

**THE TENTH MEETING OF THE COMMITTEE OF ADJUSTMENT**

**COMMITTEE ROOM #415**  
**CITY HALL**

**OCTOBER 11, 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

Others

Audrey MacDonald, owner, 40909 Major Line  
Clare Kielstra, Hayhoe Homes  
Barbara Feairs, owner, 180 Fifth Avenue  
Dennis & Charlotte Kilmer, 9725 Sunset Drive

**DISCLOSURES OF INTEREST**

Nil.

**MINUTES**

Motion by I. Bowman - R. Hodgkinson:

THAT: The minutes of the meeting held on September 27, 2018 be confirmed.

Carried.

**HEARING OF APPLICATIONS**

A07/18 - William and Barbara Feairs - 180 Fifth Avenue

Ms. Feairs gave the members a few photos of the current and proposed porch.

The Senior Planning Technician stated that there was a typo on the original planning report and that the application is to permit a 1.78m x 9.64m covered, unenclosed porch a minimum of 2.44m from the front lot line.

The members asked if any services would be impacted by the minor variance.

The Chief Building Official stated that the Environmental Services Department had commented that no services would be impacted by the minor variance and they had no issues with the application.

The members asked if the new porch would be closer to the existing tree.

Ms. Feairs stated that the new porch would be the same distance away from the existing tree because the step was being removed.

The members asked where the eaves trough would be located.

Ms. Feairs stated that the eaves trough would be located on the right side of the driveway, not where the driveway is.

Motion by I. Bowman - R. Hodgkinson:

THAT: Application A07/18 by William and Barbara Feairs, on lands that may be legally described as Registered Plan 235, Lot 103 for a minor variance pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, as amended, on lands municipally known as 180 Fifth Avenue in the City of St. Thomas, Ontario be approved as follows:

- (i) To permit a 1.78m x 9.64m covered, unenclosed porch a minimum of 2.44m from the front lot line, substantially as shown on the plans accompanying the subject application.

This application is granted because in the opinion of the Committee the application will meet the

CONFIRMED \_\_\_\_\_ CHAIR

The 10th Meeting of the Committee of Adjustment - 2

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.

A08/18 - Chuck Vint & Audrey MacDonald - 40909 Major Line

Ms. MacDonald stated that the application was for constructing a single detached home with garage on the property.

The members asked if there were any services on the property.

The Senior Planning Technician stated that the subject lands were brought into the City as part of the mutual boundary adjustment with the Township of Southwold in 1995. He stated that when the lands were in Southwold the construction of a new house would have been permitted on a well and septic system.

The members asked about the Council resolution.

The Senior Planning Technician stated that if the minor variance was approved, a resolution would have to be obtained from Council in support of a building permit on the subject lands.

The members suggested the phragmites plants being removed from the property so that they don't spread anymore.

Mr. and Mrs. Kilman stated that they had no concerns with the construction of a house, they were only concerned with the natural wetland and habitat for many animals.

The members mentioned that the letter contained in the Planning Report from the Ministry of Natural Resources and Forestry states that there are no concerns with the construction of a house on the subject lands.

Ms. MacDonald stated that it was her intent to keep the property as natural as possible and to enjoy the wetlands as they are.

The members mentioned they had also received a letter from the Kettle Creek Conservation Authority with no concerns for the subject application.

Motion by I. Bowman - R. Hodgkinson:

THAT: Application A08/18 by Chuck Vint and Audrey MacDonald, on lands that may be legally described as Concession NTRE, Part Lot 45, Registered Plan 11R-2960, Part 3 for a minor variance pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, as amended, on lands municipally known as 40909 Major Line in the City of St. Thomas, Ontario be approved as follows:

- (ii) To permit the construction of one single detached dwelling and one garage on the lot, subject to the following conditions:
- A resolution from Council in support of a building permit on the subject lands;
  - The owners obtain the services of a qualified professional to provide confirmation that the subject lands are capable of supporting the private on-site services, to the satisfaction of the City of St. Thomas;
  - The location of the dwelling and garage are subject to the approval of the City of St. Thomas;
  - The owners obtain the services of a qualified professional to implement the recommendations of the Ministry of Natural Resources and Forestry (MNRF), outlined in the letter (AYL-L-123-18) prepared by the MNRF, dated August 13, 2018;
  - The owners obtain the services of a qualified professional to implement the recommendations of the Leonard + Associates in Landscape Architecture, outlined in the October 2017 Issue Scoping Report (ISR), and letter dated August 29, 2018;
  - The owners enter into an agreement with the City of St. Thomas requiring the connection to municipal services at such time when it becomes available.

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**

To be determined.

**ADJOURNMENT**

Motion by R. Hodgkinson – I. Bowman:

THAT: We do now adjourn. (10:29 a.m.)

Carried.