

## Committee of Adjustment MINUTES

### Committee of Adjustment Hearing 3/2015

Meeting Type : Committee of Adjustment Hearing

Date : Tuesday, June 02, 2015

Location : Town of Pelham Municipal Building - Council Chambers

### Minutes

#### Attendance

Wayne Lockey, Committee Chair  
Brian DiMartile, Committee Member  
James Federico, Committee Member  
Nancy J. Bozzato, Town Clerk/Secretary-Treasurer  
Judy Sheppard, Acting Deputy Clerk  
Lawrence Overbeeke, Applicant  
Interested Citizens

#### Call to Order, Declaration of Quorum and Introduction of Committee and Staff

Chair, Wayne Lockey, declared that a quorum was present and called the meeting to order at 4:02 p.m. Chair Lockey read the opening remarks, in accordance with the Planning Act provisions.

#### Disclosure of Pecuniary Interest and General Nature Thereof

There were no pecuniary interests disclosed by any of the members present.

#### Requests for Withdrawal or Adjournment

There were no requests for withdrawal or adjournment.

#### Town of Pelham Consolidated Planning

#### Purpose of the Applications

Application B1/2015 P on behalf of Lawrence Overbeeke is made for consent to convey 1114 square metres of land for single detached

**Reports,  
B1/2015P and  
B2/2015P**

(Files B1/2015P and  
B2/2015 - Lawrence  
Overbeeke)

residential use. 1236 square metres of land (Part 1) with a dwelling known municipally as 691 Canboro Road, is to be retained for continued residential use. Application B2/2015P relating to Part 2 on the drawing is being considered concurrently.

Application B2/2015P on behalf of Lawrence Overbeeke is made for consent to convey 1,115 square metres of land for single detached residential use. 1,236 square metres of land (Part 1) with a dwelling known municipally as 691 Canboro Road, is to be retained for continued residential use. Application B1/2015P relating to Part 1 is being considered concurrently.

**Representaton:**

Lawrence Overbeeke was present on behalf of these applications.

**Correspondence Received:**

Town of Pelham Consolidated Planning Report  
Town of Pelham Building Division  
Town of Pelham Public Works Department  
Region of Niagara Planning and Development Department  
Larry and Jane Sztogryn  
Joe McCollum

**Comments:**

The Secretary Treasurer read a synopsis of the Planning Reports and correspondence received from. Although the applicant was present in the gallery, he offered no additional comments regarding the proposals. Although interested citizens were present in the gallery, no one spoke to the applications.

The Secretary-Treasurer provided clarification as to the requirements for connecting to the municipal watermain system. It was noted by the Committee that although a number of conditions will be required to ensure an orderly development, the conditions address any concerns.

**Resolution #CA20150602.1001**

Moved By: Brian DiMartile Second By: James Federico

**THAT Application for consent to convey 1114 square metres of land, shown as Part 3 on the drawing submitted, being part of Lot 3,Registered Plan 59M-101 in the Town of Pelham be GRANTED; and Application for consent to convey 1115 square metres of land, shown as Part 2 on the drawing submitted, being part of Lot 3,Registered Plan 59M-101 in the Town of Pelham, be GRANTED, subject to the following conditions:**

**Conditions and Reasons are Identical for Applications B1/2015P and B2/2015P, Lawrence Overbeeke, as follows:**

1. **THAT the Director of Public Works for the Town of Pelham be provided with written documentation confirming that there are no existing water or sewer services branches from or through the subject or remnant parcels, to other lands;**
2. **THAT an application be submitted for each new connection to the 300mmØAC Regional watermain located within the Canboro Road allowance to the satisfaction of the Niagara Region Planning and Development Services Division, through the Town of Pelham Public Works Department;**
3. **THAT detailed drawings of proposed connections to the 300mmØAC Regional watermain located within the Canboro Road allowance be provided to the Niagara Region Planning and Development Services Department for review and approval;**
4. **THAT detailed design drawings, including calculations, for extension of the local 200mmØPVC sanitary sewer system required to service the proposed subject and remnant parcels be submitted, and a Ministry of the Environment and Climate Change Environmental Compliance Approval be obtained under the Transfer of Review Program to the satisfaction of the Niagara Region Planning and Development Services Division;**
5. **THAT the dwelling known municipally as 691 Canboro Road be connected to municipal sanitary sewers and the existing sewage system be decommissioned, to the satisfaction of the Niagara Region Planning and Development Services Division;**
6. **THAT the Municipal Sanitary Sewer Line to service the subject and remnant parcels be completed, to the satisfaction of the Niagara Region Planning and Development Services Division;**
7. **THAT the accessory buildings situated on the subject lands be demolished to the satisfaction of the Town of Pelham Chief Building Official.**
8. **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.**
9. **THAT the final certification fee of \$358, per application, payable to the Treasurer, Town of Pelham, be submitted to the Secretary-Treasurer.**
10. **THAT applications B1/2015P and B2/2015P on behalf of Lawrence Overbeeke obtain concurrent final certification of the Secretary-Treasurer.**

**This decision is based on the following reasons:**

1. **The applicant is aware, and the Town of Pelham Chief Building Official has been advised, that any request to connect to an existing Town of Pelham drinking watermain shall be managed through the building permit process and shall be subject to review by the Water Department, taking into consideration such factors as length of service or cross-connections to existing wells.**

2. **The approval will create a lot in a settlement area that is serviced by a public water supply and sanitary sewer system, and which 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.**
3. **The Committee is satisfied that the lot configuration is consistent with the surrounding area.**
4. **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**

**Adjournment**

**Resolution #CA20150602.1002**

Moved By: James Federico    Second By: Brian DiMartile

**THAT there being no further business, the Committee of Adjustment Hearing be and is hereby adjourned.**

**Carried**

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B. DiMartile, Chair

Nancy J. Bozzato, Town Clerk/Secretary-Treasurer

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Date Approved

Hearing Chair