

January 2, 2020

Mr. Curtis Thompson, Planner

Town of Pelham

20 Pelham Town Square, P.O. Box 400

Fonthill, Ontario, L0S 1E0

Re: Objection to Application for Minor Variance File A29/2019P

Mr. Thompson:

My husband Rob, and I are property owners at [REDACTED] Alan Crescent. Our son, Francis Berketo and his partner, Marta Iwanisik are also owners and live there permanently. I grew up at that address and lived there until I was married in 1990. My parents purchased the property from the original farm owner, Mr. Brown and lived there until 2018 when my Mom passed. My uncle, Steve Dajka has lived at [REDACTED] Alan Crescent since 1958. He is the longest residing resident on that street. The street still has several original owners or their kids living there including the Herons, Lymburners, Boyles, Dajkas, and Szemans (Berketo).

This subdivision is typical of those built in Fonthill around the same time. Generous lot sizes, unique homes, large front yards and treed lots are what attracted home owners initially. Through the decades there have been little change save for the subdivision of the original Brown property lot in the late 70's and 80's. There is a defined character to the neighbourhood. The architectural style is typical of the mid century and sometimes modern designs. The garages are flush with the front elevation of the house or tucked under or to the side of the house. The front door is dominant often with a porch. Many houses have large windows facing the street and the roof lines are low in pitch. These large windows afforded the homes lovely views both to the front and back yards where ample green space provided opportunities for play, relaxation and entertainment. The overall proportion of the house is horizontal rather than vertical. It is a desirable and sought after subdivision to live in.

We do not support the proposed minor variances to the property at 20 Alan Crescent for the following reasons, primarily based on specifics in the Official Plan and the four tests to measure a minor variance.

Official Plan

The official plan outlines specific areas for intensification such as the areas of Fonthill West, Fonthill East and Fonthill South. These will provide ample opportunity for increased density. To try and fit a new home into an existing mature subdivision with a defined character is out of place.

Section 2.3 of the Official Plan discusses urban character. Under 2.3.1 and 2.3.2 the goal is to "protect and enhance the existing urban areas and respect the character of the existing development and ensure that all applications for development are physically compatible with the character of the surrounding neighbourhood." It also states that another objective "is to maintain and enhance the character and stability of existing and well-established residential neighbourhoods by ensuring that development is compatible with the scale and density of the existing development." As outlined earlier, this development contravenes that Official plan objective. The new development will not be physically

compatible nor maintain the character or stability of the neighbourhood. The appearance, layout, building footprint and overall proportion of building to open space, combined with the removal of the trees on the new lot and perhaps damage to adjacent property trees will greatly impact and highlight how out of character this new development will be. It is not compatible with the existing neighbourhood.

Tests for Minor Variances

In terms of the tests to measure a minor variance I would like to review the following.

1. Is it minor in nature?
2. Does it meet the intent on the official plan?
3. Does it meet the intent of the zoning by law?
4. Is it an appropriate development or is it compatible with the density and character of the surrounding neighbourhood.

We realize these may all be somewhat subjective but when the first three tests are combined with the fourth it illustrates that this application does not pass the test to measure a minor variance. Points 2 and 4 have been covered in the paragraph dealing with the Official Plan.

The Notice of Hearing outlines the three points as part of the minor variance application:

13.2 e) minimum interior side yard from 1.8 to 1.2

13.2 d) minimum front yard from 7.7 to 6.19

13.2 g) minimum rear yard from 7.5 to 6.48

When reviewed in isolation these may seem minor however when compared to the other properties on both Alan Crescent and Elizabeth Drive and what is existing, allowing these variances would result in a very small property overwhelmed by the building. The building envelope will overwhelm the lot and be out of character with the others in the area. The lot size itself will be 25% narrower than the smallest property found on both streets and visually will appear as a home that is out of character and scale with its surroundings. Therefore the above changes to the by-laws would collectively be major. It would perhaps be more appropriate to newer subdivisions such as those in the Fonhill West development area.

Context

As stated in the Official Plan, any new infill must be compatible with the surrounding context. This development will not be.

The size of the front yard green space when the driveway is added will be a fraction of any other lot in the subdivision.

This property will create a solid building mass in close proximity to the existing home at 20 Alan Crescent. This home has several rooms that face onto the west side of the property including a family room and kitchen. These rooms, where previously looking out into a treed back yard and significant open space will now have only a few feet before they are confronted with a side wall of a house.

The urban tree canopy is something that is always in jeopardy. This property has several large mature trees that contribute to the urban canopy and provide a visual screen between the rear yard of 20 Alan and the homes on Highland Avenue. This development will require the removal of those trees and likely damage the root systems of the mature trees at the Highland Avenue homes, leading to their eventual decline. With no green screen the intrusion of the new property on the surrounding existing ones will be even more worrisome.

The increase in impermeable surfaces will place additional strain on the infrastructure and it is unlikely the storm water will be accommodated on site.

Collectively, the above points further illustrate the inappropriate nature of this proposal.

We kindly ask that these points be registered and that I (Paula) may have an opportunity to speak at the public hearing. In addition, we would like to be informed of the progress of this file.

Regards,

Paula and Rob Berketo, Co-Property owners at

■ Alan Crescent

Home address:

■ Rolling Acres Crescent,

Niagara Falls, Ontario L2J 1E5

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