Meeting #:	**10/2019**
Date:	**Tuesday, October 1, 2019**
Time:	**4:00 pm**
Location:	**Town of Pelham Municipal Office - Council Chambers** **20 Pelham Town Square, Fonthill**
Members Present	Donald Cook John Klassen Bernie Law
Staff Present	Nancy Bozzato Holly Willford
Others Present	Authorized Agent and interested citizens

1. Attendance

Authorized Agent and Interest Citizens

2. Call to Order, Declaration of Quorum and Introduction of Committee and Staff

Noting that a quorum was present, Chair Cook called the meeting to order at approximately 4:04 pm. The Chair read the opening remarks to inform those present on the meeting protocols and he introduced the hearing panel and members of staff present.

3. Disclosure of Pecuniary Interest and General Nature Thereof

None.

4. Requests for Withdrawal or Adjournment

None.

5. Applications for Minor Variance

None.

6. Applications for Consent

6.1 B8/2019P - 82, 84, 90 Canboro Road

Purpose of Application

Application is made for consent to partial discharge of mortgage, to mortgage or charge and to convey 0.172 hectare (Part 1) for continued use of the dwellings known municipally as 82 and 84 Canboro Road. 0.200 hectare of land (Part 2) is to be retained for continued use of the dwelling known as 90 Canboro Road.

Representation

The Agent was present.

Correspondence Received

1. Town of Pelham Planning Department
2. Town of Pelham Public Works
3. Town of Pelham Building Department
4. Frank Tauss and Edda Tauss

Applicant's Comments

The Agent indicated he and his client agree with the Town's Planning Report and have no objection to the requested conditions. The Agent indicated the applicant is planning to sell the severed parcel.

Public Comments

Ruth Clarke requested clarification as to which parcel would be sold. In response, Chair Cook and the Agent indicated Part 1 on the sketch, known as 82 and 84 Canboro Road would be the parcel for sale.

Vera Morrison asked if the municipal address would change, as there are currently two numerical addresses on the property. In response, Mr. Curtis Thompson, Planner for the Town of Pelham indicated there would be no municipal address change unless one of the buildings was demolished or the driveway changed. Mr. Thompson further advised multiples municipal addresses on a parcel of land is not uncommon.

Cindy Pitt asked if 90 Canboro Road is protected as a historical house. In response, Mr. Thompson indicated 90 Canboro Road is not currently designated as a historical house under the *Ontario Heritage Act*.

Gary Tracey requested clarification as to where parking for the current tenants would occur after the severance. In response, the Agent indicated the parcel would still be large enough to accommodate parking and the parking would likely remain in the same place.

Members Comments

Member Klassen asked if new development was to occur on the property, would the neighbors receive further notice. In response Mr. Thompson indicated, depending on the planning application, yes the neighbors would receive notice of further development. He did state, although the owners could go through a site plan application, which is not a public meeting, this would have to be approved by Council, which is a public process.

Moved By John Klassen
Seconded By Bernie Law

Application is made to seek consent to partial discharge of mortgage, to mortgage or charge and to convey 0.172 hectare (Part 1) for continued use of the dwellings known municipally as 82 and 84 Canboro Road. 0.200 hectare of land (Part 2) is to be retained for continued use of the dwelling known as 90 Canboro Road, is hereby: GRANTED

This decision is based on the following reasons:

1. **The application conforms to the policies of the Town of Pelham Official Plan, Regional Policy Plan and Provincial Policy Statement, and complies with the Town's Zoning By-law.**
2. **This Decision is rendered having regard to the provisions of Sections 51(24) and 51(25) of the Planning Act, R.S.O., as amended.**
3. **The Committee of Adjustment considered all written and oral submissions and finds that, subject to the conditions of provisional consent, this application meets Planning Act criteria, is consistent with the Provincial Policy Statement and complies with the Growth Plan, the Niagara Region Official Plan and the Town Official Plan.**
4. **As stated in the application, there is no new development proposed through this application.**

The above decision is subject to the following conditions:

To the Satisfaction of the Director of Public Works

1. **Ensure both lots are serviced with individual 20mmØ water services and 125mmØ sanitary sewer laterals in accordance with Town standards. Installation of any missing services will require Temporary Works Permit(s) to be obtained and approved by the Public Works Department at the applicant's expense and to the satisfaction of the Director of Public Works. Locate cards must also accompany the installation of any new services.**
2. **Submit a drawing indicating the location of individual water services and sanitary laterals to both lots confirming no existing water or sanitary laterals cross the proposed lot line servicing another parcel of private property.**

To the Satisfaction of the Secretary-Treasurer

3. **That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.**
4. **That the final certification fee of $387, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer. All costs associated with fulfilling conditions of consent shall be borne by the applicant.**

Carried

7. Minutes for Approval

Moved By John Klassen
Seconded By Bernie Law

That the minutes of the June 5, 2019, Committee of Adjustment Hearing be approved.

Carried

8. Adjournment

Moved By Bernie Law
Seconded By John Klassen

BE IT RESOLVED THAT this Meeting of the Committee of Adjustment Hearing be adjourned until the next regular meeting scheduled for November 5th, 2019 at 4:00 pm.

Carried

Don Cook, Chair

Secretary-Treasurer, Nancy J. Bozzato