planning Application Report

July 11, 2022

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;



Community Planning & Development Department Planning Application Report

July 11, 2022

- 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.



Community Planning & Development Department Planning Application Report

July 11, 2022

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.



Community Planning & Development Department Planning Application Report

July 11, 2022

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 Fonhill 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

Community Planning & Development Department Planning Application Report

July 11, 2022

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

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

July 11, 2022

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

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

July 11, 2022

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

Community Planning & Development Department Planning Application Report

July 11, 2022

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



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

July 11, 2022

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

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. 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