

Committee of Adjustment**Minutes**

Meeting #: CofA 07/2023
Date: Tuesday, July 4, 2023
Time: 4:00 pm
Location: Meridian Community Centre - Accursi A and B
100 Meridian Way
Fonthill, ON
L0S 1E6

Members Present Colin McCann
Don Rodbard
John Cappa

Members Absent Brenda Stan
Isaiah Banach

Staff Present Sarah Leach
Andrew Edwards
Gimuel Ledesma

1. Attendance

Applicants, Agents and viewing members of the public via hybrid in-person and live-stream through the Town of Pelham YouTube Channel.

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

Noting that a quorum was present, Chair Cappa 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.

3. Land Recognition Statement**4. Approval of Agenda**

Moved By Colin McCann
Seconded By Don Rodbard

THAT the agenda for the July 4, 2023 Committee of Adjustment meeting be adopted, as circulated.

Carried

5. Disclosure of Pecuniary Interest and General Nature Thereof

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

6. Requests for Withdrawal or Adjournment

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

7. Applications for Minor Variance

Applications A11/2023P, A12/2023P and A13/2023P were considered concurrently.

7.1 A11/2023P - 19 Arsenault Crescent

Purpose of the Application

Application A11/2023P is made for relief to construct a single detached dwelling, from: Section R2-95 "Maximum Front Yard" – to permit a maximum front yard setback of 6.5m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m.

Application A12/2023P is made for relief to construct a single detached dwelling, from: Section R2-95 "Maximum Front Yard" – to permit a maximum front yard setback of 6.0m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m.

Application A13/2023P is made for relief to construct a single detached dwelling, from: Section R2-95 "Maximum Front Yard" – to permit a maximum front yard setback of 6.5m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m.

Representation

The Agent, Ethan Laman was present.

Correspondence Received

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building

Public Comments

Ms. Leach, Secretary Treasurer indicated she checked the clerks@pelham.ca email address and confirmed no e-mails have 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 Don Rodbard

Seconded By Colin McCann

THAT the public portion of the meeting be closed.

Carried

Member Comments

The Members offered no comments or concerns.

Moved By Colin McCann

Seconded By Don Rodbard

THAT Application A11/2023P for relief of Section R2-95 “Maximum Front Yard” – to permit a maximum front yard setback of 6.5m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m, is hereby: GRANTED;

AND THAT Application A12/2023P for relief of Section R2-95 “Maximum Front Yard” – to permit a maximum front yard setback of 6.0m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m, is hereby: GRANTED;

AND THAT Application A13/2023P for relief of Section R2-95 “Maximum Front Yard” – to permit a maximum front yard setback of 6.5m to the dwelling front face whereas the by-law requires a maximum front yard setback of 5.5m, is hereby: GRANTED;

The above decisions are based on the following reasons:

1. The variance is minor in nature as there will be minimal impacts on the streetscape, and there remains sufficient lot area to site the proposed dwelling on the lot.
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 the siting of the proposed dwelling on a lot with irregular frontage.
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 no side yard walkways that impede side yard swales shall be permitted.

The above decisions are subject to the following conditions:

1. That all necessary building permits are obtained prior to construction commencing, to the satisfaction of the Chief Building Official.

Prior to Building Permit:

1. To the Satisfaction of the Director of Public Works
 1. Submit a comprehensive Lot Grading & Drainage Plan demonstrating that the drainage neither relies, nor negatively impacts neighbouring properties, to the satisfaction of the Director of Public Works, or designate.

Carried

7.2 A12/2023P - 15 Arsenault Crescent

Application A12/2023P was heard concurrently with A11/2023P and A13/2023P. See A11/2023P for minutes.

7.3 A13/2023P - 11 Arsenault Crescent

Application A13/2023P was heard concurrently with A11/2023P and A12/2023P. See A11/2023P for minutes.

8. Applications for Consent

None.

9. Minutes for Approval

Moved By Colin McCann

Seconded By Don Rodbard

THAT the Committee of Adjustment minutes dated April 3, 2023, be approved.

Carried

10. Adjournment

Moved By Don Rodbard

Seconded By John Cappa

BE IT RESOLVED THAT this Meeting of the Committee of Adjustment be adjourned until the next regular meeting scheduled for August 8, 2023 at 4:00 pm.

Carried

John Capa, Chair

Sarah Leach, Secretary-Treasurer