

December 7, 2022

Dear Mayor Junkin, Town of Pelham Council & Town Planning Department

**RE: Response to Upper Canada Consultant's (UCC) Letter Dated November 8, 2022 for 1145 Pelham Street Re-zoning By-law Amendment Application (File AM-06-22)**

We the residents living in and around 1145 Pelham Street would like to express our extreme disappointment regarding the responses provided by UCC in the above-noted correspondence. We had hoped for a more receptive and collaborative approach from the Builder/Developer regarding the extensive adverse impacts we identified, which the proposed building will have on our lives, lifestyle enjoyment, home values and neighbourhoods.

We believe it prudent to provide our responses to those comments provided in the above noted correspondence. Our comments provided below are in the order identified in the UCC Letter.

**1) Rendered Photos**

The cut & paste image is a false and misleading illustration for building elevation in relation to the surrounding 1 and 2 story homes and the plaza next to the proposed building site. This image should be disregarded, as it is inappropriate and deceiving.

**2) Builder's Goal**

Family legacy and increased personal wealth accumulation are acceptable goals, provided they are not to the detriment of long-standing current landowners, their property values, home ownership enjoyment, their living in Fonthill enjoyment, and their backyard lifestyle enjoyment. This 5-story building infringes negatively on all aspects of the current neighbourhood's home ownership, which is unacceptable.

**3) Luxury Rentals**

While we understand that any 'new build' will be nice looking as a stand-alone unit, this project is not a luxury building, and will 'stick out like a sore thumb' in this low-density residential neighbourhood. The current 3-story General Commercial (CG-89) zoning is better suited to the neighbourhood being compatible with the homes that have existed here for many years. Our suggestion, having heard that the Builder/Developer does not want commercial space, is for a maximum 3-story building (maximum 35 unit + 1 guest suite), and

is a compromise, and is in keeping with the Town's current Planning Policy for growth and would be acceptable in this neighbourhood and at this site location.

#### **4) Parking**

The overflow needed for parking remains a real concern for neighbourhood residents on Tanner, Fallingbrook, Wilson Crossing and Spruceside. We know that those living in Fonthill are multi-vehicle owners. Fonthill may want to be known as a 'walkable community,' but that is for social, recreational, and fitness pursuits. We need cars to get to and from work and school, for groceries and other shopping, children's multiple activities, and to visit friends and family. The overflow of cars parked on our streets will lead to increased car vandalism and theft when no one in the immediate vicinity owns the cars. This increases the neighbourhood's risk of criminal activity, not something anyone would consider a positive or acceptable outcome.

#### **5) Current Zoning**

The UCC statement referencing, and assuming, that commercial operations would have a negative impact on local residents for noise, traffic, and nuisance is the exact same negative impact the actual local residents have for their 5-story proposed building due to its size and dense population. The small 4-unit commercial plaza located beside 1145 Pelham has not negatively impacted the community due to the style and size of the businesses that operate in that location. It is not known if any increased negative impacts would occur with an 8-unit commercial space.

We want Town Staff, Town Council, and the Mayor to approve a maximum 3-story building, with a maximum 35 + 1 unit, for 1145 Pelham, or leave the current CG-89 zoning, as it stands.

#### **6) Light Pollution**

There are two types of intrusive light pollution, those from the building units, and those from the parking lot, due to the vehicle headlights. We know from lived experience, not some random artificial study, that pole lighting does in fact currently filter, annoyingly, into our homes each and every night from the current small plaza located beside 1145 Pelham Street. Adding more light poles and apartment unit lighting will negatively add to this issue.

Additionally, fencing and trees do not block out vehicle headlights. Those lights infiltrate between branches and fencing directly into our bedrooms and family room windows.

## **7) Trees/Landscaping**

The size and number of trees needed to provide adequate privacy for a 5-story building far exceeds what is illustrated on the UCC documents. Their illustration demonstrates acceptable curb appeal and does not address the issue of adverse impacts of light, noise, and privacy.

## **8) Not Financially Viable**

Although we disagree that a 3-story building would not be financially viable, we believe this is not a Planning Policy or Re-zoning issue and dismiss this comment as irrelevant for the Town and Council's consideration.

## **9) Snow**

Snow plowed to landscaped areas for storage means adjacent homeowners will have to deal with the negative impacts of melting snow run-off, along with gravel and debris in their yards.

## **10) Privacy and Lifestyle Enjoyment**

The Town's website states, *"....With state-of-the-art facilities (Meridian Community Centre) to heritage sites (Comfort Maple Conservation Area), Pelham embraces technological and urban change while preserving a small-town feel and nostalgia of days gone by. Welcome to Pelham, we hope you'll stay a while."* Unfortunately, what we are witnessing is our neighbours in this area around 1145 Pelham considering and, in some cases, putting their homes up for sale. For many of us, we are long time (30+ years) residents in these particular homes around 1145 Pelham. We do not want to be forced out, nor should we have to be.

The Builder/Developer considers our privacy concerns to be "limited." This is inaccurate from a building development standpoint, as a 5-story building is both large and high, in comparison to the surrounding homes. The adverse impact on our privacy is a real and paramount concern. The tree-lined properties do not actually provide privacy as many have been removed, others are dying, while others are at the top of their life expectancy. Current fencing is not near high enough, compared to 5-stories for actual privacy. We live in our backyards for most of the 3 outdoor seasons, invested in yard improvements and believe the proposed by-law amendment would substantially decrease our home values and, more importantly, our home ownership lifestyle enjoyment. We loose, in the Town's own words, "the small-town feel and nostalgia of days gone by."

This particular rezoning by-law amendment application does not need to happen to achieve growth development at 1145 Pelham Street. A maximum 3-story, maximum 35 + 1 unit residential building by-law amendment would achieve growth development, and at the same time, be inline with the current neighbourhood and residents' lifestyle, helping to preserve Fonthill's small-town feel and charm.

## **11) Road Access, Transportation Report and Safety**

Pelham Street is not safe, as cars speed down it, and the new improved roadway will not deter speeding, it may in fact increase speeding. There will be increased traffic flow on Pelham Street, combined with the building to be developed at 1 Pancake Lane, and all other potential building developments. The cross walk at Spruceside and Bacon does not substantially reduce speeders, as it is a push button system.

The traffic report supplied by UCC, while produced by 'experts' did not evaluate speeding nor increased volume from other buildings along Pelham Street. It is a flawed report based on missing data. We expect that any building design at 1145 Pelham will negatively impact the vehicle and pedestrian traffic and safety. In our view, the Town Council and Town Staff would be wise to address the root problems before making any final decision on this by-law amendment application.

In conclusion, those who are most closely impacted by this by-law rezoning amendment application (126 pen & papers signatures + 242 online Change.org signatures) would like the Town Staff report to recommend rejecting this particular by-law zoning amendment. Additionally, if necessary, based on a different Town Staff report recommendation, then we would want Town Council to reject the application.

Our objections are not based on the "not in my backyard" (NIMBY) mentality, rather one of prudent planning, and respect for the adverse impacts on current residents and homeowners.

We support in-fill development, when the building design is:

- reasonable,
- suited to the current neighbourhood,
- affordable, and
- suited to the size of lot and proximity to those already living in the neighbourhood.

This is not what this by-law rezoning amendment application seeks to achieve.

Thank-you Barb Wiens and Shannon Larocque for meeting with us on December 6 to discuss this matter, and to further consider this written submission.

Thank-you Councillors Hildebrandt and Niznik for listening to the residents for your Ward.

Thank-you, in advance, Mayor Junkin and Town Council, for listening to our concerns and providing consideration regarding how any rezoning impacts affects us, as the residents of Pelham, those you seek to serve.



Regards,

Gail Belchior (█████ Fallingbrook Drive) on behalf of those residents living on Fallingbrook, Spruceside, Tanner, Wilson Crossing, and Pelham Streets and other connecting roads.