

A G E N D A

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

VIA ZOOM/ROOM # 304

10:00 A.M.

March 26th, 2026

DISCLOSURE OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on February 26, 2026.

HEARING OF APPLICATIONS

A03-26 – 345 Fairview Avenue **Pages 2-11**

Planning Report – A03-26 **Pages 12-16**

NEW BUSINESS

Next Meeting

To Be Determined.

ADJOURNMENT

CONFIRMATION OF AN APPLICATION FOR MINOR VARIANCE

February 26, 2026

Secretary-Treasurer, Committee of Adjustment
Attention: Sherry Steadman

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

An application for a minor variance, regarding 345 Fairview Avenue was filed on February 26, 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.

Regards,



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>Feb 26/26</u>	Consultation Date: <u>July 30/25</u>
	Date Application Deemed Complete: <u>Feb 26/26</u>	

Application #: A03-26

APPLICATION IS HEREBY MADE TO:

City of St. Thomas Committee of Adjustment Meeting March 26 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 \$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.

1. Name of Owner(s) Faith Baptist Church of St Thomas

Address 345 Fairview Ave

Postal Code N5R 6M7 Tel: 519-633-0976 e-mail: office@faithstthomas.com

2. Name of Authorized Agent (if any) St Thomas Community Christian School Society

Address 77 Fairview Ave

Postal Code N5R 4X7 Tel: 519-633-0690 e-mail: davegilbert@stthomaschristian.org

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

3. Nature and extent of relief from the Zoning By-law applied for:

Permission to install temporary portable classrooms on the property notwithstanding Zoning By-law R3-56, which requires that no building or structure may be erected unless it has a water supply system and a sanitary sewage system. The proposed will rely on

the existing school building's water supply and sanitary facilities. There will be no increase in the number of students or staff, as the portables are being used to relocate existing classrooms and reduce space usage in the main building portables.

4. Reason why the proposed use cannot comply with the provisions of the Zoning By-law:

Zoning By-law R3-56 requires that no building or structure may be erected unless it has a water supply system and a sanitary sewage system. The proposed temporary portables will rely on the existing school building's facilities. There will be no increase in the number

students or staff, as the school is relocating classrooms into the portables to use less space in the main building. Existing washroom facilities are therefore sufficient, as confirmed by a qualified professional.

5. Location of Land:

Concession No. 7 Lot(s) 8 Registered Plan No. _____ Lot(s) _____

Reference Plan No. _____ Part(s) _____

Geographic/Former Township Yarmouth

Name of Street Fairview Avenue Street No. 345

6. Dimensions of land affected:

Frontage 241.297 m Depth 254.520 m

Area 60,459.73 m² Width of Street _____

7. Access to the subject land is by:

- ☐ a Regional Road
 ☐ a private road
☒ a Municipal road that is maintained all year
☐ a Municipal road that is maintained seasonally

8. Particulars of all buildings and structures on or proposed for the subject land (Specify ground floor area, gross floor area, number of storeys, width, length, height). Please specify use of existing structures.

Existing:

Two story church building with gym/sanctuary. Building Area (Footprint) = 118.4 m², Gross Floor area = 305.3 m²

Width = 47.8 m x Length = 41.9 m x Height = 8.4 m

USE Place of worship and private school

Proposed:

Four 1 story temporary classroom portables that are 24' x 32' x 12' 6" each

9. Location of all buildings and structures on or proposed for the subject land (Specify distance from side, rear and front lot lines). Please specify use of proposed structure.

Existing:

97.6 m from north lot line, 100.7 m from south, 94.2 m from rear, 92.3 m from front

Proposed:

148.49 m from north lot line, 62.87 m from south, 29.72 m from rear, 168.5 m from front

USE Private school

10. Date of acquisition of subject land: August 29, 2001

11. Date of construction of all buildings and structures on subject land: April 2026

12. Existing uses of the subject land:

Place of worship and private school

13. Existing uses of abutting lands:

North: Residential East: Residential
 South: Agricultural/Farmland West: Municipal Recreation - Baseball Diamond

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

Private school use and place of worship has existed since 2005

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

Water:

☒ Municipally owned and operated piped water system
 Other (Specify) pipd water system from main building

Sewage Disposal:

☒ Municipally owned and operated sanitary sewer system
 Other (Specify) sanitary sewers from main building

Storm Drainage

☒ Storm sewers
 Other (Specify) _____

16. Present Official Plan designation of the subject land:

Residential

17. Present Zoning of the subject land:

Third Residential Zone with Special Provision R3-56

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 _____

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, Dave Gilbert, the Owner or Authorized Agent, hereby agree and acknowledge
(Print name of Owner or Authorized Agent)
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, Dave Gilbert of St. Thomas in the province of ON,
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 26 day of Feb, 2026.
City Day Month Year

Dave Gilbert

Signature of Owner or Authorized Agent

Feb 26/26

Date

Crystal Marie Penney

Signature of Commissioner of Oaths, etc.

Feb 26/26

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, Faith Baptist Church of St. Thomas am the owner of the subject lands, and I authorize St. Thomas Community Christian School Society, 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.

February 11, 2026
Date

[Signature]
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.**

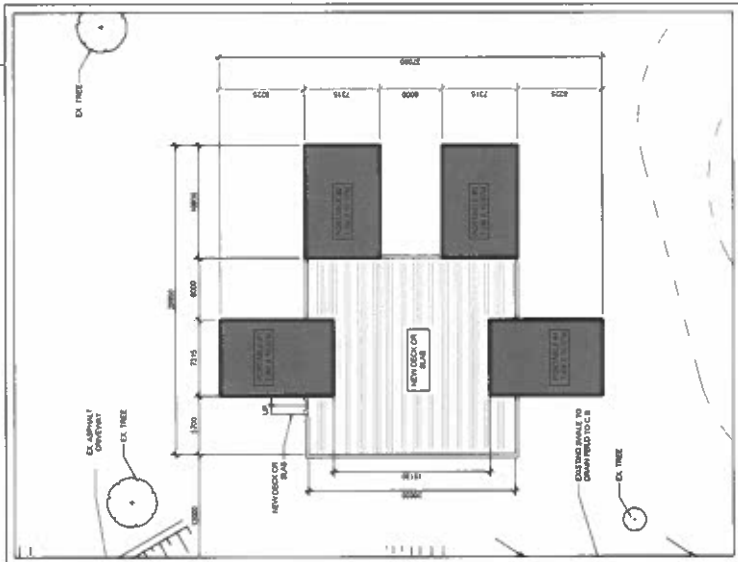
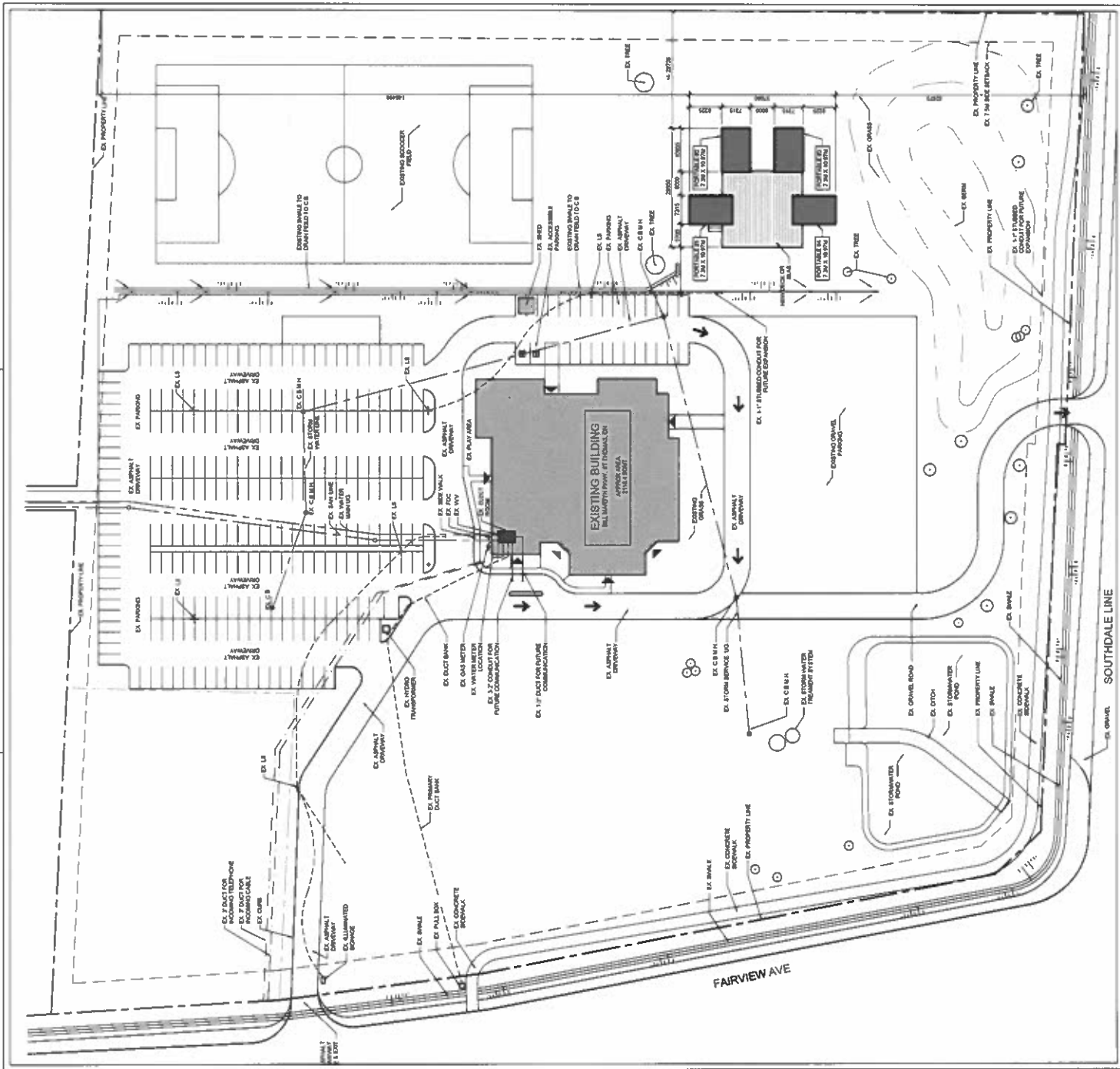
I, Faith Baptist Church of St. Thomas, am the owner of the subject lands, and I understand that further fees may be incurred by the City throughout the planning process and that I am responsible for reimbursing all fees.

February 11, 2026
Date

[Signature]
Signature of Owner

NOTES:

1. Each copy of this application must be accompanied by a Sketch. The Sketch need not necessarily be to scale, but dimensions must be accurate, and showing the following:
 - (a) The boundaries and dimensions of the subject land;
 - (b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines;
 - (c) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, driveways, swimming pools, roads, railways, drainage ditches, wells, septic tank and tile bed, and trees;
 - (d) The current uses on land that is adjacent to the subject land;
 - (e) 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;
 - (f) If access to the subject land is by water only, the location of the parking and docking facilities to be used;
 - (g) The location and nature of any restrictive covenant or easement affecting the subject land;
2. The Committee of Adjustment may require that a preliminary drawing be prepared, signed and dated by an Ontario Land Surveyor.
3. If this application is signed by an agent or solicitor on behalf of an applicant, the owner's written authorization must accompany the application. If the applicant is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the corporation's seal (if any) must be affixed.



PORTABLES PLAN - ENLARGED

[illegible]

SITE ZONING AND ANALYSIS

February 23, 2026

To: Committee of Adjustment / Planning Department
City of St. Thomas

Via: St. Thomas Community Christian School
South Campus
345 Fairview Ave
St Thomas, ON N5R 6M7

By Email davegilbert@stthomaschristian.org

Att: David Gilbert, Director of Finance & Operations

Re: St. Thomas Community Christian School – Temporary Portable Classrooms
Property Address: 345 Fairview Avenue, St. Thomas, ON

Dear Sir/Madam,

I have reviewed the existing washroom and sanitary facilities at St. Thomas Community Christian School located at 345 Fairview Avenue, St. Thomas, ON. Based on the current design and capacity, I confirm that the existing facilities are sufficient to serve the school's staff and student population, including the temporary use of the proposed portable classrooms.

There will be **no increase in the number of students or staff**, as the portables are intended to **relocate existing classrooms** from the main building to reduce indoor space usage.

Should you require further clarification, please do not hesitate to contact me at my office 519-649-0220.

Sincerely,



Ed J. van der Maarel
Principal Architect + Heritage Consultant
Dipl. Arch. RAIC, dipl. Arch. Tech., CAHP, ICOMOS

Penney, Crystal

From: Dave Gilbert <davegilbert@stthomaschristian.org>
Sent: February 25, 2026 12:12 PM
To: Craig, Steve
Cc: Penney, Crystal
Subject: Re: Minor Variance Application - 345 Fairview Avenue (Private School / Portables)

CAUTION:

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hey Craig,

Sorry, I missed that.

The maximum number students enrolled in the private school would be:
66 students in Grade 1- 8
84 students in Grade 9 - 12

Thanks!

Dave

On Tue, Feb 24, 2026 at 2:57 PM Craig, Steve <scraig@stthomas.ca> wrote:
Good afternoon Dave,

Servicing letter received, however I did not note any information relating to the parking.

Parking for the church use is 268 parking spaces, to calculate the parking for the private school use please confirm the maximum number of students enrolled in the proposed private school and the details of the applicable grades, i.e. Grades 1-8 and 9-13 ?

Thank-you,



Steve Craig
Sr. Planning Technician

t. 519.631.1680 x4210

The Corporation of the City of St. Thomas
545 Talbot Street, PO Box 520, St. Thomas, ON, N5P 3V7 | [StThomas.ca](https://www.stthomas.ca)



Report No.: COA3-2026

Directed to: Members of the Committee of Adjustment

Meeting Date: 03/26/2026

Department: Planning & Building Services Department

Prepared by: Steve Craig, Senior Planning Technician

Attachment: Location Plan,
Aerial Photograph (2020)

Location: 345 Fairview Avenue, City of St. Thomas

Applicant: Faith Baptist Church

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

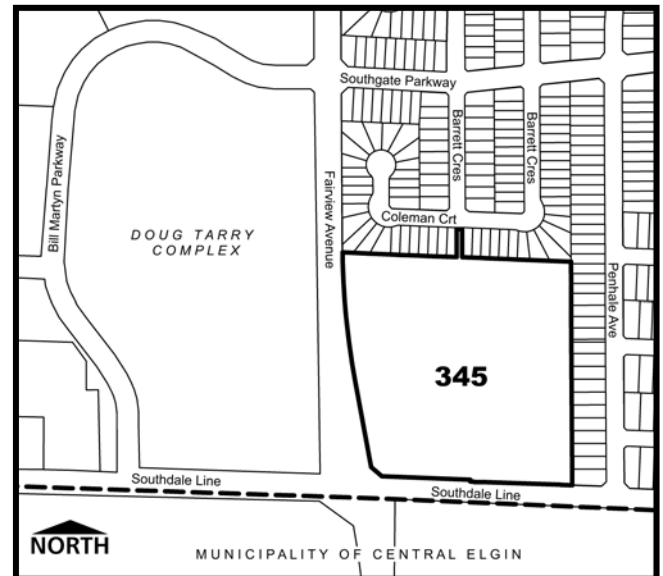
Recommendation:

That: Report COA3-2026 relating to an application for a minor variance at 345 Fairview Avenue be received for information.

Background:

The St. Thomas Community Christian School currently operates a private school within the existing building (Faith St. Thomas Church) located on the subject lands.

Minor Variance Application No. A03/26 has been filed for the purpose of facilitating the relocation of the existing classrooms in the main building to four (4) new portable classrooms, as shown on the accompanying aerial photograph (2020).



Requested Variance:

- i.) To permit four (4) portable classrooms to be erected and used on the subject lands without municipal services, whereas Section 7.3 (Services Required) the Zoning By-law provides that no building or structure shall be erected or used unless the following municipal services are available to service the building or structure and the land on which it is situate, a water supply system (a) and a sanitary sewage system and a storm sewage system or a combined sanitary and storm sewage system (b).

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 the policies of the PPS with respect to:
 - ✓ Planning authorities should support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs (2.1(6)(a)).
 - ✓ Settlement areas shall be the focus of growth and development, and land use patterns should be based on densities and a mix of land uses which: efficiently use land and resources (2.3.1).
- The requested variance is consistent with the Provincial Planning Statement (PPS 2024).

St. Thomas Official Plan:

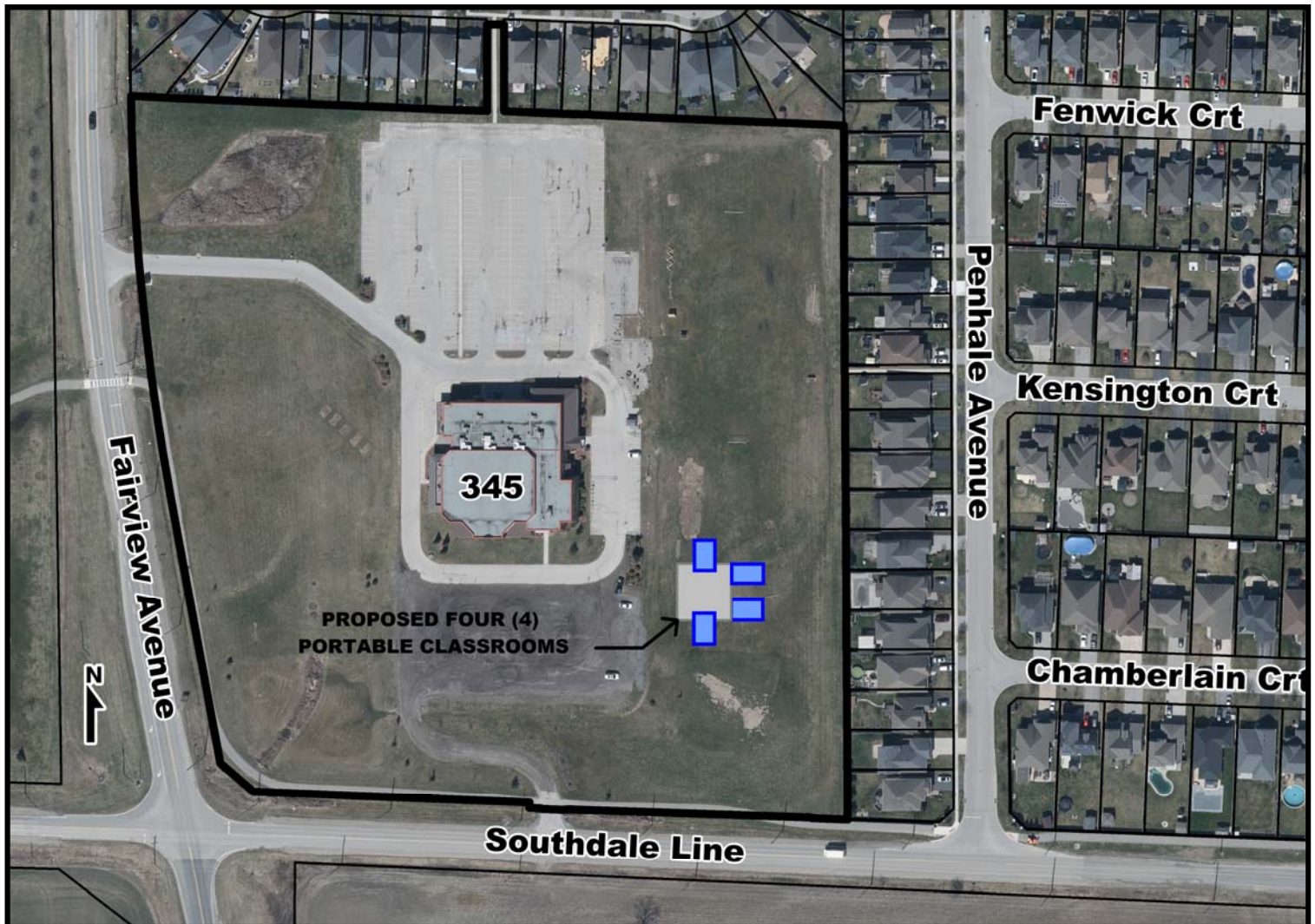
- The subject lands are within the Residential designation, as shown on Schedule A (Land Use Plan) to the Official Plan for the City of St. Thomas.
- Institutional uses, defined as the use of land by public, non-profit or charitable agencies, including, for example, schools, churches, hospitals, recreational complexes and cemeteries, are permitted in the Residential designation (5.1.3.9.1). Private schools are permitted in the residential designation subject to an amendment to the Zoning By-law (5.1.3.9.2). An amendment to the Zoning By-law is not required, as the subject lands are within the R3-56 zone, which permits a private school (7.1(n)).
- The development of uses permitted by paragraphs 5.1.3.9.1 (Institutional Uses) and 5.1.3.9.2 (Private Schools) are subject to the following policies (5.1.3.9.3):
 - i.) the site must have direct access to an arterial or collector street as shown on Schedule "B" having regard for the road classification in relation to the traffic generated by the proposed development. Conforms, the subject lands have direct access to Fairview Avenue and Southdale Line, which are classified as major arterial roads.
 - ii.) the effect of the development on surrounding residential uses shall be minimized through the siting of the building and the use of exterior materials and lighting to improve the compatibility of the development with the surrounding residential uses. The portable classrooms are subject to the site plan control review and approval process.
 - iii.) adequate off-street parking must be provided; particular attention will be given by Council to measures to reduce traffic congestion and the effects of possibly large numbers of people on the surrounding residences. Conforms, the existing church and private school conform with the parking requirement in the Zoning By-law (Minimum Required - 287 Parking Spaces and Existing - 297 Parking Spaces).

- iv.) adequate buffering, which may include separation distances, tree and shrub planting and earthen berms must be provided between institutional uses and other non-residential uses and surrounding residences. Conforms, the portable classrooms will be setback a minimum of 30.48m (100ft) from surrounding residences. In addition, the portable classrooms are subject to the site plan control review and approval process.
 - v.) All institutional and non-residential uses are subject to site plan control. Plans showing the location of all buildings, structures, site servicing including grading, drainage and storm water management plans and facilities to be developed, and drawings showing plan, elevation, and cross-section views for each building to be erected, will be required in support of a site plan approval application. Conforms, the portable classrooms are subject to the site plan control review and approval process.
 - vi.) New development in the St. Thomas Urban Service Area shall be serviced with full municipal water supply and distribution, sanitary sewage collection and treatment and stormwater management. The only exception is the limited industrial development subject to the policies of Subsection 5.9.3.7 (9.2.1.1). Conforms, the portable classrooms are temporary structures, the subject lands and existing church are serviced with full municipal services.
- The requested variance is in conformity with the general intent and purpose of the Official Plan.

St. Thomas Zoning By-Law 50-88:

- The subject lands are within the Third Residential Zone (R3-56), as shown on Zoning Map 35, City of St. Thomas Zoning By-Law No. 50-88.
- Permitted uses of the R3-56 zone include a church and private school (7.1(l)(n)).
- Church means a building or part thereof used or intended to be used for religious worship and may include within such building or on the same lot, a church hall, church gymnasium, Sunday school and a day care (1.19). The existing church conforms with the Zoning By-law.
- Private school means a facility at which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five or more pupils who are of over compulsory school age in any of the subjects of the elementary or secondary school courses of study approved by the Minister of Education and that is not a school as defined in The Education Act (1.86). The applicable zoning regulations for a private school include:
 - Maximum accessory building height - 4m. Conforms, proposed 3.8m.
 - Minimum front yard depth - 6m. Conforms, proposed 60m.
 - Minimum rear yard depth - 9m. Conforms, proposed 150m.
 - Minimum interior side yard depth - 1m. Conforms, proposed 30.48m.
 - Minimum number of parking spaces – 287. Conforms, existing 297 parking spaces.

- No building or structure shall be erected or used for any purpose permitted by subsection 7.1 unless the following municipal services are available to service the building or structure and the land on which it is situate, a water supply system (7.3(a)) and a sanitary sewage system and a storm sewage system or a combined sanitary and storm sewage system (7.3)(b)). A minor variance has been requested, to permit four (4) portable classrooms to be erected and used on the subject lands without municipal services.
- Staff and students at the private school will continue to use the facilities in the main building (Faith St. Thomas Church), which is consistent with how public schools provide facilities to portables classrooms.
- The applicant obtained the services of a+Link Architecture Inc. to review the proposal and confirmed that based on the current design and capacity the existing facilities in the building (church) are sufficient to serve the school's staff and student population, including the temporary use of the proposed portable classrooms. Further there will be no increase in the number of students or staff, as the portables are intended to relocate existing classrooms from the main building (Church) to reduce indoor space usage.
- The requested variance is 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 requested variance is minor in nature.

Comments:

- The existing parking lot currently accommodates 297 parking spaces, which exceeds the combined parking requirement (Minimum 287 Parking Spaces) for a church use and private school use:
 - 1) Church (Parking Spaces Required 268 / Seats 1607) 1 parking space for each 6 seats; and
 - 2) Private school (Parking Spaces Required 19 / 66 Students 1-8 and 84 students 9-12) 1 parking space for each 10 students enrolled in grades 1 to 8 and 1 parking space for each 7 students enrolled in grades 9 to 13.
- In accordance with the site plan control by-law, portable classrooms in association with a public and/or private school are subject to the site plan control approval process.
- In Staff's opinion the requested variance meets 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 COA3/2026 be approved, subject to the following conditions:
 - 1) A maximum of four (4) portable classrooms are permitted to be erected and used on the subject lands in association with a private school use, as defined under Subsection 1.86 of the City of St. Thomas Zoning By-law 50-88, as amended;
 - 2) The portable classrooms are limited to a maximum of 66 students, grades 1-8 and a maximum of 84 students, grades 9-12; and
 - 3) The four (4) portable classrooms are subject to site plan control approval.

Respectfully submitted,

Steve Craig,

Sr. Planning Technician