

A G E N D A

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

VIA ZOOM/ROOM # 304

10:00 A.M.

FEBRUARY 12th, 2026

DISCLOSURE OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on January 22nd, 2026.

HEARING OF APPLICATIONS

B01-26 – 18 McIntyre Street **Pages 2-11**

Planning Report – B01-26 **Pages 12-15**

NEW BUSINESS

Next Meeting

February 26, 2026

ADJOURNMENT

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

January 6, 2026

Secretary-Treasurer, Committee of Adjustment
Attention: Sherry Steadman

Pursuant to By-Law 30-2015, a consultation meeting was held on November 20, 2025, with city staff and the applicant.

An application for Consent, regarding 18 McIntyre Street and 18 ½ / 20 McIntyre Street, was filed on December 20, 2025.

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

[Clear Form](#)

COMMITTEE OF ADJUSTMENT

APPLICATION FOR CONSENT

OFFICE USE:	Date Application Received: <u>January 6 2026</u>	Consultation Date: <u>November 20, 2025</u>
	Date Application Deemed Complete: <u>January 6 2026</u>	

 Application #: B01-2026

APPLICATION IS HEREBY MADE TO:

 City of St. Thomas **Committee of Adjustment meeting Feb.12, 2026**
 545 Talbot Street
 St. Thomas ON N5P 3V7
 Tel: (519) 631-1680 ext 4138 Fax: (519) 633-9019
 Email: sssteadman@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): Raymond John Alway

 Mailing Address: 13 Philip Street St Thomas ON

 Postal Code: N5R 1W4 Telephone: 519 631-1694 Fax: _____

 email: aarcuda340@gmail.com

 (b) Owner's Solicitor or Authorized Agent (if any): Nick Visscher

 Mailing Address: 527 Talbot St St Thomas ON

 Postal Code: N5P 1C3 Telephone: 519 637-2300 Fax: _____

 email: nickvisscher@elginrealty.ca

(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:

not applicable

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

Yes ☐ No ☒

If "Yes" describe the easement or covenant and its effect: _____

4. Location of land:

Municipality (City/Town/Township) St Thomas

Concession No _____ Lot(s) _____ Registered Plan No ¹⁹ _____ Lot(s) _____

Reference Plan No _____ Part(s) _____

Name of Street _____ Street No _____

5. Description of land to be severed: (in metric units) Part No. on sketch ^{2 & 4} _____

(a) Frontage ^{16.699} _____ Depth ^{44.819} _____ Area ^{726.8} _____

(b) Existing Use Duplex Proposed Use unchanged

- (c) Existing and proposed buildings and structures on the subject land:

Existing: Duplex

Proposed: same unchanged

6. Description of land to be retained: (in metric units) Part No. on sketch ^{1 & 3} _____

(a) Frontage ^{14.391} _____ Depth ^{44.735} _____ Area ⁶⁷⁰ _____

(b) Existing Use Triplex Proposed Use unchanged

- (c) Existing and proposed buildings and structures on the land to be retained:

Existing: Triplex

Proposed: same unchanged

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

- | | |
|--|--|
| ☐ 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

(b) Regional Policy Plan not applicable

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: not applicable

Status: _____

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 not applicable

Land Use on severed parcel _____

Date parcel transferred _____

Consent file number (if known) B _____

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 Nick Visscher, 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:

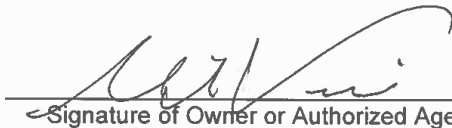
Personal information on this form is collected under the authority of Section 41 of the *Planning Act*, R.S.O. 1990 and Sections 8 (1) and 10 of the *Municipal Act*, 2001, as amended, and will be used to contact the owner, applicant and/or agent regarding the Committee of Adjustment Application. Questions 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, Nick Visscher of St. Thomas 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 St. Thomas on this 16 day of December 2025.
City Day Month Year


Signature of Owner or Authorized Agent

Dec. 16, 2025
Date


Signature of Commissioner of Oaths, etc.

Dec. 16, 2025
Date

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, Raymond John Alway, am the owner of the subject lands, and I authorize Nick Visscher, 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.

Dec. 12th, 2025
Date

Raymond Alway
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, Raymond John Alway, 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.

Dec. 12th, 2025
Date

Raymond Alway
Signature of Owner

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.





Report No.: B01/2026

Directed to: Members of the Committee of Adjustment

Meeting Date: 02/12/2026

Department: Planning & Building Services Department

Prepared by: Steve Craig, Senior Planning Technician

Attachment: Location Plan and 2020 Aerial Photograph

Location: 18 (Plan 19, Part Lot 68) and 18 ½ / 20 McIntyre Street (Plan 19, Part Lot 67 and Part Lot 68)

Applicant: Raymond John Alway

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

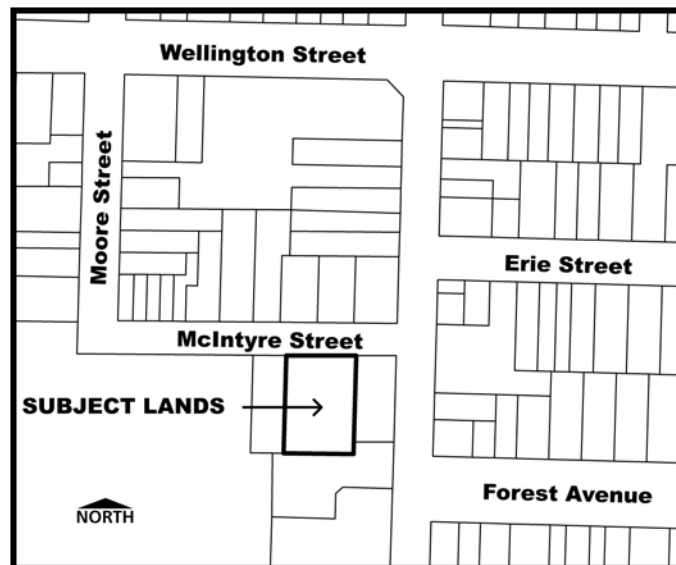
Recommendation: That: Report B01/2026 relating to an application for a consent at 18 and 18 ½ / 20 McIntyre Street be received for information.

Background:

Consent Application B01/2026 has been filed for the purpose of subdividing 18 McIntyre Street and 18 ½ / 20 McIntyre Street, as the lots inadvertently merged in title. The applicant is also requesting a right-of-way for the purpose of providing mutual access to the rear yards of the subject lands, as shown on the Draft R-Plan, prepared by Kim Husted Surveying LTD. and accompanying the application.

Proposal:

The applicant is requesting to sever a lot (Part 2) with a frontage of 16.69m on McIntyre Street and an area of 726.8sqm, containing one semi-detached dwelling (18 ½ / 20 McIntyre Street). It is proposed that the lot will continue to be used for residential purposes. The applicant is requesting to retain one lot (Part 1) with a frontage of 14.39m and an area of 670sqm, containing one triplex dwelling (18 McIntyre Street). It is proposed that the lot will continue to be used for residential purposes. The applicant is also requesting a right-of-way (Part 3 and Part 4) for the purpose of mutual access to the rear yards of the subject lands.



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).
 - ✓ Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans; permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and all types of residential intensification, including additional residential units, and redevelopment (Policy 1.4.3).
- The requested consent for the purpose of subdividing 18 McIntyre Street and 18 ½ / 20 McIntyre Street, that inadvertently merged in title is consistent with the Provincial Planning Statement (PPS 2024).

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

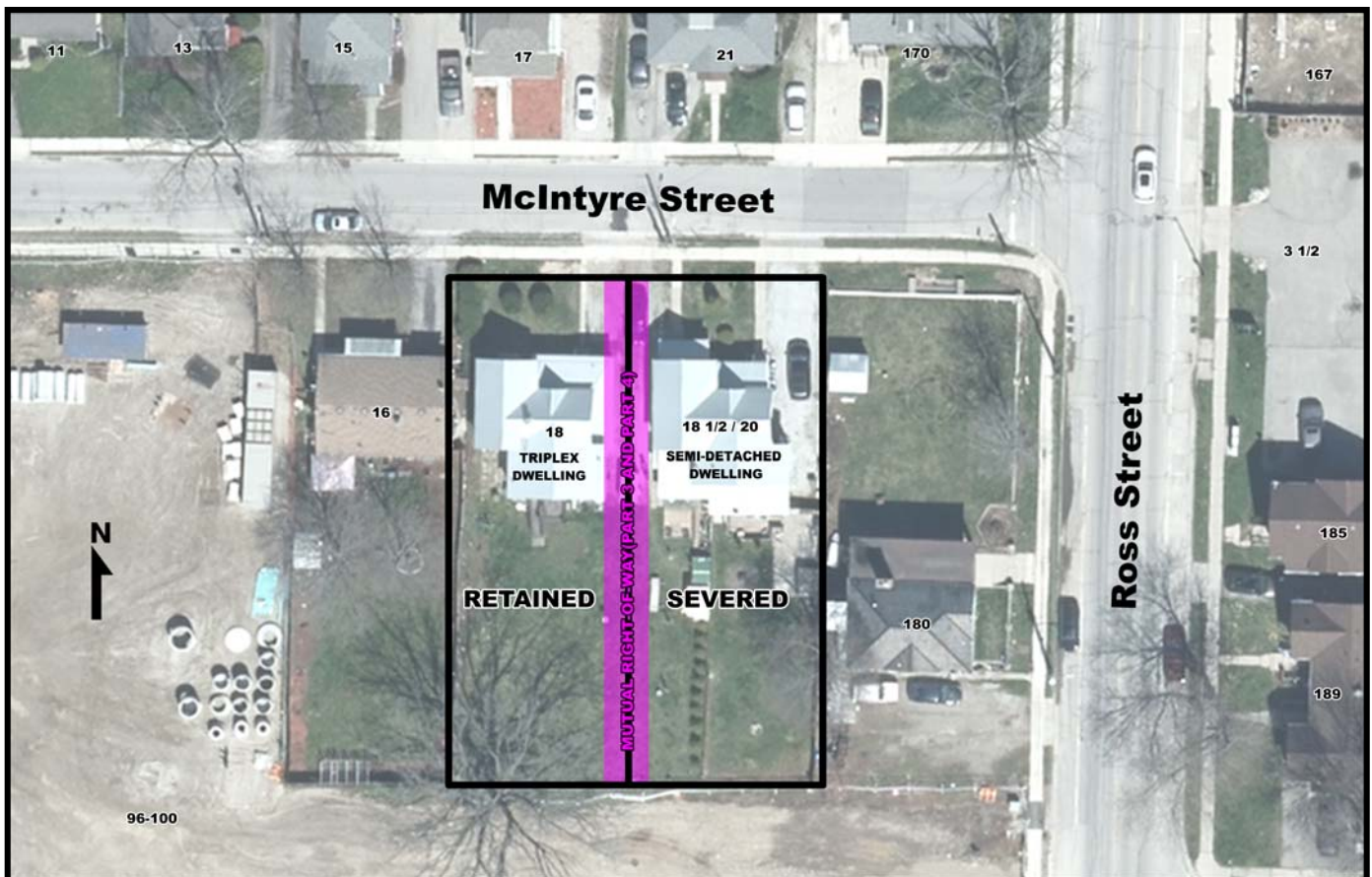
- The requested consent has regard to the criteria for considering a draft plan of subdivision, under Section 51(24) of the Planning Act, including matters of provincial and public interest ((a)(b)), conformity with the official plan (c), suitability of the land for the purposes for which it is to be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

St. Thomas Official Plan:

- The subject lands are within the Residential designation, as shown on Schedule A (Land Use Plan) to the Official Plan for the City of St. Thomas.
- The Goals for the Residential designation include providing sufficient residential land and satisfying housing demands in terms of housing type, tenure, density, lot size, unit size and cost, considering household size and income of households (5.1.2(ii)).
- The Residential designation means the predominant use of land shall be for low, medium and high-density residential use (5.1.3.1).
- 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 (10.4.1 Consents).
- The requested consent is for the purpose of subdividing 18 McIntyre Street and 18 ½ / 20 McIntyre Street, that inadvertently merged in title. Staff are satisfied that a plan of subdivision is not required, and existing services are adequate for the continued use of the subject lands.
- The requested consent conforms with the City of St. Thomas Official Plan.

St. Thomas Zoning By-Law 50-88:

- The subject lands are within the Third Residential Zone (R3) pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as shown on Zoning Map 15.
- Permitted uses of the R3 zone include semi-detached dwellings and triplex dwellings (7.1(b)(d)).
- Semi-detached dwelling - Minimum Lot Area 600sqm (Existing Lot 728.8sqm) and Minimum Lot Frontage 20m (Existing Lot 16.69m).
- Triplex dwelling - Minimum Lot Area - 650sqm (Existing Lot 670sqm) and Minimum Lot Frontage 18m (Existing Lot 14.39m).
- Where an existing use of land is permitted within the applicable zone in the Zoning By-law, but the lot, buildings or structures located on the property do not meet the zoning regulations, the lot, buildings or structures are legal non-complying.
- The requested consent for the purpose of subdividing 18 McIntyre Street and 18 ½ / 20 McIntyre Street, that inadvertently merged in title conforms with the City of St. Thomas Zoning By-law.

**Comments:**

- The applicant obtained the services of Bowsher + Bowsher law firm to provide a legal opinion on the status of 18 McIntyre Street and 18 ½ / 20 McIntyre Street. According to Bowsher + Bowsher the lots merged in 1966 and given that the properties abut and are owned by the same owner, and neither property is a whole lot on a plan of subdivision, consent to the Committee of Adjustment is required to deal with or transfer 18 McIntyre Street and 18 ½ / 20 McIntyre Street.
- In addition, the applicant is requesting a right-of-way (Part 2 and Part 4, Draft R-Plan) for the purpose of providing legal and secure access to the rear yard of the subject lands for the purpose of facilitating a potential mutual driveway and parking in the rear yard.

- In staff's opinion Consent Application B01/2026 is consistent with the Provincial Planning Statement (PPS), conforms with the City of St. Thomas Official Plan and 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 B01/2026 staff recommends the following conditions:
 - 1) The applicant provide confirmation that the severed and retained lots have separate services, to the satisfaction of the City of St. Thomas, Manager of Development and Compliance; and
 - 2) That the City of St. Thomas be provided with a copy of the Reference Plan.

Respectfully submitted,
Steve Craig,
Sr. Planning Technician