

## NOTICE OF PUBLIC HEARING

**HEARING DATE:** Tuesday, March 16, 2021 at 4:00pm

**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>**

In the matter of the Planning Act; Revised Statutes of Ontario, 1990, Chapter P.13; notice is hereby given that an application for **consent** under the file number noted below will be heard by the Committee of Adjustment for the Town of Pelham at the date and place shown above.

**File Number:** B15/2021P

**Date of Mailing:** February 10, 2021

**Subject Lands:** 1304 Rice Road, Pelham

**Legal Description:** Part of Lot 171, Former Township of Thorold, Now Pelham  
(Parts 2, 3 4 and 5 on sketch)

### **Location of the lands and purpose of this application:**

The subject parcel, shown as Parts 2, 3 and 4 on the attached sketch, has 40.84m of frontage on the west side of Rice Road (Parts 2, 3, 4 and 5 comprise of the lands known as 1304 Rice Road), lying north of Merritt Road, being Part of Lot 171, Former Township of Thorold, now in the Town of Pelham.

Application is made for consent to convey an easement in perpetuity over Parts 3 and 4, to the benefit of Part 1 for permanent sanitary and storm water services and consent to convey a temporary easement over Parts 2 and 3, to the benefit of Part 1 for temporary turning access. Parts 2, 3, 4 and 5 are to be retained for future residential development.

**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 **March 3, 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, March 12, 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.



**COMMITTEE OF ADJUSTMENT**

Town of Pelham  
20 Pelham Town Square, P.O. Box 400  
Fonthill, ON, L0S 1E0

**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. 315 [njbozzato@pelham.ca](mailto:njbozzato@pelham.ca)

For technical questions, please contact:  
Curtis Thompson, Planner  
905-892-2607 ext. 324 [cthompson@pelham.ca](mailto:cthompson@pelham.ca)

A handwritten signature in blue ink, appearing to read "Nancy J. Bozzato", is written over a horizontal line.

Nancy J. Bozzato, Dipl.M.M., AMCT  
Town Clerk/Secretary-Treasurer

**Date of Mailing: February 10, 2021**

**LEGAL DESCRIPTION**  
 BLOCK 38 OF PLAN 59M-476  
 GEOGRAPHIC TOWNSHIP OF THOROLD  
 TOWN OF PELHAM  
 REGION OF HAMBURTON

OWNER'S NAME  
 THE TOWN OF PELHAM

CLERK  
 MAYOR

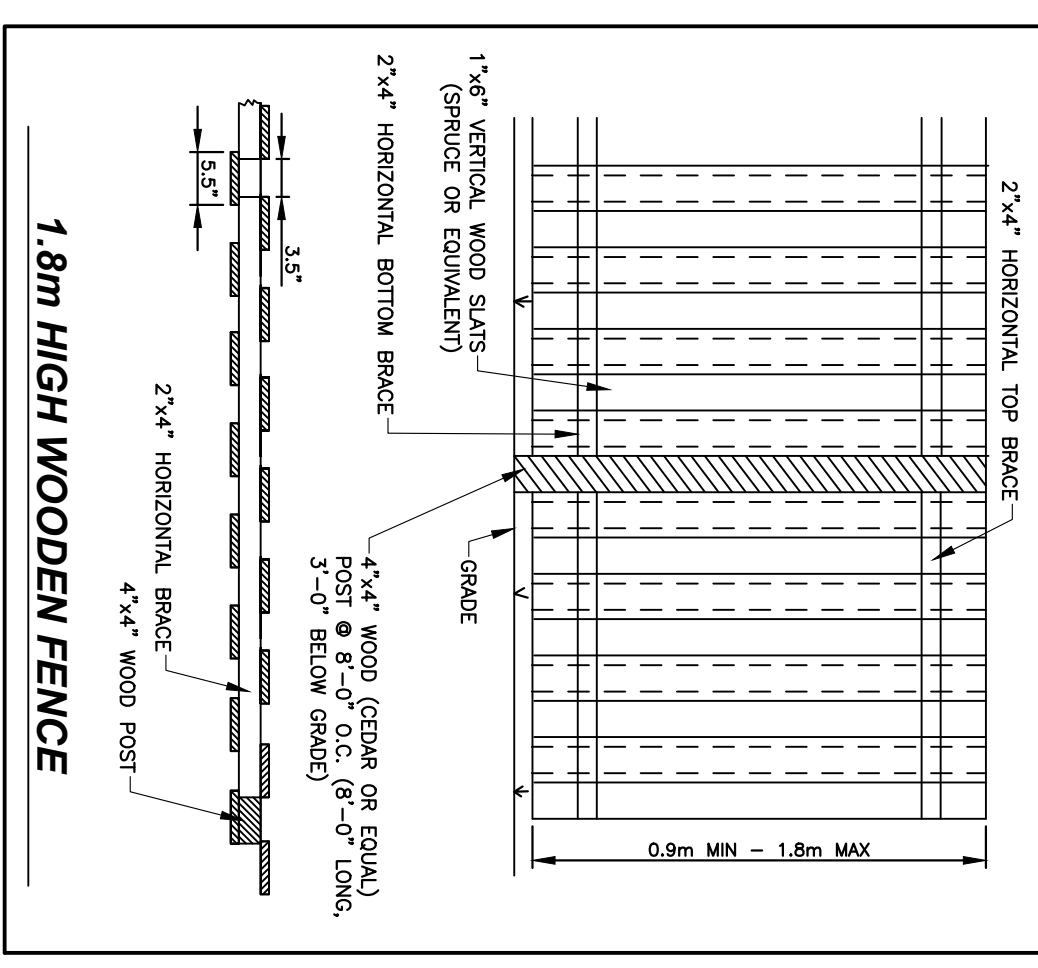
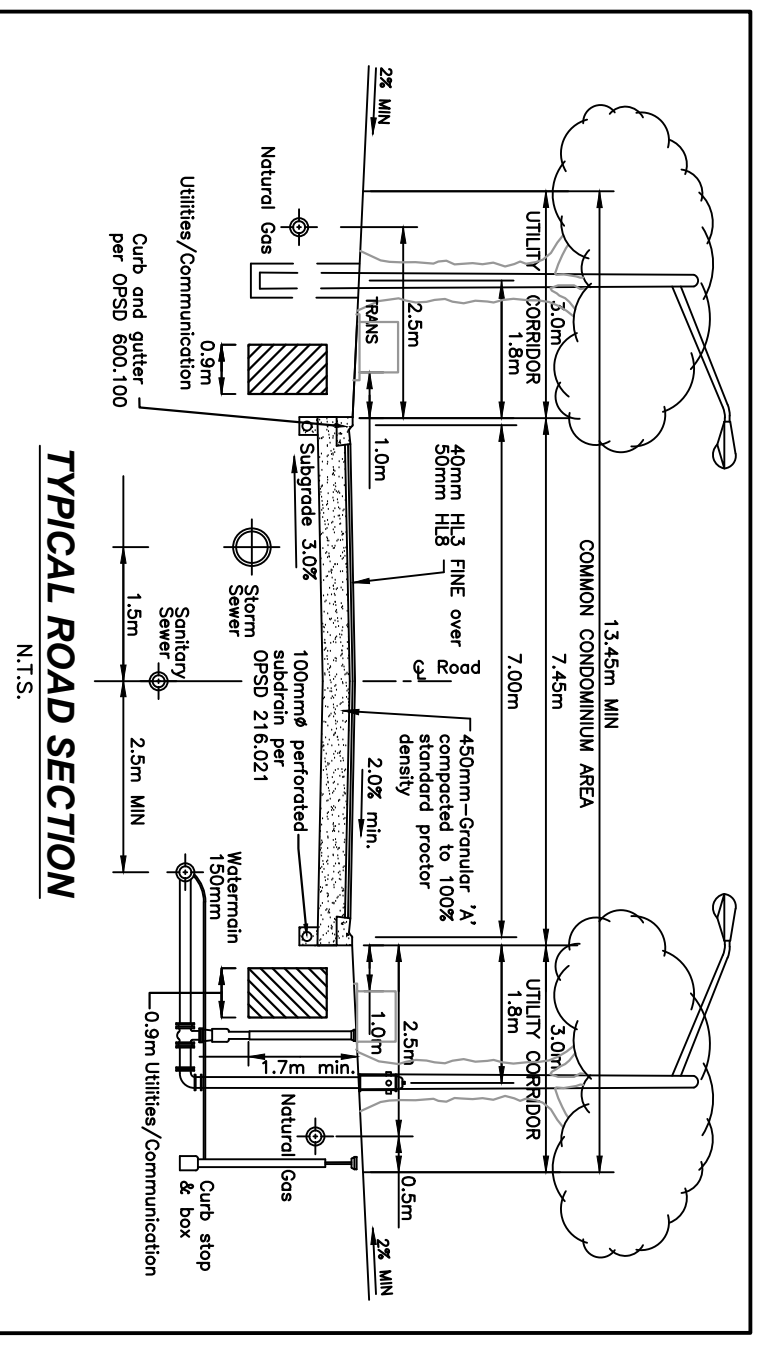
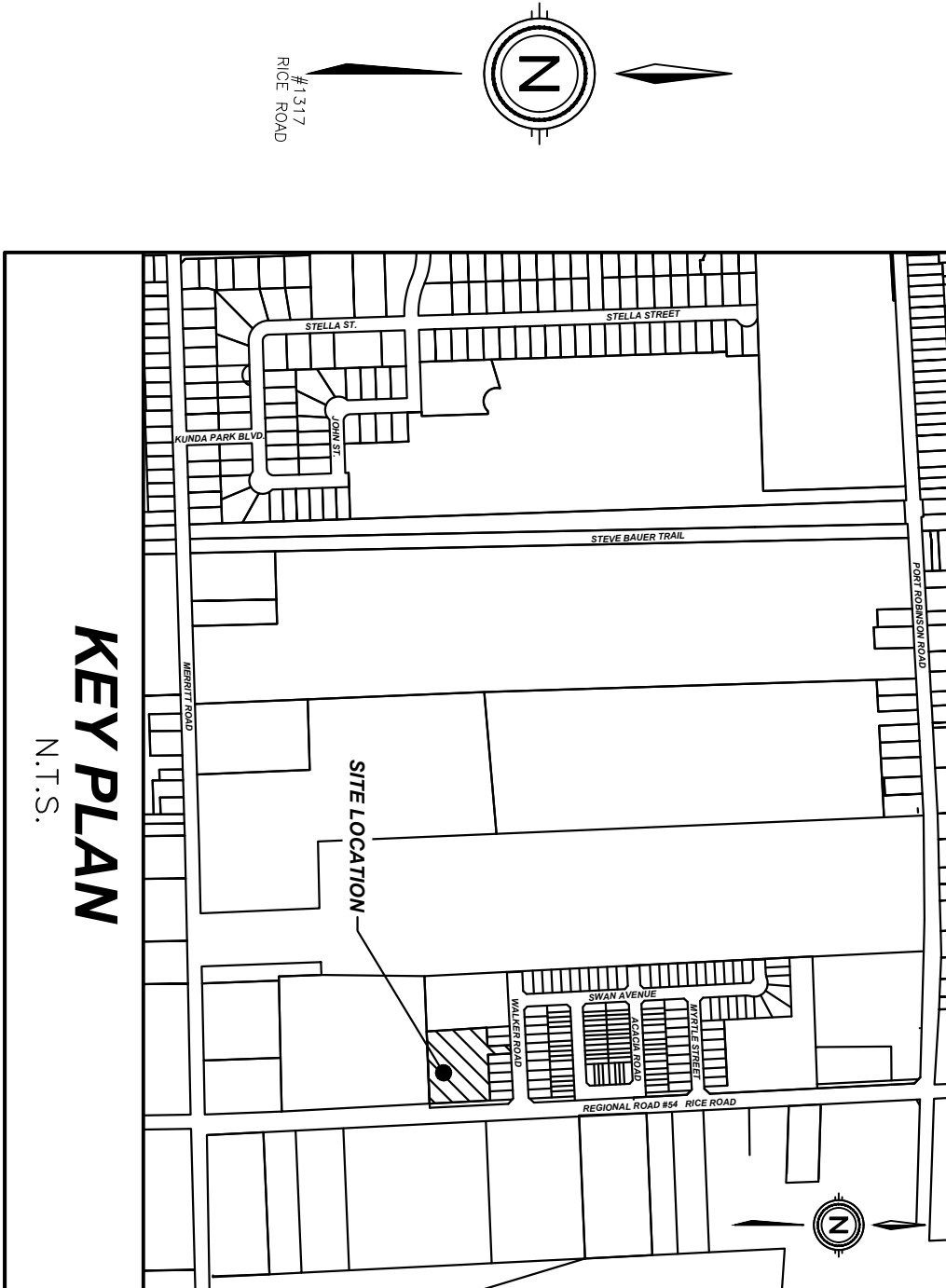
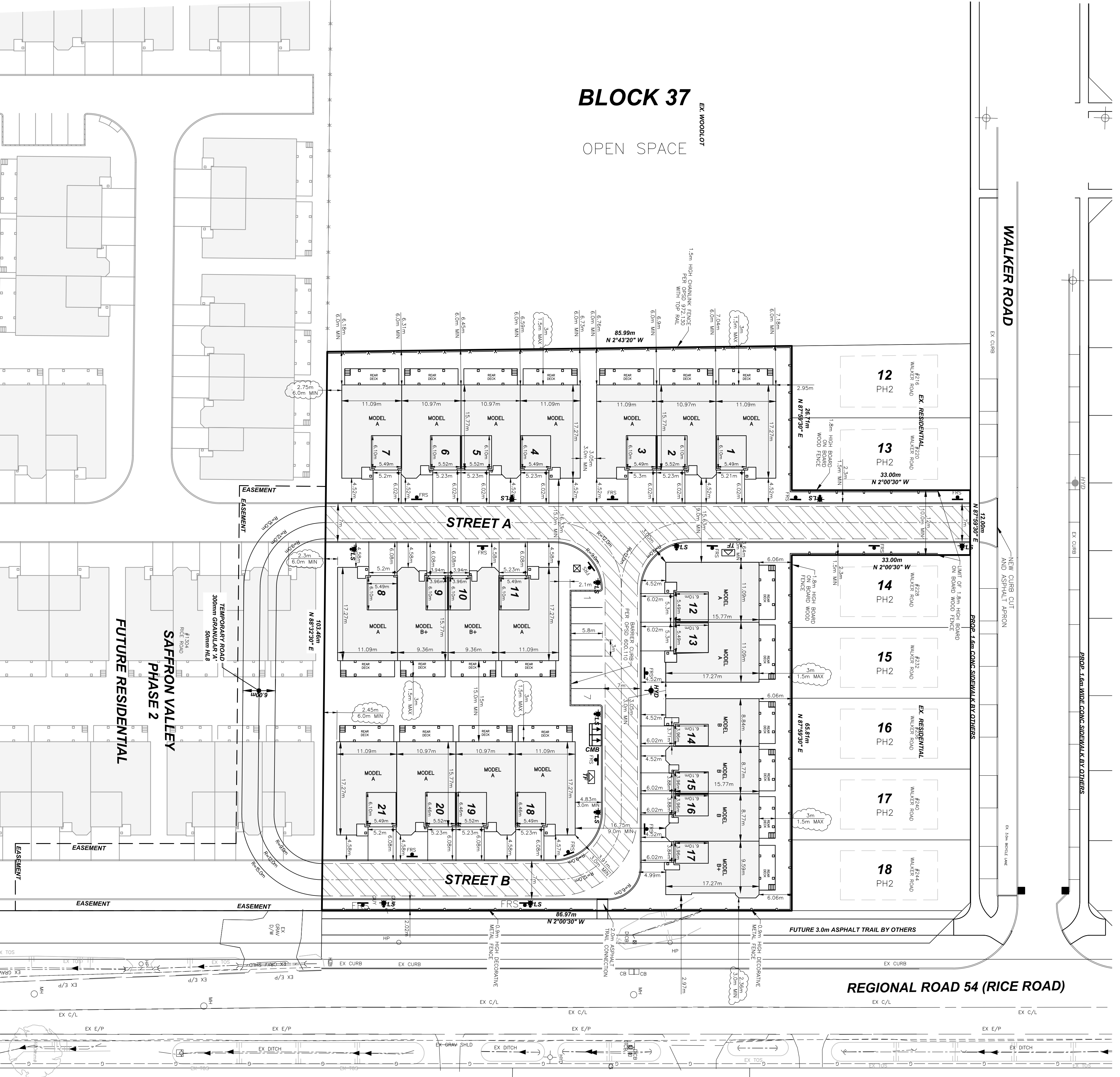
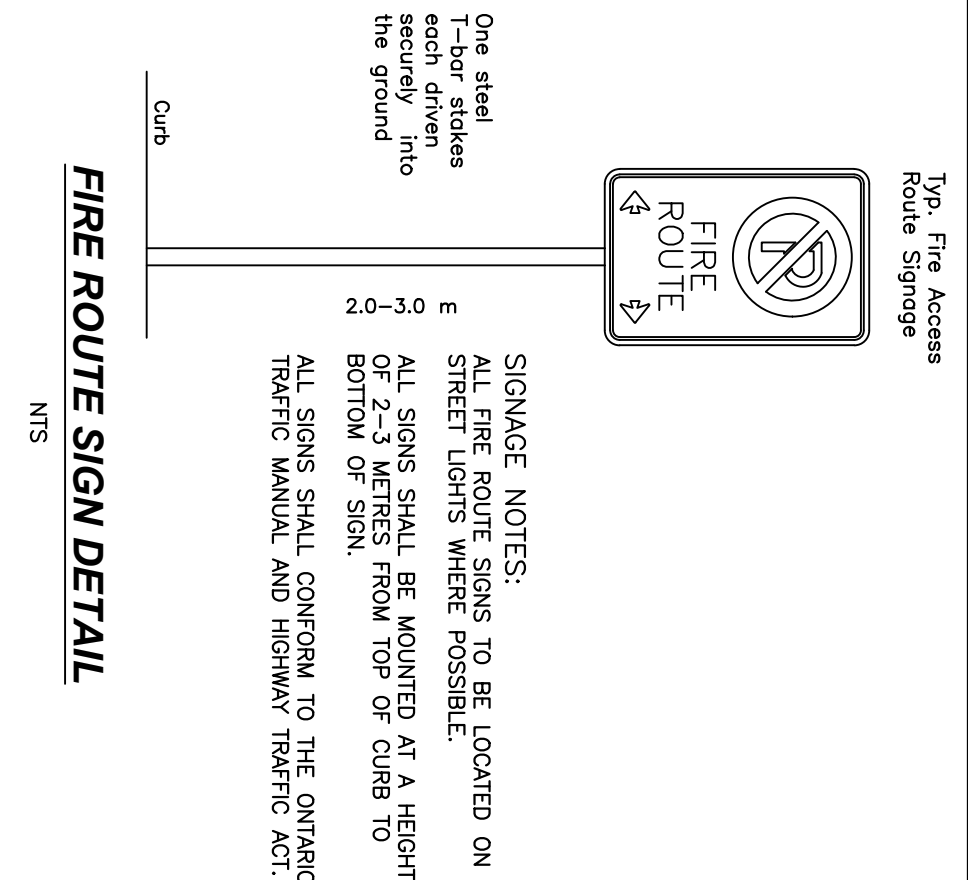
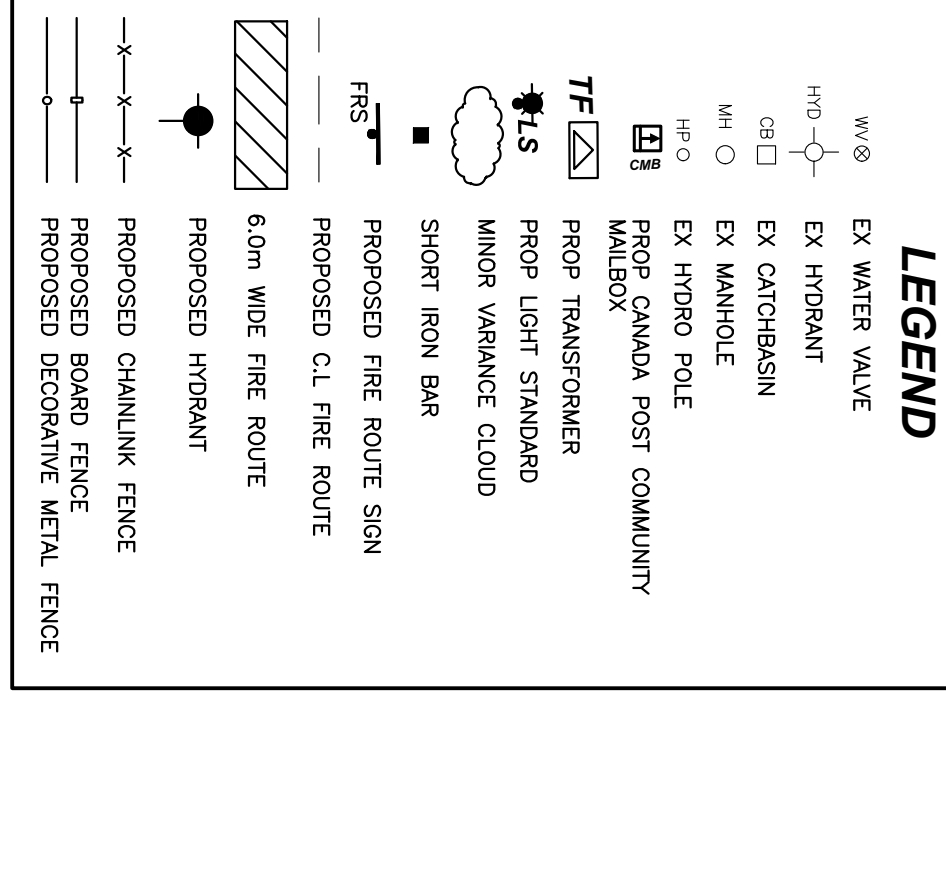
NOTE: THE DIMENSIONS, AREAS AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE AND SHALL BE SUBJECT TO THE FINAL DESIGN, PROVIDING THE INTENT AND PURPOSE OF THE ORIGINAL PLAN IS MAINTAINED AND ALL RELEVANT ZONING PROVISIONS ON THIS PLAN TO THE CONTRARY. ALL SITE SERVICES, GRADING AND DRAINAGE SHALL BE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

**NOTE:**  
 REAR DECK/PATIO AREA NOT TO EXCEED 0.6m ABOVE FINISHED GRADE AT HIGHEST POINT

**SITE STATISTICS**

| AREA                  | ha           | % COVERAGE    |
|-----------------------|--------------|---------------|
| BUILDING              | 0.421        | 44.83         |
| ROAD/DRIVEWAY/PARKING | 0.246        | 26.20         |
| LANDSCAPING           | 0.272        | 28.97         |
| <b>TOTAL</b>          | <b>0.939</b> | <b>100.00</b> |

DEVELOPABLE AREA: 0.939ha  
 DENSITY (UNITS/DEVELOPABLE AREA): 22.360/ha  
 MIN. PARKING REQUIRED - 1.5 PER UNIT = 32  
 PARKING PROVIDED - GARAGE/DRIVEWAY = 42  
 PARKING PROVIDED - GUESTS = 7  
 PARKING SPACES PROVIDED TOTAL: 49



**NOTES:**

- THE POSITION OF POLE LINES, CONDENSERS, WATERMANS, SINKS, AND OTHER UNDERGROUND AND OVERGROUND UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS AND WHERE SHOWN THE ACCURACY OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED BEFORE DRAUGHTING TO THEM. THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL RISK FOR DAMAGE TO THEM.
- PROPERTY LINES WERE PLOTTED USING REGISTERED PLANS AND BMS LOCATED IN THE FIELD TO VERIFY THE ACCURACY OF THESE PROPERTY LINES. A LEGAL SURVEY SHOULD BE PERFORMED PRIOR TO CONSTRUCTION.
- ALL CONSTRUCTION MUST COMPLY WITH THE CANADA FINNSISULA STANDARD CONTRACT DOCUMENT.

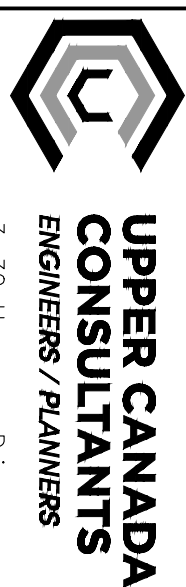
DRAUGHTING  
 T.L. / M.K.

DESIGN  
 M.H.

CHECKED BY  
 M.H.

APPROVED BY  
 J.S.

**HERT INC.**



**SAFFRON VALLEY - PHASE 1**  
 BLOCK 38 PLAN 59M-476

**SITE PLAN**

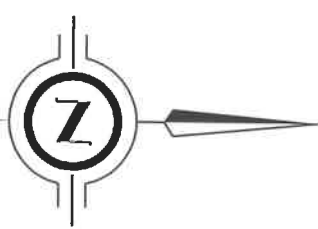
CONSULTANT FILE NO. 1994

| DATE       | REV. |
|------------|------|
| 2020-10-28 | 0    |
| 2020-10-28 | 1    |

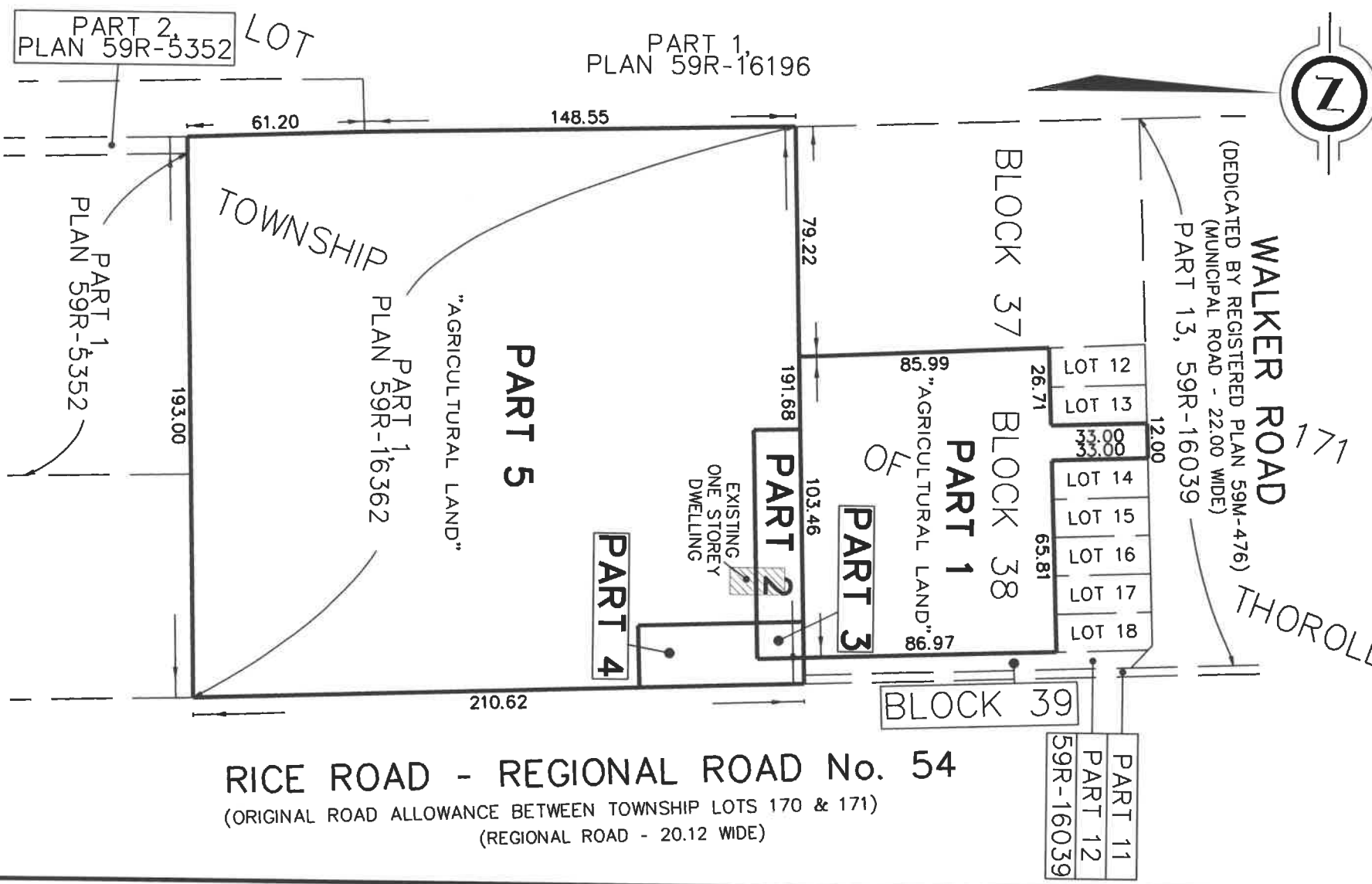
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 DWG. No.: 1994-SP







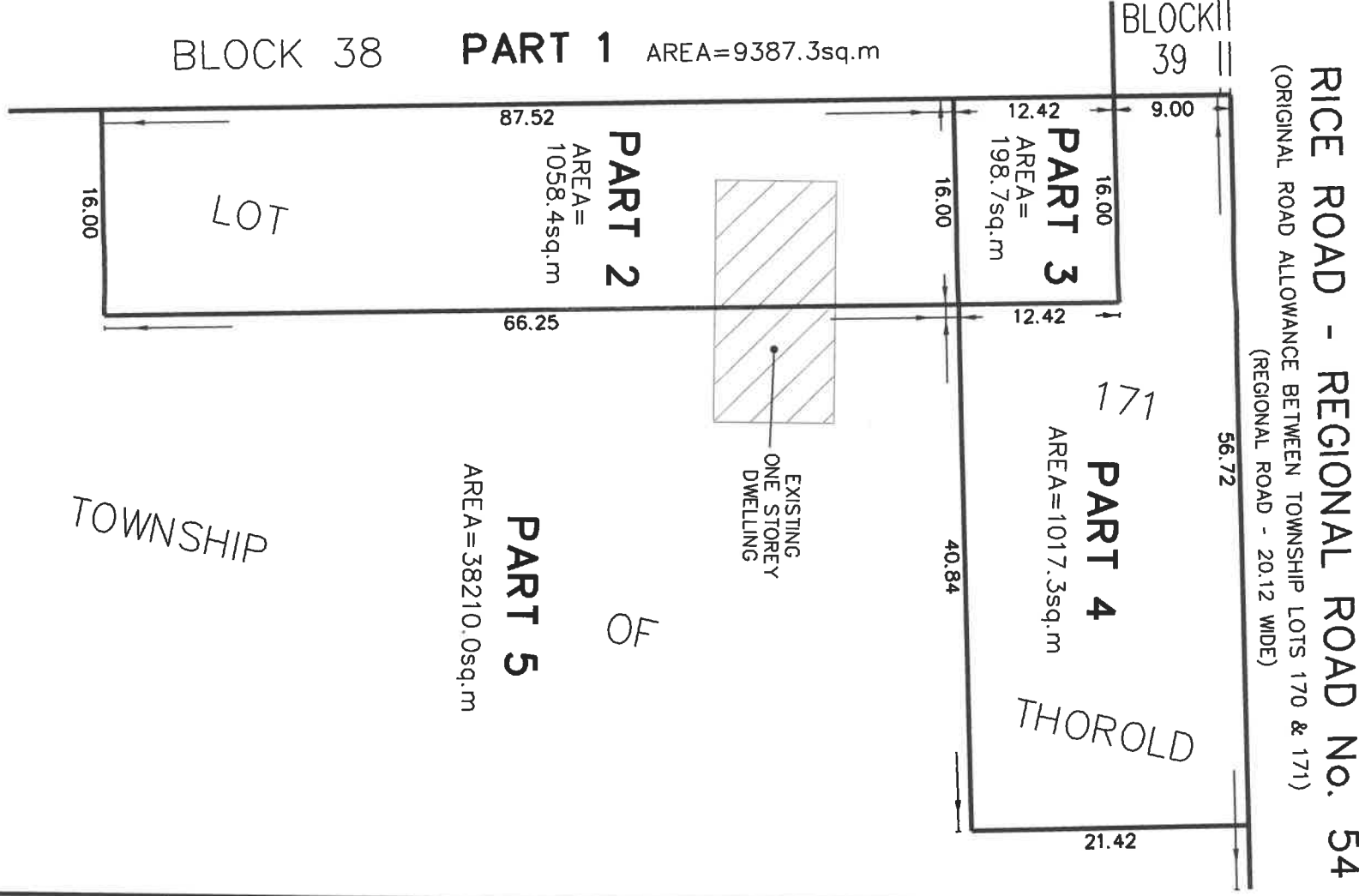
# PROPERTY OVERVIEW



**RICE ROAD - REGIONAL ROAD No. 54**  
(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 170 & 171)  
(REGIONAL ROAD - 20.12 WIDE)



# DETAIL



**RICE ROAD - REGIONAL ROAD No. 54**  
(ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 170 & 171)  
(REGIONAL ROAD - 20.12 WIDE)

**BLOCK 38 PART 1** AREA=9387.3sq.m

**CAUTION**  
(A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.  
(B) THIS SKETCH IS PROTECTED BY COPYRIGHT.

**NOTE: THIS SKETCH IS NOT A PLAN OF SURVEY**  
SKETCH FOR PLANNING PURPOSES ONLY

## 1304 RICE ROAD

## TOWN OF PELHAM

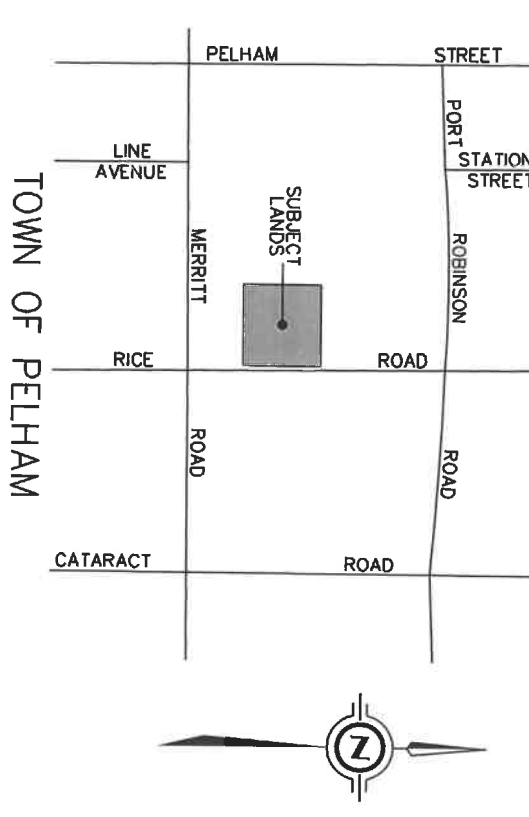
REGIONAL MUNICIPALITY OF NIAGARA

J.D. BARNES LIMITED  
© COPYRIGHT 2021

### METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

### KEY PLAN (not to scale)



### LEGAL DESCRIPTION

PART OF LOT 171, TOWNSHIP OF THOROLD  
BOUNDARY INFORMATION HAS BEEN DERIVED FROM AVAILABLE RECORDS AND/OR FIELD MEASUREMENTS. THIS IS NOT A PLAN OF SURVEY.  
SOME FEATURES SHOWN ON THIS SKETCH HAVE BEEN DIGITIZED FROM AERIAL PHOTOGRAPHY - LOCATION IS APPROXIMATE.

DATE: Feb. 1, 2021  
ALLAN HEWWOOD  
ONTARIO LAND SURVEYOR



**J.D. BARNES LIMITED**  
LAND INFORMATION SPECIALISTS  
418 PORTAGE ROAD, UNIT 2, NIAGARA FALLS, ON L2E 6A4  
T: (905) 338-5093 F: (905) 338-6224 www.jdbarnes.com

|          |         |
|----------|---------|
| MH       | DRAWN   |
| 02/01/21 | CHECKED |
| DATE:    | DATED:  |

Ref. No. 20-16-111-01

## **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 [njbozzato@pelham.ca](mailto:njbozzato@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 [hwillford@pelham.ca](mailto:hwillford@pelham.ca)



For technical questions, please contact:  
Curtis Thompson, Planner  
905-892-2607 ext. 324 [cthompson@pelham.ca](mailto:cthompson@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.