

**THE THIRD MEETING OF THE COMMITTEE OF ADJUSTMENT**

**VIA ZOOM**

**MARCH 23, 2023**

2:00 p.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

Deren Lyle, Agent, 21 Fairview Avenue  
Trevor Benjamins, Agent, 21 Fairview Avenue  
Shelley Summers, 111 Ross Street

**DISCLOSURES OF INTEREST**

Nil.

**MINUTES**

Motion by R. Lenz - I. Bowman:

THAT: The minutes of the meeting held on January 26th, 2023 be confirmed.

Carried.

**HEARING OF APPLICATIONS**

A01/23 - Prespa Construction Limited - 21 Fairview Avenue

Mr. Trevor Benjamins, Agent, 21 Fairview Avenue provided an overview of the minor variance application.

The members inquired about parking at the property.

Mr. Benjamins advised that the revised plans increase the number of parking spaces compared to what was originally proposed.

Mr. Deren Lyle, Agent, 21 Fairview Avenue advised that an updated traffic impact assessment was also completed.

The members noted the comments received from Entegrus advising that the developer would need to maintain clearances from the overhead lines in the area and would need to consider how to maintain these clearances during the construction of the building.

Motion by R. Lenz - I. Bowman:

THAT: Application A01-23 by **Prespa Construction Limited** on lands that may be legally described as **PLAN 270 PT LOT 195** for a minor variance pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, as amended, on lands municipally known as **21 Fairview Avenue** in the City of St. Thomas, Ontario be approved as follows:

- (i) To permit a daylight corner setback of 0.78m, whereas Subsection 7.5.115 (d) of the Zoning By-law requires a minimum 1.6m daylight corner setback;
- (ii) To permit a maximum building height of 14m, whereas Subsection 7.5.115(g) of the Zoning By-law requires a maximum building height of 12.5m;
- (iii) To permit 30 dwelling units, whereas Subsection 7.5.115(h) of the Zoning By-law permits a maximum of 29 dwelling units;
- (iv) To permit a maximum lot coverage of 70%, whereas Subsection 7.5.115(i) of the Zoning By-law permits a maximum lot coverage of 62%;

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(v) To permit a maximum roof area of 75%, whereas Subsection 7.5.115(j) of the Zoning By-law permits a maximum roof area of 62%

This application is granted subject to:

1. The construction of the apartment dwelling be substantially in accordance with the plans (Site Plan and Elevation Plan) 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.

B01/23 - Shelley Summers - 111 Ross Street and 157 Wellington Street

Ms. Shelley Summers, 111 Ross Street provided an overview of the consent application.

Motion by R. Lenz - M. Herbert:

THAT: In the matter of an application by **SHELLEY SUMMERS** for a consent pursuant to Section 53 of the Planning Act, 1990 as amended, to sever lands municipally known as **111 ROSS STREET AND 157 WELLINGTON STREET** legally described as **PLAN 76 PT LOTS 6, 7, 8** in the City of St. Thomas.

Application B01/23 is hereby approved provided that the following conditions are met:

- 1) The Corporation of the City of St. Thomas be provided with a copy of the Reference Plan.

Carried.

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**NEXT MEETING**

The next meeting is scheduled to take place on April 13, 2023 at 10:00 a.m.

**ADJOURNMENT**

2:13 p.m. The meeting adjourned.