

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

Meeting #: PCOW-02/2023
Date: Monday, February 13, 2023
Time: 5:30 PM
Location: Meridian Community Centre - Accursi A and B
100 Meridian Way
Fonthill, ON
L0S 1E6

Members Present: Mayor Marvin Junkin, Councillor Bob Hildebrandt,
Councillor Wayne Olson, Councillor John Wink,
Councillor Kevin Ker, Councillor Brian Eckhardt,
Councillor Shellee Niznik

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 5:30pm.

1.1 Land Recognition Statement

Councillor Niznik 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 13, 2023 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 (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Brian Eckhardt, and Councillor Shellee Niznik

Carried (7 to 0)

Motion as Amended:

Moved By Councillor Wayne Olson

THAT the agenda for the February 13, 2023 Public Meeting Under the Planning Act, Special Meeting of Committee of the Whole, be adopted as amended.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Brian Eckhardt, and Councillor Shellee Niznik

Carried (7 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: 26T19-020-02 & AM-03-2020 - Kunda Park Phase 4

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.

4.1.1 Information Report for Applications for Draft Plan of Subdivision Zoning By-law Amendment for Kunda Park Phase 4, 2023-0038-Planning

4.2 Applicant's Presentation

The Agent, Matt Kernahan of Upper Canada Consultants provided a short presentation to further explain the application. A copy is available through the Clerk.

4.3 Public Input

Mr. Bill Heska provided a brief history of the development file. Mr. Heska expressed dissatisfaction that the notice did not include historical information. Mr. Heska indicated an 'Engaging Pelham' webpage was created providing information dating back to 2022. He stated historical information on the file is important. Mr. Heska expressed concern that information shared digitally is not meeting the needs of the neighbourhood.

Mr. Heska expressed concern regarding density, stating that lot sizes will be decreasing to a maximum of 450 square metres. Mr. Heska further expressed concern regarding storm water management. He stated that the east side of Stella Street currently experiences issues with storm water management and requested serious consideration be given to drainage. Mr. Heska requested confirmation that both the sanitary and stormwater services will be placed under the Steve Bauer Trail. Mr. Heska expressed concern that the open channel will lead to erosion,

insects and standing water posing a safety risk to the community.

Mr. Heska indicated the second access into the site will cross the provincially significant wetland. He expressed concern that the roadway may not be functional for all traffic. Mr. Heska further expressed dissatisfaction that the proposal for the John Street extension was removed. Mr. Heska indicated an extension of John Street could provide a direct route of traffic and alleviate traffic through Stella Street. Mr. Heska expressed concern that construction vehicles will travel down Stella Street and pose a safety risk to children. He further referenced the existing weight limit for Stella Street and indicated it is not suitable for construction vehicles.

Ms. Heska asked if the pedestrian access needs to be 10-metres wide. He indicated a need for another access to the north end of Kunda Park. Mr. Heska suggested there needs to be a plan for the land located at the north end of the Kunda Park and further suggested the site is ideal for a storm water management pond. Mr. Heska further recommended fencing the identified archaeological site for educational purposes. Additionally, Mr. Heska suggested additional parking be installed for the Steve Bauer Trail due to potential loss of parking during the Station Street extension.

Ms. Muriel Heska expressed concern regarding increased traffic during and after construction. Ms. Heska stated increased traffic is a safety concern to both children and seniors in the area. Ms. Heska requested the access crossing the wetland be mandated a construction access.

Ms. Heska expressed the need for an additional access to alleviate traffic on Stella Street. She stated that many neighbours supported the trail resolution which banned roads crossing the Steve Bauer Trail and suggested this has now created an exit problem for the subdivision. Ms. Heska asked for the number of Steve Bauer Trail crossings proposed. Additionally, Ms. Heska asked how construction will be done, how the public will be notified, what time of year construction will occur and how long the trail will be closed. In closing, Ms. Heska agreed that the archaeological area should become a park and stated that Kunda Park does not actually have a park.

Mr. Graham Pett expressed his pleasure to see the productive nature of the proposal, emphasizing the protection of the Steve Bauer Trail and surrounding natural heritage. Mr. Pett stated the importance of wildlife mobility with respect to the connectivity between the wetland area. Mr. Pett further stated he was happy to see connectivity between neighborhoods and the trail system. Mr. Pett agreed that the 10-metre crossing is large and expressed concern that it may be paved. Mr. Pett expressed hope that low impact development principles can be put into effect to naturalize the area.

Mr. Pett expressed that there is a need for density in Town and stated he would have been in favor of the higher density originally proposed. Mr. Pett commented on the future proposal to align the new Station Street with the existing, noting that it may veer into the Steve Bauer Trail. Mr. Pett requested that it be done while taking the absolute minimum of the trail and trees. Mr. Pett stated that the official proposal has not yet come forward but asked that Council consider the request when it does. Mr. Pett further stated that Pelham citizens cherish the trails and green space and want to know they are protected. He thanked the Councillors who engaged with residents when the Steve Bauer Trail was threatened and further thanked the developer for listening to comments and engaging with residents in meaningful dialogue.

Mr. Mike Jones read his written correspondence into the record on behalf of the Pelham Advocates for Trees and Habitat. A copy is available through the Clerk and published on the agenda.

Ms. Magdalena Woszczyna stated she was happy to see a reduced number of lots in the proposed development as well as a wildlife corridor connecting the wetlands and greenspace. Ms. Woszczyna expressed support for the Kunda Park connection as it will keep construction vehicles away from Stella Street. Ms. Woszczyna stated the result of the environment assessment requested the development be fenced from the wetlands to limit residential impact and asked if the developer was planning to do this. She further asked if the properties on the east side of Stella Street would be fenced from future development. Ms. Woszczyna expressed concern regarding tree preservation and suggested a specialist be hired to conduct an assessment of the green canopy in the area.

Ms. Christine Kreutzer stated she was disappointed there is no direct access north out of the new development. She expressed concern about the high volume of traffic utilizing Stella Street. Ms. Kreutzer stated she was pleased to hear that the crossing over the wetland would allow for construction vehicles. Ms. Kreutzer expressed that children's safety is a major concern. She further expressed concern for increased traffic travelling Stella Street.

Mr. John Guzowski stated he has been a resident of Stella Street for 30 years. Mr. Guzowski stated the second access is an improvement. He requested consideration be given to extending John Street. Mr. Guzowski suggested a temporary construction access off Port Robinson or the new Station Street extension to mitigate traffic. Mr. Guzowski requested that the finished grades not be much higher than the existing backyards for drainage and privacy. Mr. Guzowski further requested the installation of swales and catch basins between the exiting backyards and subdivision to promote drainage. In closing, Mr. Guzowski stated

the proposal is the best-case scenario and thanked Council, staff and the developer.

Ms. Karen Guzzi submitted an email to clerks@pelham.ca asking why there are not any townhouses planned for the proposed development. Ms. Guzzi stated intensification has to be shared by all residents of Pelham.

Ms. Leach, Deputy Clerk, indicated she checked the clerks@pelham.ca email address at 7:02 pm and confirmed no additional e-mails had 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 why the crossing was proposed at 10-metres wide. Ms. Shannon Larocque, Senior Planner, responded that the purpose of the crossing is for pedestrian access and sanitary and sewer services underneath. Mr. Matt Kernahan, Agent, indicated that there is an engineering standard which requires sanitary and sewer service be separated. Mr. Kernahan indicated he will see if something can be done to reduce the size of the access. In response to the request to extend John Street, the Member asked if the extension would go through the wetland. Ms. Larocque confirmed the John Street extension would be a further disturbance to the wetland.

A Member of Council stated that bicycles may also use the pedestrian connection. The Member suggested it best to over build a connection as opposed to under build where it may become an issue in the future.

A Member of Council stated they understood the 10-metres requirement and expressed preference that it not be paved. The Member expressed concern it would have the potential of become a parking lot. The Member stated they did not want construction to be phased and asked the Agent if construction is planned to be continuous. Mr. Kernahan stated every effort is made to complete the development quickly.

A Member of Council indicated the proposal was desirable and expressed trust that low impact development will be considered. The Member asked if the 1.2 metre setback requirement for a patio also applies to pools. Ms. Larocque stated the setback applies to the main structure and indicated she would confirm the required setback for pools. The Member stated they were in favor of the 10-metre wide access as it will create openness. The Member indicated the public comments with respect to the archaeological area were useful.

A Member of Council commented that the proposal originated in 2002 and would be the last development in Pelham with this lot size. The Member stated that a number of the concerns and

questions brought forward are with respect to the subdivision agreement and stated that Council is currently considering the zoning by-law amendment. The Member commended the work done on the proposal, referencing the minimum impact to the provincially significant wetland, additional construction access and minimized construction traffic on Stella Street. The Member thanked everyone involved and indicated they were pleased with the proposal.

A Member of Council reiterated that if the development were beginning at the current time, density rates would be higher.

A Member of Council asked for assurance that unanswered questions would be addressed in the recommendation report. To address the drainage concern, the Member asked if easements would be proposed to accommodate swales. Ms. Larocque stated the final lot grading plan is a condition of draft plan approval and will determine where the swales will be located, and which properties require easements.

Ms. Larocque indicated that she would provide some responses, with the remainder to follow in the recommendation report. Ms. Larocque indicated that the requirement to fence adjacent lots from the wetland would be a condition of approval. She indicated there would be no requirement to fence the rear lots along the east side of Stella Street but noted this could be addressed through a condition. In response to the question submitted by email, Ms. Larocque stated a mix of housing is not typically required and reiterated that the proposal is a legacy file. She further stated that a mix range of housing will be offered in the Forest Park development to make up for it. With respect to the concerns regarding disruption to the trail, Ms. Larocque confirmed that the sanitary and sewer services would be provided together under the pedestrian connection to avoid two separate disruptions. She indicated the naturalized channel will go under the trail where there is an existing culvert to avoid further disruption. Ms. Larocque stated an open channel is now best practice and a requirement of the Niagara Peninsula Conservation Authority. Ms. Larocque stated that providing backup information with the notice would result in an enormous mailing cost. She stated the purpose of the notice is to make people aware of the proposal and indicated that additional information could be obtained if desired.

A Member of Council asked if the sanitary and sewer pipes under the Steve Bauer Trail would be horizontal and asked if the trail would have to be opened for installation. Mr. Kernahan stated a response would be provided for the recommendation report.

4.5 Presentation of Resolutions

Moved By Councillor Kevin Ker

THAT Committee receive Report #2023-38 for information as it pertains to File Nos. 26T19-020-02 & AM-03-2020;

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

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Brian Eckhardt, and Councillor Shellee Niznik

Carried (7 to 0)

Moved By Councillor Brian Eckhardt

THAT Committee receive the applicants presentation for information.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Brian Eckhardt, and Councillor Shellee Niznik

Carried (7 to 0)

Moved By Councillor Shellee Niznik

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;

AND THAT Committee receive the email correspondence to the clerks@pelham.ca email address.

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Brian Eckhardt, and Councillor Shellee Niznik

Carried (7 to 0)

5. Adjournment

The meeting was adjourned at 7:28pm.

Moved By Councillor John Wink

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

For (7): Mayor Marvin Junkin, Councillor Bob Hildebrandt, Councillor Wayne Olson, Councillor John Wink, Councillor Kevin Ker, Councillor Brian Eckhardt, and Councillor Shellee Niznik

Carried (7 to 0)

Mayor: Marvin Junkin

Deputy Clerk: Sarah Leach