

NOTICE OF PUBLIC HEARING

HEARING DATE: Monday, November 4, 2024, at 4:00 pm

PLACE: **This will be a hybrid (virtual/in-person) hearing**

Virtual Participation: Zoom Webinar / Youtube Livestream

In-person Participation: Council Chamber, Pelham Town Hall
 20 Pelham Town Square, Fonthill ON

Town Council approved hybrid meetings through By-law 4507(2022).

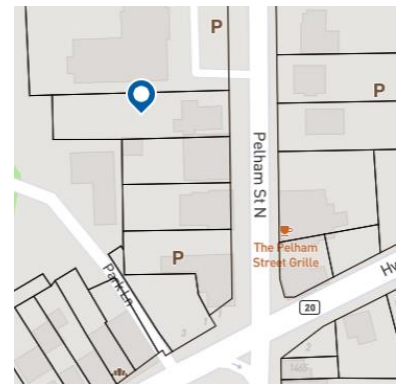
The Town of Pelham Committee of Adjustment hearing live webcast will be streaming at: <https://www.youtube.com/user/TownOfPelham>

Under Section 45 of the *Planning Act, R.S.O. 1990*, as amended, notice is hereby given that an application for **minor variance** or permission will be heard by the Committee of Adjustment for the Town of Pelham at the date and place shown above.

File Number: A18-2024P

Subject Lands: 1522 Pelham Street, Pelham

Legal Description: Lot 3, Plan 715; Part Lot 52, Plan 717



The subject land is located on the west side of Pelham Street North lying north of Highway 20, being Lot 3, Plan 715; Part Lot 52, Plan 717, in the Town of Pelham

Nature and Extent of Relief/ Permission Applied for:

The subject land is zoned VC-125 in accordance with Pelham Zoning By-law 4481(2022), as amended. Application for relief is made to facilitate the construction of a 4-storey residential building, consisting of 27 units. The applicant seeks relief from the following section(s) of the Zoning By-law:

Exception VC-125 “Maximum Lot Coverage” – to permit a maximum lot coverage of 64.34% whereas the By-law permits a maximum lot coverage of 50%; and

Exception VC-125 “Maximum Building Height” – to permit a maximum building height of 13.72m whereas the By-law permits a maximum building height of 13.0m; and

Exception VC-125 “Parking Requirements” – to permit a ratio of 1.14 parking spaces per dwelling unit (31 spaces) whereas the By-law requires a ratio of 1.2 parking spaces per dwelling unit (33 spaces); and

Section 8.1.4 (Zone Requirements) “Minimum Front Yard” – to permit a minimum front yard setback of 0.27m whereas the By-law requires that the main front wall of the structure shall be built between 1.0-5.0m from the front lot line; and

Section 8.1.4 (Zone Requirements) “Minimum Side Yard” – to permit a minimum side yard setback of 0m whereas the By-law requires that the minimum side yard shall be 0.6m and a maximum of 1.2m.

PUBLIC HEARING: This is a public hearing called to hear evidence for, or in opposition to, the above-noted application. Anyone wishing to register objections, support or comments concerning this application may present them in writing to the Secretary-Treasurer before the hearing and/or at the hearing or make verbal comments at the hearing.

YOUR INPUT IS ENCOURAGED: The Committee would appreciate receiving your written and/or verbal comments regarding this application. **For inclusion on the public agenda/consideration within the recommendation report, written comments must be submitted by October 23, 2024.** If the Secretary-Treasurer does not receive your comments by this date, it may be presumed you have no objection to the proposal. Should an extension be required, please contact the Secretary-Treasurer. Verbal comments will be received by the Committee at the public hearing via virtual or in-person participation. **To provide verbal comments virtually at the hearing, please pre-register with the Secretary-Treasurer by sending an email to the email address noted below before 12:00pm noon on November 1, 2024.** Zoom webinar registration information and procedure will be provided. **To provide verbal comments in person at the**

hearing, pre-registration is encouraged but not required. Registrants will be notified of the Committee of Adjustments Decision. If you have not submitted written comments and wish to submit a comment live during the meeting, you may live stream the meeting from our YouTube channel and e-mail comments to clerks@pelham.ca during the public comment portion of this application only. If your comments are not received during the public portion of the application, they will not be considered. Unless indicated otherwise, personal information and all comments will become part of the public record and may be publicly released.

It is highly recommended that the applicant or the authorized agent of the applicant be present at the hearing. Please note that if you do not attend this hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

NOTICE OF DECISION: Requests for copies of the decision of the Committee of Adjustment or notice of adjournment of hearing, if any, must be in writing and addressed to:

Secretary-Treasurer of the Committee of Adjustment
20 Pelham Town Square, P.O. Box 400, Fonthill ON L0S 1E0
905-892-2607 ext. 320 sleach@pelham.ca

For technical questions, please contact:
Andrew Edwards, Planner
905-892-2607 ext. 324 aedwards@pelham.ca



Sarah Leach, BA
Deputy Clerk/Secretary-Treasurer

Date of Mailing: October 8, 2024

Hybrid Committee of Adjustment Hearing Procedures

The Town of Pelham is holding hybrid Committee of Adjustment hearings. A hybrid hearing involves a mixture of in-person and remote attendance/ participation.

Notice of Hearing

A Notice of Hearing is mailed to the all persons listed as owners in the last revised assessment roll number within 60 meters (200 feet) of the subject property. The Notice of Hearing can also be found on the Town of Pelham website, Committee of Adjustment webpage: <https://www.pelham.ca/en/town-hall/committee-of-adjustment.aspx>

View the Meeting

The Committee of Adjustment hearing can be viewed by livestream on the Town's YouTube Channel at <https://www.youtube.com/user/TownOfPelham/live>. The link will go live at the date and time prescribed on the Notice of Hearing. A recording of the hearing is also available on YouTube and the Town of Pelham website following the meeting.

Attendees are also welcomed to view the meeting in-person at the date, time and location prescribed on the Notice of Hearing.

Written Comments

Written comments are encouraged as the preferred method of receiving public input. Please provide written input by mailing or e-mailing your comments to the Secretary Treasurer by the date indicated on the Notice of Hearing. You may also drop off written comments to Town Hall in the drop box. Written comments submitted on or before the deadline will be included on the public agenda. Unless indicated otherwise, personal information and all comments will become part of the public record and may be publicly released.

Verbal Submissions – Remote Participation

To make verbal comments to the Committee during the public portion of the hearing, please pre-register with the Secretary Treasurer by telephone or email by the date indicated on the Notice of Hearing.

The Secretary Treasurer will provide you the Zoom link and password in advance of the meeting. This is for pre-registered participants only and is not to be shared with others. Zoom test meetings are available by request. Please advise the Secretary Treasurer of your requirements at the time of registration.

Verbal Submissions – In-person Participation

To make verbal comments to the Committee during the public portion of the hearing, please attend the hearing in-person at the date, time and location prescribed on the Notice of Hearing. In-person participants wishing to make verbal comments are encouraged to pre-register with the Secretary Treasurer by telephone or email. This allows for the preparation of a speakers list. Although pre-registration is encouraged and preferred it is not a requirement of speaking in person at the meeting.

Please note, all verbal submissions, regardless of method, are live-streamed and recorded.

E-mail Comments Live

While viewing the meeting remotely via livestream you may submit comments to: clerks@pelham.ca. Please note, comments must be received before or during the public portion of your application of interest. If your comments are submitted after the public portion of the application you are interested in has closed, your comments will not be considered. This method of public participation is not the preferred method as you may not submit your comments in time. Use this method at your own risk. The Town is not responsible for any livestream lag, disconnection or internet failures.

More Information

For more information please contact:

Secretary Treasurer of the Committee of Adjustment
20 Pelham Town Square, P.O. Box 400, Fonthill ON L0S 1C0
905-892-2607 ext. 320 sleach@pelham.ca

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Andrew Edwards, Planner
905-892-2607 ext. 323 aedwards@pelham.ca

Participant Process During Meetings

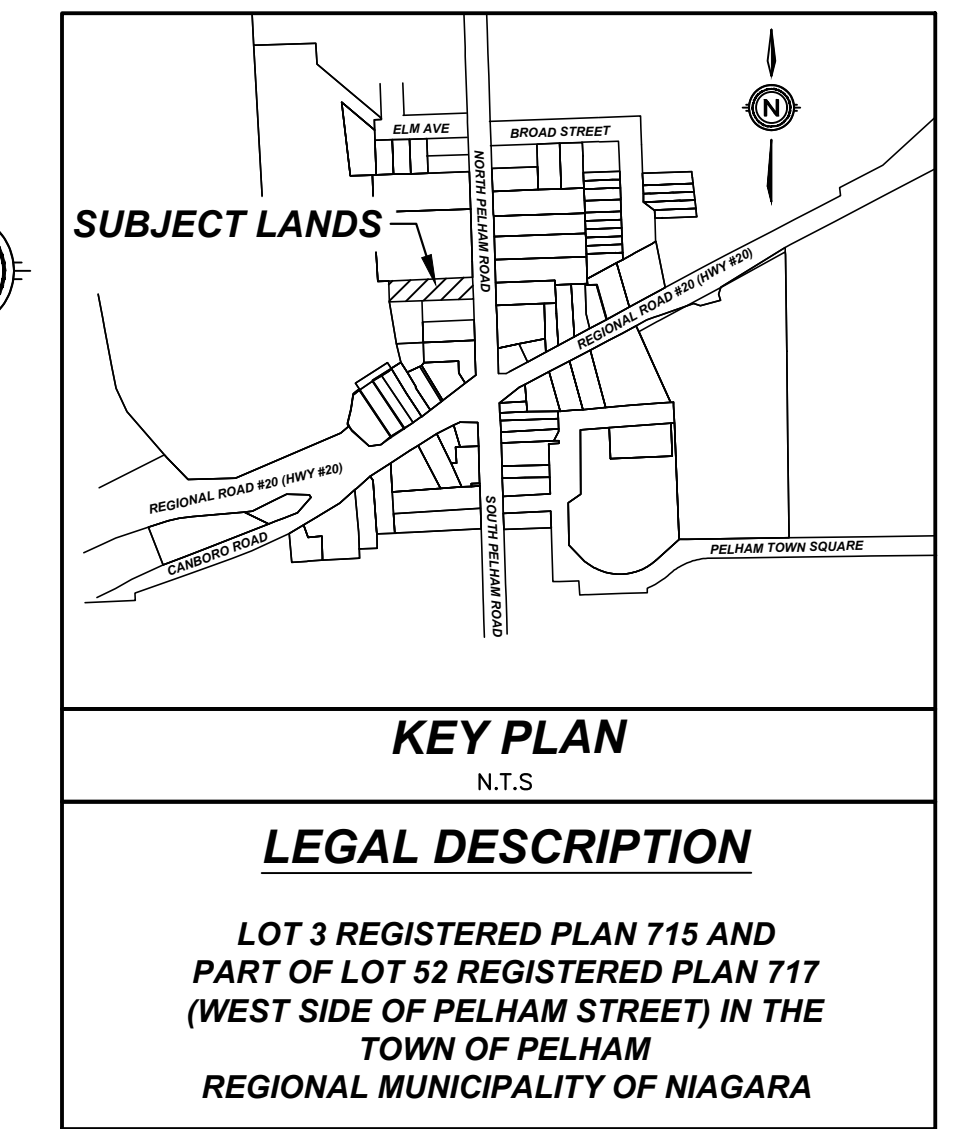
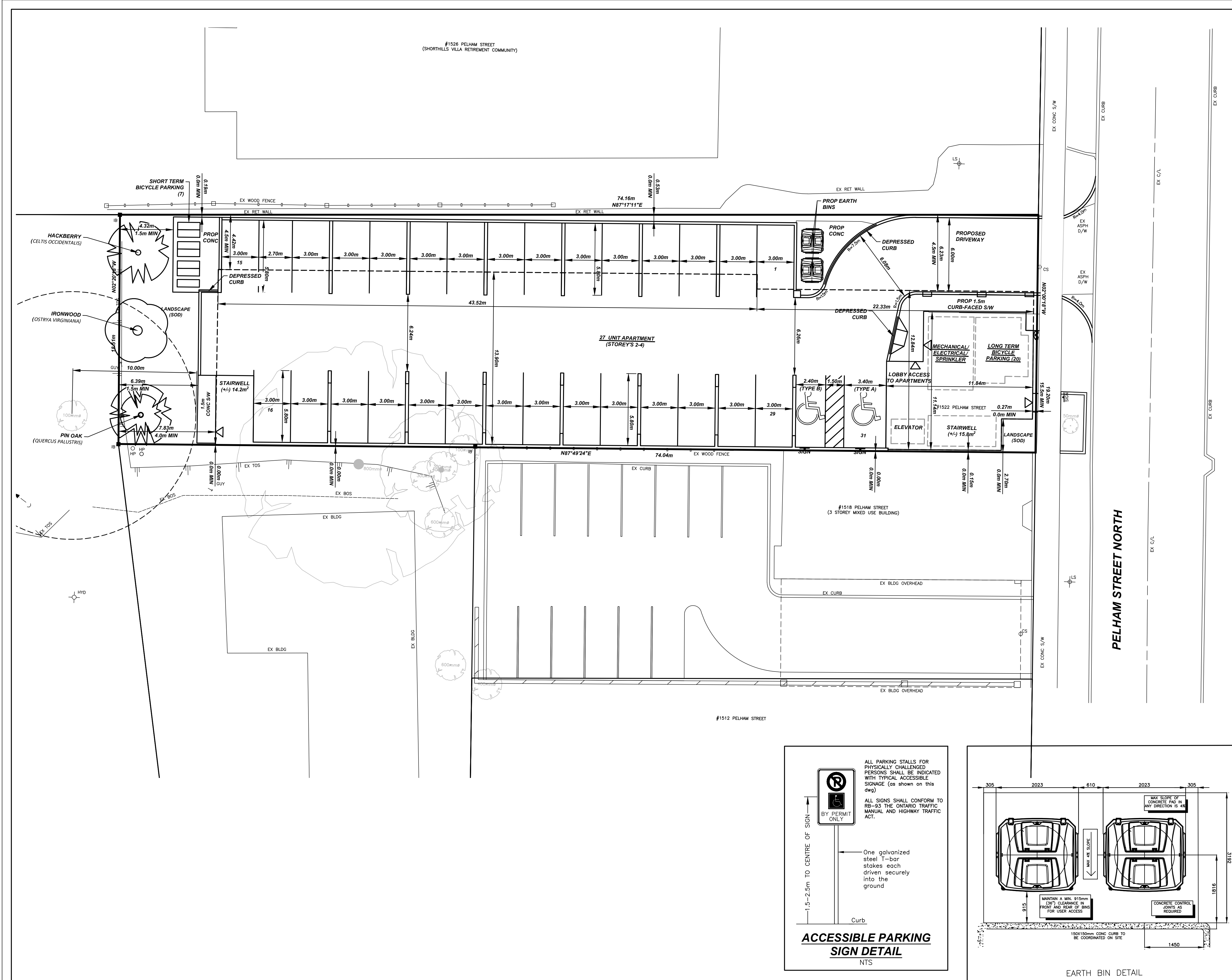
- Participants are encouraged to join the hearing 15 minutes in advance of the start time for the hearing.
- Vulgar or offensive language/comments will not be tolerated. If inappropriate language is used, you will be removed from the meeting.

Additional Procedures for Remote Participation

- Participants joining remotely are responsible for ensuring their background is free from offensive or vulgar material. If inappropriate material is visible you will be removed from the meeting.
- Participants will remain in the waiting room until they are called to speak. Participants will be able to hear and see the meeting while in the waiting room.
- Once your comments have been heard by the Committee of Adjustment, you will be placed back into the waiting room where you may continue to view the meeting.

Technical Difficulties During Hearings

- Beyond the available Zoom test session, Town staff will **not** provide technical assistance for participants before or during hearings.
- If a participant's connection to the meeting fails during the hearing, Town Staff will attempt to make reasonable efforts to re-establish connection. If the connection cannot be re-established, the comments received up to that point will be included as part of the official record and the hearing will continue.
- If a participant is not present in the Zoom Webinar when called upon by the Chair, the participant will be considered absent and the hearing will continue without the participant.
- If, in the Chair's opinion, a participant's audio/ video is not of an acceptable quality, the Chair may require the participant to use the dial-in option.



LEGEND

- WV ⊗ EX WATER VALVE
- HYD ⊙ EX HYDRANT
- HYD ⊙ PROP HYDRANT
- HP ⊙ EX HYDRO POLE
- LS ⊙ EX LIGHT STANDARD
- 100.00 EXISTING ELEVATION
- 1000.00 PROPOSED ELEVATION
- ▬ PROPOSED FIRE ROUTE SIGN
- ▬ PROPOSED COMMUNITY MAILBOX
- ▬ PROP CURB
- ▬ PROP DEPRESSED CURB
- ▬ EX CHAIN-LINK FENCE
- ▬ PROP WOOD PRIVACY FENCE

LAND USE SCHEDULE

AREA	Ha	% COVERAGE
BUILDING - GROUND FLOOR	0.090	64.34
OPEN AIR PARKING AND DRIVEWAY AREA	0.028	20.01
LANDSCAPE	0.022	15.65
TOTAL	0.140	100.00

ZONING MATRIX

UNITS	27
DEVELOPABLE AREA	0.140ha
DENSITY (UNITS/DEVELOPABLE AREA)	135.7u/ha

SITE SPECIFIC VILLAGE COMMERCIAL ZONE (VC-125)

PROVISION	REQUIRED	PROVIDED
*MAX LOT COVERAGE	50%	64.34%
*MAX GROSS FLOOR AREA FOR DWELLING UNITS	96%	70.8%
*BUILDING HEIGHT	13.0m	13.72m
FRONT YARD	BETWEEN 1.0m-5.0m	0.27m
SIDE YARDS	MIN 0.6m MAX 1.2m	0.0m
RETAIL FRONTAGE	MAX 14.0m	N/A
RETAIL GFA	MAX 500m ²	N/A
FIRST FLOOR WINDOW HEIGHT	0.3m-0.6m	0.30m
FIRST FLOOR WINDOW GLAZING	MIN 50% OF THE FRONT WALL EXCEPT STAND ALONE RESIDENTIAL THEN NONE IS REQUIRED	55.96%
FIRST FLOOR HEIGHT	MIN 3.0m	3.46m

LANDSCAPED STRIPS

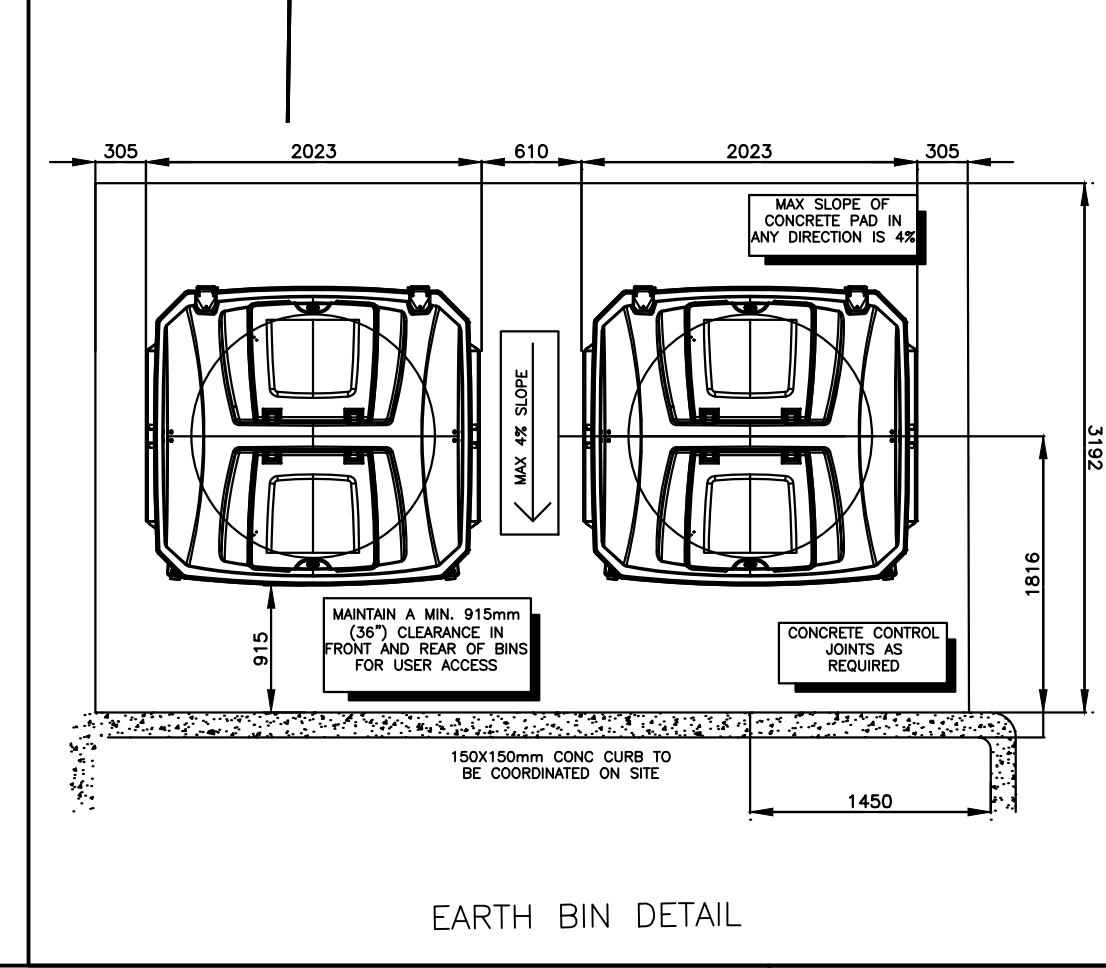
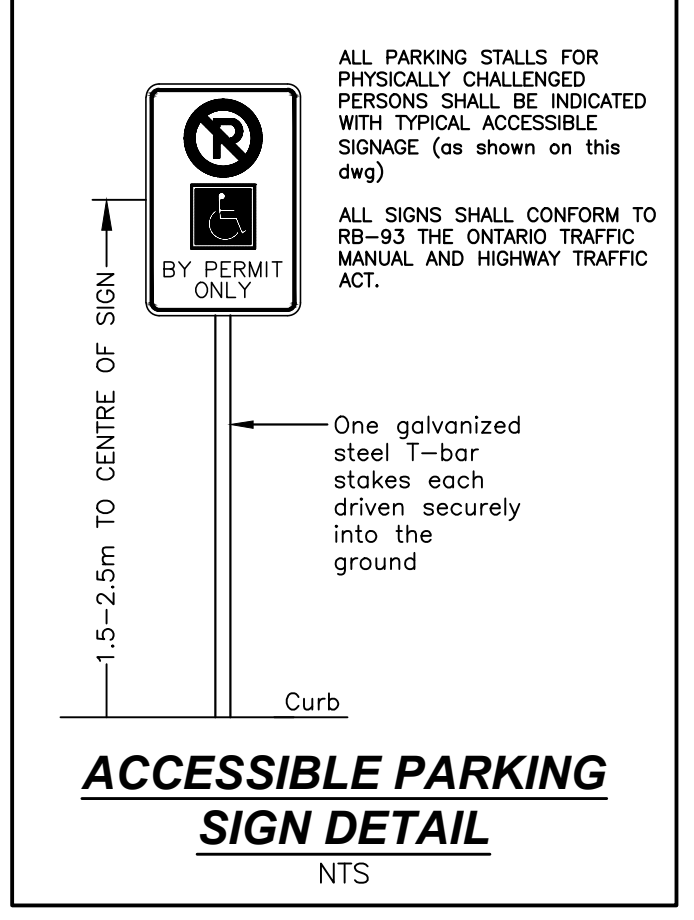
PROVISIONS	REQUIRED	PROVIDED
(3.15 e) WHERE LAND IS REQUIRED FOR NO OTHER PURPOSE THAN LANDSCAPE IT SHALL HAVE MIN WIDTH OF 1.5m	1.5m	4.32m
(VC-125) NO PLANTING STRIP SHALL BE REQUIRED BETWEEN THE PARKING AREA AND THE INTERIOR LOT LINE	N/A	N/A

PARKING REQUIREMENTS

PROVISION	REQUIRED	PROVIDED
*1.2 SPACES PER DWELLING UNIT	1.2 x 27(UNITS) = 32.4 (33 SPACES REQUIRED)	31 SPACES
BARRIER FREE PARKING	26-50 SPACES 1 TYPE 'A' & 1 TYPE 'B'	1 TYPE 'A' 1 TYPE 'B'

BICYCLE PARKING REQUIREMENTS

USE	REQUIRED	PROVIDED
SHORT TERM APARTMENT DWELLING	0.8 x 27(UNITS) = 21.6 (22 SPACES REQUIRED)	7 SPACES PROVIDED
LONG TERM APARTMENT DWELLING	0.7 x 27(UNITS) = 18.9 (19.0 SPACES REQUIRED)	20 SPACES PROVIDED



NOTES:

- THE POSITION OF POLE LINES, CONDUITS, WATERMANS, SEWER, AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS AND, WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
- PROPERTY LINES WERE PLOTTED USING REGISTERED PLANS AND BARS LOCATED IN THE FIELD. TO VERIFY THE ACCURACY OF THESE PROPERTY LINES, A LEGAL SURVEY SHOULD BE PERFORMED PRIOR TO CONSTRUCTION.
- ALL CONSTRUCTION MUST COMPLY WITH THE NIAGARA PENINSULA STANDARD CONTRACT DOCUMENT.

#	REVISION	DATE	INIT
2	REVISED PER ARCHITECT	2024-08-29	GS
1	REVISED PER TOWN COMMENTS (2022-04-05)	2022-05-27	GS
0	ISSUED FOR SPA SUBMISSION	2022-03-10	GS

DRAFTING	G.S.
DESIGN	J.S.
CHECKED BY	C.R.
APPROVED BY	J.S.

2844759 ONTARIO INC.
1051 OLD THOROLD STONE ROAD
THOROLD, ONTARIO

UPPER CANADA CONSULTANTS
ENGINEERS / PLANNERS

30 Hanover Drive Unit 3
St. Catharines, Ontario
L2W 1A3
Phone: (905) 688-9400
Fax: (905) 688-5274

1522 PELHAM STREET
TOWN OF PELHAM

SITE & LANDSCAPE PLAN

CONSULTANT FILE No.	18134
DATE	2024-08-29
PRINTED	2024-08-29
SCALE	1:150 m
REF No.	
DWG No.	18134-SP
REV	2