

**Engineering Department
Committee of Adjustment Report****For****A4-2024P
1313 Victoria Avenue****March 07, 2024**

Town staff have reviewed the following documentation for the purpose of
A4-2024P- Minor Variance application for:

The subject land is zoned Specialty Agriculture (SA) in accordance with Pelham Zoning By-law 4481(2022), as amended. Application for relief is made, to permit a mobile food truck as an On-farm Diversified Use that requires relief from the following section(s) of the Zoning By-law:

Section 3.2.2(a) On-Farm Diversified Uses - Requesting the on-farm diversified use be permitted notwithstanding the use is not directly related to the existing permitted agricultural use(s) on the lot and shall primarily serve the existing permitted agricultural use(s) on the lot and the existing permitted agricultural use(s) on surrounding lots in the area; and

Section 3.2.2(b) On-Farm Diversified Uses - Requesting the on-farm diversified use be permitted notwithstanding the product is not produced by, or derived from, the principal agricultural use(s) on the lot as the primary source of the majority of the product; and

Sections 3.1(c) On-Farm Diversified Uses - Requesting a front yard setback of 12 metres to a 40m² accessory structure related to an on-farm diversified use (covered tent), whereas on-farm diversified uses are not permitted in the required front yard; and

Section 3.1(c) On-Farm Diversified Uses - Requesting a front yard setback of 14 metres to a 18m² accessory structure related to an on-farm diversified use (food truck), whereas on-farm diversified uses are not permitted in the required front yard.

This full report contains following comments in conjunction with Minor Variance application **A4-2024P – 1313 Victoria Avenue**

Introduction:

The subject land is located on the east side of Victoria Avenue, lying south of Highway 20 West, being Part of Lot 20, Concession 8, in the Town of Pelham.

The Subject Lands are comprised of a total area of approximately 23.6 hectares. The primary use of the Subject Lands is agricultural production, with approximately 90% of the land being farmed. The remaining portion of the Subject Lands encompass a 2-storey farmhouse dwelling with a detached garage, four (4) separate barns and a washroom building which is utilized by employees of the agricultural operation. The four barns, along with the employee washroom, serve a dual purpose: they support the primary agricultural activities (cash cropping) and support the legal non-conforming use on the Subject Lands, being a commercial kitchen. This kitchen is utilized for on-site food preparation intended for off-site sale.

The Subject Lands are accessible via two gravel driveways from Victoria Avenue. One driveway is designed to facilitate access to the residential farm dwelling on the Subject Lands, while the other driveway supports the primary agricultural use.

Application for relief is made, to permit a mobile food truck as an On-farm Diversified Use that requires relief from the following section(s) of the Zoning By-law as stated above.

This full report contains following comments in conjunction with Minor Variance application A4-2024P – 1313 Victoria Street and shall be addressed to the satisfaction of the Director of Public Works. Note that further comments to be forthcoming on subsequent submissions.

Analysis:

Please see condition below.

Public Works offer the following comments:

- The applicant shall circulate the comprehensive Lot Grading & Drainage Plan should the region require it. Lot Grading and Drainage Plan should demonstrate that the drainage neither relies, nor negatively impacts neighboring properties, and that all drainage will be contained within the respective lot.