



TOWN OF PELHAM

TOWN OF PELHAM NOTICE OF ADOPTION OF OFFICIAL PLAN

Please be advised that the Town of Pelham has adopted a new Official Plan for the Municipality in accordance with Section 17 (22) of the Planning Act R.S.O c.P 13. The Official Plan was adopted on April 2, 2012 by By-law 3259 (2012).

The Official Plan establishes a Vision and Goals to guide land use planning over the next 20 years. The Plan also provides a detailed and comprehensive set of land use policies intended to address local planning issues in a manner consistent with the Provincial Policy Statement of the Province of Ontario as well as the Greenbelt Plan and the Growth Plan for the Greater Golden Horseshoe. Also included in the new Official Plan is a Secondary Plan to guide future planning and land use in the East Fonthill expansion area. The East Fonthill Secondary Plan was originally approved as an urban expansion area by the Ontario Municipal Board in July of 2000. The Official Plan applies to the entire Town and will replace the current Official Plan that was approved in 1973.

The Official Plan was the subject of several open house public meetings during its preparation including a statutory Open House meeting which was held on June 21, 2011. In addition, the statutory Public Meeting of Council was held on December 12, 2011. Copies of the adopted Official Plan are available for review at the Municipal Office and on the Municipality's website for download at www.pelham.ca

The Pelham Official Plan requires the approval of the Region of Niagara. Any person or public body wishing to receive a Notice of Decision of the Region of Niagara must submit a written request to be notified of the decision to the Region.

Objections, comments or requests to receive notice of the approval of the Official Plan by the Region should be submitted to:

**Mr. Brian Dick
Policy Planner,
Integrated Community Planning Department
Region of Niagara
2201 St. David's Road
Thorold, Ontario
L2V 4T7
Phone: (905)-685-1571 ext. 3365**

Dated this 19th day of April, 2012

Nancy J. Bozzato
Town Clerk

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 3259 (2012)

**A By-law to adopt the new Official Plan for the
Corporation of the Town of Pelham**

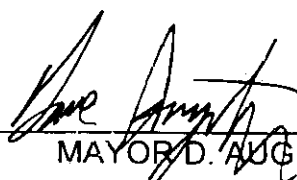
WHEREAS Section 17 of the Planning Act, R.S.O., 1990, c.P.13 authorizes Council to adopt an Official Plan that applies to the Municipality;

AND WHEREAS, the Council of the Corporation of the Town of Pelham deems it to be in the public interest to pass a by-law to adopt a new Official Plan;

NOW THEREFORE the Council of the Corporation of the Town of Pelham, in accordance with the provisions of the Planning Act, R.S.O., 1990, c.P.13, as amended, hereby enacts as follows:

1. THAT the Town of Pelham Official Plan as approved on December 28, 1973 by the then Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs, together with all modifications and amendments, thereto, is hereby repealed effective upon the date of approval as amended by the Regional Municipality of Niagara and/or Ontario Municipal Board of the Final Draft Official Plan for the Town of Pelham, attached hereto as Schedule "A" to the By-law and forming part thereof.
2. THAT Schedule "A", consisting of attached text and schedules, is hereby adopted as the Official Plan for the Town of Pelham.
3. THAT the Clerk is hereby authorized and directed to make application to the Regional Municipality of Niagara for approval of the aforementioned Official Plan for the Town of Pelham to provide such information as required by Section 17 of the Planning Act, R.S.O., 1990, c.P.13, as amended.
4. THAT this By-law shall come into force and take effect on the day of final passing thereof.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
2ND DAY OF APRIL, 2012 A.D.


MAYOR D. AUGUSTYN


CLERK, NANCY J. BOZZATO



TOWN OF PELHAM COMMITTEE REPORT

REPORT TO: Councillor P. Papp and Members of the
General Committee, Planning and Development
Services Division

MEETING DATE: March 19, 2012

SUBJECT: Draft Official Plan and East Fonthill Secondary Plan

REVIEWED AND SUBMITTED BY:


Craig Larmour, MCIP, RPP
Director of Planning and Development

APPROVED BY:


Craig Larmour, MCIP, RPP
Acting Chief Administrative Officer

RECOMMENDATIONS:

THAT Report P-11/12, dated March 19, 2012, providing a status update of the draft Town of Pelham Official Plan and East Fonthill Secondary Plan, be received;

THAT the Town of Pelham Official Plan be revised in accordance with comments submitted by Mr Chris Jones, included as Attachment No. 1, and the recommendations contained within this report;

THAT the East Fonthill Secondary Plan be revised in accordance with the comments submitted Mr Ron Palmer, included as Attachment No. 2, and the recommendations contained within this report;

AND FURTHER THAT Staff be directed to prepare final drafts of the Town of Pelham Official Plan and East Fonthill Secondary Plan for presentation on the next available agenda for Council adoption.

FINANCIAL, LEGAL AND STAFFING IMPLICATIONS:

There are no known financial, legal or staffing implications that will result from this report.

SUMMARY:

a) Origin of Report

On December 12, 2011, Council held a statutory public meeting for the proposed new Town of Pelham Official Plan and East Fonthill Secondary Plan. The meeting was attended by approximately 80 people and Council heard a number of public comments on both proposed Plans.

Council is now in a position to consider adoption of the Official Plan and Secondary Plan.

b) Authority

Planning Act, RSO 1990, c.P. 13.

c) Purpose

The purpose of this report is to provide Council with an update on the work program and respond to questions and comments raised through the most recent public meeting. This report will also provide recommendations with respect to the need for further edits or additions to the Plans before Council considers adoption.

d) Key Strategic Issue

Balanced Growth

BACKGROUND:

a) Overview

OFFICIAL PLAN

The Draft Official Plan has been prepared for the entire Town of Pelham to replace the current Town Official Plan, which was originally approved in 1973. The proposed Official Plan establishes a vision for the Town that strongly supports the protection of environmental features and agriculture and focuses future urban growth within the settlement areas of Fonthill and Fenwick.

The Official Plan is organized as follows:

- Vision and Land Use Concept
- Land Use Policies
- Environmental and Water Resource Management Policies
- General Development Policies
- Plan Implementation and Administration

The goals, objectives and policies of the Plan are consistent with the Provincial Policy Statement, the Greenbelt Plan, the Growth Plan for the Greater Golden Horseshoe and the current Regional Policy Plan, as amended.

Included as Attachment No. 1 to this report is a report from Mr Chris Jones, the Town's consultant on the preparation of the Official Plan, detailing the history of work program.

In response to the request for comment, the Town received a number of responses from a variety of agencies, stakeholders and the general public. Mr Jones' report summarizes the individual comments and provides a response to each. For Committee's information, Mr Jones will revise the draft Official Plan to address the recommended action once directed.

EAST FONTHILL SECONDARY PLAN

The East Fonthill area was originally approved as an urban expansion area by the Ontario Municipal Board in July of 2000. The proposed Secondary Plan establishes a series of land use designations and development policies that will provide the Town with an overall strategy to facilitate the future development of this important planning area. The Secondary Plan itself forms part of the Town's new Official Plan.

The Secondary Plan is organized as follows:

- Objectives
- Design Policies
- Phasing Policies
- Land Use Designation
 - Residential Neighbourhoods
 - Commercial/Employment Centre
 - The Greenlands System
- Environment and Groundwater Management Policies
- Implementation and Administration

The purpose of the Secondary Plan is to:

provide policies for a comprehensively planned community structure that protects environmental features and supports the existing Town Centre; one that is principled on Smart Growth, recognizes and responds to the policy initiatives of the Region of Niagara and the Province of Ontario while establishing a comfortable and attractive community with a full range of housing types and commercial and community facilities.

The objectives and policies of the Secondary Plan are focused on:

- the development of a well-designed community that has a compact urban form that is pedestrian oriented and fosters community interaction;
- creating a sense of identity and continuity within the community; providing for intensification in key areas while maintaining and enhancing existing residential areas;
- supporting the historic downtown of Fonthill;
- protecting natural heritage features and their functions;

- development that is sensitive to vehicular traffic, transit, cyclists and pedestrians; and
- logical and cost-effective phasing of development .

In response to the request for comment, the Town received a number of responses from a variety of agencies, stakeholders and the general public. Mr Ron Palmer has produced matrices which summarizes the individual comments and provides a response to each. A copy of Mr Palmer's response is included as Attachment No. 2 to this report. For Committee's information, the draft Secondary Plan (provided under separate cover) includes the recommended action where appropriate.

ADDITIONAL REVISIONS

In response to continued review of the policies, Staff also recommend the following revisions to the draft, specifically:

- modifying Section B1.7.5.2 b) to read as follows:

"b) Much of the historic downtown is comprised of retail and service commercial uses with less than 300 square metres of Gross Leasable Floor Space, with many at 150 square metres or less. As such, this Plan will include policies that are intended to protect those small scale uses for the impacts of new retail and service commercial development within the Commercial/Employment Centre of the East Fonthill Secondary Plan Area."

This modification is required to ensure that Section B1.7.5.2 b) is consistent with the following Section B.1.7.5.2b) iii.

- modifying subsections B1.7.8.3b) iii. (EF-Mixed Use) and B1.7.8.4b) iii. (EF-Urban Highway Commercial) by adding "to the satisfaction of Council." at the end of the final sentence.

This modification is intended to identify Council as the body responsible for determining the impact of proposed uses on the historic commercial core of Fonthill.

- modifying subsection B1.7.7.4 l) (EF-Medium Density Residential) second bullet by changing the existing "2,500 square metres" to "10,000 square metres".

Upon further review, The Planning Partnership considered the land requirements (building envelope, at grade parking and substantial landscaping) for a typical suburban apartment building and determined that a site of between 8,000 to 10,000 square metres is appropriate. The allocation of a larger amount of land would allow for the accommodation of multiple buildings or a building with inappropriate massing characteristics.

CONCLUSION

This report has outlined the contents of the Official Plan and East Fonthill Secondary, reviewed public and agency comments, identified revisions to the Official Plan and East Fonthill Secondary Plan that are recommended in response to public and agency comments and provided recommendations for Council's consideration.

The preparation of these Plans has involved considerable public and agency involvement. Staff is of the opinion that the final drafts reflect appropriate revisions based on comments received.

The Official Plan and East Fonthill Secondary Plan represent effective planning tools to facilitate appropriate development, redevelopment and intensification in keeping with the Provincial Policy, while protecting the character and stability of the existing neighbourhoods within the Town.

b) Alternatives

Alternatives to the recommendation include refusal and deferral.

c) Consultation

Mr Chris Jones, Meridian Planning Consultants Inc., and Mr Ron Palmer, The Planning Partnership, were consulted with in the preparation of this report.

d) Prepared By

Craig Larmour, Director of Planning and Development.

ATTACHMENTS:

1. Correspondence from Mr Chris Jones, dated March 13, 2012
 2. Correspondence from Mr Ron Palmer, dated January 27, 2012
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PLANNING REPORT

To: Mayor Dave Augustyn and Members of Council
Copy: Mr. Craig Larmour MCIP, RPP
From: Chris Jones MCIP, RPP
Date: March 13, 2012
Re: Town of Pelham Official Plan - Status Report
Our File No: 2606

1.0 BACKGROUND

On December 12, 2011, Council held a statutory public meeting for the proposed new Town of Pelham Official Plan. The meeting was attended by approximately 80 people and Council heard a number of public comments on the proposed Official Plan.

Council is now in a position to consider adoption of the Official Plan. The purpose of this report is to provide Council with an update on the Official Plan work program and respond to questions and comments raised through the most recent public meeting. This report will also provide recommendations with respect to the need for further edits or additions to the Plan before Council considers adoption of the Plan.

2.0 OVERVIEW OF THE WORK PROGRAM

The Town of Pelham Official Plan review and update originally began in 2004 at a time when the Province of Ontario was on the cusp of unveiling some of the most significant new legislation and planning policy since the creation of the Niagara Escarpment Plan and the establishment of Regional government in the Greater Toronto Area.

The following is a broad overview of the Provincial and Regional legislation and policy initiatives released during the preparation of the Plan as well as some of the highlights of the Town's work program:

2004

- Release of Town of Pelham Official Plan Discussion Papers on Rural and Agricultural Issues, the Natural Environment and Growth and Settlement;
- Town hosts two public open houses to present Discussion Papers.

2005

- Release of new Provincial Policy Statement;
- Release of Province of Ontario's Greenbelt Plan for Southern Ontario;
- Release of Town of Pelham Discussion Paper on the Greenbelt Plan;
- Town hosts two open house sessions to discuss implementation of the Greenbelt Plan;

2006

- Release of Province of Ontario's Growth Plan for the Greater Golden Horseshoe;
- Province approves Bill 51 to broaden certain authority under the Planning Act;
- Province approves the Clean Water Act providing authority for the preparation of Source Protection Plans;

2007

- First draft of the Town of Pelham Official Plan prepared;
- Town hosts two open house sessions to hear comments and feedback regarding the first draft Official Plan;

2008

- Region of Niagara approves Regional Policy Plan Amendment 187 establishing new policies to protect environmental features and functions and to incorporate the Greenbelt Plan into the Regional Policy Plan;

2009

- Region of Niagara approves Regional Policy Plan Amendment 2-2009 allocating population, housing and employment targets to Niagara municipalities;
- Release of the Town of Pelham Discussion Paper on the Growth Plan for Greater Golden Horseshoe;
- Second draft of the Town of Pelham Official Plan prepared;
- Province approves the Green Energy Act;
- Region of Niagara approves Regional Policy Plan Amendment 5-2009 providing guidance on active transportation and sustainability;

2010

- Town hosts two statutory open house sessions to hear comments and feedback on the second draft Official Plan;
- Region of Niagara approves Regional Policy Plan Amendment 6-2009 providing policy direction on farm diversification and value added uses;

2011

- Third draft of the Town of Pelham Official Plan prepared;
- East Fonthill Secondary Plan prepared and consolidated with draft Official Plan;
- Statutory public open house held in May; and,
- Statutory public meeting held in December.

3.0 THE CURRENT DRAFT OFFICIAL PLAN

The current draft Official Plan, which was the subject of the public meeting on December 12, is the third version of the Plan which has been modified and edited to address comments from a range of agencies and citizens, including but not limited to:

- Niagara Peninsula Conservation Authority (June 11, 2010);
- Region of Niagara (June 15, 2010)
- Bell Canada (May 31, 2010)
- Lafarge (June 15, 2010)
- Healthy Living Niagara (June 7, 2010)
- TransCanada Pipelines (April 28, 2010)

These written submissions were previously provided to Planning Committee in a report dated June 15, 2010. It is noted that as a result of these submissions, a number of policy changes were made to the Plan, particularly to address the comments of the NPCA and the Region. These changes included:

- Addition of valleyland policies and identification of valleylands on a schedule;
- Addition of gas well policies and identification of gas wells on a schedule;
- Addition of a settlement area strategy that summarizes Regional population, housing and employment projections;
- Addition of policies to define key Growth Plan terminology;
- Integration of the East Fonthill Secondary Plan;
- Addition of a development strategy for Greenfield areas;
- Addition of policies on the Fonthill Kame-Delta Earth Science ANSi; and,
- Addition of policies and mapping dealing with vulnerable groundwater areas.

4.0 NEW COMMENTS AND WRITTEN SUBMISSIONS ON THE DRAFT OFFICIAL PLAN

Subsequent to the public meeting, we have received a number of additional comments on the draft Official Plan. As Council is aware, the majority of comments and questions that were raised at the public meeting focused on the East Fonthill Secondary Plan and comments related to East Fonthill have been addressed in a separate report to Council prepared by the planning consultant assisting in the completion of the Secondary Plan.

The following is a summary of the submissions that were provided the Official Plan exclusive of East Fonthill policies, together with a response to the comments:

4.1 Niagara Escarpment Commission

In a letter dated December 12, 2011 the NEC has requested that:

- The Niagara Escarpment Plan Area on the schedules to the Plan be referred to as the "N.E. Plan Area" rather than the N.E.C. Plan Area.

Response - The requested correction will be made.

- That two new schedules be added to the Plan to identify the N.E. Plan Land Designations and the N.E. Development Control Area.

Response - We acknowledge the importance and significance of the N.E. Plan, but remain of the opinion that it is not necessary to replicate the land use designations from the N.E. Plan in the local Official Plan, particularly given the lack of regulatory control the Town has in dealing with land use in the Niagara Escarpment. We believe it will keep the role and jurisdiction of the N.E. Plan clearer if the Town's Official Plan simply refers the reader to the N.E. Plan for information with respect to land use designations and appurtenant policies/regulations.

- That Section A4.3.5 and Section B3.1, which describe the role and jurisdiction of the N.E. Plan be modified to clarify the administrative and regulatory nature of the Niagara Escarpment Planning and Development Act and Ontario Regulation 828/90.

Response - The requested modifications can be incorporated.

4.2 Labreche Patterson on behalf of Several Franchise Restaurant Businesses

In a letter dated December 9th, submitted by Mr. Victor Labreche on behalf of several franchise restaurant businesses, the following requests are provided:

- That clarification be provided on whether a drive-through is a permitted "neighbourhood commercial use" within the Urban Living Area designation or a "small-scale restaurant" within the Downtown Transitional designation.

Response - We believe it would be unlikely that a drive-through would address the conditions of approval (Section B1.1.8.4.1) for a neighbourhood commercial use within a stable, residential neighbourhood. It can be clarified in both the Urban Living Area and Downtown Transitional policies that drive-throughs are not permitted uses in these designations.

- That Section B1.2.2 (k) which does not permit drive-throughs in the Downtown designation be deleted as Official Plans should not prohibit uses.

Response - This section should not be deleted. Drive-throughs are not a prohibited use as the draft Official Plan permits drive-throughs in the Urban Highway Commercial designation. In the event an appropriate location for a drive-through can be accommodated in the Downtown designation or any other designation, approval may be sought through an Official Plan Amendment.

- That Section B1.4.4 (f) (development policies for uses in the Urban Highway

Commercial designation), be revised to state that "parking areas should be oriented to the rear or side lot where possible" to "where reasonably possible".

Response - *The intent of the policy is to bring buildings closer to the street. The use of the words, "where possible", implies that the Town will use discretion, consideration and reason in trying to achieve this objective. We see no need to add the word "reasonably".*

4.3 Bell

In a letter dated February 8, 2012, Bell acknowledged a number of prior policy changes that were made in response to earlier submissions. In the February 8th letter, Bell requested the following additional edits:

- That Section B1.2.4.3 (j), (urban design guidelines for the Downtown) be amended by stating that utilities should be shrouded from street viewscapes only where such shrouding or integration is "feasible".

Response - *Section B1.2.4.3 (j) states, "Utilities and mechanical installations should be shrouded from main street...." In our opinion, the use of the word "should" already indicates that there will be discretion and reason applied in the implementation of the guideline.*

- That Section B1.6.7, (Other Utilities), be amended by replacing the word "telephone lines" with the term "telecommunications/communications utilities".

Response - *This modification can be accommodated.*

- That Section 6.1, Intent be amended to state: "the Town will hold early discussions with utility providers to ensure that utility networks are, or will be in place to serve the anticipated growth".

Response - *We consider it to be incumbent on the proponents of development to initiate discussions and resolve installation issues with utility providers. This intent will be added to Section D.6.2, Functional Servicing Reports.*

4.4 Sullivan-Mahoney on behalf of Costiano Development Inc

In a letter dated February 8, 2012 submitted by Sullivan Mahoney on behalf of Costiano Developments Inc, Mr. Rocco Vacca stated that his client, a landowner in the North-West Fonthill Secondary Plan, has intentions to increase the unit density of their draft approved subdivision. Mr. Vacca's client appears to be concerned that by maintaining the development policies of the North-West Fonthill Plan in the new Official Plan it may compromise his client's ability to increase the unit density of their existing draft approved subdivision.

Response - *Craig Larmour has contacted Mr. Vacca and has also sent a letter acknowledging his client's concerns on behalf of the Town. According*

to the Provincial Growth Plan, the North-West Fonthill Secondary Plan is a Greenfield area and therefore the majority of lands within the Secondary Plan have been designated with a Greenfield Overlay. The policies applicable to the Greenfield Overlay are found in Section B1.8.2 of the draft Official Plan and adhere to the requirements of the Growth Plan.

4.5 Sullivan-Mahoney on behalf of Lucchetta Construction and Ultra Vision Developments Inc

In a letter dated December 12, 2012 submitted by Sullivan Mahoney on behalf of Lucchetta Construction and Ultra Vision Developments Inc, Mr. Thomas Richardson objects to Section D1, (Progression of Urban Development). The basis of the objection is that the policy indicates that the Fenwick Greenfield area, which requires the completion of a Secondary Plan, may be delayed from being integrated into the Town's Official Plan until the next Official Plan Review in 5 years.

Response - Section D1 was prepared in response to an earlier Regional comment that local official plans should outline strategies for the use of Greenfield areas and the allocation of housing in accordance with Section 2.2.7 (6) of the Growth Plan. The need to articulate a strategy for the use of Greenfield lands is made more important because it has been estimated that the Town has more residential land than is required to accommodate the Region's housing allocation of 3,000 units to the year 2031. This surplus is derived from the total number of housing units projected to be yielded from the East Fonthill Secondary Plan, the Town's Greenfield lands, the Town's proposed intensification areas within the built-up area, and existing draft approved or vacant lots. It is noted that the Town has not received comments from the Region with respect to Section D1 and therefore is not aware if the Region considers this approach to be appropriate.

It is acknowledged that the Fenwick landowners have undertaken some of the work involved in preparing a secondary plan, but based on the Town's experience in finalizing the East Fonthill Secondary Plan, there is a reality that the Plan for Fenwick will take time to finalize and will need to address sub-watershed and Regional servicing issues as part of the process.

4.6 Mr. Joseph Marchant

In a letter dated December 13, 2011 from Mr. Joseph Marchant a number of suggestions are provided that relate to active transportation and healthy and sustainable living. These suggestions include:

- The addition of an objective to Section A2.4, The Economy, that the Town promote tourism based active transportation modes, including cycling, walking and the uses of open space.

Response - We agree and can incorporate such an objective. The City of Ottawa is a good example of an urban area that has tied active transportation to its local economy and tourism initiatives.

- That incentives should be added in Section B1.2.4.5 to encourage residential intensification in the Downtown.

Response - The Downtown areas of Fenwick and Fonthill have both been identified as Community Improvement Areas. Through the preparation of Community Improvement Plans, Council can consider establishing incentives.

- That the Short Hills Provincial Park should be recognized in Section B1.5.2 (the Open Space Policies)

Response - The Short Hills Provincial Park is located within the Niagara Escarpment Plan Area. The Official Plan can be modified to provide more recognition for this Park.

- That Section B2.4 (Rural Settlement policies) and Section D2.2 be modified to provide more emphasis on the importance of active transport connectivity within urban settlements.

Response - Sections A2.5, B2.2.6 and D2.6 speak strongly to the importance of active transportation within and between urban areas.

- That Section D4.3 (Subdivision Development Policies), be modified to make clear reference to the need to integrate active transportation facilities and that Section D4.4.3.1 (Parkland Siting and Design), be modified to include the need for trails and cycling routes to provide rest areas and amenities.

Response - We can add references to active transportation to Section D4.3 and D4.4.3.1. It should be noted that these sections will have limited applicability in the consideration of most future subdivision approvals as the majority of future subdivisions will be approved in East Fonthill and therefore will be subject to the East Fonthill Secondary Plan policies.

4.7 Mr. Andy Nero and Mr. Joe Kaman

At the public meeting on December 12, 2011, Mr. Andy Nero and Mr. Joe Kaman voiced their concerns with respect to the urban area boundary for Fonthill which excludes lands on the east side of Rice Road from urban land use. This despite the fact that their lands now have access to urban water and sanitary sewer services which have been extended up Rice Road.

Response - The urban boundary for Fonthill, which excludes lands on the east side of Rice Road, has been entrenched through the Greenbelt Plan,

the Growth Plan and the Regional Policy Plan. We are not aware of the basis for this boundary decision. We acknowledge Mr. Nero's and Mr. Kaman's concerns and would suggest that the rationale for this boundary be revisited by the Town at the time of the Greenbelt Plan's 10 year review.

5.0 THE PELHAM HERITAGE MASTER PLAN

As Council is aware, the Heritage Master Plan is underway and there are aspects of this study that have a place in the development of planning policy. We have discussed potential policy additions with the consultants working on the Plan and are prepared to add these policies to the draft Official Plan. Attached at Appendix 1 is a memo prepared by the one of the consultants assisting with the preparation of the Heritage Master Plan. This memo outlines a series of recommended Official Plan policies dealing with heritage issues.

6.0 REGIONAL COMMENTS

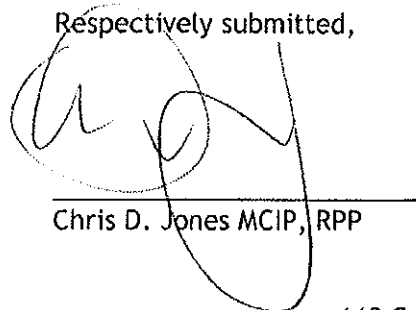
The Region of Niagara is in the process of reviewing the Town's draft Official Plan. Recently the Region was provided with Provincial Policy Statement and Growth Plan conformity matrices to assist with their review process. We also note that the current draft of the Plan was modified extensively to respond to comments provided by the Region in 2010.

7.0 RECOMMENDATION

Subject to the suggested edits summarized in this report we believe the draft Official Plan should proceed to adoption. With this in mind the following resolution is provided for Council's consideration:

1. That the Planning Report dated March 13, prepared by Meridian Planning Consultants providing a status update on the draft Official Plan be received;
2. That Meridian be requested to modify the draft Official Plan in the manner summarized in the status report; and,
3. That the Clerk's department be requested to place the final draft Official Plan on the next available agenda so that it may be considered for adoption by Council.

Respectively submitted,



Chris D. Jones MCIP, RPP

113 Collier Street, Barrie, Ontario L4M 1H2
Telephone: (705) 737-4512 Facsimile: (705) 737-5078
Website: www.meridianplan.ca

MEMORANDUM

To: Carl Bray, Bray Heritage

From: Ron Palmer/Jana Neumann

Date: January 3, 2012

Subject: Pelham Heritage Master Plan - DRAFT

1.0 Introduction

The purpose of this memorandum is to outline a set of planning policies that can be used by the Town of Pelham to protect and promote cultural heritage resources and, as an important by-product, promote heritage-based tourism throughout the municipality. The recommended policies have been prepared as part of a broader Pelham Heritage Master Plan study, which includes the evaluation and inventorying of such resources. The policies are intended to be implemented as part of Pelham's new Official Plan and include provisions for heritage protection and promotion, relevant land use controls and community improvement.

2.0 Cultural Heritage Context

As outlined in the Heritage Master Plan Preliminary Report (September 2011), and observed through our own field visits, the Town is primarily an agricultural community, with several quaint hamlets with varying degrees of historic value. The landscape is compelling, with broad views off the Niagara Escarpment, rolling topography and woodlots that create an exceptionally pastoral, rural character. The Town's cultural heritage resources are primarily distributed along rural sideroads in the form of agricultural estates with small agglomerations of a house, shed and barn, and in hamlets that were formed as small rural service centres for the farms in the vicinity.

In addition to the Town's strong agricultural history, there are also likely connections to the War of 1812, which will be of particular significance as we approach the war's 200th anniversary. There is also an older layer of history in Pelham related to First Nations, and the archaeological resources that have been left behind, some of which are known, but many more of which have not yet been revealed.

All of these resources form an interesting collection of history that should be protected and promoted in its own right, and acknowledged for the important place-making character it bestows on the Town. When considered together with agri-tourism activities related to the winemaking

industry in the region, the cultural heritage resources could also pose an attractive and valuable tourism resource for the Town and its residents.

3.0 Policy Context

The preservation of the countryside, which in the case of Pelham is integral to the Town's history, is embedded in Provincial policies that seek to direct development to settlement areas and preserve rural areas for environmental, agricultural and recreational purposes. These objectives are central to the Provincial planning policy framework, which includes the Provincial Policy Statement (2005), Places to Grow; The Growth Plan for the Greater Golden Horseshoe (2006), and the Greenbelt Plan (2006). The Ontario Heritage Act provides further support for heritage protection in particular, and the Planning Act provides a number of tools that can be used to protect heritage, as will be outlined in the subsequent sections of this memorandum.

At the Regional level, the Niagara Region Policy Plan provides strong protection for agricultural and rural areas and promotes associated tourism opportunities. These themes of rural-agricultural heritage protection and promotion are carried through in the Draft Town of Pelham Official Plan, but there are many opportunities to strengthen the Plan in this regard, as is proposed below.

4.0 Local Planning Tools & the Official Plan

To leverage the tourist value of the sensitive resources, and to protect the heritage attributes of the resources themselves, there are a number of planning tools and approaches that may be considered for inclusion in the Town's new Official Plan, and these are outlined below. These planning tools and policy options address all "scales of analysis" identified in the Heritage Master Plan Preliminary Report, including character areas, landscapes (including corridors), and built heritage resources. These policy options build on the Heritage Resource Inventory and Evaluation currently being completed by Bray Heritage, and recognize that it is the Official Plan that can establish,

- a) how these resources are managed and integrated with other land use activities, and
- b) specific requirements for further study and eventual adaptive re-use.

The Official Plan can also be used to require the Town to carry out a number of activities that provide either financial incentives and/or opportunities to generate revenue for the protection and use of the heritage resources.

4.1 Heritage Protection & Promotion

The basic tools available to protect and promote cultural heritage resources are established under Part IV and V of the Heritage Act, which allow municipalities to designate heritage buildings, landscapes and districts. Once designated, the Town can enact by-laws to control the

alteration and/or demolition of heritage buildings and landscapes (as applicable), as well as impose maintenance standards, and provide grants and loans for heritage maintenance and conservation. The designation of a district also enables the Town to conduct related studies and establish plans for these special areas.

Section D3.2.2 of the Draft Official Plan includes policies that enable the Town to make use of the Heritage Act provisions, and specifically permits the Town to:

- complete a built heritage inventory;
- complete a cultural heritage landscape inventory;
- designate individual properties and conservation districts; and,
- develop area-specific planning policies and by-laws for significant cultural heritage resource clusters.

The establishment of heritage inventories and the designation of selected buildings or districts is an essential first step in protecting Pelham's cultural heritage resources, and is the focus of the proposed policies below. An additional tool the Town should consider is the establishment of heritage routes, which can receive special protection for existing street trees and hedgerows, and may include longer-term design guidance to protect their heritage appeal and viewsapes. The identification of heritage routes is an approach used by towns to promote local heritage and agri-tourism operations to visitors, while at the same time ensuring these resources are preserved.

4.1.1 Proposed Policies – Heritage Inventories & Designations

Intent

It is the intent of the Town to complete heritage inventories for built heritage and landscape resources, and to protect these resources using the provisions of the Ontario Heritage Act, in consultation with the Pelham Municipal Heritage Committee.

Recommendations

4.1.1.1 It is essential that Section D3 Heritage and Archaeological Resources of the Official Plan continue to recognize cultural heritage resources and facilitate the use of the Heritage Act by the Town.

4.1.1.2 Inventories of built heritage and landscape resources (as are being developed by Bray Heritage and ASI) should be included as Appendices to the Official Plan, and referred to in Sections D3.2.2.1 Built Heritage Inventory and D3.2.2.2 Cultural Heritage Landscape Inventory.

4.1.1.3 Once identified, selected hamlets that have substantial heritage value should be:

- designated as Heritage Conservation Districts;
- recognized under a revised Section D3.2.2.4 of the Official Plan; and,
- identified on a new Schedule, entitled "Heritage Conservation Districts".

Heritage Conservation District Plans for the hamlets should be prepared by the Town and adopted by by-law in accordance with the provisions of the Heritage Act.

4.1.1.4 Once identified, individual heritage properties should be designated by by-law in accordance with the provisions of the Heritage Act.

4.1.1.5 The Town should continue to consult with the Pelham Municipal Heritage Committee when designating cultural heritage resources and when making decisions regarding the conservation of cultural heritage resources in the Town.

4.1.6 Policy D3.1 (second bullet) should be revised to acknowledge the existence of the Pelham Municipal Heritage Committee.

4.1.2 Proposed Policies – Heritage Routes

Intent

It is the intent of the Town to identify, protect, enhance and promote heritage routes that exemplify the rural heritage character of the Town's countryside for the purposes of:

- directing visitors to cultural heritage resources and agri-tourism attractions distributed throughout the Town;
- providing views to cultural heritage landscapes and buildings; and,
- creating connections to agri-tourism routes in Niagara Region.

Recommendations

4.1.2.1 A new section should be added to the Official Plan to establish heritage routes and provide policies for their protection, design and promotion, as follows:

D3.2.2.6 Heritage Routes

Council supports the development of Heritage Routes that weave through the Town's Rural Area, providing linkages for hiking, cycling, and car touring and highlighting cultural heritage resources. Selected Heritage Routes are to be identified in consultation with the Pelham Municipal Heritage Committee and identified on Map X.

Map X is intended to be used for illustration purposes only, and may evolve over time. Changes to the Map will not require an amendment to the Official Plan.

In support of developing the Heritage Routes, Council shall endeavour to:

- a) prepare streetscape guidelines or standards to protect cultural heritage features and resources along heritage routes. The design guidelines will provide protection for existing trees and landscape features, and will ensure that the general heritage appeal and views are protected and enhanced;
- b) coordinate clear and consistent signage along the Heritage Routes that may serve wayfinding and/or educational purposes;
- c) cooperate with the Region, adjacent municipalities, and the Wine Council of Ontario to ensure Heritage Route signage is coordinated with any other local signage (e.g. for Wine Routes);
- d) support the development of appropriate scenic lookouts and other complementary uses along Heritage Routes, provided that such uses:
 - are small in scale;
 - are in keeping with, and complementary to the passive recreational character of the Route;
 - have minimal impact on the surrounding public and/or private land uses;
 - have no significant negative impacts on the natural environment or on cultural heritage resources; and
 - will not require the extension of the municipal water supply or sanitary sewage services; and,
- e) enhance cycling and driving conditions along the Heritage Route corridors where appropriate, including through the provision of bicycle lanes in accordance with the Region of Niagara Bicycling Network. Wherever possible, linkages to other recreational driving routes and cycling/hiking trails in the Region should be achieved.

To support the tourism role of Heritage Routes, the Town will promote the Heritage Routes and request that the Niagara Economic and Tourism Corporation include the Pelham Heritage Routes in its promotional materials and activities.

4.2 Land Use Controls

As indicated throughout this memorandum, much of the cultural heritage resources in Pelham are located in rural areas, which, in the Draft Official Plan, are covered by the policies of Section B2 – Rural Area Designations, and specifically:

- Good General Agricultural (Section B2.1),
- Specialty Agriculture (Section B2.2) and
- Rural Settlement (Section B2.4).

It is within these Sections of the Draft Official Plan that it is essential to identify an appropriate set of permitted uses to ensure that the rural character of the area is maintained while facilitating the development of tourism-based economic development that can be used to generate funds for the protection of heritage resources. The permitted uses should also ensure there are opportunities to enhance the visibility and enjoyment of these resources among visitors and residents. Based on our analysis, particular uses that should be permitted in support of cultural heritage protection and promotion in Pelham include *bed and breakfast establishments, secondary dwellings and home industries*.

The Role of B&Bs and Secondary Dwellings in Protecting Heritage Resources

Bed and breakfast establishments and secondary dwellings provide a solution for at least two challenges associated with cultural heritage protection in Pelham. First, we have heard that there is a trend in Pelham for investors from outside Niagara to purchase a “hobby farm” and begin renovations of a nature and scale that sometimes wipe out the heritage attributes of existing buildings. The policies proposed below seek to remedy this trend by acknowledging the desire to establish a dream “Country Home”, while balancing heritage conservation and cost. The policies achieve this by permitting the construction of a Secondary Dwelling on a heritage property, and by permitting the existing heritage home to be renovated/conserved for use as either a Secondary Dwelling or Bed and Breakfast. A number of conditions are proposed to ensure that the rural heritage character of the property is maintained. Second, Pelham currently lacks accommodations for visitors, and B&Bs have the potential to fill that need in a way that is compatible with a tourism strategy based on the “historic rural character” of the Town.

The Role of Home Industries in Protecting Heritage Resources

Home Industries are also a desirable use that can add to the interest of a heritage property, while generating revenue for the owner to maintain the heritage resource. The policies proposed below seek to balance potential benefits with the need for additional care in site design, storage requirements and, if required, the design of any accessory buildings associated with home industries that are located on heritage properties.

Existing Permissions in the Draft Official Plan

Of the proposed land uses, bed and breakfast establishments and home industries are currently well-defined and permitted under the three relevant land use designations of the Official Plan

(with the exception of Rural Settlement, which does not permit home industries). In addition to being permitted uses, these tourism-related uses are subject to a set of conditions as outlined in the following Sections:

- Bed and Breakfast Establishments (Section B2.1.3.5), and
- Home Occupations and Home Industries (Section B2.1.3.6).

Secondary dwellings, however, are not currently permitted in the rural area under the Draft Official Plan. Under Section B2.1.3.4, Accessory Residential Uses are permitted on farm properties for the purpose of housing farm help, however, this does not satisfy the desire to accommodate the construction of new homes on heritage property as an incentive for conservation. As such, the policies below propose to introduce secondary dwellings as a new permitted use in both the Good General Agriculture and Specialty Agriculture designations (but not in the Rural Settlement designation). The recommendations below also include revisions to strengthen existing policies for home industries throughout the Rural Area and new non-residential uses in a Rural Settlement, in terms of achieving heritage conservation objectives.

4.2.1 Proposed Policies – Secondary Dwellings

Intent

In permitting secondary dwellings in the Good General Agricultural and Specialty Agricultural designations of the Official Plan, it is the intent of the Town to:

- protect cultural heritage resources;
- provide a network of tourist accommodations throughout the rural area; and,
- provide incentives that facilitate cultural heritage protection and promotion by allowing the establishment of secondary dwellings and associated bed and breakfast establishments as an income source.

Recommendations

4.2.1.1 The Draft Official Plan should be amended to include “a secondary dwelling on a heritage property” as a permitted use in the applicable sections of the Good General Agriculture and Specialty Agriculture designations (Sections B2.1.1 and B2.2.2).

4.2.1.2 A new Section B2.1.2.X Secondary Dwelling on Heritage Properties should be inserted in the Draft Official Plan to provide conditions on the development of secondary suites on properties with heritage resources in rural areas, as follows:

B2.1.2.X Secondary Dwelling on Heritage Properties

The establishment of one additional dwelling unit on a property with a designated heritage building is permitted, provided that the lands are appropriately zoned to permit a second dwelling. Prior to considering an application for re-zoning, Council shall be satisfied that:

- a) the existing dwelling is designated under Part IV of the Ontario Heritage Act;
- b) the designated heritage building will be used as a Dwelling Unit, either as the Primary Dwelling, a Secondary Dwelling or Bed and Breakfast Establishment;
- c) the new dwelling unit may be used as the primary residence, but shall be visually subordinate to the retained heritage home through appropriate setbacks, height control, landscaping and/or other techniques deemed suitable by the Town; and,
- d) the new dwelling unit will be provided with appropriate sewage and water services as required by the Regional Niagara Public Works Department.

The development of any new dwelling unit under the provisions of this policy shall be subject to Site Plan Control in accordance with Section E1.4 of this Plan and Section 41 of the Planning Act. Council may apply all elements of Site Plan Control to the development of any Secondary Suite on a Heritage Property, including those related to landscaping, as well as exterior design and sustainable design (as set out in Section E1.4 m and o).

Further, in no case, and at no time in the future, shall any residential use established in accordance with this policy be subdivided or severed from the original parcel on which it was constructed. This policy may be further implemented through a restrictive covenant registered on title.

4.2.2 Proposed Policies – Home Industry

Intent

In amending the policies for home industries in rural areas, it is the intent of the Town to:

- provide incentives that facilitate cultural heritage protection and promotion by allowing the establishment of a home industry on a heritage property for the purposes of generating income;
- protect heritage resources on properties where a home industry is proposed; and,

- manage the aesthetic and functional requirements for home industries on heritage properties by giving special consideration to the design and compatibility of any new facilities.

Recommendations

- 4.2.2.1 Section B2.1.3.6 Home Occupations and Home Industries of the Draft Official Plan should be amended as follows (original text in blue, new text in red):

...Home industries will be subject to a Zoning By-law, where the following requirements will be considered by Council:

...; and,

- h) where a new home industry is proposed on a property where a designated heritage resource is located, any new facilities shall be designed to be compatible with the existing rural heritage character and shall not detract from the heritage attributes of the designated resource.

The development of a new home industry may be subject to Site Plan Control in accordance with Section E1.4 of this Plan. Site Plan Control will be required for any new home industry proposed on a property with a designated heritage resource, in accordance with Section E1.4 of this Plan and Section 41 of the Planning Act. Council may apply all elements of Site Plan Control to the development of any facilities associated with a home industry on a heritage property, including those related to landscaping, as well as exterior design and sustainable design (as set out in Section E1.4 m and o).

4.2.3 Proposed Policies – New Non-residential Uses (in a Rural Settlement)

Intent

In amending the policies for new non-residential uses in a Rural Settlement (specifically the existing settlement of North Pelham), it is the intent of the Town to protect heritage resources on properties and in proximity to where new non-residential uses are proposed.

Recommendations

- 4.2.3.1 Section B2.4.3.3 New Non-Residential Uses (in a Rural Settlement) of the Draft Official Plan, should be amended as follows (original text in blue, new text in red):

New non-residential uses may be permitted in the *Rural Settlement* designation subject to an amendment to the Implementing Zoning By-Law. ~~Such uses shall be subject to Site Plan Control.~~ Before considering an amendment to the Zoning By-law to permit any of the uses listed in Section B2.4.2 (Permitted Uses), Council shall be satisfied that;

...

g) the proposed use (and the design of associated buildings and landscaping) shall be compatible with adjacent and proximate cultural heritage resources and shall not detract from the rural heritage character of the Settlement;

The development of a new non-residential use in a *Rural Settlement* shall be subject to Site Plan Control in accordance with Section E1.4 of this Plan and Section 41 of the Planning Act. Council may apply all elements of Site Plan Control to the development of a new non-residential use in a *Rural Settlement*, including those related to landscaping, as well as exterior design and sustainable design (as set out in Section E1.4 m and o).

4.3 Community Improvement

Community improvement policies and designations are used to stimulate investment and revitalization of selected areas. In accordance with Section 28 of the Planning Act, community improvement policies and plans allow for the identification of needed improvements, and are used to facilitate municipal undertakings (such as public realm improvements) and the provision of financial incentives for private undertakings that improve an area.

The Draft Official Plan includes community improvement provisions in Section E1.7, which designates specific Community Improvement Project Areas (including the Fonthill and Settlement Areas and the Canboro Road Corridor). To facilitate the improvement of cultural heritage resources that are distributed across Pelham's rural area, the policies proposed below extend the Community Improvement Project Area to the whole municipality and recommend that the Town prepare Community Improvement Plans for the rural community and for hamlets that have been identified as having cultural heritage resources. The proposed policies also identify specific incentive programs to assist with heritage conservation.

4.3.1 Proposed Policies – Community Improvement

Intent

In amending the Community Improvement provisions of the Draft Official Plan, it is the intent of the Town to explicitly extend the benefits of community improvement-related financial incentives to the protection and enhancement of cultural heritage resources located in rural areas.

Recommendations

- 4.3.1.1 Section E1.7.1 Definition and Identification (under Community Improvement) of the Official Plan should be amended to identify the entire municipality of Pelham as a Community Improvement Project Area (rather than only the Fonthill and Fenwick Settlement Areas and the Canboro Road Corridor).
- 4.3.1.2 Section E1.7.2 Community Improvement Goals should be amended with an additional policy goal, as follows:
- e) To protect and promote cultural heritage resources, including buildings and landscapes, that are designated under the Heritage Act and located throughout the Town.
- 4.3.1.3 Section E1.7.3 Criteria for Delineating Project Areas should be deleted since the entire municipality will be identified as a Community Improvement Project Area.
- 4.3.1.4 Policies that encourage the Town to prepare Community Improvement Plans for the rural countryside and selected hamlets should be added, as follows:

E1.7.3 Community Improvement Plans

The Town shall endeavour to prepare Community Improvement Plans for the Rural Area and for selected hamlets that are identified as having significant cultural heritage resources. The Plans will identify and outline specific required improvements and implementation methods. Opportunities and challenges for improving the public and private realm may refer to:

- community services and physical infrastructure (e.g. streets, sidewalks, parks, recreational facilities);
- incompatible land uses;
- environmental contamination in need of remediation;
- the supply of affordable housing;
- energy efficiency of buildings;
- heritage buildings and structures in need of rehabilitation;
- underutilized and vacant properties or buildings that have potential for redevelopment; and/or,
- private servicing deficiencies.

The Community Improvement Plan may also make recommendations for the Town to:

- acquire, hold or prepare land for redevelopment;

- repair/rehabilitate buildings and lands; and,
- dispose of land and buildings for the purpose community improvement.

Tools for implementing the Community Improvement Plan may include financial incentives such as those outlined in Section E1.7.4.1 and Appendix X of this Plan.

4.3.1.5 Section E1.7.4.1 Participation in Government or Agency Funding Programs should be amended to include a list and brief description of potential programs, as follows:

- Redevelopment Tax Rebate Program – a program to provide grants that would offset increases in municipal taxes that are as a result of an increase in property assessment due to redevelopment;
- Planning and Development Fees Rebate Program – a program that provides rebates of various municipal application fees;
- Development Charge Exemption/Reduction Program - a program that waives or reduces development charges for appropriate forms of redevelopment;
- Study Grant Program – a program that provides grants to offset the costs of the required archaeological studies/surveys;
- Municipal Property Acquisition/Rehabilitation Program – a program for the municipality to acquire and/or rehabilitate properties identified as having archaeological or historic merit, both directly or in partnership with other government agencies or the private sector;
- Facade Improvement Grant Program – a program to promote the sensitive redesign of existing building facades to enhance the existing image of the area;
- Landscape Improvement Grant Program – a program to promote the establishment of enhanced landscaping to improve the existing image of the area; and,
- Heritage Property Tax Relief Program – a program used to encourage good stewardship, maintenance and conservation of locally designated heritage properties by providing tax relief of between 10 to 40 percent.

4.3.1.6 A new Appendix to the Official Plan should be added to provide detailed descriptions for each of the potential incentive programs available under the Community Improvement provisions.



5.0 Summary

A number of planning tools have been proposed for the purposes of protecting and enhancing cultural heritage resources in Pelham, primarily through provisions to be incorporated into the Town's new Official Plan. These tools fall into three categories – heritage protection and promotion, land use controls, and community improvement – and include the following:

- creating inventories for built heritage and landscape resources;
- designating Conservation Heritage District and preparation of Conservation Heritage District Plans;
- designating heritage buildings;
- developing Heritage Routes;
- introducing Secondary Suites as a permitted use in Rural Area designations (as an incentive to retaining heritage buildings) and providing conditions for their development;
- requiring/strengthening Site Plan Control for Secondary Dwellings and Home Industries on Heritage Properties throughout the Rural Area, and for new Non-Residential Uses in Rural Settlements; and,
- extending the Community Improvement Project Area to the entire municipality and introducing a list of supportive programs.

These tools are intended to work together to facilitate a flexible set of both “carrot” and “stick” approaches for protecting Pelham’s heritage resources and building a tourism strategy in support of that objective.

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Appendix 1. Community Improvement Program Details

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1. Redevelopment Tax Rebate Program

Program Description

The Redevelopment Tax Rebate Program is intended to provide financial relief in the form of tax rebates to property owners who undertake redevelopment of their properties, including for the purposes of heritage protection and promotion. This program mitigates the large tax increase that results when a property is redeveloped with a higher value land use/project. However, this program would not exempt property owners from an increase/decrease in municipal taxes due to a general tax rate increase/decrease, or a change in assessment for any other reason.

In order to minimize cost and financial risk to the Town, this program can be structured as a “pay-as-you go” program - where the property owner/developer first pays the total taxes owing annually, and then receives a grant from the Town based upon the incremental increase in taxes that results from the redevelopment project.

The Redevelopment Tax Rebate Program will commence on or after the date of approval of an appropriate Community Improvement Plan, and should be available for a period of approximately ten (10) years. Grant applications will not be accepted after the identified time period, but grants that have been approved will continue to be paid out according to the details of each individual agreement.

The Redevelopment Tax Rebate will equal 80 percent of the increase in the municipal portion of property taxes. The remaining 20 percent of the increase in the municipal portion of property taxes will be dedicated to the Municipal Property Acquisition/Rehabilitation Program.

The amount of municipal taxes (“base rate”) will be determined before commencement of the project at the time when a Redevelopment Tax Rebate Application is submitted. The increase in the municipal portion of real property taxes (or “municipal tax increment”) will be calculated as the difference between the base rate and the amount of municipal taxes levied as a result of re-valuation by the Property Assessment Office following project completion. The municipal tax increment will be used to fund the Redevelopment Tax Rebate.

As early as possible in the development approvals process, a property owner would register their intent to participate in the Redevelopment Tax Rebate Program by filing an application with the Town. The application will then be evaluated by a staff committee that will be responsible for evaluating and recommending applications for approval based on the program requirements specified in the Community Improvement Plan.

All Redevelopment Tax Rebate Applications and implementing agreements must be approved by Council. Based on that approval, the staff committee will then negotiate the required implementing agreements with the applicants. The implementing agreement will specify the terms of the tax rebate, such as the total amount of the rebate, the duration of rebate, the owner’s

obligations should the owner default on the Agreement, and any other requirements specified by the Town.

The Town will review the redevelopment proposal, suggest modifications, consult with the Property Assessment Office (as necessary regarding an estimated post-project re-valuation) and determine an estimated rebate amount.

Program Requirements

All owners of properties within the Town of Pelham are eligible to apply for funding under this program, subject to the following requirements, and availability of funding as approved by Council:

- the subject property is subject to an approved Community Improvement Plan that includes and further articulates the financial incentive program;
- any property owner wishing to be considered for a grant under this program must complete and submit a Redevelopment Tax Rebate Application Form to the Town prior to the commencement of any works and prior to application for building permit;
- as a condition of the grant application the Town may require the applicant to submit a report from the planning department indicating the proposal's conformity with the goals, objectives and policies of the Official Plan;
- the property shall be redeveloped in a such that the amount of work undertaken is sufficient to result in an increase in re-valuation by the Property Assessment Office and further, the total value of the tax rebate provided under this program shall not exceed the total value of work done under eligible program costs;
- eligible program costs include the costs of:
 - archaeological assessments (unless already paid for under other programs);
 - site preparation including construction/improvement of on-site public works; and,
 - demolition;
- actual costs for any or all of the eligible items may be subject to independent audit, at the expense of the property owner;
- all property owners participating in this program will be required to enter into a Redevelopment Agreement with the Town which will specify the terms of the tax rebate. All Redevelopment Tax Rebate Applications and implementing agreements must be approved by Town Council;

- the subject property shall not be in a position of tax arrears. All taxes owing shall be paid or cancelled, prior to the disbursement of any tax rebate money; and,
- all redevelopment proposals will conform to all applicable Town policies and procedures.

2. Planning and Development Fees Rebate Program

Program Description

The intent of this program is to stimulate new investment, including that related to heritage conservation, through provision of a grant/rebate to offset the cost of specific planning and development fees.

The rebate will apply to most municipal fees for planning and development applications (except for the building permit fee itself). The rebate of these fees will be paid to the property owner, regardless of who pays the fee. All property owners within the Town of Pelham will be eligible for program participation, subject to program requirements. Payment of fees will be required by the Town at the application stage for planning approval(s) and demolition permits. Upon final inspection of the completed and occupied project, a rebate will be provided in an amount equal to all eligible fees collected from the property owner.

This program does not apply to any performance or maintenance guarantees (i.e., letters of credit) posted by the proponent, required professional studies, or expenses, including deposits incurred by the applicant because of the Town's participation at the Ontario Municipal Board or Court proceedings.

Program Requirements

All owners of properties within the Town of Pelham are eligible for grants equivalent to the amount of qualifying planning and development fees under this program, subject to the following requirements, and availability of funding as approved by Council:

- the subject property is subject to an approved Community Improvement Plan that includes and further articulates the financial incentive program;
- only fees paid for the following types of applications are eligible:
 - Official Plan Amendment;
 - Zoning By-law Amendment;
 - Minor Variance;
 - Site Plan Application;
 - Demolition Permit; and/or
 - Building Inspection Fee.

- to be eligible, the redevelopment proposal must conform with the goals, objectives and policies of the Official Plan; and,
- the subject property shall not be in a position of tax arrears. All taxes owing shall be paid or cancelled, prior to the disbursement of any fee-related grant/rebate.

3. Development Charge Exemption/Reduction Program

Program Description

The Development Charges Exemption/Reduction Program will be designed specifically to encourage redevelopment activity in the Town of Pelham. This program requires changes to the Development Charges By-law. Its implementation does not require that it be included within a Community Improvement Plan.

The Development Charge Exemption/Reduction Program will offer development charge exemptions/reductions for all appropriate redevelopment proposals within the Town of Pelham. Property owners will automatically be eligible for this program subject to the program requirements as set out below, which will be written into the implementing by-law. Separate application for the exemption/reduction at the time of the issuance of a building permit will not be required.

Program Requirements

All owners of properties within the Town of Pelham are eligible for development charge exemptions/reductions under this program, subject to the following requirements:

- to be eligible, the redevelopment proposal must conform with the goals, objectives and policies of the Official Plan; and,
- the subject property shall not be in a position of tax arrears. All taxes owing shall be paid or cancelled, prior to the exempting/reduction of development charges.

4. Study Grant Program

Program Description

Detailed information on the existence, type, nature and extent of archaeological resources, as well as the estimated cost of site remediation for properties in the Town of Pelham requires further study on a site by site basis.



The requirement for additional detailed study on specific properties, and the reluctance to undertake and fund environmental studies by the property owners, inhibits interest in redevelopment. The Study Grant Program is designed to promote the completion of archaeological studies by the private sector.

The intent of this program is to generate archaeological information on individual sites. Priority for Study Grants will be given to the owners or bona fide purchasers of these sites to conduct appropriate archaeological studies. These grants will be up to \$10,000 or 50 percent of the cost of the archaeological assessment, whichever is less. An annual limit on expenditures for these studies will be set at \$100,000.00, subject to budget approval by Council.

All applications for this grant program will be considered subject to the availability of funding. Program eligibility will be determined by the staff committee.

Grants approved under this program would be provided to property owners following submission of the final completed study with the original invoice, indicating that the study consultants have been paid in full. The applicant will agree to provide the Town with permission to notify any other subsequent project proponents of the existence of an environmental study or studies.

Program Requirements

All owners and purchasers of properties within areas of archaeological potential are eligible to apply for funding under this grant program, subject to the following requirements, and availability of funding as approved by Council:

- the subject property is subject to an approved Community Improvement Plan that includes and further articulates the financial incentive program;
- any property owner wishing to be considered for a grant under this program must complete and submit a Study Grant Application Form to the Town prior to the start of any archaeological assessment to which the grant will apply;
- purchasers are also eligible to apply for a Study Grant only if they can provide written consent to conduct the study from the owner of the property;
- archaeological assessments shall be for the purpose of:
 - confirming and describing the nature and extent of the archaeological resources at the site; and/or,
 - developing a plan to remove, or otherwise manage/mitigate the impacts of redevelopment on the archaeological resource found on the site (Phase III ESA/Remedial Work Plan).

- a copy of the study findings shall be given to the Town with permission to circulate said studies to internal Town departments, and to advise other project proponents that a study or studies exists;
- a maximum of two Study Grants will be awarded for any individual property;
- the total value of any grant(s) provided under this program will be deducted from eligible program costs for the Redevelopment Tax Rebate Program, if applicable; and,
- the subject property shall not be in a position of tax arrears. All taxes owing shall be paid or cancelled, prior to the disbursement of any grant money.

5. Property Acquisition, Investment and Partnership Program

Program Description

Once a Community Improvement Project Area has been designated and a Community Improvement Plan is approved, the Town of Pelham may:

- acquire, hold, clear, grade or otherwise prepare land for community improvement;
- construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan; and,
- sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the Community Improvement Plan.

In order to promote the long term revitalization of the Town of Pelham it may be necessary for the Town to take a more active role in redeveloping brownfield properties that come into its possession. This may involve the acquisition of properties through tax arrears, the outright purchase of certain key strategic redevelopment parcels and/or participation in public/private partnerships to clean and redevelop brownfield properties.

The Municipal Property Acquisition, Investment and Partnership Program is a general program of Town property acquisition, investment and involvement in public/private partnerships to cleanup and redevelop properties. This program can be funded from the 20 percent of the tax increment that is retained by the Town as a result of properties participating in the Redevelopment Tax Rebate Program, and other monies as allocated by Council.

To assist in administering this program, the municipality may want to consider the establishment of a Municipal Development Corporation. This form of municipal corporate structure can be created to undertake large, complex urban development projects aimed at revitalizing or

stimulating urban development projects. They also provide opportunities for innovative financing options.

6. Façade Improvement Grant Program

Program Description

The intent of this program is to provide existing building owners/business operators with a financial incentive to improve the appearance of existing building facades. These grants will be up to \$3,000.00 or 50 percent of the cost of the renovation, whichever is less. An annual limit on expenditures on these grants will be set at \$20,000.00, subject to approval by Council.

All applications for this grant program will be considered subject to the availability of funding. Program eligibility will be determined by the staff committee, in consultation with any local Business Improvement Area (BIA) groups.

Grants approved under this program would be provided to property owners/business operators following the submission of the final invoices for the renovation work completed, indicating that the suppliers/contractors have been paid in full.

Program Requirements

All building owners/business operators who are members in good standing of a Business Improvement Area are eligible to apply for funding under this grant program, subject to the following requirements, and the availability of funding as approved by Council:

- the subject property is subject to an approved Community Improvement Plan that includes and further articulates the financial incentive program;
- Any property owner/business operator wishing to be considered for a grant under this program must complete and submit a Façade Improvement Grant Application Form to the Town, including a design concept and colour scheme, prior to the start of the project;
- Business operators are eligible to apply for a Façade Improvement Grant only if they can provide written consent to conduct the improvements from the owner of the property;
- The façade improvement must conform to any design guidelines approved by the Town; and,
- The subject property shall not be in a position of tax arrears. All taxes owing shall be paid or cancelled, prior to the disbursement of any grant money.



7. Landscape Improvement Program

Program Description

The intent of this program is to provide existing building owners with a financial incentive to improve the appearance of existing landscapes within the Town of Pelham. These grants will be up to \$2,000.00, or 50 percent of the cost of the renovation, whichever is less. An annual limit on expenditures on these grants will be set at \$20,000.00, subject to approval by Council.

All applications for this grant program will be considered subject to the availability of funding. Program eligibility will be determined by the staff committee.

Grants approved under this program would be provided to property owners following the submission of the final invoices for the landscape work completed, indicating that the suppliers/contractors have been paid in full.

Program Requirements

All building owners who are located within the Town of Pelham are eligible to apply for funding under this grant program, subject to the following requirements, and the availability of funding as approved by Council:

- the subject property is subject to an approved Community Improvement Plan that includes and further articulates the financial incentive program;
- Any property owner wishing to be considered for a grant under this program must complete and submit for Town approval a Landscape Improvement Grant Application Form to the Town, including a Landscape design concept, prior to the start of the project;
- The landscape improvement must conform to any design guidelines approved by the Town; and,
- The subject property shall not be in a position of tax arrears. All taxes owing shall be paid or cancelled, prior to the disbursement of any grant money.

8. Heritage Property Tax Relief Program

Program Description

Heritage property tax relief is a financial tool for municipalities to help owners maintain and restore eligible properties for the benefit of the entire community. Municipalities are enabled to offer this program under Section 365.2 of the *Municipal Act*, and may offer a refund or reduction of 10 to 40 per cent subject to a number of criteria and conditions that must be outlined in a by-

law to adopt the program (guidance for developing such a by-law is provided by the Ministry of Tourism and Culture online at http://www.mtc.gov.on.ca/en/heritage/heritage_tax_relief.shtml).

The Heritage Property Tax Relief Program is jointly funded by the Province, which covers the education portion of the tax relief, and the municipality, which covers their own portion. In two-tier municipalities, the upper-tier municipality must cover their portion of the relief *if* they offer the program. If an upper-tier municipality does not offer the program, the lower-tier municipality may choose to cover both the upper and lower-tier municipal portions of the tax relief, or just their own lower-tier portion. Since Niagara Region does provide a Heritage Property Tax Relief Program, the Town of Pelham would only cover their own (lower-tier) portion of the tax relief.

In order to minimize cost and financial risk to the Town, this program could be structured as a "pay-as-you go" program - where the property owner first pays the total taxes owing annually, and then receives a refund cheque from the Town. This approach also has the advantage of highlighting to owners what they have saved and the savings that can be put back into heritage property conservation.

The Town may also choose to limit the scope of the program by specifying limitations on the number of eligible properties and the length of time a property can be eligible for tax relief. Further, the Town may specify a minimum and/or maximum amount of taxes that can be refunded to limit the overall cost of the program and provide predictability in the budgeting process. A minimum tax relief threshold per property (e.g. \$500) can also be used to ensure the administrative cost to the municipality of providing the relief does not exceed the amount of relief.

Program Requirements

Prior to commencing the program, the Town of Pelham shall adopt a Heritage Property Tax Relief Program By-Law, which may include revisions to the requirements outlined here.

All owners of heritage buildings that are located within the Town of Pelham will be eligible to apply for tax relief under this program, subject to the following requirements, and the availability of funding as approved by Council:

- the subject property must contain a building, structure or a portion of a building or structure that is designated under Part IV of the Ontario Heritage Act or part of a heritage conservation district designated under Part V of the Act;
- the heritage property owner must submit a tax relief application by February 28th of the year following the claim (e.g. to receive tax relief for the year 2011 the owner must submit their application by February 28th, 2012). The tax relief application must be re-submitted each year that the property owner wishes to apply for tax relief.
- the owner of the subject property must enter into a heritage conservation agreement with the Town (specifically, an easement agreement under section 37 of the Ontario Heritage

Act). The agreement must be registered on title within 30 days of the tax relief application being approved; and,

- the subject property shall not be in a position of tax arrears. All taxes owing shall be paid or cancelled, prior to the disbursement of any tax relief.

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Draft East Fonthill Secondary Plan – Comment Summary

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| <p>1 Bell Canada, Development and Municipal Services Control Centre, c/o John Lachapelle, October 17, 2011 Received via email from Taya Druzina, Town of Pelham, January 20, 2012</p> | <p>Bell Canada thanks you for the opportunity to continue to provide comments on the Town of Pelham's East Fonthill Secondary Plan Study and the associated Urban Design Guidelines (Appendix B of the Secondary Plan). Further to our letter dated April 16, 2006, we are pleased to provide additional comments for your consideration based on the latest version of the draft Secondary Plan and associated Urban Design Guidelines. We have attached the April 2006 letter to this submission for your reference. Bell was pleased to see that telecommunication and other utility needs had been taken into consideration in the document. However, we would recommend a number of additional modifications to provide greater direction related to the provisioning of utility networks. Our proposed modifications are outlined in the following paragraphs, and shown in <i>italics</i>.</p> <p>EAST FONTHILL SECONDARY PLAN B1.7.3.1 GENERAL DEVELOPMENT OBJECTIVES We note that the Town recognizes the importance of ensuring that sufficient infrastructure is in place for new growth and development; however, it will be vital to ensure that the availability of all types of servicing are considered including both public services, such as water and wastewater, and private services such as utilities. As a result, we would recommend that the following be added:</p> <p>B 1.7.3.1.a) The development objectives provide the framework for 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 Plan, including the implementing Zoning By-law and Site Plan Approvals. The development objectives of this Plan are:</p> <p>Xiii. To ensure that all new development occurs on the basis of full urban water and sanitary sewer facilities, as well as adequate utility networks.</p> <p>B1.7.8 THE COMMERCIAL EMPLOYMENT CENTRE The availability of leading-edge telecommunications technology can have a strong impact on the ability to attract businesses and support economic development in both the Town as a whole and the East Fonthill area in particular. In order to ensure that utilities, such as telecommunications, are adequately considered and provided in employment areas, we would suggest that an additional policy be added to Section B 1.7.8, as follows:</p> <p>R1.7.8. (b) iv. Ensure that leading-edge telecommunication services are in place through discussions with telecommunications providers to attract knowledge-based industries and support the technological advancement and growth of existing businesses.</p> <p>B1.7.11 GENERAL DEVELOPMENT POLICIES Section B 1.7.11 contains general development policies relating to water, sewer, and transportation services. Based on our previous experience of reviewing similar policy documents in various communities, we would suggest that a section on general utilities policies be included to provide more guidance, as follows:</p> <p>R1.7.11 x Utilities i) Ensure utility services such as hydroelectric power, telecommunications/telecommunications, pipelines and natural gas lines are readily available to all development at levels necessary to ensure the safety and convenience of the Town. ii) Council shall promote utilities to be planned for and installed in initial common trenches, where feasible, in a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption; and iii) Utility services shall be developed to be compatible with the general character of the surrounding uses and minimize visual impact, where feasible. Council will encourage utility providers to consider innovative methods of containing utility services on or within streetscape features such as gateways, lamp posts, transit shelters, etc. when determining appropriate locations for large utility equipment and utility cluster sites.</p> | <p>No action required.</p> <p>Section B1.7.3.1 a) xiii, amended: To ensure that all new development occurs on the basis of full urban water and sanitary sewer facilities, as well as adequate utility networks;</p> <p>Section B1.7.8.1 b) amended: v. Ensure that leading-edge telecommunication services are in place through discussions with telecommunications providers to attract knowledge-based industries and support the technological advancement and growth of existing businesses.</p> <p>New utilities section added: B1.7.11.3 Utilities a) Ensure utility services such as hydroelectric power, telecommunications/telecommunications, pipelines and natural gas lines are readily available to all development at levels necessary to ensure the safety and convenience of the Town. b) Council shall promote utilities to be planned for and installed in initial common trenches, where feasible, in a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption; and, c) Utility services shall be developed to be compatible with the general character of the surrounding uses and minimize visual impact, where feasible. Council will encourage utility providers to consider innovative methods of containing utility services on or within streetscape features such as gateways, lamp posts, transit shelters, etc. when determining appropriate locations for large utility equipment and utility cluster sites.</p> |

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| <p>APPENDIX B - URBAN DESIGN GUIDELINES We have also reviewed Appendix B containing the draft East Pelham Urban Design Guidelines, and would like to offer the following comments: Section 2.3 - Streetscape Elements This section provides direction on the placement and treatment of various streetscape elements, including larger utility infrastructure. We request that the wording of the 7th bullet of this section to be modified as follows: "Utility boxes, including transformers and "box" servicing should be placed, where feasible, in modest spaces (flankage locations, open space, laneways and private property or within the boulevard) where they can be screened with planting. <i>Public and/or private utility providers will also be encouraged to consider innovative methods of containing above-ground infrastructure.</i>" Comments received on November 2011 Draft of the East Fonthill Secondary Plan</p> | <p>No change, flexibility is implied. These are "guidelines".</p> | <p>No further action required.</p> |
| <p>2 Lou-Anne and Paul Blushak, 130 Merritt Road, November 23, 2011 Received via email from Craig Lamour of the Town of Pelham on November 23, 2011, and from Tara Druzina, Town of Pelham, January 20, 2012</p> | <p>In relation to the notices of public meeting for the proposed Official Plan and East Fonthill Secondary Plan, we wish to be notified of the adoption of the proposed Official Plan and/or Secondary Plan, or the refusal to adopt the proposed Official Plan and/or Secondary Plan. Let it be recognized that this written submission is in accordance with the Town of Pelham's request for such (a written request/submission), thereby establishing a written record of our request, as well as reinforcing our continuing concerns and interest in the proposed Official Plan and the East Fonthill Secondary Plan. The record shows that we are also re-submitting a 3-page letter that documents some of our consensus about particular planned developments in the East Fonthill Secondary Plan. (As summarized on page 1 of this Comment Summary). Developer's Group/Front Ending Agreements B1.6.10 The section on the developer's agreement simply does not work. The 75% landowner threshold is too high (neighbourhood 1 – fragmented). Stormwater management is not in development charges in Pelham. There needs to be more responsibility taken by municipalities to work on agreement and force it if necessary.</p> | <p>Section B1.7.11.4 has been amended: b) i. if the owner wishes to request an extension to Draft Plan Approval, a written explanation must be received by the Town of Pelham [Region of Niagara deleted] sixty days prior to the lapsing date; and, c) iii. It is recognized that in circumstances where there are multiple landowners, a singular Developer's Group Agreement may not be possible. To be considered a Developer's Group Agreement in fulfillment of the requirements of this Plan, the Agreement must include a landowner or landowners that represent at least 50% [75%, deleted] of the landholdings within the subject Neighbourhood. This policy does not apply to lands within the identified Commercial /Employment Centre. c) iv. If there is one landowner that represents at least 50% [75%, deleted] of the landholdings, the Town may enter into a Development Agreement with the landowner. c) v. Where undue delays are encountered with respect to execution of the required Developer's Group Agreements, the Town may, upon the request of an applicant landowner, attempt to resolve such difficulties or delays. Where resolution of such problems is deemed not possible by the Town, even with the Town's intervention, the Town shall [may, deleted] approve alternative mechanisms to satisfy the intent of the applicable policies of this Plan. c) vii. The Town, where and as appropriate, shall require the use of Area-Specific Development Charge By-Laws or Front-Ending Agreements under the Development Charges Act, or other suitable arrangements among landowners, in order to implement the development of the Secondary Plan Area and to fairly allocate the costs of development. <i>The Town shall ensure that stormwater/facilities are included in any Area-Specific Development Charges. ...</i></p> |
| <p>3 Land Owner's Group, c/o Richard F. Brady, December 2, 2011 Received in person on December 2, 2011 and via email from Tara Druzina, Town of Pelham, January 20, 2012</p> | <p>Public Parkland B1.7.9.4 notion that parkettes of less than 0.4 ha can be taken by the municipality and not be park dedicated has no regulatory basis. The Planning Act clearly outlines compensation for parkland taken by the municipality.</p> | <p>Section B1.7.9.4 a) iii. has been amended: Parkettes that are to be publicly owned shall [may, deleted] be accepted by the Town and count toward the required parkland dedication if they are greater than 4 of a hectare, and are a key element to the overall public parkland system within the East Fonthill Secondary Plan Area.</p> |

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| | <p>EF-High/Medium Density Residential B1.7.7.5 The minimum height of three (3) storeys for townhomes in this area is not reasonable. The density provisions are the issue in the Provincial Policy Statement not to dictate form of housing. Also, requiring a 4 meter first floor for all development is not warranted. It should be permissive to allow a 4 meter first floor if a live/work unit is not a requirement in all residential development in this area.</p> | <p>The municipality is certainly permitted to regulate the minimum and maximum height of any buildings. Section B1.7.7.5 e) has been amended: e) The minimum building height for any Townhouse building shall be 2 storeys, or 7.0 metres, and any Apartment building within the EF-High/Medium Density Residential designation shall be 3 storeys, or 11.0 metres, whichever is greater.</p> |
| | <p>EF-Mixed Use B1.7.8.3 The restricting of all retail development to have a 300 sq. meter or greater foot print is not substantiated by any provided study. It is overly restrictive.</p> | <p>Section B1.7.8.3 b) iii. and B1.7.8.4 b) iii. have been amended: Retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Area greater than 750 square metres [300 deleted]. Retail commercial uses with a Gross Leasable Floor Area of between 100 and 150 square metres may be considered by the Town, subject to an analysis that indicates that the proposed use will not have a detrimental impact on any existing use within the historic commercial core of Fonthill;</p> |
| | <p>General Policies B1.7.7.2 The requiring of Neighbourhood Master Plans, which have similar requirements as the Secondary plan is unwarranted. In particular there should be no need for a second Urban Design Guidelines. Also, it would be difficult to complete an EIS at this stage unless draft plans of subdivision were submitted for all the lands in the Neighbourhood at the same time.</p> | <p>Section B1.7.7.2 d) v. and e) have been amended: d) v. <i>Environmental Impact Statement – An Environmental Impact Statement, where required by the policies of the Official Plan. The required Environmental Impact Statement shall include the contiguous lands of participating landowners.</i> e) The Demonstration Plans provided in Appendix A and the Urban Design Guidelines provided in Appendix B, attached, may constitute the Road, Block and Land Use Plan, the Streetscape and Open Space Plan and the Urban Design Guidelines components of the Neighbourhood Master Plan. If the proposed development is generally consistent with the Demonstration Plans and Urban Design Guidelines of Appendix A and B, to the satisfaction of the Town.</p> |
| | <p>Sustainable Design/Green Building B1.7.4.5 The green building standards are onerous. However, it is unfair to only have them apply to the Secondary Plan Area, if they are to be in the plan they should be in appropriate section of the draft Official Plan to apply to the whole Town. It provides unfair disadvantages to the secondary plan area.</p> | <p>Section B1.7.4.5 has been amended: a) The overall development pattern within the Secondary Plan Area has been developed with regard to the principles of LEED-ND (Leadership in Energy and Environmental Design – Canada) as they have evolved. [deleted b] b) To encourage that all new buildings achieve 20% greater water conservation efficiency than required by the Ontario Building Code. [deleted c] c) All new development, with the exception of residential buildings containing less than 25 dwelling units, must be built to the following requirements for sustainability: i. LEED Silver, or equivalent alternative, prior to and including 2021; and, ii. LEED Gold, or equivalent alternative, from 2022 up to and beyond 2031. d) To encourage all new development to be built to the following requirements for sustainability: i. Grade-related (3 storeys or less) residential buildings achieve a minimum performance level that is equal to an ENERGY STAR® standard; and, ii. Mid- and high-rise (4 storeys and greater) residential and non-residential buildings shall be designed to achieve 25% greater energy efficiency than the Model National Energy Code for Buildings.</p> |

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| | <p>Commercial/Employment Centre Phasing Policies B1.7.5.2 The need for population and employment density plan is not provided. Furthermore what is actually wanted? It is not a defined term. Is it a plan or is it a table?</p> | <p>Section B1.7.5.2 has been amended:</p> <p>i) In order to achieve the minimum density targets of this Plan, the Town will not approve any development application that compromises the ability of the Town to achieve the expressed targets throughout the East Fonthill Secondary Plan Area. As such, prior to the approval of any application for Plan of Subdivision and/or Zoning By-law Amendment, the proponent shall demonstrate how the proposal contributes to the minimum gross density targets of this Plan. Proponents shall provide a population and employment density table and/or plan that geographically distributes development forms/types, lot sizes and densities based on the objectives and policies of this Plan.</p> |
| | <p>Subdivision of Land B1.7.11.4 The developer's group agreement is still a problem. The 75% provision of land holdings is too high given lot fabric. Does not provide definitive answers in section B.1.7.11.4 c) v. the phrase, "the Town may approve..." should be "the Town shall approve..." Stormwater management is still a problem give Town's position on D.C's and oversized still creates collection difficulties.</p> | <p>Section B1.7.11.4 has been amended, as indicated above.</p> |
| | <p>Subdivision of Land B1.7.11.4 Second bullet from the top – I thought Pelham granted extensions to drafts plans not Region?</p> | <p>Section B1.7.11.4 has been amended, as indicated above.</p> |
| | <p>Appendix A – Demonstration Plans. The demonstration plan needs to be identified as Appendix A</p> | <p>Done.</p> |
| | <p>Commercial/Employment Centre Phasing Policies B1.7.5.2 e) i. The caps for phasing of 785 people/jobs by 2011 may be serious impediment for proposed seniors development.</p> | <p>No change. At the overall density of 50 persons and jobs per hectare, the 785 people/jobs represents about 65% of total build out, which is adequate. Further, subsequent policies f) and g) provide substantial flexibility to the Town should the caps need to be modified.</p> |
| | <p>EF-Low Density Residential B1.7.7.3 The limit of 15% as a maximum of street townhouses in low-density area is unwarranted. Street townhouses as a density of single-family homes (20 units per ha) could increase density and supply a type of housing that is growing in demand. I suggest a limit of 50% on a neighbourhood basis with a revised density of 20-30 units per ha.</p> | <p>No change to Section B1.7.7.3 b) – the 15% is included to provide flexibility to the developers within what is intended to be primarily a single/semi-detached designation. Flexibility up to 50% removes, to a substantial degree, the difference between the EF-Low Density Residential designation and the EF-Medium Density Residential designation, making it difficult to achieve the range and mix of housing types envisioned by this Plan.</p> |
| | | <p>Section B1.7.7.3 f) has been amended:</p> |
| | | <p>f) Permitted street townhouse dwellings shall be developed at densities ranging from a minimum of 20 ["25" deleted] units per net hectare up to 50 units per net hectare.</p> |
| | | <p>g) The maximum building height for any building within the EF-Low Density Residential designation shall be 3 storeys, or 10.5 metres, whichever is less.</p> |
| | <p>Schedule 'AS' – Land Use Plan. On Land Use Plan, an area is shown as medium density, which is low density on Demonstration Plan.</p> | <p>No change – the 15% flexibility within the policies of both the EF-Low Density Residential and EF-Medium Density Residential designations is intended to permit low density forms in the medium density areas, and vice versa.</p> |
| | <p>Appendix A – Demonstration Plan. Two problems with demonstration plan on detail:</p> | <p>Changes implemented.</p> |
| | <p>Appendix B – Urban Design Guidelines. Urban Design Guidelines the term used in plan of "generally consistent with" should be revised to "have regard to".</p> | <p>No change. In discussions with the developer we have adjusted the working from "consistent with" to "generally consistent with" and added explanatory text as a preamble to the Demonstration Plans. The current approach is appropriate.</p> |
| | <p>General Development Policies B1.7.11 Official Plan policy of minimum road width of 20 meters should be changed to reflect new standards. It is suggested that 18 meter should be specified which is consistent with new urban design standards.</p> | <p>This will be referred to the Official Plan Review exercise. In addition, Section B1.7.11.2 specifies road-right-of-way widths. Policy B1.7.1 e) specifies that where there is a conflict between the Official Plan and the Secondary Plan, the Secondary Plan applies.</p> |
| <p>4</p> | <p>Nick and Mari Rusnov, 1283 Cataract Road, R.R.#2, Welland, ON, L3B 5N5, December 7, 2011</p> <p>Received via email from Tara Druzina, Town of Pelham on January 20, 2012</p> | <p>No action required.</p> |

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| <p>7 John Delisio, do Emilio Iovio, December 9, 2011 Received via email.</p> | <p>Section B1.4.4 (f) - With regards to the "Development Policies" contained within this section which apply to the "Urban Highway Commercial" designation, we are concerned that it is not always possible or practical to place parking areas to the rear or side of a property. As such, we recommend that the wording for this particular policy be revised as follows: "parking areas should be oriented to the rear or side of the lot where reasonably possible so the primary building can be brought closer to the road".</p> <p>Section B1.7.8.3 (b) iii) - With regards to the East Fonthill Secondary Plan, in the "EF - Mixed Use" designation retail commercial uses are permitted which include retail stores, restaurants and personal services with Gross Leasable Floor Areas greater than 300 square metres. It is our opinion without proper rationale or justification being provided to date on this matter, that this minimum size limits the possibility of our clients' potential of locating within this area of the Town of Pelham as a minimum of 300 square metres (3,229 square feet) is a considerable size.</p> <p>Section B1.7.8.4 (b) iii) - As with Section B1.7.8.3 (b) iii) above, in the "EF - Urban Highway Commercial" designation retail commercial uses are permitted. Retail commercial uses include retail stores, restaurants and personal services with Gross Leasable Floor Areas greater than 300 square metres. It is our opinion without proper rationale or justification being provided to date on this matter, that this minimum size limits the potential of our clients locating within this area of the Town of Pelham as a minimum of 300 square metres (3,229 square feet) is a considerable size.</p> <p>As you know it is important to foster creativity and marketability in any development. We have concern that the Demonstration Plan and the Urban Design Guidelines are too prescriptive and represent only one way to develop these future neighbourhoods. The design is untested against the site constraints and in the marketplace. However, the wording in the text appears to provide flexibility in making changes without the need for an amendment to the plan. As a result the policy is workable if the Town and landowners approach the design issues in an open and flexible manner.</p> <p>Lands within the greenfield area is subject to the Provincial and Regional objectives to develop at a minimum gross density of 50 persons and jobs per hectare (p/jha.). This is very high compared to the historic densities in Pelham. If there is any flexibility or latitude in allowing non-GTA communities to grow at a lesser gross density Pelham should consider lowering the plan requirement.</p> <p>The land use densities in the EF-Low Density Residential and EF-Medium Density Residential designations are unworkable. It is the objective of both the Town and the land owners to create a livable community with high quality design incorporating the product desired by the future citizens. Pelham is one of the most desired places in Niagara to live because of its commitment to create a high quality natural and built environment. It is our request that the EF-Low Density Residential designation permit townhouses at 20-40 units per hectare and the EF-Medium Density Residential designation allow townhouses at 20-40 u/jha. and detached or semi-detached development at 15-40 u/jha. This will permit the construction of bungalow townhouse and detached housing that is very much in demand by the market, particularly as the population ages.</p> <p>In addition, as you know from our previous letter, Sterling is planning to develop a mixed use residential community on their lands designated EF-Medium Density. The maximum density for apartments in this designation is 75/u/jha. and the max. height is 5 storeys. Sterling requests that a specific policy be included for their lands that will allow a density of up to 100 u/jha and a maximum height limit of 6 storeys for their apartment development. This is a moderated deviation that will also help address the density issues in the neighbourhood.</p> <p>The overall density for the EF-SP area is to be 50 p/jha for greenfield development. While each neighbourhood has taken its share of higher densities and multiple forms of housing, to a greater or lesser extent, Neighbourhood 3 has not. All of the land in Neighbourhood 3 is designated EF-Low Density with an overall density of 43 p/jha. The distribution of density in the secondary plan area is inequitable. Neighbourhood 3 is a large neighbourhood surrounded by collector roads. It should provide for some medium density development in strategic locations and allow Neighbourhood 2 some relief as it currently contains the largest area of medium density development in the plan.</p> | <p>No action required.</p> <p>Section B1.7.8.3 (b) iii. has been amended, as indicated above.</p> <p>Section B1.7.8.4 (b) iii. has been amended as indicated above.</p> <p>No action required.</p> <p>This is a Regional issue. No action required.</p> <p>Section B1.7.7.3 (f) has been amended as indicated above.</p> <p>Section B1.7.7.4 (d) has been amended:</p> <p>Townhouse dwellings shall be developed at densities ranging from a minimum of 20 (deleted 30) units per net hectare, up to 60 units per net hectare.</p> <p>New Section B1.7.7.4 (l) has been added:</p> <p><i>Schedule A5 Land Use Plan: identifies symbolically a location for a potential apartment building, in general proximity to that symbol, one apartment building may be developed, subject to the policies of Section B1.7.7.5 of this Plan, and the following criteria:</i></p> <ul style="list-style-type: none"> the site is located at the intersection of two public roads, at least one of which is designated as a collector; and, the site does not exceed 2,500 square metres in size. <p>No action required. This Plan has been developed without specific regard to property boundaries. However, the Team has attempted to respond to the desires of the development, industry and individual land owners to the greatest extent possible, while ensuring the creation of a great community that conforms to Provincial and Regional policy directives.</p> <p>In fact, the density allocations, as shown, represent a reasonable distribution and pattern of development. In this case, they also represent the specific request of Mr. Delisio.</p> |

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| | <p>Schedule A5, EFSP Land Use plan, designates the southerly portion of Neighbourhood 2, next to Kunda Park Forest, as EF-Medium Density Residential. This is a sensitive area of land with rolling topography, a watercourse and is situated between two woodlots. While it is anticipated that some townhouse development will occur, the medium density designation places too high an overall density requirement and would even allow a five storey apartment which is not appropriate in this location. It is recommended that this area be designated EF-Low Density and that the medium density requirement be redistributed to less dense neighbourhoods.</p> <p>As you are aware Sterling owns land at 125 Merritt Road. This area is designated Environmental Protection Two (EP2). Sterling has received a building permit to construct a dwelling at this location and heavy tree clearing has occurred. As a result it is requested that this parcel be designated EF-Low Density rather than EP2 on Schedule A5-EFSP Land Use.</p> <p>Market flexibility is vital for landowners as demand in years to come is difficult to predict today. The plan addresses this issue by allowing 15% townhouse development in the low density designation and 15% detached housing in the medium density designation. While this is much appreciated, it is not sufficient to provide the needed flexibility. Sterling requests that the EF-Low Density designation allow 30% townhouse development and the EF-Medium Density designation allow 30% detached and semi-detached housing.</p> | <p>No action required. See response directly above.</p> <p>No action required.</p> <p>No action required. As stated above, the 15% is included to provide flexibility to the developers within what is intended to be primarily a single/semi-detached designation. The changes requested remove, to a substantial degree, the difference between the EF-Low Density Residential designation and the EF-Medium Density Residential designation, making it difficult to achieve the range and mix of housing types envisioned by this Plan.</p> |
| | <p>The EF-Low Density Residential designation currently only permits 'Street Townhouses'. This is only one form of townhouse development. It requires units to front onto public streets. This policy is too specific and restrictive, since mixed residential development is encouraged in neighbourhoods. This designation should permit any form of townhouse development.</p> | <p>Section B1.7.7.3 b) has been amended: b) In addition to the permitted uses identified above, [street] townhouses may be permitted and may constitute up to a maximum of 15% of the total number of dwelling units within any individual draft plan of subdivision.</p> |
| | <p>Prior to any development approvals the plan requires that Neighbourhood Master Plans be prepared and approved. These plans will involve multiple landowners and require very detailed information. In addition to the significant costs, Sterling questions the ability of multiple landowners to co-operate and agree on who will undertake the project, cost sharing, etc. It is recommended that at draft plan of subdivision stage the applicant should provide for an overall concept plan showing how the neighbourhood could be developed, ensuring that all services and plan policies are met.</p> <p>In addition Neighbourhood 4 only has two small pockets of low density development. These pockets are separated by environmental areas and are on opposite sides of Merritt Road. They do not have anything in common such as sharing of roads, parks, ponds, or contiguous environmental areas. Requiring all of these landowners to prepare one overall Neighbourhood Master Plan for Neighbourhood 4 should not be required.</p> <p>Policy B.1.7.4.3 still prohibits any front yard parking in high density projects. Not all situations will merit or benefit from this policy and some front yard parking would be desirable for the physically challenged, convenience, short term parking etc. It is our request that the policy be amended to encourage the majority of parking in rear yards or underground, but allows a portion of parking to be permitted in the front yard where design and convenience will benefit.</p> <p>The Plan has defined the term "Gross Density" which is necessary to determine the overall density to meet Provincial targets. However, the Residential section of the plan also refers to "net density". This term has not been defined in the Official Plan. We understand that this definition means land designated for residential uses less the roads, parks, storm ponds etc. It would be very helpful if this definition were to be included in the plan. While this may seem like a minor point in the context of the Official Plan it has a significant impact on subdivision design, lot size and the resulting unit type and design.</p> <p>The comments below are provided as suggested revisions or additions to the policies laid out in the Town's proposed Official Plan and East Fonthill Secondary Plan. For the most part, these comments reflect ideas that are related to my involvement with the Peiham Active Transportation Committee and are intended to help strengthen support for all forms of healthy and sustainable community living. There are also a number of comments that are based upon my own personal and professional views, being both a Town of Peiham resident and a Planning Technician with over 20 years experience of municipal land development, subdivision design, and an extensive knowledge of Official Plans and Zoning By-laws.</p> | <p>No action required. The policies provide sufficient flexibility in the process.</p> <p>No action required. Section B1.7.4.3 makes no reference to front yard parking, and does not explicitly prohibit front yard parking in high density projects. Within Section B1.7.4.3, item a), states "buildings shall be street-front oriented"; and item d) it. States that "large scale automobile parking areas shall generally be sited to the side or rear of buildings, or, preferably below grade....."</p> <p>This item will be referred to the Official Plan Review, for inclusion in the Glossary.</p> |
| <p>8 Joseph Marchant, 21 Lonmer Street, Fonthill Received via email from Craig Larmour, dated Dec. 13, 2011</p> | | <p>No action required.</p> |

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| <p>(note – only comments pertaining to Section B.7 East Fonthill Secondary Plan are included here)</p> | <p>Throughout the Official Plan, there are many instances of policies referring to pedestrian related activities. In many cases, these should be revised to include the terms active transportation and/or cycling. The sections of the document that should be revised include but are not limited to the following:</p> <ul style="list-style-type: none"> • East Fonthill Secondary Plan – EF-Mixed Use – Permitted Uses (B1.7.8.3) • East Fonthill Secondary Plan – EF-Urban Highway Commercial – Permitted Uses (B.1.7.8.4) • Urban Design Guidelines – Design Guidelines for the Private Realm (3.0) | <p>Section B1.7.8.3 and B1.7.8.4 have been amended to include "cycling facilities" as permitted uses, as indicated above. Where the preambles (Items a) to the sections refer to encouraging foot traffic, it is in relation to encouraging at-grade retail along arterial and collector road frontages. A reference to encouraging bicycle traffic is not directly relevant here. While cyclists are customers, and pedestrians at some point in their trip, the policies are specifically intended to encourage foot traffic. Other policies of this Plan have been provided to encourage cycling for transportation and recreational purposes (for example, policies related to bicycle parking, and on- and off-street bikeways).</p> <p>Section 3.0 of the Urban Design Guidelines (Appendix B) has been amended:</p> <p>3.1.1 Blocks & Lots</p> <ul style="list-style-type: none"> • facilitate and promote pedestrian and bicycle movement; and, <p>3.1.3 Parking and Loading</p> <ul style="list-style-type: none"> • Safe and comfortable pedestrian connections shall be provided between bicycle parking areas and a building's main entrance. <p>3.2.3 Apartments</p> <ul style="list-style-type: none"> • Visitor drop-off areas and bicycle racks shall be included in front buildings. <p>3.3 Urban Highway Commercial and Mixed Use Development</p> <ul style="list-style-type: none"> • Conflicts between shipping vehicles, cyclists and pedestrians must be minimized through signage, pavement markings, and delineation of the pedestrian right-of-way. • Safe and convenient access to the building's bicycle parking area(s) shall be provided for cyclists. • Pedestrian and bicycle circulation through parking lots shall be defined through the use of special paving, markings, landscape treatment, and lighting to the building entrance. <p>3.4 Institutional Development</p> <ul style="list-style-type: none"> • Safe and convenient access to the building's bicycle parking area(s) shall be provided for cyclists. |
| <p>In the East Fonthill Secondary Plan section of the Official Plan, in the General Policies for Residential Neighbourhoods (B1.7.7.2.i) and Commercial/Employment Centre (B1.7.8.2.a.i) subsections, under the requirements for a Streetscape and Open Space Plan, it should include a requirement to show the intent of the integration of pedestrian and cycling connections from the surrounding existing, proposed, and future land uses.</p> | <p>Under the East Fonthill General Development Policies, the Transportation (B1.7.11.2.i & ii) section lists Local Roads with widths of 16.0m and Collector Main Streets as 20.0m. These standards would be considered very small in most urban municipalities across the GTA and Canada. A 16.0m right-of-way is more suited for a single loaded road with lots only on one side, or a road with no lots fronting it. Local roads should have an additional hierarchy establish suitable road widths for different lot and block layouts. Minimum widths for Local Roads should be increased to a minimum of at least 18.0m where lots would be fronting on both sides. The Collector Main Streets should also provide a minimum of 22.0m to provide suitable areas for all modes of transportation, parking, and services required.</p> <p>In the Transportation section under additional policies (B1.7.11.2.c), there should be consideration for the providing of a comprehensive streetscape plan where the Steve Bauer Trail for any public trail system) runs parallel and directly adjacent to a public right of way. This feature is very important to the community and it should also have a cross section included in the Urban Design Guidelines to identify the relationship between the right of way and trail features.</p> | <p>Section B1.7.7.2.d) ii. and B1.7.8.2 a) ii. have been amended:</p> <p>Streetscape and Open Space Plan - The Streetscape and Open Space Plan will identify the function, design and treatment of all the internal road types. It will identify the location of all public sidewalks, on-street bikeways, and the various components of the open space system and trails network, and the integration of these facilities with existing, proposed and future land uses. The Streetscape and Open Space Plan will identify the linkages between proposed parks and parkettes;</p> <p>No action required.</p> |
| <p>The Steve Bauer Trail is not within the Secondary Plan Area – this item will be referred to the Town as a general comment.</p> | <p>The Steve Bauer Trail is not within the Secondary Plan Area – this item will be referred to the Town as a general comment.</p> | <p>Section 3.0 of the Urban Design Guidelines (Appendix B) has been amended:</p> <p>3.1.1 Blocks & Lots</p> <ul style="list-style-type: none"> • facilitate and promote pedestrian and bicycle movement; and, <p>3.1.3 Parking and Loading</p> <ul style="list-style-type: none"> • Safe and comfortable pedestrian connections shall be provided between bicycle parking areas and a building's main entrance. <p>3.2.3 Apartments</p> <ul style="list-style-type: none"> • Visitor drop-off areas and bicycle racks shall be included in front buildings. <p>3.3 Urban Highway Commercial and Mixed Use Development</p> <ul style="list-style-type: none"> • Conflicts between shipping vehicles, cyclists and pedestrians must be minimized through signage, pavement markings, and delineation of the pedestrian right-of-way. • Safe and convenient access to the building's bicycle parking area(s) shall be provided for cyclists. • Pedestrian and bicycle circulation through parking lots shall be defined through the use of special paving, markings, landscape treatment, and lighting to the building entrance. <p>3.4 Institutional Development</p> <ul style="list-style-type: none"> • Safe and convenient access to the building's bicycle parking area(s) shall be provided for cyclists. |

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| | <p>In the Urban Design Guidelines (2.0), there are illustrations for road cross sections (pages 3, 4, 6, & 7). The main issue that stands out in the cross sections is that the sidewalks are shown directly abutting the lot lines. This is not a typical practice in road design, and is not practical in urban settings. These sections do not provide adequate room for all the necessary services for urban development. Any utility repairs or upgrades would be very disruptive to the landscape strip and trees between the sidewalk and roads. The abutting sidewalk would also create conflict with private landscaping including the construction of retaining walls, gardens, and fences, especially in rear yards of corner lots. The reduced boulevard widths would also not provide enough space for the requirements of future transit services and cause conflict with all snow removal and/or plowing.</p> <p>The Local Greenway road cross section (2.1.2 & page 6) has a stated "maximum" width of 20m. The policy states that the Local Greenway shall be attractive for pedestrians, but this cross section will provide the least amount green space between the sidewalk and vehicle traffic. In order to make it attractive for pedestrians, this road section should be increased to a minimum of 23m, and provide an additional 1.5m (5 feet) between cars and pedestrians. Currently only 1.2m (4 feet) separation is provided.</p> <p>In the Gateways section (2.4), in addition to the pedestrian crossings, it should be noted that they are at safe and highly visible locations.</p> | <p>No action required – this is a detailed engineering issue.</p> <p>No action required – this is a detailed engineering issue.</p> <p>No action required – this is a detailed engineering issue.</p> |
| | <p>Under the Trail Network section (2.5), trail crossing at roads should indicate increased visibility and improved line-of-sight for pedestrians and motor vehicles. Also in this section, the Steve Bauer Trail should be noted as not only being preserved, but improved and enhanced, especially where it runs adjacent to proposed streets.</p> <p>In the Parks and Parkette sections (2.6.2 & 2.6.3), the parkland should be intended to be destination points and rest areas for the trail systems.</p> | <p>Section 2.6.2 has been amended:</p> <ul style="list-style-type: none"> • Neighbourhood parks should provide opportunities for passive and active recreation, and should act as destination points and rest areas for the trail system, wherever possible. <p>Section 2.6.3 has been amended:</p> <ul style="list-style-type: none"> • Where possible, parkettes should provide a link to other components of the Greenlands System, and act as destination points and rest areas for the trail system. |
| | <p>Under Stormwater Management Facilities (2.8), it should note the pathways should connect to the trail systems. Where the trails are in areas that public access needs to be discouraged, decorative fencing should be provided as needed.</p> | <p>Section 2.8 has been amended:</p> <ul style="list-style-type: none"> • "[To allow for pedestrian and cycling trails, the ponds shall not be fenced." Deleted] • The stormwater ponds shall be accessible by pedestrian and cycling trails that will be part of, or provide connections to, the broader trails network. • To ensure the ponds are accessible to pedestrians and cyclists, they shall not be fenced. <p>Strategies for discouraging public access to certain areas are already provided in Section 2.8.</p> |
| | <p>In the Design Guidelines for the Private Realm (3.0), the policy regarding promoting pedestrian movement should include all forms of active transportation. In the Blocks and Lots or Built Form section (3.1.1 or 3.1.2), include a requirement to provide appropriate connectivity with the adjacent land uses.</p> | <p>Section 3.1.1 has been amended, as indicated above.</p> |
| | <p>In the Residential Development section (Townhouses 3.2.2), medium density should not allow driveways direct access on to a Main Street Collector road. The narrow width of medium density dwelling units will not permit enough distance between driveways to provide the intended spaces for the parking on each side of the collector road, and will cause conflict with pedestrian and bicycle traffic.</p> <p>Where it identifies T-Intersection Units in the Priority Residential Lots (3.2.5), it should also state that driveways will not conflict with pedestrians at the intersection. Driveways must be separate from where sidewalk crossings or bus stops would be located.</p> | <p>No action required – this is a detailed engineering issue.</p> <p>No action required – this is a detailed engineering issue.</p> |
| | <p>Urban Highway Commercial & Mixed Use Development and Institutional Development (3.3, 3.4) sections should include policies to provide cycling access and parking facilities. Also, pedestrian circulation through parking areas needs to be provided with separate and barrier free access routes and should provide connectivity to adjacent land uses.</p> <p>On the Demonstration Plan for Active Transportation, Merritt Road should be redesignated as a Collector Urban "Main Street" so that it can include bike lanes. Consideration should also be made for the east-west Collector "Neighbourhood" Main Street road that intersects with the Steve Bauer Trail, to allow a cycling route for residents in this portion of the community.</p> | <p>No action required – this is a detailed engineering issue.</p> <p>This is a low density area, and such actions may not be required. This item will be referred to the Town's engineer.</p> |

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| <p>9 Tony Cimino, on behalf of Frank Cimino, 1180 Rice Road Received via email from Craig Larmour December 15, 2011, and from Tara Druzina on January 20, 2012</p> | <p>My father Frank Cimino resides at 1180 Rice Road which is located at the SW corner of Rice Road and Merritt Road. The house sits on approximately 10 acres of land and has frontage on both Rice Road and Merritt Road. I have concerns with the pockets of land designated as wetlands. The Town does not appear to have an overall plan to maintain the environmentally protected lands that will end up being stand alone, isolated pockets surrounded by future urban development. One possibility that an overall plan might determine is the ability to link these lands together through proposed developments creating a network of significant lands as opposed to segregated areas that now exist from past developments. For these lands to be of real asset to the community, they should be allowed to be incorporated within proposed development and be accessible to the community especially to the new surrounding neighbourhoods. There should be less restrictions placed on developers to build around them, and more emphasis on enhancing the value of these assets. There is currently an excessive amount of wetlands within the Niagara Region with, what appears to be, of little value or benefit to the communities in which they are situated.</p> <p>My suggestion is that the Environmentally Protected Lands, shown on the plan, should be allowed to be enhanced by developers which can be approved by the Town at the site plan approval stage. I believe the Town has the ability/authority to do so, if they choose to support the developers/land owners rather than just quoting the policy to them.</p> <p>There are a couple of things I'd like to raise with you firstly is it possible to get the comments from the Region and NPCA that have been submitted so far.</p> <p>Secondly, how do you propose to deal with the comments made to date.</p> | <p>We do not control the size, number or location of natural features. The intent of the environmental protection designation is, in fact, to protect the significant natural features and their associated functions from the impacts of human development.</p> |
| <p>10 John Delisio, c/o Emilio Iovio Received via email from Craig Larmour December 15, 2012</p> | <p>Also will there be an opportunity to see the next draft of the OP prior to it going to council? The bottom line, really is that it would be really helpful if we could meet to discuss the final changes to the plan well before this goes to council so that we can try to resolve any outstanding issues at the staff level rather than at a public meeting. If you could let me know how you see the process unfolding and give some thought to my request to meet I would appreciate it. Thanks.</p> <p>As you know, the PATC did not meet in December, but I have been able to collect comments from some committee members regarding the Official Plan. Though we will not be able to formalize PATC input until the January 17th meeting, I can provide you with the following for your consideration:</p> <p>1. Several members expressed support for the letter which Joe Marchant prepared and forwarded to the Town of Pelham (attached)</p> | <p>No action required, related to process.</p> <p>No action required, related to process.</p> <p>No action required, related to process.</p> |
| <p>11 Pelham Active Transportation Committee, c/o Bea Clark, Chair, December 19, 2011 Received via email from Tara Druzina, Town of Pelham, January 20, 2012 (note: only included portions relevant to the East Fonthill Secondary Plan)</p> | <p>This is a follow up on our conversation today (Jan 20 2012), concerning the minimum size for commercial units (retail and restaurants) in the new commercial area of the secondary plan. The proposed minimum size does not provide for a sufficiently diverse number of commercial units. There will be a significant number of units that will be able to meet the minimum size of 300 square meters however there are many anticipated commercial units that simply cannot. I would ask that you consider a reduction in the minimum unit size to 110 square meters which should provide improved flexibility. Furthermore this minimum size restriction is more in keeping with the current size of units in the Fonthill Downtown. My review of these buildings is that the vast majority of downtown commercial buildings are less than 110 square meters in size. So if the rationale of the minimum size criteria is to provide some sort of protection to these existing businesses than that goal would be met with the proposed minimum size criteria of 110 square meters. After you have prepared a response to this recommendation and all others provided in the past could you please send me your proposed matrix of responses when it is available. Thanks and lets keep in touch on these matters to assist in moving the secondary plan forward.</p> | <p>Noted.</p> |
| <p>12 Landowner's Group, c/o Richard F. Brady Received via email to Ron Palmer on January 20, 2012</p> | <p>Sections B1.7.8.3 b) iii. and B1.7.8.4 b) iii. have been amended, as indicated above.</p> | <p>Sections B1.7.8.3 b) iii. and B1.7.8.4 b) iii. have been amended, as indicated above.</p> |

Draft East Fonthill Secondary Plan –Regional Comment Summary

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| <p>1 Niagara Region, Regional Policy Planning Division, c/o Curt Benson and Marilyn Redman, November 3, 2011 Received via email from Craig Lamour on November 3, 2011 and from Tara Druzina, Town of Pelham on January 20, 2012</p> | <p>General - The East Fonthill Secondary Plan is a commitment to providing a comprehensively planned community structure that protects environmental features, supports the existing Town Centre, fosters healthy and viable neighbourhoods, and the orderly and efficient development of land. Regional staff supports this project.</p> <p>1. Natural Heritage The Secondary Plan area contains a number of Core Natural Heritage and other environmental features, including: • Tributaries which are classified as Type 2 Important fish habitat, • Provincial Significant Wetlands, • Regional Life Science ANSI, • Core Natural Heritage Potential Corridor, and • Woodlots.</p> <p>In accordance with the Memorandum of Understanding and Protocol for plan review and technical clearance between the Region and the Niagara Peninsula Conservation Authority, the NPCA will provide a response with regard to natural heritage interests.</p> <p>Please note, the draft of the new Official Plan for the Town of Pelham leaves the East Fonthill Secondary Plan area blank, with a notation referring the reader to the policies and mapping of the Secondary Plan. As such, the Secondary Plan should include mapping for all natural heritage features.</p> <p>2. Environmental Impact Study An Environmental Planning Study prepared by LCA Environmental Consulting (December 2009) in support of the Secondary Plan suggests that an EIS will be prepared concurrent with any development application within the Secondary Plan area. The Secondary Plan should contain a policy that aligns with and supports the Region's environment policies. For example, the Secondary Plan could contain a policy which states that development within the Secondary Plan area shall meet the intent of the environmental policies of the Regional Policy Plan.</p> <p>3. Re-routing Watercourses The Demonstration Plan shows a re-routing of two fish habitat watercourses whereas the Schedules to the Secondary Plan do not. Should the NPCA permit the realignment of these watercourses as identified on the Demonstration Plan, the Schedules would need to be revised unless a policy is included which identifies that an amendment to the Schedules is not required.</p> <p>4. Densities The 6 residential neighbourhoods identified in the Plan are expected to generate a minimum of 5,315 people and jobs combined per gross hectare. This development yield has been based on gross hectare for the entire Secondary Plan area (developable area minus the Environmental Protection areas).</p> <p>The Plan further states that the minimum gross density target of 50 people and jobs per hectare will be met by 30% of the development yield being achieved through intensification within the Built Boundary (1,600 people and jobs combined). However, it is noted that the development yield through intensification within the Built Boundary may experience lower densities than anticipated due to land ownership and existing development patterns.</p> <p>As such, the remaining 70% of the development yield is to be achieved through Greenfield development (3,715 people and jobs combined). Policy B1.7.5.1 (e) states that the Greenfield development component of the Plan is required to achieve 50 people and jobs per hectare. Regional staff is satisfied with this requirement knowing that the Town will carefully monitor residential growth within the Secondary Plan area to ensure that the minimum gross density target of 50 people and jobs per hectare will be continuously met through the progression of development.</p> | <p>No action required.</p> <p>Environmental mapping in Appendix C of the Secondary Plan includes watercourses, Niagara Cataract PWS, Regionally significant woodlands, level one environmental areas, level two environmental areas.</p> <p>Section B1.7.10 of the Secondary Plan defers to the environmental policies in Section C of the Official Plan. This comment will be referred to the Official Plan Review.</p> <p>The Secondary Plan defers to the Official Plan. This comment will be referred to the Official Plan Review.</p> <p>No action required.</p> |

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| | <p>5. Employment Areas</p> <p>There are two designations proposed within the Employment/Commercial Centre: <i>EF Mixed Use</i> and <i>EF Urban Highway Commercial</i>. Under <i>Places to Grow</i>, major retail uses are considered a non-employment use. The <i>EF Mixed Use</i> designation permits retail, hotel, and other uses in addition to employment uses. There is some potential that the entire Commercial/Employment Centre could be developed either (1) without employment uses or (2) entirely as retail uses. In this regard, there is opportunity to strengthen the policy intent of this area to better align with <i>Places to Grow</i> and Amendment 2-2009. Further, the use of other mechanisms, such as zoning, may assist in encouraging non-retail employment uses within the Commercial/Employment Centre.</p> | <p>It is the intent that these lands are no longer included as an employment area, as per the comprehensive review provided by the Town.</p> <p>Section B1.7.8.3 a) has been amended:</p> <p>Buildings within the EF-Mixed Use designation are encouraged to accommodate an array of uses. This mixture of uses is encouraged not just within the designation in general, but also on individual development sites, and within individual buildings. High activity uses that animate the streetscape and encourage foot traffic, such as retail uses, are encouraged at-grade and/or along the Arterial and Collector Road frontages, with uses such as offices, recreational, cultural and residential uses on second floors and above and/or behind the street-related facade. Office and other appropriate employment uses shall be encouraged above grade in mixed-use buildings located throughout the EF-Mixed Use designation, and in single-use buildings that are located off Arterial or Collector Road frontages.</p> <p>Section B1.7.8.4 a) has been amended:</p> <p>Buildings within the EF-Urban Highway Commercial designation are encouraged to accommodate an array of uses. This mixture of uses is encouraged not just within the designation in general, but also on individual development sites, and within individual buildings. High activity uses that animate the streetscape and encourage foot traffic, such as retail uses, are encouraged at-grade and/or along the Arterial and Collector Road frontages, with uses such as offices, recreational, cultural and residential uses on second floors and above and/or behind the street-related facade. Office and other appropriate employment uses shall be encouraged above grade in mixed-use buildings located throughout the EF-Urban Highway Commercial designation, and in single-use buildings that are located off Arterial or Collector Road frontages.</p> |
| | <p>6. Urban Design Guidelines</p> <p>With respect to the Urban Design Guidelines (Appendix B), the Secondary Plan includes policies which promote an appropriate built form within the Secondary Plan area. It is understood that the guidelines will function as an implementation tool for successive development and approval processes that are required to implement the Secondary Plan (specifically zoning, Master Plans, and Draft Plans of Subdivision/Condominium). Please note that Regional staff is satisfied with the inclusion of these policies, as they appear to be consistent with the Region's Model Urban Design Guidelines (2005).</p> | <p>No action required.</p> |
| | <p>7. Transportation</p> <p>Upon a brief review of the Transportation Study, the conclusions note that additional traffic control and geometric improvements will be required on the new and existing roads within and adjacent to the Secondary Plan area upon the full development of the Secondary Plan area. However, staff notes that the traffic controls and geometric improvements may be needed prior to full build out of the Secondary Plan area. As such, provisions for these future improvements should be incorporated within the Secondary Plan.</p> <p>The Transportation Study confirmed that the timing of the study area roadway improvements will depend on the timing of development of the Secondary Plan area and will need to be reviewed periodically as development occurs. As such, additional policies that discuss the sequence or timing of roadways and roadway improvements should be added to assist in the staging and phasing of development.</p> <p>The roadway planning guidelines, road network plan and classification of roadways as outlined in the plan, should be incorporated in the Secondary Plan to ensure effective integration of the planned land use with the transportation system.</p> | <p>Section B1.7.5.1 f) has been amended with a new item iii:</p> <p>includes the adequate expansion of, and improvements to, the road network, water and wastewater services;</p> <p>Section B1.7.5.2 f) has been amended:</p> <p>f) The Town reserves the right to make modifications to the numerical development caps identified above to ensure appropriate synergies among the various land uses, and a logical progression of growth that:</p> <ul style="list-style-type: none"> i. Maximizes an efficient development pattern, the cost-effective use of infrastructure investment, and avoids temporary infrastructure development solutions; ii. Includes the adequate expansion of, and improvements to, the road network, water and wastewater services; iii. Is fiscally responsible and does not place an undue tax burden on the existing residents and businesses within the Town. |

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| <p>Roadways</p> <ul style="list-style-type: none"> The Secondary Plan (including Schedules) should clearly identify the two Regional Roads within the East Fonthill Secondary Plan area. The plan indicates works needed to be undertaken on these roads (which are outlined below) in order to accommodate the development of the Secondary Plan area. Collector roadways within the plan area should be connected to the arterial Regional roadways at a minimum spacing of 500m unless it is not feasible given the location of other existing entranceways for adjacent development (i.e. north side of Highway #20). Regional staff will be in a better position to provide more detailed comments on this requirement subsequent to further review of the Master Transportation Plan. Roadways connecting to Regional Roads must be at a ninety degree angle. Staff notes that the proposed collector road as shown on the Demonstration Plan and Active Transportation Plan running between the mixed use and commercial lands connecting to Highway #20 is not at a ninety degree angle. This will have to be amended on the Schedules. Residential driveway access will not be permitted on Regional Roads. <p><i>Regional Road #20 (Highway #20)</i></p> <ul style="list-style-type: none"> Highway #20 is the main east-west road abutting the north boundary of the plan. The designated width is 35.0 metres from Station Street to the easterly municipal boundary. The existing R.O.W. is less than 35.0 metres (varies from 20m to approx. 33m) and through development of individual sites it may be possible to obtain widenings. Therefore setbacks for new development should be measured from the required R.O.W. Region intends to reconstruct Regional Road #20 within the next few years as identified within the 5 year budget forecast as approved by Regional Council. There are existing signalized intersections/pedestrian crossings at Regional Road #20 and Station Street, and Region Road #20 at Regional Road #54 (Rice Road). The proposed commercial property along Highway #20 will have a limited number of accesses that must not conflict with existing side roads or driveways (along the north side of Highway #20). Additional road work required for future development will be the responsibility of the developer. <p><i>Regional Road #54 (Rice Road)</i></p> <ul style="list-style-type: none"> Rice Road is the main north-south road abutting the easterly limit of the Secondary Plan. The designated width is 26.2 m from Regional Road #20 to the southerly limit of Pelham's municipal boundary. The existing R.O.W. is less than 26.2 metres (currently approx. 20m width). The urban service area boundary is the center of Rice Road. Given that development is generally not permitted outside the urban area, obtaining a road widening through development on the east side of Rice Road is likely not possible. Therefore the entire road widening of approx 6m will be taken from the west side of the road of individual sites as a condition of development. The proposed development along Rice Road will have a limited number of accesses that must not conflict with existing side roads or driveways (along the east side of Rice Road). Additional road work required for future development will be the responsibility of the developer. The Region will initiate a Class EA for the reconstruction of Rice Road from Highway #20 to Woodlawn Road subsequent to the Secondary Plan being adopted. The Class EA will determine if Rice Road will be reconstructed to a rural or urban cross-section standard. | <p>Regional Road 20 is identified on all Schedules. Schedules A4, A5 and A6 and the Demonstration plans have been amended to identify Regional Road 54, by adding "Rice Road" label.</p> <p>No change has been made to the alignment of the north-south collector road through the mixed use and commercial lands.</p> <p>Section B1.7.4.3 a) has been amended to add a new item iii: <i>Residential driveway access will not be permitted on Regional Roads 20 and 54.</i></p> <p>Seiback requirements will be specified in the implementing zoning by-law, as indicated in Section B1.7.4.3 v.</p> | |

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| | <p>8. Servicing Regional staff has reviewed the "Servicing Report" for the Fonthill East Secondary Plan Area (dated January 11, 2010) by Upper Canada Consultants and are satisfied with the conclusions and recommendations outlined in the report.</p> <p>Sanitary Sewer The Region has constructed a trunk sanitary sewer on Rice Road in 2007, comprising 450mm diameter pipe between Highway #20 and Port Robinson Road and 600mm diameter pipe between Port Robinson Road and the municipal boundary. This trunk conveys sewage flows to the Weiland Waste Water Treatment Plant via the Township Road Sewage Pumping Station, and the Woodlawn Road trunk sewer. This trunk sewer was designed with capacity to service the development of the entire Secondary Plan area. The Region will not permit private hook-ups to the Regional trunk sanitary sewer.</p> <p>Watermains The Secondary Plan area will be serviced by local watermains. However, Staff notes that that the Region's trunk watermain is sized to meet the needs of the Secondary Plan area.</p> <p>Stormwater Management East Fonthill Secondary Plan policy B1.7.9.5.b.i) states that stormwater management facilities shall be permitted in all land use designations except Environmental Protection One. This does not align with policies of the Regional Policy Plan. Regional Policy 7.A.2.7 states that stormwater management facilities are not permitted in EPA (equivalent to "Environmental Protection One"), Fish Habitat or key hydrological features.</p> <p>The map Schedules of the Secondary Plan show several stormwater management facilities either within or adjacent to EPI, EPZ, or Fish Habitat features. The locations of these stormwater management facilities must be justified through appropriate studies to the satisfaction of the Region and NPCA.</p> <p>Storm water management along Regional Roads adjacent to the Secondary Plan area must be included in the drainage area plan as shown (Schedule A5-Land use Plan) and must not negatively impact any existing drainage courses.</p> <p>In accordance with the Memorandum of Understanding and Protocol for plan review and technical clearance between the Region and the Niagara Peninsula Conservation Authority, the NPCA will also provide a response with regard to stormwater management.</p> | <p>No action required.</p> |
| | <p>9. Archaeological Resources The Secondary Plan includes Policy B1.7.11.3 to address Heritage and Archaeological Resources (in which specific policies can be found in Section 03.3.1 of the Draft Official Plan).</p> <p>Staff note that there are a number of registered archaeological sites located within the Secondary Plan area. As such, an archaeological assessment(s) will be required for lands within the vicinity of the registered archaeological sites as a condition of development.</p> | <p>No action required. Section B1.7.11.3 defers to the Official Plan, which includes requirements for archaeological assessments under Section D3.3.1.</p> |
| | <p>10. Phasing & Implementation The East Fonthill Secondary Plan includes phasing policies (B1.7.5) to guide the future development of both the Residential Neighbourhoods (6 proposed within the plan) and the Commercial/Employment Centre.</p> <p>Development Services staff notes that the Plan states that Development Phasing shall be established based on population growth over time, in conjunction with the ability of the Town to pay for infrastructure development costs as required. As such, the Town should consider adding policies to the Secondary Plan with respect to the staging and phasing of services and future development of the 6 Residential Neighbourhoods as identified in the Secondary Plan.</p> <p>Staff agree with section B1.7.5.1.(h) which states that future development within any identified Residential Neighbourhood shall only proceed on the basis of the completion of a number of plans, one of them being a master servicing plan.</p> | <p>No action required.</p> <p>Section B1.7.5.1 f) and B1.7.5.2 f) have been amended, as indicated above.</p> |

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| | <p>11. Official Plan Amendment</p> <p>With respect to the Official Plan amendment format, the proposed amendment needs to address how the policies and Schedules of the East Fonthill Secondary Plan are to be "added" into the Official Plan. In order to avoid difficulties with the approval and insertion of the OPA into the Official Plan, Regional staff request that prior to the amendment being brought forward to Town of Peiham Council that a copy of the OPA be forwarded to Regional staff for review and comment. Regional staff has found that this step often eliminates minor modifications to the amendment that can cause additional work and delay in preparation of the final OPA going forward to Regional Council.</p> | <p>Already done.</p> |
| <p>Comments received on November 2011 Draft of the East Fonthill Secondary Plan</p> | | |
| <p>2 Niagara Region, Development Services Division, December 8, 2011, c/o Lindsay Earl Received via email from Tara Druzina at the Town of Peiham on January 20, 2012</p> | <p>In addition to the Regional correspondence sent to the Town (dated November 3, 2011) Regional staff have reviewed the "East Fonthill Secondary Plan Transportation Plan" (May 2010) completed by Paradigm Transportation Solutions Ltd. and offer the following comments. As noted in our previous correspondence, the Secondary Plan area has frontage along two (2) Regional Roads - Regional Road #20 (RR 20) and Regional Road #54 (Rice Road). Staff notes that both of these roads will need to be expanded to accommodate growth in the future. An Environmental Assessment of Regional Road 54 (Rice Road) will commence in 2012/2013. Details of the finalized Secondary Plan will provide input into this future EA.</p> <p>Environmental Assessment for Regional Road #20</p> <p>In 2003, an Environmental Assessment (EA) was finalized for Regional Road #20 road improvements from Station Street to Highway #406. As part of the implementation of the EA, there have been several staged construction projects from Highway #406 to just east of Rice Road over the past number of years. The remaining section of Regional Road #20 from Station Street to Rice Road will be constructed into four (4)/five (5) lane cross-section as identified in the EA. Property acquisition and utility relocation projects have been occurring over the last couple of years in preparation of the road works. This Regional Capital Roads Project is scheduled to commence in early 2012.</p> <p>The Transportation Plan for the East Fonthill Secondary Plan, by Paradigm Transportation Solutions Ltd. dated May 2010, correctly identifies that the Region will be constructing a 5 lane roadway on Regional Road #20 from Rice Road to Station Street. • widening Regional Road 20 to include two travel lanes in the eastbound and westbound directions with a centre two-way left turn lane with limited centre medians to restrict turning movements at certain locations" (see Section 7.2 and Figure 7.4)</p> <p>Background on Previous Discussions with Town</p> <p>During the past several years, Niagara Region staff has had discussions and meetings with the developer(s) and the Town of Peiham regarding this proposed Secondary Plan N-S collector road access to RR 20. There were also discussions between the Region and Town regarding the proposed realignment of the Hurricane Road intersection with the proposed N-S collector (as identified in the Schedules of the Secondary Plan). It is our understanding that this proposed realignment was not pursued by the Town due to the required financial commitment.</p> | <p>No action required.</p> |
| | | <p>No action required.</p> |
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| | <p>Proposed Signalized Intersection with RR 20 and the N-S Collector The road construction project on this section of RR 20 is scheduled to commence in early 2012 and will be constructed as a four (4) lane road cross section at Station Street and expand to a five (5) lane cross section past the Sobsey's intersection, continuing to the west side of Rice Road with several centre medians.</p> <p>In general, a new intersection of RR 20 and the N/S collector is acceptable for the Secondary Plan area; however, the location of this new intersection requires further study and consideration. The proposed conceptual location of the new connection (RR 20 and N/S collector) appears to be approximately 375 m west of Rice Rd, is too close to the signalized intersection of RR 20 and Rice Rd. Additionally, the proposed location will present conflicts with the location of Hurricane Road as it will be within the intersection functional area (i.e., westbound left turn lane storage, taper, and deceleration) and at the same location as the centre median.</p> <p>Therefore, the revised Transportation Study is required to provide a preliminary design for the proposed intersection with RR 20 and the N-S Collector which will need to be reviewed and approved by the Niagara Region. At this point, the road works required to accommodate this proposed intersection is unknown. Considering the road construction project is anticipated to commence in early 2012 and this intersection has not been designed or studied, it is unlikely these projects will be coordinated. However, it is recommended that the Town and Regional staff meet with the developer's transportation consultant to review this information in the near future. This is important as the EA design identified a centre median at approximately the same location as this proposed N-S Collector intersection.</p> <p>All costs associated with this proposed intersection and other proposed intersections with Regional Roads will be the responsibility of the development consortium. It is recommended that the Town consider having an area-specific development charge for the East Fonthill Secondary Plan area to distribute these costs in a fair and consistent manner.</p> <p>Access to Regional Roads As identified in Section 3 of the Transportation Plan, vehicular access to Regional Roads shall be controlled and only provided under agreement with Niagara Region. In order to ensure this control for the access, the Niagara Region will be requiring a one-foot reserve along the Regional Roads at the development application stage. Accesses should be directed to the Town's arterial, collector and local roads. Connections of future town roads will be the subject to review and approval by the Region.</p> <p>Road network improvements</p> <ol style="list-style-type: none"> 1) Along Rice Road, the existing intersections at RR 20 and Port Robinson Rd (approx 1.1 km apart) have been recommended to be signalized. The recommended plan shows a new 'connection A' to Rice Rd between the two intersections. This signal location will be designed keeping in view the minimum spacing requirements between two signalized intersections. 2) For the intersection analysis the ideal saturated flow rate used in the analysis is 1,900 vphpl we normally use 1,750. <p>Active transportation</p> <ol style="list-style-type: none"> 1) Application of context sensitive solutions that encourage walking, cycling and use of alternate modes of transportation such as public transit should be encouraged. 2) The construction of curvilinear streets and cul-de-sacs (rather than long, straight local roads) will discourage cut-through traffic. Therefore, the inclusion of paths/pedestrian connections is necessary to encourage active transportation. 3) There is no reasoning provided as to why sidewalks are not recommended for both sides of arterial and collector roads. Staff notes that the inclusion of sidewalks on both sides of the road would help encourage active transportation. | <p>Transportation elements of the Secondary Plan have been addressed above. These comments are with regard to the Transportation Study and shall be addressed within that report.</p> <p>These comments do not pertain to the Secondary Plan.</p> <p>These comments do not pertain to the Secondary Plan.</p> <p>The Demonstration Plan for Active Transportation Plan shall be amended to indicate sidewalks on both sides of the street for local urban. Section 2.1.2 of the Urban Design Guidelines shall reflect this amendment in the text and cross section diagram, as follows: A 1.5 metre wide sidewalk shall be provided on both sides [at least one side* deleted] of the street.</p> |

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| | <p>Transit systems With the GO bus services underway and the GO Rail services (likely in future) coupled with the inter-municipal transit enhancements there is an opportunity to reshape the way residents and businesses manage mobility with increased integration of different modes of travel – auto, bike, walking and public transit. As such, the following should be incorporated into the Transportation Plan.</p> <ol style="list-style-type: none"> 1. The Transportation Plan should identify potential transit nodes and stops - although the Town does not operate conventional transit at this point, but keeping in view the Regional initiative on the inter-municipal transit and that transit is emerging as a strong alternative sustainable mode of travel that complements walking and cycling and car sharing. 2. Shared parking lots near major transit node(s) with identified areas that will enable an operational set-up by the public/private car-pool operators to help eliminate the 'last mile challenge' in the use of public transit are encouraged. <p>Conclusion The Secondary Plan area for East Fonthill about two Regional Roads (RR 20 and Rice Road). Staff has been involved in previous discussions with the Town of Pelham regarding a number of transportation issues along these Regional Roads, including the Environmental Assessment for RR 20 which has been completed. Regional staff has reviewed the "East Fonthill Secondary Plan, Transportation Plan" and note the following needs to be addressed through revisions of the Transportation Plan:</p> <ol style="list-style-type: none"> 1. The Transportation Plan shall be revised to address the current proposed location of the RR 20 and N-S collector and the location of Hurricane Road which may result in negative impacts/conflicts as it will be within the intersection functional area (i.e., westbound left turn lane storage, taper, and deceleration) and at the same location as the centre median. 2. The Transportation Plan shall be revised to provide a preliminary design for the proposed intersection with RR 20 and the N-S Collector which will need to be reviewed and approved by the Niagara Region. Staff note that the road works required to accommodate this proposed intersection is currently unknown and construction is anticipated to commence in early 2012. 3. The Transportation Plan shall be revised to accommodate active transportation and identify potential transit nodes and stops. | <p>These comments do not pertain to the Secondary Plan.</p> |
| | | <p>Please refer to the responses provided above.</p> |