

**Engineering Department
Committee of Adjustment Report**

For

**A8-2024P
928 Foss Road**

April 5, 2024

Town staff have reviewed the following documentation for the purpose of **A8-2024P – 928 Foss Road** minor variance application for:

The applicant seeks relief from the following section(s) of the Zoning By-law:

Section 3.17(a) “Minimum Distance Separation Requirements” – to permit a setback of 4.57m to an interior lot line whereas Minimum Distance Separation II (MDS II) regulations require a setback of 13m; and

Section 5.1.2 “Zone Requirements for Agricultural Use” – to permit an interior side yard setback of 4.57m whereas the By-law requires a minimum side yard setback of 20m.

Introduction:

The subject land is located between Foss Road and Sumbler Road, lying east of Victoria Avenue, being Part of Lot 18, Concession 11, in the Town of Pelham

The subject land is zoned Agricultural (A)/Environmental Protection 1 (EP1) in accordance with Pelham Zoning By-law 4481(2022), as amended. Application for relief is made, to facilitate the construction of a new dwelling.

The property is somewhat narrow, building another poultry barn to the west of the current barn is not desirable mainly due to the proximity of the nearest neighbour located at 938 Foss Road. In order to observe Minimum Distance Separation laws, the applicant prefers to keep this livestock barn as far as possible from the neighbours at 938 Foss Road in an effort to not affect them adversely. The property to the east of 928 Foss Road is used for agricultural purposes thus keeping the proposed barn closer to the east side will not directly affect any neighbours.

Analysis:

Please see comment below

Public Works offer the following Comment

Public Works does not have any further comments