

## Committee of Adjustment AGENDA

CofA-06/2018

June 5, 2018

4:00 pm

Town of Pelham Municipal Office - Council Chambers

20 Pelham Town Square, Fonthill

Pages

1. Attendance
2. Call to Order, Declaration of Quorum and Introduction of Committee and Staff
3. Disclosure of Pecuniary Interest and General Nature Thereof
4. Requests for Withdrawal or Adjournment
5. Applications for Minor Variance

**5.1 File A8/2018P - Daniel & Melanie Thompson**

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1. Town of Pelham Planning Department
2. Town of Pelham Building Department
3. Town of Pelham Public Works Department
4. Town of Pelham Fire Department

**5.2 File A9/2018P - David Judge and Deborah Judge**

8

1. Town of Pelham Planning Department
2. Town of Pelham Building Department
3. Town of Pelham Public Works Department
4. Town of Pelham Fire Department
5. Niagara Region Comments
6. NPCA Comments

**6. Applications for Consent**

None

**7. Minutes for Approval**

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Committee of Adjustment Minutes, May 1, 2018

**8. Adjournment**

June 5, 2018

Mrs. Nancy J. Bozzato, Secretary Treasurer  
Committee of Adjustment  
Town of Pelham  
Fonthill, ON L0S 1E0

**Re: Minor Variance Application A8/2018P (D. Thompson)**  
**495 Canboro Road, Pelham**  
**Concession 9, Part of Lot 9**  
**Roll No. 2732 020 013 14500**

The subject land is located on the corner of three public streets; Canboro Road (south), Cream Street (west) and Memorial Drive (north) (see Figure 1), municipally known as 495 Canboro Road.

The subject land is zoned 'Agricultural - 137' (A-137) in accordance with Pelham Zoning By-law 1136 (1987), as amended. The minor variance application requests relief from:

- **Section 7.4 c) "Max Lot Coverage"** seeking 18% lot coverage whereas 10% is permitted. The variance will facilitate the construction of a 1-storey, westerly dwelling addition.

Note – Town of Pelham Council has approved the Heritage permit Addition on May 22, 2018.

*Figure 1: Subject Lands (495 Canboro Rd)*



## Policy Overview

### Provincial Policy Statement (PPS), 2014

The Provincial Policy Statement (PPS) designates the subject land within the 'Prime Agricultural Area'. The permitted uses (among others) include: agricultural / agricultural related uses and limited residential development.

Policy 1.7.1 d) states long-term economic prosperity should be supported by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources*.

Policy 2.6.3 states the Town shall not permit *development* and *site alteration* on adjacent lands to *protected heritage property* except where the proposed *development* and *site alteration* has been evaluated and it has been demonstrated that the *heritage attributes* of the building will be conserved.

#### Greenbelt Plan (2017)

The subject parcel is designated 'Tender Fruit & Grape Lands' within the Greenbelt Plan's Protected Countryside.

Policy 4.5 states that all *existing uses* are permitted, including single dwellings on existing lots of record, provided they were zoned for such prior to the Greenbelt Plan coming into force. Expansions to existing buildings which bring the use more into conformity with this Plan are permitted so long as new municipal services are not required and the addition does not expand into *key natural heritage / hydrologic features*.

The proposed addition does not conflict with Greenbelt Plan policy.

#### Regional Official Plan (Consolidated, August 2014)

The Regional Official Plan designates the subject parcel as 'Unique Agricultural Area' as part of the Protected Countryside lands in the Greenbelt Plan.

#### Pelham Official Plan, 2014

The Town Official Plan designates the subject parcel as 'Specialty Agricultural'.

Policy A2.7 states it is a goal of the Official Plan to conserve and enhance the cultural heritage resources. This includes the prevention of demolition, destruction or inappropriate alteration of cultural heritage resources. Development is encouraged adjacent to significant cultural heritage resources if it is of an appropriate scale and character.

Policy B2.2.1 states that the purpose of the *Specialty Agricultural* designation is to implement the Provincial Greenbelt Plan.

Town of Pelham Council recently issued Heritage Permit Addition approval for the proposed development based on the merits of heritage character presented in the addition.

#### Pelham Zoning By-law Number 1136 (1987)

The Town Zoning By-law identifies the subject parcel as 'Agricultural - 137' (A-137). The special exception recognizes a reduced lot area, lot frontage among some other site-specific provisions.



Section 7.4 Requirements for buildings and structures accessory to dwellings  
 c) Maximum Lot Coverage 10% Request = 18%

Pelham Heritage Master Plan (2012)

Section 4.3 Canboro Road Corridor

The Canboro Road corridor is one of the most scenic routes in Pelham connecting the historic Villages of Fenwick, Pelham Centre, Ridgeville and Fonthill and was an early settlement route. Character defining elements along this diagonal corridor include buildings on a south-facing side slope, restricting views to the north and opening views to the south, together with large street trees.

The Committee of Adjustment, in Section 45 (1) of the *Planning Act*, may authorize a minor variance from the provisions of the by-law, subject to the following considerations:

Minor Variance Test	Explanation
1. The variance is minor in nature.	The proposed overall lot coverage will be larger than the existing 'A' zone requirement of 10%. Considering the small parcel size, the variance can be accommodated with minimal impact, subject to the final approved septic permit.  Adequate amenity area and open space for septic purposes remains available for the residents even with the exceedance of overall lot coverage.
2. The variance is desirable for the development or use of the land.	Exceeding the maximum allowable lot coverage is desirable for the use of land because it will enable the construction of a dwelling addition which will improve the living space and enhance the property value.
3. The variance maintains the general intent and purpose of the Official Plan.	Increasing the maximum overall lot coverage to 18% maintains the general intent of the Official Plan because the use of the property as a residential dwelling and the ability to farm the surrounding agricultural land is not being impacted due to the existing site enclosure of public roadways / facilities.  The variance is appropriate given the site's rural context and meets the general intent of the Town Official Plan policies.
4. The variance maintains the general intent and purpose of the Zoning By-law.	Increasing the maximum overall lot coverage to 18% maintains the general intent of the Zoning By-law in so far as sufficient amounts of open space, amenity area and land for private services remain on the property.

**Comments**

On April 20<sup>th</sup> 2018, a notice was circulated to agencies directly affected by the proposed application including internal Town departments (i.e. Public Works, Building, etc.) and all assessed property owners within 60 metres of the property's boundaries.



To date, the following comments have been received:

- Public Works Department (May 24, 2018)
  - No comments.
- Building Department (May 22, 2018)
  - All necessary permits are required prior to construction commencing.
- Niagara Region Planning & Development Services (April 9, 2018)
  - Issued the 'Initial Septic Approval' permit, see appendix.

### Planning Comments

Planning staff note that the property is 0.12ha (0.3ac) in land area and contains a rural residential dwelling that is designated under Part IV of the Ontario Heritage Act.

The subject land is surrounded by:

- North – Rural residential dwellings
- East – Old Pelham Town Hall
- South – Agricultural, Rural residential dwellings
- West – Rural residential dwellings

The neighbourhood is considered rural in character but, does have a somewhat more compact development built form, influential of the historically small village pattern of lots surrounding the Old Pelham Town Hall and convergence of three public roadways. The nearest residential dwellings are opposite the Centre Street to the west and Canboro Road to the southeast. Therefore, increasing the allowable overall lot coverage will not negatively affect any neighbouring properties as significant open land remains. Reasonable spatial separation is maintained through setbacks and storm water runoff shall be contained on-site.

The property falls within the screening area of the NPCA, though the agency provided no comments on the application.

Planning Staff is of the opinion that the application meets the four minor variance tests laid out by the *Planning Act*. The application is consistent with Provincial policies, the Regional Official Plan, and conforms to the general intent of the Town's Official Plan and Zoning By-law. Also, the Heritage Permit approval has been given by Council for the proposed building addition.

The authorization of the minor variance is not expected to generate negative impacts for adjacent uses or the community at large. Consequently, Planning Staff recommend that Application File Number **A8/2018P** be **approved**, subject to the following conditions:

#### THAT

- All necessary building permits be obtained prior to construction commencing.

Submitted by,



Curtis Thompson  
Planner, B.URPI

Reviewed by,

Barb Wiens, MCIP, RPP

Director/ Community Planning & Development



**File:** A8/2018P

May 22, 2018

**Address:** 495 Canboro Road, Pelham

**Owner:** Daniel & Melanie Thompson

**Agent:** C.J. Hartwell Enterprises

Nancy Bozzato  
Town Clerk/Secretary-Treasurer

The Building Department offers the following comment,

- All necessary permits are required prior to any construction commencing.

Belinda Menard  
Building Intake/Plans Examiner  
Community Planning & Development

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## Memorandum

### Public Works Department - Engineering

DATE: May 24, 2018  
TO: Curtis Thompson, Planner  
CC: Nancy J. Bozzato , Clerk; Judy Sheppard, Deputy Clerk; Andrea Clemencio, Director of Public Works & Utilities  
FROM: Matt Sferrazza, Engineering Technologist  
RE: File A8/2018P  
495 Canboro Road

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Public Works has completed a review of the minor variance application A8/2018P for relief of Pelham Zoning By-Law 1136(1987). The application is made to seek relief from the following:

- Maximum Lot Coverage – to permit an overall lot coverage of 18% whereas 10% is permitted to facilitate construction of a one storey residential addition.

Public Works has no comments.



## Judy Sheppard

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**To:** William Underwood  
**Subject:** RE: Minor Variance Application A8/2018P

**From:** William Underwood  
**Sent:** Thursday, May 24, 2018 2:53 PM  
**To:** Judy Sheppard  
**Subject:** Re: Minor Variance Application A8/2018P

Fire has no comments for file A8/2018P.

Regards,

Will

On May 24, 2018, at 2:25 PM, Judy Sheppard <[JSheppard@pelham.ca](mailto:JSheppard@pelham.ca)> wrote:

June 5, 2018

Mrs. Nancy J. Bozzato, Secretary Treasurer  
Committee of Adjustment  
Town of Pelham  
Fonthill, ON L0S 1E0

**Re: Minor Variance Application A9/2018P (D. Judge)**  
**524 Roland Road, Pelham**  
**Concession 3, Part of Lot 10**  
**Roll No. 2732 010 007 15100**

The subject land is located on the south side of Roland Road, lying west of Centre Street, being Part of Lot 10, Concession 3 and known municipally as 524 Roland Road, in the Town of Pelham.

The subject land is zoned 'Agricultural' (A) in accordance with Pelham Zoning By-law 1136 (1987), as amended. The minor variance application requests relief from:

- **Section 7.7 a) "Max Accessory Lot Coverage"** to allow 1.5% lot coverage for accessory structures whereas 1% is permitted;
- **Section 7.7 d) "Max Accessory Building Height"** to allow a maximum accessory building height of 6.5m whereas 3.7m is allowed.

The proposal is for the removal of an existing utility shed and the construction of a 1-storey accessory building.

### **Applicable Planning Policies**

#### Provincial Policy Statement (PPS), 2014

The Provincial Policy Statement (PPS) designates the subject land within the 'Prime Agricultural Area'. The permitted uses (among others) include: agricultural / agricultural related uses, limited residential development and home occupations. 'Prime Agricultural Areas' are defined as including associated Canada Land Inventory Class 4-7 lands as well as 'Prime Agricultural Lands' (Class 1-3 lands).

#### Greenbelt Plan, 2005

The subject parcel is designated 'Tender Fruit & Grape Lands' within the Greenbelt Plan's Protected Countryside.

Policy 4.5.3 states outside of settlement areas, expansions to existing buildings which bring the use more into conformity with this Plan, are permitted subject to a demonstration of the following:

- a. Notwithstanding section 4.2.2.6, new municipal services are not required; and
- b. The use does not expand into key natural heritage features and key hydrological features.

The proposed variance meets both requirements listed above.

Regional Official Plan (Consolidated, August 2014)

The Regional Official Plan designates the subject parcel as 'Unique Agricultural Area' as part of the Protected Countryside lands in the Greenbelt Plan.

Pelham Official Plan, 2014

The Town Official Plan designates the subject parcel as 'Specialty Agricultural'. Policy B2.1.2 states (among other uses) one single detached dwelling is permitted on a vacant lot of record.

Town Zoning By-law Number 1136 (1987)

The Town of Pelham Zoning By-law identifies the subject parcel as 'Agricultural' (A).

Section 7.7 Requirements for buildings and structures accessory to dwellings

a) Maximum Lot Coverage	1%	Request = 1.5%
d) Maximum Building Height	3.7m	Request = 6.5m

The Committee of Adjustment, in Section 45 (1) of the *Planning Act*, may authorize a minor variance from the provisions of the by-law, subject to the following considerations:

Minor Variance Test	Explanation
1. The variance is minor in nature.	<p>a) The proposed accessory lot coverage of 1.5% is minor overall, despite the parcel size; the variance can be accommodated with minimal impact.</p> <p>d) Increasing the accessory building height to 6.5m is minor given the rural context and the structure is oriented in a way which ensures it appears secondary to the primary dwelling, being located in the rear yard. No negative impacts are anticipated by the adjacent neighbors as good distance buffers the surrounding uses from a slightly taller structure.</p>
2. The variance is desirable for the development or use of the land.	<p>a) The proposed accessory lot coverage of 1.5% is desirable for the use of the land given the parcel size, the relief will offer some more flexibility in terms of property usage and thus, desirability.</p> <p>d) The variance request to increase the accessory building height is desirable for the property because it will allow for enhanced storage of personal belongings. The adjacent dwelling to the west is setback over 50m and no adverse impacts are anticipated on adjacent lands.</p>
3. The variance maintains the general intent and purpose of the Official Plan.	<p>a) The proposed accessory lot coverages maintain the general intent of the Official Plan in that no negative impacts will be created for any natural heritage feature or neighbouring properties.</p> <p>d) The proposed use of a building accessory to a single detached house is permitted in the 'Specialty Agricultural' designation of the Official Plan and the policy does permit uses which are compatible with agriculture. The increase</p>

From the Department of



	<p>in accessory building height will not compromise the objective of the Official Plan.</p> <p>The variance is appropriate given the site's rural context and meets the general intent of the Town Official Plan policies.</p>
<p>4. The variance maintains the general intent and purpose of the Zoning By-law.</p>	<p>a) Increasing the maximum accessory building lot coverage maintains the general intent of the Zoning By-law in that adequate open space remains and will not bother the existing septic field and storm water runoff will be required to be contained on the property as per Town standards.</p> <p>b) The size of the proposed accessory building's height to 6.5m is appropriate given the rural context and still ensures that the dwelling is maintained as the main use of the land. Ample amount of open space is available on the site, thus the increased lot coverage and height will not adversely impact the rural residential nature of the lot or the surrounding countryside. The variances maintain the intent of the Zoning By-law with respect to accessory building massing, siting and lot coverage.</p>

On April 7<sup>th</sup> 2017, a notice was circulated to agencies directly affected by the proposed application including internal Town departments (i.e. Public Works, Building, etc.) and all assessed property owners within 60 metres of the property's boundaries.

To date, the following comments have been received:

- Public Works Department (May 24, 2018)
  - No comments.
- Building Department (May 22, 2018)
  - All necessary permits are required prior to construction commencing.
- Fire Department (May 4, 2018)
  - No comments.
- Niagara Region Planning & Development Services (May 22, 2018)
  - No objections.

### Planning Comments

Planning staff note that the property is 4.05ha (10ac) in land area, is not farmed and is considered to be a rural residential lot at this time.

The subject land is surrounded by:

- North – Agricultural, Significant Woodlands / Greenbelt Natural Heritage System, Rural residential dwelling
- East – Agricultural
- South – Agricultural
- West – Rural residential dwelling, Agricultural

Town staff note that there is an existing utility shed labelled on the Site Plan, "To be removed", located in the same general location of the proposed accessory building. No demolition permit has been obtained to date for this removal.

The subject land is a reasonable distance away from the nearest neighbour to the west and the proposed accessory building would be secondary in orientation to the principle dwelling (located in the rear yard). Therefore, increasing the allowable accessory building lot coverage and increasing the height will not negatively affect any neighbouring properties as significant open amenity area remains for the owners and the westerly site yard setback is enlarged compared with the existing setback of the previous accessory building. Reasonable spatial separation is maintained through setbacks and storm water runoff shall be contained on-site.

Planning Staff is of the opinion that the application meets the four minor variance tests laid out by the *Planning Act*. The application is consistent with Provincial policies, the Regional Official Plan, and conforms to the general intent of the Town's Official Plan and Zoning By-law.

The authorization of the minor variance is not expected to generate negative impacts for adjacent uses or the community at large. Consequently, Planning Staff recommend that Application File Number A9/2018P be **approved**, subject to the following conditions:

**THAT** the applicant

- Obtain the necessary demolition permit for the existing accessory building.
- All necessary building permits be obtained prior to construction commencing.

Submitted by,



Curtis Thompson  
Planner, B.URPI

Reviewed by,

Barb Wiens, MCIP, RPP  
Director/ Community Planning & Development

**File:** A9/2018P

May 22, 2018

**Address:** 524 Roland Road, Pelham

**Owner:** David Judge and Deborah Judge

Nancy Bozzato  
Town Clerk/Secretary-Treasurer

The Building Department offers the following comment,

- All necessary permits are required prior to any construction commencing.

Belinda Menard  
Building Intake/Plans Examiner  
Community Planning & Development

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## Memorandum

### Public Works Department - Engineering

DATE: May 24, 2018  
TO: Curtis Thompson, Planner  
CC: Nancy J. Bozzato , Clerk; Judy Sheppard, Deputy Clerk; Andrea Clemencio, Director of Public Works & Utilities  
FROM: Matt Sferrazza, Engineering Technologist  
RE: File A9/2018P  
524 Roland Road

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Public Works has completed a review of the minor variance application A9/2018P for relief of Pelham Zoning By-Law 1136(1987). The application is made to seek relief from the following:

- Maximum Lot Coverage – to permit 1.5% overall lot coverage whereas 1% is permitted.
- Maximum Building Height – to allow 6.5m whereas 3.7m is permitted; to facilitate construction of a one storey accessory building.

Public Works has no comments.

## Judy Sheppard

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To: Nancy Bozzato  
Subject: RE: File A9/2018P

From: William Underwood  
Sent: Friday, May 4, 2018 11:36 AM  
To: Nancy Bozzato <NBozzato@pelham.ca>  
Cc: Sarah Leach <SLeach@pelham.ca>  
Subject: File A9/2018P

Hi Nancy,

Fire has no comments with respect to the 524 Roland Road variance.

Regards,

Will



William Underwood, C.E.T., CFEI  
Fire Prevention Officer  
Fire & By-Law Services

e: wunderwood@pelham.ca  
p: 905.892.2607 x202  
c: 905.327.0402  
pelham.ca

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## Opening

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**Via Email Only**

May 22, 2018

Our File: MV 18-038

Nancy Bozzato  
Town Clerk/Secretary-Treasurer  
Town of Pelham  
20 Pelham Town Square P.O.Box 400  
Fonthill Ontario  
L0S 1E0

Dear Ms. Bozzato,

**Re: Application for Minor Variance**  
**Applicant: David and Deborah Judge**  
**Location: 524 Roland Rd, Town of Pelham**  
**Town File: A9/2018P**

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Niagara Region Development Services Division has reviewed the information circulated for the above-noted application and provides the following comments to assist the Town in its consideration of this application.

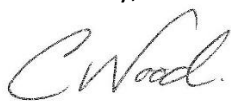
**Private Sewage System Review**

Our Private Sewage Systems inspections staff has inspected the above-mentioned property and wish to provide the following comments.

There is a new accessory structure proposed south of the existing house along the west lot line. Our records indicate the sewage system was approved in 1997 by Regional Health Services Department. There were no obvious defects with the sewage system at the time of our inspection. The sewage system consists of a raised trench bed located east of the existing house. The proposed location and size of the proposed accessory structure will not encroach onto the sewage system, and the property contains enough usable land to replace the existing sewage system in the future.

Therefore, we have no objections to the proposed garage provided no living space or washrooms are installed.

Yours truly,



Caitlin Wood  
Private Sewage Systems Inspector

Cc: Richard Wilson, Senior Development Planner  
Phill Lambert, P.Eng., Associate Director, Infrastructure Planning & Development Engineering

## Judy Sheppard

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**From:** Sarah Mastroianni <[smastroianni@npca.ca](mailto:smastroianni@npca.ca)>  
**Sent:** Friday, May 25, 2018 8:57 AM  
**To:** Curtis Thompson  
**Cc:** Judy Sheppard; Nancy Bozzato  
**Subject:** RE: Minor Variance - 524 Roland Rd

Good Morning,

No NPCA issues with this proposal.

Thank you.

**Sarah Mastroianni**  
**Watershed Planner**  
Niagara Peninsula Conservation Authority  
250 Thorold Road West, 3rd Floor  
Welland, Ontario L3C 3W2  
Phone: 905 788 3135 (ext. 249)  
Fax: 905 788 1121  
email: [smastroianni@npca.ca](mailto:smastroianni@npca.ca)

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**From:** Curtis Thompson [<mailto:CThompson@pelham.ca>]  
**Sent:** Thursday, May 24, 2018 2:25 PM  
**To:** Sarah Mastroianni <[smastroianni@npca.ca](mailto:smastroianni@npca.ca)>  
**Cc:** Judy Sheppard <[JSheppard@pelham.ca](mailto:JSheppard@pelham.ca)>; Nancy Bozzato <[NBozzato@pelham.ca](mailto:NBozzato@pelham.ca)>  
**Subject:** Minor Variance - 524 Roland Rd

Hi Sarah,

Sorry about this, but I guess we never circulated this variance application to the NPCA but should have. There are Regulation lands on part of the property.

Can you please advise at your earliest convenience?  
Thank you!



**Curtis Thompson, B.URPI**  
*Planner*  
**Community Planning &  
Development**

**e:** [cthompson@pelham.ca](mailto:cthompson@pelham.ca)  
**p:** 905.892.2607 x324  
[pelham.ca](http://pelham.ca)

20 Pelham Town Square  
P.O. Box 400  
Fonthill, ON L0S 1E0



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**Meeting #:** CofA-05/2018  
**Date:** Tuesday, May 1, 2018  
**Time:** 4:00 pm  
**Location:** Town of Pelham Municipal Office - Council Chambers  
 20 Pelham Town Square, Fonthill

**Members Present** Wayne Lockey  
 Donald Cook  
 John Klassen

**Members Absent** James Federico  
 Brian DiMartile

**Staff Present** Nancy Bozzato  
 Judy Sheppard

1. **Attendance**
2. **Call to Order, Declaration of Quorum and Introduction of Committee and Staff**

Noting that a quorum was present, Chair Lockey called the meeting to order at approximately 4:00 pm. The Chair read the opening remarks to inform those present on the meeting protocols and he introduced the hearing panel and members of staff present.

3. **Disclosure of Pecuniary Interest and General Nature Thereof**

There were no pecuniary interests disclosed by any of the members present.

4. **Requests for Withdrawal or Adjournment**

There were no requests for withdrawal or adjournment received.

5. **Applications for Minor Variance**

**5.1 File A7/2018P - Marco & Carol Magazzeni**

**Purpose of Application**

Application is made to seek relief from Section 6.35(c) "Yard Encroachments Permitted - Unenclosed Porches, Balconies, Steps and Patios"- to permit a 2.03 metre encroachment whereas 1.5 metres is permitted to facilitate construction of a porch.

## **Representation**

Marco Magazzeni, authorized agents, appeared on behalf of this application.

## **Correspondence Received**

1. Town of Pelham Planning Department
2. Town of Pelham Building Department
3. Town of Pelham Public Works Department
4. Town of Pelham Fire Department
5. Bell Canada

## **Applicant's Comments**

Mr. Magazzeni had no comment.

## **Public Comments**

There were no comments received from the public.

## **Members Comments**

The members noted that the porch is already built however the project exceeded 18 inches therefore the Town of Pelham Chief Building Official has ceased all construction until a Minor Variance was granted.

## **Moved By John Klassen**

## **Seconded By Donald Cook**

**Application for relief from Section 6.35(c) "Yard Encroachments Permitted - Unenclosed Porches, Balconies, Steps and Patios"- to permit a 2.03 metre encroachment whereas 1.5 metres is permitted to facilitate construction of a porch, is hereby: GRANTED.**

**The above decision is based on the following reasons:**

- 1. The variance is minor in nature in that no adverse impacts are anticipated.**
- 2. The general purpose and intent of the Zoning By-Law is maintained in that adequate front yard setback is upheld and no adverse impacts are anticipated.**
- 3. The intent of the Official Plan is maintained in that no safety concerns arise and it will enhance the character of the existing residential dwelling.**
- 4. The proposal is desirable for the appropriate development and/or use of the land in that it will provide enhanced livability by improving**

amenity space.

5. This application is granted without prejudice to any other application in the Town of Pelham.

6. No objections were received from commenting agencies or abutting property owners.

7. 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.

The above decision is subject to the following conditions:

1. That all necessary building permits must be obtained prior to any further construction commencing, to the satisfaction of the Town of Pelham Chief Building Official.

**Carried**

**7. Minutes for Approval**

**Moved By Donald Cook**

**Seconded By John Klassen**

**That the minutes of the following Committee of Adjustment Hearings be approved:**

**1. Committee of Adjustment Hearing Minutes, March 6, 2018**

**2. Committee of Adjustment Hearing Minutes, April 10, 2018.**

**Carried**

**8. Adjournment**

**Moved By Donald Cook**

**BE IT RESOLVED THAT this Meeting of the Committee of Adjustment Hearing be adjourned until the next regular meeting scheduled for June 5, 2018 at 4:00 pm.**

**Carried**

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Wayne Lockey, Chair

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Secretary-Treasurer, Nancy J. Bozzato