

A G E N D A

THE SEVENTH MEETING OF THE COMMITTEE OF ADJUSTMENT OF THE CITY OF ST. THOMAS 2022

VIA ZOOM

10:00 A.M.

**THURSDAY
MAY 12, 2022**

DISCLOSURE OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on April 28, 2022.

HEARING OF APPLICATIONS

B05/22 - Walter Melnyk - 7-11 Ukrainian Street **Pages 2-11**

Planning Repot - B05/22 **Pages 12-13**

A09/22 - Walter Melnyk - 7-11 Ukrainian Street **Pages 14-21**

Planning Report - A09/22 **Pages 22-23**

A10/22 - Marc & Ruth Gaudreault - 92 Metcalfe Street **Pages 24-34**

Planning Report - A10/22 **Pages 35-37**

A11/22 - Wilson Mathew - 17 Mary Bucke Street **Pages 38-45**

Planning Report - A11/22 **Pages 46-48**

NEW BUSINESS

Next Meeting

The next meeting is scheduled to take place on May 26, 2022 at 10:00 a.m.

ADJOURNMENT

City of St. Thomas

APR 06 2022

City Clerks Dept.

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

April 5, 2022

Secretary-Treasurer, Committee of Adjustment
Attention: Jon Hindley

Pursuant to By-Law 30-2015, a consultation meeting was held on September 18, 2019 with Planning Department Staff and the applicant.

An application for Consent, regarding 20-21 Ukrainian Street, was filed on April 4, 2022.

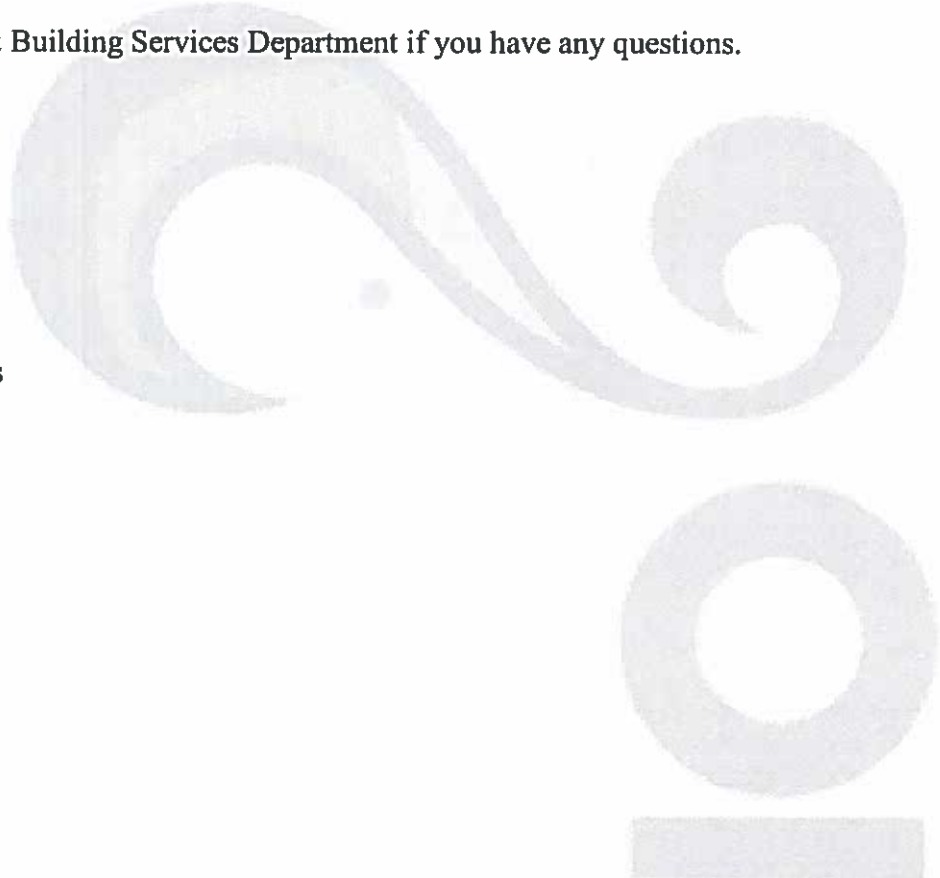
This letter is notice that the information and material required under Subsections 53(2) and 53(3) and the required fee under Section 69 of the Planning Act has been provided and the application for consent is thereby considered complete.

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

Yours truly,



Jim McCoomb, MCIP, RPP
Manager of Planning Services



THE CORPORATION OF THE CITY OF ST THOMAS

COMMITTEE OF ADJUSTMENT

APPLICATION FOR CONSENT

| | | |
|-------------|--|--------------------------------------|
| OFFICE USE: | Date Application Received: <u>APR 04 2022</u> | Consultation Date: <u>Sept 18/19</u> |
| | Date Application Deemed Complete: <u>APR 05 2022</u> | |

Application #: B05/22

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

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): Walter Melnyk

Mailing Address: 314 George Street, Port Stanley, Ontario

Postal Code: N5L 1C5 Telephone: 519-851-9773 Fax: _____

email: melnykconstruction@hotmail.com

(b) Owner's Solicitor or Authorized Agent (if any): Bryan Currah

Mailing Address: 57 Terrace Street, London, Ontario

Postal Code: N5Z 2X7 Telephone: 519-645-0681 Fax: _____

email: brycur@hotmail.com

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

Owner Solicitor Agent

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

- | | |
|---|--|
| <input checked="" type="checkbox"/> Creation of New Lot | <input type="checkbox"/> Disposal of Surplus Farm Dwelling |
| <input 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 Drainage and mutual access easement, Parcel "F" "G" & "H", see attached sketch

(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 known at this time

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) 20&21 Registered Plan No 236 Lot(s) 1, 2 & 3

Reference Plan No _____ Part(s) _____

Name of Street Ukrainian Street Street No 20-21

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

(a) Frontage 6.756 m Depth 26.596 m Area 179.7 sm

(b) Existing Use residential Proposed Use residential

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

Existing: 2 storey townhouse dwelling

Proposed: no proposed building

6. Description of land to be retained: (in metric units) Part No. on sketch Parcel's A,C,D,E,F&H See attached Plan

(a) Frontage Parcel A&H 9.034m Parcel C&F 8.697m Depth Parcel A&H 26.615m Parcel C&F 26.582m Area Parcel A&H 240.3m Parcel C&F 249.0m

(b) Existing Use residential Proposed Use residential

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

Existing: 2 storey townhouse dwelling

Proposed: no proposed buildings

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 _____

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: Unknown

Status: Filed

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

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, Walter Melnyk, 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, Walter Melnyk of Port Stanley 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 City of St. Thomas on this 4th day of April, 2022
City Day Month Year

W Melnyk
Signature of Owner or Authorized Agent

April 4/22
Date

Crystal Marie Penney
Signature of Commissioner of Oaths, etc.

April 4/22
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.

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, Walter Melnyk, 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.

April 4/22
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.

SKETCH

PREPARED FOR PROPOSED SEVERANCE
FOR: WALTER MELNYK

PART OF LOT 20 AND LOT 21
REGISTERED PLAN 236
CITY OF ST. THOMAS
COUNTY OF ELGIN

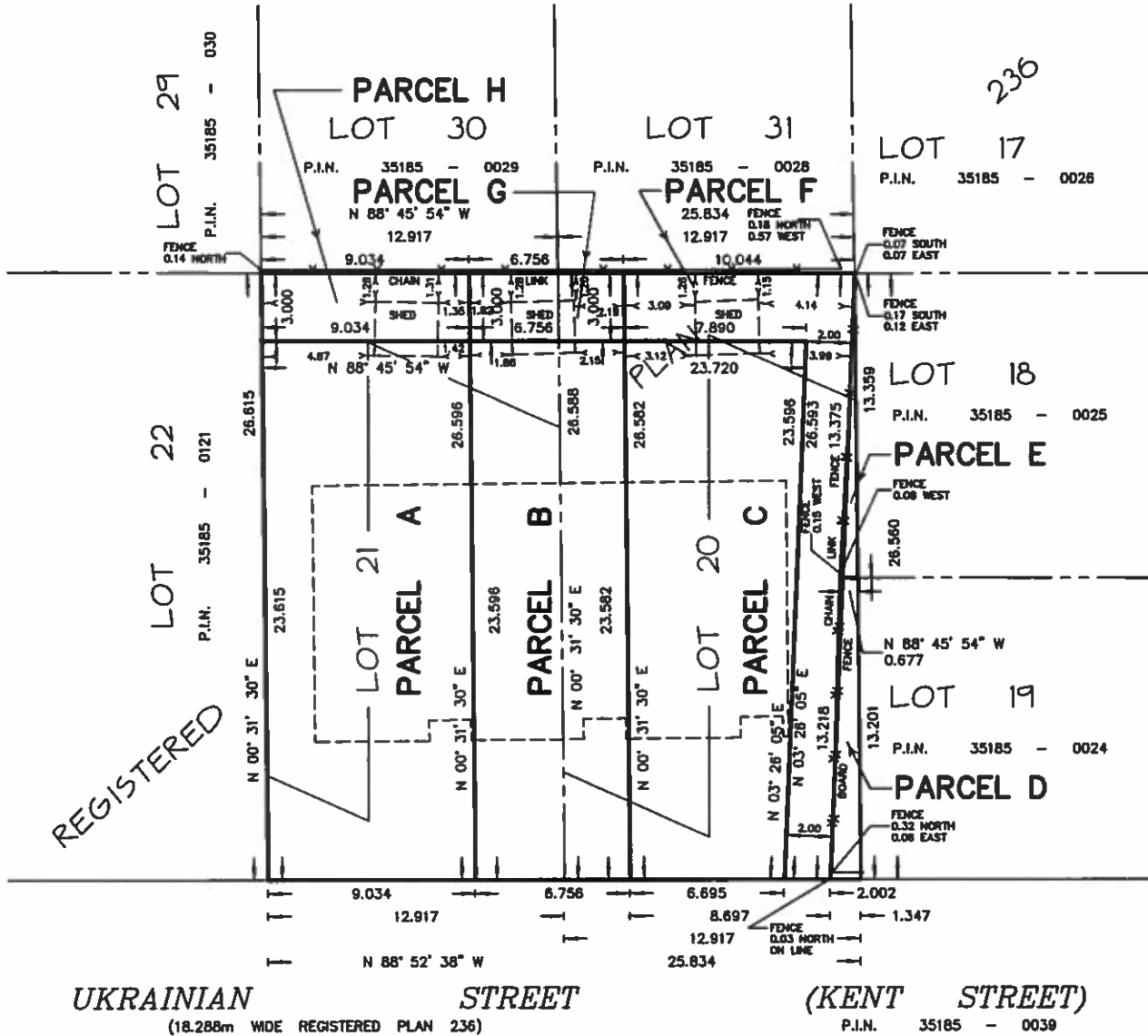
- PARCEL "A" AREA = 213.2 SQ. METERS
- PARCEL "B" AREA = 159.4 SQ. METERS
- PARCEL "C" AREA = 171.9 SQ. METERS
- PARCEL "D" AREA = 13.4 SQ. METERS
- PARCEL "E" AREA = 4.5 SQ. METERS
- PARCEL "F" AREA = 77.1 SQ. METERS
- PARCEL "G" AREA = 20.3 SQ. METERS
- PARCEL "H" AREA = 27.1 SQ. METERS

CAUTION

- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK

SCALE 1:300 

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



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| | |
|--|-----------------|
| KIM HUSTED SURVEYING LTD. ONTARIO LAND SURVEYOR 30 HARVEY STREET, TILSONBURG, ONTARIO, N4B 3J8 PHONE: 519-842-3638 FAX: 519-842-3639 | |
| PROJECT: 19-15307SKETCH | REFERENCE: FILE |
| DWG. WLP | OND. |



The Corporation of the City of St. Thomas

Report No.: B05-2022

Applicant: Walter Melnyk

Directed to: Members of the Committee of Adjustment

Report Date: May 5, 2022
Meeting Date: May 12, 2022

Location: 7-11 Ukrainian Street, City of St. Thomas

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

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

Attachments: Location Plan

Recommendation:
That: Report B05-2022 be received.

BACKGROUND

Consent Application B05/22 has been filed for the purpose of creating separate lots for 7-11 Ukrainian Street. The applicant has filed a minor variance application (A9/22) concurrently to recognize any zoning deficiencies that may result through the approval of the severance application.

PROPOSAL

The applicant is proposing to sever a lot (Parcel B & G) with frontage of 6.75m on Ukrainian Street and an area of 236.5sqm, containing one townhouse dwelling unit and one storage shed. The applicant is proposing to retain two lots, the first lot (Parcel A & H) with frontage of 9.03m on Ukrainian Street and an area of 240.3sqm, containing one townhouse dwelling unit and one storage shed, and the second lot (Parcel C, D, E & F) with frontage of 10.04m on Ukrainian Street and an area of 266.9sqm, containing one townhouse dwelling unit and one storage shed. The applicant is also proposing to create an easement (Parcel F,G,H) for shared access and drainage purposes.

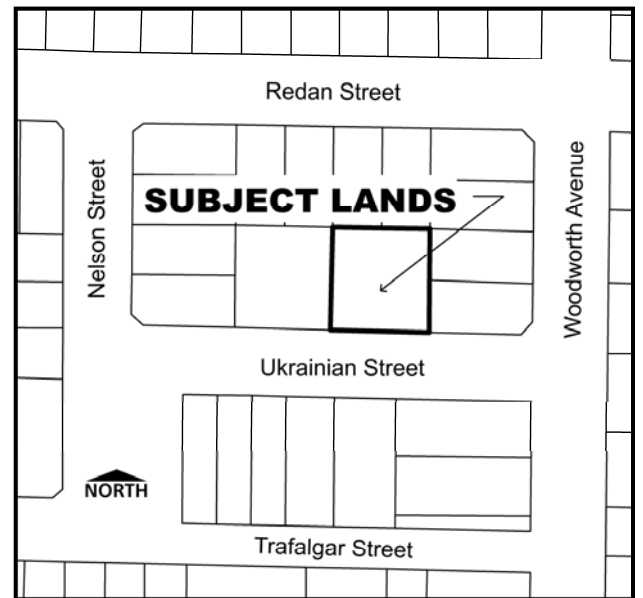
OFFICIAL PLAN

- The subject lands are within the Residential designation, as shown on Schedule "A" (Land Use Plan) to the Official Plan for the City of St. Thomas.
- The "Residential" designation means the predominant use of land shall be for low, medium, and high-density residential use (5.1.3.1).

ZONING BY-LAW

- The subject lands are in the Third Residential Zone (R3) pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as shown on Zoning Map 11.
- Permitted uses of the Third Residential Zone (R3) include a townhouse dwelling (7(e)).

Location Plan:



- Minimum Lot Area – 185sqm Per Dwelling Unit (7.4(6)(1)).
- Maximum Main Building Height - 11m (7.4(6)(3)).
- Maximum Accessory Building Height - 4m (7.4(6)(4)).
- Maximum Floor Area of an Enclosed Accessory Building - The lesser of 15% of the lot Area or 40sqm (7.4(6)(6)).
- Maximum Number of Dwelling Units - 4 per lot (7.4(6)(7)).
- Maximum Roof Area - 55% (7.4(6)(8)).
- Minimum Front Yard Depth - 6m (7.4(6)(9)).
- Minimum Rear Yard Depth - 9m (7.4(6)(10)).
- Minimum Interior Yard Depth - 1m (7.4(6)(11)(a)).
- Minimum Exterior Yard Depth - 4m (7.4(6)(11)(b)).
- Minimum Ground Floor Area - 2 Storey Dwelling - 37sqm (7.4(6)(12)(c)).
- Minimum Number of Parking Spaces – 1.25 per Dwelling Unit (7.4(6)(14)).
- Where a townhouse dwelling is lawfully erected in accordance with the provisions of this by-law and any such dwelling and the lot on which it is located are lawfully severed, the zone requirements applicable to such dwelling and the lot on which it is located shall apply to each lot created and the part of the building erected thereon except that the minimum lot frontage shall be 5.5 metres, and the minimum side yards shall be nil for an interior unit and for an end unit one side yard shall be nil and 2 metres for the other (4.2.9.6(a)).
- For the purposes of clause 4.2.9.6(a) townhouse dwelling must have frontage on and direct access to a municipal street and independent connection to a municipal sanitary sewage system, municipal water supply system and a municipal storm sewer system (4.2.9.6(b)).

COMMENTS

- During the consultation process the applicant was advised that the three existing storage sheds located on the proposed access and drainage easement (Parcel F,G and H) will need to be removed.
- In staff's opinion the proposed consent complies with the Provincial Policy Statement (PPS), City of St. Thomas Official Plan, Zoning By-law and satisfies the criteria of Section 51(24) of the Planning Act, R.S.O, as amended. Therefore, approval of Consent Application B05-2022 is supportable, should the Committee approve the application staff recommends the following conditions:
 - 1) the applicant provide confirmation that the three existing sheds located on the access and drainage easement (Parcel F, G & H) have been removed, to the satisfaction of the City of St. Thomas, Building Services Department;
 - 2) 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
 - 3) that the City of St. Thomas be provided with a copy of the Reference Plan.

Respectfully submitted,



Steve Craig
Senior Planning Technician

APR 06 2022

City Clerks Dept.

CONFIRMATION OF AN APPLICATION FOR MINOR VARIANCE

April 5, 2022

Secretary-Treasurer, Committee of Adjustment
Attention: Jon Hindley

Pursuant to By-Law 30-2015, a consultation meeting was held on September 18, 2019 with Planning staff and the applicant.

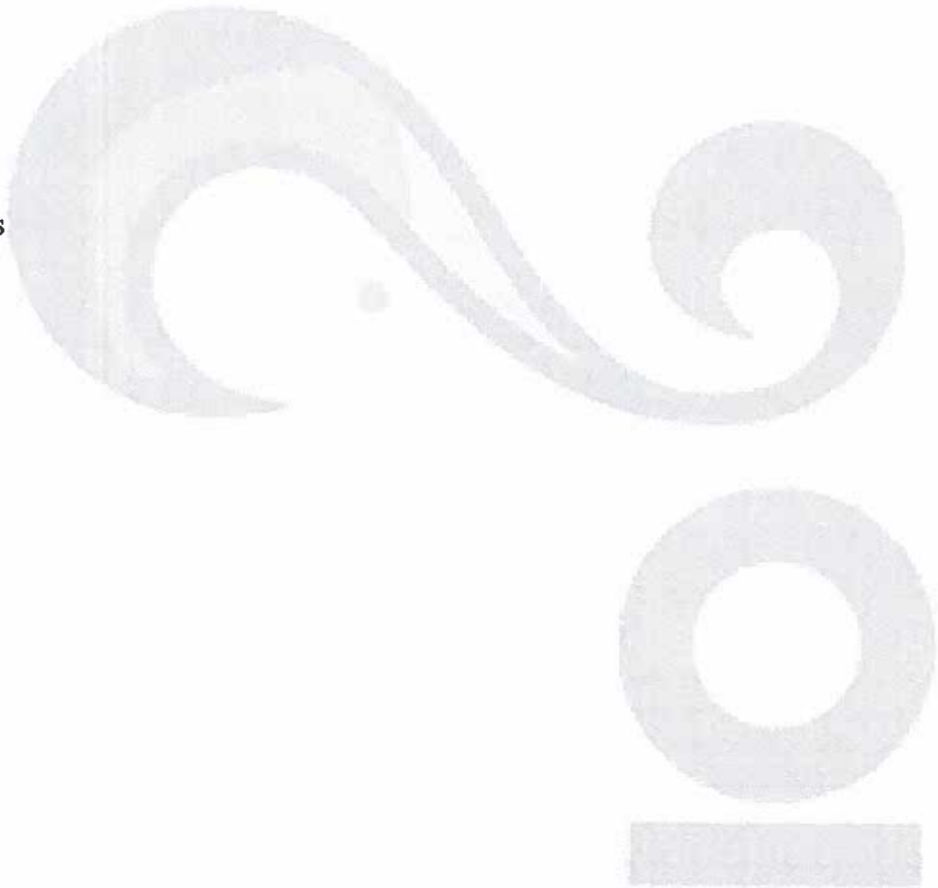
An application for a minor variance, regarding 20-21 Ukrainian Street, was filed on April 4, 2022 and the required fee under Section 69 of the Planning Act has been provided.

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

Regards,



Jim McCoomb, MCIP, RPP
Manager of Planning Services





**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>APR 04 2022</u> | Consultation Date: <u>Sept 18/19</u> |
| | Date Application Deemed Complete: <u>APR 05 2022</u> | |

Application #: A09/22

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: mknapp@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 \$400 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) Walter Melnyk
 Address 314 George Street, Port Stanley, Ontario

 Postal Code N5L 1C5 Tel: 519-851-9773 e-mail: melnykconstruction@hotmail.com

2. Name of Authorized Agent (if any) Bryan Currah
 Address 57 Terrace Street, London, ON

 Postal Code N5Z 2X7 Tel: 519-645-0681 e-mail: brycur@hotmail.com

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:
 To recognize any zoning deficiencies that will result through the subdivision of the (3) townhouse dwelling units located on the subject lands

4. Reason why the proposed use cannot comply with the provisions of the Zoning By-law:
 The variances are technical in nature as the (3) townhouse dwellings were constructed on the subject lands in 2020 and in accordance with the City of St. Thomas Zoning By-law 50-88

Location of Land:

5. Concession No. _____ Lot(s) 20 & 21 Registered Plan No. 236 Lot(s) 1, 2 & 3

Reference Plan No. _____ Part(s) _____

Geographic/Former Township _____

Name of Street Ukrainian Street Street No. 20-21

6. Dimensions of land affected:

Frontage 25.834m Depth 26.615m

Area 687.57sqm Width of Street 20m (assumed)

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:

2 storey, Tri-plex townhouse, 20.62m wide x 11.23m depth, 232sqm ground floor area, 464sqm gross floor area,

USE residential use (Townhouses)

Proposed:

sever existing lot into 3 individual lots each to have a 2 storey, Tri-plex townhouse, 6.76m wide x 11.23m
depth, 75.91sqm ground floor area, 151.82sqm gross floor area

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:

Existing 2 storey 3 unit Townhouse Dwelling

Proposed:

Create 3 individual 2 storey townhouse dwellings

USE

Residential

10. Date of acquisition of subject land:

2019

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

2020

12. Existing uses of the subject land:

residential

13. Existing uses of abutting lands:

North: residential

East: residential

South: residential

West: residential

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

1 years

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

Water:

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

Sewage Disposal:

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

Storm Drainage

Storm sewers Other (Specify) _____

16. Present Official Plan designation of the subject land:

Residential

17. Present Zoning of the subject land:

R3

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 Filed

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, Walter Melnyk, 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, Walter Melnyk of Port Stanley 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 City of St. Thomas on this 4th day of April, 20 22
City Day Month Year

W Melnyk
Signature of Owner or Authorized Agent

April 4/22
Date

Crystal Marie Penney
Signature of Commissioner of Oaths, etc.

April 4/22
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.

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, Walter Melnyk, 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.

April 4/22
Date

W Melnyk
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.

SITE PLAN
PREPARED FOR BUILDING PERMIT
AND LOT GRADING
FOR: WALTER MELNYK

SCALE 1:200



METRIC

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

PROPERTY DESCRIPTION:
LOT 21 AND PART OF LOT 20
REGISTERED PLAN 236
CITY OF ST. THOMAS
COUNTY OF ELGIN

CAUTION

- THIS IS NOT A PLAN OF SURVEY OR SURVEYOR'S REPORT AND SHALL NOT BE USED FOR TRANSACTION OR FINANCING PURPOSES
- DO NOT CONVEY FROM THIS PLAN
- THE PROPOSED BUILDING AND ITS LOCATION SHOWN HEREON MAY BE SUBJECT TO CHANGES PRIOR TO CONSTRUCTION. THIS SKETCH SHOULD NOT BE RELIED UPON AS CERTIFICATION THAT THE DWELLING WAS ACTUALLY CONSTRUCTED AS SHOWN.
- ELEVATION OF EXISTING GROUND WATER TABLE AND SOIL CONDITIONS NOT DETERMINED

NOTES

- (1) - PROPERTY DIMENSIONS SHOWN HEREON AS PER REGISTERED PLAN 236
- (2) - PROPOSED BUILDING POSITIONED BY CALCULATIONS, NOT BY ACTUAL SURVEY
- (3) - PROPOSED FINAL GRADES ARE SHOWN (33.86) AND ARE IN METERS
- (4) - T.F.W. DENOTES TOP OF FOUNDATION WALL
- (5) - U.S.F. DENOTES UNDERSIDE OF FOOTING
- (6) - SITE BENCHMARK SPIKE SET IN FACE OF HYDRO POLE WEST OF THE SUBJECT PROPERTY HAVING A GEODETIC ELEVATION OF 233.84 METERS
 - ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC DATUM, CGVD 1928 VERTICAL DATUM
 - ADD 200.00m TO ELEVATIONS HEREON TO OBTAIN GEODETIC DATUM
- (7) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE ELEVATION OF THE UPPER LIMIT OF THE GROUND WATER TABLE, SOIL BEARING CAPACITY AND THE ELEVATION OF THE UNDER SIDE OF FOOTING PRIOR TO EXCAVATION.
- (8) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE SITE BENCH MARK PRIOR TO EXCAVATION
- (9) - AREA OF LOT 21 AND PART OF LOT 20 IS 669.3 SQUARE METRES
 AREA OF TOWNHOUSE (EXCLUDING PORCHES) IS 226.2 SQUARE METRES
 PROPOSED LOT COVERAGE = 33.8%

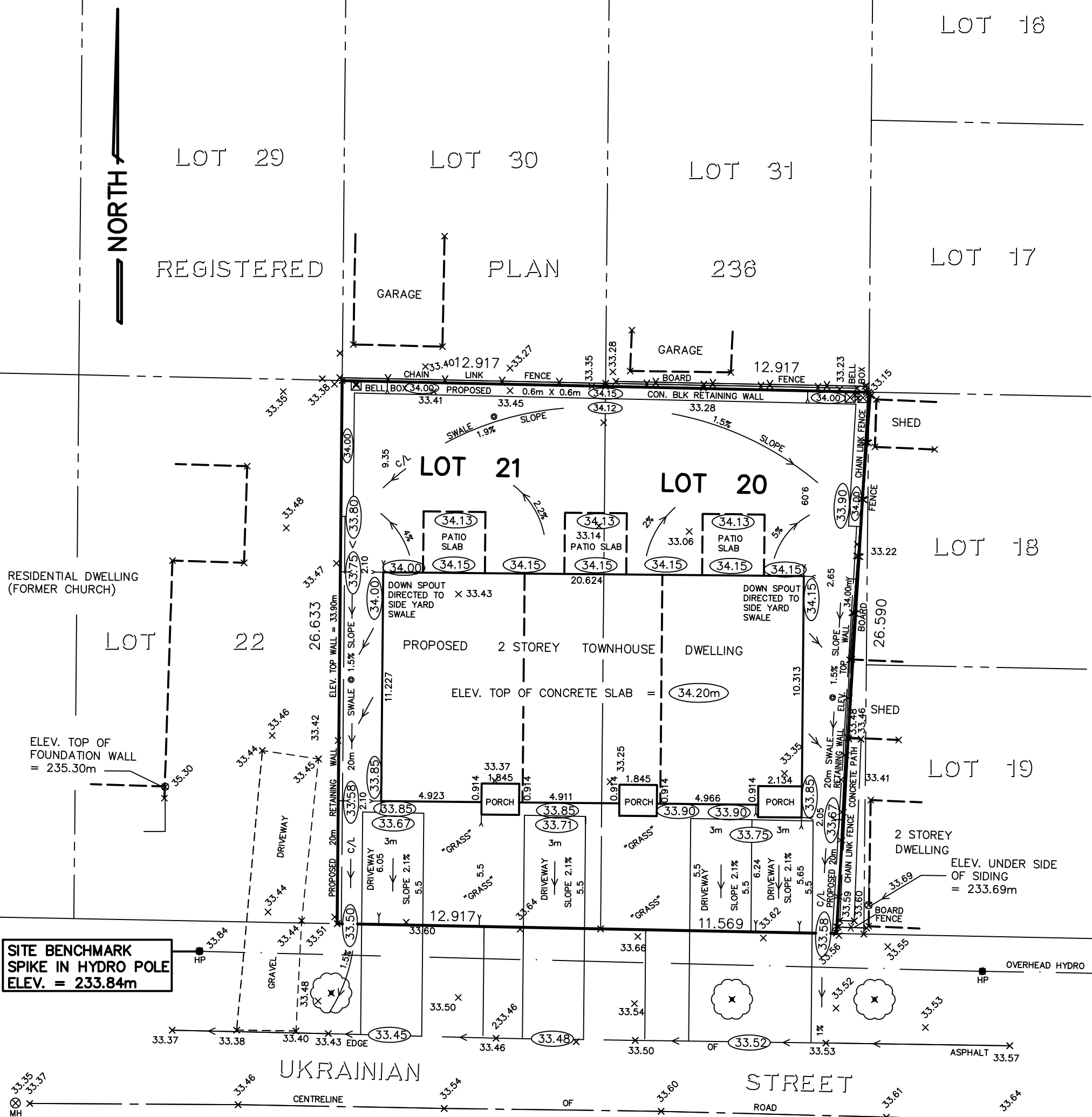
- PROPOSED SLAB-ON-GRADE TOWNHOUSE DWELLING
- FRONTAGE SUBJECT LANDS 24.87 METERS

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KIM HUSTED SURVEYING LTD.
ONTARIO LAND SURVEYOR
30 HARVEY STREET, TILLSONBURG, ONTARIO. N4G 3J8
PHONE: 519-842-3638 FAX: 519-842-3639

PROJECT: 19-15307-21-20 REFERENCE: FILE



- AREA OF SUBJECT PROPERTY 669.3 SQ. M. OR 223.1 SQ. M. PER UNIT
- PROPOSED LOT COVERAGE 33.8% EXCLUDING PORCHES BUILDING AREA 226.2 SQ. M
- LOT FRONTAGE 24.48m
- PROPOSED BUILDING HEIGHT 7.2m
- PROPOSED ROOF AREA 255.6 SQ. M. OR 38.2% LOT COVERAGE
- PROPOSED UNIT GROUND FLOOR AREA 76.1 SQ. M. PER UNIT
- PROPOSED PARKING AREA 65.8 SQ. M OR 9.8% LOT COVERAGE
- ALL PROPOSED DRIVEWAYS ARE 3 METERS IN WIDTH 5.5 METERS IN DEPTH

"THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH SEAL"

MARCH 31, 2020



The Corporation of the City of St. Thomas

Report No.: COA09-2022

Applicant: Walter Melnyk

Members of the Committee of Adjustment

Report Date: May 5, 2022
Meeting Date: May 12, 2022

Location: 7-11 Ukrainian Street, City of St. Thomas

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

Department: Planning and Building Services Department
Prepared by: Steve Craig, Senior Planning Technician

Attachments: Location Plan

Recommendation:

That: Report COA09-2022 be received.

BACKGROUND

The applicant has filed a consent application (B05/22) concurrently for the purpose of creating separate lots for 7-11 Ukrainian Street. The subject minor variance application has been filed to recognize any zoning deficiencies that may result through the approval of the severance application.

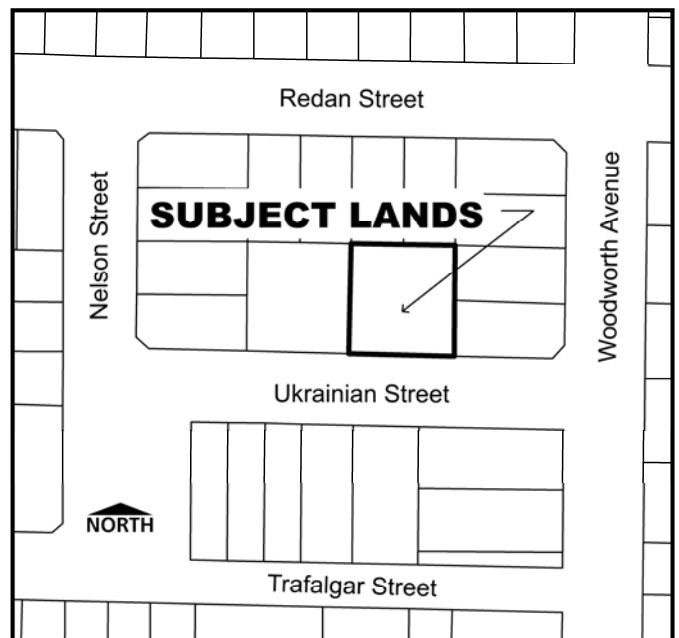
MINOR VARIANCE

i) To recognize any zoning deficiencies that will result through the subdivision of the three townhouse dwelling units located on the subject lands.

OFFICIAL PLAN

- The subject lands are within the Residential designation, as shown on Schedule "A" (Land Use Plan) to the Official Plan for the City of St. Thomas. The "Residential" designation means the predominant use of land shall be for low, medium, and high-density residential use (5.1.3.1).
- Low density residential use shall mean a residential use to a maximum of twenty-five (25) residential dwelling units per net hectare. Within a low-density residential area, the main permitted uses shall include single detached, semi- detached, duplex, and triplex residential dwellings (5.1.3.2).

Location Plan:



ZONING BY-LAW

- The subject lands are in the Third Residential Zone (R3) pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as shown on Zoning Map 11.
- Permitted uses of the Third Residential Zone (R3) include a townhouse dwelling (7(e)).
- Maximum main building height - 11m (7.4(6)(3)).
- Maximum accessory building height - 4m (7.4(6)(4)).
- Maximum floor area of an enclosed accessory building - The lesser of 15% of the lot area or 40sqm (7.4(6)(6)).
- Maximum number of dwelling units - 4 per lot (7.4(6)(7)).
- Maximum roof area - 55% (7.4(6)(8)).
- Minimum front yard depth - 6m (7.4(6)(9)).
- Minimum rear yard depth - 9m (7.4(6)(10)).
- Minimum interior yard depth - 1m (7.4(6)(11)(a)).
- Minimum exterior yard depth - 4m (7.4(6)(11)(b)).
- Minimum ground floor area - 2 storey dwelling - 37sqm (7.4(6)(12)(c)).
- Minimum number of parking spaces – 1.25 per dwelling unit (7.4(6)(14)).
- Where a townhouse dwelling is lawfully erected in accordance with the provisions of this by-law and any such dwelling and the lot on which it is located are lawfully severed, the zone requirements applicable to such dwelling and the lot on which it is located shall apply to each lot created and the part of the building erected thereon except that the minimum lot frontage shall be 5.5 metres, and the minimum side yards shall be nil for an interior unit and for an end unit one side yard shall be nil and 2 metres for the other (4.2.9.6(a)).
- For the purposes of clause 4.2.9.6(a) townhouse dwelling must have frontage on and direct access to a municipal street and independent connection to a municipal sanitary sewage system, municipal water supply system and a municipal storm sewer system (4.2.9.6(b)).

LEGISLATIVE FRAMEWORK FOR A MINOR VARIANCE

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

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

COMMENTS

- The applicant recently developed the subject lands with three townhouse dwelling units, which were constructed in accordance with the regulations of the City of St. Thomas Zoning By-law.
- The applicant has filed a consent application (B05/22) concurrently for the purpose of creating separate lots for 7-11 Ukrainian Street and the proposed variance is required to recognize any zoning deficiencies that will result through the approval of the severance application. The proposed variance is technical in nature and will not result in any new development or changes to the site.
- In Staff's opinion the proposed 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. Therefore, planning staff recommend that minor variance application COA09-2022 be approved.
- Should the Committee of Adjustment approve Minor Variance Application COA09-2022, the decision should reflect that the Committee is recognizing any zoning deficiencies that will result through the subdivision of the three existing townhouse dwelling units located on the subject lands, as shown on the plans accompanying the application.

Respectfully submitted,



Steve Craig
Senior Planning Technician

APR 12 2022

City Clerks Dept.

CONFIRMATION OF AN APPLICATION FOR MINOR VARIANCE

April 12, 2022

Secretary-Treasurer, Committee of Adjustment
Attention: Jon Hindley

Pursuant to By-Law 30-2015, a consultation meeting was held on February 23, 2022 with Planning staff and the applicant.

An application for a minor variance, regarding 92 Metcalfe Street, was filed on April 11, 2022 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,



Jim McCoomb, MCIP, RPP
Manager of Planning Services



**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>04/11/22</u> | Consultation Date: <u>02/23/22</u> |
| | Date Application Deemed Complete: <u>04/11/22</u> | |

Application #: A10/22

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

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 \$400 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) Marc + Ruth Gaudreault
Address 92 Metcalfe st. St. Thomas, Ont.

Postal Code N5R3K8 Tel: 519-494-0782 e-mail: marc.gaudreault44@gmail.com

2. Name of Authorized Agent (if any) _____
Address _____

Postal Code _____ Tel: _____ e-mail: _____

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:
Height proposed 6.78 met. ZBL 4m max height.
floor area proposed is 78.03 sq m ZBL 67m
additional storage space.

4. Reason why the proposed use cannot comply with the provisions of the Zoning By-law:
Height matches house roof line.

5. Location of Land:

Concession No. 8 Lot(s) 9 Registered Plan No. 23 Lot(s) 9

Reference Plan No. _____ Part(s) _____

Geographic/Former Township _____
Name of Street Metcalf st. Street No. 92

6. Dimensions of land affected:
Frontage 69'8" Depth 132' ft.
Area 9614 sq. ft. 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:
existing house 1627 sq.ft.

USE residents

Proposed:
detached garage 840 sq.ft.

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:
house (refer to plans)

Proposed:
detached garage (refer to plans)

USE storage lower + upper.

10. Date of acquisition of subject land: May 2002

11. Date of construction of all buildings and structures on subject land:
house 1875

12. Existing uses of the subject land:
residents

13. Existing uses of abutting lands:

North: residents East: residents
South: residents West: vacant lot

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

since 1875

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

Water:

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

Sewage Disposal:

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

Storm Drainage

Storm sewers Other (Specify) _____

16. Present Official Plan designation of the subject land:

residents

17. Present Zoning of the subject land:

residential R3

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.

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I Marc Gaudreault, 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.

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AFFIDAVIT OR SWORN DECLARATION

I, Marc Gaudreault 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 _____ on this _____ day of _____, 20____.
City Day Month Year

Marc Gaudreault
Signature of Owner or Authorized Agent

April 8/2022
Date

Crystal Marie Penney
Signature of Commissioner of Oaths, etc.

April 11/22
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, Ruth B Gaudreault, am the owner of the subject lands, and I authorize

Marc Gaudreault Marc Gaudreault 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.

April 11/2022
Date

Ruth B Gaudreault
Marc Gaudreault
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.

Marc Gaudreault
I, Marc Gaudreault, 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.

April 8/2022
Date

Marc Gaudreault
Signature of Owner

NOTES:

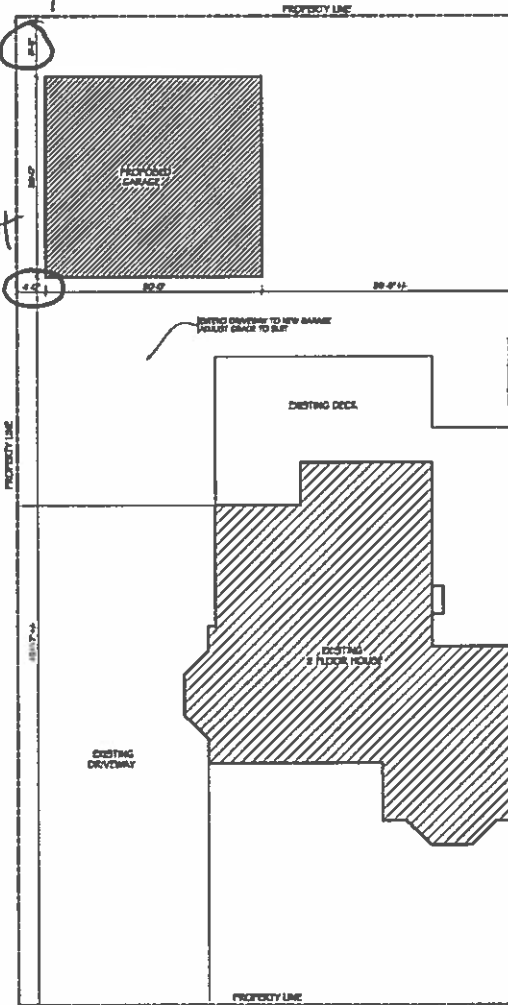
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 - (g) The location and nature of any restrictive covenant or easement affecting the subject land;
2. The Committee of Adjustment may require that a preliminary drawing be prepared, signed and dated by an Ontario Land Surveyor.
3. If this application 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.

ZONING INFORMATION

| ZONING INFORMATION | NOTES |
|-------------------------|----------------------------|
| MIN. LOT AREA | 84.4 SQ. FT. ** |
| MIN. LOT FRONTAGE | 22'-0" ** |
| MIN. LOT COVERAGE | 20% TOTAL - 2% GARAGE ONLY |
| MIN. FRONT YARD SETBACK | 5'-0" ** |
| MIN. FRONT YARD GARAGE | 5'-0" ** |
| MIN. SIDE YARD | 5'-0" ** |
| MIN. REAR YARD | 5'-0" ** |
| BLADING HEIGHT | 22'-0" ** |

TOTAL HOUSE FOOTPRINT: DETACHED HOUSE = 1,427 SQ.FT., ATTACHED GARAGE = 840 SQ.FT. TOTAL APPROX. 2,267 SQ. FT.

NOTE: IT IS THE RESPONSIBILITY OF THE OWNER TO OBTAIN ALL NECESSARY PERMITS AND TO OBTAIN ALL NECESSARY APPROVALS FROM THE LOCAL GOVERNMENT. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.



METCALFE STREET

SITE PLAN
SCALE: N.T.S.



180 BARRY AVE., LONDON, ONTARIO, N6J 5L8
PHONE: (519) 881-1884 FAX: (519) 881-6888

NOTES:

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CONTRACTOR MUST VERIFY ALL DIMENSIONS AND PERFORM ALL CALCULATIONS TO THE EXISTING BEFORE PROCEEDING WITH WORK.

THE CONTRACTOR MUST VERIFY THAT ALL CONSTRUCTION IS IN COMPLIANCE WITH THE CURRENT NATIONAL BUILDING CODE, THE ONTARIO BUILDING CODE, LOCAL ZONING REGULATIONS, AND ANY OTHER GOVERNING AUTHORITIES.

DRAWINGS ARE NOT TO BE SCALED.

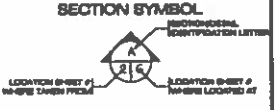
DUTOT DESIGN SERVICES DOES NOT ASSUME LIABILITY FOR ANY ERRORS OR OMISSIONS ON THESE DOCUMENTS UNLESS CAUSED BY WRITING OF SUCH DISCREPANCIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.

DUTOT DESIGN SERVICES HAS ASSUMED THAT THE SITE DOES NOT HAVE A WATER TABLE AND THE WATER TABLE WILL NOT AFFECT THE DESIGN OF THIS PROJECT. IF THE WATER TABLE IS A CONCERN PLEASE CONTACT OUR OFFICE.

| DATE | REVISIONS |
|----------------|---------------|
| MARCH 28, 2022 | ISSUE PERMITS |
| | |
| | |
| | |



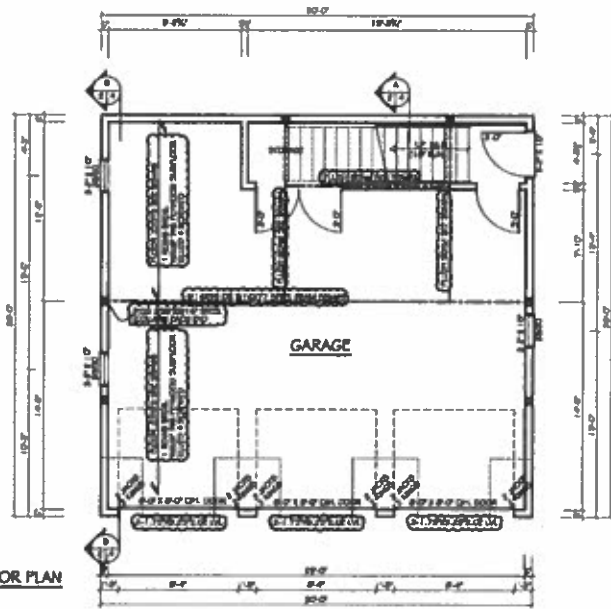
PLEASE NOTE THAT THIS DRAWING IS NOT VALID UNLESS IT IS SIGNED AND SEALED BY THE ENGINEER, BY STAMPING AND SIGNING THESE DRAWINGS. CRAG DUTOT HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN WORK ON BEHALF OF DUTOT DESIGN SERVICES WHICH IS REGISTERED UNDER SUBSECTION 2.1.1 OF THE ONTARIO BUILDING CODE. I AM QUALIFIED AND THE WORK IS PERFORMED IN THE APPROPRIATE CLASSIFICATION.



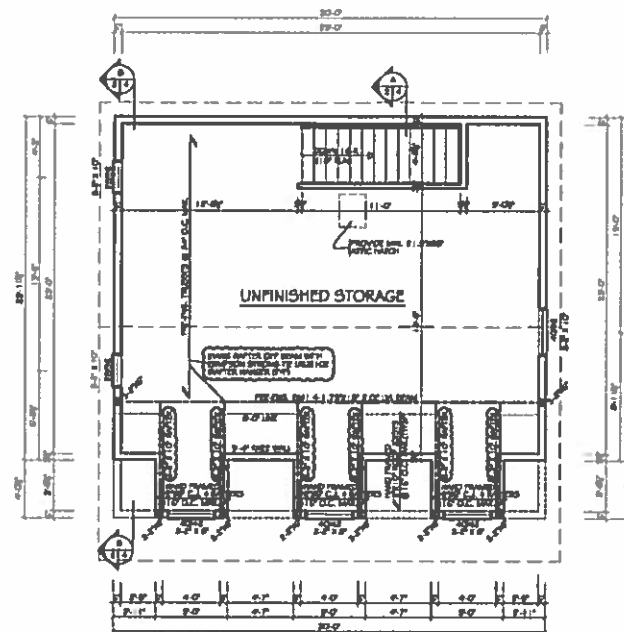
PURPOSE TITLE:
DETACHED GARAGE

MODEL:
CLIENT:
MARC GAUDREAU
ADDRESS:
**82 METCALFE ST
ST. THOMAS, ONTARIO**
SHEET NO. & TOTAL:
1 OF 5

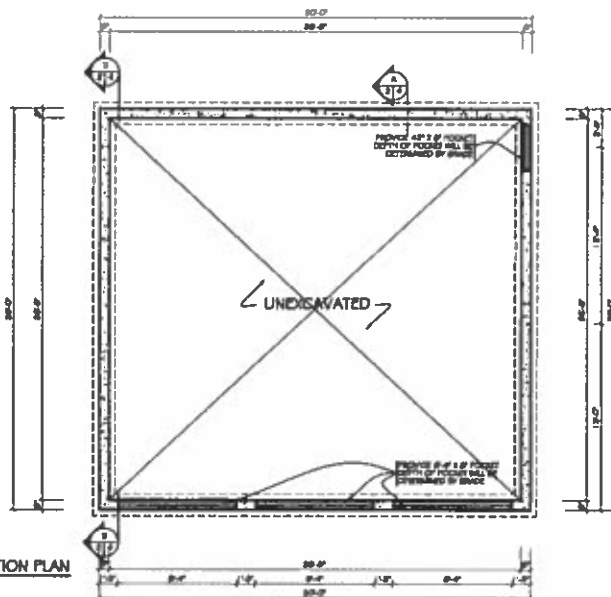
DRAWN BY:
CRAG DUTOT
SCALE:
1/4" = 1'-0"
DATE:
MAY 2021 SHEET:
1 OF 5



MAIN FLOOR PLAN



SECOND FLOOR PLAN



FOUNDATION PLAN

| TYPE | MIN. HEIGHT | MAX. HEIGHT |
|-----------------|-------------------|-------------------|
| EXTERIOR GUARDS | MIN. HEIGHT = 36" | MAX. HEIGHT = 48" |
| INTERIOR GUARDS | MIN. HEIGHT = 36" | MAX. HEIGHT = 48" |

MINERALS - MIN. HEIGHT = 36"
MAX. HEIGHT = 48"
INTERIOR GUARDS - MIN. HEIGHT = 36"
MAX. HEIGHT = 48"
NON-COMBUSTIBLE

UNIFORM SECTION
EXTERIOR STAIRS SHALL BE CONSTRUCTED WITH 2" X 12" STRINGERS
GUARDS SHALL BE PROVIDED ON EACH SIDE FOR STAIRS MORE THAN 3'-7" WIDE
- EXTERIOR GUARDS - 3'-0" TO 5'-11" ABOVE GRADE, MIN. HEIGHT = 36"
OVER 5'-11" ABOVE GRADE, MIN. HEIGHT = 48"
- ALL GUARDS TO BE CONSTRUCTED TO O.S.C. 9.2.2.2.

CONCRETE STRENGTH AS PER O.C. S.A. 6
CARRYING FLOOR SILL, 30 M.P.A. CONCRETE SILL-PS AS
FRONT CONCRETE FLOOR SILL, 30 M.P.A. CONCRETE SILL-PS AS
GARAGE FLOOR SILL, 30 M.P.A. CONCRETE SILL-PS AS
SHARPEST FLOOR SILL, 30 M.P.A. CONCRETE
FOUNDATION WALLS 1 FOOTING SILL, 30 M.P.A. CONCRETE
SEC. 9.2.3.1 (1) BRIMS SHALL HAVE EVEN AND LEVEL BEARING
AND SHALL HAVE NOT LESS THAN 2 SET SQUARES OF BRIMS
AT END SUPPORTS, EXCEPT AS REQUIRED IN NOTES TO TABLE
A-6 TO A-11. BRIMS SHALL HAVE 1 SET SQUARE
FOR BRIMS UP TO 6'-0" AND 2 SET SQUARES FOR BRIMS OVER
6'-0" UNLESS NOTED OTHERWISE.
SEC. 9.2.3.1 (1) FLOOR JOISTS SHALL HAVE NOT LESS THAN
1 7/8" UNIFORM END BEARING.
FOR PRE-ENGINEERED BRIMS WHICH ARE CLOUSED REFER TO
SILL, SQUARELY BRIMS, LETTER FOR OTHER BRIMS. THIS
REFER TO TRUSS COMPANY CATALOGS, IF THERE ARE ANY
ENGINEERED BRIMS LITERATURE WITH THIS REFERENCE.

ALL FOOTINGS SHALL REST ON STABLE UNDERLAYED
SILL, ROCK OR COMPACTED GRANULAR FILL. FOOTINGS
SHALL EXTEND BELOW FROST LINE MIN. 48". FOOTINGS
SHALL BE SET WITH A MINIMUM BEARING
OF MIN. 1000 P.S.F. FOR BUILDINGS OF WOOD
FRAME FOR UNWEIGHTED CONCRETE. SEE BEARING
CAPACITY SHALL BE MIN. 2000 P.S.F. FOR BEARING
OF FILL RELATING CONC. FORM FOUNDATIONS.
NO PER O.S.C. SECTION 9.1.5.

DUTOT DESIGN SERVICES HAS ADVISED THAT THE SITE DOES
NOT HAVE A WHITE TAPE CODE AND THE WHITE TAPE WILL
NOT AFFECT THE DESIGN OF THE FOUNDATIONS, IF THE WHITE
TAPE IS A CONCRETE FLOOR CONTACT OUR OFFICE.

188 MARY AVE., LONDON, ONTARIO, N6J 5L5
PHONE: (519) 851-1884 FAX: (519) 851-8988

NOTES:
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CONTRACTORS MUST VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH WORK.
THE CONTRACTOR MUST VERIFY THAT ALL CONSTRUCTION IS IN ACCORDANCE WITH THE CURRENT NATIONAL BUILDING CODE, THE CURRENT BUILDING LOCAL LAWS, ZONING REGULATIONS, AND ANY OTHER GOVERNING AUTHORITIES.
DIMENSIONS ARE NOT TO BE CHANGED.
DUTOT DESIGN SERVICES DOES NOT ASSUME LIABILITY FOR ANY ERRORS OR OMISSIONS ON THESE DOCUMENTS UNLESS ADVISED IN WRITING OF SUCH DISCREPANCIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
DUTOT DESIGN SERVICES HAS ADVISED THAT THE SITE DOES NOT HAVE A WHITE TAPE CODE AND THE WHITE TAPE WILL NOT AFFECT THE DESIGN OF THE FOUNDATIONS, IF THE WHITE TAPE IS A CONCRETE FLOOR CONTACT OUR OFFICE.

| DATE | REVISIONS |
|----------------|---------------|
| MARCH 26, 2022 | ISSUE PERMITS |
| | |
| | |
| | |

DUTOT DESIGN SERVICES
188 MARY AVE., LONDON, ONTARIO, N6J 5L5
PHONE: (519) 851-1884 FAX: (519) 851-8988

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SECTION SYMBOL
SECTION SYMBOL
LOCATION SHEET #1
LOCATION SHEET #2

PROJECT TITLE
DETACHED GARAGE

CLIENT
MARC GAUDREAU
LOCATION
**92 METCALFE ST
ST. THOMAS, ONTARIO**
SHEET TITLE
FLOOR PLANS

DESIGN BY
CRAG DUTOT
SCALE
1/4" = 1'-0"
DATE
MAY 2021 SHEET
2 OF 5

NOTES:

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CONTRACTOR MUST VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH WORK.

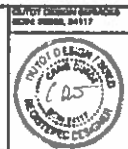
THE CONTRACTOR MUST VERIFY THAT ALL CONSTRUCTION IS IN COMPLIANCE WITH THE CURRENT NATIONAL BUILDING CODE, THE CURRENT BUILDING CODE, LOCAL ZONING REGULATIONS, AND ANY OTHER APPLICABLE REGULATIONS.

CHANGES ARE NOT TO BE MADE.


DUTOT DESIGN SERVICES DOES NOT ASSUME LIABILITY FOR ANY ERRORS OR OMISSIONS ON THESE DECLARATIONS UNLESS CAUSED BY WRITING OF SUCH DISCREPANCIES FROM TO COMPLETION OF CONSTRUCTION.

DUTOT DESIGN SERVICES HAS ASSURED THAT THE SITE DOES NOT HAVE A HAZARDOUS TANKS IN AREA AND THE HAZARDOUS TANKS WILL NOT AFFECT THE DESIGN OF THE FOUNDATION. IF THE WRITER HAS A CONCERN PLEASE CONTACT OUR OFFICE.

| DATE | REVISIONS |
|----------------|-------------|
| MARCH 28, 2020 | ISSUE PERMS |
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PLEASE NOTE THAT THIS DRAWING IS NOT VALID UNLESS IT IS STAMPED AND SIGNED BY THE DESIGNER, BY STAMPING AND SIGNING THESE DRAWINGS I CRAIG DUTOT HAVE ASSUMED AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF DUTOT DESIGN SERVICES WHICH IS REGISTERED UNDER SUBSECTION 2.4.1 OF CHAPTER 2 OF THE ONTARIO BUILDING CODE. I HAS QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSIFICATION.

| SECTION SYMBOL | SECTION/SECTION IDENTIFICATION LETTER |
|---|---------------------------------------|
|  | SECTION/SECTION IDENTIFICATION LETTER |

PROJECT TITLE:
DETACHED GARAGE

MODEL:

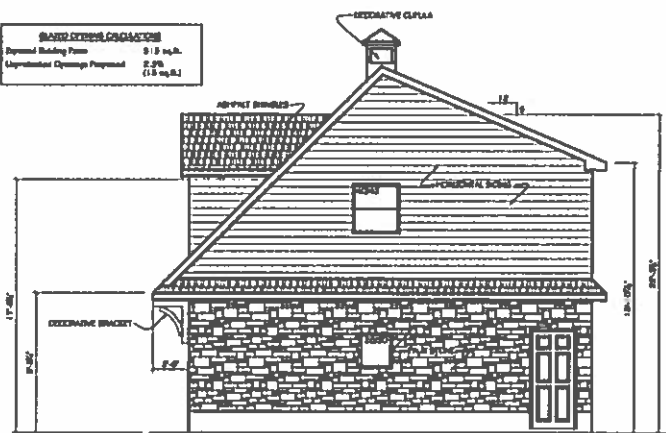
CLIENT:
MARC GAUDREAU

LOCATION:
**92 METCALFE ST
ST. THOMAS, ONTARIO**

DATE TITLE:
ELEVATIONS

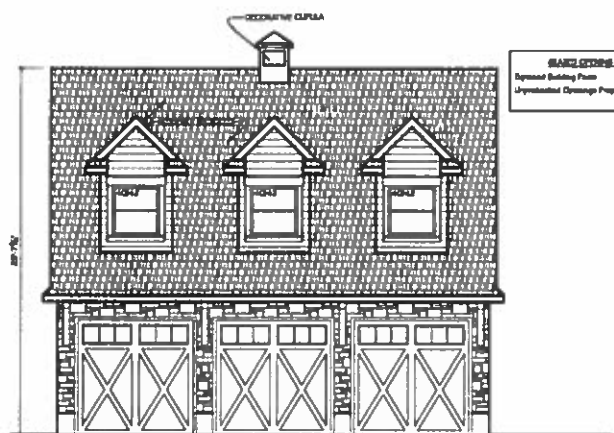
| | |
|------------------------------------|----------|
| DESIGNED BY: CRAIG DUTOT | 3 |
| SCALE: 1/4" = 1'-0" | |
| DATE: MAY 2021 | |

BASE COVER CALCULATION
Roofed Building Foot: 918 sq.ft.
Unroofed Openings Footprint: 270 (18 sq.ft.)



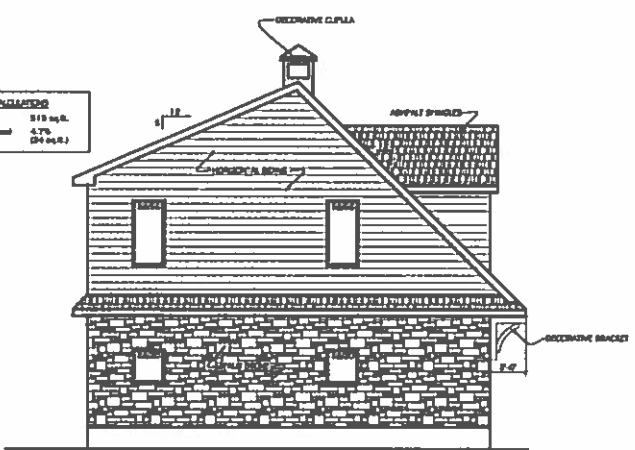
RIGHT ELEVATION

BASE COVER CALCULATION
Roofed Building Foot: 942 sq.ft.
Unroofed Openings Footprint: 96 (27 sq.ft.)



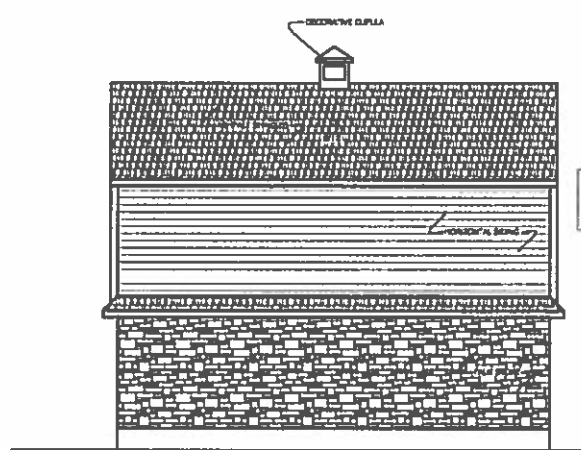
FRONT ELEVATION

BASE COVER CALCULATION
Roofed Building Foot: 818 sq.ft.
Unroofed Openings Footprint: 470 (24 sq.ft.)



LEFT ELEVATION

BASE COVER CALCULATION
Roofed Building Foot: 940 sq.ft.
Unroofed Openings Footprint: 96 (28 sq.ft.)



REAR ELEVATION



DUTOT DESIGN services

182 MARY AVE., LONDON, ONTARIO, N6L 5L9
PHONE: (519) 891-1884 FAX: (519) 891-8888

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CONTRACTOR MUST VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH WORK.

THE CONTRACTOR MUST VERIFY THAT ALL CONSTRUCTION IS IN COMPLIANCE WITH THE CURRENT NATIONAL BUILDING CODE, THE CURRENT BUILDING LOCAL, ZONING REQUIREMENTS, AND ANY OTHER GOVERNING AUTHORITIES.

EXHIBITS ARE NOT TO BE SCALED.

DUTOT DESIGN SERVICES DOES NOT ASSUME LIABILITY FOR ANY ERRORS OR OMISSIONS OR IN-USE OCCASIONALLY ARISING ARISING IN VARIOUS OF SUCH DISCREPANCIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.

DUTOT DESIGN SERVICES HAS ADVISED THAT THE SITE DOES NOT HAVE A WATER TABLE AND THE WATER TABLE WILL NOT AFFECT THE DESIGN OF THE FOUNDATIONS. IF THE WATER TABLE IS A CONCERN PLEASE CONTACT OUR OFFICE.

| DATE | REVISIONS |
|----------------|-------------|
| MARCH 28, 2022 | ISSUE PERMS |
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DUTOT DESIGN SERVICES

2022 03 28, 14:11



PLEASE NOTE THAT THIS DRAWING IS NOT VALID UNLESS IT IS SCALED AND DIMENSIONS BY THE CONTRACTOR OR ENGINEER AND SIGNED THEREON. DUTOT DESIGN SERVICES HAS ADVISED THAT THE SITE DOES NOT HAVE A WATER TABLE AND THE WATER TABLE WILL NOT AFFECT THE DESIGN OF THE FOUNDATIONS. IF THE WATER TABLE IS A CONCERN PLEASE CONTACT OUR OFFICE.

SECTION SYMBOL



LOCATION SHEET #1 WHERE TAKEN FROM

LOCATION SHEET #2 WHERE LOCATED AT

PROJECT TITLE

DETACHED GARAGE

MODEL

CLIENT

MARC GAUDREAU

LOCATION

82 METCALFE ST
ST. THOMAS, ONTARIO

SHEET TITLE

SECTIONS

DRAWN BY

CRAIG DUTOT

SCALE

1/2" = 1'-0"

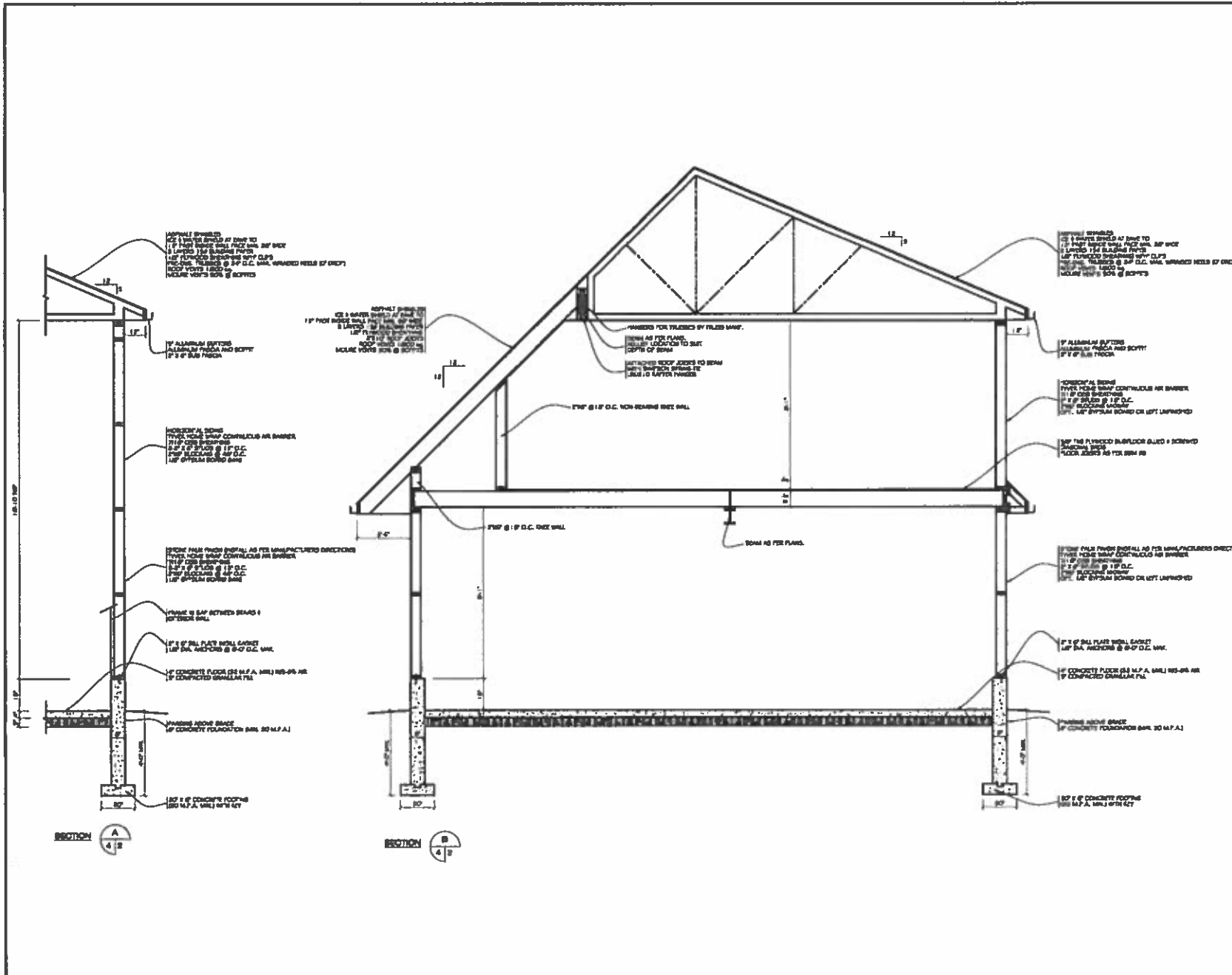
DATE

MAY 2021

SHEET

4 OF 8

4





The Corporation of the City of St. Thomas

Report No.: COA10-2022

Applicant: Marc and Ruth Gaudreault

Members of the Committee of Adjustment

Report Date: May 4, 2022
Meeting Date: May 12, 2022

Location: 92 Metcalfe Street, City of St. Thomas

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

Department: Planning and Building Services Department
Prepared by: Steve Craig, Senior Planning Technician

Attachments: Location Plan & Aerial Photograph

Recommendation:

That: Report COA10-2022 be received.

BACKGROUND

The applicants are proposing to construct an 8.53m x 9.14m two storey detached garage located in the rear yard of the subject lands, as shown on the plans accompanying the subject application.

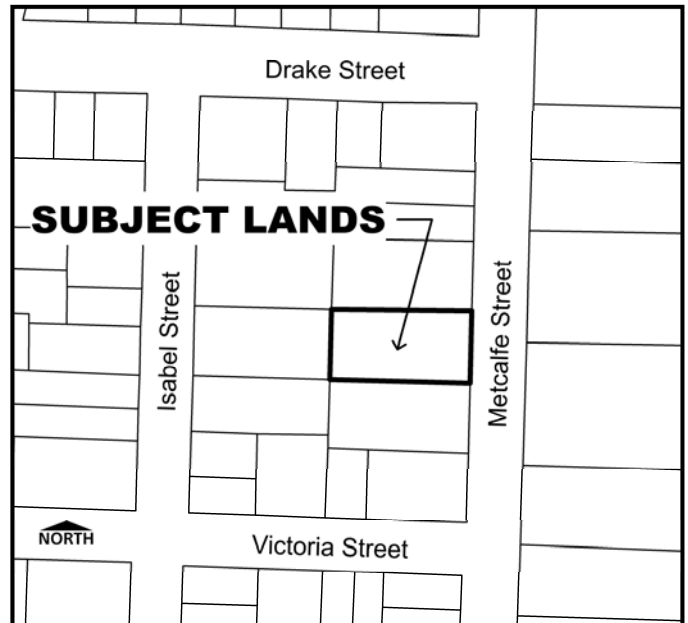
MINOR VARIANCE(S)

- (i) To permit an accessory building with a maximum height of 6.78m, whereas Subsection 4.2.4.8 of the Zoning By-Law permits a maximum height of 4m for an accessory building.
- (ii) To permit an enclosed accessory building with a floor area of 78.93sqm, whereas Table 1 to Subsection 7.4, Item Number 6, Column 2 of the Zoning By-law provides that the maximum floor area of an enclosed accessory building be the lesser of 15% (133.98m²) of the lot area (893.17m²) or 67sqm.

OFFICIAL PLAN

- The subject lands are designated Residential as shown on Schedule A (Land Use Plan) to the Official Plan for the City of St. Thomas. Permitted uses include low, medium, and high-density residential use (5.1.3.1).
- Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory, and essential to that use are also permitted (11.2.1).

Location Plan:



ZONING BY-LAW

- 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 11. Permitted uses of R3 zone include a single detached dwelling and accessory uses (Section 7).
- Maximum lot coverage 35% (7.4(1)(2)(5)).
- The maximum floor area of an enclosed accessory building shall be the lesser of 15% of the lot area or 67m² (7.4(1)(2)(6)). In the case of an enclosed accessory building floor area means, the floor area of the building measured from the outside of all outside walls (1.45(ii)).
- An accessory building may be erected and used within a rear yard, but no part shall be erected or used within 0.3m of the rear lot line and 0.3m of any interior lot line (4.2.4.4(i)).
- No accessory building shall exceed 4m in height (4.2.4.8).
- Accessory when used to describe a building or structure means customarily incidental, subordinate and exclusively devoted to the main use on the lot and when used to describe a use, shall mean customarily incidental, subordinate and exclusively devoted to the main use of the lot (1.1).
- Grade is the highest elevation of the surface of a lot measured at a wall of the main building on the lot (1.51).
- Height when used with reference to a building or structure means the vertical distance between the "grade" and a horizontal plane through (1.56):
 - (i) the highest point of the roof assembly in the case of a building with a flat or deck roof;
 - (ii) the average level of a one slope roof, provided that a roof having a slope of less than 20 degrees with the horizontal shall be considered a flat roof;
 - (iii) the deck roof line, in the case of a mansard roof;
 - (iv) the average level between eaves and ridges in the case of a roof type not mentioned in subsections (i), (ii) and (iii) immediately preceding.

2020 Aerial Photograph:



LEGISLATIVE FRAMEWORK FOR A MINOR VARIANCE

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

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

COMMENTS

- The first variance is requested to permit a proposed detached garage with a building height of 6.78m, whereas the Zoning By-law permits a maximum accessory building height of 4m.
- The applicants are requesting the additional building height to accommodate a second storey and a roof type that compliments the style of the existing single detached dwelling.
- The proposed detached garage will be located within the rear yard and setback 1.21m from the rear lot line and 1.21m from the southerly interior side lot line, resulting in no adverse impacts to the subject lands, neighbouring properties, and the Metcalfe Street Streetscape.
- The second variance is requested to permit a proposed detached garage with a floor area of 78.93sqm, whereas the Zoning By-law permits a maximum accessory building floor area of 67sqm.
- The applicants are requesting the additional floor area to accommodate their motor vehicles and ancillary storage space typically associated with home ownership, the applicants currently do not have the benefit of a garage and ancillary storage is limited to a small storage shed located in the rear yard.
- The subject lands are a relatively large lot and the proposed combined floor area of the existing house and proposed detached garage will result in a lot coverage of 25.66%, which is below the 35% maximum lot coverage of the R3 zone and will maintain adequate area on the site for amenity space, open space, landscape and storm water drainage purposes.
- The applicants do not intend on using the proposed detached garage for human habitation and/or commercial use and therefore the use of the accessory building maybe considered customarily incidental, subordinate and exclusively devoted to the residential use of the subject lands.
- In Staff's opinion the proposed variances meet the general intent and purpose of the Official Plan, Zoning By-law, are minor in nature, and are desirable and appropriate for the use of the lands, thereby satisfying the four tests, as set out in Section 45 of the Planning Act. Therefore, planning staff recommend that minor variance application COA10-2022 be approved.
- Should the Committee of Adjustment approve Minor Variance Application COA10-2022, the decision should reflect that the Committee is approving a detached accessory building with a maximum height of 6.78m, maximum floor area of 78.03sqm and, as shown on the plans accompanying the application.

Respectfully submitted,



Steve Craig
Senior Planning Technician

APR 19 2022

City Clerks Dept.

CONFIRMATION OF AN APPLICATION FOR MINOR VARIANCE

April 14, 2022

Secretary-Treasurer, Committee of Adjustment
Attention: Jon Hindley

Pursuant to By-Law 30-2015, a consultation meeting was held on April 6, 2022 with Planning staff and the applicant.

An application for a minor variance, regarding 17 Mary Bucke Street, was filed on April 13, 2022 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,



Jim McCoomb, MCIP, RPP
Manager of Planning Services



**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>APR 13 2022</u> | Consultation Date: <u>April 6/22</u> |
| | Date Application Deemed Complete: <u>APR 14 2022</u> | |

Application #: A11/22

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: hindley@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 \$400 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) Wilson Mathew
 Address 17 Mary Bucke Street, St Thomas, ON

 Postal Code N5R 5L7 Tel: (226)504-2614 e-mail: getwilly@gmail.com

2. Name of Authorized Agent (if any) _____
 Address _____

 Postal Code _____ Tel: _____ e-mail: _____

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:
To permit a proposed sunroom addition a minimum of 6M from the rear lot line, as shown on
on the accompanying site plan.

4. Reason why the proposed use cannot comply with the provisions of the Zoning By-law:
Do to location of existing house and trees the proposed sunroom cannot meet the 9m setback

5. Location of Land:
 Concession No. _____ Lot(s) _____ Registered Plan No. 11M140 Lot(s) 6
 Reference Plan No. _____ Part(s) _____

Geographic/Former Township St Thomas

Name of Street Mary Buck Street Street No. 17

6. Dimensions of land affected:

Frontage 45.65' Depth 99'

Area 10913 Sq.ft. 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:

House with attached garage= 2502 sq.ft., 1 storey

USE Single family dwelling

Proposed:

Sunroom with swimspa= 388sq.ft., 1 storey

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:

See site plan

Proposed:

See site plan

USE Residential Single Family Dwelling

10. Date of acquisition of subject land: July 20/2017

11. Date of construction of all buildings and structures on subject land: 2005

12. Existing uses of the subject land:

Residential-Single family dwelling

13. Existing uses of abutting lands:

North: Residential East: Fairview Ave(Roadway)

South: Residential West: Mary Bucke St.(Roadway)

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

2005

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

Water:

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

Sewage Disposal:

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

Storm Drainage

Storm sewers Other (Specify) _____

16. Present Official Plan designation of the subject land:

Residential

17. Present Zoning of the subject land:

Third residential zone(R3)

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 Wilson Mathew, 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, Wilson Mathew 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 City of St Thomas on this 13 day of April, 2022
City Day Month Year

Wilson Mathew
Signature of Owner or Authorized Agent

13-Apr-2022
Date

Crystal Marie Penney
Signature of Commissioner of Oaths, etc.

April 13/22
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.

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, Wilson Matthew, 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.

13-Apr-2022
Date

Wilson
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.

OBC INFORMATION:

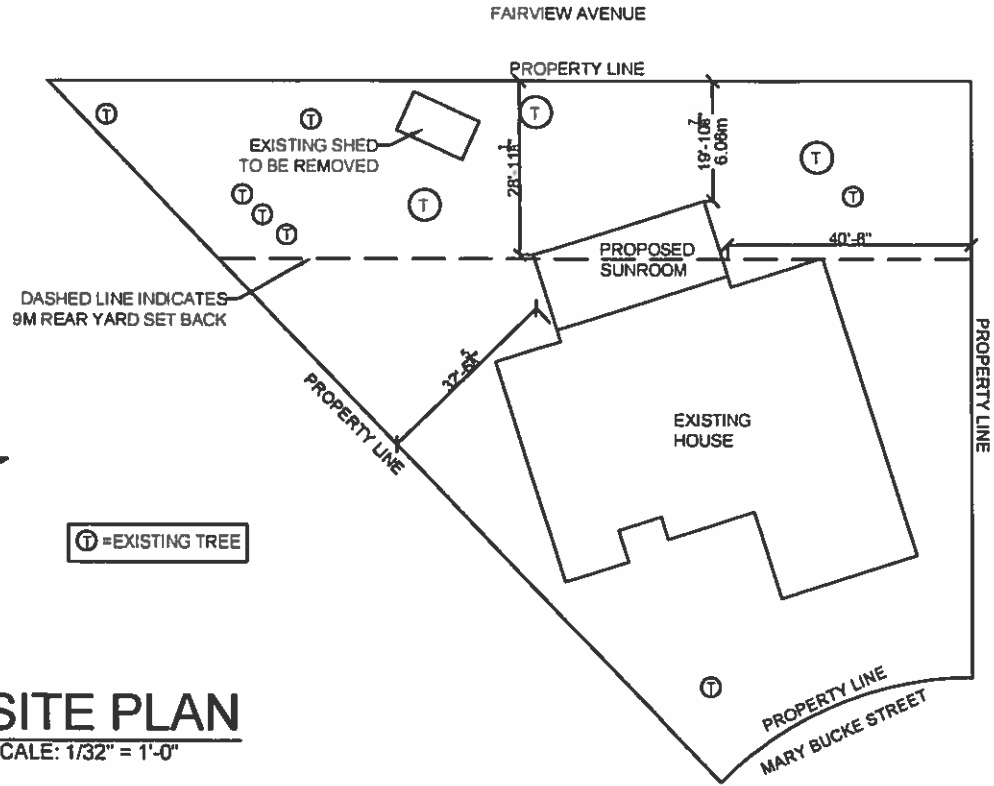
CLASSIFICATION: RESID. PT. 9

DESIGN DATA

ASSUMED SOIL BEARING: 120 kPa (2500 PSF)
 MAIN FLOOR L. + D. LOAD: 2.49 kPa (52 PSF)
 ROOF LIVE LOAD: 1.45 kPa (30.3 PSF)
 NEAREST LOCATION: ST THOMAS, ON, N5R 5L7
 DEGREE DAYS BELOW 18 C: 3,780 (ZONE 1)

17 MARY BUCKLE STREET, ST. THOMAS, ON, N5R 5L7

LOT AREA: 10913 SQ.FT.
 EXIST. HOUSE AREA: 2502 SQ.FT.
 EXIST. LOT COVERAGE: 22.93%
 PROPOSED SUNROOM AREA: 388.1 SQ.FT.
 PROPOSED LOT COVERAGE: 26.48%



SITE PLAN
 SCALE: 1/32" = 1'-0"

GENERAL NOTES:

- VERIFY ALL DIMENSIONS ON SITE DURING CONSTRUCTION AND ADJUST TO FIT
- SLOPE GRADE AWAY (TYPICAL)
- ANY ELECTRICAL WORK BY: _____ OTHERS
- ANY HVAC WORK BY: _____ DUCTLESS MINI SPLIT BY FSS
- FINISHED FLOOR BY: _____ FSS
- ANY GAS LINE, PLUMBING, VENT RELOCATION AND LANDSCAPING WORK BY OTHERS

DRAWINGS ACCEPTED: _____
 DATE: _____
 BY: _____ SIGNATURE
 SIGNATURE APPROVES FINAL COPY



775 WHARNCLIFFE RD. S.
 LONDON, ON. N6J 2N8
 (519) 680-3330

PROJECT:
 WILSON MATHIEW
 17 MARY BUCKLE STREET,
 ST. THOMAS, ON, N5R 5L7

TITLE:
SUNROOM ADDITION

DATE:
 APR.08.2022

SCALE:
 AS NOTED

DWG. NO.

1 OF 10



The Corporation of the City of St. Thomas

Report No.: COA11-2022

Applicant: Mathew Wilson

Members of the Committee of Adjustment

Report Date: May 5, 2022
Meeting Date: May 12, 2022

Location: 17 Mary Bucke Street, City of St. Thomas

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

Department: Planning and Building Services Department
Prepared by: Steve Craig, Senior Planning Technician

Attachments: Location Plan and 2020 Aerial Photography

Recommendation:

That: Report COA11-2021 be received.

BACKGROUND:

The applicant is proposing to construct a 3.96m x 9.1m sunroom addition on the back of the existing residential dwelling, as shown on the site plan accompanying the application.

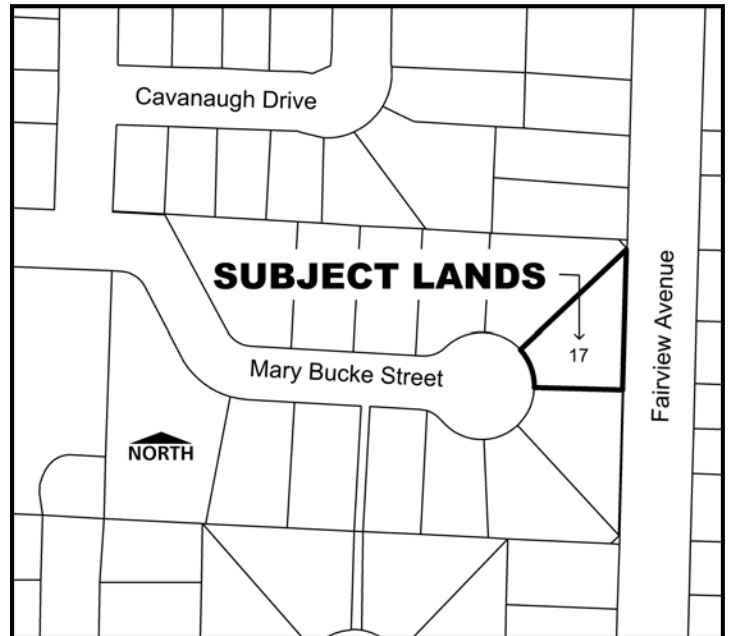
MINOR VARIANCE:

- (i) To permit a sunroom addition a minimum of 6m from the rear lot line, whereas Table 1 to Subsection 7.4, Item Number 10, and Column 2 of the City of St. Thomas Zoning By-Law 50-88 requires a minimum rear yard depth of 9m.

OFFICIAL PLAN:

- The subject lands are designated Residential as shown on Schedule A (Land Use Plan) to the Official Plan for the City of St. Thomas. Permitted uses include low, medium, and high-density residential use (5.1.3.1).
- Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory, and essential to that use are also permitted (11.2.1).

Location Plan:



ZONING BY-LAW:

- The subject lands are within the Third Residential Zone (R3), as shown on Zoning Map 22, pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as amended.
- Permitted uses of the R3 zone include a single detached dwelling and uses accessory to the foregoing (7.1(a)).
- The requirements and setbacks for a single detached dwelling in the R3 zone include:
 - minimum lot area - 371.5m²;
 - minimum lot frontage - 12m;
 - maximum main building height - 11m;
 - maximum accessory building height - 4m;
 - maximum lot coverage - 35%;
 - maximum floor area of an enclosed accessory building - the lesser of 15% of the lot area or 67m²;
 - maximum number of dwelling units - 1 per lot;
 - maximum roof area - 50%;
 - minimum front yard depth - 6m;
 - minimum rear yard depth - 9m;
 - minimum interior side yard depth - 1m;
 - minimum exterior side yard depth - 4m;
 - minimum ground floor area - 1 storey dwelling 74m²; and '
 - minimum number of parking spaces - 1 parking space per dwelling unit.

Aerial Photography (2020):



LEGISLATIVE FRAMEWORK FOR A MINOR VARIANCE:

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

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

COMMENTS:

- The applicant is proposing to construct a 3.96m x 9.1m, one storey sunroom addition on the back of the existing single detached dwelling, which will be used to accommodate a swim spa.
- The sunroom addition will be setback a minimum of 6m to the rear lot line, which provides an adequate setback from the Fairview Avenue right-of-way and area in the rear yard for outdoor amenity space, landscape, and storm water drainage purposes.
- In Staff's opinion the proposed variance meets the general intent and purpose of the Official Plan, Zoning By-law, are minor in nature, and are desirable and appropriate for the use of the lands, thereby satisfying the four tests, as set out in Section 45 of the Planning Act. Therefore, planning staff recommend that minor variance application COA11-2022 be approved. Should the Committee of Adjustment approve Minor Variance application COA11-2022, the decision should reflect that the Committee is approving a 3.96m x 9.1m, one storey sunroom addition a minimum of 6m from the rear lot line, as shown on the plans accompanying the subject application.

Respectfully submitted,



Steve Craig
Senior Planning Technician