

**A G E N D A**

**THE FOURTEENTH MEETING OF THE COMMITTEE OF ADJUSTMENT  
OF THE CITY OF ST. THOMAS 2021**

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**TELECONFERENCE**                      **10:00 A.M.**                      **THURSDAY**  
**SEPTEMBER 9, 2021**

**DISCLOSURE OF INTEREST**

**MINUTES**

Confirmation of the minutes of the meeting held on August 26, 2021.

**HEARING OF APPLICATIONS**

**B10/21 - Novi Construction Limited - 356 Wellington Street Pages 2-12**

**Planning Report - B10/21 Pages 13-14**

**B11/21 - Novi Construction Limited - 356 Wellington Street Pages 15-23**

**Planning Report - B11/21 Pages 24-25**

**B12/21 - Novi Construction Limited - 358 Wellington Street Pages 26-34**

**Planning Report - B12/21 Pages 35-37**

**NEW BUSINESS**

**Next Meeting**

The next meeting is scheduled to take place September 23, 2021 at 10:00 a.m.

**ADJOURNMENT**

**CONFIRMATION OF COMPLETE APPLICATIONS  
APPLICATIONS FOR CONSENT**

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August 10, 2021

Secretary-Treasurer, Committee of Adjustment  
Attention: Jon Hindley

Pursuant to By-Law 30-2015, a consultation meeting was held on June 16, 2021 with Planning Department Staff and the applicant.

3 applications for Consent, regarding 356 Wellington, 356 Wellington (B) and 358 Wellington Street were filed on August 5, 2021.

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 consent applications are thereby considered complete.

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

Yours truly,



Jim McCoomb, 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>08/05/21</u>	Consultation Date: <u>06/16/21</u>
	Date Application Deemed Complete: <u>08/05/21</u>	

Application #: B10/21

APPLICATION IS HEREBY MADE TO:

City of St. Thomas  
 545 Talbot Street  
 St. Thomas ON N5P 3V7  
 Tel: (519) 631-1680 ext 4125 Fax: (519) 633-9019  
 Email: [jhindley@stthomas.ca](mailto:jhindley@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 \$450 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): Novl Construction Limited

Mailing Address: 76 Progress Drive, St. Thomas, ON.

Postal Code: N5P 4G5 Telephone: 519-633-9746 Fax: \_\_\_\_\_

email: nck.ostojic026@gmail.com

(b) Owner's Solicitor or Authorized Agent (if any): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

email: \_\_\_\_\_

(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)

- |   |  |
|---|--|
| <input type="checkbox"/> Creation of New Lot        | <input type="checkbox"/> Disposal of Surplus Farm Dwelling |
| <input checked="" type="checkbox"/> Addition to Lot | <input type="checkbox"/> Correction of Title               |
| <input type="checkbox"/> Mortgage or Charge         | <input type="checkbox"/> Partial Discharge of Mortgage     |
| <input type="checkbox"/> Lease                      | <input type="checkbox"/> Right-of-way                      |

Easement \_\_\_\_\_

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

severed portion to be added to parcel 1 as shown on Sketch 2

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

Novi Construction Limited

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) City of St. Thomas

Concession No \_\_\_\_\_ Lot(s) \_\_\_\_\_ Registered Plan No \_\_\_\_\_ Lot(s) \_\_\_\_\_

Reference Plan No 11R-8941 Part(s) Part 1

Name of Street Wellington Street Street No 356

5. Description of land to be severed: (In metric units) Part No. on sketch AREA B

(a) Frontage 20.26m Depth 24.69m Area 500.56sm

(b) Existing Use Residential Proposed Use Residential

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

Existing: VACANT

Proposed: VACANT

6. Description of land to be retained: (In metric units) Part No. on sketch AREA A

(a) Frontage 20.26m Depth 60.96m Area 1233.52sm

(b) Existing Use Residential Proposed Use Residential

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

Existing: HOUSE AND GARAGE

Proposed: HOUSE AND GARAGE

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

- |   |  |
|---|--|
| <input type="checkbox"/> Provincial Highway                   | <input type="checkbox"/> Regional Road     |
| <input type="checkbox"/> Municipal Road maintained all year   | <input type="checkbox"/> Other Public Road |
| <input type="checkbox"/> Municipal Road maintained seasonally | <input type="checkbox"/> Right-of-Way      |
| <input type="checkbox"/> Water Access                         | <input type="checkbox"/> Private Road      |

- (b) Type of access to retained land:

- |  |  |
|--|--|
| <input type="checkbox"/> Provincial Highway                            | <input type="checkbox"/> Regional Road     |
| <input checked="" type="checkbox"/> Municipal Road maintained all year | <input type="checkbox"/> Other Public Road |
| <input type="checkbox"/> Municipal Road maintained seasonally          | <input type="checkbox"/> Right-of-Way      |
| <input type="checkbox"/> Water Access                                  | <input type="checkbox"/> 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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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 NA

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: \_\_\_\_\_

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 \_\_\_\_\_

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 travelled 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.



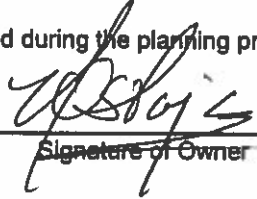


**APPENDIX A – AUTHORIZATION OF OWNER**

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

I, \_\_\_\_\_, am the owner of the subject lands, and I authorize \_\_\_\_\_, 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.

Aug 5/21  
Date

  
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, Nick Ostojic, 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.

Aug 5/21  
Date

  
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 10 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.

Anyone 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 Local Planning Appeal 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 Local Planning Appeal Tribunal. The Fees and Charges, found on the Local Planning Appeal Tribunal's website, outlines the costs associated with filing an LPAT appeal. All parties to the appeal will receive any further notice concerning the appeal directly from the Local Planning Appeal 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 one year of the giving of the notice of decision. Failure to do so will cause the consent to lapse.

### **Preliminary Discussion and Pre-consultation**

Prior to submission of an application, the Applicant/Agent must discuss the proposed application with the City's Planning and Building Services Department and other agencies to determine the requirements for a complete application. The City and any affected agency may also 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. In some cases it may be necessary to schedule a pre-consultation meeting with the City and affected agencies.

**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 \$450. Cheques are to be made payable to the "City of St. Thomas" There is an additional fee of \$200 for deed stamping if the consent is approved and all conditions are met.

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

Decisions of the Committee are made in public.


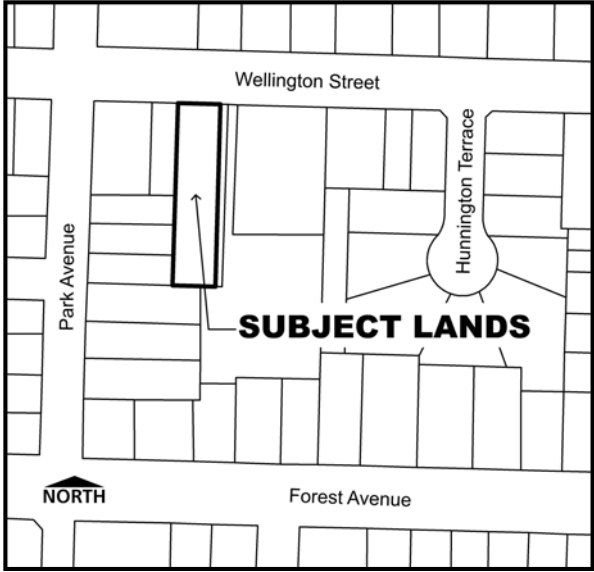
In granting consent to an application, the Committee may impose conditions as requested by municipal or other authorities such as the following:

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.

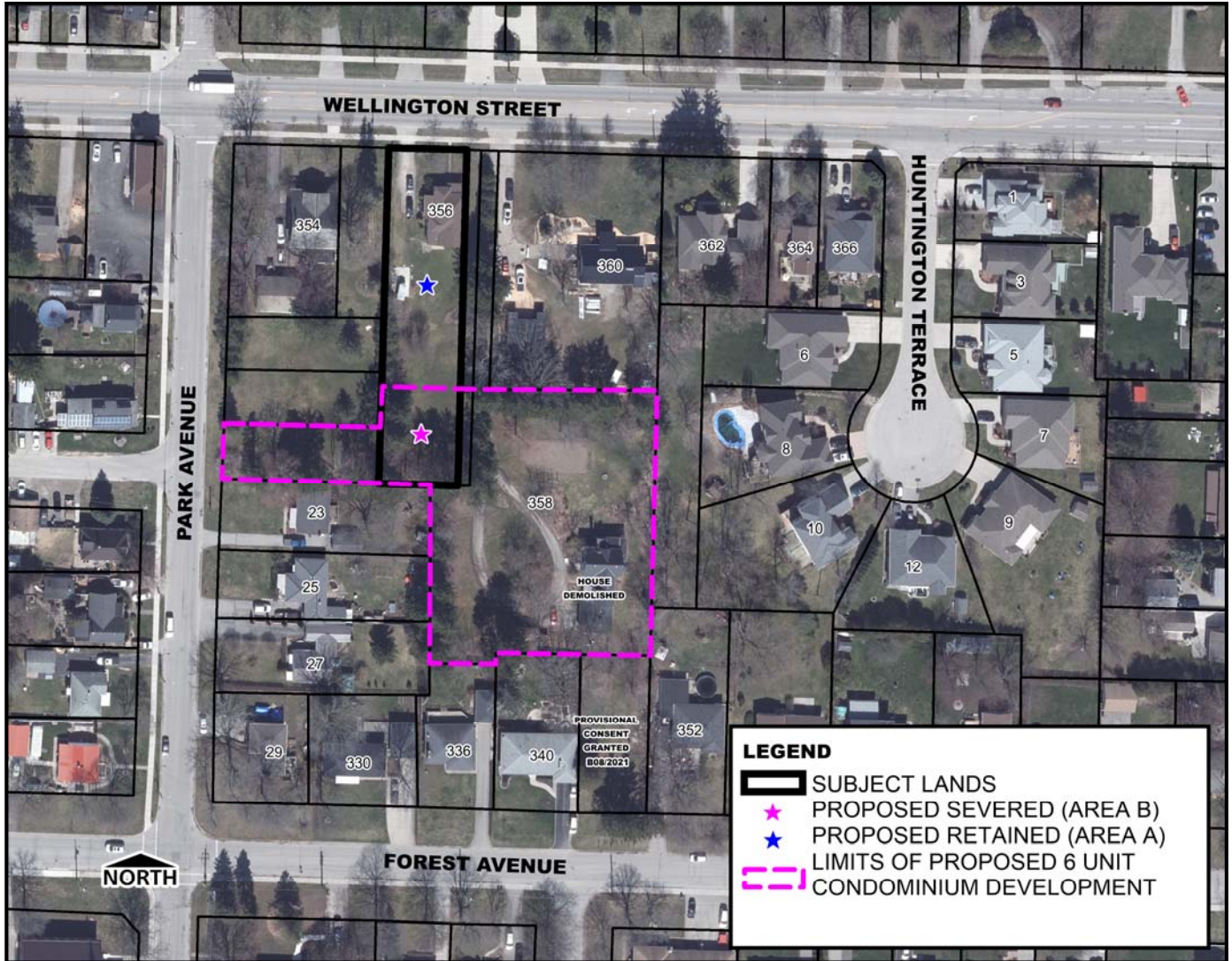
That an agreement with the local municipality be entered into for installation of such municipal services as may be required, at the expense of the applicant and to standards acceptable to the municipality.

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



 <p><b>The Corporation of the City of St. Thomas</b></p>	<p><b>Report No.:</b> B10-2021</p>
<p><b>Directed to:</b> Members of the Committee of Adjustment</p>	<p><b>Applicant:</b> Novi Construction Limited</p> <p><b>Report Date:</b> August 31, 2021  <b>Meeting Date:</b> September 9, 2021</p>
<p><b>Location:</b> Plan 80, Block 10, Part Lot 10, RP11R8941, Part 1, Municipally known as 356 Wellington Street, in the City of St. Thomas</p>	
<p><b>Subject:</b> Request for a consent pursuant to Section 53 of the Planning Act, R.S.O, as amended</p>	
<p><b>Department:</b> Planning Department  <b>Prepared by:</b> Steve Craig, Senior Planning Technician</p>	<p><b>Attachments:</b>                  Location Plan and Aerial Photograph</p>
<p><b>Recommendation:</b></p> <p><b>That:</b> Report B10-2021 be received.</p>	
<p><b>Origin</b>                  The applicant has filed three consent applications concurrently (B10/21, B11/21, and B12/21) for the purpose of a land assembly to facilitate the construction of a proposed six-unit condominium development on 358 Wellington Street and a lot addition to expand width/frontage of 356 Wellington Street.</p> <p><b>Proposal</b>                  The applicant is proposing to sever one vacant lot with an area of 500.5m<sup>2</sup>, proposed to be merged with the abutting lot 358 Wellington Street and used for a proposed six-unit condominium development. The applicant is proposing to retain one lot with 20.2m of frontage on Wellington Street an area of 1,233.5m<sup>2</sup>, containing one house and one detached garage, proposed to continue to be used for residential purposes.</p> <p><b>Official Plan</b></p> <ul style="list-style-type: none"> <li>· 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.</li> <li>· The "Residential" designation on Schedule "A" means the predominant use of land shall be for low, medium, and high-density residential use (5.1.3.1).</li> <li>· Consents for reasons of a land assembly, lot boundary adjustment, right of way, easement, long term lease, and to convey additional lands to an abutting lot are permitted in any land use designation, subject to the policies of the Official Plan.</li> </ul> <p><b>Zoning By-Law</b></p> <ul style="list-style-type: none"> <li>· The subject lands are within the Third Residential Zone (R3) pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as amended, Zoning Map Part 17.</li> <li>· The Third Residential Zone (R3) permitted uses include a single detached dwelling and uses accessory to the foregoing (Section 7).</li> <li>· For a single detached dwelling, a minimum lot area of 371.5m<sup>2</sup> is required, and a minimum lot frontage of 12m is required (Subsection 7.4).</li> </ul>	<p><b>Location Plan:</b></p> 

## AERIAL PHOTOGRAPH 2020:

**Comments**

In staff's opinion Consent Application B10-2021 conforms with the City of St. Thomas Official Plan, Zoning By-law and satisfies the criteria of Section 51(24) of the Planning Act, R.S.O., as amended. Therefore, approval of Consent Application B10-2021 is supportable, should the Committee of Adjustment approve the application staff recommends the following conditions:

- 1) the severed portion of the subject lands be merged with 358 Wellington Street;
- 2) that Subsection 3 or 5 of Section 50 of the Planning Act, R.S.O., 1990, as amended shall apply to any subsequent conveyance or transaction involving the subject lands;
- 3) the solicitor for the applicant is to provide an undertaking, whereby they inform the Committee in writing, that the lands are being conveyed to an abutting property owner and thus a merger of title will take place, which merger shall include all interests held inclusive or mortgagee's interest; and
- 4) the City of St. Thomas be provided with a copy of the Reference Plan.

Respectfully submitted,

Steve Craig  
Senior Planning Technician



THE CORPORATION OF THE CITY OF ST THOMAS

Clear Form

COMMITTEE OF ADJUSTMENT

APPLICATION FOR CONSENT

OFFICE USE:	Date Application Received: <u>08/05/21</u>	Consultation Date: <u>06/16/21</u>
	Date Application Deemed Complete: <u>09/05/21</u>	

Application #: B11/21

APPLICATION IS HEREBY MADE TO:

City of St. Thomas  
545 Talbot Street  
St. Thomas ON N5P 3V7  
Tel: (519) 631-1680 ext 4125 Fax: (519) 633-9019  
Email: [jhindley@stthomas.ca](mailto:jhindley@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 \$450 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): Novi Construction Limited

Mailing Address: 76 Progress Drive, St. Thomas, ON.

Postal Code: N5P 4G5 Telephone: 519-633-9746 Fax: \_\_\_\_\_

email: nick.ostojic026@gmail.com

(b) Owner's Solicitor or Authorized Agent (if any): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

email: \_\_\_\_\_

(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)

- |   |  |
|---|--|
| <input type="checkbox"/> Creation of New Lot        | <input type="checkbox"/> Disposal of Surplus Farm Dwelling |
| <input checked="" type="checkbox"/> Addition to Lot | <input type="checkbox"/> Correction of Title               |
| <input type="checkbox"/> Mortgage or Charge         | <input type="checkbox"/> Partial Discharge of Mortgage     |
| <input type="checkbox"/> Lease                      | <input type="checkbox"/> Right-of-way                      |

Easement \_\_\_\_\_

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

AREA C ADDED TO PARCEL 2 AREA A, AREA D ADDED TO PARCEL 1

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

Novi Construction Limited

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) City of St. Thomas

Concession No \_\_\_\_\_ Lot(s) \_\_\_\_\_ Registered Plan No 80 Lot(s) 10

Reference Plan No 11R-8941 Part(s) 2

Name of Street Wellington Street Street No 356 B

5. Description of land to be severed: (In metric units) Part No. on sketch AREA C

(a) Frontage 3.35m Depth 60.96M Area 204.38sm

(b) Existing Use Residential Proposed Use Residential

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

Existing: no structures on lands to be severed

Proposed: residential home

6. Description of land to be retained: (In metric units) Part No. on sketch AREA D

(a) Frontage 3.35m Depth 24.68m Area 82.94sm

(b) Existing Use Residential Proposed Use Residential

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

Existing: VACANT

Proposed: VACANT

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

- |  |  |
|--|--|
| <input type="checkbox"/> Provincial Highway                            | <input type="checkbox"/> Regional Road     |
| <input checked="" type="checkbox"/> Municipal Road maintained all year | <input type="checkbox"/> Other Public Road |
| <input type="checkbox"/> Municipal Road maintained seasonally          | <input type="checkbox"/> Right-of-Way      |
| <input type="checkbox"/> Water Access                                  | <input type="checkbox"/> Private Road      |

- (b) Type of access to retained land:

- |   |  |
|---|--|
| <input type="checkbox"/> Provincial Highway                   | <input type="checkbox"/> Regional Road     |
| <input type="checkbox"/> Municipal Road maintained all year   | <input type="checkbox"/> Other Public Road |
| <input type="checkbox"/> Municipal Road maintained seasonally | <input type="checkbox"/> Right-of-Way      |
| <input type="checkbox"/> Water Access                         | <input type="checkbox"/> 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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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 NA

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: \_\_\_\_\_

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 \_\_\_\_\_

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 travelled 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**

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I, ~~Joe Ostojic~~ NICK OSTOJIC, 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.

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**AFFIDAVIT OR SWORN DECLARATION**

I, Nick Ostojic of St. Thomas in the province of Ontario,  
Joe Ostojic 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 5<sup>th</sup> day of May, 2021.  
City Day Month Year

[Signature] Signature of Owner or Authorized Agent May 5, 2021 Date

I have the authority to bind the Corporation  
NOVI CONSTRUCTION LTD.

Signature of Commissioner of Oaths, etc. 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, \_\_\_\_\_, am the owner of the subject lands, and I authorize \_\_\_\_\_ 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.

Aug 5/21  
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.

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I, <sup>Nick</sup>Nick Ostojic NICK OSTOJIC, 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.

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## 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.

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### **Preliminary Discussion and Pre-consultation**

Prior to submission of an application, the Applicant/Agent must discuss the proposed application with the City's Planning and Building Services Department and other agencies to determine the requirements for a complete application. The City and any affected agency may also 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. In some cases it may be necessary to schedule a pre-consultation meeting with the City and affected agencies.

**POLICIES**

The requirements to complete one application are:

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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 \$450. Cheques are to be made payable to the "City of St. Thomas" There is an additional fee of \$200 for deed stamping if the consent is approved and all conditions are met.

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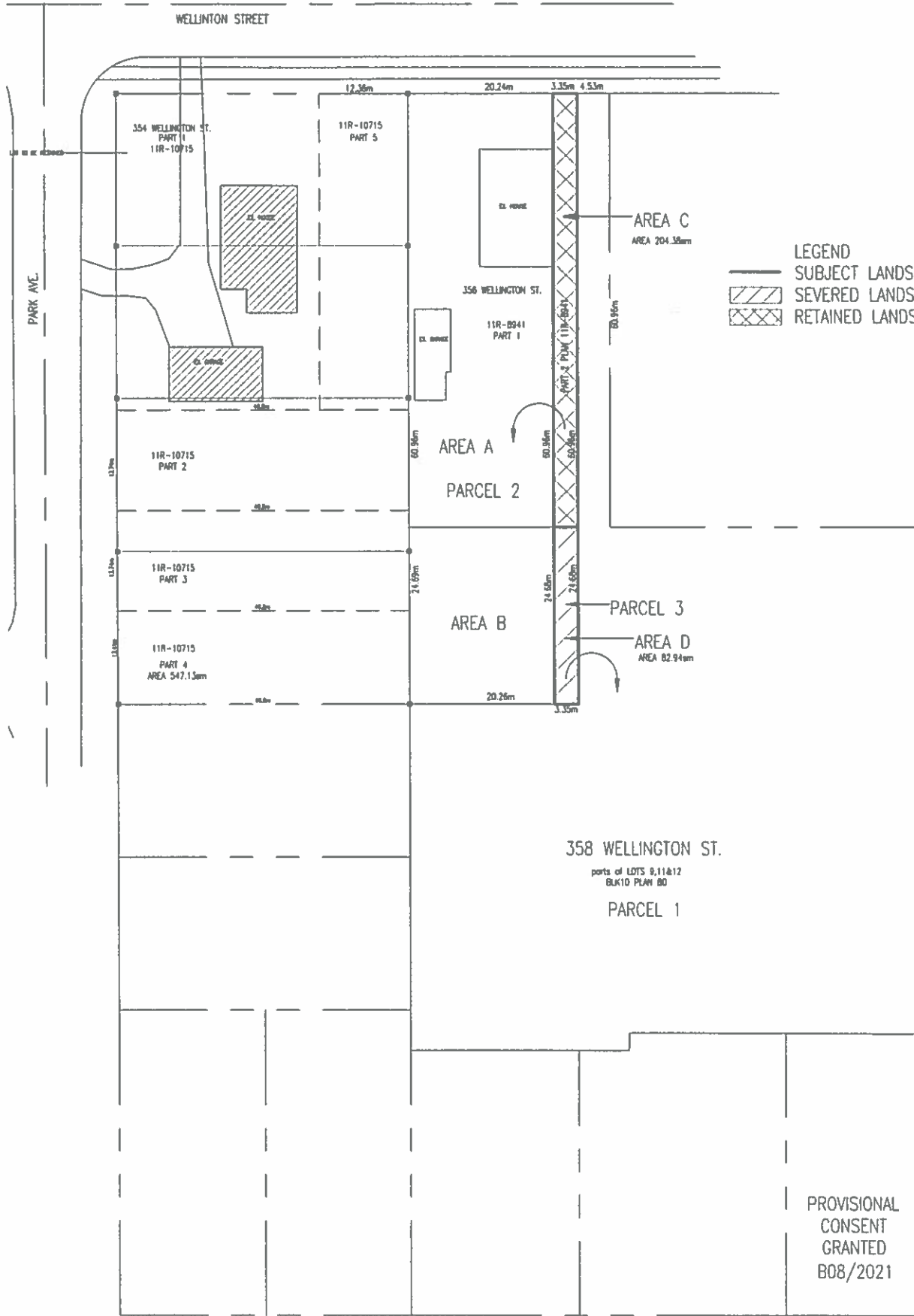
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WELLINGTON STREET


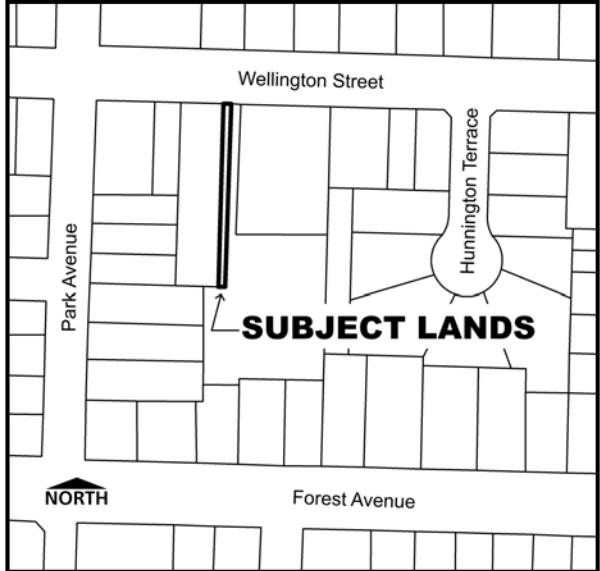


PROVISIONAL  
CONSENT  
GRANTED  
B08/2021

SEVERANCE PARCEL 3  
NTS

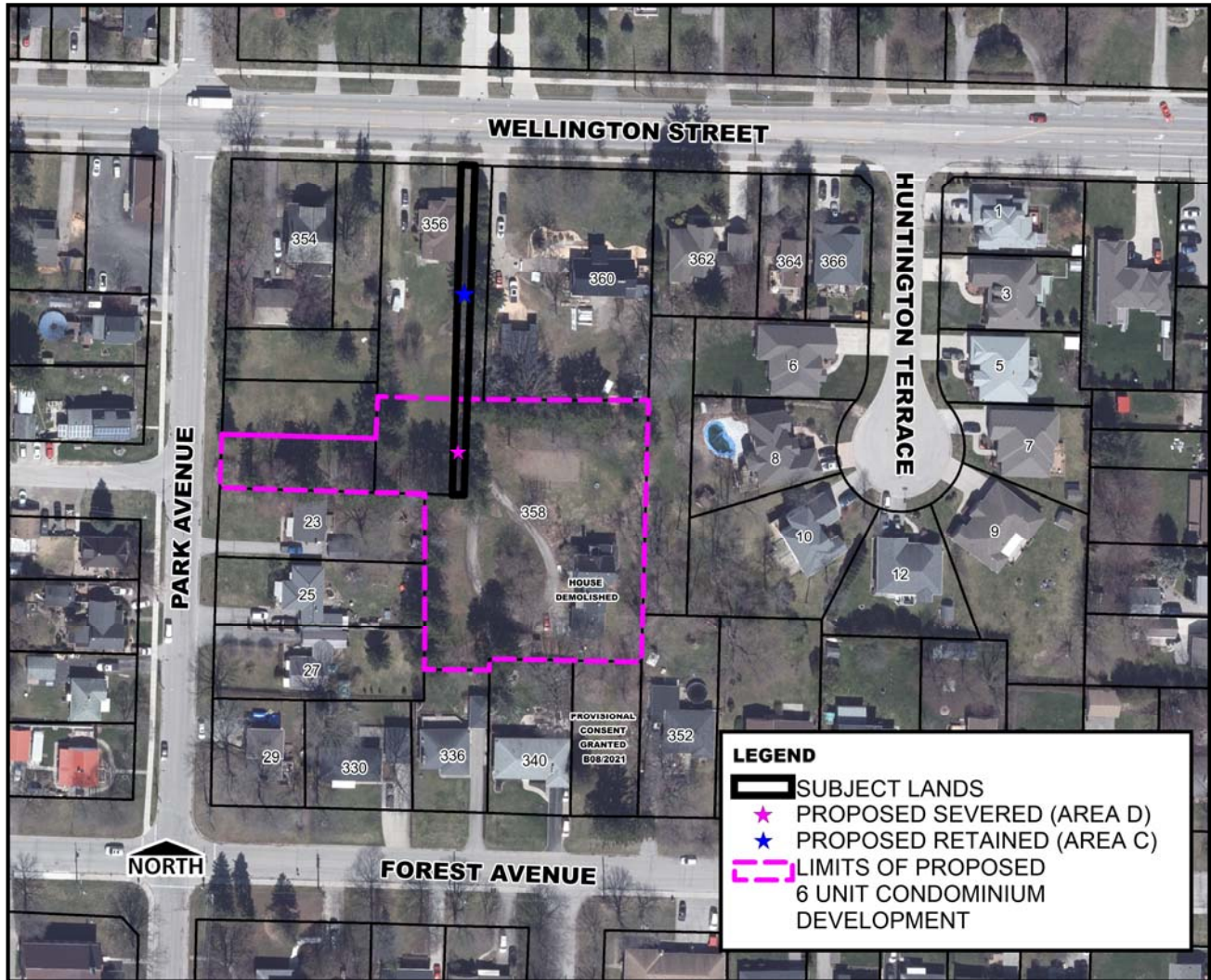


SKETCH 3

 <p><b>The Corporation of the City of St. Thomas</b></p>	<p><b>Report No.:</b> B11-2021</p>
<p><b>Directed to:</b> Members of the Committee of Adjustment</p>	<p><b>Applicant:</b> Novi Construction Limited</p> <p><b>Report Date:</b> August 31, 2021  <b>Meeting Date:</b> September 9, 2021</p>
<p><b>Location:</b> Plan 80, Block 10, Part Lot 10, RP11R8941, Part 2, in the City of St. Thomas</p>	
<p><b>Subject:</b> Request for a consent pursuant to Section 53 of the Planning Act, R.S.O, as amended</p>	
<p><b>Department:</b> Planning Department  <b>Prepared by:</b> Steve Craig, Senior Planning Technician</p>	<p><b>Attachments:</b>          Location Plan and Aerial Photograph</p>
<p><b>Recommendation:</b></p> <p><b>That:</b> Report B11-2021 be received.</p>	
<p><b>Origin</b>          The applicant has filed three consent applications concurrently (B10/21, B11/21, and B12/21) for the purpose of a land assembly to facilitate the construction of a proposed six-unit condominium development on 358 Wellington Street and a lot addition to expand width/frontage of 356 Wellington Street.</p> <p><b>Proposal</b>          The applicant is proposing to sever one vacant lot with an area of 82.9m<sup>2</sup>, proposed to be merged with the abutting lot 358 Wellington Street and used for a proposed six-unit condominium development. The applicant is proposing to retain one vacant lot with 3.3m of frontage on Wellington Street an area of 204.3m<sup>2</sup>, proposed to be merged with the abutting lot 356 Wellington Street and continue to be used for residential purposes.</p> <p><b>Official Plan</b></p> <ul style="list-style-type: none"> <li>· 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.</li> <li>· The "Residential" designation on Schedule "A" means the predominant use of land shall be for low, medium, and high-density residential use (5.1.3.1).</li> <li>· Consents for reasons of a land assembly, lot boundary adjustment, right of way, easement, long term lease, and to convey additional lands to an abutting lot are permitted in any land use designation, subject to the policies of the Official Plan.</li> </ul> <p><b>Zoning By-Law</b></p> <ul style="list-style-type: none"> <li>· The subject lands are within the Third Residential Zone (R3) pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as amended, Zoning Map Part 17.</li> <li>· The Third Residential Zone (R3) permitted uses include a single detached dwelling and uses accessory to the foregoing (Section 7).</li> <li>· For a single detached dwelling, a minimum lot area of 371.5m<sup>2</sup> is required, and a minimum lot frontage of 12m is required (Subsection 7.4).</li> </ul>	<p><b>Location Plan:</b></p>  <p>The map shows a street grid with Wellington Street at the top, Forest Avenue at the bottom, Park Avenue on the left, and Hunnington Terrace on the right. A north arrow is located at the bottom left. A dark rectangular box highlights a specific lot on Wellington Street, labeled 'SUBJECT LANDS' with an arrow pointing to it.</p>



## AERIAL PHOTOGRAPH 2020:

**Comments**

In staff's opinion Consent Application B11-2021 conforms with the City of St. Thomas Official Plan, Zoning By-law and satisfies the criteria of Section 51(24) of the Planning Act, R.S.O, as amended. Therefore, approval of Consent Application B11-2021 is supportable, should the Committee of Adjustment approve the application staff recommends the following conditions:

- 1) the severed portion of the subject lands be merged with 358 Wellington Street;
- 2) the retained portion of the subject lands be merged with 356 Wellington Street;
- 3) that Subsection 3 or 5 of Section 50 of the Planning Act, R.S.O., 1990, as amended shall apply to any subsequent conveyance or transaction involving the subject lands;
- 4) the solicitor for the applicant is to provide an undertaking, whereby they inform the Committee in writing, that the lands are being conveyed to an abutting property owner and thus a merger of title will take place, which merger shall include all interests held inclusive or mortgagee's interest; and
- 5) the City of St. Thomas be provided with a copy of the Reference Plan.

Respectfully submitted,

Steve Craig  
Senior Planning Technician



Clear Form

THE CORPORATION OF THE CITY OF ST THOMAS

COMMITTEE OF ADJUSTMENT

APPLICATION FOR CONSENT

OFFICE USE:	Date Application Received: <u>08/05/21</u>	Consultation Date: <u>06/16/21</u>
	Date Application Deemed Complete: <u>08/05/21</u>	

Application #: B12/21

APPLICATION IS HEREBY MADE TO:

City of St. Thomas  
 545 Talbot Street  
 St. Thomas ON N5P 3V7  
 Tel: (519) 631-1680 ext 4125 Fax: (519) 633-9019  
 Email: [jhindley@stthomas.ca](mailto:jhindley@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 \$450 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): Novi Construction Limited  
 Mailing Address: 76 Progress Drive, St. Thomas, ON.  
 Postal Code: N5P 4G5 Telephone: 519-633-9746 Fax: \_\_\_\_\_  
 email: nick.ostojic026@gmail.com

(b) Owner's Solicitor or Authorized Agent (if any): \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Postal Code: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 email: \_\_\_\_\_

(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)

- |   |  |
|---|--|
| <input type="checkbox"/> Creation of New Lot        | <input type="checkbox"/> Disposal of Surplus Farm Dwelling |
| <input checked="" type="checkbox"/> Addition to Lot | <input type="checkbox"/> Correction of Title               |
| <input type="checkbox"/> Mortgage or Charge         | <input type="checkbox"/> Partial Discharge of Mortgage     |
| <input type="checkbox"/> Lease                      | <input type="checkbox"/> Right-of-way                      |

Easement \_\_\_\_\_

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

AREA E TO BE ADDED TO AREA A INCLUDING AREA C

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

Novi Construction Limited

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) City of St. Thomas

Concession No. \_\_\_\_\_ Lot(s) \_\_\_\_\_ Registered Plan No PLAN 80 BLK 10 Lot(s) \_\_\_\_\_

Reference Plan No \_\_\_\_\_ Part(s) PT LOTS 9 11 AND 12 AND PLAN

Name of Street Wellington Street Street No 358

5. Description of land to be severed: (In metric units) Part No. on sketch AREA E

(a) Frontage 4.53m Depth 60.96m Area 276.15sm

(b) Existing Use Residential Proposed Use Residential

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

Existing: NO BUILDING ON PORTION BEING SEVERED

Proposed: ADDITION TO AREA A

6. Description of land to be retained: (In metric units) Part No. on sketch PARCEL 1

(a) Frontage LAND LOCKED Depth irregular Area APPROX. 4498.7sm

(b) Existing Use Residential Proposed Use Residential

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

Existing: House

Proposed: ex. house to be demolished for construction of condo development

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

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

(b) Type of access to retained land:

- Provincial Highway
- Municipal Road maintained all year
- Municipal Road maintained seasonally
- Water Access
- Regional Road
- Other Public Road
- Right-of-Way
- 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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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 NA

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: B08/2021  
 Status: Provisional Consent Granted

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 Peter & Tracy Ostojic  
 Land Use on severed parcel RESIDENTIAL  
 Date parcel transferred in process  
 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 travelled 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.

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I, ~~Joe Ostojic~~ NILK OSTOJIC 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 21st day of May, 2021.  
City Day Month Year

[Signature]  
Signature of Owner or Authorized Agent

21st May 2021  
Day Month Year

I have the authority to bind the Corporation  
NOVI CONSTRUCTION

\_\_\_\_\_  
Signature of Commissioner of Oaths, etc.

\_\_\_\_\_  
Date

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Aug 5/21  
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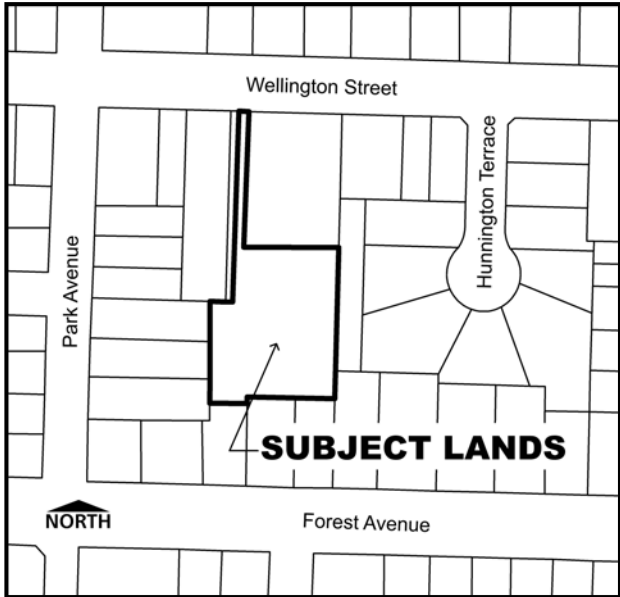
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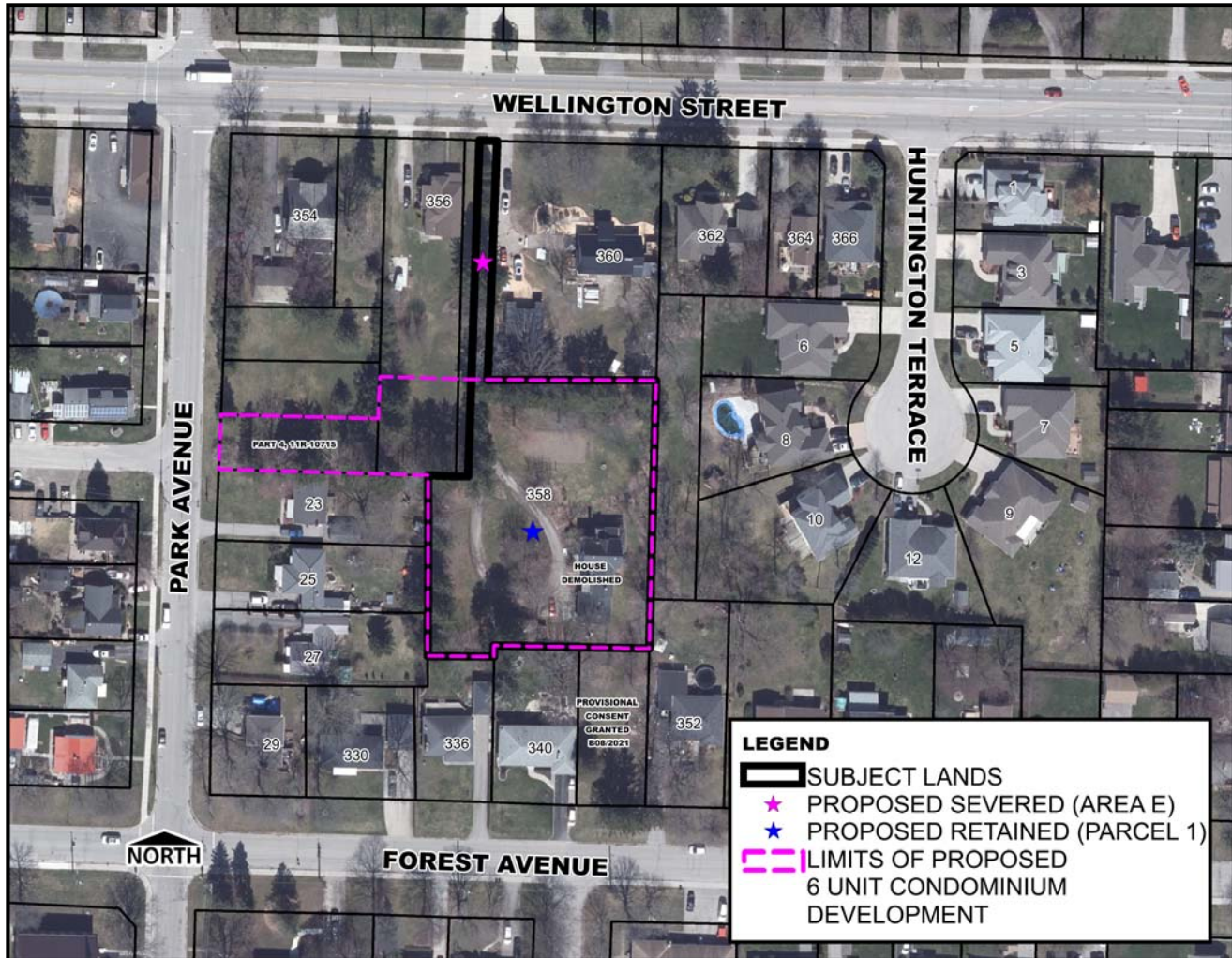
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 <p><b>The Corporation of the City of St. Thomas</b></p>	<p><b>Report No.:</b> B12-2021</p>
<p><b>Directed to:</b> Members of the Committee of Adjustment</p>	<p><b>Applicant:</b> Novi Construction Limited</p> <p><b>Report Date:</b> August 31, 2021  <b>Meeting Date:</b> September 9, 2021</p>
<p><b>Location:</b> Plan 80, Block 10, Part Lots 9, 11 and 12 and Plan 11M93, Block 13, in the City of St. Thomas</p>	
<p><b>Subject:</b> Request for a consent pursuant to Section 53 of the Planning Act, R.S.O, as amended</p>	
<p><b>Department:</b> Planning Department  <b>Prepared by:</b> Steve Craig, Senior Planning Technician</p>	<p><b>Attachments:</b>          Location Plan and Aerial Photographs</p>
<p><b>Recommendation:</b></p> <p><b>That:</b> Report B12-2021 be received.</p>	
<p><b>Origin</b>          The applicant has filed three consent applications concurrently (B10/21, B11/21, and B12/21) for the purpose of a land assembly to facilitate the construction of a proposed six-unit condominium development on 358 Wellington Street and a lot addition to expand the width/frontage of 356 Wellington Street.</p> <p><b>Proposal</b>          The applicant is proposing to sever one vacant lot with 4.5m of frontage on Wellington Street and an area of 276.1m<sup>2</sup>, proposed to be merged with Area C (Application B11/21) and 356 Wellington Street and continue to be used for residential purposes. The applicant is proposing to retain one lot with an area of 4,498.7m<sup>2</sup>, containing one house that is being demolished, proposed to be merged with Area B (Application B10/21), Area D (Application B11/21) and Part 4, Plan 11R-10715 and used for a proposed six-unit condominium development.</p> <p><b>Official Plan</b></p> <ul style="list-style-type: none"> <li>· 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.</li> <li>· The "Residential" designation on Schedule "A" means the predominant use of land shall be for low, medium, and high-density residential use (5.1.3.1).</li> <li>· Consents for reasons of a land assembly, lot boundary adjustment, right of way, easement, long term lease, and to convey additional lands to an abutting lot are permitted in any land use designation, subject to the policies of the Official Plan.</li> </ul> <p><b>Zoning By-Law</b></p> <ul style="list-style-type: none"> <li>· The subject lands are within the Third Residential Zone (R3) pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as amended, Zoning Map Part 17.</li> <li>· The Third Residential Zone (R3) permitted uses include a single detached dwelling and uses accessory to the foregoing (Section 7).</li> <li>· For a single detached dwelling, a minimum lot area of 371.5m<sup>2</sup> is required, and a minimum lot frontage of 12m is required (Subsection 7.4).</li> </ul>	<p><b>Location Plan:</b></p> 

## AERIAL PHOTOGRAPH 2020:

**Comments**

Accompanying the subject planning report is an aerial photograph that identifies the proposed limits of 356 Wellington Street (Area A, Area C and Area E) and the proposed limits of the six-unit condominium development (Area B, Area D, Parcel 1, and Part of Part 4, 11R-10715).

A merger of Part 4, Plan 11R-10715 and the condominium lands (Area B, Area D and Parcel 1) cannot be completed, as Part 4 is a whole lot that was created through the consent approval process. To resolve this technical issue the applicant has agreed to convey a 0.3m (1ft) wide parcel of land along the frontage of Part 4 to the City of St. Thomas, allowing the merger to be completed.

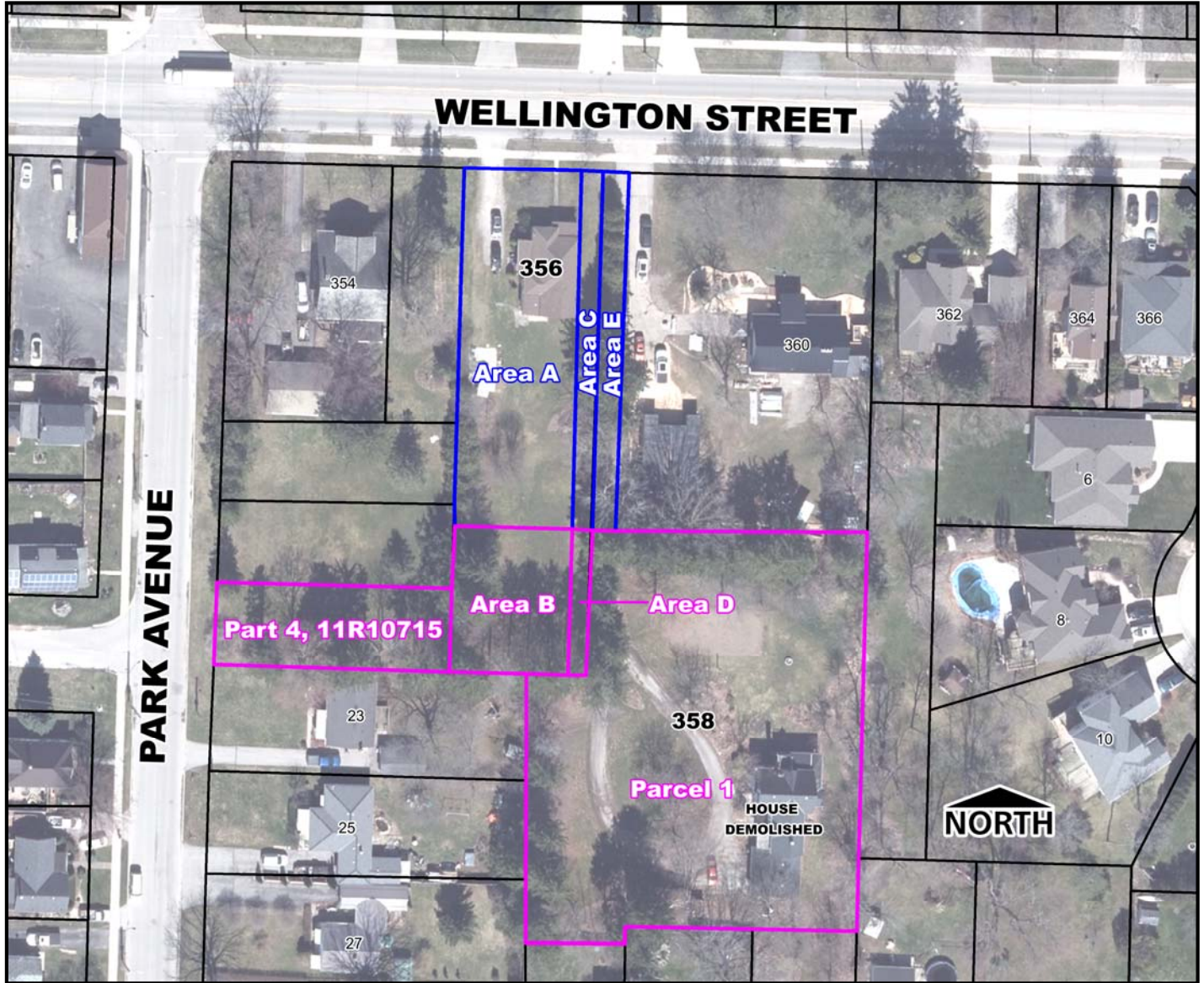
The proposed lot addition will resolve the two remnant strips of land (Area C and Area E) that front on Wellington Street, it is staff's understanding that 356 Wellington Street will be redeveloped in the future with the construction of a new single detached dwelling.

The proposed condominium development is subject to a zoning by-law amendment, which has been filed concurrently and the plan of condominium approval process.

In staff's opinion Consent Application B12-2021 conforms with the City of St. Thomas Official Plan, Zoning By-law and satisfies the criteria of Section 51(24) of the Planning Act, R.S.O., as amended. Therefore, approval of Consent Application B12-2021 is supportable, should the Committee of Adjustment approve the application staff recommends the following conditions:

- 1) the applicant conveys to the City of St. Thomas, at no cost, and free of all charge and encumbrances a 0.3m wide parcel of land along the frontage of Part 4, Plan 11R-10715, and to be shown on the reference plan with all legal, surveying, land registration and administrative costs related to the conveyance to be borne by the applicant;
- 2) Area A, Area C and Area E be merged in title;
- 3) Area B, Area D, Parcel 1, and Part of Part 4, 11R-10715 be merged in title;
- 4) that Subsection 3 or 5 of Section 50 of the Planning Act, R.S.O., 1990, as amended shall apply to any subsequent conveyance or transaction involving the subject lands;
- 5) the solicitor for the applicant is to provide an undertaking, whereby they inform the Committee in writing, that the lands are being conveyed to an abutting property owner and thus a merger of title will take place, which merger shall include all interests held inclusive or mortgagee's interest; and
- 6) the City of St. Thomas be provided with a copy of the Reference Plan.

LAND ASSEMBLY & LOT ADDITION AREAS:



Respectfully submitted,

Steve Craig  
Senior Planning Technician