

A G E N D A

**THE ELEVENTH MEETING OF THE COMMITTEE OF ADJUSTMENT
OF THE CITY OF ST. THOMAS 2022**

VIA ZOOM

10:00 A.M.

**THURSDAY
AUGUST 11, 2022**

DISCLOSURE OF INTEREST

MINUTES

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

HEARING OF APPLICATIONS

B07/22 - Skyline Commercial Management Inc. - 1010 Talbot Street **Pages 2-14**

Planning Report - B07/22 **Pages 15-16**

NEW BUSINESS

Next Meeting

The next meeting is scheduled to take place on August 25, 2022 at 10:00 a.m.

ADJOURNMENT

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

July 19, 2022

Secretary-Treasurer, Committee of Adjustment
Attention: Jon Hindley

An application for Consent, regarding 1010 Talbot Street, was filed on June 28, 2022.

Given that this proposal is simply for the extension of the long-term lease and no new development or alterations to the property are being proposed, staff determined that a formal consultation meeting was not required given the technical nature of the request.

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

June 29, 2022

BY EMAIL/COURIER

File No. 173743

Jon Hindley, Assistant Secretary-Treasurer
City of St. Thomas
545 Talbot Street
St. Thomas ON N5P 3V7
Email: jhindley@stthomas.ca

Dear Mr. Hindley:

**Re: Application for Technical Consent to Lease
1010 Talbot Street, St. Thomas, Ontario**

Aird and Berlis LLP is the authorized agent for Skyline Retail Real Estate Holdings Inc. (the "Owner"), the registered owner of the property municipally known as 1010 Talbot Street in the City of St. Thomas (the "Subject Property"). The Subject Property is located west of First Avenue and south of Talbot Street. The Subject Property has a lot area of 28,456.5m² and is occupied by four one-storey commercial buildings and surface parking.

The Subject Property is designated *Downtown – Talbot East* in the City's Official Plan and is zoned *Downtown Talbot East Commercial* in the St. Thomas By-law 50-88, as amended.

Application for Lease Extension

Medi Power Canada Inc., the former owner of the Subject Property, (the "Landlord") entered into an agreement of lease with Sobey's Capital Incorporated (the "Tenant") to permit the lease of a commercial building, identified as Part 1 of the draft R-Plan, on November 17, 2000. The lease was renewed on December 11, 2015 with the agreement to further renew the lease at a later date, as required. The Owner has assumed the lease with the Tenant.

At this time, the Owner and Tenant require an renewal of the lease, as per the terms set out in the lease agreement. The *Planning Act*, subsection 50(3) prohibits, among other things, a lease for a term which together with renewals exceeds 21 years or more. The proposed technical consent has been submitted to permit the extension of the long-term land lease of the Tenants lands (Part 1) for a term over 21 years. We note that no new construction is proposed as part of this lease renewal.

Existing Easements

No new easements are proposed as part of this application. The Subject Property is subject to the following existing easements:

- Parts 3, 5, 6 and 8 are subject to an easement in favour of St. Thomas Energy Inc. for the purpose of access for installation of above or below ground wiring, any poles, posts or supports (Instrument E429757); and

- Parts 3 and 4 are subject to an easement in favour of The Corporation Of The City Of St. Thomas and St. Thomas Energy Inc. for the purpose of access for constructing, reconstructing, maintaining, repairing, replacing, relocating altering and removing street lights and traffic signals, including any of above or below ground wiring, any poles, posts or supports (Instrument E429758); and
- Part 7 is subject to an easement in favour of St. Thomas Energy Inc. for the purpose of access for installation of above or below ground wiring, any poles, posts or supports (Instrument E435231).

Application Materials

In support of our application, please find following enclosed materials:

1. A Completed Committee of Adjustment Application Form;
2. A Completed Authorization Form;
3. A cheque in the amount of \$450;
4. Draft Reference Plan, prepared by Callon Dietz Inc., dated May 26, 2022; and
5. Site Plan, prepared by Rylett Engineering, dated May 2001.

We understand that June 29, 2022 is the cut off date to receive applications for the July 28, 2022 Committee of Adjustment hearing. We respectfully request that our application be considered for the July 28 hearing date.

Should you have any questions, please do not hesitate to contact myself or Tarah Coutts at tcoutts@airdberlis.com or 416-637-7571.

Yours truly,

AIRD & BERLIS LLP



John George Pappas

JGP:TC

49247093.1

THE CORPORATION OF THE CITY OF ST THOMAS

COMMITTEE OF ADJUSTMENT

APPLICATION FOR CONSENT

OFFICE USE:	Date Application Received: <u>June 29, 2022</u>	Consultation Date: <u>N/A - determined not required</u>
	Date Application Deemed Complete: <u>July 14, 2022</u>	

Application #: B07/22

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): Skyline Commercial Management Inc. (c/o Maria Duckett, Vice President)
Mailing Address: 55 Douglas Street, Suite 301, Guelph, Ontario
Postal Code: N1H 2S8 Telephone: 519-826-0439 Fax: 519-836-2320
email: mduckett@skylinegrp.ca

(b) Owner's Solicitor or Authorized Agent (if any): Aird & Berlis LLP (c/o John Pappas)
Mailing Address: 181 Bay Street, Suite 1800, City of Toronto
Postal Code: M5J 2T9 Telephone: 416.865.7719 Fax: 416.863.1515
email: jpappas@airdberlis.com

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

2. (a) Type and purpose of proposed transaction: (Check appropriate space/s)
 Creation of New Lot Disposal of Surplus Farm Dwelling
 Addition to Lot Correction of Title
 Mortgage or Charge Partial Discharge of Mortgage
 Lease Right-of-way
Easement _____

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

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

Sobey's Capital Incorporated

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

Yes No

If "Yes" describe the easement or covenant and its effect: See attached Cover Letter.

4. Location of land:

Municipality (City/Town/Township) St. Thomas

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

Reference Plan No _____ Part(s) _____

Name of Street Talbot Street Street No 1010

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

(a) Frontage 48.91m Depth 63.6 m Area 2,800.1 m.sq (0.28 ha)

(b) Existing Use Retail/Commercial Proposed Use Retail/Commercial

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

Existing: 1 Storey Commercial Building

Proposed: 1 Storey Commercial Building (No proposed changes)

6. Description of land to be retained: **(in metric units)** Part No. on sketch Parts 2 - 8

(a) Frontage 309.2 m Depth 89.0m Area 25,656.4 m.sq (2.56 ha)

(b) Existing Use Retail/Commercial Proposed Use Retail/Commercial

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

Existing: Three 1-Storey Commercial Buildings & Parking Lot

Proposed: Three 1-Storey Commercial Buildings & Parking Lot (No proposed changes)

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 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)	<u>Leased Lot</u>	_____

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)	<u>Leased Lot</u>	_____

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

(a) Local Municipal Official Plan Talbot East

(b) Regional Policy Plan N/A

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

Yes No

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

File Number: _____

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

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

Collection of Personal Information:

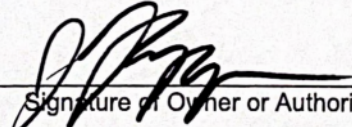
Personal information on this form is collected under the authority of Section 41 of the *Planning Act*, R.S.O. 1990 and Sections 8 (1) and 10 of the *Municipal Act*, 2001, as amended, and will be used to contact the owner, applicant and/or agent regarding the Committee of Adjustment Application. Questions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

AFFIDAVIT OR SWORN DECLARATION

I, John Pappas of Toronto 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.

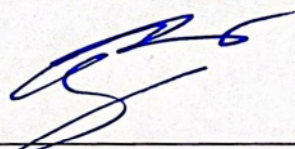
Sworn (or declared) before me at the Toronto on this 28 day of 06, 2022.
City Day Month Year



Signature of Owner or Authorized Agent

June 28, 2022

Date



Signature of Commissioner of Oaths, etc.

June 28, 2022

Date

JASMINE FRASER

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, Skyline Commercial Management Inc. (c/o Maria Duckett, Vice President), am the owner of the subject lands, and I authorize Aird & Berlis LLP (c/o John Pappas), 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.

June 28, 2022
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, Skyline Commercial Management Inc. (c/o Maria Duckett, Vice President), 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.

June 28, 2022
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.

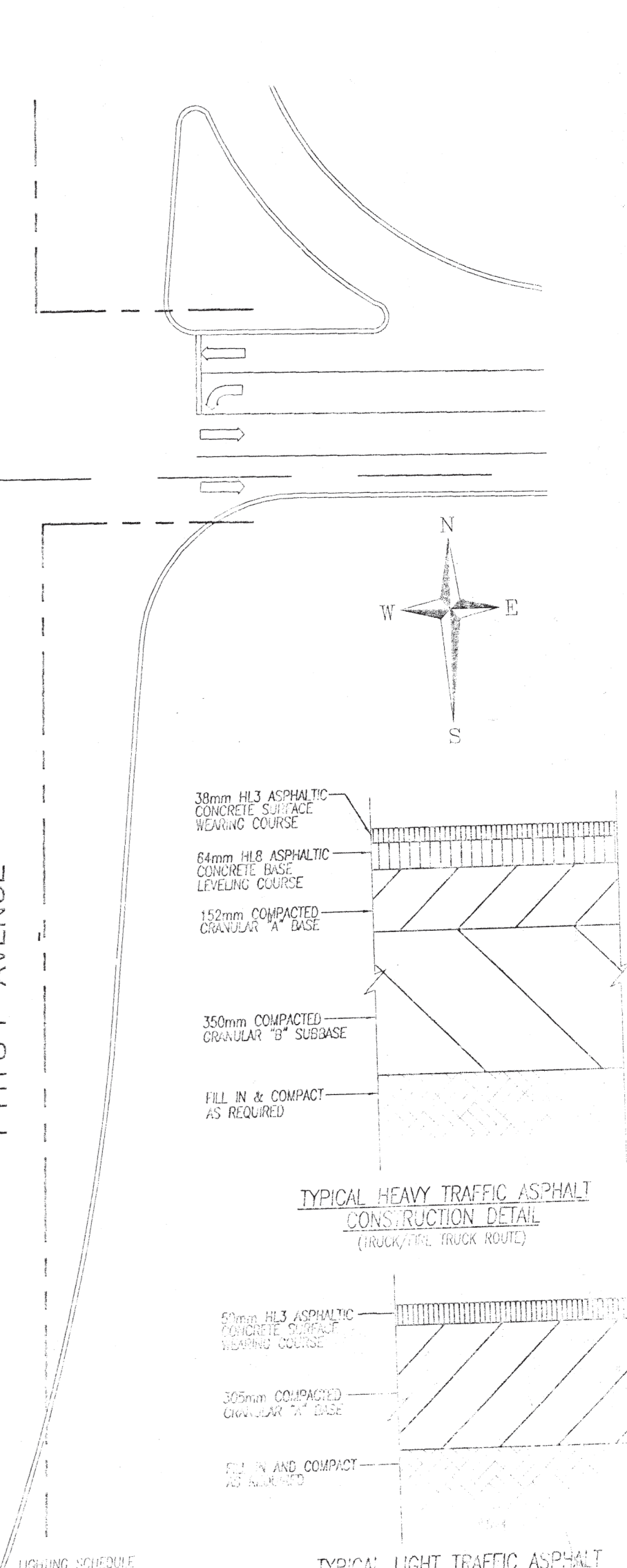
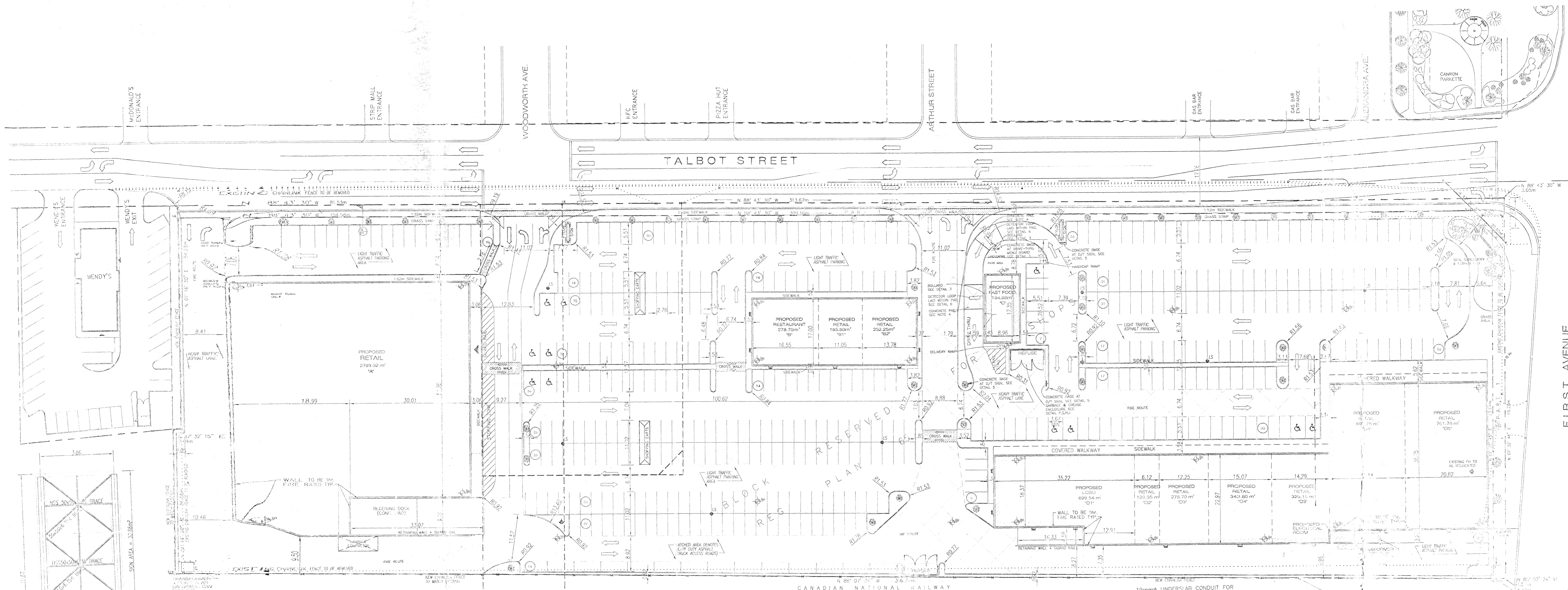
Decisions of the Committee are made in public.

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.



PROPOSED USE	REQUIREMENTS ON EXISTING	PROPOSED
LOT FRONTAGE	6.172 m	6.172 m
LOT DEPTH	95.28 m	95.28 m
LOT AREA	2843.41 m ²	2843.41 m ²
BUILDING COVERAGE	24.51 %	24.51 %
BUILDING HEIGHT	7.92 m ±	7.92 m ±
LANDSCAPED OPEN AREA	10.91 m ²	10.91 m ²
PARKING AREA COVERAGE	64.59 %	64.59 %
FRONT YARD DEPTH	15.3m ±	15.3m ±
REAR YARD DEPTH	6.40m ±	6.40m ±
INTERIOR SIDE YARD DEPTH	9.30m ±	9.30m ±
EXTERIOR SIDE YARD DEPTH	4.35m ±	4.35m ±

BUILDING DATA	EXISTING		NEW		TOTAL	
	AREA	VALUE	AREA	VALUE	AREA	VALUE
BUILDING AREA	0	0	8970.53 m ²	8970.53 m ²	8970.53 m ²	8970.53 m ²
CROSS FLOOR AREA	0	0	8970.53 m ²	8970.53 m ²	8970.53 m ²	8970.53 m ²

NOTES

- LANDLORD'S CONTRACTOR TO SUPPLY AND INSTALL 19mm UNDERSLAB CONDUIT FOR POWER SUPPLY TO SPEAKER POST.
- LANDLORD'S CONTRACTOR TO PROVIDE ALL THE CONCRETE BASES FOR THE SITE SIGNS. BASE PLATE, TUBULAR SIGN AND ANCHOR BOLTS PROVIDED BY A&W. INSTALLED BY TENANT'S CONTRACTOR PRIOR TO POURING THE BASES.
- THE DRIVE-THRU MENUBOARD AND SPEAKER POST ARE PART OF THE SITE SIGNS.
- CONCRETE PADS AT DRIVE-THRU WINDOW AND MENUBOARD TO BE BY LANDLORD'S CONTRACTOR. PADS TO BE 150mm x 150mm x 150mm. COORDINATE WITH TENANT'S CONTRACTOR PRIOR TO POURING THE PADS. DETECTOR LOOPS PROVIDED BY A&W. INSTALLED BY TENANT'S CONTRACTOR.
- LANDLORD'S CONTRACTOR TO COORDINATE PLACEMENT OF THE SIGNS, CONCRETE BASES AND PADS WITH TENANT'S CONTRACTOR PRIOR TO POURING THE BASES.
- LANDLORD'S CONTRACTOR TO SUPPLY AND INSTALL PRE-FABRICATED WHEEL STOP AT THE PARKING AREA.
- ALL SIDEWALKS, PAVES SURFACES, CONCRETE CURBS, PARKING AND LOT LINES TO BE BY LANDLORD'S CONTRACTOR.
- GARBAGE ENCLOSURE TO BE BY LANDLORD'S CONTRACTOR.
- LANDSCAPING TO BE BY LANDLORD'S CONTRACTOR.

PRELIMINARY NOT TO BE USED FOR CONSTRUCTION

SCALE 1:500

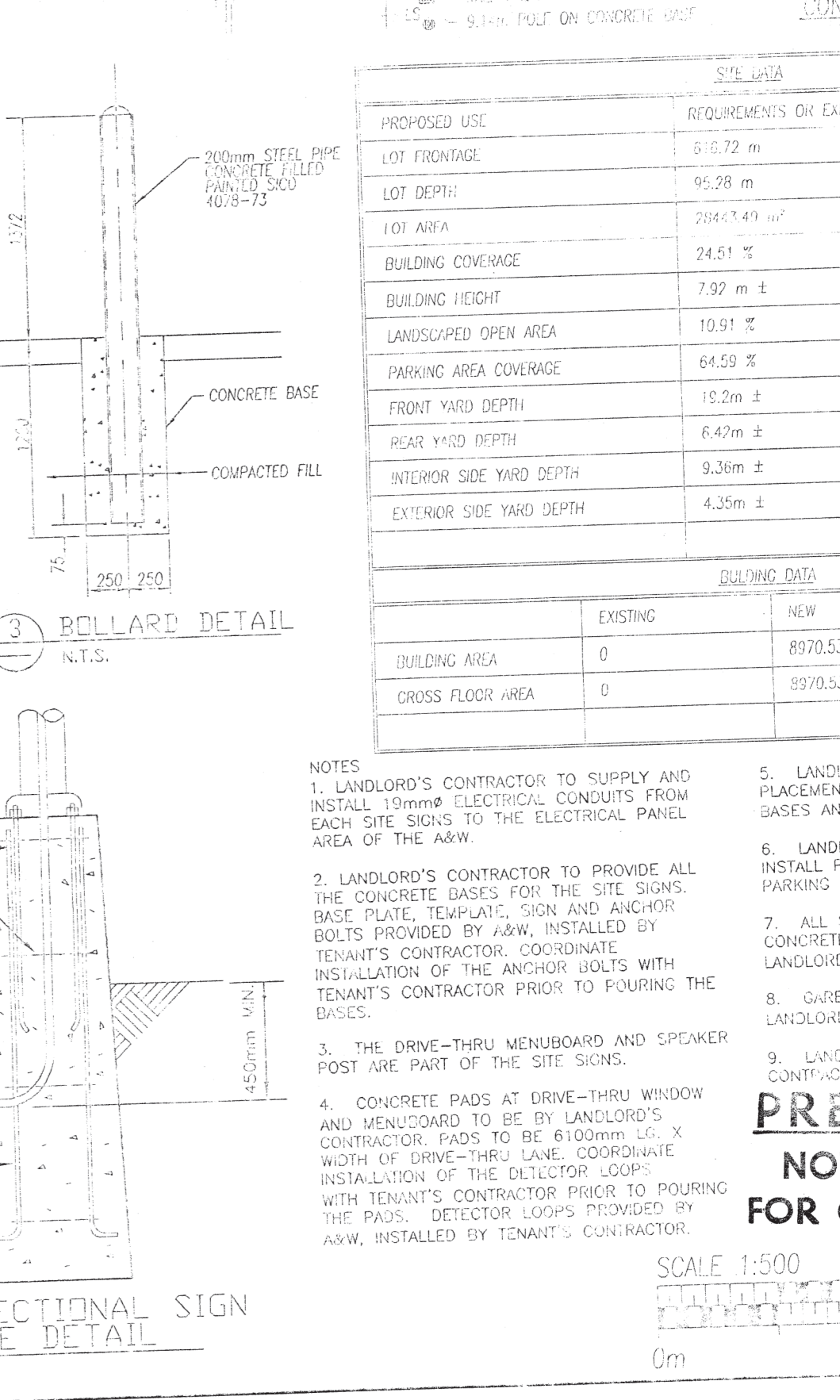
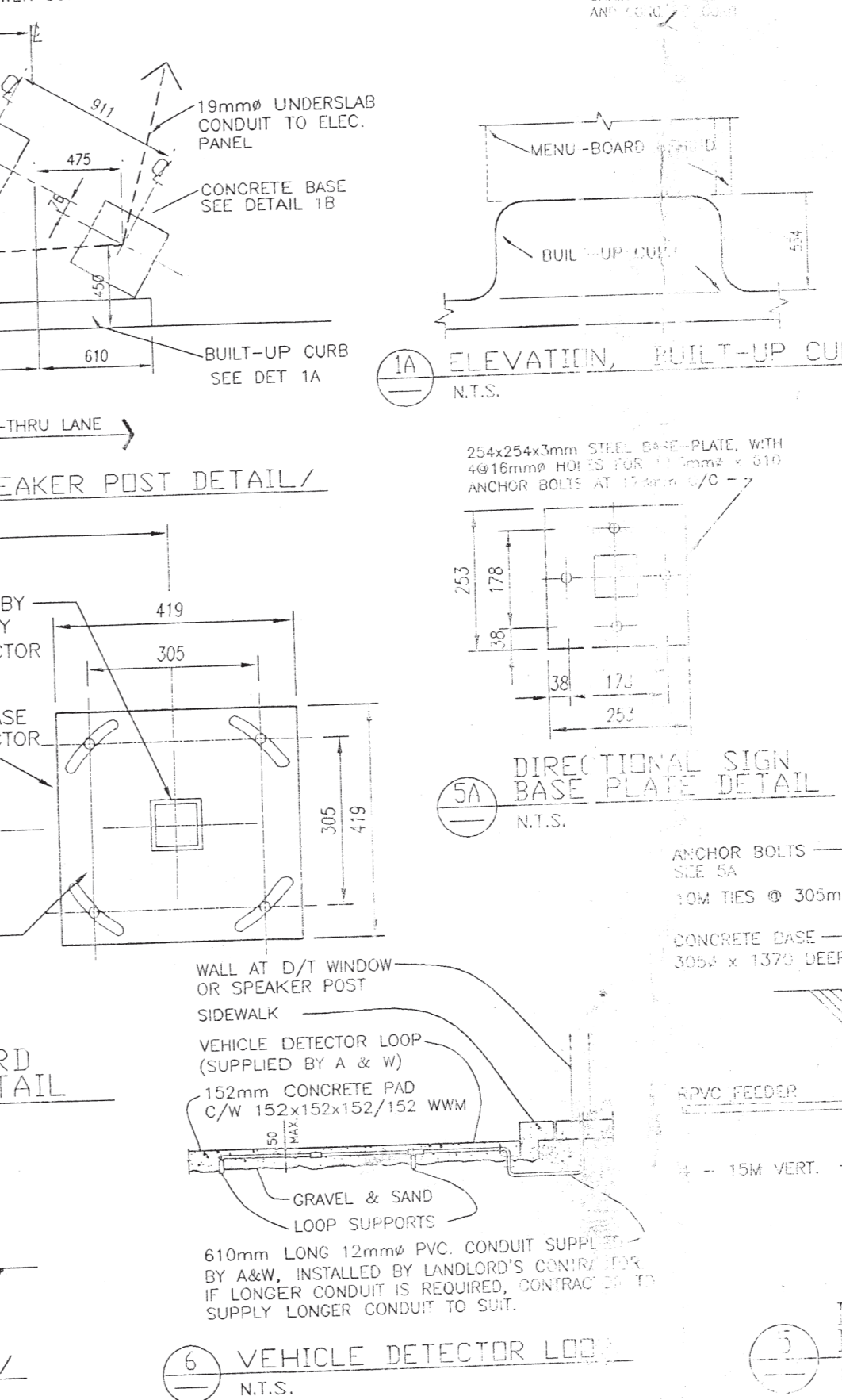
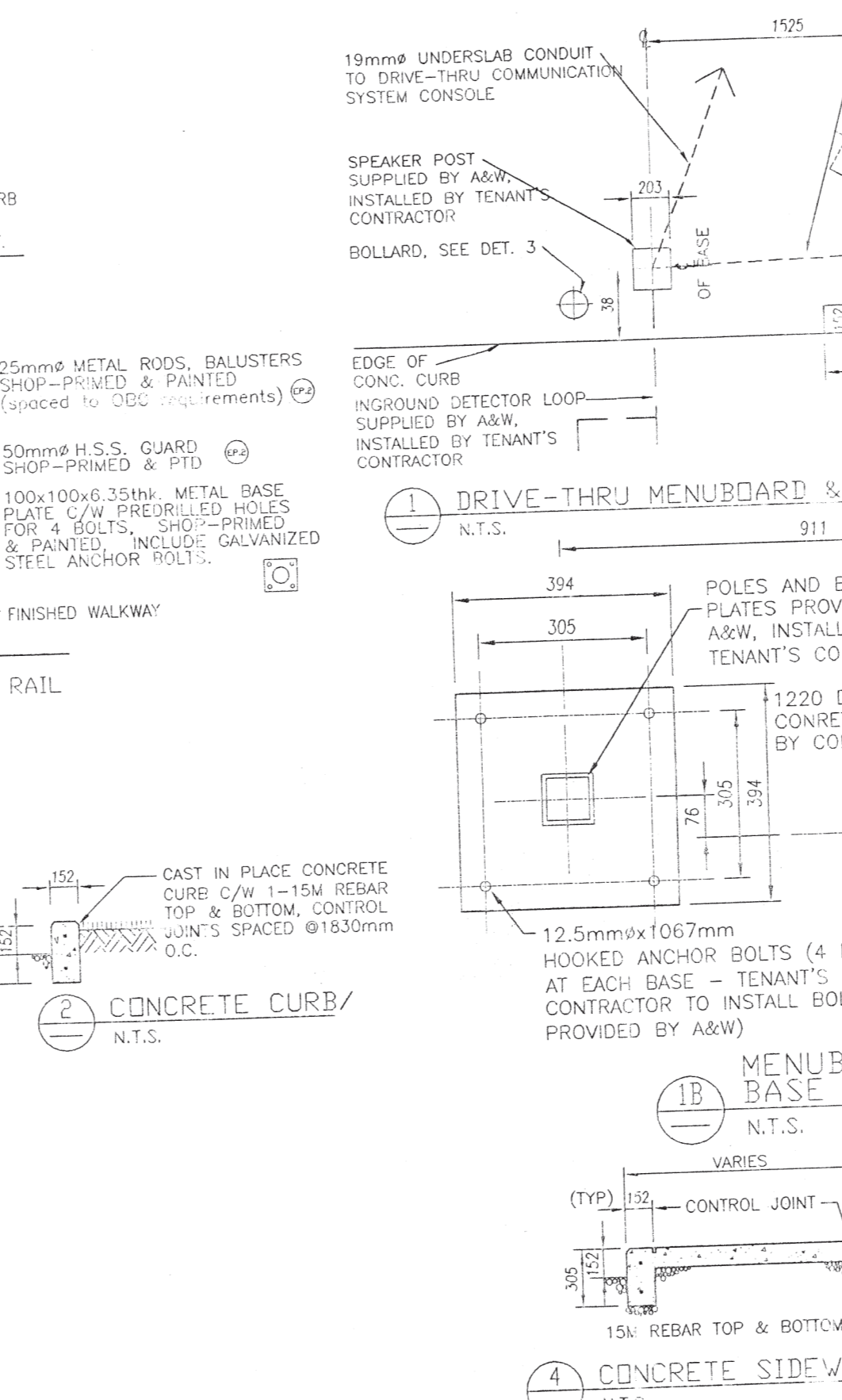
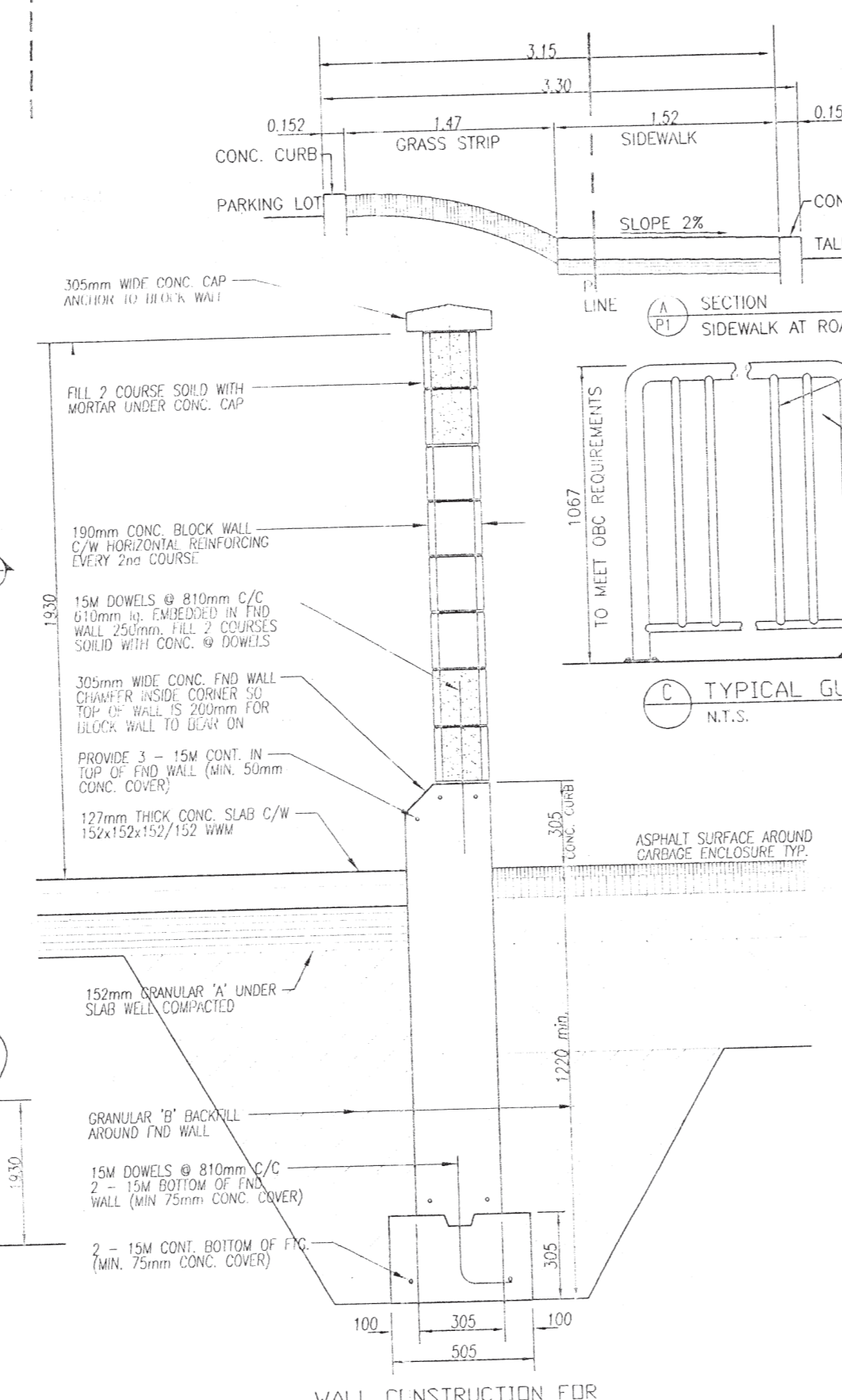
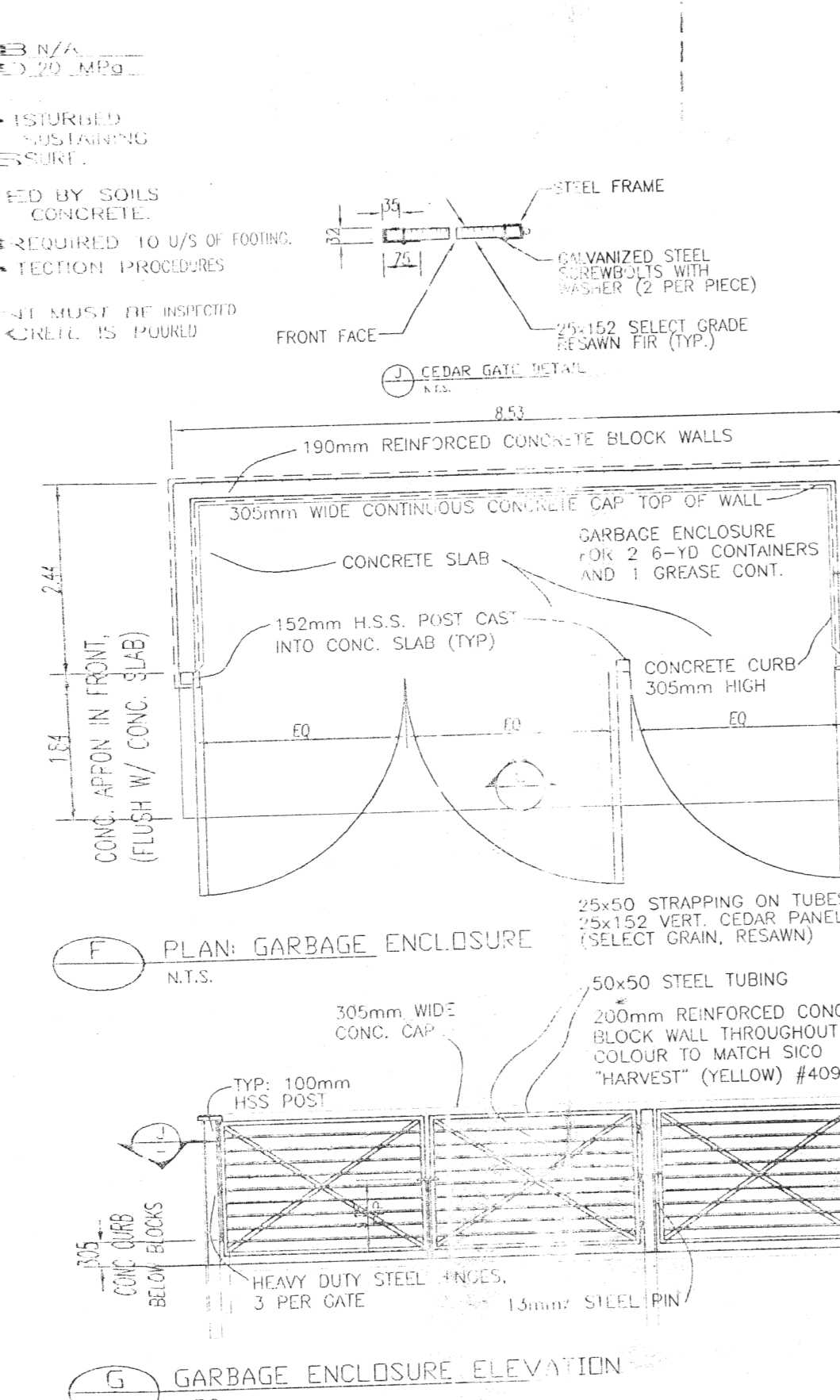
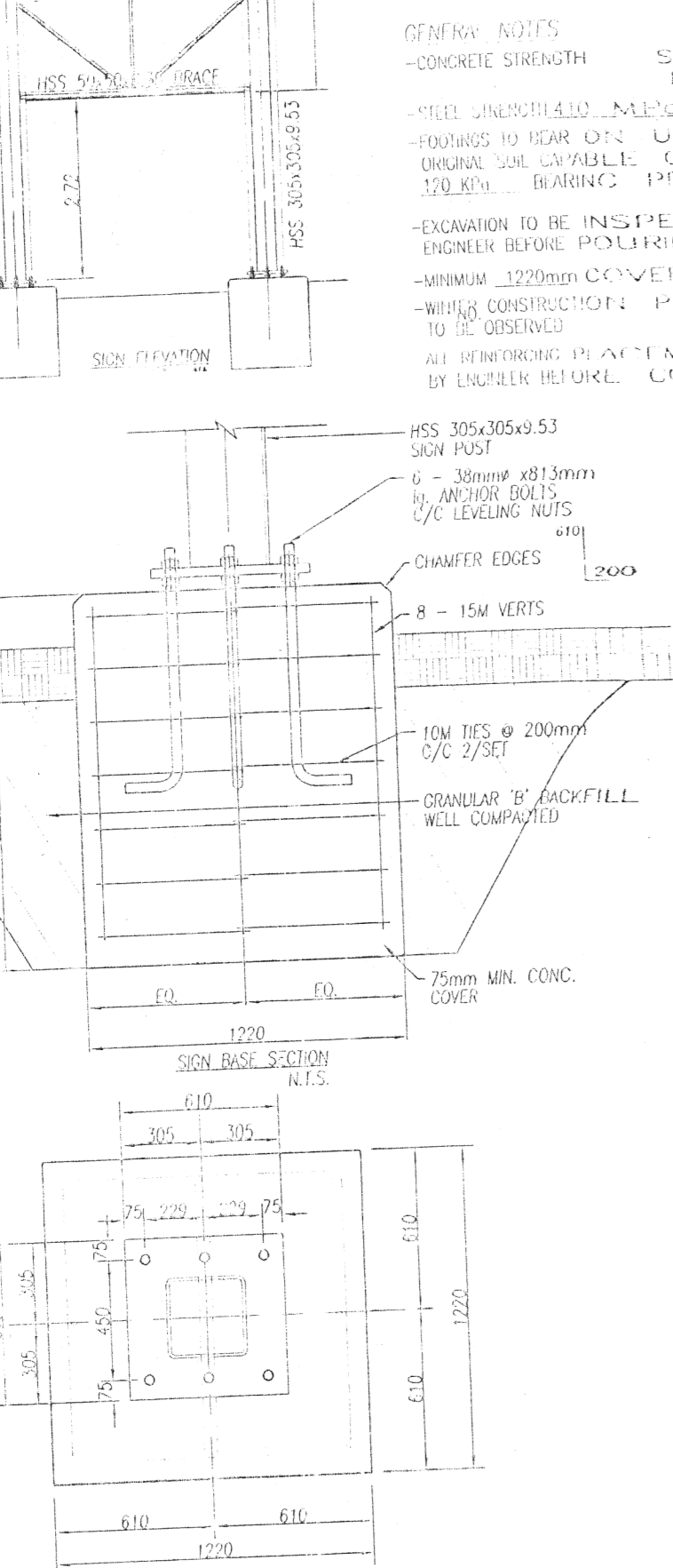
DATE: MAY 2001 DWG: P1

DRAWN: DMS

CHECK: PUL

JOB: 2000001

JUN 07 2001



RYLETT ENGINEERING
 15 ANDERSON AVE. ST. THOMAS, ONTARIO
 519 633 1152 FAX 519 623 3218

PLAZACORP
 TALBOT STREET & FIRST AVE. ST. THOMAS, ONT. N5P 1A2

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCY TO THE FIRM BEFORE PROCEEDING WITH THE WORK.

THIS DRAWING IS NOT TO BE USED FOR EVALUATING PROPOSALS, NOR IS IT TO BE COPIED OR REPRODUCED IN WHOLE OR IN PART NOR GIVEN TO ANY THIRD PARTY WITHOUT THE WRITTEN CONSENT OF THOMAS P. RYLETT, CONSULTING ENGINEERS, 15 ANDERSON AVENUE, ST THOMAS ONTARIO CANADA

950.00 DENOTES DESIGN GRADE
 0.000.00 DENOTES EXISTING GROUND ELEVATION

NOTE: ELEVATIONS ARE IN METRIC (METERS)

DATE: MAY 2001 DWG: P1

DRAWN: DMS

CHECK: PUL

JOB: 2000001

JUN 07 2001

LEGEND

- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- CC DENOTES CUT CROSS
- CP DENOTES CONCRETE PIN
- IB DENOTES IRON BAR
- OU DENOTES ORIGIN UNKNOWN
- PB DENOTES PLASTIC BAR
- RIB DENOTES 16mm DIAMETER ROUND IRON BAR
- SCP DENOTES SPECIFIED CONTROL POINT
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- WIT DENOTES WITNESS
- 1017 DENOTES CALLON DIETZ, O.L.S.'s
- 1130 DENOTES J.G. RUPERT LTD., O.L.S.
- 1355 DENOTES BRIAN VAUGHN SURVEYING LTD., O.L.S.'s
- P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
- R.P. DENOTES REGISTERED PLAN
- B DENOTES BURIED
- M DENOTES MEASURED
- S DENOTES SET
- P1 DENOTES PLAN 11R-7707
- P2 DENOTES PLAN 11R-7509
- P3 DENOTES PLAN 11R-9356
- P4 DENOTES PLAN 11R-7599
- P5 DENOTES PLAN 11R-7546

NOTES

BEARINGS ARE UTM GRID DERIVED FROM SPECIFIED CONTROL POINTS 2019020 AND 2019023, UTM-17 NAD-1983:CSRS:CBNV6-2010.0.

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99960254.

FOR BEARING COMPARISONS, A ROTATION OF 0°04'55" CLOCKWISE, WAS APPLIED TO BEARINGS FROM P1, P2, P4 AND P5.

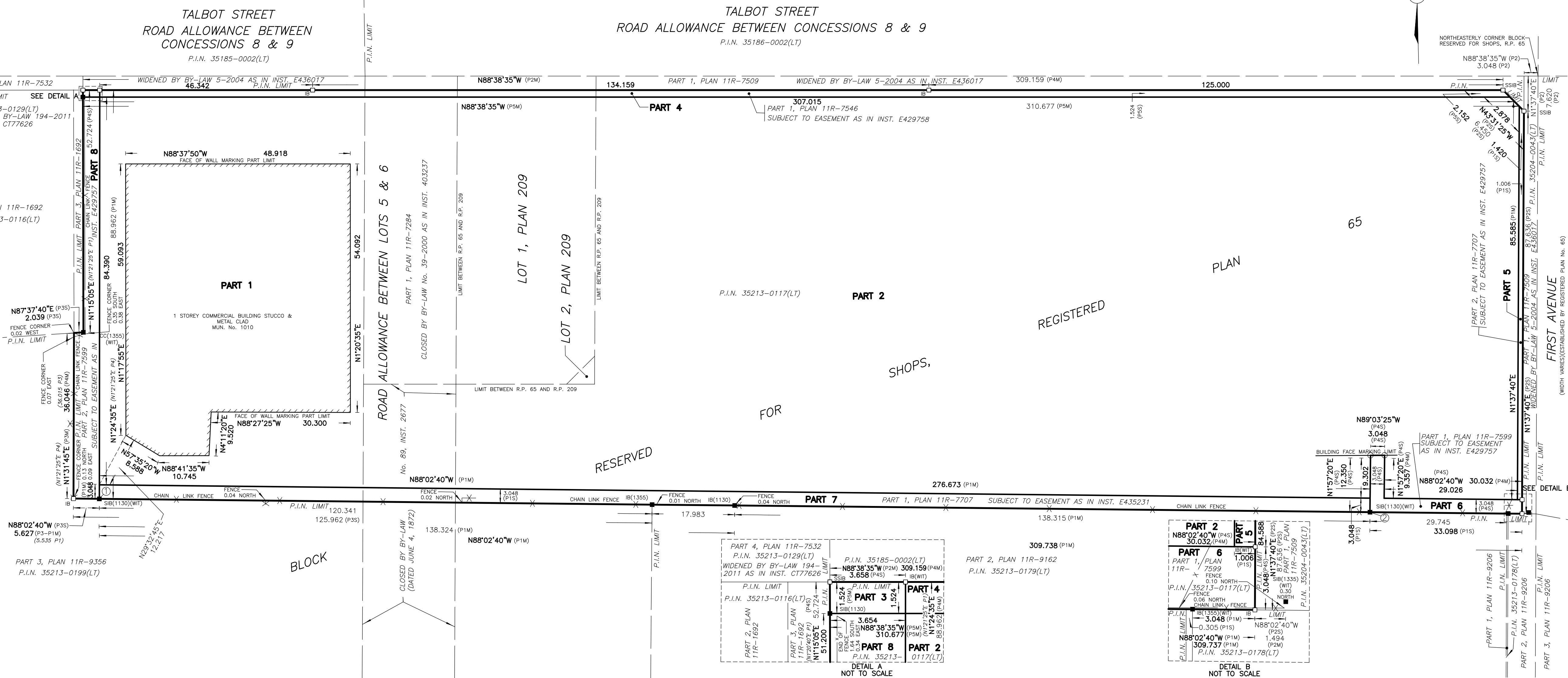
FOR BEARING COMPARISONS, A ROTATION OF 0°10'25" CLOCKWISE, WAS APPLIED TO BEARINGS FROM P3.

ALL DIMENSIONS SHOWN ARE MEASURED, UNLESS OTHERWISE NOTED.

INTEGRATION DATA

SPECIFIED CONTROL POINTS (SCP)'s: UTM-17, NAD83:CSRS:CBNV6-2010.0 COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.R.G. 216/10			
POINT ID	NORTHING	EASTING	
2019020	4735344.849	486789.351	
2019023	4737042.416	486312.956	
PLAN COORDINATES, UTM ZONE 17, NAD83:CSRS:CBNV6-2010.0			
1	4736164.14	485315.68	
2	4736153.82	485626.60	
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN			

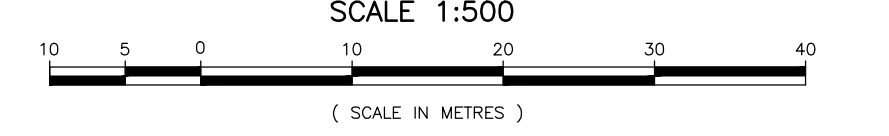
METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



SCHEDULE				
PART	BLOCK/LOT	REGISTERED PLAN	P.I.N.	AREA
1	PART OF BLOCK RESERVED FOR SHOPS	65	ALL OF 35213-0117(LT)	2800.1 sq.m.
2	PART OF LOT 1	209		2.374 ha.
	ALL OF LOT 2			
3	PART OF BLOCK RESERVED FOR SHOPS	65		5.6 sq.m.
4	PART OF LOT 1	209		467.0 sq.m.
5	PART OF BLOCK RESERVED FOR SHOPS	65		85.7 sq.m.
6	PART OF BLOCK RESERVED FOR SHOPS	65		129.3 sq.m.
7				843.3 sq.m.
8			385.5 sq.m.	

PART 3 IS SUBJECT TO EASEMENT AS IN INST. E429757 AND E429758
 PART 4 IS SUBJECT TO EASEMENT AS IN INST. E429758
 PART 5 IS SUBJECT TO EASEMENT AS IN INST. E429757
 PART 6 IS SUBJECT TO EASEMENT AS IN INST. E429757
 PART 7 IS SUBJECT TO EASEMENT AS IN INST. E435231
 PART 8 IS SUBJECT TO EASEMENT AS IN INST. E429757

PLAN OF SURVEY
 OF PART OF
LOT 1, REGISTERED PLAN 209
 AND ALL OF
LOT 2, REGISTERED PLAN 209
 AND PART OF
BLOCK RESERVED FOR SHOPS, R.P. 65
 IN THE
CITY OF ST. THOMAS
COUNTY OF ELGIN



THE INTENDED PLOT SIZE OF THIS PLAN IS 1064mm IN WIDTH BY 352mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:500

J. PAUL CROCKER
 ONTARIO LAND SURVEYOR

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- (1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - (2) THE SURVEY WAS COMPLETED ON THE

PRELIMINARY - NOT MONUMENTED

DATE _____ J. PAUL CROCKER
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2191129.
 C:_CD\out\DWG\2020\2022\22-24734\RLPLAN(P-1923).dwg May 26, 2022

Callon Dietz INCORPORATED

ONTARIO LAND SURVEYORS

CARLETON PLACE LONDON NORTH BAY
 info@callondietz.com callondietz.com

SURVEY BY: BDO	DRAWN BY: KC	FILE No: 22-24734	PLAN No: P-1923
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The Corporation of the City of St. Thomas

Report No.: B07-2022

Applicant: Skyline Commercial Management Inc.

Directed to: Members of the Committee of Adjustment

Report Date: August 3, 2022
Meeting Date: August 11, 2022

Location: Plan 65 Part Reserved for Shop, Plan 209 Lots 1 & 2, Municipally known as 1010 Talbot Street, in the City of St. Thomas

Subject: Request for a consent pursuant to Section 50 (3) of the Planning Act, R.S.O, as amended

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

Attachments: Location Plan and Aerial Photograph 2020

Recommendation:
That: Report B07-2022 be received.

BACKGROUND

The applicant is seeking approval for an extension of a lease beyond 21 years for an existing grocery store (Sobey’s Capital Incorporated) within the area identified as Part 1 on the draft R-Plan, prepared by Callon Dietz and accompanying the application.

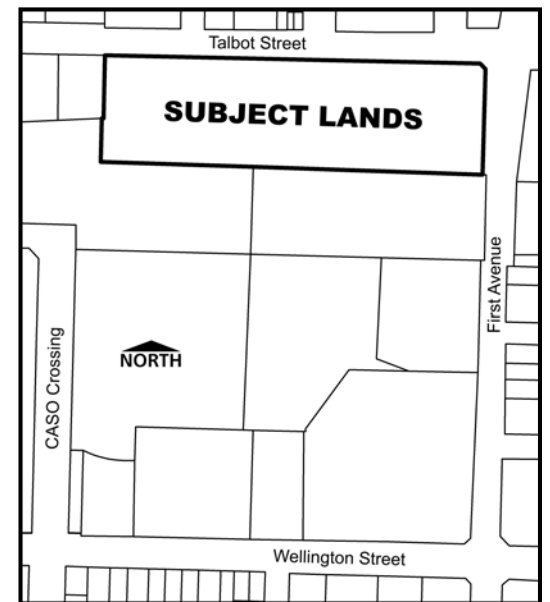
PROPOSAL

Skyline Commercial Management Inc., through consent application B07/22, is requesting consent for a lease in excess of twenty-one years, pursuant to Subsection 50(3) of the Planning Act, on Part 1 of the subject lands, as shown on the plan prepared by Callon Dietz Incorporated, dated May 25, 2022, and accompanying the subject application.

OFFICIAL PLAN

- The subject lands are in the Talbot East designation, as shown on Schedule “A” (Land Use Plan) to the Official Plan for the City of St. Thomas.
- Permitted uses of the Talbot East designation are predominantly automobile oriented, space extensive commercial uses that have the following functional characteristics, the uses are not oriented to casual, pedestrian shopping activity but rather to single purpose shopping trips (i), the uses require arterial road locations to serve their markets (ii), the uses serve the demands of arterial road traffic (iii) and the new format retail commercial uses that require smaller box platforms in freestanding, single purpose/tenant or multi-purpose/tenant buildings rather than strip plazas or shopping centres (5.3.4.3.1).

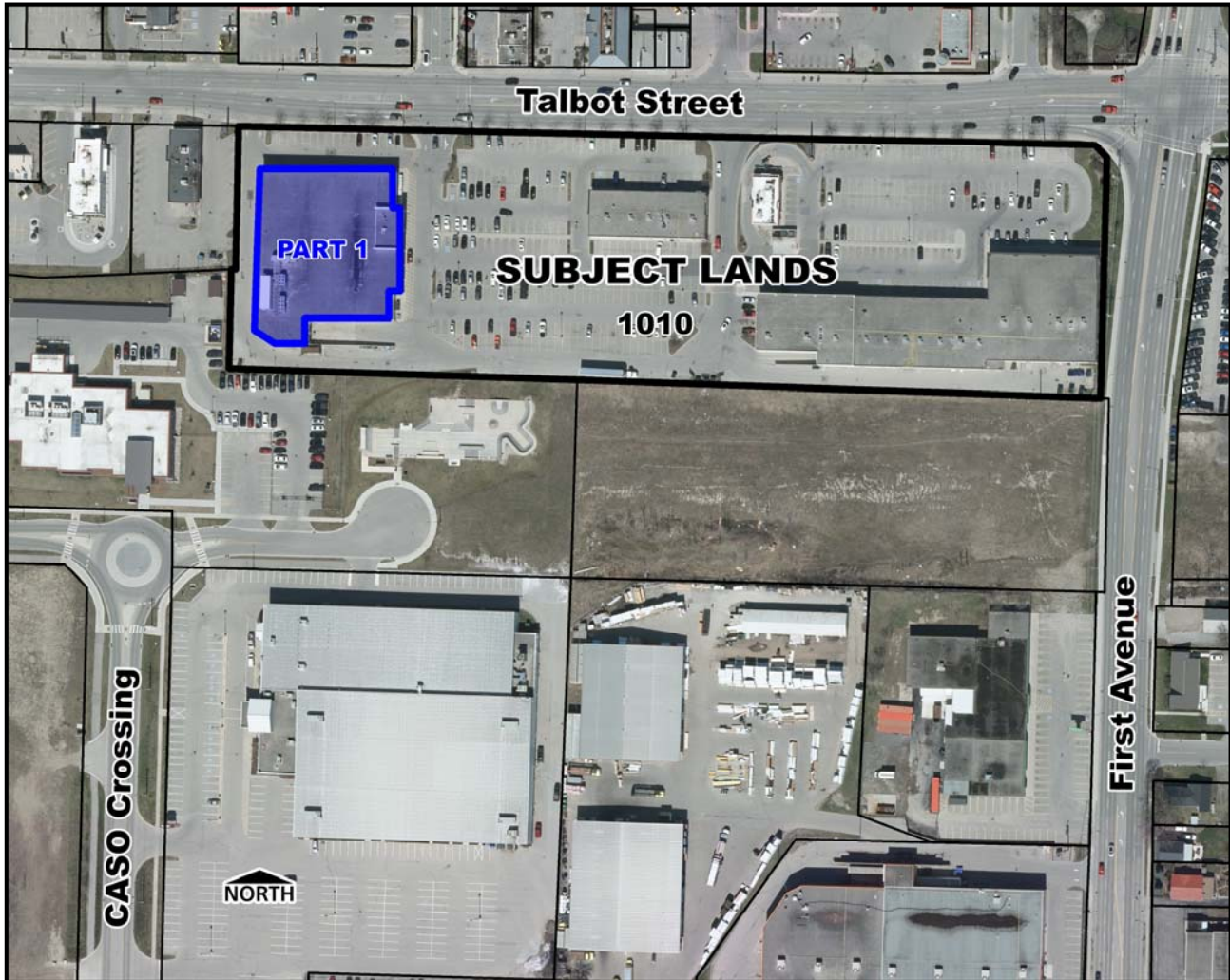
Location Plan:



ZONING BY-LAW

- The subject lands are in the Secondary Commercial Zone (C3-5) pursuant to the City of St. Thomas Zoning By-Law No. 50-88, as shown on Zoning Map 16.
- Permitted uses of the C3 zone include a retail store, business office, personal service shop, drive-in restaurant, restaurant, automobile service business, automotive trade, film processing laboratory, bakery, hotel, recreation centre, repair and custom workshop, dry cleaning pick-up station, institution, animal clinic, clinic and uses accessory to the foregoing (14.1). The special provisions of the C3-5 zone a theatre and uses accessory to the foregoing (14.5.5(b)).

Aerial Photograph 2020:



COMMENTS

- The subject application would not result in any new lots given its sole purpose is to grant permission under Section 50(3) for a long-term lease (i.e., greater than 21+ years duration).
- In staff's opinion the 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 B07-2022 is supportable, should the Committee approve the application staff recommends the following condition:
 1. the City of St. Thomas be provided with a copy of the Reference Plan.

Respectfully submitted,

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Steve Craig
Senior Planning Technician