

**Committee of Adjustment****Minutes**

**Meeting #:** CofA 05/2022  
**Date:** Wednesday, May 4, 2022  
**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

**Members Absent** Sandra Marsh  
Brenda Stan

**Staff Present** Holly Willford  
Sarah Leach  
Kenny Ng  
Jacquie Miller  
Derek Young

**1. Attendance**

Applicants, Agents and viewing members of the public via Town of Pelham YouTube Channel by Live-streaming.

**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 4:00 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.

**2.1 Land Recognition Statement**

Ms. Sarah Leach, Assistant Secretary-Treasurer, recited the land recognition statement.

**3. Disclosure of Pecuniary Interest and General Nature Thereof**

There were no pecuniary interests disclosed by any of the members present.

**4. Requests for Withdrawal or Adjournment**

Ms. Sarah Leach, Assistant Secretary-Treasurer stated no requests for withdrawal or adjournment have been made.

**5. Applications for Minor Variance**

**5.1 A4/2022P - 1 Deerpark Crescent**

**Purpose of the Application**

Application is made for relief, to construct an attached two car garage, from: Section 14.2(d) "Minimum Front Yard" – to permit a minimum front yard setback of 2.48 metres whereas the by-law requires a minimum front yard setback of 6.5 metres.

**Representation**

The Agent, Mr. Joel Rypstra was electronically present.

**Correspondence Received**

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building
4. Doug Gabourie

**Applicants Comments**

To address the public concern, Mr. Rypstra indicated that the height of the garage will be continued from the dwelling.

**Public Comments**

Ms. Sarah Leach, Assistant Secretary Treasurer indicated that the pre-registered member of the public, Mr. Doug Gabourie was not in attendance. The Committee acknowledged receipt of Mr. Gabourie's written comments.

Ms. Leach indicated she checked the [clerks@pelham.ca](mailto:clerks@pelham.ca) email address at 4:16 pm and confirmed no e-mails has 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 deliberate.

**Moved By** Bernie Law

**Seconded By** John Klassen

**THAT the public portion of the meeting be closed.**

**Carried**

### **Member Comments**

A Member indicated they had no concern with the proposal.

A Member asked for clarification on the location of the proposed garage access. Mr. Rypstra stated that the existing concrete pad and entrance from Deerpark Crescent will be used to access the garage. He further stated that the garage will house the vehicles currently parked on the existing concrete pad. A Member commented that the public concerns may be mitigated by the installation of a stop bar and reduced on-street parking.

**Moved By** Bernie Law

**Seconded By** John Klassen

**The above decision is based on the following reasons:**

- 1. The variance is minor in nature as the addition will not significantly impact the massing of the dwelling or create a sightline issue.**
- 2. The general purpose and intent of the Zoning By-Law is maintained.**
- 3. The intent of the Official Plan is maintained.**
- 4. The proposal is desirable for the appropriate development and/or use of the land because it will facilitate a proposed garage additional to accommodate the homeowner's storage needs while not adversely impacting the existing neighbourhood and abutting property.**
- 5. This application is granted without prejudice to any other application in the Town of Pelham.**
- 6. The Committee of Adjustment considered the written and oral comments and agrees with the minor variance report analysis**

and recommendation that this application meets the Planning Act tests for minor variance.

7. The Applicant is aware that driveway access is only permitted from Deerpark Crescent.

The above decision is subject to the following conditions:

1. That all necessary building permits are required prior to construction commencing, to the satisfaction of the Chief Building Official.
2. To the Satisfaction of the Director of Community Planning and Development
  1. Provide a landscaped buffer strip containing shrubs, hedges, plantings or other ground cover, along the frontage facing Spruceside Crescent, to the satisfaction of the Director of Community Planning & Development.

Prior to Building Permit:

1. To the Satisfaction of the Director of Public Works
  1. Submit an updated Lot Grading & Drainage Plan to demonstrate that the drainage neither relies, nor negatively impacts neighbouring properties, to the satisfaction of the Director of Public Works, or designate.
  2. Obtain a Driveway Entrance and Culvert Permit from the Town to accommodate any modification to the existing driveway. Installation and/or modification of new entrances shall be completed in accordance with Town Standards prior to building permit issuance and the Applicant shall bear all costs associated with the works.

Carried

## **6. Minutes for Approval**

**Moved By** Bernie Law

**Seconded By** Donald Cook

**THAT the Committee of Adjustment minutes dated March 1, 2022, be approved.**

Carried

**8. Adjournment**

The meeting was adjourned at 4:26 pm.

**Moved By** John Klassen

**Seconded By** Bernie Law

**BE IT RESOLVED THAT this Meeting of the Committee of Adjustment Hearing be adjourned until the next regular meeting scheduled for June 1, 2022 at 4:00 pm.**

**Carried**

---

Don Cook, Chair

---

Sarah Leach, Assistant Secretary-Treasurer