

OFFICIAL PLAN AMENDMENT NO. 43
NORTHWEST FONTHILL SECONDARY PLAN
TOWN OF PELHAM

The Amendment No. 43 to the Official Plan of the Town of Pelham, adopted by the Council of the Town of Pelham, is hereby modified under the provisions of subsection 17 (34) of the Planning Act, R.S.O. 1990, as follows:

1. SECTION C.2.0, Land Use Designations is hereby modified by the addition of Subsection (e) and the following wording:

"e) All development within the Northwest Fonthill Secondary Plan Area shall occur in accordance with the recommendations contained in the 'Pelham Area 1, Subwatershed Study and Environmental Impact Statement, Final Report, March 2003.'

2. SECTION C.2.1.2 c) is hereby modified by changing the term "Mixed Density Residential" to "Townhouse Residential". The explanation for this modification is that there is no designation in the Pelham Official Plan for Mixed Density Residential.
3. SECTION C.4.1 f) is hereby modified by deleting the term "subject to the results of a Subwatershed Study, and Environmental Impact Study" and adding, "subject to the recommendations in the Pelham Area 1 Subwatershed Study and Environmental Impact Statement, Final Report, March 2003."
4. SECTION C5.0, Implementation, is hereby modified by the addition of Subsections b) and c) and the following wording:

"b) The protection of the watershed of Twelve Mile Creek and Coyle Creek is a major objective of this Plan. It is important that the recommendations contained in the Subwatershed Study and Environmental Impact Statement be implemented. All development proposals, therefore, will be considered within the context of the objectives set out in Policy C4.2 b) and must occur in a manner consistent with the Pelham Area 1, Subwatershed Study and Environmental Impact Statement, Final Report, March 2003.


c) The monitoring provisions set out in the Subwatershed Study and Environmental Impact Statement should be considered minimum requirements only. A technical monitoring committee shall be established to report on water quality and quantity issues at least annually for a minimum of seven years based on the implementation of the Subwatershed Study and Environmental Impact Statement, Final Report, March 2003. This Technical Monitoring Committee shall consist

of representatives from the Town of Pelham, the Regional Municipality of Niagara, and the Niagara Peninsula Conservation Authority. Other members may be included at the direction of the Council of the Town of Pelham. Reports of the Technical Monitoring Committee shall be presented to the Town and Regional Councils."

5. SECTION C.5.3 a) is hereby modified by deleting "/or" from the second last bullet point.

As thus modified, Amendment No. 43 to the Official Plan for the Town of Pelham is hereby approved under subsection 17 (34) of the Planning Act, R.S.O. 1990.

DATE: June 4, 2003



David J. Farley
Director of Planning Services
Regional Municipality of Niagara

**AMENDMENT NO. 43
TO THE
OFFICIAL PLAN
OF THE
TOWN OF PELHAM**

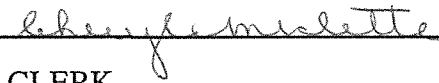


TOWN OF PELHAM
CERTIFICATE
OFFICIAL PLAN OF THE
TOWN OF PELHAM
AMENDMENT NO. 43

The attached text constituting Amendment No. 43 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. 2399 (2002) in accordance with Section 17 of the Planning Act, R.S.O. 1990, as amended, on the 17th day of June, 2002.



MAYOR



CLERK

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 2399 (2002)

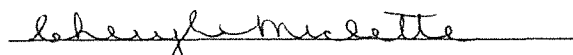
Being a by-law to adopt Amendment No. 43 to the
Official Plan of the Town of Pelham.

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. 43 to the Official Plan of the Town of Pelham, consisting of the attached Schedules 'A' and 'E' and attached Text, 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. 43 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 17TH DAY OF JUNE, 2002 A.D.


MAYOR RALPH BEAMER


CLERK CHERYL MICLETTE

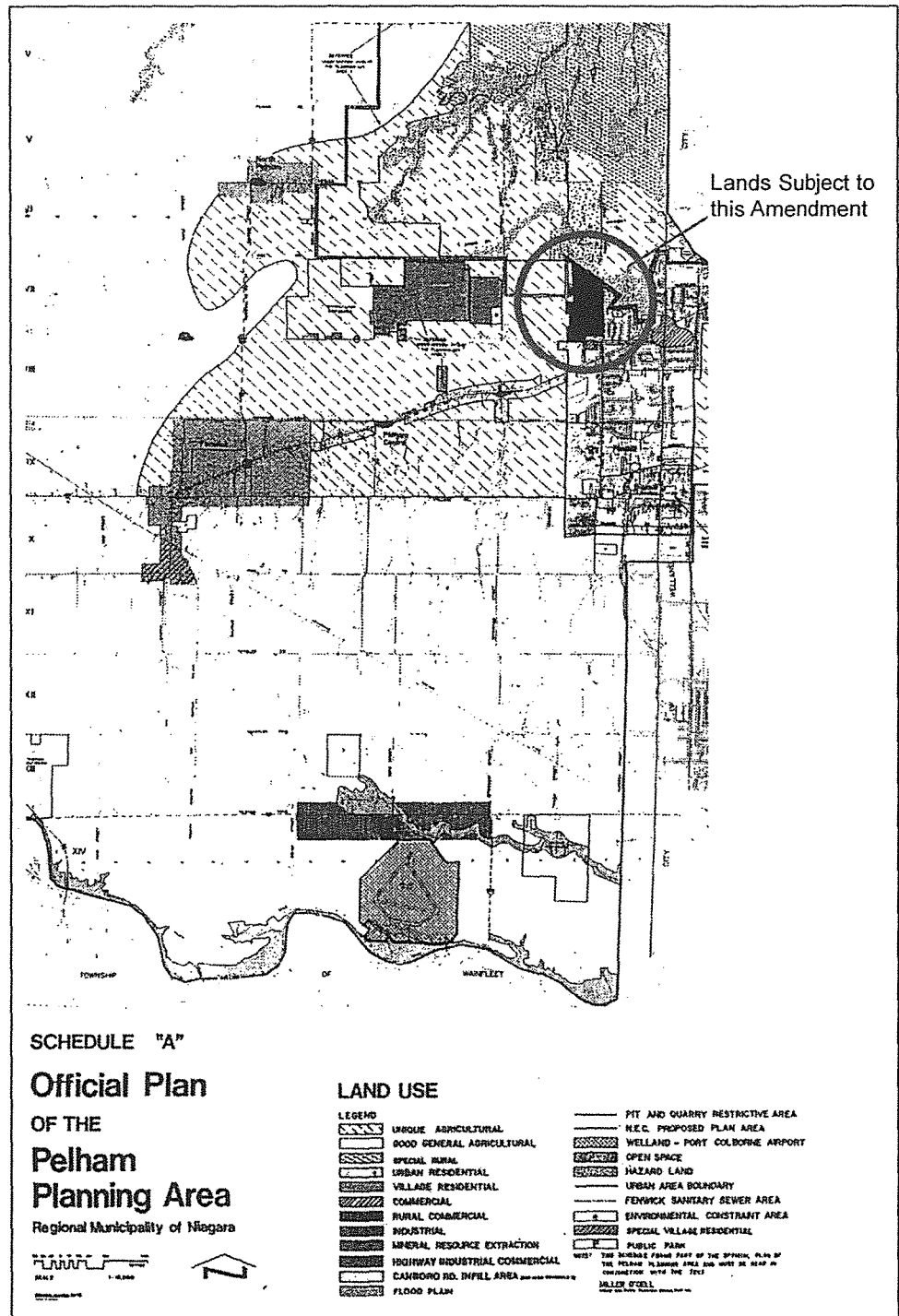
THE CORPORATION OF
THE TOWN OF PELHAM
CERTIFIED A TRUE COPY


Clerk


PART B: THE AMENDMENT

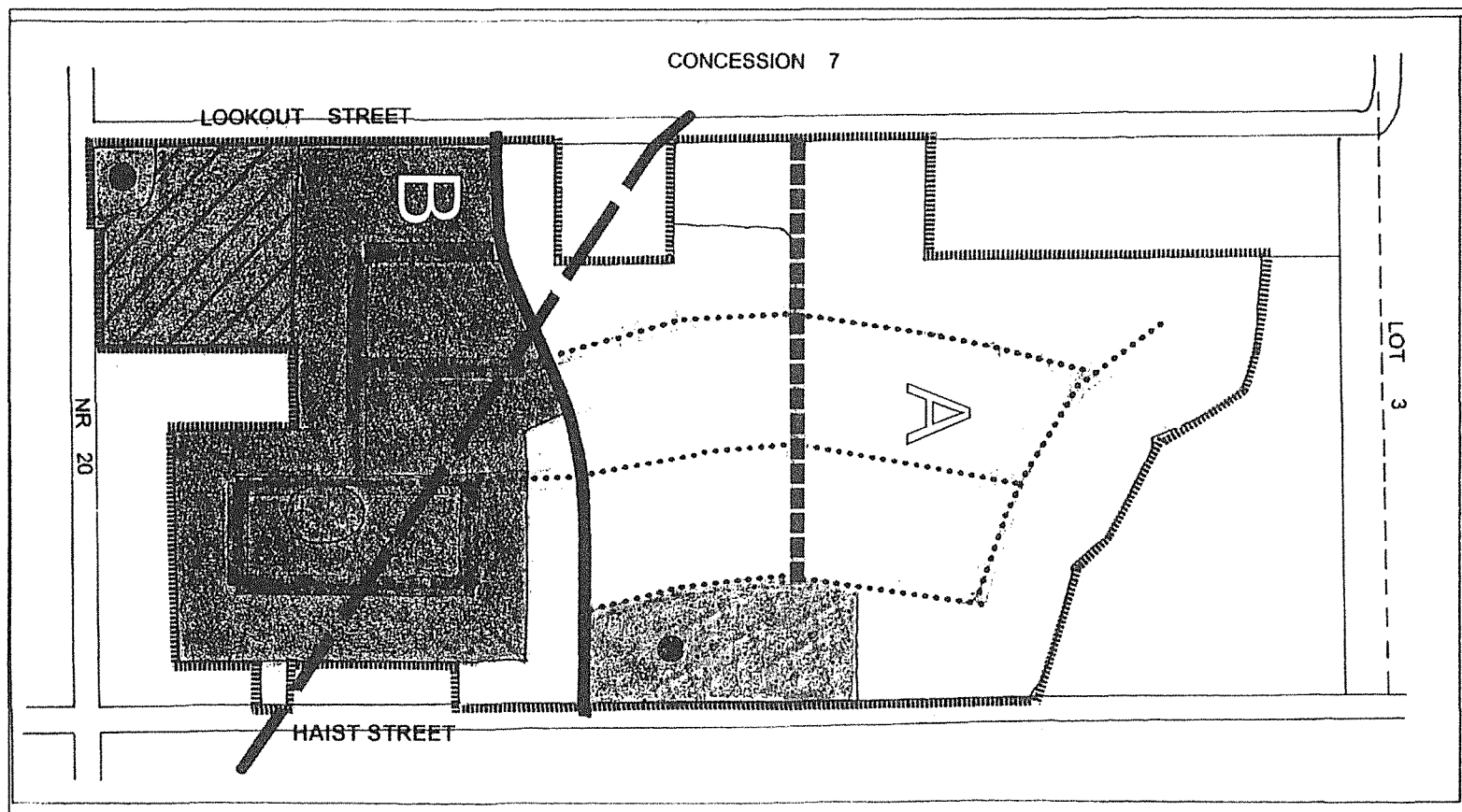
B1.0 Itemized Changes to the Official Plan of the Town of Pelham






- ITEM 1:** The following Text, including all of Part C: The North West Fonthill Secondary Plan, and Schedules 'A' and 'E', attached hereto, constitute Amendment ~~43~~ to the Official Plan of the Town of Pelham, as amended.
- ITEM 2:** Section 1.57 – Secondary Plans, of the Official Plan of the Town of Pelham, as amended, is hereby amended by the addition of a new Section 1.57.2 The North West Fonthill Secondary Plan. The text of the new Section 1.57.2 is provided in this document as Part C: The North West Fonthill Secondary Plan.
- ITEM 3:** The Official Plan of the Town of Pelham, as amended, is hereby amended by the addition of a new Schedule 'E', Land Use and Transportation Plan, the North West Fonthill Secondary Plan.
- The existing Schedule 'A' to the Official Plan of the Town of Pelham, as amended, (also referred to as Schedule 'A' to Official Plan Amendment 36) is hereby amended by redesignating certain lands from 'Area of Natural and Scientific Interest', 'Special Deferred Urban Residential Area' and 'Deferred Urban Residential Area' to 'Townhouse Residential', 'Low Density Residential', 'Low Density Residential – Special Policies', 'Open Space II' and 'Mixed Institutional/Commercial', as shown on Schedule 'E' to this Amendment. The new Schedule 'E' is provided in this document in Part C: The North West Fonthill Secondary Plan.
- ITEM 4:** Section 1.61 Special Deferred Urban Residential Area and Section 1.62 Deferred Urban Residential Area of the Official Plan of the Town of Pelham, as amended, are hereby deleted in their entirety.
- ITEM 5:** Schedule 'A' of the Official Plan of the Town of Pelham, as amended, is hereby amended by identifying the subject lands as 'Lands subject to the North West Fonthill Secondary Plan', as shown on Schedule 'A' attached hereto.





Schedule 'A' to Official Plan Amendment 43
 The North West Fonthill Secondary Plan


 Lands subject to the North West Fonthill Secondary Plan



-  Townhouse Residential
-  Low Density Residential
-  Low Density Residential - Special Policies
-  Mixed Institutional/ Commercial
-  Open Space II


-  Collector Road
-  Local Road



-  Local Road with Special Identity

-  Conceptual Stormwater Management Facility Location

Schedule 'E': Land Use and Transportation Town of Pelham Official Plan

Scale 1: 1500

-  Subwatershed Boundary

-  Twelve Mile Creek Subwatershed Area
-  Coyle Creek Subwatershed Area

PART C: SECTION 1.57.2 THE NORTH WEST FONTHILL SECONDARY PLAN

The area subject to this Secondary Plan is identified on Schedules 'A' and 'E' to the Official Plan. The intent of the North West Fonthill Secondary Plan is to protect environmental features and to establish a comfortable and attractive neighbourhood with a range of housing types.

C1.0 Development Objectives

- a) The development objectives provide the framework for the planning and development within the Secondary Plan Area by both the public and private sectors. The objectives will be implemented by the mechanisms set out in this Secondary Plan and the Official Plan. The general objectives of this Secondary Plan are:

Land Use

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

Residential Development

- to create a residential community with a safe, healthy and functional environment that can accommodate approximately 550 people, based on about 215 dwelling units, with a housing mix consisting of single detached units and townhouse dwellings;

Open Space/Environmental Features

- to establish a network of open spaces accessible to all residents with natural and cultural features integrated into open space areas;
- to create open spaces with a clear function and relationship to the community;
- to ensure the preservation and enhancement of significant environmental features and views;
- to ensure the maintenance and, where possible, the enhancement of the existing hydrological and hydrogeological conditions on the Fonthill Kame and within the Twelve Mile Creek and Coyle Creek systems;

Transportation

- to develop a land use pattern and transportation system that supports vehicular traffic, cyclists and pedestrians;
- to design roads at a pedestrian scale, that are attractive public spaces while still serving vehicular traffic functions;
- to design roads based on a range of urban and semi-urban cross-sections that recognize the character of the community and the environmental constraints of the site;

Services

- to ensure that all new development occurs on the basis of full urban water and sanitary sewer facilities;
- to design a storm water management system that is integrated with the open space system and which mitigates impacts on the natural environment;
- to ensure that the necessary infrastructure and services are in place to facilitate the timely and orderly development of the community; and,

Finance

- to ensure that the costs of the services and facilities required to permit and support the development of the community are financed in accordance with:
 - the ability of the municipality, the Region and landowners to pay;
 - the provisions of the Development Charges Act; and,
 - the Development Charges by-laws adopted by both the municipality and the Region.

C2.0 Land Use Designations

- a) The Residential Neighbourhood is focused on the components of the open space network. The area intended to accommodate higher density residential uses is located in the southern half of the Secondary Plan Area. Lower density forms of housing are located in the north half of the Area. The land use designations used within the Residential Neighbourhood, as shown on Schedule 'E', include:
 - 'Townhouse Residential';
 - 'Low Density Residential'; and,
 - 'Low Density Residential – Special Policies'.
- b) A site for use as housing for the elderly, including a continuing care facility is provided at the intersection of NR 20 and Lookout Street. The land use designation used for this site, as shown on Schedule 'E', is 'Mixed Institutional/Commercial'.
- c) The public parks within the neighbourhood are identified by the 'Open Space II' designation.
- d) The location of these designations throughout the community and the transportation and engineering aspects of this Secondary Plan are established conceptually on Schedule 'E'.

C2.1 Townhouse Residential

- a) It is the intent of the Town to facilitate the development of a range of townhouse and small lot single detached dwellings in this location to ensure an efficient use of the lands and to provide a mixture of house forms within the Secondary Plan Area.

C2.1.1 Permitted Uses

- a) In areas designated 'Townhouse Residential', housing forms may include street, block, stacked townhouses, and small lot single detached dwellings.
- b) Uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, parks, open space linkages and public works may be permitted within the 'Townhouse Residential' designation.
- c) Restrictions on the range and form of permitted uses shall be identified in the implementing zoning by-law.

C2.1.2 Policies

- a) All development within this designation shall be designed with regard for the appended design guidelines and shall be compatible with the intended character of the area in terms of density, building mass, height, setbacks, lot coverage and building configuration.
- b) All development within this designation shall be subject to the Site Plan Control provisions of The Planning Act.
- c) All roads within the 'Mixed-Density Residential' designation shall be developed to the urban standards identified in this Secondary Plan.
- d) Development on the basis of public or private lanes may be permitted, subject to confirmation of the technical requirements by the Town.

MODIFICATION
 NO. 1
 UNDER SECTION 17(24) OF
 THE PLANNING ACT, 1990

MODIFICATION
 NO. 2
 UNDER SECTION 17(34) OF
 THE PLANNING ACT, 1990

- e) Where the 'Townhouse Residential' designation abuts the existing single-detached residential homes that front onto Haist Street, a landscaped buffer strip shall be provided. The landscaped strip shall be 2 metres in width, in addition to the required rear yard, and shall be designed to screen new development from the existing homes. Once the buffer is designed and built to the satisfaction of the Town, its ongoing maintenance shall be ensured by the Town through appropriate agreements/covenants.
- f) All roads within the 'Townhouse Residential' designation shall be designed to the urban standards identified in this Secondary Plan and shall have regard for the appended design guidelines.

C2.2 Low Density Residential

- a) It is the intent of the Town to permit single-detached dwelling units in an environmentally sound manner, including the protection of the interpretive, educational and scientific value of the surrounding landscape.

C2.2.1 Permitted Uses

- a) 'Low Density Residential' housing forms shall include single-detached dwelling units.
- b) Uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, parks, open space linkages, places of worship and day nurseries may be permitted within the 'Low Density Residential' designation.
- c) Restrictions on the range of permitted uses shall be identified in the implementing zoning by-law.

C2.2.2 Policies

- a) The minimum lot frontage for residential development shall generally be 18.0 metres per dwelling unit. The minimum lot area shall generally be 685 square metres.
- b) Local roads within the 'Low Density Residential' designation may be developed to the urban or rural standards identified in this Secondary Plan, subject to the policies of this Secondary Plan and the technical requirements of the Town.
- c) Places of worship and day nurseries may be permitted through a rezoning, provided they:
 - have a maximum lot size of .75 of a hectare;
 - are compatible with adjacent properties in terms of aesthetics, privacy, sun-shadowing, noise and/or other impacts; and,
 - are located adjacent to the intersection of two public roads, at least one of which is a collector road.
- d) All development permitted within the 'Low Density Residential' designation may be subject to the Site Plan Control provisions of The Planning Act, at the discretion of the municipality.
- e) Prior to any development within the 'Low Density Residential' designation, a Community Design Plan shall be carried out that will, among other items, address the impact of development on views to and from the adjacent environmental features. Some of the issues to be considered shall include:

- the height, siting and orientation of the dwelling units;
- the provision of view corridors along roadways and between buildings; and,
- more detailed design guidelines addressing the scale and massing of building and landscape treatments.

The Community Design Plan shall be carried out by the proponent and approved by the Town. The recommendations of the Community Design Plan shall be implemented through the zoning by-law and may also be implemented through the Site Plan Control provisions of the Planning Act, at the discretion of the municipality.

C2.3 Low Density Residential - Special Policies

- a) It is the intent of the Town to permit large lot single-detached dwelling units in an environmentally sound manner, including the protection of the interpretive, educational and scientific value of the surrounding landscape.

C2.3.1 Permitted Uses

- a) 'Low Density Residential – Special Policies' housing forms shall include only single-detached units on large lots.
- b) Within areas designated 'Low Density Residential - Special Policies' uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, pocket parks and open space linkages are permitted.
- c) Restrictions on the range of permitted uses shall be identified in the implementing zoning by-law.

C2.3.2 Policies

- a) The lands designated 'Low Density Residential – Special Policies' shall be developed on individual lots with a minimum frontage of approximately 30.0 metres. The minimum lot area shall generally be 1,500 square metres.
- b) Local roads within the 'Low Density Residential - Special Policies' designation may be developed to the urban or rural standards identified in this Secondary Plan, subject to the policies of this Secondary Plan and the technical requirements of the Town.
- c) All development permitted within the 'Low Density Residential – Special Policies' designation may be subject to the Site Plan Control provisions of The Planning Act, at the discretion of the municipality.
- d) Prior to any development within the 'Low Density Residential - Special Policies' designation, a Community Design Plan shall be prepared that will, among other items, address the impact of development on views to and from the adjacent environmental features. Some of the issues to be considered shall include:
- the height, siting and orientation of the dwelling units;
 - the provision of view corridors along roadways and between buildings; and,
 - more detailed design guidelines addressing the scale and massing of buildings and landscape treatments.

The Community Design Plan shall be carried out by the proponent and approved by the Town. The recommendations of the Community Design Plan shall be implemented through the zoning by-law and may also be implemented through the Site Plan Control provisions of the Planning Act, at the discretion of the municipality.

- e) All development on lands designated 'Low Density Residential – Special Policies' shall proceed on the basis of the recommendations of an Environmental Impact Statement. An Environmental Impact Statement is to be undertaken by the proponent and approved by the Town, in consultation with the Region, the Conservation Authority and any other government agency having jurisdiction. An Environmental Impact Statement will provide:
- a map identifying the location and extent of the proposed buildings and landscape elements on the subject site in relation to the identified natural feature;
 - a biological description of the natural environment that might reasonably be expected to be affected, either directly or indirectly, by the proposed development;
 - a description of the impacts to the environment that may reasonably be expected to result from the proposed development; and,
 - a description of the actions that may be reasonably required to prevent, change, minimize or remedy impacts to the environment resulting from the implementation of the proposed development, including the identification of environmental buffers, opportunities for ecological restoration, enhancement and long term conservation of the natural feature.

The recommendations of the Environmental Impact Statement shall be implemented through the zoning by-law and Site Plan Control provisions of the Planning Act. Site Plan agreements and/or other legal devices will be registered on title to ensure the long-term protection of the identified natural features.

C2.4 Mixed Institutional/Commercial

- a) The Lands designated 'Mixed Institutional/Commercial' focus on the north side of the NR 20 corridor, as identified on Schedule 'E'. Development within this designation shall be compatible with the planned role of NR 20 and as part of the urban entrance to the community of Fonthill.

C2.4.1 Permitted Uses

- a) Institutional uses permitted within this designation include senior citizens housing in forms ranging from independent living apartments to partial care facilities to a full service nursing home.
- b) In addition to the primary institutional use ancillary commercial uses may also be permitted. The range of commercial uses permitted in combination with the permitted institutional uses within this designation include:
- professional and medical offices;
 - health and fitness recreational uses; and,
 - banks and personal service uses.
- c) Public utilities, storm water management facilities and community facilities such as parks and open space linkages, and places of worship may also be permitted within the 'Mixed Institutional/Commercial' designation.
- d) Restrictions on the range of permitted uses shall be identified in the implementing zoning by-law.

C2.4.2 Policies

- a) All development shall be subject to the Site Plan Control provisions of The Planning Act.
- b) The Town shall ensure that the natural environment is considered as an essential component of the site plan with special consideration given to natural topography, surface drainage patterns and vegetative cover.
- c) This site is a key gateway to Fonthill. As such, a high level of design standards will be incorporated into the zoning by-law and design guidelines for landscaping, building setbacks and other on-site amenities.
- d) The maximum height of any building shall be 4 storeys or 12 metres, whichever is less.
- e) All uses will be located to front, face and feature NR 20 and Lookout Street.
- f) Parking facilities shall not exceed 30 percent lot area coverage and shall generally be restricted to interior side and rear yard locations. The area of the lot covered by the building shall not exceed 40 percent.
- g) The number of access points to public roads shall be minimized.
- h) Where any lot line abuts a public road, public open space, and/or a residential lot, special landscaping/building treatments shall be required to ensure that the rear and/or side building facades are attractive and/or appropriately screened from view.
- i) All parking, storage and loading areas shall be appropriately screened, landscaped and buffered from all adjacent land uses.

C2.5 Open Space II

C2.5.1 Permitted Uses

- a) The 'Open Space II' designation permits a wide variety of recreational uses, including buildings and facilities used for recreation. Storm water management facilities may also be permitted within the 'Open Space II' designation.

C2.5.2 Policies

- a) The permitted uses and policies of the 'Open Space II' designation are in addition to the policies of Section 1.35 and 1.36 'Open Space' of the Official Plan.
- b) The 'Open Space II' designation includes neighbourhood parks and pocket parks/village squares.
- c) The neighbourhood park is shown conceptually on Schedule 'E' and is moderate in size. Pocket parks/village squares, which are conceptually identified on Schedule 'E', are intended to provide sub-neighbourhood focal points and/or gateway features.
- d) The actual size and shape of the various public parks shall be determined during the processing of development applications.
- e) Publicly owned parkland shall be provided in accordance with the standards identified in The Planning Act, subject to the following:

- significant frontage on a public road is provided;
 - the site is located to complement the overall open space network; and,
 - the site is accessible to residents from the surrounding neighbourhood.
- f) Parkland may be acquired pursuant to the provisions of the Planning Act and by other available means. Lands required for storm water management facilities that are not suitable for public recreation purposes shall not be accepted as part of the parkland dedication under the Planning Act.
- g) Cash-in-lieu of parkland shall only be considered where an individual development parcel does not include any key components of the anticipated neighbourhood park, pocket park/village square or open space linkage network, and where the Town has determined that parkland within the subject lands is not required to serve the proposed development or the surrounding community. Where cash-in-lieu of parkland is accepted, the cash shall be used to enhance the public open space system elsewhere within this Secondary Plan Area.
- h) Land conveyed to the Town for park purposes shall be accepted only when the Town is satisfied that the land is suitable for park purposes and is situated and configured in a manner that achieves the open space objectives of this Secondary Plan.
- i) Land for park purposes must be conveyed in a condition satisfactory to the Town. At a minimum, this should be in a condition with basic grading, seeding/sodding completed and building materials and rubble removed.

C3.0 Transportation

- a) The intent of the transportation system is to provide an integrated, multi-modal transportation network for all residents and businesses that is safe, convenient, affordable, efficient and energy-conserving while minimizing environmental impacts. The key objectives in designing the transportation network are:
- continuity and connectivity;
 - transit friendliness; and,
 - livable streets.

C3.1 Road Network

- a) The road network within the Secondary Plan Area, as identified conceptually on Schedule 'E', is based on an interconnected and permeable modified grid pattern.
- b) The community will have a hierarchy of road types determined by the adjacent land uses, planned function, location, capacity and speed. Schedule 'E' identifies the existing NR 20, the collector road network, including Lookout Street and Haist Street and a conceptual local road network.

C3.1.1 Niagara Road 20 (NR 20)

- a) NR 20 is, and will remain one of the primary east-west routes, joining Pelham to St. Catharines and beyond. As such, special consideration regarding the nature and visual character of the road right-of-way and adjacent development is important. Development of NR 20 shall meet the following requirements:
- a right-of-way width of 20 to 26 metres;
 - sidewalks shall be provided;
 - new development that abuts NR 20 will front, face and feature NR 20, however, no individual access will be permitted from NR 20 to any new use within this Secondary Plan Area; and,
 - as an 'Urban Arterial' the Town will work in collaboration with the Region to ensure that the future design of NR 20, including any proposed widening, shall have regard for its role and function as the historic main street of Fonthill. Design considerations may include a reduced right-of-way, reduced pavement and lane widths, a reduced design speed, provision for on-street parking and special design features and street lighting/furniture.

C3.1.2 Collector Roads

- a) Other collector roads in the Secondary Plan Area, including Haist Street, Lookout Street and the proposed internal collector road shall have either urban or rural cross sections, and incorporate design features such as traffic calming measures, bicycle lanes, landscape islands, street lighting/furniture. Right-of-way widths to be 20 - 26 metres, subject to confirmation of their ability to accommodate the vehicular, cyclists and pedestrian traffic to the satisfaction of the Town.

C3.1.3 Local Roads/Lanes

- a) The local road network must be based on a modified grid and include a variety of 'T' and cross road intersection con-

figurations. Right-of-way for the local road pattern shall be 20 metres. To incorporate such design features as parking lanes, road widths for local streets with urban cross section shall be 8.6 metres. Road widths for local streets with rural cross section shall be 9.0 metres. Separate provision for cyclists has not been made on local streets, given the lower traffic levels on these roads.

- b) One local road, identified as 'Special Identity Local Road' is to be developed with a landscaped centre median and is intended to terminate at a public park, as shown conceptually on Schedule 'E'. The ROW for this road shall be 22 metres.
- c) Public or private lanes may be permitted within the 'Townhouse Residential' designation. Lanes shall meet the following requirements:
 - a right-of-way width of between 6.0 metres and 7.5 metres;
 - a minimum pavement width of between 6.0 metres and 7.5 metres; and,
 - the rear yard setback to a garage shall range between 0.0 and 1.0 metre.

C3.1.4 Road Policies

- a) All identified right-of-way, pavement widths and road configurations shall be subject to satisfactory confirmation of utility locations, emergency access, streetscape design and on-street parking regulations. The road allowance widths identified in this Secondary Plan are approximate. In certain cases, widening of existing roads to the ultimate road allowance width may not be required. In some cases the right-of-way may need to be wider to accommodate engineering and/or design requirements. Final right-of-way requirements and the provision of day-light triangles will be determined during the review of development applications.
- b) The local road network, which is shown conceptually on Schedule 'E', shall recognize natural and built constraints and shall generally form a continuous and interconnected modified grid pattern. Minor modifications to the local road network may be permitted without the need for an Official Plan Amendment provided the Town is satisfied that the general intent of the planned local road network is maintained.
- c) Only the identified collector road shall be permitted to intersect with Haist Street.
- d) No urban development will be permitted within the Secondary Plan Area until internal road access among the various land parcels is appropriately secured by the Town.
- e) Traffic calming features, such as raised intersections, speed humps, chokers, traffic circles, chicanes and/or hammerheads should be considered to control speed, volumes and cut-through traffic. These features may also provide important aesthetic focal points within the community. These roadway features may be permitted subject to evaluation by the Town of functional, aesthetic, operational and financial issues associated with their use.
- f) Streetscape design for the collector road, local roads and laneways shall have regard for the urban design guidelines appended to this Secondary Plan.

C3.2 Transit

- a) Transit routes are to be located along the identified collector roads. The use of local streets for transit will be avoided, wherever possible.

- b) It is anticipated that the nature of the transit network will evolve over time as service demand dictates.

C3.3 Pedestrian and Bicycle System

- a) The development of all roads shall, where possible, include safe, convenient and attractive facilities for pedestrians and cyclists.
- b) A street-related pedestrian walkway and bikeway system shall be required within the neighbourhood. These facilities will be designed to be integrated with a general pedestrian and bicycle system within the community which provides linkages between buildings, adjacent sites, surrounding areas and public streets, particularly those with transit facilities.

C3.4 Parking

- a) All development shall provide suitable off-street parking, as required by the implementing zoning by-law.
- b) On street parking shall be considered on all local roads, subject to the right-of-way width and traffic considerations.

C4.0 Infrastructure

C4.1 Water, Waste Water and Storm Water Management

- a) Development within the Secondary Plan Area shall be on the basis of full urban water, wastewater and storm water management facilities.
- b) A Master Servicing Plan, outlining preliminary functional water distribution, wastewater collection and storm water management facilities, including designs and costs, will be prepared prior to the approval of any development within the Secondary Plan Area.
- c) All required infrastructure shall be constructed and sized to accommodate the full build-out of the Secondary Plan Area. As a result, some of the infrastructure required by one proponent may be oversized to service the larger area. Benefiting landowners shall be required to compensate provider proponents, prior to development on the benefiting landowner's property.
- d) All development within the Secondary Plan Area will proceed according to individual, site specific Drainage Plans and Servicing Plans prepared by the proponent, to the satisfaction of the Town and the Region.
- e) Development may be phased to coincide with the availability of servicing and financial capabilities are available to allow all the necessary services for development.
- f) Municipal infrastructure, storm water management facilities and public or private utility services shall be permitted in all land use designations, ~~subject to the results of a Subwatershed Study, an Environmental Impact Study, the Master Servicing Plan and detailed engineering designs to be approved by the Town.~~ Further Official Plan Amendments shall not be required to implement appropriate infrastructure and storm water management facilities.

C4.2 Storm Water Collection and Management System

- a) The Secondary Plan Area is subdivided into two drainage areas, as identified on Schedule 'E'. The majority of the property drains to the south to Coyle Creek (Ridgeville Drain is part of this system). The remainder of the property drains northeast to Twelve Mile Creek. Twelve Mile Creek is the only coldwater fishery in Niagara and, therefore, is a significant resource to the community and Region. Storm water management is very important for this Secondary Plan Area and the Town will be requiring the highest level of protection (Level 1) for the Twelve Mile Creek watershed and Level 2 protection for the drainage area tributary to Coyle Creek.
- b) The general objectives for storm water management within this Secondary Plan Area are:
 - to maintain, and where possible, improve the health and condition of the receiving watercourses;
 - the achievement of no net increase in storm water run-off from the Area to adjoining lands;
 - to maintain, and where possible, improve the quality of storm water entering surface and groundwater supplies; and,
 - to promote the use of naturalized methods of storm water management.

MODIFICATION
NO. 3
UNDER SECTION 17(34) OF
THE PLANNING ACT, 1997

- c) The storm water collection system for the Secondary Plan Area will be designed to direct minor and major storms to two proposed Ponds (possibly a third to service the southwest corner of the subject area), identified conceptually on Schedule 'E'.
- d) Smaller trunk storm sewers will be required to service the entire Secondary Plan Area. A proponent may be required to oversize storm water management facilities to service other landowner's properties. Oversizing costs borne by a specific proponent may be paid for with contributions from other benefiting landowners through front ending agreements, Development Charges By-law, or other developer's group agreements as deemed appropriate by the Town.
- e) Watercourse land dedication, including environmental buffers as identified in this Secondary Plan and in the Subwatershed Study, shall be valued and subject to contributions from other benefiting landowners through front ending agreements, Development Charges By-law, or other developer's group agreements as deemed appropriate by the Town.
- f) The native soil is sand, therefore the storm water management plans developed for Secondary Plan Area must include groundwater recharge areas. The design of the recharge system must ensure that the highest quality of water is recharged into the groundwater system.
- g) The Secondary Plan Area is divided into two storm water management areas, as identified on Schedule 'E' and described below:
 - Storm Drainage Area A, which drains to the Twelve Mile Creek watershed; and,
 - Storm Drainage Area B, which drains to the Ridgeville Drain/Coyle Creek watershed.
- h) Storm Drainage Area A - This Area drains to Twelve Mile Creek, the only cold water fishery in the Niagara Region. As such, a Level 1 protection is required for the storm water management system. The primary design objectives for storm water management in this Area include:
 - quantity control;
 - quality control;
 - groundwater recharge;
 - water temperature control; and,
 - erosion control.
- i) Storm Drainage Area B - Drainage from this area outlet into tributaries of the Coyle Creek to the southwest. Parts of some of these tributaries have experienced erosion problems along their banks in some locations, in particular in one tributary channel behind Lookout Village. One storm water management facility is proposed to be located on the northeast corner of NR 20 and Lookout Street. A second storm water management facility may be required in the southeast corner of Secondary Plan Area B, east of the Fire Hall. The remaining drainage from this area is via natural watercourses, which are tributaries to the Ridgeville Drain. The primary design objectives for storm water management in this area include:
 - quantity control;

- quality control;
- groundwater recharge;
- erosion control; and,
- enhancement program for the existing drainage courses (may be subject to the Drainage Act as part of the Coyle Creek complex is the Ridgeville Drain).

The storm water management pond proposed to be located at the intersection of NR 20 and Lookout Street is identified as a key gateway to Fonthill. As such, it should be designed with enhanced landscape features recognizing its important location within Pelham.

C4.3 Other Utilities

- a) All new local power and telephone lines and other 'cable' services serving the Secondary Plan Area shall be located underground and shall, where possible, be grouped into a single utility trench.
- b) Utility providers are to confirm if existing services can be upgraded and new services can be provided to support the proposed development prior to the approval of any development within the Secondary Plan Area.

C5.0 Implementation

- a) This Secondary Plan shall be implemented by the powers conferred upon the Town by the Planning Act, the Municipal Act, the Development Charges Act and other applicable statutes and in accordance with all the applicable policies of the Town of Pelham Official Plan in addition to the policies of this Secondary Plan.

C5.1 Phasing

- a) Development shall be phased to provide for the continuous, orderly extension of the community and to ensure the most efficient and economical use of existing and proposed infrastructure. The following phasing criteria shall be considered in the review of all development applications:

- the development contributes to, or can be appropriately integrated within the logical sequence of construction of all required sewer, water, storm water and transportation facilities; and,
- the development satisfies all requirements regarding the provision of parkland and other facilities.

Notwithstanding any other provisions of the Official Plan, as a condition of the approval of development:

- the requirement for a front ending agreement and/or a developer's group agreement shall be satisfied; and,
- an agreement to implement any relevant findings of the studies required by this Secondary Plan.

C5.2 Developer's Group/Front Ending Agreements

- a) Developer's Group/Front Ending Agreements based on the findings of this Secondary Plan and the findings of the Master Servicing Plan and any other studies deemed necessary by the Town, shall be entered into by the benefiting parties and approved by the Town as a condition of the approval of development applications.
- b) Such agreements shall ensure that the necessary approvals and the required contributions of funds, lands and commitments for services will be in place and operative prior to, or coincident with occupancy and use of land. Items which may be addressed in the Developer's Group/Front Ending Agreements include:
- open space and environmental features;
 - streetscape features;
 - water distribution and wastewater collection;
 - storm water management facilities;
 - road infrastructure, internal access and widenings; and,
 - other utilities.
- c) If difficulties or undue delays are encountered with respect to the preparation of the Developer's Group/Front Ending Agreements required above, the Town may be requested to attempt to resolve such difficulties or delays. Where resolution of such problems is not deemed feasible by the Town or is not possible even with the Town's intervention, the Town may approve alternative mechanisms to satisfy the intent of the applicable policy.

NO. 4
 MODIFICATION
 UNDER SECTION 17(24) OF
 THE PLANNING ACT, 1990

C5.3 Requirements for Development Applications

- a) Notwithstanding any other provisions of the Official Plan, the Town may require, at the time of submission of a development application, such information as:
- a Subwatershed Study;
 - a Master Servicing Plan;
 - a Community Design Plan, including a Viewshed Analysis, that identifies the design vision of the development application in the context of the policies of this Plan and the appended design guidelines;
 - an individual Servicing Plan;
 - an individual Drainage Plan;
 - an individual Transportation Impact Study;
 - an Environmental Impact Statement; and/or,
 - an archaeological survey.
- b) The Town, in consultation with the Region and any other agency having jurisdiction, shall, if appropriate, peer review and approve all required studies prior to granting development approvals. Costs of peer review work shall be the responsibility of the proponent.

MODIFICATION
NO. 5
UNDER SECTION 17(34) OF
THE PLANNING ACT, 1990

C5.4 Zoning By-law

- a) This Secondary Plan shall be implemented through the enactment of implementing zoning by-laws in conformity with the provisions of the Official Plan and this Secondary Plan.
- b) The Town may designate a holding zone with the prefix 'H' and specify the future uses of these lands that, at the present time, are considered premature or inappropriate for development for any one or more of the following reasons:
- community services and facilities such as sanitary sewers, storm water management facilities, water supply and public parks are insufficient to serve the proposed development;
 - transportation facilities are inadequate or inappropriate based on anticipated traffic;
 - the number and location of access points to the site are inadequate and incapable of functioning safely and efficiently;
 - where development is dependent upon other matters occurring first, such as the consolidation of land ownership to ensure the orderly development of the project and/or the securing of funding for infrastructure, parks, services or outstanding application processing fees;
 - the need for a site plan agreement;
 - the need for a Developer's Group/Front Ending Agreement; and/or,

- supporting studies are required on matters related to traffic, soils, protection of any site features, environmental constraints or design features prior to development approval.
- c) Removal of the 'H' prefix will depend on meeting the specific Town conditions identified by the holding zone by-law.

C5.5 Plans of Subdivision/Condominium

- a) Plans of subdivision/condominium shall only be recommended for approval which:
- conform with the policies and designations of the Official Plan and this Secondary Plan;
 - can be provided with adequate services and facilities as required by the policies of the Official Plan and this Secondary Plan;
 - are not premature and are in the best interest of the municipality; and,
 - have regard for the design guidelines appended to this Secondary Plan.

C5.6 Consents

- a) Subdivision of land shall generally take place by plan of subdivision. Consents shall only be permitted:
- for technical or legal purposes; or,
 - where the municipality is satisfied that the consent will not prejudice the ultimate subdivision of land or the principles set out in the Official Plan or this Secondary Plan.

C6.0 Interpretation

- a) This Secondary Plan is a statement of municipal policy. It is intended as a guide to the development of the Secondary Plan Area. Some flexibility in interpretation is permitted without the need for an Official Plan Amendment, provided the general intent of the policies and principles of this Plan are maintained.
- b) Development within the community shall be subject to all the policies of this Secondary Plan and any applicable policies of the parent Official Plan. However, where there is a conflict between this Secondary Plan and the parent Official Plan, the policies of this Secondary Plan shall apply.
- c) The designations identified on Schedules 'E' are intended to show general areas and the boundaries are flexible and may vary without an Official Plan Amendment, except where designations are established by fixed boundaries such as existing roads or where specifically stated to be fixed in the policies of this Secondary Plan.
- d) Where lists or examples of permitted uses are provided, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses not listed, but considered by the Town to be similar to the listed uses and to conform to the general intent of the applicable land use designation may be recognized as a permitted use.
- e) Minor variations from numerical requirements in this Secondary Plan may be permitted without an Official Plan Amendment provided that the general intent of this Secondary Plan is maintained.

AMENDMENT NO. 43

TO THE OFFICIAL PLAN

FOR THE TOWN OF PELHAM

PLANNING AREA

SECONDARY PLAN PROCESS - U.A.B.E. AREA 1

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

SECONDARY PLAN PROCESS - U.A.B.E. AREA 1

PART A

PURPOSE

The Purpose of this amendment is to:

- ▶ remove deferred designations and to designate the lands 'Townhouse Residential', 'Low Density Residential', 'Low Density Residential - Special Policies', 'Open Space II' and 'Mixed Institutional/Commercial' and to approve a policy framework that comprises the North West Fonthill Secondary Plan.
- ▶ introduce new policies to the Official Plan for the Lot 3, Concession 7, area to appropriately regulate and guide development.

LOCATION

The lands that are the subject of this amendment are approximately 34 hectares north-west of the existing Fonthill Urban Area bounded by Regional Road 20 to the south, Haist Street to the east, Lookout Street to the west and the Niagara Escarpment Commission to the north and described as Part of Lot 3, Concession 7.

BASIS

The basis of this amendment is to:

- ▶ provide a planning policy regime intended to ensure that the Town and private landowners have a clear understanding of the expectations for future urban development;
- ▶ establish the most appropriate urban structure and range and mix of land uses that would facilitate the development of a high quality community within the Town of Pelham, and more specifically, a new community attached to the village of Fonthill;
- ▶ provide a land use, open space, transportation and storm water management concept that provides for a range of housing types and facilitates an effective, transportation network;
- ▶ provide the highest level of protection (Level 1) for the Twelve Mile Creek watershed and Level 2 protection for the drainage area tributary to Coyle Creek
- ▶ provide guidelines intended to ensure beautiful neighbourhoods;
- ▶ provide technical and engineering support, ensuring that the Area will develop efficiently and properly.



PART B

THE AMENDMENT

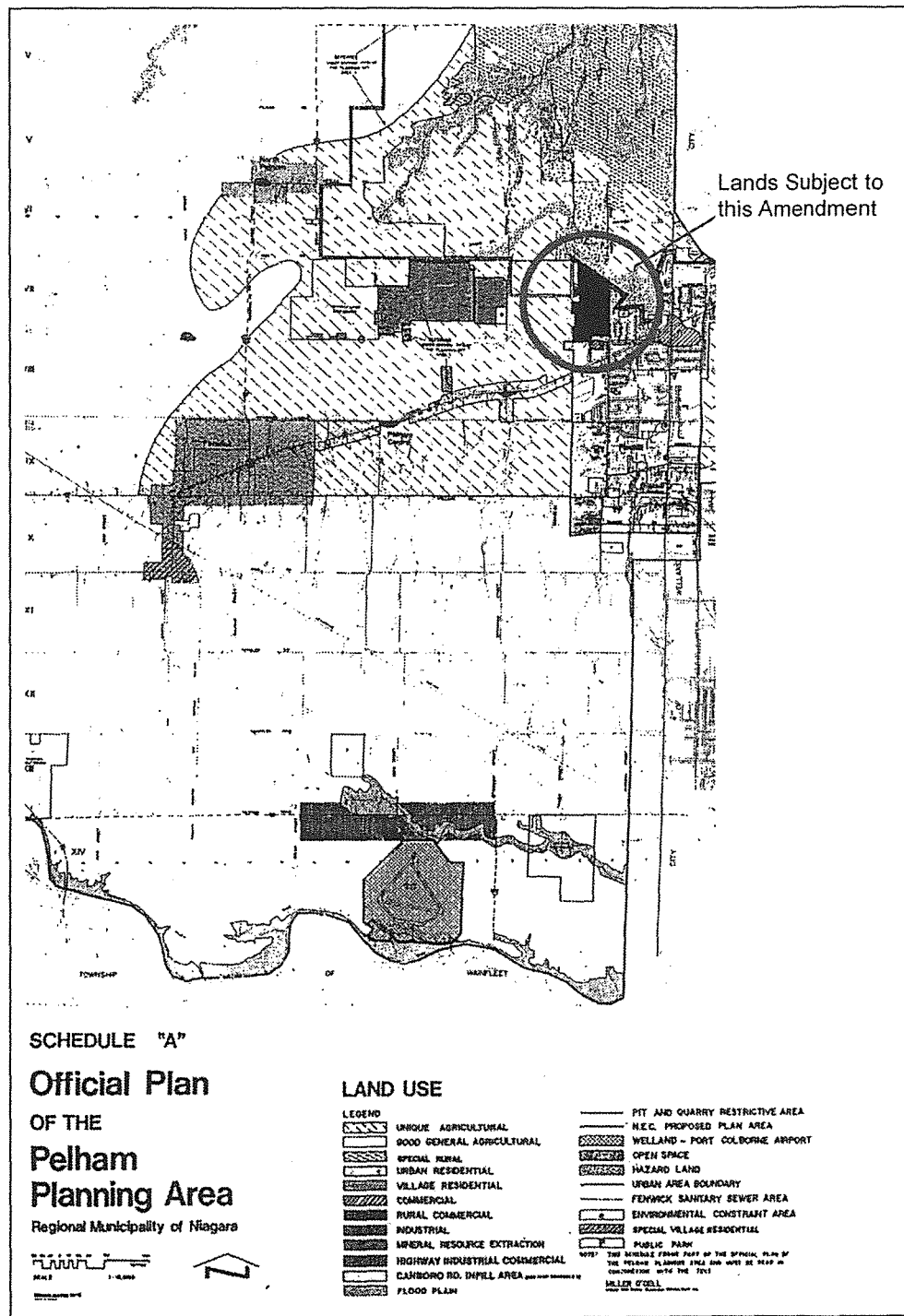
PART B: THE AMENDMENT

B1.0 Itemized Changes to the Official Plan of the Town of Pelham


- ITEM 1:** The following Text, including all of Part C: The North West Fonthill Secondary Plan, and Schedules 'A' and 'E', attached hereto, constitute Amendment 43 to the Official Plan of the Town of Pelham, as amended.
- ITEM 2:** Section 1.57 – Secondary Plans, of the Official Plan of the Town of Pelham, as amended, is hereby amended by the addition of a new Section 1.57.2 The North West Fonthill Secondary Plan. The text of the new Section 1.57.2 is provided in this document as Part C: The North West Fonthill Secondary Plan.
- ITEM 3:** The Official Plan of the Town of Pelham, as amended, is hereby amended by the addition of a new Schedule 'E', Land Use and Transportation Plan, the North West Fonthill Secondary Plan.
- The existing Schedule 'A' to the Official Plan of the Town of Pelham, as amended, (also referred to as Schedule 'A' to Official Plan Amendment 36) is hereby amended by redesignating certain lands from 'Area of Natural and Scientific Interest', 'Special Deferred Urban Residential Area' and 'Deferred Urban Residential Area' to 'Townhouse Residential', 'Low Density Residential', 'Low Density Residential – Special Policies', 'Open Space II' and 'Mixed Institutional/Commercial', as shown on Schedule 'E' to this Amendment. The new Schedule 'E' is provided in this document in Part C: The North West Fonthill Secondary Plan.
- ITEM 4:** Section 1.61 Special Deferred Urban Residential Area and Section 1.62 Deferred Urban Residential Area of the Official Plan of the Town of Pelham, as amended, are hereby deleted in their entirety.
- ITEM 5:** Schedule 'A' of the Official Plan of the Town of Pelham, as amended, is hereby amended by identifying the subject lands as 'Lands subject to the North West Fonthill Secondary Plan', as shown on Schedule 'A' attached hereto.

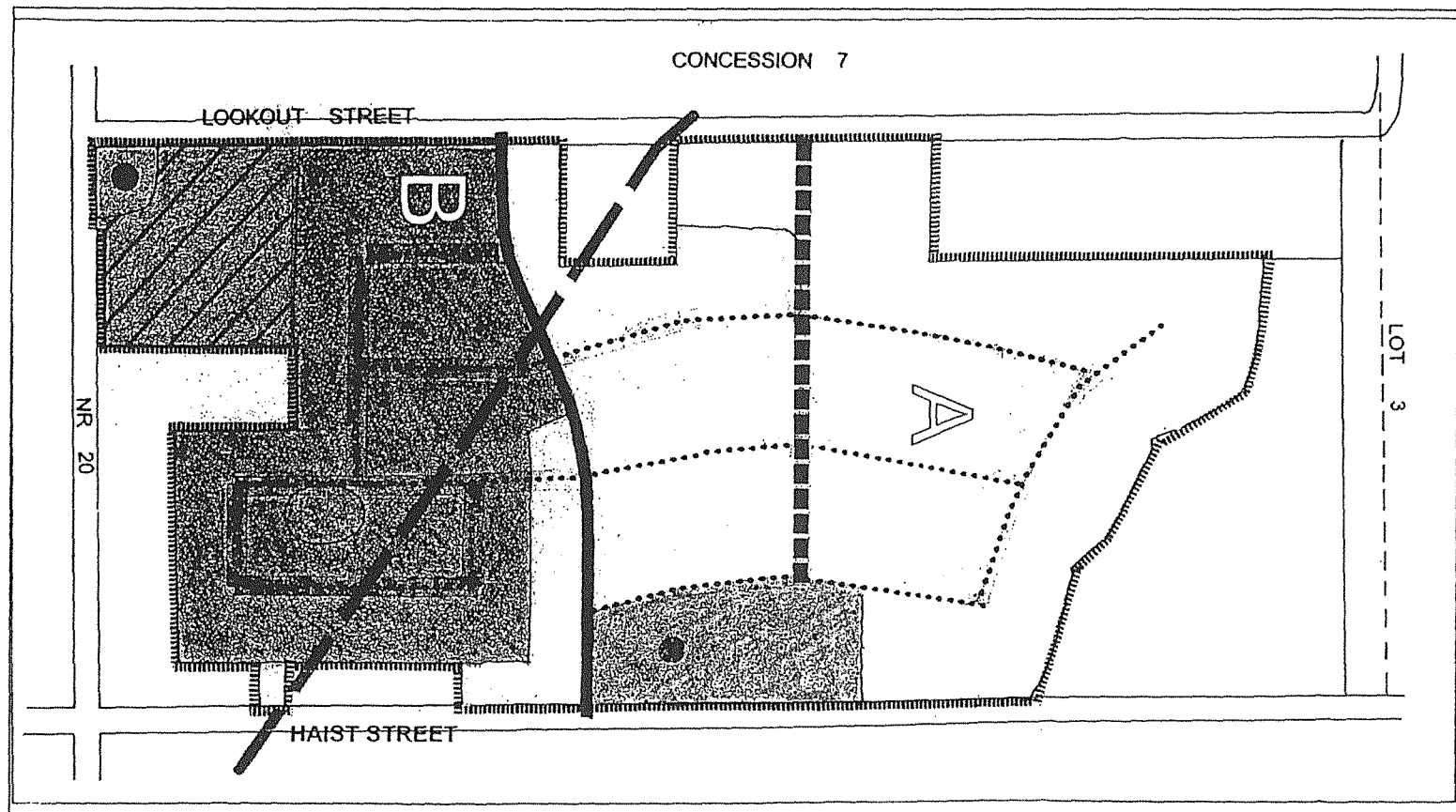
THE CORPORATION OF
THE TOWN OF PELHAM
CERTIFIED A TRUE COPY






Shirley M. Milette
Clerk






Schedule 'A' to Official Plan Amendment 43
 The North West Fonthill Secondary Plan


 Lands subject to the North West Fonthill Secondary Plan



-  Townhouse Residential
-  Low Density Residential
-  Low Density Residential - Special Policies
-  Mixed Institutional/ Commercial
-  Open Space II




-  Collector Road
-  Local Road

-  Local Road with Special Identity

-  Conceptual Stormwater Management Facility Location

Schedule 'E': Land Use and Transportation Town of Pelham Official Plan

Scale 1: 1500

-  Subwatershed Boundary
-  Twelve Mile Creek Subwatershed Area
-  Coyle Creek Subwatershed Area

PART C: SECTION 1.57.2 THE NORTH WEST FONTHILL SECONDARY PLAN

The area subject to this Secondary Plan is identified on Schedules 'A' and 'E' to the Official Plan. The intent of the North West Fonthill Secondary Plan is to protect environmental features and to establish a comfortable and attractive neighbourhood with a range of housing types.

C1.0 Development Objectives

- a) The development objectives provide the framework for the planning and development within the Secondary Plan Area by both the public and private sectors. The objectives will be implemented by the mechanisms set out in this Secondary Plan and the Official Plan. The general objectives of this Secondary Plan are:

Land Use

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

Residential Development

- to create a residential community with a safe, healthy and functional environment that can accommodate approximately 550 people, based on about 215 dwelling units, with a housing mix consisting of single detached units and townhouse dwellings;

Open Space/Environmental Features

- to establish a network of open spaces accessible to all residents with natural and cultural features integrated into open space areas;
- to create open spaces with a clear function and relationship to the community;
- to ensure the preservation and enhancement of significant environmental features and views;
- to ensure the maintenance and, where possible, the enhancement of the existing hydrological and hydrogeological conditions on the Fonthill Kame and within the Twelve Mile Creek and Coyle Creek systems;

Transportation

- to develop a land use pattern and transportation system that supports vehicular traffic, cyclists and pedestrians;
- to design roads at a pedestrian scale, that are attractive public spaces while still serving vehicular traffic functions;
- to design roads based on a range of urban and semi-urban cross-sections that recognize the character of the community and the environmental constraints of the site;

Services

- to ensure that all new development occurs on the basis of full urban water and sanitary sewer facilities;
- to design a storm water management system that is integrated with the open space system and which mitigates impacts on the natural environment;
- to ensure that the necessary infrastructure and services are in place to facilitate the timely and orderly development of the community; and,

Finance

- to ensure that the costs of the services and facilities required to permit and support the development of the community are financed in accordance with:
 - the ability of the municipality, the Region and landowners to pay;
 - the provisions of the Development Charges Act; and,
 - the Development Charges by-laws adopted by both the municipality and the Region.

C2.0 Land Use Designations

- a) The Residential Neighbourhood is focused on the components of the open space network. The area intended to accommodate higher density residential uses is located in the southern half of the Secondary Plan Area. Lower density forms of housing are located in the north half of the Area. The land use designations used within the Residential Neighbourhood, as shown on Schedule 'E', include:
- 'Townhouse Residential';
 - 'Low Density Residential'; and,
 - 'Low Density Residential – Special Policies'.
- b) A site for use as housing for the elderly, including a continuing care facility is provided at the intersection of NR 20 and Lookout Street. The land use designation used for this site, as shown on Schedule 'E', is 'Mixed Institutional/Commercial'.
- c) The public parks within the neighbourhood are identified by the 'Open Space II' designation.
- d) The location of these designations throughout the community and the transportation and engineering aspects of this Secondary Plan are established conceptually on Schedule 'E'.

C2.1 Townhouse Residential

- a) It is the intent of the Town to facilitate the development of a range of townhouse and small lot single detached dwellings in this location to ensure an efficient use of the lands and to provide a mixture of house forms within the Secondary Plan Area.

C2.1.1 Permitted Uses

- a) In areas designated 'Townhouse Residential', housing forms may include street, block, stacked townhouses, and small lot single detached dwellings.
- b) Uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, parks, open space linkages and public works may be permitted within the 'Townhouse Residential' designation.
- c) Restrictions on the range and form of permitted uses shall be identified in the implementing zoning by-law.

C2.1.2 Policies

- a) All development within this designation shall be designed with regard for the appended design guidelines and shall be compatible with the intended character of the area in terms of density, building mass, height, setbacks, lot coverage and building configuration.
- b) All development within this designation shall be subject to the Site Plan Control provisions of The Planning Act.
- c) All roads within the 'Mixed Density Residential' designation shall be developed to the urban standards identified in this Secondary Plan.
- d) Development on the basis of public or private lanes may be permitted, subject to confirmation of the technical requirements by the Town.

- e) Where the 'Townhouse Residential' designation abuts the existing single-detached residential homes that front onto Haist Street, a landscaped buffer strip shall be provided. The landscaped strip shall be 2 metres in width, in addition to the required rear yard, and shall be designed to screen new development from the existing homes. Once the buffer is designed and built to the satisfaction of the Town, its ongoing maintenance shall be ensured by the Town through appropriate agreements/covenants.
- f) All roads within the 'Townhouse Residential' designation shall be designed to the urban standards identified in this Secondary Plan and shall have regard for the appended design guidelines.

C2.2 Low Density Residential

- a) It is the intent of the Town to permit single-detached dwelling units in an environmentally sound manner, including the protection of the interpretive, educational and scientific value of the surrounding landscape.

C2.2.1 Permitted Uses

- a) 'Low Density Residential' housing forms shall include single-detached dwelling units.
- b) Uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, parks, open space linkages, places of worship and day nurseries may be permitted within the 'Low Density Residential' designation.
- c) Restrictions on the range of permitted uses shall be identified in the implementing zoning by-law.

C2.2.2 Policies

- a) The minimum lot frontage for residential development shall generally be 18.0 metres per dwelling unit. The minimum lot area shall generally be 685 square metres.
- b) Local roads within the 'Low Density Residential' designation may be developed to the urban or rural standards identified in this Secondary Plan, subject to the policies of this Secondary Plan and the technical requirements of the Town.
- c) Places of worship and day nurseries may be permitted through a rezoning, provided they:
 - have a maximum lot size of .75 of a hectare;
 - are compatible with adjacent properties in terms of aesthetics, privacy, sun-shadowing, noise and/or other impacts; and,
 - are located adjacent to the intersection of two public roads, at least one of which is a collector road.
- d) All development permitted within the 'Low Density Residential' designation may be subject to the Site Plan Control provisions of The Planning Act, at the discretion of the municipality.
- e) Prior to any development within the 'Low Density Residential' designation, a Community Design Plan shall be carried out that will, among other items, address the impact of development on views to and from the adjacent environmental features. Some of the issues to be considered shall include:

- the height, siting and orientation of the dwelling units;
- the provision of view corridors along roadways and between buildings; and,
- more detailed design guidelines addressing the scale and massing of building and landscape treatments.

The Community Design Plan shall be carried out by the proponent and approved by the Town. The recommendations of the Community Design Plan shall be implemented through the zoning by-law and may also be implemented through the Site Plan Control provisions of the Planning Act, at the discretion of the municipality.

C2.3 Low Density Residential - Special Policies

- a) It is the intent of the Town to permit large lot single-detached dwelling units in an environmentally sound manner, including the protection of the interpretive, educational and scientific value of the surrounding landscape.

C2.3.1 Permitted Uses

- a) 'Low Density Residential – Special Policies' housing forms shall include only single-detached units on large lots.
- b) Within areas designated 'Low Density Residential - Special Policies' uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, pocket parks and open space linkages are permitted.
- c) Restrictions on the range of permitted uses shall be identified in the implementing zoning by-law.

C2.3.2 Policies

- a) The lands designated 'Low Density Residential – Special Policies' shall be developed on individual lots with a minimum frontage of approximately 30.0 metres. The minimum lot area shall generally be 1,500 square metres.
- b) Local roads within the 'Low Density Residential - Special Policies' designation may be developed to the urban or rural standards identified in this Secondary Plan, subject to the policies of this Secondary Plan and the technical requirements of the Town.
- c) All development permitted within the 'Low Density Residential – Special Policies' designation may be subject to the Site Plan Control provisions of The Planning Act, at the discretion of the municipality.
- d) Prior to any development within the 'Low Density Residential - Special Policies' designation, a Community Design Plan shall be prepared that will, among other items, address the impact of development on views to and from the adjacent environmental features. Some of the issues to be considered shall include:
- the height, siting and orientation of the dwelling units;
 - the provision of view corridors along roadways and between buildings; and,
 - more detailed design guidelines addressing the scale and massing of buildings and landscape treatments.

The Community Design Plan shall be carried out by the proponent and approved by the Town. The recommendations of the Community Design Plan shall be implemented through the zoning by-law and may also be implemented through the Site Plan Control provisions of the Planning Act, at the discretion of the municipality.

- e) All development on lands designated 'Low Density Residential – Special Policies' shall proceed on the basis of the recommendations of an Environmental Impact Statement. An Environmental Impact Statement is to be undertaken by the proponent and approved by the Town, in consultation with the Region, the Conservation Authority and any other government agency having jurisdiction. An Environmental Impact Statement will provide:
- a map identifying the location and extent of the proposed buildings and landscape elements on the subject site in relation to the identified natural feature;
 - a biological description of the natural environment that might reasonably be expected to be affected, either directly or indirectly, by the proposed development;
 - a description of the impacts to the environment that may reasonably be expected to result from the proposed development; and,
 - a description of the actions that may be reasonably required to prevent, change, minimize or remedy impacts to the environment resulting from the implementation of the proposed development, including the identification of environmental buffers, opportunities for ecological restoration, enhancement and long term conservation of the natural feature.

The recommendations of the Environmental Impact Statement shall be implemented through the zoning by-law and Site Plan Control provisions of the Planning Act. Site Plan agreements and/or other legal devices will be registered on title to ensure the long-term protection of the identified natural features.

C2.4 Mixed Institutional/Commercial

- a) The Lands designated 'Mixed Institutional/Commercial' focus on the north side of the NR 20 corridor, as identified on Schedule 'E'. Development within this designation shall be compatible with the planned role of NR 20 and as part of the urban entrance to the community of Fonthill.

C2.4.1 Permitted Uses

- a) Institutional uses permitted within this designation include senior citizens housing in forms ranging from independent living apartments to partial care facilities to a full service nursing home.
- b) In addition to the primary institutional use ancillary commercial uses may also be permitted. The range of commercial uses permitted in combination with the permitted institutional uses within this designation include:
- professional and medical offices;
 - health and fitness recreational uses; and,
 - banks and personal service uses.
- c) Public utilities, storm water management facilities and community facilities such as parks and open space linkages, and places of worship may also be permitted within the 'Mixed Institutional/Commercial' designation.
- d) Restrictions on the range of permitted uses shall be identified in the implementing zoning by-law.

C2.4.2 Policies

- a) All development shall be subject to the Site Plan Control provisions of The Planning Act.
- b) The Town shall ensure that the natural environment is considered as an essential component of the site plan with special consideration given to natural topography, surface drainage patterns and vegetative cover.
- c) This site is a key gateway to Fonthill. As such, a high level of design standards will be incorporated into the zoning by-law and design guidelines for landscaping, building setbacks and other on-site amenities.
- d) The maximum height of any building shall be 4 storeys or 12 metres, whichever is less.
- e) All uses will be located to front, face and feature NR 20 and Lookout Street.
- f) Parking facilities shall not exceed 30 percent lot area coverage and shall generally be restricted to interior side and rear yard locations. The area of the lot covered by the building shall not exceed 40 percent.
- g) The number of access points to public roads shall be minimized.
- h) Where any lot line abuts a public road, public open space, and/or a residential lot, special landscaping/building treatments shall be required to ensure that the rear and/or side building facades are attractive and/or appropriately screened from view.
- i) All parking, storage and loading areas shall be appropriately screened, landscaped and buffered from all adjacent land uses.

C2.5 Open Space II

C2.5.1 Permitted Uses

- a) The 'Open Space II' designation permits a wide variety of recreational uses, including buildings and facilities used for recreation. Storm water management facilities may also be permitted within the 'Open Space II' designation.

C2.5.2 Policies

- a) The permitted uses and policies of the 'Open Space II' designation are in addition to the policies of Section 1.35 and 1.36 'Open Space' of the Official Plan.
- b) The 'Open Space II' designation includes neighbourhood parks and pocket parks/village squares.
- c) The neighbourhood park is shown conceptually on Schedule 'E' and is moderate in size. Pocket parks/village squares, which are conceptually identified on Schedule 'E', are intended to provide sub-neighbourhood focal points and/or gateway features.
- d) The actual size and shape of the various public parks shall be determined during the processing of development applications.
- e) Publicly owned parkland shall be provided in accordance with the standards identified in The Planning Act, subject to the following:

- significant frontage on a public road is provided;
 - the site is located to complement the overall open space network; and,
 - the site is accessible to residents from the surrounding neighbourhood.
- f) Parkland may be acquired pursuant to the provisions of the Planning Act and by other available means. Lands required for storm water management facilities that are not suitable for public recreation purposes shall not be accepted as part of the parkland dedication under the Planning Act.
- g) Cash-in-lieu of parkland shall only be considered where an individual development parcel does not include any key components of the anticipated neighbourhood park, pocket park/village square or open space linkage network, and where the Town has determined that parkland within the subject lands is not required to serve the proposed development or the surrounding community. Where cash-in-lieu of parkland is accepted, the cash shall be used to enhance the public open space system elsewhere within this Secondary Plan Area.
- h) Land conveyed to the Town for park purposes shall be accepted only when the Town is satisfied that the land is suitable for park purposes and is situated and configured in a manner that achieves the open space objectives of this Secondary Plan.
- i) Land for park purposes must be conveyed in a condition satisfactory to the Town. At a minimum, this should be in a condition with basic grading, seeding/sodding completed and building materials and rubble removed.

C3.0 Transportation

- a) The intent of the transportation system is to provide an integrated, multi-modal transportation network for all residents and businesses that is safe, convenient, affordable, efficient and energy-conserving while minimizing environmental impacts. The key objectives in designing the transportation network are:
- continuity and connectivity;
 - transit friendliness; and,
 - livable streets.

C3.1 Road Network

- a) The road network within the Secondary Plan Area, as identified conceptually on Schedule 'E', is based on an inter-connected and permeable modified grid pattern.
- b) The community will have a hierarchy of road types determined by the adjacent land uses, planned function, location, capacity and speed. Schedule 'E' identifies the existing NR 20, the collector road network, including Lookout Street and Haist Street and a conceptual local road network.

C3.1.1 Niagara Road 20 (NR 20)

- a) NR 20 is, and will remain one of the primary east-west routes, joining Pelham to St. Catharines and beyond. As such, special consideration regarding the nature and visual character of the road right-of-way and adjacent development is important. Development of NR 20 shall meet the following requirements:
- a right-of-way width of 20 to 26 metres;
 - sidewalks shall be provided;
 - new development that abuts NR 20 will front, face and feature NR 20, however, no individual access will be permitted from NR 20 to any new use within this Secondary Plan Area; and,
 - as an 'Urban Arterial' the Town will work in collaboration with the Region to ensure that the future design of NR 20, including any proposed widening, shall have regard for its role and function as the historic main street of Fonthill. Design considerations may include a reduced right-of-way, reduced pavement and lane widths, a reduced design speed, provision for on-street parking and special design features and street lighting/furniture.

C3.1.2 Collector Roads

- a) Other collector roads in the Secondary Plan Area, including Haist Street, Lookout Street and the proposed internal collector road shall have either urban or rural cross sections, and incorporate design features such as traffic calming measures, bicycle lanes, landscape islands, street lighting/furniture. Right-of-way widths to be 20 - 26 metres, subject to confirmation of their ability to accommodate the vehicular, cyclists and pedestrian traffic to the satisfaction of the Town.

C3.1.3 Local Roads/Lanes

- a) The local road network must be based on a modified grid and include a variety of 'T' and cross road intersection con-

figurations. Right-of-way for the local road pattern shall be 20 metres. To incorporate such design features as parking lanes, road widths for local streets with urban cross section shall be 8.6 metres. Road widths for local streets with rural cross section shall be 9.0 metres. Separate provision for cyclists has not been made on local streets, given the lower traffic levels on these roads.

- b) One local road, identified as 'Special Identity Local Road' is to be developed with a landscaped centre median and is intended to terminate at a public park, as shown conceptually on Schedule 'E'. The ROW for this road shall be 22 metres.
- c) Public or private lanes may be permitted within the 'Townhouse Residential' designation. Lanes shall meet the following requirements:
 - a right-of-way width of between 6.0 metres and 7.5 metres;
 - a minimum pavement width of between 6.0 metres and 7.5 metres; and,
 - the rear yard setback to a garage shall range between 0.0 and 1.0 metre.

C3.1.4 Road Policies

- a) All identified right-of-way, pavement widths and road configurations shall be subject to satisfactory confirmation of utility locations, emergency access, streetscape design and on-street parking regulations. The road allowance widths identified in this Secondary Plan are approximate. In certain cases, widening of existing roads to the ultimate road allowance width may not be required. In some cases the right-of-way may need to be wider to accommodate engineering and/or design requirements. Final right-of-way requirements and the provision of day-light triangles will be determined during the review of development applications.
- b) The local road network, which is shown conceptually on Schedule 'E', shall recognize natural and built constraints and shall generally form a continuous and interconnected modified grid pattern. Minor modifications to the local road network may be permitted without the need for an Official Plan Amendment provided the Town is satisfied that the general intent of the planned local road network is maintained.
- c) Only the identified collector road shall be permitted to intersect with Haist Street.
- d) No urban development will be permitted within the Secondary Plan Area until internal road access among the various land parcels is appropriately secured by the Town.
- e) Traffic calming features, such as raised intersections, speed humps, chokers, traffic circles, chicanes and/or hammerheads should be considered to control speed, volumes and cut-through traffic. These features may also provide important aesthetic focal points within the community. These roadway features may be permitted subject to evaluation by the Town of functional, aesthetic, operational and financial issues associated with their use.
- f) Streetscape design for the collector road, local roads and laneways shall have regard for the urban design guidelines appended to this Secondary Plan.

C3.2 Transit

- a) Transit routes are to be located along the identified collector roads. The use of local streets for transit will be avoided, wherever possible.

- b) It is anticipated that the nature of the transit network will evolve over time as service demand dictates.

C3.3 Pedestrian and Bicycle System

- a) The development of all roads shall, where possible, include safe, convenient and attractive facilities for pedestrians and cyclists.
- b) A street-related pedestrian walkway and bikeway system shall be required within the neighbourhood. These facilities will be designed to be integrated with a general pedestrian and bicycle system within the community which provides linkages between buildings, adjacent sites, surrounding areas and public streets, particularly those with transit facilities.

C3.4 Parking

- a) All development shall provide suitable off-street parking, as required by the implementing zoning by-law.
- b) On street parking shall be considered on all local roads, subject to the right-of-way width and traffic considerations.

C4.0 Infrastructure

C4.1 Water, Waste Water and Storm Water Management

- a) Development within the Secondary Plan Area shall be on the basis of full urban water, wastewater and storm water management facilities.
- b) A Master Servicing Plan, outlining preliminary functional water distribution, wastewater collection and storm water management facilities, including designs and costs, will be prepared prior to the approval of any development within the Secondary Plan Area.
- c) All required infrastructure shall be constructed and sized to accommodate the full build-out of the Secondary Plan Area. As a result, some of the infrastructure required by one proponent may be oversized to service the larger area. Benefiting landowners shall be required to compensate provider proponents, prior to development on the benefiting landowner's property.
- d) All development within the Secondary Plan Area will proceed according to individual, site specific Drainage Plans and Servicing Plans prepared by the proponent, to the satisfaction of the Town and the Region.
- e) Development may be phased to coincide with the availability of servicing and financial capabilities are available to allow all the necessary services for development.
- f) Municipal infrastructure, storm water management facilities and public or private utility services shall be permitted in all land use designations, subject to the results of a Subwatershed Study, an Environmental Impact Study, the Master Servicing Plan and detailed engineering designs to be approved by the Town. Further Official Plan Amendments shall not be required to implement appropriate infrastructure and storm water management facilities.

C4.2 Storm Water Collection and Management System

- a) The Secondary Plan Area is subdivided into two drainage areas, as identified on Schedule 'E'. The majority of the property drains to the south to Coyle Creek (Ridgeville Drain is part of this system). The remainder of the property drains northeast to Twelve Mile Creek. Twelve Mile Creek is the only coldwater fishery in Niagara and, therefore, is a significant resource to the community and Region. Storm water management is very important for this Secondary Plan Area and the Town will be requiring the highest level of protection (Level 1) for the Twelve Mile Creek watershed and Level 2 protection for the drainage area tributary to Coyle Creek.
- b) The general objectives for storm water management within this Secondary Plan Area are:
 - to maintain, and where possible, improve the health and condition of the receiving watercourses;
 - the achievement of no net increase in storm water run-off from the Area to adjoining lands;
 - to maintain, and where possible, improve the quality of storm water entering surface and groundwater supplies; and,
 - to promote the use of naturalized methods of storm water management.

- c) The storm water collection system for the Secondary Plan Area will be designed to direct minor and major storms to two proposed Ponds (possibly a third to service the southwest corner of the subject area), identified conceptually on Schedule 'E'.
- d) Smaller trunk storm sewers will be required to service the entire Secondary Plan Area. A proponent may be required to oversize storm water management facilities to service other landowner's properties. Oversizing costs borne by a specific proponent may be paid for with contributions from other benefiting landowners through front ending agreements, Development Charges By-law, or other developer's group agreements as deemed appropriate by the Town.
- e) Watercourse land dedication, including environmental buffers as identified in this Secondary Plan and in the Subwatershed Study, shall be valued and subject to contributions from other benefiting landowners through front ending agreements, Development Charges By-law, or other developer's group agreements as deemed appropriate by the Town.
- f) The native soil is sand, therefore the storm water management plans developed for Secondary Plan Area must include groundwater recharge areas. The design of the recharge system must ensure that the highest quality of water is recharged into the groundwater system.
- g) The Secondary Plan Area is divided into two storm water management areas, as identified on Schedule 'E' and described below:
 - Storm Drainage Area A, which drains to the Twelve Mile Creek watershed; and,
 - Storm Drainage Area B, which drains to the Ridgeville Drain/Coyle Creek watershed.
- h) Storm Drainage Area A - This Area drains to Twelve Mile Creek, the only cold water fishery in the Niagara Region. As such, a Level 1 protection is required for the storm water management system. The primary design objectives for storm water management in this Area include:
 - quantity control;
 - quality control;
 - groundwater recharge;
 - water temperature control; and,
 - erosion control.
- i) Storm Drainage Area B - Drainage from this area outlet into tributaries of the Coyle Creek to the southwest. Parts of some of these tributaries have experienced erosion problems along their banks in some locations, in particular in one tributary channel behind Lookout Village. One storm water management facility is proposed to be located on the northeast corner of NR 20 and Lookout Street. A second storm water management facility may be required in the southeast corner of Secondary Plan Area B, east of the Fire Hall. The remaining drainage from this area is via natural watercourses, which are tributaries to the Ridgeville Drain. The primary design objectives for storm water management in this area include:
 - quantity control;

- quality control;
- groundwater recharge;
- erosion control; and,
- enhancement program for the existing drainage courses (may be subject to the Drainage Act as part of the Coyle Creek complex is the Ridgeville Drain).

The storm water management pond proposed to be located at the intersection of NR 20 and Lookout Street is identified as a key gateway to Fonthill. As such, it should be designed with enhanced landscape features recognizing its important location within Pelham.

C4.3 Other Utilities

- a) All new local power and telephone lines and other 'cable' services serving the Secondary Plan Area shall be located underground and shall, where possible, be grouped into a single utility trench.
- b) Utility providers are to confirm if existing services can be upgraded and new services can be provided to support the proposed development prior to the approval of any development within the Secondary Plan Area.

C5.0 Implementation

- a) This Secondary Plan shall be implemented by the powers conferred upon the Town by the Planning Act, the Municipal Act, the Development Charges Act and other applicable statutes and in accordance with all the applicable policies of the Town of Pelham Official Plan in addition to the policies of this Secondary Plan.

C5.1 Phasing

- a) Development shall be phased to provide for the continuous, orderly extension of the community and to ensure the most efficient and economical use of existing and proposed infrastructure. The following phasing criteria shall be considered in the review of all development applications:
- the development contributes to, or can be appropriately integrated within the logical sequence of construction of all required sewer, water, storm water and transportation facilities; and,
 - the development satisfies all requirements regarding the provision of parkland and other facilities.
- b) Notwithstanding any other provisions of the Official Plan, as a condition of the approval of development:
- the requirement for a front ending agreement and/or a developer's group agreement shall be satisfied; and,
 - an agreement to implement any relevant findings of the studies required by this Secondary Plan.

C5.2 Developer's Group/Front Ending Agreements

- a) Developer's Group/Front Ending Agreements based on the findings of this Secondary Plan and the findings of the Master Servicing Plan and any other studies deemed necessary by the Town, shall be entered into by the benefiting parties and approved by the Town as a condition of the approval of development applications.
- b) Such agreements shall ensure that the necessary approvals and the required contributions of funds, lands and commitments for services will be in place and operative prior to, or coincident with occupancy and use of land. Items which may be addressed in the Developer's Group/Front Ending Agreements include:
- open space and environmental features;
 - streetscape features;
 - water distribution and wastewater collection;
 - storm water management facilities;
 - road infrastructure, internal access and widenings; and,
 - other utilities.
- c) If difficulties or undue delays are encountered with respect to the preparation of the Developer's Group/Front Ending Agreements required above, the Town may be requested to attempt to resolve such difficulties or delays. Where resolution of such problems is not deemed feasible by the Town or is not possible even with the Town's intervention, the Town may approve alternative mechanisms to satisfy the intent of the applicable policy.

C5.3 Requirements for Development Applications

- a) Notwithstanding any other provisions of the Official Plan, the Town may require, at the time of submission of a development application, such information as:
- a Subwatershed Study;
 - a Master Servicing Plan;
 - a Community Design Plan, including a Viewshed Analysis, that identifies the design vision of the development application in the context of the policies of this Plan and the appended design guidelines;
 - an individual Servicing Plan;
 - an individual Drainage Plan;
 - an individual Transportation Impact Study;
 - an Environmental Impact Statement; and/or,
 - an archaeological survey.
- b) The Town, in consultation with the Region and any other agency having jurisdiction, shall, if appropriate, peer review and approve all required studies prior to granting development approvals. Costs of peer review work shall be the responsibility of the proponent.

C5.4 Zoning By-law

- a) This Secondary Plan shall be implemented through the enactment of implementing zoning by-laws in conformity with the provisions of the Official Plan and this Secondary Plan.
- b) The Town may designate a holding zone with the prefix 'H' and specify the future uses of these lands that, at the present time, are considered premature or inappropriate for development for any one or more of the following reasons:
- community services and facilities such as sanitary sewers, storm water management facilities, water supply and public parks are insufficient to serve the proposed development;
 - transportation facilities are inadequate or inappropriate based on anticipated traffic;
 - the number and location of access points to the site are inadequate and incapable of functioning safely and efficiently;
 - where development is dependent upon other matters occurring first, such as the consolidation of land ownership to ensure the orderly development of the project and/or the securing of funding for infrastructure, parks, services or outstanding application processing fees;
 - the need for a site plan agreement;
 - the need for a Developer's Group/Front Ending Agreement; and/or,

- supporting studies are required on matters related to traffic, soils, protection of any site features, environmental constraints or design features prior to development approval.
- c) Removal of the 'H' prefix will depend on meeting the specific Town conditions identified by the holding zone by-law.

C5.5 Plans of Subdivision/Condominium

- a) Plans of subdivision/condominium shall only be recommended for approval which:
- conform with the policies and designations of the Official Plan and this Secondary Plan;
 - can be provided with adequate services and facilities as required by the policies of the Official Plan and this Secondary Plan;
 - are not premature and are in the best interest of the municipality; and,
 - have regard for the design guidelines appended to this Secondary Plan.

C5.6 Consents

- a) Subdivision of land shall generally take place by plan of subdivision. Consents shall only be permitted:
- for technical or legal purposes; or,
 - where the municipality is satisfied that the consent will not prejudice the ultimate subdivision of land or the principles set out in the Official Plan or this Secondary Plan.

C6.0 Interpretation

- a) This Secondary Plan is a statement of municipal policy. It is intended as a guide to the development of the Secondary Plan Area. Some flexibility in interpretation is permitted without the need for an Official Plan Amendment, provided the general intent of the policies and principles of this Plan are maintained.
- b) Development within the community shall be subject to all the policies of this Secondary Plan and any applicable policies of the parent Official Plan. However, where there is a conflict between this Secondary Plan and the parent Official Plan, the policies of this Secondary Plan shall apply.
- c) The designations identified on Schedules 'E' are intended to show general areas and the boundaries are flexible and may vary without an Official Plan Amendment, except where designations are established by fixed boundaries such as existing roads or where specifically stated to be fixed in the policies of this Secondary Plan.
- d) Where lists or examples of permitted uses are provided, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses not listed, but considered by the Town to be similar to the listed uses and to conform to the general intent of the applicable land use designation may be recognized as a permitted use.
- e) Minor variations from numerical requirements in this Secondary Plan may be permitted without an Official Plan Amendment provided that the general intent of this Secondary Plan is maintained.



PART C

APPENDICES

LIST OF APPENDICES

- Appendix A-1 Notice of Public Meeting December 10, 2001
A-2 Affidavit re
- Giving Notice of Public Meetings
- Giving Notice of Adoption
- Appendix B-1 Minutes of General Committee Meeting December 10, 2001
B-2 Minutes of General Committee Meeting June 3, 2002
- Appendix C Written Submissions or Comments and when they were received
C-1 David Watson September 1, 2000
C-2 Oscar Weiland December 7, 2001
C-3 Niagara River Restoration Council February 25, 2002
C-4 Niagara Peninsula Conservation Authority March 13, 2002
C-5 Terra-Dynamics Consulting Inc. March 14, 2002
C-6 David G. Watson March 14, 2002
C-7 The Friends of the Twelve March 15, 2002
C-8 Regional Niagara Planning & Development March 19, 2002
- Appendix D-1 Affidavit re
- List re Oral Submissions at Public Meetings
- Appendix E-1 Planning Report dated May 28, 2002
- 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
NOTICE OF PUBLIC MEETING

Appendix A-1

PROPOSED AMENDMENTS TO THE TOWN OF PELHAM OFFICIAL PLAN

Background

The Town of Pelham recently received approval from the Ontario Municipal Board to expand the Fonthill Urban Boundary. The Town has retained the services of the Planning Partnership to prepare Secondary Plans for the expansion areas. In late June of 2001 three days of public workshops were held to share the views of the public and their vision for the future development of the expansion lands.

Purpose of the Meeting

The purpose of the meeting is to receive comments and answer questions regarding the amendments to the Town of Pelham Official Plan.

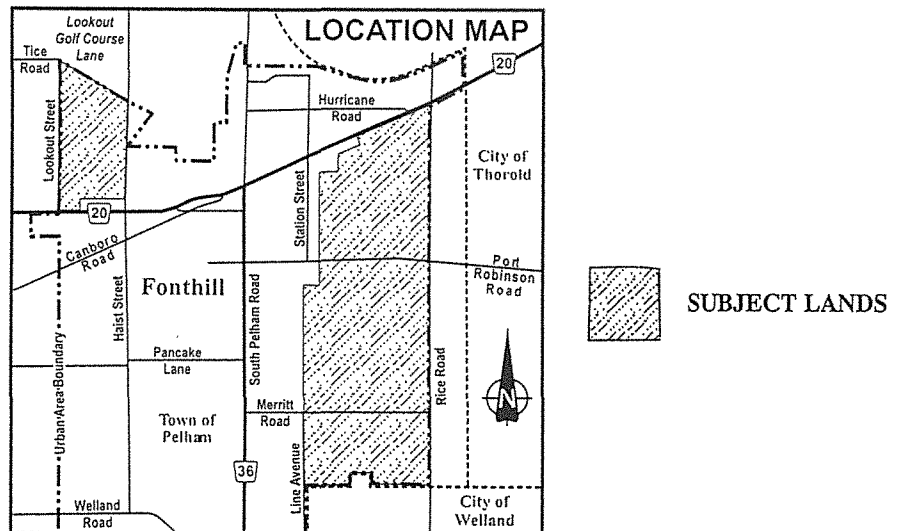
Nature of the Town of Pelham Amendments

- (a) The Secondary Plans will produce a detailed Master Plan, comprising policies and land use schedules implementing the Official Plan and Urban Design Guidelines. The products of the Secondary Plans will form the basis of the Official Plan.
- (b) Remove the Deferred Designations on the lands in the north west corner of the Fonthill Urban Area, more specifically described in paragraph (b) below.

Location

The areas involved are shown on the location map and described below as follows:

- (a) approximately 186 hectares south and east of the existing Fonthill Urban Area bounded by Regional Road 20 to the north, Rice Road to the east, the Pelham/Welland municipal boundary to the south, and Line Avenue and Station Street to the west;
- (b) approximately 34 hectares north west of the existing Fonthill Urban Area bounded by Regional Road 20 to the south, Haist Street to the east, Lookout Street to the west and the Niagara Escarpment Commission to the north.



This public meeting is being held under the provisions of Section 17 of the Planning Act at the following time and place:

DATE: Monday, December 10, 2001
TIME: 7:00 p.m.
LOCATION: Pelham Municipal Council Chambers
20 Pelham Town Square

If a person or public body that files a notice of appeal of a decision of the Town of Pelham in respect of the proposed Official Plan Amendments does not make oral submission at a public meeting or make written submissions to the Town of Pelham before the proposed amendments are adopted, the Ontario Municipal Board may dismiss all or part of the appeal.

If you wish to be notified of the adoption of the proposed Official Plan Amendments you may make a written request to:

Mrs. Cheryl Miclette, Clerk, Town of Pelham
20 Pelham Town Square, P. O. Box 400
Fonthill, Ontario L0S 1E0

A copy of the proposed amendments and background materials related to the amendments will be available on December 3, 2001 and at the public meeting. For more information please contact:

Mr. Jack Bernardi, Director of Planning Services, Town of Pelham
(905) 892-2607, Ext. 16, email jbernardi@town.pelham.on.ca

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. 43

Lot 3, Concession 7

A F F I D A V I T

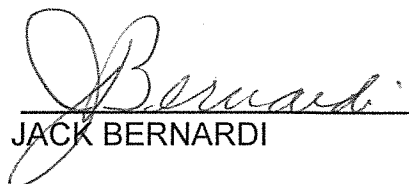
I, JACK BERNARDI, DIRECTOR OF PLANNING SERVICES OF THE TOWN OF PELHAM, IN THE REGIONAL MUNICIPALITY OF NIAGARA, MAKE OATH AND SAY AS FOLLOWS:

- (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 19th day of November, 2001, 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.
- (3) On the 20th day of November, 2001, I did cause to be published in newspapers having sufficient general circulation in the area to which the proposed official plan would apply, a notice of the public meeting. The said notice appeared in the newspapers shown on the list attached hereto and marked as Schedule "C" to this Affidavit.
- (4) On the 21st day of November, 2001, I did cause to be published in newspapers having sufficient general circulation in the area to which the proposed official plan would apply, a notice of the public meeting. The said notice appeared in the newspapers shown on the list attached hereto and marked as Schedule "D" to this Affidavit.
- (5) On the 21st day of November, 2001, I did cause to be sent by Regional Courier and in envelopes addressed to the respective public bodies whose names and addresses are shown on the list attached hereto and marked as Schedule "E" to this Affidavit, a notice of the public meeting.
- (6) On the 25th day of June, 2002, 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 "F" to this Affidavit, a copy of the Notice of Adoption of Official Plan Amendment No. 43.

SWORN BEFORE ME AT THE TOWN OF PELHAM)
IN THE REGIONAL MUNICIPALITY OF NIAGARA)
THIS 2ND DAY OF JULY, 2002 A.D.)



NANCY BOZZATO, DEPUTY CLERK



JACK BERNARDI

NANCY BOZZATO, Deputy
Clerk, Town of Pelham, a
Commissioner for Taking
Affidavits in the Regional
Municipality of Niagara.

SCHEDULE A

D MANICCIA MGR OF OPERATIONS
NIAGARA CATHOLIC DISTRICT
SCHOOL BOARD
427 RICE RD
WELLAND ON L3C 7C1

LAND USE PLANNING SECTION
REAL ESTATE SERVICES
HYDRO ONE NETWORKS INC
483 BAY ST 12TH FLOOR
NORTH TOWER
TORONTO ON M5G 2P5

ATTN MANAGER
PLANNING & TRANSPORTATION
DIST SCHOOL BOARD OF NIAGARA
191 CARLTON ST
ST CATHARINES ON L2R 7P4

MANAGER LAND SERVICES
ENBRIDGE CONSUMERS GAS
101 CONSUMER DRIVE
WHITBY ON L1N 1C4

ATTN SECRETARY
ENBRIDGE CONSUMERS GAS
P O BOX 1051
THOROLD ON L2V 5A8

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

ATTN MR GLEN BARKER
BLS PLANNING ASSOCIATES
1 ST PAUL ST
ST CATHARINES ON L2R 7L2

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

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

ST JOHNS CENTRE
3054 ORCHARD HILL DRIVE
R R #1
FONTHILL ON L0S 1E6

SCHEDULE B

JOHN WEILAND INVESTMENTS
C/O PRECISION RESOURCE CAN
4 CHERRY BLOSSOM RD
CAMBRIDGE ON N3H 4R7

A & M LAMETTI
403 WELLINGTON ST
PORT COLBORNE ON L3K 2K5

RICHARD ANDRUS
R R #2 175 PORT ROBINSON RD
WELLAND ON L3B 5N5

M & C McNEIL
BOX 689 173 PT ROBINSON RD
FONTHILL ON L0S 1E0

K & T SHELTON
BOX 1256
FONTHILL ON L0S 1E0

CHRIS & KATINA LORIDAS
630 OSSINGTON AVE
TORONTO ON M6G 3T5

WM & M MARTIN
R R #2 155 PT ROBINSON RD
WELLAND ON L3B 5N5

HERBERT PLUMMER
R R #2 153 PT ROBINSON RD
WELLAND ON L3B 5N5

DENISE MAMAS
1 WELDON CRT
NORTH YORK ON M6L 1V4

H & L SCHONEWILLE
15 KEVIN DR
FONTHILL ON L0S 1E4

ATTN REGIONAL CLERK
REG MUNICIPALITY OF NIAGARA
BOX 1042 STN MAIN
THOROLD ON L2V 4T7

JAMES FEDONI
R R #1 1599 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

J & C PALA
R R #1 1611 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

J & H SEITL
R R #1 1613 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

BELL CANADA
PROPERTY TAX DEPT
BOX 610 STN K
TORONTO ON M4P 2H1

S & U RADBONE
R R #1 1617 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

J & H FISHBURN
R R #1 1621 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

RANDY ZWIERSCHKE
BOX 178 1405 STATION ST
FONTHILL ON L0S 1E0

J & N SCHOLMAN
1401 STATION ST
FONTHILL ON L0S 1E0

D KUCKYT & C BROOKS
BOX 38 1403 STATION ST
FONTHILL ON L0S 1E0

A & K WILLMS
BOX 1038 1399 STATION ST
FONTHILL ON L0S 1E0

J & L ZWIERSCHKE
BOX 128
FONTHILL ON L0S 1E0

FONTHILL FUEL & BUILDERS
SUPPLIES LTD
BOX 23
FONTHILL ON L0S 1E0

MARK MAZURKIEWICZ
R R #2 61 PORT ROBINSON RD
WELLAND ON L3B 5N5

PATRICIA ANTONIOU
BOX 1125 59 PT ROBINSON RD
FONTHILL ON L0S 1E0

IVA BOWMAN
R R #2 63 PT ROBINSON RD
WELLAND ON L3B 5N5

N & B DENYES
R R #2 147 PT ROBINSON RD
WELLAND ON L3B 5N5

GARDENS FOUR LTD
R R #2
NIAGARA-ON-LAKE ON L0S 1J0

V & T GALVIN
R R #2 131 PORT ROBINSON RD
WELLAND ON L3B 5N5

NOELLA BOTARI
BOX 504
FONTHILL ON L0S 1E0

GILBERTHE HART
R R #2 121 PT ROBINSON RD
WELLAND ON L3B 5N5

MICHAEL McNEILL
R R #2 119 PT ROBINSON RD
WELLAND ON L3B 5N5

LESLEY & KAREN TOKAR
107 PORT ROBINSON ROAD
FONTHILL ON L0S 1E0

M FAST & K THOMSON
1435 STATION ST
FONTHILL ON L0S 1E0

NICK & FLORA KARAN
BOX 654 2243 PT ROBINSON RD
FONTHILL ON L0S 1E0

E & G MORNINGSTAR
BOX 377
FONTHILL ON L0S 1E0

WANDA NICOWSKI
R R #2 1342 RICE ROAD
WELLAND ON L3B 5N5

JENNIE SHOLDRA
4 WINSTON RD
ST CATHARINES ON L2M 4R2

JADWIGA ARLEN
3 KAREN AVE
GUELPH ON N1G 2N8

NORMA TIRONE
R R #2 1304 RICE RD
WELLAND ON L3B 5N5

L ELLER & L KENNEDY
R R #2 2353 MERRITT RD
WELLAND ON L3B 5N5

NICK & MARY ANN RUSNOV
R R #2 1283 CATARACT RD
WELLAND ON L3B 5N5

CARL & LUCY KRATZ
R R #2 221 MERRITT RD
WELLAND ON L3B 5N5

C & A TIRONE
R R #1 203 PANCAKE LANE
RIDGEVILLE ON L0S 1M0

G & R MASTRACCI
R R #2 166 PORT ROBINSON RD
WELLAND ON L3B 5N5

ELIZABETH GERE
R R #2 147 MERRITT RD
WELLAND ON L3B 5N5

S & V MUSSARI
R R #3 21 KER CRES
FENWICK ON L0S 1C0

SAM & VICKY AGOSTINO
R R #2 105 MERRITT RD
WELLAND ON L3B 5N5

GERALD LITTLE
R R #2 93 MERRITT RD
WELLAND ON L3B 5N5

A & M ZUCCO
R R #2 104 PORT ROBINSON RD
WELLAND ON L3B 5N5

LYLE & LORRAINE ADAMS
R R #2 108 PORT ROBINSON RD
WELLAND ON L3B 5N5

MARK POTOCKI
110 PORT ROBINSON RD
FONTHILL ON L0S 1E0

NEIL CAMBRAY
118 PORT ROBINSON RD
FONTHILL ON L0S 1E0

D & K KARATOPIS
R R #2 5233 HWY 20
ST ANNS ON L0R 1Y0

A MINDRINOS & C LORIDAS
264 BEATRICE ST
TORONTO ON M6G 3G1

ROBERT HAYMES
BOX 1357 124 PT ROBINSON RD
FONTHILL ON L0S 1E0

EMMA DESY
R R #2 126 PT ROBINSON RD
WELLAND ON L3B 5N5

JAMES & MARILYN GRABELL
R R #2 130 PT ROBINSON RD
WELLAND ON L3B 5N5

HELEN GILBERT
132 PORT ROBINSON RD
FONTHILL ON L0S 1E0

VIOLET CHRISTENSON
134 PORT ROBINSON RD
FONTHILL ON L0S 1E0

MLALAMA & F DIMARCANTONIO
R R #2 1180 RICE ROAD
WELLAND ON L3B 5N5

STEVE MASNEY
R R #2 1136 RICE ROAD
WELLAND ON L3B 5N5

JOHN & MARY DYCK
R R #2 1144 RICE ROAD
WELLAND ON L3B 5N5

MARTIN PASKO
509 RICE ROAD
WELLAND ON L3C 2W2

775463 ONTARIO LIMITED
C/O ANNE MEINEN
515 RIDGE RD E
BEAMSVILLE ON L0R 1B2

G & D ELCICH
R R #2 220 MERRITT RD
WELLAND ON L3B 5N5

EDWARD & CAROL IVAN
R R #2 152 MERRITT RD
WELLAND ON L3B 5N5

MAXLAND DEVELOPMENTS INC
17 DUNBAR CRES
ST CATHARINES ON L2W 1A6

PETER ANTONIOU LTD
R R #2
ST ANNS ON L0R 1Y0

PAUL & LOU-ANNE BLUSHAK
R R #2 130 MERRITT RD
WELLAND ON L3B 5N5

BETTY BAMFORD
BOX 475 1636 HAIST ST
FONTHILL ON L0S 1E0

MORI NURSERIES LIMITED
R R #2
NIAGARA ON LAKE ON L0S 1J0

BELLA MORI FARMS INC
C/O MRS LINETTE GARRETT
R R #1
NIAGARA ON LAKE ON L0S 1J0

OSCAR WEILAND
BOX 538
FONTHILL ON L0S 1E0

P NEISING & P BRETON-NEISING
1518 HAIST ST
FONTHILL ON L0S 1E0

SHIRLEY & JENO BEGOLO
1516 HAIST ST N
FONTHILL ON L0S 1E0

J & B STEPHENSON
1512 HAIST ST
FONTHILL ON L0S 1E0

ROSS & DOREEN BRUSH
BOX 1489
FONTHILL ON L0S 1E0

MAURICE YOUNG ESTATE
C/O JOSEPH YOUNG
1200 BAY ST SUITE 608
TORONTO ON M5R 2A5

J & M VAN SCHYNDEL
BOX 1395 1433 STATION ST
FONTHILL ON L0S 1E0

L ROEPKE & R SCHROEDER
1431 STATION ST
FONTHILL ON L0S 1E0

STEVE & SHEILA FORSTNER
BOX 1033 1427 STATION ST
FONTHILL ON L0S 1E0

BRIAN & LAVERNA SULLIVAN
BOX 420
FONTHILL ON L0S 1E0

PAUL & EILEEN ROODE
BOX 1145
FONTHILL ON L0S 1E0

MICHAEL & BERYL GEORGIEV
1415 STATION ST
FONTHILL ON L0S 1E0

ROSALEE CAMERON
BOX 1438
FONTHILL ON L0S 1E0

ALEXANDER GECSE
BOX 363 1409 STATION ST
FONTHILL ON L0S 1E0

RUSSELL & LILLIE McCOMBS
R R #2 132 MERRITT RD
WELLAND ON L3B 5N5

DENNIS & ALISON DUCHARME
R R #2 140 MERRITT RD
WELLAND ON L3B 5N5

NORMAN & ELIZABETH HOWELL
R R #2 144 MERRITT RD
WELLAND ON L3B 5N5

BERTHA POSZMIK
R R #2 146 MERRITT RD
WELLAND ON L3B 5N5

PAUL AND ELSIE BELANGER
R R #2 150 MERRITT RD
WELLAND ON L3B 5N5

TOWN OF PELHAM
BOX 400
FONTHILL ON L0S 1E0

H & C READ
49 CRERAR AVE
WELLAND ON L3C 2Z2

M MONETTE & L LOUGH
48 CRERAR AVE
WELLAND ON L3C 2Z3

G & M PREENEN
103 MONTGOMERY RD
WELLAND ON L3C 2Y5

G & P FERRUSI
107 MONTGOMERY RD
WELLAND ON L3C 2Y5

MARION HOOTON
86 MONTGOMERY RD
WELLAND ON L3C 2Y3

C MAMMOLITI
111 EAST MAIN ST
WELLAND ON L3B 3W5

A & K BACKLER
104 MONTGOMERY RD
WELLAND ON L3C 2Y3

D & P FRANK
108 MONTGOMERY RD
WELLAND ON L3C 2Y3

N & C McLEOD
118 MONTGOMERY RD
WELLAND ON L3C 2Y3

SAARA HUPPUNEN
124 MONTGOMERY RD
WELLAND ON L3C 2Y3

J& R KORMOS
130 MONTGOMERY RD
WELLAND ON L3C 2Y3

MARTIN PASKO
509 RICE ROAD
WELLAND ON L3C 2W2

D & G METLER
520 RICE RD
WELLAND ON L3C 2W1

GERALD WILSON
524 RICE ROAD
WELLAND ON L3C 2W1

A & S MAGAZZENI
528 RICE ROAD
WELLAND ON L3C 2W1

A & M MAGAZZENI
25 STRATHMORE CRES
WELLAND ON L3B 1B8

STACEY TREACHER
538 RICE RD
WELLAND ON L3C 2W1

J & F KAMAN
1131 RICE RD GRP BOX 15
WELLAND ON L3C 2W2

WAYNE LACK
87 SUMMERLEA AVE
WELLAND ON L3C 3E9

ROWLAND GILLAP
83 SUMMERLEA AVE
WELLAND ON L3C 3E9

M & D LANDRY
77 SUMMERLEA AVE
WELLAND ON L3C 3E9

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

S WALLACE-MILNER
41 SUMMERLEA AVE
WELLAND ON L3C 3E8

BRIAN & AMBER MOORE
35 SUMMERLEA AVE
WELLAND ON L3C 3E8

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

A & H GYUGYEI
84 SUMMERLEA AVE
WELLAND ON L3C 3E7

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

J & M SUMMERSIDES
72 SUMMERLEA AVE
WELLAND ON L3C 3E7

C & E HALLETT
C/O BANK OF MONTREAL
800 NIAGARA ST
WELLAND ON L3C 5Z4

THOMAS PATRICK
62 SUMMERLEA AVE
WELLAND ON L3C 3E7

J & A-M BUTCHER
58 SUMMERLEA AVE
WELLAND ON L3C 3E7

S & G CARL
52 SUMMERLEA AVE
WELLAND ON L3C 3E7

M & S FITZGERALD
46 SUMMERLEA AVE
WELLAND ON L3C 3E7

CINDY LOU BLUNDELL
42 SUMMERLEA AVE
WELLAND ON L3C 3E7

J & C CHESHIRE
36 SUMMERLEA AVE
WELLAND ON L3C 3E7

HARRY & MARY KOHLI
32 SUMMERLEA AVE
WELLAND ON L3C 3E7

THOMAS GECSE
24 SUMMERLEA AVE
WELLAND ON L3C 3E7

OTTO & RUTH PALLEK
1631 HAIST ST
FONTHILL ON L0S 1E0

VICTORIA WALTERS
1404 HAIST ST
FONTHILL ON L0S 1E0

MUSSARI HOLDINGS (WELLAND)
60 EASTDALE CRES
WELLAND ON L3B 1E8

VIRGINIA SECKER
74 HWY 20 W
FONTHILL ON L0S 1E0

KENNETH & IRIS WILLIAMS
P O BOX 6
FONTHILL ON L0S 1E0

HARRY & SHELLEE NIZNIK
156 HWY 20 W
FONTHILL ON L0S 1E0

JEAN LEISHMAN
BOX 751
FONTHILL ON L0S 1E0

LLOYD RICKER
108 ISABELLA ST APT 1123
TORONTO ON M4Y 1N6

ROBERT FREEMAN
24 BIGELOW CRES
FONTHILL ON L0S 1E2

AWANA YOUTH ASSOCIATION
BOX 190
FONTHILL ON L0S 1E0

M CERCONE & D FISHER
67 HWY 20 WEST
FONTHILL ON L0S 1E0

FRANK & PAULA LEHMANN
71 HWY 20 W
FONTHILL ON L0S 1E0

A & K GLEDHILL
75 HWY 20 W
FONTHILL ON L0S 1E0

ELIZABETH POST
77 HWY 20 W
FONTHILL ON L0S 1E0

SYBIL CRAFTER
BOX 104 1505 HAIST ST
FONTHILL ON L0S 1E0

G & M CAMPBELL
BOX 331 1507 HAIST ST
FONTHILL ON L0S 1E0

CARL & JANET DAMUDE
BOX 354 1509 HAIST ST
FONTHILL ON L0S 1E0

ADA COOPER
1511 HAIST ST
FONTHILL ON L0S 1E0

D BOLES & D MOON
1513 HAIST ST N
FONTHILL ON L0S 1E0

BEVERLEY SZYMUSIAK
BOX 707 1515 HAIST ST
FONTHILL ON L0S 1E0

JAMES & DIANNE GUNTER
BOX 1425 1517 HAIST ST
FONTHILL ON L0S 1E0

J & C GLYN-JONES
1519 HAIST ST
FONTHILL ON L0S 1E0

SERGE PACQUIN
1521 HAIST ST
FONTHILL ON L0S 1E0

MICHAEL KARNER
1525 HAIST ST
FONTHILL ON L0S 1E0

TOWN OF PELHAM
C/O FONTHILL & DIST KINSMEN
BOX 906
FONTHILL ON L0S 1E0

A & D STUTZMANN
307 WARREN RD
TORONTO ON M1J 2B7

NATURE CONSERVANCY OF CAN
400-110 EGLILNTON AVE W
TORONTO ON M4R 1A3

THOMAS & CHRISTINE ROBERTS
BOX 414
FONTHILL ON L0S 1E0

GEORGE & DIANE HUBBARD
BOX 635 1621 HAIST ST
FONTHILL ON L0S 1E0

OSCAR & JANET WEILAND
BOX 538 1631 HAIST ST
FONTHILL ON L0S 1E0

WAYNE & BEVERLEY METLER
19 PEACHTREE PARK
FONTHILL ON L0S 1E0

C & B-L OSBORNE
21 PEACHTREE PARK
FONTHILL ON L0S 1E0

PATRICIA RYBSKI
23 PEACHTREE PK
FONTHILL ON L0S 1E0

THOMAS & JEAN AINSWORTH
25 PEACHTREE PARK
FONTHILL ON L0S 1E0

ALAN & SUSIE SYKES
12 PEACHTREE PARK
FONTHILL ON L0S 1E0

JOHN & EVELYN FREEMAN
14 PEACHTREE PARK
FONTHILL ON L0S 1E0

MALCOM & MARTHA SAYLOR
BOX 712 16 PEACHTREE PARK
FONTHILL ON L0S 1E0

NIGEL & DENISE EVANS
18 PEACHTREE PARK
FONTHILL ON L0S 1E0

DAVID & DIANNA BLAKE
20 PEACHTREE PARK
FONTHILL ON L0S 1E0

MARGARET ROBBINS
22 PEACHTREE PARK
FONTHILL ON L0S 1E0

DONALD & CHERIE WILLIAMS
BOX 427 24 PEACHTREE PARK
FONTHILL ON L0S 1E0

RONALD KRATZ
26 PEACHTREE PARK
FONTHILL ON L0S 1E0

DOROTHY JOHNSON
BOX 765 28 PEACHTREE PARK
FONTHILL ON L0S 1E0

A & M VELDHUIZEN
14 PARKDALE CRES
FONTHILL ON L0S 1E3

B LEGER & J PUPETZ
16 PARKDALE CRES
FONTHILL ON L0S 1E3

BRIAN & DEBORAH GULLETT
18 PARKDALE CRES
FONTHILL ON L0S 1E3

ANTONIUS RIETVELD
20 PARKDALE CRES
FONTHILL ON L0S 1E3

LARRY COWAN
22 PARKDALE CRES
FONTHILL ON L0S 1E3

THOMAS & TAMARA RIETVELD
24 PARKDALE CRES
FONTHILL ON L0S 1E3

ROCKY MAIDA
6292 GLENGATE ST
NIAGARA FALLS ON L2E 5S3

ATTN ANDJELKO MRKACJ
1238962 ONTARIO LTD
115 HWY 20 EAST
FONTHILL ON L0S 1E0

AVONDALE STORES LIMITED
BOX 130
JORDAN STATION ON L0R 1S0

LOOKOUT POINT COUNTRY CLUB
BOX 709
FONTHILL ON L0S 1E0

DONALD & MABEL HAIST
R R #1 1584 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

MARJORY FREEMAN
R R #1
RIDGEVILLE ON L0S 1M0

SUSANNA PRODANIUK
R R #1 1568 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

ABDUL & AMINA CHAUDARY
1542 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

JO-ANNE & DOUGLAS ANDREY
R R #1 1524 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

J & M TERESCSIK
R R #1 1520 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

IGNACIJ & CVETKA SKALA
185 METLER RD
RIDGEVILLE ON L0S 1M0

BARBARA SIMPSON
BOX 1192 245 HWY 20
FONTHILL ON L0S 1E0

THOMAS BAILEY
R R #1 1366 HAIST ST
RIDGEVILLE ON L0S 1M0

ALLAN & NANCY TOTH
R R #1 1364 HAIST ST
RIDGEVILLE ON L0S 1M0

U LUCCHETTA CONSTRUCTION
400 RICE ROAD
WELLAND ON L3C 2V8

CLIFFORD CAIN IN TRUST
202 HWY 20 WEST
FONTHILL ON L0S 1E0

KAISER STALLWOOD
DEVELOPMENTS INC
R R #1 1747 PELHAM ST
FONTHILL ON L0S 1E6

1338381 ONTARIO LIMITED
BOX 907
FONTHILL ON L0S 1E0

JRW DEVELOPMENTS LTD
BOX 907
FONTHILL ON L0S 1E0

HARJOHN INDUSTRIES INC
T/A WINEGARDEN RON KOZUB
R R #1 191 HWY 20 EAST
FONTHILL ON L0S 1E6

FONTHILL LIONS CLUB INC
BOX 849
FONTHILL ON L0S 1E0

WILDY & GUY LESSARD
R R #1 101 HURRICANE RD
FONTHILL ON L0S 1E6

VICTORIA RAVENEK
99 HURRICANE RD
FONTHILL ON L0S 1E3

GEORGE & JUDITH FRASER
97 HURRICANE RD
FONTHILL ON L0S 1E3

EDWIN & CATHERINE KEEN
62 HURRICANE RD
FONTHILL ON L0S 1E3

MILOS & ANNA DURCO
64 HURRICANE RD
FONTHILL ON L0S 1E3

KAREN BELLINGER
66 HURRICANE RD
FONTHILL ON L0S 1E0

MARK & JANE LOVELL
68 HURRICANE RD
FONTHILL ON L0S 1E3

ARNOLD & BETTY SMITH
70 HURRICANE RD
FONTHILL ON L0S 1E3

PATRICIA RAFFERTY
72 HURRICANE RD
FONTHILL ON L0S 1E3

JEFFREY & PAMELA HILL
74 HURRICANE RD
FONTHILL ON L0S 1E3

NADIA LASELVA
76 HURRICANE RD
FONTHILL ON L0S 1E3

DONALD & EDNA HOUSER
78 HURRICANE RD
FONTHILL ON L0S 1E3

KEITH & JENIFER MEDCALF
80 HURRICANE RD
FONTHILL ON L0S 1E3

ROBERT & BARBARA CONNELL
82 HURRICANE RD
FONTHILL ON L0S 1E3

NANCY JORDAN
84 HURRICANE RD
FONTHILL ON L0S 1E3

LILLIAN CROWE
86 HURRICANE RD
FONTHILL ON L0S 1E3

MARY RAMSAY
88 HURRICANE RD
FONTHILL ON L0S 1E3

IRENE RAUSCHER
90 HURRICANE RD
FONTHILL ON L0S 1E3

STAR TILE CENTRE LIMITED
BOX 488
FONTHILL ON L0S 1E0

L POTTER & G LEVAY
BOX 465
FONTHILL ON L0S 1E0

ANDREW & PETRONELLA GROEN
BOX 992 145 HWY 20 EAST
FONTHILL ON L0S 1E0

ROYAL CANADIAN LEGION
BOX 42
FONTHILL ON L0S 1E0

ITTAG LIMITED
C/O TONY GATTI
58 BARBICAN TRAIL
ST CATHARINES ON L2T 4A6

S & E VAJDA
R R #4 382 DOAN'S RIDGE RD
WELLAND ON L3B 5N7

NIAGARA CATHOLIC DIST
SCHOOL BOARD
427 RICE ROAD
WELLAND ON L3C 7C1

ROMAN CATHOLIC EPISCOPAL
CORP ST CATHARINES
C/O ST ALEXANDERS PARISH
BOX 773
FONTHILL ON L0S 1E0

R & C BAXTER IN TRUST
BOX 1390
FONTHILL ON L0S 1E0

FONTHILL CONCRETE PRODUCTS
BOX 1800
OAKVILLE ON L6J 5C7

JOHN PORTOLESI JOHN
1445 STATION ST
FONTHILL ON L0S 1E0

K & B BARGHOORN
BOX 275 1443 STATION ST
FONTHILL ON L0S 1E0

ELIZABETH GROSS
1441 STATION ST
FONTHILL ON L0S 1E0

ALEXANDER & VALERIE ROSS
1439 STATION ST
FONTHILL ON L0S 1E0

A & R MacGILLIVRAY
1437 STATION ST
FONTHILL ON L0S 1E0

R KOUDYS & M RUITER
R R #3 94 FIRST ST LOUTH
ST CATHARINES ON L2R 6P9

C & C GIGANTI
1389 STATION ST
FONTHILL ON L0S 1E0

STEVEN & LYNNE BERNIER
1387 STATION ST
FONTHILL ON L0S 1E0

DANIEL SOS
BOX 998 1385 STATION ST
FONTHILL ON L0S 1E0

ROSILDA DIXON
1383 STATION ST
FONTHILL ON L0S 1E0

L HOFFMAN & C DIXON
1381 STATION ST
FONTHILL ON L0S 1E0

CHRISTINE SALTARELLI
1373 STATION ST
FONTHILL ON L0S 1E0

G & J ST PIERRE
1375 STATION ST
FONTHILL ON L0S 1E0

LEWIS & GLEN WURFEL
BOX 1496 1371 STATION ST
FONTHILL ON L0S 1E0

VIRGILIO BATTAGLINI
1369 STATION ST
FONTHILL ON L0S 1E0

714718 ONTARIO LIMITED
C/O ARVID KARLSEN
67 HOLTON AVE S
HAMILTON ON L0S 1E0

JOHN & MARIA LAZARIDIS
1361 STATION ST
FONTHILL ON L0S 1E0

KAREN & JASON WHEELER
1359 STATION ST
FONTHILL ON L0S 1E0

GARY & SHERRY ALLAN
41 PORT ROBINSON RD
FONTHILL ON L0S 1E0

PATRICIA CANE
BOX 576
FONTHILL ON L0S 1E0

M NIEUWENHUYZEN & M POULI
BOX 2 45 PORT ROBINSON RD
FONTHILL ON L0S 1E0

WILLIAM & FLORENCE HERING
41 EMMETT ST
FONTHILL ON L0S 1E0

DAVID SHIRTON
45 EMMETT AVE
FONTHILL ON L0S 1E0

G LIDDYCOAT & L DAKIN
42 EMMETT ST
FONTHILL ON L0S 1E0

MICHAEL & CAROL JONES
44 EMMETT ST
FONTHILL ON L0S 1E0

DONNA GILBERT
37 COLLEGE ST
FONTHILL ON L0S 1E0

GAIL HILYER
BOX 154
FONTHILL ON L0S 1E0

ROBERT & MARY TUCKER
39 COLLEGE ST
FONTHILL ON L0S 1E0

HENRY & LISA TIMMERS
BOX 248 38 COLLEGE ST
FONTHILL ON L0S 1E0

D & G STEPHENSON
40 COLLEGE ST
FONTHILL ON L0S 1E0

NOEL & ROSE GRIFFITH
42 COLLEGE ST
FONTHILL ON L0S 1E0

PELHAM HYDRO COMMISSION
4548 ONTARIO ST UNIT 2
BEAMSVILLE ON L0R 1B5

FRIEDEL BRANDT
1150 LINE AVE
WELLAND ON L3C 3C4

JAMES & MELODEE FOSTER
1146 LINE AVE
WELLAND ON L3C 3C4

E WILEY & J YOUNG
1138 LINE AVE
WELLAND ON L3C 3C4

ROBERT & BEVERLY LOVEJOY
55 BACON LANE
WELLAND ON L3C 3E6

ALLAN STEERS
51 BACON LANE
WELLAND ON L3C 3E6

JENNIFER BASSI
50 BACON LANE
WELLAND ON L3C 3E5

BRIAN STEVEN
62 BACON LANE
WELLAND ON L3C 3E5

HEATHER ARMSTRONG
1134 LINE AVE
WELLAND ON L3C 3C3

MURRAY & MOREEN VATCHER
1130 LINE AVE
WELLAND ON L3C 3C3

WM & EVELYN PFEIFLE
1128 LINE AVE
WELLAND ON L3C 3C3

DALE & SUZANNE WINGER
1126 LINE AVE
WELLAND ON L3C 3C3

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

LORRAINE & PAUL BROWN
1122 LINE AVE
WELLAND ON L3C 3C3

DAVID & TINA SCHULZ
BOX 545
FONTHILL ON L0S 1E0

GERALD & MARY LOU 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

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

RAFFAELE & BARBARA DESANTIS
1110 LINE AVE
WELLAND ON L3C 3C3

DOUGLAS & JANET CHURCHILL
BOX 121
FONTHILL ON L0S 1E0

K CHADWICK & E HUNTER
1106 LINE AVE
WELLAND ON L3C 3C3

G GIROUS & M QUESNEL
1104 LINE AVE
WELLAND ON L3C 3C3

JULIE & JAMES JERVIS
1102 LINE AVE
WELLAND ON L3C 3C3

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

D STEVEN & M McINNES
1100 LINE AVE
WELLAND ON L3C 3C3

JEFFERY & MICHELLE READ
1098 LINE AVE
WELLAND ON L3C 3C3

C SPINOSA & L ELLIOTSON
1096 LINE AVE
WELLAND ON L3C 3C3

DANIEL & JENNIFER MAURICE
1092 LINE AVE
WELLAND ON L3C 3C3

NOEL & MAUREEN THOMPSON
1090 LINE AVE
WELLAND ON L3C 3C3

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

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

MARGARET FREELAND
BOX 822 20 MERRITT RD
FONTHILL ON L0S 1E0

WILFRED NEWELL
BOX 1397 40 MERRITT RD
FONTHILL ON L0S 1E0

GARY & ANDREA WOLFE
44 MERRITT RD
FONTHILL ON L0S 1E0

GREGORY & SUSAN TASHJIAN
48 MERRITT RD
FONTHILL ON L0S 1E0

JEANNE MILLAR
52 MERRITT RD
FONTHILL ON L0S 1E0

R & C DOMENEGATO
BOX 1325 56 MERRITT RD
FONTHILL ON L0S 1E0

BRUNO & JEANNIE IAFRATE
3 STEFLAR ST
FONTHILL ON L0S 1E4

DOUG & KIMBERLEE GASIOREK
5 STEFLAR ST
FONTHILL ON L0S 1E4

DREW & HELEN CHAMBERLAIN
7 STEFLAR ST
FONTHILL ON L0S 1E4

BERNARD & KIMBERLY HAIGH
9 STEFLAR ST
FONTHILL ON L0S 1E4

JAMES & ANNETTE TRIDER
11 STEFLAR ST
FONTHILL ON L0S 1E4

P SCOTT & N JONES
2 STEFLAR ST
FONTHILL ON L0S 1E4

RONALD & ALICE HRCAK
4 STEFLAR ST
FONTHILL ON L0S 1E4

GORDON & ROSANNE COLE
6 STEFLAR ST
FONTHILL ON L0S 1E4

ROBERT & CAROLE BABIN
8 STEFLAR ST
FONTHILL ON L0S 1E4

M & N CHAUDHRY
10 STEFLAR ST
FONTHILL ON L0S 1E4

G & C HETHERINGTON
12 STEFLAR ST
FONTHILL ON L0S 1E4

2004427 ONTARIO INC
7 KAREN CRT
FONTHILL ON L0S 1E4

JUVENILE DETENTION (NIAGARA)
C/O DAVID S HORNE O & D HOME
BOX 1250
FONTHILL ON L0S 1E0

JEHOVAHS WITNESSES FONTHILL
BOX 137
FONTHILL ON L0S 1E0

CATHERINE CLARKSON
R R #2 207 PT ROBINSON RD
WELLAND ON L3B 5N5

KEVIN & KAREN KOCARIK
1323 PELHAM ST
FONTHILL ON L0S 1E0

STANLEY & BRENDA BURGER
R R #2 1475 RICE RD
WELLAND ON L3B 5N5

CAROL & SARAH COSGROVE
R R #2 1479 RICE RD
WELLAND ON L3B 5N5

JOHN & PATRICIA WATSON
R R #2 1481 RICE RD
WELLAND ON L3B 5N5

DAVID BURT
R R #2 1485 RICE RD
WELLAND ON L3B 5N5

HECTARES PROPERTIES INC
C/O KIMBERLEY DUFFIN
R R #2
WELLAND ON L3B 5N5

KATHLEEN SILVESTRI
R R #2 1515 RICE RD
WELLAND ON L3B 5N5

FRED & WANDA MONTPETIT
BOX 426
FONTHILL ON L0S 1E0

WM DUFFIN APPLE WORKS INC
R R #2
WELLAND ON L3B 5N5

FLORENCE NELSON
BOX 726
FONTHILL ON L0S 1E0

LOUIS & ETHEL GONZALEZ
BOX 367
FONTHILL ON L0S 1E0

MICHAEL & DIANA TREMBLETT
R R #2 200 HURRICANE RD
WELLAND ON L3B 5N5

PANFILO GUGLIELMI
1283 COLVIN BLVD
BUFFALO NY USA 14223

ANTHONY & SUSAN MULE
290 HELLEMS AVE
WELLAND ON L3B 3B7

R & B ZENNER
C/O NOVITIUM MANAGEMENT
311 GEORGE ST N LOWER LEVEL
PETERBOROUGH ON K9J 3H3

ANTONIO & MARIA FRASSETTO
R R #2 1165 RICE RD
WELLAND ON L3B 5N5

THOMAS & TRUUS CARTER
R R #2 1291 RICE RD
WELLAND ON L3B 5N5

ANNIE KATCH
R R #2 1307 RICE RD
WELLAND ON L3B 5N5

ARPAD & MARIANNE SCHLETT
R R #2 1317 RICE RD
WELLAND ON L3B 5N5

HELEN HENYE
R R #2 1345 RICE RD
WELLAND ON L3B 5N5

ROCCO & ANNA DIPAOLO
R R 2 1349 RICE RD
WELLAND ON L3B 5N5

JULIANNA FORSTNER
R R #2 1351 RICE RD
WELLAND ON L3B 5N5

ANTONIO & ADELINA PAVAN
R R #2 1365 RICE RD
WELLAND ON L3B 5N5

RICE RD GREENHOUSES
R R #2 1361 RICE RD
WELLAND ON L3B 5N5

R & H VAN CAPELLE
R R #2 1363 RICE RD
WELLAND ON L3B 5N5

FONTHILL DOWNS LIMITED
BOX 522
FONTHILL ON L0S 1E0

C ALCOCK & C MUELLER
37 MERRITT RD
FONTHILL ON L0S 1E0

A & C CHRISTIAN
BOX 852
FONTHILL ON L0S 1E0

DIST SCHOOL BRD OF NIAGARA
191 CHARLTON ST
ST CATHARINES ON L2R 1S1

D & E DI MARTILE
79 KUNDA PARK BLVD
FONTHILL ON L0S 1E0

K & V BAILEY
28 STEVEN ST
WELLAND ON L3C 6C4

ROSANNE FRASSETTO
82 KUNDA PARK BLVD
FONTHILL ON L0S 1E7

LUCIA MALVESTUTO
84 KUNDA PARK BLVD
FONTHILL ON L0S 1E7

C MARTEL & J WYTKA
85 KUNDA PARK BLVD
FONTHILL ON L0S 1E7

D & T ELLIOT
87 KUNDA PARK BLVD
FONTHILL ON L0S 1E7

WINSTON & SHARON NEWMAN
89 KUNDA PARK BLVD
FONTHILL ON L0S 1E7

PETER & JAYNE SMITH
91 KUNDA PARK BLVD
FONTHILL ON L0S 1E7

JEFFERY & LAURA VILK
93 KUNDA PARK BLVD
FONTHILL ON L0S 1E7

HERMAN AVOLIO
64 LARCHWOOD CIR
WELLAND ON L3C 6T2

ANGELO & LISA ALAIMO
22 BEECHWOOD CRES
FONTHILL ON L0S 1E7

ZORKA & DOBRO STANISIC
20 BEECHWOOD CRES
FONTHILL ON L0S 1E7

JOSEPH & FRANCES KAMAN
1131 RICE RD GROUP BOX 15
WELLAND ON L3C 2W2

ANDY NERO
15 ROBINSON ST S
GRIMSBY ON L3M 3C5

JOSEPH & CATHARINE McLEAN
46 EMMETT AVE
FONTHILL ON L0S 1E0

ATTN MIKE WATT
WALKER COMMUNITY DEV CORP
BOX 100
THOROLD ON L2V 3Y8

MR LESTER SHOALTS

214 WEST ST

PORT COLBORNE ON L3K 4E3

Welland Tribune

St. Catharines Standard

The Voice of Pelham

Pelham News

SCHEDULE E

ATTN CLERK
REGIONAL NIAGARA
BOX 1042
THOROLD ON L2V 4T7

REGIONAL NIAGARA HEALTH
SERVICES
573 GLENRIDGE AVE
ST CATHARINES ON L2T 4C2

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

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

CITY OF THOROLD
BOX 1044
THOROLD ON L2V 4A7

SCHEDULE F

JENO & SHIRLEY BEGOLO
1516 HAIST ST
FONTHILL ON L0S 1E0

LARRY ROEPKE
1431 STATION ST
FONTHILL ON L0S 1E0

STEVE RADBONE
1617 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

DOUG ANDREY
R R #1 1524 LOOKOUT ST
RIDGEVILLE ON L0S 1M0

JOE TERESCSIK
R R #1
RIDGEVILLE ON L0S 1M0

MANFRED RUDOLPH
120 KING ST W SUITE 1050
HAMILTON ON L8N 3P9

RON & DIANE HUBBARD
1621 HAIST ST
FONTHILL ON L0S 1E0

DOREEN BRUSH
BOX 1489 1508 HAIST ST
FONTHILL ON L0S 1E0

WALLY BAMFORD
BOX 475 1636 HAIST ST
FONTHILL ON L0S 1E0

ALLARD COLYN
280 WEST ST
SMITHVILLE ON L0R 2A0

DAVID WATSON
R R #1 187 CANBORO RD
RIDGEVILLE ON L0S 1M0

WILLIAM SNYDER
1 WELLINGTON COURT
FONTHILL ON L0S 1E4

JOHN SCOTT
R R #1
3054 ORCHARD HILL DR
FONTHILL ON L0S 1E6

A KARAN
65 PORT ROBINSON RD
FONTHILL ON L0S 1E0

ED KUNDA
1291 PELHAM ST
FONTHILL ON L0S 1E0

C CAVASIN
1 SHORTHILL PL
FONTHILL ON L0S 1E3

ANN STEPHENSON
1512 HAIST ST
FONTHILL ON L0S 1E0

NORM McLEOD
118 MONTGOMERY RD
WELLAND ON L3C 2Y3

ART WILLMS
1399 STATION ST
FONTHILL ON L0S 1E0

JOHN HEMINGWAY
3426 LANSDOWN DR
BURLINGTON ON L7M 1V1

DAVID KUCKYT
BOX 38
FONTHILL ON L0S 1E0

ELLIS MORNINGSTAR
BOX 397
FONTHILL ON L0S 1E0

SAVERIO MUSSARI
21 KER CRES
FENWICK ON L0S 1C0

BRIAN SULLIVAN
BOX 430 1423 STATION ST
FONTHILL ON L0S 1E0

STEPHEN KAISER
1323 EFFINGHAM ST
RIDGEVILLE ON L0S 1M0

NELSON & BRENDA DENYES
R R #2
147 PORT ROBINSON RD
WELLAND ON L3B 5N5

TAMMY GALVIN
33 PORT ROBINSON RD
FONTHILL ON L0S 1E0

ALBERT GAROFALO
450 RICE ROAD
WELLAND ON L3C 2W1

KAREN TOKAR
107 PORT ROBINSON RD
FONTHILL ON L0S 1E0

JODY MARTEL
85 KUNDA PARK BLVD
FONTHILL ON L0S 1E7

OSCAR WEILAND
1625 HAIST ST
FONTHILL ON L0S 1E0

REGIONAL CLERK
(PLANNING)
2201 ST DAVID'S ROAD
THOROLD ON L2V 4T7

R HANLIN & A TIRONE
R R #2
162 PORT ROBINSON RD
WELLAND ON L3B 5N5

MR & MRS A ZUCCO
R R #2
104 PORT ROBINSON RD
WELLAND ON L3B 5N5

A LAMETTI
403 WELLINGTON ST
PORT COLBORNE ON L3K 2K5

JOHN DELISIO
17 DUNBAR CRES
ST CATHARINES ON L2W 1A6

GC-214/2001

GENERAL COMMITTEE

GC-26/01

December 10, 2001

Minutes of a special General Committee meeting held on Monday, December 10th, 2001 at 7:00 p.m. in the Municipal Council Chambers. The meeting was called for the purpose of holding a public meeting under the Planning Act with respect to an Official Plan Amendment.

ATTENDANCE:

Council: Mayor R. Beamer
Councillor R. Hatt
Councillor W. B. Walker
Councillor U. Brand

Part Time: Councillor C. Kuckyt

Absent: Councillor G. Berkhout
Councillor S. Matthews

Staff: CAO/Director of Financial Services G. Cherney
Director of Planning Services J. Bernardi
Recording Secretary(Clerk) C. Miclette

Others: Interested Citizens (Approximately 100)

Media: Sarah Murrell, The Voice

1. CALLED TO ORDER:
The special meeting was called to order by Chair, Councillor W. B. Walker.

2. ADOPTION OF AGENDA:
RECOMMENDATION - MOVED BY COUNCILLOR R. HATT, SECONDED BY COUNCILLOR U. BRAND - THAT the agenda for the December 10th, 2001 special General Committee meeting be adopted. CARRIED, CHAIR, COUNCILLOR W. B. WALKER

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

Councillor Kuckyt disclosed a direct pecuniary interest with respect to the Secondary Plans for the Urban Area Boundary Expansion, which was the subject of the public meeting, due to the fact that she owns property within one of the areas included in the Secondary Plans.

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

4. PUBLIC MEETING UNDER PLANNING ACT:
7:00 P.M. - PROPOSED OFFICIAL PLAN AMENDMENT - TOWN OF PELHAM
OFFICIAL PLAN AMENDMENT - URBAN AREA BOUNDARY EXPANSION
SECONDARY PLANS - EAST FONTHILL & NORTH WEST FONTHILL:
Chair, Councillor W. B. Walker recited the required form of notice as per the Planning Act with respect to public meetings.

GC-215/2001

Chair, Councillor Walker then introduced Mr. Ron Palmer of The Planning Partnership who introduced his partner Ms. Donna Hinde.

Mr. Palmer noted that The Planning Partnership had been engaged by the municipality to prepare secondary plans for the recently approved Urban Area Boundary Expansion. He indicated that his firm had been working on the secondary plans since the summer of 2001.

He also noted that many persons were involved in the process of preparing the Secondary Plans, i.e. Town Staff, consulting firms, Regional Staff, etc.

Mr. Palmer then turned the presentation over to Ms. Donna Hinde, who outlined the basic process in the preparation of Secondary Plans which began with the three day workshop which was held at the Town of Pelham Public Library, Fonthill Branch - June 27, 28 & 29; then the preparation and review of optional concepts; meetings with Town Staff, Regional Staff, School Boards, Niagara Peninsula Conservation Authority, etc. and then a formal presentation of the concept plans to Council at the end of September.

Ms. Hinde then turned the presentation back to Mr. Palmer who outlined the four basic components used in the preparation of the secondary plans.

Ms. Hinde also mentioned the guidelines contained in the secondary plans which are divided into two sections: (1) public and (2) private. She also noted that these guidelines are to be used as a guide only for the development of lands.

At this point in the meeting, Mr. Palmer and Ms. Hinde noted that that was the end of their presentation.

Chair, Councillor Walker then requested comments from the public on the secondary plans.

PUBLIC INPUT:

Mr. Manfred Rudolph, representing the owner of 126 Merritt Road - Mr. Rudolph questioned the process regarding the notification of property owners with respect to the workshop and September meeting.

Mr. J. Bernardi noted that letters were sent to all stakeholders with respect to the 3 day workshop.

Mr. Dave Watson, 187 Canboro Road - Mr. Watson noted that he was in attendance this evening as a private citizen and also as a member of the Friends of the Twelve. Mr. Watson noted that he did not receive notice of the workshop and/or meeting. He noted that his concerns were with respect to possible erosion, the issue of water quality and the health of the cold water creek (Twelve Mile Creek). Mr. Watson also noted the proposed stormwater collection and drainage of the site in the north east secondary plan and he wondered whether these sites were sufficient for the development as set out in the plan. He further noted that the Twelve Mile Creek is in a state of flux and that it is being threatened. As well he stated that the waters are becoming warm and that this will no longer be known as a cold water fishery, which is the only located within the Region of Niagara.

GC-216/2001

Mr. Watson closed by stating that more emphasis should be put on stormwater management systems which will be constructed and he suggested that consideration be given to infiltration and that they be located on the table lands.

Chair, Councillor Walker noted that we are not at the design stage for the stormwater retention ponds and that this would be later on in the process.

Mr. Glen Barker of BLS Planning Associates representing the Walker Community Development Corporation - Mr. Barker noted that his client would probably be involved with the development of approximately 85% of the developable lands within Area #1.

He also noted that the Walker Community Development Corporation has partnered with the Mori Family to consider various proposals for this area. He further noted that, in his opinion, it has been a good process, but that he does have some technical concerns with respect to information contained in the Secondary Plan for Area #1.

He also stated that a zoning by-law amendment and subdivision plan would be prepared and circulated to the municipality in the near future for review and consideration by the municipality for this area.

Mr. Barker also noted that the plan which has been prepared for his clients is quite similar to the one prepared by The Planning Partnership for Area #1.

Mr. Barker further noted that Tri-Media Marketing has been hired to prepare a marketing program for the site; as well proposals are currently out to local architectural firms and also an Environmental Consultant has been engaged to provide input into the design, landscape details, etc. in relation to their proposal.

Mr. Barker stated that the list of technical concerns will be provided to the Director of Planning Services on Tuesday with respect to Area #1, as it is his opinion that the draft secondary plan is too rigid and that the use of site plan control for residential use is not necessary in his opinion.

Mr. Barker then highlighted Section C 2.1.2.Policies (c) contained on Page 20 which noted a frontage of 8m for townhouse development which he feels is too small for a townhouse type development. He further stated that if the policy is in fact accepted, as recommended, then the need for an amendment would be required if a townhouse development was submitted by his client as the normal requirement is 10m.

Mr. Barker also noted that his firm must prepare a community plan, go through a subdivision process, zoning by-law amendment and site plan control. He again reiterated his concern with respect to the site plan control process for residential use as there are already many layers of approval. In closing, he cited a project currently being developed in St. David's which provides for different forms and styles of housing.

Mr. George Dewar, Chair, Friends of Shorthill Park - Mr. Dewar noted that he is concerned about the headwaters of the Twelve Mile Creek and he wondered how this proposed development will affect same.

GC-217/2001

Mr. Dewar then read a section contained on page 42 of the East Fonthill Secondary Plan which notes that the common management pond located at the intersection of NR 20 and Rice Road is identified as a key gateway to Fonthill. As such, it should be designed with enhanced landscape features recognizing its important location within Pelham. He also inquired as to who would establish guidelines, as well as who will monitor and enforce same.

Mr. J. Bernardi noted that the sub-watershed plan process requires a broad circulation which must be carried out as per the Ontario Municipal Board decision immediately following the Peer Review and he stated that such agencies as the Niagara Peninsula Conservation Authority, Friends of the Twelve, etc. will be notified.

In response, Mr. Dewar requested a timeline, to which Mr. Mark Swan advised that the information should be received shortly and the next step in the process will then occur.

Mr. Doug Andrey, 1524 Lookout Street - Mr. Andrey stated that he had not been advised of the 3 day workshop which was held in June and he stated that it was his understanding that all stakeholders were to be notified. Mr. Andrey then stated that, in his opinion, the study was very vague and he was worried about the term contained in the plan which stated that Lookout Street was under utilized. He then inquired as to how many lanes Lookout Street would become and also whether or not Haist Street would be widened. Mr. Andrey noted that if Lookout Street became a three lane highway, then his residence would only have a 20 foot frontage and he felt that this would put his house too close to the road. He further stated that according to the plan there are two roads coming out just below the crest of the hill and, in his opinion, this was a hazard. Mr. Andrey also noted that trees would be lost as a result of road widening. In closing, Mr. Andrey questioned the 5% for park lands and whether or not the present wooded area had been included as part of the park land requirement.

Mr. John Hemingway, P. Eng., in response to the questions raised by Mr. Andrey, stated that detailed studies have not been carried out. He also noted that there is a proposal to have a traffic light installed at the intersection of Regional Road 20 and Lookout Street which was dependant on the results of the traffic studies to be carried out.

In response to the question raised by Mr. Andrey with respect to the park dedication, Mr. Ron Palmer noted that the stormwater ponds and wooded lands are not part of the park land dedication.

Mr. Ron Hubbard, 1621 Haist Street - Mr. Hubbard noted that he is concerned with the additional traffic on Haist Street and the fact that currently there is a runoff problem and he feels that this will only accelerate this already existing problem.

Chair, Councillor Walker noted that this public meeting was not to deal with concerns about traffic, drainage, etc., and he stated that numerous meetings were held with respect to the possible expansion areas which are the subject of the secondary plans this evening.

Mr. Wally Bamford, 1636 Haist Street - Mr. Bamford noted that his concern was with regard to safety if, in fact, this development has an access from Haist Street.

GC-218/2001

Mr. Ron Palmer, in response to Mr. Bamford, noted that the safest access possible will be established on Haist Street.

Mr. John Scott, 3054 Orchard Hill Road - Mr. Scott noted the present downstream runoff from Drainage Area A and he stated that he was concerned about the matter of water quality. Mr. Scott also questioned the percentage of coverage for the stormwater retention ponds.

Mr. Palmer noted that the stormwater retention ponds will be appropriately dealt with and that there will be significant coverage.

Mr. Mark Swan from Earth Tech noted that the details must be worked out once the actual proposals are submitted by developers. He also noted that he was aware of the requirements with respect to water quality and water quantity controls. In closing, Mr. Swan noted that there are many different ways to address this matter, but that it depended on the type of proposals submitted.

Chair, Councillor Walker noted that at present there are no proposals for Areas 2, 3 and 4.

Mr. Nikola Rusnov, 225 Merritt Road - Mr. Rusnov noted that his lands were designated "EC" in the secondary plan and he wondered whether or not there would be any further details on this matter. He also stated that Merritt Road will become a very busy street and also that a road widening is planned for Rice Road.

Chair, Councillor Walker noted that a detailed Environmental Plan must be prepared and a request for re-designation must be submitted to the municipality. He also noted that the purpose of this meeting is not to deal with particular properties, but only on a general basis.

Mr. Steve Radbone, 1617 Lookout Street - Mr. Radbone wondered whether or not this would allow other houses in the area to be accommodated with water.

Ms. Andrea Tirone, 162 Port Robinson Road - Ms. Tirone noted that, it was her understanding that special amenities, such as benches, foundations, etc. were agreed upon and that same would be included in the Secondary Plans.

Mr. Palmer noted that these types of amenities were not covered in a secondary plan and he stated that if she wished to have these types of amenities installed on her property then she was able to do so.

Ms. Hinde noted that Secondary Plans were only guidelines and therefore did not include special amenity items.

Mr. Manfred Rudolph - Mr. Rudolph noted that his client had purchased his lands for development purposes and he objects to his entire property being designed "EC". He also noted that the process will allow him time to deal with the designation issue. Mr. Rudolph noted that he would like to work closely with the team with respect to the "EC" designation issue and he further noted that "EIS" provides some development.

GC-219/2001

Director of Planning Services J. Bernardi noted that the lands have been designated in the following official plans #30 and #36, but he did state that an "EIS" could still be prepared and that an opportunity for change was still available.

Mr. Rudolph inquired as to the timing for the approval of the secondary plans to which Mr. Bernardi responded that hopefully in the new year, Area #1 will be ready to go, but he did state that to date no specific developments are planned for Areas #2, #3 and #4.

Mrs. Karen Tokar, 107 Port Robinson Road - Mrs. Tokar inquired as to whether or not Rice Road would become a 4 lane highway and also whether or not Welland was also planned to widen Rice Road within their municipal limits.

Chair, Councillor Walker noted that at present there are servicing issues which must be addressed and therefore it will be quite a while before any development occurs in this area.

Mr. John Hemingway, Totten, Hubicki & Sims - Mr. Hemingway stated that volume demand will warrant additional lands on Rice Road and that there were trigger points, which at the present time, no figures have been included in the plans, but he did state that the road widenings would probably be staged depending on the development which occurs.

Mr. Palmer stated that these secondary plans will allow for at least a 20 year supply of land and that development will occur incrementally over the next 20 year period.

Mrs. Karen Tokar, 107 Port Robinson Road - Mrs. Tokar inquired as to whether or not the Planning Department was aware of the proposed road widening for Rice Road in the summer of 2001.

Mr. Allard Colyn - Mr. Colyn noted that the issue of woodlots should be addressed.

Mr. George Dewar - Mr. Dewar questioned when issues such as rainwater leaders, groundwater, sub-watershed study, etc. would be addressed.

Director of Planning Services J. Bernardi noted that these types of issues would be discussed at another public meeting and that the matter of how groundwater will be dealt with will be considered at through the subdivision process. With respect to the sub-watershed study he stated that this will have a broad circulation and that various agencies will be requested to submit comments on same, such as NPCA, Friends of the Twelve, etc.

Mr. Palmer asked Mr. Dewar to provide him with information with respect to infiltration processes and that he would ensure that same was included in the secondary plans.

Mr. Albert Garofalo, 450 Rice Road - Mr. Garofalo questioned whether or not there would be vegetation standards to deal with park and roadside plantings, to which Chair Walker noted that the Town is very aware of this matter.

Mr. Dave Watson - Mr. Watson noted that this is a draft plan and that the next stage is the final plan so how does stormwater management facilities get changed.

Mr. Palmer responded by noting that there is lots of flexibility in the plan depending on the type of development when details of the actual plans are available.

Mr. Swan noted that the Sub-Watershed Plan for Area #1 was done in conjunction with the Niagara Peninsula Conservation Authority. Mr. Swan also noted that the Master Servicing Study is the next study to be completed.

Mr. Watson further stated that Area #1 is going to proceed quite quickly and in his opinion the pond is very small and inadequate for this area. He also inquired as to who would maintain the structures and that he was concerned about the watershed.

Mr. Bernardi noted that the ponds will become the ownership of the municipality once the subdivision is assumed by the Town.

Mr. Stephen Kaiser, 1323 Effingham Street - Mr. Kaiser noted that it seems that the southwest quadrant is being targeted for a seniors development and he inquired as to what type of development is being planned for Areas #2, #3 and #4. Chair Walker reiterated that there are no development plans for these areas.

COMMITTEE INPUT:

Mayor R. Beamer - apologized to those in attendance for the meeting room and the lack of space.

Councillor U. Brand - noted that he would like to see some consistency in both secondary plans with respect to drainage areas. He also noted that he would like to see quantity control and limiting factors, i.e. water temperature, included in the plans. Councillor Brand then inquired as to what the current perimeters were for pre-development.

Mr. Swan responded to the issues raised by Councillor Brand and he also noted that surface water controls are needed.

Councillor Brand noted that these perimeters should be included in the secondary plans and that the figures were supplied by the NPCA and the Friends of the Twelve.

Councillor Brand also noted the issue of safety on Haist Street with the suggested intersection.

Chair, Councillor W. B. Walker - noted that the plan does not seem to allow for the establishment of a church, in a residential area, due to the fact that they would require approximately .75 hectares in order to allow for green space.

Mr. Palmer noted that he would look at the plan again taking into account the comments made by Councillor Walker.

GC-221/2001

Councillor Rick Hatt - noted the discussion which has recently taken place with respect to park issues and pending policies and he inquired as to whether or not The Planning Partnership had seen the recent report prepared by dma Consultants.

Mr. Palmer noted that the firm has reviewed the policies prepared by dma Consultants, as well he was aware that the municipality is currently looking for a large site to purchase in order to establish a complex. He further stated that these secondary plans included smaller neighbourhood parks.

Councillor Uwe Brand - asked whether or not the School Boards had been approached, to which Mr. Palmer stated that the School Boards had been contacted and that they had advised that no additional school sites would be required within the expansion areas.

Mayor R. Beamer - noted that Area #1 would be developed first, because it is serviceable and that Areas #2, #3 and #4 are not serviced and he stated that the municipality has some major hurdles before development will occur in these areas.

RECOMMENDATION - MOVED BY COUNCILLOR R. HATT, SECONDED BY COUNCILLOR U. BRAND - THAT the Committee recommend to Council that the Town of Pelham East Fonthill Secondary Plan Study and Town of Pelham North West Fonthill Secondary Plan Study dated November 19, 2001 be received. CARRIED, CHAIR, COUNCILLOR W. B. WALKER

The public meeting was declared closed by the Chair.

5. ADJOURNMENT:

RECOMMENDATION - MOVED BY MAYOR R. BEAMER, SECONDED BY COUNCILLOR R. HATT - THAT this regular General Committee meeting be adjourned until the next regular meeting scheduled for MONDAY, DECEMBER 17th, 2001, unless sooner called by the Mayor. CARRIED, CHAIR, MAYOR R. BEAMER

R. Beamer
CHAIR

Sheryl Michelle
SECRETARY

GENERAL COMMITTEE

GC-13/02

June 3, 2002

Minutes of a regular General Committee meeting held on Monday, June 3rd, 2002 at 8:00 p.m. in the Municipal Council Chambers, 20 Pelham Town Square, Fonthill.

ATTENDANCE:

Council: Acting Mayor W. B. Walker
 Councillor U. Brand
 Councillor C. Kuckyt
 Councillor R. Hatt
 Councillor S. Matthews

Absent: Mayor R. Beamer
 Councillor G. Berkhout

Staff: C.A.O./Director of Financial Services G. Cherney
 Director of Planning Services J. Bernardi
 Director of Building & Enforcement Services E. Cronier
 Recording Secretary (Deputy Clerk) N. Bozzato

Media: Sarah Murrell, The Voice of Pelham
 Greg Furminger, Pelham News
 COGECO

Other: Interested Citizens
 Ron Palmer, The Planning Partnership

1. CALL TO ORDER:
 The meeting was called to order by Acting Mayor W. B. Walker.

2. ADOPTION OF AGENDA:
 **RECOMMENDATION - MOVED BY COUNCILLOR R. HATT,
 SECONDED BY COUNCILLOR C. KUCKYT - RECOMMENDATION THAT the
 agenda for the June 3rd, 2002 regular General Committee meeting be adopted, as
 amended. CARRIED, CHAIR, ACTING MAYOR, W. B. WALKER**

3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE
 THEREOF:
 There were no disclosures of pecuniary interest noted by members of the
 Committee. Councillor C. Kuckyt stated for the record that as the urban area expansion
 matters have been separated into specific areas, she will no longer be declaring a pecuniary
 interest in the matters related to Area 1.

Acting Mayor W. B. Walker stated that as we are now at the halfway mark of this term of Council, the Committee Chairs have changed as follows:

Planning Services - Chair Councillor R. Hatt
Operations Division - Chair U. Brand
Corporate Services - Chair S. Matthews

At this point in the meeting, Councillor R. Hatt assumed the Chair as Chair of the Planning Services Division.

4. BUSINESS SUBDIVISIONS:

(A) PLANNING SERVICES:

(i) Hearing of Delegations:

There were no letters of request received and/or persons in attendance to speak to the Committee to date of meeting.

(ii) Staff Reports:

Report P-20/02 re Recommendation Report - Official Plan Amendment - North West Fonthill Secondary Plan - RECOMMENDATION - MOVED BY COUNCILLOR S. MATTHEWS, SECONDED BY COUNCILLOR C. KUCKYT - THAT Report P-20/02 re Recommendation Report - Official Plan Amendment - North West Fonthill Secondary Plan be received; AND THAT the recommendation contained therein be approved as follows: "THAT the Committee recommend to Council that the necessary by-law be passed adopting the Official Plan Amendment for the North West Fonthill Secondary Plan." CARRIED, CHAIR, COUNCILLOR R. HATT

(iii) Other & New Business:

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

(iv) Communications Received to May 29th, 2002:

There were no communications received to May 29th, 2002.

(B) OPERATIONS:

At this point in the meeting, Councillor R. Hatt vacated the Chair and Councillor U. Brand resumed the Chair as Chair of the Operations Division.

(i) Hearing of Delegations:

No letters of request received and/or persons in attendance to speak to the Committee to date of meeting.

(ii) Staff Reports:

There were no staff reports presented for consideration.

(iii) Other & New Business:

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

(iv) Communications received to May 29th, 2002:

(A) Information Item #1 - **RECOMMENDATION - MOVED BY COUNCILLOR C. KUCKYT, SECONDED BY COUNCILLOR S. MATTHEWS- THAT Operations Division communications received to May 29th, 2002, Item #1 be received for the information of the Committee. CARRIED, CHAIR, COUNCILLOR U. BRAND.**

(C) CORPORATE SERVICES:

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

(i) Hearing of Delegations:

There were no letters of request and/or persons in attendance to speak to the Committee.

(ii) Staff Reports:

Report CAO-12/02 re 2002 Mileage Rates -
RECOMMENDATION - MOVED BY COUNCILLOR U. BRAND, SECONDED BY COUNCILLOR C. KUCKYT - THAT THE COMMITTEE RECOMMEND TO Council that the mileage rate paid to Town employees for the year 2002 remain at 38.9 cents per kilometre and that the rate for the Director of Building & Enforcement Services and the Building Inspectors remain at 39.9 cents per kilometre." CARRIED, CHAIR, COUNCILLOR S. MATTHEWS

Report B&E 12/02 re Municipal Law Enforcement Officer Appointment - Michele Briscoe - **RECOMMENDATION - MOVED BY COUNCILLOR R. HATT, SECONDED BY COUNCILLOR C. KUCKYT - THAT the Committee recommend to Council that Council appoint Michele Briscoe as a Municipal Law Enforcement Officer and Property Standards Officer and that the necessary by-law be enacted." CARRIED, CHAIR, COUNCILLOR S. MATTHEWS.**

(iii) Other & New Business:


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

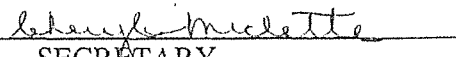
(iv) Communications Received to May 29th, 2002:

There were no communications received to May 29th, 2002.

5. ADJOURNMENT:

RECOMMENDATION - MOVED BY COUNCILLOR U. BRAND,
SECONDED BY COUNCILLORS S. MATTHEWS - THAT this regular meeting of the
General Committee be adjourned until the next regular meeting scheduled for
MONDAY, JUNE 17TH, 2002, unless sooner called by the Chair. CARRIED, CHAIR,
ACTING MAYOR, W. B. WALKER.


CHAIR


SECRETARY

187 Canboro Road, West
R.R. # 1 Ridgeville, ON L0S 1M0
(905) 892-1129
e-mail: watson@vaxxine.com

September 1, 2000

The Corporation of the Town of Pelham
Post Office Box 400
Pelham Municipal Building
20 Pelham Town Square
Fonthill, ON L0S 1E0
Fax (905) 892-5055

Attention: Mr. Ralph Bradley, Drainage Superintendent

Dear Mr. Bradley:

Subject: Maintenance of Ridgeville Drain, Town of Pelham
Roll Number 273202000102800

I am writing in response to your notice of intention to undertake maintenance of the above noted drain. I wish to formally bring to your attention my concerns regarding the deteriorated state of the watercourse near the upper reaches of the watershed.

As you know from our discussions, I reside on the north side of Canboro Road and own lands which encompass approximately 25 metres of the channel. I am a recent owner of these lands, however during my short residency I have noted a tremendous degradation of the watercourse and the surrounding valley corridor. Given the uncontrolled and increasing runoff from the areas on the tableland upstream of my property, erosion deterioration of my lands and my neighbors is severe. My observations of the situation reveal that heavy rain and/or snow melt occurrences produce tremendous flow velocities that erode the valley walls and down cut the invert elevation of the channel. In many areas, this has brought about slope stability problems that have dislodged mature trees from the valley and left exposed erosion scarps. In my estimation, the channel has eroded by a depth of 1 metre in some locations and in excess of 1 to 2 metre in areas near the upper reaches of the valley. In fact, a reliable indicator of the severity of the problem is to take a measurement from my rear fence line. The erosion of the valley has removed all the earth beneath the fence sufficiently to allow one to walk under the bottom of the fence without stooping. The fence posts are exposed in excess of 1 metre from the present invert elevation of the channel.

In my opinion the above is totally inappropriate and preventable if the landowners and the accountable approval agencies were to assume their obvious and dutiful responsibilities to control stormwater runoff. Prior to the development of the tableland, this valley would have been in a natural state of equilibrium. However, uncontrolled and significant runoff is destroying the natural integrity of this valley. I would think that this valley is rather unique and therefore important to the municipality, as this is one of

only few remaining sizable portions of Carolinian forest within the urban boundary of the Town of Fonthill.

As this matter pertains to the drainage maintenance works proposed, I am of the opinion that the removal of sediment from the drain and the degradation of the upper section of the valley are interrelated. I would estimate that a high percentage of the sediment found in the drainage course originates from the valley north of Canboro Road. As such I believe that it would be an oversight not to respond to the aforementioned situation occurring in the valley. Should this erosion degradation and the lack of stormwater controls be ignored, it is assured that the drain will begin to accumulate sediment almost immediately upon completion of the dredging work. This obviously does not appear to be a satisfactory nor an effective approach to the situation. As an assessed landowner I do not object to the works or to the charges that will be levied against me, but I am disturbed that the source of the problem is not being properly addressed. I am also not satisfied that stormwater flows are being permit to drain through my property with such devastating results. I am being unnecessary burden with the cost and effort of attempting to control erosion which stems from the ignorance of others to their responsibilities as accountable land stewards. This landowners and the controlling authorities must deal with this matter. It is not acceptable to continue exploiting the natural balance of the valley for the convenient conveyance of stormwater. It is reasonable to expect waters to flow through this valley, but such flows must be discharged in manner that does not eroded and degrade my property and the whole valley in general.

Given the above, I am recommending that the municipality enlarge the scope of this project to include studying and developing an effective stormwater management plan for lands above the valley. Also, the existing erosion damages in the valley must be remedied. Although I am part owner of this valley I am also of the opinion that this valley is an important natural heritage attribute of the municipality. I am annoyed that for too long have upstream landowners and the responsible land development approval agencies ignored this matter. Now is the time to respond to this situation. I respectfully appeal you to use this opportunity to end this degradation of this valley corridor by enlarging the scope of your study.

Thank you in advance for your assistance in this matter. If you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,

David G. Watson, CET

C: Jamie Hodge, P.Eng., Director of Operations, Town of Pelham
 Jack Bernardi, Director of Planning Services, Town of Pelham
 Uwe Brand, Councilor, Town of Pelham
 Tony D'Amario, P.Eng., Director of Water Management, NPCA
 Don Hughes, 193 Canboro Road, Ridgeville

Appendix C-2

Dec. 7 / 01

Mr. Jack Bernarde,
Director of Planning Services,
Town of Pelham.

Dear Jack:

RE: Town of Pelham
Urban Area Boundary Expansion
Secondary Plan
Area 1, Main / Weiland

It is my understanding, that the Secondary Plan for Area 1 will be implemented through the Official Plan Amendment on Monday, Dec. 10 / 01.

Please find enclosed a preliminary sketch for a site plan for my property.

In order for me to proceed with the development of a Ground Related - Adult Lifestyle housing project of medium density - consisting of 4 to 5 unit groupings, it is imperative that there be an entrance from Haist Street.

In short, I need my own entrance onto my own property from Haist Street in order to proceed with this housing development in the very near future.

Sincerely,
Oscar Weiland

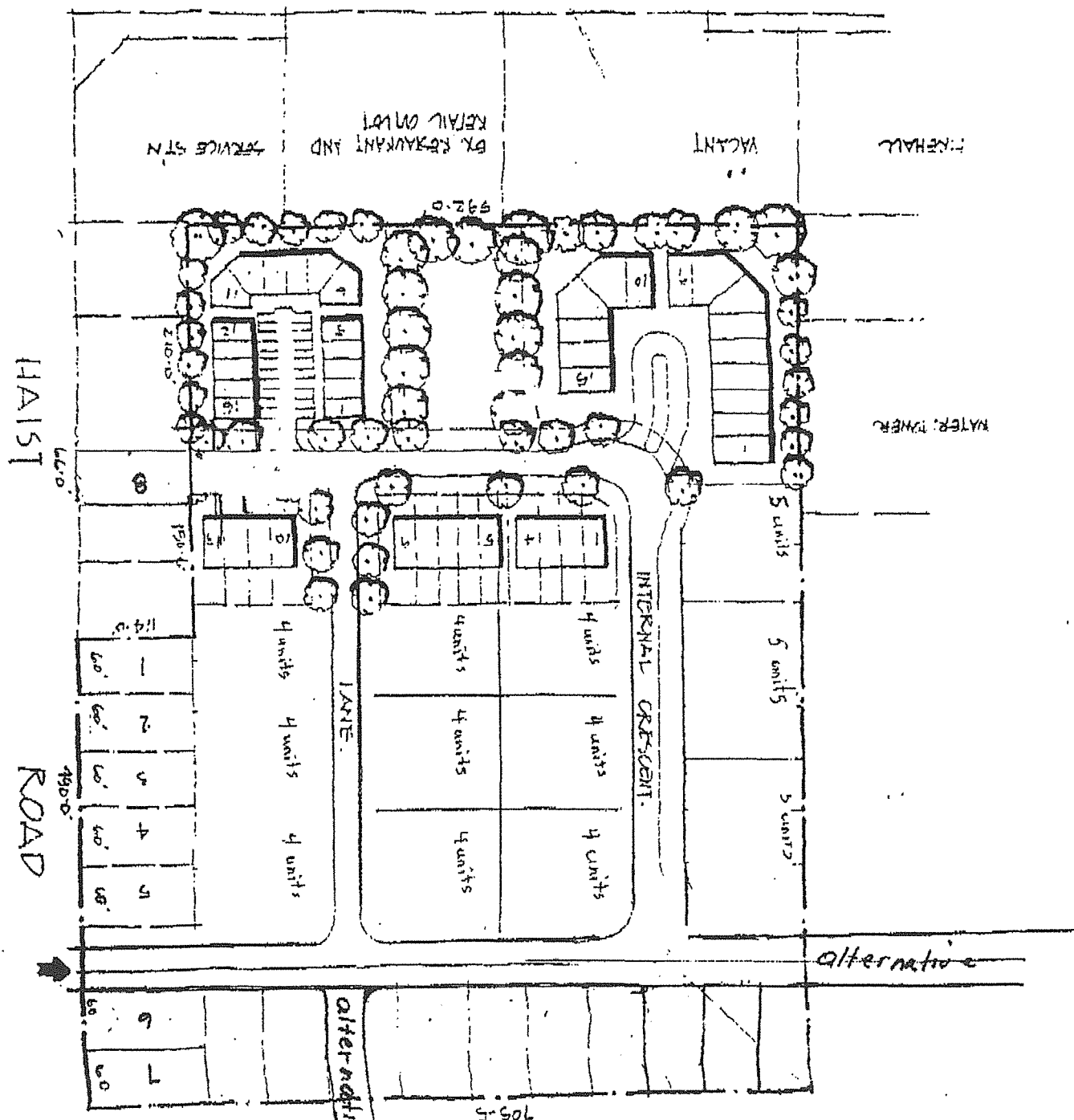
HYNDE, PAUL ASSOCIATES, INC.

Full Scale 1"=100'



DEVELOPMENT PLAN FOR WEILAND PROPERTY
PARCEL 3, CONC. 7, FORTWILL TOWN OF PELHAM.
13.95 ACS.

HWY NO. 20





NIAGARA
RESTORATION
COUNCIL

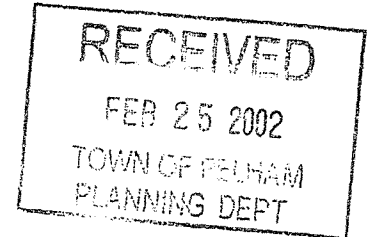
NIAGARA RIVER RESTORATION COUNCIL
...Restoring Nature to Niagara...



NIAGARA
RESTORATION
COUNCIL

Jack Bernardi
 Director of Planning
 Town of Pelham

Attention: Jack Bernardi
 CC: Dave Watson



February 20, 2002

Re: Response by Niagara Restoration Council to Subwatershed Study and Environmental Impact Statement, Draft Report, Area 1, Town of Pelham.

1. Sub-watershed study represents a good beginning – However, more work needs to be done.

The sub-watershed study of Area – One represents a good beginning in preventing the harmful environmental impacts to the Twelve-Mile Creek and Coyle Creek watersheds as a consequence of urbanization. However, in addition to the measures called for in this report (those that protect and buffer existing natural areas) it is hoped that some additional steps be taken in regards to enhancing the effectiveness of the proposed storm water management measures.

The sub-watershed study is to be commended for the comprehensive way it examines and identifies critical environmental concern. In particular, the report details the importance of the Twelve-Mile Creek as the only cold water stream in the Niagara Region and how it is home to a population of native Brook Trout. The study also contains an impressive overview of the various environmentally significant factors, such as, the presence of rare and endangered species located within each of the watersheds.

The sub-watershed study contains a number of features that will serve to restore the natural environment and to mitigate against harmful impacts on this important area. Since this area serves as a very significant recharge area for the headwaters of these two watersheds. These features should be considered minimal standards that should be complimented by additional measures.

An excellent study has been made of the natural areas of Area 1, with reasonable proposals for how these can be protected from damage in the development process. In particular, we support the withdrawal of all the existing natural areas from damage in the development process, connecting these properties and to further enhance these areas by the establishment of a 15 meter buffer. Although, the NRC feels that increasing the buffer width to 30 meters would provide

Niagara Restoration Council
 P.O. Box 28002, St. Catharines, ONT
 L2N 2H0
 Phone (905) 788-0248
 Email: niagararestoration@becon.org
www.geocities.com/niagararestoration

greater benefits to the environment. From our understanding of the report, it appears that the woodlands (what has been identified as Hedgerow One) and a wet meadow will become linked, buffered and protected natural areas. The Niagara Restoration Council (NRC) feels that this entire area should be fenced before construction begins on the old field sites when they are subject to urban development. The protection of these natural areas is in keeping with the goals of the Niagara River Remedial Action Plan, to double the existing forest cover in our region, as a critical component of a strategy to restore life in our degraded watercourses.

The NRC also supports the proposals for good storm water management. This involves a requirement that the storm water roof leaders discharge to the ground through swales set aside at appropriate distance from buildings. This is an appropriate, prudent and indeed minimal requirement to protect the headwaters of two significant streams.

2. Additional Recommendations

While the proposed recommendations represent wise and prudent planning, it is to be hoped that they will be expanded upon in the course of this review. There are ways in which the proposed natural areas could be further buffered, the proposed storm water detention facilities improved, and stronger and more comprehensive measures taken for storm water management.

The study has three proposed natural or at least potentially natural areas. The report appears to recommend a constructed wetland, to the north of the property in the Twelve-Mile Creek Watershed, and two detention ponds in the southerly watershed of Coyle Creek. If properly linked and buffered these areas could function as a green-belt that would both enhance water quality and provide additional natural areas to the areas currently proposed. **The outlets on the wetland and the detention ponds must be carefully placed and monitored in order to ensure that they are reducing the peak flow of the water to below bankfull height and not simply shaving off the top of the hydrograph while sustaining higher than normal flow levels. This faulty placement of outlets will result in increased erosion and increased water temperature on a sensitive watershed. Especially in the Twelve-Mile Creek Watershed the danger of thermal pollution dictates the need for carefully monitoring before the wetland is construction and post construction.**

Regarding the constructed wetland, this area should be included within the proposed natural area intended to protect the existing wet meadow. The buffer for the natural area in this location, should be calculated as 30 meters from the proposed southerly and easterly boundaries of the constructed wetland. This increase in the buffer width from 15 meters is due to the greater cooling effect that 30 meters would result in. Having such a buffer will help the constructed wetland have a reduced impact on this area – an area of great environmental significance since it is the headwaters for the Twelve-Mile Creek. This will provide an opportunity to plant trees around the constructed wetland, which will have a beneficial impact of shading the wetland helping preserve the cold water features of the Twelve-Mile Creek, which are essential to the survival its important Brook Trout population.

A more natural approach should also be taken to the proposed storm sewer catch basins that are being suggested as detention ponds for Coyle Creek. It would be much better for the environment, if these were designed as constructed wetlands, rather than lifeless "catch basins".

Niagara Restoration Council
P.O. Box 28002, St. Catharines, ONT
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Email: niagararestoration@becon.org
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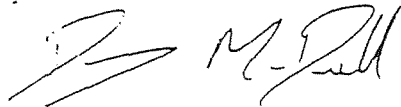
These constructed wetlands, should also be surrounded by 15 meter buffers (at the minimum - 30 meters would be more beneficial) that would facilitate the planting of trees resulting in cooler water temperatures.

In the case of the southerly catch basin, this should be extended to include the entire hedgerow that is immediately to the west. This would include the entire Hedgerow 2 and Hedgerow 3, and continue to back up along the rear of the property line until a connection with the protected forest is made. This continuous green-belt of natural areas will greatly improve the biodiversity of the Hedgerows. It will also go further in achieving the Remedial Action Plan's goals of restoration than what is being proposed in the draft report.

While the report's suggestions regarding storm roof leaders are excellent, there are a number of ways in which these could be improved upon. In particular, there can be requirements for the use of porous pavements, both in roads and sidewalks. The potential use of sump pumps in the subdivision, which would direct additional water to swales, should also be considered.

In general, the Niagara Restoration Council is pleased with the approach taken in the sub-watershed study. However, the suggestions can be improved upon by additional and more comprehensive measures to protect the environment.

Sincerely,



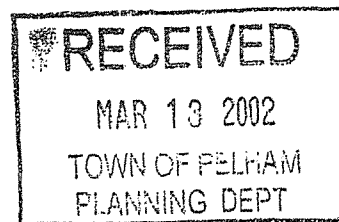
Dan McDonnell and John Bacher
for the Niagara Restoration Council

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Appendix C-4



250 Thorold Road West, 3rd Floor Tel (905) 788-3135
Welland, Ontario L3C 3W2 Fax (905) 788-1121
E-mail: npc@conservation-niagara.on.ca



March 11, 2002

Our File No. MPR 4.22.11

Town of Pelham
20 Pelham Town Square
P.O. Box 400
Fonthill, ON L0S 1E0

Attention: Mr. Craig Larmour:

Dear Mr. Larmour,

Subject: Pelham Area 1 Draft Secondary Plan (November 19, 2001)
Subwatershed Study and Environmental Impact Statement (Draft Report April 2001)
Town of Pelham

The Conservation Authority received the notice of public meeting for the above noted files and provides the following comments for your consideration.

General Comments

The Northwest Fonthill Secondary Plan area is located within sensitive headwater areas of the 12 Mile Creek. The 12 Mile Creek is the only cold water fishery remaining within the Niagara Peninsula Conservation Authority's jurisdiction. The area is located on the Fonthill Kame which presents sandy soil conditions that require stormwater management techniques that are specific to this soil type.

The Ontario Municipal Board (OMB) Decision that included these lands within the urban area required that a subwatershed study be completed for the area. The OMB decision was incorporated into the Town of Pelham's Official Plan in Policy 1.63 which includes the following conditions:

- To maintain and improve the health and condition of the receiving watercourse;
- To achieve no net increase in stormwater run-off and where appropriate, a net decrease in stormwater run-off, and to moderate peak stormwater flows;
- To maintain and, where possible, improve the quality of stormwater entering surface and groundwater supplies;
- To promote the use of naturalized methods of stormwater management and, in particular, measures to promote the infiltration of stormwater into the ground.

Our comments on the draft Subwatershed study (April 2001) are outlined below and further work is required to complete the Subwatershed study. Generally, the proposed Secondary Plan does not currently reflect specific requirements from the draft Subwatershed study and Environmental Impact Draft Report (April 2001 Totten Sims Hubicki Associates, Natural Resource Solutions Inc. and Bill Blackport Associates) and additional information requirements of the Niagara Peninsula Conservation Authority.

Pelham Area 1 - Subwatershed Study and Environmental Impact Statement Draft Report, April 2001

The report includes general comments about groundwater on the site and concludes that detailed groundwater flows would be confirmed by onsite drilling at the design stage. NPCA technical staff have reviewed this document and confirm the need for further geotechnical work to confirm site specific infiltration rates, groundwater depths and direction of flow and the extent of groundwater catchment areas of both 12 Mile and Coyle Creeks prior to the design stage. After this additional work is completed, the study's conclusions should be reviewed in order to determine if modifications are necessary. This additional work is required to meet the requirements set out by the Ontario Municipal Board prior to the Town's approval of the secondary plan and subdivision for this site.

Town of Pelham - The North West Fonthill Secondary Plan Study, Draft November 19, 2001**A3.2 Description of Preferred Concept (Figure 5)**

The preferred concept identifies a stormwater management shown on top of the east ravine, which is contrary to the recommendations of the Environmental Impact Study. The preferred concept also shows 2 stormwater management ponds, the draft Subwatershed Study recommends 3. The preferred concept should address the recommendations of the Subwatershed Study and EIS.

Part B: The Amendment

Section C1.0 a) indicates that the residential development objective is "to create a residential community...that can ultimately accommodate approximately 550 people, based on about 215 dwelling units, with a housing mix consisting of approximately 50 percent single detached and 50 percent townhouse dwelling forms". It is very difficult to support this development objective when the subwatershed study has not confirmed the infiltration rates on the site and whether the site can accommodate 215 residential units and meet the requirements set out by the Ontario Municipal Board. The subwatershed study should be finalized in accordance with our requirements set out above, prior to determining the number of units and housing mix that can be accommodated on this site.

Schedule "D" Land Use and Transportation

The schedule refers to a designation called "Open Space III" and the text of the amendment does not include policies for "Open Space III", perhaps the map should be referring to "Open Space II". Schedule "D" should be amended to include an Open Space Buffer area between the "Escarpment Natural Area" designation and the "Low Density Residential - Special Policy Area" to address the 15 metre setback from the wooded edge from the rear lot lines recommended in the Environmental Impact Study (Natural Resource Solutions, April 2001).

Policy C.2.2.1 Permitted Uses

Policy C.2.2.1 b) and c) allows for the development of a garden suite on all lots containing a single detached dwelling subject to a rezoning application and subject to certain criteria. Given the importance of allowing as much infiltration of water into the ground, it is appropriate to preclude the development of garden suites unless the subwatershed study can demonstrate that the conditions of the OMB decision can be addressed by increasing the amount of impervious areas on individual lots within the Secondary Plan area. NPCA staff recommend that this policy be removed from this designation and all residential designations within the Secondary Plan Area.

Policy C.2.2 Policies

Policy C.2.2 (a) indicates that the lots in this designation will have a minimum frontage of 19.0 metres and a minimum net lot area of 685 square metres. The size of lots in this location should reflect recommendations from the subwatershed study once the additional information we requested is provided and can demonstrate that this lot size is appropriate for the groundwater conditions on the site.

C.2.3. Low Density Residential - Special Policies

Policy C.2.3 (a) indicates that the lots in this designation will have a minimum frontage of 30.0 metres and a minimum net lot area of 1,500 square metres. The size of lots in this location should reflect recommendations from the subwatershed study once the additional information we requested is provided and can demonstrate that this lot size is appropriate for the groundwater conditions on the site.

Policy C.2.3 c) allows for the development of a garden suite on all lots containing a single detached dwelling subject to a rezoning application and subject to certain criteria. Given the importance of allowing as much infiltration of water into the ground, it is appropriate to preclude the development of garden suites unless the subwatershed study can demonstrate that the conditions of the OMB decision can be addressed by increasing the amount of impervious areas on individual lots within the Secondary Plan area. NPCA staff recommend that this policy be removed from this designation and all residential designations within the Secondary Plan Area.

C.2.5.2 Open Space "I" Policies

Specific policies should be included to address the Open Space buffer between the "Escarpment Natural Area" designation and the "Low Density Residential-Special Policy Area" to address the 15 metre setback from rear lot lines and planting recommendations of the Environmental Impact Study (Natural Resource Solutions, April 2001). This buffer area should be in public ownership. The policies should preclude the extension of rear lot lines into the buffer area. Policies should be incorporated that requires the developer to provide educational material to the homeowners that back onto the Open Space buffer - see sample brochure entitled "Escarpment Living - Simple Tips/Lasting Benefits". This Open Space Buffer Area should also incorporate the NPCA approved stable top of bank setback 7.5 metres) and any setback required to protect existing trees and vegetation recommended in the Environmental Impact Study. The extent of the buffer area should be the greater of the stable slope setback or the vegetative buffer recommendations of the EIS prepared by Natural Resource Solutions.

C4.0 Infrastructure

This section needs to incorporate detailed, site specific stormwater management policies that will guide the subdivision process and reflect the recommendations of the subwatershed study and the OMB requirements for the development of this area. Our suggested policies are listed below:

- a) There shall be no net loss of stormwater infiltration (and thus groundwater baseflow) in the post development condition within both the Coyle and 12 Mile Creek watersheds.
- b) All post development peak flows shall be attenuated to pre-development levels for up to and including the 100 year return period design storm event.
- c) All post development stormwater runoff volumes shall be attenuated to pre-development levels for up to and including the 100 year return period design storm event.
- d) Both Coyle and 12 Mile Creek shall be afforded Level 1 protection as the stormwater management quality criteria.
- e) The effects of stormwater thermal pollution shall be mitigated prior to site discharge within the 12 Mile Creek watershed.

- f) Measures shall be taken to mitigate the effects of erosion on all downstream watercourses.

Additional policies may be needed once the geotechnical work is incorporated into the subwatershed study. This section of the Secondary Plan should also address the issue of phasing of development as it relates to stormwater management. The Conservation Authority would like to see the stormwater management facilities constructed prior to development to avoid the need for temporary stormwater management facilities.

By copy of this letter to the Town Clerk, the NPCA is requesting to be notified of Council's adoption of the proposed Official Plan Amendment.

Sincerely,



Suzanne McInnes, M.C.I.P., R.P.P.
Watershed Planning Coordinator

SMM

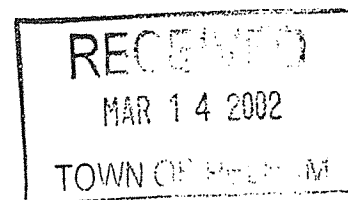
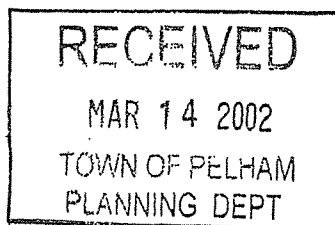
cc. Mrs. Cheryl Milette, Clerk, Town of Pelham
Mr. Drew Semple, Region of Niagara Planning and Development Dept. fax, 905-641-5208


Terra-Dynamics Consulting Inc.

24B Nihan Drive, St. Catharines, ON L2N 1L2

March 11, 2002

Mr. Bernardi
 Director of Planning Services
 Town of Pelham
 20 Pelham Town Square
 Box 400
 Fonthill, ON L0S 1E0



Re: Review of Draft Report: Pelham Area 1, Subwatershed Study and Environmental Impact Statement, April 2001

Dears Sirs:

I was not able to attend the February 25, 2002 Open House at the Firehall so I have taken the liberty of reviewing the above referenced report that is authored by Totten Sims Hubicki Associates, Natural Resource Solutions Inc. and Bill Blackport Associates. It is my understanding based on newspaper notices, that comments can be expressed until March 15, 2002.

The following comments are provided:

1.0 Groundwater Recharge From the Fonthill Kame to the Headwaters of 12 Mile Creek

The report states that the Fonthill Kame Complex is an Earth Science Area of Natural Scientific Interest (ANSI). A major component of the groundwater that recharges the unconfined sand and gravel aquifer on the 36 hectare (ha) subject property discharges as springs and base flow to form the headwaters of a tributaries of 12 Mile Creek. There are numerous references within the report that describe 12 Mile Creek as the "*only remaining*" cold water stream within the Niagara Peninsula that can support Brook Trout and other sensitive aquatic organisms. The groundwater that discharges to 12 Mile Creek in the form of springs and base flow moderates warm summer temperatures within the upper stretches of 12 Mile Creek, hence providing the aquatic habitat for the Brook Trout.

A conclusion of Section 2.0 – Existing Conditions states that "*Base flows in Twelve Mile Creek are supported by groundwater discharge. Any future development must protect base flows in the Creek System*". The following comments are provided relative to this statement.

Comment 1.0. The above referenced report is dated April, 2001. Since then, in December, 2001, the Province passed the Oak Ridges Moraine Act (December 13, 2001).



Information can be found at the Ministry of Municipal Affairs and Housing website www.mah.gov.on.ca and go to the *In the News* header.

The following is a paragraph from their news release: *"The plan, to be established by regulation within the next couple of weeks, will include strong policies to protect water quality and quantity on the Moraine. It will protect wellheads, cold water streams such as those running to Lake Simcoe, and all kettle lakes on the moraine. It will require innovative stormwater management practices to protect sensitive recharge areas, and prohibit technologies that cause rapid infiltration of stormwater into groundwater"*.

The above referenced act/plan applies to a glacial moraine. A moraine is a mixture of clay, silt, sand and gravel that is transported by glacial ice as it advances or recedes. The proposed development in Area 1 is located at the top elevation of the Regional Municipality of Niagara on the Fonthill Kame Complex which is a sensitive groundwater recharge area. A glacial kame is formed when melt-waters from a glacier are stationary for an extended time and thick sediments of sand and gravel are deposited over a large area. Because a kame mostly consists of permeable sand and gravel, it is more sensitive than a glacial moraine from a groundwater recharge/discharge perspective.

Based on this new provincial plan/act that pertains to the less hydrogeologically sensitive Oak Ridges Moraine, has the subwatershed plan and/or environmental impact statement for the proposed development been revised or changed to incorporate policies listed in that plan/act to protect water quality and quantity?

The following are technical comments that primarily pertain to the hydrology and hydrogeology aspects of the Totten Hims Subicki Associates, et al. report.

2..0 Hydrologic Evaluation

Comment 2 (a). The report provides conflicting information on a precipitation infiltration rate. In Section 2.6 Hydrology – Infiltration, the infiltration rate is reported to 360 mm/yr whereas in Section 2.7- Environmental Hydrogeology, the infiltration rate is reported to be 200 to 250 mm/yr. Which is the correct assumption?

Comment 2 (b). The hydrological analyses relies on model results from simulations performed with the with the MIDUSS model. Results of the model analysis are discussed in Section 3.3 with reference to sample output data provided in Appendix C. What does MIDUSS stand for? Within Section 3.3, the report states *"the methodology for estimating impervious area is outlined in Appendix C"*. In addition, Section 3.3 states *"Flood flow estimates were made using the MIDUSS model for the proposed development conditions. The predevelopment and postdevelopment conditions are tabulated in Table 3.2, the discharge summary"*. In the copy of the report reviewed for this letter, methodology information was not provided in Appendix C. Appendix C provides sample output data for 5 different storm scenarios. Appendix C does not provide supporting data or calculation to support Table 3.2.



Comment 2 (c). In Section 3.3, page 17, the report states "The MIDUSS model was used to determine the rate of infiltration by subtracting the runoff from the volume of storm water. Why is evapotranspiration not considered? Rainfall data available for Niagara Falls, ON show that the average annual precipitation for the area is 960 mm/year (EDIT – Reference). Evapotranspiration within the Peninsula is commonly 30 to 50%. Hence, if evapotranspiration is not calculated, infiltration data presented on Table 3 – *"Post-development Infiltration Requirements"* are in error.

Comment 2 (d). The sixth paragraph of Section 3.3 refers to post-development drainage in Table 3.1 which is Titled *"Predevelopment subwatershed characteristics"*.

3.0 Hydrogeologic Evaluation

Comment 3 (a). Section 2.7, Table 2.4 provides baseflow measurements for March 24, 2001 and April 5, 2001 for six measurement stations. Data are provided for four stations with the St. Johns subwatershed tributary of 12 Mile Creek. Flow was observed to originate from seepage areas (springs) and as discharge into the bottom of the streams. Why are there only two dates of measure (at the same time of the year) for this subwatershed study and environmental impact statement? There are numerous references in the report to the importance of sustaining groundwater discharge to 12 Mile Creek. Background or baseline conditions can not be assessed based on two data points.

Comment 3(b). Section 2.7 states that 1.6 to 2.0 L/s of recharge will occur based on an infiltration rate of 200 to 250 mm/yr. This based on a 26 ha development whereas the development appears to be 36 ha. Can calculations and assumptions be provided as supporting information?

Comment 3(c). The second paragraph of Section 3.4 – Hydrogeologic Analysis states that of the 1.6 to 2.0 L/s of recharge entering the subsurface at the proposed development, *"only a small percentage may end up discharging to Twelve Mile Creek. The main groundwater discharge areas in the immediate headwaters are likely a result of recharge within the Fonthill Kame Complex east of Haist Street."* How is this statement(s) supported?

It is recommended in the report to determine the location of the groundwater divide beneath the proposed development, which is critical to determine groundwater flow towards 12 Mile Creek. Based on visual observations, the divide is likely in the vicinity of Highway 20.

Comment 3(d). Table 2.4 shows groundwater baseflow measurement at Station 17 of 1.8 and 2.3 L/sec for March 24 and April 5, 2001, respectively. Station 17 is located on the St. Johns tributary of 12 Mile Creek near the intersection of Pelham Road and Overholt Road. Based on topography and the depth of sand and gravel deposits associated with the



glacial kame, a significant portion of this baseflow could originate from the more-or-less flat open area of the proposed 36 hectare development.

Table 3.1 of Section 3.3 (Hydrologic Analysis) shows that 11.9 ha of the 36.1 ha subject property will contain impervious cover (roofs, asphalt roads, etc.). This represents a 33% decrease in surface area available to recharge the unconfined aquifer. Infiltration ponds are proposed as a remedial technique to redirect runoff back into the subsurface, however as is noted in Comment 2 (c), evapotranspiration is not factored in the hydrologic assessment of infiltration.

What are the anticipated seasonal changes to baseflow into the St. Johns tributary of 12 Mile Creek that may result from the proposed development?

4.0 Storm Water Management Strategy

Comment 4 (a). Page 22 describes the construction of infiltration ditches to enhance groundwater recharge. It also describes the construction of three wetland areas. These areas are referenced on Table 4.1 and Figure 4.1. The report recommends constructing wetland ponds to buffer storm water runoff and that the ponds should be lined with an impermeable liner to remain wet above the high infiltration soils so not to cause localized groundwater mounding conditions.

The construction of wetlands will only further exacerbate evapotranspiration and limit groundwater recharge. How does the proponent plan to construct ponds above a water table that is greater than 7 m below grade? If a clay liner is proposed, what mechanisms will be put in place to avoid desiccation fractures through the clay?

Has proposed storm water management practices been revisited relative to policies listed in the Oak Ridges Moraine Conservation Act of December, 2001?

Please feel free to contact me regarding any of the comments that are presented. My email address is dslaine@terra-dynamics.com.

Respectfully submitted,

TERRA-DYNAMICS CONSULTING INC.

A handwritten signature in dark ink, appearing to read "D. Slaine", is positioned above the printed name.

David D. Slaine, M.Sc., P.G.
Hydrogeologist

c.c.: Mark Swan, Earth Tech Inc., St. Catharines, ON

RECEIVED

MAR 14 2002

TOWN OF PELHAM
PLANNING DEPT

March 12, 2001

187 Canboro Road, West
RR # 1 Ridgeville ON L0S 1M0

The Corporation of the Town of Pelham
Port Office Box 400
Pelham Municipal Building
20 Pelham Town Square
Fonthill, ON L0S 1E0

Attention: Mr. Craig Larmour, Planner

Dear Mr. Larmour

Subject: Subwatershed Study and Environmental Impact Statement for Area 1

I have obtained and read a copy of the above noted study. My purpose of writing to you is to communicate my concerns related to the runoff of water from Area 1 to the Coyle Creek (east) tributary, which commences immediately behind the Lookout Tower apartment complex. I reside on Canboro Road and part of the Coyle Creek east tributary (ravine or watercourse) extends through my lands.

In the report, no mention is made of this ravine or watercourse and this of course causes me great concern. The plans that are provided in the report present a storm water catch basin design that will capture runoff from a portion of the Area 1 parcel and discharge this flow in the direction of the ravine. I wish to make it clearly known that I am against any plan or proposal that directs flow into this ravine. The reason for my objection is that the ravine is already being significantly degraded by uncontrolled and poorly designed drainage systems discharging flow from the surrounding tableland. The watercourse is suffering from severe to catastrophic erosion failures that are demonstrated by down-cutting of the invert elevation of the watercourse by at least 2.0 to 3.0 metres in some locations. The side channels of the ravine have been scoured out significantly and mass failures are evident in many reaches of the valley. Given that the watercourse extends through a steeped topography and heavily wood area, numerous trees have been uprooted or slipped from the bank due to erosion scour and instability. I should note that many of the trees in this valley are of the Carolinian species type and that this wooded ravine is one of the only remaining heavily wood valley corridors existing within the urban boundary. This valley has significant natural heritage attributes to the community.

The most significant deterioration is situation in the first 150 metres of the ravine, however areas further downstream are also eroding and accreting sediment from the upstream areas. On my property, the point where the watercourse commences on my land the valley has down cut roughly 1 metre. The bottom of the fence line at rear of my lands is presently situated 1 metre above the channel, where it once would have been resting on the ground surface. The fence is only being held by the tension provided by more stable sections of the fence. I have appended a copy of a letter that I wrote to Mr. Ralph Bradley, Drainage Superintendent on September 1, 2000 advising the Town of my concerns. This letter elaborates further on my concerns.

I wish to make it clear that no water should be discharged towards this ravine. This is not a stable environment to receive additional flows. Further, as I mentioned in my letter to Mr. Bradley, the Town of Pelham must intervene and deal with the current situation by demanding that the property owners, namely the Lookout Tower apartments, AWANA and the auto repair

and car wash facility undertake immediate action to provide for proper stormwater management controls on their lands. At the present time, all water from this area and I suspect other properties drains uncontrolled into the ravine. The Lookout Tower apartment owners have a legal responsibility to remedy this situation as the OMB report R 752145 clearly stipulates that the owner of the apartments must construct a storm drainage system in the north-easterly corner of their lands that "avoids erosion of the natural soil". The owners of the apartments attempted this by placing a series of stormwater detention ponds in the valley, however given the volume of water and the velocity of flows, these detention ponds failed shortly after completion. Remnants of the structures are still visible today. As I have already stated, the valley corridor is severely deteriorated and will likely continue to be altered if nothing is done.

The lands (kame) in which the proponents wishes to develop are inherently capable of absorbing great amounts of water given the characteristics of the soil. The subdivision design on these lands must exploit this advantage and implement drainage and infiltration techniques that prohibit or diminish significantly the volume of water leaving the site. Infiltration pits, open ditches underlined with seepage veins must be part of the design to encourage absorption into the kame. Also, oversized stormwater ponds must be situated on the tableland to impound water runoff and permit infiltration. I would suggest that even a municipal by-law be enacted to not allow person to discharge swimming pools into catchbasins or that all driveways be constructed of interlocking block to encourage infiltration. The stormwater plan must strive to control all water and keep off-site discharge to a minimal volume to protect the integrity of the existing watercourses, most importantly Twelve Mile Creek.

Below, please find several photographs that depict the existing deterioration in the Coyle Creek west tributary immediately on and adjacent to my property.



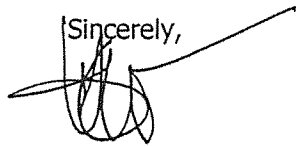




I trust that the above information and recommendations will receive full consideration by the municipality when reviewing this subwatershed plan and subdivision proposal.

If you have any questions or require any clarification on what I have said, please do not hesitate to contact me at your convenience. I may be reached at 892-1129 or at my office at 685-1571, extension 3349.

Sincerely,

A handwritten signature in black ink, appearing to be 'David G. Watson', with a long horizontal line extending from the end of the signature.

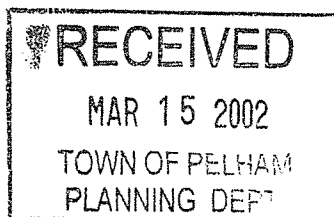
David G. Watson, CET.

E-Mail: watson@vaxxine.com

copy: NPCA
Uwe Brand, Councilor, Town of Pelham

March 14, 2002

The Friends of the Twelve
P.O. Box 25011
Shopper's Drug Mart RPO
St. Catharines, ON L2T 4C4



The Corporation of the Town of Pelham
Post Office Box 400
Pelham Municipal Building
20 Pelham Town Square
Fonthill, ON L0S 1E0

Attention: Mr. Craig Larmour, Planner

Dear Mr. Larmour

Subject: Subwatershed Study and Environmental Impact Statement for Area 1
Protection of the Twelve Mile Creek

Thank you for providing a copy of the above noted report to our organization for comment. We have reviewed the document in detail and wish to offer the following comments for your consideration.

The general spirit of the report does provide demonstration that the consultant is aware of the unique environment of the study area and they do offer positive water quality and quantity treatment concepts and recommendations for Area 1. We do have some concerns, however that the consultant did not completed their own independent analysis of the upper watershed ecosystem, but rather placed a high degree of reliance on data and reports generated by students. We are not suggesting that this data is flawed, but given the sensitivity and uniqueness of this area, we would have preferred to see the consultant retain the services of expert individuals to evaluate the hydrogeology and biological features of Twelve Mile Creek headwaters. The report provides little if any interpretation of existing conditions in the headwater, nor provides any documented evidence of channel characteristics or conditions. The study completed by Natural Resource Solutions Inc. is primarily focused on the subject lands, with very little if any study or observations made on the receiving watercourses. General information is provided, but detailed study is lacking to effectively evaluate how this development may impact the surroundings.

As we have noted, the consultant has demonstrated an appreciation for the uniqueness of the site and the essential need to promote natural infiltration into the underlying aquifer. It is well know that the lands (kame) in which the proponent wishes to develop are inherently capable of absorbing great amounts of water given the characteristics of the soil. The subdivision design on these lands must exploit this advantage and implement drainage and infiltration techniques that prohibit or diminish significantly the volume of water leaving the site. The developer, planners and engineers have a unique opportunity to implement "new technology" stormwater management techniques on these lands. The consultant has made mention of several designs, but we would even suggest that further measures be implemented to retain runoff on the Area 1 lands. In addition to the concepts proposed in the report, we would also like to see the site contain bioretention areas as part of the landscaping. This treatment option would be a good option as these lands are a cold water stream source and employment of bioretention methods

would encourage water to infiltrate into the ground quickly thus decreasing the potential for stream warming. We would also recommend that the streets in the subdivision be designed as narrow as possible to reduce hardened surface areas and that driveways not be paved, but rather be constructed of granular material or interlocking stones with integrated infiltration spaces. We encourage open channel flow wherever possible and the specific use of roadside ditches with strategically placed infiltration trenches throughout the subdivision design. Every home should be designed with a French drainage system to accept precipitation runoff from roof tops. In an effort to ensure complete homeowner compliance to these concepts and designs, the municipality must further enact a special by-law to prohibit modifications of any of constructed infiltration system. Homeowners should also be completely restricted from draining swimming pools directly into any storm catchment devices. Alternatively, pools should be drained onto the ground surface or into roadside ditches or French drains. The consultant also notes the usage of stormwater ponds and we believe that the subdivision must be well equipped to hold and treat significant runoff events. We would even suggest that it isn't unreasonable, based on the soil characteristics and the sensitivity of the creek, for the system to retain the 1:100 year storm event. The stormwater ponds should be developed with some sinuosity and be configured to cleanse water and promote infiltration. The use of aquatic vegetation should also be incorporated into the facility designs to allow plants to naturally cleanse the runoff. The entire stormwater plan must strive to control all water flow and keep off-site discharge to a minimal volume to protect the integrity of this cold water stream resource.

The recommendations contained in the report and other concepts presented herewith must be incorporated into the final site plan. The site plan development must be clear and concise on what is required and contain specific detailed plans to guide and regulate the developer with the implementation of the plan. It is imperative that the municipality be proactive and be firm in requiring the developer to adhere to all recommendations to protect this endangered cold water stream. We also would like to see the municipality enact the by-laws that we have recommended above. These type of by-laws are nothing unusual as other proactive municipalities dictate how a development is to be managed during and well after the developer is completed construction. Given the sensitivity of the area, we also propose that an additional by-law be passed to control and preserve topsoil during construction. This by-law would prohibit the developer and any further developers who wish to develop in the community from stripping the landscape of vegetation, until just prior to actual construction. This alone would be a major step in eliminating siltation into the receiving streams.

Given the fact that that this site will have several stormwater management facilities, we highly recommend that the municipality require the developer to maintain all stormwater management devices for period of no less than 7 years after construction. Further, the municipality will require the developer to retain a third party expert to monitor the function of the ponds and other structures and report their findings to the municipality in open council, twice yearly. Should the ponds or other structures be found to be in disrepair or not fully functioning as designed, the developer will be obligated to remedy the problems at their cost. Once the 7 years of monitoring has concluded the municipality will be responsible for maintenance. To ensure effective and responsible maintenance in future years, we also recommend that the study consultant provide the municipality with a long-term operational and maintenance schedule. We also encourage the municipality to become more knowledgeable in the operations of stormwater management facilities and be prepared to monitor and operate these and other structures in the community. Lastly, we trust that the municipality will retain a healthy deposit from the developer to force them to return to remedy any possible operational problems or environmental disturbances. We suggest that this holdback be held in reserve for 7 years.

The potential for downstream disturbance and destruction of habitat remains a concern even though we trust this site will be outfitted with the most up to date stormwater technology. The individuals who design and approve this development must be accountable and be prepared to remedy any problems that may occur in the future. As we mentioned, the developer shall be responsible for monitoring the all the stormwater facilities, but we also believe there is a real necessity that the private lands downstream of the development be monitored as well. Appropriate scientific study must be carried out on an ongoing bases to ensure that this cold water stream is not destroyed. It may be advisable, given the expertise of the Conservation Authority in the area of water quality testing, for the developer to enter into any financial and technical agreement with the Authority to undertake monitoring on their behalf.

The Friends of the Twelve implore the municipality to not abandon their vital role in leading the protection of our unique ecosystem. Those of us who reside in the area or visit it from beyond our boarders call upon you to protect this valuable and distinct cold water stream and the surrounding environment. As we have said on other occasions, this is the last and the only remaining cold water stream in all of Niagara Region that supports cold water fish species. No where else in this peninsula can one find a brown trout. This may not sound like much to some, but if we are foolish enough and heartless in thought to not protect this special resource it will be lost, perhaps forever. We think our community will be at great loss if this is allowed to happen.

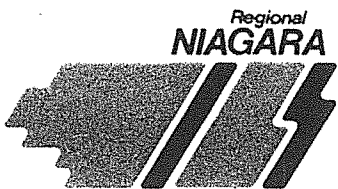
Thank you for providing us with the opportunity to comment on this plan and we wish to make it clear that we will be following all future developments with keen interest and much scrutiny.

Again thank you and please know that we are available to meet with you at any time to discuss our concerns and recommendations. We are here to help you, support you and work with you however possible to protect our watershed.

Sincerely,

David G. Watson,
Chairman, Friends of the Twelve
thefott@vaxxine.com

copies to: Dr. Uwe Brand, Councilor, Town of Pelham
 Mr. Gord Harry, Chairman, NPCA
 Mr. Joad Durst, Ministry of Natural Resources
 Mr. Drew Semple, Regional Municipality of Niagara



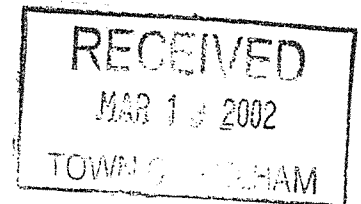
PLANNING AND DEVELOPMENT DEPARTMENT

The Regional Municipality of Niagara
3550 Schmon Parkway, P.O. Box 1042
Thorold, Ontario L2V 4T7
Telephone: (905) 984-3630
Fax: (905) 641-5208
E-mail: plan@regional.niagara.on.ca

Appendix C-8

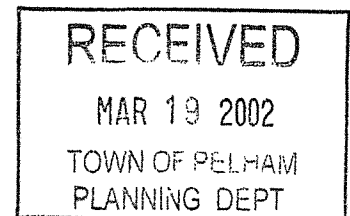
March 14, 2002
File: D.13.RE.am.118
D.10.M.19.21(36)

Mr. Craig Larmour
Planner
Town of Pelham
P.O. Box 400
Pelham Municipal Building
20 Pelham Town Square
Fonthill, ON L0S 1E0



Dear Mr. Larmour:

**Re: Subwatershed Study and Environmental
Impact Statement for Area 1
Town of Pelham**



The following comments are based on a review of the Subwatershed Plan and Environmental Impact Statement for Area 1 in the northwest part of Fonthill. The comments represent a compilation of inputs from the Regional Planning and Development Department staff and from the Regional Ecological and Environmental Advisory Committee. The Niagara Peninsula Conservation Authority is also reviewing the studies for us. Written comments from the NPCA will be forwarded to the Town as soon as they are available.

General Comments

Regional Planning and Development Department staff commend the Town of Pelham for trying to incorporate watershed-based environmental principles into the Northwest Fonthill and East Fonthill Secondary Plan work.

Area 1 is the focus of these comments. The careful Planning of Area 1 is especially important because of its location on the Fonthill Kame. The Kame is not only at the headwaters of Twelve Mile Creek, a unique cold water fish habitat stream in Niagara, but is also a groundwater recharge area and the location of valuable natural heritage features. The overriding priority should be to ensure the protection of these resources. It should also be noted that development impacts on Twelve Mile Creek have been and continue to be a concern of downstream residents and many others in the community. The Effingham Branch of Twelve Mile Creek, unfortunately, now appears to be under stress from erosion and elevated water temperatures and may be close to losing its cold water fish habitat stream status. The guiding objective for the development of Area 1 should be the maintenance and if possible the enhancement of the existing hydrological and hydrogeological conditions on the Kame and within Twelve Mile Creek and Coyle Creek systems.

The Region also has an interest in ensuring that the lands in Area 1 are used efficiently in order to postpone or avoid the need for future Urban Area expansions onto the Unique Agricultural lands on the Kame. The Northwest Secondary Plan proposes a variety of ground oriented housing including a small area set aside for seniors housing. The overall densities, however, appear to be very low. The Planning Department suggests that the Subwatershed Study evaluate several development density options in an effort to balance environmental concerns and the most efficient use of the land. The only option that was evaluated involved extremely low-density residential development patterns. On balance, we would be prepared to support lower densities here if they were deemed essential for environmental protection reasons. We, however, encourage the Town of Pelham to ensure that the development of the higher density townhouse and seniors housing shown on the southern portion of the site proceed at least at the same time as the lower density residential development. We would also encourage the Town to provide for reasonably higher residential densities in the less environmentally sensitive East Fonhill expansion area in order to compensate for the low overall densities in the North West neighbourhood.

Detailed Comments

1. The Subwatershed Study and the Northwest Secondary Plan Study appear to have been prepared as part of two parallel processes. Unfortunately, the "development concept" that was evaluated as part of the Subwatershed and Environmental Impact Study shows lower residential densities and fewer road surfaces than the "preferred development concept" in the Northwest Secondary Plan and in the "Preliminary Draft Plan" prepared for the Mori property. It is strongly recommended that the Subwatershed Study be revisited to ensure that its conclusions and recommendations remain valid for the development plan proposed in the Secondary Plan. Also, it is recommended that the Northwest Secondary Plan incorporate, as policy, some of the Watershed Study's recommendations. For example, the Town should consider including the objectives contained in Section 1.63.2 in your Official Plan as policies in the Secondary Plan. The objectives are excellent and refer to:
 - maintaining and improving the health and condition of the receiving watercourse,
 - the achievement of no net increase in stormwater run-off,
 - maintaining and, where possible , improving the quality of stormwater entering surface and groundwater supplies, and
 - promoting the use of naturalized methods of stormwater management and in particular measures to promote the infiltration of stormwater into the ground.
2. EEAC noted that the hydrogeological work in the Subwatershed Plan was fine as far as it went. The Committee, however, concluded that it was still very superficial. More detailed hydrogeological work was required to provide base information regarding the groundwater table location, flow directions, percolation rates, infiltration rates and groundwater quality.
3. Given the importance of the Kame as discussed earlier, every effort should be made to encourage maximum infiltration of stormwater to ensure aquifer recharge. Our EEAC caution that wet ponds do not always work and appear to deal better with quantity rather than quality of discharge. A stormwater pond is proposed in a valley


near Haist Road that probably could not be developed in any event. Perhaps a more central location on the site would provide more opportunity for infiltration. Has a series of small ponds been considered? The use of stormceptors or underground catch basins to capture sediments should be considered. Ditches and swales rather than curbs should be used. EEAC warns that the Town should ensure that the stormwater ponds are properly maintained to avoid concentrations of metals, chlorides and other toxins. The importance of ensuring a long-term commitment to the maintenance of the stormwater ponds is emphasized.

4. The Subwatershed Plan proposes 15 metre naturalized buffers between the drip line of the wooded northern and eastern area and the lot property line. It is unclear from a review of the Secondary Plan whether this recommendation was implemented. The "Preliminary Draft Plan" for the Mori Property shows the 15 metre buffer inside the residential lot lines. Given the important natural heritage features identified in the woodland areas, the recommendations in the Subwatershed Study and EIS should be implemented. The buffers, ideally, should be under public ownership. Several EEAC members suggested that the environmental setbacks from the valley slope should be increased from 15 metres to 30 metres.
5. The Northwest Secondary Plan contains little or no discussion regarding the Earth Science ANSI on the site. It is unclear how this feature is protected.
6. The monitoring recommendations in the Subwatershed and Environmental Impact Studies appear commendable. Of concern is who will be responsible for implementing the monitoring recommendations. The expertise required and workload necessary to carefully monitor such things as downstream siltation, water temperature, channel erosion rates, maintenance of infiltration infrastructure, construction and post-construction activities, buffers and stormwater facilities represent a major work load for municipal inspectors. Nevertheless, it is important that the municipality be responsible and accountable. Presumably, the subdivision and site plan stage will provide an opportunity to more carefully define monitoring activities, responsibilities and financial compensation if necessary.

In conclusion, further more detailed work is required before the Subwatershed Plan and the North West Secondary Plan are accepted.

If you have any questions or wish to discuss the above comments further, please call me. The Regional Planning and Development Department appreciates the opportunity to provide input into this important and interesting planning exercise.

Yours truly,



Drew Semple, MCIP, RPP
Senior Planner

DS/ju

PLANNING SERVICES REPORT

P-20/02

TO: Chair, Councillor Rick Hatt and Members of the General Committee,
Planning Services Division

DATE OF REPORT: May 28, 2002

DATE OF MEETING: June 3, 2002

FROM: J. Bernardi, Director of Planning Services

SUBJECT: RECOMMENDATION REPORT - Official Plan Amendment
North West Fonthill Secondary Plan

RECOMMENDATION:

THAT the General Committee, Planning Services Division, receive Planning Services Report P-20/02 re RECOMMENDATION REPORT - Official Plan Amendment - North West Fonthill Secondary Plan;

AND THAT Committee recommend to Council that the necessary by-law be passed adopting the Official Plan Amendment for the North West Fonthill Secondary Plan.

Background:

The above recommendation culminates a successful public process with stakeholders, general public and agencies.

The Committee was provided with a colour copy of the North West Fonthill Secondary Plan under cover of my memorandum dated May 24, 2002.

The Committee will note that the policies associated with storm water collection and management system have been substantially expanded to address the significance of Twelve Mile Creek, being the only cold water fishery in Niagara, and being a significant resource to the community and Region.

As noted in Planning Services Report P-18/02 INFORMATION REPORT - Status of Secondary Plans, we can now advise that the Subwatershed Study and Environmental Impact Statement for Area 1 has been finalized and is in the process of being printed and provided to the Town for circulation and availability to the agencies, interest groups and general public as outlined in the above referenced report.

We have accelerated completion of the North West Secondary Plan in order to accommodate the anticipated applications for draft plan of subdivision applications for Walker Community Development Corporation, Oscar Weiland and the rezoning of a portion of the lands, northeast corner of Regional Road 20 and Lookout Street, for a proposed retirement/special care needs residence.

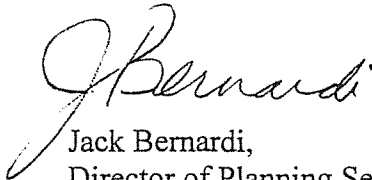
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The East Fonthill Secondary Plan is now complete and is being delivered to the Planning staff on Monday, June 3, 2002, for final processing.

Mr. Ron Palmer will be present at the above meeting to identify the major changes to the original draft document and to respond to any questions the Committee may have.


Accordingly, staff is recommending that Committee support the recommendation contained in this report.

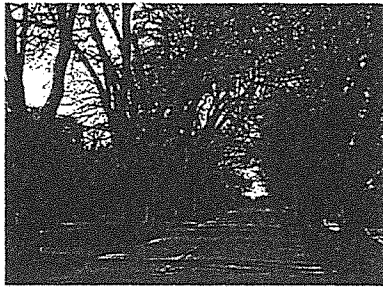
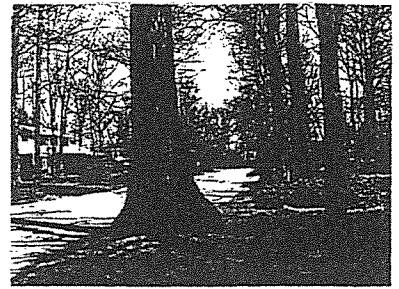
Prepared by,


Jack Bernardi,
Director of Planning Services

/JB

Approved and Submitted by,


Gordon Cherney
Chief Administrative Officer



Town of Pelham

The North West Fonthill Secondary Plan Study

April, 2002

The Planning Partnership
Totten Sims Hubicki Associates
Earth Tech Canada

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Town of Pelham - The North West Fonthill Secondary Plan Study

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CONSTITUTIONAL STATEMENT

PART A: The Preamble – *The Preamble provides general information regarding the Amendment Area, the process of plan formulation and the basis for the Amendment. The Preamble does not constitute an operative part of Amendment 43 to the Official Plan of the Town of Pelham, as amended.*

PART B: The Amendment – *The Amendment provides the details of the Official Plan Amendment, including changes to the text and schedules. The Amendment constitutes an operative part of Amendment 43 to the Official Plan of the Town of Pelham, as amended.*

PART C: The North West Fonthill Secondary Plan – *The North West Fonthill Secondary Plan provides additional details of the Amendment, identifying the goals, objectives and policies of the Town with respect to the future development of the Amendment Area. The North West Fonthill Secondary Plan constitutes an operative part of Amendment 43 to the Official Plan of the Town of Pelham, as amended.*

PART D: The Appendices – *The Appendices provide more specific information regarding the planning, design and engineering of the community. The Appendices do not constitute an operative part of Amendment 43 to the Official Plan of the Town of Pelham, as amended.*

PART A: THE PREAMBLE

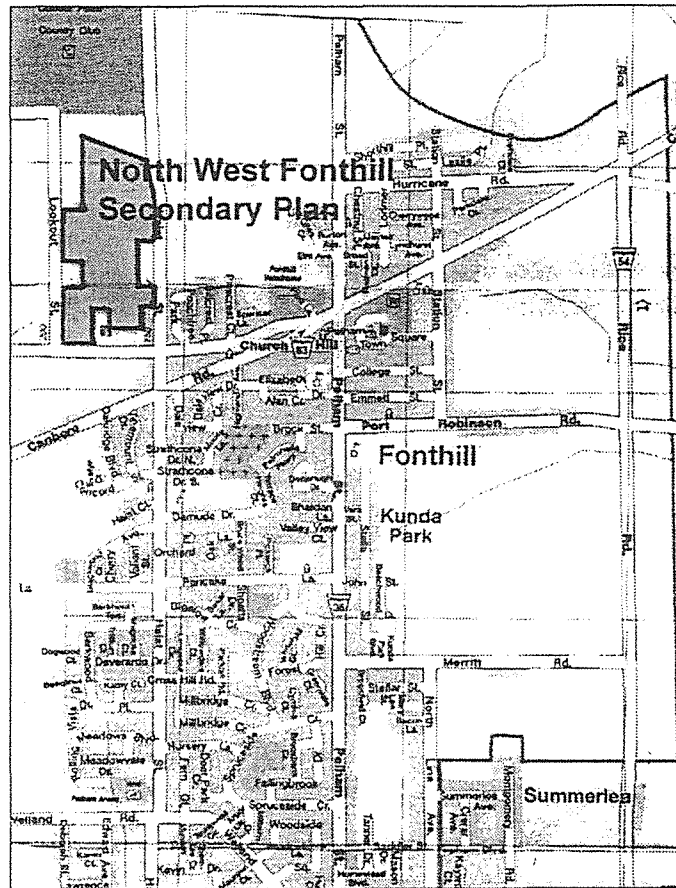
A1.0 Introduction

A1.1 Purpose of this Study

One purpose of this Study was to understand the variety of technical work that had been carried out in the past that established this Area as appropriate for urban development. Then, based on that understanding, to establish the most appropriate urban structure and range and mix of land uses that would facilitate the development of a high quality community within the Town of Pelham, and more specifically, a new community attached to the village of Fonthill. The Secondary Plan Area is identified on the adjacent map.

The products of this Study include:

- a land use, open space, transportation and storm water management concept that provides for a range of housing types and facilitates an effective, transportation network;
- a planning policy regime intended to ensure that the Town and private landowners have a clear understanding of the expectations for future urban development;
- design guidelines intended to ensure beautiful neighbourhoods; and,
- technical and engineering support, ensuring that the Area will develop efficiently and properly.



A1.2 Organization of this Document

This document provides the basis, background information and detailed planning policies for the development of the North West Fonthill Secondary Plan Area. This document is divided into four main sections, including Part A: The Preamble, Part B: The Amendment, Part C: The North West Fonthill Secondary Plan and Part D: The Appendices.

Part A is divided into the following sub-sections:

- Section A1.0 is the introduction which describes the organization of the document, the purpose of the Secondary Plan Study and the planning process used to develop the plan;
- Section A2.0 describes the overall planning and design principles and the three alternative land use concepts that were developed and subsequently evaluated; and,

- Section A3.0 describes the refined development principles and the preferred land use concept.

Part B outlines the Amendment that incorporates the Secondary Plan policies into Pelham's Official Plan.

Part C presents the policy framework that comprises the North West Fonthill Secondary Plan. Part C is organized as follows:

- Section C1.0 provides the underlying development goals and objectives;
- Section C2.0 identifies and describes the various land use designations, their intent, permitted uses and policy framework;
- Section C3.0 describes the transportation network policies;
- Section C4.0 describes the municipal infrastructure systems and policies;
- Section C5.0 outlines the implementation policies; and,
- Section C6.0 outlines the interpretation policies.

Part D includes the appendices which comprise a variety of design and technical information, including:

- Appendix I – The Design Guidelines, which establish a design regime that will guide future public and private sector development;
- Appendix II – Transportation Analysis which summarizes the transportation-related technical review of the Plan; and,
- Appendix III – Municipal Infrastructure Analyses which summarizes the methods through which new development will be provided with urban services (sewer, water and storm water management).

A1.3 Planning Process

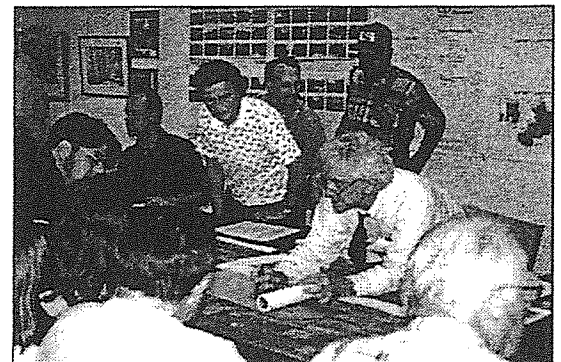
The products of this Study have been developed based on an integrated and interactive approach, combining extensive expertise in land use planning, urban design, transportation planning and municipal engineering. An important aspect of this process was a 'workshop' held at the outset of this project that included intensive discussions with an array of landowners, municipal staff, councilors and public agencies. The planning and design process included:

Phase 1: Background Review/Key Issues

- conduct background overview; and,
- Identify key issues.

Phase 2: Alternative Plans/Policy Options

- 3 day Design Workshop – principles and preliminary alternative land use concepts (June 27, 28 and 29, 2001);
- refine alternative land use concepts;
- comparative review of concepts by staff and Technical Team;
- prepare the preferred concept;
- review of the preferred concept by staff and Technical Team;
- Alternative Concepts/Preferred Concept Report;
- Council presentation (September 24, 2001); and,
- refine the preferred concept.



Phase 3: Implementing Documents

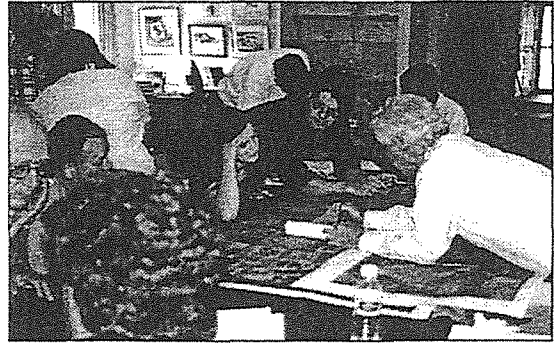
- prepare draft Secondary Plan/Design Guidelines;
- review by staff, agencies and Technical Team;
- Statutory Public Meeting/Council Presentation (date); and,
- prepare Final Report and Technical Reports.

A1.4 Context

The subject Secondary Plan Area was identified and approved for urban development, through local and Regional Official Plan Amendments. During the course of preparing the necessary background studies in support of those Official Plan Amendments, an enormous amount of technical and planning, engineering and environmental work was prepared, and was crucial to this Study. To gain a full understanding of this Study, the previous work related to the urban area expansion must be reviewed, it included:

- detailed planning and justification work carried out by Miller O'Dell Planning Associates;
- agricultural impact and microclimate assessment prepared by Ecological Services Group;
- transportation planning carried out by Totten Sims Hubicki Associates; and,
- detailed engineering and environmental work carried out by Procter and Redfern (now Earth Tech Canada).

To provide continuity between all of the detailed technical work carried out since the mid-1990's and this Secondary Plan Study, the consultant team includes expertise from Totten Sims Hubicki Associates and Earth Tech Canada. Their representatives have been involved in all aspects of this Study, from the workshop, through to the preparation and review of the Preferred Concept, the Secondary Plan policies and the Design Guidelines.



A2.0 Alternative Land Use Concepts

A2.1 Planning and Design Principles

During the Workshop, a variety of fundamental principles were discussed and generally agreed upon. These principles provided guidance in the preparation of the three Concept Plans, and are used as criteria with which to evaluate the relative attributes of each Concept.

Land Use/Community Design

- the new community will be primarily residential;
- NR 20 at Lookout Street will be designed as a gateway to Fonthill. Buildings should be oriented to front, face and feature NR 20;
- key streets should be designed to include trees and pedestrian lighting to function as important components of the open space system;
- the community should have a connected open space system that comprises storm water management facilities and streets; and,
- special consideration should be given to the views from the site to the south-east.

Transportation

- use of alternative modes of transportation should be encouraged; and,
- the road system should ensure continuity through the neighbourhood.

Municipal Services/Storm Water Management

- storm water management ponds should be designed as special features and part of the open space system; and,
- municipal services (water, sewer) should be provided in as cost effective and efficient manner as possible.

Environment

- the slope and woodlot at the north end of the site shall be protected from development; and,
- larger lots, and lower density housing should be located in the northern part of the site to enhance the views through the site and to be sensitive to the parts of the site identified as an Area of Natural and Scientific Interest (ANSI).

A2.2 Three Alternative Land Use Concepts

Concept 'A'

Land Use/Community Design

- medium and low density residential, medium density concentrated near NR 20;
- large lot singles located in north half of site;
- entrance median off Lookout Street;
- provides site for seniors housing at Lookout/NR 20; and,
- gateway feature at Lookout/NR 20.

Transportation

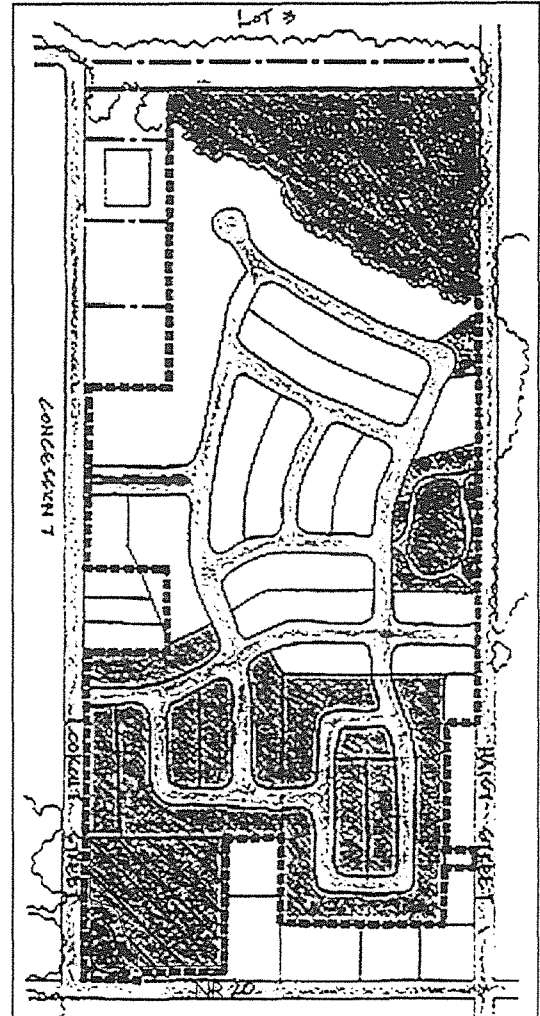
- modified grid of roads;
- 1 connection to Haist Street, 2 connections to Lookout Street; and,
- no direct access to NR 20.






Municipal Services/Storm Water Management

- 2 storm water management ponds.

Environment

- maintain all existing environmental features.



-  Medium/High Density Residential
-  Low Density Residential
-  Institutional
-  Open Space
-  * Conceptual Stormwater Management Facilities

Concept 'B'

Land Use/Community Design

- medium and low density residential, medium density concentrated near NR 20;
- large lot singles located in north half of site;
- entrance median off Lookout Street;
- provides site for seniors housing at Lookout and NR 20;
- gateway feature at Lookout/NR 20;
- cul-de-sac window on existing woodlot; and,
- view provided to main open space/storm water management feature from Lookout Street.

Transportation

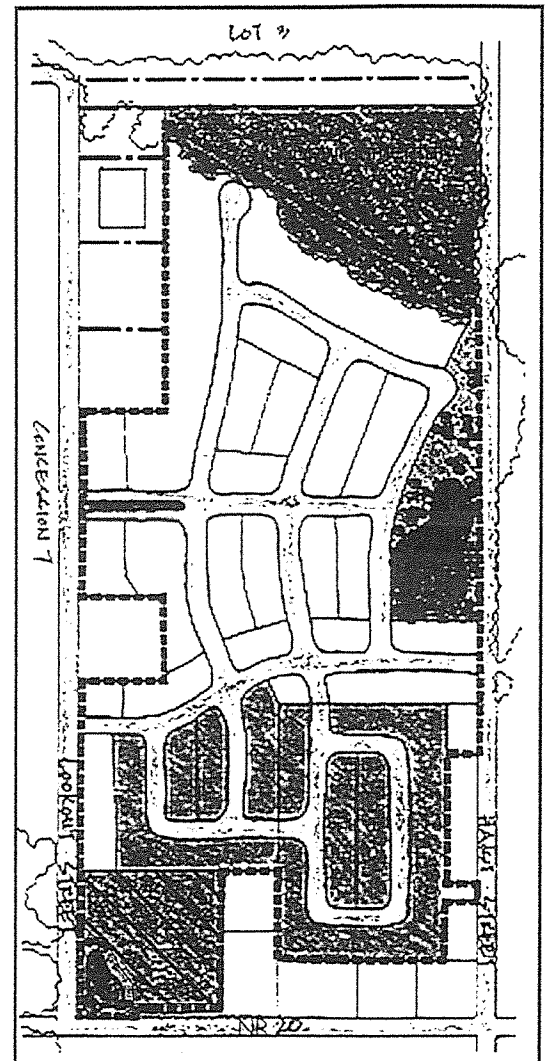
- modified grid of roads;
- 1 connection to Haist Street, 2 connections to Lookout Street; and,
- no direct access to NR 20.






Municipal Services/Storm Water Management

- 2 storm water management ponds.

Environment

- maintain all existing environmental features.



-  Medium/High Density Residential
-  Low Density Residential
-  Institutional
-  Open Space
-  * Conceptual Stormwater Management Facilities

Concept 'C'

Land Use/Community Design

- medium and low density residential, medium density concentrated near NR 20;
- large lot singles located in north half of site;
- entrance median off Lookout Street;
- provides site for seniors housing at Lookout and NR 20;
- gateway feature at Lookout/NR 20; and,
- cul-de-sac window on existing woodlot.

Transportation

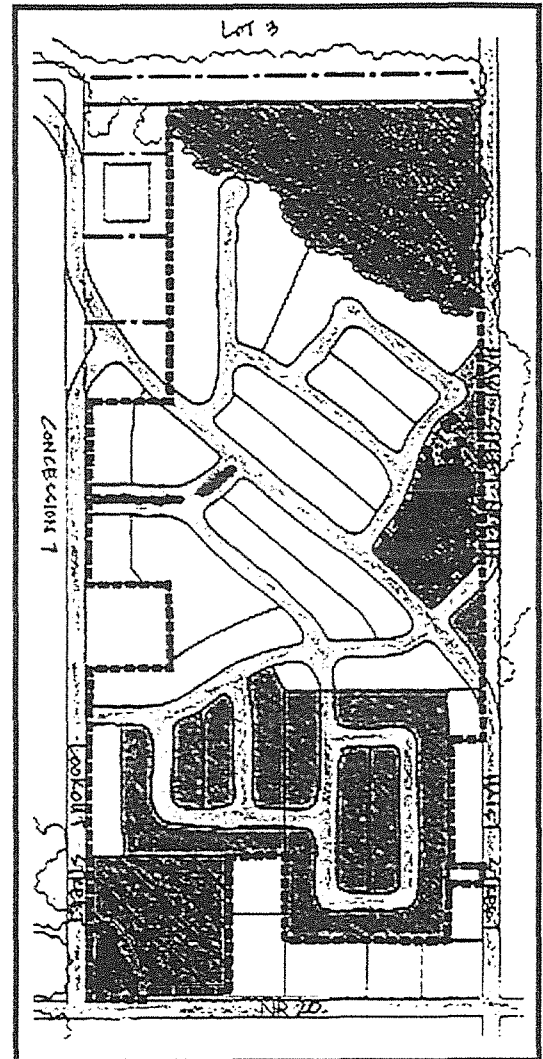
- collector road divides community in half, introduces significant functional intersection changes at Haist and NR 20;
- modified grid of roads; and,
- no direct access to NR 20.

Municipal Services/Storm Water Management

- 2 storm water management ponds.

Environment

- maintain all existing environmental features.



- Medium/High Density Residential
- Low Density Residential
- Institutional
- Open Space
- * Conceptual Stormwater Management Facilities

A2.3 Comparative Evaluation

The comparative review for this Secondary Plan Area is relatively straightforward, given that the 3 Concepts are very similar.

Land Use/Community Design

The land use distribution in all three Concepts is virtually the same. However, the internal street systems proposed provide a variety of clear options:

Concept 'A' provides a highly internalized street system that will ensure attractive and quiet streets. The entrance feature (a planted median) off Lookout Street is localized and the inboard cul-de-sac in the north part of the site protects the woodlot/escarpment for the individual land owners who are immediately adjacent.

Concept 'B' also provides an internalized street system ensuring quiet and attractive streets. However, the entrance feature is continuous to the storm water/park facility on the east side of the site which provides a functional and visual connection to the primary amenity area of the site. The external cul-de-sac configuration is an attempt to provide an opportunity for all residents to enjoy the woodlot/escarpment feature at the northern edge of the site.

Concept 'C' promotes two separate neighbourhoods, bisected by a collector road. Street systems off the collector are internalized as a series of crescents. With this configuration it will be more difficult to establish a clear entrance feature. The external cul-de-sac configuration is an attempt to provide a public opportunity to enjoy the woodlot/escarpment feature at the northern edge of the site.

In general, Concept 'B' is preferred, followed by 'A'. Concept 'C' is considered inappropriate for this site due to the bisecting collector road.

Transportation

All Concepts were found to be roughly comparable in terms of their support for the use of alternative modes (walking and bicycles); the transit friendliness of the road design; and the degree to which the roads provide a connected system within and outside the Secondary Plan Area.

A modified grid system of roads is proposed in all the Concepts, with the major difference being in Concept 'C' where a collector road connection linking diagonally between Haist and Lookout Streets is proposed.

The diagonal collector road connection proposed in Concept 'C' is unnecessary and will contribute to additional 'external' traffic penetrating the Secondary Plan Area. The diagonal connection will also tend to concentrate more traffic at the NR 20 - Haist Street intersection and leave the Lookout Street intersection with NR 20 under utilized, particularly if traffic signals are located here.

Other differences between the Concepts were found to be small, with Concept 'B' demonstrating slightly better features: a more uniform grid network, slightly fewer intersections overall; comparable cost and property requirements to Concept 'A'; and a slightly higher transit catchment.

Overall, Concept 'B' is preferred, followed by Concept 'A'. Concept 'C' is not appropriate due to the diagonal collector road.

Municipal Services/Storm Water Management

The servicing of this Secondary Plan Area by municipal water and sanitary sewage has no dependence on the three Concept Plans. All three can be equally serviced with no advantage or disadvantage to any individual Concept.

All three Concepts show storm water management facilities in approximately the same location.

From the perspective of municipal services and storm water management, all three Concepts are considered to be equal.

Environment

The key environmental feature – the woodlot and slope of the escarpment at the north end of the site are protected in all three Concepts. Special policies will be required to permit development sensitive to the identified ANSI.

From the perspective of environmental protection, all three Concepts are considered to be equal.

Stakeholder Review

At the workshop, the relative attributes of these three Concepts were discussed. Key issues raised included:

- the amount and distribution of public open space;
- ensuring appropriate road access to the Weiland property;
- the functional requirements of the storm water management facilities;
- the interface between existing residences on Haist Street and the proposed medium density housing will need special consideration, which may include additional setbacks and/or enhanced landscaping;
- new road access to Haist Street should be limited to one location, which should be to the north of the existing residences;
- the cul-de-sac is intended for specific owners, and their preference is for the inboard location; and,
- the storm water management facility located at NR 20 and Lookout Street provides an excellent opportunity to announce the arrival into Fonthill, and should be appropriately designed.

A3.0 The Preferred Land Use Concept

A3.1 Refined Development Objectives

- a) The development objectives provide the framework for the planning and development within the Secondary Plan Area by both the public and private sectors. The objectives will be implemented by the mechanisms set out in this Secondary Plan and the Official Plan. The general objectives of this Secondary Plan are:

Land Use

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

Residential Development

- to create a residential community with a safe, healthy and functional environment that can accommodate approximately 550 people, based on about 215 dwelling units, with a housing mix consisting of single detached units and townhouse dwelling forms;

Open Space/Environmental Features

- to establish a network of open spaces accessible to all residents with natural and cultural features integrated into open space areas;
- to create open spaces with a clear function and relationship to the community;
- to ensure the preservation and enhancement of significant environmental features and views;

Transportation

- to develop a land use pattern and transportation system that supports vehicular traffic, cyclists and pedestrians;
- to design roads at a pedestrian scale, that are attractive public spaces while still serving vehicular traffic functions;
- to design roads based on a range of urban and semi-urban cross-sections that recognize the character of the community and the environmental constraints of the site;

Services

- to ensure that all new development occurs on the basis of full urban water and sanitary sewer facilities;
- to design a storm water management system that is integrated with the open space system and which mitigates impacts on the natural environment;
- to ensure that the necessary infrastructure and services are in place to facilitate the timely and orderly development of the community; and,

Finance

- to ensure that the costs of the services and facilities required to permit and support the development of the community are financed in accordance with:
 - the ability of the municipality, the Region and landowners to pay;
 - the provisions of the Development Charges Act; and,
 - the Development Charges by-laws adopted by both the municipality and the Region.

A3.2 Description of the Preferred Concept

The Preferred Concept is a modification of Concept 'B'. It was developed in consideration of a detailed plan prepared by one of the major landowners in the Area.

Land Use/Community Design

- medium and low density residential, medium density concentrated near NR 20;
- large lot singles located in north half of site;
- entrance median off Lookout Street;
- provides site for seniors housing at Lookout and NR 20;
- gateway feature at Lookout/NR 20;
- cul-de-sac adjacent to existing woodlot; and,
- view provided to main open space/storm water management feature from Lookout Street.

Transportation

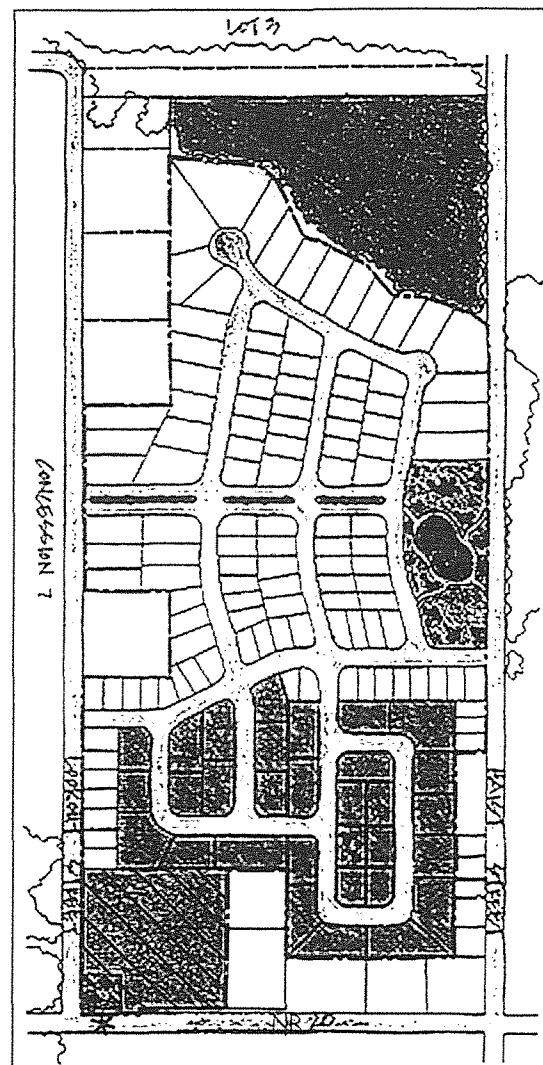
- modified grid of roads;
- 1 connection to Haist Street, 2 connections to Lookout Street; and,
- no direct access to NR 20.






Municipal Services/Storm Water Management

- 2 storm water management ponds.

Environment

- maintain all existing environmental features.

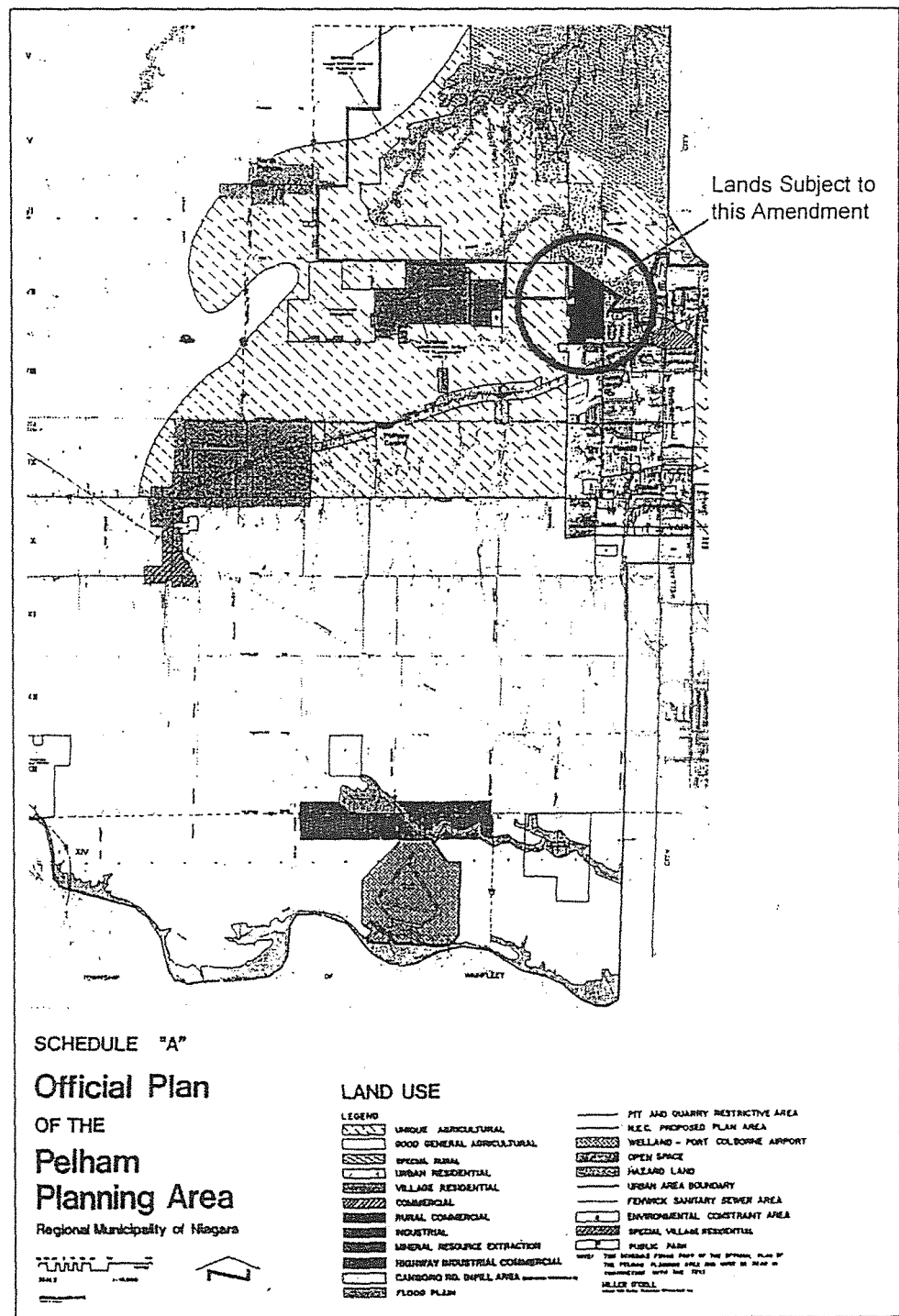


-  Medium/High Density Residential
-  Low Density Residential
-  Institutional
-  Open Space
-  Conceptual Stormwater Management Facilities


PART B: THE AMENDMENT

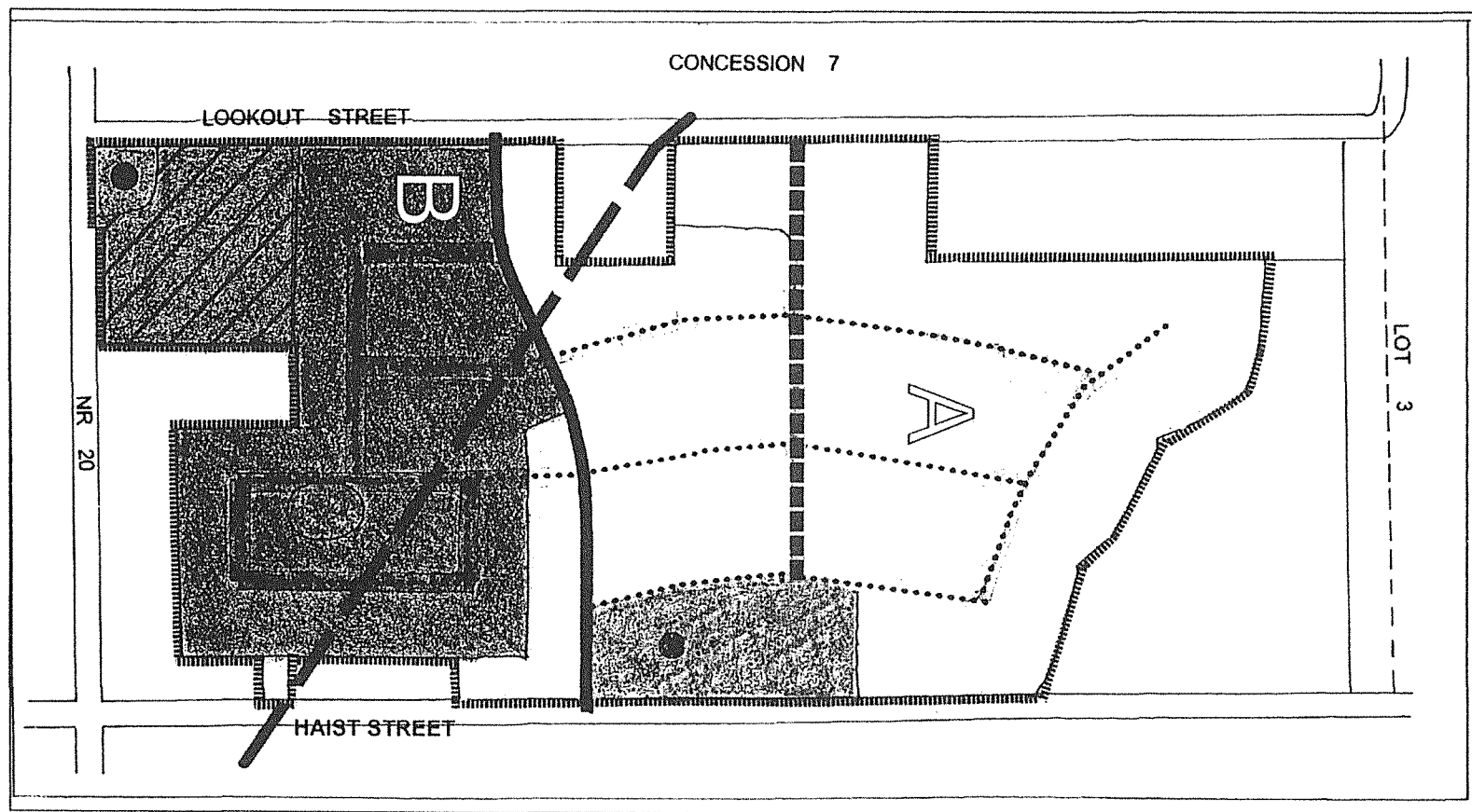
B1.0 Itemized Changes to the Official Plan of the Town of Pelham

- ITEM 1:** The following Text, including all of Part C: The North West Fonthill Secondary Plan, and Schedules 'A' and 'E', attached hereto, constitute Amendment 43 to the Official Plan of the Town of Pelham, as amended.
- ITEM 2:** Section 1.57 – Secondary Plans, of the Official Plan of the Town of Pelham, as amended, is hereby amended by the addition of a new Section 1.57.2 The North West Fonthill Secondary Plan. The text of the new Section 1.57.2 is provided in this document as Part C: The North West Fonthill Secondary Plan.
- ITEM 3:** The Official Plan of the Town of Pelham, as amended, is hereby amended by the addition of a new Schedule 'E', Land Use and Transportation Plan, the North West Fonthill Secondary Plan.
- The existing Schedule 'A' to the Official Plan of the Town of Pelham, as amended, (also referred to as Schedule 'A' to Official Plan Amendment 36) is hereby amended by redesignating certain lands from 'Area of Natural and Scientific Interest', 'Special Deferred Urban Residential Area' and 'Deferred Urban Residential Area' to 'Townhouse Residential', 'Low Density Residential', 'Low Density Residential – Special Policies', 'Open Space II' and 'Mixed Institutional/Commercial', as shown on Schedule 'E' to this Amendment. The new Schedule 'E' is provided in this document in Part C: The North West Fonthill Secondary Plan.
- ITEM 4:** Section 1.61 Special Deferred Urban Residential Area and Section 1.62 Deferred Urban Residential Area of the Official Plan of the Town of Pelham, as amended, are hereby deleted in their entirety.
- ITEM 5:** Schedule 'A' of the Official Plan of the Town of Pelham, as amended, is hereby amended by identifying the subject lands as 'Lands subject to the North West Fonthill Secondary Plan', as shown on Schedule 'A' attached hereto.



Schedule 'A' to Official Plan Amendment 43
 The North West Fonthill Secondary Plan

 Lands subject to the North West Fonthill Secondary Plan



- Townhouse Residential
- Low Density Residential
- Low Density Residential - Special Policies
- Mixed Institutional/ Commercial
- Open Space II
- Collector Road
- Local Road
- Local Road

- Local Road with Special Identity
- Conceptual Stormwater Management Facility Location

Schedule 'E': Land Use and Transportation Town of Pelham Official Plan

Scale 1: 1500

- Subwatershed Boundary
- Twelve Mile Creek Subwatershed Area
- Coyle Creek Subwatershed Area

PART C: SECTION 1.57.2 THE NORTH WEST FONTHILL SECONDARY PLAN

The area subject to this Secondary Plan is identified on Schedules 'A' and 'E' to the Official Plan. The intent of the North West Fonthill Secondary Plan is to protect environmental features and to establish a comfortable and attractive neighbourhood with a range of housing types.

C1.0 Development Objectives

- a) The development objectives provide the framework for the planning and development within the Secondary Plan Area by both the public and private sectors. The objectives will be implemented by the mechanisms set out in this Secondary Plan and the Official Plan. The general objectives of this Secondary Plan are:

Land Use

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

Residential Development

- to create a residential community with a safe, healthy and functional environment that can accommodate approximately 550 people, based on about 215 dwelling units, with a housing mix consisting of single detached units and townhouse dwellings;

Open Space/Environmental Features

- to establish a network of open spaces accessible to all residents with natural and cultural features integrated into open space areas;
- to create open spaces with a clear function and relationship to the community;
- to ensure the preservation and enhancement of significant environmental features and views;
- to ensure the maintenance and, where possible, the enhancement of the existing hydrological and hydrogeological conditions on the Fonthill Kame and within the Twelve Mile Creek and Coyle Creek systems;

Transportation

- to develop a land use pattern and transportation system that supports vehicular traffic, cyclists and pedestrians;
- to design roads at a pedestrian scale, that are attractive public spaces while still serving vehicular traffic functions;
- to design roads based on a range of urban and semi-urban cross-sections that recognize the character of the community and the environmental constraints of the site;

Services

- to ensure that all new development occurs on the basis of full urban water and sanitary sewer facilities;
- to design a storm water management system that is integrated with the open space system and which mitigates impacts on the natural environment;
- to ensure that the necessary infrastructure and services are in place to facilitate the timely and orderly development of the community; and,

Finance

- to ensure that the costs of the services and facilities required to permit and support the development of the community are financed in accordance with:
 - the ability of the municipality, the Region and landowners to pay;
 - the provisions of the Development Charges Act; and,
 - the Development Charges by-laws adopted by both the municipality and the Region.

C2.0 Land Use Designations

- a) The Residential Neighbourhood is focused on the components of the open space network. The area intended to accommodate higher density residential uses is located in the southern half of the Secondary Plan Area. Lower density forms of housing are located in the north half of the Area. The land use designations used within the Residential Neighbourhood, as shown on Schedule 'E', include:
- 'Townhouse Residential';
 - 'Low Density Residential'; and,
 - 'Low Density Residential – Special Policies'.
- b) A site for use as housing for the elderly, including a continuing care facility is provided at the intersection of NR 20 and Lookout Street. The land use designation used for this site, as shown on Schedule 'E', is 'Mixed Institutional/Commercial'.
- c) The public parks within the neighbourhood are identified by the 'Open Space II' designation.
- d) The location of these designations throughout the community and the transportation and engineering aspects of this Secondary Plan are established conceptually on Schedule 'E'.

C2.1 Townhouse Residential

- a) It is the intent of the Town to facilitate the development of a range of townhouse and small lot single detached dwellings in this location to ensure an efficient use of the lands and to provide a mixture of house forms within the Secondary Plan Area.

C2.1.1 Permitted Uses

- a) In areas designated 'Townhouse Residential', housing forms may include street, block, stacked townhouses, and small lot single detached dwellings.
- b) Uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, parks, open space linkages and public works may be permitted within the 'Townhouse Residential' designation.
- c) Restrictions on the range and form of permitted uses shall be identified in the implementing zoning by-law.

C2.1.2 Policies

- a) All development within this designation shall be designed with regard for the appended design guidelines and shall be compatible with the intended character of the area in terms of density, building mass, height, setbacks, lot coverage and building configuration.
- b) All development within this designation shall be subject to the Site Plan Control provisions of The Planning Act.
- c) All roads within the 'Mixed Density Residential' designation shall be developed to the urban standards identified in this Secondary Plan.
- d) Development on the basis of public or private lanes may be permitted, subject to confirmation of the technical requirements by the Town.

- e) Where the 'Townhouse Residential' designation abuts the existing single-detached residential homes that front onto Haist Street, a landscaped buffer strip shall be provided. The landscaped strip shall be 2 metres in width, in addition to the required rear yard, and shall be designed to screen new development from the existing homes. Once the buffer is designed and built to the satisfaction of the Town, its ongoing maintenance shall be ensured by the Town through appropriate agreements/covenants.
- f) All roads within the 'Townhouse Residential' designation shall be designed to the urban standards identified in this Secondary Plan and shall have regard for the appended design guidelines.

C2.2 Low Density Residential

- a) It is the intent of the Town to permit single-detached dwelling units in an environmentally sound manner, including the protection of the interpretive, educational and scientific value of the surrounding landscape.

C2.2.1 Permitted Uses

- a) 'Low Density Residential' housing forms shall include single-detached dwelling units.
- b) Uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, parks, open space linkages, places of worship and day nurseries may be permitted within the 'Low Density Residential' designation.
- c) Restrictions on the range of permitted uses shall be identified in the implementing zoning by-law.

C2.2.2 Policies

- a) The minimum lot frontage for residential development shall generally be 18.0 metres per dwelling unit. The minimum lot area shall generally be 685 square metres.
- b) Local roads within the 'Low Density Residential' designation may be developed to the urban or rural standards identified in this Secondary Plan, subject to the policies of this Secondary Plan and the technical requirements of the Town.
- c) Places of worship and day nurseries may be permitted through a rezoning, provided they:
 - have a maximum lot size of .75 of a hectare;
 - are compatible with adjacent properties in terms of aesthetics, privacy, sun-shadowing, noise and/or other impacts; and,
 - are located adjacent to the intersection of two public roads, at least one of which is a collector road.
- d) All development permitted within the 'Low Density Residential' designation may be subject to the Site Plan Control provisions of The Planning Act, at the discretion of the municipality.
- e) Prior to any development within the 'Low Density Residential' designation, a Community Design Plan shall be carried out that will, among other items, address the impact of development on views to and from the adjacent environmental features. Some of the issues to be considered shall include:

- the height, siting and orientation of the dwelling units;
- the provision of view corridors along roadways and between buildings; and,
- more detailed design guidelines addressing the scale and massing of building and landscape treatments.

The Community Design Plan shall be carried out by the proponent and approved by the Town. The recommendations of the Community Design Plan shall be implemented through the zoning by-law and may also be implemented through the Site Plan Control provisions of the Planning Act, at the discretion of the municipality.

C2.3 Low Density Residential - Special Policies

- a) It is the intent of the Town to permit large lot single-detached dwelling units in an environmentally sound manner, including the protection of the interpretive, educational and scientific value of the surrounding landscape.

C2.3.1 Permitted Uses

- a) 'Low Density Residential – Special Policies' housing forms shall include only single-detached units on large lots.
- b) Within areas designated 'Low Density Residential - Special Policies' uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, pocket parks and open space linkages are permitted.
- c) Restrictions on the range of permitted uses shall be identified in the implementing zoning by-law.

C2.3.2 Policies

- a) The lands designated 'Low Density Residential – Special Policies' shall be developed on individual lots with a minimum frontage of approximately 30.0 metres. The minimum lot area shall generally be 1,500 square metres.
- b) Local roads within the 'Low Density Residential - Special Policies' designation may be developed to the urban or rural standards identified in this Secondary Plan, subject to the policies of this Secondary Plan and the technical requirements of the Town.
- c) All development permitted within the 'Low Density Residential – Special Policies' designation may be subject to the Site Plan Control provisions of The Planning Act, at the discretion of the municipality.
- d) Prior to any development within the 'Low Density Residential - Special Policies' designation, a Community Design Plan shall be prepared that will, among other items, address the impact of development on views to and from the adjacent environmental features. Some of the issues to be considered shall include:
- the height, siting and orientation of the dwelling units;
 - the provision of view corridors along roadways and between buildings; and,
 - more detailed design guidelines addressing the scale and massing of buildings and landscape treatments.

The Community Design Plan shall be carried out by the proponent and approved by the Town. The recommendations of the Community Design Plan shall be implemented through the zoning by-law and may also be implemented through the Site Plan Control provisions of the Planning Act, at the discretion of the municipality.

- e) All development on lands designated 'Low Density Residential – Special Policies' shall proceed on the basis of the recommendations of an Environmental Impact Statement. An Environmental Impact Statement is to be undertaken by the proponent and approved by the Town, in consultation with the Region, the Conservation Authority and any other government agency having jurisdiction. An Environmental Impact Statement will provide:
- a map identifying the location and extent of the proposed buildings and landscape elements on the subject site in relation to the identified natural feature;
 - a biological description of the natural environment that might reasonably be expected to be affected, either directly or indirectly, by the proposed development;
 - a description of the impacts to the environment that may reasonably be expected to result from the proposed development; and,
 - a description of the actions that may be reasonably required to prevent, change, minimize or remedy impacts to the environment resulting from the implementation of the proposed development, including the identification of environmental buffers, opportunities for ecological restoration, enhancement and long term conservation of the natural feature.

The recommendations of the Environmental Impact Statement shall be implemented through the zoning by-law and Site Plan Control provisions of the Planning Act. Site Plan agreements and/or other legal devices will be registered on title to ensure the long-term protection of the identified natural features.

C2.4 Mixed Institutional/Commercial

- a) The Lands designated 'Mixed Institutional/Commercial' focus on the north side of the NR 20 corridor, as identified on Schedule 'E'. Development within this designation shall be compatible with the planned role of NR 20 and as part of the urban entrance to the community of Fonthill.

C2.4.1 Permitted Uses

- a) Institutional uses permitted within this designation include senior citizens housing in forms ranging from independent living apartments to partial care facilities to a full service nursing home.
- b) In addition to the primary institutional use ancillary commercial uses may also be permitted. The range of commercial uses permitted in combination with the permitted institutional uses within this designation include:
- professional and medical offices;
 - health and fitness recreational uses; and,
 - banks and personal service uses.
- c) Public utilities, storm water management facilities and community facilities such as parks and open space linkages, and places of worship may also be permitted within the 'Mixed Institutional/Commercial' designation.
- d) Restrictions on the range of permitted uses shall be identified in the implementing zoning by-law.

C2.4.2 Policies

- a) All development shall be subject to the Site Plan Control provisions of The Planning Act.
- b) The Town shall ensure that the natural environment is considered as an essential component of the site plan with special consideration given to natural topography, surface drainage patterns and vegetative cover.
- c) This site is a key gateway to Fonthill. As such, a high level of design standards will be incorporated into the zoning by-law and design guidelines for landscaping, building setbacks and other on-site amenities.
- d) The maximum height of any building shall be 4 storeys or 12 metres, whichever is less.
- e) All uses will be located to front, face and feature NR 20 and Lookout Street.
- f) Parking facilities shall not exceed 30 percent lot area coverage and shall generally be restricted to interior side and rear yard locations. The area of the lot covered by the building shall not exceed 40 percent.
- g) The number of access points to public roads shall be minimized.
- h) Where any lot line abuts a public road, public open space, and/or a residential lot, special landscaping/building treatments shall be required to ensure that the rear and/or side building facades are attractive and/or appropriately screened from view.
- i) All parking, storage and loading areas shall be appropriately screened, landscaped and buffered from all adjacent land uses.

C2.5 Open Space II**C2.5.1 Permitted Uses**

- a) The 'Open Space II' designation permits a wide variety of recreational uses, including buildings and facilities used for recreation. Storm water management facilities may also be permitted within the 'Open Space II' designation.

C2.5.2 Policies

- a) The permitted uses and policies of the 'Open Space II' designation are in addition to the policies of Section 1.35 and 1.36 'Open Space' of the Official Plan.
- b) The 'Open Space II' designation includes neighbourhood parks and pocket parks/village squares.
- c) The neighbourhood park is shown conceptually on Schedule 'E' and is moderate in size. Pocket parks/village squares, which are conceptually identified on Schedule 'E', are intended to provide sub-neighbourhood focal points and/or gateway features.
- d) The actual size and shape of the various public parks shall be determined during the processing of development applications.
- e) Publicly owned parkland shall be provided in accordance with the standards identified in The Planning Act, subject to the following:

- significant frontage on a public road is provided;
 - the site is located to complement the overall open space network; and,
 - the site is accessible to residents from the surrounding neighbourhood.
- f) Parkland may be acquired pursuant to the provisions of the Planning Act and by other available means. Lands required for storm water management facilities that are not suitable for public recreation purposes shall not be accepted as part of the parkland dedication under the Planning Act.
- g) Cash-in-lieu of parkland shall only be considered where an individual development parcel does not include any key components of the anticipated neighbourhood park, pocket park/village square or open space linkage network, and where the Town has determined that parkland within the subject lands is not required to serve the proposed development or the surrounding community. Where cash-in-lieu of parkland is accepted, the cash shall be used to enhance the public open space system elsewhere within this Secondary Plan Area.
- h) Land conveyed to the Town for park purposes shall be accepted only when the Town is satisfied that the land is suitable for park purposes and is situated and configured in a manner that achieves the open space objectives of this Secondary Plan.
- i) Land for park purposes must be conveyed in a condition satisfactory to the Town. At a minimum, this should be in a condition with basic grading, seeding/sodding completed and building materials and rubble removed.

C3.0 Transportation

- a) The intent of the transportation system is to provide an integrated, multi-modal transportation network for all residents and businesses that is safe, convenient, affordable, efficient and energy-conserving while minimizing environmental impacts. The key objectives in designing the transportation network are:
- continuity and connectivity;
 - transit friendliness; and,
 - livable streets.

C3.1 Road Network

- a) The road network within the Secondary Plan Area, as identified conceptually on Schedule 'E', is based on an interconnected and permeable modified grid pattern.
- b) The community will have a hierarchy of road types determined by the adjacent land uses, planned function, location, capacity and speed. Schedule 'E' identifies the existing NR 20, the collector road network, including Lookout Street and Haist Street and a conceptual local road network.

C3.1.1 Niagara Road 20 (NR 20)

- a) NR 20 is, and will remain one of the primary east-west routes, joining Pelham to St. Catharines and beyond. As such, special consideration regarding the nature and visual character of the road right-of-way and adjacent development is important. Development of NR 20 shall meet the following requirements:
- a right-of-way width of 20 to 26 metres;
 - sidewalks shall be provided;
 - new development that abuts NR 20 will front, face and feature NR 20, however, no individual access will be permitted from NR 20 to any new use within this Secondary Plan Area; and,
 - as an 'Urban Arterial' the Town will work in collaboration with the Region to ensure that the future design of NR 20, including any proposed widening, shall have regard for its role and function as the historic main street of Fonthill. Design considerations may include a reduced right-of-way, reduced pavement and lane widths, a reduced design speed, provision for on-street parking and special design features and street lighting/furniture.

C3.1.2 Collector Roads

- a) Other collector roads in the Secondary Plan Area, including Haist Street, Lookout Street and the proposed internal collector road shall have either urban or rural cross sections, and incorporate design features such as traffic calming measures, bicycle lanes, landscape islands, street lighting/furniture. Right-of-way widths to be 20 - 26 metres, subject to confirmation of their ability to accommodate the vehicular, cyclists and pedestrian traffic to the satisfaction of the Town.

C3.1.3 Local Roads/Lanes

- a) The local road network must be based on a modified grid and include a variety of 'T' and cross road intersection con-

figurations. Right-of-way for the local road pattern shall be 20 metres. To incorporate such design features as parking lanes, road widths for local streets with urban cross section shall be 8.6 metres. Road widths for local streets with rural cross section shall be 9.0 metres. Separate provision for cyclists has not been made on local streets, given the lower traffic levels on these roads.

- b) One local road, identified as 'Special Identity Local Road' is to be developed with a landscaped centre median and is intended to terminate at a public park, as shown conceptually on Schedule 'E'. The ROW for this road shall be 22 metres.
- c) Public or private lanes may be permitted within the 'Townhouse Residential' designation. Lanes shall meet the following requirements:
 - a right-of-way width of between 6.0 metres and 7.5 metres;
 - a minimum pavement width of between 6.0 metres and 7.5 metres; and,
 - the rear yard setback to a garage shall range between 0.0 and 1.0 metre.

C3.1.4 Road Policies

- a) All identified right-of-way, pavement widths and road configurations shall be subject to satisfactory confirmation of utility locations, emergency access, streetscape design and on-street parking regulations. The road allowance widths identified in this Secondary Plan are approximate. In certain cases, widening of existing roads to the ultimate road allowance width may not be required. In some cases the right-of-way may need to be wider to accommodate engineering and/or design requirements. Final right-of-way requirements and the provision of day-light triangles will be determined during the review of development applications.
- b) The local road network, which is shown conceptually on Schedule 'E', shall recognize natural and built constraints and shall generally form a continuous and interconnected modified grid pattern. Minor modifications to the local road network may be permitted without the need for an Official Plan Amendment provided the Town is satisfied that the general intent of the planned local road network is maintained.
- c) Only the identified collector road shall be permitted to intersect with Haist Street.
- d) No urban development will be permitted within the Secondary Plan Area until internal road access among the various land parcels is appropriately secured by the Town.
- e) Traffic calming features, such as raised intersections, speed humps, chokers, traffic circles, chicanes and/or hammerheads should be considered to control speed, volumes and cut-through traffic. These features may also provide important aesthetic focal points within the community. These roadway features may be permitted subject to evaluation by the Town of functional, aesthetic, operational and financial issues associated with their use.
- f) Streetscape design for the collector road, local roads and laneways shall have regard for the urban design guidelines appended to this Secondary Plan.

C3.2 Transit

- a) Transit routes are to be located along the identified collector roads. The use of local streets for transit will be avoided, wherever possible.

- b) It is anticipated that the nature of the transit network will evolve over time as service demand dictates.

C3.3 Pedestrian and Bicycle System

- a) The development of all roads shall, where possible, include safe, convenient and attractive facilities for pedestrians and cyclists.
- b) A street-related pedestrian walkway and bikeway system shall be required within the neighbourhood. These facilities will be designed to be integrated with a general pedestrian and bicycle system within the community which provides linkages between buildings, adjacent sites, surrounding areas and public streets, particularly those with transit facilities.

C3.4 Parking

- a) All development shall provide suitable off-street parking, as required by the implementing zoning by-law.
- b) On street parking shall be considered on all local roads, subject to the right-of-way width and traffic considerations.

C4.0 Infrastructure

C4.1 Water, Waste Water and Storm Water Management

- a) Development within the Secondary Plan Area shall be on the basis of full urban water, wastewater and storm water management facilities.
- b) A Master Servicing Plan, outlining preliminary functional water distribution, wastewater collection and storm water management facilities, including designs and costs, will be prepared prior to the approval of any development within the Secondary Plan Area.
- c) All required infrastructure shall be constructed and sized to accommodate the full build-out of the Secondary Plan Area. As a result, some of the infrastructure required by one proponent may be oversized to service the larger area. Benefiting landowners shall be required to compensate provider proponents, prior to development on the benefiting landowner's property.
- d) All development within the Secondary Plan Area will proceed according to individual, site specific Drainage Plans and Servicing Plans prepared by the proponent, to the satisfaction of the Town and the Region.
- e) Development may be phased to coincide with the availability of servicing and financial capabilities are available to allow all the necessary services for development.
- f) Municipal infrastructure, storm water management facilities and public or private utility services shall be permitted in all land use designations, subject to the results of a Subwatershed Study, an Environmental Impact Study, the Master Servicing Plan and detailed engineering designs to be approved by the Town. Further Official Plan Amendments shall not be required to implement appropriate infrastructure and storm water management facilities.

C4.2 Storm Water Collection and Management System

- a) The Secondary Plan Area is subdivided into two drainage areas, as identified on Schedule 'E'. The majority of the property drains to the south to Coyle Creek (Ridgeville Drain is part of this system). The remainder of the property drains northeast to Twelve Mile Creek. Twelve Mile Creek is the only coldwater fishery in Niagara and, therefore, is a significant resource to the community and Region. Storm water management is very important for this Secondary Plan Area and the Town will be requiring the highest level of protection (Level 1) for the Twelve Mile Creek watershed and Level 2 protection for the drainage area tributary to Coyle Creek.
- b) The general objectives for storm water management within this Secondary Plan Area are:
 - to maintain, and where possible, improve the health and condition of the receiving watercourses;
 - the achievement of no net increase in storm water run-off from the Area to adjoining lands;
 - to maintain, and where possible, improve the quality of storm water entering surface and groundwater supplies; and,
 - to promote the use of naturalized methods of storm water management.

- c) The storm water collection system for the Secondary Plan Area will be designed to direct minor and major storms to two proposed Ponds (possibly a third to service the southwest corner of the subject area), identified conceptually on Schedule 'E'.
- d) Smaller trunk storm sewers will be required to service the entire Secondary Plan Area. A proponent may be required to oversize storm water management facilities to service other landowner's properties. Oversizing costs borne by a specific proponent may be paid for with contributions from other benefiting landowners through front ending agreements, Development Charges By-law, or other developer's group agreements as deemed appropriate by the Town.
- e) Watercourse land dedication, including environmental buffers as identified in this Secondary Plan and in the Subwatershed Study, shall be valued and subject to contributions from other benefiting landowners through front ending agreements, Development Charges By-law, or other developer's group agreements as deemed appropriate by the Town.
- f) The native soil is sand, therefore the storm water management plans developed for Secondary Plan Area must include groundwater recharge areas. The design of the recharge system must ensure that the highest quality of water is recharged into the groundwater system.
- g) The Secondary Plan Area is divided into two storm water management areas, as identified on Schedule 'E' and described below:
 - Storm Drainage Area A, which drains to the Twelve Mile Creek watershed; and,
 - Storm Drainage Area B, which drains to the Ridgeville Drain/Coyle Creek watershed.
- h) Storm Drainage Area A - This Area drains to Twelve Mile Creek, the only cold water fishery in the Niagara Region. As such, a Level 1 protection is required for the storm water management system. The primary design objectives for storm water management in this Area include:
 - quantity control;
 - quality control;
 - groundwater recharge;
 - water temperature control; and,
 - erosion control.
- i) Storm Drainage Area B - Drainage from this area outlet into tributaries of the Coyle Creek to the southwest. Parts of some of these tributaries have experienced erosion problems along their banks in some locations, in particular in one tributary channel behind Lookout Village. One storm water management facility is proposed to be located on the northeast corner of NR 20 and Lookout Street. A second storm water management facility may be required in the southeast corner of Secondary Plan Area B, east of the Fire Hall. The remaining drainage from this area is via natural watercourses, which are tributaries to the Ridgeville Drain. The primary design objectives for storm water management in this area include:
 - quantity control;

- quality control;
- groundwater recharge;
- erosion control; and,
- enhancement program for the existing drainage courses (may be subject to the Drainage Act as part of the Coyle Creek complex is the Ridgeville Drain).

The storm water management pond proposed to be located at the intersection of NR 20 and Lookout Street is identified as a key gateway to Fonthill. As such, it should be designed with enhanced landscape features recognizing its important location within Pelham.

C4.3 Other Utilities

- a) All new local power and telephone lines and other 'cable' services serving the Secondary Plan Area shall be located underground and shall, where possible, be grouped into a single utility trench.
- b) Utility providers are to confirm if existing services can be upgraded and new services can be provided to support the proposed development prior to the approval of any development within the Secondary Plan Area.

C5.0 Implementation

- a) This Secondary Plan shall be implemented by the powers conferred upon the Town by the Planning Act, the Municipal Act, the Development Charges Act and other applicable statutes and in accordance with all the applicable policies of the Town of Pelham Official Plan in addition to the policies of this Secondary Plan.

C5.1 Phasing

- a) Development shall be phased to provide for the continuous, orderly extension of the community and to ensure the most efficient and economical use of existing and proposed infrastructure. The following phasing criteria shall be considered in the review of all development applications:
- the development contributes to, or can be appropriately integrated within the logical sequence of construction of all required sewer, water, storm water and transportation facilities; and,
 - the development satisfies all requirements regarding the provision of parkland and other facilities.
- b) Notwithstanding any other provisions of the Official Plan, as a condition of the approval of development:
- the requirement for a front ending agreement and/or a developer's group agreement shall be satisfied; and,
 - an agreement to implement any relevant findings of the studies required by this Secondary Plan.

C5.2 Developer's Group/Front Ending Agreements

- a) Developer's Group/Front Ending Agreements based on the findings of this Secondary Plan and the findings of the Master Servicing Plan and any other studies deemed necessary by the Town, shall be entered into by the benefiting parties and approved by the Town as a condition of the approval of development applications.
- b) Such agreements shall ensure that the necessary approvals and the required contributions of funds, lands and commitments for services will be in place and operative prior to, or coincident with occupancy and use of land. Items which may be addressed in the Developer's Group/Front Ending Agreements include:
- open space and environmental features;
 - streetscape features;
 - water distribution and wastewater collection;
 - storm water management facilities;
 - road infrastructure, internal access and widenings; and,
 - other utilities.
- c) If difficulties or undue delays are encountered with respect to the preparation of the Developer's Group/Front Ending Agreements required above, the Town may be requested to attempt to resolve such difficulties or delays. Where resolution of such problems is not deemed feasible by the Town or is not possible even with the Town's intervention, the Town may approve alternative mechanisms to satisfy the intent of the applicable policy.

C5.3 Requirements for Development Applications

- a) Notwithstanding any other provisions of the Official Plan, the Town may require, at the time of submission of a development application, such information as:
- a Subwatershed Study;
 - a Master Servicing Plan;
 - a Community Design Plan, including a Viewshed Analysis, that identifies the design vision of the development application in the context of the policies of this Plan and the appended design guidelines;
 - an individual Servicing Plan;
 - an individual Drainage Plan;
 - an individual Transportation Impact Study;
 - an Environmental Impact Statement; and/or,
 - an archaeological survey.
- b) The Town, in consultation with the Region and any other agency having jurisdiction, shall, if appropriate, peer review and approve all required studies prior to granting development approvals. Costs of peer review work shall be the responsibility of the proponent.

C5.4 Zoning By-law

- a) This Secondary Plan shall be implemented through the enactment of implementing zoning by-laws in conformity with the provisions of the Official Plan and this Secondary Plan.
- b) The Town may designate a holding zone with the prefix 'H' and specify the future uses of these lands that, at the present time, are considered premature or inappropriate for development for any one or more of the following reasons:
- community services and facilities such as sanitary sewers, storm water management facilities, water supply and public parks are insufficient to serve the proposed development;
 - transportation facilities are inadequate or inappropriate based on anticipated traffic;
 - the number and location of access points to the site are inadequate and incapable of functioning safely and efficiently;
 - where development is dependent upon other matters occurring first, such as the consolidation of land ownership to ensure the orderly development of the project and/or the securing of funding for infrastructure, parks, services or outstanding application processing fees;
 - the need for a site plan agreement;
 - the need for a Developer's Group/Front Ending Agreement; and/or,

- supporting studies are required on matters related to traffic, soils, protection of any site features, environmental constraints or design features prior to development approval.
- c) Removal of the 'H' prefix will depend on meeting the specific Town conditions identified by the holding zone by-law.

C5.5 Plans of Subdivision/Condominium

- a) Plans of subdivision/condominium shall only be recommended for approval which:
- conform with the policies and designations of the Official Plan and this Secondary Plan;
 - can be provided with adequate services and facilities as required by the policies of the Official Plan and this Secondary Plan;
 - are not premature and are in the best interest of the municipality; and,
 - have regard for the design guidelines appended to this Secondary Plan.

C5.6 Consents

- a) Subdivision of land shall generally take place by plan of subdivision. Consents shall only be permitted:
- for technical or legal purposes; or,
 - where the municipality is satisfied that the consent will not prejudice the ultimate subdivision of land or the principles set out in the Official Plan or this Secondary Plan.

C6.0 Interpretation

- a) This Secondary Plan is a statement of municipal policy. It is intended as a guide to the development of the Secondary Plan Area. Some flexibility in interpretation is permitted without the need for an Official Plan Amendment, provided the general intent of the policies and principles of this Plan are maintained.
- b) Development within the community shall be subject to all the policies of this Secondary Plan and any applicable policies of the parent Official Plan. However, where there is a conflict between this Secondary Plan and the parent Official Plan, the policies of this Secondary Plan shall apply.
- c) The designations identified on Schedules 'E' are intended to show general areas and the boundaries are flexible and may vary without an Official Plan Amendment, except where designations are established by fixed boundaries such as existing roads or where specifically stated to be fixed in the policies of this Secondary Plan.
- d) Where lists or examples of permitted uses are provided, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses not listed, but considered by the Town to be similar to the listed uses and to conform to the general intent of the applicable land use designation may be recognized as a permitted use.
- e) Minor variations from numerical requirements in this Secondary Plan may be permitted without an Official Plan Amendment provided that the general intent of this Secondary Plan is maintained.

PART D: THE APPENDIX

Appendix – The Urban Design Guidelines

Appendix – The Design Guidelines

1.0 Introduction

This Secondary Plan evolved from a process that dealt with development issues from a pragmatic design-oriented perspective, with an understanding that within a Secondary Plan Area there must be a balance between regulation and flexibility to encourage alternative and innovative design solutions and to respond to changes in the market over time. There are a variety of design principles that form the fundamental basis of this Secondary Plan. These principles have been used to develop the structure illustrated on the community plan and the subsequent land use and implementation policies. The fundamental community design principles are:

- the community must include a mixture of housing types;
- the community must include a linked open space network that includes a variety of types of public parks, environmental features and storm water management facilities;
- the existing environmental features must be protected from development and from the impacts of adjacent development;
- the structure of the community must be based on a modified grid pattern of roads that maximizes connectivity and continuity;
- the community must include a variety of roads and streetscapes that are appropriate to adjacent land use activities; and,
- all built-form within the community must be designed at a human scale.






2.0 The Concept Plan

The primary intent of the Concept Plan is to create a sense of identity through design of housing, streets and open spaces that residents and visitors can recognize as characteristic to the community. It is expected that the development of this Plan will result in a diverse, efficient and environmentally sensitive component of Pelham's urban structure.

The design and construction of new housing throughout the community should integrate a variety of housing forms, avoid the visual dominance of garages along street frontages and encourage the use of front yards and building facades to facilitate social interaction on the street and security within the community. Pedestrian comfort and amenity are to be addressed through the provision of tree-lined streets and an integrated network of open space areas. The goal of a 5-minute walk (approximately 400 metres) to public parks will be considered in the layout and design of all new residential development.

The Design Guidelines and the Concept Plan provide direction to both the public and private sectors and clarify the design intent of the municipality with regards to development. The Design Guidelines are prepared in two parts: public realm and private realm. The Concept Plan for the North West Fonthill Secondary Plan Area follows.



-  Medium/High Density Residential
 Low Density Residential
 Institutional
 Open Space
 * Conceptual Stormwater Management Facilities

- Low Density Residential

- Institutional

- Open Space
-
- Conceptual S

- * Conceptual Stormwater Management Facilities

- ## Management Facilities



Preferred Concept Plan

3.0 Approach

Design Guidelines are a part of the comprehensive approach to community design that will result in appropriate development that will occur over a significant period of time. The Guidelines are intended to provide information to guide the developers, builders and the Town to ensure that the community design concept promoted in this Secondary Plan can be adequately understood and ultimately implemented.

The purpose of these Design Guidelines is to ensure the achievement of municipal goals for the overall layout and character of this community. Further detail will be required through the preparation of plans of subdivision/condominium, implementing zoning by-laws, development agreements and site plan approvals.

The successful realization of municipal objectives requires that fundamental planning principles be interpreted into a framework that provides the means for both setting out and evaluating development proposals. Rather than making the approvals process more cumbersome and complex, it is the intent of the Design Guidelines to make the process more efficient and less adversarial by clearly articulating public expectations.

As such the Design Guidelines are prepared to:

- strike a balance between control and flexibility;
- be realistic and implementable;
- be easily understood; and,
- be generally accepted.

The Design Guidelines are intended as a reference and indicate the Municipality's expectations with respect to the character, quality and form of new development .

The Design Guidelines will be used by the Municipality in the review and approval of development applications. The following two chapters describe the Design Guidelines for the public realm - streets, parks, open space and storm water management facilities - and the private realm - housing and the institutional/commercial uses.

4.0 Design Guidelines for the Public Realm

4.1 Roads

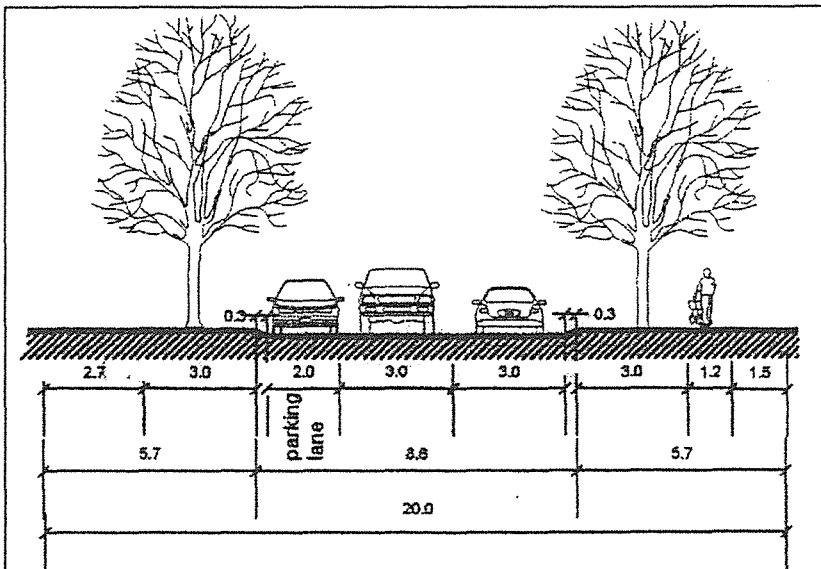
The road system in the residential neighbourhoods will be based on a modified grid network to provide a well connected, integrated and permeable road system. In order to enhance and encourage pedestrian and public activity, streets must be appropriately designed. This requires consideration of the space created within the right-of-way of the street and the streetscape treatment of the boulevard. The following guidelines shall direct the design of the street space which will be finalized during detailed subdivision design.

Collector

1. the right-of-way (ROW) will generally be 22 m;
2. the road surface should be 10.6 m which will accommodate one driving lane in each direction (3.5 m) and a cycling lane on both sides;
3. the boulevard will be 5.7 m and will accommodate a grass verge with a deciduous street tree and a 1.5 m wide sidewalk on both sides;
4. buildings should be located with relatively consistent setbacks to define the edge of the street;

Local Roads (urban)

5. local roads should have a ROW of up to 20 m;
6. the roads should have an 8.6 m pavement width. The road would accommodate one driving lane in each direction (3 m wide), and a parking lane (2 m) on one side of the street for parking that could alternate to both sides of the street;



Local Road urban cross section

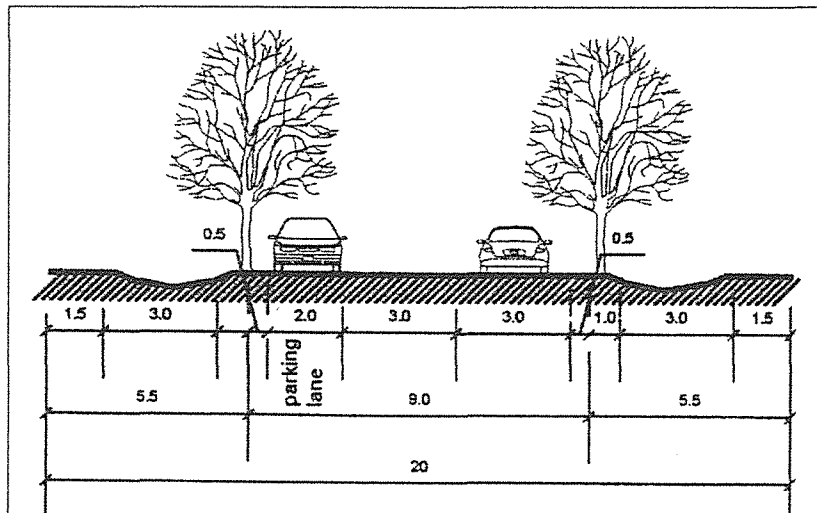
7. the boulevard should be 5.7m and will contain a 3 m wide grass verge with a deciduous street tree;
8. a 1.2 m wide sidewalk will be located on one side of the street set back 1.5 m from the outside edge of the right-of-way;

Local Roads (rural)

9. local roads with a rural cross section should have a right-of-way (ROW) of 20 m;
10. the local roads (rural) should have a 9 m pavement width. The road would accommodate one driving lane in each direction, and a parking lane (2 m) on one side of the street for parking that could alternate to both sides of the street;
11. the boulevard should be 5.5 m and will contain a roadside ditch;
12. the roadside ditch will have a 2:1 side slope and a maximum depth of 1 m;



Roadside ditch along local road in Fonthill



Local Road rural cross section



Local Road, rural cross section, Fonthill.

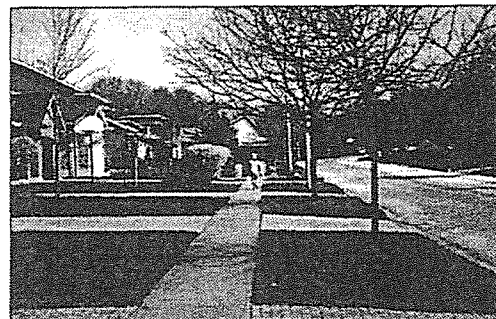
Local Road with special identity

13. the local road with special identity should have a right-of-way (ROW) of 22 m;
14. it should include a 10 m roadway width to accommodate one driving lane in each direction, and a centre landscaped median of at least 3 m in width. The median should be planted with large deciduous trees, and other ground related landscape features;
15. the boulevard should be 6 m and, where possible, include a 1.2m side-walk on both sides of the road;

4.2 Streetscape Elements

Streetscape treatment is the design of the area within the boulevard of the right-of-way of the street. It includes consideration of special paving patterns and materials, planting, lighting, street furniture, (such as transit shelters, benches, waste receptacles, bicycle stands, signage, information kiosks, newspaper, and mail boxes).

16. street trees shall be deciduous and located in the centre of the grass verge;
17. tree species should be planted 8 to 10 m on-centre, to form a continuous canopy at maturity;
18. street trees should be native, broad leaf species with a straight trunk;
19. generally, street trees should be planted opposite each other to form a canopy over the road at maturity;
20. poles, lights, signs, transformers and other services should be located along the street tree planting line to minimize clutter and disruption of the street's character;
21. lighting design should have regard for road and pedestrian requirements; the size, height and style of lighting should reflect the hierarchy of the road;
22. mailboxes, vending machines, trash cans, and recycling bins should be consolidated in single locations and adjacent open spaces;
23. utilities, including transformers and other "box" servicing should be located unobtrusively in areas where they can be screened with planting, in flankage locations, in open space, laneways and on private property or within the boulevard;



Street trees in grass verge on local road in Fonthill

4.3 Parks and Natural Features

The green spaces and streetscape provide a fundamental component of the community. Open spaces in the neighbourhood shall be a safe and accessible interconnected system of parks, streets and natural features. All parks will have a generous street frontage and will form the focus of views from approach streets.

24. the site design of parks will occur through formal collaboration of the Town and the developer;
25. parks will provide opportunities for passive recreation;
26. the parks should be located adjacent to natural areas and/or environmental features, where possible;
27. parks should have significant frontage on major roads;
28. parks could include group mailboxes and community bulletin boards;
29. pedestrian access to parks should be clearly defined with landscape or architectural elements to ensure an appealing park presence on the roads;
30. street trees should be planted along the edge of the park, while not screening the view into the park;
31. parks should be located such that they are highly visible and a central focus or gathering area for the neighbourhood;
32. existing wooded areas will be protected and enhanced;
33. the limit of backyards adjacent to the woodlot along the north boundary of the Secondary Plan Area should be fenced;

4.4 Gateways

A Gateway will be developed to mark the entrance to Fonthill at the intersection of NR 20 and Lookout Street;

34. the sense of gateway or entry should be created with the combined effect of all contributing elements including streetscape design and water features (actual gates are not required);
35. the massing and design of adjacent buildings should indicate the importance of the gateway location. This includes higher buildings, higher roofs and unified architectural detailing of cornice height, doors, window, bays, gables and porches;
36. to facilitate the construction of the gateway feature, partnerships among the Town, developers and/or service clubs shall be encouraged;

4.5 Storm Water Management Facilities

37. the storm water management ponds should be designed as integral features of the landscape;
38. the grading of the storm water management pond should ensure natural and variable side slopes and sinuous contours;
39. planting should be comprised of native species and flood tolerant water's edge plants to stabilize banks;
40. the ponds should not be fenced;
41. the storm water management ponds should be designed as significant landscape features;
42. storm water channels located in dedicated parks could be meandered and designed with naturalized slopes;
43. public walking/cycling trails should be provided along the channels with appropriate pedestrian scale lighting;

5.0 Design Guidelines for the Private Realm

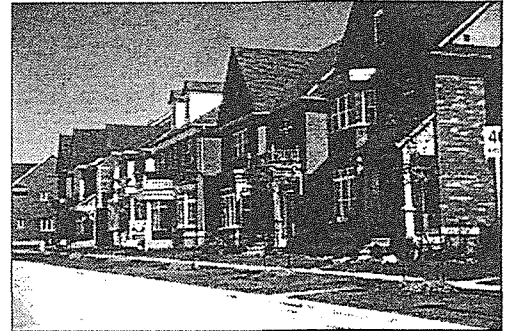
The purpose of the design guidelines for the private realm is to ensure that buildings provide an appropriate edge to public spaces of the street and other open spaces. The guidelines address the character of building facades and the proportion and scale of buildings in relation to the street.

5.1 Housing

A primary ambition of the plan is to change the typical suburban character of the residential street. The neighbourhood will include housing that will reinforce the street edge. This can be achieved by providing rear lane access and reducing projecting garages. The following guidelines shall direct development of single detached housing:

General guidelines to apply to all housing types

44. buildings shall have front walls parallel to the street with front doors, windows and porches facing the road to create a consistent street wall;
45. to minimize the visibility of vehicles parked in the front yard, front yard driveways could be minimized by:
 - encouraging access over exterior side yards;
 - increasing the lot frontage in some areas to minimize the number of lots;
 - encouraging shared or grouped driveways;
 - providing garages in the rear yard;
46. where sides or flankage of buildings are visible, they should have windows or other appropriate architectural treatment to be equal to the main building face;
47. on a corner lot, the main front entrance may be located on the exterior side elevation;
48. buildings on corner lots shall incorporate architectural elements, such as corner windows and wrap around porches that emphasize their important location;
49. fencing around front yards shall not block the view of the sidewalk from the house and should be primarily open structures, not solid walls;
50. fencing of residential properties abutting parks should establish a consistent and coherent backdrop for the park's landscape design and use;
51. garages and driveways for houses facing a park should be minimized;



Housing in new communities where frontage is not dominated by drive ways



Flankage with significant architectural treatment, Cornell, Markham

Single detached houses

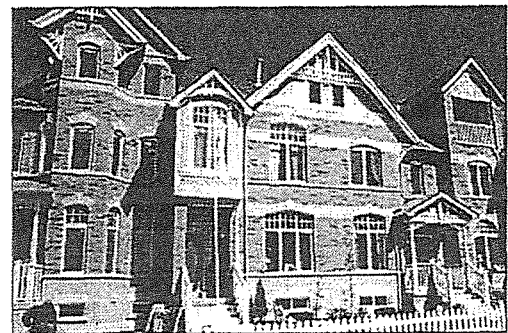
52. a street wall shall be created, where all buildings facing a street shall have a consistent setback from the ROW varying by no more than 1.5m;
53. porches, stairs, canopies and other entrance features are desirable and may encroach into the front yard setback;
54. The garage door shall not dominate the streetscape and shall generally not protrude in front of the main building face;

Townhouses

55. townhouse buildings shall have front walls parallel to the street with front doors and windows on the street;
56. townhouses should be, where possible, developed with a rear lane to avoid the dominance of a garage doors on the street;
57. where front garages must be provided, the front wall of the garage shall not be permitted to protrude in front of the main building face unless the unit is designed such that:
 - there is a habitable room over the garage. The habitable room should not be set back more than 1 m from the face of the garage;
 - the front door is clearly articulated with a porch or verandah, set back a maximum of 1 m from the front of the garage; and
 - the roof is designed to unify the house and garage;
58. porches, stairs, canopies and other entrance features shall be permitted to encroach into the front yard setback;



Fencing should not block views and should be open structures, Cornell, Markham



Townhouses with rear lane access in Cornell, Markham



Townhouses adjacent to a small park in Angus Glen, Markham

5.2 Mixed Institutional and Commercial Uses

59. buildings and their associated landscape treatment should help define the street edge;
60. for lots adjacent to NR 20 and/or Lookout Street, buildings should be oriented to front, face and feature the road with parking kept to a minimum in the front of the building;
61. a substantial portion of the building should front the street at a minimum setback, the required minimum building frontage should be in proportion to the lot frontage;
62. the design treatment of flanking facades visible from the street or adjacent residential uses should be equal to the that of the front façade;
63. facades that overlook streets and open spaces should have windows; reflective mirror glass should not be used;
64. entrances to buildings should be prominent and visible with entrance canopies, awnings and other architectural elements;
65. maximum building height should be 4 storeys or 12 m, whichever is less;
66. permanent parking, loading and service areas should be located in interior side or rear yards;
67. lot coverage by buildings shall not exceed 40% of the total lot area, and lot coverage by parking shall not exceed 30 % of the total lot area;
68. rooftop mechanical equipment should be screened with materials that are complementary to the building;
69. a variety of roof shapes should be considered to avoid the monotony of flat roofs;
70. landscape treatment of individual properties have a role in creating the image of the entire area and therefore must be coordinated;
71. the front yard setback should be landscaped to define pedestrian walks, the main building entrance and to screen parking areas;
72. parking areas should be screened from view from streets and open spaces with low fencing and planting;
73. substantial landscape treatment should be used to help define large parking areas into small pods, planting strips should be a minimum of 2m wide;

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. 43

LOT 3, CONCESSION 7

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 2ND DAY OF JULY, 2002 A.D.



NANCY BOZZATO, DEPUTY CLERK

NANCY BOZZATO, Deputy
Clerk, Town of Pelham, &
Commissioner for Taking
Affidavits in the Regional
Municipality of Niagara.



JACK BERNARDI

SCHEDULE "A"

1. Pelham Council is submitting an Official Plan Amendment.
2. The lands are described as Lot 3, Concession 7, in the Town of Pelham, 34 hectares (84 acres).
3. The proposed amendment adds new policies to the Official Plan.
4. The purpose of the amendment is to:
 - ▶ remove deferred designations and to designate the lands 'Townhouse Residential', 'Low Density Residential', 'Low Density Residential - Special Policies', 'Open Space II' and 'Mixed Institutional/Commercial' and to approve a policy framework that comprises the North West Fonthill Secondary Plan.
 - ▶ introduce new policies to the Official Plan for the Lot 3, Concession 7, area to appropriately regulate and guide development.
5. The current designation of the subject land is:
 - ▶ Area of Natural and Scientific Interest; Special Deferred Urban Residential Area and Deferred Urban Residential.

The designations permit:

 - ▶ conservation; forest and wildlife management; non-intensive recreation uses; trail activities; single detached dwellings and essential watershed management and flood and erosion control.
 - ▶ estate style single detached residential units and uses, buildings and structures accessory to single detached residential units.
 - ▶ existing uses.
6. The proposed amendment removes the deferred designations.
7. The land uses authorized by the proposed Official Plan Amendment are Residential, Open Space and Mixed Institutional/Commercial.
8. A portion of the subject lands are the subject of an application to amend the zoning by-law under application number AM -5/02. The Town, being the approval authority is currently processing the said application. The lands affected by the application comprise of

said application. The lands affected by the application comprise of approximately 5.5 acres of land at the southeast corner of the subject lands. The purpose of the amendment is to rezone the lands from an Agricultural Zone to a Residential Zone. The effect of the said application is to implement the intent and purpose of the proposed official plan amendment.

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

Niagara Catholic District School Board

District School Board of Niagara

Enbridge Consumers Gas, Thorold

Preservation of Agricultural Lands

Hydro One Networks Inc., Toronto

Enbridge Consumers Gas, Whitby

Interprovincial Pipe Line, Sarnia

TransCanada Pipe Line, Calgary

Appendix H-1

AMENDMENT BEING INITIATED BY:

APPLICANT - Town of Pelham
Box 400, 20 Pelham Town Square
Fonthill ON L0S 1E0

REGIONAL PROCESSING FEE TO BE PAID BY APPLICANT