



Public Meeting Under the Planning Act Agenda

PCOW-06/2024

Wednesday, September 11, 2024

5:30 PM

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. **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.

3. **Adoption of Agenda**

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

5.	Planning Act Application: AM-06-2024 Part of Thorold Township Lots 171-172, Part 1 on RP 59R-728 (Forest Park Plan of Subdivision)	3 - 7
5.1	Planning Report and Presentation, 2024-0189-Planning	8 - 42
5.2	Applicant's Presentation	43 - 50
5.3	Public Input	
5.4	Committee Input	
5.5	Presentation of Resolutions	
6.	Adjournment	

Notice of Public Meeting

Date: Wednesday, September 11, 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>

File Numbers: AM-06-2024

Subject Lands: Part of Thorold Township Lots 171-172; Part 1 on RP 59R-728 (Forest Park Plan of Subdivision)

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

An application for Zoning By-law Amendment has been received for the lands legally described as Part of Thorold Township Lots 171-172; Part 1 on RP 59R-728 (see attached plan), known municipally as the Forest Park Plan of Subdivision in the Town of Pelham.

The requested Zoning By-law Amendment would amend the existing site-specific Residential 2-129 (R2-129) zone for single detached dwellings within a portion of the plan of subdivision. The following revisions to the existing zoning are requested:

- Revised definition of lot frontage: where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is determined from the lot centre line to a point 7.5m back from the front lot line measured horizontally at 90 degrees from the lot;
- Minimum Front Yard: 4.0 metres to front face and 6.0 metres to garage (the garage of the dwelling shall be a minimum of 0.6 metres behind the front face of the dwelling or covered porch);
- Maximum Attached Garage Width: 50% of Lot Frontage;
- Maximum Driveway Width: 50% of Lot Frontage for the first 6 metres, 60% of lot frontage 6 metres behind the front property line;
- Maximum Height: 13 metres; and,
- Minimum Rear Yard: 4 metres (only applicable for Lot 34).

The purpose of the revisions is to allow for flexibility in building design related to driveway and garage widths for the single detached dwellings within the plan of subdivision, as well as to allow for flexibility in height for lots with basement walkouts.

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 applications are approved, please submit your correspondence or request by **12:00 PM on Tuesday, September 3, 2024** for inclusion in the public meeting agenda package c/o Deputy Town Clerk, Sarah Leach, 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 Friday September 6, 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 Andrew Edwards, Planner, by email at aedwards@pelham.ca or at 905-980-6666 or 905-892-2607 ext. 324. 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 www.pelham.ca/ForestParkZBA or at Town Hall by appointment after 12:00 PM on **Friday, September 6, 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.

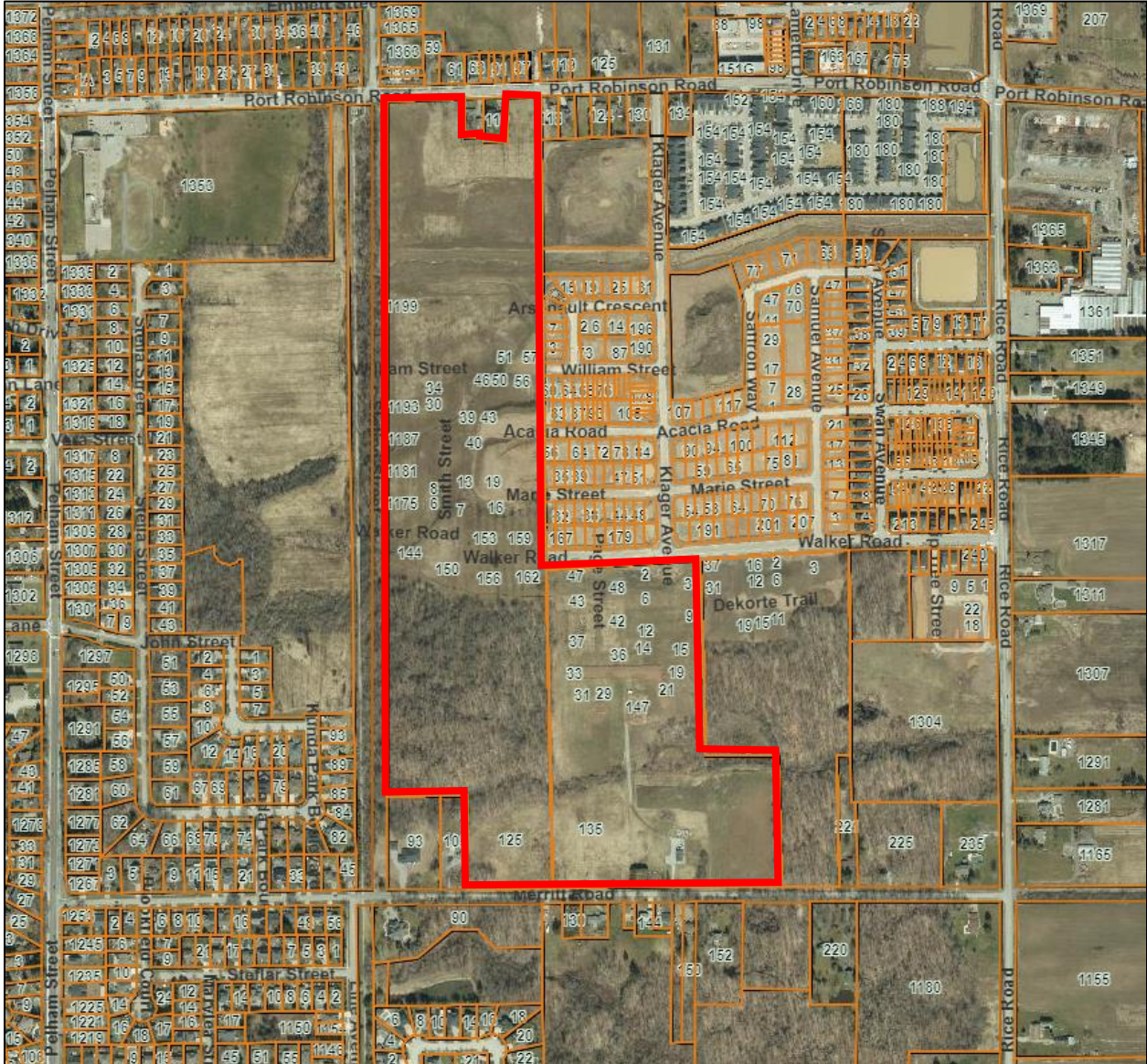
Dated at the Town of Pelham, this 16th day of August, 2024.



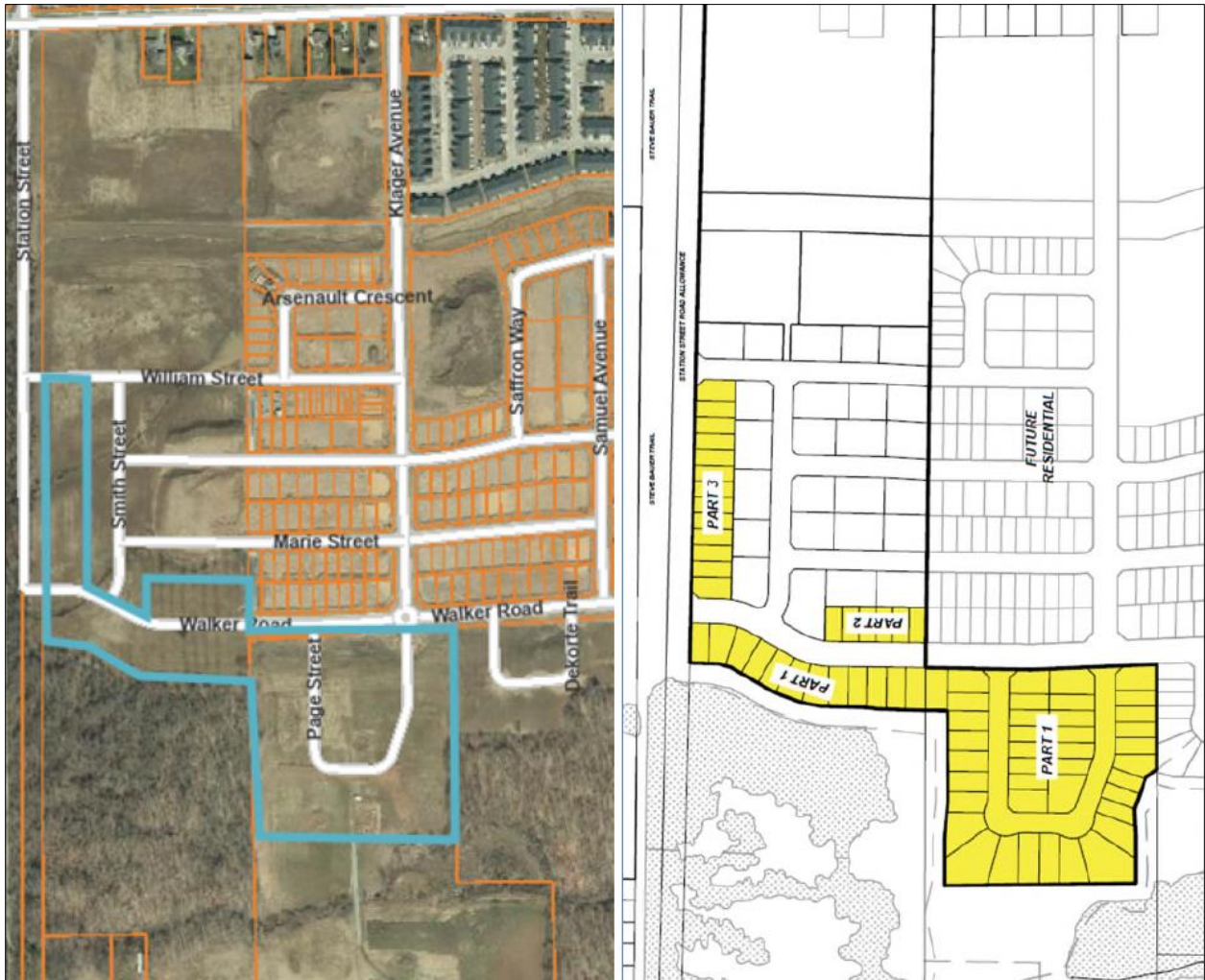
Holly Willford
Town Clerk

Date of Mailing: August 16th, 2024

PROPERTY LOCATION



LANDS SUBJECT TO APPLICATION



*Pdf plans available for viewing on the Town of Pelham website at: www.pelham.ca/ForestParkZBA

NOTICE REQUIREMENTS
Town of Pelham Applications for
Zoning By-law Amendment
Forest Park
File No.& AM-06-2024

**Zoning By-law Amendment to amend the site specific Residential 2
– 129 (R2-129) zone on the property.**

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

This public meeting has been called to satisfy this requirement. Notice of this meeting was provided by prepaid first-class mail to all persons, who are listed as owners in the last revised assessment roll, within 120 metres of the subject property on August 16, 2024. The notice provided information on the property and the proposed draft plan of subdivision and zoning by-law amendment.

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

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

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

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

Public Meeting for Forest Park

Zoning By-law Amendment Application

AM-06-2023

September 11, 2024

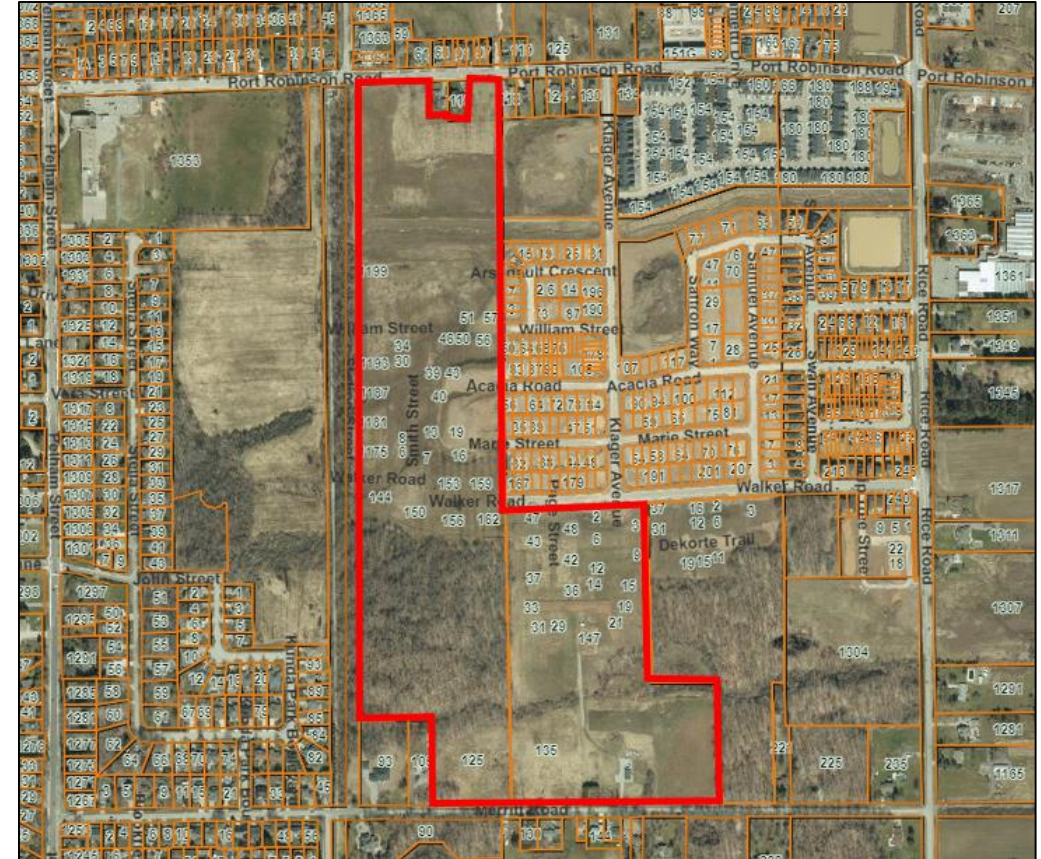
Location & Purpose

Location:

- The property is located on the south side of Port Robinson Road east of the Steve Bauer Trail and north of Merritt Road
- Part of Thorold Township Lots 171-172; Part 1 on RP 59R-728, Town of Pelham, Region of Niagara.

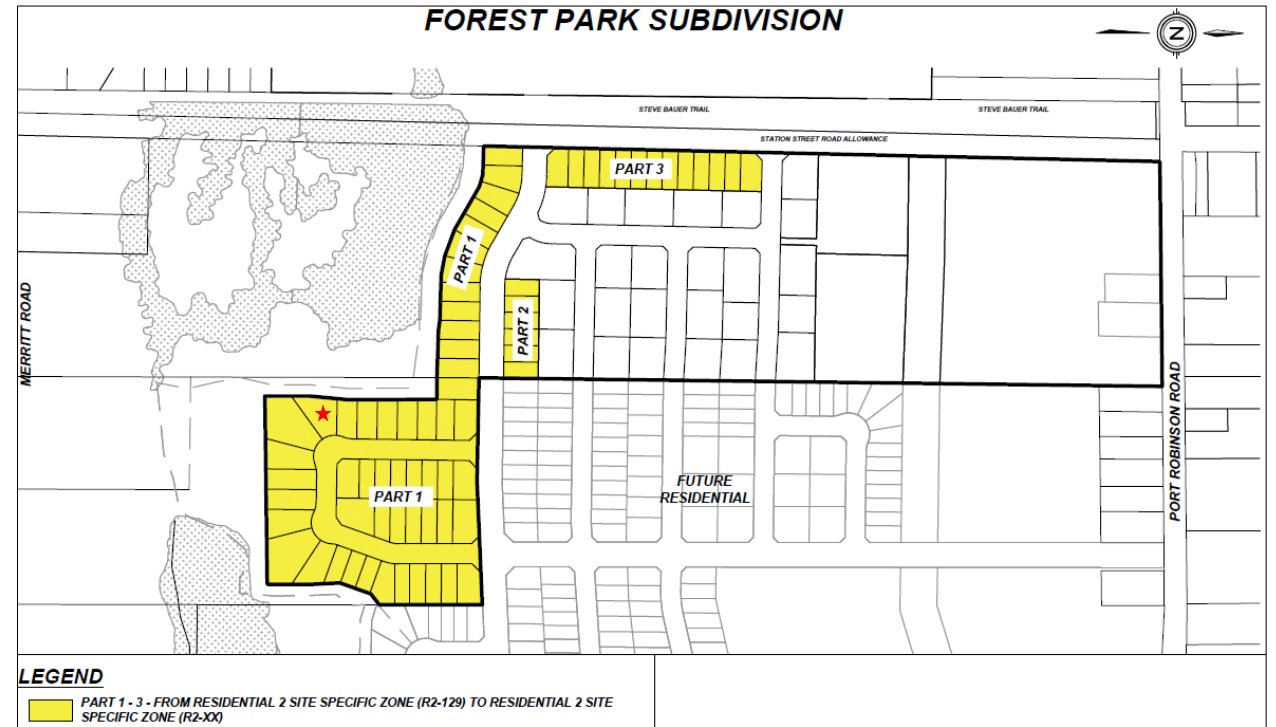
Purpose:

- The requested Zoning By-law Amendment would amend the existing site-specific Residential 2-129 (R2-129) zone for single detached dwellings within a portion of the plan of subdivision
- Six (6) site-specific amendments to the existing zoning are requested.

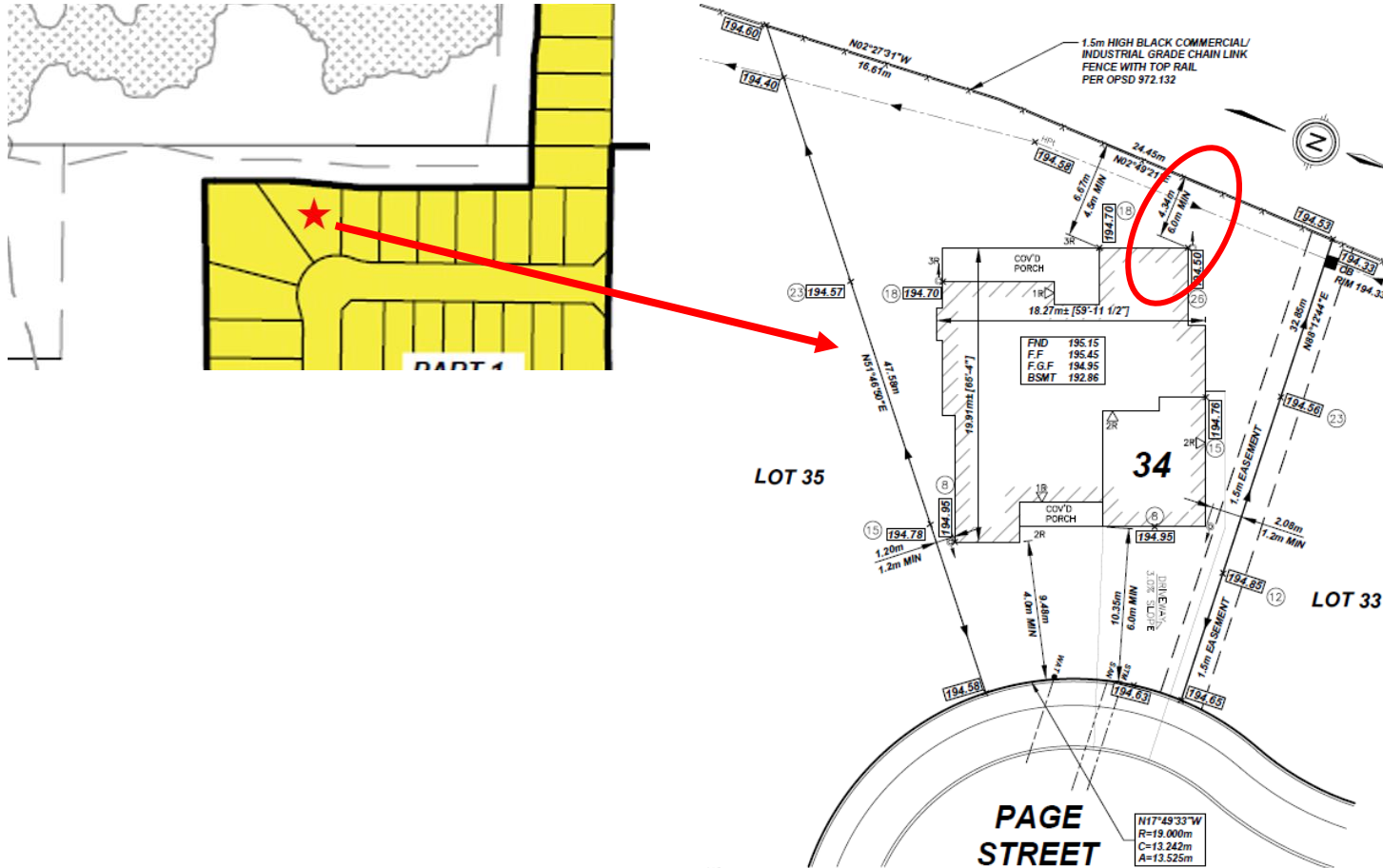


Project Description

- The purpose of the revisions is to allow for flexibility in building design related to driveway and garage widths for the single detached dwellings within the plan of subdivision, as well as to allow for flexibility in height for lots with basement walkouts.
- In addition, a reduction to the rear yard requirement for a single lot is proposed (**Lot 34**).



Project Description



- A reduction to the rear yard requirement for a single lot (Lot 34) is proposed.
- Proposed reduction for a minimum rear yard setback of 6.0 metres to 4.0 metres.

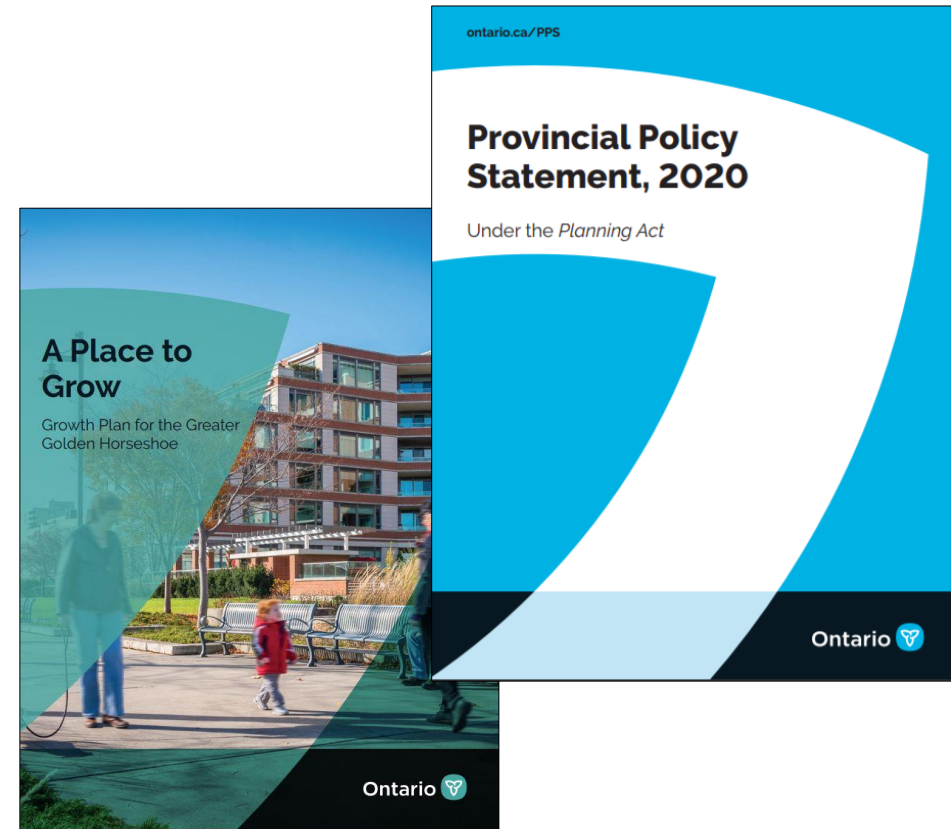
Provincial Policies & Plans

Provincial Policy Statement (2020)

- Settlement Area
- Policy 1.1.3.1 states that settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

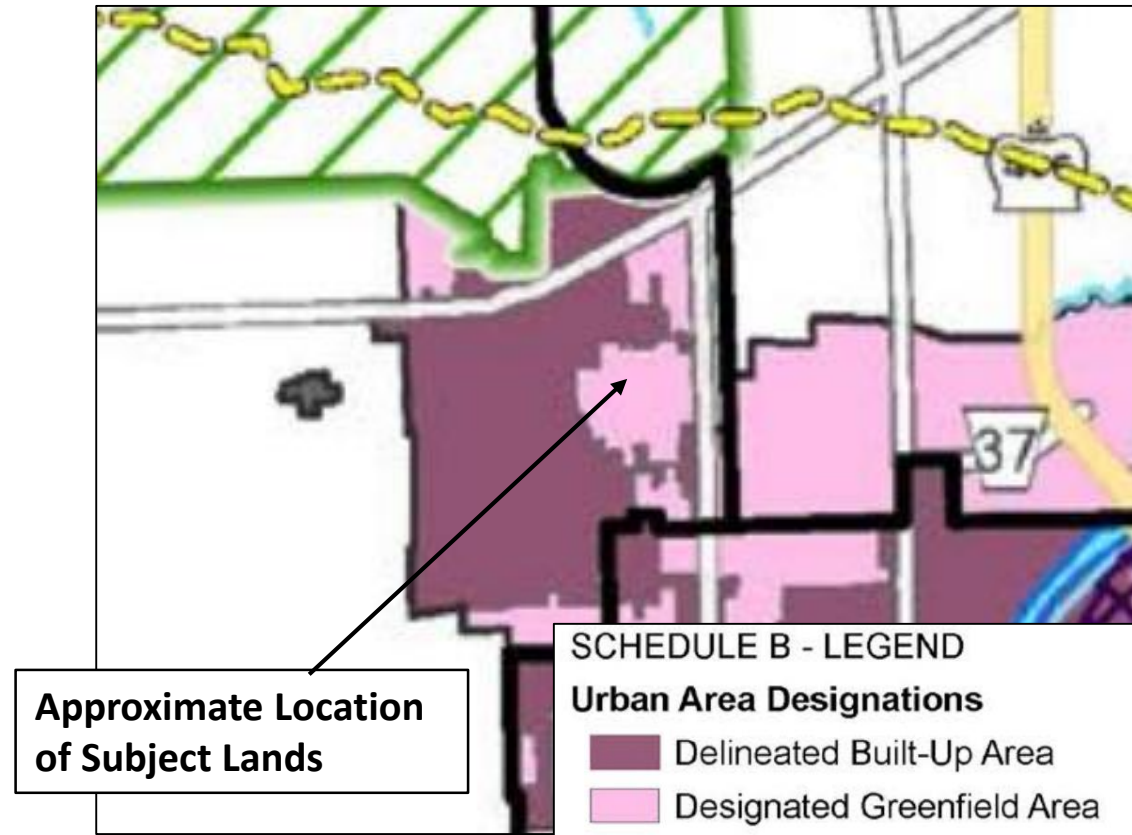
Growth Plan for the Greater Golden Horseshoe (2020)

- Designated Greenfield Area.
- New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that:
 - a) supports the achievement of complete communities;
 - b) supports active transportation; and,
 - c) encourages the integration and sustained viability of transit services.



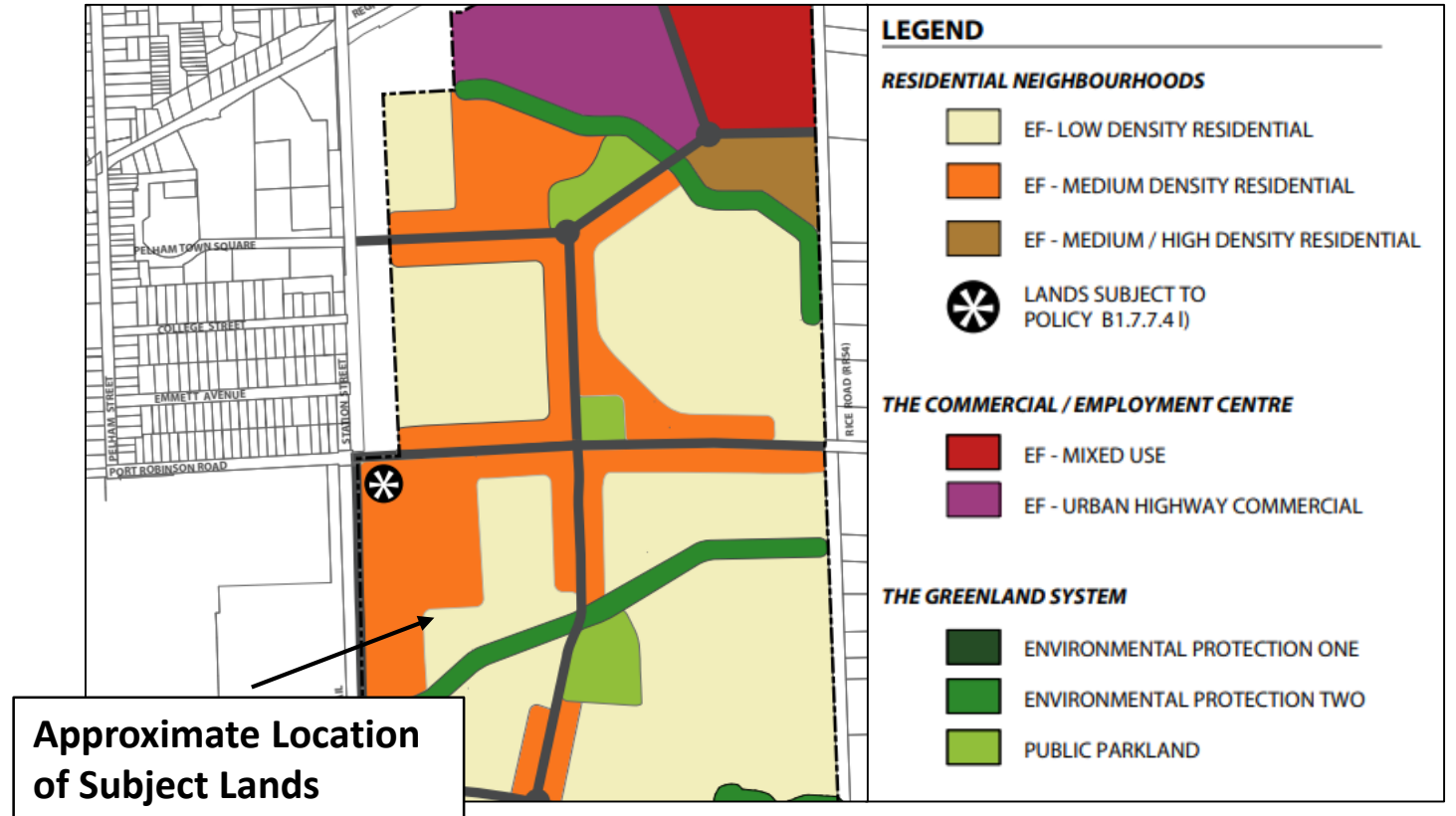
Niagara Region Official Plan

- The lands are designated as Designated Greenfield Area
- Policy 2.2.2.25 states designated greenfield areas will be planned as complete communities by:
 - a) ensuring that development is sequential, orderly and contiguous with existing built-up areas;
 - b) utilizing proactive planning tools in Section 6.1 and Section 6.2, as appropriate;
 - c) ensuring infrastructure capacity is available; and
 - d) supporting active transportation and encouraging the integration and sustained viability of public transit service.



Town of Pelham Official Plan

- Designated: East Fonthill Secondary Plan Area
- EF – Medium Density Residential, EF – Low Density Residential
- Urban Design Guidelines are intended to promote an appropriate and attractive built form within the Secondary Plan Area



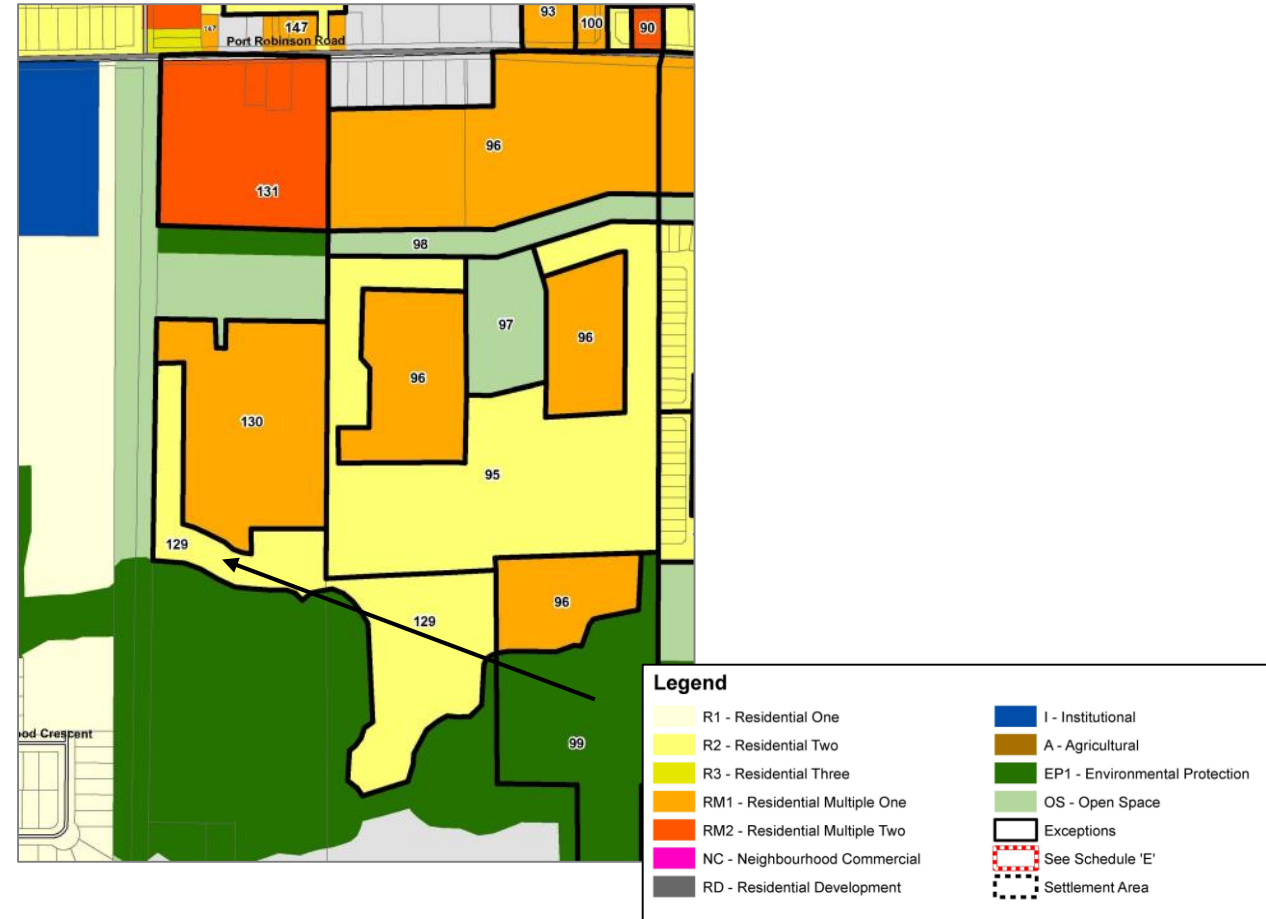
Zoning By-law 4481 (2022)

Existing:

- Residential 2 – 129 (R2-129)

Proposed:

- Amended Residential 2 – 129 (R2-129) zone



Requested Amendments

Regulations	R2-129 (2022)	Proposed Regulation
Minimum Rear Yard	6.0 metres	4.0 metres (for Lot 34 only).
Minimum Front Yard	4.0m to front face and 6.0m to garage	4.0 metres to front face and 6.0 metres to garage (the garage of the dwelling shall be a minimum of 0.6 metres behind the front face of the dwelling or covered porch).
Maximum Height	12.0 metres	13.0 metres
Max. Attached Garage Width	7.0 metres, or 50% of the lot frontage, whichever is less	50% of the lot frontage, whichever is less
Max. Driveway Width	7.0 metres, or 50% of the lot frontage, whichever is less	50% of Lot Frontage for first 6 metres; and, 60% of Lot Frontage 6m behind the front.
Definitions	LOT FRONTAGE means the horizontal distance between the side lot lines of a lot measured along the front lot line. a) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is determined from the lot centre line to a point 6.0m back from the front lot line measured horizontally at 90 degrees from the lot centre line between the side lot lines.	LOT FRONTAGE means the horizontal distance between the side lot lines of a lot measured along the front lot line. a) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is determined from the lot centre line to a point 7.5m back from the front lot line measured horizontally at 90 degrees from the lot centre line between the side lot lines.

Comments

Town Community Planning and Development

- Recommend the applicant request a variation to the definition of height rather than a blanket increase for all single detached dwellings to ensure compliance with Official Plan policy.

Public Works

- No side yard walkways will be permitted.
- All drainage swales must be kept clear of obstructions.
- Water services cannot be located within driveways.
- Curb cut and driveway aprons cannot be widened further than the approved 50% lot frontage.

Building

- No comment at this time; however, building permits will be required at time of application.

Fire and By-law Services

- No comments.

Enbridge Gas Inc.

- Enbridge Gas does not object to the proposed application however, we reserve the right to amend our development conditions.

Niagara Region

- No comments.

Technical Reports

- Covering Letter prepared by Upper Canada Consultants;
- Planning Justification Report prepared by Upper Canada Consultants;
- Lot Grading Plan for Lot 34, prepared by Upper Canada Consultants;

Digital copies of the reports are available at:

<https://engagingpelham.ca/forestpark>

Conclusion

No decisions or recommendations concerning this application have been or will be made at this meeting.

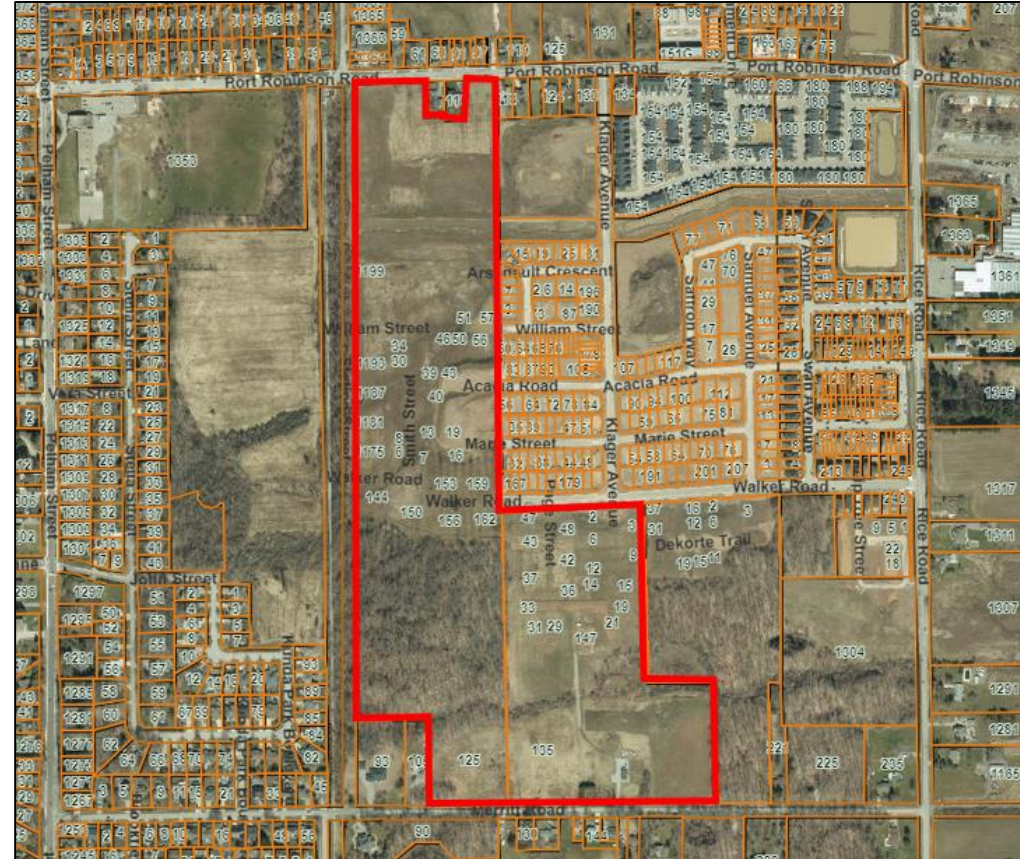
Following review of comments received, a recommendation report will be prepared for Council's decision at a later date.

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

Questions & Comments

Following tonight's meeting, questions and comments on this file may be directed to:

Andrew Edwards, Planner
(905) 892-2607 x. 324
aedwards@pelham.ca





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

September 11, 2024

**Subject: Information Report – Application for Zoning By-law Amendment
– Forest Park Single Detached Lot Regulations**

Recommendation:

THAT Committee receive Report #2024-189 for information as it pertains to File No. AM-06-2024;

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

Executive Summary:

The purpose of this report is to provide the Committee of the Whole and the public with an opportunity to receive information regarding the application for Zoning By-law Amendment.

The requested Zoning By-law Amendment would amend the existing site-specific Residential 2-129 (R2-129) zone for single detached dwellings within a portion of the plan of subdivision. The request pertains to only the single detached dwellings within the Forest Park Subdivision, namely Lots 1-71 in the southern portion of the lands.

The purpose of the requested revisions to the zone regulations is to allow for flexibility in building design related to driveway and garage widths for the single detached dwellings within the plan of subdivision, as well as to allow for flexibility in height for lots with basement walkouts.

Location:

The property is located on the south side of Port Robinson Road east of the Steve Bauer Trail and north of Merritt Road (Figure 1). The lands are legally described as Part of Thorold Township Lots 171-172; Part 1 on RP 59R-728, Town of Pelham, Region of Niagara.

The request pertains to only the single detached dwellings within the Forest Park Subdivision along the east side of the future Station Street extension, the north and south sides of Walker Road, and the units on Page Street.

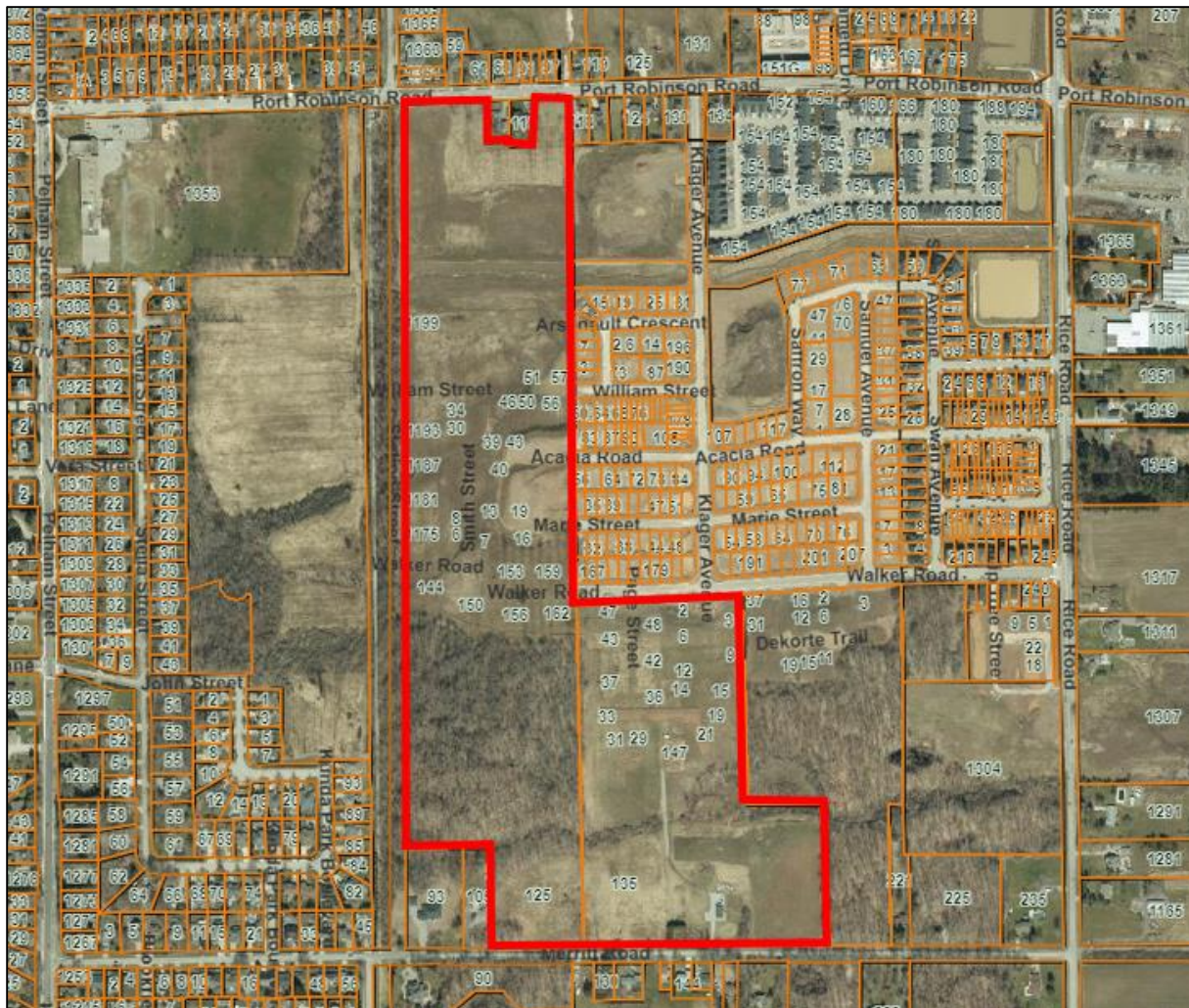
The subject property is currently vacant. Future surrounding land uses in the subdivision will be consist of a mix of single detached and townhouse dwellings,

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Planning Application Report**

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environmental protection lands and the Steve Bauer Trail to the west. The subject lands are located within the East Fonthill Secondary Plan area.

Figure 1: Property Location

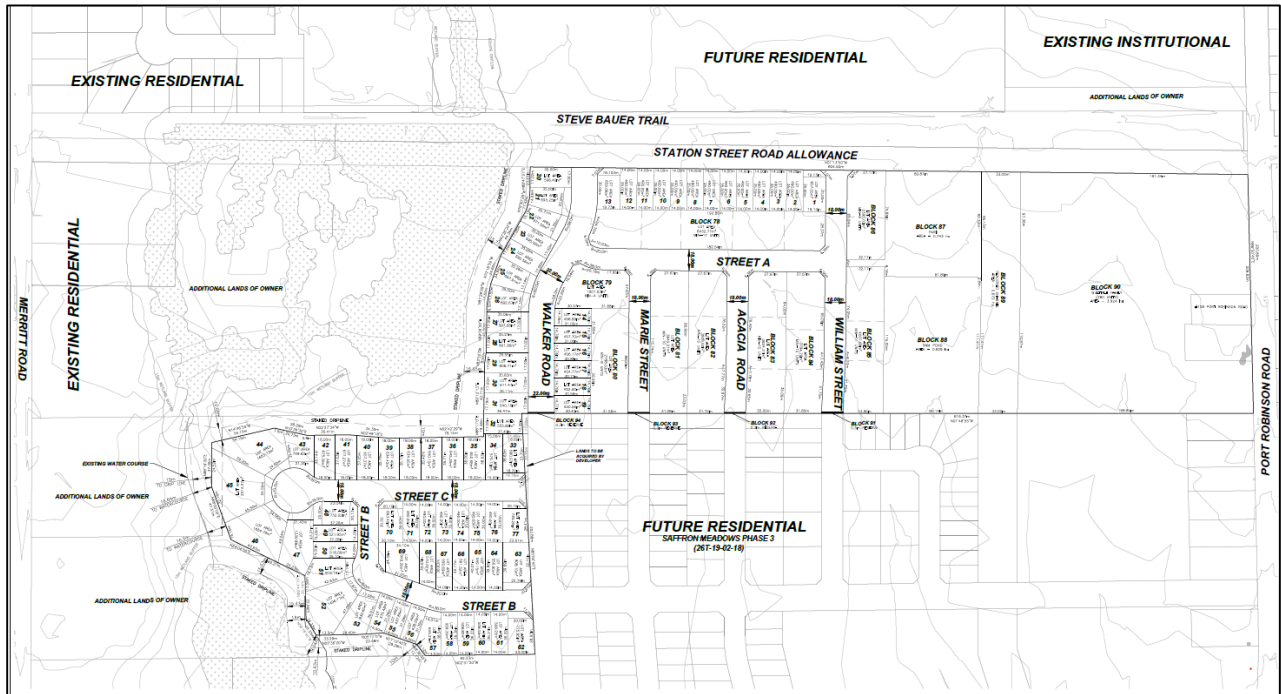


Project Description and Purpose:

The property received draft plan of subdivision approval (26T19-01-2020) and zoning by-law amendment (AM-02-2020) from Council in April 2022. Final approval of Phase 1 of the subdivision was granted in August 2024. Please see Figure 3 for the Final Phase 1 Plan of Subdivision.

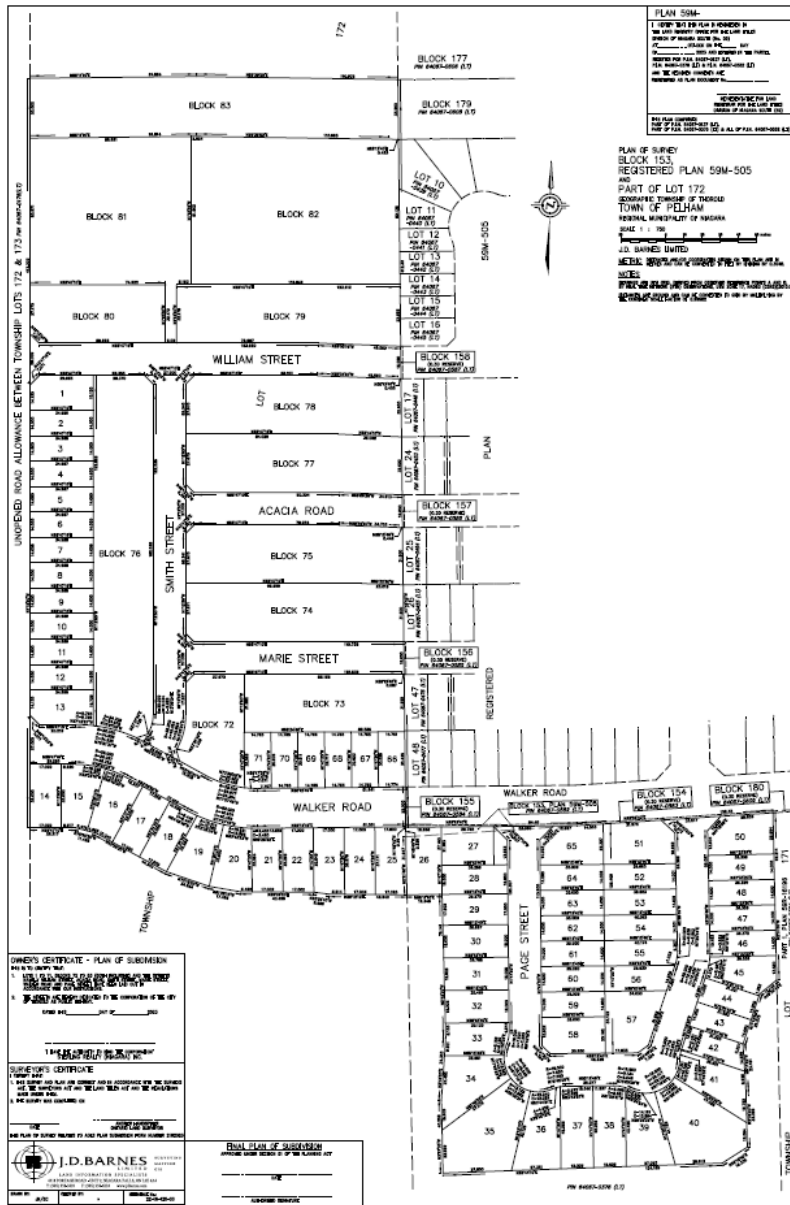
Community Planning & Development Department
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Figure 2: Final Forest Park Subdivision



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Figure 3. Phase 1 Forest Park Subdivision



The previous zoning by-law amendment application rezoned the subject lands from the Agricultural (A) zone to the Residential 2 – 316 (R2-316) zone – now known as the R2-129 zone in Zoning By-law 4481(2022), as amended. The zoning change permitted the use of the subject property for single detached dwellings as

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contemplated in the draft plan of subdivision. Currently, the plan is in the final stages of registration where the lots and blocks will be legally created.

The requested Zoning By-law Amendment would amend the existing site-specific Residential 2-129 (R2-129) zone for single detached dwellings within a portion of the plan of subdivision. The following revisions to the are requested:

- Revised definition of lot frontage: where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is determined from the lot centre line to a point 7.5m back from the front lot line measured horizontally at 90 degrees from the lot;
- Minimum Front Yard: 4.0 metres to front face and 6.0 metres to garage (the garage of the dwelling shall be a minimum of 0.6 metres behind the front face of the dwelling or covered porch);
- Maximum Attached Garage Width: 50% of Lot Frontage;
- Maximum Driveway Width: 50% of Lot Frontage for the first 6 metres, 60% of lot frontage 6 metres behind the front property line;
- Maximum Height: 13 metres; and,
- Minimum Rear Yard: 4 metres (only applicable for Lot 34).

The purpose of the revisions is to allow for flexibility in building design related to driveway and garage widths for the single detached dwellings within the plan of subdivision, as well as to allow for flexibility in height for lots with basement walkouts.

Policy Review:*Planning Act, 1990*

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

Section 34 of the Act allows for consideration of amendments to the Zoning By-law.

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

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appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

Section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the *Act*. The PPS recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility provided that provincial interests are upheld. PPS policies represent minimum standards.

The subject land is located in a ‘Settlement Area’ according to the PPS. Policy 1.1.3.1 states that settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and mix of land uses that efficiently use land and resources, are appropriate for and efficiently use infrastructure and public service facilities, minimize negative impacts to air quality and climate change and promote energy efficiency, prepare for the impacts of a changing climate, support active transportation and are transit and freight supportive.

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

Section 1.4 requires municipalities to provide for an appropriate range and mix of housing options and densities required to meet projected needs of current and future residents of the regional market area.

Greenbelt Plan, 2017

The subject lands are in an identified settlement area that is outside of the Greenbelt Plan Area; therefore, the policies of the Greenbelt Plan do not apply.

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

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community infrastructure, and supporting the conservation and protection of natural systems, prime agricultural areas, and cultural heritage.

The Growth Plan directs Planning Authorities to develop housing strategies that will ensure that forecasted growth can be accommodated, density targets are achieved, and that a mix of housing options be available.

The subject lands are located within the Designated Greenfield Area per the Growth Plan. New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that: a) supports the achievement of complete communities; b) supports active transportation; and, c) encourages the integration and sustained viability of transit services.

Niagara Region Official Plan, 2022

The lands are designated as a Designated Greenfield Area within the Urban Area Boundary.

Policy 2.2.2.25 states designated greenfield areas will be planned as complete communities by:

- a) ensuring that development is sequential, orderly and contiguous with existing built-up areas;
- b) utilizing proactive planning tools in Section 6.1 and Section 6.2, as appropriate;
- c) ensuring infrastructure capacity is available; and
- d) supporting active transportation and encouraging the integration and sustained viability of public transit service.

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.

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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

Town of Pelham Official Plan, 2014

The Town of Pelham Official Plan is the primary planning document that will direct the actions of the Town and shape growth that will support and emphasize Pelham's unique character, diversity, cultural heritage and protect natural heritage features.

The local Official Plan designates the subject land as 'Secondary Plan Area' with a 'Greenfield Overlay.' More specifically, the East Fonthill Secondary Plan designates these lands as either EF – Medium Density Residential, EF – Low Density Residential, Environmental Protection One or Environmental Protection Two according to Schedule 'A5'. The lands subject to the applicant are within the EF – Medium Density Residential and EF – Low Density Residential designations. The draft plan of subdivision has been reviewed previously and received prior approval for both the lotting and road network.

Policy A2.3.2 Urban Character – stated objectives of this Plan include:

- To respect the character of existing development and ensure that all applications for development are physically compatible with the character of the surrounding neighbourhood.
- To encourage the intensification and use of the lands within the Fonthill Downtown core and to make every effort to improve its economic health by encouraging redevelopment and broadest mix of compatible uses.
- To maintain and enhance the character and stability of existing and well-established residential neighbourhoods by ensuring that redevelopment is compatible with the scale and density of existing development.

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- To encourage the development of neighbourhoods which are compact, pedestrian-friendly and provide a mix of housing types.

Policy B1.7.3.1 outlines the General Development Objectives of East Fonthill. These include, but are not limited to the following:

- *To ensure that the community is developed with a compact urban form and at an appropriate scale that is pedestrian-oriented and fosters community interaction;*
- *To create a sense of identity and continuity within the community through design treatments that residents and visitors can recognize as characteristic of the Secondary Plan Area;*

Policy B.1.7.4.2 provides that all development within the secondary plan area be generally consistent with the Urban Design Guidelines. Generally, the Urban Design Guidelines are intended to promote an appropriate and attractive built form within the Secondary Plan Area. Design principles are intended to provide a full range and mix of housing types, design a variety of streetscapes that maintain compatibility with surrounding uses, and ensure a human scaled environment.

The following guidelines apply to the proposed zoning by-law amendment:

- *Policy 3.2.1 Single Detached & Semi-Detached Houses - The main building face should be appropriately setback by 4.5 to 6.0 metres from the edge of the right-of-way. The setback may include the main building face as a main wall, second floor room over or beside the garage, or significant architectural element such as a verandah or roofed porch.*
- *Entry features and other architectural elements shall be incorporated into the front elevation of the house to reduce the visual dominance of the garage and the front drive. These entrance features, such as porches, stairs, and canopies may project into the required setback.*
- *Where garages are provided in the front yard, they shall be set behind or flush with the main building face, and the garage door shall not exceed beyond the main face.*
- *Attached garages must be a natural extension of the design, massing, and materials of the main dwelling.*

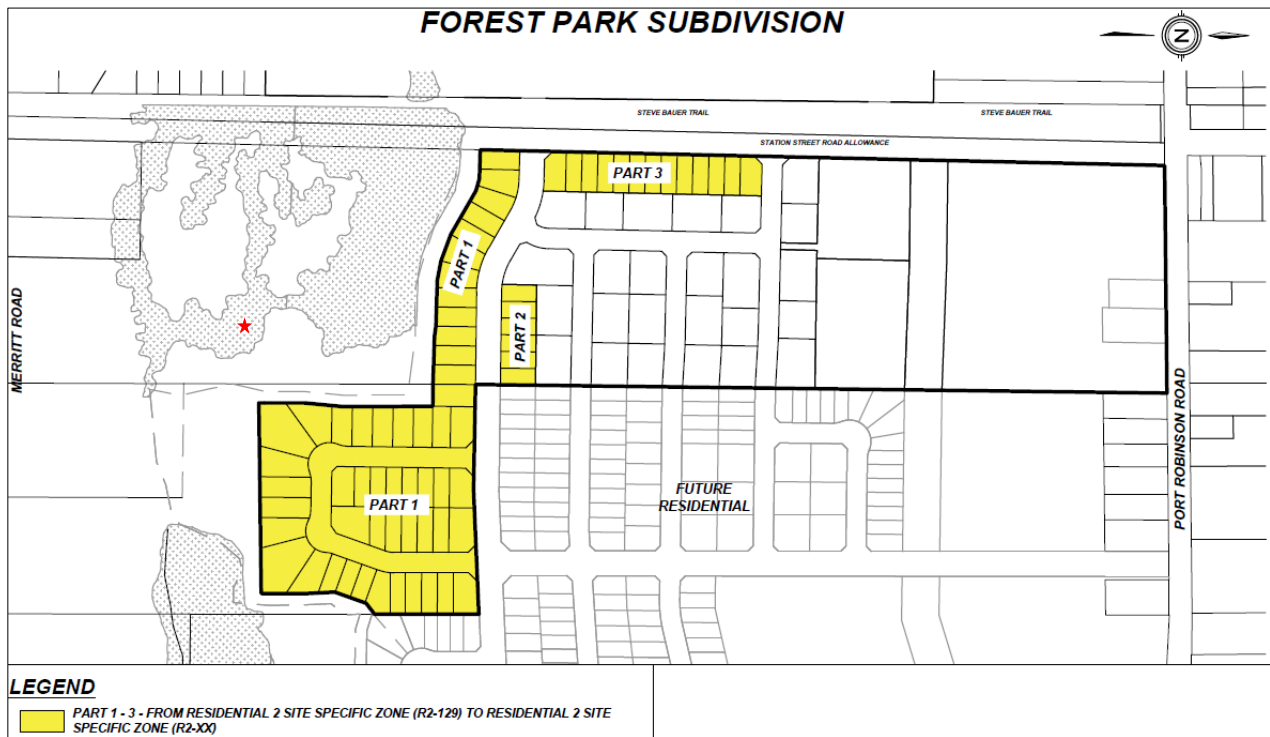
Generally, the guidelines aim to prioritize landscaping and architectural features over driveways to ensure that driveways and garages do not dominate lot frontages, and that new development contributes positively to the streetscape.

Town of Pelham Zoning By-law 4481 (2022)

The lands subject to the application are zoned R2-129.

The application applies only to the single detached dwellings within the Forest Park subdivision. Please refer to Figure 4 for the draft zoning by-law amendment schedule that illustrates the lands subject to the application. As mentioned, the application applies only to the single detached dwellings within the subdivision, namely lots 1-71.

Figure 4. Draft Zoning By-law Amendment Schedule prepared by Applicant



The site-specific zoning requested as part of the proposed Zoning By-law Amendment is provided below:

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Table 1. Proposed Zoning By-law Amendment

Regulations	R2-129 Regulation	Proposed Regulation
Minimum Rear Yard	6.0 metres	4.0 metres (for Lot 34 only).
Minimum Front Yard	4.0m to front face and 6.0m to garage	4.0 metres to front face and 6.0 metres to garage (the garage of the dwelling shall be a minimum of 0.6 metres behind the front face of the dwelling or covered porch).
Maximum Height	12.0 metres	13.0 metres
Max. Attached Garage Width	7.0 metres, or 50% of the lot frontage, whichever is less	50% of the lot frontage.
Max. Driveway Width	7.0 metres, or 50% of the lot frontage, whichever is less	50% of Lot Frontage for first 6 metres; and, 60% of Lot Frontage 6m behind the front lot line.
Definitions	LOT FRONTAGE means the horizontal distance between the side lot lines of a lot measured along the front lot line. a) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is determined from the lot centre line to a point 6.0m back from the front lot line measured horizontally at 90 degrees from the lot centre line between the side lot lines.	LOT FRONTAGE means the horizontal distance between the side lot lines of a lot measured along the front lot line. a) Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is determined from the lot centre line to a point 7.5m back from the front lot line measured horizontally at 90 degrees from the lot centre line between the side lot lines.

The applicant has indicated the purpose of the application is to allow for greater flexibility on the design of the single detached dwellings related to driveway and garage widths. Amending the requested zoning provisions will facilitate wider driveways and garages for lots with three car garages.

The requested amendment to height is made to address the revised definition of building height in the new comprehensive zoning by-law. When measuring the height of a structure, the new definition entails measuring the height of a structure from a point at the average grade of the longest wall of the structure to the peak. Given the

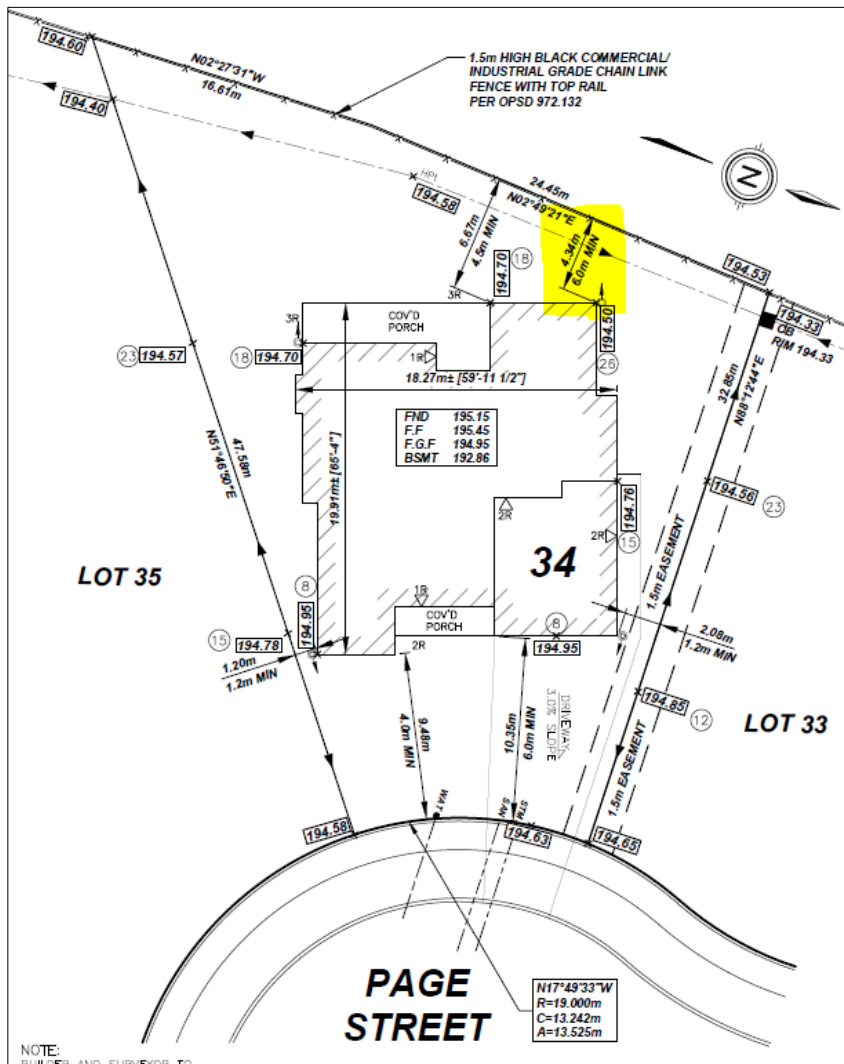
**Community Planning & Development Department
Planning Application Report**

September 11, 2024

new definition, the applicant has requested additional height to address potential conflicts where units with walkouts exceed the height requirement of 12 metres.

An additional site-specific provision has been included to address a rear yard pinch point for Lot 34, a pie-shaped lot (see Figure 5). The requested zoning relief is made to accommodate the proposed house on Lot 34, given its irregular dimensions. It is noted Lot 34 backs onto a natural area. Lot 34 is delineated with a red star on Figure 4 below.

Figure 5: Lot 34 Lot Grading Plan



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

September 11, 2024

Submitted Reports:

The applicant provided digital copies of the following reports and plans in support of the application:

- Planning Justification Report prepared by Upper Canada Consultants;
- Lot Grading Plan for Lot 34 prepared by Upper Canada Consultants;

Copies of the reports are available through: <https://engagingpelham.ca/forestpark>

Agency Comments:

A pre-consultation meeting was held with the applicant and the owners on May 16, 2024. The applications were circulated to commenting agencies and Town Departments. At the time of writing, the following comments have been received:

Community Planning and Development

- Recommend the applicant request a variation to the definition of height rather than a blanket increase for all single detached dwellings to ensure compliance with Official Plan policy.

Public Works

- No side yard walkways will be permitted.
- All drainage swales must be kept clear of obstructions.
- Water services cannot be located within driveways.
- Curb cut and driveway aprons cannot be widened further than the approved 50% lot frontage.

Building

- No comment at this time; however, building permits will be required at time of application.

Enbridge

- Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

Public Comments:

On August 16, 2024 a public meeting notice was circulated to all property owners within 120 metres of the property's boundaries. In addition, public notice signs were posted facing Port Robinson Road and Acacia Road.

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

September 11, 2024

No public comments have been received at the time of writing of this report.

Staff Comments:

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

Alternatives:

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

Attachments:

Appendix A Agency Comments.

Prepared and Recommended by:

Andrew Edwards, BES
Planner

Shannon Larocque, MCIP, RPP
Manager of Planning

Dr. Pamela Duesling, MCIP, RPP, EcD, CMM3
Director of Community Planning and Development

Reviewed and Submitted by:

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

**Engineering Department
Engineering Report**

For

**Application Zoning By-law Amendment
AM-06-2024 Forest Park**

August 29th, 2024

Town staff have reviewed the following documentation in response to the Application Zoning By-law Amendment - Forest Park - AM-06-2024:

The following information was submitted as part of the request:

- Appendix 1 – Forrest Park – Pre-consultation Form
- Appendix 3 – Draft Zoning By-law
- Appendix 3 – Forrest Park Lot Grading Plan – Lot 34
- Planning Justification Report – Forrest Park (ZBA) – UCC
- Zoning By-Law amendment Application form Forest Park – ZBA

This report contains comments in conjunction with the application for Zoning By-law Amendment (File AM-06-2024 – Forest Park).

Introduction:

This application for Zoning By-law Amendment pertains to lands known legally as Part of Lot 173, Formerly in the Township of Thorold, in the County of Welland, now in the Town of Pelham, Regional Municipality of Niagara.

The landowner is proposing a revision to the zoning by-law to allow for greater flexibility on the single detached dwellings related to driveway and garage width, and to address the revised definition of building height in the new comprehensive zoning by-law which now averages building height based on the surrounding grade. Along with these revisions an additional site-specific provision has been included to address a rear yard pinch point for Lot 34. The proposed site-specific provisions but are listed here:

- Revised definition of “Lot Frontage”: where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage is determined from the lot centre line to a point 7.5m back from the front lot line measured horizontally at 90 degrees from the lot;
- Minimum Front Yard: 4.0 metres to front face and 6.0 metres to garage (the garage of the dwelling shall be a minimum of 0.6 metres behind the front face of the dwelling or covered porch);
- Maximum Attached Garage Width: 50% of Lot Frontage;
- Maximum Driveway Width: 50% of Lot Frontage for the first 6 metres, 60% of lot frontage 6 metres behind the front property line;
- Maximum Height: 13 metres;
- Minimum Rear Yard: 4 metres (Lot 34).

This full report contains following comments in conjunction with the application for Zoning By-law Amendment (File AM-06-2024 – Forest Park) and shall be addressed to the satisfaction of the Director of Public Works.

Analysis:

Zoning By-Law amendment Application form Forest Park – ZBA

- Curb cut and driveway aprons cannot be widened further than the approved 50% lot frontage.
- Water services cannot be located within driveways.

Appendix 3 – Forrest Park Lot Grading Plan – Lot 34

- Side yard walkways will not be permitted.
- All drainage swales must be kept clear of obstructions.

Conclusion:

Public Works offer the following comments:

- No side yard walkways will be permitted.
- All drainage swales must be kept clear of obstructions.
- Water services cannot be located within driveways.
- Curb cut and driveway aprons cannot be widened further than the approved 50% lot frontage.

From: [Municipal Planning](#)
To: [Andrew Edwards](#)
Subject: RE: Request for Comments - Application Zoning By-law Amendment - Forest Park - AM-06-2024
Date: Friday, July 12, 2024 2:45:34 PM
Attachments: [image001.jpg](#)

Thank you for your circulation.

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

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

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Willie Cornelio CET (he/him)
Sr Analyst, Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-6411
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

From: Andrew Edwards <AEdwards@pelham.ca>
Sent: Wednesday, July 10, 2024 8:48 AM
To: info@npei.ca; Newdevelopment@rci.rogers.com; landuseplanning@hydroone.com; circulations@mmm.ca; andrew.carrigan@canadapost.ca; Municipal Planning <MunicipalPlanning@enbridge.com>; jim.sorley@npei.com
Subject: [External] Request for Comments - Application Zoning By-law Amendment - Forest Park - AM-06-2024

CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hello,

We are in receipt of an application for Zoning By-law Amendment (File AM-06-2024 – Forest Park). The application materials are available via the following link:

<https://www.dropbox.com/scl/fo/tw5g0z75bu8ys8lu3dxik/AMj9UbmmsgZy5K9qL3KQb4XA?rlkey=s54z5jmtb6pic0n8eqzuvhep7&st=1ydu3vb6&dl=0>

This application is being circulated for determination of whether the application is complete (studies and plans must meet TORs and approved guidelines) and a first round of comments.

Comments would be appreciated by **Tuesday July 24, 2024.**

If you have any questions, please contact me.



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From: [Macdonald, Carling](#)
To: [Andrew Edwards](#)
Subject: RE: Request for Comments - Application Zoning By-law Amendment - Forest Park - AM-06-2024
Date: Wednesday, July 17, 2024 10:02:39 AM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Hi Andrew,

Regional staff have no comments for this application.

Kindly,
Carling



Carling MacDonald
Development Planner
Growth Management and Planning Division
Niagara Region, 1815 Sir Isaac Brock Way,
Thorold, ON, L2V 4T7
P: (905) 980-6000 ext. 3387
W: www.niagararegion.ca
E: Carling.Macdonald@niagararegion.ca



My workday may look different from your workday. Please do not feel obligated to respond outside of your normal working hours.

From: Andrew Edwards <AEdwards@pelham.ca>
Sent: July 10, 2024 8:47 AM
To: Macdonald, Carling <Carling.Macdonald@niagararegion.ca>; Bob Lymburner <BLymburner@pelham.ca>; Mike Zimmer <MZimmer@pelham.ca>; Derek Young <DYoung@pelham.ca>
Cc: Development Planning Applications <devtplanningapplications@niagararegion.ca>; Jason Longhurst <JLonghurst@pelham.ca>; Gimuel Ledesma <GLedesma@pelham.ca>; Nicholas Palomba <NPalomba@pelham.ca>; Shannon Larocque <SLarocque@pelham.ca>; Shana Ankersmit <sankersmit@pelham.ca>; Building Info <Building-Info@pelham.ca>
Subject: Request for Comments - Application Zoning By-law Amendment - Forest Park - AM-06-2024

Hello,

We are in receipt of an application for Zoning By-law Amendment (File AM-06-2024 – Forest Park). The application materials are available via the following link:

<https://www.dropbox.com/scl/fo/tw5g0z75bu8ys8lu3dxik/AMj9UbmmsgZy5K9qL3KQb4XA?>

[rlkey=s54z5jmtb6pic0n8eqzuvhep7&st=1ydu3vb6&dl=0](https://www.ontario.ca/document/consultation-application-2024-07-24)

This application is being circulated for determination of whether the application is complete (studies and plans must meet TORs and approved guidelines) and a first round of comments.

Comments would be appreciated by **Tuesday July 24, 2024.**

If you have any questions, please contact me.



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FOREST PARK

TOWN OF PELHAM

ZONING BY-LAW AMENDMENT

Nicholas Godfrey, MCIP, RPP
Senior Planner
Upper Canada Consultants



**UPPER CANADA
CONSULTANTS**
ENGINEERS / PLANNERS

History of Forest Park

THE CORPORATION OF THE
TOWN OF PELHAM



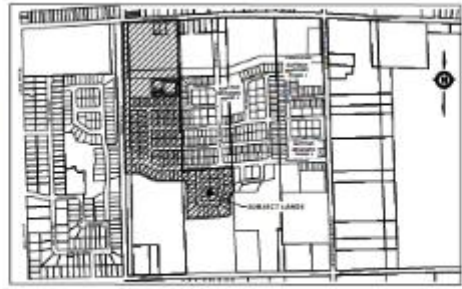
FOREST PARK

JUNE 2023

MARVIN JUNKIN
MAYOR

JASON MARR, P. ENG.
DIRECTOR OF PUBLIC WORKS

STERLING REALTY
(NIAGARA) INC.
PROPERTY DEVELOPER



LOCATION PLAN (NTS)

UCC PROJECT #1995

DRAWING INDEX	
NO.	DESCRIPTION
1	GENERAL NOTES
2	PROPOSED LOTS
3	PROPOSED DRIVEWAY
4	PROPOSED SIDEWALK
5	PROPOSED UTILITY
6	PROPOSED FENCE
7	PROPOSED SIGNAGE
8	PROPOSED LANDSCAPE
9	PROPOSED PAVING
10	PROPOSED CONCRETE
11	PROPOSED METAL ROOF
12	PROPOSED BRICK
13	PROPOSED STONE
14	PROPOSED TIMBER
15	PROPOSED GLASS
16	PROPOSED ALUMINUM
17	PROPOSED STEEL
18	PROPOSED COPPER
19	PROPOSED ZINC
20	PROPOSED LEAD
21	PROPOSED ASBESTOS
22	PROPOSED RADON
23	PROPOSED MOLD
24	PROPOSED COLEMANITIS
25	PROPOSED URANIUM
26	PROPOSED THORON
27	PROPOSED RADIATION
28	PROPOSED NUCLEAR
29	PROPOSED BIOLOGICAL
30	PROPOSED CHEMICAL
31	PROPOSED PHYSICAL
32	PROPOSED SOCIAL
33	PROPOSED ECONOMIC
34	PROPOSED ENVIRONMENTAL
35	PROPOSED HISTORICAL
36	PROPOSED CULTURAL
37	PROPOSED RECREATIONAL
38	PROPOSED EDUCATIONAL
39	PROPOSED HEALTHCARE
40	PROPOSED INDUSTRIAL
41	PROPOSED COMMERCIAL
42	PROPOSED RESIDENTIAL
43	PROPOSED AGRICULTURAL
44	PROPOSED FOREST
45	PROPOSED WETLANDS
46	PROPOSED WATERWAYS
47	PROPOSED AIRWAYS
48	PROPOSED POWERLINES
49	PROPOSED TELEPHONE
50	PROPOSED CABLE
51	PROPOSED FIBER
52	PROPOSED SATELLITE
53	PROPOSED RADIOWAVE
54	PROPOSED ELECTROMAGNETIC
55	PROPOSED INTERFERENCE
56	PROPOSED POLLUTION
57	PROPOSED CLIMATE
58	PROPOSED WEATHER
59	PROPOSED CLIMATE CHANGE
60	PROPOSED GREENHOUSE
61	PROPOSED CARBON
62	PROPOSED OZONE
63	PROPOSED ACID RAIN
64	PROPOSED AIR QUALITY
65	PROPOSED WATER QUALITY
66	PROPOSED SOIL QUALITY
67	PROPOSED VEGETATION
68	PROPOSED WILDLIFE
69	PROPOSED FAUNA
70	PROPOSED FLORA
71	PROPOSED ECOSYSTEM
72	PROPOSED BIODIVERSITY
73	PROPOSED GENETIC
74	PROPOSED EVOLUTION
75	PROPOSED SPECIES
76	PROPOSED POPULATION
77	PROPOSED COMMUNITY
78	PROPOSED SOCIETY
79	PROPOSED CULTURE
80	PROPOSED IDENTITY
81	PROPOSED BELIEFS
82	PROPOSED VALUES
83	PROPOSED ETHICS
84	PROPOSED MORALS
85	PROPOSED LAWS
86	PROPOSED GOVERNMENT
87	PROPOSED POLITICS
88	PROPOSED ECONOMY
89	PROPOSED SOCIETY
90	PROPOSED CULTURE
91	PROPOSED IDENTITY
92	PROPOSED BELIEFS
93	PROPOSED VALUES
94	PROPOSED ETHICS
95	PROPOSED MORALS
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97	PROPOSED GOVERNMENT
98	PROPOSED POLITICS
99	PROPOSED ECONOMY
100	PROPOSED SOCIETY



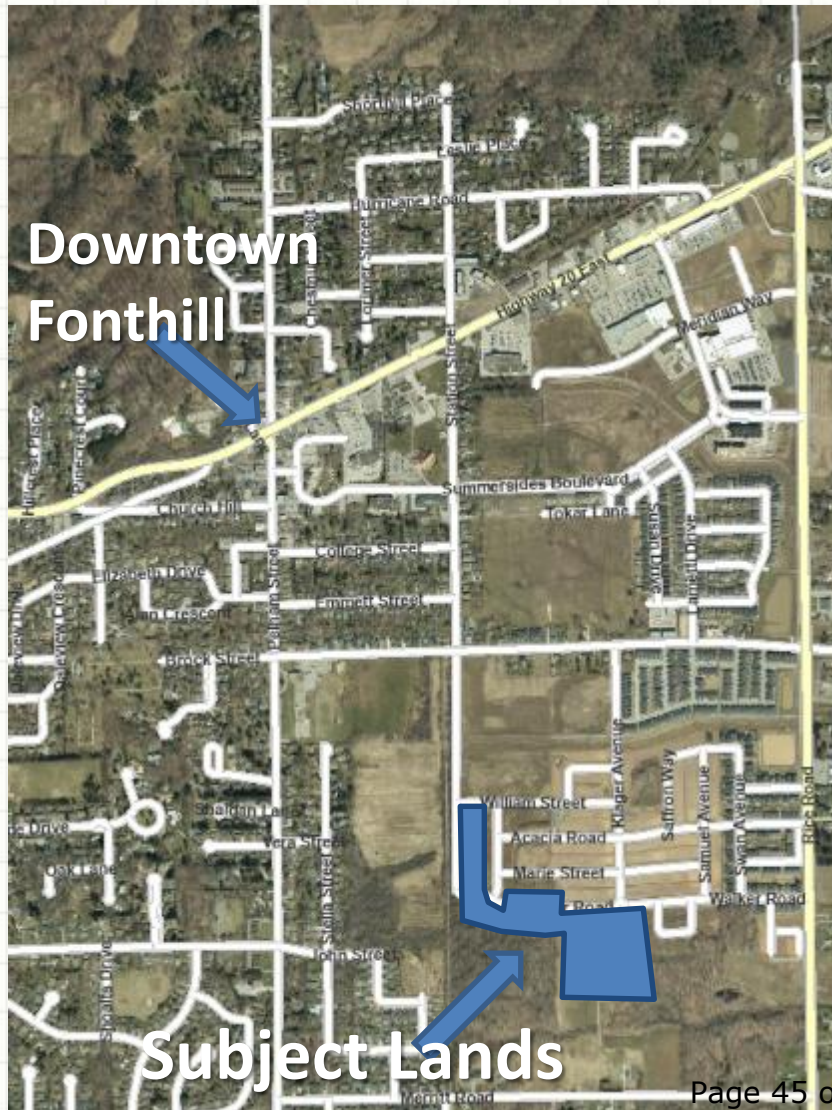
Draft Approval in 2022 for Draft Plan of Subdivision and Zoning By-law Amendment

Lands re-zoned from Agricultural to Residential 2-316 (now known as R2-129)

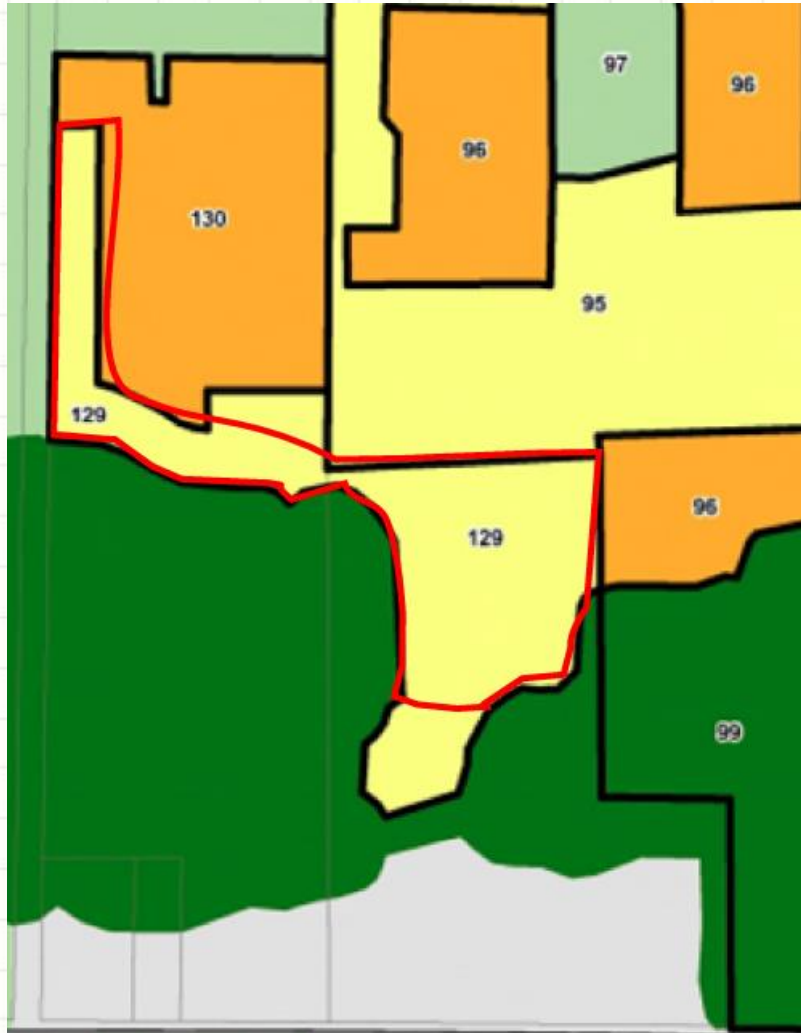
Draft Plan created lots for Single-Detached, Townhome and Apartment Dwellings

Single-detached lots range from 14 metres – 22.94 metres










Subject Lands



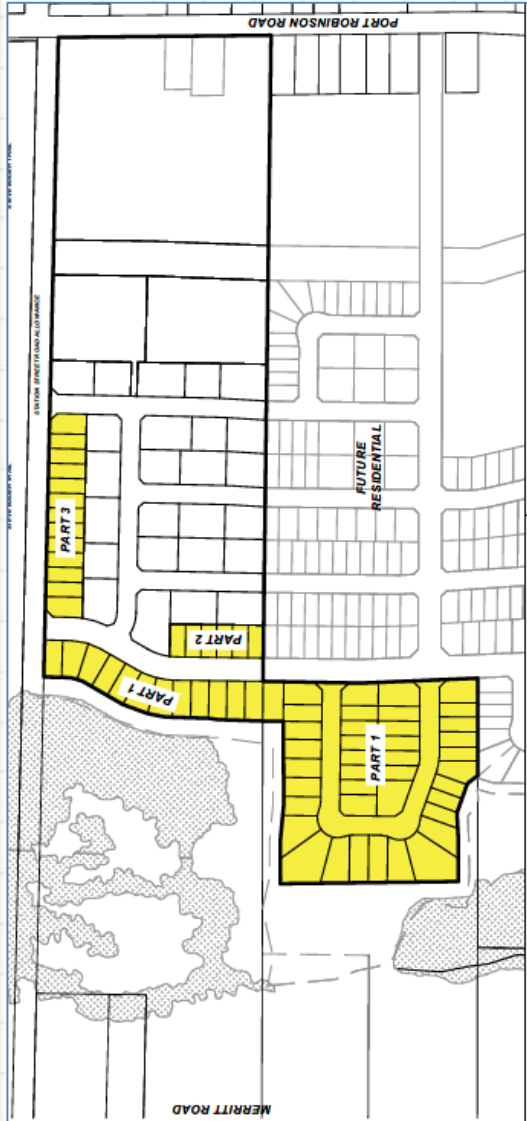
Zoning By-law



Legend

- | | |
|--|--|
|  R1 - Residential One |  I - Institutional |
|  R2 - Residential Two |  A - Agricultural |
|  R3 - Residential Three |  EP1 - Environmental Protection |
|  RM1 - Residential Multiple One |  OS - Open Space |
|  RM2 - Residential Multiple Two |  Exceptions |
|  NC - Neighbourhood Commercial |  See Schedule 'E' |
|  RD - Residential Development |  Settlement Area |

Proposed Zoning



Area of Zoning Relief

Revised definition of “**Lot Frontage**” to accommodate irregular lots

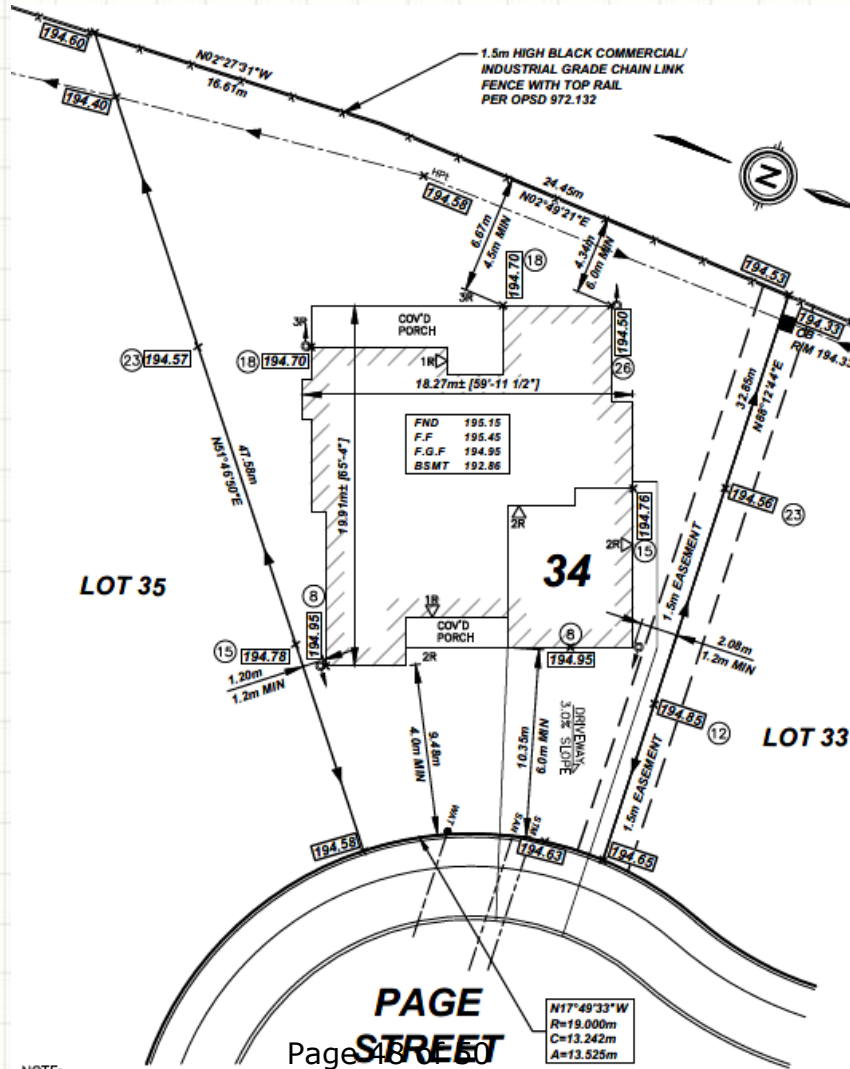
Revised definition of “**Height**”

Revised **Minimum Front Yard** setback to allow flexible design

Revised **Maximum Attached Garage Width/Driveway Width** to allow flexible design on larger single-detached lots


Lot 34: **Minimum Rear Yard** to accommodate rear-yard pinch-point

Proposed Zoning – Lot 34



Fonthill Design Precedents





Thank You – Questions?