

NOTICE OF PUBLIC HEARING

HEARING DATE: Tuesday, August 8, 2023, at 4:00 pm

PLACE: **This will be a hybrid (virtual/in-person) hearing**
Virtual Participation: Zoom Webinar / Youtube Livestream
In-person Participation: Meridian Community Centre, 100 Meridian Way, Fonthill, Accursi Room B

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: A16/2023P
Subject Lands: 105 Welland Road, Pelham
Legal Description: Part of Lot 1, Concession 10 (Part 2 on Sketch)



The subject land is located on the north side of Welland Road, lying west of Pelham Street, being Part of Lot 1, Concession 10, in the Town of Pelham.

Nature and Extent of Relief/ Permission Applied for:

The subject land is zoned Institutional (I) in accordance with Pelham Zoning By-law 4481(2022), as amended. Application is made for relief, to construct a 6-storey residential apartment dwelling, inclusive of exterior surface parking, interior garage, and underground parking, from:

- Section 4.1.4.8 “Parking Area Location on Lot: Apartment Dwelling”** – to permit a parking area in a front yard 3.0m to a street line and 1.9m to a side or rear lot line (westerly lot line), whereas the minimum setback required is 7.5m to a street line and 3.0m to a side or rear lot line; and
- Section 4.3.1(a) “Minimum Bicycle Parking Requirements”** – to permit a minimum bicycle parking ratio of 0.25 short-term bicycle parking spaces per unit (12 spaces) whereas the by-law requires a minimum of 0.8 short-term bicycle parking spaces per unit (35 spaces); and
- Section 9.2.3 “Minimum Lot Area”** – to permit a minimum lot area of 80 m² per dwelling unit whereas the by-law requires a minimum lot area of 150 m² per dwelling unit; and
- Section 9.2.3 “Minimum Side Yard”** – to permit a minimum side yard setback of 3m to the easterly lot line whereas the by-law requires a minimum side yard setback of 6m; and
- Section 9.2.3 “Maximum Building Height”** – to permit a maximum building height of 21.0m whereas the by-law permits a maximum building height of 15m.

PUBLIC HEARING: This is a public hearing called for the purpose of hearing 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 prior to the hearing and/or at the hearing or make a 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 July 26, 2023.** 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 August 4, 2023.** 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 livestream the meeting from our YouTube Chanel 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

A handwritten signature in black ink, appearing to read "Sleach", is written over a horizontal line. Below the line, the name and title are printed in a black sans-serif font.
Sarah Leach, BA
Deputy Clerk/Secretary-Treasurer

Date of Mailing: July 4, 2023

#105 WELLAND ROAD TOWN OF PELHAM

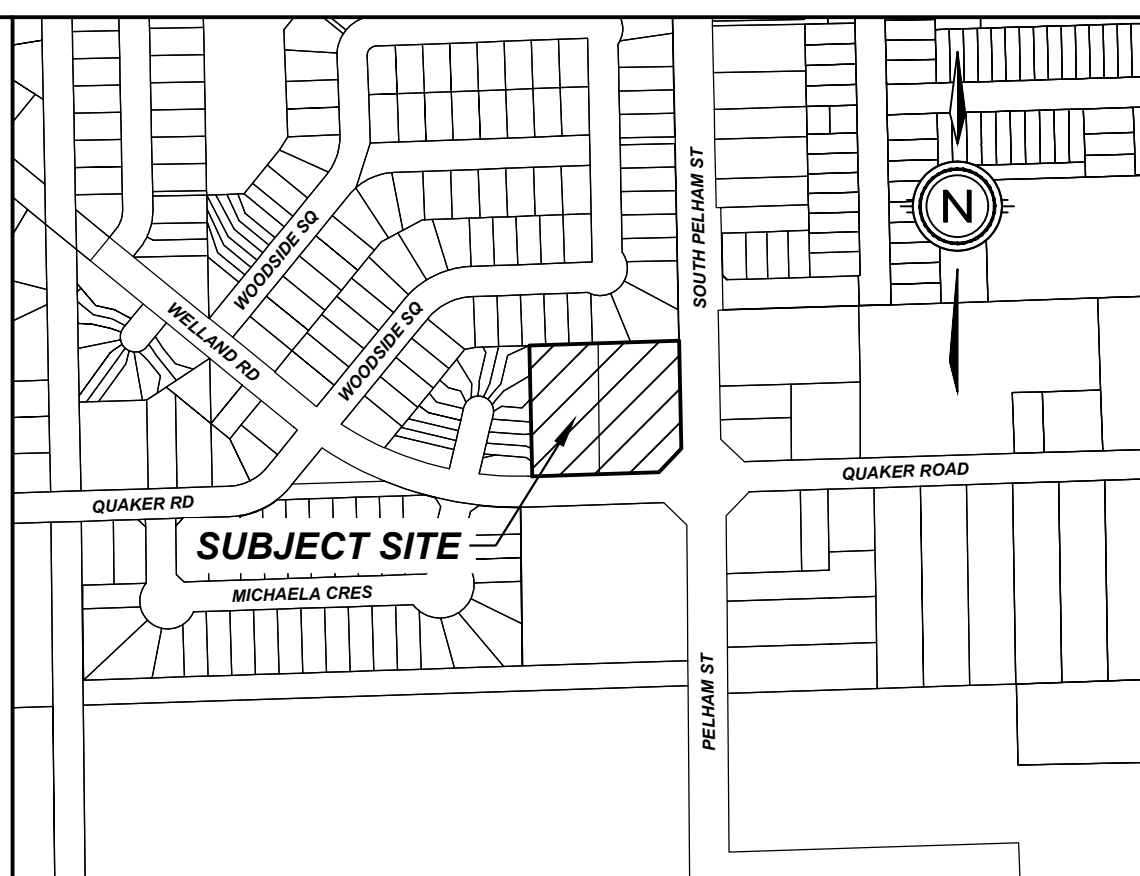
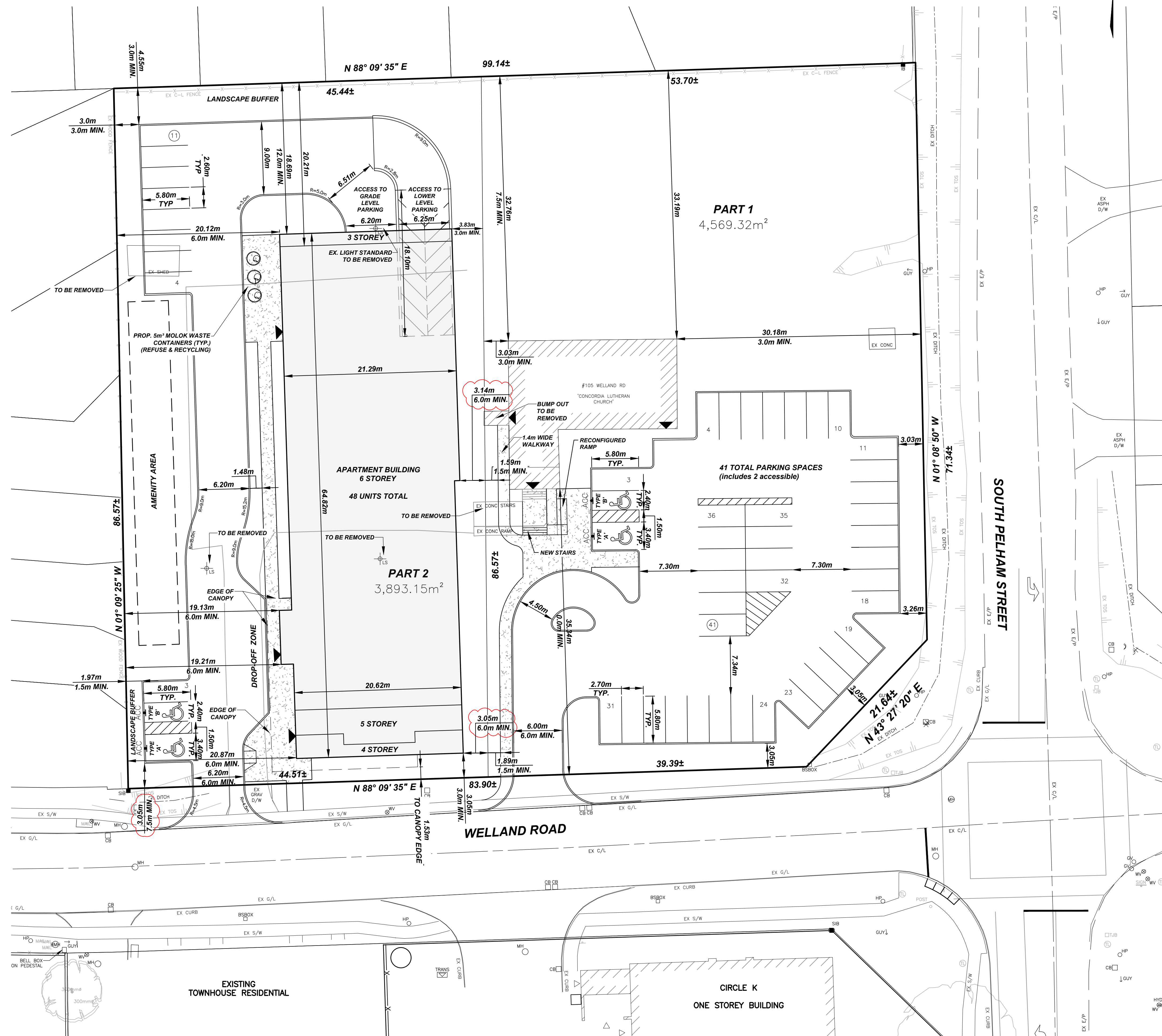
OWNER'S NAME _____
 SIGNATURE _____
THE TOWN OF PELHAM
 CLERK _____ MAJOR _____
 DATE _____

NOTE: THE DIMENSIONS, AREAS, AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE AND MAY BE SLIGHTLY ALTERED IN THE FINAL DESIGN, PROVIDING THE INTENT AND PURPOSE OF THE ORIGINAL PLAN IS MAINTAINED AND ALL RELEVANT ZONING PROVISIONS COMPLIED WITH. FURTHER AND NOTWITHSTANDING ANYTHING SHOWN ON THIS PLAN TO THE CONTRARY, ALL SITE SERVICING, GRADING, AND DRAINAGE SHALL BE IN ACCORDANCE WITH PLANS FILED IN THE CITY ENGINEER'S OFFICE AND APPROVED BY THE ENGINEER.

LEGEND

- WV ⊙ EX WATER VALVE
- HYD ⊙ EX HYDRANT
- CB □ EX CATCHBASIN
- MH ○ EX MANHOLE
- HP ○ EX HYDRO POLE
- SIB ■ SHORT IRON BAR
- LS ⊕ EX LIGHT STANDARD
- ◀ FIRE EXIT
- EX CHAIN-LINK FENCE
- EX WOOD FENCE
- SURVEYED DECIDUOUS TREE LOCATION
- SURVEYED CONIFEROUS TREE LOCATION
- GPS TREE LOCATION
- DRIPLINE

TREE PRESERVATION MAPPING FROM PLAN PRODUCED BY JACKSON ARBORICULTURE INC. DATED JANUARY 31, 2023.



KEY PLAN
N.T.S.

SITE PLAN

LEGAL DESCRIPTION

**PART 2, PART OF LOT 1 CONCESSION 10
GEOGRAPHIC TOWNSHIP OF PELHAM,
IN THE TOWN OF PELHAM
REGIONAL MUNICIPALITY OF NIAGARA**

ZONING MATRIX		
PROVISION	ZONING 2022 RESIDENTIAL MULTIPLE 2 (RM2)	PROVIDED
PERMITTED USES: (a) Apartment dwellings; (b) uses, buildings and structures accessory to the foregoing permitted uses		
MIN. LOT AREA	150m² (1,614.64ft²) per dwelling unit	81,07m² (873ft²)
MIN. LOT FRONTAGE	30m (98.43ft)	44.51m (146.03ft)
MIN. FRONT YARD	MINIMUM 3.0m, MAXIMUM 6.0m	3.05m (10.01ft)
MIN. REAR YARD	12.0m	18.69m (61.32ft)
MIN. INTERIOR SIDE YARD	½ height of building 9.92m or 6m, whichever is less	3.05m (10.01ft)
MIN. CORNER SIDE YARD	MINIMUM 3.0m TO 6.0m	N/A
MAX. BUILDING HEIGHT	15.0m	21.74m
MAX. LOT COVERAGE	50%	35.22%
LANDSCAPE STRIP	Min. 1.5m in width where boundary abuts R1, R2, or R3 Zone	1.97m
PARKING AREA LOCATION	Min. 7.5m from street line; Min. 3m to any side or rear lot line	3.05m from street line; 1.97m to side

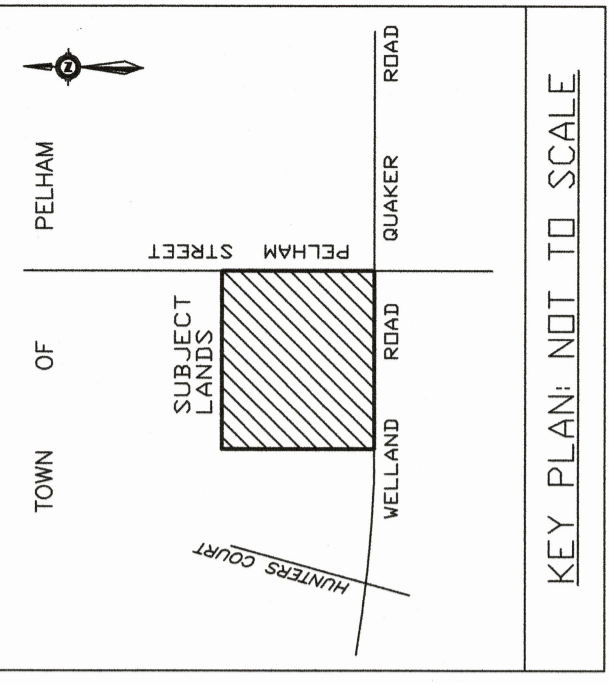
SITE STATISTICS - PART 2

AREA	Ha.	% COVERAGE
BUILDING	0.137	35.22
ROAD/DRIVEWAY/PARKING	0.107	27.51
LANDSCAPING	0.145	37.28
TOTAL	0.389	100.00
UNITS		48
DEVELOPABLE AREA		0.389Ha.
DENSITY (UNITS/DEVELOPABLE AREA)		123.39u/Ha.
MIN. PARKING REQUIRED 1.25 PER UNIT = 60		
PARKING SPACES PROVIDED TOTAL		61
UNDERGROUND = 24		
1st LEVEL = 26		
SURFACE = 11		

#	ISSUED FOR REVIEW	DATE	INIT
0	ISSUED FOR REVIEW	2023-04-14	MK
#	REVISION	DATE	INIT



SITE PLAN	DRAWING TITLE	DRAFTING TA/MK
	DATE	AUGUST 12, 2022
	PRINTED	JUNE 23, 2023
	SCALE	1:250
DWG No.	2266-SP	REV 0



COMMITTEE OF ADJUSTMENT

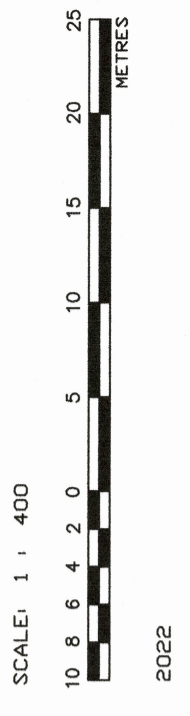
**PART OF LOT 1,
CONCESSION 10**

(GEOGRAPHIC TOWNSHIP OF PELHAM)

IN THE

TOWN OF PELHAM

REGIONAL MUNICIPALITY OF NIAGARA



THIS SKETCH IS NOT VALID UNLESS EMBOSSED BY A SURVEYOR'S SEAL.

CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR ANY OTHER PURPOSE EXCEPT AS STATED IN THE TITLE BLOCK

[Signature]

SEPTEMBER 8, 2022

DATE

PHILIP S. SUDA O.L.S.

SUDA & MALESZYK SURVEYING INC.

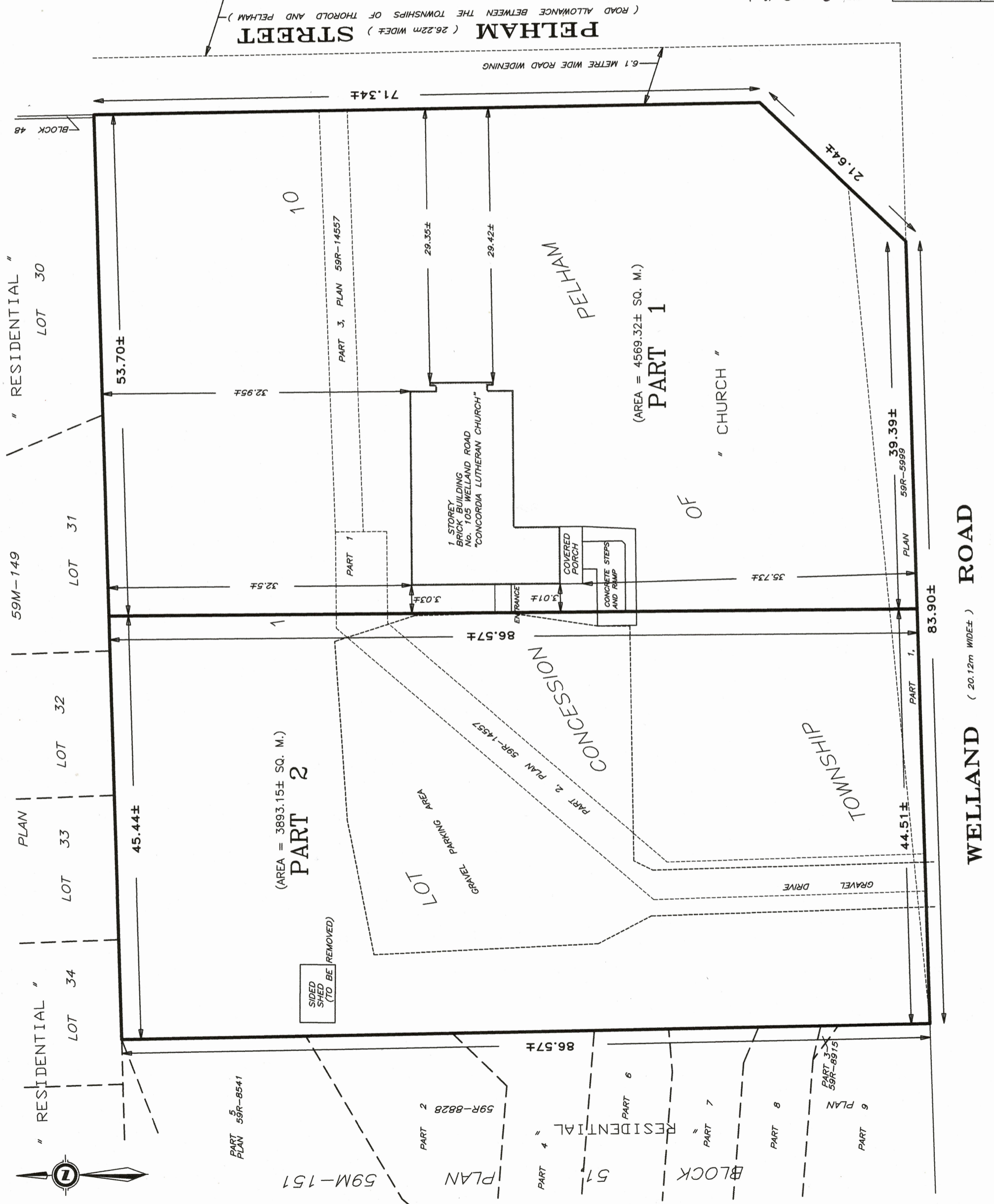
ONTARIO LAND SURVEYORS

26 EAST MAIN STREET, SUITE 2

WELLAND, ONTARIO L3B 3W3

TEL: (905) 732-7651

FILE: 21-163 JOB No: 6454



PELHAM STREET (26.22m WIDE)

(ROAD ALLOWANCE BETWEEN THE TOWNSHIPS OF THOROLD AND PELHAM)

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

For technical questions, please contact:
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.