

**Engineering Department  
Committee of Adjustment Report**

**For**

**A18-2023P  
1053 Pelham Street**

**August 21, 2023**

Town staff have reviewed the following documentation for the purpose of **A18-2023P – 1053 Pelham Street** Minor Variance application for:

Application for relief is made to recognize zoning deficiencies resulting from Consent File B13/2023P. The applicant seeks relief from the following section(s) of the Zoning By-law:

**Section 3.7 “Encroachments – Decks (uncovered)”** – to permit an uncovered deck encroachment of 6.42m into the required rear yard, whereas an encroachment of 4.0m is permitted;

**Section 6.1.2 “Minimum Rear Yard”** – to permit a minimum rear yard setback of 4.7m whereas the bylaw requires a minimum rear yard setback of 7.5m.

This application is being considered concurrently with Consent Files B13/2023P and B14/2023P and Minor Variance File A19/2023P. Additionally, this is also in concurrent with Consent Files B11/2022P and B12/2022P and Minor Variance File A15/2022P and A16/2022P.

## **Introduction:**

The lands subject to the applications are addressed as 1053 Pelham Street in the Town of Pelham ("Subject Lands"). The lands are a corner lot abutting Homestead Boulevard to the north having frontage on Pelham Street to the west. Access to the property is provided from an existing driveway on Pelham Street. With a lot of area of approximately 1,009.4 square metres, the existing parcel is larger than adjacent parcels to the north and east that have lot areas that range between approximately 480 square metres and 800 square metres.

The purpose and effect of the applications is to sever the proposed parcel for future residential use. A lot addition is being proposed concurrently with the severance to provide the proposed parcel (Part 4) with additional lands (Parts 5 & 6). The existing dwelling on the remnant parcel (Part 1) is to remain along with the deck; however, the deck is to be converted into an uncovered deck. The Owner is proposing to remove the existing garage.

The subject land is located on the east side of Pelham Street, lying south of Homestead Boulevard, being Lot 177, Formerly Part of Thorold Township now Pelham, Part 1 on Reference Plan 59R-17702 (Part 1 on Sketch) in the Town of Pelham.

A previous applications of Consent Files B112022P and B12/2022P and Minor Variance File A15/2022P and A16/2022P was approved by the Town. The applications propose to sever the existing parcel to create two new lots fronting Pelham Street for future residential use. The existing dwelling and garage are proposed to remain on the remnant parcel, with the garage to be moved back from the lot line abutting Homestead Boulevard, in order to accommodate a driveway and parking. The existing driveway that traverses through the proposed parcels is to be removed. Due to the deficient lot frontage and minimum lot area of the proposed parcels, relief from the Zoning By-law's minimum lot frontage and minimum lot area provisions are required for their creation.

This full report contains following comments in conjunction oncurrently with Consent Files B13/2023P and B14/2023P and Minor Variance File A19/2023P. Additionally, this is also in concurrent with Consent Files B112022P and B12/2022P and Minor Variance File A15/2022P and A16/2022P and shall be addressed to the satisfaction of the Director of Public Works. Note that further comments to be forthcoming on subsequent submissions.

**Analysis:****Stormwater Management**

Per Public Works comments on Consent Files B112022P and B12/2022P and Minor Variance File A15/2022P and A16/2022P, the applicant has satisfied the all the requirements to clear all the conditions with regards to the lot grading and drainage, that the storm water runoff will not negatively impact nor rely upon neighboring properties. However, this proposed application resurfaced the issues with the creation of Future Part 2 and Part 3.

**Public Works offer the following comment:**

- Please be advised that no sideyard walkways that impede sideyard swales shall be permitted

**Public Works offer the following conditions:**

- Town staff will require a comprehensive lot grading and drainage plan demonstrating that storm water runoff will not negatively impact nor rely upon neighboring properties, to the satisfaction of the Director of Public Works or his designate.