

NOTICE OF PUBLIC HEARING

HEARING DATE: Tuesday, September 8, 2026 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>

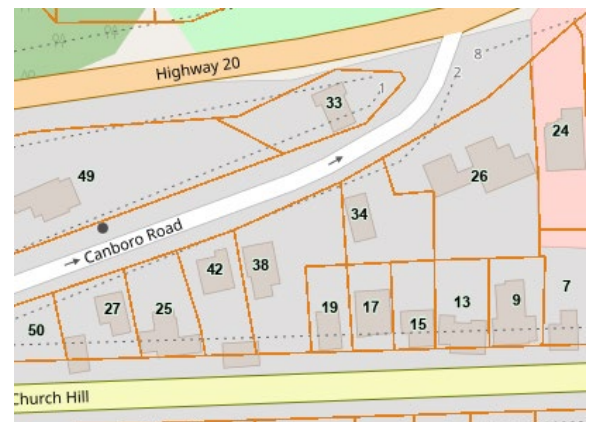
Under Section 45 of the *Planning Act, R.S.O. 1990*, as amended, notice is hereby given that an application for **minor variance** or permission will be heard by the Committee of Adjustment for the Town of Pelham at the date and place shown above.

File Number: A9-2026P

Subject Lands: 33 Canboro Road, Pelham

Legal Description: Part Lots 63 and 64, Part of Block H, I and J, Plan 717

The subject land is located on the north side of Canboro Road, lying south of Highway 20, being Part Lots 63 and 64, Part of Block H, I and J, Plan 717, in the Town of Pelham



Nature and Extent of Relief/ Permission Applied for:

The subject land is zoned Village Commercial in accordance with Pelham Zoning By-law 4481(2022), as amended. Relief is sought to facilitate the development of a mixed-use building. The applicant is requesting relief from the following sections of the Zoning By-law:

Section 8.1.4 (Zone Requirements) “Side Yards” - to permit a minimum side yard setback of 0.0 metres whereas the By-law requires a minimum side yard setback of 3.0 metres with a driveway, and 0.6 metres without a driveway; and

Section 8.1.4 (Zone Requirements) “Rear Yard” - to permit a minimum rear yard setback of 2.9 metres whereas the By-law requires a rear yard setback of 6.0 metres; and

Section 8.1.4 (Zone Requirements) “Landmark Site” - to permit a 0.0 metre step back for the 3rd and 4th storeys whereas the By-law requires a minimum 2.0 metre for the 3rd and 4th storeys; and

Section 4.1.4.2(a) (Parking Area and Driveway Requirements) “Parking Aisles” - to permit a minimum parking aisle width of 6.0 metres whereas the By-law requires a minimum parking aisle width of 6.2 metres; and

Section 4.1.4.6(a) (Parking Area and Driveway Requirements) “Underground Parking Areas” - to permit 100% of an exposed portion of an underground parking area above finished grade in any required yard whereas the By-law allows less than 50% of an underground parking area to be situated above finished grade in any required yard; and

Section 4.1.4.3(a) (Parking Area and Driveway Requirements) “Driveways” - to permit a maximum driveway width of 7.5 metres whereas the By-law allows a maximum driveway width of 6.0 metres or 50% of the frontage or exterior side lot line distance, whichever is less; and

Section 4.1.4.3(f)(i) (Parking Area and Driveway Requirements) “Driveways” – to permit a secondary driveway on a lot having a minimum lot frontage of 2.65 metres, whereas the By-law permits a secondary driveway only on a lot having a minimum lot frontage of 30.0 metres;

Section 4.1.4.3(f)(ii) (Parking Area and Driveway Requirements) “Driveways” - to permit a maximum combined width of all driveway entrances/egresses of 13.75 metres whereas the By-law allows a maximum combined width of all driveway entrances/egresses of 9.0 metres.

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 submit them in writing to the Secretary Treasurer prior to the hearing and/or present them verbally 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 August 25, 2026.** 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 August 28, 2026.** 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. 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:

Jodi Conte, Secretary-Treasurer of the Committee of Adjustment
20 Pelham Town Square, P.O. Box 400, Fonthill ON L0S 1E0
905-641-7158 jconte@pelham.ca

For technical questions, please contact:
Andrew Edwards, Planner
905-980-6666 aedwards@pelham.ca



Jodi Conte, Secretary-Treasurer

Date of Mailing: July 28, 2026

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/pelham-government/committees/committee-of-adjustment/>

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 identified on the Notice of Hearing. You may also deliver written comments at Town Hall to the Secretary Treasurer or deposited in the drop box. Unless otherwise noted, all written submissions and any personal information contained therein form part of the public record and may be disclosed publicly. Individuals are encouraged to review the Town's Council Correspondence Policy for further information regarding the submission, handling, and public disclosure of correspondence.

Verbal Submissions – Remote Participation

Members of the public wishing to provide verbal comments remotely to the Committee during the public portion of the meeting are required to pre-register with the Secretary Treasurer by telephone or email no later than the deadline identified in the Notice of Public Hearing.

Pre-registered participants will be provided with a Zoom link and password in advance of the meeting. Access details are intended for registered participants only and must not be shared. Zoom test meetings are available upon request; participants are encouraged to advise the Secretary Treasurer of any technical or accessibility requirements at the time of registration.

Verbal Submissions – In-person Participation

Members of the public wishing to provide verbal comments during the public portion of the hearing may attend in person at the date, time, and location identified in the Notice of Public Hearing. In-person participants who intend to speak are encouraged to pre-register with the Secretary Treasurer by telephone or email to assist with the preparation of a speakers list. While pre-registration is preferred, it is not a requirement in order to speak at the meeting.

Please note that all verbal submissions, regardless of the method of participation, are live-streamed and recorded.

COMMITTEE OF ADJUSTMENT

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



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
905-641-7158 | jconte@pelham.ca

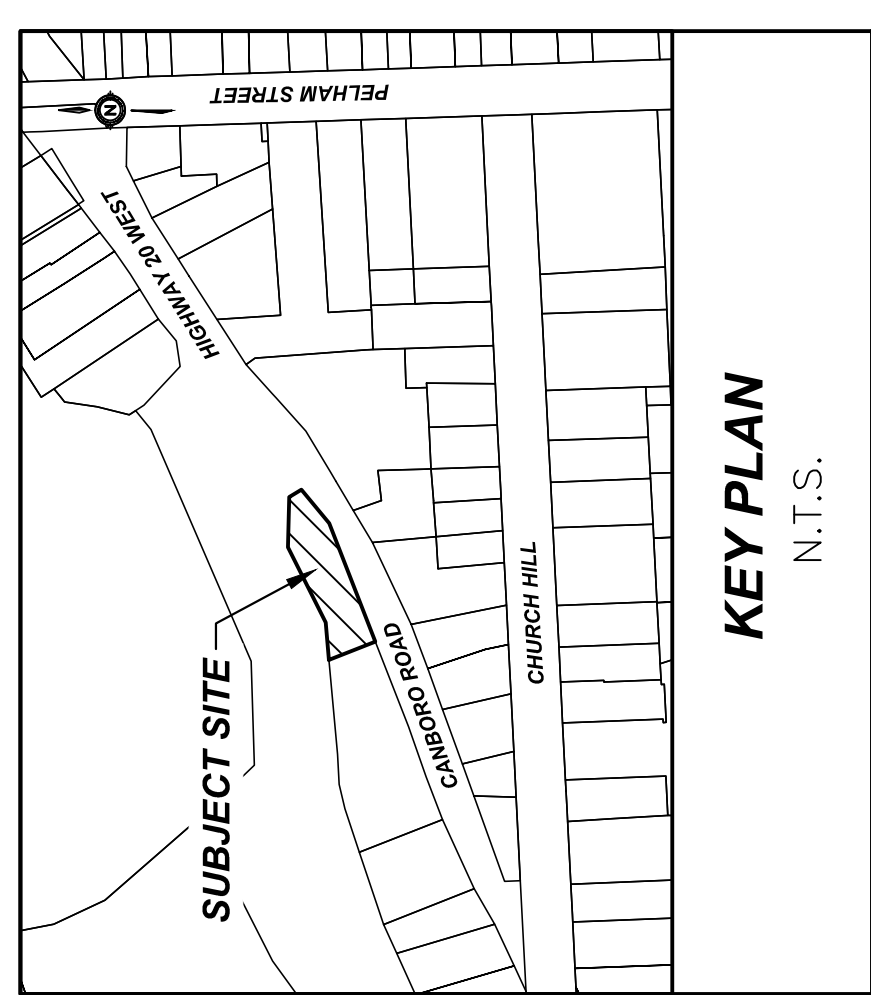
For technical questions, please contact:
Andrew Edwards, Planner
905-980-6666 | aedwards@pelham.ca

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.
- 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.

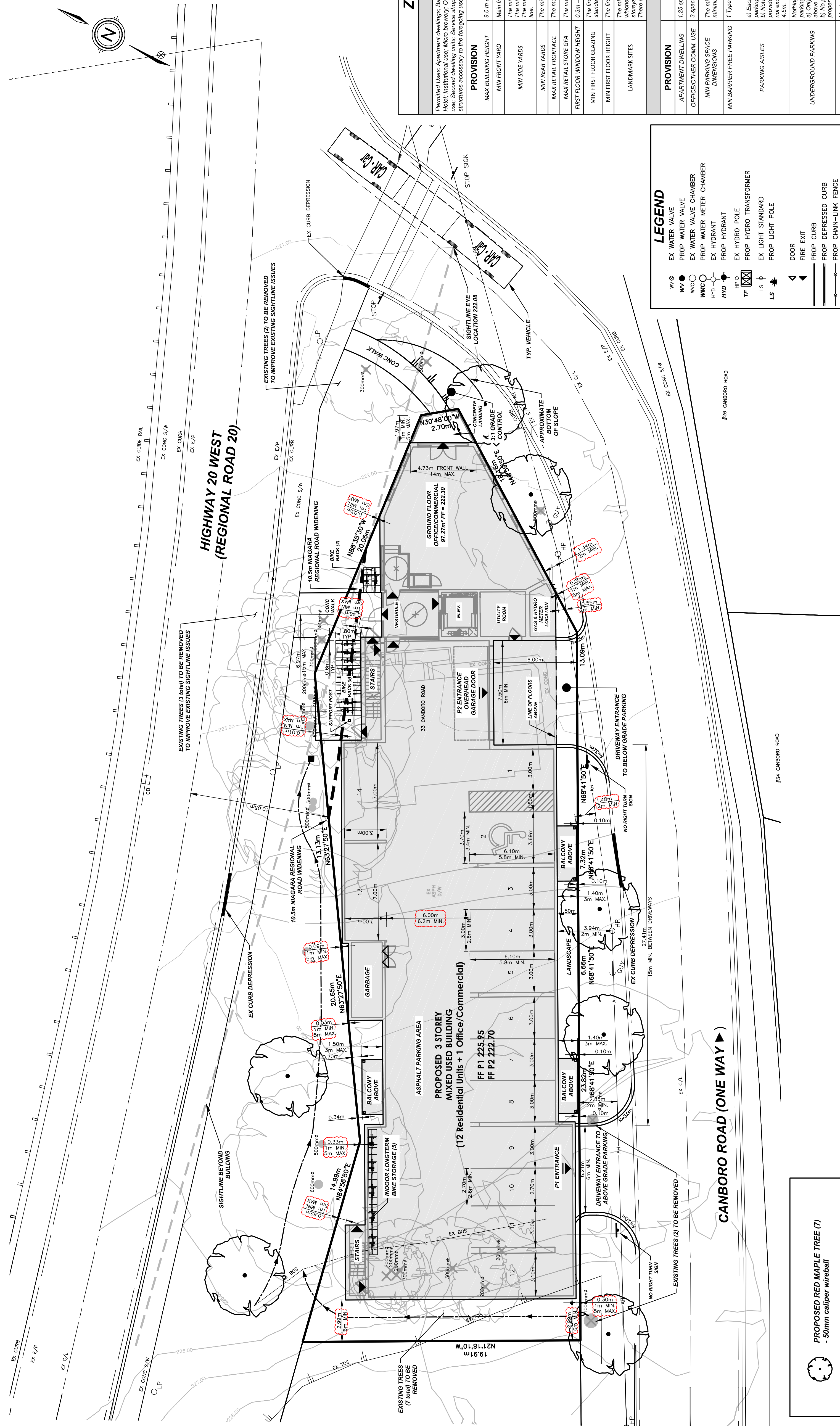
Technical Difficulties During Hearings

- 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 meeting 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 meeting 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.



LEGAL DESCRIPTION

**PART OF LOTS 63 & 64, PART OF BLOCKS "H", "I" AND "J"
PLAN 717
TOWN OF PELHAM
REGIONAL MUNICIPALITY OF NIAGARA**



ZONING REQUIREMENTS

Village Commercial (VC) Zone

Permitted Uses: Apartment dwellings; Bakery; Cultural use; Dwelling unit(s) above a commercial use; Existing single detached dwelling; Hotel; Institutional use; Micro brewery; Office uses, Parking facility; Parks and urban square; Places of entertainment; Restaurant; Retail use; Second dwelling units; Service shops; Short term accommodation; Townhouse and live-work units; and Uses, buildings and structures accessory to the foregoing uses.

PROVISION	REQUIRED	PROVIDED
MAX BUILDING HEIGHT	9.0 m & 2 storeys	NA (Landmark Site)
MIN FRONT YARD	Main front wall of structure shall be built between 1.0 - 5.0m from front lot line	1.97m
MIN SIDE YARDS	The minimum side yard shall be 0.6m and a maximum of 1.2m. The minimum side yard with a driveway is 3.0m unless shared. The main corner side yard shall be built within 1.0-5.0m of the exterior side lot line.	0.00m
MIN REAR YARDS	The minimum rear yard setback shall be 6.0m.	6.90m
MAX RETAIL FRONTAGE	The maximum retail frontage of individual businesses shall not exceed 14.0m.	4.72m
MAX RETAIL STORE GFA	The maximum retail GFA of individual businesses shall not exceed 500sqm	97.27m ²
FIRST FLOOR WINDOW HEIGHT	0.3m – 0.6m	0.52m
MIN FIRST FLOOR GLAZING	The first floor glazing shall be a minimum of 50% of the front wall, except for standalone residential uses, where there is no glazing requirement.	11.15m ² (68.93%)
MIN FIRST FLOOR HEIGHT	The first floor height shall be a minimum of 3.0m	4.0m
LANDMARK SITES	The minimum height for Landmark Sites shall be 3.0m or 3 storeys, whichever is greater and the maximum height shall be the lesser of 16.0m or 4 storeys. There shall be a minimum step back of 2.0m on the 3rd and 4th storeys.	10.40m (3 storeys) No step back

PARKING AND LOADING

PROVISION	REQUIRED	PROVIDED
APARTMENT DWELLING	1 25 spaces per dwelling unit (15 spaces)	15
OFFICE/OFFER COMM. USE	3 spaces per 100sq. ft.(15 spaces)	3
MIN PARKING SPACE DIMENSIONS	The minimum dimensions of a parking space shall be 2.6m by 5.6m with a minimum vertical clearance of 2.6m	2.6m x 6m (unobstructed) Vertical Clearance 3.05m
MIN BARRIER FREE PARKING	1 Type A, (3.4m x 5.8m) spaces	1
PARKING AISLES	a) Each parking space shall be accessed either directly by a driveway or a ramp. b) Minimum width of aisle shall be 4.5m c) Vehicular turning radius shall be 9.1m d) Vehicular turning radius shall be 4.5m, where a parking aisle is designed to provide one-way traffic only, and the parking aisles are provided at an angle to the street. e) The minimum clearances between adjacent 4.5m wide aisles shall be 4.5m.	9.1m 4.5m N/A

UNDERGROUND PARKING	Nothing in this By-law shall apply to prohibit the location of underground parking areas in any yard, provided that: - Only less than half of any underground parking area shall be situated above finished grade in any required yard; and - No part of any underground parking area shall be located outside the property lines.	a) Site topography dictates up to full exposure for portion b) 0m - 2.9m setback
	DRIVEWAYS	7.5m

SECONDARY DRIVEWAY	MIN LOADING SPACES	Only permitted in accordance with following: i) On a lot with minimum lot frontage of 30m; ii) Maximum combined width of all driveway entrances/egresses shall be 9.0m; iii) Distance between entrances/egresses shall be 15m; iv) 2.141m	0.22m 0.22m 0.131m 0.131m
	MIN BICYCLE PARKING SPACES	Less than 150 short term spaces & 0 Apartment dwelling = minimum of 6 short term spaces & 0.25 spaces per unit Long term (conservation) = 1 space/100sqm short term & 0.15/100sqm CEFA for long term (conservation) (1.25+0.15+4)	N/A 150 short term 5 long term
	BICYCLE PARKING	All short-term bicycle parking areas shall be located a maximum of 15.0m from a building entrance, and All long-term bicycle parking spaces shall be located indoors.	7.00m
	BICYCLE PARKING DIMENSIONS	See 4.3.3.3 (1.1m X 0.6m X 1.1m) provided	Internal storage provided 1.8m X 0.6m X 1.9m

GENERAL PROVISIONS		REQUIRED	PROVIDED
PROVISION	MAX ENCROACHMENT OF EAVES/GUTTERS, ETC.		0m
	BALCONIES, CANOPIES, UNENCLOSED PORCHES		Balconies: 1.5m
	UNENCLOSED PORCHES		1m
	MAXIMUM DEPTH OF APARTMENT DWELLING		N/A
	DECKS (UNCOVERED)		N/A
FIRE ESCAPES		Project a maximum of 1.5m into exterior side or rear yard, however a minimum interior side yard setback of 1.2m is required	N/A

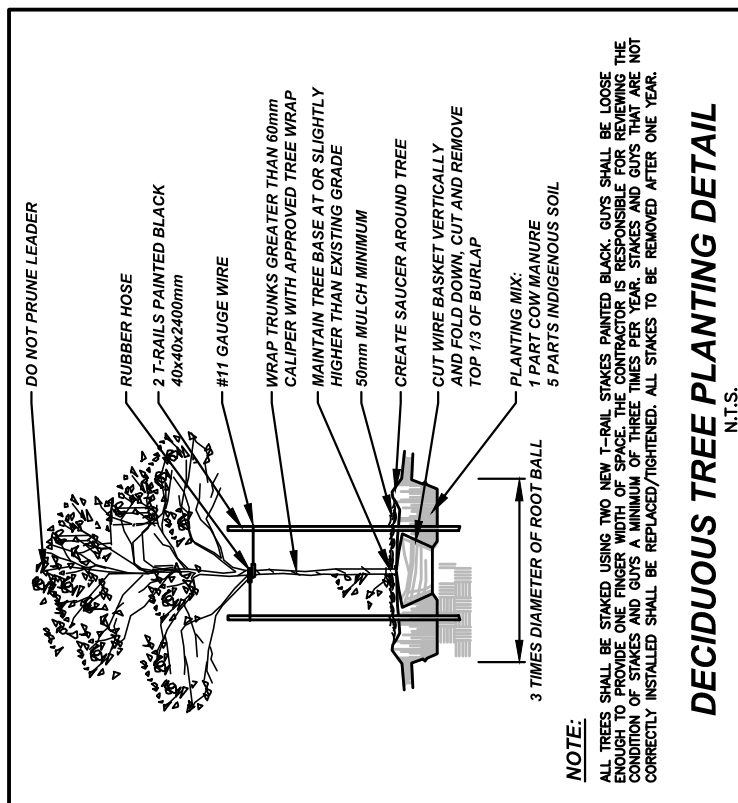
SITE STATISTICS			
AREA	Hq.	% COVERAGE	
BUILDING	0.086	81.90	
ROAD/DRIVEWAY/PARKING	0.001	0.95	
LANDSCAPING	0.016	15.24	
ROAD WIDENING	0.002	—	
TOTAL	0.105	100.00	
UNITS		12	
DEVELOPABLE AREA		0.103 ha.	
DENSITY (UNITS/DEVELOPABLE AREA)		116.50 uph	
APARTMENT MIN. PARKING REQUIRED (1.25 space per unit)		15	
OFFICE/OTHER COMMERCIAL MIN. PARKING REQUIRED (3 spaces per 100m ² GLFA)		3	
PARKING SPACES PROVIDED TOTAL			18
INDOOR 14			
ABOVE GRADE 04			

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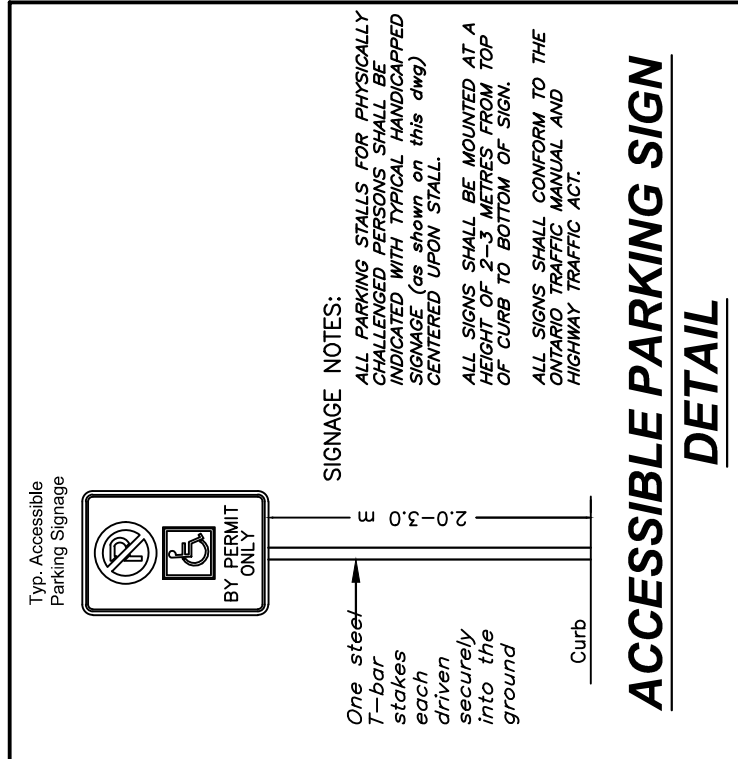
LEGEND

- | | |
|---|--------------------------|
|  | EX WATER VALVE |
|  | EX WATER VALVE CHAMBER |
|  | PROP WATER METER CHAMBER |
|  | EX HYDRANT |
|  | PROP HYDRANT |
|  | EX HYDRO POLE |
|  | EX LIGHT TRANSFORMER |
|  | EX HYDRO STANDARD |
|  | PROP LIGHT POLE |
|  | DOOR |
|  | FIRE EXIT |
|  | PROP CURB |
|  | PROP DEPRESSIONED CURB |
|  | PROP CHAIN-LINK FENCE |
|  | PROP WOOD FENCE |



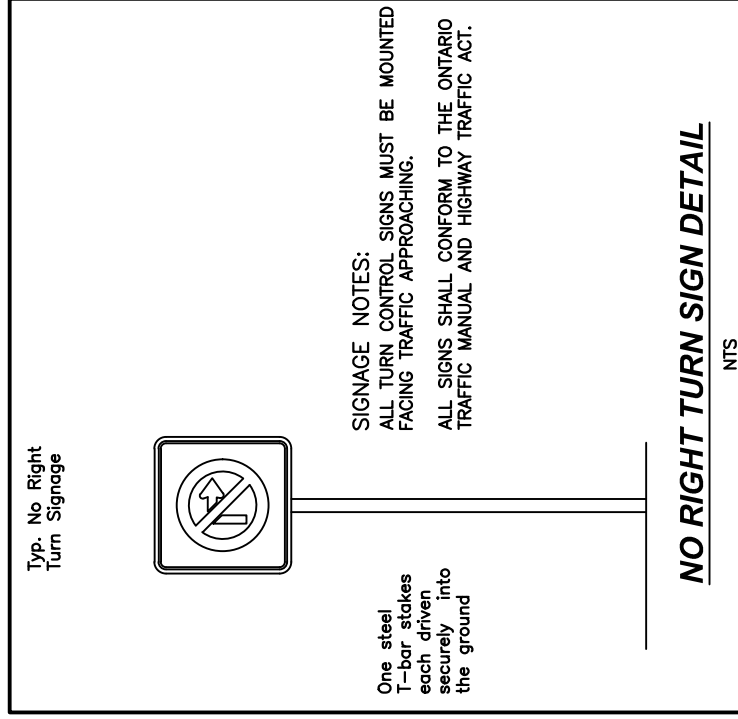
DECIDUOUS TREE PLANTING DETAIL

15



ACCESSIBLE PARKING SIGN ***DETAIL***

10



NO RIGHT TURN SIGN DETAIL

21

OWNER'S NAME _____	DATE _____
SIGNATURE _____	DATE _____
CLERK _____	DATE _____
MAJOR _____	DATE _____
<i>THE TOWN OF PELHAM</i>	
NOTE: THE DIMENSIONS, AREAS, AND LOCATIONS SHOWN ON THIS PLAN SHALL BE CONSIDERED THE FINAL DESIGN, PROVIDING THE INTENT AND PURPOSE OF THE ORIGINAL PLAN IS MAINTAINED AND ALL RELEVANT ZONING PROVISIONS OF THE TOWN OF PELHAM ZONING BY-LAW ARE MAINTAINED ON THIS PLAN TO THE CONTRARY. ALL SITE SERVICING, GRADING, AND DRAINAGE SHALL BE IN ACCORDANCE WITH PLANS FILED IN THE CITY ENGINEER'S OFFICE AND APPROVED BY THE ENGINEER.	

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

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