

September 1, 2021

Ms. Holly Willford, Secretary Treasurer  
Committee of Adjustment  
Town of Pelham  
Fonthill, ON L0S 1E0

**Re: Minor Variance Application A33/2021P**  
**18 Beechwood Crescent, Pelham**  
Lot 34 on Plan 59M-189  
**Roll No. 2732 030 020 20200**

---

The subject land is located on the south side of Beechwood Crescent lying west of Kunda Park Boulevard, legally described above, and known locally as 18 Beechwood Crescent in the Town of Pelham.

The subject land is zoned 'Residential 1' (R1) in accordance with Pelham Zoning By-law 1136(1987), as amended. The minor variance application requests relief from:

- i. **Section 13.2 (c) "Maximum Lot Coverage"** seeking 40%, whereas 30% is required.

The proposal seeks to construct a covered porch addition to the existing residential dwelling.

### **Applicable Planning Policies**

#### Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

Section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act. The PPS recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility provided that provincial interests are upheld. PPS policies represent minimum standards.

The subject land is located in a 'Settlement Area' according to the PPS. Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development.

The proposed development seeks relief from the lot coverage requirement to facilitate a rear yard covered porch addition to the existing dwelling. Planning staff are of the opinion that the requested zoning relief is consistent with the PPS and promotes appropriate development standards without causing adverse impacts on the use of the lands or neighbourhood.

Regional Official Plan (Consolidated, August 2014)

The Regional Official Plan designates the subject land as 'Built-Up Area' within the Urban Area Boundary.

Pelham Official Plan (2014)

The Town of Pelham Official Plan is the primary planning document that will direct the actions of the Town and shape growth that will support and emphasize Pelham's unique character, diversity, cultural heritage and protect our natural heritage features.

The local Official Plan designates the subject land as 'Urban Living Area / Built Boundary'.

Policy A2.3.2 (Urban Character) – states the objectives of this Plan to protect and enhance the character of the existing Urban Areas, which include (among others):

- To maintain and enhance the Urban Areas as diverse, liveable, safe, accessible and attractive communities.
- To respect the character of existing development and ensure that all applications for development are physically compatible with the character of the surrounding neighbourhood.
- To maintain and enhance the character and stability of existing and well-established residential neighbourhoods by ensuring that development and redevelopment is compatible with the scale and density of existing development.
- To foster a sense of civic identity through a high standard of urban design in public and private development.

The proposed minor variance to seek relief from lot coverage requirement should not compromise drainage, privacy or sensitive natural heritage features and is in keeping with the existing character of the residential neighbourhood. Planning staff are of the opinion that the proposal is in conformity with the Town of Pelham Official Plan.

Pelham Zoning By-law No. 1136 (1987), as amended

The subject land is zoned 'Residential 1' (R1) in accordance with Pelham Zoning By-law 1136

(1987), as amended. Under the default regulations of the Zoning By-law, the minor variance application requests relief from:

- i. **Section 13.2 (c) “Maximum Lot Coverage”** seeking 40%, whereas 30% is required.

The Committee of Adjustment, in Section 45 (1) of the Planning Act, may authorize a minor variance from the provisions of the by-law, subject to the following considerations:

Minor Variance Test	Explanation
1. The variance is minor in nature.	The increased lot coverage is minor overall, as the impact on the subject property and adjacent properties is minimal. No negative impacts are anticipated by the adjacent neighbors as adequate distance separates the nearest residential neighbour from the existing building and the proposed addition. The proposed addition is reasonably sized and is built on the rear yard which will not be visible from the front of the property.
2. The variance is desirable for the development or use of the land.	The increased lot coverage is desirable because it will allow for the construction of a covered porch which can be enjoyed by the resident. The proposed addition is located on the rear yard and is screened from public view and its size and built form are also compatible with the existing dwellings and built form on the street, and is therefore, able to maintain the character of the area.
3. The variance maintains the general intent and purpose of the Official Plan.	The variance maintains the general purpose and intent of the Official Plan because it does not compromise the neighbourhood’s ability to be adequately serviced, maintain land use compatibility, while also improving the property value and aesthetics by providing a covered porch.
4. The variance maintains the general intent and purpose of the Zoning By-law.	The variance maintains the general intent of the Zoning By-law because the requested variance will allow for the logical, and appropriate extension of the dwelling while still maintaining adequate land for outdoor amenity and landscaped area.

### Agency & Public Comments

On July 28, 2021, a notice of public hearing was circulated by the Secretary Treasurer of the Committee of Adjustment to applicable agencies, Town departments, and to all assessed property owners within 60 metres of the property's boundaries.

To date, the following comments have been received:

- Building Department (August 12, 2021)
  - A building permit is required for the proposed covered porch.

No public comments were received from the public at the time of this writing.

### **Planning Staff Comments**

The proposed minor variance application was circulated to Town Planning, Building and Public Works staff for pre-application review and comments prior to submission.

The subject lands are located on the north side of Merritt Road, lying east of Pelham Street. The property is surrounded by the following:

North: Vacant residential land  
East: Significant woodlands  
South: Residential neighbourhood  
West: Residential neighbourhood

The proposed minor variance application seeks zoning relief to increase lot coverage requirement from the previously approved 34% to 40%, in order to accommodate the addition of a rear yard covered porch.

In considering the overall lot coverage of the subject property, staff is of the opinion that although the maximum lot coverage will be further increased, the impact on the subject property and adjacent properties is negligible. The addition's side yard setback is in keeping with the existing dwelling and the proposed roof line will follow the existing dwelling's roof pitch which helps to lower its overall visual impact. The proposed addition, although greater than the maximum lot coverage, is appropriate in size and will not result in the overbuilding of this large property.

Planning staff are of the opinion that the proposal applies current planning and development principles and providing design flexibility where suitable to do so. The proposal makes efficient use of the land, will not result in overbuilding of the property, will not alter the view, sightlines or personal enjoyment of the subject property or any neighbouring properties, and should not negatively impact the surrounding neighbourhood with regards to land use incompatibility,

traffic, privacy and storm water runoff.

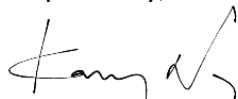
In Planning staff's opinion, the application is consistent with the PPS and conforms to Provincial, Regional, and local plans. The requested variance is minor in nature, conforms to the general policies and intent of both the Official Plan and Zoning By-law and is appropriate for the development and use of the land.

Given this analysis, Planning staff recommend that minor variance file A33/2021P **be approved** subject to the following conditions:

**THAT** the applicant

- Apply for and receive Building Permit for the proposed covered porch.

Prepared by,



Kenny Ng, B.ES  
Planner

Approved by,



Barbara Wiens, MCIP, RPP  
Director of Community Planning and  
Development