

Committee of the Whole Meeting
Public Meeting under the Planning Act
Minutes

Meeting #: PCOW-01/2022
Date: Monday, February 14, 2022
Time: 5:30 PM
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present: Mayor Marvin Junkin, Councillor Bob Hildebrandt,
Councillor Ron Kore, Councillor Wayne Olson, Councillor
Marianne Stewart, Councillor John Wink

Staff Present: Holly Willford, Barbara Wiens, Shannon Larocque, Sarah
Leach, Kenny Ng

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:30pm.

1.1 Land Recognition Statement

Councillor Hildebrandt read the Pelham Land Recognition Statement into the record.

Ms. Sarah Leach, Deputy Clerk read opening remarks regarding the Zoom Webinar meeting and procedures for public participation.

2. Adoption of Agenda

Moved By Councillor Wayne Olson

THAT the agenda for the February 14, 2022 Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as circulated.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

3. Disclosure of Pecuniary Interest and General Nature Thereof

There were no pecuniary interests disclosed by any of the members present.

4. Planning Act Application: AM-09-2021 - 1553 Pelham Street

The Deputy Clerk read into the record the Notice Requirements regarding this application.

4.1 Planning Report

Kenny Ing, Town Planner provided an overview of the application before Council. A copy is available through the Clerk.

4.1.1 Zoning By-law Amendment (AM-09-2021) 1553 Pelham Street - Information Report, 2022-0044-Planning

4.2 Applicant's Presentation

The Agent, Ethan Laman from Upper Canada Consultants, provided a short presentation to further explain the application. A copy is available through the Clerk.

4.3 Public Input

Ms. Leach, Deputy Clerk, indicated she checked the clerks@pelham.ca email address at 5:47 pm and confirmed no e-mails has been received with regard to the subject application. Ms. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and move to Committee input.

4.4 Committee Input

A Member of Council asked for the age of the existing home on the subject property. Kenny Ng, Town Planner replied that the home was built in 1900. The Member asked if the property is considered a heritage property. Ms. Barbara Wiens, Director of Planning and Development stated that the home is not on the Town's list of non-designated properties. Ms. Wiens indicated that although the home is old, it is not unique or remarkable with respect to heritage features. Ms. Wiens further stated that the home has not been identified on a list of potential heritage properties by staff and has not been designated under the *Ontario Heritage Act*.

A Member asked if the roof leader discharge locations would flow into the storm water management system or storm sewer system. Ms. Wiens stated that any connections of roof water leaders would go into the storm system. Ms. Wiens indicated that it is better to have storm water infiltrate onto a lawn area if possible. The Member asked the Agent if they would consider low impact development such as soak away ponds. Mr. Ethan Laman, Agent, expressed willingness to explore low impact development as the design of the home is refined.

4.5 Presentation of Resolutions

Moved By Councillor Marianne Stewart

THAT Committee receive Report # 2021-044 for information and recommend to Committee;

THAT Planning staff be directed to prepare the Recommendation Report on this topic for Council’s consideration once all comments have been received.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

Moved By Councillor Ron Kore

THAT Committee Receive the applicants presentation for information.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

5. Planning Act Application: AM-10-2021 - 30, 54, 64, 66 and 68 Philmori Boulevard

The Deputy Clerk read into the record the Notice Requirements regarding this application.

5.1 Planning Report

Shannon Larocque, Senior Planner provided an overview of the application before Council. A copy is available through the Clerk.

5.1.1 Information Report - Zoning By-law Amendment for 30, 54, 64, 66 and 68 Philmori Boulevard, 2022-0042-Planning

5.2 Applicant's Presentation

The Agent, Mr. Dan Romanko from Better Neighbourhoods Inc. provided a short presentation to further explain the application. A copy is available through the Clerk

5.3 Public Input

Ms. Leach, Deputy Clerk, indicated she checked the clerks@pelham.ca email address at 6:13 pm and confirmed no e-mails has been received with regard to the subject application. Ms. Leach indicated the public comment portion of the application could be closed. The Committee agreed to close the public portion of the meeting and move to Committee input.

5.4 Committee Input

A Member of Council asked for confirmation that the Niagara Peninsula Conservation Authority received the proposal and offered no objection. Ms. Shannon Larocque, Senior Planner

confirmed. The Member asked if the approved zoning by-law amendment would appear on the deed. Ms. Larocque stated that the approved amendment would become the new zoning for the property and it would be the responsibility of the property owner to be informed of the zoning requirements.

A Member of Council expressed concern that swales may be filled in by property owners. The Member inquired if a Town swale is included on a deed. Ms. Larocque stated that the original subdivision agreement included an approved overall lot grading plan which current and future homeowners must comply with. Ms. Larocque further indicated that the Town has easements registered where there is storm water management infrastructure which can be found by title search.

A Member of Council expressed concern with respect to side yard swales and storm water drainage. The Member noted that it is common for property owners to install fences within the side and backyard swales and asked how this would be addressed and controlled. Ms. Larocque stated that it is the responsibility of each property owner to ensure they are not impacting easements where there are no structures permitted. Ms. Larocque indicated that if a property owner chooses to proceed in obstruction, they are doing so at their own risk resulting in a potential legal matter.

A Member of Council asked what type of fence is proposed. The Agent, Mr. Dan Romanko indicated that the type of fence has not been specified.

A Member of Council asked if the zoning by-law amendment would permit a second dwelling unit on the subject properties. Ms. Larocque confirmed that if the accessory structure met the provisions of the zoning by-law, a second dwelling unit would be permitted.

A Member of Council identified this area as sensitive with respect to the Twelve Mile Creek and stated that the Town has an obligation to protect the water quality and temperature. The Member expressed concern that the capacity of the infiltration gallery may not be sufficient with the addition of accessory building roofs and pools. The Member recommended the addition of low impact development features and infiltration galleries. The Member asked if the Niagara Peninsula Conservation Authority or the Town would be responsible should this design be unsuccessful and water travel down the slope if Philmori Boulevard onto Haist Street. Ms. Larocque stated that the updated storm water management report from the consultant indicated no concern with the addition of structures on current infrastructure. Ms. Larocque further stated that a brochure will be distributed to residents to explain how to safely drain pool water toward the front yard as opposed to the ravine. The Member expressed concern that the data within the storm water management report was derived from a five year storm event.

The Member asked for further confirmation. Ms. Larocque indicated that the concern would be referred to Public Works for response.

A Member of Council expressed dissatisfaction with the creation of big houses on ravine lots. With respect to the suggestion to obtain a drainage engineer, the Member asked who would bear the cost. Ms. Larocque confirmed that the cost would be borne by the property owners.

A Member of Council asked the effect of water runoff on temperature and volume entering Twelve Mile Creek. Ms. Larocque stated that the question would be referred to Public Works staff for response. Ms. Wiens noted that as part of the original subdivision agreement, the developer was required to monitor storm water for a period of five years and report to the Town and NPCA.

Citing the need for additional information, a Member of Council asked that the decision be deferred. Ms. Wiens stated that no decision was being made and confirmed that the additional information requested would be included in the recommendation report for Council consideration.

5.5 Presentation of Resolutions

Moved By Councillor Bob Hildebrandt

THAT Committee receives Report #2022-42 for information as it pertains to File No. AM-10-2021;

AND THAT Committee directs Planning staff to prepare the Recommendation Report on this application for consideration.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

Moved By Councillor John Wink

THAT Committee Receive the applicants presentation for information.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

Moved By Councillor Marianne Stewart

THAT Committee receive the written correspondence as listed on the agenda.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

6. Adjournment

The meeting was adjourned at 6:38 pm.

Moved By Councillor Wayne Olson

THAT this Special Committee of the Whole, Public Meeting Under the Planning Act, be adjourned.

For (6): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Ron Kore, Councillor Wayne Olson, Councillor Marianne Stewart, and Councillor John Wink

Carried (6 to 0)

Mayor: Marvin Junkin

Deputy Clerk: Sarah Leach