

THE SEVENTH MEETING OF THE COMMITTEE OF ADJUSTMENT

COMMITTEE ROOM #415
CITY HALL

AUGUST 9, 2018

9:55 a.m. The meeting convened with Mr. David Collins, Chair presiding.

ATTENDANCE

Members

Ms. I. Bowman
Mr. D. Collins, Chair
Mr. R. Hodgkinson

Officials

J. Hindley, Corporate Customer Service Assistant
S. Craig, Senior Planning Technician
C. Peck, Chief Building Official

Others

Luke McLeod, Lafarge Canada Inc.
Eric Miles, agent, Lafarge Canada Inc.
Craig Hansford, owner, 389-393 Talbot Street
Tim Lang, Turriss Holdings Inc.
Anne-Marie Nicli, Elgin Construction

DISCLOSURES OF INTEREST

Nil.

MINUTES

Motion by R. Hodgkinson – I. Bowman:

THAT: The minutes of the meeting held on July 26, 2018 be confirmed.

Carried.

HEARING OF APPLICATIONS

B04/18 - Lafarge Canada Inc. - 104 Gaylord Road

Mr. Miles provided an overview of the requested severance and advised that the severed portion could support a number of industrial uses that would be compatible with surrounding uses, zoning and the provincial policy statement.

Motion by I. Bowman – R. Hodgkinson:

THAT: In the matter of an application by **Lafarge Canada Inc.** for a consent pursuant to Section 53 of the Planning Act, 1990 as amended, to sever lands legally described as **Lot 35, Registered Plan 287**, municipally known as **104 Gaylord Road** in the **CITY OF ST. THOMAS**.

Application B04/18 is hereby **approved** provided that the following conditions are met:

- 1) The Corporation of the City of St. Thomas be provided with a copy of the reference plan;
- 2) The payment of cash-in-lieu of the dedication of 2% of the land for parkland purposes;
- 3) The applicant convey to the City of St. Thomas, at no cost to the City of St. Thomas, and free of all charge and encumbrances, the necessary road widening along Edward Street, to be determined by a legal survey, and to be shown on the reference plan with all legal, surveying, land registration and administrative costs related to the road widening to be borne by the applicant.

Carried.

B05/18 - Dane Moffatt and 2436069 Ontario Ltd. - 389-393 Talbot Street

Mr. Hansford provided an overview of the requested severance, including the proposed work to be completed on the properties and its future commercial use on the ground floor and residential use on the second and third levels.

CONFIRMED _____ CHAIR

The 7th Meeting of the Committee of Adjustment - 2

Mr. Hansford advised that he believes the buildings were separated historically but merged at some point in time. He further advised that the requested severance includes creating right-of-ways within the existing buildings for the purpose of shared secondary emergency fire exits.

The members discussed the future development of the two properties and the reasoning behind the right-of-ways.

The Chief Building Official advised that the creation of the fire exit right-of-ways will allow two means of egress for both properties.

Motion by I. Bowman – R. Hodgkinson:

THAT: In the matter of an application by **Dane Moffatt and 2436069 Ontario Limited** for a consent pursuant to Section 53 of the Planning Act, 1990 as amended, to sever lands legally described as **Lot 2, Registered Plan 37, Lot 2**, municipally known as **387-393 Talbot Street** in the **CITY OF ST. THOMAS**.

Application B05/18 is hereby **approved** provided that the following conditions are met:

- 1) The Corporation of the City of St. Thomas be provided with a copy of the reference plan.

Carried.

UNFINISHED BUSINESS

NEW BUSINESS

B08/17 - Turriss Holdings - 140 Burwell Road

Mr. Lang advised that the Committee approved a consent last year to create an easement for access and control of two existing communications towers. He further advised that when finalizing the survey, it was established that the guy wire points were not included and that it would be better to create an easement for each tower, therefore the requested amendment is to permit two easements.

Motion by I. Bowman – R. Hodgkinson:

THAT: The Committee of Adjustment approves the request from **TURRIS HOLDINGS INC.** relating to **140 BURWELL ROAD** for an amendment related to consent application B08/17 approved by the Committee, to permit two easements on the subject lands as follows:

- 1) A permanent and perpetual easement over part of Lot 21, Plan 287, City of St. Thomas designated as Parts 1, 2, 3, 4 on Reference Plan 11R-10100 for the tower and anchors, together with an access easement over Part of Lot 21, Plan 287, designated as Part 3 on Reference Plan 11R-10100 and an easement for the utility corridor over Part of Lot 21, Plan 287, designated as Part 4 on Reference Plan 11R-10100.
- 2) A permanent and perpetual easement over part of Lot 21, Plan 287, City of St. Thomas designated as Part 5 on Reference Plan 11R-10100 for the tower, together with an access easement over Part of Lot 21, Plan 287, designated as Part 3 on Reference Plan 11R-10100 and an easement for access and the utility corridor over Part of Lot 21, Plan 287, designated as Part 4 on Reference Plan 11R-10100.

Carried.

NEXT MEETING

August 23, 2018 at 10:00 a.m. in Room #415

ADJOURNMENT

Motion by R. Hodgkinson – I. Bowman:

THAT: We do now adjourn. (10:34 a.m.)

Carried.