

## NOTICE OF PUBLIC HEARING

**HEARING DATE:** Monday, November 4<sup>th</sup>, 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).**

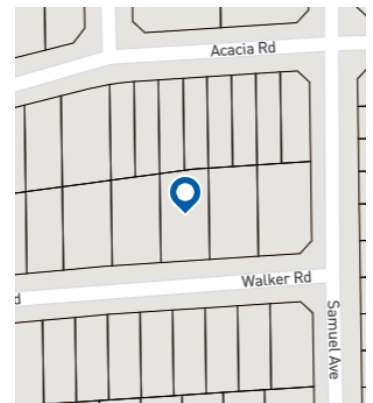
**The Town of Pelham Committee of Adjustment hearing live webcast will be streaming at: <https://www.youtube.com/user/TownOfPelham>**

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:** A34-2024P

**Subject Lands:** Block 150 59M-505 (75 and 77 Marie Street)

**Legal Description:** Block 150, Plan 59M-505



The subject land is located on the north side of Marie Street, lying west side of Samuel Ave, being Block 150, Plan 59M-505 in the Town of Pelham.

### Nature and Extent of Relief/ Permission Applied for:

The subject land is zoned RM1-96 in accordance with Pelham Zoning By-law 4481(2022), as amended. Application for relief is made to permit a second dwelling unit (basement unit) in an existing semi-detached dwelling. The applicant seeks relief from the following section(s) of the Zoning By-law:

**Section 4.1.1(a) “Minimum Parking Requirements”** – to permit zero (0) parking spaces for a second dwelling unit, whereas the By-law requires one (1) space be provided.

**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](mailto: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](mailto:sleach@pelham.ca)

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



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Sarah Leach, BA  
Deputy Clerk/Secretary-Treasurer

**Date of Mailing: October 9, 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](mailto: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](mailto:sleach@pelham.ca)

For technical questions, please contact:  
Andrew Edwards, Planner  
905-892-2607 ext. 323 [aedwards@pelham.ca](mailto:aedwards@pelham.ca)

## Participant Process During Meetings

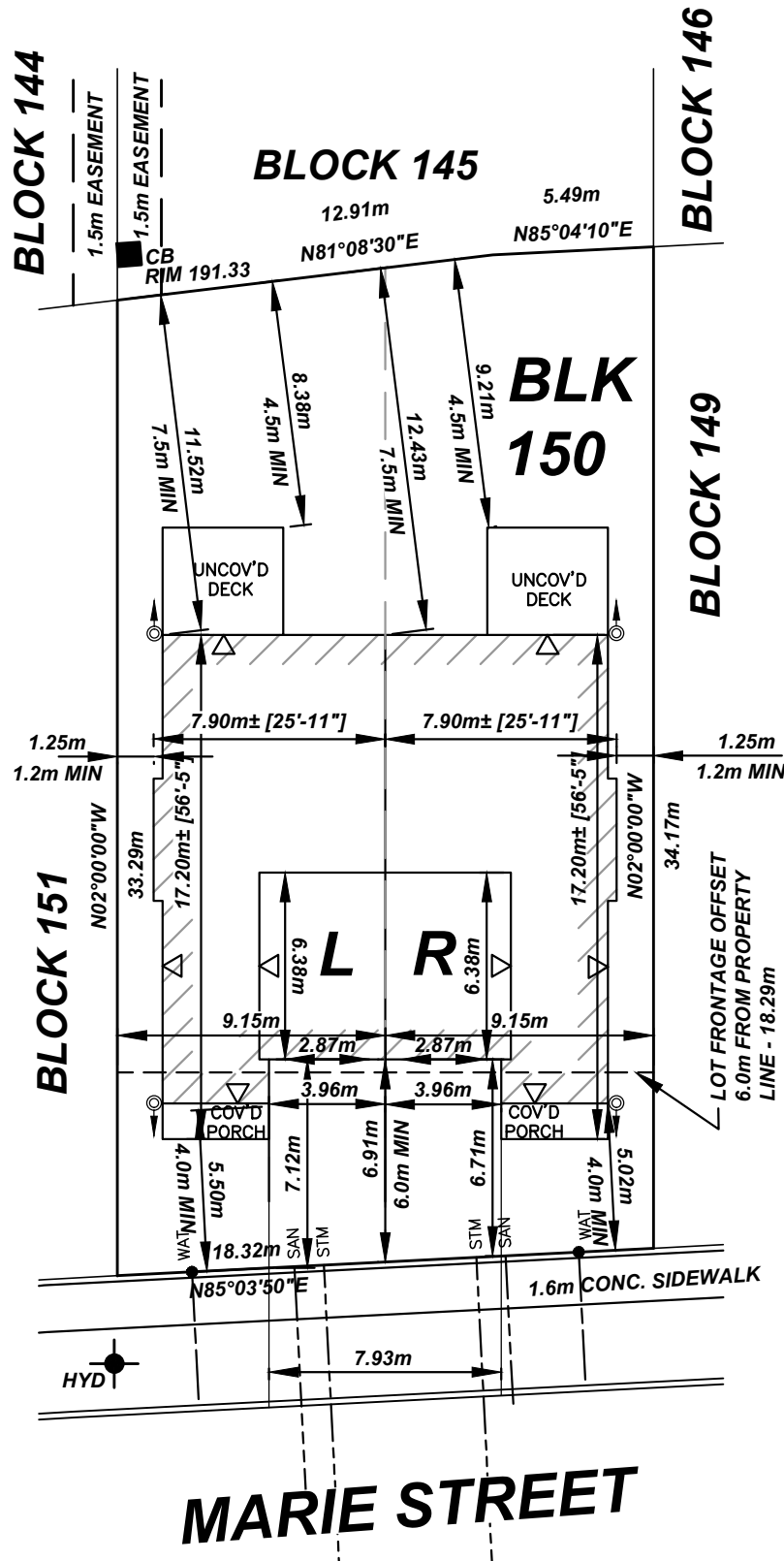
- Participants are encouraged to join the hearing 15 minutes in advance of the start time for the hearing.
- Vulgar or offensive language/comments will not be tolerated. If inappropriate language is used, you will be removed from the meeting.

### 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.



ZONING MATRIX LOT 150L		
PROVISION	ZONING CATEGORY RESIDENTIAL MULTIPLE BY-LAW RM1 as amended (RM1-291)	PROPOSED
SINGLE DETACHED, SEMIDETACHED UNIT OR TOWN HOUSE DWELLING UNIT IN THE R1,R2,R3,RM1,GF-R1,GF-R2, OR GF-R3 ZONES PROVIDED		
MAX BUILDING AREA	153.68m <sup>2</sup> (1654.20ft <sup>2</sup> )	136.21m <sup>2</sup> (1466.15ft <sup>2</sup> )
MIN. LOT AREA	150m <sup>2</sup> (1614.60ft <sup>2</sup> ) per dwelling unit	307.15m <sup>2</sup> (3306.14ft <sup>2</sup> )
MIN. LOT FRONTAGE	8m (26.25ft)	9.15m (30.00ft)
MIN. FRONT YARD	4.0m TO DWELLING FRONT FACE, 6.0m TO GARAGE	5.50m (18.04ft) 6.91m (22.67ft)
MIN. REAR YARD	7.5m TO DWELLING BACK FACE	11.52m (37.80ft)
MIN. INTERIOR SIDE YARD	1.2m TO DWELLING SIDE FACE	1.25m (4.10ft)
MAX. BUILDING HEIGHT	10.5m (34.45ft)	8.2m (26.90ft)
MAX FRONT YARD	5.5m TO DWELLING FRONT FACE	5.50m (18.04ft)
MAX COVERAGE	50%	44.35%
PARKING REQUIREMENTS	2 PARKING SPACES PER UNIT	2
TANDEM PARKING SPACE REQUIREMENTS	2.6m BY 6.0m	2.6m BY 6.5m PARKING SPACE
MAX. GARAGE WIDTH	7.5m OR 50% OF THE LOT FRONTAGE, OR 20% OF THE LOT DEPTH, WHICHEVER IS LESS	2.87m (9.42ft)
SECOND DWELLING UNIT	UP TO TWO SECOND DWELLING UNITS ARE PERMITTED IN A SINGLE DETACHED, SEMIDETACHED UNIT OR TOWN HOUSE DWELLING UNIT IN THE R1,R2,R3,RM1,GF-R1,GF-R2, OR GF-R3 ZONES PROVIDED:	1 SECONDARY UNITS IS PROVIDED PER UNIT
MAXIMUM FLOOR AREA	I. THE MAXIMUM FLOOR AREA OF THE SECOND DWELLING UNIT IS 75M <sup>2</sup> ;	57.88m <sup>2</sup> (623.00ft <sup>2</sup> )
MAXIMUM ENTRANCE	II. A MAXIMUM OF ONE ENTRANCE IS PERMITTED ALONG A FRONT OR CORNER SIDE YARD;	1 ENTRANCE
MINIMUM PARKING SPACE	III. A MINIMUM OF ONE PARKING SPACE SHALL BE REQUIRED FOR THE SECOND DWELLING UNIT;	0 PARKING SPACE
GARAGE WIDTH EXTENTION	IV. NOTWITHSTANDING SUBSECTION 4.1.4.3 (A), ON A LOT HAVING AN ATTACHED GARAGE LESS THAN 5 METRES IN WIDTH, THE DRIVEWAY MAY EXTEND BEYOND THE WIDTH OF THE GARAGE TOWARD THE SIDE LOT LINE TO A MAXIMUM WIDTH OF 5 METRES AND NO CLOSER THAN 0.6 METRES TO THE SIDE LOT LINE, NEAREST TO THE GARAGE;	N/A

ZONING MATRIX LOT 150R		
PROVISION	ZONING CATEGORY RESIDENTIAL MULTIPLE BY-LAW RM1 as amended (RM1-291)	PROPOSED
SINGLE DETACHED, SEMIDETACHED UNIT OR TOWN HOUSE DWELLING UNIT IN THE R1,R2,R3,RM1,GF-R1,GF-R2, OR GF-R3 ZONES PROVIDED		
MAX BUILDING AREA	156.17m <sup>2</sup> (1681.00ft <sup>2</sup> )	136.21m <sup>2</sup> (1466.15ft <sup>2</sup> )
MIN. LOT AREA	150m <sup>2</sup> (1614.60ft <sup>2</sup> ) per dwelling unit	312.34m <sup>2</sup> (3362.00ft <sup>2</sup> )
MIN. LOT FRONTAGE	8m (26.25ft)	9.15m (30.00ft)
MIN. FRONT YARD	4.0m TO DWELLING FRONT FACE, 6.0m TO GARAGE	5.02m (16.47ft) 6.71m (22.01ft)
MIN. REAR YARD	7.5m TO DWELLING BACK FACE	12.43m (40.78ft)
MIN. INTERIOR SIDE YARD	1.2m TO DWELLING SIDE FACE	1.25m (4.10ft)
MAX. BUILDING HEIGHT	10.5m (34.45ft)	8.2m (26.90ft)
MAX FRONT YARD	5.5m TO DWELLING FRONT FACE	5.02m (16.047ft)
MAX COVERAGE	50%	43.61%
PARKING REQUIREMENTS	2 PARKING SPACES PER UNIT	1
TANDEM PARKING SPACE REQUIREMENTS	2.6m BY 6.0m	2.6m BY 6.5m PARKING SPACE
MAX. GARAGE WIDTH	7.5m OR 50% OF THE LOT FRONTAGE, OR 20% OF THE LOT DEPTH, WHICHEVER IS LESS	2.87m (9.42ft)
SECOND DWELLING UNIT	UP TO TWO SECOND DWELLING UNITS ARE PERMITTED IN A SINGLE DETACHED, SEMIDETACHED UNIT OR TOWN HOUSE DWELLING UNIT IN THE R1,R2,R3,RM1,GF-R1,GF-R2, OR GF-R3 ZONES PROVIDED:	1 SECONDARY UNITS IS PROVIDED PER UNIT
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MAXIMUM ENTRANCE	II. A MAXIMUM OF ONE ENTRANCE IS PERMITTED ALONG A FRONT OR CORNER SIDE YARD;	1 ENTRANCE
MINIMUM PARKING SPACE	III. A MINIMUM OF ONE PARKING SPACE SHALL BE REQUIRED FOR THE SECOND DWELLING UNIT;	0 PARKING SPACE
GARAGE WIDTH EXTENTION	IV. NOTWITHSTANDING SUBSECTION 4.1.4.3 (A), ON A LOT HAVING AN ATTACHED GARAGE LESS THAN 5 METRES IN WIDTH, THE DRIVEWAY MAY EXTEND BEYOND THE WIDTH OF THE GARAGE TOWARD THE SIDE LOT LINE TO A MAXIMUM WIDTH OF 5 METRES AND NO CLOSER THAN 0.6 METRES TO THE SIDE LOT LINE, NEAREST TO THE GARAGE;	N/A

**TOWN OF PELHAM  
INDIVIDUAL LOT GRADING PLAN**

LOT 150LR  
75&73 MARIE STREET  
REGISTERED PLAN 59M-505

SCALE: 1 : 250m  
GRADE PLAN No.: 1541-GP3  
REVISION DATE: 2021-08-17  
SUBDIVISION: SAFFRON MEADOWS PHASE 3

BUILDER: HOME NATION PHONE: \_\_\_\_\_  
OWNER: \_\_\_\_\_ PHONE: \_\_\_\_\_

**PROPOSED GRADING**

I HEREBY CERTIFY THAT THE PROPOSED GRADING SHOWN CONFORMS TO THE LATEST REVISION OF THE SUBDIVISION DRAINAGE PLAN FOR THIS SUBDIVISION.

NAME: JASON SCHOOLEY (P.Eng)  
FIRM: UPPER CANADA CONSULTANTS  
SIGNATURE: \_\_\_\_\_  
DATE: SEPTEMBER 24, 2024

ACCEPTED BY TOWN: \_\_\_\_\_

**LEGEND**

- 173.75 DENOTES PROPOSED ELEVATION
- 173.75 " " EXISTING GROUND ELEVATION
- 173.75 " " FINISHED ELEVATION
- " " DRAINAGE DIRECTION
- F.F. FINISHED FLOOR ELEVATION
- F.G.F. FINISHED GARAGE FLOOR ELEVATION
- F.N.D. TOP OF FOUNDATION ELEVATION
- B.F.T.G. BOTTOM OF FOOTING ELEVATION
- " " DOWNSPOT & DIRECTION

**AS CONSTRUCTED GRADING**

I HEREBY CERTIFY THAT I HAVE TAKEN THE FINISHED GRADES SHOWN, AND THAT THE GRADING OF THIS LOT GENERALLY CONFORMS TO THE LATEST REVISION OF THE SUBDIVISION DRAINAGE PLAN FOR THIS SUBDIVISION.

NAME: \_\_\_\_\_  
FIRM: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_  
DATE: \_\_\_\_\_

ACCEPTED BY TOWN: \_\_\_\_\_

DATE: \_\_\_\_\_

NOTE:  
BUILDER AND SURVEYOR TO VERIFY LOCATION OF ALL SERVICES AND UTILITIES PRIOR TO CONSTRUCTION.

SURVEYOR IS RESPONSIBLE FOR VERIFYING BUILDING SIZE & LOCATION PRIOR TO LAYOUT OF BUILDING FOUNDATION



**UPPER CANADA CONSULTANTS**  
ENGINEERS / PLANNERS  
3-30 Hannover Drive  
St. Catharines, ON  
L2W 1A3  
Phone: (905)688-9400  
Fax: (905)688-5274