

From: [Nancy Bozzato](#)
To: [Jackie Oblak](#)
Cc: [Holly Willford](#); [Curtis Thompson](#)
Subject: RE: 20 Alan Crescent/Part Lot 18 Plan 721
Date: Thursday, January 2, 2020 1:47:47 PM

Dear Jackie;

Thank you for your correspondence. We will include this on the hearing agenda and the Committee will take the comments into consideration. We will provide you a copy of the Notice of Decision when rendered by the Committee.

Best regards,
Nancy

From: Jackie Oblak [REDACTED]
Sent: Thursday, January 2, 2020 12:16 PM
To: Nancy Bozzato <NBozzato@pelham.ca>
Subject: 20 Alan Crescent/Part Lot 18 Plan 721

TO: Pelham Committee of Adjustment
RE: Files A28/2019P; A29/2019P

General Comments on Intent to Severe Part Lot 18 Plan 721 and associated Minor Variance Applications

1. Given that **eight (8) requests for relief** are associated with this application for severance, the requests in these Minor Variance Applications should not be considered cumulatively as minor and therefore **should not be considered by the Committee of Adjustment**. This number of requests for relief are in themselves a clear indication that the applications run counter to the "general intent and purpose of the zoning."
2. Further, given that the severance and coverages would be potentially precedent setting in an established neighbourhood with established R1 zoning **this is not a minor issue** and **should not be considered by the Committee of Adjustment. It should be noted that a large percentage of homes in Fonthill are under R1 zoning and have the potential to be affected.**

The community of Fonthill as a whole is experiencing a large amount of growth and as such requirements for intensification are being met in new developments. The concept of intensification should not be applied to established areas of Fonthill where it is not suitable and will be disruptive. A good community plan provides consistent zoning so as to encourage stability. Inadequate planning decisions which change zoning midstream and allow unplanned and unexpected changes decreases stability, resulting in decreases in the value of the community and specifically affected neighbourhoods.

Detailed Comments and Rationale
File A28/2019P

The **Minimum Lot Area** of the proposed lot is only **62%** on the MINIMUM zoning by-law requirements. Forming a lot which is 1/3 less than minimum requirements is a *substantial* reduction in lot size which, coupled with the proposed reduction of **Minimum Interior Side Yard** and **reductions in Minimum Front Yard** and **Minimum Rear Yard**, has the potential to create a number of issues for the proposed properties as well as adjacent properties.

Maximum Lot Coverage, proposed to increase **from 30% to 45%**, cannot be considered a minor variance. Further, at a time when the Town of Pelham, the Region of Niagara, the Niagara Peninsula Conservation Authority, and so many others are considering impacts and adaptive measures of climate events such as the heavy rainfall events, which are projected to become more frequent in the future, increased lot coverage affects the loading of stormwater systems. Given that the actual percentage of impervious surface coverage once driveway, walkways, and patios, etc. are factored in is likely to increase to well above 50%, this is not minor in nature and has the potential, once precedent is set, to be repeated over time. Reduced permeable surfaces couple with increased Intensity-Duration-Frequency (IDF) curves may result in the cumulative impact of stressing stormwater infrastructure, as has occurred in so many other communities.

The site plan does not include the current placement of the mature trees. Mature trees and good tree canopy cover are another important component of the community in general and characteristic of this neighbourhood. Residents and the Council of Pelham have clearly demonstrated the importance of trees to the community through ongoing discussions of protection of the canopy from gypsy moth. Removal of mature trees to accommodate intensification runs counter to community values and it must be demonstrated that severing and further development of this lot will not affect the health and viability of mature trees on this site or adjacent sites. I have seen no reference to consideration of trees in the applications. Loss of a few large trees may at first glance may not be considered an issue but will result in significant losses of tree canopy through cumulative loss if this type of lot size reduction is allowed throughout the community.

File A29/2019P

Similar to the above discussion, there would be an increased percentage of impervious surface on this proposed lot, something which is not indicated in the application. Even assuming that the **Maximum Lot Coverage** falls below the 30% threshold, the percentage coverage will increase significantly. The proposed **Minimum Interior Side Yard** reduction to 1.2m, especially when coupled with the adjacent proposed reduced setback of 1.2m, sets up the potential for drainage issues and conflict where none now exists. At minimum it can be assumed that drainage in this area would be fed straight out to the street, significantly reducing any potential onsite infiltration capacity and increasing stormwater loading.

The proposed **Minimum Rear Yard** reduction has the potential to affect neighbouring properties, influencing adjacent property values due to nuisance factors. Though this is a difficult variable to measure it can be significant should not be overlooked. The cumulative effects of this type of setback reduction can adversely affect neighbourhoods as a whole.

Summary

Unsuitable intensification and zoning decisions threaten neighbourhood values, both monetary and quality of life.

Allowing 'infill' in the established R1 zoning;

- reduces the potential for retaining a healthy mix of housing options in Fonhill, vital for a balanced, healthy, community
- creates uncertainty,
- increases the potential for conflict, and
- reduces the community values that make Fonhill a desirable place to live in, and
- has the potential over time to increase stresses on existing infrastructure.

Pelham is addressing intensification in new build neighbourhoods with subdivisions which include a high percentage of townhomes and apartments.

Individually, these applications are not minor in nature. Given the large number of relief requests, the impacts and implications of the requests for relief much considered cumulatively. In that light the combined requests are definitely not minor, have the potential to affect many aspects of not only the neighbourhood but the community as a whole, and as such do not fit the general intent and purpose of the R1 zoning. They should not be considered minor by the Committee of Adjustment.

I strongly urge the Committee of Adjustment to decline these Applications for Minor Variance Files A28/2019P and A29/2019P, 20 Alan Crescent, Part Lot 18, Plan 721.

Regards,

Jackie Oblak

■ Petronella Parkway

