

## NOTICE OF PUBLIC HEARING

**HEARING DATE:** Tuesday, April 2, 2024, at 4:00 pm

**PLACE:** **This will be a hybrid (virtual/in-person) hearing**

**Virtual Participation:** Zoom Webinar / Youtube Livestream

**In-person Participation:** Council Chamber, Pelham Town Hall  
 20 Pelham Town Square, Fonthill ON

**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>**

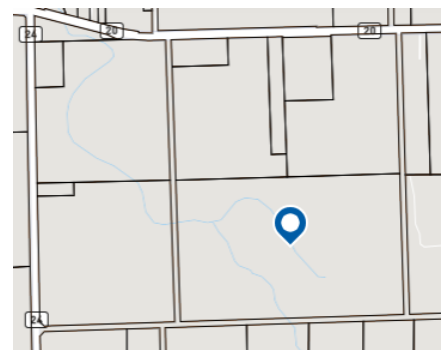
Under Section 45 of the *Planning Act, R.S.O. 1990*, as amended, notice is hereby given that an application for **minor variance** or permission will be heard by the Committee of Adjustment for the Town of Pelham at the date and place shown above.

**File Number:** A4-2024P

**Subject Lands:** 1313 Victoria Avenue, Pelham

**Legal Description:** Part of Lot 20, Concession 8

The subject land is located on the east side of Victoria Avenue, lying south of Highway 20 West, being Part of Lot 20, Concession 8, in the Town of Pelham



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

The subject land is zoned Specialty Agriculture (SA) in accordance with Pelham Zoning By-law 4481(2022), as amended. Application for relief is made, to permit a mobile food truck as an On-farm Diversified Use that requires relief from the following section(s) of the Zoning By-law:

**Section 3.2.2(a) On-Farm Diversified Uses** - Requesting the on-farm diversified use be permitted notwithstanding the use is not directly related to the existing permitted agricultural use(s) on the lot and shall primarily serve the existing permitted agricultural use(s) on the lot and the existing permitted agricultural use(s) on surrounding lots in the area; and

**Section 3.2.2(b) On-Farm Diversified Uses** - Requesting the on-farm diversified use be permitted notwithstanding the product is not produced by, or derived from, the principal agricultural use(s) on the lot as the primary source of the majority of the product; and

**Sections 3.1(c) On-Farm Diversified Uses** - Requesting a front yard setback of 12 metres to a 40m<sup>2</sup> accessory structure related to an on-farm diversified use (covered tent), whereas on-farm diversified uses are not permitted in the required front yard; and

**Section 3.1(c) On-Farm Diversified Uses** - Requesting a front yard setback of 14 metres to a 18m<sup>2</sup> accessory structure related to an on-farm diversified use (food truck), whereas on-farm diversified uses are not permitted in the required front yard.

**PUBLIC HEARING:** This is a public hearing called to hear 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 before the hearing and/or at the hearing or make 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 March 20, 2024.** 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 March 29 2024.** 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 live stream the meeting from our YouTube channel and e-mail comments to [clerks@pelham.ca](mailto: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.

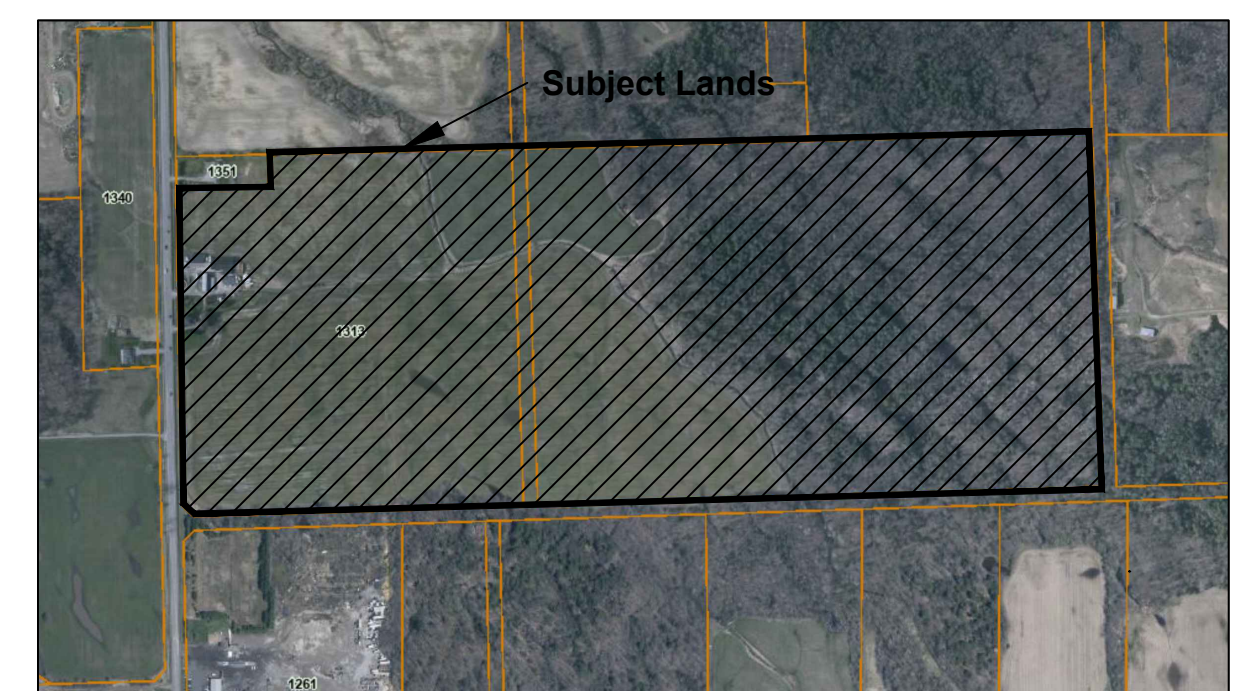
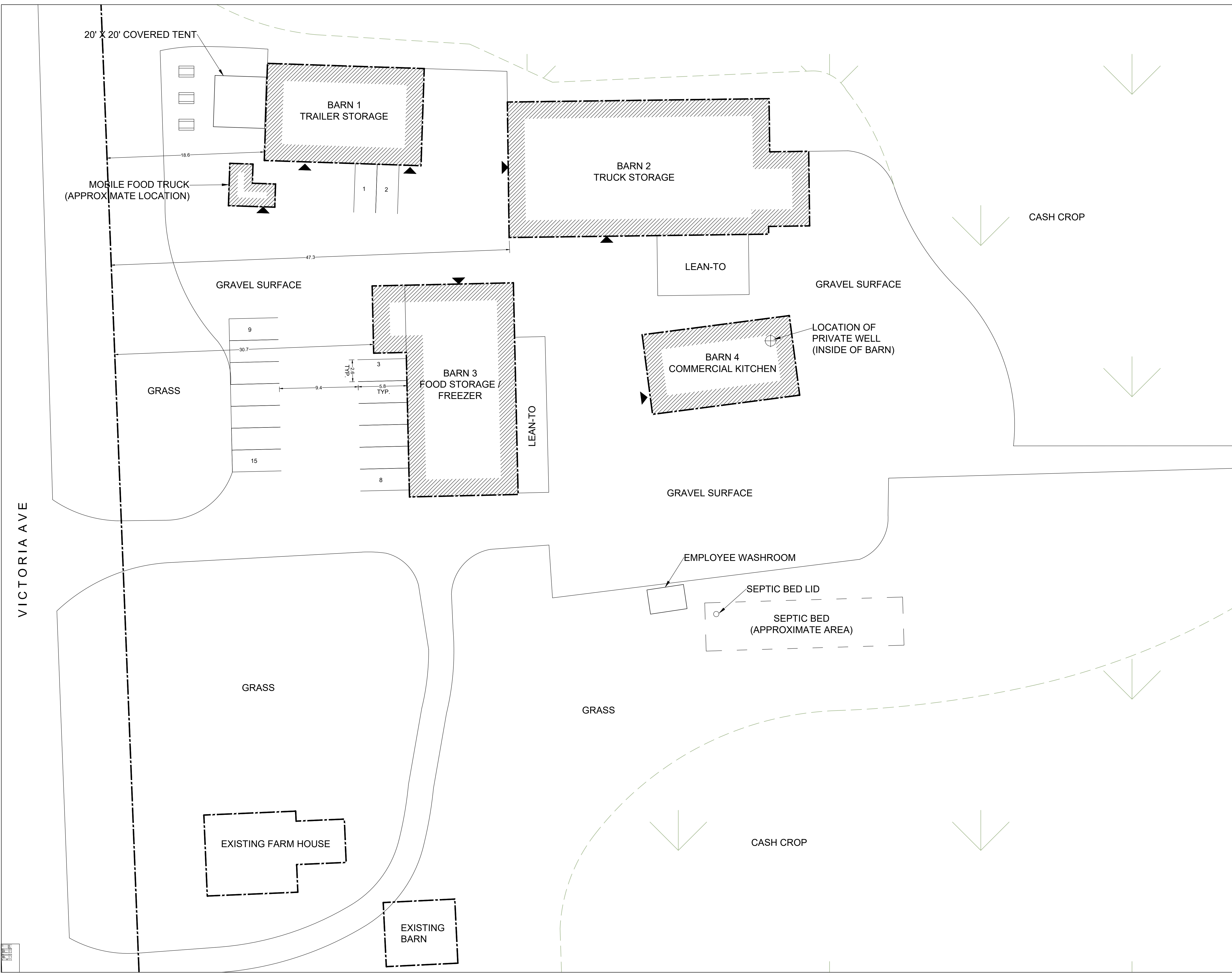
**NOTICE OF DECISION:** Requests for copies of the decision of the Committee of Adjustment or notice of adjournment of hearing, if any, must be in writing and addressed to:

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](mailto:sleach@pelham.ca)

For technical questions, please contact:  
Andrew Edwards, Planner  
905-892-2607 ext. 324 [aedwards@pelham.ca](mailto:aedwards@pelham.ca)

  
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Sarah Leach, BA  
Deputy Clerk/Secretary-Treasurer

**Date of Mailing: March 4, 2024**



**KEY MAP**

**SITE STATISTICS**

PROPERTY 'A'	LEGAL ADDRESS	PT LT 20 CON 8 PELHAM AS IN R0326784 EXCEPT PT 1 59R11785; PELHAM
	MUNICIPAL ADDRESS	1313 VICTORIA AVE, PELHAM, ON
PROPERTY 'B'	LEGAL ADDRESS	PT LT 18-19 CON 8 PELHAM AS IN

ZONING:	SPECIALTY AGRICULTURE (SA)		
	%	METRIC	IMPERIAL

LOT AREA: (APPROX)			
PROPERTY 'A'	23.6 HA	58.3 AC	
PROPERTY 'B'	40.0 HA	98.8 AC	
LOT FRONTAGE: (VICTORIA AVE)	44.50	479.00	

**BUILDING AREA**

AGRICULTURAL BARN #1 (EXISTING)	215.00	2,314
AGRICULTURAL BARN #2 (EXISTING)	540.00	5,813
AGRICULTURAL BARN #3 (EXISTING)	355.00	3,821
AGRICULTURAL BARN #4 (EXISTING)	165.00	1,776
FOOD TRUCK	18.00	194
FARMHOUSE DWELLING & ASSOCIATED STRUCTURES (EXISTING)	200.00	2,153
<b>BUILDING AREA (TOTAL)</b>	<b>1493.00</b>	<b>16071.04</b>

**SETBACKS:**

FRONT YARD SETBACK (BARN #1)	460.42	1510.56
FRONT YARD SETBACK (BARN #2)	435.20	1427.82
FRONT YARD SETBACK (BARN #3)	113.30	371.72
FRONT YARD SETBACK (BARN #4)	38.90	127.62
FRONT YARD SETBACK (MOBILE FOOD TRUCK)	-14.0	-45.9
FRONT YARD SETBACK (DWELLING)	15.00	49.21

**SITE PLAN**

MINOR VARIANCE APPLICATION  
1313 VICTORIA AVE, PELHAM

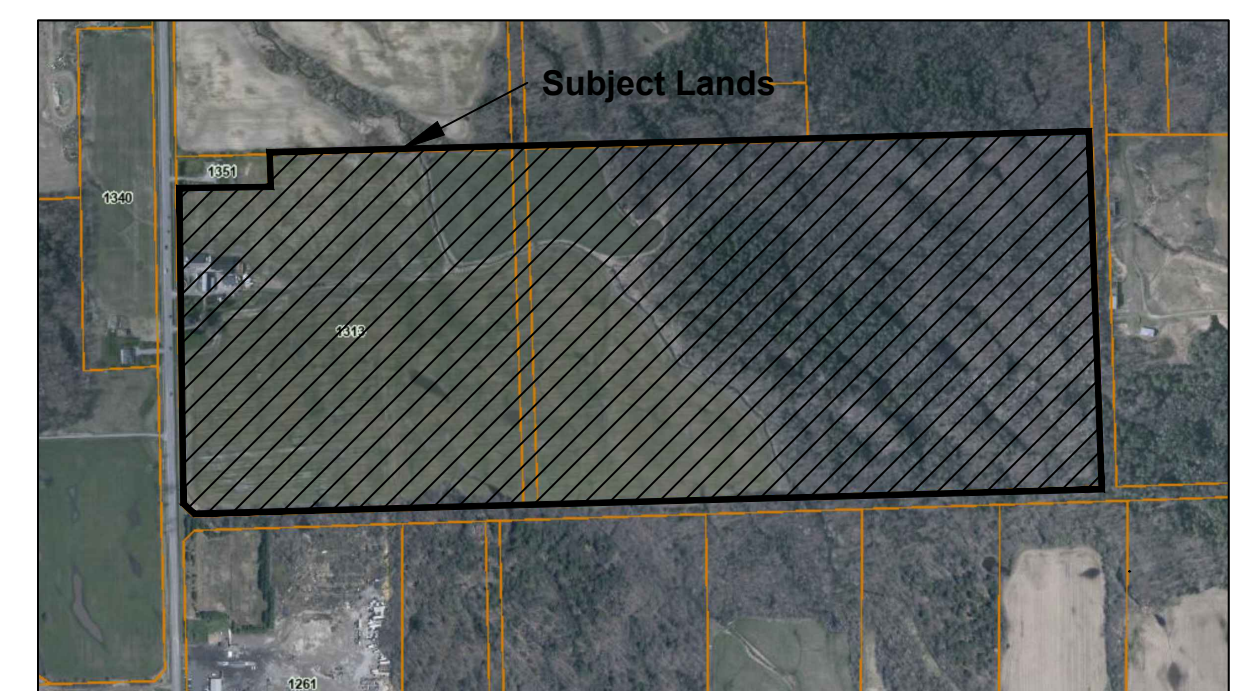
For: Sherry Rusin Scale: 1:200  
Drawing No.: 231119 Date: SEPT 26, 2023

THIS DRAWING SHALL ONLY BE USED IN CIRCUMSTANCES FOR WHICH IT WAS ORIGINALLY PREPARED AND FOR WHICH NPG PLANNING SOLUTIONS INC. WAS RETAINED.

NPG PLANNING SOLUTIONS INC. DOES NOT TAKE RESPONSIBILITY FOR THE ACCURACY OF THE LOCATIONAL INFORMATION OR OTHER MAPPED FEATURES FROM SECONDARY SOURCES SHOWN ON THIS DRAWING. THE INFORMATION ISSUED MAY BE CONFIDENTIAL AND MUST NOT BE USED OTHER THAN BY THE INTENDED RECIPIENT UNLESS AUTHORIZED BY NPG PLANNING SOLUTIONS INC. NPG PLANNING SOLUTIONS INC. ACCEPTS NO LIABILITY OR RESPONSIBILITY FOR ANY LOSS OR DAMAGE SUFFERED BY THE RECIPIENT ARISING OUT OF, OR IN CONNECTION WITH, THE USE OR MISUSE OF THE INFORMATION ISSUED.

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For: Sherry Rusin  
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## **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](mailto: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](mailto:sleach@pelham.ca)

For technical questions, please contact:  
Andrew Edwards, Planner  
905-892-2607 ext. 323 [aedwards@pelham.ca](mailto: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.