

A G E N D A

THE FIRST MEETING OF THE COMMITTEE OF ADJUSTMENT OF THE CITY OF ST. THOMAS 2018

**COMMITTEE ROOM #309
CITY HALL**

10:00 A.M.

**THURSDAY
JANUARY 11, 2018**

CHAIRMAN

Appointment of Chairman for 2018.

DISCLOSURE OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on November 9, 2017.

HEARING OF APPLICATIONS

B01/18 - Olga Babinski - 525 Elm Street **Pages 2-9**

Planning Report - B01/18 **Page 10**

B02/18 - Habitat for Humanity - 40/42 Alma Street **Pages 11-19**

Planning Report - B02/18 **Page 20**

UNFINISHED BUSINESS

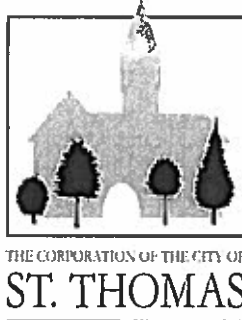
NEW BUSINESS

Next Meeting

TBD

ADJOURNMENT

-2-
Patrick J. C. Keenan
Director of Planning & Building Services



All correspondence to be addressed to:

City of St. Thomas
Planning & Building Services Dept
9 Mondamin Street
St. Thomas, ON
N5P 2T9
Telephone: (519) 633-2560
Fax: (519) 633-6581

CONFIRMATION OF A COMPLETE APPLICATION APPLICATION FOR CONSENT

November 22nd, 2017

Secretary-Treasurer, Committee of Adjustment
Attention: Melanie Knapp

Pursuant to By-Law 30-2015, a consultation meeting was held with Planning Department Staff and the applicant.

An application for Consent, regarding 525 Elm Street, was received on November 21st, 2017.

This letter is notice that the information and material required under Subsections 53(2) and 53(3) and the required fee under Section 69 of the Planning Act has been provided and the application for consent is thereby considered complete.

Please contact the Planning & Building Services Department if you have any questions.

Yours truly,

Patrick J. C. Keenan
Director of Planning & Building Services



FORM I
PLANNING ACT

Application No. _____

APPLICATION FOR CONSENT

Received Nov 23, 2017

ST. THOMAS

CITY OF ST. THOMAS

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.

* Please note that in accordance with By-Law 30-2015, consultation with the Planning Department must take place prior to the submission of an application. All information and materials submitted for the application shall be made available to the public, as indicated by Section 1.0.1 of the Planning Act, R.S.O. 1990. *

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

2. Date application deemed complete by municipality. _____

3. Name of registered owner. OLGA BABINSKI
Telephone Number (519)-631-3574 Fax Number N/A
Address 525 ELM ST
Postal Code N5R1K6 Email NONE

Name of solicitor or authorized agent (if any) GARY BODKIN
Telephone Number (519)-631-5113 Fax Number _____
Address 43 MCCLARY DR, ST THOMAS, ONT
Postal Code N5R5J7 Email gbodkin@cs23.com

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.
GARY BODKIN

5. Location and description of subject land:

Street Address 525 Elm St. Assessment Roll No. 342109050010600

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

Reference Plan No. 11R-6321 Part(s) No. 1

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

Frontage 18.29m Depth 49.83m Area 911.29m²

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

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

WIDENING OF ELM ST WHICH HAS NO EFFECT ON APPLICATION FOR CONSENT

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) _____

applicant's initials

JB

9. Number of new lots (including retained lot) proposed: No new lots - lot addition**10. PROPOSED SEVERED LOT**

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

Frontage 18.29 m Depth 4.57 M Area 83.59 m²Existing Use BACK YARDProposed Use BACK YARD

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

Existing ONEProposed NONE

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 18.29 m Depth 45.26 m Area 827.80 m²Existing Use RESIDENTIALProposed Use RESIDENTIAL

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

Existing TWO - HOUSE AND DETACHED GARAGEProposed NOTHING NEW

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?

N/A

applicant's initials



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 BRUNO AND OLGA BABINSKI
Use of parcel RESIDENTIAL
Date parcel created OCT 1/1996

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

R1

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): _____

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:

applicant's initials

LB

22. a.) The applicant/owner/agent hereby consents to disclosure of the information contained in this application pursuant to Section 32(b) of the Municipal Freedom of Information and Protection of Privacy Act, RSO 1990.

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)

20 day of NOVEMBER, 2017.


(signature of applicant, solicitor or authorized agent)

I/We, GARY BODKIN of the CITY of
(Name(s)) (City/Town)

ST. THOMAS in the COUNTY of
(Name of City/Town) (County/District/Regional Municipality)

ELGIN
(Name of County/District/Regional Municipality)

solemnly declare that all the statements contained in this application are true, and I/we 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 22nd day of November, 2017.)

owner signature

owner signature

corporate owner signature

I have the authority to bind the Corporation.


A Commissioner, etc.

Crystal Marie Parney, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the City of St. Thomas.
Expires September 18, 2018.

applicant's initials



(Please see note below)

Description and Location of Subject Lands:

Legal Description 00525 ELM ST. CON 7 YARMOUTH PT LOT 8
RPI 1R6321 PART 1

OLGA BABINSKI of GARY BODKIN to:

- Dated at the CITY of ST. THOMAS in the COUNTY of ELGIN
(City/Town) (Name of City/Town) (County/District) (Name of County/District)

Signature of Joint Owner
Print Name



LEGEND



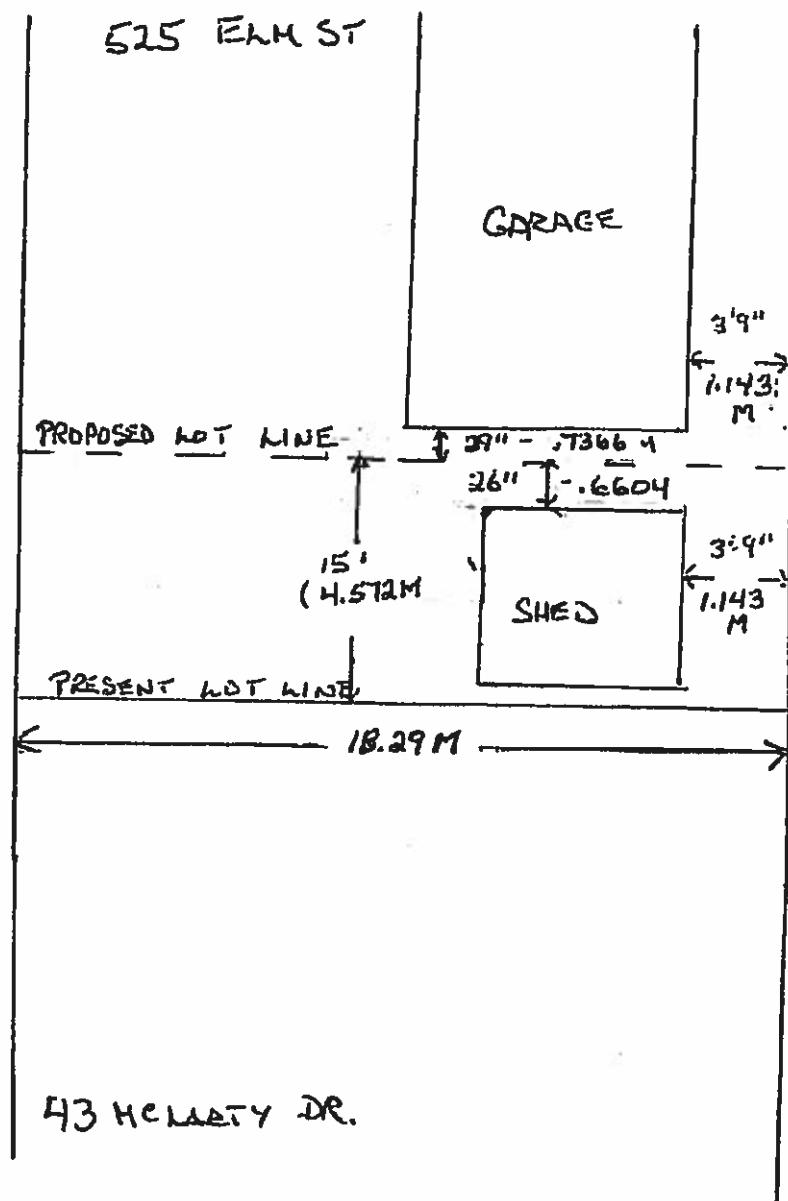
PREVIOUSLY
SEVERED
1996



TO BE
SEVERED



TO BE
RETAINED





The Corporation of the City of St. Thomas

Report No.: B01-2018

Applicant: Olga Babinski

Directed to: Members of the Committee of Adjustment

Report Date: December 22, 2017
Meeting Date: January 11, 2018

Location: 525 Elm Street, Concession 7 Yarmouth, Pt Lot 8, Reference Plan 11R-6321, Part 1, in the City of St. Thomas

Subject: Request for a consent pursuant to Section 53 of the Planning Act, R.S.O., as amended

Department: Planning Department
Prepared by: Steve Craig, Senior Planning Technician

Attachments: Location Plan

Recommendation:

That: Report B01-2018 be received.

Origin

The proposed lot addition is for the purpose of conveying a parcel of land to the abutting lot to the south, municipally known as 43 Mc Larty Drive.

Proposal

The applicant, through consent application B01/18, is proposing to sever a parcel of land 4.57m x 818.29m, and an area of 83.59m², containing one shed. It is proposed that the lands to be severed will be merged with the abutting lot to the south, municipally known as 43 Mc Larty Drive. The applicant is proposing to retain a lot with 18.29m of frontage on Elm Street and an area of 827.80m², containing one single detached dwelling and one detached garage.

Official Plan

- The subject lands are within the Residential designation, as shown on Schedule "A" (Land Use Plan) to the Official Plan for the City of St. Thomas.
- The Residential designation of the Plan permits low, medium and high density residential use, subject to the policies of the Plan.
- Schedule C (Roads Widening Plan) to the Official Plan of the City of St. Thomas identifies Elm Street with a proposed minimum road allowance width of 26m. The right-of-way widths indicate the minimum planned widths of the road right of ways that may be secured as part of the development approval process. Road widenings shall be reserved or obtained, at no cost to the City, through subdivision approval, condominium approval, land severance consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible.

Zoning By-Law

- The subject lands are located within the First Residential Zone (R1) pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as amended. The First Residential Zone (R1) permitted uses include a single detached dwelling, and uses accessory to the foregoing. For a single detached dwelling the minimum lot area is 464m² and the minimum lot frontage is 15m.

Comments

- In accordance with the Official Plan the applicant shall convey to the City, at no cost to the City, and free of all charge and encumbrances, the necessary road widening along Elm Street, to be determined by a legal survey, and to be shown on the reference plan.
- The severed lands shall be merged in title with 43 Mc Larty Drive. Subsection 3 or 5 of Section 50 of the Planning Act, R.S.O., 1990, as amended shall apply to any subsequent conveyance or transaction involving the subject land.
- In staffs opinion the proposed consent complies with the City of St. Thomas Official Plan, Zoning By-Law and satisfies the criteria of Section 51(24) of the Planning Act, R.S.O., as amended. Therefore, approval of consent application B01-2018 is supportable.

Respectfully submitted,


Steve Craig
Senior Planning Technician

Location Plan:



Patrick J. C. Keenan
Director of Planning & Building Services



All correspondence to be addressed to:

City of St. Thomas
Planning & Building Services Dept
9 Mondamin Street
St. Thomas, ON
N5P 2T9
Telephone: (519) 633-2560
Fax: (519) 633-6581

CONFIRMATION OF A COMPLETE APPLICATION
APPLICATION FOR CONSENT

December 5th, 2017

Secretary-Treasurer, Committee of Adjustment
Attention: Melanie Knapp

Pursuant to By-Law 30-2015, a consultation meeting was held with Planning Department Staff and the applicant.

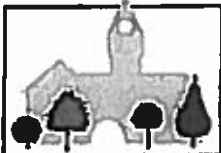
An application for Consent, regarding 40/42 Alma Street, was received on December 4th, 2017.

This letter is notice that the information and material required under Subsections 53(2) and 53(3) and the required fee under Section 69 of the Planning Act has been provided and the application for consent is thereby considered complete.

Please contact the Planning & Building Services Department if you have any questions.

Yours truly,

Patrick J. C. Keenan
Director of Planning & Building Services



ST. THOMAS

FORM 1
PLANNING ACT

APPLICATION FOR CONSENT

CITY OF ST. THOMAS

Application No. B02/18

Received Dec 5/17

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.

*** Please note that in accordance with By-Law 30-2015, consultation with the Planning Department must take place prior to the submission of an application. All information and materials submitted for the application shall be made available to the public, as indicated by Section 1.0.1 of the Planning Act, R.S.O. 1990. ***

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

2. Date application deemed complete by municipality. _____

3. Name of registered owner. Habitat for Humanity Heartland Ontario Inc.

Telephone Number (519) 455-6623 Fax Number _____

Address Unit 2 40 Pacific Court, London, Ontario

Postal Code N5V 3K4 Email belliot@habitat4home.ca

Name of solicitor or authorized agent (if any) Paul Benedict, OLS, NA Geomatics Inc. (Woodstock)

Telephone Number (519) 537-6212 Fax Number (519) 421-0234

Address 871 Dundas Street, Woodstock, Ontario

Postal Code N4S 1G8 Email pbenedict@naeng.com

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

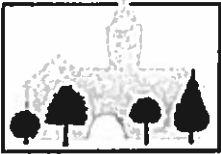
5. Location and description of subject land:

Street Address 40/42 Alma Street Assessment Roll No. 34 21 020 1300 1900

Registered Plan No. 43 Lot(s) No. Part of Lots 8 and 9 (West Side of Alma St.)

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

applicant's initials

 THE CORPORATION OF THE CITY OF ST. THOMAS	FORM 1 PLANNING ACT	Application No. B02 18
	APPLICATION FOR CONSENT	Received
	CITY OF ST. THOMAS	

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

Frontage 20.117m Depth 40.234m Area 809.3m²

7. Are there any easements or restrictive covenants affecting the subject land: Yes ☒ **NX**

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

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

- | | | | |
|-----------|--|--------|--|
| Transfer: | <input checked="" type="checkbox"/> creation of a new lot | Other: | <input type="checkbox"/> mortgage/charge |
| | <input type="checkbox"/> addition to a lot | | <input type="checkbox"/> lease |
| | <input checked="" type="checkbox"/> easement/right-of-way | | <input type="checkbox"/> correction of title |
| | <input checked="" type="checkbox"/> other (specify) <u>Split Semi-detached dwelling into 2 units/parcels</u> | | |

9. Number of new lots (including retained lot) proposed: 1

applicant's initials



10. PROPOSED SEVERED LOT

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

Frontage 10.117m Depth 40.234m Area 435.0m²Existing Use ResidentialProposed Use Residential

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

Existing 1Proposed 0

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): (pre-widening)

Frontage 10.00m Depth 36.234 m Area 374.3m²Existing Use ResidentialProposed Use Residential

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

Existing 1Proposed 0

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 and already connected to both dwelling units

applicant's initials



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 _____
Use of parcel _____
Date parcel created _____

14. What is the current Zoning land use designation of the subject property?
Residential R3-81

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):

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:

Part 2 represents the lands to be retained
Parts 1 and 3 represent the lands to be severed
Part 4 represents the requested 3.0m road widening and daylight to be transferred to the City
Part 3 represents severed lands to be subject to a private sewer easement for retained parcel
Retained lots dimensions above include widening strip

applicant's initials



22. a.) The applicant/owner/agent hereby consents to disclosure of the information contained in this application pursuant to Section 32(b) of the Municipal Freedom of Information and Protection of Privacy Act, RSO 1990.

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 London this
(City/Town) (Name of City or Town)

30th day of November, 20 17



(signature of applicant, solicitor or authorized agent)

I/We, Brian Elliot of the City of
(Name(s)) (City/Town)

London in the County of
(Name of City/Town) (County/District/Regional Municipality)

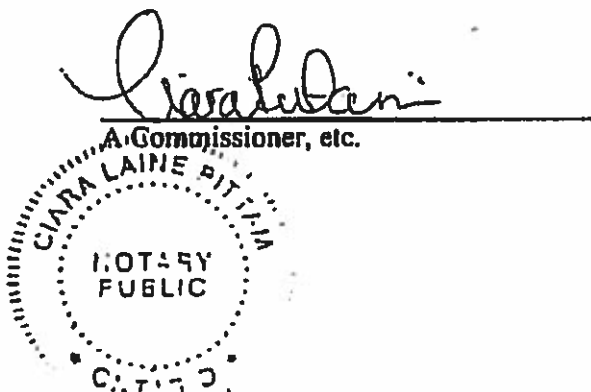
Middlesex
(Name of County/District/Regional Municipality)

solemnly declare that all the statements contained in this application are true, and I/we 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 London
in the Province of Ontario
this 01st day of December, 2017.

)
) owner signature
)
)
) owner signature
)
)
) corporate owner signature

I have the authority to bind the Corporation.



applicant's initials



AUTHORIZATION

(Please see note below)

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

Description and Location of Subject Lands:

Municipal Address 40/42 Alma Street St. Thomas, Ontario, N5P 3A8

Legal Description Part of Lots 8 and 9 (West side of Alma Street) Registered Plan 43 being all of PIN 35177-0079

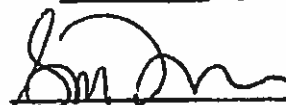
I/We. The undersigned, being the registered owner(s) of the above lands hereby authorize

Paul J. Benedict, OLS of NA Geomatics Inc of Woodstock to:
(Agent's Name/Names) (Agent's 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.

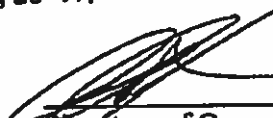
Dated at the City of London in the County of Middlesex
(City/Town) (Name of City/Town) (County/District) (Name of County/District)

this 30th day of November, 20 17.


Signature of Witness
Print Name Sharon Brennan

Signature of Witness
Print Name _____

Signature of Witness
Print Name _____


Signature of Owner
Print Name Brian Elliot, CEO
Habitat for Humanity Heartland Ontario Inc
"I have the authority to bind the corporation"

Signature of Joint Owner
Print Name _____

Signature of Joint Owner
Print Name _____

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

applicant's initials



ACKNOWLEDGEMENT OF LEGAL AND PLANNING FEES

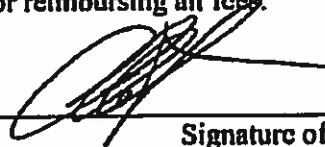
In addition to the planning fees listed in this application package, please note that where the City required assistance from its solicitors or other technical or professional consultants in the processing of this application, the applicant shall be responsible for reimbursing all fees incurred by the City.

Please note, this acknowledgement must be signed by the owner, not the authorized agent.

I, Brian Elliot, CEO, Habitat for Humanity Heartland, am the owner of the subject lands, and I understand that further fees may be incurred by the City throughout the planning process and that I am responsible for reimbursing all fees.

November 30, 2017

Date



Signature of Owner

applicant's initials





The Corporation of the City of St. Thomas

Report No.: B02-2018

Applicant: Habitat for Humanity Heartland Ontario Inc.

Directed to: Members of the Committee of Adjustment

Report Date: December 20, 2017
Meeting Date: January 11, 2018

Location: 40 Alma Street, Plan 43, Pt Lots 8,9, W/S Alma, in the City of St. Thomas

Subject: Request for a consent pursuant to Section 53 of the Planning Act, R.S.O., as amended

Department: Planning Department
Prepared by: Steve Craig, Senior Planning Technician

Attachments: Location Plan

Recommendation:

That: Report B02-2018 be received.

Origin

The applicant recently completed the construction of a semi-detached residential dwelling on the subject lands, and is now proposing to subdivide the lot, which will separate the ownership of the two dwelling units. The applicant is also proposing to create an easement over part of the severed lot, in benefit of the retained lot, which is for the purpose of providing access to the sanitary sewer line.

Proposal

The applicant is proposing to sever one lot with frontage of 10m along Alma Street and an area of 402.3m², containing one semi-detached dwelling unit. The applicant is proposing to retain one lot with frontage of 10.12m along Alma Street and an area of 407.0m², containing one semi-detached dwelling unit. It is proposed that the severed and retained lots will continue to be used for residential purposes. The applicant is also proposing to create a 9.61m x 10.1m easement over part of the severed lot, in benefit of the retained lot, which is for the purpose of providing access to the sanitary sewer line.

Official Plan

- The subject lands are within the Residential designation, as shown on Schedule "A" (Land Use Plan) to the Official Plan for the City of St. Thomas. Consents for a right of way or easement are permitted in any land use designation.
- Schedule C (Roads Widening Plan) to the Official Plan of the City of St. Thomas identifies Kains Street with a proposed minimum road allowance width of 26m. The right-of-way widths indicate the minimum planned widths of the road right of ways that may be secured as part of the development approval process. Road widenings shall be reserved or obtained, at no cost to the City, through subdivision approval, condominium approval, land severance consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible.
- As a condition of development or redevelopment of land for residential purposes, Council may, by by-law applicable to the whole City, or to any defined area or areas, require that land in an amount not exceeding 5 percent of the land proposed for development or redevelopment be conveyed to the City for park or other public recreational purposes. Council may accept money to the value of any land required to be conveyed in lieu of such conveyance.

Zoning By-Law

- The subject lands are located in the Third Residential Zone (R3-81) pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as amended. The Third Residential Zone (R3-81) permitted uses include a semi-detached dwelling.
- The minimum lot area required for a semi-detached dwelling is 300m² per dwelling unit. The minimum lot frontage required for a semi-detached dwelling is 10m per dwelling unit.

Comments

- In accordance with the Official Plan the applicant shall convey to the City, at no cost, and free of all charge and encumbrances, the necessary road widening along Kains Street, and a daylight corner on the southwest corner of the intersection of Kains Street and Alma Street. The road widening and daylight corner shall be shown on the reference plan.
- In accordance with the Official Plan approval of the application shall be subject to the cash-in-lieu of the dedication of 5% of the lands for parkland purposes.
- In staffs opinion the proposed consent complies with the City of St. Thomas Official Plan, Zoning By-Law and satisfies the criteria of Section 51(24) of the Planning Act, R.S.O., as amended. Therefore, approval of consent application B02-2018 is supportable.

Respectfully submitted,


Steve Craig
Senior Planning Technician

Location Plan:

