

## NOTICE OF PUBLIC HEARING

**HEARING DATE:** Wednesday, September 8, 2021 at 4:00 pm

**PLACE:** This will be a virtual / electronic meeting

**Town Council approved Committee of Adjustment Hearings to be held electronically through By-law 4296(2020).**

**The Town of Pelham Committee of Adjustment meeting 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:** A32/2021P

**Subject Lands:** 1363 Station Street, Pelham

**Legal Description:** Part of Lot 20, Plan 717

The subject land is located on the east side of Station Street, lying north of Port Robinson Road, being Part of Lot 20, Plan 717 in the Town of Pelham.



### Nature and Extent of Relief/ Permission Applied for:

The subject land is zoned Residential Multiple 'RM2' in accordance with Pelham Zoning By-law 1136(1987), as amended. Application is made for relief, to construct a two-storey multi-unit residential building, from:

**Section 5.54(a) "Apartment Dwelling" Definition** – to permit dwelling unit entrances from the exterior without an interior corridor, whereas the by-law requires that dwelling units be accessible from a corridor system connecting with a common entrance from outside the dwelling; and

**Section 6.16(d)(i) "Ingress and Egress"** – to permit a minimum driveway width of 6.2m whereas the by-law requires 7.5m; and

**Section 6.16(i) "Parking Area Location on Lot"** – to permit a minimum parking area distance of 3.7m to the street line and 0.9m to the south side lot line for the existing front parking area whereas the by-law requires 7.5m to the street line and 3m to the side lot line or rear lot line; and

**Section 17.2(g) "Minimum Rear Yard"** – to permit a minimum rear yard of 5m whereas the by-law requires 12m or one-half the height of the building, whichever is greater; and

**Section 17.2(h) "Minimum Interior Side Yard"** – to permit a minimum interior side yard of 3.8m whereas the by-law requires 6m or one-half the height of the building, whichever is greater; and

**Section 17.2(j) "Minimum Landscaped Area"** – to permit a minimum landscaped area of 23% whereas the by-law requires 35%.

**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 presentation at the hearing.

**YOUR INPUT IS ENCOURAGED:** The Committee would appreciate receiving your written and/or verbal comments regarding this application. **Written comments must be submitted by August 25, 2021.** 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 electronic public hearing via Zoom. **To participate in the virtual meeting to provide oral input, please pre-register with the Secretary Treasurer by sending an email to the email address noted below before 12:00pm noon on Friday, September 3, 2021.** All registrants will be provided with instructions on how to use your computer, tablet or phone to participate in the remote electronic public meeting. Registrants will be notified of the Committee of Adjustments Decision. If you have not submitted written comments or pre-registered and wish to submit a comment during the meeting, you may livestream the meeting from our YouTube Chanel and e-mail comments to [clerks@pelham.ca](mailto:clerks@pelham.ca) during the public comment portion of the 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 at 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 [hwillford@pelham.ca](mailto:hwillford@pelham.ca)

For technical questions, please contact:  
Kenny Ng, Planner  
905-892-2607 ext. 324 [kng@pelham.ca](mailto:kng@pelham.ca)



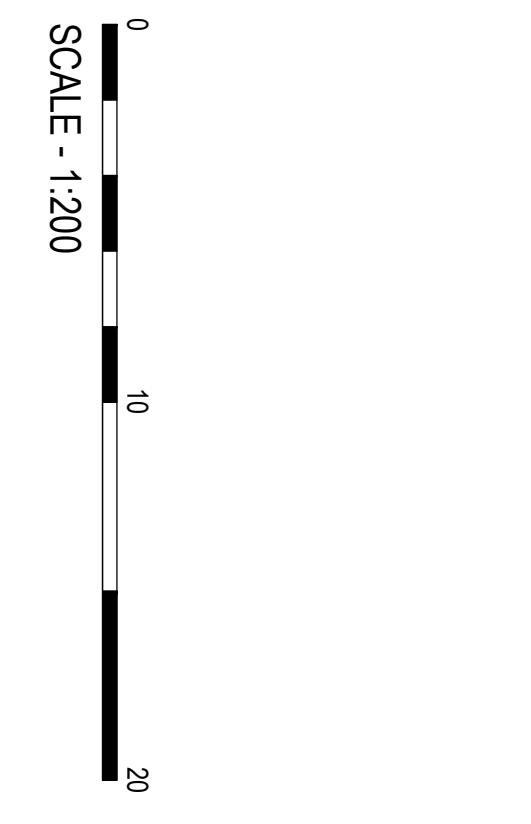
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Holly Willford  
Town Clerk/Secretary-Treasurer

**Date of Mailing: July 30, 2021**

**DRAWING LEGEND**

---	PROPERTY LINE
- - -	SURFACE COVER (EXISTING)
- - -	SURFACE COVER (PROPOSED)
○	HAND POLE / LIGHT POLE
○	FIRE HYDRANT
○	WOOD FENCE (EXISTING)
○	WOOD FENCE (PROPOSED)
○	CONTOUR LINES (EXISTING)
○	CONTOUR LINES (PROPOSED)
○	TOPO ELEVATION (EXISTING)
○	TOPO ELEVATION (PROPOSED)
→	DRAINAGE ARROW
→	SWALE (EXISTING)
→	SWALE (PROPOSED)
→	SILT FENCE (PROPOSED)
→	SANITARY LINE (EXISTING)
→	SANITARY LINE (PROPOSED)
→	STORMWATER LINE (EXISTING)
→	STORMWATER LINE (PROPOSED)
→	DOMESTIC WATER LINE (EXISTING)
→	DOMESTIC WATER LINE (PROPOSED)
○	MANHOLE
○	CATCH BASIN

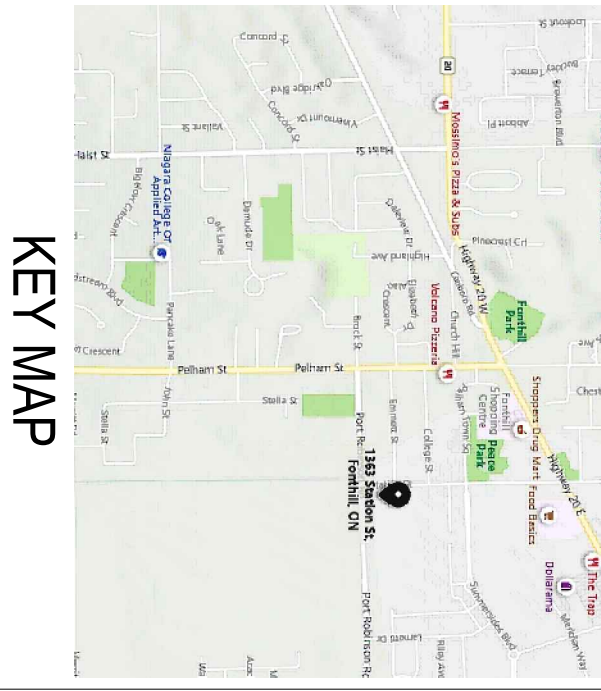


**GENERAL NOTES**

1. PRIMARY UNITS ARE METRIC. DIMENSIONS ARE IN METERS.
2. ANY DISCREPANCY BETWEEN INFORMATION ON THIS SITE DRAWING AND ACTUAL FIELD CONDITIONS WHICH MAY IMPACT ON THE PROPOSED DEVELOPMENT, ARE TO BE REPORTED TO THE SENIOR CONSULTANT/P. ENG.
3. ANY LANDSCAPED OR GRASSED AREAS NOT IN THE AREA OF PROPOSED DEVELOPMENT WHICH ARE DAMAGED OR IMPACTED DURING THE COURSE OF CONSTRUCTION OR SITE DEVELOPMENT, ARE TO BE PROPERLY REPAIRED AND PROPERLY SEEDED. UNDEVELOPED AREAS WHERE TREES HAVE BEEN REMOVED ARE TO BE RE-GRADED AND RE-SCOOLED.
4. EXACT LOCATIONS & ELEVATIONS OF ALL EXISTING SERVICES (SANITARY, SEWER, WATER, GAS, BELL, ETC.), GRADES, MATERIAL LENGTHS, ELEVATIONS, INVERTS, ETC. TO BE VERIFIED BY CONTRACTOR PRIOR TO COMMENCEMENT OF ANY SITE WORK.
5. ANY FILL PLACED ON SITE MUST BE COMPACTED TO A MIN. 98% STANDARD PROCTOR DENSITY.
6. ASPHALT SPECIFICATION: 300mm GRANULAR X / 50mm H.B / 25mm H.H
7. ALL WORK TO BE COMPLETED IN ACCORDANCE WITH THE TOWN OF PELHAM GUIDELINES AND SPECIFICATIONS. ALL FENCES AND SIGNS SHALL COMPLY WITH APPROPRIATE BY-LAWS.
8. BACKFLOW PREVENTION TO BE INSTALLED IN BUILDING IN ACCORDANCE WITH THE OBC 2012 AND CAN/CSA-B64.10-94
9. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
  - 9.1. BUILDING PERMIT
  - 9.2. ROAD CUT PERMITS
  - 9.3. APPROACH APPROVAL PERMITS
  - 9.4. RELOCATION OF SERVICES
10. ALL MANHOLES SHALL BE ACCORDING TO OSEP 70/01.
11. WHERE REQUIRED: INSULATION IS REQUIRED OVER ALL SERVICE PIPING WHERE COVER DOES NOT EXCEED 1.5m. USE 2" RIGID (STYROFOAM) INSULATION. INSULATION TO EXTEND 0.6m HORIZONTALLY IN EACH DIRECTION FROM CENTER LINE OF PIPE.
12. DRAWING TO BE READ IN CONJUNCTION WITH SWM REPORT.
13. MUNICIPAL ROAD OCCUPANCY PERMIT REQUIRED FROM THE TOWN OF PELHAM. ROAD RESTORATION TO BE ACCORDING TO CITY STANDARDS.
14. PRIOR TO ANY CONSTRUCTION TAKING PLACE WITHIN A REGIONAL ROAD ALLOWANCE, A REGIONAL CONSTRUCTION ENGAGEMENT AND/OR ENTRANCE PERMIT MUST BE OBTAINED FROM THE REGION. APPLICATIONS CAN BE OBTAINED FROM THE PERMITS SECTION OF THE TRANSPORTATION SERVICES DIVISION, PUBLIC WORKS DEPARTMENT. ADDITIONALLY, THE APPLICANT WILL BE REQUIRED TO OBTAIN A REGIONAL SIGN PERMIT TO ENSURE THAT THE DEVELOPMENT SIGNS ARE LOCATED WITHIN PRIVATE PROPERTY
15. SURVEY EVIDENCE ADJACENT TO REGIONAL ROAD ALLOWANCES IS NOT TO BE DAMAGED OR REMOVED DURING THE DEVELOPMENT OF THE PROPERTY

**1363 STATION STREET - ZONING CHART**

Section #	Requirements	Required	Provided
5.54(a)	Apartment Dwelling Definition	...dwelling units accessed from a corridor system connecting with a common entrance from outside the building...	Individual dwelling unit entrances from the exterior with no shared corridor system
6.16(10)	Parking Area Location	No part of any parking area, other than a driveway, may be located closer than 7.5 m to any street line and no closer than 3.0 m to any side street or rear lot line.	3.7 m to the street line and 0.9 m to the south side lot line
6.16(10)	Ingress and Egress	Minimum width of 3 m, but not more than 6.0 m in perpendicular, with where way-way table is permitted.	6.2 m (Easting)
17.17(1a)	Permitted Use	Apartment/Dwellings	Apartment/Dwellings
17.17(1a)	Minimum Lot Area	150 m <sup>2</sup>	2499 m <sup>2</sup>
17.17(1b)	Minimum Lot Frontage	30 m	43.82 m
17.17(1c)	Minimum Lot Depth	38 m	57.54 m
17.17(1d)	Maximum Density	65 units per ha	48 units per ha
17.17(1e)	Maximum Lot Coverage	30%	30%
17.17(1f)	Minimum Front Yard	One-half the height of the building or 7.5 m (24.61 ft), whichever is the greater.	10.8 m
17.17(1g)	Minimum Rear Yard	One-half the height of the building or 6 m, whichever is the greater.	5.0 m
17.17(1h)	Minimum Interior Side Yard	One-half the height of the building or 6 m, whichever is the greater.	6.0 m to both sides for new Apartment Building, 3.8 m on the south side and 7.5 m on the north side of the existing Apartment Building.
17.17(1i)	Minimum Exterior Side Yard	one-half the height of the building or 7 m (22.97 ft), whichever is the greater.	N/A
17.17(2)	Minimum Landscaped Area	35%	23.7%
17.17(2k)	Maximum Building Height	Five (5) storeys	Two (2) storeys
17.17(2l)	Minimum Floor Area per Dwelling Unit	Residential: 42 m <sup>2</sup>	96 m <sup>2</sup> per two-bedroom unit
17.17(2m)	Minimum Awning Area	One Bedroom: 56 m <sup>2</sup> plus 9 m <sup>2</sup> for each additional bedroom	
17.17(2n)	Minimum Awning Area	25 m <sup>2</sup> for each one-bedroom unit and 5 m <sup>2</sup> for each two or more-bedroom units in one location for recreational use	465 m <sup>2</sup>
ITEM	RATIO	ZBL	Provided
Apartment 1 Space / Unit	12	6	12
Visitor	0.5 Spaces / Unit	6	6



THESE DESIGN DOCUMENTS ARE PREPARED SOLELY FOR THE USE BY THE PARTY WITH WHOM THE DESIGN PROFESSIONAL HAS ENTERED INTO A CONTRACT AND THERE ARE NO REPRESENTATIONS OF ANY KIND MADE BY THE DESIGN PROFESSIONAL TO ANY PARTY WITH WHOM THE DESIGN PROFESSIONAL HAS NOT ENTERED INTO A CONTRACT.

DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS AND OMISSIONS TO THE ENGINEER. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNLESS MARKED AS ISSUED FOR CONSTRUCTION (CERTIFIED AND DATED).

**LEGAL DESCRIPTION**  
 PART OF LOT 20  
 REGISTERED PLAN NO. 717  
 TOWN OF PELHAM  
 REGIONAL MUNICIPALITY OF NINGARA

**ZOLTAN ENGINEERING**  
 25-4380 SOUTH SERVICE ROAD  
 BURLINGTON, ON L7L 5V6  
 (905) 331-8307  
 WWW.ZOLTANENGINEERING.COM

PROJECT TITLE  
 PROPOSE 2-STOREY RESIDENTIAL  
 1363 STATION STREET, FOUNTILL

DRAWING TITLE  
 SITE PLAN

SCALE AS NOTED  
 DATE 08.LUL.21  
 DRAWN EP  
 DESIGNED ZL  
 CHECKED ZL

PROJECT NO. 20-113 SHEET NO. SP-1

**Licensed Professional Engineer**  
 Zoltan Engineering  
 25-4380 South Service Road  
 Burlington, Ontario L7L 5V6  
 (905) 331-8307  
 www.zoltanengineering.com

DATE 08.LUL.21  
 DRAWN EP  
 DESIGNED ZL  
 CHECKED ZL

PROJECT NO. 20-113 SHEET NO. SP-1

## **Electronic Hearing Procedures &**

### **How to Get Involved in a Town of Pelham Zoom Hearing**

All Town of Pelham in person Committee of Adjustment hearings have been cancelled, instead the Town is holding all Committee of Adjustment hearings electronically via Zoom.

#### **Notice of Hearing**

A Notice of Hearing will be 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 at the Town of Pelham website for all applications being heard by electronic meetings: <https://www.pelham.ca/en/town-hall/committee-of-adjustment.aspx>

#### **How to Submit Comments**

Public input on applications is invited. During this time, written comments are encouraged as the preferred method of receiving public input. Written comments may be sent by mail or e-mail to the attention of the Secretary Treasurer. You may also drop written comments off at Town Hall in the drop box. You may also provide oral input by joining the electronic meeting.

#### **Written Comments**

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.

#### **Oral Submissions**

To participate in the remote electronic public meeting to provide oral input, please pre-register with the Secretary Treasurer by telephone or email by the date indicated on the Notice of Hearing. All registrants will be provided in advance of the meeting instructions on how to use your computer, tablet or phone to participate in the electronic meeting.

Please note, 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.

#### **View the Meeting – E-mail Comments Live**

The remote electronic meeting can be viewed by live-streamed on the Town's YouTube Channel at <https://www.youtube.com/user/TownOfPelham>. While viewing the meeting live you may submit comments during your application of interest to: [clerks@pelham.ca](mailto:clerks@pelham.ca). Please note, if your comments are submitted after the public portion of the application you are interested in has been 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 and 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. 315 [hwillford@pelham.ca](mailto:hwillford@pelham.ca)

Assistant 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](mailto:sleach@pelham.ca)

For technical questions, please contact:  
Kenny Ng, Planner  
905-892-2607 ext. 324 [kng@pelham.ca](mailto:kng@pelham.ca)

### **Test Session**

Prior to the Committee of Adjustment hearing, participants are required to take part in a test Zoom session with Town staff. Testing will cover the audio and video quality of the participant's device; reviewing the process for participants to join the meeting; and reviewing the presentation process.

The test session will be held on the Monday prior to the meeting. The test session should take less than 15 minutes to complete. Note: other members of the public may be in the same test session. The Secretary-Treasurer or Assistant Secretary Treasurer will contact you via email with your test session information.

### **Participant Process During Meetings**

- Participants are required to join the meeting 15 minutes in advance of the start time for the Hearing.
- Participants 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.
- Vulgar or offensive language / comments will not be tolerated. If inappropriate language is used you will be removed from the meeting.
- Participants' microphones will remain off until they are called to speak.
- Once your comments have been heard by the Committee of Adjustment, your microphone will again be muted. Once voting on the item has taken place, participants will be removed from the meeting completely.
- Once removed from the Hearing, you can visit the Town's YouTube if you wish to continue watching the meeting.

### **Technical Difficulties During Hearings**

- Beyond the mandatory training 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 for a period of 5 minutes. If the connection cannot be re-established within 5 minutes, 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 when called upon by the Chair three times, 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 or may defer the application until a regular hearing can be held.