

A G E N D A

THE FIRST MEETING OF THE COMMITTEE OF ADJUSTMENT OF THE CITY OF ST. THOMAS

**COMMITTEE ROOM #309
CITY HALL**

10:00 A.M.

**THURSDAY
FEBRUARY 12TH, 2015**

CHAIRMAN

Appointment of Chairman for 2015.

DISCLOSURE OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on November 13th, 2014.

HEARING OF APPLICATIONS

A01/15 COLLIER HOMES INC. – 92-94 ERIE STREET Pages 2-4

B01/15 FRANCIS LAKE PROPERTIES INC. – 17-19 PATRICIA STREET Pages 5-11

UNFINISHED BUSINESS

A09/12 2177350 ONTARIO INC. – 71 CENTENNIAL AVENUE

NEW BUSINESS

Next Meeting

To be determined.

ADJOURNMENT



FORM 1
PLANNING ACT

Application No. AO1/15

APPLICATION FOR MINOR VARIANCE

Received Dec 11, 2014

CITY OF ST. THOMAS

NOTE: This application must be filed with the Secretary-Treasurer of the Committee of Adjustment and must be accompanied by 5 copies of a property sketch and any documents relating to the application along with a fee of \$400.00 payable to the City of St. Thomas.

1. Name of approval authority. City of St. Thomas Committee of Adjustment

2. Date application deemed complete by municipality. Dec 11/14

3. Name of registered owner. Collin Homes inc
 Telephone Number 519-633-9642 Fax Number 519-633-6790
 Address 42372 John Wise Line St. Thomas
 Postal Code N5R 5T5 Email Rick Collin @ Rogers.com

Name of solicitor or authorized agent (if any) _____
 Telephone Number _____ Fax Number _____
 Address _____
 Postal Code _____ Email _____

Please specify to whom all communications should be sent:

☒ Registered owner ☐ Solicitor ☐ Agent

4. Name of person(s) [purchaser, lessee, mortgagee, etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged. _____

5. Location and description of subject land:

Street Address 912-94 Erie St Assessment Roll No. 3421 040 360 10900

Registered Plan No. 65 Lot(s) No. Block 2 Lot 12, PT 13

Reference Plan No. _____ Part(s) No. _____

Concession _____ Lot(s) No. _____

6. Current Size of Subject Parcel (in metres/hectares):

Frontage 25.90 m Depth 35.45 Width _____

7. Are there any easements or restrictive covenants affecting the subject land: ☐ Yes ☐ No

If "yes" describe the easement/covenant and its effect:

8. Current Zoning of the subject land?

R4

9. Current Official Plan land use designation of the subject land?

Residential

10. Nature and extent of relief from the Zoning By-law requested:

Proposed side yard of 2 metres. Bylaw
Requires 4.5 metres

07/11/2014

applicant's initials

R.A.

11. Reasons why the proposal cannot comply with provisions of the By-law:
INCREASE GREEN SPACE.
1 ACCESS point to permit 2 way
TRAFFIC.
12. Current use of subject land VACANT / Residential
13. Length of time current use of subject land has continued _____
14. Number and type of buildings or structures existing on the subject land:
1
15. Date of construction of existing buildings and structures on the subject land:
1
16. Date subject land acquired by the current registered owner: _____
17. Proposed use of subject land Residential 6 Units
18. Number and type of buildings or structures proposed to be built on the subject land and their distance from the front lot line, rear lot line and side lot lines, their height and their dimensions/floor area:
SEE ATTACHED PLAN
19. Type of water supply:
☒ municipally owned & operated piped water
☐ well ☐ other (specify) _____
20. Type of sanitary sewage disposal:
☒ municipally owned & operated sanitary system
☐ septic tank ☐ other (specify) _____
21. Type of storm drainage:
☒ sewers ☐ ditches ☐ swales ☐ other (specify) _____
22. Access to subject parcel:
☒ municipal road ☐ provincial highway ☐ county road ☐ private
23. If known, indicate if the subject land has ever been the subject of an application under the Planning Act for:
☐ consent to sever ☐ approval of a plan of subdivision
24. If known, indicate if the subject land has ever been the subject of an application for minor variance under Section 45 of the Planning Act:
N/A

Minor Variance Application No. A01/15.

3

25. Is the subject property the subject of a concurrent application for consent, official plan, zoning bylaw amendment or plan of subdivision? ☐ Yes ☒ No

If "yes" describe briefly: _____

26. a.) The applicant/owner/agent hereby consents to disclosure of the information contained in this application pursuant to Section 32(b) of Bill 49, Chapter 63, S.O. 1989, being an act to provide for Freedom of Information and Protection of Individual Privacy in municipalities and local boards.

b.) The applicant/owner/agent acknowledges that he/she is aware that any cost incurred over and above the application fee submitted is the responsibility of the applicant/owner, and the Applicant/owner agrees to pay any such additional fee, as a result of the application being subject to:

- the submission of additional information
- the entering into of an agreement with the Corporation of the City of St. Thomas
- an Ontario Municipal Board hearing

c.) The applicant/owner hereby authorizes the committee of adjustment members and city staff to enter onto the subject property for the purpose of site inspections with respect to this application.

Dated at the City of St Thomas this
(City/Town) (Name of City or Town)

11 day of December, 2014

R. G. Hill
(signature of applicant, solicitor or authorized agent)

I/we, Rick G. Hill of St. Thomas in
the County/District/Regional Municipality of Elgin solemnly
declare that all the statements contained in this application are true, and I make this solemn
declaration conscientiously believing it to be true, and knowing that it is of the same force and
effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

Declared before me at the

City of St Thomas)
in the County of Elgin)
this 11 day of December, 2014)

R. G. Hill
signature

Melanie Knapp
signature

A Commissioner, Melanie Knapp, a Commissioner, etc.,
Province of Ontario, for the Corporation of the City of St. Thomas.

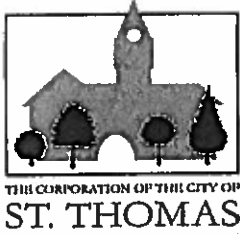
Expires June 28, 2017.

NOTE: If the applicant is a corporation, the application shall be signed by an officer of the Corporation and the corporation's seal shall be affixed.

25/11/2008

applicant's initials

☐



FORM 1
PLANNING ACT

Application No. B01/15

APPLICATION FOR CONSENT

Received Jan 14/15

CITY OF ST. THOMAS

NOTE: This application must be filed with the Secretary-Treasurer of the Committee of Adjustment and must be accompanied by 5 copies of a property sketch and any documents relating to the application along with a fee of \$450.00, payable to the City of St. Thomas; additionally, for the stamping of deeds or issuances of certificates of official, an additional fee of \$200.00, payable to the City of St. Thomas, will be required at the time of stamping or issuance.

1. Name of approval authority. City of St. Thomas Committee of Adjustment

2. Date application deemed complete by municipality. _____

3. Name of registered owner. Francis Lake Properties Inc.
Telephone Number 519-637-1536 Fax Number _____
Address 41 Hagerman Crescent, St. Thomas, Ontario
Postal Code N5R 6K2 Email jayokkerse@bellnet.ca

Name of solicitor or authorized agent (if any) Wayne D. Eitel
Telephone Number 519-633-7000 Fax Number 519-633-6762
Address 59 Metcalfe Street, St. Thomas, Ontario
Postal Code N5R 3K4 Email weitel@bellnet.ca

Please specify to whom all communications should be sent:

☐ Registered owner ☒ Solicitor ☐ Agent

4. Name of person(s) [purchaser, lessee, mortgagee, etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged.
Unknown

5. Location and description of subject land:

Street Address 17-19 Patricia Street Assessment Roll No. 3421020-20021800

Registered Plan No. _____ Lot(s) No. _____

Reference Plan No. _____ Part(s) No. _____

Concession 9 (Yarmouth) Lot(s) No. Part of 5

6. Current Size of Subject Parcel (in metres/hectares):

Frontage 21.336m (70 ft) Depth 42.55m (139.59ft) Width 21.336m (70 ft)

7. Are there any easements or restrictive covenants affecting the subject land: ☐ Yes ☒ No

If "yes" describe the easement/covenant and its effect:

8. Type and purpose of proposed transaction: (check appropriate box)

Transfer: ☒ creation of a new lot Other: ☐ mortgage/charge

☐ addition to a lot ☐ lease

☐ easement/right-of-way ☐ correction of title

☐ other (specify) _____

9. Number of new lots (including retained lot) proposed: 2**10. PROPOSED SEVERED LOT**

a.) Description and use of land intended to be severed (in metres/hectares):

Frontage 10.683m (35.4 ft) Depth 42.455m (139.28ft) Area 454.7 sq. m (4,894.35 sq. ft)Existing Use Semi-detached dwellingProposed Use Semi-detached dwelling

b.) Number and use of buildings and structures (both existing and proposed) on the land intended to be severed:

Existing 1 Semi-detached dwellingProposed 1 Semi-detached dwelling

c.) Type of water supply & sanitary sewage disposal to proposed Severed lot (locate on sketch):

TYPE ☒ Municipal Water & Sewer ☐ Municipal Water & Private Sewer☐ Municipal Sewer & Well ☐ Well & Private Sewer System☐ Other (specify) _____

d.) Access to proposed severed lot:

☒ municipal road ☐ provincial highway ☐ county road ☐ private**11. PROPOSED RETAINED LOT**

a.) Description and use of lands to be retained (in metres/hectares):

Frontage 10.653m (34.95 ft) Depth 42.613m (139.8 ft) Area 453.2 sq. m (4,878.2 sq. ft)Existing Use Semi-detached dwellingProposed Use Semi-detached dwelling

b.) Number and use of buildings and structures (both existing and proposed) on the land intended to be retained:

Existing 1 Semi-detached dwellingProposed 1 Semi-detached dwelling

c.) Type of water supply & sanitary sewage disposal to proposed Retained lot (locate on sketch):

TYPE ☒ Municipal Water & Sewer ☐ Municipal Water & Private Sewer☐ Municipal Sewer & Well ☐ Well & Private Sewer System☐ Other (specify) _____

d.) Access to proposed retained lot:

☒ municipal road ☐ provincial highway ☐ county road ☐ private

12. When will water supply and sewage disposal services be available?

Existing

13. a.) Have there been any previous severances of land from this holding? ☐ Yes ☒ No

b.) If the answer to a.) is "yes", please indicate previous severances on the required sketch and supply the following information for each lot severed:

Grantee's name n/a
Use of parcel _____
Date parcel created _____

14. What is the current Zoning land use designation of the subject property?

R3

15. What is the current Official Plan land designation of the subject property?

Residential

16. Has the parcel ever been the subject of an application for approval of a plan of subdivision under Section 51 or a consent under Section 53 of the Act, as amended, or its predecessors?

☐ Yes ☒ No If yes, please indicate the file number and the status: _____

17. Please indicate whether the property is the subject of an application for one of the following:

- ☐ Official plan or official plan amendment approval ☐ Zoning by-law amendment
☐ Minister's zoning order amendment ☐ Plan of subdivision approval

If known, indicate the file number and status of the foregoing application(s):

n/a

18. Is the owner, solicitor or agent applying for additional consents on this holding simultaneously with this application, or considering applying for additional consents in the future?

☐ Yes ☒ No

19. Is the owner, solicitor or agent applying for any minor variance or permission under Section 45 of the Planning Act, R.S.O. 1990, as amended, in relation to any land that is the subject of this application?

☐ Yes ☒ No

20. Is the application consistent with policy statements issued under subsection 3(1) of the Ontario Planning Act?

☒ Yes ☐ No

21. Is the subject land within an area designated under any provincial plan or plans?

☐ Yes ☒ No

If yes, does the application conform to or does not conflict with the applicable provincial plan or Plans. _____

Other Comments:



22. a.) The applicant/owner/agent hereby consents to disclosure of the information contained in this application pursuant to Section 32(b) of Bill 49, Chapter 63, S.O. 1989, being an act to provide for Freedom of Information and Protection of Individual Privacy in municipalities and local boards.

b.) The applicant/owner/agent acknowledges that he/she is aware that any cost incurred over and above the application fee submitted, as a result of the application being subject to:


- the submission of additional information
- the entering into of an agreement with the Corporation of the City of St. Thomas
- an Ontario Municipal Board hearing

is the responsibility of the applicant/owner, and the Applicant/owner agrees to pay any such additional fee.

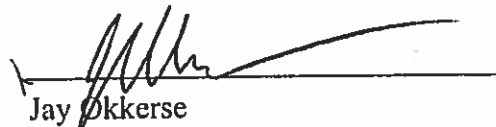
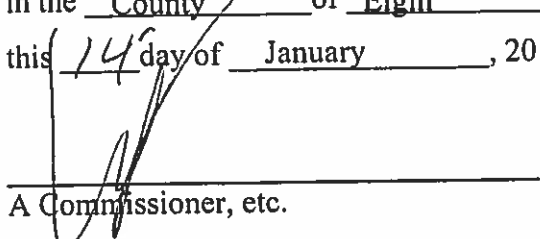
c.) The applicant/owner hereby authorizes the committee of adjustment members and city staff to enter onto the subject property for the purpose of site inspections with respect to this application.

Dated at the City of St. Thomas this
(City/Town) (Name of City or Town)

14th day of January, 2015


(signature of applicant, solicitor or authorized agent) (WE HAVE AUTHORITY TO BIND THE CORPORATION)
Jay Okkerse, Secretary-Treasurer of Francis Lake Properties Inc.

I/we, Jay Okkerse of the City of St. Thomas in
the County/District/Regional Municipality of Elgin solemnly
declare that all the statements contained in this application are true, and I make this solemn
declaration conscientiously believing it to be true, and knowing that it is of the same force and
effect as if made under oath and by virtue of the CANADA EVIDENCE ACT.

Declared before me at the) 
City of St. Thomas) Jay Okkerse
in the County of Elgin)
this 14th day of January, 2015)

A Commissioner, etc.

NOTE: If the applicant is a corporation, the application shall be signed by an officer of the corporation and the corporation's seal shall be affixed.



AUTHORIZATION

(Please see note below)

To: Assistant-Secretary Treasurer
Committee of Adjustment
City of St. Thomas

Description and Location of Subject Lands:

Municipal Address 17-19 Patricia Street, St. Thomas, Ontario N5P 2C7

Legal Description Part of Lot 5, Concession 9, Township of Yarmouth, PIN 35181-0123 (LT)

I/We. The undersigned, being the registered owner(s) of the above lands hereby authorize

Wayne D. Eitel of the City of St. Thomas to:
(Agents Name/Names) (Agents City/Town of Residence)

- (1) make an application on my behalf to the City of St. Thomas Committee of Adjustment;
- (2) appear on my behalf at any hearing(s) of the application; and
- (3) provide any information or material required by the Committee of Adjustment relevant to the application.

Please Print Names in Block Letters Below Signatures

Dated at the City of St. Thomas in the County of Elgin
(City/Town) (Name of City/Town) (County/District) (Name of County/District)

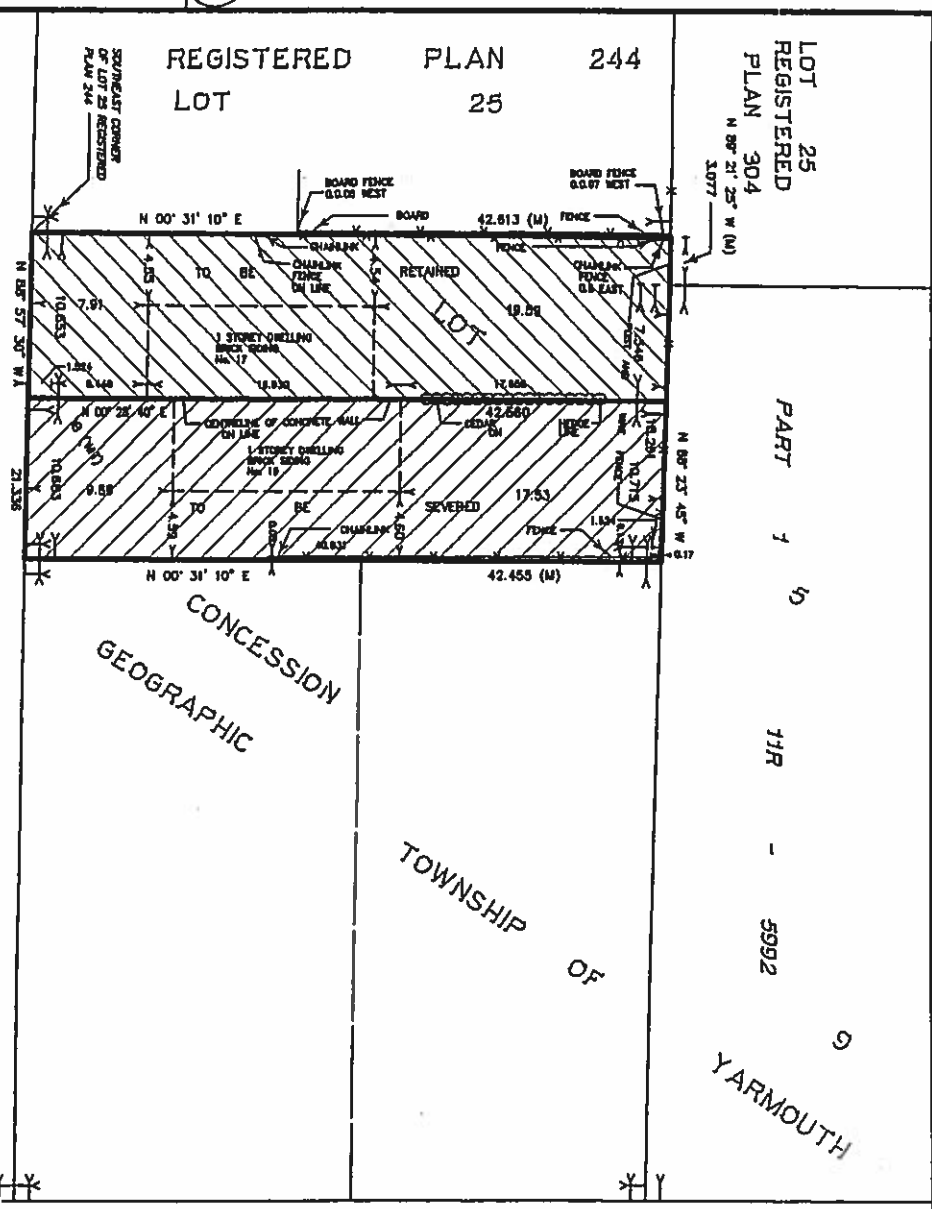
this 14th day of January, 2015 .

Allison Sinclair
Signature of Witness
Print Name ALLISON SINCLAIR

Jay Okkerse
Signature of Owner
Print Name Jay Okkerse
Secretary-Treasurer of Francis Lake
Properties Inc. **WE HAVE AUTHORITY TO
BIND THE CORPORATION**

Note: This form is only to be used for applications, which are to be signed by someone other than the owner.

[Signature]



**SKETCH
PREPARED FOR SEVERANCE APPLICATION**

**PART OF LOT 5
CONCESSION 9
GEOGRAPHIC TOWNSHIP OF YARMOUTH
CITY OF ST. THOMAS
COUNTY OF ELGIN**


SCALE 1:500


0 5 10 15 METERS 20

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION
THIS IS NOT A PLAN OF SURVEY OR SURVEYOR'S REPORT AND SHALL NOT BE USED FOR TRANSACTION OR FINANCING PURPOSES

 DENOTES PORTION TO BE
RETAINED
AREA = 453.2 SQUARE METRES


 DENOTES PORTION TO BE SEVERED
 AREA = 454.7 SQUARE METRES

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ONTARIO LAND SURVEYOR
30 HARVEY STREET, TILLSBURG, ONTARIO, N4G 3J8
PHONE 519-842-3838 FAX 519-842-3838

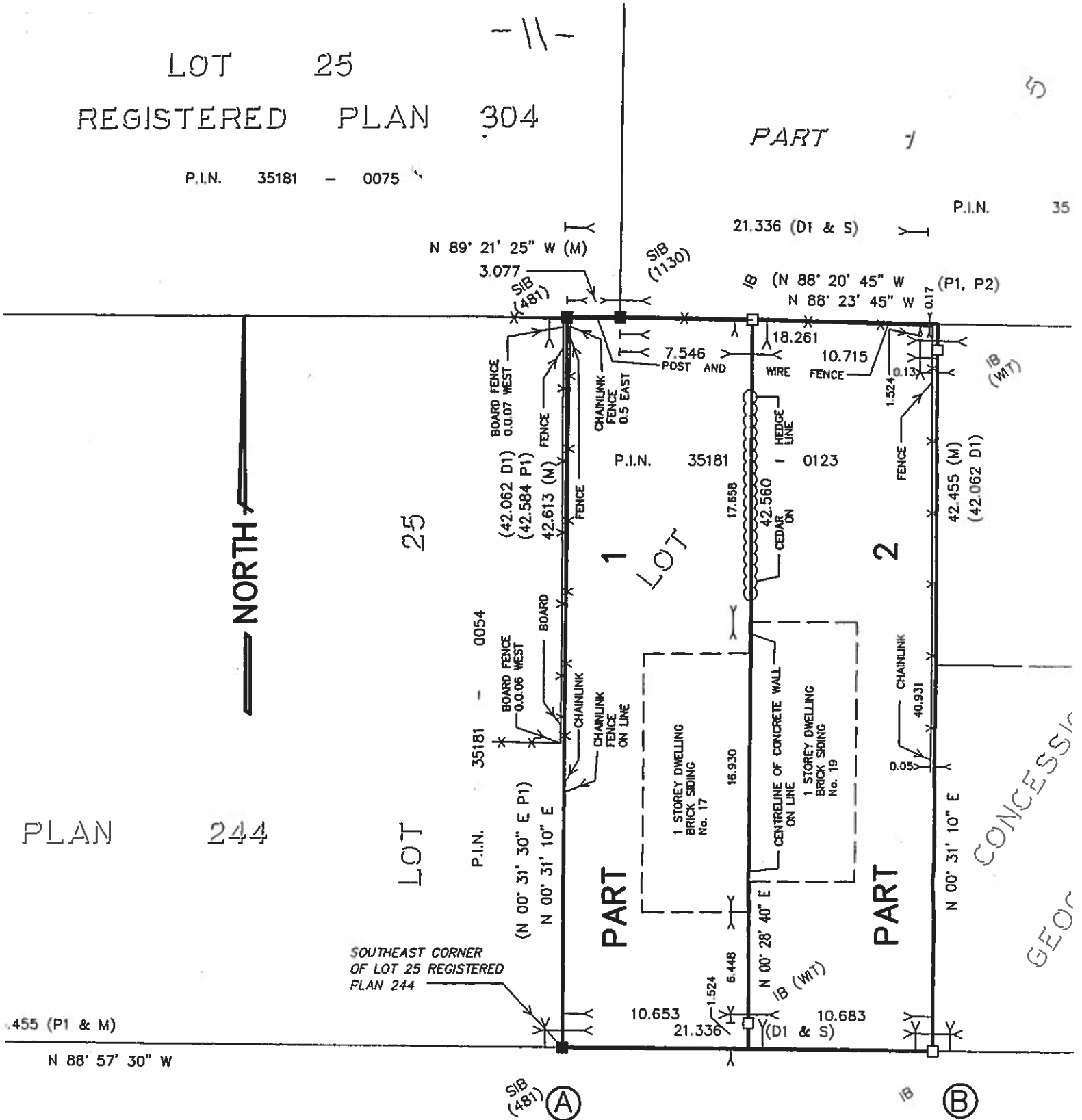
PROJECT: 14-112825 REFERENCE: FILE

LOT 25
REGISTERED PLAN 304

P.I.N. 35181 - 0075

PART 1

P.I.N. 35



PLAN 244

LOT 25

LOT 25

LOT 1

PART 2

PART 2

CONCESSION GEOGRAPHIC

PATRICIA STREET (20.117 WIDE)

P.I.N. 35181 - 0261

N 88° 57' 30" W (REFERENCE BEARING)

42.074 (M) (42.062 P1)

30.476 (M) (30.480 P3)

LOT 19

LOT
CONCESSION
GEOGRAPHIC

PART 1

244