

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

Meeting #: PCOW-08/2022  
Date: Tuesday, October 11, 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

**1. Call to Order and Declaration of Quorum**

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

**1.1 Land Recognition Statement**

Councillor Olson 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**

THAT the agenda for the October 11, 2022 Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as circulated.

**Amendment:**

**Moved By** Councillor Wayne Olson

**THAT the agenda be amended to add item 4.3.1.**

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)**

**Motion as Amended:**

**Moved By** Councillor Wayne Olson

**THAT the agenda for the October 11, 2022 Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as amended.**

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-06-2022 - 1145 Pelham Street**

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

**4.1 Planning Report**

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

**4.2 Applicant's Presentation**

The Agent, Mr. Craig Rohe and Mr. Kurt Tiessen of Upper Canada Consultants, Traffic Consultant, Mr. Scott Catton, ACK Architect, Mr. Michael Allen and the Applicants, Mr. Adam and Mr. Jason Duliban were electronically present. Mr. Rohe provided a short presentation to further explain the application. A copy is available through the Clerk.

**4.3 Public Input**

Ms. Gail Belchior stated she was representing many concerned voters with a united message and suggestions to move forward collaboratively. Ms. Belchior stated the ample written submissions clearly state the concern of residents as the proposal is excessive, intrusive and unacceptable. Ms. Belchior introduced a petition requesting Council to reject the proposed zoning by-law amendment and indicated the community is currently doing more canvassing.

Ms. Belchior expressed understanding of the need for infill and housing. She suggested the current zoning allowance of a 3-storey building with 20 units and 8 commercial spaces would be less population dense with fewer vehicles. Ms. Belchior indicated that the community is not in favor of a commercial space in this location unless the type of tenant was regulated.

Referencing the builder developer information session, Ms. Belchior stated she had comments on the transportation study and site plan. With respect to the transportation study, Ms. Belchior indicated the real experts are the individuals that live and work in the area. She expressed concern that additional

units would exacerbate the existing traffic problem on Pelham Street. Ms. Belchior stated that the terrace drawing within the site plan references potential views of Lake Ontario and the escarpment. Ms. Belchior expressed concern that if you can see such views, residents will be able to see into the backyards of the neighbours.

Ms. Belchior stated the community request is to find a reasonable, acceptable building structure that is not population dense, noise or light pollution producing, traffic and parking problem generating and will respect the land and private homeownership. She further proposed an alternative option of a 3-storey residential building with a maximum of 35 units and 1 guest unit. Ms. Belchior suggested this family legacy building is intended for personal growth and is at the expense of the community. Ms. Belchior further expressed concern that approval of the excessive amendment would be precedent setting and asked that Council reject the request.

Mr. Peter Kowalski applauded Ms. Belchior's comments, stating her comments reflected the collective neighborhood concerns. Mr. Kowalski provided a synopsis of the 5 concerns contained within his written correspondence. Mr. Kowalski stated he is strongly opposed the approval of the amendment.

Mr. Bob Marx stated that building a 5-storey apartment building in a residential area would destroy the fabric of the area and not blend in with the neighboring community. Mr. Marx referenced other 3-storey and larger buildings in Fonthill which do not impact the residential area. Mr. Marx stated that traffic congestion and noise pollution would impact Pelham Street. Mr. Marx further questioned the validity and accuracy of the submitted traffic study. Mr. Marx expressed concern that the proposal will cause neighboring residents to relocate and stated that he does not support the amendment.

Mr. Wally Braun provided a synopsis of his written correspondence and shared photo's to illustrate his recommendations. Mr. Braun expressed support of Ms. Belchior's comments and expressed confidence that the public input would lead to a resolution satisfactory to all parties.

#### **4.4 Committee Input**

Referencing the fifth floor amenity area, a Member of Council asked how noise, light transmission and issues surrounding visitor parking would be mitigated. The Member anticipated the amenity space would be utilized more heavily in the afternoon and/ or evening which may adversely affect residents in the surrounding area. The Member requested information on light standards and light dispersion. The Member further asked how the parking area will be maintained following a snow event.

Mr. Craig Rohe responded that noise and light impact can be addressed during the detailed design stage. Mr. Rohe indicated

that the units will be under condominium ownership and therefore, there is the ability to impose a separate condominium by-law to regulate such things as use of the amenity space. Mr. Rohe stated that even a site plan approved development would require typical pole lighting to illuminate the parking lot. He stated that standards are between 20 to 25 feet and may be installed as a directional LED or light shield to mitigate light bleed onto adjacent properties. Mr. Rohe assured a detailed photometric plan would be a requirement at the time of site plan approval. With respect to snow storage, Mr. Rohe indicated a landscape buffer exists where snow can be stored to keep the parking area clear. Mr. Rohe further indicated that a contractor may be obtained to move snow off-site in the event of a significant snow event.

A Member of Council asked for clarification on unit ownership. Mr. Rohe clarified the proposed ownership is condominium, indicating that each unit will be rented and the ultimate ownership retained by Duliban Family Holdings. Mr. Rohe stated that Duliban Family Holdings would have the majority of votes of the condominium corporation and would administer the running of the building. A Member of Council asked if the condominium corporation would regulate such aspects as property maintenance and appearance. Mr. Rohe confirmed.

A Member of Council asked if parking spot(s) are sold or rented as part of the condominium agreement. Mr. Rohe indicated it was likely that a parking spot would be allocated to each rental unit and the balance utilized for visitor parking.

A Member of Council asked for a description of the easements on the land. Mr. Rohe stated the location of the easements and stated the development will not have an adverse impact on existing infrastructure and/ or easements.

A Member of Council asked if the applicant had an alternative option if the proposal is denied. As opposed to an alternative option, Mr. Rohe indicated it would be preferable to first attempt to mediate and arrive at a compromise that meets the needs of the applicant and community. Mr. Rohe indicated the height and number of units were flexible elements. Mr. Rohe further indicated that the applicant is looking for feedback from the meeting and may look to make effective edits to ensure the development moves forward.

A Member of Council asked if the proposal was a sustainable construction project. Mr. Catton of ACK Architects stated that the material has not yet been determined.

A Member of Council supported the residents request for a collaborative design. The Member acknowledged the residents concern about the 5-storey building and stated they could not support the zoning amendment in this area.

A Member of Council stated they were not in favor of a building of this height in this area and asked if any consideration was given to a parking lot with a permeable surface to mitigate storm water runoff. Mr. Rohe stated that the proposal is not at the detailed design stage and stated that it is typical for a storm sewer system to be installed for rain water collection. Mr. Rohe indicated a permeable surface is something that could be considered.

Mr. Catton requested to speak to the transportation concerns raised. Mr. Catton indicated a traffic study was completed for the development which studied current and forecasted traffic volumes. Mr. Catton indicated the driveway was found to operate acceptably from an intersection capacity perspective. Mr. Catton further indicated the forecasted traffic volumes did not warrant the need for an additional turning lane into the development. Mr. Catton described some enhancements in the area as a result of the Pelham Street reconstruction project undertaken by the Town. Mr. Catton explained the traffic study did not speak to parking as parking on the site is compliant.

A Member of Council asked how a traffic study is conducted and if the new apartment building on Pancake Lane was considered within the study. Mr. Catton stated that AI camera technology is used to record traffic volumes for 8 hours which is the industry standard. Mr. Catton indicated that the 8 hour span is broken up by the morning, mid-day peak and evening.

A Member asked the Consultant if his firm had conducted the development and parking package for the Pancake Lane development and inquired why the development was not included within the traffic study. Mr. Catton was unable to confirm and responded that local road authorities are asked which developments should be included when scoping a traffic study. Mr. Catton further indicated that no developments were identified by Town Staff. Mr. Catton explained that a generalized growth rate is applied to account for instream and recent development.

A Member asked where the cars are being generated. Mr. Catton stated that the estimated distribution of cars is based on existing conditions. The Member further asked if speed is considered in the transportation impact study. Mr. Catton indicated speed is not considered and would be a matter of investigation by the Town or local police service.

#### **4.5 Presentation of Resolutions**

**Moved By** Councillor Bob Hildebrandt

**THAT Committee receive Report #2022-238 for information as it pertains to File No. AM-06-2022;**

**AND THAT Committee direct Planning staff to prepare the Recommendation Report on this topic for Council’s 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 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)**

**Moved By** Councillor Marianne Stewart

**THAT Committee receive the written correspondence as listed on the agenda;**

**AND THAT Committee receive the verbal presentations made by the public 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)**

**5. Adjournment**

The meeting was adjourned at 7:20 pm.

**Moved By** Councillor John Wink

**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)**

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Mayor: Marvin Junkin

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Deputy Clerk: Sarah Leach