

## NOTICE OF PUBLIC HEARING

**HEARING DATE:** Monday, March 6, 2023 at 4:00 pm

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

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

**In-person Participation:** Meridian Community Centre, 100  
 Meridian Way, Fonthill, Accursi Room B

**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>**

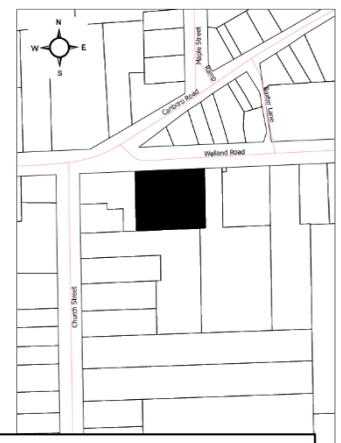
Under Section 45 of the *Planning Act, R.S.O. 1990*, as amended, notice is hereby given that an application for **minor variance** or permission will be heard by the Committee of Adjustment for the Town of Pelham at the date and place shown above.

**File Number:** A3/2023P

**Subject Lands:** 788-792 Welland Road

**Legal Description:** Part of Lot 2, Plan 703 being Part 1 and 2 on Plan 59R-3703 and Part 1 on Plan 59R-8906

The subject land is located on the south side of Welland Road, lying east of Church Street, being Part of Lot 2, Plan 703 being Part 1 and 2 on Plan 59R-3703 and Part 1 on Plan 59R-8906, in the Town of Pelham.



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

The subject land is zoned Neighbourhood Commercial-262 “NC-262” in accordance with Pelham Zoning By-law 1186 (1987) as amended by By-laws 3718(2016) and 3868(2017). The subject lands were subject to previous development applications which proposed the conversion of the existing structure into six (6) dwelling units and the construction of a mixed-use building along Welland Road, containing four (4) ground floor commercial units and four (4) residential dwelling units above grade for a total of ten (10) residential dwellings. Application is made for relief to facilitate the construction of a second storey to the converted structure with an additional seven (7) dwelling units, facilitating a mixed-use building with four (4) commercial units at grade and total of seventeen (17) residential dwelling units located above grade and to the rear of the site. The variances seek relief from:

**Section 19.1(c) of the NC-262 zone “Permitted Uses”**– to permit second storey residential dwelling units in the side and rear yards, whereas the by-law permits dwelling units at grade in the side and rear yards only; and

**Section 19.3(a) of the NC zone “Regulations for Residential Uses”** – to permit 66% of the gross floor area to be used for residential uses whereas the by-law allows not more than 50% of the gross floor area to be used for dwelling units; and

**Section 19.3(b) of the NC zone “Regulations for Residential Uses”** – to permit dwelling units above the ground floor dwelling units whereas the by-law permits dwelling units above grade above commercial uses only; and,

**Section 19.3(c) of the NC-262 zone “Regulations for Residential Uses”**– to permit a minimum landscaped amenity area of 25 m<sup>2</sup> per dwelling unit whereas the by-law requires a minimum landscaped amenity area of 30 m<sup>2</sup> be provided for each dwelling unit; and

**Section 6.16(a) of the NC-262 zone “Parking Requirements – Residential Uses”** – to permit 1.25 spaces per dwelling unit whereas the by-law requires 1.5 spaces per dwelling unit; and

**Section 6.16(a) of the NC-262 zone “Parking Requirements – Retail/Office Uses”** – to permit a rate of 1 space per 52 m<sup>2</sup> gross floor area whereas the by-law requires 1 space per 30 m<sup>2</sup>; and

**Nature and Extent of Relief/ Permission Applied for (Cont'd):**

**Section 6.16(a) of the NC-262 zone "Parking Requirements – Eating Establishment"** – to permit a rate of 1 space per 6 persons seating capacity whereas the by-law requires a rate of 1 space per 4 persons seating capacity.

**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 comments 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 February 22, 2023.** 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 3, 2023.** 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 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 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: February 6, 2023**



PROJECT

# Old Fenwick Fire Hall Development

792 Welland Rd. Fenwick Ontario

### GENERAL NOTES

Contractor is to check and verify all dimensions and conditions on the project and report any discrepancies to the designer before proceeding with the work. Drawings are not to be scaled.

Contract documents are the copyright of the consultants and shall not be used or reproduced without authorization. Documents are to be returned upon completion of the project.

### REVISION SCHEDULE

#	Revision Description	Date
1	Issued For Site Plan Agreement	12.06.2016
2	Issued For Site Plan Agreement	10.06.2017
3	Issued For Site Plan Agreement	01.22.2018
4	Issued For Site Plan Agreement	03.09.2018

### MAYOR'S / CLERK'S SIGNAGE BLOCK

MAYOR	DATE	SIGNATURE

CLERK	DATE	SIGNATURE

DATE	2022-12-19 6:44:08 AM
SCALE	As indicated
DRAWN	FC
CHECKED	FC/TJB
PROJECT NO.	15-022

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a Designer

Required unless design is exempt under 2.17.5.1 of the building code

Todd Barber 22666  
FULL NAME BCIN SIGNATURE

Required unless design is exempt under 2.17.5.1 of the building code

Forestgreen Creations Inc. 30817  
FULL NAME BCIN SIGNATURE

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## SITE PLAN LEGEND

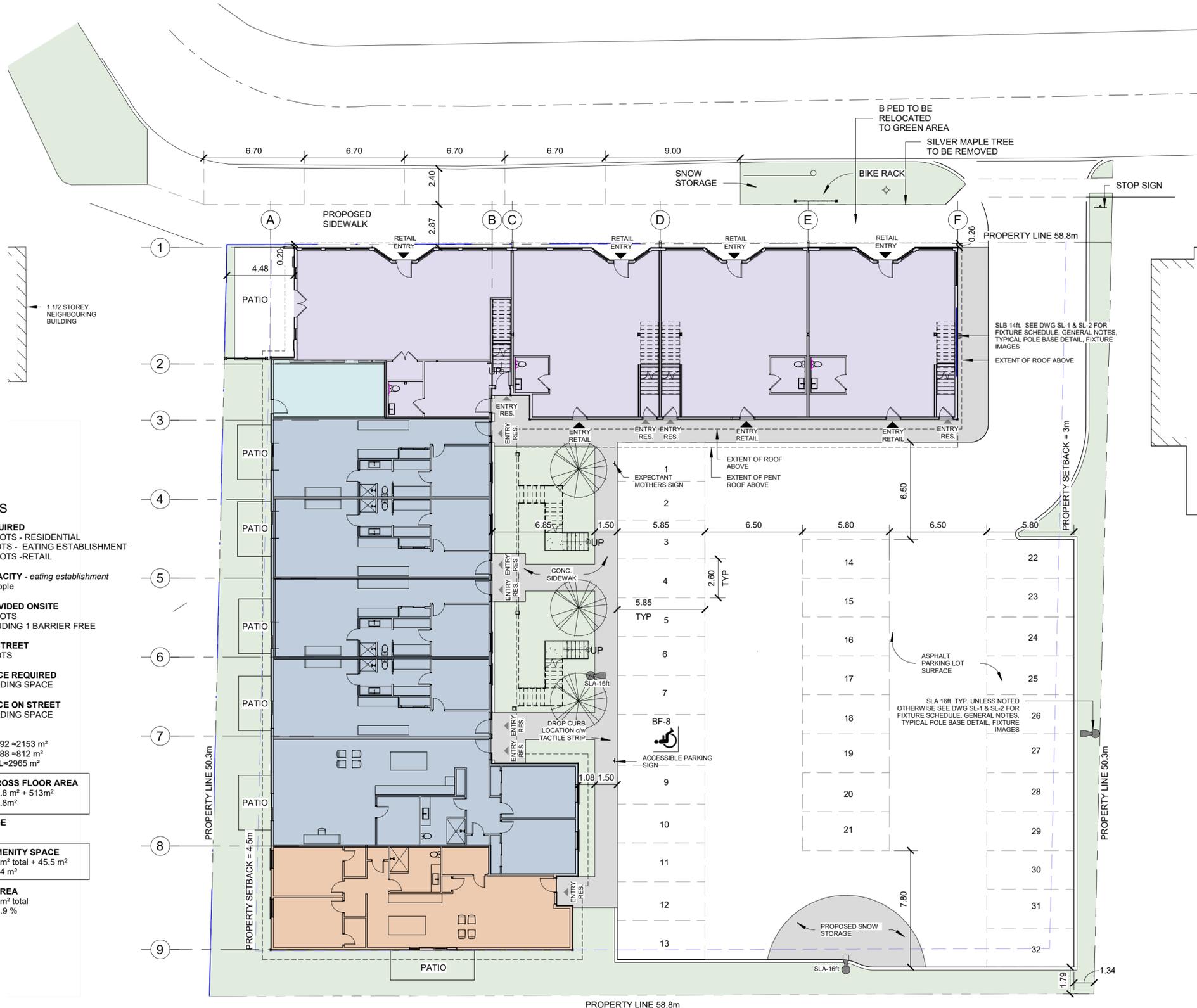
- COMMERCIAL MAIN LEVEL ADDITION W/ RESIDENTIAL ADDITION ABOVE
- MECH./ELECT.
- GROUND FLOOR RESIDENTIAL
- REAR ADDITION TO EXISTING BUILDING
- LANDSCAPE AREA

## BUILDING STATISTICS

- UNIT 1 UPPER LEVEL APARTMENTS ≈ 174.5 m<sup>2</sup> (1878.3 ft<sup>2</sup>)
- UNIT 2 UPPER LEVEL APARTMENT ≈ 114.2 m<sup>2</sup> (1229 ft<sup>2</sup>)
- UNIT 3 UPPER LEVEL APARTMENT ≈ 113.9 m<sup>2</sup> (1226 ft<sup>2</sup>)
- UNIT 4 UPPER LEVEL APARTMENT ≈ 115.3 m<sup>2</sup> (1241 ft<sup>2</sup>)
- UNIT 11-17 PROPOSED ADDITIONAL UPPER LEVEL APARTMENTS ≈ 513 m<sup>2</sup> (5525 ft<sup>2</sup>) total
- UNITS 5,6,7,8 GROUND LEVEL APARTMENTS ≈ 78.4 m<sup>2</sup> (843.8 ft<sup>2</sup>)
- UNIT 9 GROUND LEVEL APARTMENT ≈ 150.7 m<sup>2</sup> (1622 ft<sup>2</sup>)
- UNIT 10 GROUND LEVEL APARTMENT ≈ 130.3 m<sup>2</sup> (1402.5 ft<sup>2</sup>)
- GROUND LEVEL RETAIL SHOPPE 1 ≈ 102.8 m<sup>2</sup> (1106.5 ft<sup>2</sup>)
- GROUND LEVEL RETAIL SHOPPE 2 ≈ 100.6 m<sup>2</sup> (1082.8 ft<sup>2</sup>)
- GROUND LEVEL RETAIL SHOPPE 3 ≈ 102.6 m<sup>2</sup> (1104.4 ft<sup>2</sup>)
- GROUND LEVEL RETAIL SHOPPE 4 ≈ 103.5 m<sup>2</sup> (1114 ft<sup>2</sup>)
- EXISTING BUILDING AREA ≈ 520 m<sup>2</sup>
- FRONT ADDITION BUILDING AREA ≈ 443.86 m<sup>2</sup>
- REAR ADDITION BUILDING AREA ≈ 126.69 m<sup>2</sup>
- TOTAL BUILDING AREA ≈ 1107 m<sup>2</sup>

## SITE STATISTICS

- PARKING REQUIRED: 15 SPOTS - RESIDENTIAL, 6 SPOTS - EATING ESTABLISHMENT, 11 SPOTS - RETAIL
- SEATING CAPACITY - eating establishment: 24 people
- PARKING PROVIDED ONSITE: 32 SPOTS INCLUDING 1 BARRIER FREE
- PARKING ON STREET: 4 SPOTS
- LOADING SPACE REQUIRED: 1 LOADING SPACE
- LOADING SPACE ON STREET: 1 LOADING SPACE
- LOT AREA: LOT 792 ≈ 2153 m<sup>2</sup>, LOT 788 ≈ 812 m<sup>2</sup>, TOTAL ≈ 2965 m<sup>2</sup>
- PROPOSED GROSS FLOOR AREA: ≈ 1623.8 m<sup>2</sup> + 513 m<sup>2</sup> = ≈ 2136.8 m<sup>2</sup>
- LOT COVERAGE: ≈ 37%
- PROPOSED AMENITY SPACE: 440.9 m<sup>2</sup> total + 45.5 m<sup>2</sup> = ≈ 486.4 m<sup>2</sup>
- LANDSCAPE AREA: 680.7 m<sup>2</sup> total ≈ 22.9 %



NOTE: PROPERTY BOUNDARIES REFERENCED FROM KIRKUP, MASCOE URE SURVEYING LTD. PROJECT # 2016-0175 DRAWING FILE: 16-0175-1srpr

## **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)

Assistant 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)

For technical questions, please contact:  
Andrew Edwards, Planner  
905-892-2607 ext. 324 [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.