

THE TWELVTH MEETING OF THE COMMITTEE OF ADJUSTMENT

BY TELECONFERENCE

AUGUST 12TH, 2021

10:00 a.m. The meeting convened.

ATTENDANCE

Members

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

Officials

J. Hindley, Assistant Secretary-Treasurer
S. Craig, Senior Planning Technician
J. Yolkowskie, Senior Building Inspector

Others

Derik Ouellet, 92 Woodworth Avenue
Helen Button, Agent, 58 First Avenue

DISCLOSURES OF INTEREST

Nil.

MINUTES

Motion by R. Hodgkinson - I. Bowman:

THAT: The minutes of the meeting held on June 24th, 2021 be confirmed.

Carried.

HEARING OF APPLICATIONS

A11/21 - Michelle and Derik Ouellet - 92 Woodworth Avenue

Mr. Derik Ouellet, 92 Woodworth Avenue provided an overview of the Minor Variance application.

Motion by R. Hodgkinson - I. Bowman:

THAT: Application A11-21 by **Michelle and Derik Ouellet** on lands that may be legally described as **PLAN 59 PT LOT 157** for a minor variance pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, as amended, on lands municipally known as **92 Woodworth Avenue** in the City of St. Thomas, Ontario be approved as follows:

- (i) To permit an accessory building with a maximum height of 5.63m, whereas Subsection 4.2.4.8 of the Zoning By-Law permits a maximum height of 4m for an accessory building.
- (ii) To permit an enclosed accessory building with a floor area of 133.78sqm, whereas Table 1 to Subsection 7.4, Item Number 6, Column 2 of the Zoning By-Law provides that the maximum floor area of an enclosed accessory building be the lesser of 15% (229.06m²) of the lot area (1,527.05m²) or 67m²; subject to the following condition:

1) The construction of the accessory building be substantially in accordance with the plans accompanying the subject application.

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.

A12/21 - Jason Lidster and Belinda Lidster - 58 First Avenue

Ms. Helen Button, Agent, 58 First Avenue provided an overview of the concurrent Minor Variance and Consent applications.

The members inquired about the sewer easement and whether it would affect parking.

The Senior Planning Technician advised that the easement would be located on the east side of the property for a buried sewer line and that parking would not be affected.

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Motion by R. Hodgkinson - I. Bowman:

THAT: Application A12-21 by **Jason Lidster and Belinda Lidster** on lands that may be legally described as **PLAN 238 LOT 9 TO 10** for a minor variance pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, as amended, on lands municipally known as **58 First Avenue** in the City of St. Thomas, Ontario be approved as follows:

- (iii) To permit a lot frontage of 13.35m for a duplex dwelling, whereas Table 1 to Subsection 7.4, Column 4, Item Number 2 requires a minimum lot frontage of 15m for a duplex dwelling.
- (iv) To recognize the location of the existing lawful non-conforming building, as shown on the Plan of Survey prepared by AGM, dated June 18, 2020, and accompanying the subject application.

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.

B09/21 - Jason Lidster and Belinda Lidster - 58 First Avenue

Motion by R. Hodgkinson - I. Bowman:

THAT: In the matter of an application by **Jason Lidster and Belinda Lidster** for a consent pursuant to Section 53 of the Planning Act, 1990 as amended, to sever lands legally described as **PLAN 238 LOT 9 TO 10** municipally known as **58 First Avenue** in the City of St. Thomas.

Application B09/21 is hereby approved provided that the following conditions are met:

- 1) The applicants 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 First Avenue, 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 applicants;
- 2) The severed portion of the subject lands be merged with Lot 10, Registered Plan 238;
- 3) That Subsection 3 or 5 of Section 50 of the Planning Act, R.S.O., 1990, as amended shall apply to any subsequent conveyance or transaction involving the subject lands;
- 4) The solicitor for the applicant is to provide an undertaking, whereby they inform the Committee in writing, that the lands are being conveyed to an abutting property owner and thus a merger of title will take place, which merger shall include all interests held inclusive or mortgagee's interest;
- 5) The solicitor for the applicant shall undertake in writing to provide a copy of a registered application for consolidation of parcels, confirming the severed land and abutting lands of the transferee are described under one parcel identification number; and
- 6) The Corporation of the City of St. Thomas be provided with a copy of the Reference Plan.

Carried.

UNFINISHED BUSINESS

NEW BUSINESS

Moment of Silence - David Collins

The members observed a moment of silence upon the recent passing of Committee of Adjustment member David Collins.

NEXT MEETING

To Be Determined.

ADJOURNMENT

10:18 a.m. The meeting adjourned.