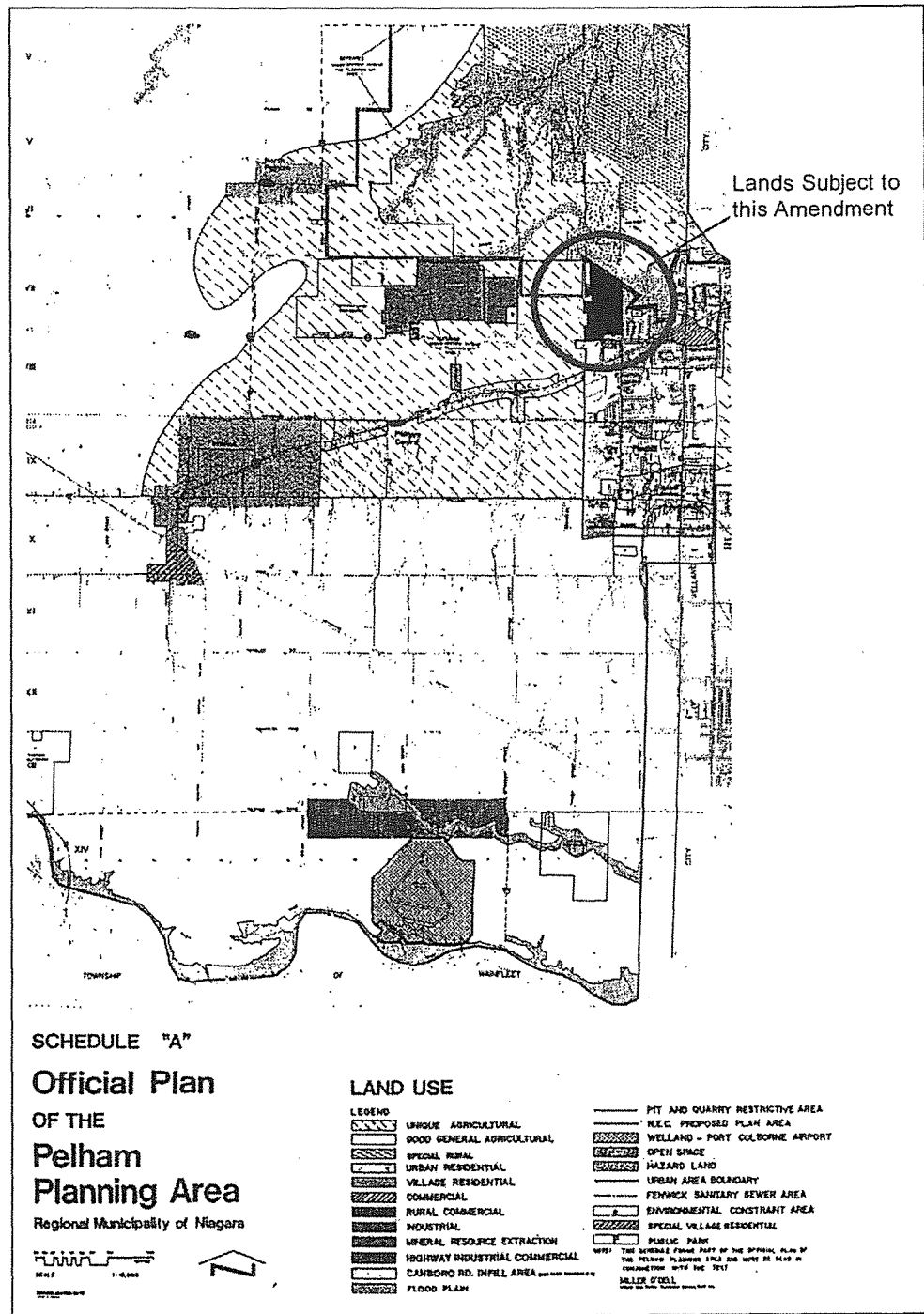


## **PART B: THE AMENDMENT**


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

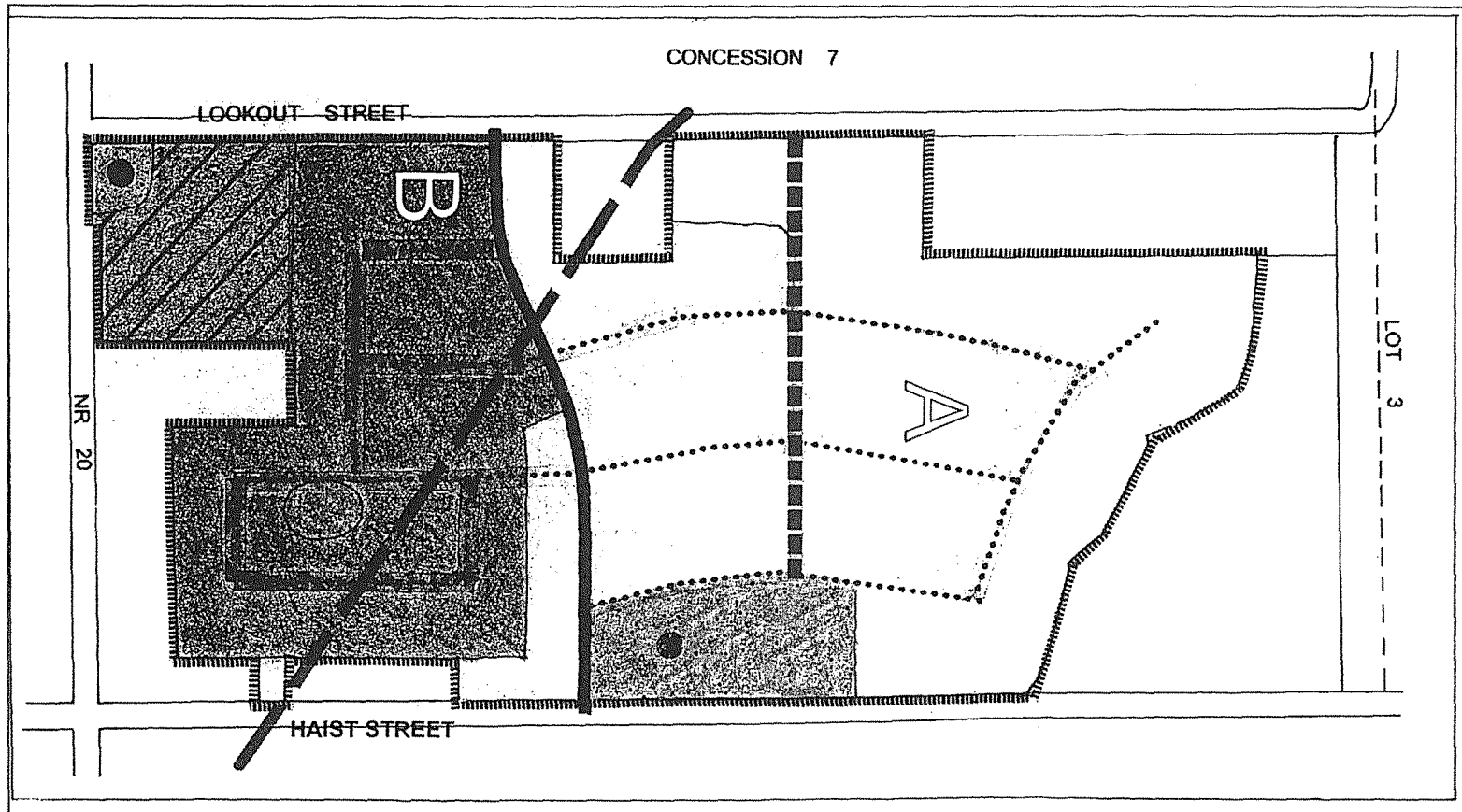
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

- 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 \_\_ 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 \_\_\_\_\_  
 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

 Subwatershed Boundary

 Twelve Mile Creek Subwatershed Area

 Coyle Creek Subwatershed Area

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

Scale 1: 1500



### 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

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- 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**

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- 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**

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- 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**

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##### **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**

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- 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.

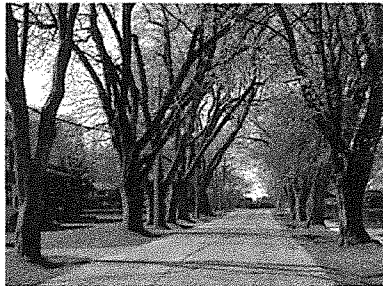
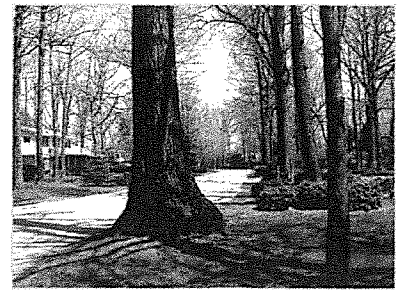
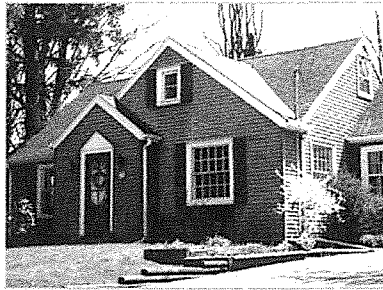
#### **C5.6 Consents**

- 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**

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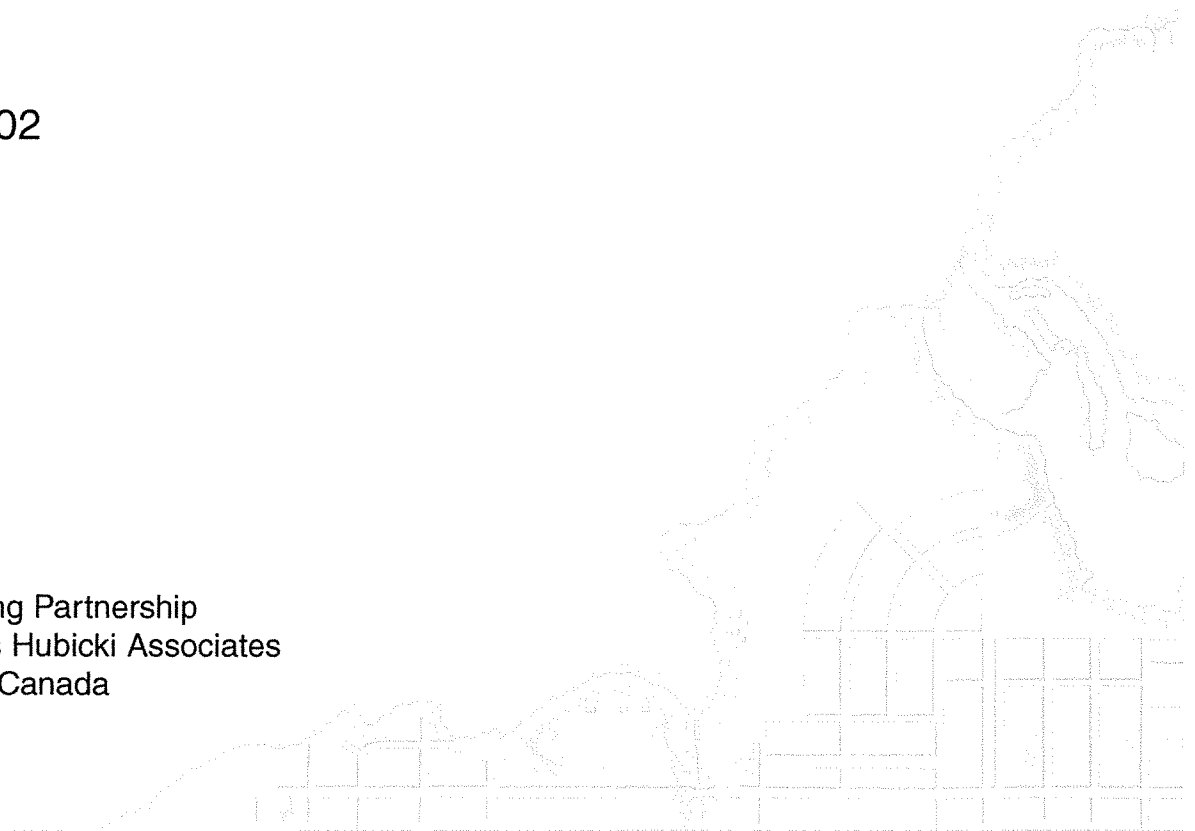
- a)    This Secondary Plan is a statement of municipal policy. It is intended as a guide to the development of the Secondary Plan Area. Some flexibility in interpretation is permitted without the need for an Official Plan Amendment, provided the general intent of the policies and principles of this 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.



# **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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## 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.*



- 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.



## **A2.0 Alternative Land Use Concepts**

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### **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).

### **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**

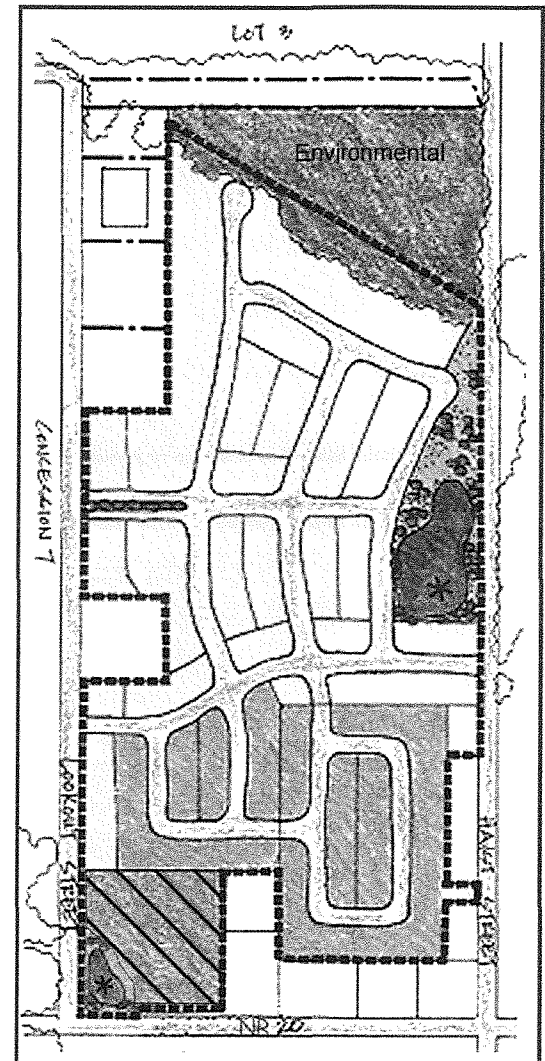
- modified grid of roads;
- 1 connection to Haist Street, 2 connections to Lookout Street; and,
- no direct access to NR 20.

#### **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 |

### **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.

### **A3.0 The Preferred Land Use Concept**

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#### **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;

### 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

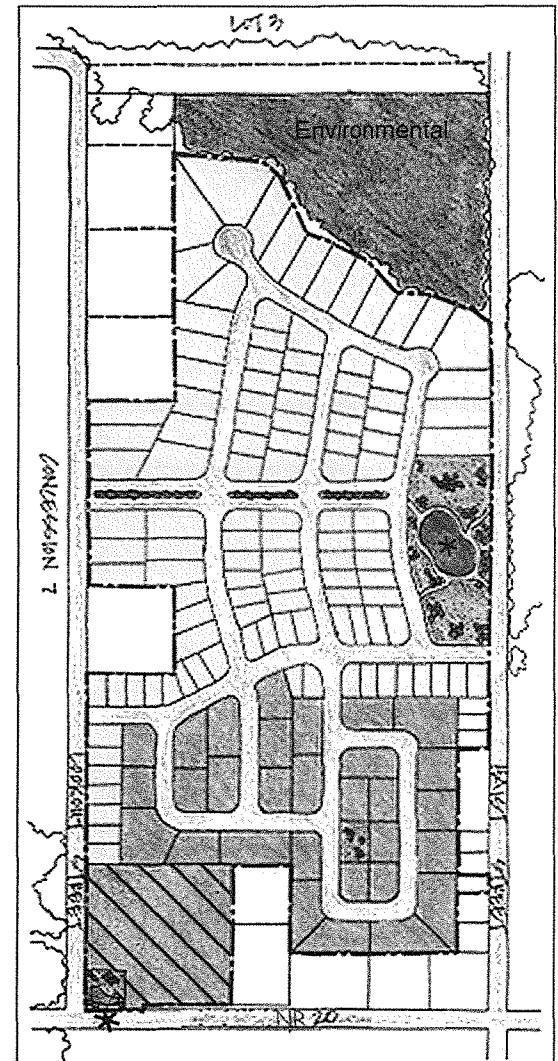
- modified grid of roads;
- 1 connection to Haist Street, 2 connections to Lookout Street; and,
- no direct access to NR 20.






#### Municipal Services/Storm Water Management

- 2 storm water management ponds.

#### Environment

- maintain all existing environmental features.



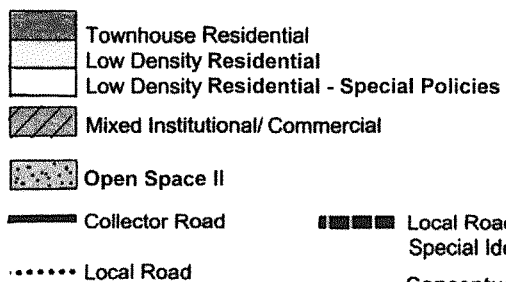
-  Medium/High Density Residential
-  Low Density Residential
-  Institutional
-  Open Space
-  Conceptual Stormwater Management Facilities

## PART B: THE AMENDMENT

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



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- 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.



Scale 1: 1500

Collector Road  
Local Road

 Local Road with Special Identity  
 Conceptual Stormwater Management Facility Location

 **Subwatershed Boundary**

**A** Twelve Mile Creek Subwatershed Area

**B** Coyle Creek Subwatershed Area



**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.

- 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:

- 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.

- 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**

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- 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-

- 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.

- 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;

## **C5.0 Implementation**

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- 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.



- 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.



## **Appendix – The Design Guidelines**

### **1.0 Introduction**

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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**

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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.

### 3.0 Approach

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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.

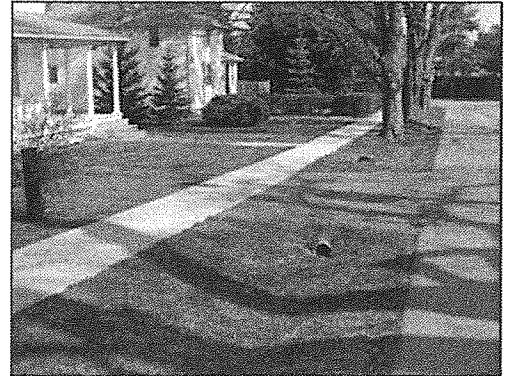
The Design Guidelines are intended as a reference and indicate the Municipality's expectations with respect to the character, quality and form of new development .

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.

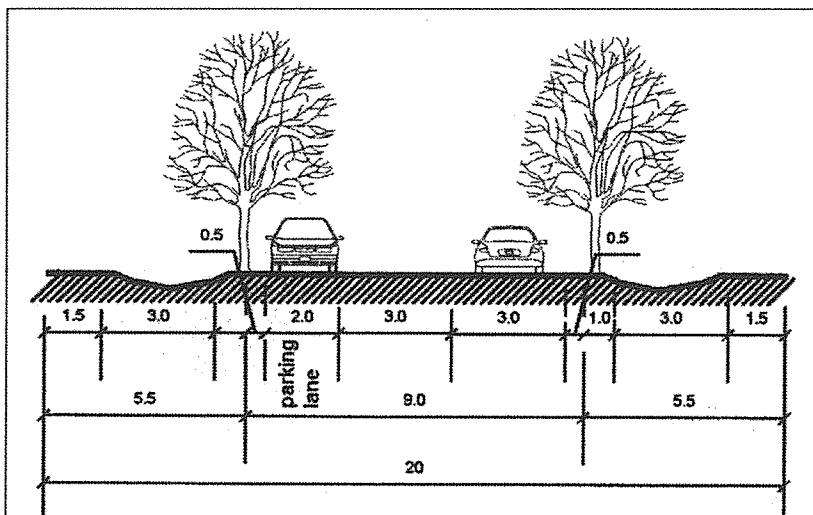
7. the boulevard should be 5.7m and will contain a 3 m wide grass verge with a deciduous street tree;
8. a 1.2 m wide sidewalk will be located on one side of the street set back 1.5 m from the outside edge of the right-of-way;

#### **Local Roads (rural)**

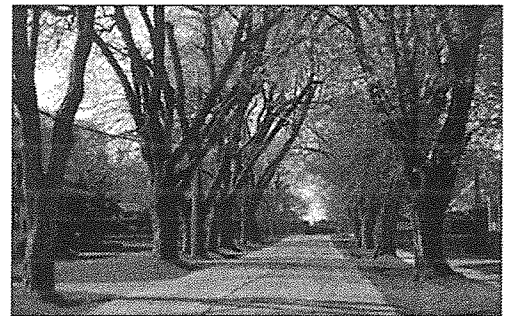
9. local roads with a rural cross section should have a right-of-way (ROW) of 20 m;
10. the local roads (rural) should have a 9 m pavement width. The road would accommodate one driving lane in each direction, and a parking lane (2 m) on one side of the street for parking that could alternate to both 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.*

### 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;

## 5.0 Design Guidelines for the Private Realm

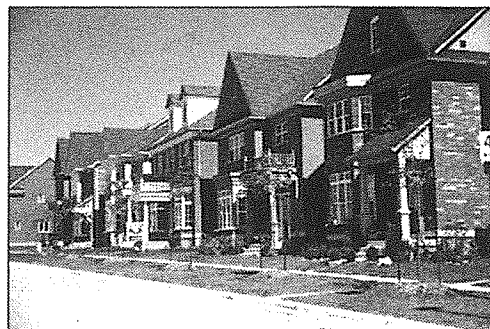
The purpose of the design guidelines for the private realm is to ensure that buildings provide an appropriate edge to public spaces of the street and other open spaces. The guidelines address the character of building facades and the proportion and scale of buildings in relation to the street.

### 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*

## 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;





