

Public Meeting Under the Planning Act Agenda

PCOW-09/2022

Monday, December 12, 2022

5:30 PM

Town of Pelham Municipal Office - Council Chambers

20 Pelham Town Square, Fonthill

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

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

Pages

1. Call to Order and Declaration of Quorum

1.1 Land Recognition Statement

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

2. Adoption of Agenda

3.	Disclosure of Pecuniary Interest and General Nature Thereof	
4.	Planning Act Application: AM-08-2022 - 1114 Haist Street	3 - 6
4.1	Planning Report	7 - 20
4.1.1	Information Report - 1114 Haist Street Zoning By-law Amendment Application, 2022-0286-Planning	21 - 33
4.2	Applicant's Presentation	34 - 40
4.3	Public Input	41 - 41
	<u>Written Correspondence</u>	
	1. Ron Lynch	
4.4	Committee Input	
4.5	Presentation of Resolutions	
5.	Adjournment	

Notice of Public Meeting

Date: December 12, 2022 at 5:30 PM
Place: This hearing will be held remotely by remotely by Zoom Webinar.

Town Council approved Public Hearings to be held remotely via By-law No. 4422 (2022). The Town of Pelham will be livestreaming this Public Meeting at the following link:

<https://www.youtube.com/user/TownOfPelham/live>

File Number: AM-08-2022
Subject Lands: 1114 Haist Street

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

An application for Zoning By-law Amendment was received for the property known as 1114 Haist Street, and described legally as Part of Lot 3, Concession 9 (see attached).

The proposed Zoning By-law Amendment would rezone a portion of the lands (Lots 1-7 on the approved Emerald Trail draft plan of subdivision) by reducing the rear yard of the future single detached dwellings from 10.5 metres to 7.5 metres and allowing a covered porch to encroach 3.5 metres into the rear yard.

Your Input is Encouraged: Please provide input by speaking at the public meeting or by making a written submission to the Town of Pelham. Unless indicated otherwise, personal information and all comments will become part of the public record and may be publicly released. To provide input in writing, or to request personal notice if the proposed rezoning is approved, please send all correspondence by **12:00 PM on Wednesday, November 30, 2022** for inclusion in the public meeting agenda package c/o Town Clerk, Holly Willford, PO Box 400, 20 Pelham Town Square, Fonthill, Ontario L0S 1E0, or by email at HWillford@pelham.ca. Comments and requests received after this date will still be received by Council, however they may not be published as part of the public meeting agenda. Verbal comments will be received remotely at this public hearing using the Zoom platform. To participate remotely, please pre-register with the Clerks office by sending an email to clerks@pelham.ca before **12:00 PM on Friday, December 9, 2022**. Registrants will be notified of Council's decision. If you have not submitted written comments or pre-

registered before the aforementioned deadlines, but wish to submit comments live during the Public Meeting, you may livestream the meeting from the Town of [Pelham's YouTube channel](#) and email comments to clerks@pelham.ca during the public portion of the subject application only. If your comments are not received prior to the closing of the public portion of the meeting, they will not be considered.

Need More Information: For more information, please contact Shannon Larocque, MCIP, RPP, Senior Planner, by email at slarocque@pelham.ca or at 905-980-6661 or 905-892-2607 ext 319. A copy of the staff Report regarding the proposed application as well as any additional information may be obtained on the Town's website at <https://events.pelham.ca/meetings> or at Town Hall by appointment after 4:30 PM on Wednesday, December 7, 2022.

Important Information: If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Pelham in respect of the proposed rezoning before Council gives or refuses to give approval to the rezoning, the person or public body is not entitled to appeal the decision of the Town of Pelham to the Ontario Land Tribunal.

If a person or public body does not make oral submission at a public meeting or make written submission to the Town of Pelham in respect of the proposed rezoning before Council gives or refuses to give approval to the rezoning, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so.

If you wish to be notified of the decision of Town Council in respect of the proposed rezoning, you must make a written request to the Clerk of the Town of Pelham and such request must include the name and address to which such notice should be sent.

Dated at the Town of Pelham, this 18th day of November, 2022.



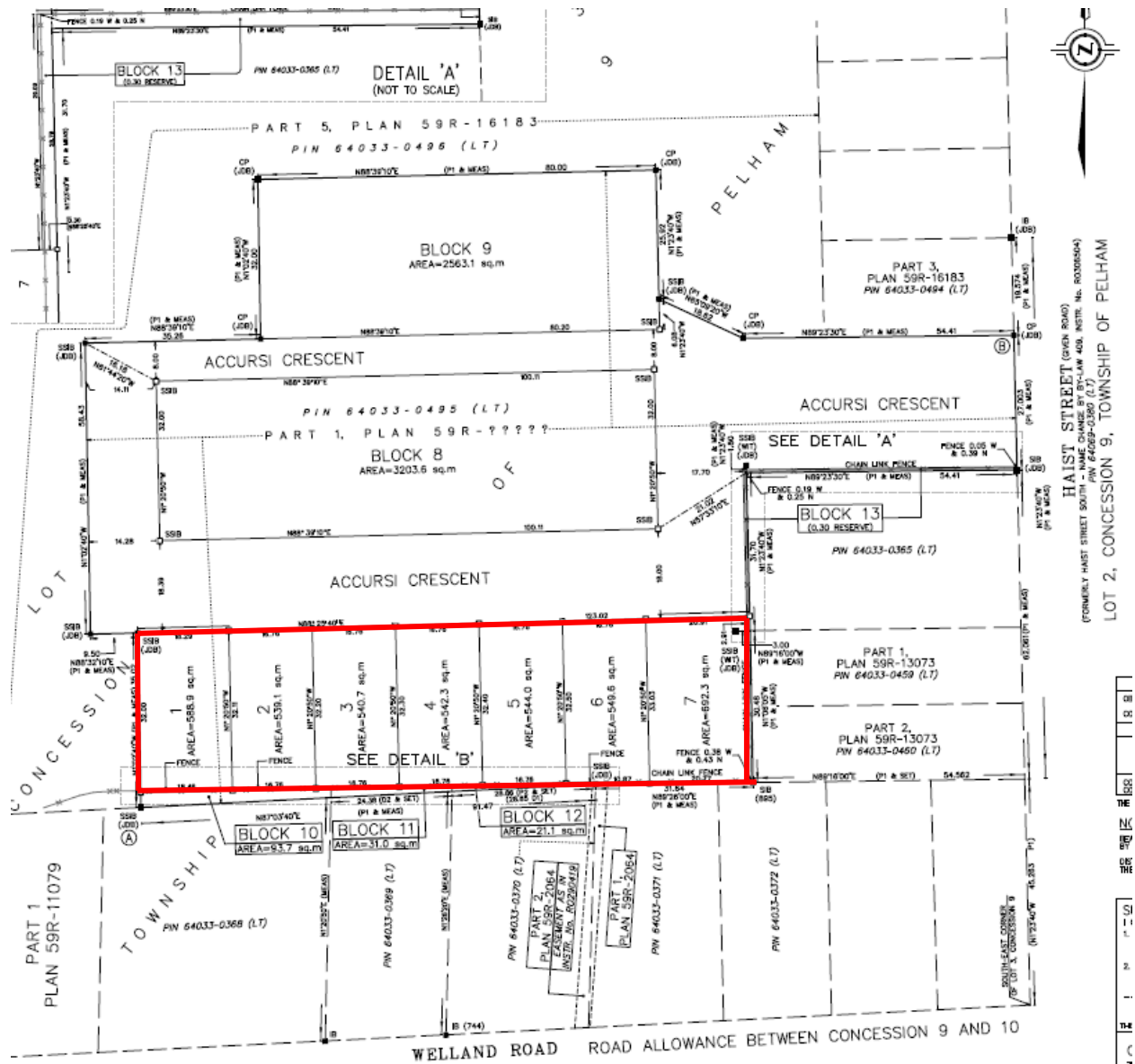
Holly Willford
Clerk

Date of Mailing: November 18, 2022

PROPERTY LOCATION



PORTION OF LANDS SUBJECT TO THE REQUESTED AMENDMENT



NOTICE REQUIREMENTS

**Town of Pelham Application for
Zoning By-law Amendment
1114 Haist Street File No AM-08-22**

Zoning By-law Amendment to reduce the rear yard setbacks for future single detached lots in the Emerald Trail Draft Plan of Subdivision.

The Planning Act requires under Section 34 that Council must hold at least one public meeting for informing the public in respect of the proposed amendment.

This public meeting has been called to satisfy this requirement. Notice of this meeting was provided by prepaid first class mail to all persons, who are listed as owners in the last revised assessment roll, within 120 metres of the subject property on November 18, 2022. The notice provided information on the property and the proposed zoning by-law amendment.

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

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

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

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

Public Meeting for 1114 Haist Street

Zoning By-law Amendment Application

AM-08-2022

December 12, 2022

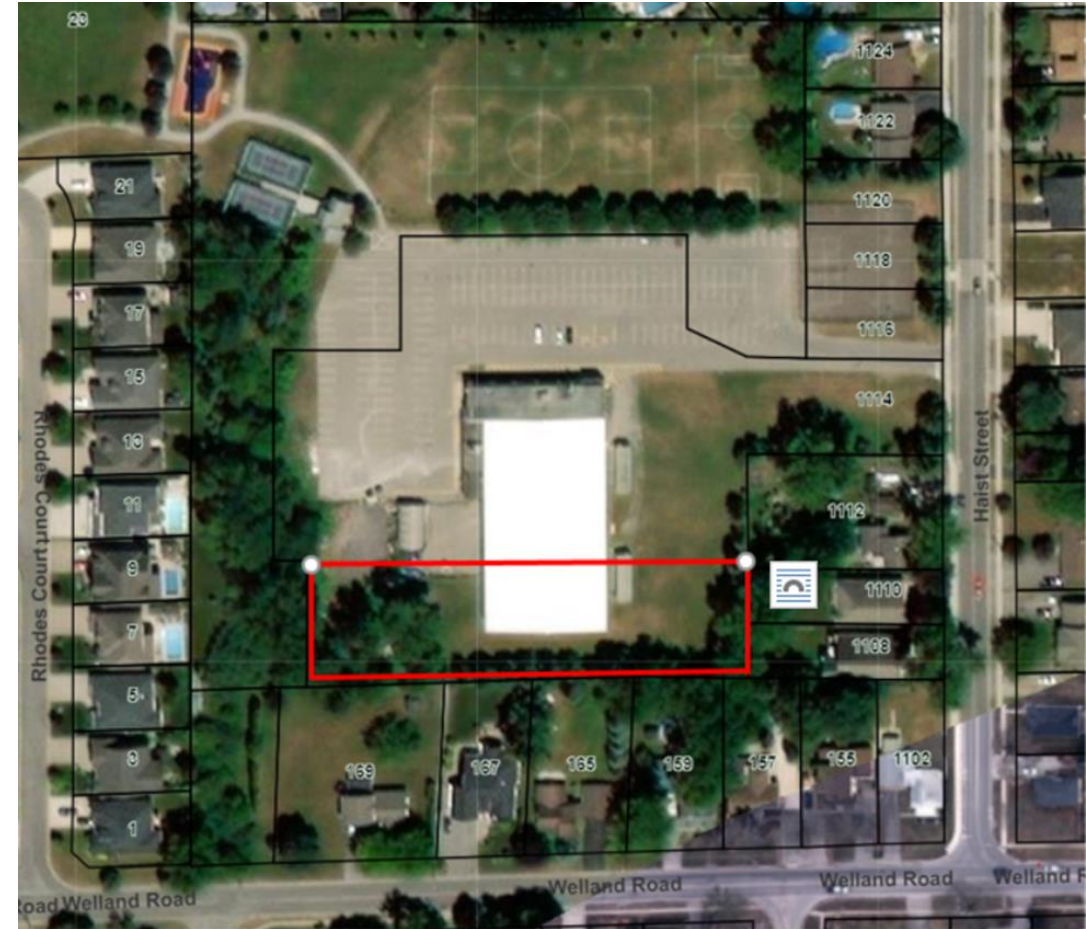
Location & Purpose

Location:

west side of Haist Street, north of Welland Road

Purpose:

- Rezone a portion of the lands (Lots 1-7 on the approved Emerald Trail draft plan of subdivision) by reducing the rear yard of the future single detached dwellings from 10.0 metres to 7.5 metres and allow a covered porch to encroach 3.5 metres into the rear yard.





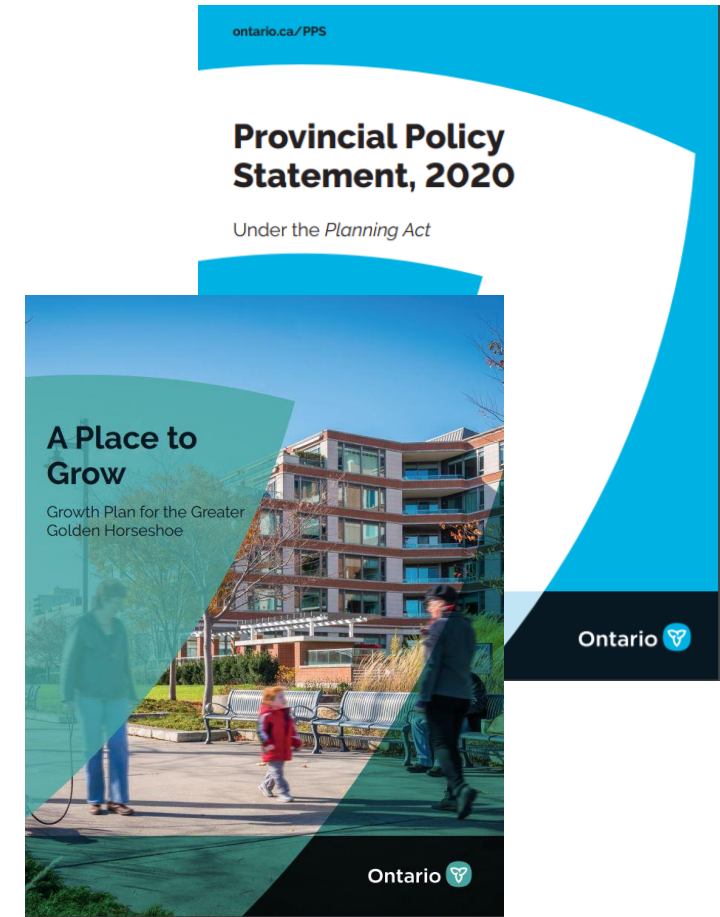
Provincial Policies & Plans

Provincial Policy Statement, 2020

- Settlement Area

Growth Plan for the Greater Golden Horseshoe, 2019

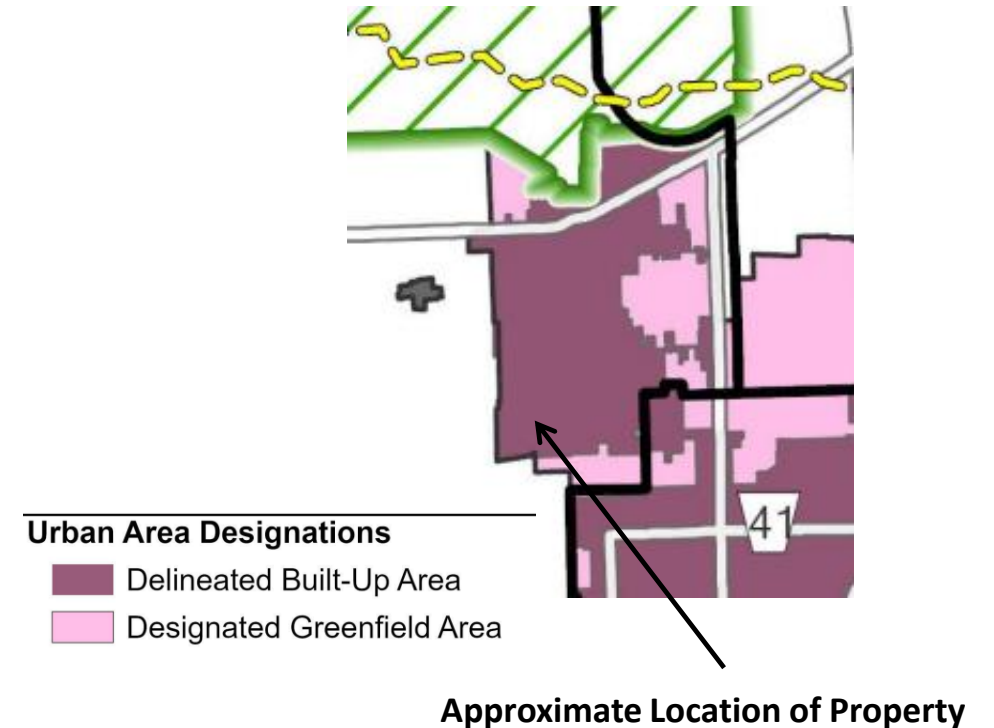
- Delineated Built-up Area



Niagara Region Official Plan

Delineated Built-up Area

- Requires a range and mix of densities, lot/unit sizes and housing types to be planned to meet housing needs at all stages of life.
- 25% of all new residential units in the Town annually to be located in this area.
- Residential development encouraged to incorporate sustainability into design and construction.



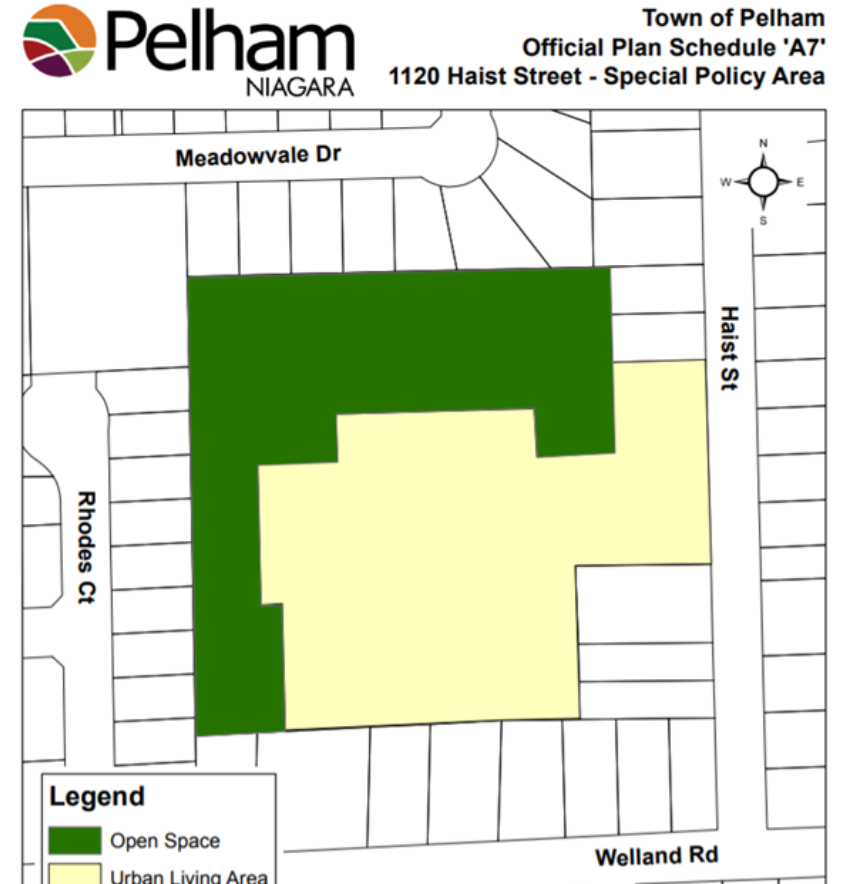
Town Official Plan

Subject Lands are Designated Urban Living Area

1120 Haist Street – Special Policy Area

The policies in Policy B.1.1.13 apply which include:

- Urban design requirements for the built form to ensure high quality construction and design;
- Requirements for the parkland and public space including requirements for street trees and lighting, sidewalks, maintenance of the wooded area and a future pedestrian trail connecting to Welland Road;
- Provision for public parking area and on-street parking.



Zoning By-law 1136 (1987)

- R2-284 permits one single detached dwelling, uses, buildings and structures accessory thereto and home occupations (lots 1 through 7) subject to special regulations.



Property Location

Requested Changes to R2-284 Zone

Zone Regulation	Standard R2-284 Regulation	Requested Regulation
(e) Minimum Rear Yard	10 m	7.5 m

Zone Regulation	General Provisions	Requested Regulation
6.35(c) Minimum Rear Yard	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.	Unenclosed porches, balconies, steps and patios, covered or uncovered may project into any required yard a maximum distance of 3.5 m provided that, in the case of porches, steps or patios, such uses are not more than 1.3 m above ground.

Zoning By-law 4481 (2022)

- Under appeal.
- Subject lands are zoned Residential Two – 89 (R2-89) which carries forward the requirements of the R2-284 zone in the current Zoning By-law.



Agency Comments

Public Works

No comments or concerns.

Public Comments

Ron Lynch

Opposed to the application because property is higher elevation than neighbouring properties with decks that will impact privacy and continued enjoyment of the backyard.

Technical Reports

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

Digital copy of the report is available by contacting the Planning Division.

Conclusion

No decision or recommendation concerning this application has been or will be made at this meeting.

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

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

Questions & Comments

Shannon Larocque, Senior Planner

905-892-2607 x319

slarocque@pelham.ca



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

December 12, 2022

**Subject: Information Report – 1114 Haist Street Application for Zoning
By-law Amendment**

Recommendation:

**THAT Committee receive Report #2022-286 for information as it
pertains to File No. AM-08-2022;**

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

Executive Summary:

The purpose of this report is to provide Council and the public with an opportunity to receive information regarding the application for zoning by-law amendment for 1114 Haist Street.

The proposed Zoning By-law Amendment would rezone a portion of the lands (Lots 1-7 on the approved Emerald Trail draft plan of subdivision) by reducing the rear yard of the future single detached dwellings from 10.0 metres to 7.5 metres and allow a covered porch to encroach 3.5 metres into the rear yard.

Location:

The property is municipally known as 1114 Haist Street, and described legally as Part of Lot 3, Concession 9. The requested zoning by-law amendment pertains to the portion of the property outlined in red on Figure 1. The property is located on the west side of Haist Street north of Welland Road.

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Planning Application Report**

December 12, 2022

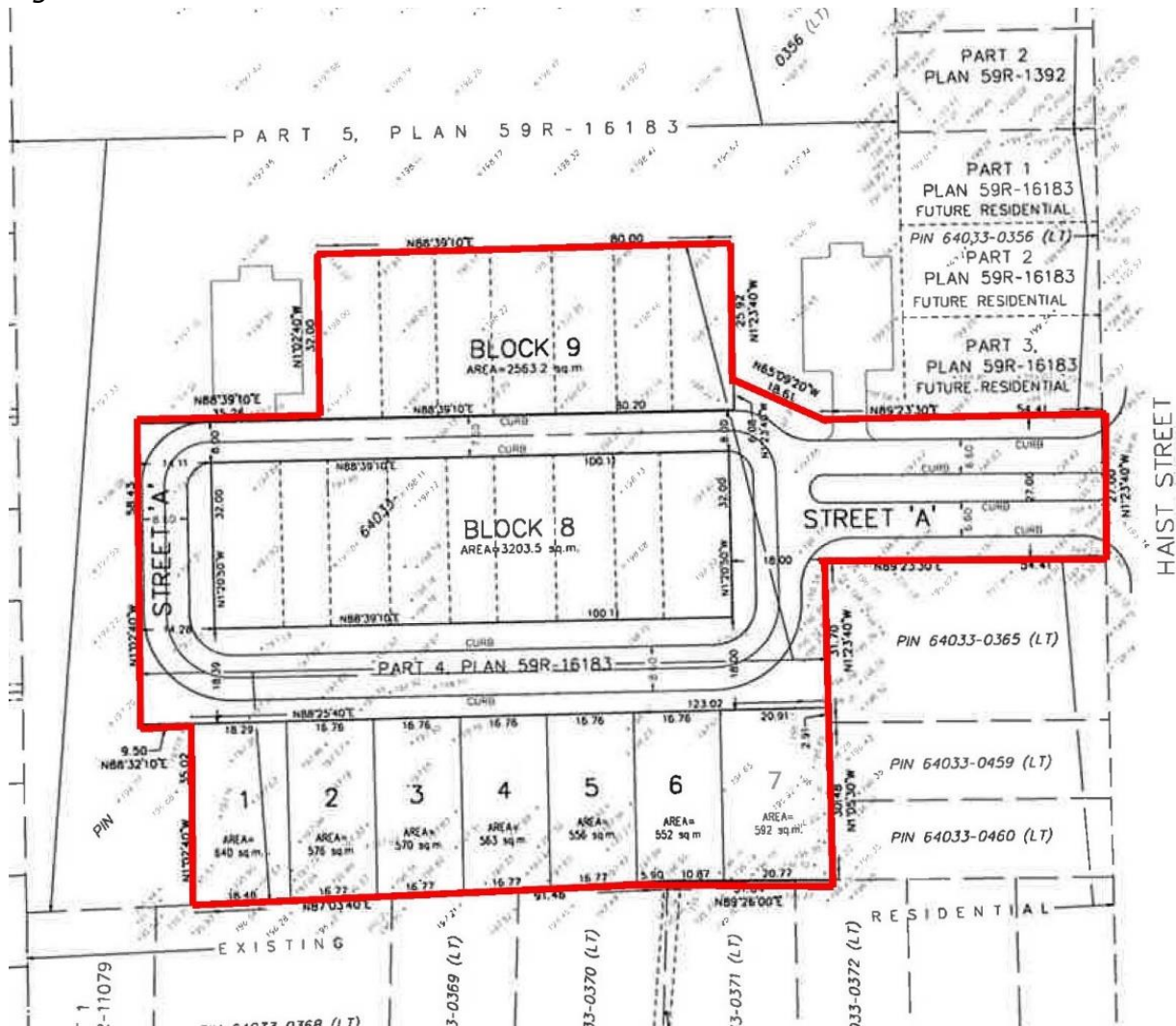
Figure 1: Property Location

The surrounding land uses include Town owned parkland and open space lands on the west and north sides and single detached dwellings on the east and south sides. The property is currently vacant, but was the formerly the location of the arena and associated parking area prior to being declared surplus and sold by the Town. Draft approval of the Emerald Trail subdivision (Figure 2) was granted for the property in February 2022 and the owner is actively working to meet conditions and receive final approval.

Community Planning & Development Department Planning Application Report

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Figure 2: Emerald Trail Draft Plan of Subdivision



Project Description and Purpose:

The requested zoning changes relate to the construction of future single detached dwellings on lots 1-7 on the draft plan of subdivision. The application requests a reduction to the rear yard of the future single detached dwellings from 10.0 metres to 7.5 metres and the allowance for a covered porch to encroach 3.5 metres into the rear yard resulting in a 4 metre setback from the rear lot line.

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The owner has indicated that the requested zoning changes are resulting from an unexpected reduction to the lot sizes through the absolute title process as well as his preference to build bungalows with a larger footprint on the properties rather than two-storey dwellings which he believes is preferable to the residents on Welland Road.

Policy Review:*Planning Act, 1990*

Section 3 of the *Planning Act* requires that, in exercising any authority that affects a planning matter, planning authorities, i.e. decisions of Council, "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".

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

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.

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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 efficiency, prepare for the impacts of a changing climate, support active transportation and are transit and freight supportive.

Policy 1.1.3.3 provides for the promotion of intensification and redevelopment accommodating a significant supply and range of housing options where it can be accommodated taking into account the building stock, availability of existing and planned infrastructure and public service facilities required to accommodate the needs of the development.

Growth Plan for the Greater Golden Horseshoe, 2019

The subject parcel is identified as being within a Delineated Built-up Area according to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan policies aim to build stronger, prosperous communities by directing growth to built-up areas, promoting transit-supportive densities and a healthy mix of residential and employment land uses, preserving employment areas, planning for community infrastructure, and supporting the conservation and protection of natural systems, prime agricultural areas, and cultural heritage.

Policy 2.2.2.1(a) requires a minimum of 50 percent of all new residential development to occur within the delineated built-up area.

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

Niagara Region Official Plan, 2022

The subject land is designated Delineated Built-up in the Regional Official Plan.

Policy 2.2.2.5 requires a Regional minimum of 60 per cent of all residential units occurring annually to be within built-up areas. Policy 2.2.2.6 establishes the intensification target for the Town of Pelham at 25%.

Policy 2.3.1.1 requires the development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, to be planned for throughout settlement areas to meet housing needs at all stages of life.

Policy 2.3.1.4 states 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

Schedule A7 1120 Haist Street – Special Policy Area of the Town of Pelham Official Plan designates the property as Urban Living Area. The policies in B.1.1.13 apply:

B.1.1.13.1 Public Realm

- a) Rows of trees on the north and south edges of the park shall be preserved.
- b) The wooded area shall be maintained as an important community feature, be highly visible from future development and made accessible via new trail connections. In addition:
 - Drainage and vegetation within the wooded area should be enhanced to function as a sustainable public asset requiring little future

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

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maintenance. This may include selective tree removal, re-naturalization and new planting, grading and drainage works.

- Existing private property encroachments on public land must be addressed.
 - Trails within the wooded area should be located on the easterly edge, to minimize disruption on the area's habitat function.
- c) Evergreen plant material will be provided to screen headlight glare from the ends of the street and laneway to the rear yards of homes along Rhodes Court.
- d) Direct street and park lighting from poles shall be directed away from existing residents and wooded area. Fixtures shall direct light downward and not create light pollution.
- e) Open space shall be maintained as passive, flexible green space with seating and other amenities to be determined.
- f) Wide zones shall be maintained without buildings that provide views and access to the green space from within the new development.
- g) A median will be provided in the entrance boulevard with a minimum width to sustain plant material including trees and low vegetation such as grasses, forbes and shrubs.
- h) A variety of street trees shall be provided on both sides of all streets, spaced approximately 6 -10 metres on centre. Species must:
- be large canopy trees with wide spreading crowns at maturity;
 - have measurable annual growth (not slow to establish or grow);
 - perform an infrastructural role including attenuating stormwater and enhancing ecological function;
 - have seasonal appeal such as flowers and vivid leaf colours;
 - promote biodiversity and avoid monoculture.

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B.1.1.13.2 Circulation

- a) Pedestrian movement shall be promoted through street network design with linkages to surrounding streets.
- b) Sidewalks, walkways and trails are to be paved in hard surface, accessible and a minimum of 2.1 metres in width.
- c) A window shall be provided to the wooded area from the internal street network that facilitate direct trail connections.
- d) The connection that links the laneway and the street shall be designed to laneway standards (minimum width).
- e) A continuous trail shall be provided, uninterrupted by roads, linking the stormwater management facility, the existing playground, new roads, new parking lots and sidewalks along Haist Street and Welland Road. The trail will facilitate a connection south across Welland Road to the Steve Bauer Trail.
- f) A continuous vehicular loop shall be provided using the internal street and laneway to create two points of entry/exit for emergency vehicles.
- g) A walkway or sidewalk shall be provided in front of the townhouses facing the green space.
- h) Public parking shall be provided in two parking lots, not a single large lot, to minimize large asphalt areas, and to provide parking both near the platform tennis/playground and the soccer fields.
- i) The boulevard entrance shall provide two entry/exit points of minimum width for emergency vehicles.
- j) Sidewalks shall be provided on both sides of the boulevard entrance with connections to other trails and sidewalks.
- k) A sidewalk shall be provided on the internal street and on one side at a minimum on the side of the laneway townhouses.

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- l) On-street parallel parking shall be provided on the side of the street adjacent to the laneway townhouses, where there are no driveways.

B.1.1.13.3 Built Form

- a) Buildings shall be located close to the front property line to define the street or park edge and to create pedestrian scale.
- b) The façade of houses shall be designed to face all public open spaces, streets and trails and is encouraged to include principal front entrances, windows, porches and walkways to houses.
- c) Exposed facades shall be articulated with variation in massing, colour, materials, detailing and window and door treatments.
- d) All materials must be durable, attractive and of high quality, with a preference for stone, brick, metal or fibre-cement/high quality vinyl.
- e) Main front entrances shall be emphasized in architectural design, such as through stoops, porches, pediments or massing.
- f) Enhanced architectural treatment shall be provided at corners and view terminii locations. Enhanced treatments include:
- modest exceptions to heights and massing for emphasis;
 - features such as porches, turrets, bays, gables and dormers;
 - substantial openings (windows and doors);
 - providing a frontal design, including locating the main front entrance, on corner (side) elevations;
 - creative use of materials such as stone and detailing such as soldier courses, patterning or enhanced trim;
 - placing garage doors and driveways away from the corner or view terminus.
 - be large canopy trees with wide spreading crowns at maturity;
- g) Rear garages of townhouses are encouraged to be two storey where visible to the boulevard entrance road and can be used for accessory apartments or home occupations, notwithstanding Policies B1.1.4 and B1.1.6 and in compliance with the Comprehensive Zoning By-law.

Community Planning & Development Department Planning Application Report

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- h) Decorative privacy fencing shall be provided for end units or corner lots flanking public spaces and streets. The fence shall not hide the side elevation.

The Official Plan policies relate to the development as a whole rather than being specific to the future single detached lots that are subject to the application. Conformity with the Official Plan policies will be ensured through the subdivision final approval through meeting required conditions of draft plan approval.

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

The portion of the property that is subject to the application is zoned R2-284. The R2-284 zone permits one single detached dwelling, uses, buildings and structures accessory thereto and home occupations. The R2-284 zone applies to lots 1 through 7 on the draft plan where the single detached dwellings are proposed. The following special regulations apply:

- a) Minimum lot depth 32.0 m
- b) Minimum front yard 4.5 m; 6.0 m to a garage
- c) Minimum interior side yard 1.2 m
- d) Minimum exterior side yard 3.0 m
- e) Minimum rear yard 7.5 m or 10.0 m where backing onto an existing residential property
- f) Maximum garage door width the lesser of 50% of the lot width or 60% of dwelling width
- g) Minimum setback from an internal roadway 4.5 m; 6.0 m to a garage
- h) Minimum setback between single detached dwellings 2.4 m
- i) Minimum setback from east or west lot line 1.2 m
- j) Minimum setback from the south lot line 10.0 m

Notwithstanding Section 6 of the General Provisions, the following special regulations shall apply:

- a) Minimum depth for a porch 2.0 m

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- b) Porches may encroach a maximum of 2.0 m into a required front or exterior side yard or closer to an internal roadway. Steps associated with a porch may encroach up to the lot line or internal roadway.

The requested changes to the R2-284 zone include a reduction to the minimum rear yard to 7.5 metres from 10.0m where backing onto an existing residential property and an encroachment of 3.5 metres into the rear yard for a covered deck or porch. The encroachment of the covered porch or deck will be 4 metres from the rear lot line.

Zoning By-law 4481 (2022)

Council approved the new comprehensive Zoning By-law on August 30, 2022. The by-law is under appeal and therefore Zoning By-law 1136 (1987) remains in effect. For Council's information, the subject lands are zoned Residential Two - 89 (R2-89) in Zoning By-law 4481(2022).

The site-specific regulations of the R2-89 zone remain the same as the R2-284 zone in the Zoning By-law 1136 (1987).

Submitted Reports:

Planning Justification Report prepared by Quartek dated October 2022

Agency Comments:

The application was circulated to commenting agencies and Town Departments. The following comments have been received:

Public Works No comments or concerns

Public Comments:

On November 18, 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 Haist Street. No comments have been received at the time of writing of this report.

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

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Staff Comments:

The purpose of this report is to provide the Committee of the Whole and the public with information regarding the application, applicable policies, and comments received. The purpose of the public meeting is to receive public feedback and input on the application and for the applicant to respond to public inquiries. A future report with recommendations will be presented to Council for decision once all feedback is received.

Alternatives:

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

Attachments:

Appendix A Agency Comments

Prepared and Recommended by:

Shannon Larocque, MCIP, RPP
Senior Planner

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

Reviewed and Submitted by:

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



Memo

To: Shannon Larocque, Senior Planner

CC: Jason Marr, Director of Public Works; Barb Wiens, Director of Planning and Development; Derek Young, Manager of Engineering; Gimuel Ledesma, Engineering Technologist; Lucas Smith, Engineering Technologist; Andrew Edwards, Planner

From: Taylor Boyle, Engineering Technologist

Date: November 28, 2022

File No.: AM-08-2022

RE: Zoning By-Law Amendment – 1114 Haist Street

The Public Works Department has reviewed the submitted documentation regarding the proposed Zoning By-Law Amendment for 1114 Haist Street

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

- Planning Justification Brief – Proposed Site-Specific Zoning By-Law Amendment for Emerald Trail Subdivision (26T19-01-2021), by Quartek, dated October 2022;

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

Public Works staff has no comments or concerns with the proposed zoning by-law amendment.

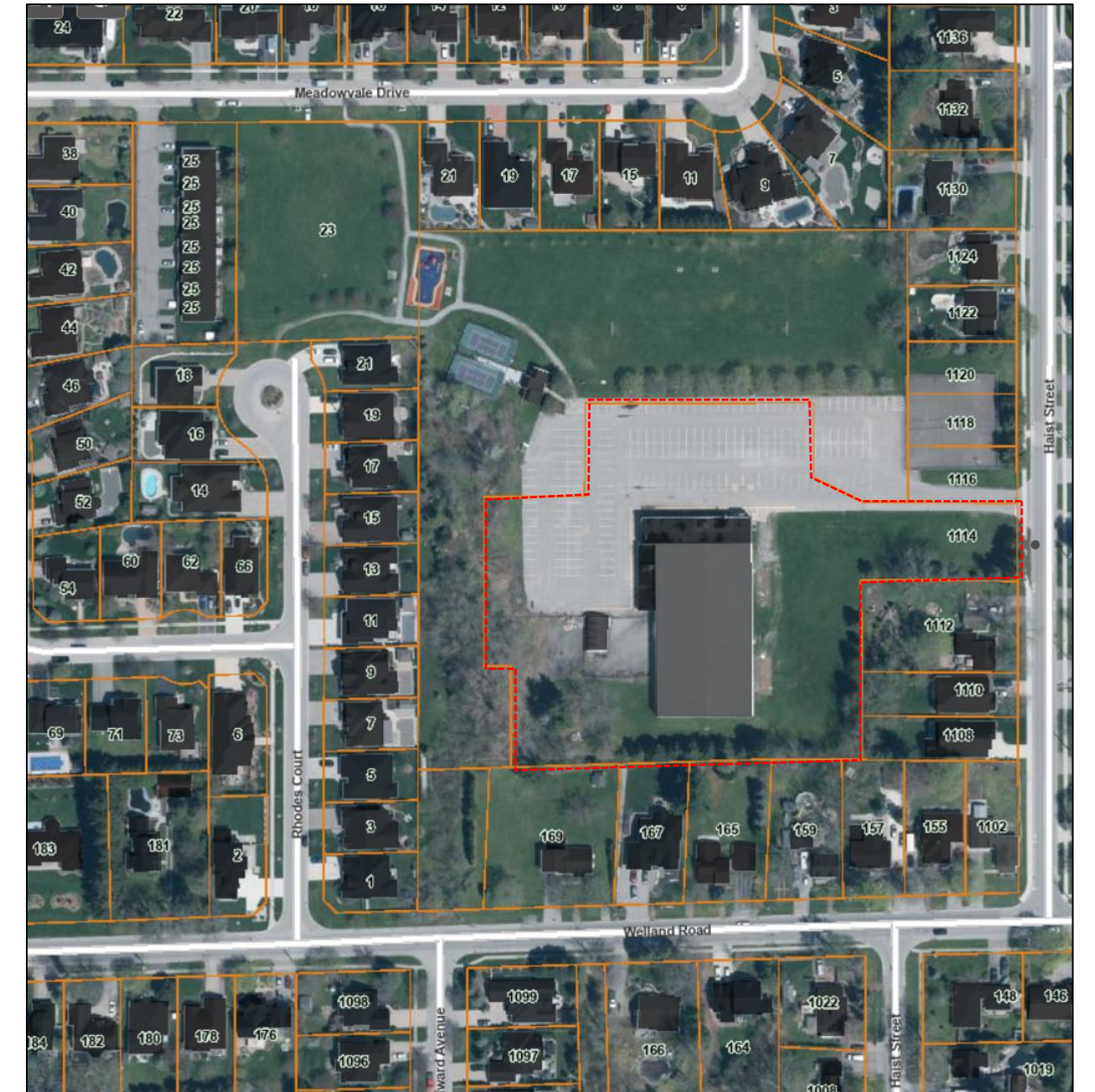
PUBLIC MEETING
Monday December 12, 2022

EMERALD TRAILS SUBDIVISION
PROPOSED ZONING BY-LAW AMENDMENT



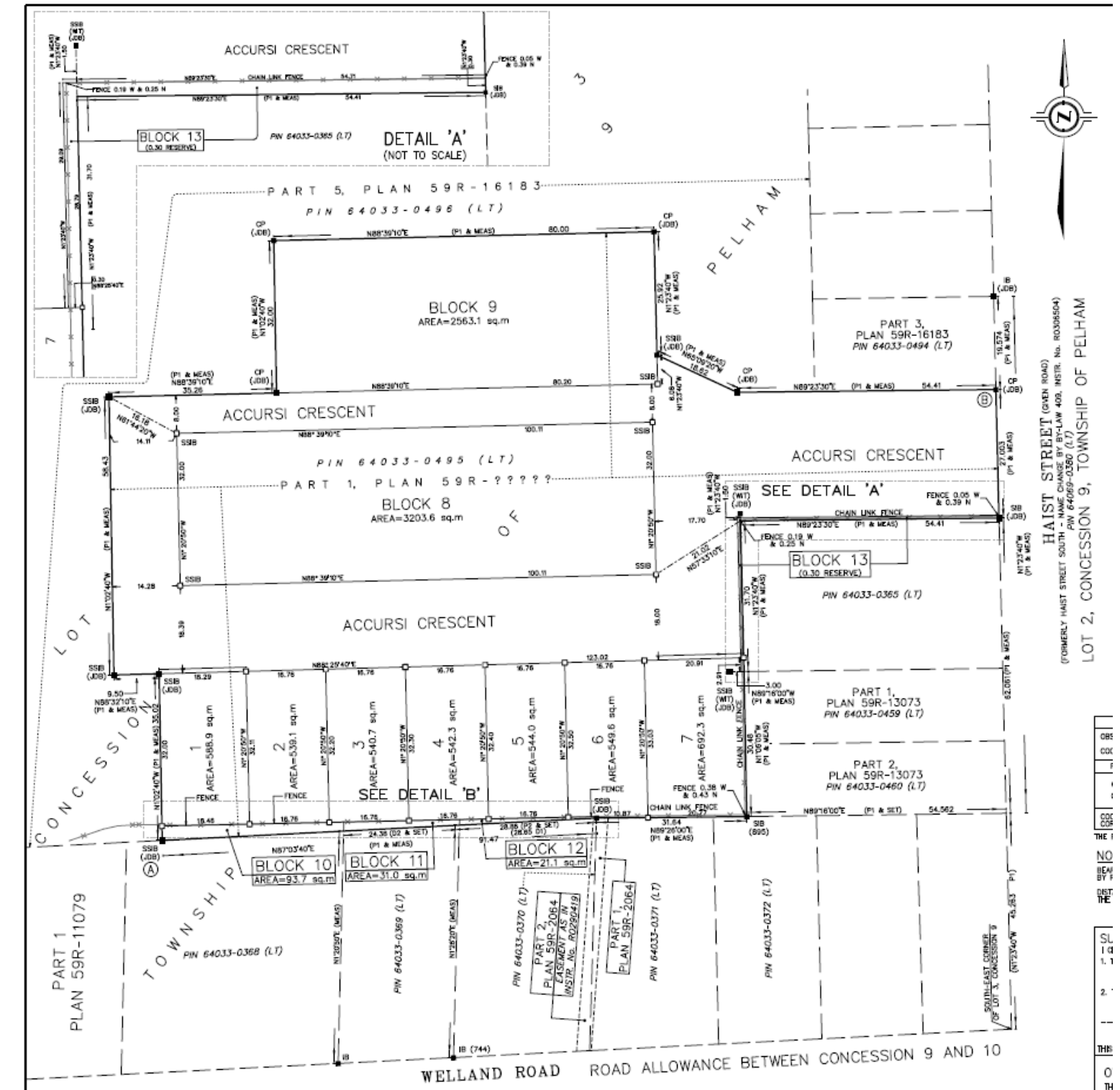
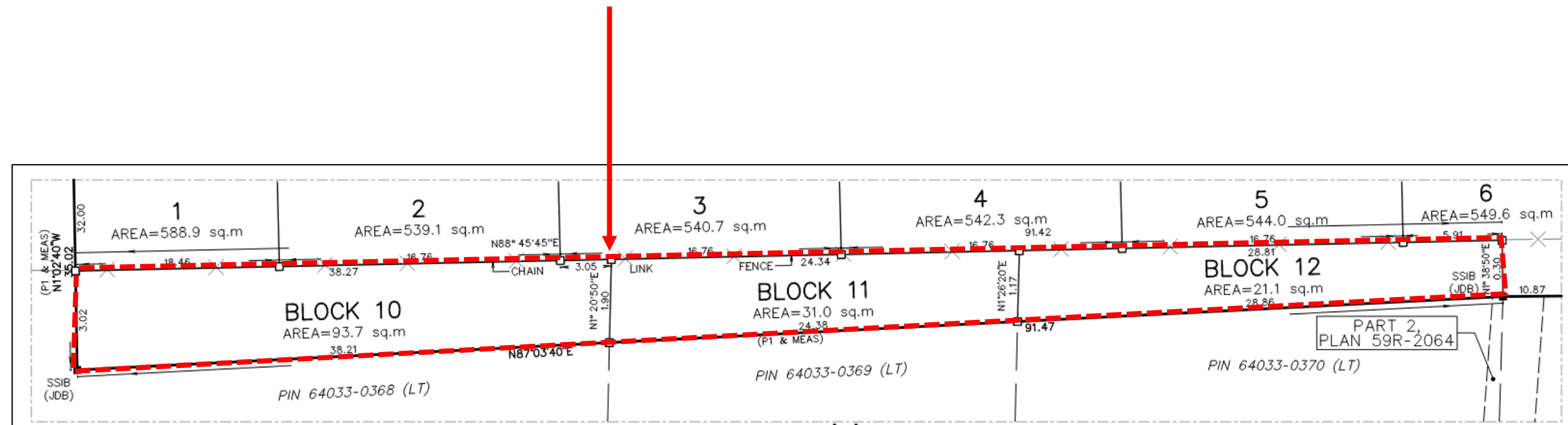
BACKGROUND INFORMATION

- Located on the west side of Haist Street north of Welland Road.
- Approximately 1.59 hectares in size with the only entrance off Haist Street.
- Town's initiated Official Plan Amendment and Zoning By-law Amendment approved in 2018 offering:
 - 13 single detached dwellings; 10 units fronting an internal street; 3 single detached dwellings fronting on Haist Street
 - 12 units fronting on the open space area associated with the soccer fields
 - 16 units fronting on an internal street and facing the proposed single detached dwelling units
 - 2 parking lots
 - Total of 41 units
- Lally Homes purchased land from the Town in fall 2019 (referred as Emerald Trail Subdivision) currently seeking final approval for 23 units offering:
 - 7 single detached dwelling lots fronting an internal street (Accursi Crescent)
 - Block 9 for 7 rear lane townhouse units
 - Block 8 for 9 townhouse units
 - Reduction of 18 units from the Town approved plan



PROPOSED DEVELOPMENT

- Prior to the registration of the Subdivision, Titles Absolute Notice was served to all abutting property owners in July 2022.
- 3 objections from neighbouring landowners to the south (Welland Road) were received on the basis that the proposed boundary of the subdivision encroached on their rear yards, specifically within the fenced boundaries of the abutting properties that was installed in 1975.
- The total land area to the claim was 145.8 square metres/1,569.38 square feet and affects Lots 1 through to 6.



REQUESTED ZONING BY-LAW AMENDMENTS

- Upon review of the Zoning By-law 4014 (2018) site-specific provisions (R2-284), the proposed building envelopes for a bungalow style dwelling units (\pm 269 to 280 square metre) with covered decks/patios, the land area lost to the land claims negatively impacted the building envelope specifically the rear yard amenity space and encroachment for patios/decks.

By-law 4014 (2018), R2-284 or R2-89 under By-law 4481 (2022) exemptions

Minimum Lot Depth: 32m
Minimum Front Yard: 4.5m; 6.0m to a garage
Minimum Interior Side Yard: 1.2m
Minimum Exterior Side Yard: 3.0m
Minimum Rear Yard: 7.5 m or 10.0m where backing onto an existing residential property
Maximum Garage Door Width: The lesser of 50% of the lot width or 60% of dwelling width

By-law 4481 (2022), Residential Two Zone – R2

Minimum Lot Frontage: 12.0m
Minimum Lot Area: 360m²
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%

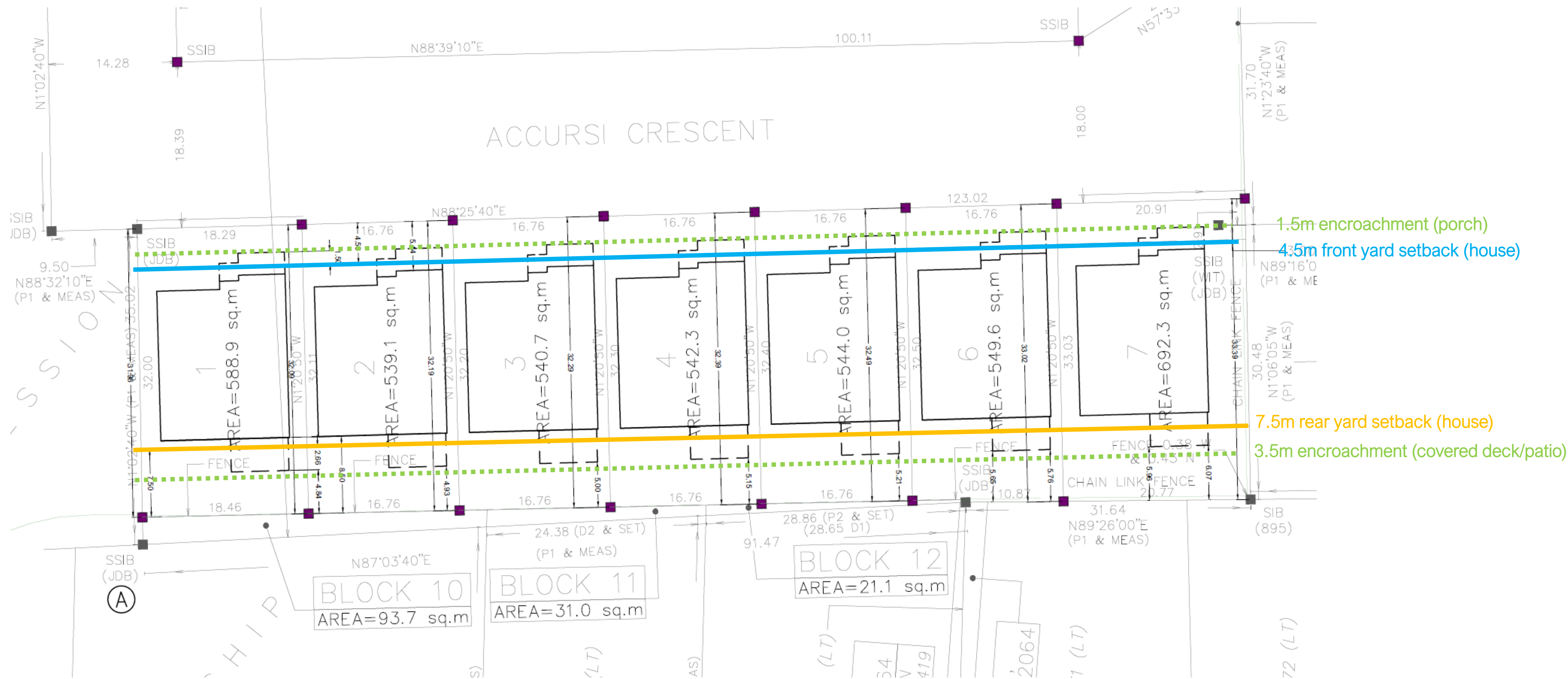
REQUESTED AMENDMENT: Omit the R2-284 and R2-89 provisions and replace with a new site-specific by-law consistent with Section 6.2.2 of the R2 Zone By-law 4481 (2022) including:

MINIMUM REAR YARD: 7.5M

ENCROACHMENT INTO THE REAR YARD FOR COVERED DECKS/PATIOS: 3.5M (1.3M ABOVE GROUND LEVEL)

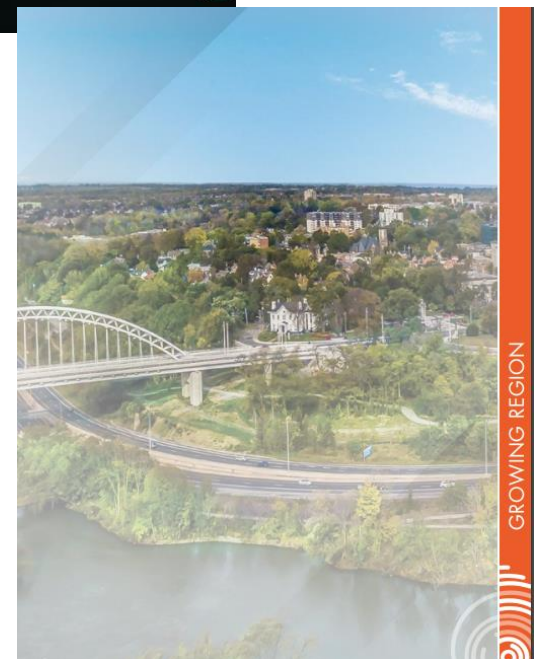
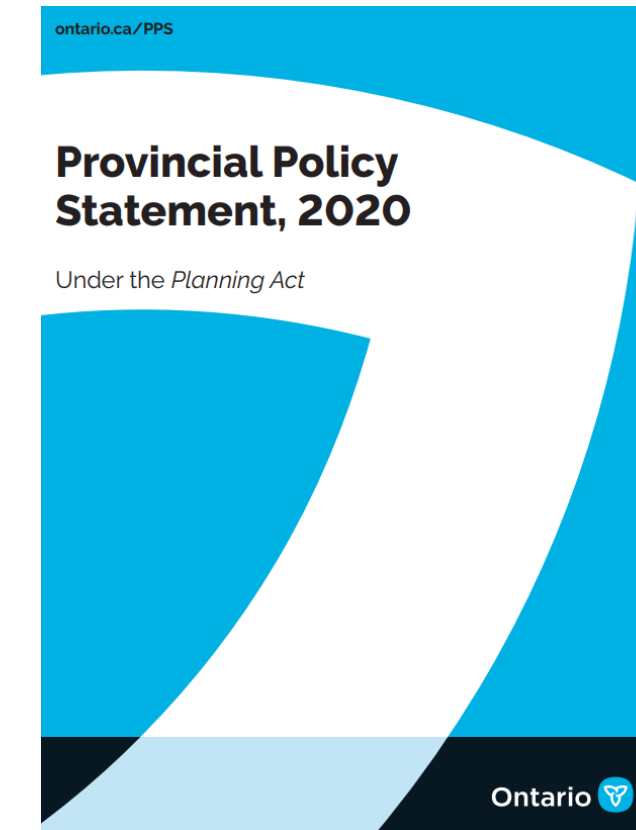


SITE PLAN (LOTS 1-7) WITH PROPOSED BUNGALOW BUILDING FOOTPRINT



PLANNING POLICY ANALYSIS

- Appropriate scale of a residential infill.
- Excellent opportunity for redevelopment for residential use in the urban limits.
- Utilizes existing municipal infrastructure.
- Consistent with Provincial and Regional policies for residential intensification located in the settlement area.
- Designed for a compact built form that provides a mix of housing.



NEXT STEPS

ZONING BY-LAW AMENDMENT APPLICATION

- Provide new information on the proposed development and present the requested zoning by-law amendments
- Address public and Council questions
- Town Planning Staff to prepare Recommendation Report
- New Draft By-law pending Council approval
- 20-day appeal period

DRAFT PLAN APPORVAL & CONSTRUCTION

- Clearance of Draft Plan Conditions
- Receive final approvals and register Subdivision Agreement and register Agreement on title
- Apply for building permits
- Obtain building permits
- Start construction

From: Ron Lynch [REDACTED]
Sent: Monday, November 28, 2022 7:57 AM
To: Holly Willford <HWillford@pelham.ca>
Subject: 1114 Haist st. Zoning

I would like to express my opposition to the proposed zoning by-law amendment. Because these properties are already at a higher elevation than ours it would mean that people on these decks would be almost sitting on top of the fence. We would lose what little privacy that we now enjoy. If these decks were at ground level that would be different, but if they are anything like the 3 new homes on Haist the decks would be above any type of privacy fencing allowed by the town. Our family has greatly enjoyed our backyard, and this amendment would greatly affect our ability to continue that.

Ron Lynch
[REDACTED] Welland Rd.