



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

April 10, 2024

**Subject: Information Report – Applications for Revision to Previously Approved Draft Plan of Subdivision and Zoning By-law Amendment – Summersides Village**

**Recommendation:**

**THAT Committee receive Report #2024-0071 for information as it pertains to File Nos. 26T19-02-2021 & AM-01-2024;**

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

**Executive Summary:**

The purpose of this report is to provide the Committee of the Whole and the public with an opportunity to receive information regarding the applications for Revision to Previously Approved Draft Plan of Subdivision and Zoning By-law Amendment.

The requested revision to the previously approved Draft Plan of Subdivision will permit 35 lots for single detached dwellings, 7 Blocks (Blocks 36-42) for 14 semi-detached dwellings, 10 Blocks (Blocks 43-52) for 60 street townhouses, 4 Blocks (Block 53-56) for 0.3-metre reserves, 1 Block (Block 57) for a daylight triangle and, 1.075 hectares for future roadways. The change comes as a result of a new development concept for the lands to address market changes.

The proposed Zoning By-law Amendment would rezone the lands from the R2-137 zone to site-specific Residential 2 (R2) and site-specific Residential Multiple 1 (RM1) zones. The zoning change would permit the use of the lots for single detached dwellings, semi-detached dwellings, street townhouse dwellings and accessory uses subject to special regulations.

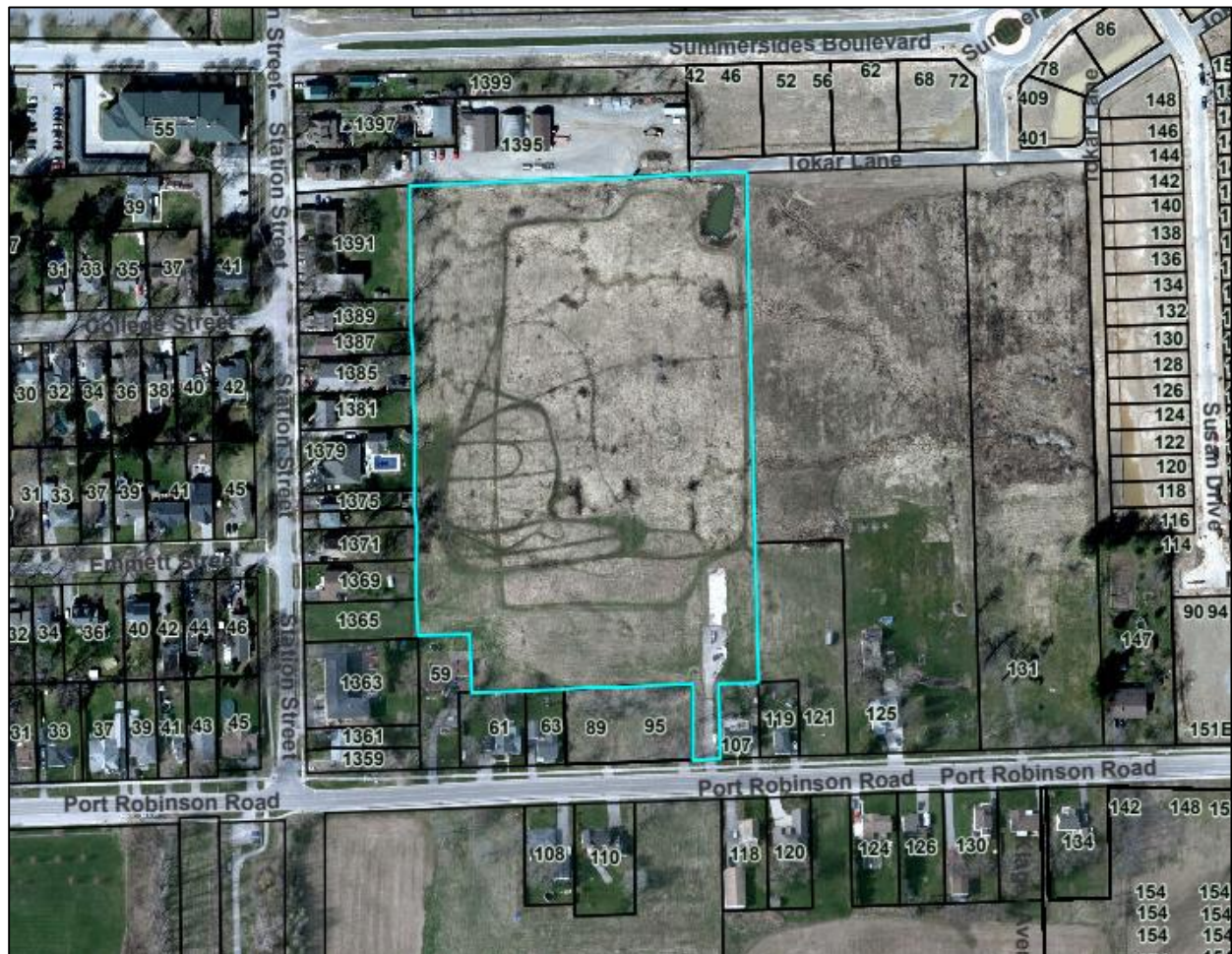
**Location:**

The property is located on the north side of Port Robinson Road, east of Station Street (Figure 1). The surrounding land uses are varied with a mix of single detached and townhouse dwellings on Port Robinson Road, a mix of single detached and apartment dwellings on Station Street, vacant future development lands and townhouses to the north (Park Place South) and vacant future development lands/single-detached dwellings to the east (River Estates Phase 2).

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Figure 1: Property Location



### Project Description and Purpose:

The subject lands are 4.273 hectares in size. The property received draft plan approval from Council on May 16, 2022, which consisted of seventy (70) single detached lots. The subject lands are located within the East Fonthill Secondary Plan area.

The Revision to the previously approved proposed draft plan of subdivision would create:

- 35 Lots (Lots 1-35) for single detached dwellings;

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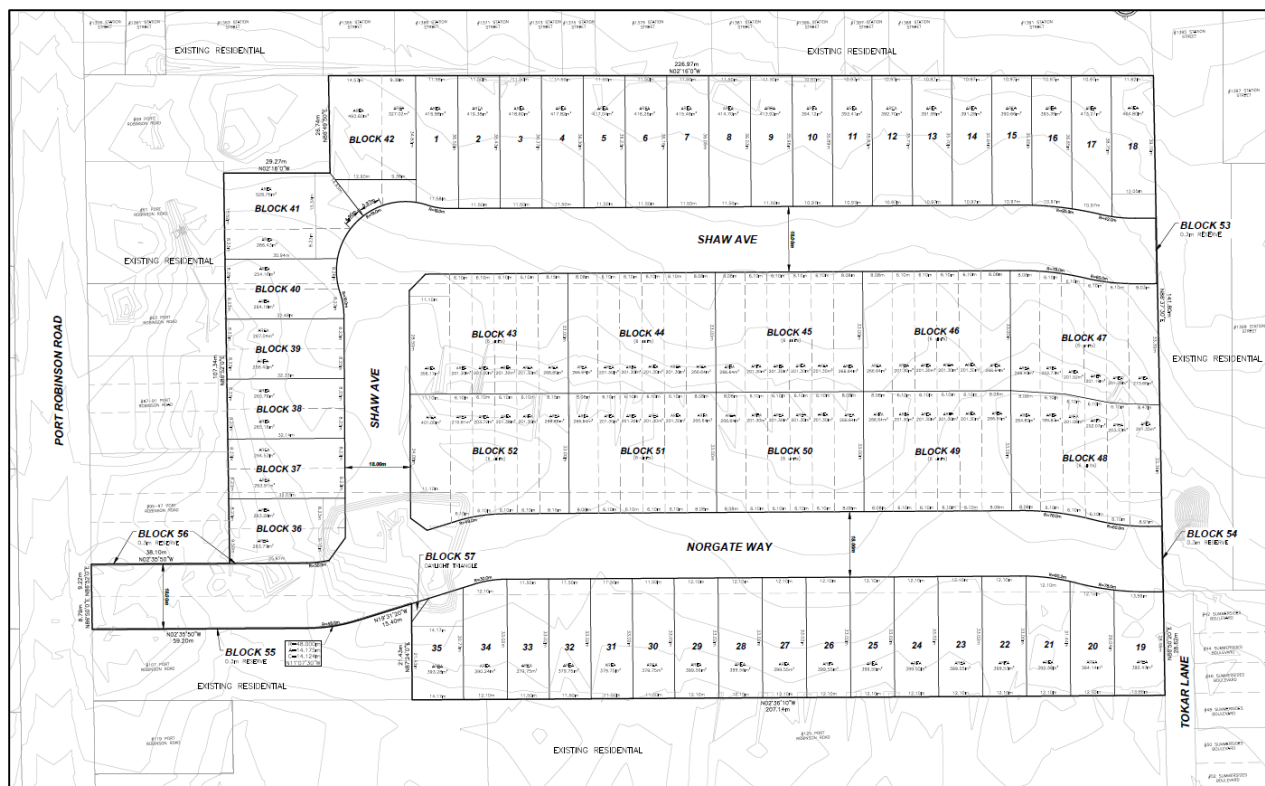
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- 7 Blocks (Blocks 36-42) for 14 semi-detached dwellings;
- 10 Blocks (Blocks 43-52) for 60 street townhouses
- 4 Blocks (Block 53-56) for 0.3-metre reserves;
- 1 Block (Block 57) for a daylight triangle; and,
- 1.075 hectares for future roadways.

The proposed Zoning By-law Amendment would rezone the lands from the R2-137 zone to site-specific Residential 2 (R2) and site-specific Residential Multiple 1 (RM1) zones. The zoning change would permit the use of the lots for single detached dwellings, semi-detached dwellings, street townhouse dwellings, and accessory uses subject to special regulations.

The change is a result of a new development concept for the lands which will add 39 additional units, and new housing types, compared to the previously approved draft plan. The change will introduce new unit types, including semi-detached and street townhouse dwellings.

*Figure 2: Proposed Revision to Draft Plan of Subdivision*





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For context, Figure 3 is the neighbourhood plan submitted with the application which shows developments in the surrounding area and how they connect with one another and the adjacent road network (Port Robinson Road, Summersides Boulevard).

*Figure 3: Neighbourhood Plan*

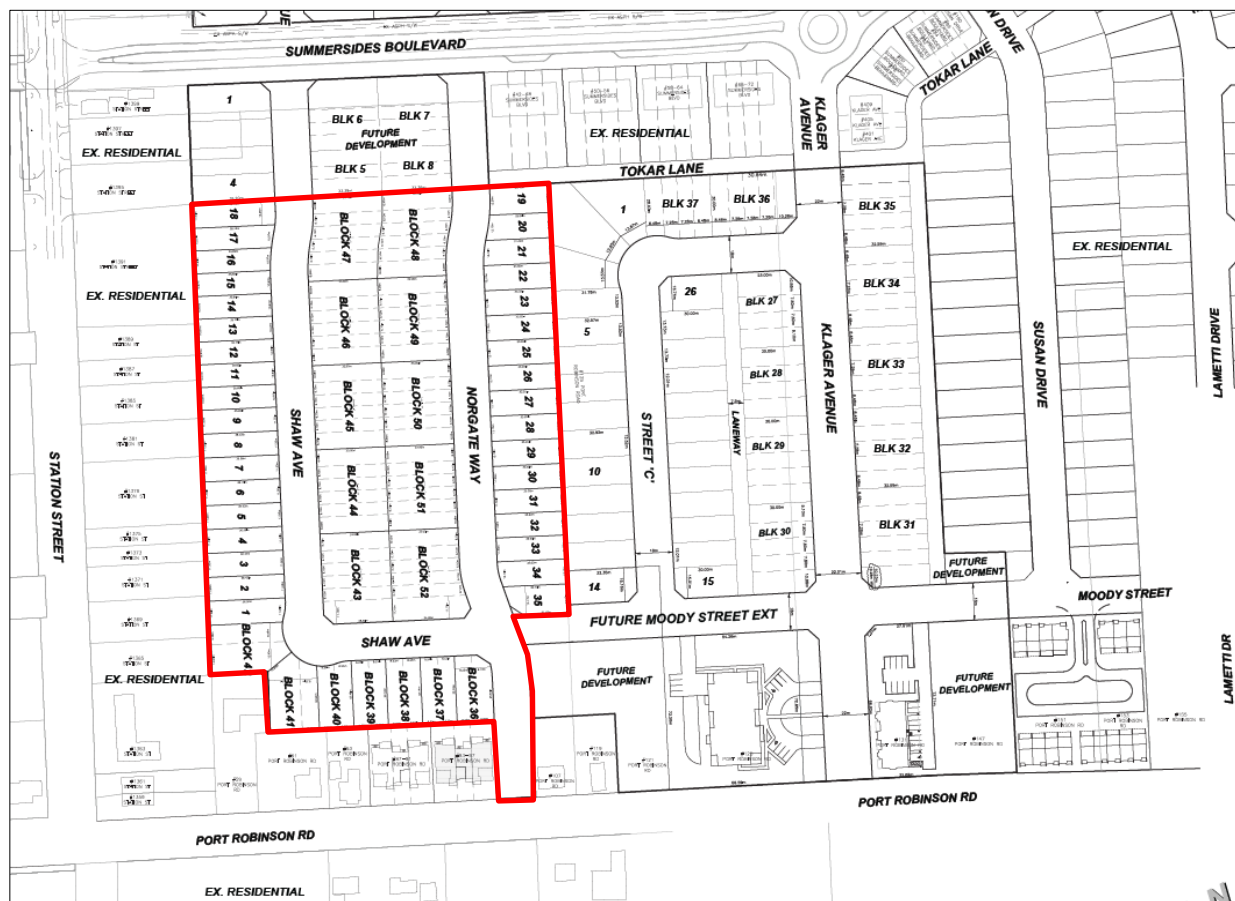


Figure 4 below illustrates the initial Draft Plan of Subdivision that received approval on May 16, 2022. The original draft plan consisted of seventy (70) lots for single detached dwellings. Official Plan Amendment and Zoning By-law Amendments were passed on June 20th, 2022 supporting the subdivision design.

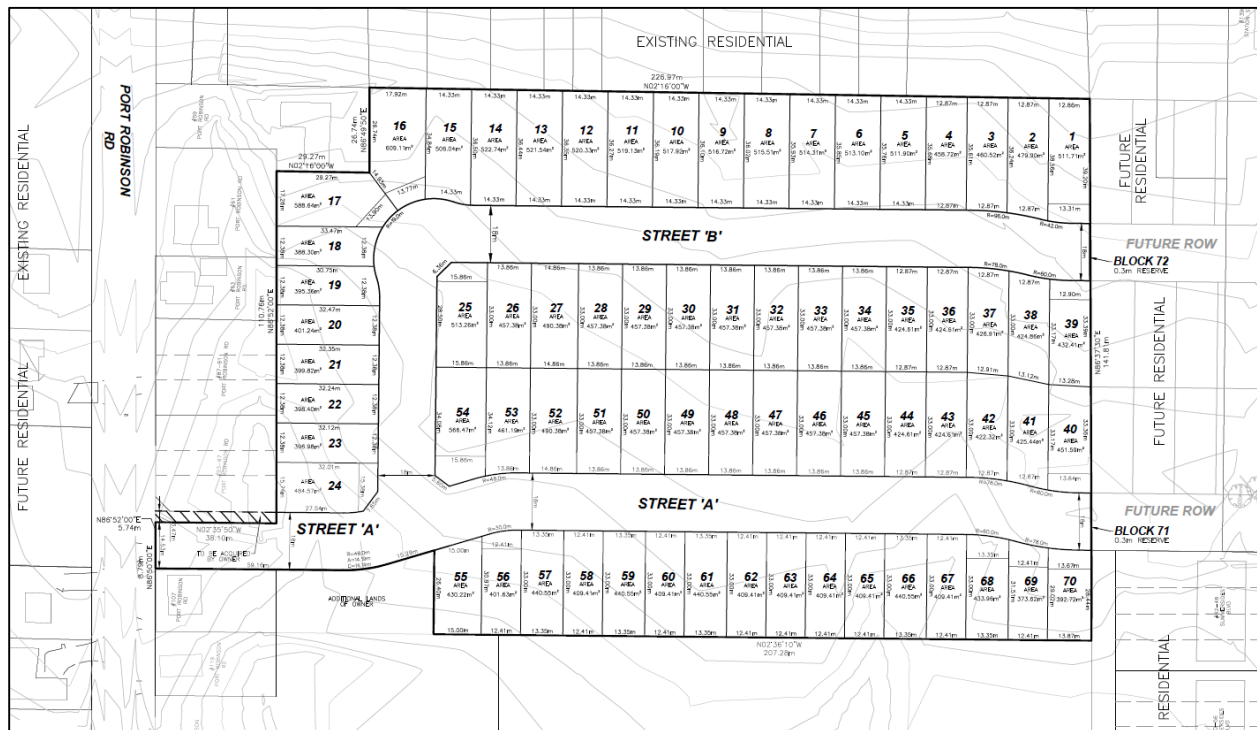
The purpose of the Official Plan Amendment was to to amend Policy B1.7.4.1(c) by allowing a deviation from the Demonstration Plans contained in Appendix A of the Official Plan to reflect changes in the proposed street network. The effect of the

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amendment was to permit the draft plan of subdivision with the proposed street network which eliminated the westerly street connection to Port Robinson Road and the rear laneway as shown on the Demonstration Plans.

Figure 4: Original Draft Plan of Subdivision



### Policy Review:

#### Planning Act, 1990

Section 3 of the *Planning Act* requires that, in exercising any authority that affects a planning matter, planning authorities "shall be consistent with the policy statements" issued under the *Planning Act* and "shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be".

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

Section 51 of the *Act* allows for consideration of a plan of subdivision.

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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*.

*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.



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### *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 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, 2020*

The subject parcel is identified as being within a Delineated Built-up Area according to the Growth Plan for the Greater Golden Horseshoe, 2020. 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.

*Niagara Region Official Plan, 2022*

The lands are designated as Urban Area (Built-Up Area) in the new Niagara Region Official Plan.

Policy 2.2.2.5 requires that across the Region 60% of all residential units occurring annually are to be in the Built-Up Areas of the Region and in Pelham, this translates into an annual intensification rate of 25% of new residential units. The objective of intensification is to increase housing choice and housing affordability across the Region to meet future housing needs while at the same time making efficient use of infrastructure, community services and urban lands.

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 2.3.1 provides the 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 throughout settlement areas to meet housing needs at all stages of life.

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

*Town of Pelham Official Plan, 2014*

The subject parcels are located within the East Fonthill Secondary Plan Area and designated EF- Low Density Residential in the Town's Official Plan, 2014. Permitted uses in the EF- Low Density Residential designation are single detached and semi-detached dwelling units; accessory apartments/secondary suites; accessory buildings and structures related to the primary residential dwelling unit; home occupations; places of worship; day nurseries; convenience retail and service commercial uses; parks, parkettes and open space linkages; and public uses and public and private utilities.

Policy B.1.7.7.3.1(b) allows townhouses in the EF- Low Density Residential designation provided they are not more than 60% of the total number of dwelling units within any individual plan of subdivision.

Policies B1.7.7.3.2(a), (b), (c) and (d) indicates that single-detached units should be developed at a density of 10 units per net hectare up to 30 units per net hectare; b) semi-detached units shall range from a minimum of 20 units per net hectare, up to 40 units per net hectare; and permitted street townhouse dwellings shall be developed at densities ranging from a minimum of 20 units per net hectare up to 50 units per net hectare; the maximum building height for any building within the EF- Low Density Residential designation shall be 3 storeys, or 10.5 metres, whichever is less.

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

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;

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- 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.

This policy is similar to the requirements in Section 51(24) of the Planning Act, as amended.

### *Zoning By-law 4481(2022)*

By-law 4463 was approved by Council on June 7, 2022 and rezoned the lands from the RD and RM1-263 zone to the R2-137 zone that permitted the uses proposed in the original draft plan of subdivision.

The application now requests to rezone the lands from the R2-137 zone to a site specific R2 and site-specific RM1 zone to permit a mix of single-detached, semi-detached, and street townhouse dwellings. A number of site-specific provisions are requested including requesting smaller lot sizes and frontages for single detached dwellings to reflect changes in the housing market, as indicated by the applicant. The zoning regulations are detailed in Tables 1 and 2 below.

*Table 1: Requested R2 Regulations for Single-Detached and Semi-Detached Dwellings*

<b>Zone Regulation</b>	<b>Standard R2 Requirement</b>	<b>R2-137 Zone</b>	<b>Requested R2 Requirements</b>
<b><i>Single-Detached Dwellings</i></b>			
<i>Minimum Lot Frontage</i>	<i>12.0 metres</i>	<i>12.0 metres</i>	<i>10.9 metres</i>
<i>Maximum Front Yard</i>	<i>6.0 metres</i>	<i>-</i>	<i>Delete</i>
<i>Minimum Rear Yard</i>	<i>7.5 metres</i>	<i>7.5 metres</i>	<i>6.0 metres</i>
<i>Maximum Lot Coverage</i>	<i>50%</i>	<i>50%</i>	<i>Delete</i>
<b><i>Semi-Detached Dwellings</i></b>			
<i>Maximum Front Yard</i>	<i>6.0 metres</i>	<i>Delete</i>	<i>Delete</i>
<i>Minimum Rear Yard</i>	<i>7.5 metres</i>	<i>7.5 metres</i>	<i>6.0 metres</i>
<i>Maximum Lot Coverage</i>	<i>50%</i>	<i>50%</i>	<i>Delete</i>

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<b>General Provisions</b>
<i>Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0 metres of the front lot line or exterior side lot line, and 4.0 metres of the rear lot line. Uncovered patios and decks shall not be permitted within 1.2 metres of a rear or side lot line.</i>

Table 2: Requested RM1 Regulations for Street Townhouse Dwellings

<b>Zone Regulation</b>	<b>Standard RM1 Requirement</b>	<b>Requested RM1 Requirements</b>
<b>Street Townhouse Dwellings</b>		
<i>Minimum Lot Frontage</i>	<i>6.0 m 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 8.0 m</i>	<i>7.4 metres for interior lot with a dwelling on one side</i>
<i>Minimum Lot Area</i>	<i>230 m<sup>2</sup> per unit</i>	<i>198 m<sup>2</sup> per unit</i>
<i>Maximum Front Yard</i>	<i>6.0 metres</i>	<i>Delete</i>
<i>Minimum Rear Yard</i>	<i>7.5 metres</i>	<i>6.0 metres</i>
<i>Landscape Strip</i>	<i>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</i>	<i>1.2 metres</i>
<i>Maximum Lot Coverage</i>	<i>50%</i>	<i>Delete</i>
<b>General Provisions</b>		
<i>Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0 metres of the front lot line or exterior side lot line, and 4.0 metres of the rear lot line. Uncovered patios and decks shall not be permitted within 1.2 metres of a rear or side lot line.</i>		



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### **Submitted Reports:**

- Redlined Draft Plan of Subdivision prepared by Upper Canada Consultants, dated January 26, 2024
- Preliminary Neighbourhood Plan prepared by Upper Canada Consultants, dated February 1, 2024
- Preliminary Parking Plan prepared by Upper Canada Consultants, dated January 29, 2024
- Preliminary Streetscape Plan prepared by Upper Canada Consultants, dated January 29, 2024
- Priority Lot Mapping prepared by Upper Canada Consultants, dated January 15, 2024
- Planning Justification Report prepared by Upper Canada Consultants, dated January 24, 2024
- Functional Servicing Report prepared by Upper Canada Consultants, dated February 2024

Copies of the reports are available for review at:  
<https://engagingpelham.ca/summersides-village-redline-revision>

### **Agency Comments:**

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

#### *Town Community Planning and Development*

- Staff intended to include a maximum door width provision in the site-specific zoning in accordance with the East Fonthill Urban Design Guidelines.
- Staff are not supportive of the request to delete maximum front yard setback.
- Staff are not supportive of the request to delete the maximum lot coverage provision.
- Staff encourage variation between blocks, particularly the internal townhouse blocks.
- A temporary emergency access over Blocks 47 and 48 will be required until such time as the lands to the north are developed.
- There appears to be opportunity to include more plantings.

#### *Town Public Works*

- Town requires an updated servicing plan for this application.
- Additional comments forthcoming.



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- The Owner will be responsible for payment of the front-ending contribution, payable to the Town of Pelham, for the East Fonhill storm water management system oversizing.
- Town requires clarification of the capacity of the pipe from MH9 to MH28 once 125 Port Robinson Road's storm service is connected to the Moody Street storm sewer.

### *Department of Fire & By-law Services*

- The Developer shall provide temporary emergency road access sufficient to support the weight of Fire vehicles and kept clear at all times until such time that the second permanent road access is provided to the satisfaction of the Director of Public Works and the Fire Chief.

### *Niagara Region Growth Strategy and Economic Development Department*

- No objection to the proposed Zoning By-law Amendment and revised Draft Plan of Subdivision applications, subject to the conditions outlined in Appendix I and any local requirements, as the applications are consistent with and conform to Provincial and Regional policies and plans.

### *Hydro One*

- No comments or concerns.

### *Canada Post*

- None to date.

### *Bell Canada*

- Included standard conditions of approval relating to easements.

### *Enbridge Gas Inc.*

- No objection.

### *Niagara Peninsula Conservation Authority*

- No comments.

## **Public Comments:**

On March 15, 2024, 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 Port Robinson Road. No comments have been received at the time of writing of this report.





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**Staff Comments:**

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

**Alternatives:**

There are no alternatives as Council is statutorily obligated to host a public meeting and make decisions on the revision to the approved draft plan of subdivision and zoning by-law amendment applications.

**Attachments:**

Appendix A Agency Comments

**Prepared and Recommended by:**

Andrew Edwards, BES  
Planner

Shannon Larocque, MCIP, RPP  
Senior Planner

**Reviewed and Submitted by:**

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