

THE SECOND MEETING OF THE COMMITTEE OF ADJUSTMENT

VIA ZOOM

JANUARY 26, 2023

10:01 a.m. The meeting convened.

ATTENDANCE

Members

Ms. I. Bowman, Chair
Mr. M. Herbert
Mr. R. Lenz

Officials

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

Others

Lindsay Rice, 10 Drake Street
Nicole McDowell, Agent, 10 Drake Street
Kristin Barrett, Agent, 10 Drake Street
Dave McCormick, Elgin Theatre Guild
Barry Darbyshire, Agent, Elgin Theatre Guild

DISCLOSURES OF INTEREST

Nil.

MINUTES

Motion by M. Herbert - R. Lenz:

THAT: The minutes of the meeting held on January 12th, 2023 be confirmed.

Carried.

HEARING OF APPLICATIONS

A17/22 - Dane & Lindsay Rice - 10 Drake Street

Ms. Nicole McDowell, Agent, 10 Drake Street provided an overview of the minor variance application.

Motion by R. Lenz - M. Herbert:

THAT: Application A17-22 by **Dane & Lindsay Rice** on lands that may be legally described as **PLAN 23 PT LOT 1 PT LOT 2 S/S DRAKE E/S ISABEL** for a minor variance pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, as amended, on lands municipally known as **10 Drake Street** in the City of St. Thomas, Ontario be approved as follows:

- (i) To permit a two-storey addition 8.6m from the rear lot line, whereas the R3 zone requires a minimum rear yard depth of 9m (Table 1 to Subsection 7.4, Item No. 10, Column No. 2).
- (ii) To permit an uncovered deck and deck steps a minimum of 4.7m from the rear lot line, whereas the R3 zone requires a deck, including deck stairs to be setback a minimum of 6.5m from the rear lot line (Table 1 to Subsection 7.4, Item No. 10, Column No. 2 requires a minimum rear yard depth of 9m and Subsection 4.2.2 of the General Provisions Applicable to Residential zones permits a deck, stoop, steps, or porch which is covered or uncovered, and not wholly or partially enclosed to project into a required rear yard up to a maximum of 2.5m).

This application is granted subject to:

1. The construction of the two-storey addition and uncovered deck and deck steps be substantially in accordance with the plans accompanying the subject application

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.

The 2nd Meeting of the Committee of Adjustment - 2

A18/22 - Elgin Theatre Guild - 40 Princess Avenue

Mr. Barry Darbyshire, Agent, Elgin Theatre Guild provided an overview of the minor variance application.

Motion by Councillor R. Lenz - M. Herbert:

THAT: Application A18-22 by **Elgin Theatre Guild** on lands that may be legally described as **PLAN 3, BLK D, LOT 1** for a minor variance pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, as amended, on lands municipally known as **40 Princess Avenue** in the City of St. Thomas, Ontario be approved as follows:

(iii) To permit the construction of a barrier-free access ramp on the subject lands, as shown on the plans accompanying the application, whereas the R4-11 zone (8.5.11) does not contain regulations for the expansion of buildings or structures for the uses permitted under 8.5.11(b).

This application is granted subject to:

2. The construction of the barrier-free access ramp be substantially in accordance with the plans accompanying the subject application

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

To be determined.

ADJOURNMENT

10:13 a.m. The meeting adjourned.