

THE SIXTH MEETING OF THE COMMITTEE OF ADJUSTMENT

BY TELECONFERENCE

APRIL 15TH, 2021

10:00 a.m. The meeting convened.

ATTENDANCE

Members

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

Officials

J. Hindley, Assistant Secretary-Treasurer
S. Craig, Senior Planning Technician
C. Peck, Chief Building Official

Others

William Pol, Agent, 295 Wellington Street
Heather Harris, Clippity Clop Ice Cream Shoppe
Carson Harris, Clippity Clop Ice Cream Shoppe
Councillor Jim Herbert

DISCLOSURES OF INTEREST

Nil.

MINUTES

Motion by I. Bowman - R. Hodgkinson:

THAT: The minutes of the meeting held on April 8th, 2021 be confirmed.

Carried.

HEARING OF APPLICATIONS

A02/21 – Home Hardware Stores Ltd. – 295 Wellington Street

Ms. Heather Harris, Clippity Clop Ice Cream Shoppe provided an overview of the food kiosk trailer. She advised that the tongue and licence plate would be removed while in operation at 295 Wellington Street for the season and that the trailer would be removed during the winter months.

Ms. Harris advised that although the new business licensing by-law is not yet in effect, she has submitted her application for a licence for the food kiosk. She further advised that an application had been submitted to Southwestern Public Health and that a fire inspection had been scheduled for this afternoon.

The members discussed the draft business licensing by-law and the general direction City Council is moving toward.

Mr. William Pol, Agent, 295 Wellington Street expressed concern about the proposed condition that the variance should lapse on a specific date.

The members discussed approving the minor variance with an additional condition of requiring the tongue and licence plate on the trailer to be removed while in operation.

Motion by I. Bowman - R. Hodgkinson:

THAT: Application A02-21 by **Home Hardware Stores Ltd.** on lands that may be legally described as **Plan 65 Pt Res For Shops, Registered Plan 11R1668, Parts 1 and 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 **295 Wellington Street** in the City of St. Thomas, Ontario be approved as follows:

- (i) To permit a food kiosk on the subject lands, for the preparation and sale of ice cream, without municipal services, whereas Subsection 16.3 of the City of St. Thomas Zoning By-law provides that no building or structure in the C5 zone shall be erected or used for any purpose permitted by subsection 16.1 unless the following municipal services are available to service the building or structure and the land on which it is situate:
 - i) a water supply system; and
 - ii) a sanitary sewage system and storm sewage system, subject to the following conditions:

The 6th Meeting of the Committee of Adjustment - 2

- 1) Clippity Clop Ice Cream Shoppe shall provide confirmation from Southwestern Public Health and the St. Thomas Fire Department, certifying that their business operation has satisfied all requirements to operate, to the satisfaction of the Corporation of the City of St. Thomas;
- 2) Clippity Clop Ice Cream Shoppe shall provide proof of insurance, to the satisfaction of the Corporation of the City of St. Thomas;
- 3) Approval of Minor Variance Application A02-21 shall lapse on December 31, 2021; and,
- 4) The tongue and licence plate be removed from the food kiosk trailer while in operation at the site.

This application is granted because in the opinion of the Committee such variance is minor and is an appropriate use of the land, building or structure and the general intent and purpose of the Official Plan and Zoning By-Law are maintained.

Carried.

UNFINISHED BUSINESS

NEW BUSINESS

NEXT MEETING

The next meeting is scheduled to take place on April 22, 2021 at 10:00 a.m.

ADJOURNMENT

10:18 a.m. The meeting adjourned.