

A G E N D A

THE EIGHTH MEETING OF THE COMMITTEE OF ADJUSTMENT OF THE CITY OF ST. THOMAS 2026

VIA ZOOM/ROOM # 304

10:00 A.M.

JULY 23rd, 2026

DISCLOSURE OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on June 11, 2026.

HEARING OF APPLICATIONS

A10-26 – 85 Benjamin Parkway **Pages 2-9**

Planning Report – A10-26 **Pages 10-13**

B04-26 – 57 65 Walnut Street **Pages 14-28**

Planning Report – B04-26 **Pages 29-36**

NEW BUSINESS

Next Meeting

August 13, 2026

ADJOURNMENT

CONFIRMATION OF AN APPLICATION FOR MINOR VARIANCE

June 24, 2026

Secretary-Treasurer, Committee of Adjustment
Attention: Sherry Steadman

Pursuant to By-Law 30-2015, a consultation meeting was held on June 17, 2026, with city staff and the applicant.

An application for a minor variance, regarding 85 Benjamin Parkway, was filed on June 23, 2026, and the required fee under Section 69 of the Planning Act has been provided.

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

Yours truly,



Michelle Knieriem, MCIP, RPP
Manager of Planning Services



Clear Form

CORPORATION OF THE CITY OF ST THOMAS

COMMITTEE OF ADJUSTMENT

APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION

(Section 45 of the Planning Act, RSO, 1990, as amended)

OFFICE USE:	Date Application Received: <u>June 23 2026</u>	Consultation Date: <u>June 17, 2026</u>
	Date Application Deemed Complete: <u>June 23</u>	

Application #: A10-2026

APPLICATION IS HEREBY MADE TO:

City of St. Thomas Committee of Adjustment July 23 2026
 545 Talbot Street
 St. Thomas ON N5P 3V7
 Tel: (519) 631-1680 ext 4138 Fax: (519) 633-9019
 Email: ssleadman@stthomas.ca

Please note that in accordance with By-Law 30-2015, consultation with the Planning and Building Services Department must take place prior to the submission of an application. After consultation, the application will be filed with the Assistant Secretary-Treasurer, together with the sketch referred to in Note 1 and \$900 made payable to the City of St. Thomas. 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.

Personal information contained on this form is collected under the authority of the Planning Act, R.S.O. 1990, as amended, and Ontario Regulation 200/96 and will be used for the purpose of processing this application.

- Name of Owner(s) Ed & Donna Ellis
 Address 85 Benjamin Parkway
St. Thomas, Ontario 519-619-8620
 Postal Code N5R 0J1 Tel: 519-619-8620 e-mail: ellised782@gmail.com
- Name of Authorized Agent (if any) Robert Walpole
 Address 29 Harvest Court
St. Thomas, Ontario
 Postal Code N5R 0B8 Tel: 519-860-1043 e-mail: linewrks@rogers.com

Note: Please specify to whom all communications should be sent: Owner ☐ Agent ☒

- Nature and extent of relief from the Zoning By-law applied for:
Install new 3 season sun room & roof over existing wood deck
5.76 m (REAR YARD) 37.4% TOTAL COVERAGE
- Reason why the proposed use cannot comply with the provisions of the Zoning By-law:
existing wood deck encroaches into rear yard
- Location of Land:
 Concession No. _____ Lot(s) 48 Registered Plan No. 11m-246 Lot(s) 48
 Reference Plan No. _____ Part(s) 2

13. Existing uses of abutting lands:

North: park land & s/f dwelling East: s/f dwelling
 South: street West: s/f dwelling

14. Length of time the existing uses of the subject land have continued:

since 2023

15. Services available (check appropriate space or spaces):

Water:

☒ Municipally owned and operated piped water system Other (Specify) _____

Sewage Disposal:

☒ Municipally owned and operated sanitary sewer system Other (Specify) _____

Storm Drainage

☒ Storm sewers Other (Specify) _____

16. Present Official Plan designation of the subject land:

s/f dwelling

17. Present Zoning of the subject land:

s/f dwelling

18. Has the owner previously applied for relief (minor variance) under Section 45 of the Act in respect of the subject property?

yes ☐ no ☒

If the answer is yes, describe briefly (and if known, quote Application #)

19. Is the subject property the subject of a current application for a consent under Section 53 or a plan of subdivision under Section 51 of the Planning Act, 1990?

yes ☐ no ☒ If so, state Application # and status _____

APPENDIX A – AUTHORIZATION OF OWNER

If the applicant is not the owner of the subject lands, please complete the owner authorization concerning personal information as set out below.

I, EDWARD + DONNA ELLIS am the owner of the subject lands, and I authorize 1 to act on our behalf as the agent for the submissions required for all matters relating to the subject lands, and to provide any of my personal information that will be included in this application or collected during the planning process.

19 June 2024
Date

Edward d. Ellis
Signature of Owner

APPENDIX B – ACKNOWLEDGEMENT OF LEGAL AND PLANNING FEES

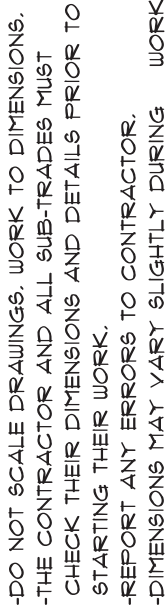
In addition to the application fees listed in this application package, please note that where the City requires assistance from its solicitors or other technical or professional consultants in the processing of this application, the applicant shall be responsible for reimbursing all fees incurred by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

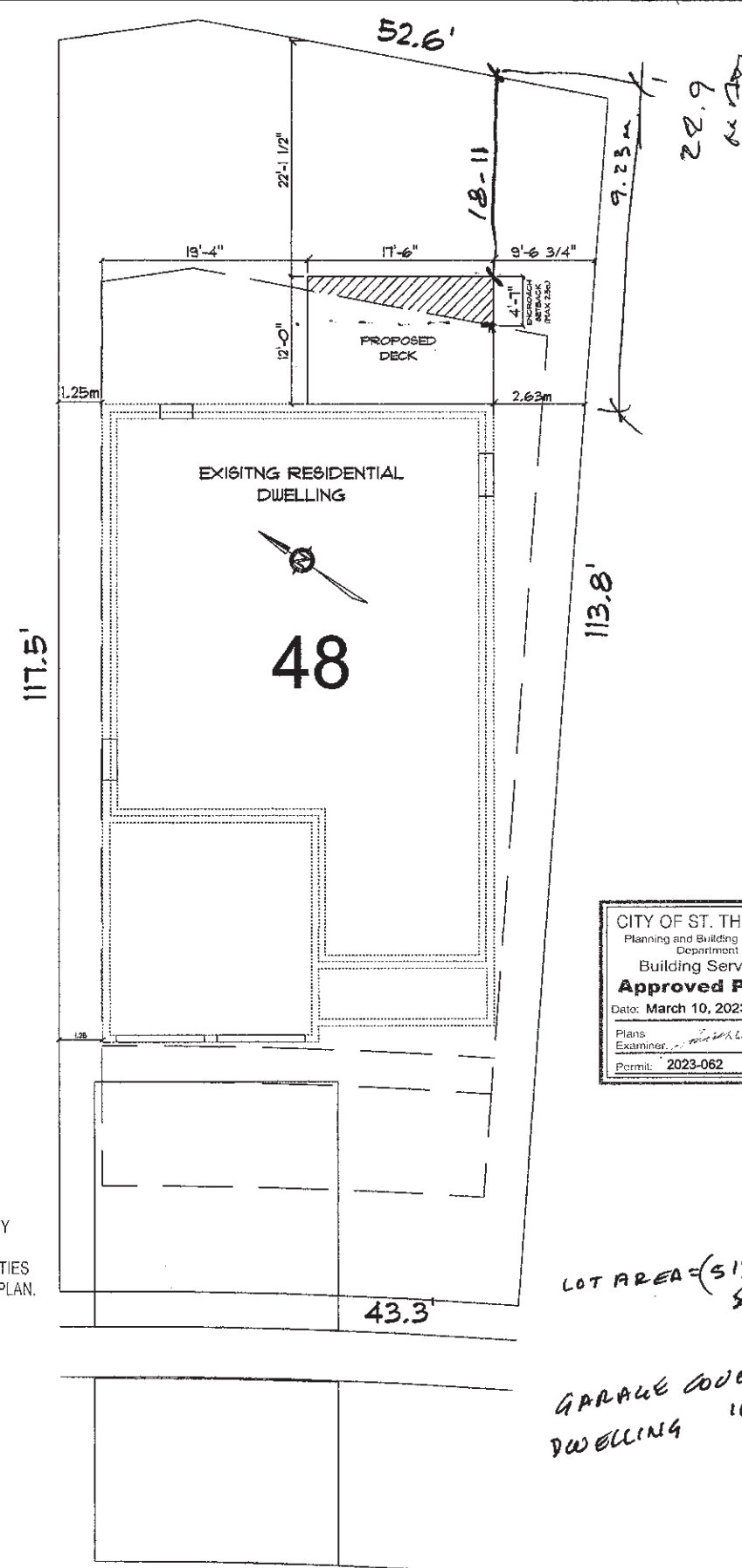
***Please note, Appendix B must be completed by the owner, not the authorized agent.**

I, EDWARD + DONNA ELLIS 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.

19 June 2024
Date

Edward d. Ellis
Signature of Owner



~~$5.5\text{m} + 2.5\text{m (Encroach)} = 8\text{m}$~~ 

THE FINAL GRADING OF THIS PROPERTY
SHALL NOT ADVERSELY AFFECT THE
DRAINAGE OF THE ADJACENT PROPERTIES
OR THE OVERALL GRADING CONTROL PLAN

LOT AREA = $(517.4m^2)$
 $5569.25 \times 41.3m = 230.19\%$
 GARAGE COVER = 6.8%
 DWELLING " = 28.19%
 1883.68

BENJAMIN PKWY

bedik = 199 (18.49 m²)

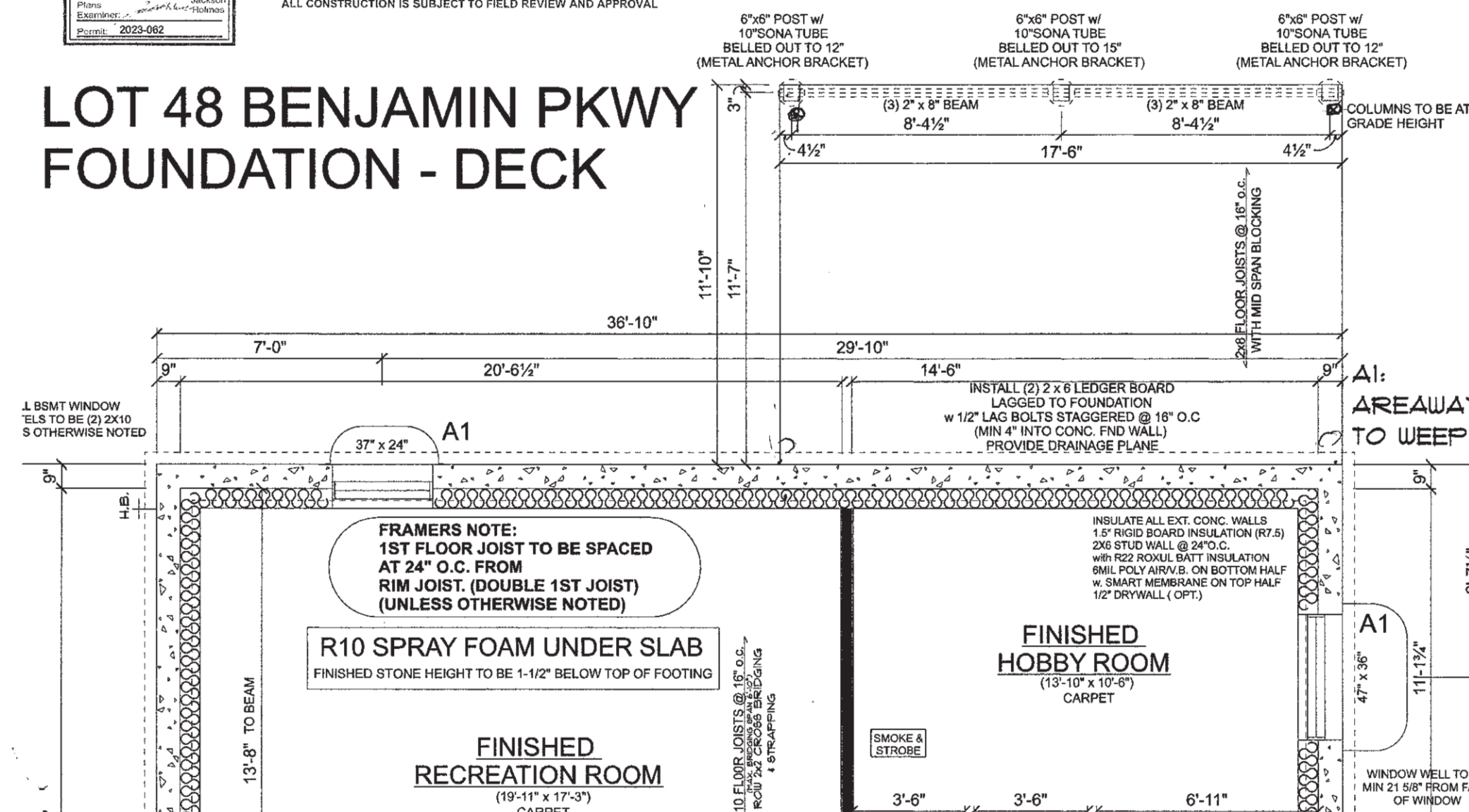
max. riser height to be 7 7/8"

NAILS REQUIRED FOR STRUCTURAL FRAMING
DECK SCREWS ARE NOT TO BE USED FOR
STRUCTURAL CONNECTIONS.

CITY OF ST. THOMAS
Planning and Building Services
Department
Building Services
Approved Plans
Date: **March 10, 2023**
Plans: _____ Jackson
Examiner: *Mark Holmes*
Permit: **2023-062**

NOTE:
IT IS THE CONSTRUCTOR'S RESPONSIBILITY TO ENSURE THAT ALL
CONSTRUCTION CONFORMS TO THE REQUIREMENTS OF THE
ONTARIO BUILDING CODE.
NOTATIONS MADE ON THESE DRAWINGS ARE FOR INFORMATION
AND GUIDANCE ONLY AND DO NOT NECESSARILY ADDRESS ALL
AREAS OF CONSTRUCTION.
ALL CONSTRUCTION IS SUBJECT TO FIELD REVIEW AND APPROVAL

LOT 48 BENJAMIN PKWY FOUNDATION - DECK



NOTES:

- ALL CONSTRUCTION TO CONFORM TO O.B.C. REQUIREMENTS
- ☑ -PROVIDE SOLID SUPPORT CONTINUOUS DOWN TO T/O FOUNDATION @ 6" S OF ALL BEAM BEARING POINTS
- PROVIDE METAL JOIST HANGERS FOR SUPPORT OF JOISTS FRAMING INTO SIDES OF WOOD BEAMS TRIMMER AND HEADERS WHERE REQ'D.
- ALL BEAMS TO BE SUPPORTED FULL WIDTH TO FOUNDATION

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION - Required unless design is exempt under 3.2.5.1 of Division "C" of the Ontario Building Code

Robert Walpole		23257
NAME		RCIN

QUALIFICATION INFORMATION - Required unless design is exempt under 3.2.4.1 of Division "C" of the Ontario Building Code

Lineworks Design Group	30581
<i>FIRM NAME</i>	<i>BCIN</i>

GENERAL NOTES

- DENOTES SOLID SUPPORT TO FOUNDATION.
- ALL CONSTRUCTION TO CONFORM TO 2020 O.B.C.
- ALL SIDING TO CONFORM TO 9.21 OF O.B.C.
- ROOF FLASHING TO CONFORM TO 9.26.4, O.B.C.
- LIGHTING AND ELECTRICAL FACILITIES AS PER 9.34
- SUPPORT OF NON-BEARING PARTITIONS TO COMPLY WITH 9.23.9.9 OF O.B.C.
- PROVIDE A MOISTURE BARRIER BETWEEN ALL WOOD IN CONTACT WITH CONCRETE.

LINEWORKS DESIGN GROUP

29 HARVEST COURT
ST. THOMAS, ONTARIO 631-4351

Client: **NEW DECK ROOF**

Project:	85 BENJAMIN PARKWAY ST. THOMAS, ONTARIO
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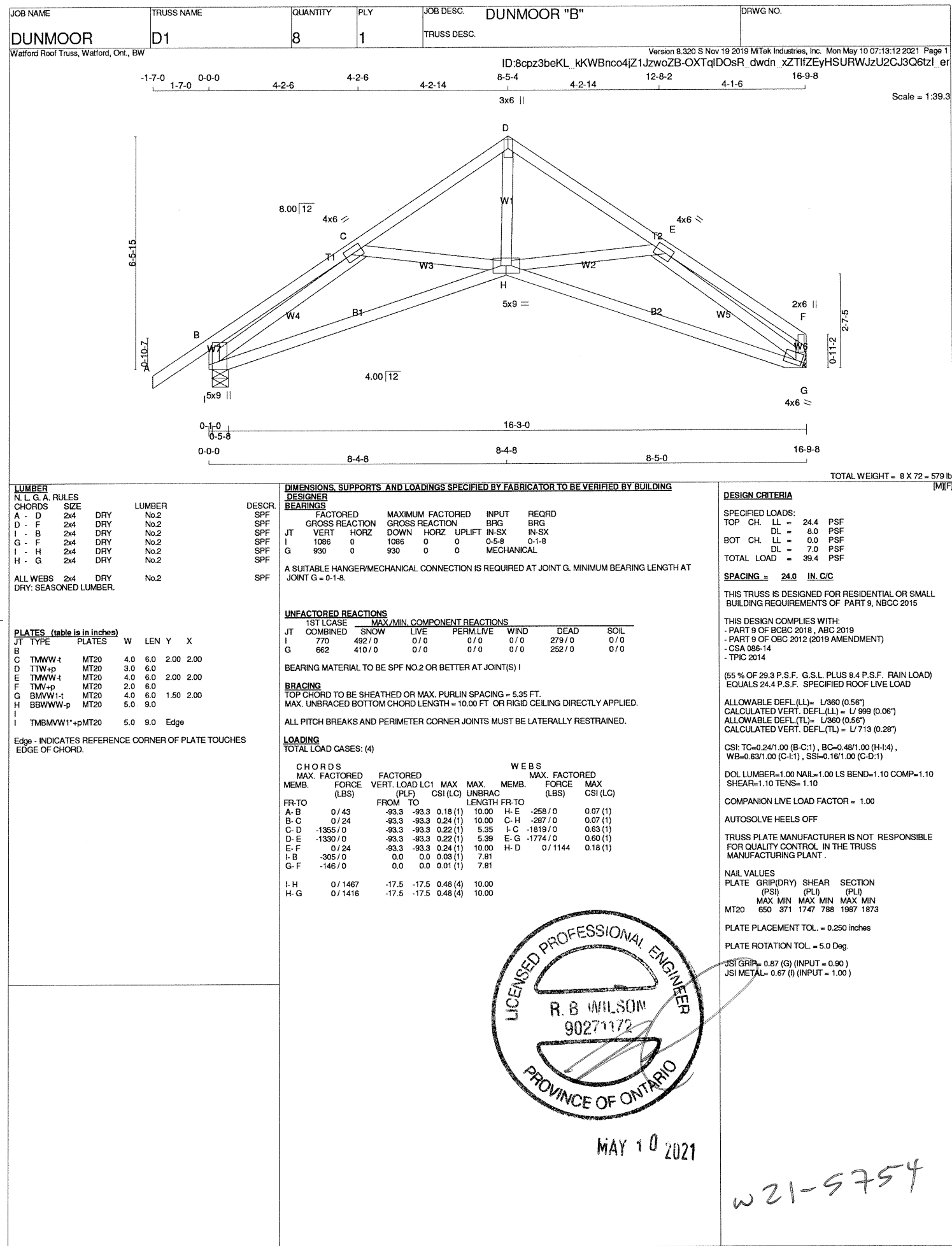
Drawing: **PLAN S**

Date:	Scale:	Job No:
JUNE 22/26	N.T.S.	943

Drawn:	BCIN:	Sheet No:
R. WALPOLE	23257	A3

100

DO NOT SCALE DRAWINGS, WORK TO DIMENSIONS.
THE CONTRACTOR AND ALL SUB-TRADES MUST
CHECK THEIR DIMENSIONS AND DETAILS PRIOR TO
STARTING THEIR WORK.
REPORT ANY ERRORS TO CONTRACTOR.
DIMENSIONS MAY VARY SLIGHTLY DURING
WORK



NOTES:

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LINEWORKS DESIGN GROUP

29 HARVEST COURT
ST. THOMAS, ONTARIO 631-4351

© 2002 BY NICHOLSON

Client: **NEW DECK ROOF**

Project: 85 BENJAMIN PARKWAY
ST. THOMAS , ONTARIO

Drawing: PLANS

Date:	Scale:	Job No:
JUNE 22/26	N.T.S.	943

Drawn: R. WALPOLE	BCIN: 23257	Sheet No: A
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- DIMENSIONS MAY VARY SLIGHTLY DURING WORK.

SURVEYOR'S REAL PROPERTY REPORT

(PART 1) PLAN OF

LOT 48

REGISTERED PLAN 11M-246

CITY OF ST. THOMAS

COUNTY OF ELGIN

SCALE 1:200

0 5 10 15 METRES

METRIC

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

KIM HUSTED SURVEYING LTD.

(PART 2)

REPORT SUMMARY (TO BE READ IN CONJUNCTION WITH PLAN OF SURVEY)

REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY: NONE REGISTERED ON TITLE
 COMPLIANCE WITH MUNICIPAL OFFICIAL PLANS AND ZONING BY-LAWS: NOT CERTIFIED BY THIS REPORT
 ADDITIONAL REMARKS: PROPERTY DESCRIPTION: LOT 48, REGISTERED PLAN 11M-246
 CITY OF ST. THOMAS, COUNTY OF ELGIN
 MUNICIPAL #85 BENJAMIN PARKWAY
 ALL OF P.I.N. 35245-0700
 AREA OF LOT 48 = 517.4 SQUARE METRES
 AREA OF LOT 48 COVERED BY DWELLING, GARAGE AND COVERED PORCH = 202.5 SQUARE METRES
 COVERAGE = 39.1 %

THIS SURVEYOR'S REAL PROPERTY REPORT HAS BEEN PREPARED FOR DOUG. TARRY LIMITED
 AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHERS

THIS REPORT CAN BE UPDATED BY KIM HUSTED SURVEYING LTD. HOWEVER NO ADDITIONAL PRINTS OF THIS ORIGINAL REPORT WILL BE ISSUED SUBSEQUENT TO THE DATE OF CERTIFICATION

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

- (1) - THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM
- (2) - THIS SURVEY WAS COMPLETED ON THE 19th DAY OF SEPTEMBER 2022

DECEMBER 5, 2022

DATE

[Signature]
 KIM S. HUSTED
 ONTARIO LAND SURVEYOR

NOTES

- (1) - BEARINGS ARE GRID AND ARE REFERRED TO THE NORTHERLY LIMIT OF LOT 48 AS SHOWN ON REGISTERED PLAN 11M-246 HAVING A BEARING OF N 55° 41' 55" E
- (2) - ELEVATIONS ARE REFERRED TO BENCHMARKS PROVIDED BY CJD.L CONSULTING ENGINEERS DATED JUNE 2021

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
IB	DENOTES	IRON BAR
RIB	DENOTES	ROUND IRON BAR
(WIT)	DENOTES	WITNESS
(1582)	DENOTES	KIM HUSTED SURVEYING LTD.
(P1)	DENOTES	REGISTERED PLAN 11M-246
(P2)	DENOTES	SURVEYOR'S REAL PROPERTY REPORT BY KIM HUSTED SURVEYING LTD., PROJECT: 21-17551, DATED: FEBRUARY 25, 2022
(P3)	DENOTES	SURVEYOR'S REAL PROPERTY REPORT BY KIM HUSTED SURVEYING LTD., PROJECT: 20-16117, DATED: NOVEMBER 5, 2020
(M)	DENOTES	MEASURED
(S)	DENOTES	SET
P.I.N.	DENOTES	PROPERTY IDENTIFIER NUMBER

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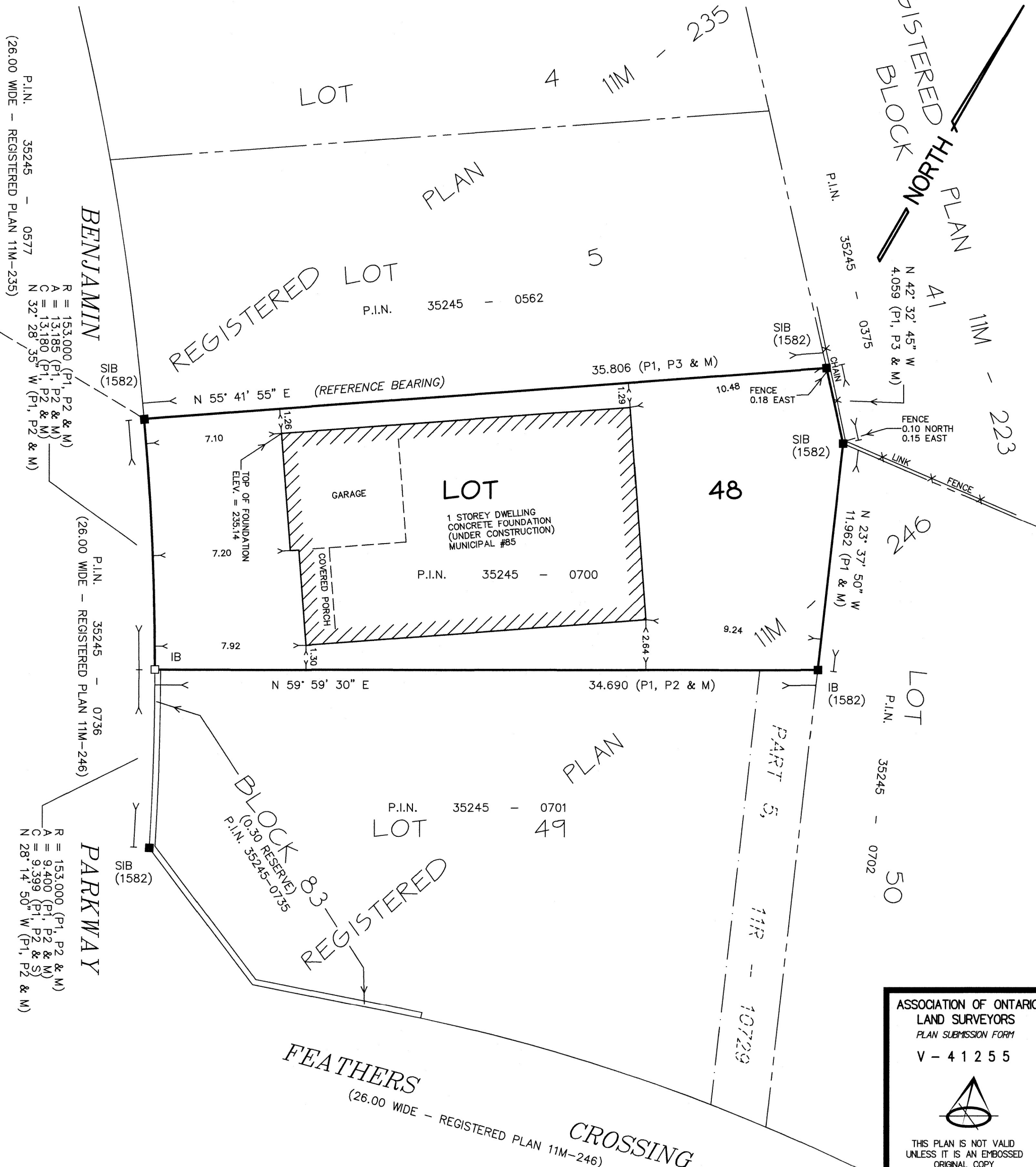
KIM HUSTED SURVEYING LTD.
 ONTARIO LAND SURVEYOR

30 HARVEY STREET, TILSONBURG ONTARIO, N4G 3J8
 PHONE: 519-842-3638 FAX: 519-842-3639

PROJECT: 22-17914

DOUG. TARRY LIMITED
 85 BENJAMIN PARKWAY, ST. THOMAS

REF: DWG. WLP
 FF6 CKD. JGD



Report No.: COA10-2026

Directed to: Members of the Committee of Adjustment

Meeting Date: 07/23/2026

Department: Planning & Building Services Department

Prepared by: Steve Craig, Senior Planning Technician

Attachment: Location Plan, and 2025 Aerial Photograph

Location: 85 Benjamin Parkway, City of St. Thomas

Applicant: Ed and Donna Ellis

Subject: Request for a minor variance pursuant to Section 45(1) of the Planning Act, R.S.O.

Recommendation:

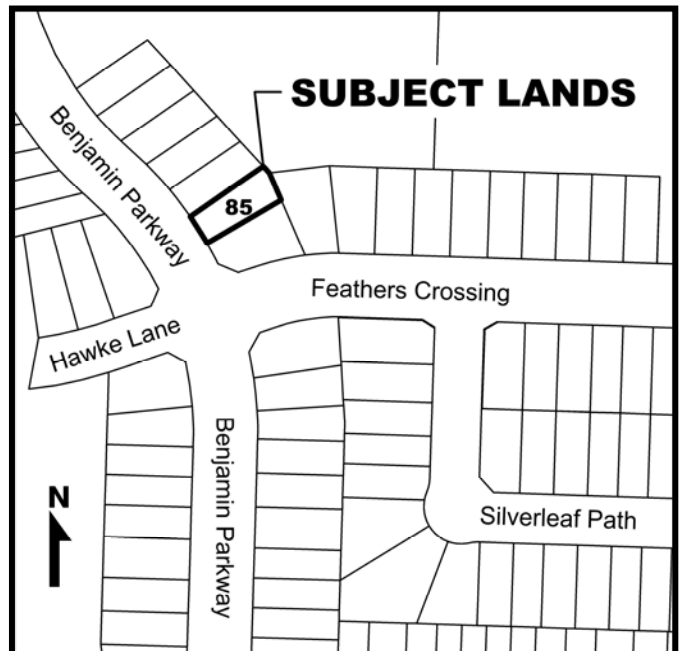
That: Report COA10-2026 relating to an application for a minor variance at 85 Benjamin Parkway be received for information.

Background:

Minor Variance Application No. COA10-2026 has been filed for the purpose of converting the existing deck on the back of the house into a three-season sunroom, as shown on the site plan accompanying the application.

Requested Variances:

- i.) To permit a lot coverage of 37.5%, whereas the Zoning By-law permits a maximum lot coverage of 35%, excluding garages (Table 1 to Subsection 7A.4, Column No. 2, Item No. 5).
- ii.) To permit a three-season sunroom 5.76m from the rear lot line, whereas the Zoning By-law requires a minimum rear yard depth of 7m (Table 1 to Subsection 7A.4, Column No. 2, Item No. 10).



Provincial Planning Statement, 2024 (PPS):

- The Provincial Planning Statement (PPS 2024) provides directions on matters of Provincial interest related to land use planning and development. Decisions by planning authorities (i.e., Committee of Adjustment) that require approval under the Planning Act must be consistent with the PPS. The proposed development is consistent with policies of the PPS in respect to:
 - ✓ Settlement areas shall be the focus of growth and development (Policy 1.1.3.1).
 - ✓ Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources; efficiently use the infrastructure and public service facilities which are planned or available (Policy 1.1.3.2).
 - ✓ Appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form (Policy 1.1.3.2).
- The requested variances are consistent with the Provincial Planning Statement (PPS 2024).

St. Thomas 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 means the predominant use of land shall be for low, medium, and high-density residential use (5.1.3.1). Within a low-density residential area, the main permitted uses include single detached dwellings (5.1.3.2).
- The requested variances are in conformity with the general intent and purpose of the Official Plan.

St. Thomas Zoning By-law 50-88:

- The subject lands are located within the Third Residential Zone (R3A), as shown on Zoning Map 49, pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as amended.
- Permitted uses include single detached dwellings and accessory uses (7.1(a)(q)).
- The zoning regulations for a single detached dwelling (Table 1 to Subsection 7A.4, Column Number 2):
 - Minimum lot area - 371.5sqm (Conforms, 517.4sqm);
 - Minimum lot frontage - 12m (Conforms, 13.6m);
 - Maximum main building height - 11m (Conforms, 8.8m);
 - Maximum accessory building height - 4m (Not applicable);
 - Maximum lot coverage of 35% (excluding garages attached or detached), plus an additional 11% for an attached or detached garage, provided the floor area does not exceed 37sqm for a one car garage, 58sqm for a two-car garage and 88sqm for a three-car garage (Minor variance, existing lot coverage 33.8% / proposed lot coverage 37.5% and existing two-car garage (41.3sqm) conforms 7.9%);
 - Maximum roof area - 50% (Conforms, existing 43% / proposed 47.76%);

- Minimum front yard depth - 6m main building and 7m garage (Conforms, 7.6m and 7.1m);
- Minimum rear yard depth - 7m (Minor variance, existing dwelling 9.23m / proposed three-season sunroom 5.76m);
- Minimum interior side yard depth - 1m (Conforms, 1.25 and 1.29);
- Minimum ground floor area - 1 storey 74sqm (Conforms, existing 216.3sqm and proposed 235.81sqm, including attached garage);
- Minimum number of parking spaces - 1 per dwelling unit (Conforms, 2 parking spaces).
- The requested variances are in conformity with the general intent and purpose of the Zoning By-law.



LEGISLATIVE FRAMEWORK FOR A MINOR VARIANCE (Four (4) Tests):

In considering this application, the Committee shall have regard to the following criteria and determine whether the:

- general intent and purpose of the Official Plan will be maintained;
- general intent and purpose of the Zoning By-law will be maintained;
- variance is desirable for the appropriate development or use of the land, building or structure; and
- the variance is minor in nature.

Comments:

- The first variance is requested to convert an existing deck into a three-season sunroom, which will increase lot coverage by 3.7% (Existing Coverage 33.8% / Proposed Coverage 37.5%).
- The combined lot coverage of the existing dwelling (33.8%), three-season sunroom (3.7%) and attached garage (7.9%) is 45.4%, which is 0.6% under the R3A zone total combined maximum lot coverage of 46%.
- The three-season sunroom will be covered and enclosed, however, the physical footprint will remain the same as the existing deck, resulting in no new adverse impacts to open space, landscaping, outdoor amenity space, lot grading and drainage patterns.
- The second variance is requested to permit a three-season sunroom 5.76m from the rear lot line, as the General Provisions (4.2.2) of the Zoning By-law Zoning By-law only permits covered or uncovered decks, stoops, steps and porches that are not wholly or partially enclosed to project 2.5m into the required rear yard depth of 7m.
- The three-season sunroom will be setback 5.76m from the rear lot line, maintaining adequate area in the rear yard for outdoor amenity space, landscape, and accessory structures. Further the setback maintains an appropriate spatial buffer between the three-season sunroom and development on neighbouring properties.
- In Staff's opinion the requested variances meet the general intent and purpose of the Official Plan, Zoning By-law, is minor in nature, and is desirable and appropriate for the use of the lands, thereby satisfying the four tests, as set out in Section 45 of the Planning Act.
- Planning staff recommend that Minor Variance application COA10/2026 be approved, subject to the following condition:
 - 1) The three-season sunroom shall be constructed in accordance with the plans submitted with the minor variance application.

Respectfully submitted,

Steve Craig,

Sr. Planning Technician

**CONFIRMATION OF A COMPLETE APPLICATION
APPLICATION FOR CONSENT**

June 25, 2026

Secretary-Treasurer, Committee of Adjustment
Attention: Sherry Steadman

Pursuant to By-Law 30-2015, a consultation meeting was held on June 16, 2026, with city staff and the applicant.

An application for Consent, regarding 57 and 65 Walnut Street, was filed on June 25, 2026.

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,



Michelle Knieriem, MCIP, RPP
Manager of Planning Services

THE CORPORATION OF THE CITY OF ST THOMAS

COMMITTEE OF ADJUSTMENT

APPLICATION FOR CONSENT

OFFICE USE:	Date Application Received: <u>June 25 2026</u>	Consultation Date: <u>June 16 2026</u>
	Date Application Deemed Complete: <u>June 25 2026</u>	

Application #: B04-26

APPLICATION IS HEREBY MADE TO:

City of St. Thomas **Committee of Adjustment July 23 2026**
 545 Talbot Street
 St. Thomas ON N5P 3V7
 Tel: (519) 631-1680 ext 4138 Fax: (519) 633-9019
 Email: ssteadman@stthomas.ca

Please note that in accordance with By-Law 30-2015, consultation with the Planning and Building Services Department must take place prior to the submission of an application. After consultation, the application will be filed with the Assistant Secretary-Treasurer, together with the sketch referred to in Note 1 and \$2,000, plus \$200 for any additional lots created made payable to the City of St. Thomas. 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.

Personal information contained on this form is collected under the authority of the Planning Act, R.S.O. 1990, as amended, and Ontario Regulation 200/96 and will be used for the purpose of processing this application.

1. (a) Registered Owner(s): Walnut Park Inc.Mailing Address: 200 Village Walk Blvd., London, ONPostal Code: N5X 0A6 Telephone: 519-4380881 Fax: _____email: mmescia@domusdev.com(b) Owner's Solicitor or Authorized Agent (if any): Stephen Cornwell per CJDLC (Cyril J. Demeyere Ltd.)Mailing Address: 261 Broadway Street, P.O. Box 460Postal Code: N4G 4H8 Telephone: 519-688-1000 Fax: 519-842-3235email: scornwell@cjdlleng.com, admin@cjdlleng.com

(c) Please specify to whom all communications should be sent:

Owner ☒Solicitor ☐Agent ☒

2. (a) Type and purpose of proposed transaction: (Check appropriate space/s)

☒ Creation of New Lot☐ Disposal of Surplus Farm Dwelling☐ Addition to Lot☐ Correction of Title☐ Mortgage or Charge☐ Partial Discharge of Mortgage☐ Lease☐ Right-of-way

Easement _____

(b) If a lot addition, identify the lands to which the parcel will be added:

Name of person(s), if known, to whom land or interest in land is intended to be transferred, charged or leased:

3. Are there any existing easements or restrictive covenants affecting the land?

Yes ☒ No ☐

If "Yes" describe the easement or covenant and its effect:Part 2 on Plan 11R-XX subject to easement Inst.
No. Ct247428 (church access easement) Parts 1,2,3 on Plan 11R-XX subject to easement Inst. No. Ct266373 (blanket access easement)

4. Location of land:

Municipality (City/Town/Township)City of St. Thomas
 Concession No _____Lot(s) _____ Registered Plan No 192 Lot(s) 11,13,14,15
 Reference Plan No 11R-11476 Part(s) 2&4
 Name of Street Walnut Street Street No 57 & 65

5. Description of land to be severed: **(in metric units)** Part No. on sketch Part 1 & Part 2

(a) Frontage 36.968 m Depth _____Area 1.07 ha
 (b) Existing Use Vacant Proposed Use Residential Apartment
 (c) Existing and proposed buildings and structures on the subject land:
 Existing: Vacant
 Proposed: 3 Storey Apartment Building

6. Description of land to be retained: **(in metric units)** Part No. on sketch Part 3

(a) Frontage 18.001 m Depth _____Area 0.42 ha
 (b) Existing Use Residential Apartment Proposed Use Residential Apartment
 (c) Existing and proposed buildings and structures on the land to be retained:
 Existing: 5 Storey Apartment Building
 Proposed: _____

7. (a) Type of access to severed land: Other: Access agreement

- | | |
|--|--|
| ☐ Provincial Highway | ☐ Regional Road |
| ☒ Municipal Road maintained all year | ☐ Other Public Road |
| ☐ Municipal Road maintained seasonally | ☐ Right-of-Way |
| ☐ Water Access | ☐ Private Road |

(b) Type of access to retained land:

- | | |
|--|--|
| ☐ Provincial Highway | ☐ Regional Road |
| ☒ Municipal Road maintained all year | ☐ Other Public Road |
| ☐ Municipal Road maintained seasonally | ☐ Right-of-Way |
| ☐ Water Access | ☐ Private Road |

8. What type of water supply is proposed? (Check appropriate space)

TYPE	PROPOSED LOT	RETAINED LOT
Publicly owned and operated piped water system	☒	☒
Other (specify) _____	_____	_____

9. What type of sewage disposal is proposed? (Check appropriate space)

TYPE	PROPOSED LOT	RETAINED LOT
Publicly owned and operated sanitary sewage system	☒	☒
Other (specify) _____	_____	_____

10. What is the current designation of the subject land in any applicable official plan?

- (a) Local Municipal Official Plan Residential, Natural Heritage, Open Space and Conservation
- (b) Regional Policy Plan N/A

11. (a) Has the subject land ever been the subject of an application for approval of a plan of subdivision under Section 51 of The Planning Act or a consent under Section 53 of The Act?

Yes ☒ No ☐

(b) If the answer to (a) is "Yes", please provide the following information:

File Number: B04/25

Status: approved

12. (a) Has any land been severed from the parcel originally acquired by the owner of the subject land?

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 (Purchaser's) name _____

Land Use on severed parcel 3 storey apartment, triplex.

Date parcel transferred no change in ownership

Consent file number (if known) B 04/25

13. (a) Is the subject land the subject of any other application under the Planning Act e.g. approval of a plan of subdivision; a consent application; an application for an amendment to an official plan amendment; a zoning by-law or a Minister's zoning order, or a minor variance?

Yes ☐ No ☒

(b) If the answer of (a) is "Yes", please provide the following information:

File Number: _____

Status: _____

14. (a) Is the proposed consent application consistent with the Policy Statements issued under subsection 3(1) of the Planning Act?

☒ Yes ☐ No

(b) Are the subject lands within an area of land designated under a Provincial Plan or Plans?

Yes ☐ No ☒

- (c) If the answer to (b) is “yes” does the proposed consent application conform to or does it not conflict with the Provincial Plan or Plans?

Yes

☐

No

☐

15. As provided for in Ontario Regulation 197/96, and as required by this Committee of Adjustment, an application must be accompanied by a preliminary drawing prepared, signed and dated by an Ontario Land Surveyor, showing the information set out below. In the case of multiple applications, one drawing plus one extra copy for each additional application will suffice.
- (a) the boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
 - (b) the distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing;
 - (c) the boundaries and dimensions of the subject land, the part that is to be severed and the part that is to be retained;
 - (d) the location of all land previously severed from the parcel originally acquired by the current owner of the subject land;
 - (e) the approximate location of all natural and artificial features on the subject land and on the land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
 - (f) the existing uses on adjacent land, such as residential, agricultural and commercial uses;
 - (g) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way;
 - (h) if access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
 - (i) the location and nature of any easement affecting the subject land.
16. One copy of this application form is to be filed for each subject parcel, together with the preliminary drawing and the applicable application fee in cash, money order or by cheque made payable to the City of St. Thomas.

APPLICANT DECLARATION

By making this application, permission is hereby granted to any Municipal staff members and Municipal Planning Consultant to enter upon the premises described in this application at a reasonable time for the purpose of inspecting the property in relation to the proposed application and for distributing information concerning the same. This information is being collected pursuant to the Planning Act, Municipal Act, and Freedom of Information Act. The information contained herein will be distributed to bodies and agencies prescribed by legislation and regulation and also to interested parties.

If this application is signed by an agent or solicitor on behalf of an applicant, the owner's written authorization must accompany the application (**Appendix A**). If the applicant is a corporation acting without an agent or solicitor, the application must be signed by an officer of the corporation and the corporation's seal (if any) must be affixed.

MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Application information is collected under the authority of the Planning Act, R.S.O. 1990, c.P.13. In accordance with that Act, it is the policy of the City of St. Thomas to provide public access to all Planning Act applications and supporting documentation submitted to the City.

I, Stephen Cornwell, the Owner or Authorized Agent, hereby agree
(*Print name of Owner or Authorized Agent*)
and acknowledge that the information contained in this application and any documentation, including reports, studies and drawings, provided in support of the application, by myself, my agents, consultants and solicitors, constitutes public information and will become part of the public record. As such, and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M. 56, I hereby consent to the City of St. Thomas making this application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.

Collection of Personal Information:

Personal information on this form is collected under the authority of Section 41 of the *Planning Act*, R.S.O. 1990 and Sections 8 (1) and 10 of the *Municipal Act*, 2001, as amended, and will be used to contact the owner, applicant and/or agent regarding the Committee of Adjustment Application. Questions about this collection should be directed to the City Clerk, 545 Talbot Street, St. Thomas, Ontario, N5P 2T9, (519) 631-1680.

AFFIDAVIT OR SWORN DECLARATION

I, Stephen Cornwell of Woodstock in the province of Ontario,
name of applicant City
make oath and say (or solemnly declare) that the information required under Schedule 1 of Ontario Regulation 545/06 and provided by the applicant in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the Town of Tillsonburg on this 23 day of June, 2026.
City Day Month Year

[Signature]
Signature of Owner or Authorized Agent

June 23 2026
Date

[Signature]
Signature of Commissioner of Oaths, etc.

23 June 2026
Date

Karla Suzanne Cyr, a Commissioner, etc.,
Province of Ontario,
for Cyril J. Demeyere Limited.
Expires March 21, 2028.

APPENDIX A – AUTHORIZATION OF OWNER

If the applicant is not the owner of the subject lands, please complete the owner authorization concerning personal information as set out below.

I, Micheal Mescia, am the owner of the subject lands, and I authorize Stephen Cornwell, to act on our behalf as the agent for the submissions required for all matters relating to the subject lands, and to provide any of my personal information that will be included in this application or collected during the planning process.

6/2/2026

Date

Signed by:
michael mescia
93CFE54182E7486...

Signature of Owner

APPENDIX B – ACKNOWLEDGEMENT OF LEGAL AND PLANNING FEES

In addition to the application fees listed in this application package, please note that where the City requires 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, Appendix B must be completed by the owner, not the authorized agent.**

I, Micheal Mescia, 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.

6/2/2026

Date

Signed by:
michael mescia
93CFE54182E7486...

Signature of Owner

21 PROCEDURES FOR PROCESSING APPLICATIONS FOR CONSENT

Under the provisions of Sections 50 and 53 of The Planning Act, as amended, the approval of the Committee of Adjustment is required for land transactions covering the separation of a parcel of land from existing holdings. This approval is called a "consent". Consent is also required for leases, rights-of-way or easements if such extend beyond a period of 21 years and to mortgage or discharge a mortgage over part of a parcel of land.

As provided for by The Planning Act and Regulation 197/96 under The Act, every application for consent must be brought to the attention of certain authorities and to property owners within 60 metres of the subject land, either by personal service or by advertising in a newspaper which has general circulation in the area. In addition, other agencies will be consulted if the location of the subject lands falls within their respective field of responsibility.

It is this Committee's policy to conduct a public hearing on each application for consent. Notice of this hearing is circulated to the applicant/agent/solicitor and all other persons or agencies as required at least 14 days prior to the date of hearing.

Prior to the hearing, members of the Committee may examine the lands which are the subject of the application.

Following the hearing, the applicant/agent/solicitor is notified in writing of the decision of the Committee. In addition, any other person or agency who files a written request for the decision of the Committee or attends the hearing will be sent a copy of the decision.

Specified persons identified in the Planning Act objecting to the decision of the Committee or the condition(s) imposed by the Committee may appeal either the decision and/or the conditions of consent to the Ontario Land Tribunal within 20 days after the giving of the notice of decision. The notice of appeal, together with written reasons supporting the appeal and the fee by cheque or money order payable to the Minister of Finance must be filed with the Secretary-Treasurer, who in turn, will forward the appeal to the Ontario Land Tribunal. The Fees and Charges, found on the Ontario Land Tribunal's website, outlines the costs associated with filing an appeal. All parties to the appeal will receive any further notice concerning the appeal directly from the Ontario Land Tribunal.

Prior to final consent being issued, written proof must be submitted to the Secretary-Treasurer to the effect that any conditions imposed by the Committee in granting consent have been fulfilled. According to the Act, if the consent granted by the Committee is conditional, the conditions must be fulfilled within two years of the giving of the notice of decision. Failure to do so will cause the consent to lapse.

Preliminary Discussion and Pre-consultation

In accordance with By-Law 30-2015, consultation with the Planning and Building Services Department must take place prior to the submission of an application. The City and any affected agency may require additional background reports in support of the application in order for the application to be considered complete. The purpose of pre-consultation is to ensure that the applicant is aware of the required supporting information before an application is submitted in order to prevent delays in processing the application.

POLICIES

The requirements to complete one application are:

One fully completed application for consent form signed by the applicant(s) or authorized agent and properly witnessed by a Commissioner for the taking of affidavits.

A letter of authorization from the applicant(s) for applications which are signed by someone other than the owner(s).

A preliminary drawing which has been prepared, dated and signed by an Ontario Land Surveyor, showing all information referred to in item 14 of the application form.

Payment of \$2000. Cheques are to be made payable to the "City of St. Thomas"

Someone must be present at the hearing to represent the application.

Decisions of the Committee are made in public.

In granting consent to an application, the Committee may impose conditions as requested by municipal or other authorities such as the following:

That payment of 5% of the value of the subject parcel be made to the local municipality for parks purposes or dedication of 5% of the subject land to the municipality for parks purposes.

That an agreement with the local municipality be entered into for installation of such municipal services as may be required, at the expense of the applicant and to standards acceptable to the municipality.

That land be deeded gratuitously to the local or Regional municipality for road widening purposes.

23 June 2026

22004

City of St. Thomas
 c/o Manager of Planning
 545 Talbot Street,
 St. Thomas, Ontario
 N5P 3V7

RE: 57/65 WALNUT STREET – CONSENT APPLICATION
 APPLICATION LETTER
 WALNUT PARK INC.
 CITY OF ST. THOMAS

ATTENTION: MICHELLE KNIERIEM, MANAGER OF PLANNING

This letter provides a review of a consent application submitted on behalf of Walnut Park Inc., owner of the subject property located at 57/65 Walnut Street, St. Thomas.

The severance is required to provide for separate mortgage financing for the existing 5-storey apartment dwelling at 65 Walnut Street and the new 3-storey development at 57 Walnut Street with construction to begin shortly.

Site plan approval is in the process of being granted. While the proposed severance will create a parcel that does not meet the specific lot frontage and other requirements of the Zoning By-law, the existing site plan approval ensures that By-law regulations apply to the lands within the approved site plan as a whole. The provision permitting this use is described in Section 4.1.18 of Zoning By-law, which states:

“4.1.18 EXISTING USES CONTINUED

Where the development of any land is approved under Section 41 of the Planning Act and, pursuant to a consent subsequently given under Section 53 of the Act or pursuant to an approval or exemption subsequently given under Section 50 of the Condominium Act, any part of the land is conveyed or otherwise dealt with, the regulations of this By-law are hereby deemed to apply to the land as a whole and to any building or structure thereon in the same manner and to the same extent as if the consent, approval or exemption was not given, so long as the land and any building or structure thereon are used and continue to be used for the purpose for which the development was approved. (By-law 60-2023)”

Cyril J. Demeyere Limited (CJDL) has been retained by the applicant to provide services in support of this application. This severance is depicted below in Figure 1.

1.0 SUBJECT PROPERTY AND SURROUNDING LAND USES

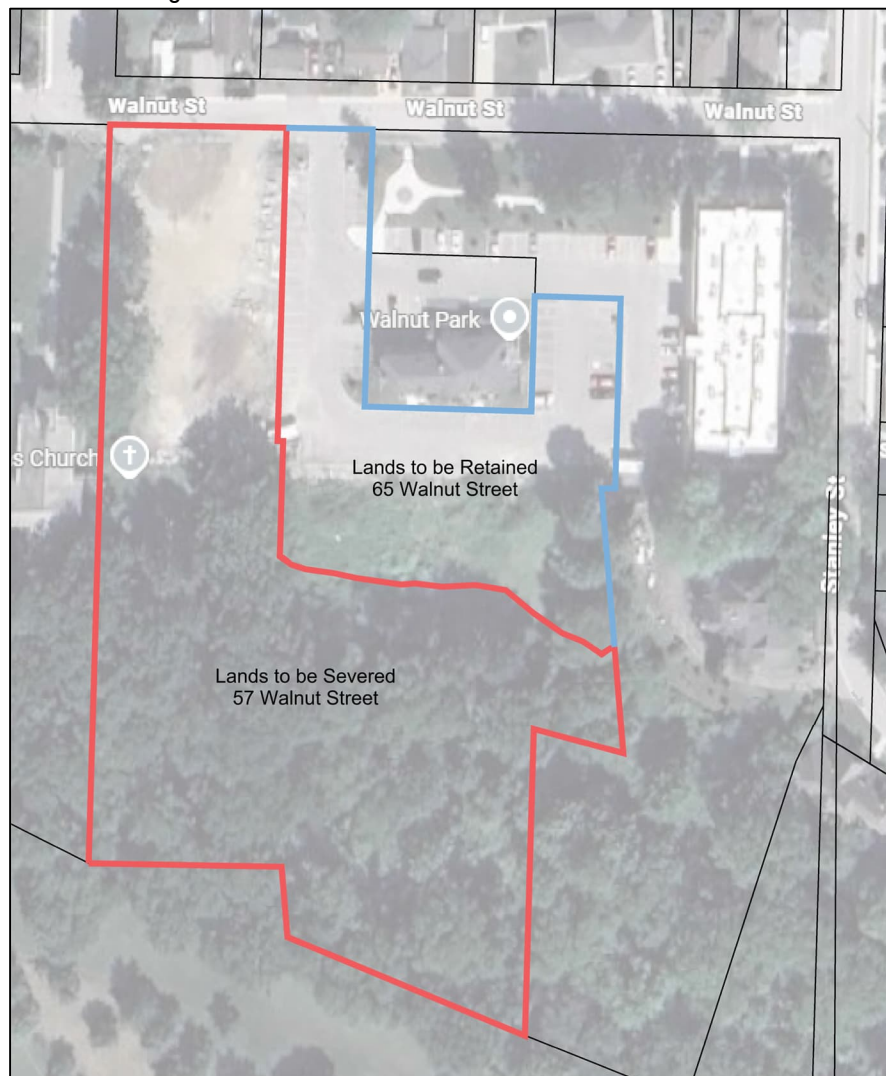
The subject property is municipally known 57/65 Walnut Street, St. Thomas, and is legally described as Lot 13, Part of Lots 11, 14 & 15 on Plan 192, Parts 2-4 on 11R-11476; City of St. Thomas.

The subject property has an area of approximately 01.49 hectares (1.67 acres) and contains an existing 5-storey apartment and associated parking area.

The subject property is within the Residential, Natural Heritage, and Natural Hazard designations on Schedule 'A' (Land Use Plan) to the Official Plan of the City of St. Thomas. The subject lands are zoned Residential 5-53 (R5-53), Open Space (OS), and Natural Heritage (NH) in the City of St. Thomas Zoning By-law No. 50-88.

The surrounding parcels along Walnut Street were formed from prior severances and contain an existing triplex at 59 Walnut Street and an existing 3-storey apartment building at 75 Walnut St. The proposed severance is depicted below in Figure 1.

Figure 1: Severance Sketch for 57/65 Walnut Street



2.0 PROPOSAL

The applicant is proposing to sever land for a future 3 storey apartment from land containing an existing 5 storey apartment. The purpose of this severance is for mortgage purposes.

Servicing of the lands in accordance with City requirements, as well as legal access to all parts of the severance sketch, is addressed through the provisions of the site plan agreement previously executed between The City of St. Thomas and Domus Developments (London) Inc. (2023) and binding on all subsequent owners.

3.0 PLANNING POLICIES

The proposed Zoning By-Law Amendment is supported by the existing framework of the policy-led planning system provided by the Provincial Planning Statement (PPS), and the City of St. Thomas Official Plan.

3.1 Provincial Planning Statement

The PPS is a policy statement issued under Section 3 of the *Planning Act* (R.S.O., 1990). This policy came into effect on October 20, 2024, and contains policies related to matters of provincial interest.

Section 2.3.1 states that, “*settlement areas shall be the focus of growth and development.*”

Section 3.1.1 states that “*infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.*”

In compliance with these policies in Sections 2 and 3, the proposed development is located within a settlement area with available services. The servicing of the lands in accordance with City requirements is addressed through the provisions of the site plan agreement previously executed between the City of St. Thomas and Domus Developments (London) Inc. (2023).

The proposed severance is consistent with the Provincial Planning Statement.

3.2 City of St. Thomas Official Plan

The City of St. Thomas Official Plan is issued in accordance with Section 12 of the *Planning Act* (R.S.O., 1990) and includes goals, objectives, and policies that guide land use and development in the City.

The subject property within the Residential, Natural Heritage, and Natural Hazard designations on Schedule ‘A’ to the Official Plan of the City of St. Thomas: Land Use Plan.

General policies related to consents are found in Section 10.4.

In conformity with the policies of this section, the proposed severance can be adequately serviced, fronts on to a public road developed to municipal standards, facilitates infill development, is an appropriate size to accommodate the proposed use, and is accessible through an existing access agreement. A plan of subdivision is not necessary, as one lot is being severed.

The proposed severance is in conformity with the City of St. Thomas Official Plan.

4.0 SUMMARY STATEMENT

The Consent application submitted for mortgage purposes is consistent with the Provincial Planning Statement (2024) and conforms with the Official Plan of the City of St. Thomas.

In support of the Consent Application, in addition to this letter, the following material has been submitted:

- Application form;
- Severance Sketch by CJDJL;
- Draft Reference Plan by AGM;
- Cheque for the Consent application fee (\$2,000.00)

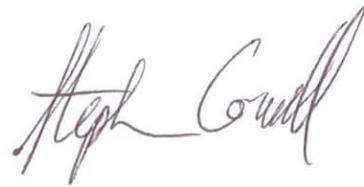
If you have any questions or concerns, please do not hesitate to contact the undersigned.

**

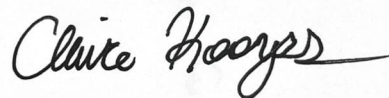
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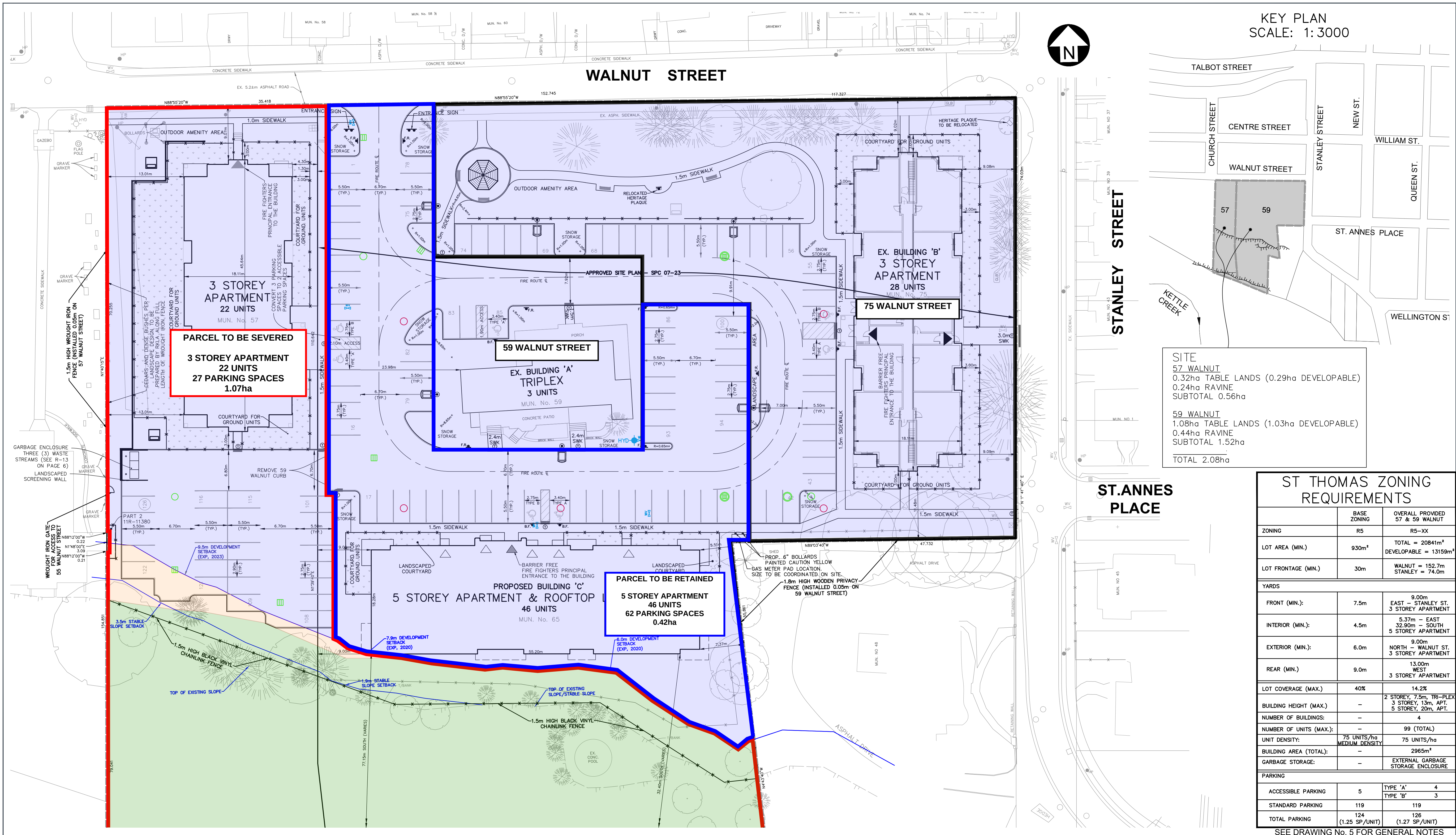
All of which is respectfully submitted by,



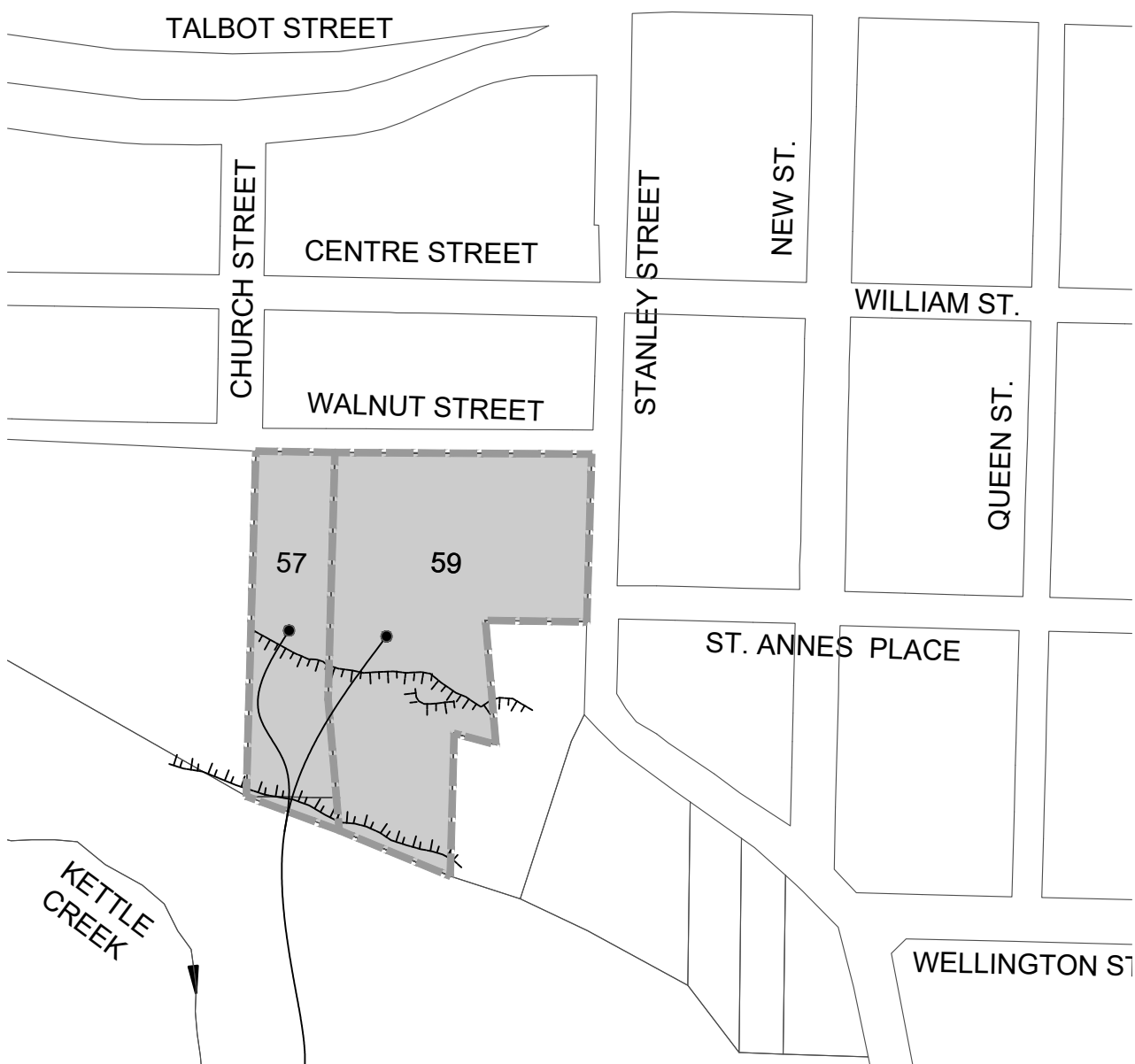
Stephen Cornwell
Senior Planner, MCIP, RPP
Cyril J. Demeyere Limited



Claire Koops
Junior Planner
Cyril J. Demeyere Limited



KEY PLAN
SCALE: 1: 3000



SITE
57 WALNUT
0.32ha TABLE LANDS (0.29ha DEVELOPABLE)
0.24ha RAVINE
SUBTOTAL 0.56ha

59 WALNUT
1.08ha TABLE LANDS (1.03ha DEVELOPABLE)
0.44ha RAVINE
SUBTOTAL 1.52ha

TOTAL 2.08ha

ST THOMAS ZONING REQUIREMENTS

	BASE ZONING	OVERALL PROVIDED 57 & 59 WALNUT
ZONING	R5	R5-XX
LOT AREA (MIN.)	930m ²	TOTAL = 20841m ² DEVELOPABLE = 13159m ²
LOT FRONTAGE (MIN.)	30m	WALNUT = 152.7m STANLEY = 74.0m
YARDS		
FRONT (MIN.):	7.5m	9.00m EAST - STANLEY ST. 3 STOREY APARTMENT
INTERIOR (MIN.):	4.5m	5.37m - EAST 32.90m - SOUTH 5 STOREY APARTMENT
EXTERIOR (MIN.):	6.0m	9.00m NORTH - WALNUT ST. 3 STOREY APARTMENT
REAR (MIN.):	9.0m	13.00m WEST 3 STOREY APARTMENT
LOT COVERAGE (MAX.):	40%	14.2%
BUILDING HEIGHT (MAX.):	-	2 STOREY, 7.5m, TRI-PLEX 3 STOREY, 13m, APT. 5 STOREY, 20m, APT.
NUMBER OF BUILDINGS:	-	4
NUMBER OF UNITS (MAX.):	-	99 (TOTAL)
UNIT DENSITY:	75 UNITS/ha MEDIUM DENSITY	75 UNITS/ha
BUILDING AREA (TOTAL):	-	2965m ²
GARBAGE STORAGE:	-	EXTERNAL GARBAGE STORAGE ENCLOSURE
PARKING		
ACCESSIBLE PARKING	5	TYPE 'A' 4 TYPE 'B' 3
STANDARD PARKING	119	119
TOTAL PARKING	124 (1.25 SP/UNIT)	126 (1.27 SP/UNIT)

SEE DRAWING No. 5 FOR GENERAL NOTES

LEGEND

SAN	PROPOSED SANITARY SEWER	WM	PROPOSED WATERMAIN	MH	MAINTENANCE HOLE	B.F.	BARRIER FREE PARKING SIGN	R5-53	RESIDENTIAL ZONING (R5-53)
SAN	EXISTING SANITARY SEWER	WM	FUTURE WATERMAIN	CB	CATCH BASIN	F.R.	FIRE ROUTE SIGN	OS	OPEN SPACE ZONING (OS)
ST	PROPOSED STORM SEWER	PL	PROJECT LIMITS	W.V.	WATER VALVE	C.O.	CLEAN OUT	NH	NATURAL HERITAGE ZONING (NH)
ST	EXISTING STORM SEWER	PF	PROPOSED FENCE	W.S.C.S.	WATER SERVICE CURB STOP	C.C.	PROPOSED CURB CUT		
ST	FUTURE STORM SEWER	PLC	PROPOSED LIMITS OF CONSENT	HYD	HYDRANT	S.L.	PROPOSED STREET LIGHT		
SD	PROPOSED SUBDRAIN								

CONSULTANT:

CJDL
Consulting Engineers

ST THOMAS
THE RAILWAY CITY

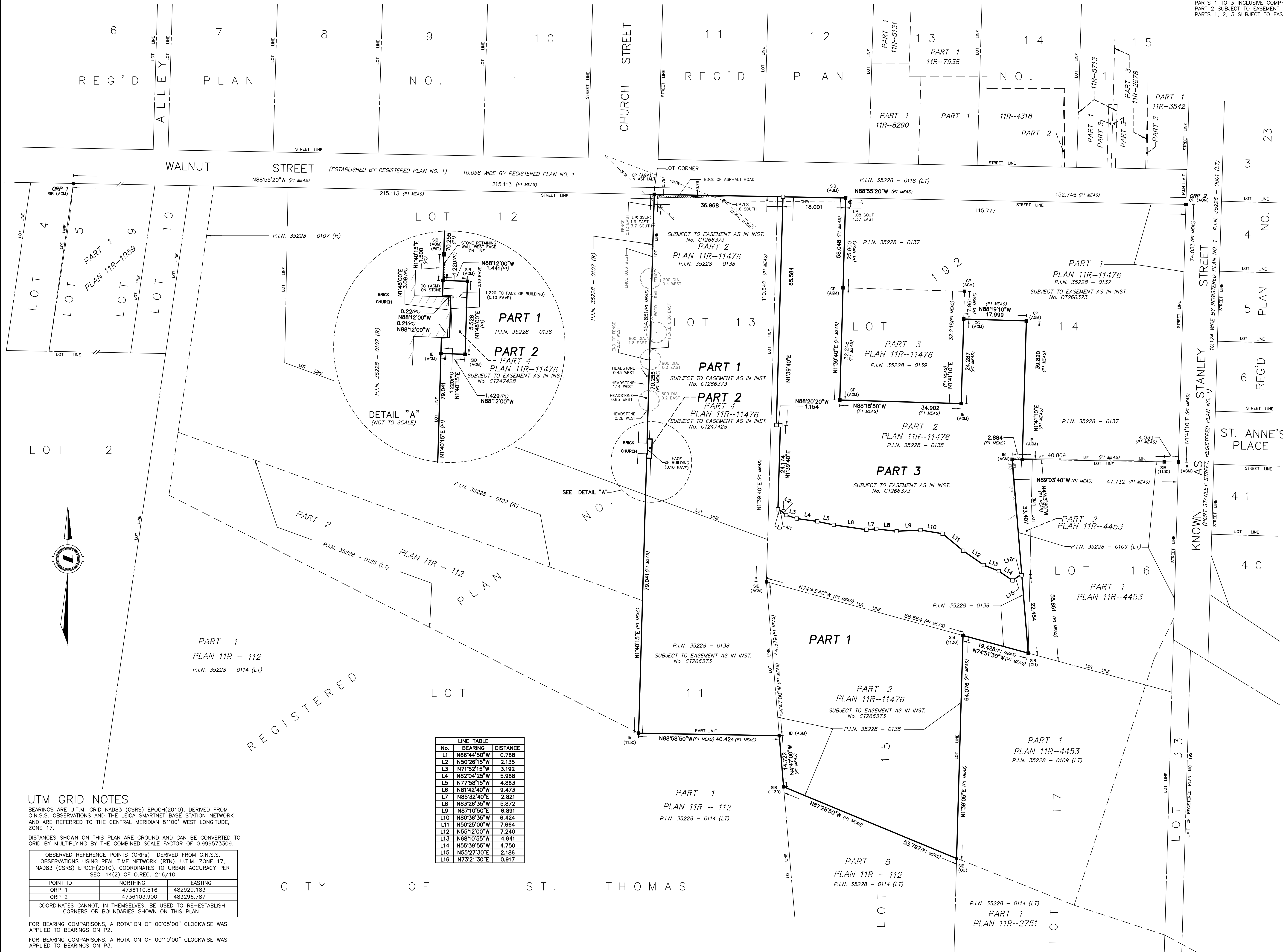
Civil J. Demeyere Limited
P.O. Box 450, 261 Broadway
Toronto, Ontario, M4G 4K8
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PART SCHEDULE			
PART	LOT	PLAN	P.I.N.
1	PART 11, 13, 14, 15	192	PART 35228-0138
2	PART 13	192	PART 35228-0138
3	PART 14	192	PART 35228-0138

PARTS 1 TO 3 INCLUSIVE COMPRISE ALL OF P.I.N. 35228-0138
 PART 2 SUBJECT TO EASEMENT AS IN INST. No. CT247428
 PARTS 1, 2, 3 SUBJECT TO EASEMENT AS INST. No. CT266373

DRAFT

NOTE:
 THIS PLAN IS COMPILED
 FROM AGM PLANS AND
 RECORDS. MONUMENTATION
 AND METHOD OF SURVEY IS
 TO BE UPDATED WHEN THE
 FIELD WORK IS COMPLETE



PLAN OF SURVEY OF PART OF LOTS 11, 14 AND 15 AND ALL OF LOT 13 REGISTERED PLAN No. 192 IN THE CITY OF ST. THOMAS COUNTY OF ELGIN

SCALE 1:500
 10 0 10 20 30
 SCALE IN METRES

THE INTENDED PLOT SIZE OF THIS PLAN IS 915mm IN WIDTH BY 610mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:500

ARCHIBALD, GRAY McKAY LTD.
 ONTARIO LAND SURVEYORS
 2026

NOTES & LEGEND

■	DENOTES MONUMENT FOUND
□	DENOTES MONUMENT PLANTED
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON BAR
CC	DENOTES CUT CROSS
CP	DENOTES CONCRETE PIN
WIT	DENOTES WITNESS
OU	DENOTES ORIGIN UNKNOWN
AGM	DENOTES ARCHIBALD, GRAY & McKAY LTD., O.L.S.'s
1130	DENOTES J.G. RUPERT O.L.S.
P1	DENOTES PLAN 11R-11476
N1	DENOTES BAR SET

TOPOGRAPHIC LEGEND

CLF	DENOTES CHAIN LINK FENCE
DIA	DENOTES DIAMETER IN mm
LS	DENOTES LIGHT STANDARD
MF	DENOTES METAL FENCE
UP	DENOTES UTILITY POLE
OHW	DENOTES OVERHEAD WIRE
○	DENOTES POLE ANCHOR
○	DENOTES DECIDUOUS TREE

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE DAY OF , 2026.

DATE _____ THOMAS J. STIRLING
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY IS RELATED TO
 AOLS PLAN SUBMISSION FORM NUMBER V135.

METRIC - DISTANCES AND COORDINATES SHOWN ON THIS PLAN
 ARE IN METRES AND CAN BE CONVERTED TO FEET BY
 DIVIDING BY 0.3048.

AGM		ARCHIBALD, GRAY & McKAY LTD.	
PLAN • SURVEY • ENGINEER		3514 WHITE OAK ROAD, LONDON, ON, N6E 2Z9	
DRAWN BY: CRC		PHONE: 519-685-9300	
CHECKED BY: NAME		FAX: 519-685-9303	
Plot date: MAY 29, 2026		EMAIL: info@agm.on.ca	
DIGITAL FILE: ST2505R2P2.DWG		WEB: www.agm.on.ca	
FIELDWORK BY: NAME		PLAN No:	
FILE No: ST-35-1		8-L-Z	

Report No.: B04/2026

Directed to: Members of the Committee of Adjustment

Meeting Date: 07/23/2026

Department: Planning & Building Services Department

Prepared by: Steve Craig, Senior Planning Technician

Attachment: Location Plan,
2025 Aerial Photograph,
Special Zoning Map 14-19
and Approved Site Plans

Location: 57 and 65 Walnut Street. Legally described as, Lot 13, Part Lot 11, 14, 15, Plan 192 and Parts 2-4, Plan 11R-11476, in the City of St. Thomas.

Applicant: Walnut Park Inc.

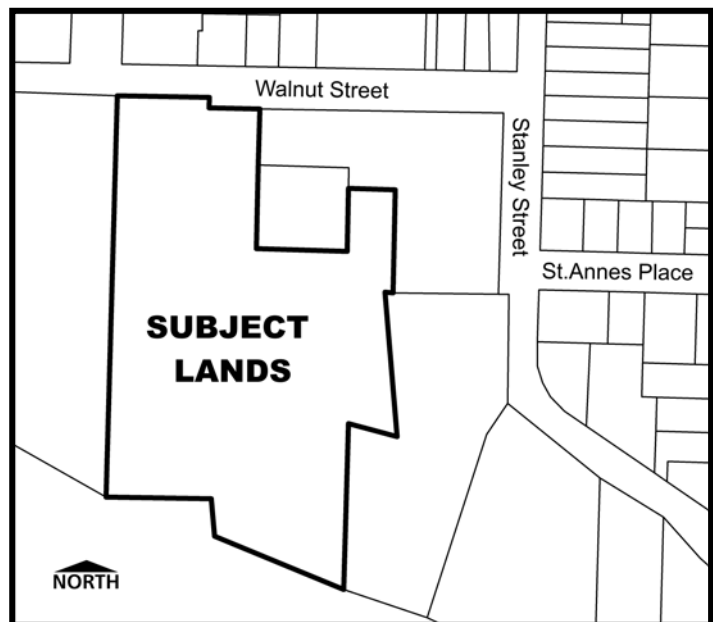
Subject: Request for a consent pursuant to Section 53 of the Planning Act, R.S.O, as amended

Recommendation: That: Report B04/2026 relating to an application for a consent at 57 and 65 Walnut Street be received for Information.

Background:

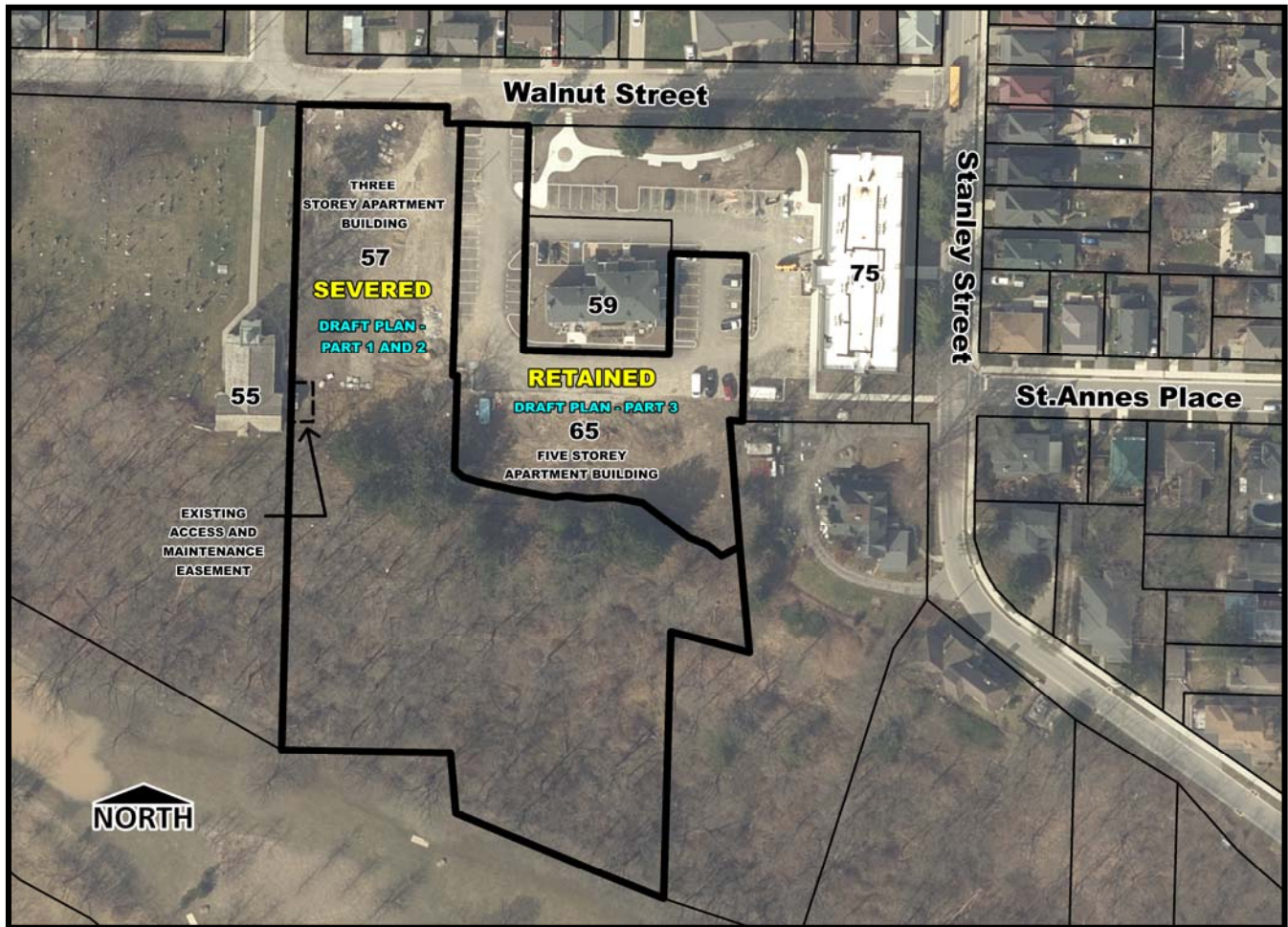
Consent Application B04/2026 has been filed for the purpose of facilitating separate mortgage financing for 57 Walnut Street (three storey apartment dwelling) and 65 Walnut Street (five storey apartment dwelling).

The Committee of Adjustment approved a similar consent application in 2025 (B04/2025), for the purpose of facilitating separate mortgage financing for 59 Walnut Street (Triplex Dwelling) and 75 Walnut Street (three storey apartment dwelling), which is identified on the accompanying 2025 Aerial Photograph.



Proposal:

The applicant is proposing to sever Part 1 and Part 2 and retain Part 3, as shown on the draft reference plan prepared by AGM (File No: ST-35-1) and accompanying the application.

**Provincial Planning Statement, 2024 (PPS):**

- The Provincial Planning Statement provides directions on matters of Provincial interest related to land use planning and development. Decisions by planning authorities (i.e. Committee of Adjustment) that require approval under the Planning Act must be consistent with the PPS.
- The requested consent is consistent with policies of the PPS in respect to:
 - ✓ Settlement areas shall be the focus of growth and development (Policy 2.3.1 (1.)).
 - ✓ Land use patterns within settlement areas should be based on densities and a mix of land uses which: efficiently use land and resources (2.3.1(2)(a)).
- The requested consent for the purpose of facilitating separate mortgage financing for 57 Walnut Street and 65 Walnut Street is consistent with the Provincial Planning Statement (PPS 2024).

Planning Act, R.S.O. 1990, As Amended:

- The requested consent has regard to the criteria for considering a draft plan of subdivision, under Section 51(24) of the Planning Act, including matters of provincial and public interest ((a)(b)), conformity with the official plan (c), suitability of the land for the purposes for which it is to be subdivided (d) and adequacy of highways, utilities and municipal services ((e)(i)).

St. Thomas Official Plan:

- The subject lands are within the Residential, Natural Heritage and Natural Hazard designations, as shown on Schedule A (Land Use Plan) to the Official Plan for the City of St. Thomas.
- The five storey apartment building on the retained lot and the proposed three storey apartment building on the severed lot are within the Residential designation (5.1).
- Consents will be granted only if it is apparent to the Committee of Adjustment that a plan of subdivision is unnecessary and the land in question can be serviced adequately. The following policies, in addition to other applicable policies in this Plan, apply to the creation of new lots by the consent process (10.4):
 - 1) consents should be granted only in areas where the undue extension of any major service would not be required (*Conforms, as part of the zoning amendment process a Functional Servicing Report was submitted which confirmed that adequate municipal services will be provided*);
 - 2) consents should be granted only when the land fronts on an existing public road that is or will be developed to accepted municipal standards (*Conforms, the site has access to Stanley Street, a Major Collector, via Walnut Street, a local road*);
 - 3) consents should have the effect of infilling in existing urbanized areas and not of extending the urban area unduly (*Conforms, the subject lands are within the existing settlement area for the City of St. Thomas*);
 - 4) the size of any parcel of land created by such a consent should be appropriate for the use proposed considering the public services available and the soil conditions and in no case should any parcel be created which does not conform to the provisions of the zoning by-law (*Conforms, the severed lot and retained lot conform with the Zoning By-law*);
 - 5) direct access from arterial or collector streets should be restricted, and residential lots should, where possible, have access only from local streets (*Conforms, the site has access to Stanley Street, a Major Collector, via Walnut Street, a local road*);
 - 6) consents should not be granted for land adjacent to a road from which access is to be obtained where a traffic hazard would be created because of limited sight lines on curves or grades (*Conforms, as part of the zoning amendment process a Transportation Impact Study identified that all intersections are forecast to operate with acceptable levels of service with no specific problem movements under total traffic conditions*);

7) within the Residential and Rural Area designation on Schedule "A" where full urban services are not available consents may be permitted for reasons of lot boundary adjustment, rights of way, easements, long term leases, and to convey additional lands to an abutting lot, provided where there are existing dwellings a certificate of approval for servicing can be obtained from the appropriate approval authority (*Not Applicable*).

- The requested consent for the purpose of facilitating separate mortgage financing for 57 Walnut and 65 Walnut Street does not require a plan of subdivision, the land can be serviced adequately and conforms with the Official Plan.

St. Thomas Zoning By-Law 50-88:

- The subject lands are within the Fifth Residential Zone (R5-53), Fourth Residential Zone (R4), Open Space and Park Zone (OS), Natural Heritage Zone (NH) and Hazard Land Zone (HL), Zoning Map 14, in accordance with the City of St. Thomas Zoning By-Law 50-88, as amended.
- The five storey apartment building currently under construction on the retained lot and the proposed three storey apartment building on the severed lot are within the special zone R5-53 (9.5.49(a)). Permitted uses of the R5-53 zone include an existing triplex dwelling, apartment dwelling and uses accessory to the foregoing (9.5.49(b)). *Conforms*.
- Permitted buildings and structures of the R5-53 zone include one existing triplex dwelling, one 28-unit apartment building, one 46-unit apartment building and one 22-unit apartment building (9.5.49(c)). Within the R5-53 zone the permitted buildings and structures shall be located within the areas shown with dashed lines on Special Zoning Map 14-19. (9.5.49(d)). *Conforms*.
- Minimum lot area 20,842sqm (9.5.49(e)). *Conforms, 20,842sqm*.
- Maximum lot coverage 20% (9.5.49(f)). *Conforms, 14.2%*.
- Maximum building height, triplex dwelling two storey (7.5m), two apartment dwellings three storey (13m) and one apartment dwelling five storey (20m) (9.5.49(g)). *Conforms*.
- Minimum parking, 119 parking spaces and 7 accessible parking spaces (126 total parking spaces (9.5.49(h)). *Conforms, 126 parking spaces*.
- Existing uses continued, where the development of any land is approved under Section 41 (Site Plan Control) of the Planning Act and, pursuant to a consent subsequently given under Section 53 (Consents) of the Act or pursuant to an approval or exemption subsequently given under Section 50 of the Condominium Act, any part of the land is conveyed or otherwise dealt with, the regulations of this By-law are hereby deemed to apply to the land as a whole and to any building or structure thereon in the same manner and to the same extent as if the consent, approval or exemption was not given, so long as the land and any building or structure thereon are used and continue to be used for the purpose for which the development was approved (4.1.18). *Conforms*.

- The development of the severed and retained lands was approved under Section 41 (Site Plan Control) of the Planning Act on September 26, 2023, and April 13, 2026, a copy of the approved site plans are attached to the planning report.
- The requested consent for the purpose of facilitating separate mortgage financing for 57 Walnut and 65 Walnut Street conforms with the Zoning By-law.

Comments

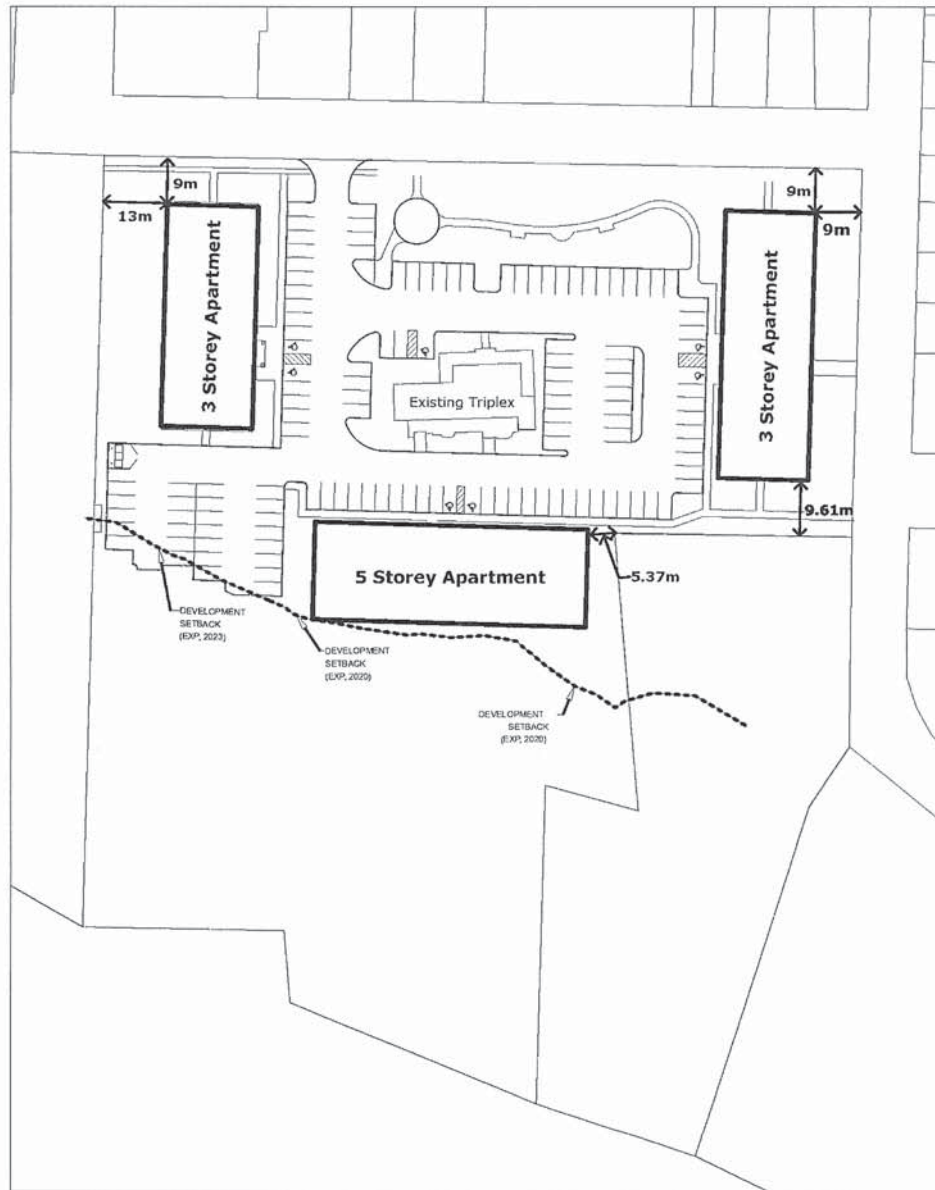
- In staff's opinion Consent Application B04-2026 conforms with the Provincial Planning Statement (PPS), City of St. Thomas Official Plan, Zoning By-law and satisfies the criteria of Section 51(24) of the Planning Act, R.S.O, as amended. Therefore, approval of the application is supportable, should the Committee of Adjustment approve Consent Application B04-2026 staff recommends the following conditions:
 - 1) The applicant submits a revised site plan that reflects the limits of the severed and retained lots to the satisfaction of the Corporation of the City of St. Thomas, Director of Planning; and
 - 2) That the City of St. Thomas be provided with a copy of the Reference Plan.

Respectfully submitted,

Steve Craig,

Sr. Planning Technician

Special Zoning Map 14-19



This is Schedule "A" to By-Law
Passed this 9th Day of February, 2026.

Maria Konefal
Maria Konefal, City Clerk

Joe Preston
Joe Preston, Mayor



