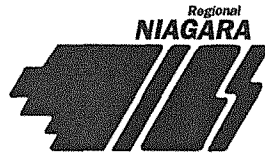


**AMENDMENT NO. 38
TO THE
OFFICIAL PLAN
OF THE
TOWN OF PELHAM**



THE REGIONAL MUNICIPALITY OF NIAGARA

OFFICIAL PLAN AMENDMENT NO. 38
CONDOMINIUM TOWNHOUSE DEVELOPMENT
LINE AVE.
TOWN OF PELHAM

Amendment No. 38 to the Official Plan of the Town of Pelham, which was adopted by the Council of the Town of Pelham, is hereby approved under Section 17 of the Planning Act.

DATE: June 15, 2001




David J. Farley
Assistant Planning Director
Regional Municipality of Niagara

TOWN OF PELHAM
CERTIFICATE
OFFICIAL PLAN OF THE
TOWN OF PELHAM
AMENDMENT NO. 38

The attached text constituting Amendment No. 38 to the Official Plan of the Town of Pelham, was prepared by the Pelham Planning Services Committee and was adopted by the Corporation of the Town of Pelham by By-law No. 2261 (2001) in accordance with Section 17 of the Planning Act, R.S.O. 1990, as amended, on the 5th day of March, 2001.



MAYOR



DEPUTY CLERK

This Amendment to the Official Plan of the Town of Pelham which has been adopted by the Council of the Corporation of the Town of Pelham, is hereby approved in accordance with Section 17 of the Planning Act, R.S.O. 1990, as amended, as Amendment No. 38 to the Official Plan for the Town of Pelham.

Date

Approval Authority

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 2261 (2001)

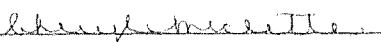
Being a by-law to adopt Amendment No. 38 to the
Official Plan of the Town of Pelham.

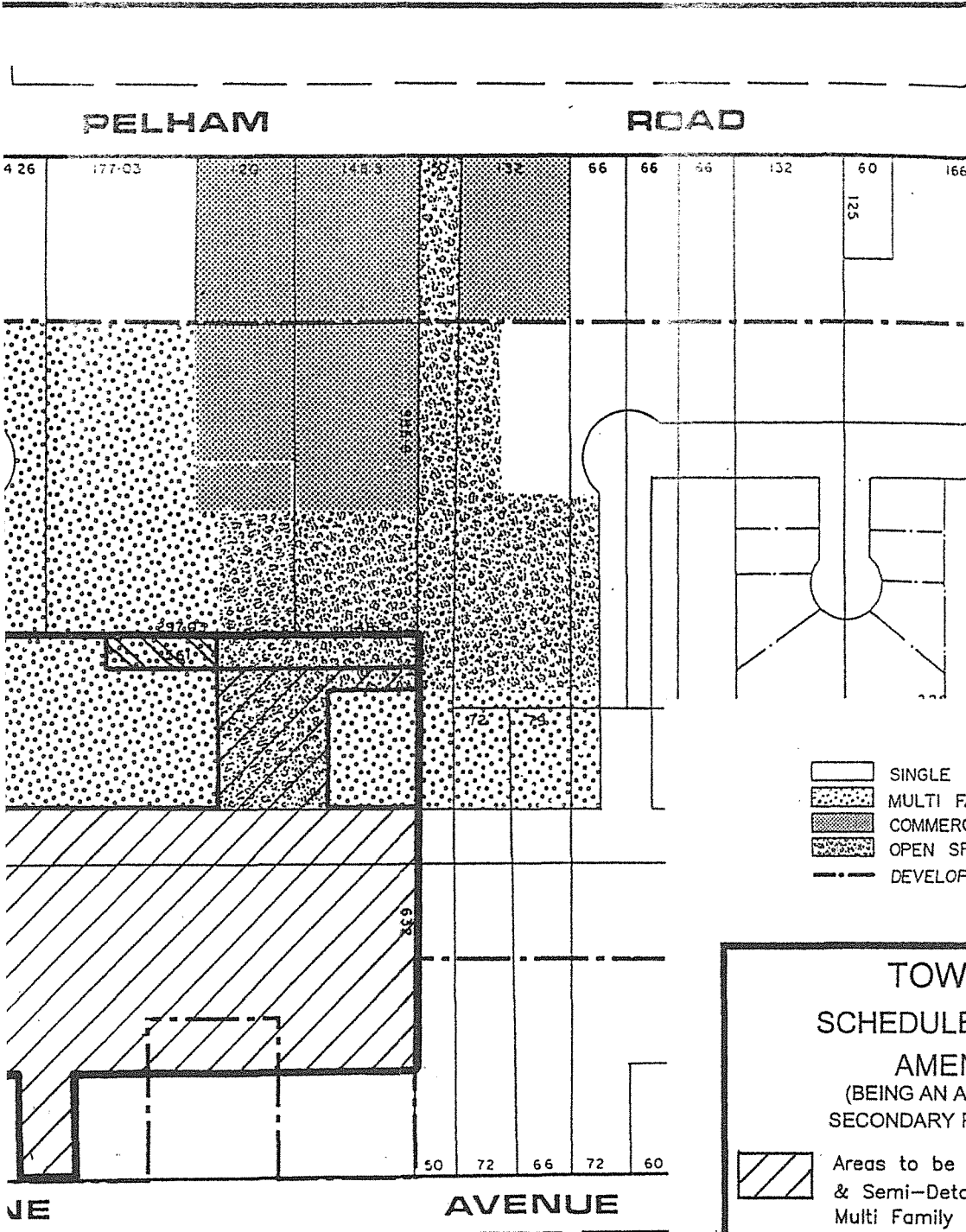
THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM IN
ACCORDANCE WITH THE PROVISION OF THE PLANNING ACT, R.S.O. 1990, AS
AMENDED, HEREBY ENACTS AS FOLLOWS:






- (1) Amendment No. 38 to the Official Plan of the Town of Pelham, consisting of the attached Schedule A, is hereby adopted.
- (2) THAT the Clerk is hereby authorized and directed to make application to the Regional Municipality of Niagara for approval of the aforementioned Amendment No. 38 to the Official Plan of the Town of Pelham.
- (3) THAT this by-law shall come into force and take effect on the day of the final passing thereof.

ENACTED AND PASSED THIS 5TH DAY OF MARCH, 2001 A.D.




MAYOR RALPH BEAMER


CLERK CHERYL MICLETTE



-  SINGLE FAMILY & SEMI-DETACHED
-  MULTI FAMILY
-  COMMERCIAL
-  OPEN SPACE
-  DEVELOPMENT AREA

TOWN OF PELHAM
SCHEDULE "A" TO OFFICIAL PLAN
AMENDMENT NO. 38
 (BEING AN AMENDMENT TO THE LOT 177
 SECONDARY PLAN LAND USE SCHEDULE 'D')

-  Areas to be redesignated from Single Family & Semi-Detached Residential and Open Space to Multi Family Residential
-  Area to be redesignated from Multi Family Residential to Open Space

AMENDMENT NO. 38

TO THE OFFICIAL PLAN

FOR THE TOWN OF PELHAM

PLANNING AREA

TABLE OF CONTENTS

PART A - PREAMBLE

Introduction to the Official Plan Amendment

- i) Purpose
- ii) Location
- iii) Basis

PART B - THE AMENDMENT

The Amendment which will be incorporated into the Town of Pelham Official Plan.

PART C - BACKGROUND

Background material relevant to the Official Plan Amendment.

NOTE:

Parts A and C are explanatory sections providing information regarding the Amendment and do not form a part of the body of the Official Plan Amendment. Only Part B constitutes the actual Amendment to the Official Plan of the Town of Pelham.

PART A

PREAMBLE

PART A

PURPOSE

The Purpose of this amendment is to:

- Reconfigure and redesignate the subject lands from Multi-Family Residential to Open Space.
- Redesignate the subject lands from Single Family & Semi-Detached Residential and Open Space to Multi-Family Residential.

LOCATION

The lands that are the subject of this amendment are located on the west side of Line Avenue. The legal description of the property is Part of Lot 177, Part 10, Plan 59R-10621.

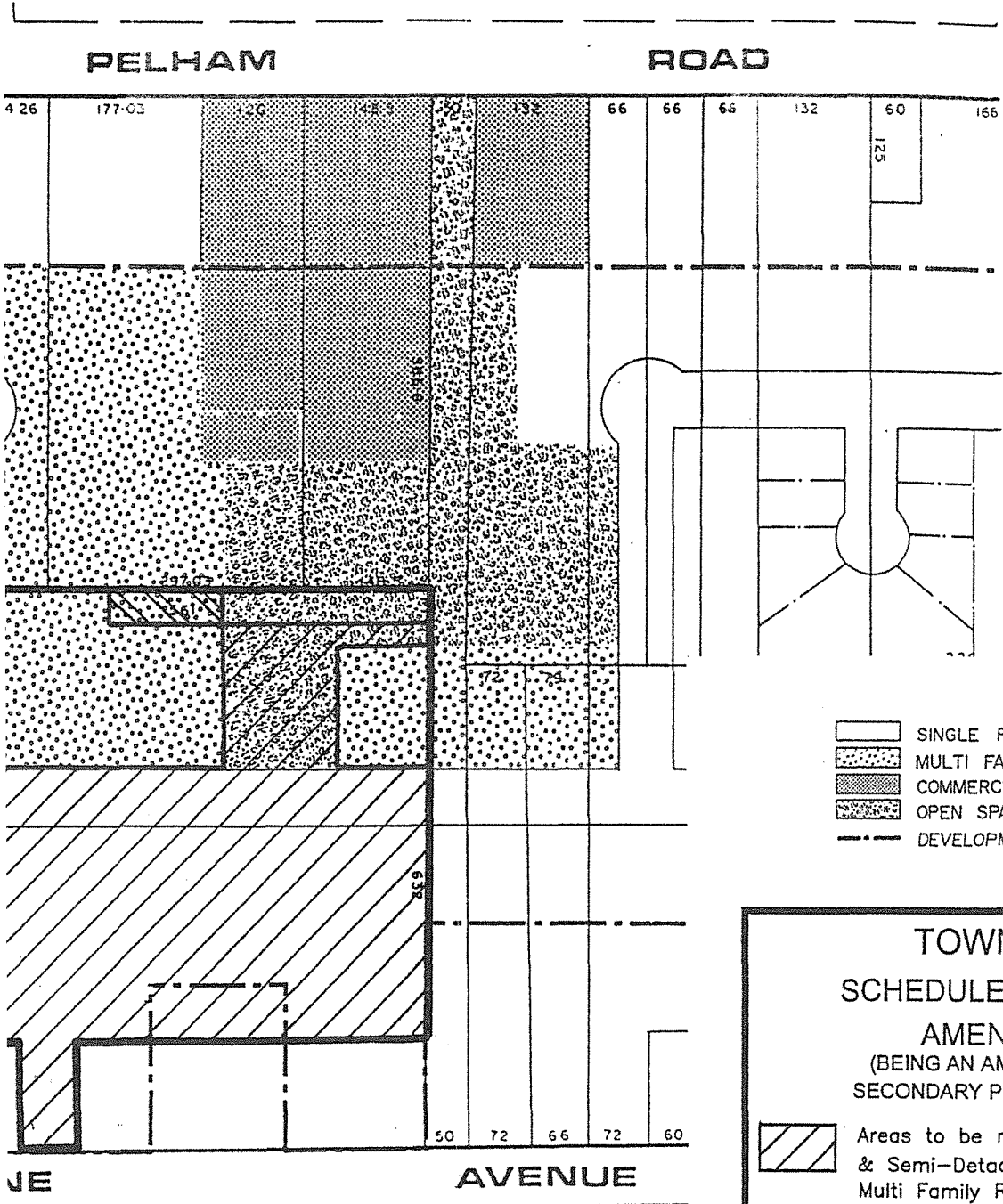
BASIS

The basis of this amendment is to:

- Facilitate the rezoning of the lands to a Residential Multiple 1 RM1 Zone.
- Permit the development of a 46 unit townhouse condominium.
- The proposed development provides an alternative form of housing for an increasing aging population.

PART B

THE AMENDMENT




TOWN OF PELHAM
 CERTIFIED A TRUE COPY
M. Clement
 Deputy Clerk

- SINGLE FAMILY & SEMI-DETACHED
- MULTI FAMILY
- COMMERCIAL
- OPEN SPACE
- DEVELOPMENT AREA

TOWN OF PELHAM
SCHEDULE "A" TO OFFICIAL PLAN
AMENDMENT NO. 38
 (BEING AN AMENDMENT TO THE LOT 177
 SECONDARY PLAN LAND USE SCHEDULE 'D')

- Areas to be redesignated from Single Family & Semi-Detached Residential and Open Space to Multi Family Residential
- Area to be redesignated from Multi Family Residential to Open Space



PART C

APPENDICES

LIST OF APPENDICES

- Appendix A-1 Notice of Public Meeting
A-2 Affidavit re
- Giving Notice of Public Meeting
- Giving Notice of Adoption
- Appendix B-1 Minutes of General Committee Meeting November 1, 2000
B-2 Minutes of General Committee Meeting February 26, 2001
- Appendix C Written Submissions or Comments
C-1 George Sportel, Summerlea Neighbourhood Association
C-2 Glenn E. Barr P Eng.
C-3 John J. Durley
- Appendix D-1 Affidavit re
- List re Oral Submissions at Public Meetings
- Appendix E-1 Planning Report dated March 8, 2000
E-2 Planning Report dated February 19, 2001
- Appendix F-1 Affidavit re
- Information under Section 6(2) of Ont. Reg. 198/96 is provided and is true
- Appendix G-1 List of Public Bodies Given Notice Which Did Not Respond
- Appendix H-1 Information re Applicant Initiating the Amendment

**TOWN OF PELHAM
PUBLIC MEETING NOTICE CONCERNING
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS #AM-9/99**

**527786 Ontario Limited (Eric Henry)
Part 10, Reg. Plan 59R-10621, Plan 177, Line Avenue
Agent: Sam Iorfida, 7111 Loring Cr., Niagara Falls ON L2J 3S8**

NOTICE is hereby given that the Council of the Corporation of the Town of Pelham will be holding a Public Meeting to consider the matter of a proposed Official Plan Amendment and Zoning By-law Amendment, pursuant to the provisions of Section 17(15) and Section 34(12) of the Planning Act, R.S.O. 1990, as amended, for the area shown on the **Key Map** on the reverse side.

The Public Meeting is scheduled for **Wednesday, November 1, 2000 at 7:00 P.M.** at the **Town of Pelham Municipal Building, Council Chambers, 20 Pelham Town Square.**

LOCATION AND PROPERTY DESCRIPTION:

The subject property is located on the west side of Line Avenue and shown on the said **Key Map** which may assist you in locating the site. The subject land, having a frontage on Line Avenue of approximately 20 metres (65.6 ft.), is formally described as being Part 10, Reg. Plan 59R-10621, Plan 177 in the Town of Pelham and having a total area of approximately 2.66 hectares (6.57 acres).

DEVELOPMENT PROPOSAL:

The applicant proposes to amend the Official Plan and Zoning By-law to permit the development of a multi-family condominium townhouse project with units of 1,260, 1,400 and 1,600 sq. ft. with some 1.5 storey units having a maximum height of 10.5 metres (34.4 ft.).

OFFICIAL PLAN:

The Town's Official Plan designates the lands subject of the application "Urban Residential". The major uses permitted are single family residences, multiple family residences of various kinds and apartments and associated institutional uses such as schools, churches and parks. The subject lands are also located within the approved Lot 177 Secondary Plan which further designates the lands for single family and semi detached dwellings, multi family and open space.

OFFICIAL PLAN AMENDMENT:

The applicant proposes to amend the Official Plan to eliminate the Open Space designation from the subject lands and replacing it with an additional Multi Family designation.

ZONING BY-LAW:

Currently the subject lands are zoned Residential 1 R1 Zone in accordance with the Town's Zoning By-Law No. 1136 (1987), as amended, which permits single family residential dwellings.

ZONING BY-LAW AMENDMENT:

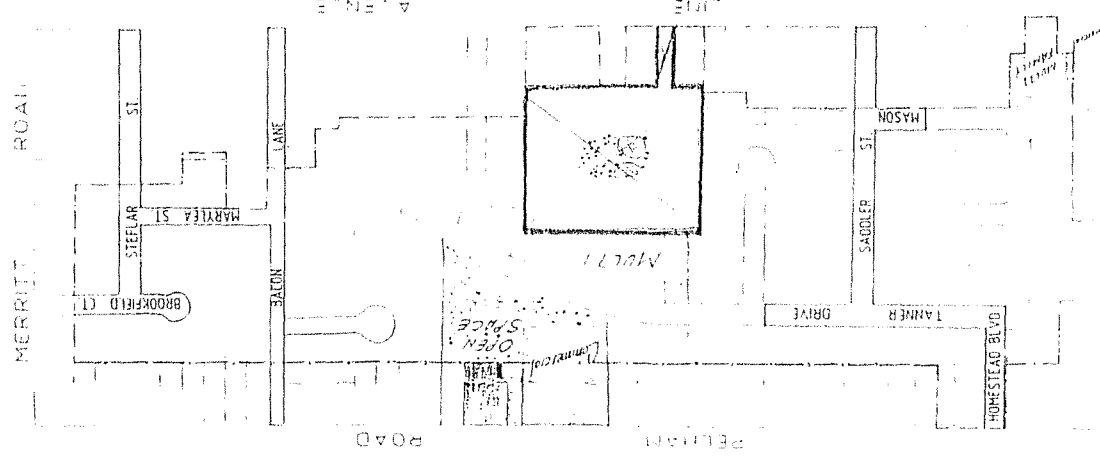
The applicant proposes to amend the Zoning By-law to a Residential Multiple 1 RM1 Zone to permit the construction of a 46 unit townhouse condominium.

PUBLIC MEETING PROCESS:

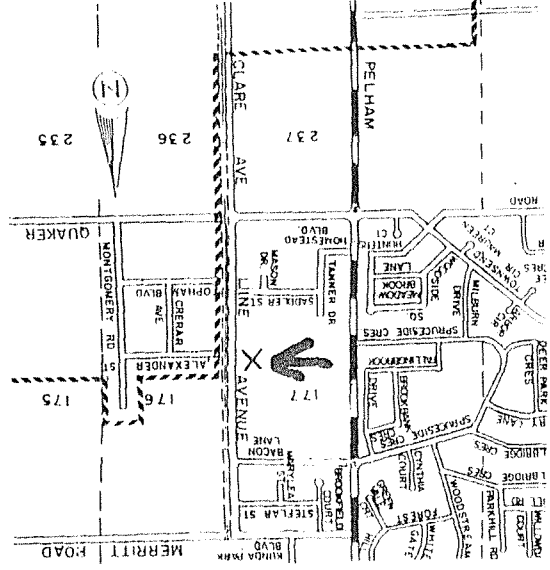
The Planning Act, R.S.O. 1990, provides that, before amending the Official Plan or Zoning By-Law, at least one Public Meeting be held for the purpose of informing the public in respect of the proposed changes.

Council has not yet made a decision on these applications. Any person who attends the meeting shall be afforded an opportunity to make representation in respect of the proposed amendments. Comments and recommendations received will be taken into account by the Council in making a final decision on this matter at a future date.

If you wish to be notified of the adoption of the proposed Official Plan amendment and/or Zoning By-law amendment you must make a written request to the Town of Pelham, 20 Pelham Town Square, Pelham, Ontario L2J 3S8.



Subject Property



THE CORPORATION OF THE TOWN OF PELHAM

IN THE MATTER OF SECTION 17 OF THE
PLANNING ACT, R.S.O. 1990, AS AMENDED

TOWN OF PELHAM OFFICIAL PLAN AMENDMENT NO. 38

PART OF LOT 177, PART 10, PLAN 59R-10621

A F F I D A V I T

I, **JACK BERNARDI**, DIRECTOR OF PLANNING SERVICES OF
THE TOWN OF PELHAM, IN THE REGIONAL MUNICIPALITY OF NIAGARA,
MAKE OATH AND SAY AS FOLLOWS:

- (1) I am the Director of Planning Services of the Corporation of the Town of Pelham and as such I have knowledge of the matters herein set forth.
- (2) On the 11th day of October, 2000, I did cause to be sent by prepaid First Class Mail and in envelopes addressed to the respective public bodies whose names and addresses are shown on the list attached hereto and marked as Schedule "A" to this Affidavit, and to the respective persons whose names and addresses are shown on the list attached hereto and marked as Schedule "B" to this Affidavit, a notice of the public meeting.
- (4) On the 7th day of March, 2001, I did cause to be sent by prepaid First Class Mail and in envelopes addressed to the respective persons whose names and addresses are shown on the list attached hereto and marked as Schedule "C" to this Affidavit, a copy of the Notice of Adoption of Official Plan Amendment No. 38.

SCHEDULE "A"

MAILING LIST OF PUBLIC BODIES FOR NOTICE OF PUBLIC MEETING

ATTN SEC-TREASURER
NIAGARA PENINSULA
CONSERVATION AUTHORITY
250 THOROLD RD WEST 3RD FLOOR
WELLAND ON L3C 3W3

D MANICCIA ACT MGR OF OPERATIONS

NIAGARA CATHOLIC DISTRICT
SCHOOL BOARD
427 RICE RD
WELLAND ON L3C 7C1

ATTN MANAGER
PLANNING & TRANSPORTATION

DIST SCHOOL BOARD OF NIAGARA
191 CARLTON ST
ST CATHARINES ON L2R 7P4

ATTN SECRETARY

CONSUMERS GAS
P O BOX 1051
THOROLD ON L2V 5A8

PRESERVATION OF
AGRICULTURAL LANDS
BOX 1090
ST CATHARINES ON L2R 7A3

CHARLES UNHOLA SR PLANNER
REAL ESTATE SERVICES
ONTARIO HYDRO SERVICES CO
7676 WOODBINE AVE SUITE 300
MARKHAM ON L3R 2N2

MANAGER LAND DEPARTMENT

CONSUMERS GAS
BOX 650
SCARBOROUGH ON M1K 5E3

MR JOHN BLAKELY
RIGHT-OF-WAY AGENT
INTERPROVINCIAL PIPE LINE
P O BOX 128
SARNIA ON N7T 7H8

TECHNICIAN 1
RIGHT-OF-WAY DEPT
TRANSCANADA PIPELINES LTD
P O BOX 1000 STN M
CALGARY AB T2P 4K5

SCHEDULE " B "

527786 ONTARIO LIMITED
1959 FRUITBELT PKWY
NIAGARA FALLS ON L2E 6S4

SAM IORFIDA
7111 LORING CR
NIAGARA FALLS ON L2J 3S8

B & W WYMENGA
558 LEONARD AVE
WELLAND ON L3C 3A8

LORRAINE BROWN
1122 LINE AVE
WELLAND ON L3C 3C3

DAVID & TINA SCHULZ
P O BOX 545
FONTHILL ON L0S 1E0

G & M TUFFORD
1118 LINE AVE
WELLAND ON L3C 3C3

PAUL & MARIANNE KCIUK
1116 LINE AVE
WELLAND ON L3C 3C3

ROBERT JESIK
1114 LINE AVE
WELLAND ON L3C 3C3

KEN & VIOLET SIBBETT
1112 LINE AVE
WELLAND ON L3C 3C3

CHARLES & THELMA BISSELL
1383 EFFINGHAM ST
RIDGEVILLE ON L0S 1M0

KEN & MARILYN SPECK
1086 LINE AVE
WELLAND ON L3C 3C3

DOUGLAS & NANCY SPECK
1088 LINE AVE
WELLAND ON L3C 3C3

DAVID & ZIELINSKI DOHERTY
1084 LINE AVE
WELLAND ON L3C 3C3

GERRIT & MARG DEKKER
1078 LINE AVE
WELLAND ON L3C 3C3

JOHN & DIANE DURLEY
1082 LINE AVE
WELLAND ON L3C 3C3

B & L VON BARGEN
1076 LINE AVE
WELLAND ON L3C 3C3

MARY HUMINILOWYCZ
1074 LINE AVE
WELLAND ON L3C 3C3

RUTH THOMPSON
1097 PELHAM ST
WELLAND ON L3C 3E4

LUCCHETTA CONSTRUCTION
491 QUAKER RD
WELLAND ON L3C 3G7

RON & JOANE McGUIRE
1101 PELHAM ST
WELLAND ON L3C 3E4

FRANK & MARY BLAZETICH
1109 PELHAM ST
WELLAND ON L3C 3E4

DAVID VANSOELEN
1169 PELHAM ST
WELLAND ON L3C 3E4

SERGE & MICHELINE DAOUST
1175 PELHAM ST
WELLAND ON L3C 3E4

JACK LANDRY
1179 PELHAM ST
WELLAND ON L3C 3E4

SOUTH PELHAM DEVELOPMENTS
C/O EARLA WOODHOUSE
7981 GROSSI CRT
NIAGARA FALLS ON L2H 3G8

BEVCO HOMES LTD
7 CEDARGROVE COURT
ANCASTER ON L9G 4W5

JILL CHURCHILL
5 SADDLER ST
FONTHILL ON L0S 1E4

DANNY COLOSIMO
3 SADDLER ST
FONTHILL ON L0S 1E4

MICHAEL & MELISA BRADLEY
42 TANNER DR
FONTHILL ON L0S 1E4

ANTHONY & VIVIAN SHAW
39 TANNER DR
FONTHILL ON L0S 1E4

TIMOTHY & GAYLE TROTTER
37 TANNER DR
FONTHILL ON L0S 1E4

R & M SEBURN
35 TANNER DR
FONTHILL ON L0S 1E4

ALAN & ELDA PICTON
33 TANNER DR
FONTHILL ON L0S 1E4

RALPH MILLER
25 CRERAR AVE
WELLAND ON L3C 2Z2

ELENA GALEY-PRIDE
33 CRERAR AVE
WELLAND ON L3C 2Z2

HOLT & CHARLOTTE READ
49 CRERAR AVE
WELLAND ON L3C 2Z2

SYLVIA & GEORGE BAYLEY
188 MILKWEED TRAIL
WELLAND ON L3C 3H2

CITY OF WELLAND
411 EAST MAIN ST
WELLAND ON L3B 3X4

WAYNE LACK
87 SUMMERLEA AVE
WELLAND ON L3C 3E9

ROWLAND GILLAP
83 SUMMERLEA AVE
WELLAND ON L3C 3E9

M LANDRY & L TREMBLAY
77 SUMMERLEA AVE
WELLAND ON L3C 3E9

D & M HARRISON
71 SUMMERLEA AVE
WELLAND ON L3C 3E9

RAYMOND & MARY JOHNSON
88 SUMMERLEA AVE
WELLAND ON L3C 3E7

ANDREW & HILDA GYUGYEI
84 SUMMERLEA AVE
WELLAND ON L3C 3E7

JOSEPH & MARY NAGY
78 SUMMERLEA AVE
WELLAND ON L3C 3E7

SCHEDULE "C"

MAILING LIST FOR NOTICE OF PASSING OF OFFICIAL PLAN AMENDMENT NO. 38

527786 ONTARIO LIMITED
1959 FRUITBELT PKWY
NIAGARA FALLS ON L2E 6S4

ATTN VICTOR MURATORI

SULLIVAN MAHONEY
BOX 1360
ST. CATHARINES ON L2R 6Z2

GC-183/2000

GENERAL COMMITTEE

GC-20/00

November 1, 2000

Minutes of a special General Committee meeting held on Wednesday, November 1st., 2000 at 7:00 p.m. in the Municipal Committee Room. The special meeting was called for the purpose of holding public meetings under the Planning Act with respect to three applications.

ATTENDANCE: Arriving during the course
Of the meeting - Mayor R.
Beamer;
Members of Council -
Councillors G. Berkhout,
U. Brand, C. Kuckyt, R. Hatt,
S. Matthews & W. B. Walker
Staff in attendance - (Part Time)
CAO/Director of Financial Services
G. Cherney;
Staff in attendance - (Full Time)
Director of Planning Services J.
Bernardi & Recording Secretary
(Clerk) C. Miclette.
Also in attendance was Mr. Glen
Barker of BLS Planning & Mr. Drew
Semple, Regional Planning.

1. CALLED TO ORDER:

The special meeting was called to order by Acting Mayor W. B. Walker.

2. ADOPTION OF AGENDA:

RESOLUTION NO. 1

MOVED BY COUNCILLOR S. MATTHEWS, SECONDED BY COUNCILLOR U. BRAND

THAT the agenda for the November 1st., 2000 Special General Committee meeting, be adopted.

CARRIED

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF:

There were no disclosures of pecuniary interest noted by members of the Committee.

4. PUBLIC MEETING UNDER PLANNING ACT:

At this point in the meeting, Acting Mayor W. B. Walker vacated the Chair and Councillor U. Brand assumed the Chair as Chair of the Planning Services Division

- (B) PUBLIC MEETING - PROPOSED OFFICIAL PLAN & ZONING BY-LAW AMENDMENT APPLICATION #AM-9/99 - 527786 ONTARIO LIMITED (ERIC HENRY), LOT 177, PART 10, PLAN 59R-10621:

The Recording Secretary recited the required form of notice.

At this point in the meeting, Mayor R. Beamer entered the meeting.

Chair, Councillor Brand then introduced the Town's Planning Consultant, Mr. Glen Barker of BLS Planning, who informed those in attendance of his responsibilities.

Mr. Barker then provided members of the Committee and the public with an overview of both the application and the technical information, which was set out in Report P-11/00.

Mr. Barker noted that the application was for the development of a 46 unit townhouse condominium development.

Mr. Barker reviewed the proposed site plan which had been prepared and submitted with respect to the development. He also noted that this development would require an amendment to the Secondary Plan of the Official Plan with respect to the Open Space designation. He also noted that an amendment to the Zoning By-law from R1 zone to Rm1 zone would be required in order to allow for this type of development.

Mr. Barker noted that there were still various issues which must be addressed, such as site servicing; transportation; implication on other lands within the secondary plan; etc.

Mr. Barker noted that, in their opinion, the general purpose and intent of the application with minor adjustments met the requirements of the Secondary Plan.

In closing, Mr. Barker highlighted the location of the Fonthill Homestead Subdivision and street connections in relation to this development and he also noted the previous creation of lots on Line Avenue.

APPLICANT'S PRESENTATION:

Mr. Vic Muratori on behalf of Mr. Eric Henry - Mr. Muratori reviewed, in detail, the secondary plan as it relates to the Official Plan noting that any application must conform to the Official Plan.

Mr. Muratori then read paragraphs 1.1 and 1.2 from his submission with respect to units per acre noting that this proposed development is 6.5 acres with 46 units therefore 7 units per acre, which falls into the low density category.

Mr. Muratori then noted that, in their opinion, paragraph 1.4 of the Official Plan has been addressed whereby they feel that this proposed development will both enhance and provide many amenities in this area.

Mr. Muratori noted that the condominiums would be 1½ to 2 storeys, which would meet the requirements of the zoning by-law.

Mr. Muratori then reviewed Section 4 of the Official Plan Amendment with respect to parks, recreation and open space noting that this proposed development would satisfy the requirements due to the fact that approximately 3 acres would be developed into a park area.

Mr. Muratori then reviewed the issue of servicing and transportation noting that the proposed development would include stormwater management, similar to a project currently being used in the Orchard Grove Subdivision located in Niagara Falls. He noted that the system works well and that it is monitored and supported by the Ministry of the Environment and the Ministry of Natural Resources. He also noted that the proposed system which would be 1.5 acres in size would be able to accommodate not only the 6.5 acre development, but also other developments.

With respect to the issue of roads, Mr. Muratori noted that this issue will be dealt with in due course and he made reference to Section 5.4 of the official plan. He further stated that changes in road patterns would have to be dealt with as development occurs within the Lot 177 area. Mr. Muratori then made reference to Tabs 5 & 6 of the submission booklet which outlined roadway designs as prepared by RGP Transtech Inc. who were engaged by the developer to review this issue. Mr. Muratori reviewed, in detail, the executive summary with respect to the roadway design assessment prepared by RGP Transtech Inc. and which had been deposited with the Planning & Engineering Departments of the municipality.

Mr. Muratori then reviewed the planning report prepared by Brady & Associates dated August 2000.

Mr. Muratori made note of the sections contained in the official plan with respect to the purpose of the secondary plan, as well as the development. He also made note of the paragraphs relating to passive park/stormwater feature.

In closing, Mr. Muratori read certain paragraphs contained in the planning report prepared by Brady & Associates dated August, 2000 which notes as follows:

- (1) that the road pattern has been analysed by a transportation expert and that in his opinion the overall road system is acceptable and falls within the policies of the Secondary Plan.
- (2) pedestrian accessibility can be improved by having the road

- (4) the final recommendation is that the proposed Official Plan Amendment and Zoning By-law Amendment proceed forward having addressed all of the technical issues raised by staff at meetings on this development. The report also notes that specific detail issues can be addressed at the site plan stage.

PUBLIC INPUT:

Mr. Ken Speck, 1086 Line Avenue - noted that his concern was with the traffic and not with the development itself. He noted that he had conducted a survey for a 12 hour period at which time he noted 8 school buses and 509 vehicles. He also noted that over 80% of the vehicles exceeded the speed limit. In closing, Mr. Speck noted that he does not believe in the "empty nest" theory, but his main concern was safety.

Mr. John Durley, 1082 Line Avenue - noted the homes and built on sites in Lot 177 which equated to 181 residential and 6 commercial or 187 lots.

Mr. Durley then noted his concern with respect to the impact of increased building on the services (sewers, watermain and roads) within the area which was agricultural and single density residential.

Mr. Durley also noted that there has been a proposed amendment to the original zoning, a secondary plan and an amendment to the secondary plan and amendments to the amendment of the secondary plan which has allowed increased density residential dwellings to be built, as well as some commercial development.

Mr. Durley noted that, in his opinion, this progress has occurred in an apparent urban sprawl scenario rather than a well planned expansion, as evidenced by the introduction of new road accesses opening up onto Line Avenue, which have severely increased traffic flow. He further that as a result of increased traffic this has also resulted in increased speed due to the fact that there are no stop signs on this entire length of road, although it has 8 more residential unit than the same length of road (Pelham Street) which has been built to standard, but he notes that Line Avenue does not meet the standards of today. He further stated that increased housing equals increased population which results in increased vehicular traffic, as well as pedestrian traffic. He stated that, in his opinion, no attention has been given to possible effects of heavier wear and tear on the roadway and no concern for public safety, due to lack of sidewalks, walkways, etc.

Mr. Durley then indicated that the new proposal would add an additional 46 residential units with only one means of ingress and egress onto the sub-standard, overused Line Avenue. He also noted that the plan shows no upgrading of existing services.

Mike Mihtu, 31 Montgomery Road, Welland - noted a concern with respect to water runoff, which currently flows into the Summerlea Subdivision, where he resides, from Lot 177 and he noted that any further development would also impact the residents of the Summerlea Subdivision which is located in Welland.

Vic Muratori - responded to the concern raised by Mr. McIntee stating that the system being proposed would minimize the flow of water.

Mr. B. J. Wynenga, 558 Leonard Avenue, Welland - noted that he agrees with the concerns raised by Mr. Speck and Mr. Durley and he inquired about the previous proposed development for 23 townhouses.

Joe Picton, 33 Tanner Avenue - asked what amenities were to be provided, as noted by Mr. Muratori. He also noted that the present school system is overloaded and that traffic is a major concern for this area. He also inquired as to whether or not the proposed development would be fenced around its perimeters. In closing, Mr. Picton requested a copy of the Schedule I roadway plan which was mentioned during Mr. Muratori's presentation.

Vic Muratori - noted that, in his opinion, a 46 unit development would not have any major impact on this area, due to the fact that the present requirements would allow for 38 to 40 units without approval.

Betty Bond, 12 Saddler Street - noted that there are currently no sidewalks in the area therefore creating a safety hazard and, as well, traffic is a problem.

Vivian Shaw, 39 Tanner Avenue - inquired as to whether or not there home will still be classed as a "corner lot".

Glen Barker - noted that access to this proposed development would be by way of Line Avenue and he further noted that an assessment of the roadway pattern is part of the assessment which will take place following this public meeting. He suggested that a roadway pattern would be brought before the Committee in the near future.

John Durley - inquired as to whether or not the park contained within this development was for private or public use, to which Mr. Muratori responded that the park would be for the private use of the residents of the condominium development.

Tony Shaw, 39 Tanner Avenue - noted that he disagrees with the empty nest theory as he feels the homes are too large for the older retired person.

COMMITTEE INPUT:

Councillor W. B. Walker - noted that Line Avenue is slated for

Councillor C. Kuckyt - noted that she agrees with the residents with respect to traffic and safety and she stated that, in her opinion, the design is too intense for the area.

Councillor Kuckyt also asked whether the condominiums would have carports or garages, to which Mr. Muratori replied that they would have garages.

In closing, Councillor Kuckyt noted her concern with respect to fire safety because of the median in the driveway.

Mayor R. Beamer - noted that the water retention system located in the City of Niagara Falls is very attractive and that it works quite well. He also noted that he would be supporting the project but only because Line Avenue is scheduled for upgrading.

Councillor S. Matthews - inquired as to whether or not improvements would be done prior to development of this site and she noted that if not, the issue of the road should be looked at.

Director of Planning Services J. Bernardi indicated that improvements will not be carried out before to development of this site.

Councillor C. Kuckyt - inquired as to whether or not the water and sewer capacities are sufficient, to which J. Bernardi responded that there was enough capacity to support the development of Lot 177 including this proposed development.

Councillor U. Brand - requested a clarification on the comment of Mr. Muratori with respect to the units per acre.

Mr. Barker responded that this proposed development has less density than the Fonthill Homestead Subdivision and he noted that approximately 1.6 acres would included amenities for the development.

Councillor U. Brand - inquired as to whether or not the water flow issue would be addressed, to which Mr. Barker responded that post and pre-development flows will be monitored and that the Operations Department of the Town would also be involved in this issue.

RECOMMENDATION - MOVED BY COUNCILLOR C. KUCKYT, SECONDED BY COUNCILLOR W. B. WALKER - THAT the correspondence received from the residents of the Summerlea Subdivision, Mr. John Durley and Mr. Glen Barr be received for the information of the Committee. CARRIED, CHAIR, COUNCILLOR U. BRAND

Chair, Councillor Brand declared the public meeting closed.

The Recording Secretary then recited the required form of notice.

Chair, Councillor Brand then introduced Mr. Glen Barker of BLS Planning who outlined his responsibilities to the members of the public.

Mr. Barker then provided an overview of the application, as well as the background information report which had been prepared by Regional Planning Staff. He also made note of the sketch attached to the technical information report prepared by Town of Pelham Staff which outlined the practice facility concept.

Mr. Barker noted the various planning documents which had been used to assess the feasibility of this application and, as well, he noted the various issues which must be addressed by the Region and the municipality with respect to the application.

Chair, Councillor Brand then called upon Mr. Drew Semple from Regional Planning to make a presentation.

Mr. Semple noted that, at this point in time, no decision has been made by the Region on this application, but he did indicate that a sample wording for the amendment had been prepared, as required by the Planning Act. Mr. Semple noted the package of comments which were available to the public.

APPLICANT'S PRESENTATION:

Mr. Robert Hazra representing Lookout Point Golf Club - Mr. Hazra noted that the golf course was established in 1922 and that they have proven to be an upstanding group. He also noted that the golf course is located on the edge of the urban area boundary. Mr. Hazra noted that certain issues must be addressed, such as need, any alternate sites for expansion, impact on surrounding lands, etc. With respect to the issue of need, Mr. Hazra noted that the club currently has 650 members and that because of the topography of the present 125 acres it is very difficult to put in a flat practice range. With respect to the issue of alternate sites, Mr. Hazra noted that various sites were considered, but that the lands which were the subject of the official plan and zoning by-law amendments were the most suitable because of nearness to clubhouse, flat lands, outside the Niagara Escarpment Commission catchment area, cost effective and is 15 acres.

Mr. Hazra also noted that the subject lands are located on the Fonthill Kame and he noted that the lands could be put back into production if the facility is no longer required.

With respect to the impact on surrounding lands, Mr. Hazra noted that an Environmental Assessment Study had been carried out by ESG and that their assessment study supported the application.

Archaeological Study had been carried out on 2/3 of the property and that the additional 1/3 of the property would be carried out at a later date, but he did indicate that the study did not show any findings on the 2/3 acres.

In closing, Mr. Hazra noted that the severance which would create 2 residential lots would not create anymore housing in the area.

PUBLIC INPUT:

Mr. Wendell Phillips, 221 Tice Road - Mr. Phillips inquired as to the access, number of parking spaces, public or private driving range, hours of operation. Mr. Phillips also inquired as to whether or not a living hedge would be installed to prevent golf balls from entering their property.

In response to the questions raised by Mr. Phillips, Mr. Barker noted that 52 parking stalls were planned for the site along Tice Road which would take up approximately 2/3 of the frontage. With respect to the matter of the living hedge, Mr. Barker noted that this issue was not specifically identified at this point in time and that this matter would be dealt with during the site plan process.

Mr. Hazra responded to the questions raised by Mr. Phillips with respect to access, lighting and whether or not the driving range would be public or private, noting that access was at the site plan stage, no lighting would be installed and that the driving range would be private.

Director of Planning Services J. Bernardi noted that the draft site plan shows 100 parking spaces on the site.

Joe Eigner (on behalf of Lookout) noted that overflow parking would be provided on the practice facility site during peak times.

COMMITTEE INPUT:

Councillor R. Hatt - noted that the issue of hours of operation was not addressed, to which Pro Gord McInnis responded that the hours of operation would be 8:00 a.m. to 8:00 p.m.

Councillor R. Hatt - inquired as to whether or not gates would be installed and locked during the off-season.

Joe Eigner (on behalf of Lookout) noted that gates would be installed and that they would be locked and, as well "No Parking" signs would be posted on the roadway.

Councillor S. Matthews - inquired as to the size of the buffer between the golf course and neighbouring properties, to which J. Bernardi responded that there were no setback requirements.

At this point in the meeting, Mr. Glen Barker and Mr. Drew Semple departed.

- (C) PUBLIC MEETING - PROPOSED ZONING BY-LAW AMENDMENT APPLICATION #AM-9/00 - HENRY VANDERVEEN (PURCHASER), AGENT ANN GLEDHILL - PART LOT 20, CONC. 7, 1581 VICTORIA AVENUE (REGIONAL ROAD 24): The Recording Secretary recited the required form of notice.

Chair, Councillor Brand then introduced Director of Planning Services J. Bernardi who provided a brief overview of the application.

Mr. Bernardi noted that storm drainage would be dealt with by way of ditches in the area and as well he indicated that access onto Regional Road #24 is preferred even though the draft site plan suggests access onto Tice Road.

Mr. Bernardi then read correspondence which he had received from the owners of A&R Poultry dated November 1st., 2000.

APPLICANT'S PRESENTATION:

Mrs. Ann Gledhill representing Niagara Quality Flowers (Henry VanderVeen & Andrew VanVliet). She noted that the company currently employs approximately 15 people and that they have 4 panel trucks which will be used for warehousing. In closing, she noted that the company would like to stay within the Town of Pelham.

PUBLIC INPUT:

Mr. Norbert Seehagel, 1590 Brady Street - Mr. Seehagel noted that his property is adjacent to this property and he noted that he currently farms approximately 150 acres in addition to the 40 acres on which he resides with his wife and 7 children. He noted his concern with respect to increased traffic, fumes and noise, as well as the impact on his cattle. He questioned whether or not the Minimum Distance Separation would apply in this case. He noted that the proposed location for this business is between two agricultural operations. Mr. Seehagel noted his concern with respect to taking agricultural lands out of production, when there are industrial lands available on Webber Road. In closing, Mr. Seehagel noted that the residents feared the enlargement of this commercial operation in the future.

Mr. Robert Wilson, 1001 Tice Road - Mr. Wilson noted that noise is a big concern.

??????? - noted that increased traffic is a major concern to the residents.

???? - why are they not looking at the properties located on Webber Road which are zoned industrial?

Mr. N. Seehagel - presented a petition to the Committee dated October 30th., 2000 which notes their opposition to the rezoning for a warehouse-distribution centre for various reasons.

RECOMMENDATION - MOVED BY COUNCILLOR C. KUCKYT, SECONDED BY COUNCILLOR R. HATT - THAT the petition dated October 30th., 2000 noting opposition to the proposed zoning by-law amendment be received for the information of the Committee. CARRIED, CHAIR, COUNCILLOR U. BRAND

Mrs. Beatrice McConnery, 990 Highway #20 - inquired as to why this commercial operation was continuing to look at agricultural lands when industrial lands were available on Webber Road.

Mr. Daniel Bertrand, 1540 Brady Street - inquired as to what type of chemicals were used for cut flowers and also was bleach used to control mildew. He noted that eventually the bleach and any chemicals used will get into the water supply, i.e. wells in the area. In closing, he noted the depreciation in value of the adjoining properties.

Mrs. Margaret Seehagel, 1590 Brady Street - She stated that her major concern was the noise factor due to the fact that she has a very young family.

Mr. Norbert Seehagel, 1590 Brady Street - inquired as to what the greenhouses would be used for, as well as the size of the warehouse and the greenhouse.

Mrs. Gledhill responded that the owners hope to grow flowers in the greenhouse sometime in the future and she noted that the warehouse is approximately 7,400 square feet and the greenhouse is approximately 6,000 square feet.

Mr. Asa Hansler, 852 Highway #20 West - Mr. Hansler noted a traffic hazard at the corner of Brady Street and Tice Road when residents would be stopping to pick up their mail.

COMMITTEE INPUT:

Councillor C. Kuckyt - noted her concern with respect to traffic and the noise from the reefer trucks which are used in this type of business.

Mrs. Gledhill noted that the business is presently operating out of the former Grandview Property on Highway #20, but that the parcel was too big for their operation and that they had no use for the rear lands which includes an equestrian track.

Director of Planning Services J. Bernardi noted that a number of issues had arisen because they did not want the entire property currently owned by Grandview.


GC-193/2000

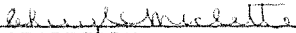
RECOMMENDATION - MOVED BY COUNCILLOR W. B. WALKER, SECONDED BY COUNCILLOR C. KUCKYT - THAT the correspondence received from Mr. M. Ronald Brown, Solicitor for A & R Poultry Limited (Asher & Raya Gliklich) dated October 31st., 2000 be received for the information of the Committee. CARRIED, CHAIR, COUNCILLOR U. BRAND

Chair, Councillor Brand declared the public meeting closed.

(5) ADJOURNMENT:

RECOMMENDATION - MOVED BY COUNCILLOR C. KUCKYT, SECONDED BY COUNCILLOR G. BERKHOUT - THAT this special meeting of the General Committee be adjourned until the next regular meeting scheduled for MONDAY, DECEMBER 11th., 2000, unless sooner called by the Mayor. CARRIED, CHAIR, MAYOR R. BEAMER


CHAIR


SECRETARY

GC-24/2001

GENERAL COMMITTEE

GC-3/01

February 26, 2001

Minutes of a regular General Committee meeting held on Monday, February 26th, 2001 at 7:00 p.m. in the Municipal Council Chambers, 20 Pelham Town Square, Fonthill.

ATTENDANCE:

Council: Mayor R. Beamer;
Councillor U. Brand
Councillor C. Kuckyt
Councillor R. Hatt
Councillor S. Matthews
Councillor W. B. Walker;
Absent - Councillor G. Berkhout

Staff: C.A.O./Director of Financial Services G. Cherney
Director of Operations L.J. Hodge
Director of Planning Services J. Bernardi
Director of Building/Enforcement Services E. Cronier
Drainage Superintendent R. Bradley
Recording Secretary (Clerk) C. Miclette

Others: Mr. Glen Barker of BLS Planning Services**
Interested citizens

Media: Carolyn Mullin, The Voice of Pelham
Diane Ujfalussy, Pelham News

** - IN ATTENDANCE PART TIME

1. CALLED TO ORDER:
The meeting was called to order by Mayor R. Beamer.
2. ADOPTION OF AGENDA:
RECOMMENDATION - MOVED BY COUNCILLOR U. BRAND, SECONDED
BY COUNCILLOR S. MATTHEWS - THAT the agenda for the February 26th,
2001 regular General Committee meeting be adopted, as amended.
CARRIED, CHAIR, MAYOR R. BEAMER
3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE

GC-25/2001

4. PUBLIC MEETING UNDER PLANNING ACT:
There were no public meetings under the Planning Act scheduled.

At this point in the meeting, Mayor Beamer vacated the Chair and Councillor W. B. Walker assumed the Chair as Chair of the Planning Services Division.

5. BUSINESS SUBDIVISION:
(A) PLANNING SERVICES:
(i) Hearing of Delegations:
Mr. B. Wymenga re Recommendation Report - Official Plan & Zoning By-law Amendment Application #AM-9/99 - Mr. Wymenga was not in attendance to address the Committee.
Mr. John Conlin re Recommendation Report - Official Plan & Zoning By-law Amendment Application #AM-9/99 - Mr. Conlin indicated that he did not wish to make a presentation at this point in time.
Mr. V. F. Muratori re Recommendation Report - Official Plan & Zoning By-law Amendment Application #AM-9/99 - Mr. Muratori stated that they support the recommendation contained in the report and that he would like to have an opportunity to respond to any concerns raised by the public with respect to this proposal.
Mr. John Durley re Recommendation Report - Official Plan & Zoning By-law Amendment Application #AM-9/99 - Mr. Durley briefly highlighted the concerns of the neighbourhood set out in his faxed transmission dated February 26th., 2001.
(ii) Staff Reports:
Report P-12/01 re Recommendation Report - Proposed Zoning By-law & Official Plan Amendment Application #AM-9/99 - 527786 Ontario Limited, Part of Lot 10, Registered Plan 59R-10621 - Chair, Councillor Walker called on Mr. Glen Barker of BLS Planning Services to provide the Committee and members of the public with an overview of the changes which have been made as a result of comments received from the public and members of the Committee at the Public Meeting held on November 1st., 2001.

Mr. Barker noted that they are recommending the amendment of a maximum density at 46 condominium units for this

GC-26/2001

In response to a question raised by Councillor Brand with respect to approving the report even though there are zoning deficiencies, Mr. Muratori noted that the only item before Committee this evening was a recommendation report and he also stated that a by-law would not be presented to Council for consideration until the deficient zoning issues had been addressed. He also noted that the 5% park land dedication will impact the final design and therefore a revised site plan will have to be developed for review by Town Staff and the Planning Consultant.

In response to a question raised by Councillor U. Brand with respect to what has changed since 1989 when the Lot 177 Secondary Plan was approved, Mr. Barker indicated that the density is now 7 units per acre versus 6.5 units per acre and that the connector road was no longer required from the Steflar Subdivision to the Fonthill Homestead Subdivision.

In response to a question raised by Councillor S. Matthews with respect to the minimum requirements, Mr. Barker noted what is meant by minimum requirements with respect to rear yard setbacks, landscaping strip between single family and multi-family residential properties, etc. Mr. Muratori also noted that this development will meet or exceed the minimum standards. He also noted that this development allows for 49% landscaping and the by-law only requires 25%.

In response to a question raised by Councillor Hatt, it was agreed that Mr. Muratori would be provided with a copy of the concerns expressed by Mr. Durley, on behalf of the neighbourhood, and that Mr. Muratori would prepare a response to these concerns.

With respect to the issue of access from Line Avenue to the park lands, Chair Walker noted that the Town Solicitor is checking this matter to determine whether or not these lands are public or privately owned.

In response to a question raised by Chair Walker, Director of Operations noted that he is not aware of any water pressure problems in this area.

Mr. Durley asked why the developer wanted to change the character of the neighbourhood which is strictly single family, to which Mr. Muratori responded that the housing market has changed and that more people were looking to purchase condominiums

GC-27/2001

Mr. Rick Brady noted that the former Secondary Plan prepared in 1989 had included townhousing and he also noted that all forms of housing were a requirement of the Province. As well, Mr. Brady noted that the 5% park land is not an issue and that the location of this property will provide for a centralized park.

In response to a concern raised by Mr. Durley with respect to play area required in an RM3 Zone, Mr. Muratori noted that the criteria for play areas had been changed to recreation areas.

Mr. Durley noted that the neighbours are not requesting single family units, but that semi-detached might be more appropriate for the area.

RECOMMENDATION - MOVED BY COUNCILLOR S. MATTHEWS, SECONDED BY COUNCILLOR R. HATT - THAT P-12/01 re Recommendation Report - Proposed Zoning By-law and Official Plan Amendment Application #AM-9/99 - 527786 Ontario Limited, Part of Lot 10, Registered Plan 59R-10621 be received;

AND THAT the recommendations contained therein be approved, as follows:

"THAT the Committee recommend to Council:

- (1) THAT Official Plan Amendment Application #AM-9/99 be approved which would redesignate the subject lands to a "Multiple Residential" designation.
- (2) THAT staff be directed to prepare the necessary adopting by-law for consideration by Council.
- (3) THAT Zoning By-law Amendment Application #AM-9/99 be approved, in principle, and staff report back on specific Zoning By-law requirements once additional information is provided by the applicant.
- (4) THAT the applicant dedicate 5% of land for park purposes as approximately illustrated on Schedule 2.
- (5) THAT staff be directed to address the concerns expressed by Mr. John Durley, as per the faxed transmission dated February 26, 2001.

CARRIED, CHAIR, COUNCILLOR W. B. WALKER

Report P-13/01 re Technical Information Report
- Proposed Zoning By-law Amendment Application #AM-1/01 - Fenleigh
... 15 ... 4 Maple Street -

GC-28/2001

(iii) Other & New Business:

There were no items listed and/or presented for consideration.

(iv) Communications Received to February 21st., 2001:

(A) Information Items #1 to #3 - RECOMMENDATION - MOVED BY COUNCILLOR R. HATT, SECONDED BY COUNCILLOR C. KUCKYT - THAT Planning Services communications received to February 21st., 2001, Items #1 to #3, be received for the information of the Committee. CARRIED, CHAIR, COUNCILLOR W. B. WALKER

(B) OPERATIONS:

At this point in the meeting, Councillor W. B. Walker vacated the Chair and Councillor U. Brand resumed the chair as Vice-Chair of the Operations Division.

(i) Hearing of Delegations:

There were no delegations listed and/or present to be heard by the Committee.

(ii) Staff Reports:

Report MOR-13/01 re Proposed Amendment to By-law No. 1608 (1993), being a by-law to regulate parks and facilities in the Town of Pelham and Amendments to Operations Policy WORKS/02, being a Policy for the Use of Municipal Roads and/or Facilities/Parks for Community Events and Other Activities - RECOMMENDATION - MOVED BY COUNCILLOR C. KUCKYT, SECONDED BY COUNCILLOR R. HATT - THAT Report MOR-13/01 re Proposed Amendment to By-law No. 1608 (1993), being a by-law to regulate parks and facilities in the Town of Pelham and Amendments to Operations Policy WORKS/02, being a policy for the Use of Municipal Roads and/or Facilities/Parks for Community Events and Other Activities be received; AND THAT the recommendations contained therein be approved, as follows: "THAT the Committee recommend to Council that By-law No. 1608 (1993) be amended as noted in attachments to Report MOR-13/01; AND THAT Operations Policy WORKS/02, being a policy for the use of Municipal Roads and/or Facilities/Parks for Community Events and other activities, be amended." CARRIED, VICE-CHAIR, COUNCILLOR U. BRAND

Report MOR-15/01 re Proposed Zero Tolerance of Violence and Vandalism in Town Facilities Policy - RECOMMENDATION - MOVED BY COUNCILLOR S. MATTHEWS, SECONDED BY COUNCILLOR W. B. WALKER

GC-29/2001

Report MOR-16/01 re 2001 Spring Street Cleaning Program - Acceptance of Tender - RECOMMENDATION - MOVED BY COUNCILLOR W. B. WALKER, SECONDED BY COUNCILLOR S. MATTHEWS - THAT Report MOR-16/01 re 2001 Spring Street Cleaning Program - Acceptance of Tender be received; AND THAT the recommendation contained therein be approved, as follows: - "THAT the Committee recommend to Council that the tender of Miles Services of \$74.90 per hour, GST included, for the 2001 Spring Street Cleaning Program be accepted." CARRIED, VICE-CHAIR, COUNCILLOR U. BRAND

Report MOR-17/01 re Road Occupation Permit Control Policy WORKS/08 & Construction of Driveway Entrances for Proposed Infilling Lots & Existing Vacant Lots Policy WORKS/07 - RECOMMENDATION - MOVED BY COUNCILLOR R. HATT, SECONDED BY COUNCILLOR C. KUCKYT - THAT Report MOR-17/01 re Road Occupation Permit Control Policy WORKS/08 & Construction of Driveway Entrances for Proposed Infilling Lots & Existing Vacant Lots Policy WORKS/07 be received; AND THAT the recommendations contained therein be approved, as follows: - "THAT the Committee recommend to Council that Road Occupation Permit Control Policy WORKS/08 be approved; AND THAT Construction of Driveway Entrances for Proposed Infilling Lots and Existing Vacant Lots Policy WORKS/07 be reaffirmed as Town Policy effective immediately." CARRIED, VICE-CHAIR, COUNCILLOR U. BRAND

Report MOR-18/01 re 2001 Municipal Grass Cutting Program - RECOMMENDATION - MOVED BY COUNCILLOR C. KUCKYT, SECONDED BY COUNCILLOR R. HATT - THAT Report MOR-18/01 re 2001 Municipal Grass Cutting Program be received; AND THAT the recommendation contained therein be approved, as follows: - "THAT the Committee recommend to Council that the tender of \$520.02, GST included, per cutting, submitted by Yard Clippers Inc. for the 2001 Municipal Grass Cutting Program be accepted." CARRIED, VICE-CHAIR, COUNCILLOR U. BRAND

Report MOR-19/01 re Proposed Highway #20 Watermain, Lookout Street to E. L. Crossley Secondary School - This report was withdrawn and will be presented for consideration at the March 12th, 2001 General Committee meeting.

Report MOR-20/01 re Request for Municipal Water
- RECOMMENDATION - MOVED BY

GC-30/2001

Report MOR-21/01 re 2001 Municipal & Community Services Brochure - RECOMMENDATION - MOVED BY COUNCILLOR R. HATT, SECONDED BY COUNCILLOR S. MATTHEWS - THAT Report MOR-21/01 re 2001 Municipal & Community Services Brochure be received; AND THAT the recommendation contained therein be approved, as follows: - "THAT the Committee recommend to Council that the quotation received from The Voice of Pelham to produce and distribute the 2001 Municipal & Community Services Brochure to every Pelham household at no cost to the Town of Pelham be accepted." CARRIED, VICE-CHAIR, COUNCILLOR U. BRAND

Councillor Kuckyt did not take part in the discussion or vote on this matter, due to the disclosure of pecuniary interest noted earlier in the meeting.

Report MOR-22/01 re One Call/One Locate System - RECOMMENDATION - MOVED BY COUNCILLOR W. B. WALKER, SECONDED BY COUNCILLOR S. MATTHEWS - THAT Report MOR-22/01 re One Call/One Locate System be received; AND THAT the recommendation contained therein be approved, as follows: - "THAT the Committee recommend to Council that the Director of Operations be authorized to enter into agreements with Ontario One Call and One Call/One Locate for purposes of implementing a One Call/One Locate System within the Town of Pelham." CARRIED, VICE-CHAIR, COUNCILLOR U. BRAND

(iii) Other & New Business:

There were no items listed and/or presented for consideration.

(iv) Communications received to February 21st., 2001:

(A) Information Item #1 - RECOMMENDATION - MOVED BY COUNCILLOR C. KUCKYT, SECONDED BY COUNCILLOR R. HATT - THAT Operations communications received to February 21st., 2001, Item #1 be received for the information of the Committee. CARRIED, VICE-CHAIR, COUNCILLOR U. BRAND

(C) CORPORATE SERVICES:

At this point in the meeting, Councillor U. Brand vacated the Chair and Councillor C. Kuckyt resumed the chair as Chair of the Corporate Services Division.

GC-31/2001

(iv) Communications Received to February 21st., 2001:

(A) Information Item #1 - RECOMMENDATION -
MOVED BY COUNCILLOR S. MATTHEWS, SECONDED BY COUNCILLOR W. B.
WALKER - THAT Corporate Services communications received to
February 21st., 2001, Item #1 be received for the information of the
Committee. CARRIED, CHAIR, COUNCILLOR C. KUCKYT

(6) COMMITTEE OF THE WHOLE:

RECOMMENDATION - MOVED BY COUNCILLOR R. HATT, SECONDED BY
COUNCILLOR C. KUCKYT - THAT the General Committee enter into
Committee of the Whole with the Mayor as Chair. CARRIED, CHAIR,
MAYOR R. BEAMER

RECOMMENDATION - MOVED BY COUNCILLOR C. KUCKYT, SECONDED
BY COUNCILLOR R. HATT - THAT the General Committee adjourn the
Committee of the Whole session and resume the balance of the
agenda. CARRIED, CHAIR, MAYOR R. BEAMER

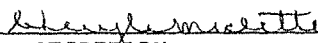
(7) REPORT ON COMMITTEE OF THE WHOLE:

There was no report arising from the Committee of the
Whole session.

(8) ADJOURNMENT:

RECOMMENDATION - MOVED BY COUNCILLOR U. BRAND, SECONDED
BY COUNCILLOR S. MATTHEWS - THAT this regular meeting of the
General Committee be adjourned until the next regular meeting
scheduled for MONDAY, MARCH 12th., 2001, unless sooner called by the
Chair. CARRIED, CHAIR, MAYOR R. BEAMER


CHAIR


SECRETARY

Summerlea Neighbourhood Association
Welland, Ontario

23 Topham Blvd.
Welland, Ontario
L3C 3G1
714-1100

31 October 2000

Dear Mr. J. Bernardi,
Director of Planning Services,

A number of residents in the Summerlea Neighbourhood received notice of the Public Meeting concerning the Official Plan and Zoning By-law Amendment # AM-9/99. The concern of the residents in our Neighbourhood is that of proper drainage for this new development.

Currently, the surface run-off from the subject area and adjacent properties on Line Ave. drain east into the drainage ditch that runs through the Summerlea Neighbourhood. The proposed development will increase the amount of land surface area that will have asphalt and could increase the amount of run-off through our area. We would like to see proper storm sewers installed for this development so that the run-off and drainage will in no way increase the amount of flow through the Summerlea Neighbourhood.

Representing our Sub-division are Mr. Pride (Received notice) and Mr. McIntee, Vice President, Summerlea Neighbourhood Association - they would like to have some time to address this issue at the meeting.

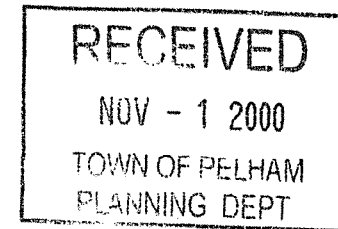
Also, we are asking that you keep our Association notified of any amendments concerning the subject lands or lands adjacent to the subject lands in order for us to be involved in the process.

Thank-you.

Sincerely,


George Anortel

BARR
ASSOCIATES *Neighbourhood
Development
Consultants*



2000 11 01

BY FAX 892 5055

Town of Pelham,
P.O.Box 400,
Fonthill, Ontario
L0S 1E0

Attention: J. Bernardi,
Director of Planning Services

Re: Proposed Re-zoning
Part 10, RP 59R-10621, Line Avenue

Dear Mr. Bernardi,

This is in response to the public notice regarding the re-zoning of this property.
We act for South Pelham Developments Limited, developers of Fonthill Homesteads.

We have no objection to the intended land use so long as it does not make the rest of Lot 77 more difficult to develop. Care should be taken to ensure that the dimensions of the adjacent properties are such that they accommodate street widths and lot depths as proposed by the secondary plan. If this cannot be demonstrated, we would appreciate additional notification.

Also note that the lands subject to the re-zoning are part of the benefiting area for the storm sewer on Tanner Drive. Our client constructed this storm sewer under a Front-ending agreement in 1996. The property being re-zoned is subject to that agreement and must drain to that sewer.

Yours very truly,

A handwritten signature in dark ink, followed by the number "2" written below it.

HOMES & BUILT ON SITES IN LOT 177

LINE AVENUE - 37 HOMES ON W/S LINE AVE

MERRITT ROAD - 15 HOMES ON S/S MERRITT RD- NOT COUNTING THOSE ON N/S

BROOKFIELD - 10 HOMES

STEFAR - 20 HOMES

MARYLEA - 6 HOMES

BACON LANE - 4 HOMES

SADDLER - 11 SEMIS WHICH EQUAL 22 UNITS
-- 4 SINGLE FAMILY DETACHED

TANNER & HOMESTEAD - 28 HOMES

QUAKER RD - 6 HOMES

SOUTH PELHAM ST - 29 HOMES

1 COMMERCIAL UNIT ON THE CORNER OF QUAKER & LINE

2 COMMERCIAL DEVELOPMENTS ON SOUTH PELHAM - 1 NOT ACTIVE (MAZDA)
SECOND ONE HAS TWO RETAIL OUTLETS AND TWO INSURANCE
BUSINESSES

LINE AVE ALREADY HAS MORE HOMES THAN SOUTH PELHAM

TOTAL BUILT ON SITES IN LOT 177 = 181 RESIDENTIAL AND 6 COMMERCIAL-
OR 187 LOTS

CHERIE A.K.D.

IMPACT OF INCREASED BUILDING

The original services were installed when zoning and use in lot 177 was agricultural and R1 residential (single density). Sewers, water mains and roads were put in place at that time.

Since then there has been a proposed amendment to the original zoning, a secondary plan and an amendment to the secondary plan and amendments to the amendment of the secondary plan which served to allow increased density residential dwellings to be built, as well as some commercial development.

This progress occurred in an apparent urban sprawl scenario rather than a well planned expansion as evidenced by the introduction of new road accesses opening up onto Line Avenue, severely increasing traffic flow (and, as a result, increased speed since there are no stop signs etc. on the entire length of the road, a road which has 8 more residential units on it than the same length of road at South Pelham Road, which is a road developed to today's standards). Increased housing equals increased population which results in, not only increased vehicular traffic, but also increased pedestrian traffic. Both have occurred without any attention being given to

This new proposal before us tonight will add 46+ residential units with one means of access and egress, that being the already substandard, overused and over abused Line Avenue. This "plan" shows absolutely no attention given to upgrading the existing services to accommodate the added stress that the new development will place upon it.

If the obvious things have not been addressed, how can anyone be assured that the underground infrastructure is adequate. Required services were installed according to zoning and anticipated requirements introduced in the original plan. If the road and pedestrian trails designed and installed at that time are obviously inadequate, how can anyone grant permission to increase demands on services without causing developers, who will reap financial rewards, to ensure that the existing services are at a standard to accept and endure the increased demands they will be adding.

We are not naive enough to believe that our concerns will stop the proposed development before us tonight, but, we urge you to ensure that proper planning, adequate conditions and proper safeguards are in place to protect the safety and comfort of those of us who have lived and paid taxes in this neighborhood for years. Address the issues brought to you tonight and make absolutely certain that new development will not impact negatively on the existing property owners in the vicinity.

THE CORPORATION OF THE TOWN OF PELHAM

IN THE MATTER OF SECTION 17 OF THE
PLANNING ACT, R.S.O. 1990, AS AMENDED

TOWN OF PELHAM OFFICIAL PLAN AMENDMENT NO. 38

PART OF LOT 177, PART 10, PLAN 59R-10621

AFFIDAVIT

I, JACK BERNARDI, DIRECTOR OF PLANNING SERVICES OF THE TOWN
OF PELHAM, IN THE REGIONAL MUNICIPALITY OF NIAGARA, MAKE OATH AND
SAY AS FOLLOWS:

- (1) I am the Director of Planning Services of the Corporation of the Town of Pelham
and as such I have knowledge of the matters herein set forth.
- (2) The following persons or public body made oral submissions at the public meeting
held on November 1, 2000:

Victor Muratori, Sullivan Mahoney, St. Catharines ON
Ken Speck, 1086 Line Avenue
John Durley, 1082 Line Avenue
Monica Doherty, 1084 Line Avenue
Mike Mihtu, 31 Montgomery Road, Welland
B. J. Wymenga, 558 Leonard Ave., Welland
Joe Picton, 33 Tanner Avenue
Betty Bond, 12 Saddler Street
Vivian Shaw, 39 Tanner Avenue
Tony Shaw, 39 Tanner Avenue

SWORN BEFORE ME AT THE)
TOWN OF PELHAM IN THE)
REGIONAL MUNICIPALITY OF NIAGARA)

PLANNING SERVICES REPORT

Appendix E-1

P-11/00

TO: Chair, Councillor Uwe Brand and Members of the General Committee,
Planning Services Division

DATE OF REPORT: March 8, 2000

DATE OF MEETING: March 13, 2000

FROM: J. Bernardi, Director of Planning Services

SUBJECT: TECHNICAL INFORMATION REPORT
Proposed Official Plan and Zoning By-law Amendment Application #AM-9/99
527786 Ontario Limited (Eric Henry) Lot 177, Part 10, Plan 59R-10621

RECOMMENDATION:

THAT the General Committee, Planning Services Division, receive Planning Services Report P-11/00 re Technical Information Report - Proposed Official Plan and Zoning By-law Amendment Application #AM-9/99 - 527786 Ontario Limited (Eric Henry) Lot 177, Part 10, Plan 59R-10621; and

THAT a public meeting be targeted for sometime in April or May, 2000.

Background:

The Town is in receipt of an application from Eric Henry (527786 Ontario Limited) to amend the Official Plan and Zoning By-Law.

Proposal:

The applicant proposes to amend the Official Plan to permit multi-family use and to rezone the subject lands from a Residential 1 R1 Zone to a Residential Multiple 1 RM1 Zone. The amendments will permit the development of a 46 unit townhouse condominium. The Official Plan amendment will have the effect of eliminating the Open Space designation from the subject lands and replacing it with an additional Multi Family designation. A reduced copy of a concept plan is attached.

Location:

The lands abutting the subject land are as follows:

- (a) North - residential
- (b) South - residential
- (c) East - residential
- (d) West - commercial

PLANNING REVIEW

Provincial Policy Statement:

Efficient, Cost-effective Development and Land Uses Patterns.

Subject to the provisions of policy 1.1.2, cost-effective development patterns will be promoted, in part, as follows:

- 1.1.1 a) Urban areas and rural settlement areas (cities, towns, villages and hamlets) will be the forms of growth;
- 1.1.2 Land requirements and land use patterns will be based on:
 - a) the provision of sufficient land for industrial, commercial, residential, recreational, open space and institutional uses to promote employment opportunities, and for an appropriate range and mix of housing, to accommodate growth projected for a time horizon of up to 20 years.
 - b) densities which:
 - 1. efficiently use land, resources, infrastructure and public service facilities;
 - 2. avoid the need for unnecessary and/or uneconomical expansion of infrastructure;
 - 3. support the use of public transit, in areas where it exists or is to be developed;
 - 4. are appropriate to the type of sewage and water systems which are planned or available; and
 - 5. take into account the applicable policies of Section 2: Resources, and Section 3: Public Health and Safety;
 - c) the provision of a range of uses in areas which have existing or planned infrastructure to accommodate them;

- a) maintaining at all times at least a 10-year supply of land designated and available for new residential development and residential intensification;
- b) maintaining at all times, where new development is to occur, at least a 3-year supply of residential units with servicing capacity in draft approved or registered plans;
- c) encouraging housing forms and densities designed to be affordable to moderate and lower income households;
- d) encouraging all forms of residential intensification in parts of built-up areas that have sufficient existing or planned infrastructure to create a potential supply of new housing units available from residential intensification; and
- e) establishing cost-effective development standards for new residential development and redevelopment to reduce the cost of housing.

Regional Niagara Policy Plan:

The relevant residential objectives and policies applying to this proposal are as follows:

- Objective 5.11 To contribute to the overall goal of providing a sufficient supply of housing which is affordable, accessible, adequate and suited to the needs of the full range of types of households and income groups in Niagara.
- Objective 5.13 To maximize the use of existing community and servicing resources in established communities for a variety of new residential units.
- Policy 5.4 Individual urban development proposals within urban areas will be dependent on the availability of adequate municipal water, sewer, stormwater and road services to meet the anticipated increased requirements resulting from the development. Individual development projects without the full range of urban services will only be permitted in special cases and under special circumstances where the lack of complete services will not be a detriment to the environment, the private development, the municipality or to the efficient use of land.
- Policy 5.5 The primary responsibility for regulating the types, locations and densities of land uses within the defined urban areas rests with the local municipalities through their official plans and zoning regulations. Each

P-11/00

Associated institutional uses such as schools, churches and parks.

On October 16, 1989, Council adopted Official Plan Amendment No. 17 which introduced new policies and a Secondary Plan to the Official Plan for the Lot 177 area to appropriately regulate and guide development. One of the intents of the residential policies is to provide for a range of affordable housing, a mix of dwelling unit types and lot sizes within Lot 177. This mix of type and range of lot size will provide the opportunity for a range of affordable residential accommodation. The development medium density housing will be generally guided by the land use pattern shown on the attached Schedule "D".

Town of Pelham Zoning By-law No. 1136 (1987):

The subject lands are zoned Residential 1 R1 Zone in accordance with Zoning By-law No. 1136 (1987), as amended. The 'Residential 1 R1 Zone permits the following:

13.1 PERMITTED USES

- (a) One single detached dwelling
- (b) Uses, buildings and structures accessory to the foregoing uses
- (c) Home occupations

13.2 ZONE REQUIREMENTS

- (a) Minimum Lot Area 700 m²
- (b) Minimum Lot Frontage 19 m
20 m on corner lot
- (c) Maximum Lot Coverage 30 percent
- (d) Minimum Front Yard 7.7
- (e) Minimum Interior Side Yard 1.8 m on one side and 3 m on the other side where there is no carport or garage attached, or 1.8 m on both sides where a carport or garage is attached.
- (f) Minimum Exterior Side Yard 5 m from the side lot line or 15 m from the centre line of the road whichever is the greater
- (g) Minimum Rear Yard 7.5 m
- (h) Maximum Height for a Dwelling 10.5 m
- (i) Minimum Ground Floor Area for a Dwelling:

115.5 m²

P-11/00

Conclusion:

The proposed Official Plan and Zoning By-Law amendments would permit the development of a 46 unit townhouse condominium.

A public meeting is being targeted for sometime in April or May 2000.


This report is for information only and serves to make the Committee aware of its submission and to advise of a future public meeting date. A recommendation report will be prepared and presented to this Committee for their consideration at a future meeting. It is not intended to discuss or debate the merits of this proposal at tonight's meeting as such discussion must occur during a public meeting.

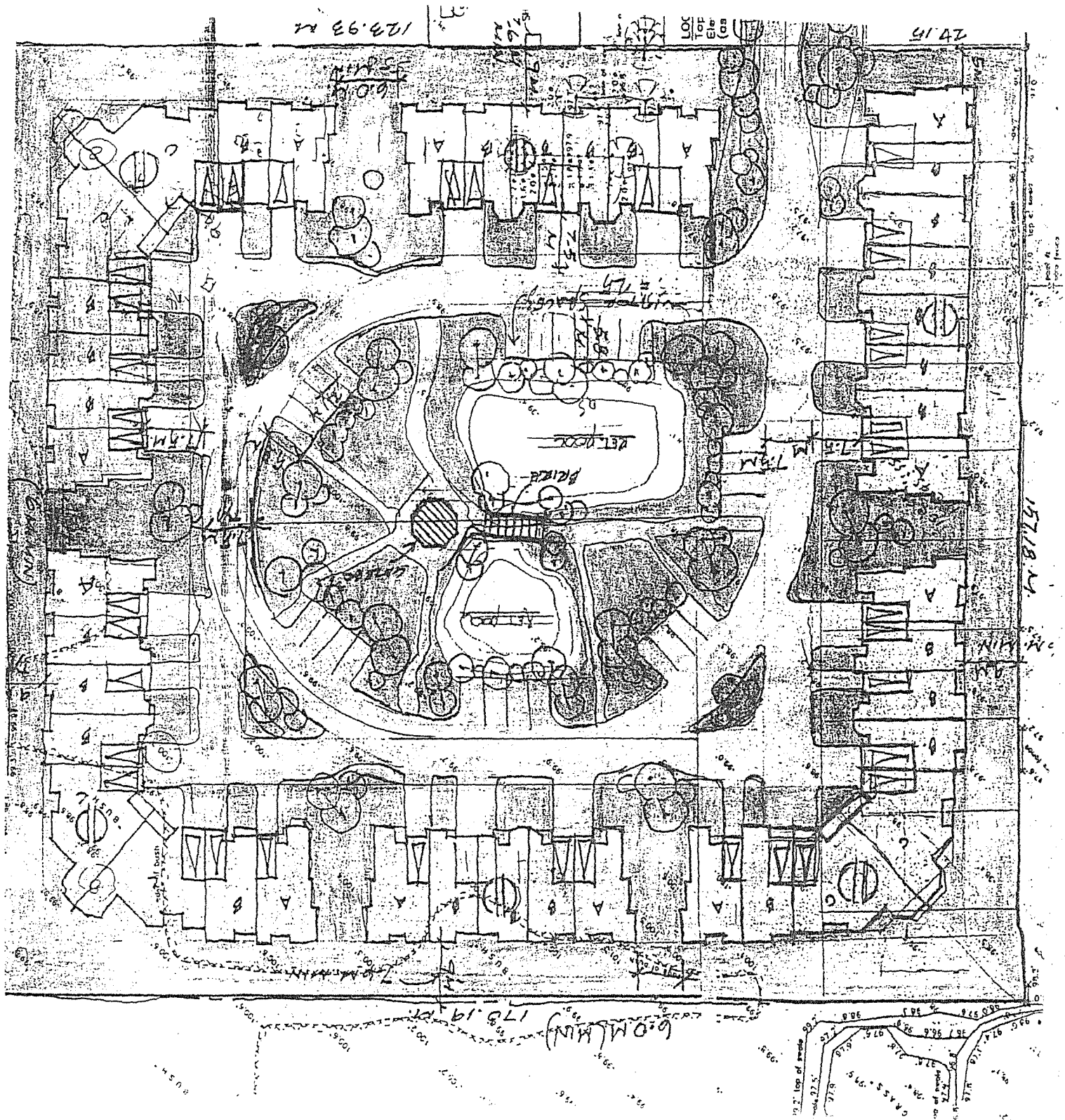
Prepared by,

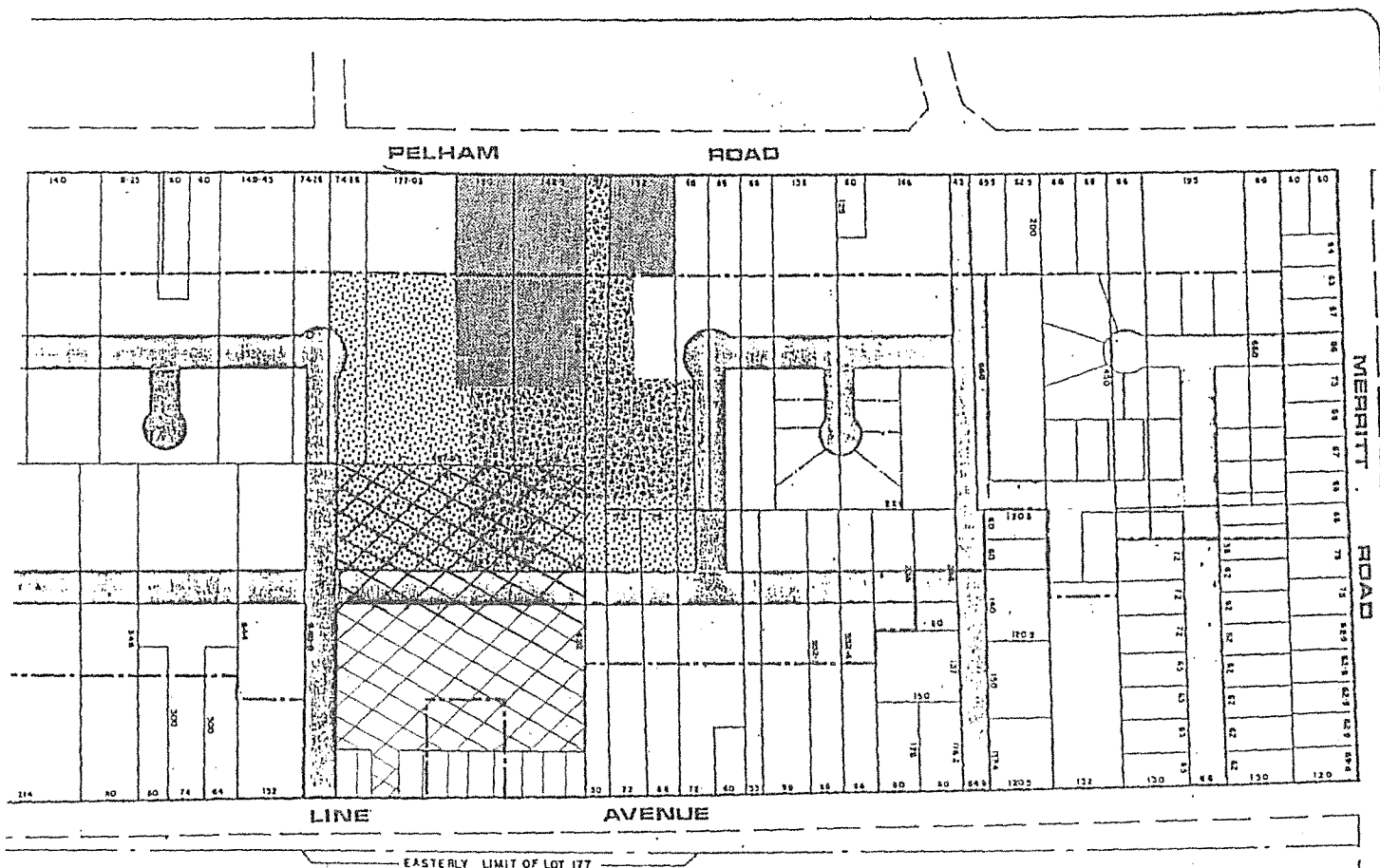

Jack Bernardi
Director of Planning Services

/JB
Encl.

Reviewed by,


Gord Cherney
C.A.O.





RY PLAN

O OFFICIAL PLAN
NO. 17
HAM OFFICIAL PLAN

- SINGLE FAMILY & SEMI-DETACHED
- MULTI FAMILY
- COMMERCIAL
- OPEN SPACE
- DEVELOPMENT AREA
- SUBJECT PROPERTY

SCALE 1" = 100'
MILWAUKEE

PLANNING REPORT

P-12/01

TO: Chair, Councillor Brian Walker and Members of the
General Committee, Planning Services Division

DATE OF REPORT: February 19, 2001

DATE OF MEETING: February 26, 2001

FROM: G. Barker, BLS Planning Associates

SUBJECT: Recommendation Report
Proposed Zoning By-law and Official Plan Amendment
Application AM-9/99
527786 Ontario Limited, Part of Lot 10,
Registered Plan 59R-10621

1 RECOMMENDATION

- a) THAT General Committee, Planning Services Division, receive Planning Report P-12/01 regarding Zoning By-law Amendment and Official Plan Amendment Application AM-9/99- 527786 Ontario Limited, Part of Lot 10, Registered Plan 59R 10621.
- b) THAT Official Plan Amendment Application AM-9/99 be approved which would redesignate the subject lands to a "Multiple Residential" designation.
- c) THAT staff be directed to prepare the necessary adopting by-law for consideration by Council.
- d) THAT Zoning By-Law Amendment Application AM-9/99 be approved in principle and staff report back on specific Zoning By-law requirements once additional information is provided by the applicant.

Planning Services Division of General Committee on March 13, 2000. The report provided technical information relative to amendment application AM-9/99. A copy of said report is appended hereto. The subject application proposes:

- To amend the Official Plan by redesignating the subject site from Open Space and Single Family Residential to Multiple Residential; and
- Rezone the subject lands from a "Residential 1 (R1) Zone to a "Residential Multiple 1 (RM1) Zone.

On November 1, 2000 a public meeting was convened to present the subject application and obtain input from area residents as well as committee members.

As the subject proposal appeared to be influencing additional changes to the Land Use Plan for the secondary planning area Planning Report P-09/01 was presented to the Planning Services Division of General Committee on February 12, 2001. The purpose of the Report was to obtain direction to assist in the review of the subject development application respecting secondary plan issues associated with the north-south connector roadway and the provision of a neighbourhood park.

3 SITE DESCRIPTION

3.1 Site

The subject lands consist of Part of Lot 10, Registered Plan 59R-10621, Township of Pelham, formerly in the County of Welland, now in the Town of Pelham, Regional Municipality of Niagara. The subject 2.66 ha (6.57 ac) parcel of land is located within the Urban Area Boundary of Pelham. The subject lands are relatively flat with no significant vegetation.

3.2 Surrounding Land Use

Existing single detached and semi detached residential development is located to the north and the south of the subject lands. To the east is Line Avenue and single detached

4 PROVINCIAL POLICY STATEMENT

The proposed development, comprising 46 townhouse units, is located within the existing Urban Area Boundary of Fonthill. The subject site being located within Lot 177 has the necessary infrastructure to accommodate the proposal. The subject development provides an alternative form of housing and will diversify the available housing stock. The Fonthill area consists mainly of single detached dwellings and the subject proposal will address a need for alternative forms of housing, in this case for the increasing aging population.

The subject application has been reviewed having regard to the Provincial Policy Statement particularly, Policy 1.1.1, 1.1.2 and 1.2.1 and has been found to be in compliance with these policies. Pages 2 and 3 of the Technical Information Report P-11/00 details the referenced policies.

5 REGIONAL POLICY PLAN

The Regional Policy Plan designates the subject lands "Urban Area". The "Urban Area" designation permits a wide range of residential, commercial and industrial uses. The proposed multiple family residential development is a permitted use within the Urban Area of the Regional Policy Plan.

The Regional Policy Plan contains residential objectives which should be met by the proposed residential development. These objectives require residential development:

- 5.11 *To contribute to the overall goal of providing a sufficient supply of housing which is affordable, accessible, adequate and suited to the needs of the full range of types of households and income groups in Niagara.*
- 5.12 *To ensure that the sites for a minimum of twenty five percent of all potential new housing units are suitable for affordable housing, in accordance with the Provincial Policy Statement on Land Use Planning for Housing.*

The proposed 46 townhouse unit development is located within the Urban Area Boundary of Fonthill thus being able to utilize existing infrastructure. The development will also provide an alternative form of housing, specific to the needs of the increasing aging population.

Proposed multiple-family housing must be reviewed in accordance with the criteria specified in Policy 5.5 which states, in part:

The primary responsibility for regulating the types, locations and densities of land uses within the defined urban areas rests with the local municipalities, through their official plans and zoning regulations. Each municipality is expected to prepare these plans with supporting information to regulate the development within their urban areas.

The Lot 177 Secondary Plan addresses this Policy as it establishes the amount and distribution of low and medium density residential uses and commercial uses, transportation needs and park and open space requirements.

The proposed residential development meets the intent of the Regional Policy Plan.

6 OFFICIAL PLAN

The Town of Pelham designates the subject site "Urban Residential" as amended by Official Plan Amendment No.17 (Secondary Plan for Lot 177). The "Urban Residential" designation permits single family and multiple family residences, various kinds of apartments and institutional uses.

The policies of the Secondary Plan, in addition to the Residential Policies of the Town's Official Plan are used to guide in the assessment of this application. Policy 1.19.2 sets out criteria to evaluate applications for multiple family residential uses as follows:

Council shall consider the following factors when reviewing and considering an application for multiple-family residential or apartment development:

- *the exterior design and layout of buildings and the integration of these uses with present and future land uses in the area;*
- *off-site impacts such as shadow and overlook;*
- *adequacy of available municipal services;*
- *total extent of the site;*
- *provision of on-site amenities;*
- *impact of traffic and parking on adjacent single-family areas and the street network;*
- *adequacy of landscaping and buffering provisions; and*
- *adequacy of schools, parks and neighbourhood commercial facilities.*

The above criteria will be examined within the analysis section of this report.

6.1 Secondary Plan Lot 177

On October 16, 1989, Official Plan Amendment No.17 was adopted which incorporated Secondary Plan policies and a Land Use Plan for Lot 177 into the Town's Official Plan. Since adoption, the Secondary Plan has been used to guide in the review of development applications. The Secondary Plan designates the subject lands as "Multiple Residential", "Single Family Residential" and "Open Space". Schedule 'D' illustrates the approved Land Use Plan for Lot 177 and the applicants lands. The amendment application proposes to eliminate the "Open Space" and "Single Family" designations and replace them with a "Multiple Family" designation.

In the February 7, 2001 report, potential Secondary Plan modifications were explored to assist in the review of this amendment application. Concept 3 was the preferred alternative design option and is to be utilized as a working plan to guide future amendments to the Lot 177 Secondary Plan. Schedule 1 illustrates Preferred Concept 3.

housing demand and long range housing needs. Recognizing the need to increase housing types, the following residential mix should be achieved:

<i>Low Density (up to 12 u.p.a.)</i>	<i>80% Single Family and Two Family Units</i>
<i>Medium Density (up to 26 u.p.a)</i>	<i>20% Multiple Family Attached & Low Rise Apartments</i>

The proposed development does not affect the targeted housing mix for Lot 177.

The subject lands will provide an alternative form of housing for those being 55+ years of age. The development will provide housing variety to the Fonthill area, which in accordance with market trends in the past, have mainly consisted of single detached dwelling units. Thus, the development meets Policy 1.3, 1.4 and 1.7 of the Secondary Plan which states:

- 1.3 The Town shall endeavour to ensure that this mix of dwelling unit types, including lot size and tenure will enable at least 25% of all new residential development to be affordable, as defined in the Provincial Policy Statement on Land Use Planning for Housing.*
- 1.4 Development proposals providing for a range of affordable housing in the form of a mix of dwelling types, lot sizes and tenure, in accordance with the Provincial Policy, shall be given priority within Lot 177. Lot sizes and dwelling types, sizes and tenure will be based not only on historic household growth for the Town but also the unmet housing needs of the existing households, based on the Municipal Housing Statement.*
- 1.7 Housing types will be located within Lot 177 in such a manner as to enhance the physical and living environments of the neighbourhood. This will especially be the case for apartments and multiple attached housing so as to increase their desirability and viability as alternative forms of accommodation to the single family detached house.*

development plans to provide residents with a 0.55 hectare (1.3 acre) park located in the centre of the proposed development. Therefore, the development meets the intent of Policy 1.9 and 1.10 of the Secondary Plan which states:

1.9 To maximize accessibility for the largest number of people, medium density housing will be located next to or directly accessible to commercial areas and community facilities such as major parks and open space areas.

1.10 In order to minimize the impact of medium density living on the residents of the neighbourhood, medium density developments will be located adjacent to or directly accessible to parks and open space areas.

The Town's Official Plan recognizes the need for diversification of its residential housing stock including providing a range of multiple dwelling units. The proposed development will assist in providing an alternative form of development within the Fonthill area and provides the residents of this development with convenient access to commercial and open space facilities.

7 ZONING

The lands are presently zoned "Residential 1 (R1) Zone" which permits single detached dwelling units. The subject development proposes the construction of 46 townhouse units and will require an amendment from the "Residential 1 (R1) Zone" to the "Residential Multiple 1 (RM1) Zone". The "Multiple Residential 1 (RM1) Zone" will permit the proposed 46 townhouse units. Although the applicant has applied for a RM1 Zone it is noted from review of the preliminary site plan that three zone deficiencies exist:

- A minimum lot frontage of 20 metres is provided, whereas 30 metres is required;
- A minimum side setback of 6.0 metres between building faces (any side of any townhouse to any side of another townhouse) is provided, whereas 9.0 metres is required; and

The preliminary site plan indicates that the setback between townhouse blocks ranges from a 6.0 metre minimum to 9.0 metre maximum. The application has not specified the rationale for the reduction in this requirement. This is also the case for the side yard reduction next to an internal street.

It should also be noted at this time that the "Multiple Residential 1 (RM1) Zone" will require a 1.5 metre planting strip around the perimeter of the subject lands. A planting strip is defined in the Town's Zoning By-law as:

" a portion of the landscaped area located immediately adjacent to a lot line or portion thereof and on which is situated one or more of the following screening devices:

- (i) a continuous row of trees;*
- (ii) a continuous hedgerow of evergreens or shrubs;*
- (iii) a berm;*
- (iv) a wall; or*
- (v) a opaque fence."*

The provided site plan illustrates some trees planted in the rear yard of the townhouse units however no planting strips have been indicated. The subject lands have adequate space to provide the required planting strip along the perimeter of the property. Therefore, the issue of a planting strip can be adequately addressed at the time of site plan and condominium review.

8 PLANNING ANALYSIS

As previously noted, the Town's Official Plan establishes criteria for reviewing applications for multiple-family residential developments. These criteria and the concerns raised at the Public Meeting are examined below.

8.1 Transportation

Access to the subject site is to be provided via an internal road from Line Avenue. The preliminary site plan illustrates the Line Avenue entranceway as having a 3.9 metre wide driveway with a 2.0 metre landscaped median strip in between. The

Increased traffic as a result of the proposed development was a concern and the Transportation Study provided by the applicant addresses the issue of increased traffic. This study indicated that the traffic generated from this site would not greatly increase traffic along Line Avenue. The study also indicated that trip movements by empty nesters are less than those in single family dwellings.

The Transportation Study concluded that:

- "Empty nesters" generate 24% fewer trips on a daily basis and the traffic generated can easily be accommodated by a single access.
- To improve sight lines it was recommended that the elevation of the driveway surface be higher than the current elevation of Line Avenue to ensure sufficient sight distance.
- Stop control be implemented at the access to the site.
- Sidewalks be constructed during the reconstruction of Line Avenue to decrease the pedestrian vehicular conflicts that currently exist.
- The proposed design meets parking requirement specified in the Town's Zoning By-law.
- No emergency access is required since the entranceway is divided by a median providing two separate access ways if one is blocked. The minimum width of the paved portion of the site access and exit be 6.0 metres respectively.

It is noted that Concept 3 (Schedule 1 attached), with an additional street connection on Pelham Street which is an arterial roadway, will assist in redirecting neighbourhood traffic away from Line Avenue.

8.1.1 Sidewalks

Sidewalks are proposed along both the north and the south side of the internal roadway. In addition, decorative paths or walkways will be provided within the central park.

8.1.2 Fire Access

The Transportation Study provided by the applicant indicated that a secondary fire access was not needed for the proposed development since the entranceway has a divided driveway (ingress and egress) separated by a median. The paved portions of the driveway being 6 metres wide respectively.

8.1.3 Parking

The Town's By-law requires a minimum of 69 parking spaces for the residents of the development (1.5 parking spaces per dwelling unit). The preliminary site plan shows a total of 122 parking spaces including private garages and visitor parking, which could adequately accommodate the parking needs for the proposed development. It is noted that the provision of 122 parking spaces equates to a standard of almost 2.7 parking spaces per unit.

8.2 Municipal Services

8.2.1 Stormwater Management

Stormwater management should focus on water quality and quantity as required by the Provincial Policy Statement. Section 2.4.1, states:

"The quality and quantity of ground water and surface water and the function of sensitive ground water recharge/discharge areas, aquifers and headwaters will be protected or enhanced."

The proposed stormwater management detention pond is located within the central park area of the proposed townhouse development. The Stormwater Management Facility will be required to employ current MOE Guidelines, *Stormwater Management Practices, Planning and Design Manual*, MOEE 1994, and *Controlling Urban Runoff, a Practice Manual for Planning and Design Urban Best Management Practices*.

The issue regarding overland drainage from the site being discharged into the Line Avenue road side ditch system which ultimately flows into Welland, was raised by the

- Line Avenue is an interim point of discharge for storm water. Once the Tanner Drive trunk system is extended northerly the Stormwater Management System will be connected to the Tanner Trunk.

8.2.2 Water and Sanitary Sewer Supply

The proposed development can be adequately serviced with municipal water and sewers.

8.3 Institutional/Recreational Uses.

Both public and catholic elementary schools are located within the general vicinity of the subject site. It has been indicated by the school boards that adequate capacity is still available within the school systems in the area. It should be noted however that the proposed development is geared towards adult lifestyle type living. Thus, eliminating the demand on schooling facilities.

Various church facilities are located within the area and could adequately accommodate the needs of the proposed site.

The Town's Official Plan Section 3.5 states:

"Local parks or tot lots should be within convenient walking distances of the area to be served."

The proposed neighbourhood park as illustrated on Schedule '1' is 0.74 hectares (1.82 acres) in size, and is centrally located. This park is within acceptable walking distance from the proposed site. In addition, an open space linear system located to the north of the subject site, is proposed which will link with the proposed neighbourhood park. This linkage system is approximately 15 metres (50 feet) wide and 0.26 hectares (0.65 acres) in area.

To assist in achieving a neighbourhood park it will be a condition of approval that the applicant dedicate an approximate 0.133 hectares (0.33 acres) of land to the Town for park purposes. The location of the proposed park is shown on the map.

8.3.1 On-Site Recreational Facilities

A central park area of 0.55 hectares (1.3 acres) is located in the centre of the proposed townhouse site. The proposed park will function as both a stormwater management facility and a recreational area for the residents of the development. The design of the park, as indicated on the plan includes tennis courts, gazebos, walking paths, a fountain, a detention pond with a bridge, and park benches.

The subject site is adequately served by various institutional and recreation facilities on or within the general vicinity of the subject site.

8.4 Design

The proposed development consists of 46 townhouse units, which will not exceed 1.5 stories in height. The units are 1 and 2 bedroom units with the master bedroom on the main level to accommodate the targeted market residents. The project has been designed to ensure that the maximum number of units in each block does not exceed eight.

The implementing zoning by-law will provide a density limitation for the subject lands at 46 units.

8.4.1 Density

Issues were raised regarding the intensity of the design. The proposed condominium complex will have a relatively low density when compared to other multiple residential developments. Further, the Lot 177 Secondary Plan establishes density targets for medium density developments at 12 to 26 units per acre. The proposed development has a density of 7 units per acre which is below the minimum density range specified in the Secondary Plan.

The proposed density is below the density targets of the Secondary Plan, at the lowest end of the Official Plan density target for medium density housing (7 to 14 units per acre), and below the 14 units per acre maximum density requirement of

8.4.2 Alternative Housing

The proposed 46 unit townhouse development will cater to the "empty-nester". Mr. Muratori in his letter dated December 20, 2000 indicates the developments' typical market profile.

" The typical market profile is as follows:

- a couple whose children have grown and have left home and now desire to downsize;*
- individuals who want the freedom to travel and/or spend substantial periods of time away from their principal residence and no longer wish to have the responsibility of caring for yards, flower beds, snow removal, etc.;*
- individuals who are more concerned with allocating available resources to recreational pursuits in their retirement years rather than the cost of maintaining large single family residences;*
- individuals who want a one storey residential setting for their coming years when stairs might be difficult but who wish to have a facility (i.e. a loft area) to accommodate their visiting children and/or grandchildren;*
- individuals who seek the security (particularly during extended periods of absence) that is to be found in a multiple residential setting as opposed to the single family detached housing form."*

The proposed development has been designed to accommodate the type of individuals described by Mr. Muratori.

8.4.3 Landscaping

The subsequent site plan and condominium process will detail landscaping treatments.

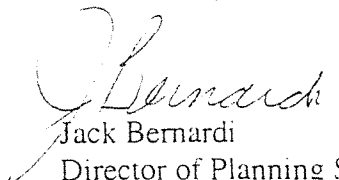
8.4.4 Off-site Impacts

No off-site impacts such as shadowing or overlook on surrounding residential uses are anticipated, as the required 7.5 metre (25 foot) rear yard setback coupled with landscaping treatments should adequately address these issues.


9 CONCLUSION

The proposed development provides an alternative form of housing for an increasing aging population. The applicant⁰⁴ and development meets the intent of the Provincial Policy Statement, Regional Policy Plan and the Pelham Official Plan. The proposal maintains the general purpose and intent of the Lot 177 Secondary Plan and no land use incompatibilities are anticipated.

Reviewed by.


Jack Bernardi
Director of Planning Services

Submitted by.

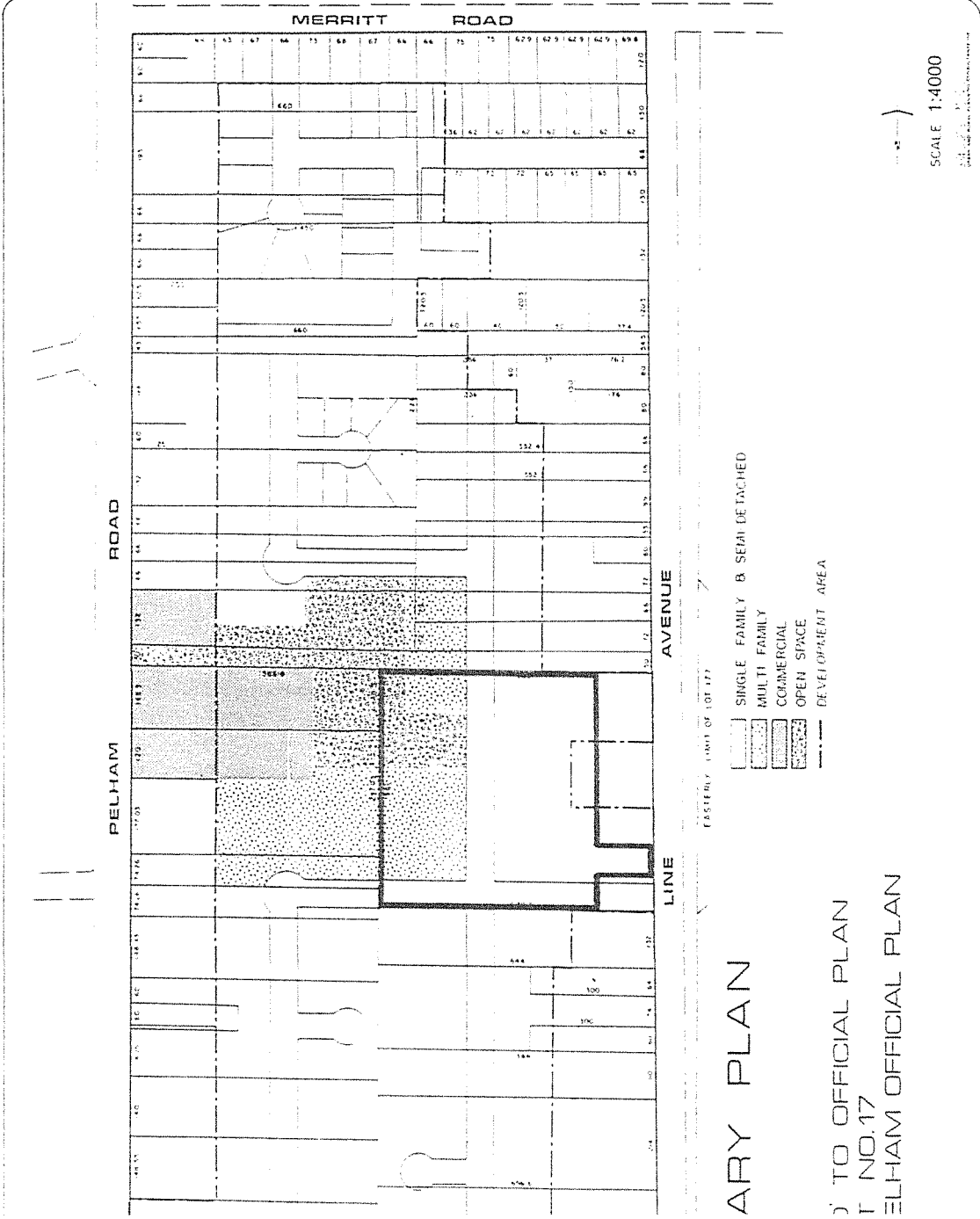

Gordon Cherney
C.A.O.

Prepared by.

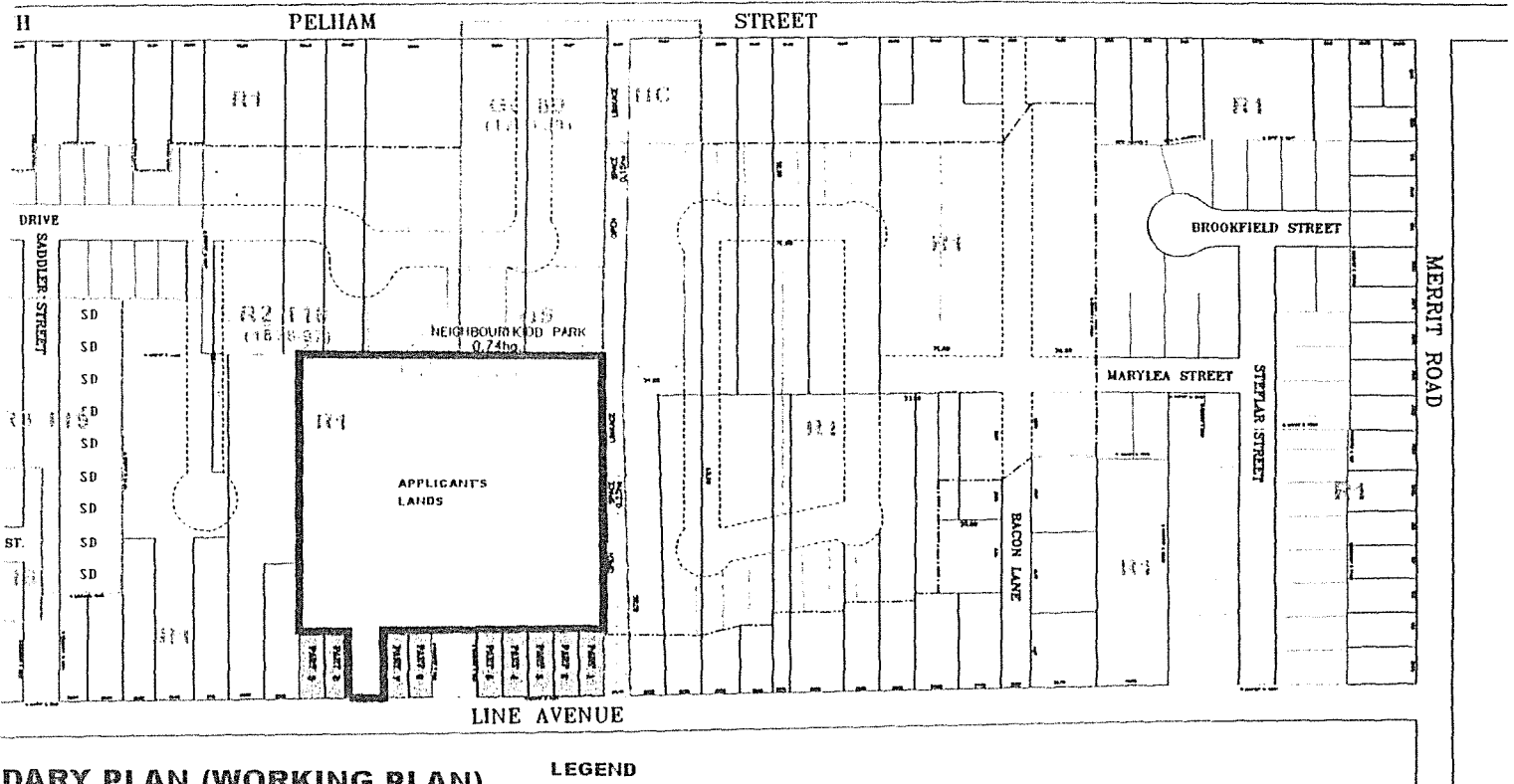
BLS PLANNING ASSOCIATES


Kira Perry
Planner

SCHEDULE D



SCHEDULE 1



DARY PLAN (WORKING PLAN)

PT 3

7

F PELHAM

LEGEND




- OPEN SPACE
- INTERIOR BLOCK DEVELOPMENT AREA
- PROPOSED LOTTING

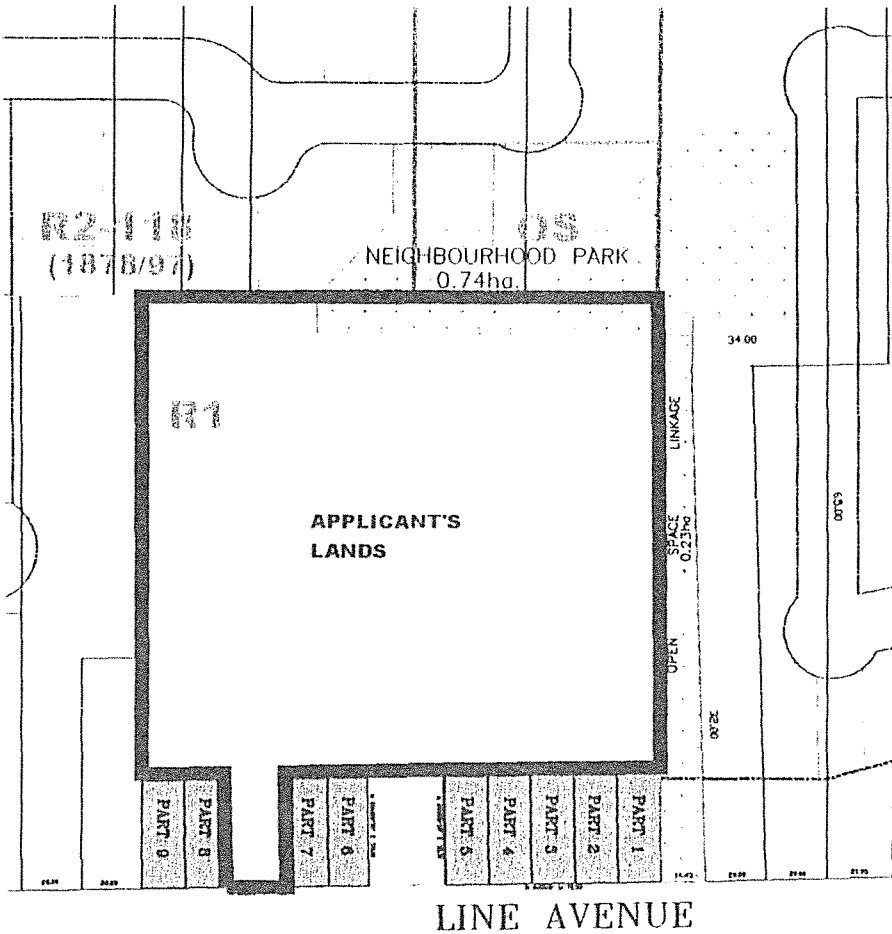
SCALE

JANUARY 30, 2001

SCHEDULE 2

LEGEND

-  OPEN SPACE
-  INTERIOR BLOCK DEVELOPMENT AREA
-  PROPOSED LOTTING



**SECONDARY PLAN (WORKING PLAN)
CONCEPT 3
LOT 177
TOWN OF PELHAM**



FEBRUARY 10, 2001

0 20 40

SCALE

PLANNING SERVICES REPORT

P-11/00

TO: Chair, Councillor Uwe Brand and Members of the General Committee,
Planning Services Division

DATE OF REPORT: March 8, 2000

DATE OF MEETING: March 13, 2000

FROM: J. Bernardi, Director of Planning Services

SUBJECT: TECHNICAL INFORMATION REPORT
Proposed Official Plan and Zoning By-law Amendment Application #AM-9/99
527786 Ontario Limited (Eric Henry) Lot 177, Part 10, Plan 59R-10621

RECOMMENDATION:

THAT the General Committee, Planning Services Division, receive Planning Services Report P-11/00 re Technical Information Report - Proposed Official Plan and Zoning By-law Amendment Application #AM-9/99 - 527786 Ontario Limited (Eric Henry) Lot 177, Part 10, Plan 59R-10621; and

THAT a public meeting be targeted for sometime in April or May, 2000.

Background:

The Town is in receipt of an application from Eric Henry (527786 Ontario Limited) to amend the Official Plan and Zoning By-Law.

Proposal:

The applicant proposes to amend the Official Plan to permit multi-family use and to rezone the subject lands from a Residential 1 R1 Zone to a Residential Multiple 1 RM1 Zone. The amendments will permit the development of a 46 unit townhouse condominium. The Official Plan amendment will have the effect of eliminating the Open Space designation from the subject lands and replacing it with an additional Multi Family designation. A reduced copy of a concept plan is attached.

Location:

The lands abutting the subject land are as follows:

- (a) North - residential
- (b) South - residential
- (c) East - residential
- (d) West - commercial

PLANNING REVIEW

Provincial Policy Statement:

Efficient, Cost-effective Development and Land Uses Patterns.

Subject to the provisions of policy 1.1.2, cost-effective development patterns will be promoted, in part, as follows:

- 1.1.1 a) Urban areas and rural settlement areas (cities, towns, villages and hamlets) will be the forms of growth;
- 1.1.2 Land requirements and land use patterns will be based on:
 - a) the provision of sufficient land for industrial, commercial, residential, recreational, open space and institutional uses to promote employment opportunities, and for an appropriate range and mix of housing, to accommodate growth projected for a time horizon of up to 20 years.
 - b) densities which:
 - 1. efficiently use land, resources, infrastructure and public service facilities;
 - 2. avoid the need for unnecessary and/or uneconomical expansion of infrastructure;
 - 3. support the use of public transit, in areas where it exists or is to be developed;
 - 4. are appropriate to the type of sewage and water systems which are planned or available; and
 - 5. take into account the applicable policies of Section 2: Resources, and Section 3: Public Health and Safety;
 - c) the provision of a range of uses in areas which have existing or planned infrastructure to accommodate them:

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- a) maintaining at all times at least a 10-year supply of land designated and available for new residential development and residential intensification;
- b) maintaining at all times, where new development is to occur, at least a 3-year supply of residential units with servicing capacity in draft approved or registered plans;
- c) encouraging housing forms and densities designed to be affordable to moderate and lower income households;
- d) encouraging all forms of residential intensification in parts of built-up areas that have sufficient existing or planned infrastructure to create a potential supply of new housing units available from residential intensification; and
- e) establishing cost-effective development standards for new residential development and redevelopment to reduce the cost of housing.

Regional Niagara Policy Plan:

The relevant residential objectives and policies applying to this proposal are as follows:

- Objective 5.11 To contribute to the overall goal of providing a sufficient supply of housing which is affordable, accessible, adequate and suited to the needs of the full range of types of households and income groups in Niagara.
- Objective 5.13 To maximize the use of existing community and servicing resources in established communities for a variety of new residential units.
- Policy 5.4 Individual urban development proposals within urban areas will be dependent on the availability of adequate municipal water, sewer, stormwater and road services to meet the anticipated increased requirements resulting from the development. Individual development projects without the full range of urban services will only be permitted in special cases and under special circumstances where the lack of complete services will not be a detriment to the environment, the private development, the municipality or to the efficient use of land.
- Policy 5.5 The primary responsibility for regulating the types, locations and densities of land uses within the defined urban areas rests with the local municipalities through their official plans and zoning regulations. Each

Associated institutional uses such as schools, churches and parks.

On October 16, 1989, Council adopted Official Plan Amendment No. 17 which introduced new policies and a Secondary Plan to the Official Plan for the Lot 177 area to appropriately regulate and guide development. One of the intents of the residential policies is to provide for a range of affordable housing, a mix of dwelling unit types and lot sizes within Lot 177. This mix of type and range of lot size will provide the opportunity for a range of affordable residential accommodation. The development medium density housing will be generally guided by the land use pattern shown on the attached Schedule "D".

Town of Pelham Zoning By-law No. 1136 (1987):

The subject lands are zoned Residential 1 R1 Zone in accordance with Zoning By-law No. 1136 (1987), as amended. The 'Residential 1 R1 Zone permits the following:

13.1 PERMITTED USES

- (a) One single detached dwelling
- (b) Uses, buildings and structures accessory to the foregoing uses
- (c) Home occupations

13.2 ZONE REQUIREMENTS

- (a) Minimum Lot Area 700 m²
- (b) Minimum Lot Frontage 19 m
20 m on corner lot
- (c) Maximum Lot Coverage 30 percent
- (d) Minimum Front Yard 7.7
- (e) Minimum Interior Side Yard 1.8 m on one side and 3 m on the other
side where there is no carport or garage
attached, or 1.8 m on both sides where
a carport or garage is attached.
- (f) Minimum Exterior Side Yard 5 m from the side lot line or 15 m from
the centre line of the road whichever is
the greater
- (g) Minimum Rear Yard 7.5 m
- (h) Maximum Height for a Dwelling 10.5 m
- (i) Minimum Ground Floor Area
for a Dwelling:
 - i) one storey 115.5 m²

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Conclusion:

The proposed Official Plan and Zoning By-Law amendments would permit the development of a 46 unit townhouse condominium.

A public meeting is being targeted for sometime in April or May 2000.


This report is for information only and serves to make the Committee aware of its submission and to advise of a future public meeting date. A recommendation report will be prepared and presented to this Committee for their consideration at a future meeting. It is not intended to discuss or debate the merits of this proposal at tonight's meeting as such discussion must occur during a public meeting.

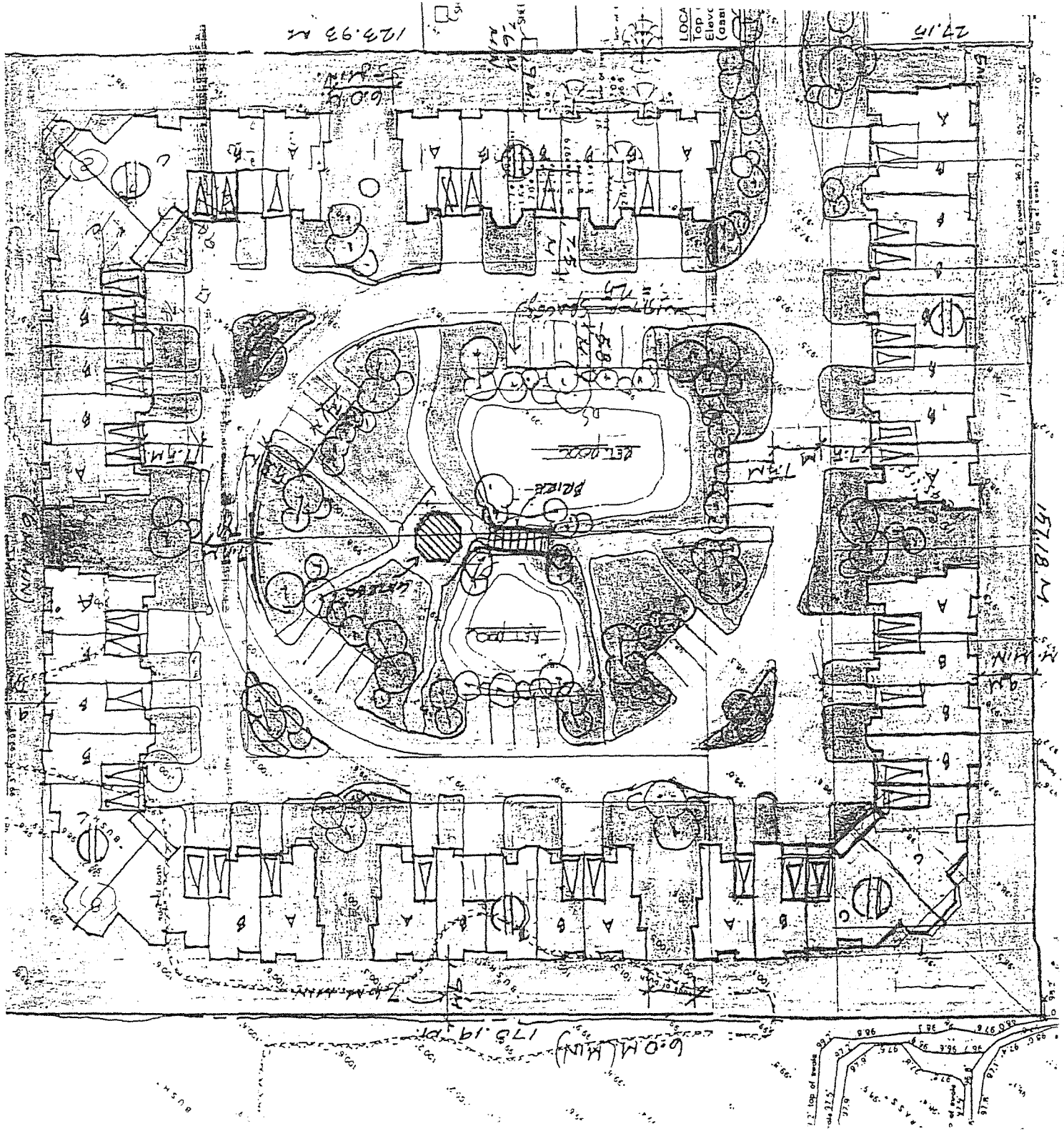
Prepared by,


Jack Bernardi
Director of Planning Services

/JB
Encl.

Reviewed by,


Gord Cherney
C.A.O.



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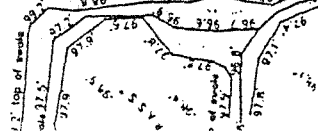
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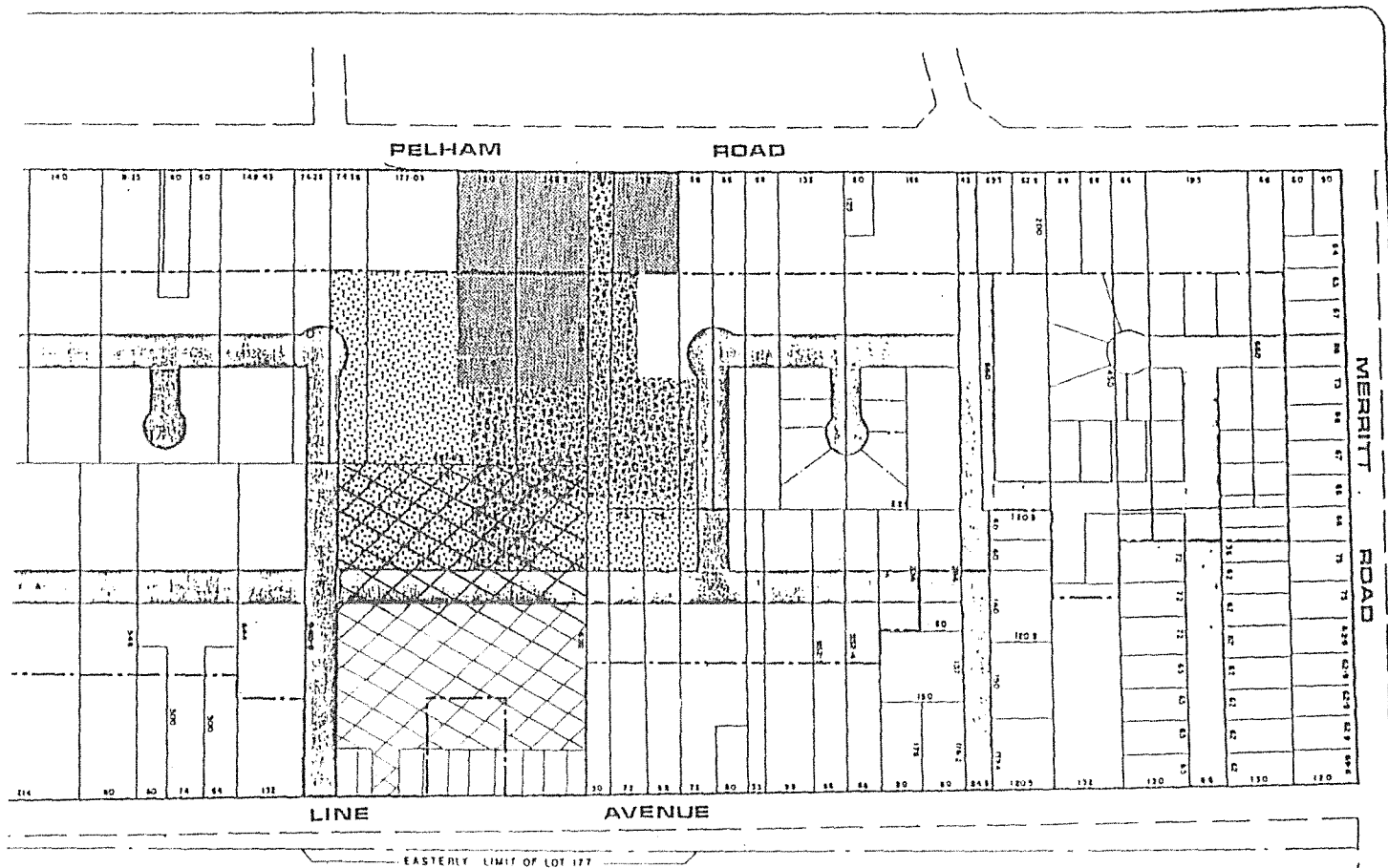
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- SINGLE FAMILY & SEMI-DETACHED
- MULTI FAMILY
- COMMERCIAL
- OPEN SPACE
- DEVELOPMENT AREA
- SUBJECT PROPERTY

SCALE 1"=100'
 NORTH ARROW

THE CORPORATION OF THE TOWN OF PELHAM

IN THE MATTER OF SECTION 17 OF THE
PLANNING ACT, R.S.O. 1990, AS AMENDED

TOWN OF PELHAM OFFICIAL PLAN AMENDMENT NO. 38

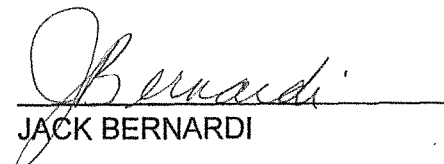
PART OF LOT 177, PART 10, PLAN 59R-10621

AFFIDAVIT

I, **JACK BERNARDI**, DIRECTOR OF PLANNING SERVICES OF THE
TOWN OF PELHAM, IN THE REGIONAL MUNICIPALITY OF NIAGARA, MAKE
OATH AND SAY AS FOLLOWS:

- (1) I am the Director of Planning Services of the Corporation of the Town of Pelham and as such I have knowledge of the matters herein set forth.
- (2) The information required under Section 6(2) of Ontario Regulation 198/96 attached as Schedule "A" is provided and is true.

SWORN BEFORE ME AT THE TOWN OF PELHAM)
IN THE REGIONAL MUNICIPALITY OF NIAGARA)
THIS 14TH DAY OF MARCH, 2001 A.D.)


JACK BERNARDI


Nancy J. Bonaiuto

SCHEDULE "A"

1. Pelham Council is submitting an Official Plan Amendment.
2. The lands are described as Part of Lot 177, Part 10 of Reg. Plan 59R-10621, Line Avenue, in the Town of Pelham.
3. The approximate area covered by the amendment is 2.66 hectares (6.57 acres).
4. The proposed amendment redesignates the subject lands to Multi-Family designation and partly Open Space.
5. The purpose of the amendment is to permit multi-family use.
6. The current designation of the subject land is Urban Residential. This designation permits:
 - Single family residences, multiple family residences of various kinds and apartments; and
 - Associated institutional uses such as schools, churches and parks.
7. The said lands are the subject of a rezoning application under application number AM-9/99. The Town will be considering in the near future a site specific amending by-law to implement the Official Plan Amendment to permit a 46 unit condominium townhouse development.

Appendix G-1

LIST OF PUBLIC BODIES GIVEN NOTICE OF PROPOSED PLAN OR AMENDMENT BUT WHICH DID NOT RESPOND

Niagara Peninsula Conservation Authority

Niagara Catholic District School Board

District School Board of Niagara

Consumers Gas, Thorold

Preservation of Agricultural Lands

Ontario Hydro Services Co., Markham

Consumers Gas, Scarborough

Interprovincial Pipe Line

Transcanada Pipe Line

Appendix H-1

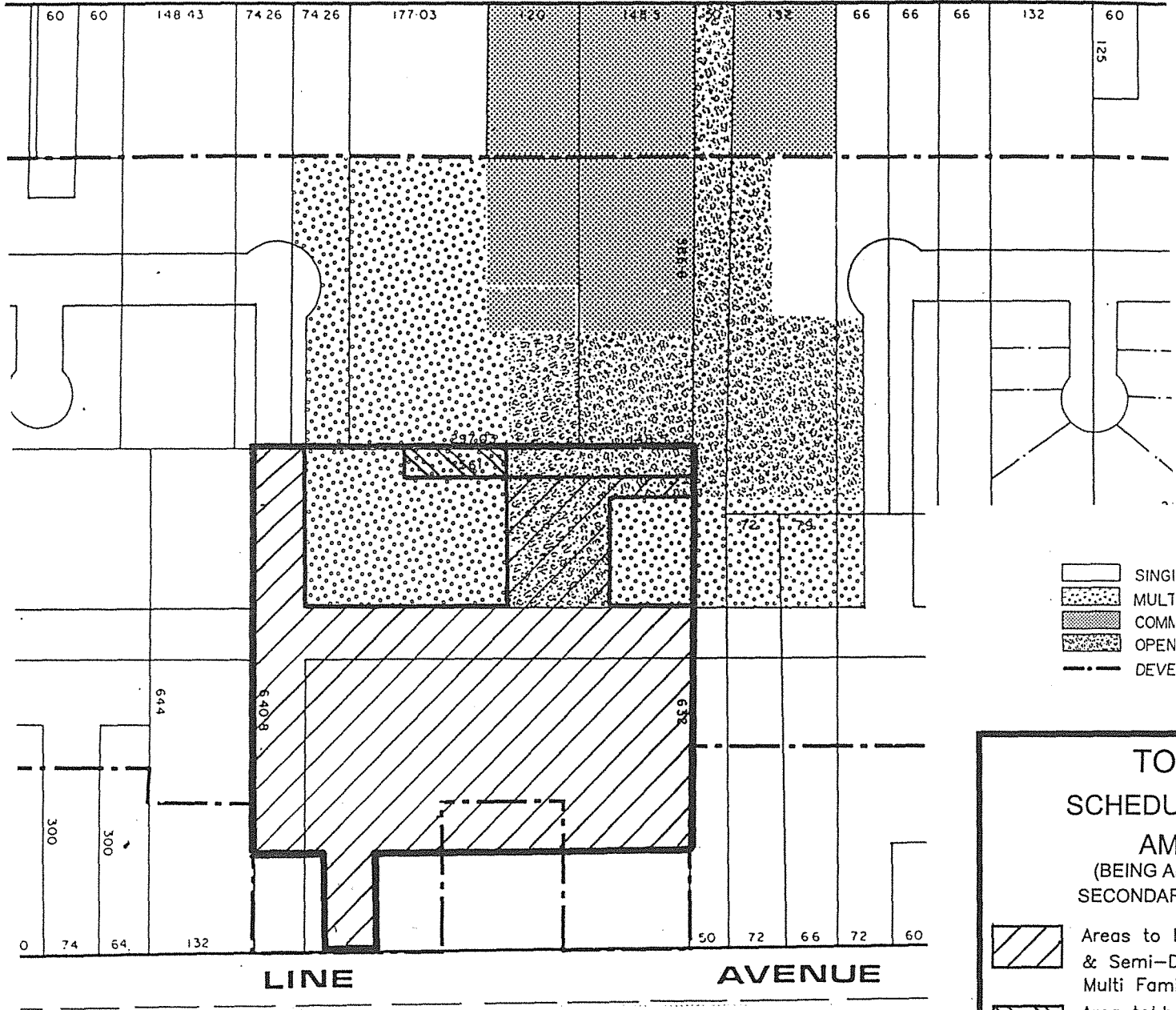
AMENDMENT BEING INITIATED BY:





APPLICANT - 527786 Ontario Limited
1959 Fruitbelt Pkwy.
Niagara Falls ON L2E 6S4
(905) 262-5386

REGIONAL PROCESSING FEE TO BE PAID BY APPLICANT

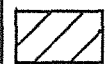
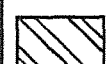
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