

Subject: Status Update Report on East Fenwick Secondary Plan

Recommendation:

BE IT RESOLVED THAT Council receive Report #2022-0204 Status Update Report on East Fenwick Secondary Plan, for information.

Background:

The Town of Pelham Official Plan contains policies that require a Secondary Plan in the East Fenwick area that is within the urban area boundary of Fenwick prior to development proceeding in this area. The Town initiated the preparation of a Secondary Plan for East Fenwick in 2017. This report is a status update report on the progress made on the East Fenwick Secondary Plan and the reasons for delay. Town Council also identified the development of a Secondary Plan as an action item in the Town's strategic plan. This report is written in partial fulfillment of that goal.

Analysis:

The study area for the East Fenwick Secondary Plan Area is depicted in the aerial image below:



Considerable work and public consultation was undertaken by the Town's consultants, SGL Planning and Design, in the preparation of the East Fenwick Secondary Plan between 2017-2019 including the following:

- Visioning Workshop – June 22, 2017
- Community Design Options Workshop – September 20, 2017
- Public Information Session – January 27, 2018
- Council Presentation – April 3, 2018
- Council Presentation – April 23, 2019

In addition, there were a number of Steering Committee Meetings and meetings with the developers group through this time period as well.

During this period the consultants undertook the background analysis to help inform the preparation of the Secondary Plan including a Physical Context and Character Assessment, Land Use Planning Policy Assessment, Natural Heritage and Hydrology Assessment, Existing Infrastructure Assessment for water, sanitary, storm and transportation services, Urban Design Analysis and Cultural Heritage Assessment. This work culminated in the preparation of a Background Report followed by the first and second draft of the Secondary Plan document.

The consultants also engaged the general public, major property owners in the area and review agencies during each the research stage, Background Report preparation and the draft Secondary Plan stage. A number of concerns were raised by the review agencies regarding the requirements for buffers to the natural heritage features, species at risk and location of the proposed stormwater management facility within the Plan Area.

The Region of Niagara and Niagara Peninsula Conservation Authority (NPCA) required further Environmental Impact Study analysis undertaken with regard to the reduction to the buffers and geotechnical and hydrological assessments as well. The developers came together and indicated that they would undertake this additional study and analysis at their cost in order to expedite the work as there was not enough budget money remaining in the project budget for the Town to complete the work. The developers also felt that by undertaking this work at this time, it would save time and reduce the studies required when it came time for them to submit development applications.

This work resulted in an additional 4 season assessment of the natural heritage features and report, a geotechnical investigation of the proposed stormwater management facility, hydrogeological assessment, a scoped infiltration assessment, stormwater management plan and a revised land use structure plan. This work was undertaken in 2020 and in the summer of 2021 was sent to the Town, Region and the NPCA and reviewed by the review agencies. The review agencies required

further work, which resulted in an additional 2 season assessment to verify information followed by a further technical memo that was provided to the review agencies in June 2022. The developers' consultants and the Region of Niagara Environmental Planning staff and staff from the NPCA have also had a number of working sessions to work through issues during this time as well.

Needless to say, this has been a complex process involving a variety of professionals in specific areas of expertise. Doing these detailed technical assessments upfront as part of the Secondary Plan process and prior to the subdivision application process will mean that many of the technical aspects of future development of the East Fenwick area will have been addressed and the subdivision approval process will be less onerous. It also reinforces the importance of doing a detailed Secondary Plan process for new development areas and having the appropriate studies done upfront.

At this time, Staff understand that the review agencies and the consultants doing this technical work are close to reaching an agreement related to the natural heritage, species at risk features and the appropriate buffer requirements for each, as well as hydrological and geotechnical impacts and requirements related to the siting of the proposed stormwater management facility. Once there is agreement on these issues, Town staff will re-engage the Town Planning Consultant and have them complete the Secondary Plan policies and land use plan to be consistent with the requirements of these technical studies. That work will be followed with additional public consultation to inform the community of the changes that have occurred since the initial draft of the Secondary Plan was presented to the public for feedback and input.

At this time, planning staff hope to have the public consultation during the fall/early winter of 2022 and then to be followed with a report to Council, the statutory public meeting and a Council decision in the first quarter of 2023 if Pelham receives timely comments from the review agencies and depending on the Town Consultant's availability.

Financial Considerations:

There are no financial considerations with respect to this status update report. The developers in the East Fenwick Secondary Plan area have been responsible for the costs associated with the additional technical studies and these have not been borne by the Town. There is a small amount of the budget remaining for the Town Consultant to complete the policy work associated with the East Fenwick Secondary Plan once the technical work related to the natural heritage areas, geotechnical and hydrological recharge areas have been confirmed and agreed upon by the agencies and the developers.

Alternatives Reviewed:

n/a

Strategic Plan Relationship: Build Strong Communities and Cultural Assets

The completion of the East Fenwick Secondary Plan will aid in supporting and building a strong community for the East Fenwick Area and the appropriate protection of the natural heritage assets within the Plan Area also support the development of a strong community.

Consultation:

Ongoing consultation is occurring with the Region of Niagara Environmental Planning staff and the NPCA staff throughout this process to ensure that there is support and buy-in from these agencies. We anticipate further public consultation will occur in the fall/early winter of 2022 with the formal statutory public meeting occurring in the first quarter of 2023.

Other Pertinent Reports/Attachments:

n/a

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