



COMMITTEE OF ADJUSTMENT

Minutes of Hearing Held On: Tuesday, June 3rd, 2014
Council Chambers, 4:00 p.m.
H4/2014

Attendance:

Hearing Chair: B. DiMartile
Hearing Panel: W. Lockey, Member
G. Woods, Member

Staff: Jordan Mammoliti, Town Deputy Clerk/Assistant Secretary-Treasurer

Other: Applicants and/or Authorized Agents as Indicated in Minutes
Interested Citizens

Call to Order and Introduction of Committee Members and Staff:

The meeting was called to order by Chair DiMartile at 4:30 p.m., who introduced the Committee Hearing Panel Members and Staff in attendance at the hearing.

Disclosure of Pecuniary Interest and General Nature Thereof:

The members in attendance declared they had no pecuniary interest in any of the applications to be dealt with at this hearing.

Summary of Applications:

Requests for Withdrawal or Adjournment: Appolyon Inc., File B6/2014P

Moved by Member Lockey; Seconded by Member Woods:

THAT File B6/2014P be adjourned from this hearing to allow the applicant an opportunity to resolve outstanding matters concerning the consent application, and that the rescheduling fee be waived.

CARRIED

<u>Applicant</u>	<u>File #</u>	<u>Decision</u>	<u>Page</u>	<u>Correspondence</u>
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Minor Variance Applications: None.

Applications for Consent:

Barry Douglas Walter Jones & Sylvia Jones	B5/2014P	GRANTED	3	3
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Consent Application:

The following consent application was dealt with by the Committee:

1. **Barry Douglas Walter Jones & Sylvia Jones, File No. B5/2014P:**

Purpose of the Application:

Application is made for consent to convey 19.6 hectares of land for continued agricultural use. Part 1, being 1.61 hectares, is to be retained for continued residential use. This application has been submitted pursuant to an agreement of purchase and sale under the Surplus Farm Dwelling planning policies and is based on the full-time farming status of the purchasing farmers. For commenting agencies and Committee members, the "Information for Surplus Farm Dwelling Applications" is attached to provide detailed information on the future use of the land identified as Part 2.

Representation:

Joyce Sonneveld, agent, appeared on behalf of the application.

Correspondence:

Town of Pelham Planning Department
Town of Pelham Public Works & Utilities Department
Town of Pelham Corporate Services Department
Town of Pelham Drainage Superintendent
Niagara Region Development Services Division
Niagara Peninsula Conservation Authority

Comment:

Mrs. Sonneveld had no additional comments to offer.

Decision:

Moved by Member Lockey; Seconded by Member Woods:

Application for consent to convey 19.6 hectares of land for continued agricultural use, shown as part 2 on the drawing submitted, being Part Lots 12 and 13 , Concession 13, in the Town of Pelham is hereby GRANTED.

This Decision is subject to the following conditions:

1. That final approval of a Zoning By-law Amendment be obtained to preclude any residential development on Part 2 in perpetuity and to rezone the parcel as

- Agricultural Purposes Only (APO) to the satisfaction of the Town of Pelham Director of Community Planning and Development.
2. That all necessary zone deficiencies be addressed through the Zoning By-law Amendment to the satisfaction of the Town of Pelham Director of Community Planning and Development.
 3. That an apportionment agreement be entered into for the subject lands to the satisfaction of the Town of Pelham Drainage Superintendent, if required.
 4. That all municipal taxes owing on the subject lands as detailed in the correspondence from the Treasurer and Tax Collector to be paid in full to the Town, to the satisfaction of the Town of Pelham Director or Corporate Services.
 5. That the Secretary-Treasurer be provided with a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
 6. That the final certification fee of \$350, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer.

This Decision is based on the following reasons:

1. With conditions fulfilled, the application conforms to the policies of the Town of Pelham Official Plan, Regional Policy Plan and Provincial Policy Statement, and complies with the Town's Zoning By-law.
2. No objections to this proposal were received from commenting agencies or neighbouring property owners.
3. This Decision is rendered having regard to the provisions of Sections 51(24) and 51(25) of the Planning Act, R.S.O., as amended.

CARRIED

Approval of Minutes:

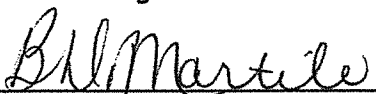
Moved by Member Woods, Seconded by Member Lockey:

THAT the minutes of the public hearing held on May 6th, 2014 for the Town of Pelham Committee of Adjustment be approved as circulated.

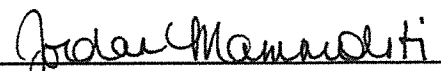
CARRIED

Adjournment:

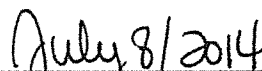
There being no further business, the Chair declared the hearing adjourned.



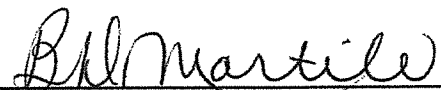
B. DiMartile
Chairman



Jordan Mammoliti
Deputy Clerk/Asst. Secretary-Treasurer



Date Approved
/jm



Hearing Chair