

Committee of Adjustment**Minutes**

Meeting #: 02-2024
Date: Monday, February 5, 2024
Time: 4:00 pm
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present Colin McCann
Don Rodbard
John Cappa

Members Absent Brenda Stan
Isaiah Banach

Staff Present Sarah Leach
Andrew Edwards
Jodi Legros
Barbara Wiens
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, Ms. Sarah Leach, Secretary-Treasurer, called the meeting to order at approximately 4:00 pm. The Secretary-Treasurer 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

Ms. Leach recited the land recognition statement.

4. Approval of Agenda

Moved By Colin McCann
Seconded By Don Rodbard

THAT the agenda for the February 5, 2024 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. Leach stated no requests for withdrawal or adjournment have been made.

7. Applications for Minor Variance

7.1 A1-2024P - 1334 Pelham Street

Purpose of the Application

Application for relief is made, to facilitate the construction of a single-detached dwelling. The applicant seeks relief from the following section(s) of the Zoning By-law: Section 6.1.3 "Maximum Front Yard" – to permit a maximum front yard setback of 50.2m whereas the By-law permits a maximum front yard of 6.0m.

Representation

The Applicant, Laura Schilstra was viewing via Livestream.

Correspondence Received

1. Town of Pelham Planning
2. Town of Pelham Public Works
3. Town of Pelham Building
4. Karen Saylor
5. Anthony Eaton

Applicants Comments

None.

Public Comments

Ms. Leach, Secretary-Treasurer indicated there were no pre-registered members of the public or individuals present in the gallery. She checked the clerks@pelham.ca email address at 4:16 pm 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.

Member Comments

A Member expressed that without the variance, the Applicant would be unable to build the structure. The Member identified the strategic placement of windows to ensure no privacy encroachment. The Member stated the requirement for the installation of property fencing is reasonable.

Moved By Colin McCann

Seconded By Don Rodbard

THAT the public portion of the meeting be closed.

Carried

Moved By John Cappa

Seconded By Don Rodbard

THAT Application A1-2024P for relief to facilitate the construction of a single-detached dwelling, seeking relief from the following section(s) of the Zoning By-law: Section 6.1.3 “Maximum Front Yard” – to permit a maximum front yard setback of 50.2m whereas the By-law permits a maximum front yard of 6.0m, is hereby, GRANTED:

The above decision is based on the following reasons:

- 1. The variance is minor in nature as the rear of the site has ample space for the proposed dwelling and detached garage, while other yard setbacks remain unchanged. The dwelling is designed to minimize impact on adjacent development with limited windows on the eastern face and a screened outdoor amenity area.**

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 aligns with appropriate development standards and makes efficient use of underutilized urban land with full municipal services.**
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 modification of a driveway entrance will require an entrance permit for Public Works, at the expense of the Applicant.**

The above decision is subject to the following conditions:

1. **To the Satisfaction of the Director of Community Planning and Development**
 1. **Construct a board-on-board privacy fence along Lot Lines #5 and #6 where the existing fence was damaged and removed to the satisfaction of the Director of Community Planning and Development.**
2. **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.**

8. Minutes for Approval

Moved By Colin McCann

Seconded By John Cappa

THAT the Committee of Adjustment minutes dated December 4, 2023, be approved.

Carried

9. Adjournment

The hearing was adjourned at 4:21 pm.

Moved By Colin McCann

Seconded By Don Rodbard

BE IT RESOLVED THAT this Meeting of the Committee of Adjustment be adjourned until the next regular meeting scheduled for March 4, 2024, at 4:00 p.m.

Carried

John Cappa, Chair

Sarah Leach, Secretary-Treasurer