



**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.

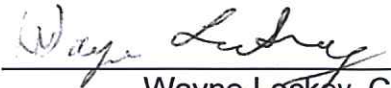
Carried

8. Adjournment

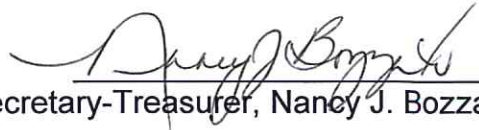
Moved By Donald Cook

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



Wayne Lockey, Chair



Secretary-Treasurer, Nancy J. Bozzato