

REGULAR COUNCIL AGENDA

C-07/2024

Wednesday, April 17, 2024

9:00 AM

Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

The Town of Pelham is holding hybrid meetings of Council and Committee in accordance with Procedure By-law 4507(2022). Public access to meetings will be provided in-person at the location indicated on the agenda, 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**
2. **National Anthem**
3. **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.

4. **Approval of the Agenda**
5. **Disclosure of Pecuniary Interests and General Nature Thereof**

6.	Hearing of Presentation, Delegations, Regional Report	
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6.1.1	Lincoln Pelham Public Library - New Strategic Plan	5 - 16
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	Jackie Oblak, Chair	
7.	Adoption of Council Minutes	
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9.4	Advisory Committee Minutes for Information	
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11.	Presentation and Consideration of Reports	
11.1	Members of Council Reports	
11.2	Staff Reports Requiring Action	
11.2.1	Proposed Parks By-law to Implement Pilot Project for Personal Alcohol Consumption in Peace Park, 2024-0085-Town Solicitor	101 - 112
11.2.2	Recommendation Report - East Fenwick Secondary Plan, 2024-0091-Planning	113 - 450
11.2.3	Recommendation Report - Revision of Draft Plan of Subdivision and Zoning By-law Amendment - Park Place West, 2024-0087-Planning	451 - 478
12.	Unfinished Business	
13.	New Business	
14.	Presentation and Consideration of By-Laws	479 - 485
	1. By-law 21-2024 - Being a by-law to amend By-law 52-2023, confirming appointments to the Environmental and Climate Adaptation Advisory Committee, and to appoint an additional member to the Environmental and Climate Adaptation Advisory Committee.	
	2. By-law 22-2024 - Being a By-law to set the rates of taxation for the year 2024.	
	3. By-law 24-2024 - Being a by-law to accept a one-foot reserve	

being Reserve Block 180, Plan 59M-505 pursuant to the subdivision agreement for Phase 3 of Saffron Meadows Phase 3 Subdivision. File No. 26T19-02-2018

15. Motions and Notices of Motion

16. Resolution to Move In Camera

BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider the following:

(b) personal matters about an identifiable individual, including municipal or local board employees; (d) labour relations or employee negotiations (1 item - Non-Union)

17. Rise From In Camera

18. Confirming By-Law

486 - 486

19. Adjournment



2024

Council Presentation

Julie Andrews, Chief Executive Officer

Amy Guilmette, Director of Customer Experience

Susan DiBattista, Director of Community Engagement

 LINCOLN PELHAM
PUBLIC LIBRARY

2023 - 2027 STRATEGIC DIRECTIONS

MISSION

LPPL Builds Connections.

VISION

LPPL enriches lives with inspiration, inclusivity, resiliency and responsiveness.



INSPIRATION

Fostering literacies, creativity, and innovation.

INCLUSIVITY

Providing equitable service that underpins a sense of belonging and freedom of expression.

RESILIENCY

Supporting the community and library staff in a rapidly changing world and strengthening capacity through shared services, collaboration, and fund development.

RESPONSIVENESS

Listening to the community and providing enhanced facilities and evidence-based services.



STRATEGIC FOCUS

INSPIRATION



Goals

- Foster literacies, creativity, and innovation
- Provide welcoming and accessible spaces to inspire connections

Ways we will reach our goals

1. Build a new website.
2. Renovate existing libraries to stimulate innovation, creativity, and culture.
3. Offer programming to help our community imagine possibilities.
4. Provide development opportunities for library staff to learn and be inspired.
5. Develop and maintain collections that inspire and engage and uphold intellectual freedom.
6. Explore shared services to inspire new service delivery models.



STRATEGIC FOCUS

INCLUSION



Goals

- Connect people with ideas, information, and each other to foster a sense of belonging
- Remove barriers to services, collections and programs to provide equitable access for all

Ways we will reach our goals

1. Develop and maintain diverse collections that reflect all members of the community.
2. Increase access to library services through community outreach.
3. Provide programming that encourages understanding and connection through shared experiences.
4. Partner with local organizations to support their work towards community well-being.
5. Integrate our ongoing commitment to intellectual freedom into organizational operations.



STRATEGIC FOCUS RESILIENCE



Goals

- Strengthen the community by building capacity through partnerships and supporting community needs and aspirations
- Strengthen the Library through technological improvements, shared services, collaboration and fund development

Ways we will reach our goals

1. Invest in staff development to cultivate an innovative and creative workplace culture, grow capacity, and improve resilience.
2. Collect customer impact statements to help us plan collections, services, and programs.
3. Develop and implement updated technology plans.
4. Continued fund development to help support a sustainable future.
5. Plan for future library services in alignment with community growth.



STRATEGIC FOCUS RESPONSIVE



Goals

- Develop collections and services that respond to community needs and interests
- Provide relevant, timely, and accessible materials and programs as well as positive and engaging user experiences

Ways we will reach our goals

1. Identify, measure, and evaluate outcomes to demonstrate organizational impact and value.
2. Develop options for our communities to actively submit their ideas and opinions.
3. Using information gathered from our customers, develop plans for improving inclusivity and accessibility of collections, programs, and facilities.
4. Develop and implement technology plans.
5. Plan for and renovate facilities according to community needs.
6. Pursue partnerships with local organizations to support our community's aspirations and needs.



LIBRARIES FOR BELONGING

Libraries, by their nature and because they are located at the centre of communities, serve multiple needs in a way that no other public institution in Canada can.

In a single day, a public library might be

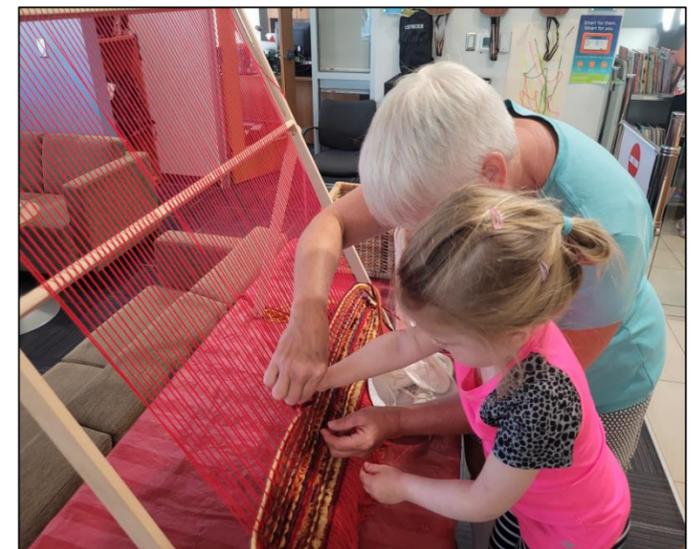
- a place to access culture and information;
 - a refuge from domestic violence;
- an election information or polling centre;
 - a job search centre;
 - a mental health clinic;
 - a place to warm up or cool down;
- a place to attend free university classes or concerts;
- a space for babies, children, caregivers and youth to make friends and form a community.

Libraries are catalysts for connection: the anchors that create stronger downtowns and connected neighbourhoods.

LIBRARIES FOR RECONCILIATION

Libraries have taken a leading role in responding to the federal Truth and Reconciliation Commission's 94 Calls to Action. They provide programming and collections that elevate Indigenous voices on cultures, languages, places, and knowledge, and address settler-centric structural biases in libraries and information retrieval systems.

For every \$1 invested in Canada's libraries, \$6 is generated in community economic impact, a return of over 600%.



BY THE NUMBERS - 2022 V. 2023

IN-PERSON VISITS

2022:

80000

2023:

213355

63% ↑

CIRCULATION

2022:

360000

2023:

456978

21% ↑

PROGRAMS

2022:

880

2023:

1390

37% ↑

WHAT RESIDENTS ARE SAYING:

“A community hub, meeting place, information hub, critical support for literacy, education, recreation ... There is no other municipally or provincially funded department or organization that does what the library does.”

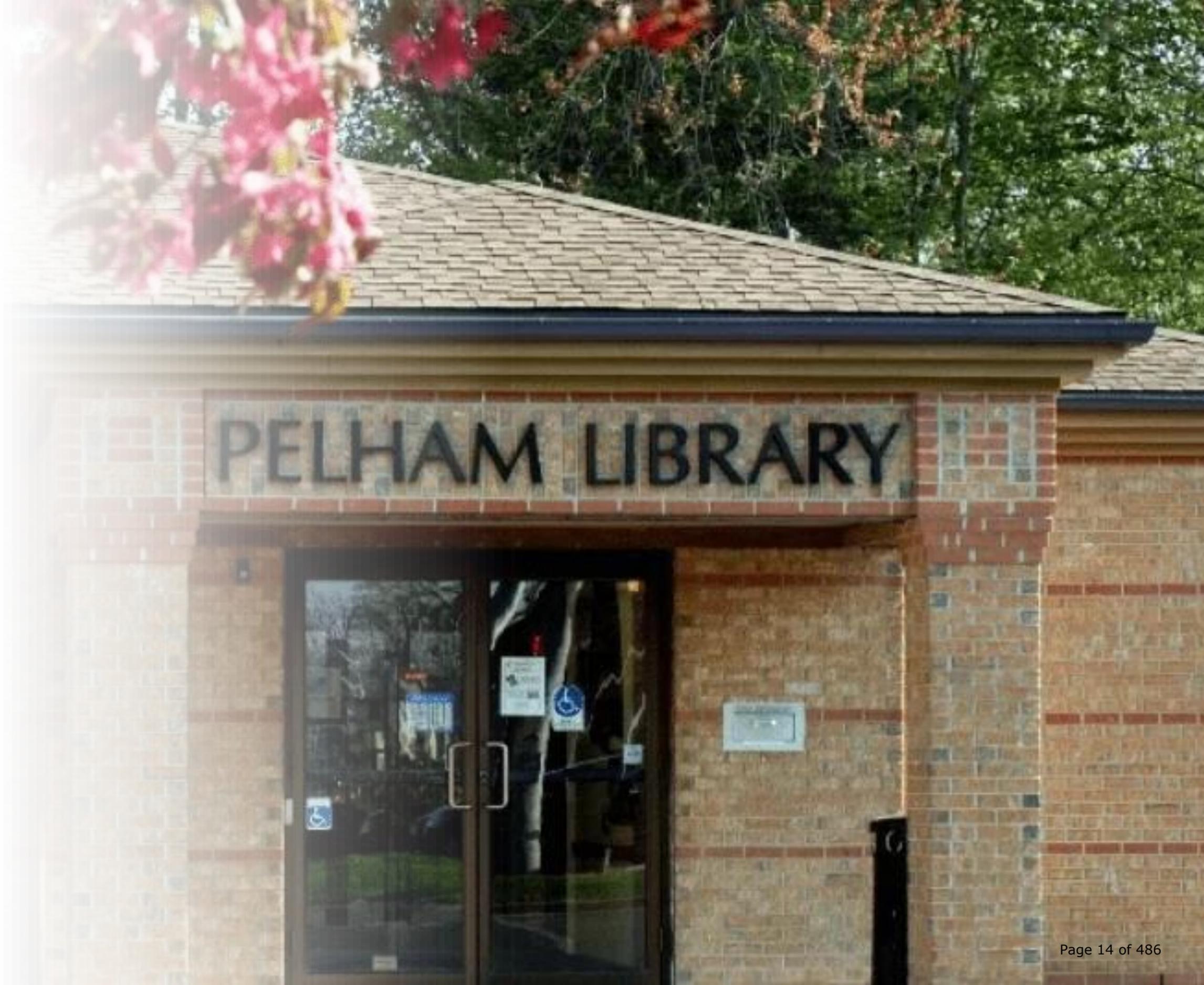
“The library saves my family far more money annually than I pay in taxes to support it.”

“As a newcomer to the area, I have found the library a great place to tune into the community and meet new people.”



UPDATE ON FONTHILL RENOVATION

- The Council of the Town of Pelham passed a motion in late 2022 to investigate the possibility of renovating the library branch in Fonthill. As part of its 2023 budget, the Council included the necessary funds to proceed with a design for what a renovated and accessible branch could look like.
- In summer of 2023, a community consultation day was held at the branch to collect impressions and feedback on various elements of public library design and function. In addition, a community survey gathered 625 responses.
- An RFP for a design firm was released and the contract was awarded to Ward99 Architects. A kick-off meeting with the architects took place and design work will commence as the town is seeking grant funding to assist with the renovation project.



Rittenhouse Reimagined

A preliminary design has been prepared and the planning study completed by Armstrong and Associates. A capital campaign is the next step for the project as we work toward an addition and renovation of the existing branch.

The planned addition will double the size of the existing branch and will include quiet study space, a community room and a makerspace. It will also bring the building up to date with AODA standards.

Grant possibilities will continue to be investigated.



QUESTIONS?

Visit Us Online: www.lpppl.ca

Follow Us: @LPPLibraryON

 LINCOLN PELHAM
PUBLIC LIBRARY



Pelham ECAAC Workplan 2024-2027	In/supports CCCAP y/n	CCCAP ID#	Description/impact	Vulnerability Rating (1-5)	ECAAC Priority	Action	Lead, support	Est. Timeline s,m,l,o *
1. Communications								
	y		Share information on local climate impacts with public through multiple venues, online, print, public events	n/a	4	Develop online information, cc, impacts including health risks, potential public/resident actions	communication, ac	s
	y		Communicate severe weather protocols for outdoor events internally and externally		5	Develop hardcopy one page info sheets -	communication, ac	s, o
			Share information on various 'days' associated with environmental protection			Distribution at events, high traffic areas (i.e. mcc)	communication, ac	s, o
						Develop list and information sources for world wetland day, world wildlife day, earth day, etc.	ac	s
						Develop 'did you know' type blurbs for posting on town website	ac, communications	s
			Provide information on residential naturalization, raingardens, etc.			Gather sources for planting native species, naturalization on residential lands	ac, communication	s, o
2. Infrastructure								
			Assumption - localized climate projection data available at proper scale		1	Confirm	public works	s
a. Gray	y	25	Identify vulnerable roads, water management sites to changing conditions i.e. flooding events, drought	v4	6	Update IDF curves	public works	s
							Develop plans to remediate roads, facilities as needed using current experiences and projection data	public works, ac
		21	Identify vulnerabilities in town buildings, other assets	v3	9	Determine risks at each site, develop plans to address i.e. increased risks of freezing rain, etc. in an environmentally friendly way	public works, recreation, ac	m
b. Green	y	2	Identify vulnerable green infrastructure i.e. watercourses and riparian areas, to flood damage	v4	10	Identify potential sources i.e. npcra floodplain mapping	ac, NPCA, PATH, master gardeners, etc.	m
		44	Identify green infrastructure which may be vulnerable to invasives	v2		Monitor health of species/system	ac, NPCA, PATH, master gardeners, etc.	m, o
	y	3	Identify vulnerable green infrastructure i.e. watercourses, vegetation, to increased frequency and duration of drought	v4		Modify land use, zoning allowances as needed	planning,ac	m

Pelham ECAAC Workplan 2024-2027	In/supports CCCAP y/n	CCCAP ID#	Description/impact	Vulnerability Rating (1-5)	ECAAC Priority	Action	Lead, support	Est. Timeline s,m,l,o *
					8	Increase watering of new trees and vegetation on town land (as required), monitoring	public works,ac	s
	y		Protect trees and other green infrastructure for functional benefits			Identify natural features which have the potential to augment adaptation through offsetting temperature, precip. changes	ac, planning	s,m
						retain features through zoning, development agreements		
						Explore tools available for natural systems/trees protection including bylaws which fill gaps of regional bylaws	planning, ac	
		6	Tree and vegetation maintenance needs may increase with longer growing season, increasing risk of severe weather	v3		Identify needs to ensure adequate resources, staff to address as required	public works, ac, admin	s,o
	y		Identify heritage (or significant) trees - characteristics, etc.			Research, identify criteria, and develop checklist	ac	s,m
						Identify trees within community that qualify, determine ways to recognize	ac, PATH partnership	s,m
	y	39	Increase naturalization of sites on town lands to increase green infrastructure functions	v3		Identify potential sites, partners, funding	ac, NPCA, PATH, master gardeners, etc.	s,m
						Develop and implement site plans	ac, partners	
			Initiate discussions with adjacent landowners on management plan for Marlene Stewart Streit natural area			Approach Nature Conservancy Canada (NCC) and Niagara Peninsula Conservation Authority (NPCA) to identify common goals for protection of green values, trails, etc. which could lead to comprehensive management plans for MSS and adjacent sites	ac, public works, NPCA, NCC	s,m
			Incorporate economic value/contributions of green infrastructure into decision-making process in land use decisions, etc.		Explore tools which are being developed by green municipal fund and other organizations and determine applicability in quantifying values	ac, admin	m, l	
3. Land use Planning					6			
	y		Develop requirements for green infrastructure protection including natural spaces, tree retention, natural and/or augmented water management into land use planning			Incorporate region's natural heritage strategy components, identify and remediate gaps	planning, ac	s

Pelham ECAAC Workplan 2024-2027	In/supports CCCAP y/n	CCCAP ID#	Description/impact	Vulnerability Rating (1-5)	ECAAC Priority	Action	Lead, support	Est. Timeline s,m,l,o *
					7	Follow development of plans and secondary plans utilizing the approach used for Fenwick east i.e. beginning with identification of natural features to be retained, accessible greenspaces, retention and increase of canopy	planning, ac	s
						Determine requirements for natural features identification as a component of development application, encouraging no clearing prior to review	planning, ac	s
						Require public access to greenspace within a defined walking distance in designing new sites, redesigning established development areas	planning, ac	s
	y		Identify where cash-in-lieu of parkland approach does not fit overall green infrastructure retention priorities			Remove option for 'cash in lieu' wherever possible, otherwise direct to a greenspace maintenance fund	ac (research), planning	m
			Reduce need for large water retention ponds			Require pervious paving, swaling, ponding, natural plantings, LIDs, etc. to encourage infiltration and/or reduce large runoff (overland flow) volumes	ac (research), planning	s
4. Emergency Preparedness								
	y		Develop town emergency response protocol and resident information for all scenarios	v5		Ensure central emergency facilities have backup water/power/heat/cooling	public works, recreation	m
						Train staff as needed for responses to all scenarios	all	m
						Develop and distribute emergency response information to public	fire, communications, ac	s
5. Incorporation of Responses to Climate Impacts into policy and procedures								
	y		Official plan update		2	Review official plan to ensure adequate natural features/ greenspace/green infrastructure retention, requirements for incorporation of regional strategy components	ac, planning	s
			Update property standards bylaw			Review and update requirements associated with turf, etc. which may conflict with naturalization efforts	bylaw, ac	m
			View all actions through a climate/environmental protection lens		3	Ensure actions incorporate adequate adaptation and mitigation measures, environmental protection	all, ac	s, o
6. Community Facing Adaptation/Environment protection and restoration projects								

Pelham ECAAC Workplan 2024-2027	In/supports CCCAP y/n	CCCAP ID#	Description/impact	Vulnerability Rating (1-5)	ECAAC Priority	Action	Lead, support	Est. Timeline s,m,l,o *
	y		View adaptation actions and environmental/greenspace/green infrastructure actions through a number of lens i.e. diversity protection, equity, etc.			Partner with multiple interests to review proposed changes, etc.	ac, identified partners e.g. first nations, npca	s, o
			Develop naturalization site by mcc				ac, public works, private partner, communications	
			Co-existing with wildlife			Develop public information/education on living with wildlife in our community	ac, communications	s, o
7. Annual Workplan Review								
	y		Ensure direction, actions, etc. are aligned as more information becomes available			Review and modification items, actions items, priorities, etc. in first quarter of each year	ac	s, o
* s - short, 2024								
m - medium, 2025								
l - long, 2026 and beyond								
o - ongoing								

REGULAR COUNCIL MINUTES

Meeting #: C-06/2024
Date: Wednesday, March 27, 2024
Time: 9:00 AM
Location: Town of Pelham Municipal Office - Council
Chambers
20 Pelham Town Square, Fonthill

Members Present: Marvin Junkin
Bob Hildebrandt
Wayne Olson
John Wink
Kevin Ker
Shellee Niznik
Brian Eckhardt

Staff Present: David Cribbs
Bob Lymburner
Jason Marr
Teresa Quinlin-Murphy
Jennifer Stirton
Vickie vanRavenswaay
Sarah Leach
William Tigert
Ryan Cook
Brianna Langohr
Halee Braun
Shannon Larocque

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 9:00 am.

2. National Anthem

3. Land Recognition Statement

The Councillor Ker read the land acknowledgment into the record.

4. Approval of the Agenda

Moved By Bob Hildebrandt
Seconded By Wayne Olson

BE IT RESOLVED THAT the agenda for the March 27, 2024, Regular meeting of Council be adopted, as circulated.

Carried

5. Disclosure of Pecuniary Interests and General Nature Thereof

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

6. Hearing of Presentation, Delegations, Regional Report

6.1 Delegations

6.1.1 Crime Stoppers of Niagara Inc.

The delegation was withdrawn.

7. Adoption of Council Minutes

Moved By Wayne Olson

Seconded By Brian Eckhardt

BE IT RESOLVED THAT the following minutes be adopted, as amended:

1. C-05/2024 - Regular Council Meeting - March 06, 2024

Carried

8. Request(s) to Lift Consent Agenda Item(s) for Separate Consideration

9. Consent Agenda Items to be Considered in Block

Moved By Shellee Niznik

Seconded By Kevin Ker

BE IT RESOLVED THAT the Consent Agenda items as listed on the March 27, 2024, Council Agenda be received and the recommendations contained therein be approved:

9. Consent Agenda Items to be Considered in Block

9.1 Staff Reports of a Routine Nature for Information or Action

9.1.1 2024 Spongy Moth Status Report, 2024-0063-Public Works

BE IT RESOLVED THAT Council receive Report #2024-0063, 2024 Invasive Species - Spongy Moth Status Report, for information.

9.1.2 Communities in Bloom Competition Update, 2024-0069-Recreation

BE IT RESOLVED THAT Council receive Report #2024-0069-Communities in Bloom Competition Update, for information.

9.1.3 Status of Assessment Review Board Appeals, 2024-0077-Town Solicitor

BE IT RESOLVED THAT Council receive Report #2024-0077 Status of Assessment Review Board Appeals, for information.

9.1.4 Public Consultation Sessions re Future of Meridian Community Centre Adjacent Lands - Hope Lane, 2024-0075-Chief Administrator Officer

BE IT RESOLVED THAT Council receive the Memo 2024-0075 titled Public Consultation Sessions re: Future of Meridian Community Centre Adjacent Lands, for information.

9.2 Information Correspondence

9.2.1 Niagara Peninsula Conservation Authority - Completed Acquisition - Lathrop Parcel

BE IT RESOLVED THAT Council receive Niagara Peninsula Conservation Authority resolution FA-08-24 dated February 28, 2024 and report dated February 16, 2024 relating to acquisition of the Lathrop Parcel located at 130 Luffman Drive, Part Lot 3 Concession 4, for information.

9.2.2 Niagara Peninsula Conservation Authority - Annual General Meeting 2024

BE IT RESOLVED THAT Council receive Niagara Peninsula Conservation Authority resolution FA-09-24 relating to the annual general meeting and meeting schedule, for information.

9.2.3 Pathstone Foundation Letter of Thanks

BE IT RESOLVED THAT Council receive the thank-you letter from Pathstone Foundation regarding Town of Pelham's donation, for information.

9.3 Advisory Committee Minutes for Information

9.3.1 Committee of Adjustment Minutes - February 5, 2024

BE IT RESOLVED THAT Council receive the Committee of Adjustment minutes dated February 5, 2024, for information.

Carried

10. Consent Agenda Item(s) Lifted for Separate Consideration, if any

11. Presentation and Consideration of Reports

11.1 Members of Council Reports

11.2 Staff Reports Requiring Action

**11.2.1 Fence Variance, 27 Milburn Drive, 2024-0066-
Fire Dept**

Moved By Brian Eckhardt

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2024-0066 Fence Variance – 27 Milburn Drive, for information;

AND THAT Council approve the requested 6-foot, wooden fence to be erected on a small area considered the front yard of the property to conform to the Town’s Pool By-law regulations.

Carried

12. Unfinished Business

13. New Business

13.1 Endorsement for Councillor Hildebrandt’s Application to the LAS Board of Directors

Moved By Wayne Olson

Seconded By Kevin Ker

BE IT RESOLVED THAT Council endorse Councillor Bob Hildebrandt's application to represent the Town of Pelham on the LAS Board of Directors.

Carried

14. Presentation and Consideration of By-Laws

Moved By Shellee Niznik

Seconded By John Wink

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 19-2024 - Being a By-law to establish certain lands as a public highway.

Carried

15. Motions and Notices of Motion

15.1 Councillor Olson - Decision of the Ontario Energy Board to End the Gas Pipeline Subsidy

Moved By Wayne Olson

Seconded By Marvin Junkin

WHEREAS residents of the Town of Pelham and other Ontario municipalities are struggling with rising energy costs;

AND WHEREAS natural gas is no longer the only desirable way to heat homes because of innovations in electric heat pumps which can provide all heating needs even in cold climates, and result in competitive energy bills relative to gas heating;

AND WHEREAS natural gas is a fossil fuel that contributes to Ontario's greenhouse gas (GHG) emissions, and should be phased out over time when possible and practical, while heat pumps currently result in the lower GHG emissions and are consistent with a zero-carbon future;

AND WHEREAS on December 21, 2023, the Ontario Energy Board (OEB) released a decision that eliminated a subsidy for the installation of gas pipelines in new construction developments as of January 1, 2025, finding that this would lower energy bills for existing gas customers and improve affordability for new homebuyers;

AND WHEREAS on February 22, 2024, the provincial government introduced Bill 165 which, if passed, will effectively overturn the OEB decision;

AND WHEREAS the OEB decision will help lower energy bills and encourage heating systems that are consistent with climate targets and plans;

AND WHEREAS the construction of new methane gas pipelines, which have 60-year lifetimes, should not be subsidized because they are inconsistent with the Town's climate targets and will result in higher carbon emissions, higher energy bills, higher future decarbonization retrofit costs to get off fossil fuel heating;

AND WHEREAS the Town of Pelham supports the decarbonization of heating and cooling systems in existing and future building stock within the community;

NOW THEREFORE BE IT RESOLVED THAT Council endorses and supports the OEB decision to end the gas pipeline subsidy, opposes the provisions of Bill 165 that would effectively reverse the OEB decision, and calls on the

Honourable T. Smith, Minister of Energy, and the Government of Ontario, to rescind or amend Bill 165 accordingly;

THAT this resolution be circulated to the Premier of Ontario, Doug Ford; Minister of Energy, Todd Smith; Minister of Finance, Peter Bethlenfalvy; MPP, Sam Oosterhoff, the President of the Association of Municipalities of Ontario, Colin Best; and Local Area Municipalities.

Carried

15.2 Councillor Hildebrandt - Electricity accounts in the Marlene Stewart Streit Park Area

Moved By Bob Hildebrandt

Seconded By Kevin Ker

BE IT RESOLVED THAT Council direct staff to prepare a comprehensive staff report examining the five electricity meters within Marlene Stewart Streit Park, focusing on consolidation/reduction of the number of electricity accounts and related services;

AND THAT Staff address potential the implications of such consolidation/reduction on the IT capital project 05-24 Video Surveillance Upgrade at Marlene Stewart Streit Park;

AND THAT Staff report back to Council in Q2 of 2024.

Carried

16. Resolution to Move In Camera

Moved By John Wink

Seconded By Shellee Niznik

BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider the following:

(b) personal matters about an identifiable individual, including municipal or local board employees - 1 item (d) labour relations or employee negotiations; (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose - 3 items (Appointment to Advisory Committee, Non-union)

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; (f) advice that is subject to solicitor-client privilege,

**including communications necessary for that purpose - 1 Item
(Human Rights Tribunal)**

Carried

17. Rise From In Camera

Moved By Bob Hildebrandt
Seconded By Shellee Niznik

**BE IT RESOLVED THAT Council adjourn the In Camera Session
and that Council do now Rise with Report;**

**AND THAT the Chief Administrative Officer be and is hereby
authorized to undertake the directions provided during the In
Camera meeting of March 27, 2024.**

Carried

Moved By Brian Eckhardt
Seconded By John Wink

**BE IT RESOLVED THAT Council appoint the following individual
to the Environment and Climate Adaptation Committee:**

1. Ryan Taylor

**AND THAT Council direct the Town Clerk to prepare and present
the necessary appointment by-law at the following Regular
Meeting of Council.**

Carried

18. Confirming By-Law

Moved By Kevin Ker
Seconded By Brian Eckhardt

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

**Being a By-law No. 20-2024 to Adopt, Ratify and Confirm the
proceedings of Council of the Town of Pelham at its Regular
Meeting held on the 27th day of March, 2024.**

Carried

19. Adjournment

The meeting was adjourned at 11:35 am.

Moved By Shellee Niznik
Seconded By Wayne Olson

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for April 17, 2024 at 9:00 am.

Carried

Mayor: Marvin Junkin

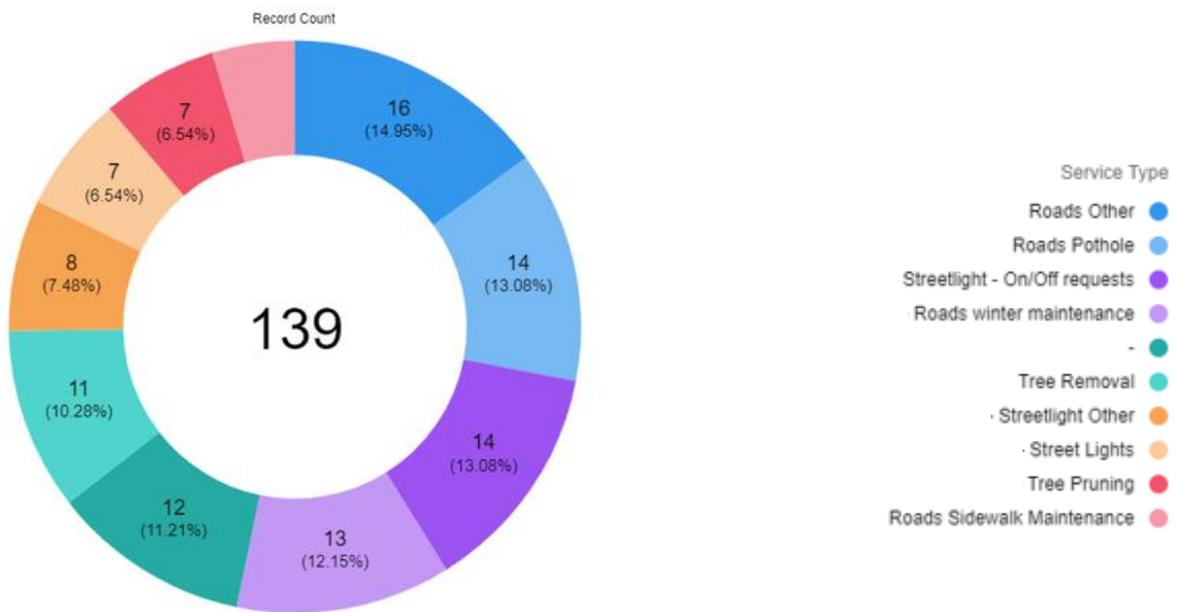
Town Clerk: William Tigert

Reporting Period: Public Works Department Quarterly Report for the period: January, February, and March 2024

Recommendation:

BE IT RESOLVED THAT the Q1/2024 Public Works Department Report be received for information.

Department Overview and Statistics:



Public Works Operations:

Roads

The primary function of the Roads Staff is to perform maintenance activities identified during routine road patrols as per the Ontario Regulation 239/02;

Minimum Maintenance Standards (MMS) for Municipal Highways, passed pursuant to the *Municipal Act, 2001*.

April 1, 2024, marks the end of the operations 2023-2024 Winter Season. Roads staff have begun decommissioning the winter fleet to transition into spring operations. Although staff has not received the contracted services invoices for March, the Winter Operations budget is believed to be healthy due to an abnormally warm winter season. Staff will report on 2024 winter operations once all invoicing has been received and operations data can be compiled.

Through the end of February and March, road staff has concentrated their efforts on patching potholes on municipal roads, and other activities including culvert replacement and sign repair. During this period 90 tonnes of QPR cold patch has been utilized to patch potholes throughout the Town's transportation system.

Beautification

Throughout the first quarter, both staff and the tree contractor began working on completing tree maintenance identified in the 2023 tree inspections. As per Schedule A of the Tree Maintenance Policy S802-01, staff has begun tree limb pruning and tree inspections in Section 7 which includes the North/East corner of Fonthill. Policy S802-01 prescribes a 7-year pruning cycle for municipal boulevard trees. Through the tree inventorying exercise, Section 7 was noted as an area requiring prioritization.

During the winter season, when not assisting in winter operations, staff perform equipment maintenance such as painting trailers and small engine servicing. Staff repair picnic tables and repaint garbage receptacles and the design of planting beds and ordering of planting material also occurs in this quarter in preparation for spring.

The recent weather conditions have allowed staff to begin the maintenance of parks and sports fields earlier than normal. All soccer and baseball facilities have been rolled. Other maintenance such as top seeding and fertilization, is planned later in April should above-average temperatures continue.

Cemeteries

In the first quarter, cemetery staff completed 17 interments, 11 of which were traditional (full) burials. The Town has sold 23 graves to families between Hillside and Fonthill Cemeteries.

The Cemeteries Request for Proposal (RFP) for the Stone Orchard Software Data Transfer and GIS Mapping closes the first week of April. Once awarded, the project will commence.

Water/Wastewater

Water/wastewater maintenance activities continue throughout the year. Operators perform system pressure monitoring, flush water mains to ensure adequate chlorine residual, and respond to customer complaints or concerns.

Staff responded to one water main break on Orchard Place in the first quarter of 2024, as well as repaired a combination of 40 fire hydrants and water main valves that were identified through annual maintenance and inspection programs in 2023. Several water service leaks and service shutoff valves were also repaired during the first quarter of 2024.

On January 26, 2024, water/wastewater staff responded to an alarm notification received from the Region of Niagara at the Hurricane Road Sewage Pumping Station. Intense rainfall had caused the station to go into alarm as the sewage pumps were not able to keep up resulting in the potential for basement flooding. Staff responded in accordance with the Public Works Sewer By-pass Procedure and set up a by-pass pump to reduce the impact on neighboring basements. The event was over quickly and no reports of basement flooding were received.

Public Works Engineering

The following is a summary of the activities that have occurred in the Engineering Department between January and March 2024:

Projects:

Pelham Street South (Phase 4) – South Spruceside Intersection to Town Limits

The project is substantially complete. The remaining work includes the reconstruction of the traffic signals at the intersection of Pelham Street and

Quaker Road, the installation of the PXO lights, and final landscaping and surface works which are scheduled to be completed in the spring of 2024. The Region is completing a sanitary sewer replacement project on Quaker Road between Pelham Street and Rice Road in 2024. Following the installation and connection of the sanitary sewer the intersection of Pelham Street and Quaker Road will have final asphalt installed. This will mark the completion of the project. It is anticipated that the final paving of the intersection will be in the late fall of 2024.

Quaker Road Reconstruction Detailed Design

The project includes the full urbanization of the roadway between Pelham Street and Line Avenue with concrete sidewalks on both sides of the street, on-road cycling facilities, a new water main and services, a new storm sewer, and a new sanitary sewer. Niagara Region tendered the project in the summer of 2023 and has been awarded to Peters Construction Group. The contractor commenced the work in mid-January 2024 starting with sewer installations at the east end of the project (intersection of Rice Road and Quaker Road). It is anticipated that the work between Line Ave. and Pelham Street will commence in the summer of 2024 with completion in the spring of 2025.

Canboro Road Reconstruction Detailed Design

Canboro Road from Haist Street to Highway 20 is to be reconstructed to include urbanization of the cross-section and upgrade the water main and sanitary sewer. Kerry T. Howe Engineering is currently undertaking the detailed design. The design is approximately 85 percent and is scheduled to be constructed in 2025 pending budget approval.

Northwest Fonthill Watermain Replacement

Approximately 1.9 km of non-PVC water main is to be replaced in Northwest Fonthill complete with trench restoration. Kerry T. Howe Engineering has completed the design portion of this assignment and tender documents are being prepared. The project will be tendered in April of 2024, with construction commencing in June of 2024.

Reconstruction of Effingham St: Tice Road to 500M South of Metler Road

Effingham St from Tice Rd to 500m south of Metler Rd is to be reconstructed including improvements to the roadway and drainage. Upper Canada Consultants is currently undertaking the design which is planned to be complete in 2024 with construction anticipated in 2025 pending budget approval.

Effingham Street from Highway 20 to Canboro Road

Effingham Street from Highway 20 to Canboro Road is to be reconstructed to include improvements to the roadway, sidewalk, and drainage. Upper Canada Consultants is currently undertaking the design assignment with construction anticipated in 2026.

Church Street Culvert Replacement

ELLIS Engineering has completed the detailed engineering design for a concrete box culvert to replace the existing structure crossing Church Street approximately 100m north of Chantler Road. The tender for this project closed on April 4th and has been awarded to Rankin Construction. Construction is anticipated to start in July 2024.

Bridge Replacement Program – Cream Street and Roland Road

ELLIS Engineering is continuing to work on the Roland Road culvert design which will be completed in 2024 with replacement anticipated in 2025. The replacement of the Cream Steet bridge was completed in December 2023 except for topsoil and seed which will be completed in April 2024.

Bridge Inspection Program

The RFP for the Town's biennial bridge and culvert inspection program was posted on January 15th and awarded to Ellis Engineering on February 16th. Inspections are planned to begin in April with the final report submission anticipated in May.

Station Street Storm Pond Rehabilitation

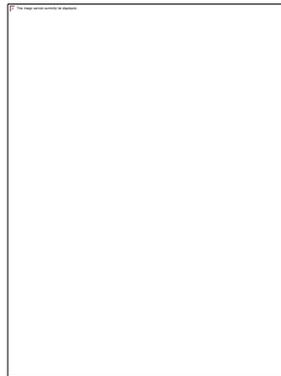
This project has been awarded to Duffin Contracting Inc. The commencement of the project has been delayed. This is mainly due to permitting restrictions from the NPCA and permission to enter and gain access over a hydro easement that runs between Station Street and Cataract Road directly adjacent to the stormwater pond outlet. The contractor is continuing to work with the design

consultant, Town Staff, and NPCA to get the approvals necessary to gain access to the site and complete the work. Based on failed attempts to gain access to the site via the Hydro One corridor the Town has now directed the contractor to gain access to the site through the existing storm sewer easement and stormwater management facility. As a result, there will need to be limited tree removal and restoration work on the existing pond. All of this work for the access will be completed on Town property. A portion of the property is on NPCA-regulated lands, and approval for the work has been granted.

The Town and the contractor are in discussion about the construction timing. Staff will be meeting with the NPCA to discuss the application process for 2024. It is anticipated that the construction phase will start in July 2024.

Church Street Sanitary Sewer Design Upgrades

The project was tendered on March 9, 2023, and closed on April 4, 2023. In May 2023, the contract was awarded to Trenchline and Roads. In September, the contractor successfully executed the trenchless crossing of the CP Rail tracks. As of October, the contractor has completed all underground works including Base asphalt and ditch restorations. The final top layer will be placed in the spring/summer of 2024.

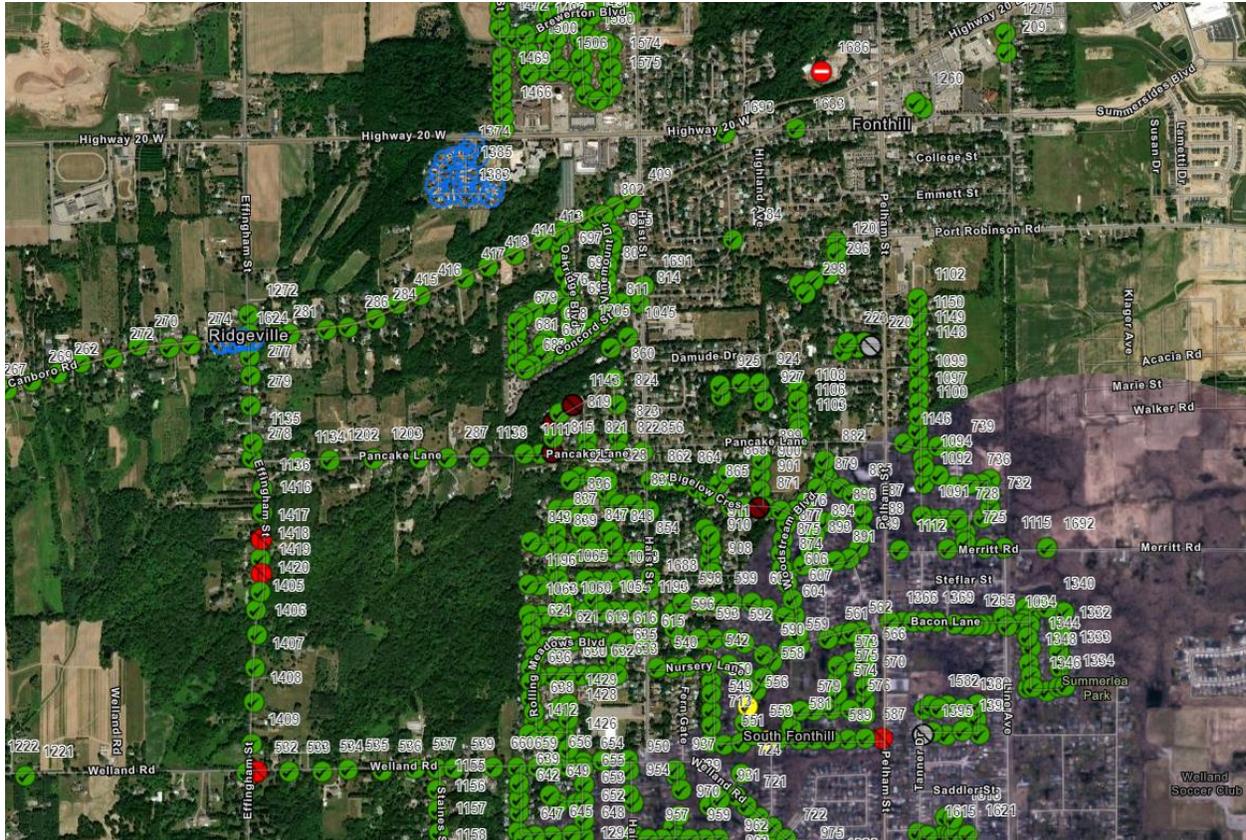


Church Street, South of the tracks approaching Martha Court Restoration

LED Streetlight Conversion Project (Phase 2)

Phase 1 was completed in February of 2023. In early August, along with RealTerm and Transtest, a pre-construction meeting was in place to discuss the second phase of the project. It was anticipated that the project would be completed by the end of 2023, however, there has been a supply chain issue that affected the scheduling for this project. RealTerm and Transtest

completed the project in February 2024 except for 31 LED Fixtures. These fixtures require different mounting hardware and will be completed once the mounting arms are received by the contractor.



Projected Map for Phase 2

In addition, The Town has partnered with neighboring municipalities for the maintenance program of the streetlights. The contract was tendered in January 15 and awarded to Beam Power and Utilities LTD on February 16, 2024. The municipal partners are the Township of West Lincoln and the City of Port Colborne.

Foss Road Sanitary Sewer Design Upgrades

Staff issued an RFP to complete the detailed design assignment and prepare tender documents (including permits and approvals from regulating approval agencies). The RFP closed on September 28, 2023, and was awarded to Associated Engineering Ltd. It is anticipated that the design will be completed by Q2 of 2024. Construction is scheduled to start in the spring of 2025 pending Council approval of the 2025 Capital Budget.

Centennial Park Washroom Upgrades

From January to March, the project has progressed steadily with minor delays due to supply chain issues. The weather has been beneficial to the project as it is set to be completed and occupied by March 28th. The project was substantially completed by March 28th, 2024. The Town received an extension on the grant to April 31st, 2024.



Completed Centennial Park Concession and Washrooms

Roadside Ditching Program (2024)

Staff prepared a tender for the roadside ditching program in February. The tender closed on February 27th. One bid submission was received which was double the approved budget. The reason for the increased cost was the uncertainty surrounding the management and disposal of the excess soil in accordance with the new regulations. Staff presently are revising the contract specifications to address the excess soils and will be retendering the work in late April 2024.

Concrete Repair and Replacement Program (2024)

The 2024 tender for the concrete repair and replacement program is 3-year contract and closed on April 2nd. The program has been awarded to Sacco construction and replacements are to begin in June once inspections have been completed and locations have been finalized.

In addition, staff have prepared a tender to complete sidewalk inspections and remove trip hazards. The tender closed in mid-April and has an estimated value of \$25,000.

Fire Station 1 Conceptual Design

Raimondo & Associates Architects Inc. prepared a conceptual design for the reconstruction of Fire Station 1 located on Highway 20. The conceptual design identified space requirements, a preliminary floor plan design, and a preliminary construction cost estimate. Currently, the architect is completing a cost-benefit study as to the preferred solution being a major rehabilitation or a complete replacement. This report will look at renovation options as well as replacement options for Council's consideration. It is anticipated that this report will be presented to Council in May. Following this report staff intend to issue an RFP for architectural services to complete the detailed design for the preferred solution.

2023 Road Rehabilitation Program - Continuation

The contract was awarded to Walkers Construction LTD. The Town is working on the rehabilitation of 8 kilometers of the rural road network for 2023.

In September of 2023 bonded wearing course (an innovative surfacing technology) was completed and applied to the following locations:

- (1) Maple Street;
- (2) Twenty Road to Sawmill Road;
- (3) Maple Street: Sixteen Road to Kilman Road;
- (4) Maple Street: Kilman Road to Metler Road; and
- (5) Effingham Street: Sumbler Road to Chantler Road.

However, due to surface temperature application constraints with the traditional surface treatment process, the following roads are scheduled to be completed early summer of 2024:

Roland Road: Effingham Street to Centre Street
Pihnach Street: Webber Road to Chantler Road
Beamer Street: Twenty Road to Spring Creek Road



Section of Maple Street and Effingham Street with Bonded Wearing coarse application

Based on the 2023 Pavement Index Study completed in May, the overall road network rating went down from 69 to 64. The Town's infrastructure benefits from the timely replacement of our aging infrastructure and is critical to ensuring the Town maintains a safe and efficient transportation network.

2024 Road Rehabilitation Program

The contract for this project was published on March 11, 2024, and closed on April 2, 2024. The project was awarded to Walker Construction LTD. The contract consists of 8 kilometers of rural road network for 2024. It is anticipated the works will commence in June and be completed in September 2024.

Based on the 2023 Pavement Index Study completed, the overall road network rating went down from 69 to 64. The Town's infrastructure benefits from the timely replacement of our aging infrastructure and is critical to ensuring the Town maintains a safe and efficient transportation network.

Road Base and Patching Repair Program (2024)

The contract was tendered on February 15, 2024, and closed on March 8, 2024. The contract was awarded to Circle P Paving on March 9, 2024. The

contract is a 3-year contract. The contractor and the Town will have a kick-off meeting to discuss the works in April 2024.

Timber Creek Stormwater Management Facility Rehabilitation (2024)

In 2024 Council approved a \$300,000 budget to complete maintenance and repair work to the Town's stormwater management facilities. A study completed by Matrix Solutions Inc. in 2024 identified approximately \$3M of rehabilitation and maintenance work to be completed in the next 10 years. In March staff issued an RFP for the design portion of the assignment. The RFP closed on April 5th and an award is expected by mid-April.

CLI/ECA Operation Manuals

Following the new legislation surrounding Consolidated Linear Infrastructure and Environmental Compliance regulations, the Town is required to produce and implement an inspection and maintenance program for sanitary and storm sewer infrastructure. The requirements are very similar to the drinking water quality management system that the Town has already implemented. In 2024 Council approved a project to complete operations and maintenance manuals for the sanitary and stormwater systems as they are required to be in place by the end of the calendar year. Staff issued an RFP on March 20 with a closing date of April 17th.

Design of Station Street from Port Robinson Road to Hwy 20

In 2024 Council approved a project for \$100,000 to finalize the detailed design assignment for Station Street between Port Robinson Road and Hwy 20. The project includes the full urbanization of the roadway including new sanitary and storm sewers, concrete curb and gutter, concrete sidewalks, a multi-use pedestrian path, and upgrades to the intersections at Port Robinson Road and Summersides Blvd. The project also includes the coordination of the Station Street extension south of Port Robinson Road to accommodate the Forest Park development.

Sulphur Springs Road Slope Stabilization Project

The project was approved by Council in 2023. It was tendered as a design-build project and was awarded to Duffin Contracting in October 2023, in the amount of \$437,310.

Duffin is currently in the design and consultation phase of the project, liaising with the NPCA and NEC about permitting. They have retained Maccaferri as their Geotechnical Engineer to assist with the proposed construction design and process.

It is anticipated that construction will begin in the spring of 2025.

Town Hall FOB KEY project

The purpose of this project is to improve the security at Town Hall. The RFP was published on February 5th, 2024, and closed on March 5th, 2024. An on-site mandatory meeting on February 15th was arranged to accommodate any questions may the contractors have. It was attended by 10 bidders and evaluated. On March 15th, 2024, the project was awarded to Pinder's Security Products. It is anticipated that the work will commence in April and be completed before the first Farmer's Market opens at the end of May.

Miscellaneous Topics:

In addition to the current capital projects, Engineering staff continue to thoroughly review all Planning and Committee of Adjustment applications. Reviews entail a site visit and detailed analysis of drawings and reports, to ensure Town standards are adhered to. For more complex applications, this process sometimes involves several re-submissions and repeated reviews by staff. Engineering staff also continue to manage requests for assumption of subdivisions and for reduction of securities at various stages of the development process. In addition, Engineering Staff complete reviews on lot grading plans for building permits received through the Planning Department.

Further, Engineering Staff continue to support the Pelham Active Transportation Committee (PATC), Environmental and Climate Adaption Advisory Committee (ECAAC), and the Utility Sustainability working group.

Recreation, Culture and Wellness Quarterly Report
 Wednesday, April 17, 2024

Reporting Period: Recreation, Culture and Wellness Quarterly Report for the period: January 1 – March 31, 2024

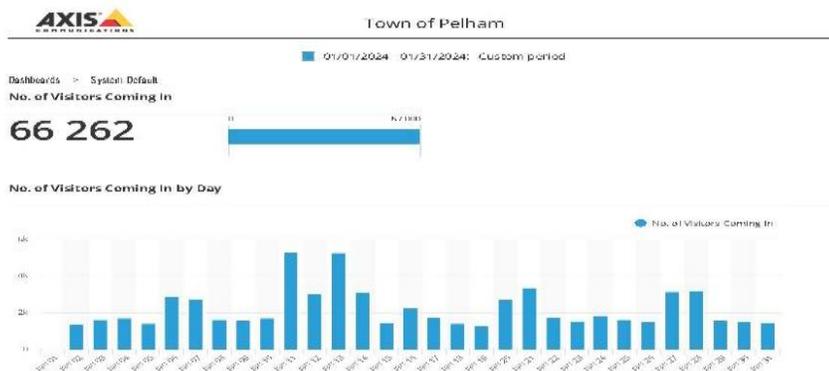
Recommendation:

BE IT RESOLVED THAT 2024-0089 Recreation the Q1/2024 Recreation, Culture and Wellness Department Report be received for information.

Department Overview and Statistics:

January 2024 started off in a fast pace within the Meridian Community Centre as the MCC played host to another Pelham International Silver Stick. With 78 teams from all over Canada and the United States using the community hub as the setting for the opening ceremonies all the way to the final games. Over the four-day Silver Stick International tournament the Meridian Community Centre experienced 16,607 visitors through the doors, of which 5,265 were present on the Thursday evening just for the opening ceremonies.

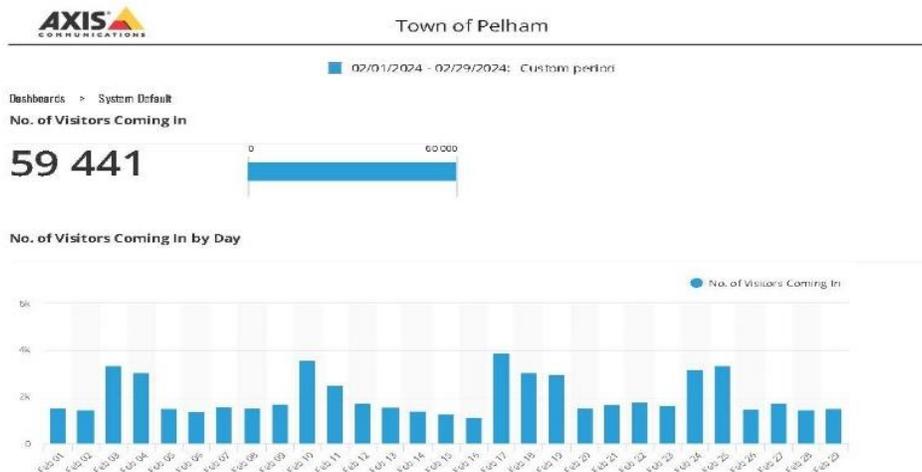
The Meridian Community Centre continually showed growth in numbers within our visitors, revenues, and programs put forward. In January the Meridian Community Centre experienced 66,262 visitors. This was a 10%



increase of over 6,000 more visitors than the previous January 2023 visitor numbers of 60,294.

In February Recreation, Culture, And Wellness staff continued to provide customer service, setting up and tearing down for events, rentals, and programs, all the while cleaning and maintaining a standard of service to the best of their abilities. The Meridian Community Centre experienced 59,441 visitors for a wide range of different reasons making the Centre a very significant hub of importance for Pelhams community.

An increased usage trend continued into February with just shy of a 10% increase over February 2023, with 5,682 more visitors through the facility. This was another year RCW staff went above and beyond to make the annual Family Day festivities a success, bringing the community to the Meridian Community Centre for numerous activities, programs, and ultimately fun for the children. In a quick timespan on Family Day our facility seen just shy of 3,000 visitors join in the festivities. Our Recreation, Culture, and Wellness team never shy away from creating positive experiences and



memories, always providing customer service to an excellence.

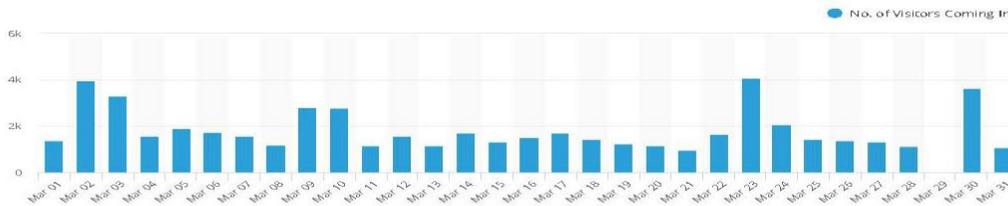
03/01/2024 - 03/31/2024: Custom period

Dashboards > System Default
No. of Visitors Coming In

54 842



No. of Visitors Coming In by Day



By March 1st the Meridian Community Centre was busy with Pelham Basketball hosting OBA finals, PMHA and STA Admirals finishing their play downs, along with Niagara Centre Skating Club hosting their annual Gala. The Meridian Community Centre experienced another 10% increase in visitors with 54,842 people in the month of March, a 5,586 increase over March 2023’s 49,256. RCW staff consistently aim for growth not only in programs, rentals, and recreation, and service levels but also to utilize the space to encourage community and inclusivity into Pelham’s largest investment.

Big Band

The Town of Pelham’s Big Band Dance Night, featuring the Jimmy Marando Swing Band takes place every third Tuesday of the month in the Accursi Room at the Meridian Community Centre. It is a night filled with swing, jazz, classical music, and lots of dancing! The attendance has been growing steadily with an average of 140-160 attendees throughout the last three months. This event continues to offer free admission with food and beverage available for purchase.



Comedy Night in Pelham

On February 24th, the Garden City Comedy Festival hosted "Comedy Night in Pelham", an evening of laughs with an all-star lineup headlined by Mark Matthews. The powerhouse lineup also featured performances from Crystal Ferrier, Gerry Hall and Allie Moore, hosted by Niagara's own David Green. The evening sold out, with a total of 241 attendees. The evening was a great success filled with lots of laughter. Bar services were available for purchase.



The next Comedy Night in Pelham is planned for Saturday July 27th, 2024. Tickets will be available starting in June. Call 289 668 3425 to reserve a table of 8 for \$200 or individual tickets for \$30. Bar service will be available for purchase. Doors open at 7pm. Showtime 8pm.

Visit **www.gardencitycomedyfestival.com** for more information or to purchase ticket!

MCC Art Walls

During Q1 of 2023, art displays were showcased on the Meridian Community Centre art walls. During the month of January and February, Welland artist David Holtby showcased his paintings in the atrium of the Meridian Community Centre.

During the month of March, the Pelham Art Association displayed art throughout the atrium and upper hallway, showcasing authentic paintings created by over 30 local artists.

The month of April and into May, the Pelham Art Festival is due to come in and display art for their art festival on Mothers Day weekend – May 9-12.



Pelham Farmers' Market:

Staff have been working with the Farmers' Market Committee on operations for the 2024 Pelham Farmers Market Season. The market will operate Thursday May 2 through October 10.

The Farmers Market Committee met on March 6, where vendors for the 2024 season were determined. There will be around 25 vendors in total plus a non-profit booth.

Summer Chill Supper Market:

Staff is in preparation to host the Summer Chill Series on Thursday evenings from June 13 to September 5. The event will have options for local food vendors, as well as local beer, wine, and cider vendors. There is also opportunity for local musical performances and buskers. Food, beverage, and musician vendor applications have been submitted, and will be determined after the April 2 cut-off date.

Family Day

The 2024 Family Day Adventure welcomed over 2900 people to the Meridian Community Centre. Families enjoyed open family gym time featuring various activities such as a learn to play lacrosse session ran by the Pelham Raiders, a bouncy castle, pickleball, shuffleboard and more! Families lined up for the interactive opportunities including face painting, balloon animals, magic shows and laser tag sponsored by the Mayor's Youth Advisory Committee. This fun filled day also included a sponsored skate by the Rotary Club of Fonthill and a community expo which allowed over 12 community volunteer groups, service clubs or sports teams to engage with the community and share information on their upcoming seasons, projects, and volunteer opportunities.

Pelham Summerfest

The Pelham Summerfest working group have been working diligently on sponsorship and logistics for Pelham Summerfest 2024 and are now meeting bi-weekly. Pelham Summerfest will take place July 18th – July 21st, 2024.

Hoppin' Easter Egg Hunt

On Saturday March 30, Pelham's annual Hoppin' Easter Egg hunt returned to Centennial Park. Over 2500 people attended the event to hunt for eggs, participate in the annual Easter colouring contest and to meet the Easter Bunny! This year, a local real estate agent Shannon Leigh sponsored the Easter Bunny photo backdrop as well as the colouring contest prize pack!

The hunt had three designated age group areas and three special Golden Eggs were hidden in each age group! Those who were lucky enough to find the Golden Egg took home an Easter prize pack! A barbeque and warm beverages were provided to families for free by the Fabulous Fenwick Lions.



Seniors Programming:

Seniors Social and Seminar Series:

Continuing with the New Horizons 2023 Grant, the Town of Pelham completed the monthly seminar and social series in Q4, offered to the 55+ community, bringing in speakers that provided engaging, educational, and entertaining workshops/sessions.

The Town of Pelham was approved for the New Horizons for Seniors Program 2024 grant that will run from April 1st, 2024 – December 31st, 2024. Upcoming seminars include Pelham Cares on April 11th and A Senior's Bike Safety Presentation on May 15th.



Fraud and Scam Prevention Seminar Series:

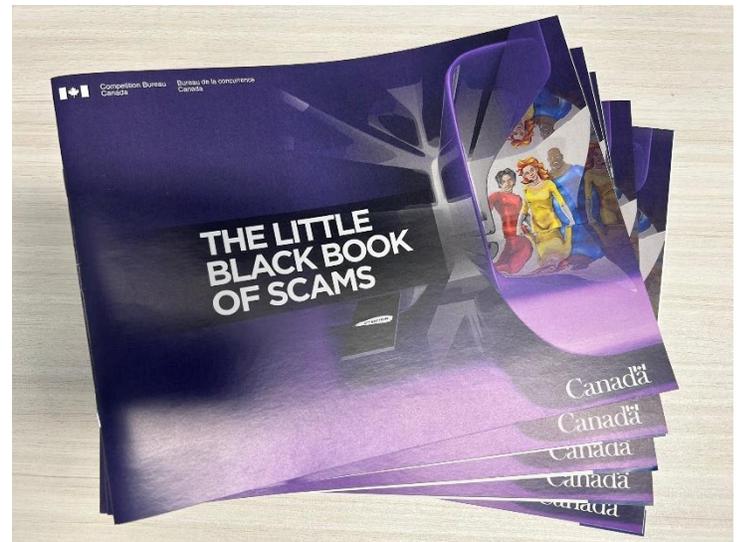
As part of the Seniors Community Grant Program 2023-2024, the Town of Pelham is hosting a monthly seminar series, geared to the older adult community, that provides information on fraud and scam prevention. This 'lunch and learn' type of seminar series partners with Crime Stoppers of Niagara and Niagara Regional Police Services, who present important information, guidance, resources on protecting yourself over a 5-month period. This began in November with the "Be Aware, Take Care" presentation that had 35+ people attend. December's "Cyber Safety & Security" presentation brought attendance numbers to 100+ people, our highest seminar series attendance yet.

The Q1 Fraud and Scam Series registration results are as follows:

- January 17th (Identity Scams) – 105 Attendees (pre-registered)
- February 21st (Telemarketing & Bank Scams) – 126 Attendees (pre-registered)
- March 20th (NRPS Presentation) – 135 Attendees (pre-registered)

March was the final presentation to wrap up this series, and numbers show the continuous growth in registrations and interest in being educated on the topic.

Prints of the “Little Black Book of Scams”, created by the Government of Canada, were ordered and were handed out at each seminar to attendees, with more copies available at the MCC.



Niagara Community Foundation Grant (NCF) Seminars:

Two NCF grant-funded seminars were held and hosted at the MCC in Q1, with PATH partnering and facilitating the presentations. The first was on February 13th (The Study of Trees in the Urban Forest) with presenter Ivan Fredette. This seminar had approximately 50 people in attendance. The second presentation was on March 26th (The Value of our Natural Heritage) with presenter Albert Garofalo. This seminar had approximately 80 people in attendance.

Pelham Seniors Advisory Committee Survey:

To continue to meet the needs of seniors in Pelham, we continue to encourage feedback. A survey is provided online, in-person at our seminars, workshops and events, as well as in our monthly e-newsletter link to community members who subscribe, that provides opportunity to better understand the needs of the town of Pelham’s 55+ population. Q1 updated results are shown here, with an increase in feedback and participation in the survey since Q4’s results.

Staying Well, Safe, Connected and Active Survey Results					
Information Survey	1	2	3	4	5
Health, Wellbeing & Education	4	11	32	56	161
Walking & Transit - Safety & Accessibility	33	27	45	27	122
Safe & Affordable Housing & Community Spaces	30	22	39	46	114
Aging in Place and LTC	15	9	25	37	170
Social & Civic Engagement	3	7	32	53	162
Communication & Information	5	3	32	66	154
The following categories are scored in terms of importance to you, with 1 being the least important and 5 being the most important					

Pelham Seniors Database Email Newsletter:

The Town of Pelham has put an increased focus on communication and information sharing with the senior community. Part of this initiative was creating a monthly email newsletter with resources, programs, events, and information for the 55+ local community. By the end of Q1, we currently have 675 email subscribers to this newsletter – this number continues to grow monthly based on previous monthly subscription trends. Staff has been able to improve the quality of the newsletter in Q3 by using an online marketing company to create an effective and professional email newsletter for subscribers. Residents can subscribe through the website and email (online), and through our surveys and feedback forms in-person at events and programs.

Niagara Older Adult Alliance (NOAA) Meetings:

On February 29th, the Seniors and Community Services Programmer, as well as members of the Pelham Seniors Advisory Committee, attended the NOAA meeting held at the Thorold Senior Citizens Centre. Staff and Committee representatives from all 12 municipalities take part in the meetings to share updates on older adult programs and initiatives and challenges being faced. Next meeting is in the works and plans are to meet 2-4 times a year.



[Niagara Older Adult Alliance meets for first time since pandemic - PelhamToday.ca](https://www.pelhamtoday.ca/niagara-older-adult-alliance-meets-for-first-time-since-pandemic)

Brock University MAG (Master of Applied Gerontology) Student Practicums 2024:

The Seniors and Community Services Programmer will be overseeing two MAG Student Practicums from May – August 2024, who are being onboarded to assist with two separate projects while completing their 300 hours for their program.

Student 1: Social Prescribing Project and Education Support

Student 2: Recreation Project and Support

Both positions have been filled successfully in Q1, with preparation for both students to start on May 6th, 2024.

Communities in Bloom Working Group:

The Communities in Bloom working group began meeting in Q1. The working group consists of both municipal employees and community members that provide a wonderful variety of perspectives and representation. The group currently has 12 members – 8 staff and 4 resident volunteer members. The group has focused on reviewing past competition results for the Town of Pelham and planning the itinerary and routes for the upcoming judges tour in July 2024 based on the key criteria of evaluation.

Youth Programming – Camps:

Q1 saw three different types of camps offered – Winter Break Camp, PD Day Camp and March Break Camp. Various games, activities, trips and guest entertainers were part of the camp experience with many campers in attendance, returning for multiple camps.

- Winter Break Camp: January 2 – 5, 2024
Registrants: 35
Extended Care Registrants: 15
- PD Day Camp: February 16, 2024
Registrants: 13
- March Break Camp: March 11 – 15, 2024
Registrants: 82
Extended Care Registrants: 46

Art Your Service – Free Virtual Seniors Programming Subscription:

The Town of Pelham partners and subscribes to 'Art Your Service' – free virtual live classes for older adults based on a weekly calendar. With the subscription, Pelham residents can register through the Seniors and Community Services Programmer to join the list and receive free weekly calendars of activities to access from home. Currently at the end of Q1, the Town of Pelham has over 100 subscribers. The Town of Pelham renewed membership in January 2024 for a full year subscription.

Volunteers

During Q1 of 2024, Staff received seven new volunteer expression of interest forms through the Town's website. All the applicants received digital training and were added to the Town's volunteer database. Town Staff continue to advertise volunteer opportunities by emailing the community volunteer database.

One Senior VIP (Volunteer in Pelham) has continued to contribute her time to the Meridian Community Centre. During Q1 of 2024, this volunteer contributed a total of 10 hours to assisting with the Orchestrum Music drop-in program on Friday's.

Volunteers assisted at the Easter Egg-Hunt at Centennial Park. 2 volunteers contributed approximately 4.5 hours to the event. Volunteers helped with traffic navigation, assisted with the colouring contest and prize distribution.



Dedication Program

In the first quarter of 2024, the dedication program received two bench dedication inquiries. Both inquiries are ongoing and will be followed up by the customer later this Spring.

Reporting Period: Clerk's Office Quarterly Report for the period: January, February, March.

Recommendation:

BE IT RESOLVED THAT the Q1/2024 Clerk's Report be received for information.

Department Overview and Statistics:

Year	2022	2023	2024			
Quarter (Year to Date)	Year End	Year End	Q1	Q2	Q3	Q4
Insurance or Small Claims Processed	47	37	5			
Pelham Deaths Registered	107	58	23			
Deaths Outside of Pelham Registered	79	95	31			
Lottery Licenses Issued	14	20	8			
Council Meetings Attended/Minuted	22	23	6			
Special Council Meetings Attended/Minuted	12	1	1			
COW Meetings Attended/Minuted	1	7	0			
Public Meetings Attended/Minuted	9	10	2			
Affidavits Sworn	222	280	59			
FOI Requests Received/Processed	16	25	10			
Closed Meeting Investigation	0	0	0			
Committee of Adjustment - Variances	19	24	9			
Committee of Adjustment - Consents	13	14	8			
Committee of Adjustment - Hearings	11	12	3			
OLT Appeals C of A	1	0	0			
Muzzle Order Appeal	0	0	1			
By-laws	99	74	21			
Itinerant Seller/Vehicle Licenses Issued	8	15	7			

Short Term Accommodation Licences Issued	1	2	0
Sidewalk Patio/Sidewalk Sale Permits	3	6	1
Special Event Permit – Private	3	6	8
AMP Review Hearings	13	31	7
Marriage Licenses Issued	68	70	13
Civil Marriage Ceremonies Officiated	9	20	7
Media Releases	16	50	6
News Briefs	24	67	14

Projects:

Governance Review

Phase 3 of the governance review concluded in the first quarter of 2024, marked by the successful completion of two public consultation sessions hosted at Pelham Fire Station #2 and the Meridian Community Centre. Additionally, this phase entailed conducting stakeholder interviews involving Members of Council and the Senior Leadership Team, alongside an online public survey. The information collected throughout Phase 3 will be used in crafting the final report for Council’s consideration in mid-2024.

Civil Marriage Ceremonies

The Clerk’s department has experienced a steady rise in civil marriage ceremonies, both at Town Hall and through the utilization of Town officiant services. Clerk’s staff take pride in delivering personalized ceremonies to elevate the traditional “town hall wedding” experience. The department has received positive feedback and referrals, affirming the value of the service. Clerk’s staff remain committed to actively promoting this service, as it remains a source of joy and fulfillment. It is anticipated that being able to enjoy champagne at wedding ceremonies will be extremely popular at future Peace Park weddings.

Commissioner for Taking Affidavits

Following the onset of the COVID-19 pandemic and the discontinuation of Commissioner for Taking Affidavits (Commissioner) services at the local Service Ontario location, the Clerk’s department has absorbed the responsibility of handling Commissioner duties for related provincial documents. While this service extends to documents beyond those originating from Service Ontario, approximately three-quarters of the incoming documentation are vehicle transfer requests. Consequently, this shift has resulted in a substantial demand for the Legislative Coordinator, Deputy Clerk and Town Clerk to handle walk-in requests.

Communications Analytics, January to March 2024

Page Views	View per user	Average Engagement Time
123,183	3.44	0:16

Top 5 pages: (Main Page) Meridian Community Centre, Arena and Skating, Adult programs, Careers, Camp

Twitter

Tweets	Engagement	New Followers
288	156	5

Facebook

Post Link Click	Page Views	Total Reach
2381	8100	175,859

Instagram

Total Posts	Engagement	Followers
297	1650	2719

Engaging Pelham (Bang the Table)

Total Visitors	New Registrations	Informed Visitors/Aware Visitors
3800	20	736/2800

Marketing Projects:

- Recreation General Programming
- Meridian Community Centre Memberships
- Committee Members
- MYAC
- Seniors Seminar Series
- Seniors Fraud Series
- New programs at MCC – Tiny Tot/Drum Circle/Power Skate
- 2024 Budget
- Family Day in Pelham
- Easter in Pelham
- Hiring
- PD Day Camps

Public Relations Projects:

- Winter Parking
- Project Storm Drain
- Ward Boundary Review
- 2024 Total Solar Eclipse
- Crime Stoppers Flag Raising
- Future of MCC Adjacent Lands
- Scout-Guide Week Flag Raising
- Meals on Wheels Flag Raising

Grant Support:

Grant Applications Submitted:

Grant Name	Funder	Funding Level	Project	Department	Strategic Priority Focus	Amount Requested
Community Fund	Farm Credit Canada	Federal	Peace Park Sidewalk extensions	Public Works	Infrastructure Investment and Renewal	\$ 10,000.00
Canada Summer Jobs	Employment and Social Development Canada	Federal	Seasonal summer jobs including recreation, public works, and by-law	Multiple	Community Development and Growth	\$ 141,913.20
Summer Experience Opportunity	Ontario Ministry of Tourism, Culture and Sport	Provincial	Summer camp positions	Recreation, Culture and Wellness	Community Development and Growth	\$ 53,424.00
Energizing Life Community Fund	Hydro One	Provincial	Youth safe cycling helmet and gear distribution	Recreation, Culture and Wellness	Community Development and Growth	\$ 24,780.00
ParticipACTION Community Challenge	ParticipACTION	Federal	Class Pass Subsidy	Recreation, Culture and Wellness	Community Development and Growth	\$ 1,500.00
EV ChargeON Program	Infrastructure Ontario	Provincial	Centennial Park EV Chargers	Public Works	Environmental and Climate Adaptation	\$ 150,000.00
Ontario Arts Presenters Fund	Ontario Arts Council	Provincial	Community Mural Projects	Recreation, Culture and Wellness	Community Development and Growth	\$ 5,000.00
Green Jobs Initiative	Canadian Parks and Recreation Association	Federal	Seasonal parks labourer position	Public Works	Environmental and Climate Adaptation	\$ 5,062.00

Capital Grant	Ontario Trillium Foundation	Provincial	AODA Compliant Library Shelves	LPPL	Infrastructure Investment and Renewal	\$ 200,000.00
Grant Name	Funder	Funding Level	Project	Department	Strategic Priority Focus	Amount Requested
Seniors Active Living Centre Grants	Ontario Ministry for Seniors and Accessibility	Provincial	Operating grant and new seniors program equipment	Recreation, Culture and Wellness	Community Development and Growth	\$ 65,000.00
Tourism Growth Program	Federal Economic Development Agency for Southern Ontario	Provincial	Peace Park accessibility enhancements	Public Works	Infrastructure Investment and Renewal	\$ 98,857.00
Canada Post Community Grant	Canada Post Community Foundation	Federal	Youth program pass and youth equipment	Recreation, Culture and Wellness	Community Development and Growth	\$ 24,997.00
Environmental Grant	Niagara Community Foundation	Regional	Tree distribution program	Recreation, Culture and Wellness	Environmental and Climate Adaptation	\$ 15,000.00
Summer Camps Grant	Niagara Community Foundation	Regional	Summer Camp Subsidies	Recreation, Culture and Wellness	Community Development and Growth	\$ 2,280.00
Resilient Greenbelt - stage 1	Greenbelt Foundation	Provincial	Trail Erosion Control Pilot Program	Public Works	Infrastructure Investment and Renewal	\$ 615,000.00
Seniors Community Grant	Ontario Ministry for Seniors and Accessibility	Provincial	Senior's social and seminar experiences (55+ PULSE Program)	Recreation, Culture and Wellness	Community Development and Growth	\$ 25,000.00
The Next Play	Canadian Women & Sport	Federal	E.L. Crossley Rowing Program	Recreation, Culture and Wellness	Community Development and Growth	\$ 5,500.00
My Main Street Community Activator	Canadian Urban Institute and Federal Economic Development Agency for Southern Ontario.	Provincial	Peace Park Placemaking Enhancements	Public Works	Infrastructure Investment and Renewal	\$ 250,000.00

Public Realm Investment Program	Niagara Region	Regional	Placemaking features for the stormwater pond at the corner of Rice Road and HWY 20	Public Works	Infrastructure Investment and Renewal	\$ 28,500.00
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Grants Received:

Grant Name	Funder	Funding Level	Project	Department	Strategic Priority Focus	Amount Requested	Amount Received
Ontario Cultural Attractions Fund - stage two	Ontario Cultural Attractions Fund	Provincial	Pelham Summerfest marketing support	Recreation, Culture and Wellness	Community Development and Growth	\$56,260.00	\$40,000.00
New Horizons for Seniors 2024 projects	Employment and Social Development Canada	Federal	Seniors Workshop Series	Recreation, Culture and Wellness	Community Development and Growth	\$25,000.00	\$25,000.00
Community Emergency Preparedness Grant	Emergency Management Ontario	Provincial	Emergency Operations Centre equipment and informational materials	Fire Services	Infrastructure Investment and Renewal	\$49,998.46	\$49,998.46

Declined Applications:

Grant Name	Funder	Funding Level	Project	Department	Strategic Priority Focus	Amount Requested
Community Fund	Farm Credit Canada	Federal	Peace Park Sidewalk extensions	Public Works	Infrastructure Investment and Renewal	\$ 10,000.00
Green and Inclusive Community Buildings (GICB) program	Infrastructure Canada	Federal	Fonthill Library Branch Renovations	Public Works	Infrastructure Investment and Renewal	\$ 2,396,031.04
Resilient Communities Fund	Ontario Trillium Foundation	Provincial	Active Trail Network Feasibility Study	Public Works and Recreation,	Community Development and Growth	\$ 99,300.00

				Culture and Wellness		
Environmental Grant	Niagara Community Foundation	Regional	Tree distribution program	Recreation, Culture and Wellness	Environmental and Climate Adaptation	\$ 15,000.00
Green Jobs Initiative	Canadian Parks and Recreation Association	Federal	Seasonal parks labourer position	Public Works	Environmental and Climate Adaptation	\$ 5,062.00
Grant Name	Funder	Funding Level	Project	Department	Strategic Priority Focus	Amount Requested
Treemendous Communities Grant	Tree Canada	Federal	16 Marlene Stewart Drive community tree plant	Public Works and Recreation, Culture and Wellness	Environmental and Climate Adaptation	\$ 10,000.00

Town Communications Department provided assistance with the following independent third-party grant applications:

Organization	Grant Name	Funder	Funding Level	Project	Strategic Priority Focus
Platform Tennis Club	Capital Grant	Ontario Trillium Foundation	Provincial	Platform Tennis clubhouse improvements	Infrastructure Investment and Renewal
Wellspring Niagara	BCM Grant Program	BCM Insurance Company	Regional	Community open house	Community Development and Growth

Reporting Period: Corporate Services Department Quarterly Report for the period: January, February and March 2024

Recommendation:

BE IT RESOLVED THAT the Q1/2024-0070 Corporate Services Department Report be received for information.

Department Overview and Statistics:

The Deputy Treasurer and the Treasurer worked with Finance staff on various year-end functions. Staff were working year end closing processes, adjustments and accruals between January and March.

The Treasurer and Deputy Treasurer presented the 2024 Water and Wastewater Budget in February.

Year end working papers were being finalized in March in preparation for the Audit in April.

The Town is in the process of implementing SAP Concur as its new Procurement management system. Various meetings were held with FH Black Consultants to continue with the project implementation. The meetings were attended by the Deputy Treasurer and other Finance staff as needed. The project is in final stages of implementation. The Department is also playing a key role in helping improve the Town's procurement system and adopt best workflow practices from neighbouring municipalities.

The Deputy Treasurer is working with the Senior Leadership Team to review and update the Town's 10-year capital forecast. A number of full day working meetings were held in Q1 where discussions and updates were made to the 10-year capital forecast. This work is expected to be finalized in early Q2 and it will be reported to Council after completion.

Information Technology

The information Department is continuing to work with MuniPass on the e-permitting portal development. The iCity server migration and ICO (iCity Online) User Accepted Testing is to be completed by April 5th. The anticipated Go-Live date is April 25th.

The eBilling implementation and the HRIS MYWAY implementation are both scheduled to commence in May. The resident portal development is in progress. Residents will be able to view more detailed information when creating service requests.

Taxes

The Tax department has processed the 2024 Interim tax bills. A total of \$23,042,945 was calculated on 7,839 roll numbers. Bills were sent in the mail on February 5, 2024, three days earlier than the required legislated date. A total of 5,077 were sent in the mail, residents on the monthly Pre-Authorized Payment Plan (PAP) do not get sent an interim notice (they receive a letter in December notifying them of the monthly amount).

The arrears collection is still going strong, 7 properties have been sent to Real Tax in January 2024. One property that was sent for registration paid off the arrears, stopping the property from being registered. The Town will be proceeding with the registration process on the remaining properties.

Water

There were 5,556 water and wastewater bills sent out for the March billing. This billing also included the new rate and account information insert. The insert provides the resident with useful information on how to understand their billings, instructions on how to read the water meter and FAQ's. This billing included 47 new accounts generated through building permits.

The Department implemented Neptune 360, a cloud-based system for collecting meter reads and corresponding reporting data. Neptune 360 delivers a user-friendly design that provides clear, easy to interpret data to help maximize operational efficiencies. The cloud-based system never requires server installations or upgrades on our part, always providing the most up-to-date version.

Grants, Concerns, RFPs, Agreements:

Funding Applied For:	Grant	Amount
Peace Park Sidewalk extensions	Community Fund	\$10,000.00
Seasonal summer jobs including recreation, public works, and by-law	Canada Summer Jobs	\$141,913.20
Summer camp positions	Summer Experience Opportunity	\$53,424.00
Youth safe cycling helmet and gear distribution	Energizing Life Community Fund	\$24,780.00
Class Pass Subsidy	ParticipACTION Community Challenge	\$1,500.00
Centennial Park EV Chargers	EV ChargeON Program	\$150,000.00
Community Mural Projects	Ontario Arts Presenters Fund	\$5,000.00
Seasonal parks labourer position	Green Jobs Initiative	\$5,062.00
AODA Compliant Library Shelves	Capital Grant	\$200,000.00
Operating grant and new seniors program equipment	Seniors Active Living Centre Grants	\$65,000.00
Peace Park accessibility enhancements	Tourism Growth Program	\$98,857.00
Youth program pass and youth equipment	Canada Post Community Grant	\$24,997.00
Tree distribution program	Environmental Grant	\$15,000.00
Summer Camp Subsidies	Summer Camps Grant	\$2,280.00
Trail Erosion Control Pilot Program	Resilient Greenbelt	\$615,000.00
Senior's social and seminar experiences (55+ PULSE Program)	Seniors Community Grant	\$25,000.00
This is stage one of a two-stage application		
E.L. Crossley Rowing Program	The Next Play	\$5,500.00
Peace Park Placemaking Enhancements	My Main Street Community Activator	\$250,000.00
Placemaking features for the stormwater pond at the corner of Rice Road and HWY 20	Public Realm Investment Program	\$28,500.00

Funding Approved:	Grant	Amount
Pelham Summerfest marketing support	Ontario Cultural Attractions Fund - stage two	\$40,000.00
Received in Q4 2023, but was not able to be announced until Q1 2024		
Seniors Workshop Series	New Horizons for Seniors 2024 projects	\$25,000.00
Emergency Operations Centre equipment and informational materials	Community Emergency Preparedness Grant	\$49,998.46

Funding Denied:	Grant	Amount
Peace Park Sidewalk extensions	Community Fund	\$10,000
Fonthill Library Branch Renovations	Green and Inclusive Community	\$2,396,031
Active Trail Network Feasibility Study	Resilient Communities Fund	\$99,300
Tree distribution program	Environmental Grant	\$15,000
Seasonal parks labourer position	Green Jobs Initiative	\$5,062
16 Marlene Stewart Drive community tree plant	Treemendous Communities Grant	\$10,000

Current Bids and Tenders

Invitation to Bid# 2024-FS-02-24 – Rescue 1		
<u>Bidders</u>	<u>Amount</u>	
Fort Garry Fire Trucks Ltd.	\$296,809.00	Evaluation Score 75/100
Dependable Truck & Tank Limited	\$307,652.00	Evaluation Score 86/100
Award is to Dependable Truck & Tank Limited. with a contract value of \$ 307,652.00 Evaluation Score 86/100.		
Budget: \$ 350,000.00.		

Invitation to Bid# 2024-PW-13 – Streetlight Maintenance Program, 3 Year Term

<u>Bidders</u>	<u>Amount</u>
Sid Grabell Contracting Limited	\$ 85,250.00
TM3 Inc.	\$213,787.74
Beam Power and Utilities Ltd.	\$ 64,290.00 (possible 3-year contract)
Ground Aerial Maintenance Service Ltd.	\$116,771.00
Hastings Utilities Contracting Ltd.	\$146,360.000
Weinmann Limited	\$116,250.00

Award is to Beam Power and Utilities Ltd. with a contract value of \$ 64,290.00 (possible three-year contract).

Budget: Operating.

Invitation to Bid# 2024-CS-01 - Claims

<u>Bidders</u>	<u>Amount</u>
Premier Adjusting Services Inc.	Did not qualify for Stage 2 of evaluation.
Sedgwick Canada Inc.	Evaluation Score 103/150
ClaimsPro LP	Evaluation Score 108/150
Crawford & Company (Canada) Inc.	Evaluation Score 92/150

Award is to ClaimsPro LP. with an Evaluation Score 108/150.

Budget: Operating.

Invitation to Bid# 2024-PW-10 RD 01-24 – Bridge and Culvert Inspection Program

<u>Bidders</u>	<u>Amount</u>
FORZA Corp.	\$7,820.00 Evaluation Score 77/100
AMTEC Engineering Ltd.	\$6,412.50 Evaluation Score 77/100
Centex Engineering and Development Inc.	\$6,075.00 Evaluation Score 76/100
Englobe Corp.	\$20,910.00 Evaluation Score 57/100
2790997 Ontario Inc.	\$64,900 Evaluation Score 50/100
ELLIS Engineering Inc	\$8,580.00 Evaluation Score 88/100
TSI inc.	\$7,376.00 Evaluation Score 75/100
Safe Roads Engineering.	\$19,805.00 Evaluation Score 60/100

Award is to ELLIS Engineering Inc. with a contract value of \$ 8,580.00 Evaluation Score 88/100.

Budget: \$30,000.00.

Invitation to Bid# VEH 01-24 – 2024-VEH-01-24 Combination Snow Plow Dump Body

<u>Bidders</u>	<u>Amount</u>
PTG Mississauga Enterprises Limited Partnership O/A Premier Truck Group	\$344,528.00
Rush Truck Centres of Canada	\$324,546.00
Kenworth Toronto Ltd.	\$371,566.00

Award is to Rush Truck Centres of Canada with a contract value of \$ 324,546.52.

Budget: \$350,000.00.

Invitation to Bid# 2024-PW-11 - Key FOB System, Pelham Town Hall

<u>Bidders</u>	<u>Amount</u>
Pinder's Security Products A Division of Allamr Inc.	\$65,062.50 Evaluation Score 87/100
Metrobit Inc.	\$98,805.08 Evaluation Score 69/100
Power Access Corporation	\$99,215.80 Evaluation Score 78/100
Stanley Convergent Security Solutions	\$122,750.00 Evaluation Score 66/100
1229080 Ontario Inc.	\$122,750.00 Evaluation Score 53/100

Award is to Pinder's Security Products A Division of Allamr Inc. with a contract value of \$65,062.50 Evaluation Score 87/100.

Budget: \$75,000.00.

Invitation to Bid# 2024-20-FD-02-23 – 4x4 Super Duty Response Vehicle

<u>Bidders</u>	<u>Amount</u>
Grimsby Ford Sales and Service	\$65,419.00
Brock Ford Sales Inc.	\$68,059.00
Finch Auto Group	\$65,015.75

Award is to Finch Auto Group with a contract value of \$65,015.75.

Budget: \$100,000.00.

Invitation to Bid# 2024-PW-01 – Line Painting

<u>Bidders</u>	<u>Amount</u>
Fine Line Markings Inc.	\$70,811.04
Provincial Road Markings Inc.	\$53,504.61

Award is to Provincial Road Markings Inc. with a contract value of \$53,504.61.

Budget: \$ Operating.

Invitation to Bid# 2024-PW-06 RD 06-24 – Road Base & Surface Repair Program

<u>Bidders</u>	<u>Amount</u>
Rankin Construction Inc.	\$295,425.00
Circle P Paving Inc	\$247,460.00

Award is to Circle P Paving Inc. with a contract value of \$247,460.00.

Budget: \$300,000.00.

Community Planning and Development Quarterly Report
Thursday, April 04, 2024

Reporting Period: Community Planning and Development Department Quarterly Report for the period: January - March, 2024

Recommendation:

BE IT RESOLVED THAT the Q1/2024 Community Planning and Development Department Report be received for information.

Department Overview and Statistics:

The Planning Department continues to work on the following development applications: 12 Subdivision Applications, 1 Official Plan Amendment applications, 5 Zoning By-Law Amendments, 6 applications for Site Plan Approvals, 7 consent applications, 7 minor variance applications and no Niagara Escarpment Development Permit applications.

Public meetings were held with regards to:

- A Housekeeping Amendment to Zoning By-law to provide alignment with the Town Official Plan, provide clarity, resolve conflicts and add site specific exceptions that were not carried forward from the old Zoning By-law.
- An Official Plan and Zoning By-law amendment applications for a winery at 1389 Effingham Street.
- A Zoning By-law Amendment application and redline revision to draft plan of subdivision application for Park Place West in East Fonthill.
- The proposed Secondary Plan for East Fenwick Secondary Plan.

Final Site Plan approval was given to:

- 140 Summersides Boulevard for a 5 storey, 66-unit apartment building.
- 105 Quaker Road for relocated parking lot for a church.

Building:

The Building Department continues to receive incoming permit applications consistent with seasonal trends and remains busy with inspections. The building department conducted a total of 818 inspections since the last quarterly report.

Building Activity Statistics from January 1 to March 31, 2024:

Months	Building			Commercial	
	Permits	Inspections	Demolitions	Sq. Ft.	New Dwellings
January	22	308	1	3509	14
February	17	418	2	0	8
March	12	92	1	0	6
Total:	51	818	4	0	28

Building Permit Time Frames from January 1 to March 31, 2024:

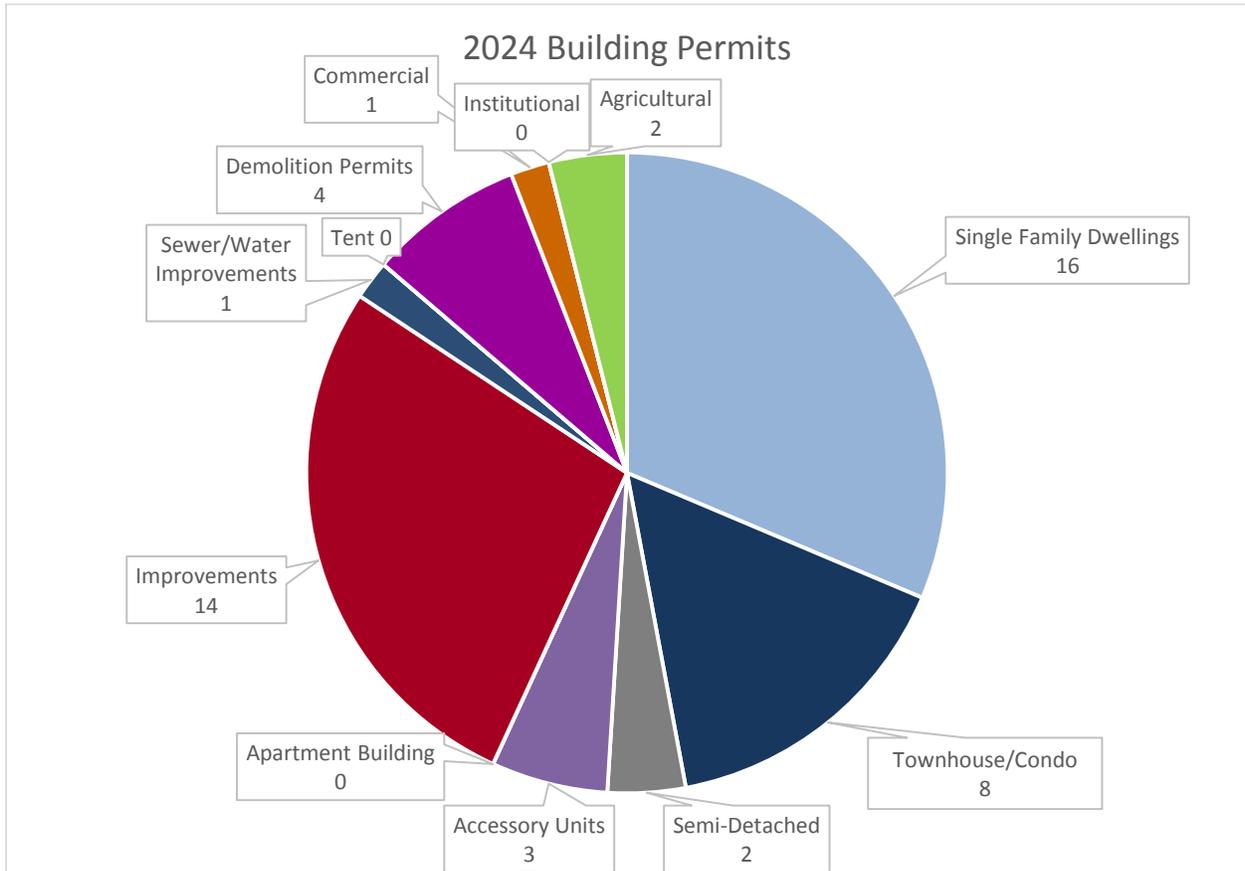
Building Type and Number of required days to issue	Number of Permits Issued	Average Number of Days to Issue Permit
House: 10 days	48	8
Small Building: 15 days	3	11
Large Building: 20 days	0	0
Complex Building: 30 days	0	0
Total:		

Major Building Projects Over \$250,000 (excluding single family dwelling units):

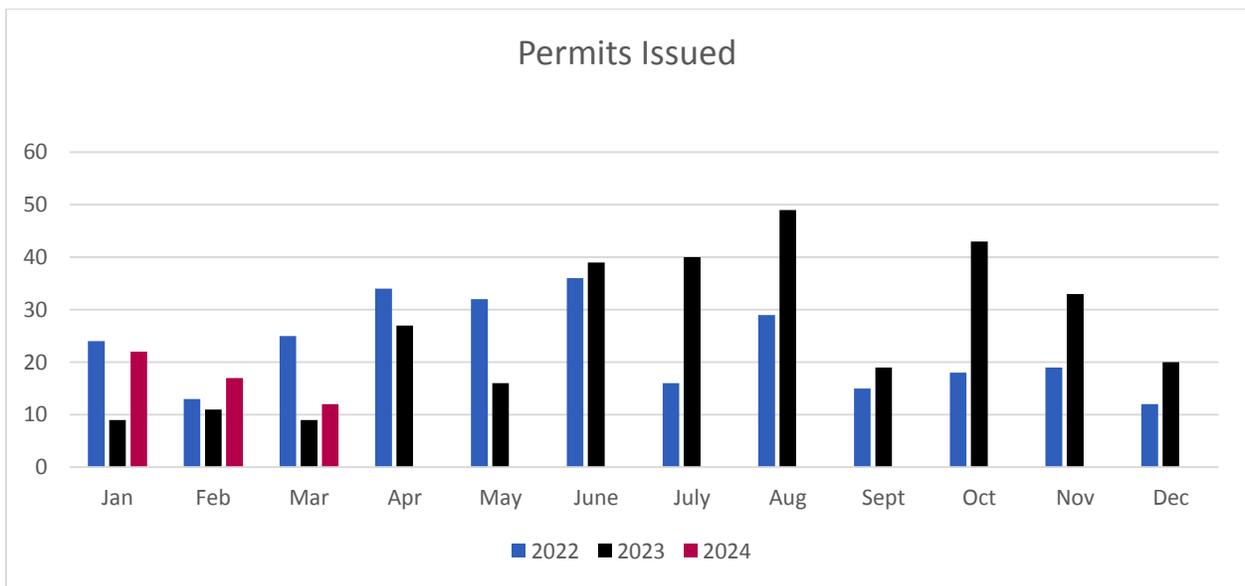
We currently have two projects over \$250,000 that are not single-family dwellings or townhouses. A new Agriculture Building \$300,000, and a Men's Changeroom interior renovation at Lookout Point Country Club \$900,000.

Town Development Charges collected by the Finance Department at time of building permit approval from January – March 2024 total \$745,755.

Building Permit Breakdown (Year to Date):



Comparative Building Activity Statistics from 2022-2024:



Projects:

Comprehensive Zoning By-law: A second public meeting was held with regards to the housekeeping amendment to the Zoning By-law 4481(2022) on January 17, 2024. Council adopted the housekeeping amendment to the Zoning By-law on March 6, 2024. One appeal was received from the property owner of 1130 Effingham Street.

Town Official Plan Review and Update: The Engaging Pelham website 'Picturing Pelham' is live and public comments and feedback can be received at: <https://engagingpelham.ca/town-of-pelham-official-plan>. Agency and stakeholder consultation has been initiated. The Policy Planner is the lead on this project and is available to meet with the public and Council members to discuss issues, concerns and answer questions at any time. It is anticipated that formal public consultation will commence in Q2.

East Fenwick Secondary Plan: A public meeting was held on February 14, 2024. Staff met with members of the public, Regional staff and the consultant to review comments and finalize the Secondary Plan. The secondary Plan has been finalized and will be presented to Council for final approval in April, 2024.

Greenbelt Area Natural Asset Management Plan: Work is progressing on the natural asset management plan including the completion of the natural asset roadmap, the natural asset condition indicators have been finalized along with an operations and maintenance indicators. A draft of the final report will be available in Q2 and a stakeholder workshop will be undertaken in May, 2024.

Constituent Concerns and Issues Arising:

Staff respond to resident inquiries and concerns on as needed basis.

Grants, Concerns, RFPs, Agreements:

RFP for undertaking Development Planning and Development Engineering fees review and Recreational User fees review has been prepared and released. Receipt of proposals is still pending and it is anticipated that this project will be awarded by April 30, 2024.

Meetings:

On-going meetings:

- OBOA Niagara Chapter Meetings
- Pre-Consultation Meetings

- SLT Meetings
- Joint Health & Safety Meetings
- Area Planners Meetings
- Regional Process Improvement Team Meetings
- Agricultural Advisory Committee Meetings

In addition to the various conversations with property owners and consultants regarding potential development applications and site visits, Staff have been involved in meetings regarding the following substantive matters:

- 10-year Capital Budget calibration meetings
- OLT Case Management Conference regarding OLT Interim Order on cannabis related Official Plan and Zoning By-law amendments
- Emergency Management Committee meeting
- MuniPaas Planning Application Portal meetings
- Procurement Improvement Process meeting
- Natural Asset Management Plan coordination meetings
- Interviews for Shared Environmental Coordinator Position with Town of Lincoln

Reporting Period: Fire and By-law Enforcement Department Quarterly Report for the period: Quarter 1 – January, February, March 2024

Recommendation:

BE IT RESOLVED THAT the Q1/2024 Fire and By-law Enforcement Department Report be received for information.

Department Overview and Statistics:

Fire Prevention

The department started the year off re-establishing a pub ed group with firefighters from all three stations. The group will be involved, teach, and actively educate the community regarding life safety, fire prevention and suppression, as well as fire-safety issues. These events may take place at off-site locations, as well as at fire stations.

Pelham scouts group attended the fire hall for an evening of First Aid training.

The department had one large loss fire in the month of February with the probable cause was a lithium ion battery over heating and going into thermal runaway. The fire was contained to the bedroom of the apartment. Great stop by crews on scene.

Fire prevention is continuously monitoring and distributing town employees of masks, wipes, and hand sanitizers.

Training

Recruits continued their training, completing first aid, Defib, EPI, naloxone testing, portable extinguishers, ropes and knots, overhaul and salvage, and forcible entry. Recruits received pagers and are now permitted to respond for medical calls.

Training and fire prevention officers delivered first aid training with Scouts group.

By-law

The bylaw department performed 65 random odour tests for cannabis in the first quarter of 2024 with no violations being recorded. The Town received 33 complaints relating to cannabis odour for the first quarter of 2024 with no violations being recorded. Of the 33 Cannabis Odour complaints received, 18 were from Welland with one Welland resident making up most of these complaints. A total of 55 bylaw complaints were received for the first quarter of 2024.

Emergency Management

Chief Lymburner participated in the planning for the solar eclipse event, which occurred on April 8, 2024. Niagara was in the path of total solar eclipse and large volumes of visitors were expected to travel to Niagara to view this natural phenomenon.

Pelham fire had extra human resources staged at different locations for the event:

- Pump 1, 4 firefighters staged at the MCC.
- RTV 3, 2 firefighters staged at the MCC.
- Rescue 1, 4 firefighters staged at station one.
- Pump 2, 4 firefighters staged at the airport.
- Rescue 2, 4 firefighters staged at station two.

March 27 & 28, Pelham fire department hosted an IMS 200 (Incident Management System) course at station 1, taught by Emergency Management Canada. 30 participants from around Niagara Region participated, which included 12 Town of Pelham employees. Pelham fire also hosted the IMS300 course April 2-4, 2024.

Suppression

Incident responses were normal volumes, 1 fire loss which involved a family residence in a four-plex building. Fire was contained to upper bedroom, firefighters quickly knocked down which resulted in minimal damage.

Projects:

Pumper 3 is in production with an expected delivery date of July 2024

Utility 3 is on order with delivery set for July 2024

Rescue 1 is almost complete with a delivery of May 2024

Station one repair / replacement is continuing with staff reports regarding council options for the proposed project.

Constituent Concerns and Issues Arising:

Nothing to report.

Employee Updates:

In January Pelham fire department celebrated two (2) 15-year anniversaries, Captain Jason Longhurst and firefighter Mark Schneider, both from station 1.

Grants, Concerns, RFPs, Agreements:

Anything to report

Meetings:

Regional chiefs

Regional emergency management committee

Eclipse 2024 working group.

Regional fire coordinators

Council

Health and safety committee

SLT

Medical assist committee

2024 FIRE & BY-LAW ADMINISTRATION

FIRE RESPONSES										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
STRUCTURE/VEHICLE FIRE	3	1	1	1						
MUTUAL AID OTHER DEPT	1	1	0							
MVC	15	6	4	5						
REMOTE / PRELIMINARY ALARMS	5	3	1	1						
MEDICAL ASSIST	62	21	16	25						
EMERG. & NON EMERG ASSIST	4	2	2							
PUBLIC ASSISTANCE	8	4	3	1						
GRASS/BRUSH FIRE/COMPLAINT	4	0	3	1						
RESCUES	1	1	0							
ODOUR INVESTIGATION	1	1	0							
CO INVESTIGATIONS	3	1	2							
Monthly Totals		41	32	34	0	0	0	0	0	0
Annual Total 2024	107									
Total Responses for 2023	511									

2024 FIRE PREVENTION

INSPECTIONS										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Inspections	16	4	5	7						
Town Monthly Building Inspect.	39	13	13	13						
Plan reviews	0	0	0	0						
Tapp-C	2	2	0	0						
Fireworks Permit	1	0	0	1						
Open Air Burning Permit	63	15	22	26						
Observed fire drill	1	1	0	0						
Court appearance	0	0	0	0						
Monthly Totals		35	40	47	0	0	0	0	0	0
Annual Total 2024	122									
Total Responses for 2023	474									

MONTHLY COMMITTEE/ASSOCIATION MEETINGS

	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
OMFPOA	3	1	1	1						
Arson Committee	0	0	0	0						
TAPP-C	0	0	0	0						
Development Coordinator Meeting	6	1	2	3						
Town staff meeting	1	0	0	1						
Meetings, various (n.o.s.)	0									
Monthly Totals		2	3	5	0	0	0	0	0	0
Annual Total 2024	10									
Total Responses for 2023	101									
FIRE INVESTIGATIONS										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
	0									
Monthly Totals		0	0	0	0	0	0	0	0	0
Annual Total 2024	0									
Total Responses for 2023	1									
PUBLIC EDUCATION										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Station Visit School	0	0	0	0						
Fire Prevention Education Event	3	1	0	2						
Child / Children Visit Station	0	0	0	0						
Public Education Presentation	3	2	1	0						
General inquiries	25	10	8	7						
Facebook Public Education Posts	28	28								
Monthly Totals		41	9	9	0	0	0	0	0	0
Annual Total 2024	59									
Total Responses for 2023	397									
OTHER ACTIVITIES										
	Total	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Compliance Letter	6	2	1	3						
Fire safety plan/drill scenario reviews	4	1	1	2						
Training for firefighters	9	3	3	3						
Training Course	0	0	0	0						

Monthly Totals		6	5	8	0	0	0	0	0	0
Annual Total 2023	19									
Total Responses for 2023	27									



BY-LAW SERVICES REPORT

BY-LAW COMPLAINTS RECEIVED

	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Complaints Received		13	13	29						
Monthly Total		13	13	29	0	0	0	0	0	0
Y-T-D Total 2024	55									
2023 Total	261									

PARKING INFRACTIONS ISSUED

	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Tickets Issued		35	8	5						
Monthly Total		35	8	5	0	0	0	0	0	0
Y-T-D Total 2024	48									
2023 Total	247									

PARKING WARNINGS ISSUED

	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Warnings issued		0								
Y-T-D Total 2024	0									
2023 Total	15									

ENVIRONMENTAL BY-LAW FILL APPLICATIONS RECEIVED

	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Received	0	0	0	2						
Authorized	0									
Properties Exempt	0									
Denied	1			1						
Monthly Total		0	0	2	0	0	0	0	0	0
Y-T-D Total 2024	2									

2023 Total	9									
POLICE REPORTS FILED										
	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Mischief	0	0	0	0						
Vandalism	0									
Trespassing	0									
Graffiti	0									
Other	0									
Monthly Total		0	0	0	0	0	0	0	0	0
Y-T-D Total 2024	0									
2023 Total	0									
CANNABIS ODOUR COMPLAINTS RECEIVED										
	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
NEW Complaints	3	0	2	1						
REPEAT Complaint	30	6	6	18						
Number of Violations		0		0						
Nasal Ranger detection	0	0		0						
fresh air detection	0	0		0						
From PELHAM	11	4		7						
From WELLAND	14	2		12						
Monthly Total		6	8	19	0	0	0	0	0	0
Y-T-D Total 2024	33									
2023 Total	96									
RANDOM CANNABIS ODOR TESTING										
	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Tests Completed		25	22	18						
Number of Violations		0	0	0						
Nasal Ranger detection		1	0	1						
fresh air detection		3	5	2						
Monthly Total		25	22	18	0	0	0	0	0	0
YTD Total 2024	65									
2023 Total	354									

CANNABIS OPERATIONS LIGHT POLLUTION COMPLAINTS RECEIVED										
	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
NEW Complaints	1	1	0	0						
REPEAT Complaints	0									
From PELHAM	0	1								
From WELLAND	0									
Monthly Total		1	0	0	0	0	0	0	0	0
Y-T-D Total 2024	1									
2023 Total	0									
NOISE COMPLAINTS										
	TOTAL	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
NEW Complaints	3	1	1	1						
REPEAT Complaints	1	1								
Monthly Total		2	1	1	0	0	0	0	0	0
Y-T-D Total 2024	4									
2023 Total	19									



The 3rd Annual Mountainview LemonAID Day for FACS Niagara is happening June 8, 2024!

Mountainview LemonAID Day is about "Kids Helping Kids"!

Family and Children's Services Niagara is excited to inform you that the 3rd Annual Mountainview LemonAID Day is taking place Saturday, June 8, 2024 around the entire Niagara Region. Once again, we are working with Mountainview Building Group to encourage community members to raise money to send kids to camp this summer by hosting a lemonade stand.

We are very proud to say that in 2023 the event raised over \$100,000, providing over 500 weeks of summer camp for deserving kids in the care of FACS Niagara.

We are respectfully asking the Town of Pelham to proclaim Saturday June 8th, 2024 Mountainview LemonAID Day for FACS Niagara.

What is Mountainview LemonAID Day?

It's a fun, family day that gives children and families the opportunity to give back to their community by selling lemonade and fundraising from family and friends.

Mountainview LemonAID Day is accessible to anyone! Registered teams receive everything they need to be successful including a branded lemonade stand, lemonade concentrate, pitchers, cups, t-shirts and hats. All they need to bring is a table and big smiles! When participants register through our website, they will automatically set up their own fundraising page so that they can begin accepting online donations. We challenge our young do-gooders to raise at least \$250 to send one kid to camp!



We have prizes for the team that raises the most, and the teams with the best decorated stands throughout each community.

Thank you for supporting FACS Niagara through Mountainview LemonAID Day and helping us send Niagara kids to camp this summer!

Sincerely yours,

Caroline Polgrabia
President, FACS Niagara Foundation

Ministry of Agriculture,
Food and Rural Affairs

Ministère de l'Agriculture, de
l'Alimentation et des Affaires rurales



Office of the Parliamentary Assistant

Bureau de l'adjoint parlementaire

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His Worship Marvin Junkin
Mayor
Town of Pelham
mjunkin@pelham.ca

His Worship Jeff Jordan
Mayor
Town of Grimsby
jjordan@grimsby.ca

David Cribbs
CAO
Town of Pelham
dcribbs@pelham.ca

Sarah Kim
Acting CAO
Town of Grimsby
skim@grimsby.ca

Dear Messrs. and Madam:

I want to thank you and your delegation for taking the time to meet with me during the 2024 ROMA Conference. Our government is committed to supporting our rural communities and I greatly value these opportunities to speak with you directly. Your input is important to me as we continue to work together.

Thank you for raising your concerns regarding Spotted Lanternfly, Oak Wilt and Spongy (Gypsy) Moth. The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) is working with the Canadian Food Inspection Agency (responsible for establishing and maintaining standards to prevent the introduction and spread of plant pests in Canada) and the Ministry of Natural Resources and Forestry (MNRF), to address Spotted Lanternfly and Oak Wilt. As Spongy Moth is a forest pest in Ontario, I would encourage you to share your concerns with my colleague, the Honourable Graydon Smith, at minister.mnrf@ontario.ca. I will follow up with him as well.

As part of OMAFRA's work to mitigate potential impacts of Spotted Lanternfly, we are investing more than \$50,000 in funding to monitor the pest at high-traffic locations, including introducing methods such as sticky tree bands. In addition, we implemented a team of specialists who formed part of a working group which successfully registered six pesticides in response to Spotted Lanternfly.

.../2

To help identify and prevent Oak Wilt, the ministry is working with both MNRF and the sector to raise awareness of the disease. OMAFRA specialists are also providing education to nursery growers and commercial arborists about pest and production management as well as ways to recognize and avert Oak Wilt.

If your municipality or residents suspect pests such as Oak Wilt or Spotted Lanternfly in your area, they should report that to the Canadian Food Inspection Agency through these links:

- [Spotted lanternfly Spot it? Snap it, catch it and report it - Canadian Food Inspection Agency \(canada.ca\)](#)
- [Oak wilt - Canadian Food Inspection Agency \(canada.ca\)](#)

I would also like to note that this past year our government opened the Biosecurity Enhancement Initiative, which provides funding to eligible agri-food businesses and contributors so they can protect animal and plant health. Examples of eligible projects include establishing or improving cleaning practices and training to support the mitigation of biosecurity risks in food production. I encourage you to share news of this initiative with applicable local businesses who would benefit from it.

As mentioned in Minister Thompson's remarks at ROMA, our government is launching consultations to develop a Rural Economic Development Strategy. We understand that a strong and dynamic rural Ontario is essential for the province's economy, and by working together, we can achieve great things for rural communities and small towns. If you have not done so already, I encourage you to submit your thoughts to our on-line portal by visiting this link: [Consultation: Rural Economic Development Strategy | ontario.ca](#).

Thank you again.

Sincerely,



Trevor Jones
Parliamentary Assistant

c: The Honourable Graydon Smith, Minister of Natural Resources and Forestry

**Committee of Adjustment
Minutes**

Meeting #: CofA 01/2024
Date: Monday, January 8, 2024
Time: 4:00 pm
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present Brenda Stan
 Colin McCann
 Isaiah Banach

Members Absent Don Rodbard
 John Cappa

Staff Present Sarah Leach
 Andrew Edwards
 Derek Young
 Jodi Legros

1. Attendance

Applicants, Agents and viewing members of the public via hybrid in-person and live-stream through the Town of Pelham YouTube Channel.

2. Call to Order, Declaration of Quorum and Introduction of Committee and Staff

Noting that a quorum was present, Chair Banach 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.

3. Land Recognition Statement

Ms. Sarah Leach, Secretary-Treasurer, recited the land recognition statement.

4. Approval of Agenda

Moved By Colin McCann

Seconded By Brenda Stan

THAT the agenda for the January 8, 2024, Committee of Adjustment meeting be adopted, as circulated.

Carried

5. Disclosure of Pecuniary Interest and General Nature Thereof

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

6. Requests for Withdrawal or Adjournment

On behalf of the applicant(s) of consent files B4-2024P, B5-2024P, and B6/2024P, Mr. William Heikoop of Upper Canada Consultants requested a deferral until such a time the applicant(s) can satisfy the agency's comments.

The Committee agreed to all requests.

Moved By Colin McCann

Seconded By Brenda Stan

THAT the Committee grant deferral of consent files B4-2024P, B5-2024P, and B6/2024P until a time determined by the applicant(s).

Carried

7. Applications for Minor Variance

8. Applications for Consent

8.1 B1-2024P - 1039 Church Street

Purpose of the Application

Application is made for consent to convey 434.74 square metres of land (Part 2), for future construction of a single detached dwelling. Part 1 is to be retained for future residential development.

Representation

The Agent, Eric Potts of Quartek Group and the Applicant, Lucas Lucchetta were present.

Correspondence Received

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building
4. Hydro One

Applicants Comments

Mr. Eric Potts, Agent, provided a summary of the application. Mr. Potts stated the purpose of the application is to provide intensification while remaining synonymous with the surrounding neighborhood. Mr. Potts indicated no objection to the proposed conditions. He further indicated that a conductor line may run through the property and noted the applicant would be willing to have it relocated as per the Public Works condition.

Public Comments

Ms. Leach, Secretary-Treasurer indicated she checked the clerks@pelham.ca email address at 4:13 pm and confirmed no e-mails have been received concerning 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.

Moved By Brenda Stan

Seconded By Colin McCann

THAT the public portion of the meeting be closed.

Carried

Member Comments

The Members offered no comments or concerns.

Moved By Brenda Stan

Seconded By Colin McCann

THAT Application B1-2024P made for consent to convey 434.74 square metres of land (Part 2), for future construction of a single detached dwelling, is hereby: GRANTED;

The above decision is subject to the following conditions:

To the Satisfaction of the Director of Public Works

- 1. 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.**
- 2. That the applicant confirm that no existing utilities currently cross the proposed new property line. Should any services cross this new property line, the applicant will be responsible for costs associated with their relocation and/or removal.**
- 3. That the applicant submit an overall lot grading and drainage plan to demonstrate that the drainage does not negatively impact nor rely on neighboring properties**
- 4. That Part 2 be individually serviced with its own sanitary and water connections and constructed in accordance with Town of Pelham Engineering Standards. Installation of any 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. Servicing must be completed prior to final paving of the Church Street.**

To the Satisfaction of the Secretary-Treasurer

- 1. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.**
- 2. That the final certification fee of \$436, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.**

This decision is based on the following reasons:

- 1. The application conforms to the policies of the Town of Pelham Official Plan, Regional Policy Plan and Provincial**

Policy Statement, and complies with the Town's Zoning By-law.

2. **This Decision is rendered having regard to the provisions of Sections 51(24) and 51(25) of the Planning Act, R.S.O., as amended.**
3. **The Committee of Adjustment considered all written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the Town Official Plan.**
4. **The applicant is aware and understands that servicing must be completed prior to the final paving of Church Street from Foss Road to Canboro Road.**

Carried

8.2 B2-2024P - 1171 Maple Street - Part 1

File B2-2024P was heard concurrently with file B3-2024P.

Purpose of the Application

Application B2-2024P is made for consent to convey 572 square metres of land (Part 1), for future construction of a semi-detached dwelling. Part 3 is to be retained for continued residential use of the dwelling known municipally as 1171 Maple Street.

Application B3-2024P is made for consent to convey 572 square metres of land (Part 2), for future construction of a semi-detached dwelling. Part 3 is to be retained for continued residential use of the dwelling known municipally as 1171 Maple Street.

Representation

The Agent, Ms. William Heikoop of Upper Canada Consultants, and the Applicant, Lawrence Veerman were present.

Correspondence Received

1. Town of Pelham Planning
2. Town of Pelham Public Works

3. Town of Pelham Building
4. Hydro One

Applicants Comments

Mr. William Heikoop, Agent, provided a brief presentation to explain the applications. A copy is available through the Secretary-Treasurer.

The Chair expressed the application was appropriate, a good source of intensification, and made sense about the surrounding community.

The Chair asked for clarification regarding the proposed amended language to the Public Works force main condition. Mr. Heikoop indicated that ECA approval requires municipal ownership which prompted the language change. Mr. Heikoop stated the force main will be constructed by the applicant at their expense. He further stated the construction, installation, and maintenance period will be embedded in the development agreement. Mr. Heikoop explained the condition is meant as an interim solution that allows development to move forward. He referenced a future project that would allow the force main to hook into a gravity sewer at an appropriate time.

The Chair asked the Region's role. Mr. Heikoop discussed the Region's servicing strategy and the characteristics of a municipal servicing agreement. Mr. Young indicated that the future pumping station and force main will be owned by the Region.

Public Comments

Ms. Leach, Secretary-Treasurer indicated she checked the clerks@pelham.ca email address at 4:32 pm and confirmed no e-mails have been received concerning 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.

Moved By Colin McCann
Seconded By Brenda Stan

THAT the public portion of the meeting be closed.

Carried

Member Comments

The Chair expressed the application appeared appropriate.

Moved By Colin McCann

Seconded By Brenda Stan

Application B2-2024P made for consent to convey 572 square metres of land (Part 1), for future construction of a semi-detached dwelling, is hereby: GRANTED

Application B3-2024P made for consent to convey 572 square metres of land (Part), for future construction of a semi-detached dwelling, is hereby: GRANTED

The above decisions are subject to the following conditions:

To the Satisfaction of the Director of Public Works

- 1. That the applicant obtains a Driveway Entrance Permit for the construction of a new driveway. This permit is obtained through the Public Works Department. All associated costs with this permit are the responsibility of the owner.**
- 2. That the applicant submit an overall lot grading and drainage plan to demonstrate that the drainage does not negatively impact nor rely on neighboring properties.**
- 3. That the applicant confirm that no existing utilities currently cross the proposed new property line. Should any services cross this new property line, the applicant will be responsible for costs associated with their relocation and/or removal.**
- 4. The proposed force main shall be constructed on private property within a municipal easement to be publicly owned and operated. A Development Agreement will be required to implement the design of the forcemain to the Satisfaction of the Director of Public Works.**
- 5. That the proposed Part 1 and Part 2 is to be individually serviced with its own water service connections. This work is to be done by a suitable contractor, at the owner's expense, and will require a Temporary Works Permit.**

To the Satisfaction of the Secretary-Treasurer

1. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
2. That the final certification fee of \$436, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.

The decisions are based on the following reasons:

1. The application conforms to the policies of the Town of Pelham Official Plan, Regional Policy Plan and Provincial Policy Statement, and complies with the Town's Zoning By-law.
2. This Decision is rendered having regard to the provisions of Sections 51(24) and 51(25) of the Planning Act, R.S.O., as amended.
3. The Committee of Adjustment considered all written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the Town Official Plan.

Carried

8.3 B3-2024P - 1171 Maple Street - Part 2

File B3-2024P was considered concurrently with file B2-2024P. Please refer to B2-2024P for minutes and decisions.

8.4 B4-2024P 201 Canboro Road - Part 1

File B4-2024P was deferred.

8.5 B5-2024P - 201 Canboro Road - Part 2

File B5-2024P was deferred.

8.6 B6-2024P - 168 Pancake Lane

File B6-2024P was deferred.

9. Minutes for Approval

Moved By Colin McCann

Seconded By Brenda Stan

THAT the Committee of Adjustment minutes dated November 6, 2023, be approved.

Carried

10. Adjournment

The hearing was adjourned at 4:35 pm.

Moved By Brenda Stan

Seconded By Colin McCann

BE IT RESOLVED THAT this Meeting of the Committee of Adjustment be adjourned until the next regular meeting scheduled for February 5, 2024 at 4:00 pm.

Carried



Isaiah Banach, Chair



Sarah Leach, Secretary-Treasurer

**Committee of Adjustment
Minutes**

Meeting #: 03-2024
Date: Monday, March 4, 2024
Time: 4:00 pm
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present Don Rodbard
Isaiah Banach
John Cappa

Members Absent Brenda Stan
Colin McCann

Staff Present Sarah Leach
Andrew Edwards
Jodi Legros
Gimuel Ledesma

1. Attendance

Applicants, Agents and viewing members of the public via hybrid in-person and live-stream through the Town of Pelham YouTube Channel.

2. Call to Order, Declaration of Quorum and Introduction of Committee and Staff

Noting that a quorum was present, Chair Banach 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.

3. Land Recognition Statement

Ms. Sarah Leach, Secretary-Treasurer, recited the land recognition statement.

4. Approval of Agenda

Moved By John Cappa

Seconded By Don Rodbard

THAT the agenda for the March 04, 2024, Committee of Adjustment meeting be adopted, as circulated.

Carried

5. Disclosure of Pecuniary Interest and General Nature Thereof

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

6. Requests for Withdrawal or Adjournment

Ms. Leach stated no requests for withdrawal or adjournment have been made.

7. Applications for Minor Variance

7.1 A2-2024P - 801 Canboro Road and 1126 Maple Street

Purpose of the Application

Application for relief is made, to facilitate an addition on the north side of the building to the existing structure in the southwest corner of the parcel. The Owner has initiated the process to merge 801 Canboro Road with 1126 Maple Street through a Deeming By-law. The applicant seeks relief from the following section(s) of the Zoning By-law: Section 8.1.3 “Minimum Rear Yard Setback” – to permit a minimum rear yard setback of 2.8 metres whereas a minimum 6.0 metre setback is required; Section 8.1.3 “Maximum Side Yard Setback” – to permit a maximum side yard setback of 15.3 metres whereas a maximum 1.2 metre maximum side yard is permitted; Section 4.3.1 “Short-term Bicycle Parking” – to permit 0 spaces whereas a minimum of 4 spaces is required; and Section 4.3.1 “Long-term Bicycle Parking” – to permit 0 spaces whereas a minimum of 1 long-term space is required.

Representation

The Agent, Joel Rypstra was present.

Correspondence Received

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building

Applicants Comments

None.

Public Comments

None.

Ms. Leach, Secretary-Treasurer indicated she checked the clerks@pelham.ca email address at 4:09 pm and confirmed no e-mails had 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.

Moved By John Cappa

Seconded By Isaiah Banach

THAT the public portion of the meeting be closed.

Carried

Member Comments

The Chair stated the proposal was a logical extension of the existing building and satisfied the four minor variance tests.

Moved By John Cappa

Seconded By Don Rodbard

Application for relief of Section 8.1.3 “Minimum Rear Yard Setback” – to permit a minimum rear yard setback of 2.8 metres whereas a minimum 6.0 metre setback is required, is hereby: GRANTED;

The above decision is based on the following reasons:

1. **The variance is minor in nature given the orientation of the site, and is not anticipated to impact the streetscape, or neighbouring properties, in a significant way.**

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 permit the natural extension of the existing repair garage.**
5. **This application is granted without prejudice to any other application in the Town of Pelham.**
6. **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.**

Application for relief of Section 8.1.3 “Maximum Side Yard Setback” – to permit a maximum side yard setback of 15.3 metres whereas a maximum 1.2 metre maximum side yard is permitted, is hereby: GRANTED;

The above decision is based on the following reasons:

1. **The variance is minor in nature as the side yard functions as a rear yard, and as such, the impact of the increased setback is minimal. The scale of the proposed addition will not affect the original intent of the building design, and the streetscape along Canboro Road will remain consistent.**
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 permit an appropriate addition to the existing business.**
5. **This application is granted without prejudice to any other application in the Town of Pelham.**
6. **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.**

Application for relief of Section 4.3.1 “Short-term Bicycle Parking” – to permit 0 spaces whereas a minimum of 4 spaces is required, is hereby: GRANTED;

The above decision is based on the following reasons:

- 1. The variance is minor in nature as it is not anticipated to detract from the ability of the site to accommodate bicycle parking for customers.**
- 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 an existing bicycle rack along the Canboro Road frontage of the site remains.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**
- 6. 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.**

Application for relief of Section 4.3.1 “Long-term Bicycle Parking” – to permit 0 spaces whereas a minimum of 1 long-term space is required, is hereby: GRANTED;

The above decision is based on the following reasons:

- 1. The variance is minor in nature as it is not anticipated to detract from the ability of the site to accommodate bicycle parking for customers.**
- 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 an existing bicycle rack along the Canboro Road frontage of the site remains.**

5. **This application is granted without prejudice to any other application in the Town of Pelham.**
6. **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 decisions are subject to the following conditions:

1. **That all necessary building permits are obtained prior to construction commencing, to the satisfaction of the Chief Building Official.**

Prior to Building Permit:

1. **To the Satisfaction of the Director of Community Planning and Development**
 1. **Enter into a site plan agreement with the Town to the satisfaction of the Director of Community Planning and Development.**

Carried

7.2 A3-2024P 27 Milburn Drive

Purpose of the Application

Application for relief is made, to facilitate the construction of an accessory building/pool area. The applicant seeks relief from the following section(s) of the Zoning By-law: Section 3.1(c) "Accessory Uses, Buildings and Structures" – requesting an accessory building be permitted a front yard setback of 2.18m, whereas accessory structures are not to be located in any front yard; and Section 3.33(b) "Swimming Pools" – to permit a setback of 2.53m to a front lot line for pool circulating equipment in an enclosed building, whereas circulating equipment is not permitted closer to any street than the required yard for the main building or structure.

Representation

The Applicants, Blake and Joanna Dolce were present.

Correspondence Received

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building

Applicants Comments

None.

Public Comments

None.

Ms. Leach, Secretary-Treasurer indicated she checked the clerks@pelham.ca email address at 4:18 pm and confirmed no e-mails have 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.

Moved By Don Rodbard

Seconded By John Cappa

THAT the public portion of the meeting be closed.

Carried

Member Comments

The Chair stated the proposal was a logical use of the property and satisfied the four minor variance tests. The Chair asked if a pool permit was considered a building permit. Andrew Edwards, Town Planner, responded that a pool permit was separate, and issued through the By-law Division. The Chair requested a formal amendment to the conditions of approval.

Moved By Isaiah Banach

Seconded By John Cappa

THAT the following condition of approval be added:

That the Applicant obtain a pool permit through the By-law Division.

Moved By Isaiah Banach
Seconded By John Cappa

Application for relief of Section 3.1(c) “Accessory Uses, Buildings and Structures” – requesting an accessory building be permitted a front yard setback of 2.18m, whereas accessory structures are not to be located in any front yard, is hereby: GRANTED;

The above decision is based on the following reasons:

- 1. The variance is minor in nature as it is not anticipated to impact the streetscape in a significant way. The design/placement of the structure utilizes the existing amenity area while maintaining a compatible built form with the surrounding neighbourhood.**
- 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 an accessory building on an irregular, triangular-shaped lot.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**
- 6. 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.**

Application for relief of Section 3.33(b) “Swimming Pools” – to permit a setback of 3.33m to a front lot line for pool circulating equipment in an enclosed building, whereas circulating equipment is not permitted closer to any street than the required yard for the main building or structure, is hereby: GRANTED;

The above decision is based on the following reasons:

- 1. The variance is minor in nature as no adverse impact on the streetscape is 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 maintain adequate outdoor amenity area for the property owners. Locating the circulating equipment in the accessory structure will provide a visual and noise-attenuating buffer for the machinery.**
5. **This application is granted without prejudice to any other application in the Town of Pelham.**
6. **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 decisions are subject to the following conditions:

1. **That all necessary building permits are obtained prior to construction commencing, to the satisfaction of the Chief Building Official.**
2. **That the Applicant obtain a pool permit, through the By-law Division.**

Prior to Building Permit:

1. **To the Satisfaction of the Director of Community Planning and Development**
 1. **Obtain approval for a fence variance.**
2. **To the Satisfaction of the Director of Public Works**
 1. **The Applicant must submit a comprehensive Lot Grading & Drainage Plan demonstrating that the drainage neither relies, nor negatively impacts neighboring properties, and that all drainage will be contained within the respective lot.**

Carried

8. Applications for Consent

None.

9. Minutes for Approval

Moved By John Cappa

Seconded By Isaiah Banach

THAT the Committee of Adjustment minutes dated February 5, 2024, be approved.

Carried

10. Adjournment

The hearing was adjourned at 4:23 pm.

Moved By John Cappa

Seconded By Isaiah Banach

BE IT RESOLVED THAT this Meeting of the Committee of Adjustment be adjourned until the next regular meeting scheduled for April 2, 2024, at 4:00 p.m.

Carried



Isaiah Banach, Chair



Sarah Leach, Secretary-Treasurer

Subject: Proposed By-law to Regulate Parks and Implement Pilot Project for Personal Alcohol Consumption in Peace Park

Recommendation:

BE IT RESOLVED THAT Council receive Report # 2024-0085 Proposed By-law to Regulate Parks and Implement Pilot Project for Personal Alcohol Consumption in Peace Park, for information;

AND THAT Council approve, in principle, the proposed Parks and Recreational Areas By-law as presented;

AND THAT Council direct that the proposed by-law be presented to Council for consideration at the next regular meeting of Council.

Background:

In November 2023, Council provided direction to replace two existing by-laws that address the possession of alcohol in municipal parks with a single by-law to regulate park activities, including alcohol use. Council also approved a pilot project to permit personal alcohol consumption in Peace Park from May 1, 2024 until October 31, 2024. Staff have developed the proposed Parks and Recreational Areas By-law to implement both aspects of this direction.

Analysis:

The proposed By-law applies to parks and recreational areas listed in Schedule "A" to the By-law, which can easily be updated as the Town develops parks in the future. At present there are 20 locations that are subject to the proposed By-law.

The proposed By-law sets out conditions for entry to any park or recreational area, identifies conduct that is prohibited at all locations, and specifies activities in parks and recreational activities that require the permission or authorization of the Town or other applicable authority. The proposed By-law also regulates the presence of animals, motor vehicles and bicycles in parks and sets rules for sporting activities.

Section 7 of the proposed By-law implements the pilot project for personal alcohol consumption in Peace Park. As a starting point, section 7.1 provides that no person shall sell, serve, possess or consume liquor in any park or recreational area without a licence issued by the Alcohol and Gaming Commission of Ontario (AGCO). However, section 7.2 creates an exception for persons at least 19 years old to have liquor in a park or recreational area designated as a "Public Place" without an AGCO licence.

Council will recall that the *Liquor Licence and Control Act, 2019* authorizes Council to pass by-laws to designate a public place as one where alcohol is permitted. Peace Park is designated as a "Public Place" by section 7.3 of the proposed By-law, which also confirms that no other park or recreational area in Pelham is so designated.

The combined effect of sections 7.2 and 7.3 of the proposed By-law is that persons of legal drinking age may consume personal alcohol in Peace Park. This means, for example, that a celebratory glass of champagne may be enjoyed by adult guests at the many weddings held in Peace Park. However, section 7.4 of the proposed By-law provides that the exception prescribed by section 7.2 does not operate or apply at any time that the Town has an AGCO licence to sell or serve liquor in Peace Park. This means that personal alcohol consumption in Peace Park will not be permitted during Summer Chill Series events.

As this is a pilot project, section 7.5 of the proposed By-law states that the sections allowing personal alcohol consumption in Peace Park cease to be in effect on October 31, 2024. The general prohibition in section 7.1 will remain operative.

Financial Considerations:

There are no direct costs associated with the proposed By-law. Costs associated with implementing the pilot project are expected to include public education, park signage and by-law enforcement. The quantum of these costs is unknown.

Alternatives Reviewed:

None.

Strategic Plan Relationship: Community Development and Growth

Parks and recreational areas are important Town assets that benefit from clear and consistent regulations for their use. The proposed By-law is intended to protect these assets and promote their safe and enjoyable use by the public. Allowing personal alcohol consumption may increase public enjoyment of Peace Park.

Consultation:

The Senior Leadership Team and By-law Enforcement staff were consulted during the preparation of the proposed Parks and Recreational Areas By-law.

Other Pertinent Reports/Attachments:

Proposed Parks and Recreational Areas 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. XX-2024

Being a By-law to regulate the use of municipal parks in the Town of Pelham and to repeal By-law #1583(1993) and By-law No. 1608(1993).

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 on the municipality 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* authorizes a lower-tier to pass by-laws respecting the public assets of the municipality, the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and culture, parks and recreation;

AND WHEREAS section 40 of the *Liquor Licence Control Act, 2019*, S.O. 2019, c. 15, Sched. 22 ("*Liquor Licence Control Act, 2019*") authorizes the Council of a municipality to prohibit the possession of liquor in designated municipal recreational areas;

AND WHEREAS section 41 of the *Liquor Licence Control Act, 2019* authorizes the Council of a municipality to permit the possession or consumption of alcohol in a designated public place;

AND WHEREAS sections 425 and 429 of the *Municipal Act, 2001* authorize a municipality to create offences for the contravention of its by-laws and to establish a system of fines for offences under its by-laws;

AND WHEREAS section 434.1 of the *Municipal Act, 2001* authorizes a municipality to establish a system of administrative monetary penalties to assist the municipality in promoting compliance with its by-laws;

AND WHEREAS section 445 of the *Municipal Act, 2001* provides that a municipality, if satisfied that a by-law contravention has occurred, may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred, to do work to correct the contravention;

AND WHEREAS section 446 of the *Municipal Act, 2001* provides that if a municipality has authority to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter of thing shall be done at the person's expense;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary and desirable to regulate the use of parks and recreational areas in the Town of Pelham and to enact this By-law for that purpose;

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, control and prohibit certain activities at parks and recreational areas under the control of the Town to protect such facilities and promote their safe and enjoyable use by the public.

2. Definitions

2.1. In this By-law:

“Administrative Penalty” means an Administrative Penalty issued pursuant to Town of Pelham Administrative Penalty Process By-law for Non-Parking By-laws No. 68-2023, as amended from time to time.

“Applicable Law” means all applicable by-laws of the Town and Niagara Region and all applicable provincial and federal statutes and regulations.

“Authorized Sign” means any sign, placard, notice or informational device posted, placed or erected by the Town in, upon or in relation to any Park or Recreational Area.

“Bicycle” means a bicycle or motor assisted bicycle as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8 (*“Highway Traffic Act”*).

“By-law Enforcement Officer” means a by-law enforcement officer of the Town and includes the Director.

“Clerk” means the Clerk of the Town or designate.

“Council” means the Council of the Town.

“Director” means the Director of Fire and By-law Services of the Town or designate.

“Emergency Personnel” means any Person(s) providing emergency response services including paramedics, firefighters and police officers.

“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.

“Enforcement Authority” means the Director, a By-law Enforcement Officer, and any Person appointed or otherwise delegated the authority to administer and enforce this By-law.

“Liquor” means spirits, wine and beer or any combination of them and includes any alcohol in a form appropriate for human consumption as a beverage, alone or in combination with any other matter.

“Liquor Licence” means a licence or permit issued by the Alcohol and Gaming Commission of Ontario in accordance with the *Liquor Licence and Control Act, 2019* for the purpose of serving liquor at a Special Event.

“Motor Vehicle” means a Motor Vehicle as defined in the *Highway Traffic Act*.

“Niagara Region” means the Regional Municipality of Niagara.

“Nuisance” means a Nuisance as defined and/or described in Town of Pelham Nuisance By-law No. 4253(2020), as amended from time to time.

“Order” means an Order issued to a Person under this By-law.

“Organized Sporting Activity” means a sport, game or similar activity pre-planned by or on behalf of a group or organization, whether or not formally constituted, including training and practices.

“Owner” means the registered owner of Private Property.

“Park or Recreational Area” means any land owned by or under the control of the Town that is established, dedicated, set apart or made available for public use and devoted to active or passive recreation and includes all buildings, structures, facilities and improvements thereon.

“Permit” means any permit or formal written permission or authorization issued by the Town, Niagara Region or any other government authority pursuant to and in accordance with any Applicable Law.

“Person” means an individual, corporation, partnership or association.

“Private Property” means Property owned by a Person other than the Town, Niagara Region, the Province of Ontario or Canada.

“Property” means any land or premises within the Town.

“Public Place” means a Park or Recreational Area designated under section 7 of this By-law as a Public Place where Liquor is permitted.

“Special Event” means a pre-planned event or function held at a Park or Recreational Area that is open to the public or to invitees including but not limited to a fair, exhibition, carnival, concert, festival, sporting event, film screening, theatre performance, assembly for political, religious or cultural purposes, wedding, or other similar event.

“Town” means the Corporation of the Town of Pelham or the geographic area of the municipality, as the context requires.

3. Application

- 3.1. This By-law applies to all Parks and Recreational Areas in the Town of Pelham listed in Schedule “A”, as amended or updated from time to time, which is attached hereto and forms part of this By-law.
- 3.2. This By-law does not apply to cemeteries as defined in the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33.
- 3.3. This By-law does not apply to Private Property.

4. General Prohibition

- 4.1. No Person shall use a Park or Recreational Area or cause or permit the use of a Park or Recreational Area except in accordance with this By-law and all Applicable Law.

5. Conditions of Entry

- 5.1. All Persons who enter a Park or Recreational Area shall comply with this By-law, all Applicable Law, all Authorized Signs providing rules and regulations for use of the Park or Recreational Area, and the conditions of any applicable Permit.

- 5.2. No Person shall enter or be within any Park or Recreational Area between the hours of 11:00 p.m. and 5:00 a.m. without a Permit.
- 5.3. No Person shall enter or leave any Park or Recreational Area except through an established entrance or exit.
- 5.4. No Person shall enter or be within any prohibited or restricted area of any Park or Recreational Area without a Permit.
- 5.5. No Person shall enter or attempt to enter any building, facility or structure at any Park or Recreational Area that is sealed, locked or otherwise restricted from public access, without a Permit.
- 5.6. All Persons who enter a Park or Recreational Area are deemed to accept the conditions of entry set out herein and to enter the Park or Recreational Area at their own risk.

6. Prohibited Conduct in Parks and Recreational Areas

- 6.1. While in a Park or Recreational Area, no Person shall:
 - (a) engage in riotous, threatening, violent or indecent conduct;
 - (b) use abusive, threatening or profane language;
 - (c) engage in conduct that may cause injury or damage to Persons or property;
 - (d) interfere with the use and enjoyment of the Park or Recreational Area by any other Person;
 - (e) disturb, disrupt or interfere with any event or activity for which a Permit has been issued;
 - (f) make, cause or permit any noise that contravenes Town of Pelham Noise Control By-law No. 4454(2022);
 - (g) cause, create or permit a Nuisance contrary to Town of Pelham Nuisance By-law No. 4253(2020);
 - (h) use any building, facility, structure or equipment for any purpose other than that for which it is obviously intended;
 - (i) climb any structure or equipment unless it is designed and intended for climbing;
 - (j) damage, destroy, deface, move or remove any building, facility, structure or equipment or any landscaping including but not limited to trees, shrubs, plants, flowers, soil, sand, rocks and wood;
 - (k) dig, construct upon or alter the grade of the Property;
 - (l) build, erect or install any temporary or permanent structure except as permitted under section 8 of this By-law;
 - (m) light, build or stoke any open fire or bonfire;
 - (n) use a barbecue with any fuel other than charcoal or propane in a tank not exceeding twenty (20) pounds capacity;
 - (o) leave a barbecue unattended at any time;
 - (p) disturb, touch or harm any wildlife or wildlife habitat;
 - (q) feed or attempt to feed any wildlife;
 - (r) deposit, provide or leave food that may attract or be used by wildlife or other animals;
 - (s) deposit, bury or scatter cremated human or animal remains;

- (t) dispose of refuse of any kind except that which is generated through the normal use of the Park or Recreational Area and is deposited in receptacles provided for such purpose;
- (u) throw or propel stones or other objects that may cause injury or damage to Persons or property;
- (v) possess or use a weapon of any kind including but not limited to any firearm, bow and arrow, or bladed weapon;
- (w) smoke, vape or use any tobacco or cannabis product contrary to Niagara Region By-law No. 112-2013;
- (x) possess or consume Liquor except as permitted under section 7 of this By-law; or
- (y) engage in any activity for which a Permit is required without having first obtained the said Permit.

7. Possession or Consumption of Liquor

- 7.1. No Person shall sell, serve, possess or consume Liquor in any Park or Recreational Area unless authorized under a Liquor Licence.
- 7.2. Despite section 7.1, and subject to section 7.4, a Person who is at least 19 years of age may, without a Liquor Licence, possess an open container of Liquor and may consume Liquor in any Park or Recreational Area designated under this By-law as a Public Place.
- 7.3. The Park municipally known as Peace Park is hereby designated as a Public Place. For greater certainty, no other Park or Recreational Area listed in Schedule "A" is designated as a Public Place.
- 7.4. The exception prescribed by section 7.2 does not operate or apply at any time during which the Town is authorized under a Liquor Licence to sell or serve Liquor in a Public Place.
- 7.5. Sections 7.2 to 7.4 of this By-law shall be in effect commencing at 12:00 a.m. on May 1, 2024 and shall cease to be in effect at 11:59 p.m. on October 31, 2024.

8. Activities Prohibited Without a Permit

- 8.1. No Person shall undertake, perform, cause or permit any of the following activities at any Park or Recreational Area without a Permit:
 - (a) arrange or participate in an Organized Sporting Activity;
 - (b) hold a Special Event;
 - (c) gather a group of more than twenty-five (25) Persons;
 - (d) convene, conduct or participate in any parade or procession;
 - (e) operate loudspeakers or sound amplification equipment;
 - (f) subject to section 7, possess or consume Liquor;
 - (g) sell or offer for sale any food, beverage or refreshment;
 - (h) sell or offer for sale any goods, merchandise or services;
 - (i) practice, carry on or conduct any trade, calling, business or occupation;
 - (j) solicit for any trade, calling, business, occupation or charity;
 - (k) play or bet at any game of chance for money or other value;
 - (l) distribute any handbill, notice, circular or advertisement;

- (m) operate any remote-controlled or other motor-driven aerial machine including model airplanes and drones;
 - (n) take or permit to be taken for remuneration any photograph, film or digital recording unless an Authorized Sign permits such activities;
 - (o) possess, ignite, discharge or set off any fireworks; or
 - (p) place, construct, install or erect any temporary or permanent structure other than a tent commonly described as a pop-up tent or canopy, which is open on one (1) or more sides and has an area of no more than ten (10) square metres.
- 8.2. No Person shall undertake or participate in any activity for which a Permit is issued except in accordance with all terms and conditions of the Permit and in compliance with all Applicable Law.

9. Games and Sports

- 9.1. No Person shall play or take part in any game, sport or similar activity at any Park or Recreational Area except in areas designated for such use and, where applicable, within sporting facilities that have been installed by the Town for such purposes.
- 9.2. No Person shall use a sports field, tennis court, pickleball court or other sporting facility at any Park or Recreational Area for a period of more than sixty (60) consecutive minutes at any time that another Person is waiting to use it.
- 9.3. No Person shall use a tennis court or pickleball court located in a Park or Recreational Area unless they are wearing rubber-soled, non-marking shoes.
- 9.4. No Person shall use golf clubs or equipment or strike a golf ball in any Park or Recreational Area.
- 9.5. No Person shall enter the waters of any fountain, ornamental pool, pond, lake or stream in any Park or Recreational Area unless such entry is permitted by an Authorized Sign.
- 9.6. No Person shall enter any swimming pool or splash pad area except during the times designated for use on an Authorized Sign.
- 9.7. No Person shall use a swimming pool in any Park or Recreational Area without being properly attired in appropriate swimwear.
- 9.8. No Person shall dress or undress adjacent to any swimming pool or splash pad area except in facilities provided for that purpose.
- 9.9. No Person shall fish in any Park or Recreational Area.
- 9.10. No Person shall ice skate in any Park or Recreational Area.
- 9.11. No Person shall camp, lodge or dwell in any Park or Recreational Area.

10. Motor Vehicles and Bicycles

- 10.1. No Person shall operate a Motor Vehicle in any area of a Park or Recreational Area other than on a paved or gravel road or in a designated parking area.

- 10.2. No Person shall use a Bicycle in any area of a Park or Recreational Area where an Authorized Sign prohibits such use.
- 10.3. No Person shall operate a Motor Vehicle or Bicycle in any Park or Recreational Area at a speed in excess of twenty (20) kilometres per hour unless an Authorized Sign provides otherwise.
- 10.4. No Person shall operate Motor Vehicle or Bicycle in any Park or Recreational Area in a manner that obstructs, inconveniences or endangers any other Person or in contravention of the *Highway Traffic Act*.
- 10.5. No Person shall park or leave a Motor Vehicle in any area of a Park or Recreational Area other than a designated parking area.
- 10.6. No Person shall operate, park or leave a Motor Vehicle at any Park or Recreational Area between the hours of 11:00 p.m. and 5:00 a.m. without a Permit.
- 10.7. No Person shall operate, park or leave a Motor Vehicle at any Park or Recreational Area in a manner that contravenes Town of Pelham Town Property Parking By-law No. 4483(2022).
- 10.8. No Person shall wash, clean, polish, service, maintain or make non-emergency repairs to a Motor Vehicle at any Park or Recreational Area.
- 10.9. No Person shall use any part of a Park or Recreational Area for the purpose of teaching, coaching or instructing any Person on the use or operation of a Motor Vehicle.
- 10.10. Motorized vehicles that are primarily for leisure or recreational use, including but not limited to snowmobiles, mini-bikes, ATVs, dune buggies and similar vehicles, shall not be operated in any Park or Recreational Area unless an Authorized Sign permits such use.

11. Animals

- 11.1. No Person shall bring any animal into a Park or Recreational Area except:
 - (a) a dog that is leashed and under the control of the Person in accordance with Town of Pelham Animals at Large By-law No. 97-2010; or
 - (b) a service animal as defined in the *Provincial Animal Welfare Services Act, 2019, S.O. 2019, c. 13*.
- 11.2. No Person shall cause or permit any animal, other than a service animal, to enter any swimming pool, splash pad, pond, garden, playground or sports field at a Park or Recreational Area or any other area of a Park or Recreational Area where such entry is prohibited by Authorized Signs.
- 11.3. Any Person who brings a leashed dog or service animal into a Park or Recreational Area shall ensure that it does not disturb or harm any wildlife.
- 11.4. Any Person who brings a leashed dog or service animal into a Park or Recreational Area shall ensure that animal waste is cleaned up immediately and deposited in an appropriate waste container or removed from the Park or Recreational Area.

12. Encroachments

- 12.1. No Person shall cause or permit any encroachment of any kind upon a Park or Recreational Area including but not limited to the construction, installation or maintenance of any fence, building or structure, the storage or dumping of any organic or inorganic materials, and the planting or cultivation of trees, shrubs or flowers.
- 12.2. Where a Person causes or permits an encroachment upon a Park or Recreational Area from an adjacent or abutting Private Property, an Enforcement Authority may make an Order requiring the Person who caused or permitted the encroachment and/or the Owner of the Private Property to remove the encroachment within the time specified in the Order, which shall be not less than ten (10) days.
- 12.3. An Order made under section 12.2 may be served by regular mail, registered mail or hand delivered to the last known address of the Person(s) to whom it is issued or by email to the last known email address of the Person(s) to whom it is issued.
- 12.4. Where an Order is served pursuant to section 12.3 and the encroachment is not removed within the time specified therein, the Town may do any work necessary to remove the encroachment at the expense of the Person(s) in default of the Order.
- 12.5. The Town may recover the cost of any work done pursuant to section 12.4 of this By-law by adding the cost to the tax roll for the Private Property from which the encroachment originated and collecting it in the same manner and with the same priority as municipal taxes.

13. Exemptions

- 13.1. This By-law does not apply to Emergency Personnel or Emergency Service Vehicles while carrying out their lawful duties.
- 13.2. This By-law does not apply to employees or agents of the Town while engaged in works or services undertaken for or on behalf of the Town.

14. Enforcement

- 14.1. This By-law shall be administered and enforced by the Town and Enforcement Authorities.
- 14.2. An Enforcement Authority 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*.
- 14.3. No Person shall obstruct or hinder, or attempt to obstruct or hinder, any Enforcement Authority in the exercise of a power or the performance of a duty under this By-law.

15. Penalty

- 15.1. This By-law shall be administered and enforced by the Clerk and Enforcement Authorities.
- 15.2. Every 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 *Provincial Offences Act, R.S.O. 1990, c. P.33*.

- 15.3. Administrative Penalty Process By-law for Non-Parking By-laws No. 68-2023 applies to each administrative penalty issued pursuant to this By-law.
- 15.4. Every Person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty Process By-law for Non-Parking By-laws No. 68-2023, be liable to pay to the Town an administrative penalty in accordance with that By-law.

16. General

- 16.1. The short title of this By-law is the "Parks and Recreational Areas By-law".
- 16.2. 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.
- 16.3. 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.
- 16.4. This By-law shall be read with all changes in number or gender as are required by context.
- 16.5. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.
- 16.6. 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.

17. Repeal and Enactment

- 17.1. By-law #1583(1993), being a by-law to prohibit the possession of liquor in recreational areas, together with all amendments thereto, is hereby repealed and replaced.
- 17.2. By-law No. 1608(1993), being a by-law to regulate parks and facilities in the Town of Pelham, together with all amendments thereto, is hereby repealed and replaced.

18. Effective Date

- 18.1. This By-law shall come into force on the date that it is enacted.

Marvin Junkin, Mayor

William Tigert, Acting Town Clerk

SCHEDULE "A"

Parks and Recreational Areas

Centennial Park
Cherry Ridge Park
Harold Black Park
Harold S. Bradshaw Memorial Park
Hillcrest Park
Hurleston Community Park
Lookout Park
Leslie Hills Park
Marlene Stewart Streit Park
North Pelham Park
1120 Haist Street Park
Peace Park
Pelham Corners Park
Rolling Meadows Park
Weiland Heights Park
Woodstream Park
Steve Bauer Trail
Gerry Berkhout Trail
Jane Haist Trail
John Nemy Trail

Subject: Recommendation Report – East Fenwick Secondary Plan
(Official Plan Amendment No.21)

Recommendation:

**BE IT RESOLVED THAT Council receive Report #2024-0091,
Recommendation Report – East Fenwick Secondary Plan
(Official Plan Amendment No. 21);**

**AND THAT Council direct Planning Staff to prepare the by-law
for approval of the East Fenwick Secondary Plan (Official Plan
Amendment No. 21).**

Executive Summary:

The purpose of this report is to provide Council with a recommendation regarding the East Fenwick Secondary Plan (Official Plan Amendment No. 21). The proposed Official Plan Amendment is attached as Appendix A to this report.

Passing the proposed East Fenwick Secondary Plan will not create a legal obligation upon the Town to pay for or otherwise provide servicing in support of the anticipated development. The Secondary Plan does not address issues of servicing affordability, but rather focuses upon proposed land use.

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. A Secondary Plan provides detailed planning policies for a specific area and is used to strengthen existing development areas or to promote the orderly and appropriate development of vacant lands.

The Fenwick Secondary Plan has been developed over several years by the Town with input from the public and landowners and technical advice from the Town, the Niagara Region and the Niagara Peninsula Conservation Authority. The Fenwick Secondary Plan was developed in several phases:

Phase 1 (May to August 2017) - Data Collection and Analysis included:

- Project launch and data collection;
- Visioning workshop with the public; and
- Analysis.

Phase 2 (August to November 2017) - Land Use Plan included:

- Preparation of design options;
- Design options and public workshop;
- Council presentation; and
- Final design options for review.

Phases 3 (December 2017 to April 2018) – Secondary Plan Development included:

- Creation of draft policy and mapping;
- Preferred plan presentation and open house; and
- Council presentation.

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.

As noted, the consultants also engaged the public, major property owners in the area and review agencies during the research stage, background report preparation and the draft secondary plan development 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 Secondary Plan Area.

Since the completion of Phase 3, the Region of Niagara and Niagara Peninsula Conservation Authority (NPCA) required further Environmental Impact Study analysis to undertaken regarding the natural heritage feature protection requirements and geotechnical and hydrological assessments as well. This additional work has been identified as Phase 4 and 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, 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 in the location of the proposed stormwater management facility, hydrogeological assessment, a scoped infiltration assessment, stormwater management plan and a revised land use structure plan. This work was undertaken in 2020 and in the summer of 2021 was sent to the Town, Region and the NPCA and reviewed by the review agencies. The review agencies required further work, which resulted in an additional 2 season assessment to verify information followed by a further technical memo that was provided to the review agencies in June 2022. A number of meetings and discussions occurred during this timeframe with the technical agencies resulting in concurrence with recommendations and findings of this additional work and leading to refinement of the land use plan and policies that all agencies have indicated they can support.

Location:

The East Fenwick Secondary Plan is located within the Urban Boundary of Fenwick. It is noted that these lands have been in the urban area boundary of Fenwick since the 1980s and the long-term intent has been that they be developed for urban use. The area is generally bounded by Balfour Street to the west, Welland Road to the south, Cream Street to the east and Memorial Drive to the North and is depicted in the aerial image below:



Project Description and Purpose:

The East Fenwick Secondary Plan is a statutory document that will guide future development in the East Fenwick area. The Secondary Plan balances protection of the natural heritage system with support for the residential growth of Fenwick. It will compliment Fenwick’s village character while establishing a pedestrian and cyclist friendly, compact, and sustainable community. The draft East Fenwick Secondary Plan, Land Use Plan and Schedules are attached as Appendix “A” to this report.

Policy Review:

Planning Act

Section 22 of the *Planning Act* enables Council to consider and pass secondary plans, prepared as an amendment to the Town’s Official Plan.

Secondary Plans include a land use plan with implementing policies that provide more detailed guidelines for the area it covers such as public spaces, parks and urban design. The policies inform zoning regulation that will be used to regulate development when it occurs.

Secondary Plans must be consistent with the Provincial Policy Statement (PPS), Provincial Plans, and the upper tier Niagara Region Official Plan.

The proposed Secondary Plan for East Fenwick is in keeping with the legislative requirements of the *Planning Act*.

Provincial Policy Statement

It is required that municipal decisions are consistent with the policies of the Provincial Policy Statement (PPS). The PPS provides policy direction from the province on land use planning and development to promote strong, healthy communities, wise use of management and resources, and the protection of public health and safety.

The PPS recognizes Secondary Plans as an important tool for implementing the PPS and planning authorities are required to develop and maintain Secondary Plans which are consistent with the PPS policy framework.

The proposed Secondary Plan for East Fenwick is in keeping with the appropriate policies of the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

It is required that municipal decisions affecting planning matters should be consistent with the principles and policies of the Growth Plan for the Greater Golden Horseshoe (Growth Plan). The East Fenwick Secondary Plan area is located within the Greenfield Overlay in the Growth Plan. Lands which are identified in the Greenfield Overlay are generally underdeveloped urban land located outside the built boundary, but within the urban boundary. These areas are required by the Province to achieve future population densities of at least 50 persons or jobs per hectare. Permitted uses and regulations for development are to conform to the Growth Plan.

The proposed Secondary Plan for East Fenwick is in keeping with the appropriate policies of the Growth Plan.

Greenbelt Plan (2017)

The intent of the Province's Greenbelt Plan is to protect against the loss and fragmentation of agricultural land uses, protect natural heritage and water resources and support agriculture as the predominant land uses outside of Settlement Areas. The East Fenwick Secondary Plan area is within the Town/Villages Settlement Area boundary of Fenwick as identified in the Greenbelt Plan.

The Settlement Areas policies of the Greenbelt Plan provide for the support for a strong rural economy by allowing for social, economic and service functions through the residential, institutional and commercial/industrial uses needed by the current and future population within the settlement areas, sustain the character of the countryside and rural communities, support the achievement of complete communities and serve as centres for the development of community hubs where compatible services can be co-located.

The proposed Secondary Plan for East Fenwick is in keeping with the appropriate policies of the Greenbelt Plan.

Niagara Escarpment Plan (2017)

The East Fenwick Secondary Plan is not located within the Niagara Escarpment Plan area and therefore is not subject to its policies.

Region of Niagara Official Plan (2022)

It is required that the municipality ensure that municipal decisions conform to the Regional Official Plan (ROP). Policies in the ROP focus on managing growth and providing appropriate density and intensification targets for new growth, growth of the economy, protecting the environment and agricultural lands, providing infrastructure, and guidance for the development of lower tier municipal Official Plans.

The Region of Niagara Official Plan designates the lands within the East Fenwick Secondary Plan as Delineated Built-Up Area and Designated Greenfield Areas. The lands identified in the Secondary Plan Area are located within the Urban Area Boundary, but outside of the built-up area. These lands have been designated in the Regional Official Plan for development and are required to accommodate forecasted growth to the horizon of the Regional Official Plan. Because the East Fenwick Secondary Plan was initiated in 2017 prior to the adoption and approval of the new Region of Niagara Official Plan the transition policies of the new Official Plan apply.

The Secondary Plan for East Fenwick is in keeping with the appropriate policies of the Region of Niagara Official Plan.

Town of Pelham Official Plan (2014)

The Town's Official Plan outlines the goals and objectives for the community and identifies land use policies to help guide and direct growth and development over the next 20 years.

Section B1.1.10: Fenwick outlines the specific requirement for the preparation of a Secondary Plan in this area noting that no further lot creation for residential use shall be permitted in Fenwick outside of the built boundary until a Secondary Plan is approved. Section B.1.1.10 also outlines specific issues which are to be addressed through the Secondary Plan process including, but not limited to:

- Conformity with Provincial and Regional Plans;
- Stormwater management;
- Hydrological and hydrogeological assessment and consideration to support development;
- Servicing options;
- Identification of important natural heritage features and protection measures;
- Mix, density and phasing of development;
- Housing affordability;
- Transportation – integration with existing roads and assessment of pedestrian and active transportation connections; and
- Urban design guidelines

The East Fenwick Secondary Plan area is designated Urban Living/Built Boundary which permits the full range of urban housing types and local serving community uses to be serviced by municipal services. The majority of the area is also located within the Greenfield Overlay and subject to Section B.1.1.1.0.3 which states that the minimum housing density should be 20 units per hectare in order to achieve Provincial and Regional population density requirements, and the net density for ground-oriented housing on vacant or under-developed lands should be between 8 and 15 units per hectare.

A portion of the East Fenwick Secondary Plan area is designated as Environmental Protection Three (EP3), which represents key natural heritage features and key hydrological features including provincially significant wetlands and significant woodlands. The Niagara Peninsula Conservation Authority regulates watercourses and wetlands included in the EP3 designation. In addition, the Secondary Plan area is located within an area identified as having a highly vulnerable aquifer. Finally, Canboro Road is designated as an arterial road and Welland Road is designated as a Collector Road.

The proposed Secondary Plan for East Fenwick is in keeping with the appropriate policies of the current Town Official Plan.

Town of Pelham Zoning By-law (2022)

The Town's Zoning By-law identifies the bulk of the existing 'non-developed' lands within the East Fenwick Secondary Plan area as "Residential

Development (RD)". The RD zone is essentially a place marker that permits existing residential uses and existing uses established prior to the passing of the Zoning By-law but the Zoning is intended to be refined further through the Zoning Amendment process/Draft Plan of Subdivision as development applications are received by the Town.

Primarily the lands with existing residential uses within the area are zoned Residential One (R1), which permits:

- 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.

A few individual lots are zoned Residential 3 (R3), Residential Multiple 1 (RM1) and Residential Multiple 3 (RM3) zone. The natural heritage features in the area are zoned Environment Protection One (EP1) which permits:

- Conservation uses and flood control;
- Existing uses;
- Linear infrastructure;
- Passive recreational trails and facilities; and
- Wildlife management uses.

The temporary stormwater management facility on Welland Road is zoned Open Space (OS) Zone.

It is anticipated that once the East Fenwick Secondary Plan is approved, the Zoning By-law in this area will be updated at the time of development applications to reflect the designations and policies of the Secondary Plan and individual development plans.

Submitted Reports:

In addition to the draft East Fenwick Secondary Plan policies and Land Use Schedules, a number of additional reports and plans were prepared in support of the Plan including:

- Demonstration Plan and Active Transportation Plan;
- Urban Design Guidelines;
- Natural Heritage System Mapping;
- Cultural Heritage Resource Assessment;
- Municipal Servicing - Existing Conditions Report;
- Transportation Assessment - Existing Conditions Report;
- Environmental Impact Study and Addendums; and
- Hydrogeological Assessment

Agency Comments:

Staff have circulated the final Draft East Fenwick Secondary Plan policies to all required agencies and reviewed the document internally. As of the date of writing of this report the following comments have been received and are included as Appendix B to this Report:

Bell Canada

No specific concerns or comments but note that future development applications should be circulated to Bell as early as possible in the process to ensure sufficient notice and time to comment on planning applications.

Region of Niagara

Regional Staff have reviewed the final (draft) East Fenwick Secondary Plan including the policies, schedules and appendices with consideration for the Niagara Official Plan (NOP), specifically in accordance with policy 3.1.30.4.3 regarding in-process secondary plans as well as applicable transitional provisions of the NOP.

Regional Staff noted that the Region has been involved with this project since its inception, providing input into the terms of reference, background studies and various iterations of the draft policy set and schedules over the course of the Secondary Plan development. Regional Staff have recommended some very minor changes to various sections of the Secondary Plan which are outlined in the attached comments (Appendix B) and have been taken into consideration and the suggested changes have been incorporated in the final version of the Secondary Plan that is before Council.

The Niagara Transit Commission was also circulated as part of the overall Regional circulation and noted that the Town is current served by on-demand transit without the need for transit stops. Depending on when the project area is developed, they type of transit servicing may be different than what is current contemplated in the Secondary Plan. Any future changes to transit service would require collaboration between the Town and the Region and changes in services and any costs associated would be discussed between the NTC and the Town prior to seeking budget approval.

Finally, Regional Staff have noted that the Secondary Plan conforms to Provincial and Regional policy and as such, the Official Plan Amendment for the East Fenwick Secondary Plan is exempt from Regional approval in accordance with NOP policy 7.4.1.6.

Niagara Peninsula Conservation Authority

NPCA staff have reviewed the draft East Fenwick Secondary Plan and associated Schedules. NPCA staff are satisfied that any outstanding concerns have been appropriately addressed and have no objection to the draft policies and Schedules.

Public Comments:

An open house was hosted on November 30th, 2023, from 3:00 pm to 6:00 pm at Fenwick Fire Station 2 to update the public on the Secondary Plan work. Town, Region of Niagara, and Niagara Peninsula Conservation Authority Staff as well as members of the consulting team and representatives of the developer group for lands located south of Canboro Road were in attendance to provide information and answer questions from the public.

Approximately 50 residents attended the Open House and the following key points were raised:

Housing Typology, Mix and Affordability

Generally the public was receptive to the fact that a housing mix is being proposed as it was noted there is a need for alternative forms of housing (outside of traditional single detached dwellings). Comments received included:

- Appreciate the thoughtful mix of housing types;
- Noted a need for housing for people at all stages of life;
- Some concern over the potential for mid-density building types, but pleased with the concept of lower density housing around the perimeter and higher density development in the centre;
- Desire to have high quality construction;
- Questions around the impact the Plan will have on property values;
- Consideration for commercial uses;
- Impact on the local school; and
- Timing of development

Infrastructure

Overall, residents continue to be concerned with ensuring sound engineering solutions to stormwater management are used in the development of the study lands. While they were pleased to see the pedestrian network proposed, they had specific comments and questions with:

- How stormwater will be managed;
- Flooding, potential flooding and managing current flooding issues;
- Potential failure of the stormwater ponds;

- The cost of new infrastructure and cost to connect to new services when they become available; and
- General drainage and infrastructure.

Additionally, residents inquired about:

- Low impact development standards;
- Welland/Canboro Road upgrades; and
- Sustainable energy conservation features (i.e., solar panels for street lighting).

Greenlands

The conservation and management of natural features has been an important focus of the community, comments on the Greenlands System included:

- Pleased to see the greenlands system being protected;
- Questioned how existing wildlife that use the area during migration will be managed and/or mitigated;
- Request that the environmental corridor be wider (50 metres), please to see a link between protected areas; and
- Inquiry into expropriation of private properties or other means to enhance access to environmental areas and potential amenities.

A full summary of the open house and comments received is attached as Appendix "C" to this report.

Staff have received comments from five members of the public, which are included as Appendix "D" to this report and summarized below:

Pelham Advocates for Trees and Habitat (PATH)

- Pleased with the amount of green on the Secondary Plan schedule;
- Pleased that the Plan proposes to maintain the existing forest on the west side of the project area, would like to see this designated as "Significant Woodlands" and demarcated as such on the Plan;
- Supportive of the trail system and proposed bicycle network;
- Note that the road design for Canboro proposed within the Plan project area should be incorporated along the remainder of Canboro Road leading into Downtown Fenwick;
- Supportive of the use of Low Impact Development (LID) practices being incorporated into the development;
- Request that there should be two reasonably sized trees planted within the development for each unit created;
- Concerns with the proposed density targets outlined in the Plan and further PATH proposes density ratios between 20 to 50 units per hectare to achieve the Town's required population targets; and

- Concerns with climate change and how the Plan will address greenhouse gas emissions through development standards and request that feasibility studies be conducted to properly analyze the costs-benefits of installing alternate heating/cooling systems in this development.

Kim Allan, 1105 Balfour Street

- Concerned with a potential increase in traffic along Balfour Street – there are currently problems with the speed of vehicles on the street and also vehicle parking along Balfour Street which makes it difficult to pull out of driveways safely; and
- Concerns about additional flooding and water runoff from any new development.

Amy Clarke (Lagrou)

- Concerned about the density proposed and impacts on the quiet country feel of Fenwick; and
- Proposed Secondary plan does not represent anything close to balance nor protects any aspect of natural heritage and small village character.

R. & J. Smith, 1094 Balfour Street

- Are in opposition to the proposed East Fenwick Secondary Plan
- Concerned about strain on infrastructure, traffic density, strain on Fire Department, potential for increased crime, impact on natural habitat for wildlife, impact on local wells;
- Concerned about high water table and potential for flooding from development;
- Questioned who will pay for road improvements;
- Questioned why develop more lands when there are vacant lots on Balfour Street and Oak Haven has not developed;
- Concerned new residents will demand city amenities; and
- Disagrees that the Plan Area will enhance the village of Fenwick.

Mike and Tonia Orlando, 690A Canboro Road

- Questioned how the plan will protect the natural green space in the area, the village character and how will it establish pedestrian and cycling routes; and
- Questioned how the Region/Town will be addressing infrastructure for road, water and sewers.

Andrew Reynolds

- In support of improving infrastructure (road quality, addition of sidewalks etc); and

- Concerns with the proposed density and that more housing will lead to issues with traffic, maintenance costs, increased property taxes and take away from the rural atmosphere of the area.

Sherry Rusin

- Concerns with drainage in the area and how increased development will impact drainage and wetlands on the surrounding agricultural uses; and
- Concerns with flooding in the area.

Anthony Annunziata

- Unsupportive of the higher intensification areas proposed on the southwest corner of Cream Street and Canboro Road – that intensification is not consistent with the profile of the existing homes in that area; and
- Intensification in this area is in conflict with the heritage study provided and the proximity to environmental protected area and watershed area.

Bert and Cynthia Nauta

- Major concerns with surface water runoff and possible flooding due to the increase in the number of homes in the plan area;
- Concerned with the potential strain new development could have on existing septic systems in the area;
- Concerns with the financial impacts of sewer and water installations on Welland Road that may be billed to existing homeowners on Welland Road; and
- Generally not in favour of this development plan.

Statutory Public Meeting - February 14, 2024

The Town hosted the Statutory Public Meeting before Council on February 14, 2024. Notice of the Statutory Public Meeting was posted to the Town's website and social media platforms, the project page at Engaging Pelham and digitally at pelhamtoday.ca.

Additionally, a copy of the notice was mailed out to all residents within the subject area and also within 120 metres of the subject area. A copy of the notice was also emailed out to all interested stakeholders who had provided contact information at the public open house, online through Engaging Pelham and/or through direct contact with Staff.

There were approximately 30 members of the public at the Statutory Public Meeting. 12 members of the public provided verbal comments and 1 member of the public who provided comments via an email to the Clerks Department during the meeting. Members of Council also provided feedback and comments at the meeting. The comments are summarized below and

the public meeting minutes are attached as Appendix E to this Report. Staff will address the comments further in the "Staff Comments" section of this Report.

Public Comments

Graham Pett (Representing PATH)

- Expressed satisfaction and gratitude for the green space provided, the protected woodlands, and the green corridor;
- Requested the preserved woodland be provided an environmental designation and that all new residential units be required to plant two mature trees;
- Indicated support for the integration of low-impact development, the minimization or elimination of stormwater management ponds, and the consideration of geothermal systems from fossil fuel; and
- Noted that continuing to build large homes is not sustainable for the growing population and requested that the consultant consider a higher density than 8-15 units per hectare.

John Klassen

- Requested consideration be given to the changing demographic in Fenwick, soil conditions, the water table, and the capacity for future electrical requirements;
- Expressed concern for existing wildlife and noted that that preferred housing type is a personal decision and should not be dictated depending on one's living arrangement; and
- Expressed a desire to maintain the environment that has existed for 40 years.

Herb Sawatzky (Representing 50by30 Niagara)

- Generally happy with the secondary plan policies; and
- Requested the exploration of fossil-fuel-free energy (i.e. Geothermal heating and cooling) for the homes in East Fenwick, along with Green Energy Standards for the Town overall.

Rob Frizzell

- Noted he is a professional hydrogeologist and indicated the current studies fall short of being able to characterize the existing natural heritage system in the area, as well as the function of the wetlands;
- Discussed the importance of studying groundwater and identified the possibility of groundwater discharge; and
- Suggested that further studies and long-term monitoring could be beneficial.

Lynn Shatford

- Inquired as to what plans are in place to ensure the current groundwater flow issue is not exacerbated through development;
- Expressed concern about potentially being required to connect to municipal services and who will bear the cost; and
- Supported the idea of mixed housing options to ensure future generations can remain in Fenwick.

Jim Jeffs

- expressed concern with the stormwater management system and exacerbated flooding resulting in tree loss.

Tim Casson

- Asked what stage the Town is at with the process and approximately when to expect shovels in the ground.

William Heikoop (Upper Canada Consultants)

- Stated he was appearing on behalf of several clients; and
- Noted the plan provides a well-balanced hierarchy, respecting the existing community while adhering to overall Official Plan policies.

Richard Turenne

- Concerns with development and the impact on his existing well; and
- Inquired about the requirement to connect to municipal services as they become available;

Katlyn Zwierschke

- Expressed concerns about the cost associated with connecting to municipal services as well as hydro capacity; and
- Noted that the local public school (Wellington Heights) is already at capacity, questioned whether the school boards were notified of the secondary plan and expressed concerns regarding the use of portables at the school.

Lauren Arnold

- Expressed concerns with the capacity of the existing school to handle new residents/children; and
- Indicated appreciation for the green space and expressed interest in learning more about the environmental corridor.

Sherry Rusin

- Expressed concern for drainage and its impact on the farming community and suggested a natural water feature be introduced to mitigate drainage issues.

Jazmin Kikkerk (Email)

- Asked about the future lift station (proposed pumping station for water/wastewater) and how that will impact the surrounding land, water and wetland systems;
- Inquired about the proposed trail system and how the land for this will be acquired; and
- Inquired about how the proposed road upgrades along Canboro would be managed as there is a limited amount of room currently available, and how would additional land be acquired if necessary.

Council Comments

- Inquired as to a method to consolidate the hydrological studies into one report and asked if the drawings were conceptual in nature;
- Suggested a further delineation of property boundaries would assist property owners in identifying their individual properties;
- Inquired as to how lands for public use would be acquired;
- Noted a lack of commercial uses proposed and asked if the commercial downtown area of Fenwick would be adequate to support this growth;
- Noted concerns with electric infrastructure, power outages, quality of power and phase imbalance and the possible impact development of this area could have on an already taxed system;
- Questioned if residents would be required to connect to municipal services when available or be grandfathered in;
- Identified that stormwater management is a core issue and assured residents that all concerns have been heard; and
- Stated that Fenwick will grow and not remain the hamlet it once was. Through this project, the best interests of the community will be sought, and the document will act as a guide for future decisions.

Staff Comments:

The East Fenwick Secondary Plan (Official Plan Amendment No. 21) attached has been prepared in accordance with Provincial, Regional and Local Town policy documents. The following outlines the key components of the Plan:

Neighbourhood Overview

The proposed neighbourhood structure presents a balanced approach to developing East Fenwick, promoting sustainable development aligned with Provincial and Regional policy, while respecting the village character of the surrounding community. The Plan focuses on creating a walkable, livable neighbourhood and supports a 2.5-to-5-minute walking distance from parkland and recreational amenities. The Plan also reflects an ecologically sensitive approach to future development, identifying and respecting the natural environment that currently exists. While the majority of the lands are currently improved agricultural areas that will be subject to future

development, the woodlots and hedgerows will be maintained and integrated into the community as it grows. The neighbourhood overview is outlined below in Figure 1.

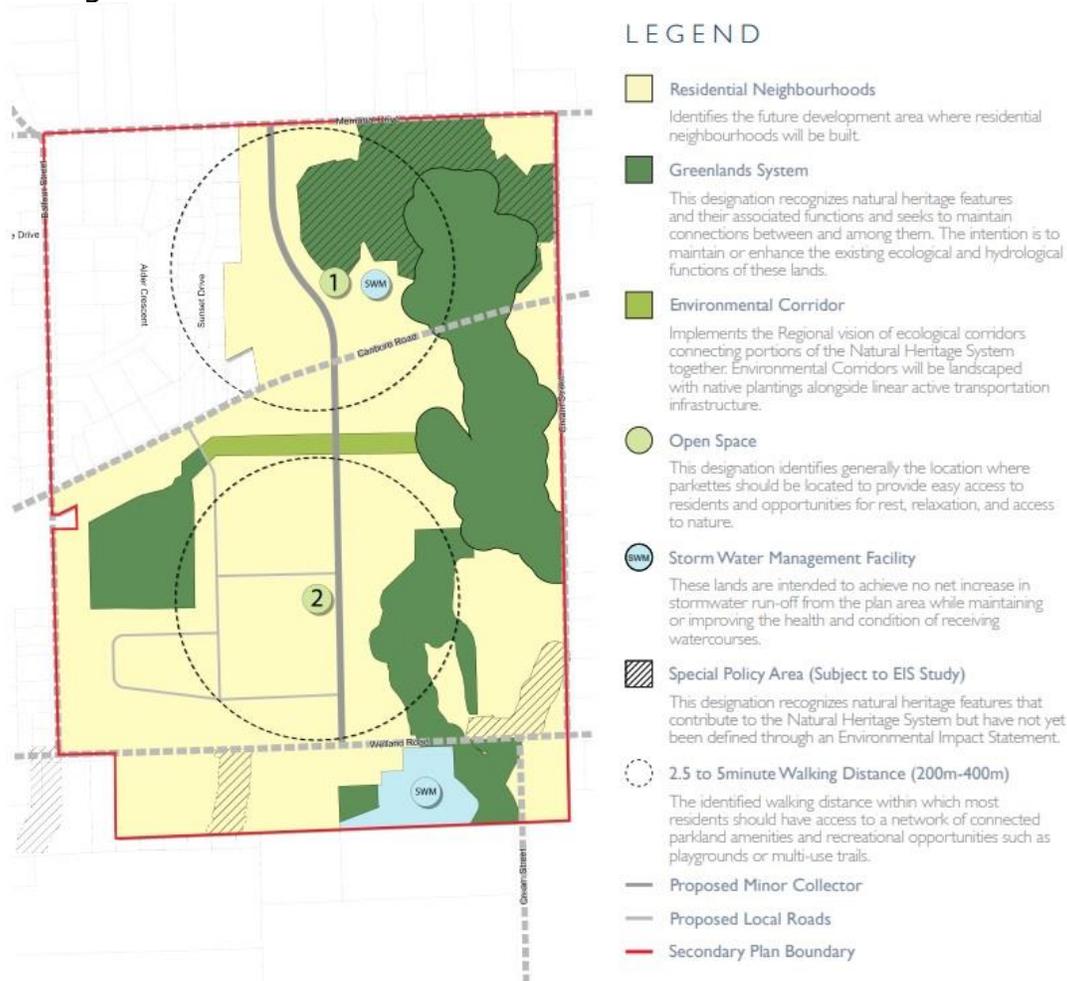


Figure 1

Greenlands System

The Greenlands System is made up of several components that all serve specific functions. Collectively achieve an integrated network of environmental corridors, stormwater facilities, parks and recreation spaces that provide a high quality of life and natural setting for residents. It is the intent of the Greenlands System to:

- Conserve and protect the natural heritage system as an integral part of the community;
- Provide clear and unobstructed visual and physical links to and through the natural features;
- Ensure a connected Greenland System is implemented and comprised of the existing natural features, stormwater management facilities, streets, trails and public parkettes;

- Encourage active transportation through a network of connected park amenities with multi-use trails within walking distance to the majority of surrounding neighbourhood residents;
- Encourage the integration and connectivity of existing natural features through the implementation of new linkages; and
- Encourage the conservation and integration of existing hedgerow and woodland features into the overall design and development.

The proposed Greenlands System is outlined below in Figure 2.

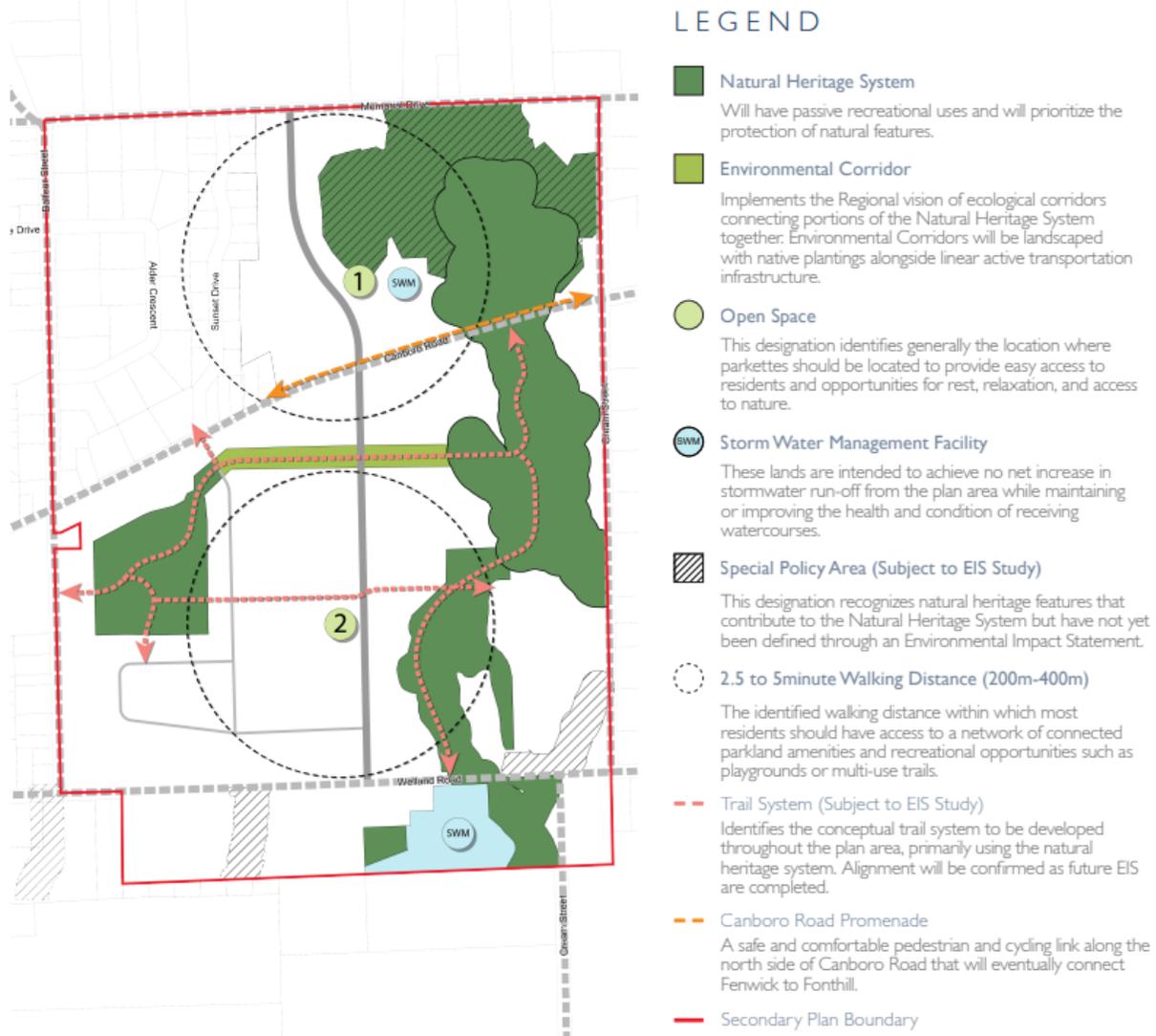


Figure 2

Transportation Network

The Transportation Network is made up of existing and future roads that all serve specific functions. Collectively, they achieve an integrated pedestrian, cycling and vehicular network of local, collector and arterial roads that provides a high quality of streetscape complete with sidewalks, on and off-road cycling routes and access to trail connections. The proposed

Transportation Network takes a comprehensive look at how people will walk, wheel and drive around Fenwick in the future. As future developments are proposed, additional transportation impact studies will be required to ensure the network continues to function at acceptable levels.

The proposed Transportation Network is outlined below in Figure 3.



Figure 3

Land Use

The land use structure outlines a comprehensive approach for understanding the future land uses of the Secondary Plan area. By considering the area from a holistic standpoint, it is possible to outline a vision for East Fenwick that is fully integrated not just internally but also to the rest of the community and the Town of Pelham. The core land use principles used to guide preparation of this Plan include:

- Promoting the development of complete communities through an appropriate housing mix;
- Encouraging a development pattern that contributes to Fenwick’s village character;
- Offering a range of open space amenities;
- Conserving, protecting, and integrating existing natural features;
- Developing a continuous and connected open space and trails system that links the local neighbourhood to the broader town and encourages active transportation;
- Providing green spaces within a 5-minute walk for all residents within the area; and
- Integrating stormwater management facilities with accessible parklands to enhance the sustainability of the community as well as create blue networks where possible.

The proposed Land Use schedule is outlined below in Figure 4.

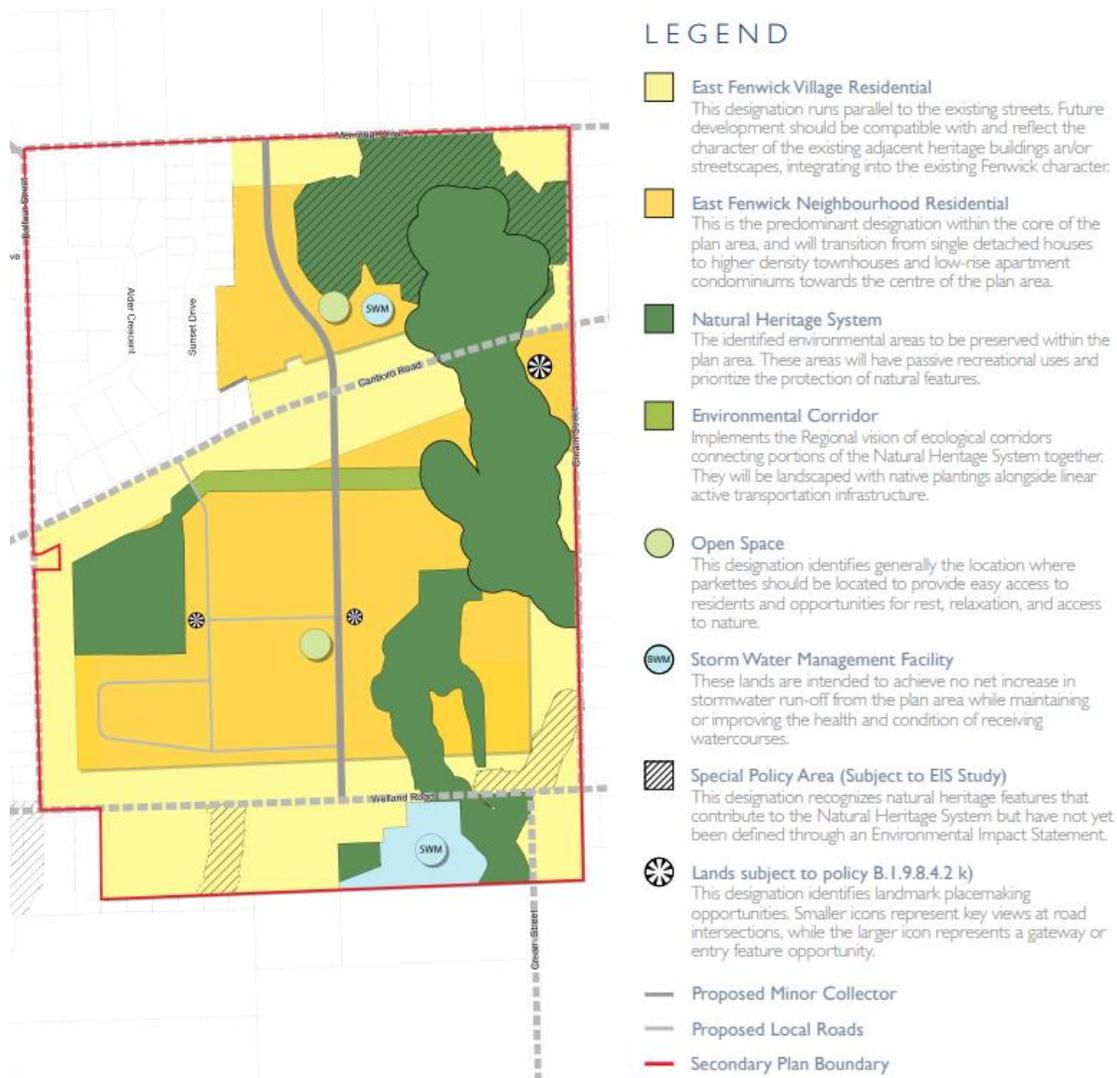


Figure 4

Servicing

As detailed in the servicing study that was completed in conjunction with the draft East Fenwick Secondary Plan, the water and wastewater capacity is able to support the proposed fully developed state of the Plan area. A future sanitary lift station will be required generally around the south-west corner of Canboro Road and Cream Street to help support complete development of the entire Plan area, as well as provide additional capacity to the entire hamlet.

As each phase of development is proposed, additional studies and confirmation of servicing capacity will be required to ensure new development can still be serviced. Additionally, a small portion of the northwest corner between Cream Street and Welland Road in addition to lands north of Canboro Road will require further stormwater management studies in the future. Should these areas seek to redevelop comprehensively, an engineered solution to stormwater flows across these areas is required to mitigate any potential impacts.

Staff Response to Comments and Concerns

Generally, the comments/concerns received by Staff from the public and Council throughout this process have been with regards to:

Housing Typology/Land Use

- Ensuring a thoughtful mix of housing types and a need for housing for people at all stages of life;
- Proposed density and impact on current neighbourhood;
- High quality construction, with a focus on development that has a low impact on the environment and takes into account climate change;
- Impacts on the local school;
- Lack of commercial land use within the Plan; and
- Timing of development

The East Fenwick Secondary Plan is intended to be a long-range guidance document for the overall growth and development of the area bounded approximately by Memorial Drive, Balfour Street, Welland Road and Cream Street.

The Plan proposes a range of low, medium and high density housing types, with the lower density proposed on the other edges of the plan area and the higher density focused in the middle. Urban design standards have been developed as part of this Plan which will ensure a high quality of building design that incorporates sustainable design standards and Low Impact Development standards. It is important to note that the Secondary Plan provides the framework by which new development may be allowed to

proceed in the future and identifies what those future land uses should be, study and information requirements to support development applications, appropriate infrastructure requirements and where open and greenspaces should be located and what areas are to be protected.

The local school boards were notified by the Town as per the standard circulation requirements and that they will be circulated on all future development applications in the secondary plan area. Each school board is responsible to monitor growth, development and population change in communities across Niagara to understand the impacts on their facilities and to determine when and where future expansions are required to their facilities.

The Town did consider commercial uses within the Secondary Plan area, but through the community workshop and consultation process, the public expressed that the core area of Fenwick should remain as the commercial focus for Fenwick and new residential development can help to support and maintain the commercial vitality of downtown Fenwick.

In terms of timing on development, this is really dependant on when the Town receives and development application (i.e., Plan of Subdivision). Staff are of the opinion that it could be approximately 3 years for infrastructure to begin to go in and likely 4-5 years before house construction commences, but this in turn is heavily dependant on individual development applications, budgeting and other factors. Approval of the Secondary Plan is the first step and is required prior to the Town being in a position to receive development applications.

Infrastructure Matters

- Road upgrades to existing road network;
- Future road/path networks;
- Increased demand for energy;
- Drainage and flood control; and
- Cost and requirement to upgrade to municipal services.

Approval of the Secondary Plan does not automatically commit Council or the Town to move forward with any proposed upgrades to municipal services or facilities at this time. Council will have to budget and approve any improvements to the existing road network and extension of municipal services within the Secondary Plan area as part of future capital budget approval processes. In addition, Council is the approval authority for draft plans of subdivisions and can impose conditions of development approval related to infrastructure requirements to service future developments on development proponents.

It is important to note that the land use plans contained within the Secondary Plan are conceptual and provide the framework on which future

development applications will be reviewed and assessed. Adjustments to the demonstration plans can occur through development applications based on detailed analysis of individual applications. While expropriation can be a tool utilized by the Town to expand road or trail networks, generally it is used as a last resort and the Town would prefer to acquire lands through the development process and negotiations with developers and willing landowners.

A Transportation Assessment was done as part of the secondary plan process. This assessment looked at current conditions and set a baseline for future study. Development applications will be required to submit traffic studies and plans that would identify any potential traffic concerns and provide mitigation measures to ensure that new development does not negatively impact the traffic flow in the area.

With respect to the increased demand for electrical power, Staff note that the power issues related to the Fenwick area are known to Hydro One and there have been some recent upgrades in the area which has alleviated some of the concerns. Further, Hydro One was circulated the draft Secondary Plan as part of the agency consultation process and accordingly are aware of the growth planned for this area. Also, Hydro One is circulated development applications and as part of the development approval process they identify the requirements and conditions required to service new areas at that time. Again, the approval of the Secondary Plan is the first step in the process.

In terms of drainage and flood control, it should be noted that through the secondary plan process studies were undertaken to assess the current hydrogeological and geotechnical conditions which will be information used to establish parameters for additional study requirements and requirements for the design of future stormwater management facilities. Proponents of future development applications would be required to submit further studies, as determined by the Town and technical agencies through the application process that would need to address how new development will manage drainage and stormwater management.

Finally, existing Town Official Plan policies currently require that properties in the urban area are to be connected to municipal services. As municipal services are extended to the East Fenwick area, existing residents will be given the opportunity to connect to the municipal services. However, the timing on when this would occur would be a decision for Council to consider in the future.

Conclusion:

Overall, the East Fenwick Secondary Plan will provide the policy guidance for the orderly development of these urban lands that have been intended and

designated for urban land use since 1982 with the understanding of how the lands will be serviced and what areas are required to be protected. The plan will allow for the orderly growth of the lands within this area of Fenwick, balancing the need for higher density housing opportunities with appropriate design standards, climate resiliency and the preservation of natural heritage features.

As noted earlier in this report, the East Fenwick Secondary Plan (OPA 21) is consistent with and conforms to Provincial and Regional policies. It is therefore exempt from Regional approval in accordance with Niagara Official Plan Policy 7.4.1.6.

Alternatives:

Council can choose to approve the East Fenwick Secondary Plan with modifications.

Attachments:

- Appendix A – Official Plan Amendment No. 21: East Fenwick Secondary Plan
- Appendix B – Agency Comments
- Appendix C – Public Open House Summary
- Appendix D – Public Comments
- Appendix E – Public Meeting Minutes, February 14, 2024

Prepared and Recommended by:

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Reviewed and Submitted by:

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Chief Administrative Officer



The Corporation of the Town of Pelham

By-law No. _____(2024)

Being a By-law to Enact an Amendment to the Official Plan Adopted by By-law No. 3259 (2012) for the Town of Pelham Planning Area

**Amendment No. 21
East Fenwick Secondary Plan**

The Municipal 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 enacts as follows:

1. **THAT** Amendment No. 21 to the Official Plan for the Town of Pelham consisting of the attached explanatory text and maps designated as Schedule A7: Neighbourhood Structure Plan, Schedule A8: Greenlands Structure Plan, Schedule A9: Street Structure Plan, Schedule A10: Land Use Structure Plan, and Schedule A11: Official Plan Designations is approved and adopted.
2. **THAT** the Clerk of the Town is authorized to effect any minor modifications, corrections, or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.
3. **THAT** this By-law shall come into force and take effect on the date of final passing by the Council of the Corporation of the Town of Pelham, subject to the provisions of the *Planning Act, R.S.O., 1990*, as amended.

Read, enacted, signed and sealed on this XX day of [Month], [Year].

Marvin Junkin, Mayor

William Tigert, Town Clerk

**AMENDMENT NO. 21
TO THE
OFFICIAL PLAN (2014)
FOR THE
CORPORATION OF THE TOWN OF PELHAM**

DRAFT

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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. 21 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, appendices and the following mapping schedules constitutes Amendment No. 21 to the Official Plan of the Town of Pelham:

Schedule A7: Neighbourhood Structure Plan;
Schedule A8: Greenlands Structure Plan;
Schedule A9: Street Structure Plan;
Schedule A10: Land Use Structure Plan; and
Schedule A11: Official Plan Designations

SECTION 2

PURPOSE OF THIS AMENDMENT

The purpose of this Official Plan Amendment is to refine and, in some cases, change the land use designation of certain lands shown on Schedule A10, attached hereto under Part "B".

The Town has initiated this Secondary Plan in response to the parent policies of its Official Plan, specifically Section B1.1.10: Fenwick which outlines the specific requirement for the preparation of a Secondary Plan in this area and the specific issues which are to be addressed through the Secondary Plan process.

The policies contained within this Secondary Plan reinforce provincial and regional policy directives of the Provincial Policy Statement, Places to Grow and the Region of Niagara's Official Plan. While a "complete community" vision is often the goal and focus of a Secondary Plan, community demographics and lifestyles can also influence decisions concerning land use, together with other more localized constraints and opportunities.

The Secondary Plan is intended to guide the future growth and development in East Fenwick and provides the framework to permit new development which is compatible with the character of Fenwick and consistent with Provincial, Regional and Local planning policies. The goal of the Secondary Plan is establish appropriate land use designations and policies that will support the future development of East Fenwick, establish design

guidelines for buildings, parks and streets, establish a system of public space areas and linkages with natural heritage areas and to identify existing transportation and infrastructure available in and around the study area and identify any upgrades that may be required to support the Secondary Plan.

SECTION 3

LOCATION OF THE AMENDMENT

The subject lands are located within the Urban Boundary of Fenwick. It is noted that these lands have been in the urban area boundary for Fenwick since the 1980's and the long-term intent has been that they be developed for urban use. The area is generally bounded by Balfour Street to the west, Welland Road to the south, Cream Street to the east and Memorial Drive to the North and is depicted in the aerial image below:



SECTION 4

BACKGROUND AND BASIS OF THE AMENDMENT

1. 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:
 - a) The policies will ensure compatibility with the surrounding land uses; and
 - b) 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.
2. Official Plan Amendment No. 21 (East Fenwick Secondary Plan) is consistent with the Official Plan for the Town of Pelham, the Region of Niagara Official Plan, the Planning Act, Provincial Policy Statement, and A Place to Grow: Growth Plan for the Greater Golden Horseshoe as it sets out to provide for growth management and development over the long term:
 - a) Range of densities, with targeted intensification occurring in strategic locations throughout the plan area. Increased residential dwelling opportunities through low and medium density designations that will serve to assist in diversity and a range of affordability;
 - b) Age in place opportunities and choices are being enhanced; and
 - c) Utilizes urban lands and infrastructure efficiently through targeted intensification and development;
3. This Secondary Plan consolidates and addressed land use related issues at a neighbourhood scale, providing policy guidance for the neighbourhood through periods of short-term and long-range growth and development.
4. Section B1.1.10 Fenwick of the Official Plan for the Town of Pelham provides that the Town shall adopt a Secondary Plan for the East Fenwick area and amendments shall be made to the Official Plan to reflect the proposed land use changes. Subsection B1.1.10.1, B1.1.10.2 and B1.1.10.3 have been considered in support of this Official Plan Amendment.
5. The Secondary Plan reviews and addresses the following issues identified in Section B1.1.10.1 of the Town's Official Plan:
 - a) Conformity with the Provincial Growth Plan and Regional Official Plan. Specifically, the Secondary Plan identifies and permits a range of housing types and densities with the intent of achieving the Provincial requirement of 50 people and jobs per hectare;

- b) The preparation of a sub-watershed plan, prepared in accordance with the requirements of the Niagara Peninsula Conservation Authority and the Region of Niagara;
- c) Options for water, sanitary servicing and stormwater management;
- d) Review of overall hydrological and hydrogeological characteristics;
- e) The identification and protection of important natural heritage features;
- f) The preparation of a land use plan that addresses mix, density and phasing of proposed land uses in addition to identifying new or expanded parks and natural areas;
- g) The preparation of a conceptual transportation schedule including integration with existing roads and an assessment of pedestrian connections to trails and parklands;
- h) The preparation of a Stage 1 Archaeological Assessment; and
- i) The preparation of Urban Design Guidelines.

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.

Approval of this Official Plan Amendment does not obligate Council in any way to fund any of the proposed public work items (road upgrades, trail networks, extension of servicing etc.) until such a time that these works have received budget approval through Council.

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 adding the following:

B1.9 EAST FENWICK SECONDARY PLAN

B1.9.1 Introduction

- a) The lands subject to this Section of the Official Plan are identified on Schedule A7, Schedule A8, Schedule A9, Schedule A10 and Schedule A11, which are attached hereto and form part of this Official Plan;
- b) In addition to the identified Schedules and the following text, this Secondary Plan also includes the following appendices:
 - i. Appendix A – 2018 Neighbourhood Demonstration Plan and Active Transportation Plan
 - ii. Appendix B – 2018 Land Use Budget
 - iii. Appendix C – Urban Design Guidelines
 - iv. Appendix D – August 2019 Natural Heritage Mapping
 - v. Appendix E - Cultural Heritage Resource Assessment Report
- c) The East Fenwick Secondary Plan provides policies for the implementation of a community that is consistent with Provincial, Regional and local plans and policies. The community is planned to protect its natural heritage system, support the economic growth of Fenwick, and further enhance Fenwick's village character while establishing a pedestrian and cyclist friendly, compact and sustainable community. Appendices A and B are included as demonstration plans on how the policies of this document can be implemented; and,
- d) The East Fenwick Secondary Plan area shall be developed over time in conjunction with the applicable policies of the Official Plan of the Town of Pelham. Where there is a conflict between the policies of this Secondary Plan and the Official Plan, the policies of this Secondary Plan shall apply.

B1.9.2 Vision

The East Fenwick Vision is based on the growth and development tenets found in the Town of Pelham's Official Plan to deliver a new community that:

"Supports and emphasizes Fenwick's unique character, diversity, civic identity, rural lifestyle and heritage features and to do so in a way that is positive on the quality of life and health for the citizens who live and work in Pelham."

Furthermore, the Vision for the East Fenwick lands is intended to encourage and manage development in a manner that delivers a vibrant and diverse community. Key components of the Vision reflected in the preferred land use plan include:

1. The enhancement of Canboro Road as a scenic "promenade" route linking Fenwick to Ridgeville and Fonthill through the implementation of a distinctive streetscape and built form character strategy;
2. The preservation and enhancement of the existing streetscapes through the implementation of a special residential character zone that seeks to maintain the village's character through the implementation of Fenwick's typical streetscape and built form character elements such as building setbacks, height and massing along all existing roads;
3. The development of a diverse, neighbourhood-scaled open space network that is sensitive and complementary to the site's existing natural features;
4. The development of a community with a diverse range of housing types and home-based business opportunities; and,
5. The implementation of a connected street system.

B1.9.3 Neighbourhood Structure

- a) Schedule A7 identifies the planned neighbourhood structure. The neighbourhood structure is comprised of the following elements:
 - i. Two Residential Neighbourhoods – Each of these Neighbourhoods is anchored by open space at its centre and planned to contribute to the overall housing mix and density targets of the whole community as a whole. Policies permit the introduction of employment in the form of live-work units, subject to the development of appropriate zoning and the availability of home occupation opportunities as well as institutional land uses within each neighbourhood;
 - ii. The Greenlands System – The Greenlands System is comprised of existing natural heritage features, linkages, public parkettes, trails and stormwater management facilities. The system contributes to the overall structure of the Plan; and,
 - iii. The Street System – The Street System is comprised of an internal north south collector system intended to facilitate pedestrian, cycling and vehicular movement. The Street System extends into existing roads intersecting the study area, such as Sunset Drive, and delivers an internal street system that connects Welland Road to Memorial Drive.
- b) Schedule A11 demonstrates lands within the *Built Boundary* and the *Greenfield Overlay Areas*. The approach to the Secondary Plan has been to complement the Village of Fenwick's existing character and associated built and cultural heritage.

Per Policy B1.1.10.3 of the Town's Official Plan, the following density requirements shall be met:

- i. Lands within the Greenfield Overlay Area are subject to Town of Pelham minimum density of 20 units per hectare to meet the required 50 persons and jobs per hectare and
- ii. Lands within the Built Boundary Area are subject to a density range of 8 to 15 units per net hectare to contribute to the Town's overall intensification target.

B1.9.4 Plan Objectives

B1.9.4.1 General Development Objectives

These development objectives provide the framework for the planning and development of public and private lands within the Secondary Plan Area. The objectives will be implemented through the mechanisms set out in this Plan, including the implementing Zoning By-law and Site plan Approvals.

Introduction to Neighbourhood Structure (design objectives):

- a) To deliver a land use and community structure that supports the economic well-being of Fenwick's existing historic downtown area as defined by significant built heritage resources, archeological resources and cultural heritage landscapes;
- b) To ensure the community is developed in a compact sustainable manner that responds to the community's existing natural, cultural and servicing context;
- c) To develop a land use pattern that protects Fenwick's village character by ensuring that a land use transition is implemented along all existing roads;
- d) To create a sense of identity and community by ensuring the implementation of neighbourhoods that have a 2.5 to 5.0 minute walk to identifiable open space centres, based on an approximate 250 to 400 metres radius;
- e) To ensure there are residential housing options that promote lifecycle, and affordable housing opportunities, available to all existing and future residents;
- f) To conserve and enhance existing significant cultural heritage landscapes and built heritage resources as key character building elements to be integrated into the community's development;
- g) To ensure all new development occurs on the basis of full municipal infrastructure services, such as water and sewer, in addition to adequate utility networks;
- h) To phase development in a manner that is logical and cost effective without any undue financial burden to existing taxpayers and the surrounding farming community through the municipal review of servicing and transportation plans. The phasing of development within the Plan will be subject to the phasing and construction of municipal servicing infrastructure as identified in each particular development's required servicing and traffic reports, and any reports required through future Draft Plan of Subdivision processes.

Greenlands Structure objectives:

- a) To conserve and protect the area's natural heritage system as an integral component of the community by providing clear and unobstructed visual and physical links to the Secondary Plan natural features;
- b) To ensure a connected Greenlands system is implemented and comprised of the existing natural features, stormwater management facilities, streets, trails, and public parkettes;
- c) To encourage active transportation by delivering a network of connected parkland amenities with multi-use trails within walking distance to the majority of the surrounding neighbourhood residents;
- d) To accommodate for passive and small active recreational opportunities such as natural playgrounds as well as seating and walking areas as important community building components;
- e) To ensure stormwater management facilities are planned as essential Greenlands system components to be designed as special landscaped amenities that are publicly accessible;
- f) To encourage the integration and connectivity of existing natural features through the implementation of new linkages; and,
- g) To encourage the conservation and integration of existing hedgerow and woodland features into the community's overall design and development.

Street Structure objectives:

- a) To deliver complete streets in accordance to the Region's complete street guidelines with a clear road hierarchy based on a connected modified grid network that accommodates for all modes of travel fundamental in the implementation of an identifiable, great community;
- b) To deliver complete streets with a unique functional rural cross section character in the implementation of a community with a strong village character;
- c) To preserve Canboro Road and Memorial Drive cultural heritage character through the implementation of a special character or Village Residential zone and site specific road solutions based on these roads constrained right of way width; and,
- d) To facilitate the implementation of a future transit network by ensuring the community's minor collector road transverses throughout the entire East Fenwick area. The network will allow for a 2.5 to 5-minute walk to a transit stop and the implementation of a future transit loop throughout the entire Village.

B1.9.4.2 Sustainability & Healthy Communities

The community design elements structuring the East Fenwick Secondary Plan Area are the physical land use planning manifestation of a strategy that seeks to achieve social, economic, and environmental sustainability.

B1.9.4.2.1 Development in the East Fenwick Secondary Plan is envisioned to achieve:

1. Social sustainability by encouraging a diverse community that offers a diverse range and mix of housing including affordable, attainable and universally accessible options to meet housing needs at all stages of life;
2. Economic sustainability by continuing to encourage home occupation related employment and increasing the local population that can support Fenwick's downtown business community; and,
3. Environmental sustainability by focusing on maximizing support for climate action by lowering carbon emissions and delivering energy and water efficiency and circular systems.

B1.9.4.2.2 To achieve a sustainable and healthy community, the plan is envisioned to integrate key elements such as density, walkability, pedestrian and cycling routes, publicly accessible electric vehicle infrastructure, water efficiency infrastructure and landscaping and use of sustainable materials to maximize low carbon and low impact design.

B1.9.4.3 Affordable Housing

- a) It is the objective of this Plan that a minimum of 25% of all new residential development within the East Fenwick Secondary Plan Area meet the Provincial and Regional definition of affordable housing. The construction of affordable housing at initial development stages in an evenly distributed manner throughout the neighbourhood plan is highly encouraged. Affordable housing may be achieved by:
- i. Supporting the construction of an alternative range of housing to include stacked townhouses, back-to-back townhouses or apartment buildings;
 - ii. Encouraging larger size units in multiple forms to accommodate varying family sizes (i.e., 3-bedroom units);
 - iii. Supporting construction of additional residential units and encouraging building design that allows for additional residential units;
 - iv. Supporting sustainability initiatives, such as passive design or green technologies (e.g. low flow toilets), that keep operating costs of the homes or buildings lower;
 - v. Encouraging construction of condominium units with modest common element amenities to keep the housing and monthly condominium fees cost low; and,
 - vi. Encouraging the construction of rental units in a range of unit sizes and unit types to accommodate a diverse range of household sizes and incomes.
- b) The Town will work with other government agencies and the private sector to promote innovative housing forms, development techniques, and incentives that will facilitate the provision of affordable housing; and,
- c) Affordable housing is encouraged to be located in close proximity to local community facilities, future public transit routes and active transportation facilities.

B1.9.5 Design Policies

B1.9.5.1 Neighbourhood Demonstration and Active Transportation Plans and Accompanying Land Budget

- a) The Neighbourhood Demonstration and Active Transportation Plan and resulting land budget contained in appendices A and B illustrate one of the multiple variations in which the policies contained in this document can be implemented. The intent of the Neighbourhood Demonstration and Active Transportation Plan is to promote an appropriate built form, streetscape and public realm within the Secondary Plan Area.

B1.9.5.2 Urban Design Guidelines

- a) Urban Design Guidelines have been prepared to guide development (attached as Appendix C). The intent of the Urban Design Guidelines is to promote an appropriate built form, streetscape and public realm within the Secondary Plan Area. The Urban Design Guidelines function as an implementation tool for successive development and approval processes that are required to implement this Plan, particularly zoning, required Master Plans and Draft Plans of Subdivision/Condominium; and
- b) All development within the East Fenwick Secondary Plan Area shall be generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C. Adjustments and further refinements to the Urban Design Guidelines are anticipated and shall not require an amendment to this Plan, provided that the intent and general design approach inherent to the Plan Vision is achieved to the satisfaction of Town staff.

B1.9.5.3 General Site Development Criteria

- a) The Town shall ensure that the following general site development criteria are implemented in all new development:
 - i. Buildings shall be street-oriented and provide direct street access for pedestrians;
 - ii. Surface parking areas shall generally be sited to the side or rear of buildings, or, preferably below grade. The softening of the impact of surface parking through building orientation and landscaping treatments is required;
 - iii. Residential driveway access and garage wall shall generally be set back from the living portion of the front façade or located at the rear of the building;
 - iv. All new apartment development shall provide secure indoor bicycle parking and outdoor bicycle racks at their main entrance. In locations with minimal setbacks where there is insufficient space for bicycle racks at the main building entrance, bicycle racks may be provided at an

- alternate location in proximity to the entrance that is user-convenient and highly visible;
- v. Compatibility between different land uses and scales of buildings shall be achieved through appropriate siting, building design, massing articulation and landscape treatment;
 - vi. High quality landscape treatment shall be provided throughout the Secondary Plan Area;
 - vii. Building form and siting shall minimize the impacts of noise, wind and shadows on adjacent properties;
 - viii. To ensure a gentler transition to Fenwick's rural character, higher density development shall generally be located towards the centre of the Secondary Plan Area adjacent to public open space areas to minimize the building massing and presence on the existing streetscape;
 - ix. Loading areas and outdoor fully enclosed refuse collection areas shall be unobtrusive and screened and shall be located at the side or the rear of buildings; and,
 - x. Rooftop equipment shall be unobtrusive, architecturally incorporated into the design of the building and/or screened from view.

B1.9.5.4 Crime Prevention Through Environmental Design (CPTED)

- a) The Town will promote building and site design that assists in the reduction of incidence of crime through the implementation of Crime Prevention Through Environmental Design (CPTED) principles including natural surveillance, natural access control, territorial reinforcement and space assessment; and,
- b) The Town shall have regard for the principles of CPTED in their review of all development applications.

B1.9.5.5 Sustainable/Green Building Design

- a) The overall development pattern within the Secondary Plan has been developed to encourage the following sustainable community design principles:
 - i. Street orientation to maximize passive solar gain and pedestrian comfort on streets;
 - ii. Shorter block lengths to encourage pedestrian permeability;
 - iii. Conserve, protect and integrate natural features within the Plan as an integral part of sustainably responding to the context by:
 - Conserving the natural heritage system;
 - Integrating hedgerows and appropriate woodlands into the community's open space and streets system;
 - iv. Street standards that encourage the retention of existing tree canopy with special consideration for the Plan's identified scenic roads of Canboro Road and Memorial Drive;

- v. Implement street standards that encourage a tree canopy and a green infrastructure approach to improve stormwater capture and reuse and maintain and enhance the area hydrological features and functions;
- vi. Support the choice of native planting materials and xeriscaping to address summer/winter conditions and reduce water consumption;
- vii. Support circular water and energy system opportunities to reduce water consumption;
- viii. Encourage the implementation of Electric Vehicle infrastructure in a manner that allows for future increased uptake throughout the neighbourhood at all public spaces;
- ix. Encourage a broadband network throughout the community that will use technology applications to support air quality and net zero neighbourhoods by efficient and low carbon transportation, signalization, work at home and energy and water efficiency opportunities;
- x. Support night sky lighting;
- xi. Encourage opportunities for community-based initiatives such as car-pooling, community composting, waste reduction, educational and stewardship programs; and,
- xii. Include renewable energy strategies and are designed to support net zero building techniques, restoring as much energy as they consume.

b) The Secondary Plan shall encourage the following green building design and sustainability requirements:

- i. New buildings achieve a 20% or greater water conservation efficiency than required by the Ontario Building Code;
- ii. New buildings, with the exception of residential buildings containing less than 25 dwelling units, to achieve the following sustainability requirements:
 - a. LEED Silver, or equivalent, prior to and including 2021; and
 - b. LEED Gold or equivalent from 2022 up and beyond 2031.
- iii. New development to be built to the following requirements for sustainability:
 - a. Grade related (3 storeys or less) residential buildings achieve a minimum performance level that is equal to ENERGY Star U standards; and,
 - b. Mid-rise (4 storeys and greater) residential buildings shall be designed to achieve greater energy efficiency than the Model National Energy Code for Building.

c) The Town shall encourage and support public and private partnerships and pilot projects for net zero water and energy systems that support climate action greenhouse gas reductions.

B1.9.6 Phasing Policies

- a) Development shall be phased to provide for continuous, orderly extension of the community to ensure the most efficient and economic use of the existing and proposed infrastructure. The following phasing criteria shall be considered in the review of all development applications:
- i. The development contributes to, or can be appropriately integrated within the logical sequence of construction of all required sewer, water, storm water, active transportation and other community facilities;
 - ii. The development satisfies all requirements regarding the provision of parkland and other facilities; and,
 - iii. The development implements any relevant findings of the studies required by the Official Plan and this Secondary Plan.

B.1.9.7 Land Use Designations

- a) Land use is divided into two Residential Neighbourhood and four Greenlands System designations and includes a special policy area overlay as shown in Schedule A10 with policies established for each category. The categories include:

The Residential Neighbourhoods designations:

- i. Village Residential
- ii. Neighbourhood Residential

The Greenlands System includes:

- i. Natural Heritage System
- ii. Special Policy Area
- iii. Environmental Linkages
- iv. Open Space / Parkette
- v. Stormwater Management Facilities

- b) The boundaries of land use designations, as shown on Schedule A10, are intended to be general and approximate, unless they coincide with an existing road, lot line, a prominent physical feature and/or relate to studies approved by Town, Regional, or Conservation Authority staff. Adjustments to the location of land use boundaries may be permitted without the need for an Official Plan Amendment provided the general intent of the Official Plan and this Secondary Plan are maintained and all required technical reports supporting the revision of land use boundaries are completed to the satisfaction of Town. Similarly, adjustments may be made in the location of streets, trails and bikeways provided the intent of the Secondary Plan is maintained to the satisfaction of the Town.

B1.9.8 Residential Uses

B1.9.8.1 Intent

It is the intent of the Town to promote the development of compete communities through an appropriate housing mix, opportunities for home occupation related employment and a pedestrian oriented street design. The two neighbourhoods shall be connected to the Greenlands System.

B1.9.8.2 General Policies

- a) In order to achieve the minimum density targets of this Plan, the Town will not approve any development application that compromises the ability for the Town to achieve the identified density targets throughout the East Fenwick Secondary Plan Area. As such, prior to the approval of any application for Plan of Subdivision and/or Zoning By-law Amendment, the proponent shall demonstrate how the proposed development contributes to the density targets of the Plan;
- b) Prior to the approval of any development application, proponents shall provide a housing mix and density plan that geographically distributes built form/ housing types, lot sizes and densities based on the objectives and policies of this Plan demonstrated through a plan of subdivision or site plan and planning justification report;
- c) Proposed development within the Secondary Plan Area shall generally conform to Appendix C – Urban Design Guidelines. If, in the opinion of the Town, the proposed street and block layout significantly departs from the design intent, the applicant shall be required to justify the proposed changes in the Planning Justification Report and accompanying explanatory Urban Design Brief, to be submitted at the time of submission of development application.
 - i. Urban Design Brief– The Urban Design Brief will provide a detailed description of the proposed new Draft Plan Vision to include road, block, land use, open space and streetscape components. Ultimately, the purpose of the Urban Design Brief is to demonstrate how the proposed Draft Plan implements the East Fenwick Secondary Plan Vision.
- d) Subject to the findings of the Environmental Impact Study required in Policy B1.9.9.3 to reduce or remove natural heritage features, any land use changes proposed for the Special Policy Area will require the applicant to undertake the studies/updates outlined in Policy B.1.9.8.2 e);
- e) Notwithstanding general compliance with Secondary Plan policies, technical supporting studies will be required as part of the Town's development proposal process for all development applications. Technical supporting studies, which can be based on the "Transportation Assessment" and "Municipal Servicing Conceptual

Design" reports accompanying this Secondary Plan, are to include, but are not limited to:

- i. Municipal Servicing Plan shall include, but shall not be limited to, technical details regarding the provision of water, wastewater, stormwater management and public/private utilities;
 - ii. Transportation Plan shall include, but shall not be limited to, technical details regarding the traffic conditions and implementation strategies proposed to accommodate for development;
 - iii. Environmental Impact Study to include the assessment of lands within and adjacent the Natural Heritage System and Special Policy Area Overlay identified in this Plan (refer to Town Official Plan policies B3.2.4.3 and B3.3.4.3).
- f) Within the Neighbourhood Residential designation, increases in density may be permitted to the satisfaction of the Town without Amendment to this Plan, subject to:
- i. A test of functional servicing compatibility addressing all water, wastewater, stormwater through an update to the Municipal Servicing Plan;
 - ii. A Traffic Impact Study demonstrating traffic impacts and requirements; and,
 - iii. An Urban Design Brief to demonstrate how the proposal implements this Plan's Urban Design Guidelines and overall Vision intent.

B1.9.8.3 Village Residential

B1.9.8.3.1 Permitted Uses

a) The following uses are permitted within the Village Residential designation:

- i. Single detached and semi-detached residential buildings;
- ii. Accessory apartments/secondary units subject to Policy B1.1.4;
- iii. Accessory buildings and structures related to the primary residential dwelling unit;
- iv. Home occupations subject to Policy B1.1.6;
- v. Places of worship;
- vi. Residential care facilities subject to Policy B1.1.8.1;
- vii. Day nurseries;
- viii. Open space linkages;
- ix. Community meeting spaces;
- x. Public uses; and,
- xi. Public and private utilities.

b) In addition to the permitted uses identified in Policy B1.9.8.3.1 above, street and block townhouses may be permitted provided garage areas are not visible from the public right of way in accordance with this Plan and accompanying Urban Design Guidelines.

B1.8.9.3.2 Development Policies

- a) For single detached lots density shall range from a minimum of 8 units per net hectare, up to 20 units per net hectare;
- b) For semi-detached lots density shall range from a minimum of 20 units per net hectare, up to 40 units per net hectare;
- c) 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;
- d) Built form siting along the Plan's perimeter and Canboro Road should be in keeping with existing setback parameters;
- e) Residential buildings along Canboro Road shall minimise their garage and driveway presence onto the streetscape as outlined in the Urban Design Guidelines;
- f) The maximum residential building height for any building within the Village Residential designation shall be 2.5 storeys; and,
- g) Places of worship and day nurseries shall only be permitted within the Village Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:
- h)
 - i. Have a minimum lot size of 0.75 of a hectare;
 - ii. Are compatible with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts; and,
 - iii. The landmark or steeple component of a Place of Worship may be permitted to exceed the 9 metres height limitation, subject to approval by the Town, through the required Site-Specific Zoning By-law Amendment process.

B1.9.8.4 Neighbourhood Residential

B1.9.8.4.1 Permitted Uses

- a) The following uses are permitted within the Neighbourhood Residential designation:
 - i. Single detached and semi-detached residential buildings;
 - ii. All forms of townhouse and multiple dwelling residential buildings;
 - iii. 4 to 6 storey apartment buildings;
 - iv. Accessory apartments/secondary units subject to Policy B1.1.4;
 - v. Live-work units;
 - vi. Residential care facilities subject to Policy B1.1.8.1;

- vii. Accessory buildings and structures related to the primary residential dwelling unit;
- viii. Home occupations subject to Policy B1.1.6;
- ix. Places of worship;
- x. Day nurseries;
- xi. Parks, parkettes and open space linkages;
- xii. Community Amenity buildings;
- xiii. Public uses; and,
- xiv. Public and private utilities.

B1.9.8.4.2 Development Policies

- a) For single detached lots density shall range from a minimum of 18 units per net hectare, up to 30 units per net hectare;
- b) For semi detached lots of density shall range from a minimum of 20 units per net hectare, up to 50 units per net hectare;
- c) Permitted street and block townhouse as well as multiple dwelling residential buildings shall be developed at densities ranging from a minimum of 20 units per net hectare, up to 60 units per net hectare;
- d) Small scale apartment buildings shall be developed at densities ranging from a minimum of 73 units per net hectare, up to 120 units per net hectare;
- e) The maximum building height for any building within the Neighbourhood Residential designation located internal to the community shall be 6 storeys and may include a 4.5 metre minimum ceiling height requirement on the ground floor to accommodate live-work units;
- f) The maximum building height for any building within the Neighbourhood Residential designation with frontage onto Canboro Road, Welland Road and/or Cream Street shall be 4 storeys;
- g) Places of worship and day nurseries shall only be permitted within the Neighbourhood Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:
 - i. Have a minimum lot size of 0.75 of a hectare;
 - ii. Are compatible with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts;
 - iii. Are located near the intersection of two public roads, at least one of which is a Collector Road; and,
 - iv. The landmark or steeple component of a Place of Worship may be permitted to exceed established height limitations, subject to approval by

the Town, through the required Site Specific Zoning By-law Amendment process.

- h) Live work uses shall only be permitted within the Neighbourhood Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:
- i. Are limited in size to 150 square metres per live work unit
 - ii. Are compatible with adjacent properties in terms of aesthetics, privacy, noise and/or other impacts;
 - iii. Are located near the intersection of two public roads; and,
 - iv. Are located near or at the centre of the neighbourhood, within a 2.5-minute walk from the majority of residents.
- i) Development on the basis of garage and driveway access from public or private lanes is encouraged, and may be required where dwelling units front onto a Minor Collector Road, a Linkage, or a linear park. Development on the basis of garage and driveway access from public or private lanes may be permitted where dwellings front onto a Local Road, subject to confirmation of the technical requirements by the Town;
- j) Neighbourhood Residential development that abuts lands designated Village Residential shall be designed to:
- i. Ensure compatibility to Village Residential areas through deeper lots;
 - ii. Ensure compatibility to Village Residential areas through the conservation, when present, of the existing tree canopy in the form of a landscaped buffer, which shall be a minimum of 10 metres in depth;
 - iii. Increased setbacks;
 - iv. The provision of landscaped buffers when backing onto Village Residential areas;
 - v. The provision of clearly demarcated vehicular and pedestrian access points; and,
 - vi. The provision of screened parking areas located behind the principal building with limited exposure to adjacent public roads.
- k) Schedule A10 identifies symbolically (with the use of an asterix) the potential location for multiple dwelling residential buildings or apartment buildings. These locations have been chosen due to their landmark, gateway role as well as their proximity to large open space areas. It is important that future development on these sites facilitates strong view terminuses across the Plan Area, accentuates the Greenlands system rather than detracts from it, and maximizes visual prominence and anchoring of the buildings along street axes. To achieve this, in general proximity to that symbol, a multiple dwelling residential building or an apartment building may be developed subject to appropriate zoning and the following criteria:
- i. The site is located along public roads;

- ii. The site does not exceed 10,000 square metres in size;
 - iii. Any proposed building at the corner of Cream Street and Canboro Road shall be designed as a priority lot that fits with Fenwick's Village character; and,
 - iv. Apartment buildings located within the Residential Neighbourhood lands that are more than 4 storeys in height shall be designed following the angular plane strategy of this Plan's Urban Design Guidelines of Appendix C.
- l) Apartment buildings shall be designed to ensure development compatibility to surrounding existing and future built forms. Site design considerations may include:
- i. Increased setbacks;
 - ii. Sensitive building siting;
 - iii. Provision of landscape buffers;
 - iv. Angular planes or other mechanisms that control the scale of development;
 - v. The requirement for structured parking and/or the provision of parking areas that do not dominate the site physically and visually from the public right of way;
 - vi. Bicycle parking is provided in areas that are located near a building access, are protected from the weather, are safe and well illuminated, and do not obstruct the public sidewalk;
 - vii. Bicycle parking is provided at a minimum of 1 space per unit plus 0.5 visitor/short term spaces per dwelling unit;
 - viii. The location, pattern and style of entranceways, windows, balconies and other architectural details ensure matters of character fit, oversight and privacy are addressed; and,
 - ix. The location, pattern and style of loading bays and refuse containers ensures these areas internal to the site, and are not visible from the public right of way.

B1.9.9 The Greenlands System

The East Fenwick network of green land spaces is made up of the area's existing Natural Heritage System, a series of interconnected small neighbourhood parkettes, environmental linkages, active transportation network and trails, and stormwater management areas. The proposed open space network encourages active transportation, recreation, and opportunities to connect to the natural heritage system and the neighbourhood's open space amenities as an integral part of the neighbourhood design. The Greenlands System recognizes natural heritage features and their associated functions and seeks to maintain connections between and among them, so that their existing ecological and hydrological functions are maintained or enhanced, where possible.

Note: The East Fenwick Secondary Plan, specifically its environmental mapping, reflects significant investment from landowners in Environmental Impact Studies (EIS's) that cover portions but not all of the Plan Area. Areas where existing studies have been conducted reflect the regulatory standards of the approvals framework that existed at time of their completion. Because of this, more explicit policy direction is provided for these portions of the Plan Area relative to others. It is important to note that policy provisions included in this Secondary Plan reflect the regulatory standards in place at time of application, and future development may be held to different standards of environmental review as these regulations evolve over time.

B1.9.9.1 Intent

- a) It is the intent of the Town to establish a linked Green Lands System that also acts as a fundamental community structure element for the East Fenwick Secondary Plan;
- b) The Green Lands System, as identified on Schedule A8, is comprised of the following components and associated buffers:
 - i. Natural Heritage System
 - ii. Special Policy Area Overlay
 - iii. Environmental Linkages
 - iv. Stormwater Management
 - v. Open Space/Parkette
- c) The inclusion of all the associated elements and related activities into an interconnected Greenlands System will protect and enhance the natural heritage system and its associated functions and expand the recreational opportunities available to residents;
- d) Linkages through the implementation of corridors provide important connections between natural heritage features. Linkages and corridor connections shall be reviewed as part of an EIS. Where identified through an EIS or other natural heritage study or plan, linkages and corridors shall be incorporated into development plans and protected through use of an appropriate zone in the Town's Zoning By law.
- e) As part of a future development application, additional scoped EIS work is required to address environmental restoration matters relating to the overall area, location and composition of the restoration required to accommodate the proposed storm water management facility located at the south-west corner of Welland Road and Cream Street.

B1.9.9.2 Natural Heritage System

- a) The Natural Heritage System designation recognizes the limits and associated minimum buffers of the Provincially Significant Wetland.
- b) The Natural Heritage System designation recognizes environmental features defined through an EIS.
- c) The ecological and hydrologic functions of the lands designated Natural Heritage System shall be protected, maintained, or, where possible, improved for the long-term, recognizing linkages between and among natural heritage features and areas. The Natural Heritage System designation is intended to:
 - i. Protect the health and water quality of the natural heritage feature;
 - ii. Conserve biodiversity;
 - iii. Protect significant natural heritage features and their associated functions; and
 - iv. Protect surface and ground water resources.
- d) The lands designated Natural Heritage System on Schedule A8 are also subject to Section B3.2 of the Official Plan.

B1.9.9.3 Special Policy Area Overlay

- a) The Special Policy Area Overlay recognizes natural heritage features, which contribute to the Natural Heritage System.
- b) Additional environmental study is required to determine the exact boundaries and buffers to protect the features and functions to the satisfaction of the Town and Region.
- c) The proponent shall be required to submit an EIS as part of any future development application to demonstrate that, over the long term, there will be no significant negative impact on the natural heritage features or their functions. The scope and content of the EIS shall be determined through the development of a Terms of Reference in consultation with the Town, Region and the NPCA.

- d) Should it be demonstrated that a natural heritage feature may be reduced or removed, the proponent shall incorporate portions of the feature into development plans, where feasible, to the satisfaction of the Town.
- e) Should the feature be reduced in size, the adjacent land use designation shall apply.
- f) The lands with the Special Policy Area Overlay on Schedule A8 are also subject to Section B3.3 of the Official Plan.

B1.9.9.4 Environmental Linkages

- a) The Environmental Linkages designation recognizes the importance of providing ecological corridors connecting identified Greenlands areas throughout the Secondary Plan Area.
- b) Environmental Linkages shall be established consistent with Section 3.1.17 of the Niagara Region Official Plan.
- c) Notwithstanding Section 3.1.17 of the Niagara Region Official Plan (Linkages), these areas shall be landscaped with native plantings to the satisfaction of the Town in a way that reinforces an ecological corridor consistent with the significant features it is connecting.
- d) Environmental Linkages shall integrate LID measures where possible to contribute to the overall storm water management strategy.
- e) Environmental Linkages will be dedicated to the Town at time of subdivision.

B1.9.9.5 Open Space / Parkette

- a) The policies applicable to the lands designated Open Space / Parkette on Schedule A8 are found in Section D5.4 of the Official Plan. In addition to the policies of Section D5.4, it will be required that Parkettes are located at the centre of each neighbourhood as identified in Schedule A7, a minimum of two (2) parkettes shall be provided across the plan area to ensure easy access and multiple opportunities for rest, relaxation and access to nature;
- b) Amendments to this Plan's Greenlands structure and resulting trail system / active transportation network shall be completed to the satisfaction of the Town in consultation with the Pelham Active Transportation Committee; and
- c) The following policies apply to the establishment of parkettes:
 - i. A parkette shall generally have a minimum frontage on the abutting sidewalk of 20 metres, and a minimum depth of 30 metres with a

- minimum area of 0.4 of a hectare and shall be generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C;
- ii. Parkettes shall be designed to reinforce a high-quality relationship between the public right of way and surrounding land uses as a component of the Greenlands System; and,
 - iii. Parkettes shall incorporate/include existing vegetative features such as hedgerows and non-significant woodlots as part of their design; and,
 - iv. Landscape elements and features within the parkettes shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas.
- d) Parkettes that are less than 0.4 of a hectare shall generally not contribute to the Town's parkland dedication requirements and shall generally not be required or accepted by the Town. The Town may, however, consider accepting parkland parcels that are less than 0.4 of a hectare without Amendment to this Secondary Plan, subject to the specific approval by Council that is based on an understanding of the specific land parcel's contribution to the overall public parkland system within the East Fenwick Secondary Plan Area.

B1.9.9.5.1 Parkland Conveyance Reduction

- a) Parkland conveyance requirements may be reduced under the following circumstances, subject to approval by Council:
- i. When land is developed for long term care facility use, as defined by the Province, a maximum of 2% of the total land area shall be conveyed to the Town;
 - ii. When the proposed development is being undertaken by a public-sector organization the parkland conveyance requirement may be eliminated or reduced at the discretion of Council;
 - iii. When land is developed to include affordable housing units, as defined by the Province, the conveyance requirement may be eliminated or reduced proportionate to the number of affordable units provided, at the discretion of Council;
 - iv. When the proposed development is being undertaken by a not-for-profit organization, as defined by the Province, the parkland conveyance requirement may be eliminated or reduced at the discretion of Council; and/or,
 - v. When a development proposal includes a property designated or listed under Part IV or V of the Ontario Heritage Act or listed on a Municipal Heritage Register under Section 27 of the Ontario Heritage Act, or has otherwise been recognized as a significant cultural heritage landscape or built heritage resource, and the proposal incorporates and conserves a cultural heritage resource to Town satisfaction, a parkland conveyance reduction of 50% of the applicable conveyance requirement for that specific property may be applied.

B1.9.9.6 Stormwater Management Facilities

- a) The policies related to stormwater management facilities within the East Fenwick Secondary Plan Area are found in Section C6 of the Official Plan. Their general location is conceptually shown in Schedule A8;
- b) General objectives for stormwater management facilities within this Secondary Plan Area are:
 - i. To maintain, and where possible, improve the health and condition of the receiving/adjacent watercourses;
 - ii. The achievement of no net increase in stormwater run-off from the Secondary Plan Area to adjoining lands;
 - iii. To maintain, and where possible, improve the quality of stormwater entering surface and groundwater supplies; and,
 - iv. To promote the use of naturalized methods of stormwater management.
- c) In addition to the policies of Section C6 of the Official Plan, the following policies apply within the East Fenwick Secondary Plan Area:
 - i. The Plan's stormwater management facilities shall be permitted in all land use designations within the East Fenwick Secondary Plan Area, except for Natural Heritage System lands, their general location shown in Schedule A8;
 - ii. Notwithstanding B1.9.9.6 c) i), the stormwater management facility located south of Welland Road at Cream Street is permitted within the Natural Heritage System provided the facility is designed to the specifications agreed upon by the Niagara Region and Niagara Peninsula Conservation Authority;
 - iii. Stormwater management facilities may be permitted in Special Policy Area overlays without the need for a further Amendment to this Plan, subject to the policy direction provided in this Plan, including the preparation of an Environmental Impact Study (EIS) to the satisfaction of the Region in consultation with the Town and the NPCA showing no negative impact to feature or function;
 - iv. Stormwater management facilities will be designed as essential components within the open space network and be publicly accessible where appropriate;
 - v. Stormwater management facilities will blend with the natural landscape, organic shapes and landform grading designed to replicate natural landforms in the area while being safe to visitors. Inlet and outlet structures will be concealed using a combination of planting, grading and natural stone;
 - vi. Stormwater management facilities will not be fenced, but rather will be designed with trails and interpretative signage;
 - vii. Stormwater management facilities shall be provided with high quality landscaping designed by a qualified Landscape Architect; and,

- viii. Stormwater management facilities shall be designed generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C.

B1.9.9.6.1 Stormwater Management Design Criteria

- a) In order to avoid the negative impacts of flooding in the downstream watershed, all new development post development peak stormwater flows shall be attenuated to pre-development conditions for up to and including the 100 year return period design storm event.
- b) In order to avoid negative impacts of stormwater sediments, stormwater from all new development should be managed for quality purposes to an enhanced standard (i.e. 80 percent long-term suspended solids removal).
- c) Adequate and safe minor and major storm conveyance systems shall be required for all new development.

B1.9.9.6.2 Low Impact Development Design

- a) With the goal of replicating the existing hydrologic regime, the Town shall encourage the implementation of low impact design standards as outlined in the Ministry of Environment, Conservation and Parks "Low Impact Design Stormwater Management Guidance Manual, which emphasize the use of bio-swales, innovative stormwater practices, and at-source infiltration, in order to contain stormwater runoff from the 90th percentile storm (25mm) on site;
- b) With the goal of minimizing the negative impacts of urbanization on the area's natural heritage features, the Town shall encourage low impact design methods when treating stormwater runoff to treatment train to an enhanced standard (the highest standard as prescribed by the Ministry of the Environment, Conservation, and Parks);
- c) With the goal of adapting to climate change and mitigating the impacts of severe storm events, the Town shall encourage the following;
 - i. Include robust major overland flow routes through all new development to reduce the risk of overland flooding.
 - ii. New development should be designed to minimize the risk of basement flooding from groundwater infiltration.
 - iii. Heating, ventilation, and air conditioning (HVAC) and electrical systems should be well elevated from the basement floor or located above grade.
 - iv. If the home foundation drain connects to a storm sewer, a backwater valve should be installed on the storm sewer lateral to prevent stormwater from backing up into the basement if the storm sewer is overloaded.
 - v. If the home foundation does not connect to a storm sewer, a primary and back-up sump pump should be installed complete with a back-up power system.

- vi. Driveways should be built to slope away from homes or garages (i.e. reverse slope driveways should not be permitted).
 - vii. Consideration should be given to increasing the capacity of all new storm infrastructure by a minimum of 25% to account for more frequent and severe rainfall events.
 - viii. Consideration should be given to implementing a minimum building setback from all mapped floodplains to account for more severe rainfall events.
- d) The Town shall encourage the introduction of green infrastructure, such as bioswales, within the street rights-of-way to enhance ground water infiltration and improve water quality as part of a comprehensive water management plan;
- e) The Town shall encourage a rainwater harvesting program to provide the passive irrigation of public and/or private greenspace, including absorbent landscaping, landscaped walls, cisterns, rain barrels, underground storage tanks and/or infiltration trenches; and,
- f) The Town shall encourage xeriscaping using native, drought-tolerant plants, a cost-effective landscape method to conserve water and other resources on a community-wide level.

B1.9.10 Environment and Groundwater Management Policies

- a) The policies related to the environment and groundwater management within the East Fenwick Secondary Plan Area are found in Section C5 of the Official Plan and
- b) In addition to Section C5 of the Official Plan, development applications may need to be supported by a Hydrogeological or Hydrological Report as determined by the Town and Region at the time of pre-consultation. The purpose of the report is to investigate the impacts of the proposed development on water quality and quantity and provide recommendations on:
- i. How to maintain or enhance the quality and quantity of the water resource;
 - ii. How to minimize or eliminate the effect of the proposed use on the groundwater recharge function and maintain water balance;
 - iii. How to minimize or eliminate the effect of the proposed use on the quality and quantity of drinking water in adjacent private and municipal wells;
 - iv. How to maintain or enhance sensitive groundwater recharge/discharge areas, aquifers and headwater areas;
 - v. Whether it is required to monitor water budgets for groundwater aquifers and surface water features; and;

- vi. How to ensure that the quality of the watercourses affected by the development are maintained; and,
- vii. How to control or manage the risk of flooding or erosion.

B1.9.11 General Development and Infrastructure Policies

B1.9.11.1 Water and Sewer Servicing Strategy

- a) The policies related to water and sewer servicing within the East Fenwick Secondary Plan Area are found in Section D1.1 of the Official Plan;
- b) Notwithstanding Section D1.1 of the Official Plan, water and sewer servicing within the East Fenwick Secondary Plan Area shall be as follows:
 - i. A Master Servicing Plan, outlining preliminary functional water distribution, wastewater collection and stormwater management facilities, including designs and costs, will be prepared prior to the approval of any development within the Secondary Plan Area;
 - ii. All required infrastructure shall be constructed and sized to accommodate the full build-out of the Secondary Plan Area. As a result, some of the infrastructure required by one proponent may be oversized to service the larger area. Benefiting landowners shall be required to compensate provider proponents, prior to development on the benefiting landowner's property through a cost sharing agreement;
 - iii. All development within the Secondary Plan Area will proceed according to individual, site specific Drainage Plans and Servicing Plans based on the proposed Draft Plan of Subdivision and all other accompanying requirements set by this Plan by the proponent, to the satisfaction of the Town and the Region; and,
 - iv. Development may be phased to coincide with the availability of servicing and financial capabilities necessary in the delivery of all required municipal services.
- c) Notwithstanding the policies contained in B1.9.9, a pump station is permitted to be located within the Greenlands designation south of Welland Road at Cream Street.

B.1.9.11.2 Transportation

- a) The policies related to transportation within the East Fenwick Secondary Plan Area are found in Section D2 of the Official Plan;
- b) Notwithstanding Section D2.3 of the Official Plan, rights of way for new public roads within the East Fenwick Secondary Plan Area shall be as follows:
 - i. For Minor Collector Roads, the right of way widths shall be between 22.0 to 34.0 metres;

- ii. For Local Roads, the right of way width shall be 16.0 to 20 metres; and,
 - iii. For Public or Private Laneways, the right of way width shall be 7.5 and 9.0 metres.
- c) Notwithstanding Section D2.3 of the Official Plan, right of ways for existing public roads within and bounding the East Fenwick Secondary Plan Area shall be as follows:
- i. For Memorial Drive, the right of way width shall be between 20.0 and 22.0 metres;
 - ii. For Canboro Road, the right of way width shall be between 20.0 and 24.0 metres;
 - iii. For Welland Road, the right of way width shall be between 20.0 and 24.0 metres;
 - iv. For Balfour Street, the right of way width shall be between 20.0 and 22.0 metres; and,
 - v. For Cream Street, the right of way width shall be between 20.0 and 22.0 metres.
- d) All roads within the East Fenwick Secondary Plan Area shall be developed to be consistent with the design intent illustrated in the Urban Design Guidelines attached to this Plan as Appendix C;
- e) Mid-block connectors should be strategically located throughout future developments to enhance active modes access to the Greenlands system;
- f) Mid-block connectors should be a minimum of 6.0 metres in width;
- g) In addition to those policies, the following policies apply to the trail system within the East Fenwick Secondary Plan area:
- i. A comprehensive trail system is conceptually identified on Schedule A8 and Appendices A and C. It is the intent of the Town to achieve this trail network through the appropriate processes required to facilitate the development of this Plan including an Environmental Impact Study process;
 - ii. The conceptual trail system includes trails within the natural heritage system (pending the outcome of an EIS), stormwater management facilities, linkages, open spaces and the road system;
 - iii. Adjustments and alternatives to the trails network identified on Schedule 8 shall be permitted subject to the Town being satisfied that the principle of connectivity and continuity of the system has been fulfilled;
 - iv. Trail design and type will be based on each site's sensitivity in order to mitigate impacts to the Natural Heritage System; and,

- v. Trails for pedestrians and cyclists within the East Fenwick Secondary Plan Area shall be developed generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C.
- h) Protection of the site's existing hedgerows and non-significant woodland areas shall be implemented through the conservation and integration of these features as an integral part of the community open space structure, generally visible from or as part of the public right of way or as rear lot conditions. The protection of the site's existing hedgerows and non-significant woodland areas shall also implement Low Impact Design features outlined Policy B1.9.9.6.1, where feasible; and,
- i) The Canboro Promenade, shown on Schedule A8/9, shall be implemented as private development extends east along Canboro Road. The objective of the Canboro Promenade is to implement a safe and comfortable pedestrian and cycling link along the north side of Canboro Road where the majority of new private development is expected to take place. The implementation and coordination of the Promenade will be undertaken as part of the Draft Plan of Subdivision process to ensure the required right-of-way is secured through this process and shall be designed in accordance with the direction contained in Appendix C – Urban Design Guidelines.

B1.9.11.3 Utilities

- a) Ensure utility services such as hydroelectric power, communications/telecommunications, pipelines and natural gas lines are readily available to all development at levels necessary to ensure the safety and convenience of existing and future residents;
- b) The Town shall promote utilities to be planned for and installed in initial common trenches, below ground where feasible, in a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption;
- c) Utility services shall be developed to be compatible with the general character of the surrounding uses and minimize visual impact, where feasible. The Town will encourage utility providers to consider innovative methods for containing utility services on or within streetscape features such as gateways, lampposts, etc. when determining appropriate location for large utility equipment and utility cluster sites; and,
- d) Utilities location and screening within the East Fenwick Secondary Plan Area shall be developed generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C.

B1.9.11.4 Heritage and Archaeological Resources

- a) The policies related to the heritage and archaeological resources within the East Fenwick Secondary Plan Area are found in Section D4 of the Official Plan; and
- b) Notwithstanding Section D4 of the Official Plan, built heritage and cultural heritage landscapes within the East Fenwick Secondary Plan Area shall be conserved as follows:
 - i. Development applications should conserve significant built heritage and cultural heritage resources in order to foster a sense of place and benefit communities, including the First Nations and Metis communities, consistent with the Heritage resources identified in Appendix E.
 - ii. Development shall be planned to conserve Canboro Road and Memorial Drive as significant cultural heritage landscapes.
 - iii. Development shall be planned to conserve significant built heritage resources and cultural heritage landscapes located at 1159 Cream Street, 655 Canboro Road, 645 Canboro Road, 1128 Cream Street and 646 Welland Street. Where impacts are expected to these properties, a Heritage Impact Assessment should be prepared in accordance with policies found in Section D4 of the Official Plan.
 - iv. Where impacts are expected to properties located at 704 Canboro Road, 695 Canboro Road, 606 Canboro Road, 607 Canboro Road, 615 Canboro Road, 668 Canboro Road, 675 Canboro Road, 687 Canboro Road, 688 Canboro Road, 691 Canboro Road, 1108 Cream Street, 1118 Cream Street, 1162 Cream Street, 578 Welland Road, 630 Welland Road, 663 Welland Road, a heritage impact assessment should be prepared in accordance with Section D4 of the Official Plan.
 - v. Development adjacent to identified built heritage resources and cultural heritage landscapes shall require a Heritage Impact Assessment prepared in accordance with Section D4 of the Official Plan.
 - vi. Designation of properties of cultural heritage value under the *Ontario Heritage Act* is encouraged.
 - vii. Archaeological Assessments shall be required on lands containing archaeological resources or areas of archaeological potential, where development and site alteration is proposed. Development and/or site alteration shall not be permitted unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province. First Nations shall be consulted by the proponent at the earliest opportunity.

B1.9.11.5 Subdivision of Land

- a) The policies related to the subdivision of land within the East Fenwick Secondary Plan Area are found in Section D5 of the Official Plan;
- b) In addition to the policies of Section D5 of the Official Plan, the following policy applies to all lands within the East Fenwick Secondary Plan Area:

- i. It is the intent of the Town to ensure that Draft Plans of Subdivision are developed within a reasonable time frame. As such, the following statement shall be added to all Conditions of Draft Plan Approval:
 - A Draft Plan Approval extension may be extended pursuant to Subsection 51(33) or 51(32) of the *Planning Act*, but no extension can be granted once, or if, the approval has lapsed. If the owner wishes to request an extension to Draft Plan Approval, a written explanation must, together with a resolution from Council, be received by the Town of Pelham sixty days prior to the lapsing date; and a Draft Plan Approval extension will only be granted if, in the opinion of the Town, significant progress toward final approval has been achieved. Dormant Draft Plans shall not be considered for an extension of Draft Plan Approval.
- c) In addition to the policies of Section D5 of the Official Plan, the following policy applies to all lands within the East Fenwick Secondary Plan area:
 - i. For each of the two Residential Neighbourhoods, the Town encourages the benefitting landowners to work together, and to enter into a Developer's Group Agreement based on the requirements of this Plan;
 - ii. It is intended that there be at least one Developer's Group Agreement for the Residential Neighbourhood north of Canboro Road and one for the Residential Neighbourhood between Canboro and Welland Roads;
 - iii. It is recognized that in circumstances where there are multiple landowners, a singular Developer's Group Agreement may not be possible. To be considered a Developer's Group Agreement in fulfillment of the requirements of this plan, the Agreement must include a landowner or landowners that represent at least 50% of the redevelopment landholdings total area within the subject Neighbourhood;
 - iv. If there is a landowner that represents at least 50% of the landholdings, the Town may enter into a Development Agreement with the landowner;
 - v. Where undue delays are encountered with respect to execution of the required Developer's Group Agreements, the Town may, upon the request of an applicant landowner, attempt to resolve such difficulties or delays. Where resolution of such difficulties is deemed not possible by the Town, despite the Town's intervention, the Town shall approve alternative mechanisms to satisfy the intent of the applicable policies of this Plan;
 - vi. If a benefitting landowner within a Residential Neighbourhood wishes to submit a development application and has been unable to obtain the necessary participation of other benefitting landowners through a Developer's Group Agreement, notwithstanding best efforts to do so, then:
 - The applicant landowner shall notify the Town in writing that it proposes to submit an application for development on its lands, or a portion thereof, without a Developer's Group Agreement;
 - The applicant landowner in said notice shall set out, in compliance with the provisions of this Plan that the development proposal can be

accommodated on its lands, without the participation of other landowners or lands, appropriate urban development that implements the Neighbourhood Structure and policy intent of this Plan. The applicant landowner shall also elect in said notice, at its option, either to:

- Enter into a Development Agreement with the Town in lieu of other benefitting landowners; or,
 - Enter into a Front-Ending Agreement with the Town in accordance with the provisions of Section 44 of the Development Charges Act, as amended.
 - The purpose of these alternative agreements shall be to ensure that a non participating, benefitting landowner cannot develop their lands without appropriate compensation to the applicant landowner for any expenditures that exceeds the amount required to develop the applicant landowner's lands, and is a direct benefit to a non-participating, benefitting landowner; and,
 - Nothing in this policy compels the Town to enter into any agreements with any applicant landowner.
- vii. The Town, as appropriate, shall require the use of local Area-Specific Development Charge By-Laws or Front-Ending Agreements under the Development Charges Act, or other suitable arrangements among landowners, in order to implement the development of the Secondary Plan Area and to fairly allocate the costs of development. The Town shall ensure that stormwater facilities are included in any local Area-Specific Development Charges. Such agreements are intended to ensure that the necessary approvals and the required contributions of funds, lands and commitments for services will be in place and operative prior to, or coincide with the development and use of land. The Developer's Group Agreement and/or Front-Ending Agreement may deal with:
- Front-end or accelerated payment requirements;
 - Local services as permitted in Sections 44(1) and 59(2) of the Development Charges Act;
 - Matters to which the parties voluntarily agree; and/or,
 - Other matters permitted by law.
- viii. The Town must ascertain and be assured that a Developer's Group Agreement assigns cost sharing and other responsibilities in a reasonable and equitable manner, and, generally speaking, will do so in direct proportion that a development benefit is conferred upon the lands being developed. Subject to the appeal mechanisms identified in the *Planning Act* or the Development Charges Act, the issuance of final development approvals or the release of land for development, shall be subject to the execution of a Developer's Group Agreement and/or Front-Ending Agreement.

B1.9.12 Plan Implementation and Administration

- a) The policies applicable to plan implementation and administration within the East Fenwick Secondary Plan Area are found in Section E1 of the Official Plan.

B1.9.13 Transitional Framework

- a) Preparation of the East Fenwick Secondary Plan was undertaken alongside a concurrent development proposal. Because of this, certain sections of the Plan Area will be regulated under policies and legislation that pre-date several substantial changes in the Town's planning landscape, including but not limited to:
 - i. The 2022 Regional Official Plan;
 - ii. The Provincial Policy Statement;
 - iii. Changes to the Environmental Impact Study process and requirements; and
 - iv. Amendments to the *Planning Act*.
- b) Notwithstanding Policy B1.19.13 a), the transitional policies of the 2022 Niagara Regional Official Plan and legislative framework applicable at the time of all future development applications in the Plan Area shall apply.



APPENDIX A - DEMONSTRATION PLAN & ACTIVE TRANSPORTATION PLAN





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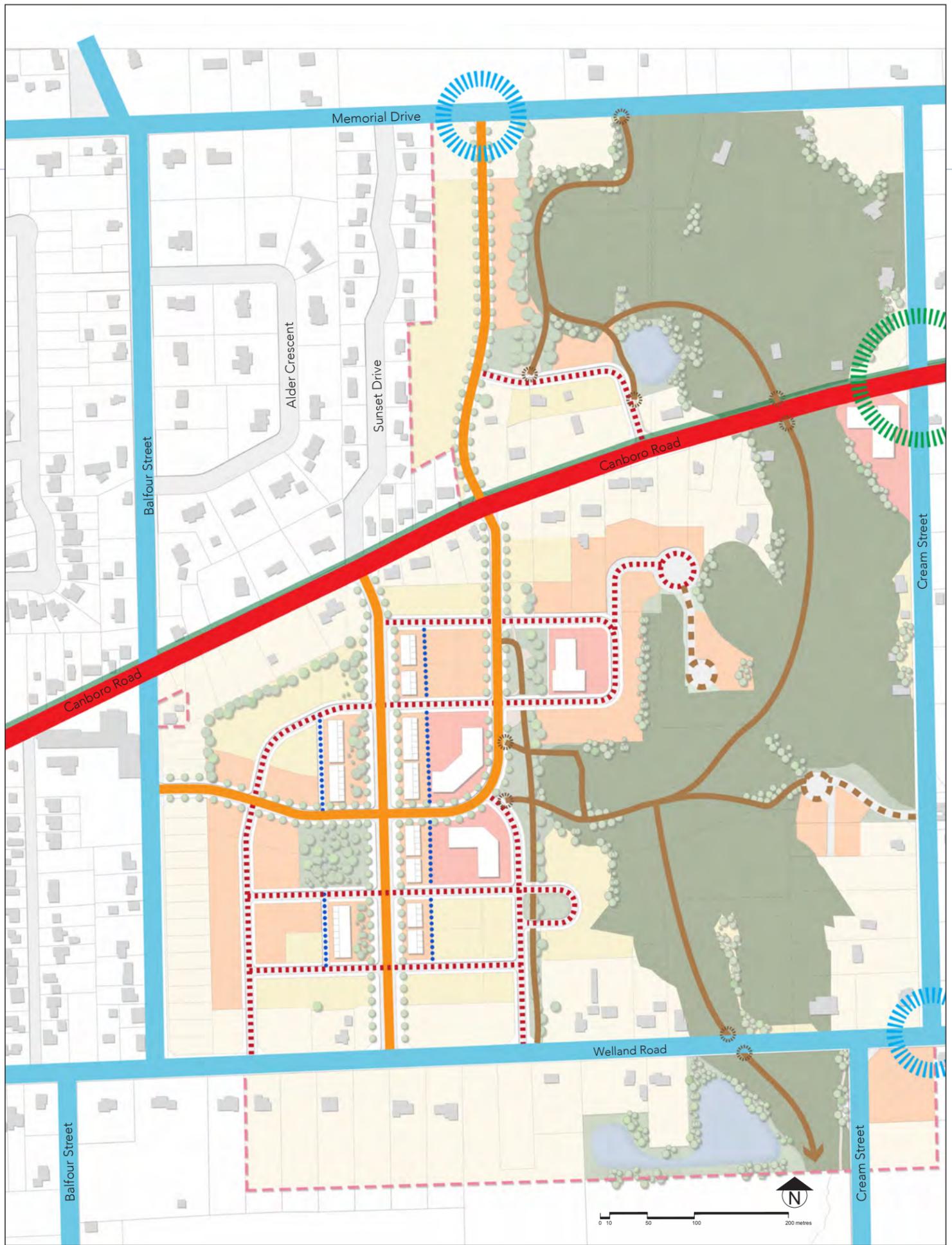


Legend

- Village Residential
- Residential - Low Density (singles and Semis)
- Residential - Medium Density (Townhomes)
- Residential - High Density (Apartments)
- Open Space
- Natural Heritage
- Study Area Boundary

East Fenwick Secondary Plan Area
 Appendix A | Neighbourhood Demonstration Master Plan

June, 2018



Legend

- Gateway**
- Major Gateway
 - Minor Gateway
 - Trail Gateway

- Trails**
- Proposed off-road Trails

- New Street Network**
- Minor Collector
 - Local Road
 - Laneways
 - Private Road
 - Canboro Promenade

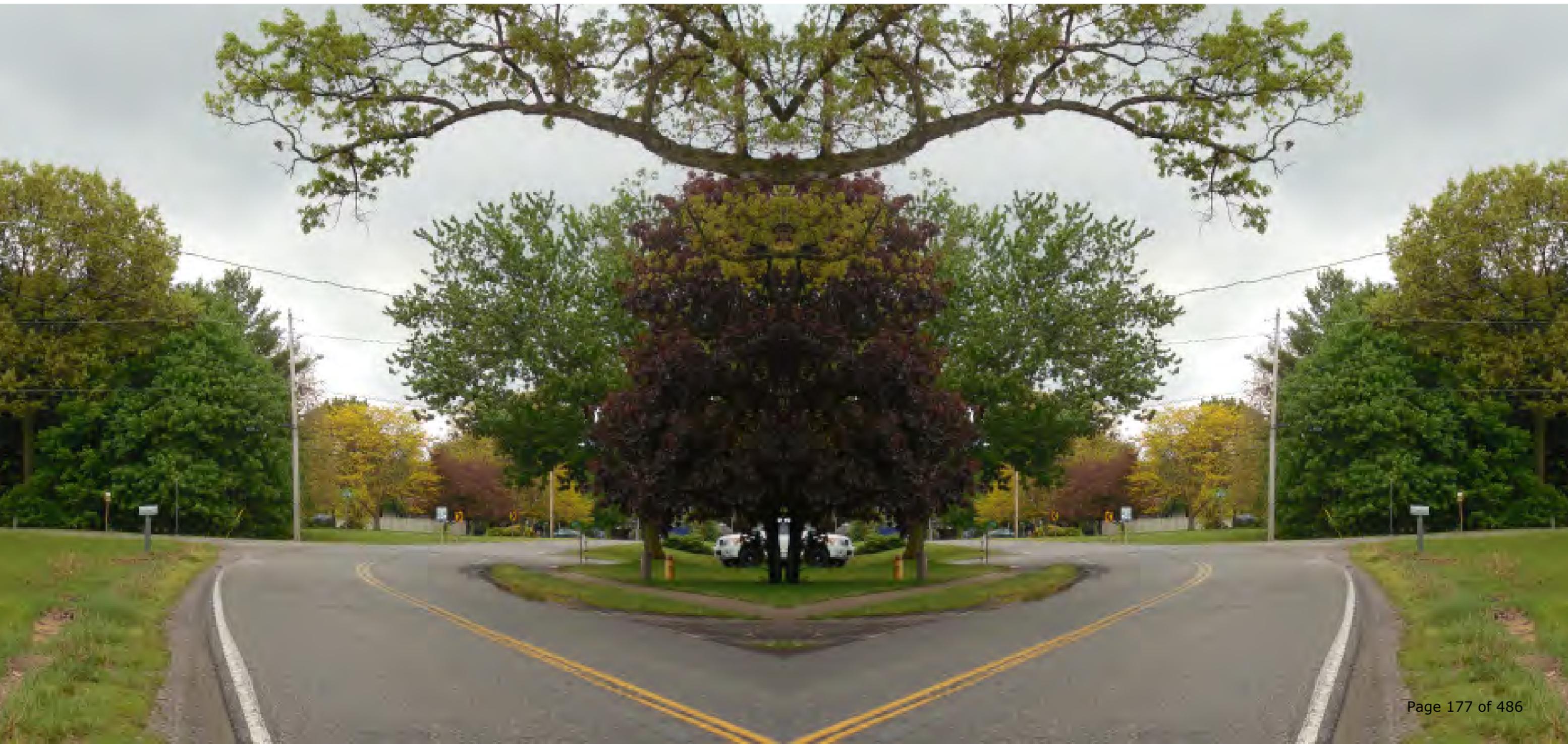
- Existing Street Network**
- Arterial Road
 - Collector Road

East Fenwick Secondary Plan Area
 Appendix B | Active Transportation Plan

June, 2018



APPENDIX B - LAND USE BUDGET





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Fenwick Land Use Budget - GREENFIELD OVERLAY

Gross Greenfield Area (ha)	42.35
Natural Heritage System (ha)	9.59
Net Developable Area (ha)	32.76
Units Per Hectare	20
Unit Yield	655

Fenwick Land Use Budget - BUILT BOUNDARY SUBJECT TO POLICY B 1.1.10 OVERLAY

Gross Built Boundary Area Subject to Policy B1.1.	35.83
Natural Heritage System (ha)	15.19
Net Developable Area (ha)	20.64
Units Per Hectare	8
Unit Yield	165
Existing Residential Units	45

Remaining New Residential Units **120**

Unit Type	Description	NET Density (u/ha)	Percentage	units	Area	PPU	Persons	Jobs	P/J/ha	UNIT TYPE PERCENTAGE	
Large Singles	50x18	8	12%	78	9.72					52%	
Small Singles	33x12.5	18	41%	266	14.80						
Street Townhomes	33x7	31	28%	184	5.94					33%	
Live Work Units	33x7	31	5%	31	1			31			
Home Occupation @ 10% of units minus LiveWork. Assumes one person employment								63			
Walk-Up Apartments	132m ² average apartment size	75	15%	98	1.30					15%	
				100%	657	32.76	2.76	1,813	94	58	100%

Unit Type	Description	NET Density (u/ha)	Percentage	units	Area	PPU	Persons	Jobs	P/J/ha	UNIT TYPE PERCENTAGE	
Large Singles - Existing	50x18	8	29%	45	17.02						
Small Singles	33x12.5	18	43%	41	2.27					72%	
Small Singles	33x15.25	10	43%	0	0.00						
Home Occupation @ 10% of units minus LiveWork. Assumes one person employment								17			
Walk-Up Apartments	132m ² average apartment size	75	3%	84	1.12					3%	
				118%	170	20.41	2.76	469	17	24	75%

Total Potential Future Fenwick Popul: 2,674

Total Persons Study Area	2282
Total Jobs Study Area	111
Total Developable Area (ha)	53.3968
Total Persons and Jobs Per Hectare	43
Total Units Per Hectare	15.36

Density Assumptions - East Fenwick Secondary Plan

Unit Type	Lot Size	Net Net Lot Area (m ²)	Street & SWM Area		Apartment Unit Assumptions					
			assumption @ 35% (28% for Streets and 7% for SWM) (m ²)	Net Area (m ²)	Buildin g Size @ 22x60 average	Units/H a	Unit Yield per Floor @ 132m ² (Gross Area)	Floors	Total Unit Yield	
Large Single	50x18	900	315	1,215			8			
Small Single	33x12.5	412.5	144	557			18			
Townhouses	33x7.2	237.6	83	321			31			
Apartment	63x63	3,960	1386	5,346	1,320	75	10	4	40	



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APPENDIX C - URBAN DESIGN GUIDELINES





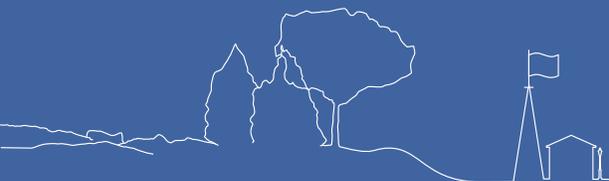
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EAST FENWICK SECONDARY PLAN URBAN DESIGN GUIDELINES

TOWN OF PELHAM

APRIL 2024



ENVISIONING FENWICK



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I. INTRODUCTION

1.1. PURPOSE AND SCOPE

All planning applications are to conform to the *Town of Pelham Official Plan* and the *East Fenwick Secondary Plan*.

This Guideline document intends to provide guidance and serve as an example of the key principles and policies addressed by the *East Fenwick Secondary Plan*, which has supplementary policies pertaining to Urban Design. These Urban Design Guidelines are based on the following design principles:

- a) Conserve, protect, enhance and integrate cultural and built heritage resources;
- b) Encourage a diversity of housing that compliments and enhances the Town of Fenwick's community character;
- c) Encourage compact, pedestrian friendly neighbourhoods that foster a healthy and inclusive community;
- d) Design attractive new communities with a distinct character, identity and sense of place;
- e) Develop a continuous and connected open space and trail system;
- f) Reinforce the function of the downtown as the primary business, entertainment and commercial point of the community;
- g) Promote active transportation and the use of open space to encourage tourism and attract residents seeking an active recreational community as a lifestyle or retirement choice; and,
- h) Incorporate sustainable design initiatives that enhance residential and local ecosystem's health and encourage the greening of streetscapes, parks, subdivisions etc.



These guidelines are not intended to replicate the policies within The *East Fenwick Secondary Plan* or the *Official Plan*, but to provide a greater level of guidance on urban design and sustainability. These guidelines recognize that variations to these provisions might be necessary to accommodate for specific site constraints. It is expected that the proponent in collaboration with Town staff will endeavour to identify the appropriate design solution based on the design best practices put forward by this document. A complete community is achieved through good urban design that complements sustainable development. The intention of this guideline document is to bring together key design elements that shape the built environment from both perspectives, and achieve the overall goal of creating a sustainable, complete community in the settlement of Fenwick. Mindful of that, the purpose is to provide a design vision and guidance for the *East Fenwick Secondary Plan* area by addressing the nature, intensity, quality and level of sustainability in both the public and private realms, while still ensuring that all other goals and objectives of the *Secondary Plan* and *Official Plan* are achieved.



Image 4. Reinforce the Distinct Character and Function of the Downtown



Image 5. The Village Niagara - Pedestrian Friendly Mid-block Connector



Image 6. Cornell - Develop a continuous and Connected Open Space System

1.2. DOCUMENT STRUCTURE

This report is organized into five main Sections:

Section 1: Introduction of the report, which provides background information and highlights the purpose of this report.

Section 2: The Land Use Plan outlines the overall vision for the *East Fenwick Secondary Plan* Area, and describes the built form and public realm components of the Land Use Plan.

Section 3: Built Form Guidelines address residential development and built heritage resources. They provide guidance for each of the residential land use designations within the *Secondary Plan* area and further define design guidance for building use, typology, setbacks, massing and transition, placement and orientation and treatment of the built form. Urban Design Guidelines address Built Heritage Resources within the Secondary Plan Area.

Section 4: Public Realm Guidelines address key components of the public realm, from the design of blocks to guidance on enhancing the existing street network as well as design guidance for new streets. This Section also addresses the integration of active transportation infrastructure and includes guidance for the Natural Heritage System (NHS) and coordinated open space network of parkettes, trail systems and stormwater management facilities.

Section 5: Green Infrastructure and Building provides further guidance on the public realm and built form by emphasizing sustainable technologies, resource efficiency, and responsible consumption. This Section addresses issues of energy efficiency, water conservation and management, material resources and solid waste, sustainable programs, and lighting.

The East Fenwick Urban Design Guidelines aim to supplement the policies and guidance from the *Region of Niagara's Official Plan*, the *Town of Pelham's Official Plan*, and the *East Fenwick Secondary Plan*. The design elements and guidance in this document address both the built form and the public realm and aim to offer tangible direction in order to deliver the principles and vision outlined in the East Fenwick *Secondary Plan*.

2. THE LAND USE PLAN

2.1. EAST FENWICK SECONDARY PLAN AREA VISION

The Vision for the *East Fenwick Secondary Plan* is based on the *Town of Pelham's Official Plan* and aims to deliver a new community that:

Supports and emphasizes Fenwick's unique character, diversity, civic identity, rural lifestyle and heritage features and to do so in a way that positively affects the quality of life and health for the citizens who live and work in Pelham.

The vision will be developed based on the policies in the *Official Plan* and the *East Fenwick Secondary Plan*. The vision intends to encourage and manage development in a manner that delivers a vibrant and diverse community. Integral to this vision is the design and integration of three distinctive sub-neighbourhoods, all of which will contain a variety of residential housing options and a distinctive open space.

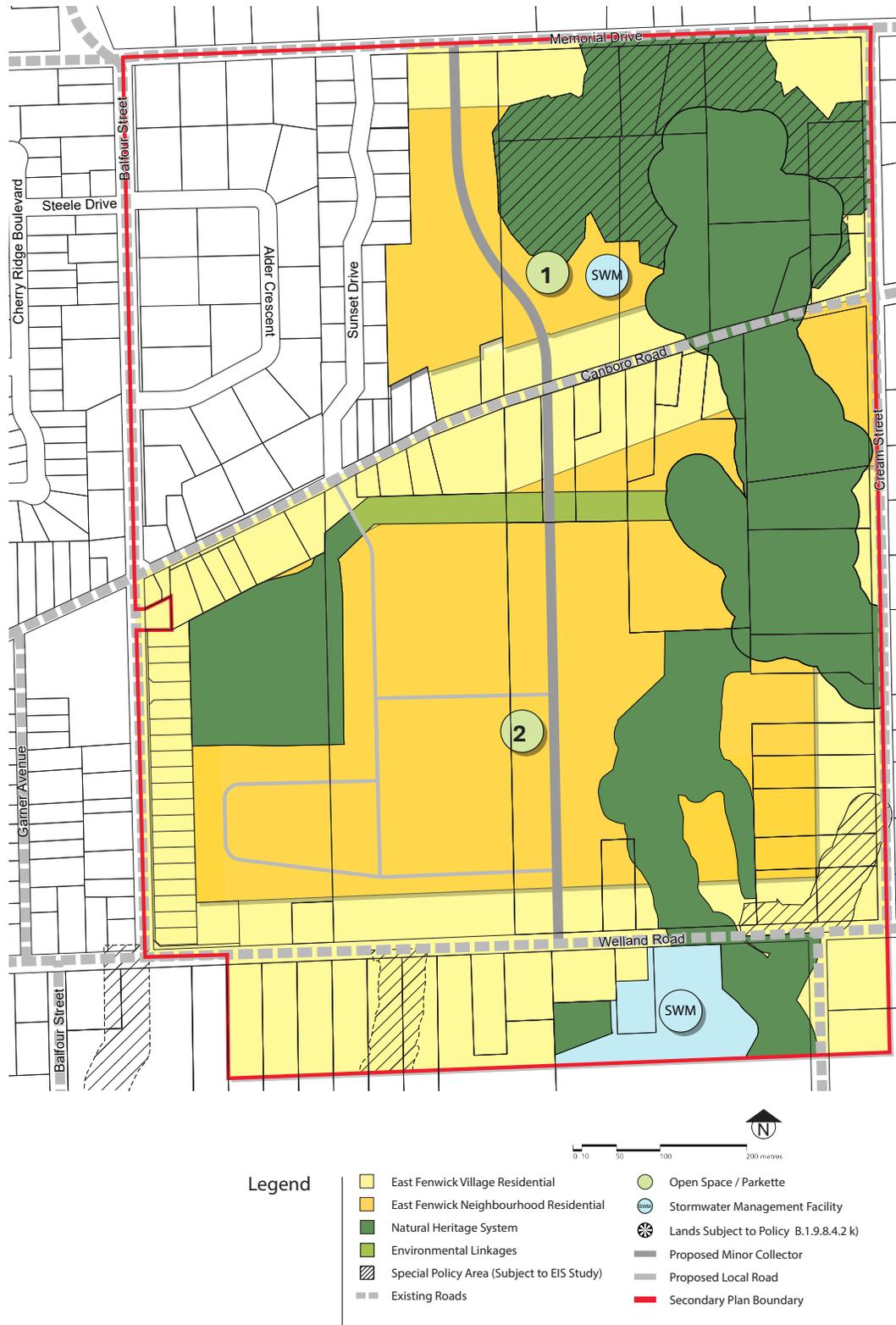


2.2. COMPONENTS OF THE LAND USE PLAN

The Land Use Plan (**Figure 1**) illustrates a structure for guiding future built form and public realm components for the *East Fenwick Secondary Plan Area*. It provides guidance on the density and building typology required to meet the Region's density targets. The primary objective of the built form components is to ensure that any new development reinforces a coherent, integrated, and compact built environment. The Land Use Plan also incorporates public realm features, ensuring the integration and coordination of an open space network and the NHS.



Figure 1. East Fenwick Land Use Plan



Schedule A10. East Fenwick Secondary Plan Area
Land Use Structure Plan

3. BUILT FORM GUIDELINES

3.1. RESIDENTIAL DEVELOPMENT

New residential developments within the *East Fenwick Secondary Plan* will integrate with the existing built form and rural character of the Town of Fenwick. Therefore, it is essential that future community and architectural design solutions address matters of area character fit, through the implementation of the design best practices contained in this document. The Urban Design Guidelines aim to reinforce the structure and image of Fenwick and provide general direction for housing typology, housing mix, building form and landscaping.

3.1.1. HOUSING MIX AND DIVERSITY

As per the *Niagara Region and the Town of Pelham's Official Plans*, the *East Fenwick Secondary Plan* is required to provide a combined density of 45 Persons and Jobs per hectare within both the Built Urban Area and the Greenfield Overlays. A mix and diversity of housing will be required to meet this density target. Therefore, the following guidelines apply:

1. A variety of architectural styles, elements, and material detailing should be considered to create distinctive and complementary character, as well as provide visual interest.
2. Live-work units provide an option for home-based employment, while also addressing the employment targets required for the *East Fenwick Secondary Plan*.
3. Universally accessible housing options should be provided to accommodate the widest spectrum of people to live in the community, regardless of age, ability and socio-economic status. Lifecycle housing options should be provided to support a variety of age groups, including houses designated especially for seniors (ex: bungalows).



Image 7. Tribute Communities - Semi Detached and Single Housing Types



Image 8. Cornell - Townhouse Housing Type



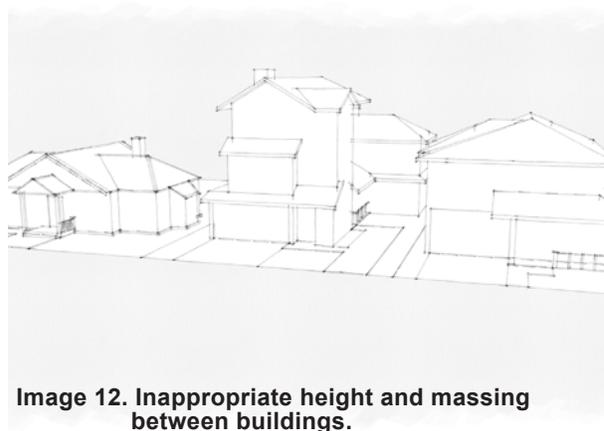
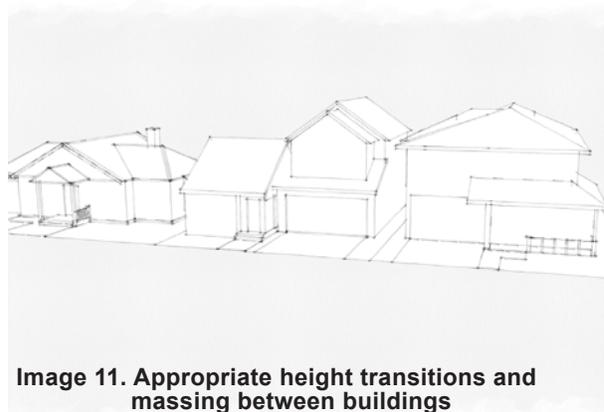
Image 9. Walkup Apartment Units

3.1.2. HOUSING TYPES

3.1.2.1 Village Residential

The following presents guidelines for single-detached and semi-detached homes within the Village Residential designation, as seen in **Figure I**. Where other innovative development standards are proposed, they should be assessed to ensure that the intent and spirit of these guidelines are being met with respect to their primary objective.

1. Houses should be designed to frame the street edge with a consistent setback, and have front doors, windows, verandas, and entry features facing the road.
2. Where denser built forms and townhouse structures are permitted, appropriate transition to adjacent, existing built form should be considered. Character and architectural style of new structures should complement the existing built form, with respect to the scale, material and massing. In order to ensure that shadow and over-view issues are addressed new construction must step back and be scaled to the existing context, see images 11 and 12. Where such structures are permitted, garage areas must not be visible from the public right-of-way (see Section 3.1.5, lane-access garage, for more guidance).
3. The front yard setback of new single or semi-detached homes should complement the adjacent setbacks built form within the Village Residential designation. Therefore, the main building face should be set back within a range of 12.0 to 20.0 metres from the edge of the right-of-way.





4. Interior side yard setbacks should be:
 - a. A minimum of 1.0 metres on one side and 2.0 metres on the other side of the main building; and,
 - b. 2.75 metres on one side of the main building where the attached or detached garage is located in the rear yard and is accessed by a driveway crossing the front lot line.
5. Exterior side yard (corner lots) should be 2.4 metres.
6. For setbacks to garage buildings refer to Section 3.1.5.
7. Rear yard setbacks:
 - a. Rear yard setback to main buildings should be a minimum of 10.0 metres, with appropriate privacy fencing or greenery. Where feasible, the conservation of existing tree line should form a landscaped buffer. Where a tree line is non-existent, local trees or hedges should be planted to create the landscape buffer.
8. Encroachments into the front and exterior side setbacks such as porches, bay windows, canopies, and other features should be between 1.5 to 2.0 metres to add visual interest along the streetscape.
9. The front elevation of the house should be designed so that its front entrance design and architectural elements reduce the visual dominance of the garage and the front driveway. Garages shall not protrude beyond the main front wall of the dwelling unit.
10. Driveways should be designed to reduce the amount of pavement on front yards and enhance the visibility of the street. The use of semi-permeable or permeable paving materials and treatment is encouraged. These may be used to pave the entire driveway or as borders around the driveway to provide visual interest and enhance the permeability of water into the ground.
 11. Single detached and semi-detached homes should be one to two storeys in height.
 12. Where possible, the new building sitting should conform to the traditional angle in which the existing homes and lots on Canboro Road are positioned.
 13. A garage should not dominate more than 50% of the total facade of a home.
 14. Double car garages should have two single garage doors instead of one double wide door.

3.1.2.2 Neighbourhood Residential

a) Single Detached & Semi-Detached Homes

Guidelines for Single Detached and Semi-Detached units within the Neighbourhood Residential designation are consistent to those identified in Section 3.1.2.1 of this report. In addition, Single Detached and Semi-Detached units within the Neighbourhood Residential designation should comply with the following standards:

1. Front porch stair encroachments into the front setback are permitted to a limit of 0.3 metres of the front or exterior lot line;
2. Front porches should have a minimum of 1.2 meter set back to ensure livable space is available
3. For houses with an attached garage in the rear; a minimum amenity area requirement may be considered rather than a rear yard setback. Such amenity areas may include outdoor space such as a second floor deck or porch, and must be setback at least 3.0 metres from the front lot line; and,
4. Rear yard setbacks:
 - a. Rear yard setback to main buildings should be a minimum of 6.0 metres, but on long blocks larger setbacks and rear wall articulation may be required;
 - b. Rear yards adjacent to the Village Residential designation or existing dwellings off Sunset Drive shall be at least 10.0 metres deep with appropriate privacy fencing or greenery. Fencing should not exceed six feet in height. Where feasible, the conservation of existing tree line should form the landscape buffer. Where a tree line is non-existent, local trees or hedges should be planted to create the landscape buffer.



Image 13. Typical Single Detached Home in Fenwick



Image 14. Porch Encroachment Into Front Setback

b) Townhouses, Stacked Townhouses and Back to Back Townhouses

1. The front yard setback to the main building face should be within a range of 3.0 to 4.5 metres from the edge of the right-of-way, and on collector roads shall be encouraged to be moved to the minimum.
2. Townhouse front porches should have a minimum of 1.2 meter set back to ensure livable space. Stacked and back to back townhouses are exempt from this.
3. Exterior side yard setbacks should be 2.4 metres.
4. Interior side yard separation distances, building wall to building wall, should generally be 1.2 metres to 1.8 metres.
5. Rear yard setbacks:
 - a. Street townhouse rear yard setbacks to main buildings should be a minimum of 7.5 metres, but on long blocks larger setbacks and rear wall articulation may be required. ; and,
 - b. Lots immediately adjacent to the NHS or public open space should have a rear yard setback to the main building of a minimum of 6.0 metres.
6. Where a lane is provided, the setback to the rear garage from the laneway should be a minimum of 0.6 metres from the lane right-of-way. For further garage setback guidelines refer to Section 3.1.5. This rule exists to avoid parallel parking between rear garages and laneways. Laneway based residential visitor parking is to be accommodated through on-street parking.
7. To ensure an attractive streetscape is delivered, architectural controls shall be developed to address detailed building design aspect such as: massing, grading differentials, elevation articulation, garage articulation, materials colour and quality, roof design



as well as the proposed siting strategy. An Architectural Control process can be implemented as part of the Draft Plan of Subdivision conditions and agreement phase to be coordinated between Town staff and the proponent.

8. Garages should be accessed from a rear lane for all street townhouse dwelling units with less than 6.0 metres frontage. Street townhouses with less than 6.0 metres frontage should have rear accessed garages in order to:
 - a. Ensure that the front entry and habitable ground floor space, rather than garages, are the dominant features of front façades;
 - b. Provide adequate space for front yard landscaping and street trees;
 - c. Provide adequate space for incorporation of utility metres and mechanical equipment; and,
 - d. Provide sufficient on street parking in front of the units.
9. Where garages are located in the front of the unit, they should be paired to allow for more substantial front yard green space. Garages shall not protrude beyond the main front wall of the dwelling unit.
10. Encroachments into the front and exterior side setbacks such as porches, bay windows, canopies, and other features should be between 1.5 to 2.0 metres to add visual interest along the streetscape. However, stairs are permitted to encroach to within a 0.3 metre of the front or exterior lot line
11. Outdoor amenity areas can be provided in a variety of forms including front verandas, rear yards, rear deck above the garage, roof-top deck, balconies or a design with similar intent.
12. For townhouses with an attached garage in the rear, a minimum amenity area requirement may be considered rather than a rear yard setback. Such amenity area may include outdoor space such as a second floor deck.



c) Apartments and Condominiums

1. Apartment buildings should be oriented to front onto and address the public road, with front yard setbacks between 4.5 metres to 6.0 metres.
2. Primary building entrances should be located and oriented to public roads, and designed to be visible and accessible to the public.
3. Apartment or condominium buildings should have an angular plane of 45-degrees from a height of 13.5 metres or 4 storeys to all public right-of-ways to ensure an adequate built form transition with adjacent buildings and minimize shadow impacts on the surrounding streets.
4. Transition for apartment buildings abutting lower density built forms, open spaces, and the NHS will include a minimum setback of 7.5 metres from the property line and a 45-degree angular plane from a height of 10.5 metres or 3 storeys. This provides a lower building at the rear and a gradual transition from the rear property line.
5. When planning the constructing of two or more mid rise apartments ensure the entire block is designed to maximize clustering of servicing points, parking access and outdoors amenity spaces.
6. Where a public laneway abuts a site, the laneway may be included for the purposes of establishing the setback and angular plane.
7. The ground floor of an apartment or condominium building should be of human scale to ensure that the public realm adjacent to the built form is comfortable, inviting, and safe. Buildings that have at-grade units can provide private, individual entrances or private amenity spaces; privacy issues can be addressed through appropriate soft landscaping.
8. The ground floor of an apartment or condominium building might have a floor to ceiling height of 4.5 metres to accommodate for employment opportunities.
9. Rooftop mechanical equipment shall be screened from view through architectural design that reflects the building's façade treatment. Add-on screening elements such as lattice are prohibited.

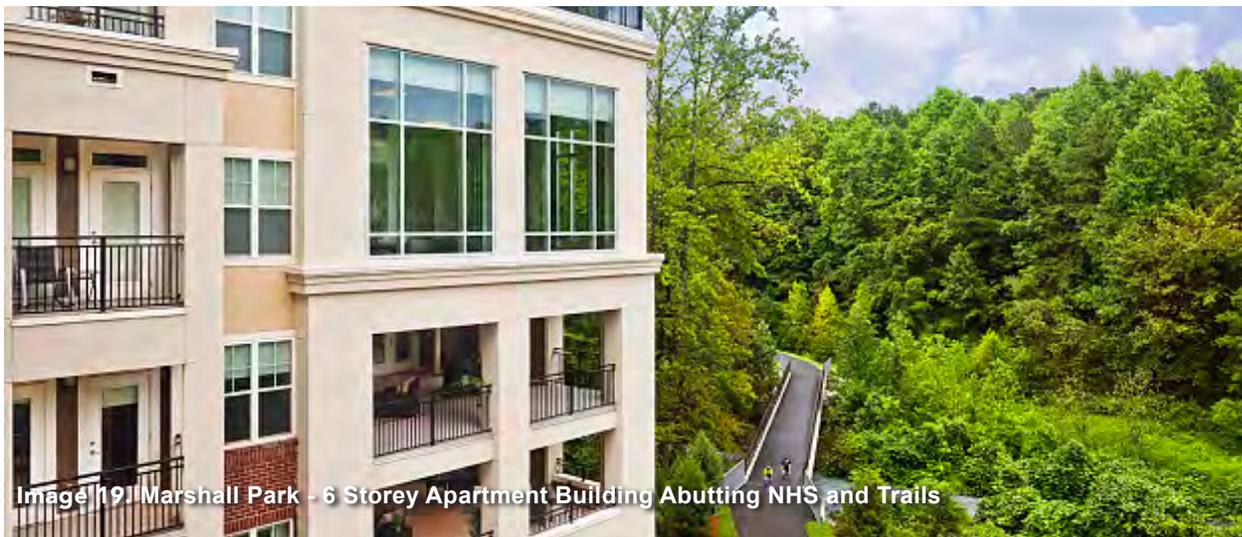


Image 19 | Marshall Park - 6 Storey Apartment Building Abutting NHS and Trails

10. Interior courtyards should be designed to maximize sun exposure through the massing and location of building elements.
11. Outdoor amenity area can be provided in a variety of forms including front verandas, roof-top deck, balconies or a design with similar intent.
12. A covered bicycle storage area should be provided at a rate of 0.3 per unit for residents and visitors.
13. All new apartment/condominiums shall provide indoor and secure bicycle parking and/or storage areas that are easily accessible to all residents. In addition, outdoor bicycle parking should be provided at the main entrance or if not feasible in a location that is in close proximity to the entrance and that is convenient and highly visible. Informational signage should be provided.
14. Vehicular parking facilities shall generally be located below-grade. Where this is not feasible surface parking facilities can be sited to the side or rear of buildings. The softening of the impact of surface parking through building orientation, use of permeable paving materials and landscaping treatments is required.
15. A visitor drop off area should be located at the side or rear of the building with lane access or a private drive.
16. Landscaping should be provided to differentiate areas and uses such as parking, building forecourts, courtyards, gardens, and sidewalks to give each site a distinctive, and clearly defined character.
17. Garbage and recycling areas should be screened from view by landscaping or an enclosure and should be located below-grade or at the rear of the building.
18. Service and refuse areas should be paved with an impervious surface materials such as asphalt or concrete.



Image 20. Cornell - Townhouses Abutting Open Space



Image 21. Scott Edwards Architecture - Human Scale Ground Floor

3.1.3. RESIDENTIAL DENSITY

1. Density plays a key role in determining housing form. The strategic allocation of density can contribute to compact form, increase to transportation efficiency and walkability within the community.
2. A mix of housing types will be required in order to meet the 20 unit per net hectare density target within the Greenfield designation.
3. The Built Boundary Area permits a density range of 8 to 15 units per net hectare. In order to promote compact development and conserve land, the top end of the permitted residential densities should be encouraged. A mix of housing types will also be required in order to meet this density target.
4. In order to meet the required residential and employment targets, as set out by the Niagara Region and Town of Pelham **Official Plans**, Live/Work Units will be permitted in the Neighbourhood Residential land use (**Figure I**). Urban Design Guidance for Live/Work Units fall under those in the Neighbourhood Residential designation.



Image 22. Semi-Detached Housing Creates Compact Development and Unit Diversity - Cornell

3.1.4. STREET INTERFACE

The interface between the public realm of streets and the private realm of developments is a transitional space that should be designed to promote and enhance walking and a sense of personal safety and comfort throughout this community. The following guidance pertains to the treatment of these interfaces.

1. Front entry elements should be articulated through the use of framing materials, colour and built form including porches, arches or articulated front steps.
2. Porches should be designed to be functional and useable. Porches should be deep enough to allow a seating area and a depth of 2.0 metres is highly encouraged, although a 1.8 metre minimum depth is allowed. Porches are permitted to encroach into the front yard setback.
3. Front porches should not be enclosed.
4. House entry features should be articulated through detailing and/or a variation of materials such as porticos and/or decorative treatments around the main door including stone, mill work, sidelights, accent lighting, or house number sign.
5. Appropriate native or xeriscaping front yard landscaping should be provided to enhance the overall streetscape quality and in turn, animate and create visual interest for pedestrians in the neighbourhood.
6. Decorative fencing around front and/or exterior side yards adjacent to the dwelling should not block the view of the sidewalk from the house. Their height should be limited to 1.2 metres and they should offer a level of transparency as primarily open structures, not solid walls. Solid, low fences can be used if made of local stone and fit with the general Fenwick character.
7. No two adjacent buildings should exhibit the same architectural style.

3.1.5. GARAGES & DRIVEWAYS

The design of garages and driveways can have a major impact on the visual character of the individual dwelling and the collective streetscape. These guidelines intend to enable a cohesive streetscape where attached garages and driveways complement instead of dominate the streetscape.

a) Front Garages

The following guidelines shall be applied in order to minimize the presence of attached and detached garage buildings accessed from the front of the lot:

1. Garages must be a natural extension of the design, massing, and material of the main dwelling.
2. For buildings within the Village Residential designation, garages should be set behind the main building face notwithstanding the presence of a porch feature.
3. Within the Neighbourhood Residential designation, garages for single attached, semi-detached or townhouse typologies should be set behind or flush with the main building face. Garage doors facing a public road should be setback a distance of at least 6.0 metres from the road right-of-way. For apartment or condominium dwellings, residential parking should be set behind the building.
4. Attached garages should be setback 6.0 metres from the rear lot line and 1.2 metres from the side lot line.
5. A variety of garage door configurations and styles should be provided. The door should have a maximum width of 2.4 metres for single doors, and 4.6 metres for one-and-a-half garage doors.



6. The maximum width of the garage door that faces the street (excluding the width of piers), should be no larger than:
 - a. A single car garage door for lots with less than 9.0 metres frontage;
 - b. A one and a half car garage door for lots between 9.0 metres and less than 11.0 metres frontage; and,
 - c. A two-car garage door for lots with 11.0 metres or a greater frontage where the garage door may be provided as one door or two separate doors provided in total they equal a two-car garage door. Double car garages should be comprised of two single garage doors separated by a masonry column or, in the case of full double door garages, style with the appearance of 2 single bay doors and a centre pier should be encouraged.
7. Tandem garage designs are encouraged to help minimize the impact of garage width on the elevation and in turn on the streetscape.
8. Glazed door panels are encouraged on all garage doors.

b) Lane-Accessed Garages

Garages that are accessed from a laneway can either be detached or attached to the main dwelling at the rear. Attached garages can either be set into the house with access at the rear, or they can be attached to the main dwelling through a breezeway, which forms a side courtyard for amenity space.

1. The minimum setback for garages accessed by a lane should be 0.6 metres from the lane right-of-way.
2. Side yard setbacks should be 1.2 metres minimum if the garage building has doors and/or windows other than the main vehicular entrance facing the side yard.
3. Side yard setbacks should be a minimum of 0.3 metres if the garage building has no doors and/or windows other than the main vehicular entrance facing the side yard but may be 0.0 metres where the garages on abutting lots are attached.
4. The garage door facing onto a laneway is not required to have a maximum door width.



Image 26. Oakville - Lane-Accessed Garage



Image 27. Lanefab - Laneway Secondary Suite

5. Where possible, garages should be paired to allow for increased rear yard, or an outdoor parking pad to accommodate resident parking.
6. The maximum number of attached garages on adjacent lots should be 4.
7. Secondary suites located above detached garages are encouraged for lot sizes greater than 6.0 metres, and should be located on end units.

c) Driveways

1. Driveway widths should generally be no larger than the interior width of the garage.
2. Driveways are encouraged to be paved with light-coloured or permeable materials to reduce storm water run off and reduce heat island effect.
3. Driveways should be located as far as possible from parks, open space features, public walkways, schools and intersections.
4. Below grade garages that are located below the elevation of the centreline of the road are discouraged.

3.1.6. PRIORITY LOTS

Priority Lots have high public exposure, such as corner lots or lots located adjacent to public open space. The identification and treatment of Priority Lots should be determined through the Draft Plan Subdivision process and Site Plan Agreement. The following provides guidance on the allocation of such lots.

a) Buildings facing and flanking arterial or collector roads

1. Units facing or flanking onto arterial or collector roads should be given special consideration in architectural design, massing, orientation, and siting. Materials should be of high architectural quality.
2. For dwellings flanking an arterial or collector road, the main front door should be visible from, and oriented to, the exterior side elevation of the house with access to the sidewalk. The entries should be articulated through the use of entry features such as projecting porches facing the street.
3. Side elevations flanking arterial or collector roads should be consistent with the front elevation in terms of materials, fenestration style and detailing.
4. Façades should be highly articulated through coordinated fenestration, masonry detailing, accent gables, dormers, and/or other special treatment.

b) Buildings Adjacent to Parks and Open Space

1. Front, side and rear elevations exposed to public spaces such as parkettes, should be well articulated. Articulation of buildings may also include changes in material colours and texture, changes in building plane, and variation of roof lines. The rear portions of buildings may benefit from rear yard covered porches. A combination of fenestration, bay windows, material changes and dormers may be used in addition to other design elements to achieve the objective.



2. Side and rear elevations should have a similar design and use materials that are consistent in architectural design and material with those used on front elevations. Architectural detailing such as corbelling should continue from front to side elevations, where visible to the public.
3. For units flanking onto parks, parkettes and public spaces, a highly articulated side face is encouraged. Architectural design and material should match the front facade's quality. Side main entrances are an alternate means to achieve this.
4. The location of porches, windows, and entry doors for units surrounding parkettes should maximize opportunities for overview and safety.
5. Projecting porches should emphasize the entrance as well as to reduce the presence of the garage.
6. Driveways of adjacent homes should be located as far away as possible from public space.
7. It is encouraged that medium to high density housing typologies are located adjacent or nearby open space so as to provide those residents with access to green space as well as increase the opportunities for social surveillance.

c) Corner Units

1. Side or rear elevations visible from the street should have windows, materials, and other architectural treatments equal in quality to the front elevation of the house.
2. Corner windows and wrap-around porches should be included to emphasize a corner location. Where possible, the entry door should be located on the exterior side elevation of the house with direct access to the sidewalk.
3. Townhouse units should be encouraged as bookends to residential blocks.



Image 28. Cornell - Articulated Façade Abutting Public Space



Image 29. The Village Niagara, High Architectural Quality with an Emphasis on Main Entrance Over Garage at the View Terminus of a T Intersection.

d) Gateway Corner Units

Gateway corner units are typically homes that are located at the entry to the community from adjacent areas. These units should be designed with the following principles in mind:

1. Gateway dwellings should be given special consideration in architectural design, massing, orientation, siting and materials, and shall be of high architectural quality.
2. Entry elements and porches are encouraged to produce interest in the façade as well as to help define the entrance to the neighbourhood.
3. Pairing of similar model dwellings on lots directly opposite each other is encouraged to establish and enhance a gateway condition.
4. It is encouraged that landscaping and landscape features are provided as a means to accentuate the unit and create an inviting atmosphere.
5. Low apartment blocks should be considered at key focal areas such as intersections, fronting parks etc.

e) T Intersections/Key View Terminus

T intersections occur when one road terminates at right angles to another. Consideration should be given to homes at the top of the T intersection and the last two lots on either side of the road that terminates at the intersection.

1. Architecture on lots at the end of T intersections should have facade designs that utilize elements such as coordinated fenestration, masonry detail, and entry elements.
2. Pairing of side yards is encouraged to form a landscaped area at the terminus of the T intersection.
3. Buildings sited at the end of the view corridor should be designed with architectural elements that address these views.



3.2. HERITAGE RESOURCES

3.2.1. CANBORO ROAD

The Canboro Road Corridor has been identified as an important historic scenic route and grouping of heritage resources in the *Town of Pelham Heritage Master Plan* (BRAY Heritage 2012). It has also been identified as a significant cultural heritage landscape (ASI, 2017). Key character-defining elements of the corridor include its diagonal alignment, which comes from an old Indigenous trail. It also has mature roadside vegetation, cemeteries and community buildings, which create a scenic route that connects Downtown Fenwick with Fonthill. The *Town of Pelham's Official Plan* identifies the Canboro Road Corridor as a special district in the Town of Pelham. Section B2.2.7 of the *Official Plan* identifies the corridor as an area of significant potential for enhancement as a rural promenade characterized by public parks and spaces geared to pedestrians and cyclists, as well as the promotion of agricultural based tourism and accessory commercial uses. As per *Official Plan* policy A2.4.2, Canboro Road shall promote an active transportation linkage between Fonthill and Fenwick. Canboro Road Corridor has also been defined as a Community Improvement Plan study area, should Council wish to foster and enhance this area as a promenade and tourist destination. This is the basis for the corridor enhancements proposed in the *Secondary Plan*, as per Section 4.1.2.1.

In addition to these policies, the following guidelines apply to development and road enhancements along Canboro Road:

1. The built form in this area should be consistent with the character, massing and setback of the existing built form.
2. Any buildings that do not conform to the single or semi-detached building typology shall be designed as a landmark building that fits within Fenwick's Village character and shall not exceed 4 storeys in height.
3. Garages and access to parking for new development may be located at the rear of the property in order to maintain the rural landscape character and enhance the walkability of the area. Attached garages are permitted and shall be set back from the main façade of the building.
4. Enhancements to the road should seek to maintain the village character by incorporating landscaping, bioswales and at-grade pedestrian walkways.
5. Sightlines at existing and new intersections should be enhanced to ensure a safe vehicular, pedestrian, and cycling thoroughfare.
6. Where possible, retain the existing tree canopy and mature vegetation and maintain the existing alignment of the road.
7. Enhancing the urban tree canopy should be encouraged when possible.



Image 32. Canboro Road Existing Streetscapes

3.2.2. MEMORIAL DRIVE

Memorial Drive is the northern boundary of the *East Fenwick Secondary Plan* area. It operates as a local roadway and a transition between the urban boundary and the rural areas to the north. Memorial Drive has low to medium volume of vehicular traffic, which moves at slow traffic speeds. It is an undivided paved corridor with an east-west orientation. Memorial Drive is located adjacent to the study’s Provincially Significant Wetland, which is reflected in the natural landscape and mature vegetation adjacent to the road. It is identified as a significant cultural heritage landscape.

1. The built form in this area should be consistent with the character, massing and setback of the existing built form and building performance standards of Section 3.1.2.1.
2. Any buildings that do not conform to the single or semi-detached building typology shall be designed as a landmark building that fits within Fenwick’s Village character and shall not exceed 4 storeys in height.
3. Garages and access to parking for new development may be located at the rear of the property in order to maintain the rural landscape character and enhance the walkability of the area. Attached garages are permitted and shall be set back from the main façade of the building.
4. Enhancements to the road should seek to maintain the village character by incorporating landscaping, bioswales and at-grade pedestrian walkways.
5. Sightlines at existing and new intersections should be enhanced to ensure a safe vehicular, pedestrian, and cycling thoroughfare.



Image 33. Memorial Drive, looking east



Image 34. Typical Built Form on Memorial Drive



Image 35. Memorial Drive Streetscape

3.2.3. CREAM STREET & WELLAND ROAD

The areas adjacent to these two streets are identified as having a single-family residential infill character. A number of cultural heritage resources have been identified adjacent to Cream Street and Welland Road, however the area has not been identified as a cultural heritage landscape. The land use is primarily residential, typically 1-3 storeys with a variety of architectural styles, consistent with the development pattern of gradual infill. The streetscape has a rural character with little or no shoulder; a few ditches, and no sidewalks or curbs. The following design guidelines should be considered:

1. The built form in this area should be consistent with the character; massing and setback of the existing built form.
2. Any buildings that do not conform to the single or semi-detached building typology shall be designed as a landmark building that fits within Fenwick's Village character and shall not exceed 4 storeys in height.
3. Garages and access to parking for new development may be located at the rear of the property in order to maintain the rural landscape character and enhance the walkability of the area. Attached garages are permitted and shall be set back from the main façade of the building.
4. Enhancements to the road should seek to maintain the village character by incorporating landscaping, bioswales and at-grade pedestrian walkways.
5. Enhance the sightlines at existing and new intersections to ensure safe vehicular, pedestrian, and cycling thoroughfare.



Image 36. Cream Street Streetscape



Image 37. Cream Street Built Form



Image 38. Welland Road Streetscape and Built Form

4. PUBLIC REALM GUIDELINES

4.1. DEVELOPMENT BLOCK DESIGN AND STREET NETWORK

4.1.1. BLOCK DESIGN

As per the *Region of Niagara's Urban Design Guidelines*, block length and design define and structure neighbourhoods, influencing development opportunities, movement options and neighbourhood character. Each guideline may not be appropriate for all instances and an alternative may be better suited for a specific development. Therefore, variations to these provisions may be considered by Town staff, when it is demonstrated that an exception may be appropriate, provided that adjustments to block lengths maintain and facilitate pedestrian movement throughout the community through the provision of clear and safe mid-block connectors and walkways. The following are design guidelines for block design for East Fenwick:

1. To maximize connections and permeability for both vehicular and active transportation modes, the street should be based on a grid pattern that is modified in response to natural open space, built heritage or existing street conditions.
2. Block lengths should generally range between 150 to 250 metres to promote walkability.
3. New developments that are adjacent to existing built form should pursue opportunities to integrate with or connect to existing streets. The number of connections should be maximized to increase permeability.
4. Blocks longer than 250 metres may be considered on an individual basis where other block alternatives are not feasible. In such cases, publicly accessible pedestrian walkways (refer to Section 4.2.1) should be provided to facilitate pedestrian circulation and access.

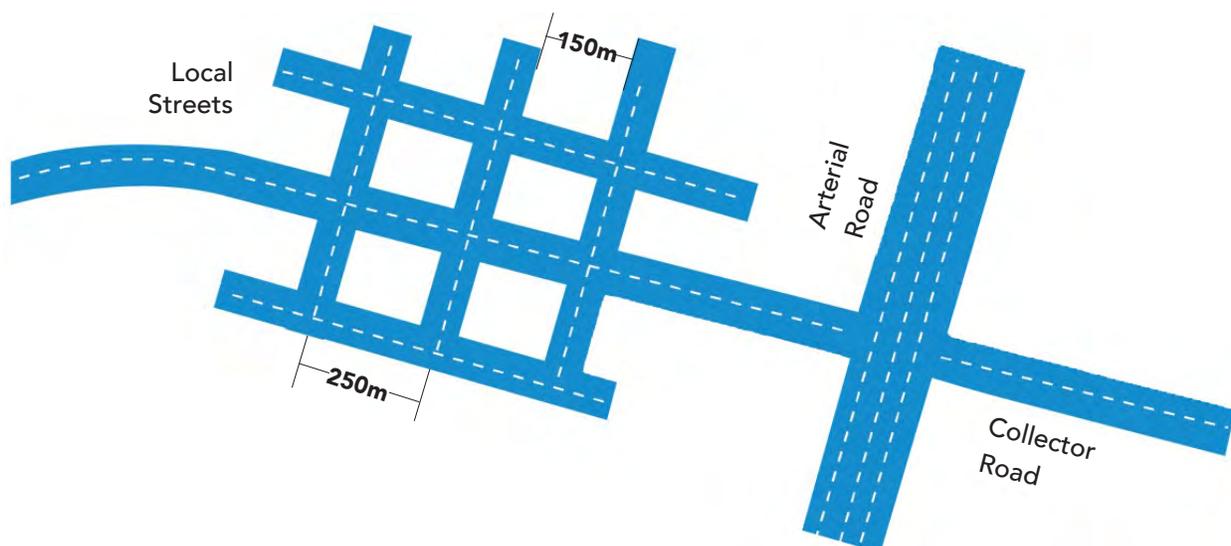


Figure 2. Block Design Adopted From Congress for New Urbanism



5. Draft plans shall be designed to ensure that residents are generally located within a 200 to 400 metre radius (2.5 to 5 minute walk) to a parkette or to other passive recreational elements such as trail heads, neighbourhood park, community park, or school.
6. Where possible, existing hedgerows should be conserved and integrated into the neighbourhood's local street and block pattern. As per **Secondary Plan** policy BI.9.11.2.f, Heritage Greenways should be within the public right of way, adjacent to the pedestrian realm.
7. In order to minimize the visual impact of long blocks, lots located at the end of blocks should be turned 90-degrees to face the other road, where appropriate. However, a variety of lot facing conditions, in addition to flankage lots, should be considered along long stretches of collector and arterial roads.
8. Where rear lanes are used, the maximum lane length should be no more than 180 metres in order to provide for a maximum 90.0 metre hose length from fire hydrants located on road connections. Where the 180 metre length is exceeded, an on-street hydrant location and fire hose access to the rear lane shall be provided.
9. A block of lots may front onto a public open space, such as a parkette, provided the rear lot line adjoins, and has access from a rear lane or a public road.
10. The use of cul-de-sacs should be minimized, except where necessary due to grading and topography or at view terminus sites. Where cul-de-sacs are used a pedestrian and/or bicycle through-connection should be provided to promote active transportation.
11. Significant hedgerows within public open space or parks should be protected where possible and feasible. Any grading activities around the hedgerows should be minimized.



4.1.2. STREETS

The *East Fenwick Secondary Plan* policy states that where appropriate and feasible, arterial and collector roads streetscape design will include sidewalks on at least one side of the street; on-road or separated bicycle lanes and trail connections.

Standard street design guidelines put forward by this document include:

- The careful evaluation of the alignment of streets adjacent to existing hedgerows and wooded areas to ensure the site's existing natural features are visible and part of the community's open space network;
- The careful evaluation of the retention or realignment of existing drainage features subject to NPCA approval. If an existing drainage area is to be realigned it should be incorporated into the street's cross Section in the form of bio-swales or other features that continue to support the area's drainage. (See Boulevard B cross Section under Street and Block Network Section). The design of the realignment should consider measures to prevent risk of drowning;
- New streets must be designed to accommodate the infiltration of stormwater runoff from the 25 mm storm event through the use of roadside ditches and medians to meet the Stormwater Reduction Targets;
- Where feasible, a 2.5 metre on-street parking width is recommended, specially where bike lanes are placed beside on-street parking;
- Streets should have a relatively consistent building edge in order to provide spatial definition and containment to the street. A minimum and maximum front and exterior setback zone will be an important component of this strategy;
- The implementation of a rural-cross Section for new deciduous streets with street trees and swales as an essential component of their engineering and an essential component of the community's streetscape character; and,
- A utility strategy where utilities are clustered or grouped where possible to minimize visual impact.

4.1.2.1. Existing Street Enhancement

The following Section describes the proposed design standards and enhancement measures for each existing road topology within the East Fenwick study area.

a) Canboro Road

As one of the most iconic scenic routes in Pelham, Canboro Road, is the spine linking Fonthill to Fenwick and is envisioned as a future pedestrian and cyclist friendly corridor. Canboro Road, located at the heart of the *East Fenwick Secondary Plan* area is designated as an Arterial road in the *Official Plan*.

Three design cross-sections were developed for the road recognizing its reduced width (12.0 metres at its narrowest) and the potential need to widen the road, should better pedestrian and cycling facilities be introduced.

Option 1 shows a streetscape character composed of:

- A total right of way width of 19.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the road;
- Landscaped swale/boulevards with no street curb on both sides of the road; and,
- A pedestrian sidewalk on the north side of the road.

Option 2 shows a streetscape character composed of:

- A total right of way width of 21.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the road;
- On-street parking on north side of the road only;
- Landscaped swale/boulevards with no street curb on both sides of the road; and,
- A pedestrian sidewalk on the north side of the road.

Option 3, our recommended strategy as it implements a pedestrian Promenade along the road, is composed of:

- A total right of way width of 24.0 metres;
- Two vehicular traveling lanes;
- On-street parking on both sides of the road;
- Landscaped swale/boulevards with no street curb on both sides of the road; and,
- A two-way cycling trail and pedestrian sidewalk Promenade on the north side of the road.



Image 40. Proposed Enhancement of Canboro Road

Figure 3. Canboro Road - Option 1

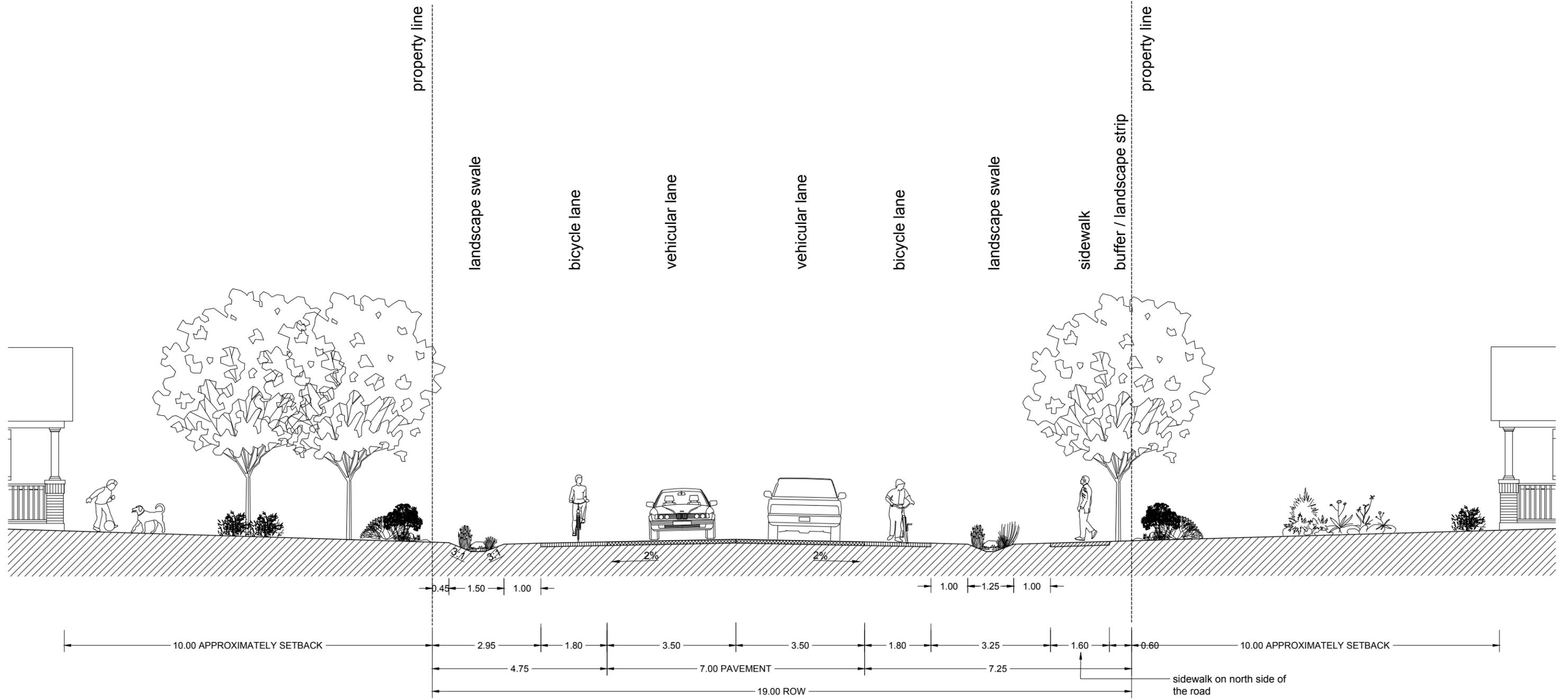


Figure 4. Canboro Road - Option 2

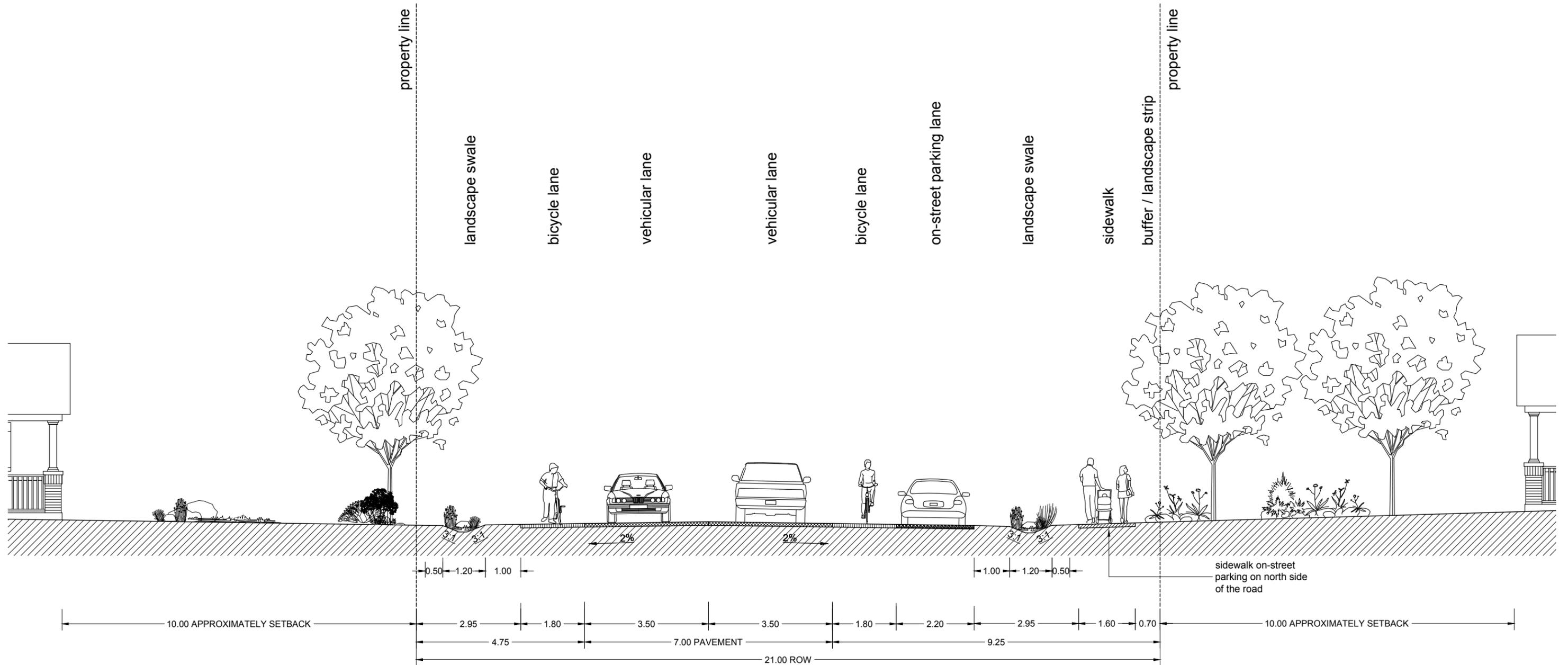
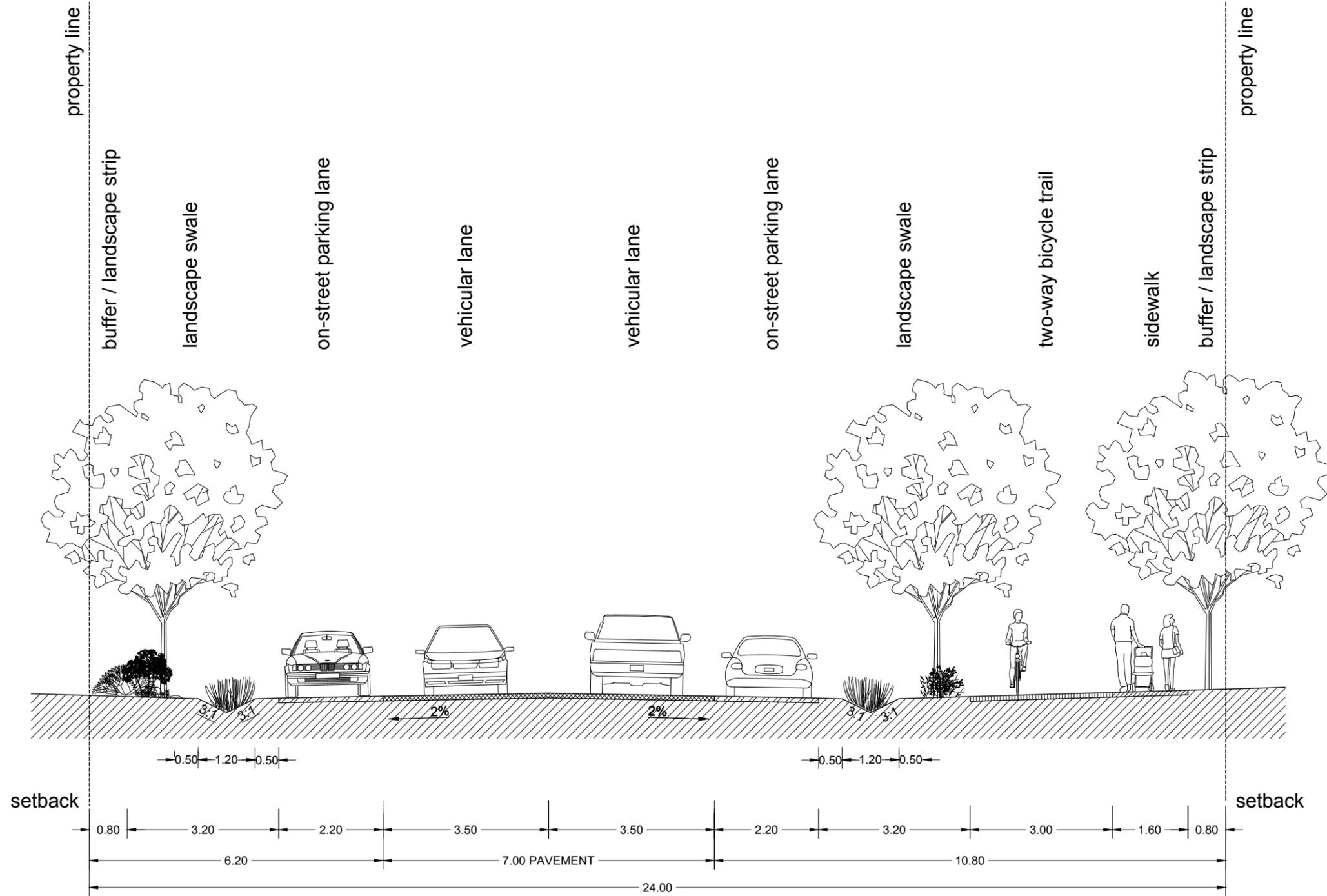


Figure 5. Canboro Road - Option 3





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b) Cream Street

Cream Street, located on the east boundary of the **East Fenwick Secondary Plan** area is designated as a Local road in the **Official Plan**. Cream Street's combination of mature vegetation and rolling hills make for an scenic drive, especially at the north end at Memorial Drive. Cream Street has a consistent right of way of 20.0 metres. The proposed streetscape is composed of:

- A total right of way width of 20.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the street;
- A pedestrian sidewalk on the west side of the street; and,
- Landscaped swale/boulevards with no street curb on both sides of the road.

c) Balfour Street

Balfour Street, located on the west boundary of the **East Fenwick Secondary Plan** area is designated as a Local road in the **Official Plan**. Balfour Street has a consistent right of way of 20.0 metres. The proposed streetscape is composed of:

- A total right of way width of 22.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the street;
- On-street parking on the east side of the road;
- A pedestrian sidewalk on the east side of the street; and,
- Landscaped swale/boulevards with no street curb on both sides of the road.

d) Memorial Drive

Memorial Drive, located on the north boundary of the **East Fenwick Secondary Plan** area is designated as a Local road in the **Official Plan**. Memorial Drive has a consistent right of way of 20.0 metres. The proposed streetscape is composed of:

- A total right of way width of 20.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the street;
- A pedestrian sidewalk on the south side of the street; and,
- Landscaped swale/boulevards with no street curb on both sides of the road.



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Figure 6. Cream Street and Memorial Drive – Option 1

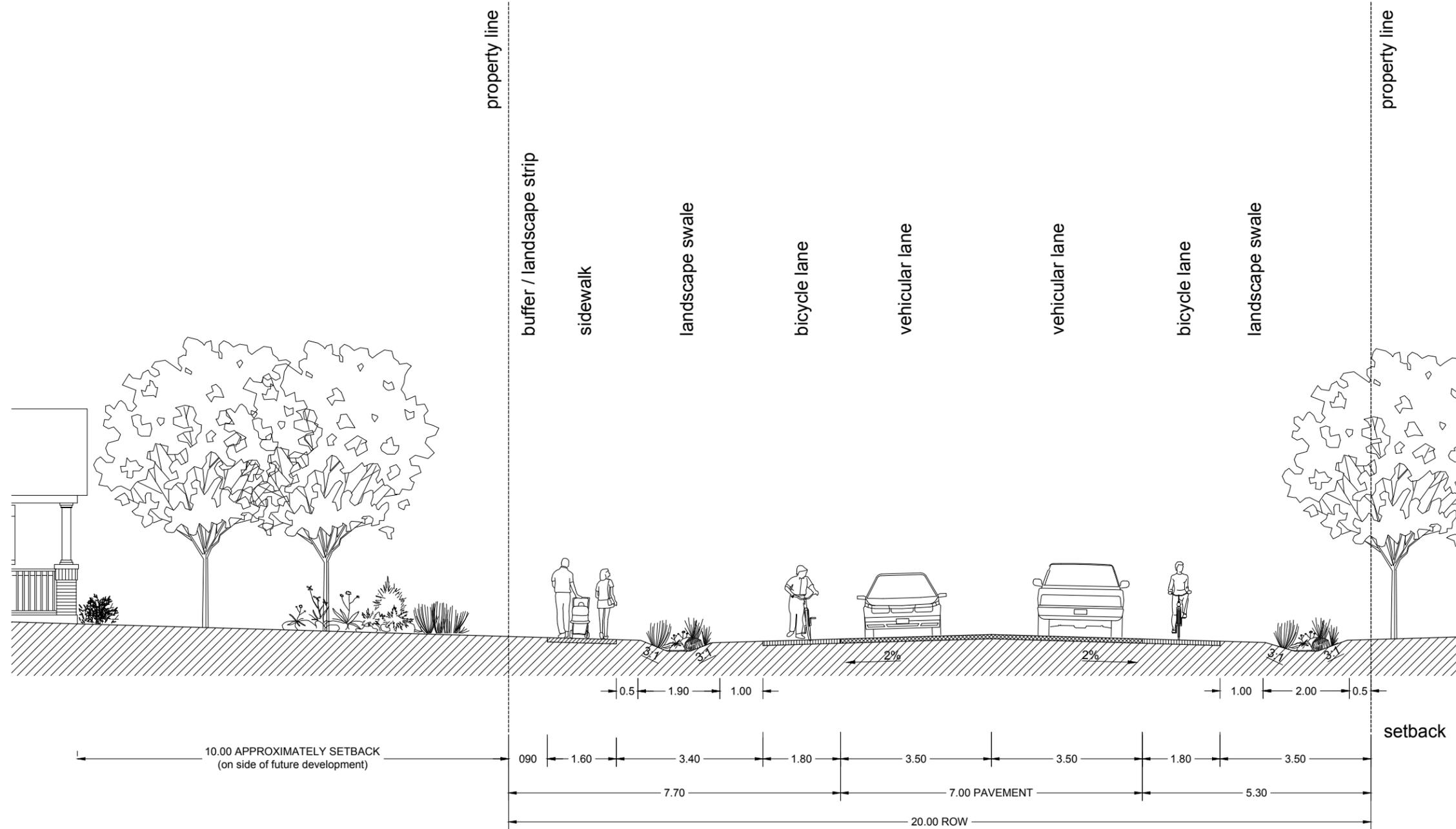
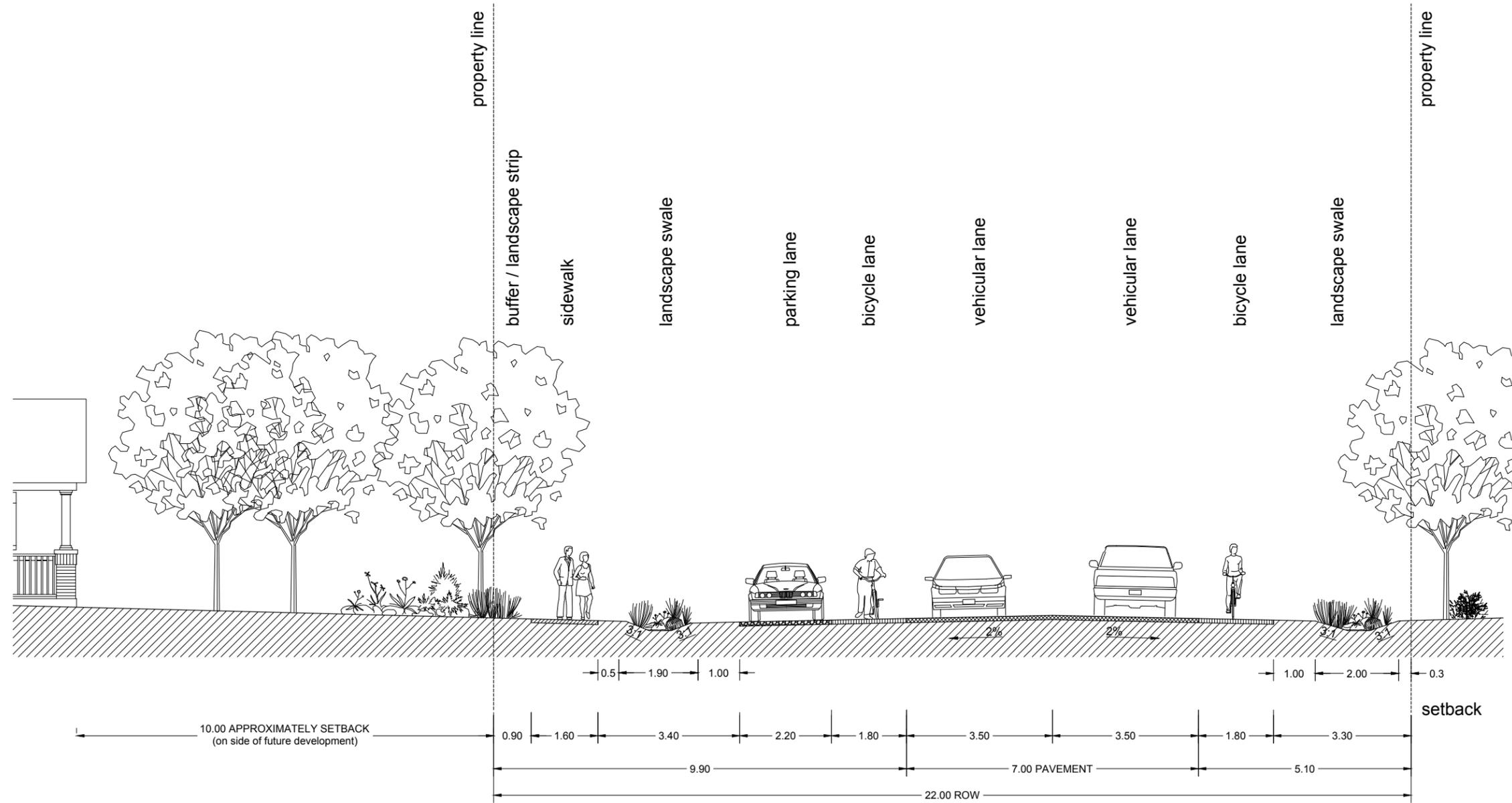


Figure 7. Balfour Street – Option 1



e) Welland Road

Welland Road, located on the south side of the **East Fenwick Secondary Plan** area is designated as a Collector road in the **Official Plan**. Welland Road has a consistent right of way of 20.0 metres. Two street cross Sections have been designed for the road to include:

Option 1

- A total right of way width of 20.2 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the street;
- A pedestrian sidewalk on the north side of the street; and,
- Landscaped swale/boulevards with no street curb on both sides of the road.

Option 2

- A total right of way width of 24.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the road;
- On-street parking on both sides of the road;
- A pedestrian sidewalk on the north side of the road; and,
- Landscaped swale/boulevards with no street curb on both sides of the road.



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Figure 8. Welland Road – Option 1

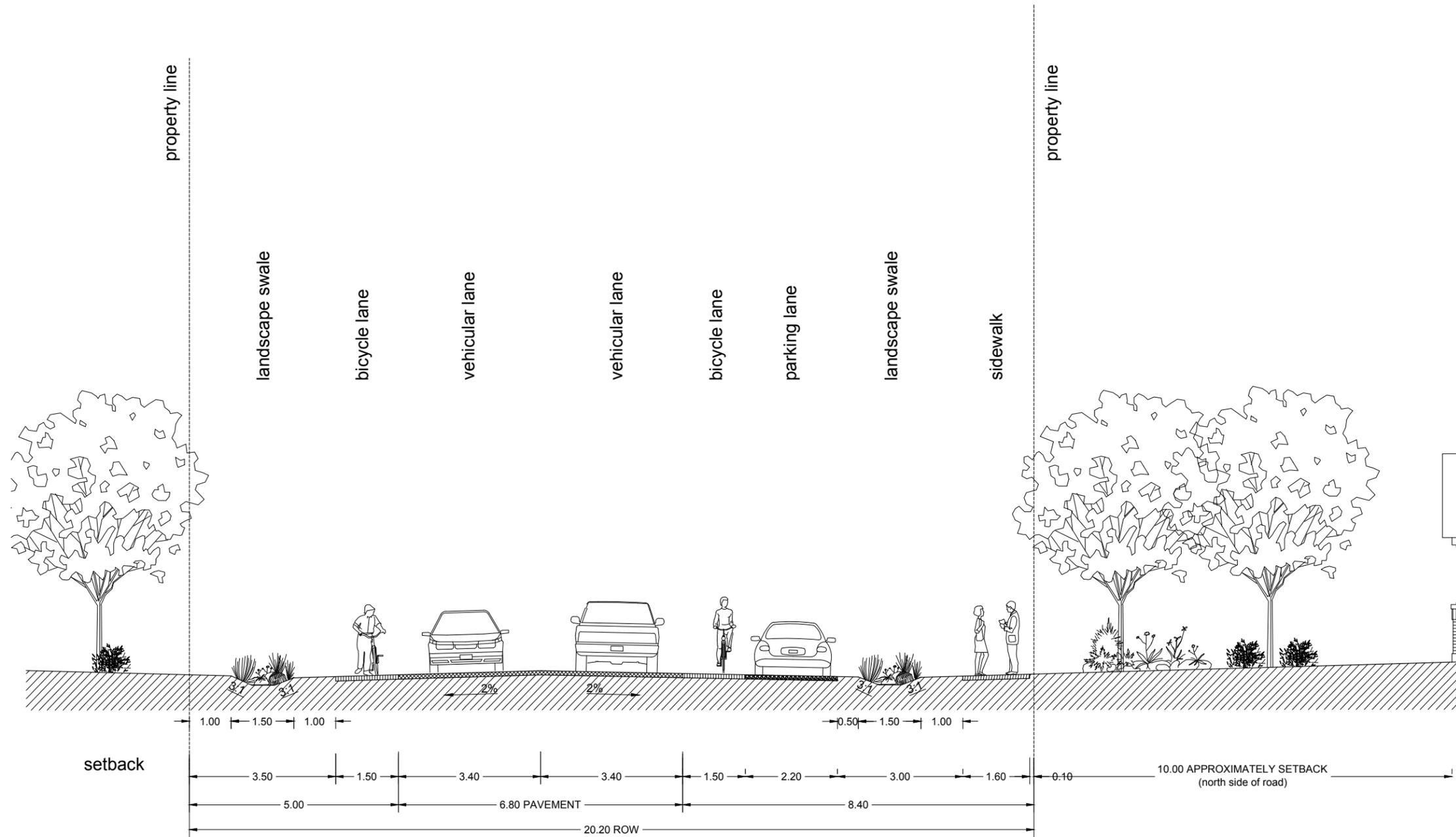
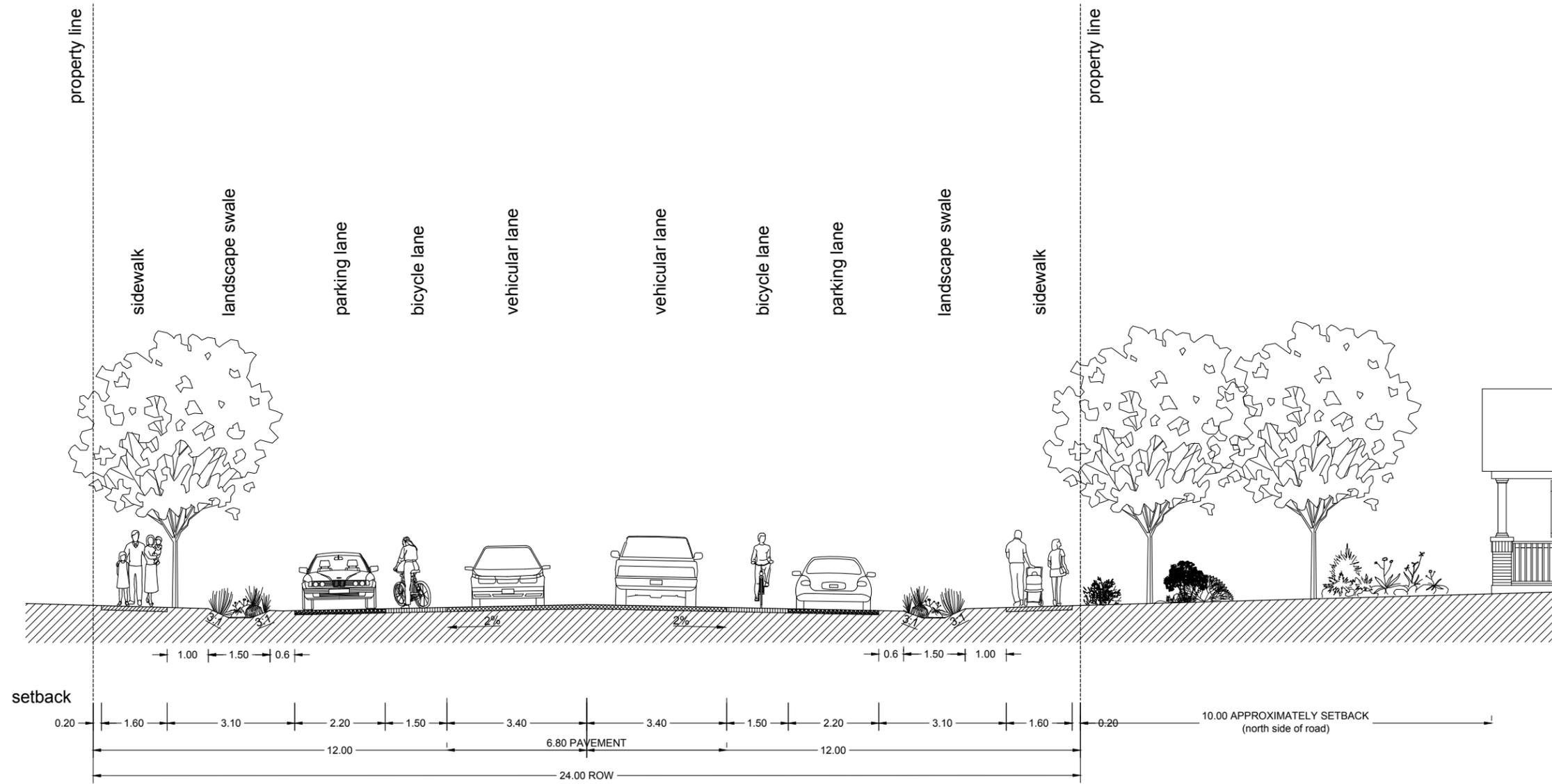


Figure 9. Welland Road - Option 2



4.1.2.2. New Street Design

The following Section describes the proposed design standards for new road topology within the East Fenwick study area.

a) Minor Collector Road

The community's future Minor Collector Roads are envisioned as pedestrian, cycling, transit and vehicular roads, wider than local streets and easily identifiable as the community's main through roads. Two Minor Collector Road cross sections have been developed to address site specific conditions.

The inclusion of bump out boulevards at key intersections is encouraged to support a comfortable pedestrian experience. Bump outs should be the same width from the curb as on street parking.

Option 1 allows for the incorporation of site specific drainage features into the overall streetscape design by realigning the site's existing drainage feature in a median. The proposed streetscape is comprised of:

- A total right of way width of 34.0 metres;
- A landscaped median with a bio-swale;
- Two vehicular traveling lanes;
- Off-street parking on both sides of the street;
- Landscaped swale/boulevards with no street curb on both sides of the road;
- On-street cycling lane on both sides of the street; and,
- A pedestrian sidewalk on the both sides of the street.

Option 2 streetscape is comprised of:

- A total right of way width of 22.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the street;
- On-street parking on both sides of the street;
- Landscaped swale/boulevards with no street curb on both sides of the road; and,
- A pedestrian sidewalk on the both sides of the street.



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Figure 10. Minor Collector Road - Option 1

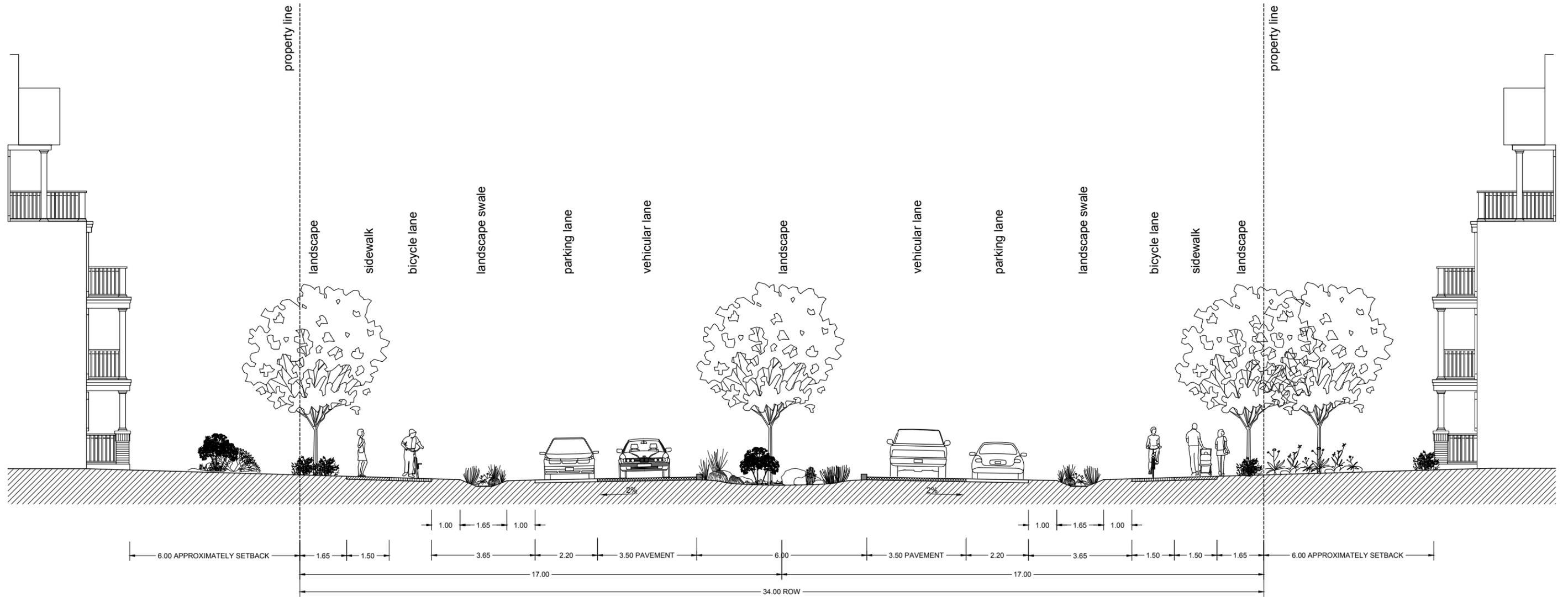
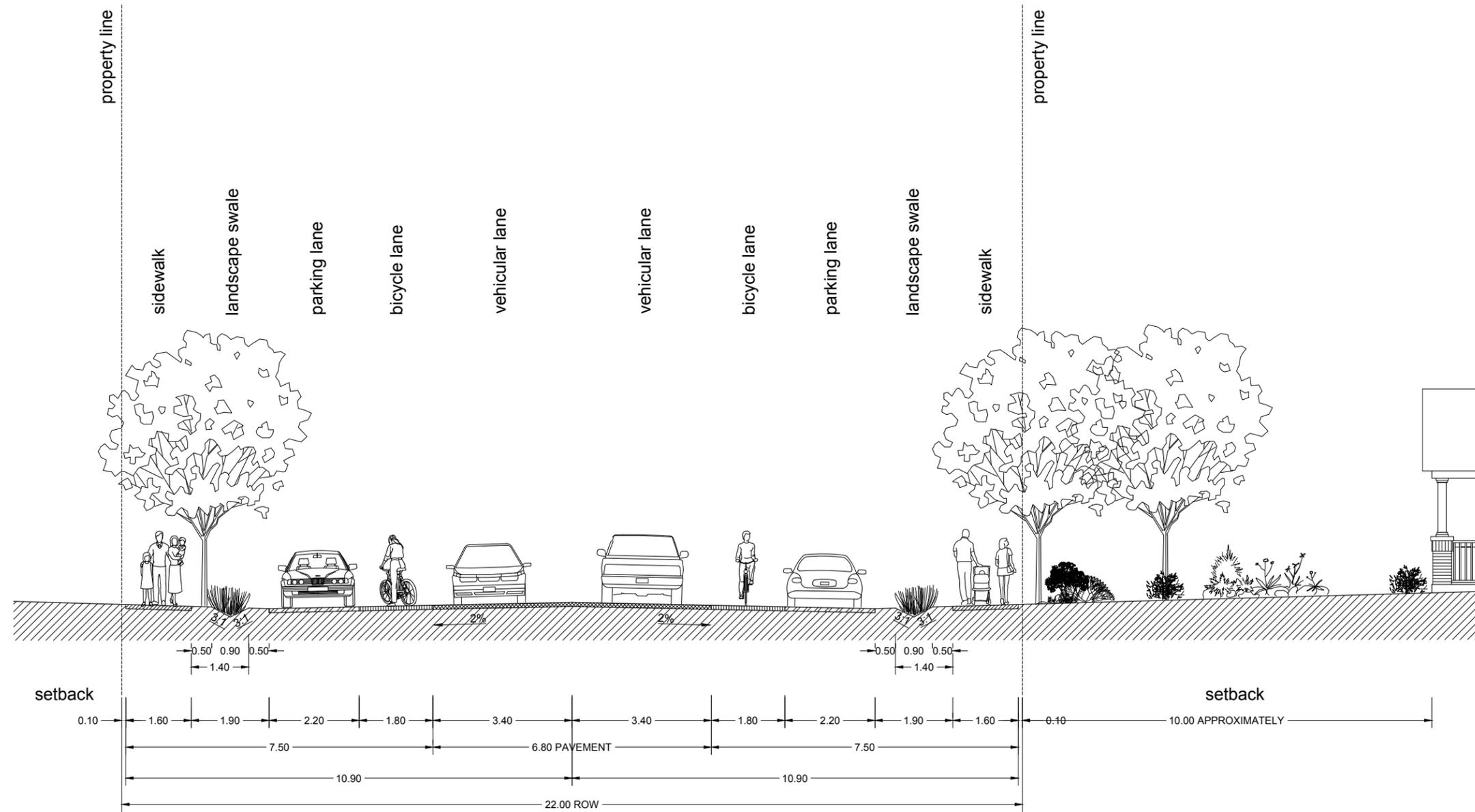


Figure 11. Minor Collector Road - Option 2



b) Local Street

Local streets are intended to be pedestrian friendly, "share the road" cycling routes. Their proposed streetscape is comprised of:

- A total right of way width of 16.0 metres;
- Two vehicular traveling lanes;
- On-street cycling: shared the road program;
- On-street parking on one side of the street;
- Landscaped swale/boulevards with no street curb on both sides of the road; and,
- A pedestrian sidewalk on the both sides of the street.

c) Laneway

Rear laneways help to create beautiful streets because parking driveways and service areas can be located along them while permitting buildings to front with living spaces and porches onto the street. The following are guidelines for laneway design:

- Rear laneways are proposed to be used in specific conditions where direct fronting onto existing hedgerows and treed features is desired.
- A 7.5 metre lane is proposed for the **East Fenwick Secondary Plan** area as illustrated in the following cross section.



Image 41. Seattle - Distinctive Materials for Pedestrian Crossing and Signage



Figure 12. Local Road

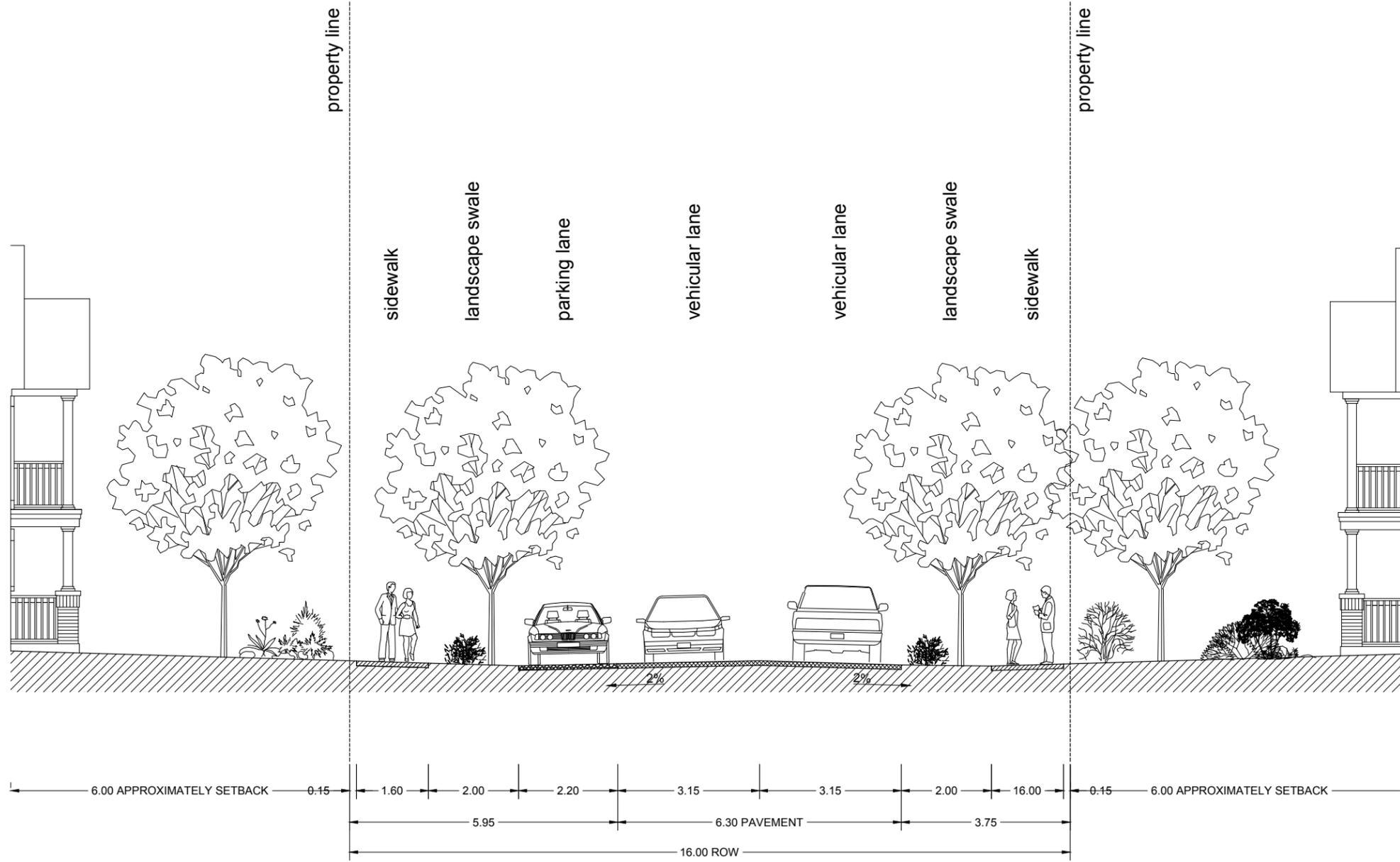
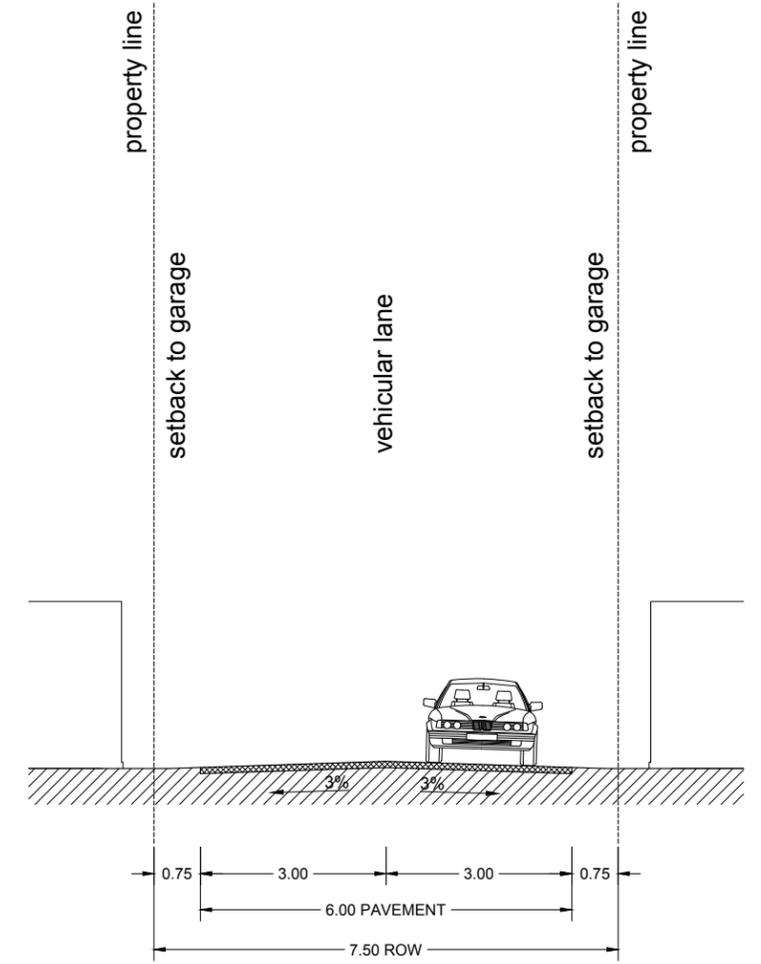


Figure 13. Laneway





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4.1.3. STREETScape ELEMENTS

a) Street Trees

1. For new streets, deciduous street trees should be provided on both sides of the road in the public right-of-way. At least 1 street tree should be planted for each residential dwelling unit (excluding multiple dwellings that are subject to site plan approval), or at an interval of 6.0 to 9.0 metres, and at least 3 street trees for each linkage lot where practicable based on factors such as utility requirements, driveway and street furniture locations and the type of species. Where it is not possible to provide the target number of trees as set out above, an equivalent number of trees should be provided in other locations within the draft plan of subdivision.
2. When selecting street tree species, trees that are compatible with bioswales and road salt should be selected. Where it may not be feasible to have both street trees and bioswales, it is encouraged that at least one tree be planted on the private front yard of dwellings that are adjacent to the sidewalk.
3. Street trees should be located at a minimum 1.0 metre away from a driveway edge, although 2.0 metres is preferred.
4. Street trees should be of a species that would provide a large canopy and shade over sidewalks in order to reduce heat island effect and enhance pedestrian comfort and safety. Street trees should also allow for sun exposure in the winter.
5. A diversity of native tree species should be considered and delivered along each street, and a themed street tree planting should be encouraged to assist in identifying and enhancing certain areas within the neighbourhood. It is recommended that a mix of tree species be selected on the same street in order to prevent invasive species.



6. When selecting landscape treatments vernacular planting sightlines and colour should be considered.

b) Swales, enhanced Grass Swales and Bioswales

1. Swales typically require a large area and are therefore well-suited for installation within planting zones and medians in new street cross-sections. They consist of linear vegetated channels that convey, treat and attenuate storm water runoff. Vegetation and check dams may be integrated into swales to slow velocity of runoff, allowing for sedimentation, filtration, evapotranspiration and infiltration.
1. Enhanced grass swales are similar to traditional grass swales, however they feature a slightly altered parabolic form and incorporate amended soils that slow runoff and assist in contamination removal. Enhanced grass swales might be used in particularly low traffic volume roadways that do not receive high loads of de-icing compounds in the winter.
1. Bioswales have a filter media and/or storage gallery and optimal under drain (depending on native soil permeability) below. Bioswales might be planted with grasses or finished with more elaborate combinations of plant and aggregate materials.

c) Street Furniture

1. Street furniture should be provided in high-pedestrian areas, such as parkettes. Furnishings should include elements such as pedestrian scaled lighting, benches, bicycle racks, newspaper boxes, and three stream receptacle bins. Where possible street furniture should be manufactured from recycled materials.
2. The Town may develop, in consultation with landowners, a unified standard and design vocabulary for street furniture, which shall apply to all new East Fenwick neighbourhoods. This design may be a continuation from the Fenwick Downtown Revitalization Project.



Image 45. UBC Rain Garden



Image 46. Portland's "Green Street" project



Image 47. Planted Bioswale

d) Pedestrian Crossings

Pedestrian crosswalks generally serve two functions:

- Separate the pedestrian realm from vehicle lanes by demarcating a safe route for pedestrians to cross the street; and
- Act as traffic calming measures since frequent stops will likely encourage slower traffic speeds and cautious driving.

Guidelines for pedestrian crossings are as follows:

1. Formal pedestrian crossings should be present at four-way intersections in high pedestrian areas, over all existing roads and the neighbourhood's future minor collector roads.
2. Pedestrian crossings should have a minimum width of 2.0 metres.
3. To enhance their visibility and quality, pedestrian crossings should utilize distinctive features such as alternative pavement markings or materials to minimize the conflict between vehicles and pedestrians. At a minimum, they should be identified with distinctive painted lines.
4. Pedestrian crossings should be highly visible to motorists and include appropriate signage.
5. Pedestrian crossings should be continuous and connected to adjacent sidewalks.
6. If pedestrian pathways are elevated, the height of curb cuts should be minimized to facilitate wheel-chair and stroller usage. Curb ramp designs at intersections should comply with all **AODA** standards and have raised tactile surfaces or materials with contrasting sound properties to help pedestrians with visual impairments.

e) Utilities

1. Utilities should be clustered and screened away from public streets and views.
2. High-efficiency light bulbs should be used, where feasible, for street lights and traffic lights as they consume significantly less energy, last longer and require less maintenance than conventional bulbs.
3. Pedestrian signalization should be automatic and not require a button to activate.

f) Utility Pole Placement and Design

1. Where feasible services should be co-located to reduce the number of poles installed for visual benefits and cost reduction. (A2.5.2 OP)
1. Poles should not interfere with historical site lines from key viewing areas such as squares, patios and other notable gathering spaces.
1. Poles should align with the corners of buildings and driveways, not the centre, to avoid blockages of existing or potential entrances, patios and windows (A2.4.1 OP).
1. Avoid visual clutter by aligning poles and/or new streetscape object with existing streetscape elements such as waste bins, benches and street trees to maintain existing sidewalk width and support a unified design vocabulary.

g) On-Street Parking

On-street parking plays a key role in the design of a sustainable community. While on-street parking accommodates visitor parking it also functions as a traffic calming device to slow traffic, and acts as a safety buffer separating the pedestrian realm from vehicles. The guidelines for on-street parking are as follows:

1. Parking should be provided on at least one side of the street for local and collector roads.
2. Parking bays should be located on collector and arterial roads where permanent parking is provided.
3. On-street parking areas may be demarcated with a special pavement treatment or with signage in order to distinguish the parking lane from the roadway or pedestrian and cycling pathways.



Image 48. Georgetown - Pedestrian Crossing



Image 49. City of Surrey - Painted Utility Box



Image 50. Brian Lancaster - Permeable, Demarcated Pavement Distinguishes Parking Lane

4.2. ACTIVE TRANSPORTATION INFRASTRUCTURE

Active transportation infrastructure includes walking, cycling and transit networks and infrastructure, which allow for a fully integrated pedestrian-supportive urban system. In addition to the policy direction in the *Secondary Plan* and the *Town's Official Plan*, the following guidelines apply.

4.2.1. PUBLIC PEDESTRIAN WALKWAY NETWORK

Official Plan policy A2.3 encourages new neighbourhoods to be compact and pedestrian friendly. Pedestrian walkways are an important design element that creates flexibility, giving pedestrians options to get to their destination using the most direct route. Public pedestrian walkways are located within the public realm. In order to encourage walkability within the neighbourhood, and improve circulation and pedestrian access, street-related pedestrian walkway shall be required within the neighbourhood. The following are guidelines for creating accessible, safe and inviting pedestrian walkways:

1. Public pedestrian walkway blocks should be 1.5 to 1.6 metres wide.
 - Adequate fencing and fenestration adjacent to public walkways to provide opportunities for casual surveillance; and,
 - Integrating activity generating uses such as seating areas, parkettes or other amenities.
2. As per *Official Plan* policy B1.6.4.6, roads shall be developed to include safe, convenient and attractive facilities for pedestrians. Crime Prevention Through Environmental Design (CPTED) principles should be used in the design of public pedestrian walkways, such as:
 - Adequate lighting;
 - Clear sight lines, allowing view from one end of the walkway to the other;
 - Provide appropriate landscaping, but avoid landscaping that might create blind spots or hiding places;
3. Where feasible, sidewalks should be continuous throughout the community.
4. In order to accommodate the needs of persons with disabilities, and the elderly, sidewalks should be designed to applicable municipal and *AODA* standards.



Image 51. Collingwood, ON - Pedestrian sidewalk with visual surveillance and landscaping

4.2.2. CYCLING NETWORK

On-street and separated bicycle lanes have been proposed for the **Secondary Plan** area. Where possible, new bicycle lanes will link with the existing cycling network within Fenwick and the Town of Pelham, as per the **Town's Official Plan** and the Niagara Region's Cycling Network. The following are guidelines for the cycling network:

1. Where cycling routes intersect major intersections, route signage should be provided.
2. Access to cycling routes should be clear and unobstructed.
3. Pedestrian and cycling lanes should be painted along multi-use trails or clearly identified by other means to minimize pedestrian and cycling conflicts.



Image 49. Share the Road - Beacon Lite (left), Shared Pathway - Barricade Traffic Services Inc (right)



4.2.3. TRANSIT NETWORK

The following are guidelines pertaining to transit facilities and infrastructure.

1. Future transit stops should be located in accessible, safe, and comfortable locations, which maximize pedestrian accessibility from surrounding residential neighbourhoods. In addition such transit stops should be:
 - Located close to intersections;
 - Coordinated with neighbourhood trail connections and building entrances; and
 - Designed to include amenities for passengers such as seating and weather protection.
2. Transit stops should generally be within 400 metres or a 5-minute walking distance for residents.

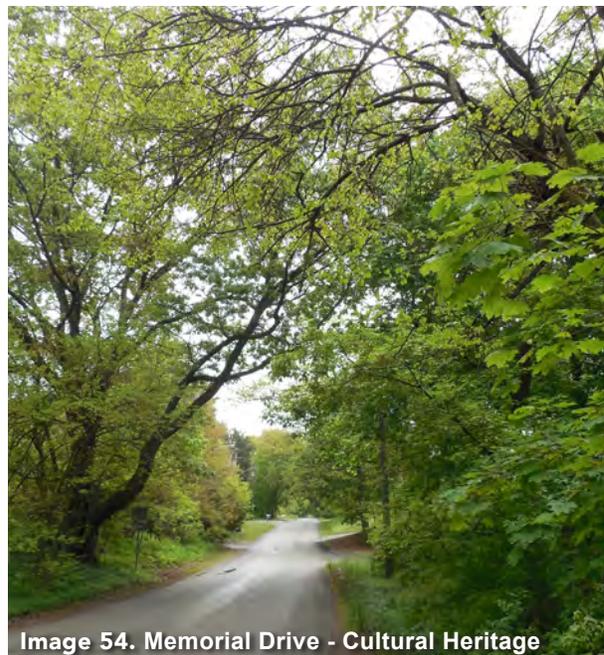


Image 52. Town of Pelham Bus Stop

4.3. NATURAL HERITAGE SYSTEM

A Natural Heritage System (NHS) has been established, which is comprised of a Provincially Significant Wetland and a Significant Wildlife Habitat area. The designated area is subject to further Environmental Impact Studies that must be reviewed and approved by the Region in consultation with the Town and the NPCA. The following guidelines are for land designated in the NHS:

1. Integrate the NHS as a key structural element of the neighbourhood by providing appropriate views, vistas and connections, as well as providing a range of development interfaces that offer opportunities for public visual and physical access while also limiting access where necessary.
2. Physical barriers, such as lot fencing, should be reviewed and considered in areas where access and encroachment are to be restricted. Fencing should be coordinated as a condition of draft plan approval to ensure consistent fencing design is established.
3. For homes adjacent to the NHS, homeowner education and stewardship should be encouraged through the distribution of a homeowners pamphlet as a condition of draft approval. Information in the pamphlet may include conservation practices and protection of the surrounding NHS, which include the identification of native plant species appropriate to the existing ecosystem, and the avoidance of organic waste dumping.
4. Carefully consider the design and location of parking areas, three stream receptacle bins or street furniture to ensure that the edge of the NHS is not degraded. This can be achieved through larger setbacks or landscaped buffers with private and decorative fencing.



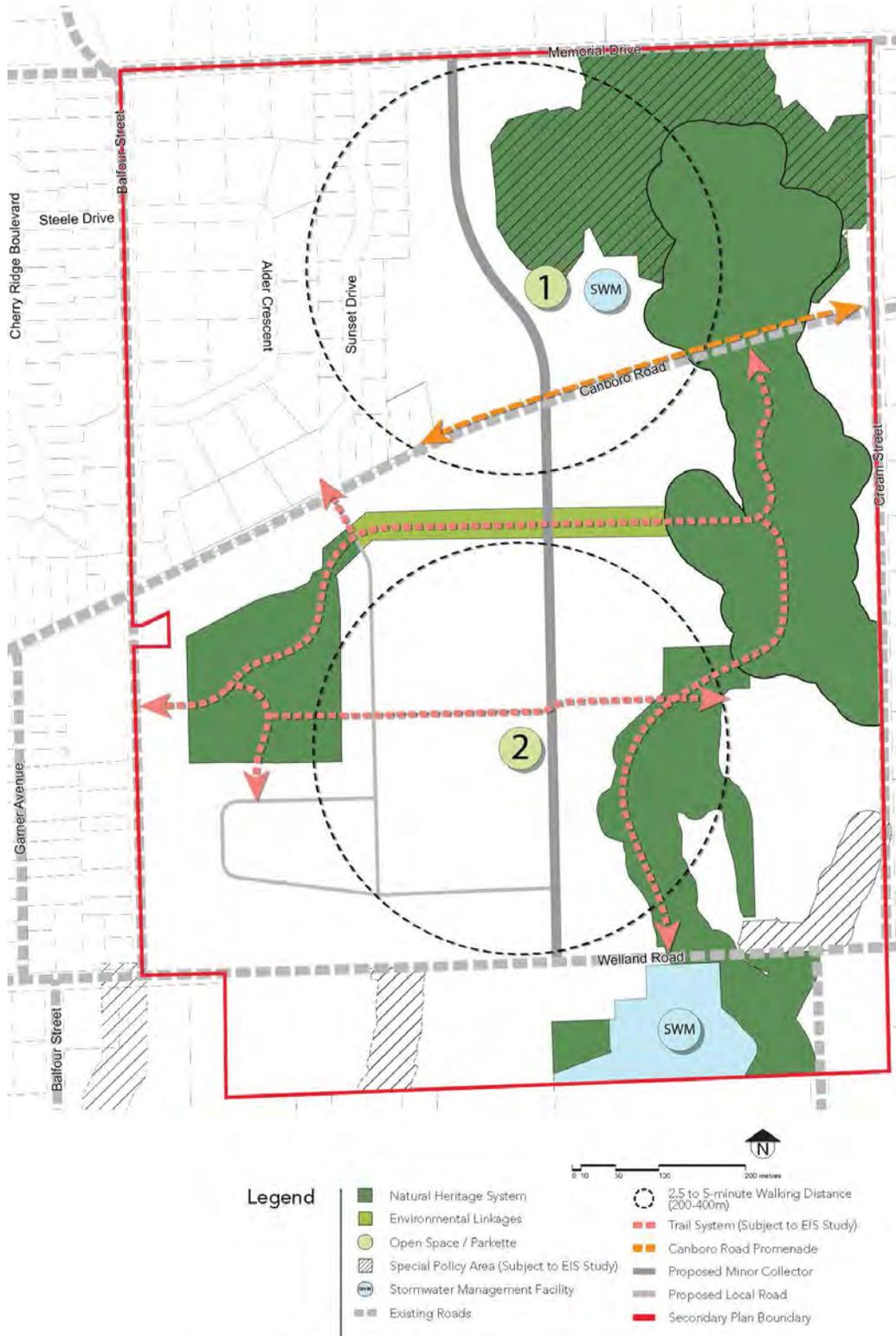
4.4. OPEN SPACE NETWORK

4.4.1. GENERAL GUIDELINES

The *East Fenwick Secondary Plan* area is comprised of three interconnected neighbourhood parkettes and an extensive Natural Heritage System. The following are general guidelines for the open space or greenlands network.

1. New trees and landscaping within parks should be of native plant materials, and where possible, should be salvaged from the site or the local area.
2. Amenity areas within parks should be located and oriented to maximize sunlight and be sheltered from the wind, noise, and traffic of adjacent streets and uses. Amenities can include playground or outdoor fitness equipment.
3. Seating and shade areas should be designed in coordination with pathways and play area locations.
4. Parkettes should be designed and located to utilize Crime Prevention Through Environmental Design (CPTED) principles by ensuring clear view into and out of surrounding areas, which include:
 - Adequate lighting;
 - Fronting buildings to overlook public spaces, especially for playgrounds, which should be highly visible to public streets and/or houses, in order to enhance safety.
 - Using signs and design for ease of access and egress; and
 - Mix of activity for constant use of the space.
5. Playground amenities are encouraged to be designed as learning amenities constructed from natural materials.
6. Parks should include appropriate signage visible from surrounding streets.
7. Wayfinding signage should be designed with a unified design vocabulary for ease of use and to further build a unique East Fenwick neighbourhood identity.

Figure 14. East Fenwick Secondary Plan - Greenlands Structure Plan



Schedule A8. East Fenwick Secondary Plan Area
Greenlands Structure Plan

4.4.2. **PARKETTES**

As per the *Town's Official Plan* policy B1.7.9.4.1, parkettes shall be designed to reinforce a high quality formalized relationship with its adjacent building use, streetscape and/or component of the Green Lands system. Landscape elements and features within the parkette shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas. In addition to these policies, the following guidelines apply;

1. A parkette should provide soft landscapes to serve non-programmed recreational uses.
2. Parkettes should accommodate facilities such as play structures, splash pads, open informal play areas, seating with shade opportunities as well as community information boards.
3. Public frontage is encouraged on all four sides of the parkette. This can be in the form of roads or houses fronting onto the parkette with the use of rear lanes.
4. Residential units on roads abutting the parkette should front onto the parkette.
5. Landscape treatment and built form elements should be located at entries to and/or at view corridors terminating at parkettes in order to create a terminus/landmark in the community.
6. Formalized paths within parkettes should connect to pedestrian walkways and trails within the NHS, and should be consistent with pedestrian desire lines.
7. Where residential side yards abut a parkette, a combination of decorative fencing, landscaping, and privacy fencing should be provided to demarcate the public and private realm, and to ensure the privacy of the residence is maintained.

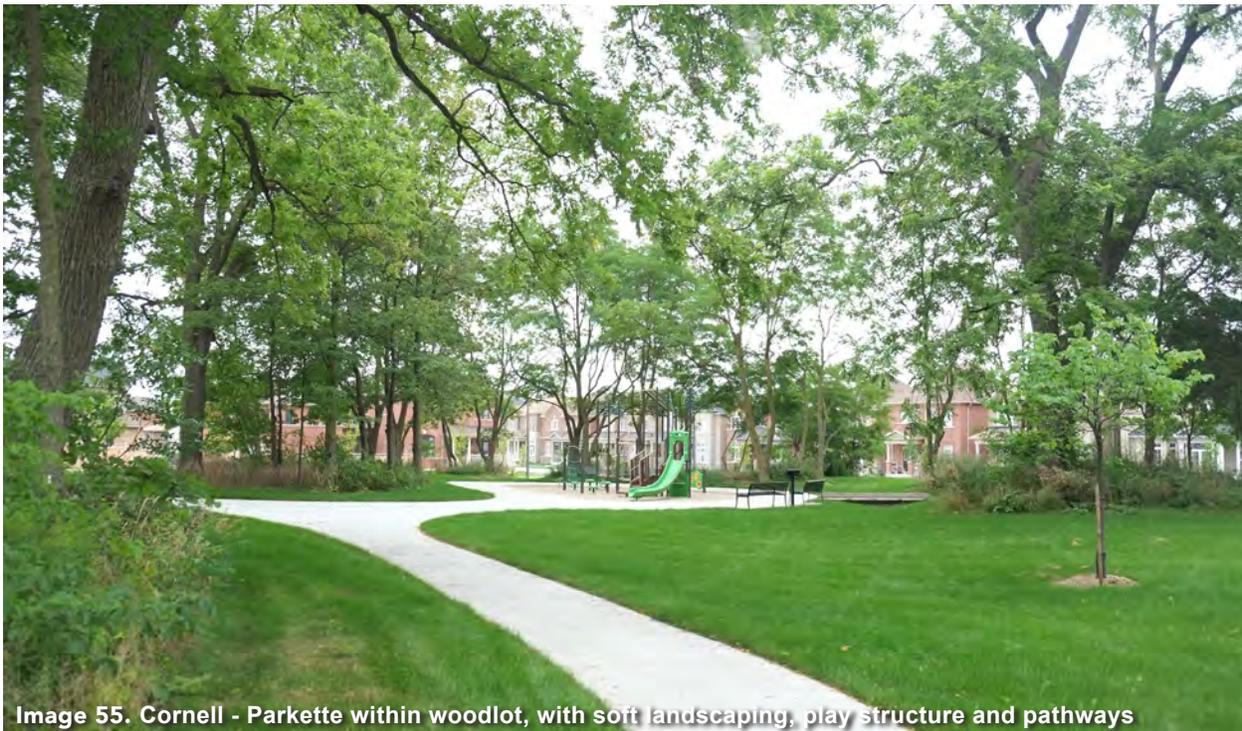


Image 55. Cornell - Parkette within woodlot, with soft landscaping, play structure and pathways

4.4.3. PEDESTRIAN SYSTEM & TRAIL NETWORK

As per the *Town's Official Plan*, continuous and connected open space and trail systems are to be developed that link the local neighbourhood to the broader town and encourage active transportation. The *Secondary Plan* has proposed an East Fenwick network of open spaces, that are comprised of the existing NHS along with a series of small neighbourhood parkettes that are interconnected with a pedestrian system or trail network. The following are additional guidelines for the development of pedestrian systems and trail network:

1. A primary neighbourhood trail system will function as a north-south and east-west spine that links adjacent neighbourhoods. The system may traverse through local streets or through the NHS with a width ranging from 2.0 to 3.0 metres. Recreational trails within the NHS will function as multi-use trails that support both destination and recreational use and shall generally consist of a 2.4 metre wide trail.
2. Native non-invasive plantings are encouraged along trail connections abutting natural features.
3. Trails will be designed to accommodate a range of users and abilities, and should be barrier-free where appropriate. The use of permeable materials should be encouraged for trail construction in areas where sufficient drainage exists.
4. Trails should be clearly signed regarding permitted uses and speed. Wayfinding signage and/or trail markers should have a unified design vocabulary and be provided throughout the trail network.
5. Multi-use designation symbols should be placed at the beginning of a trail, the entrance to any stage of a crossing, and shortly after a crossing. They can also be placed at intervals along the length of a trail to remind trail users to keep to the right. Directional arrows can also be used in conjunction with designation symbols to direct users. Designation symbols should be accompanied by signage outlining the permitted modes of travel on the trail.
6. Benches and three stream receptacle bins should be provided at trail heads and at regular intervals along the route.
7. Trails located in proximity to significant sensitive natural features or adjacent to stormwater management facilities should incorporate interpretive signage at various locations to promote stewardship initiatives that will protect and enhance the features and functions of the natural environment.
8. Special treatments at trail head entrances should be considered including high quality features such as landscaping, benches, interpretive or directional signage or wider pathway widths.

4.4.4. STORM WATER MANAGEMENT FACILITIES

The *East Fenwick Secondary Plan* has identified two stormwater management ponds, which are integrated with the open space system and aim to mitigate impacts on the natural environment. These stormwater management facilities shall be developed in a manner that will yield the greatest environmental and amenity benefits to the neighbourhood, which will first be achieved through reducing stormwater run-off and flow to the ponds, and secondly, through the design and landscaping of the pond.

Stormwater management facilities will be provided in accordance with the policies in Section C6 of the *Official Plan*. In general the overall design and grading of all proposed Stormwater Management Facilities should be in accordance with current Ministry of the Environment and Niagara Region requirements. This Section provides guidelines on pond design and landscaping, and should be read in conjunction with Section 5.2 Water Efficiency and Management for stormwater retention and run-off guidelines.

1. The stormwater management site will be a key focal/visual feature within the community, contributing to its appearance and ambiance. Therefore, careful consideration should be taken for the design and integration with the adjacent neighbourhood and open space.
2. The ponds should also be designed to blend with the natural landscape. Where feasible, inlet and outlet structures should be concealed using a combination of planting, grading and natural stone.



Image 56. Geo-scape Contracting - Stormwater Management Facility as Part of the Community's Integrated Active Transportation Network

3. Native species and flood-tolerant water's edge plants, including a mixture of herbaceous and woody vegetation, may be planted to stabilize banks of ponds. The perimeter of the permanent pool should be planted with emergent, strand and submergent species to improve the aesthetics and enhance the performance of the facility.
4. The density quality and amount of planting coverage should be considered when designing storm water management facilities.
5. Where there is a need to discourage public access to areas around the perimeter of the ponds, living fences and barrier plantings may be utilized in place of fencing. Barrier plantings should be installed along the crest of steep slopes, adjacent to deep-water areas and around inlet and outlet structures.
6. Fencing of ponds should be discouraged, except along rear or flankage residential property lines.
7. Pedestrian and cycling trails and viewpoints should be incorporated into the design of pond blocks, where feasible.
8. The Stormwater Management Facility Landscape Plan is to be prepared by a qualified Landscape Architect, reviewed by the Town's Public Works and Parks Departments, and approved by Town Council.
9. Walkways, trails, and other amenities such as fountains, benches, and rock walls may be incorporated into the facility design.
10. Paths shall not be located lower than the 100-year storm event elevation.
11. Side slopes adjacent to wet facilities must be a minimum of 5:1, (5 horizontal to 1 vertical). Slopes within the wet facility (between the permanent pool and the 100-year storm elevation) must be a minimum of 7:1. Slopes within the permanent pool must not exceed 3:1.
12. A minimum buffer of 5.0 meters shall be provided from 0.3 meters above the 100-year storm elevation to the property line.
13. The facility shall display an appropriately located sign that identifies the facility's purpose, warns the public of potential safety hazards, and includes a municipal phone number.



Image 57. Lichtschwärmer - Stormwater Management Pond with living fences, shallow slopes and pedestrian access

5. GREEN INFRASTRUCTURE & BUILDING

The guidelines in this section build on the Niagara Region's Smart Growth Design Criteria Completion Checklists and are listed as further guidance to receive funding incentives from the Region.

5.1. ENERGY EFFICIENCY

1. All new developments are encouraged to be built adhering to the following requirements for sustainability:
 - Grade related (3 storeys or less) residential buildings achieve a minimum performance level that is equal to ENERGY Star U standards; and,
 - Mid-rise (4 storeys and greater) residential buildings shall be designed to achieve greater energy efficiency than the Model National Energy Code for Building.
2. All buildings, with the exception of residential buildings containing less than 25 dwelling units shall achieve the following sustainability requirements:
 - LEED Silver; or equivalent, prior to and including 2021; and
 - LEED Gold or equivalent form 2022 up and beyond 2031.
3. Where feasible, alternative community energy systems such as geo-exchange, sewer heat recovery, and/or inter-seasonal thermal energy should be provided.
4. Grade related residential unit driveways are encouraged to be paved with light-coloured material to reduce the heat island effect.
5. Reflective or light-coloured roofs should be encouraged for multi-unit residential units above 5-storeys, and public or institutional buildings, in order to reduce solar heat absorption and energy demand.
6. Light-coloured, permeable material for all hardscape, including parking areas and pedestrian walkways, should be used for development with paved surface in order to reduce solar heat absorption and energy demand.
7. To minimize energy consumption and encourage the integration of passive building systems, buildings should be oriented to maximize the potential for sunlight and natural ventilation.
8. The strategic use of deciduous trees is strongly encouraged as part of a free cooling strategy to help with evapotranspiration and shading.
9. Building design is encouraged to utilize opportunities associated with large expanses of roof areas to implement solar thermal, photovoltaic systems, green roofs or water harvesting systems.
10. Energy Star compliant appliances are encouraged to be provided in cases where the developer provides appliances.
11. Alternative energy sources such as solar thermal, photo voltaic panels and/or geothermal technologies or the inclusion of "roughed in" facilities to accommodate such alternative energy sources are encouraged to be provided.
12. Charging stations for electric vehicles are encouraged in parking areas of apartments or condominiums.

5.2. WATER EFFICIENCY AND MANAGEMENT

1. All new buildings are encouraged to achieve a 20% or greater water conservation efficiency than that required by the Ontario Building Code.
2. Irrigation of all public open spaces/structures should implement a rainwater harvesting program, and can include the use of rain barrels, and/or infiltration trenches provided water balance objectives are met.
3. Water efficient landscaping for high-density blocks should use native and/or drought resistant planting to reduce the amount of watering needed.
4. Grade-related residential unit driveways should be paved with permeable materials to reduce stormwater run off.
5. At site-plan level, developments with five or more dwellings should be encouraged to increase the level of perviousness in order to promote at-source stormwater management, reduce peak flows and lessen the dependence on end-of-pipe facilities such as stormwater management ponds. Pervious areas can include landscaped areas and/or areas containing permeable paving.
6. In order to reduce the volume of run-off into the storm drainage system, surface water run-off flows should be directed to landscaped areas and the use of hard surfaces should be minimized.
7. Innovative sustainable technologies in the capture, conveyance, and treatment of storm run-off to reduce potential pollutants/contaminants are encouraged.
8. New residential units should be designed to incorporate gray water pipe infrastructure, where permitted, in accordance with the Ontario Building Code and health regulations.



Image 58. Natural Path Landscaping - Permeable, light pavement and light coloured roof

9. Indoor water usage should be minimized in new buildings through the installation and use of water-efficient fixtures, fittings and appliances, such as dual-flush toilets, faucets, and shower heads.
10. Low maintenance and drought-resistant landscaping is encouraged.
11. To conserve and protect the area's natural heritage features, stormwater runoff from all new developments shall be collected and treated to an Enhanced standard (as per MOE guidelines).
12. In order to avoid the negative impacts of flooding in the downstream watershed, all new development post development peak stormwater flows shall be attenuated to pre-development conditions for up to and including the 100 year return period design storm event.
13. All downspouts from residential development shall discharge to grade.
15. Adequate and safe minor and major storm conveyance systems shall be required for all new development.
16. Low Impact Development methods will be strongly encouraged to be utilized in this new community in conjunction with traditional stormwater management techniques.
17. The target is to capture, detain, utilize, or infiltrate all stormwater runoff from all storms up to the 25mm design storm event.
18. Increasing the size and capacity of the major and minor storm systems, and the associated stormwater management systems and facilities, should be considered in order to increase the community's level of resilience against the impacts of climate change (i.e. severe storm events).



Image 59. Philadelphia Water Department - Rainwater Barrel and Permeable Landscaping

5.3. MATERIAL RESOURCES & SOLID WASTE

1. A minimum of 25% recycled/reclaimed materials is encouraged to be used for new infrastructure including roadways, parking lots, sidewalks, unit paving, stormwater management facilities, sanitary sewers, and/or water pipes.
2. All buildings should utilize best practices for design and construction techniques in order to reduce the amount of construction waste produced.
3. Where feasible, streetscape and building materials should be chosen and determined by suitability, durability, ease of maintenance, and cost effectiveness.
4. Green building materials should be used to reduce impacts on the environment. Building materials should be purchased and/or obtained from responsible, ethical, and whenever possible, local sources.
5. The use of recycled and reclaimed material for new buildings is encouraged in order to reduce the negative environmental effects of extracting and processing materials.
6. Waste volumes should be reduced through the provision of recycling and/or re-use and compost stations as well as drop off points for potentially hazardous waste.



Image 57. LEED Categories - Gamma

5.4. LIGHTING

1. Lighting should be downcast to reduce light pollution and address night sky condition.
2. Exterior lighting spill-over onto the street or adjacent properties should be minimized.
3. Renewable energy sources should be considered for electric energy supply in the public realm (i.e. lightning for natural rails and park pathways).
4. High efficiency street lighting should be used so as to reduce energy consumption by at least 15% of the baseline annual energy use.
5. High efficiency lightning should be incorporated into the interior and/or exterior areas of a development, such as in common areas for multi-unit housing.
6. For residential buildings, external lighting should incorporate lighting controls that use motion sensors and/or timers to improve energy efficiency.



5.5. SUSTAINABLE PROGRAM

Sustainable programs should encourage opportunities for community-based initiatives such as car pooling, community composting, waste reduction, educational, and stewardship programs. Some examples of such programs are as follows:

a) Education Packages

1. Owner/tenant education packages regarding household activities to conserve household energy and water resources, access to transit, recycling and composting programs, and depots should be provided at the time of purchase or rental.
2. Encourage homeownership afford-ability for low-income families through the provision of sites for non-profit or charitable Homeownership Programs.

b) Mobility Programs

1. Carpooling or car share programs are encouraged for residents of high density residential buildings. Dedicated parking spaces for carpooling or car share programs should be provided, and located in close proximity to building entrances with clear signage.

2. The availability of transit programs should be publicized to new homeowners as part of an information package provided by developers.
3. Dedicated parking spaces for hybrid/fuel efficient or similar vehicles in high density/ multi-unit buildings should be provided, and located in close proximity to building entrances with clear signage.

c) Cycling Facilities

1. Multi-unit apartment or condominium buildings should provide residents with bicycle parking and/or storage that is secure, enclosed, and easily accessible to residents. Informational signage should be provided.
2. Secure, outdoor bicycle racks should be strategically located at destination points, including village greens and trail heads.



Image 62. Urban Racks - Outdoor Bicycle Racks



Image 63. My Ride - Pelham Transit Program



5.6. INNOVATIVE DESIGN

In order to encourage exemplary performance above the requirements set out in this document, innovative design is strongly encouraged and should be recognized.

Innovative elements and performance should, in writing, identify the intent of the proposed innovation, while demonstrating and describing the design approach and strategies utilized to achieve sustainable performance measures that exceed those set out in this document.

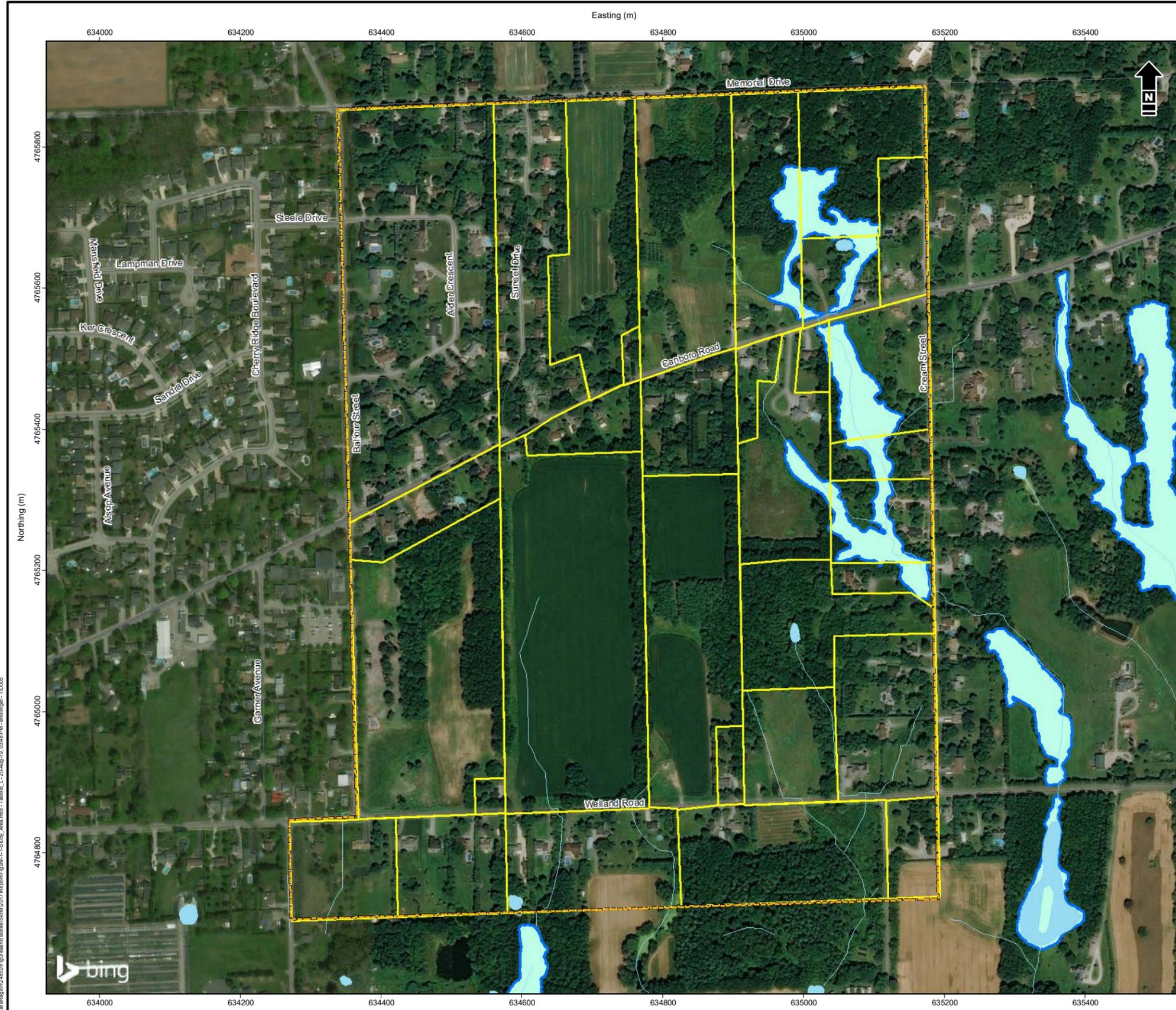


APPENDIX D - NATURAL HERITAGE SYSTEM

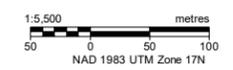




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- Study Area
- Property Boundary
- Provincially Significant Wetland
- Water Body
- Watercourse
- Highway
- Road



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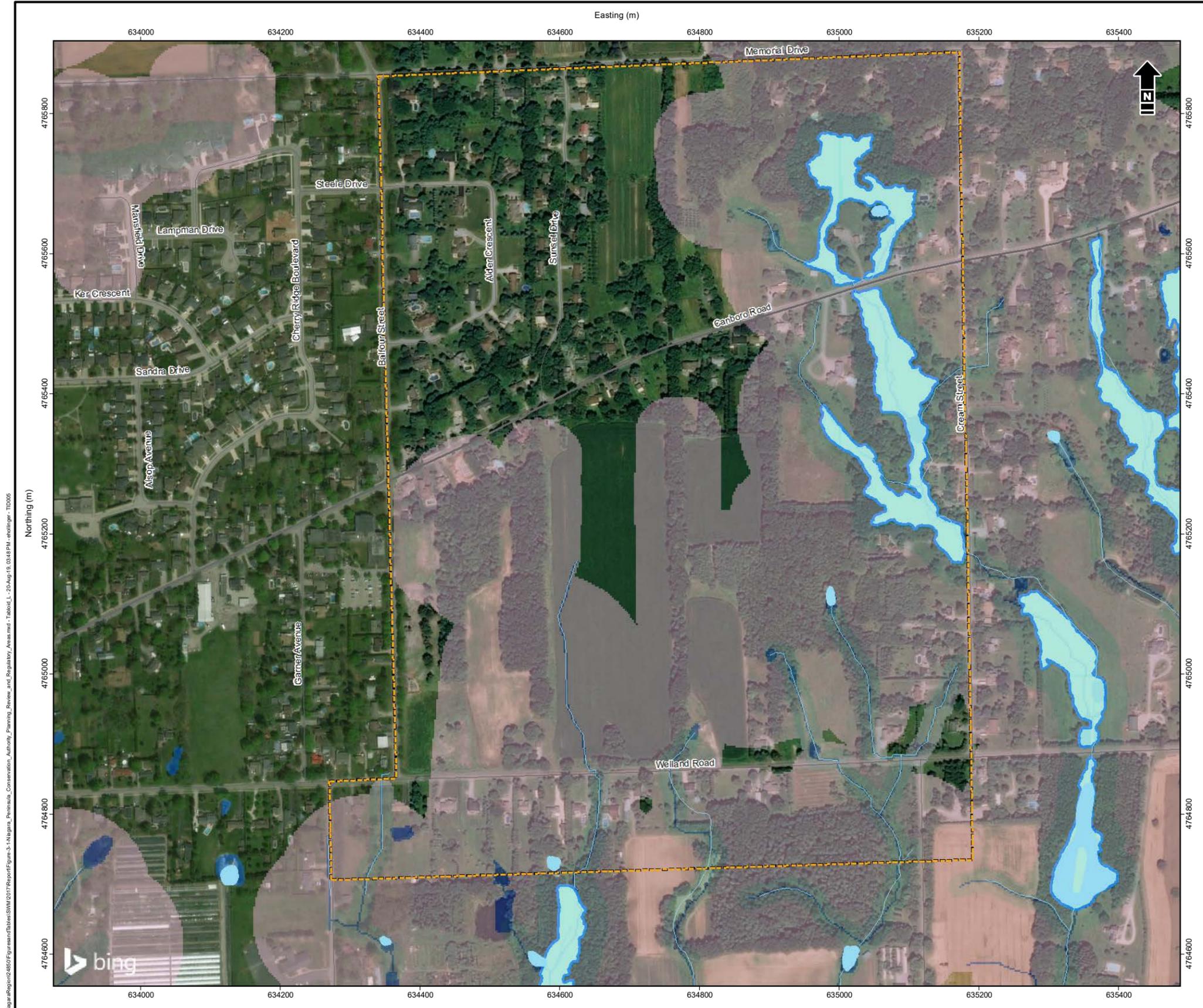


Niagara Region
East Fenwick Secondary Plan

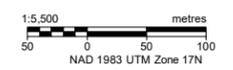
Study Area

Date: August 2019 Project: 24850 Submitter: E. Wilkinson Reviewer: S. Toner

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- Study Area
- NPCA Permit Review
- Regulated Wetland
- Planning Review Area
- Provincially Significant Wetland
- Water Body
- Watercourse
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Niagara Region
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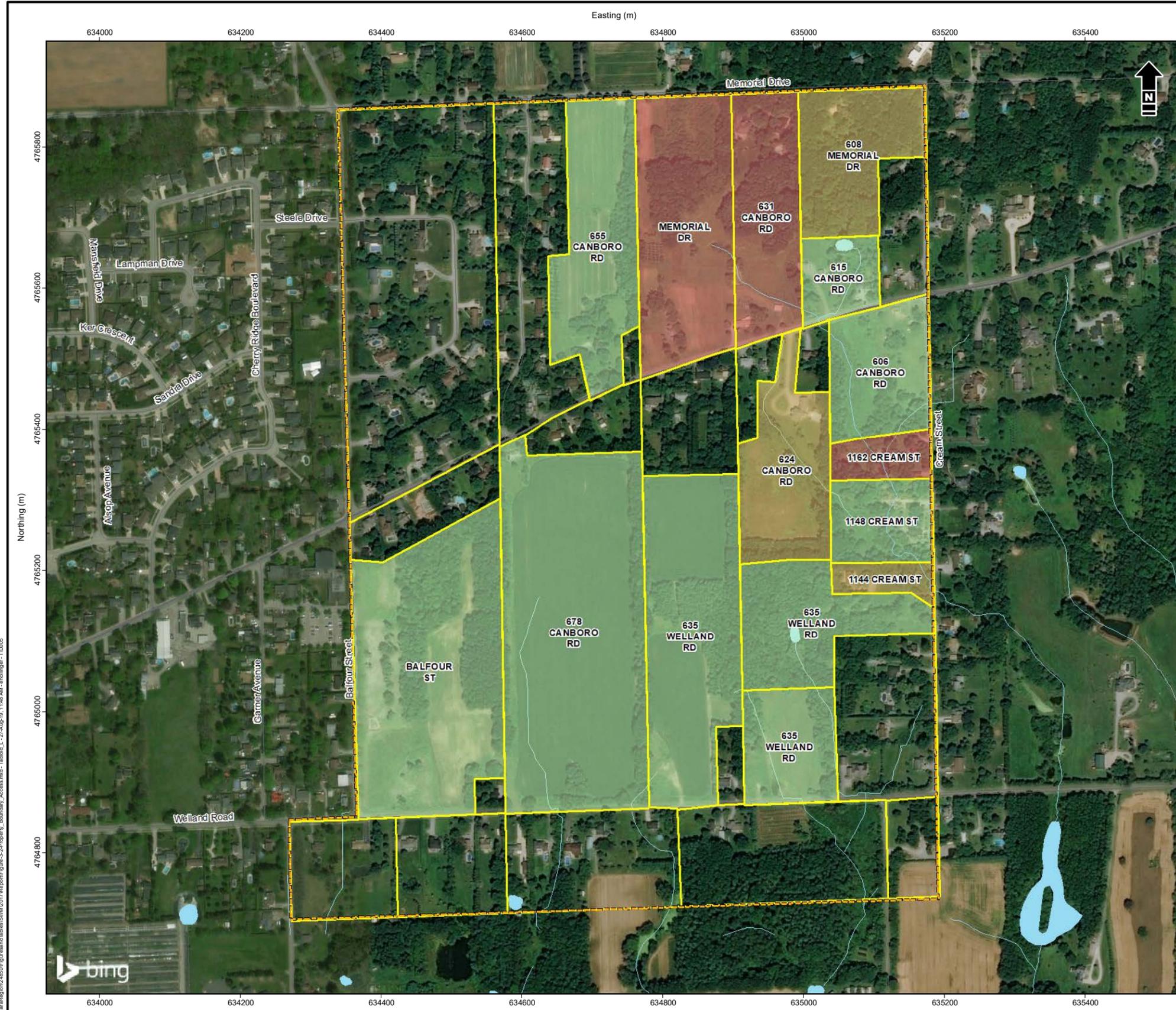
**Niagara Peninsula Conservation Authority
Planning Review and Regulatory Areas**

Date: August 2019 Project: 24850 Submitter: E. Wilkinson Reviewer: S. Toner

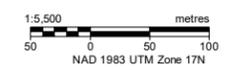
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Figure 3.1

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- Study Area
- Property Boundary
- Water Body
- Watercourse
- Highway
- Road
- Permission**
- Yes
- Not received
- No



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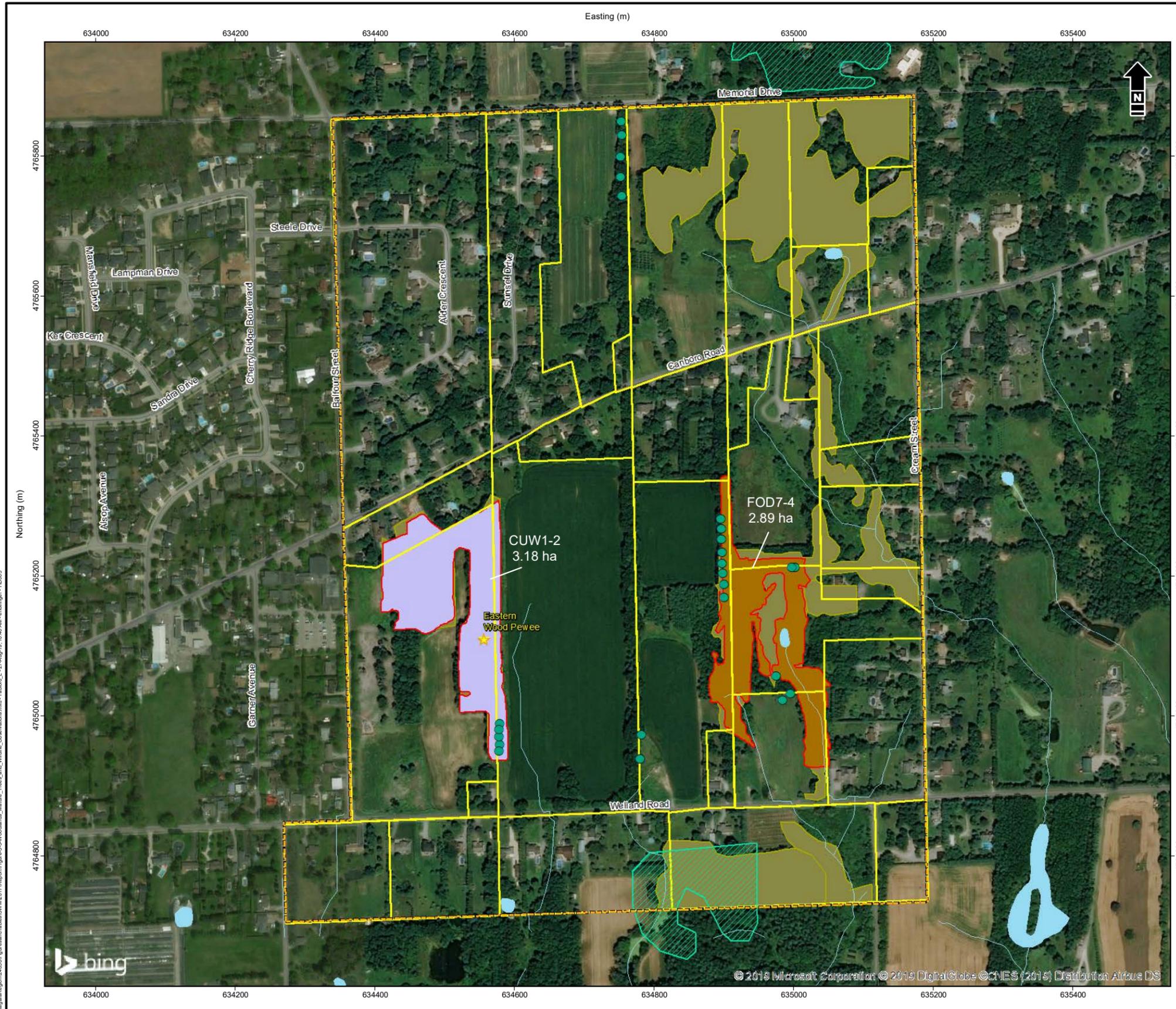
Niagara Region
East Fenwick Secondary Plan

Property DRAFT Access

Date: August 2019 Project: 24850 Submitter: E. Wilkinson Reviewer: S. Toner

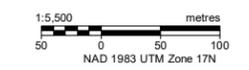
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- Study Area
- Mature Woodland Unit- Significant
- Mature Cultural Woodland Unit- Significant
- Deer Overwintering Area
- Wooded Area
- Property Boundary
- Water Body
- Watercourse
- Highway
- Road
- Mature Tree Location
- Wildlife Observation

Notes:
 CUW1-2 deemed significant due to it's area being greater than 2 ha (as per Niagara Region OP).
 FOD7-4 deemed significant due to it's area being greater than 2 ha (as per Niagara Region OP) and because it is a rare vegetation community within the upper-tire municipality of Niagara and is therefore considered Significant Wildlife Habitat (protected under the Provincial Policy Statement).



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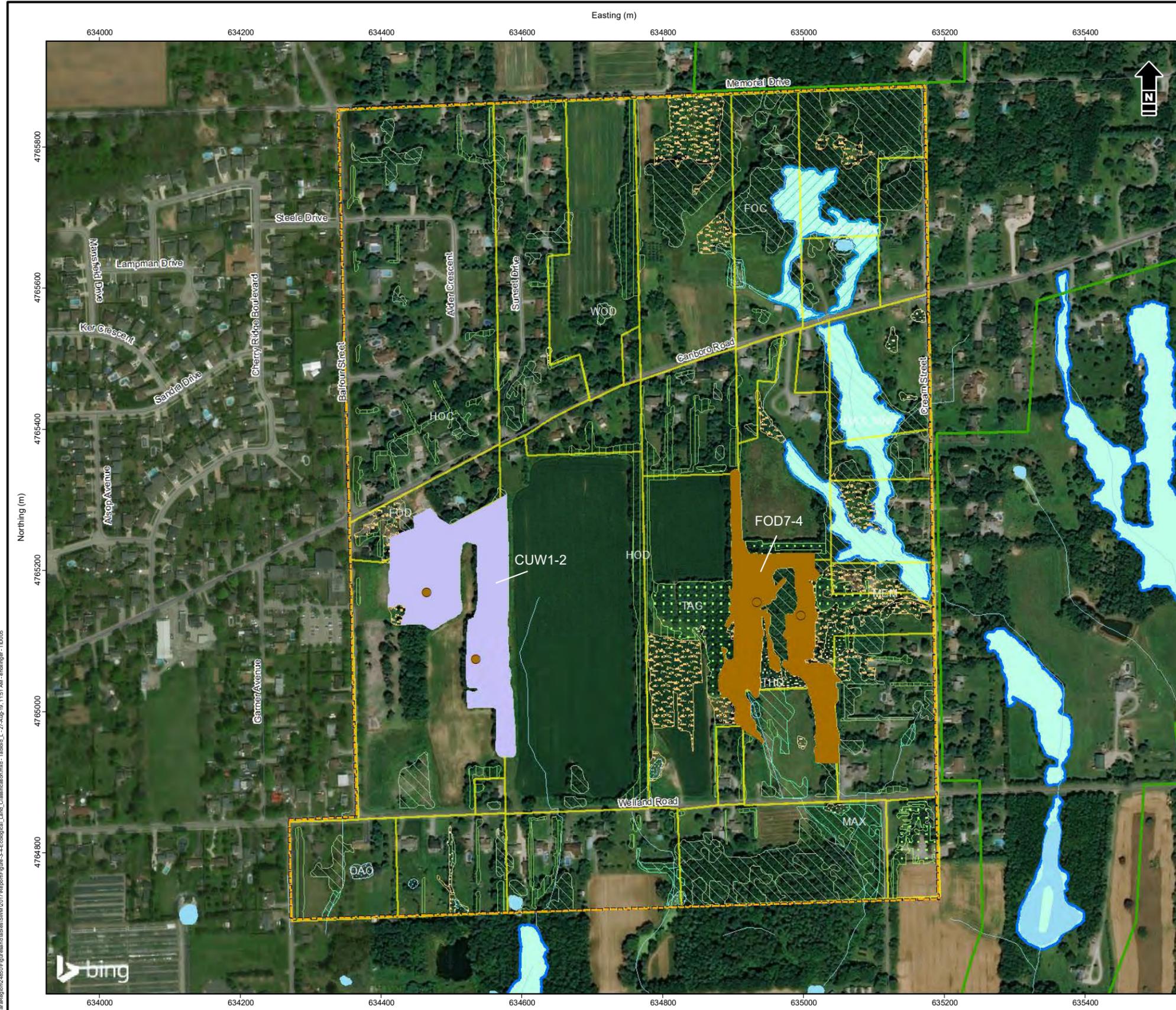


Niagara Region
 East Fenwick Secondary Plan

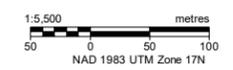
**Woodlands, Mature Trees and
 Wildlife Observations**

Date:	August 2019	Project:	24850	Submitter:	E. Wilkinson	Reviewer:	S. Toner
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- Study Area
- Natural Heritage System Area (Undifferentiated)
- Property Boundary
- Provincially Significant Wetland
- Water Body
- Watercourse
- Highway
- Road
- Ecological Land Classification Assessment Location
- Ecological Land Classification Community Class (NPCA)**
 - Swamp
 - Marsh
 - Meadow
 - Thicket
 - Woodland
 - Forest
 - Hedgerow
 - Tree Agriculture
 - Open Water
- Ecological Land Classification Vegetation Community (Matrix)**
 - FOD7-4 Fresh-Moist Black Walnut Lowland Deciduous Forest
 - CUW1-2 Dry Red Oak Cultural Woodland



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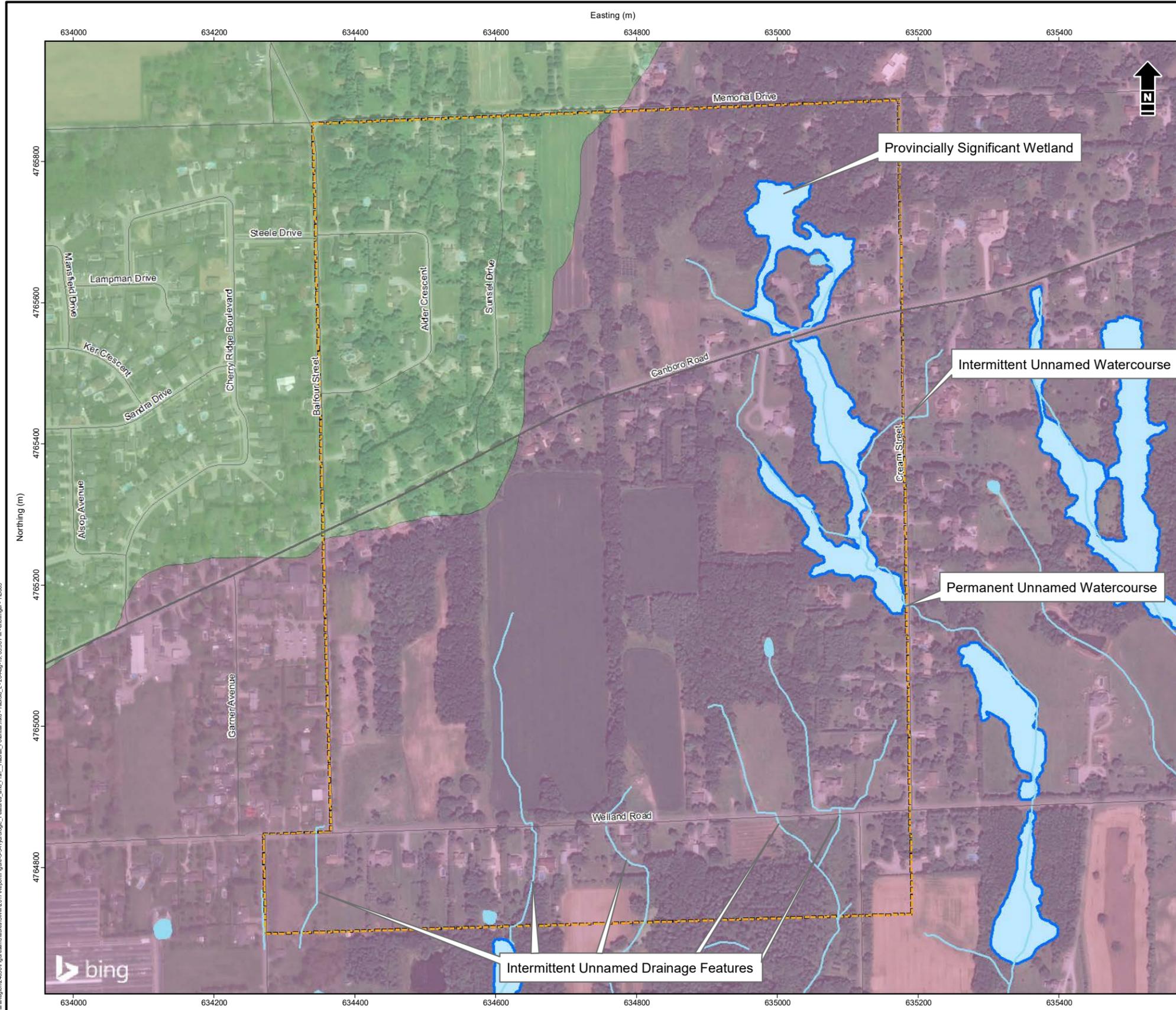


Niagara Region
East Fenwick Secondary Plan

Ecological Land Classification

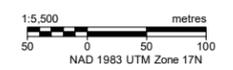
Date: August 2019 Project: 24850 Submitter: E. Wilkinson Reviewer: S. Toner

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- Study Area
- Provincially Significant Wetland
- Fifteen Mile Creek Subwatershed
- Coyle Creek Subwatershed
- Water Body
- Watercourse
- Highway
- Road

Note:
 Intermittent Unnamed Drainage features only contribute to downstream fish habitat seasonally (spring freshet) or during high water events.
 Permanent Unnamed Watercourse feature contributes to downstream fish habitat regularly within the Coyle Creek Subwatershed.



Matrix Solutions Inc.
 ENVIRONMENT & ENGINEERING

Niagara Region
 East Fenwick Secondary Plan

**Hydrologic Features and
 Fish Habitat Potential**

Date: August, 2019 Project: 24850 Submitter: D. Relyea Reviewer: S. Toner

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APPENDIX E - CULTURAL HERITAGE RESOURCE ASSESSMENT





CULTURAL HERITAGE RESOURCE ASSESSMENT

EXISTING CONDITIONS REPORT

**EAST FENWICK SECONDARY PLAN CULTURAL HERITAGE STUDY
LOTS 12 & 13, CONCESSION 9 & 10, VILLAGE OF FENWICK**

**TOWN OF PELHAM
NIAGARA REGION, ONTARIO**

Prepared for:

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ASI File 17CH-038

July 2017



ASI Archaeological & Cultural
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528 Bathurst Street Toronto, ONTARIO M5S 2P9
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CULTURAL HERITAGE RESOURCE ASSESSMENT

EXISTING CONDITIONS REPORT

EAST FENWICK SECONDARY PLAN CULTURAL HERITAGE STUDY LOTS 12 & 13, CONCESSION 9 & 10, VILLAGE OF FENWICK

TOWN OF PELHAM NIAGARA REGION, ONTARIO

EXECUTIVE SUMMARY

ASI was retained by SGL Planning & Design Inc. on behalf of the Town of Pelham to conduct a Cultural Heritage Resource Assessment (CHRA) Study for the East Fenwick study area in the Town of Pelham, Ontario. The project involves a built heritage and cultural heritage landscape assessment of the subject lands in order to assist the Town of Pelham in the preparation of the East Fenwick Secondary Plan. The aim of this assessment is to guide future development within the 235 acre area of the East Fenwick community.

The purpose of this report is to describe the existing conditions of the study area, present known and identified built heritage and cultural landscapes, and to identify and propose appropriate mitigation measures and recommendations for minimizing and avoiding negative impacts to identified cultural heritage resources, for consideration as a part of the Secondary Plan process.

The results of background historical research and a review of secondary source material, including historical mapping, revealed that the study area has a rural land use history dating back to the early nineteenth century. The field review confirmed that this area retains a number of nineteenth- and twentieth-century cultural heritage resources. 23 cultural heritage resources within and adjacent to the study area have been identified, including: two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties. Land use changes, road improvements and/or pedestrian realm improvements, and other alterations associated with the Secondary Plan process may have a variety of impacts upon cultural heritage resources.

Based on the results of this assessment and a review of the potential heritage impacts resulting from the secondary plan process, the following recommendations have been developed:

1. A total of 23 cultural heritage resources were identified within and/or adjacent to the East Fenwick Secondary Plan study area, which include two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties. The East Fenwick Secondary Plan should incorporate policies that ensure the long-term viability and presence of significant built heritage resources and cultural heritage landscapes.
2. BHR 4 should be considered for designation under Part IV of the Ontario Heritage Act.



3. CHL 2 is important historic rural route and former Indigenous trail, which has been previously identified in the Pelham Heritage Master Plan, and in Section B2.2.7 of the Official Plan. CHL 2 maintains a strong connection to the historic settlement patterns of East Fenwick and to the built heritage resources found along the road. CHL 2 should be studied for designation or recognition as a Cultural Heritage Landscape, under Part V of the Ontario Heritage Act, or through an Official Plan Amendment.
4. CHL 1 is an important historic rural route, characterized by little or no shoulder, no formal ditches, no sidewalks, no curbs, relatively slow, low traffic levels, and mature roadside vegetation. These attributes facilitate pedestrian and cycling activity. CHL 1 acts as a boundary road between the urban and rural areas of East Fenwick. CHL1 should be studied for recognition as a Heritage Route under D4.2.2.6 of the Official Plan.
5. Alternative road and pedestrian realm improvement approaches to conserve and enhance the road corridors and alternative development and land use approaches that conserve and enhance the landscape and built form character of adjacent properties should be considered for CHL 1 and CHL 2 as a part of the secondary plan process. A gradual transition from the urban boundary to the rural areas to the north should be considered for CHL 1.
6. BHRs 2, 8, 16 and 20 contain heritage features that are good candidates for conservation. Based on a review of the East Fenwick Secondary Plan Area Conceptual Tertiary Plan, prepared by Upper Canada Consultants in 2010, and consideration of properties then shown to be owned by a developer's group, it is expected that these properties may be subject to impacts as a result of future development or land use changes. A Heritage Impact Assessment should be completed for the subject properties.
7. CHLs 1-2 and BHRs 1- 2, 4-21 may be altered as a result of changes in land use, future development, road widening and/or improvements and pedestrian realm improvements. Upon the completion of a proposed land use plan resulting from the secondary plan process, the heritage impacts should be assessed, including the development of specific mitigation measures.



ARCHAEOLOGICAL SERVICES INC.

PROJECT PERSONNEL

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<i>Project Manager:</i>	Lauren Archer, BA Cultural Heritage Specialist, Cultural Heritage Division
<i>Project Administrator:</i>	Carol Bella, Hons BA Research Archaeologist and Administrative Assistant
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<i>Graphics:</i>	Jonas Fernandez, MA Geomatics Specialist
<i>Report Reviewer:</i>	Rebecca Sciarra



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1.0 INTRODUCTION

ASI was retained by SGL Planning & Design Inc. on behalf of the Town of Pelham to conduct a Cultural Heritage Resource Assessment (CHRA) Study for the East Fenwick study area in the Town of Pelham, Ontario (Figure 1). The project involves a built heritage and cultural heritage landscape assessment of the subject lands in order to assist the Town of Pelham in the preparation of the East Fenwick Secondary Plan. The aim of this assessment is to guide future development within the 235 acre area of the East Fenwick community.

The purpose of the CHRA report is to describe the existing conditions of the study area, present a built heritage and cultural landscape inventory of cultural heritage resources, and propose appropriate mitigation measures and recommendations for minimizing and avoiding negative impacts on identified cultural heritage resources. The assessment was completed by Lauren Archer, Cultural Heritage Specialist in the Cultural Heritage Division at ASI.

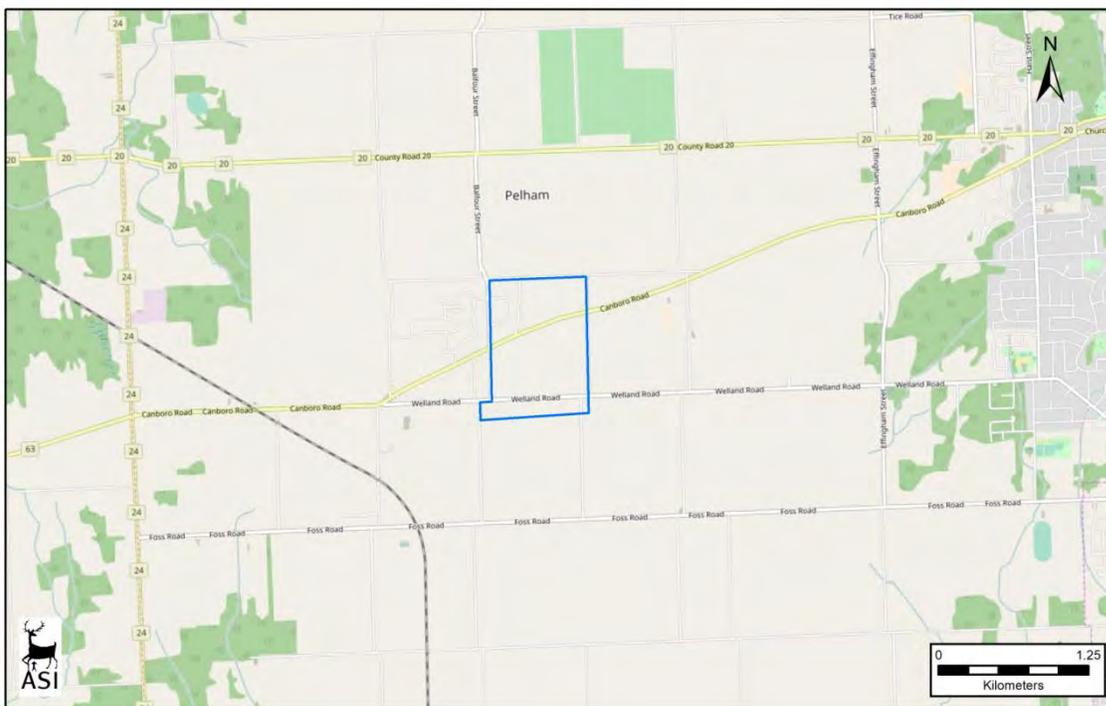


Figure 1: Location of the East Fenwick study area

2.0 BUILT HERITAGE RESOURCE AND CULTURAL HERITAGE LANDSCAPE ASSESSMENT CONTEXT

2.1 Legislation and Policy Context

The authority to request this heritage assessment arises from Section 2 (d) of the *Planning Act*. The *Planning Act* (1990) and related *Provincial Policy Statement (PPS)*, which was updated in 2014, make a number of provisions relating to heritage conservation. One of the general purposes of the *Planning Act* is to integrate matters of provincial interest in provincial and municipal planning decisions. In order to

inform all those involved in planning activities of the scope of these matters of provincial interest, Section 2 of the *Planning Act* provides an extensive listing. These matters of provincial interest shall be regarded when certain authorities, including the council of a municipality, carry out their responsibilities under the *Act*. One of these provincial interests is directly concerned with:

- 2.(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest

Part 4.7 of the *PPS* states that:

The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

Those policies of particular relevance for the conservation of heritage features are contained in Section 2-Wise Use and Management of Resources, wherein Subsection 2.6 - Cultural Heritage and Archaeological Resources, makes the following provisions:

- 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

A number of definitions that have specific meanings for use in a policy context accompany the policy statement. These definitions include built heritage resources and cultural heritage landscapes.

A *built heritage resource* is defined as: “a building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community” (PPS 2014).

A *cultural heritage landscape* is defined as “a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association” (PPS 2014). Examples may include, but are not limited to farmscapes, historic settlements, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, and industrial complexes of cultural heritage value.

In addition, significance is also more generally defined. It is assigned a specific meaning according to the subject matter or policy context, such as wetlands or ecologically important areas. With regard to cultural heritage and archaeology resources, resources of significance are those that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people (*PPS 2014*).

Criteria for determining significance for the resources are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation (*PPS 2014*).

Accordingly, the foregoing guidelines and relevant policy statement were used to guide the scope and methodology of the cultural heritage assessment.

2.2 Town of Pelham Policies Regarding Cultural Heritage

The Town of Pelham provides cultural heritage policies in Section D4 of its Official Plan (2012). Cultural heritage policies relevant to this assessment are provided below:

D4.2.1 Cultural Heritage Impact Statements

Council may require the submission of a Heritage Impact Assessment (HIA) to support an application for development if the affected lands are the site of an identified cultural heritage resource or are located in close proximity to an identified cultural heritage resource. The intent of the HIA is to determine what impacts the development will have on the resource and whether the application for development will conform to the goals, objectives and policies of this Plan.

D4.2.2.1 Built Heritage Register

Under Section 27 of the Ontario Heritage Act, the Town must maintain a register of all designated properties, but Council may also include on the register, properties that have not been designated but that Council believes to be of cultural heritage value or interest.

D4.2.2.2 Cultural Heritage Landscape Register

In accordance with the Ontario Heritage Act, the Town must also prepare an inventory of cultural heritage landscapes. Landscapes such as existing rural and agricultural areas, historic hamlets, and heritage roads will be identified in the inventory. A cultural heritage landscape is a defined geographical area of heritage significance that has been modified by human activities. Such an area is valued by a community and is of significance to the understanding of the history of a people or place.

The Town of Pelham also has a Heritage Master Plan, which was completed in August 2012. The Heritage Master Plan guides the Town's plans for finding, assessing, conserving and celebrating heritage resources. It encourages development that respects the heritage character of Pelham, recommends policies for inclusion in the Town's Official Plan and provides priorities and timelines for the Town's actions in heritage conservation.

D4.2.2.6 Heritage Routes

Council supports the development of Heritage Routes that weave through the Town's Rural Area, providing linkages for hiking, cycling, and car touring and highlighting cultural heritage resources. Selected Heritage Routes are to be identified in consultation with the Pelham Municipal Heritage Committee.

In support of developing the Heritage Routes, Council shall endeavour to:

- a) Prepare streetscape guidelines or standards to protect cultural heritage features and resources along heritage routes. The design guidelines will provide protection for existing trees and landscape features, and will ensure that the general heritage appeal and views are protected and enhanced;
- b) Coordinate clear and consistent signage along the Heritage Routes that may serve wayfinding and/or educational purposes;
- c) Cooperate with the Region, adjacent municipalities, and the Wine Council of Ontario to ensure Heritage Route signage is coordinated with any other local signage (e.g. for Wine Routes);
- d) Support the development of appropriate scenic lookouts and other complementary uses along Heritage Routes, provided that such uses:
 - i) Are small in scale;
 - ii) Are in keeping with, and complementary to the passive recreational character of the Route;
 - iii) Have no negative impacts on the surrounding public and/or private land uses;
 - iv) Have no negative impacts on the natural environment or on cultural heritage resources; and v) Will not require the extension of the municipal water supply or sanitary sewage services.
- e) Enhance cycling and driving conditions along the Heritage Route corridors where appropriate, including through the provision of bicycle lanes in accordance with the Niagara Region Bicycling Network. Wherever possible, linkages to other recreational driving routes and cycling/hiking trails in the Region should be achieved.

To support the tourism role of Heritage Routes, the Town will promote the Heritage Routes and request that the Niagara Economic and Tourism Corporation include the Pelham Heritage Routes in its promotional materials and activities.

Section B2 of the Official Plan addresses Rural Area Designations, section B2.2 Specialty Agricultural includes the identification of the Canboro Road Corridor as a special area in the Town of Pelham:

B2.2.7 The Canboro Road Corridor

The Canboro Road corridor is an important transportation linkage between Downtown Fenwick and Fonthill and is considered to be an area of significant potential for enhancement as a rural promenade characterized by public parks and spaces geared to pedestrians and cyclists, as well as the promotion of agricultural based tourism and accessory commercial uses. In an effort to encourage and foster land use that contributes to the identity of a promenade, the Zoning By-law may establish site-specific provisions for agricultural-related and secondary uses along this corridor. In addition, the Canboro Road corridor between Fenwick and Fonthill shall be defined

as a Community Improvement Plan study area should Council wish to use the provisions of a Community Improvement Plan to foster and enhance this area as a promenade and tourist destination.

2.3 East Fenwick Secondary Plan Context

The Town of Pelham Council has identified the development of a Secondary Plan for East Fenwick as a priority. The Secondary Plan will guide future growth and development in East Fenwick, including the greenfield area. The Secondary Plan will be adopted by Town Council and approved by the Region of Niagara.

The project goals are to develop a Secondary Plan for the East Fenwick urban area that will provide the framework:

- for permitting new development compatible with the character of Fenwick and consistent with Provincial, Regional and Local planning policies and legislation;
- to establish appropriate land use designations and policies that will support the future development of East Fenwick for an appropriate and compatible mix of uses, local services and community infrastructure;
- to identify existing transportation and infrastructure, i.e. water, sanitary and storm services, available in and around the study area and upgrades that may be required to the systems to support the Secondary Plan;
- to establish a system of public space areas and linkages with natural heritage areas;
- to provide for an implementation and phasing plan;
- to establish design guidelines for built form and public realm development that is consistent with the policy objectives of the Secondary Plan and the provision of well-designed attractive; and accessible public spaces that prioritize the pedestrian experience.

The study area includes that area within the urban area boundary of Fenwick that is bounded by Memorial Drive to the north, Balfour Street to the west, land on the south side of Welland Road to a depth of approximately 120m to the south and Cream Street to the east and comprises approximately 95 ha (235 acres). Canboro Road bisects the study area and is identified as an arterial road and Welland Road along the south boundary is considered to be a collector road with all the other streets being local roads.

The lands are designated Urban Living Area/Built Boundary with the majority of the area identified within the Greenfield Overlay and a portion of the area is designated Environmental Protection Three in the Town Official Plan. The Official Plan also identifies provincially significant wetlands, woodlands and deer wintering area within the study area. Also, the study area is included within an area designated as being part of a highly vulnerable aquifer. The Region of Niagara Official Plan also identifies a significant portion of the Secondary Plan area as a designated greenfield area with the remainder as built up along with environmental protection and environmental conservation areas relating to provincially significant wetlands and significant woodlands.

2.4 Data Collection

In the course of the cultural heritage assessment, all potentially affected cultural heritage resources within the study area are subject to inventory. Short form names are usually applied to each resource type, (e.g. barn, residence). Generally, when conducting a preliminary identification of cultural heritage resources,



three stages of research and data collection are undertaken to appropriately establish the potential for and existence of cultural heritage resources in a particular geographic area.

Background historic research, which includes consultation of primary and secondary source research and historic mapping, is undertaken to identify early settlement patterns and broad agents or themes of change in a study area. This stage in the data collection process enables the researcher to determine the presence of sensitive heritage areas that correspond to nineteenth and twentieth century settlement and development patterns. To augment data collected during this stage of the research process, federal, provincial, and municipal databases and/or agencies are consulted to obtain information about specific properties that have been previously identified and/or designated as retaining cultural heritage value. Typically, resources identified during these stages of the research process are reflective of particular architectural styles, associated with an important person, place, or event, and contribute to the contextual facets of a particular place, neighbourhood, or intersection.

A field review is then undertaken to confirm the location and condition of previously identified cultural heritage resources. The field review is also utilized to identify cultural heritage resources that have not been previously identified on federal, provincial, or municipal databases.

Several investigative criteria are utilized during the field review to appropriately identify new cultural heritage resources. These investigative criteria are derived from provincial guidelines, definitions, and past experience. A built structure or landscape is identified as a cultural heritage resource that should be considered during the course of the assessment, if the resource meets a combination of the following criteria:

- It is 40 years or older;
- It is a rare, unique, representative or early example of a style, type, expression, material or construction method;
- It displays a high degree of craftsmanship or artistic merit;
- It demonstrates a high degree of technical or scientific achievement;
- The site and/or structure retains original stylistic features and has not been irreversibly altered so as to destroy its integrity;
- It has a direct association with a theme, event, belief, person, activity, organization, or institution that is significant to: the Town of Pelham; the Province of Ontario; Canada; or the world heritage list;
- It yields, or had the potential to yield, information that contributes to an understanding of: the Town of Pelham; the Province of Ontario; Canada; or the world heritage list;
- It demonstrates or reflects the work or ideas of an architect, artist builder, designer, or theorist who is significant to: the Town of Pelham; the Province of Ontario; Canada; or the world heritage list;
- It is important in defining, maintaining, or supporting the character of an area;
- It is physically, functionally, visually, or historically linked to its surroundings;
- It is a landmark;
- It illustrates a significant phase in the development of the community or a major change or turning point in the community's history;
- The landscape contains a structure other than a building (fencing, culvert, public art, statue, etc.) that is associated with the history or daily life of that area or region; or
- There is evidence of previous historic and/or existing agricultural practices (e.g. terracing, deforestation, complex water canalization, apple orchards, vineyards, etc.).

If a resource satisfies an appropriate combination of these criteria, it will be identified as a cultural heritage resource and is subject to further research where appropriate and when feasible. Typically, further historical research and consultation is required to determine the specific significance of the identified cultural heritage resource. When identifying cultural heritage landscapes, the following categories are typically utilized for the purposes of the classification during the field review:

Farmscapes:	comprise two or more buildings, one of which must be a farmhouse or barn, and may include a tree-lined drive, tree windbreaks, fences, domestic gardens and small orchards.
Roadscapes:	generally two-lanes in width with absence of shoulders or narrow shoulders only, ditches, tree lines, bridges, culverts and other associated features.
Waterscapes:	waterway features that contribute to the overall character of the cultural heritage landscape, usually in relation to their influence on historic development and settlement patterns.
Railscapes:	active or inactive railway lines or railway rights of way and associated features.
Historical Settlements:	groupings of two or more structures with a commonly applied name.
Streetscapes:	generally consists of a paved road found in a more urban setting, and may include a series of houses that would have been built in the same time period.
Historical Agricultural Landscapes:	generally comprises a historically rooted settlement and farming pattern that reflects a recognizable arrangement of fields within a lot and may have associated agricultural outbuildings and structures
Cemeteries:	land used for the burial of human remains.

3.0 HISTORICAL CONTEXT

3.1 Introduction

This section provides a brief summary of historical research and a description of both previously identified above ground cultural heritage resources as well as cultural heritage resources that have been identified through fieldwork, which may be affected by the proposed undertaking. A review of available primary and secondary source material was undertaken to produce a contextual overview of the study area, including a general description of Euro-Canadian settlement and land use. Historically, the study area is located in the Former Township of Pelham, Welland County in the following lots:

- Lots 12 and 13, Concession 9-10

3.2 Natural Heritage, Geography and Physiography

East Fenwick is situated within the Haldimand Clay Plain physiographic region of southern Ontario (Chapman and Putnam 1984: 156–159). The Haldimand Clay Plain physiographic region, an area of approximately 3,500 square kilometres, comprises the majority of the Niagara Peninsula south of the Niagara Escarpment, the limestone bluffs of which channeled early settlement, especially in the Short Hills, along Twelve Mile Creek.

In the last Ice Age, the region was entirely submerged by glacial Lake Warren which now consists of predominantly glaciolacustrine clay overburden. The depth and even the presence of this clay overburden varies from place to place, and there are many relatively distinct sub-areas of the region. Predominant native vegetation at time of settlement included a mixed hardwood/coniferous climax forest of American Chestnut, White Pine, White and Red Oak, Beech, Sugar Maple, Black and White Ash (Cruikshank, 1887: 290). The study area is located between the watersheds of the Welland River to the south, and Fifteen Mile Creek to the north. The Fonthill Kame is recognized as a proglacial delta of the ancient Lake Warren. The Fonthill Kame influences the climate of Pelham by sheltering it from the winds from the southwest. This provides good growing conditions for fruit crops, including the vines that supply the local wine industry. It is also mined for sand and gravel. The best growing soil is in the area flanking Canboro Road between Fenwick and Fonthill, in the Fonthill Kame, which is optimal for fruit production.

The area is representative of a number of Carolinian species and is home to over 500 bog, valley, and meadow plant species. The habitat within the Kame is also well suited for a variety of animal species including the white-tailed deer, opossum, red fox, and meadow voles. It also serves as a feeding and sanctuary area for wood ducks, green-winged teals, mallard and black ducks, and great blue herons. The Fonthill Kame is also home to some rare and threatened species including the spotted salamander, red-backed salamander, pickerel frog, pileated woodpecker, and the spotted turtle. Also prevalent are rare plant species including ginseng, brook-beech fern, flowering dogwood, black walnut, swamp white oak, sassafras, tulip tree and the cucumber tree. (Niagara Greenbelt, 2016)

3.3 Indigenous Land Use

The lands with the East Fenwick study area have a cultural history which begins approximately 11,000 years ago and continues to the present. Although East Fenwick does not appear to have been occupied by aboriginal groups on any permanent basis, it has primarily been used by early Indigenous people as an important travel route, through which parties of Indigenous peoples passed during certain times of the year. The land did not offer sufficient resources to support year-round occupation. Based on an inventory of documented archaeological sites, it appears that the extensive clay plains of the mid-peninsular area may have prevented Iroquoian peoples from establishing villages in this area (BRAY Heritage 2011). The majority of archaeological material from the pre-contact period represents the remains of small camps occupied for short periods of time as people moved throughout their territories on a seasonal basis. Oral narratives identify Canboro Road as an old Indigenous trail, along with Lundy's Lane (to the east) and the Talbot Road (to the west), which both connect with the Canboro Road (Brehault 1968: 14). A few small component sites may represent the traces of parties travelling between the major clusters of large Neutral settlements in the Hamilton-Brantford-Grimsby area to the west and the Fort Erie-Port Colborne area to the east (BRAY Heritage 2011).

3.4 Township Survey and Settlement

3.4.1 *County of Welland*

From 1841 to 1851 the entire Niagara Peninsula comprised a single county municipality, administered by a District Council whose headquarters were located at Niagara-on-the-Lake. During that time Welland County was part of Lincoln County, one of the nineteen counties created by Upper Canada's first Lieutenant-Governor, John Graves Simcoe, in 1792. (Mika and Mika 1977)

In 1851 the southern section of the district broke away to be governed by a provisional council under Warden John Fraser. The town of Welland, then known as Merrittsville, was chosen as the county seat in 1854, and here the first Welland County Council met at the new county buildings on August 18, 1856. (Mika and Mika 1977)

Welland County's early settlers were United Empire Loyalists who came to the area during and after the American Revolutionary War. Many of them were disbanded soldiers of "Butler's" Rangers, a corps of Loyalist refugees raised by Lt. Col. John Butler and led by him in numerous forays from the Niagara Peninsula into rebel territory. The building of the first Welland Canal in the 1820's stimulated the growth of settlements in the area. (Mika and Mika 1977)

3.4.2 *Township of Pelham*

Located centrally within the Niagara Peninsula, the Town of Pelham was, until January 1, 1970, the Township of Pelham. At that time its main centres of population were Fonthill, Ridgeville, Fenwick, and North Pelham. The Welland River forms the southern boundary of the town and Highway 20 cuts laterally across the area. The Toronto, Hamilton and Buffalo Railway runs across the southern portion of the town. (Mika and Mika 1977)

Settlement of the region began about 1784, the earliest inhabitants including David Secord, George Hansler, Jacob Reece, John Wenger, Samuel Beckett-Willson, John Crowe, A. Overholt, T. Page and T. Rice, as well as settlers Disher, Wilson, Miller, Nunn, Jennings, Foss and Oille. Many of these were Quakers from Pennsylvania and other parts of the United States. (Mika and Mika 1977)

Fonthill was originally known as Riceville, then Osborne's Corners, and Temperanceville, before receiving the name Fonthill in 1850. A post office was established in 1841 under the name of Pelham. John Price was first postmaster. A Baptist church was built in 1846, and the Fonthill Grammar School in 1856. Industries at Fonthill included the Fonthill Nurseries, established in 1837. The area continues to be an important area for fruit crops today. (Mika and Mika 1977)

By 1886 The Township of Pelham contained two woollen mills, three post offices, seven churches, ten public schools, and at least one nursery. Railway travel came to Pelham in 1853 when a Great Western Railway train made its first journey from Hamilton to Queenston. On January 1, 1970 Pelham Township became the Town of Pelham. The region's rich soil and temperate climate support the growth of fruit and other cash crops. (Mika and Mika 1977)

3.4.3 Village of Fenwick

Situated on the historic Canboro Road, Fenwick was originally a police village in Pelham Township, Welland County. In 1970 Lincoln and Welland Counties were amalgamated to form the Regional Municipality of Niagara, and Fenwick was joined to the Village of Fonthill and the Township of Pelham and became a part of the newly created Town of Pelham. The town is situated in a rich market gardening and fruit-producing area. Prior to annexation, the population of Fenwick was 737. (Mika and Mika 1977)

Fenwick was first settled in the early 1790s, when it was known as Diffin's Corners. In 1853 a post office opened in the settlement and the name officially changed to Fenwick, likely in honour of a British nobleman. Sometime in the 1860s the settlement was incorporated as a police village. (Mika and Mika 1977)

Many of the original settlers in the area were United Empire Loyalists and Quakers who had emigrated from Pennsylvania and New Jersey. The early churches of Fenwick included the Episcopalian Methodist and the New Connexion Methodist. In 1977 there were three churches in Fenwick, the United Church, whose history began in 1835, with the present building erected in 1900, the Church of Christ, and St. Ann's Roman Catholic Church. In 1955 the Polish congregation built the latter church and services were conducted in Polish. (Mika and Mika 1977)

Fenwick had two hotels, the usual small businesses necessary to serve a pioneering community, and later, an Oddfellow's Hall, and the Lion's Club, which, in more recent times officially opened Centennial Park. Memorial School was named for the much respected Ed. Farr, an early school teacher. The Fenwick Fall Fair, under the auspices of the Pelham Township Agricultural Society, was held in Fenwick in the middle 1850s. Excursion trains brought people from Fort Erie, Hamilton and Toronto. Early industries in Fenwick included an apple-drying factory, a spinning mill, a sawmill, a cooperage and several blacksmith shops (Mika and Mika 1977).

3.4.4 Canboro Road Corridor

The Canboro Road, (sometimes “Canborough”, or the “Great West Road”), was the route along which the first settlements in Pelham were established, which initially centered around coach stops/inns, but also around early institutions. Historic mapping suggests that the Canboro Road was not actually surveyed and improved as a road until the 1840s (Cruikshank 1887: 293). Oral narratives identify Canboro Road as an old Indigenous trail, along with Lundy’s Lane (to the east) and the Talbot Road (to the west), which both connect with the Canboro Road (Brehault 1968: 14). The best growing soil is in Pelham flanking Canboro Road between Fenwick and Fonthill, within the Fonthill Kame, and is optimal for fruit production. Canboro Road runs diagonally through the historically surveyed roads that together form the historic road network which together formed the early infrastructure of Fenwick, and connected the area regionally. Additional historic corridors within the study area include Memorial Drive and Welland Road.

The Canboro Road Corridor has been identified as an important historic scenic route and grouping of heritage resources in the Town of Pelham Heritage Master Plan (BRAY Heritage 2012). Character defining elements include its diagonal alignment cutting across the concession grid, the component communities, including Fenwick, the cemeteries and community buildings along the road and the mature roadside vegetation. The Canboro Road Corridor benefits from slow traffic speeds and low-medium volumes of vehicular traffic. The large roadside trees and adjacent buildings provide the elements of a scenic drive and set it apart from roads that serve as traffic arteries (BRAY Heritage 2012).

3.5 Review of Historic Mapping

A number of property owners and historical features are illustrated within the study area within the 1862 *Tremaine Map of the Counties of Lincoln and Welland* and the 1880 *Illustrated Historical Atlas of the Township of Pelham*. It should be noted, however, that not all features of interest were mapped systematically in the Ontario series of historical atlases, given that they were financed by subscription, and subscribers were given preference with regard to the level of detail provided on the maps. Moreover, not every feature of interest would have been within the scope of the atlases. Table 1 provides a summary of early land owners and tenants, as well as identified historical features.

Historic mapping within the 1862 *Tremaine Map of the Counties of Lincoln and Welland* (Figure 2) confirmed that the study area was a rural, agricultural landscape in the mid-nineteenth century. In addition, historic map analysis demonstrates that Memorial Drive, Balfour Street, Welland Road, Cream Street and Canboro Road were surveyed prior to 1859. The maps reviewed record the names of owners/occupants of properties within the study area, as well as the location and arrangement of residences, farmhouses, churches, schools and other key resources. The map depicts the location of the historic settlement area of Fenwick, to the west of the study area, including the Fenwick Post Office.

By 1880, the *Illustrated Historical Atlas of the Township of Pelham* (Figure 3) indicates that several properties have changed hands, and have been severed, however, the area is still a predominantly rural agricultural area. Farmsteads with farmhouses and orchards exist on many properties, and a church exists at the intersection Canboro Road and Belfour Street. The map depicts the course of a tributary of the Welland River. The historic settlement area of Fenwick, to the west, has experienced some growth at the intersection of Canboro Road and Welland Road.

National Topographic Survey (NTS) mapping from 1907, 1920, and 1938 as well as aerial photography from 1954 illustrates the development of the study area over the course of the early twentieth century. Generally, this mapping demonstrates a period of steady but limited growth of the historic settlement area of Fenwick east along Canboro Road. The area largely retains its rural agricultural character to the current day. Alder Crescent and Sunset Crescent are both later developments, occurring after 1954 but before 2007.

In the National Topographic Survey (NTS) mapping from 1907 (Figure 4), light development of farmhouses and residences exists along Canboro Road, Cream Street, and to a lesser extent Welland Road and Memorial Drive. The historic settlement of Fenwick has grown along Canboro Road and north to Maple Street. This level of development stays consistent in the 1920 National Topographic Survey (NTS) mapping. The 1920 mapping indicates that (Figure 5) the area retains its rural agricultural character, very little changes in the study area.

In the National Topographic Survey (NTS) mapping from 1938 (Figure 6), the area retains its rural agricultural character. However, the historic settlement of Fenwick, along Canboro Road, has experienced steady but significant growth, increasing in density until Belfour Road, which was the traditional urban boundary of Fenwick. Additional residential development has also occurred along Cream Street and Welland Road.

In the Digital Aerial Photograph of Southern Ontario from 1954 (Figure 7), the area retains its rural agricultural character. Very little development has occurred beyond the historic agricultural and rural hamlet historic settlement patterns of Fenwick.

Table 1: Nineteenth-century Property Owners and Historical Features in the Study Area

Location		Tremaine	Illustrated Atlas
Con	Lot	Owner(s)/Tenant(s)	Historical Feature(s)
9	12	T.C. J.D. J. Fell J. Wellson J. Crow	Buildings (1) (Along Canboro Road) E.S. W.M. Mrs. B J.S. A.B. B.F.
	13	E.Mch. R. Farr G.W. Wulers J. Hicks	Buildings (1) D.F.S. R.F. R. Farr C. Reece Geo. Cplar T.H.
10	12	U. Rice J. Fliey G. Castle	Buildings (3) T. Scanton
	13	Geo. Waters	n/a D. Leppert

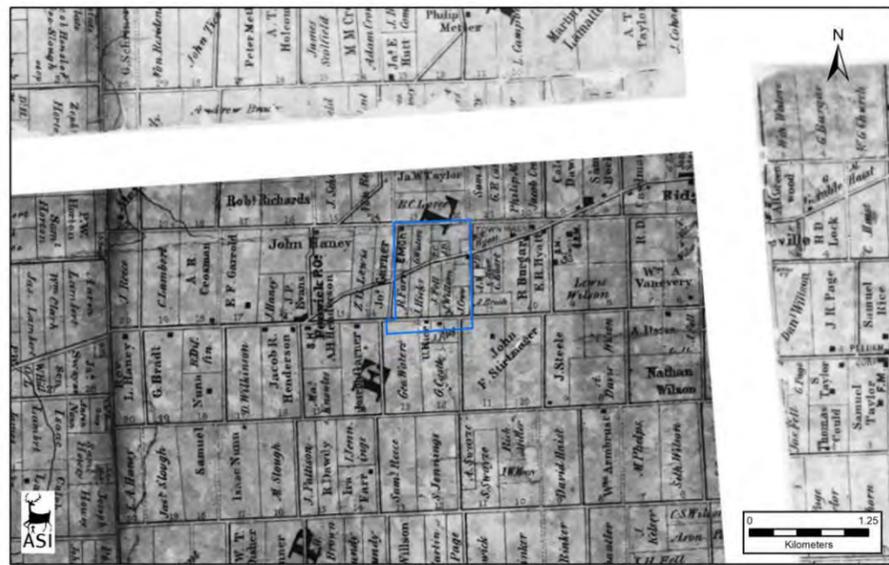


Figure 2: 1862 Tremaine's Map of the Counties of Lincoln and Welland
 (Source: Tremaine 1862)

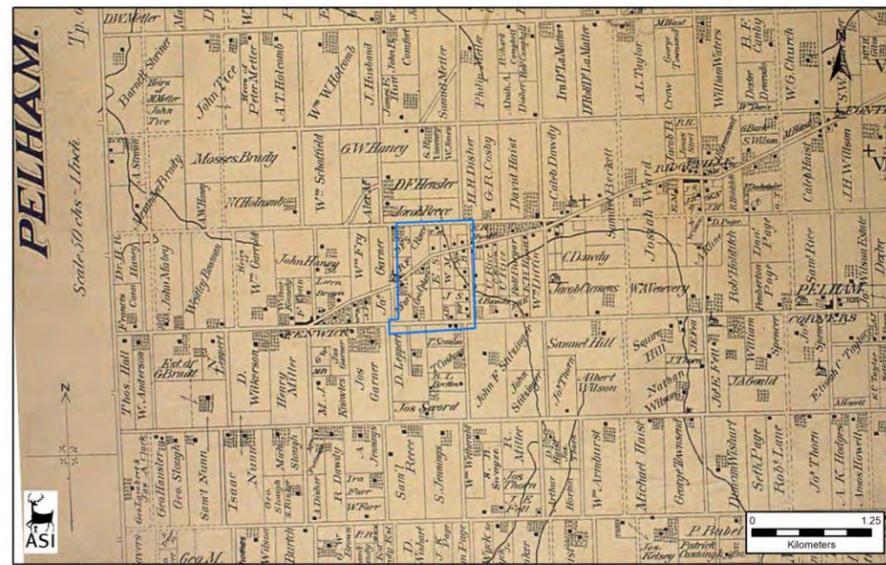


Figure 3: 1880 *Historic Atlas Map of Pelham Township*
 (Source: Pope 1880)



Figure 4: 1907 National Topographic Survey (NTS)
 (Source: NTS 1907)

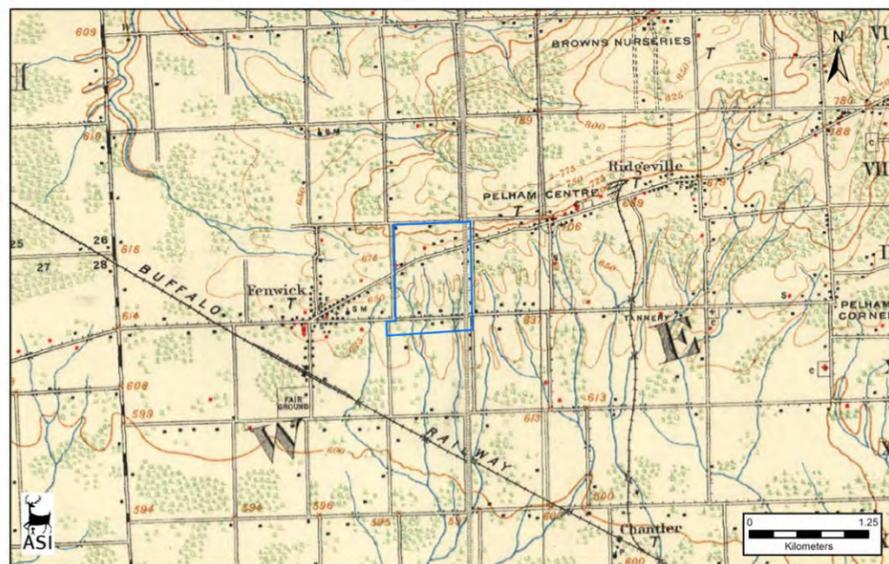


Figure 5: 1920 National Topographic Survey (NTS)
 (Source: NTS 1920)

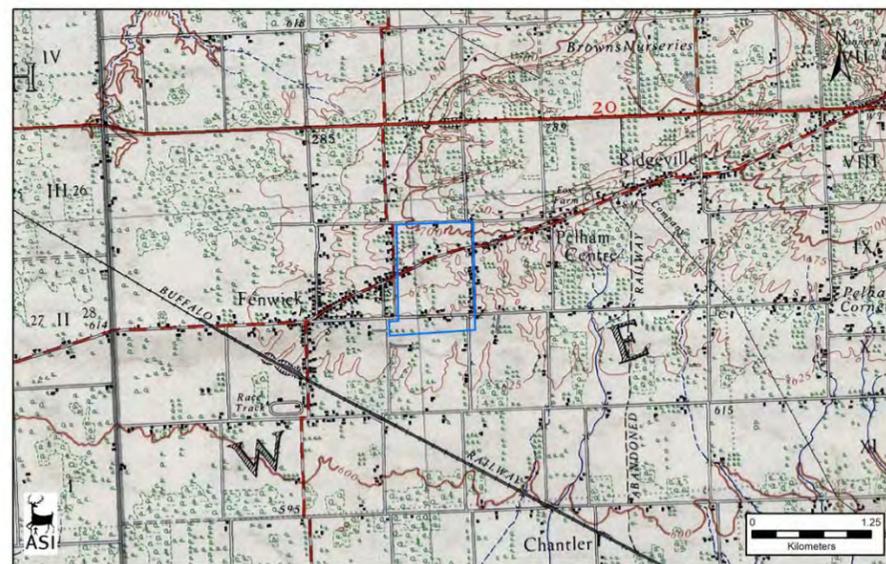


Figure 6: 1938 National Topographic Survey (NTS)
 (Source: NTS 1938)



Figure 7: 1954 Aerial Photograph
 (Source: Hunting Survey Corporation 1954)

4.0 DATA COLLECTION RESULTS

In order to make a preliminary identification of existing built heritage resources and cultural heritage landscapes within the study area and to collect any relevant information, the Town of Pelham's Municipal Register of Cultural Heritage Resources was consulted, including:

- Town of Pelham Municipal Register of Cultural Heritage Resources (2016)
- Niagara Region GIS Navigator, Heritage Designation layer (2016) (<https://maps-beta.niagararegion.ca/Navigator/>)
- Pelham Historical Society Collection and Archives, at the Fenwick Branch of the Pelham Public Library, in consultation with the Society Archivist, Mary Lamb, including the Pnyx Historical Calendar Collection (<http://vitacollections.ca/pelhamlocalhistory/results?q=pnx&st=kw>)

Other resources consulted for the preliminary identification of cultural heritage resources within the study area included:

- The Ontario Heritage Trust's Ontario Heritage Plaque Guide, an online, searchable database of Ontario Heritage Plaques¹
- the Federal Heritage Buildings Review Office (FHBRO) [these properties are recognized under the Treasury Board Policy on the Management of Real Property (TBPMRP)]²
- Park's Canada's *Canada's Historic Places* website: available online³, the searchable register provides information on historic places recognized for their heritage value at the local, provincial, territorial and national levels.
- Parks Canada website (national historic sites)⁴

In addition, municipal staff at the Town of Pelham was contacted to gather any relevant information regarding cultural heritage resources and concerns within the study area (by email communication, May 24th 2017).

A field review was undertaken by ASI on July 5, 2017 to document the existing conditions of the study area. The field review was preceded by a review of available, current, and historical aerial photographs and maps (including online sources such as Bing and Google maps). The existing conditions of the study area are described below. Identified cultural heritage resources are discussed in Table 2 and Table 3 and mapped in Figure 12 of this report.

4.1 East Fenwick Secondary Plan – Existing Conditions

The study area includes that area within the urban area boundary of Fenwick that is bounded by Memorial Drive to the north, Balfour Street to the west, land on the south side of Welland Road to a depth of approximately 120m to the south and Cream Street to the east and comprises approximately 95 ha (235 acres). Canboro Road bisects the study area and is identified as an arterial road and Welland Road along the south boundary is considered to be a collector road with all the other streets being local roads. As a

¹ <http://www.heritagetrust.on.ca/Resources-and-Learning/Online-Plaque-Guide.aspx> [Accessed 24 October 2016]

² <http://www.pc.gc.ca/progs/beefp-fhbro/roles/beefp-fhbro.aspx> [Accessed 24 October 2016]

³ <http://www.historicplaces.ca/en/home-accueil.aspx> (accessed 24 October 2016).

⁴ <http://www.pc.gc.ca/eng/progs/lhn-nhs/index.aspx> [Accessed 24 October 2016]

part of the East Fenwick Secondary Plan, new zoning and land-use designations will be proposed for the area. The area is historically predominantly rural agricultural, and this agricultural character is still reflected in the existing conditions.

4.1.1 Character Areas

Prior to the identification of potentially significant cultural heritage landscapes, lands within the study area were classified into character areas in order to understand the predominant character and development patterns of the landscapes and streetscapes of East Fenwick (See Figure 8 in Appendix A). Identification of a character area does not necessarily indicate or confirm the presence of significant built heritage resources or cultural heritage landscapes.

Character areas share a consistent pattern of:

- Built form, such as architectural style, building height, building age, or setback;
- Streetscape features, road width, paving type, shoulders, ditches, sidewalks, streetlights;
- Landscape features, such as lot size, vegetation, topography, tree species, tree lines;
- And/or development pattern or history.

Seven distinct character areas have been identified:

- Traditional Agricultural Character Area
- Single Family Residential Infill Character Area
- Sunset Drive Development Character Area
- Alder Crescent Character Area
- Canboro Road Character Area
- Canboro Road Historic Scenic Road
- Memorial Drive Historic Scenic Road

Traditional Agricultural Character Area

This area includes properties in the interior of the study area, including the majority of properties to the north of Welland Road, as well as select properties to the north of Canboro Road, and to the south of Memorial Drive. These lands have traditionally been used as agricultural fields, or have been associated with former farms or early agricultural development, and currently retain this use or evidence of this use. The character attributes of this area include open, rolling and hilly terrain, the Fonthill Kame, agricultural fields, treelines, historic fence lines, black walnut trees and wild grapes. This area includes lands identified as being a part of the Canboro Road Provincially Significant Wetland. Part of the properties identified as BHR 2, BHR 8 and BHR 21 are located within this character area. This area has not been identified as a cultural heritage landscape (CHL).

Single Family Residential Infill Character Area

This area includes Cream Street and Welland Road as well as properties immediately adjacent to Cream Street, Memorial Drive and the south side of Welland Road. These lands have been developed gradually over time, and include primarily single family residences built between the nineteenth century and the present, with the majority of the buildings being built after 1964. They maintain a consistent, but varied setback, including front yards and driveways. These homes are typically 1-3 storeys, and include a variety

of architectural styles, consistent with the development pattern of gradual infill. Almost all of the residences face the street. Cream Street, Memorial Drive, and to a lesser extent, Welland Road, maintain a more rural streetscape, including little or no shoulder, few ditches, no sidewalks, no curbs, and relatively slow, low traffic levels. Properties along Memorial Drive and Cream Street which are located adjacent to or within the Canboro Road Provincially Significant Wetland incorporate the natural landscape and features. The properties identified as BHRs 4, 5, 14, 15, 16, 18, 19 and 20 are located within this character area. This area has not been identified as a cultural heritage landscape (CHL).

Sunset Drive Development Character Area

This area includes Sunset Drive, as well as property immediately adjacent to Sunset Drive. Sunset drive was surveyed as a road circa 1960, and the agricultural lands on either site were subdivided and sold as individual lots for residential development. The majority of the residences within the study area were built between 1960 and 1980, and consist of architectural styles typical of this era. Homes are typically 1-2 stories, with large lot sizes, varied setbacks, mature trees and vegetation, driveways and front yards. Sunset Drive is a narrow road with no painted lines, shoulder, sidewalks, or ditches, with street lights and above ground power lines. Sunset drive connects Canboro Road and Memorial Drive, however, it is not a straight road, but curves gradually, back and forth. No BHRs have been identified within this character area. This area has not been identified as a cultural heritage landscape (CHL).

Alder Crescent Character Area

This area includes Adler Crescent, as well as well as property immediately adjacent to Adler Crescent. Adler Crescent is a recent contemporary sub division, built circa 2000, consisting of a crescent shaped roadway, large estate lots, and very large 1-4 storey single family residences. No BHRs have been identified within this character area. This area has not been identified as a cultural heritage landscape (CHL).

Canboro Road Character Area

This area includes properties immediately adjacent to Canboro Road. Canboro Road is a former Indigenous trail, which was used extensively for early travel and settlement. A clear pattern of development appears in topographic and air photos, growing out of Fenwick along Canboro Road, towards the former historic settlement area of Pelham Centre. These lands were developed gradually over time, and include primarily single family residences built between the nineteenth century and the present, with the majority of the buildings being built before 1973. They maintain a consistent, but varied setback, including front yards and driveways. These homes are typically 1-3 storeys, and include a variety of architectural styles, consistent with the development pattern of gradual infill. All of the residences face the street. A collection of properties identified as built heritage resources have been identified within this character area, including BHRs 1, 2, and 6-13 are located within this character area. This area has not been identified as a cultural heritage landscape (CHL), although it is located directly adjacent to the Canboro Road Historic Scenic Road (CHL 2). Built heritage resources along Canboro Road contribute to the heritage character of CHL 2.

Canboro Road Historic Scenic Road

This area includes the Canboro Road corridor and runs diagonally through the centre of East Fenwick. Canboro Road is a former Indigenous trail, which was used extensively for early travel and settlement. The Canboro Road Corridor has been identified as an important historic scenic route and grouping of heritage resources in the Town of Pelham Heritage Master Plan (2012). Character attributes include its

diagonal alignment cutting across the concession grid, its connection to component communities, including Fenwick and Pelham Centre, the historic rural character of the street, including little or no shoulder, few ditches, few sidewalks, no curbs, and relatively slow, low traffic levels, and the mature roadside vegetation. Canboro Road benefits from slow traffic speeds and low-medium volumes of vehicular traffic. The large roadside trees and adjacent buildings provide the elements of a scenic drive and set it apart from roads that serve as traffic arteries. A collection of properties identified as built heritage resources have been identified adjacent to this character area, including BHRs 1, 2, and 6-13 are located within this character area. This area has been identified as a cultural heritage landscape (CHL 1) and retains cultural heritage value.

Memorial Drive Historic Scenic Road

This area includes the Memorial Drive corridor, a historically surveyed road. The area consists of a straight, undivided paved road with an east-west orientation. The topography is fairly flat with some gently rolling hills. The historic rural character of the street includes little or no shoulder, few ditches, no sidewalks, no curbs, and relatively slow, low traffic levels, and the mature roadside vegetation. The roadway is lined with hydro poles and mature trees. Memorial Drive is located adjacent to the Canboro Road Provincially Significant Wetland, and this is reflected in the natural landscape and mature vegetation adjacent to the road. Memorial Drive benefits from slow traffic speeds and low-medium volumes of vehicular traffic. This creates an environment that facilitates pedestrian and cycling activity, which contributes to the character of the area. Memorial drive also acts as the transition road between the urban boundary and the rural areas to the north. A gradual, and cohesive transition currently exists between these two areas. No BHRs have been identified within or adjacent to this character area. This area has been identified as a cultural heritage landscape (CHL 1) and retains cultural heritage value.

4.1.2 Summary of Public Consultation Results

On June 21, 2017, SGL associates, led by Ute Maya-Giambattista, conducted a presentation and workshop to the St. Ann Catholic Elementary School regarding the East Fenwick Secondary Plan. The aim of the workshop was to obtain student input regarding the key features that make Fenwick a great community and the desired development features for Fenwick's growth. The students identified preserving the community's greenspaces, wildlife and trail-system, maintaining the community's small-town and agricultural feel, creating safe sidewalks and bike paths and creating more parks for the community as important.

On June 22, 2017, Town staff members and the consulting team assembled at the Village of Fenwick's Fire Station 2 to conduct a Visioning Workshop regarding the East Fenwick Secondary Plan. The workshop aimed to obtain public input regarding the type of development most appropriate for the Village, and the types of community features most desired by the residents. In general, members of the public were concerned with the implications of the Secondary Plan with regards to development in the community, including concern for environmental preservation of trees, wildlife, the need for maintaining Fenwick's small-town feel and the impacts of projected traffic counts based on Provincial minimum density requirements, and forecasted population growth as a result of development in the Secondary Plan study area.

The results of these public consultation sessions were considered as part of the cultural heritage analysis presented in this report, and through identification of the pedestrian-friendly historic rural routes, historic settlement patterns, and the contribution of natural heritage to the development and character of East Fenwick.

4.2 East Fenwick Secondary Plan – Identified Cultural Heritage Resources

Based on the results of the background research, character area analysis, and field review, there are 23 cultural heritage resources within and adjacent to the study area, including: two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties. See Table 2 for a summary of built heritage resources and cultural heritage landscapes and Table 4 in Appendix B for a detailed description of these identified resources. See Figure 9 in Appendix B for detailed mapping. Built heritage resources are mapped to the property parcel, however, further analysis is required to determine the boundaries of each resource’s significant heritage attributes.

Table 2: Summary of Built Heritage Resources (BHR) and Cultural Heritage Landscapes (CHL) in the Study Area

Feature ID	Location	Recognition	Description/Comments
CHL 1	Memorial Drive, between Balfour Street and Cream Street	Identified during field review	Approximately 815 m long portion of a straight, undivided paved road with an east-west orientation. Located in a transition area between urban and rural boundaries. Lined with mature trees and hydro poles, the character of the adjacent landscape ranges from residential houses, to farm fields, to brush and woodland.
CHL 2	Canboro Road, between Balfour Street and Cream Street	Identified in the Pelham Heritage Master Plan, and in section B2.2.7 of the Official Plan.	Approximately 860 m long portion of a two-lane paved road with a diagonal orientation running southwest to northeast. The road cuts through a rural agricultural area. Lined with mature trees and hydro poles, the majority of this road section is flanked by residential houses, but there are also fields and stretches of open green space.
BHR 1	695 Canboro Rd.	Listed	2.5-storey red brick church building built in 1886. Converted into apartments in the mid twentieth century.
BHR 2	655 Canboro Rd.	Listed	Two-storey, red brick Gothic Revival-style residential building built in 18712. A garage is located to the west of the house.
BHR 3	704 Canboro Rd.	Listed	Two-storey red brick Edwardian-style school building built in 1927 with large mid-century brick additions. Converted into apartments in the 1970s. Property contains a large parking lot.
BHR 4	1159 Cream St.	Listed	Two-storey Folk Victorian-style frame residential building clad in siding, built in 1870 as the home of John Crow.
BHR 5	606 Canboro Rd.	Identified during field review	1.5-storey L-shaped stucco residential cottage with a side addition.
BHR 6	607 Canboro Rd.	Identified during field review	1.5-storey frame residential building with board and batten siding. Original rectangular house has an addition similar in size and materials.
BHR 7	615 Canboro Rd.	Identified during field review	One-storey frame residential cottage clad in board and batten siding with a rear addition. A garage is located east of the house.
BHR 8	645 Canboro Rd.	Identified during field review	Two-storey frame residential building clad in siding. The property contains outbuildings and farm fields.
BHR 9	668 Canboro Rd.	Identified during field review	1.5-storey frame residential building clad in vinyl siding. An outbuilding is located behind the house.
BHR 10	675 Canboro Rd.	Identified during field review	1.5-storey frame residential building clad in aluminum siding with a rear addition. Outbuildings are located behind the house.

Table 2: Summary of Built Heritage Resources (BHR) and Cultural Heritage Landscapes (CHL) in the Study Area

Feature ID	Location	Recognition	Description/Comments
BHR 11	687 Canboro Rd.	Identified during field review	Two-storey frame residential building clad in vinyl siding. A garage has been added to the west side of the house.
BHR 12	688 Canboro Rd.	Identified during field review	Two-storey frame residential building clad in siding. A garage is located to the east of the house.
BHR 13	691 Canboro Rd.	Identified during field review	1.5-storey frame residential building clad in vinyl siding, with a rear addition. A large barn is located east of the house.
BHR 14	1108 Cream St.	Identified during field review	1.5-storey frame residential cottage built c. 1879. Clad in siding, with a large single storey addition on the south side.
BHR 15	1118 Cream St.	Identified during field review	1.5-storey Victorian frame residential building clad in siding.
BHR 16	1128 Cream St.	Identified during field review	1.5-storey frame residential building clad in siding.
BHR 17	1162 Cream St.	Identified during field review	1.5-storey frame residential building clad in siding with a brick-clad addition on the north side
BHR 18	578 Welland Rd.	Identified during field review	2-storey frame residential building clad in siding. A garage is located to the east of the house.
BHR 19	630 Welland Rd.	Identified during field review	1.5-storey frame residential building clad in siding, with a single-storey extension on the west side. A garage is located to the east of the house.
BHR 20	646 Welland Rd.	Identified during field review	1.5-storey frame residential building clad in vinyl siding, with a large addition at the rear.
BHR 21	663 Welland Rd.	Identified during field review	One-storey, frame residential building clad in vinyl siding. A garage is located northeast of the house.

4.3 East Fenwick Secondary Plan – Preliminary Impact Analysis

Development activities have the potential to affect cultural heritage resources in a variety of ways, and as such, appropriate mitigation measures need to be considered prior to the development of preferred land uses. Appropriate mitigation measures will be developed upon the selection of a preferred alternative for the subject secondary plan, including land uses, development, road and pedestrian realm improvements, and other recommendations resulting from the secondary plan process. A preliminary heritage impact analysis has been included below in Table 3 to inform the secondary plan process.

Table 3: Potential Impacts of Secondary Plan Land Uses on Identified CHLs and BHRs

Feature ID	Description	Potential Impact	Mitigation Approaches
CHL 1	Memorial Drive CHL	<ul style="list-style-type: none"> • Alteration or removal of heritage attributes due to: <ul style="list-style-type: none"> ○ Road widening ○ Loss of mature vegetation ○ Increased traffic volumes ○ Pedestrian realm improvements ○ Road improvements ○ Incompatible development adjacent to resource ○ Loss of gradual transition from urban boundary to rural area 	<ul style="list-style-type: none"> • Study for recognition of Memorial Drive as a Heritage Route under D4.2.2.6 of the OP is recommended. • Consideration of alternative road and pedestrian realm improvement approaches to conserve and enhance the corridor. • Consideration of alternative development and land use approaches that conserve and enhance the landscape and built form character of adjacent properties, and encourage a gradual transition from the urban boundary to the rural areas to the north. • Heritage impact analysis of proposed land use plan, once a preferred alternative has been developed, with the development of

Table 3: Potential Impacts of Secondary Plan Land Uses on Identified CHLs and BHRs			
Feature ID	Description	Potential Impact	Mitigation Approaches
CHL 2	Canboro Road CHL	<ul style="list-style-type: none"> Alteration or removal of heritage attributes due to: <ul style="list-style-type: none"> Road widening Loss of mature vegetation Increased traffic volumes Pedestrian realm improvements Road improvements Incompatible development adjacent to resource 	specific mitigation measures. <ul style="list-style-type: none"> Study for designation or recognition of the Canboro Road Corridor as a Cultural Heritage Landscape, through Part V of the OHA or through an OPA is recommended. Consideration of alternative road and pedestrian realm improvement approaches to conserve and enhance the corridor. Consideration of alternative development and land use approaches that conserve and enhance the landscape and built form character of adjacent properties. Heritage impact analysis of proposed land use plan, once a preferred alternative has been developed, with the development of specific mitigation measures.
BHR 2, 8, 16 and 20	655 Canboro Rd., 645 Canboro Rd., 1128 Cream St., and 646 Welland Rd.	<ul style="list-style-type: none"> Alteration or demolition of property, related to future development and road widening and improvements and/or pedestrian realm improvements 	<ul style="list-style-type: none"> Properties contain heritage features that are good candidates for conservation. Based on a review of the East Fenwick Secondary Plan Area Conceptual Tertiary Plan, prepared by Upper Canada Consultants in 2010, and consideration of properties then shown to be owned by a developer's group, it is expected that these properties may be subject to impacts. Heritage Impact Assessments should be completed for the subject properties, to confirm the cultural heritage value of the property, and assess the impacts of the proposed work. Heritage impact analysis of proposed land use plan should be completed once a preferred alternative has been developed, with the development of specific mitigation measures.
BHRs 1, 5-7, 9-15, 17-19, and 21	Built Heritage Resources	<ul style="list-style-type: none"> Alteration of properties, related to road widening and improvements and/or pedestrian realm improvements 	<ul style="list-style-type: none"> Properties contain heritage features that may, upon further investigation, warrant conservation. Based on a review of the East Fenwick Secondary Plan Area Conceptual Tertiary Plan, prepared by Upper Canada Consultants in 2010, and consideration of properties then shown to be owned by a developer's group, impacts to the subject properties are not anticipated by proposed land use changes. Heritage impact analysis of proposed land use plan should be completed once a preferred alternative has been developed, with the development of specific mitigation measures. Should future development propose alteration or demolition of the identified resources, a Heritage Impact Assessment should be completed, to confirm the cultural heritage value of the property, and assess the impacts of the proposed work.
BHR 3	704 Canboro Rd	<ul style="list-style-type: none"> Outside of study area, no anticipated impacts 	<ul style="list-style-type: none"> No further work required for the Secondary Plan.

Feature ID	Description	Potential Impact	Mitigation Approaches
			<ul style="list-style-type: none"> Should future development propose alteration or demolition of the identified resource, a Heritage Impact Assessment should be completed, to confirm the cultural heritage value of the property, and assess the impacts of the proposed work.
BHR 4	1159 Cream St.	<ul style="list-style-type: none"> Alteration to property related to road widening and improvements and/or pedestrian realm improvements 	<ul style="list-style-type: none"> Recognition through Part IV designation under Ontario Heritage Act is recommended. Should future development propose alteration or demolition of the identified resource, a Heritage Impact Assessment should be completed, to confirm the cultural heritage value of the property, and assess the impacts of the proposed work.

5.0 CONCLUSIONS

The results of the background historical research and a review of secondary source material, including historical mapping revealed a study area with a rural land use history dating back to the early nineteenth century. The field review and character area analysis confirmed that this area retains a number of nineteenth- and twentieth-century cultural heritage resources. The following provides a summary of the assessment results:

Key Findings

- A total of 23 cultural heritage resources were identified within and/or adjacent to the East Fenwick Secondary Plan study area;
- These resources include two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties.
- Identified cultural heritage resources are historically, architecturally, and contextually significant rural and agricultural properties and landscapes, which have emerged from their physiographic and natural heritage contextual setting, and contribute to consistent land use patterns within the East Fenwick Secondary Plan study area.

Preliminary Impact Assessment

All 23 cultural heritage resources identified within the study area were assessed for potential impacts, and the following provides a summary of impact screening results:

- BHR 3 is located outside of the study area, and no impacts are anticipated, accordingly, no further work for this property is required for this property as a part of the East Fenwick Secondary Plan.
- BHR 4 is located outside of the study area, but may be altered as a result of road widening and/or improvements and/or pedestrian realm improvements. Designation under Part IV of the Ontario Heritage Act is recommended for this property. The heritage impact of the proposed land use plan, resulting from the secondary plan process, should be assessed once a preferred alternative

has been developed, including the development of specific mitigation measures. A Heritage Impact Assessment should be completed should any additional alterations or demolition be proposed for the property.

- BHRs 2, 8, 16 and 20 contain heritage features that are good candidates for conservation. Based on a review of the East Fenwick Secondary Plan Area Conceptual Tertiary Plan, prepared by Upper Canada Consultants in 2010, and consideration of properties then shown to be owned by a developer's group, it is expected that these properties may be subject to impacts, through alteration or possible demolition, as a result of future development or land use changes, road widening and/or improvements and/or pedestrian realm improvements. A Heritage Impact Assessment should be completed for the subject properties. The heritage impact of the proposed land use plan resulting from the secondary plan process should be completed, once a preferred alternative has been developed, with the development of specific mitigation measures.
- BHRs 1, 5-7, 9-15, 17-19, and 21 may be altered as a result of road widening and/or improvements and/or pedestrian realm improvements. The heritage impact of the proposed land use plan resulting from the secondary plan process should be assessed, once a preferred alternative has been developed, including the development of specific mitigation measures. A Heritage Impact Assessment should be completed to confirm the cultural heritage value of these properties should any additional alterations or demolition be proposed for the property.
- CHL 2 is important historic rural route and former Indigenous trail, which has been previously identified in the Pelham Heritage Master Plan, and in Section B2.2.7 of the Official Plan. CHL 2 maintains a strong connection to the historic settlement patterns of East Fenwick and to the built heritage resources found along the road. CHL 2 is recommended to be studied for designation or recognition as a Cultural Heritage Landscape, through Part V of the Ontario Heritage Act or through an Official Plan Amendment. CHL2 may be impacted by the alteration or removal of heritage attributes due to: Road widening, loss of mature vegetation, increased traffic volumes or speeds, pedestrian realm improvements, road improvements, and incompatible development adjacent to resource. The heritage impact of the proposed land use plan resulting from the secondary plan process should be assessed, once a preferred alternative has been developed, including the development of specific mitigation measures. Alternative road and pedestrian realm improvement approaches to conserve and enhance the corridor and alternative development and land use approaches that conserve and enhance the landscape and built form character of adjacent properties should be considered for CHL 2 as a part of the secondary plan process.
- CHL 1 is an important historic rural route, characterized by little or no shoulder, no formal ditches, no sidewalks, no curbs, relatively slow, low traffic levels, and mature roadside vegetation. These attributes facilitate pedestrian and cycling activity. CHL 1 acts as a boundary road between the urban and rural areas of East Fenwick. CHL 1 is recommended to be studied for recognition as a Heritage Route under D4.2.2.6 of the Official Plan. CHL 1 may be impacted by the alteration or removal of heritage attributes due to: Road widening, loss of mature vegetation, increased traffic volumes or speeds, pedestrian realm improvements, road improvements, incompatible development adjacent to resource and the loss of the gradual transition from urban boundary to rural area. The heritage impact of the proposed land use plan resulting from the secondary plan process should be assessed once a preferred alternative has been developed, including the development of specific mitigation measures. Alternative road and pedestrian realm improvement approaches to conserve and enhance the corridor and alternative development and land use approaches that conserve and enhance the landscape and encourage a gradual transition

from the urban boundary to the rural areas to the north should be considered for CHL 1, as a part of the secondary plan process.

6.0 RECOMMENDATIONS

The background research, data collection, and field review conducted for the study area determined that there are two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties within the East Fenwick Secondary Plan study area. These cultural heritage resources combine to create a study area with a rural land use history dating back to the mid-nineteenth century, which has emerged from the unique physiographic and natural heritage contextual setting. As a result of the research and analysis found in this report, the identified cultural heritage resources are strong candidates for conservation and integration into future land uses in the secondary plan area, or should be subject to cultural heritage impact statements during subsequent development planning applications.

As part of the development of policies for the East Fenwick Secondary Plan, the following mitigation measures and/or alternative development approaches should be incorporated to reduce the potential for adverse impacts to the cultural heritage resources in the area. Common mitigation protocols may include, but are not limited to, the following and are suitable for consideration and application for minimizing impacts on cultural heritage resources:

- Avoidance and mitigation to allow development to proceed while retaining the cultural heritage resources in situ and intact;
- Adaptive re-use of a built heritage structure or cultural heritage resources;
- Alternative development approaches to conserve and enhance a significant heritage resource;
- Avoidance protocols to isolating development and land alterations to minimize impacts on significant built and natural features and vistas;
- Historical commemoration of the cultural heritage of a property/structure/area, historical commemoration by way of interpretive plaques;
- Documentation and salvage including the relocation of a structure or (as a last resort) the salvaging of its architectural components may be considered;
- Architectural design guidelines for buildings on adjacent and nearby lots to help integrate and harmonize mass, setback, setting, and materials;
- Limiting height and density of buildings on adjacent and nearby lots;
- Ensuring compatible lot patterns, situating parks and storm water ponds near a heritage resource;
- Vegetation buffer zones, tree planting, site plan control and other planning mechanisms;
- Allowing only compatible infill and additions;
- Preparation of cultural heritage impact assessments for all developments affecting a cultural heritage resource;
- Preparation of conservation, restoration and adaptive reuse plans as necessary;
- Heritage Designation, Heritage Conservation Easement; and
- Preparation of security plan and/or letter of credit to help ensure security and protection of heritage resources.

Based on the results of the assessment, the following recommendations have been developed:

1. A total of 23 cultural heritage resources were identified within and/or adjacent to the East Fenwick Secondary Plan study area, which include two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties. The East Fenwick Secondary Plan

should incorporate policies that ensure the long-term viability and presence of significant built heritage resources and cultural heritage landscapes.

2. BHR 4 should be considered for designation under Part IV of the Ontario Heritage Act.
3. CHL 2 is important historic rural route and former Indigenous trail, which has been previously identified in the Pelham Heritage Master Plan, and in Section B2.2.7 of the Official Plan. CHL 2 maintains a strong connection to the historic settlement patterns of East Fenwick and to the built heritage resources found along the road. CHL 2 should be studied for designation or recognition as a Cultural Heritage Landscape, under Part V of the Ontario Heritage Act, or through an Official Plan Amendment.
4. CHL 1 is an important historic rural route, characterized by little or no shoulder, no formal ditches, no sidewalks, no curbs, relatively slow, low traffic levels, and mature roadside vegetation. These attributes facilitate pedestrian and cycling activity. CHL 1 acts as a boundary road between the urban and rural areas of East Fenwick. CHL1 should be studied for recognition as a Heritage Route under D4.2.2.6 of the Official Plan.
5. Alternative road and pedestrian realm improvement approaches to conserve and enhance the road corridors and alternative development and land use approaches that conserve and enhance the landscape and built form character of adjacent properties should be considered for CHL 1 and CHL 2 as a part of the secondary plan process. A gradual transition from the urban boundary to the rural areas to the north should be considered for CHL 1.
6. BHRs 2, 8, 16 and 20 contain heritage features that are good candidates for conservation. Based on a review of the East Fenwick Secondary Plan Area Conceptual Tertiary Plan, prepared by Upper Canada Consultants in 2010, and consideration of properties then shown to be owned by a developer's group, it is expected that these properties may be subject to impacts as a result of future development or land use changes. A Heritage Impact Assessment should be completed for the subject properties.
7. CHLs 1-2 and BHRs 1- 2, 4-21 may be altered as a result of changes in land use, future development, road widening and/or improvements and pedestrian realm improvements. Upon the completion of a proposed land use plan resulting from the secondary plan process, the heritage impacts should be assessed, including the development of specific mitigation measures.

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Appendix A: *Major Participating Landowners*. Copy on file with ASI.

APPENDIX A: Character Areas Located Within the East Fenwick Secondary Plan Study Area

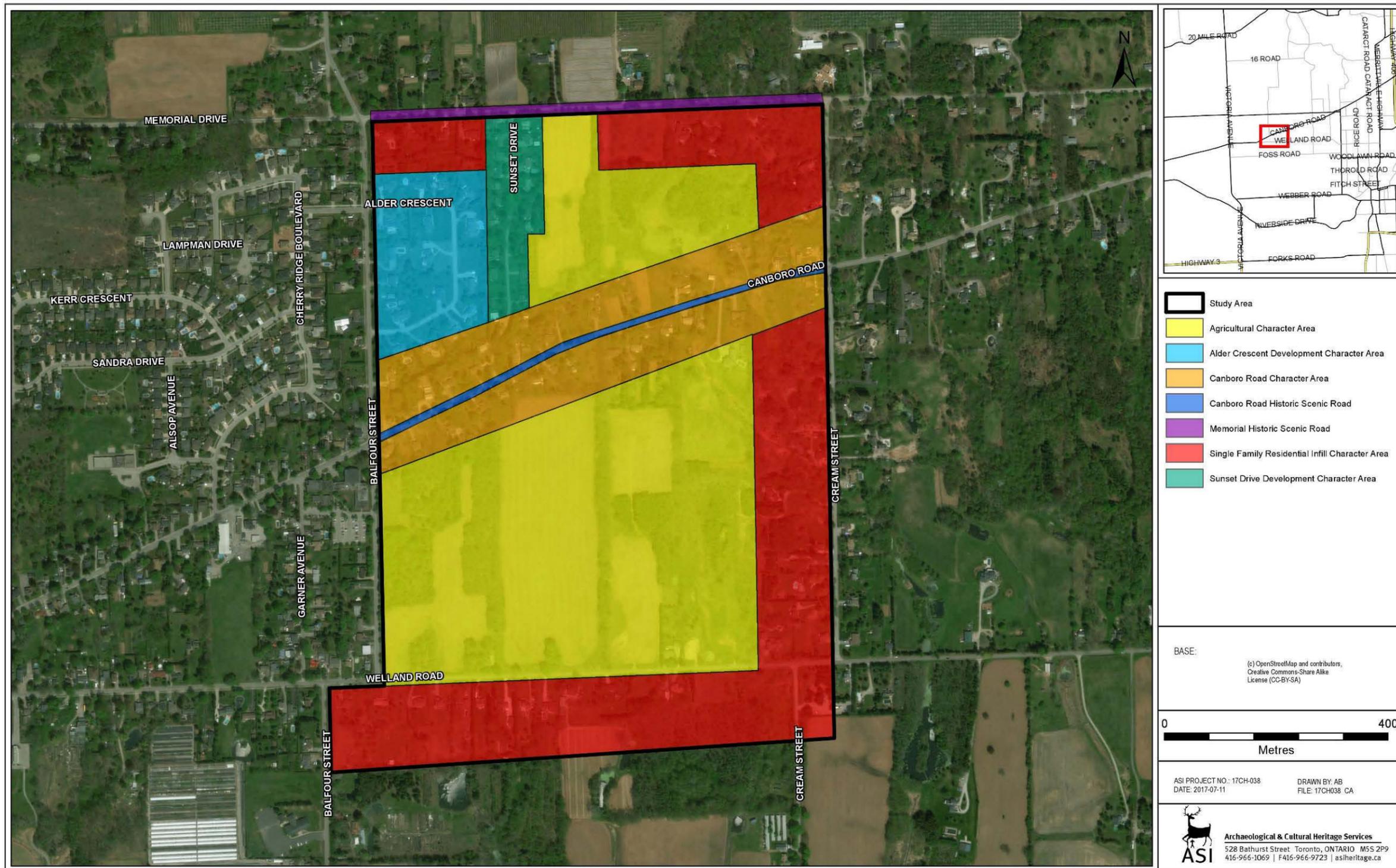


Figure 8: Location of identified Character Areas located within the East Fenwick Secondary Plan study area.

APPENDIX B: Identified Cultural Heritage Resources (CHR) Located Within the East Fenwick Secondary Plan Study Area

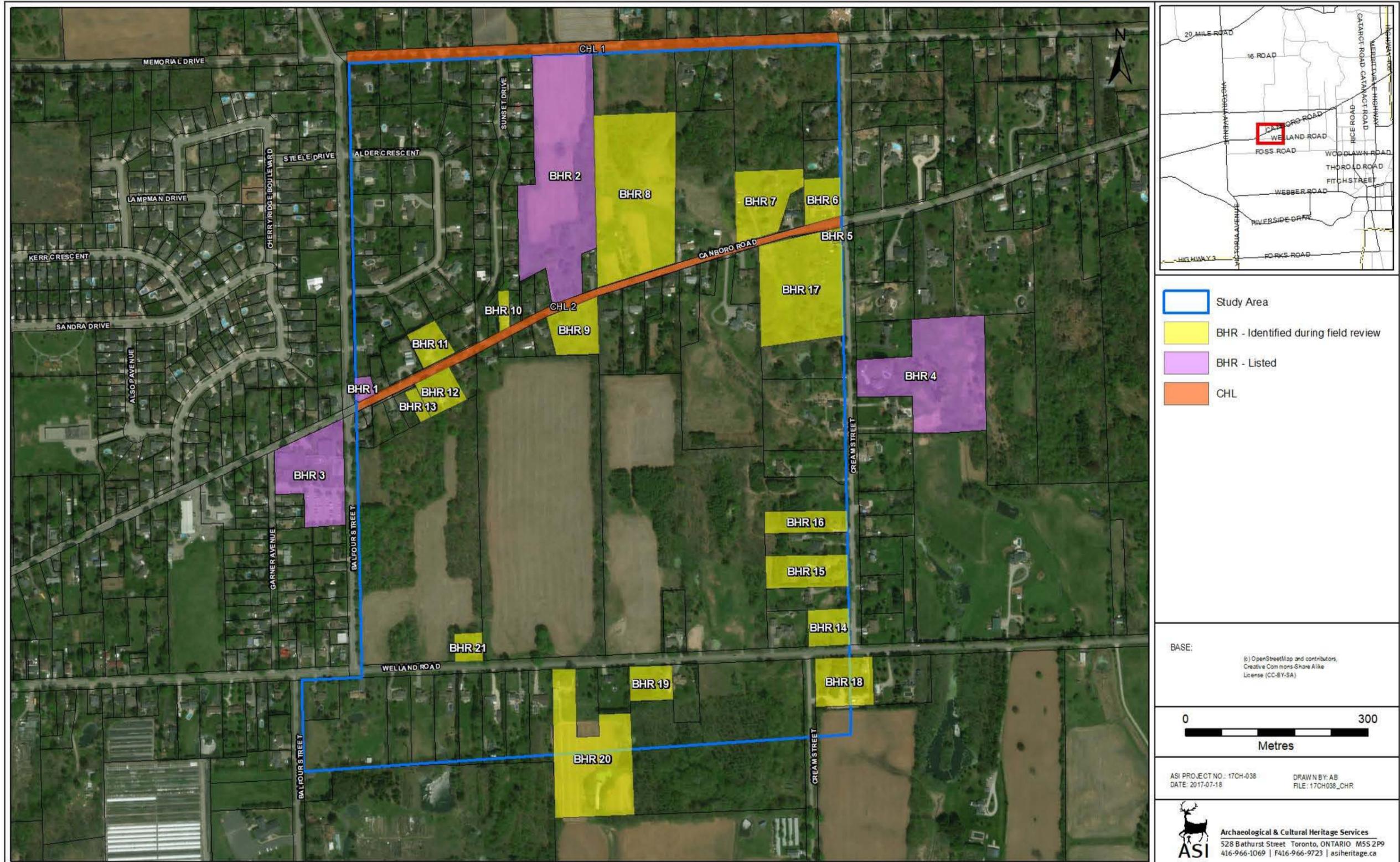


Figure 9: Location of identified Cultural Heritage Resources (CHR) located within the East Fenwick Secondary Plan study area.

Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area					
Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
CHL 1	Memorial Drive, between Balfour Street and Cream Street	Identified during field review	Cultural Heritage Landscape; Roadway and streetscape	<p>Design: This portion (approximately 815 m) of Memorial Drive consists of a straight, undivided paved road and an east-west orientation. The topography is fairly flat with some gently rolling hills. There are no shoulders, curbs, sidewalks or formal ditches. The roadway is lined with hydro poles and mature trees. The character of the surrounding landscape along this section of road can be divided into three sections. The section west of Cream St. contains brush and woodland growing up to the edges of the road, with large homes hidden from view on large lots. The central section contains farm fields and some houses. The section east of Balfour St. contains a more dense concentration of houses. Most of the houses appear to have been built in the later twentieth century.</p> <p>History: A review of historic mapping reveals that Memorial Drive was an historically surveyed road, with development along it occurring slowly from the nineteenth century through to the mid twentieth century. The age of the homes along the road would indicate that the majority of the residential development occurred in the mid-to-late twentieth century.</p> <p>Context: Vehicle traffic along this section of road is low. Pedestrian traffic was also noted during the field visit. It is located in a transition area between urban and rural boundaries, with an expanse of agricultural lands to the north and a twenty-first-century subdivision located just southwest of the intersection of Memorial Drive and Balfour Street. This section of Memorial Drive also intersects with a small subdivision established in the 1970s on Sunset Drive.</p>	 
CHL 2	Canboro Road, between Balfour Street and Cream Street	Identified during field review. The Canboro Road Corridor is also identified as a scenic drive in the Town of Pelham's Municipal Heritage Master Plan. It is also identified as a rural promenade in the Town of Pelham's Official Plan.	Cultural Heritage Landscape; Roadway and streetscape	<p>Design: This portion (approximately 860 m) of Canboro Road consists of a two-lane, divided paved road with a diagonal orientation running southwest to northeast. The topography is fairly flat with some gently rolling hills. There is a narrow, paved shoulder, with no curbs and no formal ditches. A narrow sidewalk is located on the north side of the road for approximately 200 metres in the eastern-most part of the study area. The roadway is lined with hydro poles and mature trees. The majority of this road section is flanked by residential houses, but there are also fields and stretches of open green space. The houses along the road are a mix of ages and have varying setbacks. There are a number of nineteenth century farmhouses.</p> <p>History: The Canboro Road was the route along which the first settlements in Pelham were established. Historic mapping suggests that the Canboro Road was not actually surveyed and improved as a road until the 1840s. Oral narratives identify Canboro Road as an old Indigenous trail, along with Lundy's Lane (to the east) and the Talbot Road (to the west), which both connect with the Canboro Road. Canboro Road runs diagonally through the historically surveyed roads that together form the historic road network which together formed the early infrastructure of Fenwick, and connected the area regionally. The mix of house ages indicates that development occurred slowly along Canboro Road.</p> <p>Context: This section of Canboro Road cuts through a rural agricultural area, with some of the best soil for fruit production in Ontario. A twenty-first-century subdivision is located just northwest of the corner of Canboro Road and Balfour Street. The traffic speed is slow and vehicle volume is low-to-medium.</p>	 

Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area

Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
BHR 1	695 Canboro Rd.	Listed	Church, converted into apartment building	<p>Design: A 2.5-storey red brick church building built in 1886 with a front gable roof. Two hip dormers have been added on the west side and an extension has been added on the east side. The symmetrical façade features a gabled projecting entryway and a door with sidelights and a flat transom topped with a lunette-shaped stained glass window. The first-storey has segmental windows with voussoirs. The upper storeys have semi-elliptical windows with voussoirs. The bays of the building are delineated by vertical bands of projecting brick and the frieze features decorative brickwork. A garage is located behind the building to the west. The property landscape consists mostly of a parking lot, with two exits onto Canboro Rd.</p> <p>History: This property is identified as belonging to “E.M.” in the 1862 Tremaine’s Map. R. Farr is identified as the property owner in the 1880 Historical Atlas map.</p> <p>Built in 1886 as the Bethany Episcopal Methodist Church. In 1902 the building was acquired by the Knox Presbyterian Church. On July 2nd 1947 the building was sold and then converted into an apartment building.</p> <p>Context: Located adjacent to the Canboro Rd. CHL at the northeast corner of Canboro Rd. and Balfour St., this property is in a transition area between urban and rural boundaries. A subdivision is located to the northwest, while the other surrounding areas are largely rural/agricultural.</p>	
BHR 2	655 Canboro Rd.	Listed	Residential, farmscape	<p>Design: Built in 1872. A two-storey, red brick Gothic Revival-style residential building with a front gable roof. A central front gable frames a single second-storey door. The first storey features two tall round-headed 2-over-2 sash windows and an off-centre entry, covered by a central porch supported by flattened columns. Bargeboard decorates the front gable and porch eaves. A garage is located to the west of the house. The property is set well back from the road and has a maintained lawn, mature plantings and an established entrance drive. The property also contains a large field behind the house.</p> <p>History: This property is identified as belonging to George Waters in the 1862 Tremaine’s Map. C. Reece is identified as the property owner in the 1880 Historical Atlas map.</p> <p>Context: Located adjacent to the Canboro Rd. CHL.</p>	
BHR 3	704 Canboro Rd.	Listed	School, converted into apartment building	<p>Design: A two-storey red brick Edwardian-style school building built in 1927. The symmetrical, stepped façade features a projecting centre bay with quoining. The frontispiece is topped by a pediment, with a semi-circular window with moulded trim on the second storey. The front door has a flat transom and moulded trim. The first and second storeys feature a moulded cornice and flat-headed windows. The building has long brick additions added in the mid-twentieth century on the west and south sides. The property features a maintained lawn with mature trees, a small parking lot at the front and a large rear parking lot.</p> <p>History: Built in 1927 as the Pelham Secondary School. Served as school from 1927-1974. It was then converted into an apartment building called the Canboro Gardens.</p> <p>This property is identified as belonging to James Garner in the 1862 Tremaine’s Map and in the 1880 Historical Atlas map. A building is identified as being in this location in the 1938 topographic map.</p> <p>Context: Located at the southwest corner of Canboro Rd. and Balfour St., this property is in a transition area between urban and rural boundaries. A subdivision is located to the northwest, while the other surrounding areas are largely rural/agricultural.</p>	

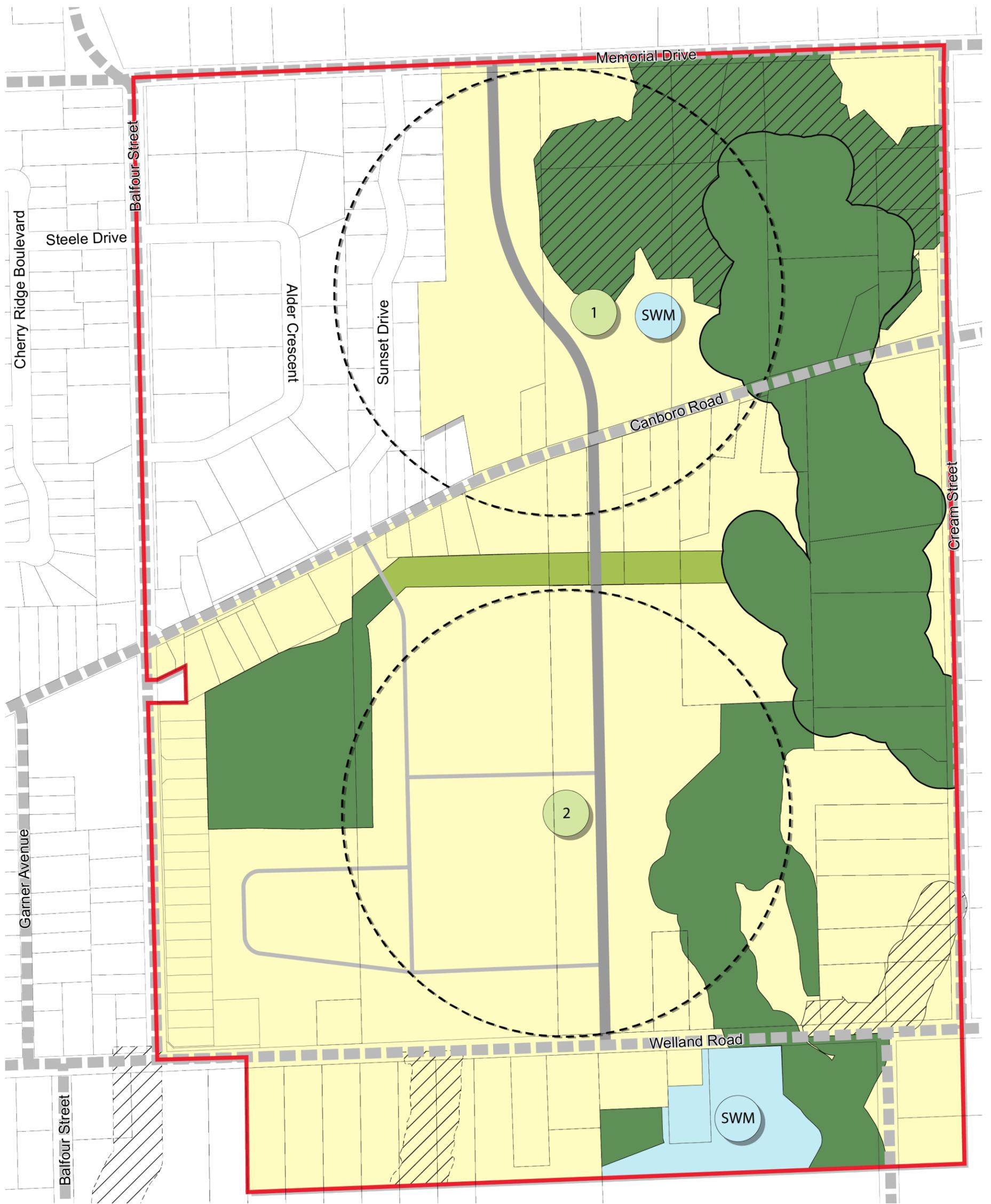
Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area					
Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
BHR 4	1159 Cream St.	Listed	Residential	<p>Design: A two-storey Folk Victorian-style frame residential building clad in siding, built ca. 1870. The building features a rectangular floor plan and a symmetrical façade. The central entranceway has double doors framed by a portico and second storey balcony. The one-over-one sash windows have decorative trim. The cornice features brackets and a decorated soffit. A belvedere sits atop the hip roof. The property features a semi-circular driveway, a maintained lawn and numerous mature plantings.</p> <p>History: No property owner is identified in the 1862 Tremaine’s Map or in the 1880 Historical Atlas map, but a house is identified as being in this location in 1880.</p> <p>Johannes Groh (anglicized to John Crow) was a weaver who migrated from Pennsylvania in 1788 to settle in Pelham in with his wife and five children. His fifth child, Jacob Crow Sr., was a prosperous landowner who purchased this property in 1854, and it remained in the Crow family until 1914. The house (built ca. 1870) is recorded as the residence of Jacob’s nephew, William Crow, who lived there with his wife, Sarah Jane (Huntsman). Their son Alandis started canning produce on the property before establishing a canning factory at 410 Canboro Rd (later the site of Lindsay Lumber and now the site of the Ridgeville Post Office). William Crow’s cousin, John Bowman Crow (1821-1887), was a notable member of the Crow family who in 1859 was appointed clerk to the Township of Pelham. In 1883 he also took on the job of Township Treasurer. His son Judson C. Crow, who had been a schoolmaster, succeeded him in the post of clerk.</p> <p>Context: Located adjacent to the Canboro Rd. CHL.</p>	
BHR 5	606 Canboro Rd.	Identified during field review	Residential	<p>Design: A 1.5-storey, L-shaped stucco residential cottage with a side addition, likely built prior to 1880. The building has gable and hip roofs, an off-centre entrance, a brick chimney and flat-headed windows. It is located atop a berm at the corner of Cream St. and Canboro Rd., with a driveway accessible from both roads. The property has a maintained lawn and mature trees.</p> <p>History: No property owner is identified in the 1862 Tremaine’s Map. “Mrs. B.” is identified as the property owner in the 1880 Historical Atlas map. A house is identified as being in this location in 1880.</p> <p>Context: Located adjacent to the Canboro Rd. CHL., at the southwest corner of Canboro Rd. and Cream St.</p>	
BHR 6	607 Canboro Rd.	Identified during field review	Residential	<p>Design: A 1.5-storey frame residential building with board and batten siding, likely built prior to 1880. The building consists of two rectangular plans of similar size joined end to end with, with side gable roofs and flat-headed windows. The house is located atop a berm, with a maintained lawn, mature trees, and a driveway exiting onto Cream St.</p> <p>History: No property owner is identified in the 1862 Tremaine’s Map or the 1880 Historical Atlas map. A house is identified as being in this location in 1880.</p> <p>Context: Located adjacent to the Canboro Rd. CHL., at the northwest corner of Canboro Rd. and Cream St.</p>	
BHR 7	615 Canboro Rd.	Identified during field review	Residential	<p>Design: A one-storey, frame residential cottage clad in board and batten siding, likely built prior to 1880. The building features a rectangular floorplan and a side gable roof. A central entry is flanked by a wide flat-headed window on one side. A garage is located to the east of the house. The buildings are set well back from Canboro Rd. and accessed by a long driveway.</p> <p>History: No property owner is identified in the 1862 Tremaine’s Map or the 1880 Historical Atlas map. A house is identified as being in this location in 1880.</p> <p>Context: Located adjacent to the Canboro Rd. CHL.</p>	

Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area					
Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
BHR 8	645 Canboro Rd.	Identified during field review	Residential, farmscape	<p>Design: A two-storey, frame residential building with a hip roof and a rectangular floorplan, likely built prior to 1880. A front porch is topped with a balcony and two symmetrical flat-headed windows with shutters on the second-storey. Paired wooden brackets are featured along the cornice. Outbuildings are located to the north and northwest of the house. The property has a maintained lawn, mature trees, an established entrance drive and farm fields.</p> <p>History: This property is identified as belonging to “T.C.” in the 1862 Tremaine’s Map. No property owner is identified in the 1880 Historical Atlas map. A house is identified as being in this location in 1880.</p> <p>Context: Located adjacent to the Canboro Rd. CHL. The property appears to be an active farmscape, with fields located to the east and north of the house and possible agricultural buildings located behind the house.</p>	
BHR 9	668 Canboro Rd.	Identified during field review	Residential	<p>Design: A 1.5-storey, frame residential building with an L-shaped plan, likely built prior to 1880. The building has flat-headed windows and a cross gable roof. The entryway features a small porch with a bell-curved roof. Small setback. An outbuilding is located directly behind the house. The property has a maintained lawn, mature trees and an established entrance drive.</p> <p>History: This property is identified as belonging to J. Hicks in the 1862 Tremaine’s Map. George Cplar is identified as the property owner in the 1880 Historical Atlas map. A house and orchard are identified as being in this location in 1880.</p> <p>Context: Located adjacent to the Canboro Rd. CHL.</p>	
BHR 10	675 Canboro Rd.	Identified during field review	Residential	<p>Design: A 1.5-storey, frame residential building clad in aluminum siding with a cross gable roof and a rear addition, likely built between 1920 and 1938. The building has a front central gable, flat-headed windows, a central bay window and two brick chimneys. A garage and an outbuilding are located to the north of the house. The property has a maintained lawn, mature trees and an established entrance drive, with a small setback.</p> <p>History: This property is identified as belonging to George Waters in the 1862 Tremaine’s Map. C. Reece is identified as the property owner in the 1880 Historical Atlas map.</p> <p>Context: Located adjacent to the Canboro Rd. CHL.</p>	
BHR 11	687 Canboro Rd.	Identified during field review	Residential	<p>Design: A two-storey, frame residential building clad in vinyl siding with a side gable roof, rectangular floorplan and symmetrical façade, likely built between 1907 and 1920. The building features a central entranceway with a transom, sidelights and pilasters, flanked by flat-headed windows. A garage has been added to the west side of the house. The property has a maintained lawn, mature trees and an established entrance drive.</p> <p>History: This property is identified as belonging to “E.M.” in the 1862 Tremaine’s Map. R. Farr is identified as the property owner in the 1880 Historical Atlas map.</p> <p>Context: Located adjacent to the Canboro Rd. CHL.</p>	
BHR 12	688 Canboro Rd.	Identified during field review	Residential	<p>Design: A two-storey frame residential building clad in siding, likely built prior to 1880. The building has a verandah with a central pediment, decorative turned posts and decorative moulding along the verandah roofline. A garage is located to the east of the house. The property has a maintained lawn, mature trees and an established entrance drive.</p> <p>History: This property is identified as belonging to R. Farr in the 1862 Tremaine’s Map and in the 1880 Historical Atlas map. A house and an orchard are identified as being in this location in 1880.</p> <p>Context: Located adjacent to the Canboro Rd. CHL.</p>	

Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area					
Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
BHR 13	691 Canboro Rd.	Identified during field review	Residential	<p>Design: A 1.5-storey frame residential building clad in vinyl siding, with a rear addition, likely built between 1920 and 1938. The building has an L-shaped floorplan with cross gable roofs and stacked oriel windows. The entranceway is covered by a porch with a bell-curved roof, and a gable is centred over the porch. The porch features bargeboard and is supported by turned posts. The 2-over-2 sash windows are flat-headed. A large barn is located east of the house and is connected by the semi-circular driveway. The property has a maintained lawn and mature trees.</p> <p>History: This property is identified as belonging to R. Farr in the 1862 Tremaine’s Map and in the 1880 Historical Atlas map.</p> <p>Context: Located adjacent to the Canboro Rd. CHL.</p>	
BHR 14	1108 Cream St.	Identified during field review	Residential	<p>Design: A 1.5-storey frame residential cottage built c. 1879. Clad in siding, with a large single storey addition on the south side. The original cottage features a symmetrical facade with a side gable roof, a pointed central gable and flat-headed windows. The property has a maintained lawn, mature trees and an established entrance drive.</p> <p>History: Rason Cottage. This property is identified as belonging to J. Crow in the 1862 Tremaine’s Map. No property owner is identified in the 1880 Historical Atlas map. A house is identified as being in this location in 1880.</p> <p>Context: The property is located on Cream St., which is largely comprised of residential properties set back from the road within a rural/agricultural area.</p>	
BHR 15	1118 Cream St.	Identified during field review	Residential	<p>Design: A 1.5 storey, Victorian frame residential building clad in siding with an L-shaped floorplan, likely built prior to 1880. The building has cross gable roofs, flat-headed windows and a porch decorated with bargeboard and supported by turned posts. The property has a maintained lawn, mature trees and an established entrance drive with a large setback.</p> <p>History: This property is identified as belonging to J. Crow in the 1862 Tremaine’s Map. “B.F.” is identified as the property owner in the 1880 Historical Atlas map. A house is identified as being in this location in 1880.</p> <p>Context: The property is located on Cream St., which is largely comprised of residential properties set back from the road within a rural/agricultural area.</p>	
BHR 16	1128 Cream St.	Identified during field review	Residential	<p>Design: A 1.5-storey, frame residential building clad in siding, likely built prior to 1880. The building has a T-shaped floorplan with a cross gable roof and flat-headed windows. The entranceway is covered by a porch, and a pointed gable is centred over the porch. The property has a maintained lawn, mature trees and an established entrance drive, with a large setback.</p> <p>History: This property is identified as belonging to J. Crow in the 1862 Tremaine’s Map. “J.S.” is identified as the property owner in the 1880 Historical Atlas map. A house is identified as being in this location in 1880.</p> <p>Context: The property is located on Cream St., which is largely comprised of residential properties set back from the road within a rural/agricultural area.</p>	
BHR 17	1162 Cream St.	Identified during field review	Residential	<p>Design: A 1.5-storey frame residential building clad in siding with a brick-clad addition on the north side, likely built prior to 1880. The building has a rectangular floorplan and symmetrical façade, with a central entranceway flanked by flat-headed windows, a side gable roof and an open verandah supported by turned posts. A shed is located to the north of the house. The property has a maintained lawn, mature plantings and an established entrance drive.</p> <p>History: No property owner is identified in the 1862 Tremaine’s Map or the 1880 Historical Atlas map. A house is identified as being in this location in 1880.</p> <p>Context: The property is located on Cream St., which is largely comprised of residential properties set back from the road within a rural/agricultural area.</p>	

Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area

Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
BHR 18	578 Welland Rd.	Identified during field review	Residential	<p>Design: A 2-storey frame residential building clad in siding with a square floorplan, a hip roof and an external brick chimney, likely built between 1920 and 1938. The asymmetrical façade features a portico supported by columns, a second-storey balcony, and a gabled dormer. The flat-headed windows have shutters. A garage is located to the east of the house. The property has a maintained lawn, a picket fence, mature plantings and an established entrance drive.</p> <p>History: This property is identified as belonging to J. F. Stitzinger in the 1862 Tremaine’s Map and in the 1880 Historical Atlas map.</p> <p>Context: The property is located near the corner of Cream St. on Welland Rd., which is largely comprised of residential properties and agricultural land.</p>	
BHR 19	630 Welland Rd.	Identified during field review	Residential	<p>Design: A 1.5-storey frame residential building clad in siding, with a single-storey extension on the west side, likely built prior to 1862. The building features a rectangular floor plan and a symmetrical façade. The central entranceway is flanked by flat-headed windows with shutters. The side gable roof features a central gable, and a second-storey window is centred above a porch with a bell-curve roof. A garage is located to the east of the house. The property has a maintained lawn, mature trees and an established entrance drive.</p> <p>History: No property owner is identified in the 1862 Tremaine’s Map. A house is identified in this location in 1862. T. Scanton is identified as the property owner in the 1880 Historical Atlas map.</p> <p>Context: The property is located on Welland Rd., which is largely comprised of residential properties and agricultural land.</p>	
BHR 20	646 Welland Rd.	Identified during field review	Residential, farmscape	<p>Design: A 1.5-storey frame residential building clad in vinyl siding, with a large addition at the rear, likely built prior to 1862. The building features a symmetrical façade with a porch. The side gable roof has a central gable and the central entranceway is flanked by flat-headed windows with shutters. The property has a maintained lawn, mature trees and an established entrance drive. The property contains a field behind the house.</p> <p>History: This property is identified as belonging to U. Rice in the 1862 Tremaine’s Map. A house is identified as being in this location in 1862. D. Leppert is identified as the property owner in the 1880 Historical Atlas map.</p> <p>Context: The property is located on Welland Rd., which is largely comprised of residential properties and agricultural land.</p>	
BHR 21	663 Welland Rd.	Identified during field review	Residential	<p>Design: A one-storey, frame residential building clad in vinyl siding, likely built between 1920 and 1938. The L-shaped floorplan has a cross gable roof. The asymmetrical façade features flat-headed windows. A garage is located northeast of the house. The property has a maintained lawn, mature trees and an established entrance drive.</p> <p>History: This property is identified as belonging to R. Farr in the 1862 Tremaine’s Map and in the 1880 Historical Atlas map.</p> <p>Context: The property is located on Welland Rd., which is largely comprised of residential properties and agricultural land.</p>	

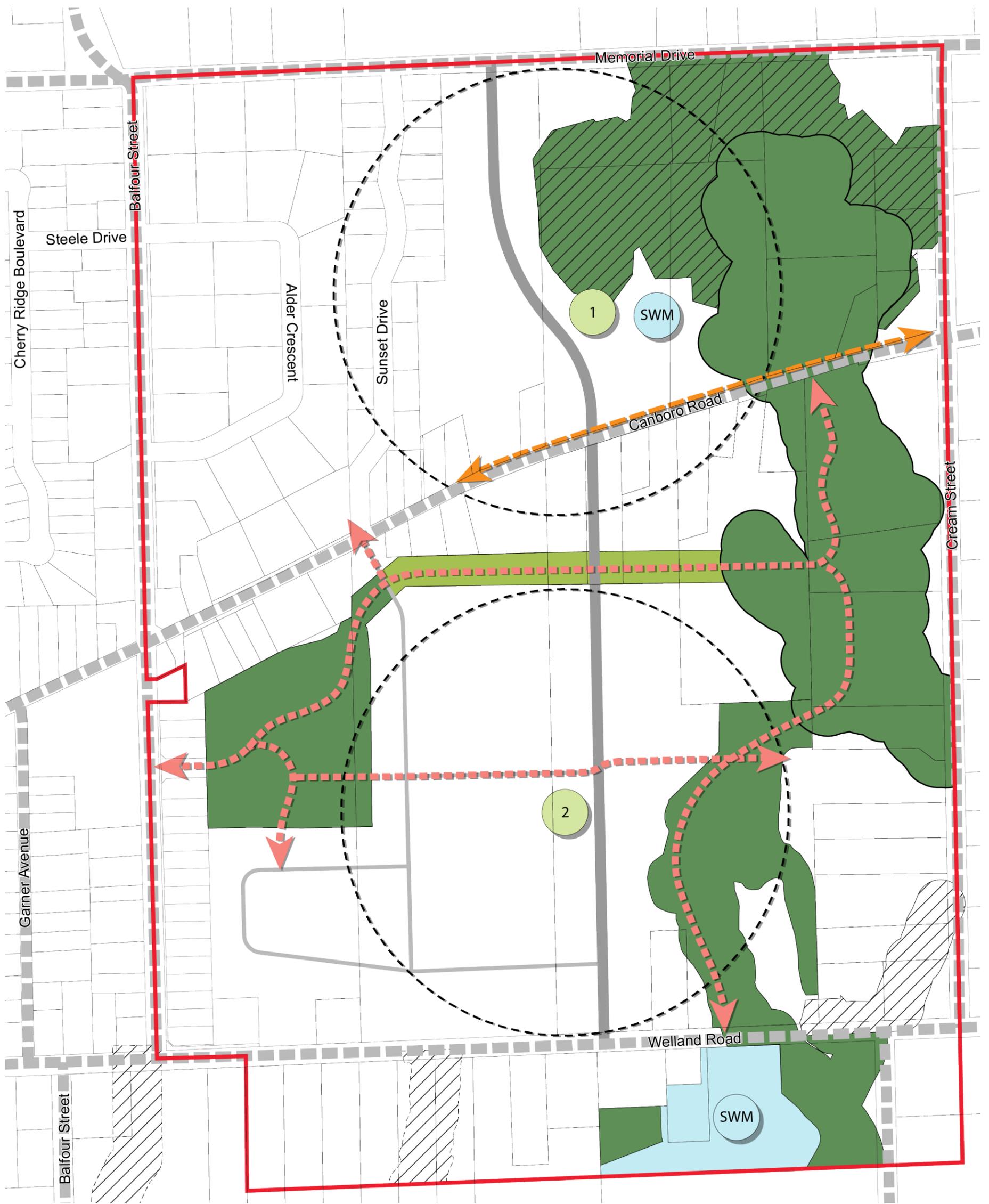


Legend

- | | | | |
|---|--|---|--|
|  | Residential Neighbourhoods |  | 2.5 to 5-minute Walking Distance (200m-400m) |
|  | Greenlands System |  | Existing Roads |
|  | Environmental Linkages |  | Proposed Minor Collector |
|  | Open Space / Parkette |  | Proposed Local Roads |
|  | Storm Water Management Facility |  | Secondary Plan Boundary |
|  | Special Policy Area (Subject to EIS Study) | | |

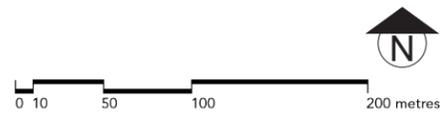
**Schedule A7. East Fenwick Secondary Plan Area
Neighbourhood Structure Plan**

April 2024

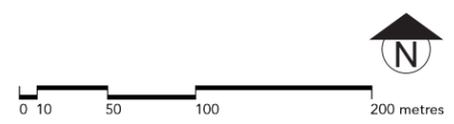
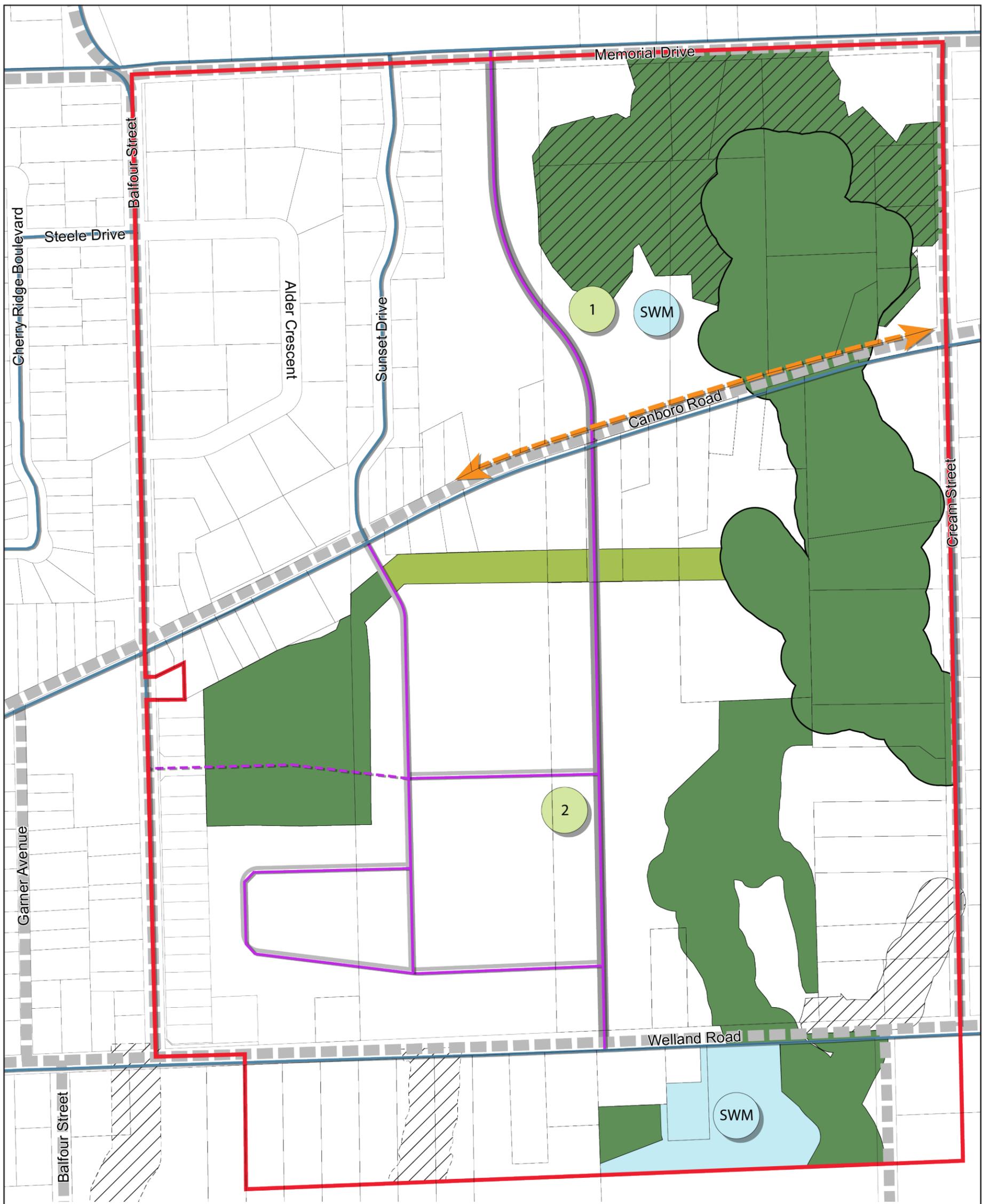


Legend

- | | | | |
|---|--|---|---|
|  | Natural Heritage System |  | 2.5 to 5-minute Walking Distance (200-400m) |
|  | Environmental Linkages |  | Trail System (Subject to EIS Study) |
|  | Open Space / Parkette |  | Canboro Road Promenade |
|  | Special Policy Area (Subject to EIS Study) |  | Proposed Minor Collector |
|  | Stormwater Management Facility |  | Proposed Local Road |
|  | Existing Roads |  | Secondary Plan Boundary |



**Schedule A8. East Fenwick Secondary Plan Area
Greenlands Structure Plan**
April 2024

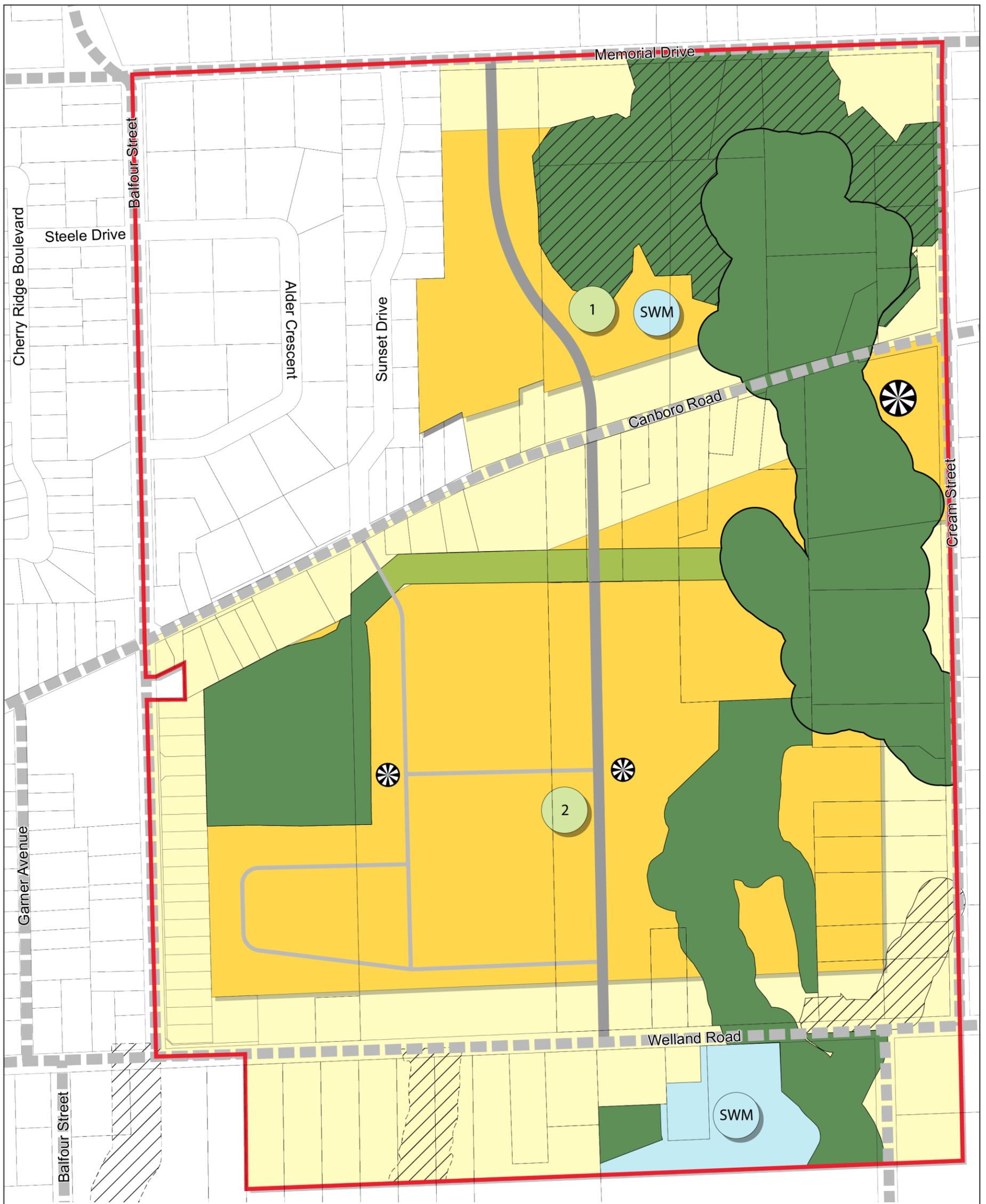


Legend

- | | | | |
|--|--|--|-----------------------------------|
| | Greenland System | | Existing Cycling Network |
| | Environmental Linkages | | Proposed Cycling Network |
| | Open Space / Parkette | | Proposed Off-Road Cycling Network |
| | Stormwater Management Facility | | Canboro Road Promenade |
| | Special Policy Area (Subject to EIS Study) | | Proposed Minor Collector |
| | Existing Roads | | Proposed Local Road |
| | | | Secondary Plan Boundary |

**Schedule A9. East Fenwick Secondary Plan Area
Street Structure Plan**

April 2024

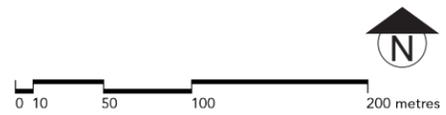
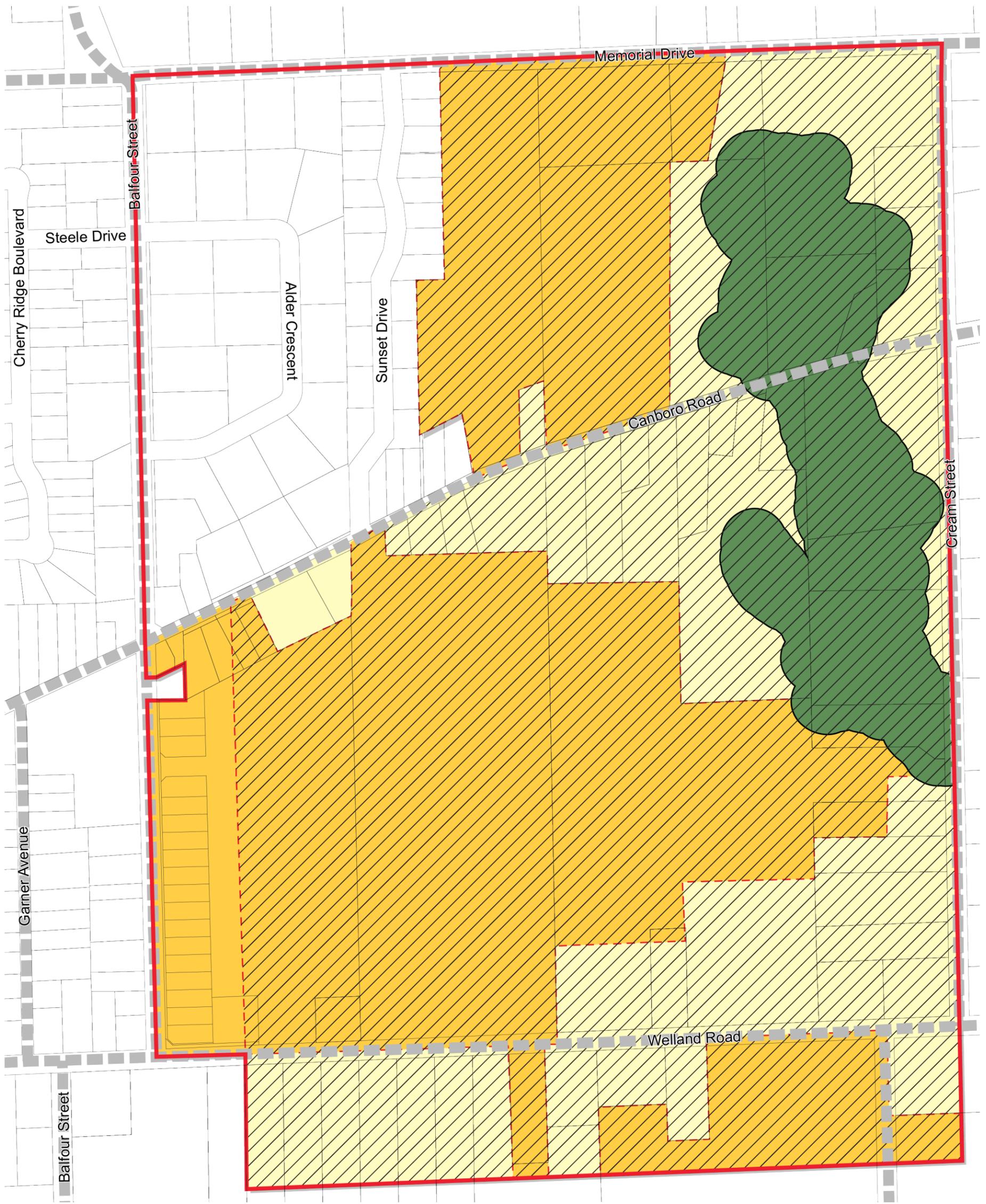


Legend

- | | |
|--|--|
| East Fenwick Village Residential | Open Space / Parkette |
| East Fenwick Neighbourhood Residential | Stormwater Management Facility |
| Natural Heritage System | Lands Subject to Policy B.1.9.8.4.2 k) |
| Environmental Linkages | Proposed Minor Collector |
| Special Policy Area (Subject to EIS Study) | Proposed Local Road |
| Existing Roads | Secondary Plan Boundary |

**Schedule A10. East Fenwick Secondary Plan Area
Land Use Structure Plan**

April 2024



Legend

- Greenfield Overlay
- Greenfield Overlay (Subject to B1.1.10.3)
- Built Boundary (Subject to B1.1.10.3)
- Environmental Protection Three (EP3)
- Existing Roads
- Secondary Plan Boundary

Schedule A11. East Fenwick Secondary Plan Area
 Official Plan Designations
 April 2024

PART "C" – APPENDICIES

Appendix 1 – Notice of Public Meeting

Appendix 2 – Public Meeting Minutes

Appendix 3 – Circulation Comments

DRAFT

Notice of Public Meeting

East Fenwick Secondary Plan

Date: Wednesday February 14, 2024 at 5:30 PM

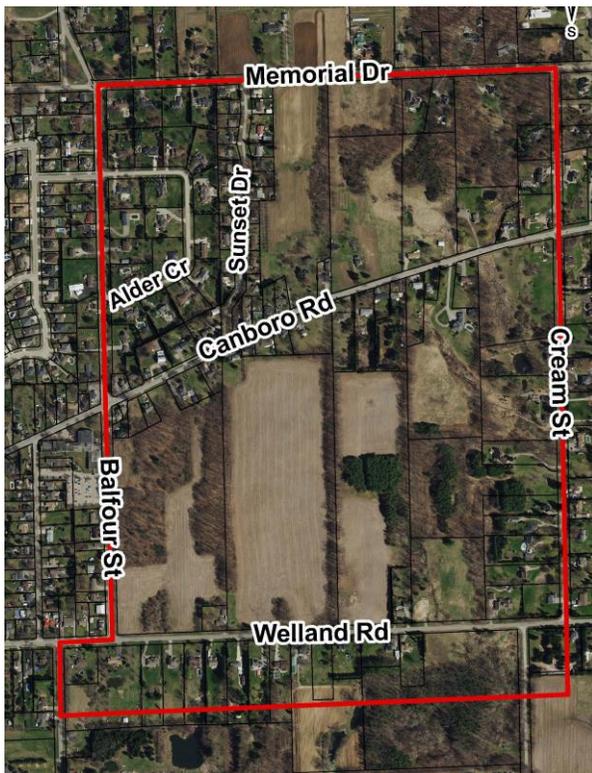
Place: This hearing will be a hybrid (virtual/in person) meeting.
Virtual Participation: Zoom Webinar / YouTube Livestream

In-person Participation: Town Hall, Council Chambers
20 Pelham Town Square, Fonthill

Town Council approved hybrid meetings via By-law No. 4507 (2022). The Town of Pelham live webcast of the Public Meeting will be streaming at:

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

Public Meeting for a proposed **Secondary Plan** in accordance with Section 22 of the [Planning Act](#), R.S.O. 1990, as amended.



East Fenwick Secondary Plan Project Area

The proposed East Fenwick Secondary Plan is a statutory document that will guide future development in the East Fenwick area. East Fenwick is an identified growth area in the Town's Official Plan and the proposed plan balances protection of its natural heritage system with support for the economic growth of Fenwick. It will further enhance Fenwick's village character while establishing a pedestrian and cyclist friendly, compact, and sustainable community.

The Secondary Plan has been developed over several years by the Town with input from the public, landowners within the plan area, and technical advice from Town Administration, the Niagara Region, and the Niagara Peninsula Conservation Authority. The Secondary Plan complies with all relevant Provincial legislation and policy and may be exempt from Region of Niagara approval if it complies with the Regional Official Plan.

Your Input is Encouraged: The Town of Pelham would appreciate receiving your written and/or verbal comments regarding this application. 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 amendment is approved, please submit your correspondence or request by **12:00 PM on Monday, February 5, 2024** for inclusion in the public meeting agenda package c/o Town Clerk, William Tigert, PO Box 400, 20 Pelham Town Square, Fonthill, Ontario L0S 1E0, or by email at SLeach@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 by the Town at the public hearing via virtual or in-person participation.

To provide verbal comments virtually at the hearing, please pre-register with the Town Clerk by sending an email to SLeach@pelham.ca before **12:00pm noon on February 9, 2024**. Zoom webinar registration information and procedure will be provided. **To provide verbal comments in-person at the Public Meeting, pre-registration is encouraged but not required.** Registrants will be notified of Council's Decision. If you have not submitted written comments and wish to submit a comment live during the meeting, you may livestream the meeting from the Town of [Pelham's YouTube channel](#) and e-mail comments to clerks@pelham.ca during the public portion of this application only. If your comments are not received during the public portion of the meeting, they will not be considered.

Need More Information: For more information, please contact Lindsay Richardson, Policy Planner, by email at lrichardson@pelham.ca or at 905-980-6675 or 905-892-2607 ext. 335. A copy of the staff report regarding the proposed applications as well as any additional information may be obtained on the Town's website at <https://engagingpelham.ca/admin/projects/east-fenwick-secondary-plan> or at Town Hall by appointment after 12:00 PM on **Friday February 5, 2024**.

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

If a 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 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 are reasonable grounds to do so.

Dated at the Town of Pelham, this 22nd day of January, 2024.



William Tigert
Town Clerk

Date of Posting: January 22, 2024

**Committee of the Whole Meeting
Public Meeting under the Planning Act
Minutes**

Meeting #: PCOW-02/2024
Date: Wednesday, February 14, 2024
Time: 5:30 PM
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present: Mayor Marvin Junkin, Councillor Bob Hildebrandt,
Councillor Wayne Olson, Councillor John Wink, Councillor
Kevin Ker, Councillor Brian Eckhardt, Councillor Shellee
Niznik

Staff Present: Barbara Wiens, Lindsay Richardson, Sarah Leach, Jodi
Legros

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:30 p.m.

2. Land Recognition Statement

Councillor Eckhardt read the land recognition statement into the record.

3. Adoption of Agenda

THAT the agenda for the February 14, 2024, Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as circulated.

Amendment:

Moved By Councillor Bob Hildebrandt

THAT the motion be amended to add item 6.2.1.

Carried

Motion as Amended:

Moved By Councillor Bob Hildebrandt

THAT the agenda for the February 14, 2024, Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as amended.

Carried

4. Disclosure of Pecuniary Interest and General Nature Thereof

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

5. Planning Act Application: 26T19-01-2022 & AM-11-2023 - Park Place West

The Deputy Clerk read into the record the Notice Requirements regarding this application.

5.1 Planning Report and Presentation

Ms. Barb Wiens, Director of Community Planning and Development, provided an overview of the application before Council. A copy is available through the Clerk.

5.1.1 Information Report - Applications for Revision to Previously Approved Draft Plan of Subdivision and Zoning By-law Amendment, 2024-0045-Planning

5.2 Applicant's Presentation

Mr. Craig Rohe of Upper Canada Consultants provided an overview of the application before Council. A copy is available through the Clerk. Matt Vartanian, Applicant, was also present.

5.3 Public Input

None.

Ms. Leach, Deputy Clerk, indicated she checked the clerks@pelham.ca email address at 5:56 p.m. and confirmed no e-mails have 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 move to Committee input.

5.4 Committee Input

A Member of Council asked for information on the stormwater management plan and waste collection. Barb Wiens, Director of Community Planning and Development, stated that stormwater drains to the pond adjacent to the Wellspring site. Ms. Wiens stated waste collection was individual, not centralized.

A Member of Council asked for the current Zoning By-law requirement for maximum lot coverage. Ms. Wiens stated 50%. The Member expressed concern with the potential of removing the lot coverage requirement and asked approximately what lot coverage is being contemplated. Craig Rohe, Agent, stated that the proposed setbacks will ensure balance, establishing a reasonable building envelope while proving flexibility. The Member identified the proposed lots as small, expressing concern the developer will max out the lot coverage. The Member expressed a desire to assign a numerical value to lot coverage.

A Member of Council asked about affordability. Matt Vartanian, Applicant, indicated the development is intended to steer away from million-dollar single detached developments. The Member stated a four-bedroom home is still luxurious and encouraged the applicant to adjust the development to obtain greater affordability. Mr. Vartanian stated it is difficult to gauge a concrete market price at this point.

A Member of Council asked for confirmation that stormwater would flow to the canal, as opposed to Twelve Mile Creek. Ms. Wiens confirmed.

5.5 Presentation of Resolutions

Moved By Councillor John Wink

THAT Committee receive Report #2024-45 for information as it pertains to File Nos. 26T19-01-2022 & AM-11-2023;

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

Carried

Moved By Councillor Wayne Olson

THAT Committee receive the applicant's presentation for information.

Carried

6. Planning Act Application: East Fenwick Secondary Plan

6.1 Planning Report and Presentation

Lindsay Richardson, Policy Planner, and Ute Maya-Giambattista, Consultant, provided an overview of the application before Council. A copy is available through the Clerk.

6.1.1 Information Report - East Fenwick Secondary Plan, 2024-0043-Planning

6.2 Public Input

Ron and Irene Birrell did not attend.

Graham Pett stated he was representing Pelham Advocates for Trees and Habitat (PATH). Further to the comments provided on the agenda, Mr. Pett expressed satisfaction and gratitude for the green space provided, the protected woodlands, and the green corridor. Mr. Pett requested the preserved woodland be provided an environmental designation and that all new residential units be required to plant two mature trees. He expressed support for the integration of low-impact development, the minimization or elimination of stormwater management ponds, and the consideration of geothermal systems from fossil fuel. Mr. Pett stated that continuing to build large homes is not sustainable for

the growing population and requested that the consultant consider a higher density than 8-15 units per hectare. In conclusion, Mr. Pett stated the proposed East Fenwick Secondary Plan is a major step forward.

John Klassen requested consideration be given to the changing demographic in Fenwick, soil conditions, the water table, and the capacity for future electrical requirements. Mr. Klassen expressed concern for existing wildlife. He stated that preferred housing type is a personal decision and should not be dictated depending on one's living arrangement. Mr. Klassen expressed a desire to maintain the environment that has existed for 40 years.

Herb Sawatzky presented on behalf of 50by30 Niagara. A copy of the presentation is available in the addendum agenda package and through the Clerk. Mr. Sawatzky requested the exploration of fossil-fuel-free energy for the homes in East Fenwick.

Rob Frizzell stated he is a professional hydrogeologist. Mr. Frizzell indicated the current studies fall short of being able to characterize the existing natural heritage system in the area, as well as the function of the wetlands. Mr. Frizzell discussed the importance of studying groundwater and identified the possibility of groundwater discharge. He suggested that further studies and long-term monitoring could be beneficial.

Lynn Shatford asked what plans are in place to ensure the current groundwater flow issue is not exacerbated through development. Ms. Shatford expressed concern about potentially being required to connect to municipal services and who will bear the cost. Ms. Shatford supported the idea of mixed housing options to ensure future generations can remain in Fenwick.

Jim Jeffs expressed concern with the stormwater management system and exacerbated flooding resulting in tree loss.

Tim Casson asked what stage the Town is at in the cycle of Planning. Barb Wiens, Director of Community Planning and Development, responded the public meeting was held to collect feedback, and significant change is not anticipated. Mr. Casson asked about the range of the green space. Ms. Wiens indicated it is the size that exists at present. Mr. Casson asked approximately when to expect shovels in the ground. Ms. Wiens indicated approximately three years for infrastructure and five years for construction, depending on individual development applications.

William Heikoop, Project Manager with Upper Canada Consultants, stated he was appearing on behalf of several clients. Mr. Heikoop stated the plan provides a well-balanced hierarchy, respecting the existing community while adhering to overall Official Plan policies.

Richard Turenne asked why a portion of his property was within the red zone and if his well would go dry. He asked if he would

be required to connect to municipal services. Ms. Wiens indicated that policies in the Official Plan help establish the limits to the secondary plan area. Ms. Wiens stated that policies dictate that the secondary plan process needs to be conducted. She further stated that a background study on groundwater will be conducted which may address the impact on the well. Ms. Wiens concluded by stating that improvements are being made to address existing infrastructure to improve capacity, with additional work to occur.

Katlyn Zwierschke expressed concerns about the cost associated with connecting to municipal services as well as hydro capacity. Ms. Zwierschke expressed concern with the school system, stating Wellington Heights is already at capacity. She asked if the school boards had been consulted. Ms. Wiens confirmed the school boards were circulated and have been kept informed. Ms. Wiens noted that all subdivision applications are also circulated to the school boards.

Lauren Arnold echoed the concerns of Ms. Zwierschke. Ms. Arnold indicated appreciation for the green space and expressed interest in learning more about the environmental corridor. Ms. Wiens stated the environmental corridor is a linking feature that will be realized through development. She advised that additional opportunities to comment are provided with subdivision and zoning by-law amendment applications.

Sherry Rusin expressed concern for drainage and its impact on the farming community. Ms. Rusin suggested a natural water feature be introduced to mitigate drainage issues.

Ms. Leach, Deputy Clerk, read two emails into the record from Jazmin Kikkert which asked various questions. Ms. Leach indicated she forwarded the emails to the Planning Department. A copy of the correspondence is on file with the Clerk.

Ms. Leach indicated she checked the clerks@pelham.ca email address at 7:59 p.m. and confirmed no further e-mails had 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 move to Committee input.

6.3 Committee Input

A Member of Council asked if there is a way to consolidate the hydrological studies into one report. Barb Wiens, Director of Community Planning and Development, stated it would be premature, as many studies are still to come. The Member asked if the renderings were just conceptual. Ms. Wiens confirmed.

A Member of Council suggested further delineation of parcels on Cream Street, Canboro Road, and Memorial Drive to address concerns regarding private lands. Ute Maya-Giambattista, Consultant, agreed and stated there was an updated plan

coming. Ms. Maya-Giambattista, explained the secondary plan acts as a strategy of how future development will occur.

A Member of Council asked how the land for the roadway would be acquired. Ms. Wiens stated ideally through development applications but indicated that negotiations for purchase or expropriation were last resort options. The Member identified the lack of commercial use proposed and asked if the commercial uses to the west were sufficient. Ms. Wiens responded that commercial uses were considered, but the community expressed during the workshop that the core area of Fenwick should be supported as commercial. Further, Ms. Wiens stated an influx of approximately 10 thousand people is needed to warrant a convenience store.

A Member of Council asked about the sizeable area within hash marks. Ms. Maya-Giambattista stated these areas need further studies, to be leveraged through future development applications.

A Member of Council inquired about the transitional framework from 2017 and a specific development application. Ms. Wiens stated that the plan began in 2017; since this time policies have changed. Ms. Wiens stated the hatched area indicates further study to conform to new policies in the Regional Official Plan. Ms. Wiens confirmed the referenced development application is in the area south of Canboro Road.

A Member of Council addressed concerns regarding electronic infrastructure, outages, quality of power, and phase imbalance. The Member advised of a recent upgrade and Council's efforts to address the situation further. The Member warned residents of purchasing new appliances and their associated power requirements. Another Member of Council was hopeful that Ontario Hydro would give Fenwick priority.

A Member of Council asked if residents would be required to connect to municipal services or be grandfathered in. Ms. Wiens indicated there is no policy or by-law currently in place, and stated this would be a future matter for Council's consideration. A Member of Council identified that forcing everyone to connect would place a demand on the system that may not be desirable.

A Member of Council identified that stormwater management is a core issue and assured residents that all concerns have been heard. The Member stated that Fenwick will grow and not remain the hamlet it once was. The Member stated the best interest of the community will be sought, and the document will act as a guide for future decisions.

6.4 Presentation of Resolutions

Moved By Councillor Brian Eckhardt

THAT Committee receive Report #2024-0043 Planning Information Report – East Fenwick Secondary Plan for information;

AND THAT Committee direct Planning staff to prepare the Recommendation Report on East Fenwick Secondary Plan for Council’s consideration.

Carried

Moved By Councillor Shellee Niznik

THAT Committee receive the consultant’s presentation for information.

Carried

Moved By Councillor Wayne Olson

THAT Committee receive the written correspondence as listed on the agenda;

AND THAT Committee receive the verbal presentations made by the public;

AND THAT Committee receive the email correspondence to the clerks@pelham.ca email address.

Carried

7. Adjournment

The meeting was adjourned at 8:38 pm.

Moved By Councillor Bob Hildebrandt

THAT this Special Committee of the Whole, Public Meeting Under the Planning Act, be adjourned.

Carried

Mayor: Marvin Junkin

Deputy Clerk: Sarah Leach

Lindsay Richardson

From: clerks pelham
Sent: February 14, 2024 7:56 PM
To: Lindsay Richardson
Subject: FW: Fenwick East Development plan



Sarah Leach, BA.

Deputy Clerk

Town of Pelham

D: 905-980-6662 | E: sleach@pelham.ca

T: 905-892-2607 x320

20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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From: Jazmin Kikkert <jazzkl@live.ca>
Sent: Wednesday, February 14, 2024 7:37 PM
To: clerks pelham <clerks@pelham.ca>
Subject: Fenwick East Development plan

What will the lift station do and how large will the lift station be? How will it effect the land, water/wetland systems and adjacent properties especially being so close to the natural heritage system and environmentally protected areas?

How will the properties of the

Get [Outlook for Android](#)

Lindsay Richardson

From: clerks pelham
Sent: February 14, 2024 7:56 PM
To: Lindsay Richardson
Subject: FW: Fenwick east development plan



Sarah Leach, BA.

Deputy Clerk

Town of Pelham

D: 905-980-6662 | E: sleach@pelham.ca

T: 905-892-2607 x320

20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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From: Jazmin Kikkert <jazzkl@live.ca>
Sent: Wednesday, February 14, 2024 7:46 PM
To: clerks pelham <clerks@pelham.ca>
Subject: Fenwick east development plan

How will the properties that are proposed to have a trail system put on or through them be effected and when will we be notified what properties they will be put on? Can we appeal this?

How will the properties along Canboro Road Promenade be effected with development of the road and cycling system? There is not a lot of space between the road and the ditches and some houses, how will the space be big enough to accommodate both the road, ditches large enough to handle the water load, proposed sewage system and houses that are close to the road?

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From: Sarah Leach
Sent: February 1, 2024 11:22 AM
To: Lindsay Richardson
Subject: FW: East Fenwick Secondary Plan



Sarah Leach, BA.
Deputy Clerk
Town of Pelham
D: 905-980-6662 | E: sleach@pelham.ca
T: 905-892-2607 x320
20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

TOWN OF PELHAM CONFIDENTIALITY NOTICE

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From: Lingard, Norman <norman.lingard@bell.ca>
Sent: Thursday, February 1, 2024 11:19 AM
To: Sarah Leach <SLeach@pelham.ca>
Subject: East Fenwick Secondary Plan

Good morning,

Bell Canada thanks you for the opportunity to participate in the Town of Pelham's process to implement a Secondary Plan for East Fenwick.

About Bell Canada

Bell Canada is Ontario's principal telecommunications infrastructure provider, developing and maintaining an essential public service. The *Bell Canada Act*, a federal statute, requires that Bell supply, manage and operate most of the trunk telecommunications system in Ontario. Bell is therefore also responsible for the infrastructure that supports most 911 emergency services in the Province. The critical nature of Bell's services is declared in the *Bell Canada Act* to be "for the general advantage of Canada" and the *Telecommunications Act* affirms that the services of telecommunications providers are "essential in the maintenance of Canada's identity and sovereignty."

Provincial policy further indicates the economic and social functions of telecommunications systems and emphasizes the importance of delivering cost-effective and efficient services:

- The 2020 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1).
- Section 1.7.1 I) of the 2020 PPS recognizes that “efficient and coordinated telecommunications infrastructure” is a component of supporting long-term economic prosperity.
- We note that the definition of infrastructure in the 2020 PPS is inclusive of communications / telecommunications, which is indicative of the importance in providing efficient telecommunications services to support current needs and future growth (Section 1.6.1).
- Furthermore, the 2020 PPS states that infrastructure should be “strategically located to support the effective and efficient delivery of emergency management services” (Section 1.6.4), which is relevant to telecommunications since it is an integral component of the 911 emergency service.

To support the intent of the *Bell Canada Act* and *Telecommunications Act* and ensure consistency with Provincial policy, Bell Canada has become increasingly involved in municipal policy and infrastructure initiatives. We strive to ensure that a partnership be established which allows for a solid understanding of the parameters of Bell’s infrastructure and provisioning needs and the goals and objectives of the municipality related to utilities.

Comments on the East Fenwick Secondary Plan Area

Bell Canada is most interested in changes to the transportation network and/or policies and regulations relating to the direction of population growth and public infrastructure investments, heritage character, urban design, broadband and economic development related objectives and how Bell can assist Pelham to be a connected community. We have reviewed the information provided, and would be pleased to provide the following comments in order to plan and facilitate the expansion of telecommunications and broadband infrastructure.

To facilitate the provisioning of this infrastructure, we appreciate the Municipality’s continued support in ensuring that sufficient notice and time to comment on planning applications are provided, particularly for Draft Plan of Condominium, Draft Plan of Subdivision and Site Plan Control/Approval. This ensures an understanding by applicants of Bell’s conditions and provisioning requirements.

Bell would also emphasize that receiving engineering and servicing/utility plans/drawings, as soon as possible in the process, assists in the development and expedition of our provisioning plan. As a result, we would strongly recommend that this consideration be highlighted in any pre-circulation/consultation meetings with prospective applicants. This will assist Bell in providing comments and clearance letters in an efficient manner, assisting the Municipality in meeting approval times. Such drawings should be submitted to: planninganddevelopment@bell.ca by the applicant/their agents.

Moving forward, Bell Canada would like to continue to ensure that the landowners are aware and familiar with our conditions as they pertain to forthcoming Site Plans, Draft Plans of Subdivision and/or Draft Plans of Condominium as follows:

Condition:

“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.

The Owner agrees that should any conflict arise with existing Bell Canada 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.”

The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage 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 even 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.

Future Involvement

We would like to thank you again for the opportunity to comment, and would request that Bell continue to be circulated on any future materials and/or decisions released by the Town of Pelham in relation to this initiative. Please forward all future documents to circulations@wsp.com and should you have any specific questions, please contact the undersigned.

Yours truly,

Norm Lingard
Senior Consultant – Municipal Liaison
Network Provisioning
norman.lingard@bell.ca | ☎ 365.440.7617



Please note that WSP operates Bell Canada’s development, infrastructure and policy tracking systems, which includes the intake and processing of municipal circulations. However, all responses to circulations and requests for information will come directly from Bell Canada, and not from WSP. WSP is not responsible for the provision of comments or other responses.

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Growth Strategy and Economic Development

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

March 14, 2024

Lindsay Richardson
Policy Planner
Town of Pelham
20 Pelham Town Square
Fonthill, ON L0S 1E0

Dear Ms. Richardson,

**Re: Regional Comments
East Fenwick Secondary Plan
Town of Pelham**

Thank you for the opportunity to review the Town of Pelham's East Fenwick Secondary Plan, received January 29, 2024.

Regional staff have appreciated the opportunity to participate in the development of the East Fenwick Secondary Plan over the past seven years. Regional staff have provided input into the terms of reference, background studies and various iterations of the draft policy set and schedules over the course of the Secondary Plan development.

Most recently, Region, Town and NPCA staff met July 11, 2023 and October 10, 2023 to resume the East Fenwick Secondary Plan after it was paused for a period of time. Regional staff appreciated being invited to attend and support the Town at the Open House for the Secondary Plan on November 30, 2023. The Statutory Public Meeting was held on February 14, 2024 and Regional staff understand that the Town is targeting a Recommendation Report to Pelham Council in April 2024.

Regional staff have reviewed the final East Fenwick Secondary Plan which includes:

- Final Draft Policies
- Final Draft Schedules
- Appendix A – Demonstration Plan & Active Transportation Plan
- Appendix B – Land Use Budget
- Appendix C – Urban Design Guidelines
- Appendix D – Natural Heritage System
- Appendix E – Cultural Heritage Resource Assessment

The Secondary Plan has been reviewed with consideration for the Niagara Official Plan (NOP) approved by the Province in November 2022 and again through the *Official Plan Adjustments Act, 2023* (Bill 150), in accordance with policy 3.1.30.4.3 regarding in-process secondary plans as well as applicable transitional provisions of the NOP.

Regional comments and corresponding NOP policy references have been inserted directly into the draft policy set, schedules and appendices, as attached. Comments relating to matters of Provincial and Regional conformity include:

- Updating policies B1.9.11.4 b) i, iii and vi relating to conservation of cultural heritage and archaeological resources;
- Updating policies B1.9.4.3, B1.9.8.3.1 and B1.9.8.4.1 to replace ‘secondary suites’ with ‘additional residential units’; and
- Updating policy B1.9.11 c) to indicate that a pumping station “if required” is permitted within the Greenlands designation “in accordance with the Regional Sewage Pumping Station Policy”.

Regional staff also note that policy B1.9.9.6.1 does not include water quality control. Staff recommend revising this policy to add that “stormwater from all new development be captured and treated to an Enhanced standard (i.e. 80 percent long-term suspended solids removal)”.

In addition, Regional staff continue to recommend that the Urban Design Guidelines be updated, as per the comments inserted directly into Appendix C, if feasible.

We also recognize that the Town has initiated its Official Plan conformity exercise and will need to balance current policy language with future Official Plan updates. Additional comments throughout the draft policy set relating to wording options, numbering and formatting are provided solely for Town staff’s consideration.

Niagara Transit Commission

Regional planning staff circulated the East Fenwick Secondary Plan to the Niagara Transit Commission (NTC) in accordance with policy 5.1.2.3 of the NOP. NTC staff have acknowledged that the Secondary Plan was likely written when Pelham had a fixed route with various stops throughout the Town. Currently, Pelham is serviced by on-demand transit without a need for transit stops. Depending on when this project is to be completed, the type of transit servicing within the secondary plan area may be different than what is laid out in the document. For instance, longer term planning may require a change from on-demand to fixed route conventional service.

The NTC has recently initiated a Network Design Review which will look at the transit network throughout the entire region. Any future changes to transit service (e.g.

expansions into new areas) are subject to Board and Regional Council Budget approval, and based on the existing Transit Special Levy methodology, would be a direct chargeback to the Town of Pelham. The service level required by the Town of Pelham and the cost to deliver that service would be discussed between the NTC and Town prior to seeking Budget approval.

Conclusion

Thank you again for the opportunity to provide input into the East Fenwick Secondary Plan. Provided the matters of Provincial and Regional conformity noted above are satisfactorily addressed, the Official Plan Amendment for the East Fenwick Secondary Plan is exempt from Regional approval in accordance with NOP policy 7.4.1.6. Regional staff request to receive a copy of the final Recommendation Report and Official Plan Amendment as endorsed by Town Council.

Should you have any questions or concerns regarding any of the comments, please contact Lindsey Morin, Senior Planner at Niagara Region at lindsey.morin@niagararegion.ca or 905-980-6000 ext. 3630.

Respectfully submitted,



Angela Stea, MCIP, RPP
Director, Corporate Strategy & Community Sustainability, Niagara Region
Growth Strategy and Economic Development
Niagara Region

Attachment(s):

Regional Comments on Final Draft East Fenwick Secondary Plan

cc: Michelle Sergi, Commissioner, Growth Strategy and Economic Development, Niagara Region
Erik Acs, Manager, Community Planning, Niagara Region
Barbara Wiens, Director, Community Planning and Development, Town of Pelham

B1.9 East Fenwick Secondary Plan – January 2024

B1.9.1. INTRODUCTION

- a) The lands subject to this Section of the Official Plan are identified on Schedule A7, Schedule A8, Schedule A9, Schedule A10 and Schedule A11, which are attached hereto and form part of this Official Plan;
- b) In addition to the identified Schedules and the following text, this Secondary Plan also includes the following appendices:
 - i. Appendix A – 2018 Neighbourhood Demonstration Plan and Active Transportation Plan
 - ii. Appendix B – 2018 Land Use Budget
 - iii. Appendix C – 2024 Urban Design Guidelines
 - iv. Appendix D – August 2019 Natural Heritage Mapping
 - v. Appendix E – 2017 Cultural Heritage Resource Assessment Report
- c) The East Fenwick Secondary Plan provides policies for the implementation of a community that is consistent with Provincial, Regional and local plans and policies. The community is planned to protect its natural heritage system, support the economic growth of Fenwick, and further enhance Fenwick's village character while establishing a pedestrian and cyclist friendly, compact and sustainable community. Appendices A and B are included as demonstration plans on how the policies of this document can be implemented; and,
- d) The East Fenwick Secondary Plan area shall be developed over time in conjunction with the applicable policies of the Official Plan of the Town of Pelham. Where there is a conflict between the policies of this Secondary Plan and the Official Plan, the policies of this Secondary Plan shall apply.

B1.9.2. VISION

The East Fenwick Vision is based on the growth and development tenets found in the Town of Pelham's Official Plan to deliver a new community that:

"Supports and emphasizes Fenwick's unique character, diversity, civic identity, rural lifestyle and heritage features and to do so in a way that is positive on the quality of life and health for the citizens who live and work in Pelham."

Furthermore, the Vision for the East Fenwick lands is intended to encourage and manage development in a manner that delivers a vibrant and diverse community. Key components of the Vision reflected in the preferred land use plan include:

1. The enhancement of Canboro Road as a scenic "promenade" route linking Fenwick to Ridgeville and Fonthill through the implementation of a distinctive streetscape and built form character strategy;
2. The preservation and enhancement of the existing streetscapes through the implementation of a special residential character zone that seeks to maintain the village's character through the implementation of Fenwick's typical streetscape and built form character elements such as building setbacks, height and massing along all existing roads;
3. The development of a diverse, neighbourhood-scaled open space network that is sensitive and complementary to the site's existing natural features;
4. The development of a community with a diverse range of housing types and home-based business opportunities; and,
5. The implementation of a connected street system.

B1.9.3. NEIGHBOURHOOD STRUCTURE

- a) Schedule A7 identifies the planned neighbourhood structure. The neighbourhood structure is comprised of the following elements:
- i. Two Residential Neighbourhoods – Each of these Neighbourhoods is anchored by open space at its centre and planned to contribute to the overall housing mix and density targets of the ~~whole~~-community as a whole. Policies permit the introduction of employment in the form of live-work units, subject to the development of appropriate zoning and the availability of home occupation opportunities as well as institutional land uses within each neighbourhood;
 - ii. The Greenlands System – The Greenlands System is comprised of existing natural heritage features, linkages, public parkettes, trails and stormwater management facilities. The system contributes to the overall structure of the Plan; and,
 - iii. The Street System – The Street System is comprised of an internal north south collector system intended to facilitate pedestrian, cycling and vehicular movement. -The Street System extends into existing roads intersecting the study area, such as Sunset Drive, and delivers an internal street system that connects Welland Road to Memorial Drive.
- b) Schedule A11 demonstrates lands within the *Built Boundary* and the *Greenfield Overlay Areas*. The approach to the Secondary Plan has been to complement the Village of Fenwick's existing character and associated built and cultural heritage.
- Per Policy B1.1.10.3 of the Town's Official Plan, the following density requirements shall be met:
- i. Lands within the Greenfield Overlay Area are subject to Town of Pelham minimum density of 20 units per hectare to meet the

Commented [ML1]: Or "identifies"?

Commented [FB2]: Cultural heritage resources is the defined term in the NOP, which includes built heritage, cultural heritage landscapes and archy resources. Fine to stay separate if this is consistent with the Pelham OP terminology. The definition in the NOP comes from the Greenbelt Plan.

Commented [ML3]: Note that Schedule A11 refers to B.1.1.1.0.3. I believe this may be a typo. I believe the intention is to refer to B1.1.10.3 as referenced here.

required minimum density of 50 persons and jobs per hectare and

- ii. Lands within the Built Boundary Area are subject to a density range of 8 to 15 units per net hectare to contribute to the Town's overall intensification target.

Commented [ML4]: Could consider adding "as measured across the entire Designated Greenfield Area"

B1.9.4. PLAN OBJECTIVES

B1.9.4.1. General Development Objectives

These development objectives provide the framework for the planning and development of public and private lands within the Secondary Plan Area. The objectives will be implemented through the mechanisms set out in this Plan, including the implementing Zoning By-law and Site plan Approvals.

Introduction to Neighbourhood Structure design objectives:

- a) To deliver a land use and community structure that supports the economic well-being of Fenwick's existing historic downtown area as defined by significant built heritage resources and cultural heritage landscapes;
- b) To ensure the community is developed in a compact sustainable manner that responds to the community's existing natural, cultural and servicing context;
- c) To develop a land use pattern that protects Fenwick's village character by ensuring that a land use transition is implemented along all existing roads;
- d) To create a sense of identity and community by ensuring the implementation of neighbourhoods that have a 2.5 to 5.0 minute walk to identifiable open space centres, based on an approximate 250 to 400 metres radius;
- e) To ensure there are residential housing options that promote lifecycle, and affordable housing opportunities, available to all existing and future residents;
- f) To conserve and enhance existing significant cultural heritage landscapes and built heritage resources as key character building elements to be integrated into the community's development;
- g) To ensure all new development occurs on the basis of full municipal infrastructure services, such as water and sewer, in addition to adequate utility networks;
- h) To phase development in a manner that is logical and cost effective without any undue financial burden to existing taxpayers and the surrounding farming community through the municipal review of servicing and transportation plans. The phasing of development within the Plan will be subject to the phasing and construction of municipal servicing infrastructure as identified in each particular development's required

Commented [ML5]: Is it necessary to include "Introduction to" ?

Commented [FB6]: Support the integration of cultural heritage resources through this section. Consider adding archaeological resources as well, as a means of preserving the context underlying the built heritage resources.

servicing and traffic reports, and any reports required through future Draft Plan of Subdivision processes.

Greenlands Structure objectives:

- a) To conserve and protect the area's natural heritage system as an integral component of the community by providing clear and unobstructed visual and physical links to the Secondary Plan natural features;
- b) To ensure a connected Greenlands system is implemented and comprised of the existing natural features, stormwater management facilities, streets, trails, and public parkettes;
- c) To encourage active transportation by delivering a network of connected parkland amenities with multi-use trails within walking distance to the majority of the surrounding neighbourhood residents;
- d) To accommodate ~~for~~ passive and small active recreational opportunities such as natural playgrounds, as well as seating and walking areas as important community building components;
- e) To ensure stormwater management facilities are planned as essential Greenlands system components to be designed as special landscaped amenities that are publicly accessible;
- f) To encourage the integration and connectivity of existing natural features through the implementation of new linkages; and,
- g) To encourage the conservation and integration of existing hedgerow and woodland features into the community's overall design and development.

Street Structure objectives:

- a) To deliver complete streets in accordance to the Region's ~~C~~complete ~~S~~streets ~~Design Manual -G~~guidelines with a clear road hierarchy based on a connected modified grid network that accommodates for all modes of travel fundamental in the implementation of an identifiable, great community;
- b) To deliver complete streets with a unique functional rural cross section character in the implementation of a community with a strong village character;
- c) To preserve Canboro Road and Memorial Drive cultural heritage character through the implementation of a special character or Village Residential zone and site specific road solutions based on these roads constrained right of way width; and,
- d) To facilitate the implementation of a future transit network by ensuring the community's minor collector road transverses throughout the entire East Fenwick area. The network will allow for a 2.5 to 5-minute walk to a transit stop and the implementation of a future transit loop throughout the entire Village.

B1.9.4.2 Sustainability & Healthy Communities

The community design elements structuring the East Fenwick Secondary Plan Area are the physical land use planning manifestation of a strategy that seeks to achieve social, economic, and environmental sustainability.

B1.9.4.2.1 Development in the East Fenwick Secondary Plan Area is envisioned to achieve:

1. Social sustainability by encouraging a diverse community that offers a wide range of housing mix to a wide range of people with different backgrounds, age, lifestyles and socio-economic status;
2. Economic sustainability by continuing to encourage home occupation related employment and increasing the local population that can support Fenwick's downtown business community; and,
3. Environmental sustainability by focusing on maximizing support for climate action by lowering carbon emissions and delivering energy and water efficiency and circular systems.

B1.9.4.2.2 To achieve a sustainable and healthy community, the plan is envisioned to integrate key elements such as density, walkability, pedestrian and cycling routes, publicly accessible electric vehicle infrastructure, water efficiency infrastructure and landscaping and use of sustainable materials to maximize low carbon and low impact design.

B1.9.4.3 Affordable Housing

a) It is the objective of this Plan that a minimum of 25% of all new residential development within the East Fenwick Secondary Plan Area meet the Provincial and Regional definition of affordable housing. -The construction of affordable housing at initial development stages in an evenly distributed manner throughout the neighbourhood plan is highly encouraged.

Affordable housing may be achieved by:

- i. Supporting the construction of an alternative range of housing to include stacked townhouses, back-to-back townhouses or apartment buildings;
- ii. Encouraging larger size units in multiple forms to accommodate varying family sizes (i.e., 3-bedroom units);
- iii. Supporting construction of ~~secondary suites~~additional residential units and encouraging building design that allows for ~~addition of secondary suites~~additional residential units;
- iv. Supporting sustainability initiatives, such as passive design or green technologies (e.g. low flow toilets), that keep operating costs of the homes or buildings lower;
- v. Encouraging construction of condominium units with modest common element amenities to keep the housing and monthly condominium fees cost low; and,

Commented [ML7]: Could consider integrating language re- provision of a diverse range and mix of housing to meet housing needs at all stages of life.

2.3.1.1 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.

2.3.1.5 New residential development and residential *intensification* should incorporate *universal design* standards to meet housing needs at all stages of life.

Commented [ML8]: Update language to align with Provincial and Regional terminology.

2.3.3.2 Local Area Municipalities shall permit up to two *additional residential units* as-of-right within new or existing residential development, subject to Provincial legislation and appropriate land use, size, and locational criteria.

- vi. Encouraging the construction of rental units in a range of unit sizes and unit types.
- b) The Town will work with other government agencies and the private sector to promote innovative housing forms, development techniques, and incentives that will facilitate the provision of affordable housing; and,
- c) Affordable housing is encouraged to be located in close proximity to local community facilities, existing or potential public transit routes and active transportation facilities.

Commented [ML9]: Relevant NOP policy:
 2.3.3.1 The following tools will be considered to support the development of *affordable and attainable housing*:
 d. the inclusion of a mix of unit sizes in multi-unit developments to accommodate a diverse range of household sizes and incomes;

Commented [AA10]: Pelham is currently receiving on-demand public transit, which provides door-to-door service.

B1.9.5. DESIGN POLICIES

B1.9.5.1. Neighbourhood Demonstration and Active Transportation Plans and accompanying Land Budget

- a) The Neighbourhood Demonstration and Active Transportation Plan and resulting land budget contained in appendices A and B illustrate one of the multiple variations in which the policies contained in this document can be site implemented. The intent of the Neighbourhood Demonstration and Active Transportation Plan is to promote an appropriate built form, streetscape and public realm within the Secondary Plan Area.

Commented [ML11]: I see that a previous iteration of the policies also included b and c as follows:
 B) The Neighbourhood Demonstration Plan is intended to act as a guide for successive development and approval processes that are required to implement this Plan such as zoning, Master Plans and Draft Plans of Subdivision/Condominium; and,
 C) All development within the East Fenwick Secondary Plan Area shall be generally consistent with the Neighbourhood Demonstration Plan attached to this Plan as Appendix A. Adjustments and further refinements to the street and block pattern shown in the Neighbourhood Demonstration Plan may be permitted if the intent and general design approach inherent to this Secondary Plan Vision, Objectives and Policies is maintained to the satisfaction of the Town.

Just confirming that they were intentionally removed.

B1.9.5.2. Urban Design Guidelines

- b) Urban Design Guidelines have been prepared to guide development (attached as Appendix C). The intent of the Urban Design Guidelines is to promote an appropriate built form, streetscape and public realm within the Secondary Plan Area. The Urban Design Guidelines function as an implementation tool for successive development and approval processes that are required to implement this Plan, particularly zoning, required Master Plans and Draft Plans of Subdivision/Condominium; and
- c) All development within the East Fenwick Secondary Plan Area shall be generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C. -Adjustments and further refinements to the Urban Design Guidelines are anticipated and shall not require an amendment to this Plan, provided that the intent and general design approach inherent to the Plan Vision is achieved to the satisfaction of Town staff.

Commented [ML12]: Should it be a) and b) under Urban Design Guidelines?

B1.9.5.3. General Site Development Criteria

- a) The Town shall ensure that the following general site development criteria are implemented in all new development:
 - i. Buildings shall be street-oriented and provide direct street access for pedestrians;

- ii. Surface parking areas shall generally be sited to the side or rear of buildings, or, preferably below grade. The softening of the impact of surface parking through building orientation and landscaping treatments is required;
- iii. Residential driveway access and garage wall shall generally be set back from the living portion of the front façade or located at the rear of the building;
- iv. All new apartment development shall provide secure indoor bicycle parking and outdoor bicycle racks at their main entrance. In locations with minimal setbacks where there is insufficient space for bicycle racks at the main building entrance, bicycle racks may be provided at an alternate location in proximity to the entrance that is user-convenient and highly visible;
- v. Compatibility between different land uses and scales of buildings shall be achieved through appropriate siting, building design, massing articulation and landscape treatment;
- vi. High quality landscape treatment shall be provided throughout the Secondary Plan Area;
- vii. Building form and siting shall minimize the impacts of noise, wind and shadows on adjacent properties;
- viii. To ensure a gentler transition to Fenwick’s rural character, higher density development shall generally be located towards the centre of the Secondary Plan Area adjacent to public open space areas to minimize the building massing and presence on the existing streetscape;
- ix. Loading areas and outdoor fully enclosed refuse collection areas shall be unobtrusive and screened and shall be located at the side or the rear of buildings; and,
- x. Rooftop equipment shall be unobtrusive, architecturally incorporated into the design of the building and/or screened from view.

B1.9.5.4. Crime Prevention Through Environmental Design (CPTED)

- a) The Town will promote building and site design that assists in the reduction of incidence of crime through the implementation of Crime Prevention Through Environmental Design (CPTED) principles including natural surveillance, natural access control, territorial reinforcement and space assessment; and,
- b) The Town shall have regard for the principles of CPTED in their review of all development applications.

B1.9.5.5. Sustainable/Green Building Design

- a) The overall development pattern within the Secondary Plan has been developed to encourage the following sustainable community design principles:

- i. Street orientation to maximize passive solar gain and pedestrian comfort on streets;
- ii. Shorter block lengths to encourage pedestrian permeability;
- iii. Conserve, protect and integrate natural features within the Plan as an integral part of sustainably responding to the context by:
 - Conserving the natural heritage system;
 - Integrating hedgerows and appropriate woodlands into the community's open space and streets system;
- iv. Street standards that encourage the retention of existing tree canopy with special consideration for the Plan's identified scenic roads of Canboro Road and Memorial Drive;
- v. Implement street standards that encourage a tree canopy and a green infrastructure approach to improve stormwater capture and reuse and maintain and enhance the area hydrological features and functions;
- vi. Support the choice of native planting materials and xeriscaping to address summer/winter conditions and reduce water consumption;
- vii. Support circular water and energy system opportunities to reduce water consumption;
- viii. Encourage the implementation of Electric Vehicle infrastructure in a manner that allows for future increased uptake throughout the neighbourhood at all public spaces;
- ix. Encourage a broadband network throughout the community that will use technology applications to support air quality and net zero neighbourhoods by efficient and low carbon transportation, signalization, work at home and energy and water efficiency opportunities;
- x. Support night sky lighting;
- xi. Encourage opportunities for community-based initiatives such as car-pooling, community composting, waste reduction, educational and stewardship programs; and,
- xii. Include renewable energy strategies ~~and that~~ are designed to support net zero building techniques, restoring as much energy as they consume.

b) The Secondary Plan shall encourage the following green building design and sustainability requirements:

- i. New buildings achieve a 20% or greater water conservation efficiency than required by the Ontario Building Code;
- ii. New buildings, with the exception of residential buildings containing less than 25 dwelling units, to achieve the following sustainability requirements:
 - a. LEED Silver, or equivalent, prior to and including 2021; and
 - b. LEED Gold or equivalent from 2022 up and beyond 2031.

- iii. New development to be built to the following requirements standards for sustainability:
 - a. Grade related (3 storeys or less) residential buildings achieve a minimum performance level that is equal to ENERGY Star U standards; and,
 - b. Mid-rise (4 storeys and greater) residential buildings shall be designed to achieve greater energy efficiency than the Model National Energy Code for Building.
- c) The Town shall encourage and support public and private partnerships and pilot projects for net zero water and energy systems that support climate action greenhouse gas reductions.

B1.9.6. PHASING POLICIES

1.9.6.1 Development shall be phased to provide for continuous, orderly extension of the community to ensure the most efficient and economic use of the existing and proposed infrastructure. The following phasing criteria shall be considered in the review of all development applications:

- i. The development contributes to, or can be appropriately integrated within the logical sequence of construction of all required sewer, water, storm water, active transportation and other community facilities;
- ii. The development satisfies all requirements regarding the provision of parkland and other facilities; and,
- iii. The development implements any relevant findings of the studies required by the Official Plan and this Secondary Plan.

B1.9.7. LAND USE DESIGNATIONS

- a) Land use is divided into two Residential Neighbourhood and four Greenlands System designations to include a Special Policy Area Overlay as shown in Schedule A10 with policies established for each category. The categories include:

The Residential Neighbourhoods designations:

- i. Village Residential
- ii. Neighbourhood Residential

The Greenlands System includes:

- i. Natural Heritage System
- ii. Special Policy Area
- iii. Environmental Linkages
- iv. Open Space / Parkette
- v. Stormwater Management Facilities

Commented [ML13]: Or "and includes a special policy area" ?

- b) The boundaries of land use designations, as shown on Schedule A10, are intended to be general and approximate, unless they coincide with an existing road, lot line, a prominent physical feature and/or relate to studies approved by Town or Conservation Area staff. Adjustments to the location of land use boundaries may be permitted without the need for an Official Plan Amendment provided the general intent of the Official Plan and this Secondary Plan are maintained and all required technical reports supporting the revision of land use boundaries are completed to the satisfaction of Town. Similarly, adjustments may be made in the location of streets, trails and bikeways provided the intent of the Secondary Plan is maintained to the satisfaction of the Town.

B1.9.8. RESIDENTIAL USES

B1.9.8.1. Intent

It is the intent of the Town to promote the development of compete communities through an appropriate housing mix, opportunities for home occupation related employment and a pedestrian oriented street design. The two neighbourhoods shall be connected to the Greenlands System.

B1.9.8.2. General Policies

- a) In order to achieve the minimum density targets of this Plan, the Town will not approve any development application that compromises the ability for the Town to achieve the identified density targets throughout the East Fenwick Secondary Plan Area. As such, prior to the approval of any application for Plan of Subdivision and/or Zoning By-law Amendment, the proponent shall demonstrate how the proposed development contributes to the density targets of the Plan;
- b) Prior to the approval of any development application, proponents shall provide a housing mix and density plan that geographically distributes built form/ housing types, lot sizes and densities based on the objectives and policies of this Plan, demonstrated through a plan of subdivision and planning justification report;
- c) Proposed development within the Secondary Plan Area shall generally conform to Appendix C – Urban Design Guidelines. If, in the opinion of the Town, the proposed street and block layout significantly departs from the design intent, the applicant shall be required to justify the proposed changes in the Planning Justification Report and accompanying explanatory Urban Design Brief, to be submitted at the time of submission of development application.
- a. Urban Design Brief – The Urban Design Brief will provide a detailed description of the proposed new Draft Plan Vision to

Commented [ML14]: Is this only applicable to subdivision applications?

Commented [ML15]: Should this be a roman numeral rather than a)?

include road, block, land use, open space and streetscape components. Ultimately, the purpose of the Urban Design Brief is to demonstrate how the proposed Draft Plan implements the East Fenwick Secondary Plan Vision.

- d) Subject to the findings of the Environmental Impact Study required in Policy B1.9.9.3 to reduce or remove natural heritage features, any land use changes proposed for the Special Policy Area Overlay will require the applicant to undertake the studies/updates outlined in Policy B.1.9.8.2 e);
- e) Notwithstanding general compliance with Secondary Plan policies, technical supporting studies will be required as part of the Town's development proposal process for all development applications. Technical supporting studies, which can be based on the "Transportation Assessment" and "Municipal Servicing Conceptual Design" reports accompanying this Secondary Plan, are to include, but are not limited to:
 - i. Municipal Servicing Plan shall include, but shall not be limited to, technical details regarding the provision of water, wastewater, stormwater management and public/private utilities;
 - ii. Transportation Plan shall include, but shall not be limited to, technical details regarding the traffic conditions and implementation strategies proposed to accommodate for development;
 - iii. Environmental Impact Study to include the assessment of lands within and adjacent the Natural Heritage System and Special Policy Area Overlay identified in this Plan (refer to Town Official Plan policies B3.2.4.3 and B3.3.4.3).
- f) Within the Neighbourhood Residential designation, increases in density may be permitted to the satisfaction of the Town without Amendment to this Plan, subject to:
 - a. A test of functional servicing compatibility addressing all water, wastewater, stormwater through an update to the Municipal Servicing Plan;
 - b. A Traffic Impact Study demonstrating traffic impacts and requirements; and,
 - c. An Urban Design Brief to demonstrate how the proposal implements this Plan's Urban Design Guidelines and overall Vision intent.

B1.9.8.3. Village Residential

B1.9.8.3.1. Permitted Uses

- a) The following uses are permitted within the Village Residential designation:
 - i. Single detached and semi-detached dwelling units;

- ii. Accessory apartments/~~secondary units~~additional residential units;
- iii. Accessory buildings and structures related to the primary residential dwelling unit;
- iv. Home occupations subject to Policy B1.1.6;
- v. Places of worship;
- vi. Retirement housing;
- vii. Day nurseries;
- viii. Open space linkages;
- ix. Community meeting spaces;
- x. Public uses; and,
- xi. Public and private utilities.

Commented [ML16]: I sent an email on February 27 regarding seniors housing/retirement housing terminology for your consideration

- b) In addition to the permitted uses identified above, street and block townhouses may be permitted provided garage areas are not visible from the public right of way in accordance with this Plan and accompanying Urban Design Guidelines.

Commented [ML17]: Or "in policy B1.9.8.3.1 a)" for extra clarity

B1.9.8.3.2. Development Policies

- a) For single detached lots density shall range from a minimum of 8 units per net hectare, up to 20 units per net hectare;
- b) For semi-detached lots density shall range from a minimum of 20 units per net hectare, up to 40 units per net hectare;
- c) 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;
- d) Built form siting along the Plan's perimeter and Canboro Road should be in keeping with existing setback parameters;
- e) Residential buildings along Canboro Road shall minimise their garage and driveway presence onto the streetscape as outlined in the Urban Design Guidelines;
- f) The maximum residential building height for any building within the Village Residential designation shall be 2.5 storeys; and,
- g) Places of worship and day nurseries shall only be permitted within the Village Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:
 - i. Have a minimum lot size of 0.75 of a hectare;
 - ii. Are compatible with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts; and,

- iii. The landmark or steeple component of a Place of Worship may be permitted to exceed the 9 metres height limitation, subject to approval by the Town, through the required Site-Specific Zoning By-law Amendment process.

B1.9.8.4. Neighbourhood Residential

B1.9.8.4.1. Permitted Uses

- a) The following uses are permitted within the Neighbourhood Residential designation:
 - i. Single detached and semi-detached dwelling units;
 - ii. All forms of townhouse and multi-attached units;
 - iii. 4 to 6 storey apartment buildings;
 - iv. Accessory apartments/~~secondary~~ additional residential units;
 - v. Live-work units;
 - vi. Retirement housing and/or special needs housing;
 - vii. Accessory buildings and structures related to the primary residential dwelling unit;
 - viii. Home occupations subject to Policy B1.1.6;
 - ix. Places of worship;
 - x. Day nurseries;
 - xi. Parks, parkettes and open space linkages;
 - xii. Community Amenity buildings;
 - xiii. Public uses; and,
 - xiv. Public and private utilities.

Commented [ML18]: The terms multi-attached, multiple-attached and multi-unit buildings have all been used. Recommend using a consistent reference (assuming these are all interchangeable). In the NOP, we use multi-unit residential building.

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B1.9.8.4.2. Development Policies

- a) For single detached lots density shall range from a minimum of 18 units per net hectare, up to 30 units per net hectare;
- b) For semi detached lots of density shall range from a minimum of 20 units per net hectare, up to 50 units per net hectare;
- c) Permitted street and block townhouse as well as multiple-attached dwellings shall be developed at densities ranging from a minimum of 20 units per net hectare, up to 60 units per net hectare;
- d) Small scale apartment buildings shall be developed at densities ranging from a minimum of 73 units per net hectare, up to 120 units per net hectare;
- e) The maximum building height for any building within the Neighbourhood Residential designation located internal to the community shall be 6 storeys and may include a 4.5 metre minimum ceiling height requirement on the ground floor to accommodate live-work units;

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- f) The maximum building height for any building within the Neighbourhood Residential designation with frontage onto Canboro Road, Welland Road and/or Cream Street shall be 4 storeys;
- g) Places of worship and day nurseries shall only be permitted within the Neighbourhood Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:
 - i. Have a minimum lot size of 0.75 of a hectare;
 - ii. Are compatible with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts;
 - iii. Are located near the intersection of two public roads, at least one of which is a Collector Road; and,
 - iv. The landmark or steeple component of a Place of Worship may be permitted to exceed established height limitations, subject to approval by the Town, through the required Site Specific Zoning By-law Amendment process.
- h) Live-work uses shall only be permitted within the Neighbourhood Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:
 - i. Are limited in size to 150 square metres per live-work unit
 - ii. Are compatible with adjacent properties in terms of aesthetics, privacy, noise and/or other impacts;
 - iii. Are located near the intersection of two public roads; and,
 - iv. Are located near or at the centre of the neighbourhood, within a 2.5-minute walk from the majority of residents.
- i) Development on the basis of garage and driveway access from public or private lanes is encouraged, and may be required where dwelling units front onto a Minor Collector Road, a Linkage, or a linear park. Development on the basis of garage and driveway access from public or private lanes may be permitted where dwellings front onto a Local Road, subject to confirmation of the technical requirements by the Town;
- j) Neighbourhood Residential development that abuts lands designated Village Residential shall be designed to:
 - i. Ensure compatibility to Village Residential areas through deeper lots;
 - ii. Ensure compatibility ~~with~~ Village Residential areas through the conservation, when present, of the existing tree canopy in the form of a landscaped buffer, which shall be a minimum of 10 metres in depth;
 - iii. Increased setbacks;
 - iv. The provision of landscaped buffers when backing onto Village Residential areas;
 - v. The provision of clearly demarcated vehicular and pedestrian access points; and,

Commented [ML19]: Should this be "units"?

vi. The provision of screened parking areas located behind the principal building with limited exposure to adjacent public roads.

k) Schedule A10 identifies symbolically (with the use of an asterix) the potential location for **multi-unit** buildings. These locations have been chosen due to their landmark, gateway role as well as their proximity to large open space areas. It is important that future development on these sites facilitates strong view terminuses across the Plan Area, accentuates the Greenlands system rather than detracts from it, and maximizes visual prominence and anchoring of the buildings along street axes. To achieve this, in general proximity to that symbol, a **multi-unit** building may be developed subject to appropriate zoning and the following criteria:

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- i. The site is located along public roads;
- ii. The site does not exceed 10,000 square metres in size;
- iii. Any proposed building at the corner of Cream Street and Canboro Road shall be designed as a priority lot that fits with Fenwick's Village character; and,
- iv. Apartment buildings located within the Residential Neighbourhood lands that are more than 4 storeys in height shall be designed following the angular plane strategy of this Plan's Urban Design Guidelines of Appendix C.

l) Apartment buildings shall be designed to ensure development compatibility ~~with~~te surrounding existing and ~~future-planned~~ built forms. Site design considerations may include:

- i. Increased setbacks;
- ii. Sensitive building siting;
- iii. Provision of landscape buffers;
- iv. Angular planes or other mechanisms that control the scale of development;
- v. The requirement for structured parking and/or the provision of parking areas that do not dominate the site physically and visually from the public right of way;
- vi. Bicycle parking is provided in areas that are located near a building access, are protected from the weather, are safe and well illuminated, and do not obstruct the public sidewalk;
- vii. Bicycle parking is provided at a minimum of 1 space per unit plus 0.5 visitor/short term spaces per dwelling unit;
- viii. The location, pattern and style of entranceways, windows, balconies and other architectural details ensure matters of character fit, oversight and privacy are addressed; and,
- ix. The location, pattern and style of loading bays and refuse containers ensures these areas internal to the site, and are not visible from the public right of way.

B1.9.9. THE GREENLANDS SYSTEM

The East Fenwick network of green land spaces is made up of the area's existing Natural Heritage System, a series of interconnected small neighbourhood parkettes, environmental linkages, active transportation network and trails, and stormwater management areas. The proposed open space network encourages active transportation, recreation, and opportunities to connect to the natural heritage system and the neighbourhood's open space amenities as an integral part of the neighbourhood design. The Greenlands System recognizes natural heritage features and their associated functions and seeks to maintain connections between and among them, so that their existing ecological and hydrological functions are maintained or enhanced, where possible.

Note: The East Fenwick Secondary Plan, specifically its environmental mapping, reflects significant investment from landowners in Environmental Impact Studies (EIS's) that cover portions but not all of the Plan Area. Areas where existing studies have been conducted reflect the regulatory standards of the approvals framework that existed at time of their completion. Because of this, more explicit policy direction is provided for these portions of the Plan Area relative to others. It is important to note that policy provisions included in this Secondary Plan reflect the regulatory standards in place at time of application, and future development may be held to different standards of environmental review as these regulations evolve over time.

B1.9.9.1. Intent

- a) It is the intent of the Town to establish a linked Green Lands System that also acts as a fundamental community structure element for the East Fenwick Secondary Plan;
- b) The Green Lands System, as identified on Schedule A8, is comprised of the following components and associated buffers:
 - i. Natural Heritage System
 - ii. Special Policy Area Overlay
 - iii. Environmental Linkages
 - iv. Stormwater Management
 - v. Open Space/Parkette
- c) The inclusion of all the associated elements and related activities into an interconnected Greenlands System will protect and enhance the natural heritage system and its associated functions and expand the recreational opportunities available to residents;
- d) Linkages through the implementation of corridors provide important connections between natural heritage features. Linkages and corridor connections shall be reviewed as part of an Environmental Impact Study

(EIS). Where identified through an EIS or other natural heritage study or plan, linkages and corridors shall be incorporated into development plans and protected through use of an appropriate zone in the Town's Zoning By law.

- e) As part of a future development application, additional scoped Environmental Impact Study (EIS) work is required to address environmental restoration matters relating to the overall area, location and composition of the restoration required to accommodate the proposed storm water management facility located at the south-west corner of Welland Road and Cream Street.

B1.9.9.2. Natural Heritage System

- a) The Natural Heritage System designation recognizes the limits and associated minimum buffers of the Provincially Significant Wetland.
- b) The Natural Heritage System designation recognizes environmental features defined through an Environmental Impact Study (EIS).
- c) The ecological and hydrologic functions of the lands designated Natural Heritage System shall be protected, maintained, or, where possible, improved for the long-term, recognizing linkages between and among natural heritage features and areas. The Natural Heritage System designation is intended to:
 - i. Protect the health and water quality of the natural heritage feature;
 - ii. Conserve biodiversity;
 - iii. Protect significant natural heritage features and their associated functions; and
 - iv. Protect surface and ground water resources.
- d) The lands designated Natural Heritage System on Schedule A8 are also subject to Section B3.2 of the Official Plan.

B1.9.9.3 Special Policy Area Overlay

- a) The Special Policy Area Overlay recognizes natural heritage features, which contribute to the Natural Heritage System.
- b) Additional environmental study is required to determine the exact boundaries and buffers to protect the features and functions to the satisfaction of the Town and Region.

- c) The proponent shall be required to submit an **EIS** as part of any future development application to demonstrate that, over the long term, there will be no significant negative impact on the natural heritage features or their functions. The scope and content of the EIS shall be determined through the development of a Terms of Reference in consultation with the Town, Region and the NPCA.
- d) Should it be demonstrated that a natural heritage feature may be reduced or removed, the proponent shall incorporate portions of the feature into development plans, where feasible, to the satisfaction of the Town.
- e) Should the feature be reduced in size, the adjacent land use designation shall apply.
- f) The lands with the Special Policy Area Overlay on Schedule A8 are also subject to Section B3.3 of the Official Plan.

Commented [ML20]: Recommend using a consistent reference. Sometimes its EIS, other times its spelled out.

B1.9.9.4 Environmental Linkages

- a) The Environmental Linkages designation recognizes the importance of providing ecological corridors connecting identified Greenlands areas throughout the Secondary Plan Area.
- b) Environmental Linkages shall be established consistent with Section 3.1.17 of the Niagara Region Official Plan.
- c) Notwithstanding Section 3.1.17 of the Niagara Region Official Plan (Linkages), these areas shall be landscaped with native plantings to the satisfaction of the Town in a way that reinforces an ecological corridor consistent with the significant features it is connecting.
- d) Environmental Linkages shall integrate ~~LID~~ **Low Impact Development** measures where possible to contribute to the overall storm water management strategy.
- e) Environmental Linkages will be dedicated to the Town at time of subdivision.

B1.9.9.5 Open Space / Parkette

- a) The polices applicable to the lands designated Open Space / Parkette on Schedule A8 are found in Section D5.4 of the Official Plan. In addition to the policies of Section D5.4, it will be required that Parkettes are located at the centre of each neighbourhood as identified in **Schedule A7**, a minimum of two (2) parkettes shall be provided

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Commented [ML21]: Are the parkette areas, shown as 1 and 2 on the schedules, shown conceptually?

Commented [ML22]: Note that the legend for A7 only references Open Space. All the other schedules say Open Space / Parkette. Also note that on Schedule A10, the Open Space / Parkette areas are not labelled 1 and 2 like on the other schedules.

across the plan area to ensure easy access and multiple opportunities for rest, relaxation and access to nature;

- b) Amendments to this Plan's Greenlands structure and resulting trail system / active transportation network shall be completed to the satisfaction of the Town in consultation with the Pelham Active Transportation Committee; and
- c) The following policies apply to the establishment of parkettes:
 - i. A parkette shall generally have a minimum frontage on the abutting sidewalk of 20 metres, and a minimum depth of 30 metres with a minimum area of 0.4 of a hectare and shall be generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C;
 - ii. Parkettes shall be designed to reinforce a high-quality relationship between the public right of way and surrounding land uses as a component of the Greenlands System; and,
 - iii. Parkettes shall incorporate/include existing vegetative features such as hedgerows and non-significant woodlots as part of their design; and,
 - iv. Landscape elements and features within the parkettes shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas.
- d) Parkettes that are less than 0.4 of a hectare shall generally not contribute to the Town's parkland dedication requirements and shall generally not be required or accepted by the Town. The Town may, however, consider accepting parkland parcels that are less than 0.4 of a hectare without Amendment to this Secondary Plan, subject to the specific approval by Council that is based on an understanding of the specific land parcel's contribution to the overall public parkland system within the East Fenwick Secondary Plan Area.

B1.9.9.5.1 Parkland Conveyance Reduction

- a) Parkland conveyance requirements may be reduced under the following circumstances, subject to approval by Council:
 - i. When land is developed for long term care facility use, as defined by the Province, a maximum of 2% of the total land area shall be conveyed to the Town;
 - ii. When the proposed development is being undertaken by a public-sector organization the parkland conveyance requirement may be eliminated or reduced at the discretion of Council;
 - iii. When land is developed to include affordable housing units, as defined by the Province, the conveyance requirement may be eliminated or reduced proportionate to the number of affordable units provided, at the discretion of Council;

Commented [ML23]: Some of the policies listed as a) b) c) end in periods and others have semi-colons (and "and").

Not sure if the "and" is necessary here.

- iv. When the proposed development is being undertaken by a not-for-profit organization, as defined by the Province, the parkland conveyance requirement may be eliminated or reduced at the discretion of Council; and/or,
- v. When a development proposal includes a property designated or listed under Part IV or V of the Ontario Heritage Act or listed on a Municipal Heritage Register under Section 27 of the Ontario Heritage Act, or that has otherwise been recognized as a significant cultural heritage landscape, or built heritage resource or archaeological site, and the proposal incorporates and conserves a cultural heritage resource(s) to Town satisfaction, a parkland conveyance reduction of 50% of the applicable conveyance requirement for that specific property may be applied.

Commented [FB24]: What is the property includes built heritage, landscape and archy?

B1.9.9.6 Stormwater Management Facilities

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- a) The policies related to stormwater management facilities within the East Fenwick Secondary Plan Area are found in Section C6 of the Official Plan. Their general location is conceptually shown in Schedule A8;
- b) General objectives for stormwater management facilities within this Secondary Plan Area are:
 - i. To maintain, and where possible, improve the health and condition of the receiving/adjacent watercourses;
 - ii. The achievement of no net increase in stormwater run-off from the Secondary Plan Area to adjoining lands;
 - iii. To maintain, and where possible, improve the quality of stormwater entering surface and groundwater supplies; and,
 - iv. To promote the use of naturalized methods of stormwater management.
- c) In addition to those policies, the following policies apply within the East Fenwick Secondary Plan Area:
 - i. The Plan's stormwater management facilities shall be permitted in all land use designations within the East Fenwick Secondary Plan Area, except for Natural Heritage System lands, their general location shown in Schedule A8;
 - ii. Notwithstanding the above, the stormwater management facility located south of Welland Road at Cream Street is permitted within the Natural Heritage System provided the facility is designed to the specifications agreed upon by the Niagara Region and Niagara Peninsula Conservation Authority;
 - iii. Stormwater management facilities may be permitted in Special Policy Area designations without the need for a further Amendment to this Plan, subject to the policy direction provided

Commented [ML25]: Should this be, "In addition to the policies of Section C6 of the Official Plan"?

Commented [ML26]: Or could clarify "policy B1.9.9.6 c) i"

Commented [ML27]: Overlay?

in this Plan, including the preparation of an Environmental Impact Study (EIS) to the satisfaction of the Region in consultation with the Town and the NPCA showing no negative impact to feature or function;

- iv. Stormwater management facilities will be designed as essential components within the open space network and be publicly accessible where appropriate;
- v. Stormwater management facilities will blend with the natural landscape, organic shapes and landform grading designed to replicate natural landforms in the area while being safe to visitors. Inlet and outlet structures will be concealed using a combination of planting, grading and natural stone;
- vi. Stormwater management facilities will not be fenced, but rather will be designed with trails and interpretative signage;
- vii. Stormwater management facilities shall be provided with high quality landscaping designed by a qualified Landscape Architect; and,
- viii. Stormwater management facilities shall be designed generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C.

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B1.9.9.6.1 Stormwater Management Design Criteria

- i. In order to avoid the negative impacts of flooding in the downstream watershed, all new development post development peak stormwater flows shall be attenuated to pre-development conditions for up to and including the 100-year return period design storm event.
- ii. Adequate and safe minor and major storm conveyance systems shall be required for all new development.

Commented [DM28]: Water quality control is missing. Stormwater from all new development be captured and treated to an Enhanced standard (i.e. 80% long-term suspended solids removal).

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B1.9.9.6.2 Low Impact Development Design

- a) With the goal of replicating the existing hydrologic regime, the Town shall encourage the implementation of Low Impact Design Standards that emphasize the use of bio-swales, innovative stormwater practices, and at-source infiltration, in order to contain stormwater runoff from the 90th percentile storm (25mm) on site;
- b) With the goal of minimizing the negative impacts of urbanization on the area's natural heritage features, the Town shall encourage treating stormwater runoff to an Enhanced standard (the highest standard as prescribed by the Ministry of the Environment, Conservation, and Parks);
- c) With the goal of adapting to climate change and mitigating the impacts of severe storm events, the Town shall encourage the following;

Commented [DM29]: Is it a Town's document? Or it refers to the MECP 'Low Impact Development Stormwater Management Guidance Manual' ?

Commented [DM30]: ...encourage Low Impact Development methods treating stormwater runoff or being treatment train to an Enhanced standard

- i. Include robust major overland flow routes through all new development to reduce the risk of overland flooding.
 - ii. New development should be designed to minimize the risk of basement flooding from groundwater infiltration.
 - iii. Heating, ventilation, and air conditioning (HVAC) and electrical systems should be well elevated from the basement floor or located above grade.
 - iv. If the home foundation drain connects to a storm sewer, a backwater valve should be installed on the storm sewer lateral to prevent stormwater from backing up into the basement if the storm sewer is overloaded.
 - v. If the home foundation does not connect to a storm sewer, a primary and back-up sump pump should be installed complete with a back-up power system.
 - vi. Driveways should be built to slope away from homes or garages (i.e. reverse slope driveways should not be permitted).
 - vii. Consideration should be given to increasing the capacity of all new storm infrastructure by a minimum of 25% to account for more frequent and severe rainfall events.
 - viii. Consideration should be given to implementing a minimum building setback from all mapped floodplains to account for more severe rainfall events.
- d) The Town shall encourage the introduction of green infrastructure, such as bioswales, within the street rights-of-way to enhance ground water infiltration and improve water quality as part of a comprehensive water management plan;
- e) The Town shall encourage a rainwater harvesting program to provide the passive irrigation of public and/or private greenspace, including absorbent landscaping, landscaped walls, cisterns, rain barrels, underground storage tanks and/or infiltration trenches; and,
- f) The Town shall encourage xeriscaping using native, drought-tolerant plants, a cost-effective landscape method to conserve water and other resources on a community-wide level.

B1.9.10. ENVIRONMENT AND GROUNDWATER MANAGEMENT POLICIES

- a) The policies related to the environment and groundwater management within the East Fenwick Secondary Plan Area are found in Section C5 of the Official Plan and

Commented [ML31]: I don't think this "and" is necessary given how b) is worded

- b) In addition to Section C5 of the Official Plan, development applications may need to be supported by a Hydrogeological or Hydrological Report as determined by the Town and Region at the time of pre-consultation. The purpose of the report is to investigate the impacts of the proposed development on water quality and quantity and provide recommendations on:
- a) How to maintain or enhance the quality and quantity of the water resource;
 - b) How to minimize or eliminate the effect of the proposed use on the groundwater recharge function;
 - c) How to minimize or eliminate the effect of the proposed use on the quality and quantity of drinking water in adjacent private and municipal wells;
 - d) How to maintain or enhance sensitive groundwater recharge/discharge areas, aquifers and headwater areas;
 - e) Whether it is required to monitor water budgets for groundwater aquifers and surface water features; and;
 - f) How to ensure that the quality of the watercourses affected by the development are maintained; and,
 - g) How to control or manage the risk of flooding or erosion.

B1.9.11. GENERAL DEVELOPMENT AND INFRASTRUCTURE POLICIES

B1.9.11.1. **Water and Sewer Servicing Strategy**

- a) The policies related to water and sewer servicing within the East Fenwick Secondary Plan Area are found in Section D1.1 of the Official Plan;
- b) Notwithstanding Section D1.1 of the Official Plan, water and sewer servicing within the East Fenwick Secondary Plan Area shall be as follows:
 - i. A Master Servicing Plan, outlining preliminary functional water distribution, wastewater collection and stormwater management facilities, including designs and costs, will be prepared prior to the approval of any development within the Secondary Plan Area;
 - ii. All required infrastructure shall be constructed and sized to accommodate the full build-out of the Secondary Plan Area. As a result, some of the infrastructure required by one proponent may be oversized to service the larger area. Benefiting landowners shall be required to compensate provider

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- proponents, prior to development on the benefiting landowner's property through a cost sharing agreement;
- iii. All development within the Secondary Plan Area will proceed according to individual, site specific Drainage Plans and Servicing Plans based on the proposed Draft Plan of Subdivision and all other accompanying requirements set by this Plan by the proponent, to the satisfaction of the Town and the Region; and,
- iv. Development may be phased to coincide with the availability of servicing and financial capabilities necessary in the delivery of all required municipal services.

- c) Notwithstanding the policies contained in B1.9.9, a pumping station, if required, is permitted to be located within the Greenlands designation south of Welland Road at Cream Street, in accordance with the Regional Sewage Pumping Station Policy.

B1.9.11.2. Transportation

- a) The policies related to transportation within the East Fenwick Secondary Plan Area are found in Section D2 of the Official Plan;
- b) Notwithstanding Section D2.3 of the Official Plan, rights of way for new public roads within the East Fenwick Secondary Plan Area shall be as follows:
 - i. For Minor Collector Roads, the right of way widths shall be between 22.0 to 34.0 metres;
 - ii. For Local Roads, the right of way width shall be 16.0 to 20 metres; and,
 - iii. For Public or Private Laneways, the right of way width shall be 7.5 and 9.0 metres.
- c) Notwithstanding Section D2.3 of the Official Plan, right of ways for existing public roads within and bounding the East Fenwick Secondary Plan Area shall be as follows:
 - i. For Memorial Drive, the right of way width shall be between 20.0 and 22.0 metres;
 - ii. For Canboro Road, the right of way width shall be between 20.0 and 24.0 metres;
 - iii. For Welland Road, the right of way width shall be between 20.0 and 24.0 metres;
 - iv. For Balfour Street, the right of way width shall be between 20.0 and 22.0 metres; and,
 - v. For Cream Street, the right of way width shall be between 20.0 and 22.0 metres.

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- d) All roads within the East Fenwick Secondary Plan Area shall be developed to be consistent with the design intent illustrated in the Urban Design Guidelines attached to this Plan as Appendix C;
- e) Mid-block connectors should be strategically located throughout future developments to enhance active modes access to the Greenlands system;
- f) Mid-block connectors should be a minimum of 6.0 metres in width;
- g) In addition to those policies, the following policies apply to the trail system within the East Fenwick Secondary Plan Area:
 - i. A comprehensive trail system is conceptually identified on Schedule A8 and Appendices A and C. It is the intent of the Town to achieve this trail network through the appropriate processes required to facilitate the development of this Plan including an Environmental Impact Study process;
 - ii. The conceptual trail system includes trails within the natural heritage system (pending the outcome of an EIS), stormwater management facilities, linkages, open spaces and the road system;
 - iii. Adjustments and alternatives to the trails network identified on Schedule 8 shall be permitted subject to the Town being satisfied that the principle of connectivity and continuity of the system has been fulfilled;
 - iv. Trail design and type will be based on each site's sensitivity in order to mitigate impacts to the Natural Heritage System; and,
 - v. Trails for pedestrians and cyclists within the East Fenwick Secondary Plan Area shall be developed generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C.
- h) Protection of the site's existing hedgerows and non-significant woodland areas shall be implemented through the conservation and integration of these features as an integral part of the community open space structure, generally visible from or as part of the public right of way or as rear lot conditions. The protection of the site's existing hedgerows and non-significant woodland areas shall also implement Low Impact Design features outlined Policy B1.9.9.6.1, where feasible; and,
- i) The Canboro Promenade, shown on Schedule A8/9, shall be implemented as private development extends east along Canboro Road. The objective of the Canboro Promenade is to implement a safe and comfortable pedestrian and cycling link along the north side of Canboro Road where the majority of new private development is expected to take place. The implementation and coordination of the Promenade will be undertaken as part of the Draft Plan of Subdivision process to ensure the required right-

of-way is secured through this process and shall be designed in accordance with the direction contained in Appendix C – Urban Design Guidelines.

B1.9.11.3. **Utilities**

- a) Ensure utility services such as hydroelectric power, communications/telecommunications, pipelines and natural gas lines are readily available to all development at levels necessary to ensure the safety and convenience of existing and future residents;
- b) The Town shall promote utilities to be planned for and installed in initial common trenches, below ground where feasible, in a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption;
- c) Utility services shall be developed to be compatible with the general character of the surrounding uses and minimize visual impact, where feasible. The Town will encourage utility providers to consider innovative methods for containing utility services on or within streetscape features such as gateways, lampposts, etc. when determining appropriate location for large utility equipment and utility cluster sites; and,
- d) Utilities location and screening within the East Fenwick Secondary Plan Area shall be developed generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C.

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B1.9.11.4. **Heritage and Archaeological Resources**

- a) The policies related to the heritage and archaeological resources within the East Fenwick Secondary Plan Area are found in Section D4 of the Official Plan; and
- b) Notwithstanding Section D4 of the Official Plan, built heritage and cultural heritage landscapes within the East Fenwick Secondary Plan Area shall be conserved as follows:
 - i. Development applications ~~should~~ shall conserve significant built heritage resources and cultural heritage landscapes consistent with the Heritage resources identified in Appendix E.
 - ii. Development shall be planned to conserve Canboro Road and Memorial Drive as a significant cultural heritage landscapes.
 - iii. Development shall be planned to conserve significant built heritage resources and cultural heritage landscapes located at 1159 Cream Street, 655 Canboro Road, 645 Canboro Road, 1128 Cream Street and 646 Welland Street. Where impacts are expected to these properties, a Heritage Impact Assessment ~~should~~ shall be prepared in accordance with policies found in Section D4 of the Official Plan.

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Commented [ML32]: 6.5.1.1 Significant cultural heritage resources shall be conserved in order to foster a sense of place and benefit communities, including First Nations and Métis communities.

Cultural Heritage Resources

Built heritage resources, cultural heritage landscapes and archaeological resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some cultural heritage resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation (Greenbelt Plan, 2017).

Commented [ML33]: 6.5.1.5 Development and site alteration on protected heritage property or adjacent lands shall not be permitted, except where the proposed development and site alteration has been evaluated through a heritage impact assessment and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

iv. Where impacts are expected to properties located at 704 Canboro Road, 695 Canboro Road, 606 Canboro Road, 607 Canboro Road, 615 Canboro Road, 668 Canboro Road, 675 Canboro Road, 687 Canboro Road, 688 Canboro Road, 691 Canboro Road, 1108 Cream Street, 1118 Cream Street, 1162 Cream Street, 578 Welland Road, 630 Welland Road, 663 Welland Road, a ~~H~~eritage ~~I~~mpact Assessment should be prepared in accordance with Section D4 of the Official Plan.

v. Designation of properties of cultural heritage value under the Ontario Heritage Act is encouraged.

iv-vi. Future development applications may trigger more detailed ~~Archaeology~~~~Archaeological~~ Assessments. Archaeological Assessment(s) shall be required on lands containing archaeological resources or areas of archaeological potential, where development and site alteration is proposed. First Nations shall be consulted by the proponent at the time of development application.

Commented [FB34]: 6.5.1.2 The Region encourages Local Area Municipalities to designate properties of cultural heritage value or interest, either individually or as part of a larger area or Heritage Conservation District, under the Ontario Heritage Act.

Commented [FB35]: 6.4.2.1 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.

B1.9.11.5. Subdivision of Land

- a) The policies related to the subdivision of land within the East Fenwick Secondary Plan Area are found in Section D5 of the Official Plan;
- b) In addition to the policies of Section D5 of the Official Plan, the following policy applies to all lands within the East Fenwick Secondary Plan Area:
 - i. It is the intent of the Town to ensure that Draft Plans of Subdivision are developed within a reasonable time frame. As such, the following statement shall be added to all Conditions of Draft Plan Approval:
 - A Draft Plan Approval ~~extension~~ may be extended pursuant to Subsection 51(33) or 51(32) of the *Planning Act*, but no extension can be granted once, or if, the approval has lapsed. If the owner wishes to request an extension to Draft Plan Approval, a written explanation must, together with a resolution from Council, be received by the Town of Pelham sixty days prior to the lapsing date; and a Draft Plan Approval extension will only be granted if, in the opinion of the Town, significant progress toward final approval has been achieved. Dormant Draft Plans shall not be considered for an extension of Draft Plan Approval.
- c) In addition to the policies of Section D5 of the Official Plan, the following policy applies to all lands within the East Fenwick Secondary Plan area:
 - i. For each of the two Residential Neighbourhoods, the Town encourages the benefitting landowners to work together, and to enter into a Developer's Group Agreement based on the requirements of this Plan;

Commented [ML36]: Note that NOP policy 7.11.1.5 provides direction on this. Part b) requires proponents to engage with First Nations and Indigenous communities at the earliest opportunity.

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- ii. It is intended that there be at least one Developer's Group Agreement for the Residential Neighbourhood north of Canboro Road and one for the Residential Neighbourhood between Canboro and Welland Roads;
- iii. It is recognized that in circumstances where there are multiple landowners, a singular Developer's Group Agreement may not be possible. To be considered a Developer's Group Agreement in fulfillment of the requirements of this plan, the Agreement must include a landowner or landowners that represent at least 50% of the redevelopment landholdings total area within the subject Neighbourhood;
- iv. If there is a landowner that represents at least 50% of the landholdings, the Town may enter into a Development Agreement with the landowner;
- v. Where undue delays are encountered with respect to execution of the required Developer's Group Agreements, the Town may, upon the request of an applicant landowner, attempt to resolve such difficulties or delays. Where resolution of such difficulties is deemed not possible by the Town, despite the Town's intervention, the Town shall approve alternative mechanisms to satisfy the intent of the applicable policies of this Plan;
- vi. If a benefitting landowner within a Residential Neighbourhood wishes to submit a development application and has been unable to obtain the necessary participation of other benefitting landowners through a Developer's Group Agreement, notwithstanding best efforts to do so, then:
 - The applicant landowner shall notify the Town in writing that it proposes to submit an application for development on its lands, or a portion thereof, without a Developer's Group Agreement;
 - The applicant landowner in said notice shall set out, in compliance with the provisions of this Plan that the development proposal can be accommodated on its lands, without the participation of other landowners or lands, appropriate urban development that implements the Neighbourhood Structure and policy intent of this Plan. The applicant landowner shall also elect in said notice, at its option, either to:
 - Enter into a Development Agreement with the Town in lieu of other benefitting landowners; or,
 - Enter into a Front-Ending Agreement with the Town in accordance with the provisions of Section 44 of the Development Charges Act, as amended.
 - The purpose of these alternative agreements shall be to ensure that a non participating, benefitting landowner cannot develop their lands without appropriate compensation to the

2017. Because of this, certain sections of the Plan Area will be regulated under policies and legislation that pre-date several substantial changes in the Town's planning landscape, including but not limited to:

- a. The 2022 Regional Official Plan;
 - b. The Provincial Policy Statement;
 - c. Changes to the Environmental Impact Study process and requirements; and
 - d. Amendments to the *Planning Act*.
- b. Notwithstanding the previous, the transitional policies of the 2022 Niagara Regional Official Plan and legislative framework applicable at the time of all future development applications in the Plan Area shall apply.

Commented [ML37]: Should this be "policy B1.9.13 a"

From: David Deluce <ddeLUce@npcA.ca>
Sent: Thursday, March 28, 2024 1:21 PM
To: Lindsay Richardson <LRichardson@pelham.ca>
Cc: Lindsey Morin (Lindsey.Morin@niagararegion.ca) <Lindsey.Morin@niagararegion.ca>
Subject: RE: East Fenwick Secondary Plan Comments

Hi Lindsay,

NPCA staff have reviewed the draft East Fenwick Secondary Plan and associated Schedules. We appreciate the work completed to date in this project by the Town, its consultant and local developers to address outstanding environmental concerns by the NPCA. NPCA staff are satisfied that these concerns have been appropriately addressed and have no objection to the draft policies and Schedules circulated to us on January 29, 2024.

Please let me know if you have any questions.

Best Regards,



David Deluce, MCIP, RPP
Senior Manager, Environmental Planning & Policy

Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2

905.788.3135
www.npca.ca
ddeLUce@npcA.ca

From: Lindsay Richardson <LRichardson@pelham.ca>
Sent: Wednesday, February 21, 2024 9:18 AM
To: Morin, Lindsey <Lindsey.Morin@niagararegion.ca>; David Deluce <ddeluce@npca.ca>
Subject: East Fenwick Secondary Plan Comments

Good Morning,

Just wanted to check in with you both to see how you are making out with your review of the East Fenwick Secondary Plan.

The public meeting went really well last week, generally concerns were around water/drainage (as it has been the whole time), infrastructure improvements and traffic, but overall no real anti-development talk and a few people spoke in favour of the density and proposed mix of housing so we are taking that as a win!

We are looking to take a recommendation report to Council in April (I believe the 24th) so if you could have comments to me by the end of March it would be very much appreciated. We would be happy to facilitate a meeting if there are any questions or concerns with the draft plan as well – just let me know!

I look forward to hearing from you and appreciate your continued support with this plan!

Cheers,
Lindsay



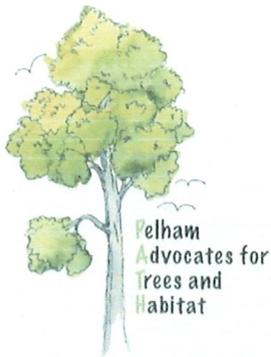
Lindsay Richardson, MCIP, RPP
Policy Planner
Town of Pelham
D: 905-980-6675 | E: Lrichardson@pelham.ca
T: 905-892-2607 x335
20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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The information contained in this communication, including any attachment(s), may be confidential, is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure of this communication, or any of its

contents, is prohibited. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.



*Pelham Advocates for Trees and Habitat (PATH)
Headquarters, 44 Emmett St.
P.O. Box 1373, Fonthill
On., L0S 1E0*

Ms. Lindsay Richardson
Policy Planner- Community Planning and Development
Town of Pelham
20 Pelham Town Square,
Pelham, Ontario
L0S 1E0

January 23, 2024

RE: East Fenwick Secondary Plan Public Open House

Dear Ms. Richardson:

We at Pelham Advocates for Trees and Habitat (PATH) are pleased to have the opportunity to provide feedback (along with a few questions) to The Town of Pelham with respect to the East Fenwick Secondary Plan, as was presented to the public at the recent Open House. Let me first state that for those PATH members who attended the Open House they commented this was a very professionally run operation and that staff present were both knowledgeable and approachable.

Our first question is; Will the East Fenwick Secondary Plan become part of the Town of Pelham's Official Plan?

Probably not surprising coming from PATH (given our mandate), we were very much impressed to see the amount of GREEN coloured in on the Secondary Plan map. It certainly appears that the Town is taking very seriously the environmentally sensitive nature for much of the lands in this area and subsequently allocating the appropriate amount of attention to both preserving as well as safe-guarding these environmentally sensitive lands. Bravo!

In keeping with the above, we were extremely pleased to learn that the Town is preserving an existing forest (denoted by GREEN) on the west side of this plan. We are heartened by this proactive action on the part of the Town to save such a precious natural heritage feature. We have several questions concerning this feature. When discussed at the Open House, we were advised that this woodland did not yet have an "official designation". We would therefore request that this woodland be designated as a "significant woodlands" and demarcated with an EP

(environmental protection) designation. Our concern is, if this woodland does not receive some type of "official designation", that through some future legislative means, loophole, etc, that despite the best of intentions these woods could potentially be lost to development in the future.

As regards to the demarcated GREEN zones on the Secondary Plan mapping, what is the proposed amount of the building exclusion zone (setback) for development adjacent to the mapped GREEN zones?

PATH is fully supportive of the Town's objective for making this development a walkable, livable neighbourhood that supports 2.5 to 5 minutes walking distance from parkland and recreational amenities. The proposed trail system appears comprehensive and is most satisfactory to us. The Environmental Corridor which links the preserved forest (western side) to the trail system (both east and west directions), is an excellent idea. With the addition of a bicycle trail system this further presents mobility alternatives to residents for avoiding/minimizing use of a vehicle. On this issue however, we feel it is very important to maximize the linkage of these trails for residents' access to downtown Fenwick by walking or riding a bike. While we understand that the section of Canboro Road which falls within the confines of the Secondary Plan will be re-developed with addition of walking and biking trails, we request that this design (or the most reasonable alternative design) be incorporated along the remainder of Canboro Rd. leading into downtown Fenwick. As there appears to be no commercial development contained in this Secondary Plan, we believe it is very important to provide mobility options for residents to access the downtown for food/other necessities, eating out, the library, etc. It is our opinion these suggestions are consistent with some of the stated objectives of this Secondary Plan, that being; "Developing a continuous and connected open space and trails system that links the local neighbourhood to the broader town and encourages active transportation".

In discussions at the Open House, our members were advised that LID practices will be integrated into this development. We are very pleased to learn of this. However, there was no mention made in the provided draft Secondary Plan to LID. We therefore seek assurance that LID will be mandated into this future development.

In keeping with our previous discussions with Town Planning surrounding the new Official Plan and planting of trees in the new development, it is PATH's recommendation that a target be set for this Secondary Plan of planting 2 reasonably sized trees per unit. For multiple story structures, should this requirement prove too onerous regarding the size of the property, that a number of trees could be planted elsewhere in the development. One such option could be the planting of "mini-forests", a concept which is taking shape in more and more communities across Canada.

A major concern relative to this Secondary Plan relates to the density targets. To clarify, from what we can discern there are no employment targets allocated to this Secondary Plan (as there appears to be no proposed commercial, retail or industrial development). Please comment if we are incorrect in this regard. We know that the East Fonthill Secondary Plan is currently at just under 50% approximate completion, and at that rate this Plan is well below what was targeted for the increase in population as was estimated when that plan was finalized. As previously confirmed with Town Planning, new development in Pelham is on average only providing housing for 1.5 persons per unit. It seems to us then, the only way to realistically ensure that new development delivers on increasing the population in line with the future target set by the Region, is to increase density. In this regard we are most concerned about the Build Boundary designation which designates 8 to 15 units per hectare. We fully realize there exists a push-pull between maintaining the village-like characteristic of Fenwick while trying to maximize the development potential of the land (and all the while protecting natural heritage features). That said, given the fact this is the last developable land in this area of Pelham, we believe this precious land must be utilized to a greater degree than what is presently envisaged. We are not suggesting that people be squeezed in like sardines or for the building of multiple high-rises. However, we feel that density ratios ranging between 20 to 50 units per hectare is what is required if Pelham is to have any realistic chance of reaching our 2051 population target. This ground-work must be done now given the shrinking developable land base in Pelham.

In discussion at the open house, we were advised that the transportation aspect of this plan has not yet been fully developed. It is our hope that the matter of "public transit" be seriously considered for this development. As the recently established Regional transit system is expected to grow along with the population increase, we believe it is important to integrate such a system into transportation planning for this development.

Finally, as to the proverbial "elephant in the room", the matter of climate change needs to be of significant consideration when developing such plans. As housing is a major source of greenhouse gas emissions in Canada, we strongly believe the East Fenwick Secondary Plan needs to tackle this issue head-on. Several issues which comes to mind are; will this housing stock be built to the highest standards possible for reducing its carbon foot-print? What if any consideration will be given to planning for alternatives to fossil-fuels heating, such as for heat-pumps and/or for installation of district heating/cooling systems (possibly more readily applicable to some of the planned multi-storied buildings). We would ask that the Town of Pelham require developers to make requests for proposals for feasibility studies for the use of district supplied energy for these developments. Though there will be higher upfront costs, the savings associated with such strategies could be very significant over the lifetime of these homes, let alone for the locked-in reduction of lifetime CO2 emissions should fossil-fuels reliance be significantly reduced or eliminated from this development. PATH strongly believes that feasibility studies need to be conducted to properly analyze the costs-benefits of installing alternative heating/cooling systems for this development.

This concludes PATH's response to the proposed East Fenwick Secondary Plan. We thank Town of Pelham Planning for the opportunity of engaging in this process. We are very favourably disposed to the possibility for future engagement/dialogue in this matter. We would much appreciate your responses/clarifications to some of the questions posed in this correspondence. Please contact this writer or Graham Pett in such regards.

In conclusion, PATH believes the proposed East Fenwick Secondary Plan represents a major step-forward in the annals of development planning in Pelham, and for dutifully acknowledging along with preserving the irreplaceable natural heritage characteristics of these lands.

Sincerely,

A handwritten signature in black ink that reads "Mike Jones". The signature is written in a cursive, slightly slanted style.

Mike Jones, President- Pelham Advocates for Trees and Habitat

FOLLOW THE PATH!

From: Sarah Leach
Sent: January 31, 2024 3:39 PM
To: Lindsay Richardson
Subject: FW: Input for East Fenwick Secondary Plan



Sarah Leach, BA.
Deputy Clerk
Town of Pelham
D: 905-980-6662 | E: sleach@pelham.ca
T: 905-892-2607 x320
20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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From: Kimberly Allan <kimberlyallan@hotmail.ca>
Sent: Wednesday, January 31, 2024 3:10 PM
To: Sarah Leach <SLeach@pelham.ca>
Subject: Input for East Fenwick Secondary Plan

Hello,

My name is Kim Allan and I live at 1105 Balfour St., Fenwick, Ontario

Re: input for the East Fenwick Secondary Plan

While I am in favour of growth for our community – I also want to point out a few issues that are currently happening, that with expansion is only going to get worse

1. Traffic on Balfour street coming around from Welland Road and from Canboro Road direction. The speed of vehicles and the vehicle parking on Balfour makes it very difficult currently to pull out of your driveway safely. Calling the bylaw officers do no good. They will not take action on the parked vehicles nor the traffic coming around the corner or the difficulty seeing the corner due to the vehicles parking from my house to the corner. Increasing homes with the new plan is only going to make this worse. Welland rd and Balfour need a 3 way stop to ease some of these vehicles coming around the corner at the speed they currently do. A time limit for vehicles parking on Balfour needs to be installed.
2. The water runoff coming down Balfour and out back to the pond runoff. My backyard is continuously swamped with water from the downstream runoff. How will the new housing planned for out back get the water redirected? The building of homes in the waterway currently will redirect more water to the backyards on the current homes along Balfour.

Sorry not able to attend live, but hoping these concerns are documented for the new plan

Kim Allan

Amy Lagrou

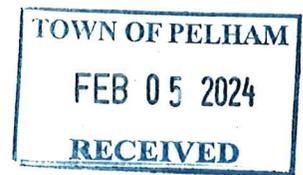
We moved to Fenwick when our first baby was 6 months old. We specifically chose Fenwick because of its small size, peacefulness and family friendly, quaint country living. If we wanted to have a development of hundreds of dwellings in our backyard or an apartment building only meters away we would have relocated to any of the already densely populated areas of Niagara. There are endless neighbourhoods to choose from. Plenty of other spaces with high density development and pavement that already fits with the character of the area.

We love Fenwick for the ability to take our kids for bike rides on our quiet country road. For the wildlife that often strolls across our backyard. For the silence at night. For the constellations of stars we can view from our backyard. For our kids to grow up in fresh open air with a respect and appreciation for nature.

Densely populating this small area of land would destroy everything we love about Fenwick. The wildlife will lose their home. The traffic will speed down the country roads. The light and noise pollution will decimate the country feel. It will not be Fenwick anymore.

We can understand there is pressure for growth, expansion, development, money, and more more more. But we cannot understand how bringing thousands of people onto one small field represents anything close to balance nor protects any aspect of natural heritage and small village character.

So here is our input, as loud as you are going to make our quiet life. NO



February 4, 2024

Re Notice of Public Meeting – East Fenwick Secondary Plan

To Town Council

Dear Mayor and Councillors:

As residents living within 120 meters of the subject property, we are in opposition of this East Fenwick Secondary Plan. We are confused to see some of the vacant land is listed (listing enclosed) for sale with the description that reads as such: “This plan includes 36 single family lots and 31 street towns – approved by the City.” It sounds as it is a done deal. Some of the concerns to go ahead with such a plan to increase population density are:

- Strain on existing infrastructure such as water and sewer systems. This development will burden the existing infrastructure which is crucial to maintain the quality to the existing residents not to mention a possible tax hike to pay for necessary upgrades.
- Traffic density. Our local roads cannot handle the additional vehicle traffic. There is one major road Balfour Street to access Hwy 20. The extra vehicles will increase traffic congestion. Balfour Street is in dire need of repairs.
- Strain on our volunteer Fire Dept.
- More population means an increase in crime rate. Fenwick has a very low police presence at present time. Drivers drive at high speed through the village. Stop signs are not obeyed. Please note more stop signs and camera will not deter this. Our police force cannot handle more population density.
- Transportation of school children for this new development. There is a shortage of bus drivers.
- This development will destroy the open space and natural habitat of the wildlife.
- Contaminants from development such as road salt, pesticides entering the local streams might affect the quality of the wells of the surrounding properties.
- The water table is very high and removing vegetation will change the land drainage and natural water flow pattern and cause flooding concerns. As you are aware a new build was approved on Canboro Road and the existing adjacent property owner was flooded and substantial damage was done to the property. When Cherry Ridge in Fenwick was developed, there were severe flooding issues. We have a sump pump at our house as most residents in Fenwick. We do not think it will be sufficient to take the extra water drainage this development will create.

Please note there is a storm pond at corner of Welland Road and Balfour St. to accommodate the new houses on Balfour St. In the past on heavy rain days it overflowed onto Welland Road. Work crews had to clean the mud from the road and the lawns of properties facing the pond.

- You mention establishing a pedestrian and cyclist friendly community. Fenwick has no crossing guards for the children. Welland and Canboro Road are just wide enough for two vehicles. Who will pay to widen these roads to make them pedestrian friendly?

The 18 lots on Balfour Street (between Canboro and Welland are not m'completely developed. Only 10 homes at this time and there is two houses on that stretch back on the market and not selling) Why develop more land? Oak Haven Estates on Maple Street has been advertised as a go for years and still not been developed and this piece of land was back up for sale?

The people who will move in this new development will be most likely people who lived in cities and will not be satisfied with the status quo of a rural setting and will demand city amenities they are accustomed to.

We disagree with your statement "it will enhance Fenwick's village character." To the contrary this plan will destroy our small rural village atmosphere. As town council representing the residents of Fenwick, please take the above concerns into serious consideration and recognize this East Fenwick Secondary Plan is not feasible.

Sincerely,



R & J Smith
1094 Balfour Street
Fenwick ON
Concerned residents of Fenwick

Enclosure.

Please note our comments can be made public but not our personal information.



\$14,900,000

**N/A WELLAND RD
Pelham, Ontario L0S1C0
MLS® Number: X7311968**

Listing Description

For more information, please click on the Brochure button below. Excellent residential development opportunity. Within walking distance of the quaint village of Fenwick, where you will find a beautiful community park with sports fields, tennis courts, children's water park, churches and restaurants. Within walking distance of local schools as well. This plan includes 36 single family lots and 31 street towns - approved by city. An additional 5 acres of property is included to be used as the retention pond (water source) - shared with 2 other developers. Reports and studies have been completed. Seller may consider offering vendor financing. (33609568)

Property Summary

Property Type	Land Size	Annual Property Taxes
Vacant Land	500 x 1250 FT	\$1,602

Time on REALTOR.ca
75 days



Acreage For Sale in Pelham, Ontario (Welland Road) - \$14,900,000

Development Opp. Vendor Take Back Available.

Main Features

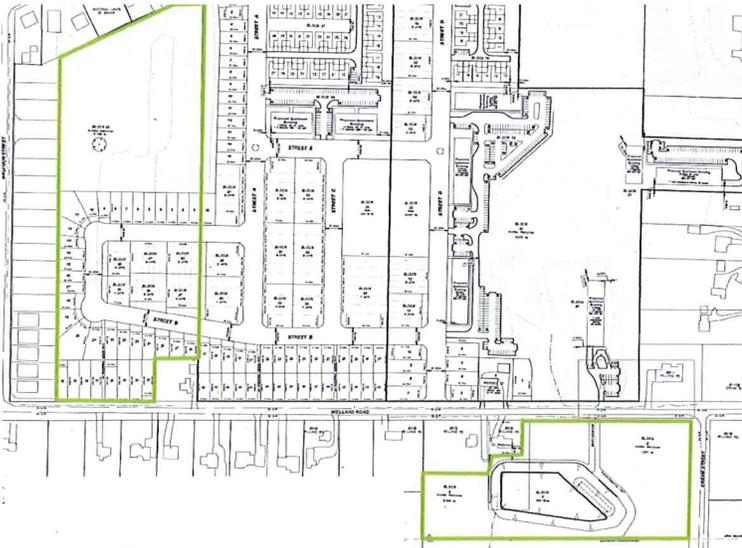
- Price: **\$14,900,000**
- Square Footage: **X**
- Lot Size: **14.824 acres**
- Storeys: **N/A**
- Bedrooms: **0**
- Bathrooms: **0**
- Parking: **X**
- Year Built: **X**
- Annual Taxes: **\$1,602**

The Basics

- Property Type: **Acreage / Vacant Land**
- Ad Type: **For Sale**
- Ownership: **Freehold/Fee Simple**
- Listing ID: **197451**

Location

- Address: **Welland Road**
- Neighbourhood: **Fenwick**
- City: **Pelham**
- Province/State: **Ontario**
- Postal/ZIP Code: **L0S 1C0**
- Country: **Canada**



Property Description

VENDOR TAKE BACK AVAILABLE. SECONDARY PLAN APPROVAL STAGE FOR 67 UNITS.

Excellent residential development opportunity. Within walking distance of the quaint village of Fenwick, where you will find a beautiful community park with sports fields, tennis courts, children's water park, churches and restaurants. Within walking distance of local schools as well. This plan includes 36 single family lots and 31 street towns. An additional 5 acres of property is included to be used as the retention pond, shared with 2 other developers. Reports and studies have been completed.

Location: North of Welland Road, East of Balfour Street

Asking price: \$14,900,000. Seller may consider offering vendor financing.

Legal Description: PT LT 13 CON 9 PELHAM, 59R15837 AS IN SN 511305 TOWN OF PELHAM

PIN / ARN 640310484 / 273201001416811

Lot Size ±14.824 Acres (±645,715.60)

Zoning EP1 - Environmental Protection 1

WED. 2/7/24

IN YOUR LETTER IT STATES THAT THE PUBLIC & LANDOWNERS WITHIN THE PLAN AREA HAVE HAD INPUT TO THE DEVELOPMENT OF THE SECONDARY PLAN. WHY THEN IS THIS THE FIRST TIME I'VE BEEN ADVISED OF THIS PLAN?

HOW DOES THE TOWN'S OFFICIAL PLAN & PROPOSED PLAN INDICATE?

PROTECTION OF NATURAL GREEN SPACE?

VILLAGE CHARACTER?

ESTABLISH PEDESTRIAN & CYCLE ROUTES?

HOW IS REGION/TOWN ADDRESSING INFRASTRUCTURE FOR ROAD/WATER & SEWERS?

Mike and Tonia Orlando
690 A Canboro Road
Fenwick ON L0S 1C0

From: Sarah Leach
Sent: February 14, 2024 9:03 AM
To: Barbara Wiens; Lindsay Richardson
Subject: FW: East Fenwick Secondary Plan

FYI

I will circulate these to council via email.



Sarah Leach, BA.
Deputy Clerk
Town of Pelham
D: 905-980-6662 | E: sleach@pelham.ca
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20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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From: Andrew Reynolds <andrewreynolds2007@gmail.com>
Sent: Tuesday, February 13, 2024 5:20 PM
To: Sarah Leach <SLeach@pelham.ca>
Subject: East Fenwick Secondary Plan

Hello:

I am taking this opportunity to provide comments on the East Fenwick secondary plan. I went on the website and there were not many details on the plan. Therefore, my comments are rather general in nature.

Things I am in favor of: I have no issue with such things as improving infrastructure such as road quality, addition of sidewalks where necessary, etc.

Things I am against: I am most definitely not in favor of more housing. I drove around the perimeter of the area delineated on the map provided, and also made use of Google Earth. Most of the roads, if not all, are fully-populated by housing already. The map indicates areas along the north side of Welland Rd. that do not contain housing. However, these properties appear to be used for agriculture and I would support their continued use as such. Similarly, a parcel along the south of Memorial Drive is used for agriculture and it would be most disappointing if this was used for housing construction. Other properties are wooded and need to be conserved and not destroyed by houses.

Addition of housing in a relatively small area such as East Fenwick will add to traffic density problems. This could increase road maintenance costs and could drive up property taxes. It could also exacerbate safety concerns and create a need for more sidewalks, speed bumps, etc. Most people living in Fenwick are here to enjoy and appreciate the rural atmosphere, and it should not be ruined by high-density housing.

Yes to conservation and agriculture! No to houses! No to increased urbanization!

Andy Reynolds

--

Dr. Andrew G. Reynolds
Professor of Viticulture (retired)

Adjunct Professor, University of Guelph & University of Waterloo
Viticulture Consultant; Writer; Editor
613 Memorial Drive, Fenwick, Ontario, Canada L0S1C0
905-892-7583
andrewreynolds2007@gmail.com

From: Sarah Leach
Sent: February 7, 2024 9:08 AM
To: Lindsay Richardson; Barbara Wiens
Subject: FW: Response to East Fenwick

FYI



Sarah Leach, BA.
Deputy Clerk
Town of Pelham
D: 905-980-6662 | E: sleach@pelham.ca
T: 905-892-2607 x320
20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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From: Sherry Rusin <sherryrusin@gmail.com>
Sent: Tuesday, February 6, 2024 8:41 PM
To: Sarah Leach <SLeach@pelham.ca>
Subject: Response to East Fenwick

Hello Sarah,

Hopefully, this can be added to the table:

Thank you for the opportunity to express my thoughts and concerns regarding East Fenwick. I have been approached by a few people who are concerned about how the drainage will be affected in these areas. We do know that, all over the Niagara Region, there is flooding happening, and we also know we can not predict what Mother Nature is going to throw our way, The best thing we, as a town, can do is try to formulate a plan based on historical risks and knowledge of our changing climate patterns. This is not an easy task and not something we can ever get perfect. But, being well prepared and having good plans in place is the best we can do to ensure as little property damage as possible. With this being said, what can do? We can learn from mistakes that have been made in other places. My question to town staff and the developers is this. What are you going to do to ensure that the problems that have come up with "Cherry Ridge and the Kenan Drain", " Martha Court and Disher Drain", "East Fonthill ponds" and also "the Farr Road" areas are NOT going to happen again in the new "East Fenwick " area?

Thank you for your time,

Sherry Rusin

From: anthony.annunziata@icloud.com
Sent: February 9, 2024 1:41 PM
To: Sarah Leach; Lindsay Richardson; clerks pelham
Cc: clerk@pelham.ca
Subject: Comments re: East Fenwick Secondary Plan

To all that are addressed in this email:

My name is Anthony Annunziata. I reside in Fenwick at 1284 Cream Street. I wish to voice my concerns and objection to portions of the East Fenwick Secondary Plan. Specifically my concern with the zoning provision of application higher intensification on the Southwest Corner of Cream Street and Canboro Road. This intensification to medium or high density residential is not consistent with the profile of the existing homes within 300 metre of the proposed area. This area is also in conflict with the heritage study provided and its proximity to environmental protected area and watershed area.

I would like the area to reduce the intensification proposed in the Secondary plan to reflect residential profile that is consistent with the single detached homes that lie within 300 meters of this corner.

Could you please also provide for me all public declarations of Conflict of Interest for the East Fenwick Secondary Plan from any councillors or Town of Pelham staff between 2017 and present in the development of this plan.

Respectfully,

Anthony Annunziata
1284 Cream Street
Fenwick, Ontario
L0S1C0

From: BERT NAUTA <bnauta@cogeco.ca>
Sent: February 11, 2024 6:50 PM
To: William Tigert; Sarah Leach; Lindsay Richardson
Subject: East Fenwick Secondary Plan Hearing February 14, 2024 5:30 pm
Attachments: IMG_1994.JPG; IMG_5635.JPG; IMG_5615.JPG

We, Bert and Cynthia Nauta, the residents of 676 Welland Road in Fenwick, respectfully would like to submit our concerns of the Proposed East Fenwick Secondary Plan. As residents of the property south of the proposed future development, we are very concerned with the direct impacts this development would pose on our property during all stages of construction. Our major concerns are as follows:

- * Surface water run off and possible flooding during and after construction
- * Increased ground water levels and flows impacting existing homes south of Welland Road
- * Overwhelming strain on sump pumps (all residents south of this development on Welland Road have sump pumps due to high water table already in existence)
- * Financial impacts of sewer and water installations on Welland Road that may be billed to existing homeowners on Welland Road

During construction of the Woodlands subdivision (Balfour Street), we endured extreme surface water flooding of our property on several occasions and are very concerned this proposed development would have greater impact to our property. (Please see attached photos of the flooding that occurred and others are available).

As residents and tax payers of the Town of Pelham for the past 22 years, we are not in favour of this development plan.

Bert and Cynthia Nauta
676 Welland Road
Fenwick

From: Sarah Leach
Sent: February 1, 2024 11:22 AM
To: Lindsay Richardson
Subject: FW: East Fenwick Secondary Plan



Sarah Leach, BA.
Deputy Clerk
Town of Pelham
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From: Lingard, Norman <norman.lingard@bell.ca>
Sent: Thursday, February 1, 2024 11:19 AM
To: Sarah Leach <SLeach@pelham.ca>
Subject: East Fenwick Secondary Plan

Good morning,

Bell Canada thanks you for the opportunity to participate in the Town of Pelham's process to implement a Secondary Plan for East Fenwick.

About Bell Canada

Bell Canada is Ontario's principal telecommunications infrastructure provider, developing and maintaining an essential public service. The *Bell Canada Act*, a federal statute, requires that Bell supply, manage and operate most of the trunk telecommunications system in Ontario. Bell is therefore also responsible for the infrastructure that supports most 911 emergency services in the Province. The critical nature of Bell's services is declared in the *Bell Canada Act* to be "for the general advantage of Canada" and the *Telecommunications Act* affirms that the services of telecommunications providers are "essential in the maintenance of Canada's identity and sovereignty."

Provincial policy further indicates the economic and social functions of telecommunications systems and emphasizes the importance of delivering cost-effective and efficient services:

- The 2020 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1).
- Section 1.7.1 I) of the 2020 PPS recognizes that “efficient and coordinated telecommunications infrastructure” is a component of supporting long-term economic prosperity.
- We note that the definition of infrastructure in the 2020 PPS is inclusive of communications / telecommunications, which is indicative of the importance in providing efficient telecommunications services to support current needs and future growth (Section 1.6.1).
- Furthermore, the 2020 PPS states that infrastructure should be “strategically located to support the effective and efficient delivery of emergency management services” (Section 1.6.4), which is relevant to telecommunications since it is an integral component of the 911 emergency service.

To support the intent of the *Bell Canada Act* and *Telecommunications Act* and ensure consistency with Provincial policy, Bell Canada has become increasingly involved in municipal policy and infrastructure initiatives. We strive to ensure that a partnership be established which allows for a solid understanding of the parameters of Bell’s infrastructure and provisioning needs and the goals and objectives of the municipality related to utilities.

Comments on the East Fenwick Secondary Plan Area

Bell Canada is most interested in changes to the transportation network and/or policies and regulations relating to the direction of population growth and public infrastructure investments, heritage character, urban design, broadband and economic development related objectives and how Bell can assist Pelham to be a connected community. We have reviewed the information provided, and would be pleased to provide the following comments in order to plan and facilitate the expansion of telecommunications and broadband infrastructure.

To facilitate the provisioning of this infrastructure, we appreciate the Municipality’s continued support in ensuring that sufficient notice and time to comment on planning applications are provided, particularly for Draft Plan of Condominium, Draft Plan of Subdivision and Site Plan Control/Approval. This ensures an understanding by applicants of Bell’s conditions and provisioning requirements.

Bell would also emphasize that receiving engineering and servicing/utility plans/drawings, as soon as possible in the process, assists in the development and expedition of our provisioning plan. As a result, we would strongly recommend that this consideration be highlighted in any pre-circulation/consultation meetings with prospective applicants. This will assist Bell in providing comments and clearance letters in an efficient manner, assisting the Municipality in meeting approval times. Such drawings should be submitted to: planninganddevelopment@bell.ca by the applicant/their agents.

Moving forward, Bell Canada would like to continue to ensure that the landowners are aware and familiar with our conditions as they pertain to forthcoming Site Plans, Draft Plans of Subdivision and/or Draft Plans of Condominium as follows:

Condition:

“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.

The Owner agrees that should any conflict arise with existing Bell Canada 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.”

The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage 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 even 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.

Future Involvement

We would like to thank you again for the opportunity to comment, and would request that Bell continue to be circulated on any future materials and/or decisions released by the Town of Pelham in relation to this initiative. Please forward all future documents to circulations@wsp.com and should you have any specific questions, please contact the undersigned.

Yours truly,

Norm Lingard
Senior Consultant – Municipal Liaison
Network Provisioning
norman.lingard@bell.ca | ☎ 365.440.7617



Please note that WSP operates Bell Canada’s development, infrastructure and policy tracking systems, which includes the intake and processing of municipal circulations. However, all responses to circulations and requests for information will come directly from Bell Canada, and not from WSP. WSP is not responsible for the provision of comments or other responses.

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Growth Strategy and Economic Development

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

March 14, 2024

Lindsay Richardson
Policy Planner
Town of Pelham
20 Pelham Town Square
Fonthill, ON L0S 1E0

Dear Ms. Richardson,

**Re: Regional Comments
East Fenwick Secondary Plan
Town of Pelham**

Thank you for the opportunity to review the Town of Pelham's East Fenwick Secondary Plan, received January 29, 2024.

Regional staff have appreciated the opportunity to participate in the development of the East Fenwick Secondary Plan over the past seven years. Regional staff have provided input into the terms of reference, background studies and various iterations of the draft policy set and schedules over the course of the Secondary Plan development.

Most recently, Region, Town and NPCA staff met July 11, 2023 and October 10, 2023 to resume the East Fenwick Secondary Plan after it was paused for a period of time. Regional staff appreciated being invited to attend and support the Town at the Open House for the Secondary Plan on November 30, 2023. The Statutory Public Meeting was held on February 14, 2024 and Regional staff understand that the Town is targeting a Recommendation Report to Pelham Council in April 2024.

Regional staff have reviewed the final East Fenwick Secondary Plan which includes:

- Final Draft Policies
- Final Draft Schedules
- Appendix A – Demonstration Plan & Active Transportation Plan
- Appendix B – Land Use Budget
- Appendix C – Urban Design Guidelines
- Appendix D – Natural Heritage System
- Appendix E – Cultural Heritage Resource Assessment

The Secondary Plan has been reviewed with consideration for the Niagara Official Plan (NOP) approved by the Province in November 2022 and again through the *Official Plan Adjustments Act, 2023* (Bill 150), in accordance with policy 3.1.30.4.3 regarding in-process secondary plans as well as applicable transitional provisions of the NOP.

Regional comments and corresponding NOP policy references have been inserted directly into the draft policy set, schedules and appendices, as attached. Comments relating to matters of Provincial and Regional conformity include:

- Updating policies B1.9.11.4 b) i, iii and vi relating to conservation of cultural heritage and archaeological resources;
- Updating policies B1.9.4.3, B1.9.8.3.1 and B1.9.8.4.1 to replace ‘secondary suites’ with ‘additional residential units’; and
- Updating policy B1.9.11 c) to indicate that a pumping station “if required” is permitted within the Greenlands designation “in accordance with the Regional Sewage Pumping Station Policy”.

Regional staff also note that policy B1.9.9.6.1 does not include water quality control. Staff recommend revising this policy to add that “stormwater from all new development be captured and treated to an Enhanced standard (i.e. 80 percent long-term suspended solids removal)”.

In addition, Regional staff continue to recommend that the Urban Design Guidelines be updated, as per the comments inserted directly into Appendix C, if feasible.

We also recognize that the Town has initiated its Official Plan conformity exercise and will need to balance current policy language with future Official Plan updates. Additional comments throughout the draft policy set relating to wording options, numbering and formatting are provided solely for Town staff’s consideration.

Niagara Transit Commission

Regional planning staff circulated the East Fenwick Secondary Plan to the Niagara Transit Commission (NTC) in accordance with policy 5.1.2.3 of the NOP. NTC staff have acknowledged that the Secondary Plan was likely written when Pelham had a fixed route with various stops throughout the Town. Currently, Pelham is serviced by on-demand transit without a need for transit stops. Depending on when this project is to be completed, the type of transit servicing within the secondary plan area may be different than what is laid out in the document. For instance, longer term planning may require a change from on-demand to fixed route conventional service.

The NTC has recently initiated a Network Design Review which will look at the transit network throughout the entire region. Any future changes to transit service (e.g.

expansions into new areas) are subject to Board and Regional Council Budget approval, and based on the existing Transit Special Levy methodology, would be a direct chargeback to the Town of Pelham. The service level required by the Town of Pelham and the cost to deliver that service would be discussed between the NTC and Town prior to seeking Budget approval.

Conclusion

Thank you again for the opportunity to provide input into the East Fenwick Secondary Plan. Provided the matters of Provincial and Regional conformity noted above are satisfactorily addressed, the Official Plan Amendment for the East Fenwick Secondary Plan is exempt from Regional approval in accordance with NOP policy 7.4.1.6. Regional staff request to receive a copy of the final Recommendation Report and Official Plan Amendment as endorsed by Town Council.

Should you have any questions or concerns regarding any of the comments, please contact Lindsey Morin, Senior Planner at Niagara Region at lindsey.morin@niagararegion.ca or 905-980-6000 ext. 3630.

Respectfully submitted,



Angela Stea, MCIP, RPP
Director, Corporate Strategy & Community Sustainability, Niagara Region
Growth Strategy and Economic Development
Niagara Region

Attachment(s):

Regional Comments on Final Draft East Fenwick Secondary Plan

cc: Michelle Sergi, Commissioner, Growth Strategy and Economic Development, Niagara Region
Erik Acs, Manager, Community Planning, Niagara Region
Barbara Wiens, Director, Community Planning and Development, Town of Pelham

B1.9 East Fenwick Secondary Plan – January 2024

B1.9.1. INTRODUCTION

- a) The lands subject to this Section of the Official Plan are identified on Schedule A7, Schedule A8, Schedule A9, Schedule A10 and Schedule A11, which are attached hereto and form part of this Official Plan;
- b) In addition to the identified Schedules and the following text, this Secondary Plan also includes the following appendices:
 - i. Appendix A – 2018 Neighbourhood Demonstration Plan and Active Transportation Plan
 - ii. Appendix B – 2018 Land Use Budget
 - iii. Appendix C – 2024 Urban Design Guidelines
 - iv. Appendix D – August 2019 Natural Heritage Mapping
 - v. Appendix E – 2017 Cultural Heritage Resource Assessment Report
- c) The East Fenwick Secondary Plan provides policies for the implementation of a community that is consistent with Provincial, Regional and local plans and policies. The community is planned to protect its natural heritage system, support the economic growth of Fenwick, and further enhance Fenwick's village character while establishing a pedestrian and cyclist friendly, compact and sustainable community. Appendices A and B are included as demonstration plans on how the policies of this document can be implemented; and,
- d) The East Fenwick Secondary Plan area shall be developed over time in conjunction with the applicable policies of the Official Plan of the Town of Pelham. Where there is a conflict between the policies of this Secondary Plan and the Official Plan, the policies of this Secondary Plan shall apply.

B1.9.2. VISION

The East Fenwick Vision is based on the growth and development tenets found in the Town of Pelham's Official Plan to deliver a new community that:

"Supports and emphasizes Fenwick's unique character, diversity, civic identity, rural lifestyle and heritage features and to do so in a way that is positive on the quality of life and health for the citizens who live and work in Pelham."

Furthermore, the Vision for the East Fenwick lands is intended to encourage and manage development in a manner that delivers a vibrant and diverse community. Key components of the Vision reflected in the preferred land use plan include:

1. The enhancement of Canboro Road as a scenic "promenade" route linking Fenwick to Ridgeville and Fonthill through the implementation of a distinctive streetscape and built form character strategy;
2. The preservation and enhancement of the existing streetscapes through the implementation of a special residential character zone that seeks to maintain the village's character through the implementation of Fenwick's typical streetscape and built form character elements such as building setbacks, height and massing along all existing roads;
3. The development of a diverse, neighbourhood-scaled open space network that is sensitive and complementary to the site's existing natural features;
4. The development of a community with a diverse range of housing types and home-based business opportunities; and,
5. The implementation of a connected street system.

B1.9.3. NEIGHBOURHOOD STRUCTURE

- a) Schedule A7 identifies the planned neighbourhood structure. The neighbourhood structure is comprised of the following elements:
- i. Two Residential Neighbourhoods – Each of these Neighbourhoods is anchored by open space at its centre and planned to contribute to the overall housing mix and density targets of the ~~whole~~-community as a whole. Policies permit the introduction of employment in the form of live-work units, subject to the development of appropriate zoning and the availability of home occupation opportunities as well as institutional land uses within each neighbourhood;
 - ii. The Greenlands System – The Greenlands System is comprised of existing natural heritage features, linkages, public parkettes, trails and stormwater management facilities. The system contributes to the overall structure of the Plan; and,
 - iii. The Street System – The Street System is comprised of an internal north south collector system intended to facilitate pedestrian, cycling and vehicular movement. -The Street System extends into existing roads intersecting the study area, such as Sunset Drive, and delivers an internal street system that connects Welland Road to Memorial Drive.
- b) Schedule A11 demonstrates lands within the *Built Boundary* and the *Greenfield Overlay Areas*. The approach to the Secondary Plan has been to complement the Village of Fenwick's existing character and associated built and cultural heritage.
- Per Policy B1.1.10.3 of the Town's Official Plan, the following density requirements shall be met:
- i. Lands within the Greenfield Overlay Area are subject to Town of Pelham minimum density of 20 units per hectare to meet the

Commented [ML1]: Or "identifies"?

Commented [FB2]: Cultural heritage resources is the defined term in the NOP, which includes built heritage, cultural heritage landscapes and archy resources. Fine to stay separate if this is consistent with the Pelham OP terminology. The definition in the NOP comes from the Greenbelt Plan.

Commented [ML3]: Note that Schedule A11 refers to B.1.1.1.0.3. I believe this may be a typo. I believe the intention is to refer to B1.1.10.3 as referenced here.

required minimum density of 50 persons and jobs per hectare and

- ii. Lands within the Built Boundary Area are subject to a density range of 8 to 15 units per net hectare to contribute to the Town's overall intensification target.

Commented [ML4]: Could consider adding "as measured across the entire Designated Greenfield Area"

B1.9.4. PLAN OBJECTIVES

B1.9.4.1. General Development Objectives

These development objectives provide the framework for the planning and development of public and private lands within the Secondary Plan Area. The objectives will be implemented through the mechanisms set out in this Plan, including the implementing Zoning By-law and Site plan Approvals.

Introduction to Neighbourhood Structure design objectives:

- a) To deliver a land use and community structure that supports the economic well-being of Fenwick's existing historic downtown area as defined by significant built heritage resources and cultural heritage landscapes;
- b) To ensure the community is developed in a compact sustainable manner that responds to the community's existing natural, cultural and servicing context;
- c) To develop a land use pattern that protects Fenwick's village character by ensuring that a land use transition is implemented along all existing roads;
- d) To create a sense of identity and community by ensuring the implementation of neighbourhoods that have a 2.5 to 5.0 minute walk to identifiable open space centres, based on an approximate 250 to 400 metres radius;
- e) To ensure there are residential housing options that promote lifecycle, and affordable housing opportunities, available to all existing and future residents;
- f) To conserve and enhance existing significant cultural heritage landscapes and built heritage resources as key character building elements to be integrated into the community's development;
- g) To ensure all new development occurs on the basis of full municipal infrastructure services, such as water and sewer, in addition to adequate utility networks;
- h) To phase development in a manner that is logical and cost effective without any undue financial burden to existing taxpayers and the surrounding farming community through the municipal review of servicing and transportation plans. The phasing of development within the Plan will be subject to the phasing and construction of municipal servicing infrastructure as identified in each particular development's required

Commented [ML5]: Is it necessary to include "Introduction to" ?

Commented [FB6]: Support the integration of cultural heritage resources through this section. Consider adding archaeological resources as well, as a means of preserving the context underlying the built heritage resources.

servicing and traffic reports, and any reports required through future Draft Plan of Subdivision processes.

Greenlands Structure objectives:

- a) To conserve and protect the area's natural heritage system as an integral component of the community by providing clear and unobstructed visual and physical links to the Secondary Plan natural features;
- b) To ensure a connected Greenlands system is implemented and comprised of the existing natural features, stormwater management facilities, streets, trails, and public parkettes;
- c) To encourage active transportation by delivering a network of connected parkland amenities with multi-use trails within walking distance to the majority of the surrounding neighbourhood residents;
- d) To accommodate ~~for~~ passive and small active recreational opportunities such as natural playgrounds, as well as seating and walking areas as important community building components;
- e) To ensure stormwater management facilities are planned as essential Greenlands system components to be designed as special landscaped amenities that are publicly accessible;
- f) To encourage the integration and connectivity of existing natural features through the implementation of new linkages; and,
- g) To encourage the conservation and integration of existing hedgerow and woodland features into the community's overall design and development.

Street Structure objectives:

- a) To deliver complete streets in accordance to the Region's ~~C~~complete ~~S~~streets ~~Design Manual -G~~guidelines with a clear road hierarchy based on a connected modified grid network that accommodates for all modes of travel fundamental in the implementation of an identifiable, great community;
- b) To deliver complete streets with a unique functional rural cross section character in the implementation of a community with a strong village character;
- c) To preserve Canboro Road and Memorial Drive cultural heritage character through the implementation of a special character or Village Residential zone and site specific road solutions based on these roads constrained right of way width; and,
- d) To facilitate the implementation of a future transit network by ensuring the community's minor collector road transverses throughout the entire East Fenwick area. The network will allow for a 2.5 to 5-minute walk to a transit stop and the implementation of a future transit loop throughout the entire Village.

B1.9.4.2 Sustainability & Healthy Communities

The community design elements structuring the East Fenwick Secondary Plan Area are the physical land use planning manifestation of a strategy that seeks to achieve social, economic, and environmental sustainability.

B1.9.4.2.1 Development in the East Fenwick Secondary Plan Area is envisioned to achieve:

1. Social sustainability by encouraging a diverse community that offers a wide range of housing mix to a wide range of people with different backgrounds, age, lifestyles and socio-economic status;
2. Economic sustainability by continuing to encourage home occupation related employment and increasing the local population that can support Fenwick's downtown business community; and,
3. Environmental sustainability by focusing on maximizing support for climate action by lowering carbon emissions and delivering energy and water efficiency and circular systems.

Commented [ML7]: Could consider integrating language re- provision of a diverse range and mix of housing to meet housing needs at all stages of life.

2.3.1.1 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.

2.3.1.5 New residential development and residential *intensification* should incorporate *universal design* standards to meet housing needs at all stages of life.

B1.9.4.2.2 To achieve a sustainable and healthy community, the plan is envisioned to integrate key elements such as density, walkability, pedestrian and cycling routes, publicly accessible electric vehicle infrastructure, water efficiency infrastructure and landscaping and use of sustainable materials to maximize low carbon and low impact design.

B1.9.4.3 Affordable Housing

- a) It is the objective of this Plan that a minimum of 25% of all new residential development within the East Fenwick Secondary Plan Area meet the Provincial and Regional definition of affordable housing. -The construction of affordable housing at initial development stages in an evenly distributed manner throughout the neighbourhood plan is highly encouraged.

Affordable housing may be achieved by:

- i. Supporting the construction of an alternative range of housing to include stacked townhouses, back-to-back townhouses or apartment buildings;
- ii. Encouraging larger size units in multiple forms to accommodate varying family sizes (i.e., 3-bedroom units);
- iii. Supporting construction of ~~secondary suites~~additional residential units and encouraging building design that allows for ~~addition of secondary suites~~additional residential units;
- iv. Supporting sustainability initiatives, such as passive design or green technologies (e.g. low flow toilets), that keep operating costs of the homes or buildings lower;
- v. Encouraging construction of condominium units with modest common element amenities to keep the housing and monthly condominium fees cost low; and,

Commented [ML8]: Update language to align with Provincial and Regional terminology.

2.3.3.2 Local Area Municipalities shall permit up to two *additional residential units* as-of-right within new or existing residential development, subject to Provincial legislation and appropriate land use, size, and locational criteria.

- vi. Encouraging the construction of rental units in a range of unit sizes and unit types.
- b) The Town will work with other government agencies and the private sector to promote innovative housing forms, development techniques, and incentives that will facilitate the provision of affordable housing; and,
- c) Affordable housing is encouraged to be located in close proximity to local community facilities, existing or potential public transit routes and active transportation facilities.

Commented [ML9]: Relevant NOP policy:
 2.3.3.1 The following tools will be considered to support the development of *affordable and attainable housing*:
 d. the inclusion of a mix of unit sizes in multi-unit developments to accommodate a diverse range of household sizes and incomes;

Commented [AA10]: Pelham is currently receiving on-demand public transit, which provides door-to-door service.

B1.9.5. DESIGN POLICIES

B1.9.5.1. Neighbourhood Demonstration and Active Transportation Plans and accompanying Land Budget

- a) The Neighbourhood Demonstration and Active Transportation Plan and resulting land budget contained in appendices A and B illustrate one of the multiple variations in which the policies contained in this document can be site implemented. The intent of the Neighbourhood Demonstration and Active Transportation Plan is to promote an appropriate built form, streetscape and public realm within the Secondary Plan Area.

Commented [ML11]: I see that a previous iteration of the policies also included b and c as follows:
 B) The Neighbourhood Demonstration Plan is intended to act as a guide for successive development and approval processes that are required to implement this Plan such as zoning, Master Plans and Draft Plans of Subdivision/Condominium; and,
 C) All development within the East Fenwick Secondary Plan Area shall be generally consistent with the Neighbourhood Demonstration Plan attached to this Plan as Appendix A. Adjustments and further refinements to the street and block pattern shown in the Neighbourhood Demonstration Plan may be permitted if the intent and general design approach inherent to this Secondary Plan Vision, Objectives and Policies is maintained to the satisfaction of the Town.

Just confirming that they were intentionally removed.

B1.9.5.2. Urban Design Guidelines

- b) Urban Design Guidelines have been prepared to guide development (attached as Appendix C). The intent of the Urban Design Guidelines is to promote an appropriate built form, streetscape and public realm within the Secondary Plan Area. The Urban Design Guidelines function as an implementation tool for successive development and approval processes that are required to implement this Plan, particularly zoning, required Master Plans and Draft Plans of Subdivision/Condominium; and
- c) All development within the East Fenwick Secondary Plan Area shall be generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C. -Adjustments and further refinements to the Urban Design Guidelines are anticipated and shall not require an amendment to this Plan, provided that the intent and general design approach inherent to the Plan Vision is achieved to the satisfaction of Town staff.

Commented [ML12]: Should it be a) and b) under Urban Design Guidelines?

B1.9.5.3. General Site Development Criteria

- a) The Town shall ensure that the following general site development criteria are implemented in all new development:
 - i. Buildings shall be street-oriented and provide direct street access for pedestrians;

- ii. Surface parking areas shall generally be sited to the side or rear of buildings, or, preferably below grade. The softening of the impact of surface parking through building orientation and landscaping treatments is required;
- iii. Residential driveway access and garage wall shall generally be set back from the living portion of the front façade or located at the rear of the building;
- iv. All new apartment development shall provide secure indoor bicycle parking and outdoor bicycle racks at their main entrance. In locations with minimal setbacks where there is insufficient space for bicycle racks at the main building entrance, bicycle racks may be provided at an alternate location in proximity to the entrance that is user-convenient and highly visible;
- v. Compatibility between different land uses and scales of buildings shall be achieved through appropriate siting, building design, massing articulation and landscape treatment;
- vi. High quality landscape treatment shall be provided throughout the Secondary Plan Area;
- vii. Building form and siting shall minimize the impacts of noise, wind and shadows on adjacent properties;
- viii. To ensure a gentler transition to Fenwick’s rural character, higher density development shall generally be located towards the centre of the Secondary Plan Area adjacent to public open space areas to minimize the building massing and presence on the existing streetscape;
- ix. Loading areas and outdoor fully enclosed refuse collection areas shall be unobtrusive and screened and shall be located at the side or the rear of buildings; and,
- x. Rooftop equipment shall be unobtrusive, architecturally incorporated into the design of the building and/or screened from view.

B1.9.5.4. Crime Prevention Through Environmental Design (CPTED)

- a) The Town will promote building and site design that assists in the reduction of incidence of crime through the implementation of Crime Prevention Through Environmental Design (CPTED) principles including natural surveillance, natural access control, territorial reinforcement and space assessment; and,
- b) The Town shall have regard for the principles of CPTED in their review of all development applications.

B1.9.5.5. Sustainable/Green Building Design

- a) The overall development pattern within the Secondary Plan has been developed to encourage the following sustainable community design principles:

- i. Street orientation to maximize passive solar gain and pedestrian comfort on streets;
- ii. Shorter block lengths to encourage pedestrian permeability;
- iii. Conserve, protect and integrate natural features within the Plan as an integral part of sustainably responding to the context by:
 - Conserving the natural heritage system;
 - Integrating hedgerows and appropriate woodlands into the community's open space and streets system;
- iv. Street standards that encourage the retention of existing tree canopy with special consideration for the Plan's identified scenic roads of Canboro Road and Memorial Drive;
- v. Implement street standards that encourage a tree canopy and a green infrastructure approach to improve stormwater capture and reuse and maintain and enhance the area hydrological features and functions;
- vi. Support the choice of native planting materials and xeriscaping to address summer/winter conditions and reduce water consumption;
- vii. Support circular water and energy system opportunities to reduce water consumption;
- viii. Encourage the implementation of Electric Vehicle infrastructure in a manner that allows for future increased uptake throughout the neighbourhood at all public spaces;
- ix. Encourage a broadband network throughout the community that will use technology applications to support air quality and net zero neighbourhoods by efficient and low carbon transportation, signalization, work at home and energy and water efficiency opportunities;
- x. Support night sky lighting;
- xi. Encourage opportunities for community-based initiatives such as car-pooling, community composting, waste reduction, educational and stewardship programs; and,
- xii. Include renewable energy strategies ~~and that~~ are designed to support net zero building techniques, restoring as much energy as they consume.

b) The Secondary Plan shall encourage the following green building design and sustainability requirements:

- i. New buildings achieve a 20% or greater water conservation efficiency than required by the Ontario Building Code;
- ii. New buildings, with the exception of residential buildings containing less than 25 dwelling units, to achieve the following sustainability requirements:
 - a. LEED Silver, or equivalent, prior to and including 2021; and
 - b. LEED Gold or equivalent from 2022 up and beyond 2031.

- iii. New development to be built to the following requirements standards for sustainability:
 - a. Grade related (3 storeys or less) residential buildings achieve a minimum performance level that is equal to ENERGY Star U standards; and,
 - b. Mid-rise (4 storeys and greater) residential buildings shall be designed to achieve greater energy efficiency than the Model National Energy Code for Building.
- c) The Town shall encourage and support public and private partnerships and pilot projects for net zero water and energy systems that support climate action greenhouse gas reductions.

B1.9.6. PHASING POLICIES

1.9.6.1 Development shall be phased to provide for continuous, orderly extension of the community to ensure the most efficient and economic use of the existing and proposed infrastructure. The following phasing criteria shall be considered in the review of all development applications:

- i. The development contributes to, or can be appropriately integrated within the logical sequence of construction of all required sewer, water, storm water, active transportation and other community facilities;
- ii. The development satisfies all requirements regarding the provision of parkland and other facilities; and,
- iii. The development implements any relevant findings of the studies required by the Official Plan and this Secondary Plan.

B1.9.7. LAND USE DESIGNATIONS

- a) Land use is divided into two Residential Neighbourhood and four Greenlands System designations to include a Special Policy Area Overlay as shown in Schedule A10 with policies established for each category. The categories include:

The Residential Neighbourhoods designations:

- i. Village Residential
- ii. Neighbourhood Residential

The Greenlands System includes:

- i. Natural Heritage System
- ii. Special Policy Area
- iii. Environmental Linkages
- iv. Open Space / Parkette
- v. Stormwater Management Facilities

Commented [ML13]: Or "and includes a special policy area" ?

- b) The boundaries of land use designations, as shown on Schedule A10, are intended to be general and approximate, unless they coincide with an existing road, lot line, a prominent physical feature and/or relate to studies approved by Town or Conservation Area staff. Adjustments to the location of land use boundaries may be permitted without the need for an Official Plan Amendment provided the general intent of the Official Plan and this Secondary Plan are maintained and all required technical reports supporting the revision of land use boundaries are completed to the satisfaction of Town. Similarly, adjustments may be made in the location of streets, trails and bikeways provided the intent of the Secondary Plan is maintained to the satisfaction of the Town.

B1.9.8. RESIDENTIAL USES

B1.9.8.1. Intent

It is the intent of the Town to promote the development of compete communities through an appropriate housing mix, opportunities for home occupation related employment and a pedestrian oriented street design. The two neighbourhoods shall be connected to the Greenlands System.

B1.9.8.2. General Policies

- a) In order to achieve the minimum density targets of this Plan, the Town will not approve any development application that compromises the ability for the Town to achieve the identified density targets throughout the East Fenwick Secondary Plan Area. As such, prior to the approval of any application for Plan of Subdivision and/or Zoning By-law Amendment, the proponent shall demonstrate how the proposed development contributes to the density targets of the Plan;
- b) Prior to the approval of any development application, proponents shall provide a housing mix and density plan that geographically distributes built form/ housing types, lot sizes and densities based on the objectives and policies of this Plan, demonstrated through a plan of subdivision and planning justification report;
- c) Proposed development within the Secondary Plan Area shall generally conform to Appendix C – Urban Design Guidelines. If, in the opinion of the Town, the proposed street and block layout significantly departs from the design intent, the applicant shall be required to justify the proposed changes in the Planning Justification Report and accompanying explanatory Urban Design Brief, to be submitted at the time of submission of development application.
- a. Urban Design Brief – The Urban Design Brief will provide a detailed description of the proposed new Draft Plan Vision to

Commented [ML14]: Is this only applicable to subdivision applications?

Commented [ML15]: Should this be a roman numeral rather than a)?

include road, block, land use, open space and streetscape components. Ultimately, the purpose of the Urban Design Brief is to demonstrate how the proposed Draft Plan implements the East Fenwick Secondary Plan Vision.

- d) Subject to the findings of the Environmental Impact Study required in Policy B1.9.9.3 to reduce or remove natural heritage features, any land use changes proposed for the Special Policy Area Overlay will require the applicant to undertake the studies/updates outlined in Policy B.1.9.8.2 e);
- e) Notwithstanding general compliance with Secondary Plan policies, technical supporting studies will be required as part of the Town's development proposal process for all development applications. Technical supporting studies, which can be based on the "Transportation Assessment" and "Municipal Servicing Conceptual Design" reports accompanying this Secondary Plan, are to include, but are not limited to:
 - i. Municipal Servicing Plan shall include, but shall not be limited to, technical details regarding the provision of water, wastewater, stormwater management and public/private utilities;
 - ii. Transportation Plan shall include, but shall not be limited to, technical details regarding the traffic conditions and implementation strategies proposed to accommodate for development;
 - iii. Environmental Impact Study to include the assessment of lands within and adjacent the Natural Heritage System and Special Policy Area Overlay identified in this Plan (refer to Town Official Plan policies B3.2.4.3 and B3.3.4.3).
- f) Within the Neighbourhood Residential designation, increases in density may be permitted to the satisfaction of the Town without Amendment to this Plan, subject to:
 - a. A test of functional servicing compatibility addressing all water, wastewater, stormwater through an update to the Municipal Servicing Plan;
 - b. A Traffic Impact Study demonstrating traffic impacts and requirements; and,
 - c. An Urban Design Brief to demonstrate how the proposal implements this Plan's Urban Design Guidelines and overall Vision intent.

B1.9.8.3. Village Residential

B1.9.8.3.1. Permitted Uses

- a) The following uses are permitted within the Village Residential designation:
 - i. Single detached and semi-detached dwelling units;

- ii. Accessory apartments/~~secondary units~~additional residential units;
- iii. Accessory buildings and structures related to the primary residential dwelling unit;
- iv. Home occupations subject to Policy B1.1.6;
- v. Places of worship;
- vi. Retirement housing;
- vii. Day nurseries;
- viii. Open space linkages;
- ix. Community meeting spaces;
- x. Public uses; and,
- xi. Public and private utilities.

Commented [ML16]: I sent an email on February 27 regarding seniors housing/retirement housing terminology for your consideration

- b) In addition to the permitted uses identified above, street and block townhouses may be permitted provided garage areas are not visible from the public right of way in accordance with this Plan and accompanying Urban Design Guidelines.

Commented [ML17]: Or "in policy B1.9.8.3.1 a)" for extra clarity

B1.9.8.3.2. Development Policies

- a) For single detached lots density shall range from a minimum of 8 units per net hectare, up to 20 units per net hectare;
- b) For semi-detached lots density shall range from a minimum of 20 units per net hectare, up to 40 units per net hectare;
- c) 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;
- d) Built form siting along the Plan's perimeter and Canboro Road should be in keeping with existing setback parameters;
- e) Residential buildings along Canboro Road shall minimise their garage and driveway presence onto the streetscape as outlined in the Urban Design Guidelines;
- f) The maximum residential building height for any building within the Village Residential designation shall be 2.5 storeys; and,
- g) Places of worship and day nurseries shall only be permitted within the Village Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:
 - i. Have a minimum lot size of 0.75 of a hectare;
 - ii. Are compatible with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts; and,

- iii. The landmark or steeple component of a Place of Worship may be permitted to exceed the 9 metres height limitation, subject to approval by the Town, through the required Site-Specific Zoning By-law Amendment process.

B1.9.8.4. Neighbourhood Residential

B1.9.8.4.1. Permitted Uses

- a) The following uses are permitted within the Neighbourhood Residential designation:
 - i. Single detached and semi-detached dwelling units;
 - ii. All forms of townhouse and multi-attached units;
 - iii. 4 to 6 storey apartment buildings;
 - iv. Accessory apartments/~~secondary~~ additional residential units;
 - v. Live-work units;
 - vi. Retirement housing and/or special needs housing;
 - vii. Accessory buildings and structures related to the primary residential dwelling unit;
 - viii. Home occupations subject to Policy B1.1.6;
 - ix. Places of worship;
 - x. Day nurseries;
 - xi. Parks, parkettes and open space linkages;
 - xii. Community Amenity buildings;
 - xiii. Public uses; and,
 - xiv. Public and private utilities.

Commented [ML18]: The terms multi-attached, multiple-attached and multi-unit buildings have all been used. Recommend using a consistent reference (assuming these are all interchangeable). In the NOP, we use multi-unit residential building.

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B1.9.8.4.2. Development Policies

- a) For single detached lots density shall range from a minimum of 18 units per net hectare, up to 30 units per net hectare;
- b) For semi detached lots of density shall range from a minimum of 20 units per net hectare, up to 50 units per net hectare;
- c) Permitted street and block townhouse as well as multiple-attached dwellings shall be developed at densities ranging from a minimum of 20 units per net hectare, up to 60 units per net hectare;
- d) Small scale apartment buildings shall be developed at densities ranging from a minimum of 73 units per net hectare, up to 120 units per net hectare;
- e) The maximum building height for any building within the Neighbourhood Residential designation located internal to the community shall be 6 storeys and may include a 4.5 metre minimum ceiling height requirement on the ground floor to accommodate live-work units;

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- f) The maximum building height for any building within the Neighbourhood Residential designation with frontage onto Canboro Road, Welland Road and/or Cream Street shall be 4 storeys;
- g) Places of worship and day nurseries shall only be permitted within the Neighbourhood Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:
 - i. Have a minimum lot size of 0.75 of a hectare;
 - ii. Are compatible with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts;
 - iii. Are located near the intersection of two public roads, at least one of which is a Collector Road; and,
 - iv. The landmark or steeple component of a Place of Worship may be permitted to exceed established height limitations, subject to approval by the Town, through the required Site Specific Zoning By-law Amendment process.
- h) Live-work uses shall only be permitted within the Neighbourhood Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:
 - i. Are limited in size to 150 square metres per live-work unit
 - ii. Are compatible with adjacent properties in terms of aesthetics, privacy, noise and/or other impacts;
 - iii. Are located near the intersection of two public roads; and,
 - iv. Are located near or at the centre of the neighbourhood, within a 2.5-minute walk from the majority of residents.
- i) Development on the basis of garage and driveway access from public or private lanes is encouraged, and may be required where dwelling units front onto a Minor Collector Road, a Linkage, or a linear park. Development on the basis of garage and driveway access from public or private lanes may be permitted where dwellings front onto a Local Road, subject to confirmation of the technical requirements by the Town;
- j) Neighbourhood Residential development that abuts lands designated Village Residential shall be designed to:
 - i. Ensure compatibility to Village Residential areas through deeper lots;
 - ii. Ensure compatibility with Village Residential areas through the conservation, when present, of the existing tree canopy in the form of a landscaped buffer, which shall be a minimum of 10 metres in depth;
 - iii. Increased setbacks;
 - iv. The provision of landscaped buffers when backing onto Village Residential areas;
 - v. The provision of clearly demarcated vehicular and pedestrian access points; and,

Commented [ML19]: Should this be "units"?

vi. The provision of screened parking areas located behind the principal building with limited exposure to adjacent public roads.

k) Schedule A10 identifies symbolically (with the use of an asterix) the potential location for multi-unit buildings. These locations have been chosen due to their landmark, gateway role as well as their proximity to large open space areas. It is important that future development on these sites facilitates strong view terminuses across the Plan Area, accentuates the Greenlands system rather than detracts from it, and maximizes visual prominence and anchoring of the buildings along street axes. To achieve this, in general proximity to that symbol, a multi-unit building may be developed subject to appropriate zoning and the following criteria:

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- i. The site is located along public roads;
- ii. The site does not exceed 10,000 square metres in size;
- iii. Any proposed building at the corner of Cream Street and Canboro Road shall be designed as a priority lot that fits with Fenwick's Village character; and,
- iv. Apartment buildings located within the Residential Neighbourhood lands that are more than 4 storeys in height shall be designed following the angular plane strategy of this Plan's Urban Design Guidelines of Appendix C.

l) Apartment buildings shall be designed to ensure development compatibility with the surrounding existing and future-planned built forms. Site design considerations may include:

- i. Increased setbacks;
- ii. Sensitive building siting;
- iii. Provision of landscape buffers;
- iv. Angular planes or other mechanisms that control the scale of development;
- v. The requirement for structured parking and/or the provision of parking areas that do not dominate the site physically and visually from the public right of way;
- vi. Bicycle parking is provided in areas that are located near a building access, are protected from the weather, are safe and well illuminated, and do not obstruct the public sidewalk;
- vii. Bicycle parking is provided at a minimum of 1 space per unit plus 0.5 visitor/short term spaces per dwelling unit;
- viii. The location, pattern and style of entranceways, windows, balconies and other architectural details ensure matters of character fit, oversight and privacy are addressed; and,
- ix. The location, pattern and style of loading bays and refuse containers ensures these areas internal to the site, and are not visible from the public right of way.

B1.9.9. THE GREENLANDS SYSTEM

The East Fenwick network of green land spaces is made up of the area's existing Natural Heritage System, a series of interconnected small neighbourhood parkettes, environmental linkages, active transportation network and trails, and stormwater management areas. The proposed open space network encourages active transportation, recreation, and opportunities to connect to the natural heritage system and the neighbourhood's open space amenities as an integral part of the neighbourhood design. The Greenlands System recognizes natural heritage features and their associated functions and seeks to maintain connections between and among them, so that their existing ecological and hydrological functions are maintained or enhanced, where possible.

Note: The East Fenwick Secondary Plan, specifically its environmental mapping, reflects significant investment from landowners in Environmental Impact Studies (EIS's) that cover portions but not all of the Plan Area. Areas where existing studies have been conducted reflect the regulatory standards of the approvals framework that existed at time of their completion. Because of this, more explicit policy direction is provided for these portions of the Plan Area relative to others. It is important to note that policy provisions included in this Secondary Plan reflect the regulatory standards in place at time of application, and future development may be held to different standards of environmental review as these regulations evolve over time.

B1.9.9.1. Intent

- a) It is the intent of the Town to establish a linked Green Lands System that also acts as a fundamental community structure element for the East Fenwick Secondary Plan;
- b) The Green Lands System, as identified on Schedule A8, is comprised of the following components and associated buffers:
 - i. Natural Heritage System
 - ii. Special Policy Area Overlay
 - iii. Environmental Linkages
 - iv. Stormwater Management
 - v. Open Space/Parkette
- c) The inclusion of all the associated elements and related activities into an interconnected Greenlands System will protect and enhance the natural heritage system and its associated functions and expand the recreational opportunities available to residents;
- d) Linkages through the implementation of corridors provide important connections between natural heritage features. Linkages and corridor connections shall be reviewed as part of an Environmental Impact Study

(EIS). Where identified through an EIS or other natural heritage study or plan, linkages and corridors shall be incorporated into development plans and protected through use of an appropriate zone in the Town's Zoning By law.

- e) As part of a future development application, additional scoped Environmental Impact Study (EIS) work is required to address environmental restoration matters relating to the overall area, location and composition of the restoration required to accommodate the proposed storm water management facility located at the south-west corner of Welland Road and Cream Street.

B1.9.9.2. Natural Heritage System

- a) The Natural Heritage System designation recognizes the limits and associated minimum buffers of the Provincially Significant Wetland.
- b) The Natural Heritage System designation recognizes environmental features defined through an Environmental Impact Study (EIS).
- c) The ecological and hydrologic functions of the lands designated Natural Heritage System shall be protected, maintained, or, where possible, improved for the long-term, recognizing linkages between and among natural heritage features and areas. The Natural Heritage System designation is intended to:
 - i. Protect the health and water quality of the natural heritage feature;
 - ii. Conserve biodiversity;
 - iii. Protect significant natural heritage features and their associated functions; and
 - iv. Protect surface and ground water resources.
- d) The lands designated Natural Heritage System on Schedule A8 are also subject to Section B3.2 of the Official Plan.

B1.9.9.3 Special Policy Area Overlay

- a) The Special Policy Area Overlay recognizes natural heritage features, which contribute to the Natural Heritage System.
- b) Additional environmental study is required to determine the exact boundaries and buffers to protect the features and functions to the satisfaction of the Town and Region.

- c) The proponent shall be required to submit an **EIS** as part of any future development application to demonstrate that, over the long term, there will be no significant negative impact on the natural heritage features or their functions. The scope and content of the EIS shall be determined through the development of a Terms of Reference in consultation with the Town, Region and the NPCA.
- d) Should it be demonstrated that a natural heritage feature may be reduced or removed, the proponent shall incorporate portions of the feature into development plans, where feasible, to the satisfaction of the Town.
- e) Should the feature be reduced in size, the adjacent land use designation shall apply.
- f) The lands with the Special Policy Area Overlay on Schedule A8 are also subject to Section B3.3 of the Official Plan.

Commented [ML20]: Recommend using a consistent reference. Sometimes its EIS, other times its spelled out.

B1.9.9.4 Environmental Linkages

- a) The Environmental Linkages designation recognizes the importance of providing ecological corridors connecting identified Greenlands areas throughout the Secondary Plan Area.
- b) Environmental Linkages shall be established consistent with Section 3.1.17 of the Niagara Region Official Plan.
- c) Notwithstanding Section 3.1.17 of the Niagara Region Official Plan (Linkages), these areas shall be landscaped with native plantings to the satisfaction of the Town in a way that reinforces an ecological corridor consistent with the significant features it is connecting.
- d) Environmental Linkages shall integrate ~~LID~~ **Low Impact Development** measures where possible to contribute to the overall storm water management strategy.
- e) Environmental Linkages will be dedicated to the Town at time of subdivision.

B1.9.9.5 Open Space / Parkette

- a) The policies applicable to the lands designated Open Space / Parkette on Schedule A8 are found in Section D5.4 of the Official Plan. In addition to the policies of Section D5.4, it will be required that Parkettes are located at the centre of each neighbourhood as identified in **Schedule A7**, a minimum of two (2) parkettes shall be provided

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Commented [ML21]: Are the parkette areas, shown as 1 and 2 on the schedules, shown conceptually?

Commented [ML22]: Note that the legend for A7 only references Open Space. All the other schedules say Open Space / Parkette. Also note that on Schedule A10, the Open Space / Parkette areas are not labelled 1 and 2 like on the other schedules.

across the plan area to ensure easy access and multiple opportunities for rest, relaxation and access to nature;

- b) Amendments to this Plan's Greenlands structure and resulting trail system / active transportation network shall be completed to the satisfaction of the Town in consultation with the Pelham Active Transportation Committee; and
- c) The following policies apply to the establishment of parkettes:
 - i. A parkette shall generally have a minimum frontage on the abutting sidewalk of 20 metres, and a minimum depth of 30 metres with a minimum area of 0.4 of a hectare and shall be generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C;
 - ii. Parkettes shall be designed to reinforce a high-quality relationship between the public right of way and surrounding land uses as a component of the Greenlands System; and,
 - iii. Parkettes shall incorporate/include existing vegetative features such as hedgerows and non-significant woodlots as part of their design; and,
 - iv. Landscape elements and features within the parkettes shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas.
- d) Parkettes that are less than 0.4 of a hectare shall generally not contribute to the Town's parkland dedication requirements and shall generally not be required or accepted by the Town. The Town may, however, consider accepting parkland parcels that are less than 0.4 of a hectare without Amendment to this Secondary Plan, subject to the specific approval by Council that is based on an understanding of the specific land parcel's contribution to the overall public parkland system within the East Fenwick Secondary Plan Area.

B1.9.9.5.1 Parkland Conveyance Reduction

- a) Parkland conveyance requirements may be reduced under the following circumstances, subject to approval by Council:
 - i. When land is developed for long term care facility use, as defined by the Province, a maximum of 2% of the total land area shall be conveyed to the Town;
 - ii. When the proposed development is being undertaken by a public-sector organization the parkland conveyance requirement may be eliminated or reduced at the discretion of Council;
 - iii. When land is developed to include affordable housing units, as defined by the Province, the conveyance requirement may be eliminated or reduced proportionate to the number of affordable units provided, at the discretion of Council;

Commented [ML23]: Some of the policies listed as a) b) c) end in periods and others have semi-colons (and "and").

Not sure if the "and" is necessary here.

- iv. When the proposed development is being undertaken by a not-for-profit organization, as defined by the Province, the parkland conveyance requirement may be eliminated or reduced at the discretion of Council; and/or,
- v. When a development proposal includes a property designated or listed under Part IV or V of the Ontario Heritage Act or listed on a Municipal Heritage Register under Section 27 of the Ontario Heritage Act, or that has otherwise been recognized as a significant cultural heritage landscape, or built heritage resource or archaeological site, and the proposal incorporates and conserves a cultural heritage resource(s) to Town satisfaction, a parkland conveyance reduction of 50% of the applicable conveyance requirement for that specific property may be applied.

Commented [FB24]: What is the property includes built heritage, landscape and archy?

B1.9.9.6 Stormwater Management Facilities

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- a) The policies related to stormwater management facilities within the East Fenwick Secondary Plan Area are found in Section C6 of the Official Plan. Their general location is conceptually shown in Schedule A8;
- b) General objectives for stormwater management facilities within this Secondary Plan Area are:
 - i. To maintain, and where possible, improve the health and condition of the receiving/adjacent watercourses;
 - ii. The achievement of no net increase in stormwater run-off from the Secondary Plan Area to adjoining lands;
 - iii. To maintain, and where possible, improve the quality of stormwater entering surface and groundwater supplies; and,
 - iv. To promote the use of naturalized methods of stormwater management.
- c) In addition to those policies, the following policies apply within the East Fenwick Secondary Plan Area:
 - i. The Plan's stormwater management facilities shall be permitted in all land use designations within the East Fenwick Secondary Plan Area, except for Natural Heritage System lands, their general location shown in Schedule A8;
 - ii. Notwithstanding the above, the stormwater management facility located south of Welland Road at Cream Street is permitted within the Natural Heritage System provided the facility is designed to the specifications agreed upon by the Niagara Region and Niagara Peninsula Conservation Authority;
 - iii. Stormwater management facilities may be permitted in Special Policy Area designations without the need for a further Amendment to this Plan, subject to the policy direction provided

Commented [ML25]: Should this be, "In addition to the policies of Section C6 of the Official Plan"?

Commented [ML26]: Or could clarify "policy B1.9.9.6 c) i"

Commented [ML27]: Overlay?

in this Plan, including the preparation of an Environmental Impact Study (EIS) to the satisfaction of the Region in consultation with the Town and the NPCA showing no negative impact to feature or function;

- iv. Stormwater management facilities will be designed as essential components within the open space network and be publicly accessible where appropriate;
- v. Stormwater management facilities will blend with the natural landscape, organic shapes and landform grading designed to replicate natural landforms in the area while being safe to visitors. Inlet and outlet structures will be concealed using a combination of planting, grading and natural stone;
- vi. Stormwater management facilities will not be fenced, but rather will be designed with trails and interpretative signage;
- vii. Stormwater management facilities shall be provided with high quality landscaping designed by a qualified Landscape Architect; and,
- viii. Stormwater management facilities shall be designed generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C.

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B1.9.9.6.1 Stormwater Management Design Criteria

- i. In order to avoid the negative impacts of flooding in the downstream watershed, all new development post development peak stormwater flows shall be attenuated to pre-development conditions for up to and including the 100-year return period design storm event.
- ii. Adequate and safe minor and major storm conveyance systems shall be required for all new development.

Commented [DM28]: Water quality control is missing. Stormwater from all new development be captured and treated to an Enhanced standard (i.e. 80% long-term suspended solids removal).

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B1.9.9.6.2 Low Impact Development Design

- a) With the goal of replicating the existing hydrologic regime, the Town shall encourage the implementation of Low Impact Design Standards that emphasize the use of bio-swales, innovative stormwater practices, and at-source infiltration, in order to contain stormwater runoff from the 90th percentile storm (25mm) on site;
- b) With the goal of minimizing the negative impacts of urbanization on the area's natural heritage features, the Town shall encourage treating stormwater runoff to an Enhanced standard (the highest standard as prescribed by the Ministry of the Environment, Conservation, and Parks);
- c) With the goal of adapting to climate change and mitigating the impacts of severe storm events, the Town shall encourage the following;

Commented [DM29]: Is it a Town's document? Or it refers to the MECP 'Low Impact Development Stormwater Management Guidance Manual' ?

Commented [DM30]: ...encourage Low Impact Development methods treating stormwater runoff or being treatment train to an Enhanced standard

- i. Include robust major overland flow routes through all new development to reduce the risk of overland flooding.
 - ii. New development should be designed to minimize the risk of basement flooding from groundwater infiltration.
 - iii. Heating, ventilation, and air conditioning (HVAC) and electrical systems should be well elevated from the basement floor or located above grade.
 - iv. If the home foundation drain connects to a storm sewer, a backwater valve should be installed on the storm sewer lateral to prevent stormwater from backing up into the basement if the storm sewer is overloaded.
 - v. If the home foundation does not connect to a storm sewer, a primary and back-up sump pump should be installed complete with a back-up power system.
 - vi. Driveways should be built to slope away from homes or garages (i.e. reverse slope driveways should not be permitted).
 - vii. Consideration should be given to increasing the capacity of all new storm infrastructure by a minimum of 25% to account for more frequent and severe rainfall events.
 - viii. Consideration should be given to implementing a minimum building setback from all mapped floodplains to account for more severe rainfall events.
- d) The Town shall encourage the introduction of green infrastructure, such as bioswales, within the street rights-of-way to enhance ground water infiltration and improve water quality as part of a comprehensive water management plan;
- e) The Town shall encourage a rainwater harvesting program to provide the passive irrigation of public and/or private greenspace, including absorbent landscaping, landscaped walls, cisterns, rain barrels, underground storage tanks and/or infiltration trenches; and,
- f) The Town shall encourage xeriscaping using native, drought-tolerant plants, a cost-effective landscape method to conserve water and other resources on a community-wide level.

B1.9.10. ENVIRONMENT AND GROUNDWATER MANAGEMENT POLICIES

- a) The policies related to the environment and groundwater management within the East Fenwick Secondary Plan Area are found in Section C5 of the Official Plan and

Commented [ML31]: I don't think this "and" is necessary given how b) is worded

- b) In addition to Section C5 of the Official Plan, development applications may need to be supported by a Hydrogeological or Hydrological Report as determined by the Town and Region at the time of pre-consultation. The purpose of the report is to investigate the impacts of the proposed development on water quality and quantity and provide recommendations on:
- a) How to maintain or enhance the quality and quantity of the water resource;
 - b) How to minimize or eliminate the effect of the proposed use on the groundwater recharge function;
 - c) How to minimize or eliminate the effect of the proposed use on the quality and quantity of drinking water in adjacent private and municipal wells;
 - d) How to maintain or enhance sensitive groundwater recharge/discharge areas, aquifers and headwater areas;
 - e) Whether it is required to monitor water budgets for groundwater aquifers and surface water features; and;
 - f) How to ensure that the quality of the watercourses affected by the development are maintained; and,
 - g) How to control or manage the risk of flooding or erosion.

B1.9.11. GENERAL DEVELOPMENT AND INFRASTRUCTURE POLICIES

B1.9.11.1. **Water and Sewer Servicing Strategy**

- a) The policies related to water and sewer servicing within the East Fenwick Secondary Plan Area are found in Section D1.1 of the Official Plan;
- b) Notwithstanding Section D1.1 of the Official Plan, water and sewer servicing within the East Fenwick Secondary Plan Area shall be as follows:
 - i. A Master Servicing Plan, outlining preliminary functional water distribution, wastewater collection and stormwater management facilities, including designs and costs, will be prepared prior to the approval of any development within the Secondary Plan Area;
 - ii. All required infrastructure shall be constructed and sized to accommodate the full build-out of the Secondary Plan Area. As a result, some of the infrastructure required by one proponent may be oversized to service the larger area. Benefiting landowners shall be required to compensate provider

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- proponents, prior to development on the benefiting landowner's property through a cost sharing agreement;
- iii. All development within the Secondary Plan Area will proceed according to individual, site specific Drainage Plans and Servicing Plans based on the proposed Draft Plan of Subdivision and all other accompanying requirements set by this Plan by the proponent, to the satisfaction of the Town and the Region; and,
- iv. Development may be phased to coincide with the availability of servicing and financial capabilities necessary in the delivery of all required municipal services.

- c) Notwithstanding the policies contained in B1.9.9, a pump~~ing~~ station, if required, is permitted to be located within the Greenlands designation south of Welland Road at Cream Street, in accordance with the Regional Sewage Pumping Station Policy.

B1.9.11.2. Transportation

- a) The policies related to transportation within the East Fenwick Secondary Plan Area are found in Section D2 of the Official Plan;
- b) Notwithstanding Section D2.3 of the Official Plan, rights of way for new public roads within the East Fenwick Secondary Plan Area shall be as follows:
 - i. For Minor Collector Roads, the right of way widths shall be between 22.0 to 34.0 metres;
 - ii. For Local Roads, the right of way width shall be 16.0 to 20 metres; and,
 - iii. For Public or Private Laneways, the right of way width shall be 7.5 and 9.0 metres.
- c) Notwithstanding Section D2.3 of the Official Plan, right of ways for existing public roads within and bounding the East Fenwick Secondary Plan Area shall be as follows:
 - i. For Memorial Drive, the right of way width shall be between 20.0 and 22.0 metres;
 - ii. For Canboro Road, the right of way width shall be between 20.0 and 24.0 metres;
 - iii. For Welland Road, the right of way width shall be between 20.0 and 24.0 metres;
 - iv. For Balfour Street, the right of way width shall be between 20.0 and 22.0 metres; and,
 - v. For Cream Street, the right of way width shall be between 20.0 and 22.0 metres.

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- d) All roads within the East Fenwick Secondary Plan Area shall be developed to be consistent with the design intent illustrated in the Urban Design Guidelines attached to this Plan as Appendix C;
- e) Mid-block connectors should be strategically located throughout future developments to enhance active modes access to the Greenlands system;
- f) Mid-block connectors should be a minimum of 6.0 metres in width;
- g) In addition to those policies, the following policies apply to the trail system within the East Fenwick Secondary Plan Area:
 - i. A comprehensive trail system is conceptually identified on Schedule A8 and Appendices A and C. It is the intent of the Town to achieve this trail network through the appropriate processes required to facilitate the development of this Plan including an Environmental Impact Study process;
 - ii. The conceptual trail system includes trails within the natural heritage system (pending the outcome of an EIS), stormwater management facilities, linkages, open spaces and the road system;
 - iii. Adjustments and alternatives to the trails network identified on Schedule 8 shall be permitted subject to the Town being satisfied that the principle of connectivity and continuity of the system has been fulfilled;
 - iv. Trail design and type will be based on each site's sensitivity in order to mitigate impacts to the Natural Heritage System; and,
 - v. Trails for pedestrians and cyclists within the East Fenwick Secondary Plan Area shall be developed generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C.
- h) Protection of the site's existing hedgerows and non-significant woodland areas shall be implemented through the conservation and integration of these features as an integral part of the community open space structure, generally visible from or as part of the public right of way or as rear lot conditions. The protection of the site's existing hedgerows and non-significant woodland areas shall also implement Low Impact Design features outlined Policy B1.9.9.6.1, where feasible; and,
- i) The Canboro Promenade, shown on Schedule A8/9, shall be implemented as private development extends east along Canboro Road. The objective of the Canboro Promenade is to implement a safe and comfortable pedestrian and cycling link along the north side of Canboro Road where the majority of new private development is expected to take place. The implementation and coordination of the Promenade will be undertaken as part of the Draft Plan of Subdivision process to ensure the required right-

of-way is secured through this process and shall be designed in accordance with the direction contained in Appendix C – Urban Design Guidelines.

B1.9.11.3. **Utilities**

- a) Ensure utility services such as hydroelectric power, communications/telecommunications, pipelines and natural gas lines are readily available to all development at levels necessary to ensure the safety and convenience of existing and future residents;
- b) The Town shall promote utilities to be planned for and installed in initial common trenches, below ground where feasible, in a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption;
- c) Utility services shall be developed to be compatible with the general character of the surrounding uses and minimize visual impact, where feasible. The Town will encourage utility providers to consider innovative methods for containing utility services on or within streetscape features such as gateways, lampposts, etc. when determining appropriate location for large utility equipment and utility cluster sites; and,
- d) Utilities location and screening within the East Fenwick Secondary Plan Area shall be developed generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C.

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B1.9.11.4. **Heritage and Archaeological Resources**

- a) The policies related to the heritage and archaeological resources within the East Fenwick Secondary Plan Area are found in Section D4 of the Official Plan; and
- b) Notwithstanding Section D4 of the Official Plan, built heritage and cultural heritage landscapes within the East Fenwick Secondary Plan Area shall be conserved as follows:
 - i. Development applications ~~should shall~~ conserve significant built heritage resources and cultural heritage landscapes consistent with the Heritage resources identified in Appendix E.
 - ii. Development shall be planned to conserve Canboro Road and Memorial Drive as a significant cultural heritage landscapes.
 - iii. Development shall be planned to conserve significant built heritage resources and cultural heritage landscapes located at 1159 Cream Street, 655 Canboro Road, 645 Canboro Road, 1128 Cream Street and 646 Welland Street. Where impacts are expected to these properties, a Heritage Impact Assessment ~~should shall~~ be prepared in accordance with policies found in Section D4 of the Official Plan.

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Commented [ML32]: 6.5.1.1 Significant cultural heritage resources shall be conserved in order to foster a sense of place and benefit communities, including First Nations and Métis communities.

Cultural Heritage Resources

Built heritage resources, cultural heritage landscapes and archaeological resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some cultural heritage resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation (Greenbelt Plan, 2017).

Commented [ML33]: 6.5.1.5 Development and site alteration on protected heritage property or adjacent lands shall not be permitted, except where the proposed development and site alteration has been evaluated through a heritage impact assessment and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

iv. Where impacts are expected to properties located at 704 Canboro Road, 695 Canboro Road, 606 Canboro Road, 607 Canboro Road, 615 Canboro Road, 668 Canboro Road, 675 Canboro Road, 687 Canboro Road, 688 Canboro Road, 691 Canboro Road, 1108 Cream Street, 1118 Cream Street, 1162 Cream Street, 578 Welland Road, 630 Welland Road, 663 Welland Road, a ~~H~~eritage ~~I~~mpact Assessment should be prepared in accordance with Section D4 of the Official Plan.

v. Designation of properties of cultural heritage value under the Ontario Heritage Act is encouraged.

iv-vi. Future development applications may trigger more detailed ~~Archaeology~~~~Archaeological~~ Assessments. Archaeological Assessment(s) shall be required on lands containing archaeological resources or areas of archaeological potential, where development and site alteration is proposed. First Nations shall be consulted by the proponent at the time of development application.

Commented [FB34]: 6.5.1.2 The Region encourages Local Area Municipalities to designate properties of cultural heritage value or interest, either individually or as part of a larger area or Heritage Conservation District, under the Ontario Heritage Act.

Commented [FB35]: 6.4.2.1 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.

Commented [ML36]: Note that NOP policy 7.11.1.5 provides direction on this. Part b) requires proponents to engage with First Nations and Indigenous communities at the earliest opportunity.

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B1.9.11.5. **Subdivision of Land**

- a) The policies related to the subdivision of land within the East Fenwick Secondary Plan Area are found in Section D5 of the Official Plan;
- b) In addition to the policies of Section D5 of the Official Plan, the following policy applies to all lands within the East Fenwick Secondary Plan Area:
 - i. It is the intent of the Town to ensure that Draft Plans of Subdivision are developed within a reasonable time frame. As such, the following statement shall be added to all Conditions of Draft Plan Approval:
 - A Draft Plan Approval ~~extension~~ may be extended pursuant to Subsection 51(33) or 51(32) of the *Planning Act*, but no extension can be granted once, or if, the approval has lapsed. If the owner wishes to request an extension to Draft Plan Approval, a written explanation must, together with a resolution from Council, be received by the Town of Pelham sixty days prior to the lapsing date; and a Draft Plan Approval extension will only be granted if, in the opinion of the Town, significant progress toward final approval has been achieved. Dormant Draft Plans shall not be considered for an extension of Draft Plan Approval.
- c) In addition to the policies of Section D5 of the Official Plan, the following policy applies to all lands within the East Fenwick Secondary Plan area:
 - i. For each of the two Residential Neighbourhoods, the Town encourages the benefitting landowners to work together, and to enter into a Developer's Group Agreement based on the requirements of this Plan;

- ii. It is intended that there be at least one Developer's Group Agreement for the Residential Neighbourhood north of Canboro Road and one for the Residential Neighbourhood between Canboro and Welland Roads;
- iii. It is recognized that in circumstances where there are multiple landowners, a singular Developer's Group Agreement may not be possible. To be considered a Developer's Group Agreement in fulfillment of the requirements of this plan, the Agreement must include a landowner or landowners that represent at least 50% of the redevelopment landholdings total area within the subject Neighbourhood;
- iv. If there is a landowner that represents at least 50% of the landholdings, the Town may enter into a Development Agreement with the landowner;
- v. Where undue delays are encountered with respect to execution of the required Developer's Group Agreements, the Town may, upon the request of an applicant landowner, attempt to resolve such difficulties or delays. Where resolution of such difficulties is deemed not possible by the Town, despite the Town's intervention, the Town shall approve alternative mechanisms to satisfy the intent of the applicable policies of this Plan;
- vi. If a benefitting landowner within a Residential Neighbourhood wishes to submit a development application and has been unable to obtain the necessary participation of other benefitting landowners through a Developer's Group Agreement, notwithstanding best efforts to do so, then:
 - The applicant landowner shall notify the Town in writing that it proposes to submit an application for development on its lands, or a portion thereof, without a Developer's Group Agreement;
 - The applicant landowner in said notice shall set out, in compliance with the provisions of this Plan that the development proposal can be accommodated on its lands, without the participation of other landowners or lands, appropriate urban development that implements the Neighbourhood Structure and policy intent of this Plan. The applicant landowner shall also elect in said notice, at its option, either to:
 - Enter into a Development Agreement with the Town in lieu of other benefitting landowners; or,
 - Enter into a Front-Ending Agreement with the Town in accordance with the provisions of Section 44 of the Development Charges Act, as amended.
 - The purpose of these alternative agreements shall be to ensure that a non participating, benefitting landowner cannot develop their lands without appropriate compensation to the

2017. Because of this, certain sections of the Plan Area will be regulated under policies and legislation that pre-date several substantial changes in the Town's planning landscape, including but not limited to:

- a. The 2022 Regional Official Plan;
 - b. The Provincial Policy Statement;
 - c. Changes to the Environmental Impact Study process and requirements; and
 - d. Amendments to the *Planning Act*.
- b. Notwithstanding the previous, the transitional policies of the 2022 Niagara Regional Official Plan and legislative framework applicable at the time of all future development applications in the Plan Area shall apply.

Commented [ML37]: Should this be "policy B1.9.13 a"

From: David Deluce <ddeLUce@npcA.ca>
Sent: Thursday, March 28, 2024 1:21 PM
To: Lindsay Richardson <LRichardson@pelham.ca>
Cc: Lindsey Morin (Lindsey.Morin@niagararegion.ca) <Lindsey.Morin@niagararegion.ca>
Subject: RE: East Fenwick Secondary Plan Comments

Hi Lindsay,

NPCA staff have reviewed the draft East Fenwick Secondary Plan and associated Schedules. We appreciate the work completed to date in this project by the Town, its consultant and local developers to address outstanding environmental concerns by the NPCA. NPCA staff are satisfied that these concerns have been appropriately addressed and have no objection to the draft policies and Schedules circulated to us on January 29, 2024.

Please let me know if you have any questions.

Best Regards,



David Deluce, MCIP, RPP
Senior Manager, Environmental Planning & Policy

Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2

905.788.3135
www.npca.ca
ddeLUce@npcA.ca

From: Lindsay Richardson <LRichardson@pelham.ca>
Sent: Wednesday, February 21, 2024 9:18 AM
To: Morin, Lindsey <Lindsey.Morin@niagararegion.ca>; David Deluce <ddeluce@npca.ca>
Subject: East Fenwick Secondary Plan Comments

Good Morning,

Just wanted to check in with you both to see how you are making out with your review of the East Fenwick Secondary Plan.

The public meeting went really well last week, generally concerns were around water/drainage (as it has been the whole time), infrastructure improvements and traffic, but overall no real anti-development talk and a few people spoke in favour of the density and proposed mix of housing so we are taking that as a win!

We are looking to take a recommendation report to Council in April (I believe the 24th) so if you could have comments to me by the end of March it would be very much appreciated. We would be happy to facilitate a meeting if there are any questions or concerns with the draft plan as well – just let me know!

I look forward to hearing from you and appreciate your continued support with this plan!

Cheers,
Lindsay



Lindsay Richardson, MCIP, RPP
Policy Planner
Town of Pelham
D: 905-980-6675 | E: Lrichardson@pelham.ca
T: 905-892-2607 x335
20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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The information contained in this communication, including any attachment(s), may be confidential, is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure of this communication, or any of its

contents, is prohibited. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.

East Fenwick Secondary Plan Study

Public Open House

Title	Date	Time
Minutes	2023-11-30	3:00 to 6:00pm
Location	Project Name	Project No.
Fenwick Fire Station 2	East Fenwick Secondary Plan	230902

Summary of Events

On November 30th, 2024, Town, Region and NPCA staff members and the consulting team as well as representatives of the development lands located south of Canboro road assembled at the Village of Fenwick's Fire Station 2 to attend the Public Open House with regards to the East Fenwick Secondary Plan.

The session was well attended by approximately 45-50 residents that were updated on the project progress and final draft neighbourhood vision for the Secondary Plan area as were able to ask questions of the team. A series of illustrated boards provided the public with detailed information on:

- The study objectives, goals and process/timeline to date;
- Regional and local planning context;
- The proposed governing study area community building structures to include Neighbourhood, Greenlands and Street structures; and,
- Servicing and infrastructure objectives and needed upgrades.

Key points raised during the open house session included:

Housing Typology, Mix and Affordability

Residents liked that a housing mix is still being proposed, there is a need for mix of housing including apartments so residents can remain in the community. Many of the questions received on this topic are addressed in the study Background Report and proposed policies of the Secondary Plan. The report outlines the reasons and strategy on how growth in Fenwick and the Town is managed within the Regional and /local planning context.

Comments received included:

1. Glad to see that nothing has substantially changed. Hooray for a thoughtful mix of housing types.
2. Need for housing for people at all stages of their life.
3. Some concern over the potential mid-density buildings, how many stories will the apartments be?
4. Pleased with the lower density development on the edges and higher density development towards the centre.
5. What is the density that is being planned for the area and why.
6. Desire to have high quality construction, use of brick, stone on buildings. Not all vinyl siding.
7. How will this impact the property values in the area?
8. Will there be any consideration for commercial uses?
9. How will this development impact the local school? Will an addition be proposed to accommodate new students?
10. What is the timing of when development will start?

Infrastructure

Overall, residents continue to be concerned with ensuring sound engineering solutions to storm water management are used in the development of the study lands. Current storm water management issues in other parts of Town have raised awareness on the importance of understanding storm water management as a holistic undertaking. Further concern on road widenings were brought forward. Matters pertaining to infrastructure and sound civil engineering solutions will continue to be assessed and reviewed through the draft plan of subdivision process.

Comments received included:

1. How will the storm water be managed, what are the downstream impacts, where will the water go.
2. Why not start at the outlet on Welland River and make sure the system can handle the volume of water? Flip the script.
3. General drainage and infrastructure concerns – several residents talked about flooding occurring currently and asked if this project address this?
4. Can you guarantee that there will not be failure in the storm water ponds.
5. Who pays for the infrastructure.
6. Will existing homes be required to connect to sanitary sewers, what will be the cost and who pays.
7. Will low impact development standards be considered to address servicing.
8. Pleased to see the pedestrian network proposed.
9. Will Welland Road/Canboro Road be upgraded to deal with more traffic?
10. What are the improvements required to the roads, was a traffic study undertaken.
11. Will sustainable energy conservation features be used (i.e. solar panels used for street lighting?)
12. Will low impact development engineering solutions be implemented on all streets?

Greenlands

The conservation and management of natural features has been an important focus of the community. The recently completed Environmental Impact Study findings and recommendations for the lands mainly located between Canboro and Welland Roads have seen the retention of larger natural feature areas and the introduction of an environmental corridor.

Comments received included:

1. Glad to see the greenlands system is being protected.
2. What will happen to the geese that land in the field during migration and what will happen to other wildlife using the area, i.e., deer, wild turkeys.
3. The environmental corridor should be wider (it should be 50 metres for adequate ecological connectivity) and glad to see there is a connecting link.
4. Are we considering expropriation of private properties or other means to enhance access to environmental areas and potential amenities (i.e. trail system along east natural feature extending from Welland to Canboro Roads)

Town, Regional and Consultant Team in AttendanceTown of Pelham

Barbara Wiens – Director of Community Planning & Development – Town of Pelham

Lindsay Richardson – Policy Planner – Town of Pelham

Region Representatives

David Deluce, Senior Manager, Environmental Planning and Policy – Niagara Peninsula Conservation Authority (NPCA)

Cara Lampman – Manager, Environmental Planning - Niagara Region

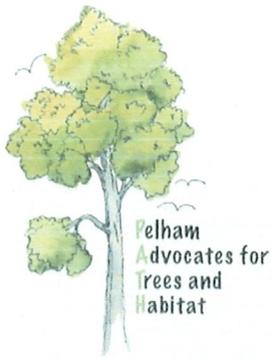
Southern Lands Representatives

William Heikoop – Planning Manager – Upper Canada Planning & Engineering Ltd.

Adam Kean, P. Eng. – Engineering Manager – Upper Canada Planning & Engineering Ltd.

Consultant Team Representative

Ute Maya-Giambattista – Principal O2 Planning & Design



*Pelham Advocates for Trees and Habitat (PATH)
Headquarters, 44 Emmett St.
P.O. Box 1373, Fonthill
On., L0S 1E0*

Ms. Lindsay Richardson
Policy Planner- Community Planning and Development
Town of Pelham
20 Pelham Town Square,
Pelham, Ontario
L0S 1E0

January 23, 2024

RE: East Fenwick Secondary Plan Public Open House

Dear Ms. Richardson:

We at Pelham Advocates for Trees and Habitat (PATH) are pleased to have the opportunity to provide feedback (along with a few questions) to The Town of Pelham with respect to the East Fenwick Secondary Plan, as was presented to the public at the recent Open House. Let me first state that for those PATH members who attended the Open House they commented this was a very professionally run operation and that staff present were both knowledgeable and approachable.

Our first question is; Will the East Fenwick Secondary Plan become part of the Town of Pelham's Official Plan?

Probably not surprising coming from PATH (given our mandate), we were very much impressed to see the amount of GREEN coloured in on the Secondary Plan map. It certainly appears that the Town is taking very seriously the environmentally sensitive nature for much of the lands in this area and subsequently allocating the appropriate amount of attention to both preserving as well as safe-guarding these environmentally sensitive lands. Bravo!

In keeping with the above, we were extremely pleased to learn that the Town is preserving an existing forest (denoted by GREEN) on the west side of this plan. We are heartened by this proactive action on the part of the Town to save such a precious natural heritage feature. We have several questions concerning this feature. When discussed at the Open House, we were advised that this woodland did not yet have an "official designation". We would therefore request that this woodland be designated as a "significant woodlands" and demarcated with an EP

(environmental protection) designation. Our concern is, if this woodland does not receive some type of "official designation", that through some future legislative means, loophole, etc, that despite the best of intentions these woods could potentially be lost to development in the future.

As regards to the demarcated GREEN zones on the Secondary Plan mapping, what is the proposed amount of the building exclusion zone (setback) for development adjacent to the mapped GREEN zones?

PATH is fully supportive of the Town's objective for making this development a walkable, livable neighbourhood that supports 2.5 to 5 minutes walking distance from parkland and recreational amenities. The proposed trail system appears comprehensive and is most satisfactory to us. The Environmental Corridor which links the preserved forest (western side) to the trail system (both east and west directions), is an excellent idea. With the addition of a bicycle trail system this further presents mobility alternatives to residents for avoiding/minimizing use of a vehicle. On this issue however, we feel it is very important to maximize the linkage of these trails for residents' access to downtown Fenwick by walking or riding a bike. While we understand that the section of Canboro Road which falls within the confines of the Secondary Plan will be re-developed with addition of walking and biking trails, we request that this design (or the most reasonable alternative design) be incorporated along the remainder of Canboro Rd. leading into downtown Fenwick. As there appears to be no commercial development contained in this Secondary Plan, we believe it is very important to provide mobility options for residents to access the downtown for food/other necessities, eating out, the library, etc. It is our opinion these suggestions are consistent with some of the stated objectives of this Secondary Plan, that being; "Developing a continuous and connected open space and trails system that links the local neighbourhood to the broader town and encourages active transportation".

In discussions at the Open House, our members were advised that LID practices will be integrated into this development. We are very pleased to learn of this. However, there was no mention made in the provided draft Secondary Plan to LID. We therefore seek assurance that LID will be mandated into this future development.

In keeping with our previous discussions with Town Planning surrounding the new Official Plan and planting of trees in the new development, it is PATH's recommendation that a target be set for this Secondary Plan of planting 2 reasonably sized trees per unit. For multiple story structures, should this requirement prove too onerous regarding the size of the property, that a number of trees could be planted elsewhere in the development. One such option could be the planting of "mini-forests", a concept which is taking shape in more and more communities across Canada.

A major concern relative to this Secondary Plan relates to the density targets. To clarify, from what we can discern there are no employment targets allocated to this Secondary Plan (as there appears to be no proposed commercial, retail or industrial development). Please comment if we are incorrect in this regard. We know that the East Fonthill Secondary Plan is currently at just under 50% approximate completion, and at that rate this Plan is well below what was targeted for the increase in population as was estimated when that plan was finalized. As previously confirmed with Town Planning, new development in Pelham is on average only providing housing for 1.5 persons per unit. It seems to us then, the only way to realistically ensure that new development delivers on increasing the population in line with the future target set by the Region, is to increase density. In this regard we are most concerned about the Build Boundary designation which designates 8 to 15 units per hectare. We fully realize there exists a push-pull between maintaining the village-like characteristic of Fenwick while trying to maximize the development potential of the land (and all the while protecting natural heritage features). That said, given the fact this is the last developable land in this area of Pelham, we believe this precious land must be utilized to a greater degree than what is presently envisaged. We are not suggesting that people be squeezed in like sardines or for the building of multiple high-rises. However, we feel that density ratios ranging between 20 to 50 units per hectare is what is required if Pelham is to have any realistic chance of reaching our 2051 population target. This ground-work must be done now given the shrinking developable land base in Pelham.

In discussion at the open house, we were advised that the transportation aspect of this plan has not yet been fully developed. It is our hope that the matter of "public transit" be seriously considered for this development. As the recently established Regional transit system is expected to grow along with the population increase, we believe it is important to integrate such a system into transportation planning for this development.

Finally, as to the proverbial "elephant in the room", the matter of climate change needs to be of significant consideration when developing such plans. As housing is a major source of greenhouse gas emissions in Canada, we strongly believe the East Fenwick Secondary Plan needs to tackle this issue head-on. Several issues which comes to mind are; will this housing stock be built to the highest standards possible for reducing its carbon foot-print? What if any consideration will be given to planning for alternatives to fossil-fuels heating, such as for heat-pumps and/or for installation of district heating/cooling systems (possibly more readily applicable to some of the planned multi-storied buildings). We would ask that the Town of Pelham require developers to make requests for proposals for feasibility studies for the use of district supplied energy for these developments. Though there will be higher upfront costs, the savings associated with such strategies could be very significant over the lifetime of these homes, let alone for the locked-in reduction of lifetime CO2 emissions should fossil-fuels reliance be significantly reduced or eliminated from this development. PATH strongly believes that feasibility studies need to be conducted to properly analyze the costs-benefits of installing alternative heating/cooling systems for this development.

This concludes PATH's response to the proposed East Fenwick Secondary Plan. We thank Town of Pelham Planning for the opportunity of engaging in this process. We are very favourably disposed to the possibility for future engagement/dialogue in this matter. We would much appreciate your responses/clarifications to some of the questions posed in this correspondence. Please contact this writer or Graham Pett in such regards.

In conclusion, PATH believes the proposed East Fenwick Secondary Plan represents a major step-forward in the annals of development planning in Pelham, and for dutifully acknowledging along with preserving the irreplaceable natural heritage characteristics of these lands.

Sincerely,

A handwritten signature in black ink that reads "Mike Jones". The signature is written in a cursive, slightly slanted style.

Mike Jones, President- Pelham Advocates for Trees and Habitat

FOLLOW THE PATH!

From: Sarah Leach
Sent: January 31, 2024 3:39 PM
To: Lindsay Richardson
Subject: FW: Input for East Fenwick Secondary Plan



Sarah Leach, BA.
Deputy Clerk
Town of Pelham
D: 905-980-6662 | E: sleach@pelham.ca
T: 905-892-2607 x320
20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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From: Kimberly Allan <kimberlyallan@hotmail.ca>
Sent: Wednesday, January 31, 2024 3:10 PM
To: Sarah Leach <SLeach@pelham.ca>
Subject: Input for East Fenwick Secondary Plan

Hello,

My name is Kim Allan and I live at 1105 Balfour St., Fenwick, Ontario

Re: input for the East Fenwick Secondary Plan

While I am in favour of growth for our community – I also want to point out a few issues that are currently happening, that with expansion is only going to get worse

1. Traffic on Balfour street coming around from Welland Road and from Canboro Road direction. The speed of vehicles and the vehicle parking on Balfour makes it very difficult currently to pull out of your driveway safely. Calling the bylaw officers do no good. They will not take action on the parked vehicles nor the traffic coming around the corner or the difficulty seeing the corner due to the vehicles parking from my house to the corner. Increasing homes with the new plan is only going to make this worse. Welland rd and Balfour need a 3 way stop to ease some of these vehicles coming around the corner at the speed they currently do. A time limit for vehicles parking on Balfour needs to be installed.
2. The water runoff coming down Balfour and out back to the pond runoff. My backyard is continuously swamped with water from the downstream runoff. How will the new housing planned for out back get the water redirected? The building of homes in the waterway currently will redirect more water to the backyards on the current homes along Balfour.

Sorry not able to attend live, but hoping these concerns are documented for the new plan

Kim Allan

Amy Lagrou

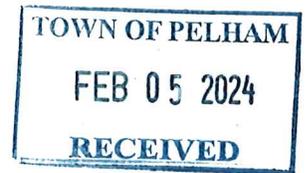
We moved to Fenwick when our first baby was 6 months old. We specifically chose Fenwick because of its small size, peacefulness and family friendly, quaint country living. If we wanted to have a development of hundreds of dwellings in our backyard or an apartment building only meters away we would have relocated to any of the already densely populated areas of Niagara. There are endless neighbourhoods to choose from. Plenty of other spaces with high density development and pavement that already fits with the character of the area.

We love Fenwick for the ability to take our kids for bike rides on our quiet country road. For the wildlife that often strolls across our backyard. For the silence at night. For the constellations of stars we can view from our backyard. For our kids to grow up in fresh open air with a respect and appreciation for nature.

Densely populating this small area of land would destroy everything we love about Fenwick. The wildlife will lose their home. The traffic will speed down the country roads. The light and noise pollution will decimate the country feel. It will not be Fenwick anymore.

We can understand there is pressure for growth, expansion, development, money, and more more more. But we cannot understand how bringing thousands of people onto one small field represents anything close to balance nor protects any aspect of natural heritage and small village character.

So here is our input, as loud as you are going to make our quiet life. NO



February 4, 2024

Re Notice of Public Meeting – East Fenwick Secondary Plan

To Town Council

Dear Mayor and Councillors:

As residents living within 120 meters of the subject property, we are in opposition of this East Fenwick Secondary Plan. We are confused to see some of the vacant land is listed (listing enclosed) for sale with the description that reads as such: “This plan includes 36 single family lots and 31 street towns – approved by the City.” It sounds as it is a done deal. Some of the concerns to go ahead with such a plan to increase population density are:

- Strain on existing infrastructure such as water and sewer systems. This development will burden the existing infrastructure which is crucial to maintain the quality to the existing residents not to mention a possible tax hike to pay for necessary upgrades.
- Traffic density. Our local roads cannot handle the additional vehicle traffic. There is one major road Balfour Street to access Hwy 20. The extra vehicles will increase traffic congestion. Balfour Street is in dire need of repairs.
- Strain on our volunteer Fire Dept.
- More population means an increase in crime rate. Fenwick has a very low police presence at present time. Drivers drive at high speed through the village. Stop signs are not obeyed. Please note more stop signs and camera will not deter this. Our police force cannot handle more population density.
- Transportation of school children for this new development. There is a shortage of bus drivers.
- This development will destroy the open space and natural habitat of the wildlife.
- Contaminants from development such as road salt, pesticides entering the local streams might affect the quality of the wells of the surrounding properties.
- The water table is very high and removing vegetation will change the land drainage and natural water flow pattern and cause flooding concerns. As you are aware a new build was approved on Canboro Road and the existing adjacent property owner was flooded and substantial damage was done to the property. When Cherry Ridge in Fenwick was developed, there were severe flooding issues. We have a sump pump at our house as most residents in Fenwick. We do not think it will be sufficient to take the extra water drainage this development will create.

Please note there is a storm pond at corner of Welland Road and Balfour St. to accommodate the new houses on Balfour St. In the past on heavy rain days it overflowed onto Welland Road. Work crews had to clean the mud from the road and the lawns of properties facing the pond.

- You mention establishing a pedestrian and cyclist friendly community. Fenwick has no crossing guards for the children. Welland and Canboro Road are just wide enough for two vehicles. Who will pay to widen these roads to make them pedestrian friendly?

The 18 lots on Balfour Street (between Canboro and Welland are not m'completely developed. Only 10 homes at this time and there is two houses on that stretch back on the market and not selling) Why develop more land? Oak Haven Estates on Maple Street has been advertised as a go for years and still not been developed and this piece of land was back up for sale?

The people who will move in this new development will be most likely people who lived in cities and will not be satisfied with the status quo of a rural setting and will demand city amenities they are accustomed to.

We disagree with your statement "it will enhance Fenwick's village character." To the contrary this plan will destroy our small rural village atmosphere. As town council representing the residents of Fenwick, please take the above concerns into serious consideration and recognize this East Fenwick Secondary Plan is not feasible.

Sincerely,



R & J Smith
1094 Balfour Street
Fenwick ON
Concerned residents of Fenwick

Enclosure.

Please note our comments can be made public but not our personal information.



\$14,900,000

**N/A WELLAND RD
Pelham, Ontario L0S1C0
MLS® Number: X7311968**

Listing Description

For more information, please click on the Brochure button below. Excellent residential development opportunity. Within walking distance of the quaint village of Fenwick, where you will find a beautiful community park with sports fields, tennis courts, children's water park, churches and restaurants. Within walking distance of local schools as well. This plan includes 36 single family lots and 31 street towns - approved by city. An additional 5 acres of property is included to be used as the retention pond (water source) - shared with 2 other developers. Reports and studies have been completed. Seller may consider offering vendor financing. (33609568)

Property Summary

Property Type	Land Size	Annual Property Taxes
Vacant Land	500 x 1250 FT	\$1,602

Time on REALTOR.ca
75 days



Acreage For Sale in Pelham, Ontario (Welland Road) - \$14,900,000

Development Opp. Vendor Take Back Available.

Main Features

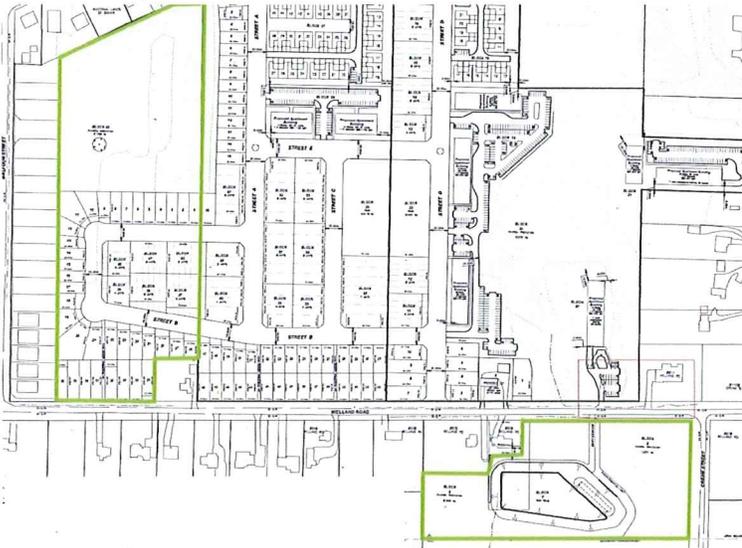
- Price: **\$14,900,000**
- Square Footage: **X**
- Lot Size: **14.824 acres**
- Storeys: **N/A**
- Bedrooms: **0**
- Bathrooms: **0**
- Parking: **X**
- Year Built: **X**
- Annual Taxes: **\$1,602**

The Basics

- Property Type: **Acreage / Vacant Land**
- Ad Type: **For Sale**
- Ownership: **Freehold/Fee Simple**
- Listing ID: **197451**

Location

- Address: **Welland Road**
- Neighbourhood: **Fenwick**
- City: **Pelham**
- Province/State: **Ontario**
- Postal/ZIP Code: **L0S 1C0**
- Country: **Canada**



Property Description

VENDOR TAKE BACK AVAILABLE. SECONDARY PLAN APPROVAL STAGE FOR 67 UNITS.

Excellent residential development opportunity. Within walking distance of the quaint village of Fenwick, where you will find a beautiful community park with sports fields, tennis courts, children's water park, churches and restaurants. Within walking distance of local schools as well. This plan includes 36 single family lots and 31 street towns. An additional 5 acres of property is included to be used as the retention pond, shared with 2 other developers. Reports and studies have been completed.

Location: North of Welland Road, East of Balfour Street

Asking price: \$14,900,000. Seller may consider offering vendor financing.

Legal Description: PT LT 13 CON 9 PELHAM, 59R15837 AS IN SN 511305 TOWN OF PELHAM

PIN / ARN 640310484 / 273201001416811

Lot Size ±14.824 Acres (±645,715.60)

Zoning EP1 - Environmental Protection 1

WED. 2/7/24

IN YOUR LETTER IT STATES THAT THE PUBLIC & LANDOWNERS WITHIN THE PLAN AREA HAVE HAD INPUT TO THE DEVELOPMENT OF THE SECONDARY PLAN. WHY THEN IS THIS THE FIRST TIME I'VE BEEN ADVISED OF THIS PLAN?

HOW DOES THE TOWN'S OFFICIAL PLAN & PROPOSED PLAN INDICATE?

PROTECTION OF NATURAL GREEN SPACE?

VILLAGE CHARACTER?

ESTABLISH PEDESTRIAN & CYCLE ROUTES?

HOW IS REGION/TOWN ADDRESSING INFRASTRUCTURE FOR ROAD/WATER & SEWERS?

Mike and Tonia Orlando
690 A Canboro Road
Fenwick ON L0S 1C0

From: Sarah Leach
Sent: February 14, 2024 9:03 AM
To: Barbara Wiens; Lindsay Richardson
Subject: FW: East Fenwick Secondary Plan

FYI

I will circulate these to council via email.



Sarah Leach, BA.
Deputy Clerk
Town of Pelham
D: 905-980-6662 | E: sleach@pelham.ca
T: 905-892-2607 x320
20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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From: Andrew Reynolds <andrewreynolds2007@gmail.com>
Sent: Tuesday, February 13, 2024 5:20 PM
To: Sarah Leach <SLeach@pelham.ca>
Subject: East Fenwick Secondary Plan

Hello:

I am taking this opportunity to provide comments on the East Fenwick secondary plan. I went on the website and there were not many details on the plan. Therefore, my comments are rather general in nature.

Things I am in favor of: I have no issue with such things as improving infrastructure such as road quality, addition of sidewalks where necessary, etc.

Things I am against: I am most definitely not in favor of more housing. I drove around the perimeter of the area delineated on the map provided, and also made use of Google Earth. Most of the roads, if not all, are fully-populated by housing already. The map indicates areas along the north side of Welland Rd. that do not contain housing. However, these properties appear to be used for agriculture and I would support their continued use as such. Similarly, a parcel along the south of Memorial Drive is used for agriculture and it would be most disappointing if this was used for housing construction. Other properties are wooded and need to be conserved and not destroyed by houses.

Addition of housing in a relatively small area such as East Fenwick will add to traffic density problems. This could increase road maintenance costs and could drive up property taxes. It could also exacerbate safety concerns and create a need for more sidewalks, speed bumps, etc. Most people living in Fenwick are here to enjoy and appreciate the rural atmosphere, and it should not be ruined by high-density housing.

Yes to conservation and agriculture! No to houses! No to increased urbanization!

Andy Reynolds

--

Dr. Andrew G. Reynolds
Professor of Viticulture (retired)

Adjunct Professor, University of Guelph & University of Waterloo
Viticulture Consultant; Writer; Editor
613 Memorial Drive, Fenwick, Ontario, Canada L0S1C0
905-892-7583
andrewreynolds2007@gmail.com

From: Sarah Leach
Sent: February 7, 2024 9:08 AM
To: Lindsay Richardson; Barbara Wiens
Subject: FW: Response to East Fenwick

FYI



Sarah Leach, BA.
Deputy Clerk
Town of Pelham
D: 905-980-6662 | E: sleach@pelham.ca
T: 905-892-2607 x320
20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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From: Sherry Rusin <sherryrusin@gmail.com>
Sent: Tuesday, February 6, 2024 8:41 PM
To: Sarah Leach <SLeach@pelham.ca>
Subject: Response to East Fenwick

Hello Sarah,

Hopefully, this can be added to the table:

Thank you for the opportunity to express my thoughts and concerns regarding East Fenwick. I have been approached by a few people who are concerned about how the drainage will be affected in these areas. We do know that, all over the Niagara Region, there is flooding happening, and we also know we can not predict what Mother Nature is going to throw our way, The best thing we, as a town, can do is try to formulate a plan based on historical risks and knowledge of our changing climate patterns. This is not an easy task and not something we can ever get perfect. But, being well prepared and having good plans in place is the best we can do to ensure as little property damage as possible. With this being said, what can do? We can learn from mistakes that have been made in other places. My question to town staff and the developers is this. What are you going to do to ensure that the problems that have come up with "Cherry Ridge and the Kenan Drain", " Martha Court and Disher Drain", "East Fonthill ponds" and also "the Farr Road" areas are NOT going to happen again in the new "East Fenwick " area?

Thank you for your time,

Sherry Rusin

From: anthony.annunziata@icloud.com
Sent: February 9, 2024 1:41 PM
To: Sarah Leach; Lindsay Richardson; clerks pelham
Cc: clerk@pelham.ca
Subject: Comments re: East Fenwick Secondary Plan

To all that are addressed in this email:

My name is Anthony Annunziata. I reside in Fenwick at 1284 Cream Street. I wish to voice my concerns and objection to portions of the East Fenwick Secondary Plan. Specifically my concern with the zoning provision of application higher intensification on the Southwest Corner of Cream Street and Canboro Road. This intensification to medium or high density residential is not consistent with the profile of the existing homes within 300 metre of the proposed area. This area is also in conflict with the heritage study provided and its proximity to environmental protected area and watershed area.

I would like the area to reduce the intensification proposed in the Secondary plan to reflect residential profile that is consistent with the single detached homes that lie within 300 meters of this corner.

Could you please also provide for me all public declarations of Conflict of Interest for the East Fenwick Secondary Plan from any councillors or Town of Pelham staff between 2017 and present in the development of this plan.

Respectfully,

Anthony Annunziata
1284 Cream Street
Fenwick, Ontario
L0S1C0

From: BERT NAUTA <bnauta@cogeco.ca>
Sent: February 11, 2024 6:50 PM
To: William Tigert; Sarah Leach; Lindsay Richardson
Subject: East Fenwick Secondary Plan Hearing February 14, 2024 5:30 pm
Attachments: IMG_1994.JPG; IMG_5635.JPG; IMG_5615.JPG

We, Bert and Cynthia Nauta, the residents of 676 Welland Road in Fenwick, respectfully would like to submit our concerns of the Proposed East Fenwick Secondary Plan. As residents of the property south of the proposed future development, we are very concerned with the direct impacts this development would pose on our property during all stages of construction. Our major concerns are as follows:

- * Surface water run off and possible flooding during and after construction
- * Increased ground water levels and flows impacting existing homes south of Welland Road
- * Overwhelming strain on sump pumps (all residents south of this development on Welland Road have sump pumps due to high water table already in existence)
- * Financial impacts of sewer and water installations on Welland Road that may be billed to existing homeowners on Welland Road

During construction of the Woodlands subdivision (Balfour Street), we endured extreme surface water flooding of our property on several occasions and are very concerned this proposed development would have greater impact to our property. (Please see attached photos of the flooding that occurred and others are available).

As residents and tax payers of the Town of Pelham for the past 22 years, we are not in favour of this development plan.

Bert and Cynthia Nauta
676 Welland Road
Fenwick

**Committee of the Whole Meeting
Public Meeting under the Planning Act
Minutes**

Meeting #: PCOW-02/2024
Date: Wednesday, February 14, 2024
Time: 5:30 PM
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present: Mayor Marvin Junkin, Councillor Bob Hildebrandt,
Councillor Wayne Olson, Councillor John Wink, Councillor
Kevin Ker, Councillor Brian Eckhardt, Councillor Shellee
Niznik

Staff Present: Barbara Wiens, Lindsay Richardson, Sarah Leach, Jodi
Legros

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:30 p.m.

2. Land Recognition Statement

Councillor Eckhardt read the land recognition statement into the record.

3. Adoption of Agenda

THAT the agenda for the February 14, 2024, Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as circulated.

Amendment:

Moved By Councillor Bob Hildebrandt

THAT the motion be amended to add item 6.2.1.

Carried

Motion as Amended:

Moved By Councillor Bob Hildebrandt

THAT the agenda for the February 14, 2024, Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as amended.

Carried

4. Disclosure of Pecuniary Interest and General Nature Thereof

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

5. Planning Act Application: 26T19-01-2022 & AM-11-2023 - Park Place West

The Deputy Clerk read into the record the Notice Requirements regarding this application.

5.1 Planning Report and Presentation

Ms. Barb Wiens, Director of Community Planning and Development, provided an overview of the application before Council. A copy is available through the Clerk.

5.1.1 Information Report - Applications for Revision to Previously Approved Draft Plan of Subdivision and Zoning By-law Amendment, 2024-0045-Planning

5.2 Applicant's Presentation

Mr. Craig Rohe of Upper Canada Consultants provided an overview of the application before Council. A copy is available through the Clerk. Matt Vartanian, Applicant, was also present.

5.3 Public Input

None.

Ms. Leach, Deputy Clerk, indicated she checked the clerks@pelham.ca email address at 5:56 p.m. and confirmed no e-mails have 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 move to Committee input.

5.4 Committee Input

A Member of Council asked for information on the stormwater management plan and waste collection. Barb Wiens, Director of Community Planning and Development, stated that stormwater drains to the pond adjacent to the Wellspring site. Ms. Wiens stated waste collection was individual, not centralized.

A Member of Council asked for the current Zoning By-law requirement for maximum lot coverage. Ms. Wiens stated 50%. The Member expressed concern with the potential of removing the lot coverage requirement and asked approximately what lot coverage is being contemplated. Craig Rohe, Agent, stated that the proposed setbacks will ensure balance, establishing a reasonable building envelope while proving flexibility. The Member identified the proposed lots as small, expressing concern the developer will max out the lot coverage. The Member expressed a desire to assign a numerical value to lot coverage.

A Member of Council asked about affordability. Matt Vartanian, Applicant, indicated the development is intended to steer away from million-dollar single detached developments. The Member stated a four-bedroom home is still luxurious and encouraged the applicant to adjust the development to obtain greater affordability. Mr. Vartanian stated it is difficult to gauge a concrete market price at this point.

A Member of Council asked for confirmation that stormwater would flow to the canal, as opposed to Twelve Mile Creek. Ms. Wiens confirmed.

5.5 Presentation of Resolutions

Moved By Councillor John Wink

THAT Committee receive Report #2024-45 for information as it pertains to File Nos. 26T19-01-2022 & AM-11-2023;

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

Carried

Moved By Councillor Wayne Olson

THAT Committee receive the applicant's presentation for information.

Carried

6. Planning Act Application: East Fenwick Secondary Plan

6.1 Planning Report and Presentation

Lindsay Richardson, Policy Planner, and Ute Maya-Giambattista, Consultant, provided an overview of the application before Council. A copy is available through the Clerk.

6.1.1 Information Report - East Fenwick Secondary Plan, 2024-0043-Planning

6.2 Public Input

Ron and Irene Birrell did not attend.

Graham Pett stated he was representing Pelham Advocates for Trees and Habitat (PATH). Further to the comments provided on the agenda, Mr. Pett expressed satisfaction and gratitude for the green space provided, the protected woodlands, and the green corridor. Mr. Pett requested the preserved woodland be provided an environmental designation and that all new residential units be required to plant two mature trees. He expressed support for the integration of low-impact development, the minimization or elimination of stormwater management ponds, and the consideration of geothermal systems from fossil fuel. Mr. Pett stated that continuing to build large homes is not sustainable for

the growing population and requested that the consultant consider a higher density than 8-15 units per hectare. In conclusion, Mr. Pett stated the proposed East Fenwick Secondary Plan is a major step forward.

John Klassen requested consideration be given to the changing demographic in Fenwick, soil conditions, the water table, and the capacity for future electrical requirements. Mr. Klassen expressed concern for existing wildlife. He stated that preferred housing type is a personal decision and should not be dictated depending on one's living arrangement. Mr. Klassen expressed a desire to maintain the environment that has existed for 40 years.

Herb Sawatzky presented on behalf of 50by30 Niagara. A copy of the presentation is available in the addendum agenda package and through the Clerk. Mr. Sawatzky requested the exploration of fossil-fuel-free energy for the homes in East Fenwick.

Rob Frizzell stated he is a professional hydrogeologist. Mr. Frizzell indicated the current studies fall short of being able to characterize the existing natural heritage system in the area, as well as the function of the wetlands. Mr. Frizzell discussed the importance of studying groundwater and identified the possibility of groundwater discharge. He suggested that further studies and long-term monitoring could be beneficial.

Lynn Shatford asked what plans are in place to ensure the current groundwater flow issue is not exacerbated through development. Ms. Shatford expressed concern about potentially being required to connect to municipal services and who will bear the cost. Ms. Shatford supported the idea of mixed housing options to ensure future generations can remain in Fenwick.

Jim Jeffs expressed concern with the stormwater management system and exacerbated flooding resulting in tree loss.

Tim Casson asked what stage the Town is at in the cycle of Planning. Barb Wiens, Director of Community Planning and Development, responded the public meeting was held to collect feedback, and significant change is not anticipated. Mr. Casson asked about the range of the green space. Ms. Wiens indicated it is the size that exists at present. Mr. Casson asked approximately when to expect shovels in the ground. Ms. Wiens indicated approximately three years for infrastructure and five years for construction, depending on individual development applications.

William Heikoop, Project Manager with Upper Canada Consultants, stated he was appearing on behalf of several clients. Mr. Heikoop stated the plan provides a well-balanced hierarchy, respecting the existing community while adhering to overall Official Plan policies.

Richard Turenne asked why a portion of his property was within the red zone and if his well would go dry. He asked if he would

be required to connect to municipal services. Ms. Wiens indicated that policies in the Official Plan help establish the limits to the secondary plan area. Ms. Wiens stated that policies dictate that the secondary plan process needs to be conducted. She further stated that a background study on groundwater will be conducted which may address the impact on the well. Ms. Wiens concluded by stating that improvements are being made to address existing infrastructure to improve capacity, with additional work to occur.

Katlyn Zwierschke expressed concerns about the cost associated with connecting to municipal services as well as hydro capacity. Ms. Zwierschke expressed concern with the school system, stating Wellington Heights is already at capacity. She asked if the school boards had been consulted. Ms. Wiens confirmed the school boards were circulated and have been kept informed. Ms. Wiens noted that all subdivision applications are also circulated to the school boards.

Lauren Arnold echoed the concerns of Ms. Zwierschke. Ms. Arnold indicated appreciation for the green space and expressed interest in learning more about the environmental corridor. Ms. Wiens stated the environmental corridor is a linking feature that will be realized through development. She advised that additional opportunities to comment are provided with subdivision and zoning by-law amendment applications.

Sherry Rusin expressed concern for drainage and its impact on the farming community. Ms. Rusin suggested a natural water feature be introduced to mitigate drainage issues.

Ms. Leach, Deputy Clerk, read two emails into the record from Jazmin Kikkert which asked various questions. Ms. Leach indicated she forwarded the emails to the Planning Department. A copy of the correspondence is on file with the Clerk.

Ms. Leach indicated she checked the clerks@pelham.ca email address at 7:59 p.m. and confirmed no further e-mails had 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 move to Committee input.

6.3 Committee Input

A Member of Council asked if there is a way to consolidate the hydrological studies into one report. Barb Wiens, Director of Community Planning and Development, stated it would be premature, as many studies are still to come. The Member asked if the renderings were just conceptual. Ms. Wiens confirmed.

A Member of Council suggested further delineation of parcels on Cream Street, Canboro Road, and Memorial Drive to address concerns regarding private lands. Ute Maya-Giambattista, Consultant, agreed and stated there was an updated plan

coming. Ms. Maya-Giambattista, explained the secondary plan acts as a strategy of how future development will occur.

A Member of Council asked how the land for the roadway would be acquired. Ms. Wiens stated ideally through development applications but indicated that negotiations for purchase or expropriation were last resort options. The Member identified the lack of commercial use proposed and asked if the commercial uses to the west were sufficient. Ms. Wiens responded that commercial uses were considered, but the community expressed during the workshop that the core area of Fenwick should be supported as commercial. Further, Ms. Wiens stated an influx of approximately 10 thousand people is needed to warrant a convenience store.

A Member of Council asked about the sizeable area within hash marks. Ms. Maya-Giambattista stated these areas need further studies, to be leveraged through future development applications.

A Member of Council inquired about the transitional framework from 2017 and a specific development application. Ms. Wiens stated that the plan began in 2017; since this time policies have changed. Ms. Wiens stated the hatched area indicates further study to conform to new policies in the Regional Official Plan. Ms. Wiens confirmed the referenced development application is in the area south of Canboro Road.

A Member of Council addressed concerns regarding electronic infrastructure, outages, quality of power, and phase imbalance. The Member advised of a recent upgrade and Council's efforts to address the situation further. The Member warned residents of purchasing new appliances and their associated power requirements. Another Member of Council was hopeful that Ontario Hydro would give Fenwick priority.

A Member of Council asked if residents would be required to connect to municipal services or be grandfathered in. Ms. Wiens indicated there is no policy or by-law currently in place, and stated this would be a future matter for Council's consideration. A Member of Council identified that forcing everyone to connect would place a demand on the system that may not be desirable.

A Member of Council identified that stormwater management is a core issue and assured residents that all concerns have been heard. The Member stated that Fenwick will grow and not remain the hamlet it once was. The Member stated the best interest of the community will be sought, and the document will act as a guide for future decisions.

6.4 Presentation of Resolutions

Moved By Councillor Brian Eckhardt

THAT Committee receive Report #2024-0043 Planning Information Report – East Fenwick Secondary Plan for information;

AND THAT Committee direct Planning staff to prepare the Recommendation Report on East Fenwick Secondary Plan for Council’s consideration.

Carried

Moved By Councillor Shellee Niznik

THAT Committee receive the consultant’s presentation for information.

Carried

Moved By Councillor Wayne Olson

THAT Committee receive the written correspondence as listed on the agenda;

AND THAT Committee receive the verbal presentations made by the public;

AND THAT Committee receive the email correspondence to the clerks@pelham.ca email address.

Carried

7. Adjournment

The meeting was adjourned at 8:38 pm.

Moved By Councillor Bob Hildebrandt

THAT this Special Committee of the Whole, Public Meeting Under the Planning Act, be adjourned.

Carried

Mayor: Marvin Junkin

Deputy Clerk: Sarah Leach

Lindsay Richardson

From: clerks pelham
Sent: February 14, 2024 7:56 PM
To: Lindsay Richardson
Subject: FW: Fenwick East Development plan



Sarah Leach, BA.

Deputy Clerk

Town of Pelham

D: 905-980-6662 | E: sleach@pelham.ca

T: 905-892-2607 x320

20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

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From: Jazmin Kikkert <jazzkl@live.ca>
Sent: Wednesday, February 14, 2024 7:37 PM
To: clerks pelham <clerks@pelham.ca>
Subject: Fenwick East Development plan

What will the lift station do and how large will the lift station be? How will it effect the land, water/wetland systems and adjacent properties especially being so close to the natural heritage system and environmentally protected areas?

How will the properties of the

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Lindsay Richardson

From: clerks pelham
Sent: February 14, 2024 7:56 PM
To: Lindsay Richardson
Subject: FW: Fenwick east development plan



Sarah Leach, BA.

Deputy Clerk

Town of Pelham

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From: Jazmin Kikkert <jazzkl@live.ca>
Sent: Wednesday, February 14, 2024 7:46 PM
To: clerks pelham <clerks@pelham.ca>
Subject: Fenwick east development plan

How will the properties that are proposed to have a trail system put on or through them be effected and when will we be notified what properties they will be put on? Can we appeal this?

How will the properties along Canboro Road Promenade be effected with development of the road and cycling system? There is not a lot of space between the road and the ditches and some houses, how will the space be big enough to accommodate both the road, ditches large enough to handle the water load, proposed sewage system and houses that are close to the road?

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**Community Planning & Development Department
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Subject: Recommendation Report – Applications for Revision to Previously Approved Draft Plan of Subdivision & Zoning By-law Amendment – Park Place West

Recommendation:

BE IT RESOLVED THAT Council receive Report #2024-0087 - Recommendation Report – Applications for Revision to Previously Approved Draft Plan of Subdivision & Zoning By-law Amendment – Park Place West, for information;

AND THAT Council directs Planning staff to prepare the necessary Zoning By-law amendment for Council consideration at the next Regular Meeting of Council.

Executive Summary:

The purpose of this report is to provide Council with a recommendation regarding applications for revision to previously approved Draft Plan of Subdivision and Zoning By-law Amendment for Park Place West.

Location:

The property is located east of Station Street and north of Summersides Boulevard known legally as Part of Lots 3, 4, 5, 6, 7, 8, 9, 11 & 13 Registered Plan 717 and Part of Lot 167, Geographic Township of Thorold, now in the Town of Pelham, Regional Municipality of Niagara (Figure 1). The surrounding land uses to the north include a commercial plaza and future residential development (Park Place North), 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 2.496 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.

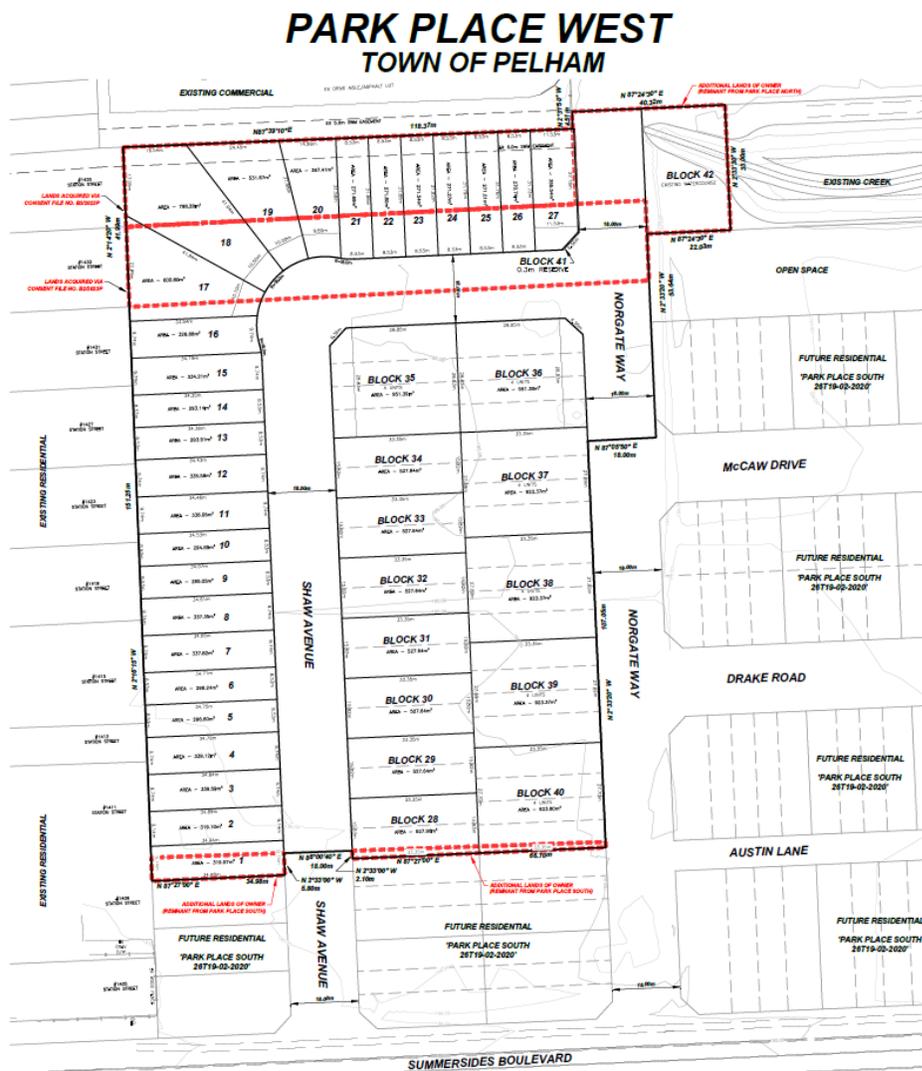
The requested revision to the previously approved Draft Plan of Subdivision will permit twenty-seven (27) lots for single detached dwellings, seven (7) blocks for

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fourteen (14) semi-detached dwelling units and six (6) blocks for twenty-four (24) street townhouse dwellings for a total unit count of sixty-five (65) (Figure 2). The change is a result of additional lands being added to the proposed Draft Plan of Subdivision in the area of lots 17-27.

Figure 2: Proposed Revision to Draft Plan of Subdivision



The revision will result in an additional 15 lots for single detached dwellings, a reduction of 1 block for 2 semi-detached dwellings and the addition of 1 block for 6

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street townhouse dwellings. This represents an increase of 19 units from the approved draft plan of subdivision.

For context, Figure 3 illustrates the location and layout of Park Place West, Park Place South and Park Place North Subdivisions and how they connect with one another and the adjacent road network in the East Fonthill neighbourhood ie., Summersides Boulevard and Meridian Way.

Figure 3: Park Place West, Park Place South and Park Place North Subdivisions

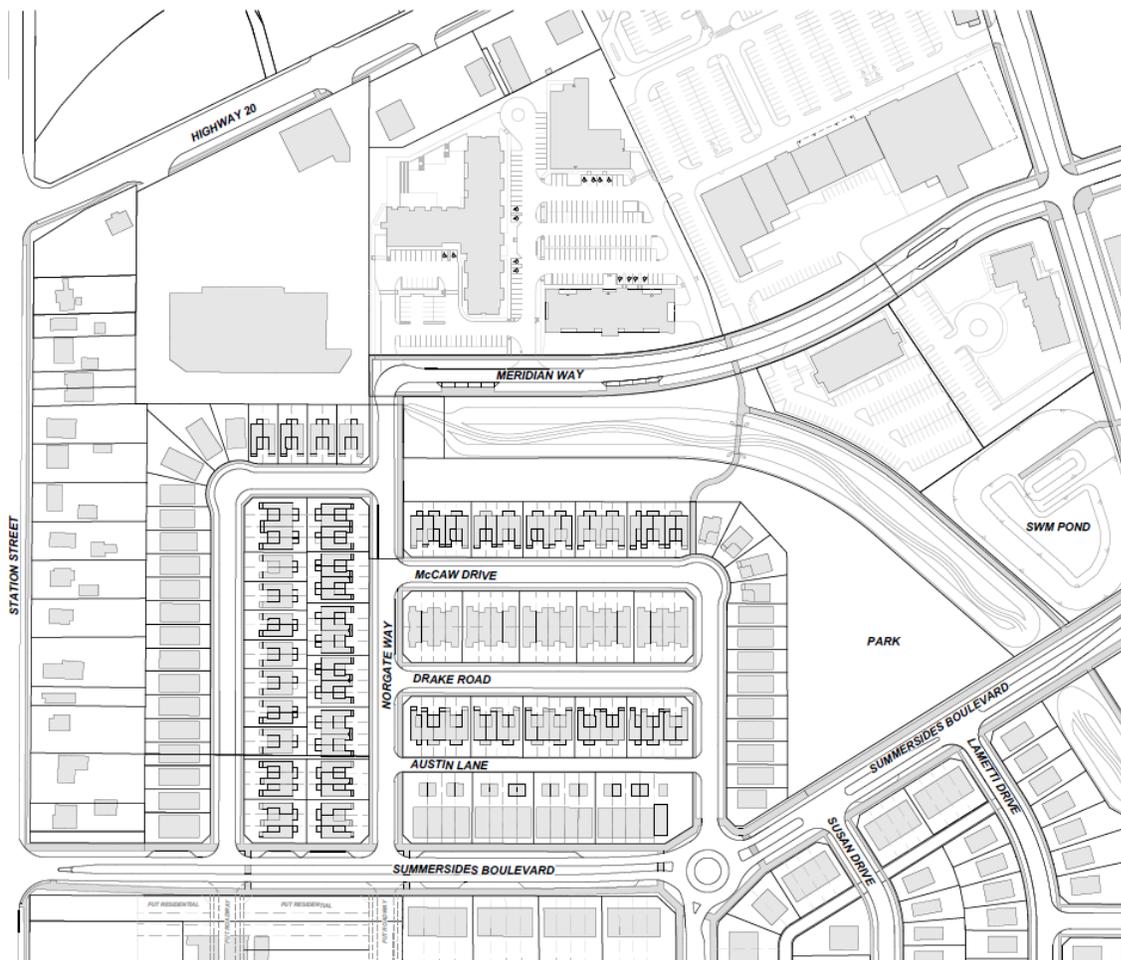


Figure 4 below illustrates the initial Draft Plan of Subdivision for Park Place West that received draft approval on August 30, 2022.

Figure 4 Park Place West Original Draft Plan of Subdivision

PARK PLACE WEST TOWN OF PELHAM



Policy Review:

Planning Act, 1990

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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.

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,

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- 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*.

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 revision to the draft plan of subdivision will help to facilitate additional single detached and street townhouse dwellings in the Park Place West subdivision, the East Fonthill neighbourhood and within the Settlement Area as a whole. This contributes to available housing options at varying price points.

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 revision to the 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, 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.

The planned sidewalks and bike infrastructure on Norgate Way and sidewalks on Shaw Avenue 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 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) in the subdivision 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 revised draft plan of subdivision will increase the density of the subdivision from 70 persons and jobs per hectare to approximately 74.08 persons and jobs per gross hectare ensuring that the overall minimum of 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.

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.

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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
- b) incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.

2.3.1.5 New residential development and residential intensification should incorporate universal design standards to meet housing needs at all stages of life.

The revision to the draft plan of subdivision and zoning by-law amendment will increase housing choice with different unit types and sizes in the Town and in East Fonthill. The development will contribute to the annual intensification rate for the Town. The revised draft plan shows a compact built form and new construction will be required to meet energy efficiency and accessibility requirements in the Ontario Building Code. Accordingly, the revised draft plan of subdivision conforms to the Policies of the Niagara Region Official Plan.

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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.

In keeping with Policy B1.7.7.3.1(b), the revised draft plan of subdivision proposed 36.9% of the unit count for townhouses.

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 revised draft plan of subdivision proposed single detached units at a density of 28.78 units per hectare, semi-detached units at a density of 37.94 units per hectare and street townhouses at a density of 42.85 units per hectare with maximum heights of 3 storeys or less. The revised draft plan of subdivision and requested zoning regulations conform to Policy B1.7.7.3.2.

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.

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As noted, the minimum gross density for Neighbourhood 1 is being achieved.

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,
- 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)

The lands being added to the Park Place West draft plan of subdivision are currently zoned RD (Residential Development) which permits existing uses only.

Zoning By-law 4481(2022) was approved by Council on August 30, 2022, but was subject to appeal and not in effect until such time that it was ordered into effect by the Ontario Land Tribunal on April 3, 2023. On August 22, 2022, Council approved the Park Place West draft plan of subdivision subject to conditions and in October 2022, Council approved the zoning by-law amendment that permitted the uses proposed in the draft plan of subdivision. As a result, Planning staff have added the Council approved regulations for the existing Park Place West draft plan of subdivision property to Section 10: Exceptions as the site-specific R2-150 and RM1-151.

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The applicant is now requesting that the lands being added to the Park Place West draft plan of subdivision through the revision to approved draft plan of subdivision application be rezoned to permit single detached dwellings. Further, it is being requested that the R2-150 and the RM1-151 zones be updated to reflect the permissions in Zoning By-law 4481(2022) rather than Zoning By-law 1136(1987). The applicant is also requesting smaller lot sizes and frontages for single detached dwellings to reflect changes in the housing market and allow for more affordability. The zoning regulations are detailed in Tables 1, 2 and 3 below.

Table 1: Requested R2 Regulations for Single Detached Dwellings

6.2.2 R2 Zone Regulation	Standard Requirement	Requested R2-150 Requirement
Minimum Lot Frontage	12.0 m	8.0 m
Minimum Lot Area	360 m ²	270 m ²
Minimum Front Yard	3.0 m; 6.0 m where an attached garage	No change
Maximum Front Yard	6.0 m	No change (Previously requested deletion)
Minimum Side Yard	1.2 m	1.2m on one side and 0.6m on the other
Minimum Corner Side Yard	3.0 m	No change
Minimum Rear Yard	7.5 m	6.0 m
Maximum Building Height	12.0 m	No change
Maximum Lot Coverage	50%	55% plus 5% for covered porch or deck (Previously requested Deletion)

Table 2: Requested RM1 Regulations for Semi-detached Dwellings

6.4.2 RM1 Zone Regulation	Standard Requirement	Requested RM1-151 Requirement
Minimum Lot Frontage	14.0 m; 6.0 m per dwelling unit	No change
Minimum Lot Area	140 m ² per dwelling unit	No change
Minimum Front Yard	3.0 m; 6.0 m where an attached garage	No change

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6.4.2 RM1 Zone Regulation	Standard Requirement	Requested RM1-151 Requirement
Maximum Front Yard	6.0 m	No change (Previously requested deletion)
Minimum Side Yard	1.2 m; 0m common vertical wall dividing one unit from another	No change
Minimum Corner Side Yard	3.0 m; 5.5m where no attached garage or carport	No change
Minimum Rear Yard	7.5 m	6.0 m
Maximum Building Height	12.0 m	No change
Maximum Lot Coverage	50%	55% plus 5% for covered porch or deck (Previously requested Deletion)

Table 3: Requested RM1 Regulations for Street Townhouse Dwellings

6.4.3 RM1 Zone Regulation	Standard Requirement	Requested RM1-151 Requirement
Minimum Lot Frontage	6.0m per dwelling unit; 9.0 m for an interior lot attached on one side only	No change
Minimum Lot Area	230 m ²	170 m ²
Minimum Front Yard	3.0 m; 6.0 m where an attached garage	No change
Maximum Front Yard	6.0 m	No change (Previous request to delete)
Minimum Side Yard	1.2 m; 0m common vertical wall dividing one unit from another	No change
Minimum Corner Side Yard	3.0 m	No change
Minimum Rear Yard	7.5 m	6.0 m
Maximum Building Height	12.0 m	No change
Landscape Strip	1.5m where abuts an R1, R2 or R3 Zone	Delete

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6.4.3 RM1 Zone Regulation	Standard Requirement	Requested Requirement	RM1-151
Maximum Lot Coverage	50%	55% plus 5% for covered porch or deck (Previously requested Deletion)	

With respect to the requested zoning regulations, Planning staff raised concerns about deletion of the maximum front yard setback as it reflects the East Fonthill Urban Design Guidelines which encourage buildings to be sited close to the street. The developer agreed to remove this request.

The reduction to lot area and frontage for the single detached lots and frontage for street townhouse units is still expected to accommodate a functional unit. Conformity with the East Fonthill Urban Design Guidelines will be required as a condition of draft plan approval. The reduced rear yard setbacks will still allow for useable outdoor amenity space and accommodate required swales.

Town Public Works staff have reviewed the reduced side yard setbacks being requested for the single detached dwellings and have confirmed that drainage can be appropriately accommodated. As such, an additional condition of draft plan approval has been added to require roof leaders to discharge only to front and rear yards when a 0.6 m setback is provided.

Planning and Public Works staff had concerns about the deletion of lot coverage requirements due to the potential increase in stormwater runoff. Further, Council raised concerns about the potential size of dwellings being constructed. The applicant has agreed to reduce the request to 55% for a dwelling plus 5% for a covered deck or porch.

Based on this analysis, the revised requested zoning regulations can be supported.

Submitted Reports:

Stormwater Management Facility Review prepared by Upper Canada Consultants/Engineers dated December 2023



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The report concludes that the existing River Estates Block 127 Stormwater Management facility and downstream infrastructure will be able to accommodate the stormwater flows from the development as proposed in the revised draft plan of subdivision.

Planning Justification Report prepared by Upper Canada Consultants/Engineers dated December 2023

The report indicates that it is the author's professional opinion that the submitted applications satisfy the relevant requirements of Section 2, 34 and 51 (24) of the Planning Act and are consistent with the 2020 Provincial Policy Statement. The applications also conform with the 2020 Growth Plan for the Greater Golden Horseshoe, 2022 Niagara Official Plan, 2012 Pelham Official Plan and East Fonthill Secondary Plan. Further, it concludes that the amendments to the Park Place West Subdivision are desirable and appropriate for the lands and should be approved by the Town of Pelham.

Stage 1-2 Archaeological Assessment prepared by Detritus Consulting Ltd. dated September 11, 2023

The assessment was undertaken on the additional lands added to the draft plan of subdivision through the revision. The Stage 2 assessment resulted in the identification and documentation of no archaeological resources. A Ministry of Heritage, Tourism and Culture Industries acknowledgement letter and archaeological warning clauses have been included as recommended conditions of draft plan approval.

Copies of the reports are available for review at: <https://engagingpelham.ca/park-place-west>.

Agency Comments:

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

Town Public Works

Provided comments on the preliminary engineering drawings. Comments to be addressed as part of conditions of draft plan approval.



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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.

Public Comments:

On January 19, 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 Summersides Boulevard. A public meeting was held on February 14, 2024. No members of the public spoke at the public meeting and no comments have been received at the time of writing of this report.

Staff Comments:

All requested conditions from commenting agencies and utilities have been included in the draft plan conditions.

Finally, Council raised concerns about affordability within the subdivision. While Regional and Local Official Plan policies encourage affordability, they do not mandate it and the Town has limited ability to control house prices. There are several considerations that determine new house prices including land costs, servicing costs, home construction costs, availability of materials and labour, consumer preferences, and market conditions to name a few. The revisions to the draft plan of subdivision will increase the number of units resulting in a reduced land/development price per unit which theoretically could be passed on to future purchasers. Further, the allowance for smaller lot sizes and different unit types will allow for some less expensive units in the subdivision. The construction type, finishes and prices are determined by market demand and outside of municipal control.

In light of the above analysis, it is Planning staff's opinion that the proposed revision to the previously approved draft plan of subdivision and zoning by-law



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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 revision to the previously approved draft plan of subdivision and amendment to the Zoning By-law.

Council could choose to approve the applications subject to modifications.

Attachments:

Appendix A Revised Park Place West Draft Plan of Subdivision

Appendix B Recommended Revised Conditions of Draft Plan Approval

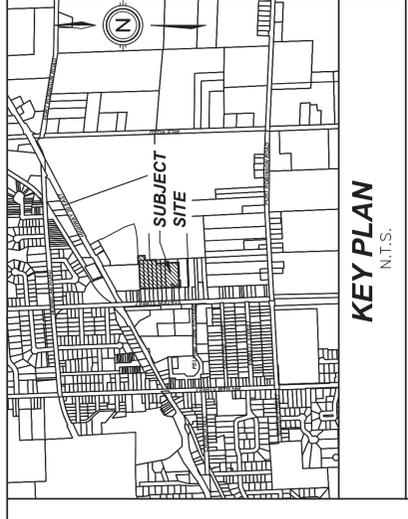
Prepared and Recommended by:

Shannon Larocque, MCIP, RPP
Senior Planner

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

Reviewed and Submitted by:

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



DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION
PART OF LOTS 3, 4, 5, 6, 7, 8, 9, 11 & 13 REGISTERED PLAN 717 AND PART OF LOT 167 GEOGRAPHIC TOWNSHIP OF THOROLD NOW IN THE TOWN OF PELHAM REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE
BEING THE REGISTERED OWNER, I HEREBY AUTHORIZE UPPER CANADA CONSULTANTS TO PREPARE THIS SUBDIVISION PLAN OF SUBDIVISION TO THE TOWN OF PELHAM FOR APPROVAL.

NOVEMBER 6, 2023 DATE
MOUNTAINVIEW HOMES (NIAGARA) LTD. NAME

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED ARE CORRECTLY SHOWN.

NOV. 15, 2023 DATE
J.D. BARNES, L.D. NAME

REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

e) SEE PLAN
f) SEE PLAN
g) SEE PLAN
h) MUNICIPAL WATER
i) SILTY SAND
j) SEE PLAN
k) FULL SERVICE
l) SEE PLAN

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE-DETACHED RESIDENTIAL	LOTS 1-27	27	0.938	37.58
SEMI-DETACHED RESIDENTIAL	BLOCK 28-34	14	0.369	14.78
STREET TOWNHOUSE	BLOCK 35-40	24	0.560	22.44
0.3m RESERVE	BLOCK 41	0.001	0.04	0.04
EX. WATERCOURSE	BLOCK 42	0.073	2.92	2.92
RIGHT OF WAY			0.555	22.24
TOTAL		65	2.496	100.00

DEVELOPABLE AREA = 2.423ha (EXCLUDES WATERCOURSE)
DEVELOPABLE DENSITY = 26.83 units/ha

#	ISSUED FOR APPROVAL	REVISION	DATE	M.K	INIT
0			2023-11-15		

UPPER CANADA CONSULTANTS ENGINEERS / PLANNERS

DRAWING TITLE: **DRAFT PLAN OF SUBDIVISION**

DRAFTING: T.A./M.K.
DATE: NOVEMBER 6, 2023
PRINTED: NOVEMBER 15, 2023

SCALE: 1:500
DWG No.: 2096-DP
REV: 0

REDLINE REVISED (26T19-01-2022)



APPENDIX B

Revised 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 3, 4, 5,6,7, 8, 9-&, 11 & 13, Registered Plan 717; Town of Pelham, Regional Municipality of Niagara prepared by J.D Barnes Ltd. dated March 3November 15, 2022-2023 showing:
 - 12-27 single detached dwelling lots
 - Blocks 1328-34-20 for 16-14 semi-detached dwellings
 - Blocks 2135-25-40 for 18-24 street townhouses
 - Block 41 for 0.3 m reserve
 - Block 42 for existing watercourse
 - 0.4595-555 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

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17. That prior to final approval, the zoning by-law amendment application (File No. AM-~~0211~~-~~222023~~), 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 ~~20-28~~ and ~~2140~~.
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 15th and April 15th 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.

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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. Where 0.6 metre side yards are provided, there are to be no discharge points to the side yards. All discharge points including roof leaders shall be at the front and rear yards.

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

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"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.

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

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~~48.48.~~ That the subdivision agreement includes a clause requiring the owner to implement the appropriate warning clauses identified in the Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd., dated February 25, 2022.

~~48.49.~~ 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, 1423, 1427, 1431, 1433 and 1435 Station Street, prepared by Detritus Consulting Ltd. (dated August 9, 2021) to Niagara Region.

~~50.49.~~ That the applicant submits a letter of acknowledgement from the Ministry of Citizenship and Multiculturalism for the Stage 1-2 Archaeological Assessment Proposed Park Place West Development, Part of Lots 1433 and 1435 Station Street (prepared by Detritus Consulting Ltd., dated September 11, 2023).

~~49.51.~~ 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)~~ Citizenship and Multiculturalism (MCM) (416-212-8800) 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~~ 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."

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

APPENDIX B

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 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 conditions s 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.

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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)



The Corporation of the Town of Pelham

By-law No. 21-2024

Being a by-law to amend By-law 52-2023, confirming appointments to the Environmental and Climate Adaptation Advisory Committee, and to appoint an additional member to the Environmental and Climate Adaptation Advisory Committee.

WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary and desirable to appoint members to Advisory Committees;

AND WHEREAS on May 03, 2023, Council established the creation of the Environmental and Climate Adaptation Advisory Committee;

AND WHEREAS on September 20, 2023, Council passed By-law 52-2023 providing for the appointment of individuals to the Environmental and Climate Adaptation Advisory Committee;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts appointments as follows in the attached schedule, as listed below:

- 1. THAT** appointments to the Environmental and Climate Adaptation Advisory Committee shall be confirmed as listed in Schedule "A" attached hereto and forming part of this By-law.
- 2. THAT** from time to time, changes to Schedule "A" are necessary due to vacancies created for various reasons, it shall be deemed acceptable for Council to do so by resolution. The resolution be in effect only until the new appointments by-law is brought forward at the usual time at which Council strikes and confirms its appointments, and at which time a new by-law is enacted.

3. Effective Date

- 3.1. This By-law shall come into force on the date that it is enacted.

Read, enacted, signed and sealed this 17th day of April, 2024.

Mayor, Marvin Junkin

Town Clerk, William Tigert

Schedule "A" to By-law 21-2024

Advisory Committees

Environmental and Climate Adaptation Advisory Committee

Council Representative

Councillor Wayne Olson

Public Representatives

Mike Jones
Jackie Oblak
Natalie Seniuk
Michael Hoch
Ryan Taylor*



The Corporation of the Town of Pelham

By-law No. 22-2024

Being a By-law to set the rates of taxation for the year 2024.

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 312 of the *Municipal Act, 2001* provides that the Council of a local municipality shall, each year, pass a by-law levying a separate tax rate, as specified in the by-law, on the assessment in each property class in the local municipality rateable for local municipality purposes;

AND WHEREAS section 307 and 308 of the *Municipal Act, 2001* requires tax rates to be established in the same proportion to tax ratios;

AND WHEREAS tax ratios for prescribed property classes for the 2024 taxation year have been set by the Regional Municipality of Niagara;

AND WHEREAS the Regional Municipality of Niagara has by by-law set the tax rates, pending tax ratios and tax rate reductions for Region, Waste Management and Education purposes;

AND WHEREAS the Council of the Corporation of the Town of Pelham passed By-law 01-2024 to adopt estimates of all sums required by the Corporation for the year 2024;

AND WHEREAS the 2024 adjustments for the capped classes have been determined;

AND WHEREAS it is necessary for the Council of the Corporation of the Town of Pelham, pursuant to the *Municipal Act, 2001* to levy on the whole rateable property according to the last revised assessment roll for The Corporation of the Town of Pelham the sums set forth for various purposes in Schedule "A" hereto attached for the current year;

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 provide for a rate of taxation for the

year 2024.

2. General Provisions

- 2.1. For the year 2024, the Corporation of the Town of Pelham shall levy upon the whole rateable properties, the rates of taxation on the current value assessment for general purposes as set out in Schedule "A" attached hereto and forming part of this By-law.
- 2.2. The levy provided for in Schedule "A" attached to this by-law shall be reduced by the amount of the interim tax levy for 2024 and the balance shall be due and payable in two instalments – June 28th, 2024 and September 27th, 2024.
- 2.3. A penalty of 1.25% of the amount of each instalment shall be imposed on the first day of default and on the first day of each calendar month thereof in which default continues until taxes are paid as prescribed by subsections 345 (1), (2) and (3) of the *Municipal Act, 2001*.
- 2.4. The Treasurer of the Corporation of the Town of Pelham shall send a tax bill to the taxpayer's residence or place of business or to the premises in respect of which the taxes are payable unless the taxpayer directs the treasurer in writing to send the bill to another address, in which case it shall be sent to that address, at least 21 days before any taxes shown on the tax bill are due.
- 2.5. All monies raised, levied or collected under authority of this by-law shall be paid into the hands of the Town Treasurer, to be applied and paid to such persons and corporations and in such manner as the laws of Ontario and the by-laws or resolutions of the Council direct.

3. General

- 3.1. The short title of this By-law is the "Tax Rate By-law".
- 3.2. In the event of any conflict between the provisions of this By-law and any other By-law, the provisions of this By-law shall prevail.
- 3.3. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.
- 3.4. 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.

4. Repeal and Enactment

- 4.1. By-law 34-2023 being by-laws to set tax rates for 2023, is hereby repealed and replaced.

5. Effective Date

- 5.1. This By-law shall come into force on the date that it is enacted.

Read, enacted, signed and sealed this 17th day of April, 2024.

Marvin Junkin, Mayor

William Tigert, Town Clerk



TOWN OF PELHAM
2024 SCHEDULE OF TAX RATES
BYLAW 22-2024

PROPERTY CLASS	2024 Property Assessment Value	2024 Tax Ratios	Weighted Assessment	Town of Pelham		Regional						Education		2024 Total			
				Tax Rate	Tax Levy	General Tax Rate	Tax Levy	Waste Management	Tax Levy	Transit	Tax Levy	Total Tax Rate	Total Levy	Tax Rate	Tax Levy	Tax Rate	Tax Levy
RESIDENTIAL/FARM	2,803,859,339	1	2,803,859,339	0.00618954	\$ 17,354,585.53	0.00666111	\$ 18,676,803.48	0.00050702	\$ 1,421,624.76	0.00030209	\$ 847,019.87	0.00747022	\$ 20,945,446.11	0.0015300	\$ 4,289,904.79	0.01518976	\$ 42,589,936.43
MULTI - RESIDENTIAL	18,604,000	1.97	36,649,880	0.01219338	\$ 226,845.72	0.01312239	\$ 244,128.94	0.00099883	\$ 18,582.23	0.00059512	\$ 11,071.61	0.01471634	\$ 273,782.79	0.0015300	\$ 28,464.12	0.02843972	\$ 529,092.62
NEW MULTI-RESIDENTIAL	966,700	1	966,700	0.00618954	\$ 5,983.42	0.00666111	\$ 6,439.30	0.00050702	\$ 490.14	0.00030209	\$ 292.03	0.00747022	\$ 7,221.46	0.0015300	\$ 1,479.05	0.01518976	\$ 14,683.94
COMMERCIAL OCCUPIED	106,206,550	1.7349	184,257,744	0.01073822	\$ 1,140,469.75	0.01155636	\$ 1,227,361.13	0.00087963	\$ 93,422.47	0.00052410	\$ 55,662.85	0.01296009	\$ 1,376,446.45	0.0088000	\$ 934,617.64	0.03249831	\$ 3,451,533.84
COMMERCIAL ON-FARM BUSINESS	48,600	1.7349	84,316	0.01073822	\$ 521.88	0.01155636	\$ 561.64	0.00087963	\$ 42.75	0.00052410	\$ 25.47	0.01296009	\$ 629.86	0.0022000	\$ 106.92	0.02589831	\$ 1,258.66
COMMERCIAL EXCESS LAND	674,511	1.7349	1,170,209	0.01073822	\$ 7,243.05	0.01155636	\$ 7,794.89	0.00087963	\$ 593.32	0.00052410	\$ 353.51	0.01296009	\$ 8,741.72	0.0088000	\$ 5,935.70	0.03249831	\$ 21,920.47
COMMERCIAL VAC LAND	8,200,000	1.7349	14,226,180	0.01073822	\$ 88,053.44	0.01155636	\$ 94,762.15	0.00087963	\$ 7,212.97	0.00052410	\$ 4,297.62	0.01296009	\$ 106,272.74	0.0088000	\$ 72,160.00	0.03249831	\$ 266,486.18
INDUSTRIAL OCCUPIED	6,342,200	2.63	16,679,986	0.01627848	\$ 103,241.36	0.01751872	\$ 111,107.23	0.00133346	\$ 8,457.07	0.00079450	\$ 5,038.88	0.01964668	\$ 124,603.17	0.0088000	\$ 55,811.36	0.04472516	\$ 283,655.89
INDUSTRIAL ON-FARM BUSINESS	100,000	2.63	263,000	0.01627848	\$ 1,627.85	0.01751872	\$ 1,751.87	0.00133346	\$ 133.35	0.00079450	\$ 79.45	0.01964668	\$ 1,964.67	0.0022000	\$ 220.00	0.03812516	\$ 3,812.52
INDUSTRIAL EXCESS LAND	45,100	2.63	118,613	0.01627848	\$ 734.16	0.01751872	\$ 790.09	0.00133346	\$ 60.14	0.00079450	\$ 35.83	0.01964668	\$ 886.07	0.0088000	\$ 396.88	0.04472516	\$ 2,017.10
INDUSTRIAL VAC LAND	101,000	2.63	265,630	0.01627848	\$ 1,644.13	0.01751872	\$ 1,769.39	0.00133346	\$ 134.68	0.00079450	\$ 80.24	0.01964668	\$ 1,984.31	0.0088000	\$ 888.80	0.04472516	\$ 4,517.24
PIPELINES	17,967,000	1.7021	30,581,631	0.01053521	\$ 189,286.07	0.01133788	\$ 203,707.69	0.00086300	\$ 15,505.52	0.00051419	\$ 9,238.45	0.01271507	\$ 228,451.66	0.0088000	\$ 158,109.60	0.03205028	\$ 575,847.34
FARMLANDS	173,178,700	0.25	43,294,675	0.00154738	\$ 267,973.91	0.00166528	\$ 288,391.03	0.00012676	\$ 21,952.13	0.00007552	\$ 13,078.46	0.00186756	\$ 323,421.61	0.0003825	\$ 66,240.85	0.00379744	\$ 657,636.37
MANAGED FORESTS	3,491,000	0.25	872,750	0.00154738	\$ 5,401.92	0.00166528	\$ 5,813.49	0.00012676	\$ 442.52	0.00007552	\$ 263.64	0.00186756	\$ 6,519.65	0.0003825	\$ 1,335.31	0.00379744	\$ 13,256.88
TOTAL ASSESSMENT FOR TAX PURPOSES	3,139,784,700		3,133,290,653		\$ 19,393,612.18		\$ 20,871,182.32		\$ 1,588,654.04		\$ 946,537.92		\$ 23,406,372.28		\$ 5,615,671.02		\$ 48,415,655.48



The Corporation of the Town of Pelham

By-law No. 24-2024

Being a by-law to accept a one-foot reserve being Reserve Block 180, Plan 59M-505 pursuant to the subdivision agreement for Phase 3 of Saffron Meadows Phase 3 Subdivision.

File No. 26T19-02-2018

WHEREAS the Corporation of the Town of Pelham deems it expedient to acquire the lands hereinafter described pursuant to the provisions of the *Municipal Act, 2001*, such lands being required for the purposes of the Corporation of the Town of Pelham;

AND WHEREAS, the developer of Saffron Meadows Phase 3 (Phase 3) has met the obligations of the subdivision agreement;

AND WHEREAS, the Saffron Meadows Phase 3 (Phase 3) subdivision has been registered and a Subdivision Agreement has been entered into for development of the lands;

NOW THEREFORE the Municipal Council of the Town of Pelham hereby enacts as follows:

1. **THAT** the lands described as Reserve Block 180, Plan 59M-505 are hereby accepted as a public highway known as Walker Road; and,
2. **THAT** all By-laws presently in force with respect to highways and streets shall apply to the said highway created under this By-law.

Read, enacted, signed and sealed this 17th day of April, 2024.

Marvin Junkin, Mayor

William Tigert, Town Clerk



The Corporation of the Town of Pelham

By-law No. 25-2024

Being a by-law to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 17th day of April 2024.

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 17th day of April, 2024, 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 17th day of April 2024.

Marvin Junkin, Mayor

William Tigert, Town Clerk