

# **Planning Justification Report**

## **Tanner Extension Phase 2**

### **Zoning By-Law Amendment & Draft Plan of Subdivision**

**Pelham, ON**

**March, 2026**

**Upper Canada Consultants  
30 Hannover Drive  
St. Catharines, ON L2W 1A3**



UCC FILE NO. 17147

# Report Contents

PREFACE ..... 2

Site Context..... 3

    Location of Subject lands ..... 3

    Transportation Systems ..... 4

    Natural Heritage and Hazards..... 4

    Parks and Open Spaces ..... 4

PROPOSED DEVELOPMENT ..... 5

REQUIRED PLANNING ACT APPLICATIONS..... 7

    Draft Plan of Subdivision..... 7

    Zoning By-law Amendment..... 7

Related Studies and Reports ..... 7

    Environmental Impact Study..... 7

    Functional Servicing Report and Stormwater Management Plan ..... 8

PROVINCIAL LEGISLATION..... 9

    PLANNING ACT (R.S.O. 1990) ..... 9

    PROVINCIAL PLANNING STATEMENT (2024) ..... 16

NIAGARA OFFICIAL PLAN (2022) ..... 20

TOWN OF PELHAM OFFICIAL PLAN (2014) ..... 27

TOWN OF PELHAM OFFICIAL PLAN (2025) ..... 32

TOWN OF PELHAM ZONING BY-LAW 4481 ..... 35

Planning Opinion..... 39

**List of Appendices**

- Appendix I – Draft Plan of Subdivision
- Appendix II – Draft Zoning By-law Amendment
- Appendix III – Pre-consultation Agreement

## **PREFACE**

Upper Canada Consultants has been retained by 1970097 Ontario Inc. and 851858 Ontario Inc. to Prepare a Planning Justification Report in relation to the applications for Draft Plan of Subdivision and Zoning By-law Amendment for the proposed Tanner Extension Phase 2 Subdivision.

The subject parcel of land is not municipally addressed but is described legally as Part of Township Lot 177 Thorold, Parts 1, 3 and 5, Plan 59R-17615; Town of Pelham.

The submitted Draft Plan of Subdivision proposes the creation of 6 new lots for detached dwellings, one park block, and one public right-of-way. As part of the broader Lot 177 neighbourhood vision, the right-of-way will connect to the Stickles Street right-of-way, established by Phase 1 of the Tanner Extension Subdivision, proceed east-west and then south-north with a portion of this turn located at the westerly end of the proposed subdivision. As such, two 0.3 metre (1 foot) reserves are also proposed for this subdivision. One located at the west of the subdivision, and one at the northwest portion where the road will continue north upon further development of the lands to the north.

This Planning Justification Report has been prepared in accordance with the Town of Pelham's Guidelines for the Preparation of Planning Justification Reports. The requirement of the submission of a Planning Justification Report in conjunction with the Draft Plan of Subdivision and Zoning By-law Amendment Applications was identified in the pre-consultation meeting with the Town held on September 4<sup>th</sup>, 2025. A copy of the Pre-consultation Form is included as **Appendix III**. The intent of this report is to provide an analysis of how the proposed subdivision and rezoning satisfy the *Planning Act*, are consistent with the Provincial Planning Statement (2024), and conform to the Niagara Official Plan and Town of Pelham Official Plan.

This report should be read in conjunction with the following materials:

- Draft Plan of Subdivision by Upper Canada Consultants
- Draft Zoning By-law by Upper Canada Consultants
- Environmental Impact Study by Beacon Environmental
- Functional Servicing Report and Stormwater Management Plan by Upper Canada Consultants

## Site Context

The submitted applications pertain to lands described legally as Part of Township Lot 177 Thorold, Parts 1, 3 and 5, Plan 59R-17615; Town of Pelham. The lands are within the urban area boundary of the Town of Pelham and within the Fonthill Settlement Area. The lands are designated Urban Living Area/Built Boundary, and identified as a Potential Intensification Area, as displayed in the Town of Pelham Official Plan Schedule "A1." The lands are currently zoned Residential Development (RD) and Environmental Protection 1 (EP1) in the Town of Pelham Zoning By-law.

An aerial view of the subject lands is included as **Figure 1**, below.



detached residential dwellings to the south, and detached residential dwellings and a low-density commercial development to the west.

### Transportation Systems

The subject lands are accessible by private vehicle and active transportation via Stickles Street, a local road. Stickles Street extends west-east perpendicular to Tanner Drive and features sidewalks on both sides of the street. The neighbourhood containing the subject lands has access to Line Avenue, a municipal local road, approximately 300 metres south via Saddler Street. The neighbourhood also has a connection to Pelham Street, a municipal arterial road, approximately 420 metres south via Homestead Boulevard. Further, a proposed access to the neighbourhood from Bacon Lane is intended to be implemented through future development applications.

### Natural Heritage and Hazards

As a portion of the lands are zoned Environmental Protection One (EP1), an Environmental Impact Study is required if changes are proposed to the environmental feature mapping. Under the section of the Zoning By-law entitled Technical Revisions to the Zoning By-law, Section 1.15 f), changes to the environmental feature mapping are permitted without zoning by-law amendments when an Environmental Impact Study has been submitted and approved by the appropriate authority.

As such, to accompany the Draft Plan of Subdivision and Zoning By-law Amendment applications, Beacon Environmental was retained and has prepared an Environmental Impact Study to assess the presence or absence of natural heritage features on the subject lands.

Through the process of preparing this report, Beacon Environmental completed multiple field surveys. These included an assessment of wetlands and headwater drainage features, vegetation assessments, wildlife habitat, and species at risk assessments. The conclusion of the Environmental Impact Study found that there were no natural heritage features on the subject lands, and that the proposed plan of subdivision is supported with respect to maintaining the natural heritage system of the Town of Pelham, the Niagara Region, and the Province of Ontario.

### Parks and Open Spaces

Parks and open spaces located within a short distance to the subject lands include:

- Summerlea Park (~350 metres east)
- Woodstream Park (~430 metres west)
- Winfield Park (~1.3 kilometres south)
- Peace Park (~1.8 kilometres north)

Additionally, a future park has been envisioned to be located just north of Stickles Street. Parkland was conveyed for this park during the Tanner Extension Phase 1 subdivision process, and a block of approximately 500 square metres of land on the north side of the subject lands is proposed to be conveyed to the Town of Pelham for the purposes of this future park.

### **PROPOSED DEVELOPMENT**

The proposed development (referred to as “Tanner Extension Phase 2”) seeks to create 6 new residential lots for the purposes of constructing 6 new detached dwellings fronting on the south side of Stickles Street. The lots will feature between 11.73 and 11.75 metres of frontage and 5 of the 6 lots will have an area of approximately 330 square metres. The lot identified as Lot 12 on the Draft Plan of Subdivisions will contain a portion of the turning bulb where Stickles street will proceed north. As such, its lot area is approximately 295 square metres.

The Draft Plan of Subdivision also proposes a 503 square metre park block, an 18 metre right-of-way, and 2 0.3 metre (1 foot reserves).

The proposed Draft Plan of Subdivision is included as **Figure 2**, below, and attached as **Appendix I**.



## **REQUIRED PLANNING ACT APPLICATIONS**

A pre-consultation meeting pertaining to the proposed development occurred on September 4, 2025. As per Town Staff comments, applications for Draft Plan of Subdivision and Zoning By-law Amendment are required in order to facilitate the proposed development.

### **Draft Plan of Subdivision**

The submitted Draft Plan of Subdivision proposes the creation of 6 single detached lots, a park block and a public roadway and 2 0.3 metre reserves.

A copy of the Draft Plan of Subdivision is attached to this report as **Appendix I**.

### **Zoning By-law Amendment**

The subject lands are currently zoned Residential Development (RD) and Environmental Protection One (EP1) in the Town of Pelham Zoning By-law 4481. The submitted Zoning By-law Amendment Application seeks to rezone the lands from “Residential Development (RD)” and “Environmental Protection One (EP1)” to “Site-Specific Residential Two (R2-XX).”

The requested Site-Specific provisions of this zone are to permit a minimum rear yard of 6 metres, a minimum lot frontage of 11.7 metres, and a minimum lot area of 295 metres.

The Draft Zoning By-law is attached as **Appendix II**.

## **Related Studies and Reports**

### **Environmental Impact Study**

As discussed above, an Environmental Impact Study has been prepared by Beacon Environmental to determine the presence or absence of natural heritage features on the subject lands. The Town of Pelham’s proposed Official Plan Draft Schedule A2 – Fonthill (2025) identifies a portion of woodland adjacent to the north boundary of the subject property as Environmental Protection. The Niagara Region’s Natural Environmental System (NES) mapping designates the same woodland as Other Wetlands and Other Woodlands. Further, a portion of the subject lands are zone Environmental Protection 1 (EP1) in the Town of Pelham Zoning By-law.

To assess the subject lands, Beacon Environmental conducted field surveys including an assessment of wetlands and headwater drainage features, vegetation assessments, wildlife habitat, and species at risk assessments. The study concluded that there are no significant natural heritage features on the subject lands, and that there will be no direct impact to the Other Woodland/Wetlands located adjacent to the north of the northern boundary of the subject lands.

Further, indirect impacts to these lands can be mitigated through standard construction mitigation measures including:

- Installation of paige wire fencing with filter fabric to a height of 1 metre during the duration of construction;
- Preparation and submission of a Sediment and Erosion Control Plan;
- Prohibition of equipment and materials and the fueling of equipment within 30 metres of the drainage feature basin and ephemeral pond adjacent to the northwest corner of the subject lands; and
- Prohibiting the removal of site trees from the dates of April 1<sup>st</sup> through to August 31<sup>st</sup> to protect the nesting of migratory birds.

### Functional Servicing Report and Stormwater Management Plan

A Functional Servicing Report (FSR), inclusive of a Stormwater Management Plan, has been prepared by Upper Canada Consultants to determine how the proposed development will be serviced with water, sanitary, and stormwater infrastructure.

Regarding water servicing, the FSR proposes to extend the 200mm diameter watermain, installed during the Tanner Extension Phase 1, easterly on Stickles Street to provide domestic supply and fire protection. The existing municipal watermains system will have sufficient capacity to provide adequate domestic supply and fire protection for the development.

In regards to sanitary servicing, the FSR also proposes to extend the 200 diameter PVC sanitary sewer along Stickles Street to provide sanitary servicing to the proposed dwellings. The report found that the existing downstream Municipal/Regional sanitary systems will have adequate capacity to support the development.

Finally, regarding stormwater management, the proposed development will extend the existing 600mm diameter storm sewer along Stickles Street to provide an outlet for stormwater flow from the development site, and will be sized to allow for future development of the eastern and northern lands, and to have adequate capacity up to and including the 5 year design storm event.

## **PROVINCIAL LEGISLATION**

Development applications within the Town of Pelham are subject to the *Planning Act* (R.S.O. 1990), and the Provincial Planning Statement (2024). An assessment of how the submitted applications meet applicable Provincial legislation, plans and policies is provided below.

### **PLANNING ACT (R.S.O. 1990)**

The *Planning Act* is provincial legislation that outlines policies for land use planning in Ontario. The Act describes matters of provincial interest in which planning authorities shall have regard for when evaluating development applications.

#### **Section 2 – Matters of Provincial Interest**

Section 2 of the *Planning Act* outlines matters of Provincial Interest that a planning authority must have regard for when contemplating a land use planning application. Matters of Provincial Interest include:

- a) *the protection of ecological systems, including natural areas, features and functions;*
- b) *the protection of the agricultural resources of the Province;*
- c) *the conservation and management of natural resources and the mineral resource base;*
- d) *the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*
- e) *the supply, efficient use and conservation of energy and water;*
- f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- g) *the minimization of waste;*
- h) *the orderly development of safe and healthy communities;*
  - (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- i) *the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- j) *the adequate provision of a full range of housing, including affordable housing;*
- k) *the adequate provision of employment opportunities;*
- l) *the protection of the financial and economic well-being of the Province and its municipalities;*
- m) *the co-ordination of planning activities of public bodies;*

- n) *the resolution of planning conflicts involving public and private interests;*
- o) *the protection of public health and safety;*
- p) *the appropriate location of growth and development;*
- q) *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- r) *the promotion of built form that,*
  - (i) *is well-designed,*
  - (ii) *encourages a sense of place, and*
  - (iii) *provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*
- s) *the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.*

With respect to these matters, the proposed development has regard for items a), f), h), i), j), p), and r) of Section 2 of the *Planning Act*.

**a) *The protection of ecological systems, including natural areas, features and functions***

As noted in the relevant sections above, the proposed subdivision has regard for the protection of ecological systems. Through the Environmental Impact Study process, it was determined that no features of the Natural Environmental System of the Niagara Region or Town of Pelham will be directly impacted by the proposed development.

Further, indirect impacts to adjacent natural areas can be mitigated by standard construction mitigation measures such as paige wire fencing, the implementation of sediment and erosion control plan, controlling the location of material and fuel storage, and not conducting tree clearing during the months of April through August.

**f) *The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems***

Phase 2 of the Tanner Extension Subdivision proposes to extend the existing 200mm PVC watermain, the 200mm PVC sanitary sewer, and the 600mm storm sewer that were installed during Phase 1 of the development, to service the proposed dwellings of Phase 2.

As noted in the Functional Servicing and Stormwater Management Report, the respective watermain, sanitary sewer, and storm sewer have adequate capacity to service the proposed

development. The extension of existing infrastructure is an efficient use of water, wastewater, and stormwater services.

The development also proposes to extend the roadway, Stickles Street, from which the dwellings will be accessed. There will be a 0.3m reserves as part of the subdivision application, which will allow for the development of Phase 2, and the extension of the roadway, while keeping efficient future roadway connections in mind.

The proposed subdivision will reserve lands for an 18m right-of-way and a portion of a turning bulb, to be completed after future land acquisitions. Until the turning bulb and future phases of the right-of-way are completed, a temporary turnaround will be provided to accommodate private vehicles, and emergency and waste management vehicles. The right-of-way has been designed to municipal standards which will accommodate waste management vehicles, and when the roadway and services have been built and installed, these will be assumed by the Town.

***h) The orderly development of safe and healthy communities***

The proposed subdivision exhibits the characteristics of the orderly development of safe and healthy communities. The roadways will be designed to municipal standards and include a temporary turnaround, and future turning bulb which will allow for emergency vehicles to access the lands.

The proposed park block, Block 7 outlined on the Draft Plan, will be dedicated to the Town for the purposes of implementing a future park. The park is intended to service the proposed development and the existing neighbourhood. The park is intended to provide for walkways and playground equipment and will promote active transportation and opportunities for play and exercise, contributing to the overall health of the community.

***i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities***

As discussed above, Block 7 will be dedicated to the Town of Pelham for the purpose of a future park. The Town has identified this neighbourhood as an area that requires additional recreational facilities, and the proposed development contributes to achieving this objective.

***j) The adequate provision of a full range of housing, including affordable housing***

The proposed subdivision facilitates the construction of 6 new detached dwellings on vacant, underutilized lands within an identified intensification area. Although no affordable units are proposed, the addition of these detached dwellings to the available housing stock of the Town of Pelham can contribute to the overall supply of housing, assisting with affordability.

**p) *The appropriate location of growth and development***

The subject lands are within the urban area of the Town of Pelham, and further identified as being within the Built-Up Area on Schedule B of the Niagara Official Plan. Schedule A1 of the Town of Pelham Official Plan designates these lands Urban Living Area/Built Boundary, and a Potential Intensification Area.

Both the Niagara Official Plan and Town of Pelham Official Plan envision these lands to be the location of growth and development. Section B1.1.11 of the Town of Pelham Official Plan provides specific policy direction on these lands. This section characterizes the subject lands as under developed and/or vacant land that, at the time of preparation of this official plan, featured a density of approximately 4.5 units per hectare, and that the lands are anticipated to be capable of doubling this density through intensification.

As such, these lands are the appropriate location of growth and development.

**r) *the promotion of built form that,***

***i. is well-designed,***

***ii. encourages a sense of place, and***

***iii. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant***

The subdivision will facilitate the construction of 6 detached dwellings on modest lots that feature a compact built form. The subdivision is well-designed as it features the extension of an existing roadway and services, while maintaining a layout that will allow for orderly future extensions and development.

Block 47 will be dedicated to the Town of Pelham in order to implement a future park in this area contributing to a public space that is high quality, safe, accessible and attractive.

**Section 51 (24) – Plan of Subdivision Approvals**

Draft Plans of Subdivision are subject to the criteria under Section 51 (24) of the *Planning Act*.

Section 51 (24) the *Planning Act* prescribes that “*In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,*” items a) to m).

**a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2**

As previously noted, the applications satisfy matters a), f), h), i), j), p), and r) under Section 2 of the *Planning Act*.

**b) whether the proposed subdivision is premature or in the public interest**

The proposed subdivision is located on urban residential lands are intended to be developed for residential use and therefore it is in the public interest that they be developed. The subject lands are considered to be underutilized, and can facilitate growth, development, and intensification. The subdivision proposes the extension of existing services and municipal right-of-way, and is surrounded by existing development. Additionally, the proposed subdivision has been designed to accommodate future extensions and phases of development and is not considered to be premature.

**c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any**

The Town of Pelham Official Plan designates these lands as Urban Living Area/Built Boundary, and identifies this area as a Potential Intensification Area. The proposed development aligns with the Official Plan designation and vision for residential development within this area.

The development proposes an extension of the previous Phase 1 development that will seamlessly extend the roadway and existing services. The design of the subdivision is in keeping with the preferred neighbourhood design, and will allow for future extensions and connections from this Phase.

**d) the suitability of the land for the purposes for which it is to be subdivided**

As discussed above, the subject lands are within the Built Boundary and the Urban Living Area designations of the Town of Pelham Official Plan. These lands are envisioned for residential intensification. There are no constraints relating to natural or cultural heritage features, or physical land constraints. As such, the land is suitable for the proposed development and can be readily serviced.

**(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing**

No affordable housing is proposed.

***e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them***

The proposed subdivision seeks to extend Stickles Street, a municipal right-of-way that was implemented through Phase 1 of the development. Stickles street will terminate at a 0.3 metre reserve. The intention of the reserve is to control development until a roadway layout that aligns with the overall Lot 177 plan can be developed.

The proposed extension of Stickles Street is consistent with the planned roadway network of the Lot 177 area. The right-of-way will have a width of 18 metres and will be constructed to municipal standards, to be dedicated to the Town of Pelham following construction. The existing street network that connects with the proposed development is adequate to accommodate the future traffic generated by the proposed 6 residential lots.

***f) the dimensions and shapes of the proposed lots***

The proposed lots are generally rectangular in shape, with 11.7 metres of frontage on the proposed Stickles Street extension. The depth of the proposed lots ranges from 23.99 metres to 28.6 metres. Lot 12 features the depth of 23.99 metres on its easterly property line as the future turning bulb is proposed through a small portion of this lot.

The area of the proposed lots ranges from 295 square metres to 337 square metres. These lots are capable of facilitating modest detached dwellings, while still maintaining appropriate and functional yards and setbacks. The size and shape of the proposed lots are appropriate for their intended use.

***g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land***

The Draft Plan of Subdivision includes a 0.3 meter (1 foot) reserve at the termini of the future turning bulb. No other restrictions are proposed for the proposed development.

***h) conservation of natural resources and flood control;***

As discussed in the Environmental Impact Study, prepared by Beacon Environmental, there are no natural heritage features on the subject lands, and indirect impacts to adjacent natural areas can be mitigated through standard construction mitigation practices.

***i) the adequacy of utilities and municipal services***

As noted in the Functional Servicing Report, prepared by Upper Canada Consultants, the existing water, wastewater, and stormwater infrastructure, installed through Phase 1 of this development, can be extended and will have adequate capacity to service the proposed development.

***j) the adequacy of school sites***

The subject lands are within close proximity to several schools, including:

- École élémentaire Nouvel Horizon (~770 metres southeast)
- Alexander Kuska Catholic Elementary School (~1.2 kilometres southeast)
- A.K. Wigg Public School (~1.3 kilometres northwest)
- Glynn A. Green Public School (~1.3 kilometres north)

***k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes***

A 503.05 square metre block (Block 7) is to be dedicated to the Town of Pelham for the purposes of consolidating future lands for a future park. Block 7 also represents the dedication of parkland pursuant to the requirements of Section 51.1 of the *Planning Act*.

***l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy***

The proposed development seeks to extend existing services from Phase 1 of the development, and the design represents modest sized lots and a compact built form, which contributes to efficiency.

The proposed housing units will meet the energy efficient design requirements of the Ontario Building Code.

***m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within***

***a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2)***

The proposed development is not subject to site plan control.

#### PROVINCIAL PLANNING STATEMENT (2024)

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

#### **2.1 – Planning for People and Homes**

Section 2.1 of the PPS states that planning authorities shall base population and employment growth forecasts on projections published by the Ministry of Finance. This section also directs planning authorities to maintain the ability to accommodate residential growth for a minimum of 15 years through lands that are designated and available for residential development and land with servicing capacity to provide a minimum of 3-year supply of residential units that are zoned, including units in draft approved or registered plans.

Section 2.1.6 also states that planning authorities should support the achievement of complete communities by:

- accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities, and other institutional uses, recreation, parks and open space, and other uses to meet long term needs;
- improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
- improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

The proposed subdivision is located within an area that can accommodate residential growth, and seeks to extend a roadway and services that have capacity to accommodate the proposed dwellings.

The proposed subdivision contributes to the achievement of complete communities by redeveloping underutilized lands within an area identified for intensification, providing for future development of residential uses, and parks and open space uses.

## **2.2 – Housing**

Section 2.2 of the Provincial Planning Statement provides direction to planning authorities for facilitating housing. Planning authorities are to provide for an appropriate range and mix of housing options and densities to meet the projected needs of current and future residents. This is to be done by permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, and all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units.

Further, 2.2.1.c) requires the promotion of densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.

The proposed subdivision contributes to a range of housing options and density through the development and introduction of additional housing on lands that are under developed. As noted by the Town in their Official Plan, Lot 177 is characterized by extensive under developed areas and vacant land, and the Lot 177 area is anticipated to be capable of supporting double the density that existed at the time of adoption of the Official Plan, which was 4.5 units per hectare. The proposed subdivision aligns with the provincial policy on housing, and will assist the Town in supporting and facilitating the housing options and densities outlined under this section of the PPS.

## **3.6 – Sewage, Water and Stormwater**

The policy direction for planning for sewage and water services is outlined under Section 3.6 of the PPS. Under this section, it states that Planning for sewage and water services shall:

- a) Accommodate forecasted growth in a timely manner that promotes the efficient and optimization of existing municipal sewage services and municipal water services.
- b) Ensure that these services are provided in a manner that:
  1. Can be sustained by the water resources upon which such services rely;
  2. Is feasible and financially viable over their life cycle;
  3. Protects human health and safety, and the natural environment, including the quality and quantity of water; and

4. Aligns with comprehensive municipal planning for these services, where applicable.
- c) Promote water and energy conservation and efficiency;
- d) Integrate servicing and land use considerations at all stages of the planning process;
- e) Consider opportunities to allocate, and re-allocate if necessary, the unused system capacity of municipal water services and municipal sewage services to support efficient use of these services to meet current and projected needs for increased housing supply.

The proposed development as a whole, from conceptual design to the individual phases of the development has integrated servicing and land use considerations from the very start. The development of Phase 1 contemplated design that allowed for the extension of services through Phase 2 and beyond, and Phase 2 proposes to extend the roadway and water, wastewater, and stormwater services while accommodating future roadway and service extensions, and future development.

The extension of existing services contributes to the financial viability of the infrastructure, and promotes efficient use of these services. Further, it has been detailed in the Functional Servicing Report that the existing infrastructure has adequate capacity to support this extension, and the extension will result in additional housing to meet the current and projected needs of the Town.

### **3.9 – Public Spaces, Recreation, Parks, Trails and Open Space**

Policy 3.9.1 of the PPS states that Healthy, active, and inclusive communities should be promoted by:

- a) Planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;
- b) Planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) Providing opportunities for public access to shorelines; and
- d) Recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

Phase 2 of the Tanner Extension project will extend the existing roadway known municipally as Stickles Street. As with the Phase 1 development, the roadway will be designed in accordance with municipal standards, which will include the provision of sidewalks, ensuring the safe movement of people and vehicles.

As discussed above, Block 7 will be dedicated to the Town of Pelham for the purposes of a future park that will serve the residents of the existing neighbourhood, the proposed subdivision, future developments, and the Town as a whole. The proposed parklands have the potential to integrate both built and natural settings for recreation.

#### **4.1 – Natural Heritage**

Section 4.1 of the PPS provides direction on the protection of natural heritage features. This section outlines that natural heritage features shall be protected for the long term, and the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems should be maintained, restored or, where possible, improved, recognizing key linkages between and among natural heritage features and areas, surface water and ground water features.

To align with provincial and regional policy regarding natural heritage features, Beacon Environmental conducted an Environmental Impact Study to determine the presence or absence of natural heritage features on the subject lands.

The Environmental Impact Study found that there were no natural heritage features associated with the proposed Phase 2 lands, and that development can proceed without any direct impacts to natural heritage features. Further, the EIS found that any potential indirect impacts to natural heritage features are limited to the other woodland/wetland adjacent to the north of Block 7, the future parkland block, and indirect impacts can be mitigated through standard construction mitigation measures.

As such, the proposed development does not contravene the natural heritage policies of the PPS.

## **NIAGARA OFFICIAL PLAN (2022)**

The Niagara Official Plan (NOP) is the Region's long-term, strategic policy planning framework for managing growth in Niagara through to the year 2051. The focus of the NOP is primarily on implementing the Provincial Planning Statement, and providing policy regarding land use planning, natural environment, infrastructure, among others, at a regional level.

The Region of Niagara is now an upper tier municipality without planning responsibilities and the NOP has become an Official Plan of the Town of Pelham and remains in effect until such a time as the Town of Pelham new Official Plan is approved by the Province. The Town of Pelham is now responsible for the implementation of the Niagara Official Plan.

### **2.1 – Forecasted Growth**

The objective of section 2.1 of the Niagara Official Plan is to coordinate Regional growth forecasts with land use, transportation, infrastructure, and financial planning. According to this section, the Niagara Region is planning to accommodate a minimum population of 694,000 people and 272,000 jobs by 2051. The Town of Pelham, specifically, is forecast to have a population of 28,830 people and 7,140 jobs by the year 2051.

The redevelopment of underutilized lands within a previously developed area, and the intensification facilitated by the proposed extension will assist the Town in accommodating this population growth in a purposeful, organized, and efficient manner.

### **2.2 – Regional Structure**

The policies of section 2.2 of the NOP establish a regional structure that directs forecasted growth to settlement areas, which are comprised of both urban areas, which include built-up areas, designated greenfield areas, and strategic growth areas, as well as rural settlements.

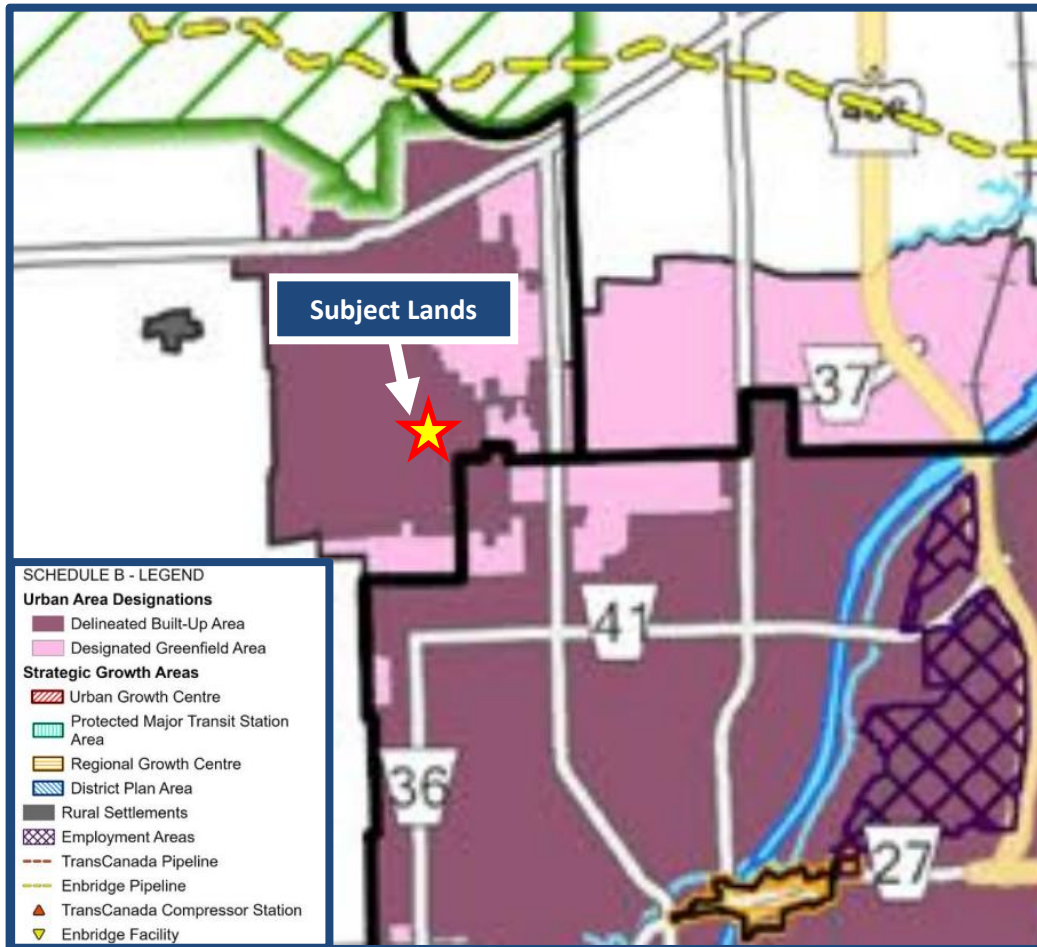
This section directs most development to occur in urban areas, where municipal water and wastewater systems/services exist or are planned and a range of transportation options can be provided.

The objectives of this section are to:

- a) Manage growth within urban areas;
- b) Accommodate growth through strategic intensification and higher densities;
- c) Protect and enhance the character of rural settlements;
- d) Plan for the orderly implementation of infrastructure and public service facilities; and ensure settlement area expansions support Regional forecasts and growth management objectives; and

- e) Promote transit-supportive development to increase transit usage, decrease greenhouse gas emissions, and support the overall health of the community.

Schedule B of the Niagara Official Plan outlines the Regional structure and the urban area land use designations. As shown below in **Figure 3**, the subject lands are designated Delineated Built-Up Area.



**Figure 3 – Niagara Official Plan: Schedule B – Regional Structure**

The proposed development seeks to extend the existing roadway, sanitary, storm and water services to facilitate redevelopment and intensification of underutilized lands within a previously developed area that is designated Delineated Built-Up Area. The proposed development is an example of accommodating growth through strategic intensification and higher densities that includes the orderly implementation of infrastructure. As such, the proposed subdivision aligns with the Regional structure objectives of section 2.2.

### 2.2.1 – Managing Urban Growth

Section 2.2.1 builds on the Regional structure policies, and provides further direction on managing growth and development within urban areas. This section outlines that development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:

- a. The intensification targets in Table 2-2 and density targets outlined in this Plan;
- b. A compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;
- c. A diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs;
- d. Social equity, public health and safety, and the overall quality of life for people of all ages, abilities, and incomes by expanding convenient access to:
  - i. A range of transportation options, including public transit and active transportation;
  - ii. Affordable, locally grown food and other sources of urban agriculture;
  - iii. Co-located public service facilities; and
  - iv. The public realm, including open spaces, parks, trails, and other recreational facilities.
- e. Built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure to support the financial well-being of the Region and Local Area Municipalities;
- f. Opportunities for transit supportive development;
- g. Opportunities for intensification, including infill development, and the redevelopment of brownfield and greyfield sites;
- h. Opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods;
- i. The development of a mix of residential built forms in appropriate locations, such as local growth centres, to ensure compatibility with established residential areas;
- j. Conservation or reuse of cultural heritage resources;
- k. Orderly development in accordance with the availability and provision of infrastructure and public service facilities; and
- l. Mitigation and adaptation to the impacts of climate change by:
  - i. Protecting natural heritage features and areas, water resource systems, and other components of the Region’s natural environment system;
  - ii. Where possible, integrating green infrastructure and low impact development into the design and construction of public service facilities and private development; and

- iii. Promoting built forms, land use patterns, and street configurations that improve community resilience and sustainability, reduce greenhouse gas emissions, and conserve biodiversity.

The proposed subdivision provides for gentle intensification in a previously developed neighbourhood in a compact built form on modest and efficient lots that minimize land consumption. The development proposes the efficient extension of existing municipal services that will be cost-effective, and have capacity to service future development of the surrounding lands.

The proposed development is mindful of the character of the existing residential neighbourhood, and is compatible with surrounding land uses. The proposed development is also mindful of natural heritage features, and is supported by an Environmental Impact Study that finds that the development can proceed without negative impacts to natural heritage features.

As such, the proposed development aligns with the Niagara Official Plan's policy direction on managing growth within urban areas.

### **2.2.2 – Strategic Intensification and Higher Densities**

Within section 2.2.2, forecasted population growth is further directed to be accommodated through intensification within built-up areas. Further, the Niagara Region, and the 12 Local Area Municipalities are assigned intensification targets in Table 2-2, included as **Figure 4**, below.

Municipality	Units	Rate
Fort Erie	3,680	50%
Grimsby	4,500	98%
Lincoln	8,895	90%
Niagara Falls	10,100	50%
Niagara-on-the-Lake	1,150	25%
Pelham	1,030	25%
Port Colborne	690	30%
St. Catharines	18,780	95%
Thorold	1,610	25%
Wainfleet	0	0%
Welland	10,440	75%
West Lincoln	1,130	13%
<b>Niagara Region</b>	<b>62,005</b>	<b>60%</b>

Figure 4 - Table 2-2 Niagara Region Minimum Residential Intensification Targets by Local Area Municipality 2021-2051

As displayed in **Figure 4**, the Town of Pelham has a Minimum Residential Intensification Target of 25% of new residential units to be located within the built-up area of the Town, and the Niagara Region, as a whole, has an Intensification Target of 60%. As the subdivision proposes the intensification of 6 new dwellings within the built-up area of the Town of Pelham, the proposed subdivision will assist the Town of Pelham, and the Niagara Region, in achieving these targets.

### 2.3 – Housing

Section 2.3 encourages a diverse housing stock with a range of tenures, sizes, types and supports should be made available to meet the needs of Niagara communities. The objectives of this section are to provide a mix of housing options to address current and future needs, provide more affordable and attainable housing options within Niagara’s communities and to plan to achieve affordable housing targets through land use and financial incentive tools.

### 2.3.1 – Provide a Mix of Housing Options

Section 2.3.1 directs the development of a range and mix of densities, lot and unit sizes, and housing types to be planned for throughout settlement areas to meet housing needs at all stages of life. Further, new residential development and residential development should facilitate a compact built form to contribute to efficient use of water and energy, and to mitigate and adapt to the impacts of climate change.

The proposed subdivision seeks to intensify a previously developed neighbourhood with compact lots and built form. Existing services installed through Phase 1 of the development will be extended to facilitate the proposed dwellings, contributing to efficiency and financial viability of the systems long term.

### Chapter 3 – Sustainable Region

Chapter 3 of the Niagara Official Plan contains policies pertaining to the natural environment, hazards, and natural resources. As mentioned within the Environmental Impact Study prepared by Beacon Environmental, the Niagara Official Plan Schedule C2 – Natural Environment System:



Figure 5 – Niagara Environment System Online Mapping

Individual Components and Features had identified a portion of the subject lands as “Other Wetland.” The Niagara Environment System (NES) mapping is displayed below in **Figure 5**.

According to Chapter 3, and the relevant sections governing the different natural heritage features such as provincially significant wetlands, other wetlands, significant woodlands, and other woodlands, no development shall occur within these natural heritage features unless an environmental impact study has been completed that demonstrates that there will be no negative impact on these features as a result of the proposed development.

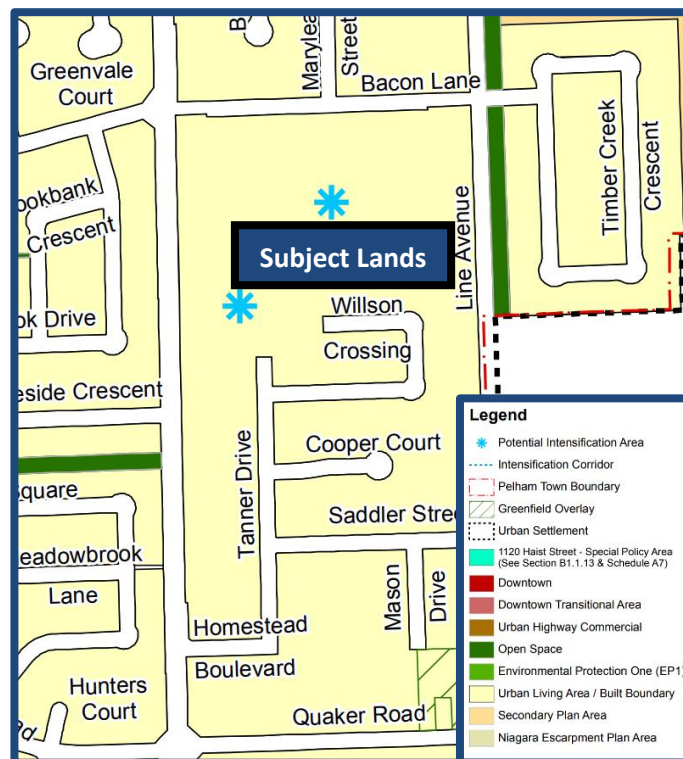
To align with the policy direction of Chapter 3, the Environmental Impact Study, prepared by Beacon Environmental, was conducted to determine the presence or absence of the “other wetland,” and the impacts, if any, that the proposed development would have on the natural features.

The study concluded that there were no “other woodlands” or “other wetlands” on the subject lands, and that all of the natural environment features were located on lands to the north of the subject lands. Further, the study concluded that there will be no direct impacts on these natural features, and that indirect impacts can be mitigated through standard construction mitigation measures. As such, the proposed development aligns with the natural environment policy direction of Chapter 3.

## **TOWN OF PELHAM OFFICIAL PLAN (2014)**

The purpose of the Town of Pelham Official Plan (2014) is to provide the basis for managing growth that will support and emphasize the Town's unique character, diversity, civic identity, rural lifestyle and heritage features. The Official Plan is the planning document that will shape growth and development on this basis, and establish a vision for the future land use structure of the Town.

Schedule A1 of the Official Plan displays the land use designations of the Fonthill Settlement Area, which the subject lands are within. Under Schedule A1, the subject lands are designated Urban Living Area/Built Boundary. Schedule A1 is displayed below as **Figure 6**.



**Figure 6 – Town of Pelham Official Plan Schedule A1: Fonthill Settlement Area**

### **A4 – Town Structure and Land Use**

Section A4 of the Official Plan provides an overview of the different land use designations, both within the Urban Area, and the Rural Area of the Town. Under this section, lands designated Urban Area represent categories of land use that will be the focus for urban development on full municipal services.

### **A5 – Concepts Guiding Future Development in Urban Areas**

Section A5 of the Official Plan provides the concepts and general objectives for guiding future growth within urban areas of the Town. Section A5.4 states that, during population forecasting and intensification targeting conducted at the time of preparation of this plan, the Town of Pelham was allocated an

intensification target of 300 new units between 2015 and 2031. Further to this, as discussed above, the 2022 Niagara Official Plan sets an intensification target of 1,030 new units to be facilitated within the Town's built boundary through intensification. The proposed subdivision will assist the Town and Region in achieving these intensification targets.

### **B1 – Urban Area Designations**

Part B of the Town of Pelham Official Plan provides the land use policy direction for the different land use designations. Section B1.1 provides land use policies pertaining to the Urban Living Area designation.

Permitted uses in this designation include single-detached residential dwellings, accessory apartments within detached dwellings, and semi-detached, townhouse, multiple and apartment dwellings. The development proposes the construction of 6 new single-detached dwellings, a permitted use under the Urban Living Area designation.

Policy B1.1.3 pertains to residential intensification within the Urban Living Area designation. Under this policy, intensification opportunities will be encouraged, subject to the proponents demonstrating through the provision of detailed site plans, that such proposals will be respectful of, compatible with, and designed to be integrated with the community or neighbourhood where they are proposed. Further, in considering proposals for residential intensification, the following criteria are applicable to intensification proposals within the Urban Living Area designation:

- a) Schedules A1 and A2 to this Plan identify a number of areas that may be good candidates for residential intensification. This does not preclude consideration for other sites in the Urban Living Area designation provided these sites abut arterial or collector roads or are located on a local road on a site that is no further than 100 metres from an intersection with an arterial or collector road;
- b) Intensification and redevelopment proposals are encouraged to achieve a unit density and housing type that is in keeping with the character of the density of the neighbourhood where it is proposed. Within the identified intensification areas identified on Schedules A1 and A2 the implementing Zoning By-law may establish minimum and maximum densities of between 10 and 25 units per hectare;
- c) Residential intensification and redevelopment proposals located on lands which abut local roads shall maintain the unit density and unit type of the surrounding neighbourhood, but may through a Zoning By-law Amendment, increase the unit density by up to 25% of the existing gross density of the lands located within 300 metres of the site, provided the resultant development will be characterized by quality design and landscaping, suitable building setbacks, and further that parking areas and traffic movements will not negatively impact the surrounding neighbourhood from the perspectives of safety or neighbourhood character;
- d) Notwithstanding items (b) and (c), the creation of new freehold or vacant land condominium infill lots through the consent process, for ground-oriented detached dwellings, may be permitted provided the proposed lot and unit type is similar to and compatible with the established character of the street or neighbourhood where it is proposed. The Zoning By-law shall establish

minimum lot area and frontages and minimum and/or maximum densities which are considered appropriate within the Urban Living Area designation;

- e) The creation of accessory apartments and in-law suites within residential neighbourhoods is considered to be an appropriate form of residential intensification. The establishment of accessory apartments shall occur in accordance with Policy B1.1.4 and Council may reduce the application fee for such amendments under the Town's Tariff of Fees By-law;
- f) The provision of affordable housing in intensification areas will be encouraged; and,
- g) The Town will consider innovations for responsive processing of applications and amendments in the future including tools such as Conditional Zoning Amendments, implementing a Development Permit System and the streamlining of processing concurrent development applications.

With respect to the criteria outlined above, criteria (a) and (b) apply to the proposed development.

- a) Schedules A1 and A2 to this Plan identify a number of areas that may be good candidates for residential intensification. This does not preclude consideration for other sites in the Urban Living Area designation provided these sites abut arterial or collector roads or are located on a local road on a site that is no further than 100 metres from an intersection with an arterial or collector road;**

The subject lands are located within an area identified by the Town as a good candidate for residential intensification, as outlined on Schedule A2.

- b) Intensification and redevelopment proposals are encouraged to achieve a unit density and housing type that is in keeping with the character of the density of the neighbourhood where it is proposed. Within the identified intensification areas identified on Schedules A1 and A2 the implementing Zoning By-law may establish minimum and maximum densities of between 10 and 25 units per hectare;**

The proposed development will have a similar unit density to the surrounding neighbourhood at 15.5 units per hectare. For reference, the density of Phase 1 of the Tanner Extension subdivision is 21.16 units.

The subject lands are zoned Residential Development (RD) in the Town of Pelham Zoning By-law. This zone functions as a placeholder zone that identifies areas for future residential development and redevelopment, through a Zoning By-law Amendment. There are no density minimums or maximums associated with the Residential Development (RD) Zone. Further, the proposal includes a Zoning Amendment to rezone the lands from Residential Development (RD) to Site-Specific Residential Two (R2-XX). There are no minimum or maximum density provisions related to the Residential Two (R2) zone.

Although there are no zoning requirements governing the density of the site, the proposed development results in a density of 15.5 units per hectare, between the 10 unit minimum and 25

unit maximum that may be implemented as outlined in policy B1.1.3.b), and as such, aligns with the intention of the policy.

#### **B1.1.11 – Lot 177 Special Policy**

Section B1.1.11 contain specific provisions to lands identified as within the Lot 177 area, which include the subject lands. The purpose of these policy provisions is to provide a strategy and general policy direction to assist in facilitating an orderly build-out of this important residential area of the Town.

Policy B1.1.11.2 outlines the relationship of Lot 177 to the Urban Living Area designation. This section states that Lot 177 is located within the Urban Living Area designation and the residential neighbourhood of lot 177 is one of the most substantial infill areas within the Fonthill Urban Area, after the Secondary Plan Areas.

Policy B1.1.11.3 characterizes Lot 177 as under developed, highly fragmented, and capable of intensification resulting in double its density at the time the Official Plan was prepared. This section of the Plan heavily encourages intensification, redevelopment and coordination amongst landowners.

Policy B1.1.11.4 provides for residential policies relating to location and typology of development. This policy directs medium density development to locations adjacent to parks and open space areas, and/or Pelham Street and Quaker Road. This policy also establishes a maximum building height of 3 storeys for medium density building typologies. As the subject lands are nestled within an area surrounded by the existing neighbourhood, further from Quaker Road and Pelham Street, the subdivision proposes low density building typologies to eliminate negative impacts to surrounding existing dwellings, and to align with the policy's vision for these lands.

As discussed above, a neighbourhood park has been envisioned for this neighbourhood on lands north of Stickles Street. Policy B1.1.11.6 states that it is a priority for the Town to acquire suitable land for a public park to meet the needs of residents within the Lot 177 development area. The policy outlines the following guidelines to be considered in making efforts to secure lands for park purposes:

- Between 0.8 and 1.2 hectares (2 to 3 acres) of land be established for recreational purposes;
- The park centrally located within safe convenient walking distance of the majority of neighbourhood residents; and
- Appropriate linear parks or walkways should be developed to access the park.

The proposed subdivision includes the dedication of approximately 503m<sup>2</sup> of land for the purposes of a future park. As such, the proposed subdivision aligns with this policy.

Policy B1.1.11.7 provides direction on the provision of servicing and transportation infrastructure. This policy states that the provision of sewerage, water, stormwater drainage, roads and other municipal services will be achieved with minimum costs to the Town and phased in an orderly and efficient manner. Further, development of the Lot 177 lands will commence at the southerly limit and proceed sequentially in a northerly direction and out of phase development will only be considered where the

developer is willing to pay the cost of oversizing services beyond the limit of the development to a suitable outlet.

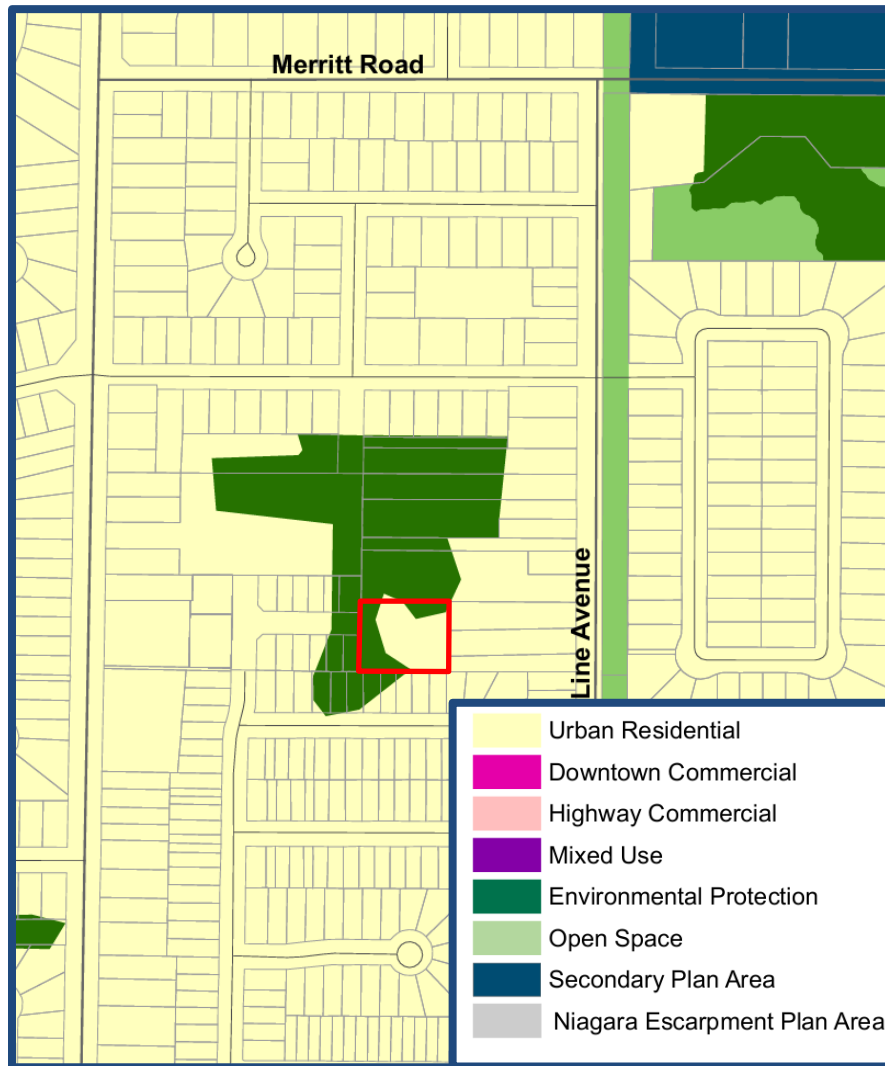
Additionally, policy B1.1.11.8 outlines that off-site road improvements and storm sewer extensions, and a logical, interconnected internal road alignment which accommodates emergency vehicles and does not jeopardize orderly development of other lands are necessary to accommodate development of this area. The cost of this infrastructure is to be borne by the developers.

The proposed subdivision will be implemented in an orderly fashion as it is a logical subsequent phase of Phase 1 of the Tanner Drive Extension. The proposed subdivision facilitates the continued development pattern from the southerly limit, proceeding in a northerly direction. Further, the extension of water, wastewater and stormwater infrastructure, and the extension of Stickles Street is proposed to service the new dwellings. 0.3 metre reserves will be included at the extent of Stickles Street to further protect the orderly development of this area, and a temporary turnaround will be established to ensure emergency vehicles can maneuver the lands until future phases of the road network are implemented. As such, the proposed subdivision aligns with the Lot 177 Special Policy.

## **TOWN OF PELHAM OFFICIAL PLAN (2025)**

It should be noted that, at the time of preparing this Planning Justification Report, Pelham Town Council has adopted a new Town of Pelham Official Plan. The updated Official Plan is currently being reviewed by the Province of Ontario and has not been approved.

Under the new Official Plan, the subject lands are designated Urban Residential and Environmental Protection. **Figure 7**, below, displays Official Plan Schedule A2 – Fonthill.



**Figure 7 – Town of Pelham Official Plan (2025) – Schedule A2 – Fonthill**

### **4.2.2 – Refinements to the Limits of the Natural Heritage System**

Section 4.2.2 of the Town of Pelham Official Plan (2025) contains policy regarding the natural heritage system within the Town. Policy 4.2.2.1 states that changes to the limits of classification

of individual features or components of the natural heritage system identified through the Town's criteria may be considered through the submission of an Environmental Impact Study. Further, policy 4.2.2.2 states that if the change to the limit or classification of an individual feature or component of the natural heritage system identified through local criteria can be justified to the satisfaction of the Town, an amendment to this Plan shall not be required. Policy 4.2.2.5 states that where the limits of a feature have been refined through an approved Environmental Impact Study, the lands that are no longer included as part of the NHS overlay shall continue to be designated based on the underlying land use, unless otherwise determined through a *Planning Act* application.

As discussed in the report above, Beacon Environmental has completed an Environmental Impact Study of the subject lands to determine the extent of natural heritage features within the area, and concluded that the portion of the lands subject to the proposed Tanner Extension Phase 2 subdivision do not contain any natural heritage features. Through the submission of Beacon's Environmental Impact Study, and according to Policy 4.2.2.5, the refining of the natural heritage feature mapping would include the reverting of the subject lands to the Urban Residential land use designation.

## **10.2 – Urban Residential**

Section 10.2 of the Town of Pelham Official Plan (2025) provides policy direction for the Urban Residential land use designation. This designation represents existing stable neighbourhoods where the predominant land use is residential, with housing types and densities governed by this section.

Permitted uses within this designation include residential uses of all types, including low-density residential, medium-density residential, and high-density residential housing types. Institutional, office, neighbourhood commercial, public service facilities and community uses are permitted provided the use primarily supports the surrounding neighbourhoods and parks and open space uses are permitted within this designation.

Section 10.2.2.3 states that, in established residential areas, opportunities for development and redevelopment will be encouraged to support the objective of a complete community and diversity in built form. Further, building designs, heights and densities proposed should integrate with the surrounding residential area.

### **10.2.3 – Lot 177 Special Policy**

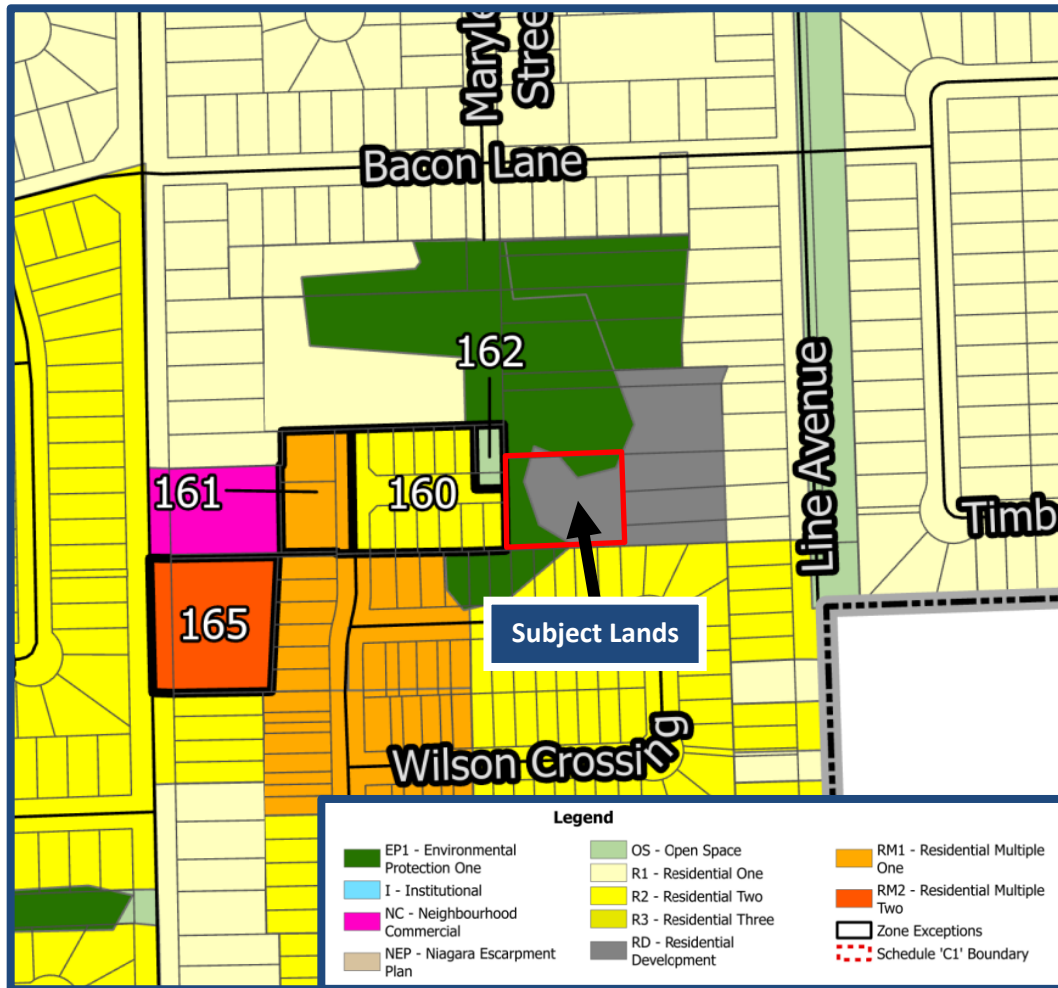
Section 10.2.3 provides area-specific policy for the lands within the Lot 177 area. Similar to the policy of the previous Town of Pelham Official Plan, this section states that Lot 177 is a special

policy area located in the residential designation. The residential neighbourhood of Lot 177 represents the most substantial infill area within the Fonthill Settlement area outside of the Secondary Plan Areas.

Redevelopment and intensification of the Lot 177 area remains a priority of the Town of Pelham, and the proposed subdivision will implement the vision for the area. Additionally, the proposed subdivision aligns with the overall policy direction of the Urban Residential land use designation as a whole.

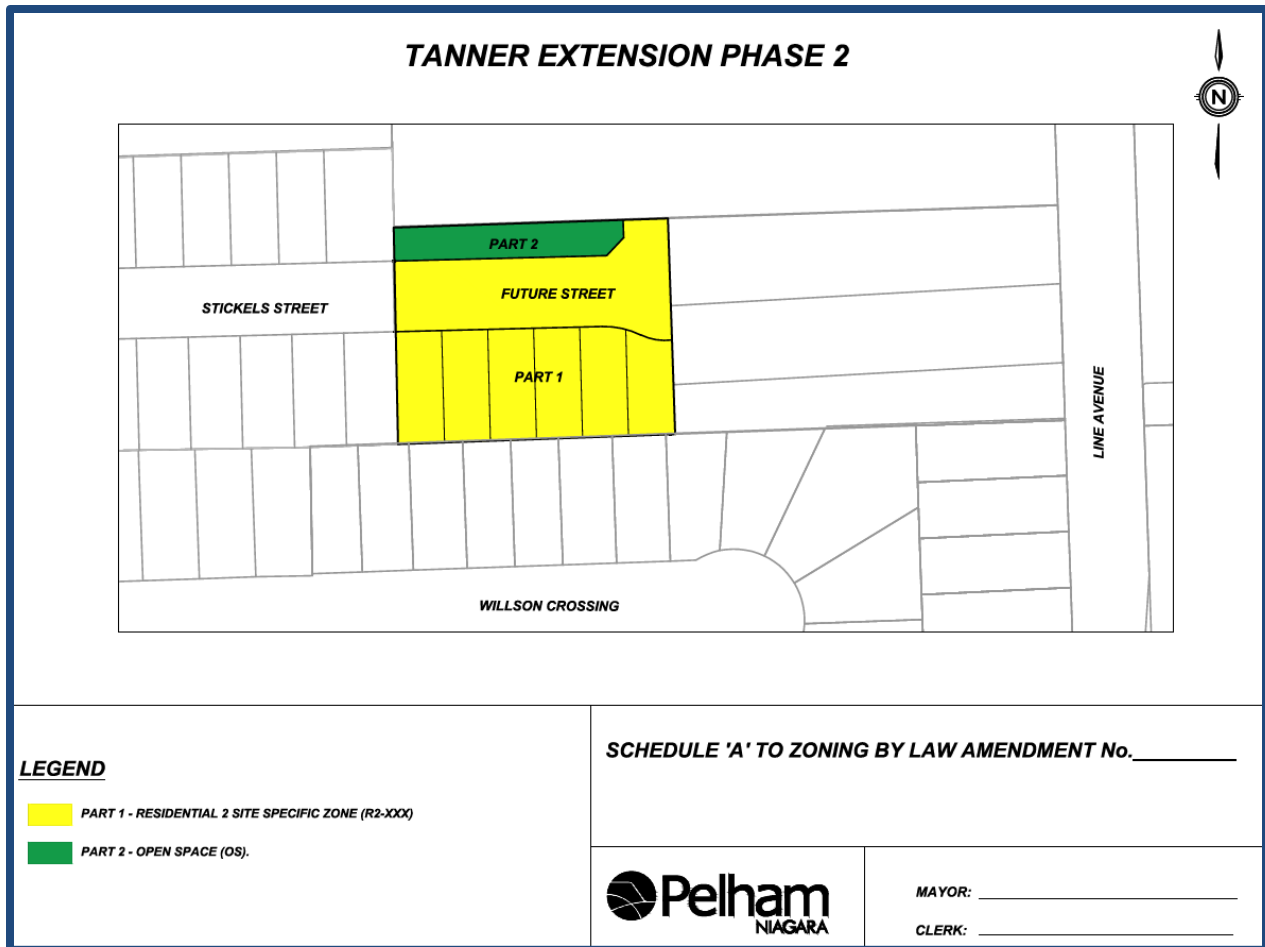
## TOWN OF PELHAM ZONING BY-LAW 4481

In the Town of Pelham Zoning By-law, consolidated December 12, 2025, the subject lands are zoned Residential Development (RD) and Environmental Protection One (EP1). **Figure 8**, below, displays Town of Pelham Zoning By-law Schedule 'C' – Fonthill.



**Figure 8 – Town of Pelham Zoning By-law – Schedule C - Fonthill**

To accompany the application for Draft Plan of Subdivision, a Zoning By-law Amendment application has been submitted to rezone the lands from Residential Development (RD) and Environmental Protection One (EP1) to Site-Specific Residential Two (R2-XX) and Open Space (OS). As displayed on the Draft Zoning By-law Amendment Schedule 'A', included below as **Figure 9**, the lands to be zoned Open Space (OS) are those that will be conveyed to the Town for the purposes of a future park.



**Figure 9 – Draft Zoning By-Law Amendment: Schedule ‘A’**

The following table provides an analysis of the zoning requirements of the Residential Two (R2) zone, and outlines the deficiencies of the proposal, and the site-specific provisions requested as part of the Zoning By-law Amendment application.

**Table 1: Residential Two (R2) Zone Analysis**

<b>Residential Two (R2) Zone</b>		
<b>Section 6.2.1: Permitted Uses</b>		
<b>Permitted Uses</b>	<b>Proposed Uses</b>	
Single-detached Dwelling; Duplex Dwelling; Semi-detached Dwelling; Bed and Breakfast Establishment in a Single-detached Dwelling; Home Occupation; Second Dwelling Units; and Uses, Buildings and Structures Accessory to the Foregoing Uses	Single-Detached Dwellings;	
<b>Section 6.2.2: Zone Requirements for a Single Detached Dwelling</b>		
<b>Provisions</b>	<b>Requirement</b>	<b>Provided</b>
<b>Minimum Lot Area</b>	360 m <sup>2</sup>	<b>295 m<sup>2</sup></b>
<b>Minimum Lot Frontage</b>	12 m	<b>11.74 m</b>
<b>Minimum Front Yard</b>	To Dwelling – 3.0 m To Garage – 6.0 m	To Dwelling - 4.1 m To Garage - 6.1 m
<b>Minimum Interior Side Yard</b>	1.2 m	1.25 m
<b>Minimum Corner Side Yard</b>	3.0 m	n/a
<b>Minimum Rear Yard</b>	7.5 m	<b>6.1 m</b>
<b>Maximum Lot Coverage</b>	50%	47.16%

**Requested Site-Specific Relief – Residential Two (R2) Zone**

Minimum Lot Area

Site-specific relief has been requested to permit a minimum lot area of 295m<sup>2</sup> whereas a minimum lot area of 360m<sup>2</sup> is currently required by the provisions of the Residential Two (R2) zone. 5 out of the 6 proposed lots have a lot area of approximately 330m<sup>2</sup>, a slight reduction from the provisions of the Residential Two zone. Lot 12 identified on the Draft Plan features a lot area of 295m<sup>2</sup>. This is due to the fact that the lot fronts onto the proposed turning bulb, resulting in the reduced size of the lot. However, as displayed on the preliminary Concept Plan, the lots proposed are a sufficient size to accommodate a detached dwelling, while still maintaining front and side yard setbacks that meet the provisions of the Residential Two (R2) Zone. Additionally, the lots will feature 6 metre rear yards that provide for an amenity area for the residents.

The proposed lots and dwellings provide for a more compact built form than other traditional single-detached lots, allowing for intensification and higher density, while maintaining and integrating with the character of the surrounding established neighbourhood.

### Minimum Lot Frontage

Site-specific relief is also requested to permit a minimum lot frontage of 11.7 metres, whereas 12 metres is required by the Residential Two (R2) zone. From a streetscape perspective, this reduction of 0.3 metres of frontage will not be noticeable. The reduction is very slight, and the lots will still have sufficient frontage for the purposes of access from the street and front yard amenity space. Further, the lots are still able to maintain sufficient side yard setbacks to the dwellings. As such, the reduction of 0.3 metres of frontage will not compromise the functionality of the lots.

### Minimum Rear Yard

Finally, site-specific relief has been requested to permit a rear yard of 6 metres, whereas 7.5 metres is required by the Zoning By-law. 6 metres of rear yard space is sufficient for providing for usable amenity space for the residents of the dwellings. The reduction of 1.5 metres of will not significantly impact the functionality of the rear yard. Further, site-specific zoning requirements for the Tanner Extension Phase 1 development permit a 6-metre rear yard and this request is consistent with that approval.

## **Planning Opinion**

As discussed throughout this report, the proposed Draft Plan of Subdivision, and associated Zoning By-law Amendment applications will facilitate and implement intensification within the Lot 177 Special Policy Area, and area identified by the Town as an area for growth, redevelopment, and intensification. The proposed development features a compact built form, and the efficient use of existing infrastructure, and is a continuation of development that is consistent with the vision for the Lot 177 Special Policy Area.

Based on the analysis above, it has been demonstrated that the proposed development:

- Has regard for matters of Provincial Interest as outlined in Section 2 of the *Planning Act*;
- Is consistent with the 2024 Provincial Planning Statement;
- Conforms to the 2022 Niagara Official Plan; and
- Conforms to the Town of Pelham Official Plan (2014) and the new Town of Pelham Official Plan (2025).

It is our opinion that the proposed Draft Plan of Subdivision and Zoning By-law Amendment will facilitate appropriate residential intensification in an area that has been envisioned for growth, while maintaining the character of the existing residential neighbourhood. The development represents sound principles of land use planning, and will contribute to the achievement of a complete community.

Prepared by,



Callum Gomez, CPT  
Development Coordinator  
Upper Canada Consultants

Reviewed by,



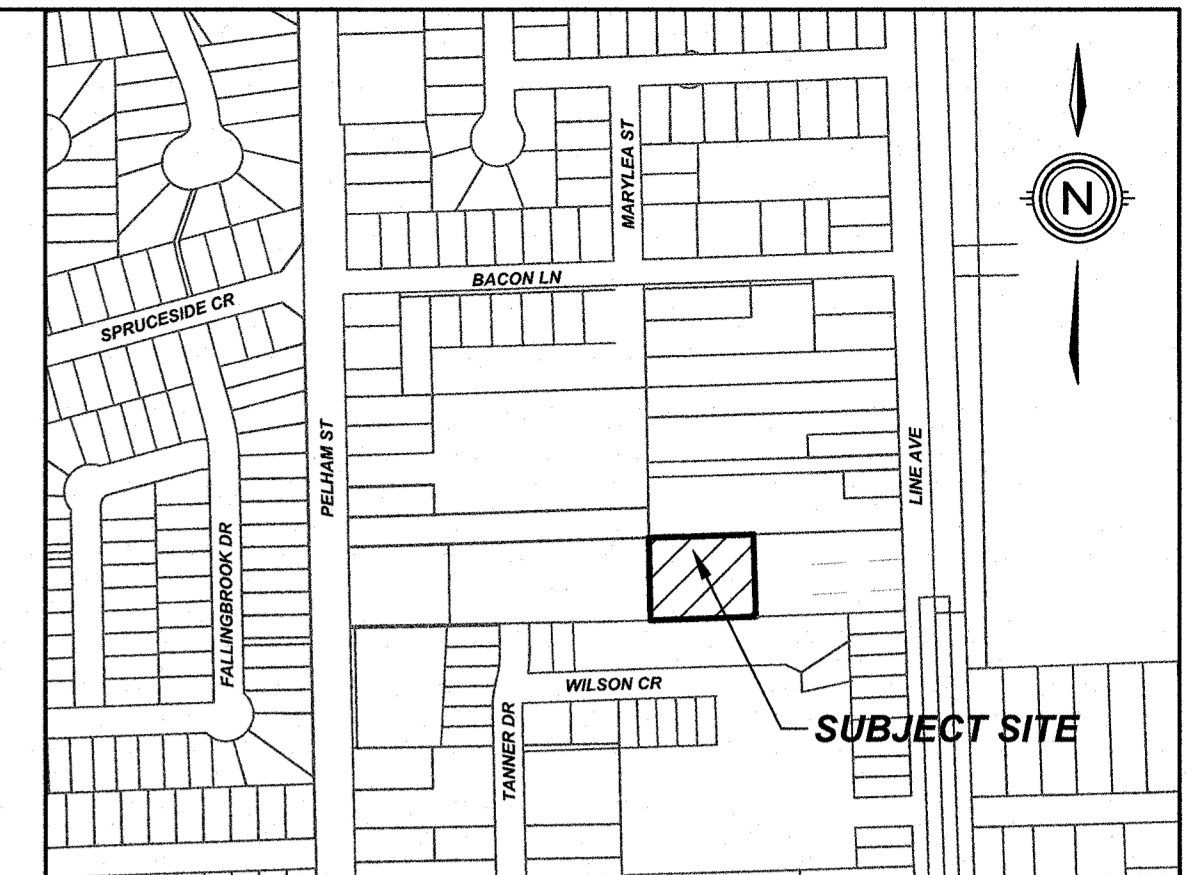
William Heikoop, B.U.R.Pl., MCIP, RPP  
Planning Manager  
Upper Canada Consultants

**Appendix I**  
**Draft Plan of Subdivision**



# TANNER EXTENSION PHASE 2

## TOWN OF PELHAM



### KEY PLAN

N.T.S.

### DRAFT PLAN OF SUBDIVISION

#### LEGAL DESCRIPTION

PART OF LOT 177, GEOGRAPHIC  
TOWNSHIP OF THOROLD, TOWN OF  
PELHAM,  
REGIONAL MUNICIPALITY OF NIAGARA

#### OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY  
AUTHORIZE UPPER CANADA CONSULTANTS TO  
PREPARE AND SUBMIT THIS DRAFT PLAN OF  
SUBDIVISION TO THE TOWN OF PELHAM  
FOR APPROVAL.

*[Signature]*  
1970097 Ontario Inc. MARCH 26, 2026  
DATE

*[Signature]*  
85858 Ontario Inc. MARCH 26, 2026  
DATE

#### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF  
THE LANDS TO BE SUBDIVIDED ARE  
CORRECTLY SHOWN.

*[Signature]* Feb 10, 2026  
24-16-222 DATE

#### REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

- |             |                    |                 |
|-------------|--------------------|-----------------|
| a) SEE PLAN | e) SEE PLAN        | i) SILTY SAND   |
| b) SEE PLAN | f) SEE PLAN        | j) SEE PLAN     |
| c) SEE PLAN | g) SEE PLAN        | k) FULL SERVICE |
| d) SEE PLAN | h) MUNICIPAL WATER | l) SEE PLAN     |

#### LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	LOT 1-6	6	0.196	50.65
PARK	BLOCK 7		0.050	12.92
0.3m RESERVE	BLOCK 8		0.001	0.26
ROADWAY			0.140	36.17
<b>TOTAL</b>			<b>0.387</b>	<b>100.00</b>

DEVELOPABLE AREA = 0.387ha  
DEVELOPABLE DENSITY = 15.50 units/ha

#	ISSUED FOR APPROVAL	DATE	INIT
0	ISSUED FOR APPROVAL	2026-03-27	TA
#	REVISION	DATE	INIT



<b>DRAFT PLAN OF SUBDIVISION</b>	DRAWING TITLE	DRAFTING	TA
	DATE	MARCH 27, 2026	
	PRINTED	MARCH 27, 2026	
	SCALE	1:200	
DWG No.	17147-DP	REV	0



**Appendix II**  
**Draft Zoning By-law Amendment**

---

---

The Corporation of the Town of Pelham

BY-LAW NO. \*\*\*\* (2026)

**Being a by-law to amend Zoning By-law 4481 (2022), as amended, for lands legally described as Part Township Lot 177 Thorold, Part 1, Part 3, Part 5 Plan 59R17615. The Zoning By-law Amendment rezones the lands from the Residential Development (RD) and Environmental Protection One (EP1) zones to Site-Specific Residential Two (R2-XX) and Open Space (OS)**

**File No. AM-X-26**

---

**WHEREAS**, Section 34 of the Planning Act, RSO 1990, as amended provides that the governing body of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

**WHEREAS**, the Council of the Town of Pelham has recommended that such a by-law be enacted;

**AND WHEREAS** the Council of the Town of Pelham has deemed it to be in the public interest that such a by-law be enacted;

**NOW THEREFORE**, THE COUNCIL OF THE CORPORATION OF PELHAM ENACTS AS FOLLOWS:

- 1. THAT** Schedule 'C' to Zoning By-law 4481 (2022), as amended, is hereby amended by rezoning the lands identified on Schedule 'A', attached hereto and forming part of this By-law from Residential Development (RD) and Environmental Protection One (EP1) to Site-Specific Residential Two (R2-XX) and Open Space (OS).
- 2. THAT** Section 10 – Exceptions of By-law No. 4481 (2022), as amended, be modified by adding the following:

R2-XX            Notwithstanding Sections 6.2.2 and 6.44 of the Residential Two (R2) zone, the following site-specific requirements shall apply:

**6.2.2 – Zone Requirements for a Single Detached Dwelling**

Minimum Lot Area	295m <sup>2</sup>
Minimum Lot Frontage	11.7 metres
Minimum Rear Yard	6.0 meters

- 3. THAT** this Bylaw shall come into effect and force from and after the date of passing thereof, pursuant to Section 34(21) and 34(30) of the Planning Act, RSO 1990, as amended.

ENACTED, SIGNED and SEALED THIS

X<sup>th</sup> day of \_\_\_\_\_, 2026.

---

MAYOR: MARVIN JUNKIN


---


CLERK: HOLLY WILLFORD

# TANNER EXTENSION PHASE 2



## LEGEND

 PART 1 - RESIDENTIAL 2 SITE SPECIFIC ZONE (R2-XXX)

 PART 2 - OPEN SPACE (OS).

SCHEDULE 'A' TO ZONING BY LAW AMENDMENT No. \_\_\_\_\_



MAYOR: \_\_\_\_\_

CLERK: \_\_\_\_\_

**Appendix III**  
**Pre-Consultation Agreement**



Persons intending to make an application for a proposed development are required to consult with planning staff prior to submitting an application. A pre-consultation meeting will identify what is required to be submitted for a complete application and will provide the opportunity to discuss:

- the nature of the application;
- development and planning issues;
- fees;
- the need for information and/or reports to be submitted with the application;
- the *Planning Act* approval process;
- other matters, as determined.

**Pre-Consult Meeting Date:** September 4, 2025

**Site Address:** None assigned **Approx. Land Area:** 0.387 ha

**Site Legal Description:** THOROLD PT TWP LOT 177 RP 59R17615 PARTS 1 3 AND 5

**Contact Information:**

Owner Name: 851858 ONTARIO INC Email: \_\_\_\_\_  
1970097 ONTARIO INC

Phone: \_\_\_\_\_

Applicant Name: Upper Canada Consultants Email: ethan@ucc.com  
c/o Ethan Laman

Phone: \_\_\_\_\_

Primary Contact: Owner

Applicant

**Application Type:**

<input type="checkbox"/> Regional Official Plan Amendment	<input type="checkbox"/> Draft Plan of Condominium	<input type="checkbox"/> Consent
<input type="checkbox"/> Local Official Plan Amendment	- <input type="checkbox"/> Vacant Land	<input type="checkbox"/> Minor Variance (include expansion of <i>legal non-conforming use</i> )
<input checked="" type="checkbox"/> Draft Plan of Subdivision	- <input type="checkbox"/> Conversion	<input type="checkbox"/> NEC Application
<input checked="" type="checkbox"/> Zoning By-law Amendment	- <input type="checkbox"/> Phased	- <input type="checkbox"/> Amendment
<input type="checkbox"/> Site Plan Control	- <input type="checkbox"/> Other Removal of 'Holding' provision	- <input type="checkbox"/> Development Permit

**Local Municipal Contact:** Shannon Larocque **Phone:** 905-892-2607 x 319 **Email:** [slarocque@pelham.ca](mailto:slarocque@pelham.ca)  
 Andrew Edwards **Phone:** 905-892-2607 x 324 **Email:** [aedwards@pelham.ca](mailto:aedwards@pelham.ca)

1. Brief description of proposed development:

The applicant is proposing a Zoning By-law Amendment and Draft Plan of Subdivision to facilitate a six-lot subdivision containing six (6) single detached dwellings.

2. Existing Regional Official Plan Designation: Built Up Area

Conformity with Regional Official Plan land use designations and policies?

Yes  No  Unknown

If 'No', what is the nature of the amendment needed? \_\_\_\_\_

3. Check All Applicable:

Brownfield  Greenfield  Built-up  NEP  Greenbelt  CIP area

4. Development Charges:  Regional  Local

Existing Local Official Plan Designation: Urban Living Area / Built Boundary / Potential Intensification Area

Conformity with Official Plan land use designations and policies:  Yes  No  Unknown

If 'No', what is the nature of the amendment needed? \_\_\_\_\_

5. Existing Zoning: RD & EP1

Conformity with existing zoning:  Yes  No  Unknown

If 'No', what is the proposed zoning? Site-specific R2

6. Site Plan approval required?  Yes  No

7. Servicing:

<input checked="" type="checkbox"/> Municipal Water	<input type="checkbox"/> Private/Communal Well	<input type="checkbox"/> Cistern
<input checked="" type="checkbox"/> Municipal Sanitary	<input type="checkbox"/> Private/Communal Septic	
<input type="checkbox"/> Municipal Storm Sewer	<input type="checkbox"/> Swales	

8. Fees Required at time of Submission of the Application:

Application	Town of Pelham	Niagara Region	Niagara Peninsula Conservation Authority	Other Fees
Regional Official Plan Amendment				
Local Official Plan Amendment				
Zoning By-law Amendment	\$13,012.00			
Plan of Subdivision	\$10,713.00	\$1,790 + \$900 per hectare		
Plan of Condominium				
Consent				
Site Plan Control				
Minor Variance				
Other: 1) 2)		Major EIS Review: \$3,000 Minor Engineering Review: \$570		
<b>TOTAL</b>	<b>\$23,723.00</b>	<b>Various</b>		

Notes:

- Notwithstanding the fees noted above, all fees are payable based upon the rate in the fee schedule by-law in effect on the date the application is received.
- Further fees may be required at a later date as per the fee schedule by-law.
- Separate cheques shall be made payable to the appropriate agency.

9. Additional Agencies to be contacted:

Hydro
  Pipelines
  NEC
  Other \_\_\_\_\_

10. Required documents to be submitted with the Application(s). Studies identified with an asterisk (\*) will likely require a peer review at the cost of the developer.

Local	Region	NPCA	Reports, Studies, Plans (See Notes for additional details)	No. of Copies		Notes
				Digital	Paper	
			Draft Regional Official Plan Amendment			
			Draft Local Official Plan Amendment			
			Survey Plan / Severance Sketch			Prepared by OLS
x			Site Plan / Condo Plan / Draft Plan of Subdivision			
			Floodplain and Hazard Lands Boundary Plan			
x			Grading Plan	1		
			Hydrogeological Study and Private Servicing Plans			
			Phasing Plan			

x		Storm water Management Plan / Brief	1		
		Tree Inventory Preservation Plan			
		Urban Design / Landscape Plans			
		Archaeology Assessment			
		Cultural Heritage Impact Assessment*			
		Agricultural Impact Assessment			
		Environmental Site Assessment			
		Economic / Financial Impact Assessment*			
		Air Quality / Noise and Vibration Study*			
x		Environmental Impact Study	1		
		Environmental Planning Study / Sub-Watershed Study			
		Gas Well Study / Gas Migration Study			
		Mineral Aggregate Study			
		Wind Study*			
		Cash-in-lieu of Parkland Appraisal Report			
x		Functional Servicing Report	1		
		Geotechnical (Slope Stability Report)			
		Land Use / Market Needs Report*			
x		Planning Justification Report			<i>Prepared by RPP Address Provincial, Regional, and Local policies including MDS</i>
		Sensitive Land Use Report			
		Soil Report			
		Shadow Analysis			
		Traffic / Parking Impact Analysis			
		Minimum Distance Separation I & II			
		Other			

**11. Additional Comments:**


---



---

**12. Site Visit:**  Yes  No

---



---

**13. Items Disputed Requiring Further Dialogue:**


---



---

**Notes:**

1. The purpose of this document is to identify the information required to commence processing and evaluating an application as set out in the *Planning Act*. This pre-consultation process is designed to proceed based on the mutual agreement of the parties as shown by the signatures below.
2. Pre-consultation does not imply or suggest any decision whatsoever on behalf of staff or the municipality to either support or refuse the application.
3. The applicant should be aware that the information provided is accurate as of the date of the pre-consultation meeting. Should an application not be submitted in the near future, and should other policies, by-laws or procedures be approved by the Province, Municipality, Region or other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect at the time of the submission of a formal application. If an application is not submitted within 1 year, it is advisable that the applicant confirm with the municipality the directives of the original pre-consultation meeting.
4. Any application submitted without the information identified in this pre-consultation document will be deemed incomplete and not processed. Alternately, staff may recommend refusal of the application based upon insufficient information to properly evaluate the application.
5. The applicant acknowledges that the Municipality and Region considers the application forms and all supporting materials including studies and drawings, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents and hereby confirms that the consent of the authors of all supporting reports have been obtained, to permit the Municipality and Region to release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.
6. It is hereby understood that during the review of the application additional studies or information may be required as a result of issues arising during the processing of the application or the review of the submitted studies.
7. If the Municipality or Region does not have sufficient expertise to review and determine that a study is acceptable, the municipality may require a peer review. The Terms of Reference for a peer review is determined by the Municipality or Region and paid for by the applicant.
8. Some studies may require NPCA review and clearance/approval. In this instance the NPCA review fee shall be paid by the applicant.
9. All plans and statistics must be submitted in metric.

**Town Community Planning and Development:**

- Applications for Draft Plan of Subdivision and Zoning By-law Amendment will be required to facilitate the applications.
- Pedestrian connection to Line Avenue is required in accordance with the Lot 177 neighbourhood plan.
- An update to Lot 177 concept plan will be required to illustrate changes.
- Town Council adopted a new Official Plan in May 2025, which is currently with the Province for review and approval. Depending on timing of submission, the relevant OP must be addressed.
- The following materials will be required as part of a complete submission:
  - Planning Justification Report (see attached guidelines)
    - Address Lot 177 policies
    - Address applicable environmental policies pending findings of EIS
  - Environmental Impact Study
  - Preliminary engineering drawings
  - Functional Servicing Report/Stormwater Management Plan

**Niagara Region - Public Works Growth Management and Planning Division:**

**Regional Comments**

**Record of Site Condition**

- The proposed development does not constitute a change in use as defined by the Environmental Protection Act.

**Archaeological Resources**

- The subject property is not identified as having archaeological potential under the NOP. Accordingly, archaeological studies are not recommended.
- Regional staff recommend that the warning clause pertaining to the potential discovery of deeply buried archaeological resources be included in any future agreements:
  - *"If deeply buried or previously undiscovered archaeological remains/resources are found during development activities on the subject lands, all activities must stop immediately. If the discovery is human remains, contact the police and coroner to secure the site. If the discovery is not human remains, the area must be secured to prevent site disturbance. The project proponent must then follow the steps outlined in the Niagara Region Archaeological Management Plan: Appendix C, which can be accessed here: <https://www.niagararegion.ca/culture-and-environment/archaeology.aspx>"*

**Gas and Petroleum Resources**

- There are no historical gas/petroleum wells in the vicinity of the subject lands based on Provincial mapping.

**Land Use Compatibility**

- Staff provide no comments relative to the Province's D-Series Guidelines / NPC-300.

**Water Protection Screening**

- Staff offer no specific comments regarding water protection.

**Urban Design**

- The subject lands are not on a Regional Road.

**Environmental**

- The subject property is impacted by the Natural Environment System (NES) of the Niagara Official Plan (NOP), consisting of Other Wetland and potential woodland (Significant or Other).
- NOP Policy 3.1.9.8.1 requires the completion of an Environmental Impact Study (EIS) when development or site alteration is proposed within 120 m of Significant Woodland and 50 m of Other Woodland. The EIS must demonstrate that there will be no negative impact on the features or their ecological function. Within settlement areas, mandatory buffers from these features are required. The widths of the mandatory buffers are determined through the EIS.
- The proposed development is within the above-noted features. As such, Regional Environmental Planning staff recommend that a Terms of Reference and EIS be prepared, consistent with NOP policy 3.1.33.4.
- The EIS should confirm the extent of mapped features, screen for additional natural heritage features and areas, determine buffer widths, and screen the property for supporting features and areas, enhancement areas, and linkages.
- Staff are happy to visit the site to confirm our recommendations.
- A Terms of Reference for an EIS was reviewed and approved by Regional staff earlier this year.

**Servicing**

- Extension of municipal services would need to be approved through the CLI ECA process.

**Waste Collection**

- Niagara Region provides curbside waste collection services for developments that satisfy its Procedure for Requirements for Waste Collection and do not exceed the allowed limits.
  - Green – no limit (weekly)
  - Waste – 2 bags/cans (bi-weekly)
- A temporary cul-de-sac, as is shown on the concept subdivision plan, will be required to accommodate regional waste collection services until through access is provided.
- If the development is unable to satisfy the regional waste collection requirements or meet the allowed limits, then waste collection for the site will be the responsibility of the owner through a private contractor.
- Circular Materials Ontario is responsible for the delivery of residential blue/grey box recycling collection services, and related information can be found at the following link: <https://www.circularmaterials.ca/resident-communities/niagara-region/>
- **Collection at the curbside only.**

**Regional Study Recommendations (for Town's consideration):**

**Zoning By-law Amendment and/or Draft Plan of Subdivision**

- Environmental Impact Study - see Env. comments above

**Regional Review Requirements:**

**Zoning By-law Amendment and/or Draft Plan of Subdivision**

- Conceptual Engineering Drawings

**Regional Fee Requirements (2025 Amounts)**

If above-noted study recommendations are required by Town:

- Zoning By-law Amendment:
  - Major EIS Review Fee: \$3000
- Draft Plan of Subdivision:
  - Planning Review Fee: \$1790 base fee plus \$900 per hectare

Required regardless of planning requirements:

- Draft Plan of Subdivision:
  - Minor Engineering Review Fee - \$570

**Town Public Works:**

- Each lot is to be individually serviced with a water and sanitary sewer lateral in accordance with Town of Pelham Engineering Standards. Installation of any missing services will require a Temporary Works Permit obtained through the Public Works Department. These works are to be completed prior to consent and the applicant shall bear all costs associated with these works. Locate cards are to be provided to the Town once works are complete.
- Confirm that no existing utilities cross the proposed lot lines. Should any services cross these lot lines, the applicant shall be responsible for the costs associated with their relocation and/or removal.
- Submit a comprehensive Lot Grading and Drainage Plan for the parcels demonstrating that the drainage neither relies on nor negatively impacts neighbouring properties and that all drainage will be contained within the respective lot to the satisfaction of the Director of Public Works or designate.
- Submit a comprehensive stormwater management report will be required, detailing the full stormwater management strategy.
- Submit a Functioning Servicing Report.
- Confirm the location of the RYCB adjacent to lot 12.
- Confirm the how the proposed trail from Line Avenue will connect to this development. The alignment of the future roadway is not consistent with the previous conceptual subdivision plan provided by Upper Canada Consultants, dated May 19, 2022.
- Submit an ECA application.

- Alteration applications are required for storm and sanitary sewers (details can be found on the website (compliance approvals)
  - Please submit the pre-application during the draft plan approval process.
- Form 1 & commissioning plan required for drinking water, etc.
- No curb stop shall be located within the driveway. Please show the maximum allowable driveway widths to ensure no conflict with the curb stop. If the house layout is flipped in the future and as a result the curb stop is located within the proposed driveway, the applicant will be responsible for the relocation of the service.

**Town Building:**

- Building permit is required following planning approval.

**Niagara Peninsula Conservation Authority:**

The NPCA have reviewed the scope of works for the Preliminary Concept Plans for Tanner Extension Phase 2 provided by UCC date for August 11, 2025. Based on the NPCA current mapping the specified subject area limits do not contain NPCA regulated features. As such, the NPCA can offer no objections to the specified scope of works and will not require circulation of a review fee.

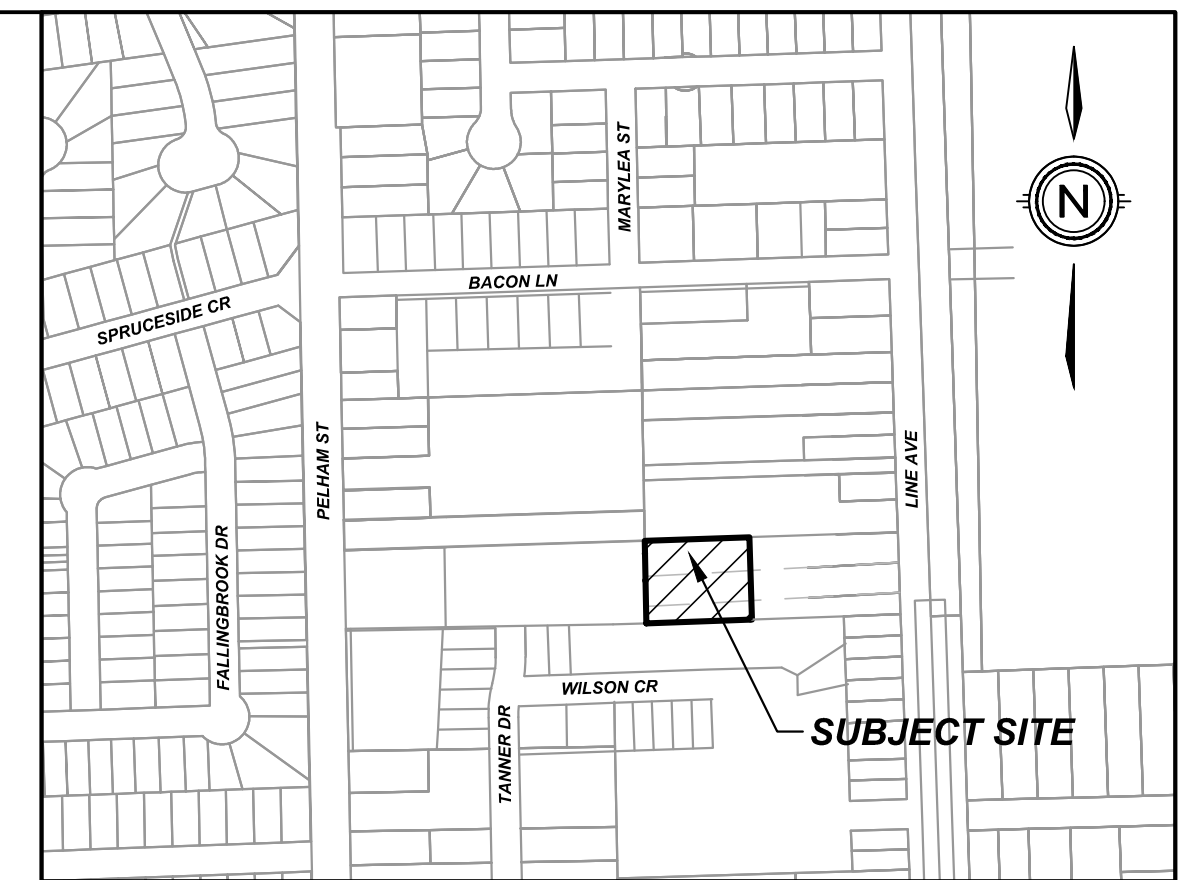
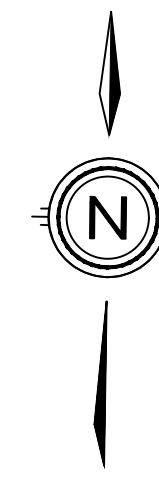
The NPCA will require continued circulation on all other phases of the development for prior review and approval. All works that encroach within an NPCA regulated area will require NPCA work Permits to be issued prior to the start of work.

**Attendance:**

<b>Party</b>	
Planning (Town)	Shannon Larocque
Planning (Town)	Andrew Edwards
Planning (Town)	Faranak Ahmadi
Planning (Town)	Pam Duesling
Public Works (Town)	
Public Works (Town)	Anthony LaSelva
Public Works (Town)	Nick Palomba
Building (Town)	
Fire (Town)	
Secretary-Treasurer CofA / Deputy Clerk (Town)	Jodi Conte
Niagara Region	Amy Shanks
Niagara Region	
NPCA	
Owner	Brian Rankin
Owner	
Applicant	Callum Gomez Ethan Laman
Applicant	
Other	
Other	

# TANNER EXTENSION PHASE 2

## TOWN OF PELHAM



**KEY PLAN**  
N.T.S.

### CONCEPT PLAN OF SUBDIVISION

#### LEGAL DESCRIPTION

PART OF LOT 177, GEOGRAPHIC  
TOWNSHIP OF THOROLD, TOWN OF  
PELHAM,  
REGIONAL MUNICIPALITY OF NIAGARA

#### ZONING MATRIX

PROVISION	ZONING (R2)	PROVIDED
MIN. LOT FRONTAGE	12m INTERIOR, 15m CORNER	11.74m (INTERIOR)
MIN LOT AREA	360m <sup>2</sup>	329.35m <sup>2</sup> (LOT 11)
MIN. FRONT YARD	3.0m EXCEPT 6.0m WHERE THERE IS AN ATTACHED GARAGE	4.1m to dwelling 6.1m to garage
MAX. FRONT YARD	6.0m	6.0m
MIN. INTERIOR SIDE YARD	1.2m	1.25m
MIN CORNER SIDE YARD	3.0m	N/A
MIN REAR YARD	7.5m	6.1m
MAX. BUILDING HEIGHT	12.0m	TBD
MAX LOT COVERAGE	50%	47.16% (LOT 8)
DRIVEWAY REGULATIONS SECTION 4.1.4.3	a) IN ANY ZONE WHERE A DWELLING IS PERMITTED, THE MAX DRIVEWAY WIDTH SHALL BE 6m OR 50% OF THE FRONTAGE, WHICHEVER IS LESS FOR THE ENTIRE LENGTH OF THE DRIVEWAY	5.5m

#### LAND USE SCHEDULE

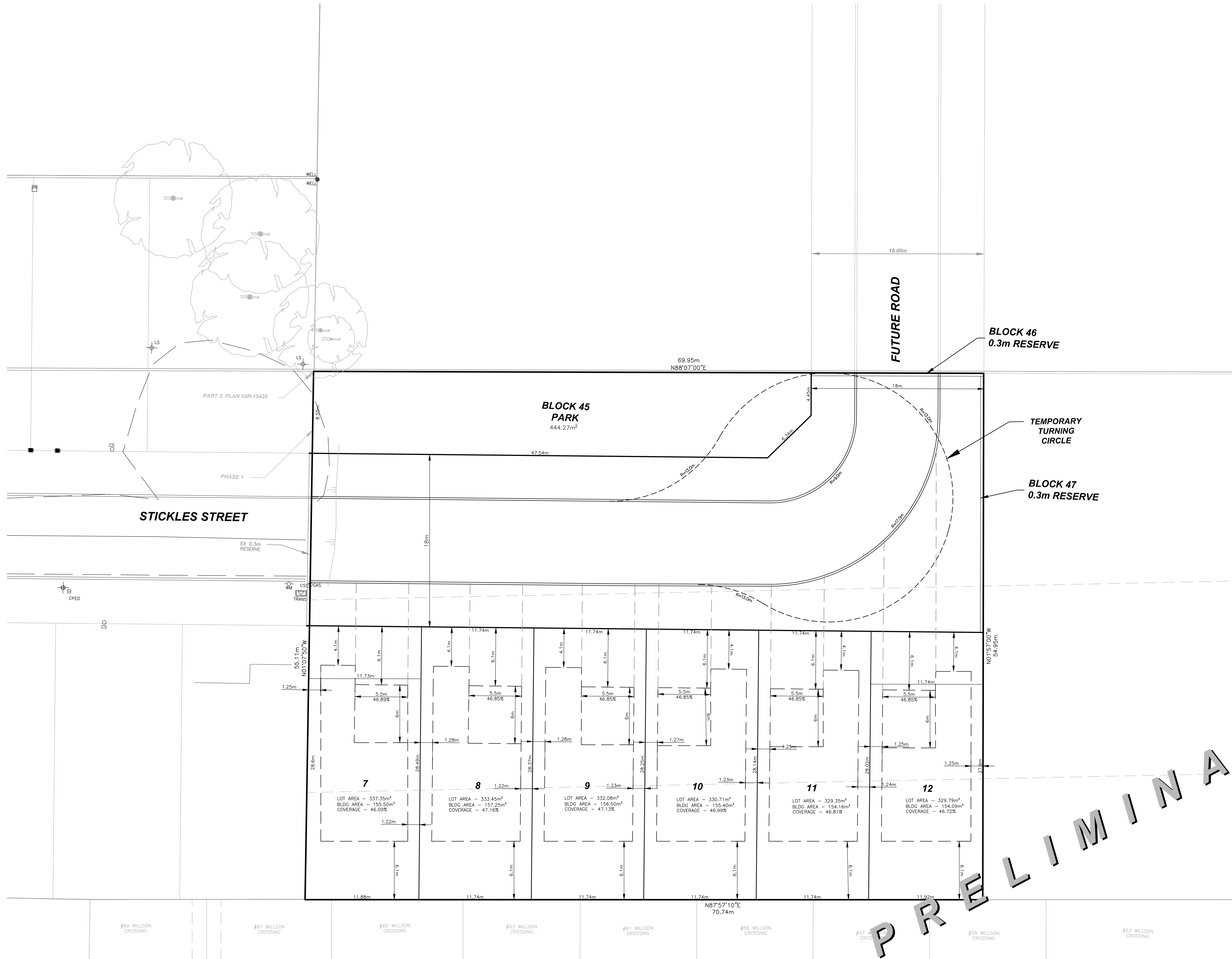
LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	LOT 7-12	6	0.199	51.42
PARK	BLOCK 45		0.044	11.37
0.3m RESERVE	BLOCK 46-47		0.001	0.26
ROADWAY			0.143	36.95
<b>TOTAL</b>			<b>0.387</b>	<b>100.00</b>

DEVELOPABLE AREA = 0.387ha  
DEVELOPABLE DENSITY = 15.50 units/ha

#	ISSUED FOR REVIEW	2025-08-11	TA
	REVISION	DATE	INIT



DRAWING TITLE	DRAFTING	TA
<b>CONCEPT PLAN OF SUBDIVISION</b>	DATE	AUGUST 11, 2025
	PRINTED	AUGUST 11, 2025
	SCALE	1:200
	DWG No.	REV
	<b>17147-CP</b>	<b>0</b>



## **GUIDELINES FOR THE PREPARATION OF PLANNING JUSTIFICATION REPORTS AND PLANNING JUSTIFICATION BRIEFS**

### **PURPOSE:**

The purpose of this document is to provide guidance for the preparation of Planning Justification Reports and Planning Justification Briefs. Planning Justification Reports are required to accompany submissions of development related applications such as Official Plan and Zoning By-law Amendment applications and Draft Plan of Subdivision/Condominium applications and sometimes Site Plan applications. Planning Justification Briefs are typically required for less complex applications such as Consent or Minor Variance applications.

All reports shall follow the guidelines contained in this document. Failure to adhere to the guidelines may result in a report being considered unsatisfactory and submitted applications being deemed incomplete.

The goal of the Reports is to provide a background context of the proposal, an overview of the purpose and effect of the application(s), and provide a professional planning rationale for the application by demonstrating how the proposal is consistent with provincial policy and conforms to applicable planning policy documents and good planning principles.

All reports must indicate the author of the report, and be signed by a Registered Professional Planner (RPP). A Candidate Member (defined by the Professional Standards Board) or a Certified Planning Technician (CPT) may also prepare the report, however it must be signed and reviewed by an RPP.

Reports will vary in content and detail depending on the nature and complexity of the proposal and applications being sought, however all reports must include the following:

- Introduction
- Site context
- Description of the proposal
- Policy and planning analysis
- Summary and conclusions
- Appendices/maps/plans

From the Department of

## **Planning Justification Reports:**

The framework for a Planning Justification Report is based on the following:

### A. Introduction

Every report must contain a brief introduction which outlines:

- Who was retained to write the report, when and by whom
- What applications(s) have been submitted or are required to support the proposal
- Date of the pre-consultation meeting(s)
- A statement of the purpose of the report

### B. Site Context

The site context is intended to provide an understanding of where the proposal is located and the characteristics of the site and surrounding area. This section of the report contains:

- A description of the location, existing condition and existing land uses of the subject lands
- A description of the surrounding land uses and important features such as roadways, significant buildings/features or characteristics of the area
- Identification of constraints affecting the site such as hazards, natural heritage features, access restrictions, servicing restrictions, cultural heritage resources, etc.
- Identification of any lands on the site that may be regulated by the Niagara Peninsula Conservation Authority
- Identification of any other known development proposals affecting the area
- Maps or reference to appendices that help provide a context for the site and surrounding land uses, such as surveys, aerial photographs, site photographs, maps, etc.

### C. Description of Proposal

The description of the proposal is to provide detailed information to allow the reader to understand the purpose and outcome of the applications(s). This section of the report must provide details about proposed uses, proposed buildings and siting, if known the planning history of the site (i.e. previous applications), identification of how the lands will be serviced and any previous consultations with the Town, Region and Conservation Authority.

Where modifications to the Official Plan are proposed, a detailed description of the proposed amendment and proposed modification should be included.

Where modifications to the Zoning By-law provisions are proposed, a detailed concept plan should be provided illustrating all applicable zoning regulations, (i.e. lot frontage, setbacks, coverage, encroachments, building height, parking (number and size of parking spaces, and driveway aisles), etc.).

The description of the proposal will also list and provide a brief description of other technical supporting studies that have been submitted as part of a complete application, in support of the application(s) and how these relate to applicable planning policies (i.e. Traffic Impact Studies, Noise and Vibration Assessments, Archaeological Studies, Functional Servicing Studies, Urban Design Brief, etc.).

#### D. Policy and Planning Analysis

The policy and planning analysis is the basis for establishing why a proposal should be considered and approved. The analysis must provide an outline of applicable planning policy documents and regulatory contexts quoting specific policies that are relevant to the proposal. The analysis must establish a basis for the application(s) by providing detailed analysis of the identified relevant policies and explain how the proposal conforms to the policies. Where changes to the Official Plan and/or Zoning By-law are proposed, the analysis must discuss the appropriateness of the requested amendments, including the policy basis for any requested modifications that are specific to the proposal. The following planning documents must be addressed as part of the policy and planning analysis:

1. Provincial Policy and Legislation:
  - Provincial Policy Statement
  - Growth Plan for the Greater Golden Horseshoe
  - Greenbelt Plan
  - Niagara Escarpment Plan
2. Municipal Policy
  - Region of Niagara Official Plan
  - Town of Pelham Official Plan
  - Secondary Plans
  - Council Approved Guidelines and Studies
3. Zoning By-law

If during the pre-consultation meeting specific policies were identified that need to be addressed in the Planning Justification Report, the policy and planning analysis should include an analysis of those specific policies and discuss how the proposal is supported by those specific policies.

The policy and planning analysis section is intended to provide a rationale and opinion as to why the proposal is appropriate, in terms of how the proposal addresses good planning principles. This may include a discussion of how the proposal provides social, cultural, economic, and/or environmental benefits; how the proposal contributes to creating complete, vibrant communities; and/or how potential negative impacts have been mitigated or avoided.

The analysis should also include a summary of the findings of other technical supporting studies that make up a complete application and discuss how the

findings of these studies are supported by the policy context and strengthen the proposal generally.

Applications which propose residential uses must provide an analysis of proposed densities and unit counts compared to the requirements in the applicable policy documents and demonstrate how the proposed density is in conformity with Provincial and/or municipal plans.

In some cases policy documents or zoning by-laws affecting lands may have been adopted or approved by Council, but are under appeal. In these cases, the documents are not in effect, but are relevant to the proposal. The Planning Justification Report should address the policies in the documents as part of the planning analysis and identify if changes are needed if the document or zoning by-law were in effect.

#### E. Summary and Conclusions

This section of the Report will provide a summary and concluding remarks outlining:

- The purpose and effect of the application(s), including why the requested amendment(s) are necessary
- A summary of the key relevant plans and policies and how they are being addressed
- A summary of the key merits of the application and
- Final recommendations

#### F. Appendices/Maps/Plans

The following visual aids and/or appendices are typically included in Planning Justification Reports and should be included where applicable:

- Maps, including aerial photographs, land parcel mapping and surveys
- Street level photographs/renderings of the lands subject to the proposed application(s)
- Official plan maps of land use designations
- Zoning maps
- Concept plans or site plans
- Official Plan amendment sketch and copy of proposed Official Plan amendment
- Zoning By-law amendment sketch and copy of proposed Zoning By-law amendment
- Draft plan of subdivision
- Supporting technical studies

#### **Planning Justification Briefs:**

For less complex proposals a Planning Justification Brief may be requested instead of a full Planning Justification Report. A Planning Justification Brief may be included as a covering letter with a formal application or as a short report. The Planning Justification Brief should give a summary of the proposal, outline the merits of the proposal based on

good planning principles and for minor variance applications should address the 4 tests pursuant to the *Planning Act, RSO 1990*. The requirement for a Planning Justification Brief will be determined on a case by case basis.

Planning Justification Briefs must include at a minimum:

- A description of the proposal and site context
- A summary addressing how the proposal meets the general intent of provincial, regional and municipal polices, including policies specific to the lands
- A summary of how the proposal is consistent with good planning principles.

**Additional Items Identified During Pre-consultation to be Addressed:**