

November 8, 2022

UCC File No. 21135

To: Shannon Larocque, MCIP, RPP
Senior Planner
Town of Pelham
20 Pelham Town Square
PO Box 400
Fonthill, ON L0S 1E0

Re: Public Comment Responses
1145 Pelham Street – File AM-06-22

Further to our meeting with Town Planning staff on October 21, 2022, this letter has been prepared to provide written responses to Public Comments provided pertaining to Town File **AM-06-2022**, being a Zoning By-law Amendment at 1145 Pelham Street in Pelham.

The following comments are thematically compiled based on feedback received at the developer-led Open House on September 22, 2022, the Statutory Public Meeting held on October 11, 2022 and written submissions submitted to the Town of Pelham.

In addition to these written responses, ACK Architects have also provided some preliminary rendered elevations to demonstrate how the development would look in the context of adjacent development. Please feel free to use the images provided with this letter as part of your report to Council or for any discussions with members of the public being held prior to Council's consideration of the application.

1. Seeking clarity on condominium versus rental and estimate selling/construction costs.

The owner (Duliban Family Holdings) intends to keep the apartment development under their ownership as a family legacy project and to ensure the development is well maintained.

To ensure this, the owner will apply for a Standard Condominium Approval which will place each individual apartment dwelling unit under their ownership. This would provide the owner with a majority voting power over the Condominium Corporation.

The condominium declaration and by-laws will allow for the owner to rent out each individual apartment dwelling unit. Each unit would be subject to the rules and by-laws of the Condominium Corporation which regulate matters such as noise, time of use for amenity areas and general conduct within the building.

Based on current market trends for similar projects, the estimated unit valuation costs are roughly \$800 per square foot.

2. How will short term rentals be managed, or permitted, if at all?

The owner has agreed to prohibit short term rental of the apartment dwelling units. A clause in the Condominium Agreement and/or Condominium By-laws will implement this action.

3. Where are recreational opportunities for youth that may live in the building?

The building will contain both indoor and outdoor amenity areas for the enjoyment of building residents, including youth. These areas include a fitness room, community room, cards room, outdoor landscaped amenity space and rooftop amenity room and patio.

The subject lands are within a short walk (~400 metres) of Woodstream Park. This park will become more conveniently accessible from the subject lands through the establishment of a new municipal crosswalk at the northern end of the subject lands to the west side of Pelham Street. A new municipal park is also proposed to the northeast, which will be established as part of future development applications.

4. How many parking spaces are needed, and how are they split between owners and visitors?

Zoning By-law 1136 (1987) requires 71 spaces be provided for the development, reflective of a ratio of 1.5 spaces per unit.

The new Comprehensive Zoning By-law 4481 (2022) requires a ratio of 1.25 spaces per apartment dwelling unit, totalling a minimum of 59 spaces. This By-law is under appeal currently, and not yet in effect.

Seventy (70) total spaces are proposed to support the proposed development. It is intended that one space would be allocated to each unit (47), with the remaining spaces (23) to be used as visitor parking.

5. Why are the subject lands being developed as an apartment?

The subject lands are currently Site Plan and Zoning approved to be developed with mixed use development consisting of 8 commercial units and 20 residential apartment dwellings.

It is the owner's preference and desire to develop the property with a purely residential development form. The owners are not interested in developing/operating commercial uses.

The owners share similar concerns to the area residents about the potential impacts of noise, traffic and nuisance that may be generated by commercial land uses.

The owner is intending to build a family legacy project that they can manage for the long term and contribute high quality living opportunities and well-designed development within the Town of Pelham.

From a planning perspective, the subject lands are preferable for higher density development as they are located along an arterial roadway, have full municipal servicing and can be laid out in a manner that achieves land use compatibility with existing development. The size of the property is conducive to larger scale development that can provide more rental housing opportunities in the community. It is not considered to be efficient use of urban land to only develop the property with

low density residential land uses (i.e. detached dwellings) or a mixed use building with only twenty (20) units, as suggested through the public comments.

6. How will parking lot lighting be provided and mitigated?

Lighting of the parking lot and building entrances is proposed to be provided using a mix of pole lighting and wall mounted lights.

Pole lighting is anticipated to be used for the parking areas. Per municipal requirements, light cannot trespass across property lines. This impact can be mitigated through the use of cut-off shielding on lights, or the use of directional LEDs. Wall mounted lighting or lighted bollards may be used for entranceways and amenity spaces.

A photometric plan showing light impacts is a requirement of Site Plan Approval and will afford the municipality the opportunity to review the design.

7. Seeking details on screening for balconies and amenity areas.

The exact method screening will be refined through architectural design, but will likely include the use of “frosted” glass, landscaping or elevated railings.

8. Emphasis on good landscaping along perimeter with a mix of mature species and new plants.

The preliminary Landscape Plan prepared by Adesso Design Inc. shows an appropriate mix and spacing of landscaping throughout the site. The fifth storey amenity area will also be outfit with seasonal, moveable landscaping elements such as trees, flowers and plants.

The owners have stated their commitment through the public process to provide mature trees species as part of the planting strategy to provide immediate environmental, aesthetic and buffering benefits.

9. Consideration of modification to number of storeys (reduction) and design of building.

The owner has considered constructing a three-storey structure on the subject lands through their initial design efforts and as a result of public consultation. Through financial review it has been determined that the project is not financially viable if unit count were to be reduced below 47.

Condensing 47 units over 3 storeys as opposed to 4 storeys is possible, however, it would generally reduce each unit size by 25% and thus undermine the owner’s goal of developing and maintaining a luxury residential development. To achieve the development form and quality of development desired by the owners, it is their position and preference that the building not be altered.

10. Has underground parking been considered?

The provision of underground parking was contemplated through initial design but deemed financially prohibitive. Current market conditions are seeing the cost per underground parking to be between \$50,000 to \$75,000 per space.

To make underground parking feasible would require and increase in the proposed unit count and subsequently building height and mass. The owners are not interested in increasing the scale of development beyond what has been proposed.

11. How will mechanical units be located/screened?

Mechanical units are intended to be provided on the rooftop area within an enclosed mechanical room. This method will mitigate noise impacts.

12. How is waste collection to be handled on site?

Waste collection will be provided by a private contractor. The development will utilize MOLOK containers which are sealed and secured and provide superior protection against odour, leaks and vermin compared to typical dumpsters.

13. How will snow storage be accommodated?

Snow removal will be managed by an outside, private contractor.

Snow will be plowed into the landscaped areas for storage as part of typical property maintenance practices. In significant snowfall events, snow may be trucked off site.

14. Preference that development is residential rather than having commercial, due to noise impacts.

The owner is committed to a purely residential product, as they share similar concerns that the neighbours have about noise, traffic and other nuisance impacts being generated by permitted commercial uses.

The requested change in zoning to RM2 will not allow for the establishment of commercial uses.

15. Concerns from Fallingbrook Crescent Residents about overlook into rear yards along Pelham Street.

Existing dwellings on Fallingbrook Drive are setback a minimum of 61 metres from the proposed building face. This space includes a landscaped strip on the subject lands, east side municipal boulevard, two-lane road, west side municipal boulevard, tree line, fencing and rear yards.

Given such separation, the impact of overlook is considered to be limited.

16. What is the construction timeline?

If the Zoning By-law application is approved without the need for an appeal process, site development could begin in Fall 2023 and be largely completed by Fall/Winter 2024.

An appeal of the applications may delay development into 2024 or 2025.

17. Preference for a northern driveway access, rather than south location.

A southern access is required due to the location of the Town's new crosswalk along Pelham Street.

A northern access would conflict from a safety perspective and cannot be provided.

18. Concerns about the accuracy of the Transportation Report

The transportation report was prepared by a qualified transportation engineer and based on study scoping provided by the Town of Pelham. Town staff have reviewed this report and have cited no concerns or objections to the study through their review.

We trust that the additional information provided in this letter will assist Town staff in the formulation of their professional planning opinion and subsequent recommendation to Council.

If any matters required further clarification or discussion, please contact the undersigned.

Respectfully submitted,



Craig A. Rohe, M.Pl., MCIP, RPP
Senior Planner
Upper Canada Consultants

Cc: Barbara Wiens, MCIP, RPP, Director of Community Planning and Development, Town of Pelham
Duliban Family Holdings
ACK Architects Inc.



Proposed
Development

Proposed Street Rendering View Looking North | 1145 Pelham Street | Pelham Ontario

A · C · K
architects
STUDIO INC.



Proposed
Development



Proposed Street Rendering View Looking South | 1145 Pelham Street | Pelham Ontario

A · C · K
architects
STUDIO INC.



1169 PELHAM STREET
1-STOREY RESIDENTIAL

1161 PELHAM STREET
1-STOREY COMMERCIAL COMMERCIAL PLAZA

1145 PELHAM STREET
PROPOSED 4-STOREY RESIDENTIAL + 1 STOREY AMENITY SPACE

PROPOSED
DRIVEWAY
ENTRANCE

1133 PELHAM STREET
1.5 STOREY DWELLING

1131 PELHAM STREET
1 STOREY DWELLING

1127 PELHAM STREET
1 STOREY DWELLING