



## REGULAR COUNCIL REVISED AGENDA

C-14/2022 - Regular Council

Monday, August 22, 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](http://www.youtube.com/townofpelham/live) and subsequent publication to the Town's website at [www.pelham.ca](http://www.pelham.ca).

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Pages

### 1. Call to Order and Declaration of Quorum

#### 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. Approval of Agenda

### 3. Disclosure of Pecuniary Interests and General Nature Thereof

<b>4.</b>	<b>Hearing of Presentation, Delegations, Regional Report</b>	
4.1.	<b>Presentations</b>	
4.1.1.	<b>Update re: New PSR System</b>	
	Mike Guglielmi, Manager Information and Technology	
4.2.	<b>Delegations</b>	
4.2.1.	<b>Pelham Civic Square Master Plan</b>	8 - 34
	David Duhan, SHIFT Landscape Architecture	
4.2.2.	<b>Cannabis Control Committee</b>	35 - 42
	Tim Nohara, Cannabis Control Committee Chair	
4.2.3.	<b>Friends of Maple Acre Tree Carving and Garden Project</b>	43 - 57
	Sandee Matthews	
4.3.	<b>Report of Regional Councillor</b>	
<b>5.</b>	<b>Adoption of Minutes</b>	
5.1.	<b>RC-13/2022 - Regular Council - July 25, 2022</b>	58 - 75
5.2.	<b>SC-07/2022 - Special Council - August 15, 2022</b>	76 - 78
<b>6.</b>	<b>Business Arising from Council Minutes</b>	
<b>7.</b>	<b>Request(s) to Lift Consent Agenda Item(s) for Separate Consideration</b>	
<b>8.</b>	<b>Consent Agenda Items to be Considered in Block</b>	
8.1.	<b>Presentation of Recommendations Arising from COW or P&amp;P, for Council Approval</b>	
8.2.	<b>Minutes Approval - Committee</b>	
8.3.	<b>Staff Reports of a Routine Nature for Information or Action</b>	
8.3.1.	<b>2022 Spongy Moth Program Summary Report, 2022-</b>	79 - 104



## 0184-Public Works

- 8.3.2. Grant Application for Celebration Square Fencing, Event Trailer, Digital Signage and Bike Lockers, 2022-0195-Corporate Services 105 - 107
- 8.3.3. Asset Management Plan Update, 2022-0177-Corporate Services 108 - 197
- 8.3.4. Status Update Report on Fenwick Secondary Plan, 2022-0204-Planning 198 - 201
- \*8.3.5. Memo re Council Lane Duck Status, 2022-0205-Clerks 202 - 204
- 8.4. Action Correspondence of a Routine Nature
- 8.5. Information Correspondence Items
  - 8.5.1. Niagara Peninsula Conservation Authority Board of Directors Meeting Highlights, July 15, 2022 205 - 206
  - 8.5.2. Notice of Public Information Centre #1 Quaker Road Sanitary Trunk Sewer, Quaker Road between Rice Road and Pelham Street 207 - 208
  - 8.5.3. Petition from the Residents of Kinsman Court regarding the Development Site at 15 Highway 20 209 - 210
  - 8.5.4. Heather Hamilton Correspondence re: Parking Options for Village of Ridgeville at Bulk Water Filling Station 211 - 212
  - 8.5.5. Diane Stephens Correspondence re: Poultry By-law 213 - 224
  - 8.5.6. Tim Nohara Correspondence re: Second Dwelling Unit Concerns with Proposed Comprehensive Zoning By-law 225 - 227
  - 8.5.7. Mike Jones Correspondence re: Pelham Advocates for Trees and Habitat (PATH) Concerns with Proposed Comprehensive Zoning By-law 228 - 228
  - \*8.5.8. Ryan Serravalle correspondence re: Support of 15 Highway 20 Development 229 - 229

*8.5.9.	Bernie and Susan Law - Correspondence re: 15 Hwy 20 Development	230 - 232
8.6.	Regional Municipality of Niagara - Action Items	
8.7.	Committee Minutes for Information	
8.7.1.	Committee of Adjustment June 1, 2022	233 - 236
8.7.2.	Cannabis Control Committee June 15, 2022	237 - 239
9.	Items for Separate Consideration, if Any	
10.	Presentation & Consideration of Reports	
10.1.	Reports from Members of Council:	
10.2.	Staff Reports Requiring Action	
10.2.1.	Naming Opportunities for the late Jane Haist, 2022-0163-Clerks	240 - 247
10.2.2.	Grant Application for Electric Vehicle Charging Stations, 2022-0194-Corporate Services	248 - 251
10.2.3.	Development Charges Background Study Approval, 2022-0192-Corporate Services	252 - 269
10.2.4.	Recommendation Report for Applications for Official Plan and Zoning By-law Amendment - 15 Highway 20 East, 2022-0181-Planning	270 - 307
10.2.5.	Recommendation Report for Applications for Draft Plan of Subdivision and Zoning By-law Amendment - Tanner Extension, 2022-0201-Planning	308 - 345
10.2.6.	Recommendation Report for Draft Plan of Subdivision and Zoning By-law Amendment - Park Place West, 2022-0197-Planning	346 - 389

10.2.7.	Comprehensive Zoning By-law and Official Plan Amendment No. 15 - Final Recommendations , 2022-0200-Planning	390 - 396
10.2.8.	Vision for Town Civic Square , 2022-0203-Planning	397 - 441
10.2.9.	Emergency Management Program 2022 Revised , 2022-0172-Fire Dept	442 - 627
10.2.10.	Meridian Community Centre Temporary Parking Lot Cost Estimate, 2022-0186-Public Works	628 - 635
10.2.11.	Update on In-Ground Waste Collection Service Provider, 2022-0191-Public Works	636 - 639
10.2.12.	Proposed By-law to Regulate Parking at Properties Owned by the Town of Pelham where Parking is Provided, 2022-0202-Chief Administrator Officer	640 - 648

**11. Unfinished Business**

**12. New Business**

**13. Presentation and Consideration of By-Laws** 649 - 944

1. By-law 4478(2022) - Being a by-law to remove the Holding (H) Provision executed by By-law No. 4437 (2022) for the lands on the east side of Pelham Street, north of Broad Street, legally described as Plan 25 Lot 6 NP 716, in the Town of Pelham; municipally known as 1553 Pelham Street. C. and K. Speers. File No. AM-05-2022

2. By-law 4481(2022) - Being a By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Pelham (Zoning By-Law).

3. By-law 4482(2022) - Being a By-law to adopt Official Plan Amendment No. 15 – Housekeeping for the Town of Pelham Planning Area.

4. By-law 4483(2022) - Being a By-law to regulate the parking of motor vehicles on Town of Pelham property.

5. By-law 4484(2022) - Being a By-law to adopt Official Plan

Amendment No. 16 for the Town of Pelham Planning Area. 120 Meridian Way. File No. OP-AM-01-21

6. By-law 4485(2022) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at 120 Meridian Way, located at the southwest corner of Rice Road and Meridian Way, legally described as Part of Block 4, Registered Plan 59M-432, and Parts 2 and 6, Plan 59R-16105, Town of Pelham, Regional Municipality of Niagara, from the East Fonthill Mixed Use 3 (EF-MU3) Zone to a site specific East Fonthill Mixed Use 3 (EF-MU3-323) Zone. Town of Pelham. File No. AM-04-21

#### **14. Motions and Notices of Motion**

##### **14.1. Councillor Wink - Proper Delivery of Unsolicited Materials, Newspapers and Flyers**

Mover: Councillor Wink

Seconder: Councillor Hildebrandt

WHEREAS the Council for the Town of Pelham values building a strong community while protecting the environment;

AND WHEREAS Council for the Town of Pelham has received resident complaints with respect to the improper delivery of unsolicited materials, newspapers and flyers which consequently blow all over town, creating pollution, nuisance and unsightly mess;

AND WHEREAS Council for the Town of Pelham deems it desirable to enact a by-law requiring the proper delivery of any unsolicited materials, including newspapers and junk mail, by requiring the placement of the said materials within a mailbox, mail slot at the door or in a receptacle designated for this purpose;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham directed staff to provide a report and draft by-law for Council's consideration regulating the delivery of unsolicited materials;

AND THAT staff shall report back to Council by September 19,

2022.

15. **Matters for Committee of the Whole or Policy and Priorities Committee**
16. **Matters Arising Out of Committee of the Whole or Policy and Priorities Committee**
17. **Resolution to Move in Camera**

**BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider a matter under Section 239(2) of the Municipal Act, as follows:**

**(b) - personal matters about an identifiable individual, including municipal employees; (d) - labour relations or employee negotiations ( 1 item - CAO Performance Review)**

18. **Rise From In Camera**
19. **Confirming By-Law**
20. **Adjournment**

945 - 945

Name: David Duhan	
Address: 100 Crimea Street, Unit C7 Guelph, ON	
Postal Code: N1H2Y6	Telephone #: 289.683.9561
Email Address: dduhan@shiftland.com	
The Council Chambers Is equipped with a laptop and projector. Please Check your audio/visual needs: <input type="checkbox"/> Laptop <input type="checkbox"/> Speaker <input type="checkbox"/> Internet Connection	
<p>PLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION:          Regular Council: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month; 5:30 p.m. (except summer schedule)</p> <p>DATE: <u>August 22, 2022</u></p>	
<p>Please identify the desired action of Council that you are seeking on this issue:  <u>Approval of Master plan for Pelham Civic Square</u></p> <hr/> <hr/> <hr/>	
<p>I have never spoken on this issue before. Key points of my deputation are as follows:  <b>(Presentation must accompany the request)</b></p> <ul style="list-style-type: none"> <li>- History of project <hr/></li> <li>- Engagement process <hr/></li> <li>- Final Master Plan <hr/></li> <li>- Cost estimates <hr/></li> <li>- Next Steps <hr/></li> </ul>	
<p>In accordance with the Procedure By-law, Requests to Appear before Council with respect to a matter already on Council's Agenda shall submit a written request to the Clerk no later than 12:00 noon, eight business days prior to the meeting of Council. Delegation requests to address Council on matters not already on the Agenda of Council must be submitted at least fourteen (14) days before the date and time of the Meeting of Council. Delegations shall only be heard at regular Meetings of Council, unless specifically invited by Council to a Meeting of a Committee of Council.</p>	
<p><b>All requests must include a copy of the presentation materials as detailed in the deputation protocol. Failure to provide the required information on time will result in a deferral or denial. Delegations are limited to ten (10) minutes.</b></p>	
<p>I have read and understand the deputation protocol included with this form; and, that the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas and on the Town's website. I also understand that as a participant of this meeting, I will be recorded and further understand that this recording will be posted to the Town of Pelham's YouTube Channel.</p> <p>I also understand that presentation materials must be submitted with this deputation form. Electronic presentations must be e-mailed to <a href="mailto:hwillford@pelham.ca">hwillford@pelham.ca</a> in accordance with the deadlines outlined above.</p>	
Signature 	Date <u>August 8, 2022</u>

**DEPUTATION PROTOCOLS:**

The Town of Pelham is an Open, Welcoming and Inviting Community, committed to supporting the strategic theme of ensuring that we are an engaged Community. To assist in achieving this goal, a Deputation Protocol has been developed to allow residents to make their views known to Council, based on the requirements of the Town of Pelham Procedural By-law. The views of interested citizens are valued and input is welcome, along with comments and constructive suggestions. Council must consider a large number of issues and concerns at any given time, thus the following protocol is observed:

**Before:**

- ✓ Please provide Clerk with a final and complete copy of your presentation to be included on the agenda for the meeting. MS PowerPoint is preferred. Failure to provide the final presentation will result in the deferral of your delegation.
- ✓ Presentations will be livestreamed. Therefore any PowerPoint presentation should move forward with your speaking points for the ease of the online public audience.
- ✓ Please arrive at the meeting by 5:15 p.m.

**During:**

- ✓ When called upon, please proceed immediately to the podium.
- ✓ Please keep your presentation brief and to the point. The maximum allowable time is 10 minutes.
- ✓ Please, only discuss the matters indicated on your submission and present in a respectful, temperate manner.
- ✓ If appearing as a group, please designate a spokesperson.
- ✓ Rules of decorum apply during your delegation in accordance with the Procedural By-law.

**After:**

- ✓ Upon completion of your presentation, please remain in position to allow for questions from Council members.

**In Addition:**

- ✓ Thank you for participating in this public meeting process.
- ✓ Your submission will form part of the public record on this matter.
- ✓ Deputation will not be permitted on items that are or have been subject of a Public Meeting under the Planning Act. Persons should present such concerns and opinions at the scheduled public meeting.

This form may contain personal information as defined under the Municipal Freedom of Information and Protection of Privacy Act. This information is collected under the legal authority of the Municipal Act, S.O. 2001 c.25, as amended and may be publicly released. Questions should be directed to the Clerk, 905.892.2607, ext. 315.

# Pelham Civic Space

## Master Plan

Town of Pelham  
August 22, 2022



# Project Timeline





# Site Context

Residential

Agricultural

Future LTC and Residential

**Pelham Civic Space Project Site**

Commercial

Wellspring  
Centre

Meridian  
Community  
Centre

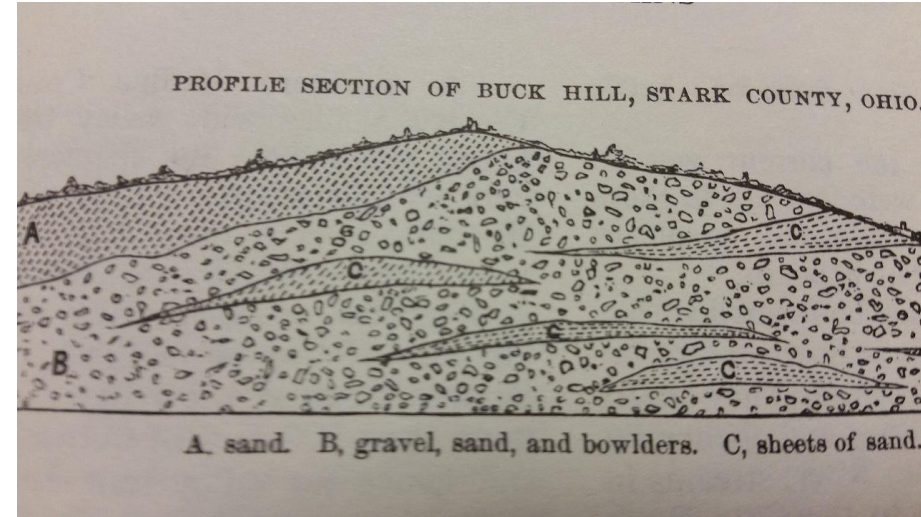


# Project Kick-Off





# Local Influences





# Preliminary Concept 1





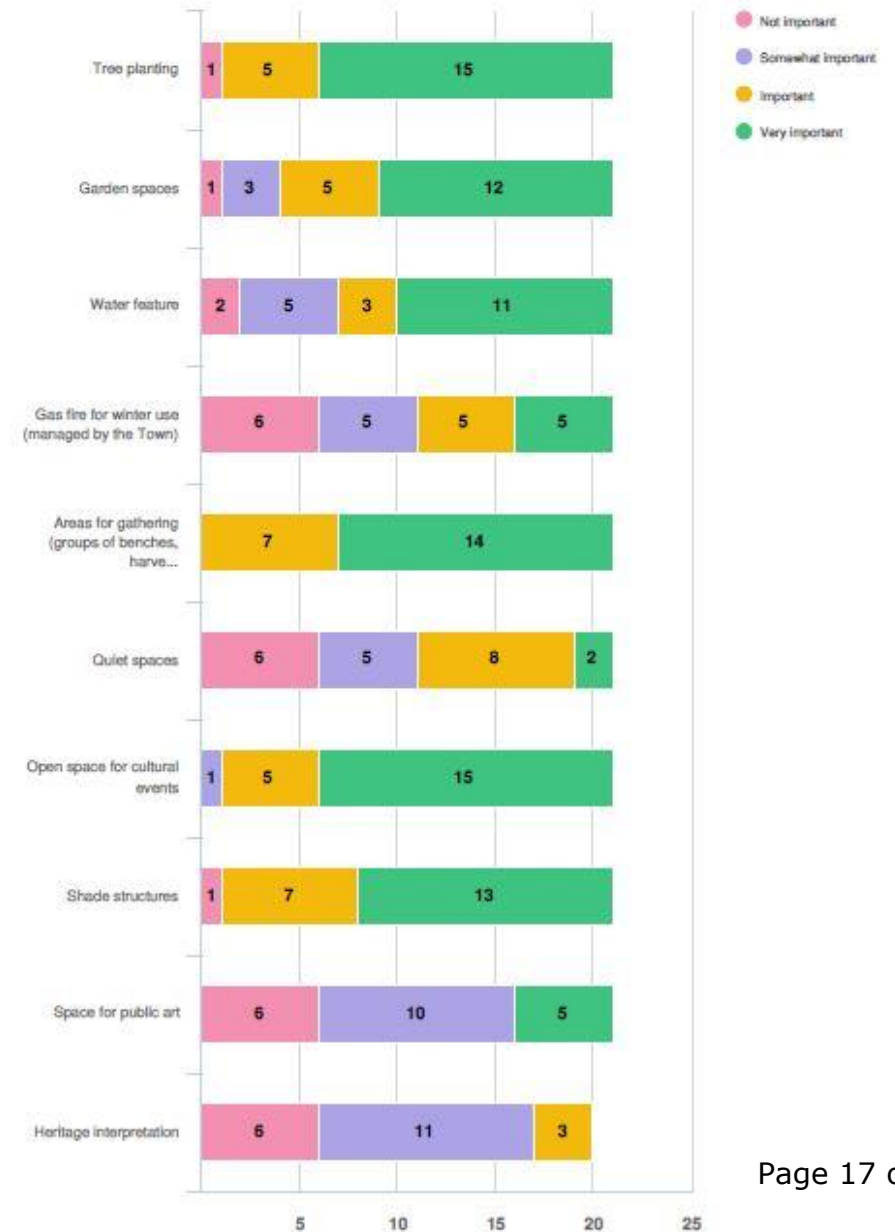
# Preliminary Concept 2



# Public Engagement

- Public engagement was held online via Engage Pelham, launching April 8th - April 26th.
- Printed panels were displayed in Meridian Community Centre for 2 weeks, notably present for the Home Show.
- A successful engagement process with **21 total survey responses**

The Civic Space will be most successful if it is able to accommodate a wide variety of uses, needs, and activities. Please rate how important these elements are to you.

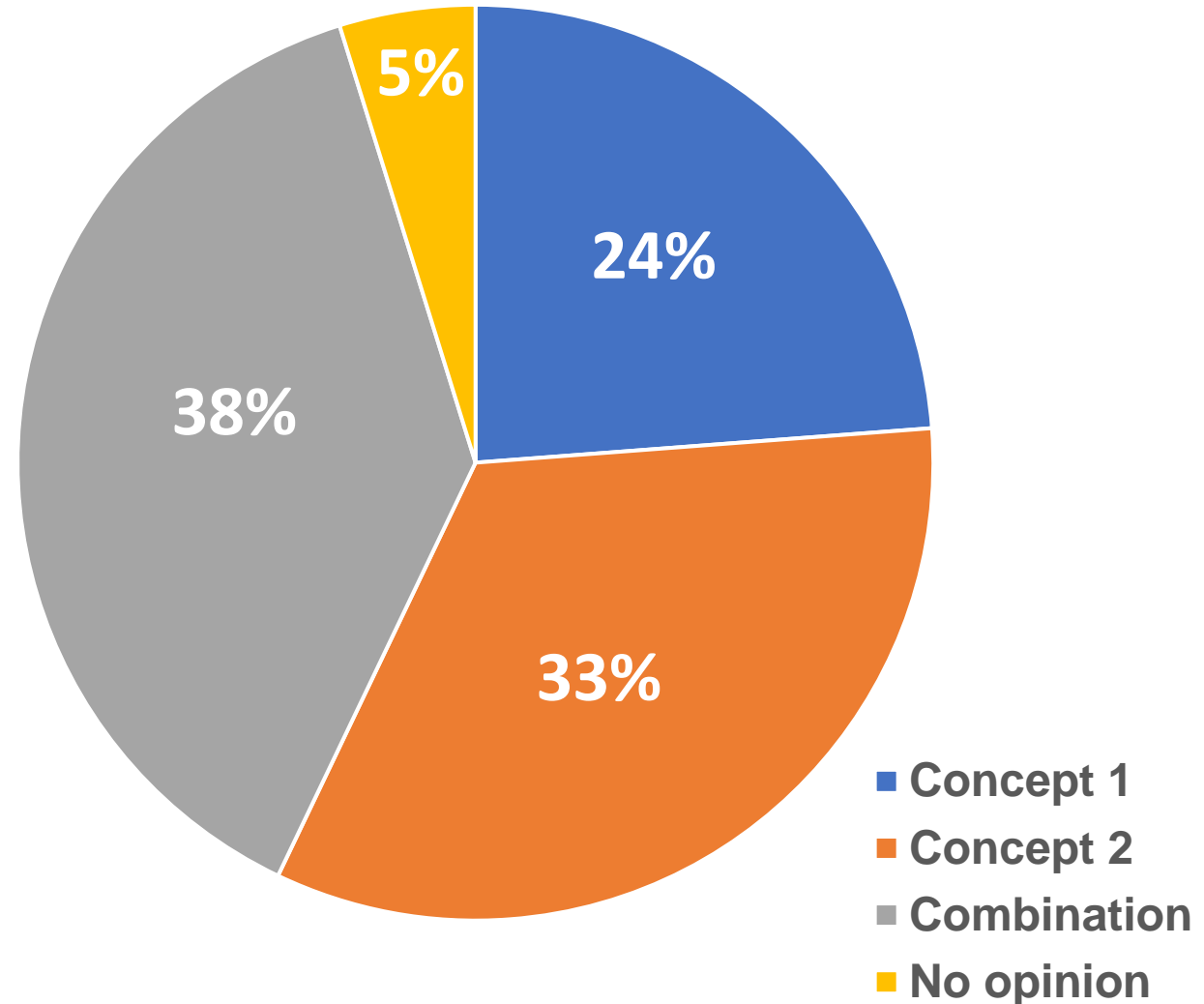




# Engagement Outcomes

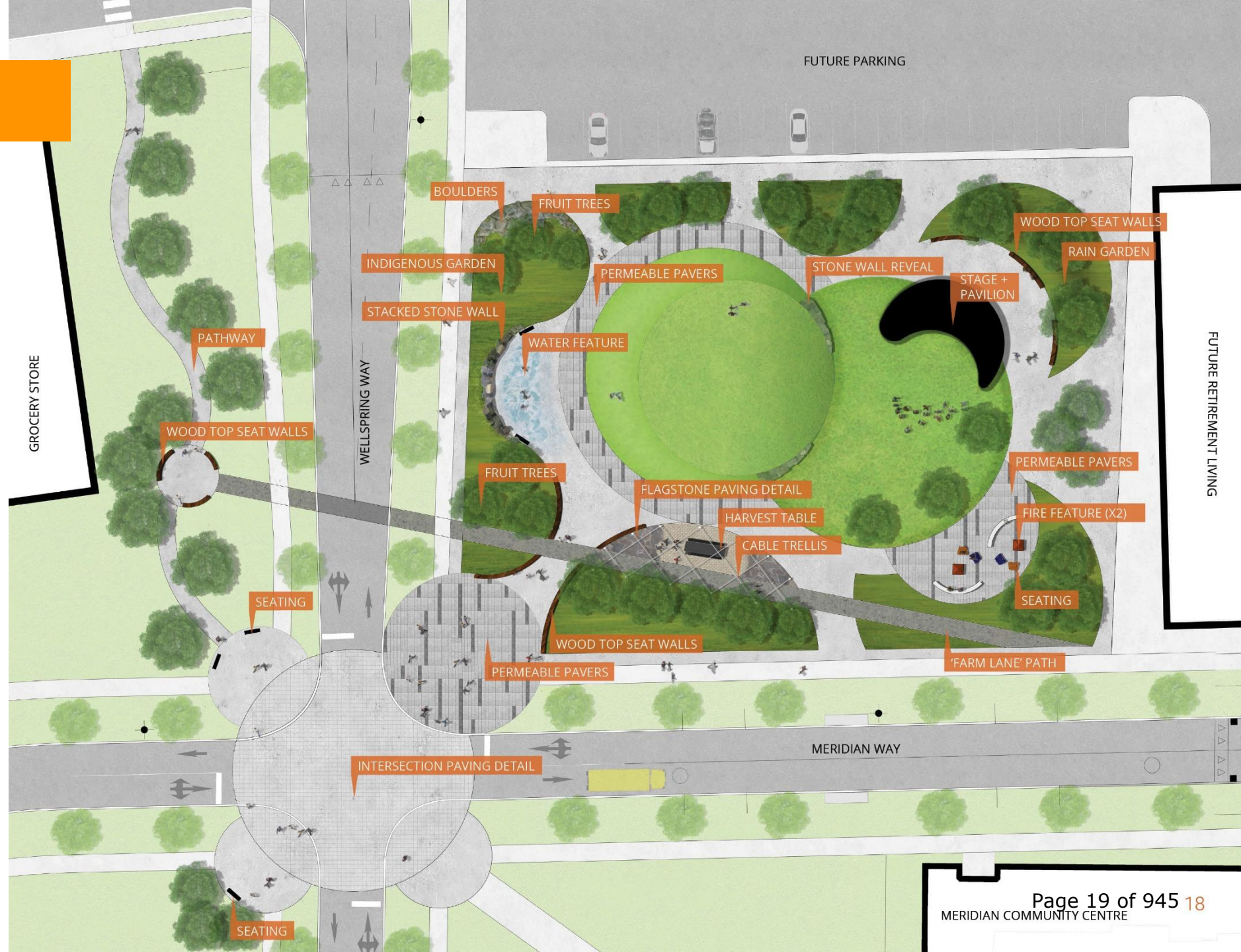
- A combination of both concepts was favoured
- Desired outcomes:
  - *an open, multi-use space that accommodates all generations, with many respondents specifying a space catering to families with children.*
  - *water feature*
  - *tree planting*
  - *space to support community gathering and cultural events*
- Proper considerations of safety, inclusivity, and accessibility were noted

## Concept Preference



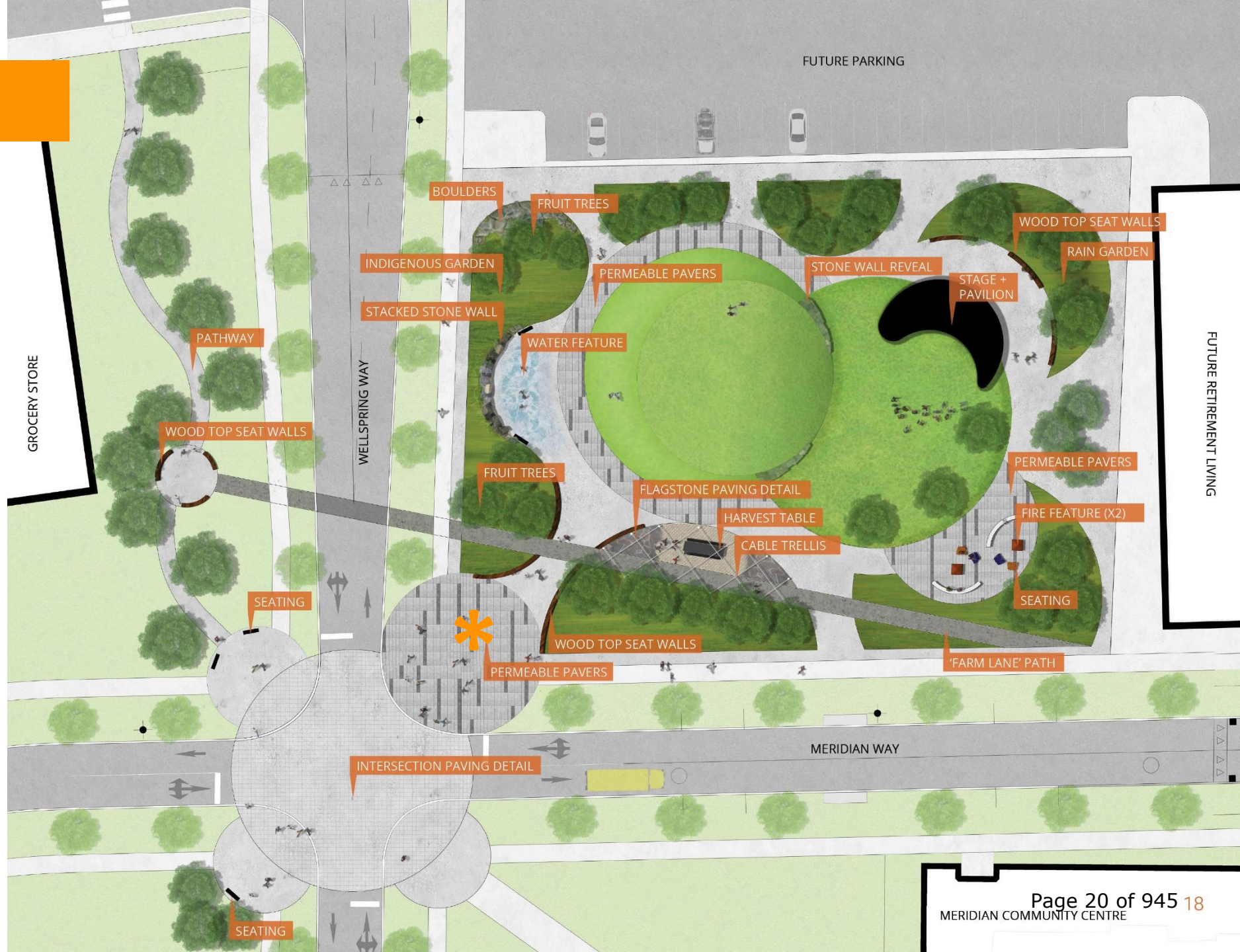


# Final Concept





# Final Concept



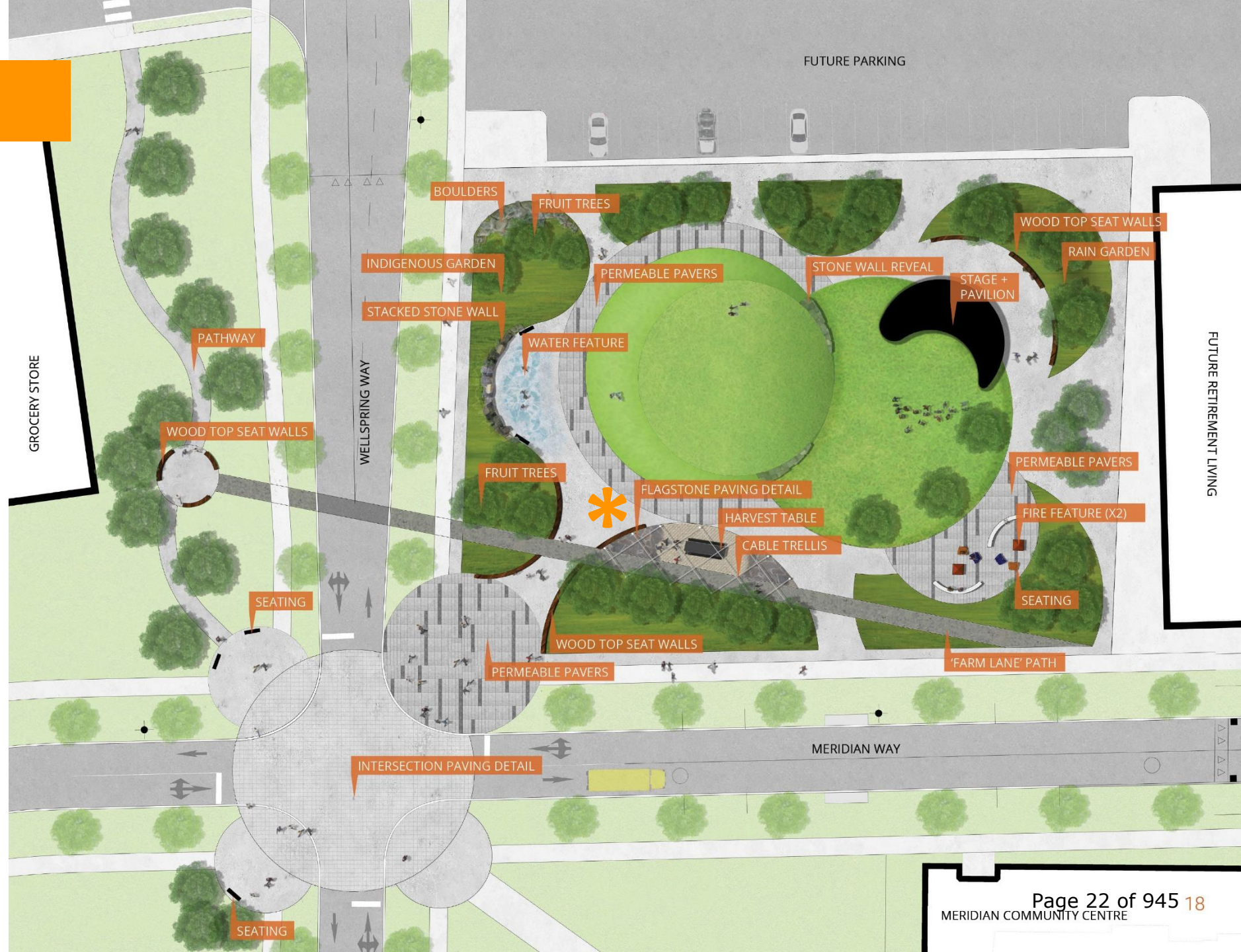




View from Entry Plaza



# Final Concept







View of Harvest Table Area



# Final Concept







View of Fire Feature Area

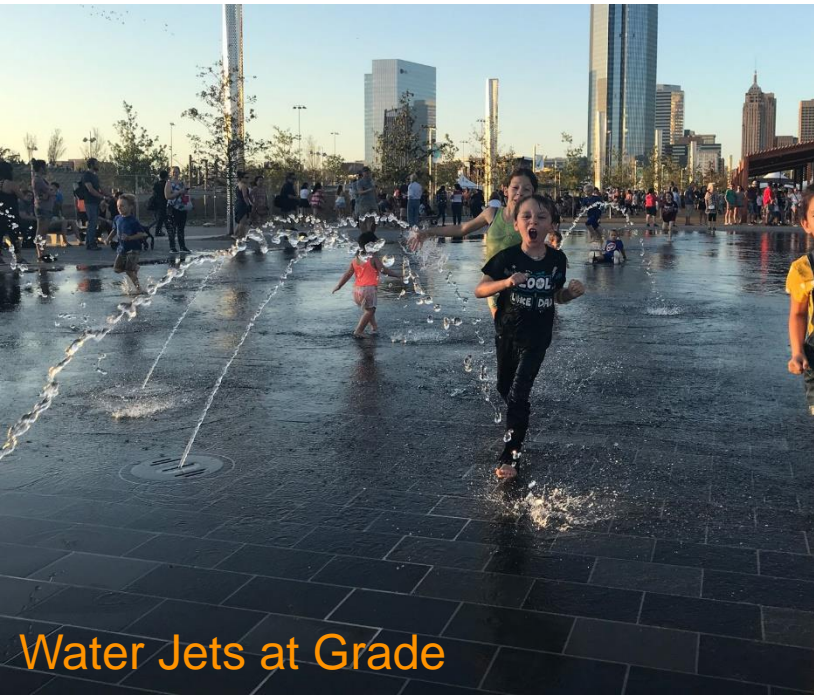


# Streetscape





# Precedents







Harvest Table



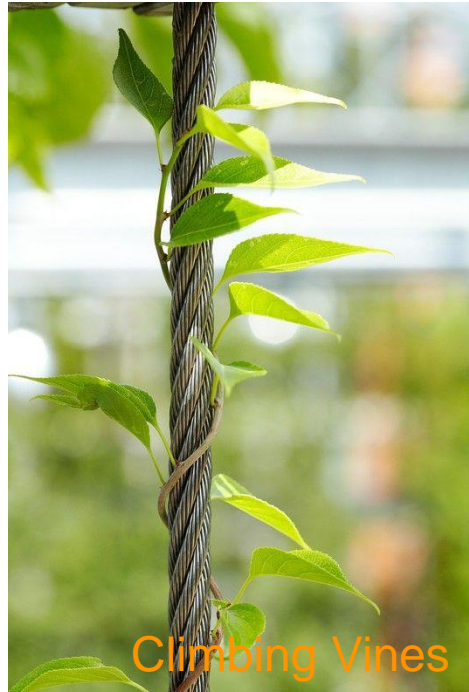
Stone Wall



Stone Wall Reveal



Gas Fire Feature



Climbing Vines



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String Lights Trellis





Mounded Beds



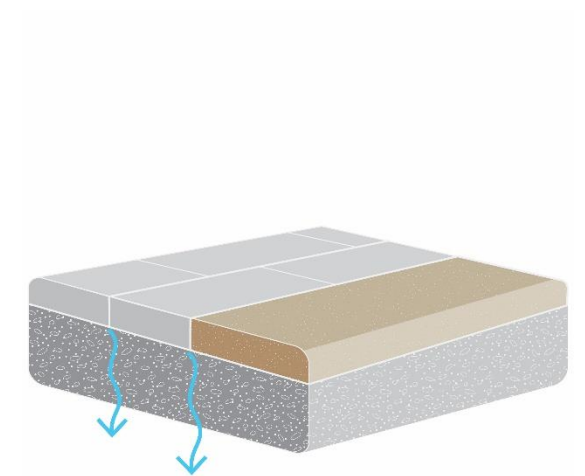
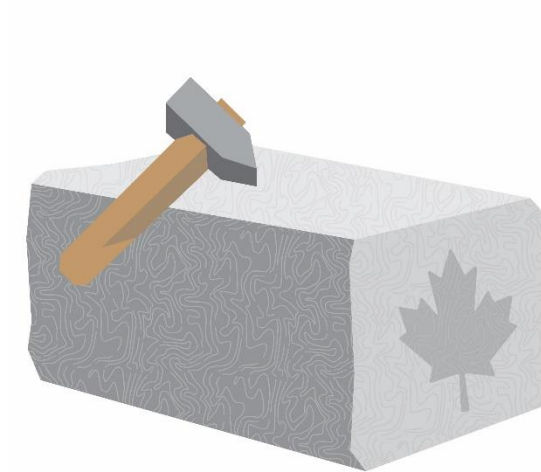
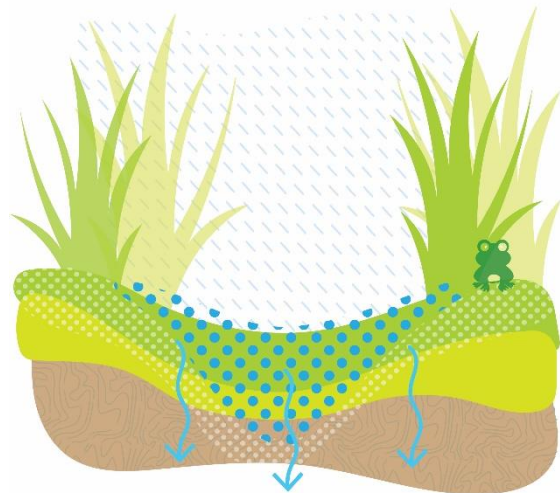
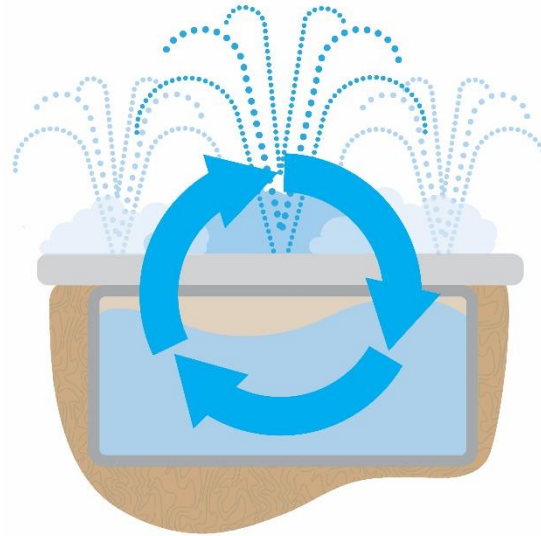
Rain Garden

# Tree Planting





# Low Impact Design Strategies



# Cost Estimate

SHIFT

landscape architecture

## Pelham Civic Space

Town of Pelham

### Cost Estimate - August 2022

Item	Unit	Unit Price	Quantity	Quantity Cost
<b>1.00 Demolition, site prep, permits</b>				<b>\$ 108,395.00</b>
1.01 Site mobilization, survey, demobilization etc	ls	\$ 50,000.00	1	\$ 50,000.00
1.02 Bonding, Insurance	ls	\$ 40,000.00	1	\$ 40,000.00
1.03 Temp. site perimeter fencing	lin m	\$ 35.00	283	\$ 9,905.00
1.04 Temp. silt control fencing	lin m	\$ 30.00	283	\$ 8,490.00
<b>2.00 Grading and earthworks</b>				<b>\$ 125,000.00</b>
2.01 Strip and stockpile and redistribute topsoil	ls	\$ 50,000.00	1	\$ 50,000.00
2.02 Site grading	ls	\$ 75,000.00	1	\$ 75,000.00
<b>3.00 Site services and water play features</b>				<b>\$ 225,000.00</b>
3.01 Electrical site work (connections, lighting, equipment)	ls	\$125,000.00	1	\$ 125,000.00
3.02 Water services and connections	ls	\$ 50,000.00	1	\$ 50,000.00
3.03 Stormwater services and connections	ls	\$ 50,000.00	1	\$ 50,000.00
<b>4.00 Paving</b>				<b>\$ 551,100.00</b>
4.01 PIP concrete paving w/ micro-etch	sq m	\$ 170.00	1165	\$ 198,050.00
4.02 Permeable pavers	sq m	\$ 450.00	617	\$ 277,650.00
4.03 New curbs	lin m	\$ 200.00	22	\$ 4,400.00
4.04 Stonedust surfacing	sq m	\$ 100.00	50	\$ 5,000.00
4.05 Crushed aggregate surfacing (farm lane path)	sq m	\$ 300.00	170	\$ 51,000.00
4.06 Flagstone	sq m	\$ 500.00	30	\$ 15,000.00

<b>5.00 Site furnishings, fencing, signage</b>				<b>\$ 645,500.00</b>
5.01 Concrete w/ wood top seat walls	lin m	\$ 1,500.00	48	\$ 72,000.00
5.02 Concrete seat walls @ fire feature area	lin m	\$ 1,500.00	12	\$ 18,000.00
5.03 Stacked stone wall	lin m	\$ 2,500.00	18	\$ 45,000.00
5.04 Stone wall reveal @ berm	lin m	\$ 2,500.00	10	\$ 25,000.00
5.05 Irregular granite boulders @ planting beds	ls	\$ 25,000.00	1	\$ 25,000.00
5.06 Tree grates	ea	\$ 2,500.00	3	\$ 7,500.00
5.07 Adirondack chairs	ea	\$ 2,000.00	8	\$ 16,000.00
5.08 Bike ring	ea	\$ 800.00	10	\$ 8,000.00
5.09 Waste bin	ea	\$ 2,000.00	3	\$ 6,000.00
5.10 Custom fire feature	ea	\$ 50,000.00	2	\$ 100,000.00
5.11 Harvest table	ls	\$ 18,000.00	1	\$ 18,000.00
5.12 Cable Trellis	ls	\$ 80,000.00	1	\$ 80,000.00
5.13 Stage + Pavilion	ls	\$225,000.00	1	\$ 225,000.00
<b>6.00 Water Feature</b>				<b>\$ 150,000.00</b>
6.01 Water play feature	ls	\$150,000.00	1	\$ 150,000.00
<b>7.00 Planting</b>				<b>\$ 223,500.00</b>
7.01 Planting medium at planting areas	cu m	\$ 100.00	450	\$ 45,000.00
7.02 Bioretention soil at rain garden (400mm depth)	cu m	\$ 150.00	188	\$ 28,200.00
7.03 Trees in soil cells	ea	\$ 20,000.00	3	\$ 60,000.00
7.04 Supply/Install: deciduous trees (50mm plus)	ea	\$ 850.00	40	\$ 34,000.00
7.05 Supply/Install: shrubs	ea	\$ 50.00	200	\$ 10,000.00
7.06 Supply/Install: perennials and grasses	ea	\$ 35.00	1000	\$ 35,000.00
7.07 Supply/Install: sod	sq m	\$ 10.00	1130	\$ 11,300.00
<b>8.00 Testing</b>				<b>\$ 20,000.00</b>
8.01 Testing allowance	allowance	\$ 20,000.00	1	\$ 20,000.00
<b>9.00 Consultants (Detailed Design, Contract Documents + Contract Administration)</b>				<b>\$ 275,000.00</b>
9.01 Consultants allowance	allowance	\$275,000.00	1	\$ 275,000.00

Subtotal \$ 2,323,495.00  
Contingency @ 25% \$ 580,873.75

**TOTAL \$ 2,904,368.75**

**Streetscape Costing**

<u>Item</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Quantity Cost</u>
<b>10.00 Demolition, site prep, permits</b>				<b>\$ 201,940.00</b>
10.01 Site mobilization, survey, demobilization etc	ls	\$ 50,000.00	1	\$ 50,000.00
10.02 Bonding, Insurance	ls	\$ 40,000.00	1	\$ 40,000.00
10.03 Removals	ls	\$ 50,000.00	1	\$ 50,000.00
10.04 Traffic management	ls	\$ 40,000.00	1	\$ 40,000.00
10.05 Temp. site perimeter fencing	lin m	\$ 35.00	316	\$ 11,060.00
10.06 Temp. tree protection fencing	lin m	\$ 35.00	40	\$ 1,400.00
10.07 Temp. silt control fencing	lin m	\$ 30.00	316	\$ 9,480.00
<b>11.00 Grading and earthworks</b>				<b>\$ 50,000.00</b>
11.01 Grading and earthworks	ls	\$ 50,000.00	1	\$ 50,000.00
<b>12.00 Paving</b>				<b>\$ 408,500.00</b>
12.01 PIP concrete paving w/ micro-etch	sq m	\$ 170.00	370	\$ 62,900.00
12.02 Precast pavers on concrete	sq m	\$ 600.00	560	\$ 336,000.00
12.03 New curbs	lin m	\$ 200.00	48	\$ 9,600.00
<b>13.00 Site furnishings, fencing, signage</b>				<b>\$ 40,000.00</b>
13.01 Furnishing allowance	allowance	\$ 40,000.00	1	\$ 40,000.00
<b>14.00 Planting</b>				<b>\$ 50,000.00</b>
14.01 Planting allowance	allowance	\$ 50,000.00	1	\$ 50,000.00
<b>15.00 Consultants (Detailed Design, Contract Documents + Contract Administration)</b>				<b>\$ 100,000.00</b>
15.01 Consultant allowance	allowance	\$100,000.00	1	\$ 100,000.00

**Subtotal** \$ 850,440.00  
Contingency @ 25% \$ 212,610.00

**TOTAL \$ 1,063,050.00**

## Next Steps (outside of SHIFT's scope)

- Funding allocation
- Detailed design
- Contract documents
- Construction

# Questions



Name: Tim Nohara	
Address: P.O. Box 366, Fonthill, Ontario	
Postal Code: L0S 1E1	Telephone #: 905-329-1875
Email Address: tnohara@accipiterradar.com	
The Council Chambers Is equipped with a laptop and projector. Please Check your audio/visual needs: <input checked="" type="checkbox"/> Laptop <input type="checkbox"/> Speaker <input type="checkbox"/> Internet Connection	
<p>PLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION:          Regular Council: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month; 5:30 p.m. (except summer schedule)</p> <p>DATE: <u>August 22, 2022</u></p>	
<p>Please identify the desired action of Council that you are seeking on this issue:</p> <p>1. To receive for information the Closing Memo (attached) from the Cannabis Control Committee.</p> <hr/> <p>2. To endorse the Closing Memo as a Council and recommend it to the incoming Council to guide the completion of Pelham's Cannabis Regulations.</p> <hr/>	
<p>I have never spoken on this issue before. Key points of my deputation are as follows:  <b>(Presentation must accompany the request)</b></p> <hr/> <p>Please see the attached Closing Memo for the key points of my deputation. It includes a summary of the Pelham Cannabis Regulations as of this date, and provides recommendations for the next Council to complete the important work of the CCC. It also provides some guiding principles.</p> <hr/>	
<p>In accordance with the Procedure By-law, Requests to Appear before Council with respect to a matter already on Council's Agenda shall submit a written request to the Clerk no later than 12:00 noon, eight business days prior to the meeting of Council. Delegation requests to address Council on matters not already on the Agenda of Council must be submitted at least fourteen (14) days before the date and time of the Meeting of Council. Delegations shall only be heard at regular Meetings of Council, unless specifically invited by Council to a Meeting of a Committee of Council.</p>	
<p><b>All requests must include a copy of the presentation materials as detailed in the deputation protocol. Failure to provide the required information on time will result in a deferral or denial. Delegations are limited to ten (10) minutes.</b></p>	
<p>I have read and understand the deputation protocol included with this form; and, that the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas and on the Town's website. I also understand that as a participant of this meeting, I will be recorded and further understand that this recording will be posted to the Town of Pelham's YouTube Channel.</p> <p>I also understand that presentation materials must be submitted with this deputation form. Electronic presentations must be e-mailed to <a href="mailto:hwillford@pelham.ca">hwillford@pelham.ca</a> in accordance with the deadlines outlined above.</p>	
<p><i>Tim J. Nohara</i></p> <hr/> Signature	<p>9 August 2022</p> <hr/> Date

**DEPUTATION PROTOCOLS:**

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- ✓ Please provide Clerk with a final and complete copy of your presentation to be included on the agenda for the meeting. MS PowerPoint is preferred. Failure to provide the final presentation will result in the deferral of your delegation.
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- ✓ Please arrive at the meeting by 5:15 p.m.

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- ✓ When called upon, please proceed immediately to the podium.
- ✓ Please keep your presentation brief and to the point. The maximum allowable time is 10 minutes.
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- ✓ If appearing as a group, please designate a spokesperson.
- ✓ Rules of decorum apply during your delegation in accordance with the Procedural By-law.

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- ✓ Upon completion of your presentation, please remain in position to allow for questions from Council members.

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August 09, 2022

To: Mayor Marvin Junkin  
 Councillors: Lisa Haun, Marianne Stewart, Bob Hildebrandt, Ron Kore, Wayne Olson, John Wink

Dear Mayor and Councillors,

**Subject: Closing Memo from the Cannabis Control Committee & Recommendations for Next Council**

The Cannabis Control Committee (CCC), established by this Council in the Spring of 2019, will complete its mandate with this Closing Memo on August 22, 2022, as a result of the Fall municipal elections.

This Closing Memo is intended to succinctly report to this Council and the next a summary of the *Pelham Cannabis Regulations* we have developed for and with the Town, along with recommendations and guiding principles we believe the next Council should adopt to complete this pioneering work.

This Closing Memo and the Pelham Cannabis Regulations have been informed by literally thousands of hours of work by the CCC members Carla Baxter, Louis Damm, Bill Heska, Jim Jeffs, John Langendoen, James Steele and myself, countless hours from staff led by Barbara Wiens and David Cribbs and supported by Bob Lymburner, Jennifer Stirton, Shannon Larocque, Jodi Legros, & Craig Genesse, countless hours from councillor Bob Hildebrandt and the late councillor Mike Ciolfi, and the full support of Council who provided us with outside professional experts including legal (Aird & Berlis LLP: Laura Dean, John Mascarin and Patrick Harrington), planning (Meridian Planning Consultants: Nick McDonald), and odour (PG Compliance Management Inc: Phil Girard). It has been a pleasure working with such a committed, focused, intelligent and diverse group of individuals where occasional disagreements and the openness to debate them led to better work product. I thank them for their efforts, I have learned so much from them, and I am honored to have had a part in leading this team to fulfil the CCC’s mandate.

**Summary of the Pelham Cannabis Regulations as of this date**

The CCC developed these municipal/planning tools to mitigate adverse effects from cannabis facilities:

Municipal & Planning Tools	Approved by Council	Legally Challenged by Redecan, CannTrust (now called Phoena) and/or Woodstock Biomed
Official Plan Amendment (OPA)	Bylaw 4251 (2020) adopted OPA No.9 on July 13, 2020 <a href="https://www.pelham.ca/en/town-hall/resources/Documents/cannabis/4251-2020_Complete.pdf">https://www.pelham.ca/en/town-hall/resources/Documents/cannabis/4251-2020_Complete.pdf</a>	The OPA/ZBA were appealed to the Ontario Land Tribunal (OLT). Hearings were held January 24-26, 2022 and July 25, 2022.
Zoning Bylaw Amendment (ZBA)	Bylaw 4252 (2020) amended the Town’s Zoning Bylaw 1136 (1987) on July 13, 2020 <a href="https://www.pelham.ca/en/town-hall/resources/Documents/By-law-4252-2020-Zoning-By-law-Amendment-for-Cannabis.pdf">https://www.pelham.ca/en/town-hall/resources/Documents/By-law-4252-2020-Zoning-By-law-Amendment-for-Cannabis.pdf</a>	Hearing results: The hearings are complete. Redecan settled with the Town and CannTrust withdrew their appeal. Woodstock remained. The OLT Decision is expected in the Fall 2022.
Odorous Industries Nuisance Bylaw (OINBL)	Bylaw 4202 (2020) was approved on March 23, 2020 and amended by Bylaw 4263 (2020) on July 27, 2020 <a href="https://www.pelham.ca/en/town-hall/resources/Documents/bylaws/4202-2020.pdf">https://www.pelham.ca/en/town-hall/resources/Documents/bylaws/4202-2020.pdf</a> <a href="https://www.pelham.ca/en/town-hall/resources/Documents/bylaws/4263-2020.pdf">https://www.pelham.ca/en/town-hall/resources/Documents/bylaws/4263-2020.pdf</a>	The OINBL was appealed to the Ontario Superior Court. Hearings will likely not occur until 2023.
Site Plan Control Bylaw	Bylaw 4262 (2020) was approved on July 27, 2020 to amend the Site Plan Control Bylaw 1118 (1987)	The bylaw is in effect. There are no legal challenges.
Light Bylaw	A light bylaw was drafted but deferred pending legal challenges of a similar bylaw in Leamington	Pelham can proceed as the Leamington bylaw was enacted and settled on June 14, 2022.

The purpose and summary of each of these regulations, along with links to the regulations themselves as approved by Council can be found at [https://www.pelham.ca/en/town-hall/resources/Documents/cannabis/CCC-TwoPager-CannabisRegulations\\_22020605.pdf](https://www.pelham.ca/en/town-hall/resources/Documents/cannabis/CCC-TwoPager-CannabisRegulations_22020605.pdf)<sup>1</sup>.

## Recommendations

### OPA/ZBA

The cannabis OPA and ZBA are the Town's first line of defence to ensure that adverse effects (especially odour) from new or expanding indoor cannabis and industrial hemp facilities are avoided completely or suitably mitigated.

The purpose of the OPA is to establish permissions for indoor cannabis and industrial hemp cultivation, subject to a zoning by-law amendment, and to establish approval criteria. Outdoor cultivation in agricultural areas is allowed. New facility approval requires adverse effects to be avoided or appropriately mitigated with setbacks determined on a case-by-case basis through peer reviewed odour and light studies and contingency mitigation plans, and subject to Site Plan Control in accordance with Section E1.4 of the Plan.

The purpose of the ZBA is to add two specific Agricultural-Cannabis and General-Industrial-Cannabis zones to regulate newly approved indoor and outdoor cannabis facilities. The ZBA sets a 300m setback for outdoor uses and lot area, coverage, frontage, front yard, rear yard and side yard standards for indoor uses, as well as parking standards.

Once the MOS (see item 3 below), OPA and ZBA are approved by the OLT, we recommend the following:

1. Staff publish the OPA and ZBA on the Town website: <https://www.pelham.ca/en/town-hall/cannabis.aspx>
2. Staff create a one-page report explaining the typical process the public can expect for new applications for indoor cannabis or industrial hemp and publish the same at <https://www.pelham.ca/en/town-hall/cannabis.aspx>
3. The next Council direct staff to implement the Community Liaison Committee (CLC) for the Redecan facility at 182 Foss Rd. as soon as possible in early 2023, in accordance with the Minutes of Settlement (MOS) agreed between Redecan and the Town as reported at the OLT Hearing on July 25, 2022. A senior staff member should be tasked with reporting to Council at a public Council Meeting at least semi-annually on the progress of the Redecan CLC.
4. Considerable care was taken in the OPA and ZBA to organize their contents into separate sections so there is no conflict with our existing Official Plan and Zoning By-law. It is critical that this separation be maintained in future amendments to our Official Plan and Zoning By-law. Council to

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<sup>1</sup> There may be some modest changes to the OPA, ZBA or the OINBL as a result of the legal actions described in the table above. We have every confidence to believe we will be successful in defending these as Aird & Berlis LLP, Meridian Planning Consultants, and PG Compliance Management Inc. advised in their development and the bylaw drafting to be defensible to legal challenges.

direct staff to ensure the provisions of our OLT-approved cannabis OPA/ZBA are maintained precisely in their approved form in future revisions to our Town's Official Plan and Zoning By-law(s).

#### OINBL

The Odorous Industries Nuisance Bylaw (OINBL) is the Town's second line of defence and is designed to encourage indoor cannabis and industrial hemp facilities to eliminate the release of nuisance odours into their neighboring community. The OINBL is an enforcement tool that provides for small AMPS (Administrative Monetary Penalty System) fines as well as larger fines/offences under the Municipal Act including seeking a Court order to shutdown a facility which continues to be non-compliant and causing adverse odour impacts in the community.

The purpose of the OINBL is to regulate certain matters related to odorous industrial facilities including cannabis, landfill, slaughter house and rendering operations. In order to avoid adverse effects (such as material discomfort or loss of enjoyment of one's property) from obnoxious odours, facilities are required to employ air filtration systems and take corrective action to prevent the escape of obnoxious odours. A professional odour contractor regularly measures and publishes odour levels in accordance with an ambient neighbourhood odour monitoring program (ANOMP) to be paid for by the cannabis facilities; and Bylaw Enforcement takes random or spot measurements in response to complaints to ensure odour levels are within specified limits.

The OINBL uses the same air quality tools found in our OPA and in the Redecan MOS as recommended by the Town's odour expert. The Town competed and was ready to award the ANOMP in summer 2021 when it pulled back as a result of CannTrust and Redecan filing an "order to quash" lawsuit with the Ontario Superior Court against the OINBL. It is critical that Council removes this unwarranted lawsuit brought over a year after the OINBL was passed by Council, in order to ensure the ANOMP's full implementation proceeds. We believe we have a strong case for our day in Court against these parties<sup>2</sup>.

We recommend the following:

1. The next Council instruct Aird & Berlis LLP to expedite the legal action brought against the OINBL so that it is either withdrawn by the applicants, dismissed, or ruled upon by the Court as soon as possible.
2. The next Council contract the Town's Odour Expert, Mr. Phil Girard, P.Eng, to revise the ANOMP design so that it is appropriate for the indoor cannabis facilities operating at the time and causing odour-based adverse effects in their respective local communities. For example, the ANOMP will likely be needed for the Phoena (formerly called CannTrust) facility on Balfour St., but may not be needed to the same extent or at all for the Redecan facility on 182 Foss Rd. if its CLC is functioning well in accordance with the Redecan MOS.

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<sup>2</sup> An order to quash requires the litigants to prove that Pelham acted in bad faith in approving the OINBL. This allegation couldn't be further from the truth, and Pelham can easily defend against this allegation. No municipality has worked harder, been more transparent, brought in more experts and sought more feedback from stakeholders to develop this bylaw. Furthermore, Woodstock Biomed, Redecan and CannTrust (now called Phoena) have already accepted the merits of the odour measurement methods employed in the OINBL as they are also found in the OPA odour management policies and the Redecan MOS which the relevant parties agreed to at the OLT on July 25, 2022.

3. Update the Fees and Services Bylaw or introduce a cannabis licencing framework to charge the cost of the ANOMP to the respective indoor cannabis facilities. The CCC, through the initiative of the Town's solicitor and a review by Aird & Berlis, drafted such a licencing framework to support the implementation of the OINBL. This draft OINBL amendment is ready for Council's review and approval, and provides an excellent starting point for the next Council.
4. Council to direct Bylaw Enforcement to fully enforce the OINBL.
5. Once the new PSR system that the Town is developing is operational, Council to direct staff to communicate to the public how to file odour nuisance complaints on the new system.
6. Council to direct staff to quantify the cost burden of mitigating the adverse impact of the unintended cannabis odour on the community and to draft resolutions which Council could endorse to seek the means for requesting financial support from the Provincial and/or Federal governments for municipalities with indoor cannabis facilities in their jurisdictions that are experiencing the impacts of unintended cannabis odour in their communities. These costs include the added costs to Bylaw Enforcement, outside experts, and third-party contractors.
7. Council to direct staff to report regularly to the public on progress with respect to the above, and on how the public can assist the Town with odour nuisance awareness and enforcement.

#### **Site Plan Control By-law**

The purpose of the Site Plan Control By-law is to ensure that indoor cannabis and industrial hemp facilities are subject to site plan control. The prior exemption for cannabis and industrial hemp agricultural uses was removed. We have no further recommendations to make here.

#### **Light Bylaw**

A dark skies bylaw was drafted by staff and the CCC reviewed it but deferred it pending legal challenges of another light abatement bylaw in Leamington. Leamington adopted a new light bylaw being Bylaw 41-22 on June 14, 2022 which resolved the disputes and court challenge with the original light bylaw and has been accepted by the local greenhouse industry. This bylaw is specifically a light abatement bylaw for greenhouses and requires sidewall curtains fully closed, and ceiling curtains which are to be closed 90% or more.

Based on the above, we recommend that:

1. Council develop a light bylaw for greenhouse light abatement patterned after the Leamington Light Bylaw as those goal posts (i.e., a collection of requirements with legal precedent) have now been set.

## Guiding Principles

Pelham has been a pioneer in developing planning and municipal instruments to guide how new cannabis and industrial hemp facilities can establish in the Town, while proactively and reactively mitigating their adverse effects on the neighbouring community. Some key guiding principles have supported our successful work and should continue to guide the future completion of this work.

1. The expert advice we have sought and obtained and incorporated into our work product is necessary and money well spent, and should continue to complete any future cannabis bylaws. This approach ensures that:
  - a. We will have instruments that will stand up in Court;
  - b. While these instruments will be challenged, we can be confident that the challengers will either withdraw their challenges on the eve of the hearing or trial, or come to an agreed and equitable settlement with the Town.
  - c. Once tested through a judicial process, we can have confidence that the goal posts have been set once and for all, which allows all parties to move forward with better collaboration. The Redcan CLC is an example of this.
  - d. We will have reduced the burden on staff who have too many other responsibilities competing for their time.
  
2. Reducing and eliminating odour emissions from indoor cannabis facilities is the single most important challenge. This challenge arises because of the failure of the federal government to enforce their licencing requirements related to the *no odour off site requirement* of the Cannabis Regulations (see Section 85 of the Cannabis Regulations SOR/2018-144). In Pelham where our variable terrain makes odour dispersion especially challenging, the key to co-existence is separation. For this reason, the OPA we developed requires odour studies to determine the appropriate separation on a case-by-case basis, with peer review by the Town's odour expert. Our work has settled on a 300m separation for outdoor cultivation, where strong odour periods are seasonal as compared to indoor operations; and this separation is reflected in the ZBA we developed.

The CCC recommends that Council should continue to lobby the federal government to enforce their (licencing) air filtration requirements to prevent the escape of odours and the provincial government to develop standards for commercial cannabis growing operations that relate to odour and light pollution with appropriate emission standards. Any progress in this direction can only help municipalities like us better address odour and light pollution from indoor cannabis facilities to the satisfaction of the community.

**Closing Remarks**

In closing, we ask Council to receive this Closing Memo as the CCC's final work product, and to endorse and recommend it to the incoming Council as a starting point and guide for them to safely see these Pelham Cannabis Regulations through to completion for the benefit of our community.

Sincerely,

A handwritten signature in cursive script that reads "Tim J. Nohara".

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Tim J. Nohara, Chair  
Cannabis Control Committee  
Town of Pelham

Cc: Carla Baxter, Louis Damm, Bill Heska, Jim Jeffs, John Langendoen, James Steele, Barbara Wiens, David Cribbs, Bob Hildebrandt



Name: Sandee Matthews	
Address: 1116 Garner Ave. Box 213 Fenwick Ontario	
Postal Code: L0S 1C0	Telephone #: 905.328.1045
Email Address: Smatthews52@hotmail.com	
The Council Chambers Is equipped with a laptop and projector. Please Check your audio/visual needs: <input type="checkbox"/> Laptop <input checked="" type="checkbox"/> Speaker <input type="checkbox"/> Internet Connection	
<p>PLEASE INDICATE THE DATE OF THE COUNCIL MEETING YOU WISH TO ATTEND AS A DELEGATION:          Regular Council: 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month; 5:30 p.m. (except summer schedule)</p> <p>DATE: __ Monday August 22, 2022 5:30pm</p> <p>Please identify the desired action of Council that you are seeking on this issue:          Financial Support consideration to the Friends of Maple Acre for the Tree Carving and Garden Project. Located at The Lincoln Pelham Public Library - Maple Acre Branch, 781 Canboro Rd., Fenwick</p> <p>I have never spoken on this issue before. Key points of my deputation are as follows:  <b>(Presentation must accompany the request)</b></p> <p>The Friends of Maple Acre Library have worked tirelessly for over 30 years raising funds to benefit the Pelham Public Library. After 2 years of isolation our Friends volunteers met in March to discuss our 2022 plans. Our 2 main projects were to plant new gardens around the Fenwick library and have a tree carving done that will tell the story of volunteerism (both library and firefighters) and this village land site history. The results to date have been outstanding and we have beautiful gardens and a soon-to-be finished beautiful carved tree that has brought many visitors and residents to our town and library. It is truly a landmark which we will continue to preserve, and we will also compose and share the story. The project cost is \$20,300 (tax included). Your support would be most appreciated.</p> <p>Council's Agenda shall submit a written request to the Clerk no later than 12:00 noon, eight business days prior to the meeting of Council. Delegation requests to address Council on matters not already on the Agenda of Council must be submitted at least fourteen (14) days before the date and time of the Meeting of Council. Delegations shall only be heard at regular Meetings of Council, unless specifically invited by Council to a Meeting of a Committee of Council.</p> <p><b>All requests must include a copy of the presentation materials as detailed in the deputation protocol. Failure to provide the required information on time will result in a deferral or denial. Delegations are limited to ten (10) minutes.</b></p> <p>I have read and understand the deputation protocol included with this form; and, that the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas and on the Town's website. I also understand that as a participant of this meeting, I will be recorded and further understand that this recording with be posted to the Town of Pelham's YouTube Channel.</p> <p>I also understand that presentation materials must be submitted with this deputation form. Electronic presentations must be e-mailed to <a href="mailto:hwillford@pelham.ca">hwillford@pelham.ca</a> in accordance with the deadlines outlined above.</p> <p>Sandee Matthews          Signature <span style="float: right;">Date Aug 3, 2022</span></p>	

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Town of Pelham Council presentation August 22,2022.

# Friends of Maple Acre

# Action: financial support for Fenwick Beautification. “Year of the Garden 2022”

- Friends of Maple Acre, 30 years raising funds to benefit the Pelham Public Library
- Working in collaboration with Pelham Public Library, Town of Pelham and the community.
- Worked with developer of Cherry Ridge subdivision to save aging Maple Acre Branch library. Outside drainage and painting
- Restored hardwood floor, painting, carpeting, shelving, display case, librarian desk, tv and cabinet. Promoted adult and children programs
- Buy-a-Byte, furnishings, Children’s supplies, programs



. . . After the past 2 years of limited activity the Friends of Maple Acre met in March 2022 and planned several new activities

- Earth Day, Town of Pelham Clean up April 23
- Garden Project with Pelham garden club. Garden prep began
- Willowbrook contacted to help design gardens, suggest plants and offered expertise.
- First personal \$ donation and in-kind donation to projects
- Tree Carving – will tell the story of our people in the community
- Volunteerism - Library and Firefighters
- Demonstrate our pride in our community and history
- Importance of shared public lands.
- Caretakers of our land
- Past to present people
- Plants & animals

# Fund raising activities

- Annual BBQ's
- Christmas in the Country craft sales
- Bake sales
- Raffles
- Donor boxes/jars
- 1920 Library Stain Glass window replicas for sale
- Popcorn & Lemonade sale @ Canada Day
- Pop Up Lemonade stand
- Online donations
- Waffle breakfast and silent auction (planned)



April 22,, 2022





# May 18 Beautification Day thanks to Willowbrook nursery (John&Chad) Pelham garden club & MA Friends



## Gardens

- 18 day lilies
- 10 dwarf lilacs
- 21 yews
- 9 dwarf hydrangeas
- 18 cat mint
- Row of dwarf white daisies
- Row of rose glow barberry



Maple Acre Gardens. . . . before and after





# Maple Acre Gardens



Garden and bench. Plants Willowbrook Nursery. Mulch Safe Tree





# Tree carving





# July 1, 2022 - Canada Day Harold Black Park



..

J,P. Gauthier  
carved a "Bear in  
Box" from 1pm-  
4pm  
Donated for  
Silent Auction



# Planned fund raisers

- Waffle Breakfast
- Silent Auction items:
  - Bear in a box wood carving
  - Marilyn Casson painting
  - ESD Japan hand painted tea/coffee cup& saucer
  - Edelstein Fine China made in Germany, set for 6 includes Coffee/Tea Pot, 6 tea/coffee cups & saucers, creamer, covered sugar bowl, 6 dessert plates
- Stain glass donation

# Financial

- Project Donations:
  - \$1,688 as of 2022-06-29
  - In-kind donations, garden plants, mulch, soil
- Costs:
  - Garden soil & mulch
  - Plant design and plants
  - Patio stones for between buildings
  - Cement garden bench
  - Tree carving



# Our ask and Our commitment

- For funds that have previously been raised by our community be used for recent beautification in Fenwick.
- We understand that these dollars were to be used in Fenwick
- We are requesting that these funds be utilized in 2022 for the Beautification in Fenwick - Garden project and Tree Carving.
- Maple Acre Friends are committed to our community and to maintaining the gardens and tree carving
- All our donors and volunteers in our community are committed to our beautification
- We will submit a letter to council requesting these funds

## REGULAR COUNCIL MINUTES

**Meeting #:** C-13/2022 - Regular Council  
**Date:** Monday, July 25, 2022  
**Time:** 4:30 PM  
**Location:** Town of Pelham Municipal Office - Council  
Chambers  
20 Pelham Town Square, Fonthill

**Members Present:** Mayor Marvin Junkin  
Councillor Lisa Haun  
Councillor Bob Hildebrandt  
Councillor Ron Kore  
Councillor Wayne Olson  
Councillor Marianne Stewart

**Regrets:** Councillor John Wink

**Staff Present:** David Cribbs  
Jason Marr  
Teresa Quinlin-Murphy  
Vickie vanRavenswaay  
Barbara Wiens  
Holly Willford  
Jacquie Miller  
Lindsay Richardson (Part time)  
Lucas Smith (Part time)  
Ryan Cook (Part time)  
Derek Young (Part time)

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### 1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 4:30pm.

#### 1.1 Land Recognition Statement

Councillor Olson read the land acknowledgement into the record.

The Mayor stated on behalf of Fire Chief Lymburner, he and the Chief would like to thank the community for the successful Pelham Cares Food Drive.

### 2. Approval of Agenda

**Moved By** Councillor Bob Hildebrandt  
**Seconded By** Councillor Wayne Olson



BE IT RESOLVED THAT the agenda for the July 25, 2022 Regular meeting of Council be adopted, as circulated.

**Amendment:**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Wayne Olson

**THAT the agenda be amended to:**

- **Move item 10.2.1 Invasive Species - European Water Chestnut Staff Report to immediately follow item 4.2.1 Invasive Species Centre Delegation; and**
- **Move item 10.2.9 Recommendation Report Town of Pelham Comprehensive Zoning By-law and Housekeeping Official Plan Amendment to immediately follow item 10.2.3 Capital Project Budget Exceedance Report**

For (5): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (5 to 0)**

**Amendment:**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Wayne Olson

**THAT the agenda be amended to include the addendum.**

For (5): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (5 to 0)**

**Motion as Amended:**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Ron Kore

**BE IT RESOLVED THAT the agenda for the July 25, 2022 Regular meeting of Council be adopted, as amended.**

For (5): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (5 to 0)**

**3. Disclosure of Pecuniary Interests and General Nature Thereof**

There were no pecuniary interests disclosed by any of the members present.

**4. Hearing of Presentation, Delegations, Regional Report**

**4.1 Presentations**

**4.2 Delegations**

#### **4.2.1 Invasive Species Centre**

Mr. Colin Cassin, Manager of Policy from the Invasive Species Centre provided Council a presentation with respect to European Water Chestnut. A copy of the presentation is on record with the Clerk. Mr. Cassin answered various questions of Council.

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Lisa Haun

**BE IT RESOLVED THAT Council receive the delegation from Colin Cassin, Manager of Policy for the Invasive Species Centre, with respect to European Water Chestnut in the Welland River, for information.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

#### **4.2.2 Invasive Species - European Water Chestnut, 2022-0157-Clerks**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT Council receive Report #2022-156 – Invasive Species – European Water Chestnut, for information;**

**AND THAT Council declare the European Water Chestnut a Noxious Weed within the Town of Pelham;**

**AND THAT Council support and endorses a request to declare the European Water Chestnut a prohibited species in Ontario.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

#### **4.2.3 Bandshell Committee – Town Hall Extension**

Ms. Annie Holtby presented on behalf of Ms. Gayle Baltjes-Chataway with regards to the proposed town hall extension. A copy of the read remarks are on record with the Clerk.

**Moved By** Councillor Marianne Stewart

**Seconded By** Councillor Lisa Haun



**BE IT RESOLVED THAT Council receive the delegation from Annie Holtby, with respect to the addition of washroom facilities and storage at Town Hall, for information.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

#### **4.3 Report of Regional Councillor**

### **5. Adoption of Minutes**

**Moved By** Councillor Lisa Haun

**Seconded By** Councillor Ron Kore

**BE IT RESOLVED THAT the following minutes be adopted as printed, circulated and read:**

**1. SC-04/2022 - Special Council - June 20, 2022**

**2. RC-12/2022 - Regular Council - June 20, 2022**

**3. SC-05/2022 - Special Council - June 27, 2022**

**4. SC-06/2022 - Special Council - July 12, 2022**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

### **6. Business Arising from Council Minutes**

### **7. Request(s) to Lift Consent Agenda Item(s) for Separate Consideration**

Councillor Hildebrandt requested item 8.5.1 be lifted.

Councillor Kore requested item 8.5.4 be lifted.

### **8. Consent Agenda Items to be Considered in Block**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Marianne Stewart

**BE IT RESOLVED THAT the Consent Agenda items as listed on the July 25, 2022 Council Agenda be received and the recommendations contained therein be approved, save and except items 8.5.1 and 8.5.4:**

#### **8. Consent Agenda Items to be Considered in Block**

##### **8.1. Presentation of Recommendations Arising from COW or P&P, for Council Approval**

**BE IT RESOLVED THAT Council hereby approves the Recommendations Resulting from the following:**

- 1. PCOW-05/2022 - June 13, 2022 - Special Committee of the Whole, Public Meeting under the Planning Act**
- 2. PCOW-06/2022 - July 11, 2022 - Special Committee of the Whole, Public Meeting under the Planning Act**

**8.2. Minutes Approval - Committee**

**BE IT RESOLVED THAT the following minutes be adopted as printed, circulated and read:**

- 1. PCOW-05/2022 - June 13, 2022 - Special Committee of the Whole, Public Meeting under the Planning Act**
- 2. PCOW-06/2022 - July 11, 2022 - Special Committee of the Whole, Public Meeting under the Planning Act**

**8.3. Staff Reports of a Routine Nature for Information or Action**

**8.3.1. Q2 Fire & By-law department COW report 2022-0167-Fire Dept**

**BE IT RESOLVED THAT the Q2/2022-0167 Fire and By-law Enforcement Department Report be received for information.**

**8.3.2. Q2 RCW COW Report 2022, 2022-0173-Recreation**

**BE IT RESOLVED THAT the Q2/2022 Recreation, Culture and Wellness Department Report be received for information.**

**8.3.3. Q2 2022 - Planning and Development COW Report, 2022-0165-Planning**

**BE IT RESOLVED THAT the Q2/2022 Community Planning and Development Department Report be received for information.**

**8.3.4. Q2 2022 Corporate Services COW Report, 2022-0179-Corporate Services**

**BE IT RESOLVED THAT report #2022-0178-Corporate receive Services Department Report for information.**

**8.3.5. Q2 2022 Clerks COW Report, 2022-0088-Clerks**

**BE IT RESOLVED THAT the Q2/2022 Clerk's Report be received for information.**

**8.3.6. Q2 Public Works Department Quarterly Report for the period (April 2022 - June 2022), 2022-0160-Public Works**

**BE IT RESOLVED THAT the Q2/2022 Public Works Department Report be received for information.**

**8.3.7. 2021 Town of Pelham Annual Report, 2022-0150-Corporate Services**



**BE IT RESOLVED THAT Council receive Report #2022-0150- Corporate Services and the attached 2021 Town of Pelham Annual Report for information.**

**8.3.8. March 2022 Financial Reports, 2022-0169-Corporate Services**

**BE IT RESOLVED THAT Council receive Report #2022-0169- Corporate Services, March 2022 Financial Reports, for information.**

**8.3.9. Excess Soil Management Legislation Information Update, 2022-0140-Public Works**

**BE IT RESOLVED THAT Council receive Report #2022-0140 – Excess Soil Management Legislation Information, for information.**

**8.3.10. Canada Summer Games Road Closure Report, 2022-0153-Public Works**

**BE IT RESOLVED THAT Council receive Report #2022-0153 Canada Summer Games Road Closure for information;**

**8.3.11. Release Municipal Interest In Lands - Part 1 on 59R-15867, 2022-0158-Clerks**

**BE IT RESOLVED THAT Council receive Report #2022-0158 – Release Municipal Interest In Lands – Part 1 on 59R-1587, for information;**

**AND THAT Council authorize and direct the Clerk and Mayor to execute a Transfer Release and Abandonment, or any other necessary document to enact and facilitate the partial release of the Town of Pelham’s interest in Instrument No. SN666300 – Site Plan Agreement over Part 1 on 59R-1587, and any associated documents.**

**8.3.12. Release Municipal Interest In Lands - Lot 12 Plan 59M-406, 2022-0156-Clerks**

**BE IT RESOLVED THAT Council receive Report #2022-156 – Release Municipal Interest in Land – Lot 12 on Plan 59M-406, for information;**

**AND THAT Council authorize and direct the Clerk and Mayor to execute a Transfer Release and Abandonment, or any other necessary document to enact and facilitate the partial release of the Town of Pelham’s interest in Instrument No. SN306569 – Temporary Easement for Stormwater and Instrument No. SN104196 – Notice of Maintenance Agreement with respect to Lot 12 on Plan 59M-406.**

**8.5. Information Correspondence Items**

**~~8.5.1. Cross Border Travel and ArriveCAN~~**

~~BE IT RESOLVED THAT Council receive correspondence dated May 31, 2022 from the Town of Fort Erie regarding Cross Border Travel and ArriveCAN, for information. (lifted)~~

**8.5.2. Michael De Prophetis Comments re: 15 Highway 20 East**

**BE IT RESOLVED THAT Council receive correspondence dated June 15, 2022 from Michael Deprophetis regarding 15 Highway 20 East, for information.**

**8.5.3. Rod Zwierschke Comments re Summersides Village Draft Plan of Subdivision Road Connections**

**BE IT RESOLVED THAT Council receive correspondence dated June 17, 2022 from Rod Zwierschke regarding Summersides Village Draft Plan of Subdivision Road Connections, for information.**

~~**8.5.4. Tim Nohara re: Concerns with Draft Comprehensive Zoning By-law**~~

~~**BE IT RESOLVED THAT Council receive correspondence from Tim Nohara dated July 13, 2022 regarding concerns with the draft Comprehensive Zoning By-law, for information. (lifted)**~~

**8.5.5. NPCA Board of Directors Meeting Highlights - June 17, 2022**

**BE IT RESOLVED THAT Council receive correspondence from the Niagara Peninsula Conservation Authority regarding its June 17, 2022 Board of Directors Meeting Highlights, for information.**

**8.5.6 Sullivan Manhoney LLP Correspondence re: Draft Zoning By-Law**

**BE IT RESOLVED THAT Council receive the correspondence from Sullivan Manhoney LLP regarding the Draft Zoning By-Law, for information.**

**8.5.7 Mike Korolyk Correspondence re: Draft Zoning By-Law**

**BE IT RESOLVED THAT Council receive the correspondence from Mike Korolyk regarding the Draft Zoning By-Law, for information.**

**8.5.8 Turkstra Mazza Associates Correspondence re: Draft Zoning By-Law**

**BE IT RESOLVED THAT Council receive the correspondence from Turkstra Mazza Associates regarding the Draft Zoning By-Law, for information.**

**8.5.9 Diane Stephens Correspondence re: Draft Zoning By-Law**



**BE IT RESOLVED THAT Council receive the correspondence from Diane Stephens regarding the Draft Zoning By-Law, for information.**

**8.7. Committee Minutes for Information**

**8.7.1. Cannabis Control Committee**

**BE IT RESOLVED THAT Council receive meeting minutes dated May 11, 2022 from the Cannabis Control Committee, for information.**

**8.7.2. Committee of Adjustment**

**BE IT RESOLVED THAT Council receive meeting minutes dated May 4, 2022 from the Committee of Adjustment, for information.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

**9. Items for Separate Consideration, if Any**

**9.1 Cross Border Travel and ArriveCAN**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Marianne Stewart

BE IT RESOLVED THAT Council receive correspondence dated May 31, 2022 from the Town of Fort Erie regarding Cross Border Travel and ArriveCAN, for information.

**Amendment:**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Lisa Haun

**THAT the motion be amended to include:**

**AND THAT the Council for the Corporation of the Town of Pelham endorse and support the resolution from the Town of Fort Erie regarding Cross Border Travel and ArriveCAN;**

**AND THAT the Town Clerk is hereby directed to circulate a copy of this resolution to Prime Minister Justin Trudeau, local MPs and MPPs and Local Area Clerks.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

**Motion as Amended:**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Lisa Haun

**BE IT RESOLVED THAT Council receive correspondence dated May 31, 2022 from the Town of Fort Erie regarding Cross Border Travel and ArriveCAN, for information;**

**AND THAT the Council for the Corporation of the Town of Pelham endorse and support the resolution from the Town of Fort Erie regarding Cross Border Travel and ArriveCAN;**

**AND THAT the Town Clerk is hereby directed to circulate a copy of this resolution to Prime Minister Justin Trudeau, local MPs and MPPs and Local Area Clerks.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

**9.2 Tim Nohara re: Concerns with Draft Comprehensive Zoning By-law**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Marianne Stewart

**BE IT RESOLVED THAT Council receive correspondence from Tim Nohara dated July 13, 2022 regarding concerns with the draft Comprehensive Zoning By-law, for information.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

**10. Presentation & Consideration of Reports**

**10.1 Reports from Members of Council:**

**10.1.1 Councillor Olson**

Councillor Olson provided a verbal report to Council regarding the newly established Niagara Transit Commission.

**Moved By** Councillor Ron Kore

**Seconded By** Councillor Lisa Haun

**BE IT RESOLVED THAT Council receive the verbal presentation from Councillor Olson regarding the Niagara Transit Commission, for information.**



For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

## **10.2 Staff Reports Requiring Action**

### **10.2.1 Naming Opportunities for the late Jane Haist, 2022-0163-Clerks**

**Moved By** Councillor Lisa Haun

**Seconded By** Councillor Ron Kore

BE IT RESOLVED THAT Council receive Report #2022-0163 Naming Opportunities for the late Jane Haist, for information;

AND THAT Council authorize and direct staff to proceed with option \_\_\_\_\_ in honour of Jane Haist.

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Ron Kore

**BE IT RESOLVED THAT Council defer consideration of this report until August 22, 2022, allowing time to consult with the Jane Haist's family.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

### **10.2.2 2023 Budget Schedule, 2022-0170-Corporate Services**

**Moved By** Councillor Ron Kore

**Seconded By** Councillor Marianne Stewart

**BE IT RESOLVED THAT Council receive Report #2022-0170-Corporate Services – 2023 Budget Schedule, for information;**

**AND THAT Council direct staff to include the “Budget Open House Public Meeting” to be conducted as part of the Regular Council Meeting scheduled on Monday, November 7<sup>th</sup>, 2022;**

**AND THAT the Rules of Procedure as contained in the Town of Pelham Procedural By-law, be suspended as they pertain to Delegations, to allow unlimited delegations to register to speak on the 2023 Budget**

**as part of the Public Meeting on November 7<sup>th</sup>, 2022;**

**AND THAT Council approve the 2023 Budget Schedule.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

**10.2.3 Ontario Trillium Foundation Community Building Grant 2022, 2022-0171-Corporate Services**

**Moved By** Councillor Marianne Stewart

**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT Council receive Report # 2022-0171-Corporate Services – Ontario Trillium Foundation Capital Grant, for information;**

**AND THAT Council approve the grant application for Ontario Trillium Foundation’s Capital Grant stream for a new accessible universal washroom and upgrade to existing washrooms at Centennial Park in the amount of \$150,000.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

**10.2.4 Parking Options for Village of Ridgeville at Bulk Water Filling Station, 2022-0147-Public Works**

**Moved By** Councillor Ron Kore

**Seconded By** Councillor Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2022-147 Parking Options for Village of Ridgeville at Bulk Water Filling Station for information;

AND THAT Council direct staff to pursue Option # \_\_\_\_\_, being:

- a. Option 1 – Conventional Asphalt Parking Area
- b. Option 1A - Conventional Asphalt Parking Area with Associated LID Features to Control Runoff
- c. Option 1B - Conventional Asphalt Parking Area with Catch Basin and Infiltration Trench to Control Runoff

- d. Option 2 - Permeable Pavement /Porous Asphalt Parking Area with Associated LID Features to Control Runoff
- e. Option 3 - Permeable Stone Paver Parking Area with Associated LID Features to Control Runoff

**Amendment:**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Bob Hildebrand

**THAT the motion be amended to include option 1.**

For (3): Mayor Marvin Junkin, Councillor Bob Hildebrandt, and Councillor Wayne Olson

Against (3): Councillor Lisa Haun, Councillor Ron Kore, and Councillor Marianne Stewart

**Defeated (3 to 3)**

**Amendment:**

**Moved By** Councillor Ron Kore

**Seconded By** Councillor Marianne Stewart

**THAT the motion be amended**

- **to strike paragraph 2, including the options listed;**
- **AND insert: "THAT the project be referred to the 2023 budget for consideration"**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

**Motion as Amended:**

**Moved By** Councillor Ron Kore

**Seconded By** Councillor Marianne Stewart

**BE IT RESOLVED THAT Council receive Report #2022-147 Parking Options for Village of Ridgeville at Bulk Water Filling Station for information;**

**AND THAT the project be referred to the 2023 budget for consideration**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**



**10.2.5 Capital Projects Budget Exceedance, 2022-0174-Public Works**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Lisa Haun

BE IT RESOLVED THAT Council receive Report #2022-0174 Capital Projects Budget Exceedances, for information;

AND THAT Council APPROVE the award of Pelham Street Reconstruction Phase 3 to Rankin Construction Inc. in the amount of \$5,571,425 plus applicable taxes;

AND THAT Council APPROVE a budget increase of \$1,106,517 for projects RD 11-22; and \$617,365 for WTR 01-22;

AND THAT Council APPROVE the additional funding for Pelham Street Phase 3 from capital projects RD 13-21 (Pelham St Phase 2) in the amount of \$472,329; RD 03-20 in the amount of \$96,229 (Pelham St Phase 1); from RD 13-22 in the amount of \$223,833 (Effingham St reconstruction) and \$39,500 from WST 02-22 (I/I Sanitary Sewers), for a total amount of \$831,891;

AND THAT Council APPROVE additional funding in the amount of \$617,365 from the Town's Water Reserve, and \$274,626 from the Town's Roads Reserve;

AND THAT Council APPROVE the cancelling of the Church Street Upgrade tender and deferment of the project to the 2023 Capital Budget;

AND THAT Council APPROVE the cancelling of the Community Event Space for Peace Park tender and redesign the project to meet budget, then retender.

**Amendment:**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Wayne Olson

**THAT the motion be amended to strike the last paragraph and insert:**

**AND THAT Council approve the award of the Community Event Space for Peace Park project to the lowest bidder in the amount of \$1,824,000;**

**AND THAT Council approve the additional funding in the amount of \$161,630 from the Municipal reserve and \$525,000 from Development Charges Obligatory Reserve.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

Carried (6 to 0)

**Motion as Amended:**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Wayne Olson

**BE IT RESOLVED THAT Council receive Report #2022-0174 Capital Projects Budget Exceedances, for information;**

**AND THAT Council APPROVE the award of Pelham Street Reconstruction Phase 3 to Rankin Construction Inc. in the amount of \$5,571,425 plus applicable taxes;**

**AND THAT Council APPROVE a budget increase of \$1,106,517 for projects RD 11-22; and \$617,365 for WTR 01-22;**

**AND THAT Council APPROVE the additional funding for Pelham Street Phase 3 from capital projects RD 13-21 (Pelham St Phase 2) in the amount of \$472,329; RD 03-20 in the amount of \$96,229 (Pelham St Phase 1); from RD 13-22 in the amount of \$223,833 (Effingham St reconstruction) and \$39,500 from WST 02-22 (I/I Sanitary Sewers), for a total amount of \$831,891;**

**AND THAT Council APPROVE additional funding in the amount of \$617,365 from the Town's Water Reserve, and \$274,626 from the Town's Roads Reserve;**

**AND THAT Council APPROVE the cancelling of the Church Street Upgrade tender and deferment of the project to the 2023 Capital Budget;**

**AND THAT Council approve the award of the Community Event Space for Peace Park project to the lowest bidder in the amount of \$1,824,000;**

**AND THAT Council approve the additional funding in the amount of \$161,630 from the Municipal reserve and \$525,000 from Development Charges Obligatory Reserve.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

Carried (6 to 0)

**10.2.6 Recommendation Report Town of Pelham Comprehensive Zoning By-law and Housekeeping Official Plan Amendment, 2022-0154-Planning**

**Moved By** Councillor Wayne Olson

**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT Council receive Report #2022-0154 Recommendation Report Town of Pelham Comprehensive Zoning By-law and Housekeeping Official Plan Amendment;**

**AND THAT Council direct Planning Staff to prepare the by-law for approval of the Comprehensive Zoning By-law;**

**AND THAT Council direct Planning Staff to prepare the by-law for approval of the Housekeeping Official Plan Amendment.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

**10.2.7 Final Approval of Subdivision - 155 Port Robinson Road (Vivant), 2022-0159-Planning**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Ron Kore

**BE IT RESOLVED THAT Council receive Report # 2022-159 – Final Approval of Subdivision and Execution of Subdivision Agreement – 155 Port Robinson Road (Vivant), for information;**

**AND THAT Council direct staff to prepare the By-laws to authorize execution of the Subdivision Agreement for final approval of the Vivant Subdivision.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

**10.2.8 Recommendation Report for Official Plan and Zoning By-law Amendments - 120 Meridian Way, 2022-0164-Planning**

**Moved By** Councillor Marianne Stewart

**Seconded By** Councillor Wayne Olson



**BE IT RESOLVED THAT Council receive Report # 2022-164 – Recommendation for Applications for Official Plan and Zoning By-Law Amendments – 120 Meridian Way for information as it pertains to File Nos. OP-AM-01-2022 & AM-03-2021;**

**AND THAT Council direct Planning staff to prepare the official plan and zoning by-law amendments for consideration.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

- 11. Unfinished Business**
- 12. New Business**
- 13. Presentation and Consideration of By-Laws**

**Moved By** Councillor Marianne Stewart  
**Seconded By** Councillor Bob Hildebrandt

**BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-law do now read a first, second and third time and do pass same, and**

**THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-law:**

**1. By-law 4474(2022) - Being a by-law to amend By-law No. 4411(2022) to establish 2022 Fees and Charges to be collected by the Corporation of the Town of Pelham; And to Add Fees and Charges to the Recreation, Culture and Wellness Schedule as it relates to STEM Camp Registration.**

**2. By-law 4475(2022) - Being a by-law to authorize the execution of a subdivision agreement with Zoran Tomasevic & Kristina Sara Bravo and the Corporation of the Town of Pelham - Vivant Subdivision. Zoran Tomasevic & Kristina Sara Bravo and the Corporation of the Town of Pelham; File No. 26T19-01-19**

**3. By-law 4476(2022) - Being a By-law to provide for the closing and stopping up of Part of Original Road Allowance between Lots 3 and 4, Concession 14 designated as Part 1 on 59R-15164 (Subject lands), declare the Town-owned lands described in Schedule "A", attached to and forming part of this By-Law, surplus to the needs of the Municipality and therefore available for disposition and to authorize the sale of the Subject Lands.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

**14. Motions and Notices of Motion**

**14.1 Notice of Motion - Councillor Kore**

Councillor Kore stated his intention to bring a motion forward to Council on August 22nd with respect to requesting a fence to be built around the stormwater management pond located by River Estates Park for safety.

**15. Matters for Committee of the Whole or Policy and Priorities Committee**

**16. Matters Arising Out of Committee of the Whole or Policy and Priorities Committee**

**17. Resolution to Move in Camera**

**18. Rise From In Camera**

**19. Confirming By-Law**

**Moved By** Councillor Bob Hildebrandt

**Seconded By** Councillor Lisa Haun

**BE IT RESOLVED THAT the following By-law be read a first, second and third time and passed:**

**Being a By-law No. 4477(2022) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 25 day of July, 2022.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

**20. Adjournment**

The meeting adjourned at 7:24pm.

**Moved By** Councillor Ron Kore

**Seconded By** Councillor Lisa Haun

**BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for August 22, 2022 at 5:30 pm.**

For (6): Mayor Marvin Junkin, Councillor Lisa Haun, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, and Councillor Marianne Stewart

**Carried (6 to 0)**

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Mayor: Marvin Junkin

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Town Clerk: Holly Willford



## SPECIAL COUNCIL MINUTES

**Meeting #:** SC-07/2022  
**Date:** Monday, August 15, 2022, 5:00 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
 20 Pelham Town Square, Fonthill

**Members Present** Marvin Junkin  
 Lisa Haun  
 Bob Hildebrandt  
 Ron Kore  
 Wayne Olson  
 Marianne Stewart  
 John Wink

**Staff Present** David Cribbs  
 Teresa Quinlin-Murphy  
 Vickie vanRavenswaay  
 Barbara Wiens  
 Usama Seraj  
 Sarah Leach  
 Holly Willford

**1. Call to Order and Declaration of Quorum**

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:00 pm.

**1.1 Land Recognition Statement**

Councillor Stewart read the land acknowledgement into the record.

**2. Approval of the Agenda**

**Moved By** Bob Hildebrandt

**Seconded By** Ron Kore

**BE IT RESOLVED THAT the agenda for the August 15, 2022 Special Meeting of Council be adopted as circulated.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	

John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>

**Carried (7 to 0)**

**3. Disclosure of Pecuniary Interest and General Nature Thereof**

There were no pecuniary interests disclosed by any of the members present.

**4. Presentation and Consideration of By-Laws**

**Moved By** John Wink

**Seconded By** Marianne Stewart

**BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-law do now read a first, second and third time and do pass same, and**

**THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-law:**

**1. By-law 4479(2022) - Being a By-law to appoint Usama Seraj as Deputy Treasurer for the Corporation of the Town of Pelham effective upon passing, and to repeal By-law #3635(2015).**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>

**Carried (7 to 0)**

**5. Resolution to Move in Camera**

**6. Rise From In Camera**

**7. Confirming By-law**

**Moved By** Wayne Olson

**Seconded By** Lisa Haun

**BE IT RESOLVED THAT the following By-law be read a first, second and third time and passed:**

**Being a By-law No. 4480(2022) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Special Meeting held on the 15th day of August, 2022.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>
		<b>Carried (7 to 0)</b>

**8. Adjournment**

The meeting was adjourned at 5:09pm.

**Moved By** Ron Kore

**Seconded By** John Wink

**BE IT RESOLVED THAT this Special Meeting of Council be adjourned until the next regular meeting scheduled for August 22, 2022 at 5:30 pm.**

	<b>For</b>	<b>Against</b>
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
Marianne Stewart	X	
John Wink	X	
<b>Results</b>	<b>7</b>	<b>0</b>
		<b>Carried (7 to 0)</b>

---

Mayor Marvin Junkin

---

Deputy Clerk, Sarah Leach



**Subject:** 2022 Spongy Moth Program Summary Report**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0184 – 2022 Spongy Moth Program Summary Report, for information.**

**Background:**

In 2020 Council approved Policy S802-03 to address the periodic infestation of the *Lymantria dispar dispar* Moth (Spongy Moth) experienced in the Town of Pelham.

This report serves to fulfill the requirements of the Policy S802-03 to inform Council on the effectiveness of the treatment program and present a post spray assessment and defoliation surveys of the treated areas.

The detailed assessment of the 2022 treatment program, prepared by Lallemand Inc./BioForest (BioForest), has been included as an attachment to this report as Appendix A.

**Analysis:**

In 2022 the Town of Pelham treated a total of 109 hectares in the areas south of Fenwick, east of Fonhill, and areas in north Pelham, with two applications of Foray 48B (*Bacillus thuringiensis* var. *kurstaki* [BtK]) and applied at a rate of 4.0L/ha. The first application took place on May 24, 2022 and the second on June 2, 2022. Zimmer Air Services Inc. was the aerial applicator.

Assessment of the 2022 aerial spray program indicates that the program was effective by significantly reducing the forecasted defoliation and maintaining a healthy tree canopy. No branches within the spray areas showed greater than 25% defoliation and the majority had less than 5%.

While the management program effectively met the objectives of Policy S802-03 within the spray areas, many properties outside of those areas may have experienced some defoliation of their trees. Staff continued to receive reports from citizens regarding Spongy Moth infestations however it must be noted that the number of complaints received is well below the number received in the preceding 5 years of infestation.

Staff recommend that the Spongy Moth Management Program continue as per Policy S802-03. Continuation would mean that egg mass surveys will be completed in January of 2023 to determine the level of infestation expected and make recommendations for management if required.

**Financial Considerations:**

To date, the cost of the Spongy Moth Management program in 2022 is \$141,420 (excluding applicable taxes). This included \$103,220 for aerial spray services, \$32,000 for program consulting and execution, and \$6000 for mail-outs and print media communication. The approved budget 2022 budget was \$150,000.

**Alternatives Reviewed:**

Policy S802-03 was approved for the management of the Spongy Moth in 2020. The policy was based on the principals of Integrated Pest Management and provides a process to address the periodic infestations of the Spongy Moth, including communication to Council regarding the efficacy of the program.

As staff is following the policy, no further alternatives were considered in the preparation of this report.

**Strategic Plan Relationship: Strong Organization**

The tree canopy within the municipal boundary is vital to increasing the quality of life within the Town of Pelham.

**Consultation:**

Lallemand Inc. / BioForest provided; 2022 Spongy Moth Aerial Spray Program Summary Report.

**Other Pertinent Reports/Attachments:**

Appendix A – 2022 Spongy Moth Aerial Spray Program Summary Report  
Public Works Report #2022-0028  
Public Works Report #2022-0057  
Policy S802-03

**Prepared and Recommended by:**

Ryan Cook, Dipl. MM, CRS  
Manager of Public Works

Jason Marr, P. Eng.  
Director of Public Works

**Prepared and Submitted by:**

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



**CONFIDENTIAL**



Town of Pelham  
**2022 Spongy Moth Aerial Spray Program**  
Summary Report

Prepared For:

JASON MARR  
DIRECTOR, PUBLIC WORKS  
20 PELHAM TOWN SQUARE, PO BOX 400  
FONTHILL, ON L0S 1E0

Prepared By:

LALLEMAND INC./BIOFOREST  
151 SKYWAY AVENUE, TORONTO ON  
PHONE: (705) 942-5824  
EMAIL: [ACRAIG@BIOFOREST.CA](mailto:ACRAIG@BIOFOREST.CA)  
WEBSITE: [WWW.BIOFOREST.CA](http://WWW.BIOFOREST.CA)



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## Introduction

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In May 2022, the Town of Pelham implemented an aerial spray program to treat various parts of the Town for spangy moth. Lallemand Inc./BioForest (“BioForest”) was contracted to provide spray timing and assessment services. This report presents an overview of the spray program and the methods for and the results of the timing and assessment of the program.

### Program Overview

In the Town of Pelham, a total of 109 hectares were treated with two applications of Foray 48B (*Bacillus thuringiensis* var. *kurstaki* [Btk]), supplied by Valent BioSciences Corporation and applied at a rate of 50 BIU/4.0L/ha. The first application of Btk took place on May 24, and the second application took place on June 2, 2022. Applications were made south of Fenwick, east of Fonthill, and in the northern part of town. Maps illustrating all spray blocks are provided in Appendix A.

## Methods

---

### Spray Timing

The benefits of using Btk to control spangy moth are maximized when first applications target host leaves that are providing an optimum deposit surface. For white oak and red oak, the target level of leaf development is 30-40% and 50-60%, respectively. These stages of leaf development typically coincide with first and second instar spangy moth larvae.

BioForest monitored spangy moth development using BioSIM, a software tool for predicting larval development. Host leaf development and egg mass hatch was monitored from field measurements.

### BioSIM Forecasts

BioForest used the latest version of the BioSIM phenology model developed by the Canadian Forest Service to provide advance indication of probable program start dates based on 90% spangy moth egg hatch. BioSIM was also used to assist with the timing of field activities.

### Host Development

To monitor host development, plots were established in three spray blocks – Fonthill (Canboro Road), North (Tice Road), and Fenwick (Sumbler Road). Development plot locations are provided in Appendix A.

Sampling in development plots took place at regular intervals between May 3 and May 20. On each sample date, visual ground surveys were conducted at each plot using binoculars to determine percent leaf expansion.

Egg hatch observations were made by marking egg masses at each development plot and monitoring those same egg masses for the duration of the assessment period. Field crews included egg masses at various heights and at different exposures, to account for these factors that influence egg hatch timing.

### Weather

On spray days, for both applications, BioForest field crews monitored weather conditions in or near the spray blocks being sprayed. Temperature, relative humidity, wind speed and direction were recorded every five minutes. Any significant deviations from specified weather parameters were reported to the Town’s project manager.

## Spray Assessment

### Spray Deposit

For both applications, spray deposit was assessed using the ADAM (Accurate Deposit Assessment Method) Field Kit supplied by Valent BioSciences Corporation. Following each application, foliage samples were collected from five spray blocks (Cream Street, Foss Road, Pancake Lane, Sumbler Road, Welland Road) within 8 hours. Foliage samples were stored at 4°C until they could be processed in the lab. All samples were processed within 12-24 hours of collection. The amount of deposit was determined for each sample, and a deposit index was calculated for each spray block sampled. The deposit index calculations were based on the following ADAM Kit deposit categories:

- 1 = nil (0 ng Btk proteins/ml)
- 2 = low (< 20 ng Btk proteins/ml)
- 3 = moderate (20 – 100 ng Btk proteins/ml)
- 4 = high (> 100 ng Btk proteins/ml)

### Defoliation Surveys

Host defoliation rates were assessed upon completion of spongy moth larval feeding. BioForest staff evaluated 10 trees for defoliation in all spray blocks. Surveys took place on July 8. Evaluated trees were a combination of red, white, and bur oaks, with some alternate host such as basswood, poplar, and maple when oak was not available. Numerous branches from each tree were assessed and assigned one of the following six defoliation classes: <5%, 6-25%, 26-50%, 51-75%, 76-95%, or >95%.

## Results

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### Spray Timing

#### BioSIM Forecasts

The first BioSIM run on April 8, 2022, predicted that 90% egg hatch would occur in Pelham between May 20 and May 22 (Figure 1).

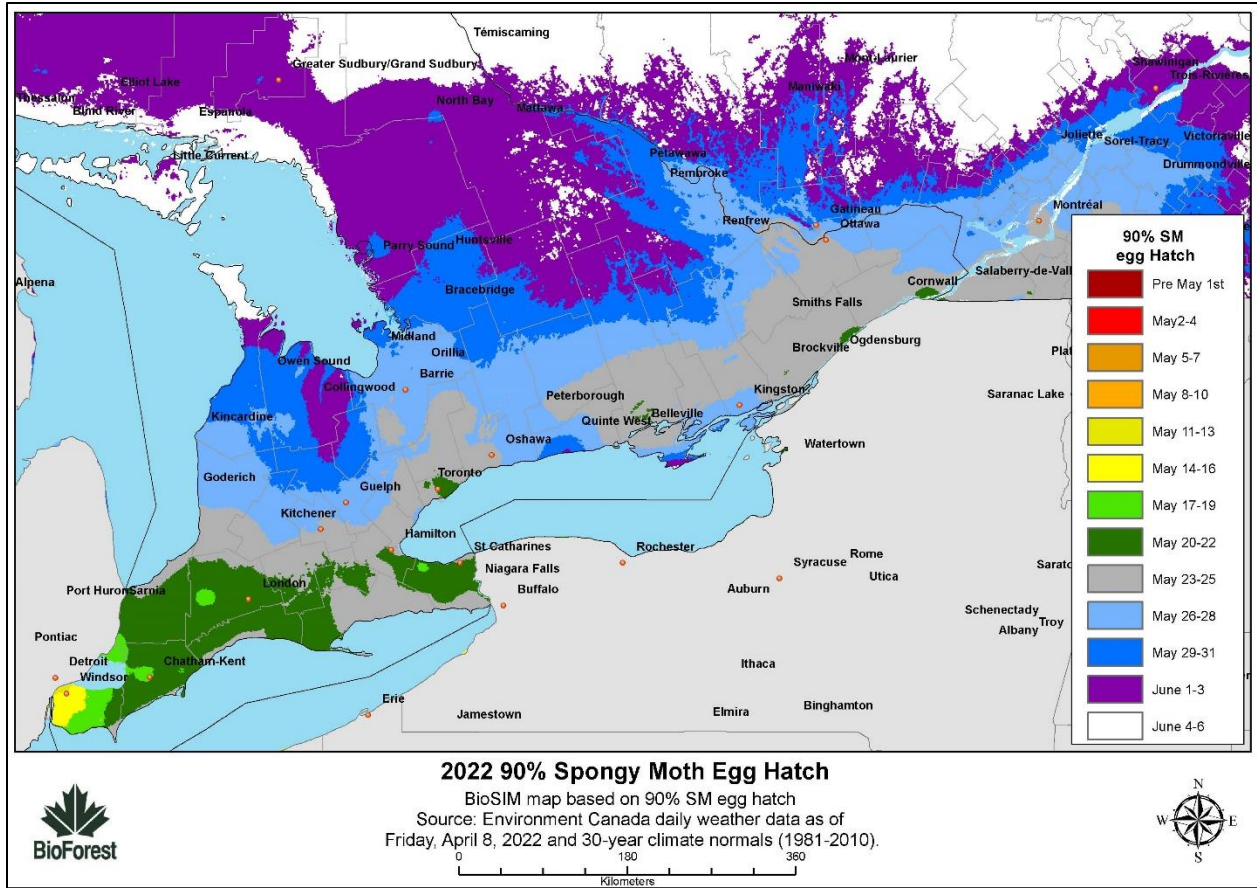


Figure 1. BioSIM 90% spongy moth egg hatch forecast map for southern Ontario, April 8, 2022.

To fine tune that prediction, field sampling to monitor host development and egg hatch began on May 3, 2022.

### Host Development and Egg Hatch

Figure 2 presents red and white oak development from each of the development plots that were monitored. Figure 3 presents spongy moth egg hatch from each of the development plots where egg masses were monitored.



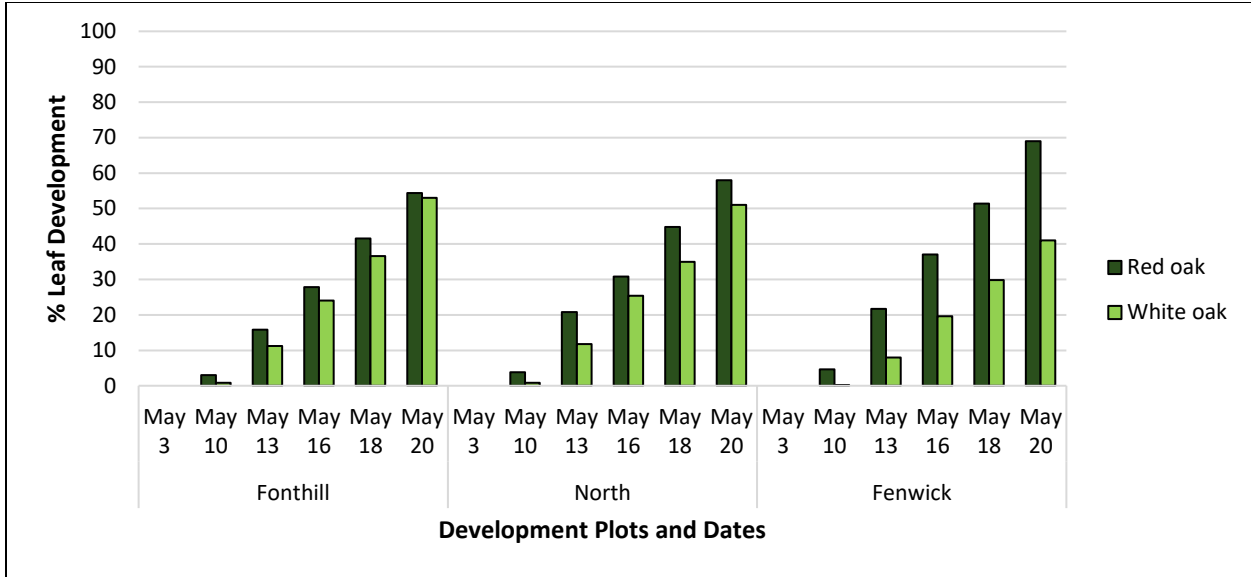


Figure 2. Leaf development of red and white oak in development plots, 2022.

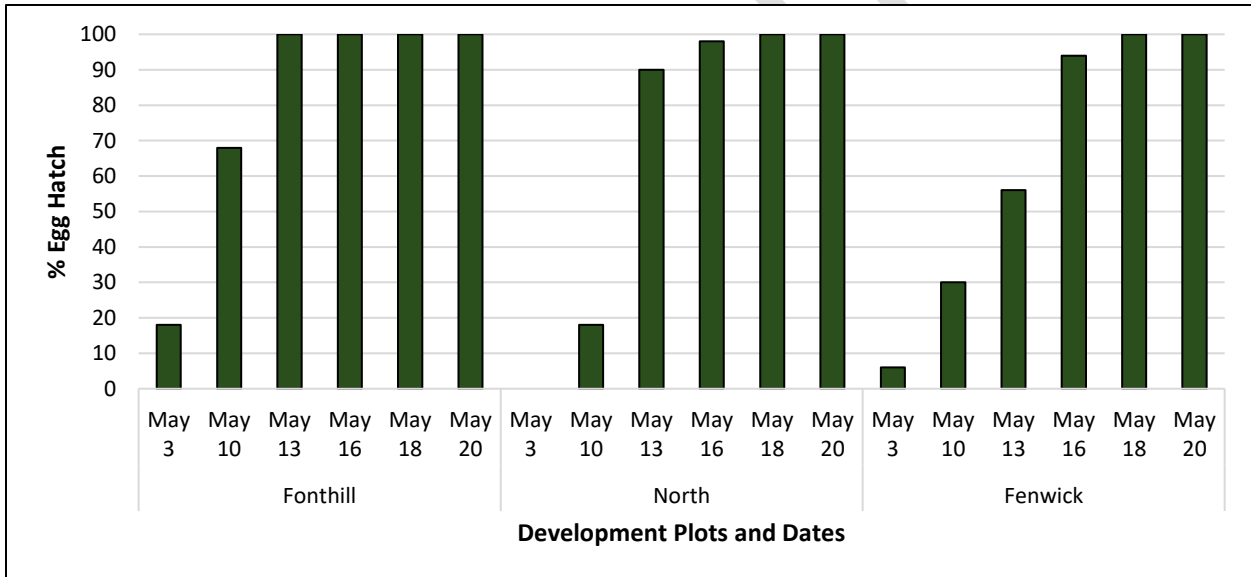


Figure 3. Spongy moth egg hatch in development plots, 2022.

Table 1 presents the application dates for each spray block and identifies which development plot was closest to each spray block. The first application occurred on May 24, when white oak development ranged between 41-53%, red oak development ranged between 54-69%, and egg hatch was observed to be 100% at all plots.

Table 1. First and second application dates for spray blocks.

Spray Block	Date of First Application	Date of Second Application	Closest Development Plot
Canboro Road	May 24	June 2	Canboro Road
Cream Street	May 24	June 2	Tice Road
Effingham Street	May 24	June 2	Tice Road
Foss Road	May 24	June 2	Sumbler Road
Pancake Lane	May 24	June 2	Canboro Road
Sumbler Road	May 24	June 2	Sumbler Road
Tice Road	May 24	June 2	Tice Road
Welland Road	May 24	June 2	Sumbler Road

Weather

Spray weather parameters for the Town of Pelham aerial spray program were:

- Calm winds (less than 16 km/h)
- Temperatures between 2 and 25°C
- High humidity (> 40%)
- No precipitation within 24 to 48 hours following application

Detailed weather data collected on spray days is presented in Appendix B. Table 2 summarizes the weather data collected on each spray day, during the spray event (approximately 6:50am to 9:00am), and Figure 4, Figure 5, and Figure 6 graphically depict the ranges observed on the ground with the optimal spray parameters outlined.

Weather data was also collected for 48 hours prior to and following each spray event. This data is summarized below in Table 3.

**Table 2. Weather summaries for the 2022 Town of Pelham aerial spray events.**

Spray Date	Application	Blocks Sprayed	Weather Station(s)	Average Wind Range (km/h)	Temperature Range (°C)	RH Range (%)
May 24	1	All	Hillside Cemetery	0.5 – 9.1	10.9 – 13.8	69 – 76
June 2	2	All	Hillside Cemetery	0.0 – 6.1	12.0 – 16.2	61 – 84

**Table 3. Weather summaries for 48 hours prior to and following each 2022 Town of Pelham aerial spray date. Sources: Welland-Pelham Station, Environment and Climate Change Canada – Meteorological Services Canada.**

Date	Average Wind Range (km/h)	Temperature Range (°C)	RH Range (%)	Total Precipitation (mm)
May 22	3 – 22	9.2 – 17.8	68 – 98	0.6
May 23	2 – 10	8.3 – 15.9	36 – 87	0.0
May 24*	1 – 19	7.0 – 19.0	45 – 88	0.0
May 25	0 – 18	9.5 – 22.5	55 – 89	0.0
May 31	0 – 17	16.9 – 28.7	43 – 87	0.0
June 1	1 – 11	16.7 – 25.9	67 – 96	26.7
June 2*	1 – 17	11.5 – 19.7	43 – 90	0.0
June 3	2 – 15	9.7 – 21.4	44 – 93	0.0

\*spray day

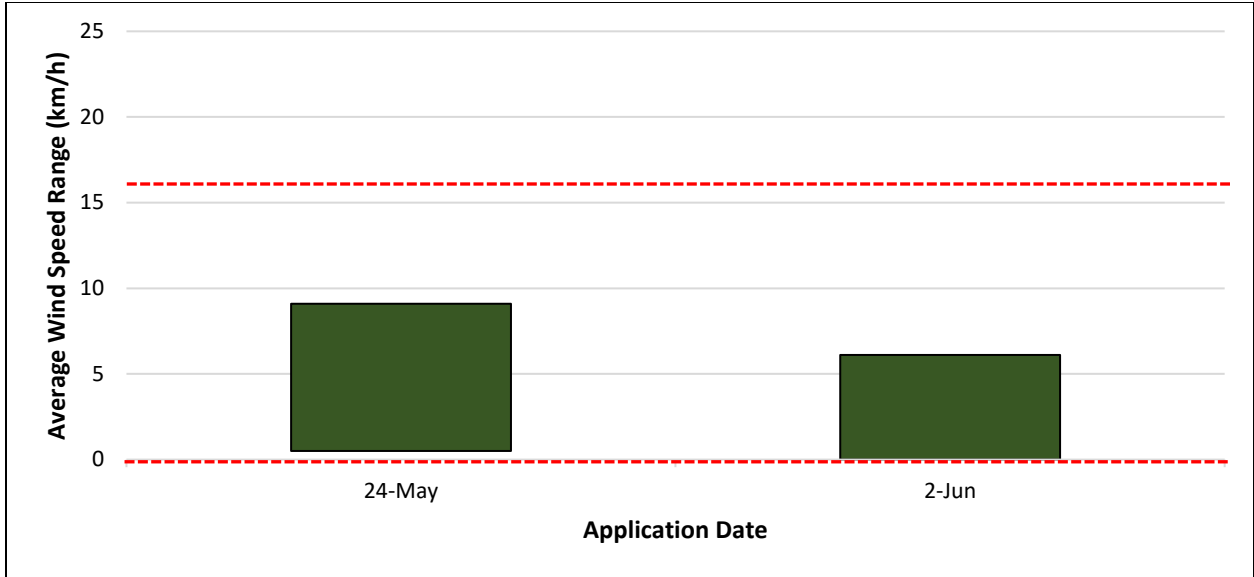


Figure 4. Average wind speed range (km/h) recorded during spray events. Dotted red lines represent parameters for optimal conditions.

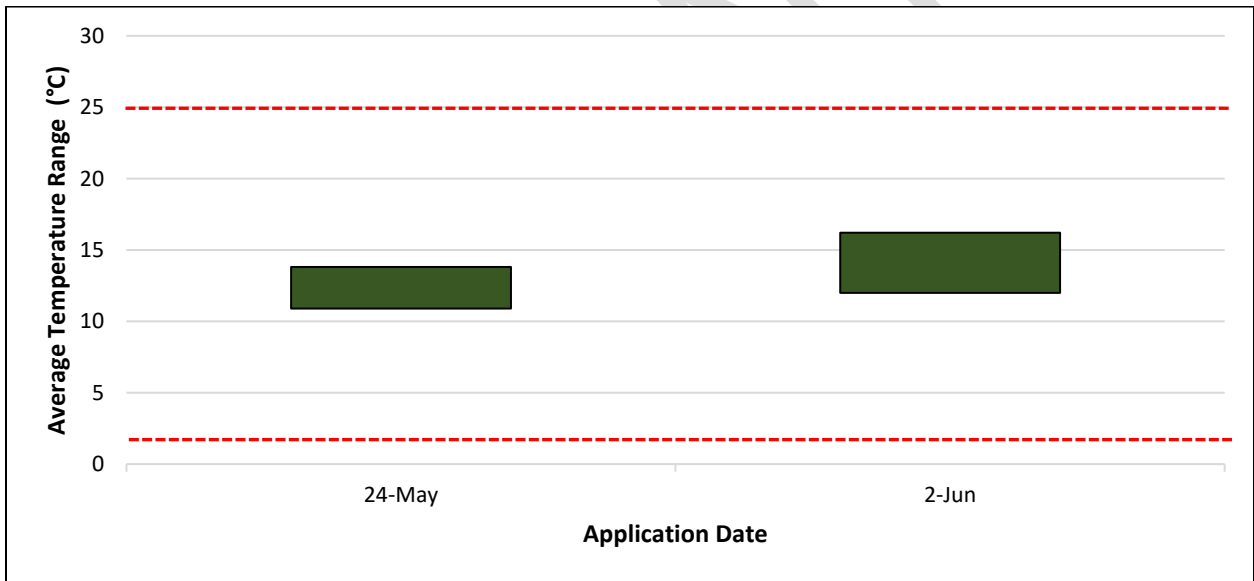


Figure 5. Average temperature ranges (degrees Celcius) recorded during spray events. Dotted red lines represent parameters for optimal conditions.



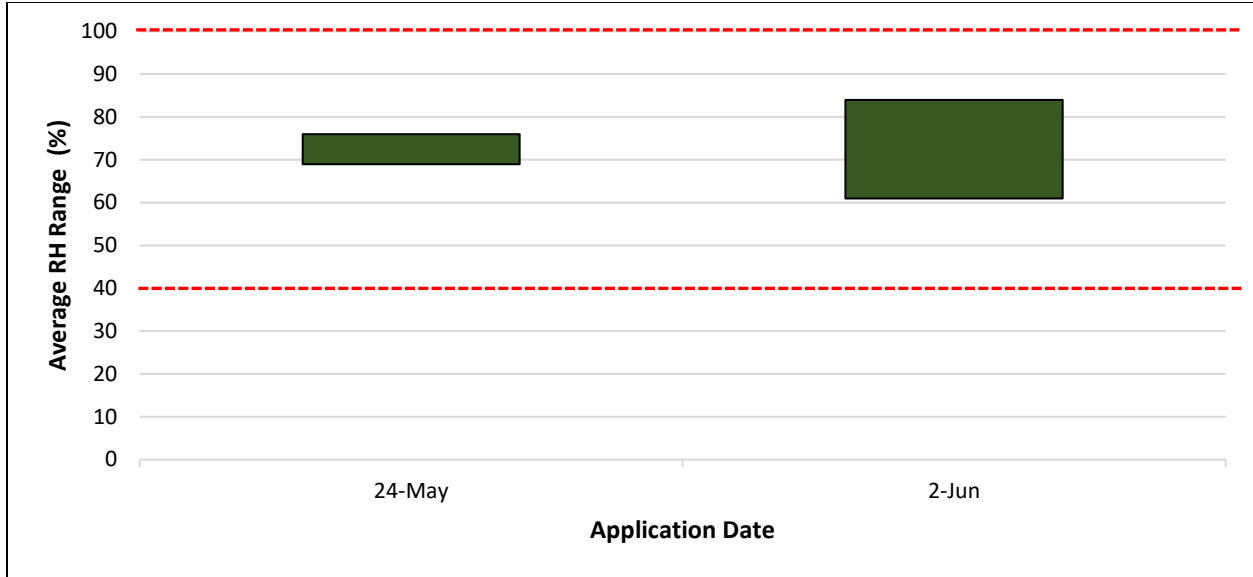


Figure 6. Average relative humidity range (%) recorded during spray events. Dotted red lines represent parameters for optimal conditions.

### Spray Assessment

#### Spray Deposit

After the first application, the majority of branches sampled (91%) had Btk present (Figure 7). 23% of branches sampled had >100 ng Btk/ml (deposit index of 4), and 36% had 20 – 100 ng Btk/ml (deposit index of 3). After the second application, all branches sampled had >20 ng Btk/ml.

Table 4 presents the deposit index after each application for all four spray blocks sampled using the ADAM Kit methodology.

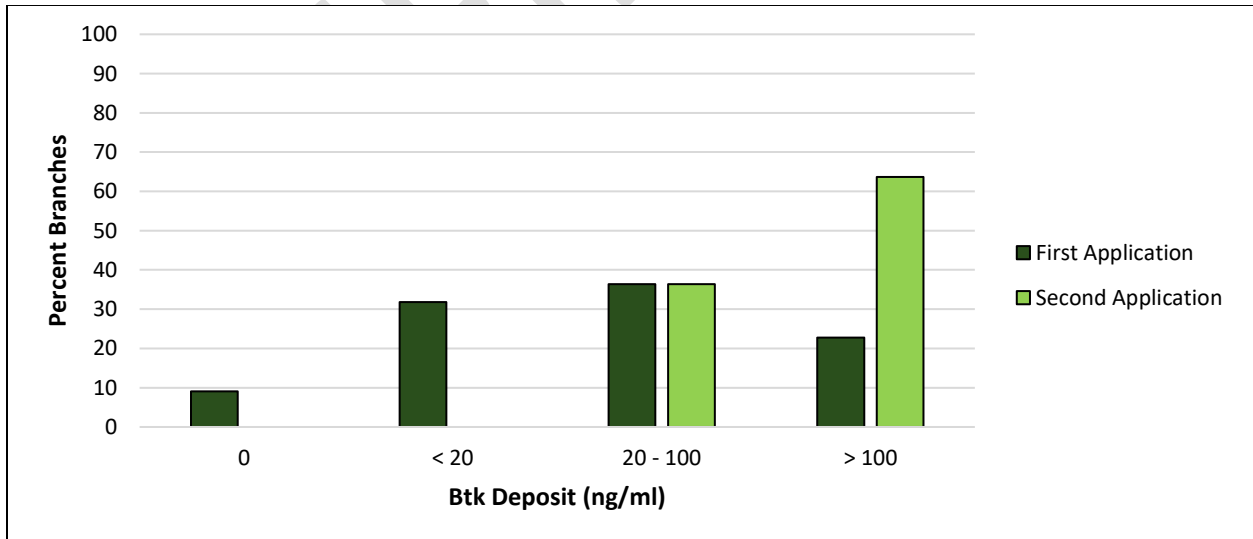


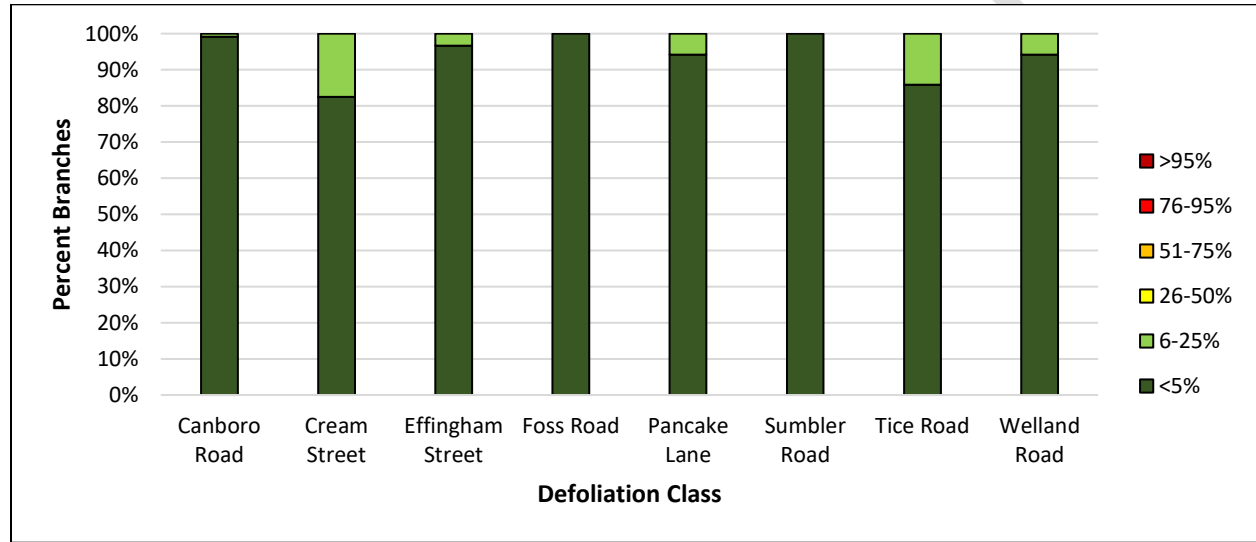
Figure 7. ADAM Kit results showing level of Btk deposit on sampled branches, 2022.

**Table 4. Average deposit index (ADAM Kit) after each application in all sampled spray blocks, 2022.**

Spray Block	Average Deposit Index – First Application	Average Deposit Index – Second Application
Cream Street	2.6	3.4
Foss Road	2.3	3.3
Pancake Lane	3.2	3.6
Sumbler Road	3.0	4.0
Welland Road	2.3	4.0

### Defoliation Surveys

Of the 90 trees that were evaluated for defoliation within the spray blocks, the majority of branches (94.1%) had less than 5% defoliation (Figure 8). None of the branches had more than 25% defoliation.



**Figure 8. Percent branches in each defoliation class from all spray blocks, 2022.**

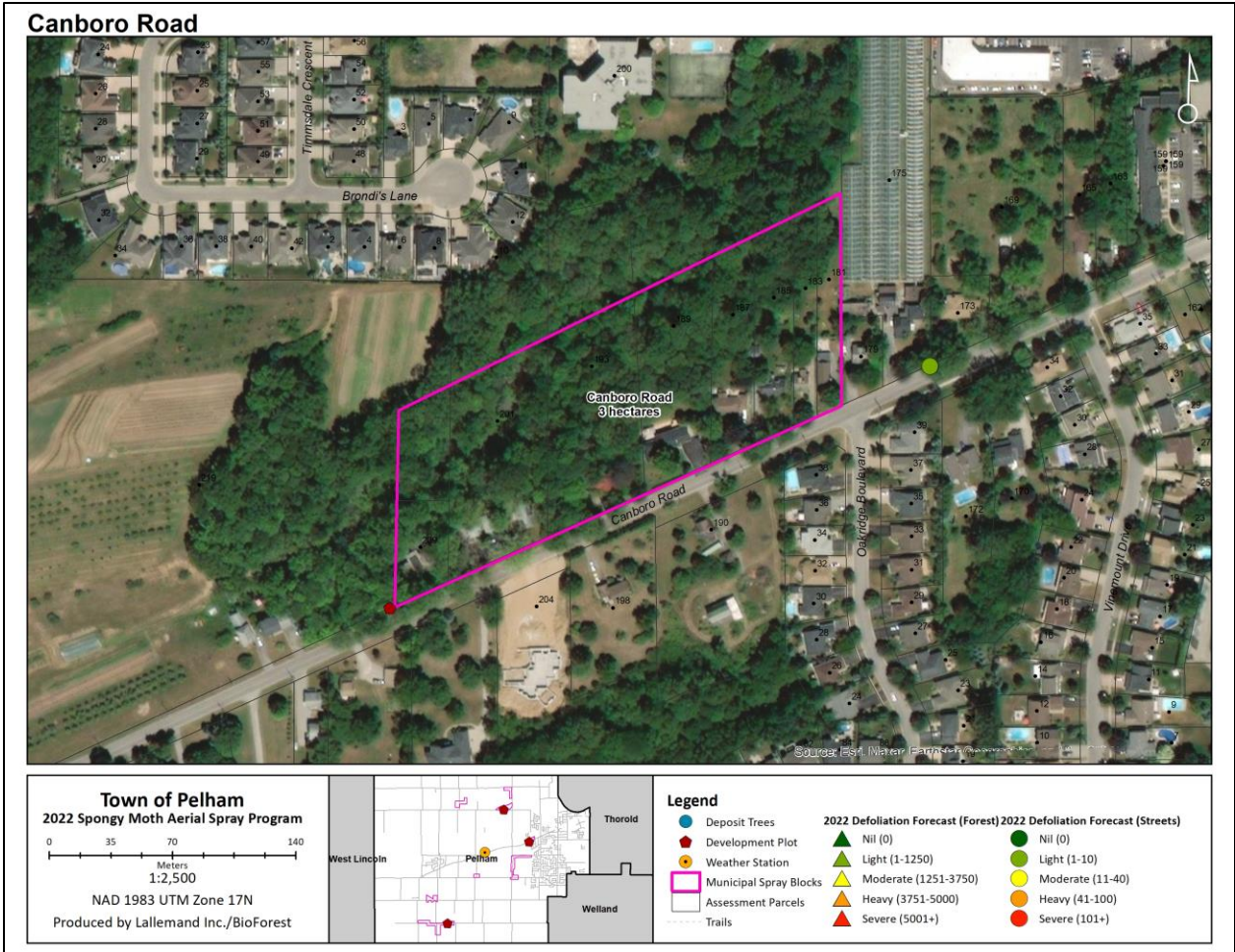
### Conclusion

The Town of Pelham’s management objective for the aerial spray program, as per Policy No. S801-14, is to “...protect the tree canopy within its Municipal Boundary against tree mortality caused by defoliation by the LDD moth...”. Assessment of the 2022 Town of Pelham aerial spray program indicates that the program was effective at achieving program goals by significantly reducing forecasted defoliation and maintaining a healthy tree canopy within the Municipal Boundary and beyond. Host development and egg hatch at the time of spraying were within acceptable ranges. For each of the spray dates, the average temperature and relative humidity were within acceptable spray parameters. Following the first application, the majority of branches sampled for deposit (91%) had Btk present and following the second application all branches sampled had Btk present. All blocks sampled had Btk present following both applications. No branches surveyed within the spray area had greater than 25% defoliation and the majority had less than 5% defoliation.

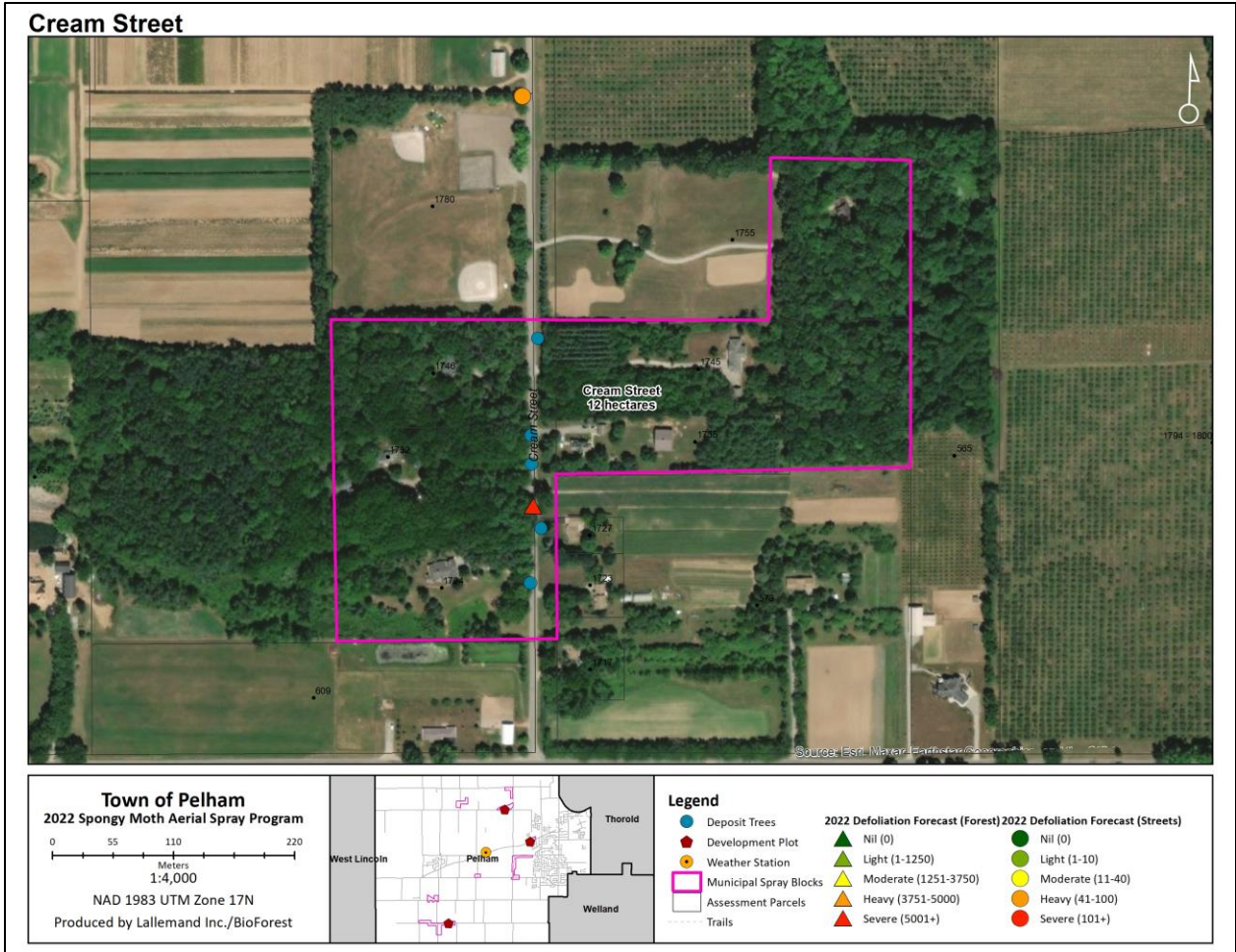
Appendix A: Spray block maps

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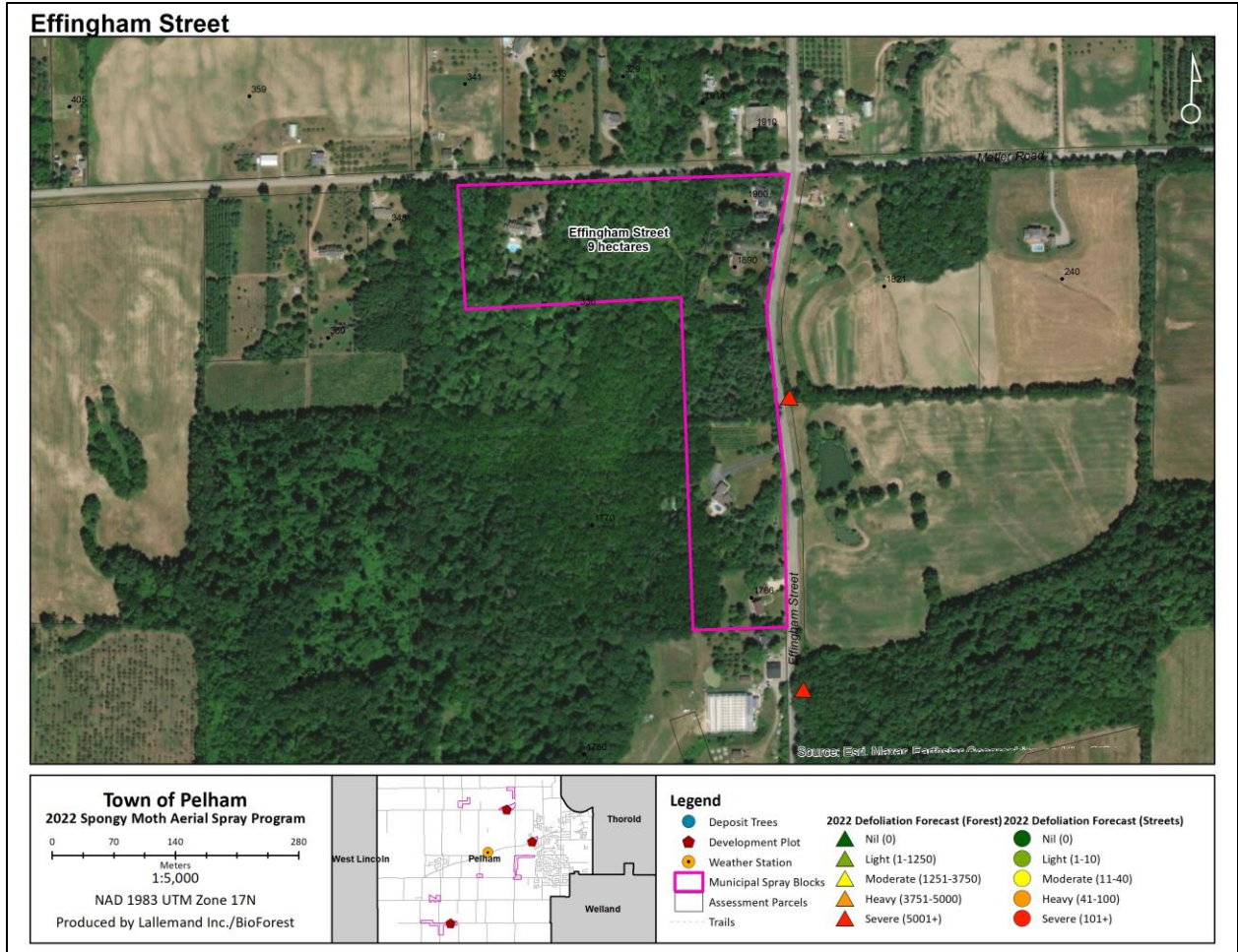




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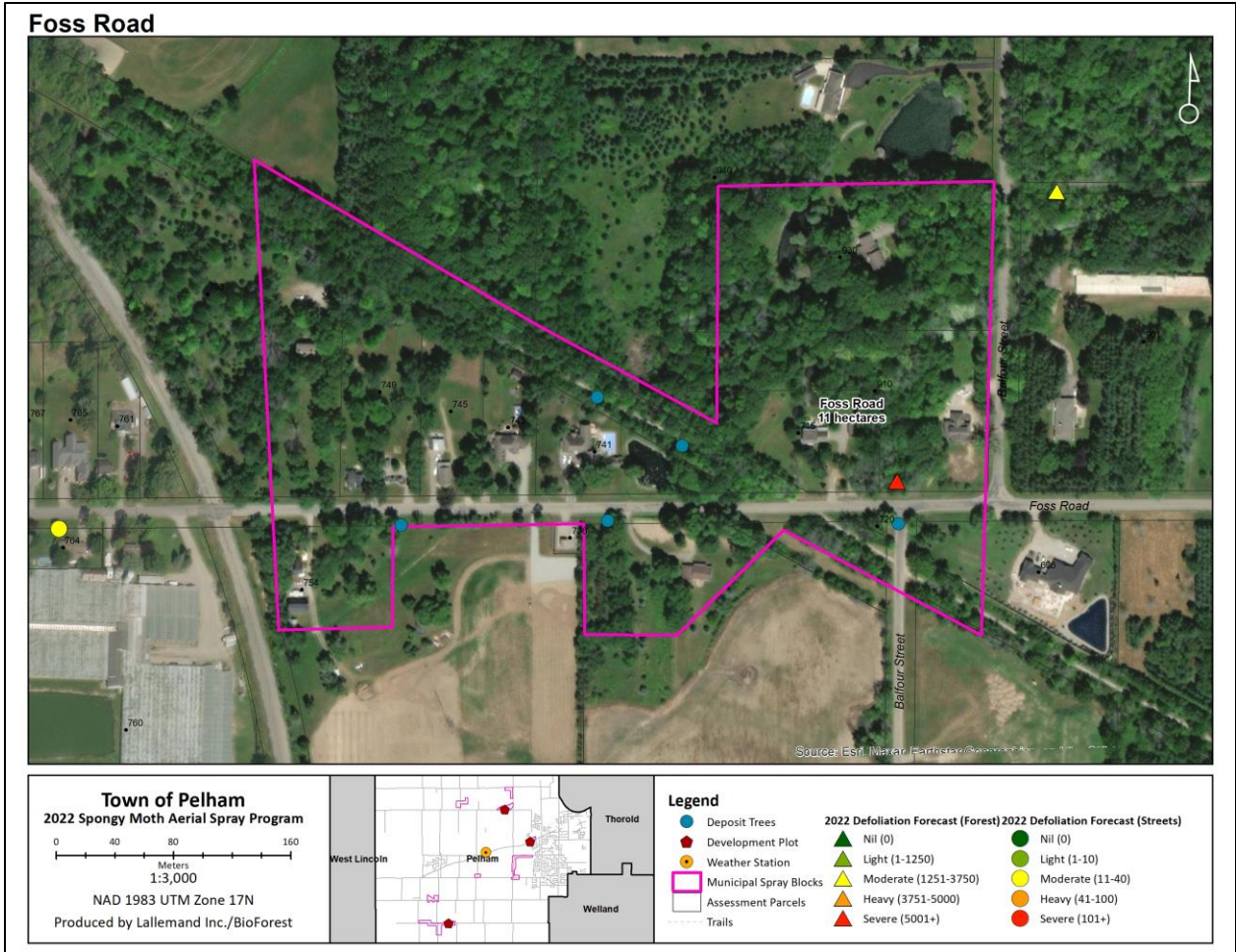


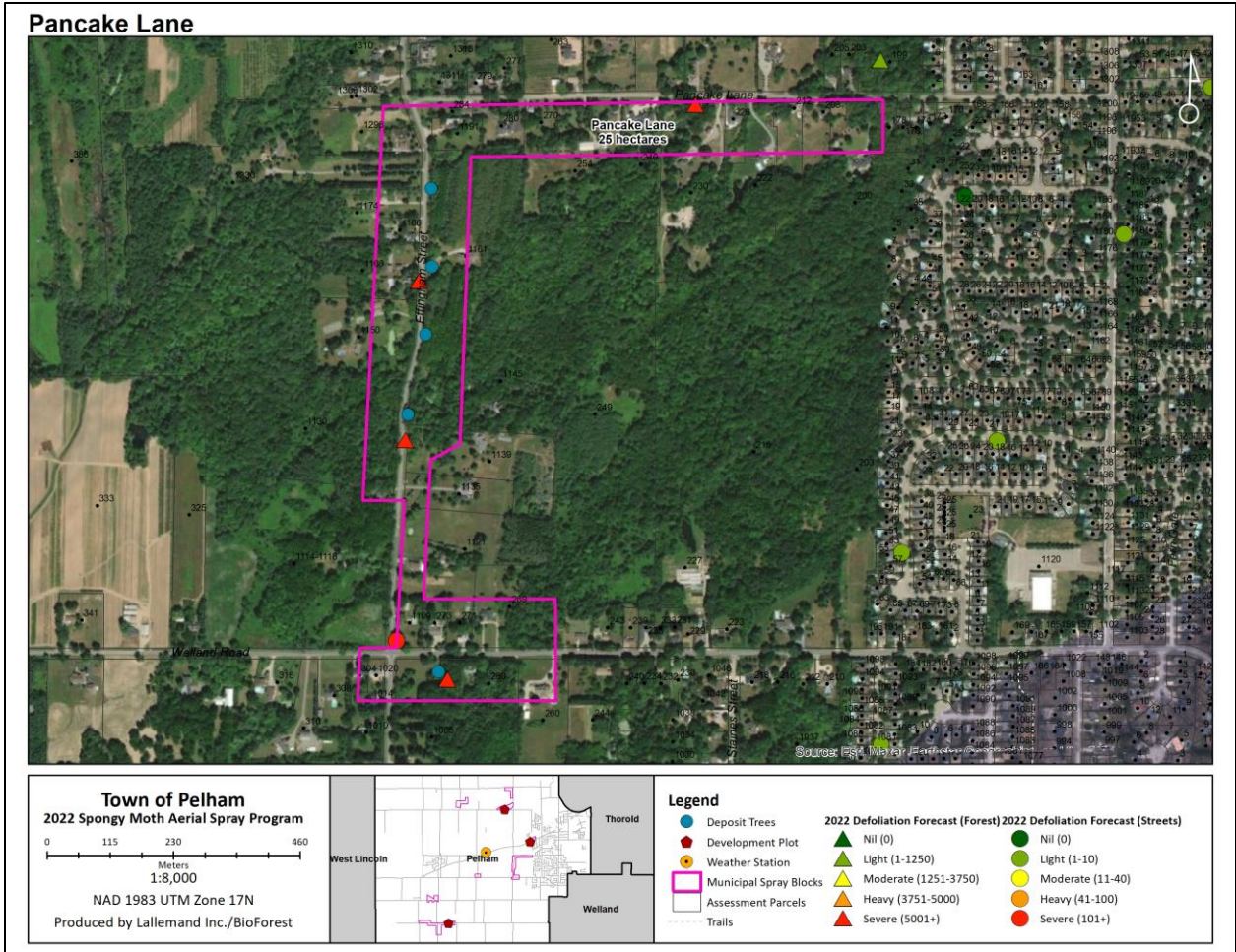




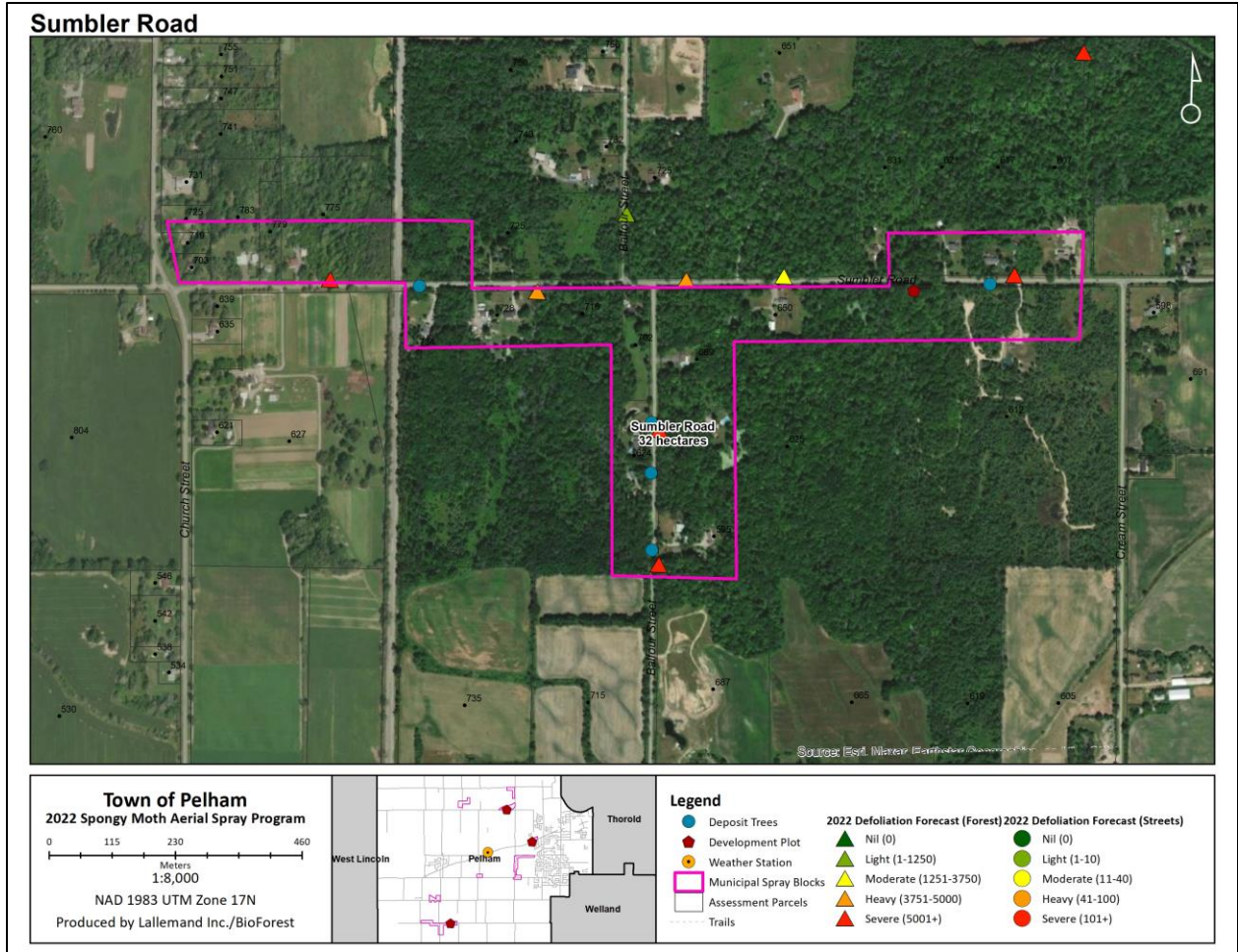
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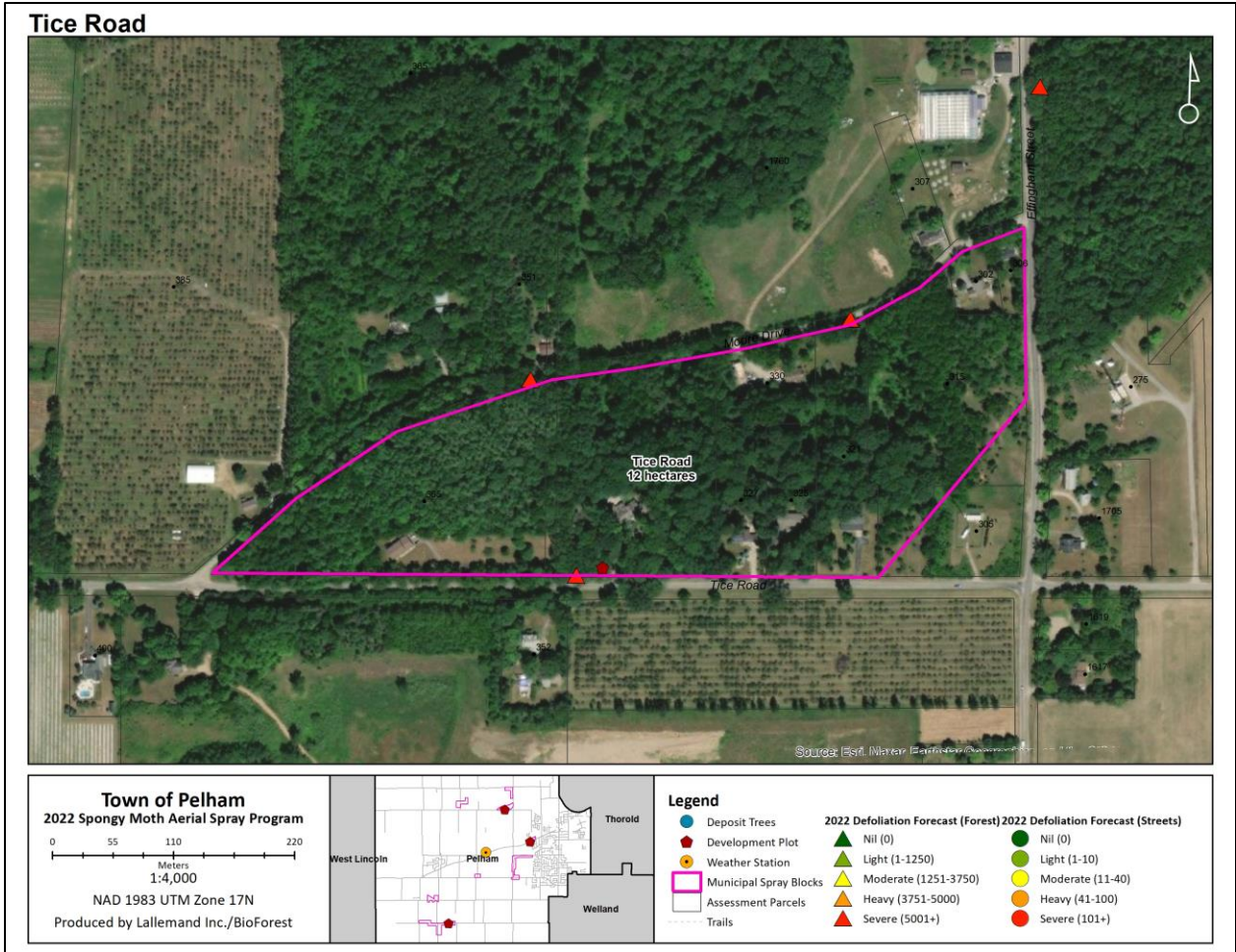


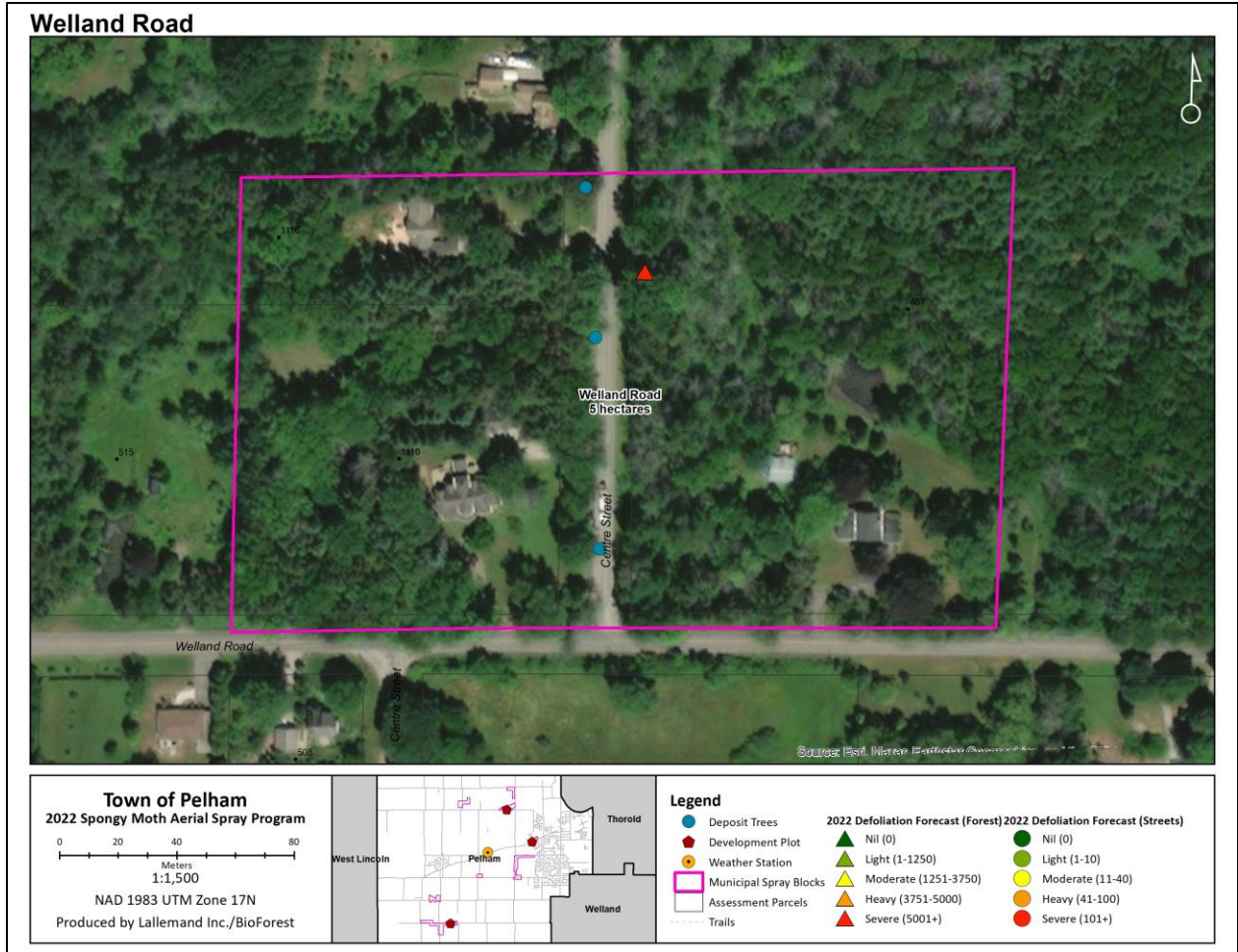












Appendix B: Spray block wind, temperature and relative humidity records for Town of Pelham spray days

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Spray Day Weather Record											
<b>Location:</b>		Hillside Cemetery						<b>Date:</b>		24-May-22	
<b>GPS Coordinates:</b>			<b>Zone</b>		<b>Easting</b>		<b>Northing</b>				
			17T		636360		4766065				
<b>Crew:</b>		AT				<b>Application:</b>		1st	2nd		
Time	Wind					Temperature			RH		Comments
	Avg		Max			°C	↑ ↓ →	%	↑ ↓ →		
	kph	Direction	kph	Direction	Time						
7:15	0.5	NE	1.1	NE	7:18	10.9	→	75	→		
7:20	3.3	NE	4.4	NE	7:20	11	→	74	→		
7:25	2.5	NE	4.9	NE	7:26	11.2	→	74	→		
7:30	4.8	NE	6.4	NE	7:32	11.3	→	74	→		
7:35	3.3	NE	5.1	NE	7:35	11.3	→	75	→		
7:40	2	NE	4.1	NE	7:41	11.4	→	76	→		
7:45	3.9	NE	5.9	NE	7:46	11.2	→	76	→		
7:50	3.8	NE	7.5	NE	7:50	11.4	→	76	→		
7:55	3.6	NE	5.3	NE	7:58	11.4	→	76	→		
8:00	3.2	NE	4.3	NE	8:03	11.7	↑	76	→		
8:05	3.1	NE	5.1	NE	8:05	12.4	↑	74	↓		
8:10	4	NE	9.1	NE	8:11	13	↑	72	↓		
8:15	3.8	NE	6.2	NE	8:18	12.8	↑	73	↓		
8:20	3.3	NE	6.2	NE	8:20	12.9	↑	73	↓		
8:25	3.7	NE	8.7	NE	8:27	12.9	↑	73	↓		
8:30	4.2	NE	7.3	NE	8:32	13	↑	73	→		
8:35	3.1	NE	5.1	NE	8:37	13.1	↑	73	→		
8:40	3.3	NE	7.5	NE	8:41	13.1	↑	72	→		
8:45	4.1	NE	6.7	NE	8:46	13.3	↑	70	↓		
8:50	3	NE	4.1	NE	8:50	13.8	↑	69	↓		

Spray Day Weather Record												
<b>Location:</b>		Hillside Cemetery						<b>Date:</b>		2-Jun-22		
<b>GPS Coordinates:</b>			<b>Zone</b>	<b>Easting</b>			<b>Northing</b>					
			17T	636359			4766061					
<b>Crew:</b>		AT				<b>Application:</b>		1st	2nd			
Time	Wind					Temperature			RH		Comments	
	Avg		Max			°C	↑ ↓ →		%	↑ ↓ →		
	kph	Direction	kph	Direction	Time							
6:50	0.3	NW	1.1	NW	6:52	16.2	→	61	→			
6:55	0	-	0	-	6:57	13.6	→	74	→			
7:00	0	-	0	-	7:02	13.2	→	76	→			
7:05	0	-	0	-	7:07	12.8	→	79	→			
7:10	0.67	NW	3.3	NW	7:09	12.1	→	83	→			
7:15	0	-	0	-	7:17	12	→	84	→			
7:20	0	-	0	-	7:22	12.1	→	84	→			
7:25	0.74	NW	4.5	NW	7:26	12.1	→	82	→			
7:30	0.36	NW	0.9	NW	7:28	12.1	→	80	→			
7:35	0.91	NW	4.7	NW	7:34	12	→	77	→			
7:40	0.76	NW	3.1	NW	7:38	12.2	→	77	→			
7:45	1.14	NW	3.3	NW	7:47	12.1	→	76	→			
7:50	1.1	NW	4.7	NW	7:50	12.3	→	77	→			
7:55	2.64	NW	6.1	NW	7:56	12.2	→	76	→			
8:00	1.59	NW	3.7	NW	7:58	12.3	→	75	→			
8:05	2.41	NW	5.3	NW	8:05	12.7	↑	74	→			
8:10	4.03	NW	5.3	NW	8:08	12.8	↑	71	→			
8:15	3.04	NW	5.3	NW	8:13	13.1	→	70	↓			

**Subject:** Grant Application to Niagara Tourism Relief Fund for Celebration Square Fencing, Event Trailer, Digital Signage and Bike Lockers.

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0195 - Grant Application to Niagara Tourism Relief Fund for Celebration Square Fencing, Event Trailer, Digital Signage and Bike Lockers in the amount of \$100,000, for information.**

**Background:**

On April 6, 2022 it was announced that the Tourism Partnership of Niagara (Niagara Tourism) received a non-repayable contribution of \$8.5 million from the Government of Canada through the Federal Economic Development Agency for Southern Ontario (FedDev Ontario), to deliver the Tourism Relief Fund to tourism businesses in Niagara-On-The-Lake, St. Catharines, Niagara Falls, Fort Erie, Port Colborne and Grimsby.

Support is available for small businesses in the tourism sector to recover from the impacts of the pandemic and seize new market opportunities through enhanced or new products and services.

Through Niagara Tourism small businesses in the Niagara region can apply for non-repayable contributions of up to \$100,000 for up to 50% of eligible project costs and not-for-profit organizations can apply for non-repayable contributions of up to \$100,000 for 100% of eligible costs.

The bike lockers, portable decorative fencing with art panels for Celebration Square, an event storage trailer, outdoor electronic were included as part of the My Main Street Community Activator Grant in February 2022. The Town was not successful in receiving approval for this grant. Report No. 2022-0040-Corporate Services outlined My Main St grant.

**Analysis:**

Celebration Square will be created in downtown Fonthill, the Town of Pelham's business and community hub.



The central downtown space will contain permanent enhancements and a defined event location with increased accessibility creating a hub for community events. Thousands of residents and visitors will enjoy an improved public space, as Celebration Square will become the premier location in Pelham for events which support community, tourism and local businesses. The Celebration Square will tie together unique components into a cohesive, defined public space.

Celebration Square, will encompass Peace Park, Town Square, the Farmers Market and the downtown Fonthill business area. With the addition of a digital signage network, event fencing and a dedicated bike locker, the space will be an opportunity for enhanced place-making and community events. Tourists and residents will be able to celebrate together and discover the welcoming events and businesses in Pelham.

The total amount of this grant for the Town is as follows: Digital Signage, Event Fencing and Storage Trailer, Secure Bike Locker for \$100,000. No funds are required from the Town.

Fonthill Rotary has also put in a separate application for new lights for the arches and the addition of the fourth arch for a total request of \$80,000.

Pelham Baseball Association has also put in a separate application for a batting cage at Centennial Park for \$100,000.

**Financial Considerations:**

There is no financial cost to the Town for the application of this grant of \$100,000.

**Alternatives Reviewed:**

N/A

**Strategic Plan Relationship: Build Strong Communities and Cultural Assets**

Events and festivals help to build strong communities by bringing people together to enjoy cultural events such as music performances.

**Consultation:**

Director Recreation, Culture and Wellness  
Director Public Works  
Fonthill Rotary  
Pelham Baseball Association

**Other Pertinent Reports/Attachments:**

None.

**Prepared and Recommended by:**

Teresa Quinlin-Murphy, FCPA, FCA, MBA  
Director of Corporate Services & Treasurer

**Prepared and Submitted by:**

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

**Subject:** Asset Management Plan Update

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report # 2022-0177 Asset Management Plan, for information;**

**AND THAT Council approve the Asset Management Plan for the Town of Pelham.**

**Background:**

O. Reg 588/17 requires municipalities to prepare an Asset Management Plan (AMP) for core assets which was due July 1, 2022. This AMP is a living document and it will continue to be updated as more information is obtained. The core assets in this report include the following: Roads, Water mains, Sanitary Gravity Main, Sanitary Force Main and Bridges and Culverts.

On December 20, 2021, the Asset Management Plan was presented to Council for information. Changes to the AMP since that presentation are as follows:

- (1) The addition of a section on how the anticipated population growth for the town will affect the options for the lifecycle activities over 10 years;
- (2) An inventory overview, condition assessment, and average age information for stormwater ponds, sanitary and stormwater manholes, and stormwater main assets was added;
- (3) Options were included for the estimated lifecycle activities required to maintain the levels of service over 10 years; and
- 4) A review of the risks of undertaking the options for the lifecycle activities. The Senior Leadership Team endorsed the final asset management plan.

The attached document meets all the O. Reg 588/17 requirements for municipalities preparing an AMP for core assets.

**Analysis:**

An AMP is a strategic document that states how the Town's assets are to be managed over a period of time. The plan describes the characteristics and condition of the



infrastructure assets, the level of service (LOS) expected from them, planned actions to ensure the assets are providing the expected LOS, and financing strategies to implement the planned actions. This document will support both budgeting and operations decisions in perpetuity, provided the Town continues to update the data contained within.

**Financial Considerations:**

The AMP will help to inform the long-term capital forecasting for capital assets.

**Alternatives Reviewed:**

There is no practical alternative: the Town must operate an AMP to be eligible for future grant opportunities and the document is key to making high quality decisions over the use of scarce public resources. An AMP ensures that the Town is well positioned for current and future grant programs and regulations, by meeting the requirements of the Ontario Ministry of Infrastructure Building Together Guide for Municipal Asset Management Plans.

**Strategic Plan Relationship: Financial Sustainability**

The AMP will establish a baseline of current asset management practices to inform a work plan for continually improving asset management.

**Consultation:**

Public Works department

Asset Management & GIS Analyst

**Other Pertinent Reports/Attachments:**

Asset Management Plan

**Prepared and Recommended by:**

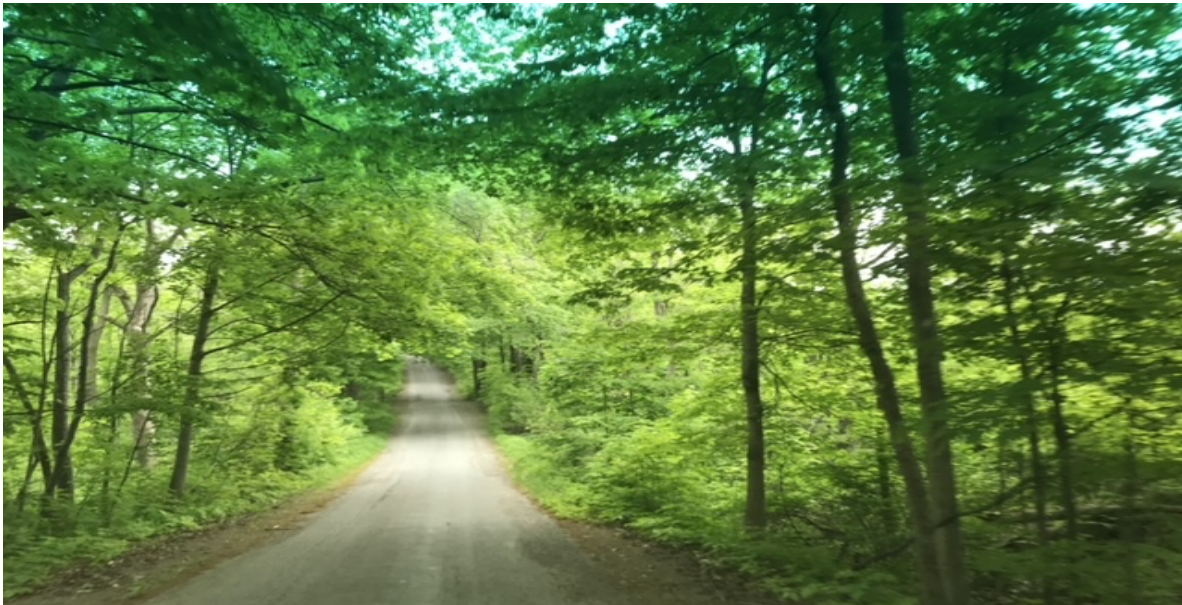
Teresa Quinlin-Murphy, FCPA, FCA, MBA  
Director of Corporate Services/Treasurer

**Prepared and Submitted by:**

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



# **Town of Pelham Asset Management Plan**



**Prepared:**  
June 30, 2022

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# Introduction

The Town of Pelham (Town) is centrally located within the Niagara Region. One of 12 local area municipalities, the Town has a diverse range of assets and infrastructure. Within the municipal boundary, both rural and urban landscapes are combined and serve a growing population of over 18, 000. Municipal infrastructure includes a network of roadways, and underground infrastructure consisting of storm sewers, water mains, and sanitary sewers etc.

To continue to effectively and efficiently plan for the future, proper asset management practices are necessary. Managing Pelham’s assets will allow Council and Town staff to make accurate and informed strategies regarding infrastructure and budgeting decisions.

Asset management in Pelham can facilitate a coordinated approach. This approach is demonstrated by potentially reducing the number of times road work is performed in a given location; by pairing work for road infrastructure with work required for underground infrastructure such as water main replacement.

## Understanding Asset Management

Asset management is an active municipal task that requires ongoing updating and attention. Throughout the life of an asset, a municipality faces challenges which may include the following:

1. New technologies and techniques may impact the timing of repair, rehabilitation, and replacement strategies;
2. Resistance to increasing taxes to pay the cost for repair, rehabilitation, and replacement of infrastructure assets;
3. Responding to changing customer expectations and/or increased demands for services;
4. Changing regulatory requirements from senior levels of government.

## Council and Staff Responsibilities

Members of Council play the critical leadership role in decision making for the levels of service provided within the municipality. Council impact on asset management is reflected in the policies adopted, annual asset reviews, and with ongoing impacts to the assets based on service levels and demand. Town staff provide support and recommendations to Council based on asset lifecycles and risk implications.

## Reporting

The Town currently utilizes two different software programs for managing asset information.

1. **Municipal Data Works (MDW):** a program which allows the user to manage inventory, create and customize capital forecasts. MDW has the ability to create a detailed 10-year forecast, with customization of parameters.
2. **Balance:** a program which is designed to track and manage financial aspects of asset management such as the replacement cost and lifecycle costs for assets.

The Town is proceeding toward an integrated workflow which involves using the data provided in Balance, in conjunction with the existing budget software, Questica, which is utilized for long-term capital planning and preparing the Capital Budget.

## Requirements of O. Reg 588/17

### Asset Management Plans (AMP), current levels of service

Appendix 1 details the provincial regulations outlining the requirements of the AMP and current levels of service, along with the required completion dates. The Town has completed the first requirement in 2019 with the completion of the Strategic Asset Policy. This Asset Management Plan report will complete the second requirement that was due on July 1, 2022.

## Scope

This AMP pertains to the Town of Pelham's core assets: roads, structures such as bridges and culverts, and underground infrastructure including the sanitary, storm water and water mains. In the future it will be expanded to include the municipal buildings, in compliance with Ontario Regulation 588/17.

The core assets have been evaluated on the following criteria:

1. asset condition,
2. average age,
3. level of service and
4. replacement cost.

## Asset Inventory

The asset inventory is the primary record of the assets, including attributes such as the physical dimensions or the material. Maintaining an up-to-date inventory is essential to asset management. Costs involved with asset replacement and meeting levels of service rely on accurately accounting for the assets in question. The following Table 1 shows a count or total length for the core asset inventories.



**Table 1. Core Asset Inventory**

<b>Asset Category</b>	<b>Inventory</b>	<b>Unit</b>
Roads	487	Lane km
Water Mains	89	km
Sanitary Gravity Main	65	km
Sanitary Manhole	982	Each
Sanitary Force Main	0.5	km
Stormwater Main	41	km
Stormwater Manhole	713	Each
Stormwater Pond	17	Each
Bridges/Structural Culverts	23	Each

## **Asset Condition**

Asset condition is an indicator of the quality of the asset and plays a part in assessing the risk associated with the asset's function. For example, an asset left in poor condition poses a greater risk in comparison to a brand-new asset. Maintaining an up-to-date inventory as well as monitoring asset condition is integral to the process of managing risk and ensuring levels of service are met. This report uses multiple ways to assess asset condition and differs depending on the asset and the process involved with condition assessment.

### **Roads**

The Pavement Condition Index (PCI) was used to assign condition values to the road assets. In the first week of January 2020 a visual pavement condition survey was conducted to establish the PCI of each pavement section based on MTO SP-024 for asphalt concrete surface and MTO SP-021 for surface treated pavement.

The condition ranges for PCI are as follows:

100 - 76	Very Good
75 - 61	Good
60 - 51	Fair
50 - 0	Poor

## Bridges and Culverts

Bridges and structural culverts are inspected every 2 years in accordance with the Ontario structure inspection manual - O. Reg. 472/10, s. 2. requirements. Bridges and structural culverts are inspected in detail and assigned a condition value between 1 and 100. The explanation of the condition values is shown below in Table 2.

**Table 2. Bridge condition index values.**

Condition	BCI Range	Description
Very Good	80 – 100	Overall, the components of the structure are in very good condition. Generally, the structure has been constructed within the last 10 years and does not require any work within the next 10 years.
Good	70 – 79	Overall, the components of the structure are in good condition. Generally, the structure is adequate or requires only minor maintenance within the next 10 years.
Fair	60 – 69	Overall, the components of the structure are in fair condition. Generally, the structure requires major rehab or replacement within the next 10 years, or requires Deck Condition Surveys (DCS), Load Capacity Evaluation (LCE) or Rehabilitation/Replacement Analysis (RRA).
Poor	0 – 59	Overall, the components of the structure are in poor condition. Generally, the structure requires replacement within the next five years.

## Sanitary Sewer, Stormwater, and Water Assets

The condition of the sanitary sewer, stormwater, and water assets has been estimated using the age of the asset with respect to the expected useful life of the asset. The Public Works department was consulted to provide value for asset life expectancy according to the asset material. Asset age has been divided into four categories according to the age, relative to the remaining useful life of the asset:

- Poor** <= 25% of remaining useful life,
- Fair** <= 50% of remaining useful life,
- Good** <= 75% of remaining useful life,
- Very Good** >75% of remaining useful life.

Assigning condition values according to the age of the asset makes the assumption that the asset's age reflects the condition of the asset, meaning an asset which is near the end of its life expectancy is also assumed to be in poor condition, however, this is not always the case. The Town completes annual closed-circuit television (CCTV) inspections of the sanitary system which will be used in the future to assign condition values to the sanitary infrastructure.

The Town of Pelham is in the process of working with a consultant to generate a condition rating system that will create a baseline system characterization analysis. This

will be used to identify deficiencies in the water and wastewater system and improve the capabilities of forecasting impacts to the Town with respect to proposed developments.

## **Levels of Service**

Level of service is a metric by which the quality of the service provided can be measured. The metrics for levels of service can be categorized in two groups.

1. Customer: Levels of service outline the overall quality, performance, availability and safety of the service being provided.
2. Technical: Levels of service outline the operating, maintenance, rehabilitation, renewal and upgrade activities expected to occur.

Level of service is a balance between user (customer) expectations for overall quality, performance, availability and safety of infrastructure assets with a cost that is affordable. Concurrent with the development/revision of customer levels of service, technical levels of service must be considered that also take into account the risk associated with providing the service.

Asset management should reflect the priorities and expectations of the community. It is necessary to ensure that the services provided reflect the community's priorities and expectations. In compliance with O. Reg. 588/17 Section 5. Subsection 2 Part I requires that Pelham provide the current levels of service with respect to the core municipal assets in accordance with the technical metrics and qualitative descriptions as provided in the tables in the O. Reg. 588/17 document. In addition to the Town's level of service standards, there are minimum maintenance requirements by which the Town must abide.

## Asset Replacement Cost

The replacement cost of an asset refers to the cost required to replace the existing asset with a new asset. The values for determining asset replacement cost in this report have been sourced from MARMAK which has evaluated the replacement costs from several municipalities to determine accurate and realistic values. Table 3 below shows the replacement costs for the core assets.

**Table 3. Core asset replacement cost**

Asset Category	Replacement cost (\$)
Roads	\$103,894,000
Water Main	\$28,233,286
Sanitary Sewer Gravity Main	\$37,218,768
Sanitary Sewer Force Main	\$274,525
Sanitary Manhole	\$11,784,000
Stormwater Main	\$31,536,591
Stormwater Manhole	\$10,064,500
Stormwater Pond	TBC
Structures (Bridge/Culverts)	\$12,977,750

## Average Asset Age

The age of an asset is an important criterion to evaluate asset risk. Older assets are typically in poorer condition and therefore more likely to fail over time. The age of Pelham's assets was used to determine approximate condition levels for underground infrastructure such as water mains which are difficult to inspect physically. The values for the average age of Pelham's core assets have been determined from engineering drawings which identify installation dates as well as from individual knowledge from the employees in the Town Public Works department. Table 4 below shows the average asset age for the core assets.

**Table 4. Core asset average age**

Asset Category	Average Age (year)
Roads	20
Water Mains	27
Sanitary Sewer Gravity Mains	36
Sanitary Sewer Force Mains	23
Sanitary Manholes	38
Stormwater Mains	25
Stormwater Manholes	26
Stormwater Ponds	23
Structures (Bridge/Culverts)	48



## Population Growth

The Town of Pelham is expected to grow significantly in the next two decades. Pursuant to the Provincial Directive, the Region of Niagara has established the Niagara 2041 Growth Plan, which establishes Pelham's population growth target of 25,260. Pelham's population as of the most recent census slightly exceeds 18,000 people. To accommodate the growing population, new infrastructure including roads, sewer, housing etc. will be required. By effectively managing Pelham's assets, the Town will be prepared to effectively plan for the future and efficiently manage infrastructure.

Pelham's growth is anticipated to be gradual. Any of Pelham's new developments are not anticipated to significantly impact the 10-year forecasts for lifecycle events for the core assets.

**Figure 1. Town of Pelham growth forecast summary**

MCR Strategic Growth Option											
Forecast Total Population by Local Municipality, 2016 -2041											
Municipality	Total Population Including Net Undercoverage									2016 - 2041	
	2001	2006	2011	2016	2021	2026	2031	2036	2041	Net Change	Compound Annual Growth Rate
Fort Erie	29,120	30,960	30,760	31,030	32,310	34,720	37,780	41,220	43,940	12,910	1.40%
Grimsby	22,030	24,760	26,000	27,580	29,430	31,400	33,200	35,140	37,150	9,570	1.20%
Lincoln	21,320	22,460	23,080	23,950	24,990	26,230	28,060	30,030	31,590	7,640	1.11%
Niagara Falls	81,550	85,040	85,200	87,740	92,830	99,990	108,770	117,670	124,580	36,840	1.41%
Niagara-on-the-Lake	14,320	15,090	15,810	17,950	19,750	21,420	22,850	24,700	26,580	8,630	1.58%
<b>Pelham</b>	<b>15,790</b>	<b>16,710</b>	<b>17,040</b>	<b>17,190</b>	<b>17,900</b>	<b>19,410</b>	<b>21,560</b>	<b>23,720</b>	<b>25,260</b>	<b>8,070</b>	<b>1.55%</b>
Port Colborne	19,080	19,240	18,910	18,510	18,600	19,210	20,080	21,050	21,820	3,310	0.66%
St. Catharines	133,660	136,570	134,890	133,820	136,930	142,560	150,590	160,040	167,480	33,660	0.90%
Thorold	18,670	18,880	18,410	18,790	19,680	21,500	23,850	26,470	28,470	9,680	1.68%
Wainfleet	6,470	6,830	6,520	6,540	6,590	6,760	6,990	7,260	7,480	940	0.54%
Welland	50,080	52,080	51,980	52,550	54,130	56,540	59,600	63,160	66,180	13,630	0.93%
West Lincoln	12,690	13,620	14,200	14,670	16,170	18,930	22,630	26,530	29,460	14,790	2.83%
<b>Niagara Region</b>	<b>424,780</b>	<b>442,240</b>	<b>442,800</b>	<b>450,320</b>	<b>469,310</b>	<b>498,670</b>	<b>535,960</b>	<b>576,990</b>	<b>609,990</b>	<b>159,670</b>	<b>1.22%</b>

Source: Niagara Region 2041 Fostering an Environment for Economic Prosperity

# Transportation – Roads

## Overview

Roads are an integral part of Pelham’s infrastructure. Maintaining road infrastructure enables safe and efficient travel within the municipality. When road infrastructure is not well-maintained traffic halts can impede commuters and pot holes and other defects can result in unsafe conditions. In 2016, Pelham’s Active Transportation Plan and Implementation Strategy, determined that, at the time, 95% of Pelham’s residents traveled by personal vehicle and the remainder of the population typically travelled by either public transportation, walking or cycling. Recognizing the importance of efficient and safe roads to Pelham’s residents, the Town is working towards ensuring that the levels of service required to meet the residents needs are met.

Pelham’s roads can be categorized generally into two groups based on the material: High Class Bituminous (HCB) and Low Class Bituminous (LCB). The majority of the Town’s roads, approximately 59% (144 km), are surfaced with LCB and the remaining roads, approximately 41% (98 kms) are surfaced with HCB.

Road classification in Pelham includes 185 km of local roads, 55.2 km of collector roads, and 3.6 km of arterial roads totaling approximately 244 km or 488 lane kilometers.

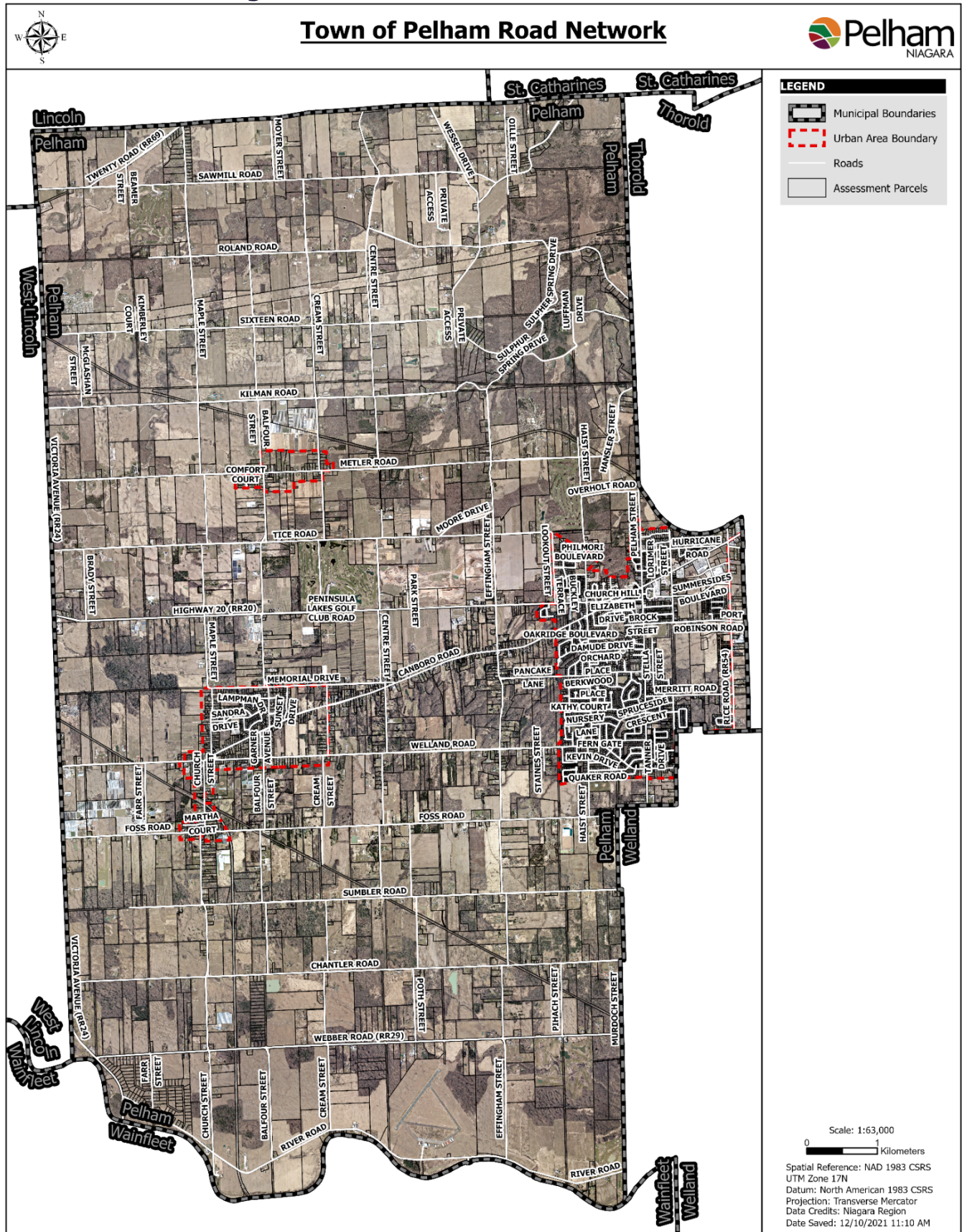
### Lane kilometers by road classification:

- **Arterial roads** (ex: Pelham St., Canboro Rd., HWY 20. etc.)  
7.22 lane-km:126 km<sup>2</sup> land area
- **Collector roads** (ex: Haist St., Effingham Rd., Lookout St. etc.)  
110.36 lane-km:126 km<sup>2</sup> land area
- **Local roads** (ex: Abbott Pl., Shoalts Dr., Bacon Ln. etc.)  
369.90 lane-km:126 km<sup>2</sup> land area

Figure 2 that follows, shows a map of the Town’s road infrastructure.



Figure 2. Town of Pelham Road Network





## Average Age

The average age of the road network is 20 years (age determined from latest construction year).

## Condition

Pelham's road condition is based on the Pavement Condition Index (PCI). The average road condition in Pelham is 69 and the Town does not have any unpaved roads. The PCI for Pelham's roads is categorized into four condition levels: Very Good, Good, Fair, and Poor. Below are examples of the different road classifications according to material.

The condition for Pelham's Road assets is shown below:

**Figure 3. Pelham's Road Asset Condition**

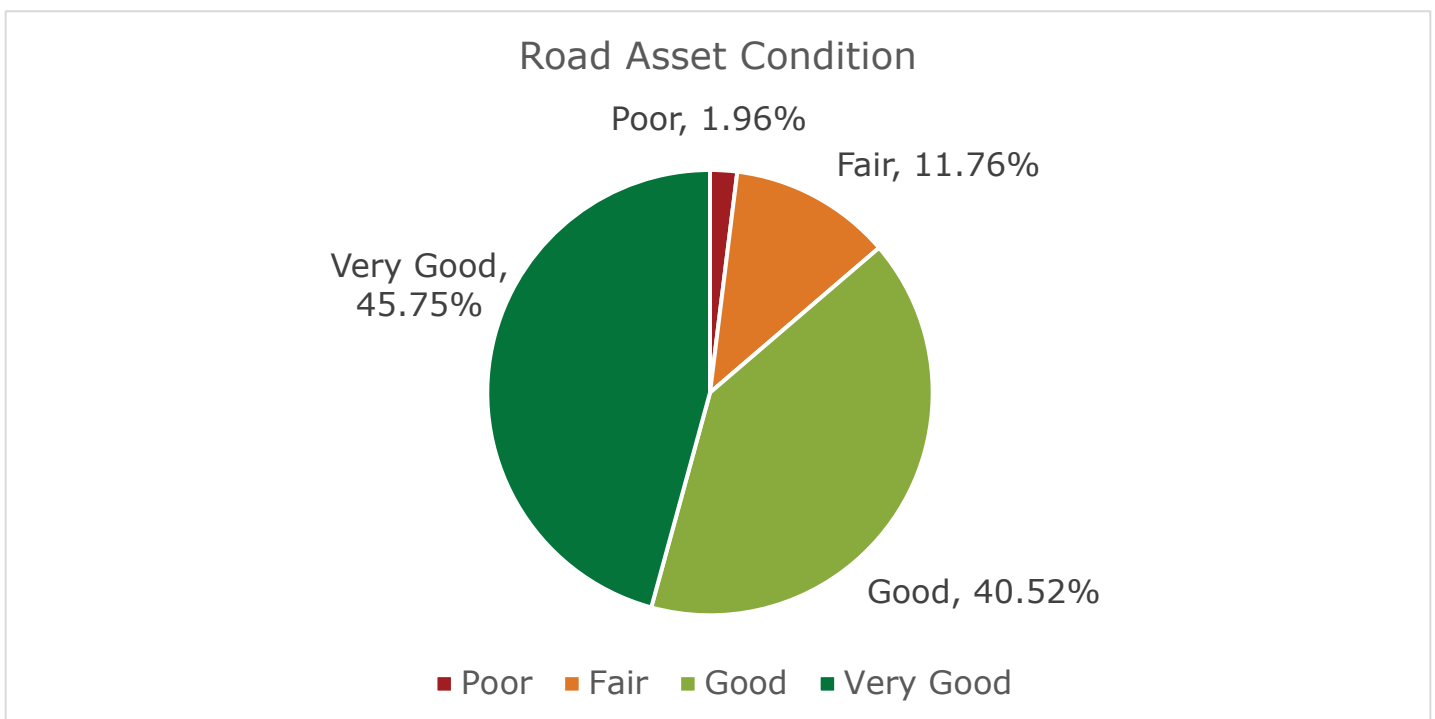


Figure 3 indicates that approximately 86% of Pelham's road assets are in good or very good condition and approximately 14% are in fair or poor condition.

## HCB road condition examples (Very Good, Good, Fair, Poor)



**Figure 4. Cherry Ridge Boulevard, from Steele Drive to Sandra Drive – HCB**

(Very Good condition, PCI = 97)



**Figure 5. Station Street, from Hurricane Road to Cherrywood Avenue – HCB**

(Good condition, PCI = 73)



**Figure 6. Kevin Drive, from Haist Street to Sherri lee Crescent – HCB**

(Fair condition, PCI = 55)



**Figure 7. Spencer Lane, from Pinecrest Court to End – HCB**

(Poor condition, PCI = 49)

**LCB road condition examples (Very Good, Good, Fair, Poor)**



**Figure 8. Maple Street, from Sixteen Road to Roland Road – LCB**

(Very Good condition, PCI = 88)



**Figure 9. Tice Road, from Cream Street to Cream Street – LCB**

(Good condition, PCI = 72)





**Figure 10. Pancake Lane, from Haist Street to Shoalts Drive – LCB**

(Fair condition, PCI = 60)



**Figure 11. Balfour Street, from River Road to Webber Road (RR29) – LCB**

(Poor condition, PCI = 47)

## Current Performance of Road Assets According to Metrics Established by the Town of Pelham

See Table 29 in the Appendix.

### Life Cycle Activities

#### Construction

A new road is installed with a fresh base and top coat of asphalt. After a period of 1 year, the Town of Pelham takes over the responsibility of maintaining the road as well as the associated infrastructure such as the sewer and water mains and curbs etc.

#### Rehabilitation

- **General Maintenance:** Typically involves surface repairs such as filling cracks and pot holes.
- **Grind and Overlay:** Removes a section of the road's surface and replaces it with a new surface coat of asphalt.
- **Pulverize and Resurface – Single Lift:** Used to extend the roads useful life by repairing the base and surface of the road.
- **General Maintenance:** After a road has been rehabilitated, general maintenance is continued until the road's condition deteriorates to a level at which it is longer fiscally responsible to continue with general maintenance.

#### Reconstruction

The final stage of a roads life cycle is reconstruction, when the road has reached its lowest acceptable condition level and a new road is installed to replace the existing asset.

### The options for which lifecycle activities could potentially be undertaken to maintain the current levels of service

**Option 1.** Road Assets 10-year capital forecast with minimum costs to maintain existing levels of service shown in the following Table 5.

**Table 5. Option 1 - 2022 road assets 10-year capital forecast**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Re-Construction	\$11,092,028	\$7,752,469	\$16,474,654	\$98,400						
Rehabilitation	\$6,479,126	\$1,718,564	\$299,143	\$1,050,123	\$384,291		\$160,475			\$103,408
Total	\$17,571,154	\$9,471,033	\$16,773,796	\$1,148,523	\$384,291		\$160,475			\$103,408
Average RLE	25.2	30	35	26.7	29.2		30.5			28

**HIGH CLASS BITUMINOUS ROADS**

PCI	Life Cycle Activity	Life Expectancy Gain (year)	Cost (\$)/m2	Units
44	Re-construction	30	125	m <sup>2</sup>
59	Maintenance	3	5	m <sup>2</sup>
65	Pulverize and Resurface – Single Lift	18	50	m <sup>2</sup>
69	Grind and Overlay	10	31	m <sup>2</sup>
100	Maintenance	3	5	m <sup>2</sup>

**LOW CLASS BITUMINOUS ROADS**

PCI	Life Cycle Activity	Life Expectancy Gain (year)	Cost (\$)	Units
44	Re-construction	30	18	m <sup>2</sup>
59	Maintenance	3	4	m <sup>2</sup>
65	Pulverize and Resurface – Single Lift	14	8	m <sup>2</sup>
69	Single Surface Treatment	8	7	m <sup>2</sup>
100	Maintenance	3	4	m <sup>2</sup>

**Option 2.** Road Assets 10-year capital forecast adjusted to accommodate budget constraints, shown in Table 6 below.

**Table 6. Option 2 - 2022 road assets 10-year capital forecast**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Re-Construction	\$1,858,178	\$1,904,330	\$1,775,939	\$691,756	\$656,834	\$506,514		\$16,679		
Rehabilitation	\$4,327,674	\$2,919,975	\$2,781,554	\$2,264,819	\$2,398,303	\$1,718,564				
Total	\$6,185,852	\$4,824,304	\$4,557,493	\$2,956,575	\$3,055,136	\$2,225,078		\$16,679		
Average RLE	21.5	19.7	20.9	20.4	20.5	20.5		23		

**HIGH CLASS BITUMINOUS ROADS**

PCI	Life Cycle Activity	Life Expectancy Gain (year)	Cost (\$)	Units
35	Re-Construction	30	125	m <sup>2</sup>
39	Maintenance	3	5	m <sup>2</sup>
40	Pulverize and Resurface – Single Lift	18	50	m <sup>2</sup>
50	Grind and Overlay	10	31	m <sup>2</sup>
80	Maintenance	3	5	m <sup>2</sup>

**LOW CLASS BITUMINOUS ROADS**

PCI	Life Cycle Activity	Life Expectancy Gain (year)	Cost (\$)	Units
35	Re-Construction	30	18	m <sup>2</sup>
39	Maintenance	3	4	m <sup>2</sup>
40	Pulverize and Resurface – Single Lift	14	8	m <sup>2</sup>
50	Single Surface Treatment	8	7	m <sup>2</sup>
80	Maintenance	3	4	m <sup>2</sup>



## Analysis of Options for Undertaking Life Cycle Activities

**Option 1:** Option 1 would allow for the current levels of service to be maintained. The Town of Pelham would be required to take on significant costs to carry out the life cycle activities in Option 1. This is especially true during years 2022, 2023, and 2024 where reconstruction activities greatly impact the cost of maintaining the road infrastructure.

**Option 2:** Option 2 would require the current levels of service standards to be lowered as a result of the reduction to the PCI trigger levels for the life cycle activities and thereby extending the useful life of the road assets. The risk levels for the road infrastructure would increase with this option because the average condition level for the roads would decrease below the intended target of 69 PCI. The cost to maintain the roads would decrease with this option in the short term because the condition at which the roads are reconstructed and rehabilitated has been lowered which increases the time before reconstruction and rehabilitation is required. In particular, the decrease in the reconstruction condition trigger level from 44 to 30 with Option 2 extends the time until reconstruction is prescribed by approximately seven years. Extending the time until reconstruction would likely require more years of general maintenance for the roads in poor condition until they undergo reconstruction. The current maintenance budget is \$150,000 this could increase to \$300,000 per year if reconstruction is extended.

### **Lifecycle activities that can be undertaken for the lowest cost to maintain the current levels of service**

Following Option 1 would enable the Town to maintain the current levels of service for the lowest cost possible, however given the Town's budget constraints, this option is not practical. Option 2 is a more realistic plan in terms of the Town's budget although would require lowering the current levels of service.

# Bridges and Culverts

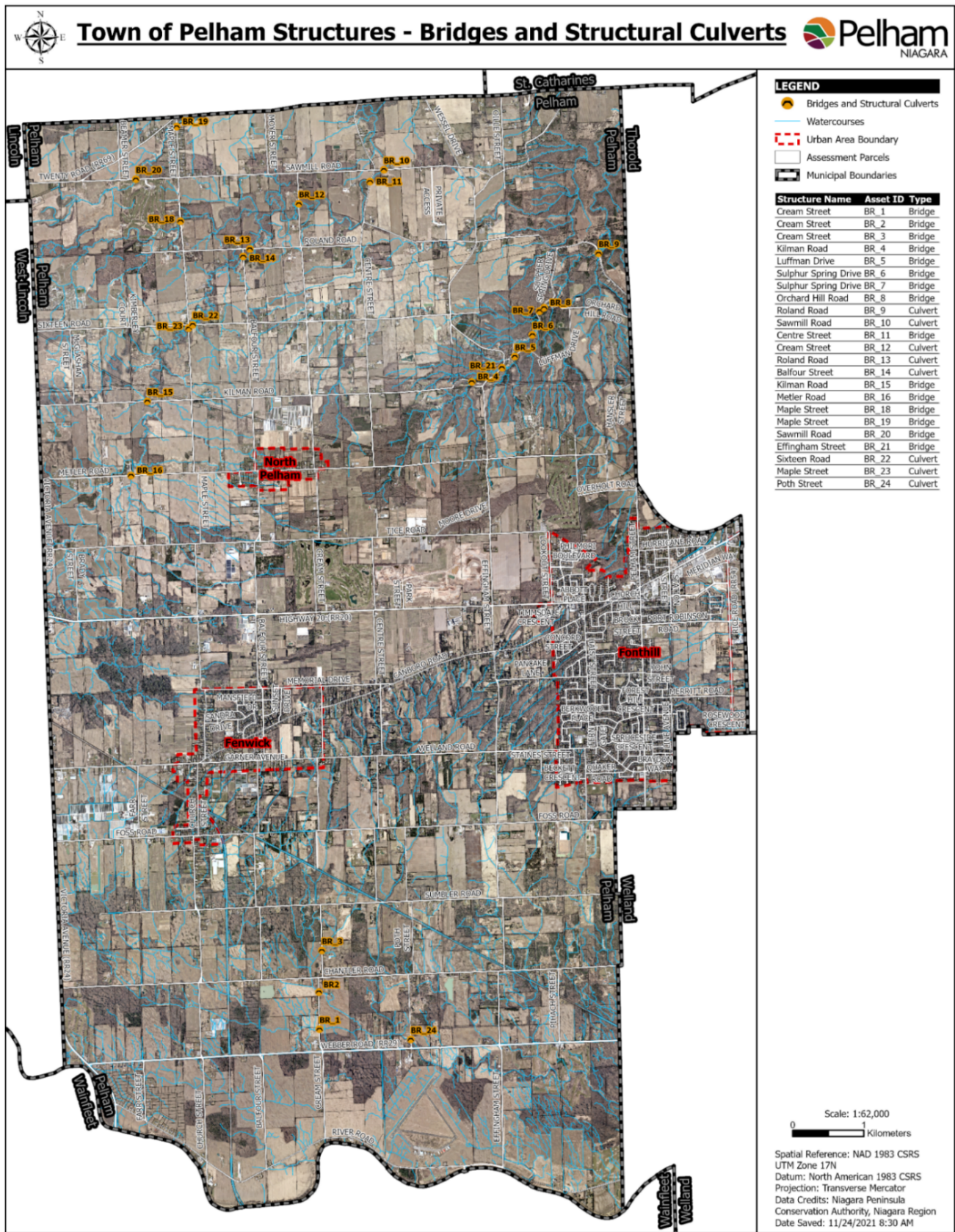
## Overview

Pelham maintains 23 bridges and structural culverts with 15 bridges and eight structural culverts respectively. These structures allow the passage of a variety of traffic including vehicles, pedestrians, and cyclists. None of the bridges or structural culverts include dimensional restrictions or load postings for the traffic they support. Over the past 10 years, Pelham has conducted traffic studies on roads with municipal bridges and structural culverts. The traffic studies primarily occurred in the spring. The majority of traffic over the past 10 years has comprised of passenger vehicles including cars and trailers which account for approximately 86% of the vehicles observed. The remainder of the vehicles observed include trucks, busses, and tractor trailers in low numbers. There is limited information for the number of cyclists travelling over the roads with bridges and structural culverts. During the traffic study in the spring of 2018 two bridges had a combined total of three cyclists travel across them for the duration of the traffic study. All structures are classified as either bridge or culvert type structures according to the criteria contained in the municipal bridge and culvert appraisal manual. The definition is as follows:

“Box or open type structure ... and which has more than 600mm of cover shall be appraised as a culvert, and those with less than 600mm of cover shall be appraised as a bridge”..

Figure 12 that follows, identifies the bridge and structural culvert assets in the Town of Pelham.

**Figure 12. Town of Pelham map of core structure assets: bridges and structural culverts**



## Replacement Cost for Bridges and Structural Culverts

The replacement cost for the bridge and structural culvert assets is shown below in Table 7.

**Table 7. Bridge and structural culverts replacement cost**

Asset Type	Replacement Cost*
Structural Culverts	\$6,583,750
Bridges	\$6,394,000
Total	\$12,977,750

\*Replacement cost is for replacing “like for like” structure-wise.

## Condition

The condition for the Town of Pelham’s bridges and structural culverts is shown below in Figure 13 according to the bridge condition index values based on the most recent inspection in 2020.

**Figure 13. Condition for bridges and structural culverts**

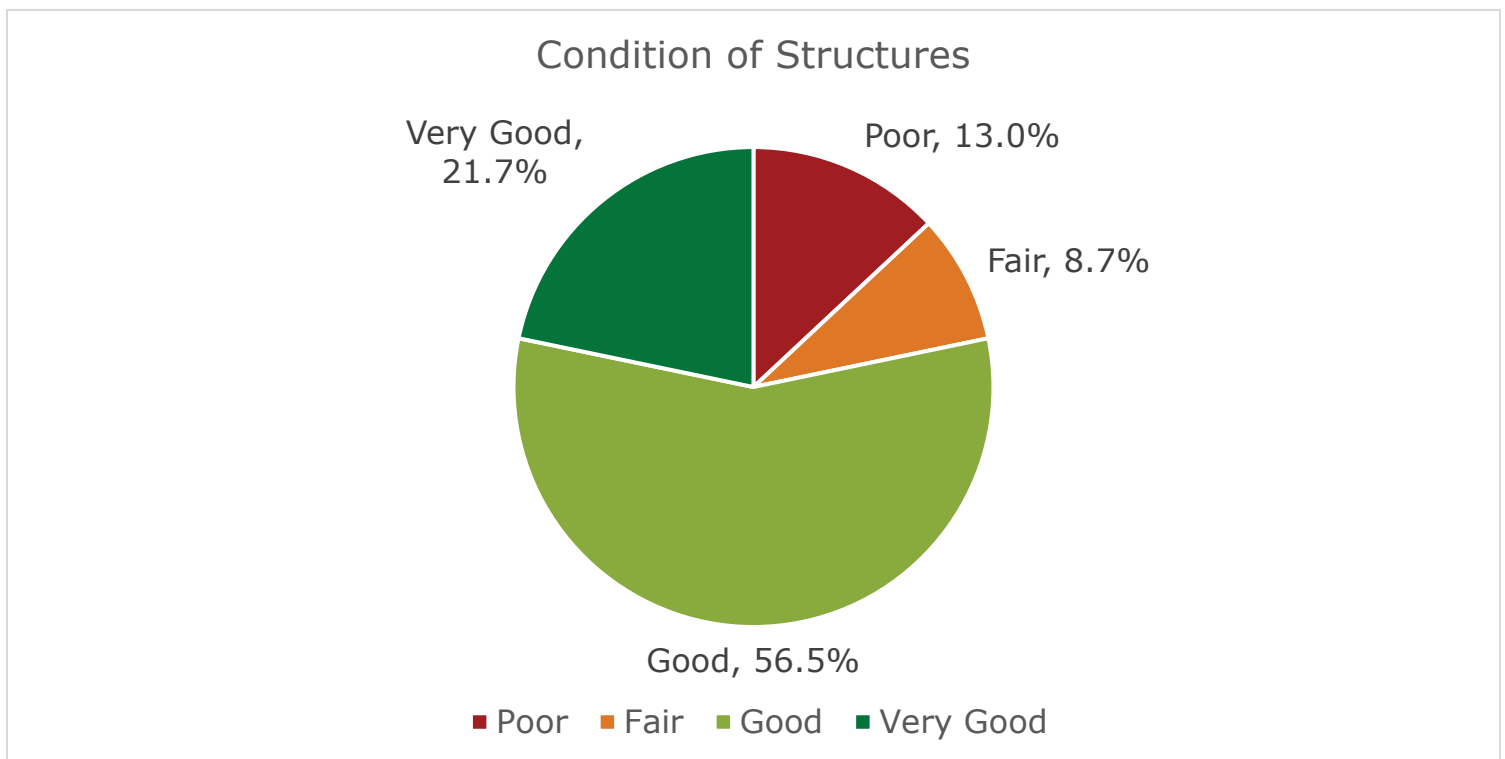


Figure 13 shows that approximately 78% of Pelham’s bridges and structural culverts are in good or very good condition and approximately 22% are in fair or poor condition.



## Bridges

### Average Age

The average age of bridges is 43.1 years.

### Condition

The average bridge condition index for bridges in 2020 was: 73.5/100

Overall, the Town of Pelham's bridges are in good condition with only one bridge in fair condition which is BR\_1 on Cream St. The bridges in good or very good condition have no change in their use with respect to their condition levels. The descriptions of the bridge in the worst condition (BR\_01 Cream Street) and the bridge in the best condition (BR\_20 Sawmill Road) from the most recent inspection report in 2020 are detailed below:

#### **Cream Street BR\_01 – fair condition:**

The surface treated roadway is in good condition. There is a transverse crack north of the structure. The structure is in fair to good condition with some light cracking on the east side. Some cracks are evident at both ends with efflorescent staining. There is an area of medium efflorescent staining on the exterior side wall and fascia at the south east corner. There are wide (1-4mm) horizontal cracks through the structure side wall at all four corners. Two narrow cracks on the north inside wall are evident midway through the structure; there is evidence of moisture migrating through the wall. Utility conduits are attached to the structure at both ends. Footings are covered with rip rap.

Issues identified in the inspection report have been documented in photographs and included below for reference:



**Figure 14. Surface treated roadway looking south.**

**Figure 15. East end of structure.**



**Figure 16. Wide horizontal crack at south east corner.**



**Figure 17. Interior looking east.**



**Sawmill Road BR\_20 – very good condition:**

The asphalt paved roadway is in good condition. There is steel beam guide rail over both sides of the structure in good condition. There are extruders at the north east and south west corners. There are leaving-end terminal sections at the northwest and southeast corners. The precast concrete box units are in good condition. The cast-in-place concrete wing walls and headwalls are in good condition. There are areas of light leakage and efflorescent staining on the vertical faces of the northwest, northeast, and southwest corners between the fascia and the first precast box unit. There are two small spalls along the east interior wall. Some granular fill is spilling over the tops of the wing walls at all four corners. There is light erosion at the northeast corner. Issues identified in the inspection report have been documented in photographs and included below for reference.



**Figure 18. Roadway looking east.**



**Figure 19. Interior of structure, looking north.**





**Figure 20. Leakage and efflorescent staining at northwest corner.**



**Figure 21. South elevation.**



## Structural Culverts

### Average Age

The average age for structural culverts is 35 years.

### Condition

The average BCI for culverts in 2020 was: 68.6/100.

There are eight structural culverts in the Municipality of Pelham which range in condition levels. Four out of eight culverts are in good or better condition with three of those culverts in very good condition. Four out of eight culverts are in fair or worse condition with three of those in poor condition. The condition of the culverts appears to be correlated to their age. The oldest culverts generally appear to be in the worst condition and were installed during the 1970s. The newest culverts were constructed in 2016, 2018 and 2019 and are all in very good condition.

Descriptions for culverts in very good condition and poor condition are detailed below from the latest inspection in 2020:

#### **Balfour Street BR\_14 - poor condition:**

The surface treated roadway is in good condition. The steel multi-plate structures are in poor condition with medium to severe corrosion and perforations throughout both cells at the waterline. Extensive perforations at the waterline are causing the cell 'walls' to break off and settle behind the bottoms of each cell. The perforations along the water line are more severe in the north cell. Light deformation is evident in the tops of both cells. There is minimal fill over the pipes, approximately 300mm. There are no roadside markers at this location.



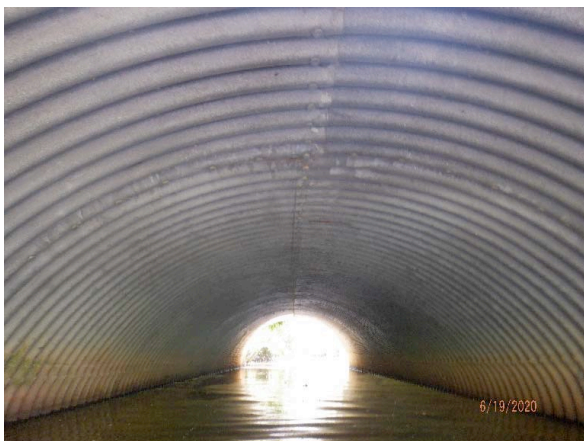
**Figure 22. Roadway over structure looking south.**



**Figure 23. East end of pipes.**



**Figure 24. Interior of south cell, looking west.**



**Figure 25. Interior of north cell, looking east.**

**Sawmill Road BR\_10 – very good condition:**

The asphalt paved roadway is in good condition. There is granular material on the roadway at the northeast corner. There is steel beam guide rail over the structure on both sides, in good condition. There are extruder end treatments installed at all four corners of the structure. One green/white diamond hazard marker is damaged at the end of the northeast extruder. One green/white diamond hazard marker is missing at the end of the south east extruder. There is one area of light erosion in each of the granular side slopes, extending past the guide rail at approximately center span. The cast-in-place reinforced concrete abutment sidewalls, soffit, headwalls, and wing walls are in good condition. There is medium erosion at all four corners of the structure.



**Figure 26. Roadway looking west.**



**Figure 27. South elevation.**



**Figure 28. Interior looking northeast.**



**Figure 29. Erosion at southeast corner.**



## **Life Cycle Activities**

### **Construction**

After a new bridge or structural culvert is installed, it is inspected every two years to evaluate its condition and identify any issues. Pelham is legislated to complete these inspections in accordance with O. Reg. 472/10, s. 2.

### **Rehabilitation**

Over time the condition of a bridge or structural culvert will decrease. Minor issues may include scaling, cracking, erosion, etc. in various degrees of severity and require corrective action.

### **Replacement**

The condition of a bridge will eventually decline significantly and it will need to be replaced with a new asset. Inspections and recommendations for bridges and culverts are also categorized by importance. For example, there may be a bridge with an overall good rating with a recommendation for immediate work to be done such as minor scour and erosion mitigation work. Corrugated Steel structures are not typically rehabilitated and are replaced once the condition of the structure decreases to a significant level as determined by the levels of service.

### **The options for which lifecycle activities could potentially be undertaken to maintain the current levels of service**

The options for lifecycle activities that can be undertaken for the lowest cost to maintain the levels of service are detailed in Table 8, Table 9, and Table 10 that follow and include the Remaining Life Expectancy (RLE).

**Table 8. Option 1 - Structure assets 10-year capital forecast**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Re-construction					\$2,403,500	\$90,000			\$707,250	
Rehabilitation	\$99,050	\$21,350		\$33,250	\$726,850	\$1,311,000		\$59,850		
Total	\$99,050	\$21,350		\$33,250	\$3,130,350	\$1,401,000		\$59,850	\$707,250	
Average RLE	39.3	27		74	70	46.1		77	90	
Concrete Structure										
BCI	Life Cycle Activity			Life Expectancy Gain (year)		Cost (\$)		Units		
40	Replace			75		5750		m <sup>2</sup>		
50	Major Rehabilitation			35		3000		m <sup>2</sup>		
70	Minor Rehabilitation			15		1200		m <sup>2</sup>		
Corrugated Steel Pipe Structure (CSP)										
BCI	Life Cycle Activity			Life Expectancy Gain (year)		Cost (\$)		Units		
30	Replace			40		5750		m <sup>2</sup>		

**Table 9. Option 2 - Structure assets 10-year capital forecast**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Re-construction	\$10,500				\$2,403,500				\$707,250	
Rehabilitation	\$152,950	\$99,050	\$21,350		\$33,250	\$24,850	\$702,000		\$59,850	
Total	\$163,450	\$99,050	\$21,350		\$2,436,750	\$24,850	\$702,000		\$767,100	
Average RLE	34	38.3	26		36.2	72	43		48	
Concrete Structure										
BCI	Life Cycle Activity			Life Expectancy Gain (year)		Cost (\$)		Units		
35	Replace			75		5750		m <sup>2</sup>		
45	Major Rehabilitation			35		3000		m <sup>2</sup>		
65	Minor Rehabilitation			15		1200		m <sup>2</sup>		
Corrugated Steel Pipe Structure (CSP)										
BCI	Life Cycle Activity			Life Expectancy Gain (year)		Cost (\$)		Units		
30	Replace			40		5750		m <sup>2</sup>		

**Table 10. Option 3 - Structure assets 10-year capital forecast**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Re-construction			\$10,500		\$2,403,500				\$707,250	
Rehabilitation		\$81,900	\$152,950	\$99,050	\$21,350		\$33,250	\$24,850		
Total		\$81,900	\$163,450	\$99,050	\$2,424,850		\$33,250	\$24,850	\$707,250	
Average RLE		28	32	36.3	24		71	70	20	
Concrete Structure										
BCI	Life Cycle Activity				Life Expectancy Gain (year)		Cost (\$)		Units	
30	Replace				75		5750		m <sup>2</sup>	
40	Major Rehabilitation				35		3000		m <sup>2</sup>	
60	Minor Rehabilitation				15		1200		m <sup>2</sup>	
Corrugated Steel Pipe Structure (CSP)										
BCI	Life Cycle Activity				Life Expectancy Gain (year)		Cost (\$)		Units	
30	Replace				40		5750		m <sup>2</sup>	

**Analysis of the Options for Lifecycle Activities**

**Option 1:** This option maintains the highest average life expectancy for the assets for the 10-year time frame. However, this option is the most expensive of the three options resulting in approximately \$5.5 million in costs over 10 years. The higher costs in this option for the lifecycle activities may pose a challenge to the Town.

**Option 2:** This option offers a plan with lower costs relative to Option 1 as a result of decreasing the threshold for rehabilitation and reconstruction lifecycle activities. This reduces the costs over the 10 years by effectively delaying the time when lifecycle activities are performed. Option 2 totals approximately \$4 million across the 10-year time frame. The average remaining life expectancy in option 2 is lower overall in the 10-year time frame relative to Option 1. A risk of lowering the thresholds for the lifecycle activities relative to Option 1 is that assets in poor condition would remain in poor condition for a longer time.

**Option 3:** Option 3 is the least expensive option over the 10-year timeframe. However, the average remaining useful life of the assets is decreased significantly compared to Options 1 and 2. Option 3 totals approximately \$3.5 million over the 10-year time frame and has the lowest BCI threshold for lifecycle activities. The lowered threshold would pose a risk similar to Option 2, in which assets would remain in poor condition for a longer period of time relative to Options 1 and 2.

## **Lifecycle activities that can be undertaken for the lowest cost to maintain the current levels of service**

Option 1 offers a plan that is sufficient to maintain the current levels of service. Options 2 and 3 would likely require lowering the standards of the current levels of service.

## **Current Performance of Structural Assets According to Metrics Established by the Town of Pelham**

See Table 29 in the Appendix.



# Sanitary Sewer System

## Overview

The Town is responsible for the collecting wastewater discharged into its sanitary system and transferring the wastewater to the Niagara Region's sanitary sewer system. The Region's system conveys the wastewater to the Welland Wastewater Treatment Plant with the aid of five regional sewage pumping stations: Park Lane S.P.S., Hurricane Rd. S.P.S., Daimler Woods S.P.S., Foss Rd. S.P.S., and Timmsdale S.P.S.

Pelham's sanitary sewer system contains approximately 66 km of municipal mains and provides service across the municipality to approximately 4873 accounts and 7441 properties. The Town's sanitary sewer system services approximately 65% of the properties in the Town in the areas of Fontheil, Ridgeville and Fenwick. Pelham's sanitary sewer mains vary in size from 150 mm – 500 mm diameter for the gravity mains and from 40 mm – 75 mm diameter for the force mains. The Town's sanitary system does not include overflows or combined sewers.

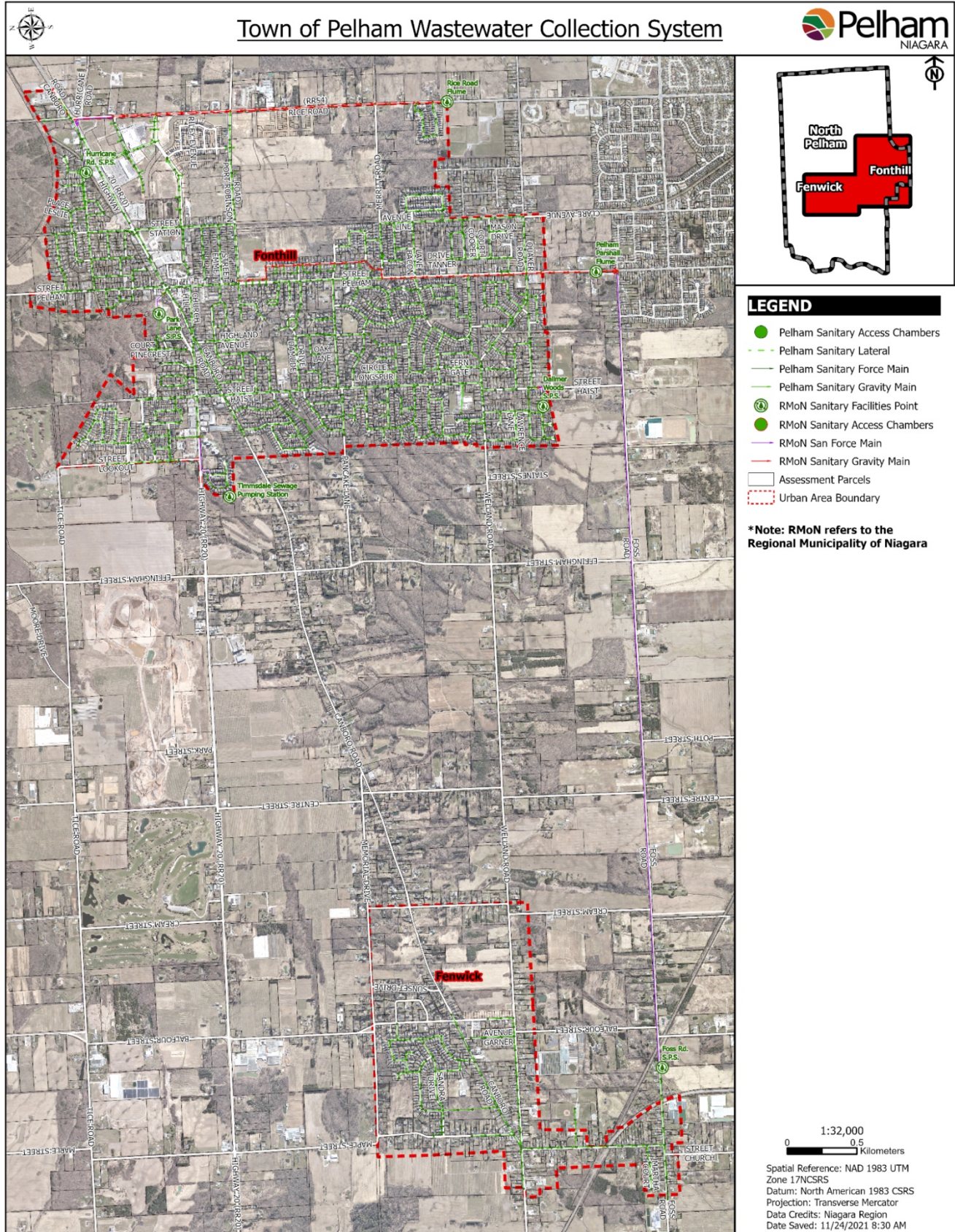
In 2020, Pelham's 4873 accounts experienced zero events where combined sewer flow in the municipal wastewater system exceeded system capacity and zero connection days resulting from wastewater backups.

“Connection-days” refers to the number of properties connected to a municipal system that are affected by a service issue, multiplied by the number of days on which those properties are affected by the service issue.

There is no information regarding effluent discharged from sewage treatment plants or the number of effluent violations per year.

Figure 30, that follows, shows the extent of the wastewater collection system.

**Figure 30. Town of Pelham Wastewater Collection System**





## Average Age

### Sanitary Gravity Mains

The average age for Pelham’s sanitary gravity mains is 36 years. The average age for sanitary gravity mains according to material is shown below in Table 11.

**Table 11. Average Age Sanitary Gravity Mains**

Average Age (year)	Material
2	Brass
21	High-density Polyethylene
39	Polyethylene

### Sanitary Force Mains

The average age for Pelham’s sanitary force mains is 23 years. The average age for sanitary force mains according to material is shown below in Table 12.

**Table 12. Average Age Sanitary Force Mains**

Average Age (year)	Material
26	Polyvinyl Chloride
46	Polyethylene
49	Asbestos Cement

### Sanitary Manholes

The average age for sanitary manholes is 38 years.

## Replacement Cost

The replacement cost for the wastewater assets is shown below in Table 11.

**Table 11. Wastewater Assets Replacement Cost**

Asset Type	Replacement Cost
Gravity Main	\$37,218,768
Force Main	\$274,525
Manhole	\$11,952,000
Total	\$49,418,293

## Condition

A count of the assets according to their condition rating was performed and the results are shown in Figure 31, Figure 33, Figure 32, and Figure 33 that follow, as a percentage of the total number of assets.

**Figure 31. Sanitary Gravity Main Condition**

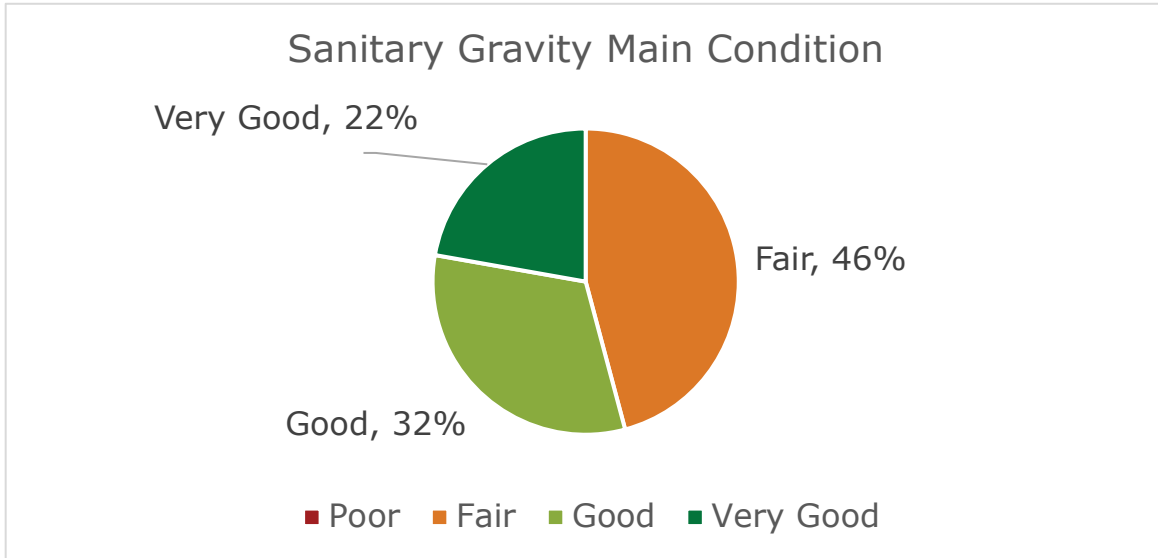


Figure 31 indicates that 54% of the sanitary gravity mains are estimated to be in good or very good condition and 46% to be in fair condition.

**Figure 32. Sanitary Force Main Condition**

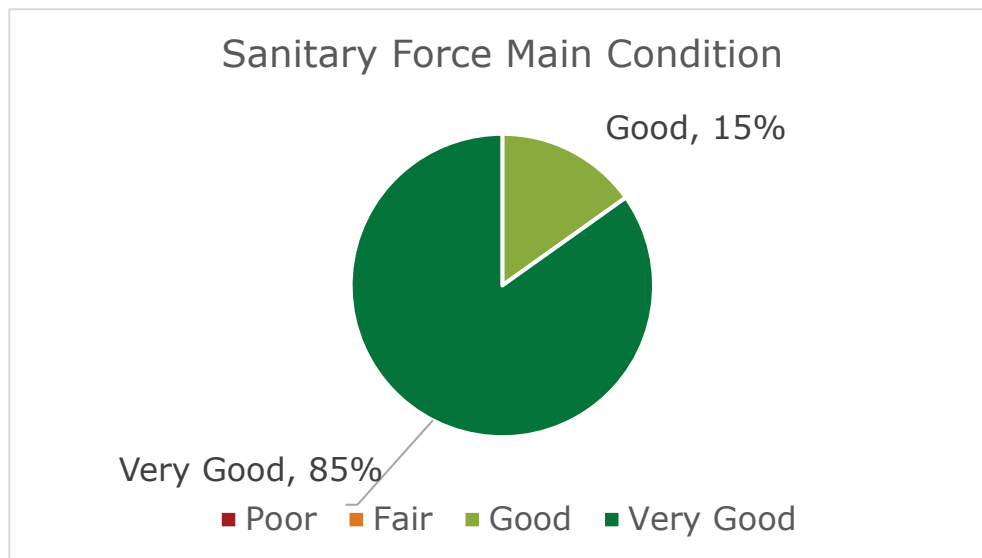


Figure 32 indicates that all of the sanitary force mains are estimated to be in good or very good condition and no sanitary force mains are in fair, or poor condition.



**Figure 33. Sanitary Manhole Condition**

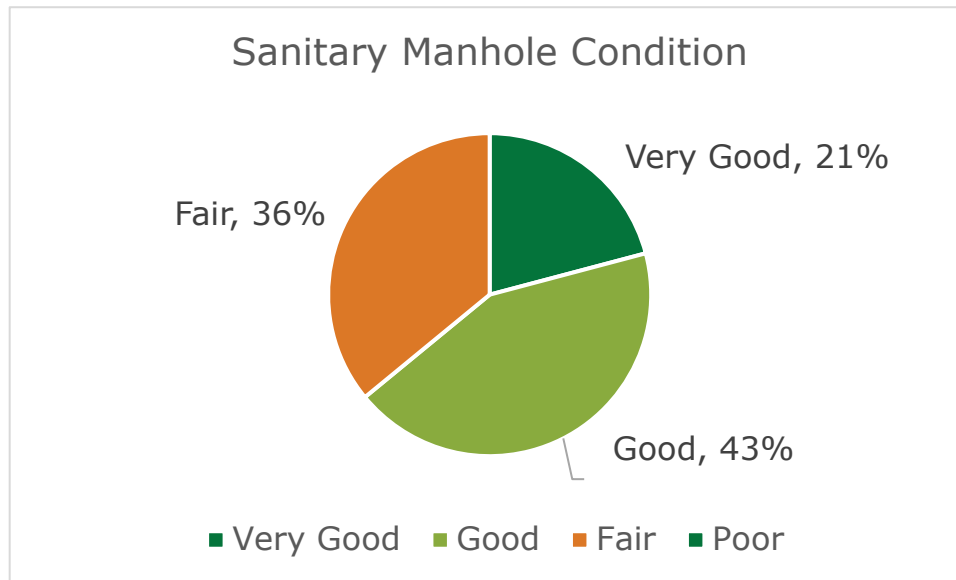


Figure 33 indicates that 64% of the sanitary manholes are estimated to be in good or very good condition and 36% to be in fair condition.

## Life Cycle Activities

### Construction

Once a new sanitary sewer asset is installed, after a period of one year the Town of Pelham takes over the responsibility of maintaining the asset. A full inspection is required to show the asset is in good condition prior to the Town taking over the responsibility of maintaining the asset. Sanitary gravity mains require a CCTV video inspection.

### Rehabilitation/Maintenance

Maintenance typically involves activities such as flushing for the mains to ensure that the assets are functioning properly. When the condition of an asset decreases, minor rehabilitation is often required. For mains, small section repairs or relining of the main can be used to extend the life of the asset. Occasionally for manholes, the cover can become damaged and need replacement.

### Reconstruction

The condition of a sanitary sewer main will eventually decline significantly and it will need to be replaced with a new asset. The asset being replaced will either be abandoned or removed.

### Growth Activities

Population growth can necessitate replacing an asset with an asset of greater size to accommodate increased demand on the system.

**The options for which lifecycle activities could potentially be undertaken to maintain the current levels of service**

The options for lifecycle activities that can potentially be undertaken to maintain the levels of service are detailed below in Table 12, Table 13, Table 16 and Table 17.

**Table 12. Option 1 - Replacement threshold of 60% useful life**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Re-construction	\$28,336,243	\$227,794	\$623,333		\$1,138,612	\$662,032				\$179,209
Rehabilitation										
# Pipes replaced	388	2	10		19	8				3
Estimated cost of manhole replacement	\$4,656,000	\$24,000	\$120,000		\$228,000	\$96,000				\$36,000
Total	\$32,992,243	\$251,794	\$743,333		\$1,366,612	\$758,032				\$215,209
Average RLE	109.9	112	112		112	112				112
Material	Age	Life Cycle activity	Life Expectancy Gain (year)	Cost (\$)	Unit					
Asbestos Cement	48	Main Replacement	80	1100	m					
Polyvinyl Chloride	60	Main Replacement	100	1100	m					
Polyethylene	60	Main Replacement	100	1100	m					

**Table 13. Option 2 - Replacement threshold of 65% useful life**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Re-construction	\$90,306	\$7,469,459	\$18,532,969		\$2,243,509	\$227,794	\$623,333		\$1,138,612	\$662,032
Rehabilitation										
# Pipes replaced	1	97	260		30	2	10		19	8
Estimated cost of manhole replacement	\$12,000	\$1,164,000	\$3,120,000		\$360,000	\$24,000	\$120,000		\$228,000	\$96,000
Total	\$102,306	\$8,633,459	\$21,652,969		\$2,603,509	\$251,794	\$743,333		\$1,366,612	\$758,032
Average RLE	108	108	108		108	108	108		108	108
Material	Age	Life Cycle activity	Life Expectancy Gain (year)	Cost (\$)	Unit					
Asbestos Cement	52	Main Replacement	80	1100	m					
Polyvinyl Chloride	65	Main Replacement	100	1100	m					
Polyethylene	65	Main Replacement	100	1100	m					

**Table 14. Option 3 - Replacement threshold of 70% useful life**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Re-construction					\$90,306	\$7,469,459	\$18,532,969		\$2,243,509	\$227,794
Rehabilitation										
# Pipes replaced					1	97	260		30	2
Estimated cost of manhole replacement					\$12,000	\$1,164,000	\$3,120,000		\$360,000	\$24,000
Total					\$102,306	\$8,633,459	\$21,652,969		\$2,603,509	\$251,794
Average RLE					104	104	104		104	104
Material	Age	Life Cycle activity		Life Expectancy Gain (year)		Cost (\$)		Unit		
Asbestos Cement	56	Main Replacement		80		1100		m		
Polyvinyl Chloride	70	Main Replacement		100		1100		m		
Polyethylene	70	Main Replacement		100		1100		m		

**Table 15. Option 4 - Replacement threshold of 75% useful life**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Re-construction									\$90,306	\$7,469,459
Rehabilitation										
# Pipes replaced									1	97
Estimated cost of manhole replacement									\$12,000	\$1,164,000
Total									\$102,306	\$8,633,459
Average RLE									100	100
Material	Age	Life Cycle activity		Life Expectancy Gain (year)		Cost (\$)		Unit		
Asbestos Cement	60	Main Replacement		80		1100		m		
Polyvinyl Chloride	75	Main Replacement		100		1100		m		
Polyethylene	75	Main Replacement		100		1100		m		

**Sanitary Force Mains:** Within the next 10-years sanitary force main assets are not expected to require lifecycle activities to maintain their levels of service. It is anticipated that lifecycle activities for sanitary force main assets will be required in 2056 when the oldest force main assets reach 75% of their life expectancy and may need to be replaced.

### **Analysis of the Options for Lifecycle Activities**

**Options 1, 2, and 3:** These options provide high average life expectancy for the assets over the 10-year time frame however the costs of maintain the assets with the threshold for replacement at the levels specified in these options may be unsustainable for the Town of Pelham if abiding by the parameters specified in these plans. In 2022 with Option 1, \$32 million would need to be spent to maintain the assets at this threshold. Options 2 in 2024 and in Option 3 during 2028 would also require similarly high investments to maintain the assets. The Town would likely require reallocation of capital from other services to attempt to cover the high costs and as a result, the Town's level of service in other areas may be negatively impacted.

**Option 4:** This option poses a slightly greater risk over the 10-year time-frame relative to the other options as a result of having the highest threshold for replacement thereby delaying lifecycle activities later than the other options. However, replacing an asset at 75% of its useful life in not an unrealistic threshold. As a result of the higher threshold for asset replacement in Option 4 and the condition levels for the majority of the sanitary assets, costs are significantly lower in Option 4 compared to the other options over the 10-year timeframe. The high costs shown in Options 1,2, and 3 would be disbursed over a longer timeframe in Option 4.

### **Lifecycle activities that can be undertaken for the lowest cost to maintain the current levels of service**

In the short-term Option 4 is the most economical option for the Town to maintain the wastewater assets current levels of service.

### **Current Performance of the Wastewater Collection System Assets According to Metrics Established by the Town of Pelham**

See Table 27 in the Appendix.



# Water Distribution System: Water Mains

## Overview

The Town of Pelham is responsible for distributing water to local consumers through its own network of distribution pipes, which is a class 2 water distribution subsystem. The system consists of approximately 82 km of water mains varying in size from 50mm to 400mm diameter, providing water to approximately 13,300 residents (December 31<sup>st</sup> 2020) through 5318 accounts (June 30<sup>th</sup> 2021). 71% of Pelham's properties are connected to the water distribution system and each connected property is provided with adequate fire flow. The service area for Pelham's water distribution system is approximately 14 km<sup>2</sup> and includes the communities of Fonthill, Ridgeville and Fenwick. The water distribution system receives treated drinking water from the Welland Water Treatment Plant located on Cross Street in the City of Welland. The treatment plant is owned and operated by the Regional Municipality of Niagara. The plant receives its raw water from the Welland Recreational Canal. Treated water is transmitted to the Town of Pelham by way of a 750mm diameter water main to the Shoalts Drive Reservoir. The reservoir, which includes chlorination, is also Regionally-owned and operated. Water enters Pelham's distribution system at the reservoir outlet.

The Town of Pelham owns and operates a water filling station with side-fill and a backflow prevention device to serve consumers outside of the urban boundary who do not have direct access to the distribution system. Water haulers must obtain approval from the Niagara Region before being permitted to use the station. The Town of Pelham owns a small pressure booster pump station which is located on the Niagara Region's Elevated Tank Property. This pumping station is used to improve water pressure in the Chestnut Ridge development area. The normal operating pressure in the area is low due to its geographic location in relation to the elevated tank that supplies, by way of gravity, distribution supply and pressure.

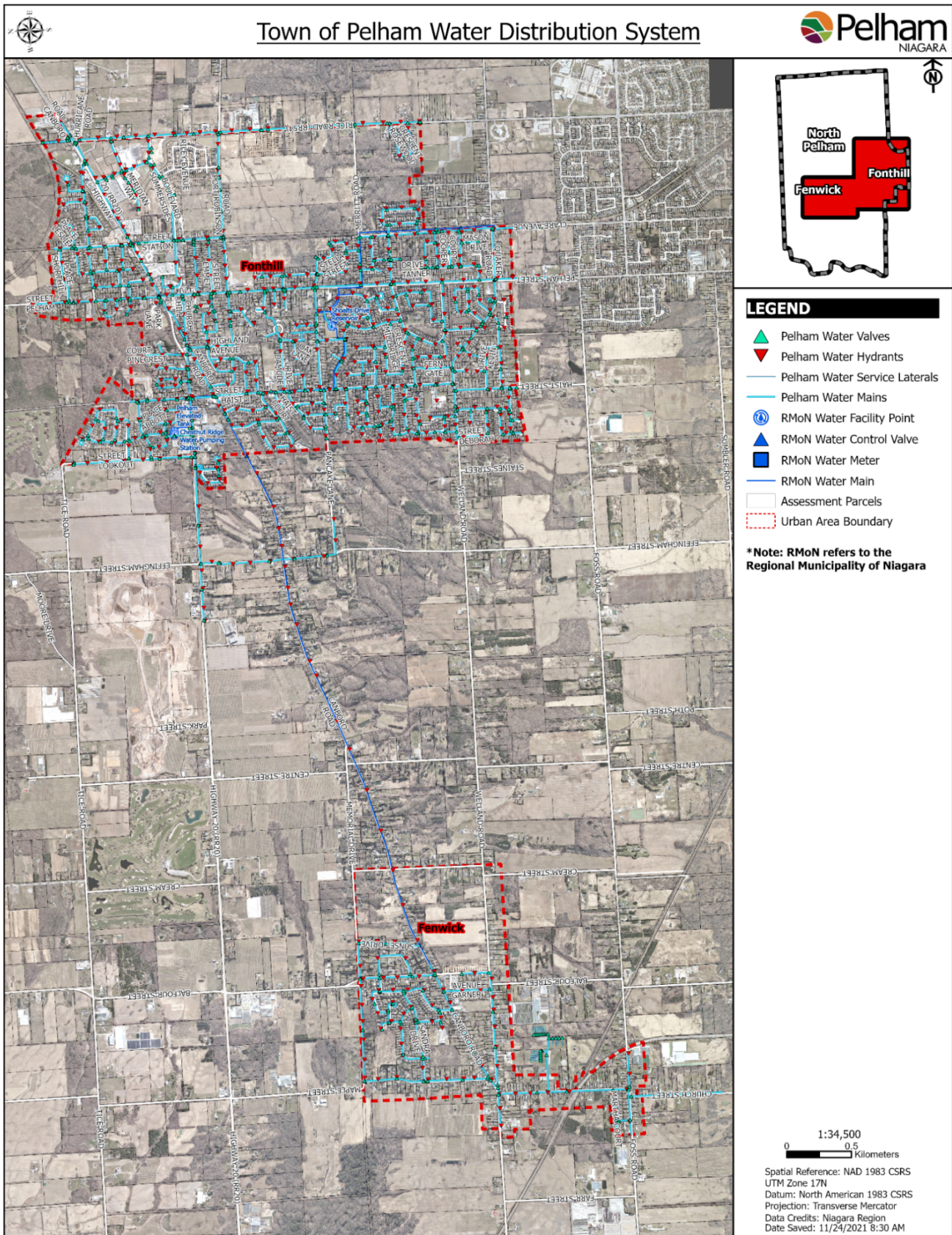
The Town of Pelham's water distribution system is well maintained and has experienced few issues in the past several years. Pelham has had zero connection-days during 2020 out of 5318 accounts.

"Connection-days" refers to the number of properties connected to a municipal system that are affected by a service issue, multiplied by the number of days on which those properties are affected by the service issue.

During 2020, only two water main breaks occurred in Pelham's water distribution system and over the past two years, Pelham has had zero water boil advisories.

The following, Figure 34 shows a maps of the Town of Pelham's water distribution system.

**Figure 34. Town of Pelham Water Distribution System**





## Average Age

The average age for Pelham’s water main assets is: 27 years. The average age by material is shown in Table 16 below.

**Table 16. Water Main condition according to asset material**

Age (year)	Material
47.7	Asbestos Cement
67.1	Cast Iron
22.9	Copper
20.0	High-density Polyethylene
20.9	Hyprescon
15.9	Polyethylene
18.1	Polyvinyl Chloride

## Replacement Cost

The cost to replace the water main assets is: \$28,233,286

## Condition

A count of the assets according to their condition rating was performed and the results are shown in Figure 35 that follows, as a percentage of the total assets.

**Figure 35. Water Main Condition**

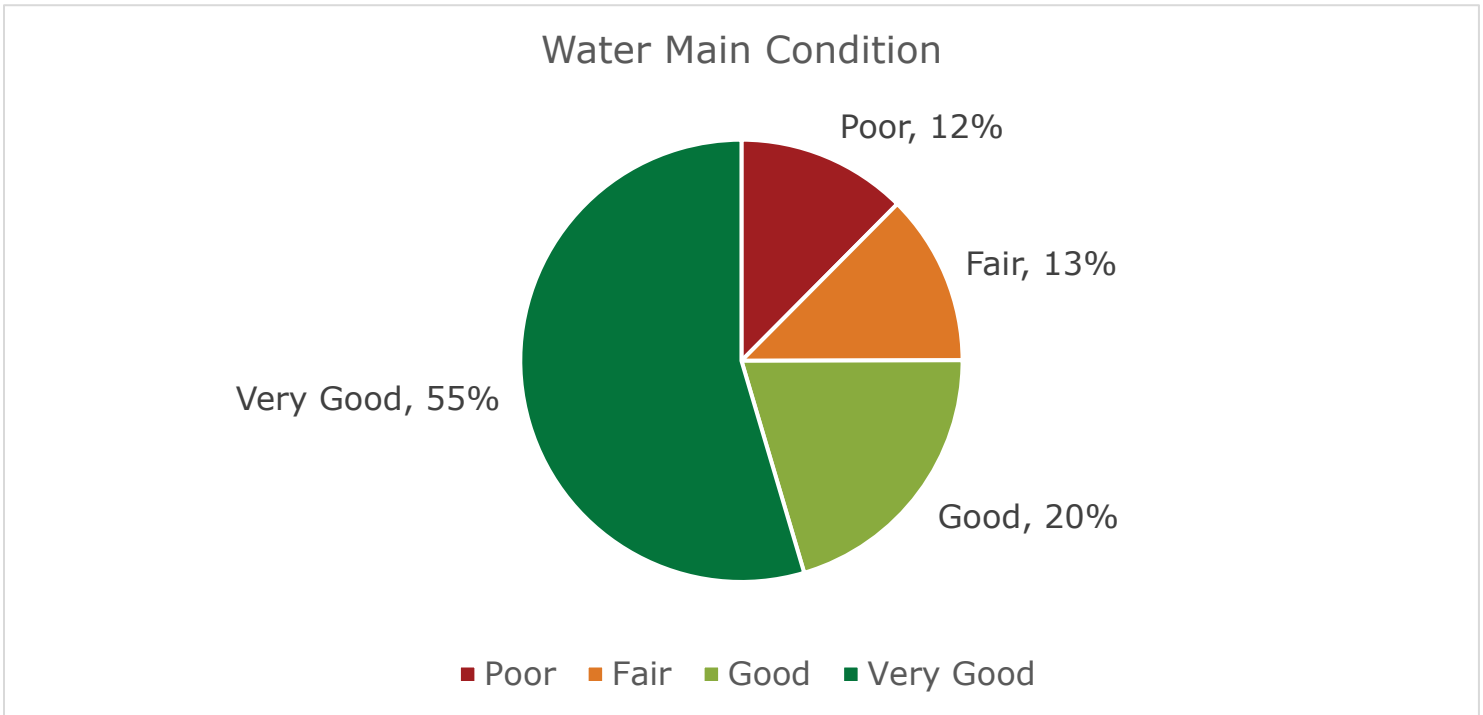


Figure 35 indicates that the 75% of the water main assets are estimated to be in good or very good condition and 25% to be in fair or poor condition.

## Life Cycle Activities

### Construction

Once the water main is installed, after a period of one year, the Town of Pelham takes over the maintenance of the asset. Pelham requires a new water main to undergo flushing, swabbing, and a chlorination treatment.

### Rehabilitation/Maintenance

Maintenance such as cleaning and relining is performed to ensure the asset is functioning properly as well as testing annually to meet the Drinking Water Quality Management System (DWQMS) standards for leak detection/sampling. Over time the condition of a water main will decrease. Minor issues can be resolved through rehabilitation such as repairing leaks by installing patches or by replacing small sections of water main.

### Replacement

The condition of a water main will eventually decline significantly and it will need to be replaced with a new asset. The existing asset to be replaced will either be abandoned or removed.



## Growth Activity

As the Town population and number of users increase, there may be requirements that an asset will need to be replaced with a larger asset to accommodate the increase in demand on the system.

## The options for which lifecycle activities could potentially be undertaken to maintain the current levels of service

The options for lifecycle activities that can be undertaken for the lowest cost to maintain the levels of service are detailed below in Table 17, Table 20, Table 21 and Table 22.

**Table 17. Option 1 - Replacement threshold at 60% of useful life**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Construction	\$11,124,959	\$1,691,039	\$530,272	\$177,272	\$3,408,931	\$83,480			\$112,118	\$251,045
Maintenance/Inspection										
Total	\$11,124,959	\$1,691,039	\$530,272	\$177,272	\$3,408,931	\$83,480			\$112,118	\$251,045
Average RLE	97.9	112	115.5	112	112.5	140			140	137.5

Material	Age	Life Cycle activity	Life Expectancy Gain (year)	Cost (\$)	Unit
Asbestos Cement	48	Main Replacement	80	700	m
Polyvinyl Chloride	60	Main Replacement	100	700	m
Polyethylene	60	Main Replacement	100	700	m
Concrete Pressure Pipe	60	Main Replacement	100	700	m
High Density Polyethylene	60	Main Replacement	100	700	m
Copper	48	Main Replacement	80	700	m

**Table 18. Option 2 - Replacement threshold at 70% of useful life**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Construction	\$8,245,616	\$645,770				\$489,334		\$223,889	\$1,450,807	\$1,760,583
Maintenance										
Total	\$8,245,616	\$645,770				\$489,334		\$223,889	\$1,450,807	\$1,760,583
Average RLE	93.3	104				104		104	104	104.8

Material	Age	Life Cycle activity	Life Expectancy Gain (year)	Cost (\$)	Unit
Asbestos Cement	56	Main Replacement	80	700	m
Polyvinyl Chloride	70	Main Replacement	100	700	m
Polyethylene	70	Main Replacement	100	700	m
Concrete Pressure Pipe	70	Main Replacement	100	700	m
High Density Polyethylene	70	Main Replacement	100	700	m
Copper	56	Main Replacement	80	700	m

**Table 19. Option 3 - Replacement threshold at 80% useful life**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Construction	\$5,501,873	\$406,124	\$157,779	\$524,368	\$364,258	\$159,578	\$614,856		\$516,780	\$645,770
Maintenance										
Total	\$5,501,873	\$406,124	\$157,779	\$524,368	\$364,258	\$159,578	\$614,856		\$516,780	\$645,770
Average RLE	87	96	96	96	96	120	96		99.7	96

Material	Age	Life Cycle activity	Life Expectancy Gain (year)	Cost (\$)	Unit
Asbestos Cement	64	Main Replacement	80	700	m
Polyvinyl Chloride	80	Main Replacement	100	700	m
Polyethylene	80	Main Replacement	100	700	m
Concrete Pressure Pipe	80	Main Replacement	100	700	m
High Density Polyethylene	80	Main Replacement	100	700	m
Copper	64	Main Replacement	80	700	m

**Table 20. Option 4 - Replacement threshold at 90% useful life**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Construction	\$1,348,262	\$281,252	\$245,849			\$1,488,487	\$643,980	\$715,460		\$778,584
Maintenance										
Total	\$1,348,262	\$281,252	\$245,849			\$1,488,487	\$643,980	\$715,460		\$778,584
Average RLE	75.5	87	87			87	87	87		87

Material	Age	Life Cycle activity	Life Expectancy Gain (year)	Cost (\$)	Unit
Asbestos Cement	72	Main Replacement	80	700	m
Polyvinyl Chloride	90	Main Replacement	100	700	m
Polyethylene	90	Main Replacement	100	700	m
Concrete Pressure Pipe	90	Main Replacement	100	700	m
High Density Polyethylene	90	Main Replacement	100	700	m
Copper	72	Main Replacement	80	700	m

**Analysis of the Options for Lifecycle Activities**

**Options 1, 2 and 3:** These options show high costs would be required initially (in 2022) as a result of aging assets which meet the condition for replacement. Option 1 would provide an average Remaining Life Expectancy (RLE) above 100 years which is excessive. Option’s 2 and 3 would provide an average RLE of approximately 100 years. Options 1, 2, and 3, are front loaded in 2022 with high initial costs ranging from \$5 million to \$11 million. These are predominantly aging cast iron water mains which are likely in need of replacement. Attempting to meet the high initial costs could pose challenges financially, if the capital is not available to meet the demand for replacement.

**Option 4:** This option would provide an average RLE of approximately 85 years which is reasonable considering the expected useful life for the watermain assets is between 80-100 years. High costs shown in Options 1, 2, and 3, are not seen in the 10-year time frame for Option 4 however, those costs are merely delayed. The threshold for replacement at 90% of the expected useful life of the assets increases the risk for assets to experience failures such as breaks however this option at face value, is significantly less expensive over the 10-year timeframe relative to the other options.

**Lifecycle activities that can be undertaken for the lowest cost to maintain the current levels of service**

Option 4 provides the best option for maintaining current levels of service at the lowest cost for the 10-year time frame.

## **Current Performance of Water Distribution System Assets According to Metrics Established by the Town of Pelham**

See Table 26 in the Appendix.



# Stormwater Management Assets

## Overview

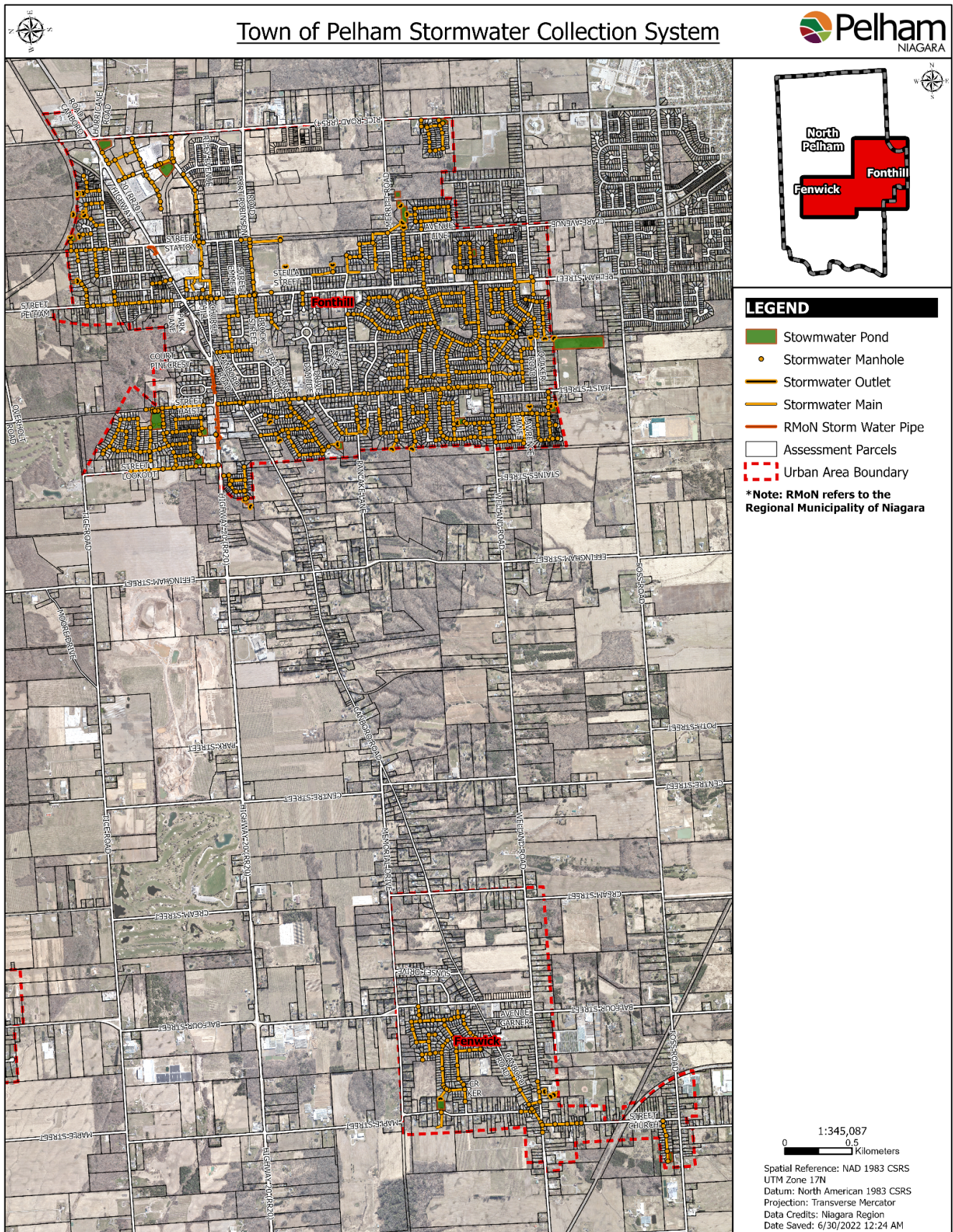
Pelham's stormwater collection system includes 41km of stormwater mains and 17 storm ponds and encompasses the majority of the Town's urban boundaries. The old village sections of Fonthill and Fenwick are not fully supported by the stormwater system and are undergoing construction efforts to add stormwater infrastructure.

Pelham has 3% of its properties constructed to be resilient to a 100-year storm and 100% of the stormwater system is resilient to a 5-year storm.

The following Figure 36 shows Pelham's stormwater collection system including stormwater mains, manholes, and storm ponds.



**Figure 36. Town of Pelham Stormwater Collection System**





## Average Age

### Stormwater Mains

The average age of the stormwater mains is 25.4 years. The average by material is shown below.

**Table 21. Stormwater Main average age by material**

Age (Year)	Material
28.6	Concrete
27.7	High density Polyethylene
13.9	Polyvinyl Chloride
35.6	Corrugated Steel Pipe

### Stormwater Manhole

The average age for the stormwater manholes is 26 years old.

### Stormwater Ponds

The average age for the stormwater ponds is 23 years old.

### Condition

The condition of the stormwater mains is shown below in Figure 37.

**Figure 37. Stormwater Main Condition**

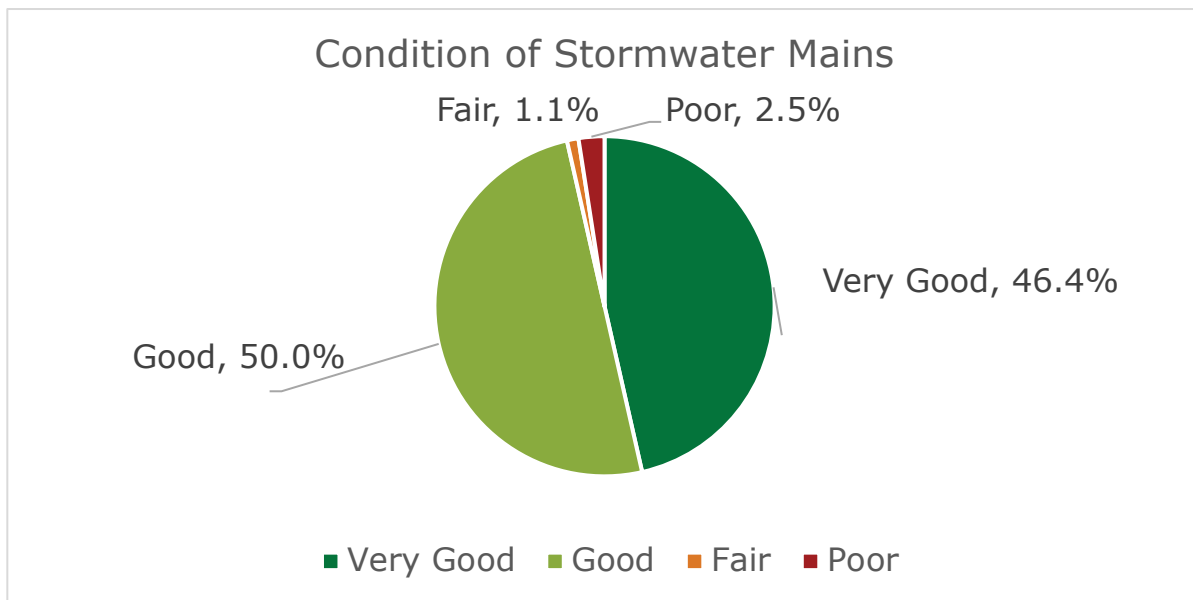


Figure 37 shows that approximately 96% of the stormwater mains are in good or very good condition and approximately 4% are in fair or poor condition.

**Figure 38. Stormwater Manhole Condition**

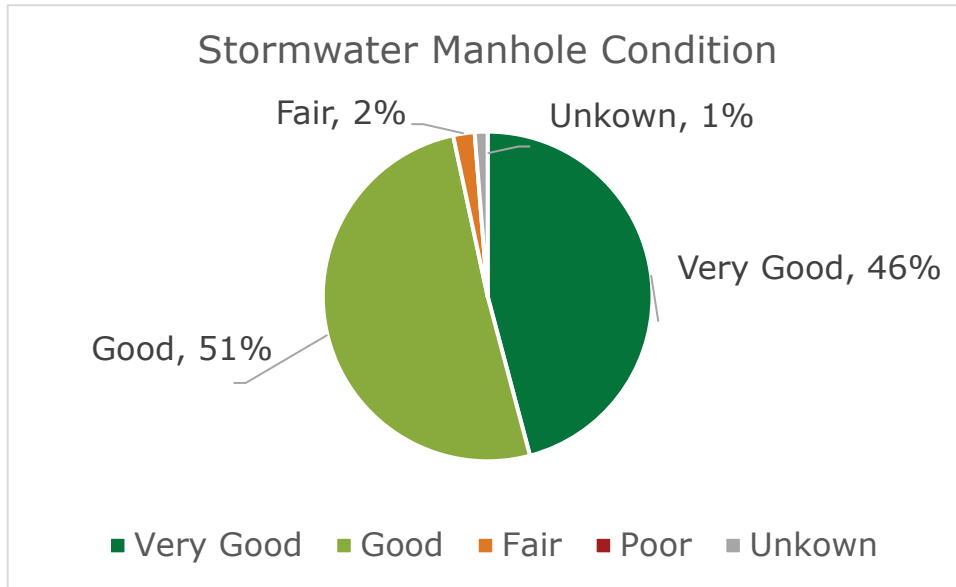


Figure 38 shows that approximately 97% of Pelham’s stormwater manholes are in good or very good condition and approximately 2% are in fair condition. There are approximately 1% in unknown condition.

**Figure 39. Stormwater Pond Condition**

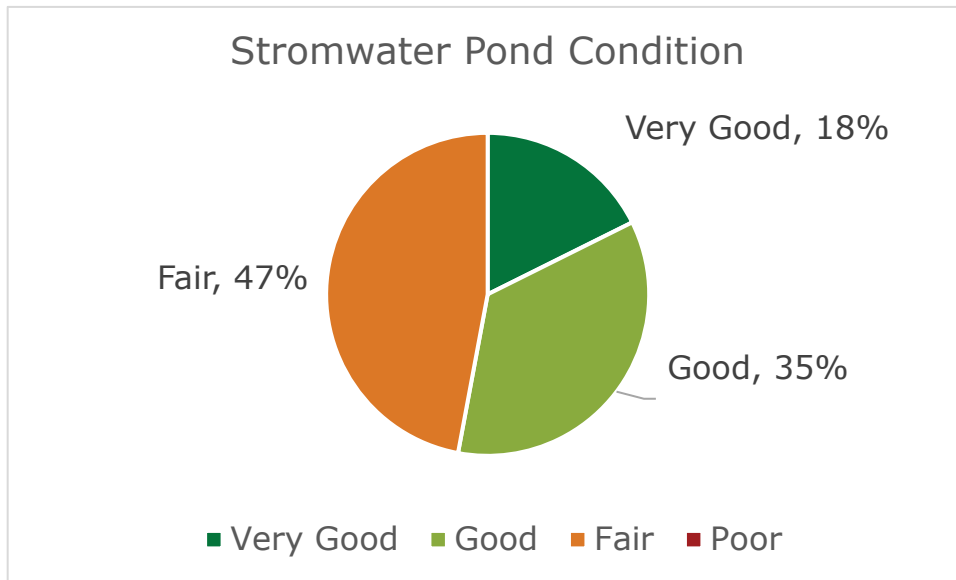


Figure 39 indicates that the 53% of stormwater ponds are in good or very good condition and 47% are in fair condition.



## Replacement Cost

The replacement cost for the stormwater assets is shown below in Table 22:

**Table 22. Stormwater assets replacement cost**

Asset Type	Replacement Cost
Mains	\$31,512,580
Manhole	\$10,064,500
Pond	TBC
Total	\$41,577,080

## Life Cycle Activities

### Construction

Once the stormwater asset is installed, after a period of one year, the Town of Pelham takes over the maintenance of the asset. For mains, the Town requires an inspection with full CCVT footage showing that the asset is in good condition.

### Rehabilitation/Maintenance

If a stormwater asset experiences minor issues, repairs may be required. Manhole assets receive routine maintenance following storm events and manhole covers are inspected regularly during road patrols. A main may require patching. A stormwater pond may require dredging to remove accumulated material such as silt which can negatively impact the performance of the pond.

### Replacement

The condition of a stormwater asset will eventually decline significantly and it will need to be replaced with a new asset. Typically, when a main is replaced, the adjoining manhole is replaced as well. Stormwater ponds are typically not replaced, but instead redesigned to improve the function of the asset or decommissioned.

### **The options for which lifecycle activities could potentially be undertaken to maintain the current levels of service**

The options for lifecycle activities that can be undertaken for the lowest cost to maintain the levels of service are detailed in the following Table 23, Table 24, and Table 25.

**Table 23. Option 1 - Replacement Threshold at 60% of useful life**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Storm Water Main Replacement	\$623,736								\$103,803	
# Replaced Storm Water Mains	18								5	
Estimated Cost of manhole Replacement	\$252,000.00								70000	
Total	\$875,736.00								\$173,803	
Average RLE	39.9								56	

Material	Age	Life Cycle activity	Life Expectancy Gain (year)	Cost (\$)	Unit
Corrugated Steel Pipe	24	Main Replacement	40	800	m
Polyvinyl Chloride	60	Main Replacement	100	800	m
Concrete	60	Main Replacement	100	800	m
High Density Polyethylene	60	Main Replacement	100	800	m

**Table 24. Option 2 - Replacement threshold 70% - 80% of useful life  
(No change observed between listed threshold levels)**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Storm Water Main Replacement	\$623,736									
# Replaced Storm Water Mains	18									
Estimated cost of manhole Replacement	252000									
Total	\$875,736									
Average RLE	39.9									

Material	Age	Life Cycle activity	Life Expectancy Gain (year)	Cost (\$)	Unit
Corrugated Steel Pipe	28-32	Main Replacement	40	800	m
Polyvinyl Chloride	70-80	Main Replacement	100	800	m
Concrete	70-80	Main Replacement	100	800	m
High Density Polyethylene	70-80	Main Replacement	100	800	m

**Table 25. Option 3 - Replacement threshold at 90% of useful life**

Budget By Strategy	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Storm Water Main Replacement	\$487,231	\$120,258		\$16,246						
# Replaced Storm Water Mains	14	3		1						
Estimated cost of manhole Replacement	\$196,000	\$42,000		\$14,000						
Total	\$683,231	\$162,258		\$30,246						
Average RLE	38.3	44		44						

Material	Age	Life Cycle activity	Life Expectancy Gain (year)	Cost (\$)	Unit
Corrugated Steel Pipe	36	Main Replacement	40	800	m
Polyvinyl Chloride	90	Main Replacement	100	800	m
Concrete	90	Main Replacement	100	800	m
High Density Polyethylene	90	Main Replacement	100	800	m

**Analysis of the Options for Lifecycle Activities**

**Option 1:** this option is the most expensive option of the three at approximately \$1 million total over the course of the 10-year plan. A threshold for replacement at 60% may be excessive to maintain the assets levels of service and the cost associated with the plan may not be sustainable for the Town.

**Option 2:** This option is less expensive than Option 1, totaling approximately \$876 thousand but is similarly front loaded, meaning to abide by the parameters in this option, a high initial investment in 2022 would be required as all of the life cycle activities would be due initially. The high costs associated with this option could pose a challenge in terms of funding for the Town to cover the expenses.

**Option 3:** This option costs effectively the same amount as Option 2 only differing by approximately \$1 thousand. In Option 3 the lifecycle activities are spread over 2022, 2023, and 2025 throughout the 10-year period, which would ease the financial burden on the Town. However, maintaining the assets with a replacement threshold at 90% of their useful life could result in an increase occurrence of a failure in the assets such as breaks.

## **The Options for lifecycle activities that can be undertaken for the lowest cost to maintain the current levels of service**

Option 3 provides the best option for maintaining current levels of service at the lowest cost.

## **Current Performance of Storm Water Assets According to Metrics Established by the Town of Pelham**

See Table 28 in the Appendix.



# Appendix

## Appendix 1: Requirements of O. Reg 588/17

### Asset management plans, current levels of service

5. (1) Every municipality shall prepare an asset management plan in respect of its core municipal infrastructure assets by July 1, 2022, and in respect of all of its other municipal infrastructure assets by July 1, 2024.
- (2) A municipality's asset management plan must include the following:
  1. For each asset category, the current levels of service being provided, determined in accordance with the following qualitative descriptions and technical metrics and based on data from at most the two calendar years prior to the year in which all information required under this section is included in the asset management plan:
    - i. With respect to core municipal infrastructure assets, the qualitative descriptions set out in Column 2 and the technical metrics set out in Column 3 of Table 1, 2, 3, 4 or 5, as the case may be.
    - ii. With respect to all other municipal infrastructure assets, the qualitative descriptions and technical metrics established by the municipality.
  2. The current performance of each asset category, determined in accordance with the performance measures established by the municipality, such as those that would measure energy usage and operating efficiency, and based on data from at most two calendar years prior to the year in which all information required under this section is included in the asset management plan.
  3. For each asset category,
    - i. a summary of the assets in the category,
    - ii. the replacement cost of the assets in the category,
    - iii. the average age of the assets in the category, determined by assessing the average age of the components of the assets,
    - iv. the information available on the condition of the assets in the category, and
    - v. a description of the municipality's approach to assessing the condition of the assets in the category, based on recognized and generally accepted good engineering practices where appropriate.
  4. For each asset category, the lifecycle activities that would need to be undertaken to maintain the current levels of service as described in paragraph 1 for each of the 10 years following the year for which the current levels of service under paragraph 1 are determined and the costs of providing those activities based on an assessment of the following:
    - i. The full lifecycle of the assets.

- ii. The options for which lifecycle activities could potentially be undertaken to maintain the current levels of service.
  - iii. The risks associated with the options referred to in subparagraph ii.
  - iv. The lifecycle activities referred to in subparagraph ii that can be undertaken for the lowest cost to maintain the current levels of service.
5. For municipalities with a population of less than 25,000, as reported by Statistics Canada in the most recent official census, the following:
- i. A description of assumptions regarding future changes in population or economic activity.
  - ii. How the assumptions referred to in subparagraph i relate to the information required by paragraph 4.
6. For municipalities with a population of 25,000 or more, as reported by Statistics Canada in the most recent official census, the following:
- i. With respect to municipalities in the Greater Golden Horseshoe growth plan area, if the population and employment forecasts for the municipality are set out in Schedule 3 or 7 to the 2017 Growth Plan, those forecasts.
  - ii. With respect to lower-tier municipalities in the Greater Golden Horseshoe growth plan area, if the population and employment forecasts for the municipality are not set out in Schedule 7 to the 2017 Growth Plan, the portion of the forecasts allocated to the lower-tier municipality in the official plan of the upper-tier municipality of which it is a part.
  - iii. With respect to upper-tier municipalities or single-tier municipalities outside of the Greater Golden Horseshoe growth plan area, the population and employment forecasts for the municipality that are set out in its official plan.
  - iv. With respect to lower-tier municipalities outside of the Greater Golden Horseshoe growth plan area, the population and employment forecasts for the lower-tier municipality that are set out in the official plan of the upper-tier municipality of which it is a part.
  - v. If, with respect to any municipality referred to in subparagraph iii or iv, the population and employment forecasts for the municipality cannot be determined as set out in those subparagraphs, a description of assumptions regarding future changes in population or economic activity.
  - vi. For each of the 10 years following the year for which the current levels of service under paragraph 1 are determined, the estimated capital expenditures and significant operating costs related to the lifecycle activities required to maintain the current levels of service in

order to accommodate projected increases in demand caused by growth, including estimated capital expenditures and significant operating costs related to new construction or to upgrading of existing municipal infrastructure assets.

(3) Every asset management plan must indicate how all background information and reports upon which the information required by paragraph 3 of subsection (2) is based will be made available to the public.

(4) In this section, "2017 Growth Plan" means the Growth Plan for the Greater Golden Horseshoe, 2017 that was approved under subsection 7 (6) of the *Places to Grow Act, 2005* on May 16, 2017 and came into effect on July 1, 2017; ("Plan de croissance de 2017") "Greater Golden Horseshoe growth plan area" means the area designated by section 2 of Ontario Regulation 416/05 (Growth Plan Areas) made under the *Places to Grow Act, 2005*. ("zone de croissance planifiée de la région élargie du Golden Horseshoe")

### **Asset management plans, proposed levels of service**

- 6.** (1) Subject to subsection (2), by July 1, 2025, every asset management plan prepared under section 5 must include the following additional information:
1. For each asset category, the levels of service that the municipality proposes to provide for each of the 10 years following the year in which all information required under section 5 and this section is included in the asset management plan, determined in accordance with the following qualitative descriptions and technical metrics:
    - i. With respect to core municipal infrastructure assets, the qualitative descriptions set out in Column 2 and the technical metrics set out in Column 3 of Table 1, 2, 3, 4 or 5, as the case may be.
    - ii. With respect to all other municipal infrastructure assets, the qualitative descriptions and technical metrics established by the municipality.
  2. An explanation of why the proposed levels of service under paragraph 1 are appropriate for the municipality, based on an assessment of the following:
    - i. The options for the proposed levels of service and the risks associated with those options to the long-term sustainability of the municipality.
    - ii. How the proposed levels of service differ from the current levels of service set out under paragraph 1 of subsection 5 (2).
    - iii. Whether the proposed levels of service are achievable.
    - iv. The municipality's ability to afford the proposed levels of service.
  3. The proposed performance of each asset category for each year of the 10-year period referred to in paragraph 1, determined in accordance with the performance measures established by the municipality, such as those that would measure energy usage and operating efficiency.



4. A lifecycle management and financial strategy that sets out the following information with respect to the assets in each asset category for the 10-year period referred to in paragraph 1:

i. An identification of the lifecycle activities that would need to be undertaken to provide the proposed levels of service described in paragraph 1, based on an assessment of the following:

A. The full lifecycle of the assets.

B. The options for which lifecycle activities could potentially be undertaken to achieve the proposed levels of service.

C. The risks associated with the options referred to in sub-subparagraph B.

D. The lifecycle activities referred to in sub-subparagraph B that can be undertaken for the lowest cost to achieve the proposed levels of service.

ii. An estimate of the annual costs for each of the 10 years of undertaking the lifecycle activities identified in subparagraph i, separated into capital expenditures and significant operating costs.

iii. An identification of the annual funding projected to be available to undertake lifecycle activities and an explanation of the options examined by the municipality to maximize the funding projected to be available.

iv. If, based on the funding projected to be available, the municipality identifies a funding shortfall for the lifecycle activities identified in subparagraph i,

A. an identification of the lifecycle activities, whether set out in subparagraph i or otherwise, that the municipality will undertake, and

B. if applicable, an explanation of how the municipality will manage the risks associated with not undertaking any of the lifecycle activities identified in subparagraph i.

5. For municipalities with a population of less than 25,000, as reported by Statistics Canada in the most recent official census, a discussion of how the assumptions regarding future changes in population and economic activity, set out in subparagraph 5 i of subsection 5 (2), informed the preparation of the lifecycle management and financial strategy referred to in paragraph 4 of this subsection.

6. For municipalities with a population of 25,000 or more, as reported by Statistics Canada in the most recent official census,

i. the estimated capital expenditures and significant operating costs to achieve the proposed levels of service as described in paragraph 1 in order to accommodate projected increases in demand caused by

population and employment growth, as set out in the forecasts or assumptions referred to in paragraph 6 of subsection 5 (2), including estimated capital expenditures and significant operating costs related to new construction or to upgrading of existing municipal infrastructure assets,

ii. the funding projected to be available, by source, as a result of increased population and economic activity, and

iii. an overview of the risks associated with implementation of the asset management plan and any actions that would be proposed in response to those risks.

7. An explanation of any other key assumptions underlying the plan that have not previously been explained.

(2) With respect to an asset management plan prepared under section 5 on or before July 1, 2022, if the additional information required under this section is not included before July 1, 2024, the municipality shall, before including the additional information, update the current levels of service set out under paragraph 1 of subsection 5 (2) and the current performance measures set out under paragraph 2 of subsection 5 (2) based on data from the two most recent calendar years.

### **Update of asset management plans**

7. (1) Every municipality shall review and update its asset management plan at least five years after the year in which the plan is completed under section 6 and at least every five years thereafter.

(2) The updated asset management plan must comply with the requirements set out under paragraphs 1, 2 and 3 and subparagraphs 5 i and 6 i, ii, iii, iv and v of subsection 5 (2), subsection 5 (3) and paragraphs 1 to 7 of subsection 6 (1).

### **Endorsement and approval required**

8. Every asset management plan prepared under section 5 or 6, or updated under section 7, must be,

(a) endorsed by the executive lead of the municipality; and

(b) approved by a resolution passed by the municipal council.

### **Annual review of asset management planning progress**

9. (1) Every municipal council shall conduct an annual review of its asset management progress on or before July 1 in each year, starting the year after the municipality's asset management plan is completed under section 6.

(2) The annual review must address,

(a) the municipality's progress in implementing its asset management plan;

(b) any factors impeding the municipality’s ability to implement its asset management plan; and

(c) a strategy to address the factors described in clause (b).

**Public Availability**

**10.** Every municipality shall post its current strategic asset management policy and asset management plan on a website that is available to the public, and shall provide a copy of the policy and plan to any person who requests it.

**Table 1. Water assets**

Column 1 Service attribute	Column 2 Community levels of service (qualitative descriptions)	Column 3 Technical levels of service (technical metrics)
Scope	1. Description, which may include maps, of the user groups or areas of the municipality that are connected to the municipal water system. 2. Description, which may include maps, of the user groups or areas of the municipality that have fire flow.	1. Percentage of properties connected to the municipal water system. 2. Percentage of properties where fire flow is available.
Reliability	Description of boil water advisories and service interruptions.	1. The number of connection-days per year where a boil water advisory notice is in place compared to the total number of properties connected to the municipal water system. 2. The number of connection-days per year due to water main breaks compared to the total number of properties connected to the municipal water system.

**Table 2. Wastewater assets**

Column 1 Service attribute	Column 2 Community levels of service (qualitative descriptions)	Column 3 Technical levels of service (technical metrics)
Scope	Description, which may include maps, of the user groups or areas of the municipality that are connected to the municipal wastewater system.	Percentage of properties connected to the municipal wastewater system.
Reliability	<ol style="list-style-type: none"> <li>1. Description of how combined sewers in the municipal wastewater system are designed with overflow structures in place which allow overflow during storm events to prevent backups into homes.</li> <li>2 Description of the frequency and volume of overflows in combined sewers in the municipal wastewater system that occur in habitable areas or beaches.</li> <li>3. Description of how stormwater can get into sanitary sewers in the municipal wastewater system, causing sewage to overflow into streets or backup into homes.</li> <li>4. Description of how sanitary sewers in the municipal wastewater system are designed to be resilient to avoid events described in paragraph 3.</li> <li>5. Description of the effluent that is discharged from sewage treatment plants in the municipal wastewater system.</li> </ol>	<ol style="list-style-type: none"> <li>1. The number of events per year where combined sewer flow in the municipal wastewater system exceeds system capacity compared to the total number of properties connected to the municipal wastewater system.</li> <li>2. The number of connection-days per year due to wastewater backups compared to the total number of properties connected to the municipal wastewater system.</li> <li>3. The number of effluent violations per year due to wastewater discharge compared to the total number of properties connected to the municipal wastewater system.</li> </ol>



**Table 3. Stormwater management assets**

Column 1 Service attribute	Column 2 Community levels of service (qualitative descriptions)	Column 3 Technical levels of service (technical metrics)
Scope	Description, which may include maps, of the user groups or areas of the municipality that are protected from flooding, including the extent of the protection provided by the municipal stormwater management system.	<ol style="list-style-type: none"> <li>1. Percentage of properties in municipality resilient to a 100-year storm.</li> <li>2. Percentage of the municipal stormwater management system resilient to a 5-year storm.</li> </ol>

**Table 4. Roads**

Column 1 Service attribute	Column 2 Community levels of service (qualitative descriptions)	Column 3 Technical levels of service (technical metrics)
Scope	Description, which may include maps, of the road network in the municipality and its level of connectivity.	Number of lane-kilometres of each of arterial roads, collector roads and local roads as a proportion of square kilometres of land area of the municipality.
Quality	Description or images that illustrate the different levels of road class pavement condition.	<ol style="list-style-type: none"> <li>1 For paved roads in the municipality, the average pavement condition index value.</li> <li>2. For unpaved roads in the municipality, the average surface condition (e.g., excellent, good, fair or poor).</li> </ol>

**Table 5. Bridges and Culverts**

Column 1 Service attribute	Column 2 Community levels of service (qualitative descriptions)	Column 3 Technical levels of service (technical metrics)
Scope	Description of the traffic that is supported by municipal bridges (e.g., heavy transport vehicles, motor vehicles, emergency vehicles, pedestrians, cyclists).	Percentage of bridges in the municipality with loading or dimensional restrictions.
Quality	<ol style="list-style-type: none"> <li>1. Description or images of the condition of bridges and how this would affect use of the bridges.</li> <li>2. Description or images of the condition of culverts and how this would affect use of the culverts.</li> </ol>	<ol style="list-style-type: none"> <li>1. For bridges in the municipality, the average bridge condition index value.</li> <li>2. For structural culverts in the municipality, the average bridge condition index value.</li> </ol>

# Water Distribution System

**Table 26. Water distribution system levels of service metrics as determined by the Town of Pelham**

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
Provide safe, clean and efficient drinking water distribution system with adequate pressure and flow with minimal interruptions.	Safe	Number of Boil Water Advisories per year	0 in 2020	0	Water mains	Condition	All applicable water quality regulations	Pelham has met all applicable water quality regulations.	Abide by all applicable water regulations.
					Water mains	Condition	% Of system susceptible to intrusion of contaminated water	0%	0%
		% Of system with adequate fire flow coverage	100% of the system has adequate fire flow coverage	100%	Water mains	Capacity	Number of water mains attributed to causing areas where there is inadequate fire flow @ 20 PSI	0 water mains have been attributed to causing areas of inadequate fire flow in 2020.	0 water mains

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
Provide safe, clean and efficient drinking water distribution system with adequate pressure and flow with minimal interruptions.	Efficient	Operational cost as % of replacement value of system	Information is pending the completion of the water distribution system asset inventories.	2%	Water mains	Condition	% Of unaccounted for water loss	8.4%	<12%
	Adequate Pressure and Flow	Number of customer complaints about pressure or flow	In 2020 9 people complained about pressure	0	Water mains	Capacity	% Of serviced population with pressure < 40 psi or > 100 psi	100% Town wide pressure is within range.	100%
					Water mains	Capacity	Number of water mains attributed to causing areas where there is inadequate flow available	0 water mains are causing inadequate flow	0



Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
Provide safe, clean and efficient drinking water distribution system with adequate pressure and flow with minimal interruptions.	Minimal Interruptions				Water mains	Condition	Length of local water mains in poor or worse condition and length of transmission water main in fair or worse condition	Length of local water mains in poor or worse condition: 9.8 km  The Niagara Region maintains the transmission water mains.	0 water mains past expected life
					Water mains	Condition	Number of breaks per km of water main per year.	2 breaks/82km of water main in 2020	Less than 10 breaks/km/year
					Water mains	Capacity	Average time to repair water main breaks.	Information will be available to determine current performance within 1 to 5 years	6 hours

# Wastewater Collection System

**Table 27. Wastewater Collection system levels of service metrics as determined by the Town of Pelham**

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
To provide an efficient, reliable sanitary sewer collection system that minimizes environmental impacts and is capable of accommodating growth.	Efficient	Information is pending the completion of the Wastewater distribution system asset inventories.	Information will be available to determine current performance within 1 to 5 years	2%	Sanitary Sewers	Corporate	See Operational Cost per km of sanitary sewer	Information will be available to determine current performance within 1 to 5 years	TBD
					Sanitary Sewers	Corporate	Volume of wet weather flow treated by RMON (paid by Welland)	<b>Existing design peak wet weather flow *Current as of Niagara Region's 2016 Master Servicing Plan*</b> <b>Welland (WWTP)</b> <ul style="list-style-type: none"> <li>• 1,667.1 (L/s)</li> </ul> <b>Timmsdale (SPS)</b> <ul style="list-style-type: none"> <li>• 3.1 (L/s)</li> </ul> <b>Hurricane Road SPS</b> <ul style="list-style-type: none"> <li>• 45.6 (L/s)</li> </ul> <b>Foss Road SPS</b> <ul style="list-style-type: none"> <li>• 43.3 (L/s)</li> </ul> <b>Park Lane SPS</b> <ul style="list-style-type: none"> <li>• 3.0 (L/s)</li> </ul> <b>Daimler Woods SPS</b> <ul style="list-style-type: none"> <li>• 3.3 (L/s)</li> </ul>	TBD

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
To provide an efficient, reliable sanitary sewer collection system that minimizes environmental impacts and is capable of accommodating growth.	Reliable	# Of sewer backups attributed to blockages in sanitary sewer	2 sewer backups attributed to blockages in 2020	0	Sanitary Sewers	Condition	# Of pipes with PACP Operating and Structural Rating >= 4 (or in poor or worse condition)	Information will be available to determine current performance within 1 to 5 years	TBD
					Sanitary Sewers	Condition	Average PACP Operating and Structural Rating (or average condition)	Information will be available to determine current performance within 1 to 5 years	TBD
					Sanitary Sewers	Condition	% Of required improvements to improve the condition of the sewers that will be able to be completed by the recommended date	Information will be available to determine current performance within 1 to 5 years	TBD
	Minimal impact to environment	Overflows (# or volume - are there flow meters on the overflows?)	2020 - 0 overflows	0	Sanitary Sewers	Capacity	Number of sewers with insufficient capacity	Information will be available to determine current performance will be available within 1 to 5 years.	0
					Sanitary Sewers	Capacity	Number of overflow occurrences	0	0

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
To provide an efficient, reliable sanitary sewer collection system that minimizes environmental impacts and is capable of accommodating growth.	Able to accommodate growth	% Of urban area with sufficient infrastructure to accommodate population increase	Information will be available to determine current performance within 1 to 5 years	%100	Sanitary Sewers	Growth	% Of system with D actual vs. D design > target	Information will be available to determine current performance will be available within 1 to 5 years.	65% estimate



# Stormwater System

**Table 28. Storm water system levels of service metrics as determined by the Town of Pelham**

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
Provide an efficient, reliable storm water system that minimizes impacts to the environment and public/private property.	Efficient	Operational cost as % of replacement value of system	Information will be available to determine current performance within 1 to 5 years	2%	Storm Sewers	Corporate	Operational Cost per km of storm sewer	Information will be available to determine current performance within 1 to 5 years	TBD
					Storm Ponds	Corporate	Operational Cost per storm pond	Information will be available to determine current performance within 1 to 5 years	TBD
	Reliable	Number of complaints of flooding during typical wet weather events	4	0	Storm Sewers	Capacity	Percent of system with sufficient capacity to convey 1:5-year, minor storm	100%	100%
					Storm Sewers	Condition	Average condition of storm water mains	The average condition of the stormwater mains is estimated to be in good condition based on the age of the assets. A PACP study is needed to verify the condition.	PACP <=4

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
Provide an efficient, reliable storm water system that minimizes impacts to the environment and public/private property.	Reliable				Storm Sewers	Condition	Length of storm water mains that are in poor or very poor condition	There are 780m of stormwater mains estimated to be in poor or very poor condition.	TBD
					Hydraulic Structures	Capacity	Number of culverts/bridges with inadequate capacity to safely convey 1:5-year, minor storm	0	0
					Storm Ponds	Condition	Number of ponds in poor or very poor condition	0	0
	Minimal impact to the environment	Water quality in the surrounding water bodies	Information is currently pending a storm water pond inspection report	70% suspended solids	Storm Ponds	Capacity	Number of ponds where sediment volume exceeds level required for proper treatment to occur.	Information is currently pending a storm water pond inspection report.	0
					Storm Ponds	Capacity	Number of ponds where effluent water quality exceeds target level	No combined sewers.	TBD

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
Provide an efficient, reliable storm water system that minimizes impacts to the environment and public/private property.	Minimal impact to the environment				Storm Sewers	Capacity	Length of combined sewers in system	There are 0 combined sewers in Pelham's system.	TBD
	Minimal impact to property	Number of locations in the Town prone to flooding during wet weather events	Information will be available to determine current performance within 1 to 5 years	TBD	Storm Ponds/ Storm Sewers	Capacity	Number of areas with flooding issues impeded by non-related items	Information will be available to determine current performance within 1 to 5 years	0
					Storm Sewers	Capacity	Number of critical roads where flooding exceeds 100 mm during Regulatory Storm (assuming 5-year storm)	All roads can accommodate 100mm rainfall	0
					Water Bodies	Capacity	Number of locations near rivers/streams where flood elevations impact private property during wet weather events	Information is not currently available.	TBD

## Transportation (Roads/Bridges)

**Table 29. Transportation system levels of service metrics as determined by the Town of Pelham**

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
Provide a safe, efficient, accessible, well maintained transportation system that provides choices while meeting the needs and expectations of users.	Safe transportation network	Number of incidents per 1,000 cars/ pedestrians/ cyclists	Information will be available to determine current performance will be available within 1 to 5 years.	TBD	Bridges	Condition	% Of bridges in fair or worse condition	There are 4/23 bridges/large culverts in fair or worse condition = 5.75%.	0%
					Roads	Condition	Length of roads with PCI < 50	9.5 km	TBD
						Condition	Average PCI of roads	69	TBD
						Capacity	Number of complaints about unsafe roads for vehicles/ cyclists/ pedestrians	In 2020 there were 19 complaints about unsafe roads for vehicles/ cyclists/ pedestrians	0
	Efficient	Operational cost as % of replacement value of system	Information is pending the completion of the transportation system asset inventories.	5%	Bridges	Corporate	Operational cost per bridge	TBD	TBD
					Roads	Corporate	Operational cost per km of road	TBD	TBD



Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
Provide a safe, efficient, accessible, well maintained transportation system that provides choices while meeting the needs and expectations of users	Accessible	% Of transportation system that is fully accessible	Everything with exception of Orchard Hill beginning Dec - end of April	100%	Roads	Corporate	% Of roads that can accommodate 1.5 m sidewalks	All urban settings - possible - 18m right of way	100%
	Well maintained transportation network	Number of complaints regarding condition of transportation network	There have been 103 complaints regarding the condition of the transportation network in 2020.	0	Bridges	Condition	Number of bridges with outstanding work orders	0	0
						Condition	average time to address bridge work order	Information is not currently available.	10 days major restoration/1years minor restoration
					Roads	Condition	Number of outstanding work orders fall out of mms guidelines	0 in 2020	0
						Condition	average time to address road work orders	Information is not currently available/	Abide by the MMS

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
Provide a safe, efficient, accessible, well maintained transportation system that provides choices while meeting the needs and expectations of users	Provide choices	Length of cycling and pedestrian network	The cycling and pedestrian network totals 180 km	TBD	Bridges	Capacity	Number of bridges WITHOUT sufficient width/span to accommodate all forms of transportation	0	0
					Roads	Capacity	km of roads NOT designed to accommodate all forms of transportation	All urban roads can accommodate all forms of traffic. Additionally, for Sulphur Springs, Luffman Drive, and Orchard Hill, the right-of-way is less than standard but can still accommodate all vehicles.	0

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
Provide a safe, efficient, accessible, well maintained transportation system that provides choices while meeting the needs and expectations of users	Provide choices	Modal split for trips to work/others?	Survey results from 2016 PATC Master Plan: (113 people surveyed)  <b>Walking:</b> Health/fitness – 72% Recreation – 57% Errands – 26% Work – 31%  <b>Cycling:</b> Health/fitness – 65% Recreation – 35% Errands – 12% Work – 7%	TBD	All	Capacity	percentage of trips to work completed by cycling	Information will be available to determine current performance within 1 to 5 years	TBD
					All	Capacity	Percentage of trips to work completed by walking	Information will be available to determine current performance within 1 to 5 years	TBD
					All	Capacity	Percentage of trips to work completed by transit	Information will be available to determine current performance within 1 to 5 years	TBD
					All	Capacity	Percentage of trips to work completed by car	Information will be available to determine current performance within 1 to 5 years	TBD

Customer/Council Focused					Technical Focused				
Customer Service Statement	Service Provided	Performance Measure (Indicator)	Current Performance	Target	Assets Impacting Service	Driver	Technical KPI	Current Performance	Target
Provide a safe, efficient, accessible, well maintained transportation system that provides choices while meeting the needs and expectations of users	Meets the needs and expectations of users	Percentage of residents whose needs and expectations are met in transportation system	Approximately 0.67% of the population filed a complaint about the transportation system in 2020 and 99.33% of the residents had their expectations met.	100%	Roads	Capacity	Number of complaints about traffic delays	There have been 0 complaints about traffic delays in 2020	0
					Roads	Condition	Number of complaints about road condition	There were 63 complaints about road condition in 2020	TBD



**Report prepared by:**

John Raso, Asset Management & GIS Analyst

**Asset Management Working Group**

Ryan Cook, Manager Public Works

Jason Marr, Director Public Works

Teresa Quinlin-Murphy, Director Corporate Services & Treasurer

John Raso, Asset Management & GIS Analyst

Derek Young, Manager Engineering

**Inquires related to this report and requests for alternate formats can be directed to:**

The Corporation of the Town of Pelham

Attention: Corporate Services Department

Town of Pelham, Municipal Building

P.O. Box 400, 20 Pelham Town Square

Fonthill, Ontario L0S 1E0

905-892-2607

**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 NCPA 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

**Prepared and Recommended by:**

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

**Prepared and Submitted by:**

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

## Memo

**To: Town of Pelham Council**

**From: Holly Willford, Town Clerk**

**Date: August 22, 2022**

**RE: Council Lane Duck Status**

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Council is elected for a four-year term. Within the fourth year of the cycle, during the election period, Council is subject to Section 275 of the *Municipal Act, 2001* (the "Act").

Section 275(2) of the Act states there are two potential periods in which a Council for a municipality may be restricted in its authority to take certain actions. The restrictions are further referenced in Section 275(3) of the Act, and are commonly referred to as "lame duck provisions".

All municipal councils within Ontario have the potential to become lame duck following Nomination Day (August 19, 2022) or following Election Day (October 24, 2022).

Please be advised that the Town Clerk has determined that Town Council is now Lame Duck; as fewer than three-quarters of the members of the present council will return.

As Council is considered Lame Duck, and pursuant Section 275 of the Act, the following restrictions apply:

- (3) The actions referred to in subsection (1) are,
- a) the appointment or removal from office of any officer of the municipality;
  - b) the hiring or dismissal of any employee of the municipality;
  - c) the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and

- d) making any expenditures or incurring any other liability which exceeds \$50,000.

#### Exception

(4) Clauses (3) (c) and (d) do not apply if the disposition or liability was included in the most recent budget adopted by the council before nomination day in the election.

#### Emergencies

(4.1) Nothing in this section prevents a municipality taking any action in the event of an emergency.

Council will recall that By-law 4455(2022) provided for this and delegated authority to the Chief Administrative Officer for certain acts, as follows:

1. THAT where specified joint delegation of authority is to be exercised, in the absence of consensus, the delegation of authority rests with the Chief Administrative Officer (CAO);
2. THAT the CAO be delegated the authority to hire or remove any employee of the municipality with the exception of statutory officers of the municipality;
3. THAT the CAO be delegated the authority to appoint any Acting statutory officer of the municipality in the event of a departure or vacancy of such an officer's position;
4. THAT the CAO and the Treasurer are jointly delegated as the financial signing authority for expenditures outside the current budget, exceeding \$50,000;
5. THAT the CAO and Clerk are jointly delegated the authority to execute any Agreement of Purchase and Sale pertaining to the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal;
6. THAT the CAO and the Clerk are jointly appointed signing authority for all agreements pursuant to Article 5;

7. THAT the CAO shall report to Council on any actions taken under the restrictions listed in Section 275(3) of the *Municipal Act, S.O. 2001* between Nomination Day and the commencement of the Council Term;
  
8. THAT this By-law shall take effect only in the event that Council Authority ceases under Section 275 of the Municipal Act, being the Lamé Duck provisions, and shall cease upon the Swearing In of the 2022-2026 Municipal Council for the Town of Pelham.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Holly Willford", written in a cursive style.

Holly Willford  
Town Clerk



## **Board of Directors Meeting Highlights – July 15, 2022**

On Friday, July 15, 2022, the Board of Directors of the Niagara Peninsula Conservation Authority (NPCA) held its regular monthly meeting in a hybrid electronic format with a limited number of Board Members attending proceedings at the Ball's Falls Centre for Conservation. Highlights from the meeting included:

### **Contract Award – Gonder's Flats Wetland Enhancement Project**

The Board of Directors approved the contract award for the work taking place as part of the Gonder's Flats Wetland Enhancement Project adjacent to the Niagara River in the Town of Fort Erie. The contract in the amount of \$122,600 was awarded to Anthony's Excavating Central Inc..

The NPCA partnered with several local organizations and successfully secured \$80,000 toward the implementation of this project thanks to contributions from Ducks Unlimited Canada, Land Care Niagara, and the Niagara Community Foundation.

### **2022 NPCA Conservation Awards**

The Board of Directors were updated on the NPCA Conservation Awards and were requested to share the application process for the Award of Merit with a broad network of stakeholders, community groups, general public and partners in conservation. Nominations for the Award of Merit were open as of July 11, 2022 and are set to close on August 5, 2022. Award of Merit recipients are to be recognized at the Conservation Awards event on September 21, 2022.

### **Conservation Authorities Act Transition Quarterly Progress Report Ontario Regulation 687/21: Transition Plan and Agreements for Programs and Services**

The Board of Directors were updated on the NPCA's first quarterly progress report under Ontario Regulation 687/21 submitted to the Ministry of Environment, Conservation and Parks (MECP). The first quarterly report outlined the consultation steps that have been undertaken to date with the NPCA's three participating municipalities, the City of Hamilton, Haldimand County and the Regional Municipality of Niagara. These meetings have consisted of discussion on cost apportionment agreements for Category 3 Services such as restoration and stewardship and Category 2 Services such as plan reviews.

### **NPCA Section 28 Compliance and Enforcement Procedure Manual**

The Board of Directors approved the NPCA Section 28 Compliance and Enforcement Procedural Manual following a presentation from Jason Culp, Manager, Compliance & Enforcement. The Procedural Manual is to serve as an internal NPCA guidance document and training resource and

as a valuable reference and communications tool for NPCA staff, Board members, NPCA agency partners, residents and the general public. The Procedural Manual will be made available to the public through the Compliance and Enforcement webpage on the NPCA website.

### **Single Source Contracts for the NPCA Policy Document Review and Procedural Manual Phase 2 Project**

In the absence of bids and in order to move forward with the Phase 2 workplan and deliver an updated Policy Document and new Procedural Manual by the end of 2022, the Board approved two consultant firms through its Non-Competitive Procurement process.

Planning Solutions Inc. was retained at a cost of \$68,000 to undertake the Policy Document Review Phase 2 to lead the public and stakeholder engagement and assist staff with preparing the policies and manual.

North-South Environmental Inc. was retained for \$62,983 to lead the work on the Buffer Width Discussion Paper and advise staff on any revisions to the buffer policies and development of technical guidance documents related to buffers.

#### **Links to Agendas, Minutes and Video:**

<https://npca.ca/about/board-meetings>



# Notice of Public Information Centre

## Quaker Road Sanitary Trunk Sewer

### Quaker Road between Rice Road and Pelham Street

#### City of Welland and Town of Pelham

### The Design

Niagara Region has initiated the design of a new sanitary trunk sewer along Quaker Road between Pelham Street and Rice Road. The new sanitary trunk sewer will redirect flows from the Town of Pelham which currently travel down Pelham Street and from Welland Road across Quaker Road to the Region’s existing trunk sewer east of Rice Road. The Region’s Master Servicing Plan (2016) identified long-term system improvements that included a 600 mm trunk sanitary relief sewer along Quaker Road connecting the Pelham Street Regional sanitary sewer to the outlet sewer east of Rice Road in order to provide adequate capacity for future sanitary flows.



### For More Information

Niagara Region encourages the public and stakeholders to actively participate in the design process. Information about the project will be available on Niagara Region’s website as part of a Public Information Centre (PIC). You can learn about how this project will contribute to Niagara’s overall growth plan, key servicing issues being considered, and how you can have your voice heard.

### Public Information Centre No. 1 Details

A video and information regarding the Quaker Road Trunk Sewer will be made available on the project webpage, [niagararegion.ca/projects/quaker-road-sanitary-sewer](http://niagararegion.ca/projects/quaker-road-sanitary-sewer), beginning **Friday, Aug. 12, 2022**. This will be followed with a three-week period to submit PIC related comments to the project team.

Upon completion of the design, a Project File Report documenting the design process will be prepared and made available for public review and comment. Anyone who wishes to comment on this design should indicate their interest, preferably in writing to the project team.

**Danny Kasunic, P.Eng, CEM**  
 Project Manager  
 Water and Wastewater Services  
 Niagara Region  
 3501 Schmon Pkwy., PO Box 1042  
 Thorold, ON, L2V 4T7  
 905-980-6000 ext. 3766  
 Toll-free: 1-800-263-7215  
 Fax: 905-685-5205  
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Personal information collected or submitted in writing at public meetings will be collected, used and disclosed by members of Regional Council and Regional staff in accordance with the Freedom of Information and Protection of Privacy Act (MFIPPA). The written submissions including names, contact information and reports of the public meeting will be made available. Questions should be referred to the Privacy Office at 905-980-6000 ext. 3779 or [FOI@niagararegion.ca](mailto:FOI@niagararegion.ca).

If you require any accommodations for a disability in order to attend and participate in meetings or events, please let us know in advance so that arrangements can be made in a timely manner. Please contact the Accessibility Advisory Coordinator at 905-980-6000 ext. 3252 or [accessibility@niagararegion.ca](mailto:accessibility@niagararegion.ca).

This notice was first issued on Aug. 17, 2022.



Petition for Development Site at #15 Hwy 20, Fonthill

Kinsman Cr  
Residents

We, the undersigned are concerned citizens with regards to the above development site as there is not enough designated visitor parking on the site plan and we do not want the removal of the garbage done through Kinsman Court. Both of these issues will result in additional vehicle and pedestrian traffic.

	Date	Printed Name	Address	Signature
1	July 11/22	R. A MORRIS	# 26	R.A. Morris
2	"	SHARON MORRIS	# 26	S.G. Morris
3	July 11/22	Ronald Blakely	# 24	R Blakely
4	July 11/22	Roger Duquette	# 22	Roger Duquette
5	July 11/22	Rose Duquette	# 22	Rose Duquette
6	July 11/22	GRACE SAUER	# 18	Grace Sauer
7	July 11/22	BILL McINERNEY	# 16	Jim McInerney
8	July 11/22	IRIS McINERNEY	# 16	Sis McInerney
9	July 11/22	Nancy Wilson	# 19	Nancy Wilson
10	July 11/22	Patricia	# 8	PATRIC
11	July 11/22	Doreen Wilson	# 8	Doreen Wilson
12	July 11/22	Marianne Adamczyk	# 6	Marianne Adamczyk
13	July 11/22	JAMES KINNARD	# 4	James Kinnard
14	July 11/22	ELEANOR KINNARD	# 4	Eleanor Kinnard
15	July 11/22	ENIS COCHRANE	# 1	E Cochran
16	July 11/22	IRV COCHRANE	# 1	I Cochran
17	July 11/22	MARIE GOBBI	# 3	M Gobbi
18	July 13/22	Peter Dove	# 20	P. Dove



		Print Name	House #	Signature
19	July 11/22	Jo Anne Merritt	#7	Jo Anne Merritt
20	July 11/22	C.A. Nowell	#9	C.A. NOWELL
21	July 11/22	E. NOWELL	#9	Elizabeth Nowell
22	JUL 11/22	B. H. LAW	#17	B. H. Law
23	JUL 11/22	Susan Law	#17	SJ Law
24	July 11/22	Aileen Grantham	#21	Aileen Grantham
25	July 11/22	Walter Gaspar	#23	W. Gaspar
26	July 11/22	Waei May	#23	W. May
27	JULY 12	Catherine Stallwood	#12	Catherine Stallwood
28	JULY 12	DIANE ROY	#13	Diane Roy
29	JULY 12	KAYO ROY	#13	Kayo Roy
30	JULY 12	EDWARD MIGNAL	#5	Edward Mignal
31	JULY 12	HENRIETTA MIGNAL	#5	Henrietta Mignal
32	JULY 12	ROCK BUSACZ	#14	Rock Busacz
33	JULY 12	WAYNE ARMSTRONG	#2	Wayne Armstrong
34	JULY 12	Celine Armstrong	#2	Celine Armstrong
35	July 12/22	Wendy McJerney	#10	Wendy McJerney
36	July 12/22	Walter Gaspar	#23	Walter Gaspar
37	July 13/22	Pat O'Hara	#11	P. O'Hara
38	" "	Ginette O'Hara	#11	G. O'Hara
39	July 29	Tom Green	#15	Tom Green
40				



Parking is mandatory for the success of the businesses in Ridgeville. We have far too many obstacles in regards to having adequate parking. This parking is used for people taking walks, which is fantastic however, 4 people will meet to go for a walk in 4 cars. That is a loss of 4 parking spots for 1-8hrs. We have had people park their cars and set up lawn chairs to sit and have a drink (from home). People meet here to go for bike rides, because Pelham is a biking community. We want this to be a welcoming community for people to walk, bike and enjoy but at the cost of loss of business due to lack of parking, well-marked parking and monitoring of the existing parking is all a bit much.

Lastly, one of the local businesses in Ridgeville does not have their own parking, currently they are using the water station as their parking. The importance of noting this is that of the public parking spaces available is partly getting absorbed by one of the businesses. More loss of business due to more shortage of parking.

I implore council to review the parking again and find a less expensive option that might be in your scope for this year. As well information on what the businesses of Ridgeville could do to have themselves put on your radar.

I look forward to hearing back from all council members in regards to this, and how in the future the Town of Pelham plans on supporting the Shoppes of Ridgeville as a business in their jurisdiction. I have a feeling moving forward we will no longer be the "Quiet, Patient" group.

Heather Hamilton  
Owner/Operartor  
Hamiltons of Pelham



Diane Stephens  
River Estates community  
Fonthill, ON

August 10, 2022

Council  
Town hall Pelham  
20 Pelham Town Square  
Fonthill, ON L0S 1E0

Dear Council:

I am writing with regards to Pelham's current poultry by-laws in residential areas and the upcoming Keeping of Chickens By-law<sup>1</sup>. My stance on backyard chickens is neutral as governing focus should be on the following three umbrella priorities: **public health; having a "positive impact on the quality of life and health" as per Pelham's Official Plan<sup>2</sup> and protection of human rights.** The discussion and allowance of backyard chickens should only commence *if and when* the three mentioned priorities are both consistently met and enforced.

Current Zoning By-Law clearly states permitted uses in different zones, with livestock and hobby farms not permitted in residential zones. Interestingly and unfortunately, Zoning By-Law does not include any by-laws or regulations to provide direction for enforcement regarding livestock, like poultry, in residential zones. This void of enforceable by-laws was both confirmed and reinforced through communication with head of By-law Chief Lymburner (email Aug. 2/22) and Pelham CAO Mr. Cribbs (verbal Aug. 5/22), who both clarified there isn't a by-law stating poultry can't be kept in residential Pelham. Unfortunately and as a result, unregulated, unpreventable and unenforceable keeping of poultry is already permitted and currently happening in residential Pelham.

**Public Health:** Explicitly and clearly regulating other livestock and poultry in residential zones

Importantly and immediately, Pelham needs to explicitly state that **NO** poultry varieties are permitted in residential zones with existing birds not-grandfathered. Should Pelham pass the Keeping of Chickens By-law, Pelham needs to explicitly state that **NO** varieties of poultry other than

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<sup>1</sup>Town of Pelham (2022). Final Draft Comprehensive Zoning By-Law, July 22, 2022. Online. <https://engagingpelham.ca/comprehensive-zoning-by-law-review>

<sup>2</sup> Town of Pelham (2012-2014). Town of Pelham Official Plan. Online. [https://www.pelham.ca/en/business-and-development/resources/Documents/Planning\\_OfficialPlan/Official-Plan.pdf](https://www.pelham.ca/en/business-and-development/resources/Documents/Planning_OfficialPlan/Official-Plan.pdf)



approved chickens are permitted in residential zones. Pelham should also explicitly state that **NO livestock are permitted in residential areas as well to ensure no pet backyard goats and sheep, et cetera as seen in City of Guelph.**

**Public Health: Biosecurity (Protection from Avian Flu)**

Biosecurity are measures put in place to protect the spread of Avian Flu and other disease-spreading organisms<sup>3</sup>. The Canadian Food Inspection Agency provides 5 main suggestions on how backyard chicken keepers can prevent the spread of avian flu, with their absolute priority suggestion being to “prevent contact with wild birds and other animals”<sup>4</sup> (See Appendix A); this is commonly implemented with the use of a chicken wire fence. The Keeping of Chickens Bylaw needs to explicitly state that chickens are **NOT** permitted to roam freely and must be fully fenced (including overhead) at all times with setbacks applied to fenced in areas as well.

**Official Plan: Quality of Life and Health**

The environment one lives in greatly influences quality of life and that includes knowing your home is NOT beside; in view of or earshot of the killing of chickens. The Keeping of Chickens Bylaw should include a provision, similar to that of the City of Guelph’s, that clearly indicates that killing of chickens cannot happen in residential zones unless performed by a licensed veterinarian.

With wide parameters for coop construction and no inspection to ensure compliance, the Keeping of Chickens By-law paves the way for neighbour enforcement through complaints in order to protect quality of life and health. One alternative Guelph adopted is to require chicken coops to be registered (one time \$25 fee) and subject to an inspection by Animal Control prior to approval (Appendix B). This process; registration and inspection prior to approval, is similar to Pelham’s Fire Pit permit process, and could ensure better compliance. The Keeping of Chickens By-law should include a coop permit and inspection process to better maintain quality of life and health.

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<sup>3</sup> Government of Canada – Canadian Food Inspection Agency (2022). How to prevent and detect disease in small flocks and pet birds. Online. <https://inspection.canada.ca/animal-health/terrestrial-animals/diseases/backyard-flocks-and-pet-birds/eng/1323643634523/1323644740109>

<sup>4</sup> Government of Canada – Canadian Food Inspection Agency (Date unknown). Bird Health Basics: How to prevent and detect disease in small flocks and pet birds. Online. [https://inspection.canada.ca/DAM/dam-animals-animaux/staging/text-texte/dis\\_avflu\\_floleposaff\\_1323644214285\\_eng.pdf](https://inspection.canada.ca/DAM/dam-animals-animaux/staging/text-texte/dis_avflu_floleposaff_1323644214285_eng.pdf)

## Human Rights

Human rights protections ensure all residents of Pelham have the same opportunities to enjoy the Official Plan's vision. Unfortunately, the current lack of enforceable by-laws against poultry keeping in residential zones unfairly impacts chronically ill residents by potentially triggering their illness through exposure to poultry and associated zoonotic diseases, bacteria, worms, et cetera. Additionally, exposure to poultry and associated diseases unfairly impacts medical support service and support animals; including service/support dogs, through newfound poultry flock distractions making it difficult for animal to perform the assigned medical task, as well as forcing animal owners to address poultry related diseases/worms at own expense.

Council needs to **immediately** address the lack of enforceable by-laws that currently permits unregulated, unpreventable and unenforceable keeping of poultry in Pelham's residential zones. The Keeping of Chickens By-law may require fine-tuning, but at least it has enforceable property line setback requirements, et cetera.

The urgency to immediately resolve the lack of enforceable by-laws in residential zones is evident with an East Fonthill River Estates case study – Council is encouraged to contact writer for more information. Lack of enforceable by-laws has resulted in backyard chicken and duck keeping with almost zero property line setbacks, missing biosecurity measures and no protection provided to neighbouring properties – poultry are permitted to free roam from property line fence to property line fence. [REDACTED] has had their illness triggered and required medical attention from exposure to poultry, and a medical support animal can no longer perform its duties in the backyard because of disease exposure concerns and distractions from poultry flock moving up and down the fence.

This scenario is completely avoidable and a direct result of missing by-laws regarding not permitted uses in residential zones. *Pelham's By-law Enforcement Policy*<sup>5</sup> provides 3 guiding principles in determining a response to an identified contravention, with the first principle being "Health/Life Safety/Harm to Property" –

this considers the seriousness of the contravention, such as the health or life safety impact on residents, or potential damage to property.

Council and By-law should immediately address the missing by-laws as it is clearly impacts both the health and life safety of some of Pelham's most vulnerable residents.

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<sup>5</sup> Town of Pelham: Fire and Enforcement (2021). By-law Enforcement Policy No. S502-05. Online. <https://www.pelham.ca/en/town-hall/resources/Documents/Policies/S502-05-By-law-Enforcement-Policy.pdf>



**Conclusion**

In the 29/Nov/19 Pelham Voice article, The Conversation: Their oughta be a law, Pelham’s CAO Mr. David Cribbs mentioned “the purpose” of bylaw enforcement as being the public good and addressing situations based on “the harm” of how it impacts “quality of life”. Whether Pelham decides to implement the Keeping of Chickens By-law is secondary to ensuring that what currently exists for zoning by-laws (or lack thereof) isn’t causing harm and impacting quality of life for Pelham’s citizens. I am calling on Council to immediately address the lack of enforceable by-laws and explicitly state that **NO** poultry or livestock are permitted within residential zones with existing poultry/livestock not-grandfathered to provide By-law enforcement guidance.

Should Pelham decide to move forward with the Keeping of Chickens By-law, it should take into consideration the above underlined suggestions to help ensure governing priorities of **public health; having a “positive impact on the quality of life and health” as per Pelham’s Official Plan<sup>6</sup> and protection of human rights** are protected.

Sincerely,



Diane Stephens

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<sup>6</sup> Town of Pelham (2012-2014). Town of Pelham Official Plan. Online. [https://www.pelham.ca/en/business-and-development/resources/Documents/Planning\\_OfficialPlan/Official-Plan.pdf](https://www.pelham.ca/en/business-and-development/resources/Documents/Planning_OfficialPlan/Official-Plan.pdf)

Appendix A  
Biosecurity – Protection against Avian Flu



**Bird Health Basics**

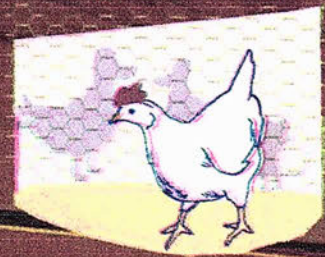
# How to Prevent and Detect Disease

in Backyard Flocks and Pet Birds



**1**

**Prevent** contact with wild birds and other animals



**2**

**Clean, clean, clean**



**3**

**Spot** the signs and report early



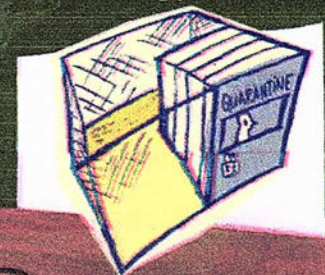
**4**

**Limit** exposure to visitors



**5**

**Keep** new birds separate when entering your flock



For more information, visit  
[www.inspection.gc.ca](http://www.inspection.gc.ca)  
or call 1-800-442-2342



Canadian Food Inspection Agency

Agence canadienne d'inspection des aliments

**Canada**





## Ministry of Agriculture, Food and Rural Affairs

### Biosecurity Recommendations for Small Flock Poultry Owners

People who raise "backyard flocks" - poultry or gamebirds for personal or limited commercial purposes - should be aware of the risk to their birds, and to commercial poultry, from diseases such as avian influenza virus. Preventive measures taken to minimize the introduction and spread of diseases and other hazards are referred to as "biosecurity." The following simple, inexpensive biosecurity recommendations can be very effective in preventing a serious disease outbreak.

#### **Restrict visitors and observe proper hygiene**

Contaminated equipment and people can introduce many disease-causing agents, such as bacteria and viruses, to your flock. These microscopic organisms can be carried on boots, clothing and vehicles, even if they appear clean.

- Restrict contact with your birds to those people caring for them. If you allow visitors, provide them with clean coveralls and boots.
- Do not allow people who own their own birds, or who have recently *been in contact with other birds (e.g., visiting another flock or attending a bird show)* near your birds. To reduce the risk of introducing diseases to your flock, ensure that people caring for your birds (staff or volunteers) do not have birds of their own or attend events where birds are present.
- Wear separate clothing and footwear when dealing with your birds. Keep them at the entrance to the structure or enclosure.
- Wash and disinfect boots and any equipment that comes in contact with the birds or their droppings, such as shovels, scoops and brooms. Clean cages, food and water surfaces daily.
- Wash your hands thoroughly before and after dealing with your birds.



## Prevent contact with wild birds

Wild birds carry many diseases, including avian influenza. Minimizing contact with wild species and their droppings will help protect your birds from these diseases.

- Keep your birds in a screened-in area or preferably an enclosed structure where they do not have contact with wild birds. Screen all doors, windows and vents, and keep them in good repair.
- Do not use water that may be contaminated with wild bird droppings, such as pond water, for your birds. Test your water at least once a year and use appropriate water sanitation such as chlorine. Keep feed in a tightly sealed container, protected from wild birds.

## Practice proper rodent control

Rats and mice can spread disease to your birds, spoil feed, cause property damage and kill chicks, poults and other young birds. Mice can enter an enclosure through a hole the size of your little finger, and rats through a hole the size of your thumb.

- Monitor your enclosure regularly for signs of rodents, such as droppings or chewed equipment. Mice will live in buildings once they gain entry, while rats live outside and enter looking for food.
- Clean up all garbage and debris surrounding your birds' enclosure, and keep tall grass and weeds mowed.
- Store feed in tightly sealed containers that a rodent cannot chew through, such as a steel garbage can with a tight-fitting lid or an old freezer.
- Place bait stations around the exterior of your poultry house to help control rodent populations.

## Don't bring disease home

Mixing birds of different species and from different sources increases the risk of introducing disease to your flock. It is preferable to keep only birds of similar age and species together (all in/all out).



- If multiple ages and/or species are kept, minimize contact between groups by keeping them in separate locations.
- If new birds are added to your flock, make sure that you get their complete background information, including a history of any diseases and vaccinations. Some vaccines, including some of those used to control infectious laryngotracheitis (ILT), can cause disease in unvaccinated birds. Consult your veterinarian regarding proper vaccination procedures.
- Keep new or returning birds separate (quarantined) for at least 2-4 weeks after returning home, and monitor them for signs of illness. Clean and disinfect cages and equipment used for these birds. Use separate clothing, footwear and equipment for quarantined birds, and handle them last. If the same equipment and clothing must be used, clean and disinfect them before and after handling the birds.
- Avoid sharing equipment and supplies with other bird owners. If this cannot be avoided, clean and disinfect the equipment before and after each use.

## Recognize and report any illness

Early detection is critical to successfully dealing with a disease outbreak.

- If your birds show signs of disease, such as depression, abnormal egg production or feed consumption, sneezing, gasping, a discharge from the nose or eyes, diarrhea or sudden death, call your local veterinarian immediately.
- Dispose of dead birds quickly using an approved method, such as burial or composting. Consult your veterinarian first, as he or she may wish to collect samples for laboratory diagnosis. Proper disposal methods and options can be found on the [QMAFRA](#) website.

Raising poultry species, either for food or as a hobby, is part of Ontario's agricultural heritage. However, to minimize the risks this poses to food safety and to the commercial poultry industry, bird owners should recognize and follow good biosecurity practices.

## Resources



**OMAFRA Factsheets:**

*Biosecurity: Health Protection and Sanitation Strategies for Cattle and General Guidelines for Other Livestock* (Order No. 09-079)

*Deadstock Disposal Options for On-Farm* (Order No. 09-025)

*Rodent Control in Livestock and Poultry Facilities* (Order No. 10-077)

This Factsheet was originally authored by Dr. Babak Sanei, Lead Veterinarian, Disease Prevention Poultry, OMAFRA, Guelph, and Dr. Paul Innes, Lead Veterinarian, Provincial Biosecurity, OMAFRA, Guelph. It was updated by Al Dam, Provincial Poultry Specialist, OMAFRA, Guelph, and Laura Bowers, Poultry Specialist Assistant, OMAFRA, Guelph.

For more information:

Toll Free: 1-877-424-1300

E-mail: [ag.info.omafra@ontario.ca](mailto:ag.info.omafra@ontario.ca)

Appendix B  
City of Guelph – Chicken Coop Registration



**SECTION 3.29 OF PROPOSED COMPREHENSIVE ZONING BYLAW (C-ZBL-2022) DATED JULY 25, 2022 IS REMOVING SECOND DWELLING UNIT (SDU) RIGHTS – TIM & JANET NOHARA SDU CONCERNS**

9 August 2022

To: Mayor Marvin Junkin

Councillors: Lisa Haun, Marianne Stewart, Bob Hildebrandt, Ron Kore, Wayne Olson, John Wink

Dear Mayor and Councillors,

**Subject: Comments on the July 25, 2022 draft Comprehensive Zoning Bylaw (the “Revised C-ZBL-2022”)**

Section 3.29 (the “**New Proposed SDU Regulations**”) of the Revised C-ZBL-2022<sup>1</sup> affects my wife and I as residents living in the Specialty Agricultural (SA) Zone, because it removes a right we believed we had to develop a Second Dwelling Unit (SDU) in a detached accessory structure at our home and at our business in Pelham.

Less than a year ago on September 7, 2021, Council completed an extensive review of second dwelling units and approved an official plan amendment no. 12 (“**OPA-12**”) and an amendment to our existing 1136 (1987) Zoning Bylaw as amended, through the adoption of By-law No.4371 (2021) and By-Law No.4368 (2021) (the “**Existing SDU Regulations**”).

The New Proposed SDU Regulations negatively affect everyone in the Greenbelt (a huge part of our Town), making it impossible for them to convert a detached accessory structure such as a barn or garage built after December 16, 2004 into an SDU on their lands. For example, staff have told me that<sup>2</sup>:

*A Second Dwelling Unit is **not** permitted within an accessory structure that was constructed after December 16, 2004 anywhere in the Greenbelt Plan Area.*

No such prohibition is found in the Existing SDU Regulations.

If the Revised C-ZBL-2022 is approved by Council without first amending Section 3.29 as proposed in Attachment 1, I believe there will be many people in the Town who are going to be very upset when they find out that the Existing SDU Regulations changed on them and removed the SDU rights they thought they had without notice.

Residents are going to feel misled because there was no mention of their loss of SDU rights at the Public Meeting held on June 13, 2022. And these changes were not even mentioned in the Recommendation Report<sup>1</sup> that followed in the July 25, 2022 Agenda Package. I have communicated with staff and asked them if the language of Existing SDU Regulations could please be restored in the Revised C-ZBL-2022.

Ms. Barbara Wiens, Director of Community Planning & Development, told Council on July 25, 2022<sup>3</sup> that the Niagara Region called for the changes to the Existing SDU Regulations as reflected in Section 3.29 of the proposed Revised C-ZBL-2022, in order to bring them into compliance with the Greenbelt Plan. She referred to the changes as “tweaks”.

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<sup>1</sup> The Revised C-ZBL-2022 and staff’s Recommendation Report can be found on pages 357-722 of the July 25, 2022 Agenda Package (section 10.2.9). Staff’s response to my concerns found on pages 717-718 of the same Agenda Package.

<sup>2</sup> E-mail correspondence from Lindsay Richardson to Tim Nohara dated 5 August 2022.

<sup>3</sup> See Council Meeting July 25, 2022 Livestream <https://www.youtube.com/watch?v=GGbdKhOZFbA> between 1:07:30 to 1:16:44.



**SECTION 3.29 OF PROPOSED COMPREHENSIVE ZONING BYLAW (C-ZBL-2022) DATED JULY 25, 2022 IS REMOVING SECOND DWELLING UNIT (SDU) RIGHTS – TIM & JANET NOHARA SDU CONCERNS**

I requested a copy of the Niagara Region guidance that staff relied on in support of the prohibitions they are now proposing in Section 3.29.

A review of the Niagara Region guidance supplied to me by staff<sup>2</sup> did not provide me with any evidence that the Niagara Region requested the New Proposed SDU Regulations which take away our SDU rights.

The entirety of the Niagara Region guidance on SDUs is as follows:

*3.31 Second Dwelling Units  
- Regional Staff note that the provisions in Section 3.31 do not appear to align with Amendment 12 to the Town's Official Plan. It is recommended that Town staff revisit this section and ensure that conformity is achieved.*

(Note: the numerical reference 3.31 appears to be a typographical error.)

Regional Staff are not telling us to change our Existing SDU Regulations, but rather they are commenting on the newly New Proposed SDU Regulations. This guidance was actually provided on page 691 of the July 25, 2022 Agenda Package<sup>1</sup>. The Niagara Region states above that it is the New Proposed SDU Regulations that are not in conformity with the Town's existing OPA-12. OPA-12 is part of the Town's Existing SDU Regulations and provides Official Plan policies associated with SDUs that Council approved on September 7, 2021. The Niagara Region is drawing attention to our existing OPA-12 policies and clearly continues to be supportive of them.

My recent correspondence with staff includes a series of simple yes/no questions whose purpose is to shed clarity on staff intentions regarding the New Proposed SDU Regulations; I am still waiting on those specific answers. While staff have been generous in providing me with a lot of information, it is still not clear to me that the new proposed prohibitions are actually required by the Greenbelt Plan.

And the aforementioned Niagara Region guidance gives me no reason to believe that the Niagara Region has any conformity concerns with our Existing SDU Regulations. So why rush to change them now, especially if they are just "tweaks"? Why not allow the time to get the clarity needed?

As a result, I continue to recommend that staff restore the language of our Existing SDU Regulations in Section 3.29 of the Revised C-ZBL-2022. I provide proposed revisions to achieve this in Attachment 1, for Council's consideration on August 22, 2022.

Thank you and best regards,



Tim J. Nohara  
(Pelham Resident and President & CEO of Accipiter Radar Technologies Inc.)

Enclosures: Attachment 1 – Proposed Amendments

**SECTION 3.29 OF PROPOSED COMPREHENSIVE ZONING BYLAW (C-ZBL-2022) DATED JULY 25, 2022 IS REMOVING SECOND DWELLING UNIT (SDU) RIGHTS – TIM & JANET NOHARA SDU CONCERNS**

**Attachment 1 - Proposed Section 3.29 SDU Amendments to the Revised C-ZBL-2022**

I have used tracked changes to indicate proposed amendments for your consideration. Residents in the Greenbelt were led to believe that the Existing SDU Regulations allowed them to develop SDUs to support themselves and their children with the housing crisis we are facing. The proposed amendments attempt to restore the original bylaw language using the new structure provided in the Revised C-ZBL-2022:

3.29.2 Outside the Urban Area

a) ~~One~~Up to two Second Dwelling Units ~~is~~are permitted in a single detached dwelling unit in the RR, A or SA Zones

c) Within the Greenbelt Plan Area, ~~a second dwelling unit is not permitted in a dwelling or accessory structure on lands located within the Greenbelt Natural Heritage System~~ these units must be located outside of the Greenbelt Natural Heritage System.

~~d) In other areas of the Greenbelt Plan Area that are outside the Greenbelt Natural Heritage System, a second dwelling unit is only allowed within an existing dwelling, an existing accessory structure or a new dwelling authorised for use prior to the effective date of the Greenbelt Plan (December 16, 2004).~~

**Final note:** if Council approves the Comprehensive Zoning By-law, Council may wish to waive the usual two-year moratorium on applications for zoning by-law amendments as allowed under the Planning Act, for all zones in the Town. This would allow concerns around changes to the SDU provisions, or other provisions affecting the Town's agricultural zones to be brought to the next Council for consideration if needed, avoiding an unnecessary appeal to the Ontario Land Tribunal. Presently in the Recommendation Report, staff are only recommending this waiver for lands zoned as Residential Development<sup>4</sup>.

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<sup>4</sup> See page 361 of 777 in the July 25, 2022 Agenda Package where it states: "Section 34(10.0.0.1) of the Planning Act, prohibits applications for Zoning By-law Amendments during the two-year period after the Comprehensive Zoning By-law is passed. A similar moratorium is imposed for minor variance applications. The intent is to prevent changes to newly approved provisions. Council may waive this moratorium via resolution as per Section 34(10.0.0.2) and Planning Staff recommends that this moratorium be waived for lands zoned as Residential Development to ensure they can continue to be developed appropriately and in a timely manner."



Dear Mayor Junkin and Pelham Town Councillors

August 15, 2022

On behalf of the Board of Directors of Pelham Advocates for Trees and Habitat (PATH) along with many concerned citizens of Pelham, we would like to make clear our position on the proposed Comprehensive Zoning By-Law that will come before you to vote on at the Regular Council Meeting on August 22, 2022. We recognize the work that has gone into strengthening environmental protections from what exists in the current Zoning By-Law for the Town of Pelham; however, this new proposed by-law does not go far enough in its climate change mitigation, or in making environmental best practices mandatory in zoning and development decisions. It does not reflect as serious a consideration of the impacts of the climate crisis and of extreme weather events as is warranted. For this reason, from our position of environmental advocacy, we do not fully endorse the new Comprehensive Zoning By-law.

We recognize the added protections the new Zoning By-law offers for EP1, EP2 and EP3 designations. **We hold Ms. Wiens and Town Planning staff to their word that** these designations will safeguard against the development of environmentally sensitive lands within Pelham in a way that the current by-law does not. We also note the assurance that has been repeatedly given that **the new Comprehensive Zoning By-law is a living document, and can be amended on an ongoing basis.** It must be appropriately stringent and forward-thinking in its climate mitigation and adaptation, policy and planning as the climate crisis intensifies.

If the Zoning By-law passes on August 22nd, we will approach our councillors to discuss motions for amendments to be put forward at a future council meeting. We respectfully ask you to represent the best interests of the residents of Pelham by remaining responsive to our efforts to improve this By-law, viewing future development in our town through a climate change action lens.

Respectfully,



Mike Jones, President/Chair, PATH

FOLLOW THE PATH



**From:** [Ryan Serravalle](#)  
**To:** [Sarah Leach](#)  
**Subject:** 15 Highway 20 Development  
**Date:** Thursday, August 18, 2022 6:20:15 AM

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Hi Sara

I own across the street roughly, [REDACTED] and I am in support of residential proposed Development for this property. I have seen the drawings. I think it will be another nice addition to highway 20.

Just wanted my thoughts.

Thank you.

--

Ryan Serravalle





**From:** [bernie law](#)  
**To:** [John Wink](#); [Wayne Olson](#); [Marvin Junkin](#); [Lisa Haun](#); [clerks pelham](#)  
**Subject:** Fwd: #15 Hwy 20 Development Site Update  
**Date:** Saturday, August 20, 2022 9:10:54 AM

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----- Forwarded message -----

**From:** **bernie law** [REDACTED]  
**Date:** Sat, Aug 20, 2022 at 9:06 AM  
**Subject:** Re: #15 Hwy 20 Development Site Update  
**To:** [REDACTED]  
**Cc:** [REDACTED]

Thankyou to [REDACTED] and the Kinsman Court Committee for this #15 Hwy. 20 Development Site Update.

It appears to me that the Planning Department [REDACTED], has missed one very important fact about the access from Kinsman Court to the rear of #15 hwy. 20. We submitted photos of a huge 15' pile of snow pushed up to the south end of Kinsman Crt. every winter from the entrance to Kinsman Crt. at the North end from Broad St. This very large pile of snow encroaches the driveways of [REDACTED] and [REDACTED], making it very difficult for [REDACTED] to access his driveway due to the snow being pushed onto his driveway by the Town Snow Clearing Contractor . The cost to the Town is in the Thousands of Dollars to have this snow removed once or twice every winter. I witnessed 3 very large town dump trucks and a huge loader removing this snow in April of this year for over 8 hours shipping it to their yard in North Pelham. This snow pile will in fact stop any pick up of garbage from this location. As I made comment to the solution to this access, was to make the the entrance from Hwy # 20 larger so that all trucks would have access to this residential location for furniture delivery and garbage pick up.

If the committee is in favour of my comments , I suggest that they send this e-mail to all parties concerned regarding this decision.

Respectfully submitted ,

Bernie and Sue Law.

On Fri, Aug 19, 2022 at 9:56 PM [REDACTED] wrote:

To All:

Please find attached the latest note that Bill is sending to the councillors with

regards to the agenda for  
the upcoming Council meeting on Monday August 22nd at 5:30 p.m.

As well, the Planning Dept. has confirmed that the garbage removal will be done through Kinsman Court. Below is the email response we received from Shannon Larocque, Sr. Planner with the Town of Pelham.

"The access to Kinsman Court does not require zoning approval and so it is not part of the application being considered by Council. Having frontage on a public road normally allows the owner to have access to the property from the road – at times that does result in some tree removal. Since the development is required to receive site plan approval which deals with the detailed design for the site, the entrance locations would be approved through that process."

If you wish to discuss any of the information in this email with any one of us please feel free to reach out to [REDACTED]

We encourage you to please call or email the councillors and express your opinions/concerns by no later than Monday Aug 22nd at 2:30 pm, as the meeting will commence at 5:30 pm.

Kindest regards,

Kinsman Court Committee

**From:** [clerks\\_pelham](mailto:clerks_pelham)  
**To:** [Holly Willford](mailto:Holly.Willford)  
**Subject:** FW: #15 Hwy 20 Development Site Update  
**Date:** Saturday, August 20, 2022 2:20:56 PM

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**From:** bernie law [REDACTED]  
**Sent:** Saturday, August 20, 2022 1:23 PM  
**To:** clerks pelham <clerks@pelham.ca>  
**Subject:** Re: #15 Hwy 20 Development Site Update

#15 Hwy 20 Development Site Update.

Good afternoon Holly,

I also wish to add, it appears that our planning department is going against 100% of the tax paying residents living on Kinsman Court. We were advised by the developer that no cars from #15 Hwy 20 would be allowed to park on Kinsman Court. if parking becomes a issue, all parking tickets would be forwarded to the developer from the Town of Pelham for payment. The cost of removing all of this snow on a as needed basis would also be forwarded to the Developer for Payment ( Not the Tax Payers of Pelham ) . If however the Town Councillors approve this application, we ask that the entrance driveway from Kinsman Court be moved west approx 10-12 ' to allow for the largest Pine Tree to survive this destruction of green trees and a peaceful location at the end of our Court. ( Pelham ) owns the Court. I am waiting for a answer from the Developer , why your driveway entrance is not designed to allow all trucks to enter your property from Hwy # 20. This entrance way from Hwy. #20 would solve 100 % of this entire opposition to this application. Please re configure your building design to allow all trucks access to your property from Hwy # 20.

Respectfully submitted

Bernie and Susan Law.  
[REDACTED] Kinsman crt,

PS How will the bulldozers, back hoes, dump trucks, concrete trucks, heavy equipment vehicles , structural steel fabricators and all other vehicles deemed necessary to build this very large building on such a very small parcel of land.

**Meeting #:** CofA 06/2022  
**Date:** Wednesday, June 1, 2022  
**Time:** 4:00 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
20 Pelham Town Square, Fonthill

Members Present John Klassen  
Sandra Marsh  
Brenda Stan

Members Absent Donald Cook  
Bernie Law

Staff Present Sarah Leach  
Jacquie Miller  
Shannon Larocque

**1. Attendance**

Applicants, Agents and viewing members of the public via Town of Pelham YouTube Channel by Live-streaming.

**2. Call to Order, Declaration of Quorum and Introduction of Committee and Staff**

Noting that a quorum was present, Chair Klassen called the meeting to order at approximately 4:00 pm. The Chair read the opening remarks to inform those present on the meeting protocols and he introduced the hearing panel and members of staff present.

**2.1 Land Recognition Statement**

Ms. Sarah Leach, Assistant Secretary-Treasurer, recited the land recognition statement.

**3. Disclosure of Pecuniary Interest and General Nature Thereof**

There were no pecuniary interests disclosed by any of the members present.



#### **4. Requests for Withdrawal or Adjournment**

Ms. Sarah Leach, Assistant Secretary-Treasurer stated no requests for withdrawal or adjournment have been made.

#### **5. Applications for Minor Variance**

##### **5.1 A5/2022P - 27 College Street**

###### **Purpose of the Application**

Application is made for relief of Section 6.1(c) "Maximum (Accessory Building) Height" – to permit a maximum height of 5.36m, whereas the by-law allows a maximum height of 4.75m.

###### **Representation**

The Applicant, Rick Yazwinski was electronically present.

###### **Correspondence Received**

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building

###### **Applicants Comments**

The Applicant, Mr. Yazwinski provided a brief summary of the proposal.

A Member asked what impact the build would have on surrounding trees. Mr. Yazwinski stated that the proposed location was intentional to minimize the impact on the surrounding trees and garden.

###### **Public Comments**

Ms. Sarah Leach, Assistant Secretary Treasurer indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 4:18 pm and confirmed no e-mails has been received with regard to the subject application. Ms. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and deliberate.

###### **Member Comments**

The Members indicated they had no further comments or objections.

**Moved By** Sandra Marsh

**Seconded By** Brenda Stan

**THAT application for relief of Section 6.1(c) “Maximum (Accessory Building) Height” – to permit a maximum height of 5.36m, whereas the by-law allows a maximum height of 4.75m, is hereby: GRANTED;**

**The above decision is based on the following reasons:**

- 1. The variance is minor in nature as no significant impacts on the subject property with regard to massing, streetscape or sightline issues are anticipated.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land because it will facilitate the construction of a detached garage to accommodate the homeowner’s storage and studio use.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**
- 6. No objections were received from commenting agencies or abutting property owners.**
- 7. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis and recommendation that this application meets the Planning Act tests for minor variance.**

**The above decision is subject to the following conditions:**

- 1. That all necessary building permits are required prior to construction commencing, to the satisfaction of the Chief Building Official.**

**Prior to Building Permit:**

- 1. To the Satisfaction of the Director of Public Works**
  - 1. Submit an updated Lot Grading & Drainage Plan demonstrating that the drainage neither relies, nor negatively impacts neighbouring properties, to the satisfaction of the Director of Public Works, or designate.**

2. **Obtain a Driveway Access and Culvert Permit from the Town for the construction of a new driveway or any modifications to existing driveways/entrance. Installation and/or modification of new entrances shall be completed in accordance with Town Standards prior to Building Permit and the Applicant shall bear all costs associated with the works.**

**Carried**

**6. Applications for Consent**

None.

**7. Minutes for Approval**

None.

**8. Adjournment**

**Moved By** Sandra Marsh

**Seconded By** Brenda Stan

**BE IT RESOLVED THAT this Meeting of the Committee of Adjustment be adjourned until the next regular meeting scheduled for July 5, 2022 at 4:00 pm.**

**Carried**



John Klassen, Chair



Sarah Leach, Assistant Secretary-Treasurer

Date: Wednesday, June 15, 2022  
Time: 5:00 pm  
Location: Zoom Conference

Attendance: Tim Nohara, Chair  
Carla Baxter  
Louis Damm  
Bill Heska  
Jim Jeffs  
Jim Steele  
Bob Hildebrandt, Councillor - Town of Pelham  
David Cribbs, CAO - Town of Pelham  
Barbara Wiens, Director, Community Planning & Development, Town of Pelham  
Jodi Legros, Administrative Assistant, Community Planning & Development, Town of Pelham (Secretary)

Regrets: John Langendoen  
Shannon Larocque - Senior Planner, Community Planning & Development, Town of Pelham

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**1. Call to Order and Declaration of Quorum**

Noting that quorum was present, Chair, T. Nohara called the meeting to order at approximately 5:04 pm.

**2. Approval of Agenda**

**Moved by C. Baxter**  
**Seconded by J. Jeffs**

**THAT the agenda for the June 15, 2022 regular meeting of the Cannabis Control Committee be adopted.**

**Carried**



**3. Declaration of Pecuniary Interest and General Nature**

There were no pecuniary interests disclosed by any of the members present.

**4. Approval of Minutes**

The Committee approved the minutes from the May 11, 2022 Cannabis Control Committee meeting.

**Moved by            B. Heska**  
**Seconded by      J. Steele**

**THAT the minutes of the May 11, 2022 Cannabis Control Committee be approved as amended.**

**Carried**

**5. Legal Actions Update**

**a) Official Plan / Zoning By-Law Amendments Ontario Land Tribunal Hearing**

Town staff do not have an update to report at this time. External legal counsel will be presenting proposed draft Minutes of Settlement to Council. OLT is scheduled to reconvene on July 25, 2022 for 5 days.

Town staff clarified the Decision of the Ontario Land Tribunal will be final. Council approval is not required.

**6. Cannabis Control Committee Update to Council on June 20, 2022**

The committee reviewed a two-page communication update that the Chair will present to Council on June 20, 2022. After which, it will be posted on the Town's cannabis page of the website.

**7. Discuss Recommendations of Unfinished Business**

The committee discussed preparation of a final report to council on August 22, 2022. Rather than discussing the history of what has been completed and tasks accomplished by the committee, Staff suggested the committee

provide recommendations to council on what the future guiding principles should be to guide the Town's approach in addressing cannabis related matters from the community's perspective. The committee agreed with this approach.

**8. New Business**

The Committee discussed the odour monitoring data spreadsheet provided by By-law staff. Town staff will reach out to request an additional column be included noting streets where testing is completed.

B. Heska contacted the MP's office and Health Canada inquiring if Material Data Safety Sheets could be obtained from the cannabis facilities.

**9. Next Meeting**

Next Meeting: July 27, 2022 at 5pm via Zoom

**10. Adjournment**

**Moved by C. Baxter**  
**Seconded by B. Heska**

**THAT this Regular Meeting of the Cannabis Control Committee be adjourned at 6:02 pm.**

**Carried**

*Tim J. Nohara*

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**Edited by: Tim Nohara, Chair**

*Jodi Legros*

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**Prepared by: Jodi Legros**  
**Administrative Assistant**  
**Community Planning & Development**  
**Town of Pelham**

**Subject:** Naming Opportunities for the late Jane Haist

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0163 Naming Opportunities for the late Jane Haist, for information;**

**AND THAT Council authorize and direct staff to proceed with option \_\_\_\_\_ in honour of Jane Haist.**

**Background:**

On June 20, 2022 Council passed the below noted resolution directing staff to provide a report to Council outlining opportunities and options to honour the late Jane Haist.

**Mover: Mayor Junkin**

**Seconder: Councillor Olson**

**WHEREAS the Corporation of the Town of Pelham has enacted a Naming of Corporate Assets Policy (S201-03) to govern the process of naming significant municipal assets such as parks, open spaces, facilities, street and other municipal buildings or properties after groups or individuals who have positively contributed or represented the Town of Pelham;**

**AND WHEREAS the late Jane Haist, longtime resident of the Town of Pelham, competed on behalf of the Pelham District High School track and field team, around the world, including such places as: Australia, New Zealand, Russia, Israel, Mexico, Ukraine, Sweden, Norway, United States and Great Britain;**

**AND WHEREAS the late Jain Haist furthered her athletic career and accomplishments by competing in the 1974 Commonwealth Games in New Zealand winning gold medals in Women's Shot Put and Discus, 1975 winning a bronze medal at the Pan America Games in Mexico City, 1977 and 1978 winning the AIAW National Championship in Discus and represented Canada as an Olympian at the 1976 Olympics in Montreal;**

**AND WHEREAS Council for the Town of Pelham deems it desirable to recognize Jane Haist by naming a community asset after her;**

**NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham directed staff to provide a report to Council outlining opportunities and options to honour the late Jane Haist;**

**AND THAT staff shall report back to Council by July 25, 2022**

**Analysis:**

After the June 20<sup>th</sup> Council Meeting the Senior Leadership Team met to discuss naming opportunities. From this discussion, staff was of the opinion the most appropriate naming opportunities would relate to health/exercise and fitness.

Staff recommend Council consider naming a park or trail after Jane Haist to honour her athletic achievements. The below provides information for several naming opportunities identified by staff for Council consideration.

Option 1 – Saffron Meadows Phase III Park – East Fonthill

The development known as Saffron Meadows within Fonthill East includes a park which is yet to be constructed and could be named after Jane Haist. Currently the park does not have a name sake. The park is located in the Saffron Meadows Phase III subdivision that is presently being serviced with house construction to commence in this development this later this summer and onwards. The development of this park is anticipated to occur in 2024, pending budget approval.

*Saffron Meadows Phase III Park*





### Option 2 – River Estates Park – East Fonthill

The development known as River Estates Park within Fonthill East also includes a beautiful park which could be named after Jane Haist. The park has recently been developed with new play equipment and functions as a neighbourhood park. Currently the park does not have a formal name.

#### *River Estates Park*



### Option 3 – East Fonthill Park

This is a park to be developed in the East Fonthill community and is targeted for development in 2023. This park will be a significant community asset given its proximity to the Meridian Community Centre, connection with the walking trail along the watercourse in East Fonthill and the significant development proposed with the Park Place South, North and West subdivisions, River Estates Phase II and Summersides Village subdivision.

## East Fonthill Park



## Option 4 – Trail in East Fonthill

The walking trail located within the East Fonthill area is a beautiful trail close to a water course. This trail is newly established, but already loved by the community. As the trail continues to mature, it will become more impressive. This trail will connect with the Park Place North subdivision that will also link with the Sobey's Plaza and also connect with the Rice Road multi-purpose trail.

## East Fonthill Trail



### Option 5 Rice Road Multi-Purpose Trail

The Rice Road Multi-purpose Trail is a pedestrian and cycling trail along the west side of Rice Road from Highway 20 to the south limits of the Saffron Meadows Phase II subdivision. This trail also connects with the East Fonthill trail and the Saffron Meadows/Forest Park trail.

#### *Rice Road Multi-Purpose Trail*



### Option 6 – Saffron Meadows/Forest Park Trail

The Saffron Meadows/Forest Park trail is a pedestrian trail along the watercourse that traverses through these two subdivisions and links with the Rice Road multi-purpose trail to the east Steve Bauer Trail to the west.



*Saffron Meadows/Forest Park Trail*



Option 7 – Splash Pad Located at Centennial Park

Council could consider naming the Town’s splash pad constructed at Centennial Park after Jane Haist. This splash pad is now operational and is expected to be well used and loved by the community.





### Option 8 – Splash Pad Located at Marlene Stewart Streit Park

Council could consider naming the Town’s splash pad to be constructed at Marlene Stewart Streit Park after Jane Haist. Staff expect the new splash pad to be well used and loved by the community when opened.

### Option 9 – Request of School Board re: Field at E.L. Crossley Secondary School

Staff are aware of a new sports and track and field area constructed at E.L. Crossley Secondary School. The new facility includes a lit turf field and a rubberized track. If Council desires, staff can reach out to the Niagara District School Board and request the school consider naming the new area after Jane Haist. It is important to note, the Town has no control over the naming of this option and that a financial contribution to the school board may be required.

#### **Financial Considerations:**

There are no substantial financial considerations for Council to consider. The asset named to honour Jane Haist will require signage. It is estimated an appropriate sign would cost approximately \$5,000.00. This amount can be included in the 2023 Budget.

#### **Alternatives Reviewed:**

None. If Council is not satisfied with the options presented staff can consider additional opportunities to honour Jane Haist.

#### **Strategic Plan Relationship: Build Strong Communities and Cultural Assets**

Recognizing outstanding members of the community is important. By honoring Pelham residents and their achievements leads to building stronger communities and creates cultural assets with meaning and purpose.

#### **Consultation:**

Senior Leadership Team

#### **Other Pertinent Reports/Attachments:**

None.

#### **Prepared and Recommended by:**

Holly Willford, B.A.  
Town Clerk

**Prepared and Submitted by:**

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

**Subject:** Grant Application for Electric Vehicle Charging Stations

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report # 2022-0194 – Grant Application for Electric Vehicle Charging Stations, for information;**

**AND THAT staff are directed to include the 50% match of this grant in the amount of \$94,285 within the 2023 Capital Budget to be funded by the Fleet Reserve, for Council’s consideration.**

**Background:**

On May 3, 2022, Council unanimously supported having staff investigate options for the installation of electric vehicle chargers through the following motion:

**BE IT RESOLVED THAT Council receive Report # 2022- 0111 Information Regarding Electric Vehicle Charging Stations, for information;**

**AND THAT Council direct staff to investigate financial impacts of all options within the report and report back to Council if necessary;**

**AND THAT staff are directed to include associated costs to implementing the said options within the 2023 Budget for Council consideration.**

As the Town is transitioning its light duty fleet to electric vehicles there will be a need to provide dedicated EV charging stations in the locations where the vehicles are stationed. Light duty fleet is predominately utilized by the Building, By-Law, and Engineering Departments and the average trip is made to and from remote work or inspections sites. There are a number of benefits to providing EV charging stations, including the alignment with the Town’s Climate Change Adaption Plan and broader environmental goals.

The installation of the EV chargers for The Town of Pelham will be focused on two (2) primary locations:

1: Town Hall – 20 Pelham Town Square, Fonthill ON. Pelham Town Hall location needs assessment has been identified through the current municipal workforce and

the transitioning light duty fleet that is dispatched from Town Hall. Based on current and projected usage, the installation of six (6) Level Two (2) chargers is planned.

2: Meridian Community Centre – 100 Meridian Way, Fonthill ON. The Meridian Community Centre (MCC), the hub for recreation in Pelham, is a 143,000 square foot facility that includes adaptable and multi-purpose community rooms, a large activity centre with two full courts, two NHL-sized arenas, an indoor alking/running track, concession areas, change rooms & washrooms, and an atrium/lobby area.

The facility hosts annual sporting and cultural events and welcomes over 100,000 visitors each year. Requests for public access charging stations from the community service clubs and organizations that utilize the space have continued to grow. Based on anticipated usage and requests, two (2) Level Three (3) fast chargers, each equipped to charge two vehicles simultaneously with output exceeding 50 kW, for a total of four (4) charging locations is planned. The two locations for the chargers will reach both the goal of meeting the needs of the Town of Pelham workplace as well as providing EV charging in public places. Both charging locations will be available based on the council approved usage rate billing fee, reviewed as part of the Town of Pelham annual rate and user fees schedule.

Key benefits and outcomes of the of the project include:

- Increased awareness of EV charging
- Access for workplace charging
- Access for light duty fleet vehicles
- Access for community and public use of EV charging within the municipality
- Alignment with Town of Pelham Climate Change Adaptation Plan

### **Analysis:**

Canada's (NRCan) grant "Zero Emission Vehicle Infrastructure Program" for Town of Pelham Electric Vehicle (EV) Charging Stations funds up to 50% of the EV Charging Stations.

The installation of the EV chargers for The Town of Pelham will be focused on two (2) primary locations within the Town of Pelham. Locations were selected based on demand from both fleet and public access.

Both locations are municipally owned and Town staff are able to work with the manufacturers and hydro providers to ensure appropriate infrastructure for the EV units is in place. Both locations are high profile areas within the community.

Town staff have begun discussions with both hydro providers that cover the two separate locations to ensure availability of adequate power supply.

20 Pelham Town Square - Town Hall location:



- Installation of 6 new Level 2 chargers with Universal SAE J1772 connector
- Secure and install 6 new 2 pole 40A breakers in existing panel for new chargers.
- Complete all civil work for the installation
- Provide all site restoration including landscape, sidewalk, concrete and asphalt
- ESAESA permits

#### 100 Meridian Way – Meridian Community Centre

- Installation of 2 new Level 3 EV chargers - Compatible with the CHAdeMO and SAE J1772 Combo protocols (Tesla compatible, w/ adapter) RFID card and/or mobile app authentication and payment
- Secure and install new 600V to 480V 115KVA 3 phase transformer
- Install New 3 pole 600V 100A breaker for existing panel
- Complete all civil work for the installation
- Provide all site restoration including landscape, sidewalk, concrete and asphalt
- ESA permits

Future expansion of the project with the Level 2 charges includes for allowance of additional charging ports.

#### **Financial Considerations:**

The total cost for these EV charging station is \$190,096 of which 50% is funded by this grant application in the amount of \$94,285. The other 50% will be funded by the Town and put forward in the 2023 Capital budget to be funded by the Fleet Reserve. The Fleet reserve has adequate funds for the 50% match of this grant.

The EV Charging Stations at the MCC will have debit and credit card options for non-Town vehicles to use the charging stations at no cost to the Town.

#### **Alternatives Reviewed:**

The alternative is not to apply for 50% of the grant and the Town will incur 100% of the cost of EV Charging stations.

#### **Strategic Plan Relationship: Financial Sustainability**

As the Town and public is moving towards purchasing Electric Vehicles, it is important for the Town to provide EV Charging Stations to the residents of Pelham and for Town-owned vehicles.

#### **Consultation:**

Director Public Works  
 Manager Public Works

**Other Pertinent Reports/Attachments:**

None

**Prepared and Recommended by:**

Teresa Quinlin-Murphy, FCPA, FCA, MBA  
Director of Corporate Services & Treasurer

**Prepared and Submitted by:**

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

**Subject:** Development Charges Background Study

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report # 2022-0192-Corporate Services – Development Charges Background Study, for information;**

**AND THAT Council hereby waive the requirements of the Town’s Purchasing Policy S402-00 and approve the sole sourcing of Watson & Associates Economists Ltd.;**

**AND THAT Council authorize Watson & Associates Economists Ltd. to complete the necessary background study for the implementation of a new development charge by-law, at a cost of \$40,000 plus HST;**

**AND THAT the Development Charges Background Study be funded 100% from the Development Charge Reserve with no impact to the Tax Levy Operating Budget.**

**Background:**

By-law 4023 (2018), as amended by By-law 4149 (2019), came into effect on October 1, 2018, being a by-law for the purposes of establishing and collecting a Development Charge (D.C.) in accordance with the provisions of the D.C. These by-laws will expire on September 30, 2023. A new background study to support a Development Charges By-law is required prior to this to ensure the continued collection of Development Charges.

In 2022 the Town updated its DC By-law # 4431 (2022) and # 4314 (2021) for Indoor Recreation, Outdoor Recreation, Library and Admin; and also the additional requirements from Bills 108, 138, 197, and 213 so that the by-law is consistent with the revised legislation which included:

- Updating the D.C. analysis to remove the 10% mandatory deduction for Indoor Recreation
- Updating the D.C. policies in the Town’s by-law with respect to:
  - D.C. Instalment payments;
  - D.C. Rate Freeze;
  - Interest Rate to be applied;
  - Internal processes; and

- Include new Mandatory exemptions and definitions as defined in O.Reg 454/19 and Bill 213 (Universities).

The changes to the *Development Charges Act* now allow for 100% of the cost of the study to be funded from DCs (previously it was 90%).

### **Analysis:**

The overall objective of this study is to provide funds that will allow the Town to finance the capital projects required for development and to permit the Town to grown on a financially sound basis while complying with the new legislated requirements.

The update process involves the following broad steps:

1. Study start-up meeting
2. Data collection & service standards – Review historical information, asset information, capital budget projections and future capital requirements
3. Growth projection development
4. Review of background material – Master Plans, Official Plan, and any other relevant documents
5. Development charge, calculation and staff interviews
6. Examination of long-term capital/operating costs/asset management plan
7. Draft DC Background Study
8. Finalize DC Background Study
9. Public Meeting Process
10. Adoption Process
11. Implementation of By-Law

### **Development Charge Background Study**

Watson & Associates Economists Ltd. has provided a quote for their respective work assignments.

Watson & Associates Economists Ltd. (Appendix A):

Town-wide DC Update: \$40,000 + HST (2018 - \$39,900 + HST).

All fees relating to the development of the Town's new development charge by-laws will be funded by 100% from the Development Charges: Development Related Studies.

Due to the limited amount of consultants available to perform this type of work, and knowledge of the Town required for such an assignment, staff are recommending that Watson & Associates Economists Ltd. be utilized to perform the necessary work to update the Town's DC By-Law.



Management is requesting Council consider Section 25(2), Acquisition Where There Are Special Circumstances, of the Town's Procurement By-Law 3250-2012. The By-Law states in section 25 (2) "Where Council, on the advice of the Director Corporate Services or CAO, is of the opinion that there are Special Circumstances in relation to a proposed Acquisition that a reasonable person would consider sufficient to warrant a Non-Competitive Acquisition of such Goods or Services as are considered necessary to remedy the situation".

Watson & Associates Economists Ltd. have worked together to prepare the Town's Background Studies and associated By-Laws for many, many years. They have also prepared the Pelham Community Centre development charge review, 2014 East Fonthill Area Specific DC Background Study and Water & Waste Water Study in 2013. This firm also completed the Niagara Region's DC Background Study in 2022. As a result, this consulting firm possess extensive knowledge about the Town which would be difficult for another firm to replicate.

**Financial Considerations:**

The cost of the 2018 Development Charges Study was \$39,900 plus HST. Since there was an update to the recreation and library DC Study done in 2022 the cost will be \$40,000 plus HST.

**Alternatives Reviewed:**

N/A

**Strategic Plan Relationship: Financial Sustainability**

Development Charges revenue is important to fund the growth of the Town. The existing by-law needs to be updated and approved by Council prior to the September 30, 2023 when the existing by-laws expire.

**Consultation:**

Director Public Works

Director Community Planning and Development

**Other Pertinent Reports/Attachments:**

Appendix 1: Quote from Watson & Associates Ltd.

**Prepared and Recommended by:**

Teresa Quinlin-Murphy, FCPA, FCA, MBA  
Director of Corporate Services & Treasurer

**Prepared and Submitted by:**

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



August 12, 2022

Teresa Quinlin-Murphy  
Director of Corporate Services and Treasurer  
Town of Pelham  
20 Pelham Town Square  
Fonthill, ON  
L0S 1E0

Dear Teresa Quinlin-Murphy:

Re: Town of Pelham 2023 Development Charges Background Study and By-law

Further to your request, Watson & Associates Economists Ltd. (Watson) is pleased to provide a proposal letter concerning the Town's 2023 Development Charges (D.C.) Background Study and By-law.

Below outlines the summary of the study process, team members that will undertake the assignment, as well as the proposed workplan. We look forward to any questions in relation to this proposal.

## 1. Introduction

The Town of Pelham has requested a proposal to undertake the preparation of a D.C. background study. The D.C. study will result in the emplacement of a D.C. by-law, meeting the requirements of the *Development Charges Act, 1997* (D.C.A.), as amended.

In preparing this proposal, we recognize that the overall objective of this study is to provide funds that will allow the Town to finance the capital works required for development and to permit the Town to grow on a financially sound basis while complying with the new legislated requirements as set out in:

- Bill 108 (More homes, More Choice Act, 2019);
- Bill 138 (Plan to Build Ontario Together Act, 2019);
- Bill 197 (COVID-19 Economic Recovery Act, 2020);
- Bill 213 (Better for People, Smarter for Business Act, 2020); and
- Associated regulations.

Thus, the work plan will include the following:



- Review the Town's current policies regarding recovery of capital expenditures from new development and recommend an appropriate development charge strategy. Strategies regarding recovery of costs associated with excess capacity designed to service growth beyond the buildout period will also be examined;
- Review and develop policies with staff, addressing issues such as exemptions, discounting and credits, phase-in strategies and indexing options, as well as credits for various classes of development including but not limited to: residential, institutional, commercial, and industrial developments;
- Review the timing of payment provisions, D.C. rate freeze, interest policies, and definitions in the Town's D.C. by-law, as outlined in the D.C.A. as amended;
- Comply with the requirements of the D.C.A., as amended, and its associated regulation O.Reg. 82/98, as amended. This includes preparing a D.C. background study comprising a forecast of anticipated development, determining eligible services, estimating increased needs for each service, measuring 10-year historical levels of service, developing an asset management plan for projects included in the study and rules for imposing the calculated charges as well as the legislative requirements discussed further in section 2;
- Undertake the statutory public process requirements, including the need to hold at least one public meeting under the provisions of the legislation; and
- Ensure that financing is in place to pay for the services required to accommodate future development in the Town.

## 2. Watson & Associates Economists Ltd.

Watson is one of Canada's leading economic consulting firms, comprised of a committed thirty-three-person staff of municipal economists, planners and accountants. The firm has been in operation since 1982.

Serving over 250 municipal clients and utility commissions and 47 school boards throughout Ontario, many of which are long-term repeat clients, the firm is recognized as a leader in the municipal finance/local government field. The firm's senior members have participated extensively as expert witnesses on municipal finance and education matters at the Ontario Land Tribunal (OLT) for 40 years.

Watson is widely recognized as a leading authority on the fiscal aspects of the municipal government sector. The firm has earned its reputation for quality of analysis, as well as pragmatic and insightful interpretation of the issues we manage. We are well known for achieving results that translate into successful outcomes for our clients.

A feature of many studies completed by the firm includes the development of a solid information basis, and then working closely with staff and politicians to develop consensus around controversial issues. Further, many of our studies involve public participation, presenting key information to the public in an understandable format and





seeking public input in developing recommendations and future directions as part of a study process.

Our work has involved many aspects of municipal finance and economics, including assisting municipalities across the province with asset management and P.S.A.B. related services. Our firm also specializes in D.C.s, fiscal impact assessments, full cost user fee pricing models, financial feasibility assessments, capital and operating impacts of municipal servicing, demographic forecasts, reserve and reserve funds policy reviews, growth management studies, and local economy impact assessments.

Our firm has undertaken over one-half of the consulting work done in Ontario in the D.C. field during the past decade. In addition to conducting policy studies and co-ordinating by-law preparation and adoption processes, we have carried out numerous special issue studies, provided continuing advice to municipalities on D.C.s in specific situations and have presented papers on the D.C.A. at numerous municipal conferences. We have also participated in numerous OLT hearings and related processes. As a result of the large number of D.C. studies completed by our firm, Watson has the significant advantage of being able to assemble a solid information base which, when coupled with our sound working relationships with municipal staff and others, enables us to facilitate the development of consensus around controversial issues. Public participation, particularly from key stakeholders, is very important. Our approach is designed to ensure that material is presented in an understandable format, in order to encourage public input in the development of recommendations and future directions as part of a study process.

## 2.1 Project Team Members

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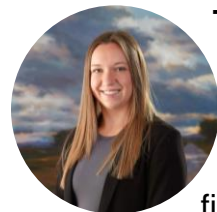
**Gary Scandlan, BA, PLE, Director**, would be the project manager and responsible for all facets of the study process. Mr. Scandlan will be available for attendance at all staff meetings and council presentations. Mr. Scandlan has been with the firm since 1989, before which he worked for two Regional municipalities, providing him with over 40 years of municipal experience. In regard to the latter, he held senior managerial positions and was directly responsible for long-range financial planning, long-term rate, and tax impact planning as well as all facets of capital financing. He is currently a member of the firm's senior management group, which develops interpretations of legislative requirements, as well as methodologies and formats and determines alternative policy strategies for all facets of corporate assignments. Mr. Scandlan has project managed over 600 studies of varying size and complexity for municipalities of all sizes. These studies include Development Charge (D.C.) studies, Community Benefit Charge (C.B.C.) strategies, parkland analyses, water, wastewater, and stormwater rate studies, financial impact analyses and a variety of other municipal planning and financial studies.



Mr. Scandlan has undertaken in excess of 400 D.C. studies since 1989, including Pelham's 2021 update study, and D.C. studies for Niagara Region, Niagara-on-the-Lake, Grimsby, Lincoln, Wainfleet, Hamilton, Barrie, Halton Region, and Peel Region.

With respect to Ontario Land Tribunal experience, Gary has participated in over 40 tribunal hearings with respect to municipal finance, primarily related to Development Charges.

**Byron Tan, MBE, PLE, Senior Project Coordinator** will be the main contact and be responsible for the capital needs review, policy review, staff meetings, calculations, and the compilation and preparation of reports and presentations. Since joining the firm in 2013, Byron has assisted in completing D.C. studies, water and wastewater rates and asset management studies, reserve and reserve fund policy reviews, and fiscal impact assessments for municipalities. To date, Byron has worked on over 100 D.C. studies and has undertaken the previous D.C. study for the Town. Byron holds a B.A. (Honours) degree in Economics and a Master of Business Economics from Brock University.



**Tayler Murphy, Analyst**, will assist with the data collection, policy review, staff meetings, calculations and the preparation of reports and presentations. Tayler works primarily in the area of development charges. Tayler is currently working on numerous D.C. studies including St. Marys, Springwater, Arnprior, and Renfrew County. Tayler joined the firm in the spring of 2022 and brings experience in finance and consulting. Tayler holds a Bachelor of Business Administration (Honours) degree and a master's degree in Business Analytics from the Schulich School of Business.

**Jamie Cook, MCIP, RPP, PLE, Director**, will be responsible for overseeing the preparation of the growth forecast portion of the D.C. study. Mr. Cook has over 20 years' experience in developing economic/fiscal impact studies and economic models across Canada. He is currently a member of the firm's senior management group which oversees all facets of corporate assignments and decision making. Mr. Cook has also defended his work at the LPAT on several occasions. He is a registered professional planner (RPP), a professional land economist (PLE) and a member of the Economic Developers Council of Ontario (EDCO).



**Vladislav Petrov, B.A., M.A., Senior Consultant**, will assist in the preparation of the growth forecast. Vlad has over six years of municipal experience and joined the firm in 2017, primarily working in the areas of demographics and land needs forecasting. Vlad has assisted with data input and analysis in the areas of growth forecasting for D.C. background studies, C.B.C. strategies, and land needs studies. His



previous experience includes working as an Assistant Business Analyst for Cancer Care Ontario, an Economic Analyst for the Burlington Economic Development Corporation, a Business Consultant for FreshInsights Consulting and later as an Economic Development Intern for Halton Region.

A curriculum vitae and contact information for each of the above individuals can be found on the company's website [www.watsonecon.ca](http://www.watsonecon.ca).

## 3. Our Perspectives on the Requirements of the Assignment

### 3.1 Requirements of the Assignment

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With respect to specific requirements for this assignment, we would provide the following:

1. A review of current D.C. policies on cost recovery of capital expenditures, including policies on exemptions, phase-ins, indexing, discounting, and credits will be undertaken;
2. Provide policy advice and analysis with respect to:
  - a. The planning period time-horizon for services;
  - b. The Local Service Policy;
  - c. Special area rates, phasing, and discretionary exemptions;
  - d. Payment agreements, credits, front-ending agreements and subdivision agreements; and
  - e. D.C. recovery policies and strategies;
3. Hold one (1) start-up meeting to provide staff with information about the project, legislative requirements, and to discuss the process;
4. Hold one (1) day of staff interviews to meet with staff to discuss the Town's anticipated capital needs and 10-year historical service standards;
5. Work with staff to update the Town's Local Service Policy, under section 59(2) of the D.C.A.;
6. Prepare the D.C. background study document for staff input, presenting an analysis of the data collected, a D.C. schedule based on defined calculation methodology, with a sound legal basis, and policy recommendations. Prepare a draft by-law for staff and Council's consideration;
7. Present the report and proposed rates at a statutory Public Meeting (including a survey of D.C. rates in other municipalities);
8. Attend the by-law passage meeting; and



9. Be available for the Town as an expert witness at the OLT in the event of an appeal (based on a separate budget) and provide post-adoption implementation support.

Further, we would give appropriate consideration to all the matters addressed by the D.C.A., 1997, as amended, including:

- The preparation of growth projections (anticipated development) over 10-year and longer-term forecast periods, based on the Town’s Official Plan, the Region’s growth targets (from the recently approved Official Plan), and any other necessary plans or documents. The growth forecast will address residential, commercial, industrial and institutional development by time period, type, size, and general location. Other categories may be discussed at project initiation;
- The capital servicing requirements of the anticipated growth. We will meet with individual departments for an in-depth review of capital needs, understanding that changes to the growth forecast will require a change in the level of capital needs;
- The 10-year level of service cap and deductions for benefit to existing development (i.e. property tax or non-D.C. funding), post planning period capacity, excess capacity, grants and other contributions, etc.;
- Credits, full or partial exemptions, etc.;
- Collection policies and related administrative matters;
- The long-range capital and operating cost examination, as well as the asset management plan required by the D.C.A., as amended;
- The rules regarding D.C. implementation (e.g. phasing-in, indexing, municipal-wide versus area-specific charges, allocation between class of developments including mixed uses and changes in use);
- As per the amended Act, area-rating of charges must and will be considered; and
- Preparation of a D.C. survey of peer municipalities.

Our detailed workplan for undertaking the D.C. study process is provided in Figure 3-1.

Should this proposed work schedule not reflect the work plan anticipated by staff, Watson would be pleased to review and amend as necessary.

**Figure 3-1  
Proposed D.C. Background Study Workplan**

STUDY STEPS	KEY ELEMENTS
PROJECT MANAGEMENT	Upon award, Watson will establish communication between Watson staff and Town staff. We will prepare an internal project management plan that outlines the following:





STUDY STEPS	KEY ELEMENTS
	<ol style="list-style-type: none"> <li>1. Description of detailed work tasks.</li> <li>2. Detailed schedule with beginning and end dates associated with each task.</li> <li>3. Deliverables with scheduled delivery dates for draft and final documents associated with each detailed task.</li> </ol>
<b>1. STUDY START-UP/ TRANSITIONAL ISSUES</b>	<ol style="list-style-type: none"> <li>1.1 Work program approval.</li> <li>1.2 Identification of policies and other special issues to be addressed during the study process.</li> <li>1.3 A “D.C. Checklist” package sent by Watson to staff which overviews the D.C. process and includes sample Public Meeting notices and Notices of Passage.</li> <li>1.4 Discussion of services to be included in the D.C. recovery.</li> <li>1.5 A meeting with staff to review items 1.1 to 1.4, and provide information on the overall D.C. process. (study start-up meeting).</li> </ol>
<b>2. DATA COLLECTION AND SERVICE STANDARDS</b>	<ol style="list-style-type: none"> <li>2.1 Information gathering regarding historical (past 10 yr.) asset inventories, capital budget projections and future capital requirements.</li> <li>2.2 Review long-term debt and identification of existing facility oversizing.</li> <li>2.3 Determination of historical service standard information from each applicable department.</li> </ol>
<b>3. REVIEW OF BACKGROUND MATERIAL</b>	<ol style="list-style-type: none"> <li>3.1 Review the Official Plan, any necessary master plans, and any other relevant background documents for input into the D.C. study.</li> </ol>
<b>4. GROWTH PROJECTION DEVELOPMENT</b>	<ol style="list-style-type: none"> <li>4.1 Review and incorporate various types of data into the growth forecast including: population and employment trends, building permit data, etc.</li> <li>4.2 Draft Growth forecast (residential, commercial, industrial and institutional) for timing and location of development.</li> </ol>



STUDY STEPS	KEY ELEMENTS
<b>5. D.C. CALCULATION AND RULES AND STAFF INTERVIEWS</b>	<p>5.1 Finalization of the growth forecast, based on recommendations through discussions with staff.</p> <p>5.2 Estimation of the costs to meet the increase in the need for service attributable to development, the required works, and existing facility oversizing, consistent with not exceeding the ten-year service standard.</p> <p>5.3 Meeting with staff for interviews to review service standard and capital expenditure information.</p> <p>5.4 Calculation of the D.C., based on need for service identified in 5.2, reduced by:</p> <p>5.4.1 Any existing capacity created for which Council did not indicate D.C.'s would be used (at the time the capacity was created).</p> <p>5.4.2 The extent to which existing development would benefit from the increase in service.</p> <p>5.4.3 Anticipated capital grants, subsidies or other contributions in respect of the capital costs.</p> <p>5.4.4 The percentages and capital cost exclusions as designated by the Act.</p> <p>5.5 Development of draft D.C. rules for exemptions, phase-ins, indexing, charges for redevelopment, etc.</p> <p>5.6 Discussions will be held with Staff to determine the impacts of potential discounts, exemptions, credits, etc.</p>
<b>6. LOCAL SERVICE POLICY UPDATE</b>	<p>6.1 Update the Town's Local Service Policy with staff.</p> <p>6.2 Provide examples of comprehensive local service policies and other examples.</p>
<b>7. EXAMINATION OF LONG-TERM CAPITAL/ OPERATING COSTS</b>	<p>7.1 Examine the long-term capital and operating costs for capital infrastructure improvements.</p>
<b>8. ASSET MANAGEMENT PLAN</b>	<p>8.1 Prepare an asset management plan to deal with all assets whose capital costs are proposed to be funded under the D.C. by-law and demonstrate that all the</p>



STUDY STEPS	KEY ELEMENTS
	assets mentioned in the asset management plan are financially sustainable over their full life cycle.
<b>9. D.C. BACKGROUND STUDY AND BY-LAW</b>	9.1 Preparation of the draft D.C. background study and by-law for Staff review. 9.2 Determination of preliminary recommendations on categories of services (for reserve fund and credit purposes), by-law commencement date, expiry date, collection timing, etc. 9.3 Finalize the D.C. background study and by-law to release to the Public as per the requirements of the D.C.A., as amended (60 days prior to by-law passage).
<b>10. PUBLIC MEETING PROCESS</b>	10.1 Advertisement and holding of public meeting. 10.2 Release of D.C. background study and draft by-law. 10.3 Attend and present the study and its findings at the public meeting. 10.4 Receipt and consideration of public submissions.
<b>11. BY-LAW PASSAGE</b>	11.1 Provide Staff with by-law(s) and any applicable documents for consideration of Council. 11.2 Review Staff report recommendations to ensure the legislative requirements are met.
<b>12. IMPLEMENTATION PROCESS</b>	12.1 Collection Policies/Process. 12.2 By-law indexation. 12.3 Reserve fund reporting requirements.

## 4. Budget

Based on the work programs identified above, our budget estimate to complete the D.C. background study and the public process is \$40,000 (exclusive of applicable taxes), assuming all meetings are to occur virtually. In the event that meetings can be held in person, the travel related costs and disbursements would be in addition to the provided quote and will be billed at cost (subject to the approval of the Town). A breakdown of the budget estimate by study step and by individual consultant is presented below. We would note that the cost of the D.C. study is 100% recoverable from the charges to be implemented.



**Table 4-1  
Town of Pelham  
Development Charges Background Study**

Budget by Milestone	Watson & Associates Economists Ltd.					Total Resources
	Gary Scandlan, Director	Byron Tan, Senior Project Coordinator	Taylor Murphy, Analyst	Jamie Cook, Director	Vlad Petrov, Senior Consultant	
Hourly Rates	\$320	\$215	\$145	\$320	\$190	
<b>Development Charges Background Study</b>						
1 Study Start-up/ Transitional Issues (1)	3	3	4	-	-	10
2 Data Collection and Service Standards	1	5	4	2	4	16
3 Review of Background Material	1	4	2	2	4	13
3 Growth Projection Development	1	4	1	-	8	14
4 Service Standards and Capital Assessments	4	6	8	-	-	18
5 D.C. Calculation and Rules and Staff Interviews (1)	8	10	14	-	-	32
6 Local Service Policy Update	1	4	2	-	-	7
7 Examination of Long Term Capital/Operating Costs	3	3	3	-	-	9
8 Asset Management Plan	1	3	3	-	-	7
9 D.C. Background Study and By-law	2	8	14	2	4	30
10 Public Meeting Process (1)	3	3	2	-	-	8
11 By-law Passage (1)	3	3	2	-	-	8
12 Implementation Process	2	4	2	-	-	8
13 Project Management	2	2	2	-	-	6
<b>Total Number of Hours - Development Charges Study</b>	<b>35</b>	<b>62</b>	<b>63</b>	<b>6</b>	<b>20</b>	<b>186</b>
<b>Subtotal Fees - Development Charges</b>	<b>\$11,200</b>	<b>\$13,330</b>	<b>\$9,135</b>	<b>\$1,920</b>	<b>\$3,800</b>	<b>\$39,385</b>
Disbursements (travel, telephone, courier, reports)						\$600
<b>Total Fees - Development Charges (excluding applicable Taxes) - Rounded</b>						<b>\$40,000</b>
<b>Additional Meeting Costs (Virtual) - based on 3 hours of Gary and Byron's attendance</b>						<b>\$1,600</b>

(#) Indicates the number of meetings (virtual) included in the budget

- The budget relates to the calculations, report preparation and policy adoption only (including input into the by-law formation) and does not cover time should an appeal occur, or liability for the results thereof. Similarly, advertising and legal costs have not been incorporated herein.
- The budget provides for four (4) virtual meetings (start-up, staff interviews, public meeting, and by-law passage) as well as the development of the D.C. report and by-law. If Town staff wish to have Watson attend additional virtual meetings, we would be available to prepare for and attend at an upset budget of \$1,600 per virtual meeting.
- If in-person meetings are required, travel costs and disbursements will be invoiced at costs, subject to the approval of the Town.
- Out-of-pocket disbursements for long distance calls, copying and related expenses, are invoiced at cost. Budget does not include applicable taxes.
- Our billings are submitted on a monthly basis for time worked on the project during the previous month. Billings are on a net 30-day basis.
- Our estimated budget provides a contingency for unforeseen issues that may arise during the process due to the new requirements of the D.C. legislation.
- The quotation provides for a digital copy of the draft and final reports along with a draft of the D.C. by-law in a form ready for final review by the Town.





We believe based on our experience, that the budget accurately reflects the time required to undertake all the steps necessary for the completion of a defensible development charge calculation that will provide the necessary funds for the Town to finance and accommodate new development. However, we are prepared to review our budget with the Town should a different level of effort be envisioned. In addition, we believe that the investment in having the work done by a specialist firm such as Watson can potentially provide significant financial and long-term economic benefit to the Town.

## 5. Schedule

Assuming project initiation with the first meeting in September 2022, the study process has been designed to provide the Town with a D.C. background study and draft D.C. bylaw by May 2023. Final adoption of a D.C. by-law by the Town would be targeted for July 2023, in advance of the current by-law's expiry in October 2023. The study is considered to be "complete" for purposes of the legislation at the time of Council approval prior to by-law passage. The timelines will be reviewed during the kick-off meeting and specific dates can be modified.



Figure 5-1  
Town of Pelham  
Proposed Timeline

Details	2022				2023							
	September	October	November	December	January	February	March	April	May	June	July	
<b>Development Charges Background Study</b>												
1 Study Start-up/ Transitional Issues (1)	SM											
2 Data Collection and Service Standards												
3 Review of Background Material												
3 Growth Projection Development												
4 Service Standards and Capital Assessments												
5 D.C. Calculation and Rules and Staff Interviews (1)							SM					
6 Local Service Policy Update												
7 Examination of Long Term Capital/Operating Costs												
8 Asset Management Plan												
9 D.C. Background Study and By-law										FR		
10 Public Meeting Process (1)											PM	
11 By-law Passage (1)												BL
13 Project Management												

SM - Staff Meeting  
 PM - Public Meeting  
 BL - By-law Passage  
 FR - Final Report

## 6. Other Matters

### 6.1 Accessibility

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Watson is committed to producing accessible documents that comply with Town and A.O.D.A. (*Accessibility for Ontarians with Disabilities Act, 2005*) guidelines, including adherence to C.N.I.B. (Canadian National Institute for the Blind) Clear Print guidelines. Watson can provide reports as PDF files that pass the Adobe Acrobat Pro DC Accessibility Checker. In cases where complex data tables are being provided as part of our reports, however, we will discuss any special circumstances with the Town. Often these complex data tables would be included as a separate appendix in order that they can be separated from the main document when being published in the public domain (e.g. municipal website) where accessibility is required.

### 6.2 COVID-19

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In response to the COVID-19 pandemic and the recommendations given by the Province, Watson has implemented strategies to ensure the safe interaction with our clients, employees, and the public. Furthermore, we are committed to the successful completion of all contracts using the best tools available. Our employees are set up to work remotely and have been trained in software and processes to continue to work collaboratively with all our clients, colleagues, and sub-contractors. We also have the ability to teleconference through audio and video means to hold meetings, interviews, etc. In addition, we have been working with clients in the existing environment on conducting virtual public meetings and have had discussions regarding possible online/digital public engagement opportunities, should that become a necessity. We continue to communicate with our clients and third-party service providers on their own business continuity plans to ensure cooperation and best practices.

### 6.3 Conflict of Interest

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Watson has reviewed current projects and confirms that none of the project team members has a conflict of interest.

## 7. Agreement

Having read the above Letter of Contract from Watson & Associates Economists Ltd., dated August 12, 2022, the Town of Pelham agrees to acceptance of this proposal and to engage Watson & Associates Economists Ltd. upon the terms set out therein.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.



Gary Scandlan  
Managing Partner and Director, Municipal Finance

Signed: \_\_\_\_\_

Accepted on behalf of: \_\_\_\_\_

Town of Pelham

Date: \_\_\_\_\_



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

August 22, 2022

**Subject: Recommendation for Official Plan & Zoning By-law Amendments  
– 15 Highway 20 East**

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0181 –  
Recommendation for Official Plan and Zoning By-law Amendments –  
15 Highway 20 East for information as it pertains to File Nos. OP-AM-  
01-2022 and AM-03-2021;**

**AND THAT Council direct Planning staff to prepare the official plan  
and zoning by-law amendments for consideration.**

**Executive Summary:**

The purpose of this report is to provide Council with a recommendation regarding the applications to amend the Official Plan and Zoning By-law for 15 Highway 20 East.

**Location:**

The property is located on the north side of Highway 20 east of Pelham Street and south of Kinsman Court (Figure 1). It is municipally known as 15 Highway 20 East and legally known as Part of Lots 3, 4, 5 and 6, Plan 716, Parts 3, 4, 5 and 6, in the Town of Pelham, Regional Municipality of Niagara.

*Figure 1: Property Location*

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

August 22, 2022



The property is approximately 0.142 hectares in size with frontage on both Highway 20 and Kinsman Court. The neighbouring land uses include street townhouses to the north, commercial to the east (Storm Hair Group), commercial uses to the south (Commercial Plazas, restaurant and offices) and commercial to the west (professional office).

**Project Description and Purpose:**

The proposed use of the property was initially for a 4-storey apartment dwelling consisting of 24 units along with associated parking, walkways and landscape areas (Figures 2). Following comments at the public meeting with respect to density and parking, the applicant has reduced the number of units to 22 thereby increasing the parking to 1.27 spaces per unit (refer to Appendix A).

The proposed Official Plan Amendment would amend Policy B1.3.4.3(b) by increasing the maximum building height in the Downtown Transitional Area from 2 storeys to 4 storeys (14.5 metres) without a step back to permit the development of the property for a 4 storey residential apartment building containing 22 units.

The proposed Zoning By-law Amendment would rezone the lands from the GC (General Commercial) zone to a site-specific RM2 (Residential Multiple 2) zone. The zoning change would permit the apartment building use as shown on the proposed site plan. In light of the reduced unit count, site specific regulations are requested including a minimum lot area of 64.5 m<sup>2</sup> per dwelling unit, a maximum density of

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

August 22, 2022

155 units per hectare, a maximum lot coverage of 48%, a minimum interior side yard of 0.9 metres (west lot line) and 4.2 metres (east lot line), a minimum landscaped area of 20%, a maximum building height of 14.5 metres, a minimum landscaped amenity area of 1.67 m<sup>2</sup> per unit, a minimum parking requirement of 1.27 spaces per dwelling unit, a 7.0 metre width for ingress and egress, a drive aisle width of 6.2 metres, the parking area to be located 0 metres from the south and west lot lines and 1.4 metres from the north lot line, a 2.6 metre wide parking space where abutting a column and a 1.4 metre planting strip.

*Figure 2: Site Plan*

**Community Planning & Development Department  
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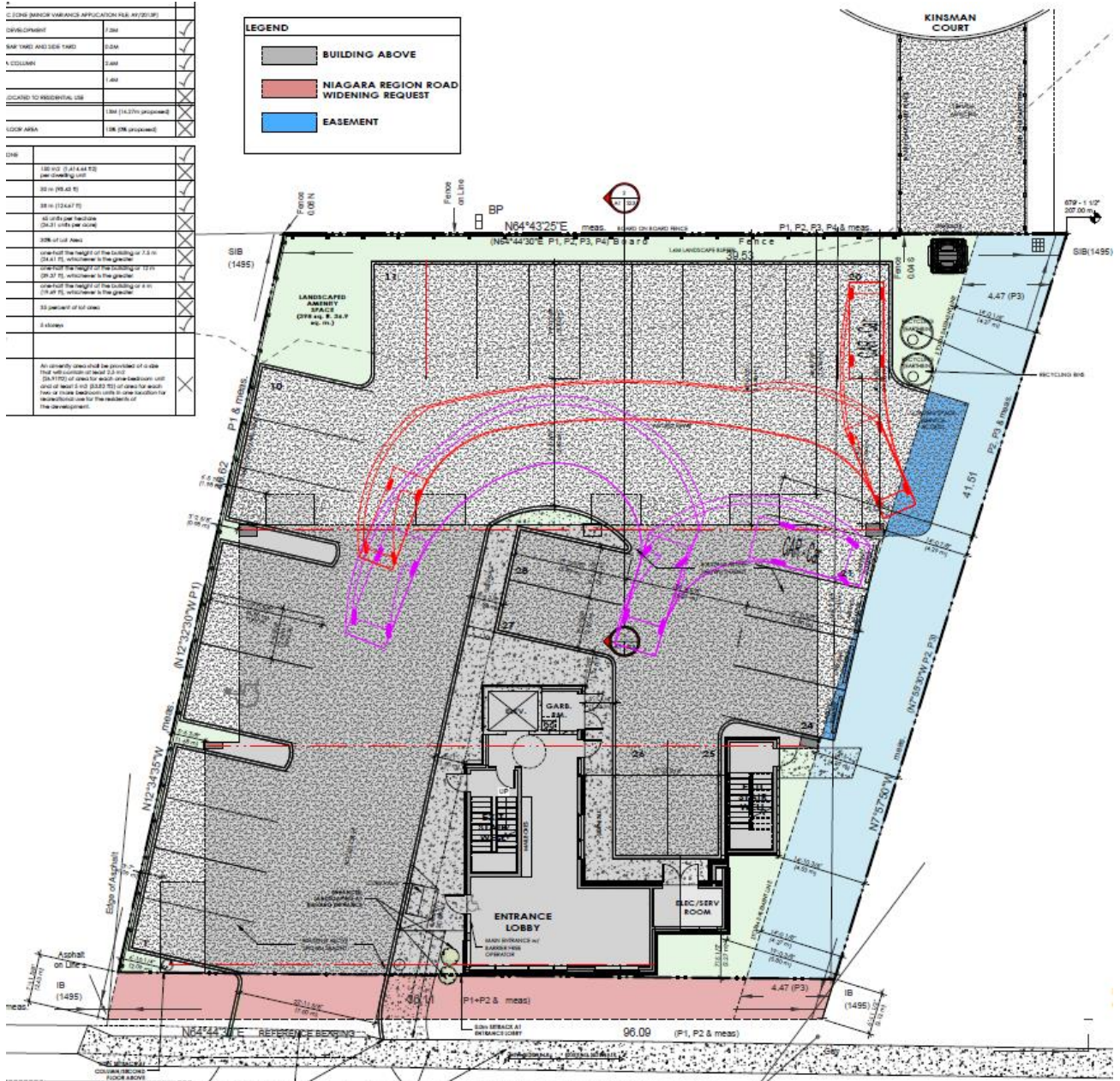


Figure 3: Proposed Current Building Elevations



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For background information, in 2013, the Committee of Adjustment approved minor variance A9/2013P to permit a three-storey (maximum height 13 metres) mixed-use building consisting of 3 commercial units and 14 residential units (Figure 2). The minor variance also allowed a 6.4 metre (underground) and 7.0 metre (at grade) ingress and egress for two-way traffic, a 0 metre setback for the parking area from the rear and side lot lines, a 2.6 metre wide parking stall where abutting a column or wall, a 1.4 metre wide planting strip with a height of 1.5 metres, 85% of the gross floor area to be used for dwelling units, 200 square metres of landscaped amenity space and a front yard setback of 0 metres.

*Figure 4: 2013 Approved Development Proposal*

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The applicant wishes to eliminate the commercial use from the site and is now proposing only residential use with a lobby, electrical room, storage, etc. located on the ground floor. Floors 2 through 4 will contain units ranging in size from 563 square feet to 980 square feet. 16 units are proposed to be one bedroom units and 6 units are proposed to be 2 bedroom units. The majority of units will have balconies. The proposed new building is 1.5m higher than what was approved in 2013.

**Policy Review:**

*Planning Act*

Section 3 of the Planning Act requires that, in exercising any authority that affects a planning matter, the decision of planning authorities “shall be consistent with the policy statements” issued under the 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”. Sections 22 and 34 of the Act allows for consideration of amendments to the Official Plan and Zoning By-law.

*Provincial Policy Statement, 2020*

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The Provincial Policy Statement (PPS), 2020 supports the efficient use of lands and development patterns that support sustainability by promoting livable, healthy and resilient communities, protecting the environment, public health and safety and facilitating economic growth. The subject lands are considered to be within a Settlement Area. Settlement areas are to be the focus for growth and development 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.

The requested official plan and zoning by-law amendments will allow for intensification and the addition of apartment dwellings to the range of housing options in the Town. The development can be accommodated by existing and planned infrastructure and public service facilities. The proposed development density will efficiently use land and infrastructure, be constructed in accordance with the energy efficiency requirements in the Ontario Building Code and encourage active transportation due to its location in the Downtown within walking distance to commercial, employment and community uses as well as sidewalks, the Steve Bauer Trail and bike paths.

*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*

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The subject parcel is not located in the Niagara Escarpment Plan Area; therefore, the Niagara Escarpment Plan policies do not apply.

*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.

The requested official plan and zoning by-law amendments will contribute toward the minimum 50 percent target for new residential development and result in intensification and a transit-supportive density in the delineated built-up area.

*Regional Official Plan, consolidated August 2015*

The Region of Niagara identifies this property as Built-up Area. 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. The Region also supports the inclusion of urban design analysis and guidelines for various types of plans and development projects.

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;



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deemphasizes 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 proposed development will contribute to achieving the 15% minimum intensification target for the Town of Pelham. The apartment dwellings will provide additional housing types that can serve people throughout their lifecycle. The proposed development will allow for active transportation, be designed to meet accessibility with some accessible units and energy efficiency requirements as well as to allow for waste collection and recycling. The building is proposed to be located close to Highway 20 with parking area beside and behind the building for an aesthetically pleasing and functional design. The proposed development tries to balance the need for public and private space with balconies and landscaped areas on the property. The existing sidewalk on Highway 20 East provides direct connections to bicycle and trail infrastructure allowing for use of diverse transportation modes.

*Region of Niagara Official Plan Adopted June 23, 2022*

The Region of Niagara adopted a new Official Plan on June 23, 2022 and it has been forwarded to the Province for review and approval, and approval is pending. Nevertheless, the new Region of Niagara Official Plan provides the policy guidance for future development across the Region.

The lands continue to be designated as Built-Up Area in the new Official Plan, however the intensification rates have changed from and the policy 2.2.2.5 now requires that across the Region 60% of all residential units occurring annually are to be in the Built-Up Areas and in Pelham, this translates into an annual intensification rate of 25% of new residential units are to be within the Built-Up Area. The principle

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objective is to increase housing choice and housing affordability across the Region to meet future housing needs.

Policy 2.2.1.1 states that development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:

- a) the intensification targets in Table 2-2 and density targets outlined in this Plan (Note Pelham's intensification target is 25%);
- b) a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;
- c) a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs.

Policy Section 2.3.1 provides the policy direction with regards to a mix a housing options and specifically policy 2.3.1.1 states that the development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life. Policy 2.3.2.3 sets that target that 20% of all new rental housing is to be affordable and 10% of all new ownership housing is to be affordable.

Policy 2.3.1.4 also provides that new residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:

- a) facilitating compact built form; and
- b) incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.

The new Region of Niagara Official Plan also emphasis urban design and provides that areas identified for intensification, including along local corridors, shall be designed to be pedestrian oriented with vibrant mixed-uses incorporating, where feasible, public gathering areas and public art. Policy 6.2.1.4 also provides that revitalization and redevelopment within downtowns and community cores shall be promoted to enhance their existing character.

*Pelham Official Plan (2014)*

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The property is designated Downtown Transitional Area in the Town's Official Plan. Permitted uses in the Downtown Transitional Area designation include residential uses; professional offices and clinics providing health services; inns and bed and breakfasts; studios and home occupations; and, small-scale restaurants, retail uses and personal service shops.

New street-level residential uses, including single detached and semi-detached units, townhouses and apartments as well as small-scale inns and bed and breakfast establishments are permitted in the Downtown Transitional Area designation both as a primary use and as an accessory use to a commercial business (B1.3.4.2).

The proposed apartment dwelling use is permitted in the Downtown Transitional designation.

Policy B1.3.4.3 Development Criteria requires that the maximum building height should be limited to 2 storeys; buildings are encouraged to be built within 1 metres of the front lot line, but may be setback up to 5 metres, provided amenities and landscaping are incorporated in the front yard; the maximum floor area dedicated to retail uses should not exceed 100 m<sup>2</sup>; design features such as pitched roof lines, awning and front porches are encouraged; and, interior side yard setbacks should be maintained but may be reduced to accommodate redevelopment provided the reduction is appropriate for the location and maintains or instils good urban design.

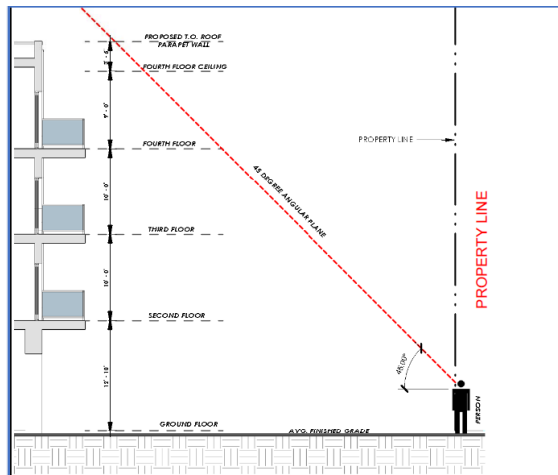
The requested Official Plan Amendment would amend Policy B1.3.4.3(b) by increasing the maximum building height in the Downtown Transitional Area from 2 storeys to 4 storeys (14.5 metres) without a step back. The property is located at the base of the hill making the increased building height less perceptible as shorter buildings will appear the same height or taller than the requested 4 storey building due to their higher elevation. The proposed building will also have a flat roof due to its modern design resulting in less overall height. The building ground floor consists of a partly open ground floor plan framed by columns which will reduce the perception of the overall building massing. It is also worth noting that the proposed building will be only 1.5 metres higher than the current site plan approval permission for the property.

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The proposed building location at the front lot line ensures that the potential for overlook and shadowing impacts is minimized for the residents on Kinsman Court. The developer also reduced the size of the balconies on the north side of the building to ensure that overlook potential will be further limited. The balconies will allow for one or two chairs for residents to sit and have coffee or read, but not provide sufficient space for gathering or social functions. The applicant has provided a Shadow Impact Analysis, which demonstrates that shadowing impacts will be within an acceptable range. The applicant has also provided an urban plane analysis in the Addendum to the Planning Justification Report, which indicates that a 45 degree angular plane will be maintained (Figure 5). This is the generally accepted standard where new development abuts sensitive uses in an effort to transition down and mitigate the impacts relating to potential overlook, privacy, and shadowing.

*Figure 5: Urban Plane Analysis from North Lot Line*



The proposed building is located near the front lot line, contains no retail uses and includes reduced interior side yard setbacks. The reduced interior side yard setbacks are considered appropriate given the irregular lot dimensions (angled side lot lines), required Regional road widening (reduced lot size) and location in the Downtown Transitional area where minimal setbacks are conventional. Commercial uses exist on both sides of the property and no negative impacts are anticipated to those uses



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as a result of the reduced interior side yard setbacks. Further, appropriate landscaping and fencing will be required as part of a site plan approval application.

Policy B1.3.4.3 states that redevelopment and intensification proposals may be subject to a Zoning By-law Amendment and shall be subject to Site Plan Control. Prior to approving application for new development, Council should be satisfied that:

- a) The scale and appearance of the use is complementary to and does not detract from the residential character of the area;
- b) The building and/or the general appearance of the site will be improved through quality urban design;
- c) Adequate on-site or off-site parking is provided;
- d) The Site Plan and Site Plan Agreement will address appropriate urban design matters including accessibility provision, exterior design features, massing and relationship to adjacent buildings as well as sustainable design elements located on municipal road allowances and land; and,
- e) The sign identifying the use is limited in size in accordance with the municipal Sign By-law.

The scale of the proposed building can be considered appropriate for the site location. The property is located in the Downtown Transitional Area among commercial uses and fronting a Regional Road. The building has been located as far away from the residential uses to the north as possible. Fencing and landscaping will be provided for additional privacy for the residents on Kinsman Court. The building design, placement and site plan approval requirements will ensure that the scale and appearance of the use is complementary and does not detract from the residential uses to the north. Further, the technical analysis (Shadow Impact Analysis, Urban Plan Analysis) indicates no negative impacts.

The building design, while modern, does include symmetrical openings and high quality building materials meeting good urban design principles and complements the existing contemporary architecture of the commercial uses opposite it. The scale and massing of the building fits the context within which it is located. The building placement at the front lot line with parking to the side and rear is also considered good urban design. Landscaping and street trees along Highway 20 will be required as part of a site plan approval application further contributing to a high quality public realm.

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The applicant has provided a Parking Analysis which concludes that the parking on site will accommodate the development. The Parking Analysis was prepared based on 24 units and the applicant has since reduced the unit count by two increasing the parking ratio to 1.27 spaces per unit. Planning staff note that this surpasses the recommendation from the recent Parking Study that was completed by the Town's consultant, which recommended 1.25 spaces per unit for apartment dwellings and would meet the recommended parking requirements in the new comprehensive Zoning By-law. The property is located in an area close to commercial and institutional uses and is easily accessible through active transportation means.

Urban design and other considerations will be addressed through a Site Plan Agreement.

No signage is proposed at this time, however all signage will be required to comply with Regional (location on Regional road) and Town requirements.

Policy B1.2.4.3 Development and Urban Design Policies was derived from the Town's Urban Design Guidelines for Downtown Fenwick and Fonthill and is intended to guide proposals for new development or redevelopment along the Intensification Corridors in the Downtown designations:

- a) In order to maintain a consistent façade along Pelham Street/Highway 20 in Fonthill and Canboro Road in Fenwick, the maximum height of new buildings fronting on these streets shall be 3 storeys. Building heights greater than 3 storeys may be permitted subject to a Zoning By-law Amendment provided the upper storey are appropriately stepped back or recessed from the front building wall;
- b) New buildings should be built at or near the front lot line;
- c) Parking should not be permitted at the front of the building. Parking should be accommodated on-site at the rear of a lot, on the street or in a communal parking area;
- f) Buildings should be oriented to the street, consistent with adjacent building and provide clearly defined and accessible entry points from the sidewalk;
- g) Pedestrian weather protection is encouraged through the use of awning or canopies;
- h) Building frontages are encouraged to be highly transparent with at least 50% glazing or window treatments;

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- i) Utilities and mechanical installations should be shrouded from main street viewsapes and/or be integrated in architectural treatments; and,
- j) Preferred building materials include brick, wood, stone, glass, in-situ concrete and precast concrete. Building materials discouraged include vinyl siding, plastic, plywood, concrete block, metal siding and tinted or mirrored glass.

The intention of the requirement to recess storeys above the third floor of a building is to ensure that neighbouring land uses and the pedestrian experience are not negatively impacted. As discussed above, the 45 degree angular plane from the residential uses to the north will be achieved and this is the generally accepted standard to avoid negative impact. In terms of the experience from the public realm, the partially open ground floor building design helps to break up the massing of the building and makes it appear not as tall. The building is proposed to be located at the front lot line. Parking will not be located in front, but to the side (under the building) and rear of the building. The building will be oriented to the street and have a clearly defined entryway from the sidewalk. The building design does provide some pedestrian weather protection and is highly transparent with roughly 50% glazing. Utilities and mechanical equipment are not proposed to be visible from Highway 20. The building materials include stone, glass, faux wood and stucco.

Policy B1.2.4.1 requires at least 50% of the dwellings to be constructed in the Downtowns should be affordable to low and moderate income households; Intensification proposals will be encouraged to incorporate high quality urban design, landscaping treatments and accessibility. To support the integration of quality urban design and accessibility, the Town may prepare and adopt urban design guidelines and may enforce these standards through Site Plan Control; Residential intensification projects proposed within the Downtown or Downtown Transition designation will be encouraged to incorporate street level space for mixed use retail, service commercial uses and/or professional offices.

The proposed apartment dwellings will create more housing options in Fonthill which are affordable to different income levels. A number of the units will be one-bedroom units of modest size that are more affordable by nature. The building incorporates high quality urban design features and the site will include landscaping treatments and accessibility considerations. While no commercial uses are proposed at grade, the property is abutted by commercial uses on either side fronting Highway 20.

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Further, the ground floor of the building has been designed with the lobby in front and a number of windows to animate the street.

Based on the discussion above, it is Planning staff’s opinion that the requested amendment to the Official Plan is appropriate and can be supported. Further, the requested Zoning By-law amendment application conforms to the policies of the Town of Pelham Official Plan.

*Zoning By-law 1136 (1987)*

The property is zoned GC (General Commercial) which permits a wide range of commercial uses as well as residential uses above the ground floor.

The requested Zoning By-law Amendment would rezone the lands from the GC (General Commercial) zone to a site-specific RM2 (Residential Multiple 2) zone. The zoning change would permit the proposed 22 unit apartment building use as shown on the preliminary site plan.

The requested site-specific zoning regulations are provided in Table 1.

*Table 1: Requested Site Specific Zoning Requirements*

17.2 Zone Requirement	Standard RM2 Requirement	Requested RM2 Requirement
(a) Minimum Lot Area	150 m <sup>2</sup> per dwelling unit	64.5m <sup>2</sup> per dwelling unit
(b) Minimum Lot Frontage	30 m	No change
(c) Minimum Lot Depth	38 m	No change
(d) Maximum Density	65 units per hectare	155 units per hectare
(e) Maximum Lot Coverage	30 percent	48 percent
(f) Minimum Front Yard	one-half the height of the building or 7.5 m, whichever is the greater	0 metres
(g) Minimum Rear Yard	one-half the height of the building or 12 m, whichever is the greater	No change



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17.2 Zone Requirement	Standard RM2 Requirement	Requested RM2 Requirement
(h) Minimum Interior Side Yard	one-half the height of the building or 6 m, whichever is the greater	0.9 west 4.2 east
(i) Minimum Exterior Side Yard	one-half the height of the building or 7 m, whichever is the greater	Not applicable
(j) Minimum Landscaped Area	35 percent	20 percent
(k) Maximum Building Height	5 storeys	4 storeys (14.5 metres)
(l) Minimum Floor Area per Dwelling Unit:	(i) Bachelor 42 m <sup>2</sup> (ii) One bedroom 56 m <sup>2</sup> plus 9 m <sup>2</sup> for each additional bedroom	No change
(m) Amenity Area	2.5 m <sup>2</sup> of area for each one-bedroom unit and at least 5 m <sup>2</sup> of area for each two or more bedroom units in one location for recreational use for the residents of the development.	1.67 m <sup>2</sup> per dwelling unit
6.0 General Provisions	Standard Requirement	Requested Requirement
6.16(a) Parking Requirements	1.5 spaces per unit	1.27 spaces per unit
6.16(d) Ingress and Egress	7.5 metre width for ingress and egress (two-way traffic)	7.0 metre width for ingress and egress (two-way traffic)
6.16(i) Parking Area Location	7.5 m to street line; 3.0 m to side or rear lot line	0 metres from the south property line 0 metres from the west property line 1.4 metres from the north property line
6.16(j) Dimensions of Parking Spaces	7.9 m drive aisle	6.2 m drive aisle

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17.2 Zone Requirement	Standard RM2 Requirement	Requested RM2 Requirement
	3 m where abutting a column	2.6 metres where abutting a column
6.16(k) Planting Strips	No requirement for this property/development	1.4 metre planting strip provided along the north lot line

**Submitted Reports:**

*Planning Justification Report prepared NPG Planning Solutions Inc. dated May 26, 2021*

*Addendum to Planning Justification Report with Angular Plane Analysis prepared by NPG Planning Solutions Inc. dated April 7, 2022*

The report concludes that the applications should be supported because they are consistent with the Provincial Planning Policy Statement (2020) and in conformity with the Growth Plan, Niagara Region Official Plan, and the Town of Pelham Official Plan. The proposed development will provide an opportunity for residential intensification in an area identified by the Town for future growth and development and will make efficient use of the existing municipal services and facilities. The property is close to community facilities such as grocery stores, schools, parks and local public transit stops. The proposed building and units will contribute to a diversified housing mix for the Downtown Fonthill area. The development is appropriately distanced from the low-density residences to the north and is adequately buffered through landscaping features. The site design provides public-realm improvements and enhances the streetscape along Highway 20 East. The proposal is supported by reports prepared by qualified professionals, subject to relevant recommendations, that confirm no significant noise concerns, municipal servicing issues or any archaeological findings identified on the property.

*Shadow Study prepared by ACK Architects dated September 2018 revised to March 30, 2022*

The Study (Figure 6) demonstrates that shadow impacts on adjacent properties from the proposed building are anticipated to be within an acceptable range.

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*Figure 6: Shadow Study*



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*Parking Analysis prepared by Paradigm Transportation Solutions Limited dated October 29, 2021*

The analysis indicates that the Town of Pelham Zoning By-Law 1136 (1987) requires a total of 36 parking spaces, including 24 resident and 12 visitor spaces for 24 units (now 22 units). As 28 total parking spaces are proposed, this represents a potential deficiency of eight (8) parking spaces; The Institute of Transportation Engineers Parking Generation Manual recommends a total of 23 parking spaces to serve the site (resident and visitor supply). As 28 total parking spaces are proposed, this represents a potential surplus of five (5) parking spaces; Transportation Tomorrow Survey data indicates 11% of apartment households in Pelham do not own a vehicle. Given the expected changes in automobile ownership brought about by the changes in mobility-related technologies, it is likely that if parking policy is not revised, new residential developments will be left with an oversupply of parking. It is also recommended that the applicant unbundles parking from the cost of a unit.

*Functional Servicing Design Brief prepared by Hallex Engineering Ltd. dated August 28, 2020*

The brief makes recommendations for storm, sanitary and water servicing for the development. Town Public Works staff have reviewed the report and accompanying drawings and offered no concerns or objections.

*Stage 1-2 Archaeological Assessment prepared by Detritus Consulting Ltd. dated July 9, 2020*

The Assessment did not result in the identification of any archaeological resources and further archaeological assessment was not recommended by the licensed archaeologist. Acknowledgement from the Ministry of Heritage, Sport, Tourism and Culture Industries confirming that all archaeological resource concerns on the subject property have met licensing and resource conservation requirements has not been received. Should the applications be approved, receipt of Ministry clearance will still be required as a condition of site plan approval.



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*Record of Site Condition under Part XV.1 of the Environmental Protection Act  
submitted May 17, 2016*

The property was previously used for commercial purposes. In accordance with O. Reg. 153/04, a Record of Site Condition (RSC) must be filed on the MECP Brownfields Environmental Site Registry prior to any change in land use to a more sensitive use (i.e. commercial to residential). The RSC has been filed with the MECP meeting the requirement of O. Reg. 153/04 and no further work is required with regards to this matter.

*Environmental Noise Feasibility Assessment prepared by RJ Burnside and Associates  
Limited dated July 2020*

The assessment finds that the primary source of noise impacting the site is road traffic from Regional Road 20 and predicts that indoor and outdoor sound levels for the future dwelling units will comply with the MECP NPC-300 guidelines, provided certain mitigation measures are implemented. These include the mandatory provision of central air conditioning in all units to allow windows to remain closed and the inclusion of standard warning clauses in all property and tenancy agreements and offers of purchase and sale regarding potential adverse noise impacts. The study also recommends that a 2.0 metre acoustic barrier be provided for common outdoor living areas, however it is noted in the study that this is not required as sound levels in these locations will not exceed the MECP NPC-300 limits. Should the applications be approved, implementation of the recommendations of the study will be included in the site plan agreement.

**Agency Comments:**

The application was circulated to commenting agencies and Town Departments. The following comments have been received:

*Niagara Region Planning and Development Services*

Regional Planning and Development Services staff is satisfied that the proposed local Official Plan Amendment and Zoning By-law Amendment applications are consistent with the PPS and conform to the Growth Plan and ROP, subject to any local compatibility concerns and requirements. A road widening along Regional Road 20 frontage to be dedicated to the Region will be required.

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*Public Works* Provided no objection to the applications for Official Plan and Zoning By-law amendment and technical comments for site plan approval application.

*Enbridge Gas Inc.* No objection. Request standard conditions.

*Hydro One* No comments or concerns.

**Public Comments:**

On May 20, 2022 a public meeting notice was circulated to all property owners within 120 metres of the property's boundaries. In addition, public notice signs were posted facing Kinsman Court and Highway 20 on May 24, 2022. A public meeting was held on June 13, 2022. 5 members of the public provided verbal comments at the meeting. The following public comments have been received at the time of writing of this report:

*Alan Morgan* Concerned about traffic on Highway 20/ queuing at the intersection affecting the ability to safely enter and exit the property. Feels the building height and setback from the road are not appropriate for the Town and that the development will contribute to traffic congestion.

*Bernie & Susan Law* Concerned about drainage impacts resulting from the development, loss of trees from Kinsman Court road allowance, which protect from views and road noise, scale of building and loss of snow piling area on Kinsman Court. Wants waste collection to occur from Highway 20. Feels that the apartment building should be scaled down in size.

*Ron & Mary Ann Blakely* Opposed to the applications, concerned about impact on property values, loss of sunlight and privacy, lack of fit with community and traffic impacts. Also concerned about disruption due to waste collection from Kinsman Court. This area is curved, contains a hydrant and is used for snow piling and the service access will result in the removal of trees from the road allowance.

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*Bill McInernery on behalf of Kinsman Court Residents*

Supports applications subject to restrictions to 4 storeys, maintain privacy fencing, restriction of visitor parking on Kinsman Court, restriction of construction vehicles accessing Kinsman Court, fencing or gate at end of driveway access for garbage pick-up, work with arbourist to limit tree removal and impact on trees at end of Kinsman Court, the Town to develop a plan to remove snow from end of Kinsman Court, and minimize impact to driveway access for 24 and 26 Kinsman Court. Feels that parking is insufficient and concerns that Kinsman Court will be used for construction access and parking of construction vehicles.

*Mike & Donna Zimmer*

Support the applications. Feels that building location close to Highway 20, removal of rooftop patio and walkway from Kinsman Court are improvements over the previously approved development for the site. Concerned about impacts from commercial uses that would otherwise be permitted.

*Michael De Prophetis*

Supports the applications. Feels the development is appropriate for the location and within walking distance of amenities. Feels residential use is better for the Town and would cause less congestion than potential commercial use.

*Amber Smith*

Supports the development and feels it will be an improvement. Would like the Town to establish standards for building facades.

**Staff Comments:**

With respect to resident concerns regarding the queuing of traffic on Highway 20, in front of the property, and additional traffic impacts resulting from the proposed development, Town staff advise that all resident and visitor access to the site will be via Highway 20. Highway 20 is a Regional road. Regional staff attended the pre-

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consultation meeting in April 2020 and did not identify the need for a Traffic Impact Study based on current conditions and the scale of the development. Further, Regional staff have reviewed the applications and offered no concerns in terms of safe ingress/egress to the development nor resulting traffic impacts. While some queuing of traffic does occur in peak periods on Regional Road 20, traffic is still able to move and the proposed increase in traffic from the development is not to such an extent that it would adversely impact on traffic flow.

A resident and a member of Council expressed concern about the building being located at the front lot line. As discussed above, this is in conformity with the Policy B1.3.4.3 of the Town's Official Plan. It is also a best practice from an urban design perspective that within Downtowns buildings close to the street provide a positive impact on the public realm by framing and enclosing the public street and aid in animating the street and improving the pedestrian experience. It further allows for parking to be hidden from view behind the building. With respect to this specific development, it has the added benefit of increasing the setback from the residents on Kinsman Court and mitigating potential impacts to the residential properties to the north.

Some residents and members of Council expressed concerns about the proposed building height and loss of sunlight and privacy. This issue has been analyzed above with respect to the requested Official Plan amendment to increase the permitted building height and there is minimal impact on the surrounding residential properties with respect to shadowing impacts, loss of light or privacy. The proposed building is appropriately setback and stepped back from the residential properties to the north which results in no adverse impact to these uses in terms of loss of sunlight and privacy.

A resident expressed concern regarding drainage impacts. The applicant is required to prepare a lot grading and drainage plan and to convey stormwater to the storm sewer to avoid negative impacts to neighbouring properties, this is not a matter to be addressed through the Official Plan or Zoning By-law amendment applications, but rather is a matter to be addressed through site plan approval. Regional and Public Works staff have reviewed the preliminary plans and functional servicing studies submitted with the applications and have expressed no major concerns. Storm flows from this site will be directed towards the existing storm system that has capacity to accommodate such flows. Should the applications be approved, approval of final



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stormwater management design plans by Town and Regional staff will be required as part of a Site Plan Agreement.

Removal of some trees from the Kinsman Court road allowance will be required in order to install the service access for waste collection. The trees will be identified and replacement of trees required in accordance with the Town's Tree Policy as part of a Site Plan approval application. The developer will also be required to install privacy fencing and landscaping along the rear lot line to act as a buffer from noise and views as part of Site Plan approval.

A number of residents expressed concerns about the loss of the snow piling area at the end of Kinsman Court resulting from the new service access for waste collection. Snow clearing is the responsibility of the Town's Public Works Department. The applications were circulated to the Town's Public Works Department and no concerns were raised with respect to the loss of the snow piling area. The proposed service access is roughly 6.5 metres wide, which still leaves space to the east for continued piling of snow and the centre of the turning circle could also be utilized. Typically, the Town removes the snow from the end of Kinsman Court with a front-end loader on an as needed basis. The addition of the proposed service access may increase the frequency of snow removal by the Town which Public Works staff have advised can be accommodated. Public Works staff do not have a concern with the proposed access off of Kinsman Court.

Access from Kinsman Court for waste collection was of concern to both residents on Kinsman Court and members of Council. The building design does not allow for waste collection vehicles to pass underneath the building to access the site. Scaling the building up is not desired due to increased overall height and the potential negative impact to the public realm through loss of the pedestrian scale. The site has legal frontage on both Highway 20 and Kinsman Court. Kinsman Court is an open public road allowance from which a number of properties derive access. Access from an open public road allowance is a reasonable expectation for abutting properties and there is no 1-foot reserve at the end of Kinsman Court to prevent access. The developer has opted to maintain the primary vehicular access to the site on Highway 20 to lessen impacts on Kinsman Court residents. Waste collection is planned bi-weekly through a private contractor which would result in minimal disruption for a very short period of time.

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Residents were further concerned about the use of Kinsman Court for construction access and parking of construction vehicles. Use of a public road allowance for access is also a reasonable expectation. The construction process is temporary and will result in some temporary disruption and inconvenience to residents, however the use of Highway 20 for parking during construction is not possible. The developer will be required to prepare a construction management plan for review and approval by the Town to minimize disruption to Kinsman Court as part of the site plan approval process. Temporary disturbance and inconvenience during construction is not a valid reason to not support the applications.

The requested parking permission of 1.27 spaces per unit is consistent with the recommendation from the Town's parking consultant for apartment dwellings and is further supported by the Parking Analysis which was prepared by the applicant's Traffic Engineer (when 1.1 spaces per unit were proposed). The development will contain mainly one bedroom units where residents may have one or no vehicle. The property is within walking distance to commercial, employment and community uses, accessible by transit and well served by sidewalks and bicycle infrastructure making it possible that a future resident may not require a car.

With respect to concerns that visitors may park on Kinsman Court, it is important to note that on-street parking is permitted on the Town's road allowances unless signed otherwise or during a snow event. With respect to this specific property, if the on-site visitor parking spaces (6) are occupied, there are a number of commercial uses adjacent to and across from the property where visitors may be more likely to park to access the property for a short period of time. Visitor parking on Kinsman Court will be further inconvenienced as there is no pedestrian connection from Kinsman Court to the subject lands as the rear of the lands will be fenced and a gate is proposed to be installed across the service access for waste collection. The fencing requirements will be addressed as part of the site plan approval process.

A resident had concerns about potential negative impacts on property values. Generally, redevelopment in a community/neighbourhood indicates it is a desirable place to invest and live and does not have a negative impact on property values. The subject property is currently vacant containing a gravel parking area. Redevelopment of the property would include a new building, landscaping, fencing and asphalt parking area, which could be considered an improvement over the current site condition. Further, a residential use is compatible with the existing residential uses

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on Kinsman Court and will not result in adverse impacts. It is unlikely that the proposed development will negatively impact property values. Rather, redevelopment of the subject property for the residential use as proposed is more likely to result in an increase to adjacent property values as opposed to if the property was developed for a commercial use as is currently permitted.

Some members of the public and Council were critical of the modern building design and felt it did not fit with the community. This section of Highway 20 includes a mix of building styles including a contemporary “strip mall” style commercial development as was common in the 1980’s and 1990’s immediately opposite the subject lands, as well as century homes that have been repurposed and modernized with contemporary design elements for commercial uses before transitioning into the historic Downtown area. There is no consistent architectural look to the buildings on Highway 20 or in the Downtown, rather there is an eclectic mix of architectural styles and influences representing various eras of development. Redevelopment that has taken place in the historic Downtown in recent years has also included a mix of traditional and modern architecture. As a result, the modern building design is not out of character with other recent redevelopments nearby and is complementary both in design, but also in scale and massing with adjacent development. As a result, the proposed building is compatible with character and context within which it is located.

The Town has urban design criteria that were derived through the Downtown Master Plan for Fonthill and Fenwick and then adopted into the Official Plan in Policy B1.2.4.3. The urban design criteria primarily relate to location close to the front lot line, location of parking to the rear, building orientation to the street, providing pedestrian weather protection, amount of glazing/windows, hiding utilities and preferred building materials. The proposed building design meets these criteria. The only item that is not met is the 4 storey building height (maximum of 3 storeys permitted), however the Policy acknowledges that higher buildings may be permitted subject to a Zoning By-law amendment and recessing above the third floor. The developer has applied for an Official Plan amendment with respect to this requirement and therefore, the analysis becomes whether the proposed building is appropriate for the site based on the information and technical studies/analysis provided. Planning staff have conducted this analysis above and concluded that the additional height is appropriate when all plans and studies are considered. It is important to note that the Town’s urban design criteria do not require a traditional building design in the Downtown

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Transitional Area. Without policy to direct a specific design to this area, modern versus traditional design becomes subjective and a matter of personal preference.

15 Highway 20 East is currently zoned General Commercial (GC) and is currently designated Downtown Transitional Area in the Town Official Plan. The current zoning permits a variety of commercial uses including restaurants, bakeries, banks, car washes, automobile service stations, clinics, hotels, business offices, nurseries, custom workshops, service shops, etc., with a maximum building height of 10.5m or 3 stories. While the proposed Official Plan amendment will provide the policy basis to allow the building height to be increased to 4 stores with a step back and the proposed zoning by-law amendment will remove all the commercial use permissions and allow only a 22-unit apartment building on the subject property subject to specific requirements, the proposed Official Plan and Zoning By-law amendment will allow for development that is more compatible with the adjacent residential uses than many of the current permitted commercial uses would provide. This is considered to be an overall benefit to the residents of Kinsman Court and provide the residents with greater certainty of what the future use of these lands will be and means the developer forgoes the ability to develop the lands for commercial purposes.

Based on the analysis in this report, Planning staff recommend that Council approve the applications for Official Plan and Zoning By-law amendment. The applications conform to Provincial, Regional and local policies and employ the use of good planning principles. The proposed apartment dwelling, though different in style and housing type from the residences on Kinsman Court, will be located and designed such that it can exist compatibly. The ability to mitigate impact and exist compatibly has been demonstrated through both technical reports and the planning analysis.

**Alternatives:**

Council could choose not to approve the requested official plan and zoning by-law amendments.

Council choose to approve the official plan and zoning by-law amendments with modifications.

**Attachments:**

Appendix A Addendum to Planning Justification Report dated July 29, 2022





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

August 22, 2022

**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



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July 29, 2022

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

Dear Shannon,

**ADDENDUM TO THE PLANNING JUSTIFICATION REPORT AND  
ZONING BY-LAW AMENDMENT APPLICATION (File No.: AM-03-2021),  
AIVA DEVELOPMENT AND REAL ESTATE LTD.  
15 HIGHWAY 20 EAST, PELHAM**

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We are pleased to submit this addendum (“Addendum 3”) in support of the application for a Zoning By-law Amendment for the above-noted property. The purpose of Addendum 3 is to identify the recent changes with regard to the Zoning By-law Amendment application for 15 Hwy 20 East in the Town of Pelham.

Two revised Zoning By-law Amendment submissions were made after our initial submission in May 2021: one in November 2021 and the other in April 2022. The most recent site plan demonstrates 24 dwelling units (at a density of 170 units per hectare) and 28 parking spaces (at a parking rate of 1.16 spaces/unit). A Parking Study was carried out by Paradigm Transportation Solutions Limited dated October 29, 2021, in support of the proposed parking rate.

A Public Meeting was held on June 13<sup>th</sup>, 2022, in which Council was most concerned about the proposed parking rate. Please consider this Addendum as a revision to the Zoning By-law Amendment application to reduce the number of dwelling units proposed, thereby reducing the density and increasing the parking ratio. The information in Addendum 3 should be read in conjunction with the previously submitted Planning Justification Report (“PJR”), prepared by NPG Planning Solutions Inc., dated May 2021 and the Addendum reports, dated November 2021 and April 2022. The changes



NPG Planning Solutions  
4999 Victoria Ave | Niagara Falls, ON L2E 4C9  
npgsolutions.ca

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✉ info@npgsolutions.ca

addressed in this addendum do not impact the policy analysis nor the overall conclusion within the previously prepared PJR and Addendum reports.

Based on Council feedback, the following changes are being made:

CHANGES	PREVIOUS APPLICATION (NOV 2021/ APR 2022)	CURRENT APPLICATION (JUL 2022)
<b>Total number of dwelling units</b>	24	22
<b>Proposed density due to the two (2) units removed</b>	170 units per hectare	155 units per hectare
<b>Parking rate with 28 spaces</b>	1.16 spaces/unit (for 24 dwelling units)	1.27 spaces/unit (for 22 dwelling units)

## Proposed Zoning By-law Amendment

A Draft Zoning By-law has been prepared and can be found in **Appendix 1 – Draft Zoning By-law Amendment** to this letter.

*Table 3. Zoning Comparison Chart*

REGULATIONS	RM2 ZONING REQUIREMENTS	PROVIDED	COMPLIANCE	COMMENTS
<b>Permitted Uses</b>	Apartment dwellings; uses, buildings and structures accessory to the foregoing permitted uses.	Apartment dwellings	<b>Yes</b>	-
<b>Minimum Lot Area</b>	150 sqm per dwelling unit (= 3,150 sqm)	1,420.1 sqm (1420.1/ 22 = 64.5 sqm per dwelling unit)	<b>No</b>	Proposed change increases the lot area per unit calculation.  Please refer to the Addendum dated Nov 2021 for justification. Our explanation for supporting the reduced provision does not change.
<b>Minimum Lot</b>	30 m	36.11 m	<b>Yes</b>	-

REGULATIONS	RM2 ZONING REQUIREMENTS	PROVIDED	COMPLIANCE	COMMENTS
<b>Frontage</b>				
<b>Minimum Lot Depth</b>	38 m	37.74 m	<b>Yes</b>	-
<b>Maximum Density</b>	65 units per hectare	155 units per hectare	<b>No</b>	Proposed change decreases the density requirement.  Please refer to the Addendum dated Nov 2021 for justification. Our explanation for supporting the increased provision does not change.
<b>Maximum Lot Coverage</b>	30% of lot area	47.76%	<b>No</b>	No changes made through this submission. Please refer to the PJR dated May 2021 for justification.
<b>Minimum Front Yard</b>	One-half the height of the building or 7.5 m, whichever is greater (Required = 7.5 m)	0 m	<b>No</b>	Please refer to the Addendum dated April 2022.
<b>Minimum Rear Yard</b>	One-half the height of the building or 12 m, whichever is greater (Required = 12 m)	14.65 m	<b>Yes</b>	-
<b>Minimum Interior Side Yard</b>	One-half the height of the building or 6 m, whichever is greater (Required = 7.2 m)	0.98 m (west lot line) 4.29 m (east lot line)	<b>No</b>	No changes made through this submission. Please refer to the PJR dated May 2021 for justification.
<b>Minimum Exterior Side Yard</b>	One-half the height of the building or 7 m, whichever is greater	N/A	<b>N/A</b>	-
<b>Minimum Landscaped Area</b>	35% of lot area	20.26%	<b>No</b>	No changes made through this submission. Please refer to the PJR dated May 2021 for justification.



REGULATIONS	RM2 ZONING REQUIREMENTS	PROVIDED	COMPLIANCE	COMMENTS
<b>Maximum Building Height</b>	5 storeys (Section 17.2 k))	14.27 m (4 storeys)	<b>Yes</b>	-
<b>Minimum Floor Area per Dwelling Unit</b>	Bachelor: 42 sqm	N/A	<b>N/A</b>	-
	One-bedroom: 56 sqm Two-bedroom: 65 sqm	One-bedroom: 52 sqm Two-bedroom: 84 sqm	<b>No</b>	No changes made through this submission. Please refer to the Addendum dated Nov 2021 for justification.
<b>Amenity Area</b>	An amenity area shall be provided of a size that will contain at least 2.5 m <sup>2</sup> (26.91 ft <sup>2</sup> ) of area for each one-bedroom unit and at least 5 m <sup>2</sup> (53.82 ft <sup>2</sup> ) of area for each two or more bedroom units in one location for recreational use for the residents of the development. (One bedroom: 2.5 sqm x 16 = 40 sqm Two bedrooms: 5 sqm x 6 = 30 sqm Required = 70 sqm or 3.1 sqm/ unit)	36.9 sqm (1.67 sqm/unit)	<b>No</b>	Please see below for justification.
<b>Parking Requirement</b> (Section 6.16 a)	1.0 parking space per dwelling unit, plus 1.0 parking space for every two dwelling units or part thereof for visitor parking (= 33 spaces)	28 spaces	<b>No</b>	Due to the decrease in unit count, the parking ratio increases to 1.27 spaces per unit.  Please refer to the Addendum dated Nov 2021 for justification. Also to note that Council endorsed the new comprehensive zoning by-law that requires 1.25 spaces/unit for an

REGULATIONS	RM2 ZONING REQUIREMENTS	PROVIDED	COMPLIANCE	COMMENTS
				apartment use, as of July 25 <sup>th</sup> .
<b>Ingress and Egress</b> (Section 6.16(d)(i))	7.5 metre width for ingress and egress to and from the required parking spaces at the underground ramp where two-way traffic is permitted	7.0 m	<b>No</b>	No changes made through this submission. Please refer to the PJR dated April 2022 for justification.
<b>Parking Area Location</b> (Section 6.16(i))	All yards provided that no part of any parking area, other than a driveway, is located closer than 7.5 m to any street line and no closer than 3.0 m to any side lot line or rear lot line	0 m (front yard) 0 m (side yard); 1.4 m (rear yard)	<b>No</b>	No changes made through this submission. Please refer to the PJR dated April 2022 for justification.
<b>Dimension of Parking Spaces</b> (Schedule C)	Required aisle width for 2.6 m wide parking spaces is 7.6 metres	6.21 m (aisle adjacent to parking spaces #22 - 28)	<b>No</b>	No changes made through this submission. Please refer to the PJR dated April 2022 for justification.
<b>Parking spaces abutting a structure</b> (Section 6.16(j)(i))	3.0 metre width for a parking space abutting a column	2.6 m	<b>No</b>	No changes made through this submission. Please refer to the PJR dated April 2022 for justification.
<b>Width of Planting Strip</b> (Section 6.17(b))	3.0 metre planting strip	1.4 m	<b>No</b>	No changes made through this submission. Please refer to the PJR dated April 2022 for justification.

## Amenity Area

For the purposes of calculating the required amenity area, the two units removed are assumed to be two-bedroom units. The following calculations were used:

- For one bedroom units: 2.5 sqm of amenity area x 16 units = 40 sqm
- For two bedroom units: 5 sqm of amenity area x 6 units = 30 sqm
- Required amenity area: 70 sqm or 3.18 sqm/ unit)

Due to the reduction in the number of units, the minimum required amenity area has been reduced to a total of 70 sqm (approximately 3.18 sqm per dwelling unit). The total proposed amenity area is to remain (at 36.9 sqm), offering approximately 1.67 square metres per unit. This ratio has increased as a result of the reduction in 2 dwelling units.

Notably, the proposed development offers balcony spaces for the majority of the unit as a form of a private amenity area. Since the zoning requirement is for the amenity area to be in "one location for recreational use for the residents of the development", the provided balcony spaces have not been included in the amending zoning by-law calculations.

The overall reduction of minimum amenity area per unit continues to require relief and can be supported as it promotes the use of various municipal parks and open space in proximity to the Subject Lands. Reduced on-site amenity areas translates to lowered maintenance fees and an overall reduction in housing costs for future residents. The PJR submitted in May 2021 lists local parks within walkable distance from the site and has additional supporting analysis for the requested variance.

We trust the above is satisfactory, and should you require anything further or have any questions, please do not hesitate to contact the undersigned. We kindly request the application be brought forth to Council for final approval at your earliest convenience.




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**Rhea Davis, MPlan**  
Planner  
**NPG Planning Solutions Inc.**  
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E: rdavis@npgsolutions.ca




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**Aaron Butler FCIP RPP**  
Development Principal  
**NPG Planning Solutions Inc.**  
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## Appendix 1 – Draft Zoning By-law Amendment

THE CORPORATION OF THE  
TOWN OF PELHAM  
BY-LAW NO. 1136 - XX  
15 Highway 20 East - Roll No. 2732-020-003-14301

**Being a by-law to amend Zoning By-law 1136 (1987), as amended, for land located along Highway 20 East (Regional Road 20) known as 15 Highway 20 from a General Commercial (GC) zone to a Site Specific Residential Multiple 2 (RM2-XX) zone.**

**WHEREAS** Section 34 of the Planning Act, RSO 1990, as amended provides that the governing body of a municipal corporation may pass by-laws regulate the use of lands and the character, location and use of buildings and structure;

**WHEREAS** the Council of the Town of Pelham has recommended that such a by-law be enacted;

**AND WHEREAS** the Council of the Town of Pelham has deemed it to be in the public interest that such a by-law be enacted;

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF PELHAM ENACTS AS FOLLOWS:**

1. **THAT** Schedule 'A5' to Zoning By-law 1136 (1987), as amended, is further amended by the following exception:  
General Commercial (GC) to Residential Multiple 2 Site-Specific (RM2-XX) Zone
2. **THAT** Section 30 – Exceptions of By-law 1136 (1987), as amended, is further amended by the following exception:  
RM2 – XX  
Notwithstanding Section 17 of the Residential Multiple 2 (RM2) zone the following site-specific regulations shall also apply:  
**Regulations:**

(a) Minimum Lot Area	64 m <sup>2</sup> per dwelling unit
(b) Maximum Density	155 units per hectare
(c) Maximum Lot Coverage	48 percent of the lot area
(d) Minimum Interior Side Yard	0.9 m along the west lot line 4.2 m along the east lot line
(e) Minimum Landscaped Area	20 percent of lot area
(f) Maximum Building Height	14.5 m
(g) Amenity Area	A minimum landscaped amenity area of 1.5 square metres shall be provided for each dwelling unit.

Notwithstanding Section 6 of the General Provisions (RM2) zone the following site-specific regulations shall also apply:

(h) Minimum Parking Requirement	1.27 parking spaces per dwelling unit
(i) Minimum Width of Ingress and Egress	7.0 metre width for ingress and egress to and from the required parking spaces where two-way traffic is permitted
(j) Drive Aisle Width	6.20 metres
(k) Parking Area Location	0 metres from the south property line 0 metres from the west property line 1.4 metres from the north property line
(l) Width of parking space abutting a column	2.6 metres
(m) Width of planting strip	1.4 metres

3. **THAT** this By-law shall come into effect and force from and after the date of passing thereof, pursuant to Section 34 (21) and 34 (30) of the *Planning Act*, RSO 1990, as amended

**Enacted, signed and sealed this XX day of MONTH, YEAR.**

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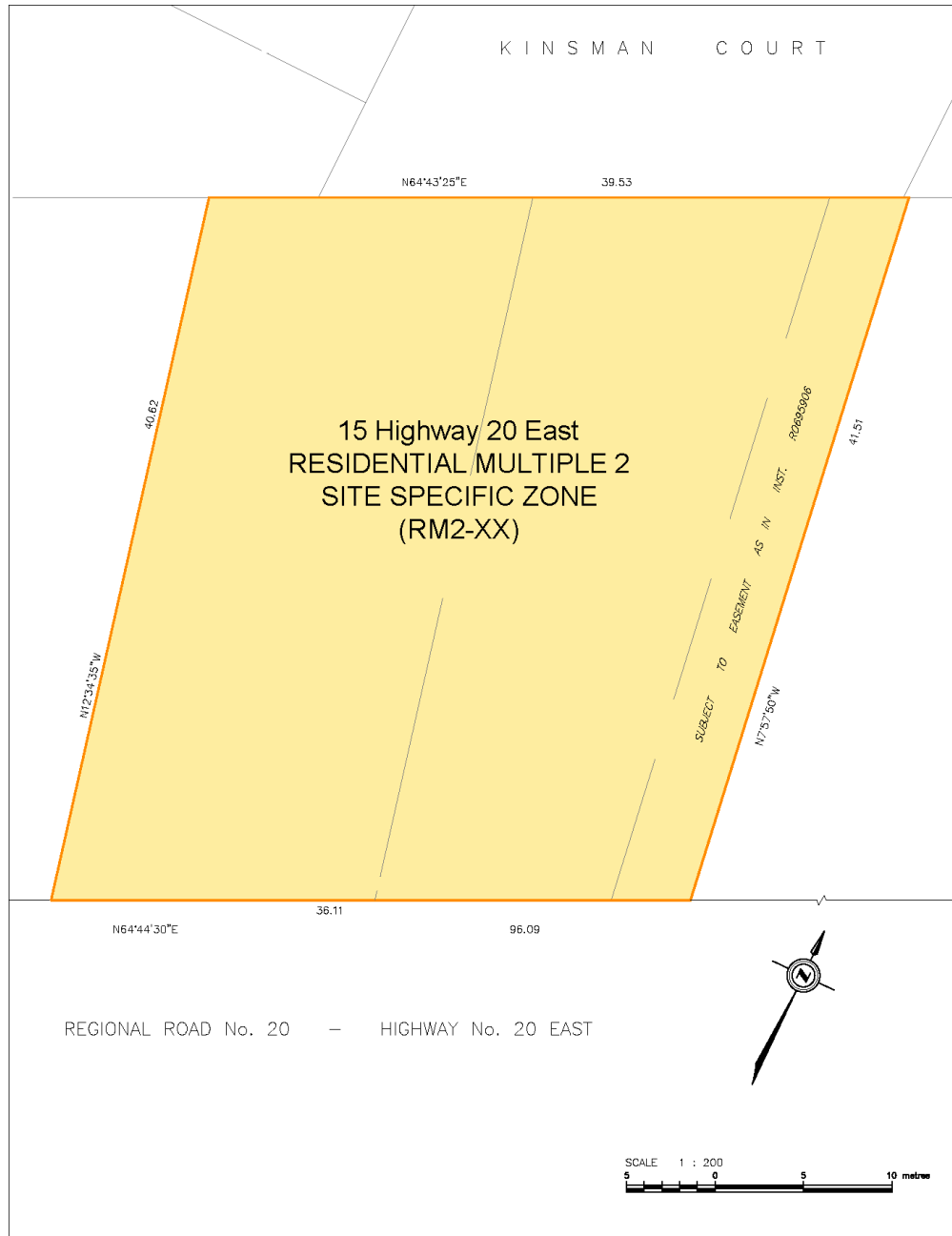
MAYOR MARVIN JUNKIN

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CLERK HOLLY WILLFORD



### SCHEDULE 1





**Community Planning & Development Department  
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**Subject: Recommendation Report for Draft Plan of Subdivision and  
Zoning By-law Amendment – Tanner Extension**

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0201 –  
Recommendation Report for Draft Plan of Subdivision and Zoning By-  
law Amendment – Tanner Extension for information as it pertains to  
File Nos. 26T19-03-2021 and AM-12-2021;**

**AND THAT Council direct Planning staff to prepare the by-law for  
approval of the Zoning By-law amendment for Council’s  
consideration;**

**AND THAT Council approve the Draft Plan of Subdivision, attached as  
Appendix A, subject to the conditions in Appendix B.**

**Executive Summary:**

The purpose of this report is to provide Council with a recommendation regarding applications for Zoning By-law Amendment and Draft Plan of Subdivision for the project known as The Tanner Extension.

**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 a 3-storey mixed use development consisting of 8 ground floor commercial units and 20 apartment units.

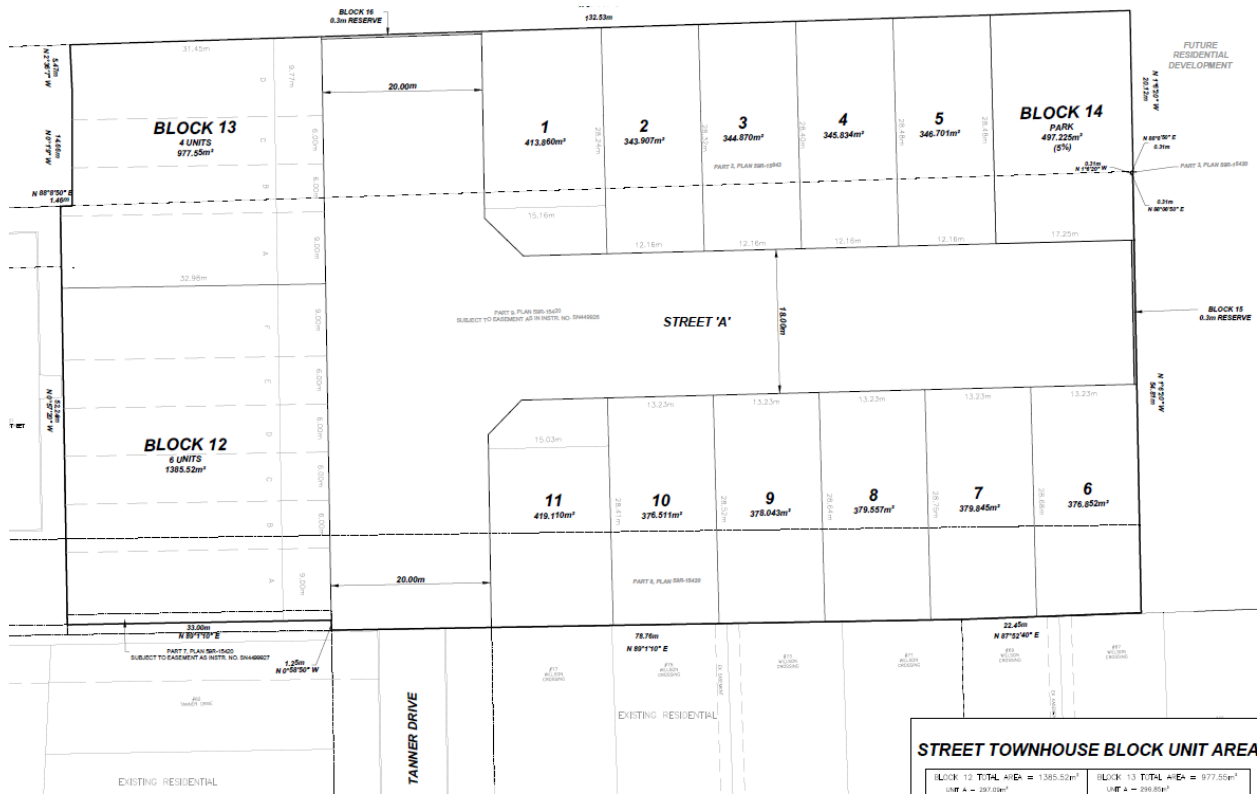
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**Project Description and Purpose:**

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). A total of 21 dwelling units are proposed.

*Figure 2: Draft Plan of Subdivision*



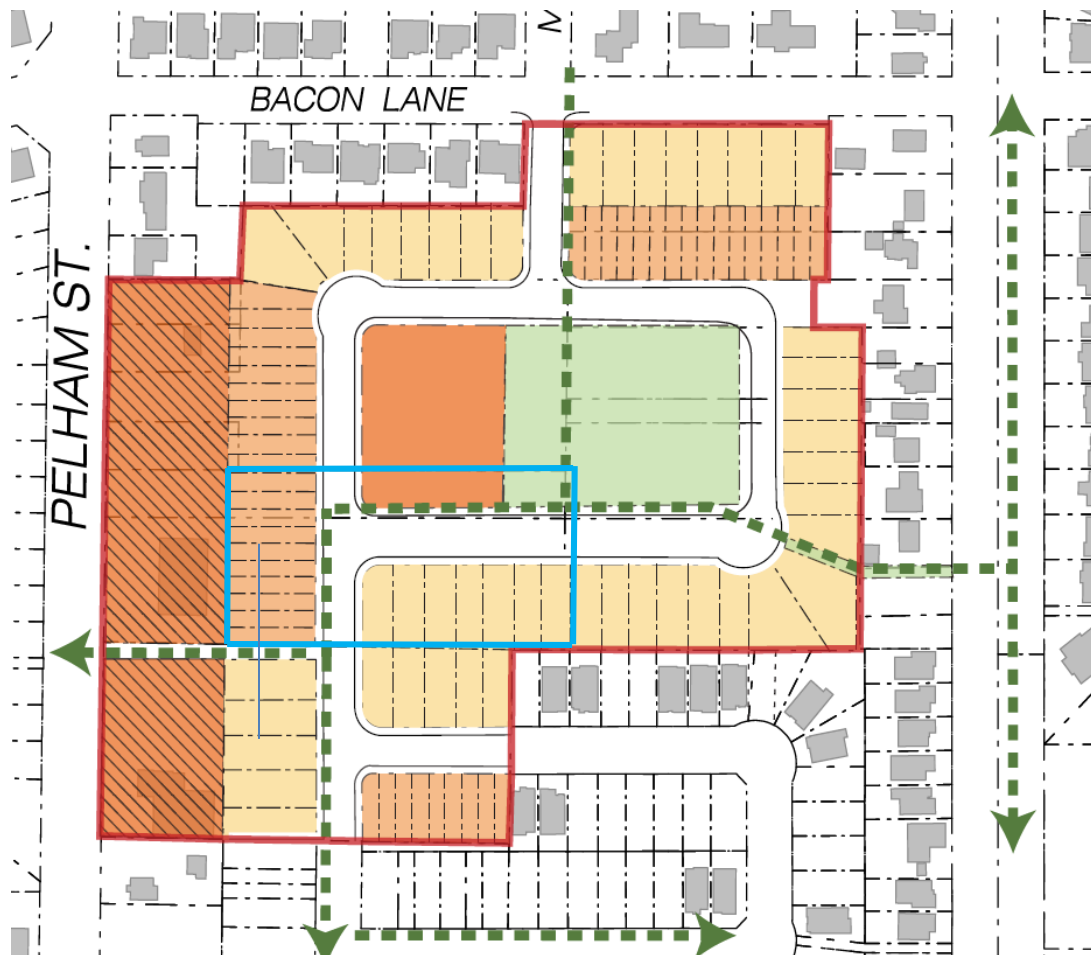
This property is part of Lot 177, which has long been identified as an area for intensification and redevelopment in Fonthill. In 2015, the Town hired the Planning Partnership to undertake a Secondary Plan for the remaining developable area in Lot 177 and make recommendations for how these lands could 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

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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.

*Figure 3: Concept E*

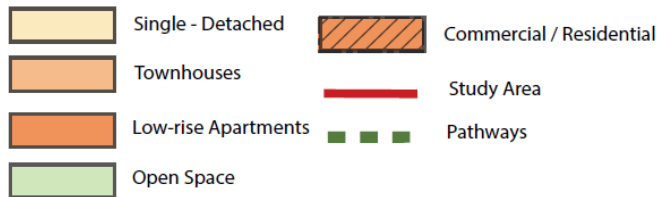




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Legend



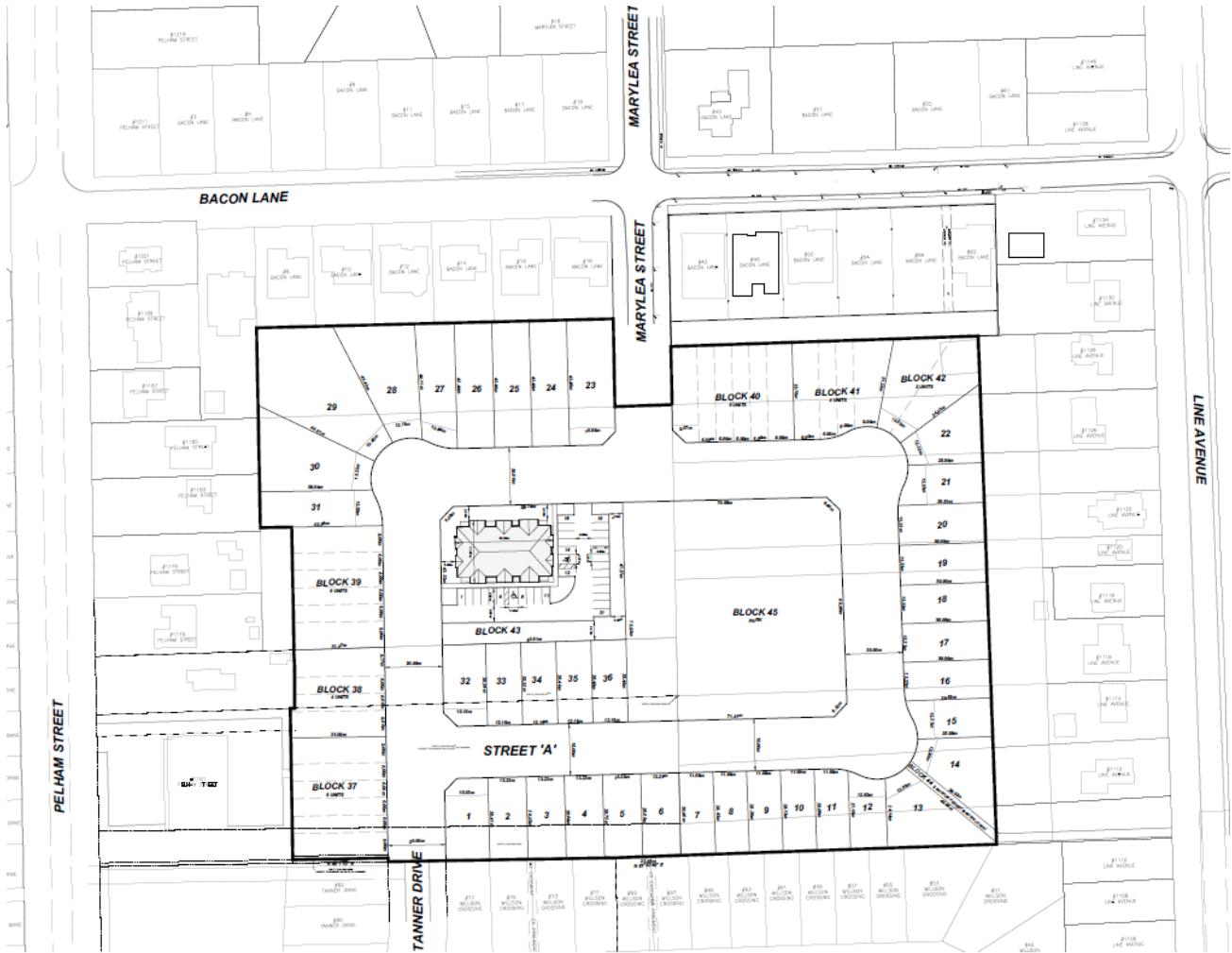
The location of the subject lands are outlined in blue on the preferred Concept E.

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

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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;
- 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*.

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Analysis of Section 51 (24) of the *Planning Act* will be provided under the Town of Pelham Official Plan analysis below.

*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.

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

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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.

The proposed draft plan of subdivision will help to facilitate a mix of housing options within the existing neighbourhood and the Settlement Area as a whole. The subdivision will facilitate intensification and redevelopment. The density of the development provides for the efficient use of land and planned/existing infrastructure that minimizes land consumption and costs of servicing. Further, the proposed subdivision will be transit and active transportation supportive. A sidewalk will be provided on one side of the streets and there are long-term plans for pedestrian connections to Pelham Street from Tanner Drive and from the future Street A to Line Avenue and the Steve Bauer Trail. There are adequate public service facilities planned, including the proposed park block (14) which will become part of a larger neighbourhood park as future development occurs. The dwellings will meet the energy efficiency requirements in the Ontario Building Code.

Based on this information, the proposed draft plan of subdivision is consistent with the Provincial Policy Statement subject to approval of the recommended conditions of draft plan approval.

***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.



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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.

The development of single detached and street townhouses on the property will intensify the Built-Up Area. The varying built form (single detached and street townhouses) will integrate well into the existing neighbourhood. It is Planning staff's opinion that the applications are consistent with the policies of the Growth Plan for the Greater Golden Horseshoe.

***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

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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 proposed development provides a mix of housing types that contribute to the creation of a complete community. The street pattern will connect to the existing neighbourhood and future developments. Active transportation is supported through the sidewalks and planned pedestrian linkages including a future connection to the Steve Bauer Trail.

Municipal servicing will be in keeping with Regional and Town servicing plans. The redevelopment of the property will result in intensification and assist the Town in meeting the 15% intensification target.

The building design will be energy efficient meeting the requirements of the Ontario Building Code. The development will be eligible for curbside Regional waste collection and the future road network has been designed to accommodate the collection vehicles. The developer will be required to provide temporary turning circles for waste collection vehicles as a condition of draft plan approval until such time that the road network is complete. The requested zoning regulations require a larger setback for the garage in an effort to deemphasizing garages.

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.

The applicant has provided an EIS which has been reviewed and accepted by the Niagara Region subject to requested conditions which have been included in Appendix B. It is noted that additional EIS work will be required on the remaining lands in Lot 177 as part of future development applications.

For the reasons above, it is Planning staff's opinion that the applications conform to the policies of the Regional Official Plan.

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*Region of Niagara Official Plan Adopted June 23, 2022*

The Region of Niagara adopted a new Official Plan on June 23, 2022 and it has been forwarded to the Province for review and approval, and approval is pending. Nevertheless, the new Region of Niagara Official Plan provides the policy guidance for future development across the Region.

The lands continue to be designated as Built-Up Area in the new Official Plan, however the intensification rates have changed from and the policy 2.2.2.5 now requires that across the Region 60% of all residential units occurring annually are to be in the Build-Up Areas and in Pelham, this translates into an annual intensification rate of 25% of new residential units are to be within the Built-Up Area. The principle objective is to increase housing choice and housing affordability across the Region to meet future housing needs.

Policy 2.2.1.1 states that development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:

- a) the intensification targets in Table 2-2 and density targets outlined in this Plan (Note Pelham's intensification target is 25%);
- b) a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;
- c) a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs.

Policy Section 2.3.1 provides the policy direction with regards to a mix a housing options and specifically policy 2.3.1.1 states that the development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life. Policy 2.3.2.3 sets that target that 20% of all new rental housing is to be affordable and 10% of all new ownership housing is to be affordable.

Policy 2.3.1.4 also provides that new residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:

- a) facilitating compact built form; and

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- b) incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.

*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.

The uses proposed in the draft plan of subdivision and zoning by-law amendment are permitted in the Urban Living Area/Built Boundary. The development will contribute to the 15% intensification target for the Town. The overall density target of 50 persons and jobs per hectare for the remaining Lot 177 development lands will be achieved through the revised development concept plan. The draft plan of subdivision proposes a unit density of 21.16 units per hectare.

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

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- d) Is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site.

In response to Policy B1.1.5, Planning staff are of the opinion that the development as proposed respects the character of adjacent residential neighbourhoods with respect to height, bulk and massing. Height, bulk and massing is expected to be consistent with what exists on Tanner Drive and Willson Crossing. Street townhouses are proposed on the extension of Tanner Drive abutting the future pedestrian walkway, an existing single detached dwelling, commercial uses and one single detached dwelling on Pelham Street. Traffic congestion is not anticipated as a result of the townhouses. The residential uses are compatible with the existing residential and commercial uses. The street network will be completed and more readily disperse traffic as future development occurs. Finally, the size of the lots for street townhouse dwellings is sufficient to incorporate parking, recreational areas, landscaping and buffering. Parking will be available in private garages, driveways and on-street where possible.

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

As indicated, the revised overall development concept for the remaining Lot 177 lands will achieve the density of 50 persons and jobs per hectare and approximately 84 units. The 200 units required by Policy B1.1.11.13 includes development that has already taken place to the south as well as the units shown on the revised development concept for the remaining lands.

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



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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.

The revised development concept plan shows single detached, semi-detached, street townhouse and apartment dwellings for a mix of dwelling unit types. The medium density development (apartment dwellings) is proposed adjacent to the future park and is not planned to exceed three 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.

Block 14 (park) is in the location originally planned for the neighbourhood park and 0.5712 ha in size. Additional land will be added to the park block as part of future development applications to achieve the desired size.

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

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willing to pay the cost of oversizing services beyond the limit of the development to a suitable outlet.

The proposed development is sequential at the south limit of property available for development.

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.

The cost of roads and servicing extensions will be borne by the developer. Temporary turnarounds will be required until such time that interconnecting roadways are available. There is no need for the Town to acquire land to accommodate the interconnecting roadways at this time.

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.

The Town will continue to partner in the coordination of development in this area.

Official Plan Policy D5.3 requires that prior to the consideration of an application for Plan of Subdivision, Council shall be satisfied that:

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- 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,
- 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.

***Analysis of Section 51(24) of the Planning Act and Policy D5.3 of the Town's Official Plan, 2014***

***Effect of Development on Matters of Provincial Interest***

Planning staff have reviewed the applications to ensure that they are consistent with the Provincial Policy Statement, 2020 and conform to applicable Provincial plans. In Planning staff's opinion, the development addresses all matters of Provincial interest outlined in Section 2 of the Planning Act.

***Whether the Proposed Subdivision is Premature or in the Public Interest***

The proposed subdivision is not premature and is in the public interest.

***Whether the Plan Conforms to the Official Plan and Adjacent Plans of Subdivision***

The draft plan of subdivision conforms to the Official Plan and the policies for Lot 177. The plan allows for connectivity to future plans of subdivision.

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***Suitability of Land for the Purposes of which it is to be Subdivided***

The subject land is a Built-up Area within Fonthill's settlement area.

The density of the development is appropriate for the neighbourhood and will meet the 50 persons and jobs per hectare density for the Lot 177 area.

There are no changes to any environmental features as a result of the current applications.

***The Number, Width, Location, Proposed Grades, Elevations of Highways, their Adequacy, and the Highways linking the Highways in the Proposed Subdivision with the Established Highway System***

The subdivision will have access from Tanner Drive which will connect with Bacon Lane in the future. The proposed street networking provides connectivity to the established highway system, adjacent development and conforms to the street patterns depicted in the development concept plans for Lot 177.

Grading and servicing will also be reviewed further and approved conditions of draft plan approval.

***Dimensions and Shapes of the Proposed Lots***

The proposed subdivision proposes regularly shaped lots that will allow the appropriate siting of the future dwellings, driveways, amenity and parking areas.

***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***

There are no restrictions on the land proposed to be subdivided or on adjoining land that would prevent development of the lands.

The development must conform to the proposed zoning by-law (as well as other municipal by-laws, where applicable).

***Conservation of Natural Resources and Flood Control***

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The proposed draft plan of subdivision will not negatively impact the conservation of natural resources or flood control. Stormwater management plans will be reviewed and approved by Public Works as part of the draft plan conditions.

***The Adequacy of Utilities and Municipal Services***

Utility companies have been circulated the applications and no comments have been received to indicate that services are not adequate.

***The Adequacy of School Sites***

The development applications were circulated to the local school boards and no comments were received to indicate that the school sites are not adequate.

***Adequacy of Parkland and Open Space, Community Facilities, and Other Amenities, as Required (D5.3)***

The proposed development includes Block 14 for park which will be increased in size as part of future development applications. Future park designs and programming will be coordinated and implemented by the Department of Recreation, Culture and Wellness.

***The Area of Lane, if any, Within the Proposed Subdivision that, Exclusive of Highway, is to be Conveyed or Dedicated for Public Purposes***

Section 51(3) of the Planning Act permits the Town, in lieu of accepting conveyed or dedicated land, to require the payment of money by the owner of the land to the value of the land (five (5) percent of the land included in the plan) otherwise to be conveyed. In this case, the developer will convey Block 14 for parkland.

***The Extent to which the Plan's Design Optimizes the Available Supply, Means of Supplying, Efficient Use and Conservation of Energy***

The design of the proposed development optimizes the available land supply and will aid in the efficient use and conservation of energy.

***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.***



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The proposed dwelling units within the draft plan of subdivision do not require site plan control.

As discussed above, it is Planning staff’s opinion that the draft plan of subdivision and requested zoning provisions conform to the policies of the Town of Pelham Official Plan.

*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 <sup>2</sup>	350m <sup>2</sup>
(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	1.2 metres

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14.2 Zone Requirement	Standard R2 Requirement	Requested R2 Requirement
	where an attached garage or carport.	
(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 <sup>2</sup> for one storey; (ii) 55 m <sup>2</sup> 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 <sup>2</sup> (2,475.78 ft <sup>2</sup> ) per dwelling unit	188 m <sup>2</sup> 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 <sup>2</sup> ; two storeys 50 m <sup>2</sup>	No change
(j) Planting Strips	1.5 metres where abutting R1 or R2 zone	Delete

*Table 3: Requested Site Specific Open Space Zone Requirements*

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

The proposed zoning change will conform to the policies of the Official Plan. The zone standards will allow for efficient residential development while respecting the needs of future residents. In Planning staff's opinion, the proposed zoning change will apply good planning principles.

**Submitted Reports:**

*Environmental Impact Study prepared by Beacon Environmental dated November 2021*

The study 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 accepted the study findings and thus agree there will be no on-site impact to the Region's Core Natural Heritage System as a result of the proposed development. Regional staff recommended 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 B.

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

The report concludes that the existing 200mm diameter watermain will have sufficient capacity to provide both domestic and fire protection water supply. The existing 200mm diameter sanitary sewer on Tanner Drive will have adequate capacity and the existing storm sewer system downstream of the proposed development has sufficient capacity for the proposed development and expected future upstream development. The site stormwater overland route will convey

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stormwater flows south on Tanner Drive to Pelham Street before ultimately outletting Draper's Creek. Stormwater quality protection will continue to be provided by the downstream Draper's Creek Stormwater Management Facility. Based on the information in the report and the accompanying calculations and Drainage Area Plans, there exists adequate municipal servicing for the development.

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

The report details the site soil and groundwater conditions and makes recommendations for site construction that will be incorporated into the detailed engineering design.

*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*

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 Record of Site Condition (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 Appendix B to require the filing of the RSC prior to final approval of the Draft Plan of Subdivision.

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

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The report indicates that the proposed development represents good planning as it is consistent with the Provincial Policy Statement, conforms to the Growth Plan, the Region of Niagara Official Plan and the Town of Pelham Official Plan. The subject Draft Plan of Subdivision and Zoning By-law Amendment applications should be supported.

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.

*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.



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*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.

All requested conditions have been included in Appendix B.

**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. A public meeting was held on July 11, 2022. One member of the public attended. 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.

*Leah Ugolini*

Opposed to two-storey dwellings backing onto the dwellings on Willson Crossing due to privacy concerns. Concerned about neighbourhood aesthetics.

*Renate Thomas*

Would like bungalows backing onto the existing dwellings on Willson Crossing. Wants nice designs and layouts for dwellings.

*Jim Shaw*

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Would like the façade of the dwellings to be in keeping with the surrounding neighborhood. Requested clarification about whether the roads will extend to Line Avenue and Bacon Lane and whether the dwellings will be bungalows.

**Staff Comments:**

Commenting agencies, departments and utilities offered no objections to the applications subject to conditions. All requested conditions of approval from agencies and utilities have been included in the recommended conditions contained in Appendix B to this report.

With respect to the comments from Brad and Donna Gautreau, the revised development Concept Plan for the remainder of the lands in Lot 177 incorporates all of the policy considerations in the Official plan and the variety of housing types, connectivity and active transportation considerations included in Concept E. The minor modifications that have been proposed will not negatively impact future development of the remainder of the lands. Block 14 will be dedicated to the Town as part of the subject applications as the first portion of the neighbourhood park. Additional lands will be added to Block 14 as part of future development applications.

Susan Turner raised concerns about the limited access to the development until future development occurs allowing the street connection to Bacon Lane. The development has been reviewed by Fire and Emergency Services and temporary turnarounds have been requested as a condition of draft plan approval to ensure that emergency vehicles can access the development. A condition that all units within the development be sprinklered has also been included in Appendix B due to the singular access at this time.

In response to the request from Leah Ugolini and Renate Thomas that the dwellings backing onto the existing dwellings on Willson Crossing be bungalows, the developer is requesting the standard height permissions in the R2 zone, which is 10.5 metres. This would allow for both bungalow and two-storey dwellings. Planning staff note that this is the same height permission as the existing dwellings on Willson Crossing. A 6 metre rear yard will be provided for the future dwellings. Planning staff have also included a condition requiring the developer to install privacy fencing along the rear lot lines where abutting the existing homes on

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Willson Crossing. In general, single detached dwellings are considered compatible with adjacent single detached dwellings, whether they are bungalow or two-storey construction. It is noted that at this time, no home builder has been chosen to construct the dwellings proposed in this subdivision so it is unknown if they will be one or two-storey dwellings, however, adverse impacts are not anticipated.

There are no urban design guidelines contained in the Official Plan with respect to Lot 177. The requested zoning regulations for the single detached dwellings require the garages to be recessed.

As a result of the discussion and analysis in this report, it is Planning staff's opinion that the proposed draft plan of subdivision and zoning by-law amendment are consistent with Provincial policy and plans, conform to the Regional and Town Official Plans and represent good planning and therefore, should be approved subject to the recommended conditions of draft plan approval contained in Appendix B.

**Alternatives:**

Council could choose not to approve the applications for draft plan of subdivision and amendment to the Zoning By-law.

Council could choose to approve the applications subject to modifications.

**Attachments:**

Appendix A Tanner Extension Draft Plan of Subdivision

Appendix B Recommended Conditions of Draft Plan Approval

**Prepared and Recommended by:**

Shannon Larocque, MCIP, RPP  
Senior Planner

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

**Reviewed and Submitted by:**



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





## APPENDIX B

### Conditions of Draft Plan Approval

#### Tanner Extension Plan of Subdivision (File No. 26T19-03-2021)

The headings inserted in these draft plan conditions are inserted for convenience only and shall not be used as a means of interpreting these draft plan conditions. The conditions of final approval and registration of the Tanner Extension Plan of Subdivision by 1170097 Ontario Inc. and 851858 Ontario Inc. (file no. 26T19-03-2021) Town of Pelham are as follows:

#### DRAFT PLAN

1. This approval applies to the Tanner Extension Draft Plan of Subdivision, Part of Lot 177, Geographic Township of Thorold, Town of Pelham, Regional Municipality of Niagara prepared by J.D. Barnes Limited dated April 14, 2022 showing:
  - 11 single detached dwelling lots
  - Blocks 12 and 13 for 10 street townhouse dwellings
  - Block 14 for park
  - Block 15-16 for 0.3 reserves
  - 0.2954 ha for the extension of Tanner Drive and Street 'A' for roadways
2. This approval is for a period of three (3) years. Approval may be extended pursuant to Section 51 (33) of the *Planning Act R.S.O. 1990, c. P.13* but no extension can be granted once the approval has lapsed. If the Developer wishes to request an extension to the approval, a written explanation on why the extension is required, together with the resolution from the Region must be submitted for Town Council's consideration, prior to the lapsing date.
3. If final approval is not given to this draft plan within three (3) years of the approval date, and no extensions have been granted, approval will lapse under Section 51 (32) of the *Planning Act R.S.O. 1990, c. P.13*.
4. It is the Developer's responsibility to fulfill the conditions of draft plan approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Town, quoting file number **26T19-03-2021** and referencing the conditions that are cleared.

#### AGREEMENTS AND FINANCIAL REQUIREMENTS

5. The Developer shall provide an electronic copy of the pre-registration plan, prepared by an Ontario Land Surveyor, and a letter to the Department of Community Planning and Development stating how all the conditions imposed have been or are to be fulfilled.

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6. The Developer shall provide an electronic copy of the lot priority plan to the Department of Community Planning and Development.
7. The Developer shall agree to pay to the Town of Pelham all required processing and administration fees.
8. The Developer shall submit a Solicitor's Certificate of Ownership for the Plan of Subdivision of land to the Department of Community Planning and Development prior to the preparation of the Subdivision Agreement.
9. That the Subdivision Agreement between the Developer and the Town of Pelham be registered by the Municipality against the lands to which it applies in accordance with the *Planning Act R.S.O. 1990, c. P.13*.
10. That the Developer shall pay the applicable Town of Pelham, Niagara Region, and Niagara District Catholic School Board development charges in place at the time of the Building Permit issuance.
11. That the Developer agrees in writing to satisfy all of the requirements, financial and otherwise, of the Town of Pelham concerning the provision of roads, daylight triangles, lot reserves, road widenings, sidewalks, fire hydrants, streetlighting, the extension and installation of services, stormwater management and drainage including the upgrading of services and the restoration of existing roads damaged during the development of the Plan of Subdivision.
12. The Developer shall install a privacy fence at the rear of lots 11 through 6 and along the south side of block 12.
13. The Developer agrees to sprinkler all units in the development per NCPA 13 to the satisfaction of the Fire Chief as required by 7.4 Single Access Routes of the Town of Pelham Municipal Engineering Design Manual.

### **LAND TRANSFERS AND EASEMENTS**

14. That the Developer agrees to deed any and all easements that may be required for access utility and drainage purposes be granted to the appropriate authorities and utilities.
15. That the Developer shall provide 0.3m wide reserves at the terminus of Tanner Drive and Street 'A' to the satisfaction of the Town of Pelham. These must be free and clear of any mortgages, liens and encumbrances.

### **ZONING**

16. That prior to final approval, the zoning by-law amendment application (File No. AM-12-21), which reflects the layout of the draft plan of subdivision has come into effect in accordance with the provisions of Section 34 of the *Planning Act R.S.O. 1990, c. P.13*.

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17. The Developer shall submit to the Department of Community Planning and Development an electronic copy of the proposed draft plan and a letter prepared by an Ontario Land Surveyor to confirm zoning compliance.
18. That the Director of Community Planning and Development be provided with a surveyor's certificate showing lot frontages and net lot area for the final Plan of Subdivision.

### **ROADS**

19. That the draft plan of subdivision be revised to include temporary turnarounds at the terminus of Tanner Drive and Street 'A' for waste collection, snow removal and emergency services to the satisfaction of the Director of Public Works, Fire Chief and the Niagara Region.
20. That all roads and laneways within the subdivision be conveyed to the Town of Pelham as public highways.
21. That Street 'A' be named to the satisfaction of the Town of Pelham.
22. That the Developer provides detailed engineering design drawings for the roads, sidewalks and street lighting facilities required to service the subject lands to the Director of Public Works and Director of Planning and Development for review and approval.
23. The Developer shall be responsible for the construction of all primary and secondary services, including sidewalks, boulevard plantings and sodding/hydroseeding.
24. That the Developer agrees to provide decorative street lighting to the satisfaction of the Director of Public Works.
25. That the Developer agrees to provide a detailed streetscape plan the satisfaction of the Director of Community Planning and Development and the Director of Public Works illustrating street trees, on-street parking and driveway entrances.
26. The Developer agrees to direct street and park lighting from poles away from existing residents and the wooded area. Fixtures shall direct light downward and not create light pollution.
27. That the Developer agrees to install sidewalk and grade and sod. All sidewalks shall be deemed to be Secondary Services and shall be completed within six (6) months of occupancy of each dwelling, except between November 15<sup>th</sup> and April 15<sup>th</sup> at which time the sidewalks must be installed as soon as possible, at the locations shown on the Plans and in accordance with the approved Subdivision Grade Control Plan or as amended by the Director of

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Public Works. The sidewalks are to be constructed in their entirety in block long sections.

28. That the Developer agrees to provide on-street parallel parking on the side of the street to the satisfaction of the Director of Public Works.
29. That prior to any construction taking place within the Town road allowance, the Developer shall obtain a Town of Pelham Temporary Works Permit. Applications must be made through the Department of Public Works.

### **MUNICIPAL SERVICES**

30. Prior to any site alteration, or final approval, the Developer shall submit all supporting materials and engineering design, prepared by a qualified professional, as required by the Town or any applicable authority, and shall agree to implement the recommendations of the reports, studies and plans to the satisfaction of the Director of Public Works, and any other applicable authority.
31. That a Servicing Study Report indicating that the accepting servicing infrastructure (storm sewers, sanitary sewers, and water mains) can accommodate the additional flows and adequate fire flows are provided to the development be submitted to the Town of Pelham for review and to the satisfaction of the Director of Public Works and the Fire Chief.
32. That the Developer will provide the Town of Pelham with the proposed site servicing plans for the subject property. The Director of Public Works shall approve the plans prior to final approval of the subdivision.
33. That the Developer submit to the Town of Pelham for review and approval by the Director of Public Works a Geotechnical Study, prepared by a qualified engineer, that verifies the soil bearing capacity, recommends appropriate sewer pipe design, pipe bedding, backfill and roadway designs.
34. That the design of all Municipal and public utility services for the Subdivision be coordinated with adjacent development.
35. That the design drawings for the sanitary sewer and stormwater drainage systems to service this development be submitted to the Regional Public Works Department for review and approval. (Note: Any stormwater management facility that may be proposed for this development would require the direct approval of the Ministry of the Environment, Toronto). The Town of Pelham is responsible for the review and approval of watermains under the MOE Water License Program.
36. That prior to registration of this plan, the Developer must obtain Environmental Compliance Approval from the Ministry of Environment, Conservation and Parks for sewer and storm water management works needed to service the proposed

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development. Prior to installing the watermain to service the proposed development, the Developer must submit Ministry of Environment 'Form 1' Record of Watermain.

37. At the end of the project, the design engineer shall certify that all grading, storm sewers, and stormwater management controls have been constructed in general conformity to the approved drawings. Copies of the certification shall be circulated to the Town of Pelham and the Regional Municipality of Niagara.
38. That all foundation drainage be directed to a sump pump in each house discharging via storm laterals. Foundation drains will not be connected to the sanitary sewer system.
39. Roof water drainage from any structure or building shall be directed via downspouts discharging via splash pads (concrete or other suitable material) to grass surfaces. These splash pads shall extend a distance at least 1.2 metres away from the structure and must direct the flow away from the building, not onto walks or driveways, and not towards adjacent property.

### **STORMWATER MANAGEMENT, GRADING AND SEDIMENT AND EROSION CONTROL**

40. That the subdivision agreement between the Developer and the Town of Pelham contain provisions whereby the Developer agrees to implement the approved stormwater management plan required in accordance with Condition 32.
41. That the Developer prepare a detailed subdivision grade control plan showing both existing and proposed grades and the means whereby major storm flows will be accommodated across the site to be submitted to the Town of Pelham and Regional Municipality of Niagara Development Services Division for review and approval.
42. That prior to approval of the final plan or any on-site grading, the Developer submit to the Town of Pelham for review and approval two copies of a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment documents entitled "Stormwater Management Planning and Design Manual (March 2003)" and "Stormwater Quality Guidelines for New Development (May 1991)", and in accordance with the Town of Pelham's Lot Grading and Drainage Policy, and the Town of Pelham's Stormwater Management Facility Standards:
  - a) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site; and,
  - b) Detailed sediment and erosion control plans.



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### **PUBLIC PARK**

43. That the Developer shall convey land for park purposes (Block 14) as permitted in Section 51.1 of the *Planning Act R.S.O. 1990, c. P.13* or alternatively, the Town may accept cash-in-lieu of the conveyance and under the provisions of Section 51.1 (3) of the *Planning Act R.S.O. 1990, c. P.13* and pursuant to the Town Parkland Dedication By-law 3621(2015).

### **UTILITIES**

44. 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.

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

46. That the Developer shall co-ordinate the preparation of an overall utility distribution plan to the satisfaction of all affected authorities.

47. That the Developer shall enter into any agreement as required by utility companies for installation of services, including street lighting, all in accordance with the standards of the Town of Pelham. All utilities servicing the subdivision shall be underground. Upon installation and acceptance by the Town, streetlights and streetlight electrical supply system will be added to the Town's inventory.

### **CANADA POST**

48. The Developer shall include on all offers of purchase and sale, a statement that advises the prospective purchaser that:

- i) the home/business mail delivery will be from a designated Central Mail Box;
- ii) the developer/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.

49. The Developer 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;

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- 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.

### **NIAGARA REGION PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**

50. 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.

51. 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.

52. 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.

53. 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.

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54. 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.
55. 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.
56. That in order to accommodate Regional waste collection services, the owner is required to submit engineering plans for review and approval.
57. 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.
58. 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**

#### **FINAL APPROVAL**

57. Subject to the conditions set forth herein, this Draft Plan is approved under Section 51 (31) of the *Planning Act R.S.O. 1990, c. P.13*. Final approval shall be granted by the Town.

#### **CLEARANCE OF CONDITIONS**

Prior to granting final plan approval, the Department of Community Planning and Development requires written notice from applicable Town Departments and the following agencies indicating that their respective conditions

Town Department of Community Planning and Development for Conditions 5-18 (Inclusive), 25 and 43

Town Department of Public Works for Conditions 19- 42 (Inclusive) and 46-47

Bell Canada for Condition 44

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Enbridge for Condition 45

Canada Post for 48-49 (Inclusive)

Niagara Region Planning and Development Services Department for Conditions 50-58 (Inclusive)



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

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-197 – Recommendation for Applications for Draft Plan of Subdivision & Zoning By-Law Amendment – Park Place West, for information;**

**AND THAT Council directs Planning staff to prepare the by-law for approval of the Zoning By-law amendment for Council’s consideration;**

**AND THAT Council approves the Draft Plan of Subdivision, attached as Appendix A, subject to the conditions in Appendix B.**

**Executive Summary:**

The purpose of this report is to provide Council with a recommendation regarding applications for Zoning By-law Amendment and Draft Plan of Subdivision for Park Place West.

**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.



*Figure 1: 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.

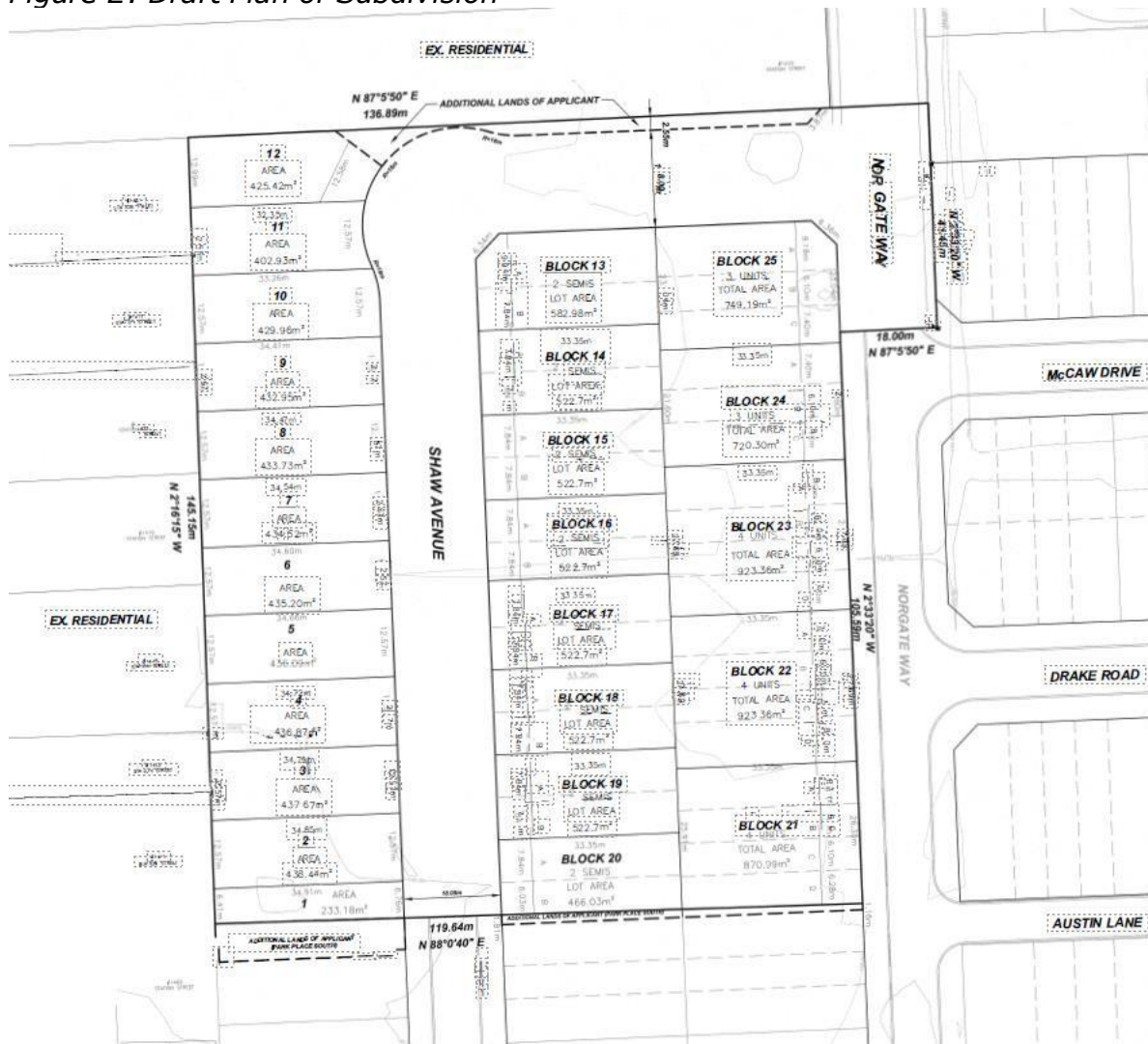
The draft plan of subdivision proposes 12 lots for single detached dwellings, 8 blocks for 16 semi-detached dwellings, 5 blocks for 18 street townhouse dwellings and 0.4595 hectares for future roadway (Figure 2). A total of 46 dwelling units is

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

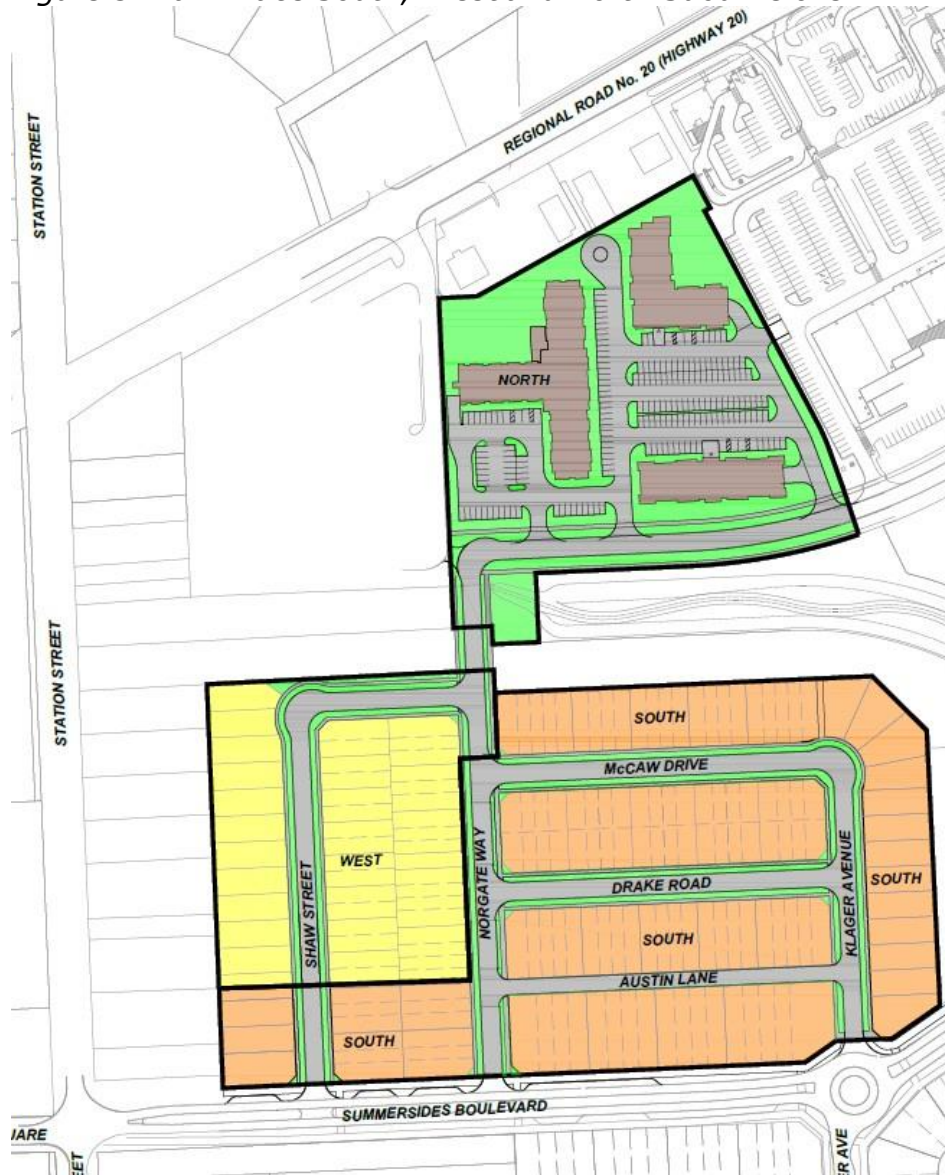
*Figure 2: Draft Plan of Subdivision*



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



**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

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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;
- 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*.

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Analysis of Section 51 (24) of the *Planning Act* will be provided under the Town of Pelham Official Plan analysis below.

*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.

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,



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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.

The proposed draft plan of subdivision will help to facilitate a mix of housing options (single detached, semi-detached and street townhouse dwellings) in the East Fonthill neighbourhood and within the Settlement Area as a whole. The density of the development provides for the efficient use of land and planned/existing infrastructure that minimizes land consumption and costs of servicing. Further, the redevelopment of the property for residential dwellings will be transit and active transportation supportive due to the location along existing transit routes and will be well served by sidewalks and bike lanes. There are adequate public service facilities, including a planned neighbourhood park east of the property. The Community Centre, schools, library and neighbourhood retail opportunities are also located within a short distance.

Based on this information, the proposed draft plan of subdivision and zoning by-law amendments are consistent with the Provincial Policy Statement subject to approval of the recommended conditions of draft plan approval.

***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

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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.

The proposed sidewalks and planned bike infrastructure on Norgate Way will provide connectivity to future neighbourhood parks, bike lanes and off-road trails. The development can be served by existing transit systems. The development of additional single detached, semi-detached and street townhouse dwellings on the property will intensify the Built-Up Area from the current single detached residential uses. The varying built form (single detached, semi-detached and street townhouses) will support the formation of a vibrant neighbourhood and contribute to housing choice. Adherence to the East Fonthill Urban Design Guidelines will assist in the creation of high quality residential construction. The proposed draft plan of subdivision has a density of approximately 70 persons and jobs per gross hectare ensuring that the overall 50 jobs and persons per hectare density is achieved. It is Planning staff's opinion that the applications are consistent with the policies of the Growth Plan for the Greater Golden Horseshoe.

***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

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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 street pattern will connect to existing and future neighbourhoods. Active transportation is supported through the sidewalks and streets in a modified grid pattern as well as inclusion of bike infrastructure along Summersides Boulevard and Norgate Way. These items provide access to the park and multi-use trail.

Municipal servicing will be in keeping with Regional and Town servicing plans. The property contained single detached dwellings and its redevelopment will result in intensification and assist the Town in meeting the 15% intensification target.

The building design will be energy efficient meeting the requirements of the Ontario Building Code. The development will be eligible for curbside Regional waste collection and the road network has been designed to accommodate the collection vehicles. The future building designs will be required to conform to the urban design guidelines for East Fonhill which encourage deemphasizing garages. For these reasons, it is Planning staff's opinion that the applications conform to the policies of the Regional Official Plan.

*Region of Niagara Official Plan Adopted June 23, 2022*

The Region of Niagara adopted a new Official Plan on June 23, 2022 and it has been forwarded to the Province for review and approval, and approval is pending. Nevertheless, the new Region of Niagara Official Plan provides the policy guidance for future development across the Region.

The lands continue to be designated as Built-Up Area in the new Official Plan, however the intensification rates have changed from and the policy 2.2.2.5 now requires that across the Region 60% of all residential units occurring annually are to be in the Build-Up Areas and in Pelham, this translates into an annual intensification rate of

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25% of new residential units are to be within the Built-Up Area. The principle objective is to increase housing choice and housing affordability across the Region to meet future housing needs.

Policy 2.2.1.1 states that development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:

- a) the intensification targets in Table 2-2 and density targets outlined in this Plan (Note Pelham's intensification target is 25%);
- b) a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;
- c) a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs.

Policy Section 2.3.1 provides the policy direction with regards to a mix a housing options and specifically policy 2.3.1.1 states that the development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life. Policy 2.3.2.3 sets that target that 20% of all new rental housing is to be affordable and 10% of all new ownership housing is to be affordable.

Policy 2.3.1.4 also provides that new residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:

- a) facilitating compact built form; and
- b) incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.

***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

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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.

The uses proposed in the draft plan of subdivision and zoning by-law amendment are permitted in the EF-Low Density Residential designation. The townhouses will constitute less than 60% of the total units in the subdivision at 39%.

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 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 single detached dwellings will be developed at a density of 24.1 units per hectare, semi-detached dwellings at 38 units per hectare and the street townhouse dwellings at 42.9 units per hectare. No buildings are proposed to exceed the lesser of 3 storeys or 10.5 metres.

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.

The draft plan of subdivision proposes a density of 70 persons and jobs per hectare which achieves the minimum gross density requirement.

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:



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- 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.

In response to Policy B1.1.5, Planning staff are of the opinion that the development as proposed respects the character of adjacent residential neighbourhoods with respect to height, bulk and massing. All development will have to be consistent with the Urban Design Guidelines which will ensure that these items are considered in the design. The draft plan of subdivision proposes single detached dwellings abutting the existing residential uses on Station Street which are primarily single detached dwellings. The future residential development of this property was considered during the preparation of the East Fonthill Secondary Plan and supporting studies including traffic. Traffic congestion is not anticipated as a result of the development. Finally, the size of the property for street townhouse dwellings is sufficient to incorporate parking, recreational areas, landscaping and buffering.

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 these 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,

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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.

***Analysis of Section 51(24) of the Planning Act and Policy D5.3 of the Town's Official Plan, 2014***

***Effect of Development on Matters of Provincial Interest***

Planning staff have reviewed the applications to ensure that they are consistent with the Provincial Policy Statement, 2020 and conform to applicable Provincial plans. In Planning staff's opinion, the development addresses all matters of Provincial interest outlined in Section 2 of the Planning Act.

***Whether the Proposed Subdivision is Premature or in the Public Interest***

The proposed subdivision is not premature and is in the public interest.

***Whether the Plan Conforms to the Official Plan and Adjacent Plans of Subdivision***

The draft plan of subdivision conforms to the Official Plan and the East Fonthill Secondary Plan. The plan allows for connectivity to future plans of subdivision.

***Suitability of Land for the Purposes of which it is to be Subdivided***

The subject land is a Built-up Area within Fonthill's settlement area.

The density of the development is appropriate for the East Fonthill Secondary Plan – Neighbourhood 1 and lands designated EF – Low Density.

There are no changes to any environmental features as a result of the current applications.

***The Number, Width, Location, Proposed Grades, Elevations of Highways, their Adequacy, and the Highways linking the Highways in the Proposed Subdivision with the Established Highway System***

The subdivision will have access from Shaw Avenue and Norgate Way which will connect with Meridian Way and Summersides Boulevard in the future. The proposed

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street networking provides connectivity to the established highway system, adjacent development and generally conforms to the street patterns depicted in the East Fonthill Demonstration Plans.

Grading and servicing will also be reviewed further and approved conditions of draft plan approval.

***Dimensions and Shapes of the Proposed Lots***

The proposed subdivision proposes regularly shaped lots that will allow the appropriate siting of the future dwellings, driveways, amenity and parking areas.

***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***

There are no restrictions on the land proposed to be subdivided or on adjoining land.

The development must conform to the proposed zoning by-law (as well as other municipal by-laws, where applicable).

***Conservation of Natural Resources and Flood Control***

The proposed draft plan of subdivision will not negatively impact the conservation of natural resources or flood control. Stormwater management plans will be reviewed and approved by Public Works as part of the draft plan conditions.

***The Adequacy of Utilities and Municipal Services***

Utility companies have been circulated the applications and no comments have been received to indicate that services are not adequate.

***The Adequacy of School Sites***

The development applications were circulated to the local school boards and no comments were received to indicate that the school sites are not adequate.

***Adequacy of Parkland and Open Space, Community Facilities, and Other Amenities, as Required (D5.3)***

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The proposed development is located in close proximity to the future neighbourhood park to the east which will be easily accessible to the development. Future park designs and programming will be coordinated and implemented by the Department of Recreation, Culture and Wellness. The Community Centre is also located near the proposed development.

***The Area of Lane, if any, Within the Proposed Subdivision that, Exclusive of Highway, is to be Conveyed or Dedicated for Public Purposes***

Section 51(3) of the Planning Act permits the Town, in lieu of accepting conveyed or dedicated land, to require the payment of money by the owner of the land to the value of the land (five (5) percent of the land included in the plan) otherwise to be conveyed. The Town will require the developer to pay parkland dedication fees at the time of building permit.

***The Extent to which the Plan's Design Optimizes the Available Supply, Means of Supplying, Efficient Use and Conservation of Energy***

The design of the proposed development optimizes the available land supply and will aid in the efficient use and conservation of energy.

***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.***

The proposed dwelling units within the draft plan of subdivision do not require site plan control.

In Planning staff's opinion, the proposed draft plan of subdivision and zoning by-law amendment will conform to Section 51 (24) of the Planning Act and Policy D.5.3 of the Town's Official Plan, 2014.

As discussed above, it is Planning staff's opinion that the draft plan of subdivision and requested zoning provisions conform to the policies of the Town of Pelham Official Plan.

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***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 <sup>2</sup>	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



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14.2 R2 Zone Requirements	Standard R2 Regulation	Requested Site-Specific R2 Regulation
(i) Minimum Ground Floor Area	(i) one storey 93 m <sup>2</sup> ; (ii) two storeys 55 m <sup>2</sup>	(i) one storey 88m <sup>2</sup> ; (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 <sup>2</sup> 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 <sup>2</sup>	No change

*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 <sup>2</sup> per dwelling unit	170 m <sup>2</sup> 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

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16.3 Zone Requirements for Street Townhouses	Standard RM1 Requirement	Requested RM1 Requirement
(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 <sup>2</sup> ; two storeys 50 m <sup>2</sup>	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 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 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.

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6.0 General Provisions	Standard General Provisions	Requested General Provisions
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.

The proposed zoning change will conform to the policies of the Official Plan. The zone standards will allow for efficient residential development while respecting the needs of future residents. In Planning staff’s opinion, the proposed zoning change will apply good planning principles.

**Submitted Reports:**

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

The report concludes that the Park Place West development is an appropriate intensification proposal that represents an efficient, well-designed development with access to full municipal services. The proposal is consistent with the Provincial Policy Statement and conforms to applicable Provincial Plans and policies of the Region of Niagara Official Plan and Town of Pelham Official Plans. The application proposes compatible and appropriate development for the subject lands, represents

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good planning and should be supported.

*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*

The assessments indicate that no further cultural heritage value and interest for the properties exist and therefore further Stage 4 mitigation of the site is not warranted. The Ministry of Heritage, Sport, Tourism and Culture Industries provided a letter accepting the findings of the assessments. The Niagara Region has recommended conditions of draft plan approval with respect to archaeological warning clauses.

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

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 B.

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

The report indicates that the existing watermains will be extended from Summersides Boulevard to service the development. The sanitary sewer has capacity to service the development and the stormwater management facility and downstream infrastructure will be able to accommodate stormwater flows.

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

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**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.

All requested conditions of draft plan approval from commenting agencies and Town departments have been included in the recommended conditions in Appendix B.

**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. A public meeting was held on July 11, 2022. No members of the public attended the public meeting. The following written comments have been received at the time of writing of this report:

*Hummel Properties Inc.*

Supportive of the applications on the basis that they provide additional housing types, respect approved road networks and are good planning.

*Bill Heska*

Asked questions about parking, the road network and where future residents would have access to parkland.



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**Staff Comments:**

Commenting agencies, departments and utilities offered no objections to the applications subject to conditions. All requested conditions of approval from agencies and utilities have been included in the recommended conditions contained in Appendix B to this report.

With respect to the questions asked by Bill Heska, Planning staff advise that future residents will park in their own driveways and garages which can accommodate some visitors (driveways) also. On-street parking will also be permitted in the development. Shaw Street will be a local road with an 18 m right of way. No difficulty is expected for the occasional use of delivery trucks, emergency services, etc. The development can be accessed by the future Shaw Avenue and Norgate Way from Summersides Boulevard. There is a large public park planned north and east of Park Place South which will be walkable and in close proximity to Park Place West. All units will also have private amenity space (rear and front yards).

A Councillor raised concerns about the lot size and frontage for the proposed semi-detached dwellings being inadequate to allow a sufficiently sized living space. The applicant provided some preliminary elevation and floor plans for these units, which demonstrate approximately 1750 ft<sup>2</sup> of living space above grade including 3 bedrooms is proposed for each semi-detached unit (Appendix C). It is also noted that the zone requirements for semi-detached dwelling units in the current zoning by-law are for two units whereas, the proposed zoning requirements is for one unit, which is also a reason why it appears that the zone requests seem considerably different, i.e. the current lot frontage requirement is 19m for two units which would translate in a lot frontage of 9.5m for each and what is proposed is a lot frontage requirement of 7.8 a difference of 1.7m for each unit, as an example.

In light of the above analysis, it is Planning staff's opinion that the proposed draft plan of subdivision and zoning by-law amendment are consistent with Provincial policy and plans, conform to the Regional and Town Official Plans and represent good planning and therefore, should be approved subject to the recommended conditions of draft plan approval contained in Appendix B.



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**Alternatives:**

Council could choose not to approve the applications for draft plan of subdivision and amendment to the Zoning By-law.

Council could choose to approve the applications subject to modifications.

**Attachments:**

- Appendix A            Park Place West Draft Plan of Subdivision
- Appendix B            Recommended Conditions of Draft Plan Approval
- Appendix C            Preliminary Plans for Semi-Detached Units

**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



# PARK PLACE WEST

## TOWN OF PELHAM



KEY PLAN  
N.T.S.

### DRAFT PLAN OF SUBDIVISION

#### LEGAL DESCRIPTION

PART OF LOTS 6, 7, 8, AND 11,  
PLAN NO. 717,  
TOWN OF PELHAM,  
REGIONAL MUNICIPALITY OF NIAGARA.

#### OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY AUTHORIZE UPPER CANADA CONSULTANTS TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF PELHAM FOR APPROVAL.

MOUNTAINVIEW HOMES (NIAGARA) LTD. FEBRUARY 9, 2022  
DATE

#### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED ARE CORRECTLY SHOWN.

*[Signature]* *[Signature]*  
DRAFT PAGE 045  
J.D. BARNES LIMITED DATE

#### LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE-DETACHED RESIDENTIAL	LOTS 1-12	12	0.4874	27
SEMS	BLOCK 13-20	18	0.4185	23
TOWNS	BLOCK 21-25	18	0.4185	23
R.O.W.			0.4895	25
ADDITIONAL LANDS OF APPLICANT			0.0218	2
TOTAL		46	1.8168	100.00

DEVELOPABLE AREA = 1.8168ha  
DEVELOPABLE DENSITY = 25.31 units/ha

### REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

- |             |                    |                 |
|-------------|--------------------|-----------------|
| a) SEE PLAN | g) SEE PLAN        | i) SILTY SAND   |
| b) SEE PLAN | h) SEE PLAN        | j) SEE PLAN     |
| c) SEE PLAN | i) SEE PLAN        | k) FULL SERVICE |
| d) SEE PLAN | h) MUNICIPAL WATER | l) SEE PLAN     |



UPPER CANADA  
CONSULTANTS  
ENGINEERS / PLANNERS

DRAWING TITLE M.K./A.V.

DRAFT PLAN OF  
SUBDIVISION

DWG No. 1890-DP 0

#### SEMI-DETACHED BLOCK UNIT AREA

BLOCK 13 TOTAL AREA = 582.98m <sup>2</sup> UNIT A = 321.65m <sup>2</sup> B = 261.37m <sup>2</sup>	BLOCK 17 TOTAL AREA = 522.7 <sup>2</sup> UNIT A = 261.37m <sup>2</sup> B = 261.37m <sup>2</sup>
BLOCK 14 TOTAL AREA = 522.7m <sup>2</sup> UNIT A = 261.37m <sup>2</sup> B = 261.37m <sup>2</sup>	BLOCK 18 TOTAL AREA = 522.7m <sup>2</sup> UNIT A = 261.37m <sup>2</sup> B = 261.37m <sup>2</sup>
BLOCK 15 TOTAL AREA = 522.7m <sup>2</sup> UNIT A = 261.37m <sup>2</sup> B = 261.37m <sup>2</sup>	BLOCK 19 TOTAL AREA = 522.7m <sup>2</sup> UNIT A = 261.37m <sup>2</sup> B = 261.37m <sup>2</sup>
BLOCK 16 TOTAL AREA = 522.7m <sup>2</sup> UNIT A = 261.37m <sup>2</sup> B = 261.37m <sup>2</sup>	BLOCK 20 TOTAL AREA = 486.03m <sup>2</sup> UNIT A = 261.37m <sup>2</sup> B = 224.66m <sup>2</sup>

#### STREET TOWNHOUSE BLOCK UNIT AREA

BLOCK 21 TOTAL AREA = 870.99m <sup>2</sup> A - 270.05m <sup>2</sup> B - 203.30m <sup>2</sup> C - 203.30m <sup>2</sup> D - 206.40m <sup>2</sup>	BLOCK 24 TOTAL AREA = 720.30m <sup>2</sup> UNIT A = 246.79m <sup>2</sup> B = 203.30m <sup>2</sup> C = 270.05m <sup>2</sup>
BLOCK 22 TOTAL AREA = 923.36m <sup>2</sup> UNIT A = 246.79m <sup>2</sup> B = 203.30m <sup>2</sup> C = 203.30m <sup>2</sup> D = 270.05m <sup>2</sup>	BLOCK 25 TOTAL AREA = 749.19m <sup>2</sup> UNIT A = 286.02m <sup>2</sup> B = 203.30m <sup>2</sup> C = 246.79m <sup>2</sup>
BLOCK 23 TOTAL AREA = 923.36m <sup>2</sup> UNIT A = 270.05m <sup>2</sup> B = 203.29m <sup>2</sup> C = 203.30m <sup>2</sup> D = 246.79m <sup>2</sup>	



## APPENDIX B

### Conditions of Draft Plan Approval

#### Park Place West Plan of Subdivision (File No. 26T19-01-2022)

The headings inserted in these draft plan conditions are inserted for convenience only and shall not be used as a means of interpreting these draft plan conditions. The conditions of final approval and registration of the Park West Plan of Subdivision by Mountainview Homes (Niagara) Ltd. (file no. 26T19-01-2022) Town of Pelham are as follows:

#### DRAFT PLAN

1. This approval applies to the Park Place West Draft Plan of Subdivision, Part of Lots 5,6,7, 8, 9 & 11, Registered Plan 717; Town of Pelham, Regional Municipality of Niagara prepared by J.D Barnes Ltd. dated March 3, 2022 showing:
  - 12 single detached dwelling lots
  - Blocks 13-20 for 16 semi-detached dwellings
  - Blocks 21-25 for 18 street townhouses
  - 0.4595 ha for right of way
  - 0.0218 ha other lands owned by applicant
2. This approval is for a period of three (3) years. Approval may be extended pursuant to Section 51 (33) of the *Planning Act R.S.O. 1990, c. P.13* but no extension can be granted once the approval has lapsed. If the Developer wishes to request an extension to the approval, a written explanation on why the extension is required, together with the resolution from the Region must be submitted for Town Council's consideration, prior to the lapsing date.
3. If final approval is not given to this draft plan within three (3) years of the approval date, and no extensions have been granted, approval will lapse under Section 51 (32) of the *Planning Act R.S.O. 1990, c. P.13*.
4. It is the Developer's responsibility to fulfill the conditions of draft plan approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Town, quoting file number **26T19-01-2022** and referencing the conditions that are cleared.

#### AGREEMENTS AND FINANCIAL REQUIREMENTS

5. The Developer shall provide an electronic copy of the pre-registration plan, prepared by an Ontario Land Surveyor, and a letter to the Department of Community Planning and Development stating how all the conditions imposed have been or are to be fulfilled.

## **APPENDIX B**

6. The Developer shall provide an electronic copy of the lot priority plan to the Department of Community Planning and Development.
7. The Developer shall agree to pay to the Town of Pelham all required processing and administration fees.
8. The Developer shall submit a Solicitor's Certificate of Ownership for the Plan of Subdivision of land to the Department of Community Planning and Development prior to the preparation of the Subdivision Agreement.
9. That the Subdivision Agreement between the Developer and the Town of Pelham be registered by the Municipality against the lands to which it applies in accordance with the *Planning Act R.S.O. 1990, c. P.13*.
10. That the Developer shall pay the applicable Town of Pelham, Niagara Region, and Niagara District Catholic School Board development charges in place at the time of the Building Permit issuance.
11. That the Developer agrees in writing to satisfy all of the requirements, financial and otherwise, of the Town of Pelham concerning the provision of roads, daylight triangles, lot reserves, road widenings, sidewalks, fire hydrants, streetlighting, the extension and installation of services, stormwater management and drainage including the upgrading of services and the restoration of existing roads damaged during the development of the Plan of Subdivision.
12. That the Developer agrees to pay their proportionate share of the costs associated with the establishment of the Singers Corner Municipal Drain.
13. That the Developer will not negatively impact trees on neighbouring properties.
14. That the Developer agrees to pay the required cost allocation for oversizing of the Storm Water Facility and Storm Sewer.

### **LAND TRANSFERS AND EASEMENTS**

15. That the Developer agrees to deed any and all easements that may be required for access utility and drainage purposes be granted to the appropriate authorities and utilities.
16. That the Developer shall provide the following 0.3m wide reserves to the Town of Pelham as needed. These must be free and clear of any mortgages, liens and encumbrances.

### **ZONING**



## APPENDIX B

17. That prior to final approval, the zoning by-law amendment application (File No. AM-02-22), which reflects the layout of the draft plan of subdivision has come into effect in accordance with the provisions of Section 34 of the *Planning Act R.S.O. 1990, c. P.13*.
18. The Developer agrees to include remnant lands in Park Place South subdivision noted as "additional lands of applicant (Park Place South)" on the draft plan of subdivision in the final subdivision plan to ensure zoning compliance for Lot 1, Blocks 20 and 21.
19. The Developer shall submit to the Department of Community Planning and Development an electronic copy of the proposed draft plan and a letter prepared by an Ontario Land Surveyor to confirm zoning compliance.
20. That the Director of Community Planning and Development be provided with a surveyor's certificate showing lot frontages and net lot area for the final Plan of Subdivision.

### ROADS

21. That all roads and laneways within the subdivision be conveyed to the Town of Pelham as public highways.
22. That the streets be named to the satisfaction of the Town of Pelham.
23. That the Developer provides detailed engineering design drawings for the roads, sidewalks and street lighting facilities required to service the subject lands in accordance with the East Fonthill Secondary Plan Area Urban Design Guidelines to the Director of Public Works for review and approval.
24. The Developer shall be responsible for the construction of all primary and secondary services, including sidewalks, boulevard plantings and sodding/hydroseeding, in accordance with the policies of the East Fonthill Secondary Plan Area Urban Design Guidelines.
25. That the Developer agrees to provide decorative street lighting to the satisfaction of the Director of Public Works.
26. That the Developer agrees to provide a detailed streetscape plan in accordance with the East Fonthill Secondary Plan Area Urban Design Guidelines to the satisfaction of the Director of Community Planning and Development and the Director of Public Works illustrating street trees, on-street parking and driveway entrances.
27. That the Developer agrees to install sidewalk and grade and sod boulevards in accordance with the requirements of the East Fonthill Secondary Plan Area Urban Design Guidelines. All sidewalks shall be deemed to be Secondary Services and shall be completed within six (6) months of occupancy of each

## **APPENDIX B**

dwelling, except between November 15<sup>th</sup> and April 15<sup>th</sup> at which time the sidewalks must be installed as soon as possible, at the locations shown on the Plans and in accordance with the approved Subdivision Grade Control Plan or as amended by the Director of Public Works. The sidewalks are to be constructed in their entirety in block long sections.

28. That the Developer agrees to provide curb side parking in accordance with the East Fonthill Secondary Plan Area Urban Design Guidelines to the satisfaction of the Director of Public Works.
29. That prior to any construction taking place within the Town road allowance, the Developer shall obtain a Town of Pelham Temporary Works Permit. Applications must be made through the Department of Public Works.

### **MUNICIPAL SERVICES**

30. Prior to any site alteration, or final approval, the Developer shall submit all supporting materials and engineering design, prepared by a qualified professional, as required by the Town or any applicable authority, and shall agree to implement the recommendations of the reports, studies and plans to the satisfaction of the Director of Public Works, and any other applicable authority.
31. That a Servicing Study Report indicating that the accepting servicing infrastructure (storm sewers, sanitary sewers, and water mains) can accommodate the additional flows and adequate fire flows are provided to the development be submitted to the Town of Pelham for review and to the satisfaction of the Director of Public Works and the Fire Chief.
32. That the Developer will provide the Town of Pelham with the proposed site servicing plans for the subject property. The Director of Public Works shall approve the plans prior to final approval of the subdivision.
33. That the Developer submit to the Town of Pelham for review and approval by the Director of Public Works a Geotechnical Study, prepared by a qualified engineer, that verifies the soil bearing capacity, recommends appropriate sewer pipe design, pipe bedding, backfill and roadway designs.
34. That the design of all Municipal and public utility services for the Subdivision be coordinated with adjacent development.
35. That the design drawings for the sanitary sewer and stormwater drainage systems to service this development be submitted to the Regional Public Works Department for review and approval. (Note: Any stormwater management facility that may be proposed for this development would require the direct approval of the Ministry of the Environment, Toronto). The Town of Pelham is responsible for the review and approval of watermains under the MOE Water License Program.

## **APPENDIX B**

36. That prior to registration of this plan, the Developer must obtain Environmental Compliance Approval from the Ministry of Environment, Conservation and Parks for sewer and storm water management works needed to service the proposed development. Prior to installing the watermain to service the proposed development, the Developer must submit Ministry of Environment 'Form 1' Record of Watermain.
37. At the end of the project, the design engineer shall certify that all grading, storm sewers, and stormwater management controls have been constructed in general conformity to the approved drawings. Copies of the certification shall be circulated to the Town of Pelham and the Regional Municipality of Niagara.
38. That all foundation drainage be directed to a sump pump in each house discharging via storm laterals. Foundation drains will not be connected to the sanitary sewer system.
39. Roof water drainage from any structure or building shall be directed via downspouts discharging via splash pads (concrete or other suitable material) to grass surfaces. These splash pads shall extend a distance at least 1.2 metres away from the structure and must direct the flow away from the building, not onto walks or driveways, and not towards adjacent property.

### **STORMWATER MANAGEMENT, GRADING AND SEDIMENT AND EROSION CONTROL**

40. That the subdivision agreement between the Developer and the Town of Pelham contain provisions whereby the Developer agrees to implement the approved stormwater management plan required in accordance with Condition 42.
41. That the Developer prepare a detailed subdivision grade control plan showing both existing and proposed grades and the means whereby major storm flows will be accommodated across the site to be submitted to the Town of Pelham and Regional Municipality of Niagara Development Services Division for review and approval.
42. That prior to approval of the final plan or any on-site grading, the Developer submit to the Town of Pelham for review and approval two copies of a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment documents entitled "Stormwater Management Planning and Design Manual (March 2003)" and "Stormwater Quality Guidelines for New Development (May 1991)", and in accordance with the Town of Pelham's Lot Grading and Drainage Policy, and the Town of Pelham's Stormwater Management Facility Standards:

## **APPENDIX B**

- a) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site; and,
- b) Detailed sediment and erosion control plans.

### **PUBLIC PARK**

43. That the Developer shall convey land for park purposes as permitted in Section 51.1 of the *Planning Act R.S.O. 1990, c. P.13* or alternatively, the Town may accept cash-in-lieu of the conveyance and under the provisions of Section 51.1 (3) of the *Planning Act R.S.O. 1990, c. P.13* and pursuant to the Town Parkland Dedication By-law 3621(2015).

### **ARCHITECTURAL CONTROL**

44. The Developer/Owner agrees to comply with the East Fonthill Secondary Plan Area Urban Design Guidelines and retain the services of a Design Architect. The submission of building permit application shall include the building's licensed Architect/Designer stamp and a statement on the submitted plans comply with the East Fonthill Secondary Plan Area Urban Design Guidelines.

### **UTILITIES**

45. That the Developer shall co-ordinate the preparation of an overall utility distribution plan to the satisfaction of all affected authorities.

46. The Developer agrees that should any conflict arise with existing Niagara Peninsula Energy Inc. facilities or easements within the subject area, the owner shall be responsible for the relocation of any such facilities or easements at their own cost.

47. That the Developer shall enter into any agreement as required by utility companies for installation of services, including street lighting, all in accordance with the standards of the Town of Pelham. All utilities servicing the subdivision shall be underground. Upon installation and acceptance by the Town, streetlights and streetlight electrical supply system will be added to the Town's inventory.

### **NIAGARA REGION PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**

48. 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,

## APPENDIX B

1423, 1427, 1431, 1433 and 1435 Station Street, prepared by Detritus Consulting Ltd. (dated August 9, 2021) to Niagara Region.

49. 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."*

50. 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.
51. 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.
52. 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.
53. That the owner provide engineering plans to Niagara Region for review and approval to confirm whether the development can accommodate Regional waste collection services.
54. 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



## **APPENDIX B**

- proposed temporary turnaround/cul-de-sac, with a minimum curb radius of 12.8 metres.
55. 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.
56. 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.
57. 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**

#### **FINAL APPROVAL**

58. Subject to the conditions set forth herein, this Draft Plan is approved under Section 51 (31) of the *Planning Act R.S.O. 1990, c. P.13*. Final approval shall be granted by the Town.

#### **CLEARANCE OF CONDITIONS**

Prior to granting final plan approval, the Department of Community Planning and Development requires written notice from applicable Town Departments and the following agencies indicating that their respective conditions

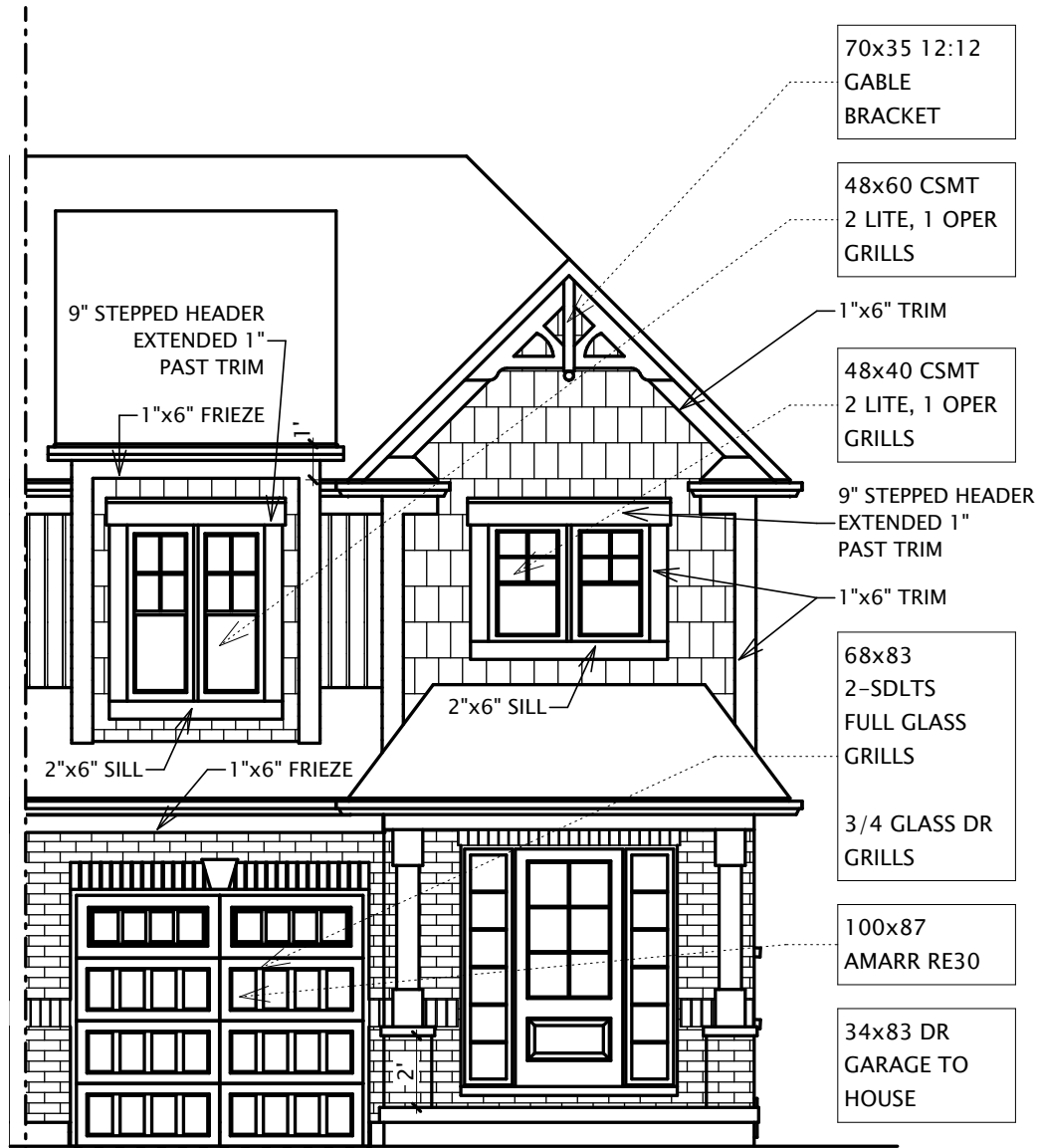
Town Department of Community Planning and Development for Conditions 5-20 (Inclusive), 26, 43-44 (Inclusive)

Town Department of Public Works for Conditions 21-42 (Inclusive), 45 and 47

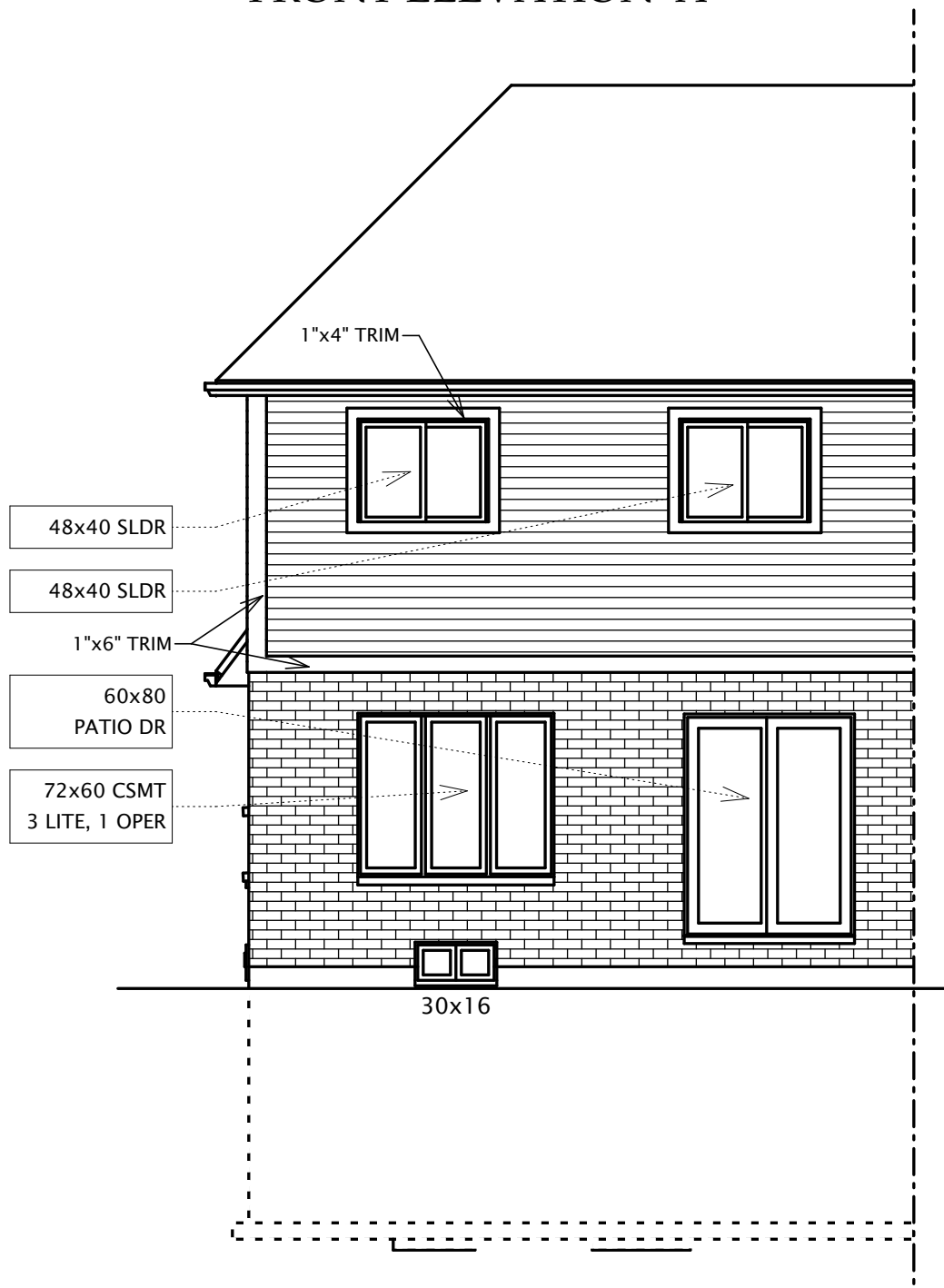
Niagara Peninsula Energy Inc. for Condition 46

Niagara Region Planning and Development Services Department for Conditions 48-57 (Inclusive)


# APPENDIX C

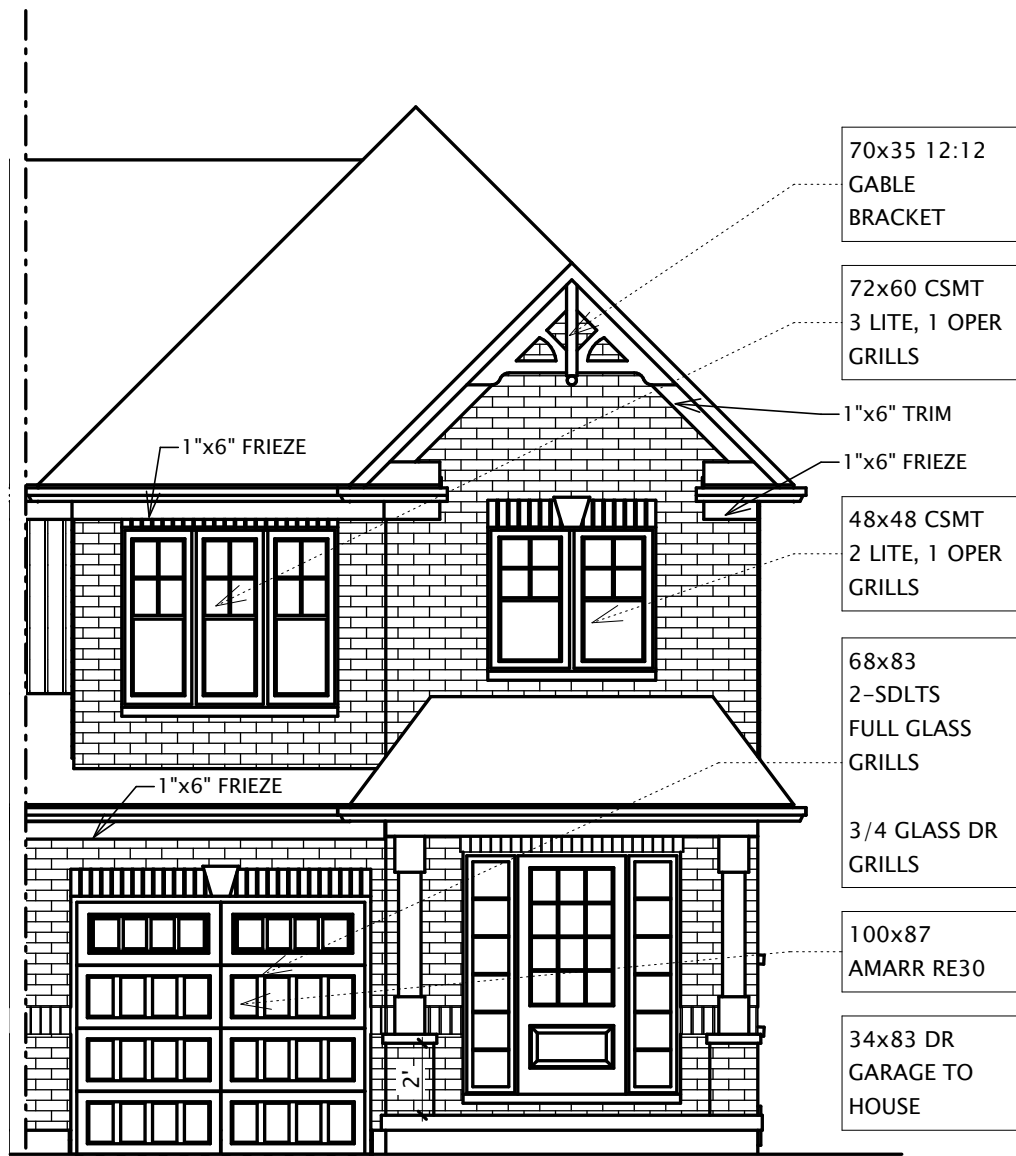


FRONT ELEVATION 'A'

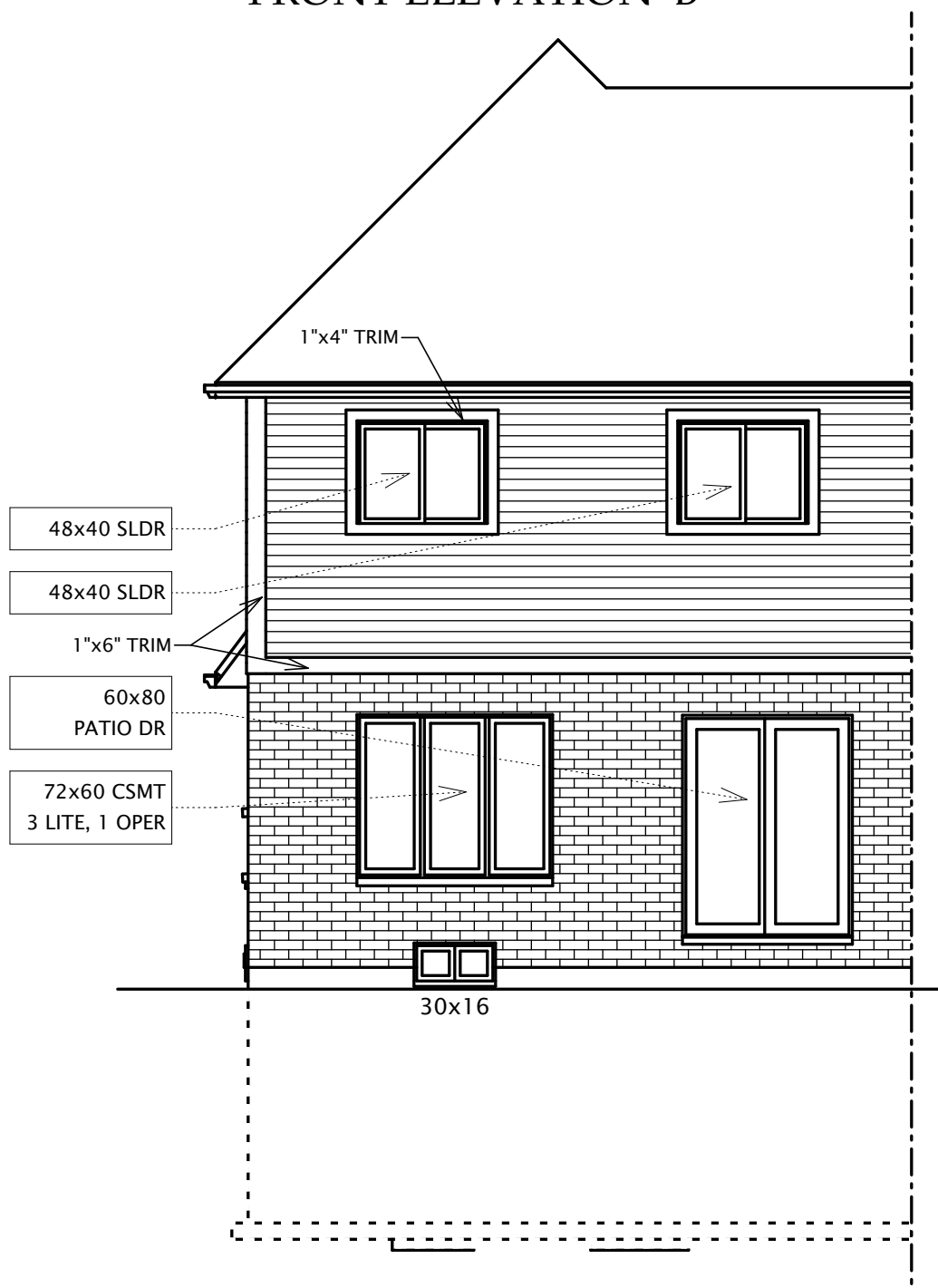


BACK ELEVATION 'A'

PROJECT NAME: <b>LENNON</b>		PROJECT ID:	DATE: March 2, 2021	SCALE: 3/16" = 1'0"	DRAWN BY: TL
LOT: <b>00</b>	PROJECT ADDRESS: <b>STREET CITY, ON</b>		TIM LUNDY has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the OBC as an "other designer." Basis for exemption from registration is project covered under Tarion no. <u>26105</u> .		PAGE: <b>1A OF 10</b>
PLAN NO: <b>00M-000</b>		 <b>MOUNTAINVIEW HOMES</b> 3350 MERRITTVILLE HWY #9, THOROLD, ONT. PHONE: (905) 688-3100 FAX: (905) 688-5524	BCIN: <b>22084</b>	DSG NR. SIG: _____	Page 378 of 945

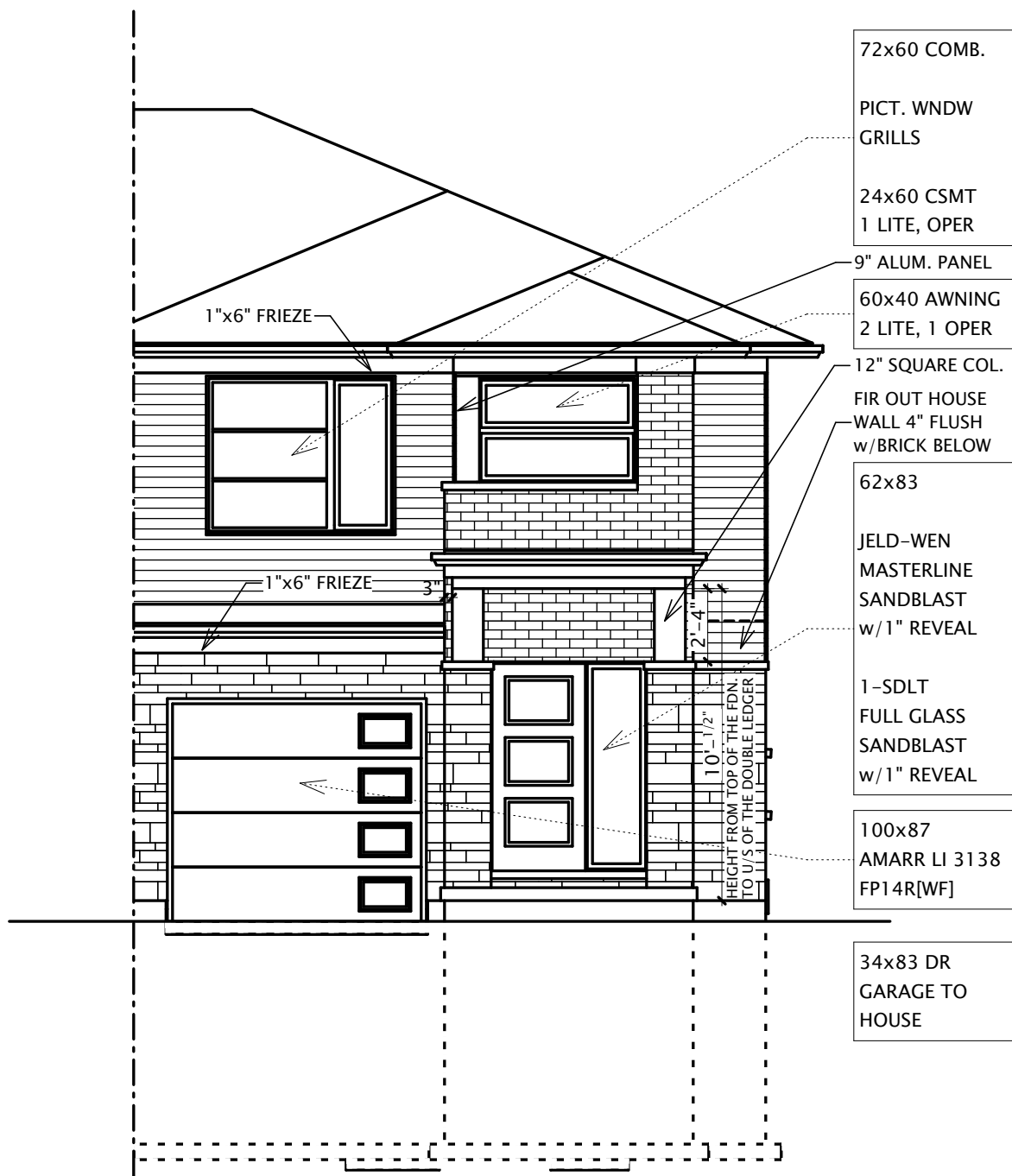


FRONT ELEVATION 'B'



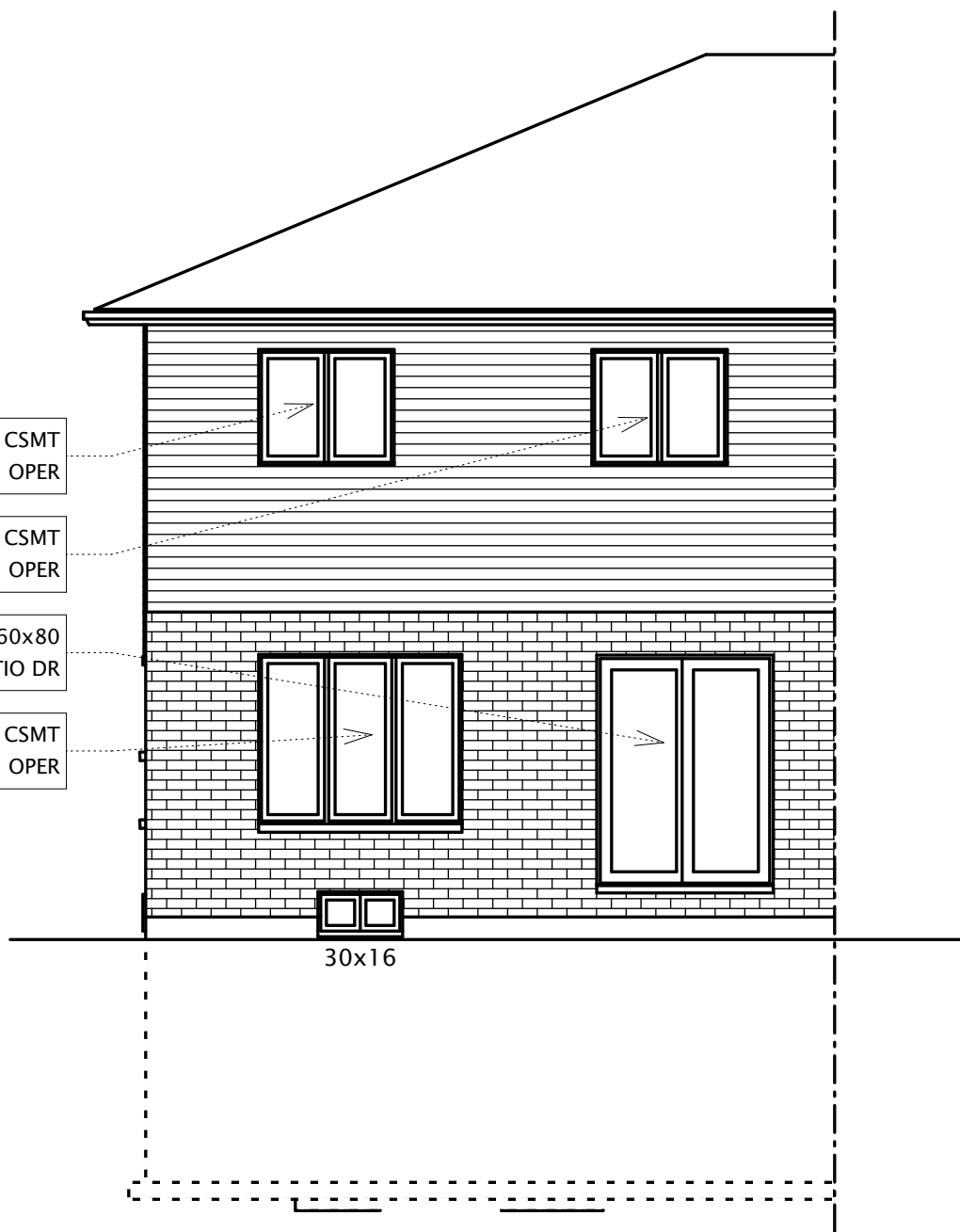
BACK ELEVATION 'B'

PROJECT NAME: <b>LENNON</b>		PROJECT ID:	DATE: March 2, 2021	SCALE: 3/16" = 1'0"	DRAWN BY: TL
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- 72x60 COMB.
- PICT. WNDW GRILLS
- 24x60 CSMT  
1 LITE, OPER
- 9" ALUM. PANEL
- 60x40 AWNING  
2 LITE, 1 OPER
- 12" SQUARE COL.
- FIR OUT HOUSE  
WALL 4" FLUSH  
w/BRICK BELOW
- 62x83
- JELD-WEN  
MASTERLINE  
SANDBLAST  
w/1" REVEAL
- 1-SDLT  
FULL GLASS  
SANDBLAST  
w/1" REVEAL
- 100x87  
AMARR LI 3138  
FP14R[WF]
- 34x83 DR  
GARAGE TO  
HOUSE

FRONT ELEVATION 'M1'

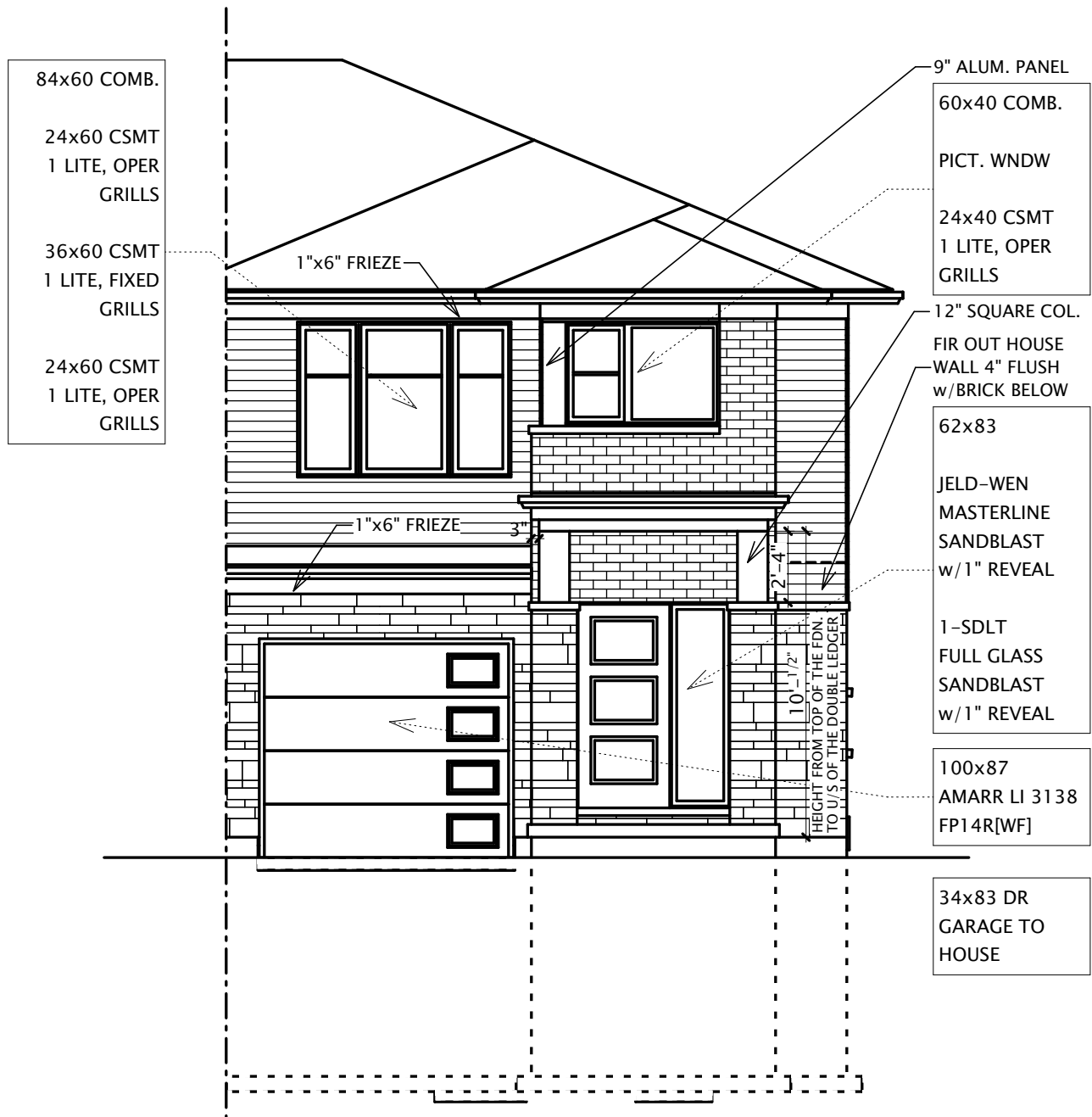


- 48x40 CSMT  
2 LITE, 1 OPER
- 48x40 CSMT  
2 LITE, 1 OPER
- 60x80  
PATIO DR
- 72x60 CSMT  
3 LITE, 1 OPER

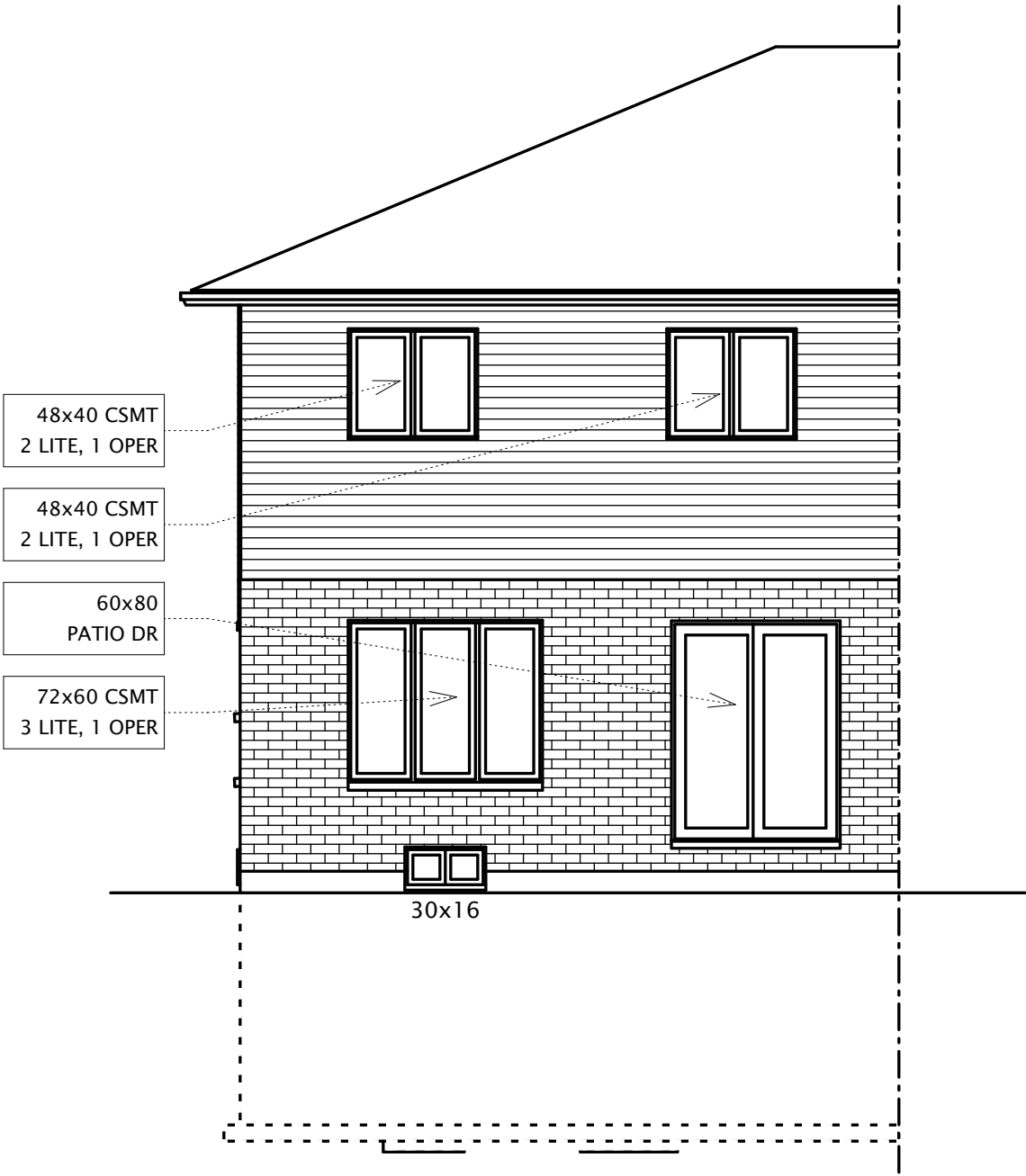
30x16

BACK ELEVATION 'M1'

PROJECT NAME: <b>LENNON</b>		PROJECT ID:	DATE: March 2, 2021	SCALE: 3/16" = 1'0"	DRAWN BY: TL
LOT: <b>00</b>	PROJECT ADDRESS: <b>STREET CITY, ON</b>		TIM LUNDY has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the OBC as an "other designer." Basis for exemption from registration is project covered under Tarion no. <u>26105</u> . BCIN: <b>22084</b> DSGNR. SIG: _____		PAGE: <b>1M1 OF 10</b>
PLAN NO: <b>00M-000</b>		 <b>MOUNTAINVIEW HOMES</b> <small>3350 MERRITTVILLE HWY #9, THOROLD, ONT. PHONE: (905) 688-3100 FAX: (905) 688-5524</small>			Page <b>380</b> of 945



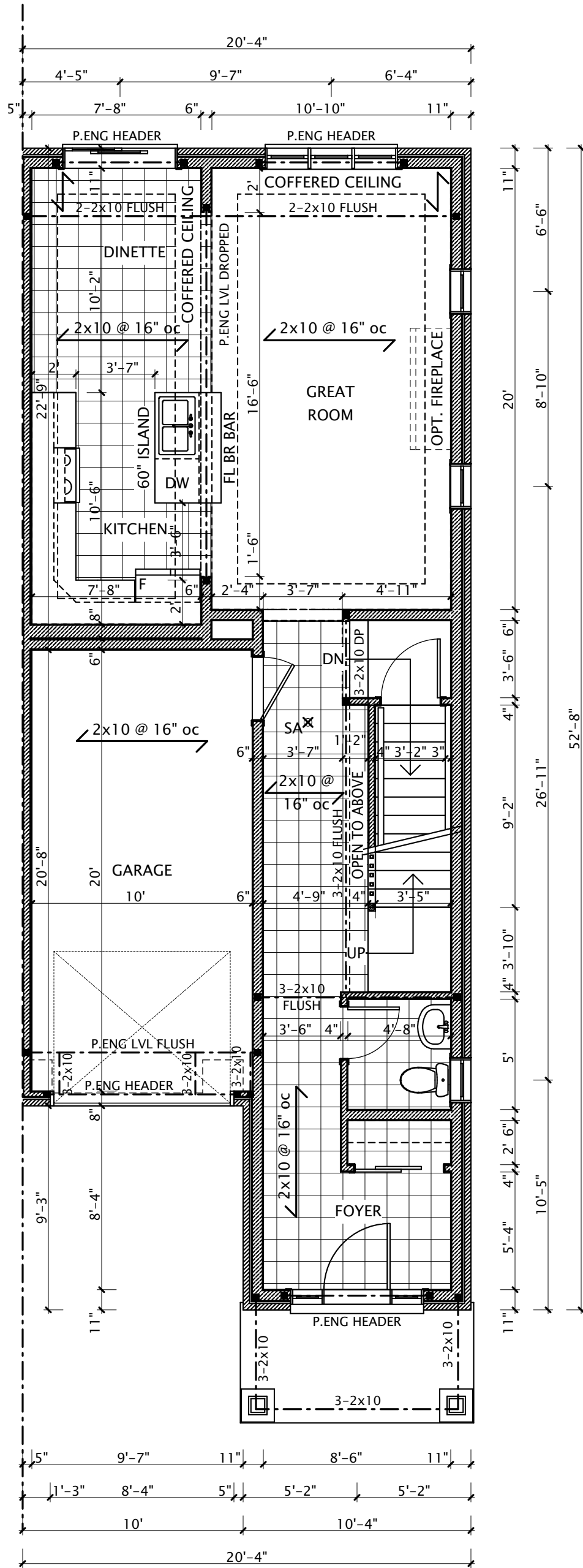
FRONT ELEVATION 'M2'



BACK ELEVATION 'M2'

PROJECT NAME: <b>LENNON</b>		PROJECT ID:	DATE: March 2, 2021	SCALE: 3/16" = 1'0"	DRAWN BY: TL
LOT: <b>00</b>	PROJECT ADDRESS: <b>STREET CITY, ON</b>		TIM LUNDY has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the OBC as an "other designer." Basis for exemption from registration is project covered under Tarion no. <u>26105</u> .		PAGE: 1M2 OF 10
PLAN NO: <b>00M-000</b>		 3350 MERRITTVILLE HWY #9, THOROLD, ONT. PHONE: (905) 688-3100 FAX: (905) 688-5524	BCIN: <b>22084</b>	DSG NR. SIG:	Page 381 of 945

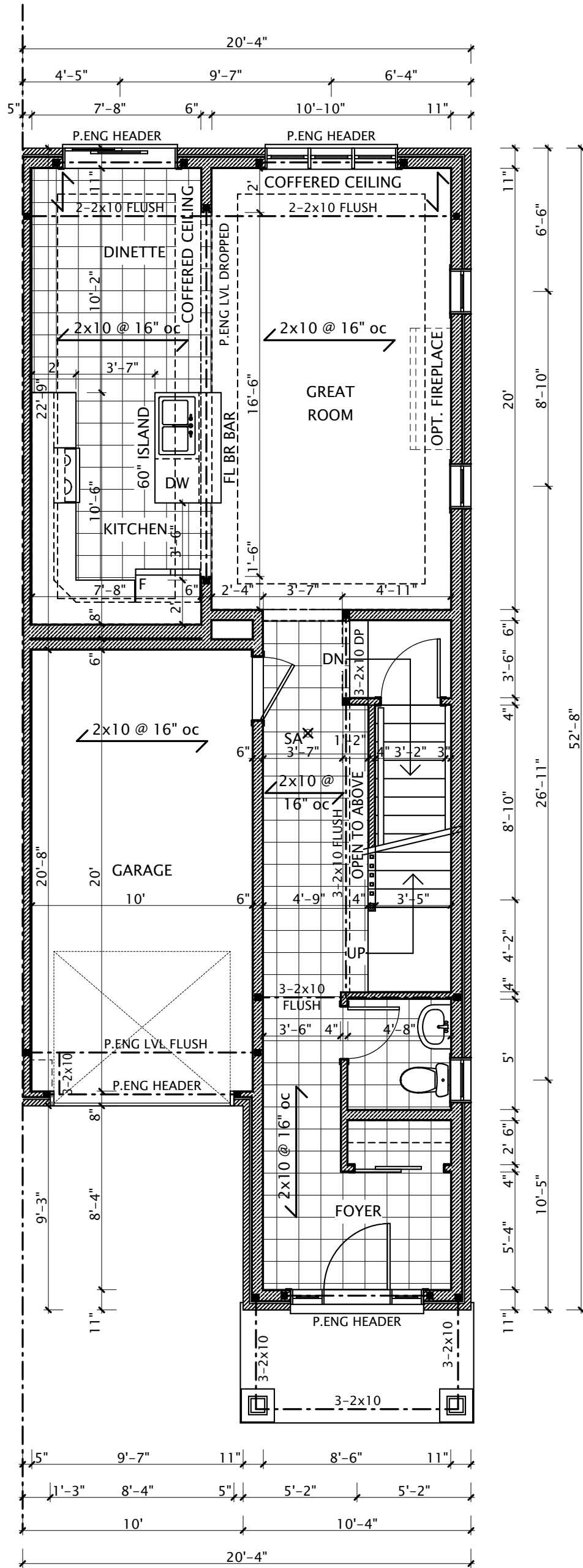




MAIN FLOOR (8'0" CEILING)  
763 SQFT ELEV. 'A'

NOTE: ALL FLOORS GLUED & SCREWED WITH DRYWALL STRAPPING

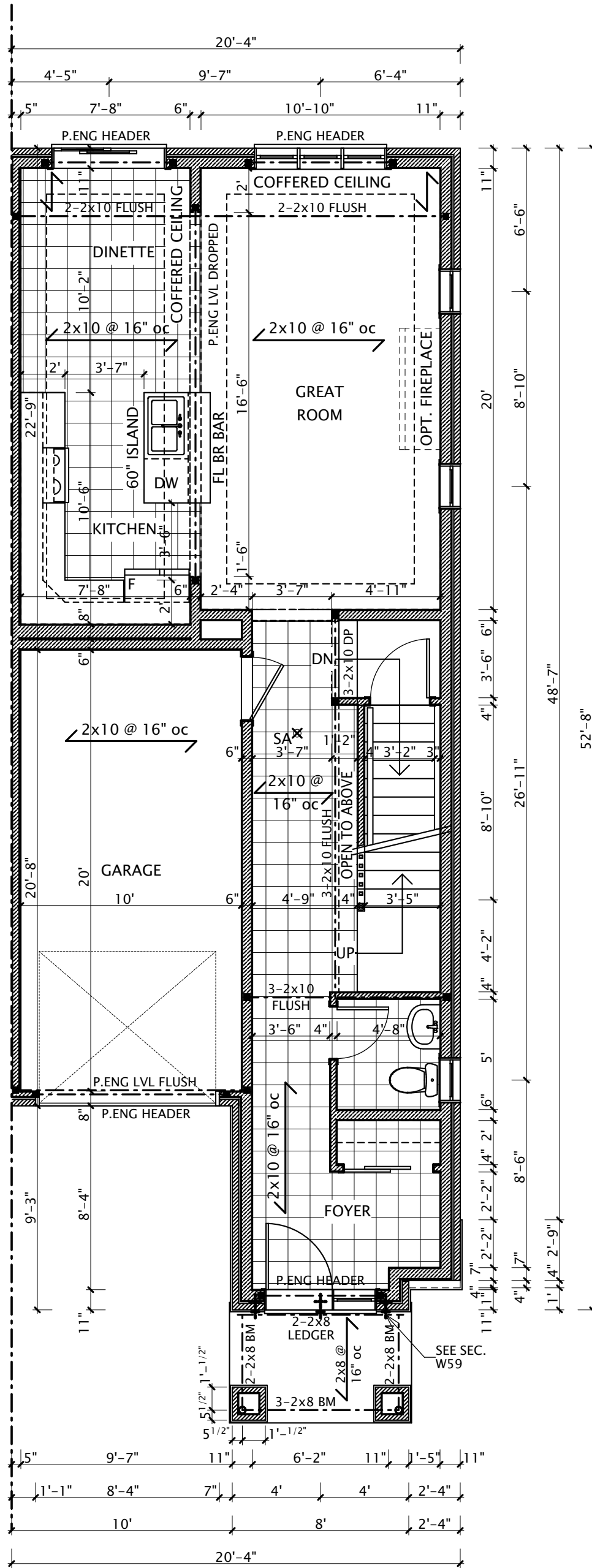
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LOT: <b>00</b>	PROJECT ADDRESS: <b>STREET CITY, ON</b>		TIM LUNDY has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the OBC as an "other designer." Basis for exemption from registration is project covered under Tarion no. <u>26105</u> .		PAGE: <b>6A OF 10</b>
PLAN NO: <b>00M-000</b>	 <b>MOUNTAINVIEW HOMES</b> <small>3350 MERRITVILLE HWY #9, THOROLD, ONT. PHONE: (905) 688-3100 FAX: (905) 688-5524</small>		BCIN: <b>22084</b>	DSG NR. SIG:	Page 382 of 945



MAIN FLOOR (8'0" CEILING)  
763 SQFT ELEV. 'B'

NOTE: ALL FLOORS GLUED & SCREWED WITH DRYWALL STRAPPING

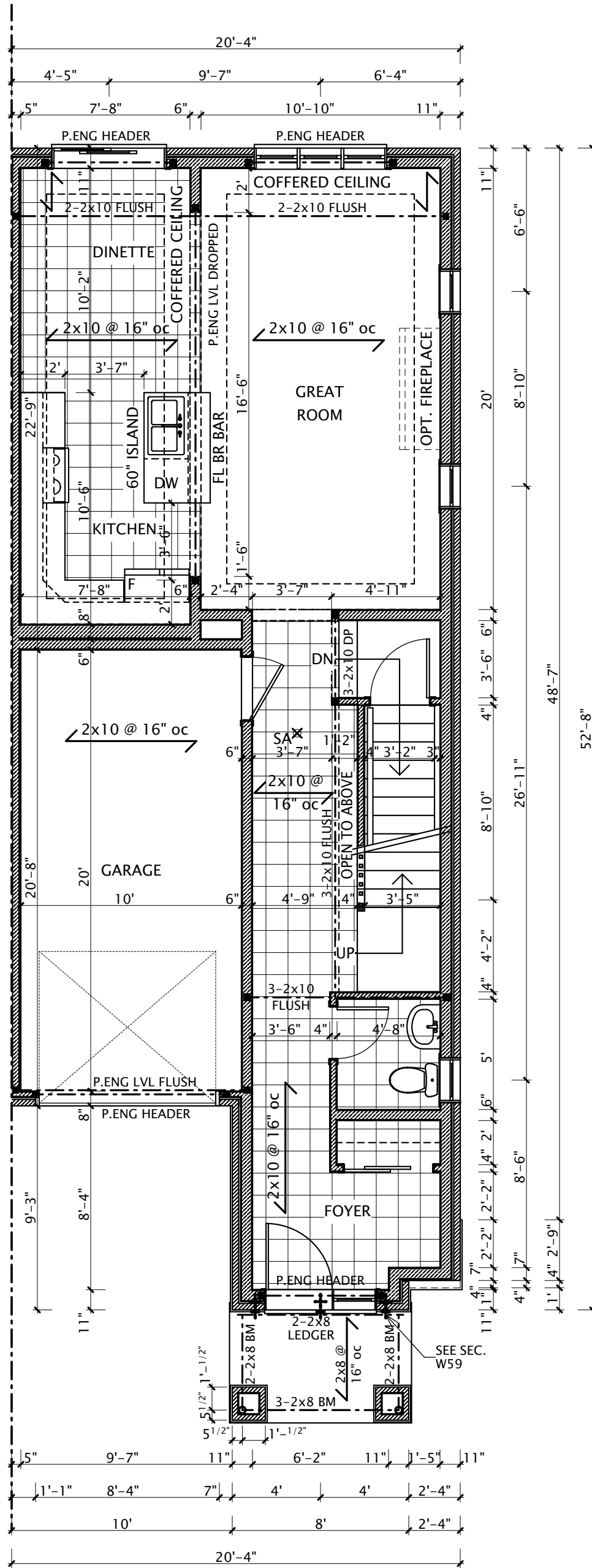
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LOT: <b>00</b>	PROJECT ADDRESS: <b>STREET CITY, ON</b>		TIM LUNDY has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the OBC as an "other designer." Basis for exemption from registration is project covered under Tarion no. <u>26105</u> .		PAGE: <b>6B OF 10</b>
PLAN NO: <b>00M-000</b>	 <b>MOUNTAINVIEW HOMES</b> <small>3350 MERRITTVILLE HWY #9, THOROLD, ONT. PHONE: (905) 688-3100 FAX: (905) 688-5524</small>		BCIN: <b>22084</b>	DSG NR. SIG:	Page 883 of 945



MAIN FLOOR (8'0" CEILING)  
760 SQFT ELEV. 'M1'

NOTE: ALL FLOORS GLUED & SCREWED WITH DRYWALL STRAPPING

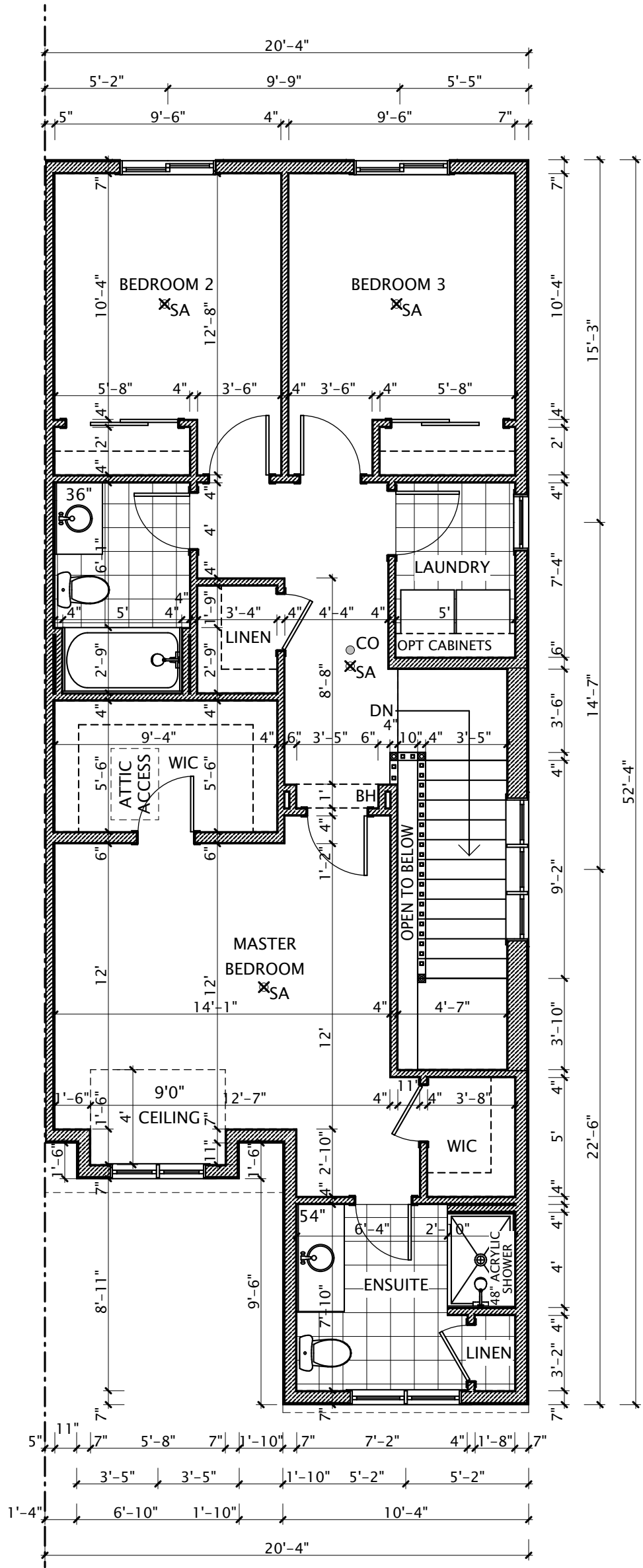
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LOT: <b>00</b>	PROJECT ADDRESS: <b>STREET CITY, ON</b>		TIM LUNDY has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the OBC as an "other designer." Basis for exemption from registration is project covered under Tarion no. 26105.		PAGE: 6M1 OF 10
PLAN NO: 00M-000	 3350 MERRITTVILLE HWY #9, THOROLD, ONT. PHONE: (905) 688-3100 FAX: (905) 688-5524		BCIN: 22084	DSG NR. SIG:	Page 384 of 945



MAIN FLOOR (8'0" CEILING)  
760 SQFT ELEV. 'M2'

NOTE: ALL FLOORS GLUED & SCREWED WITH DRYWALL STRAPPING

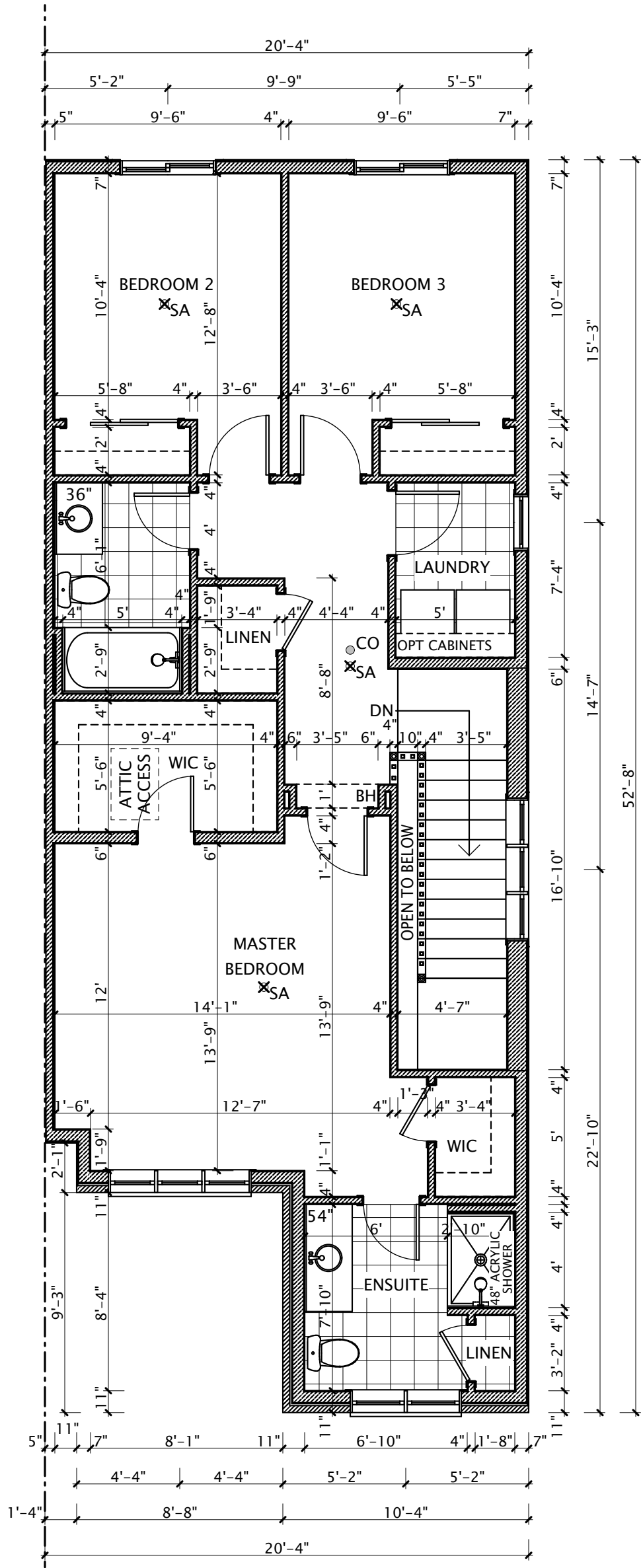
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PLAN NO: 00M-000	 3350 MERRITTVILLE HWY #9, THOROLD, ONT. PHONE: (905) 688-3100 FAX: (905) 688-5524		BCIN: 22084	DSG NR. SIG:	Page 385 of 945



SECOND FLOOR  
954 SQFT ELEV. 'A'

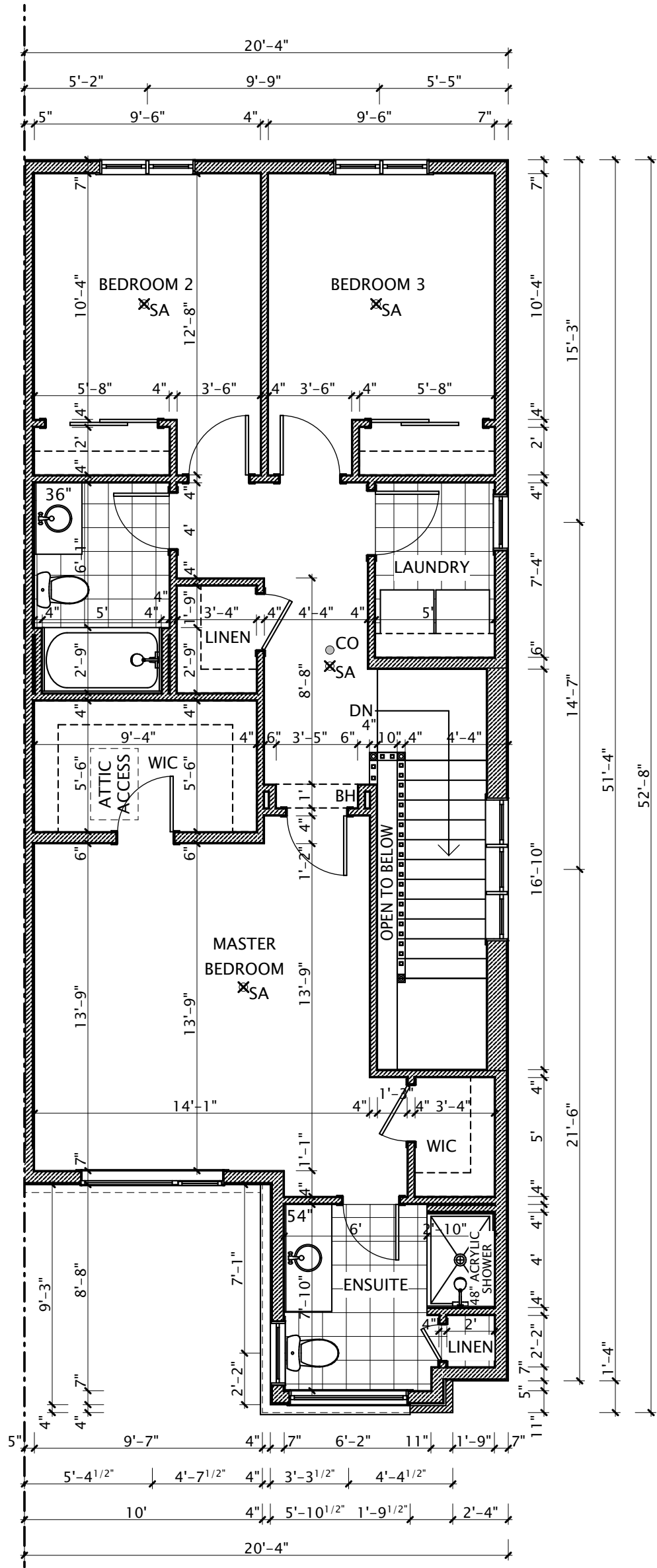
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PLAN NO: <b>00M-000</b>	 3350 MERRITTVILLE HWY #9, THOROLD, ONT. PHONE: (905) 688-3100 FAX: (905) 688-5524		BCIN: <b>22084</b>	DSG NR. SIG:	Page 386 of 945





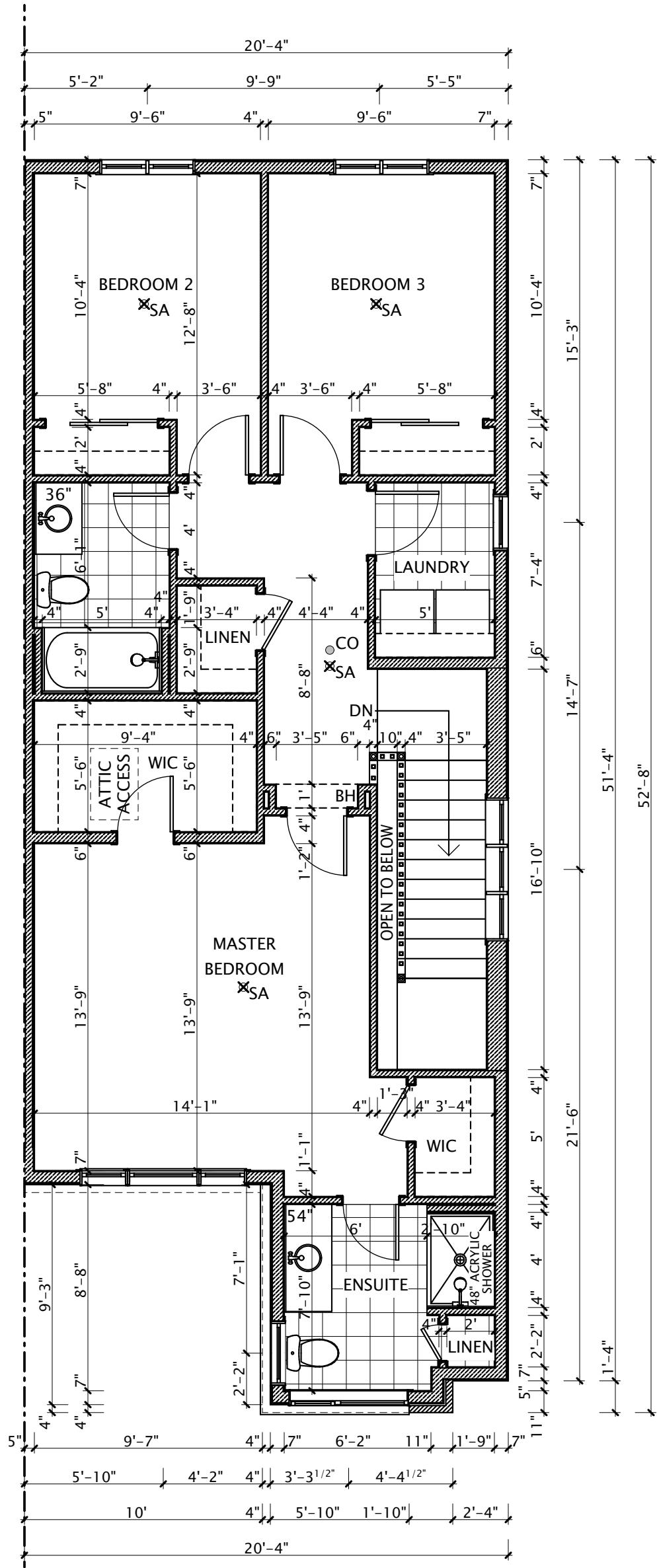
SECOND FLOOR  
965 SQFT ELEV. 'B'

PROJECT NAME: <b>LENNON</b>		PROJECT ID:	DATE: March 2, 2021	SCALE: 3/16" = 1'0"	DRAWN BY: TL
LOT: <b>00</b>	PROJECT ADDRESS: <b>STREET CITY, ON</b>		TIM LUNDY has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the OBC as an "other designer." Basis for exemption from registration is project covered under Tarion no. <u>26105</u> .		PAGE: <b>7B OF 10</b>
PLAN NO: <b>00M-000</b>		 <b>MOUNTAINVIEW HOMES</b> 3350 MERRITTVILLE HWY #9, THOROLD, ONT. PHONE: (905) 688-3100 FAX: (905) 688-5524	BCIN: <b>22084</b>	DSG NR. SIG:	Page 387 of 945



SECOND FLOOR  
961 SQFT ELEV. 'M1'

PROJECT NAME: <b>LENNON</b>		PROJECT ID:	DATE: March 2, 2021	SCALE: 3/16" = 1'0"	DRAWN BY: TL
LOT: <b>00</b>	PROJECT ADDRESS: <b>STREET CITY, ON</b>		TIM LUNDY has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the OBC as an "other designer." Basis for exemption from registration is project covered under Tarion no. 26105.		PAGE: 7M1 OF 10
PLAN NO: 00M-000	 <b>MOUNTAINVIEW HOMES</b> <small>3350 MERRITTVILLE HWY #9, THOROLD, ONT. PHONE: (905) 688-3100 FAX: (905) 688-5524</small>		BCIN: 22084	DSG NR. SIG:	Page 388 of 945



SECOND FLOOR  
961 SQFT ELEV. 'M2'

PROJECT NAME: <b>LENNON</b>		PROJECT ID:	DATE: March 2, 2021	SCALE: 3/16" = 1'0"	DRAWN BY: TL
LOT: <b>00</b>	PROJECT ADDRESS: <b>STREET CITY, ON</b>		TIM LUNDY has reviewed and takes responsibility for this design, has the qualifications and meets the requirements set out in the OBC as an "other designer." Basis for exemption from registration is project covered under Tarion no. 26105.		PAGE: 7M2 OF 10
PLAN NO: <b>00M-000</b>		 <small>3350 MERRITTVILLE HWY #9, THOROLD, ONT. PHONE: (905) 688-3100 FAX: (905) 688-5524</small>	BCIN: <b>22084</b>	DSG NR. SIG:	Page 389 of 945

**Subject: Comprehensive Zoning By-law and Official Plan Amendment No. 15 – Final Recommendations**

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0200 Comprehensive Zoning By-law and Official Plan Amendment No. 15 – Final Recommendations;**

**AND THAT Council approve, in principle, Town of Pelham Comprehensive Zoning By-law 4481(2022);**

**AND THAT Council approve, in principle, By-law 4482(2022) Official Plan Amendment No. 15:**

**AND THAT Council waive Section 34(10.0.0.1) of the Planning Act, which prohibits applications for Zoning By-law Amendments and Minor Variance applications for a two-year period after the Comprehensive Zoning By-law is passed, for all lands Zoned Residential Development (RD) in Comprehensive Zoning By-law 4481(2022).**

**Executive Summary**

The purpose of this report is to provide Council and the public with final comments, a review of final changes to the proposed Town of Pelham Comprehensive Zoning By-law 4481(2022) and Official Plan Amendment No. 15 and to address the public correspondence received at Council at its July 25, 2022 meeting with respect Report 2022-0154.

**Analysis:**

Staff have taken into consideration the comments and feedback received at Council on July 25, 2022 and have made minor revisions to the draft by-law that was presented including:

- Removing the regulations for Backyard Chickens; this will be addressed through a standalone By-law that will come to Council in the fall;
- Clarifying the Second Dwelling Unit regulations for properties within the Greenbelt Plan Area and Greenbelt Natural Heritage System to ensure compliance with the Greenbelt Plan;
- Updating the special exception section to capture recently approved plans of subdivision and other recently approved zoning amendments where no appeals were received; and
- Minor updates to Schedule C to ensure recently approved plans of subdivision and zoning amendments were captured appropriately.

No changes have been made to Official Plan Amendment No. 15.

### **Additional Public Comments – July 25, 2022**

Staff have had the opportunity to review the comments that were submitted by members of the public and offer the following comments:

#### Diane Stevens

- Provided input on Section 3.15 Keeping of Chickens, specifically with respect to:
  - Are chickens permitted to free roam?
  - Does the by-law apply to other fowl such as ducks and turkeys?
  - Does the by-law allow for culling in the backyard?
  - Are there provisions if a chicken escapes and is attacked by another domestic animal (i.e. a dog)?

Ms. Stevens has provided additional comments to Council for the August 22, 2022 meeting, with a number of additional requests of Council with respect to the keeping of chickens, asking for specific regulations and requirements be adopted t by-law.

Staff have reviewed the proposed regulations with By-law Enforcement Staff and the Senior Leadership Team and through those discussions it was determined that the best course of action moving forward would be to remove the regulations for Backyard Chickens from the Zoning By-law and instead, regulations will be proposed through a standalone Licensing By-law, to be presented to Council in the fall, that would license the use and regulate:

- The conditions for the hens including access to water, food and space to ensure conditions that are conducive to healthy animals;
- The location and type of enclosures permitted;



- The disposal of waste;
- The yard setbacks and location of hens, hen coops and hen runs; and
- Maintenance of hen coops and hen runs to ensure they are kept in a clean condition, free of obnoxious odours, substances and vermin.

Staff are confident that the licensing by-law is the more appropriate tool to regulate hens in the urban boundary or on rural or agricultural properties that do not meet the lot area requirements for agricultural uses. A further report on this matter will be presented to Council later in the fall.

Turkstra Mazza (Jennifer Meader)

- Requested that the definition of an "Improved Road" be revised to include any road that is a common elements condominium road
- Noted that Section 3.17.2 "frontage on an improved street" it not consistent with the definition of improved road.

Staff have revised Section 3.17.2 to be consistent with the definition of improved road and have maintained the current definition of "Improved Road".

Tim and Janet Nohara

- Provided comment specific to site specific zoning at 576 Highway 20 and asked that the previous special exception be maintained; and

Staff have reviewed these comments and have ensured that the existing permissions at 576 Highway 20 have been carried forward from the previous zoning by-law.

- Asked for clarification with respect to Second Dwelling Units (SDUs) in the Greenbelt Plan

Mr. and Ms. Nohara have also provided additional comments to Council for the August 22, 2022 meeting with a request to restore the language of the existing SDU By-law in the area affected by the Greenbelt Plan policies and for consistency with Official Plan Amendment 12 which is the Official Plan policy direction with respect to SDU's.

With respect to SDUs in the area subject to Greenbelt Plan policies, Staff offer the following for clarification:

1. Second dwelling units are only permitted within the policy set of "Existing Uses" and existing uses is defined as being legally established as of the date the Greenbelt Plan came into force (December 16, 2004);

2. Second dwelling units are only permitted in areas outside of the Greenbelt Natural Heritage System; and
3. Second dwelling units are permitted within single dwellings permitted in accordance with the Greenbelt Plan or within existing accessory structures.

Official Plan Amendment 12 is also very specific with respect to SDUs in the Specialty Agricultural Area, which is the area covered by the Greenbelt Plan area and states that:

- a) *The second dwelling is located within an existing dwelling, or a new dwelling must have been authorized for use prior to the effective date of the Greenbelt Plan (December 16, 2004).*
- b) *Second dwelling units may also be permitted within existing accessory structures, provided it is located on the same lot as either an existing dwelling, or a new dwelling which was authorized for this use prior to the effective date of the Greenbelt Plan.*
- c) *Permitted second dwelling units in the Protected Countryside designation must be located outside of the Greenbelt Natural Heritage System.*

The SDU regulations in the new Zoning By-law have been created to comply with Greenbelt Plan policies and Official Plan Amendment 12. The Zoning By-law and Official Plan must conform to the policies of all Provincial, Regional and Town Plans or they risk being appealed. While it was never the intent of the previous SDU By-law to be vague or ambiguous to the policies of the Greenbelt Plan area, it is clear based on the Noharas' comments that there was a lack of clarity in the previous by-law.

The new Zoning By-law ensures the regulations are very clear on when and where a SDU is permitted and have improved the clarity for SDU regulations in all zones where they are a permitted use. There is no "loss of rights" to residents as Mr. and Ms. Nohara note in their comments to Council as the Greenbelt Plan policies that are in effect are very specific with respect to second dwelling units and only allow them in areas outside of the Greenbelt Natural Heritage System, within a single detached dwelling and within an existing accessory structure (with existing as being constructed prior to December 16, 2004). These are the approved policies that are in effect and Staff need to ensure that the Zoning By-law complies with these policies; these are not new requirements.

Staff have made revisions to the SDU regulations to provide that clarity and remove any ambiguity with regards to how second dwelling units are to be treated within

the Greenbelt Plan area and to use consistent terminology with Greenbelt Plan in an effort to minimize confusion.

#### Sullivan Mahoney

- Requested R2 zoning on behalf of a client;
- Requested reduced rear yard setback of 3m in the R1 and R2 Zones and reduced parking requirements for single detached or semi-detached dwellings to space per unit; and
- Requested clarification on the front yard setback when there is an attached garage.

Staff have reviewed these comments and offer the following:

The property in question is currently zoned R1 in an area of mixed R1 and R2 Zoning, with the properties fronting on to Lorimer Street being zoned R1. Staff have reviewed the site and the zone requirements in each of the zones and note the only different regulation is minimum lot frontage, which is 15.0m in the R1 and 12.0m in the R2. Staff are satisfied that the R1 requirements should permit enough flexibility for the client to develop the lands for an additional single detached dwelling(s).

Setback requirements have been reduced from the current 1987 By-law and Staff are of the opinion that these setbacks are reasonable and recognize the existing established neighbourhood conditions. The parking requirements in Section 4 were updated to reflect the recently completed parking study and based on discussions at Council.

The front yard setback requirements in the R1 and R2 zone continue to be 3.0m, except 6.0m where there is an attached garage.

#### Mike Korolyk

- Questioned a number of site specific exceptions in the rural/agricultural area of the Town specific to businesses being operated on rural or agricultural lands.

Staff, through the Zoning By-law review process, reviewed a number of properties and land uses to ensure that the new By-law would be reflective of current situations and uses where appropriate. Consequently, Staff recommended recognizing a number of existing businesses in the rural/agricultural area as they have been in operation for a number of years, do not result in adverse land use impacts and would otherwise be permitted by Provincial, Regional and Town policies as either agricultural-related uses or on-farm diversified uses. These site specific

exceptions were also reviewed with Regional Planning Staff to ensure they comply with Provincial and Regional planning policies and meet the intent of either an agricultural related use or on-farm diversified uses. Staff also understand that Mr. Korolyk has reached out to the Regional Staff to discuss his concerns and confirm this position.

**Alternatives:**

Council could choose not to approve Town of Pelham Comprehensive Zoning By-law 4481(2022) and/or By-law 4482 (2022) Official Plan Amendment No. 15.

Council could choose to approve Town of Pelham Comprehensive Zoning By-law 4481 (2022) and/or By-law 4482(2022) Official Plan Amendment No. 15 subject to modifications.

Council could choose to waive Section 34(10.0.0.1) of the *Planning Act*, which prohibits applications for Zoning By-law Amendments and Minor Variance applications for a two-year period after the Comprehensive Zoning By-law is passed for all or some lands, or all or some zones within the Town of Pelham.

**Strategic Plan Relationship: Build Strong Communities and Cultural Assets**

In September 2020, Pelham Town Council met to discuss priorities and updated to the corporate strategic plan. Council re-ranked the strategic priorities in order of the importance and a new Zoning By-law was moved to the number one priority for the Town. The proposed Official Plan amendment and new Comprehensive Zoning By-law is a significant undertaking that will aid in building strong communities through having up-to-date zoning requirements that is reflective of modern development trends that will help facilitate the future development, provide greater certainty to property owners and the development community, and provides for the protection of agricultural resources and natural heritage resources that are important to the community.

**Previous Reports:**

Reports 2020-0167, 2021-0137, 2022-0054 and 2022-0154

**Prepared and Recommended by:**

Lindsay Richardson, MCIP, RPP  
Policy Planner

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

**Prepared and Submitted by:**

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



**Subject:** Vision for Civic Square

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0203 Vision for Civic Square;**

**AND THAT Council support the vision of the Civic Square prepared by SHIFT Landscape Architecture Co. Inc.**

**Background:**

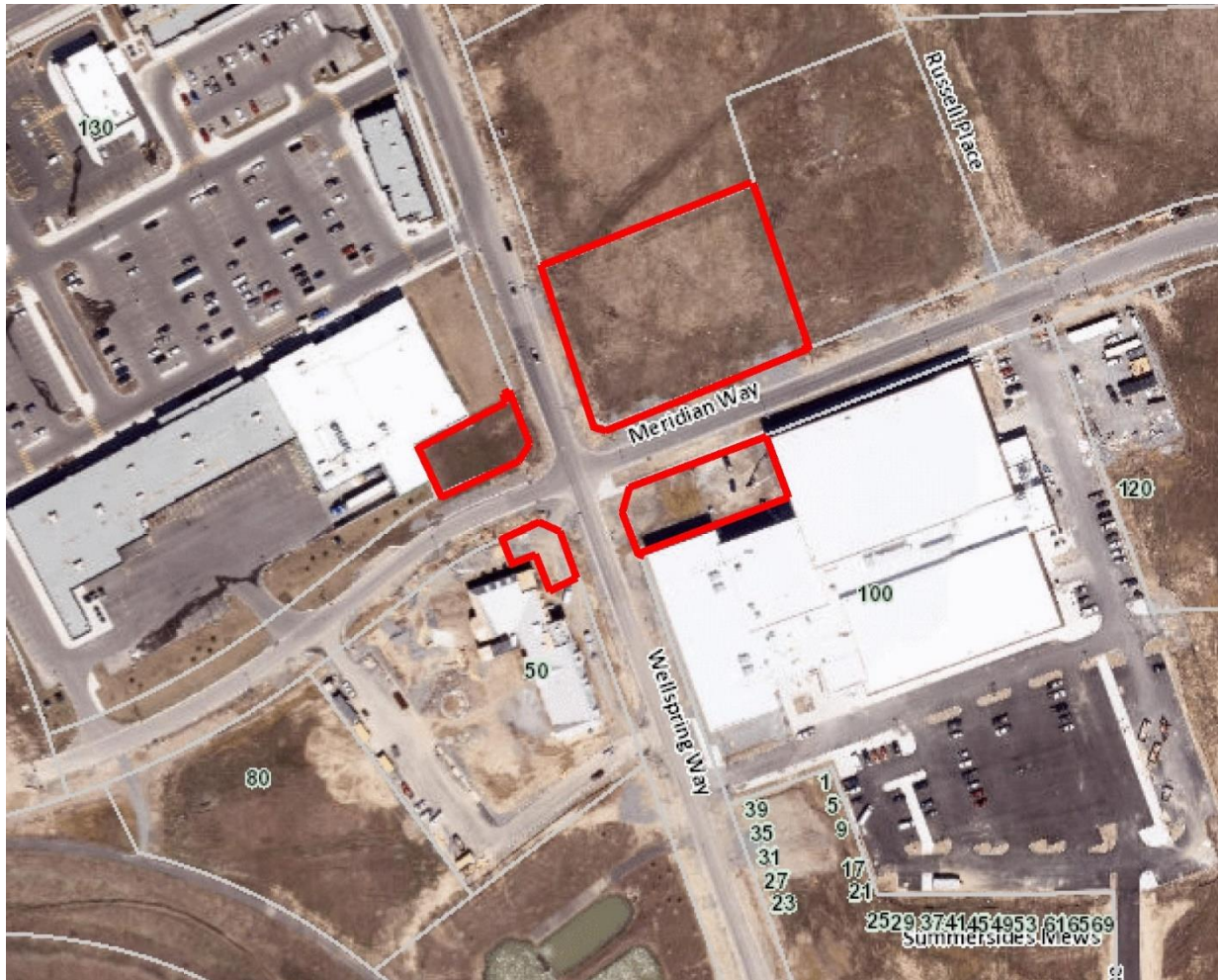
Council approved capital project PLN-02-21 being the Vision and Design for the Civic Square in East Fonthill as part of the 2021 Capital Budget. Terms of Reference for the project was released in September 2021 and the project was awarded to SHIFT Landscape Architecture Co. Inc. in late October 2021 and the work began on in this project in early 2022.

**Analysis:**

SHIFT Landscape Architecture Co. Inc. is an award winning landscape design firm that has undertaken landscape design for public spaces for a number of municipalities in Ontario.

The overall deliverables of the project involved the development of two preliminary concepts for public consultation, online public engagement, and the refinement of a preferred concept vision, including an illustrative plan and supporting graphics for Council review and endorsement. A high level cost estimate has been completed that can be used for budgeting purposes as well.

The East Fonthill Secondary Plan, the Site Master Plan for East Fonthill Mixed Use Centre and the Zoning By-law contemplate the development of a public gathering space at the four corners of Wellspring and Meridian Way with the northeast corner occupying the largest space. The aerial image below illustrates the area.



The Town owns the lands at the corners of Wellspring and Meridian Way. The design and development of the new public space as contemplated by the planning documents is also being driven by the growth in the East Fonthill Secondary Plan area. There is a need to build a vibrant and engaging public space that the entire Town can be proud of and be used for in a variety of ways in all seasons. It is anticipated that the proposed site will attract people of a variety of ages and diverse community members.

The proposed main civic space area totals approximately 4400m<sup>2</sup> in area with pockets of designed public space incorporated on the other three corners of the intersection. The implementation of a new civic space will establish the four-corner block of Meridian Way and Wellspring Way as a community hub. The addition of exterior public space would be complementary to the Meridian Community Centre across the street and the future Retirement Living neighbouring the site. It is important to note that the civic square will not replace Peace Park or the events that take place at Peace Park, rather it will become an additional venue for community events that are complementary to the MCC.

The consultants prepared two design concepts initially for the civic square and received public feedback and input on the two concepts. Based on the feedback and input received, the consultants refined the plan and used elements of what was preferred from both plans to develop the preferred concept. Both the initial concepts and the preferred concepts were reviewed by Town staff for feedback and input, particularly with Recreation, Culture and Wellness staff who will ultimately be responsible for programming this space.

The Director of Recreation, Culture and Wellness feels that the vision for the civic square is very good and has indicated that the space will be used during the summer months for children’s camp programming, youth theatre and music, yoga in the park, outdoor movies, etc. and is excited about the possibility of being able to provide winter programming as well. The civic square will be used as both a formal and informal gathering spot. The following is the preferred vision for the civic square.





The design of the civic square establishes a pleasant entry experience at the southwest corner of the entrance to the site. Long expanses of planting run along the sidewalk along Wellspring and Meridian Way and a large welcoming plaza is situated at the intersection of Meridian Way and Wellspring Way. The plaza incorporates permeable paving to address sustainable design principles while enriching the aesthetic value. Wood-top seat walls frame the entry path to guide people into the civic space while also providing the option for people to sit, relax and interact with one another.

At the centre of the civic space is a lawn area for people to use freely and to accommodate formal gatherings and events. One half of the lawn is bermed to provide sloped seating. The portion of the berm descending toward the stage is a long gradual slope to provide room for crowds, and a shorter slope faces the water feature to provide a resting spot in view of the water feature. The berm is bordered by permeable pavers at its base to help collect stormwater runoff from the slope.

A raised stage with a pavilion roof extends onto the lawn area. The stage offers a space for performances and events within the civic square. The north side of the stage is enclosed by seat walls running along a rain garden, allowing the stage to be utilized in either direction depending on the size of the crowd and the type of performance.

A water feature sits within an area near the main circulation path with an interesting backdrop of a stacked stone wall. The water feature is intended to be a cooling feature by using fountain jets at-grade. This idea provides options for water play for children to engage with or adults to stroll through or sit near to enjoy the spray.

Several other gathering areas are proposed around the civic square. In a defined area near the main path is a harvest table that sits on aggregate and flagstone paving under a post and cable trellis. String lights or climbing vines can stretch along the trellis for added interest. The harvest table symbolizes the coming together of the community and is a place where people can meet for lunch or an area where children's camp can do crafts, for example. Steps away from the harvest table area is a gathering space centered around two gas fire features. The fire feature area is a main point of interest that supports evening use and use of the civic space into the colder months. A combination of seat walls and adirondack chairs wrap around the features to provide seating around the protected fires. Trees and plantings are an appropriate distance away while still sheltering the space from wind. The following images illustrate the functionality of these areas.





The design concept utilizes different materials and details around the civic square to bring in elements of local character and interest, and the use of low impact design elements such as permeable pavers, a rain garden, native plantings, etc. The use of stone is proposed in several forms, including a stone wall reveal emerging from the berm, a crushed aggregate path indicating the previous farm lane that crossed the site, stacked boulders, and various pavers, all to integrate different details around the site. The local character can also inspire the proposed planting, including the introduction of flowering trees, a designated Indigenous Garden, and planting within a natural landscape and the use of native species.

### **Financial Considerations:**

In order to proceed with the development of this new civic square, it will require future budget approvals from Council. The next step in the project would be to prepare detailed construction design plans and tender package, this is estimated to be \$50,000 and staff recommend that this amount be included in the 2023 budget for consideration as part of the 2023 budget approval process and would only proceed if there is budget approval for this work.

Once detailed construction plans are prepared, the project would be considered to be 'shovel ready' and the Town would then be in a position to apply for grants to assist in offsetting the cost to construct this new civic square. The timing of construction of the civic square will be dependent on future budget approval by Council, the ability to obtain grant funding and phasing of the project.

The consultants have prepared a high level cost estimate for budgeting purposes and have estimated that the cost to complete the main part of the civic square is \$2,904,369 and the costs associated with completing the streetscape components to integrate the other 3 corners into the site is \$1,063,050. This high level cost estimate will be refined once the detailed design plans are complete, however at this time the cost estimate is suitable for establishing future budget estimates.

### **Alternatives Reviewed:**

The alternative is for Council to not endorse this vision for a civic square. Should Council choose to not endorse the vision of the civic square, Council should provide direction to staff as to alternative options.

### **Strategic Plan Relationship: Build Strong Communities and Cultural Assets**

The development of a civic square as a public gathering space is a significant place making initiative that will aid in building a strong community and become a public focal point for the Town. The intent is that the civic square will become a cultural

asset that is multi-functional and could be used for a variety of uses/functions year round. The area has been planned for a public gathering space through various approvals, including the East Fonthill Secondary Plan, the Site Master Plan for the East Fonthill Mixed Use Centre and the zoning of the lands which permits parks and urban squares, trails for cyclists and pedestrians, public art installations and small scale retail and commercial uses that serve the recreational function of the park/urban square.

**Consultation:**

The Director of Public Works and Director of Recreation, Culture and Wellness were consulted throughout the project process and provided technical feedback and input.

On-line community engagement was undertaken through the Town's Engaging Pelham webpage and public input was obtained on two design options. As well, models of the two design options were available for viewing and public feedback in the lobby of the Meridian Community Centre for a 3-week period in April 2022 and information and a questionnaire was made available to the community at the Home Show in April.

**Other Pertinent Reports/Attachments:**

Pelham Civic Square Master Plan Report, August 2022 by SHIFT Landscape Co. Inc.

**Prepared and Recommended by:**

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

**Prepared and Submitted by:**

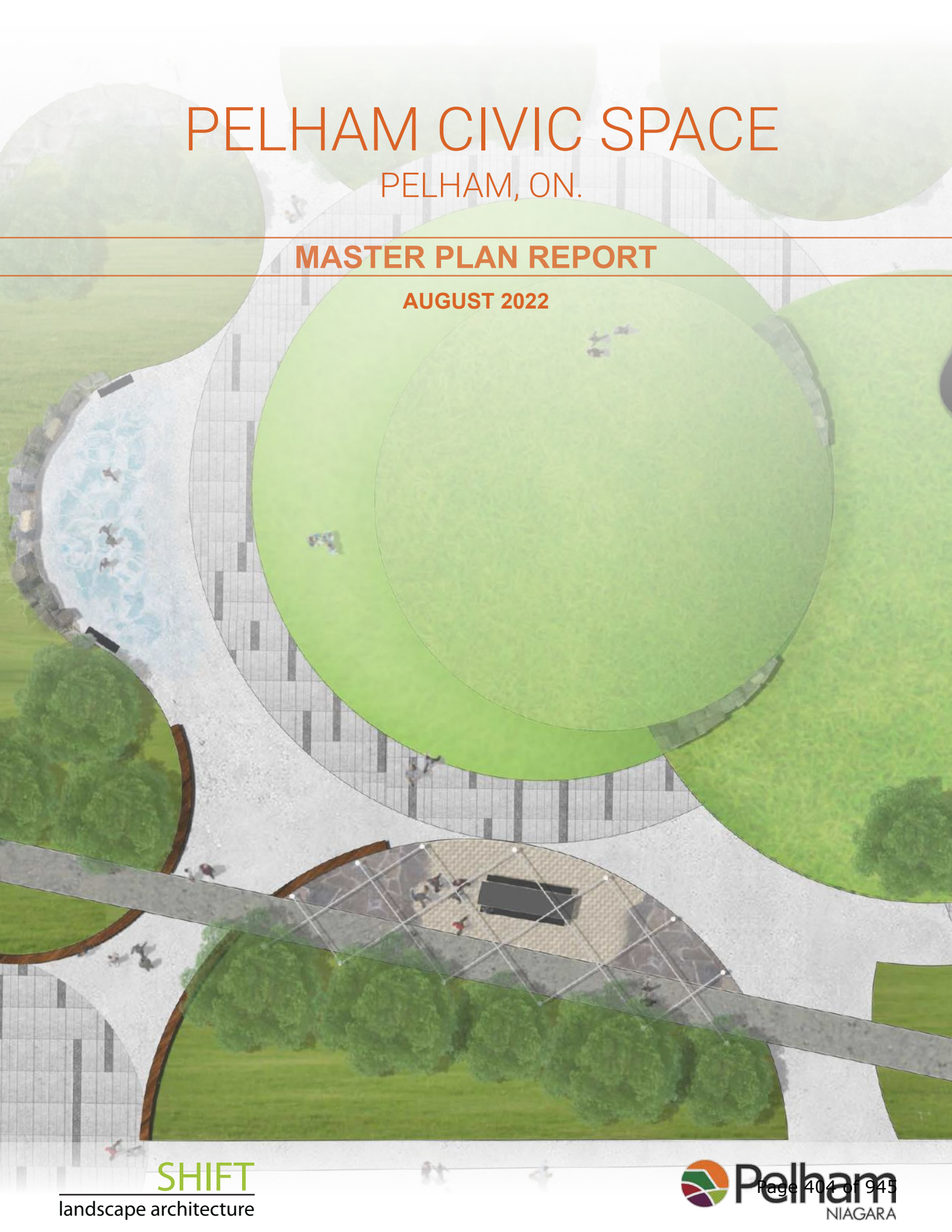
David Cribbs, BA, MA, JD, MPA  
Chief Administrative Officer

# PELHAM CIVIC SPACE

PELHAM, ON.

## MASTER PLAN REPORT

AUGUST 2022



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3	Public Engagement
4	Final Master Plan
5	Examples of Concept Ideas
6	Low-Impact Design Strategies
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# 1 Project Summary

## Background

In August 2021, the Town of Pelham issued an RFP for the Vision and Design for Pelham Civic Space. SHIFT Landscape Architecture was the successful proponent and began working with the Town in January 2022. The overall deliverables of the project involved the development of two preliminary concepts for public consultation, online public engagement, and the refinement of a preferred concept vision, including an illustrative plan and supporting graphics for council review. A cost estimate has been completed supplementary to the preferred vision concept.

The design and development of the new public space is motivated by the growing community of East Fonthill, defined further as a primary growth area for the Town of Pelham. The proposed main civic space area totals approximately 4400m<sup>2</sup>, with pockets of designed public space incorporated on the other three corners of the intersection. The one acre parcel and the corresponding corners of Wellspring Way and Meridian Way are zoned as EF-Open Space, permitting parks and urban squares designed for the recreational enjoyment of the community. This Master Plan project will implement the approved zoning on the property to fulfill the intention of this site, being an urban square for use by the broader community, as determined by the East Fonthill Secondary Plan. The implementation of a new civic space will establish the four-corner block of Meridian Way and Wellspring Way as a community hub. The addition of exterior public space should be complementary of the recently built Meridian Community Centre across the street and the future retirement living neighbouring the site.

SHIFT listened to the community to create and refine concepts that will meet their needs, build a cultural landscape, and offer a supportive place for recreation, gathering, and programming.



Site Photo Captured March 2022



## Site Analysis

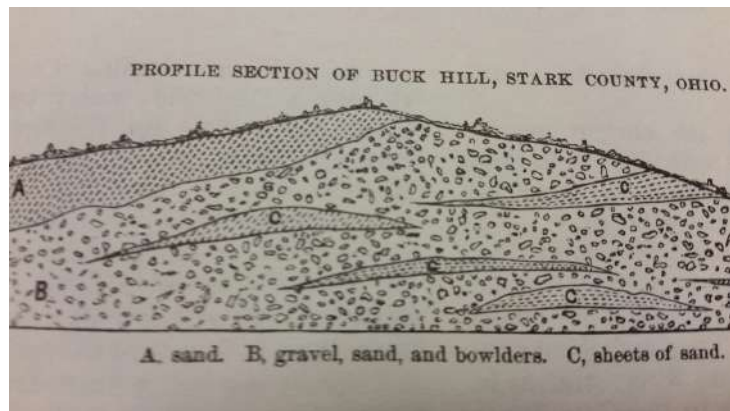
The site of the future civic space currently exists as an open greenfield at the corner of Meridian Way and Wellspring Way. The location of the future civic space is in a quickly growing area defined as a primary growth area of Pelham. For a significant period of time, the site and its immediate surroundings were used for agricultural purposes. Within the last ten years, the area has been urbanized and developed to provide housing, commercial, and recreational land uses. Specifically, the project site is bordered by a commercial shopping plaza to the northwest and a recreational community centre across Meridian Way to the southeast. The relationship to the Meridian Community Centre is a significant driver of the civic space project and suggests the need for suitable outdoor community space. The community centre houses several local minor league sports teams and is a recognized Seniors Active Living Centre. In relation, the land north and east of the future square will become a sizeable future retirement living complex. The surrounding lands of the proposed civic space are contextually diverse and should influence the demographics of site visitors by attracting all ages and a diverse variety of community members.



Site Context Over the Years

## Local Influences

The Town of Pelham has a strong cultural and physiological context that strengthens the identity of the land. The Town of Pelham is located on the traditional territory of the Haudenosaunee and Anishinaabe peoples, many of whom continue to live and work in the area today. This territory is covered by the Upper Canada Treaties and is within the land protected by the Dish With One Spoon Wampum agreement. The future civic space will be an emblem of the town and it should reflect local influences and be a place that celebrates the culture of its associated landscape. The topographic forms and vegetation of the natural environment surrounding the area are relative to the Niagara Escarpment, which has had major influence on the establishment of Pelham. The Niagara Escarpment affects the climate, topography and flora of the landscape. Further, the Fonthill Kame defines the Pelham area geologically, and has had great influence culturally. It is a large glacial deltaic complex of sand and gravel that became a significant aggregate resource for the region. Aggregate extraction is an important industry in the region, with the Town of Pelham being a main contributor. Lastly, Pelham's location in the middle of the Niagara Peninsula allows tender fruits to be grown, such as peaches, cherries, pears and plums. The capability to grow these types of fruits is because of the geographic character and opens up the opportunity for locally inspired and native plantings to be incorporated into the civic space.



1. Niagara Escarpment

2. Fonthill Kame

3. Aggregate Extraction Industry

4. Fruit Growing

# 2 Preliminary Concepts

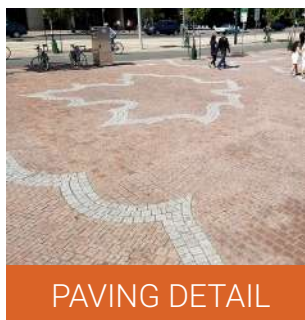
Following the collection of background information and initial grounding of the project with Town staff, SHIFT focused on developing preliminary conceptual designs. During this period, various design options were considered to address the programming needs requested by the Town. The conceptual exercise explored the inclusion of different public space elements and assessed several functional site layouts.

As a result, two preliminary concepts were prepared intended for public review. The concepts were thoughtfully developed to contrast one another to encourage valuable feedback on the likes and dislikes of the community. A two week public engagement period was held online to display the designs and gather public input on the concepts. The concepts were presented with supporting imagery, including perspective renderings and precedent images, along with small-scale physical models of the concepts. Section 3 Public Engagement provides a description of the engagement format and a summary of the results.



## Concept 1

Concept 1 has a significant entry plaza at the corner of Wellspring Way and Meridian Way, referred to as 'Bloom Plaza' to honour the fruit growing of the region. Anchored at the top of the plaza space is a large flowering vine trellis that people will move through to enter the civic space. Three sides of the site are planted with trees, creating a green frame for separation from the future residential use on the east side and a parking lot to the north. A lawn is located centrally along with a stage and pavilion. The lawn and stage will allow for informal gathering as well as larger events, such as movie nights and theatre performances. An extensive Indigenous garden is located along Wellspring Way promoting a meaningful connection between the civic space and all members of the community. The intent is for the Indigenous community to be engaged during the detailed design stage to provide ideas for the space. A water feature emerges from the berm at the Indigenous garden to create a dramatic design feature that takes inspiration from water movement along the Niagara Escarpment. When the water is turned off, the feature can transform into a small event area, providing flexibility to the space.





GROCERY STORE

B

PATHWAY

WELLSPRING WAY

VINE TRELLIS

INDIGENOUS GARDEN

WATER FEATURE

PARKING

RAIN GARDEN

RAIN GARDEN

SEATING BERM

RAIN GARDEN

LAWN

STAGE + PAVILION

BENCH

TABLES

BENCH

VINE TRELLIS

HARVEST TABLE

BLOOM PLAZA

FLOWERING TREES

BENCH

SEATING

PAVING DETAIL

MERIDIAN WAY

SEATING

WELLSPRING CENTRE

MERIDIAN COMMUNITY CENTRE



1

# BLOOM PLAZA

View from Meridian Way and Wellspring Way looking into the Civic Space.



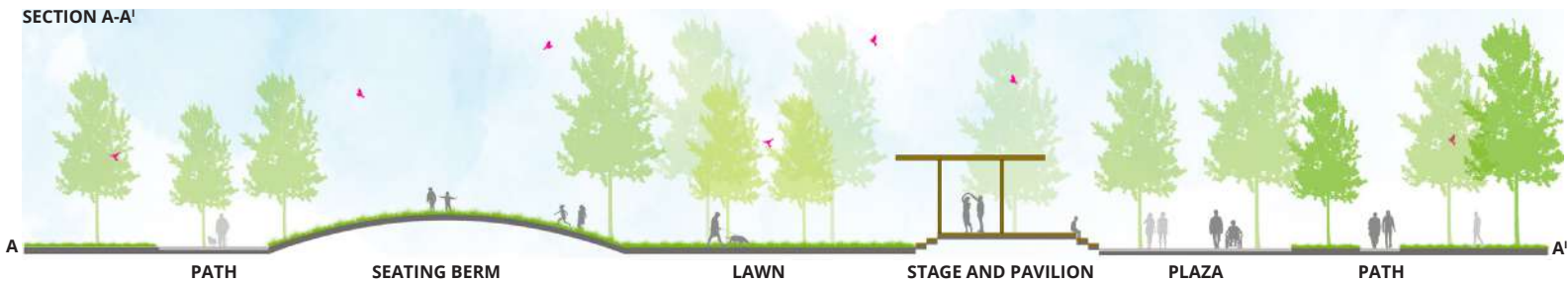
2

# WATER FEATURE

Looking northwest to Wellspring Way toward the shopping plaza.



SECTION A-A'



SECTION B-B'









## Concept 2

Concept 2 incorporates a large tree grove in bound aggregate that meets the corner of Wellspring Way and Meridian Way providing a welcoming, green entry. A harvest table and several benches sit within this space for people to enjoy the shade of the tree grove. Cutting through the grove is a paving element that recalls the farm laneway that once served the nursery which used to occupy the site. The laneway marker connects to the Indigenous garden and continues across the street to a seating node. A large community deck creates a unique space for gathering and 'play'. On a day-to-day basis, this deck can be used as a unique seating area and gathering space in addition to being an area for special event programming and community events. Integrated into the green spaces along the eastern edge are rain gardens to capture stormwater runoff on-site. A gas fire feature is located near the deck and grove to offer winter use. A water plaza allows for play but can be turned off to become a space for larger events in relation to the community deck.



COMMUNITY DECK



GAS FIRE FEATURE



GATHERING GROVE



GARDEN PLANTING



PAVILION



PATHWAY

SEATING

WELLSPRING WAY

B

SEATING

SEAT WALL + GARDEN

WATER FEATURE

SEATING SLOPE

PAVILION

PARKING

RAIN GARDEN

LAWN

COMMUNITY DECK

GAS FIRE FEATURE

INDIGENOUS GARDEN

RAIN GARDEN

HARVEST TABLE

GATHERING GROVE

FARM LANEWAY MARKER

PAVING DETAIL

MERIDIAN WAY

WELLSPRING NIAGARA

MERIDIAN COMMUNITY CENTRE



1

# COMMUNITY DECK

Looking to the Northeast from the water feature.



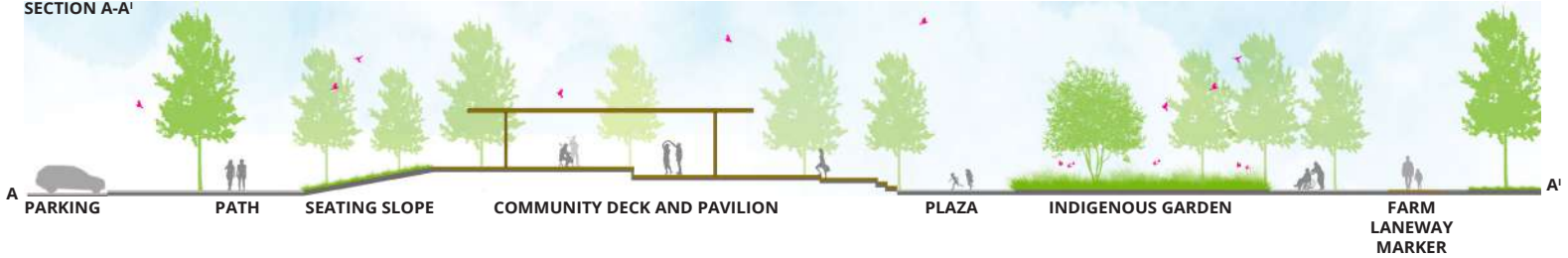
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# SEATING GROVE

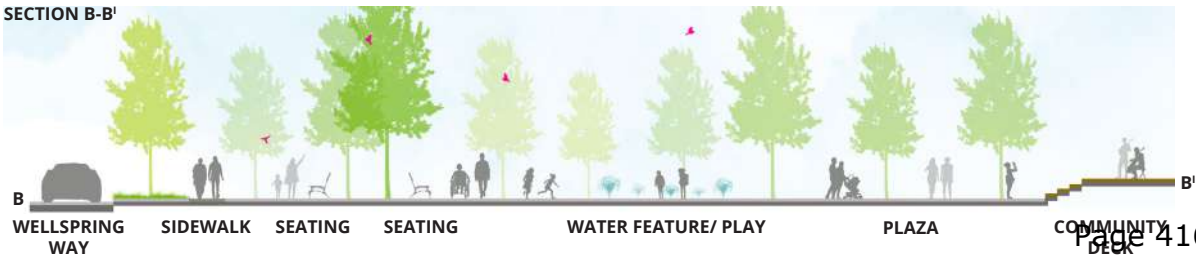
View from within the grove near Meridian Way and Wellspring Way.



SECTION A-A'



SECTION B-B'









# 3 Public Engagement

SHIFT Landscape Architecture developed two preliminary concepts to present to the public. Public engagement was held online via Engage Pelham, launching April 8th 2022 for two weeks, closing April 26th. Two conceptual plans with supporting imagery, including perspective views, sections, and precedents, were prepared for the purpose of receiving insight from the community on the designs. To collect feedback, a survey was created on Engage Pelham. The survey included 11 questions pertaining to ideal future uses, activities, and site programming options, as well as inquiry of individual preferences toward different design elements.

SHIFT had panels printed of each concept that were on display in the lobby of Meridian Community Centre for the same duration as the online public engagement session, from April 8th to April 26th. Notably, these were present for the Home Show. Physical models of each concept, constructed by SHIFT, accompanied the panels to offer a better experiential understanding of the concepts. The variety of presentation material shown to the public offered effective communication methods that produced valuable results.

The survey generated 21 responses, demonstrating overall support of the project and the designs. SHIFT reviewed the responses and summarized the results in the Pelham Civic Space Engagement Summary, appended in this report.

There was strong support for the design to be an open, multi-use space that accommodates all generations, with many respondents specifying a space catering to families with children. Some of the key ideas and takeaways from the results included, the support of a water feature, tree planting, and space to support community gathering and cultural events. Garden spaces were prioritized with an emphasis on ecological value and a source of screening from the adjacent road and future residential development and parking lot. The engagement highlighted a few areas that the community feels are important to make the project a success. Proper considerations of safety, inclusivity, and accessibility were noted.

Overall, most responded with a preference for a combination of ideas from each concept. The information that was gathered from the PIC was used to influence the final design.

The Civic Space will be most successful if it is able to accommodate a wide variety of uses, needs and activities. Please rate how important these elements are to you.



Optional question (21 response(s), 0 skipped)  
Question type: Likert Question

**“Multi-faceted space that will allow for community use within an environmentally sound design.”**

**“Including work by local artists as well as having room for smaller events is vital to keep our growing town feel like a community still.”**

**“Trees for shade, pavilion area, seating, area for social events, water feature for kids to play in.”**

**“I would likely use it for a place to go and sit and chat or read before or after my kids activities (ie. hockey). I could also picture picking up some take out or bringing a picnic and having a bite to eat there on a nice day.”**

**“Considering the location/proximity to commercial spaces I think it is important to create a place which is versatile. A calm relaxing space with lots of shade and plants for passive day to day use is important. I think a space with some movable tables/structures or features to turn on and off to allow the Town to convert sections of the space from passive use to active use for organized events. Events could be small food markets/food truck nights, small craft markets, private rented gatherings, cultural demonstrations etc.”**

**“I think the future civic space should be a gathering place, where people of all ages can come and enjoy the space.”**

# 4 Final Master Plan

The Master Plan for Pelham Civic Space was developed based on the feedback heard during public engagement and consultation with Town staff. Based on the recommendations, the final concept combines ideas, forms, and elements from both preliminary concepts to achieve a dynamic space that reflects the desires of the future users. The final design embodies a multi-use space that would encourage the community to use the space daily and come together in larger groups for events. Many areas are provided to nurture different experiences within the civic space and to consider the diverse users that would use the public space.

The design of the civic space creates a beautiful street frontage and establishes a pleasant entry experience. Long expanses of planting run along the sidewalk and a large welcoming plaza is situated at the intersection of Meridian Way and Wellspring Way. The plaza incorporates permeable paving to address sustainable design principles while enriching the aesthetic value. Wood-top seat walls frame the entry path to guide people into the civic space while also providing the option for people to sit and relax.

At the core of the civic space is a great lawn for people to use freely and to accommodate formal gatherings and events. One half of the lawn is bermed to offer sloped seating. The portion of the berm descending toward the stage is a long gradual slope to provide room for crowds, and a shorter slope faces the water feature to provide a resting spot in view of the water. The berm is bordered by permeable pavers at its base to help collect stormwater runoff from the slope.

A stage with a pavilion roof extends into the great lawn. The stage offers a designated space to host performances and events within the civic space. The north side of the stage is enclosed by seat walls running along a rain garden, allowing the stage to be utilized in either direction depending on the size of the crowd.

A water feature sits within a cove off of the main circulation path with an interesting backdrop of a stacked stone wall. The water feature is intended to be a cooling feature by using fountain jets at-grade. This idea provides options for water play for children to engage with or adults to stroll through or sit near to enjoy the spray.

Several other exciting gathering areas are proposed around the civic space. In a defined pocket off of the main path is a harvest table that sits on aggregate and flagstone paving under a post and cable trellis. String lights or climbing vines can stretch along the trellis for added interest. The harvest table is also symbolic with



the purpose of supporting the coming together of the community. Steps away from the harvest table area is a gathering space centered around two gas fire features. The fire feature area is a main point of interest that supports evening operation and use of the civic space into the colder months. A combination of seat walls and Adirondack chairs wrap around the features to provide seating around the protected fires. Trees and plantings sit at an appropriate distance away while still sheltering the space from wind.

The final concept suggests different materiality and details around the civic space to bring in elements of local character and interest. The use of stone is proposed in several forms, including a stone wall reveal emerging from the berm, a crushed aggregate path indicating the previous farm lane that crossed the site, stacked boulders, and various pavers, all to integrate different details around the site. The local character can also inspire the proposed planting, including the introduction of flowering trees, a designated Indigenous Garden, and planting that thoughtfully recalls the surrounding natural landscape.







VIEW FROM ENTRY PLAZA





VIEW OF HARVEST TABLE AREA





VIEW OF FIRE FEATURE AREA



# 5 Examples of Concept Ideas

GREAT LAWN



SEATING SLOPE



WATER FEATURE





HARVEST TABLE



FIRE FEATURE



CABLE TRELLIS



STONE WALL REVEAL





## TREE PLANTING



## RAIN GARDEN



## MOUNDED PLANT BEDS





# 6 Low-Impact Design Strategies

A project such as the Pelham Civic Space provides many opportunities to rethink how we build public spaces so that they provide not only a cultural amenity but also so they work to reduce the impacts of a developed landscape. Outlined below are several strategies that could be employed to assist in combating the effects of climate change while enhancing the overall experience for the community. The proposed ideas will aid in reducing the civic space's impact, however, the materials, design ideas and processes outlined can also serve as a starting point for broader implementation throughout the Town which would have a much more substantial benefit in time.



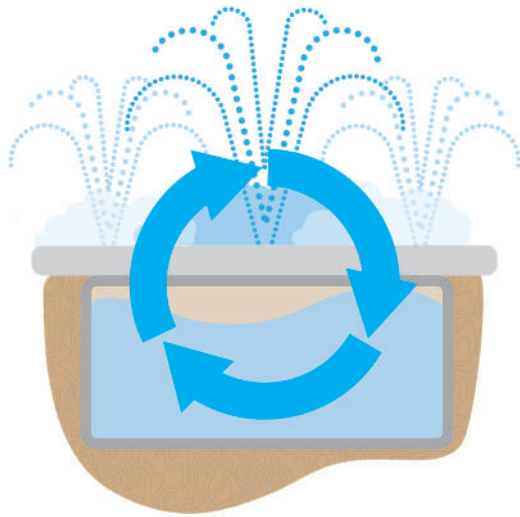
## TREE PLANTING

Increased tree planting is a necessary approach to mitigate the Urban Heat Island effect. The civic space may be affected by the Urban Heat Island effect with higher temperatures as a result of the introduction of paved space absorbing and storing more heat energy. Significant tree canopy coverage will offer a cooling effect, while assisting with the transpiration of stormwater and adding to the experiential quality of the space.



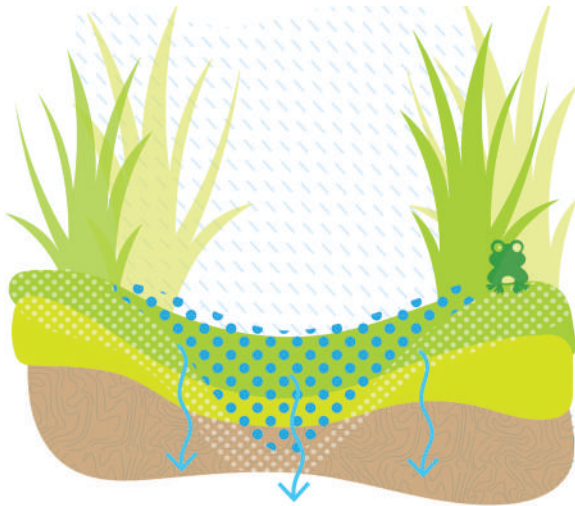
## NATIVE PLANTS

The use of native plants is a simple, yet effective way to add ecological value to the landscape. Strategic selections of native plants will provide food and habitat for local birds and insects, and can enrich biodiversity in the area. Native plants tend to be more resilient and low-maintenance once established, easing the need for frequent upkeep. The concept features several significant planting areas intending to enhance the beauty and ecological role of the civic space.



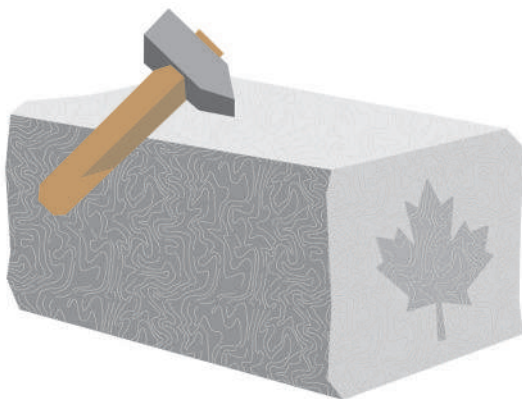
## WATER RECIRCULATION

A water feature provides a source of cooling in hot temperatures, working to create a comfortable microclimate within the civic space. The water feature could employ a UV filtering system so that water is recirculated rather than being directed to the sewer system.



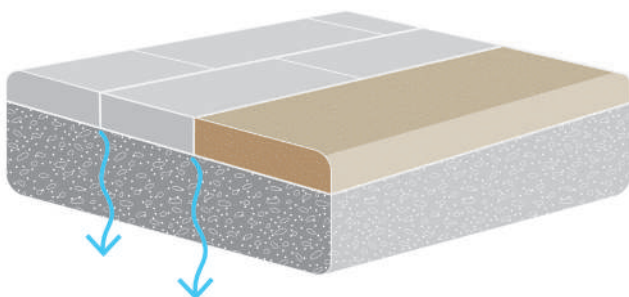
## RAIN GARDEN

Rain gardens are an excellent example of low impact design that alleviate the pressures on infrastructure by naturally managing stormwater runoff on-site. These green gardens can be located at the low points of the civic space to collect water and provide points of infiltration. Rain gardens bring beauty with functional benefit, making them a great design element. It should be noted that to achieve optimal results, it requires extra consideration to the proper soils, grading, and planting.



## LOCAL MATERIALS

This project aims to use locally sourced materials, such as quarry stone, lumber, and paving products. Local supply brings the benefit of economic contribution, sustainable practices, and community pride. Cost and supply constraints can come into play that may make this objective challenging to achieve.



## PERMEABLE PAVING

Permeable paving is an effective method to enhance on-site stormwater infiltration. Increased infiltration around the civic space reduces the amount of water runoff and prevents stormwater systems from becoming overloaded. It can take the form of permeable unit pavers and bound aggregates that can be introduced into the civic space to provide both environmental and aesthetic benefit.



# 7

## Cost Estimate

**SHIFT**

landscape architecture

**Pelham Civic Space**

Town of Pelham

**Cost Estimate - August 2022**

<u>Item</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Quantity Cost</u>
<b>1.00 Demolition, site prep, permits</b>				<b>\$ 108,395.00</b>
1.01 Site mobilization, survey, demobilization etc	ls	\$ 50,000.00	1	\$ 50,000.00
1.02 Bonding, Insurance	ls	\$ 40,000.00	1	\$ 40,000.00
1.03 Temp. site perimeter fencing	lin m	\$ 35.00	283	\$ 9,905.00
1.04 Temp. silt control fencing	lin m	\$ 30.00	283	\$ 8,490.00
<b>2.00 Grading and earthworks</b>				<b>\$ 125,000.00</b>
2.01 Strip and stockpile and redistribute topsoil	ls	\$ 50,000.00	1	\$ 50,000.00
2.02 Site grading	ls	\$ 75,000.00	1	\$ 75,000.00
<b>3.00 Site services and water play features</b>				<b>\$ 225,000.00</b>
3.01 Electrical site work (connections, lighting, equipment)	ls	\$125,000.00	1	\$ 125,000.00
3.02 Water services and connections	ls	\$ 50,000.00	1	\$ 50,000.00
3.03 Stormwater services and connections	ls	\$ 50,000.00	1	\$ 50,000.00
<b>4.00 Paving</b>				<b>\$ 551,100.00</b>
4.01 PIP concrete paving w/ micro-etch	sq m	\$ 170.00	1165	\$ 198,050.00
4.02 Permeable pavers	sq m	\$ 450.00	617	\$ 277,650.00
4.03 New curbs	lin m	\$ 200.00	22	\$ 4,400.00
4.04 Stonedust surfacing	sq m	\$ 100.00	50	\$ 5,000.00
4.05 Crushed aggregate surfacing (farm lane path)	sq m	\$ 300.00	170	\$ 51,000.00
4.06 Flagstone	sq m	\$ 500.00	30	\$ 15,000.00
<b>5.00 Site furnishings, fencing, signage</b>				<b>\$ 645,500.00</b>
5.01 Concrete w/ wood top seat walls	lin m	\$ 1,500.00	48	\$ 72,000.00
5.02 Concrete seat walls @ fire feature area	lin m	\$ 1,500.00	12	\$ 18,000.00
5.03 Stacked stone wall	lin m	\$ 2,500.00	18	\$ 45,000.00
5.04 Stone wall reveal @ berm	lin m	\$ 2,500.00	10	\$ 25,000.00
5.05 Irregular granite boulders @ planting beds	ls	\$ 25,000.00	1	\$ 25,000.00
5.06 Tree grates	ea	\$ 2,500.00	3	\$ 7,500.00
5.07 Adirondack chairs	ea	\$ 2,000.00	8	\$ 16,000.00
5.08 Bike ring	ea	\$ 800.00	10	\$ 8,000.00
5.09 Waste bin	ea	\$ 2,000.00	3	\$ 6,000.00
5.10 Custom fire feature	ea	\$ 50,000.00	2	\$ 100,000.00
5.11 Harvest table	ls	\$ 18,000.00	1	\$ 18,000.00
5.12 Cable Trellis	ls	\$ 80,000.00	1	\$ 80,000.00
5.13 Stage + Pavilion	ls	\$225,000.00	1	\$ 225,000.00
<b>6.00 Water Feature</b>				<b>\$ 150,000.00</b>
6.01 Water play feature	ls	\$150,000.00	1	\$ 150,000.00

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<b>7.00</b>	<b>Planting</b>				<b>\$ 223,500.00</b>
7.01	Planting medium at planting areas	cu m	\$ 100.00	450	\$ 45,000.00
7.02	Bioretention soil at rain garden (400mm depth)	cu m	\$ 150.00	188	\$ 28,200.00
7.03	Trees in soil cells	ea	\$ 20,000.00	3	\$ 60,000.00
7.04	Supply/Install: deciduous trees (50mm plus)	ea	\$ 850.00	40	\$ 34,000.00
7.05	Supply/Install: shrubs	ea	\$ 50.00	200	\$ 10,000.00
7.06	Supply/Install: perennials and grasses	ea	\$ 35.00	1000	\$ 35,000.00
7.07	Supply/Install: sod	sq m	\$ 10.00	1130	\$ 11,300.00
<b>8.00</b>	<b>Testing</b>				<b>\$ 20,000.00</b>
8.01	Testing allowance	allowance	\$ 20,000.00	1	\$ 20,000.00
<b>9.00</b>	<b>Consultants (Detailed Design, Contract Documents + Contract Administration)</b>				<b>\$ 275,000.00</b>
9.01	Consultants allowance	allowance	\$275,000.00	1	\$ 275,000.00
<b>Subtotal</b>					<b>\$ 2,323,495.00</b>
Contingency @ 25%					<b>\$ 580,873.75</b>
<b>TOTAL</b>					<b>\$ 2,904,368.75</b>

**Streetscape Costing**

<u>Item</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Quantity Cost</u>	
<b>10.00</b>	<b>Demolition, site prep, permits</b>			<b>\$ 201,940.00</b>	
10.01	Site mobilization, survey, demobilization etc	ls	\$ 50,000.00	1	\$ 50,000.00
10.02	Bonding, Insurance	ls	\$ 40,000.00	1	\$ 40,000.00
10.03	Removals	ls	\$ 50,000.00	1	\$ 50,000.00
10.04	Traffic management	ls	\$ 40,000.00	1	\$ 40,000.00
10.05	Temp. site perimeter fencing	lin m	\$ 35.00	316	\$ 11,060.00
10.06	Temp. tree protection fencing	lin m	\$ 35.00	40	\$ 1,400.00
10.07	Temp. silt control fencing	lin m	\$ 30.00	316	\$ 9,480.00
<b>11.00</b>	<b>Grading and earthworks</b>			<b>\$ 50,000.00</b>	
11.01	Grading and earthworks	ls	\$ 50,000.00	1	\$ 50,000.00
<b>12.00</b>	<b>Paving</b>			<b>\$ 408,500.00</b>	
12.01	PIP concrete paving w/ micro-etch	sq m	\$ 170.00	370	\$ 62,900.00
12.02	Precast pavers on concrete	sq m	\$ 600.00	560	\$ 336,000.00
12.03	New curbs	lin m	\$ 200.00	48	\$ 9,600.00
<b>13.00</b>	<b>Site furnishings, fencing, signage</b>			<b>\$ 40,000.00</b>	
13.01	Furnishing allowance	allowance	\$ 40,000.00	1	\$ 40,000.00
<b>14.00</b>	<b>Planting</b>			<b>\$ 50,000.00</b>	
14.01	Planting allowance	allowance	\$ 50,000.00	1	\$ 50,000.00
<b>15.00</b>	<b>Consultants (Detailed Design, Contract Documents + Contract Administration)</b>			<b>\$ 100,000.00</b>	
15.01	Consultant allowance	allowance	\$100,000.00	1	\$ 100,000.00
<b>Subtotal</b>					<b>\$ 850,440.00</b>
Contingency @ 25%					<b>\$ 212,610.00</b>
<b>TOTAL</b>					<b>\$ 1,063,050.00</b>

# 8 Appendices

# Pelham Civic Space

Summary of public input from PIC #1

## Initial Design Concepts

### Introduction

The Town of Pelham and SHIFT Landscape Architecture hosted a Public Information Centre (PIC) via Engage Pelham that lasted 2 weeks from April 8<sup>th</sup> to April 26<sup>th</sup>, 2022. In addition, SHIFT LA had panels of each concept along with physical models in the lobby at the Meridian Community Centre. These were installed April 8<sup>th</sup>, 2022, and were in place for the home show on April 9<sup>th</sup> and 10<sup>th</sup>. The panels and models remained in place for the duration of the online engagement period. A paper survey was available for people to complete.

Presentation materials were made available on Engage Pelham along with the survey. Following the completion of the survey, Shift LA reviewed the responses to gather community opinion on the proposed conceptual designs.

The overall response from the community is positive and supportive of the conceptual designs for Pelham Civic Space. Through the feedback received, some issues or gaps were identified, and many of the comments will help inform detailed design decisions as the project proceeds. There were 35 visits to the site in total, 19 contributors, and 21 survey responses. 3 hardcopies were emailed to Lindsay Richardson, a Community Planner at the Town of Pelham.

### Summary of Survey

The survey consisted of 11 questions and the primary intent of the online survey was to gather feedback and gain input from the public on future site programming, uses and activities as well preference for the concepts with follow-up questions catering to the different elements of the designs.

### Survey Responses

#### Question 1.

Pelham Civic Space will be...How would you like to use the future Civic Space? What would you like to share to help us develop a final concept?

Question 1 was intended to be open-ended to understand the programming and use opportunities the community felt would benefit the civic space. Out of the 21 responses, a majority advocated for open, multi-use spaces that catered to families, especially those with young children. A majority also voiced preference to an abundance of plants to not only become ecological and ornamental elements of the future site but also to serve as a buffer between the adjacent commercial spaces and parking. Some also indicated the need for both passive and active uses for events such as vendor markets, concerts and other social events.

#### Question 2.

Pelham Civic Space will include...The Civic Space will be most successful if it is able to accommodate a wide variety of uses, needs and activities. Please rate how important these elements are to you.

This question was framed to understand the importance of different elements and uses of the site. The users were asked to rate each element as, *Very Important, Important, Somewhat Important or Not Important* (see Appendices,

“page 5of27” for graphic representation of results). Of the 23 responses, majority of the elements were labeled as very important; which included tree planting, open space for cultural events and areas for gathering. Quiet spaces, shade structures, and garden space following suit in importance. And public art installations, heritage interpretation and gas fireplace were among those that weren’t favoured as much.

Question 3.

Further, the survey asked respondents if they had any additional elements or uses, not included in the previous questions that would be important to them. The variety of suggestions was highly dispersed, and the results are summarized below with the frequency of responses in brackets.

Additional suggestions and considerations

<ul style="list-style-type: none"> <li>• Water features (3)</li> <li>• Community gardens (3)</li> <li>• More trees (3)</li> <li>• Pathways connecting gardens to adjacent roads (1)</li> <li>• Drinking fountain (1)</li> <li>• Space for children/ outdoor learning (4)</li> <li>• Bike stands (2)</li> <li>• Interactive/musical art display (1)</li> </ul>	<ul style="list-style-type: none"> <li>• Low maintenance elements (1)</li> <li>• Active space for concerts (2)</li> <li>• Elements supporting multi-generational users (1)</li> <li>• Shaded seating (1)</li> <li>• Vendor markets (4)</li> <li>• Beehives (2)</li> <li>• Recycling/compost receptacles (1)</li> <li>• Gathering spaces (2)</li> <li>• Shade structures (1)</li> </ul>
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Question 4.

Four-season uses...What elements would attract you to the Civic Space in the warmer part of the year (late spring, summer, early fall)? *(This question was left open-ended, giving the respondent freedom to describe their preferences)*

Water is often most sought after in warmer months and, not surprisingly, most popular among the respondents included some sort of water feature (10 responses). Elements such as gardens (8 responses), and organized events (5 responses) were also a popular response. Other responses included shaded structures, tables for picnics and art installations. A respondent expressed that the popularity of the space would bring them out to use the site. The concern of better maintenance for the site was also a re-occurring element among the respondents.

Question 5.

Four-season uses...What elements would attract you to the Civic Space in the colder part of the year (early spring, winter, late fall)? *(This question was left open-ended, giving respondent freedom to describe their preferences)*

In winter, warmth is often a crucial element that needs to be addressed and an overwhelming number of responses expressed attraction to a fire element within the site (14 responses). Although the concern for the safety of the hot surface (if enclosed) or open fire arose -which is something that would need to be addressed to make the space safe



for all users. 9 respondents also expressed that an ice rink is something that would be a popular attraction; one respondent wrote:

“An outdoor ice rink or ice trail for skating/exercise. Picturing a figure 8 or winding trail around the space that is artificially cooled. I have seen these in various areas around the GTA and it gets people out of their homes in the winter, engaging in the community and exercising through the winter. Parking spaces for food trucks to park on higher traffic days (ie. ice cream truck) would be ideal. I can envision having multiple gas fireplaces in order to provide some warmth.”

In colder parts of the year, snow is of concern and 4 respondents expressed concern for snow removal and maintenance, as it is one of the main reasons that deters users. Overall, the other responses mimic those from the previous questions with attraction to elements such as, shaded seating, gardens, sculptures and more trees.

#### Question 6.

There are 2 preliminary concepts for discussion. Please indicate which you prefer?

This question was asked to understand the preference of the presented design concepts and received 22 responses. The survey noted that the final design may end up being a combination of both concepts, and by choosing one over the other you are not selecting the final design. The survey offered four options, *Concept 1*, *Concept 2*, *I don't have a preference* or *A combination of two concepts*. Most responded with a preference for a combination of both concepts (8 responses) and second highest voted was concept 2 (7 responses). 1 person did not have a preference.

#### Question 7. (follow-up of Question 6.)

I prefer Concept 1 because...

Below are some of the responses:

“The water feature includes a space for children to play while adults enjoy the space”

“Prettier garden stuff”

“The flow of the spacing”

“More concert space that could also be used for vendor markets.”

“It's more aesthetically pleasing, more separate areas and versatility. Dislike the large deck in concept 2”

“More flexible community area; there should be a community input before the 2 options were proposed; who provided direction to the contractor/Town staff??”

#### Question 8. (follow-up of Question 6.)

I prefer Concept 2 because...

Below are some of the responses:

“It doesn't affect the road. The interlocking in Fenwick hasn't held up”

“Water feature mixed with landscape features, community seating”

“Bigger stage, nice water splash area. Larger pavilion for future events. Nice look”

“The stage area looks inviting gardens fire feature nice addition”

Question 9.

I would like to see a combination of both concepts because...

Below are some of the responses:

“I liked the more natural/nature feeling given by option one, this will bring a nice feel to a more commercial area. The idea of the more versatile space in option two is appealing.”

“There are some options from each that I really like”

“Stage area should face towards the MCC so the green space across the road can be utilized as overflow/expanded viewing area as per concept 2.”

“Fire and water features, harvest table, covered tables”

“Water and heat features, trees, picnic areas, lawn, art”

“Large harvest table providing seating is flexible and permits for wheelchairs, great lawn allows for flexibility of use, gas fireplaces to increase seasonal usage, water feature a great idea, community deck seems great as well.”

Question 10. Favourite elements or design ideas...Which ideas, elements or features from the concepts do you think are the most important? Which do you want to see in the final concept?

EVENT	NUMBER OF RESPONSES
Child-friendly space	5
Water feature	6
Surrounded by plants	6
Fire feature	5
Seating *	6
Pavilion	2
Shaded area	7
Versatile gathering area	6
Parking space	2
Picnic Tables	1
Bloom arch	1
Restroom facilities	1
Open space	1

Pollinator Support	1
Bike Lanes	1
No storage building	1
Vendor markets	1

\*one respondent voiced concern for seating that supports elderly and pregnant users

A respondent voiced that they feel both designs are too ambitious and adding too many elements will end up crowding the space -decreasing community gathering capacity for the site.

Question 11.

Do you have any additional comments regarding the Pelham Civic Space project?

Below are some of the responses:

“This would be a wonderful way to start to get back the small town feel that we have lost to the retail development in that area. Our family would greatly appreciate a community space in the “hub” of Fonthill to visit and enjoy”

“Having recently moved from St. Catharines to Fonthill I really enjoy and appreciate the focus the Town puts on civic spaces, parks walking trails and the naturalized creeks and ponds! It makes for a very enjoyable calm atmosphere and maintains a Town that all can take pride in. Keep up the great work!”

“It would be helpful to know what guidance the consultant was provided with. What were the goals of the project as identified by the Town?”

“Please make this something family friendly, not just another space for people to go sit. Recognizing a senior centre is to be built next to it, should be more than just a spot to go walk/sit. Inclusive for all ages and abilities.”

“Why are we pushing our civic square to the edge of our municipal boundary? This space is generally inaccessible to most of the population, not within walking distance and no available parking. I have most recently seen this space used as overflow parking for the MCC. This area is very poorly planned, high density urban/commercial on one side and rural open space on the other, very incohesive.”

“I believe that having an outdoor skating trail would very much enhance the space and it would certainly allow Pelham to stand out in Niagara. I think that a skating trail would allow for a great deal of use by citizens of ALL ages compared to having an outdoor rink and would increase the sense of community throughout the winter months. It would provide a safe place for kids to engage in outdoor activity and opportunities for people to gather outside in winter.”

Overall Feedback:

The feedback received from the survey is generally supportive of the proposed conceptual designs with some issues with gaps in designs or concerns for safety what were highlighted. The public feedback from this survey suggests that both concepts have incorporated many of the community’s desires for this space.

Of the concerns, considerations and suggestions that were raised through this engagement effort, most notable were questions around the safety of the fire element, suggestions about site accessibility and the need for the site to be inclusive for all ages, especially with a senior center in close proximity. There was also a concern for the proposed site

elements decreasing the available site capacity for gathering. Additional suggestions for civic space elements may be further explored in the detailed design phase with material selection and refined spatial layout. Project budget will be significant in determining what can be realized on the public space. The community is supportive of green elements and the inclusion of natural spaces in the civic space. Outdoor learning spaces for children is also a suggestion that was brought up by a few respondents.

There is a strong desire to ensure that the civic space is safe, accessible and representative of the community character. Opportunities to interact with nature also remain important to the civic space design. Overall, the community appears to be supportive of the project. A final design will be guided by the general needs of this type of public space and the information gathered through this outreach.

END OF REPORT



**Subject:** Emergency Management Program 2022 Revised

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0172  
Emergency Management Program 2022 Revised, for information;**

**AND THAT the proposed Town of Pelham Emergency Plan as outlined  
in Appendix A, be approved;**

**AND THAT the Clerk be directed to present the necessary By-law at  
the next Regular Meeting of Council on September 6, 2022.**

**Background:**

The *Emergency Management and Civil Protection Act*, R.S.O. 1990, Chapter E.9 (the "Act"), requires every municipality to develop and implement an Emergency Management Program and to formulate an Emergency Plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency.

In 2020, council directed staff to prepare an RFP for a third party review of the existing 2019 emergency plan and make recommendations to further enhance the plan to meet current demands.

In 2021, GTA emergency management consultants were awarded the contract to review and make recommendations to improve the current plan.

In 2022, the Town of Pelham's emergency management committee reviewed and revised the current plan to reflect the recommendations by GTA.

**Analysis:**

The new emergency management plan has been updated and revised to reflect a more robust document and to address the recommendations from GTA consultants, the four main recommendations were focused around IMS, training, annual exercises and HIRA.

The new documents have been revised, reviewed and approved by the Emergency Management Committee as presented to Council.

**Financial Considerations:**

There are no direct financial considerations associated with this report

**Alternatives Reviewed:**

This is a statutory requirement to which there are no alternatives

**Strategic Plan Relationship: Strong Organization**

An enhanced plan will support staff in the event of an emergency, which in turn will lead to greater protection and response capacity.

**Consultation:**

GTA consultants, Pelham's Emergency Management Committee, various municipalities.

**Other Pertinent Reports/Attachments:**

Appendix A – Draft Town of Pelham Emergency Management Plan

**Prepared and Recommended by:**

Bob Lymburner, Fire Chief  
Director of Fire and By-law Services

**Prepared and Submitted by:**

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



**Town of Pelham**  
**Emergency Management Plan**  
As adopted by Town Council By-Law Number #####

Version Amended: July 2022  
**Draft Only**

# Glossary of Terms

The following terms, used in this document, are identified below:

- ACT – *The Emergency Management and Civil Protection Act*, R.S.O.1990, c.E.9
- CEMC - Community Emergency Management Coordinator
- SLT – Senior Leadership Team
- EIO Emergency Information Officer
- EMP – Emergency Management Program
- EOC – Emergency Operations Centre
- EOCMT – Emergency Operations Centre Management Team
- HIRA – Hazard Identification and Risk Assessment
- IAP – Incident Action Plan
- IC – Incident Commander
- OFMEM – Ontario Fire Marshal and Emergency Management
- PEOC – Provincial Emergency Operations Centre
- TOP – Town of Pelham
- UC Unified Commander

# 1. Introduction

The Town of Pelham Emergency Management Plan (EMP) establishes the framework for responding to a number of risks Pelham may face in the future. In collaboration with key officials, agencies, departments and stakeholders, the plan outlines collective and individual roles and responsibilities in responding to, managing and recovering from an emergency.

Section 2.1 of the Act provides the legal authority to develop and implement a plan of this nature. This section of the Act states *'Every municipality shall develop and implement an emergency management program and the council of the municipality shall by by-law adopt the emergency management program'*

## 1.1 Purpose

The purpose of the EMP during an emergency is to facilitate and guide the effective co-ordination of human and physical resources, services and activities necessary to:

- Protect and preserve life and property;
- Minimize and/or mitigate the effects of the emergency on the residents and physical infrastructure during the emergency; and
- Quickly and efficiently, enable the recovery and restoration of services.

It also makes provision for the efficient administration, coordination, and implementation of extraordinary arrangements and response measures taken by the EMP to protect the health, safety and well being of the residents of Pelham during an emergency by:

- Identifying the governance structure for emergency response for EMP;
- Identifying roles and responsibilities required in mitigating, preparing for, responding to and recovering from emergencies and disasters;
- Identifying standard response goals for emergency response operations and decision making; and
- Outlining the necessary structure for a coordinated response by EMP, Niagara Region, Municipality(s) and partner agencies in managing emergencies.

Section 5 of the Act, states that the emergency plan of a lower tier municipality shall conform to the emergency plan of the upper-tier municipality.



Niagara Region as the upper tier municipality provides region wide services in support of the 12 local area municipalities. Therefore, it is important that the Emergency Management Plans of Niagara Region and the 12 local area municipalities are aligned specifically as they relate to the provision of Niagara Region services during emergency situations.

## **1.2 Definition of an Emergency**

Section 1 of the Act defines an emergency as:

*"A situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident whether intentional or otherwise."*

Any situation that meets the above definition, occurring within or impacting within the Town of Pelham may precipitate the activation of the E.O.C

## **1.3 Legal Authorities**

The legislation under which Town of Pelham and its employees are authorized to respond to an emergency are:

- The Act; and
- The Town of Pelham Emergency Management Program By-Law.

The Act requires municipalities to develop, implement and maintain an emergency management program and adopt it with a by-law. An emergency management program must consist of:

- An emergency management plan;
- Training programs and exercises for employees of municipalities and other persons with respect to the provision of required services and procedures to be followed in emergency response and recovery activities;
- Public education on risks to public safety and on public preparedness for emergencies; and
- Any other element required for municipalities in standards of emergency management programs that may be developed by the Ontario Fire Marshall and Emergency Management Division of the Ministry of Community Safety and Correctional Services.

Ontario Regulation 380/04 describes emergency management standards for municipal emergency management programs. There are a number of required elements including:

- Development of an Emergency Management Plan which includes a municipal control group to direct the municipal response to an emergency;
- Implementation of an emergency operations center with appropriate communications systems;
- Designation of an Emergency Information Officer; and
- Designation of a Community Emergency Management Coordinator.

The Town of Pelham Emergency Management Program By-Law approves the enactment of the plan and other requirements for the Town of Pelham Emergency Management Program.

### **1.4 Emergency Operations Centre Management Team (EOCMT)**

At the Town of Pelham, the EOCMT (see section 6.3.1 here in), leads the Municipal Control Group as defined by Ontario Regulation 380/04.

### **1.5 Role of Elected Officials**

It is important for Town Councillors to understand and support the coordinated and timely management of information in emergency situations. In their capacity as Town Council, in the event the Town's EOC is activated the Mayor, or designate, will relay information through Pelham EIO and requests for policy direction to Town Council. The main responsibilities of Town Council is to:

- Assist in the relay of approved information to residents in the affected area(s);
- Attend community or evacuee meetings;
- Reassure constituents;
- Support actions taking place in the affected area(s);
- Liaise back through the Mayor concerns from citizens within the Town;
- Provide overall policy direction;
- Change/amend bylaws or policies as required

### **1.6 Department and Support Agency Emergency Procedures**

Each department and support agency involved with the TOP shall prepare emergency response procedures or guidelines which align with the EMP. These procedures or guidelines will outline the department or support

agency's responsibilities during an emergency. (Refer to 5.1 herein for definition of a support agency)

## **1.7 Emergency Management Plan**

This Emergency Management Plan is a component of the Emergency Management Program as defined in the *Emergency Management and Civil Protection Act*.

## **2. Concept of Operations**

First responders and municipal and regional departments manage many emergencies that occur on a day-to-day basis. As the magnitude of an emergency increases, so will the requirement for additional support from within Niagara Region. Municipalities may call upon other Municipalities and/or the Niagara Region to provide assistance. Niagara Region, in turn, may call upon the provincial government to provide resources to assist in dealing with the overall impact of the public emergency.

### **2.1 Site Response**

The emergency responders at the site or sites of the emergency provide tactical response to the emergency as they attempt to mitigate its effects and bring the emergency under control. When additional resources are required, the incident commander (refer to 6.1 herein) may request the activation of the EOC to provide support.

### **2.2 Emergency Operations Centre (EOC)**

An EOC is a physical location where the EOCMT gather to collectively and collaboratively support emergency response and manage the consequences of an emergency.

#### **2.2.1 Municipal Response**

Each municipality in Niagara Region has a designated EOC where the EOCMT will gather to provide support to the site of the emergency.

#### **2.2.2 Corporate Response**

Pelham's EOC is where the Niagara Region responds to any emergency event occurring within, or impacting within regional boundaries is managed. The Town of Pelham has designated and equipped both a primary and alternate EOC.

## **2.3 Emergency Operations Centre Management Team (EOCMT)**

The EOCMT provides the overall management and coordination of site support activities and consequence and recovery management. The EOCMT acts as the leadership team for the Emergency Control Group under the Act and are responsible for:

- Notifying response agencies and coordinating the activities of the various departments and organizations which are needed to effectively respond to and recover from the emergency;
- Providing support to the incident commander and site staff;
- Collecting situational awareness information for prioritizing, evaluating, summarizing, and disseminating and displaying the information where necessary;
- Establishing priorities based on all the information gathered and developing EOC Incident Action Plans;
- Obtaining, coordinating and managing payment of any additional resources (both staff and equipment) needed to manage the emergency; and
- Coordinating all internal and external information including communicating emergency information to the general public.

## **3. Implementation**

This Emergency Management Plan can be implemented as soon as an emergency occurs, or is expected to occur, which is considered to be of such magnitude as to warrant its implementation. In addition, this plan can be implemented in anticipation of large events. An official declaration of an emergency does not have to be made for the EMP to be implemented to protect the lives and property of the inhabitants of, and visitors to, Pelham.

Any of the following Pelham Emergency Management Control Group (EMCG) members listed below (or their designates) have the authority to activate the EOC when they feel the activation of the EOC is necessary:

- Chief Administrative Officer (CAO);
- Fire Chief;
- Director of Public Works Services;
- Director of Corporate Services/Treasurer;
- Director of Planning and Development; or
- CEMC.

## **4. Declaration and Termination of an Emergency**

### **4.1 Prior to a Declaration**

When an emergency exists, but has not yet been declared, the Town of Pelham employees and first responders may take such action(s) as identified in the EMP necessary to protect lives and property.

### **4.2 Declaration of an Emergency**

The Mayor or a designated alternate should declare an emergency under section 4 of the Act where they consider it necessary to implement the EMP to protect property and the health, safety and welfare of the inhabitants of Town of Pelham.

#### **4.2.1 Municipal Emergency Declaration**

The Mayor (or designated alternate) of any of the 12 Niagara area municipalities has the authority to declare an emergency within the boundaries of their respective municipality

#### **4.2.2 Regional Emergency Declaration**

The Regional Chair or designated alternate, as head of the council, has the authority to declare that an emergency exists within the boundaries of the Niagara Region.

Although the Regional Chair is empowered to declare a regional emergency at any location within the regional boundaries, the Regional Chair does not have the power to declare an emergency on behalf of any local area municipality. That power rests only with the Mayor of each specific municipality and their respective designated alternates.

In declaring an emergency, the Regional Chair will identify the geographical boundaries of the emergency area. The decision whether to declare an emergency and the designation of geographical boundaries of the emergency area will be made in consultation with the EOCMT.

The EOCMT will ensure that all the necessary staff and supporting agencies concerned are advised of the declaration of the emergency.

Upon declaration of an emergency in Niagara, the Regional Chair or designate shall notify:



- The Solicitor General and Office of Fire Marshal and Emergency Management (OFMEM) by email and fax, through the Provincial Emergency Operations Centre (PEOC);
- Members of Niagara Region Council; and
- The Mayor(s) of the affected Niagara Municipalities.

The following may also be notified of a declaration of emergency:

- Local Member(s) of Federal Parliament (MPs);
- Local Member(s) of Provincial Parliament (MPPs);
- Local media; and
- Niagara residents.

#### **4.2.3 Provincial Emergency Declaration**

The Premier of the Province of Ontario (or designated alternate) has the authority to declare a provincial emergency to exist within the boundaries of the Province of Ontario. In addition to a provincial declaration, the Premier also has the authority to declare an emergency on behalf of any community within provincial boundaries and may also at any time declare that an emergency is terminated on behalf of any Ontario municipality.

#### **4.3 Termination of an Emergency**

When it has been determined by the EOCMT that the emergency should be terminated, the Mayor and/or designate will make an official termination of the declared emergency in writing. The Premier of Ontario may also terminate an emergency at any time on behalf of any Ontario municipality.

The EOC director (who is the Town CAO or designate) will ensure that all staff and Supporting Agencies concerned are advised of the termination of the emergency.

Upon termination of an emergency in Pelham, the Mayor or designate shall notify:

- The OFMEM, through the Provincial Emergency Operations Centre (PEOC);
- Members of Town Council; and
- The Mayors of the affected Municipalities and the Region.

The following may also be notified of a termination of emergency:

- Local Member(s) of Federal Parliament (MPs);
- Local Member(s) of Provincial Parliament (MPPs);
- Local media; and
- Local residents.

## **5. Requests for Assistance**

### **5.1 Support Agency**

A Support Agency is an agency or organization that is either an Assisting Agency or Cooperating Agency as defined below in Article 5.2 below.

### **5.2 Governmental or Support Agency Requests for Assistance**

It is possible that assistance from other levels of government, or Support Agencies with specialized knowledge or expertise, may be required by Pelham to help successfully respond to an emergency situation.

Depending on the nature of the emergency and the assistance required, these agencies may be requested to attend the emergency site(s) and/or EOC to provide assistance, or provide information and advice to the EOCMT through the Liaison Officer.

Where provincial assistance is required, which is outside of the normal departmental or service working agreements, the request will be made to OFMEM through the PEOC.

Requests for staff or resources from the federal government are requested through the PEOC which in turn liaises with the Federal Government Operations Centre.

### **5.3 Support Agency Composition**

The Liaison Officer is responsible for inviting required or requested Support Agencies to the EOC, as identified by the EOC Director and EOCMT. During the EOC activation various Support Agencies may be working with the EOC. They are defined below as either assisting agencies or cooperating agencies.

#### Assisting Agencies

Assisting Agencies are those external agencies or organizations that are directly providing operational/tactical resources at the site(s) or EOC. They will have a branch co-ordinator sitting in the EOC under the Operations Section. Representatives from Assisting Agencies should have the authority to make decisions and commitments on all relevant matters for their agency

#### Cooperating Agencies

Cooperating Agencies are those external agencies that support the incident or supply assistance that is not directly operational or tactical in nature. Their role is usually not critical enough to have a branch co-ordinator in the

EOC. The Liaison Officer will be the Cooperating Agencies' primary contact within the EOC.

These Assisting Agencies and Cooperating Agencies may include but are not limited to the following:

- Hydro One;
- NPEC;
- Niagara Peninsula Conservation Authority;
- Niagara Escarpment Commission;
- 211;
- Enbridge Gas;
- Trans-Canada Pipelines;
- Canadian Red Cross;
- CP Rail;
- Niagara Health System;
- Salvation Army;
- Niagara School Boards;
- Brock University;
- Niagara College;
- Amateur Radio Emergency Services (ARES); and
- Provincial and Federal Ministries as required ie: MOE, MTO, MNR.

## **6. Incident Management System**

### **6.1 Incident Commander (Site)**

The Incident Commander (IC) at site, appointed by Unified Command or determined by the first agency on scene, is responsible for directing and/or controlling resources by virtue of explicit legal, agency, or delegated authority and is responsible for the overall management of the response. As the situation changes, the IC will change based on level of authority. The IC is responsible for and/or has the authority to:

- Establish a unified command structure for the purpose of information sharing, establish objectives regarding emergency site management and prioritizing resources where applicable between the responding agency Incident Commanders;
- Designate an emergency EIO;
- Implement the strategy established by the EOCMT at the emergency site(s), if required;
- Ensure that responding agencies make available the human and material resources that are required at the emergency site;

- Maintain a communication link with the EOCMT for the flow of information regarding the management of the emergency site;
- Maintain a record of events, decisions made and actions taken as Incident Commander;
- Participate in a debriefing with EOCMT regarding the emergency, if required; and
- Assist the CEMC in creating an after-action report on the emergency

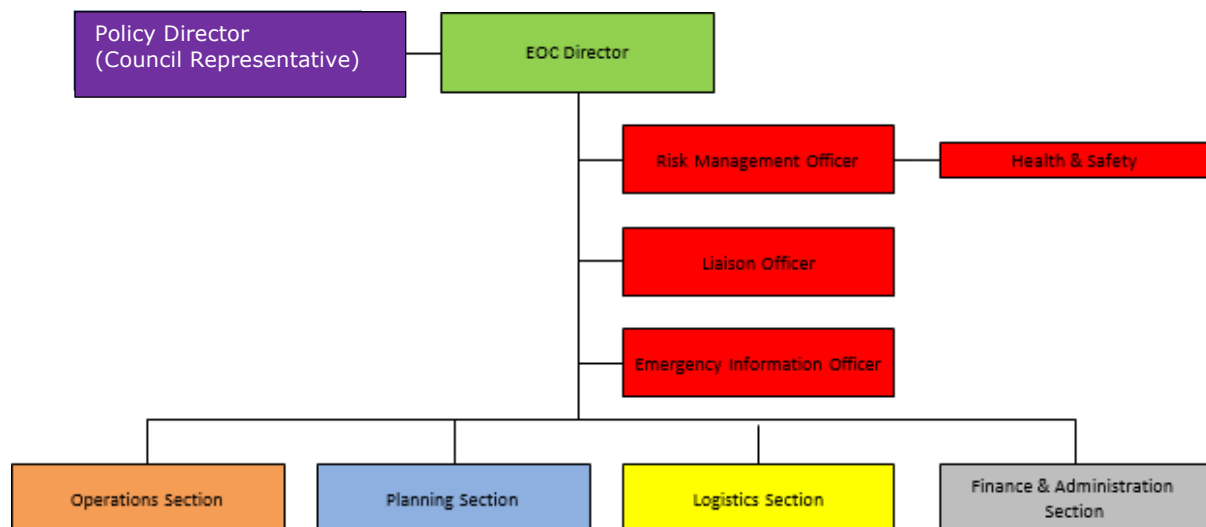
## 6.2 Response Goals

The following response goals are applied to all emergency situations. In order of priority they are:

1. Provide for the health and safety of all responders and those affected by the incident;
2. Save lives;
3. Reduce suffering by treating the sick and suffering;
4. Protect health of those affected by the incident;
5. Ensure the continuity of government and critical services;
6. Protect property and the environment; and
7. Prevent and/or reduce economic and social losses.

## 6.3 Incident Management System Functions

The following positions are considered to be the EOCMT.



### **6.3.1 EOCMT**

The primary responsibility of the EOCMT is to provide for the overall management and coordination of site support activities and consequence and recovery management issues. It is the responsibility of the EOCMT to ensure that response priorities are established, and that planning and response activities are coordinated, both within the EOC (i.e. between sections) and between sites and other EOCs.

The EOCMT consists of the following positions:

- EOC Director;
- Emergency Information Officer;
- Risk Management Officer;
- Liaison Officer;
- Operations Section Chief;
- Planning Section Chief;
- Policy Director;
- Logistics Section Chief; and
- Finance and Administration Section Chief

### **6.3.2 Mayor or Designate**

The Mayor or designate holds the position of Policy Director as the head of Town Council. Responsibilities of Mayor or Designate include:

- Acting as liaison between the Emergency Operations Centre Director and Town Council;
- Declaration/termination of an emergency ;
- Bringing recommendations for changing/amending bylaws or policies to the Policy Group (Council) with the assistance of town staff;
- Official spokesperson, if required;
- Ensuring Members of Town Council are notified of the emergency; and
- Notifying the Mayors of the affected and/or adjoining municipalities of the emergency, if required and providing any status reports.

### **6.3.3 EOC Director**

This position is filled by the Town CAO or designate and has overall authority and responsibility for the activities of the EOC, which include:

- Assess the Situation – Gather information about the emergency. Assess the magnitude and severity of the situation to determine the appropriate level of EOC activation;
- Support Site(s) – Provide support to Incident Commanders and Support Agencies, and ensure that all actions are coordinated within the established priorities;



- Develop / Approve Action Plans – Prepare EOC action plans with the EOCMT based on an assessment of the situation and available resources. Set priorities and response objectives for affected areas;
- Inform Others – In consultation with the Information Officer, assist emergency information actions using the best methods of dissemination. Approve press releases and other public information materials. Keep the Policy Group informed;
- Manage the EOC – Establish the appropriate EOC staffing level and continuously monitor organizational effectiveness;
- Liaising with the Incident Commander to confirm the geographical boundaries of the emergency area as declared by Mayor (per section 5.2.2); and
- Confirming the adequacy of the expenditure limits.

#### **6.3.4 Risk Management Officer**

- Ensures good risk management practices are applied throughout the response and recovery and that every function within the EOC considers the management of risk;
- Identifies liability and loss exposures to staff and property;
- Provides informed opinion on probabilities and potential consequences of future events and matters related to legal obligations and how they may be applicable to the actions of the Town during the emergency; and
- Provides advice on health and safety issues and if required, activates the Health and Safety Officer

#### **6.3.5 Health and Safety Officer**

- Under the direction of the Risk Management Officer, provides advice and assistance on matters related to occupational health and safety regulations for EOC staff;
- Under the direction of the Risk Management Officer, monitors, assesses, and recommends modifications to safety conditions in the EOC and halting unsafe operations, as necessary; and
- Liaises and provides advice to the Emergency Site Safety Officer regarding health and safety issues for site staff, as required.

#### **6.3.6 Liaison Officer**

- Invites required or requested Support Agencies and stakeholders to the EOC, as identified by the EOC Director and EOCMT and maintains contact when required;
- Provides input on the strategic direction and advice to the EOCMT regarding emergency management issues;
- Liaises with the neighboring Municipal and Regional CEMC, OFMEM and other provincial and federal representatives, as required; and

- In conjunction with the EOC Director, facilitates a debriefing with the EOC staff and other appropriate Support Agencies and prepares an after-action report on the emergency.

### **6.3.7 Emergency Information Officer**

- Establishes and maintains media contacts;
- Prepares news/social media releases; coordinating interviews, news conferences, and/or media briefings;
- Develops public information materials; providing messaging for use by 211 and EOC staff;
- Establishes communications strategies for internal and external purposes;
- Monitors media and information sources including 211;
- Liaises and coordinates messages with other internal and external Information Officers; and
- Ensures public safety information is provided in accessible formats as required by provincial legislation.

A support team from Town staff assists the information officer in meeting these tasks. This support team includes staff for online communications.

### **6.3.8 Operations Section Chief**

The EOC Operations Section Chief coordinates resource requests, resource allocations, and response operations in support of Incident Commanders at one or more sites, as well as:

- Maintain Communications – Establish communication links with incident command posts and town department operation centres if activated;
- Participate in EOCMT Meetings – Prepare section objectives for presentation at EOCMT meetings, at least once in each operational period;
- Coordinate Response – Direct the coordination of operations in cooperation with other Support Agencies;
- Coordinate Resource Requests – Collect and coordinate resource requests from site(s), working with the EOC Logistics Section;
- Share Operational Information – Collect and distribute operational information to the planning section, the EOC Information Officer, and other EOC Sections; and
- Manage the Operations Section – Establish the appropriate Operations Section or divisions and continuously monitor organizational effectiveness.

### **6.3.9 Branch Coordinators**

Branch Coordinators oversee the operations of a particular department, division, section or agency. A Branch Coordinator will be responsible for coordinating the activities of their department/Support Agency site staff and dispatch centre (if one exists). Additional branch staff may be needed, dependent on the size of the emergency event and the support required. Branch Coordinators may include, but are not limited to:

- Regional Fire Branch Coordinator;
- Regional Police Branch Coordinator;
- Niagara EMS Branch Coordinator;
- Emergency Social Services Branch Coordinator;
- Public Works Branch Coordinator; and
- Public Health Branch Coordinator.

### **6.3.10 Planning Section Chief**

The Planning Section is responsible to:

- Assess the Situation – Gather information about the emergency. Collect, analyze, and display situation information. Prepare periodic situation reports;
- Manage the Planning Section – Establish the appropriate Planning Section Unit and continuously monitor organizational effectiveness;
- Participate in EOCMT Meetings – Prepare section objectives for presentation at EOCMT meetings, at least once in each operational period;
- Managing Display Boards - Ensure that the situation unit is maintaining current information for the EOC situation report;
- Anticipate Future Events – Conduct advance planning activities to forecast possible events and requirements beyond the current operational period. Report recommendations to the EOCMT;
- Track Resources – Track resources assigned to the EOC and to the Incident Commanders through the EOC and mutual aid;
- Keep Records – Document and maintain paper and electronic files on all EOC activities;
- Plan for EOC Demobilization – Set out a schedule for demobilization and assist Section Chiefs in debriefing EOC staff as they leave;
- Plan for Recovery – Initiate recovery efforts at the earliest time, and develop plans for short- term and long-term recovery appropriate to the needs;
- Coordinate Technical Specialists – Provide technical support services to EOC sections and branches, as required; and
- Prepare After Action Report – Coordinate the assembly of EOC lessons learned from contributions from EOC staff and from Support Agency representatives.

### **6.3.11 Logistics Section Chief**

- Manage the Logistics Section – Establish the appropriate Logistics Section Units and continuously monitor organizational effectiveness;
- Provide Telecommunication and Information Technology Services – Support use of telecommunication and information technology in EOC
- Support EOC – Provide and maintain EOC facilities, including all utilities, food, water, and office supplies;
- Supply Equipment and Material Resources to Sites – Coordinate all requests for resources from initiation to delivery to support operations section;
- Participate in EOCMT Meetings – Prepare section objectives for presentation at EOCMT meetings, at least once in each operational period;
- Coordinate Staff – Acquire and assign staff with the appropriate qualifications to support site requests. Develop systems to manage convergent volunteers; and
- Arrange Transportation – Coordinate transportation requests in support of response operations.

### **6.3.12 Finance and Administration Section Chief**

- Record Staff Time – Collect and process on-duty time for all EOC staff, including volunteers and Support Agency representatives. Ensure uninterrupted payroll for all employees;
- Coordinate Purchasing – Control acquisitions associated with emergency response or recovery, including purchase orders and contracts in consultation with the Risk Management Officer;
- Coordinate Compensation and Claims – Process workers' compensation claims within a reasonable time;
- Participate in EOCMT Meetings – Prepare section objectives for presentation at EOCMT meetings, at least once in each operational period;
- Record Costs – Maintain financial records for response and recovery throughout the event. Keep the EOC Director, EOCMT, and elected officials aware of the current fiscal situation; and
- Maintain Records – Ensure that all financial records are maintained throughout the event or disaster.

## **7 Emergency Plan Supporting Documents**

### **7.1 Emergency Notification Procedure (Annex A) (Confidential)**

The Emergency Notification Procedure outlines the process for notification of EOC staff to place them on alert or request that they respond to the EOC. The procedure also includes the confidential contact information for EOC staff.

### **7.2 Crisis and Emergency Communications Plan (Annex B)**

This document coordinates communications from Town of Pelham departments, agencies and boards to media outlets, Town of Pelham employees, businesses and residents to deliver information before a pending emergency (if possible), during or after a disaster or emergency. This includes the release of appropriate and factual information to the media and to the public, issuing directives to the public, responding to requests for information, and monitoring media outlets and other sources of information. Methods of internal communications with Town and local area municipal staff are also outlined.

In the event of a major emergency requiring a response from Niagara municipalities and Niagara Region, communications will be coordinated with these entities through Niagara Region and municipal Emergency Information Officers.

### **7.3 Town of Pelham Emergency Operations Center Standard Operating Guidelines (Annex C)**

This document outlines the procedures involved in the activation and operation of the EOC facility. This includes details on the facility location, setup, guiding principles, managing information and resources, and roles and responsibilities for functions within the IMS. As a supplement to the EMP, it provides information to enable EOC responders to fulfill their key responsibilities in managing an emergency.

### **7.4 Town of Pelham Water / Wastewater Compliance**

To facilitate the resolution of emergency events involving the provision of water or wastewater services, the Operating Procedure QMS-PROC-018 Emergency Response Procedures Water and Wastewater Services and associated forms shall be adhered to. This procedure clearly identifies the roles and responsibilities for the required actions in managing water distribution and wastewater collection system during emergency situations that are the responsibility of the Town of Pelham. Additionally, this



procedure references the Town's commitment to support the Region's water and wastewater emergency procedures.

## **8 Emergency Management Plan Review and Maintenance**

The EMP will be maintained and distributed by the EMP Coordinator to the public via the Town of Pelham public website.

The EMP will be reviewed annually pursuant to the regulations under the Act and, where necessary, revised by the CEMC. The review and recommended revisions will be coordinated by the CEMC.

The EMP shall be revised only by By-law of Council; however, revisions to the annexes and minor administrative or housekeeping changes may be made by the CEMC.

It is the responsibility of each person, Support Agency, service or department identified within EMP to notify the C.E.M.C forthwith, of the need for any administrative changes or revisions to the EMP or annex's.

The CEMC is responsible for maintaining a current confidential contact list for EOC staff and Support Agencies.

Each department and Support Agency should designate a member of its staff to review, revise and maintain its own functional emergency response procedures or guidelines on a periodic basis and ensure they align with the TOP.

### **8.1 Exercising of the Town of Pelham Emergency Management Plan**

Pursuant to the Regulations under the Act, at minimum, one exercise will be organized and conducted annually by the CEMC in order to test the overall effectiveness of the TOP. Recommendations arising from the annual exercise shall be considered by the CEMC and EMP Committee for revisions to the TOP.

### **8.2 Plan Distribution**

Copies of the EMP will be provided to EOC staff, Local Area Municipalities, Support Agencies, the Province, and bordering municipalities and Niagara region that may have a role to play in responding to or providing assistance for emergencies in Pelham.

### 8.3 Revision History

<b>Rev. No.</b>	<b>Revised by</b>	<b>Details</b>	<b>Revision Date</b>
1	Council	Modernization	August 25, 2022

### 8.4 Training

Pursuant to the regulations under the act, members of the Emergency Management Program Committee shall train to the 300 levels. Other members of the EOC and their alternates shall train to 200 levels.



# **Town of Pelham Emergency Management Plan**

## **Annex A**

# Town of Pelham Municipal Emergency Control Group

## Municipal Emergency Control Group

- Phone Numbers for Members of the Municipal Emergency Control Group can be obtained by referencing the Critical Telephone List.
- Mayor
- Chief Administrative Officer
- Fire Chief / Community Emergency Management Co-ordinator
- Manager Legislative Services / Clerk
- Director of Corporate Services
- Director of Public Works Services
- Director of Planning and Development Services
- Manager of IT
- Co-ordinator Corporate Communications/ Emergency Information Officer
- NEMS
- NRPS

### Notes:

1. Members will be contacted in order shown by:
  - Phone
  - Personal Contact
2. Alternate will be called only if the primary member cannot be contacted.
3. Members and alternates are asked to notify the Fire and Emergency Services of a change in their telephone numbers.
4. Other important telephone numbers are available from the "Restricted Regional Emergency Contact List".



# **Town of Pelham Emergency Management Plan**

## **Annex B**





**Town of Pelham  
Emergency Management:  
Crisis & Emergency Communication  
Toolkit**

July 2022

# Crisis & Emergency Communication Toolkit Overview

## **Section 1: Potential Threats & Issues**

- 1.1 Potential Threats & Issues

## **Section 2: Key Messages**

- 2.1 Key Messaging Guidelines
- 2.2 Social Media Messaging

## **Section 3: Communication Response Levels**

- 3.1 Levels of Communications Response
- 3.2 Communication Roles and Responsibilities
- 3.2 Evacuation Centres – Pelham
- 3.3 Evacuation centres - Neighbouring

## **Section 4: Communication Checklists**

- 4.1 Start-Up Checklist of Communication Consideration
- 4.2 Conduct a Media Centre Checklist
- 4.3 Conduct a News Conference Checklist
- 4.4 Media Contact Distribution Checklist – Niagara/Hamilton
- 4.5 Media Contact Distribution Checklist – GTA/Toronto
- 4.6 Full Media List

## **Section 5: Stakeholders & Partners**

- 5.1 Town of Pelham and 211

## **Section 6: Communication Templates**

- 6.1 Activation of Emergency Support Services Key
- 6.2 Message Development Worksheet Website
- 6.3 and Social Media Messages/Posts Social
- 6.4 Media Monitoring Worksheet
- 6.5 Media Monitoring Worksheet
- 6.6 Media Inquiry Form
- 6.7 Media Accreditation Log In Sheet
- 6.8 Media Release – Level II – Template
- 6.9 Media Advisory Template
- 6.10 Backgrounder Template

## **Section 8: Internal Policies**

- 8.1 GL-002 Weather Related Office Closures

## Section 1: Potential Threats and Issues

### Potential Issues: Ranking of Top Risks in Pelham

Hazard	Probability	Consequence	Changing Risk	Risk Value	Risk Level
<b>Extreme Weather</b>	5 Likely	4 Severe	3	60	<b>Extreme</b>
<b>Hazardous Material Incidents – Fixed Site</b>	5 Likely	5 Very Severe	2	50	<b>Very High</b>
<b>Hazardous Material Incidents/Spills – Transportation Incident</b>	5 Likely	4 Severe	2	40	<b>High</b>
<b>Transportation Emergency – Road</b>	5 Likely	4 Severe	2	40	<b>High</b>
<b>Tornado</b>	3 Unlikely	6 Catastrophic	2	36	<b>High</b>
<b>Human Health Emergency Pandemic</b>	3 Unlikely	6 Catastrophic	2	36	<b>High</b>
<b>Human Health Emergency Epidemic</b>	4 Probable	4 Severe	2	32	<b>High</b>
<b>Transportation Emergency – Rail</b>	4 Probable	4 Severe	2	32	<b>High</b>
<b>**Pelham Cyber Attack</b>	3 Unlikely	3 Moderate	3	27	Moderate
<b>**Pelham Terrorism / CBRNE</b>	3 Unlikely	4 Severe	2	24	Moderate

**\*\*Pelham** - indicates that although the Risk Level assigned is Moderate, this category is

marginal as the overall Regional scoring was High.

## **2.1 : Key Messaging Guidelines**

### **General Overview**

Key messages will help the Town of Pelham effectively communicate to all audiences. Although key messages will change and evolve throughout emergency response and recovery operations, the messages should include:

- The Town's agenda and priorities.
- Facts about what went well.
- Facts that refute negatives.
- Public Info/ Directives.

The Town of Pelham will utilize the inclement weather policy S-100-14 for internal staff communication regarding weather incidents.

### **Key Messages**

- A message of empathy for the impact the crisis has on people or the environment. (This does not mean the Town is taking responsibility for the incident – only showing compassion toward those who have been impacted).
- The Town's first priority is for public safety (include other priorities such as environmental impact).
- The Town is working cooperatively with partner response agencies (name agencies) to effectively manage the crisis and minimize its impact on people, the environment and our community as a whole.
- Include a message about what is being done to manage the situation.

### **Additional messages that:**

- Support what is being done to manage the crisis.
- Support what was done in advance of the crisis to reduce its occurrence and impact.
- Reassure the public and help reduce their emotional reaction to the crisis.
- Contain safety information.
- Help emergency response staff do their job.



## Sample Messages

### Thirty Minutes or Less Following the Incident

**SAMPLE MESSAGE:** First and foremost, the Town of Pelham wants to emphasize that the most important priority is the safety and well-being of the community members involved. Staff are working closely with local authorities right now to find out exactly what has occurred, why it happened, and what if any, action needs to be taken. Right now, the cause of the incident is not known. What is known is that...

- *Point One*
- *Point Two*
- *Point Three*

### Two-to-Four Hours Following the Incidents

**SAMPLE MESSAGE:** The Town of Pelham has been working closely with local authorities since the incident occurred a few hours ago. Although the full scope of the incident it not yet understood, what is knows is...

- *Point One*
- *Point Two*
- *Point Three*

**SAMPLE MESSAGE:** We expect to more-accurately understand the cause and implications of the event as we continue our investigation. As we move forward with the investigation, we will...

- *Point One*
- *Point Two*
- *Point Three*

## 2.2 : Social Media Messaging

The public's belief that an emergency response was effective is related to how much access to information they had during the crisis. The fundamental challenge is have speed and accuracy – both are crucial.

**In a crisis, social media contributors need to be able to:**

- Detect and diffuse a budding problem
- Recognize an emerging issue
- Shift to crisis management orientation
- Suspend other messaging and activity that is counterproductive to crisis management
- Do not assume that everyone knows technical jargon
- Engage in dialogue with social media users
- Link to other credible, web resources

In addition, content managers need to establish a corporate voice that can accommodate a switch in tone in a crisis. Crisis-related communications can't be overly formal or legal when posted through these channels.

**Initial Posts Guidelines:**

- Acknowledge the event with empathy
- Explain and inform the public, in the simplest forms, about the risk
- Establish credibility with partners and Emergency Staff dealing with the scene
- Provide emergency courses of action, including how and where to get more information
- Commit to stakeholders and the public to continue communication

**On-Going Posts:**

- Help the public more accurately understand its own risks
- Provide as much information as quickly and as widely spread as possible
- Answer quickly, but first verify if questions or statements are fact or rumour.
  - Updates on the situation
  - Where and how to access support
  - Information about Town services
  - Explain emergency recommendations
- Listen to stakeholder and audience feedback, and correct misinformation
- Acknowledge and respond to all information being asked or testified about the organization.

**Post-Crisis Assessment**

It is essential to do a post-crisis analysis after an issue/crisis has faded to determine the effectiveness of the response and derived any

key learning including changes that should be made to crisis strategies for future.

- Gauge any harm the organization or brand reputation has suffered, and then work to correct the damage.
- Gauge effectiveness of response efforts
- Analyze media and web traffic

### **3.1: Levels of Communications Response**

#### **Overview**

At the onset of the crisis, the EIO, in conjunction with the EOC Director, or Chief Administrative Officer or CEMC, will determine the potential level of public and media interest in the crisis. At this time, the EIO will determine what resources will be required to effectively manage communication issues.

The set-up of the crisis communications team will depend on the scale of the crisis, and the anticipated level of public concern and media interest. Only those resources that are needed to effectively respond to the incident will be brought in. All key components of the crisis communications system will need to be implemented in a Level II crisis, where public concern and media interest is extremely high.

#### **a. Level I**

An incident has occurred that may potentially impact or pose a threat to public safety or the reputation of the community; its elected officials, administration or emergency response staff.

- There is a threat to public health and safety.
- A serious injury or fatality has occurred.
- There is a threat or minor disruption to the public or a sector of the public
- There is moderate interest or concern from the media, general public or other audiences.
- External stakeholder audiences are involved and there is some local or political involvement.
- There may be a question with regard to the community's liability.

**b. Level II: EOC Activation**

An incident has resulted in multiple injuries or fatalities and has the potential to threaten the community or the reputation of elected officials, administration and emergency response staff on many levels.

- There is a serious threat to public health and safety.
- Multiple injuries or fatalities have occurred.
- There is serious economic threat to the community.
- There is high interest from the public, media and many other audiences.
- All levels of political involvement are high.
- The Town's performance or reputation may be in question.

In a Level II crisis members of the crisis communications team may be required to staff the following key areas (*see 3.2 Communication Roles and Responsibilities Template*):

- Emergency Operations Centre (EIO)
- Stakeholder Liaison
- Media Monitoring/Response (Social & Traditional)
- Media Centre Coordination

Additional Communications resources may be necessary to properly manage a crisis (i.e. other municipalities, regions, or contracted agency or services)

**3.3 Evacuation Centres – Pelham**

Facility Name	Red Cross Surveyed	Address	Contact #
Meridian Community Centre	Yes	100 Meridian Way	905-732-7872

#### 4.1 Start-Up Checklist of Communication Considerations

##### Upon Notification of Crisis/Emergency

**The EIO to receive briefing from CEMC, or EOC Director or Chief Administrative Officer on the following:**

- Summary of incident.
- Key messages.
- Level of public and media interest anticipated.
- Information the media may want.
- Location of incident.
- Level of access to the site
- Name of Incident Commander, if known.
- How lines of communication will be maintained with the  
(Chief Administrative Officer).
- Is the Emergency Operations Centre being established?  
Exchange contact information (voice, cell).

**The EIO to discuss the following with CEMC, or EOC Director or Chief Administrative Officer:**

Level of crisis -- expected level of public and media interest.

- Communications support required.
- Communication strategies

Gather and assign staffing resources needed to meet the anticipated level of public and media interest.

Brief key communication players on the situation and establish contact information (voice, cell, fax, email and radio frequency if applicable).

Delegate responsibilities.

Determine how long it will be before the key operational components of the crisis communications system are established.

Report to the Emergency Operations Centre.



### **Upon Arrival at Emergency Operations Centre and ongoing:**

Receive second briefing from the CEMC, or EOC Director or Chief Administrative Officer.

Prepare key messages.

Brief spokesperson.

Distribute key messages and open lines of communication with key internal, and external audiences

Develop communications strategies with external audiences that have a role in response operations. Determine their role, explain your role, and what potential support you may require. Determine joint communications strategies and share key messages.

Call in or put outside resources on stand-by as required.

Disclose facts immediately.

Get updates from members of the Emergency Operations Centre and the Emergency Information Officer. ***If necessary***, determine what's new, when the first media briefing can be held and who will be attending.

***If necessary***, confirm with the CEMC, or EOC Director or Chief Administrative Officer, Spokesperson and/or Emergency Information Officer about the logistics of the first media briefing at site or in the Media Centre. Ensure media notices are issued within a reasonable time period so media have time to arrive.

Before issuing external communication pieces, ensure all members of the crisis communications team are set up and ready to assume their responsibilities. While they set up, prepare communication pieces for distribution.

Have the CEMC, or EOC Director or Chief Administrative Officer approve all information before it's released.

- Internal Information Bulletin.
- News Release.

Determine how media relations issues will be managed at the site.

Maintain a record of contact information for internal and external stakeholders that need to be kept informed.

Establish and deploy media monitoring services, including social media. Determine media monitoring reporting requirements (i.e., hourly, daily).

Receive updates and keep lines of communication open with the Emergency Information Officer, Team Leader, Media Centre and other key internal/external stakeholders.

Prepare or delegate the preparation of media notices, media backgrounders and news releases.

Monitor media reports and determine strategies for dealing with contentious issues that may surface in the response or recovery phase of the crisis.

Think about the next shift. Put staffing resources on stand-by.

Think about what is next - joint news releases/briefings on recovery issues, etc.

## 4.2 Conduct a Media Centre Checklist

**Media Centre:** A pre-designated location, under the direction of the Emergency Information Officer, used to quickly gather and disseminate information.

If properly utilized, a Media Centre can be one of the best ways to update media, on a regular basis, *during* a crisis. A Media Centre should be set up only when necessary - when the news is important enough to affect large populations, and when it is appropriate to disseminate urgent information to a group of reporters at one time.

Consider the following items when planning and implementing your Media Centre:

**Primary Location:** Town Hall or Council Chambers (if screen needed)

**Alternate Location:** Kinsmen Room (Meridian Community Centre)

### **Media Centre Team Leader Function**

Provide overall media relations support by ensuring:

Pertinent information is distributed to internal and external audiences (i.e., news releases, media notices, and backgrounders).

The logistical and briefing needs of the media and spokespersons are met. Calls from the media are managed.

Web site management.

### **Media Centre Team Leader Responsibilities**

Provide overall media relations support by ensuring:

Room set up and management.

Brief media on how issues in the Media Centre will be managed.

Respond to media telephone inquiries -- deliver key messages and updates as required. Forward interview requests to EIO.

Direct the media to the appropriate person or external agency that can manage their inquiry.

Set up media interviews and news briefings.

Develop and distribute communication pieces through (i.e., email, web site, voicemail, broadcast, INS system).

Update EIO on:

- media activities and trends in public and media inquiries or concerns
  - information that may impact operations, communications strategies or key messages
  - support that may be required.
- 
- Provide strategic communications counsel to the EIO as required.
  - If requested by the EIO, establish a media monitoring system and correct misinformation reported by the media.
  - Report misinformation to the EIO and the Team Leader
  - Manage media accreditation in the Media Centre.
  - Set up and facilitate news briefings as requested by the EIO.
  - Distribute information released in news conferences
  - Help the media with their technical, logistical and comfort requirements (i.e., washroom facilities, food and beverages).
  - Maintain accurate records.
  - Provide input into the post-incident communications report.

**Media Centre Equipment and Supplies Suggested:**

- telephones, computers and workstation
- laptop computer(s) with batteries, Internet and emailing capabilities (with access to emergency management software)
- cellular telephones, spare batteries and chargers
- Cellular power bar charges
- Portable Dry Erase Board/ Chalkboard
- 1 photocopier
- 1 fax printer(s)
- TV/DVD, AM/FM radio.
- Maps
- Office supplies (binder, paper, pens, pencils, highlighters, markers, stapler, staples, copy paper, etc.)
- Media inquiry forms
- News release stationery or electronic template Media contact list
- Town of Pelham Crisis and Emergency Communications Plan

### To accommodate news briefings:

- Projection screen with overhead projector/ laptop computer and LCD projector podium and riser
- 2 microphones (minimum)
- 1 backdrop with Town of Pelham logo
- 1 large Town of Pelham map with plastic overlay easel(s)
- Sound feed Power sources
- Media Accreditation Tags
- Water jugs and glasses
- Table for media handouts and food/beverages
- Working table and chairs for the media.
- Events board (details of next briefing, what's new, contact numbers, etc.).
- Signage leading media to the Centre

### 4.3 Conduct a News Conference Checklist

If properly utilized, a news conference can be one of the best ways to update media both during and following a crisis. A news conference should be scheduled only when necessary - when the news is important enough to affect large populations, and when it is appropriate to disseminate urgent information to a group of reporters at one time.

Consider the following items when planning and implementing your news conference:

**Plan Date, Time and Location** (It is advisable to plan the news conference two to four hours after a crisis has occurred, depending on the severity.)

- Media has as much advance time as possible
- News conference in a safe venue close to the site of the emergency
- Is the venue safe for the media and does not interfere with recovery and evacuation efforts

**Invite Key Members of the Media to Attend By Sending Out a Media Advisory**

- Media advisory gives the date, time and location of the conference, the subject to be discussed, the names of the people who will be speaking and a list of languages in which materials will be provided
- Placed follow-up calls before the conference to remind reporters about the event



### **Prepare the Room**

- Ensure news conference site includes staging, chairs, a podium and microphones
- and checked to ensure all equipment is working properly
- Audio/visual box for broadcast reporters to plug into to obtain clear sound
- Arrange room so that reporters can easily get their stories without having to move about
- Town of Pelham logo clearly visible on the front of your podium or behind the speaker Backup plan for possible glitches

### **Provide Media Materials**

- Prepare media kits including any news releases, speaker names or additional materials that will help reporters write their stories

### **Be Prepared**

- Main spokespersons should rehearse the key messages developed for the crisis and are they ready to answer questions
- Make sure your spokespersons know what the most important information is and how to stay focused, even if asked questions that concern other issues
- Discuss in advance which key points will be made by each spokesperson Designated a moderator in advance of the news conference to keep the conference on schedule, establish ground rules and field reporters' questions Set a clear end time for the news conference
- Make French or other appropriate language spokesperson available at the news conference, if necessary and indicate languages available in your media materials

### **Be Thorough**

- Make sure all questions are answered during the news conference. If a spokesperson does not know the answer to a question, make sure a member of the communication team finds the answer after the news conference and makes it available to the reporter at a later date.
- If possible, allow spokespeople to be available one-on-one with reporters following the conference to answer questions.
- Designated someone to ask questions during the news conference that reporters may not raise

**Monitor Attendance ...**

- Have reporters check-in. This will provide a list of who attended, and more importantly, who did not attend.
- For key media staff who were not able to attend, offer phone interview with the spokespersons

**4.4 Media Contact Distribution – Niagara Region & Hamilton**

The media statement is the first communication you will have with the media following an emergency or crisis. It is important to release statements with what you do know and send out additional updates as information becomes available.

Include:

- All necessary facts about the situation or issue – *who, what, where, when, why and how*
- Information about what action your organization intends taking around the issue
- Contact person and telephone number
- Accurate spelling, grammar and information Distributed
- To local newspapers, radio and television stations

**Distributed?**

<b>Media Source:</b>	
Contact:	
Phone:	
Email:	

<b>Media Source:</b>	
Contact:	
Phone:	
Email:	

<b>Media Source:</b>	
Contact:	
Phone:	
Email:	

### 4.5 Media Contact Distribution Checklist: Toronto & GTA

The media statement is the first communication you will have with the media following an emergency or crisis. It is important to release statements with what you do know and send out additional updates as information becomes available.

Include:

- All necessary facts about the situation or issue – *who, what, where, when, why and how*
- Information about what action your organization intends taking around the issue
- Contact person and telephone number
- Accurate spelling, grammar and information distributed
- To local newspapers, radio and television stations

**Distributed?**

<b>Media Source:</b>	
Contact:	
Phone:	
Email:	

<b>Media Source:</b>	
Contact:	
Phone:	
Email:	

<b>Media Source:</b>	
Contact:	
Phone:	
Email:	

<b>Media Source:</b>	
Contact:	
Phone:	
Email:	

<b>Media Source:</b>	
Contact:	
Phone:	
Email:	

<b>Media Source:</b>	
Contact:	
Phone:	
Email:	

Town of Pelham | Emergency Management Plan | Annex B

OUTLET	FAX	EMAIL	PHONE
<b>RADIO</b>			
1010 CFRB	1-416-323-6816	news@newstalk1010.com	1-416-924-6717
590 The Fan/680News	1-416-413-4116	news680@rogers.com	1-416-872-6397
AM 740	1-416-367-1742	news@classical963fm.com	416-479-3168
AM 900 CHML	1-905-540-2452	news2@900chml.com	1-905-521-2700
CBC Radio Toronto	1-416-205-6336		1-416-205-5808
CHUM FM	1-416-926-4182	news@chumamfm.com	1-416-944-1133 or 926-4080
CKTB/EZ 105.7/HTZ FM	905-684-2949	newsroom@610ctkb.com	905-684-6397 or 905-684-0480
BOOM FM Toronto		evelyn.macko@newstalk1010.com	1-416-323-7401
Giant FM 91.7 Welland	1-905-732-4780	info@giantfm.com	1-905-732-4433
Jack FM	1-877-283-5225	joe.russo@townsquaremedia.com	1-716-644-9292
Mix 104	1-716-885-6104		1-716-644-1041
Q107	1-416-847-3300		1-416-221-0107
Bob FM 105.1/Wild 101.1	905-356-0696 or 905-356-0644	wgray@vistaradio.ca or mcassidy@vistaradio.ca	905.356.6710 X 224
Star 102.5	1-716-832-2839		1-716-644-9102
Classical 96.3	1-416-367-1742	info@classical963fm.com	1-416-367-5353
WNED Radio	1-716-845-7036	news@wned.org	1-716-845-7000
WYRK Country 106	1-716-852-5683		1-716-852-7444
<b>TV</b>			
CBC French		mark.chambers@radio-canada.ca	416.970.5207
CFTO Ch 9 Toronto	1-416-299-2273	ctfodesk@ctv.ca	416.332.7400/7100
CH TV 11 Hamilton	1-905-523-8778	tips@chch.com	1-888-632-6688 X 2251
CH-11 St. Catharines	905.682.4931	lsabourin@chchnews.ca	905.682.3546
CITY TV	1-416-593-6397	news.to@citynews.ca	1-416-599-2489 X 2301
Global TV	1.416.446.5447	globalnews.tor@globaltv.com	1-416-446-5460
NN TV Niagara		krossi@nntv.ca	289-969-8342
TV 10 (COGECO)	1.800.807.8113	darryl.day@cogeco.com	1.800.706.4221 X 250
Weather Network	1-905-829-1665		1-905-829-1159
WGRZ TV 2 Buffalo	1-716-849-7602	wgrz-newsroom@gannett.com	1-716-849-2220
WIVB TV 4 Buffalo	1-716-874-8173	newsroom@wivb.com	1-716-876-7333 or 1-716-879-4980
WKBW Ch 7 Buffalo	1-716-856-8784	news@wkbw.com	1-716-840-7777
<b>NEWSPAPER</b>			
Buffalo News	1-716-856-5150	citydesk@buffnews.com, editor@buffnews.com	800-777-8640 or 716-842-1111
Hamilton Spectator	1-905-526-1395	news@thespec.com	1-905-526-3420 or 3245 or 2410
Niagara Falls Review	905-374-0461	Angus.Scott@niagaradailies.com	905-358-5711
Canadian Press		editorial@thecanadianpress.com	
Niagara This Week/Fort Erie Post	905.871.3321	rhutton@niagarathisweek.com	905.871.7222
Niagara This Week/St. Catharines	905-688-9272	news@niagarathisweek.com	905.688.2444
St. Catharines Standard	905-684-6032	stcs.standard@sunmedia.ca	905-684-7251 X 249
Globe & Mail		newsroom@globeandmail.com	
Grimsby Lincoln News		knadeau@grimsbylincolnnews.com	
Welland Tribune	1.905.732.3660	tribune@wellandtribune.ca	1.905.732.2411
<b>REGION OF NIAGARA</b>			
INCommunities 211 Niagara South	905-682-4314	rthoms@incommunities.ca OR terri@incommunities.ca	905-682-4056

As of August, 2022.

## 5.1 Town of Pelham and 211

### Activation of Emergency Support Services

In the event of an emergency that affects The Town of Pelham, unless the Region of Niagara has activated 211 services with INCommunities on behalf of the Town of Pelham. The Town of Pelham should activate 211 services directly, by following these steps:

#### Step 1: Notification/Activation – 211 Emergency Notification List

- Contact 211 using the Emergency Notification List (below) using phone/text and/or email to communicate the nature of the event.
- EIO contacts person listed as 1<sup>st</sup> priority by phone, text, email about the nature of the event and the EIO’s phone contact number. If no response in 10 minutes contact the next person listed.

Priority	Title	Name	Phone (work/residence)	Cell	Email Address
1 <sup>st</sup>	Executive Director	Tammy Dumas	905-682-1900	905-708-8240	<a href="mailto:tammy@incommunities.ca">tammy@incommunities.ca</a>
2 <sup>nd</sup>	Call Centre Manager	Terri Bruce	905-682-1900 x221	905-329-3161	<a href="mailto:terri@incommunities.ca">terri@incommunities.ca</a>
3 <sup>rd</sup>	Special Projects Manager	Jacky Roddy	905-682-1900 x230 905-354-1987 (res)	905-932-3522	<a href="mailto:jacky@incommunities.ca">jacky@incommunities.ca</a>

#### Step 2: Communication

- Establish ongoing lines of communication from the designated person at the Town of Pelham to ensure that the 211 service receives updated information for communication to 211 callers and users of the 211 database
- Following notification, a teleconference will be required. Please fill out the **Activation of 211 Emergency Support Services Worksheet** (Section 6.1)
- At this time the Emergency Information Officer will be advised to:



- Direct non-emergency phone calls about the event, away from emergency services to 211 in media releases, on answering machines, in distributed emails, on websites and on signage
- In addition to the phone number 211 the advertised
- contact information for the 211 service should include the alternate number (listed below) for the 211 call centre in the event of a resident using technology that does permit the dialing for 211.

### 211 Communications Contacts Lists

Department	Email Address
All staff	<a href="mailto:info@incommunities.ca">info@incommunities.ca</a>

Department	Telephone Number
Alternate #s for Call Centre (to be listed in communications to public)	1-800-263-3695 905-682-6611
<b>Administration</b>	905-682-1900
<b>Fax</b>	905-682-4314

Whether or not The Town of Pelham has activated 211 support, the 211 service will receive inquiry calls from the public about the emergency and needs to be able to provide accurate information to residents and businesses. In addition, the 211 service must be able to correct misinformation and erroneous rumours. INCommunities /211 must be able to maintain a continual information exchange with the Emergency Information Officer designated by the Town of Pelham to ensure that only authoritative information is disseminated, this includes being on a distribution lists for media releases, email and other incident related communication.

### Step 3: Activation of Emergency Support Services

- As requirements emerge clarify any additional support required from 211 Central South Region. Continue reading for services.

## **211 Service – A Resource of Municipalities**

211 service is a resource to support Ontario municipal communications to residents and businesses. 211 is an easy to remember phone number for information and referrals to a wide array of community, social, health and government services. 211 Ontario is a collaborative of seven 211 Regional Services providers that provide 24/7/365 live answer 211 service to all residents of Ontario.

### **List of Emergency Support Services Provided by 211**

In addition to providing information to callers 211 services are able to provide three other support services:

**a. Public Inquiry**

- Central access point to register volunteers and donations of goods
- Rumour control by monitoring social media and posting facts or notices to call 211 or visit specific websites

**b. Online Database**

- Continual updating of a disaster database with information and services that merge throughout the response and recovery periods
- Make the disaster database available to other organizations in the community
- Collect customized details about people who want to volunteer as result of an incident, and make available in real-time to emergency management staff
- Collect customized details about donations of goods and make available in real-time to emergency management staff

**c. Needs/Trends Reporting**

- Provide real-time reports to the Emergency Information Officer to support emergency response
- Participate in de-briefing
- Produce after action reports with aggregated data and key learning to support community planning and activities

## 6.1 Activation of 211 Emergency Support Services

### Step 1: Notification/Activation – 211 Emergency Notification List

Use this form if 211 is contacted at the time of an emergency

This form provides a list of standard questions to ask when 211 is activated. The information will be received faster if these questions are asked over the phone when 211 is activated, rather than wait for an EIO/CEMC to provide the written information.

EIO contacts 211’s 1<sup>st</sup> priority using the Emergency Notification List (below) using phone/text and/or email to communicate the nature of the event.

- If no response in 10 minutes contact the next person listed.

Priority	Title	Name	Phone (work/residence)	Cell	Email Address
1 <sup>st</sup>	Executive Director	Tammy Dumas	905-682-1900	905-708-8240	<a href="mailto:tammy@incommunities.ca">tammy@incommunities.ca</a>
2 <sup>nd</sup>	Call Centre Manager	Terri Bruce	905-682-1900 x221	905-329-3161	<a href="mailto:terri@incommunities.ca">terri@incommunities.ca</a>
3 <sup>rd</sup>	Special Projects Manager	Jacky Roddy	905-682-1900 x230 905-354-1987 (res)	905-932-3522	<a href="mailto:jacky@incommunities.ca">jacky@incommunities.ca</a>

Contact made with: \_\_\_\_\_

Time of first contact: \_\_\_\_\_

## Step 2: Communication

**Following notification, a teleconference will be required to communicate the following:**

Municipal Contact for Further Information		
<b>Name</b>		
<b>Title</b>		
<b>Municipality</b>		
<b>Contact Info</b>	Telephone Number	
	Cell Number	
	Address	
	Email Address	

General Information About the Current Situation		
<b>What</b> is the emergency?		
<b>Where</b> is the emergency?		
<b>Who</b> is affected by the emergency?		
<b>When</b> did the emergency occur?		
<b>How long</b> is the emergency expected to last?		
<b>What</b> organizations/agencies are involved in the response and/or recovery?		
<b>Who</b> is the Emergency Information Officer?	<b>Name</b>	
	<b>Contact Information</b>	

Additional Details:	Yes	No	N/A	Explanation/Details
Has the Municipal <b>EOC</b> been activated?				
Has the Municipality declared an <b>emergency</b> ?				
Have any <b>roads been closed</b> ? Provide a list.				
Have <b>traffic detours</b> been set up? Provide routes.				
Have <b>emergency shelters</b> been set up? Where are they located?				
Do emergency shelters offer any <b>special needs accommodations</b> ? (i.e. accessibility features, accommodations for young, children, seniors, etc.?)				
Is there any school or work <b>closures</b> ? Provide a list.				
Have there been <b>power, water or phone</b> disruptions? Define the area.				
Are <b>volunteers</b> needed? What skills are in demand?				
Are <b>donations</b> being accepted? What is needed?				
Are there any specific instructions for residents concerning <b>pets</b> ?				
<p><b>Additional Information</b></p> <ul style="list-style-type: none"> <li>• Provide additional details about the incident that are not covered in the previous pages, or where there was insufficient space.</li> <li>• Include detailed instructions about actions the public should take to help secure their personal safety and property.</li> </ul>				



### **Step 3: Key 211 Messaging In All Communications after Activation:**

At this time the EIO will be advised to:

- Direct non-emergency phone calls about the event, away from emergency services to 211 in media releases, on answering machines, in distributed emails, on websites and on signage
- In addition to the phone number 211 the advertised contact information for the 211 service should include the alternate number (listed below) for the 211 Call Centre in the event of a resident using technology that does permit the dialing for 211.
- All media release should be sent to 211

### **Step 4: Activation of Emergency Support Services**

As requirements emerge clarify any additional support required from 211 Central South Region. Check off and communicate the services/support required by 211 during the event.

#### **Public Inquiry**

- Central access point to register volunteers and donations of goods
- Rumour control by monitoring social media and posting facts or notices to call 211 or visit specific websites

#### **Online Database**

- Continual updating of a disaster database with information and services that merge throughout the response and recovery periods
- Make the disaster database available to other organizations in the community
- Collect customized details about people who want to volunteer as result of an incident and make available in real-time to emergency management staff
- Collect customized details about donations of goods and make available in real-time to emergency management staff

#### **Needs/Trends Reporting**

- Provide real-time reports to the Emergency Information Officer to support emergency response Participate in de-briefing
- Produce after action reports with aggregated data and key learning to support community planning and activities

## 6.2 Key Message Development Worksheet

Approval:

Date:

Time:

**Step 1:** Review Section 2.1 Key Messages Guidelines

**Step 2:** Consider the following:

Audience	Purpose of Message	Method of Delivery
<input type="checkbox"/> Relationship to event <input type="checkbox"/> Demographics (age, language, education, culture) <input type="checkbox"/> Level of outrage (based on risk principles)	<input type="checkbox"/> Give facts/update <input type="checkbox"/> Rally to action <input type="checkbox"/> Clarify event status <input type="checkbox"/> Address rumors <input type="checkbox"/> Satisfy media requests	<input type="checkbox"/> Media Release <input type="checkbox"/> Media Advisory <input type="checkbox"/> Backgrounder <input type="checkbox"/> Website Statement <input type="checkbox"/> Social Media <input type="checkbox"/> E-Blast <input type="checkbox"/> Through spokesperson

### Six Emergency Message Components

**Note:** These facts will help develop the method of delivery pieces listed above.

- 1 **Expression of empathy:**
- 2 **Clarifying facts/ Call for action:**
  - a. Who:
  - b. What:
  - c. Where:
  - d. When:
  - e. Why:
- 3 **What is NOT known:**
- 4 **Process to get answers:**
- 5 **Statement of commitment:**
- 6 **Referrals for Information:**
- 7 **Next Scheduled Update:**

### 6.3 Website and Social Media Messages/Posts

**Crisis/Emergency:** \_\_\_\_\_

**Initial Website Statement**                      **Date:** \_\_\_\_\_                      **Time:** \_\_\_\_\_

- Posted on Homepage:
- Posted under Public Alerts:

*Type Message:*

**Next Steps:** Create a dedicated web page for all updates and resources

**Initial Facebook Post**                      **Date:** \_\_\_\_\_                      **Time:** \_\_\_\_\_

*Type Message:*

**Initial Twitter Post (140 Characters)**                      **Date:** \_\_\_\_\_                      **Time:** \_\_\_\_\_

Hashtag for All Related Posts: \_\_\_\_\_

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**Initial Posts should focus on:**

- Confirmation of the situation – who, what, where, when
- State only the facts that have been gathered from reliable sources and confirmed
- Do not overreach or speculate
- Show concern for safety of residents, and acknowledge that  
Emergency Staff are responding to the situation
- Communicating when next update will be posted (ex. Webpage will be set up)
- Contact information for questions/concerns

**Note: These initial posts should highlight the key messages included in any media release distributed**

**Secondary Website Statement**    **Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

- Posted on Homepage:
- Posted under Public Alerts:
- Dedicated Web Page:

*Type Message:*

**Secondary Facebook Post(s)**    **Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

*Type Message:*

**Secondary Twitter Post(s)**    **Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

- Hashtag for All Related Posts: \_\_\_\_\_

-----  
-----  
-----  
-----  
-----

**Secondary Posts should focus on:**

- More detailed information on what has happened
- Express concern/sympathy for any victims who may be involved
- Address how the Town is responding to the situation and what is being done to help
- How will the Town provide for public safety
- Impact on the delivery of municipal services
- Address how the Town will keep the public informed of the situation and any changes
- Contact information for questions/concerns
  - o 211 (if activated)

**Note: These initial posts should highlight the key messages included in any media release distributed**

### 6.4 Social Media (SM) Monitoring Worksheet

**Crisis/Emergency:**    **Date:Updated (Time):**

<b>Messages Posted:</b>	<b>Messages Received:</b>	<b>Retweets:</b>	<b>Likes:</b>	<b>Reach:</b>
-------------------------	---------------------------	------------------	---------------	---------------

<b>SM Platform</b>	<b>Message Posted by City / Message Received by SM User</b>	<b># of Retweets and/or Likes</b>	<b>Comments</b>	<b>Response (if necessary)</b>
	<input type="checkbox"/> Posted (By Town)			
	<input type="checkbox"/> Received (By SM User) Message:			
	<input type="checkbox"/> Posted (By Town)			
	<input type="checkbox"/> Received (By SM User) Message:			
	<input type="checkbox"/> Posted (By Town)			
	<input type="checkbox"/> Received (By SM User) Message:			
	<input type="checkbox"/> Posted (By Town)			
	<input type="checkbox"/> Received (By SM User) Message:			
	<input type="checkbox"/> Posted (By Town)			
	<input type="checkbox"/> Received (By SM User) Message:			



### 6.5 Media Monitoring Worksheet

**Crisis/Emergency:**

**Date:**

**Updated (Time):**

Number of Media Releases Issued:

Number of Media Releases Picked Up:

Media Platform	Headline/Message Focus	Tone	Accuracy	Response (if necessary)
	0	<input type="checkbox"/> Positive <input type="checkbox"/> Neutral <input type="checkbox"/> Negative <input type="checkbox"/> Mixed		
	0	<input type="checkbox"/> Positive <input type="checkbox"/> Neutral <input type="checkbox"/> Negative <input type="checkbox"/> Mixed		
	0	<input type="checkbox"/> Positive <input type="checkbox"/> Neutral <input type="checkbox"/> Negative <input type="checkbox"/> Mixed		
	0	<input type="checkbox"/> Positive <input type="checkbox"/> Neutral <input type="checkbox"/> Negative <input type="checkbox"/> Mixed		
	0	<input type="checkbox"/> Positive <input type="checkbox"/> Neutral <input type="checkbox"/> Negative <input type="checkbox"/> Mixed		
	0	<input type="checkbox"/> Positive <input type="checkbox"/> Neutral <input type="checkbox"/> Negative <input type="checkbox"/> Mixed		
	0	<input type="checkbox"/> Positive <input type="checkbox"/> Neutral <input type="checkbox"/> Negative <input type="checkbox"/> Mixed		

### Media Inquiry Form

Date:

Time Received:

Media Source:	
Reporter:	
Phone:	
Email:	

- Update Requested
- Interview Requested
- Pictures/Footage Requested

<b>Focus of Interest:</b>

Request Referred To:	
Spokesperson	
Spokesperson Contact No.	
Time of Interview	
Location of Interview	

<b>Notes:</b>

Requested Completed      Call taken by: \_\_\_\_\_  
 Time of Completion:

### 6.6 Media Accreditation Log In Sheet

Date: \_\_\_\_\_

<b>Media Agency</b>	<b>Name</b>	<b>Email</b>	<b>Phone</b>	<b>Request/Needs</b>	<b>Accreditation Provided (Y/N)</b>

Media Accreditation Monitored By: \_\_\_\_\_

## MEDIA RELEASE

### For Immediate Release

#### **(TITLE) SAMPLE TEXT – LEVEL II – EMERGENCY RELEASE**

**Pelham, ON, DATE-** At (time) today, the Town of Pelham Response Team responded to a (what happened) at (where did it happen -- the 'why' isn't always possible at the onset of a crisis). Only (who has been impacted) by may have been affected by this incident -- everyone else on in the community remains completely safe (only if this is the case).

The Town's trained emergency response crews are currently responding to the situation and dealing with the priorities of the incident. An evaluation of the situation is underway and specific details will be released as they are confirmed for release. The Town of Pelham's first concern is for public safety and the safety of emergency response staff. We are working with other response agencies (list them specifically) to manage the situation and minimize the impact it has on our community as a whole.

The Town of Pelham will release new information to all interested parties as soon as it becomes available. Ongoing public information about the situation will be posted on our web site at [www.forterrie.ca](http://www.forterrie.ca) and information lines have been established as follows:

**Public:** 211 xxx-xxx-xxxx **Media:** xxx-xxx-xxxx

"An incident like today's affects every member of our community and beyond," said (name and title of spokesperson). "On behalf of the Town of Pelham, I want to express the sincere concern we're all feeling for what has happened in our community today. The Town is taking this incident very seriously. Pelham has an effective emergency response system in place, and well-trained staff who will continue to work closely with external agencies to minimize the impact of this incident. Please be assured that everything possible is being done to manage this crisis."

The Town of Pelham is currently setting up a Media Centre where briefings will be held. The logistics around this centre (include the media's access to centre and parking) will be issued within the next (time line). We ask for your understanding during this time. We are doing everything we can to ensure information is released as soon as it becomes available. Right now we request your help to ask the public to:

- Avoid the (location) so emergency responders can effectively perform their duties
- Stay tuned to the media or call the above information number(s) for further information
- NOT to call 911 unless it's a life threatening emergency
- Remain calm

For more information go to our web site at [www.pelham.ca](http://www.pelham.ca) or contact the 211 at: XXX- XXX-XXXX

-30-

## **MEDIA ADVISORY**

Pelham, ON – **DATE**, **TIME**

**For Immediate  
Release**

**RE:       SAMPLE MEDIA ADVISORY TEMPLATE – LEVEL III CRISIS**

**Event:**       <Incident>

<Media Briefing>

**When, Where:**

**Why:**       <Date and Time> <Media Centre Location>

**Who:**       To update the media on the latest developments in the <name of incident>

**Parking:**       Spokesperson(s) Available:

Media parking is available <name parking location>. Access to the Media Centre will only be granted through <name location> entrance.

**Please  
Note:**

- To receive accreditation and the latest information please sign in when arriving at the Media Centre
- All media will be required to show identification when arriving on site
- Staff in the Media Centre will be available to set up interviews and facilitate information requests

**For more information:**

Please visit [www.pelham.ca](http://www.pelham.ca) or,  
call the Media Centre at (xxx) xxx-xxxx





Date: 00/00/0000

## COMMUNITY EMERGENCY MANAGEMENT BACKGROUNDER

### Sample Backgrounder

- The Regional Municipality of Niagara, Niagara Regional Police, and the Town of Pelham maintain active Emergency Management Plans to be ready in the event of a large-scale emergency, such as a chemical spill, tornado, flash flood or severe winter storm.
- The purpose of these Emergency Management Programs is to protect and preserve life and property during times of crisis by providing efficient, co-ordinated emergency services and responsible decision-making.
  - The Regional Municipality of Niagara and the Town of Pelham supports emergency preparedness through planning, training and exercises.
  - The Regional Municipality of Niagara, Niagara Regional Police, and the Town of Pelham last exercised their plans on XXX.

### Contact:

Niagara  
Region Name,  
Title Phone,  
Email

Niagara Regional  
Police Name, Title  
Phone, Email

Town of  
Pelham Name,  
Title Phone,  
Email



# **Town of Pelham Emergency Management Plan**

## **Annex C**



**Town of Pelham  
Municipal Emergency Control Group  
Operating Guidelines**

Revised: July 2022

# **Standard Operating Guidelines**

## **Section 1: Overview**

## **Section 2: Management**

## **Section 3: Policy**

## **Section 4: Operations**

## **Section 5: Planning**

## **Section 6: Logistics**

## **Section 7: Finance and Administration**

## **Section 8: Glossary**

# **Operating Guidelines**

## **Section 1: Overview**



# **Emergency Operation Centre Overview**

## **Standard Operating Guidelines**

### **1.0 Emergency Operations Centre**

An Emergency Operation Centre (EOC) is a resource that can be used to strengthen an organization's management and organizational capacity during a major emergency.

It is a physical location where the leadership of an organization can gather to collectively; collaboratively support site responders and manage the consequences of an emergency.

In general, an EOC has overall responsibility for:

- Policy and strategic direction;
- Site support and consequence management;
- Information collection, evaluation and distribution;
- Coordination of agencies and/or departments;
- Resource management; and
- Internal and external communications.

### **2.0 Municipal Emergency Control Group**

This group is comprised of Town of Pelham employees and other members of the larger community, as required, operating under the authority of the EOC Director. The EOC personnel are responsible for making operational and strategic decisions required to support efficient response to an emergency or disaster response at the site and subsequent recovery efforts.

### **3.0 Department Operations Centres**

Agencies that require local support to their operations may establish a Department Operations Centre (DOC). A DOC is primarily concerned with coordinating the department's activities in support of the department responsibilities and commitment to the emergency response. DOCs interact with the overall EOC and their agency representatives or senior personnel at the scene. The DOC will focus on such issues as staff scheduling, and obtaining, coordinating and directing department resources.

### **4.0 EOC Responsibilities**

The EOC is responsible for:

- Notifying additional EOC personnel and coordinating the activities of the various departments and organizations which are needed to effectively respond to and recover from the emergency;
- Providing policy direction and support to the Incident Commander and site personnel;
- Collecting as much information as possible on the status of the emergency and vetting the information, prioritizing it, evaluating it, summarizing it, disseminating/displaying it and acting upon required needs;
- Establishing priorities based on all the information gathered and developing EOC Action Plans that complement and enhance the response taken at the site level;
- Obtaining, coordinating and managing payment of any additional resources (both personnel and equipment) needed to support site activity; and
- Coordinating all internal and external information and developing and distributing warnings and public information to the general public.

## **5.0 Site Response**

The EOC, if required, is activated to oversee and coordinate all non-site activities in support of the Incident Commander at the incident site.

### **5.1 Incident Commander**

An Incident Commander assumes overall control at the incident site. The Incident Commander sets priorities, develops strategies, selects tactics and assigns tasks to manage the problem at the site. Limitations may be imposed upon the Incident Commander, such as the time available, a lack of sufficient resources, and restricted evacuation routes. However, the Incident Commander is given the widest possible scope to use their initiative with minimal jurisdictional restrictions.

The Incident Commander may call upon the EOC at any time to provide support, coordination, and policy guidance.

## **5.2 Incident Command Post**

The Incident Command Post (ICP) is the location from which the Incident Commander directs the site response to the emergency.

## **5.3 Unified Command**

Unified Command is an authority structure in which the role of Incident Commander is shared by two or more individuals, each already having authority in a different responding agency. Unified command should only be considered when Single Command cannot be established. Unified command is a command in which responding agencies and/or jurisdictions with responsibility for the incident share incident management. If Unified Command is needed, Incident Commanders representing agencies or jurisdictions that share responsibility for the incident manage the response from a single Incident Command Post. Unified Command allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability. Under Unified Command, a single, coordinated Incident Action Plan will direct all activities. The Incident Commanders will supervise a single Command and General Staff organization and speak with one voice.

## **6.0 Request for Assistance**

It may be necessary to request assistance from neighbouring municipalities, the Regional Government, the Provincial Government, the Federal Government, and/or the private sector.

## **7.0 Incident Management System**

The Incident Management System (IMS) is an international emergency management system that provides the basic structure and functions required to manage an emergency situation effectively. The use of IMS permits emergency response organizations to work together to manage multi-jurisdictional incidents. The benefits of the IMS are to improve communication, streamline resources, enhance capacity and facilitate the cooperation and coordination of operational activities between agencies.

IMS has been adopted by the Office of the Fire Marshal and Emergency Management as an operational framework for emergency management in Ontario. Town of Pelham uses the IMS structure to respond and recover from an emergency.

## **8.0 EOC Response Objectives**

There is a list of standardized response objectives that apply to all emergencies. They are:

1. Provide for safety and health of all responders and those affected by the incident
2. Save lives
3. Treat the sick and injured
4. Protect health of those affected by the incident
5. Protect the continuity of government and critical infrastructure and services
6. Protect property and the environment
7. Prevent and/or reduce economic and social losses

## **9.0 EOC Guiding Principles**

The Town of Pelham adopts the principles, concepts, and terminology of the Incident Management System (IMS). The guiding principles for response and recovery include, but are not limited to, the following:

### **9.1 Management Functions**

The following are the primary IMS management functions:

- Coordination and Command
- Operations
- Logistics
- Planning
- Finance/Administration
- Public Information Management

## **9.2 Management by Objectives**

This principle draws a direct link between policies and actions. Management by objectives calls for four basic steps:

1. Understand agency policy and direction;
2. Establish incident objectives;
3. Select appropriate strategy;
4. Determine and implement tactical direction, such as applying tactics appropriate to the strategy, assigning the right resources, and monitoring performance.

## **9.3 Unity and Chain of Command**

In IMS, "Unity of Command" means that every individual has a designated supervisor. "Chain of Command" means that there is an orderly line of authority within the organization. Both concepts apply in the EOC.

## **9.4 EOC Action Plans**

Every incident must have a written EOC Action Plans that provides all incident supervisory personnel with direction for future actions. EOC Action Plans shall include the measurable objectives to be achieved.

## **9.5 Operational Periods**

Actions are always prepared around a timeframe called an "Operational Period." The length of an Operational Period, selected by the EOC Director, will be based on the needs of the incident, and thus can change over the course of an emergency.

## **9.6 Span of Control**

Every position in the EOC must monitor the number of other personnel reporting to him or her. Acceptable span of control may vary from three to seven, and a ratio of one to five reporting elements is recommended.



## 9.7 Common Terminology

The Town of Pelham adopts the IMS principle of using common terminology in referring to organizational elements, position, titles, resources, and facilities. In an emergency, the principles of IMS should be used by all organizations involved in emergency operations.

## 9.8 Information Management

Information Management is important for both internal and external audiences. IMS requires that there should be processes to acquire, analyze and disseminate information at all levels in a timely manner.

- *Internal information* is needed in order to: maintain a common operational picture and to formulate broad incident strategies and EOC Action Plans
- *Information for external audiences* such as the public and media may be needed to provide notification and instructions to manage public reaction.

## 10.0 Incident Management System Functions

The first few hours of an emergency are the most critical. The crisis aspect demands a clear understanding and acceptance by all involved in the response organization at the onset.

The size of the IMS structure is scalable, and is normally determined by the size of the emergency response and the complexity of the incident. In a small-scale emergency or short-duration incident, one person may be responsible for multiple functions. In complex, large-scale emergencies, the IMS may be expanded to include several people supporting each function. The scalability of the IMS allows for maintaining a span of control such that a person in a leadership role has no more than seven persons reporting directly to them.

## **10.1 Emergency Management Committee**

This group may make high level decisions concerning the community's response and recovery and is responsible for developing and reviewing the Town's Emergency Management Plan. The Emergency Management Committee does not have responsibility for directing emergency management activities at the site or in the EOC during an emergency.

Responsibilities of the Emergency Management Committee may include:

- Providing overall policy direction
- Preparation and annual review Emergency Management Plan and making amendments to the Plan
- Reviewing incidents and recommending changes to procedures

## **10.2 EOC Functions**

### **EOC Management Team**

The EOC Management Team is responsible for the overall emergency response and coordination, public information and media relations, agency liaison and proper risk management procedures through the joint efforts of local government agencies and private organizations.

The EOC Management Team positions include:

- EOC Director
- Health and Safety Officer
- Liaison Officer
- Information Officer
- Operations Section Chief
- Planning Section Chief
- Logistics Section Chief
- Finance and Administration Section Chief

### **EOC Director**

The EOC Director in the Emergency Operations Centre, has responsibility for the Coordination and Command functions within an EOC and the main task is to coordinate resources and information. That person may elect to perform all activities, or delegate authority to perform functions to other people in the organization. Delegation does not, however, relieve the EOC Director from overall responsibility. The Health and Safety Officer, Liaison Officer, and Emergency Information Officer report to the EOC Director.

### **Operations**

Responsible for providing a communications link with the site and coordinating all jurisdictional operations in support of emergency response through implementation of the EOC Action Plan. At the site, Operations Section organizes, coordinates and supervises the response elements of an incident such as personnel and equipment and in the EOC takes on the response responsibilities and activities such as coordinating communications and providing situational awareness to and from the site.

The positions may include:

- Police Branch Coordinator
- Fire Branch Coordinator
- EMS Branch Coordinator
- Public Health Branch Coordinator
  - Environmental Health
- Emergency Social Services/Mental Health Branch Coordinator
- Public Works Branch Coordinator
  - Transportation
  - Water/Wastewater
  - Waste Management
- Utilities/Technical Specialists

### **Planning**

Responsible for anticipating the long-range planning needs of the EOC, collecting, evaluating, and displaying information, developing the EOC Action Plan, contingency and long-term plans, and situational status in coordination with other functions and maintaining all EOC documentation.

The positions include:

- Situation Unit Coordinator
  - GIS Unit Coordinator
    - GIS Analyst
- Resource Unit Coordinator
- Documentation Unit Coordinator
- Advanced Planning Unit Coordinator
- Demobilization Unit Coordinator
- Recovery Unit Coordinator
- Technical Specialists

### **Logistics**

Responsible for ensuring that the EOC is operational and arranges and provides services and supports including personnel, facilities, IT services, supplies, equipment, materials and other resources to an incident.

The positions include:

- Information Technology Branch
  - Telecommunications Unit
  - Computer Systems Unit
- EOC Support Branch
- Supply Unit
- Personnel Unit
- Transportation Unit

### **Finance/Administration**

Responsible for all the financial activities and other administrative aspects for the emergency including managing incident specific finance and activities including payroll, vendor contracts and incident cost tracking.

The positions include:

- Time Unit Coordinator
- Contract Admin Unit Coordinator
- Compensation & Claims Unit Coordinator
- Cost & Accounting Unit Coordinator\

### **Information Officer**

Responsible for developing and sharing messaging directly to the public and through the media. Tracks media reports, including social media feeds and shares information with the EOC Director.

## **10.3 Outside Agencies**

Depending on the nature of the emergency, representatives from a number of external agencies may participate in the EOC.

## **11.0 EOC Activation**

The activation of the Emergency Operations Centre (EOC) will normally come as a result of a request from the on-site Incident Commander of any first responding agency. The purpose of the EOC is to provide support for the on-site Incident Commander by obtaining resources, maintaining up-to-date information, coordinating activities, and providing the public with information. The EOC also coordinates related activities that are beyond the scope of the on-site Incident Commander, such as large-scale media relations and evacuations.

A declaration of emergency or provincial emergency is not required to activate the EOC.

## **12.0 Activation Response Levels**

This guideline recognizes two levels of EOC notifications.

### **12.1 Initial EOC Activation Notification**

The EOC will be activated when an emergency arises that requires site support and is of a larger scale or longer duration and may involve evacuations, additional or unique resources, or extraordinary support activities.

When the EOC is activated personnel will be alerted using the call-out communications procedure. The alert will be initiated by the CEMC at one of two alert levels as required by the specific incident.

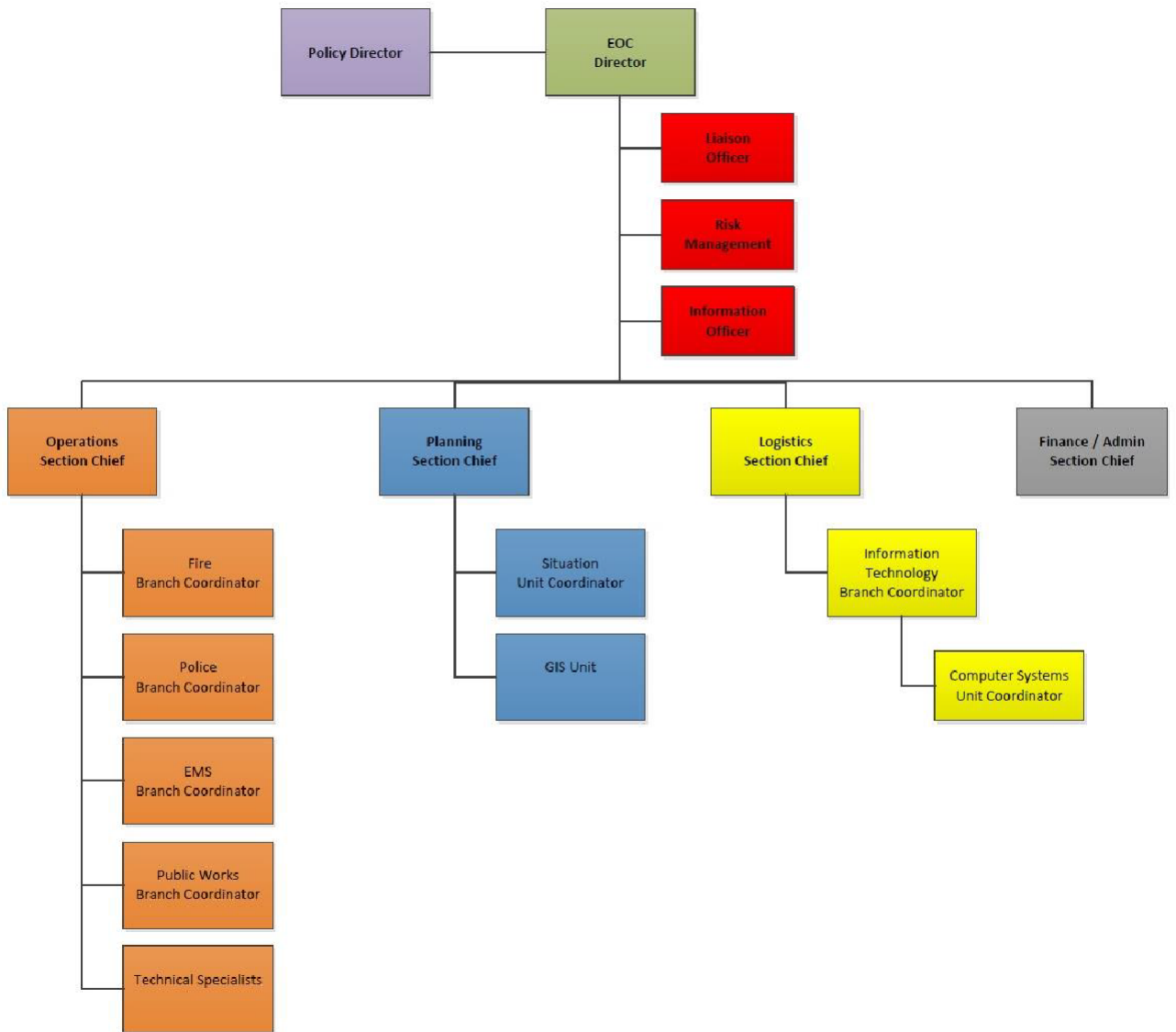
The CEMC will initiate any alert by first contacting the Town CAO, providing a situation report and confirming the Alert Level as detailed below.

#### **Level One Activation**

This level would be the primary activation level with the exception of a catastrophic event which would then require a full activation as identified below. As with all IMS models, this activation level is scalable and additional resources can be brought in as the EOC determines. It provides the team with key personnel and strong connection with the site for communications.



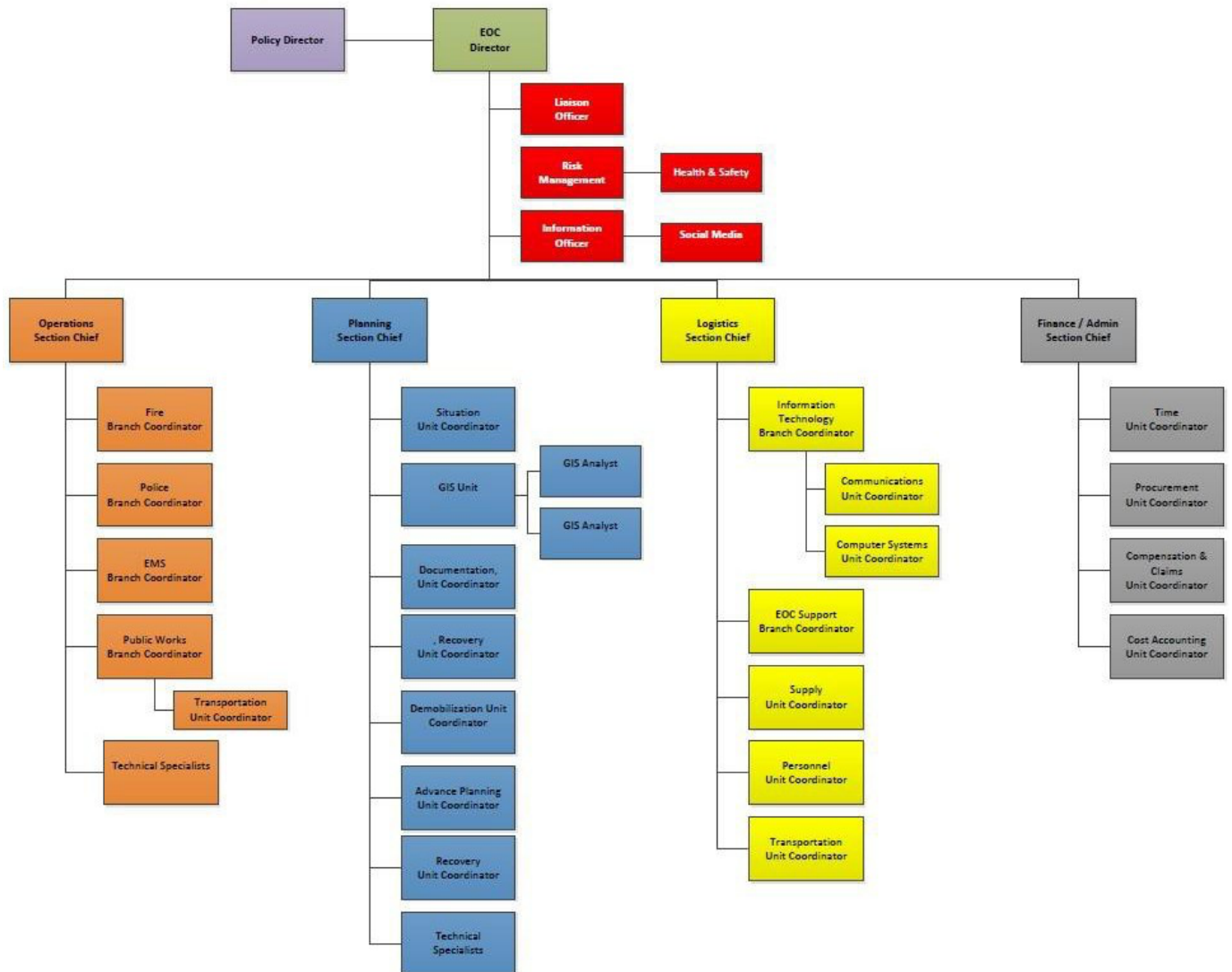
## Incident Management System Organization Chart : Level One Pelham



## **Full Activation**

In response to a large scale/catastrophic event, the following functions within the EOC will need to be considered: (some personnel will need to cover multiple functions)

### **Incident Management System Organization Chart : Full Activation Pelham**



## **12.2 Activation of Other EOC Functions**

The EOC is staffed to a level that matches the needs and scale of the incident. The size and composition of the EOC may vary according to the requirements of the particular circumstances.

Once the initial EOC personnel arrive at the EOC they will be responsible for identifying staffing needs and when required, they will notify additional staff.

## **13.0 EOC Staffing Requirements**

The EOC must be able to function on a 24/7 basis from activation until demobilization, as required, to support the emergency response. The EOC Director will ensure the appropriate staffing based upon an assessment of the current and projected situation.

### **13.1 Staffing Levels**

The IMS is a modular structure that can expand or contract to meet specific needs of the emergency event. The responsibility of any Officers, Units or Branches not activated in the initial notification remains the responsibility of the EOC Director or the Section Chief within that function area until the position is filled.

Staffing levels must be monitored continuously throughout the activation to ensure all necessary response objectives and priorities are met in a timely manner. If there is a shortage of available staff certain functions can be combined.

Personnel that are not required should be released and return to their regular work duties in order to maintain organizational capacity of the day-to-day operations.

### **13.2 Shift Schedules**

The EOC Director and Section Chiefs, in conjunction with the Personnel Unit (Logistics) are responsible for ensuring that shift schedules are established for the Units/Branches under their direction. They are responsible to notify the persons which will fulfill the next shift using the Notification List.

The Personnel Unit in Logistics should maintain a current staffing schedule at all times.

### **13.3 Staffing Identification**

An EOC organizational chart will be posted on the wall displaying the names of the persons assigned to each activated function. Coloured vests will be worn to identify the EOC Management Team and all activated positions within the Sectors. Each station will be labeled with the position assigned to it.

The Town of Pelham adopts the following colours for IMS function identification within the EOC.

- Green – Coordination and Command (EOC Director)
- Red – Operations
- Blue – Planning
- Yellow – Logistics
- Grey – Finance and Administration

### **13.4 Shift Change (Transfer of Responsibilities)**

When a staff member transfers their responsibilities to another, a simple but formal transfer briefing will be required. Shifts should be no longer than 8 – 12 hours and should overlap by approximately 15 minutes to prevent a staff position from being inadequately relieved. A Shift change briefing should summarize the activities of the past shift and identify “open” incidents or activities.

### **13.5 Safety and Worker Care**

All personnel in a leadership role must be aware of the activities of the personnel operating within their span of control. They must be aware of any potential hazards they may face and monitor their work environment as well as their physical and emotional condition. They must encourage staff to take regular rest and meal breaks.

### **13.6 Health and Safety**

In all cases of EOC activation, health and safety considerations are paramount. Rules and regulations for occupational health and safety *are not* suspended during an emergency or activation.

Among the duties of the EOC Health & Safety Officer is:

- Ensuring the work environment is safe from hazards, such as tripping hazards and electrical faults.
- Ensuring the health of the EOC responding personnel is at an acceptable level and maintained. This includes physical, mental and emotional health.
- Ensuring that access and egress to the EOC facility are monitored for health and safety concerns such as security of persons and protection from external health issues.
- Ensuring that the environmental needs of the EOC responding personnel are met, such as: temperature; air quality; noise levels; personal hygiene, cleanliness and toilet facilities.
- Ensuring that critical incident stress resources are provided for EOC personnel as required.

It is within all responders' responsibilities to maintain a safe and healthy workplace, however in the absence of a named Health & Safety Officer the responsibility will fall to the EOC Director.



## **14.0 EOC Facility (Primary and Alternate)**

### **14.1 Parking and Access**

#### **Primary EOC – Fire Station 1, 177 Highway 20 W, Fonthill**

If the Primary EOC is activated, parking is provided on site.

The EOC is located in Training Room and parking is available at the rear of the building.

#### **Alternate EOC – Fire Station 2, 766 Welland Road, Fenwick**

The EOC is located in the Training Room and parking is available at the west side of the building.

### **14.2 Security**

Security for the EOC will be provided by either Niagara Regional Police or contracted security services, as required, during the EOC activation.

## **15.0 Arriving at EOC**

### **15.1 Getting Started**

When you first arrive at the EOC you will need to:

- Sign in upon arrival;
- Check in with either the EOC Director or your Section Chief;
- Place your name on the Organization Chart;
- Pull your position checklist;
- Set-up your workstation;
- Put on your vest;
- Start your Position Log;
- Participate in any facility/safety orientation as required.

## **15.2 First EOC members arriving at the EOC**

In the event the person designated as EOC Director is not the first to arrive at the EOC, the most senior and most qualified person should act as EOC Director until a more qualified person or EOC Director arrives.

If set-up of the EOC is required, there are "Quick Set-up Guides" available in both locations.

The same concept applies to any other key function on initial activation. As the designated personnel arrive at the EOC, they should be briefed immediately and responsibility for the function or element transferred to the appropriate staff.

## **15.3 Initial Briefing/Orientation**

All personnel arriving at the EOC should be provided with a situational briefing by the assigned Section Chief, either individually or in a group, if a number of personnel arrive at the same time.

## **16.0 Managing Information in EOC**

### **16.1 Gathering Information**

Information regarding the incident is received primarily through the Operations Section from the Incident Commander at the site. Agencies represented through the Operations Section may also provide information collected from their personnel on site. While the responsibility for gathering incident information rests with the Operations Section, the Planning Section, the Liaison Officer and Information Officer will often provide information from their external sources as well.

In all cases, the information received must be verified. There are times when critical, but unconfirmed information may be included in a report for information purposes; however, it is essential that the information be clearly identified as "unverified".

## 16.2 Analyzing Information

A key process in information management for the EOC is to examine and analyze the incident information collected. Confirming the accuracy of information is also important for the purposes of advance planning and to build overall situational awareness.

In the information analysis process, the following should be answered:

- Has the information been verified?
- What needs to be acted on?
- Who is responsible for the action?
- Who needs to be consulted?
- Who needs to be informed?
- When does the action need to be completed?
- What information needs to be displayed?

## 16.3 Information Flow

Information coming to and from the EOC must be managed carefully. IMS identifies four types of information:

**Management directions** must follow the lines of authority established for the response organization.

**Resource requests** normally flow from site responders to the Operations Section of the EOC. Resource requests that the Operations Section cannot fulfill are forwarded by the EOC Operations Section Chief to the EOC Logistics Section. If there are resources needed from the Province the EOC Director forwards the request to the PEOC through the EOC Liaison Officer.

**General information** may be exchanged among members of a response organization, and IMS encourages lateral information flow between functions. In addition, a function at one level may wish to exchange information with a similar function one level above or below them. Verifying general information is an important step before taking action.

### **Tools for Managing Information in the EOC**

Information must be carefully documented and shared with the appropriate EOC personnel and other stakeholders.

The following are tools for gathering, documenting and distributing information in the EOC:

#### **Information Displays**

The Planning Section is responsible for maintaining and updating the display boards. Information display boards ensure that everyone who needs the information has access to it, while also providing information at a glance and saving time and unnecessary interruptions. A high priority must be placed on maintaining information displays if they are to serve their intended purpose.

#### **Forms**

Completed samples of EOC forms are located in the forms section of the binders.

#### **Incident Reports**

The Incident Report is used to record verbal reports from the site to ensure critical information is captured. Incident Reports can be filled out for new incidents or updates from previously reported incidents.

#### **Status Reports**

A Status Report is a tool commonly used in the EOC to collect situational information from specific Units, Branches or Sections for reporting purposes. The Planning Section may gather internal information through the use of Status Reports submitted by the EOC Management Team, as required. Section Chiefs may also request Status Reports from Unit or Branch Coordinators in order to prepare the Section Status Report.

The Liaison Officer may also use the Status Report as a format for collecting information from outside agencies not responding in the EOC.

Information provided in a Status Report is primarily used for briefing purposes or in the action planning process.

### **EOC Action Plans**

EOC Action Plans outline the priorities/objectives of the EOC for a specified period of time, as well as the specific tasks required to meet those objectives.

The EOC Director is responsible for ensuring that effective action planning occurs within the EOC. This is a consultative process in which EOC Management Team members are responsible for providing direct input into the process and ensuring any objectives assigned to their function are completed within the operational period.

Based on EOC Management Team input, the Planning Section is responsible for writing the EOC Action Plan for the EOC Director's approval.

### **Position Logs**

A Position Log is a legal and administrative document that must be maintained for all activated functions within the EOC. It is used to effectively track and manage key functional decisions, actions, requests, activities and inquires. It helps brief incoming personnel at shift change and provides permanent and legal records of actions/activities undertaken.

#### Guidelines for Position Logs

- Enter all significant decisions, actions, requests, activities, inquires, schedule/shift changes – keep entries concise for easy review.
- Position logs remain with the function at all times.
- Be sure to indicate beside an entry when further action or follow-up is required.
- Entries should be factual - do not record personal opinions or views
- If more than one person is making entries in the position log, each entry should be initialed.
- All pages are numbered and should not be removed from the log for any reason.
- Make corrections by crossing out the incorrect information with a single line - never use white-out/corrective tape or remove/recopy a page.
- Position logs are to be reviewed by incoming personnel at the start of all shifts, prior to the departure of the outgoing personnel.
- Submit Positions Logs to the Documentation Unit in the Planning Section upon demobilization of the function.



### **Resource Request Form**

Resource Request Forms are used for acquisition of resources required to perform necessary tasks in the EOC or at the incident site. They provide detailed information on the requested resources.

## **17.0 Documentation**

It is extremely important to accurately document actions taken during emergencies. All EOC activities require some form of documentation and record keeping. There must be a documented record of all policy and EOC decisions and directions. Resource requests must also be logged and tracked to ensure the response provided is recorded. This will assist in tracking and monitoring the effectiveness of the response and of the EOC Action Plans. Documentation is also important for tracking expenditures for cost accounting and for requesting provincial and federal assistance.

General considerations when completing EOC paper work should include:

- Print or type all entries;
- Enter dates by year/month/day format;
- Use the 24-hour clock;
- Enter name, position, date and time on all forms;
- Fill in all blanks; use N/A (not applicable) as appropriate; and
- Copies of all important documents and forms (including individual Position Logs) should be forwarded to Planning Section's Documentation Unit for safekeeping and archiving.

### **17.1 Guidelines for Hand Written Forms**

When completing forms by hand always remember to print with ink, fill in all blanks and enter date/time and name/position on all documents. Time should be recorded using the 24 hour clock.

### **17.2 Filing Forms/Paperwork**

Paperwork within the section needs to be organized and filed in ways that best meet the needs of the section/function. Filing may occur by date/operational period and/or "type". File folders are available to effectively file and manage paperwork.

When documentation is no longer required for immediate operational needs, originals should be forwarded to the Documentation Unit in the Planning Section who is responsible for maintaining the official files for the event. Working copies may be maintained within the section as necessary and original invoices should be forwarded as per regular accounts payable processes.

### **17.3 Guidelines for filing forms and documentation on the server**

All forms and positions logs need to be saved in PDF form and saved in the appropriate file folder on the server.

### **18.0 Communication Links**

Communication links must be established by Operations Branches and maintained by each agency representative on site and DOC counterparts.

### **19.0 Resource Requests**

Within the EOC, there are two primary avenues for resource request; internal requests from EOC functions and external requests from the site(s).

#### **19.1 Section/Function Resource Requests**

When any function in the EOC has a need for equipment, supplies or personnel to effectively and efficiently carry out their responsibilities, a Resource Request Form is completed and forwarded to the Logistics Section for acquisition.

#### **19.2 Incident Site Resource Request**

When resources are needed at the site level the site will forward the request to the EOC through the Operations Section.

##### Operations Section able to fill request

If the requested resource is readily available from one of the Branches in the Operations Section, or through existing agreements, it is deployed to the site by Operations and tracked in coordination with Planning.

Operations Section not able to fill request

If the Operations Section is unable to fill the request, a Resource Request Form is completed and forwarded to the Logistics Section for acquisition.

**19.3 Resource Tracking**

Resource requests tracking responsibility is shared by both the Operations and Logistics Sections while tracking of deployed resources is coordinated by the Operations and Planning Sections. The information for tracking resources will be displayed by the Planning Section on the display boards.

**20.0 Daily Time Reports**

For each EOC shift, the EOC Management Team will complete a Daily Time Report for all personnel under their Section and give it to the Time Unit in the Finance and Administration Section.

Each Operations Branch Coordinator will complete a Daily Time Report capturing all their personnel assigned to the incident/emergency for each EOC shift and give it to the Time Unit in Finance and Administration Section.

**21.0 Demobilization**

Demobilization planning is the responsibility of the Demobilization Unit in the Planning Section, but all personnel will play a role in demobilization when the plan starts to be implemented.

As part of the overall demobilization plan, all personnel have responsibility around their exit/departure from the EOC. Participation in an exit interview, attending operational debriefings, contribution to the After Action Report, and participation at any post-operational reviews may be necessary.

The EOC Director must authorize any demobilization measures. However, each Section Chief, with support from the Demobilization Unit and the Logistics Section, is responsible for implementing the demobilization and staff/service reduction measures applicable to their section.

As functions are no longer required at the EOC, their individual responsibilities are passed “upwards” to their immediate supervisor.

There are three primary aspects of demobilization to include in the plans:

- Individual – requires a standard process to ensure all personnel have returned any borrowed or bought items/equipment; completed required paperwork (e.g. time sheets); received an exit interview/debriefing and sign out of the EOC.
- Function – ensures all EOC Action Plan items for the specific function and any actions identified in the position log have either been completed or reassigned; all resources under the control of the function are accounted for; the Position Log is closed and all documentation is forwarded to Planning (Documentation Unit).
- Facility – final deactivation requires confirmation that all functions have completed the appropriate demobilization procedures; documentation is complete; all resources and personnel have been accounted for and any outstanding actions or issues have been clearly communicated and passed on to the EOC Director to the next appropriate level of authority in the organizational structure.

### **21.1 Post-Demobilization Activities**

Following demobilization of the EOC, there are still a number of actions required before the EOC response is considered complete. EOC Director is responsible for ensuring the required activities are completed.

Activities most commonly include:

- Processing invoices for emergency expenses.
- Collecting, organizing and submitting data for cost recovery purposes
- Processing time sheets for EOC personnel.
- Following up with EOC personnel if critical incident stress was a factor.
- Gathering, analyzing and summarizing post-operational feedback from EOC personnel.
- Conducting a post-operational review/debriefing with key EOC personnel and assisting/supporting agencies to identify and document “lessons learned” with a view to improving operational effectiveness in the future.
- Preparing an After Action Report to summarize key actions and outcomes of the EOC activation.

## **22.0 Incident Debriefing**

Incident debriefing is a critical, yet often underplayed component of an EOC operation. In short, the debrief is a chance for all parties to collect, collate and clarify their experiences during the emergency, especially as it pertains to actions, decisions and adherence to established plans. What worked well? What needs modifications? Were there any gaps or missing pieces?

Amassing this information from the experts during the response assists both the planners and responders in formulating better plans by making use of “lessons learned”.

Any kind of debriefing task is a constructive exercise. These sessions are not inquiries, nor are they personal fault finding expeditions. There are certain rules of conduct necessary in order to get the best information tabled for future planning:

- All persons are assumed to have responded in the best interests of their respective agencies and for the betterment of the community;
- No persons, their judgments or decisions during the emergency should be called into question during these sessions;
- Debriefing is about determining how well (or poorly) the plan worked. Responders want to know what worked well and what needs improvement.

An incident debrief encompasses as many of the actual responders as possible. The scope of this debrief is the entire response, from top to bottom.

There are various possible models for a debriefing. They can vary from loose and voluntary to very structured and mandatory, where one will be called upon and expected to make a statement. As well, a session can go round table in whatever seating order developed upon entry, or from department to department, or response chain to response chain. The organization’s usual work environment may be an indicator of how best to conduct the session.



While there may be overlap in the comments received to various questions, the following main areas should be addressed:

- What worked well?
- What needs improvement?
- What gaps or missing pieces exist in the plan or response?
- What concerns, issues or considerations exist for future response?

### **23.0 After Action Report**

The EOC Director is responsible for ensuring that an After Action Report is prepared by Liaison on all aspects of the emergencies under the EOC control. The information collected from various debriefs should be compiled into the After Action Report, which further outlines the processes for implementing recommendations that have been identified and accepted.

# **Operating Guidelines**

## **Section 2: Management**

## **EOC Management Team Standard Operating Guidelines**

### **1.0 EOC Management Team Overview**

The primary responsibility of the Emergency Operations Centre Management Team is overall management and coordination of site support activities. It is the responsibility of the Management Section to ensure that response priorities are established, and that planning and response activities are coordinated, both within the EOC (i.e. between sections) and between sites and other EOCs.

### **2.0 EOC Response Goals**

There is a list of standardized response goals that apply to all emergencies. In order of priority, they are:

1. Provide for safety and health of all responders and those affected by the incident
2. Save lives
3. Treat the sick and injured
4. Protect health of those affected by the incident
5. Protect the continuity of government and critical infrastructure and services
6. Protect property and the environment
7. Prevent and/or reduce economic and social losses

### **3.0 Organizational Structure and Reporting Line**

The EOC Management Team is comprised of an EOC Director, Liaison Officer, Information Officer, Health and Safety Officer and Section Chiefs. They ensure there are appropriate EOC staffing levels throughout the emergency.

Each member of the EOC Management Team is responsible for ensuring that all necessary elements under their area or section are addressed.

### **4.0 Roles and Responsibilities**

See checklists for more detail.

#### **4.1 EOC Director**

The EOC Director has overall authority and responsibility for the activities of the EOC, and for ensuring organizational effectiveness. In conjunction with the EOC Management Team the Director sets out priorities and objectives for each operational period and ensures they are carried out.

The EOC Director is also responsible for direct supervision of the EOC Management Team.

#### **4.2 Health and Safety Officer**

Risk Management is the legal component of the EOC and is responsible for identifying liability and loss exposures to the Corporation, personnel and property.

Health & Safety is responsible for monitoring, assessing and recommending modifications to safety conditions and halting unsafe operations in the EOC. In addition, they follow up on the reporting and claims procedures followed by the Workplace Safety and Insurance Board – Ontario. All employees engaged in response or recovery work are required to report workplace injuries to their specific supervisor and ultimately to the EOC.

#### **4.3 Liaison Officer**

The Liaison Officer is responsible for inviting required or requested agencies to the EOC, as identified by the EOC Director and EOC Management Team, and for maintaining contact with external agencies and other EOCs.

During the EOC activation various external agencies or organizations may be working with the EOC. They are described as either assisting agencies or cooperating agencies.

### **Assisting Agencies**

Assisting Agencies are those external agencies or organizations that are directly providing operational/tactical resources at the site(s) or EOC. They will have a Branch Coordinator sitting in the EOC under the Operations Section. Representatives from Assisting Agencies or organizations should have the authority to make decisions and commitments on all relevant matters for their agency or organization.

### **Cooperating Agencies**

Cooperating Agencies are those external agencies that support the incident or supply assistance that is not directly operational or tactical in nature. Their role is usually not critical enough to have a Branch Coordinator in the EOC. The Liaison Officer will be the Cooperating Agencies or organization primary contact within the EOC.

## **4.4 Information Officer**

The Information Officer is responsible for establishing and maintaining media contacts; preparing new releases; coordinating interviews, news conferences, or media briefings; developing public information materials; providing messaging for use by 211 and EOC staff; establishing communications strategies for internal and external purposes; and liaising and coordinating messages with other Information Officers.

The Information Officer position ensures that current information is being shared in an expedient manner via various social media outlets and web updates.

## **4.5 Operations Section Chief**

The Operations Section maintains direct contact with the site(s) and coordinates the overall site support response, in conjunction with other agencies and/or departments. Operations Section is also responsible for gathering current situation information from the site and sharing it with the Planning Section and the EOC Management Team, as appropriate; coordinating resources request from the site level; and directing deployment of all EOC issued resources to the Incident Commander(s).



#### **4.6 Planning Section Chief**

The Planning Section collects, processes, evaluates and displays situation information; develops EOC Actions Plans and Situation Reports in coordination with other functions; tracks status of EOC issued resources; maintains all EOC documentation; obtains technical experts for the EOC, as required; plans for EOC demobilization; and facilitates the recovery phase.

#### **4.7 Logistic Section Chief**

The Logistics Section provides/acquires requested resources including personnel, facilities, equipment and supplies; arranging access to technological and telecommunications resources and support; and providing other support services such as arranging for food, lodging and transportation.

#### **4.8 Finance and Administration Section Chief**

The Finance and Administration Section monitors the expenditure process and response and recovery costs. In addition, is responsible for coordinating claims and compensation; contracts and procurement agreements; timekeeping; and cost estimates and analysis.

### **5.0 Operational Period**

An operational period is a length of time set by the EOC Management Team to achieve a given set of EOC Action Plan objectives. The length of the operational period may vary and is determined largely by the dynamic of the emergency event.

#### **5.1 Action Planning Process**

To ensure a comprehensive action planning process, five primary steps should be followed:

##### **Step 1: Understand the current situation – build situational awareness**

Gather the most recent situation information available by reviewing Status Reports and consulting with members of the EOC Management Team.

## Step 2: Identify objectives/priorities for the next operational period

Action planning begins by setting an overall goal which relates directly to the objectives and tasks and following the standard response goals list.

### Objectives

An objective is a relatively precise and tangible statement that can be measured or validated and relates directly to the standard response goals. Objectives describe the intended end results or outcomes and are commonly stated as “what” must be done. These objectives refer to the priorities for the EOC.

### Tasks/Action Items

Tasks or action items are the specific activities that need to be undertaken in order to achieve a stated objective. Each action item is assigned to a specific EOC Management Team function to complete. Tasks/action items are “how” the objective will be met.

### Example

3 Evacuation for impacted area			
Related Tasks	Confirm the evacuation area with the Incident Commander	Responsible	Ops
	Support Police with evacuation notification i.e door-to-door		Ops, Log
	Identify any special population within the evacuation area		Plan
	Identify the larger evacuation area due to the potential explosion and determine the number of potential evacuees		Plan
	Develop a media release to advise the impacted population in the area of concern		IO
4 Establish alternate traffic routes			
Related Tasks	Identify alternate routes for commuters	Responsible	Plan
	Place the signage for the identified routes		Ops
	Develop a media release to advise commuter of the alternate routes to take		IO

## Step 3: Develop an EOC Action Plan for the next operational period

Planning Section prepares a written EOC Action Plan that should clearly state the objectives to be met during the next operational period, identify specific tasks/actions to be performed and assign each task to a specific function.

#### **Step 4: Obtain approval and distribute the EOC Action Plan**

The EOC Director is responsible for approving the EOC Action Plan for each operational period. This is done in consultation with the EOC Management Team to ensure accuracy of the current situation information.

The EOC Action Plan is distributed to the EOC Management Team and EOC personnel are advised of the required actions. EOC priorities or objectives for the current and next operational period will be posted in the EOC. The original copy of the EOC Action Plan is to be forwarded to the Planning Section Documentation Unit as part of the EOC records.

#### **Step 5: Implement the Action Plan and monitor progress**

Once approved and distributed, the EOC Management Team will assume responsibility and oversee the implementation of their respective assigned tasks/action items. The Planning Section Chief, in support of the EOC Management Team will ensure that regular progress assessments of the EOC Action Plan are carried out. The status of these assessments should be brought to the attention of the EOC Director and EOC Management Team.

### **6.0 Management Team Meetings**

EOC Management Team meetings are critical to the effective management of the EOC and should be conducted at least once during the operational period. EOC Management Team meetings are the responsibility of the EOC Director. These meetings provide EOC personnel with the information they may need to function effectively and efficiently. Information shared at the meeting, can help to clarify and validate situations so that appropriate decisions can be made.

All EOC Management Team members are expected to attend and may be asked to present the Status Report and resource priorities for their area of responsibility. Participants should stay focused on new information and updates and avoid repeating information that has not changed since the previous meeting or information that has been reported by others during the meeting.

There is a generic EOC Management Team agenda and the Planning Chief is responsible to make changes as needed. When approved by the EOC

Director, the agenda is distributed to the EOC Management Team members in advance of the meeting to allow all participants the opportunity to prepare.

In the initial stages of the EOC activation, EOC Management Team meetings should be held as frequently as required to support response operations. The frequency of meetings normally decreases over time, as extended operations continue and they should be kept to a minimum.

**The following are guidelines for conducting a briefing/meeting:**

- Clearly state purpose of meeting – provide an agenda wherever possible;
- Set a time limit;
- Start and end on schedule;
- Advise participants of any information they should bring to the meeting;
- Designate a scribe to take minutes and record attendance;
- Summarize decisions made; action items and responsible parties; or other outcomes.
- 

**7.0 Decision-Making**

All decisions made in the EOC require accurate and timely information as well as input and consultation from relevant staff members and agencies.

The EOC Director is ultimately responsible for making decisions on behalf of the EOC. They do this in consultation with the EOC Management Team and Incident Commander.

The EOC Director must carefully assess, evaluate, and prioritize issues requiring decision or approval. Once the decision is made, it must be documented on the EOC Event Board and personnel log, assigned to applicable functions/positions for implementation and communicated to all appropriate EOC staff.

Operational decisions are those made by emergency responders to deal with the immediate incident at hand, and need not necessarily be of an urgent nature. The EOC Director is responsible for operational decisions once the EOC has been activated and until it is terminated.

## **8.0 Risk Management**

Risk management is the process of planning and implementing decisions that will minimize the adverse effects of losses to the organization.

The Town of Pelham applies the principles of risk management in emergency response and recovery. The EOC shall incorporate risk management in the development of all EOC Action Plans.

The EOC Director shall ensure that good risk management practices are applied in all incidents throughout the response and recovery organizations, and that every function contributes to the management of risks.

## **9.0 Information Management**

An effective information management process facilitates the making of effective, consistent and timely incident management decisions. Without an effective process for managing information, most, if not all of the other critical components that ensure the operability and effectiveness of the IMS may be inadequate. Everyone within the IMS structure is involved in the information management process. It is important to understand and support the information management process that is put in place for each incident.

Information management process is continuous and drives the planning cycle, so there is always planning for the next operational period. It is also critically important to maintain the process for the current period as well. Information management during the current operational period is part of the evaluation process to determine the appropriateness and effectiveness of the EOC Action Plan.

### **9.1 Internal Information Management**

Internal information management is a process for the collection, collation, evaluation and dissemination of information within the incident/emergency. The main purposes of internal information management are to have a common operating picture, and to ensure information accessibility.

The collection, collation, evaluation and dissemination of information about the development of an incident/emergency and the status of resources, are primary the responsibilities of the Planning Section. It will generally act as a "clearing house" for information.



Four important component processes of the information management process are:

### **9.1.1 Collecting of Information**

Information may be collected as a result of sources freely providing information to the internal process, as well as based on pre-established procedures, or requests for information. Sources of information may include the following:

1. The general public, including those affected as well as those who are not
2. Surveillance mechanisms and arrangements by responders
  - a. Pre-established human or electronic arrangements
  - b. As observed by deployed responders
3. Databases – information on lessons learned, nature and characteristics of previous incidents/emergencies etc.
4. Assisting and/or cooperating agencies

### **9.1.2 Collation of Information**

The collected information should be organized and kept in a manner that facilitates access, retrieval, comparison and analysis. The medium may be electronic and/or paper. Collation of information should be done keeping in mind both the immediate and long-term information needs.

### **9.1.3 Evaluation of Information**

Information should be evaluated on a timely manner. This should include:

- Verifying the source
- Verifying the credibility of the information
- Comparing the information with known expectations and trends
- Making judgment as to the usefulness of the information

There are occasions when information gets used without the benefit of evaluation. However, it is recommended that information be evaluated before utilizing in the response effort.

### **9.1.4 Dissemination of Information**

The dissemination of the information should be done in a timely, structured and appropriate manner. The information should be disseminated in a manner that is useful to the receiver of that information.

## **9.2 A common operating picture**

A common operating picture requires the continuous coordination of the process for collecting, collating, evaluating and disseminating information, resulting in:

- A common and shared understanding of the status of the incident (past, current and likely evolution)
- A common and shared understanding of the status of resources (current and future)
- A common and shared understanding of the plan of action concerning the existing incident (past achievement, current and future goals and objectives)

## **9.3 Information accessibility**

Information accessibility requires interoperability and standardization, as well as wide knowledge of the access process among responders. Ensuring information accessibility requires a system where in information can both be fed to and/or pulled from by responders/users.

## **9.4 Credibility**

Information used in incident/emergency management should be credible. Identification and authentication of both the source and the information promote credibility. Individuals and organizations that have access and contribute emergency information should be willing to and able to be identified and authenticated.

Verifying the credibility of the information and its source should not be burdensome, but the process should nevertheless be robust enough to maintain confidence.

## **10.0 External Emergency Information Management**

Emergency Information (EI) refers to information about an emergency, which is communicated broadly to the public, media and other partners and stakeholders. It is disseminated primarily in anticipation of, during and immediately after an emergency. In addition to providing situational information, it is also frequently provides directive actions required to be taken by the public.

During incidents, the demand for emergency information is often overwhelming. Consistent and timely public messaging of emergency information, alerts and warnings must be disseminated using the most efficient and effective means.

Emergency Information Management involves establishing a process for gathering, verifying, coordinating and disseminating emergency information.

Information sources include:

- Field observers reporting what they are observing and hearing from news media and the public
- The EOC Management Team regarding the progress of the response effort and others within the incident management structure
- 211 provides a valuable source regarding the concerns of the public and any rumours that may be surfacing
- Media monitoring to assess the accuracy and content of reports to help identify trends and breaking issues

### **Verifying Emergency Information**

Information may be verified by comparing notes with neighbouring jurisdictions. Subject matter experts, whether deployed or not, may also be consulted to assist in verifying information. Comparing what is reported in the media with reports from observers in the field is yet another avenue to verify information.

### **Coordination of Consistent Messaging**

Coordination includes establishing key messages with appropriate timelines and prioritization. Since there may be several organizations and levels of jurisdictions involved in disseminating emergency information, every effort should be made to coordinate the release of consistent emergency information to the public and to provide a unified management of emergency information.

### **Dissemination of Messaging**

Dissemination should utilize multiple methods, backed up by media monitoring to ensure that messages were reported accurately and were understood.

Dissemination should include:

- Writing and issuing news releases and arranging media briefings, as required
- Posting emergency information in the public domain (internet, print and electronic media)
- Answering media inquiries
- Answering public inquiries through 211
- Monitoring media and correcting inaccuracies in disseminated emergency information
- Social media platforms – ie/ twitter and facebook

### **Emergency Information Officer Support Staff**

The scale and complexity of an incident or emergency and the amount of media attention, may warrant the assigning of staff to assist the Information Officer.

Some positions to assist/support the Information Officer could include:

- Emergency Information Centre Coordinator: Provides for IT support, equipment set-up, security for the EIC, parking coordination and building maintenance.
- 211 Contact Centre Coordinator: Oversees the answering of phone lines designated for public inquiries and gives only information approved by the EIO should be communicated. 211 Contact Centre Coordinator should always be in close communication with the EIO.
- Media Call-taker: Answers phone lines designated for public inquiries. When receiving calls from the media, call-takers generally take messages for the EIO who then returns the calls.
- News/social media monitor: Monitors media coverage of the emergency. Records/clips stories, and reports rumors and misinformation to the EIO.
- Clerical/Administration: Provides administrative support (such as word processing, faxing, photocopying).
- Media Site Coordinator:

### **Crisis Communications Plan**

The Crisis Communications Plan assists in the management of emergency information to the media and the public during and after an emergency. There are templates such as news releases and fact sheets in the Emergency Information Plan that assist the Emergency Information Officer in responding to the media and public inquiries.

### **Emergency Information Approval**

Prior to issuing any emergency information, the Information Officer must get approval from the EOC Director.

### **Emergency Information Tools**

A variety of emergency information tools can be used to disseminate information to the media and public. These tools and the policies governing their use are outlined in the Pelham Crisis and Emergency Communication Plan. Media Advisory – Brief message or announcement, such as the time and location of an upcoming news conference.

- News Release – Key information about the incident or emergency. Usually not more than several paragraphs long. Can contain key messages and quotes related to actions being taken or information for the public.
- Fact Sheet – Pre-written detailed information provided about the community's emergency management program, the history of emergency events in the area, etc. Can also include key statistics related to the incident or community and may include community demographics, weather data, emergency services response statistics, etc.
- Website & Social Media – Means to update a large portion of the public in a minimal amount of time. The web site can provide extensive background information.
- Public Inquiry Line – Provides members of the public with a phone number to call in order to get more information.
- Public Information Briefing – Provides information and instructions primarily to deal with those who turn up (curious onlookers or volunteers) at or near an incident site.
- Media scrum – Informal briefing provided to the media by a key spokesperson. They typically occur early in the incident.
- News Conference – Formal and moderated meeting between key officials/spokespersons and the media.
- Special Information Session – Addresses the needs of those affected by the incident, such as relatives and friends of those deceased or



missing or those who have lost property. For large events, it may be advantageous to establish a Family Assistance Centre where people can be offered basic amenities, information, and the opportunity to speak to crisis intervention team members.

### **Media Briefing**

Scheduled news conferences are conducted at the Emergency Information Centre (or the Joint EIC) to brief the media and the public on the most current and accurate facts. The EIO and staff organize news conferences, and other media events as applicable.

For the primary EOC, Council Chambers will be used for media briefing and for the Alternate EOC is the Kinsmen Room at the Meridian Community Centre.

An information cycle should be established to set up a schedule of media products and events. The information cycle should be publicized both internally and externally.

### **Media Tours**

When an incident or emergency is focused on a physical location, such as a building that has collapsed or a river that has flooded, the media will likely desire access to that site. Media vehicles may begin to arrive at the site before an incident management structure has been fully established. In order to protect the media and control the site, there are procedures established for controlling access to incident sites and facilities. Once their safety can be assured, the EIO can coordinate media visits to the incident site.

Before conducting such visits, media members should be briefed on rules for the tour. In many cases, this will include a scheduled time to interview key officials. Where access is limited, those responsible for emergency information may wish to request that a media pool be established. A media pool is a representative sample of media personnel who collect information and visuals for distribution to the other media personnel.

### **Emergency Information Centre (EIC)**

Emergency information related to routine or non-complex incidents can generally be handled from an incident site and an EOC. However, large-scale and/or complex incidents and emergencies may necessitate establishing an EIC. The EIC is the location from which emergency information efforts are carried out, generally under the direction of the Emergency Information Officer (EIO).

When an incident is not focused at a specific site or sites, or when access cannot be permitted for reasons of safety, it is especially important that an EIC be established as soon as possible in order to provide the media with a central point where regular briefings can be held and interviews given.

Activities commonly carried out in an EIC include media check-in and credentialing, media inquiry, news conferences and briefings, media monitoring, the drafting of products for release to the media and the public, the arranging of site and facility tours and the administration of the emergency information function.

An EIC requires appropriate staff and equipment to support its level of activities. Staff typically includes Emergency Information Centre Coordinator and other support staff as required.

- **Media Registration:** Welcomes and registers media personnel, provides written background information (often contained in a prepared media package) and answers logistical questions for the Emergency Information Centre.

Equipment would generally include furniture (chairs, tables, podium, etc.), electrical power support, maps and contact lists, and electronic equipment (microphone, computer, phones, fax machines, radios, televisions, etc.). It is advisable that there should be sufficient space for briefings and staff functions to be carried out.

**Joint Emergency Information Centre (Joint EIC)**

Where two or more municipalities/organizations are involved, they may jointly set up the EIC. A jointly established EIC offers an environment where the incident EIO and all EIOs representing the other municipalities/organizations work collectively to arrive at common key EI messages, resulting in common messaging being disseminated. This joint facility may be referred to as a Joint Emergency Information Centre (Joint EIC).

**Some advantages of a Joint EIC include:**

- A central working facility to make coordination easier
- Access to pooled resources
- The opportunity to allocate and focus on areas of expertise
- Greater consistency in messaging

# **Operating Guidelines**

## **Section 3: Policy**

## **EOC Policy Group Standard Operating Guidelines**

### **1.0 EOC Policy Group Overview**

The primary responsibility of the Emergency Operations Centre Policy Group is to support the EOC activities. The Policy Director works in association with the EOC Director. The Policy Director may be the official spokesperson for the Town and is also responsible for the Declaration and Termination of an Emergency as advises by the EOC.

### **2.0 EOC Response Goals**

There is a list of standardized response goals that apply to all emergencies. In order of priority, they are:

1. Provide for safety and health of all responders and those affected by the incident
2. Save lives
3. Treat the sick and injured
4. Protect health of those affected by the incident
5. Ensure continuity of government and critical infrastructure and services
6. Protect property and environment
7. Prevent and or/reduce economic and social losses

### **3.0 Organizational Structure and Reporting Line**

The EOC Policy Group is comprised of a Policy Director (Mayor or designate) and the Emergency Management Control Group.

The Policy Director is responsible for updating the Policy Group on the actions of the EOC.

### **4.0 Roles and Responsibilities**

See the roles and responsibilities checklists for additional detail.



#### **4.1 Policy Director**

The Policy Director works in association with the EOC Director.

The Policy Director works closely with the EOC Director and Information Officer to emergency declaration and termination forms.

The EOC Director is also responsible to liaise with the Policy Group.

#### **4.2 Policy Group**

The Policy Group is responsible to support the EOC in the provision of policy or by- law changes/amendments as required to respond to the event.

In addition, the Policy Group supports the public information activities by providing the approved information releases to constituents during an incident.

# **Operating Guidelines**

## **Section 4: Operations**

## **Emergency Operation Centre Operations Section Standard Operating Guidelines**

### **1.0 Operations Section Overview**

The Operations Section maintains direct contact with the site(s) and coordinates the overall site support response, in conjunction with other agencies and/or departments. Operations Section is also responsible for gathering current situation information from the site and sharing it with the Planning Section and other EOC Management Team Personnel, as appropriate; coordinating resources request from the site level; and directing deployment of all EOC issued resources to the Incident Commander(s). They are responsible for coordinating all jurisdictional operations in support of the emergency response through implementation of the EOC Action Plan.

### **2.0 EOC Response Goals**

There is a list of standardized response goals that apply to all emergencies. In order of priority, they are:

8. Provide for safety and health of all responders and those affected by the incident
9. Save lives
10. Treat the sick and injured
11. Protect health of those affected by the incident
12. Ensure continuity of government and critical infrastructure and services
13. Protect property and environment
14. Prevent and or/reduce economic and social losses

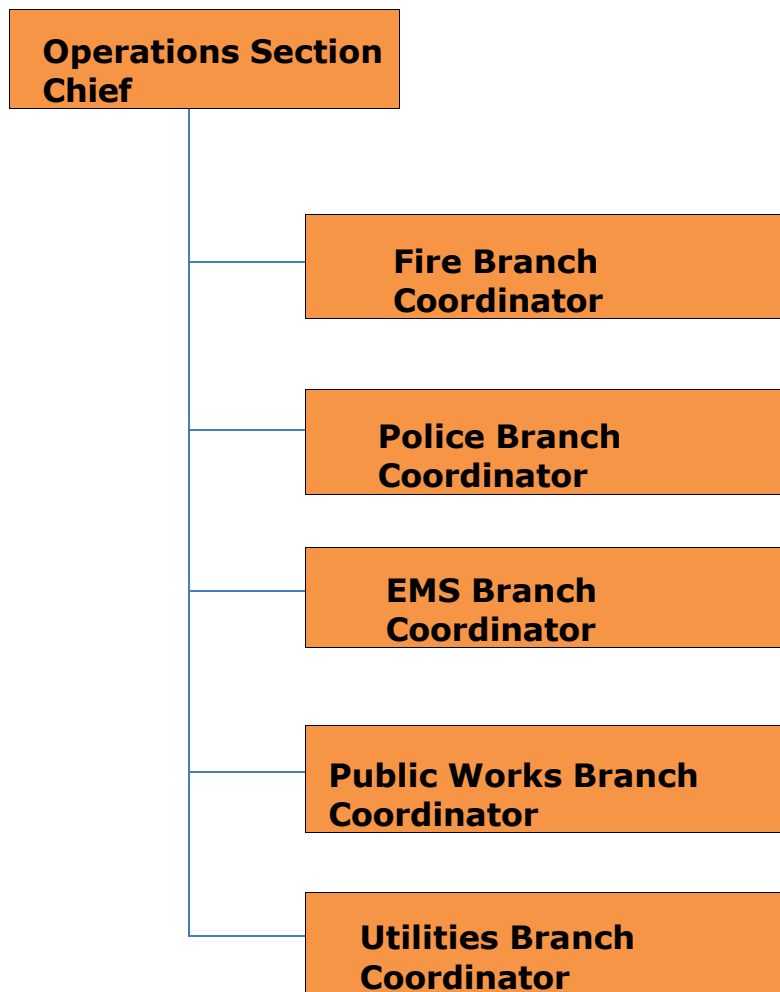
### **3.0 Organizational Structure and Reporting Line**

Information will come into the EOC Operations Section from various sources. It may come direct from one of the responding agencies, an Incident Commander, a Dispatch Centre, a DOC, from other EOC functions such as the Liaison Officer (who has received information from an external, non-jurisdiction agency or EOC), Logistics or Planning functions, or from another government response level.

Branch Coordinators are responsible for keeping the Operations Section Chief advised on the status of their activity and the Chief has the

responsibility for coordinating the overall function. The Operations Chief will coordinate activities with the other Section Chiefs and discuss levels of responsibility with the EOC Director and EOC Management Team.

The following Organizational Chart shows the common branches that may be utilized within the Section.



#### **4.0 Roles and Responsibilities**

The Operations Section is commonly referred to as the “Doers” of the EOC. (see checklists for more detail)

It represents the various agencies involved in the response and recovery efforts. If Police, Fire, EMS, Public Works, Public Health and Emergency Social Services are involved at the site(s) then each would have Branch representation in the Operations Section, once the EOC is activated.

The number of Branches required is dependent on the needs of the emergency event. The number of staff required for each Branch is also dependent on the size and scale of the emergency event.

A primary role of the Operations Section is to provide current information to the other EOC Sections on the status of the emergency event response and recovery actions being taken by site personnel.

#### **4.1 Operations Section Chief**

One of the agencies involved in the response or recovery can be selected to be Operations Chief by the EOC Director. Usually, this will be the same agency as the one performing Incident Command at Site so it may change as the incident changes. Operations Section Chief Responsibilities are:

- Ensures coordination of the Operations function including supervision of the various Branches required to support the emergency event;
- Ensures that operational objectives and assignment identified in EOC Action Plans are carried out effectively;
- Establishes the appropriate level of Branch and Unit organizations within the Operations Section, continuously monitoring the effectiveness and modifying accordingly;
- Coordinates information received from any activated DOC's in the operational area;
- Consults with Planning Chief to clearly define areas of responsibility between the Operations and Planning Sections;
- Maintains a communications link between Incident Commanders



- (sites), and the EOC for the purpose of coordinating the overall response, resource requests and event status information;
- Ensures that the Planning Section is provided with Branch Status Reports and Major Incident Reports;
  - Conducts periodic Operations briefings for the EOC Director and EOC Management Team as required or requested;
  - Approves special resource requests and/or obtains the EOC Director's approval of critical and extra-ordinary resources;
  - Supervises the Operations Section

#### **4.2 Branch Coordinators**

Branch Coordinators oversees the operations of a particular agency. A Branch Coordinator will be responsible for coordinating the activities of their department/agency site personnel, dispatch centre (if one exists) and DOC (if one has been activated) with other Branches in the Operations Section. Additional Branch staff may be need, dependent on the size of the emergency event and the support required.

### **Fire Branch Coordinator**

- Establishes ongoing communications with Fire Site Commander;
- Arranges and coordinates fire suppression, as well as hazardous materials support operations;
- Coordinates fire branch activities with fire site personnel and fire dispatch centre;
- Supervises Fire Branch staff;
- Acquires and coordinates all fire mutual aid resources, as necessary;
- Arranges for any additional fire service assistance or resources required with the Office of the Fire Marshal and Emergency Management(OFMEM);
- Advises and provides consultation on the issue of evacuation relative to the number of citizens involved, and/or the size of the geographical area involved, which falls under the jurisdiction of the Fire Service;
- Assists in the alerting of persons endangered by the emergency;
- Liaises with other fire authorities, as required, and coordinating the participation of any other fire authorities;
- Coordinates the mobilization and transportation of all resources through the Logistics Section;
- Implements the objectives of the EOC Action Plan assigned to the Fire Branch;
- Completes and maintains branch status reports for major incidents requiring or potentially requiring provincial response support, and maintains status of unassigned fire and HAZMAT resources in the area in conjunction with Planning Section's Resource Unit.

### **Police Branch Coordinator**

- Establishes ongoing communications with Police Site Commander;
- Coordinates Police Branch activities with police site personnel and police dispatch centre;
- Supervises the Police Branch;
- Coordinates law enforcement, traffic control operations, and evacuation notifications during an emergency;
- Coordinates movement and evacuation operations with other Operations Section Branches;
- Acquires and coordinates all police mutual aid resources, as necessary;
- Advises and provides consultation on the issue of evacuation

relative to the number of citizens involved, and/or the size of the geographical area involved, which falls under the jurisdiction of the Police Service;

- Notifies the Coroner regarding fatalities;
- Advises the most effective use of police resources in support of the emergency response at the emergency site and external to the emergency site;
- Assists in the alerting of persons endangered by the emergency and coordinating evacuation procedures in co-operation with the EOC;
- Selects the initial reception location of evacuees in the early stages of an evacuation and communicating this with Community Services;
- Ensures the provision of traffic control measures to facilitate the movement of emergency vehicles and/or assist with evacuation;
- Recommends and establishes safe evacuation routes;
- Providing perimeter security and control for the evacuation area and emergency site;
- Liaises with other municipal, provincial and federal police agencies as necessary.

### **Emergency Medical Services Branch Coordinator**

- Establishes ongoing communications with EMS Site Commander;
- Coordinates EMS Branch activities with EMS site personnel and EMS dispatch centre;
- Supervises the EMS Branch; coordinates the transportation of injured victims and EMS personnel to appropriate medical facilities as required;
- Coordinates distribution of injured victims with hospitals in the area;
- Assists in identifying and mobilizing available ambulance and auxiliary ambulance resources as required;
- Arranges through the Ministry of Health and Long Term Care (Central Ambulance Communications Centre) any additional EMS assistance or resources, as required;
- Liaises with local hospitals and providing an estimated number of casualties where required;
- Ensures there is appropriate EMS personnel and equipment to conduct triage and essential medical treatment at reception centres, as required.

### **Public Works Branch Coordinator**

- Establishes ongoing communications with Public Works Site Commander;
- Coordinates public works branch activities with public works site personnel;
- Supervises the Public Works Branch;
- Provides equipment in support of emergency site;
- Liaises with local utilities and community partners to provide special equipment, vehicles and personnel as required;
- Liaises with Ministry of the Environment and other relevant agencies and departments with respect to environment contamination;
- Arranges for the provision of emergency potable water supplies and sanitation facilities in co-ordination with the Medical Officer of Health;
- Liaises with local Conservation Authorities with respect to water levels during times of flooding or anticipated flooding and acting as the Municipalities " Flood Coordinator";
- Ensures that barricades and flashers are delivered to the emergency site to support traffic control points and site perimeter, as required;
- Liaises with local utilities to disconnect services that may be a hazard to emergency responders or the public and have services reconnected when appropriate;
- Ensures adequate emergency water supply/pressure for effective fire suppression operations;
- Surveys Regional facilities, assessing the damage to facilities, and coordinating the repair of damage Surveys all other infrastructure systems, such as local roads, bridges, sewer and water systems within the area.

### **5.0 Operations Section Support Staff**

Additional Staff may be obtained and /or brought into the Operations Section to help with clerical support, display branch information on status boards, and communicate information/messages to other EOC functions (Runners).

## **6.0 Planning Section Liaison to Operations Section**

The Planning Section will provide a Situation Unit Coordinator to maintain the EOC Event Status Board and EOC Situation Map. This 'Planning' role will also communicate with the Operations Section so that current information can be captured as it is received by one of the Operations Branches.

## **7.0 Other Activities**

In addition to individual Branch activities, collectively the Operations Section is responsible for:

### **7.1 Coordinating Traffic Control Routes**

Although the site is responsible for establishing safe perimeter to the scene, the Operations Section may be called upon to help control and/or divert traffic from entering the perimeter.

This could be done through coordination amongst the various branches to set up barricades and traffic control points, a media release (via the Information Officer), and contact with neighbouring jurisdictions.

### **7.2 Recommending damage assessment and/or utility restoration priorities**

Operations will receive reports of structure and infrastructure damage from site personnel. Based on their knowledge of the critical facilities needed to support response and recovery activity they will recommend inspection and restoration priorities to the EOC Management Team.

## **8.0 Gathering and Sharing Information**

Operations Section is the primary link to what is happening outside of the EOC's view. It is also responsible for providing site personnel with important information on EOC activity.

Operations should have the most current information on what action has been taken by site personnel, and of any new subsequent incidents that



may have an impact on EOC activity. Upon arrival and throughout the EOC activation each Operations Section Branch will need contact their respective personnel at the site and obtain current incident information. The Operation Chief may call a briefing of all the activated Operation Branches in the EOC to develop an Operations Section Status Report for the EOC Management Team meeting.

The Operations Chief will give an overview and update to the EOC Management Team at the start of every shift and every EOC Management Team meeting.

## **9.0 Preparing Reports**

### **9.1 Incident Reports**

As reports of new incidents or updates of current incidents come in, the receiving Operations Branch should prepare an Incident Report and forward to appropriate EOC functions.

### **9.2 Branch Status Reports**

Each Branch is responsible for maintaining a written report on the status of their agency's specific response and recovery actions.

### **9.2 Daily Time Reports**

Each Operations Branch Coordinator will complete a Daily Time Report capturing all their personnel assigned to the incident/emergency for each EOC shift and give to the Time Unit in Finance and Administration Section.

### **9.3 Operations Section Daily Cost Estimate Reports**

Each Operations Branch Coordinator will complete an Operations Section Daily Cost Estimate Report capturing all their Branch expenditures for each EOC shift and give to the Finance and Administration Section.

#### **9.4 Resource Request Form**

Resource Request Forms are used for acquisitions of resources required to perform necessary tasks in the EOC or at the incident site. It provides detailed information on the requested resources.

#### **10.0 EOC Action Plans**

EOC Action Plans outline the priorities/objectives of the EOC for a specified period of time, as well as the specific tasks required to meet those objectives.

The EOC Director is responsible for ensuring that effective action planning occurs within the EOC. This is a consultative process in which each EOC Management Team member are responsible for providing direct input into the process and ensuring any objectives assigned to their function are completed within the operational period.

Based on EOC Management Team input, the Planning Section prepares the EOC Action Plan for the EOC Director's approval.

#### **10.1 Implementing EOC response priorities**

The Operations Chief may request Branch Coordinators to attend an operational briefing to review the EOC Action Plan once approved. Each Branch in Operations will oversee the implementation of EOC response priorities assigned to their agency from the EOC Action Plan. The Operations Section Chief is ultimately responsible for overseeing the implementation and monitoring the progress of collective Operations Section response priorities.

### **11.0 Information Displays**

Each Branch is responsible for informing the Situation Unit Coordinator of any relevant information to their role and functions in the EOC for the display boards.

This includes but not limited to:

- Location of sites
- Location of Incident Command Posts (ICP)
- Location of Staging Areas
- Perimeter boundaries
- Activated facilities (e.g., Reception Centres)
- Deployed Resources
- Critical Resources
- Operational boundaries
- Road Closures
- Evacuation areas
- Status information

### **12.0 Requesting Resources**

At simple incidents, resource needs are typically ordered directly through pre-established channels such as a dispatch centre, pre-arranged vendor agreements (e.g. a designated caterer, medical supplier or fuel vendor). Where an incident draws heavily on organizational resources, some departments utilize department operations centres to coordinate the acquisition of additional resources for the incident.

Complex incidents, often with unique resource needs and multiple periods, will require more comprehensive processes to assess needs, order and track resources. Where there is a requirement for special resources outside of regular channels, it will necessary to establish: the Logistics Section to locate, transport, feed and maintain the resources; the Planning Section to track the resources; and the Finance Section to pay for the resources.

Operations will receive requests for additional resources (both personnel and equipment) from the site(s) and will coordinate the acquisition of the needed resources through dispatch centres, DOC's, mutual aid and/or through the EOC Logistics Section. In the event the resource cannot be acquired through these mechanisms the Operations Section, with the EOC

Director's approval, will forward a request to the PEOC.

One of the most significant aspects of the Logistics Section is to effectively acquire and allocate resources in support of the site activities and EOC Action Plan.

Resource requests can be presented to Logistics in various forms. Ideally, they should be presented to Logistics on a fully completed 'Resource Request, but realistically you may have to present them through an email, via a phone message, or through a phone or radio conversation.

### **12.1 Resource Requesting Number**

Resources requests could be initiated at the site, in Operations or in the Logistics Section. To assist with this tracking, numbering should always start with a prefix that identifies the section/branch or agency that initiates the written tracking of the request. For example: if a resource request form is completed in Operations Section/Public Works Branch it would be numbered PW#1 and so on; if Logistics Section to respond to a verbal request, it would be numbered "LOG#1" and so on.

### **12.2 Directing and deploying EOC obtained resources**

Operations are responsible for overseeing the deployment of resources obtained through the EOC.

### **12.3 Coordinating and processing mutual aid requests**

Branches in Operations will contact neighbouring jurisdictions to try and obtain mutual aid support, as needed.

### **12.4 Tracking deployed resources**

In addition to the Planning Section tracking resources, each Branch in Operations should also track resources they have deployed and update Planning Section Resource Unit as needed.

## 12.5 Resource Status

Resources will always be in one of these status conditions:

- **Enroute** to destination
- **Arrived** at destination
- **Demobilized** from emergency
- **Returned** to original state and owner
- **Not available**



# **Operating Guidelines**

## **Section 5: Planning**

## **Emergency Operation Centre Planning Section Standard Operating Guidelines**

### **1.0 Planning Section Overview**

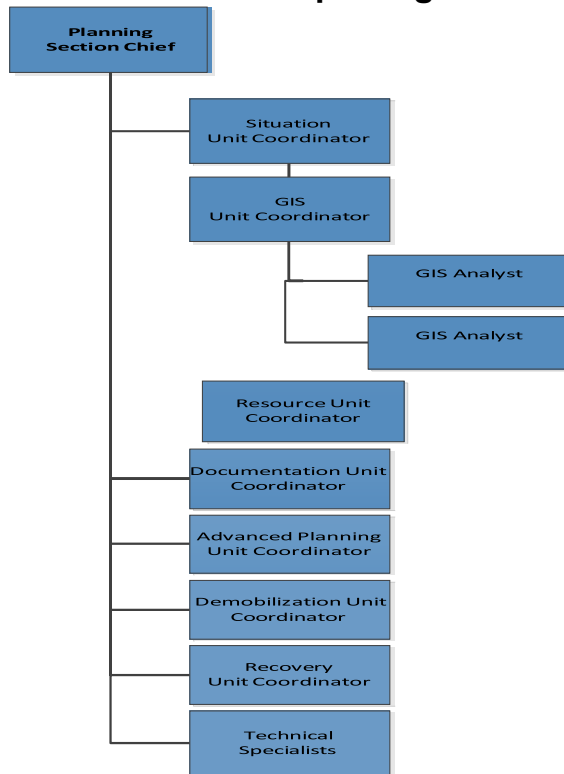
The Planning Section is responsible for anticipating the long-range planning needs of the EOC, collecting, evaluating and disseminating information; developing the EOC Action Plan and Situational Status in coordination with other functions and maintaining all EOC documentation.

### **2.0 EOC Response Goals**

There is a list of standardized response goals that apply to all emergencies. In order of priority, they are:

1. Provide for safety and health of all responders and those affected by the incident
2. Save lives
3. Treat the sick and injured
4. Protect health of those affected by the incident
5. Ensure continuity of government and critical infrastructure and services
6. Protect property and environment
7. Prevent and or/reduce economic and social losses

### 3.0 Organizational Structure and Reporting Line



Information will come into the EOC Planning Section from various sources. It will come from the Operations Section, a DOC, EOC Director, Emergency Management Staff, an external technical specialist or from the Planning function of another response level.

Unit Coordinators are responsible for keeping the Planning Chief advised on the status of their activities. The Planning Chief has the overall responsibility for coordinating the planning function. The Planning Chief will coordinate activities with the Operations Chief.

### 4.0 Roles and Responsibilities

The Planning section is commonly referred to as the “Thinkers” of the EOC. It represents the various analytical functions required to support response and recovery efforts. (see checklists for more detail)

#### 4.1 Planning Section Chief

Planning Section Chief Responsibilities are:

- Ensures that the following responsibilities of the Planning Section are addressed as required:
  - Prepares and distributes EOC Action Plan and facilitate

- action-planning process.
- Collects, analyzes and displays situation information on status boards and maps.
- Prepares periodic situation reports
- Tracks resources
- Conducts advanced planning activities and make recommendations for action
- Documents and maintains files on all EOC activities
- Establishes the appropriate level of organization for the Planning Section and determines need for identifying individual Units
- Exercises overall responsibility and authority for the coordination of Unit activities within the Section
- Consults with the Operations Chief to clearly define areas of responsibility between Operations and Planning Sections. Appoints the Situational Unit Coordinator as a Liaison to work with the Operations Section
- In coordination with other Section Chiefs, ensures that Status Reports are completed and utilized as a basis for the EOC Action Plans
- Keeps the EOC Director informed of significant issues affecting the Planning Section and obtains approval for EOC Action Plans and Situation Reports before distributing to EOC staff.
- Maintains a communications link between Incident Commanders (sites), and the EOC for the purpose of coordinating the overall response, resource requests and event status information
- Ensures that the Planning Section is provided with Branch Status Reports and Major Incident Reports
- Supervises the Planning Section

### **Planning Section Chief Considerations**

- Assesses and recommends EOC priorities and objectives
- Develops contingency plans, as requested by the Operations Section and EOC Director
- Prepares specialized plans and reports, such as an evacuation plan, traffic management plan, or damage assessment report etc.
- Identifies utility restoration priorities
- Identifies structural repair priorities
- Obtains/provides technical advise, as required
- Maintains overall status of buildings, roads, bridges, railways, airport, marine ways, utilities, water supply, sewer system etc.
- Prepares the EOC demobilization plan
- Validates and verifies all incoming information

### **4.2 Situation Unit**

- Oversees the collection, organization, and analysis of disaster situation information, including damage assessments (damage to structures, transportation systems and infrastructure)
- Ensures that ongoing link (Liaison) is established with the Operations Section for the purpose of collecting accurate situation information in a timely manner
- Ensures that information collected from all sources is validated
- Ensures that an EOC Action Plan is developed for each operational period based on collective priorities and objectives for the EOC
- Ensures that Situation Reports are prepared as required and forwards them to the Planning Chief for approval. (Planning Chief then reviews with the EOC Director and obtains his/her approval)
- Ensures that all maps, status boards and other displays contain current and accurate information

### **4.3 Situation Unit Clerical Support (if utilized)**

- Supports the Situation Unit Coordinator with all the display boards and maintaining them with current information
- Supports the Planning Section Chief with the development of any EOC reports required
- Takes the minutes during the EOC Management Team meetings



#### **4.4.1 GIS Unit**

- Prioritizes requests for mapping

##### **4.4.1.1 GIS Analyst**

- Develops and displays all maps needed for the EOC
- Prints map requests needed in the EOC.

#### **4.5 Resources Unit**

- Coordinates with the Branches and Units in the Operations and Logistics Sections to capture and centralize resource status information (Note: This position tracks resources- it does not obtain or supply them)
- Develops and maintains resource status boards, and /or other tracking and display items
- Works closely with Operation's Branches to ensure that all EOC deployed resources are tracked and that information regarding resources still available is also tracked

#### **4.6 Documentation Unit**

- Collects, organizes and files all completed forms relating to the emergency event, including: all EOC position logs, Action Plans, Resource Forms , Situation Reports and any other related information, just prior to the end of each EOC shift
- Provides document reproduction services for EOC staff
- Distributes the EOC Action Plans and Situation Reports, and other documents, as requested
- Maintains a permanent archive of all EOC Action Plans, Situation Reports, Media Releases, Time Sheets and important financial documents associated with the emergency event
- Assists Recovery Unit with preparation and distribution of the EOC After Action Report

#### **4.7 Demobilization Unit**

- Monitors progress of all EOC priorities and actions to determine which EOC functions are no longer required
- Develops a demobilization plan for the EOC based on a review of pertinent Planning Section documents, Situation Reports and status of EOC priorities and actions. The demobilization plan will ensure that outstanding action items are forwarded to EOC functions remaining operational and/or other jurisdictional areas

#### **4.8 Advanced Planning Unit**

- Develops an Advance Plan consisting of potential response and recovery related issues likely to occur beyond the next operational period, generally within a 36 to 72 hour timeframe
- Reviews all available Situation Reports, EOC Action Plans, and other significant documents. Determines potential future impacts of the event or disaster, and anticipates issues that might modify the overall EOC priorities and objectives
- Provides periodic briefings for the EOC Director and EOC Management Team addressing advance planning issues

#### **4.7 Recovery Unit**

- Recommends utility restoration and structural repair priorities, based on impact to jurisdiction, and short and long term recovery efforts
- Assesses the requirements for assistance for individual recovery and the jurisdiction's recovery as a whole from whatever damage/impact the emergency event caused
- Identifies immediate steps (short-term relief efforts) that can be taken to initiate and speed the recovery within the area
- Anticipates actions required over the long term (long-term recovery) to restore local services and return the area to pre-emergency conditions
- Prepares the EOC After Action Report and forwards to the Planning Chief who presents the report to the EOC Director and EOC Management Team for approval
- Supervises the Recovery Unit and all recovery operations unless otherwise directed by the Planning Chief

#### **4.8 Technical Specialists Unit**

- Provides technical observations and recommendations to the EOC in specialized areas, as required. This may include: Soil Experts, Fire Behavior Specialists, Hazardous Materials Experts, Structural Engineers, etc.
- Ensures that qualified specialists are available in the areas required by the particular emergency event
- Consults with Operations and Logistics Sections to ensure there is not duplication in contacts with required technical specialists
- Supervises the Technical Specialists Unit

## 5.0 Situation Unit Activities

### 5.1 EOC Action Plans

EOC Action Plans address the policies and priorities that support the emergency event and are an essential and required element in achieving objectives.

Preparing EOC Action Plans is the responsibility of the Planning Section's Situation Unit. A new EOC Action Plan should be prepared for each new operational period.

#### **Planning Process**

There are five primary steps in sequential order to ensure a comprehensive Action Planning process:

1. Understand the current situation
2. Establish priorities, objectives and strategies
3. Develop EOC Action Plan for next operational period
4. Evaluate the EOC Action Plan and obtain appropriate approval
5. Anticipate/predict what will happen following implementation of the EOC Action Plan

#### **Plan Components**

The EOC Action Plan may consist of some or all of the following:

- EOC policies and priorities
- Task assignment lists
- Attached reference (e.g. Communication Plan, Traffic Plan, Evacuation Plan, Organizational Chart, maps, etc.)
- Distribution list

#### **Plan Approval**

Once the Situation Unit has prepared the EOC Action Plan, it is forwarded to the Planning Chief, who presents it to the EOC Management Team.

The EOC Director must approve (sign off) the EOC Action Plan for each operational period before it is distributed to all EOC staff for implementation.

### **Plan Implementation and Evaluation**

Once approved the EOC Management Team will assume responsibility for implementing their respective portions of the EOC Action Plan.

Planning's Situation Unit will monitor and evaluate the progress of each EOC Action Plan.

### **5.2 Integrated Geospatial Information**

Incident characteristics such as location, type and impacts, as well as damage assessment, situation reports and other incident information will often need to be integrated with geospatial data to produce a more complete picture of an incident. This enables data from varying sources to be integrated, e.g. into a standardized Geographic Information System (GIS) map.

### **5.3 Information Displays**

A primary role of the Planning Section is to maintain situation information such as; Event Board, Status Board and Situation Maps and maintain all EOC documentation.

The event board, status board and situation maps in the Planning area will be of interest to all EOC staff so they receive current information as the event evolves.

Planning's Situation Unit is responsible for maintaining status information on all aspects of the emergency response and recovery including:

- EOC Event Board
- Status Boards
- EOC Maps
- Resource Status
- Damage Assessment
- Weather

### **EOC Event Board**

It provides high level information on each incident or significant occurrence that is being tracked by the EOC.

### **Status Board**

Provides similar information as the EOC Event Board, but is structured around incidents within the emergency that the EOC is tracking. Specific information will be tracked and updated as needed.

### **Maps**

The GIS Unit Coordinator will oversee all the maps developed for the EOC. The maps give the EOC personnel a visual representation of the current event.

Items that may be included are:

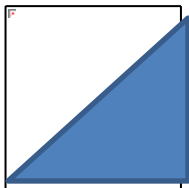
- evacuation areas
- road closures
- incident command post
- weather
- staging area
- location of evacuation centre
- utilities issues (outages)
- any other important facts

Additional layers within the geographical information system could be used to provide further details, if needed.

### **IMS Map Symbols**

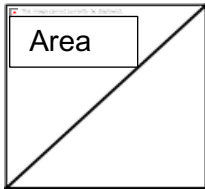
The basic symbology used in IMS includes a square (meaning a centre or a post); and a circle (meaning an area).

The **Incident Command Post (ICP)** is the location from which Incident Command oversees incident management. The ICP is depicted by a black lined square divided into two triangles by a diagonal line running from lower left to upper right with the lower triangle being black and the upper being white.

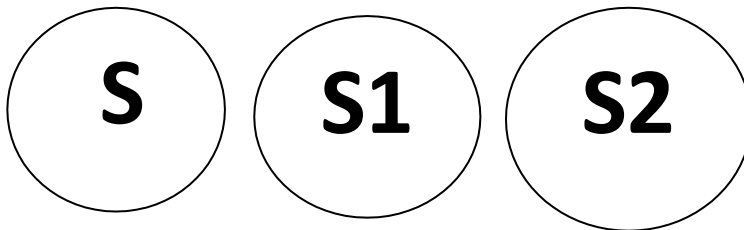




An **Area Command Post** is the location from which Area Command manages multiple incident management teams, and has similar characteristics as an ICP. It is depicted by a black lined square divided into two white triangles by a black diagonal line running from lower left to upper right; with black lettered 'Area' inside the upper triangle.

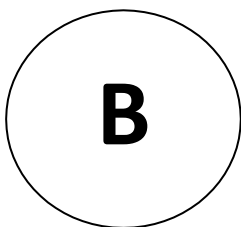


A **Staging Area** is a temporary location where personnel and equipment wait for tactical assignments. It is depicted by a black circle on white background with a black lettered 'S' in it. More

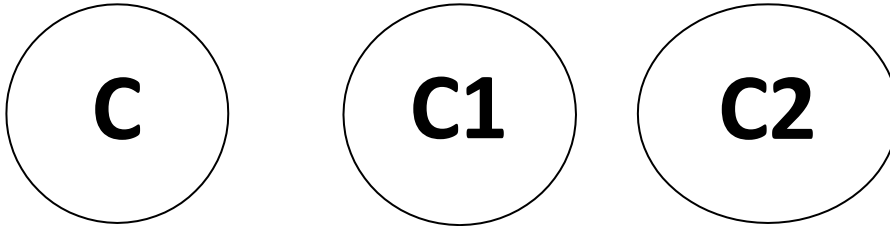


than one staging area may be designated by the addition of a number beside the letter, e.g. 'S1'.

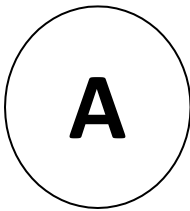
The **Incident Base** is the location from which primary logistics and administrative functions are coordinated and administered. It is depicted by a black circle on white background with a black lettered 'B' in it. There is usually only one base per incident.



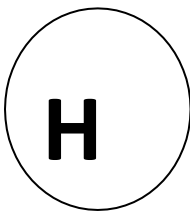
A **Camp** is a temporary, separate facility from the Base. It is depicted by a black circle on white background with a black lettered 'C' in it. More than one camp may be designated by the addition of a *number beside the letter, e.g. 'C1'*.



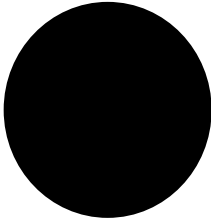
An **Airbase** is the location from which both fixed wing, and rotary wing (helicopter) aircraft operate. It is depicted by a black circle on white background with a black lettered 'A' in it.



A **Helibase** is the location from which helicopter-centered air operations are conducted. It is depicted by a black circle on white background with a black lettered 'H' in it.

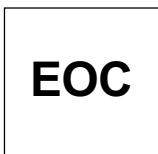


**Helispots** are more temporary helicopter landing and take-off facilities used for loading and unloading personnel and cargo. There may be more than one helispot per incident, which are then numbered sequentially from '1'. Each is depicted by a solid black circle numbered in association with a capital H-, as in H-1 and H-2, etc.

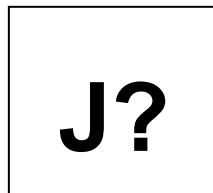


**H-1**

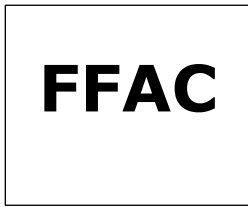
An **Emergency Operations Centre (EOC)** is a facility from which incident management support to an Incident Command is coordinated. It is depicted by a black lined square on white background with black lettered 'EOC' in it.



An **Emergency Information Centre (EIC)** is a facility specifically designated, and properly equipped for emergency information use, where possible. It is depicted by a question mark inside a square. The letter 'J' may be added to signify a Joint EIC.



A **Family and Friends Assistance Centre (FFAC)** is a facility specifically designated for family and friends impacted to gather. It is depicted by a the text FFAC inside a square.



An **Incident Telecommunication Centre (ITC)** is a facility specifically designated, and properly equipped for emergency information use, where possible. It is depicted by the letters ITC inside a square.



### **Resource Status**

The Resource Unit Coordinator will track all resources on the resource tracking board (note: they do not obtain or supply them). Works closely with the Operation Branches and Logistics to capture resource status information.

### **Weather Board**

The weather will be used to display current weather forecast information from Environment Canada.

### **Documentation Unit Activities**

All EOC activities require some form of documentation and record keeping. It is extremely important to accurately document actions taken during emergencies.

## **6.0 EOC Forms**

Planning Chief will ensure that all electronic Position Logs and the EOC Event Board are saved in a PDF form every three hours, this allows for time stamping of the emergency. All EOC personnel will save them under their completed forms folder.

## **6.1 Filing Completed Forms**

Documentation Unit is responsible for ensuring that all EOC documentation is compiled, signed, stored and available to EOC members if required.

If any EOC members request a copy of the forms they are to provide a copy of the original form. The original forms must remain with the Documentation Unit at all times.

## **7.0 Advanced Planning Unit**

The Advance Planning Unit is responsible for ensuring that all aspects of the emergency event have been anticipated and planned for. Actions that the EOC directs should be analyzed and carefully evaluated for the effectiveness and thoroughness.

The Advanced Planning Unit should review all EOC Action Plans and Situation Reports to ensure that the EOC is addressing the 'big picture' and mitigating any further impact that the emergency event may cause.

## **8.0 Demobilization Unit**

The Demobilization Unit will prepare an EOC Demobilization Plan. Demobilization is the systematic and safe release of resources from an incident. It generally involves the restoration of the resources to its original state and location. Related to supplies, it may include restocking and inventory control. Facilities must also be considered in demobilization, such as cleaning and repairing them as necessary prior to return to their original function. For example, an Emergency Information Centre may have been established in a school or community centre, which must be returned to its original state and use.

The Demobilization Unit will coordinate with EOC personnel to identify key indicators that incident is transitioning to demobilization phase. Examples may include:

- No new resources ordered
- End of the incident is in sight
- There are unassigned resources



Demobilization Unit activities should include:

- Identifying surplus resources and probable release times
- Reviewing incident resource tracking records to determine scope of demobilization efforts
- Determining logistical support needs for released resources (rehab, transportation, equipment replacement, etc.)
- Determining de-briefing requirements
- Monitoring implementation of Demobilization Plan

### **Demobilization of Resources**

Demobilization of resources should be considered from the earliest stages of an incident, since keeping resources attached to an incident where they are not needed is not only expensive, but also renders them unavailable to other incidents if needed.

### **Demobilization Plan**

Demobilization is a planned process and the Demobilization Plan template assists with this planning. The Demobilization Unit coordinates with EOC personnel to develop the plan and identify the resources that need to be demobilized during each EOC shift. Under the column "release procedure" is where logistics support requirements would be indicated (i.e. rehab, transportation, equipment replacement, destination, travel method etc.). The person authorizing the release of the resource will place their name in the column and sign to confirm that the resource is ready to be demobilized.

## **9.0 Resource Unit Activities**

Effective resource management enhances safety, accountability and cost effectiveness. IMS includes strong resource management system to ensure a uniform approach to resource identification, acquisition, allocation, tracing/accountability and demobilization. Resources are personnel and major items of equipment, supplies and facilities available or potentially available for assignment to incident operations and for which status is maintained.

Resource management refers to a common approach to efficiently identify, acquire, allocate, track and demobilize resources before, during and after an incident.

Resource requests must also be logged and tracked to ensure the response provided is recorded.

This will assist in tracking and monitoring the effectiveness of the response and of EOC Action Plans. Documentation is also important for tracking expenditures for cost accounting and for requesting provincial and federal assistance.

## **9.1 Resource Tracking**

Resources will need to be tracked to ensure the safe and effective management of a large number of resources. The Resource Unit at all times monitors the identity, location and status of all resources attached the incident. Accurate tracking of this information is not only vital for safety reasons, but also key to the efficient use of resources. By tracking resources, EOC personnel are able to make decisions on re- tasking the resources for either, current resource needs or advance planning needs based on incident objectives.

The following are used for tracking resources:

### **Enroute**

The resource is enroute to the destination/location for the specific task assigned.

### **Arrived**

The resource has arrived at destination/location for the specific task assigned.

### **Available**

The resource is ready but has not been assigned a task or is ready to be reassigned for another task.

### **Out-of-Services**

The resource is assigned to the emergency but unable to respond for mechanical, rest or personnel reasons. The resource cannot be tasked

### **Demobilized**

The resource is being released/demobilized from the emergency event.

### **Returned**

The resource was returned to its original state and owner.

## **10.0 Recovery Unit Activities**

Experience has shown that planning recovery operations during the response will speed the recovery time and reduce losses. The Recovery Unit leads the recovery efforts and should commence activities as early as possible.

Near the end of emergency response operations, the EOC will make the transition to relief and recovery operations. This may require re-evaluating which EOC functions are required and which agencies and personnel are best suited to staff the functions, as appropriate.

The Recovery Unit in the EOC is responsible for overseeing the transition from response to recovery.

Long term recovery efforts, four weeks to several years following an event, will likely include:

- Debris management
- Hazard mitigation
- Reconstruction of permanent housing
- Reconstruction of commercial facilities
- Reconstruction of transportation systems
- Rehabilitation of environment
- Implementation of long-term economic recovery
- Programs to support psycho-social and emotional support for evacuees or those affected by the emergency

### **10.1 Relief**

Relief provides for immediate and short-term assistance to the people impacted by the emergency event and includes the repair and restoration of essential lifeline systems.

Initial, short-term relief efforts include activities such as:

- Provision of interim housing
- Repair and restoration of lifeline utilities
- Emergency repair of vital transportation systems
- Provision of critical incident stress counseling for response staff and community
- Debris removal and clean-up
- Restoration of social and health services
- Restoration of normal civic services
- Coordination of damage assessment
- Re-occupancy of structures
- Economic recovery
- Building demolition
- Formation of recovery task force

## **11.0 Additional Planning Section Activities**

### **Damage Assessment**

The prompt and accurate assessment of damage to public and private property will be of a vital concern to the EOC in order to facilitate an effective and rapid response and recovery. Based on the damage assessment reports, the EOC will determine what recovery capabilities are available to meet the anticipated requirements. A tracking system or log of events during an emergency will help in determining areas of damages.

### **Debris Management**

The quantity and type of debris generated from any particular incident will be different due to the location, kind of event experienced, its magnitude and intensity. Debris management refers to the removal and disposal of debris caused by a major debris-generating event.

The debris clearance, removal and disposal issues will be directed through the EOC. The EOC will develop a Debris Management Plan and to ensure there is coordinate response to all debris management activities.

Priorities for debris management may include:

- Major flood drainage arteries
- Egress for first responders
- Municipal buildings
- Egress for hospitals
- Major traffic routes
- Access for utility restoration

### **Other Activities**

Other Planning Section activities may include:

- Preparing specialized reports, such as an evacuation plan, traffic management plan or damage assessment report.
- Identify utility restoration priorities
- Identify structural repair priorities
- Obtain/Provide technical advice, as requested
- Maintain overall status of building, roads, bridges, railways, airport, marine ways, utilities, water supply, sewer system, etc.



# **Operating Guidelines**

## **Section 6: Logistics**

# Emergency Operation Centre Logistics Section Standard Operating Guidelines

## 1.0 Logistics Section Overview

The Logistics Section is responsible for ensuring that the EOC is operational and providing facilities, services, personnel, equipment and materials to support all aspects of the response and recovery efforts.

The Logistics Section represents various functions that support the resource and facility needs of the EOC, site and other centres or locations that may be established to manage the response activities.

The Logistic Section in the Emergency Operation Centre is established to support the resource needs of the operation. It can ensure that:

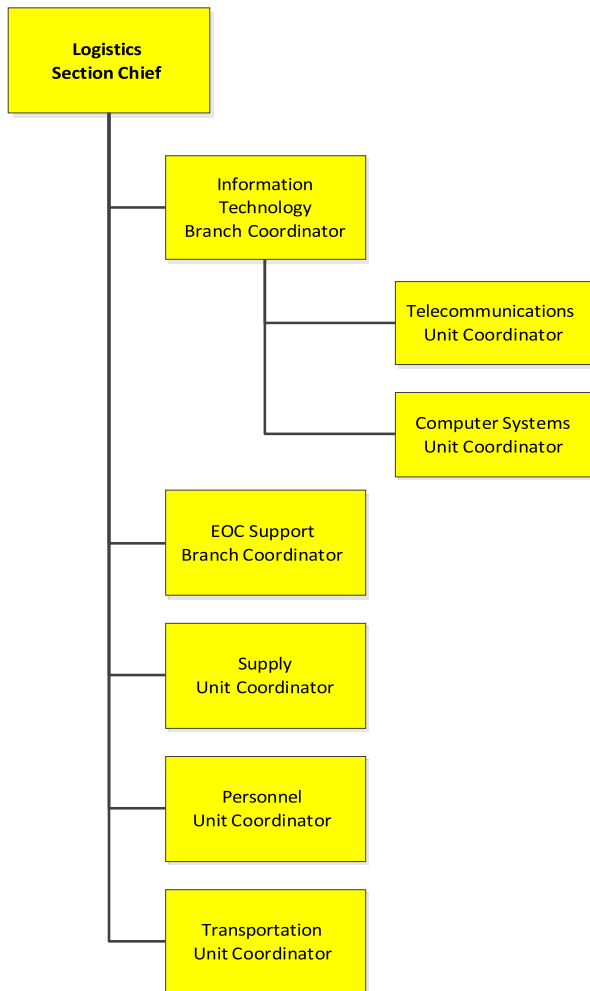
- EOC Management Team is fully aware of resource needs and constraints
- Appropriate allocation of resources occurs based-on established EOC priorities
- Requested resources are secured for Operations as existing resources are expended
- Critical Resources' are identified and managed to meet operational needs despite disruption of infrastructure
- General accountability is maintained for the authority's use of acquired resources

## 2.0 EOC Response Goals

There is a list of standardized response goals that apply to all emergencies. In order of priority, they are:

1. Provide for safety and health of all responders and those affected by the incident
2. Save lives
3. Treat the sick and injured
4. Protect health of those affected by the incident
5. Ensure continuity of government and critical infrastructure and services
6. Protect property and environment
7. Prevent and or/reduce economic and social losses

### 3.0 Organizational Structure and Reporting Line



Information will come to the EOC Logistics Section from various sources. It will come from the Operations Section, a Department Operation Centre, EOC Director and EOC Management staff.

Branch/Unit Coordinators are responsible for keeping the Logistics Section Chief advised on the status of their activity and the Chief has the responsibility for coordinating the overall function. The Logistics Chief will coordinate activities with the other Section Chiefs and discuss levels of responsibility with the EOC Director and EOC Management Team.

The following Organizational Chart shows the common branches and units that may be utilized within the Section.

#### **4.0 Roles and Responsibilities**

The Logistics Section is commonly referred to as the “Getters” of the EOC. (see checklists for more detail)

##### **4.1 Logistics Section Chief**

Ensures the overall Logistics function is carried out in support of the EOC Action Plan. This function includes the overall supervision, coordination, administration and management of the section and may assume specific roles /functions within the section if they have not been assigned to other personnel

##### **4.2 Information Technology Branch**

Ensures, telephone and computer resources and services are provided, supported and maintained for EOC personnel. This includes the establishment and staffing of a telecommunications Centre /Radio Room when required, development and maintenance of a telecommunications plan and establishment of communication links with all key response agencies or centres.

The Communications Unit would manage the telecommunications/radio communications aspects and the Computer Systems Unit would address the hardware, software and the networking needs of the operation.

##### **4.3 EOC Support Branch**

This Branch ensures that the EOC and other facilities are provided for the response effort, including supplies, materials, securing access to the facilities and providing food and refreshments for EOC personnel. Upon demobilization, this function would also be responsible for returning work spaces to their original state.

Although the EOC Support branch focuses on EOC needs, it can easily be tasked with acquiring and supporting other facilities that are needed to respond effectively. This could include alternate or expanded EOC facilities, media centre or other support facilities such as storage yards or warehousing.

The EOC Support Branch is responsible to ensure controlled entry and security personnel is provided and implemented at the EOC location. They also have the responsibility to arrange suitable food and nourishment for the EOC personnel.

#### **4.4 Supply Unit**

Oversees the acquisition and allocation of supplies, materials or equipment not normally provided through mutual aid or normal department /agency channels. This includes clarifying and verifying requests to ensure accuracy and efficiency, communicating directly with suppliers/vendors and coordinating shipping /delivery arrangements.

#### **4.5 Personnel Unit**

The Personnel Unit will provide and/or recruit, process, track and support personnel resources in support of the EOC and incident sites. This includes the registering, credentialing and initial briefing of staff, development of shift schedules for the EOC and assistance to the Operations Section with arranging mutual aid personnel, if required. This function is also responsible for ensuring the lodging, transportation and personal service needs of workers within the EOC and Incident sites are provided as needed.

#### **4.6 Transportation Unit**

The Transportation Unit Coordinator acquires and arranges resources for the transportation of personnel, evacuees and goods in support of the EOC Action Plan. They coordinate with the Planning and Operations Sections to determine the status of transportation routes and develop a Transportation Plan that facilitates the effective movement of response personnel and goods and /or materials.

If it is required to provide a shuttle service for more than just a few personnel, it may be helpful to post a schedule within the EOC. If there is a need to manage a pool of rental vehicles for shared use the Transportation Unit will develop usage guidelines for personnel. The guidelines may include things like authorized users/uses, cleanliness, fueling/service, inspections, reporting of damages and parking locations etc.

Depending on the nature and scope of the emergency, the Transportation Unit may be asked to arrange the transportation of goods from suppliers to the end user. This task could involve a number of factors around shipping, receiving, loading and the effective packaging of goods.



## 5.0 Supply Unit Activities

### 5.1 Management of Resource Requests

One of the most significant aspects of the Logistics Section is to effectively acquire and allocate resources in support of the site activities and EOC Action Plan.

One of the challenges in tracking returnable and/or loaned resources is confirming who is in possession of them. Ideally, the Operations Section should be tracking this detailed information throughout the response and recovery efforts, but this is not always possible. From a Logistics perspective, record names and details of the people who originally signed for the goods that were received. This will provide a good starting point to track down the items.

Resource requests can be presented to Logistics in various forms. Ideally, they will come on a fully completed 'Request for Resources form but realistically they may come in an email, via a phone message, fax or through a phone or radio conversation.

The following process is recommended to effectively handle requests;

1. **Track Requests-** Every request must be clearly tracked. Ensure that a 'Request for Resources or Assistance' form is completed by either the initiator or receiver of the initial request. In addition, the request must be logged on a tracking sheet to allow for follow-up and appropriate closure. The status of resource requests are considered as Pending, En-route, closed or not available.
2. **Confirm/Clarify-** Confirm a clear understanding of what resource is actually needed. Is the volume, quantity or size of the items required? Knowing how, when or where it will be used or potential substitutions may also assist in obtaining the appropriate items. The 'Resources Request form has questions to assist in addressing these concerns.
3. **Prioritize-** What is the 'Precedence Level' for this request: Emergency, Priority or Routine. When resources are limited, an indication of how to best allocate your time is important.

4. **Confirm Approvals-** Does the request have appropriate spending approvals? Has a Section Chief signed it off, or for extraordinary/ critical requests, has the EOC director signed the request.

5. **Acquire Resource:**

- a. Locate/Evaluate Resource(s) – Is the resource available? Are you paying a suitable amount? Is an alternative available? How long would it take to obtain the resource?

Note: See the “Resource Acquisition’ Section for further information on effectively procuring resources.

- b. Initiate Purchasing Arrangements - initiate/complete an Expense Authorization Form, Purchase Order. Forward purchasing documentation to the Finance and Administration Section within the EOC for further processing.

- c. Acquire Resource - Confirm order, forward appropriate purchasing documents and make shipping/transportation arrangements with supplier or others.

6. **Advise Requester** - Close the loop with the section/branch/agency that requested the resource. Keep them informed of the status of the request and confirm when goods/services have been received.
7. **Advise the Finance and Administration Section** - Once the goods or services have been received and invoices obtained, the appropriate paperwork should be forwarded to the Finance and Administration Section so that the loop is closed and payment can be made.
8. **Track Resource** - Track all acquired resources. For non-consumable goods especially, the Logistics Section has a responsibility to account for the resource and insure they are returned or accounted for through other means upon the completion of the event.

## **5.2 Resource Acquisition**

### **Operations Section**

The response agencies and departments, which are represented in the Operations Section, will come to the event with significant resources. Through regular channels they should have access to equipment, personnel and technical expertise as suitable to their field. These agencies/branches should draw upon their own resources, whenever practical, before requesting assistance for the Logistics Section. There may be times within Logistics when resource requests may need to be redirected back to the Operations Section when it is determined that the resource might already be available within that Section.

### **Aid/Supplier Agreements**

If there are existing aid or supplier agreements with other agencies or suppliers, these will usually be accessed through the response agencies/branches within the Operations Section. The Logistics Section needs to be aware of these agreements so as not to duplicate effort or conflict with existing arrangements when attempting to acquire suitable resources.

### **Private Sector Suppliers**

The local wholesalers, retailers, contractor and services companies can provide a wealth of resources (see the Resource Manual for contact information).

### **Resource Requesting Number**

Resource requests could be initiated at the site, in Operations or in the Logistics Section. To assist with this tracking, numbering should always start with a prefix that identifies the section/branch or agency that initiates the written tracking of the request. For example, if a request is received from Emergency Social Services Branch for a Reception/Evacuation Centre resource it would be numbered "ESS#1" and so on; if a resource request form is completed in Operations Section/Public Works Branch it would be numbered OPS/PW#1 and so on; if Logistics Section responds to a verbal request, it would be numbered "LOG#1" and so on.

### **Critical Resources**

When a specific resource is in demand by multiple agencies and/or jurisdictions and there is a limited number of the resource available, it can be designated as a “Critical Resource” by the EOC Director. All requests for “Critical Resources” must be approved by the EOC Director.

The Logistics Section is in a prime position to identify resources that are becoming critical. It is always better to identify an item early rather than to wait until the “critical” status of the response has a significant impact on the response or recovery effort. Early identification can allow for alternate processes and procedures to be put into place to effectively manage and allocate the items in demand.

## **6.0 EOC Support Branch Activities**

### **6.1 Security/Access Control**

EOC Support Unit will need to arrange for Niagara Regional Police to staff the lobby outside the EOC. NRP will ensure all EOC staff and visitors entering the EOC have the proper EOC ID. NRP will direct any unauthorized persons out of the EOC area. They will ensure all designated washrooms, lunchroom and meeting rooms are clear of all unauthorized persons. If NRP personnel are unavailable to perform security the EOC Support Unit will find a security company to perform the duties.

### **6.2 Food, Water and Personal Care**

The Logistics Section is responsible for ordering items to meet food, water and personal care requirements for those working in the EOC. EOC personnel should be prepared with any essential items needed by them during their shift.

### **6.3 Building Services**

The EOC Support Branch may be requested to oversee the controls for the heating and cooling systems, elevator issues and possible security alarm and gate issues of the EOC's.

#### **6.4 Other Facilities**

Although the EOC Support Branch focuses on the EOC needs, it can be tasked with acquiring and supporting other facilities that are needed to respond effectively. This could include alternate or expanded EOC facilities, media facilities or other support facilities such as storage yards or warehousing.

#### **6.5 Support and/Clerical Staff**

There may be a need to support personnel to manage records/files, photocopy, take minutes, answer phones, prepare coffee and perform other administrative tasks. Internal Regional staff may be asked to fill these requirements.

### **7.0 Personnel Unit Activities**

#### **7.1 Worker Care**

The Personnel Unit is one of many positions in the EOC that has responsibility around worker care in coordination with the Health and Safety Officer. The Personnel Unit coordinates worker care strategies and resources as required.

#### **7.2 Human Resource - Internal Staff Redeployment**

Although frontline departments have existing call-out procedures for their own staff, Personnel Unit may be required to assist and/or coordinate the mobilization of additional internal staff. The Personnel Unit will coordinate and verify all requests for personnel resources from the Operations Branches prior to acting on requests.

This may include:

- Identifying the number of personnel
- Identifying any special qualifications or training
- Identifying where they are needed and person or Unit they should report to upon arrival
- Determine the estimated time of arrival of responding personnel and advise the requesting parties accordingly

#### **7.3 Credentialing**

The effective identification of personnel may be needed. This could include the verification and/or acknowledgment of existing identification or the issuing of event- specific and/or time-specific credentials to volunteers, temporary employees or contractors.



#### **7.4 EOC Scheduling (shifts)**

Each EOC Management Team member is responsible for determining their staffing level. The Personnel Unit is responsible to ensure the check-in/check-out form is completed and staff places their name on the organizational chart for every EOC shift. The Personnel Unit may be asked by a Section Chief to call personnel listed on the notification list to ensure there are personnel scheduled for the next EOC shift.

#### **7.5 Arrangement of Psychosocial Support for staff**

In addition to peer and management support, the use of Employee Assistance Program (EAP) can be used to provide psychosocial support for staff during and after an emergency, as needed. Staff should be reminded that these supports are available at the beginning and end of their shift. The Personnel Unit in coordination with Health and Safety Coordinator will coordinate psychosocial needs on-site and in the EOC and ensure other supports are in place as required.

#### **Critical Incident Stress**

Critical Incident Stress is a normal reaction of sudden and unexpected event beyond our normal range of everyday experiences. The Critical Incident Stress Debriefing process is specially designed to prevent or mitigate the development of post-traumatic stress among personnel.

#### **7.6 Worker Accommodation Tracking**

Although the Supply Unit may acquire the initial accommodations for workers from outside the local area, the Personnel Unit needs to track worker location.

## 8.0 Transportation Unit Activities

### 8.1 Developing a Transportation Plan

Depending on the type of incident the following are some suggested items for consideration when developing a Transportation Plan.

<p><u>Transportation Routes</u> Ingress Egress Main Routes</p> <p><u>Transportation Modes</u> Road Rail Marine Air</p> <p><u>Procedures for Transportation Services</u> Managing Requests Verifying Services Contracts and Use Agreements Cost Guidelines</p> <p><u>Potential Client Groups</u> Sites: Equipment, Supplies, and Materials Response Personnel EOC Personnel Affected Population</p> <p><u>Transportation Support of EOC Action Plan</u> Objectives that can be served Transportation Objectives Strategies for each Objective</p>	<p><u>Vehicle Resources</u> First Responder Vehicles Other Government Vehicles Rental Vehicles Personal Vehicles Taxi and Bus Services Other Contracted Vehicle Services</p> <p><u>Rail Resources</u> Passenger Services Freight Services</p> <p><u>Marine Resources</u> First Responder Vessels Other Government Vessels Rental Vessels Personal Vessels Other Contracted Marine Services</p> <p><u>Air Resources</u> Scheduled Air Carriers Charter Air Carriers</p>
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### 8.2 Personnel Transportation Schedules

Personnel Unit may be required to provide a shuttle service for more than a few personnel, it may be useful to develop a schedule and post it within the EOC.

### **8.3 Vehicle Pool Procedures**

If a pool of rental vehicles is required for shared use, there should be usage guidelines for personnel. The guidelines should include things like authorized users/uses, cleanliness, fueling/service, inspections, reporting of damages and parking locations.

### **8.4 Transportation of Goods**

Depending on the nature and scope of the emergency, the transportation of goods from suppliers to the end users may be required. This can involve a number of factors around shipping, receiving, loading and the effective packaging of goods.

### **8.5 Courier Services**

If existing services are unavailable or not suitable, there may be a need to establish a courier service to transfer documents and small items between different facilities/sites involved in the response or recovery efforts.

## **9.0 Information Technology Branch Activities**

IT Branch ensures radios, telephones and computer resources and services are provided, supported and maintained for EOC personnel. This includes the establishment of an Amateur Radio Emergency Services (ARES), if needed.

### **9.1 Telecommunication Plan**

Upon activation of the EOC, it will be important to ensure that communications is established between the emergency site and the EOC. Also, communications may be required at various locations including evacuation centers, hospitals, and other key responding agencies. If primary telecommunications fails IT Branch must find alternate arrangements to meet the telecommunication needs of the EOC.

The Telecommunications Plan details contact information and/or radio assignments for each EOC shift and is duplicated and given to all recipients as part of the EOC Action Plan.

Other options for EOC telecommunications needs are:

- Amateur Radio Emergency Services (ARES). ARES could be used to ensure there is communication available to other levels of government or other municipalities EOC's. This

request for activation of ARES would go to the Liaison Officer.

- There may be a need for the support of runners to physically deliver essential information between local sites/centres. Assistance for runners may be obtained from city personnel, local taxi companies and/or volunteers.

## **10.0 Logistics Demobilization Activities**

When the response and/or recovery needs of the event have been met and the EOC is beginning to demobilize, the Logistics Section will need to address several items including:

### **10.1 Disposal of Excess Stock**

Decisions need to be made around handling surplus materials and supplies. This might be dealt with through normal channels or alternative arrangements may be necessary to return, sell or donate the items.

### **10.2 Donated Goods Management**

If the municipality has taken on the responsibility of donated goods the EOC Support Branch may need to identify warehouse space for excess donations as local volunteer agencies attempt to absorb them.

### **10.3 Return of Loaned Equipment**

Loaned equipment will have to be returned to its owners as soon as possible. There may also be needs for servicing, repairs or inspections prior to the transfer of assets.

### **10.4 Facilities Returned to Pre-Conditions**

The physical breakdown of used facilities during the emergency to its pre-event condition is the responsibility of the Logistics Section. Make sure the Demobilization Unit in the Planning Section is aware of your needs prior to the release of personnel.

### **10.5 Financial Settlement**

The Finance and Administration Section will need as much detail as possible on any outstanding purchases.

### **10.6 Paperwork/Forms/Logs**

All records and forms must be collected and provided to the Documentation Unit in the Planning Section upon final demobilization.



# **Operating Guidelines**

## **Section 7: Finance and Administration**

# **Emergency Operation Centre Finance & Administration Section Standard Operating Guidelines**

## **1.0 Finance and Administration Section Overview**

The primary role of the Finance and Admin Section in the EOC is overseeing all aspects of financial management and related administrative requirements in support of the event and incidents. The Finance and Admin Section is commonly referred to as the “Payers” of the EOC.

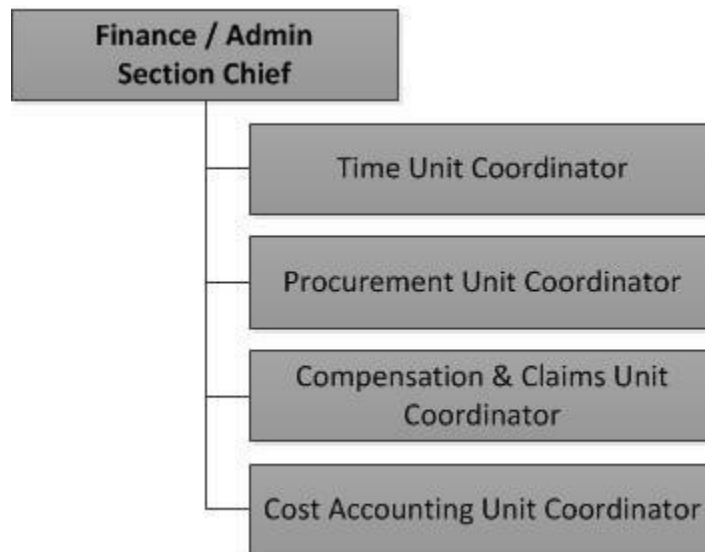
The Finance and Administration Section activities includes cost tracking, analysis and reporting, procurement contract administration and overseeing purchasing processes, including overall expenditure management.

## **2.0 EOC Response Goals**

There is a list of standardized response goals that apply to all emergencies. In order of priority, they are:

1. Provide for safety and health of all responders and those affected by the incident
2. Save lives
3. Treat the sick and injured
4. Protect health of those affected by the incident
5. Ensure continuity of government and critical infrastructure and services
6. Protect property and environment
7. Prevent and or/reduce economic and social losses

### 3.0 Organizational Structure and Reporting Line



In a fully expanded Finance Section there are four distinctive functions that are the overall responsibility of the Section Chief. These four functions include the Time Unit, Procurement Unit, Compensation and Claims Unit and Cost Accounting Unit. The demand and complexity of each emergency event will influence the number of personnel assigned to the Section. The activation and staffing of each unit within the section will be made by the Finance Section Chief. When a specific function is not assigned it becomes the responsibility of the Finance Section Chief.

The Finance Section can expect to communicate with a variety of internal and external stakeholders. It is important that the Finance Section be proactive by seeking out information and advising others within the EOC of appropriate financial processes and procedures.

#### 4.0 Roles and Responsibilities

The Finance and Admin Section is commonly referred to as the “Payers” of the EOC. (see checklists for more detail)

##### 4.1 Finance and Administration Section Chief

The Finance and Administration Section Chief, a member of the EOC Management Team, is responsible for overseeing all aspects of the Finance and Administration within the EOC. This

includes fulfilling the specific responsibilities of any units within the section that have not been assigned.

This position reports directly to the EOC Director and has both financial and supervisory/management responsibilities.

The Section Chief must continually monitor the activities and effectiveness of the section and make modifications to staff structures and work assignments as necessary to meet the overall objectives and/or priorities.

#### **4.2 Time Unit**

The Time Unit is responsible for tracking and reporting on personnel time and preparing/reviewing related forms, reports and statistical data.

#### **4.3 Procurement Unit**

The Procurement Unit is responsible for supporting Logistics with the acquisitions of goods and services, specifically as it relates to the development of service agreements and/or contracts and the overseeing of purchasing processes. They will initiate and follow-up on formal service agreements or contacts, in conjunction with Logistics, as needed.

#### **4.4 Compensation and Claims Unit**

The Compensation and Claims Unit coordinates the investigation and review of property/equipment damage or loss claims arising from the event.

#### **4.5 Cost Accounting Unit**

The Cost Accounting Unit is responsible for collecting all cost information, reviewing invoices/statements and other vendor documents and reporting on consolidated cost estimates and tracking fundraising when needed.

### **5.0 Time Unit Activities**

#### **5.1 Time Reporting**

The Time Unit is responsible for tracking, recording and reporting daily on all regular time, overtime and estimated staffing costs for all response/recovery personnel under the authority of the jurisdiction. This includes volunteer and paid

personnel within the EOC and those reporting to the incident site, evacuation centre or other locations established in response to the emergency. Usually only “estimates” of time and costs are required on a daily basis. Actual costs will come later once official time records and payroll is processed.

Finance and Administration Section should ensure:

- There are provisions to identify cost account coding on the organizations official time records so that employees can capture costs for both response and recovery.
- Establish post and communicate to EOC personnel a designated time daily for the submission of Daily Time Reports and other necessary records.
- As necessary, verify Daily Time Reports to ensure they contain the names of employees and all other appropriate information. Daily Time Reports can be confirmed against EOC and Incident site staffing schedules, check-in sheets, and assignments/deployment records.
- As needed, develop a daily overtime tally sheet, to compile totals from individuals sections and site/incident operations.

## **5.2 EOC Daily Time Reports**

Each Operations Branch Coordinator and Management Staff member will complete an EOC Daily Time Report capturing all their personnel assigned to the incident/emergency for each EOC shift (this includes site personnel). They will give the completed form to the Finance and Administration Section. Finance Section should remind everyone to fill-out the report at the beginning of their shift and ensure they are complete before they leave the EOC.

## **6.0 Procurement Unit Activities**

### **Expenditure/Signing Authority**

Whenever possible the processes and tools should reflect what is currently in use in the organization. The actual financial limits/powers may need to be adjusted to reflect the emergency needs of an event.



## **6.1 Purchasing Instruments**

The following purchasing information is outlined for general reference.

### **Emergency Purchase Orders**

When available, purchase orders provide an immediate means for tracking and authorizing expenditures. As with all purchases the Cost Accounting Unit must receive a copy of the purchase request in order to track against the estimated response costs and appropriate cost accounting code.

### **Standing Purchasing Orders**

When put in place prior to the event, standing purchasing orders or agreements with vendors can be easy and effective means to access resources. When used, it is important to remind vendors to separately charge response and recovery costs and not to group them in with the regular operating charges. Users of such purchasing tools must also track individual commitments/requests, much like they would with a purchasing/credit card so that daily cost estimates can be provided to the Cost Accounting Unit.

### **Direct Invoice**

Although not the preferred method, the purchase of goods and/or services may occur through direct invoice as agreed by a vendor. When a vendor is direct invoicing, it is important to clarify the rates/fees and any relevant purchasing terms with the vendor. Whenever possible, this should occur in writing and prior to the receipt of the goods or services. If there is any complexity to the transaction/agreement then a contract or other purchasing tool should be used.

## **7.0 Cost Accounting Unit Activities**

### **7.1 Expenditure Control**

It is necessary to maintain overall financial accountability during response and recovery efforts. Although life-safety issues are paramount, effective expenditure controls must continue to be maintained to ensure overall accountability during an event. Whenever possible, these controls, processes and tools should reflect what is currently in use in the organization.

### **Expenditure Tracking**

All expenditures must be tracked at the time of commitment. Cost estimates must be obtained daily in order to appropriately plan and monitor complex and extended events. All personnel who incur expenditures must use a tracking process to capture current cost estimates.

### **Petty Cash**

It should be reserved for small transactions. If used, expenditures must be tracked against the applicable response/recovery cost accounting codes and be provided to the Cost Accounting Unit on a daily basis.

### **Purchasing Cards/Credit Cards**

When available, Purchasing Cards/Credit Cards is the preferred means for obtaining goods and services. Employees will be responsible for keeping their transactions receipts for all purchases for reconciling cardholder statements as per the organizations regular policy/procedure.

In addition to maintaining their regular statements, cardholders must also track all expenditures against the applicable response/recovery cost accounting codes and provide expenditure estimates to the Cost Accounting Unit on a daily basis.

Photocopies of the receipts must also be forwarded to the Cost Accounting Unit for tracking purposes.

## **7.2 Expenditure Estimating**

The Cost Accounting Unit is responsible for calculating daily estimates and total event costs.

Whenever possible, actual expenditure amounts should be used in calculating these estimates, but it is not realistic to assume that actual costs will be available during the early days or even weeks of a response effort.

Expenditure estimates should take into consideration all response and recovery costs, including, but not limited to:

- Estimated regular and overtime costs for personnel
- Estimated personnel expense costs (e.g. travel, mileage, meals, accommodation), as appropriate
- EOC activation and facility costs
- Purchased goods and services related to the response/recovery

### **7.3 Total EOC Daily Cost Estimate Report**

Each Operations Branch activated in the EOC will need to fill out a Branch/Unit Daily Estimate Cost Report for each shift and forward to the Finance Section. These Branch/Unit Daily Estimate Cost Reports are to be recorded on the Total EOC Daily Estimate Report by Finance Section. Once completed, these reports should be given to the Section Chief, who will have them approved by the EOC Director, as necessary.

### **7.4 Branch/Unit Daily Estimate Cost Report**

Each Branch/Unit Coordinator and Management Staff member will complete a Branch/Unit Daily Cost Estimate Report capturing all their expenditures for each EOC shift and give to the Finance and Administration Section. Finance Section should remind everyone to fill-out the report at the beginning of their shift and ensure they are complete before they leave the EOC.

### **7.5 Ontario Disaster Relief Assistance Program**

In the event of an emergency, the municipality may be eligible to receive provincial funding to assist in covering response and recovery expenses. The Ontario Disaster Relief Program (ODRAP) is intended to assist those whose essential property has been extensively damaged as a result of a sudden, unexpected natural disaster.

Prior to making expenditures that may later be claimed as eligible costs under the Ontario Disaster Relief Assistance Program, it would be prudent to contact the Ontario Ministry of Municipal Affairs and Housing in the Provincial Emergency Operational Centre (PEOC) to determine in advance those losses and costs eligible for reimbursement.

## **7.6 Ad Hoc Funding**

Where the municipality is not able to receive funding under the ODRAP program, it may be possible to receive ad hoc funding from the provincial government.

The municipality should inquire with the provincial government to see assistance through ad hoc programs.

Should the incident be caused by an individual/company, there may be recourse for repayment of expenses incurred in the response and recovery.

In all cases, attention to detail is important to ensure accuracy of the claim. The Claims Unit will want to maximize their claim amount by including all eligible expenses and to avoid the inadvertent inclusion of ineligible items that may substantially delay the approval process.

## **7.7 Response Claim Procedure**

### **Step 1 – Document Rationale for Response Expenditures**

A successful request for financial assistance must include evidence that supports the claim. The Claims Unit must provide documentation that verifies several aspects of each cost item.

### **Step 2 – Pay Invoices**

Before claiming response expenditures, the local authority must ensure that all contractors, personnel, and other suppliers have been paid.

### **Step 3 – Collect and Organize Documentation**

Assemble and organize all documents related to response expenditures. Make copies of all paid invoices and receipts as well as documenting evidence that the goods and services used in response or recovery are paid.

#### **Step 4 – Prepare a Response Claim**

With the evidence gathered in Step 3, the Claims Unit prepares a response claim, if required. Response Claim Submissions may include:

- Summary Sheet – include a summary sheet for costs claimed on each submission.
- Invoices – Submit invoices for all goods and services being claimed, complete with a purchase requisition that includes justification why the purchase was essential to incident response.

Proof of Payment – Include financial reports (ie: general ledger detail or list of expenses claimed complete with copies of cheques issued) that verify all invoice and payroll costs

### **8.0 Compensation and Claims Unit Activities**

#### **8.1 General Incident or Loss Reporting**

Losses may occur accidentally, through employee error or neglect, through acts of God or through illegal acts. If losses occur as a direct or indirect result of the response or recovery efforts, the Compensation and Claims Unit may be required to track, investigate and report upon these incidents or losses.

Where an illegal act is suspected the local police must be notified so as not to prejudice the ability of the organization to prosecute.

Incidents where the Compensation and Claims Unit might get involved could include:

- Losses or damages to organizational assets (including information) or property however caused, including fraud, theft, misappropriation, embezzlement, fire or flood, or where there has been a loss of assets held in trust.
- General security incidents (e.g. vandalism, forced entry etc.).
- Information and information technology security incidents.
- Any outside injury to persons outside of government.
- Losses or damage to private assets or property.

Any actions based on these types of incidents or losses must follow any relevant agency/organizational policies and procedures.

### **8.2 Private Property Claims Log**

The Claims Unit will need to prepare and verify damage to private property with no insurance coverage using the Private Property Claims Log. This form will help determine if there is a need for ODRAP.

### **8.3 Municipal Property Claims Log**

The Claims Unit will need to prepare and verify damage to city facilities and property using the Municipal Property Claims Log for ODRAP.

### **8.4 Damage Assessment Summary**

The damage assessment process is the prompt and accurate assessment of damage to public and private property. The information is gathered to determine the extent of damage and impact on the community resulting from an event.

## **9.0 Finance and Administration Information Display**

Although the Situation Unit within Planning has responsibility for the overall display of information within the EOC, each section has a responsibility to display status and operational information that is relevant to their section and to support efficient EOC operations. Display board information for the Finance and Administration Section, may consist of:

- Section priorities, unit assignments and outstanding issues
- Names and numbers/emails of primary contacts
- Reporting/submission deadlines/timelines



# **Operating Guidelines**

## **Section 8: Glossary**

## Glossary

This Glossary contains general Incident Management Systems (IMS) emergency management acronyms, terms and definitions.

**Accessible:** Having the legally required features and/or qualities that ensure entrance, participation, and usability of places, program, ms, services and activities by individuals with a wide variety of disabilities.

**Action Plan:** (See Incident Action Plan)

**After Action Report (AAR):** A report that documents the performance of tasks related to an emergency, exercise or planned event and, where necessary, makes recommendations for improvement.

**Agency (Agencies):** An agency is a division of government with a specific function, or a non- governmental organization (e.g., private contractor, business, Red Cross, etc.) that offers a particular kind of assistance. In IMS, agencies are defined as jurisdictional (having statutory responsibility for incident mitigation) or assisting and/or cooperation (providing resources and/or assistance). (See Assisting Agency, Cooperating Agency, and Multi-Agency.)

**Assessment:** The evaluation and interpretation of measurements and other information to provide a basis for decision-making.

**Assigned Resources:** Resources checked in and assigned work tasks on an incident.

**Assignments:** Tasks given to resources to perform within a given operational period based upon tactical objectives in the Incident Action Plan.

**Assisting Agency:** An agency directly contributing service resources to another agency.

**Available Resources:** Incident based resources which are ready for deployment.

**Branch:** The organizational level having functional or geographic

responsibility for major parts of incident operations. The Branch level is organizationally between section and Division/Group in the Operations Section, and between Section and Units in the Logistics Section. Branches are identified by functional name (e.g., medical, security, etc.)

**Catastrophic Incident:** Any natural or manmade incident, including terrorism that results in extraordinary levels of mass casualties, damage or disruption severely affecting the population, infrastructure, environment, economy, national morale and/or government functions.

**Chain of Command:** A series of management positions in order of authority.

**Check-in:** An action taken by personnel to formally record/report their arrival at an event. Checking-in is one tool to ensure personnel accountability and effective personnel management.

**Chemical, Biological, Radiological, Nuclear and explosive (CBRNE) incident:** This is an incident that involves a chemical, biological, radiological, nuclear and/or explosive situation that may require a response by specialized teams and equipment.

**Chief:** The Incident Management System title for individuals responsible for management of functional Sections: Operations, Planning, Logistics, Finance/Administration

**Chief Administrative Officer:** is responsible for administrative management of private, public or governmental corporations within an organization.

**Chief Elected Official:** A mayor or Regional Chairperson.

**Command:** The act of directing, ordering or controlling by virtue of explicit statutory, regulatory or delegated authority.

**Command Staff:** An incident command component that consists of a Public Information Officer, Safety Officer, Liaison Officer and other positions as required, who report directly to the Incident Commander.

**Cooperating Agency (Agencies):** providing resources and/or assistance to another agency.

**Coordinate:** To advance systematically an analysis and exchange of information among principals who have or may have a need to know certain information to carry out specific incident management responsibilities.

**Critical Infrastructure:** Systems, assets and networks, whether physical or virtual, so vital to the community that the incapacity or destruction of such systems and assets would have a debilitating impact on security, economic security, public health or safety or any combination of those matters.

**Critical Resource:** Material, personnel and finances that are in short supply and are needed by more than one Incident Management Team or are needed for high priority assignments.

**Demobilization:** The orderly, safe and efficient return of a resource to its original location and status.

**Department Operations Centre (DOC):** A group of senior staff and the facility within a department who coordinates the department's activities in support of the department's responsibilities and commitment to the emergency response. DOC's interact with the overall EOC.

**Declaration of Emergency:** A signed declaration made in writing by the Head of Council or the Premier of Ontario in accordance with the Emergency Management and Civil Protection Act. This declaration is usually based on a situation or an impending situation that threatens public safety, public health, the environment, critical infrastructure, property, and/or economic stability and exceeds the scope of routine community emergency response.

**Deputy:** A fully qualified individual who, in the absence of a superior, could be delegated the authority to manage a functional operation or perform a specific task.

**Emergency Operations Center (EOC):** The physical location at which the coordination of information and resources to support incident management (on-scene operations) activities normally takes place. An EOC may be a temporary facility or may be located in a more central or permanently established facility, perhaps at a higher level of organization within a jurisdiction.

**Emergency Management Plan:** The ongoing plan maintained by various jurisdictional levels for responding to a wide variety of potential hazards.

**Emergency Information Officer (EIO):** An individual responsible for acting as the primary public and media contact for emergency information requirements.

**Emergency Management Ontario (EMO):** EMO is a branch within the Ministry of Community Safety and Correctional Services with overall provincial emergency management responsibility.

**Emergency Public Information:** Information that is disseminated primarily in anticipation of an emergency or during an emergency. In addition to providing situational information to the public, it also frequently provides directive actions required to be taken by the general public.

**Evacuation:** Organized, phased and supervised withdrawal, dispersal or removal of civilians from dangerous or potentially dangerous areas and their reception and care in safe areas.

**Event:** See Planned Event.

**Finance/Administration Section:**

Section responsible for all administrative and financial considerations surrounding an incident.

**Function:** One of the five major activities in the Incident Command System: Command, Operations, Planning, Logistics and Finance/Administration. The term function is also used when describing the activity involved (e.g., the planning function). A sixth function, Intelligence/Investigations, may be established, if required, to meet incident management needs.

**General Staff:** A group of incident management personnel organized according to function and reporting to the Incident Commander. The General Staff normally consists of the Operations Section Chief, Planning Section Chief, Logistics Section Chief and Finance/Administration Section Chief. An Intelligence/Investigations Chief may be established, if required, to meet incident management needs.

**Hazard:** Something that is potentially dangerous or harmful, often the root cause of an unwanted outcome.

**Hazard Identification and Risk Assessment (HIRA):** A process to identify hazards and associated risk to persons, property and structures and to improve protection from natural and human-caused hazards. HIRA serves as a foundation for planning, resource management, capability development, public education and training and exercises.

**Hazardous Material (HAZMAT):** Any material which is explosive, flammable, poisonous, corrosive, reactive, or radioactive (or any combination), and requires special care in handling because of the hazards posed to public health, safety, and/or the environment.

**Heavy Urban Search and Rescue (HUSAR):** A multi-service, multi-skilled, and multi-functional task force that is trained and prepared to locate, treat and remove persons trapped in collapsed structures.

**Helibase:** The main location for parking, fuelling, maintenance and loading of helicopters operating in support of an incident.

**Helispot:** Any designated location where a helicopter can safely take off and land.



**Incident:** An occurrence or event, natural or manmade that requires a response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, civil unrest, wild land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, storms, tsunamis, war-related disasters, public health and medical emergencies and other occurrences requiring an emergency response.

**Incident Action Plan (IAP):** Contains objectives reflecting the overall incident strategy and specific tactical actions and supporting information for the next operational period. The Plan may be oral or written. When written, the Plan may have a number of forms as attachments (e.g.: safety plan, communications plan, map, etc.)

**Incident Command:** Entity responsible for overall management of the incident. Consists of the Incident Commander, either single or unified command and any assigned supporting staff.

**Incident Command Post (ICP):** The field location where the primary functions are performed. The ICP may be co-located with the incident base or other incident facilities.

**Incident Command System (ICS):** A standardized on-scene emergency management construct specifically designed to provide for the adoption of an integrated organizational structure that reflects the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries. ICS is a management system designed to enable effective incident management by integrating a combination of facilities, equipment, personnel, procedures and communications operating within a common organizational structure, designed to aid in the management of resources during incidents. It is used for all kinds of emergencies and is applicable to small as well as large and complex incidents. ICS is used by various jurisdictions and functional agencies, both public and private, to organize field-level incident management operations.

**Incident Commander:** The individual responsible for all incident activities, including the development of strategies and tactics and the ordering and the release of resources. The Incident Commander has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site.

**Incident Management System (IMS):** System that provides a proactive approach guiding government agencies at all levels, the private sector and nongovernmental organizations to work seamlessly to prepare for, prevent, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location or complexity, in order to reduce the loss of life or property and harm to the environment.

**Incident Name:** When multi-agencies are responding to one incident the jurisdictional agency will name the incident in clear text using a common geographical or functional reference. All cooperating and assisting agencies will use the identified incident name.

**Incident Objectives:** Statements of guidance and direction needed to select appropriate strategy(s) and the tactical direction of resources. Incident objectives are based on realistic expectations of what can be accomplished when all allocated resources have been effectively deployed. Incident objectives must be achievable and measurable, yet flexible enough to allow strategic and tactical alternatives.

**Information Officer:** A member of the Command Staff responsible for interfacing with the public and media and/or with other agencies with incident-related information requirements.

**Intelligence/Investigations:** Different from operational and situational intelligence gathered and reported by the Planning Section. Intelligence/investigations gathered within the Intelligence/Investigations function is information that either leads to the detection, prevention, apprehension and prosecution of criminal activities (or the individual(s) involved), including terrorist incidents, or information that leads to determination of the cause of a given incident (regardless of the source) such as public health events or fires with unknown origins.

**Interoperability:** The ability of emergency management/response personnel to interact and work well together. In the context of technology, interoperability also refers to having an emergency communications system that is the same or is linked to the same system that a jurisdiction uses for nonemergency procedures and that effectively interfaces with national standards as they are developed. The system should allow the sharing of data with other jurisdictions and levels of government during planning and deployment.

**Jurisdiction:** A range or sphere of authority. Public agencies have jurisdiction at an incident related to their legal responsibilities and authority. Jurisdictional authority at an incident can be political or geographical (e.g., federal, provincial, tribal and local boundary lines) or functional (e.g., law enforcement, public health).

**Jurisdictional Agency:** The agency having jurisdiction and responsibility for a specific geographical area, or a mandated function.

**Key Resources:** Any publicly or privately controlled resources essential to the minimal operations of the economy and government.

**Liaison Officer:** A member of the Command Staff responsible for coordinating with representatives from cooperating and assisting agencies or organizations.

**Logistics Section:** The Section responsible for providing services, and support to the incident.

**Long-Term Recovery:** A process of recovery that may continue for a number of months or years, depending on the severity and extent of the damage sustained. For example, long-term recovery may include the complete redevelopment of damaged areas.

**Management by Objectives:** This is a top-down management activity that involves a three-step process to achieve the goals. The steps are establishing the incident objectives, selecting the appropriate strategy (strategies) to achieve the objective and implementing the strategy.

**Mitigation:** Activities providing a critical foundation in the effort to reduce the loss of life and property from natural and/or manmade disasters by avoiding or lessening the impact of a disaster and providing value to the public by creating safer communities. Mitigation seeks to fix the cycle of disaster damage, reconstruction and repeated damage. These activities or actions, in most cases, will have a long-term sustained effect.

**Mobilization:** The process and procedures used by all organizations for activating, assembling and transporting all resources that have been requested to respond to or support an incident.

**Multijurisdictional Incident:** An incident requiring action from multiple agencies that each have jurisdiction to manage certain aspects of the incident. In the Incident Command System, these incidents will be managed under Unified Command.

**Mutual Aid and Assistance Agreement:** Written or oral agreement between and among agencies/organizations and/or jurisdictions that provides a mechanism to quickly obtain emergency assistance in the form of personnel, equipment, materials and other associated services. The primary objective is to facilitate rapid, short-term deployment of emergency support prior to, during and/or after an incident.

**Non-governmental organization (NGO):** An entity with a common interest or focus that is not created by a government but may work cooperatively with government.

**Officer:** The ICS title for the personnel responsible for the Command Staff positions of Safety, Liaison and Public Information.

**Operational Period:** The period of time scheduled for execution of a given set of operational actions as specified in the incident Action Plan. Operational periods can be of various lengths, although usually not over 24 hours.

**Ontario Disaster Relief Assistance Program (ODRAP):** This is an assistance program that may help municipalities, individuals, farmers, small business, and non-profit organizations when property has been damaged in a sudden and unexpected natural disaster, such as a severe windstorm, tornado, flood, forest fire or ice storm.

**Operations Section:** Responsible for supporting tactical incident operations.

**Planned Event:** A planned, nonemergency activity (e.g., sporting event, concert, parade, etc.).

**Planning Section:** Responsible for the collection, evaluation and dissemination of information related to the incident and for the preparation and documentation of incident action plans (IAP)

**Preparedness:** Actions that involve a combination of planning, resources, training, exercising and organizing to build, sustain and improve operational capabilities. Preparedness is the process of identifying the personnel, training and equipment needed for a wide range of potential incidents and developing jurisdiction-specific plans for delivering capabilities when needed for an incident.

**Pre-Positioned Resources:** Resources moved to an area near the expected incident site in response to anticipated resource needs.

**Prevention:** Actions to avoid an incident or to intervene to stop an incident from occurring. Prevention involves actions to protect lives and property. It involves applying intelligence and other information to a range of activities that may include such countermeasures as deterrence operations; heightened inspections; improved surveillance and security operations; investigations to determine the full nature and source of the threat; public health and agricultural surveillance and testing processes; immunizations, isolation or quarantine and, as appropriate, specific law enforcement operations aimed at deterring, preempting, interdicting or disrupting illegal activity and apprehending potential perpetrators and bringing them to justice.

**Private Sector:** Organizations and entities that are not part of any governmental structure. The private sector includes for-profit and not-for-profit organizations, formal and informal structures, commerce and industry.

**Protocol:** A set of established guidelines for actions (which may be designated by individuals, teams, functions or capabilities) under various specified conditions.

**Provincial Emergency Operations Centre (PEOC):** A facility maintained by Emergency Management Ontario (EMO) that can be activated in response to, or in anticipation of, emergencies.

**Public Information:** Processes, procedures and systems for communicating timely, accurate, accessible information on an incident's cause, size and current situation; resources committed and other matters of general interest to the public, responders and additional stakeholders (both directly affected and indirectly affected).

**Recovery:** The development, coordination and execution of service- and site-restoration plans; the reconstitution of government operations and services; individual, private-sector, nongovernmental and public-assistance programs to provide housing and to promote restoration; long-term care and treatment of affected persons; additional measures for social, political, environmental and economic restoration; evaluation of the incident to identify lessons learned; post incident reporting and development of initiatives to mitigate the effects of future incidents.

**Resource Management:** A system for identifying available resources at all jurisdictional levels to enable timely and unimpeded access to resources needed to prepare for, respond to or recover from an incident. Resource management includes mutual aid and assistance agreements; the use of special federal, provincial, regional and municipal teams and resource mobilization protocols.

**Resources:** Personnel and major items of equipment, supplies and facilities available or potentially available for assignment to incident operations and for which status is maintained. Under the Incident Management System, resources are described by kind and type and may be used in operational support or supervisory capacities at an incident or at an emergency operations center.

**Response:** Immediate actions to save lives, protect property and the environment and meet basic human needs. Response also includes the execution of emergency plans and actions to support short- term recovery.



**Risk Management:** Risk Management is the process of making and carrying out decisions that will minimize the adverse effects of injuries, accidental losses and liability upon an organization.

**Safety Officer:** A member of the Command Staff responsible for monitoring and assessing safety hazards or unsafe situations, and for developing measures for ensuring personnel safety.

**Section:** The organizational level having responsibility for a major functional area of incident management (e.g., Operations, Planning, Logistics, Finance/Administration and Intelligence/Investigations (if established)).

**Short-Term Recovery:** A process of recovery that is immediate and overlaps with response. It includes such actions as providing essential public health and safety services, restoring interrupted utility and other essential services, reestablishing transportation routes and providing food and shelter for those displaced by a disaster. Although called "short term," some of these activities may last for weeks.

**Situation Report:** Document that contains confirmed or verified information and explicit details (who, what, where and how) relating to an incident.

**Situational Awareness:** The ability to identify, process and comprehend the critical elements of information about an incident.

**Span of Control:** The number of resources for which a supervisor is responsible, usually expressed as the ratio of supervisors to individuals. (Under the Incident Management System, an appropriate span of control is between 1:3 and 1:7, with optimal being 1:5.)

**Special Needs Population:** Populations whose members may have additional needs before, during and after an incident in functional areas, including but not limited to: maintaining independence, communication, transportation, supervision and medical care. Individuals in need of additional response assistance may include those who have disabilities; who live in institutionalized settings; who are elderly; who are children; who are from diverse cultures; who have limited English proficiency or are non-English speaking or who are transportation disadvantaged.

**Staging Area:** Any location in which personnel, supplies and equipment can be temporarily housed or parked while awaiting operational assignment.

**Standard Operating Guidelines (SOG):**

**Standard Operating Procedure (SOP):** Complete reference document or an operations manual that provides the purpose, authorities, duration and details for the preferred method of performing a single function or a number of interrelated functions in a uniform manner.

**Status Report:** Relays information specifically related to the status of resources (e.g., the availability or assignment of resources).

**Strategy:** The general plan or direction selected to accomplish incident objectives.

**Strike Team:** Specified combinations of the same kind and type of resources, with common communications and a leader.

**Tactics:** Deploying and directing resources on an incident to accomplish the objectives designated by the strategy.

**Task Force:** Any combination of resources assembled to support a specific mission or operational need. All resource elements within a Task Force must have common communications and a designated leader.

**Technical Specialists:** Personnel with special skills that can be used where required.

**Threat:** An indication of possible violence, harm or danger.

**Unified Command (UC):** An Incident Command System application used when more than one agency has incident jurisdiction or when incidents cross political jurisdictions. Agencies work together through the designated members of the UC, often the senior person from agencies and/or disciplines participating in the UC, to establish a common set of objectives and strategies and a single Incident Action Plan.

**Volunteer:** Any individual accepted to perform services by the lead agency (which has authority to accept volunteer services) when the individual performs services without promise, expectation or receipt of compensation for services performed

**Subject:** Meridian Community Centre Temporary Parking Lot  
Cost Estimate

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0186 Meridian Community Centre Temporary Parking Lot Cost Estimate, for information;**

**AND THAT Council approve the additional expenditure for the construction of a temporary parking lot on the north section of the lands adjacent to the Meridian Community Centre known as Part 4, in the amount of \$47,720, funded from the Road Reserves account;**

**AND THAT Council recognizes that the use of the north section of the lands adjacent to the Meridian Community Centre known as Part 4 as a temporary parking lot is a use of the lands for purposes of a public service provided by the Town, as described in section 6.20 of Town of Pelham Zoning By-law No. 1136(1987), as amended, and is therefore an appropriate and authorized use of the lands;**

**AND THAT Council further recognizes that the use of the north section of the lands adjacent to the Meridian Community Centre known as Part 4 as a temporary parking lot is a use of the lands by the Town as a public authority, as described in section 3.26 of the new Town of Pelham Comprehensive Zoning By-law, and is therefore an appropriate and authorized use of the lands.**

**Background:**

At the regular meeting on June 20, 2022, Council of the Town of Pelham received a staff report titled "Parking and Development Options for Lands Adjacent to MCC" regarding Parking and Development Options for Lands Adjacent to Meridian Community Centre, and endorsed the following:

**BE IT RESOLVED THAT Council receive Report #2022-0144 Parking and Development Options for Lands Adjacent to Meridian Community Centre, for information**

**AND FURTHER BE IT RESOLVED THAT Council direct staff to retain all the lands at this time;**

**AND THAT Council direct staff to report back to Council by August 22, 2022 with respect to an updated cost for creating a temporary parking lot on the lands adjacent to the MCC – known as Part 4.**

The lack of available parking during peak times at the Meridian Community Centre (MCC) has been a concern for some time now. The parking deficiency is in large part due to the rapid growth of Pelham, and the increasing popularity of the MCC by various users. The Town of Pelham Parking Strategy Report that was prepared by R.V. Anderson, and was received by Council on June 20, 2022, indicates that within the next 10 years, the forecasted parking demand of the MCC will be between 351 – 395 parking spaces, which exceeds the current capacity of 265 parking spaces by 86 – 130 spaces. The report also noted that an additional 10% reserve capacity is recommended for the MCC, which means that an additional 120 – 170 parking spaces should be planned over the long term to be provided at the MCC in the future.

Staff has previously prepared and presented numerous reports to Council regarding the parking concerns of the MCC, and have identified lands adjacent to the MCC, known as Part 4, 59R-16105 (henceforth referred to as "Part 4") as a possible location for expansion of the parking lot to accommodate the additional parking requirements. Due to the high capital costs associated with converting Part 4 to a permanent parking solution for the MCC, the lot has not been developed and parking at the MCC remains deficient in accordance with RVA's report.

Based on Council's direction, Staff have analyzed opportunities to provide temporary parking on both the entire Part 4 lot, and just the north section of it. Staff have previously investigated the option of using virgin granular material to construct a temporary parking lot, and have reevaluated that option based on a design and grading plan that was recently prepared by a consulting engineering firm on behalf of the Town.

Engineering Staff have also identified an opportunity to provide a temporary solution to the address the parking issues at the MCC, at a reduced capital cost, through the use of recycled materials from ongoing Town capital projects. The temporary parking lot would address the parking deficiencies until a permanent solution can be approved in a Capital Budget in the near future.

## **Analysis:**

A conceptual parking lot design for the lands adjacent to the MCC was prepared for the Town by Upper Canada Consultants (UCC) in 2018, and included 172 parking spaces, which would address the future parking demand shortfall of up to 130 spaces that was identified in the Town's Parking Strategy Report. The permanent solution for the parking lot would be an asphalt pavement parking lot with conventional storm sewer collection methods. The estimated cost to construct a paved asphalt parking lot, including stormwater management, lighting, engineering design, and contract administration is approximately \$1.2M. Due to the high capital cost of constructing a paved asphalt parking lot, and the need for the Town to complete other pertinent infrastructure projects, constructing a permanent paved asphalt parking lot to address the parking deficiencies at the MCC has been deemed unfeasible at this point in time. However, since the Parking and Development Options for Lands Adjacent to Meridian Community Centre report was presented to Council on June 20, 2022, Engineering Staff have developed a cost-effective temporary solution to address the parking deficiencies at the MCC.

The Part 4 lands adjacent to the MCC where the temporary parking lot would be constructed is approximately 7,200 m<sup>2</sup> in size, and can be broken up into two (2) sections, the north section which is approximately 3,560 m<sup>2</sup> in size, and the south section which is approximately 3,640 m<sup>2</sup> in size. Given that the north section of Part 4 currently has a curb cut and access from the existing MCC parking lot, Staff examined the possibility of constructing a temporary parking lot on the entire Part 4 lands, and on just the north section of Part 4. The entire lot has an estimated parking capacity of 172 parking spaces, and the north section of Part 4 has an estimated parking capacity of 60 parking spaces. Constructing a temporary parking lot on the entire lot would provide more parking spaces and address the parking shortfall at the MCC, but would cost more than constructing a temporary parking lot on the north section of Part 4 which would partially address the parking deficiencies of the MCC. A temporary parking lot would be constructed using only granular material and no asphalt. However, using virgin material is still cost prohibitive for construction this year, and will have to be deferred until sufficient funds are available in the next Capital Budget. Therefore, to reduce the overall cost of constructing a temporary parking lot, Staff examined the possibility of reusing material from other Town capital projects which would reduce hauling and disposal costs.

The Town is currently undertaking capital project RD 11-22, Pelham Street Reconstruction Phase 3, which is located 3km from the MCC. Based on the geotechnical report prepared for the Pelham Street Phase 3 project there is an average of 575mm of granular material beneath the road asphalt surface. Samples of the granular material were taken and underwent numerous tests, including a



sieve analysis to determine the granular grain sizing. The sieve analysis of the samples that were taken typically meet the requirements for Granular B Type 1. Granular B is typically used as a sub-base (bottom layer of stone) for parking lots and roads as it provides additional support. Due to the minor exceedance of the amount of fines in the granular samples, and the Pelham Street Reconstruction Phase 3 Engineer's design choice to use only Granular A on the project, the existing granular material under the roadway is to be removed from site and deposited at a third-party dump site. Town Engineering Staff have examined the geotechnical analysis of the granular material and determined that it would be appropriate to use as a sub-base for a temporary parking lot at the MCC. Reclaimed Asphalt Pavement (RAP) from the Pelham Street Phase 3 Reconstruction project will be used to bring up the temporary parking lot to final grade.

To calculate the amount of granular material that is required to be brought onto Part 4 to build up the area to be appropriate for parking, Staff retained Kerry T. Howe Engineering Ltd. to undertake a topographic survey of the site, develop a grading plan for the parking lot, and determine the quantity of material needed. Based on the topographic survey and design of the temporary parking lot, approximately 3,100m<sup>3</sup> (7,400 tonnes) of material needs to be brought on site to construct a temporary parking lot at the MCC.

Based on the Pelham Street Reconstruction Phase 3 project length of 950m and an estimated roadway surface width of 7m, there is approximately 3,823m<sup>3</sup> (9,175 tonnes) of granular material located under Pelham Street within the project section. Staff have consulted with the contractor of the Pelham Street Reconstruction Phase 3 project, Rankin Construction Inc., to provide a quote to haul the excess material from the Pelham Street project site to the Part 4 lands and grade the area accordingly, including using RAP to surface the temporary parking lot which will perform similarly to a hot-mix asphalt surface. The price to undertake this work is \$47,720 for the northern section of Part 4. The low cost to undertake the work to construct the temporary parking lot is due to the amount of material that is to be reused from the Pelham Street Phase 3 Reconstruction project, and the reduced truck hauling distance from Pelham Street to the MCC.

Based on the grading plan and quantity of material required to construct the temporary parking lot that was prepared by Kerry T. Howe Engineering Ltd., the estimated cost to construct a temporary parking lot using virgin granular material is \$250,000 for the entire Part 4 lot, and \$125,000 for the north section of the lot. Therefore, the cost to build the temporary parking lot using virgin granular material is much greater than the cost to build the temporary parking lot using recycled material from the Pelham Street Phase 3 Reconstruction project.

It is the recommendation of Staff to proceed with sole source engaging Rankin Construction Inc. to use the excess material that is to be disposed of from the Pelham Street Reconstruction Phase 3 project to build up the Part 4 lands and construct a temporary parking lot on the north section of the lot in the amount of \$47,720 thus providing approximately 60 additional parking spaces for the MCC. The reason why it is recommended to engage with Rankin Construction Inc. to undertake this work is that they are considered to be the owner of the excess material once it is excavated and leaves the Pelham Street construction site. Therefore, they have final say in where the material gets deposited.

Due to the Pelham Street Reconstruction Phase 3 project not starting construction until September, the contractor will stage the construction so that approximately half of the Pelham Street project section will be completed in 2022, with the remaining section being completed in 2023. Due to this, there will be not enough excess material available to construct a parking lot on the entire Part 4 lands in 2022. However, there will be enough material available to construct a temporary parking lot on the north section of the Part 4 lands. Constructing a parking lot on only the north section of the Part 4 lands in 2022 will also provide Staff with the opportunity to evaluate the effectiveness of the temporary parking lot and determine if there is a need for even more parking in 2023.

A temporary parking lot built with recycled material was identified as an opportunity based on the amount of granular material that was estimated to be discarded as part of the Pelham Street Reconstruction Phase 3 project. It would temporarily address the parking deficiency at the MCC that was identified in the Town's Parking Strategy Report, provide the Town with additional time to put a permanent solution into a Capital Budget, and reduce the overall environmental impact associated with the Pelham Street Phase 3 Reconstruction project as the large tri-axle trucks can reduce their distance travelled.

### **Financial Considerations:**

The cost to construct a permanent asphalt paved parking lot is an estimated \$1.2M. The Town currently does not have \$1.2M in available funds to construct a permanent parking lot that would address the parking deficiencies at the MCC. A project of this nature would need to be approved through a future Capital Budget. It would also cost an estimated \$250,000 to construct a temporary parking lot on all of Part 4 using virgin granular material, which would also need to be approved through a future Capital Budget. The low cost of \$47,720 to construct a temporary parking lot on the north section of Part 4 that addresses the parking deficiencies of the MCC and provides the Town with additional time to develop a long-term solution is an opportunity that Staff strongly recommend. Based on the estimated 60 parking spaces that will be provided by the temporary parking lot, it is an average

cost of \$795 per spot, which is much less than the estimated \$6,977 per parking space that it would cost to construct a permanent asphalt parking lot, and much less than the estimated \$2,083 per parking space that it would cost to construct a temporary parking lot using virgin granular material. It is estimated that the cost to construct a temporary parking lot on just the north portion of Part 4 using virgin granular materials is \$125,000.

Only the north section of the Part 4 lands will be able to have a cost effective temporary parking lot constructed on it using recycled materials as there will be a reduced amount of excess material associated with the Pelham Street Phase 3 Reconstruction project in 2022 due to the construction staging and the contractor only being able to fully complete half of the project section this year. Staff are also confident that the excess material coming from the Pelham Street Phase 3 Reconstruction project meets clean fill requirements. However, Staff are unsure if the fill material will reduce the property value of the Part 4 lands. Therefore, constructing a temporary parking lot on the north section of the Part 4 lands using the available recycled material from the Pelham Street Phase 3 Reconstruction project will provide a cost-effective solution for providing additional parking at the MCC, and will also provide Staff with additional time to determine if using the fill material on the southern section of the Part 4 lands will reduce the value of the property if the Town were to ever sell it.

As there is currently no approved capital budget to fund this project, a transfer from the Road Reserves account is required.

### **Alternatives Reviewed:**

Council could direct Staff not to proceed with the additional expenditure and construction of the temporary parking lot on the north section Part 4. This would mean that the parking space deficiency at the MCC remains, and that the time-limited opportunity to provide temporary parking for the low cost of \$47,720, thanks to the ability to reuse material from the Pelham Street Phase 3 Reconstruction project, would be lost. Staff are not supportive of this decision because additional parking is currently required at the MCC during peak times.

Council could also direct Staff to proceed with constructing a temporary parking lot on the entire Part 4 lands. Staff are not supportive of this action as the amount of excess material that will be generated by the work being undertaken on the Pelham Street Phase 3 Reconstruction project will be reduced due to the staging of the construction in 2022 and 2023, and therefore additional virgin material will be required which will increase the price of the temporary parking lot. Staff are also unsure how depositing fill material onto the Part 4 lands will affect the value of the southern section of the property should it ever be sold by the time, and require more time to determine the impact that may have.

## **Strategic Plan Relationship: Build Strong Communities and Cultural Assets**

Meeting the parking needs of the community at the MCC is important in building strong communities and support the success of the MCC. Constructing a temporary parking area at the MCC will address the existing parking deficiencies and support the success of the programs and events at the MCC in the immediate term. A permanent parking solution can be constructed in the future once there is an approved budget to undertake those works.

### **Consultation:**

Director of Community Planning and Development

Director of Corporate Services and Treasurer

Associated Engineering

Kerry T. Howe Engineering Ltd.

### **Other Pertinent Reports/Attachments:**

APPENDIX A – Part 4 Lands and Temporary Parking Lot Concept

2022-0144 Parking and Development Options for Lands Adjacent to Meridian Community Centre

### **Prepared and Recommended by:**

Lucas Smith, B. Eng., E.I.T.  
Engineering Technologist

Jason Marr, P. Eng.  
Director of Public Works

### **Prepared and Submitted by:**

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

INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (ORIGINAL).		
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O.REG 216/10.		
POINT ID	EASTING	NORTHING
ORP (A)	640 635.54	4 767 538.31
ORP (B)	640 819.58	4 767 610.34
ORP (C)	640 866.59	4 767 351.24
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

SCHEDULE				
PART	BLOCK	PLAN	PIN	AREA
1				2.396 Ha
2				7745.0 sq.m
3				446.8 sq.m
4				6534.2 sq.m
5	ALL OF 4	59M-432	ALL OF 64063-0275(LT)	7019.5 sq.m
6				36.0 sq.m
7				754.1 sq.m
8				870.1 sq.m
9	PART OF 14		PART OF 64063-0285(LT)	51.7 sq.m

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE March 15, 2018

*Allan J. Heywood*  
ALLAN J. HEYWOOD  
ONTARIO LAND SURVEYOR

**PLAN 59R-16105**

RECEIVED AND DEPOSITED

DATE March 15, 2018

*Karin Little*  
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF NIAGARA SOUTH (No 59)

PLAN OF SURVEY OF

**BLOCK 4 & PART OF BLOCK 14**

**REGISTERED PLAN 59M-432**

TOWN OF PELHAM  
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 1000

MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LTD.

**METRIC** DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**NOTES**

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (ORIGINAL)

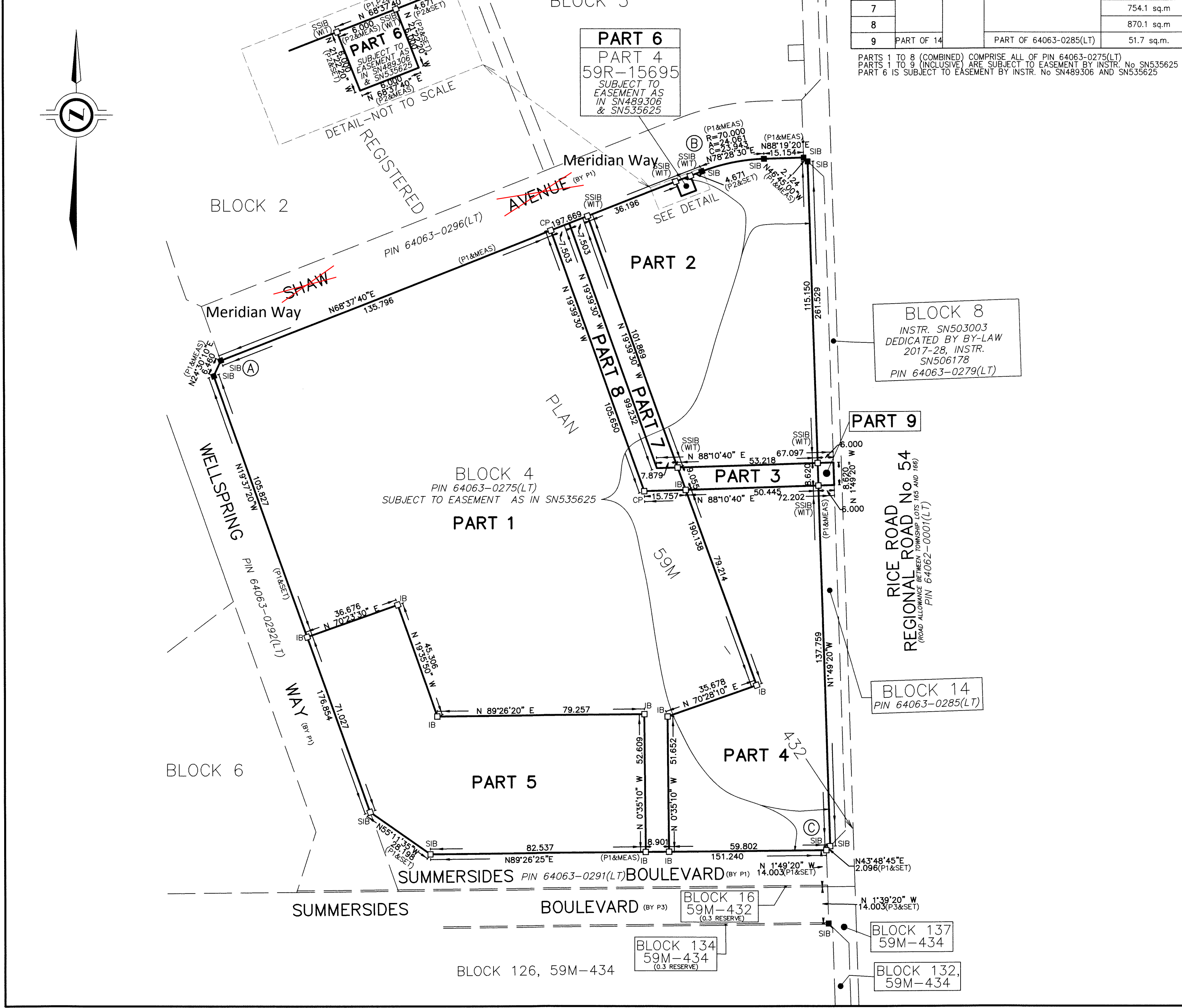
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999827

ALL FOUND SURVEY MONUMENTS SET BY 744, OLS UNLESS NOTED OTHERWISE.

ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O.REG. 525/91.

**LEGEND**

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
IB	DENOTES	IRON BAR
CP	DENOTES	CONCRETE PIN AND WASHER
WIT	DENOTES	WITNESS
MEAS	DENOTES	MEASURED
744	DENOTES	MATTHEWS, CAMERON, HEYWOOD-KERRY T. HOWE SURVEYING LTD.
P1	DENOTES	REGISTERED PLAN 59M-432
P2	DENOTES	PLAN 59R-15695
P3	DENOTES	REGISTERED PLAN 59M-434



**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON MARCH 7, 2018

MARCH 15, 2018  
DATE

*Allan J. Heywood*  
ALLAN J. HEYWOOD  
ONTARIO LAND SURVEYOR

**MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LIMITED**

A wholly owned subsidiary of J.D. Bames Limited

5233 STANLEY AVENUE, UNIT 1, NIAGARA FALLS, ON L2E 7C2  
T: (905) 358-3693 F: (905) 358-6224 www.jdbames.com

DRAWN BY: AA	CHECKED BY: AJH	REFERENCE NO.: 18-16-053-00
FILE: G:\18-16-053\00\Drawing\18-16-053-00REF.dgn		DATED: 03/07/2018

PLOTTED: 3/15/2018  
Page 635 of 945

**Subject:** Update on In-Ground Waste Collection Service Provider

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2022-0191 Update on In-Ground Waste Collection Service Provider, for information.**

**AND THAT Council endorse the recommendation from Town staff to contract with Niagara Region for in-ground waste collection services and include the expenditure in the 2023 Operating Budget for Council's consideration.**

**Background:**

During the March 23, 2020, Council Meeting, Public Works presented Report #2020-0044 recommending that Council endorse the recommendation from Town staff to continue with the Town's existing in-ground collection service provider until further investigation on alternative in-ground collection systems is explored. At the time The Regional Municipality of Niagara requested the Town of Pelham to confirm the respective enhanced and optional enhanced services that the Town wished to have for the start of the Region's new 2020 Waste Management Collection Contract. The enhanced collection services (i.e. street litter, front-end garbage, additional downtown litter or recycling, etc.) include additional services to the base collection services (i.e. every-other-week garbage, weekly recycling and organics, etc.) to each Local Area Municipality (LAM). The cost of both base collection and enhanced services, along with all processing, disposal and planning, and administrative net costs, are apportioned to the Town through a requisition for the Town's waste management levy.

During the February 18, 2020 Committee of the Whole Meeting, Council directed staff through the Report #2020-0018-PW to explore cost-effective alternatives for litter bin collection, in-ground services, and containerized garbage collection. Town staff were also directed to explore best municipal practices regarding the placement and necessity of residential street bins, along with the recyclability of materials. The cost-effective alternatives have been received as information to Council during the March 23rd 2020 Regular Council in-camera session (Report #2020-0043-PW).

The purpose of this report is to seek Council's approval to add In-Ground Collection at Municipal Facilities (MF) to the Region's current Enhanced Services which are included in the Niagara Region's waste management collection contract.



**Analysis:**

The Town of Pelham’s waste management levy trend since the last report is as follows:

Year	Total Assessment
2020	\$1,342,675.65
2021	\$1,407,316.30
2022	\$1,504,309.37

This cost includes both base and enhanced services. Currently, the Town’s existing enhanced services include public space curbside recycling and street litter bin collection in Designated Business Areas (DBA), containerized garbage collection at multi-residential (MR) buildings and municipal facilities (MF), and enhanced disposal waste costs.

The current in-ground waste collection services at Meridian Community Centre, Centennial Park, and Town Hall is collected on an as-needed basis.

During collection services, the current Contractor has been observed collecting all the materials into one truck. It is unknown where or how the current contractor is disposing of the garbage and recycling, however, staff are concerned that all materials picked up at the Town’s facilities are being disposed of at a landfill site, raising the possibility that the recycling items are not receiving proper processing.

The Region’s contractor would collect the waste and recycling in separate trucks and ensure that the materials are properly sorted and disposed of in accordance with provincial regulations.

The Region’s contract does need a set schedule that is negotiable and can be set to meet the Town’s needs.

**Financial Considerations:**

The Town’s current contractor services the in-ground waste and recycling moloks for the following fees: in-ground containers are \$79.50 per waste receptacle, \$67.50 per recycling receptacle, \$64.00 per cardboard receptacle, and \$115.00 per organics receptacle.

The Region currently charges \$121.91 per lift, per container plus disposal costs (estimated at \$120.00/ton) and is subject to annual contract escalations.

The following is a breakdown of costs to service in-ground containers at municipal facilities by the Town's current service provider. The 2019 calendar year was used as a baseline for the number of collection times due to the pandemic that occurred in 2020 and 2021. The 2019 collection numbers more accurately reflect the facilities operating at or near full capacity.

		Town of Pelham Locations					
		Centennial Park		Town Hall		MCC	
		Qty/Year	Total/Year	Qty/Year	Total/Year	Qty/Year	Total/Year
Type of and Required Cost to service	Recycle \$67.50/pick-up	4	\$270.00	4	\$270.00	67	\$4,522.50
	Waste \$79.50/pick-up	5	\$397.50	5	\$397.50	66	\$5,247.00
	Cardboard \$64.00/pick-up	N/A	N/A	N/A	N/A	66	\$4,224.00
	Organics \$115.00/pick-up	N/A	N/A	1	\$115.00	6	\$690.00
	Total	9	\$667.50	10	\$782.50	205	\$14,683.50
		<b>Yearly Total Pick-ups</b>		<b>224</b>	<b>Yearly Total Cost</b>		<b>\$16,133.50</b>

The following is a breakdown of estimated costs to service in-ground containers at municipal facilities by the Regions Enhanced Services (using 2019 collection numbers).

		Town of Pelham Locations					
		Centennial Park		Town Hall		MCC	
		Qty/Year	Total/Year	Qty/Year	Total/Year	Qty/Year	Total/Year
Type of and Required Cost to service	Recycle \$121.91/pick-up	4	\$487.64	4	\$487.64	67	\$8,167.97
	Waste \$121.91/pick-up	5	\$609.55	5	\$609.55	66	\$8,046.06
	Cardboard \$121.91/pick-up	N/A	N/A	N/A	N/A	66	\$8,046.06
	Organics \$121.91/pick-up	N/A	N/A	1	\$121.91	6	\$731.46
	Total	9	\$1,097.19	10	\$1,219.10	205	\$24,991.55
		<b>Yearly Total Pick-ups</b>		<b>224</b>	<b>Yearly Total Cost</b>		<b>\$27,307.84</b>

*Additional disposal costs of \$120.00/ton would apply. Staff estimate \$4,000-\$6,000/year*

The additional cost to provide in-ground waste and recycling collection services through Niagara Region would be included as part of the 2023 operating budget request. The additional cost of \$11,174 (plus disposal costs) will ensure that the garbage and recycling in the moloks are properly disposed of and not added to the landfill. There is a cost to protecting Pelham’s environment and this amount divided by 224 total pick-ups equates to \$50 more per pick-up.

**Alternatives Reviewed:**

Council could choose to not accept the enhanced services being offered by the Region under the Region’s Waste Management Contract.

Staff have not provided alternative options for other in-ground collection methods due to the fact that the molok systems are installed and functioning well for the intended purpose.

**Strategic Plan Relationship: Grow Revenue - Promote Cultural Assets and Protect Environment**

Properly sorting waste materials provides environmental and economic benefits to both the Town of Pelham and Niagara Region.

**Consultation:**

Consultation with Niagara Region Waste Management Staff, along with representatives from private waste management companies were completed in preparation of this report.

**Other Pertinent Reports/Attachments:**

Report #2020-0044 "The Town of Pelham's Enhanced and Optional Enhanced Waste Collection Services and the Niagara Region's new Waste Management Collection Contract"

Report #2020-0043-PW "An Economic Analysis on the Town's Enhanced and Optional Enhanced Waste Collection Services"

Report #2020-0018-PW "The Town of Pelham's Enhanced and Optional Enhanced Waste Collection Services for the Niagara Region's new Waste Management Collection Contract"

**Prepared and Recommended by:**

Jason Marr, P. Eng.  
Director of Public Works

**Prepared and Submitted by:**

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

**Subject:** Proposed By-law to Regulate Parking at Properties Owned by the Town of Pelham where Parking is Provided

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report # 2022-0202 – Proposed By-law to Regulate Parking at Properties Owned by the Town of Pelham where Parking is Provided, for information;**

**AND THAT Council consider adopting By-law No. 4483(2022), being a By-law to regulate the parking of motor vehicles on Town of Pelham property.**

**Background:**

In February 2022, Council provided direction to staff to prepare a by-law to regulate parking at the Meridian Community Centre and other properties owned by the Town of Pelham where parking is provided.

**Analysis:**

The Town has authority to pass by-laws to regulate parking on highways under its jurisdiction and to regulate parking on municipal land other than highways.

The Town presently has a Parking and Traffic By-law that applies to highways under its jurisdiction. “*Highway*” is defined by reference to the *Highway Traffic Act*, which generally describes highways as areas intended for or used by the general public for the passage of vehicles. It does not encompass other municipal lands.

The Town also has a Fire Route By-law and an Accessibility Parking By-law. To the extent that any portion(s) of Town-owned parking areas are designated fire routes or are designated as accessible parking areas, they are subject to these By-laws, including the enforcement provisions. Otherwise, the Town does not have a by-law to regulate parking on municipal land such as the Meridian Community Centre and other Town-owned facilities where parking is provided.

The proposed Town Property Parking By-law is appended to this report. It seeks to address this regulatory gap and enable the Town to implement and enforce parking controls at Town-owned properties where parking is provided. It also contemplates the possibility of imposing parking fees at such properties where appropriate.

The *Municipal Act, 2001* authorizes the Town to impose administrative monetary penalties for parking by-law contraventions and an associated regulation provides that unpaid penalties can result in denial of a vehicle permit. It also authorizes the Town to provide for the removal and impounding or restraining and immobilizing of vehicles parked or left in contravention of a parking by-law. The proposed Town Property Parking By-law includes administrative penalties and other penalties as provided for under the *Municipal Act, 2001* and the *Highway Traffic Act*.

If the proposed Town Property Parking By-law is enacted it will be necessary to amend the Parking Administrative Penalty By-law to designate the new by-law as being subject to the administrative penalty system.

#### **Financial Considerations:**

There are no direct financial implications if the proposed Town Property Parking By-law is adopted. There will be costs associated with implementing the by-law such as signage and enforcement costs. The quantum of these costs is unknown but is expected to be at least partially offset by amounts recoverable by the Town as a result of enforcement of the by-law and/or the implementation of parking fees. Costs can likely be absorbed into the existing bylaw department budget.

#### **Alternatives Reviewed:**

Council may provide direction for revisions to the proposed Town Property Parking By-law. Should Council require substantial revisions, staff request that the matter be referred back to staff to incorporate the changes and prepare a further draft.

#### **Strategic Plan Relationship: Build Strong Communities and Cultural Assets**

Parking regulation and enforcement at Town-owned properties will facilitate access to those properties. This will help build a strong community and will enhance the value of those assets for the Town and its residents.

#### **Consultation:**

The Town Solicitor reviewed various municipal property parking by-laws and consulted with the Senior Leadership Team and by-law enforcement staff in relation to the proposed Town Property Parking By-law.

**Other Pertinent Reports/Attachments:**

Proposed Town Property Parking By-law.

**Prepared and Recommended by:**

Jennifer Stirton, BSc(Hons), LL.B.  
Town Solicitor

**Approved and Submitted by:**

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





## The Corporation of the Town of Pelham

By-law No. XXXX(20XX)

### **Being a By-law to regulate the parking of motor vehicles on Town of Pelham property.**

**WHEREAS** section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("*Municipal Act, 2001*" or "the statute") provides that the powers of a municipality under the statute or any other Act shall be interpreted broadly so as to confer broad authority to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the statute or any other Act;

**AND WHEREAS** section 11 of the *Municipal Act, 2001* provides that a lower-tier municipality has the authority to pass by-laws respecting parking on lands other than highways;

**AND WHEREAS** subsection 170(15) of the *Highway Traffic Act*, R.S.O. 1990, c. H. 8 ("*Highway Traffic Act*") provides that vehicles parked in such a manner as to interfere with the movement of traffic or in contravention of a municipal by-law may be removed and placed in a suitable storage place and that all costs for the removal, care and storage of the vehicle are a lien upon it that may be enforced in the manner provided by the *Repair and Storage Liens Act*, R.S.O. 1990, c. R. 25 ("*Repair and Storage Liens Act*");

**AND WHEREAS** section 101 of the *Municipal Act, 2001* provides that a municipality may provide for the removal and impounding or the restraining and immobilizing of any vehicle parked or left in contravention of a municipal by-law regulating or prohibiting the parking or leaving of vehicles on land;

**AND WHEREAS** section 102.1 of the *Municipal Act, 2001* provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any by-law respecting the parking, standing or stopping of vehicles;

**AND WHEREAS** Ontario Regulation 333/07 under the *Municipal Act, 2001* ("the Regulation") provides that a municipality shall not require a person to pay an administrative penalty under section 102.1 of the *Municipal Act, 2001* unless the municipality has met the requirements of the Regulation;

**AND WHEREAS** the Corporation of the Town of Pelham has established a system of administrative penalties in accordance with section 102.1 of the *Municipal Act, 2001* and the Regulation;

**AND WHEREAS** section 425 of the *Municipal Act, 2001* provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under the statute is guilty of an offence;

**AND WHEREAS** section 428 of the *Municipal Act, 2001* provides that a by-law may provide that where a vehicle has been left parked in contravention of a by-law, the owner of the vehicle is guilty of an offence, even though the owner was not the driver of the vehicle at the time of the contravention, and is liable to the applicable fine unless, at the time of the offence, the vehicle was in the possession of another person without the owner's consent;

**AND WHEREAS** section 429 of the *Municipal Act, 2001* provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under the statute;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham deems it necessary and desirable to enact this By-law;

**NOW THEREFORE** the Council of the Corporation of the Town of Pelham enacts as follows:

## **1. Purpose**

- 1.1. The purpose of this By-law is to regulate the parking and leaving of Motor Vehicles on land or property owned by the Town and upon which parking is provided.

## **2. Definitions**

- 2.1. In this By-law:

**"By-law Enforcement Officer"** means a By-law Enforcement Officer of the Town.

**"Emergency Service Vehicle"** means an ambulance, a fire truck or other fire department vehicle or a police vehicle.

**"Highway"** has the same meaning as in the *Highway Traffic Act*.

**"Motor Vehicle"** has the same meaning as in the *Highway Traffic Act*.

**"Officer"** means any provincial offences officer or police officer authorized to enforce this By-law, the *Highway Traffic Act* and any other applicable legislation.

**"Park"** means the standing of a Motor Vehicle, whether it is occupied or not, except standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, and the terms **"Parked"** and **"Parking"** have corresponding meanings.

**"Parking Space"** means an area of Town Property set aside for the temporary Parking of one (1) Motor Vehicle and normally designated by lines or other suitable markings painted or marked on the land surface;

**"Person"** means an individual, corporation, partnership or association.

**"Town"** means the Corporation of the Town of Pelham.

**"Town Property"** means any land or property owned or occupied by the Town, other than a Highway, that is intended for the temporary Parking of Motor Vehicles and on which there are one (1) or more Parking Spaces.

### **3. General Prohibitions**

- 3.1. No Person shall Park or leave a Motor Vehicle or permit a Motor Vehicle to be Parked or left on any land or property owned by the Town other than on Town Property.
- 3.2. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property except in accordance with this By-law.

### **4. Parking on Town Property**

- 4.1. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property without the consent of the Town.
- 4.2. A Motor Vehicle that is Parked or left on Town Property contrary to any provision of this By-law shall be deemed to have been Parked or left without the consent of the Town.
- 4.3. Where the Town has posted one or more signs stating conditions on which a Motor Vehicle may be Parked or left on Town Property, a Motor Vehicle that is Parked or left on Town Property contrary to any such conditions shall be deemed to have been Parked or left without the consent of the Town.
- 4.4. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property other than in a Parking Space and in conformity with signs and markings.
- 4.5. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in such a manner that it is not wholly within a Parking Space.
- 4.6. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in any Parking Space that is occupied by another Motor Vehicle.
- 4.7. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in any Parking Space that is temporarily closed.
- 4.8. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property at any time between the hours of 1:00 a.m. and 5:00 a.m. daily.
- 4.9. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in such a manner as to interfere with the clearing of snow or other maintenance or repair of the Town Property.
- 4.10. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in such a manner as to obstruct or interfere with the ability of other Motor Vehicles to access or travel through the Town Property.
- 4.11. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in any Parking Space for which the Town has posted signs reserving the use of the Parking Space for specific Persons or Motor Vehicles.

- 4.12. To the extent that Town By-law Nos. 97-2020 and/or 4462(2022) apply to Town Property, no Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in a manner that contravenes said By-law(s).
- 4.13. The Town may from time to time establish such fees or charges as may be deemed necessary and appropriate for the use of Town Property. Where the Town has established a fee or charge for the use of Town Property and has posted one or more signs stating the applicable fee or charge, no Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property without paying the applicable fee or charge.
- 4.14. No Person that Parks or leaves a Motor Vehicle on Town Property or that permits a Motor Vehicle to be Parked or left on Town Property shall injure, encumber, obstruct or foul the Town Property by placing, discarding or leaving any object, material, substance, debris, item or thing in or upon the Town Property or permit the Town Property to be injured, encumbered, obstructed or fouled by the placing, discarding or leaving of any object, material, substance, debris, item or thing in or upon the Town Property.

## **5. Exemptions**

- 5.1. Where compliance with this By-law would be impracticable, this By-law shall not apply to Motor Vehicles operated by or on behalf of the Town and engaged in Town operations including but not limited to inspection, maintenance or repair of Town Property and by-law enforcement.
- 5.2. Where compliance with this By-law would be impracticable, this By-law shall not apply to any Emergency Service Vehicle while carrying out its lawful duties.

## **6. Enforcement**

- 6.1. This By-law shall be administered and enforced by the Town, a By-law Enforcement Officer and/or an Officer.
- 6.2. A By-law Enforcement Officer and an Officer may, for the purpose of enforcing this By-law, exercise any power, authority or remedy granted to the Town pursuant to the *Municipal Act, 2001* and/or the *Highway Traffic Act*.
- 6.3. No Person shall obstruct or hinder, or attempt to obstruct or hinder, any By-law Enforcement Officer or Officer in the exercise of a power or the performance of a duty under this By-law.

## **7. Penalty**

- 7.1. Any offence created by this By-law is not subject to the penalty provisions of the *Provincial Offences Act*, R.S.O. 1990, c. P. 33.
- 7.2. Subject to section 7.1, any Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to such penalties as are provided for in the *Municipal Act, 2001* and the *Highway Traffic Act*.
- 7.3. Administrative Penalty System By-law No. 4353(2022) applies to each administrative penalty issued pursuant to this By-law.

- 7.4. Every Person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty System By-law No. 4353(2022), be liable to pay to the Town an administrative penalty in accordance with that By-law.
- 7.5. For greater certainty, both the driver and the owner of a Motor Vehicle are liable to the penalties prescribed by section 7.3 and section 7.4 of this By-law unless, at the time of the offence or By-law contravention, the Motor Vehicle was in the possession of a person other than the owner without the consent of the owner.
- 7.6. A By-law Enforcement Officer or Officer, upon the discovery of a Motor Vehicle Parked or left in contravention of this By-law may cause the Motor Vehicle to be moved or taken to and placed or stored in a suitable place, and all costs and charges for the removal, care, and storage thereof, if any, are a lien upon it that may be enforced in the manner provided by the *Repair and Storage Liens Act*.
- 7.7. Notwithstanding any other provision of this By-law, a By-law Enforcement Officer may, before removing or causing to be removed the Motor Vehicle as provided for in this By-law, issue and attach to the Motor Vehicle a Town parking infraction notice alleging that the provisions of this By-law have been contravened.

## **8. General**

- 8.1. The short title of this By-law is the "Town Property Parking By-law".
- 8.2. If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 8.3. If there is a conflict between a provision of this By-law and a provision of any other By-law of the Town, the provision that establishes the higher standard shall prevail.
- 8.4. This By-law shall be read with all changes in number or gender as are required by context.
- 8.5. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.
- 8.6. The Town Clerk is hereby authorized to effect any minor modifications or corrections solely of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

**9. Effective Date**

9.1. This By-law shall come into force on the date that it is enacted.

Read, enacted, signed and sealed this XXst day of XXXX, 20XX.

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Marvin Junkin, Mayor

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Holly Willford, Town Clerk





The Corporation of the Town of Pelham

By-law No. 4478(2022)

**Being a by-law to remove the Holding (H) Provision executed by By-law No. 4437(2022) for the lands on the east side of Pelham Street, north of Broad Street, legally described as Plan 25 Lot 6 NP 716, in the Town of Pelham; municipally known as 1553 Pelham Street.**

**C. and K. Speers  
File No. AM-05-2022**

**WHEREAS** section 34 of the *Planning Act*, RSO 1990, c. P. 13, as amended provides that the governing body of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham is empowered to enact this By-law by virtue of the provisions of section 36 of the *Planning Act*, 1990, as amended;

**AND WHEREAS** notice of removal of the Holding (H) Provision has been provided in accordance with the provisions of the *Planning Act*, 1990, as amended;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham deems it desirable to remove the Holding (H) Provision;

**NOW THEREFORE** the Council of the Corporation of the Town of Pelham enacts as follows:

1. **THAT** the Holding (H) Provision affecting lands municipally known as 1553 Pelham Street; in the Town of Pelham, be removed;
2. **AND THAT** Schedule 'A5' of the Zoning By-law No. 1136 (1987), as amended, be amended by removing the Holding (H) Provision from the lands zoned R3-313 (H) also shown on Schedule 'A' of this By-law.
3. **AND THAT** this By-law shall come into force and take effect pursuant to Sections 34 and 36 of the *Planning Act*, 1990, as amended;

Read, enacted, signed and sealed this 22nd day of August, 2022.

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Marvin Junkin, Mayor

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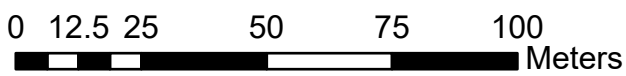
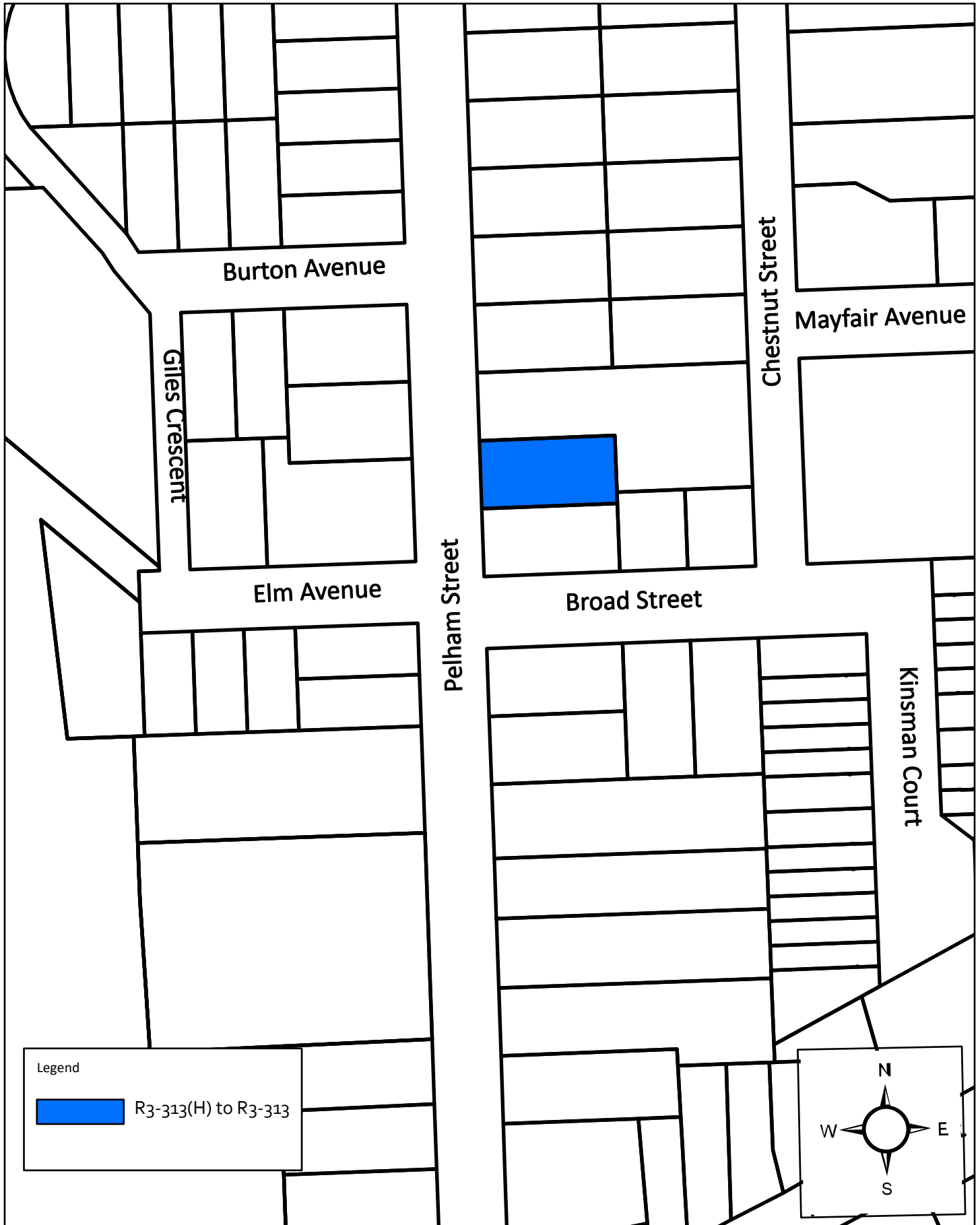
Holly Willford, Town Clerk

**Explanation of the Purpose and Effect of By-law No. 4478(2022)**

The subject lands are located on the east side of Pelham Street, north of Broad Street in Fonthill, municipally known as 1553 Pelham Street, in the Town of Pelham.

The By-law authorizes the removal of the Holding (H) Provision from a portion of the lands currently zoned R3-313(H).

# Schedule 'A'



This is Schedule 'A' to By-law No. 4478 (2022) passed the 22 day of August, 2022.

Mayor: Marvin Junkin

Clerk: Holly Willford



# Pelham

NIAGARA

Town of Pelham

# Zoning By-Law

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# **PREAMBLE**

## **i. Introduction**

The preamble is intended to assist the reader in understanding and interpreting the Zoning By-law for the Town of Pelham and is provided for convenience purposes only. It does not form part of the Zoning By-law.

## **ii. Purpose of the By-law**

The Zoning By-law regulates the use of land, buildings and structures in the Town of Pelham. The by-law implements and conforms to the policies of the Town of Pelham Official Plan.

## **iii. Authority to Prepare the By-law**

The Zoning By-law is prepared in accordance with Section 34 of the *Planning Act*, R.S.O., 1990, c.P.13, as amended. Generally speaking, the *Planning Act* allows the Council of the Town of Pelham to pass zoning by-laws to restrict the use of land, and to regulate the size, location and character of buildings and structures within the Town.

## **iv. Structure of the By-law**

The Zoning By-law consists of the following sections:

### Section 1: Interpretation and Administration

Section 1 describes how the Zoning By-law is to be interpreted, and how the By-law is to be administered by the Town of Pelham.

### Section 2: Definitions

Section 2 provides specific definitions for commonly used terms in the By-law, many of the permitted uses, and other technical terms used in the Zoning By-law. These definitions ensure that the Zoning By-law is being interpreted and applied consistently.

Where a word is not specifically defined, it is intended that the common, general definition of the term within Webster's Dictionary is applicable. Certain definitions are also supported by illustrations to help clarify, the illustrations do not form part of the Zoning By-law but are intended to assist in understanding the meaning of a definition.

### Section 3: General Provisions

Section 3 provides general provisions which may be applicable to all zones, one or more categories or zones, or to specific uses, and additional requirements for specific situations. The reader should identify all general provisions that are applicable to their situation.

## Section 4: Parking Requirements

Section 4 provides the minimum parking, loading and bicycle parking requirements for uses permitted in the Zoning By-law.

## Sections 5-9: Zone Categories (Permitted Uses and Zone Regulations)

The Zoning By-law establishes a number of zones which permit certain uses, as well as requirements for the location and character of buildings and structures. Sections 5 to 9 detail the permitted uses and zone regulations in each zoning category. Each of the permitted uses is subject to the applicable zone regulations, general provisions (Section 3), parking requirements (Section 4) and zone exceptions (Section 10).

This By-law is exclusionary, which means that if a use is not specifically identified within a zone, then the use is not permitted.

The zones are organized into categories as follows:

- Section 5: Agricultural/Rural Zones
- Section 6: Residential Zones
- Section 7: Greenfield Development Zones
- Section 8: Commercial Zones
- Section 9: Other Zones

## Section 10: Zone Exceptions

Most lands in the Town of Pelham are zoned by a base zone, which is represented by symbols such as "A", "R1" etc. However some lands are also zoned by a site- specific Exception, which is denoted as a base zone symbol followed by a hyphenated numeric suffix. For example, A-1 is Exception number 1 to the A Zone. All zone Exceptions are contained in Section 10 of the Zoning By-law.

## Schedules A-E: Maps

Schedules A through E identify the zoning for all lands in the Town of Pelham. In addition, the maps also identify areas which are subject to provisions related to the Niagara Escarpment Plan. The mapping is subject to change and may be amended from time to time to reflect amendments to the Zoning By-law as well as mapping changes due to technical adjustments.

## Niagara Escarpment Plan Area

The Regulated Area of the Niagara Escarpment Plan is illustrated on Schedules A and C. Development within this area may require development permit approval from the Niagara Escarpment Commission before a building permit can be issued. The area identified on Schedules A and C is primarily intended for information purposes only as the Regulated Area of the Niagara Escarpment Plan may change from time to time. The reader should consult with the Town of Pelham and the Niagara Escarpment Commission

to confirm whether a development permit will be required prior to any development or site alteration. Section 3.20 in the General Provisions provides additional information on the Niagara Escarpment Plan Area.

### Interpretation of the Schedules

Section 1.4 describes how the schedules are to be interpreted. The zone boundaries are not intended to be absolute as they are illustrated. In most cases, the boundaries are intended to follow lot lines or the boundaries of roads and of natural heritage features.

#### **v. Use of the Holding "H" Symbol**

Certain lands are also subject to holding provisions. Lands subject to holding provisions are denoted by the symbol (H), added as a suffix to the zone. A holding symbol may be added to a base zone (i.e. A(H)) or to an Exception Zone (i.e. A-1(H)).

Where a holding symbol is shown, the general provisions of Section 3.14 apply. Where a holding symbol is applied to lands, the lands may not be used or developed according to the requirements of the underlying base zone until such time as the holding symbol is removed. Lands subject to a holding symbol are typically only permitted to be used for those uses which legally existed prior to the addition of the holding symbol. The reader should consult with the Town to confirm the permitted uses and the requirements for removing the holding symbol.

#### **vi. Minor Variances**

The Committee of Adjustment has the authority to approve minor variances to the Zoning By-law, which may provide minor relief from specific zoning provisions or similar use permissions of one or more properties. Minor variances previously granted are not reflected in the Zoning By-law and are not shown in Section 10: Exceptions. A minor variance approved by the Town of Pelham Committee of Adjustment granted in relief to the provisions of the former By-law will remain in effect and a building permit may be issued by the Chief Building Official up to two-year from the effective date of this By-law. The reader should contact the Town of Pelham to identify whether there are any approved minor variances applicable to a property.

#### **vii. Non-Conformity and Non-Compliance**

A use is considered to be legal non-conforming if it was legally established (existing use) prior to the passing of the Zoning By-law but is no longer permitted by the Zoning By-law. The Zoning By-law does not prevent the continued legal use, alteration or expansion of buildings and structures that no longer conform to the permitted uses in the Zoning By-law.

Buildings and structures are considered to be legal non-complying if they were established legally prior to the passing of the Zoning By-law but no longer comply with the new provisions of the Zoning By-law. The Zoning By-law may have implemented

different lot provisions than were previously required and as such, buildings and structures that previously complied may no longer comply with the new standards.

Please refer to Section 3.21 and 3.22 of the Zoning By-law for provisions regarding non-conformity and non-compliance.

### **viii. Confirming with the Town**

It is always a good idea to pre-consult with the Town of Pelham about your construction project prior to the submission of a complete application. Town Staff will help you to determine whether your project will comply with the applicable provisions of the Zoning By-law, or if there are any approved minor variances which are applicable to the property. For significant developments, consultation with other applicable agencies may also be required.

### **ix. Relationship to Other By-laws, Regulations and Legislation**

The Zoning By-law does not supersede or surmount any other legislation, regulations or municipal by-laws. In fact, depending on your proposal or the use of your property, other laws may apply. It is the property owners' responsibility to understand what laws will apply to their land use or their construction project.

The Town administers other by-laws that are related to the Zoning By-law. For example the Town administers a clean yards by-law which sets out provisions for the maintenance of buildings and yards, ensuring safe, clean and sanitary conditions, along with enforcement of violations within the Town. These additional by-laws essentially build on the Zoning By-law's requirements, and are to be considered "in addition to" the Zoning By-law's requirements.

The laws and regulations of the Province, the Federal Government and other agencies may also apply. Some uses may be subject to Provincial/Federal Licensing or regulation. It is not the role of the Zoning By-law to integrate with the regulations or laws of other levels of government however, the Town can help you identify what other laws and regulations might apply to your project.



## The Corporation of the Town of Pelham

By-law No. 4481(2022)

### **Being a By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Pelham**

**WHEREAS** authority is granted to the Council of the Corporation of the Town of Pelham under Section 34 of the *Planning Act*, R.S.O., 1990, C.P. 13, as amended to pass this By-law;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham deems it desirable to regulate the use of land, and the character and location of buildings and structures for the promotion of public health, safety, general convenience and well-being of the Town of Pelham;

**AND WHEREAS** there is an Official Plan in effect in the Town of Pelham;

**AND WHEREAS** this By-law is deemed to be in conformity with the Town of Pelham Official Plan;

**NOW THEREFORE** the Council of the Corporation of the Town of Pelham enacts as follows:

# **SECTION 1: INTERPRETATION AND ADMINISTRATION**

## **1.1 INTRODUCTION**

The purpose of this zoning by-law is to implement the policies of the Town of Pelham's Official Plan. The Official Plan is a long-range policy document that is not meant to regulate every aspect of built-form on a private lot. In the Province of Ontario, this is the role of the Zoning By-law. Once an Official Plan is in effect, a municipality's Zoning By-law must conform to the Official Plan.

This Zoning By-law will apply to all land within the Town of Pelham with the exception of land in the Niagara Escarpment Commission Development Permit Control Area. Through the authority granted in Section 34 of the *Planning Act*, this By-law aims to prohibit the use of land and the erection of buildings and structures except for purposes as set out in this By-law. It will also regulate the type of construction, height, bulk, location, size, floor area, spacing, character and use of buildings or structure on the lands covered by this By-law.

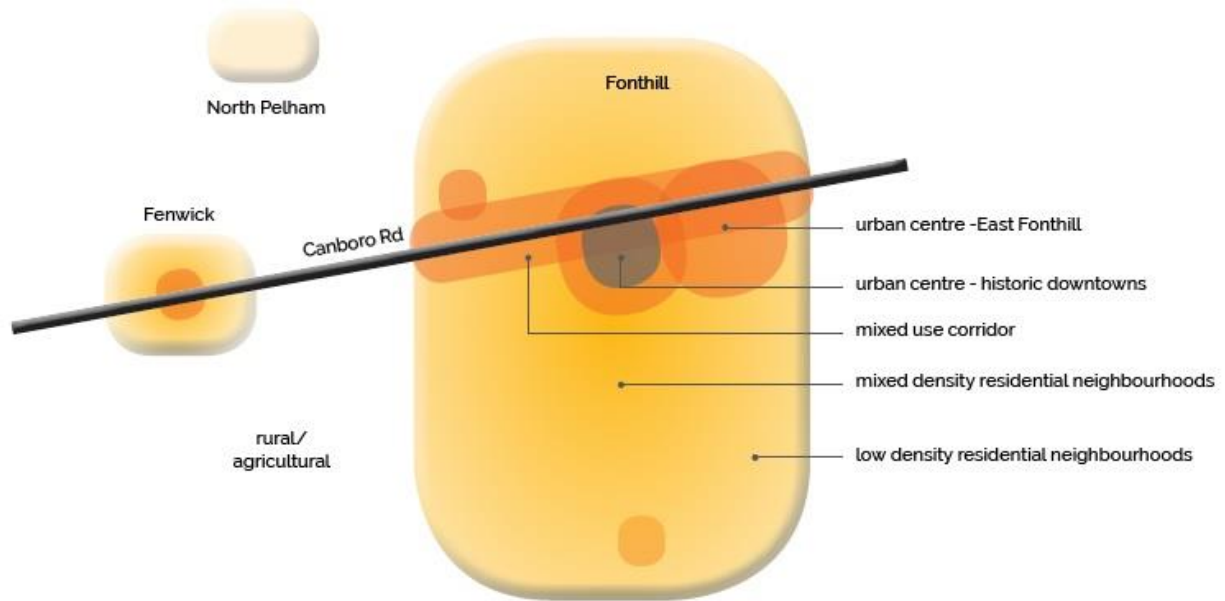
It is the objective of this Zoning By-law to create successful, vibrant and livable communities with an array of residential housing types and commercial mixed uses in a pedestrian-oriented environment. This Zoning By-law integrates existing zones within the Town with Greenfield Residential and Commercial Mixed Use Zones, which support a growing, thriving, and diverse community.

Zones for mixed uses and residential uses are based around the idea of a "Transect-based Code". This is a method for organizing urban form in a continuum of intensity from urban to rural, facilitating its categorization within form-based definitions. The Urban Core is the heart of the community – the downtown – where the greatest intensity is found. The highest and most dense buildings, and the greatest mix of uses are located here. The Rural/Agricultural edge surrounds the community and has the lowest density. In between are a series of graduated transitions, including low density residential neighbourhoods comprised mostly of single detached houses, medium density areas comprised of townhouses, small commercial pockets servicing their neighbourhoods and planned mixed use areas. This theoretical approach to the "transect" cannot be applied dogmatically to existing communities that have developed over a long period of time.

In Pelham, while there is a general transition from lower and less dense forms to higher and more dense forms, it is important to recognize that the community has developed over a very long period of time, and there are a number of settlements, neighbourhoods and centres that exhibit different forms and densities. There are important nodes and corridors that have had their own role within the overall urban structure. The transect concept does not occur in a straight line from centre to edge, but it is still evident as a general pattern. The "transect" is a useful tool for organizing the Town's urban structure and establishing zones that facilitate a continuum of intensity using form-based standards.



# Conceptual Urban Structure of Pelham



# Prototype Transect

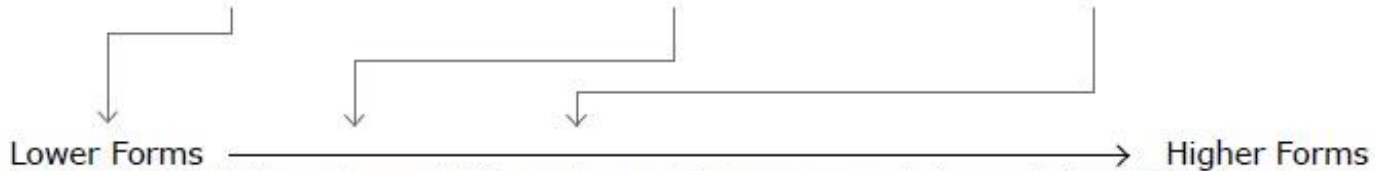


Rural/Agricultural

A SA RE CR

Ground Oriented/Low Density Residential Neighbourhoods  
R1 R2 R3 RD

Mixed Density Residential Neighbourhoods  
GF-R1 GF-R2 GF-R3 RM1 RM2



Rural/  
Agricultural

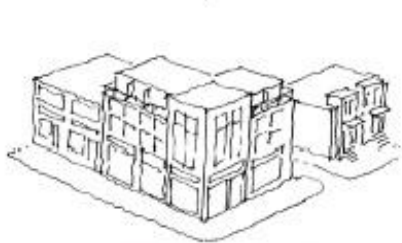
Ground Oriented/  
Low Density  
Residential  
Neighbourhoods

Mixed Density  
Residential  
Neighbourhoods

Mixed Use  
Corridors

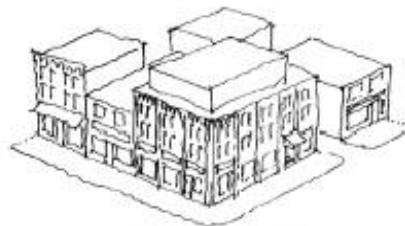
Mixed Use  
Centre - Historic  
Downtowns

Mixed Use Centre  
- East Fonthill

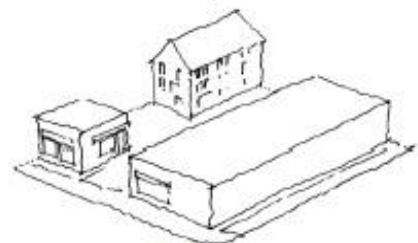


Mixed Use Corridors

DC



Mixed Use Centre -  
Historic Downtowns  
VC MS TS



Mixed Use Centre -  
East Fonthill  
Site Specific

## **1.2 TITLE AND SCOPE**

This By-law is known as the Zoning By-law of the Town of Pelham (this By-law) and applies to all lands within the corporate limits of the Town except for that area that is subject to the Niagara Escarpment Development Permit Control Area.

## **1.3 APPLICATION**

- a) No person shall use any land or erect or alter any buildings or structures within a zone, except in conformity and compliance with the provisions of this By-law.
- b) No person, other than a public authority, shall reduce any lot by conveyance or otherwise so that it does not meet the requirements of this By-law, or if it did not meet the requirements initially, that it is further from meeting them.
- c) No municipal permit, certificate or license may be issued if the permit is required for a use of land, erection, alteration, enlargement or use of any building or structure that does not conform or comply with this By-law.
- d) Despite any other provisions of this By-law, the Chief Building Official of the Town may not issue a building permit for the development or redevelopment of any lands or buildings or structures or any part thereof within the area of the Town affected by this By-law unless in accordance with the provisions of this By-law and any By-law of the Town enacted pursuant to Section 41 of the *Planning Act*.
- e) The lack of a survey or mistake or an error or omission by any person required to comply with the provisions of this By-law does not relieve that person from liability for failure to comply with the provisions of this By-law.
- f) This By-law shall be administered by a person appointed by the Council of the Town of Pelham as the Zoning Administrator.

## **1.4 ZONES AND SYMBOLS**

- a) Schedules A through E attached hereto form part of this By-law.
- b) For the purpose of this By-law, the Town has been divided into zones, the boundaries which are shown on Schedules A through E.
- c) The zone categories are referred to using colour coding, as illustrated in the legend on Schedules A through E.
- d) The zones are referred to by the following names throughout the Zoning By-law:

<b>Zone</b>	<b>Symbol</b>
<b>Residential Zones</b>	
Residential One Zone	R1
Residential Two Zone	R2
Residential Three Zone	R3
Residential Multiple One Zone	RM1
Residential Multiple Two Zone	RM2
Residential Development Zone	RD
Rural Residential Zone	RR
<b>Greenfield Development Zones</b>	
Greenfield Development Residential One Zone	GF-R1
Greenfield Development Residential Two Zone	GF-R2
Greenfield Development Residential Three Zone	GF-R3
Greenfield Neighbourhood Commercial Zone	GF-NC
<b>Commercial Zones</b>	
Village Commercial Zone	VC
Main Street Zone	MS
Town Square Zone	TS
Downtown Corridor Zone	DC
Neighbourhood Commercial Zone	NC
<b>Rural/Agricultural Zones</b>	
Agricultural Zone	A
Specialty Agricultural Zone	SA
Rural Employment Zone	RE
Commercial Rural Zone	CR
Mineral Aggregate Resource Zone	MAR
<b>Other Zones</b>	
Open Space Zone	OS
Institutional	I
Airport Zone	A
Environmental Protection One Zone	EP1
Environmental Protection Two Zone	EP2
Environmental Protection Three Zone	EP3

## **1.5 ZONE BOUNDARIES**

- a) The zones and zone boundaries are shown on Schedules A through E that are attached to and form part of this By-law.
- b) Respecting the zone boundaries of the zones, the following applies:
  - i. Each parcel of land within the Town is provided with a zone category, the boundary of the parcel forms the zone boundary.
  - ii. The Environmental Protection One (EP1), Environmental Protection Two (EP2), Environmental Protection Three (EP3) and Open Space (OS) Zones boundary generally reflects the natural features and the location of the

boundary may be determined by lot line, road, rail line, or where the zone does not abut any of the above, by the scale of the map or as confirmed through an Environmental Impact Study.

- c) Where a parcel of land or lot falls into two or more zones, each portion of the parcel of land or lot shall be used in accordance with the provisions of this By-law for each of the applicable zones.

## **1.6 MANDATORY WORDING**

The words "must" or "shall" are mandatory

## **1.7 DISCRETIONARY WORDING**

The word "may" is not mandatory. "May" is used to indicate that some circumstances may or may not be applicable.

## **1.8 EXAMPLES AND ILLUSTRATIONS**

Examples and illustrations are for the purpose of clarification and convenience, and do not form part of this By-law.

## **1.9 SEVERABILITY**

Should any section, clause, provision or Schedule of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

## **1.10 LITIGATION**

This By-law does not affect the rights of any person or landowner concerned in any action, litigation or other proceeding pending on the date of final passage, except to the extent to be determined in the final adjudication of action, litigation or other proceedings.

## **1.11 OCCUPANCY INSPECTION/FINAL INSPECTION REPORT**

- a) No land may be used or occupied, and no building or structure which has been erected or altered may be used or changed in use, in whole or in part, until an occupancy inspection report has been successfully completed and approved by the Town.
- b) No Occupancy Inspection Report, Final Inspection Report, building permit and/or approval of an application for any municipal license shall be issued where the proposed use, building or structure, is contrary to the provisions of this By-law.

## **1.12 NEED FOR COMPLIANCE WITH OTHER LAWS**

Nothing in this By-law shall exempt any person from complying with the requirements of any other legislation or by-law in force or from obtaining any license, permission, permit authority or approval required by this By-law, any other by-law or any other legislation.

Where Conservation Authority Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (O. Reg. 172/06 and 179/06), are in force and effect, a permit from the Conservation Authority having jurisdiction, shall be obtained pursuant to the provisions of the *Conservation Authorities Act* prior to the following:

- a) The construction, reconstruction or erection of a building or placing of fill;
- b) Changes that would alter the use, or potential use, size or dwelling units of a building or structure; and
- c) Works within or around a wetland or watercourse.

Lands that are regulated include floodplains, erosion hazards, wetlands, watercourses, hazardous soils and shorelines.

## **1.13 VIOLATIONS AND PENALTIES**

Any person who contravenes this By-law is guilty of an offense and, each day a breach of this By-law continues, constitutes a separate offence and on summary conviction, the offender is liable to discontinuation of land use and a fine as provided for under the *Planning Act*.

## **1.14 REPEALS OF PREVIOUS BY-LAWS**

All previous Zoning By-laws, and all amendments thereto, are hereby repealed except to give effect to the transitional provisions in Section 1.16 of this By-law or to give effect to the Exceptions of this By-law.

## **1.15 TECHNICAL REVISIONS TO THE ZONING BY-LAW**

Provided that the purpose and effect of this By-law is unaffected, the following technical revisions to this By-law shall be permitted without a Zoning By-law Amendments.

- a) Correction to grammatical, mathematical, boundary or other such errors, including minor technical revisions to the mapping consistent with the intent of this By-law and the Town's Official Plan;
- b) Changes to the numbering of sections, the numbering contained in the cross-referencing of sections, and the format and arrangement of the text, tables, schedules and maps, and the numbering of pages;



- c) Corrections or revisions to the technical information contained on schedules, such as the title blocks, legend and updated parcel fabric;
- d) Changes to the illustrations or the Preamble, which are not considered to form part of this By-law;
- e) Changes resulting from the removal of a Holding (H) Symbol; and
- f) Changes to the Environmental Feature mapping resulting from the submission of an approved Environmental Impact Study, which has been approved by the appropriate authority.

## **1.16 TRANSITIONAL PROVISIONS**

### **1.16.1 Building Permit Applications**

Nothing in this By-law shall prevent the erection of a use of a building or structure for which an application for a building permit was filed on or prior to the date of passage of this By-law, if the application complies, or the building permit application is amended to comply, with the provisions of the former By-law 1136 (1987) provisions as it read on the date of passage of this By-law. For the purposes of this section, an application for a building permit means the application for a building permit which satisfies the requirements set out in the *Building Code Act*, as amended.

### **1.16.2 Minor Variance**

Where the Committee of Adjustment of the Town or the Ontario Land Tribunal has authorized a minor variance, in respect of any land, building or structure and the decision of the Committee of Adjustment of the Town of the Ontario Land Tribunal authorizing such a minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, building or structure shall be deemed to be modified to the extent necessary to give effect to such minor variance.

### **1.16.3 Consent**

- a) Where:
  - i. An application is made for consent to convey land under Section 50 of the *Planning Act*, prior to enactment of this By-law; and
  - ii. That consent is granted and that land is conveyed before the consent lapses; and
  - iii. That consent results in the creation of one or more lots which do not comply with the lot frontage or lot area requirements of this By-law;

Then, each such lot created is deemed to comply with the lot frontage and lot area requirements of this By-law provided that the lot created complies with the lot frontage and lot area requirements of the applicable zoning prior to the date of adoption of this By-law.

b) Where:

- i. An application for consent has been approved and a long form certificate has been issued by the Town in accordance with Section 53(42) of the *Planning Act*; and
- ii. The conveyance has not occurred prior to the date of adoption of this Zoning By-law;

Said lot shall be deemed to comply with the lot frontage and lot area of the zone in which the lot is located; provided such lot complied with the lot frontage and lot area requirements of the applicable zoning prior to the date of adoption of this By-law.

#### **1.16.4 Site Plan**

Where a Site Plan Agreement has been entered into prior to the effective date of this By-law, and the timeframes specified in the Agreement have not yet lapsed, the provisions of this By-law, as they apply to such land, building or structure, shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement.

## SECTION 2: DEFINITIONS

**ABANDONED** means the failure, in the opinion of the Chief Building Official, to proceed expeditiously with construction work or to undertake construction work during any continuous 1 year period.

**ABUTTING** means two or more lots sharing a common boundary of at least one point; or a lot sharing a common boundary with a public road.

**ACCESSORY USE** means a use customarily incidental, subordinate and exclusively devoted to a principal use and located on the same lot as the principal use.

**ACCESSORY BUILDING OR STRUCTURE** means a detached building or structure used to house an accessory use and included a private garage and second dwelling unit.

**ADDITION OF EXTENSION TO AN EXISTING BUILDING OR STRUCTURE** means any expansion or increase in size of a building or structure.

**ADULT ENTERTAINMENT PARLOUR** means any premises or part thereof in or on which is provided in pursuance of a trade, calling, business or occupation, body-rub business, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations and as further defined in the *Municipal Act*.

**AGGREGATE** means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sand stone, marble, granite, rock or other prescribed material under the *Aggregate Resources Act*. For the purposes of this definition, earth does not include topsoil and peat.

**AGRI-TOURISM/VALUE ADDED USE** means the use of land, buildings or structures for uses accessory to the principal agricultural use of the lot, which are conducted for gain or profit to support, promote and sustain the viability of the agricultural use. These uses include but are not limited to: agricultural education and research facilities, farm markets and the retail sale of farm produce, pick your own facilities, farm mazes, special event facilities related to farming, and value-added assembly, fabrication, processing, packing or storage operations.

**AGRICULTURAL PRODUCE STAND** means a building or structure or portion thereof where only locally grown produce is retailed to the general public with a maximum footprint of 25 m<sup>2</sup>.

**AGRICULTURAL USE** means the use of land, buildings or structures for the growing of crops including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures including, but not limited to, livestock facilities, manure storages, value-retaining facilities and includes a farm dwelling and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

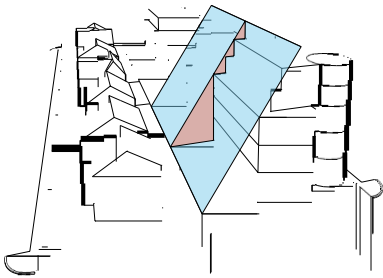
**AGRICULTURAL-RELATED USE** means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

**AIRPORT** means an area of land used for the landing, storing and taking off of aircraft and their passengers and/or freight and may include, as accessory uses, ticket offices, parcel shipping facilities, and offices that support the airport.

**ALTER** when used in reference to a building or structure or portion thereof, means any alteration in a bearing wall or partition column, beam, girder or other supporting member of a building or structure, or any increase in the area or cubic contents of a building or structure. When used in reference to a lot, alter means to decrease the width, depth or area of a lot or to decrease the width, depth or area of any required yard, setback, landscaped open space area or parking area or to change the location of a boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words "altered" and "alteration" shall have a corresponding meaning.

**AMENITY AREA** means open space areas, balconies or recreation facilities, or other similar facilities in a residential or mixed use development which provide recreational space for the residents of a development.

**ANGULAR PLANE** means a flat surface extending from a lot line and projecting over a lot, at a specified angle measured up from the horizontal, through which no part of a structure on the lot may penetrate.



**ASSEMBLY HALL** means a building or part of a building in which facilities are provided for meeting of a civic, educational, political, religious, social or recreational nature and includes banquet facilities.

**ATTACHED** means a building adjoined by a roof or which shares a common wall with an adjacent building(s).

**AUDITORIUM** means a building or structure where facilities are provided for athletic, civic, education, recreational, political, religious or social events including, but not so as to limit the generality of the foregoing, an arena, a community centre, a bowling alley, a recreation centre, an assembly hall, a gymnasium, a stadium, a cinema, a theatre or a playhouse.

**BAKERY** means an establishment where food products for which flour, grains, meal or sugar are the principal ingredients, are produced, mixed, compounded, baked or otherwise prepared and; where the prepared food products are offered for retail sale on the same premises.

**BALCONY** means a platform that projects from the wall of a building and is accessible from inside such building by means of a door or window.

**BANK** means an institution where money is deposited, kept, lent and exchanged and shall include Trust Companies, Credit Unions, and other like financial institutions.

**BASEMENT** means that portion of a building between two floor levels which is partly underground, but which has more than one-half of its height below grade, from finished floor to finished ceiling.

**BED AND BREAKFAST ESTABLISHMENT** means a part of a dwelling unit in which not more than 3 bedrooms are used or maintained for the accommodation of the traveling public, in which the owner and operator of the dwelling unit supplies lodgings with or without meals and which is owner occupied but does not include a hotel or motel.

**BERM** means a mound of earth which may include landscaping features, formed to provide visual and/or acoustical separation.

**BUILDING** means any structure, used for the shelter of persons, animals, goods or equipment and having a roof which is supported by columns or walls and as defined by the *Ontario Building Code Act*.

**BUILDING SUPPLY AND SERVICE** means a building, structure or lands where the principal function is the selling of a variety of building supplies including lumber, siding, plumbing, electrical, air conditioning and heating equipment and similar commodities.

**CAMPGROUND** means a place where people are temporarily accommodated in tents, whether or not washing and toilet facilities are provided in permanent buildings, and shall include a trailer camp, and where the operation is limited to between April 1st and November 15th.

**CAR WASH** means a building or structure containing facilities specifically used or intended to be used for washing vehicles either by production line methods employing mechanical devices or by hand.

**CARPORT** means a building or structure, at least forty per cent (40%) of the area of the perimeter walls of which are open and unobstructed by any wall, door, post or pier,

- a) Which is used for the temporary parking or storage of private passenger motor vehicles or commercial vehicles of less than one (1) tonne maximum capacity; and
- b) Wherein neither servicing nor repairing is carried on for profit.

**CEMETERY** means land that is set apart or used as a place for the interment of the dead and shall not include a crematorium but may include a mausoleum.

**CHIEF BUILDING OFFICIAL** means the person appointed by Council as the Chief Building Official charged with the duty of enforcing and administering the provisions of the *Building Code Act*, as amended, or any successor thereto, together with any regulations thereunder.

**CLINIC** means a building or part thereof used by health care professionals, their staff and their patients for the purpose of consultation, diagnosis or treatment.

**COMMERCIAL SELF STORAGE** means a premises used for the temporary storage of household items and secured storage areas or lockers which are generally accessible by means of individual loading doors for each storage unit or locker.

**COMMERCIAL USE** means the use of land, buildings or structures for the purpose of buying and/or selling of commodities and/or the supply of services for remuneration, but does not include activities associated with industrial uses.

**COMMUNITY CENTRE** means a building or structure operated by a public authority that is used for community activities and other activities such as recreations uses, trade show, weddings and banquets.

**COMPLY** means in keeping with the quantitative requirements of this By-law.

**CONCRETE BATCHING OR ASPHALT PLANT** means the use of land, buildings or structures for the purpose of the manufacturing of concrete or asphalt, or products or objects made therefrom.

**CONFORM** means a use which is permitted by this By-law in the zone category in which the use is located.

**CONSERVATION USE** means the use of land and/or water for the purpose of planned management of natural resources.

**CONTRACTORS ESTABLISHMENT** means the use of land, building or structure, or parts thereof, by any general contractor or builder where equipment and materials are stored, or where a contractor and/or tradesman performs shop and assembly work, and/or offers a trade or service, including, but not limited to landscaping services, general construction service, cabinetry services, plumbing services, welding services, and trucking services or other similar services but does not include any other use as defined by this by-law.

**CONSTRUCTION TRADES RETAIL ESTABLISHMENT** means the wholesale or retail sale of construction trade products and includes uses such as building supply yards, equipment and materials storage and tradesmen's shops and accessory office uses.



**CONVENIENCE RETAIL STORE** means a small-scale retail store serving the daily or occasional needs of the residents in the immediate area with a variety of goods such as, but not limited to, groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines, and newspapers.

**CREMATORIUM** means a building fitted with the proper appliances for the purposes of the cremation of human remains and includes everything incidental or ancillary thereto.

**CULTURAL USE** means the use of land, building or structure for the purpose of educational entertainment, art or history including but not limited to museums, libraries, art galleries/studios and community centres, and may include ancillary office, restaurant, retail and service commercial uses.

**CUSTOM WORKSHOP** means a building or structure or portion thereof used by a trade, craft or guild for manufacturing small quantities of made to measure or made to order clothes or articles and includes upholstering, furniture restoration and refinishing, custom order manufacturing or articles such as draperies and blinds, but not include any manufacturing uses which generate nuisance impacts such as noise, dust or vibration.

**DAYCARE CENTRE** means premises for the temporary care and custody of more than five people that is operated for reward or compensation for a continuous period not exceeding twenty-four hours and has a license as required to operate. This use shall include a daycare for children, seniors or people with special needs.

**DAYLIGHTING TRIANGLE** means an area free of buildings or structures or other visual obstructions, and which are to be determined by measuring, from the point of intersection of street lines on a corner lot, and along each such street line and joining such points with a straight line, and the triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the "daylighting triangle". Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

**DECK** means a ground oriented structure over 0.6m above any part of the finished grade of the adjoining exterior wall used as an outdoor living area or amenity space which may or may not be attached to a building and does not have any walls or a roof.

**DENSITY** means the number of dwelling units per hectare on a lot.

**DRAINAGE DITCH AND IRRIGATION CHANNEL** means those channels or means of conveying the passage of water that the Town, Niagara Peninsula Conservation Authority and Ministry of Natural Resources agree, have physical characteristics that are man-made or have been altered to the point that they no longer perform the functions of a natural watercourse.

**DRIVE-THRU SERVICE FACILITY** means use which includes a facility where business may be conducted, including the sale of goods, food or other articles directly with individuals who remain in their vehicles.

**DRIVEWAY** means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle.

**DWELLING** means a building used for human habitation as a residence, with or without attached garage or carport, but shall not include a motor home, vehicle, trailer, hotel, motel, bed and breakfast, or dwelling unit accessory to a non-residential use.

**DWELLING, APARTMENT** means a building containing five or more dwelling units, which have a common entrance from the street level and where the occupants have the right in common to use halls, elevators, stairs, yards and accessory buildings.

**DWELLING, BACK-TO-BACK TOWNHOUSE** means a townhouse dwelling that contains dwelling units divided vertically from each other by common side walls and common rear walls.

**DWELLING, BOARDING HOUSE** means a single dwelling that is occupied by the owner of such dwelling as their principle residence together with not less than two and not more than four accessory guest rooms.

**DWELLING, BLOCK TOWNHOUSE** means a group of no more than eight dwelling units located on the same lot, where the lot has direct access onto and frontage along a public street, but the individual units may not have legal frontage on a public street.

**DWELLING, CONVERTED** means a dwelling originally designed as a single detached dwelling that has been altered to accommodate additional dwelling units, but not more than 4 dwelling units.

**DWELLING, DUPLEX** means a building containing two dwelling units, on one lot but does not include a "Semi-Detached Dwelling".

**DWELLING, FARM** means a dwelling that provides full time accommodation for the owner or operator of an agricultural use.

**DWELLING, FOURPLEX** means a building containing four dwelling units.

**DWELLING, LIVE-WORK** means a dwelling unit that included working space accessible from the living area, regularly used by one or more of the residents of the dwelling unit, but does not include a home-based business.

**DWELLING, MOBILE HOME** means a dwelling unit that is designed to be made mobile and to be transported, after it has been constructed or manufactured, to a mobile home site to provide a permanent residence and which is suitable for occupancy as a dwelling unit at the time it is placed on the mobile home site except for minor and incidental unpacking and assembly operations, placement on a mobile home sites and connection to utilities.

**DWELLING, PRINCIPAL** means a dwelling unit owned or rented by a person, alone or jointly with another person, which is their principal place of residency.

**DWELLING, SECOND UNIT** means a dwelling unit that is secondary to a single detached dwelling, semi-detached dwelling unit or townhouse dwelling unit, and is maintained as a self-contained unit with food preparation and sanitary facilities, and in accordance with the provisions of this By-law. A Second Dwelling unit can be contained within the principal dwelling unit and/or as a detached accessory structure.

**DWELLING, SEMI-DETACHED** means a building divided vertically into two dwelling units by a common wall extending from the base of the foundation to the roof. The attachment along the common wall may include a dwelling unit wall and/or garage wall. Each unit may be located on a separate lot.

**DWELLING, SINGLE DETACHED** means a building containing one dwelling unit, but does not include a "Mobile Home Dwelling".

**DWELLING, STACKED TOWNHOUSE** means a building containing three or more dwelling units, with each dwelling unit separated from the other both horizontally and vertically that may have a private independent entrance from a yard or a shared entrance from a common corridor, vestibule or landing.

**DWELLING, STREET TOWNHOUSE** means a group of no more than 8 townhouse dwelling units which have direct access and frontage along a public street. Each dwelling unit may be located on a separate lot.

**DWELLING, TRIPLEX** means a building that is divided horizontally into three dwelling units, each of which has an independent entrance either directly or through a common vestibule.

**DWELLING UNIT** means a group of rooms in a building used or designed or intended to be used as a single, independent and separate housekeeping unit:

- a) In which a food preparation area and sanitary facilities are provided for the exclusive use of such housekeeping unit; and
- b) Which has a private entrance from outside the building or from a common hallway or stairway inside the building, but does not include a tent, cabin, trailer, motor home, mobile home, or in a hotel, motel, or bed and breakfast establishment.

**EASEMENT** means an instrument that is registered on title which provides for the use of land subject to the easement for sewer, water, drainage or utility purposes and which may include a right-of-way.

**ERECT** means, with reference to a building or structure, to build, alter, construct, reconstruct, relocate or enlarge and without limiting the generality of the foregoing also includes:

- a) Any physical operation such as excavating, filling, grading or drainage works preparatory to building, construction, reconstruction; or
- b) Altering any existing building or structure by an addition, deletion, enlargement or other structural change; or
- c) The moving of a building or structure from one location to another; or
- d) Any work for which a building permit is required.

**“Erected”** and **“Erection”** shall have a corresponding meaning.

**EXISTING** means legally existing as of the date of passing of this By-law.

**FARM HELP HOUSE, PERMANENT OR SEASONAL** means a building located on the same lot and accessory to an agricultural use and which is provided and maintained by the owners of the lot for the accommodation of persons employed full time in agriculture by the owner of the lot.

**FARM PRODUCE OUTLET** means a building or portion thereof wherein the retail sale of the following products are offered for sale to the general public:

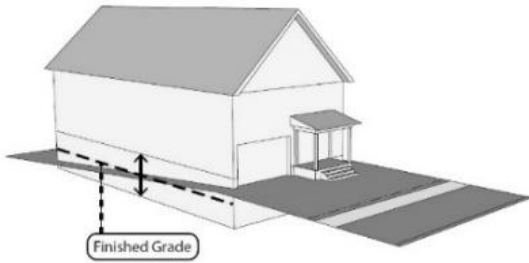
- a) Locally grown produce (a minimum of 70 percent of the retail floor area);
- b) Imported Produce;
- c) Bakery items and processed fruit prepared on the premises, grocery, deli and dairy products and locally made crafts (a maximum of 50 square metres retail floor area); and
- d) Locally grown greenhouse and nursery products.

**FARM SUPPLY AND SERVICE ESTABLISHMENT** means a building or structure or portion thereof, such as a farm co-op, used for the retail sale and rental for farm use, of minor equipment and implements and parts thereof and tools, hardware and clothing and includes a farm implement sales and service establishment.

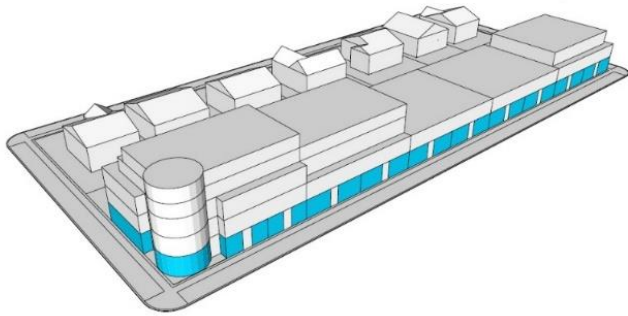
**FARM WINERY** means an on-farm diversified agricultural use that utilizes fruit grown on the farm to produce and market wine in accordance with Provincial law and regulation. A Farm Winery may also include a distillery, cidery or microbrewery.

**FENCE** includes a hedge, free standing wall, structure or partition constructed of any material or combination of materials, enclosing, partly enclosing or dividing lot boundaries or being used for decorative purposes.

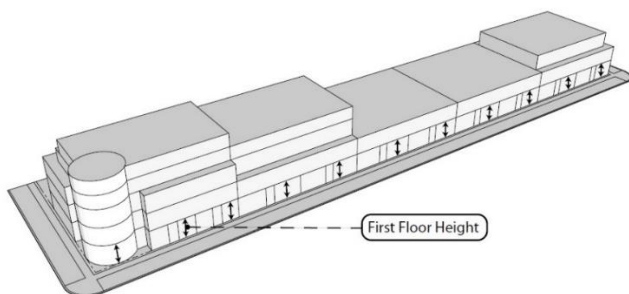
**FINISHED GRADE** means when used in reference to a building or structure, the average elevation of the finished surface of the ground adjoining the base of the longest exterior wall of such building or, where there are two or more such walls, the exterior wall having the lowest average elevation, exclusive of any artificial embankment at the base of such structure.



**FIRST FLOOR GLAZING** means the amount of glazing (transparent windows and doors) expressed as a percentage of the surface area of a building's first floor façade facing publicly accessible streets, walkways or open space.



**FIRST FLOOR HEIGHT** means the vertical height from the finished first floor elevation of the interior of the building to the ceiling of the first floor.



**FLOOR AREA** means the area of the floor surface of a storey or part thereof.

**FLOOR AREA, DWELLING UNIT** means the aggregate of the floor areas of all habitable rooms in a dwelling unit, excluding the thickness of any exterior walls.

**FLOOR AREA, GROSS** means the aggregate of the floor areas of all storeys of a building or structure other than a private garage, an attic or a basement or cellar not used for commercial purposes.

**FLOOR AREA, GROUND** means the floor area of the first storey of a building.

**FLOOR AREA, GROSS LEASABLE** means the total of all floor areas of a building(s) or structure(s) which is used for any permitted non-residential use measured from the interior surface of the exterior walls, including basements, but excluding the following:

- a) Any area not capable of being used for any permitted non-residential use which area may include, without restricting the generality of the foregoing, public washrooms, public corridors, utility rooms, utility and service corridors, loading areas, and parking areas provided in a building.
- b) Areas to which the public cannot nor does not have access to.
- c) Areas used for no other purpose than the storage of goods, fixtures and equipment.

**FLOOR AREA, NET** means the aggregate of the floor areas of a building above or below established grade, but excluding car parking areas within the building, stairways, elevator shafts, service or mechanical rooms and penthouses, washrooms, garbage or recycling rooms, staff locker and lunch rooms, loading areas any space with a floor to ceiling height of less than 1.8 metres and any part of a basement that is unfinished, is used solely for storage purposes and is not accessible to the public.

**FOOD VEHICLE** means an outdoor vehicle not permanently affixed to the ground and capable of being moved on a daily basis, from which food intended for immediate consumption is provided for sale or sold, and includes a motorized, self-propelled vehicle (i.e. food truck), a vehicle that is not self-propelled but can be towed (i.e. food trailer) and a vehicle moved by human exertion (i.e. food cart).

**FORESTRY USE** means the general raising and harvesting of wood and, without limiting the generality of the foregoing, includes the raising and cutting of fuel wood, pulp wood, lumber, Christmas trees and other forest products.

**FUEL STORAGE TANK** means a tank used or intended to be used for the bulk storage of combustible or inflammable liquids or gases including, but not so as to limit the generality of the foregoing, petroleum or petroleum products.

**FUNERAL HOME** means a premises used for providing funeral supplies and services to the public and includes facilities intended for the preparation of the human body for interment.

**GARAGE, PRIVATE** means an accessory building or portion of a dwelling designed for the parking of private vehicles, and is not used for repairing / servicing vehicles for gain or profit, and includes a partially enclosed carport.



**GARAGE DOOR WIDTH** means the width of the garage door opening(s), which is used for vehicular access. Where there is more than one opening, the garage door width shall be the distance between the two outer extremities of the garage door opening(s), including any intervening columns, doors, windows or wall sections which might separate two or more garage door opening(s).

**GARDEN SUITE** means a small, independent temporary building, physically separate from the principle dwelling unit with which it is associated, which may be used as a dwelling unit, or for activities accessory to those permitted in the principle dwelling unit.

**GOLF COURSE** means an area operated for the purpose of playing golf, and includes such accessory uses as a restaurant, a retail store that sells golf equipment and accessories, a dwelling unit for an owner/caretaker and other buildings or structures devoted to the maintenance and operation of the golf course and may include, as accessory uses, a golf driving range and a miniature golf facility.

**GOLF DRIVING RANGE** means an indoor or outdoor public or private facility dedicated to the driving of golf balls from fixed golf tees.

**GREENHOUSE** means the use of a building or structure for the growing of such items as flowers, bushes, shrubs, trees, plants, fruits, vegetables and other types of nursery stock. Such use may include the wholesale or retail sale of greenhouse products customarily, incidental, subordinate and exclusively devoted to the principle use, located on the same lot therein. A retail use accessory to a greenhouse shall have a maximum retail floor area of 200 square metres.

**GUEST ROOM** means a habitable room or suite of habitable rooms wherein accommodation, with or without meals, is provided for gain or profit to one or more persons, and which contains no facilities for cooking.

**GYMNASIUM/FITNESS CENTRE** means a building designed and intended to accommodate various forms of indoor sports and recreation and may include an arena, tennis, squash, handball and badminton courts and roller rinks.

**HABITABLE ROOM** means any room of a residential building or an institutional building, used or capable of being used by one or more persons for living, eating or sleeping, or as a kitchen serving a dwelling unit; but does not include a bathroom, water-closet compartment, laundry, serving or storage pantry, corridor or other space not for use frequently or during extended periods.

**HEIGHT** means the vertical distance measured from the finished grade level to the highest point of the roof surface or parapet, whichever is greater. In the case of a deck, height means the height of the highest floor level. In calculating the height of a building, any construction used as an ornament or for the mechanical operation of a building such as a mechanical penthouse, firehouse tower, chimney, tower, cupola or steeple, it is not to be included.

**HOBBY FARM** means a small-scale agricultural use located in the rear yard of a lot and comprised of up to 5 domestic livestock and up to 20 fowl for recreational purposes or for personal consumption by the occupants of a dwelling unit on the same lot.

**HOME INDUSTRY** means a small scale operation of an industrial nature conducted entirely within a building or part of an accessory building to a single detached dwelling such as a welding shop, machine shop or large animal vet clinic, but does not include the repairing, storage or recycling of motor vehicles, recreational vehicles or heavy equipment.

**HOME FOR SPECIAL CARE** means a building that is licensed or funded under an Act of the Parliament of Canada or the Province of Ontario for the accommodation of persons exclusive of staff, living under supervision and who, by reason of their emotional, mental, social or physical condition or legal status require a group living arrangement for their well-being, but does not include a place maintained and operated primarily for the care of or occupation by inmates or persons placed on probation or released on parole or for any other correctional purpose.

**HOME OCCUPATION** means a business or professional activity conducted as a secondary use to the residential use within any dwelling unit which is the primary residence of the person or persons conducting the business or professional activity.

**HOOP HOUSE** means a temporary, un-heated building used for the winter protection of plants, which is:

- a) Placed on the surface of the ground and has no permanent foundation; and
- b) The sides and/or roof of which is in place for less than six months of the year.

For the purposes of this By-law, a hoop house shall not be included in the calculation of maximum coverage.

**HOTEL** means any establishment so defined in *The Hotel Registration of Guests Act*, as amended from time to time, and includes a motel or motor hotel.

**INDUSTRIAL USE** means the use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory and ancillary uses.

**INSTITUTIONAL USE** mean the use of land, buildings or structures for religious, charitable, educational, health or welfare purposes and without limiting the generality of the foregoing, may include churches, places of worship, public or private schools, public or private hospitals, community centres, government buildings, children's residences, adult daycare or respite care and homes for special care.

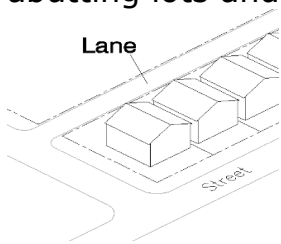
**KENNEL** means the use of lands, buildings or structures where small domestic animals or household pets are: boarded for hire or gain; kept for the purpose of breeding; and/or kept for the purpose of training.

**LANDMARK SITE** means a site which is conspicuous and which has the potential to be easily seen and/or recognized from a distance, acting as an identifier or wayfinding tool for a community such as being located at the terminus of a street, or open space or located on a corner. Development on landmark sites is generally expected to be iconic and raise the profile of the location.

**LANDSCAPED AREA OR LANDSCAPED STRIP** means a permeable area not built upon and not used for any purpose other than as a landscaped area which may include grass, shrubs, flowers, trees and similar types of vegetation and decorative paths, decorative walkways, fences and similar appurtenances, but does not include parking areas, driveways, service walkways or ramps. The words "landscaping" and "landscaped" shall have the same meaning.

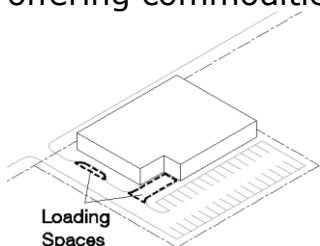
**LANDSCAPED OPEN SPACE** means the percentage of a lot used as a landscaped area or strip.

**LANE** means a public or private right-of-way which provides a means of access to abutting lots and which is not intended for general traffic circulation.



**LIVESTOCK** means farm animals kept for use, for propagation, or for intended profit or gain and without limiting the generality of the foregoing includes; dairy and beef cattle, horses, swine, sheep, laying hens, chicken, turkey broilers, turkeys, goats, geese, mink and rabbits but excluding animals such as pets raised or housed for recreational or hobby purposes.

**LOADING SPACE** means an area of land, exclusive of aisles or driveways and accessible to a street or lane which is provided and maintained upon the same lot or lots upon which the principal use is located and which is used for the temporary parking of one or more commercial vehicles while merchandise or materials are being loaded or unloaded from such vehicle, and such parking is not to be used for the purpose of offering commodities for sale or display.



**LONG-TERM BICYCLE PARKING SPACE** means an indoor space to park and secure a bicycle in an enclosed, secured area with controlled access where a bicycle is intended to be parked for long periods of time.

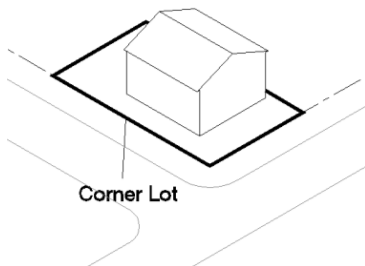
**LONG TERM CARE HOME** means a long-term care home as defined in the *Long-Term Care Homes Act, 2007*, as amended.

**LOT** means a parcel or contiguous parcels of land designated and registered at the Registry Office as one parcel of land in one ownership.

**LOT AREA** means the total horizontal area within the lot lines of a lot, excluding any area covered by water or marsh or between the rim of the banks of a river or watercourse. In the case of a corner lot having streetlines rounding at the corner with a radius of 6 metres or less, the lot area of such lot is to be calculated as if the lot lines were projected to their point of intersection.

**LOT, CORNER** means

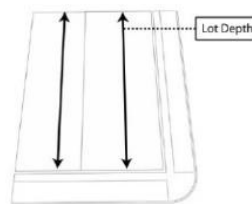
- a) A lot situated at the intersection of and abutting on two or more streets and which streets have an angle of intersection of not more than 135 degrees regardless of whether or not such streets abut a 0.3 metre reserve;
- b) A lot abutting a curve of a street, the adjacent sides of which curve contain an angle facing the lot of not more than 135 degrees, and such angle shall be formed by their tangents drawn from the points where the side lot lines meet the streetline but does not include a lot abutting the bulb of a cul-de-sac or a turning circle, regardless of whether or not such streets have a 0.3 metre reserve.



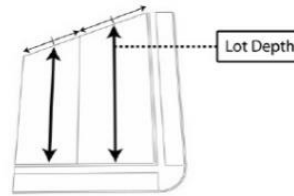
**LOT COVERAGE** means the percentage of the lot area covered by all buildings and structures, but not including an in-ground pool.

**LOT DEPTH** means:

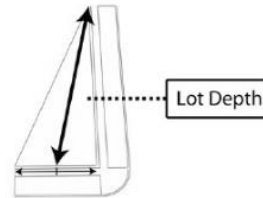
- a) The shortest horizontal distance between the rear lot line and the front lot line of a lot, where such lot lines are parallel;



b) The horizontal distance between the mid-point of the rear lot line and the mid-point of the front lot line of a lot, where such lot lines are not parallel; or



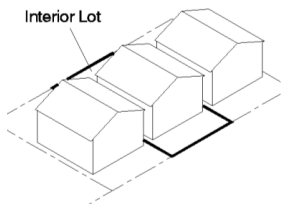
c) The horizontal distance between the mid-point of the front lot line and the point of intersection of the side lot lines of a lot where there is no rear lot line.



**LOT FRONTAGE** means the horizontal distance between the side lot lines of a lot measured along the front lot line.

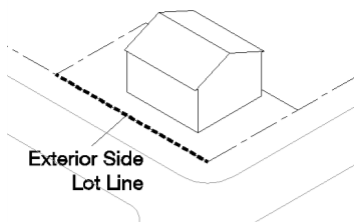
- a) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is determined from the lot centre line to a point 6.0m back from the front lot line measured horizontally at 90 degrees from the lot centre line between the side lot lines.
- b) In the case of a corner lot with a daylighting triangle or a rounded corner, the lot frontage is determined from the lot centre line to back from the front lot line measured horizontally between the side lot lines.

**LOT, INTERIOR** means a lot other than a corner lot or a through lot.



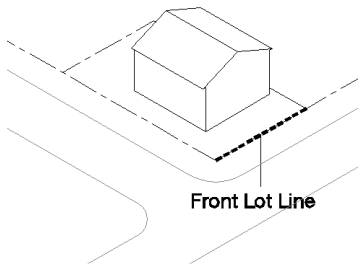
**LOT LINE** means any boundary of a lot.

**LOT LINE, EXTERIOR** means a side lot line that is also a streetline. "Flankage Lot Line" shall have the same meaning.

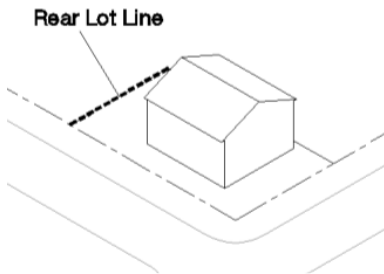


**LOT LINE, FRONT** means

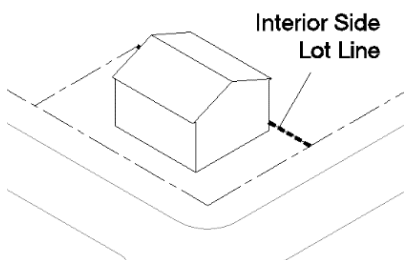
- a) The lot line that divides the lot from the street;
- b) In the case of a corner lot, the shorter streetline shall be deemed to be the front lot line and the longer streetline shall be deemed to be an exterior side lot line;
- c) In the case of a corner lot with two streetlines of equal length, the lot line that abuts the wider street, or abuts a Regional Road or a Provincial Highway shall be deemed to be the front lot line; and in the case of both streets being under the same jurisdiction, or the same width, the front lot line shall be deemed to be the lot line with the principle entrance; and
- d) In the case of a through lot, the longer boundary dividing the lot from the street shall be deemed to be the front lot line and the opposite shorter boundary shall be deemed to be the rear lot line. In case each of such lot lines should be equal length the Town may designate either street line as the front lot line or the front lot line shall be deemed to be the lot line with the principle entrance.



**LOT LINE, REAR** means the lot line or lines opposite a front lot line.

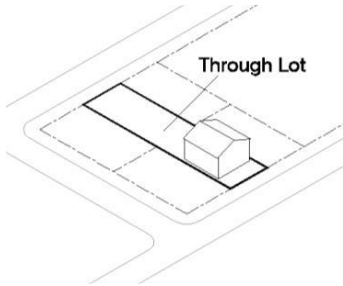


**LOT LINE, SIDE** means a lot line other than a front lot line or a rear lot line.





**LOT, THROUGH** means a lot other than an interior lot or a corner lot which has frontage on two streets.



**MANUFACTURING, ASSEMBLY, PROCESSING AND FABRICATION** means activities of an industrial nature undertaken entirely within an enclosed buildings designed to assemble, create, repair, restore, finish or package goods, articles or things, but shall not include any handling or recycling of hazardous waste material.

**MAUSOLEUM** means a building or structure serving as a final repository for the dead.

**MICRO-BREWERY** means a building used for the making of beer on a small scale, and may include tasting and restaurant facilities and the retail sale of related items.

**MINERAL AGGREGATE RESOURCE OPERATION** means:

- a) Lands under license or permit, other than for a wayside pit or quarry, issued in accordance with the *Aggregate Resources Act*, or successors thereto; and
- b) Associated facilities used in extraction transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete or the production of secondary related products.

Mineral aggregate resources are gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

**MODULAR HOME** means a prefabricated building or structure which is designed to provide a permanent dwelling unit for one or more persons and which is placed on a finished permanent foundation but does not include a mobile home dwelling, travel trailer, motor home or other trailer.

**MOTEL** means a separate building or two (2) or more connected or detached buildings designed and used for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation with or without supplying food and/or other refreshments, and without limiting the generality of the foregoing, shall include a motor court, auto court and tourist homes, within the meaning of the *Tourism Act*, as amended from time to time.

**MOTOR HOME** means a self-propelled vehicle capable of being used for temporary sleeping and/or eating accommodation for one or more persons.

**MUNICIPALITY** means the Town of Pelham

**MUNICIPAL LAW ENFORCEMENT OFFICER** means a person, appointed by Council, charged with the duty of enforcing this By-law.

**MUNICIPAL SERVICES** means all publicly owned physical works and facilities necessary to sustain and service a lot and shall include streets, municipal water systems, sanitary sewer services, storm sewers and stormwater ponds.

**NON-COMPLYING** means a use, building or structure existing at the date of the passing of this By-law is a permitted use under this By-law but which does not comply with a zone provision or requirement of the zone within which it is located.

**NON-CONFORMING** means the use or activity in respect of any land, building or structure which is not within the list of permitted uses set out in this By-law for the zone in which such land, building or structure is located.

**NON-RESIDENTIAL** when used in reference to a use, building or structure, means designed, intended or used for a purpose other than as a dwelling.

**NOTWITHSTANDING** when used in this By-law means in spite of, or instead of.

**OBNOXIOUS USES** when used in reference to a use, building or structure, means a use which from its nature, or from the manner of carrying on the same, creates or is liable to create, by reason of gas, fumes or dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, junk, waste, or other material, a condition which becomes or may become hazardous or injurious in regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use of land, building or structure.

**OFFICE** means the use of a building or portion thereof designed, intended or used for the practice of a profession, the carrying on of a business, the conduct of public administration or where not conducted on an industrial site, the administration of an industry, but shall not include a retail use, any industrial use, clinic, financial use or place of entertainment.

**ON-FARM DIVERSIFIED USE** means uses that are secondary to the principle agricultural use of an active farm operation and are limited in area. On-farm diversified uses include, but are not limited to, home-based businesses, and agri-tourism/value added uses. Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses.

**OPERATING MACHINERY** shall mean any apparatus (including air conditioners, generators, electric motor and compressors) used for mechanical power having one or more moving parts which are driven by other than muscular power and meeting the following criteria:

- a) Incidental to the main use or accessory use of the property and connected to the main building by way of brackets, electrical power lines, air ducts or similar connectors, but excluding portable type air conditioning units, or generators.

**OUTSIDE STORAGE** means the placing or locating in the open air and/or in partially closed buildings or structures of any goods, materials, parts, merchandise or equipment of any kind but does not include operative vehicles licensed or capable of being licensed to be operated on a highway at any time, or motorized construction vehicles or agricultural or parks vehicles or commercial vehicles, whether or not operative or capable of being licensed.

**OWNER** means any person whose interest in a parcel of land is defined and whose name is specified in an appropriate instrument in the relevant Land Registry Office.

**PARK** means an open space area, playground or playing field, which may include recreational facilities, including buildings for such facilities or support services.

**PARK, PUBLIC** means a park owned or controlled by a public agency.

**PARK, PRIVATE** means a park other than a public park.

**PARKING AISLE** means an area of land which abuts and provides direct vehicular access to one or more parking spaces within a parking area.

**PARKING AREA** means an area of land which is provided and maintained for the parking of vehicles and which area comprises all parking spaces of at least the minimum number required according to the provisions of this By-law and all aisles and related ingress and egress lanes and similar areas used for the purpose of gaining access to or from the said parking spaces and is provided and maintained in accordance with the provisions of this By-law.

**PARKING GARAGE** means a building or structure used for the parking of vehicles including commercial vehicles of less than 1 tonne maximum capacity and may include aisles, parking spaces and related ingress and egress lanes, but shall not include a public street.

**PARKING SPACE** means an area of land which:

- a) Is provided for the temporary parking or storage of one vehicle or bicycle for other than the purpose of sale or display; and
- b) Is of a size which is adequate for the temporary parking or storage of one vehicle or bicycle in accordance with the provisions of this By-law; and

- c) Has adequate access to permit ingress and egress of a vehicle or bicycle from a street by means of a driveway, aisles, maneuvering areas or similar areas, no part of which shall be used for the temporary storage of one or more vehicles or bicycles; and
- d) May be located outside or within a private garage, carport, building or other covered area as identified in the particular zone.

**PATIO, COMMERCIAL** means an outside area that is accessory to a restaurant and where food and/or beverages are prepared and served in conjunction with the restaurant use.

**PATIO, RESIDENTIAL** means an outside area made of impermeable material, that is no higher than 0.6 metres from the ground surface and which is accessory to a dwelling.

**PERSON** means an individual, individuals, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and their heirs, executors or other legal representative of a person to whom the same can apply according to law.

**PLACE OF ENTERTAINMENT** means a motion picture or other theatre, arena, auditorium, public hall, bowling alley, ice or roller skating rink, dance hall or music hall; but does not include any place of entertainment or amusement otherwise defined or classified herein.

**PLACE OF WORSHIP** means a building owned or occupied by a religious congregation or religious organization and dedicated exclusively to worship and related religious, social and charitable activities, with or without a hall, a auditorium, a convent or monastery, an office of a clergyman, a cemetery, a Sunday school, a parish hall or a parsonage as uses accessory thereto.

**PORCH** means roofed structure abutting the exterior wall of a structure, which is used to define and provide entry to a dwelling. For the purpose of this definition, a porch may be comprised of a knee-wall or partial wall to support a roof but shall remain unenclosed.

**PRE-FABRICATED SHIPPING CONTAINER** means a metal container designed and utilized to ship freight, but does not include a truck body, truck trailer or transport trailer.

**PREMISES** means an area of a building occupied or used by a business or enterprise. In a multiple tenancy building occupied by more than one (1) business, each business area shall be considered a separate premises. Each individual unit proposed and/or registered in a draft Plan of Condominium shall also be considered an individual premises.

**PRIVATE CLUB** means an athletic, recreational or social club which is not operated for gain or profit, and includes the premises of a fraternal organization.

**PRIVATE HOME DAYCARE** means the accessory use of a dwelling unit for the temporary care and custody of not more than five children who are under ten years of age who do not live in the dwelling unit and which is operated for reward or compensation for a continuous period not exceeding twenty-four hours.

**PUBLIC AUTHORITY** means any Federal, Provincial, Regional or Municipal Corporation and includes any commissions, board, authority, agency, ministry or department established by or for any of them.

**PUBLIC USE** means designed, adapted or used for civic political, educational, social or recreational purposes by various levels of government and their commissions, boards, agencies, ministries or departments.

**PUBLIC UTILITY** means any utility which supplies water, sanitary sewers, storm sewers, electricity, gas, steam, telecommunications, cable television, transportation, drainage, and refuse collection and disposal services to the general public.

**RECONSTRUCTION** means the act of returning a failing building or structure to a safe and secure condition, but shall not constitute the replacement of the building or structure.

**RECREATIONAL USE** means the use of lands, buildings or structures for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf course, golf driving ranges and miniature golf, picnic areas, swimming pools, day camps, community centres and other similar uses, together with accessory buildings and structures, but does not include a track for the racing of animals, vehicles, motorcycles or motorized snow vehicles or other vehicles.

**REDEVELOPMENT** means the removal of buildings or structures from land and the construction or erection of other buildings or structures thereupon.

**REGION OR REGIONAL** means or refers to the Corporation of the Regional Municipality of Niagara.

**REGIONAL ROAD** means any street or road under the jurisdiction of the Region.

**REGULATORY FLOODPLAIN** means lands which have the potential to be impacted by a One Hundred Year Flood and are subject to the regulations and authority of the Niagara Peninsula Conservation Authority.

**REPAIR SHOP** means a building or part of a building used for the repair of household articles and shall include the repair or servicing of communication parts and accessories, electronic devices, television sets, radios, home security systems, satellite systems, computers, furniture, appliance repair shops and other similar uses, but shall not include manufacturing, industrial assembly or motor vehicle repair shops.

**REPLACEMENT** means the act of demolishing and removing a structure for the purpose of building a new structure in the same location having the same footprint and floor area.

**REQUIRED** means as required by the provisions contained herein.

**RESERVE** means a strip of land abutting a public street and owned by the authority having jurisdiction over the public road.

**RESIDENTIAL** means the use of land, buildings or structures or portion thereof, for human habitation.

**RESTAURANT** means a building or part thereof where food is prepared and offered or kept for retail sale to the public for immediate consumption either on or off the premises.

**RESTAURANT, DRIVE-THRU RESTAURANT** means a restaurant where patrons order and purchase their food from their vehicles and then drive away to consume the food elsewhere, and may be secondary to an establishment that offers sit-down service on the premises as well.

**RETAIL USE** means a building or part thereof in which goods, wares, merchandise, substances, articles or things are stored, offered or kept for retail sale to the public.

**RETAIL FRONTAGE** means the horizontal distance of a commercial/retail unit measured along the building's frontage.

**RETIREMENT HOME** means a premises that provides accommodation primarily to retired persons or couples where each private bedroom or living unit has a separate bathroom and separate entrance from a common hall and where common facilities for the preparation and consumption of food are provided and where common lounges, recreation rooms and medical care facilities may also be provided, but where full culinary facilities are not provided within a unit. A Retirement Home shall not include an "Apartment Dwelling".

**ROAD** means a public highway or public road under the jurisdiction of either the Town, the Region or the Province of Ontario, and includes any highway as defined by the *Municipal Act*, as amended from time to time and does not include a lane or private right-of-way, unopened or closed road allowances.

**ROAD ALLOWANCE** means land held under public ownership for the purpose of providing a road.

**ROAD, IMPROVED** means any road that is:

- a) Owned and maintained all year round by the Town hereafter;



- b) Has been constructed in such a manner so as to permit its use by normal vehicular traffic; and
- c) Not a lane or private right-of-way

**ROAD, PRIVATE** means a private road or right-of-way that accesses multiple properties that is not owned or maintained by the Town or any other Public Authority.

**SALVAGE YARD** means a place where derelict and/or non-functional vehicles are wrecked and/or disassembled for resale and where second hand goods or scrap metal are collected, sorted and stored for commercial purposes.

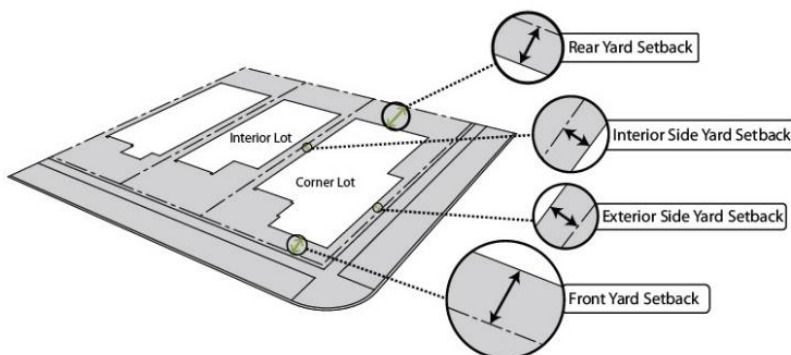
**SCHOOL** means a school under the jurisdiction of a Board as defined in the *Education Act*, as amended from time to time, a college, a university or any other educational establishment including, but not necessarily restricted to, a nursery school or a boarding school having accessory dormitory facilities.

**SCHOOL, PUBLIC** means a school under the jurisdiction of a public agency.

**SCHOOL, PRIVATE** means a school, other than a public school, under the jurisdiction of a private board or trustee or governors, a religious organization, a charitable institution or operated by one or more persons for gain or profit.

**SERVICE SHOP** means a building or part thereof wherein a personal service is performed, including, but not so as to limit the generality of the foregoing, a barber shop, a beauty salon, a shoe repair shop, a dry cleaning outlet, a laundromat, a tailor or dressmaking shop, a photographic studio and a taxi dispatch office, but does not include a massage or body-rub parlour or any adult entertainment parlour as defined in the *Municipal Act*, as amended from time to time.

**SETBACK** means the shortest distance from a building/structure to a lot line.



**SEWER, SANITARY** means a system of underground conduits; either publicly or privately operated which carries sewage to a place for treatment.

**SEWER, STORM** means a system of open ditches and/or underground conduits; either publicly or privately operated which carries storm water and surface drainage to an outlet.

**SHOPPING CENTRE** means one or more buildings or part thereof containing five or more separate permitted commercial uses, which is maintained as a single unit and located on a single lot, such lot being held and maintained under one ownership or under condominium ownership pursuant to the *Condominium Act*, as amended from time to time.

**SHORT-TERM ACCOMODATION** the commercial use of an entire dwelling unit, that may be rented for a period up to 28 consecutive days for use as temporary accommodation and used as an occasional or seasonal residential dwelling for recreation, rest or relaxation. Short term rental accommodation shall not include a hotel/motel, bed and breakfast establishment, inn, boarding house dwelling or similar commercial or institutional use.

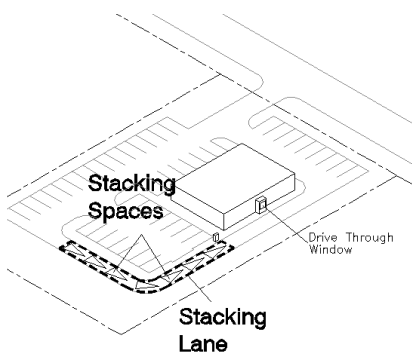
**SHORT TERM BICYCLE PARKING SPACE** means a space to park and secure a bicycle for a few minutes or a few hours.

**SIGN** means a display board, screen, cloth or structure having characters, letters or illustrations applied thereto or display thereon in any manner which directs attention to an object, activity, person, institution, organization or business and which includes:

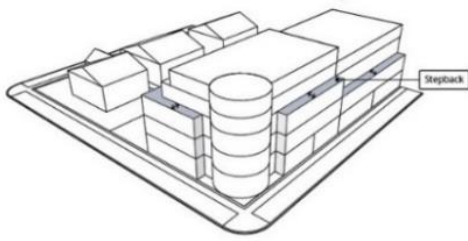
- a) A sign within a building that is visible from a street; and
- b) The posting or painting of an advertisement or notice on any building or structure.

**STACKING LANE** means a continuous on-site queuing lane than includes tandem parking spaces for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation, by barriers, markings or signs.

**STACKING SPACE** means a portion of a stacking lane which provides standing room for vehicles in a queue for a drive-thru service facility.



**STEP BACK** means the horizontal distance a building façade above-grade is set back from the building façade immediately below it.



**STOREY** means that portion of a building other than an attic, one-half storey, basement or cellar, included between the surface of any floor and the surface of the floor, roof deck or deck ridge next above it.

**STOREY, ONE-HALF** means that portion of a building situated wholly or in part within the roof, and in which there is sufficient space to provide a height between finished floor and finished ceiling of between 1.5 metres and 2.5 metres over a floor area which is not less than one-third nor more than two-thirds of the floor area of the storey next below.

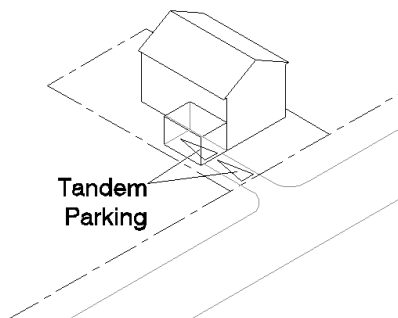
**STREETLINE** means the limit of a street or road allowance and is the dividing line between and lot and a street or road.

**STRUCTURE** means anything constructed or erected having a fixed point on or in the ground or attached to building or structure having a fixed point on or in the ground.

**STUDIO** means any premises or part thereof used as a working place for the creation or instruction of painting, sculpture, pottery, glass, wrought iron, dance, music, acting, yoga or other similar uses.

**SWIMMING POOL** means a privately owned body of water located at, below or above ground level in which the depth of water at any point can exceed 0.6 metres and is used, or capable of being used for swimming, diving or bathing, but shall not include a pond or other such body of water, created and used or intended to be used, for agricultural or industrial purposes.

**TANDEM PARKING** means two parking spaces, located one behind the other.



**TOP OF BANK** means the upper edge of the slope of a stream valley or shoreline where the slope intersects the horizontal plain or flood plain identified and regulated by the Niagara Peninsula Conservation Authority pursuant to the *Conservation Authorities Act*.

**TOWN** means the Corporation of the Town of Pelham.

**TRAILER** means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and is capable of being used for the transport of goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

**TRAILER CAMP** means a lot used for the parking of tourist trailers.

**TRAILER, TOURIST** means a trailer capable of being used for the temporary living, sleeping or eating accommodation of one or more persons, notwithstanding that the running gear of such trailer is or may be removed, or that such trailer is fixed on a finished and permanent foundation or has become in any other manner so adapted and affixed to the land upon which it is situated and it is, or has become, an immobile and permanent structure.

**URBAN SQUARE** means a moderately scaled park found within a denser urban area which may include both hard and soft landscaping and which provides for multifunctional and flexible space for social gatherings, festivals and civic functions.

**USE** means the purpose for which any portion of a lot, building or structure is designed, arranged, intended, used, occupied or maintained.

**VEHICLE** means an automobile or vehicle used for carrying passengers or for transporting goods and may include a farm implement, mobile home, motor home, tourist trailer, snowmobile or marine craft.

**VEHICLE, COMMERCIAL** means a vehicle which is designed for transport of goods and which is used for business, employment or commercial purposes.

**VEHICLE, RECREATIONAL** means a boat, all-terrain vehicle, a snowmobile or any other vehicle having not more than two wheels including, but not so as to limit the generality of the foregoing, a motorcycle, bicycle, or any other device powered solely by means of human effort.

**VEHICLE BODY SHOP** means a building or portion thereof where the repairing, straightening, filling, grinding, painting or replacing of body, interior and frame components of vehicles takes place.

**VEHICLE FUEL STATION (GAS BAR)** means the use of land, buildings or structures where automotive fuels and accessories are sold at retail and may include a convenience store as an accessory use.

**VEHICLE SALES OR RENTAL ESTABLISHMENT** means the use of land, buildings or structures, or portion thereof, where vehicles are displayed, sold, leased or rented. Repair or maintenance of such vehicles, including a vehicle body shop, may be included as an accessory use.

**VEHICLE SERVICE AND REPAIR ESTABLISHMENT** means a building or portion thereof, where mechanical repairs and servicing of vehicles occurs, and may include the incidental retail sale to the general public of automotive parts and accessories and cars not exceeding six at any one time but shall not include a vehicle body shop.

**VETERINARIAN'S CLINIC** means a building or part thereof with or without related structures wherein animals of all kinds are treated or kept for treatment by a registered veterinarian.

**WAREHOUSE** means a building or part thereof which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food-stuff, substances, articles or things, and includes the premises of a warehouseman, but does not include a fuel storage tank except as an accessory use.

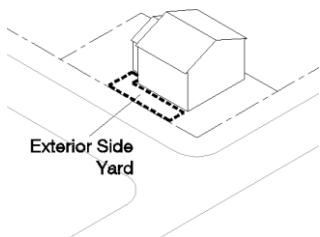
**WASTE DISPOSAL SITE** means a provincially licensed facility where garbage, refuse or domestic, institutional, commercial or industrial waste is dumped, destroyed or stored in suitable containers.

**WATERCOURSE** means an identifiable depression in the ground in which a flow of water regularly or continuously occurs.

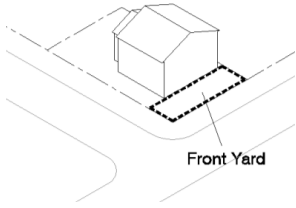
**WHOLESALE USE** means a building or portion thereof in which goods, wares, merchandise or article are stored or kept for distribution purposes to retail merchants, but shall not include a "Retail Use".

**YARD** means an open, uncovered space on a lot appurtenant to a main building or structure and unoccupied by any building or structure except as specifically permitted in this By-law. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used.

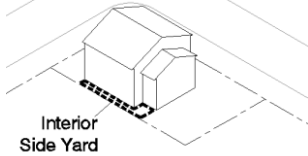
**YARD, EXTERIOR SIDE** means a side yard immediately adjoining a public street.



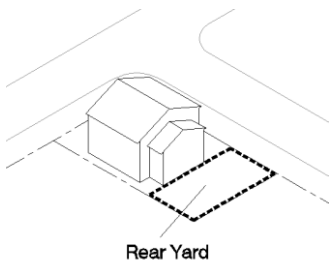
**YARD, FRONT** means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot.



**YARD, INERIOR SIDE** means a side yard, other than an exterior side yard.



**YARD, REAR** means the yard extending across the full width of the lot between the rear lot line of the lot and the nearest wall of any principal building or structure on the lot.



**YARD, REQUIRED** means the minimum yard required by the provisions of this By-law.

**ZONE** means an area designated on a Zoning Map Schedule and established by this By-law for a specific use.

**ZONING ADMINISTRATOR** means the Director of Community Planning and Development or designate, or other persons, appointed by Council, charged with the duty of administering this By-law.



## **SECTION 3: GENERAL PROVISIONS**

The provisions of Section 3 shall apply to all zones, unless otherwise specified in these provisions.

### **3.1 ACCESSORY USES, BUILDINGS AND STRUCTURES**

Except as provided otherwise within a specific zone, accessory buildings and structures not attached to the main building shall:

- a) Not be established until or unless the main building or use to which it is accessory is established;
- b) Not be used for human habitation, except for Second Dwelling Units that are subject to Section 3.30;
- c) Not be located in any required front yard or the required exterior side yard;
- d) Not be located within, or partially within, any utility easement, corridor, daylighting triangle or storm drainage swale;
- e) Have a total lot coverage for all accessory buildings of not more than 10% in any Residential Zone and not more than 5% in any other Zone and the maximum lot coverage for all buildings shall not exceed the maximum lot coverage of the zoning category in which the property is located;
- f) Not exceed a building height of 7.0m; and
- g) Not be located less than 1.0m from an interior side or rear yard lot line.

### **3.2 AGRICULTURAL USES**

#### **3.2.1 Agriculture-Related Uses**

Agriculture-related uses may only be permitted in accordance with the provisions of Section 5, the Rural/Agricultural Zones and in accordance with the following:

- a) The use shall be conducted entirely within a detached accessory building in conjunction with an operational farm;
- b) Only one agriculture-related use is permitted on one lot;
- c) Ancillary retail/commercial sales and service activities shall be limited to the lessor of 50m<sup>2</sup> or a maximum of 10% of the gross floor area of the building;
- d) All buildings related to the use shall be located within a cluster of existing buildings;

- e) The minimum lot area shall be 1.0ha;
- f) The minimum lot frontage shall be 150m;
- g) The use and all associated facilities including parking areas shall not exceed a maximum area of 0.4ha;
- h) The maximum combined total floor area of the building utilized for the agriculture-related use shall be 250m<sup>2</sup>;
- i) The maximum area that may be utilized for open storage shall be 200m<sup>2</sup> and no more than one area of open storage shall be permitted;
- j) The area utilised for open storage shall be screened from the view of a public road;
- k) The use shall comply with the applicable noise emission standards of the Ministry of the Environment and Climate Change and where necessary, acoustic fencing, berms or other mitigation measures shall be provided to ensure that off-site sound levels generated by the use meet those standards;
- l) There shall be no external advertising other than a sign erected in accordance with the Town of Pelham Sign By-law;
- m) The use shall comply with the parking and loading requirements of Section 4; and
- n) Site Plan Control shall apply to any development.

### **3.2.2 On-Farm Diversified Uses**

On-farm diversified uses, including agri-tourism/value added uses, may only be permitted in accordance with the provisions of Section 5, the Rural/Agricultural Zones, and in accordance with the following:

- a) The use shall be accessory and directly related to the existing permitted agricultural use(s) on the lot and shall primarily serve the existing permitted agricultural use(s) on the lot and the existing permitted agricultural use(s) on surrounding lots in the area;
- b) On-farm diversified uses that involve value-added packaging, processing, sale and/or storage of products shall be limited to products produced by, or derived from, the principal agricultural use(s) on the lot as the primary source of the majority of the product, and may include product sourced from agricultural uses on surrounding lots in the area as a secondary source of product;
- c) A maximum of three on-farm diversified uses shall be permitted on a lot;

- d) All buildings related to the use shall be located within a cluster of existing buildings;
- e) The area of the lot permanently, temporarily or seasonally devoted to on-farm diversified uses shall not exceed 2% of the total lot area to a maximum of 1 hectare, including the area of existing and new buildings and structures, required parking and loading areas, outside display and sales areas, outside storage areas and any other areas of the lot used for the on-farm diversified use, excluding existing driveways shared with a permitted principal use on the lot and areas that produce a harvestable crop;
- f) Production lands which are used for the growing of crops and simultaneously used as part of the activity area shall not be included in the calculation of the 2% noted in 3.2.2 e);
- g) The total gross floor area that is permanently, temporarily or seasonally devoted to on-farm diversified uses shall not exceed 500m<sup>2</sup> including the gross floor areas used within all main buildings or structures, and accessory buildings or structures on the lot;
- h) Accessory buildings or structures that are used for on-farm diversified used shall comply with the requirements of Section 3.1;
- i) Main buildings or structures that are used for on-farm diversified uses shall comply with the regulations of the applicable zone;
- j) The total lot coverage for all main buildings or structures and accessory buildings or structures shall not exceed the maximum lot coverage of the applicable zone;
- k) Retail sales that form part of the on-farm diversified uses shall be subject to the following:
  - i. The gross floor area devoted to retail sales shall not exceed 50% of the gross floor area of all buildings and structures used in conjunction with the on-farm diversified uses, to a maximum of 200m<sup>2</sup> of gross floor area for retail use;
  - ii. The gross floor area devoted to retail sale of products that are not produced on, or derived from, agricultural products produced on the lot shall not exceed 25% of the gross floor area of all buildings and structures uses in conjunction with the on-farm diversified use(s);
  - iii. A maximum of one retail outlet shall be permitted on a lot;
  - iv. The maximum area of the lot permitted to be used for outside display and sales areas shall be 25m<sup>2</sup> and shall not be counted as part of the maximum gross floor area permitted for retail use;

- v. Outside display and sales areas shall be setback a minimum of 3.0m to all lot lines; and
  - vi. Outside display and sales areas and any related structures shall not exceed a maximum height of 3.0m.
- l) Outside storage for purposes other than outside display and sales areas on the lot shall be located in a rear yard or side yard and screened from view from public streets and adjacent lots by planting strips in accordance with Section 3.16, and shall comply with the regulations of the applicable zone;
  - o) There shall be no external advertising other than a sign erected in accordance with the Town of Pelham Sign By-law;
  - m) Comply with the parking and loading requirements of Section 4; and
  - n) Site Plan Control shall apply.

### **3.3 BED AND BREAKFAST ESTABLISHMENTS**

Where permitted, a bed and breakfast establishment shall be subject to the requirements of the zone in which it is located, and it shall:

- a) Be permitted only within a principal residence of an Owner and/or operator;
- b) Be located in a single detached dwelling only and be clearly secondary to the main residential use;
- c) Not be established or operated in an accessory building;
- d) Not contain more than 3 guest rooms;
- e) Be licensed through the Town's Short Term Accommodation Licensing By-law, pursuant to the *Municipal Act, 2001*;
- f) Obtain approval from the Regional Public Health Department and the Town's Building and Fire Departments;
- g) No bed and breakfast establishment located on a separate lot from a livestock facility, manure storage or anaerobic digester, shall be permitted unless the dwelling in which it is located complies with the Minimum Distance Separation (MDS I) formulae and guidelines developed by the province, as amended.
- h) Comply with the parking requirements of Section 4.

### **3.4 BUILDING RESTORATION**

- a) Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any existing building or structure, provided that such strengthening or restoration does not increase the height, area or volume or result in the change of the use of such building or structure so as to contravene any of the provisions of this By-law.
- b) Nothing in this By-law shall prevent the replacement of a building or structure which has been partially or completely destroyed by fire, an act of God or any other means, except within a floodplain, beyond the control of the owner on all or part of the existing foundation, provided the said building or structure is replaced within five years of it being partially or completely destroyed.

### **3.5 DAYLIGHTING TRIANGLES**

Within the Daylighting Triangle, no sign, fence, landscaping, building or structure shall be greater than 0.5m in height above the elevation of the ground at the lot line. There shall be no additional building setbacks offset from a daylight triangle.

### **3.6 DRIVE-THRU FACILITIES**

- a) Notwithstanding any other provisions of this By-law, where a building or structure incorporates a drive-thru service facility, an area for vehicles waiting to use the drive-through service facility shall be provided, in addition to any other parking areas. The stacking lane shall be located a minimum of 7.5m from any Residential, Institutional or Open Space Zone and vehicles may be parked in tandem within the stacking lane; and
- b) All drive-thru windows on building facades shall not face any streetline.

### **3.7 ENCROACHMENTS**

Every part of any yard required to be provided in any zone shall be open and unobstructed by any structure from the ground to the sky, in accordance with the following:

Structure	Yard	No part of any building or structure shall project into the specified yard more than:
Eaves or gutters, sills, belt courses, cornices, chimneys, firewalls, bay windows, pilasters, or other ornamental structures	Any yard	0.5m

Fences, freestanding walls, flag poles, garden trellises, retaining walls, light standards and similar accessory structures and appurtenances and hedges, trees and shrubs	Any Yard	Unrestricted
Exterior stairs in a Residential Zone	Any Yard	No restriction, provided the stairs are: a) No longer than 1.5m; b) No wider than 1.5m; and c) No closer to a lot line than 0.6m
Balconies, canopies, drop awnings, unenclosed porches	Front, exterior or rear yard	3m
Canopy attached to an apartment dwelling	Front or exterior side yard	3m
Clothes poles and antennae	Any yard except a front yard	
Decks (uncovered)	Exterior side yard or rear yard	4m
Fire Escapes	Exterior side or rear yard	1.5m, however a minimum interior side yard setback of 1.2m is required.
Air Conditioners and Generators	Front, side or exterior side yard	In a Residential Zone: a) 2m from the main wall of the main building in the front yard; or b) 0.3m from the exterior or side lot line
Operating Machinery (excluding air conditions or generators)	In a residential zone: a) Be permitted to encroach into any side yard adjacent to a street or rear yard of any lot used for residential purposes; c) Not be located less than 5m from an existing Residential use under separate ownership; and d) Be permitted to encroach into any side yard, provided that the operating equipment shall be no closer than 5m from any lot line.	



### **3.8 ESTABLISHED BUILDING LINE**

Within any zone where a permitted building or structure is to be erected on a lot located between two adjacent lots on which existing buildings are located not more than 30 metres apart, such permitted building or structure may be erected closer to the streetline, than required by this By-law, provided that the front yard setback of the proposed building or structure has a depth at least as great as the average depth of the front yards of said adjacent buildings and structures.

### **3.9 FOOD VEHICLES**

Where food vehicles are permitted by this By-law, the following provisions shall apply:

- a) Every food vehicle shall operate in accordance with the regulations for the zone in which the food vehicle is located;
- b) No food vehicle shall occupy a designated barrier-free parking space;
- c) No portion of a food vehicle shall be located within a Fire Route designated in accordance with the Fire Code or a Town By-law;
- d) No portion of a food vehicle shall be located within any daylighting triangle;
- e) Where required by the laws and regulations of the Province and Town By-laws, approval shall be obtained from the Regional Public Health Department, the Technical Standards and Safety Authority, and the Town Fire Department, as applicable to operate a food vehicle in any zone.

### **3.10 GARAGE SALES OR AUCTIONS**

Notwithstanding any other provision of this By-law, a garage or yard sale or auction is a permitted use in any agricultural, rural, residential or commercial zone provided that such sales are restricted to no more than three occasions per year and no more than three consecutive days at a time on any one lot.

### **3.11 HOMES FOR SPECIAL CARE**

Where a home for special care is permitted, it shall be subject to the requirements of the zone in which it is located, and the following:

- a) Parking shall be provided in accordance with Section 4;
- b) The home for special care shall comprise the sole use of the dwelling;
- c) The home for special care shall be subject to Provincial approval or licensing may be required;

- d) The maximum number of residents permitted in a home for special care shall be 10 residents, excluding staff or the receiving family; and
- e) The minimum floor area per home for special care shall be 100m<sup>2</sup>

### **3.12 HEIGHT EXCEPTIONS**

The height provisions of this By-law shall not apply to the following uses, nor shall such used be used in calculation of height:

- a) A belfry;
- b) A chimney;
- c) A clock tower;
- d) An elevator or stairway penthouse;
- e) A flag pole;
- f) A hydro-electric transmission tower;
- g) An ornamental structure;
- h) A communications antenna;
- i) A silo;
- j) A place of worship spire;
- k) A structure containing heating, cooling or other mechanized equipment pertaining to a building;
- l) A tower;
- m) A water tower; and
- n) A windmill

### **3.13 HOME-BASED BUSINESS**

#### **3.13.1 Home Occupations**

Where a home occupation is permitted in a Zone, the following provisions shall apply:

- a) Not more than one employee, in addition to the residents of the dwelling unit, shall be engaged in the business;

- b) Any dwelling unit containing a home occupation shall be occupied as a residence by the operator of the business;
- c) The use is entirely restricted to the dwelling unit and shall not be conducted in whole or in part in any accessory building, yard or private garage;
- d) No more than one home occupation shall be permitted in one dwelling;
- e) The maximum gross floor area dedicated to the home occupation shall be the lesser of 50m<sup>2</sup> or 25% of the gross floor area of the dwelling;
- f) There shall be no goods, wares or merchandise offered or exposed for sale or kept for sale on the premises other than those produced on the premises;
- g) There shall be no outside storage of materials, goods or vehicles in conjunction with the home occupation use;
- h) Parking shall be provided in accordance with Section 4;
- i) There shall be no external advertising other than a sign erected in accordance with the Town of Pelham Sign By-law; and
- j) A home occupation shall not create noise, vibration, fumes, odour, dust, glare or radiation that is detectable outside of the dwelling unit.

### **3.13.2 Home Industries**

Where a home industry is permitted in an Agricultural (A) or Specialty Agricultural (SA) Zone, the following provisions shall apply:

- a) Not more than 2 employees, who are not residents of the dwelling unit, shall be engaged in the business and working in the home industry and one parking space shall be provided for each employee;
- b) Any lot upon which a home industry is located shall be occupied as a residence by the operator of the business;
- c) Any accessory building and any associated activity area used for the home industry shall be located no closer than 30m from any lot line;
- d) A home industry shall only be located on a lot with a minimum lot area of at least 2ha;
- e) The maximum gross floor area dedicated to the home industry shall not exceed 100m<sup>2</sup>;

- f) The driveway accessing the home industry shall be shared with the driveway that is utilized for the residential use on the lot;
- g) Only the sale of goods that are primarily manufactured, processed, fabricated or produced on the premises shall be permitted;
- h) Outdoor storage of goods or materials related to a home industry shall be permitted in the rear yard and interior side yards only, provided that the area utilized for open storage does not exceed 50m<sup>2</sup>;
- i) No more than 2 currently licensed motor vehicles, associated with the home industry, shall be parked or stored on the lot and within and interior side or rear yard;
- j) Parking shall be provided in accordance with Section 4;
- k) There shall be no external advertising other than a sign erected in accordance with the Town of Pelham Sign By-law;
- l) No more than one home industry shall be permitted per lot; and
- m) The following shall not be permitted as a home industry:
  - i. Any use involving the storage, repair, maintenance and/or towing of motor vehicles or recreational vehicles.

### **3.14 HOLDING ZONES (H SYMBOL)**

Holding (H) Zones are established and identified on Schedules A through F of this By-law in parenthesis with a corresponding number, such as (H), following the zone symbol.

- a) Prior to the removal of the Holding (H) symbol, the only permitted uses on the lands subject to the Holding (H) symbol shall be those uses legally existing at the date the Holding (H) symbol is applied.
- b) Where a Holding (H) symbol is imposed on any land, the By-law which places the Holding (H) symbol on said lands shall set out the conditions to be satisfied to effect its removal.

### **3.15 LANDSCAPED STRIPS**

- a) Where land is required to be used for no other purpose than a landscape strip, it shall have a minimum width of 1.5m, measured perpendicular to the lot line it adjoins, except in the case of a rear yard swale where a minimum width of 3.0m shall be required.

- b) In all cases where ingress and egress driveways or walkways extend through a landscape strip, it shall be permissible to interrupt the strip within 3m of the edge of such driveway or within 1.5m of the edge of such walk.
- c) A landscape strip referred to in Section 3.16 may form part of any landscaped area required by this By-law.
- d) Landscape strips shall be planted with trees and bushes to form a visual screen at least 3.0m in height and may be in combination with privacy fencing.
- e) Where a lot is used for a non-residential purpose and the interior side or rear lot line, or portion thereof, abuts a Residential Zone, then a strip of land adjoining such abutting lot, or portion thereof, shall be used for no other purpose than a landscape strip in accordance with the provisions of Section 3.15.

### **3.16 LOT AND YARD REQUIREMENTS**

#### **3.16.1 Requirements for a Lot**

- a) Except as otherwise provided in this By-law, no building or structure shall be erected, altered, extended or enlarged except upon a lot, nor shall and land be used for any permitted use unless it comprises a lot, but this provision shall not prevent the use of any parcel or tact of land for agricultural purposes excluding the erection or enlargement of any building or structure, except a fence.
- b) Except where a second unit or farm help house(s) is permitted, no person shall erect more than 1 single detached dwelling, 1 semi-detached dwelling, 1 duplex dwelling, 1 triplex dwelling, 1 fourplex dwelling or 1 converted dwelling on one lot.

#### **3.16.2 Frontage on an Improved Road**

No person shall erect any building or structure in any zone after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected fronts on an improved public road.

An improved road means a road which has been constructed in such a manner so as to permit its use by means of normal vehicular traffic by the public.

This shall not apply to prevent the erection of a permitted building or structure on a lot in a Registered Plan of Subdivision or Plan of Condominium where a Development or Subdivision Agreement has been entered into with the Town, notwithstanding that the road or roads will not be assumed by the Town until the end of the maintenance period. This provision shall not prevent the enlargement, extension, reconstruction or other structural alteration of an existing building or structure which is located on a lot which does not have direct access to or fronts an improved public road, provided the use of the building or structure does not change, is permissible within the zone in which it is

located and complies with all applicable yard and setback requirements of the Zoning By-law.

### **3.16.3 Minimum Lot Area**

The minimum lot area shall be as contained in the appropriate section of this By-law for the zone in which the lot is located. However, the Niagara Region Planning and Development Services Department may require a larger lot area for water supply and sewage disposal facilities, in which case the lot area requirements of the Niagara Region Planning and Development Services Department shall prevail.

### **3.16.4 Lots Reduced by Public Acquisitions**

Where the area of a lot is reduced by means of an acquisition of part of the lot by a public agency for the purpose of providing a public service, and where such acquisition causes the lot to be reduced, or any building or structure existing lawfully on the lot on the date of such acquisition to have a lot area, lot frontage, lot depth, lot coverage, front yard setback, side yard setback or rear yard setback that does not conform to the requirements hereof for the zone in which such lot is located, then the lot as reduced shall continue to be used as if no such acquisition had taken place, provided that:

- a) No change is made in the dimensions or area of the lot as reduced, subsequent to the date of such public acquisition, that would increase the extent of the said non-conformity; and
- b) No building, structure or addition is erected on the lot as reduced, subsequent to the date of such public acquisition, except in accordance with all of the provisions hereof for the zone in which such lot is located.

### **3.16.5 Lots with More than One Use**

- a) Where a lot contains more than one permitted use defined separately herein, other than an accessory use, each such use shall conform to the provisions of this By-law which are applicable to such use in the zone in which the said lot is located as if such use existed independently of any other use.
- b) Where standards or provisions pertaining to two or more uses on one lot are in conflict, the highest or most restrictive standards or provisions shall prevail.

### **3.16.6 Lots with More than One Zone**

- a) Where a lot is divided into two or more zones, each such portion of the said lot shall be used in accordance with the provisions of this By-law which are applicable to the zone wherein such portion of the said lot is located.
- b) Notwithstanding subsection a) and subject to subsection c) for the purpose of determining required yard setbacks, the provisions of the said zone in which a building or structure is to be erected shall apply.



- c) Where one of the zones of the lot(s) is EP1, the required setback for each of the respective zones shall be the greater of that determined under subsection a) above, or as otherwise required by the Niagara Peninsula Conservation Authority, in accordance with the provisions of the *Conservation Authorities Act*, as amended from time to time.

### **3.16.7 Existing Undersized Lots**

Where a lot, having a lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot is created by a public authority or correction of title, such smaller lot may be used and a permitted principle building or structure may be erected and/or used on such a smaller lot provided that all other applicable provisions of this By-law are complied with and provided that a sewage system that complies with the regulations under the Building Code, or can be connected to the sanitary sewer and water system can be installed on the lands.

## **3.17 MINIMUM DISTANCE SEPARATION REQUIREMENTS**

- a) New and expanded livestock facilities, manure storage facilities and anaerobic digesters are subject to the Minimum Distance Separation II (MDS II) requirements development by the province, as amended from time to time, and shall comply with the requirements of the *Ontario Nutrient Management Act*.
- b) No dwelling shall be erected or located on a separate lot unless it complies with the requirements of the *Ontario Nutrient Management Act* and the Minimum Distance Separation I (MDS I) formulae and guidelines developed by the province, as amended from time to time. An existing off-site dwelling, destroyed by a catastrophic event, may be replaced by a new dwelling provided that the new dwelling is sited no closer to the lot on which the livestock facility is located than the previously existing dwelling.
- c) A new livestock facility may replace a former livestock facility destroyed by a catastrophic event, provided that the new livestock facility does not result in increases in the values of Factors A, B or D, of the MDS Formulae, compared to what existed at the livestock facility prior to the catastrophic event, such that there is no switch to a livestock type with a higher odour potential, there is no increase in the number of nutrient units housed and there is no switch to a manure system type with a higher odour potential.
- d) Notwithstanding the MDS requirements, where new development on a vacant lot of record is unable to comply with the MDS requirements, a dwelling may be permitted on the lot provided the dwelling is located on the lot the furthest distance reasonably feasible from the impacted livestock facilities.

### **3.18 MUNICIPAL SERVICES**

Notwithstanding any other provisions of this By-law, no lands shall be used nor any building or structure erected or used thereon, unless:

- a) Municipal sanitary sewer and water services are available and capable of servicing the said land, building or structures. Municipal sanitary sewer and water services are required for development within any Urban Boundary as shown on Schedules A through E, and no use shall be permitted without being connected to such services in such area.
- b) Written approval is received from the Niagara Region Planning and Development Services Department for the use of private septic services for those lots located outside of the urban boundary.

### **3.19 NIAGARA ESCARPMENT COMMISSION JURISDICTION**

Lands located within the Niagara Escarpment Plan Area illustrated on Schedules A and C are lands that provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment. The delineation of the Niagara Escarpment Area is based on the most current information available, and may not be accurate or up to date in some areas.

- a) Development within the Niagara Escarpment Development Control Area is regulated by the Niagara Escarpment Commission through the issuance of development permits.
- b) Within the Niagara Escarpment Plan Area, development includes a change in the use of any land, building or structure.

### **3.20 NON-CONFORMING USES**

- a) No lands shall be used and no building or structure shall be used except in conformity with the provisions of this By-law unless such use legally existed prior to the passage of this By-law and provided that it has continued and continues to be used for such purpose, and that such use, when established, was not contrary to a By-law passed under Section 34 of the *Planning Act*, R.S.O. 1990, cP.13 or a predecessor thereof that was in force at that time.
- b) A use of a lot, building or structure which under the provisions hereof is not permissible within the zone in which such lot, building or structure is located shall not be changed except to a use which is permissible within such zone.

### **3.21 OBNOXIOUS USES**

Notwithstanding anything contained herein, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is obnoxious, and without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offensive, or both:

- a) By the creation of noise or vibration; or
- b) By reason of the emission of gas, fumes, smoke, dust or objectionable odour; or
- c) By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers, or parts of vehicles or trailers, machinery or other such material; or
- d) By any combination of a) through c); or
- e) Any use that is not legally permitted.

### **3.22 PRE-FABRICATED SHIPPING CONTAINERS**

Pre-fabricated shipping containers and unlicensed trailers shall not be permitted to be used or stored on any lot in a Residential Zone.

This provision shall not restrict the use of a pre-fabricated shipping container or unlicensed trailer to be used in a Residential Zone on a temporary basis for the storage of construction materials and equipment for any project undertaken by or on behalf of a public authority or for any construction project for which the Municipality has issued a building permit, provided the container or trailer is removed prior to final inspection.

### **3.23 PRIVATE HOME DAYCARE**

Where a private home daycare is permitted, it shall be subject to the requirements of the zone in which it is located and the following:

- a) Is permitted within any residential dwelling unit; and
- b) Notwithstanding any other provisions of this By-law, no part of any required front yard shall be used for the purposes of an outdoor play space accessory to a private home daycare.

### **3.24 PROHIBITED USES**

The following uses are prohibited in any Zone:

- a) The use of any trailer, tourist trailer, motor home or pre-fabricated shipping container for human habitation except where such tourist trailer or motor home is located in a camping establishment, in a trailer park or in a mobile home park.

- b) The use of any motor vehicle for human habitation.
- c) The use of a truck, bus or coach body for human habitation.
- d) The storage of disused rail cars, streetcars, truck bodies or trailers except where legally permitted by this Zoning By-law.
- e) The outdoor storage of partially dismantled motor vehicles or trailers or motor vehicle or trailer parts except where legally permitted by this Zoning By-law.
- f) Obnoxious uses.
- g) The manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, creosote, explosives, fireworks, glue, petroleum or tar.
- h) The bulk storage of industrial chemicals, hazardous waste or liquid industrial waste as defined under the *Environmental Protection Act*, as amended.
- i) Permanent race tracks for automobiles or machines.

### **3.25 PUBLIC USES**

The provisions of this By-law shall not apply to prevent the use of any land, building or structure by any public authority, except for a waste disposal site, provided that:

- a) Such use building or structure complies with the yard, setback and height provisions of the Zone in which it is located; and
- b) No outdoor storage is permitted unless such outdoor storage is specifically permitted in the Zone in which the use is located.

Notwithstanding the above provisions, buildings and structure associated with a public works yard owned by a public authority are exempt from the height requirements of this By-law.

Nothing in this By-law shall prevent a public authority from providing or using land as a street or rail line nor prevent the installation of a utility main including a water main, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro, telecommunication or other utility supply or communication line.

### **3.26 RAILWAY AND PIPELINE RIGHT-OF-WAY SETBACKS**

Notwithstanding anything contained in this By-law:

- a) No residential building shall be located closer than 30.0m to a railway right-of-way;

b) For TransCanada Pipeline:

- i. No permanent structures are permitted within 7.0m of the pipeline right-of way;
- ii. Accessory structures must maintain a minimum 3.0m setback of the limit of the pipeline right-of-way; and
- iii. No building or structures shall be permitted within 3.0m of the pipeline right-of-way.

c) For Enbridge Gas Pipeline:

- i. All development within 30.0m or crossings of the pipeline shall require written consent from Enbridge Gas and is the responsibility of the applicant to obtain prior to development approval.

## **3.27 RECONSTRUCTION OF BUILDINGS AND STRUCTURES**

### **3.27.1 RECONSTRUCTION, REPLACEMENT OR EXTENSION OF LEGAL NON-COMPLYING BUILDINGS AND STRUCTURES**

Where a building or structure has been lawfully erected on a lot having less than the minimum frontage and/or area, or having less than the minimum setback, and/or yard or any other provision required in this By-law, the said building or structure shall be deemed to comply with this By-law with respect to any deficiency or deficiencies; and further the said building or structure may be reconstructed or replaced provided that:

- a) The reconstruction or replacement does not further reduce such setback at the front yard and/or side yard and/or corner side yard and/or rear yard less than the minimum required by this By-law;
- b) Nothing in this By-law shall prevent a vertical or horizontal extension or addition from being made to an existing building or structure on a lot, even though such a building, structure or lot does not comply to one or more of the provisions of this By-law, provided such extension or addition itself is designed, located, used and otherwise in compliance with the provisions of this By-law, with the exception that no extensions or additions will be permitted in an Environmental Protection Zone; and
- c) All other provisions of this By-law are complied with.

### **3.27.2 Agricultural Buildings and Structures**

Nothing in this By-law shall apply to prevent the reconstruction of any legal non-compliant agricultural building or structure situated in the Agricultural (A) or Specialty

Agricultural (SA) Zones in the case of partial or complete destruction caused by fire, lightning or severe weather event provided:

- a) Such building was in a state of good repair and was utilized for agricultural purposes at the time of destruction;
- b) Such building or structure, as replaced or reconstructed, shall not have in total a greater livestock housing capacity than lawfully existed in the destroyed or demolished building or structure at the date of its partial or complete destruction or demolition; and
- c) Where any yard existing at the date of the partial or complete destruction or demolition of such building or structure does not comply with the minimum yard or minimum setback required by this By-law, such yard shall not be further reduced.

### **3.27.3 Replacement of Other Buildings**

Any building other than a building used exclusively for residential purposes may, in case of this complete destruction, be replaced with a new building where the complete destruction is caused by fire, lightning or severe weather event provided that:

- a) Such destroyed or demolished building was in conformity with this By-law at the date of its complete destruction; or
- b) For buildings not in conformity with this By-law, the ground floor area of such building as replaced does not exceed that which was existing at the date of its complete destruction.

### **3.27.4 Replacement of Residential Buildings**

Any building used exclusively for residential purposes may, in the case of its complete destruction, be replaced with a new building or in the case of its partial destruction, be reconstructed where the complete or partial destruction, as the case may be, is caused by fire, lightning, explosion, or severe weather event provided that:

- a) Such destroyed or demolished building was lawfully used at the date of its partial or complete destruction;
- b) Such building as replaced or reconstructed shall not contain a greater number of dwelling units than lawfully existed in the destroyed or demolished building at the date of its partial or complete destruction;
- c) Where the ground floor area of the destroyed building was less than the minimum ground floor area permitted in the applicable Zone under this By-law, such building, as replaced or reconstructed, shall not contain a lesser floor area than lawfully existed in the destroyed or demolished building at the date of its partial or complete destruction or demolition;



- d) Where any yard existing at the date of the partial or complete destruction of such building does not comply with the minimum yard required in the applicable Zone under this By-law, then such yard shall not be less than the yard existing at the date of the partial or complete destruction or demolition of such building;
- e) The height of such building, as replaced or reconstructed, shall not exceed the maximum height permitted in the applicable Zone under this By-law; and
- f) Nothing withstanding Section 3.28.4 a) through e) where the building is destroyed by flood, the replacement of said structure shall be subject to the regulations of the Niagara Peninsula Conservation Authority.

## **3.28 SECOND DWELLING UNITS**

### **3.28.1 Urban Area**

- a) Up to two Second Dwelling Units are permitted in a single detached, semi-detached unit or townhouse dwelling unit in the R1, R2, R3, RM1, GF-R1, GF-R2, or GF-R3 Zones provided:
  - i. The maximum floor area of the second dwelling unit is 75m<sup>2</sup>;
  - ii. A maximum of one entrance is permitted along a front or corner side yard;
  - iii. A minimum of one parking space shall be required for the second dwelling unit;
  - iv. Notwithstanding Subsection 4.1.4.3 (a), on a lot having an attached garage less than 5 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5 metres and no closer than 0.6 metres to the side lot line, nearest to the garage; and
  - v. All requirements of the Ontario Building Code, as applicable, shall be met.
- b) One Second Dwelling Unit is permitted in a detached accessory building that is accessory to a single detached dwelling unit, semi-detached dwelling unit or townhouse dwelling unit in the R1, R2, R3, RM1, RR, GF-R1, GF-R2, or GF-R3 Zone provided:
  - i. A maximum of one detached second dwelling unit is permitted per lot;
  - ii. The maximum floor area of the second dwelling unit is 75m<sup>2</sup>;
  - iii. The maximum height of the detached accessory building shall be 7.0m;
  - iv. For a Second Dwelling Unit located in a detached garage, the maximum height shall be 8.0m;

- v. The maximum distance of a Second Dwelling Unit is permitted from the closest portion of the principle dwelling located on a property is 40m unless the Second Dwelling Unit is located in an existing building;
- vi. A minimum of one parking space shall be required for the second dwelling unit;
- vii. Notwithstanding Subsection 4.1.4.3 (a), on a lot having an attached garage less than 5 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5 metres and no closer than 0.6 metres to the side lot line, nearest to the garage;
- viii. All requirements of the Ontario Building Code, as applicable, shall be met; and
- ix. The detached accessory building shall be compliant with all other aspects of the zoning by-law.

### **3.28.2 Agricultural and Rural Residential Zones**

- a) Up to two Second Dwelling Units are permitted in a single detached dwelling unit in the RR or A Zones provided:
  - i. The maximum floor area of the second dwelling unit is 93m<sup>2</sup>;
  - ii. A maximum of one entrance is permitted along a front or corner side yard;
  - iii. Septic approval must be obtained confirming the septic system can sustain the additional dwelling unit and a shared septic system is preferred;
  - iv. A minimum of one parking space shall be required for the second dwelling unit;
  - v. Notwithstanding Subsection 4.1.4.3 (a), on a lot having an attached garage less than 5 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5 metres and no closer than 0.6 metres to the side lot line, nearest to the garage; and
  - vi. All requirements of the Ontario Building Code, as applicable, shall be met.
- b) One Second Dwelling Unit is permitted in a detached accessory building that is accessory to a single detached dwelling unit in the RR or A Zone provided:
  - i. A maximum of one detached second dwelling unit is permitted per lot;
  - ii. The maximum floor area of the second dwelling unit is 93m<sup>2</sup>;
  - iii. The maximum height of the detached accessory building shall be 7.0m;

- iv. For a Second Dwelling Unit located in a detached garage, the maximum height shall be 8.0m;
- v. The maximum distance of a Second Dwelling Unit is permitted from the closest portion of the principle dwelling located on a property is 40m unless the Second Dwelling Unit is located in an existing building;
- vi. Septic approval must be obtained confirming the septic system can sustain the additional dwelling unit and a shared septic system is preferred;
- vii. A minimum of one parking space shall be required for the second dwelling unit;
- viii. Notwithstanding Subsection 4.1.4.3 (a), on a lot having an attached garage less than 5 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5 metres and no closer than 0.6 metres to the side lot line, nearest to the garage;
- ix. All requirements of the Ontario Building Code, as applicable, shall be met; and
- x. The detached accessory building shall be compliant with all other aspects of the zoning by-law.

### **3.28.3 Speciality Agricultural Zone**

- a) Up to two Second Dwelling Units are permitted in a single detached dwelling unit in the SA Zone provided:
  - i. The maximum floor area of the second dwelling unit is 93m<sup>2</sup>;
  - ii. A maximum of one entrance is permitted along a front or corner side yard;
  - iii. Septic approval must be obtained confirming the septic system can sustain the additional dwelling unit and a shared septic system is preferred;
  - iv. A minimum of one parking space shall be required for the second dwelling unit;
  - v. Notwithstanding Subsection 4.1.4.3 (a), on a lot having an attached garage less than 5 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5 metres and no closer than 0.6 metres to the side lot line, nearest to the garage;
  - vi. All requirements of the Ontario Building Code, as applicable, shall be met;
  - vii. The single detached dwelling unit shall be located outside the Greenbelt Natural Heritage System; and

- viii. In areas outside the Greenbelt Natural Heritage System, Second Dwelling Units are only allowed in single detached dwellings on lots that were zoned for such as of the date the Greenbelt Plan came into effect (December 6, 2004).
- b) One Second Dwelling Unit is permitted in an existing detached accessory building that is accessory to a single detached dwelling unit in the SA Zone provided:
- i. The maximum floor area of the second dwelling unit is 93m<sup>2</sup>;
  - ii. The maximum height of the existing detached accessory building shall be 7.0m;
  - iii. For a Second Dwelling Unit located in an accessory detached garage, the maximum height shall be 8.0m;
  - iv. The maximum distance of a Second Dwelling Unit is permitted from the closest portion of the principle dwelling located on a property is 40m unless the Second Dwelling Unit is located in an existing building;
  - v. Septic approval must be obtained confirming the septic system can sustain the additional dwelling unit and a shared septic system is preferred;
  - vi. A minimum of one parking space shall be required for the second dwelling unit;
  - vii. Notwithstanding Subsection 4.1.4.3 (a), on a lot having an attached garage less than 5 metres in width, the driveway may extend beyond the width of the garage toward the side lot line to a maximum width of 5 metres and no closer than 0.6 metres to the side lot line, nearest to the garage;
  - viii. All requirements of the Ontario Building Code, as applicable, shall be met;
  - ix. The existing detached accessory building shall be compliant with all other aspects of the zoning by-law;
  - x. The existing detached accessory building shall be located outside the Greenbelt Natural Heritage System; and
  - xi. In areas that are outside the Greenbelt Natural Heritage System, a second dwelling unit is only allowed within an existing accessory building constructed prior to the effective date of the Greenbelt Plan (December 16, 2004).

### **3.28.4 Commercial Zones**

- a) Notwithstanding any other provisions of this By-law, one second dwelling unit is permitted on the ground floor in Commercial Zones provided:
- i. The second dwelling unit(s) in the Commercial Zone VC, MS, TS or DC shall be permitted to the extent of the provisions provided herein;
  - ii. The second dwelling unit in the existing Commercial Zone NC and GF-NC shall not exceed 33% of the ground gross floor area of the commercial building;
  - iii. The maximum floor area of the secondary dwelling unit is 55m<sup>2</sup>;
  - iv. Secondary dwelling units have a means of egress only to the rear or side yard and is separate from any means of egress for the commercial use(s); and
  - v. The second dwelling unit shall be located to the rear or above the commercial use.

### **3.29 SHORT TERM ACCOMODATIONS**

Where permitted, a short term accommodation shall be subject to the requirements of the Zone in which it is located, and it shall:

- a) Be permitted only in the A, SA, CR, VC, DC, MS, TS, and NC Zones;
- b) Permit a maximum occupancy of 10 persons per dwelling at any one time;
- c) Be licensed through the Town's Short Term Accommodation Licensing By-law, pursuant to the *Municipal Act, 2001*;
- d) Obtain approval from the Regional Public Health Department and the Town's Building and Fire Departments; and
- e) Comply with the parking provisions of Section 4.

### **3.30 SPECIAL EXCEPTIONS**

The Special Exceptions noted in Section 10 shall have effect in respect of the subject use and the provisions of the respective shall be amended insofar as required to give effect to the special provisions. All other provisions of the respective zone shall apply, with the necessary changes being made to the subject use.

### 3.31 SPECIAL SETBACKS

Notwithstanding any other provisions in this By-law, the following shall apply:

#### 3.31.1 Setback from Environmental Protection One Zone & Environmental Protection Two Zone

- a) Notwithstanding any other provisions of this By-law, the following setbacks shall apply to lands zoned Environmental Protection One (EP1) Zone and Environmental Protection Two (EP2) Zone:

Natural Heritage Feature	Building Setback
Provincially Significant Life Science Area of Natural and Scientific Interest	50m
Provincially Significant Wetland	120m
Habitat of Threatened and Endangered Species	50m
Environmental Conservation Area	50m
Type 1 – Critical Fish Habitat	30m
Type 2 or 3 – Critical Fish Habitat	15m
Regulated Floodplain	0m

- b) The setbacks noted in Section 3.31.1 a) may be modified without an amendment to the Zoning By-law through the approval of an Environmental Impact Study, approved by the appropriate regulatory authority.
- c) The setbacks noted in Section 3.31.1 a) do not apply to lands located in Fonthill, as illustrated on Schedule C.

#### 3.31.2 Setback from Environmental Protection Three Zone

- a) Notwithstanding any other provision in this By-law, no building or structure shall be located within 120 metres of any Environmental Protection Three (EP3) Zone, with the exception that new agricultural buildings and structures are permitted within the 120 metres of an EP3 Zone, provided such buildings or structures maintain a 30 metre setback from the EP3 Zone.
- b) The setbacks noted in Section 3.31.2 a) may be modified without an amendment to the Zoning By-law through the approval of an Environmental Impact Study, approved by the appropriate authority.

#### 3.31.3 Setbacks from Slopes

- a) Notwithstanding any other provisions of this By-law, no dwelling unit, building or structure shall be located within 7.5m of a slope or embankment that exceed 33% or a ratio of 3:1. This provision shall also not prevent the expansion or replacement of buildings or structures that existed on the effective date of this By-law within this setback area, provided the expansion or replacement does not have



the effect of reducing the setback from the slope or increasing the volume or floor area of a building or structure in a minimum required yard.

- b) In Urban Area infilling situations, a reduced setback may be considered in cases where there are site specific constraints which may necessitate the reduced setback. Any reduced setback request will require a geotechnical study approved by the appropriate authority.

### **3.31.4 Greenbelt Natural Heritage System**

Lands identified within the Greenbelt Natural Heritage System are located within the Greenbelt Natural Heritage Overlay designation of the Town's Official Plan and reflect lands within the Natural Heritage System of the Provincial Greenbelt Plan. Permitted uses in the Greenbelt Natural Heritage System shall be the uses of the zone category, subject to the following:

- a) Entering into a site plan agreement with the Town to address Section B3.5.4.1 of the Town's Official Plan;
- b) Maximum developable area shall be 25%; and
- c) Notwithstanding, agricultural buildings and structures are not subject to the above requirements.

### **3.31.5 Airport Influence Area**

No building or structure shall exceed 12.0 metres in height within the Airport Influence Area.

## **3.32 STORAGE OF RECREATIONAL VEHICLES, TRAILERS AND BOATS**

In any Residential Zone, no person shall store a recreational vehicle, mobile home, motor home, tourist trailer, boat and trailer or haulage trailer, except in accordance with the following:

- a) Where the lot is use for an apartment dwelling or boarding house, the storage of such vehicles shall be enclosed and shall only be permitted in spaces or areas that are in addition to the parking requirements of Section 4.
- b) The storage of such vehicles shall be permitted in any yard, provided that where storage occurs in a front or exterior side yard, a minimum setback of 1.5m from the front lot line or exterior side lot line shall be required for sight clearance purposes.

### **3.33 SWIMMING POOLS**

Notwithstanding any other provision of this By-law to the contrary, in any Zone a swimming pool may be erected and used in any side yard or rear yard provided:

- a) No interior wall surface of any such swimming pool shall be located closer than 1.5m to any side lot line, rear lot line or exterior side lot line, or closer than 3.0m to that portion of the rear lot line which abuts a side lot line of any adjoining lot;
- b) No water circulating or treatment equipment, such as pumps or filters shall be located closer than 3.0m to any side lot line, or rear lot line or 1.2m to any side lot line or rear lot line if enclosed in an accessory building or structure or closer to any street than the required yard for the main building or structure.
- c) A swimming pool shall not be considered as part of lot coverage.
- d) In the case of an indoor swimming pool in a separate building or structure or enclosure, the building, structure or enclosure shall comply with all accessory building provisions of the Zone in which such a building, structure or enclosure is located.

### **3.34 TEMPORARY USES**

- a) Nothing in this By-law shall prevent the use of any land, or the erection or use of any temporary building or structure incidental to and necessary for construction work on the premises for which a building permit has been issued and not expired, but only for so long as such use, building or structure is necessary for such construction work which has not been finished or abandoned for a period of one year.
- b) Nothing shall prevent the use of a mobile home, motor home or tourist trailer for the temporary accommodation of the occupants in the case of complete or partial destruction of the farm dwelling by fire, lightening, explosion, wind, flood or Act of God, or where its demolition is by order of the Town of Pelham, the Region of Niagara Health Services Department or other authority, for safety, health or sanitation requirements in the Agricultural (A) Zone or Specialty Agricultural (SA) Zone for a period of time not to exceed 18 months.
- c) Nothing shall prevent the use of land, or the erection of a real estate sales pavilion or model home on a temporary basis either located within or not more than 300 metres from a developing subdivision and which use shall be removed when all lots have been sold.

## SECTION 4: PARKING AND LOADING REQUIREMENTS

### 4.1 PARKING SPACE REQUIREMENTS

#### 4.1.1 Minimum Parking Requirements

- a) A minimum number of parking spaces shall be provided and maintained on a lot in accordance with the following:

Use	Minimum # of Parking Spaces
<b>AGRICULTURAL USES</b>	
Agri-tourism/Value Added Use	1 space per 55 m <sup>2</sup> GFA
Agricultural-Related Use	1 space per 55 m <sup>2</sup> GFA
Greenhouse and Hoop House Use	1 space per 55 m <sup>2</sup> GFA
On-farm Diversified Use	1 space per 55 m <sup>2</sup> GFA
<b>RESIDENTIAL USES</b>	
Apartment Dwelling	1.25 spaces per dwelling unit
Bed and Breakfast	2 spaces per dwelling unit plus 1 additional space for each guest room
Home Industry	2 spaces per dwelling unit plus 1 additional space for home industry use
Home Occupation	2 spaces per dwelling unit plus 1 additional space for home occupation use
Second Dwelling Unit	1 space per dwelling unit
Semi-Detached Dwelling	2 spaces per dwelling unit
Single Detached Dwelling	2 spaces per dwelling unit
Short Term Accommodation	1 space per guest room
Street Townhouse Dwelling	2 spaces per dwelling unit
Other Permitted Residential	1.25 spaces per dwelling unit
<b>COMMERCIAL USES</b>	
Drive-thru Facility	Restaurant – 10 tandem spaces All Other Uses – 3 tandem spaces
Medical Office	4.5 spaces per 100m <sup>2</sup> GLFA
Office	3.0 spaces per 100m <sup>2</sup> GLFA
Retail Place of Entertainment and Restaurant	3.25 spaces per 100m <sup>2</sup> GLFA
Other Permitted Commercial	3.0 spaces per 100m <sup>2</sup> GLFA
<b>INDUSTRIAL USES</b>	
Industrial	1 space per 50m <sup>2</sup> of GLFA
<b>PUBLIC/INSTITUTIONAL</b>	
Public and Institutional including associated office space and/or retail, restaurants and personal service uses	3.5 spaces per 100m <sup>2</sup> of GLFA

<b>OTHER USES</b>	
All Other Permitted Uses	3.5 spaces per 100m <sup>2</sup> of GLFA
Within the Main Street (MS) Zone, all non-residential development shall be exempt from any parking requirement. Residential uses within the Main Street (MS) Zone shall be required to provide 1 parking space per dwelling unit.	

#### **4.1.2 Calculation of Required Parking Spaces**

- b) Where the calculation of the required number of parking spaces under Section 4.1.1 a) results in a fraction of 0.25 or higher, the value shall be rounded up to the next whole number;
- c) When a building or structure accommodates more than one type of use, as defined in this By-law, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate uses, including any accessory uses with a defined parking requirement under Section 4.1.1 a); and
- d) On a lot with a single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, fourplex dwelling or townhouse dwelling, a private driveway devoted to the dwelling unit and located on the lot may be included in the calculation of parking spaces.

#### **4.1.3 Barrier Free Parking Spaces**

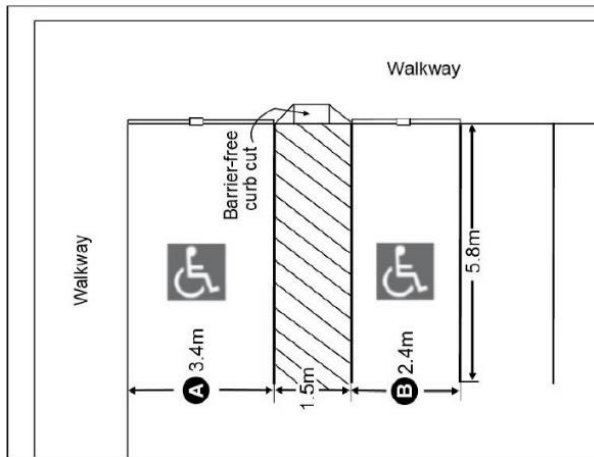
- a) Barrier-free parking spaces are required to be provided near entrances for apartment buildings, mixed-use buildings, commercial and institutional uses in accordance with the following, and have signage in accordance with the Ontario Regulation 191/11 Integrated Accessibility Standards, as amended:

Total Number of Parking Spaces	Minimum Number of Barrier Free Parking Spaces		
	Type A	Type B	Total
1 to 25	1	-	1
26 to 50	1	1	2
51 to 75	1	2	3
76 to 100	2	2	4
100 or more	4% of the total number of parking spaces on the lot shall be barrier free parking spaces. Where an even number of barrier free parking spaces are required, an equal number of Type A and Type B parking spaces shall be provided. Where an odd number of barrier free parking spaces are required, the additional barrier free parking space may be Type A or Type B.		

- b) Where one or more Type B barrier free parking space(s) is required, an equal number of Type A barrier free parking spaces may be substituted for the Type B

space(s), provided that this provision shall not reduce the total number of barrier free parking spaces required;

- c) Notwithstanding the minimum barrier-free parking requirements, the minimum barrier free parking requirement for medical offices, clinics and facilities providing outpatient services shall be 10% of the total minimum parking requirement for the use;
- d) The total number of required barrier free parking spaces shall be included within the minimum parking requirements of the permitted use of the overall parking requirement;
- e) Type A barrier free parking spaces shall be a minimum of 3.4m by 5.8m;
- f) Type B barrier free parking spaces shall be a minimum of 2.4m by 5.8m; and
- g) An access aisle shall be provided on one side of all barrier free parking spaces and shall have a minimum width of 1.5m and a minimum length equal to the full length of the parking space and shall be marked with high tonal contrast diagonal lines where the surface asphalt, concrete or other hard surface, and one access aisle may be shared by two barrier free parking spaces (with one barrier free parking space located on each side of the access aisle).



#### 4.1.4 Parking Area and Driveway Requirements

##### 4.1.4.1 Parking Space Dimensions and Requirements

- a) The minimum dimensions of a parking space shall be 2.6m by 5.8m with a minimum vertical clearance of 4.2m;
- b) The minimum dimensions of a tandem parking space shall be 2.6m by 6.7m with a minimum vertical clearance of 4.2m; and
- c) Any required space shall be unobstructed and free of any structures or encroachments.

#### **4.1.4.2 Parking Aisles**

- a) Each parking space shall be accessed either directly by a driveway or a parking aisle. A parking aisle shall have a minimum width of 6.2m; and
- b) Notwithstanding Section 4.1.4.2 a), where a parking aisle is designed to provide one-way traffic only, and the parking spaces are provided at an angle not exceeding 45° measured at the parking aisle, the minimum width shall be 4.5m.

#### **4.1.4.3 Driveways**

- a) In any zone where a dwelling is permitted, the maximum driveway width shall be 6.0m or 50% of the frontage or the exterior side lot line distance, whichever is less for the entire length of the driveway;
- b) In any zone where a street townhouse dwelling is permitted, the maximum driveway width shall be 6.0m or 50% of the frontage or the exterior side lot line distance, whichever is less for the entire length of the driveway, and each unit shall have one driveway;
- c) Ingress and egress to and from required parking areas and required parking spaces in any zone shall be provided by means of unobstructed driveways at least 3.0m in width for one-way traffic and 6.0m in width for two-way traffic;
- d) Notwithstanding the requirements of 4.1.4.3 b), the ingress and egress requirements of the Region of Niagara shall apply along all Regional Roads;
- e) Nothing in this subsection shall apply to prevent the use of a right-of-way as a means of obtaining access to a parking area provided the right-of-way has been legally established for such purpose; and
- f) Notwithstanding 4.1.4.3 a) and b), a circular or secondary driveway shall only be permitted in accordance with the following:
  - i. On a lot with a minimum lot frontage of 30m;
  - ii. The maximum combined width of all driveway entrances/egresses shall be 9.0m; and
  - iii. The minimum distance between the driveway entrances/egresses shall be 15.0m. For the purpose of interpreting this regulation, the distance between proposed driveway entrances/egresses shall be measured along the applicable street line(s) between the driveway entrances/egresses.
  - iv. In the case of a corner lot, a driveway entrance may be permitted for each street frontage.



#### 4.1.4.4 Parking Area and Driveway Surface

- a) In the Urban Area, a parking area and the driveway(s) connecting the parking area with a street shall be constructed of asphalt, concrete, permeable paving, Portland cement, or like materials.

#### 4.1.4.5 Parking Structures

- a) Where a parking area located in a structure constitutes the main use on a lot, then such structure shall conform to all the zone provisions for the zone in which the lot is located.
- b) Where a parking area located in a structure is accessory to a permitted use on a lot, then such structure shall conform to all the provisions for accessory uses set out in Subsection 4.4.5 a).

#### 4.1.4.6 Underground Parking Areas

Nothing in this By-law shall apply to prohibit the location of underground parking areas in any yard, provided that:

- a) Only less than half a part of any underground parking area shall be situated above finished grade in any required yard; and
- b) No part of any underground parking area shall be located outside the property lines.

#### 4.1.4.7 Illumination

Where parking areas are illuminated, lighting fixtures shall be arranged, designed and installed so that the light is directed downward and deflected away from adjacent properties.

#### 4.1.4.8 Parking Area Location on Lot

Notwithstanding the yard provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards as follows:

Residential (except Apartment)
All required yards provided that no part of any dwelling and parking area, other than a driveway, is located closer than 0.9m to any street line.
Apartment Dwelling
Shall be permitted except in any front yard and corner yard provided that no part of any parking area, other than a driveway is located closer than 7.5m to any street line and no closer than 3.0m to any side lot line or rear lot line.
Institutional, Commercial, Open Space
All required yards provided that no part of any parking area, other than a driveway is located closer than 0.9m to any street line.

Industrial
Interior side and rear yards only, except for visitor parking, provided that no part of any parking area, other than driveway is located closer than 4.5m to any street line.

**4.1.4.9 Other Parking Regulations**

- a) Nothing in this By-law shall prevent the erection of a shelter for use solely by parking attendants in any part of a parking area, except within a daylighting triangle, provided such shelter is not more than 4.5m in height and has a floor area of not more than 5m<sup>2</sup>.
- b) No commercial vehicle as defined in the *Highway Traffic Act*, of greater than 1 tonne maximum capacity and/or no bus used as a commercial vehicle designed for carrying 10 or more passengers and used for the transportation of persons, shall be parked or stored in a Residential Zone and shall not be parked overnight on a street.

**4.2 LOADING SPACE REQUIREMENTS**

**4.2.1 Minimum Loading Space Requirements**

- a) A minimum number of loading space(s) shall be provided and maintained on a lot in accordance with the following:

Use	Minimum # of Required Loading Spaces
<b>INDUSTRIAL USES</b>	
Less than 500m <sup>2</sup> GFA	None
500m <sup>2</sup> of GFA to 2,500 m <sup>2</sup> GFA	1
Over 2,500m <sup>2</sup>	2, plus 1 additional loading space for each 10,000m <sup>2</sup> GFA in excess of 10,000m <sup>2</sup>
<b>COMMERCIAL USES</b>	
Less than 185m <sup>2</sup> of GFA	0
185m <sup>2</sup> GFA to 930m <sup>2</sup> GFA	1
Over 930m <sup>2</sup> GFA	2, plus 1 additional loading space for each 1,400m <sup>2</sup> GFA in excess of 930m <sup>2</sup>

**4.2.2 Loading Space Requirements**

- a) A loading space shall be a minimum of 3.5m in width and 9.0m in length with a minimum vertical clearance of 4.0m;
- b) A loading space shall be unobstructed, and free of any structures and encroachments;
- c) Where the calculation of the required number of loading spaces under Section 4.2.1a) results in a fraction of 0.25 or higher, the value shall be rounded up to the next whole number;

- d) The required loading space(s) shall be provided on the same lot occupied by the building or structure for which the said loading space(s) is required, and shall not form any part of any improved street or lane;
- e) When a building or structure accommodates more than one type of use, as defined in this By-law, the loading space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate uses;
- f) A loading space shall be constructed of asphalt, concrete, permeable paving, Portland cement, or like materials; and
- g) A loading space shall not be permitted in any front yard or exterior side yard, except in any agricultural or rural zone, where it shall be permitted in any yard.

### 4.3 BICYCLE PARKING REQUIREMENTS

#### 4.3.1 Minimum Bicycle Parking Requirements

- a) A minimum number of parking spaces for bicycles shall be provided and maintained on a lot in accordance with the following:

Use	Short-term Bicycle Parking Space Requirements	Long-term Bicycle Parking Space Requirements
<b>RESIDENTIAL USES</b>		
Apartment dwelling	0.8/unit	0.7/unit
<b>COMMERCIAL USES</b>		
Office	3 + 0.25/100m <sup>2</sup> GFA	0.15/100m <sup>2</sup> GFA
Medical Office	3 + 0.1/100m <sup>2</sup> GFA	0.15/100m <sup>2</sup> GFA
Any retail or restaurant use	3 + 0.25/100m <sup>2</sup> GFA	0.1/100m <sup>2</sup> GFA
All other permitted commercial uses	3 + 0.25/100m <sup>2</sup> GFA	0.1/100m <sup>2</sup> GFA
<b>INDUSTRIAL USES</b>		
Industrial	0.1/100m <sup>2</sup> GFA	0.06/100 m <sup>2</sup> GFA
<b>INSTITUTIONAL/PUBLIC USES</b>		
Private and Public School	3 + 0.06/100m <sup>2</sup> GFA	0.06/100m <sup>2</sup> GFA
Institutional/Public	3 + 0.25/100m <sup>2</sup> GFA	0.1/100m <sup>2</sup> GFA
<b>Other Uses</b>		
All other non-residential uses	0.1/100m <sup>2</sup> GFA	0.06/100m <sup>2</sup> GFA

#### 4.3.2 Bicycle Space and Parking Area Requirements

- a) A bicycle parking space must be on the same lot as the use for which it is required;

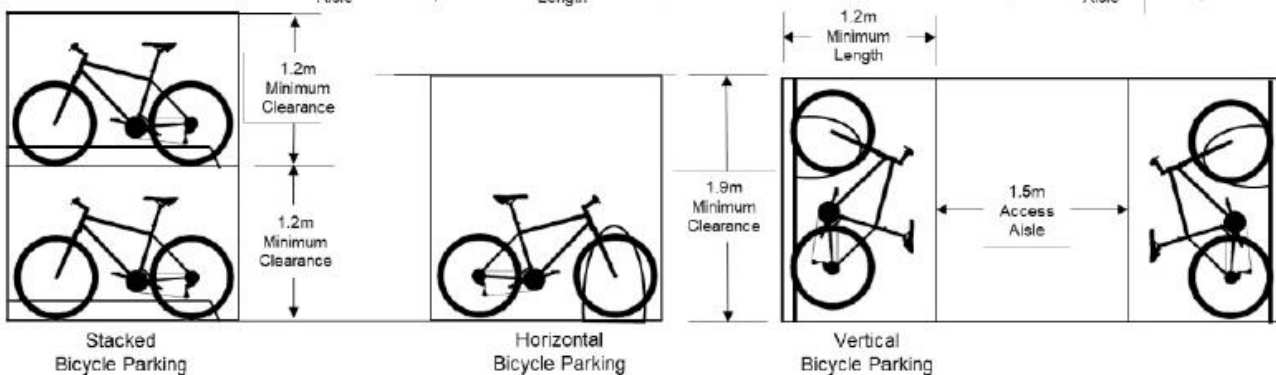
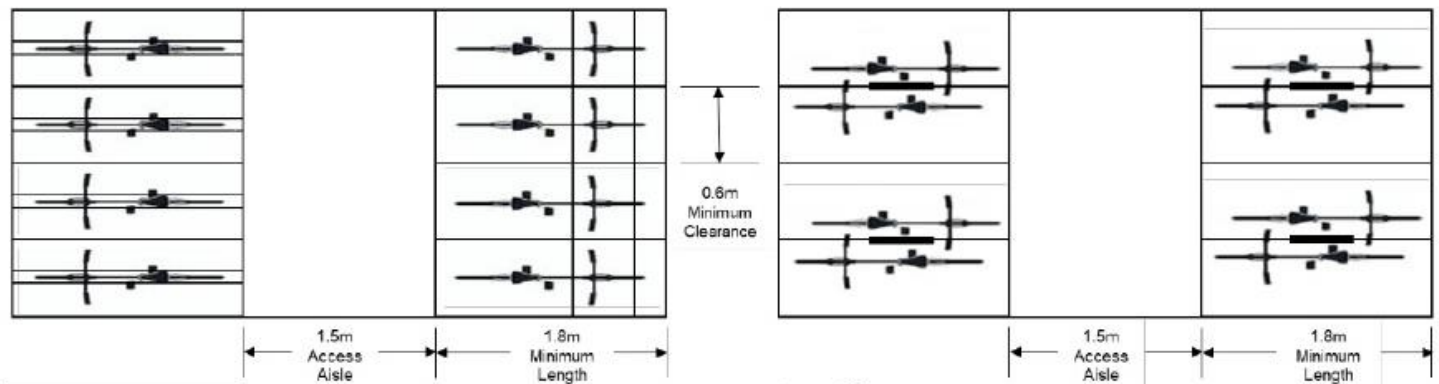
- b) Where the calculations of the required number of bicycle parking spaces under Section 4.3.1a) results in a fraction of 0.25 or higher, the value shall be rounded up to the next whole number;
- c) When a building or structure accommodates more than one type of use, as defined in this By-law, the bicycle parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate uses;
- d) All short-term bicycle parking areas shall be located a maximum of 15.0m from a building entrance; and
- e) All long-term bicycle parking spaces shall be located indoors on the ground floor.

### 4.3.3 Bicycle Parking Space Dimensions

The minimum bicycle parking space dimensions shall be:

Bicycle Parking Space	Length	Width	Height	Vertical Clearance	Aisle Width
Horizontal	1.8m	0.6m	1.9m	1.9m	1.5m
Vertical	1.8m	0.6m	1.9m	1.9m	
Stacked	1.8m	0.6m	1.2m	2.4m	

#### Plan View



#### Side View

## SECTION 5: RURAL/AGRICULTURAL ZONES

The following zoning categories are described in this section:

### **A** Agricultural Zone

Permitted Uses:

- Agricultural use;
- Agri-tourism/Value-added use;
- Agricultural-related use;
- Bed and breakfast;
- Farm winery;
- Forestry and resource management;
- Hobby farm;
- Home industry;
- Home occupation;
- Kennel;
- On-farm diversified use;
- Seasonal or permanent farm help house;
- Second dwelling units;
- Short term accommodation;
- Single detached dwelling on an existing vacant lot of record; and
- Uses, buildings and structures accessory to the foregoing uses.

### **RE** Rural Employment Zone

Permitted Uses:

- Agricultural-related use;
- Agricultural use that does not involve the keeping of livestock;
- Building supply & service establishment;
- Construction trade & retail establishment;
- Contractor's establishment;
- Commercial self storage;
- Custom workshop;
- Farm supply and service establishment
- Kennel;
- Manufacturing, assembly, processing and fabrication;
- Vehicle service and repair establishment;
- Veterinarian's clinic;
- Warehouse;
- Wholesaling establishments; and
- Uses, buildings and structures accessory to the foregoing uses.

### **SA** Speciality Agricultural Zone

Permitted Uses:

- Agricultural use;
- Agri-tourism/Value added use;
- Agricultural-related use;
- Bed and breakfast;
- Farm winery;
- Forestry and resource management;
- Hobby farm;
- Home industry;
- Home occupation;
- Kennel;
- On-farm diversified use;
- Seasonal or permanent farm help house;
- Second dwelling units;
- Short term accommodation;
- Single detached dwelling on an existing vacant lot of record; and
- Uses, buildings and structures accessory to the foregoing uses.

### **CR** Commercial Rural Zone

Permitted Uses:

- Custom workshop;
- Vehicle service and repair establishment;
- Building supply and service;
- Farm supply and service establishments;
- Farm produce markets;
- Service shop;
- Short term accommodation;
- Vehicle fuel station (gas bar);
- Vehicle sales and rental establishment;
- Veterinarian's clinic; and
- Uses, buildings and structures accessory to the foregoing uses.

## **MAR Mineral Aggregate Resource Zone**

### Permitted Uses:

- Agricultural use;
- Agricultural-related use;
- Mineral aggregate resource operation;
- On-farm diversified use; and
- Uses, buildings and structures accessory to the foregoing uses.



## 5.1 AGRICULTURAL ZONE



### 5.1.1 Permitted Uses

- a) Agricultural use;
- b) Agri-tourism/Value added use;
- c) Agricultural-related use;
- d) Bed and breakfast;
- e) Farm winery;
- f) Forestry and resource management;
- g) Hobby farm;
- h) Home industry;
- i) Home occupation;
- j) Kennel;
- k) On-farm diversified use;
- l) Seasonal or permanent farm help house;
- m) Second dwelling units;
- n) Short term accommodation;
- o) Single detached dwelling on an existing vacant lot of record; and
- p) Uses, buildings and structures accessory to the foregoing uses.

### **5.1.2 Zone Requirements for Agricultural Use**

Minimum Lot Frontage	180.0m or 100.0m for Hobby Farm
Minimum Lot Area	40ha or 2.0ha for Hobby Farm
Minimum Front Yard	20.0m
Minimum Interior Side Yard	20.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	20.0m
Maximum Building Height	18.0m or 12.0m for a residential dwelling
Maximum Lot Coverage	10%

### **5.1.3 Zone Requirements for a Single Detached Dwelling on an Existing Vacant Lot of Record**

Minimum Lot Frontage	180.0m
Minimum Lot Area	0.4ha
Minimum Front Yard	8.0m
Minimum Interior Side Yard	8.0m
Minimum Corner Side Yard	8.0m
Minimum Rear Yard	15.0m
Maximum Building Height	12.0m
Maximum Lot Coverage	10%

#### **5.1.3.1 Zone Requirements for a Seasonal or Permanent Farm Help House**

- a) A farm help house shall be located in accordance with a site plan agreement with the Town of Pelham;
- b) No seasonal farm help houses shall be used as a permanent dwelling;
- c) The minimum floor area for a seasonal farm help house shall be 30m<sup>2</sup>;
- d) The minimum floor area for a permanent farm help house shall be 93m<sup>2</sup>; and

e) Notwithstanding the above provisions, a seasonal farm help house may be used as a principal farm dwelling for a period not to exceed one (1) year in the event of destruction by fire, flood or natural disaster of the said farm dwelling.

**5.1.4 Zone Requirements for Buildings and Structures Accessory to a Single Detached Dwelling on an Existing Vacant Lot of Record**

Maximum Lot Coverage	1% to a maximum of 10% for all buildings
Minimum Side Yard	3.0m
Minimum Rear Yard	3.0m
Minimum Distance to the Dwelling	3.0m
Maximum Building Height	3.7m

Accessory buildings and structures shall not be permitted in the required front yard.

**5.1.5 Zone Requirements for a Farm Winery, Brewery, Distillery**

Minimum Lot Frontage	46.0m
Minimum Lot Area	10.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	20.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	20.0m
Maximum Building Height	18.0m
Maximum Lot Coverage	10%
Minimum Land Area Planted in Vineyards	5.0ha
Maximum Floor Area of Building(s) Used for a Farm Winery	300.0m <sup>2</sup>
Maximum Floor Area of a Hospitality and Retail Space	100.0m <sup>2</sup>

**5.1.6 Zone Requirements for a Greenhouse and Hoop House**

Minimum Lot Frontage	100.0m
Minimum Lot Area	3.0ha

Minimum Front Yard	20.0m
Minimum Interior Side Yard	15.0m*
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	15.0m
Maximum Building Height	18.0m
Maximum Lot Coverage	30%
Minimum Setback from a Dwelling on an Adjacent Lot	45.0m
Minimum Setback for Outside Storage - Lot Line or Dwelling on Adjacent Lot	30.0m

\*Where ventilation fans face the rear or side yard the yard shall be increased to 25.0m where one or more ventilating fans exhaust into the respective yard.

**5.1.7 Zone Requirements for a Kennel**

Minimum Lot Frontage	100.0m
Minimum Lot Area	2.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	15.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	25.0m
Maximum Building Height	18.0m
Maximum Lot Coverage	10%
Minimum Setback from a Dwelling on an Adjacent Lot	150m

**5.1.8 Zone Requirements for an Agricultural-Related Use and On-Farm Diversified Use**

Please refer to Section 3.2

**5.1.9 Zone Requirements for a Bed and Breakfast**

Please refer to Section 3.3

**5.1.10 Zone Requirements for a Home Industry and Home Occupation**

Please refer to Section 3.13

**5.1.11 Zone Requirements for Second Dwelling Units**

Please refer to Section 3.28

**5.1.12 Zone Requirements for Short Term Accommodation**

Please refer to Section 3.29

## 5.2 SPECIALTY AGRICULTURAL ZONE



### 5.2.1 Permitted Uses

- a) Agricultural use;
- b) Agri-tourism/Value added use;
- c) Agricultural-related use;
- d) Bed and breakfast;
- e) Farm winery, brewery, distillery;
- f) Forestry and resource management;
- g) Hobby farm;
- h) Home industry;
- i) Home occupation;
- j) Kennel;
- k) On-farm diversified use;
- l) Seasonal or permanent farm help house;
- m) Second dwelling units;
- n) Short term accommodation;
- o) Single detached dwellings on an existing vacant lot of record; and
- p) Uses, buildings and structures accessory to the foregoing uses.



### **5.2.2 Zone Requirements for Specialty Agricultural Uses**

Minimum Lot Frontage	180.0m or 100.0m for Hobby Farm
Minimum Lot Area	16.2ha or 2.0ha for Hobby Farm
Minimum Front Yard	20.0m
Minimum Interior Side Yard	20.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	20.0m
Maximum Building Height	18.0m or 12.0m for residential dwelling
Maximum Lot Coverage	10%

### **5.2.3 Zone Requirements for a Single Detached Dwelling on an Existing Vacant Lot of Record**

Minimum Lot Frontage	20.0m
Minimum Lot Area	0.4ha
Minimum Front Yard	8.0m
Minimum Interior Side Yard	8.0m
Minimum Corner Side Yard	8.0m
Minimum Rear Yard	15.0m
Maximum Building Height	12.0m
Maximum Lot Coverage	10%

#### **5.2.3.1 Zone Requirements for a Seasonal or Permanent Farm Help House**

- a) A farm help house shall be located in accordance with a site plan agreement with the Town of Pelham;
- b) No seasonal farm help houses shall be used as a permanent dwelling;
- c) The minimum floor area for a seasonal farm help house shall be 30m<sup>2</sup>;
- d) The minimum floor area for a permanent farm help house shall be 93m<sup>2</sup>; and

- e) Notwithstanding the above provisions, a seasonal farm help house may be used as a principal farm dwelling for a period not to exceed one (1) year in the event of destruction by fire, flood or natural disaster of the said farm dwelling.

**5.2.4 Zone Requirements for Buildings and Structures Accessory to a Single Detached Dwelling on an Existing Vacant Lot of Record**

Maximum Lot Coverage	1% to a maximum of 10% for all buildings
Minimum Side Yard	3.0m
Minimum Rear Yard	3.0m
Minimum Distance to the Dwelling	3.0m
Maximum Building Height	3.7m

Accessory buildings and structures shall not be permitted in the required front yard.

**5.2.5 Zone Requirements for a Farm Winery, Brewery, Distillery**

Minimum Lot Frontage	46.0m
Minimum Lot Area	10.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	20.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	20.0m
Maximum Building Height	18.0m
Maximum Lot Coverage	10%
Minimum Land Area Planted in Vineyards	5.0ha
Maximum Floor Area of Building(s) Used for a Farm Winery	300.0m <sup>2</sup>
Maximum Floor Area of a Hospitality and Retail Space	100.0m <sup>2</sup>

**5.2.6 Zone Requirements for a Greenhouse and Hoop House**

Minimum Lot Frontage	100.0m
Minimum Lot Area	3.0ha

Minimum Front Yard	20.0m
Minimum Interior Side Yard	15.0m*
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	15.0m
Maximum Building Height	18.0m
Maximum Lot Coverage	15.0m
Maximum Lot Coverage	30%
Minimum Setback from a Dwelling on an Adjacent Lot	45.0m
Minimum Setback for Outside Storage from Lot Line or Dwelling on an Adjacent Lot	30.0m

\*Where ventilation fans face the rear or side yard the yard shall be increased to 25.0m where one or more ventilating fans exhaust into the respective yard.

### **5.2.7 Zone Requirements for a Kennel**

Minimum Lot Frontage	100.0m
Minimum Lot Area	2.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	15.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	25.0m
Maximum Building Height	18.0m
Maximum Lot Coverage	10%
Minimum Setback from a Dwelling on an Adjacent Lot	150m

### **5.2.8 Zone Requirements for an Agricultural-Related Use and On-Farm Diversified Use**

Please refer to Section 3.2

### **5.2.9 Zone Requirements for a Bed and Breakfast**

Please refer to Section 3.3

### **5.2.10 Zone Requirements for a Home Industry and Home Occupation**

Please refer to Section 3.13

### **5.2.11 Zone Requirements for a Second Dwelling Units**

Please refer to Section 3.28

### **5.2.12 Zone Requirements for Short Term Accommodation**

Please refer to Section 3.29

### **5.2.13 Exceptions – Greenbelt Natural Heritage System**

Lands identified within the Greenbelt Natural Heritage System are located within the Greenbelt Natural Heritage Overlay designation of the Town's Official Plan and reflect lands within the Natural Heritage System of the Provincial Greenbelt Plan. Permitted uses in the Greenbelt Natural Heritage System shall be the uses of the zone category, subject to the following:

- a) Entering into a site plan agreement with the Town to address Section B3.5.4.1 of the Town's Official Plan;
- b) Maximum developable area shall be 25%; and
- c) Notwithstanding, agricultural buildings and structures are not subject to the above requirements.

## 5.3 RURAL EMPLOYMENT ZONE



### 5.3.1 Permitted Uses

- a) Agricultural-related use;
- b) Agricultural use that does not involve the keeping of livestock;
- c) Building supply and service establishment;
- d) Commercial self storage;
- e) Construction trade and retail establishment;
- f) Contractor's establishment;
- g) Custom workshop;
- h) Farm supply and service establishment;
- i) Fuel storage tank establishment;
- j) Kennel;
- k) Manufacturing, assembly, processing and fabrication establishment;
- l) Vehicle service and repair shop;
- m) Vehicle body shop;
- n) Veterinarian's clinic;
- o) Warehouse;
- p) Wholesaling establishment; and
- q) Uses, buildings and structures accessory to the foregoing uses.

### **5.3.2 Zone Requirements for Rural Employment Uses**

Minimum Lot Frontage	30.0m
Minimum Lot Area	0.4ha
Minimum Front Yard	14.0m
Minimum Interior Side Yard	6.0m
Minimum Corner Side Yard	14.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	60%
Maximum Building Height	12.0m

### **5.3.3 Zone Requirements for a Kennel**

Minimum Lot Frontage	100.0m
Minimum Lot Area	2.0ha
Minimum Front Yard	20.0m
Minimum Interior Side Yard	15.0m
Minimum Corner Side Yard	20.0m
Minimum Rear Yard	25.0m
Maximum Building Height	12.0m
Maximum Lot Coverage	10%
Minimum Setback from a Dwelling on an Adjacent Lot	150m

### **5.3.4 Zone Requirements for Agricultural-Related Uses**

Please refer to Section 3.2.1



## 5.4 COMMERCIAL RURAL ZONE



### 5.4.1 Permitted Uses

- a) Building supply and service establishment;
- b) Custom workshop;
- c) Farm supply and service establishment;
- d) Farm produce market;
- e) Service shop;
- f) Short term accommodation;
- g) Vehicle fuel station (gas bar);
- h) Vehicle service and repair establishment;
- i) Vehicle sales and rental establishment;
- j) Veterinarian's clinic; and
- k) Uses, buildings and structures accessory to the foregoing uses.

### 5.4.2 Zone Requirements for Commercial Rural Uses

Minimum Lot Frontage	30.0m
Minimum Lot Area	0.4ha
Minimum Front Yard	7.5m
Minimum Interior Side Yard	6.0m

Minimum Corner Side Yard	7.5m
Minimum Rear Yard	7.5m
Maximum Lot Coverage	30%
Maximum Building Height	12.0m
Maximum Gross Floor Area	50% of lot area

### **5.4.3 Zone Requirements for Short Term Accommodation**

Please refer to Section 3.29

## **5.5 MINERAL AGGREGATE RESOURCE ZONE**

### **5.5.1 Permitted Uses**

- a) Agricultural use;
- b) Agricultural-related use;
- c) On-farm diversified use;
- d) Mineral aggregate resource operation; and
- e) Uses, buildings and structures accessory to the foregoing uses.

### **5.5.2 Zone Requirements for Mineral Aggregate Resource Uses**

Minimum Lot Frontage	100.0m
Minimum Lot Area	20ha
Minimum Front Yard	20.0m*
Minimum Interior Side Yard	20.0m*
Minimum Corner Side Yard	20.0m*
Minimum Rear Yard	20.0m*

\*Where lands are licensed for mineral aggregate extraction under the Aggregate Resources Act (ARA), the setbacks established in the approved ARA site plan shall prevail.

### **5.5.3 Zone Requirements for Agricultural-Related and On-Farm Diversified Use**

Please refer to Section 3.2

## SECTION 6: RESIDENTIAL ZONES

The following zoning categories are described in this section:

### **R1 Residential One Zone**

Permitted Uses:

- Single detached dwelling;
- Semi-detached dwelling;
- Bed and breakfast establishment;
- Second dwelling units;
- Home occupation; and
- Uses, buildings and structures accessory to the foregoing uses.

### **RM1 Residential Multiple One Zone**

Permitted Uses:

- Semi-detached dwelling;
- Duplex dwelling;
- Triplex dwelling;
- Fourplex dwelling;
- Boarding house dwelling;
- Converted dwelling;
- Street townhouse dwelling;
- Block townhouse dwelling;
- Second dwelling units; and
- Uses, buildings and structures accessory to the foregoing uses.

### **R2 Residential Two Zone**

Permitted Uses:

- Single detached dwelling;
- Semi-detached dwelling;
- Duplex dwelling;
- Second dwelling units;
- Home occupation; and
- Uses, buildings and structures accessory to the foregoing uses.

### **RM2 Residential Multiple Two Zone**

Permitted Uses:

- Apartment dwelling; and
- Uses, buildings and structures accessory to the foregoing uses.

### **R3 Residential Three Zone**

Permitted Uses:

- Semi-detached dwelling;
- Duplex dwelling;
- Triplex dwelling;
- Second dwelling units;
- Home occupation; and
- Uses, buildings and structures accessory to the foregoing uses.

### **RD Residential Development Zone**

Permitted Uses:

- Existing single detached dwelling;
- Uses, buildings and structures accessory to the foregoing uses; and
- Uses existing at the time of the passing of the by-law.

### **RR Rural Residential Zone**

Permitted Uses:

- Single detached dwelling;
- Second dwelling units;
- Home occupation and
- Uses, buildings and structures accessory to the foregoing uses.

## 6.1 RESIDENTIAL ONE ZONE



### 6.1.1 Permitted Uses

- a) Single detached dwelling;
- b) Semi-detached dwelling;
- c) Bed and breakfast establishment;
- d) Home occupation;
- e) Second dwelling units; and
- f) Uses, buildings and structures accessory to the foregoing uses.

### 6.1.2 Zone Requirements for a Single Detached Dwelling

Minimum Lot Frontage	15.0m
Minimum Lot Area	420m <sup>2</sup>
Minimum Front Yard	3.0m except 6.0m where there is an attached garage
Maximum Front Yard	6.0m
Minimum Side Yard	1.2m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Height for a Dwelling	12.0m

Maximum Lot Coverage 50%

**6.1.3 Zone Requirements for a Semi-Detached Dwelling**

Minimum Lot Frontage 6.0m per dwelling unit

Minimum Lot Area 165m<sup>2</sup> per dwelling unit

Minimum Front Yard 3.0m

Maximum Front Yard 6.0m

Minimum Side Yard 1.2m except that no interior side yard shall be required for a semi-detached dwelling between the common vertical wall dividing one unit from another.

Minimum Corner Side Yard 3.0m except where no attached garage or carport is provided the minimum corner side yard shall be 5.5m

Minimum Rear Yard 7.5m

Maximum Building Height 12.0m

Maximum Lot Coverage 50%

**6.1.4 Zone Requirements for a Bed and Breakfast Establishment**

Please refer to Section 3.3

**6.1.5 Zone Requirements for a Home Occupation**

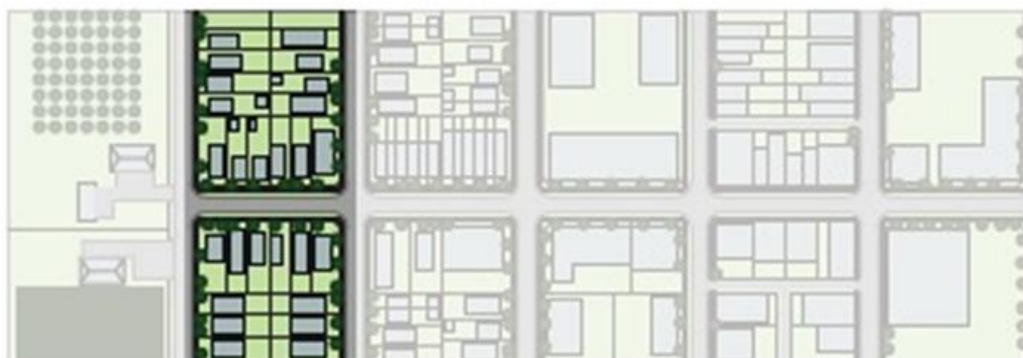
Please refer to Section 3.13.1

**6.1.6 Zone Requirements for Second Dwelling Units**

Please refer to Section 3.28



## 6.2 RESIDENTIAL TWO ZONE



### 6.2.1 Permitted Uses

- a) Single detached dwelling;
- b) Duplex dwelling;
- c) Semi-detached dwelling;
- d) Bed and breakfast establishment in a single detached dwelling;
- e) Home occupation;
- f) Second dwelling units; and
- g) Uses, buildings and structures accessory to the foregoing uses.

### 6.2.2 Zone Requirements for a Single Detached Dwelling

Minimum Lot Frontage	12.0m
Minimum Lot Area	360m <sup>2</sup>
Minimum Front Yard	3.0m except 6.0m where there is an attached garage
Maximum Front Yard	6.0m
Minimum Side Yard	1.2m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m

Maximum Building Height 12.0m

Maximum Lot Coverage 50%

### **6.2.3 Zone Requirements for a Semi-Detached Dwelling**

Minimum Lot Frontage 6.0m per dwelling unit

Minimum Lot Area 165m<sup>2</sup> per dwelling unit

Minimum Front Yard 3.0m

Maximum Front Yard 6.0m

Minimum Side Yard 1.2m except that no interior side yard shall be required for a semi-detached dwelling between the common vertical wall dividing one unit from another.

Minimum Corner Side Yard 3.0m except where no attached garage or carport is provided the minimum corner side yard shall be 5.5m

Minimum Rear Yard 7.5m

Maximum Building Height 12.0m

Maximum Lot Coverage 50%

### **6.2.4 Zone Requirements for a Duplex Dwelling**

Minimum Lot Frontage 14.0

Minimum Lot Area 400m<sup>2</sup>

Minimum Front Yard 3.0m except 6.0m where there is an attached garage

Maximum Front Yard 6.0m

Minimum Side Yard 1.2m

Minimum Corner Side Yard 4.5m

Minimum Rear Yard 7.5m

Maximum Building Height 12.0m

Maximum Lot Coverage 50%

### **6.2.5 Zone Requirements for a Bed and Breakfast Establishment**

Please refer to Section 3.3

### **6.2.6 Zone Requirements for a Home Occupation**

Please refer to Section 3.13.1

### **6.2.7 Zone Requirements for Second Dwelling Units**

Please refer to Section 3.28

## 6.3 RESIDENTIAL THREE ZONE



### 6.3.1 Permitted Uses

- a) Semi-detached dwelling;
- b) Duplex Dwellings;
- c) Triplex dwelling;
- d) Home occupation;
- e) Second dwelling units; and
- f) Uses, buildings and structures accessory to the foregoing uses.

### 6.3.2 Zone Requirements for a Semi-Detached Dwelling

Minimum Lot Frontage	6.0m per dwelling unit
Minimum Lot Area	165m <sup>2</sup> per dwelling unit
Minimum Front Yard	3.0m except 6.0m where there is an attached garage
Maximum Front Yard	6.0m
Minimum Side Yard	1.2m except that no interior side yard shall be required for a semi-detached dwelling between the common vertical wall dividing one unit from another.
Minimum Corner Side Yard	3.0m except where no attached garage or carport is provided the minimum corner side yard shall be 5.5m

Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

**6.3.3 Zone Requirements for a Duplex Dwelling**

Minimum Lot Frontage	14.0
Minimum Lot Area	400m <sup>2</sup>
Minimum Front Yard	3.0m
Maximum Front Yard	6.0m
Minimum Side Yard	1.2m
Minimum Corner Side Yard	4.5m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

**6.3.4 Zone Requirements for a Triplex Dwelling**

Minimum Lot Frontage	14.0
Minimum Lot Area	140m <sup>2</sup> per unit
Minimum Front Yard	3.0m
Maximum Front Yard	6.0m
Minimum Side Yard	1.2m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

**6.3.5 Zone Requirements for a Home Occupation**

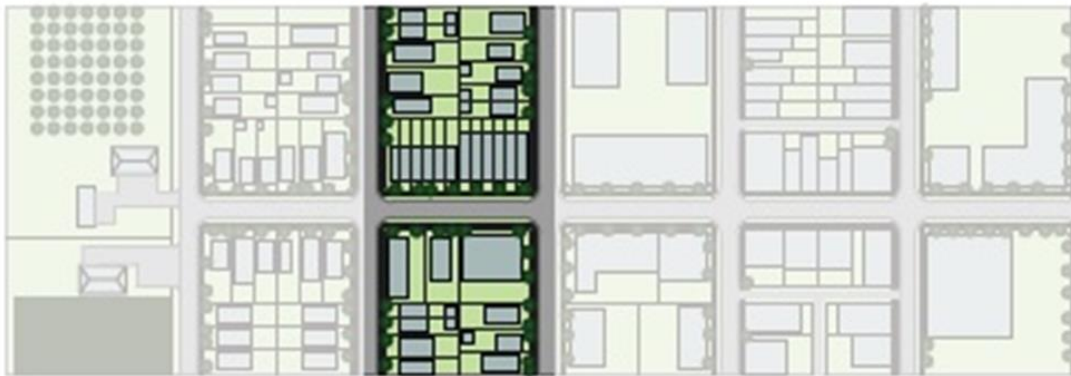
Please refer to Section 3.13.1

**6.3.6 Zone Requirements for Second Dwelling Units**

Please refer to Section 3.28



## 6.4 RESIDENTIAL MULTIPLE ONE ZONE



### 6.4.1 Permitted Uses

- a) Triplex dwelling;
- b) Semi-detached dwelling;
- c) Duplex dwelling;
- d) Fourplex dwelling;
- e) Boarding house dwelling;
- f) Converted dwelling;
- g) Street townhouse dwelling;
- h) Block townhouse dwelling;
- i) Home occupation;
- j) Second dwelling units; and
- k) Uses, buildings and structures accessory to the foregoing uses.

### 6.4.2 Zone Requirements for Residential Multiple One Uses

Minimum Lot Frontage	14.0m 6.0m per dwelling unit for semi-detached dwellings
Minimum Lot Area	140m <sup>2</sup> per unit

Minimum Front Yard	3.0m
Maximum Front Yard	6.0m
Minimum Side Yard	1.2m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

**6.4.3 Zone Requirements for a Street Townhouse Dwelling**

Minimum Lot Frontage	6.0m per dwelling unit, except in the case of an interior lot containing a dwelling attached on one side only, the minimum lot frontage required shall be 9.0m
Minimum Lot Area	230m <sup>2</sup> per unit
Minimum Front Yard	3.0m
Maximum Front Yard	6.0m
Minimum Side Yard	1.2m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Landscape strip	A landscape strip of 1.5m minimum in width shall be provided where the boundary of a RM1 Zone abuts an R1, R2 or R3 Zone
Maximum Lot Coverage	50%

**6.4.4 Zone Requirements for a Block Townhouse Dwelling**

Minimum Lot Frontage	30.0m or 14.0m on a corner lot
Minimum Lot Area	2,000m <sup>2</sup>
Minimum Front Yard	3.0m

Maximum Front Yard	6.0m
Minimum Side Yard	1.2m, except that where the rear of a building faces the side yard, the minimum side yard shall be 7.5m, and the minimum side yard abutting a street shall be 7.5m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Minimum Setback from an Internal Road	3.0m except for garages where it is 6.0m
Maximum Setback from an Internal Road	4.5m
Distance Between Buildings on the Same Lot	<p>A FACE OF A BUILDING means one or other of the longest walls on a building. Each building shall be deemed to have two faces.</p> <p>A SIDE OF A BUILDING means one or the other of the shortest walls on a building. Each building shall be deemed to have two sides.</p> <p>Any face of one townhouse shall be no closer to any side of another townhouse than 9.0m.</p> <p>Any face of any townhouse shall be no closer than 14.0m to any face of another townhouse.</p> <p>Any side of any townhouse shall be no closer than 3.0m to any side of another townhouse.</p>
Landscape strip	A landscape strip of 1.5m minimum in width shall be provided where the boundary of a RM1 Zone abuts a R1, R2, or R3 Zone.
Maximum Lot Coverage	50%

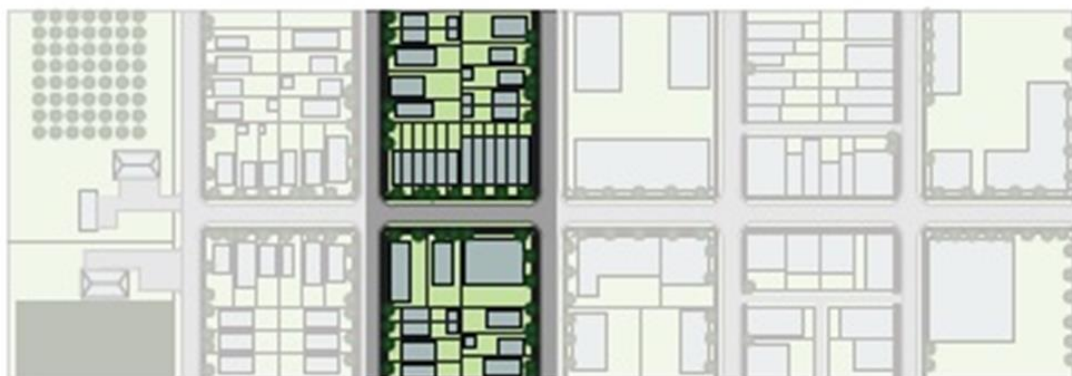
**6.4.5 Zone Requirements for a Home Occupation**

Please refer to Section 3.13.1

**6.4.6 Zone Requirements for Second Dwelling Units**

Please refer to Section 3.28

## 6.5 RESIDENTIAL MULTIPLE TWO ZONE



### 6.5.1 Permitted Uses

- a) Apartment dwelling; and
- b) Uses, buildings and structures accessory to the foregoing uses.

### 6.5.2 Zone Requirements

Minimum Lot Frontage	30.0m
Minimum Lot Area	150m <sup>2</sup> per unit
Minimum Front Yard	3.0m
Maximum Front Yard	6.0m
Minimum Side Yard	6.0m or ½ the height of the building, whichever is less
Minimum Corner Side Yard	3.0m to 6.0m
Minimum Rear Yard	12.0m
Maximum Building Height	15.0m
Maximum Lot Coverage	50%
Landscape strip	A landscape strip of 1.5m minimum in width shall be provided where the boundary of a RM2 Zone abuts a R1, R2, or R3 Zone.

## 6.6 RESIDENTIAL DEVELOPMENT ZONE



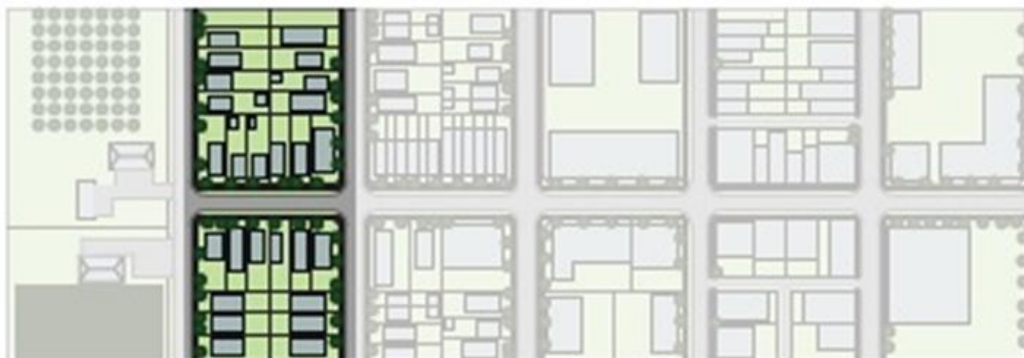
### 6.6.1 Permitted Uses

- a) Existing single detached dwelling;
- b) Uses, buildings and structures accessory to the foregoing uses; and
- c) Uses existing at the date of passing of the By-law.

### 6.6.2 Zone Requirements

Minimum Lot Frontage	122.0m or as existing
Minimum Lot Area	4000m <sup>2</sup> or as existing
Minimum Front Yard	8.0m
Minimum Side Yard	5.0m
Minimum Corner Side Yard	8.0m
Minimum Rear Yard	8.0m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%

## 6.7 RURAL RESIDENTIAL ZONE



### 6.7.1 Permitted Uses

- a) Single detached dwelling;
- b) Home occupation;
- c) Second dwelling units; and
- d) Uses, buildings and structures accessory to the foregoing uses.

### 6.7.2 Zone Requirements

Minimum Lot Frontage	15.0m or 17.0m on a corner lot
Minimum Lot Area	0.4ha
Minimum Front Yard	3.0m
Maximum Front Yard	6.0m
Minimum Side Yard	1.2m and 3.0m on the other side 1.5m on each side where carport or garage is attached
Minimum Rear Yard	5.0m
Maximum Building Height	12.0m
Maximum Lot Coverage	50%



**6.7.3 Zone Requirements for a Home Occupation**

Please refer to Section 3.13.1

**6.7.4 Zone Requirements for Second Dwelling Units**

Please refer to Section 3.28

## **SECTION 7: GREENFIELD DEVELOPMENT ZONE**

The following zoning categories are described in this section:

### **GF-R1**

#### **New Greenfield Development Residential One Zone**

Permitted Uses:

- Single detached dwelling;
- Semi-detached dwelling;
- Duplex dwelling;
- Triplex dwelling;
- Bed and breakfast establishment in a single detached dwelling;
- Second dwelling units; and
- Uses, buildings and structures accessory to the foregoing uses.

### **GF-NC**

#### **New Greenfield Development Neighbourhood Commercial Zone**

Permitted Uses:

- Retail use;
- Service shop;
- Dwelling units above the ground floor; and
- Uses, buildings and structures accessory to the foregoing uses.

### **GF-R2**

#### **New Greenfield Development Residential Two Zone**

Permitted Uses:

- Street townhouses;
- Second dwelling units; and
- Uses, buildings and structures accessory to the foregoing uses.

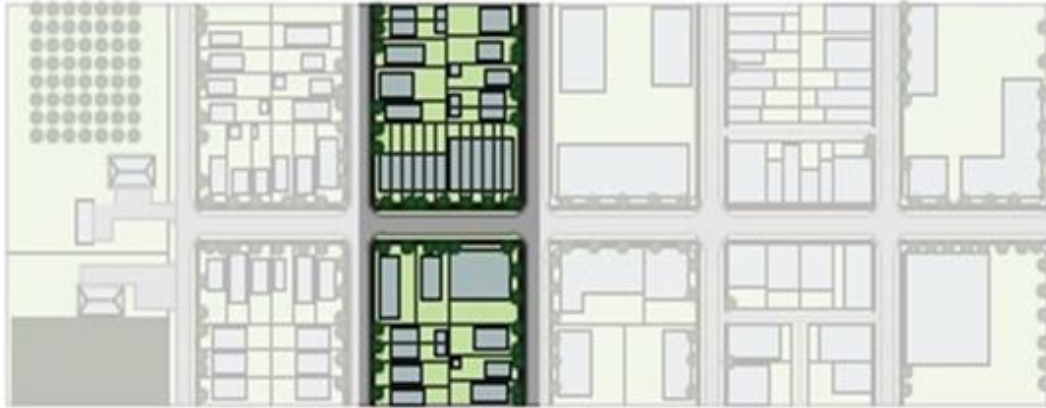
### **GF-R3**

#### **New Greenfield Development Residential Three Zone**

Permitted Uses:

- Triplex dwelling;
- Fourplex dwelling;
- Street townhouses;
- Block townhouses;
- Stacked townhouses;
- Back-to-back townhouses
- Apartment dwellings;
- Secondary dwelling units; and
- Uses, buildings and structures accessory to the foregoing uses.

## 7.1 NEW GREENFIELD DEVELOPMENT RESIDENTIAL ONE ZONE



### 7.1.1 Permitted Uses

- a) Single detached dwelling;
- b) Semi-detached dwelling;
- c) Duplex dwelling;
- d) Triplex dwelling;
- e) Bed and breakfast establishment in a single detached dwelling;
- f) Second dwelling units; and
- g) Uses, buildings and structures accessory to the foregoing uses.

### 7.1.2 Zone Requirements for a Bed and Breakfast Establishment

Please refer to Section 3.3

### 7.1.3 Zone Requirements for Second Dwelling Units

Please refer to Section 3.28

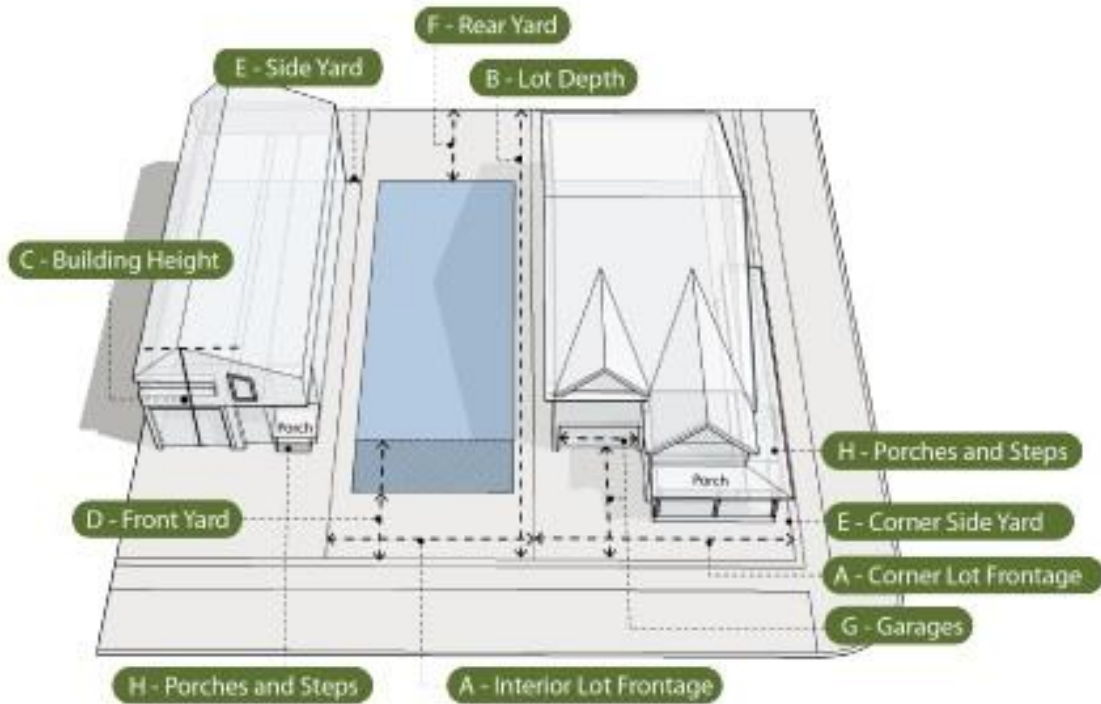
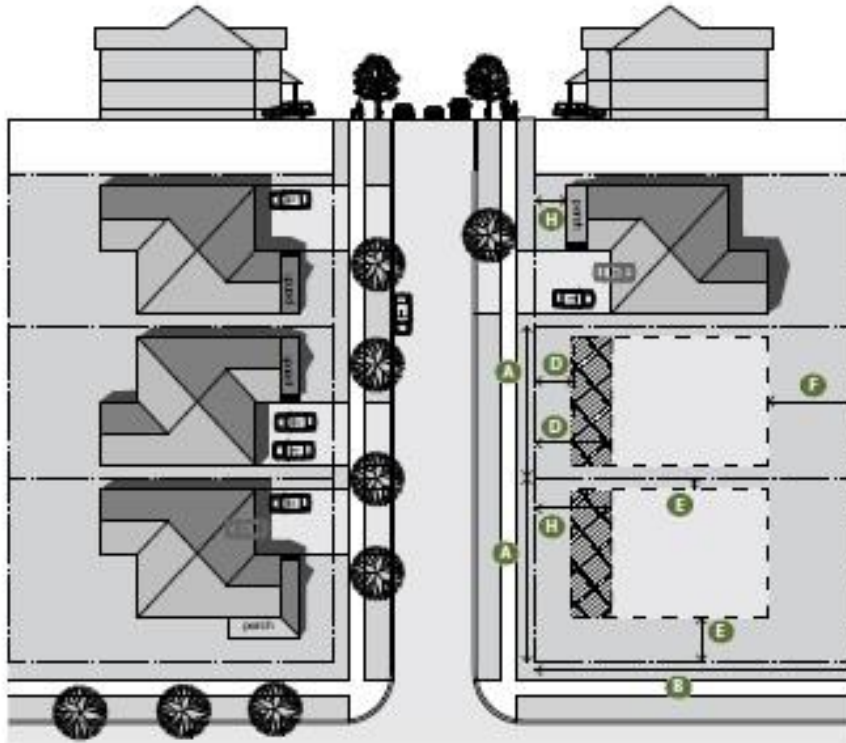
### 7.1.4 Zone Requirements Single Detached with Attached Garage

Lot Frontage	The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 15.0m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 7.5m
Garage	The garage door shall be set back a minimum of 6.0m from the lot line, or corner side yard lot line. The garage door width shall not exceed a maximum of 50% of the width of the lot or 6.0m, whichever is less, or, if facing the corner side lot line, a maximum of 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

#### Single Detached with Attached Garage Typologies



Demonstration Streetscape



### 7.1.5 Zone Requirements Single Detached with Detached Garage

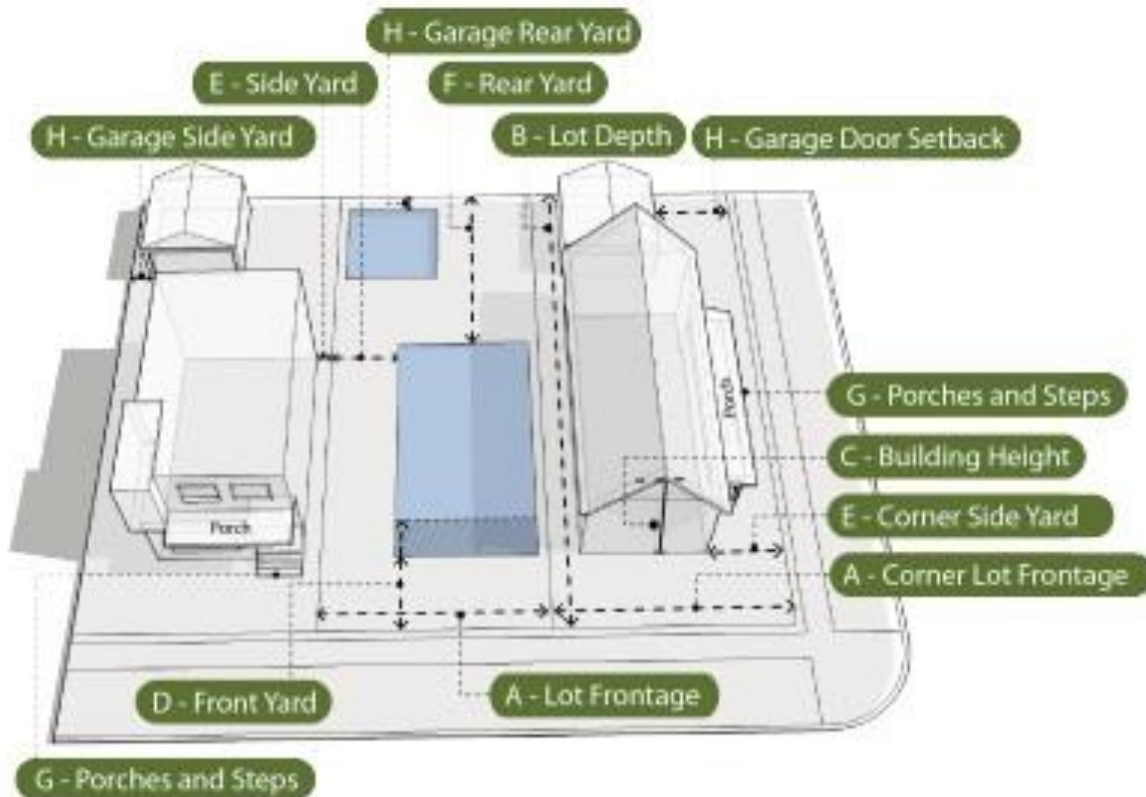
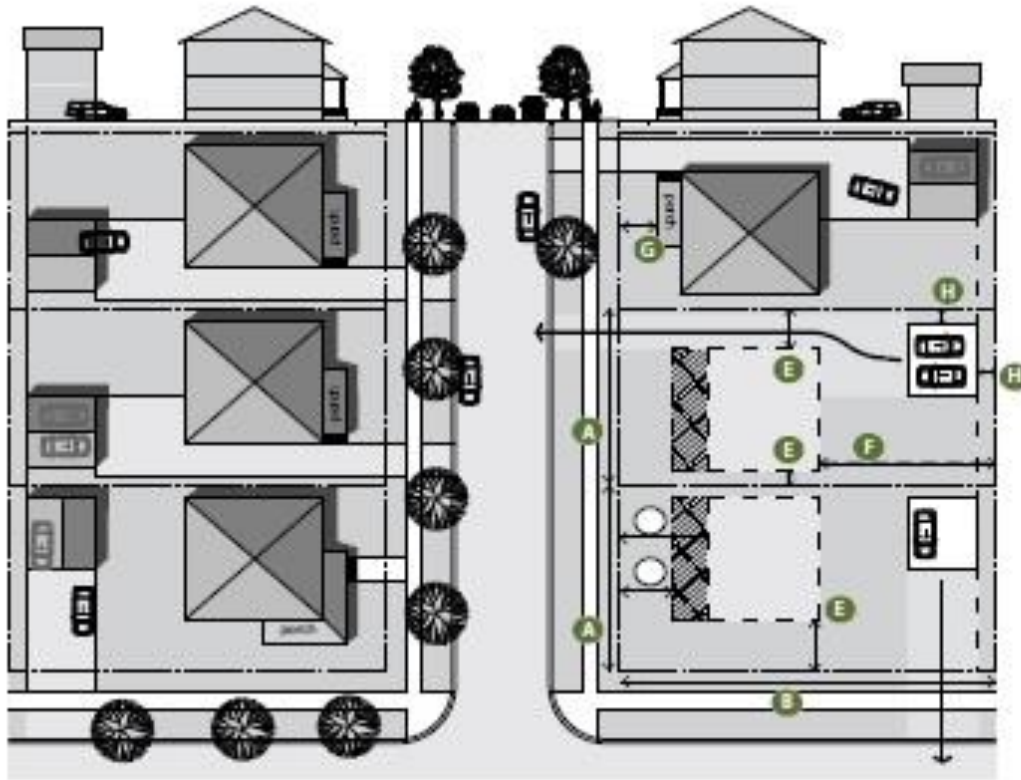
Lot Frontage	The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 13.5m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. Where there is a driveway within the interior side yard, the minimum side yard shall be 3.0m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	A detached garage shall be set back a minimum of 1.2m from the interior side lot line and rear lot line. The garage door shall be set back a minimum of 6.0m from the front lot line or corner side yard. The garage door width shall not exceed 50% of the lot width, or, if facing the corner side lot line, 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

#### Single Detached with Detached Garage Typologies





Demonstration Streetscape



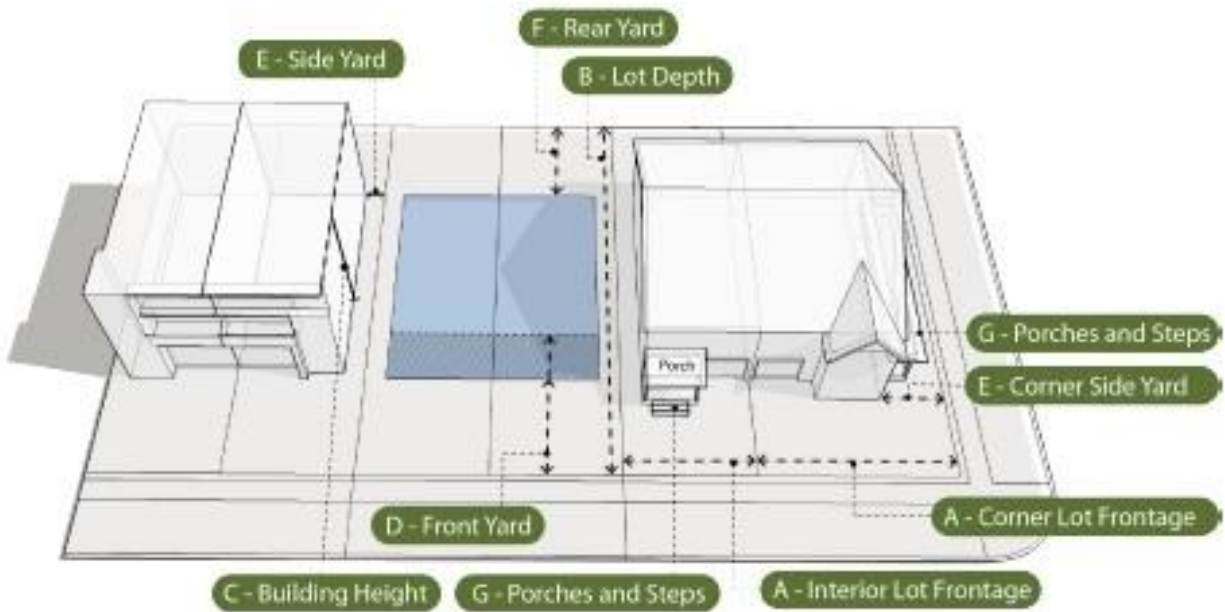
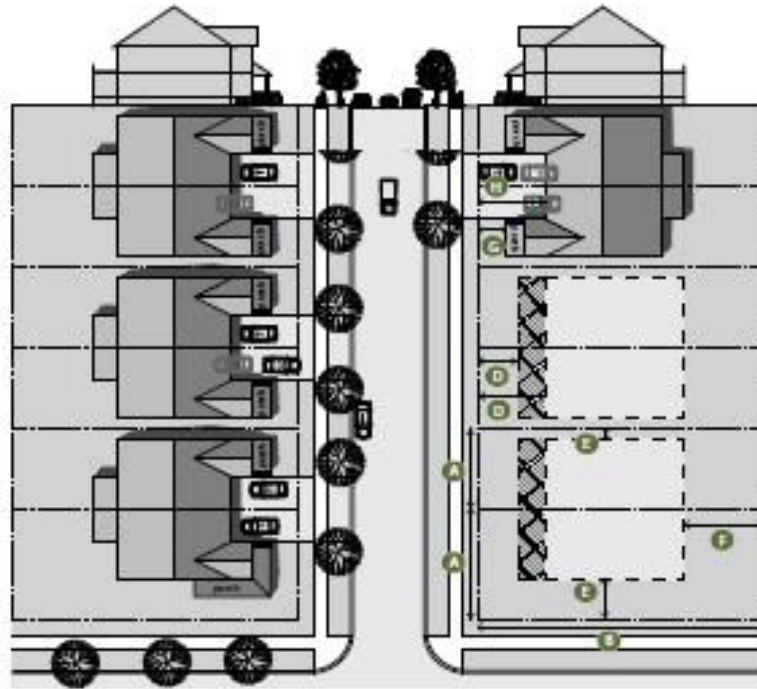
### 7.1.6 Zone Requirements Semi-Detached with Attached Garage

Lot Frontage	The minimum lot frontage shall be 9.0m, with a minimum lot frontage of 12.0m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 7.5m
Garage	The garage door shall be set back a minimum of 6.0m from the front lot line. The garage door width shall not exceed 50% of the lot width or 6.0m, whichever is less, or, if facing the corner side lot line, 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

#### Semi-Detached with Attached Garage Typologies



Demonstration Streetscape



### 7.1.7 Zone Requirements Semi-Detached with Rear Lane

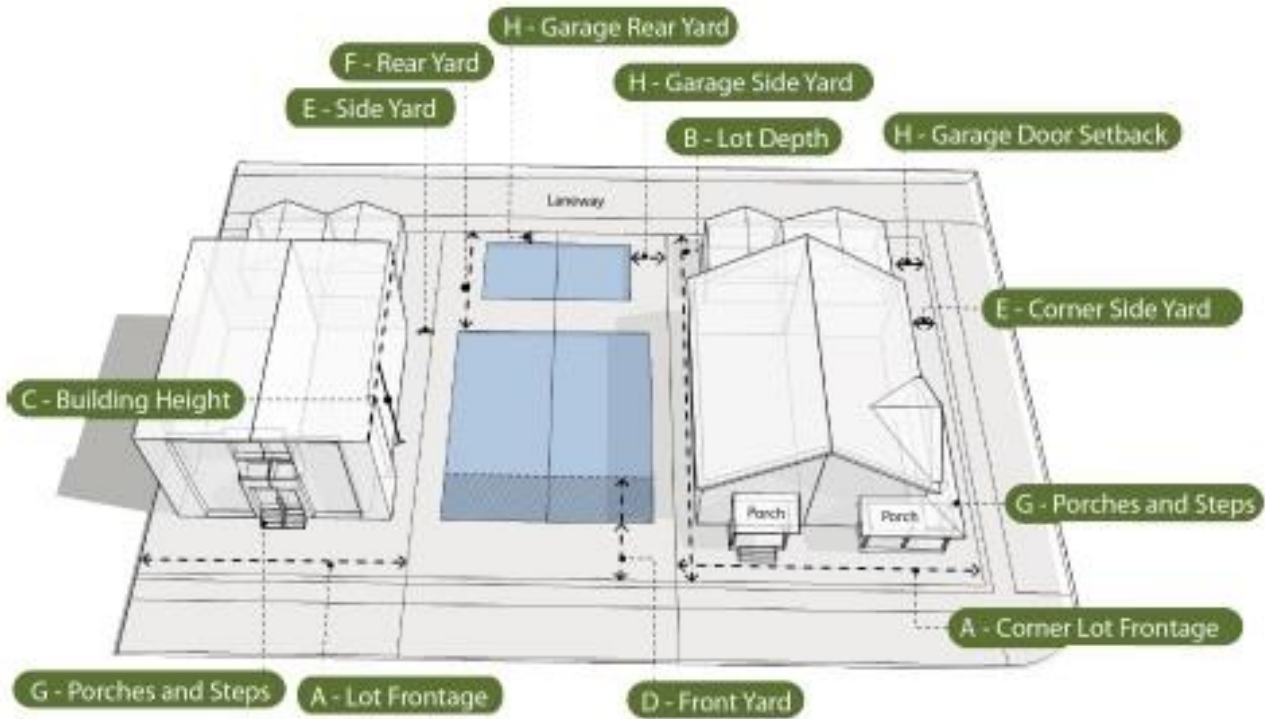
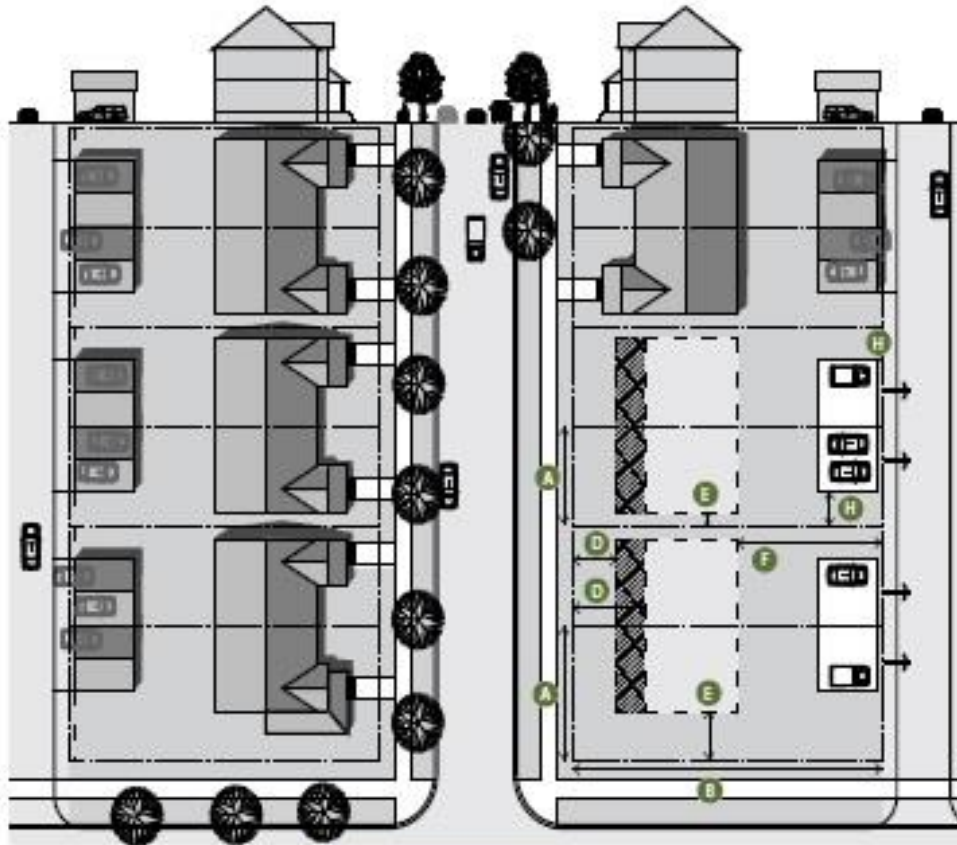
Lot Frontage	The minimum lot frontage shall be 9.0m, with a minimum lot frontage of 12.0m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	The garage shall be set back 1.2m from one side lot line and 0.5m from the rear lot line.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

#### Semi-Detached with Rear Lane Typologies





Demonstration Streetscape



### 7.1.8 Zone Requirements Duplex and Triplex with Rear Lane

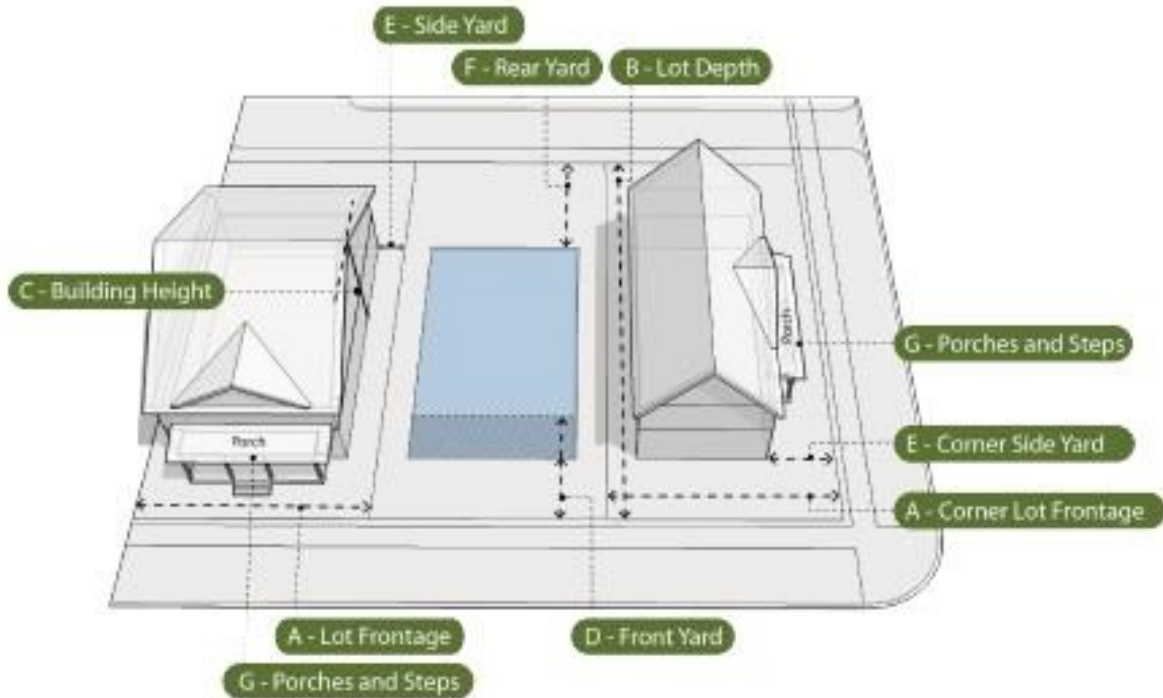
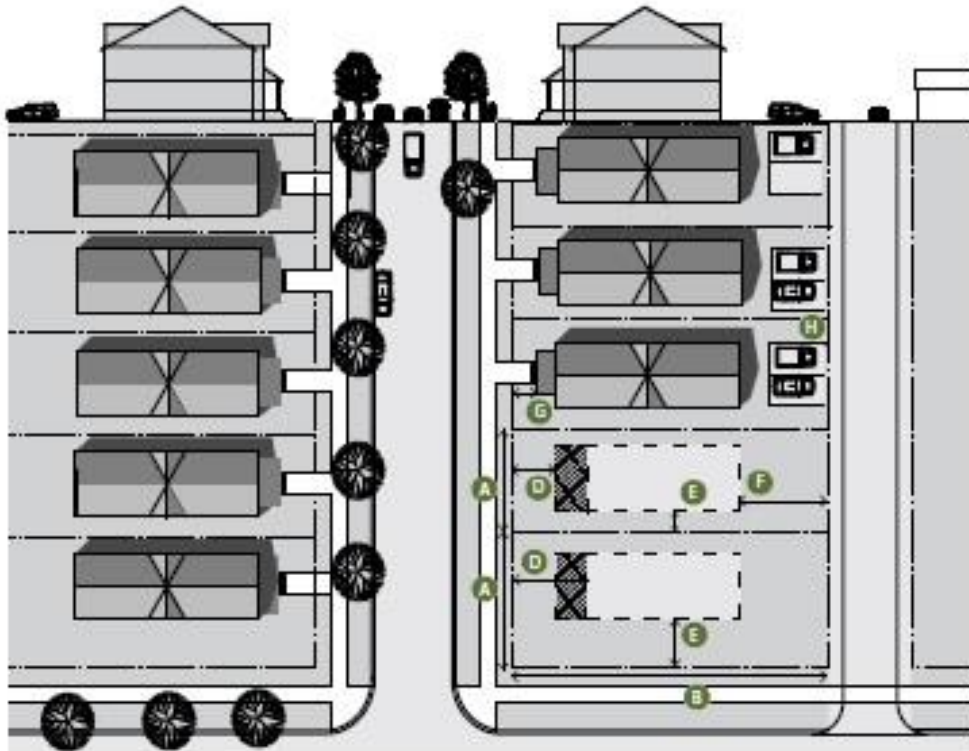
Lot Frontage	The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 15.0m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	The garage shall be set back 1.2m from one side lot line and 0.5m from the rear lot line.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

#### Duplex and Triplex with Rear Lane Typologies





Demonstration Streetscape



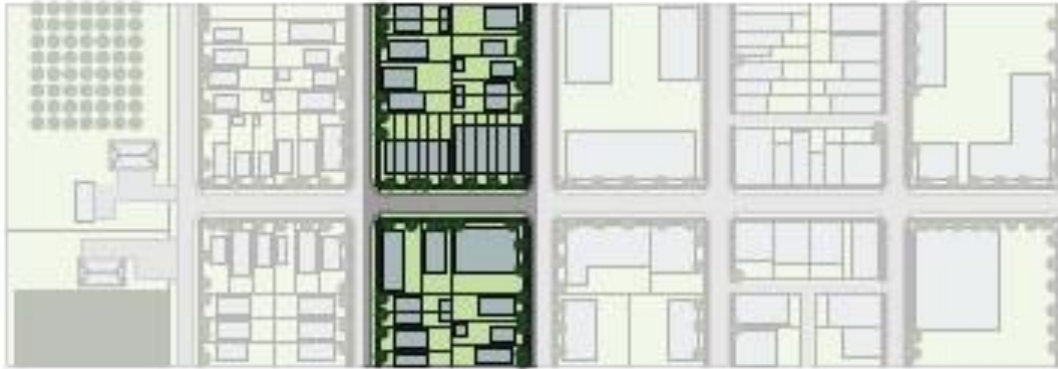
### 7.1.9 Zone Requirements Duplex and Triplex with Attached Garage

Lot Frontage	The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 15.0m for corner lots.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 7.5m
Garage	The garage shall be set back a minimum of 6.0m from the front lot line or corner side yard lot line. The garage door width shall not exceed 50% of the width of the lot or 6.0m, whichever is less, or if facing the exterior side lot line, a maximum of 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

#### Duplex and Triplex with Attached Garage Typologies



## 7.2 NEW GREENFIELD DEVELOPMENT RESIDENTIAL TWO ZONE



### 7.2.1 Permitted Uses

- a) Street townhouses;
- b) Second dwelling units; and
- c) Uses, buildings and structures accessory to the foregoing uses.

### 7.2.2 Zone Requirements for Second Dwelling Units

Please refer to Section 3.28

### 7.2.3 Zone Requirements Street Townhouse with Attached Garage

Lot Frontage	The minimum lot frontage shall be 6.0m per unit, with a minimum frontage of 7.2m for interior end units and 9.0m for exterior end units.
Lot Depth	The minimum lot depth shall be 29.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 6.0m

Garage

The garage shall be set back a minimum of 6.0m from the front lot line or corner side yard lot line. The garage door width shall not exceed 65% of the width of the lot or 6.0m, whichever is less, or if facing the exterior side lot line, a maximum of 20% of the lot depth.

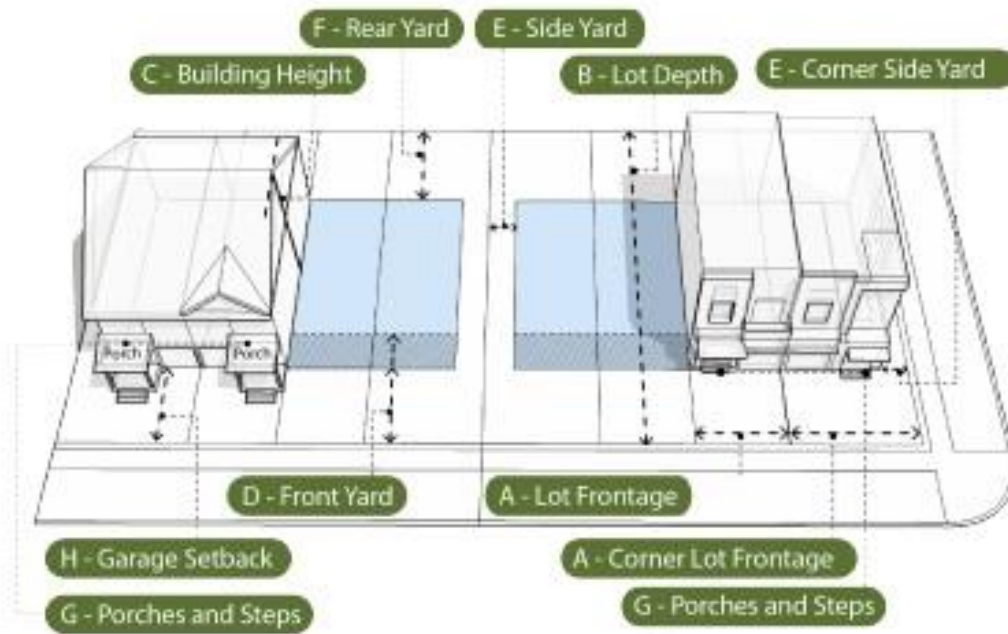
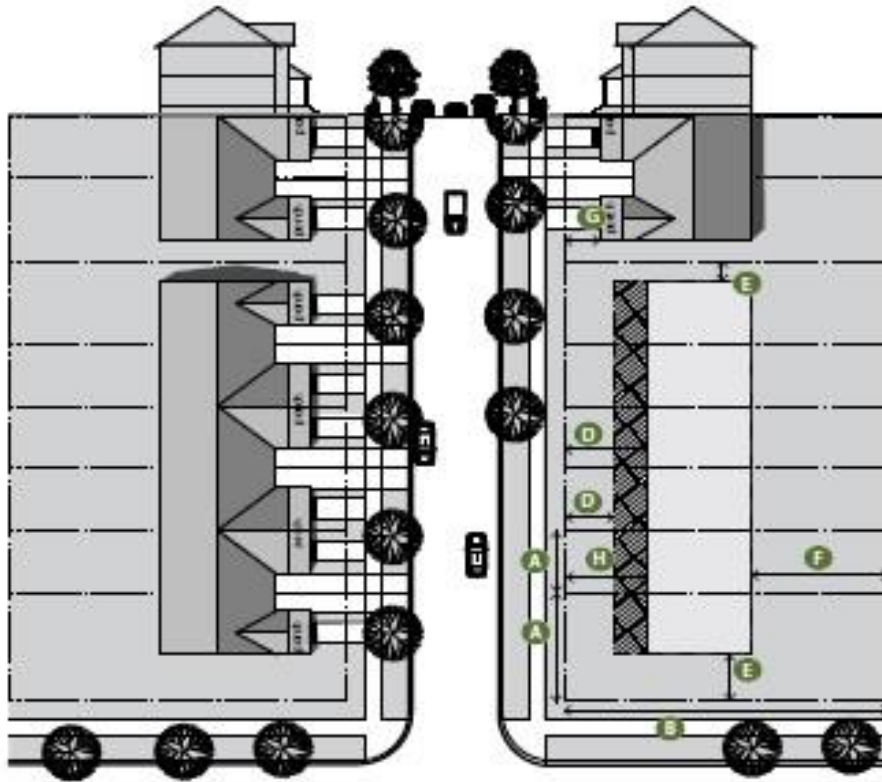
Porches and Steps

Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

Street Townhouse with Attached Garage Typologies



Demonstration Streetscape





## 7.2.4 Zone Requirements Street Townhouse with Rear Lane

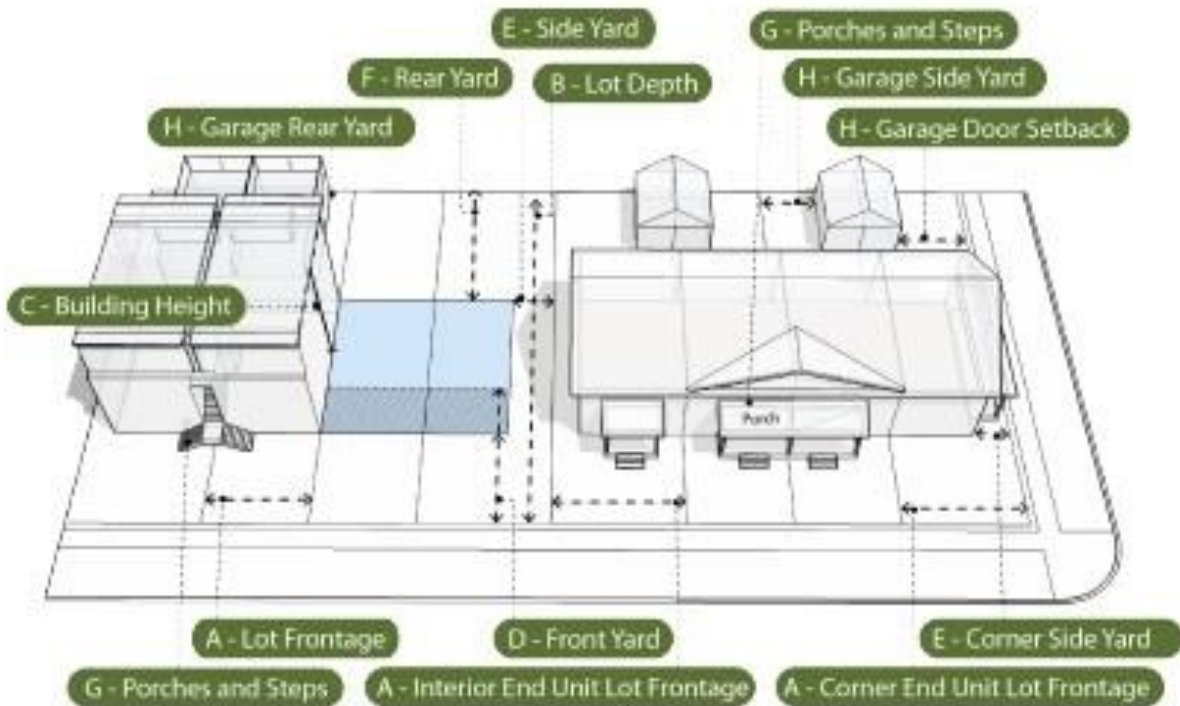
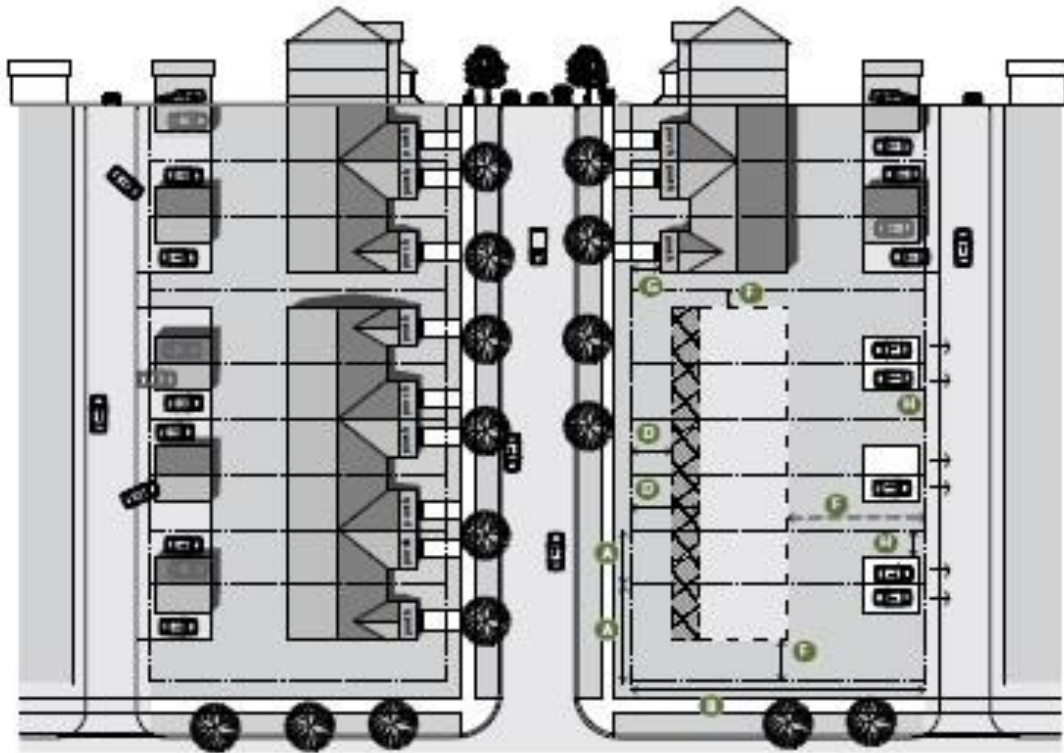
Lot Frontage	The minimum lot frontage shall be 6.0m per unit, with a minimum frontage of 7.2m for interior end units and 9.0m for exterior end units.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	The garage shall be set back a minimum of 1.2m from one side lot line and 0.5 from the rear lot line.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

### Street Townhouse with Rear Lane Typologies

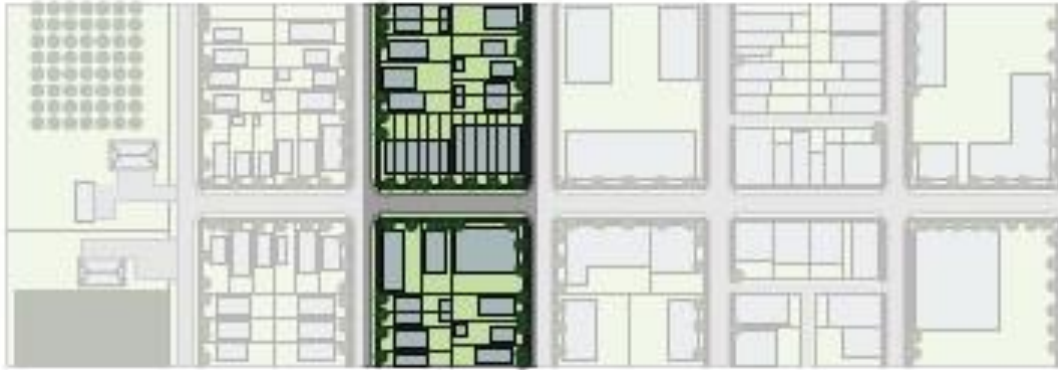




Demonstration Streetscape



## 7.3 NEW GREENFIELD DEVELOPMENT RESIDENTIAL THREE ZONE



### 7.3.1 Permitted Uses

- a) Triplex dwelling;
- b) Fourplex dwelling;
- c) Street townhouses;
- d) Block townhouses;
- e) Stacked townhouses;
- f) Back-to-back townhouses;
- g) Apartment dwellings;
- h) Second dwelling units; and
- i) Uses, buildings and structures accessory to the foregoing uses.

### 7.3.2 Zone Requirements for Second Dwelling Units

Please refer to Section 3.29

### 7.3.3 Zone Requirements Triplex and Fourplex with Rear Lane

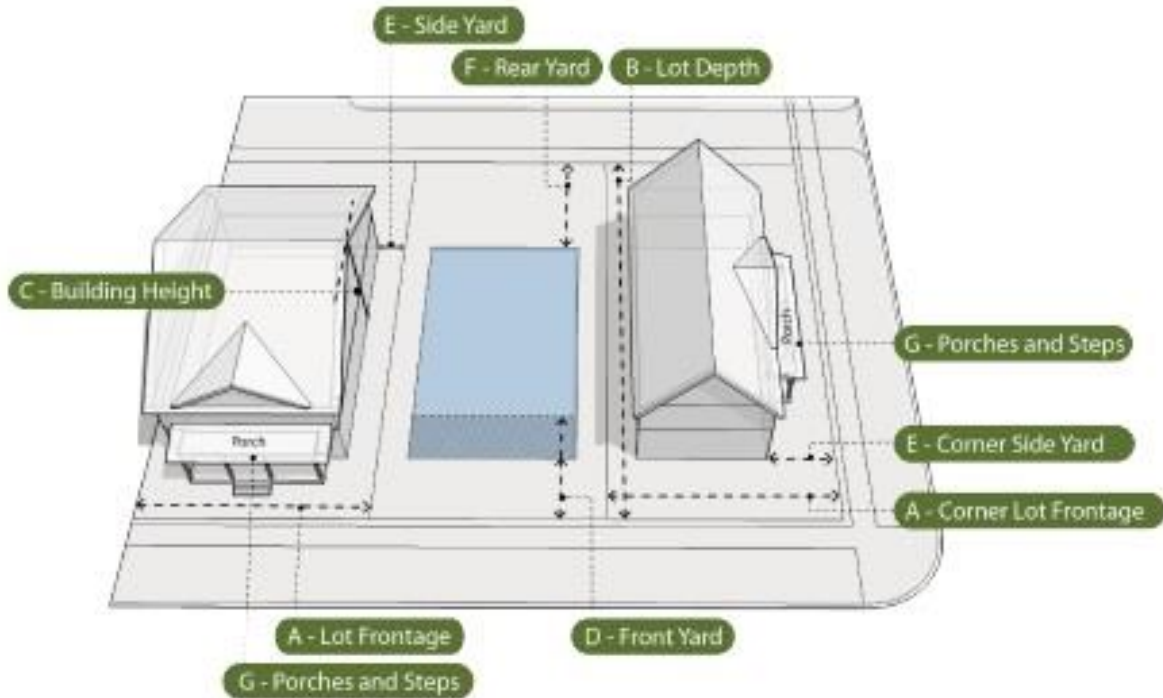
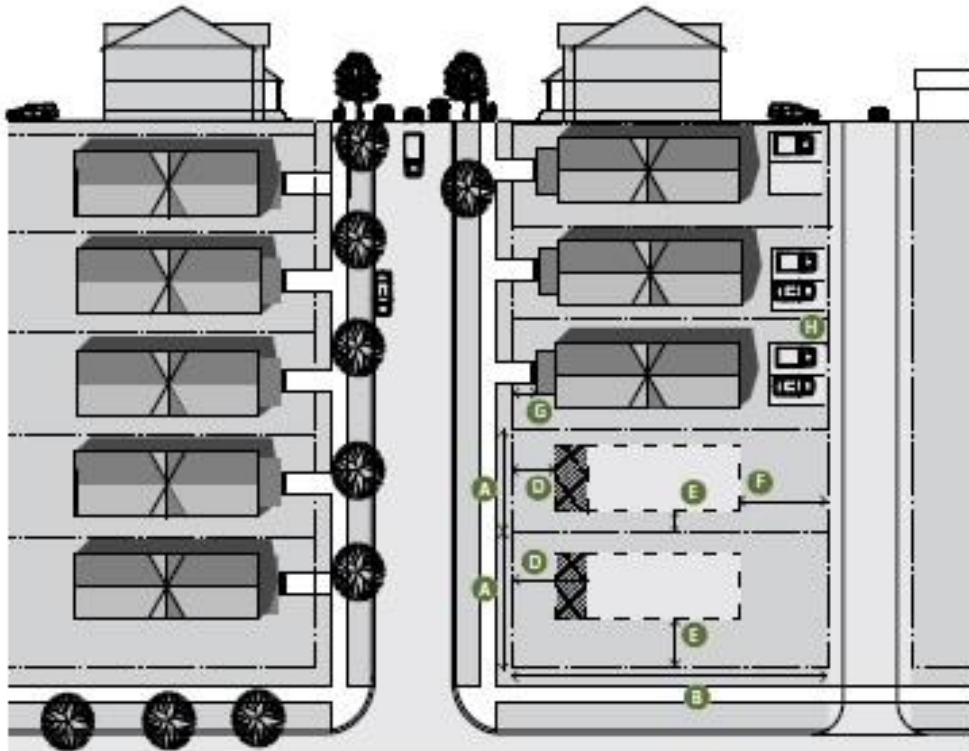
Lot Frontage                      The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 15.0m for corner lots.

Lot Depth	The minimum lot depth shall be 28.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	The garage shall be set back 1.2m from one side lot line and 0.5m from the rear lot line.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

Triplex and Fourplex with Rear Lane Typologies



Demonstration Streetscape



### 7.3.4 Zone Requirements Duplex and Triplex with Attached Garage

Lot Frontage	The minimum lot frontage shall be 12.0m, with a minimum lot frontage of 15.0m for corner lots.
Lot Depth	The minimum lot depth shall be 28.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 7.5m
Garage	The garage shall be set back a minimum of 6.0m from the front lot line or corner side yard lot line. The garage door width shall not exceed 50% of the width of the lot or 6.0m, whichever is less, or if facing the exterior side lot line, a maximum of 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

#### Triplex and Fourplex with Attached Garage Typologies





### 7.3.5 Zone Requirements Street Townhouse with Attached Garage

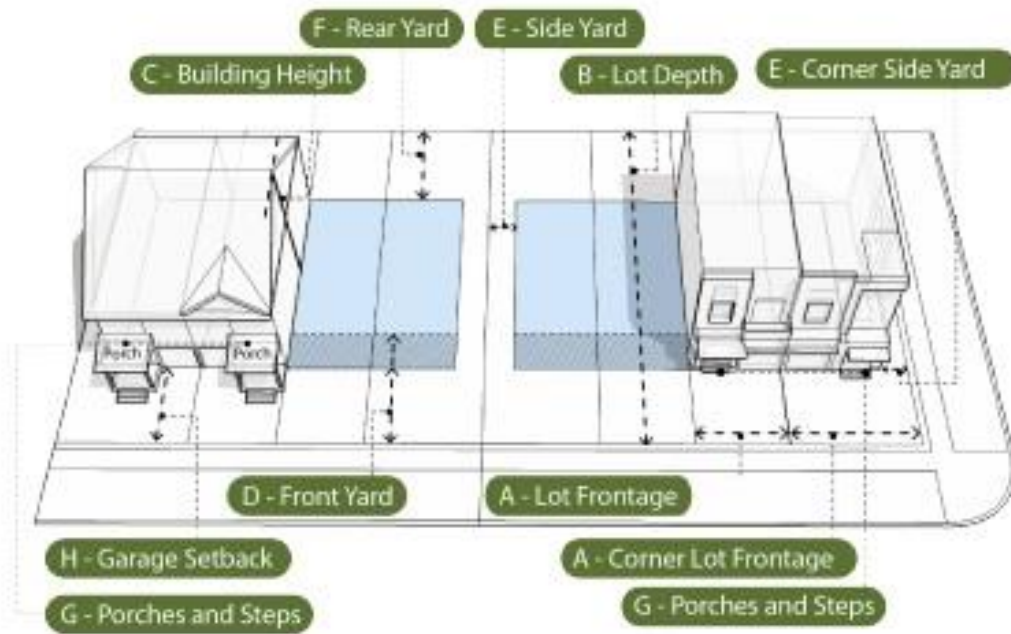
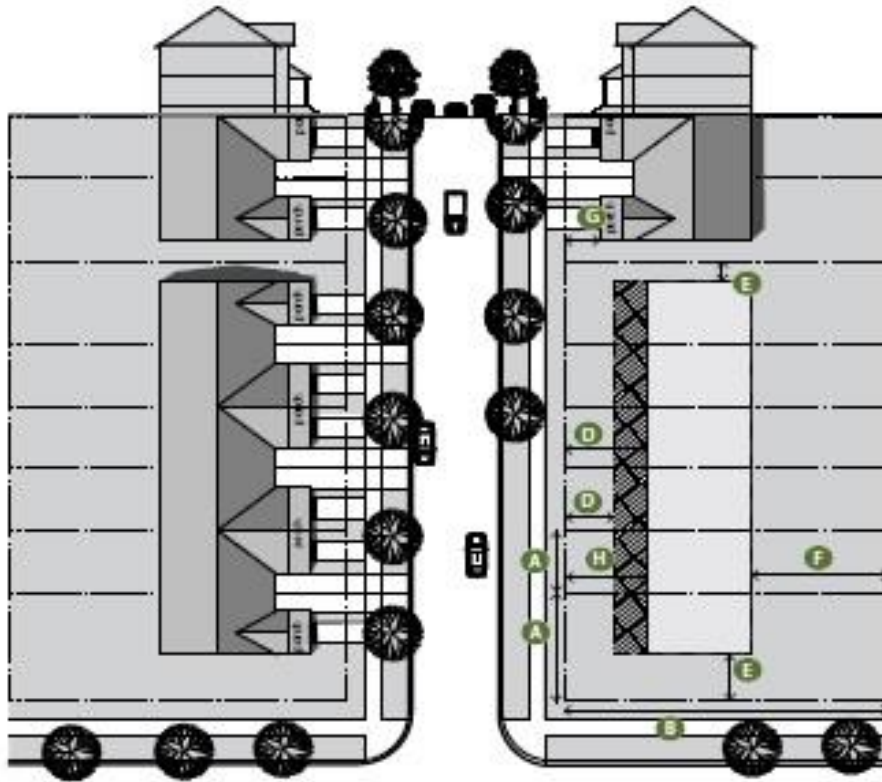
Lot Frontage	The minimum lot frontage shall be 6.0m per unit, with a minimum frontage of 7.2m for interior end units and 9.0m for exterior end units.
Lot Depth	The minimum lot depth shall be 28.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 6.0m
Garage	The garage shall be set back a minimum of 6.0m from the front lot line or corner side yard lot line. The garage door width shall not exceed 65% of the width of the lot or 6.0m, whichever is less, or if facing the exterior side lot line, a maximum of 20% of the lot depth.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

#### Street Townhouse with Attached Garage Typologies





Demonstration Streetscape



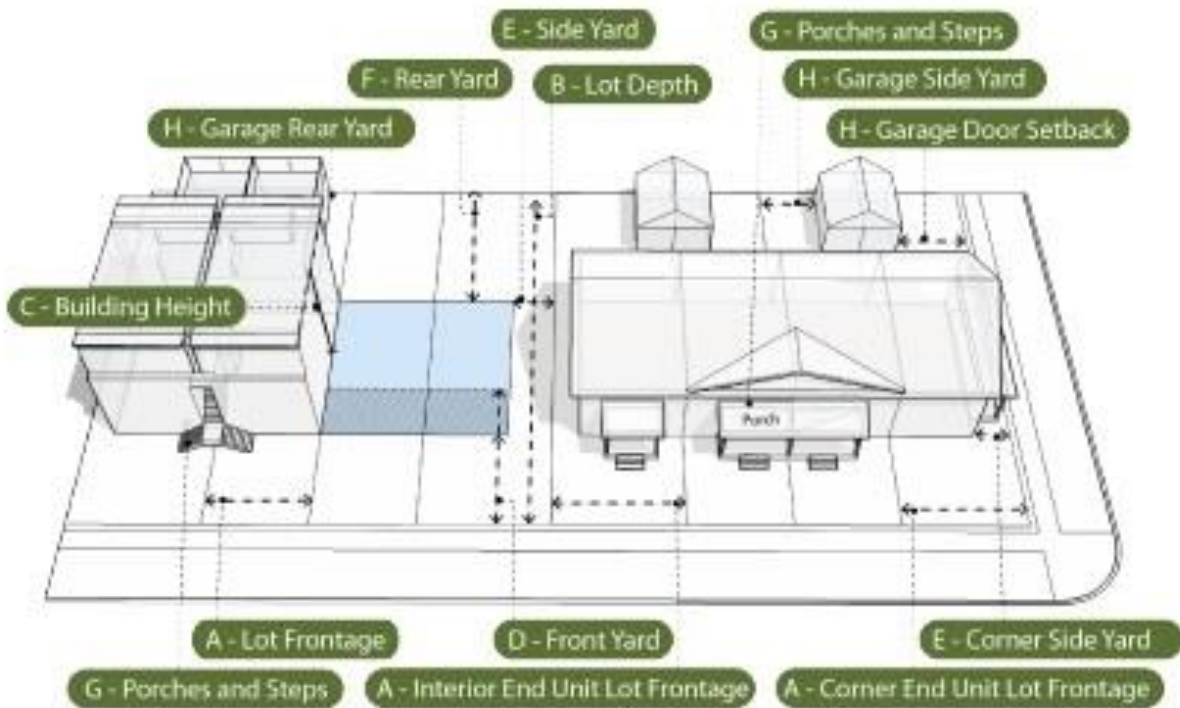
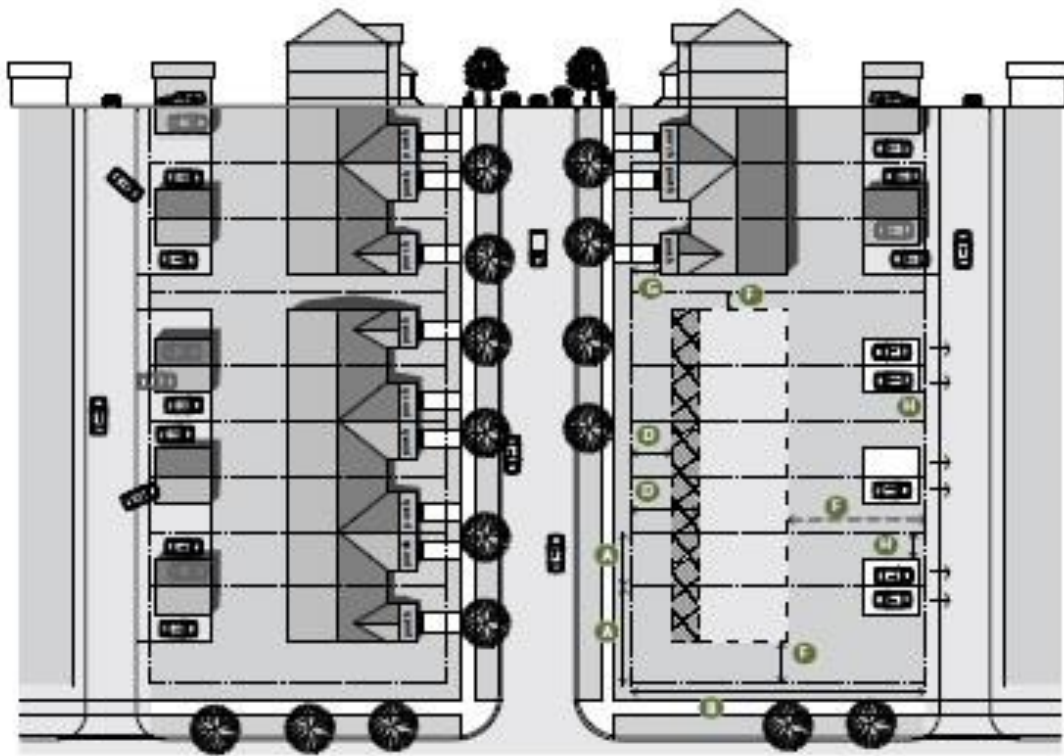
### 7.3.6 Zone Requirements Street Townhouse with Rear Lane

Lot Frontage	The minimum lot frontage shall be 6.0m per unit, with a minimum frontage of 7.2m for interior end units and 9.0m for exterior end units.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less. The height of a detached garage shall not exceed 7.0m or 2 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 10.5m
Garage	The garage shall be set back a minimum of 1.2m from one side lot line and 0.5 from the rear lot line.
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

#### Street Townhouse with Rear Lane Typologies



Demonstration Streetscape



### **7.3.7 Zone Requirements Block Townhouse and Stacked Townhouse Dwelling**

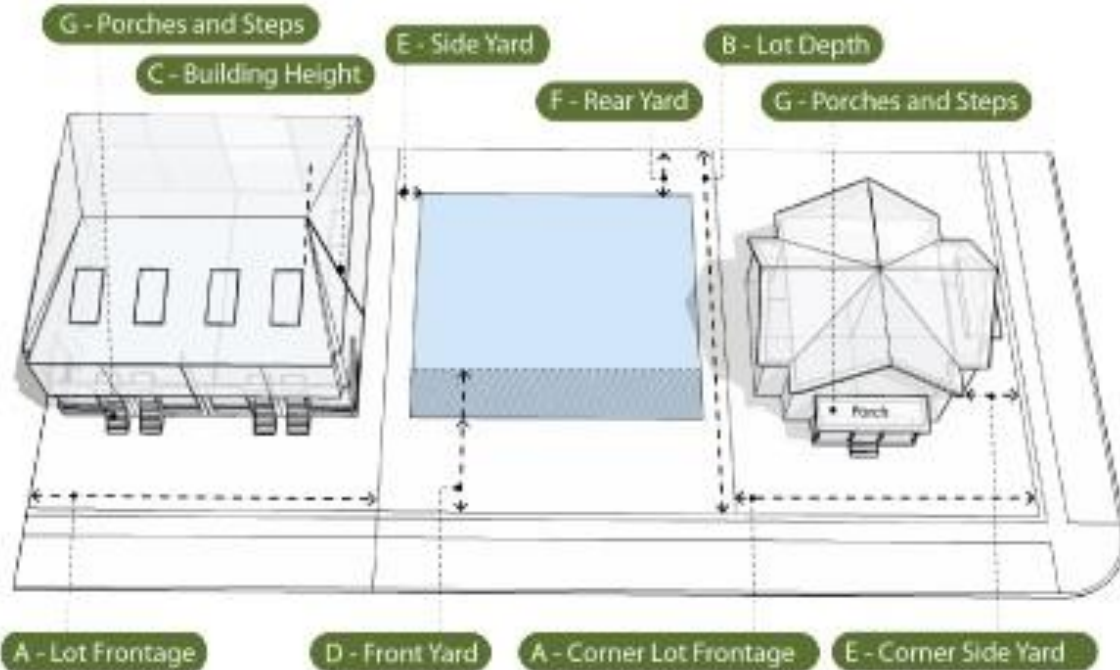
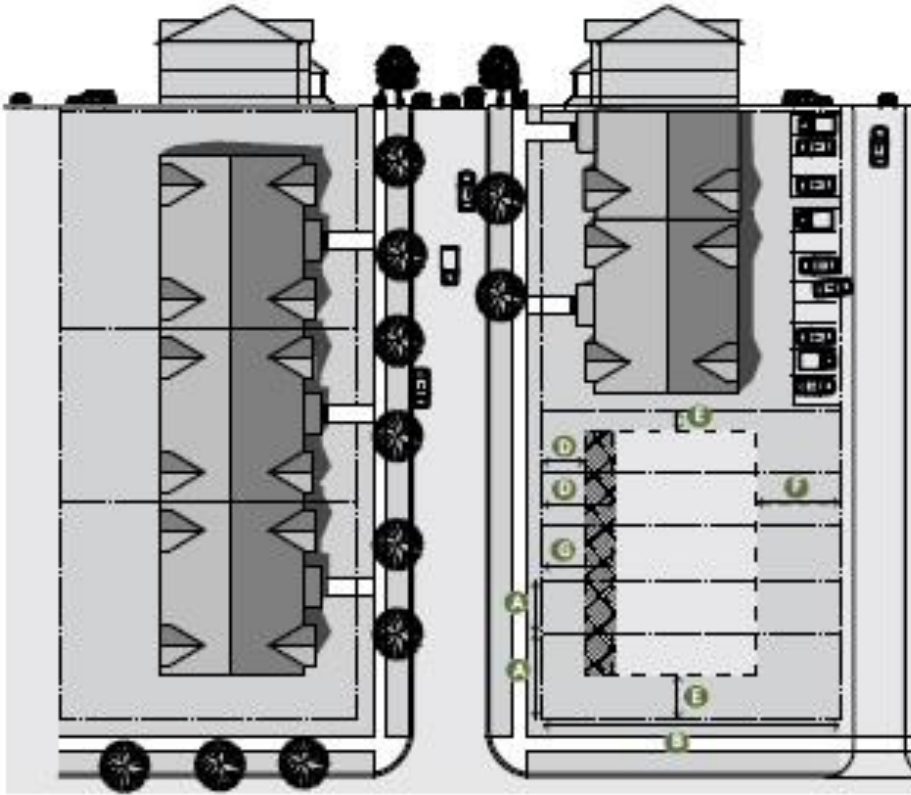
Lot Frontage	The minimum lot frontage shall be 30.0m.
Lot Depth	The minimum lot depth shall be 28.0m
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 1.2m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 6.0m
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.
Parking	Parking shall not be located in the front yard or corner side yard.

#### Block and Stacked Townhouse Typologies





Demonstration Streetscape



### 7.3.7 Zone Requirements Back-to Back Townhouse Dwelling

Lot Frontage	The minimum lot frontage shall be 6.0m per unit.
Minimum Lot Area	The minimum lot area shall be 110m <sup>2</sup> per unit.
Building Height	The maximum building height shall be 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall of the dwelling shall be built within 6.0m of the front lot line.
Side Yards	The minimum side yard shall be 2.0m or 0m to a common wall. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 0m.
Minimum Ground Floor Area for Dwelling	88m <sup>2</sup> – 1 Storey 22m <sup>2</sup> – 2 or 3 Storey
Porches and Steps	Porches and associated steps may encroach to within 1.0m of the front lot line and/or the corner side yard lot line. Porches must have a minimum depth of 1.5m.

#### Back-to Back Townhouse Typologies





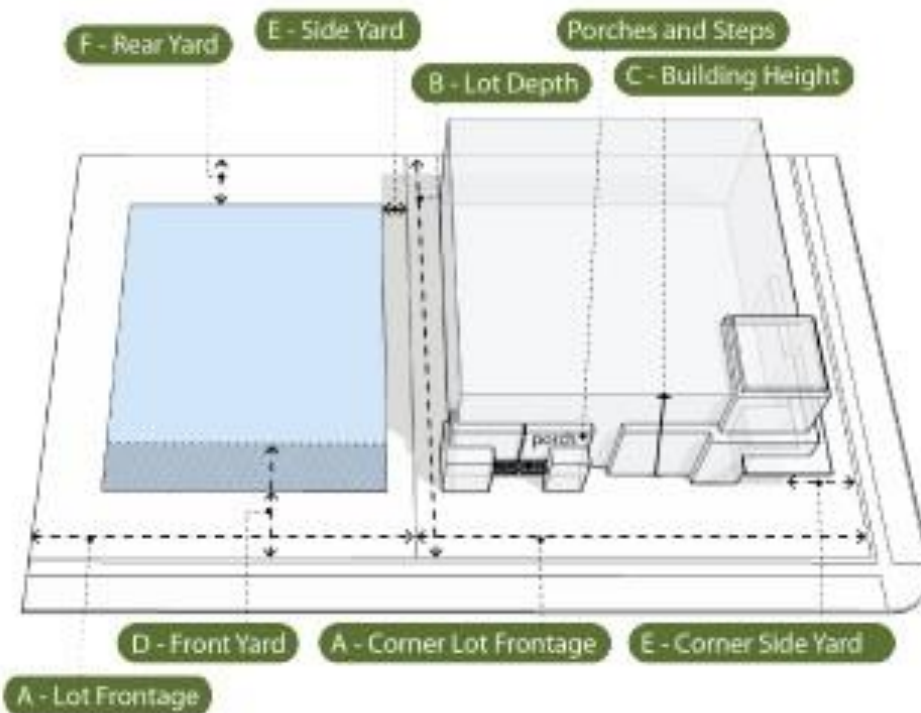
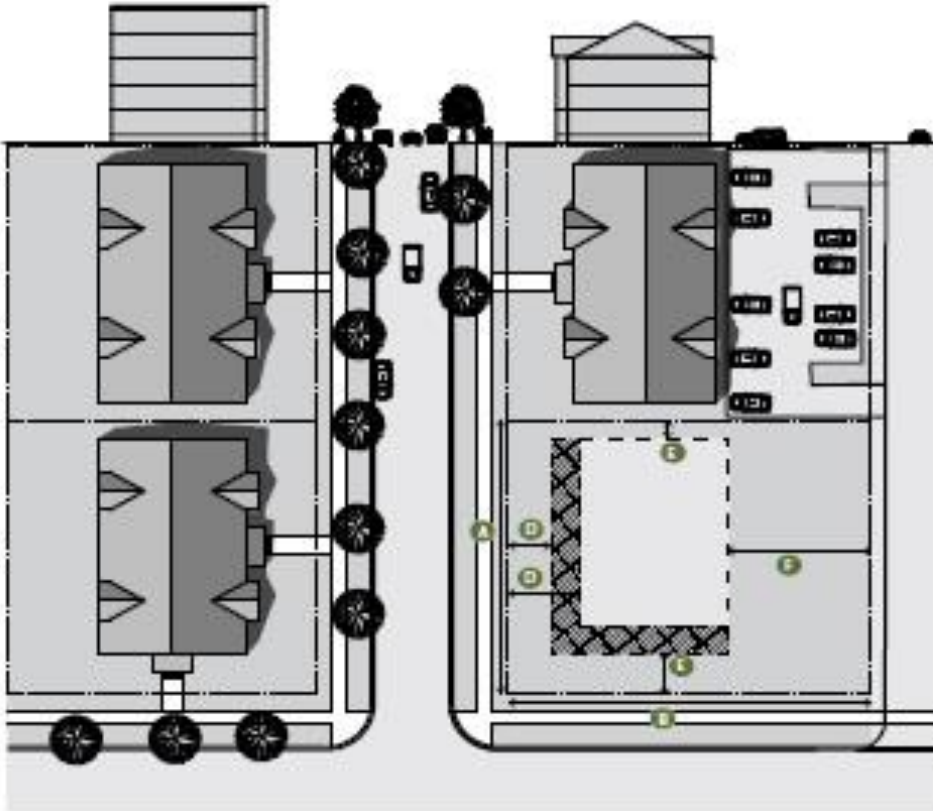
### 7.3.8 Zone Requirements Apartment

Lot Frontage	The minimum lot frontage shall be 30.0m.
Lot Depth	The minimum lot depth shall be 32.0m
Building Height	The maximum building height shall be 5 storeys
Front Yard	The main front wall of the dwelling shall be built within 3.0m and 5.0m of the front lot line.
Side Yards	The minimum side yard shall be 3.0m. The minimum corner side yard shall be 3.0m
Rear Yard	The minimum rear yard setback shall be 7.5m

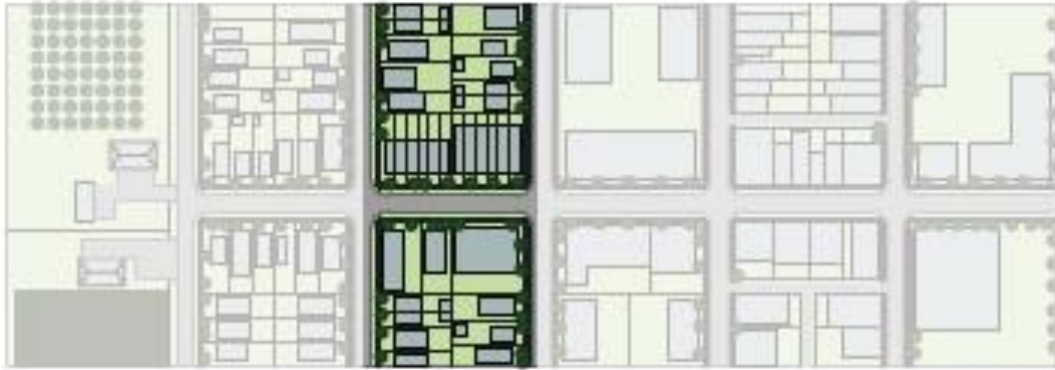
#### Apartment Typologies



Demonstration Streetscape



## 7.4 NEW GREENFIELD DEVELOPMENT NEIGHBOURHOOD COMMERCIAL ZONE



### 7.4.1 Permitted Uses

- a) Retail use;
- b) Service shop;
- c) Uses, buildings and structures accessory to the foregoing uses; and
- d) Dwelling units above ground floor commercial use.

### 7.4.2 Zone Requirements

Building Height	The building height shall be a maximum of 12.0m.
Front Yard	The main front wall shall be built within 3.0m and 4.5m from the front lot line.
Side Yards	There is no minimum required side yard abutting a Commercial Zone. A minimum side yard of 4.5m is required when abutting a Residential or Institutional Zone. The minimum corner side yard is 3.0m.
Rear Yard	There is no minimum required rear yard abutting a Commercial Zone where access is available to the rear of the building on said lot by means of a public or private lane. A minimum rear yard of 6.0m is required when abutting a Commercial Zone where no access is available to the rear of said building, except by means of a yard. A minimum rear yard of 10.5m is required where the building contains residential accommodation

of one or more storeys in height. A minimum rear yard of 10.5m is required when abutting a Residential or Institutional use or Zone.

Lot Frontage        The minimum lot frontage shall be 15.5m.

Lot Area            The minimum lot area shall be 500m<sup>2</sup>

Lot Coverage        The maximum lot coverage shall be 50%

Dwelling units shall only be permitted above the ground floor of a commercial use.

A minimum landscaped amenity area of 55m<sup>2</sup> shall be provided for each dwelling unit.

## **SECTION 8: COMMERCIAL ZONES**

The following zoning categories are described in this section:

### **VC Village Commercial Zone**

Permitted Uses:

- Apartment dwellings;
- Bakery;
- Cultural use;
- Dwelling unit(s) above a commercial use;
- Existing single detached dwelling;
- Hotel;
- Institutional use;
- live-work units;
- Micro brewery;
- Office use;
- Parking facility;
- Parks and urban square;
- Places of entertainment;
- Restaurant;
- Retail use;
- Short term accommodation;
- Townhouses; and
- Uses, buildings and structures accessory to the foregoing uses.

### **MS Main Street Zone**

Permitted Uses:

- Bakery;
- Cultural use;
- Dwelling unit(s) above a commercial use;
- Existing single detached dwelling;
- Hotel;
- Institutional use;
- Live-work unit;
- Micro brewery;
- Office use;
- Parking facility;
- Parks and urban square;
- Places of entertainment;
- Restaurant;
- Retail use;
- Short term accommodation; and
- Uses, buildings and structures accessory to the foregoing uses.

### **NC Neighbourhood Commercial Zone**

Permitted Uses:

- Bakery;
- Dwelling unit(s) above a commercial use;
- Retail use;
- Service shop;
- Short term accommodation; and
- Uses, buildings and structures accessory to the foregoing uses;

### **TS Town Square Zone**

Permitted Uses:

- Cultural use;
- Dwelling unit(s) above a commercial use;
- Hotel;
- Institutional use;
- Micro brewery;
- Office use;
- Parking facility;
- Parks and urban square;
- Places of entertainment;
- Restaurant;
- Retail Use;
- Short term accommodation; and
- Uses, buildings and structures accessory to the foregoing uses.

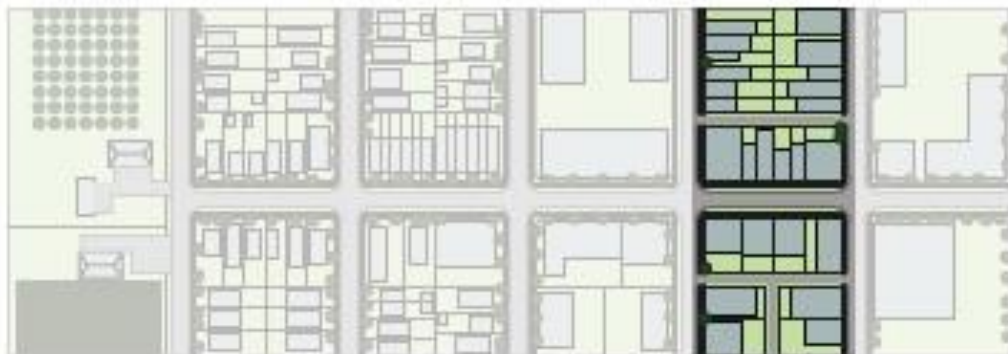
## **DC Downtown Corridor Zone**

### Permitted Uses:

- Apartment dwellings;
- Bakery;
- Cultural use;
- Daycare centre;
- Drive-thru service facility;
- Dwelling unit(s) above a commercial use;
- Gymnasiums/fitness centre;
- Hotel;
- Institutional use;
- Micro brewery;
- Office use;
- Retail use;
- Parking facility;
- Parks and urban square;
- Places of entertainment;
- Restaurant;
- Service shop;
- Shopping centre;
- Short term accommodation;
- Vehicle fuel station (gas bar); and
- Uses, buildings and structures accessory to the foregoing uses.



## 8.1 VILLAGE COMMERCIAL ZONE



### 8.1.1 Permitted Uses

- a) Apartment dwellings;
- b) Bakery;
- c) Cultural use;
- d) Dwelling unit(s) above a commercial use;
- e) Existing single detached dwelling;
- f) Hotel;
- g) Institutional use;
- h) Micro brewery;
- i) Office uses;
- j) Parking facility;
- k) Parks and urban square;
- l) Places of entertainment;
- m) Restaurant;
- n) Retail use;
- o) Short term accommodation;
- p) Townhouses and live-work units; and
- q) Uses, buildings and structures accessory to the foregoing uses

### 8.1.2 Zone Requirements for Short Term Accommodation

Please refer to Section 3.29

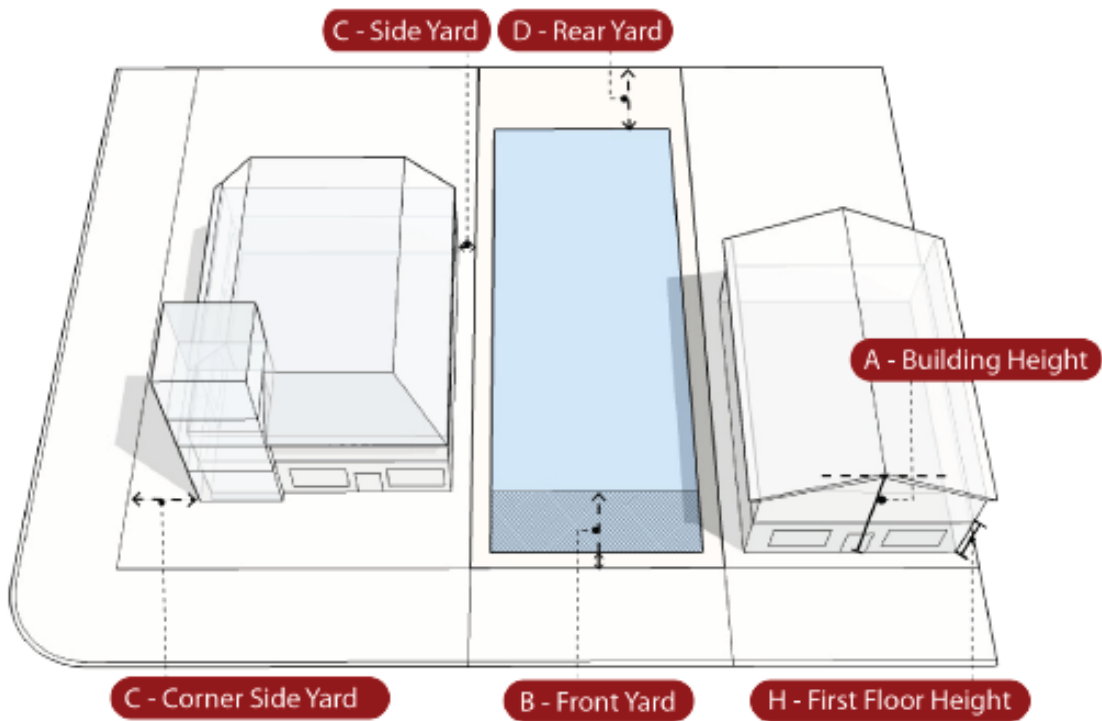
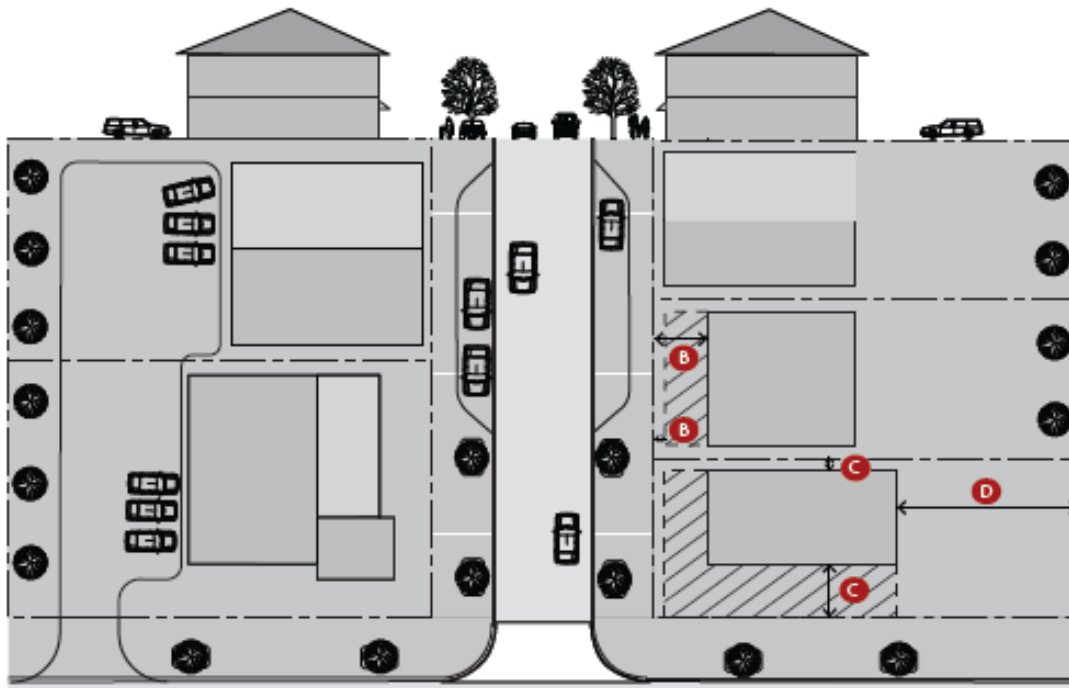
### 8.1.3 Zone Requirements

Building Height	The building height shall be a maximum of 6.0m and 2 storeys.
Front Yard	The main front wall of the structure shall be built between 1.0-5.0m from the front lot line.
Side Yards	The minimum side yard shall be 0.6m and a maximum of 1.2m. The minimum side yard with a driveway is 3.0m unless shared. The main corner side wall shall be built within 1.-5.0m of the exterior side lot line.
Rear Yard	The minimum rear yard setback shall be 6.0m.
Retail Frontage	The maximum retail frontage of individual businesses shall not exceed 14.0m.
Retail Store GFA	The maximum retail GFA of individual businesses shall not exceed 500m <sup>2</sup>
First Floor Window Height	0.3m – 0.6m
First Floor Glazing	The first floor glazing shall be a minimum of 50% of the front wall, except for standalone residential uses, where there is no glazing requirement.
First Floor Height	The first floor height shall be a minimum of 3.0m.
Landmark Sites	The minimum height for Landmark Sites shall be 12.0m or 3 storeys, whichever is greater and the maximum height shall be the lesser of 14.0m or 4 storeys. There shall be a minimum step back of 1.5m on the 3 <sup>rd</sup> and 4 <sup>th</sup> storey.

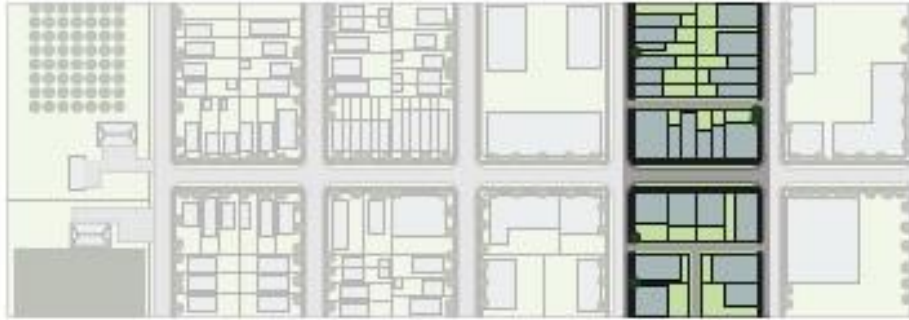
#### Village Commercial Typologies



Demonstration Streetscape



## 8.2 MAIN STREET ZONE



### 8.2.1 Permitted Uses

- a) Bakery;
- b) Cultural uses;
- c) Dwelling unit(s) above a commercial use;
- d) Existing single detached dwellings;
- e) Hotels;
- f) Institutional uses;
- g) Live-work units;
- h) Micro breweries
- i) Office uses;
- j) Parking facilities;
- k) Parks and urban squares;
- l) Places of entertainment;
- m) Residential apartments located above the first floor;
- n) Restaurants;
- o) Retail uses;
- p) Short term rental accommodations; and
- q) Uses, buildings and structures accessory to the foregoing uses

### 8.2.2 Zone Requirements for Short Term Accommodation

Please refer to Section 3.29

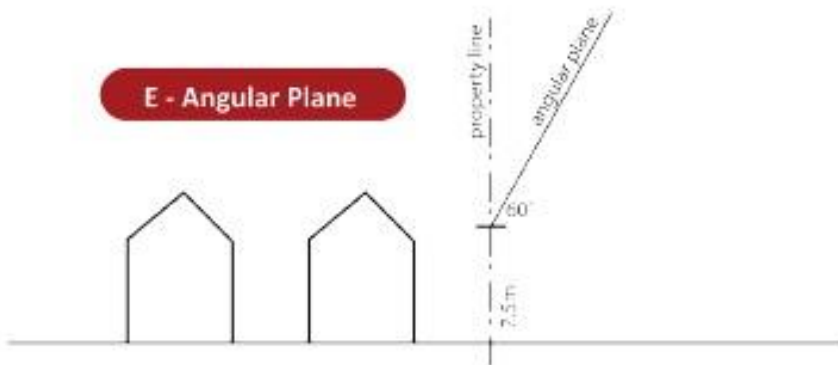
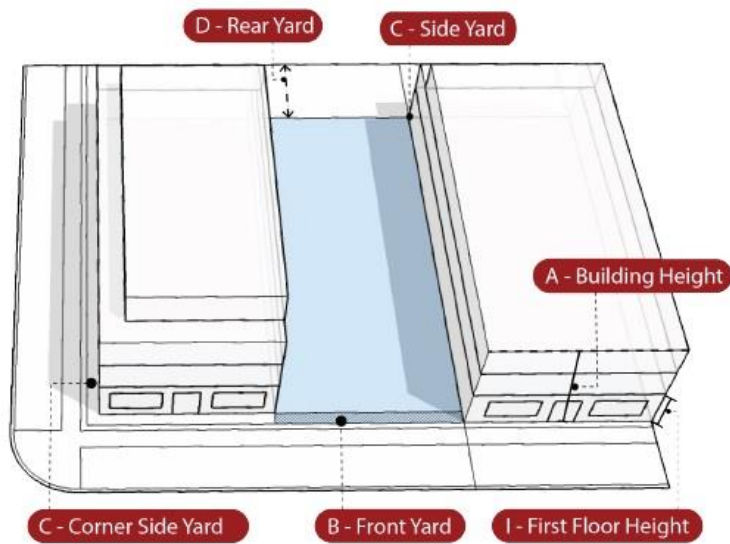
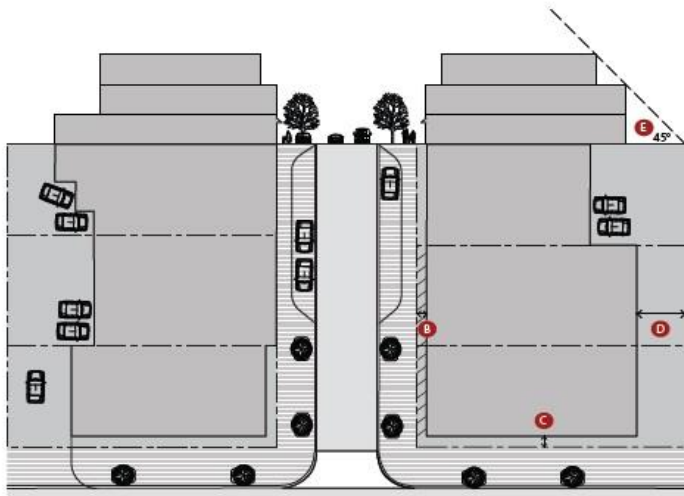
### 8.2.3 Zone Requirements

Building Height	The building height shall be a minimum of 6.0m and 2 storeys. The building height shall be a maximum of 12.0m or 3 storeys, whichever is less.
Front Yard	The main front wall shall occupy a minimum of 75% of the lot frontage and be built within 0-3.0m of the front lot line.
Side Yards	There is no minimum interior side yard requirement. The minimum side yard with a driveway is 3.0m. The main exterior side wall shall be built within 0-3.0m of the corner side lot line.
Rear Yard	The minimum rear yard setback shall be 6.0m.
Angular Plane	A 45° angular plane shall be established from the rear yard lot line where abutting a residential use. A 60° angular plane shall be established from 7.5m above the side yard lot line where abutting a residential use.
Retail Frontage	The maximum retail frontage of individual businesses shall not exceed 12.0m.
Retail Store GFA	The maximum retail GFA of individual businesses shall not exceed 500m <sup>2</sup> on Pelham St. and 2500m <sup>2</sup> on Regional Road 20.
First Floor Window Height	0.3m – 0.6m
First Floor Glazing	The first floor glazing shall be a minimum of 75% of the front wall and the exterior side wall for a distance of 10.0m from the front wall.
First Floor Height	The first floor height shall be a minimum of 4.5m.
Landmark Sites	The minimum height for Landmark Sites shall be 12.0m or 3 storeys, whichever is greater and the maximum height shall be the lesser of 14.0m or 4 storeys. There shall be a minimum step back of 1.5m on the 3 <sup>rd</sup> storey.

#### Main Street Typologies



Demonstration Streetscape





## 8.3 TOWN SQUARE ZONE



### 8.3.1 Permitted Uses

- a) Cultural use;
- b) Dwelling unit(s) above a commercial use;
- c) Hotel;
- d) Institutional use;
- e) Micro brewery;
- f) Office use;
- g) Parking facility;
- h) Parks and urban square;
- i) Places of entertainment;
- j) Residential apartments located above the first floor;
- k) Restaurant;
- l) Retail Use;
- m) Short term accommodation; and
- n) Uses, buildings and structures accessory to the foregoing uses

### 8.3.2 Zone Requirements for Short Term Accommodation

Please refer to Section 3.29

### 8.3.3 Zone Requirements

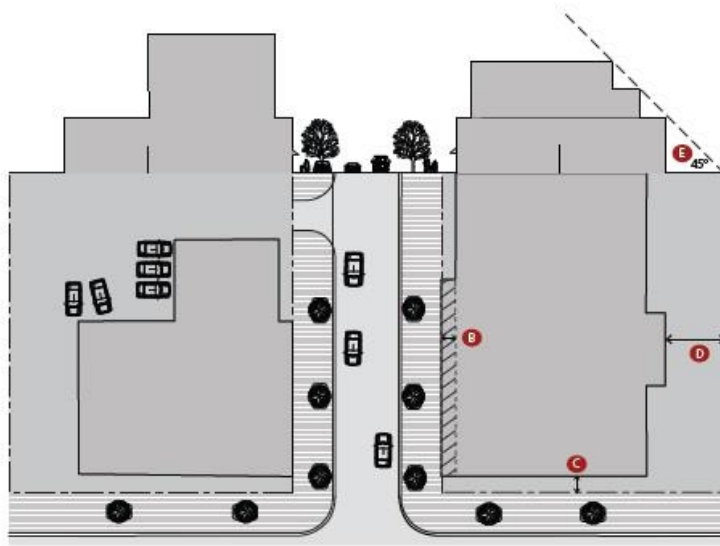
**Building Height**      The building height shall be a minimum of 12.0m and 3 storeys.  
                                  The building height shall be a maximum of 17.0m and 5 storeys.

Front Yard	The main front wall shall occupy a minimum of 75% of the lot frontage and be built within 0-3.0m of the front lot line.
Side Yards	There is no minimum interior side yard requirement. The minimum side yard with a driveway is 3.0m. The main exterior side wall shall be built within 0-3.0m of the exterior side lot line.
Rear Yard	The minimum rear yard setback shall be 6.0m. For lots surrounding Peace Park, a minimum of 2.0m is permitted
Step Backs	There shall be a minimum step back of 1.5m above the 3 <sup>rd</sup> storey for buildings of 4 or more storeys.
Angular Plane	A 45° angular plane shall be established from the rear yard lot line where abutting a residential use. A 60° angular plane shall be established from 7.5m above the side yard lot line where abutting a residential use.
Retail Frontage	The maximum retail frontage of individual businesses shall not exceed 12.0m.
Retail Store GFA	The maximum retail GFA of individual businesses shall not exceed 500m <sup>2</sup> on Pelham St. and 2500m <sup>2</sup> on Regional Road 20.
First Floor Window Height	0.3m – 0.6m
First Floor Glazing	The first floor glazing shall be a minimum of 75% of any walls facing streets or public spaces for retail uses, and 50% of any walls facing streets or public spaces for all other uses.
First Floor Height	The first floor height shall be a minimum of 4.5m.
Landmark Sites	The minimum height for Landmark Sites shall be 12.0m or 3 storeys, whichever is greater and the maximum height shall be the lesser of 20.0m or 6 storeys.

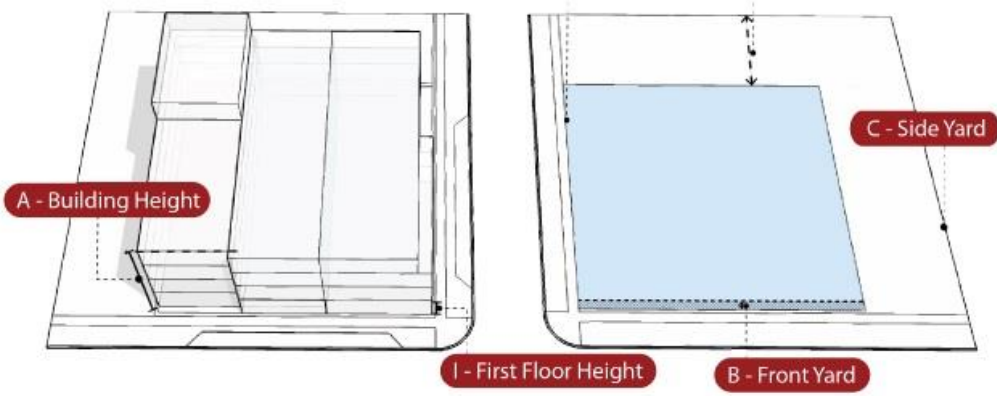
Town Square Typologies



# Demonstration Streetscape



C - Corner Side Yard    D - Rear Yard



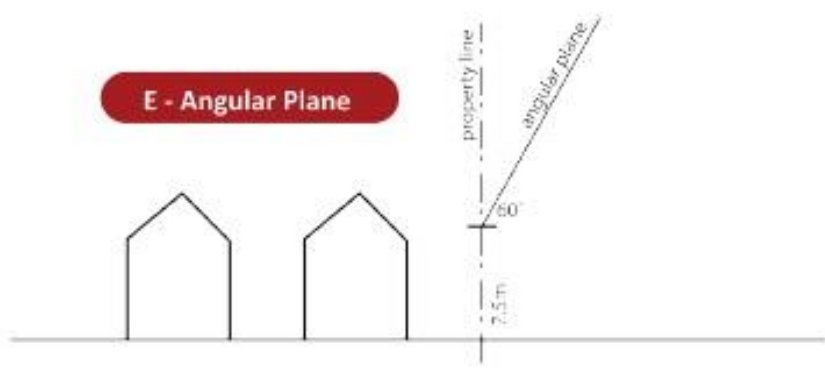
A - Building Height

C - Side Yard

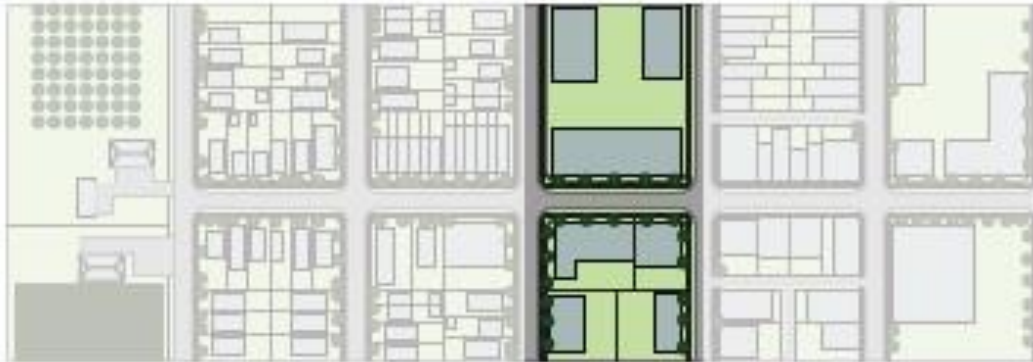
I - First Floor Height

B - Front Yard

E - Angular Plane



## 8.4 DOWNTOWN CORRIDOR ZONE



### 8.4.1 Permitted Uses

- a) Apartment dwellings;
- b) Bakery;
- c) Cultural use;
- d) Daycare centre;
- e) Drive-thru service facility;
- f) Dwelling unit(s) above a commercial use;
- g) Gymnasiums/fitness centre;
- h) Hotel;
- i) Institutional use;
- j) Micro brewery;
- k) Office use;
- l) Retail use;
- m) Parking facility;
- n) Parks and urban square;
- o) Places of entertainment;
- p) Restaurant;
- q) Service shop;
- r) Shopping centre;
- s) Short term accommodation;
- t) Vehicle fuel station (gas bar); and
- u) Uses, buildings and structures accessory to the foregoing uses

## 8.4.2 Zone Requirements for Short Term Accommodation

Please refer to Section 3.29

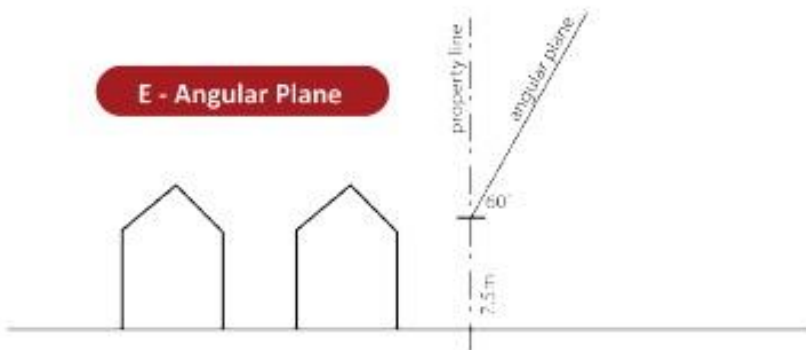
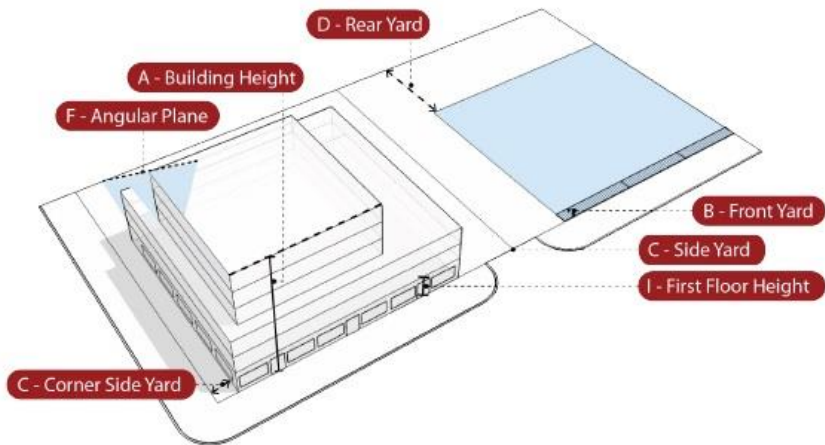
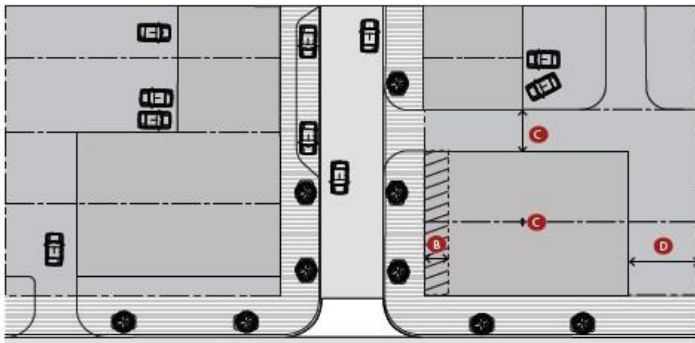
## 8.4.3 Zone Requirements

Building Height	The building height shall be a minimum of 8.0m and 2 storeys. The building height shall be a maximum of 20.0m and 6 storeys, whichever is less.
Front Yard	The main front wall shall occupy a minimum of 60% of the lot frontage and be built within 0-3.0m of the front lot line.
Side Yards	There is no minimum interior side yard requirement. The minimum side yard with a driveway is 6.0m from the side yard lot line or if shared 3.0m. The main exterior side wall shall occupy a minimum of 60% of the exterior lot frontage and be built within 0-3.0m of the exterior side lot line.
Rear Yard	The minimum rear yard setback shall be 6.0m from the lot line.
Step Backs	There shall be a minimum step back of 1.5m above the 3 <sup>rd</sup> storey through 6 <sup>th</sup> storey.
Angular Plane	A 45° angular plane shall be established from the rear yard lot line where abutting a residential use. A 60° angular plane shall be established from 7.5 m above the side yard lot line where abutting a residential use.
Retail Frontage	The maximum retail frontage of individual businesses shall not exceed 12.0m.
Retail Store GFA	The maximum retail GFA of individual businesses shall not exceed 500m <sup>2</sup> on Pelham St. and 2500m <sup>2</sup> on Regional Road 20.
First Floor Window Ht.	0.3m – 0.6m
First Floor Glazing	The first floor glazing shall be a minimum of 75% of the front wall and exterior side wall for a distance of 10.0m from the front wall, except for standalone residential uses, where there is no glazing requirement.
First Floor Ht.	The first floor height shall be a minimum of 4.5m.
Landmark Sites	The minimum height for Landmark Sites shall be 12.0m or 3 storeys, whichever is greater and the maximum height shall be the lesser of 26.0m or 8 storeys.

# Downtown Corridor Typologies

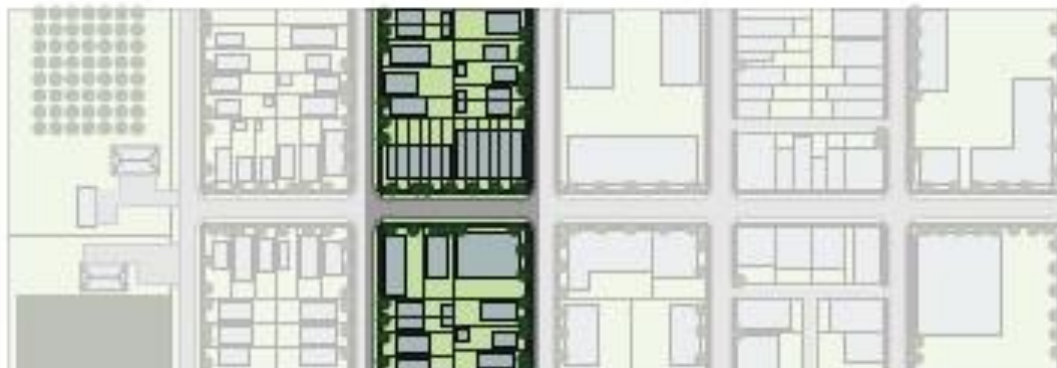


## Demonstration Streetscape





## 8.5 NEIGHBOURHOOD COMMERCIAL ZONE



### 8.5.1 Permitted Uses

- a) Dwelling unit(s) above a commercial use;
- b) Retail use;
- c) Service shop;
- d) Short term accommodation; and
- e) Uses, buildings and structures accessory to the foregoing uses

### 8.5.2 Zone Requirements for Short Term Accommodation

Please refer to Section 3.29

### 8.5.3 Zone Requirements

Building Height	The building height shall be a maximum of 12.0m.
Front Yard	The main front wall shall be built within 4.0-6.0m of the front lot line.
Side Yards	There is no minimum required side yard abutting a Commercial Zone. A minimum side yard of 4.0m is required when abutting a Residential or Institutional Zone. The minimum corner side yard is 3.0m.
Rear Yard	There is no minimum required rear yard abutting a Commercial Zone where access is available to the rear of the building on said lot by means of a public or private lane. A minimum rear yard of 6.0m is required when abutting a Commercial Zone where no access is available to the rear of said building, except by means of a yard. A minimum rear yard of 10.5m is

required where the building contains residential accommodation of one or more storeys in height. A minimum rear yard of 10.5m is required when abutting a Residential or Institutional use or Zone. The minimum rear yard setback shall be 6.0m from the lot line.

Lot Frontage      The minimum lot frontage shall be 15.5m.

Lot Area            The minimum lot area shall be 465m<sup>2</sup>.

Lot Coverage      The maximum lot coverage shall be 50%

Dwelling units shall only be permitted above the ground floor of a commercial use.

A minimum outdoor amenity area of 55m<sup>2</sup> shall be provided for each dwelling unit.

## SECTION 9: OTHER ZONES

The following zoning categories are described in this section:

### OS Open Space Zone

Permitted Uses:

- Conservation and forestry uses;
- Existing cemeteries;
- Municipal, government or public use;
- Park, private;
- Park, public; and
- Uses, buildings and structures accessory to the foregoing uses

### I Institutional Zone

Permitted Uses:

- Assembly hall auditorium;
- Apartment dwelling;
- Daycare centre;
- Long term care home;
- Municipal, government or public use;
- Place of worship;
- Public or private club;
- Retirement home;
- School; and
- Uses, buildings and structures accessory to the foregoing uses

### AP Airport Zone

Permitted Uses:

- Airport; and
- Uses, buildings and structures accessory to the foregoing use.

### EP1 Environmental Protection One Zone

Permitted Uses:

- Conservation uses and flood control;
- Existing uses;
- Linear infrastructure;
- Passive recreational trails and facilities; and
- Wildlife management uses

### EP2 Environmental Protection Two Zone

Permitted Uses:

- Agricultural uses;
- Conservation uses and flood control;
- Existing uses;
- Home industry;
- Home occupation;
- Linear infrastructure;
- On-farm diversified agricultural uses;
- Passive recreational trails and facilities;
- Secondary dwelling unit;
- Single detached dwelling;
- Wildlife management uses; and
- Uses, buildings and structures accessory to the foregoing uses

### EP3 Environmental Protection Three Zone

Permitted Uses:

- Agricultural use;
- Conservation uses and flood control;
- Existing uses;
- Linear infrastructure;
- Passive recreational trails and facilities;
- Secondary dwelling unit;
- Single detached dwelling;
- Wildlife management uses; and
- Uses, buildings and structures accessory to the foregoing uses

## **9.1 OPEN SPACE**

### **9.1.1 Permitted Uses**

- a) Conservation and forestry uses;
- b) Existing cemeteries;
- c) Municipal, government or public use;
- d) Park, private;
- e) Park, public; and
- f) Uses, buildings and structures accessory to the foregoing uses

### **9.1.2 Zone Requirements for Open Space Uses**

Minimum Lot Frontage	15.0m
Minimum Front Yard	8.0m
Minimum Interior Side Yard	4.5m
Minimum Corner Side Yard	5.0m
Minimum Rear Yard	7.5m
Maximum Lot Coverage	10%
Maximum Building Height	12.0m

## **9.2 INSTITUTIONAL ZONE**

### **9.2.1 Permitted Uses**

- a) Apartment dwelling;
- b) Assembly hall auditorium;
- c) Daycare centre;
- d) Long term care home;
- e) Municipal, government or public use;
- f) Place of worship;
- g) Public or private club;
- h) Retirement home;
- i) School; and
- j) Uses, buildings and structures accessory to the foregoing uses

### **9.2.2 Zone Requirements for Institutional Uses**

Minimum Lot Frontage	30.0m or as existing
Minimum Lot Area	0.15ha or as existing
Minimum Front Yard	0.0m
Minimum Interior Side Yard	3.0m
Minimum Corner Side Yard	3.0m
Minimum Rear Yard	7.5m
Maximum Lot Coverage	80%
Maximum Building Height	12.0m

### **9.2.3 Zone Requirements for Apartment Dwelling**

Minimum Lot Frontage	30.0m
Minimum Lot Area	150m <sup>2</sup> per unit

Minimum Front Yard	3.0m
Maximum Front Yard	6.0m
Minimum Side Yard	6.0m or ½ the height of the building, whichever is less
Minimum Corner Side Yard	3.0m to 6.0m
Minimum Rear Yard	12.0m
Maximum Building Height	15.0m
Maximum Lot Coverage	50%



## **9.3 AIRPORT ZONE**

### **9.3.1 Permitted Uses**

- a) Airport; and
- b) Uses, buildings and structures accessory to the foregoing use.

### **9.3.2 Zone Requirements**

Minimum Front Yard	15.0m
Minimum Interior Side Yard	7.5m
Minimum Corner Side Yard	15.0m
Minimum Rear Yard	7.5m
Maximum Building Height	12.0m
Minimum Lot Coverage	50%
Minimum Setback from Residential Zone	15.0m

## **9.4 ENVIRONMENTAL PROTECTION ONE ZONE**

### **9.4.1 Permitted Uses**

- a) Conservation uses and flood control;
- b) Existing uses;
- c) Linear infrastructure;
- d) Passive recreational trails and facilities; and
- e) Wildlife management uses

### **9.4.2 Zone Requirements for Environmental Protection One Uses**

- a) An existing use shall be a use which was legally established prior to the effective date of this By-law.
- b) Existing uses not otherwise permitted in the EP1 Zone are subject to Section 3.22: Non-Conforming Uses.
- c) All new buildings or structures located in proximity to the EP1 Zone are subject to Section 3.31.1.

## **9.5 ENVIRONMENTAL PROTECTION TWO ZONE**

### **9.5.1 Permitted Uses**

- a) Agricultural use;
- b) Bed and breakfast;
- c) Conservation uses and flood control;
- d) Existing use;
- e) Home industry;
- f) Home occupation;
- g) Linear infrastructure;
- h) On-farm diversified agricultural use;
- i) Passive recreational trails and facilities;
- j) Second dwelling unit;
- k) Single detached dwelling;
- l) Wildlife management uses; and
- m) Uses, buildings and structures accessory to the foregoing uses

### **9.5.2 Zone Requirements for Environmental Protection Two Uses**

- a) An existing use shall be a use which was legally established prior to the effective date of this By-law.
- b) Existing uses not otherwise permitted in the EP2 Zone are subject to Section 3.22: Non-Conforming Uses.
- c) All new buildings or structures located in proximity to the EP2 Zone are subject to Section 3.31.1.

### **9.5.3 Zone Requirements for an On-Farm Diversified Use**

Please refer to Section 3.2.2

### **9.5.4 Zone Requirements for a Bed and Breakfast Establishment**

Please refer to Section 3.3

**9.5.5 Zone Requirements for a Home Occupation**

Please refer to Section 3.13.1

**9.5.6 Zone Requirements for a Home Industry**

Please refer to Section 3.13.2

**9.5.7 Zone Requirements for Secondary Dwelling Units**

Please refer to Section 3.28

**9.5.8 Zone Requirements for Short Term Accommodations**

Please refer to Section 3.29

**9.5.9 Zone Requirements for an Agricultural Use**

Please refer to Section 5.1

## **9.6 ENVIRONMENTAL PROTECTION THREE ZONE**

### **9.6.1 Permitted Uses**

- a) Agricultural use;
- b) Conservation uses and flood control;
- c) Existing use;
- d) Linear infrastructure;
- e) Passive recreational trails and facilities;
- f) Second dwelling unit;
- g) Single detached dwelling;
- h) Wildlife management uses; and
- i) Uses, buildings and structures accessory to the foregoing uses

### **9.6.2 Zone Requirements for Environmental Protection Three Zone**

- a) An existing use which was legally established prior to December 6, 2004.
- b) Existing uses not otherwise permitted in the EP3 Zone are subject to Section 3.22: Non Conforming Uses.
- c) All new buildings or structures located in proximity to the EP3 Zone are subject to Section 3.31.2.
- d) A new single detached dwelling shall be permitted on an existing vacant lot provided the vacant lot existed prior to December 6, 2004.

### **9.6.3 Zone Requirements for a Second Dwelling Unit**

Please refer to Section 3.29

### **9.6.4 Zone Requirements for an Agricultural Use**

Please refer to Section 5.1

### **9.6.5 Zone Requirements for a Single Detached Dwelling**

Please refer to Section 5.1.3

## SECTION 10: EXCEPTIONS

### SA-1: 2695 Victoria Avenue (Regional Road 24)

\*formerly A-37\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a farm supply and service establishment and such use shall be subject to the zone requirements in the Commercial Rural Zone (Section 5.4).

### SA-2: 856 Sawmill Road

\*formerly A-98 & H-98\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a golf course and uses, buildings and structures accessory thereto.

### SA-3: 2610 Maple Street

\*formerly A-239\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a golf driving range with one accessory building to contain a golf ball dispensing machine only and the following special regulations shall apply thereto:

Maximum gross floor area of accessory building	10.0m <sup>2</sup>
Parking and access	as existing
No lighting is permitted.	
Minimum Lot Frontage	186.0m
Minimum Lot Area	6.5ha
Maximum Lot Coverage	0.5%
Minimum Front Yard	10.0m
Minimum Side Yard	15.0m
Minimum Corner Side Yard	60.0m
Minimum Rear Yard	15.0m
Maximum Building Height	3.7m

### SA-4: 2325 Victoria Avenue (Regional Road No. 24)

\*formerly A-95\*

In addition to the uses permitted in the Specialty Agricultural Zone, this land may also be used for a campground and open air recreational uses such as hiking, cross country



skiing, horseback riding, pleasure snowmobiling and uses, buildings and structures accessory thereto.

**SA-5: 2355 Cream Street**

\*formerly A-63\*

In addition to the uses permitted in the Specialty Agricultural Zone, this land may also be used for a fire hall and uses, buildings and structures accessory thereto.

**SA-6: 597 Sixteen Road**

\*formerly A-39\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a vehicle body shop, a vehicle service and repair establishment, a vehicle sales and rental establishment, light manufacturing and warehousing within wholly enclosed buildings and uses, buildings and structures accessory thereto.

**SA-7: 895 Tice Road**

\*formerly A-60\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for automotive glass sales and services and uses, buildings and structures accessory thereto.

**SA-8: 1732 Cream Street**

\*formerly A-277\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used secondary dwelling unit designation under the *Ontario Heritage Act*, as amended.

**SA-9: 569 Highway 20 West (Regional Road no. 20), w/s Cream Street and 630 Highway 20 West (Regional Road no. 20)**

\*formerly A-142 & A-112\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for an existing golf course and uses, buildings and structures accessory thereto.

**SA-10: 922 Highway 20 West (Regional Road No. 20)**

\*formerly A-109\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a motor fuel retail outlet (gas bar) and convenience retail store containing one accessory dwelling unit and the following special regulations apply:

*Motor Fuel Retail Outlet*

Minimum Front Yard 5.0m

Minimum Side Yard 30m from easterly and westerly zone lines

Minimum Rear Yard 30m from northerly zone line

*Convenience Retail Store*

Minimum Front Yard 5.4m

Minimum Side Yard 30m from westerly zone line 27m from easterly zone line

Minimum Rear Yard 30m from northerly zone line

**SA-11: 1350 Maple Street**

\*formerly A-01\*

In addition to the uses in the Specialty Agricultural Zone, this land shall also be used for a vehicle repair shop, light manufacturing, assembly, processing and fabrication, warehouse and uses buildings and structures accessory thereto but does not include the warehouse of food-stuff or the manufacture and warehouse of explosive materials.

**SA-12: 1261 Victoria Avenue (Regional Road No. 24)**

\*formerly A-48\*

In addition to the uses in the Specialty Agricultural Zone, this land shall also be used for a salvage yard and uses, buildings and structures accessory thereto.

**A-13: 920 Pelham Street**

\*formerly A-163\*

In addition to the uses in the Agricultural Zone, this land may also be used for a senior citizens apartment house and nursing home and the regulations of Section 5.1 shall apply thereto.

**A-14: 952 Foss Road and Southside Foss Road**

\*formerly A-51\*

In addition to the uses in the Agricultural Zone, this land may also be used for a farm supply and service establishment, sale and service of motorcycles, snowmobiles, all-terrain vehicles and personal watercrafts, one accessory dwelling unit and uses, buildings and structures accessory to the foregoing permitted uses and the following special regulations shall apply thereto:

Minimum Front Yard	25.0m
Minimum Side Yard	15.0m
Minimum Rear Yard	12.0m
Maximum Building Height	12.0m





**A-25: 119 River Road and Southside River Road**

\*formerly A-192, H-194, H-193, H-195\*

In addition to the uses in the Agricultural Zone, this land may also be used for a golf course.

**A-26: 144 River Road**

\*formerly A-139\*

Notwithstanding the regulations of the Agricultural Zone, a septic area will only be permitted within the A-26 zone.

**CR-27: 708 Highway 20 West (Regional Road no. 20)**

\*formerly CR-148\*

In addition to the uses in the Commercial Rural Zone, this land may also be used for a vehicle body shop subject to the following special regulations:

- a) Open storage shall be directly related to the permitted use on the lot.
- b) Open storage shall be permitted in the rear and interior side yard but not within the exterior side yard.
- c) Open storage shall not be permitted within 6m of a residential use.
- d) Open storage shall be screen from view at a plane level which is a minimum of 1.5m from grade level of an adjacent street; or when abutting a residential use at a plan level which is a minimum of 1.5m from the finished grade level at the property line; and by means of landscaping features to be located within a landscape strip.

**SA-28: 576 Highway 20 West (Regional Road no. 20)**

\*formerly A-133\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a floral wholesale distribution business with associated office facilities and includes the sale of flowers not produced on site; and an agriculturally related research and development and training radar based facility with associated radio transmitter antenna subject to the following special regulations:

Minimum Easterly Side Yard	17.98m
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**RM1-29: OakHaven Estates Subdivision**

\*formerly RMV1-205, 233, 234, 235, 236 & 237\*

Notwithstanding the regulations of the Residential Multiple 1 Zone, no buildings or structures shall be permitted on the lands.

**OS-30: 73 Cherry Ridge Boulevard**

\*formerly OS-204\*

Notwithstanding the regulations of the Open Space Zone, no buildings or structures shall be permitted on the lands.

**RM1-31: 1128 Cream Street**

\*formerly RV1-199\*

Notwithstanding the regulations of the Residential Multiple 1 Zone, the minimum rear yard for all structures shall be 91.0m.

**RM1-32: 1106 Balfour Street**

\*formerly RV1-156\*

In addition to the uses in the Residential Multiple 1 Zone, this land may also be used for a construction trades establishment with no outside storage.

**CR-33: 854 Canboro Road**

\*formerly CR-132\*

Notwithstanding the Commercial Rural Zone, this land may only be used for a farm supply establishment, a warehouse, manufacturing, assembly, processing and fabrication of wood products such as kitchen cupboards, furniture, wood crafts, windows, doors and offices subject to the following special regulations:

Minimum front yard	14.0m
Minimum easterly side yard	7.5m
Minimum westerly side yard	20.0m
Minimum rear yard	22.5m

All activities shall be carried on entirely within the wholly-enclosed buildings with no outside storage, manufacturing, assembly, processing and fabrication or display of goods for sale being permitted.

Any manufacturing, assembly, processing and fabrication requiring municipal water service is prohibited.

All parking and loading areas and their approaches are not required to have cement, asphalt or other permanent type surface. Any required dust collection system shall be located within a building.



**R1-34: 808 Canboro Road**

\*formerly RV1-279\*

Notwithstanding the Residential 1 Zone, the lands shall be subject to the following special regulations:

Minimum lot area	679.0m <sup>2</sup>
Minimum front yard	3.8m to a covered porch or deck and 5.6m to a dwelling

**SA-35: 200 Highway 20 East**

\*formerly A-46\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a bank, church, personal service shop, clinic, dry cleaning outlet, hotel, motel, tavern, office, public and private club, restaurant, retail use, service shop and uses, buildings and structures accessory thereto and subject to the regulations in the Downtown Corridor Zone.

**SA-36: 214 Highway 20 East (Regional Road no. 20)**

\*formerly A-145\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a Group Home consisting of two dwellings on one lot and subject to the following special regulations:

Maximum number of residents	19
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**SA-37: 1369 Rice Road**

\*formerly A-82\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a church subject to the following special regulations:

Maximum Lot Coverage	20%
Minimum Front Yard	20.0m
Minimum Side Yard	9.0m
Minimum Rear Yard	9.0m
Maximum Building Height	12.0m

**R1-38: 1014 Church Street**

\*formerly RV1-56a & 56\*

In addition to the uses in the Residential 1 zone, this land may also be used for the manufacture of concrete burial vaults and uses, buildings and structures accessory thereto subject to the following special regulations:

Minimum Side Yard	6.0m except the minimum side yard adjacent to a Residential Zone shall be 9.0m
Minimum Rear Yard	7.5m except the minimum rear yard adjacent to a Residential Zone shall be 15.0m
Landscaping Requirements	A landscaped amenity area of a minimum width of 3.0m shall be provided adjacent to any residential or commercial zone or a street that abuts the side or rear yard
Exterior Lighting	Exterior lighting and illuminated signage shall be directed away from any adjacent residential zone
Loading Spaces	Required loading spaces shall not be located in any front yard or any yard adjacent to a residential zone

**R1-39: 956 Church Street and 958 Church Street**

\*formerly RV2-05\*

In addition to the uses in the Residential 1 Zone, this land may also be used for the storage of petroleum products and uses, buildings and structures accessory thereto.

**OS-40: Centennial Park**

\*formerly OS-179\*

Notwithstanding the regulations of the Open Space Zone, no buildings shall be constructed within 15 metres of the watercourses.

**NC-41 (H): 788 & 792 Welland Road**

\*formerly NC-262 & NC-262(H)\*

In addition to the uses in the Neighbourhood Commercial zone, this land may also be used for dwelling units above the ground floor and at grade at side and rear yards and the following special regulations apply:

*Commercial Uses*

Maximum Lot Coverage	45%
Maximum Gross Floor Area	65% of lot area

Minimum Front Yard	0m
Minimum Side Yard	0m where abutting a commercial or industrial use 3.0m where abutting a residential or institutional use
Minimum Rear Yard	6.0m where abutting a commercial or industrial use 3.0m where abutting a residential or institutional use

### *Residential Uses*

- a) Dwelling units are permitted about the ground floor of any commercial use and at the side and rear yards.
- b) No maximum gross floor area for dwelling units.
- c) A minimum landscaped amenity area of 30.0m<sup>2</sup> shall be provided for each dwelling unit.
- d) Parking Requirements
  - i. 1.5 parking spaces per dwelling unit
  - ii. 1 parking space per 30m<sup>2</sup> of net floor area for retail or office uses
  - iii. 1 space per 4 persons seating capacity for eating establishments
- e) Ingress and Egress
  - i. Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3.0m wide where only one-way traffic is permitted and have a minimum width of 6.5m but not more than 9.0m in perpendicular width where two-way traffic is permitted.
- f) Parking Area Location on Lot
  - i. Apartment Dwelling and Boarding House Dwelling: All yards provided that no part of any parking area, other than a driveway, is located closer than 7.5m to any street line and no closer than 1.0m to any side lot line or rear lot line.
- g) Landscape strips
  - i. Where land is required to be used for no other purpose than a landscape strip, it shall have a minimum width of 1.0m, except where adjacent to an at-grade patio at the north-west corner of the site where the landscape strip shall have a minimum width of 0.5m and a privacy fence, measured perpendicular to the lot line it adjoins.

h) Unenclosed porches, balconies, steps and patios

- i. 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 2.0m provided that, in the case of porches, steps or patios, such uses are not more than 2.0m above ground. Patios may project into any required rear yard provided they are not more than 0.6m above grade.

The lifting of the holding (H) provision for the NC-262 (H) zone for 788 Welland Road shall be subject to the Ministry of Tourism, Culture and Sport issuing an acknowledgement letter for the submitted Stage 1 and 2 Archaeological Assessment for 788 Welland Road and the Town receiving a copy of the letter.

**P-42: 766 Welland Road**

\*formerly P-222\*

Notwithstanding the provision of the Open Space Zone, the following special regulations shall apply:

Minimum Lot Coverage	50%
Minimum Front Yard	15.0m
Minimum Side Yard	15.0m
Minimum Easterly Side Yard	3.0m
Minimum Parking Requirements	60 spaces

The parking area and driveway connecting the parking area with the street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

The maximum width for the driveway ramp measured along the street line shall be 16.0m.

A landscaping area in the form of a landscape strip shall be planted with trees to form a visual screen of at least 3.0m in height adjacent to every portion of any lot line that abuts the boundary of any Residential Zone, except where prohibited by the Niagara Peninsula Conservation Authority.

**R1-43: 754 Welland Road and s/s Welland Road**

\*formerly RV1-03\*

In addition to the uses in the Residential 1 Zone, this land may also be used for a greenhouse and accessory retail use.

**SA-44: 1040 Balfour Street**

\*formerly I-70\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a church.

**SA-45: 916 Church Street**

\*formerly A-203\*

Notwithstanding the Specialty Agricultural Zone, the following special regulations shall apply:

Minimum side yard	10.8m north 20.0m south
Minimum distance separation for the existing agricultural building	as existing

**A-46: 807 Church Street**

\*formerly A-06\*

In addition to the uses in the Agricultural Zone, this land may also be used for a welding shop and uses, buildings and structures accessory thereto.

**R1-47: 760 Foss Road**

\*formerly RV1-123\*

In addition to the uses in the Residential 1 Zone, this land may also be used for a greenhouse and uses, buildings and structures accessory thereto subject to the following special regulations:

- a) Greenhouses shall be located a minimum of 15.0m from a lot line except where ventilating fans exhaust into the side or rear yard of any adjacent lot, in which case the minimum setback distance of greenhouses from the lot line shall be 25.0m.
- b) Greenhouses shall be located a minimum distance of 30.0m from any residential use on an adjacent lot.
- c) No manure compost or equipment storage area on the subject lands shall be permitted within 30.0m of a residential use on an adjacent lot.

**SA-48: 461 Canboro Road**

\*formerly I-72\*

In addition to the uses in the Specialty Agricultural zone, this land may also be used for a church.

**SA-49: 418 Canboro Road**

\*formerly I-73\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a church.

**SA-50: 350 Highway 20 West**

\*formerly I-75\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a school.

**SA-51: 1368 Effingham Street**

\*no former exception\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for the warehouse of a public utility.

**SA-52: 495 Canboro Road**

\*formerly A-137\*

Notwithstanding the Specialty Agricultural Zone, the following regulations shall apply:

Minimum rear yard	2.5m
Minimum side yard	1.0m
Maximum lot coverage	11%
Maximum lot coverage for accessory structures	2.9%
Minimum easterly side yard	0.8m
Minimum front yard for an accessory structure	4.4m
Minimum easterly side yard for an accessory structure	2.4m

**SA-53: 1162 Centre Street**

\*formerly I-74\*

Notwithstanding the Specialty Agricultural Zone, this land may only be used for a school.

**SA-54: 406, 408 & 410 Canboro Road**

\*formerly A-10\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for two existing single detached dwelling units and one existing secondary dwelling unit in an existing dwelling, the manufacturing and sale of lumber and wood products, a construction trades establishment and uses, buildings and structures accessory thereto.



The manufacturing and sale of lumber and wood products, construction trades establishment and uses, buildings and structures accessory thereto shall be subject to the regulations of the Rural Employment Zone.

**SA-55: 398 Canboro Road**

\*formerly A-141\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a seasonal restaurant and farm produce market subject to the following special regulations:

Minimum front yard	12.5m
Maximum retail floor area including restaurant	148m <sup>2</sup>
Parking Spaces	20 spaces

Seasonal is defined as having a duration of 6 months commencing May 1st to November 1st each calendar year.

Seasonal farm produce market shall provide a minimum of 70% of the retail floor area for Ontario Grown Produce; a maximum of 25m<sup>2</sup> of the retail floor area for bakery items and processed fruit, deli and dairy products and locally hand crafted products; and locally grown greenhouse and nursery products.

**SA-56: 308 Welland Road**

\*formerly A-08\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a vehicle repair shop and uses, buildings and structures accessory thereto.

**RM1-57: 42 Concord Street**

\*formerly RM1-97\*

Notwithstanding the Residential Multiple 1 Zone, this land shall be used for block townhouse dwellings and where the lands are adjacent to lands zoned Environmental Protection 1, the only permitted use is a private passive yard use defined as a natural or landscaped area, used for passive amenity purposes but does not include a building, structure, swimming pools, parking lot or active recreational use.

**SA-58: 563 Highway 20 West (Regional Road no. 20)**

\*formerly A-14\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a vehicle repair shop, machine shop, vehicle sales or rental establishment and uses, buildings and structures accessory thereto.

**SA-59: 345 Highway 20 West (Regional Road no. 20)**

\*formerly A-157\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a welding business which includes ancillary manufacture and sale of trailers, trailer accessories and hitches and subject to the following special regulations:

Maximum lot coverage	15%
Minimum side yard	3.0m
Minimum rear yard	6.0m
Maximum height	6.4m

Outside storage of goods and materials related to the welding business is not permitted, save and except the exterior display for sale of products manufactured on site.

No private garage or carport is required.

**SA-60: 337 Highway 20 West (Regional Road no. 20)**

\*formerly A-20\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a vehicle sales or rental establishment, a service shop, a retail use, a farm supply and service establishment, the storage of all vehicles except commercial vehicles and uses buildings and structures accessory thereto subject to the regulations in the Commercial Rural zone.

**SA-61: 299 Highway 20 West (Regional Road no. 20)**

\*formerly A-18\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for a motel.

**SA-62: 220 Tice Road**

\*formerly A-160\*

Notwithstanding the Specialty Agricultural Zone, this land may only be used for agricultural uses not including greenhouses and a golf driving range.

**A-63: 1615 Lookout Street**

\*formerly A-17\*

In addition to the uses in the Agricultural Zone, this land may also be used by a public or private utility.

**R1-64: Residence at Lookout Point Subdivision**

\*formerly R1-180, 182, 183, 184, 185, 186 & 187\*

Notwithstanding the provisions of Section 3 and the Residential 1 Zone, no buildings or structures, including but not limited to storage sheds, garages, pool houses, swimming pools, decks and gazebos shall be permitted within 15.0m of the rear lot line.

**OS-65: Residences at Lookout Point Subdivision**

\*formerly OS-188\*

Notwithstanding the provisions of the Open Space Zone, no buildings or structures, including but not limited to, storage sheds, garages and gazebos shall be permitted.

**R2-66: Timmsdale Estates Subdivision**

\*formerly RM1-175\*

Notwithstanding the provisions of the Residential 2 Zone, no structural development, including but not limited to storage sheds, garages, pool houses, swimming pools, decks and gazebos shall be permitted within 7.5m of the top of bank, as approved by the Niagara Peninsula Conservation Authority.

**RM1-67: Timmsdale Estates Subdivision**

\*formerly RM1-176\*

Notwithstanding the provisions of the Residential Multiple 1 Zone, no structural development, including but not limited to storage sheds, garages, pool houses, swimming pools, decks and gazebos shall be permitted within 7.5m of the top of bank, as approved by the Niagara Peninsula Conservation Authority.

**R2-68: 175 Canboro Road**

\*formerly R2-22\*

Notwithstanding the provisions of the Residential 2 Zone, this land may also be used for a greenhouse and uses, buildings and structures accessory thereto.

**A-69: 310 Cream Street**

\*formerly I-76\*

In addition to the uses in the Agricultural Zone, this land may also be used for a school.

**A-70: Land surrounding the Airport**

\*formerly A-25\*

Notwithstanding the provisions of the Agricultural Zone, the maximum height of all buildings and structures shall be 12.0m.



Minimum Southerly Interior Side Yard 1.8m

No driveways and buildings or structures, including but not limited to, storage sheds, garages, pool houses, swimming pools, decks and gazebos shall be permitted within 7.5m of the top of bank as approved by the Niagara Peninsula Conservation Authority.

**RM1-75: Davis Heights**

\*formerly RM1-253\*

Notwithstanding the Residential Multiple 1 zone, this land shall be used for a maximum of 36 block townhouse dwellings subject to the following special regulations:

Maximum Lot Coverage	25.51%
Minimum Area per Unit	226.9m <sup>2</sup>
Minimum Frontage per Unit	9.6m
Minimum Ground Floor Area	88m <sup>2</sup> for a one storey dwelling 50m <sup>2</sup> for a two storey dwelling
Minimum Setbacks of all Buildings	As shown on Schedule B
Minimum Side Yard between Block Townhouse Dwellings	As shown on Schedule B
Minimum Structural Setback from Top of Bank	As shown on Schedule B
Minimum Amenity Area per Dwelling Unit	14m <sup>2</sup>
Minimum Landscaped Area	25%

Unenclosed porches, balconies, steps and patios, covered or uncovered may project into any required yard shown on Schedule B provided that in the case of porches, steps or patios, such uses are not more than 3.0m above ground.

**DC-76: 1465 Station Street**

\*formerly RM1-276\*

Notwithstanding the provisions of the Residential Multiple zone, this land may only be used for block townhouse dwellings subject to the following special regulations:

Maximum density	45 dwelling units per hectare
Minimum front yard (Station Street)	7.0m for a dwelling 4.0m for a covered porch or deck

Minimum setback between front of dwelling and internal roadway	4.0m for a dwelling and covered porch and 6.0m for a garage door
Minimum Side Yard from North Property Line	7.0m for a dwelling and 4.0m for a covered porch or deck
Minimum Side Yard from South-West Property Line	3.0m for a dwelling, covered porch or deck
Minimum Side Yard for most South-Easterly Dwelling Unit (south-east property line)	1.2m for dwelling side walls and 0.3m for covered porch or deck
Minimum Setback between side of Dwelling and Internal Road	2.0m for dwelling side walls, covered porch or deck
Minimum Setback between sides of Dwelling Units	2.4m
Minimum Rear Yard (East Property Line)	7.0m for a dwelling and 4.0m for a covered porch or deck
Minimum Rear Yard for most Easterly Dwelling Unit (north-east property line)	1.2m for a dwelling, covered porch or deck
Minimum Rear Yard for most Easterly Dwelling Unit (south-east property line)	4.0m for a dwelling and 2.0m for a covered porch or deck
Distance between buildings on the same lot	Any face of one townhouse shall be no closer than 11.0m to any face of another townhouse  Any side of any townhouse shall be no closer than 2.4m to any side of another townhouse
Minimum Ground Floor Area for a Dwelling	88m <sup>2</sup> one-storey  50m <sup>2</sup> two-storey
Minimum Landscaped Area	25%
Landscape strip	1.2m in width where the boundary of the RM1 zone abuts an R1 or R2 zone.  If a swale is required at the most easterly dwelling unit of the townhouse block (north-east property line) a minimum landscape strip of 0.5m with a privacy fence is required.



Amenity Area	minimum of 2.5m <sup>2</sup> for each one-bedroom unit and a minimum of 5.0m <sup>2</sup> for each two or more-bedroom units in one location for recreational use for the residents of the development.
Minimum Internal Roadway Width	6.0m
Minimum Garage Width	3.4m
Maximum Lot Coverage	42%
Parking Requirements	2 parking spaces per dwelling unit, which may include a space in a garage and a tandem parking space in the associated unit driveway.
Parking Space Size	2.7m wide by 5.8m long

**DC-77: 105 Highway 20 East (Regional Road no. 20)**

\*formerly GC-275\*

Minimum Above Grade Building Setback:

Minimum Side yard (North property line of the mixed use Condominium domain and the townhouse condominium domain)	7.5m
Minimum rear yard (east property line)	15.0m for main building and 13.0m for balconies
Minimum corner side yard (Highway 20 east)	0m
Minimum setback for Sub-grade structures and ramps	0m
Minimum Landscape Area and Amenity Area	25%
Grade Level Internal Roadway Width	6.0m along shared roadway locations
Parking Requirements	1.25 spaces per apartment dwelling 3 spaces per 100m <sup>2</sup> of commercial floor area

1 space per 4 persons seating capacity for restaurants

Parking area on Lot All yards provided that no part of any parking area other than a driveway is located closer than 3.0m to any street line and no closer than 0m to any side lot line or 3.0m to the rear lot line

Sub-grade parking level internal roadway width Minimum 6.0m

Parking space size 2.7m wide by 5.8m long

**DC-78: 110 Highway 20 East (Regional Road no. 20)**

\*formerly HC-162\*

In addition to the permitted uses in the Downtown Corridor zone, a retail use and supermarket retail establishment may be permitted in accordance with the following:

A supermarket is defined as: "a retail establishment having a minimum floor area of 300 square metres and a maximum floor area of 3,800 square metres, primarily selling food and grocery items and which may sell other accessory merchandise such as household supplies and personal care products but not including a pharmacy, a photo shop, a dry cleaners, or a florist."

Maximum Lot Coverage	40%
Front Yard Setback	6.0m
Minimum number of Loading Spaces	2
Minimum number of Parking Spaces	180
Minimum ingress and egress from a required parking space	7.3m
Minimum landscape strip width along RR 20	6.0m
Minimum landscape strip width along easterly Boundary	1.2 m

**R1-79: 23 Highland Avenue**

\*formerly R1-31\*

Notwithstanding the provisions of the Residential 1 zone, this land may also be used for the manufacture and sale of monuments and uses, buildings and structures accessory thereto.

**NC-80: 1292 Pelham Street**

\*no former exception\*

In addition to the uses in the Neighbourhood Commercial zone, this land may also be used for a funeral home and uses, buildings and structures accessory thereto.

**NC-81: 1145 Pelham Street**

\*formerly GC-89\*

In addition to the uses in the Neighbourhood Commercial zone, this land may also be used for professional and business offices, restaurants, personal service shops, clinics, custom workshops, daycare centre, dry cleaning outlets, banks and trust companies, undertaking establishments and uses, buildings and structures accessory thereto. The following special regulations shall apply:

- a) Maximum of 20 dwelling units above the ground floor
- b) Maximum gross floor area for the commercial uses shall be 50% of the lot area.
- c) Maximum gross floor area for dwelling units shall be 72%.
- d) Dwelling units shall only be permitted above the ground floor of any commercial use.
- e) Minimum landscaped amenity area 51.85m<sup>2</sup> per dwelling unit

**NC-82: 1022 Pelham Street**

\*formerly NC-108\*

In addition to the uses in the Neighbourhood Commercial zone, this land may also be used for business and professional offices, parking lots, restaurants, studios, agencies and personal service shops on the ground floor only and uses, buildings and structures accessory thereto subject to the following special regulations:

**Commercial Uses**

Maximum lot coverage	17%
Maximum gross floor area	34%
Minimum side yard	0m where abutting a commercial or industrial use 4.5m where abutting a residential or institutional use
Minimum rear yard	6.0m where abutting a commercial or industrial use 12.0m where abutting a residential or institutional use

Maximum building height	8.0m
Maximum gross floor area per permitted use	235m <sup>2</sup>
Maximum gross commercial floor area	930m <sup>2</sup>

Accessory Residential Uses:

- a) Maximum of one accessory dwelling unit for each commercial use.

**RM1-83 (H): 703 Quaker Road**

\*formerly RM1-281(H)\*

Notwithstanding the Residential Multiple 1 zone, this land shall only be used for block townhouse dwellings and the following site-specific regulations shall apply:

Minimum Lot Frontage	8.8m
Minimum Setback from Quaker Road	30.0m
Minimum Setback from Internal Roadway	4.5m to dwelling unit or 6.0m to garage
Minimum Side Yard	1.5m
Minimum Rear Yard	6.0m to back of dwelling unit 1.5m to side of dwelling unit
Distance between buildings on same lot	Any side of any townhouse shall be no closer than 3.0m
Landscape strip	A landscape strip of 1.3m minimum in width shall provided where the boundary of an RM1 zone abuts an R1 or R2 zone except for along the west property line of 695 Quaker Road a 0.5m buffer strip with a privacy fence is required

Unenclosed porches, balconies, steps and patios, covered or uncovered, may project into any required yard a maximum distance of 3.5m provided that, in the case of porches, steps or patios, such uses are not more than 1.3m above ground.

Removal of the holding (H) provision will occur subject to execution of condominium and site plan agreements addressing servicing and drainage to the satisfaction of the Director of Public Works.

**R1-84: 1078 Quaker Road, 1080 Quaker Road, 1082 Quaker Road, 1084 Quaker Road, 1088 Quaker Road, 1090 Quaker Road, 1092 Quaker Road, 1094 Quaker Road, 1096 Quaker Road, and 1098 Quaker Road**

\*formerly R1-26\*

The following special regulation shall apply to these lands:

Minimum rear yard 61.0m

**DC-85: 209 Highway 20 East**

\*formerly HC-127\*

Notwithstanding the Downtown Corridor zone, this land shall only be used for a bank, personal service shops, business and professional office and dwelling units above the first floor subject to the following special regulations:

Maximum floor area devoted to health care practitioners	225m <sup>2</sup>
Maximum number of dwelling units	12
Minimum number of parking spaces	58
Minimum number of parking spaces per health care practitioner	5
Required setback of parking spaces along south-easterly property line	1.5m
Location of dwelling unit parking	Not required in a garage or carport
Location of required loading space	Exterior side yard
Required setback of loading space abutting Rice Road	1.5m
Minimum maneuvering aisle width in the parking garage	6.4m
Minimum driveway width for the parking garage	5.4m
Maximum building height	12.06m from the finished floor elevation of 190.73m
Minimum landscaped amenity area	430m <sup>2</sup>
Minimum indoor residential amenity area	160m <sup>2</sup> to be located in the cellar
Minimum front yard	17.8m

**DC-86: 227 Highway 20 East**

\*no former exception\*

In addition to the uses in the Downtown Corridor zone, this land may also be used a vehicle repair shop and a vehicles sales or rental establishment.

**R1-87: 1120 Haist Street**

\*Formerly R1-282\*

Notwithstanding the provisions of the Residential 1 zone, the following special regulations shall apply:

Minimum Front Yard	6m and 6.5m to garage
Maximum Front Yard	6m
Maximum garage door width	Lesser of 50% of the lot width or 60% of the dwelling width

**RM1-88: 120 Haist Street**

\*Formerly RM1-283\*

Notwithstanding the provisions of the Residential Multiple 1 zone, this land may only be used for block townhouse dwellings, street townhouse dwellings, home occupation and one accessory dwelling unit or home occupation located above a garage subject to the following special regulations:

Minimum Lot Frontage	7.2m for interior end units
Minimum Lot Depth	32m
Minimum Front Yard	4.5m
Minimum Interior Side Yard	1.2m
Minimum Exterior Side Yard	3m
Minimum Rear Yard	10.5m

Notwithstanding Section 2: Definitions, for street townhouse dwellings that abut the Public (P) zone, the north lot line abutting the Public zone will be considered the front lot line.

Notwithstanding the requirements of Section 4: Parking and Loading Requirements, the following shall apply:

- a) Ingress and egress for all driveway and garages shall be from a rear lane.



- b) The minimum rear yard for a garage shall be 0.5m.
- c) The maximum garage height shall be 7m.

Notwithstanding Section 3: General Provisions, the following shall apply:

- a) Garages shall have a 0m interior side yard setback with a shared masonry wall on one side and have a minimum interior side yard setback of 2.75m on the other side.
- b) The minimum porch depth shall be 2m.
- c) Porches may encroach a maximum of 2m into a required front or exterior side yard. Steps associated with a porch may encroach up to the lot line.

### *Block Townhouse Dwellings*

The following specification regulations shall apply to block townhouse dwellings:

- a) The minimum setback from an internal roadway shall be 4.5m.
- b) The minimum setback from a rear lane shall be 10.5m.
- c) The setback of the building face from the northerly lot line shall be 4.5m.
- d) The minimum setback of the side of building to lot line, rear lane internal roadway shall be 1.2m.
- e) The minimum setback of the side of building to any side of another side of building shall be 1.2m.
- f) The minimum porch depth shall be 2m.
- g) Porches may encroach a maximum of 2m closer to an internal roadway and the northerly lot line. Steps associated with a porch may encroach up to the internal roadway or northerly lot line.

Notwithstanding Section 4: Parking and Loading Requirements, the following special regulations shall apply:

- a) Ingress and egress for all driveway and garages shall be from a rear lane.
- b) The minimum garage setback from a rear lane shall be 0.5m.
- c) The maximum garage height shall be 7m.
- d) Garages shall have a shared masonry wall on one side and be located a minimum of 5.5m from another garage on the other side.

**R2-89: 120 Haist Street**

\*Formerly R2-284\*

Notwithstanding the provisions of the Residential 2 zone, the following special regulations shall apply:

Minimum Lot Depth	32m
Minimum Front Yard	4.5m 6m to garage
Minimum Interior Side Yard	1.2m
Minimum Exterior Side Yard	3m
Minimum Rear Yard	7.5m or 10m where backing onto an existing residential property
Maximum garage door width	Lesser of 50% of the lot width or 60% of the dwelling unit
Minimum setback from internal roadway	4.5m 6m to garage
Minimum setback between single detached dwellings	2.4m
Minimum setback from east/west lot line	1.2m
Minimum setback from south lot line	10m

Notwithstanding Section 3: General Provisions, the following special regulations shall apply:

- a) The minimum porch depth shall be 2m.
- b) Porches may encroach a maximum of 2m into a required front or exterior side yard or internal roadway. Steps associated with a porch may encroach up to the lot line or internal roadway.

**RM2-90: 163 Port Robinson Road**

\*Formerly RM2-285\*

Notwithstanding the provisions of the Residential Multiple 2 zone, the following site-specific regulations shall also apply:

Minimum Lot Area per Dwelling Unit	115m <sup>2</sup>
Minimum Lot Depth	36m

Maximum Density	70 units per hectare
Maximum Lot Coverage	50%
Minimum Front Yard	3m
Minimum Interior Side Yard	2.25m
Minimum Landscaped Area	25%
Maximum Building Height	3 Storeys
Amenity Area	Every unit shall be provided with a balcony of at least 5m <sup>2</sup> in floor area

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall also apply:

Minimum Parking Requirements - Apartment Dwelling	1.08 spaces per dwelling unit
Ingress and Egress - Two-way Traffic	6m
Parking Area Location – Apartment Dwelling	All yards provided that no part of any parking area, other than a driveway is located closer than 7.5m to any street line, 0m to any rear lane and no closer than 1 m to any side lot line.

**R2-91: River Estates Phase 2 Subdivision**

\*Formerly R2-286\*

Notwithstanding the provisions of the Residential 2 zone, the following site-specific regulations shall also apply:

Maximum Lot Coverage	None
Minimum Front Yard	4.5m 6m for Garages
Minimum Interior Side Yard	1.2m
Minimum Exterior Side Yard	3m
Minimum Ground Floor Area for a Dwelling	88m <sup>2</sup> – One-storey 50m <sup>2</sup> – Two-storey

**RM1-92: River Estates Phase 2 Subdivision**

\*Formerly RM1-287\*

Section 2: Definitions is amended for the subject lands as follows:

“DAYLIGHTING TRIANGLE” means an area free of buildings or structures or other visual obstructions, and which are to be determined by measuring, from the point of intersection of street lines on a corner lot, a minimum of 6m along each such street line and joining such points with a straight line, and the triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the “daylighting triangle”.

Notwithstanding Section 4: Parking and Loading Requirements, the following special regulations shall apply:

- a) Ingress and egress for all driveways/garages shall be from the laneway.
- b) The minimum rear yard for garages shall be 0.5m.
- c) Garages shall have a 0m interior side yard setback with a shared masonry wall on one side and a minimum interior side yard setback of 2.4m on the other side.

Notwithstanding the provisions of the Residential Multiple 1 zone, these lands may only be used for street townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply:

Minimum Lot Frontage	6m per dwelling unit
Minimum Corner Lot Frontage	7.5m per dwelling unit
Minimum Lot Area	170m <sup>2</sup>
Minimum Front Yard	4.5m
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	3.0m or 0m for a common wall

**RM1-93: River Estates Phase 2 Subdivision**

\*Formerly RM1-288\*

Notwithstanding Section 4: Parking and Loading Requirements, the following special regulations shall apply:

- a) Ingress and egress for all driveways/garages shall be from an internal road.

Notwithstanding the regulations of the Residential Multiple 1 zone, these lands may only be used for block townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply:

Minimum Front Yard	3m
Minimum Side Yard	1.5m except that where the rear of a building faces the side yard, the minimum side yard shall be 6m
Minimum Rear Yard	3m
Distance between buildings on the same lot	3m
Landscape strip	0m
Minimum setback from internal roadway	3m to building front, or 6m to rear of building, or 6m to front access garages 0m to rear access garages

The front of all buildings flanking Port Robinson Road shall be facing Port Robinson Road

**RM1-94: 100 Welland Road**

\*Formerly RM1-289\*

Notwithstanding the provisions of Section 3: General Provisions, the following site-specific regulations shall also apply:

- a) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 1m of the front lot line provided that, such uses are not more than 1.3m above ground. Such uses shall not be within 3.6m of the rear lot line provided that, such uses are not more than 2m above ground. Patios may project into any require rear yard provided they are not more than 0.6m above grade

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall also apply:

Ingress and Egress – Two-way Traffic	6m drive aisle width (clear width measured from curb-face to curb-face)
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Notwithstanding the regulations of the Residential Multiple 1 zone, these lands may be used for block townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply:

Minimum Front Yard	2.9m to street or private lane
Minimum Side Yard	1.2m to lot line or private lane
Minimum Rear Yard	6m

Distance between buildings on the same lot      Any side of any block townhouse shall be no closer than 1.3m to any side of another block townhouse

Landscape strip      A minimum landscape strip width of 1 m shall be provided where the boundary of an RM1 zone abuts an R1 or R2 zone

One second dwelling unit accessory to each dwelling of a two-block townhouse dwelling shall be permitted.

## **R2-95: Saffron Meadows Ph. 3 Subdivision**

\*Formerly R2-290\*

Section 2: Definitions is amended for the subject lands as follows:

“SECOND DWELLING UNIT” means a second dwelling unit on a lot with a principle dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Section 3: General Provisions is amended for the subject lands as follows:

- a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this By-law is specifically permitted.
- b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:
  - i. The maximum floor area does not exceed 60m<sup>2</sup>;
  - ii. A maximum of one entrance is permitted to face a street, inclusive of the principle dwelling;
  - iii. A minimum of one parking stall is required;
  - iv. Compliance with the Ontario Building Code and Fire Code, as applicable;
- c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.
- d) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, in the cases of porches, steps and patios, such uses are not more than 1.3m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that, such uses are not more than 0.3m above ground.



Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall apply:

- a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3m wide, where only one-way traffic is permitted or if the number of residential units being served is three or less, and a minimum width of 6.5m, but not more than 7.3m in perpendicular width where two-way traffic is permitted.
- b) All uses fronting Port Robinson Road and Street 'C' (Klager Avenue) from a point no less than 220m south of Port Robinson Road shall be accessed from a public or private rear laneway.
- c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.

Notwithstanding the regulations of the Residential 2 zone, these lands may be used for one single detached dwelling, uses, buildings and structures accessory thereto, and home occupations, and the following site-specific regulations shall apply:

Minimum Lot Area	360m <sup>2</sup>
Minimum Lot Frontage	12m
Minimum Front Yard	4m to dwelling front face and 6m to garage
Maximum Front Yard	5.5m to dwelling front face
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3m on the other side where there is no attached carport or garage
Minimum Exterior Side Yard	3m to dwelling 6m to garage
Minimum Rear Yard	7.5m
Maximum Attached Garage Width	7.5m or 50% of the lot frontage, or 20% of the lot depth, whichever is less
Maximum Driveway Width	7m or 50% of the lot frontage, or 20% of the lot depth, whichever is less

**RM1-96: Saffron Meadows Ph. 3 Subdivision**

\*Formerly RM1-291\*

Section 2: Definitions is amended for the subject lands as follows:

“SECOND DWELLING UNIT” means a second dwelling unit on a lot with a principle dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Section 3: General Provisions is amended for the lands identified as RM1-96 as follows:

- a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this By-law is specifically permitted.
- b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:
  - i. The maximum floor area does not exceed 60m<sup>2</sup>;
  - ii. A maximum of one entrance is permitted to face a street, inclusive of the principle dwelling;
  - iii. A minimum of one parking stall is required;
  - iv. Compliance with the Ontario Building Code and Fire Code, as applicable;
- c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.
- d) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, in the cases of porches, steps and patios, such uses are not more than 1.3m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that, such uses are not more than 0.3m above ground.

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall apply:

- a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3m wide, where only one-way traffic is permitted or if the number of residential units being served is there or less, and a minimum width of 6.5m, but not more than 7.3m in perpendicular width where two-way traffic is permitted.
- b) All uses fronting Port Robinson Road and Street 'C' (Klager Avenue) from a point no less than 220m south of Port Robinson Road shall be accessed from a public or private rear laneway.
- c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.

Notwithstanding the regulations of the Residential Multiple 1 zone, these lands may be used for semi-detached dwellings, duplex dwellings, triplex dwellings, fourplex dwellings, converted dwellings, street townhouse dwellings, block townhouse dwellings, uses, buildings and structures accessory thereto, and home occupations, and the following site-specific regulations shall apply:

Minimum Lot Area	360m <sup>2</sup>
Minimum Lot Frontage	12m
Minimum Front Yard	4m to dwelling front face and 6m to garage
Maximum Front Yard	5.5m to dwelling front face
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3m on the other side where there is no attached carport or garage
Minimum Exterior Side Yard	3m to dwelling 6m to garage
Minimum Rear Yard	7.5m
Maximum Attached Garage Width	7.5m or 50% of the lot frontage, or 20% of the lot depth, whichever is less
Maximum Driveway Width	7m or 50% of the lot frontage, or 20% of the lot depth, whichever is less

*Semi-detached, Duplex, Triplex, Fourplex and Converted Dwellings*

The following special regulations shall apply to semi-detached, duplex, triplex, fourplex and converted dwellings:

Minimum Lot Area	150m <sup>2</sup> per dwelling unit
Minimum Lot Frontage	16m
Minimum Front Yard	4m to dwelling front face and 6m to garage
Maximum Front Yard	5.5m to dwelling front face
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3m on the other side where there is no attached carport or garage
Minimum Exterior Side Yard	3m to dwelling 6m to garage

Minimum Rear Yard	7.5m
Maximum Attached Garage Width	7.5m or 50% of the lot frontage, or 20% of the lot depth, whichever is less
Maximum Driveway Width	7m or 50% of the lot frontage, or 20% of the lot depth, whichever is less

*Street Townhouse Dwellings*

The following special regulations shall apply to street townhouse dwellings:

Minimum Lot Area	180m <sup>2</sup> per dwelling unit
Minimum Lot Frontage	6m per dwelling unit
Minimum Front Yard	4m to dwelling front face 6m to garage
Maximum Front Yard	5.5m to dwelling front face
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3m on the other side where there is no attached carport or garage
Minimum Exterior Side Yard	3m to dwelling 6m to garage
Minimum Rear Yard	7.5m
Maximum Height	12.0m
Maximum Attached Garage Width	7m or 50% of the lot frontage, or 20% of the lot depth, whichever is less

*Block Townhouse Dwellings*

The following special regulations shall apply to block townhouse dwellings:

Minimum Lot Area	2000m <sup>2</sup>
Minimum Lot Frontage	30m
Minimum Front Yard	2.5m on a street or internal laneway 6m to garage on a street or internal laneway
Maximum Front Yard	5m on a street or internal laneway

Minimum Interior Side Yard	1.2m to dwelling, except where the rear of a building faces the side yard, the minimum side yard shall be 6m. Detached garages shall have a 0m setback on one side and a 2.4m setback on the other side
Minimum Exterior Side Yard	3m on a street or internal laneway 6m to garage on a street or internal laneway
Maximum Exterior Side Yard	5m on a street or internal laneway
Minimum Rear Yard	6m, except where the side of a building faces the rear yard, the minimum rear yard shall be 1.2m 0.5m to garage on internal laneway
Maximum Height	12.0m
Distance between buildings on the same lot	A 'face' of a building means the longest wall of a building. Each building shall be deemed to have two faces.  A 'side' of a building means the shortest wall of a building. Each building shall be deemed to have two sides.  Any face of one townhouse shall be no closer to any side of another townhouse than 7.2m  Any face of any townhouse shall be no closer than 11m to any face of another townhouse  Any side of any townhouse shall be no closer than 3m to any side of another townhouse
Maximum Attached Garage Width	7.5m or 50% of the lot frontage, or 20% of the lot depth, whichever is less
Minimum Landscaped Area	25%
Amenity Area	5m <sup>2</sup> of amenity area shall be provided for each unit in one location for recreational use of the residents

**OS-97: Saffron Meadows Ph. 3 Subdivision**

\*Formerly OS-292\*

Notwithstanding the regulations of the Open Space zone, these lands may be used for public parkland, conservation and flood control projects, recreational uses such as trails, fences and picnic facilities, and uses, buildings and structures accessory thereto and the following site-specific regulations shall also apply:

Minimum Lot Area	0.4ha
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Minimum Lot Frontage	15m
Minimum Lot Coverage	10%
Minimum Front Yard	4m
Minimum Exterior Side Yard	4m
Minimum Side Yard	4m
Minimum Rear Yard	7.5m
Maximum Building Height	12m

**OS-98: Saffron Meadows Ph. 3 Subdivision**

\*Formerly OS-293\*

Notwithstanding the regulations of the Open Space zone, these lands may be used for forest, fish and wildlife management uses, conservation and flood control projects, stormwater management facilities, and small-scale passive recreational uses such as trails, fences, docks and picnic facilities that will have no negative impact on natural heritage features or on their ecological functions, and the following site-specific regulations shall also apply:

Minimum Lot Area	0.4ha
Minimum Lot Frontage	15m

**EP1-99: Saffron Meadows Ph. 3 Subdivision**

\*Formerly EP-294\*

Notwithstanding the regulations of the Environmental Protection 1 zone, these lands may be used for forest, fish and wildlife management uses, conservation and flood control projects, stormwater management facilities, and small-scale passive recreational uses such as trails, fences, docks and picnic facilities that will have no negative impact on natural heritage features or on their ecological functions.

**RM1-100: 155 Port Robinson Road**

\*Formerly RM1-295\*

Notwithstanding the regulations of the Residential Multiple 1 zone, the following site-specific regulations shall apply:

Minimum Exterior Side Yard	6m
Minimum Interior Side Yard	3m or 0m for common walls



**DC-101: 1440 Pelham Street**

\*Formerly GC-296\*

Notwithstanding the requirements of the Downtown Commercial zone, the following site-specific regulations shall apply:

Maximum Gross Floor Area	123% of lot area
Maximum Height	4 storeys

- a) The rooftop area shall be used for outdoor amenity space which is accessory to the dwelling units only.
- b) A minimum 2.8m step-back shall be provided for the front building façade of the fourth storey.
- c) A minimum 3m step-back shall be provided for the elevator and mechanical penthouse.

**R2-102: 695,697 Quaker Road**

\*Formerly R2-297\*

Section 2: Definitions is amended for the subject lands as follows:

“SECOND DWELLING UNIT” means a second dwelling unit on a lot with a principle dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Section 3: General Provisions is amended for the lands identified as RM1-96 as follows:

- a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this By-law is specifically permitted.
- b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:
  - i. The maximum floor area does not exceed 60m<sup>2</sup>;
  - ii. A maximum of one entrance is permitted to face a street, inclusive of the principle dwelling;
  - iii. A minimum of one parking stall is required; and
  - iv. Compliance with the Ontario Building Code and Fire Code, as applicable.

- c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.

**R1-103: 1084 Quaker Road**

\*Formerly R1-298\*

In addition to the uses permitted in the Residential 1 zone, these lands may also be used for a duplex dwelling and the following site-specific regulation shall apply:

Minimum Rear Yard 61m

**RM1-104: 1307 Haist Street**

\*Formerly RM1-299\*

Notwithstanding the requirements of the Residential Multiple 1 zone, these lands may be used for street townhouse dwellings and uses, buildings and structures accessory and the following site-specific regulations shall apply:

Minimum Lot Frontage 17m  
Minimum Lot Area 400m<sup>2</sup> per dwelling unit  
Minimum Front Yard 4.5m to front building face and 6m to a garage  
Minimum Exterior Side Yard 4.5m  
Minimum Rear Yard 7m  
Maximum Building Height 6m

Second dwelling units are prohibited.

**RM1-105: Saffron Valley Ph. 2 Subdivision**

\*Formerly RM1-300\*

Notwithstanding the requirements of Section 3: General Provisions and Section 4: Parking and Loading Requirements, the following regulations shall apply:

- a) Ingress and Egress shall be provided by unobstructed driveways with a maximum width of 7m for two-way traffic.
- b) Unenclosed porches, balconies, steps and patios, covered or uncovered may project into any required yard a maximum distance of 3m provided that, in the case of porches, steps or patios, such uses are not more than 1.3m above ground. Patios may project into any required yard provided they are not more than 0.6m above grade.

Notwithstanding the provisions of the Residential Multiple 1 zone, the following site-specific regulations shall apply:

Minimum Lot Frontage	7.1m
Minimum Front Yard	4.5m to front building face 6m to a garage on a street or internal roadway
Minimum Side Yard	i) Where the rear wall of a building faces and interior side yard, the minimum require yard shall be 6m ii) Unit 6 – 5.3m iii) Unit 13 – 2.1m iv) Unit 17 – 3.8m v) Unit 24 & 35 – 1.5m vi) Units 9, 12, 18, 23, 29 & 30 may be located no closer than 3m from the inside radius of an internal street (i.e. intersection or turn) vii) Where abutting an internal roadway – 4.2m
Minimum Rear Yard	6.1m
Distance Between Buildings	Any face of one townhouse shall be no closer to any side of another townhouse than 9m.  Any face of any townhouse shall be no closer than 15m to any face of another townhouse.  Any side of any townhouse shall be no closer than 3m to any side of another townhouse.

**R1-106: 1, 1A, 3C Hurricane Road**

\*Formerly R1-302\*

Section 2: Definitions is amended for the subject lands as follows:

“SECOND DWELLING UNIT” means a second dwelling unit on a lot with a principle dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

“DWELLING – FRONT FACE” means where a setback is measured from the ‘dwelling front face’, this shall include any portion of a building face exposed to the street line including the front door, but does not include a covered porch.

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

- a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or

accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this by-law is specifically permitted.

- b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:
  - i. The maximum floor area does not exceed 65m<sup>2</sup>;
  - ii. A maximum of one entrance is permitted to face a street, inclusive of the principle dwelling;
  - iii. A minimum of one parking stall is required; and
  - iv. Compliance with the Ontario Building Code and Fire Code, as applicable.
- c) Except as otherwise provided herein, no accessory building shall exceed 6m in height.
- d) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.
- e) Dwelling units below grade are not permitted.

Notwithstanding the provisions of the Residential 1 zone, the following site-specific regulations shall apply:

Minimum Lot Area	620m <sup>2</sup>
Maximum Lot Frontage	17m
Minimum Front Yard	6m to dwelling face and 7.7m to garage
Maximum Front Yard	7.7 to dwelling face
Minimum Interior Side Yard	1.8m or 3m to a laneway

No minimum ground floor area requirement.

### **R1-107: 3, 3A Hurricane Road**

\*Formerly R1-303\*

Section 2: Definitions is amended for the subject lands as follows:

“SECOND DWELLING UNIT” means a second dwelling unit on a lot with a principle dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

“DWELLING – FRONT FACE” means where a setback is measured from the ‘dwelling front face’, this shall include any portion of a building face exposed to the street line including the front door, but does not include a covered porch.

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

- a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this by-law is specifically permitted.
- b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:
  - i. The maximum floor area does not exceed 65m<sup>2</sup>;
  - ii. A maximum of one entrance is permitted to face a street, inclusive of the principle dwelling;
  - iii. A minimum of one parking stall is required; and
  - iv. Compliance with the Ontario Building Code and Fire Code, as applicable.
- c) Except as otherwise provided herein, no accessory building shall exceed 6m in height.
- d) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.
- e) Dwelling units below grade are not permitted.

Notwithstanding the provisions of the Residential 1 zone, the following site-specific regulations shall apply:

Maximum Lot Frontage 4.7m

Existing accessory buildings are permitted.

No minimum ground floor area requirement.

**A-108: Concession 17, Part Lot 17 (Form. Part of 855 Chantler Road)**

\*Formerly A-304\*

Notwithstanding the requirements of the Agricultural zone, these lands may be used for agricultural uses including greenhouses, uses, buildings and structures accessory and forestry and conservation uses and the following site-specific regulations shall apply:

Minimum Lot Frontage 91m

## **A-109: 855 Chantler Road**

\*Formerly A-305\*

Notwithstanding the requirements of the Agricultural zone, the following site-specific regulations shall apply:

- |                         |   |
|-------------------------|---|
| Maximum Lot Coverage    | 6.4% provided the maximum lot coverage of all buildings does not exceed 10% |
| Maximum Building Height | Existing as of the date of passing or 3.7m                                  |

## **R2-110: Park Place South Subdivision**

\*Formerly R2-306\*

Section 2: Definitions is amended for the subject lands as follows:

“SECOND DWELLING UNIT” means a second dwelling unit on a lot with a principle dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

- a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this by-law is specifically permitted.
- b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:
  - i. The maximum floor area does not exceed 65m<sup>2</sup>;
  - ii. A maximum of one entrance is permitted to face a street, inclusive of the principle dwelling;
  - iii. A minimum of one parking stall is required; and
  - iv. Compliance with the Ontario Building Code and Fire Code, as applicable
- c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.
- d) Detached garages shall be located in the rear yard with a minimum rear setback of 6.0m to laneways, minimum 1.5m setback from end wall to interior side lot line or 0m setback from common wall to interior side lot line.
- e) The maximum lot coverage shall be 15%



- f) Dwelling units below grade are not permitted.
- g) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 2m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall apply:

- a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 8m in perpendicular width where two-way traffic is permitted.
- b) All uses fronting Summersides Boulevard shall be accessed from a public or private laneway.
- c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 8m.

Notwithstanding the requirements of the Residential 2 zone, the following site-specific regulations shall apply:

Minimum Lot Area	360m <sup>2</sup>
Minimum Lot Frontage	12m
Maximum Lot Coverage	There is no maximum lot coverage requirement
Minimum Front Yard	4m to dwelling front face and 6m to garage
Minimum Interior Side Yard	1.2m
Minimum Exterior Side Yard	3m
Minimum Rear Yard	6m
Maximum Height	3 storey or 12m, whichever is greater
Minimum Ground Floor Area for Dwelling	One Storey: 88m <sup>2</sup> Two or Three Storey: 50m <sup>2</sup>

## **RM1-111: Park Place South Subdivision**

\*Formerly RM1-307\*

Section 2: Definitions is amended for the subject lands as follows:

“SECOND DWELLING UNIT” means a second dwelling unit on a lot with a principle dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

- a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this by-law is specifically permitted.
- b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:
  - i. The maximum floor area does not exceed 65m<sup>2</sup>;
  - ii. A maximum of one entrance is permitted to face a street, inclusive of the principle dwelling;
  - iii. A minimum of one parking stall is required; and
  - iv. Compliance with the Ontario Building Code and Fire Code, as applicable
- c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.
- d) Detached garages shall be located in the rear yard with a minimum rear setback of 6.0m to laneways, minimum 1.5m setback from end wall to interior side lot line or 0m setback from common wall to interior side lot line.
- e) The maximum lot coverage shall be 15%
- f) Dwelling units below grade are not permitted.
- g) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 2m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall apply:

- a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 8m in perpendicular width where two-way traffic is permitted.
- b) All uses fronting Summersides Boulevard shall be accessed from a public or private laneway.
- c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 8m.

Notwithstanding the requirements of the RM1 zone, the following site-specific regulations shall apply:

Minimum Lot Frontage	6m
Minimum Corner Lot Frontage	7.5m
Minimum Front Yard	3m to dwelling front face and 6m to garage
Minimum Interior Side Yard	1.2m, 0m to common wall
Minimum Exterior Side Yard	3m
Minimum Rear Yard	6m
Maximum Height	3 storey or 12m, whichever is greater
Minimum Ground Floor Area for Dwelling	One Storey: 88m <sup>2</sup> Two or Three Storey: 50m <sup>2</sup>
Landscape strips	There are no landscape strip requirements.

**RM1-112: Park Place South Subdivision**

\*Formerly RM1-308\*

Section 2: Definitions is amended for the subject lands as follows:

“DWELLING, BACK-TO-BACK TOWNHOUSE” means a townhouse dwelling that contains dwelling units divided vertically from each other by common side walls and common rear walls.

“SECOND DWELLING UNIT” means a second dwelling unit on a lot with a principle dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

- a) Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit except as in this by-law is specifically permitted.
- b) Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or in their accessory building provided:
  - i. The maximum floor area does not exceed 65m<sup>2</sup>;
  - ii. A maximum of one entrance is permitted to face a street, inclusive of the principle dwelling;
  - iii. A minimum of one parking stall is required; and
  - iv. Compliance with the Ontario Building Code and Fire Code, as applicable
- c) Except as otherwise provided herein, no accessory building shall exceed 3.7m in height and no accessory building containing a second dwelling unit shall exceed 6m in height.
- d) Detached garages shall be located in the rear yard with a minimum rear setback of 6.0m to laneways, minimum 1.5m setback from end wall to interior side lot line or 0m setback from common wall to interior side lot line.
- e) The maximum lot coverage shall be 15%
- f) Dwelling units below grade are not permitted.
- g) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 2m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following site-specific regulations shall apply:

- a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 8m in perpendicular width where two-way traffic is permitted.
- b) All uses fronting Summersides Boulevard shall be accessed from a public or private laneway.

- c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 8m.

Notwithstanding the requirements of the Residential Multiple 1 zone, back-to-back townhouse dwellings shall also be permitted subject to the following site-specific regulations:

Minimum Lot Frontage	6m
Minimum Corner Lot Frontage	10m
Minimum Lot Area	110m <sup>2</sup> per dwelling unit
Minimum Front Yard	7.5m
Minimum Interior Side Yard	1.2m, 0m to common wall
Minimum Exterior Side Yard	3m
Minimum Rear Yard	0m
Maximum Height	3 storey or 12m, whichever is greater
Minimum Ground Floor Area for Dwelling	One Storey: 88m <sup>2</sup> Two or Three Storey: 50m <sup>2</sup>

**A-113: 588 Chantler Road**

\*Formerly A-309\*

Notwithstanding the requirements of the Agricultural zone, the following site-specific regulations shall apply:

Maximum Lot Coverage	1.58% provided the maximum lot coverage of all buildings does not exceed 10%
Maximum Building Height	5.9m

**A-114: Concession 13, Part of Lot 11 (Form. Part of 588 Chantler Road)**

\*Formerly A-310\*

The lands identified as A-114 prohibits the use of the lands for residential purposes as result of a Farm Surplus Severance (File No. B21/2021P) and be rezoned as Agricultural Purposes Only (APO).

**I-115: 1105 Baxter Lane & 769 Welland Road (Baxter Hall)**

\*Formerly I-265\*

Notwithstanding the requirements of the Institutional zone, these lands may be used for:

- a) Cemetery;
- b) Clinics;
- c) Daycare Centres;
- d) Long-term Care Facility or Retirement Homes;
- e) Municipal, Government or Public Uses;
- f) Offices;
- g) Personal Service Uses;
- h) Places of Worship;
- i) Public or Private Clubs;
- j) Retail uses with a floor area of less than 185m<sup>2</sup>;
- k) Schools; and
- l) Uses, buildings and structures accessory to the foregoing uses

Notwithstanding the requirements of the Institutional zone, these lands are subject to the following site-specific regulations:

Maximum Lot Coverage	43.4%
Minimum Front Yard	0.9m
Minimum Exterior Side Yard	3m
Minimum Side Yard	4m
Maximum Building Height	12m
Parking Requirements	70 spaces total

Ingress and Egress shall be provided by means of unobstructed driveways or passageways of at least:

One-way Traffic: 3 metres

Two-way Traffic: 5.8 metres but not more than 9 metres in perpendicular width

Planting Strips 1.8m measured perpendicular to the lot line it adjoins



Yard Encroachments

Unenclosed porches, balconies, steps and patios, covered or uncovered may project into any required yard a maximum of 3.5m

**DC-116: 151 Highway 20 East (Regional Road no. 20)**

\*no former exception\*

In addition to the uses in the Downtown Corridor Zone, this land may also be used for a car wash.

**DC-117: 158 Highway 20 West (Regional Road no. 20)**

\*no former exception\*

In addition to the uses in the Downtown Corridor Zone, this land may also be used for a car wash.

**A-118: 799 Balfour Road**

\*no former exception\*

In addition to the uses in the Agricultural Zone, this land may also be used for an existing Landscape Contractor.

**A-119: 605 Chantler Road**

\*no former exception\*

In addition to the uses in the Agricultural Zone, this land may also be used for an existing Landscape Contractor.

**EP1/EP2-120: 110 Chantler Road**

\*no former exception\*

In addition to the uses in the Environmental Protection 1 and Environmental Protection 2 Zones, this land may also be used for an existing Construction Company.

**SA-121: 854 Canboro Road**

\*no former exception\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for the existing storage and retail sale of fireworks.

**A-122: 421 Poth Street**

\*no former exception\*

In addition to the uses in the Agricultural Zone, this land may also be used for an existing Tree Removal Service Contractor.

**SA-123: 2320 Maple Street**

\*no former exception\*

In addition to the uses in the Specialty Agricultural Zone, this land may also be used for an existing Excavation Services Company.

**A-124: 137 Chantler Road**

\*no former exception\*

In addition to the uses in the Agricultural Zone, this land may also be used for an existing Construction Company.

**VC-125: 1522 Pelham Street**

\*Formerly GC-311

Notwithstanding the requirements of the Village Commercial Zone, the following site-specific regulations shall apply:

Maximum Lot Coverage	50%
Maximum Gross Floor Area for Dwelling Units	96%
Maximum Building Height	13.0m
Parking Requirements	1.2 spaces per dwelling unit

No minimum landscaped amenity area shall be required for dwelling units

No planting strip shall be required between the parking area and the interior lot line.

**RM2-126: Park Place North Subdivision**

\*Formerly RM2-312

Section 2: Definitions is amended for the subject lands as follows:

“PEDESTRIAN BRIDGE OR CANOPY” means a structure connected to two buildings for use by pedestrians to pass between two buildings.

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

- a) Notwithstanding the yard requirements of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line and 2.0m of the rear lot line provided that, such uses are not more than 1.3m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that, such uses are not more than 0.3m above the ground.

Notwithstanding the requirements of Section 4: Parking and Loading Requirements, the following shall apply:

Use	Minimum # of Parking Spaces
Apartment Dwelling	1.25 spaces per dwelling unit
Block Townhouse Dwelling	1.5 spaces per dwelling unit
Nursing Home or Senior Citizens House Unit	0.5 spaces per unit

In addition to the uses permitted in the RM2 Zone, block townhouses, nursing homes and senior citizen apartment houses shall also be permitted, provided that block townhouse dwellings do not constitute more than 50% of the total number of dwelling units and the following site-specific regulations shall apply:

*Block Townhouse Dwellings*

Minimum Lot Frontage	Block townhouses may be accessed via private road within the subdivision plan
Minimum Lot Area	2000m <sup>2</sup>
Maximum Density	20-60 units per hectare
Minimum Front Yard	3.0m to front face or 6.0m to garage
Minimum Interior Side Yard	1.2m, except where the rear of the building faces a side yard, the minimum side yard shall be 6.0m and the minimum side yard abutting a street or internal roadway shall be 2.0m
Minimum Rear Yard	6.0m
Maximum Building Height	12.0m
Minimum Distance Between Dwellings on the Same Lot	Any face of one townhouse shall be no closer to any side of another townhouse than 9.0m  Any face of any townhouse shall be no closer than 15.0m to any face of another townhouse.  Any side of any townhouse shall be no closer than 3.0m to any side of another townhouse
Minimum Landscaped Area	25%

*Apartment Dwellings or Nursing Homes and Senior Citizens Apartment Houses*

Minimum Lot Area	75m <sup>2</sup> per dwelling unit
Minimum Lot Frontage	30m for entire site Frontage requirement deleted for land division subsequent to Plan registration, subject to site plan approval.
Minimum Lot Depth	38.0m
Minimum Lot Density	130.2 units per hectare
Maximum Lot Coverage	30%
Minimum Front Yard	4.0m to Meridian Way Front yard setback to lot lines created subsequent to plan registration is deleted subject to site plan approval.
Minimum Interior Side Yard	4.5m, except 0m for an enclosed or unenclosed pedestrian bridge.
Minimum Exterior Side Yard	One half the height of the building or 7.0m to Meridian Way, whichever is greater.
Minimum Landscaped Area	35%
Maximum Height	5 storeys

**R3-127(H): 1553 Pelham Street**

\*Formerly R3-313(H)

Notwithstanding the requirements of the Residential 3 zone, the following site-specific regulations shall apply:

Maximum Lot Coverage	45%
Minimum Interior Side Yard	1.2m, except that no interior side yard setback shall be required where a pair of semi-detached dwellings on adjacent lots are attached by a common wall along the shared property line separating such lots.

The lifting of the holding (H) provision for the R3-127 (H) Zone for 1553 Pelham Street shall be subject to acknowledgement that a Stage 1-2 Archaeological Assessment(s) has been completed and the clearance letter(s) from the Ministry of Heritage, Sport, Tourism and Culture Industries are provided to the Town of Pelham.

**R1-128: 30, 54, 64-68 Philmori Boulevard**

\*Formerly R1-314 and R1-315

In addition to the provisions of the Residential 1 zone, the following site-specific regulations shall apply:

Minimum Rear Yard 7.5m

Notwithstanding any provisions of the Zoning By-law to the contrary, no buildings or structures, including but not limited to, storage sheds, garages, pool houses, swimming pools, decks and gazebos, shall be permitted within 7.5m of the rear lot line.

A minimum 1.5m fence with no gate shall be provided along the rear lot line

**R2-129: Forest Park Subdivision**

\*Formerly R2-316

Notwithstanding the requirements of Section 3: General Provisions, the following shall apply:

- a) Unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 1.3m above ground. Uncovered patios and decks shall be permitted up to 1.2m from a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the requirements of Section 4: Parking and Loading Requirements, the following shall apply:

- a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3.0m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 7.3m in perpendicular width where two-way traffic is permitted.
- b) All uses fronting Port Robinson Road and Station Street from a point no more than 190m south of Port Robinson Road shall be accessed from a public or private rear laneway or internal private driveway.
- c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.

Notwithstanding the uses in the Residential 2 zone, these lands shall only be used for one single detached dwelling; uses, buildings and structures accessory thereto; and home occupations and the following site-specific regulations shall apply:

Minimum Lot Area 360m<sup>2</sup>

Minimum Lot Frontage	12.0m
Minimum Front Yard	4.0m to front face and 6.0m to garage
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3.0m on the other side where there is no attached carport or garage.
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	6.0m
Maximum Height	12.0m
Max. Attached Garage Width Frontage	7.0m or 50% of the lot frontage
Max. Driveway Width Frontage	7.5m or 50% of the lot frontage

**RM1-130: Forest Park Subdivision**

\*Formerly RM1-317

Notwithstanding the requirements of Section 3: General Provisions, the following shall apply:

- a) Unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 1.3m above ground. Uncovered patios and decks shall be permitted up to 1.2m from a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the requirements of Section 4: Parking and Loading Requirements, the following shall apply:

- a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3.0m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 7.3m in perpendicular width where two-way traffic is permitted.
- b) All uses fronting Port Robinson Road and Station Street from a point no more than 190m south of Port Robinson Road shall be accessed from a public or private rear laneway or internal private driveway.
- c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.



Notwithstanding the uses in the Residential Multiple 1 zone, these lands shall only be used for a semi-detached dwelling; a duplex dwelling; a triplex dwelling; a fourplex dwelling; a converted dwelling; street townhouse dwellings; uses, buildings and structures accessory thereto; and home occupations and the following site-specific regulations shall apply:

*Semi-Detached, Duplex, Triplex, Fourplex and Converted Dwelling*

Minimum Lot Area	150m <sup>2</sup> per dwelling unit
Minimum Lot Frontage	15.0m
Minimum Front Yard	4.0m to front face and 6.0m to garage
Minimum Interior Side Yard	1.2m on both sides where carport or garage is attached, or 1.2m on one side and 3.0m on the other side where there is no attached carport or garage.
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	6.0m
Maximum Height	12.0m
Max. Attached Garage Width Frontage	7.5m or 60% of the lot frontage
Max. Driveway Width Frontage	7.0m or 50% of the lot frontage

*Street Townhouse Dwellings*

Minimum Lot Area	180m <sup>2</sup> per dwelling unit
Minimum Lot Frontage	6.0m per dwelling unit, or 7.0m per dwelling unit attached on one side only.
Minimum Front Yard	4.0m to front face and 6.0m to garage
Minimum Interior Side Yard	1.5m
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	6.0m
Maximum Height	12.0m
Max. Attached Garage Width Frontage	7.5m or 60% of the lot frontage

Max. Driveway Width Frontage 7.0m or 60% of the lot frontage, or 20% of the lot depth, whichever is less

**RM2-131: Forest Park Subdivision**

\*Formerly RM2-318

Notwithstanding the requirements of Section 3: General Provisions, the following shall apply:

- a) Unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that, such uses are not more than 1.3m above ground. Uncovered patios and decks shall be permitted up to 1.2m from a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the requirements of Section 4: Parking and Loading Requirements, the following shall apply:

Apartment Dwelling 1.25 spaces per dwelling unit

- a) Ingress and egress to and from required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3.0m wide, where only one-way traffic is permitted or if the number of residential units is 3 or less, and have a minimum width of 6.5m, but not more than 7.3m in perpendicular width where two-way traffic is permitted.
- b) All uses fronting Port Robinson Road and Station Street from a point no more than 190m south of Port Robinson Road shall be accessed from a public or private rear laneway or internal private driveway.
- c) The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 7.3m.

Notwithstanding the uses in the Residential Multiple 2 zone, these lands shall only be used for an apartment dwelling; an apartment dwelling above at-grade commercial or daycare centre; street townhouse dwellings; block townhouse dwellings; daycare centre; convenience retail and service commercial uses; uses, buildings and structures accessory thereto; and home occupations and the following site-specific regulations shall apply:

*Apartment Dwelling or Apartment Dwelling with At-Grade Commercial or Daycare Centre*

Minimum Lot Area	0.75ha for Daycare Centre
Minimum Lot Frontage	30.0m
Minimum Lot Depth	38.0m
Minimum Density	35 units per hectare

Maximum Density	160 units per hectare within 100.0m of Station Street and Port Robinson Road, or 75 units per hectare elsewhere
Minimum Front Yard	3.0m
Minimum Interior Side Yard	3.0m or 10.0m when abutting single detached, semi-detached or townhouse dwellings
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	3.0m or 10.0m where abutting single detached, semi-detached or townhouse dwellings
Minimum Height	12.0m or 3-storeys, whichever is greater
Maximum Height	22.0m or 6-storeys whichever is less within 100.0m of Station Street and Port Robinson Road, or 17.0m or 5-storeys whichever is less, elsewhere
Minimum Landscaped Area	25%
Maximum Commercial Floor Area	150m <sup>2</sup> per unit/max 3 units

#### *Street Townhouse Dwellings*

Minimum Lot Area	120m <sup>2</sup> per dwelling unit
Minimum Lot Frontage	6.0m per dwelling unit, or 7.0m per dwelling end unit and 6.0m per dwelling end unit where garage access from rear lane
Minimum Front Yard	3.0 m to front face, 6.0m to garage
Minimum Interior Side Yard	1.5m
Minimum Exterior Side Yard	3.0m to dwelling and 6.0m to garage
Minimum Rear Yard	6.0m
Maximum Height	12.0m
Max. Attached Garage Width Frontage	7.5m or 60% of the lot frontage
Max. Driveway Width	7.0m or 60% of the lot frontage, or 20% of the lot depth, whichever is less

*Block Townhouse Dwellings*

Minimum Lot Area	2000m <sup>2</sup> per dwelling unit
Minimum Lot Frontage	22.0m
Minimum Density	20 units per hectare
Minimum Front Yard	3.0m on a street or internal laneway
Minimum Interior Side Yard	1.2m to dwelling, except where the rear of a building faces the side yard, the minimum side yard shall be 6.0m
Detached Garage	May have a 0m setback with a shared wall on one side and a 1.5m setback on the other side
Minimum Exterior Side Yard	3.0m on a street or internal laneway and 6.0m to garage on a street or internal roadway
Minimum Rear Yard	6.0m, except where the side of a building faces the rear yard, the minimum rear yard shall be 1.2m, or 0.5m to a garage on internal laneway
Distance between buildings on the same lot	<p>A FACE of a building means, one or other of the longest walls of a building. Each building shall be deemed to have two faces.</p> <p>A SIDE of a building means, one or other of the shortest walls on a building. Each building shall be deemed to have two sides.</p> <p>Any face of one townhouse shall be no closer to any side of another townhouse than 7.2m.</p> <p>Any side of any townhouse shall be no closer than 3.0m to any side of another townhouse.</p>
Maximum Height	12.0m
Max. Attached Garage Width w/o Rear Lane Access	7.5m or 60% of the dwelling

**RM1-132 (H): 690 Quaker Road**

\*Formerly RM1-321 (H)

Notwithstanding the requirements of the Residential Multiple 1 zone, the following site-specific regulations shall apply:

Minimum Lot Frontage	6.0m per dwelling unit, except in the case of an interior lot containing a dwelling attached on one side, the minimum lot frontage required shall be 8.0m
Minimum Interior Side Yard	1.5m
Maximum Height	8.5m
Planting Strip	Encroachment of the existing accessory building into the 1.5m width planting strip where the boundary of the RM1-135 Zoe abuts the R1 Zone is permitted
Landscape Strip	A minimum landscape strip of 1.5m wide and 2.1m high shall be provided along the rear lot line

The lifting of the holding (H) provision for the RM1-133(H) Zone for 690 Quaker Road shall be subject to acknowledgement from the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) confirming that all archaeological resource concerns on the subject property have met licensing and resource conservation requirements.

**RM1-133 (H): 701 Quaker Road**

\*Formerly RM1-281 (H)

Notwithstanding the requirements of Section 3: General Provisions, the following shall apply:

- a) Unenclosed porches, balconies, steps and patios covered or uncovered, may project into any required yard a maximum distance of 3.5m, but not less than 2.5m from any lot line provided that, in the case of any porches, steps or patios such uses are not more than 1.3m above the ground.

Notwithstanding the requirements of the Residential Multiple 1 zone, this property shall only be used for block townhouse dwellings and the following site-specific regulations shall apply:

Minimum Lot Frontage	8.79m
Minimum Setback from Quaker Road	30.0m
Minimum Setback from Internal Roadway	2.9m to a dwelling, 6.0m to a garage

Minimum Site Yard	6.0m to rear of dwelling, 1.5 m to side of dwelling	
Minimum Rear Yard	6.0m to rear of dwelling, 1.5m to side of dwelling	
Distance between buildings on the same lot	Face to Side	7.0m
	Face to Face	15.0m
	Side to Side	3.0m
Planting Strip	A planting strip of 0.5m minimum in width shall be provided along the eastern property line of 703 Quaker Road and a planting strip 1.2m minimum in width shall be provided along the western property line of 695 Quaker Road	
Amenity Area	Each dwelling unit shall be provided with a yard 6.0m in depth measured from the rear wall of the dwelling to the lot line, as private amenity space.	

The lifting of the holding (H) provision for the RM1-133 (H) Zone for 701 Quaker Road shall be subject to the execution of Condominium and Site Plan Agreements addressing servicing and drainage to the satisfaction of the Director of Public Works or their designate.

**EF-MU1-134: Village of East Fonthill**

\*Formerly EF-MU1

*1.0 Permitted Uses*

The following uses are permitted within the East Fonthill Mixed - Use 1 (EF - MU1) Zone:

- a) Commercial, professional, medical and/or government offices;
- b) Retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas greater than 150 m<sup>2</sup> (1,615 ft<sup>2</sup>) per business; and retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas between 100 m<sup>2</sup> (1076.39 ft<sup>2</sup>) and 150 m<sup>2</sup> (1614.59 ft<sup>2</sup>) per business are permitted up to a maximum of 18% of the total Gross Leasable Floor Area per lot.
- c) Space extensive retail uses selling products such as:
  - i. automotive related products;
  - ii. large and bulky goods such as furniture and appliances;



- iii. hardware and home improvement materials;
- iv. food/groceries; and
- v. nursery or garden supply products;
- d) Hotels and tourist accommodations;
- e) Conference and convention centres;
- f) Cultural, recreational and entertainment uses;
- g) Public and private institutional uses;
- h) Parks and urban squares;
- i) Public uses and public and private utilities;
- j) Public art installations; and
- k) Public roads, active transportation facilities and transit facilities.

## 2.0 *Development Regulations*

- a) Retail uses including retail stores, restaurants and personal services shall be required at-grade in all buildings, with the following exceptions:
  - i. A hotel, where at-grade uses may include hotel functions in conjunction with hotel-related commercial uses. Hotel-related commercial uses may include associated retail stores, restaurants and personal services that may have Gross Leasable Floor Areas of less than 150 m<sup>2</sup> (1,615 ft<sup>2</sup>), as long as they are wholly incorporated with the primary hotel use; or
  - ii. A medical office, where at-grade uses may include office and office-related functions in conjunction with retail stores, restaurants and personal service uses; or
  - iii. A conference or convention centre, cultural, recreational and entertainment uses, and public and private institutional uses, where at-grade uses may include the primary use, as well as retail stores, restaurants and personal service uses.
- b) A maximum of two (2) drive-through facilities are permitted within this Zone, to be generally located as identified symbolically on Schedule 1.
- c) The EF- MU1 Zone may accommodate a maximum total Gross Floor Area of 30,000 m<sup>2</sup> (322,917 ft<sup>2</sup>) for all permitted uses.

- d) Minimum building height: 2-storeys, or 6.0 m (19.7 ft), whichever is greater.
- e) Maximum building height: 10-storeys, or 35.0 m (114.8 ft), whichever is less.
- f) For all yards abutting Highway 20 East (Regional Road 20), Street B, or Street C, there shall be no distinction between what is the Front Yard, Rear Yard or Exterior Side Yard. For any buildings abutting or adjacent to Highway 20 East (Regional Road 20), Street B, or Street C the following Build-Within Zones shall apply:
- i. Buildings that abut, or are adjacent to Highway 20 East (Regional Road 20) shall provide a front façade and main front wall in a Build-Within Zone of 0.0 to 3.0 m (0.0 to 9.8 ft), measured from the lot line abutting Highway 20 East (Regional Road 20) (as per Schedule 4).
  - ii. Notwithstanding i. above, the front façade/main front wall of the two permitted drive-through facilities identified symbolically on Schedule 1, shall have a Build-Within Zone of 2.0 to 24.0 m (6.6 ft to 78.7 ft), and shall include a landscaped area of 2.0 m (6.6 ft) abutting the front property line (as per Schedule 4). The identified landscaped area shall include decorative fencing and plantings that screen the drive-through lane and parking in front of the permitted drive-through uses.
  - iii. Buildings that abut, or are adjacent to both Highway 20 East (Regional Road 20) and Street B (the corner location) shall provide a front façade or an exterior side façade with the same level of design and materiality as the front façade, in a Build-Within Zone of 0.0 to 12.0 m (0.0 to 39.4 ft), measured from the Street B Right-of-Way (as per Schedule 4). The façade abutting or adjacent to Highway 20 East (Regional Road 20) shall have a Build-Within Zone of 0.0 to 3.0 m (0.0 to 9.8 ft) (as per Schedule 4).
  - iv. Where a building abuts or is adjacent to Street B, the front façade and main front wall of the building shall be developed within the 0.0 to 3.0 m (0.0 to 9.8 ft) Build-Within Zone (as per Schedule 4).
  - v. Where a building abuts or is adjacent to Street C, west of Street B, the building wall shall be developed with a minimum setback of 4.0 m (13.1 ft), and shall include a minimum 4.0 m (13.1 ft) landscaped buffer strip abutting the Street C Right-of-Way (as per Schedule 4).
  - vi. Where a building abuts or is adjacent to Street C, east of Street B, the front façade and main front wall of the building shall be developed within the 0.0 to 3.0 m (0.0 to 9.8 ft) Build-Within Zone (as per Schedule 4).
  - vii. Where a building abuts, or is adjacent to the OS Zone, the adjacent building wall shall be developed within the 1.5 to 4.0 m (4.9 to 13.1 ft) Build-Within Zone (as per Schedule 4). Lands within 0.0 and 1.5 m (0.0 to 4.9 ft) of the property line shall include a landscape buffer strip abutting Street B and/or the EF - OS zone. An exception to this requirement affects the development of the northwest quadrant of the intersection of Street B and Street C as

identified symbolically on Schedule 1. In this location, a phased development is anticipated, and the following regulations shall apply:

- i. In Phase 1, the Build-Within Zone shall be 21.5 to 26.5 m (70.5 to 86.9 ft) from the boundary of the EF - OS Zone. The lands located within that Build-Within Zone shall be appropriately landscaped, and shall not be used for a permanent or temporary parking lot; and
  - ii. In Phase 2, the Build-Within Zone shall be 1.5 to 6.5 m (4.9 to 21.3 ft) from the boundary of the EF - OS Zone.
- viii. Where a building abuts or is adjacent to the westerly boundary of the EF - MU1 Zone, the building wall shall be developed with a minimum setback of 2.0 m (6.6 ft).
  - ix. Where a parking lot or parking space abuts Highway 20 East (Regional Road 20), it shall be set back a minimum of 3.0 m (9.8 ft) from the road right-of-way, except where developed in conjunction with either of the two (2) drive-through facilities identified on Schedule 1. For parking spaces developed as part of either drive-through facility, the minimum setback from Highway 20 East (Regional Road 20) Right-of-Way shall be 2.0 m (6.6 ft).
  - x. Where a parking lot or parking space abuts Street A, Street B, or Street C east of Street B, it shall be set back a minimum of 3.0 m (9.8 ft) from the road right-of-way.
  - xi. Where a parking lot or parking space abuts Street C west of Street B, it shall be set back a minimum of 3.0 m (9.8 ft) from the road right-of-way.
  - xii. The minimum distance separation between buildings shall be 4.0 m (13.1 ft) for any buildings less than 3-storeys in height. Buildings taller than 3-storeys shall be separated by a minimum of 5.0 m (16.4 ft).
- g) The building envelopes established by this Zone are identified on Schedules 2 and 3. The Build-Within Zones for buildings are identified on Schedule 4.

### *3.0 Parking Requirements*

- a) All development shall include parking for vehicles and bicycles located at-grade and/or located within a structure. Within the specified parking space requirements, all development shall include appropriate spaces for visitors parking, parking for persons with disabilities, and/or parking for parents with young children, wherever appropriate.
- b) For all permitted office uses – 2.75 to 3.25 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Leasable Floor Area.

- c) Notwithstanding b) above, for a medical office use, the parking requirement shall be between 4.0 and 5.25 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Leasable Floor Area.
- d) For all permitted retail and service commercial uses, including restaurants – 4.25 to 5.25 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Leasable Floor Area.
- e) For all other permitted uses – 3.0 to 4.0 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Floor Area.

**EF-MU2-135: Village of East Fonthill**

\*Formerly EF-MU2

*1.0 Permitted Uses*

The following uses are permitted within the East Fonthill Mixed - Use 2 (EF - MU2) Zone:

- a) Commercial, professional, medical and/or government offices;
- b) Retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas greater than 100 m<sup>2</sup> (1,076.39 ft<sup>2</sup>) and less than 1,000 m<sup>2</sup> (10,763.9 ft<sup>2</sup>) per business;
- c) Hotels and tourist accommodations;
- d) Conference and convention centres;
- e) Cultural, recreational and entertainment uses;
- f) Public and private institutional uses;
- g) Townhouses and apartment buildings;
- h) Housing for seniors and/or special needs housing;
- i) Child care facilities;
- j) Parks and urban squares;
- k) Public uses and public and private utilities;
- l) Public art installations; and
- m) Public roads, active transportation facilities and transit facilities.

*2.0 Development Regulations*

- a) A maximum of two drive-through facilities of any kind are permitted in the EF-MU2-135 Zone.

- b) Minimum building height: 2-storeys, or 6.0 m (19.7 ft), whichever is greater.
- c) Maximum building height: 10-storeys, or 35.0 m (114.8 ft), whichever is less.
- d) For all yards abutting Highway 20 East (Regional Road 20), Street C or Rice Road (Regional Road 54), there shall be no distinction between what is the Front Yard, Rear Yard or Exterior Side Yard. For any buildings abutting or adjacent to Highway 20 East (Regional Road 20), Street C, or Rice Road (Regional Road 54), the following Build-Within Zones shall apply:
  - i. Where a building abuts or is adjacent to Street C or Rice Road (Regional Road 54), the front façade and main front wall of the building shall be developed within the 0.0 to 3.0 m (0.0 to 9.8 ft) Build-Within Zone. Buildings which abut the storm sewer easement may have a Build-Within Zone of 9.69 to 16.57 m (31.8 to 54.4 ft).
  - ii. Where a building abuts or is adjacent to Street C or Rice Road (Regional Road 54), the front façade and main front wall of the building shall be developed within the 0.0 to 3.0 m (0.0 to 9.8 ft) Build-Within Zone (as per Schedule 4). A larger setback may be required for residential uses that abut Rice Road (Regional Road 54), subject to the requirements of a Noise Mitigation Report.
  - iii. Where a building abuts, or is adjacent to an EF - SWM Zone, it shall be set back from the boundary of the EF - SWM Zone a minimum of 3.0 m (9.8 ft) (as per Schedule 4). A landscape buffer shall be included within the requirement development setback.
  - iv. Where a parking lot or parking space abuts Highway 20 East (Regional Road 20) or Rice Road (Regional Road 54), it shall be set back a minimum of 3.0 m (9.8 ft). A landscape buffer shall be included within the requirement development setback.
  - v. The minimum distance separation between buildings shall be 3.0 m (9.8 ft) for townhouse/live-work buildings 3-storeys or less, or 4.0 m (13.1 ft) for any other buildings less than 3-storeys in height. Buildings taller than 3-storeys shall be separated by a minimum of 5.0 m (16.4 ft).
- e) The building envelopes established by this Zone are identified on Schedules 2 and 3. The Build-Within Zones for buildings are identified on Schedule 4.

### 3.0 *Parking Requirements*

- a) All development shall include parking for vehicles and bicycles located at-grade and/or located within a structure. Within the specified parking space requirements, all development shall include appropriate spaces for visitors parking, parking for persons with disabilities, and/or parking for parents with young children, wherever appropriate.

- b) For all permitted residential uses – 1.00 to 1.25 spaces per unit. Seniors housing has a parking requirement of between 0.5 and 0.75 spaces per unit.
- c) For all permitted office uses – 2.75 to 3.25 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Leasable Floor Area.
- d) Notwithstanding c) above, for a medical office use, the parking requirement shall be between 4.0 and 5.25 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Leasable Floor Area.
- e) For all permitted retail and service commercial uses, including restaurants – 4.25 to 5.25 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Leasable Floor Area.
- f) For all other permitted uses – 3.0 to 4.0 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Floor Area.

**EF-MU3-136: Village of East Fonthill**

\*Formerly EF-MU3

*1.0 Permitted Uses*

The following uses are permitted within the East Fonthill Mixed - Use 3 (EF - MU3) Zone:

- a) A Multi-Use Recreational Facility, including cultural, recreational and entertainment uses;
- b) Commercial, professional, medical and/or government offices;
- c) Retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas greater than 150 m<sup>2</sup> (1,614.6 ft<sup>2</sup>) and less than 1,000 m<sup>2</sup> (10,763.9 ft<sup>2</sup>) per business;
- d) Hotels and tourist accommodations;
- e) Conference and convention centres;
- f) Public and private institutional uses;
- g) Townhouses and apartment buildings;
- h) Housing for seniors and/or special needs housing;
- i) Child care facilities;
- j) Parks and urban squares;
- k) Public uses and public and private utilities;
- l) Public art installations; and,

m) Public roads, active transportation facilities and transit facilities.

## 2.0 Development Regulations

- a) Minimum building height: 2-storeys, or 6.0 m (19.7 ft), whichever is greater.
- b) Maximum building height: 10-storeys, or 35.0 m (114.8 ft), whichever is less.
- c) For all yards abutting Street B, Street C, Street D, or Rice Road (Regional Road 54), there shall be no distinction between what is the Front Yard, Rear Yard or Exterior Side Yard. For any buildings abutting or adjacent to Street B, Street C, Street D or Rice Road (Regional Road 54), the following setbacks shall apply:
  - i. Buildings that abut, or are adjacent to Street B, Street C or Street D shall provide a front façade and main front wall in a Build-Within Zone of 0.0 to 3.0 m (0.0 to 9.8 ft) (as per Schedule 4).
  - ii. Where a building abuts or is adjacent to Rice Road (Regional Road 54), the front façade and main front wall of the building shall be developed within the 0.0 to 3.0 m (0.0 to 9.8 ft) Build-Within Zone (as per Schedule 4). A larger setback may be required for residential uses that abut Rice Road (Regional Road 54), subject to the requirements of a Noise Mitigation Report.
  - iii. Where a building abuts, or is adjacent to an OS Zone, it shall be set back from the boundary of the OS Zone a minimum of 3.0 m (9.8 ft) (as per Schedule 4). A landscape buffer shall be included within the requirement development setback.
  - iv. Where a building abuts, or is adjacent to an OS Zone, it shall provide a main front wall or front façade within a Build-Within Zone of 0.0 to 3.0 m (0.0 to 9.8 ft) (as per Schedule 4). A landscape buffer shall be included within the requirement development setback.
  - v. Where a parking lot or parking space abuts Street B, Street C, Street D, or Rice Road (Regional Road 54), it shall be set back a minimum of 3.0 m (9.8 ft). A landscape buffer shall be included within the requirement development setback.
  - vi. The minimum distance separation between buildings shall be 3.0 m (9.8 ft) for townhouse/live-work buildings 3-storeys or less, or 4.0 m (13.1 ft) for any other buildings less than 3-storeys in Height. Buildings taller than 3-storeys shall be separated by a minimum of 5.0 m (16.4 ft).
- d) The building envelopes established by this Zone are identified on Schedules 2 and 3. The Build-Within Zones for buildings are identified on Schedule 4.



### 3.0 *Parking Requirements*

- a) All development shall include parking for vehicles and bicycles located at-grade and/or located within a structure. Within the specified parking space requirements, all development shall include appropriate spaces for visitors parking, parking for persons with disabilities, and/or parking for parents with young children, wherever appropriate.
- b) For all permitted residential uses – 1.00 to 1.25 spaces per unit. Seniors housing has a parking requirement of between 0.5 and 0.75 spaces per unit.
- c) For all permitted office uses – 2.75 to 3.25 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Leasable Floor Area.
- d) Notwithstanding c) above, for a medical office use, the parking requirement shall be between 4.0 and 5.25 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Leasable Floor Area.
- e) For all permitted retail and service commercial uses, including restaurants – 4.25 to 5.25 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Leasable Floor Area.
- f) For a permitted Multi-Use Recreational Facility, that includes any continuation of cultural, recreational and/or entertainment uses, as well as associated office space, and/or retail stores, restaurants and personal service uses – 2.0 to 3.5 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Floor Area.
- g) For all other permitted uses – 3.0 to 4.0 spaces per 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of Gross Floor Area.

#### **R2-137: Summersides Village**

\*Formerly R2-322

Notwithstanding the requirements of Section 3: General Provisions, the following regulations shall apply:

- a) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line provided that such uses are not more than 1.3m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the regulations of the Residential 2 Zone, the following site-specific regulations shall apply:

Minimum Front Yard	4.0m to dwelling front face and 6.0m to garage
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Minimum Interior Side Yard 1.2m on both sides where a carport or garage is attached, 1.2m on one side and 3.0m on the other side where there is no attached carport or garage

Minimum Exterior Side Yard 4.0m

**R2-138: Saffron Meadows Phase 1 and 2**

\*Formerly R2-266

Notwithstanding the provisions of Section 3: General Provisions, the following shall apply:

- a) A covered porch is permitted to encroach into a front and exterior side yard 1.5m and into a rear yard 3.0m.

Notwithstanding the provisions of the Residential 2 zone, the following site-specific regulations shall apply:

Minimum Front Yard 4.5m to the front face of the dwelling and 6.0m to the front face of the garage

Minimum Exterior Side Yard 3.0m

Minimum Interior Side Yard 1.2m and 3.0m on the other side where there is no attached carport or garage or 1.2 on both sides where there is an attached carport or garage

Minimum Rear Yard 6.0m

**R2-139 (H): Saffron Meadows Phase 1 and 2**

\*Formerly R2-266 (H)

Notwithstanding the provisions of Section 3: General Provisions, the following shall apply:

- a) A covered porch is permitted to encroach into a front and exterior side yard 1.5m and into a rear yard 3.0m.

Notwithstanding the provisions of the Residential 2 zone, the following site-specific regulations shall apply:

Minimum Front Yard 4.5m to the front face of the dwelling and 6.0m to the front face of the garage

Minimum Exterior Side Yard 3.0m

Minimum Interior Side Yard	1.2m and 3.0m on the other side where there is no attached carport or garage or 1.2 on both sides where there is an attached carport or garage
Minimum Rear Yard	6.0m

**RM1-140: Saffron Meadows Phase 1 and 2**

\*Formerly RM1-267

Notwithstanding the provisions of the Residential Multiple 1 zone, these lands may only be used for block townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply for block townhouse dwellings:

Minimum Lot Frontage	12.0m
Minimum Lot Area	1.4ha
Minimum Density	Minimum 22 units per hectare
Minimum Side Yard	1.5m except where the rear of a building faces the side yard the minimum side yard shall be 6.0m and the minimum side yard abutting a street or an internal roadway shall be 3.0m
Minimum Rear Yard	6.0m
Distance Between Buildings on the Same Lot	A FACE OF A BUILDING means one or other of the longest walls of a building. Each building shall be deemed to have two faces. A SIDE OF A BUILDING means one or other of the shortest walls on a building. Each building shall be deemed to have two sides.  Any face of one townhouse shall be no closer to any side of another townhouse than 9.0m  Any face of any townhouse shall be no closer than 15.0m to any face of another townhouse  Any side of any townhouse shall be no closer than 3.0m to any side of another townhouse

**RM1-141: Saffron Meadows Phase 1 and 2**

\*Formerly RM1-268

Notwithstanding the provisions of Section 3: General Provisions, the following shall apply:

- b) A covered porch is permitted to encroach into a front and exterior side yard 1.5m and into a rear yard 3.0m.

Notwithstanding the provisions of the Residential Multiple 1 zone, these lands may only be used for street townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply for street townhouse dwellings:

Minimum Lot Frontage	6.0m per dwelling unit
Minimum Corner Lot Frontage	11.0m
Minimum Lot Area	180m <sup>2</sup>
Minimum Front Yard	4.5m to the front face of the dwelling and 6.0m to the front face of the garage
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	1.2m or 0 for a common wall
Minimum Rear Yard	6.5m
Planting Strip	No requirement

**RM1-142 (H): Saffron Meadows Phase 1 and 2**

\*Formerly RM1-268 (H)

Notwithstanding the provisions of Section 3: General Provisions, the following shall apply:

- a) A covered porch is permitted to encroach into a front and exterior side yard 1.5m and into a rear yard 3.0m.

Notwithstanding the provisions of the Residential Multiple 1 zone, these lands may only be used for street townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply for street townhouse dwellings:

Minimum Corner Lot Frontage	12.0m
Minimum Lot Area	180m <sup>2</sup>
Minimum Front Yard	4.5m to the front face of the dwelling and 6.0m to the front face of the garage
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	1.2m or 0 for a common wall

Minimum Rear Yard	6.5m
Planting Strip	No requirement

**RM1-143 (H): Saffron Meadows Phase 1 and 2**

\*Formerly RM1-269 (H)

Notwithstanding the provisions of the Residential Multiple 1 zone, these lands may only be used for block townhouse dwellings and uses, buildings and structures accessory thereto, and the following site-specific regulations shall apply for block townhouse dwellings:

Minimum Lot Frontage	10.0m
Minimum Lot Area	0.9ha
Minimum Density	Minimum 20 units per hectare
Minimum Side Yard	1.5m except where the rear of a building faces the side yard the minimum side yard shall be 6.0m and the minimum side yard abutting a street or an internal roadway shall be 3.0m
Minimum Rear Yard	6.0m
Distance Between Buildings on the Same Lot	<p>A FACE OF A BUILDING means one or other of the longest walls of a building. Each building shall be deemed to have two faces.</p> <p>A SIDE OF A BUILDING means one or other of the shortest walls on a building. Each building shall be deemed to have two sides.</p> <p>Any face of one townhouse shall be no closer to any side of another townhouse than 9.0m</p> <p>Any face of any townhouse shall be no closer than 15.0m to any face of another townhouse</p> <p>Any side of any townhouse shall be no closer than 3.0m to any side of another townhouse</p>

**VC-144: Church Hill (Corner of Church Hill and Hwy #20 – Fonthill United Church)**

\*no former exception

In addition to the use of the Village Commercial zone, the subject lands may be used as a parking area for the Fonthill United Church located at 42 Church Hill.

## **R2-145: River Estates Subdivision**

\*formerly R2-254

Notwithstanding the provisions of the Residential 2 zone, the following special regulations shall apply:

Minimum Lot Frontage	12.0m
Minimum Corner Lot Frontage	15.0m
Minimum Lot Area	360m <sup>2</sup>
Minimum Front Yard	4.5m to the front face of the dwelling and 6.0m to the front face of the garage
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	1.2m
Minimum Rear Yard	7.5m
Minimum GFA for a Dwelling	93m <sup>2</sup> – 1 Storey 55m <sup>2</sup> – 2 Storey
Maximum Building Height	3 storeys or 12.0m whichever is less

## **RM2-146: River Estates Subdivision**

\*formerly RM2-256

Notwithstanding the regulations of the Residential Multiple 2 zone, these lands may be used for apartment dwellings; block townhouse dwellings; and uses, buildings and structures accessory to the foregoing permitted uses, and the the following special regulations shall apply:

### *Apartment Dwellings*

Minimum Lot Frontage	30.0m
Minimum Density	78 units per hectare
Minimum Lot Depth	38.0m
Minimum Lot Coverage	40%
Minimum Front Yard	3.0m
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	3.0m

Minimum Rear Yard	7.5m
Minimum Landscaped Area	30%
Maximum Building Height	10 storeys or 35.0m whichever is less
Minimum Building Height	3 storeys or 11.0m whichever is greater
Minimum First Floor Building Height	4.0m

*Block Townhouse Dwellings*

Minimum Lot Frontage	30.0m
Minimum Lot Area	0.2ha
Minimum Density	35 dwelling units per hectare
Minimum Front Yard	4.5m to the front face of the dwelling and 6.0m to the front face of the garage
Minimum Interior Side Yard	3.0m where abutting a street or internal roadway
Minimum Rear Yard	6.0m
Minimum GFA for a Dwelling	88m <sup>2</sup> – 1 Storey 50m <sup>2</sup> – 2 Storey
Maximum Building Height	12.0m
Distance Between Buildings on the Same Lot	<u>Interior Side Yard</u> From End Wall 2.69m From Rear Wall 6.0m  <u>Rear Yard</u> From End Wall 3.0m From Rear Wall 6.0m  <u>Between Buildings</u> Between End Walls 3.0m Between Rear Walls 8.0m Between End and Rear Wall 6.0m  <u>Minimum Distance to Private Road</u> To Attached Garage 6.0m To Dwelling 2.45m



Maximum Unit Driveway Width 50%

Minimum Landscaped Area 25%

## **SECTION 11: REPEAL AND ENACTMENT**

### **11.1 By-laws Repealed**

By-law 1136 (1987), and all amendments thereto, being a by-law to regulate the use of lands and the character, location and use of buildings and structures within the Town of Pelham, are hereby repealed and replaced.

## **SECTION 12: EFFECTIVE DATE**

### **12.1 Effective Date**

The By-law shall come into force and effect on the date that it is enacted.

Read, enacted, signed and sealed this 22nd day of August, 2022.

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Marvin Junkin, Mayor

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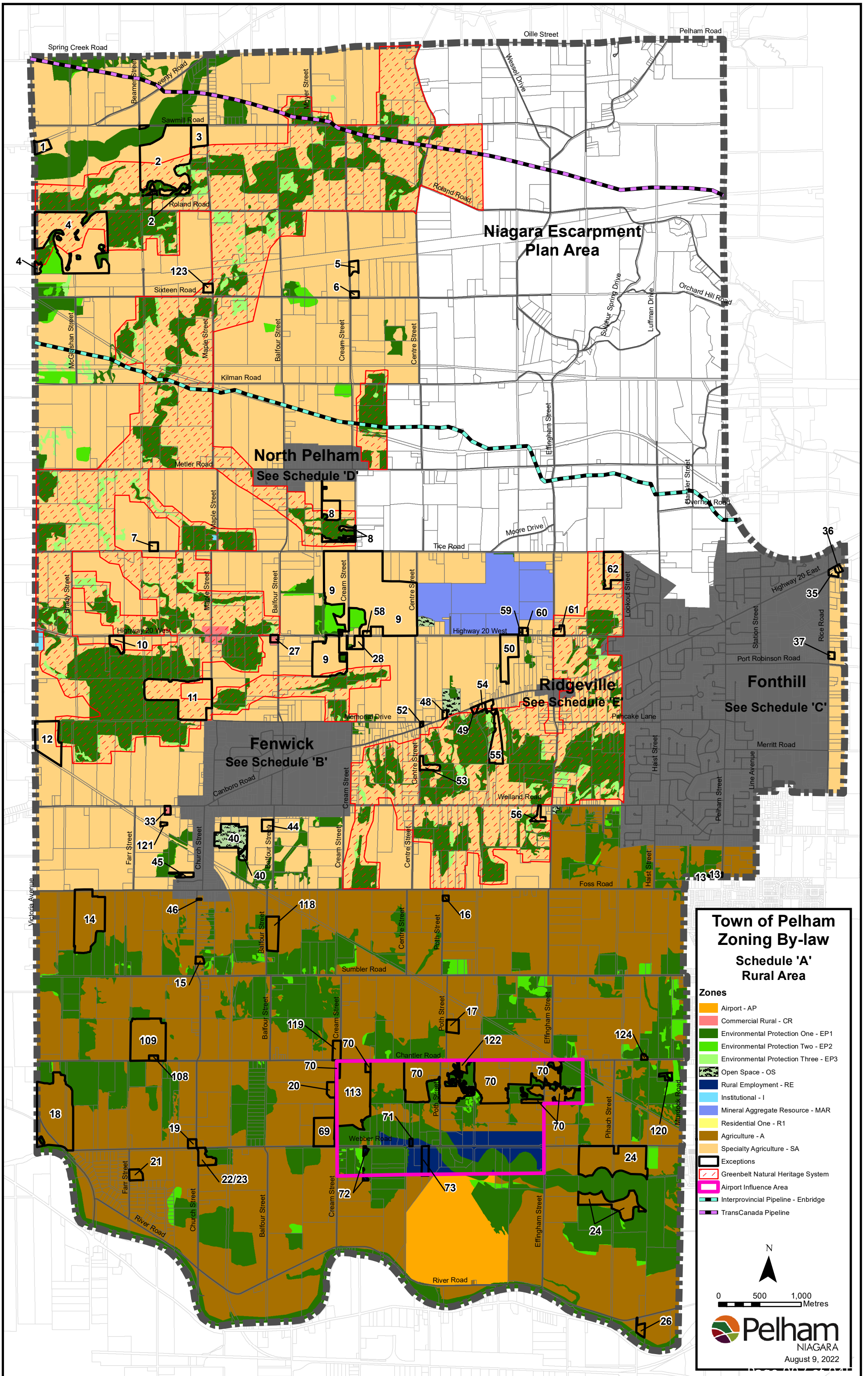
Holly Willford, Town Clerk



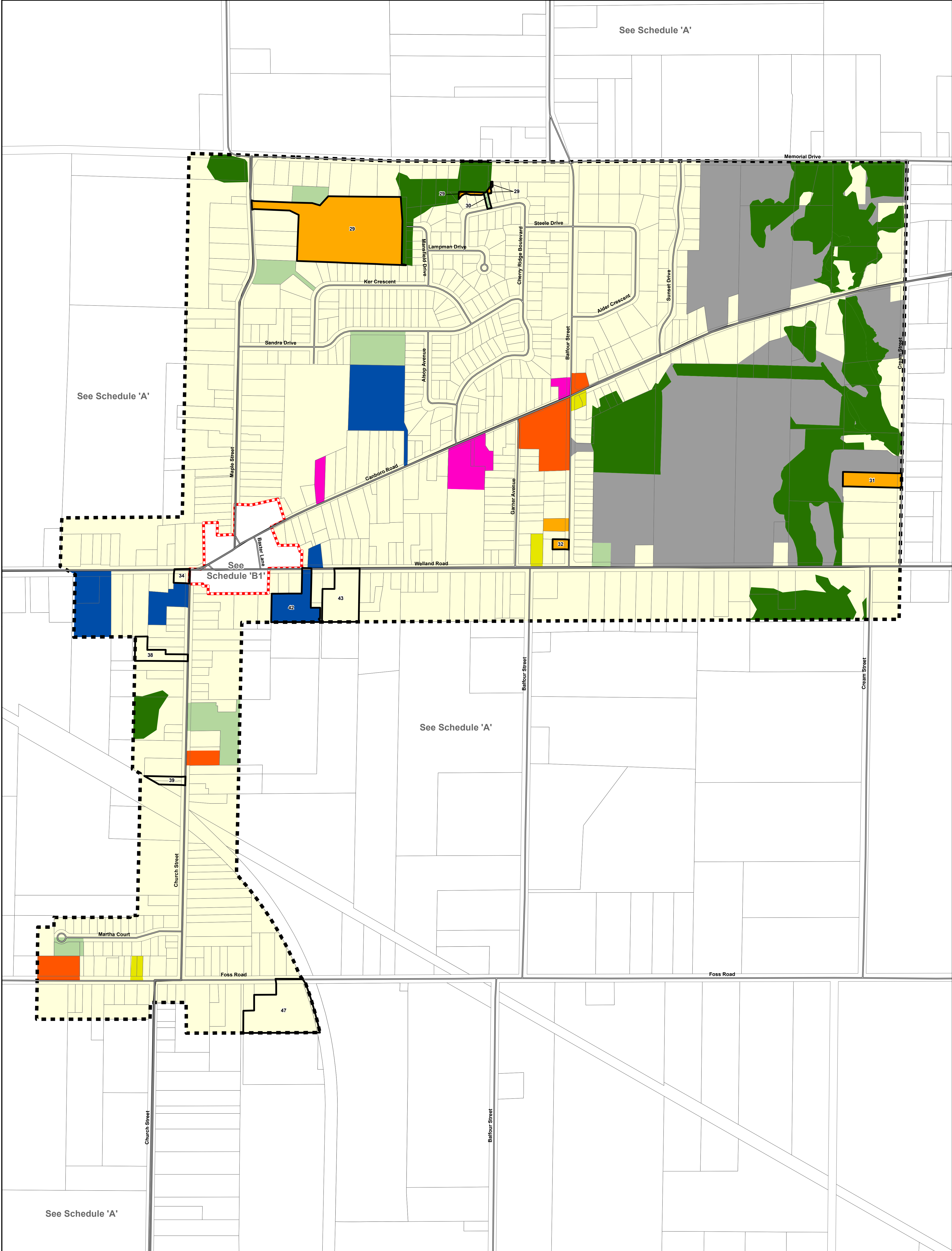
**Pelham**  
NIAGARA

Town of Pelham

# **Zoning By-Law Schedules**
















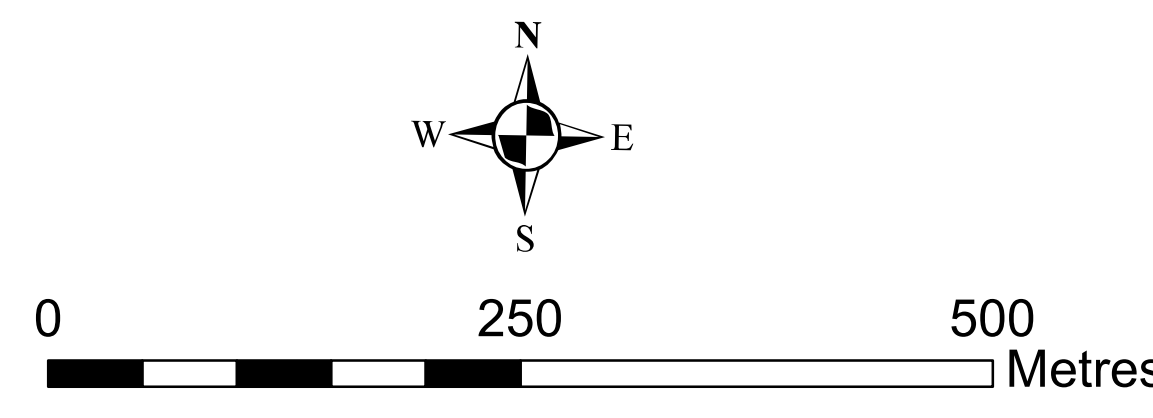




**Town of Pelham  
Zoning By-law  
Schedule 'B'  
Fenwick**

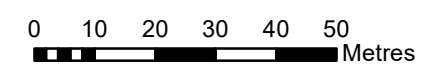
**Legend**

- |  |  |   |
|--|--|---|
|  R1 - Residential One           |  RD - Residential Development   |  Exceptions        |
|  R3 - Residential Three         |  I - Institutional              |  See Schedule 'B1' |
|  RM1 - Residential Multiple One |  A - Agricultural               |  Settlement Area   |
|  RM2 - Residential Multiple Two |  OS - Open Space                |   |
|  NC - Neighbourhood Commercial  |  EP1 - Environmental Protection |   |



# Town of Pelham Zoning By-law Schedule 'B1' Fenwick Downtown

- Legend**
- VC - Village Commercial
  - NC - Neighbourhood Commercial
  - I - Institutional
  - OS - Open Space
  - Exceptions
  - Schedule 'B1' Boundary









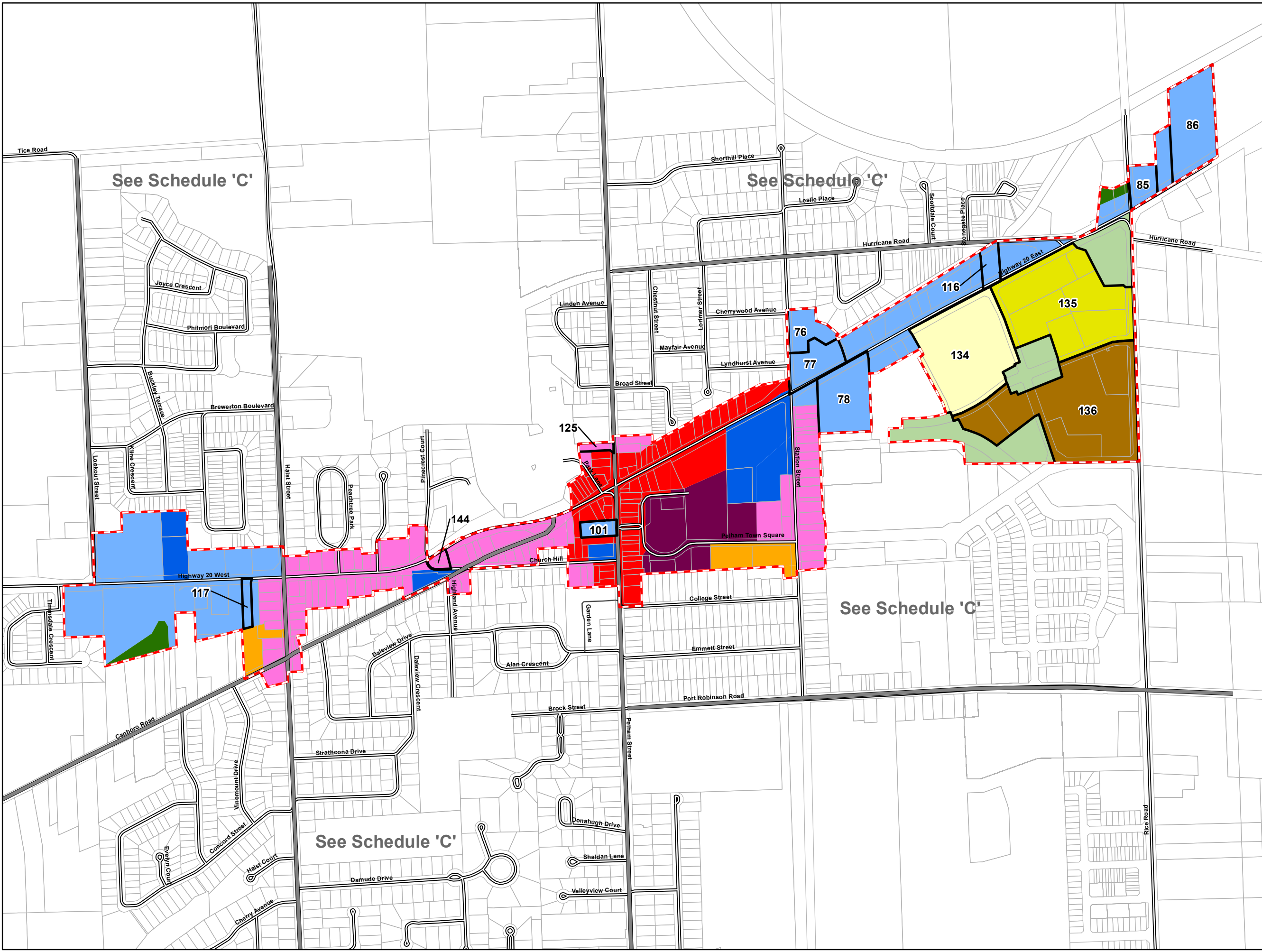
# Town of Pelham Zoning By-law

## Schedule 'C1' Fonthill Downtown

### Legend

- VC - Village Commercial
- DC - Downtown Corridor
- MS - Main Street
- TS - Town Square
- RM2 - Residential Multiple Two
- I - Institutional
- EP1 - Environmental Protection
- OS - Open Space
- EF-MU1 - East Fonthill Mixed Use One
- EF-MU2 - East Fonthill Mixed Use Two
- EF-MU3 - East Fonthill Mixed Use Three
- Exceptions
- Schedule 'C1' Boundary

*Please Note: Lands in the East Fonthill Secondary Plan Area will be updated prior to any final recommendations being made*

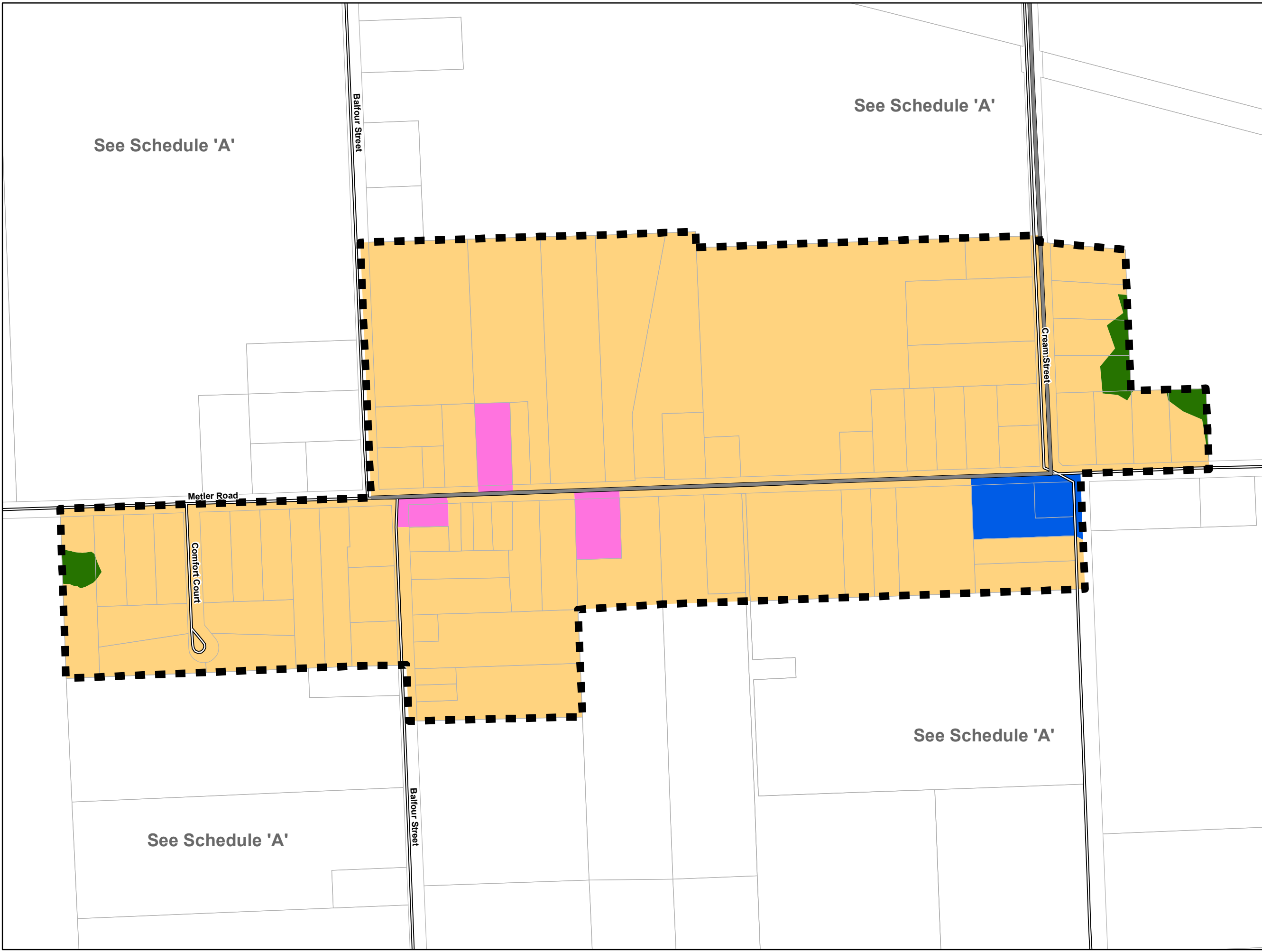


# Town of Pelham Zoning By-law

## Schedule 'D' North Pelham

### Legend

-  VC - Village Commercial
-  RR - Rural Residential
-  I - Institutional
-  EP1 - Environmental Protection
-  Settlement Area

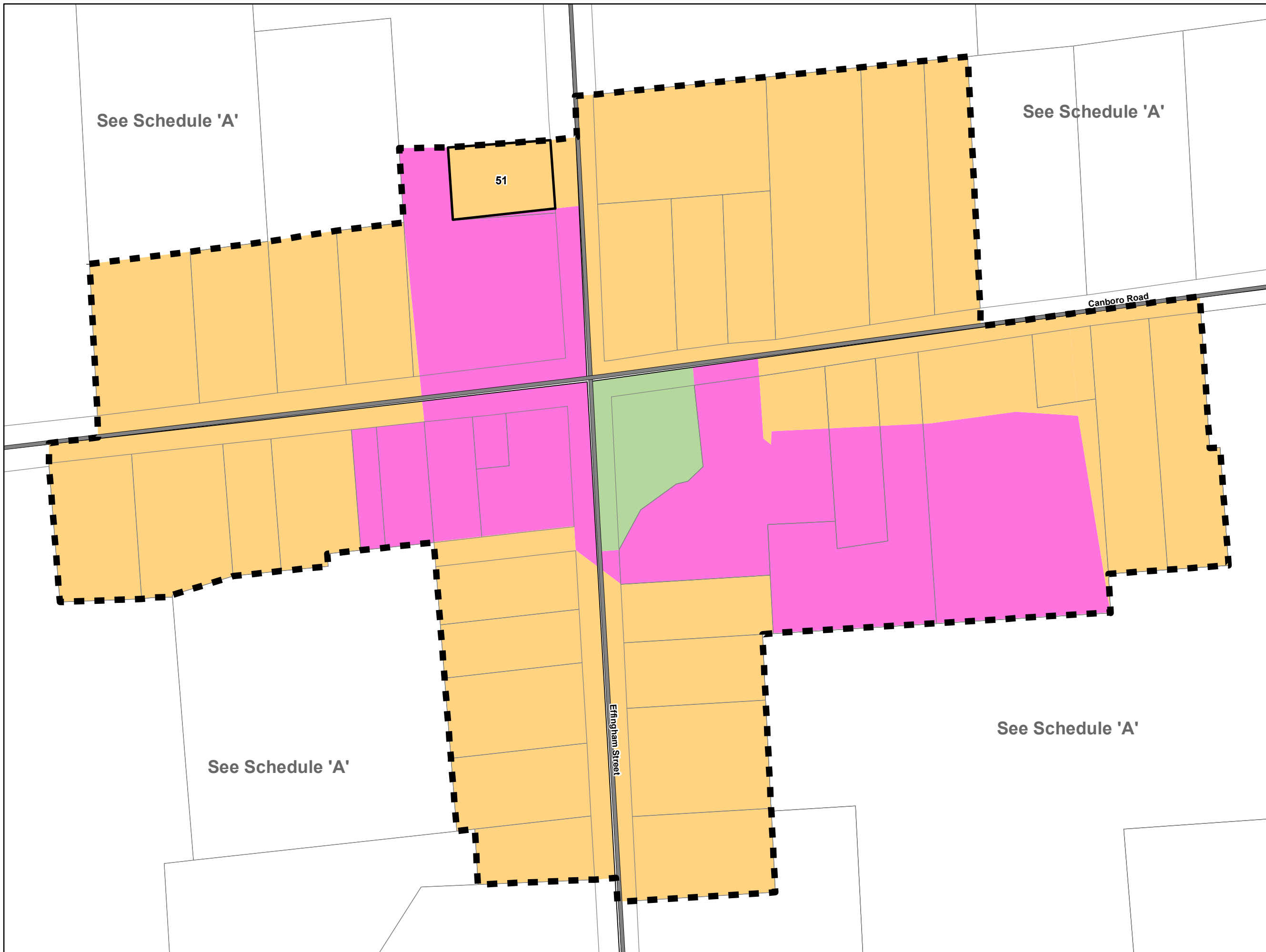


# Town of Pelham Zoning By-law

## Schedule 'E' Ridgeville

### Legend

- VC - Village Commercial
- RR - Rural Residential
- OS - Open Space
- Exceptions
- Settlement Area



0 20 40 60 80 Metres



The Corporation of the Town of Pelham

By-law No. 4482(2022)

**Being a By-law to adopt Official Plan Amendment No. 15 –  
Housekeeping for the Town of Pelham Planning Area.**

The Council of the Corporation of the Town of Pelham, in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O., 1990, c.P. 13, as amended, hereby enacts as follows:

1. **THAT** Amendment No. 15 to the Official Plan of the Town of Pelham consisting of the attached explanatory text is adopted;
2. **AND THAT** the Clerk of the Town of Pelham is authorized to effect any minor modifications or correction solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after passage of this By-law.

Read, enacted, signed and sealed this 22nd day of August, 2022.

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Marvin Junkin, Mayor

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Holly Willford, Town Clerk

**AMENDMENT NO. 15**  
**TO THE**  
**OFFICIAL PLAN (2014)**  
**FOR THE**  
**CORPORATION OF THE TOWN OF PELHAM**

## **CONTENTS**

### **PART "A" – THE PREAMBLE**

- Section 1 Title and Components
- Section 2 Purpose of the Amendment
- Section 3 Location of the Amendment
- Section 4 Background and Basis of the Amendment
- Section 5 Implementation of the Amendment

### **PART "B" – THE AMENDMENT**

- Introductory Statement
- Details of the Amendment

### **PART "C" – APPENDICIES**

- Appendix 1 – Notice of Public Meeting
- Appendix 2 – Public Meeting Minutes
- Appendix 3 – Circulation Comments



## **PART "A" – THE PREAMBLE**

### **SECTION 1**

#### **TITLE AND COMPONENTS**

This document was approved in accordance with Section 17 and 21 of the *Planning Act, R.S.O. 1990*, as amended and shall be known as Amendment No. 15 to the Official Plan adopted by By-law No. 3259 (2012) and confirmed by the Ontario Municipal Board decision of July 18, 2014, for the Town of Pelham Planning Area.

Part "A", the Preamble does not constitute part of this amendment.

Part "B", the Amendment, consisting of the following text constitutes Amendment No. 15 to the Official Plan adopted by By-law 3259 (2012) and confirmed by the Ontario Municipal Board decision of July 18, 2014 for the Town of Pelham Planning Area.

### **SECTION 2**

#### **PURPOSE OF THIS AMENDMENT**

The purpose of this Housekeeping Amendment is to:

1. Part B: Land Use Policies (Section B2.1: Good General Agricultural and Section B2.2: Specialty Agricultural)
  - a) Amend the text of Section B.2.1.2 to consolidate and update the additional permitted agricultural uses, to add additional policy in relation to on-farm diversified and agri-tourism uses, and to renumber Sections B2.1.3.6 through B2.1.3.12, and B2.1.4 through B2.1.6.
  - b) Amend the text of Section B2.2.2 to consolidate and update the additional permitted agricultural uses.
  - c) Amend Appendix "F" Definitions to include a definition of "On-Farm Diversified Use" to improve and clarify existing policies around secondary agricultural uses.
  - d) Amend Appendix "F" Definitions to update the definition of "Agriculture-Related Use" to align with the most current Provincial Policy Statement definition.
2. Part B: Land Use Policies (Section B1.7.7: The Residential Neighbourhoods)
  - a) Amend the text of Section B1.7.7.3.2 d) to permit a maximum height of 3-storeys or 12 metres, whichever is less to address the new definition of height proposed in the Zoning By-law.

3. Part E: Plan Implementation and Administration
  - a) Add new Policy Section E8 “Delegated Authority” to permit Town Council to delegate the authority to pass certain by-laws under Section 34 of the Planning Act to a Committee of Council, or an individual who is an officer or employee of the municipality.
4. Schedules A and B
  - a) Amend Schedule “A” for lands at 98 Effingham Street by removing the Environmental Protection Two EP2 designation from the subject lands. The lands will remain designated Good General Agricultural.
  - b) Amend Schedule “B” for lands at 98 Effingham Street by removing the Deer Wintering Areas designation from the subject lands.

These proposed housekeeping amendments are referred to collectively as Official Plan Amendment No. 15.

### **SECTION 3**

#### **LOCATION OF THE AMENDMENT**

1. Part B: Land Use Policies (Section B2.1: Good General Agricultural and Section B2.2: Specialty Agricultural)

The lands that are subject to the amendments in Part B, are all lands designated Good General Agricultural or Specialty Agricultural within the Town of Pelham.

2. Part B: Land Use Policies (Section B1.7.7: The Residential Neighbourhoods)

The lands that are subject to the amendment in Part B, are all lands designated EF-Low Density Residential within the Town of Pelham.

3. Part E: Plan Implementation and Administration

The lands that are subject to the amendments in Part E are all lands within the planning boundary of the Town of Pelham.

4. Schedule A and B

The land that is subject to the mapping amendments is 98 Effingham Street.

## SECTION 4

### BACKGROUND AND BASIS OF THE AMENDMENT

1. General
  - a) The *Planning Act, R.S.O. 1990*, as amended, provides that amendments may be made to the Official Plan. Policies of the Official Plan have been considered in the preparation of this Amendment and the following factors:
    - i) The policies will ensure compatibility with the surrounding land uses.
    - ii) This Amendment is consistent with the *Provincial Policy Statement* and conforms to the Growth Plan for the Greater Golden Horseshoe and the Region of Niagara Official Plan.
  - b) Official Plan Amendment No. 15 is a compilation of policy changes (text) and site specific mapping changes.
2. Part B: Land Use Policies (Section B2.1: Good General Agricultural, Section B2.2: Specialty Agricultural and Appendix F: Definitions)
  - a) The Policy changes are proposed for lands designated as Good General Agricultural and Specialty Agricultural. The proposed changes relate specifically to defining and clarifying agricultural-related uses, on-farm diversified and value-added agricultural uses, which will help to improve and clarify the general types of secondary uses which are permitted in the Good General Agricultural and Specialty Agricultural designations.
  - b) Development in these designations is limited to low density development and agricultural based development and uses. Agricultural-related uses and on-farm diversified uses (including value-added and agri-tourism uses) are intended to be secondary to the main agricultural use and will be required to be compatible with surrounding agricultural uses. Uses will be required to adhere to all other applicable policies of the Official Plan and Comprehensive Zoning By-law, in addition to relevant Federal, Provincial and Regional Policies where applicable.
3. Part B: Land Use Policies (Section B1.7.7: The Residential Neighbourhoods)
  - a) The policy change is required to support the change of definition in the proposed zoning by-law to be measured from the finished grade to the highest point of the roof surface. The amendment to the height in the EF-Low Density Residential policy is technical only, and ultimately doesn't result in a higher finished building height.

#### 4. Part E: Plan Implementation and Administration

- a) Bill 13, *Supporting People and Business Act*, 2021, received Royal Assent on December 2, 2021. Schedule 19 of the Bill made changes to the *Planning Act*, *Municipal Act*, 2001 and *City of Toronto Act*, 2006, that enable Council to, by by-law, delegate the authority to pass by-laws under Section 34 of the *Planning Act* that are minor in nature to a committee of Council, or an individual who is an officer, employee or agent of the municipality.
- b) For the purpose of passing by-laws under Section 34 that are minor in nature, this includes by-laws to remove a holding "H" symbol, by-laws to authorize the temporary use of land, buildings or structures and housekeeping by-laws for the purpose of making clerical or other changes to assist in the interpretation of the Zoning By-law.
- c) In order to delegate the authority to pass by-laws on these matters, the *Planning Act* requires that the Official Plan provide policies to specify the types of by-laws that may be delegated.

#### 5. Schedules A and B

- a) The proposed mapping change will reflect the current site conditions of the subject lands as a farmed field. The Good General Agricultural designation will be maintained to ensure the continued use of the property for agricultural purposes.

### **SECTION 5**

#### **IMPLEMENTATION AND INTERPRETATION**

The relevant policies of the Official Plan adopted by By-law No. 3259 (2012) and confirmed by the Ontario Municipal Board decision of July 18, 2014, of the Town of Pelham Planning Area shall apply to the implementation and interpretation of this Amendment.

## **PART "B" – THE AMENDMENT**

The Official Plan adopted by By-law No. 3259 (2012) and confirmed by the Ontario Municipal Board decision of July 18, 2014, for the Pelham Planning Area is hereby amended by:

1. Deleting Section B2.1.2(a) through B2.1.2(k) and replacing it with the following:
  - a) Single detached dwellings accessory to a farm business or on a vacant lot of record;
  - b) Accessory residential uses on farm properties subject to Policy B2.1.3.5 of this Plan;
  - c) Agriculture-related uses subject to Policy B2.1.4
  - d) On-farm diversified uses subject to Policy B2.1.5;
  - e) Forestry and other resource management uses;
  - f) Passive recreational uses, such as walking trails and nature interpretation centres on lands owned by a public authority;
  - g) Mineral aggregate operations in accordance with Policy B2.5.3.3; and
  - h) Wayside pits and quarries and portable asphalt plants for road works in the area in accordance with Policy B2.5.3.10
2. Renumbering Policy B2.1.4 to B2.1.6.
3. Renumbering Policy B2.1.5 to B2.1.7.
4. Renumbering Policy B2.1.6 to B2.1.8.
5. Renumbering Policy B2.1.6.1 to B2.1.8.1.
6. Renumbering Policy B2.1.6.2 to B2.1.8.2.
7. Adding new Policy B2.1.4 Agriculture-Related Uses as follows:

### **B2.1.4 Agriculture-Related Uses**

- a) Agriculture-related uses may be permitted in accordance with the policies of this Plan. Allowing a range of appropriate on-farm uses contributes to economically sustainable agriculture in the Town which in turn facilitates broader access to local food and beverages, agricultural products and VQA

wines while preserving the agricultural land base and maintaining the agricultural landscape.

- b) Agriculture-related uses include farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area. These uses support agriculture and benefit from being in close proximity to farm operations and provide direct products from and/or direct services to farm operations as a primary activity.
- c) Adaptive re-use of surplus farm facilities on existing farms for agriculture-related uses will be encouraged to conserve built heritage resources and cultural heritage landscapes that would otherwise disappear as a result of no longer being required for farm purposes.
- d) Agriculture-related uses must relate directly to farms in the area. It is recognized that in order to sustain market and allow for efficient operation of agriculture-related uses, products processed and/or sold by these businesses may be obtained from surrounding local farm operations or from further away. This is permitted provided the majority of product is from farm operations in the area. To assess whether a proposed agriculture-related use meets the test of providing direct products and/or services to farm operations as a primary activity, the Town may require evidence demonstrating that the use will service the local agricultural industry as the sole or main business activity.
- e) Lot creation to accommodate agriculture-related uses is not permitted.
- f) Agriculture-related uses involving 500 square metres or less will be permitted as of right in the implementing Zoning By-law.
- g) Agriculture-related uses involving development over 500 square metres shall be subject to a Zoning By-law Amendment and may be permitted subject to the following criteria:
  - i) Whether the use is more appropriately located in a nearby settlement area;
  - ii) Whether the use is required on or in close proximity to the agricultural operation for it to support and complement the agricultural activity;
  - iii) Whether the use is compatible with the existing farming operation and/or surrounding farming operations;
  - iv) Whether the scale of the activity is appropriate to the site and/or the farming operation;
  - v) Whether the use is consistent with and maintains the character of the agricultural area;
  - vi) The use does not generate potentially conflicting off-site impacts;

- vii) The use is limited to low water and low effluent producing uses, and the site is capable of accommodating the use on private water and private sewage treatment systems;
- viii) The use shall be subject to site plan control in accordance with Section 9.1 in relation to entrances, parking, loading, signage, grading, drainage, buffering and landscaping;
- ix) The use does not require significant improvements to utilities or infrastructure such as road or hydro services; and
- x) The use complies with all the policies of this Plan and the Niagara Region Official Plan.

8. Adding new Policy B2.1.5 On-Farm Diversified Uses as follows:

**B2.1.5 On-Farm Diversified Uses**

- a) On-farm diversified uses may be permitted in accordance with the policies of this Plan. Allowing a range of appropriate on-farm uses contributes to economically sustainable agriculture in the Town and facilitates broader access to local food and beverages, agricultural products, VQA wines while preserving the agricultural land base and maintaining the agricultural landscape.
- b) On-farm diversified uses must be both secondary to the principle agricultural use of the property and limited in area. Such uses include but are not limited to home occupations, home industries, agri-tourism uses and other uses that produce value added agricultural products.
- c) The adaptive re-use of surplus farm facilities on existing farms for on-farm diversified uses and agri-tourism uses at a scale that is appropriate to the farm operation will be encouraged to conserve built heritage resources and cultural heritage landscapes that would otherwise disappear as a result of no longer being required for farm purposes.
- d) Lot creation to accommodate on-farm diversified uses is not permitted.
- e) On farm diversified uses involving 500 square metres or less will be permitted as of right in the implementing Zoning By-law.
- f) On-farm diversified uses involving development over 500 square metres shall be subject to a zoning by-law amendment and may be permitted subject to the following criteria:
  - i) Whether the use is more appropriately located in a nearby settlement area;
  - ii) Whether the use is required on the agricultural property for it to support and complement the agricultural activity



- iii) Whether the use is compatible with the existing farming operation and surrounding farming operations;
- iv) Whether the scale of the activity is appropriate to the site and the farming operation;
- v) Whether the use is consistent with and maintains the character of the agricultural area;
- vi) The use does not generate potentially conflicting off-site impacts;
- vii) The use is limited to low water and low effluent producing uses, and the site is capable of accommodating the use on private water and private sewage treatment systems;
- viii) The use shall be subject to site plan control in accordance with E1.4
- ix) The use does not require significant improvements to utilities or infrastructure such as roads or hydro services; and
- x) The use complies with all of the policies of this Plan and the Niagara Region Official Plan

Specific on-farm diversified uses are permitted subject to the following provisions:

- 9. Renumbering Policy B2.1.3.9 to B2.1.5.1.
- 10. Amending Policy B2.1.3.9 (now B2.1.5.1) as follows:

**B2.1.5.1 Agri-tourism Uses**

- a) Agri-tourism uses that are located on a farm and secondary to the principle agricultural use of the property, limited in area to 500 square metres or less, and related to agriculture will be permitted as of right in the implementing Zoning By-law.
- b) Agri-tourism uses that are both located on a farm and secondary to the principle agricultural use of the property involving development over 500 square metres shall be subject to a Zoning By-law Amendment and may be considered based on the following criteria:
  - i) The scale of the operation is appropriate to the site and surrounding farming operations;
  - ii) The use has minimal impact on, does not interfere with and is compatible with surrounding agricultural uses;
  - iii) The use does not generate potentially conflicting off-site impacts including impacts related to infrastructure or transportation/traffic;
  - iv) The use is limited to low water and low effluent producing uses, and the site is capable of accommodating the use on private water and private sewage treatment systems and will not generate the need for additional public infrastructure;
  - v) The use does not require significant improvements to utilities or infrastructure such as roads or hydro services;

- vi) The use complies with all of the policies of this Plan and the Niagara Regional Official Plan;
- vii) For special events, the use represents an occasional activity and is not a regular recurring activity; and
- viii) The timing and duration of such uses do not hinder the agricultural operation on the site or result in any adverse impacts on surrounding lands.

11. Renumbering Policy B2.1.3.6 to B2.1.5.2.
12. Renumbering Policy B2.1.3.11 to B2.1.5.3.
13. Renumbering Policy B2.1.3.12 to B2.1.3.6.
14. Renumbering Policy B2.1.3.7 to B2.1.5.5.
15. Renumbering Policy B2.1.3.10 to B2.1.3.7.
16. Renumbering Policy B2.1.3.8 to B2.1.5.7.
17. Amending Appendix F: Definitions to include the following definitions:

**On-farm Diversified Use** means uses that are secondary to the principle agricultural use of the property, and are limited in area. On farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. Ground mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses. (PPS)

18. Amending Appendix F: Definitions to update the existing definition of Agriculture-Related Use to read:

**Agriculture-related Use** means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations and provide direct products and/or services to farm operations as a primary activity

19. Deleting Section B2.2.2(a) through B2.1.2(j) and replacing it with the following:
  - a) Agricultural uses;
  - b) Single detached dwellings;
  - c) Accessory residential uses on farm properties subject to Policy B2.1.3.5 of this Plan;
  - d) Agriculture-related uses subject to Policy B2.1.4

- d) On-farm diversified uses subject to Policy B2.1.5;
- e) Forestry and other resource management uses;
- f) Mineral aggregate operations in accordance with Policy B2.5.3.3; and

20. Deleting Section B1.7.7.3.2 d) and replacing it with the following:

- d) The maximum building height for any building within the EF-Low Density Residential designation shall be 3-storeys, or 12.0 metres, whichever is less.

21. Adding Policy E8 Delegated Authority as follows:

**E8 Delegated Authority**

- a) The Town may, by by-law, delegate the authority to pass by-laws under Section 34 of the *Planning Act*, that are of a minor nature, to a committee of Council or an individual who is an officer or employee of the municipality.
- b) Delegation of the authority to pass by-laws under Section 34 of the *Planning Act* shall be limited to:
  - i) A by-law to remove a holding “H” symbol;
  - ii) A by-law to authorize the temporary use of land, buildings or structures; and
  - iii) A housekeeping by-law for the purpose of making clerical or other changes to assist in the interpretation of the Zoning By-law.
  - iv) Approval of an Agricultural Purposes Only (APO) amendment as the result of a consent.
- c) The delegation of authority authorized under Section E8 b) may be subject to conditions of Council.
- d) Delegation of authority may be withdrawn, by by-law, in respect of any by-law for which a final disposition was not made before the withdrawal.

22. Removing the Environmental Protection Two EP2 designation for the property at 98 Effingham Street as shown on Schedule A.

23. Removing the Deer Wintering Areas designation for the property at 98 Effingham Street as shown on Schedule B.

## **PART "C" – APPENDICIES**

Appendix 1 – Notice of Public Meeting, Published in the Voice of Pelham, May 24, 2022

Appendix 2 – Public Meeting Minutes, June 13, 2022

Appendix 3 – Circulation Comments



## The Corporation of the Town of Pelham

By-law No. 4483(2022)

### **Being a By-law to regulate the parking of motor vehicles on Town of Pelham property.**

**WHEREAS** section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (“*Municipal Act, 2001*” or “the statute”) provides that the powers of a municipality under the statute or any other Act shall be interpreted broadly so as to confer broad authority to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

**AND WHEREAS** section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the statute or any other Act;

**AND WHEREAS** section 11 of the *Municipal Act, 2001* provides that a lower-tier municipality has the authority to pass by-laws respecting parking on lands other than highways;

**AND WHEREAS** subsection 170(15) of the *Highway Traffic Act*, R.S.O. 1990, c. H. 8 (“*Highway Traffic Act*”) provides that vehicles parked in such a manner as to interfere with the movement of traffic or in contravention of a municipal by-law may be removed and placed in a suitable storage place and that all costs for the removal, care and storage of the vehicle are a lien upon it that may be enforced in the manner provided by the *Repair and Storage Liens Act*, R.S.O. 1990, c. R. 25 (“*Repair and Storage Liens Act*”);

**AND WHEREAS** section 101 of the *Municipal Act, 2001* provides that a municipality may provide for the removal and impounding or the restraining and immobilizing of any vehicle parked or left in contravention of a municipal by-law regulating or prohibiting the parking or leaving of vehicles on land;

**AND WHEREAS** section 102.1 of the *Municipal Act, 2001* provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any by-law respecting the parking, standing or stopping of vehicles;

**AND WHEREAS** Ontario Regulation 333/07 under the *Municipal Act, 2001* (“the Regulation”) provides that a municipality shall not require a person to pay an administrative penalty under section 102.1 of the *Municipal Act, 2001* unless the municipality has met the requirements of the Regulation;

**AND WHEREAS** the Corporation of the Town of Pelham has established a system of administrative penalties in accordance with section 102.1 of the *Municipal Act, 2001* and the Regulation;

**AND WHEREAS** section 425 of the *Municipal Act, 2001* provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under the statute is guilty of an offence;

**AND WHEREAS** section 428 of the *Municipal Act, 2001* provides that a by-law may provide that where a vehicle has been left parked in contravention of a by-law, the owner of the vehicle is guilty of an offence, even though the owner was not the driver of the vehicle at the time of the contravention, and is liable to the applicable fine unless, at the time of the offence, the vehicle was in the possession of another person without the owner's consent;

**AND WHEREAS** section 429 of the *Municipal Act, 2001* provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under the statute;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham deems it necessary and desirable to enact this By-law;

**NOW THEREFORE** the Council of the Corporation of the Town of Pelham enacts as follows:

## **1. Purpose**

- 1.1. The purpose of this By-law is to regulate the parking and leaving of Motor Vehicles on land or property owned by the Town and upon which parking is provided.

## **2. Definitions**

- 2.1. In this By-law:

**"By-law Enforcement Officer"** means a By-law Enforcement Officer of the Town.

**"Emergency Service Vehicle"** means an ambulance, a fire truck or other fire department vehicle, a police vehicle or a vehicle of the Ontario Ministry of Transportation.

**"Highway"** has the same meaning as in the *Highway Traffic Act*.

**"Motor Vehicle"** has the same meaning as in the *Highway Traffic Act*.

**"Officer"** means any provincial offences officer or police officer authorized to enforce this By-law, the *Highway Traffic Act* and any other applicable legislation.

**"Park"** means the standing of a Motor Vehicle, whether it is occupied or not, except standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, and the terms **"Parked"** and **"Parking"** have corresponding meanings.

**"Parking Space"** means an area of Town Property set aside for the temporary Parking of one (1) Motor Vehicle and normally designated by lines or other suitable markings painted or marked on the land surface;

**"Person"** means an individual, corporation, partnership or association.

**"Town"** means the Corporation of the Town of Pelham.

**"Town Property"** means any land or property owned or occupied by the Town, other than a Highway, that is intended for the temporary Parking of Motor Vehicles and on which there are one (1) or more Parking Spaces.

### **3. General Prohibitions**

- 3.1. No Person shall Park or leave a Motor Vehicle or permit a Motor Vehicle to be Parked or left on any land or property owned by the Town other than on Town Property.
- 3.2. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property except in accordance with this By-law.

### **4. Parking on Town Property**

- 4.1. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property without the consent of the Town.
- 4.2. A Motor Vehicle that is Parked or left on Town Property contrary to any provision of this By-law shall be deemed to have been Parked or left without the consent of the Town.
- 4.3. Where the Town has posted one or more signs stating conditions on which a Motor Vehicle may be Parked or left on Town Property, a Motor Vehicle that is Parked or left on Town Property contrary to any such conditions shall be deemed to have been Parked or left without the consent of the Town.
- 4.4. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property other than in a Parking Space and in conformity with signs and markings.
- 4.5. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in such a manner that it is not wholly within a Parking Space.
- 4.6. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in any Parking Space that is occupied by another Motor Vehicle.
- 4.7. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in any Parking Space that is temporarily closed.
- 4.8. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property at any time between the hours of 1:00 a.m. and 5:00 a.m. daily.
- 4.9. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in such a manner as to interfere with the clearing of snow or other maintenance or repair of the Town Property.
- 4.10. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in such a manner as to obstruct or interfere with the ability of other Motor Vehicles to access or travel through the Town Property.
- 4.11. No Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in any Parking Space for which the Town has posted signs reserving the use of the Parking Space for specific Persons or Motor Vehicles.



- 4.12. To the extent that Town By-law Nos. 97-2020 and/or 4462(2022) apply to Town Property, no Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property in a manner that contravenes said By-law(s).
- 4.13. The Town may from time to time establish such fees or charges as may be deemed necessary and appropriate for the use of Town Property. Where the Town has established a fee or charge for the use of Town Property and has posted one or more signs stating the applicable fee or charge, no Person shall Park or leave a Motor Vehicle on Town Property or permit a Motor Vehicle to be Parked or left on Town Property without paying the applicable fee or charge.
- 4.14. No Person that Parks or leaves a Motor Vehicle on Town Property or that permits a Motor Vehicle to be Parked or left on Town Property shall injure, encumber, obstruct or foul the Town Property by placing, discarding or leaving any object, material, substance, debris, item or thing in or upon the Town Property or permit the Town Property to be injured, encumbered, obstructed or fouled by the placing, discarding or leaving of any object, material, substance, debris, item or thing in or upon the Town Property.

## **5. Exemptions**

- 5.1. Where compliance with this By-law would be impracticable, this By-law shall not apply to Motor Vehicles operated by or on behalf of the Town and engaged in Town operations including but not limited to inspection, maintenance or repair of Town Property and by-law enforcement.
- 5.2. Where compliance with this By-law would be impracticable, this By-law shall not apply to any Emergency Service Vehicle while carrying out its lawful duties.

## **6. Enforcement**

- 6.1. This By-law shall be administered and enforced by the Town, a By-law Enforcement Officer and/or an Officer.
- 6.2. A By-law Enforcement Officer and an Officer may, for the purpose of enforcing this By-law, exercise any power, authority or remedy granted to the Town pursuant to the *Municipal Act, 2001* and/or the *Highway Traffic Act*.
- 6.3. No Person shall obstruct or hinder, or attempt to obstruct or hinder, any By-law Enforcement Officer or Officer in the exercise of a power or the performance of a duty under this By-law.

## **7. Penalty**

- 7.1. Any offence created by this By-law is not subject to the penalty provisions of the *Provincial Offences Act*, R.S.O. 1990, c. P. 33.
- 7.2. Subject to section 7.1, any Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to such penalties as are provided for in the *Municipal Act, 2001* and the *Highway Traffic Act*.
- 7.3. Administrative Penalty System By-law No. 4353(2022) applies to each administrative penalty issued pursuant to this By-law.

- 7.4. Every Person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty System By-law No. 4353(2022), be liable to pay to the Town an administrative penalty in accordance with that By-law.
- 7.5. For greater certainty, both the driver and the owner of a Motor Vehicle are liable to the penalties prescribed by section 7.3 and section 7.4 of this By-law unless, at the time of the offence or By-law contravention, the Motor Vehicle was in the possession of a person other than the owner without the consent of the owner.
- 7.6. A By-law Enforcement Officer or Officer, upon the discovery of a Motor Vehicle Parked or left in contravention of this By-law may cause the Motor Vehicle to be moved or taken to and placed or stored in a suitable place, and all costs and charges for the removal, care, and storage thereof, if any, are a lien upon it that may be enforced in the manner provided by the *Repair and Storage Liens Act*.
- 7.7. Notwithstanding any other provision of this By-law, a By-law Enforcement Officer may, before removing or causing to be removed the Motor Vehicle as provided for in this By-law, issue and attach to the Motor Vehicle a Town parking infraction notice alleging that the provisions of this By-law have been contravened.

## **8. General**

- 8.1. The short title of this By-law is the "Town Property Parking By-law".
- 8.2. If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 8.3. If there is a conflict between a provision of this By-law and a provision of any other By-law of the Town, the provision that establishes the higher standard shall prevail.
- 8.4. This By-law shall be read with all changes in number or gender as are required by context.
- 8.5. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.
- 8.6. The Town Clerk is hereby authorized to effect any minor modifications or corrections solely of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

**9. Effective Date**

9.1. This By-law shall come into force on the date that it is enacted.

Read, enacted, signed and sealed this 22<sup>nd</sup> day of August, 2022.

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Marvin Junkin, Mayor

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Holly Willford, Town Clerk



The Corporation of the Town of Pelham

By-law No. 4484(2022)

**Being a By-law to adopt Official Plan Amendment No. 16  
for the Town of Pelham Planning Area.**

**120 Meridian Way  
File No. OP-AM-01-21**

The Council of the Corporation of the Town of Pelham, in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O., 1990, c.P. 13, as amended, hereby enacts as follows:

1. **THAT** Amendment No. 16 to the Official Plan of the Town of Pelham consisting of the attached explanatory text and schedule is adopted;
2. **AND THAT** the Clerk of the Town of Pelham is authorized to effect any minor modifications or correction solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after passage of this By-law.

Read, enacted, signed and sealed this 22nd day of August, 2022.

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Marvin Junkin, Mayor

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Holly Willford, Town Clerk

**AMENDMENT NO. 16  
TO THE  
OFFICIAL PLAN (2014)  
FOR THE  
CORPORATION OF THE TOWN OF PELHAM**

## CONTENTS

### **PART “A” – THE PREAMBLE**

- Section 1 Title and Components
- Section 2 Purpose of the Amendment
- Section 3 Location of the Amendment
- Section 4 Basis of the Amendment
- Section 5 Implementation of the Amendment

### **PART “B” – THE AMENDMENT**

- Introductory Statement
- Details of the Amendment

## **PART “A” – THE PREAMBLE**

### **SECTION 1**

#### **TITLE AND COMPONENTS**

This document was approved in accordance with Section 17 and 21 of the Planning Act, R.S.O. 1990, as amended and shall be known as Amendment No. 16 to the Official Plan adopted by By-law No. 3259 (2012) and confirmed by the Ontario Municipal Board decision of July 18, 2014, for the Town of Pelham Planning Area.

Part “A”, the Preamble does not constitute part of this amendment.

Part “B”, the Amendment, consisting of the following text constitutes Amendment No. 16 to the Official Plan adopted by By-law 3259 (2012) and confirmed by the Ontario Municipal Board decision of July 18, 2014, for the Town of Pelham Planning Area.

### **SECTION 2**

#### **PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to add a new Subsection to Section B1.7 of the Town of Pelham Official Plan being the East Fonthill Secondary Plan to permit a higher residential density on the lands known as 120 Meridian Way, to be identified as Special Policy Area 1, notwithstanding Subsection B1.7.8.3.2 – Development Policies associated with the East Fonthill – Mixed Use land use designation. The purpose of this Amendment is also to amend Schedule ‘A5’ to the East Fonthill Secondary Plan – Land Use Plan to show the Subject Lands, 120 Meridian Way, as Special Policy Area 1.

### **SECTION 3**

#### **LOCATION OF THE AMENDMENT**

The lands that are subject to this Amendment are all lands within the Town of Pelham.



## **SECTION 4**

### **BASIS OF THE AMENDMENT**

The Planning Act, R.S.O. 1990, as amended, provides that amendments may be made to the Official Plan. Policies of the Official Plan have been considered in the preparation of this Amendment and the following factors:

1. This Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 and the Niagara Region Official Plan.
2. The purpose of this Amendment is to change one (1) policy for the Subject Lands, located within the East Fonthill Secondary Plan Area, to permit a density of 214 units per hectare whereas the East Fonthill Secondary Plan permits a maximum site density of 160 units per hectare.
3. The overall reason for the increase in density will accommodate a market-based range and mix of residential unit sizes and provide an opportunity for households of various income levels to enter the housing market (market-based affordability).
4. This Amendment, to permit additional dwelling units within a building height that conforms to the Official Plan and Zoning By-law and within a building footprint that complies with the Zoning By-law is appropriate at the periphery of the East Fonthill Secondary Plan Area, adjacent to a Regional Road and a major Community Facility (Meridian Community Centre).
5. This Amendment, to allow an increase in density is not an over intensification of the Subject Lands given that the increase in the number of dwelling units can be supported by an adequate number of vehicle and bicycle parking spaces and amenity space and further that no modifications to the Zoning By-law regulations are required to setbacks, height, number of parking spaces or landscape buffers.

**SECTION 5**  
**IMPLEMENTATION AND INTERPRETATION**

The relevant policies of the Official Plan adopted by By-law No. 3259 (2012) and confirmed by the Ontario Municipal Board decision of July 18, 2014, of the Town of Pelham Planning Area shall apply to the implementation and interpretation of this Amendment.

## **PART “B” – THE AMENDMENT**

This part of the document consisting of the following Schedules and Text constitutes Amendment No.16 to the Official Plan for the Town of Pelham.

### **DETAILS OF THE AMENDMENT**

The Official Plan for the Town of Pelham is amended as follows:

1. That Schedule ‘A5’ – Land Use Plan to the East Fonthill Secondary Plan is hereby amended by identifying lands municipally known as 120 Meridian Way which are designated East Fonthill – Mixed Use as Special Policy Area 1 as shown in Schedule ‘B’ to this Amendment.
2. That Section B1.7 – East Fonthill Secondary Plan of the Town of Pelham Official Plan is hereby amended by adding a new Subsection, which shall read as follows:

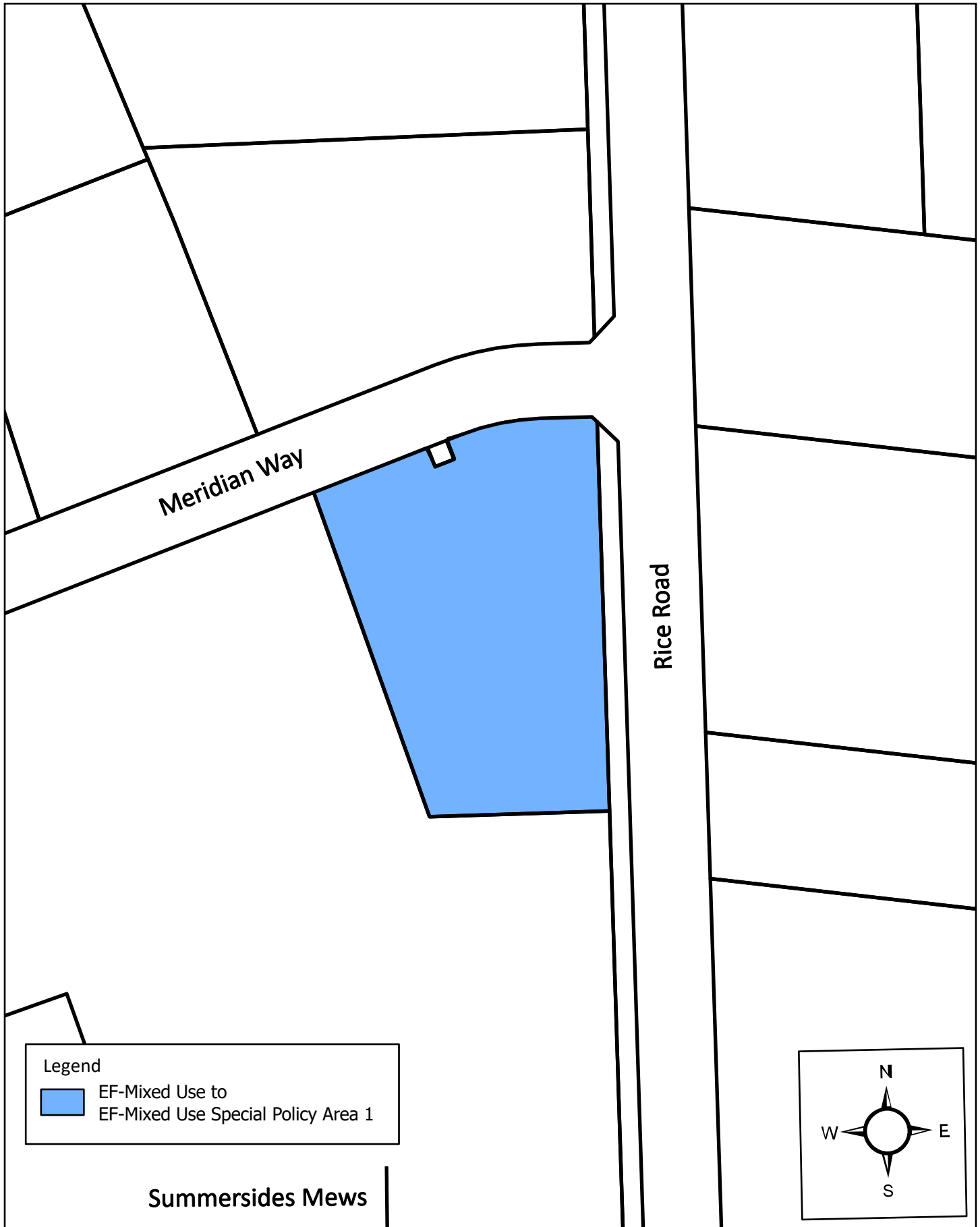
#### **B1.7.13 Special Policy Areas**

##### **Special Policy Area 1**

Notwithstanding Subsection B1.7.8.3.2 b), Development Policies, an Apartment Dwelling with a maximum density of 214 units per net residential hectare shall be permitted on the lands designated East Fonthill – Mixed Use Area - Special Policy Area 1 as shown on Schedule ‘A5’ of this Plan.

The ground floor of the Apartment Dwelling shall only be for Medical Office uses.

# Schedule 'B'



0 12.5 25 50 75 100 Meters

This is Schedule 'B' to Official Plan Amendment No. 16 (2022) passed the 22nd day of August, 2022.



The Corporation of the Town of Pelham

By-law No. 4485(2022)

**Being a By-law to amend Zoning By-law 1136(1987), as amended, for lands located at 120 Meridian Way, located at the southwest corner of Rice Road and Meridian Way, legally described as Part of Block 4, Registered Plan 59M-432, and Parts 2 and 6, Plan 59R-16105, Town of Pelham, Regional Municipality of Niagara, from the East Fonthill Mixed Use 3 (EF-MU3) Zone to a site specific East Fonthill Mixed Use 3 (EF-MU3-323) Zone.**

**Town of Pelham  
File No. AM-04-21**

**WHEREAS** section 34 of the *Planning Act*, RSO 1990, c. P. 13, as amended provides that the governing body of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

**AND WHEREAS** the Council of the Town of Pelham has recommended that such a by-law be enacted;

**AND WHEREAS** Official Plan Amendment No. 16 to the Town of Pelham Official Plan has come into force and effect;

**AND WHEREAS** the Council of the Town of Pelham has deemed it to be in the public interest that such a by-law be enacted;

**NOW THEREFORE** the Council of the Corporation of the Town of Pelham enacts as follows:

1. **THAT** Schedule 'A5' to Zoning By-law 1136(1987) as amended, is hereby further amended by rezoning the lands identified on Schedule 'A' attached hereto and forming part of this By-law from the East Fonthill Mixed Use 3 (EF-MU3) Zone to a site specific East Fonthill Mixed Use 3 (EF-MU3-323) Zone;
2. **AND THAT** Section 30 of Zoning By-law 1136(1987) as amended, is hereby amended by adding the following:

EF-MU3-323

Notwithstanding the requirements of the East Fonthill Mixed Use 3 (EF-MU3) Zone, Section 1.0 Parking Space/Aisle Dimensions, Subsection 1.0 a), the following regulations shall apply:

- 1.0 a) Parking spaces shall be a minimum of 2.7 m (8.9 ft) wide and 5.8 m (19.0 ft) in length.

All other regulations associated with the EF-MU3 Zone shall continue to apply.

3. **AND THAT** this Bylaw shall come into effect and force from and after

the date of passing thereof, pursuant to Section 34(21) and 34(30) of the *Planning Act*, 1990, as amended.

Read, enacted, signed and sealed this 22nd day of August, 2022.

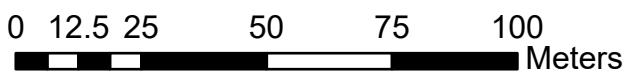
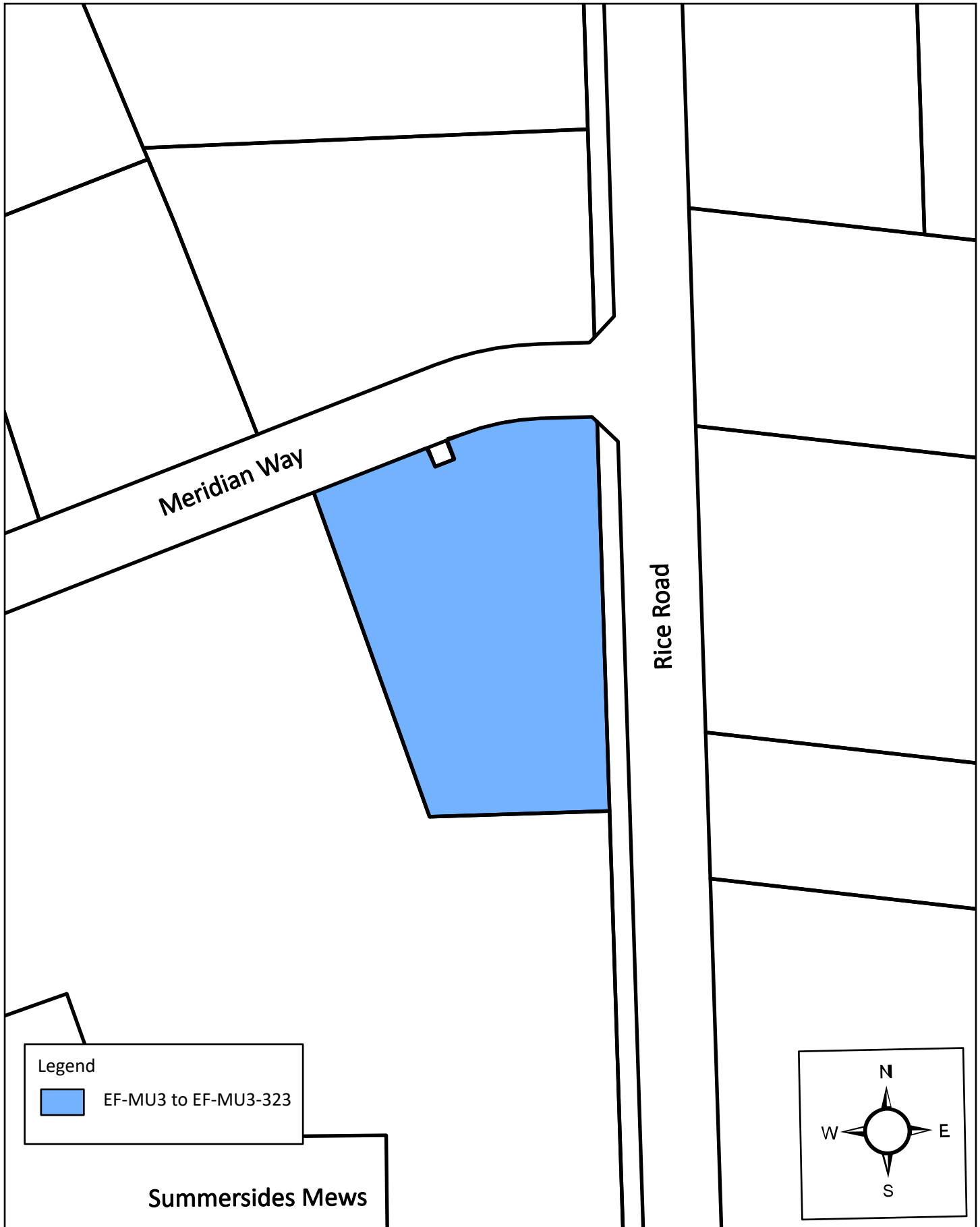
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Marvin Junkin, Mayor

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Holly Willford, Town Clerk

# Schedule 'A'



This is Schedule 'A' to By-law No. 4485 (2022) passed the 22nd day of August, 2022.

Mayor: Marvin Junkin

Clerk: Holly Willford





The Corporation of the Town of Pelham

By-law No. 4486(2022)

**Being a by-law to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 22<sup>nd</sup> day of August 2022.**

**WHEREAS** section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("*Municipal Act, 2001*" or "the statute") provides that, unless otherwise authorized, the powers of Council shall be exercised by by-law;

**AND WHEREAS** it is deemed desirable and expedient that the actions of the Council as herein set forth be adopted, ratified and confirmed by by-law;

**NOW THEREFORE** the Council of the Corporation of the Town of Pelham enacts as Follows:

- 1.** (a) The actions of the Council at its meeting held on the 22<sup>nd</sup> day of August, 2022, including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this by-law.  
  
(b) The above-mentioned actions shall not include:
  - i. any actions required by-law to be taken by resolution; or
  - ii. any actions for which prior Ontario Municipal Board approval is required, until such approval is obtained.
- 2.** The Mayor and proper officials of the Corporation of the Town of Pelham are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.
- 3.** Unless otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of the Corporation of the Town of Pelham to all documents necessary to give effect to the above-mentioned actions.
- 4.** This By-law shall come into force on the date that it is enacted.

Read, enacted, signed and sealed this 22<sup>nd</sup> day of August, 2022.

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Marvin Junkin, Mayor

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Holly Willford, Town Clerk