

THE EIGHTH MEETING OF THE COMMITTEE OF ADJUSTMENT

COMMITTEE ROOM #415
CITY HALL

AUGUST 23, 2018

10:00 a.m. The meeting convened with Mr. David Collins, Chair presiding.

ATTENDANCE

Members

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

Officials

M. Knapp, Assistant Secretary-Treasurer
S. Craig, Senior Planning Technician
C. Peck, Chief Building Official
N. Bokma, Manager of Operations & Compliance

Others

Clare Kielstra, agent, 158 Fairview Avenue

DISCLOSURES OF INTEREST

Nil.

MINUTES

Motion by I. Bowman – R. Hodgkinson:

THAT: The minutes of the meeting held on August 9, 2018 be confirmed.

Carried.

HEARING OF APPLICATIONS

A06/18 - Theresa Meehan - 158 Fairview Avenue

Mr. Kielstra stated that the existing two car garage would be converted to a living space and the proposed new addition would be used as a garage.

The Senior Planning Technician stated that when the house was constructed in 1956 the lot was an interior lot, however when Aldborough Avenue was constructed in 1974 the lot became a corner lot. The existing house is 1.89m from the exterior side lot line and is legal-non complying. The by-law permits an existing building to be enlarged or reconstructed, provided that the enlargement or reconstruction does not further reduce any by-law requirement. The house is setback 1.89m from the exterior side lot line; however the house is not perpendicular to the lot line. The applicant is requesting a minor variance to permit the addition to be located 27.2 inches closer to the exterior side lot line than the house.

The Manager of Operations and Compliance stated that to avoid future drainage problems, the applicant would have to submit an engineering report with a pre and post inspection of the retaining wall.

The members discussed the fact that the existing garage is already 1.89m from the exterior side lot line and the fact that it is close to the retaining wall already. They suggested altering the addition so that it keeps with the original lot line.

Mr. Kielstra stated that he would have to discuss this option with the applicant.

The members asked if any of the existing trees on the property would be affected.

Mr. Kielstra stated that none of the existing trees on the property would be affected by the addition.

The Senior Planning Technician reviewed the purpose of the second variance and the Committee agreed to approve the variance to recognize the location of the existing residential dwelling 1.89m from the exterior side lot line.

The members asked that Mr. Kielstra come back to the Committee on September 27th with revised plans for the minor variance regarding the addition. If the revised plans are within the existing side lot line, Committee of Adjustment approval is not required however an engineering report and building permit is still required.

CONFIRMED _____ CHAIR

The 8th Meeting of the Committee of Adjustment - 2

Motion by I. Bowman - R. Hodgkinson:

THAT: Application A06/18 by **Theresa Meehan**, on lands that may be legally described as **Concession 7, Part of Lot 7** for a minor variance pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, as amended, on lands municipally known as **158 Fairview Avenue** in the City of St. Thomas, Ontario be approved as follows:

- (i) To recognize the location of the existing residential dwelling 1.89m from the exterior side lot line.

This application is granted because in the opinion of the Committee the application will meet the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and is desirable and appropriate for the use of the lands, thereby satisfying the four tests as set out in Section 45 of the Planning Act.

UNFINISHED BUSINESS

NEW BUSINESS

NEXT MEETING

September 27, 2018 at 10:00 a.m. in Room #415

ADJOURNMENT

Motion by R. Hodgkinson – I. Bowman:

THAT: We do now adjourn. (10:35 a.m.)

Carried.