



Minutes

Committee of Adjustment

December 18, 2019

6:00 pm

Municipal Operations Centre
408 James Street South, St. Marys

Members Present: Dr. James Loucks (Acting Chair)
Paul King
Stephen Glover

Members Absent: Steve Cousins
Bill Galloway

Staff Present: Mark Stone, Planner
Grant Brouwer, Director of Building & Development
Morgan Dykstra, Recording Secretary

Others Present: Scott Taylor, Applicant
Don Evans, Applicant
Larry Ford, Applicant
Barb Ford, Applicant
Doug Reaume, Agent for Larry and Barb Ford

1. CALL TO ORDER

In the absence of the Chair and Vice-Chair the Committee decided that Dr. James Loucks would act as Chair for the December 18th meeting.

Acting Chair Dr. Loucks called the meeting to order at 6:01 pm.

2. DECLARATION OF PECUNIARY INTEREST

None declared.

3. AMENDMENTS AND APPROVAL OF AGENDA

Moved By Paul King

Seconded By Stephen Glover

THAT the December 18, 2019 Committee of Adjustment agenda be accepted as presented.

CARRIED

4. ACCEPTANCE OF MINUTES

Moved By Paul King

Seconded By Stephen Glover

THAT the August 7, 2019 Committee of Adjustment minutes be approved and signed by the Chair and the Secretary / Treasurer.

CARRIED

5. REPORTS

5.1 Consent to Sever Application (File B05-2019) by McLean Taylor Construction Limited 478 Water Street South, Part of Lot 35, Thames Concession, Parts 1, 2 and 3, Plan 44R-5588, Town of St. Marys

Mark Stone provided an overview of the planning application to the Committee. Mr. Stone distributed correspondence received from Votorantim Cimentos.

Acting Chair Dr. Loucks asked the applicant if they wished to speak to the application.

The applicants, Scott Taylor and Don Evans stated they have no comments.

Acting Chair Dr. Loucks asked the Committee if they had any questions.

Paul King commented that a road widening is not required.

Stephen Glover had no questions.

Grant Brouwer asked the public if they have any questions.

Delmer Thompson, the owner of the adjacent property at 466 Water St. S, inquired who will own the lot nearest to 466 Water St. S if the consent to sever application is approved.

Scott Taylor responded that McLean Taylor Construction Ltd. will retain ownership of the northerly lot. Scott Taylor further advised that there is an agreement for sale for the southerly lot.

Delmer Thompson stated that a road widening should be considered.

Mark Stone responded that the Town already owns the road allowance lands fronting the subject property and a road widening or other improvements could be accommodated if needed in the future.

Delmer Thompson further inquired about the development process.

Mark Stone advised that if either property is to be developed, approval of a site plan application will first be required, during which the Town could require infrastructure improvements.

Grant Brouwer advised that if Mr. Thompson has further development questions, he can contact the Town or the Applicant.

Acting Chair Dr. Loucks asked if there were any further questions from the public or the Committee. There were no further questions.

Stephen Glover read the recommendation as outlined in the staff report.

Moved By Stephen Glover

Seconded By Paul King

THAT the Application for Consent to Sever by McLean Taylor Construction Limited (Application No. B05-2019) affecting a parcel of land described as 478 Water South, Part of Lot 35, Thames Concession, Parts 1, 2 and 3, Plan 44R-5588 in the Town of St. Marys for the purpose of severing a lot into two lots be **APPROVED** as the severance proposal conforms to the policies of the Official Plan, subject to the following conditions:

- The Certificate of the Official must be issued by the Secretary-Treasurer for Committee of Adjustment within a period of one year from the date of the mailing of the Notice of Decision;
- Confirmation from the Town's Treasury Department that their financial requirements have been met;

- The Committee be provided with a description that is consistent with the application and equal to that required for registration of a deed/transfer or other conveyance of interest in land under the provisions of the Registry Act or Land Titles Act; and,
- Confirmation be received from the solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer.

CARRIED

5.2 Consent to Sever and Minor Variance Applications (Files B06-2019 and A07-2019) by Barbara and Larry Ford, 43 and 53 Thomas Street, Registered Plan 235, Lots 5-8, Town of St. Marys

Mark Stone provided an overview of the planning applications to the Committee.

Mark Stone advised that a typo was made in the original recommendation and should read that the "minimum required under Section 11.2.4 of the Zoning By-law is 6.0 metres."

Acting Chair Dr. Loucks asked the applicant if they wished to speak to the application.

Doug Reaume, speaking as the applicant's agent, addressed the Committee reiterating that the proposed lot line is between the existing garage and shed. The original PIN for the second property indicates that the property lines would intersect the garage.

Stephen Glover asked if the 37 metres indicated on the severance sketch is the width of the front lot line of the proposed retained lot.

Doug Reaume confirmed it is.

Stephen Glover commented that there is a stake on the property, and asked if the stake is related to the proposed severance.

Doug Reaume responded that the stake is not related to the proposed severance.

The owner, Barb Ford, indicated that she and her husband, Larry Ford, were unaware that the second property had both names registered on title.

Stephen Glover noted that part of the property is in the river flats.

Doug Reaume responded that the river has encroached upon the original property lines.

Acting Chair Dr. Loucks inquired if the Committee had any final questions.

The Committee had no further questions.

Committee member Paul King read the recommendation.

Moved By Paul King

Seconded By Stephen Glover

THAT the Application for Minor Variance by Barbara and Larry Ford (Application No. A07-2019) affecting a parcel of land described as 43 and 53 Thomas Street, Registered Plan 235, Lots 5-8 in the Town of St. Marys to permit a:

- minimum front yard of 0.7 metres (Severed Lot) and 4.4 metres (Retained Lot) whereas the minimum front yard under Section 11.2.4 of the Zoning By-law is 6.0 metres

be **APPROVED** as the request conforms to the general intent and purpose of the Official Plan and the Zoning By-law, is considered minor in nature, and is desirable for the appropriate development or use of the subject property, subject to the following condition:

- This approval is granted only to the nature and extent of this application being relief to permit a minimum front yard of 0.7 metres (Severed Lot) and 4.4 metres (Retained Lot) whereas the minimum required under Section 11.2.4 of the Zoning By-law is 6.0 metres.

THAT the Application for Consent to Sever by Barbara and Larry Ford (Application No. B06-2019) affecting a parcel of land described as 43 and 53 Thomas Street, Registered Plan 235, Lots 5-8 in the Town of St. Marys for the purpose of severing a lot into two lots be **APPROVED** as the severance proposal conforms to the policies of the Official Plan, subject to the following conditions:

- That the Certificate of the Official must be issued by the Secretary-Treasurer for Committee of Adjustment within a period of one year from the date of the mailing of the Notice of Decision;

- Confirmation from the Town's Treasury Department that their financial requirements have been met;
- The Committee be provided with a description that is consistent with the application and equal to that required for registration of a deed/transfer or other conveyance of interest in land under the provisions of the Registry Act or Land Titles Act; and,
- Confirmation be received from the solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer.

CARRIED

6. UPCOMING MEETINGS

Staff will contact the Committee upon receipt of an application.

7. ADJOURNMENT

Moved By Stephen Glover

Seconded By Paul King

THAT this Committee of Adjustment meeting adjourn at 6:36 pm.

CARRIED

Steve Cousins, Chair

Grant Brouwer, Secretary-Treasurer