

THE NINTH MEETING OF THE COMMITTEE OF ADJUSTMENT

VIA ZOOM

AUGUST 24, 2023

10:01 a.m. The meeting convened.

ATTENDANCE

Members

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

Officials

A. Basit, Assistant Secretary-Treasurer  
S. Craig, Senior Planning Technician

Absent

Mr. R. Lenz

DISCLOSURES OF INTEREST

Nil.

MINUTES

Motion by Bowman - Herbert:

THAT: The minutes of the meeting held on July 27, 2023 be confirmed.

Carried.

HEARING OF APPLICATIONS

B06-23 - Catherine Ruth Trudgeon and Paul Frank Hurlbut - 9520 Sunset Drive

Joe Hayhoe, 9520 Sunset Drive provided an overview of the consent application.

Motion by Bowman - Herbert:

THAT: In the matter of an application by **Catherine Ruth Trudgeon and Paul Frank Hurlbut** for a consent pursuant to Section 53 of the Planning Act, 1990 as amended, to sever lands municipally known as **9520 Sunset Drive** legally described as **CON NTRE PT LOT 45 RP 11R1985 PART 1** in the City of St. Thomas.

Application B06/23 is hereby approved provided that the following conditions are met:

- i) the City of St. Thomas be provided with a copy of the Reference Plan

Carried.

A09-23 - Catherine Ruth Trudgeon - 9520 Sunset Drive

Joe Hayhoe, 9520 Sunset Drive provided an overview of the minor variance application.

Motion by Bowman - Herbert:

THAT: Application A09-23 by **Catherine Ruth Trudgeon** on lands that may be legally described as **CON NTRE PT LOT 45 RP 11R1985 PART 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 **9520 Sunset Drive** in the City of St. Thomas, Ontario be approved as follows:

- i) To permit a single detached dwelling, detached garage containing a second storey additional residential unit and swimming pool to be erected and used on private services (well and septic system), whereas Subsection 5.5.17(d) provides that no building or structure shall be erected or used for any purpose unless the following municipal services are available to service the building or structure and the land on which it is situate, a water supply system, sanitary sewage system and a storm system.

CONFIRMED \_\_\_\_\_

CHAIR

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- ii) To permit an additional residential unit (ARU) on private services (well and septic system), whereas Subsection 4.2.11.3 (d) of the Zoning By-law provides that an additional residential unit shall not be permitted unless full municipal sanitary services and municipal piped water services are available to service the additional residential unit.
- iii) To permit an additional residential unit in a detached accessory structure with a maximum building height of 8m, whereas Subsection 4.2.11.4(c) of the Zoning By-law permits a maximum building height of 4m.

Subject to the following conditions:

- 1) the proponent of development obtains the services of a qualified professional to implement the recommendations for mitigation in the Issues Scoping Report (ISR) prepared by Vroom & Associates, dated July, 2023;
- 2) the proponent of development enters into an agreement with the City of St. Thomas requiring the connection to municipal services at such time when it becomes available;
- 3) the proponent of development obtains a permit from the Kettle Creek Conservation Authority (KCCA), prior to any alteration or development on the lot.

Carried.

B04-23 - BRAAM's Woodcraft Inc. - 10 Ontario Road

David Looby, 10 Ontario Road provided an overview of the consent application.

Motion by Bowman - Herbert:

THAT: In the matter of an application by **BRAAM's Woodcraft Inc.** for a consent pursuant to Section 53 of the Planning Act, 1990 as amended, to sever lands municipally known as **10 Ontario Road** legally described as **PLAN 287 PT LOT 6 PLAN ER5 PARTS 1 2 3** the City of St. Thomas.

Application B04/23 is hereby approved provided that the following conditions are met:

- 1) The applicant conveys to the Corporation of the City of St. Thomas, free of all costs a road widening along Edward Street;
- 2) The proponent of development of the severed lands enters into a development agreement with the City of St. Thomas;
- 3) The payment of cash-in-lieu of the dedication of 2% of the land for parkland purposes;
- 4) the applicant provide confirmation that the severed and retained lots have separate services, to the satisfaction of the City of St. Thomas, Manager of Development and Compliance; and
- 5) That the City of St. Thomas be provided with a copy of the Reference Plan.

Carried.

A08-23 - Doug Tarry Limited - Highview Drive

Trevor Benjamins, Doug Tarry Limited provided an overview of the minor variance application.

Motion by Bowman - Herbert:

THAT: Application A08-23 by **Doug Tarry Limited** on lands that may be legally described as **Plan 270, Part Lots 190 and 191, RP11R-3825, Parts 3 to 6** for a minor variance pursuant to Section 45(1) of the Planning Act, R.S.O. 1990, as amended, on lands municipally known as **Highview Drive** in the City of St. Thomas, Ontario be approved as follows:

- i) To permit a minimum of 88 parking spaces, whereas Subsection 10.5.1(e) of the Zoning By-law requires a minimum of 113 parking spaces.

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- ii) To permit the modification of the “BUILDING AREA” identified on SPECIAL ZONING MAP 18-9 of the City of St. Thomas Zoning By-law 50-88.”

Carried.

B05-23 - Elgin County Railway Museum - 225 Wellington Street

Tracy Tucker, Doug Tarry Limited gave an overview of the consent application.

The members inquired whether the current placards on the property represent a realistic plan for the subject lands.

Barry Fitzgerald, Elgin County Railway Museum advised that the placards are obsolete and that Elgin County Railway Museum would be removing them.

The Chair asked whether any members of the public had any questions.

Nancy Mayberry, 7 Cook Crescent inquired about restrictive covenants affecting the lands.

The Senior Planning Technician provided an overview of restrictive covenants and advised that to his knowledge, there were no restrictive covenants on title to this property.

Wendy Hepburn, 49 Barnes Street expressed concern about the potential of high-rise buildings on the subject lands.

Ed Van Der Maarel, 34 Warbler Heights expressed concern about residential development of this area and suggested that further study and planning take place prior to development of the area.

Rob Sterne, 90 Huxley Street expressed concern regarding sufficiency of outdoor space and parking areas for the Elgin County Railway Museum.

Carl Lawrence, 12 Jonas Street expressed concern regarding limited play areas for children in the downtown area.

Robert Weare, 114 Southgate Parkway expressed concern about rail access to the Elgin County Railway Museum building.

Tracy Tucker, Doug Tarry Limited advised rail access would be maintained and would be included in an agreement with the Elgin County Railway Museum.

Drew Jolliffe, 2342 Trafalgar Street advised that he objected to the proposed severance and development.

The Senior Planning Technician advised that the consent was for a land assembly for future development which would require additional planning approvals, including official plan and zoning by-law amendments, and site plan control for which various supporting documents would be required as part of the approvals. He further advised that input from the public and other bodies would take place prior to Council approval.

Mr. Van Der Maarel suggested that a master plan be considered before proceeding with the severance.

Motion by Bowman - Herbert:

THAT: In the matter of an application by **Elgin County Railway Museum Inc.** for a consent pursuant to Section 53 of the Planning Act, 1990 as amended, to sever lands municipally known as **225 Wellington Street** legally described as **PLAN 43 PT LOTS 1 6 AND 7 S TALBOT ST PLAN 65 PT BLK** in the City of St. Thomas.

Application B05/23 is hereby approved provided that the following conditions are met:

- i) The applicant and/or proponent of redevelopment demonstrates that the severed lot has acquired sufficient frontage on an existing public road that is or will be developed to accepted municipal standards, to the satisfaction of the Corporation of the City of St. Thomas;

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- ii) The applicant and/or proponent of redevelopment remove the existing concrete ramp that crosses the common lot line between the severed and retained lot, to the satisfaction of the Corporation of the City of St. Thomas;
- iii) The applicant and/or proponent of redevelopment submit an application for consent to make alterations under the Ontario Heritage Act, to the satisfaction of the Corporation of the City of St. Thomas; and
- iv) That the Corporation of the City of St. Thomas be provided with a copy of the Reference Plan.

Carried.

**UNFINISHED BUSINESS**

**NEW BUSINESS**

**NEXT MEETING**

To be determined.

**ADJOURNMENT**

11:01 a.m. The meeting adjourned.