

<b>Meeting #:</b>	<b>CofA-04/2018</b>
<b>Date:</b>	<b>Tuesday, April 10, 2018</b>
<b>Time:</b>	<b>4:00 pm</b>
<b>Location:</b>	<b>Town of Pelham Municipal Office - Council Chambers 20 Pelham Town Square, Fonthill</b>
<b>Members Present</b>	Wayne Lockey Brian DiMartile John Klassen
<b>Members Absent</b>	James Federico Donald Cook
<b>Staff Present</b>	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 withdrawals or adjournments received.

5. **Applications for Minor Variance**

#### 5.1 **File A6/2018P - Craig Tumath**

##### **Purpose of Application**

Application is made to seek relief from Section 7.2(d) "Minimum Front Yard" - to permit 12 metres whereas 20 metres is required, to facilitate construction of an extension to an existing barn with no change in livestock capacity; and Section 7.7(d) "Maximum Building Height" - to allow a maximum accessory structure height of 5.2 metres to the mid-point

of the pitched roof, whereas 3.7 metres is allowed, to facilitate construction of an accessory building to the dwelling.

### **Representation**

Martin Ruhe, 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. Niagara Region Comments

### **Applicant's Comments**

Mr. Ruhe had no comment.

### **Public Comments**

There were no comments received from the public.

### **Members Comments**

There were no comments from any of the members present.

### **Moved By John Klassen**

#### **Seconded By Brian DiMartile**

**Application for relief from Section 7.2(d) "Minimum Front Yard" – seeking 12 metres whereas 20 metres is required, to facilitate construction of an extension to an existing barn with no change in livestock capacity, is hereby: GRANTED.**

**And relief from Section 7.7(d) "Maximum Building Height" – to allow a maximum accessory structure height of 5.2 metres to the mid-point of the pitched roof, whereas 3.7 metres is allowed, to facilitate construction of an accessory building to the dwelling, 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 sufficient setback is upheld and it will not compromise safety nor negatively impact surrounding property.**

3. The intent of the Official Plan is maintained in that the horse barn addition is not hindering any agricultural operation and it will not obstruct the agricultural potential of the land or expand into any natural heritage features.

4. The proposal is desirable for the appropriate development and/or use of the land in that it will provide enhanced usability for the existing horse barn and the height of 5.2 metres will not adversely impact the area.

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 construction commencing, to the satisfaction of the Town of Pelham Chief Building Official.

Carried

7. Minutes for Approval

Moved By Brian DiMartile

Seconded By John Klassen

That the minutes of the October 3, 2018, Committee of Adjustment Hearing be approved, as presented.

Carried


8. Adjournment

Moved By John Klassen

BE IT RESOLVED THAT this Meeting of the Committee of Adjustment Hearing be adjourned until the next regular meeting scheduled for May 1st, 2018 at 4:00 pm.

Carried

  
Wayne L. Lacey  
Wayne Lockett, Chair

  
Secretary-Treasurer, Nancy V. Bozzato