

**Shannon Larocque**

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**From:** PrimeCities <WSP.PrimeCities@wspdigitalfactory.com>  
**Sent:** Wednesday, March 13, 2024 9:49 AM  
**To:** Shannon Larocque  
**Subject:** ZBLA (AM-02-2024) & Draft Plan of Subdivision (26T19-01), 82-90 Canboro Rd., Pelham



**3/13/2024**

**Shannon Larocque**

**Pelham**

**Pelham (Town)**

**Attention: Shannon Larocque**

**Re: ZBLA (AM-02-2024) & Draft Plan of Subdivision (26T19-01), 82-90 Canboro Rd., Pelham; Your  
File No. AM-02-2024,26T19-01-2024**

**Our File No. DTS: 38668 / Circ: 40908**

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

**Bell Canada Condition(s) of Approval**

1) 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.

2) 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.

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network

infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

**Concluding Remarks:**

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for Bell's responses and for any of the content herein.

Should you have any questions, please contact the undersigned.

Yours Truly,



Juan Corvalan  
Senior Manager - Municipal Liaison  
Email: [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca).

April 3, 2024

Shannon Larocque, MCIP, RPP  
Senior Planner  
Town of Pelham  
20 Pelham Town Square  
PO Box 400  
Fonthill, ON L0S 1E0

Dear Shannon,

Re: Draft Plan of Subdivision, Zoning By-law Amendment  
Canboro Estates  
82-90 Canboro Road  
Town of Pelham  
File No.: 26T19-01-2024, AM-02-2024

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

Please always call before you dig, see web link for additional details: <https://www.enbridgegas.com/safety/digging-safety-for-contractors>

This response does not constitute a pipe locate, clearance for construction or availability of gas.

The applicant shall use the [Enbridge Gas Get Connected tool](#) to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping and/or asphalt paving.  
([https://enbridge.outsystemsenterprise.com/GetConnected\\_Th/Login2?OriginalURL=https%3A%2F%2Fenbridge.outsystemsenterprise.com%2FGetConnectedApp\\_UI%2F](https://enbridge.outsystemsenterprise.com/GetConnected_Th/Login2?OriginalURL=https%3A%2F%2Fenbridge.outsystemsenterprise.com%2FGetConnectedApp_UI%2F))

If the gas main(s) needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas at no cost.

The applicant will contact Enbridge Gas Customer Service at 1-877-362-7434 prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned.

Sincerely,



**Willie Cornelio** CET  
Sr Analyst Municipal Planning  
Engineering

ENBRIDGE  
TEL: 416-495-6411  
500 Consumers Rd, North York, ON M2J1P8  
[enbridge.com](https://enbridge.com)  
Safety. Integrity. Respect. Inclusion.

## Growth Management and Planning Division

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7

905-980-6000 Toll-free: 1-800-263-7215

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### Via Email Only

April 3, 2024

File Numbers: PLSD202400053, PLZBA202400056

Shannon Larocque, MCIP, RPP

Senior Planner

20 Pelham town Square P.O Box 400

Fonthill, ON

Dear Ms. Larocque:

**Re: Regional and Provincial Comments**

**Application Type: Draft Plan of Subdivision and Zoning By-Law Amendment**

**Town File Numbers: 26T19-01-2024, AM-02-2024**

**Applicant: 2741546 Ontario Inc. c/o Antonio Nuziato**

**Location: 82-90 Canboro Road and 86 Daleview Drive, Pelham**

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Regional Growth Management and Planning Division staff have reviewed the materials circulated with the Zoning By-Law Amendment and Draft Plan of Subdivision applications for the lands at 82 Canboro Road, 90 Canboro Road and 86 Daleview Drive in the Town of Pelham ("subject lands").

The applicant is proposing the creation of seven (7) lots for single detached dwellings; five (5) fronting on Canboro Road and two (2) fronting on Daleview Drive. Staff note that a pre-consultation meeting for this application attended by the applicant, Regional and Town staff was held on March 2, 2023.

The following comments are provided from a Provincial and Regional perspective to assist the Town in their review of the applications.

### Provincial and Regional Policies

The subject lands are located within a Settlement Area under the *Provincial Policy Statement, 2020* ("PPS"), designated Delineated Built-Up Area in *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020* ("Growth Plan") and *Niagara Official Plan, 2022* ("NOP").

The NOP, PPS and Growth Plan together direct development to take place in urban areas to support intensified development primarily in built-up areas where appropriate servicing and infrastructure exists. Section 2.2.1.1 of the NOP encourages opportunities for the integration of gentle density and a mix and range of housing options that considers the character of established residential neighbourhoods. Regional staff acknowledge that the proposed development would contribute toward achieving the minimum residential intensification target

set out in Table 2-2 of the NOP (25% for the Town of Pelham). The Town should be satisfied that the interface of the established residential uses has been addressed in the site design.

Regional staff reviewed the *Planning Justification Report*, prepared by Upper Canada Consultants (dated February 2024) and concur with the analysis of applicable Provincial and Regional policies. As such, staff offer no objection to the application from a planning perspective, subject to the satisfaction of local requirements.

## **Archaeological Potential**

The subject lands are located outside the Region's mapped Area of Archaeological Potential, as identified on Schedule 'K' of the NOP. However, the Town of Pelham's Heritage Master Plan identifies the property as having high potential for the discovery of archaeological resources. Provincial and Regional policies state that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.

Staff has reviewed the *Stage 1 & 2 Archaeological Assessment Report* prepared by Irvin Heritage Inc. (dated May 1, 2023). No archaeological resources were identified during the Stage 2 test pit surveys, and it was determined that the lands are free of further archaeological concern. Staff request the submission of a Letter of Acknowledgement from the Ministry of Citizenship and Multiculturalism as a condition of draft plan approval.

Recognizing that no archaeological survey, regardless of its intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff recommend the inclusion of the following standard archaeological clause in the future draft plan agreement relating to deeply buried archaeological materials that may be encountered during grading and construction activities:

*"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 Citizenship and Multiculturalism (MCM) (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 Niagara Regional police as well as the Cemeteries Regulation Unit of the Ministry of Public and Business Services Delivery (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, the MCM 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."*

## **Regional Bicycle Network**

The subject property has frontage on Canboro Road which is designated as part of the Regional Niagara Bicycling Network. If the bicycle routes are currently not established and identified with signage, it is the intent of the Region to make provisions for doing so when an appropriate

April 3, 2024

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opportunity arises. This may involve additional pavement width, elimination of on-street parking, etc.

### **Waste Collection**

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner brings the waste and recycling to the curbside on the designated pick-up day, and that the following limits are met:

- Green – unlimited Green Bins (weekly)
- Waste – 2 bag/can limit per unit (bi-weekly)
- Curbside collection only

Circular Materials Ontario is now responsible for the delivery of residential Blue / Grey Box recycling collection. The most up to date information can be found using the following link:

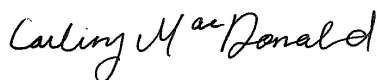
<https://www.circularmaterials.ca/resident-communities/niagara-region/>

### **Conclusion**

Regional Growth Management and Planning Division staff have determined that the application is consistent with the *Provincial Policy Statement* and conforms to Provincial and Regional policy. As such, staff offer no objection to the application, subject to the satisfaction of local requirements and the conditions of draft approval in the attached Appendix to address archaeological resource interests.

Please send copies of the staff report and notice of the Town's decision on these applications. If you have any questions related to the above comments, please contact me at [carling.macdonald@niagararegion.ca](mailto:carling.macdonald@niagararegion.ca).

Kind regards,



Carling MacDonald  
Development Planner, Niagara Region

cc: Pat Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region

## **Appendix I**

### **Canboro Estates (82-90 Canboro Road and 86 Daleview Drive, Pelham)**

1. That the applicant/owner receive acceptance from the Ministry of Citizenship and Multiculturalism (MCM) for the archaeological assessment report titled *Stage 1 & 2 Archaeological Assessment Report*, prepared by Irvin Heritage Inc. (dated May 1, 2023). If the Ministry requires further archaeological work to be completed prior to acknowledging this report, these report(s) must also be submitted to and acknowledged by the Ministry, to the satisfaction of Niagara Region, prior to clearance of this condition. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from MCM through Niagara Region, confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
2. That the following archaeological advisory clause be included in the Subdivision Agreement between the owner and the Town of Pelham:

*"If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the police and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C."*

**Engineering Department  
Engineering Report****For****Request for Zoning By-law Amendment (AM-02-  
2024) for 90 Canboro Road (Canboro Estates)****March 11, 2024**

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Town staff have reviewed the following documentation for the purpose of **AM-02-2024 – 90 Canboro Road** application for:

The original applications for the subject lands included a Draft Plan of Subdivision 26T19-02-2021, Official Plan Amendment OP-AM-02-2021 and Zoning By-law Amendment AM-07-2021. The Draft Plan of Subdivision received approval on May 16th, 2022, and the Official Plan and Zoning By-laws were passed on June 20th, 2022.

The following information was submitted as part of the request:

- Functional Servicing Report prepared by Upper Canada Consultants, revised, dated January 2024;
- 20138-ZSP – Zoning Site Plan prepared by Upper Canada Consultants, dated January 31, 2024;
- 20138-DP- Draft Plan of Subdivision prepared by Upper Canada Consultants, dated October 5, 2024;
- 20138-PP1- Plan and Profile prepared by Upper Canada Consultants, dated January 31, 2024;
- 20138-SSGP- Site Servicing and Grading Plan prepared by Upper Canada Consultants, dated January 31, 2024; and
- Planning Justification Report prepared by Upper Canada Consultants, dated February 2024.

This report contains comments in conjunction with B8- 2019P-82,84 and 90 Canboro Road.

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**Introduction:**

The subject lands are comprised of three parcels known municipally as 82 & 84 Canboro Road, 90 Canboro Road and 88 Daleview Drive in the Town of Pelham. The subject property has 80.58 meters of frontage on Canboro Road and approximately 25 meters of frontage on Daleview Drive. The subject lands are irregular in shape and comprise an area of 0.553 hectares.

The Draft Plan of Subdivision will facilitate the division of the subject property into seven (7) single-detached lots – five (5) with frontage on Canboro Road and two (2) with frontage on Daleview Drive. The Zoning By-law Amendment proposes to re-zone the future parcels from Residential Multiple 2 (RM2) to Residential 2 (R2) Zone with site specific provisions for maximum front yard setback. Site specific use and minimum rear yard provisions are also proposed to allow for the continued use of the existing triplex at 90 Canboro Road (the “proposal”).

This full report contains following comments in conjunction with This report contains comments in conjunction with B8- 2019P-82,84 and 90 Canboro Road and shall be addressed to the satisfaction of the Director of Public Works. Note that further comments to be forthcoming on subsequent submissions.

**Analysis:****Functional Servicing Report****Water Service**

*Per the FSR, a 20mm diameter Copper water service will be constructed for each of the other (5) proposed dwellings to provide sufficient domestic water supply in accordance with Town of Pelham standards.*

New (5) lots should be serviced with a 25mm water lateral in accordance with Town of Pelham Engineering Standards.

**Sanitary Service**

*Per the FSR, the report does identify the diameter sanitary service will be constructed for each of the other (5) proposed dwellings.*

*Please be advised, new (5) lots should be serviced with a 125mm water lateral in accordance with Town of Pelham Engineering Standards.*

**Stormwater**

Please note that, as per The Town's Design Manual, Section 3.2.1 Minor and Major Systems, the major system shall convey the Town of Pelham's 100 year design storm overland within the right-of-way leading to the watersheds major outlet. Relief shall be provided in low points to prevent the depth of ponding at centre line from:

- 0.3m maximum on roads determined to be emergency access
- 0.2m maximum on local roads
- 0.15m maximum on collector roads
- 0.1m maximum on arterial roads

Please be advised, water service connections shall not be located under a driveway.

All proposed lots to be individually serviced with its own sanitary and water connections. This work is to be done by the owner, at the owner's expense, and will require a Temporary Works Permit. Should there be an intention to sever the lot in the future, the sanitary and water services for each unit will need to be contained in their respective lots. Should these services cross property lines, Public Works will not support the consent to sever.

**20138-SSGP- Site Servicing and Grading Plan**

- Full Depth restoration is required for the road cuts on Daleview Crescent
- Please indicate the water service for lot 6. There is a remaining portion to the south that requires excavation and restoration. Please clarify.
- The drawing shows that the easement is 1.5m in width. This does not provide enough clearance to access the Infiltration trenches of the property.
- Swales are to be kept inside the property. Side yard swales should not be inside adjacent properties and constructed completely within the development.
- Please be advised that no sideyard walkways that impede sideyard swale shall be permitted.
- Rear yard catch basin cannot connect to other rear yard catch basin.

**20138-PP1- Plan and Profile**

- Full Depth restoration is required for the road cuts Daleview Crescent
- Please indicate the water service for lot 6. There is a remaining portion to the south that requires excavation and restoration. Please clarify.

**General Comments**

Applicant should confirm that no existing utilities shall cross property line, relocation shall be the applicant's responsibility.

A Construction of new or modification of existing driveways requires a Driveway Entrance Permit. This permit is obtained through the Public Works Department. All associated costs with this permit are the responsibility of the owner.

**Conclusion:****Public Works offer the following comments:**

- The drawing shows that the easement is 1.5m in width. This does not provide adequate clearance to access the Infiltration trenches in the property. How does the town maintain this?
- Swales are to be kept inside the property. Side yard swales should not be inside adjacent properties and constructed completely within the development.
- Canboro Road is in the 2025 forecast to be reconstructed and urbanized. Town can service the lots as part of the project and reimbursed by the applicant if it is not being serviced beforehand.

**Public Works offer the following conditions:**

- Full Depth restoration is required for the road cuts Daleview Crescent
- Installation of new services will require a Temporary Works Permit obtained through the Public Works Department. These works are to be completed prior to consent and the applicant shall bear all costs associated with these works. Locate cards are to be provided to the Town once works are complete.
- A Construction of new or modification of existing driveways requires a Driveway Entrance Permit. This permit is obtained through the Public Works Department. All associated costs with this permit are the responsibility of the owner.