

**A G E N D A**

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

---

**VIA ZOOM**

**10:00 A.M.**

**THURSDAY  
SEPTEMBER 8, 2022**

**DISCLOSURE OF INTEREST**

**MINUTES**

Confirmation of the minutes of the meeting held on August 25, 2022.

**HEARING OF APPLICATIONS**

B09/22 - Joseph and Victoria Reid – 85 Alexandria Avenue **Pages 2-11**

Planning Report - B09/22 **Pages 12-14**

A14/22 - Joseph and Victoria Reid – 85 Alexandria Avenue **Pages 15-26**

Planning Report - A14/22 **Pages 27-29**

**NEW BUSINESS**

Next Meeting

The next meeting is scheduled to take place on October 13, 2022 at 10:00 a.m.

**ADJOURNMENT**

AUG 10 2022

City Clerks Dept.

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

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August 10, 2022

Secretary-Treasurer, Committee of Adjustment  
Attention: Jon Hindley

Pursuant to By-Law 30-2015, a consultation meeting was held on August 9, 2022 with Planning Department Staff and the applicant.

An application for Consent, regarding 85 Alexandria Avenue, was filed on August 9, 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

Clear Form

COMMITTEE OF ADJUSTMENT

APPLICATION FOR CONSENT

<b>OFFICE USE:</b>	Date Application Received: <u>August 9, 2022</u>	Consultation Date: <u>August 9, 2022</u>
	Date Application Deemed Complete: <u>August 10/22</u>	

Application #: B09/22

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](mailto:jhindley@stthomas.ca)

Please note that in accordance with By-Law 30-2015, consultation with the Planning and Building Services Department must take place prior to the submission of an application. After consultation, the application will be filed with the Assistant Secretary-Treasurer, together with the sketch referred to in Note 1 and \$450 made payable to the City of St. Thomas. All information and materials submitted for the application shall be made available to the public, as indicated by Section 1.0.1 of the Planning Act, R.S.O. 1990.

Personal information contained on this form is collected under the authority of the Planning Act, R.S.O. 1990, as amended, and Ontario Regulation 200/96 and will be used for the purpose of processing this application.

1. (a) Registered Owner(s): Joseph and Victoria Reid  
Mailing Address: 85 Alexandria Avenue  
Postal Code: N5P 3M7 Telephone: 647-882-7692 Fax: \_\_\_\_\_  
email: joe\_15050@hotmail.com

(b) Owner's Solicitor or Authorized Agent (if any): Jeff Reid  
Mailing Address: 93 Birch Avenue, Richmond Hill, Ont.,  
Postal Code: L4C 6C5 Telephone: 416-402-2763 Fax: \_\_\_\_\_  
email: jeffdreid@sympatico.ca

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

Owner  Solicitor  Agent

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

- |   |  |
|---|--|
| <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 \_\_\_\_\_

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

\_\_\_\_\_

4

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

\_\_\_\_\_

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

Yes  No

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

\_\_\_\_\_

4. Location of land:

Municipality (City/Town/Township) St. Thomas

Concession No \_\_\_\_\_ Lot(s) \_\_\_\_\_ Registered Plan No 214 Lot(s) Pt 7273

Reference Plan No Plan 11R- Part(s) \_\_\_\_\_

Name of Street Alexandria Avenue Street No 85

5. Description of land to be severed: (in metric units) Part No. on sketch 2

(a) Frontage 12.192M Depth 36.441M Area 447.1M2

(b) Existing Use Residential Proposed Use Residential

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

Existing: Residential semi detached building presently under construction.

Proposed: Residential semi detached building presently under construction.

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

(a) Frontage 12.192M Depth 36.441M Area 440.9M2

(b) Existing Use Residential Proposed Use Residential

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

Existing: Residential semi detached building presently under construction.

Proposed: Residential semi detached building presently under construction.

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? <sup>5</sup> (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 Residential

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, Jeff Reid, 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, Jeff Reid of City of Richmond Hill 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 9 day of August, 2022.  
City Day Month Year

  
Signature of Owner or Authorized Agent

August 9, 2022  
Date

  
Signature of Commissioner of Oaths, etc.

August 9, 2022  
Date

Crystal Marie Penney, a Commissioner, etc.,  
Province of Ontario, for the  
Corporation of the City of St. Thomas.  
Expires September 18, 2022.

**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, Joseph Reid, am the owner of the subject lands, and I authorize Jeff Reid, 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.

August 9, 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, Joseph Reid, 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.

August 9, 2022  
Date

  
Signature of Owner



## 9 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.

**P O L I C I E S**

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.



COORDINATE SCHEDULE		
OBSERVED REFERENCE POINTS (ORP's) UTM, ZONE 17, NAD83 (2011.0) GRID COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O. REG. 216/10		
POINT	NORTHING	EASTING
A		
B		

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN  
DISTANCES SHOWN ON THIS PLAN ARE GROUND LEVEL DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT	<b>PLAN 11R-</b> RECEIVED AND DEPOSITED			
DATE _____	DATE _____			
Blake van der Veen ONTARIO LAND SURVEYOR	REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ELGIN (04.11)			
PART SCHEDULE				
PART	LOT	PLAN	P.I.N.	AREA
1	PART OF LOT 73	214	PART OF 35187-0049	440.9 SQUARE METRES
1	PART OF LOT 72	214	PART OF 35187-0049	447.1 SQUARE METRES

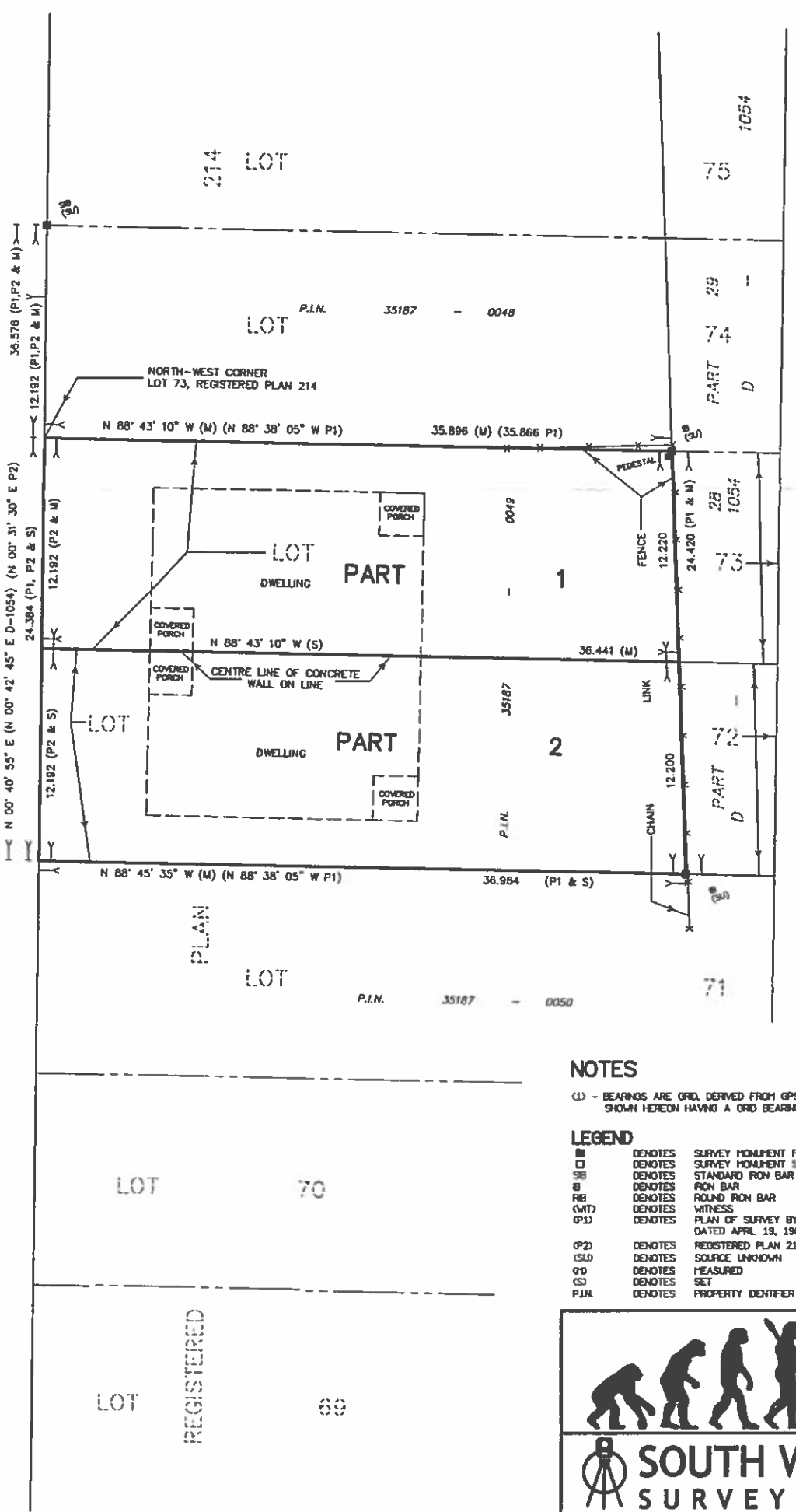
PARTS 1 AND 2 COMPRISE ALL OF P.I.N. 35187-0049

PLAN OF SURVEY OF  
PART OF LOTS 72 AND 73  
EAST OF ALEXANDRIA AVENUE  
REGISTERED PLAN 214  
CITY OF ST. THOMAS  
COUNTY OF ELGIN



**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) - THIS SURVEY WAS COMPLETED ON

DATE \_\_\_\_\_  
Blake van der Veen  
ONTARIO LAND SURVEYOR



- NOTES**  
(1) - BEARINGS ARE GRID, DERIVED FROM GPS OBSERVATIONS ON MONUMENTS SHOWN HEREON HAVING A GRID BEARING OF UTM, ZONE 17, NAD83 (CSRS)
- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT SET
  - SB DENOTES STANDARD IRON BAR
  - 8 DENOTES IRON BAR
  - RB DENOTES ROUND IRON BAR
  - WIT DENOTES WITNESS
  - OP1 DENOTES PLAN OF SURVEY BY BRIAN VAUGHAN O.L.S. DATED APRIL 19, 1984 FILE 84-84
  - OP2 DENOTES REGISTERED PLAN 214
  - OSU DENOTES SOURCE UNKNOWN
  - OD DENOTES MEASURED
  - CS DENOTES SET
  - P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER

**SOUTH WESTERN**  
SURVEYING LTD.

Blake van der Veen  
ONTARIO LAND SURVEYOR

PORT STANLEY, ONTARIO  
BLAKE@SURV.CA

DWG: GES

PROJECT: 21-022R

LOT 62  
214

LOT 63

LOT 64  
PLAN

LOT 41  
REGISTERED

REDAN STREET

ALEXANDRIA AVENUE

LOT 70

LOT 71

LOT 72

LOT 74

LOT 75

LOT 76

LOT 77

LOT 78

LOT 79

LOT 80

LOT 81

LOT 82

LOT 83

LOT 84

LOT 85

LOT 86

LOT 87

LOT 88

LOT 89

LOT 90

LOT 91

LOT 92

LOT 93

LOT 94

LOT 95


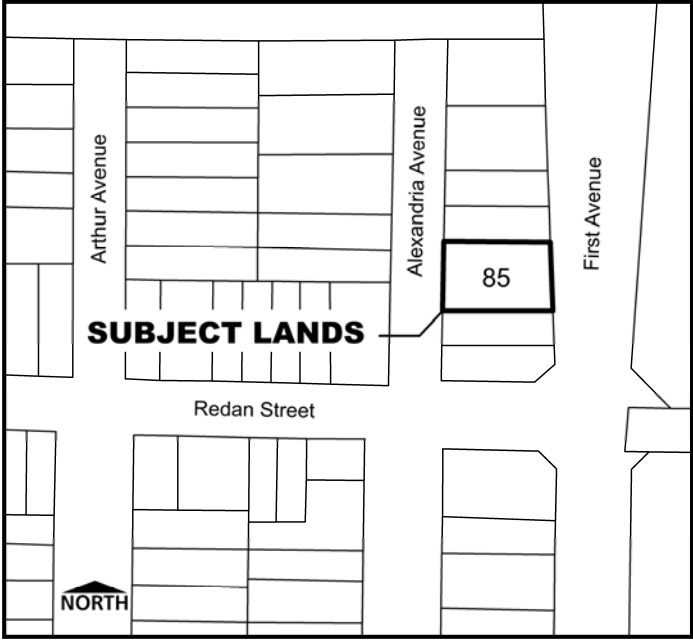
LOT 96

LOT 97

LOT 98

LOT 99

LOT 100

 <p><b>ST. THOMAS</b> THE RAILWAY CITY</p> <p><b>The Corporation of the City of St. Thomas</b></p>	<p><b>Report No.:</b> B09-2022</p>
<p><b>Directed to:</b> Members of the Committee of Adjustment</p>	<p><b>Applicant:</b> Joseph and Victoria Reid</p>
<p><b>Location:</b> 85 Alexandria Avenue, City of St. Thomas</p>	
<p><b>Subject:</b> Request for a consent pursuant to Section 53 of the Planning Act, R.S.O, as amended</p>	
<p><b>Department:</b> Planning Department <b>Prepared by:</b> Steve Craig, Senior Planning Technician</p>	<p><b>Attachments:</b> Location Plan and 2020 Aerial Photograph</p>
<p><b>Recommendation:</b></p> <p><b>That:</b> Report B09-2022 be received.</p>	
<p><b>Background:</b></p> <p>The subject lands are currently being developed with the construction of a semi-detached dwelling, with the potential for both dwelling units to contain one additional residential unit (ARU). Consent application B09/22 has filed for the purpose of subdividing the semi-detached dwelling, so that each semi-detached dwelling unit is on a separate lot, as shown on the draft 11R-Plan accompanying the application. The applicants have filed a minor variance application (COA14/22) concurrently to permit a building height of 11.5m and permit uncovered stairs to project into the required front yard up to 1.9m.</p> <p><b>Proposal:</b></p> <p>The applicants are proposing to sever one lot with frontage of 12.1m on Alexandria Avenue and an area of 447.1sqm, containing one semi-detached dwelling unit. The applicants are proposing to retain one lot with frontage of 12.1m on Alexandria Avenue and an area of 440.9sqm, containing one semi-detached dwelling unit. It is proposed that the severed and retained lots will continue to be used for a semi-detached dwelling, which is currently under construction.</p>	<p><b>Location Plan:</b></p>  <p>The location plan is a street grid diagram. It shows a block bounded by Arthur Avenue to the west, Alexandria Avenue to the east, Redan Street to the south, and First Avenue to the east. A specific lot on Alexandria Avenue is highlighted with a black box and labeled '85'. This lot is also labeled 'SUBJECT LANDS'. A north arrow is located in the bottom left corner of the plan.</p>

**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).

**2020 Aerial Photograph:****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 17. Permitted uses of the Third Residential Zone (R3) include a semi-detached dwelling (7(b)).
- Semi-detached dwelling means a building that is divided vertically into two dwelling units each of which has an independent entrance or an entrance through a common vestibule and which building has no access directly between the two units (1.111).

- Maximum Main Building Height - 11m (7.4(3)(3)).
- Maximum Accessory Building Height - 4m (7.4(3)(4)).
- Maximum Floor Area of an Enclosed Accessory Building - The lesser of 15% of the lot Area or 40sqm (7.4(3)(3)(6)).
- Maximum Number of Dwelling Units - 2 per lot (7.4(3)(3)(7)).
- Maximum Roof Area - 55% (7.4(3)(3)(8)).
- Minimum Front Yard Depth - 6m (7.4(3)(3)(9)).
- Minimum Rear Yard Depth - 9m (7.4(3)(3)(10)).
- Minimum Interior Yard Depth - 1m (7.4(3)(3)(11)(a)).
- Minimum Exterior Yard Depth - 4m (7.4(3)(3)(11)(b)).
- Minimum Ground Floor Area – 2 or more Storey Dwelling - 42sqm (7.4(3)(3)(12)(c)).
- Minimum Number of Parking Spaces - 1 per Dwelling Unit (7.4(3)(3)(14)).
- Where a semi-detached dwelling is lawfully erected in accordance with the provisions of the By-law and any such dwelling and the lot on which it is located are lawfully severed, the zone requirements applicable to such semi-detached dwelling and the lot on which it is located as set forth in paragraphs 7.4.1, 8.4.1 and 9.4.1, as the case may be, shall apply to each lot created and the part of the building erected thereon except that the minimum lot area shall be 45% (Part 1 - 50.3% / Part 2 - 49.7%) of the minimum for the lot before the severance, the minimum lot frontage shall be 45% (Part 1 - 50% / Part 2 - 50%) of the minimum for the lot before the severance, the maximum lot coverage shall be 40% (Part 1 – 33.09% / Part 2 – 32.57%) of the maximum for the lot before severance and the minimum for one side yard shall be nil and 1m for the other.
- Additional residential units (ARU) shall be permitted within any residential zone in association with the following uses, single detached dwelling, semi-detached dwelling, and street townhouse dwelling (4.2.11.1).

**Comments:**

- In staff's opinion the Consent Application B09-2022 conforms with the City of St. Thomas Official Plan, Zoning By-law and satisfies the criteria of Section 51(24) of the Planning Act, R.S.O, as amended. Approval of Consent Application B09-2022 is supportable, should the Committee approve the application staff recommends the following conditions:
  1. the owner provide confirmation that both the severed and retained lots have separate services, to the satisfaction of the Manager of Development & Compliance;
  2. the City of St. Thomas be provided with a copy of the Reference Plan; and
  3. that each lot be maintained as a residential semi-detached building as presently under construction, noting that an additional dwelling residential unit (ARU) is permitted, subject to satisfying the Ontario Building Code requirements.

Respectfully submitted,



Steve Craig  
Senior Planning Technician



PLANNING & BUILDING SERVICES DEPARTMENT

t. (519) 633.2560 f. (519) 633.6581

City of St. Thomas

9 Mondamin Street  
St. Thomas, Ontario, N5P 2T9

AUG 10 2022

City Clerks Dept.

## CONFIRMATION OF AN APPLICATION FOR MINOR VARIANCE

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August 10, 2022

Secretary-Treasurer, Committee of Adjustment  
Attention: Jon Hindley

Pursuant to By-Law 30-2015, a consultation meeting was held on August 9, 2022 with Planning staff and the applicant.

An application for a Minor Variance, regarding 85 Alexandria Avenue, was filed on August 9, 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





Clear Form

**CORPORATION OF THE CITY OF ST THOMAS**  
**COMMITTEE OF ADJUSTMENT**

**APPLICATION FOR MINOR VARIANCE OR FOR PERMISSION**  
 (Section 45 of the Planning Act, RSO, 1990, as amended)

<b>OFFICE USE:</b>	Date Application Received: <u>August 9, 2022</u>	Consultation Date: <u>August 9, 2022</u>
	Date Application Deemed Complete: <u>August 10, 2022</u>	

Application #: A14/22

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](mailto:jhindley@stthomas.ca)

Please note that in accordance with By-Law 30-2015, consultation with the Planning and Building Services Department must take place prior to the submission of an application. After consultation, the application will be filed with the Assistant Secretary-Treasurer, together with the sketch referred to in Note 1 and \$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) Joseph and Victoria ReidAddress 85 Alexandria Avenue, St. Thomas, OntarioPostal Code N5P 3M7 Tel: 647-882-7692 e-mail: joe\_15050@hotmail.com2. Name of Authorized Agent (if any) Jeff ReidAddress 93 Birch Avenue, Richmond Hill, OntarioPostal Code L4C 6C5 Tel: 416-402-2763 e-mail: jeffdreid@sympatico.caNote: Please specify to whom all communications should be sent: Owner  Agent 

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

1. Maximum building height is 11m. Requesting variance of 0.5m on rear elevation only.2. Minimum front yard depth is 6m plus a 1.5m maximum projection. Requesting variance of 0.5m for front exterior stairs.3. Maximum height of stairs including guard is 1.25M, wherein 1.9M is proposed.

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

1. Proposed overall roof design has both mansard roof on 3 sides and hip roof on 1 side, features, that defines height differently.2. Zoning Bylaw and Ontario Building Code restrictions to design.

5. Location of Land:

Concession No. \_\_\_\_\_ Lot(s) \_\_\_\_\_ Registered Plan No. 214 Lot(s) Pt of Lots 72 and 73

Reference Plan No. \_\_\_\_\_ Part(s) \_\_\_\_\_



Geographic/Former Township \_\_\_\_\_

Name of Street Alexandria Avenue Street No. 85

6. Dimensions of land affected:

Frontage 24.384M Depth (35.896M + 36.984M) / 2 = 36.44M

Area 888.0 square meters Width of Street 20.117M

7. Access to the subject land is by:

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

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:

Statistics for Each Side: Ground Floor= 1,151.844 ft2, Gross Floor Area= 3,917.414 ft2, Number of Storeys= 3

Width= 30' 11", Length= 50' 10", Height= 35' 5" (10.80M)

USE Semi Detached Dwellings

Proposed:

Same

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 reference plan (attached) prepared by: South Western Surveying Ltd.

Proposed:

Same

USE \_\_\_\_\_

10. Date of acquisition of subject land: n/a

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

12. Existing uses of the subject land:

Residential

13. Existing uses of abutting lands:  
 North: Residential East: Commercial  
 South: Residential West: Residential
14. Length of time the existing uses of the subject land have continued:  
n/a
15. Services available (check appropriate space or spaces):  
Water:  
 Municipally owned and operated Other (Specify) \_\_\_\_\_  
 piped water system
- Sewage Disposal:  
 Municipally owned and operated Other (Specify) \_\_\_\_\_  
 sanitary sewer system
- Storm Drainage  
 Storm sewers Other (Specify) \_\_\_\_\_
16. Present Official Plan designation of the subject land:  
Residential
17. Present Zoning of the subject land:  
R3- Semi Detached
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 \_\_\_\_\_

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**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, Jeff Reid, 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, Jeff Reid of Richmond Hill 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 9 day of August, 2022.  
City Day Month Year

 August 9, 2022  
Signature of Owner or Authorized Agent Date

 August 9, 2022 aug 9/22  
Signature of Commissioner of Oaths, etc. Date

Crystal Marie Penney, a Commissioner, etc.,  
Province of Ontario, for the  
Corporation of the City of St. Thomas.  
Expires September 18, 2022.

**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, Joseph Reid, am the owner of the subject lands, and I authorize Jeff Reid, 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.

August 9, 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, Joseph Reid, 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.

August 9, 2022  
Date

  
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.

→ this is basically a site plan.

→ what about elevations relevant to the variances

DRAWING NUMBER  
**A10**

SCALE: 1/4"=1'-0"  
DATE: JANUARY 2022  
DRAWN BY: JR

PROJECT: REID RESIDENCE  
ADDRESS: 85 ALEXANDRIA AVENUE  
DRAWING: REAR ELEVATION



**PROPOSED**

DRAWING  
NUMBER

A10

PROJECT: REID RESIDENCE  
 ADDRESS: 65 ALEXANDRIA AVENUE  
 DRAWING: REAR ELEVATION

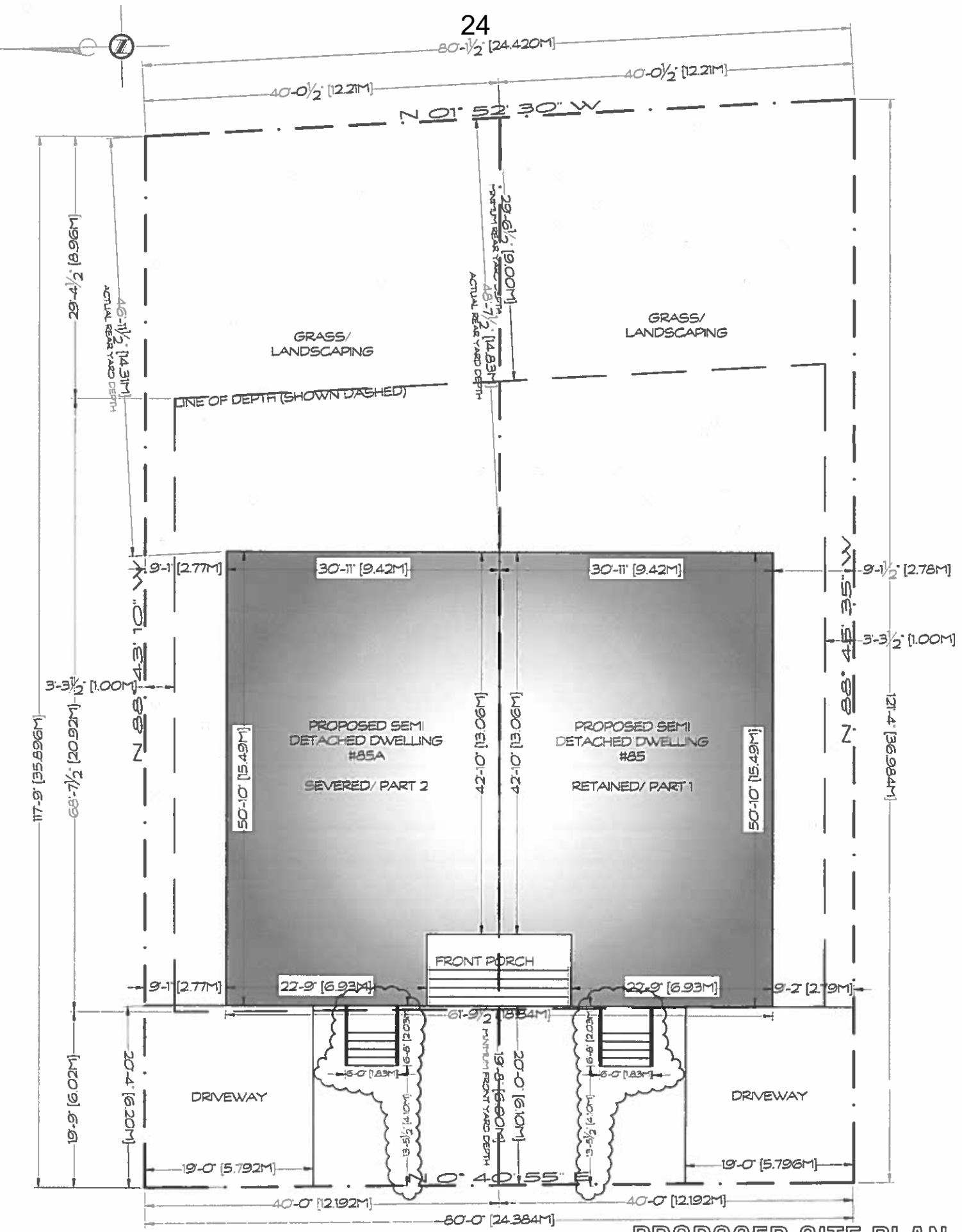
SCALE: 1/4"=10'  
 DATE: MARCH 2022  
 DRAWN BY: JR



EAST ELEVATION

EXISTING

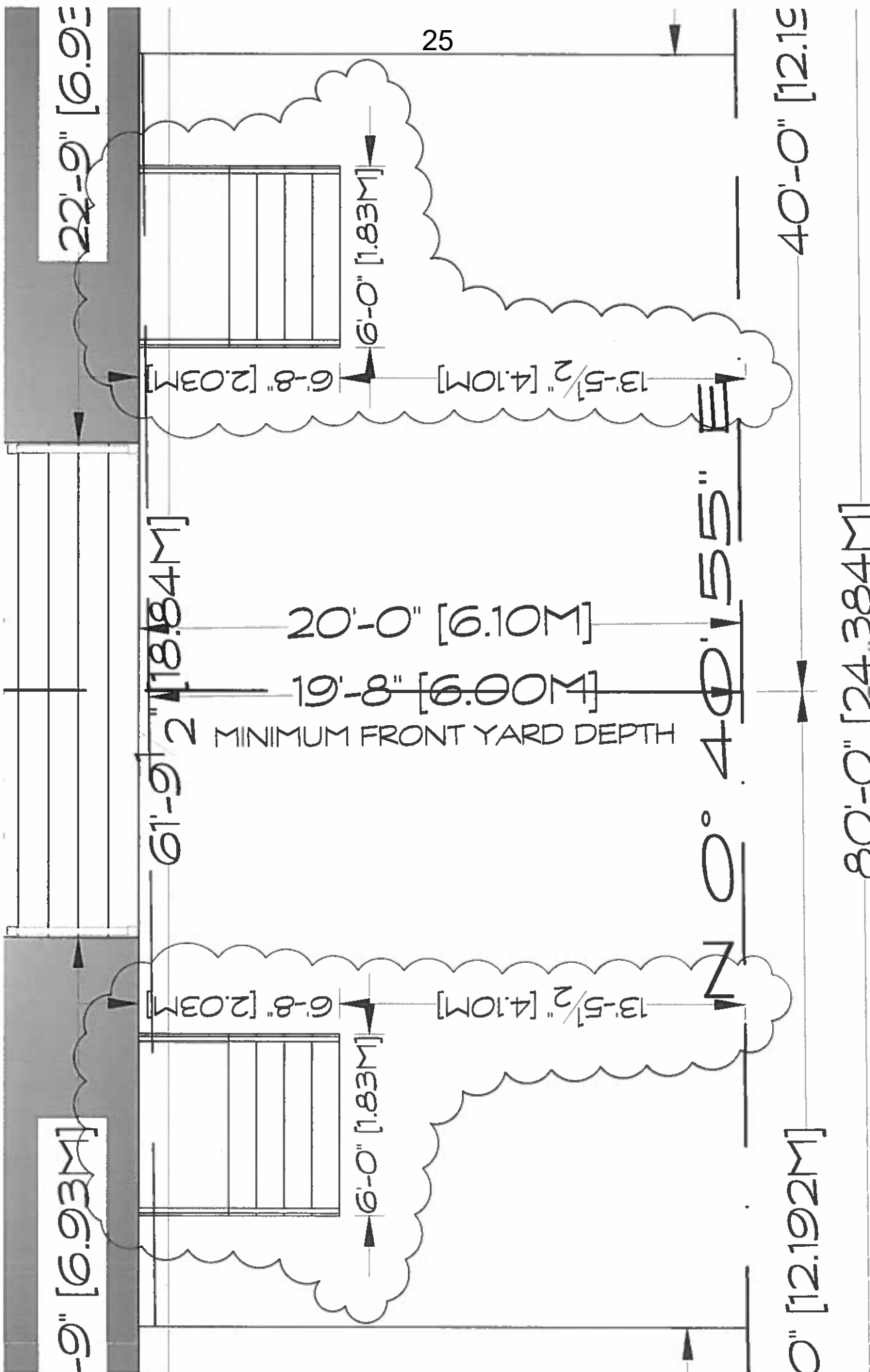
24

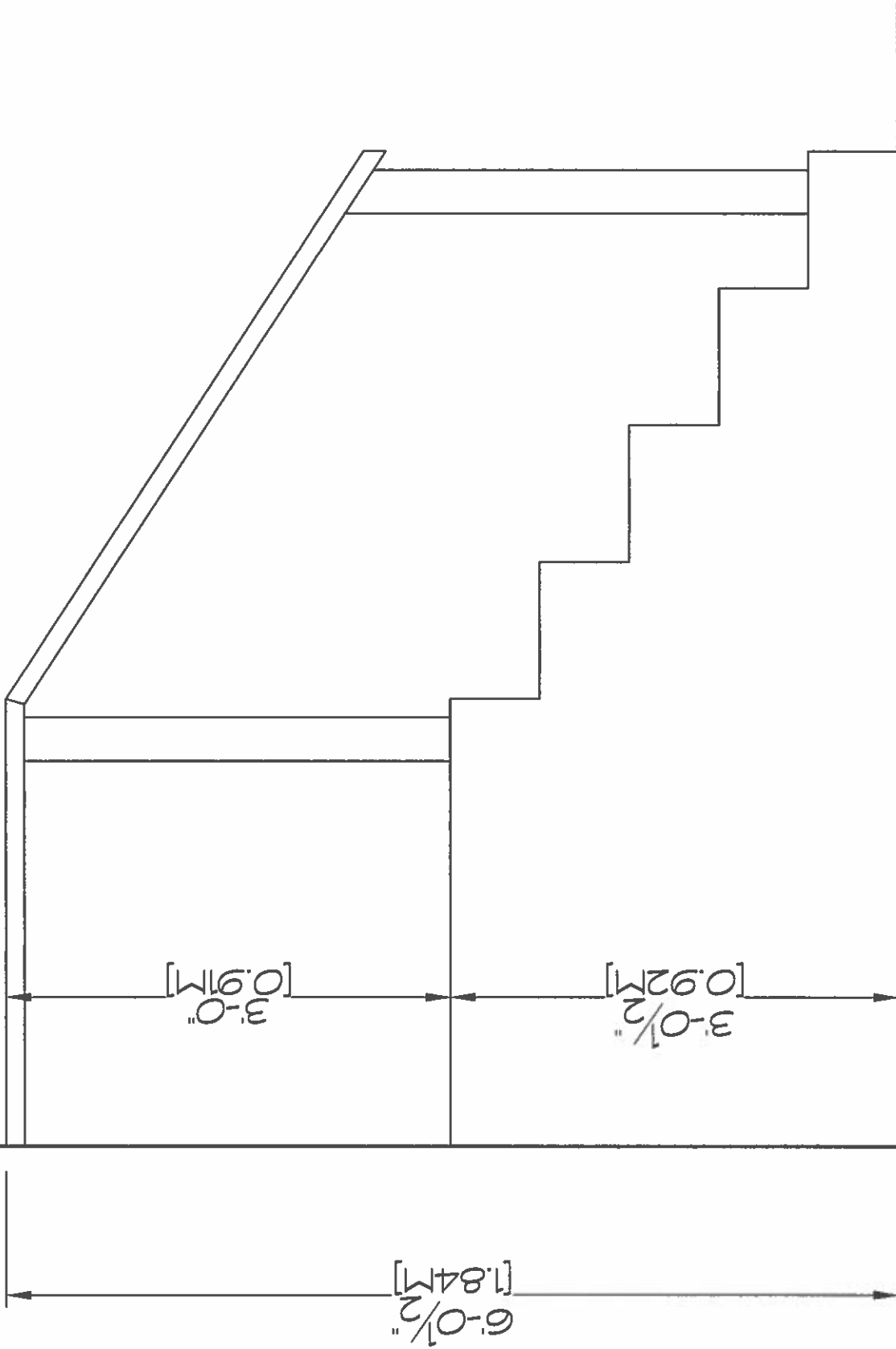


ALEXANDRIA AVENUE


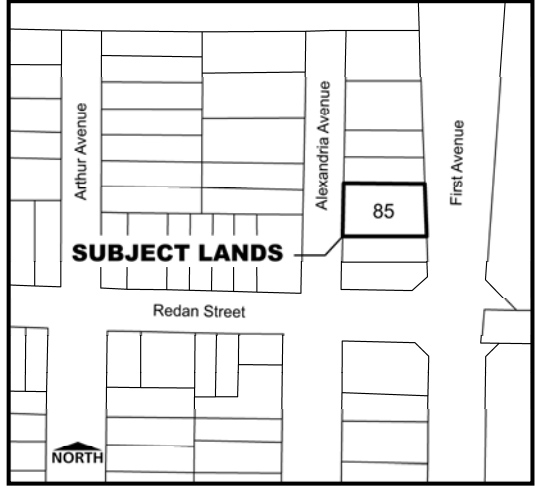
PROPOSED SITE PLAN  
JULY 21, 2022







SIDE ELEVATION OF FRONT STAIRS  
85 ALEXANDRIA AVENUE

 <p><b>The Corporation of the City of St. Thomas</b></p>	<p><b>Report No.:</b> COA14-2022</p>
<p>Members of the Committee of Adjustment</p>	<p><b>Applicant:</b> Joseph and Victoria Reid</p>
<p><b>Location:</b> 85 Alexandria Avenue, City of St. Thomas</p>	
<p><b>Subject:</b> Request for a minor variance pursuant to 45(1) of the Planning Act, R.S.O, as amended</p>	
<p><b>Department:</b> Planning and Building Services Department <b>Prepared by:</b> Steve Craig, Senior Planning Technician</p>	<p><b>Attachments:</b> Location Plan</p>
<p><b>Recommendation:</b></p> <p><b>That:</b> Report COA14-2022 be received.</p>	
<p><b>BACKGROUND:</b></p> <p>The subject lands are currently being developed with the construction of a semi-detached dwelling, with the potential for both dwelling units to contain one additional residential unit (ARU). The proposed variances have been requested to permit a building height of 11.5m and permit uncovered steps 1.8m high to project into the required front yard up to 1.9m. The applicants have filed a severance application (B9-2022) concurrently for the purpose of subdividing the semi-detached dwelling, so that each semi-detached dwelling unit is on a separate lot, as shown on the draft 11R-Plan accompanying the application.</p> <p><b>REQUESTED VARIANCE(S):</b></p> <p>(i) To permit a semi-detached dwelling with a maximum building height of 11.5m, whereas the Zoning By-law permits a maximum building height of 11m for a semi-detached dwelling (Table 1 to Subsection 7.4, Column Number 3, Item Number 11a).</p> <p>(ii) To permit uncovered steps 1.8m high to project up to 1.9m into a required front yard, whereas the Zoning By-law permits uncovered steps to project into a required front yard up to 1.5m but no closer than 0.5m to any side lot line and not higher than 1.25m above grade (Section 4.2.2).</p>	<p><b>Location Plan</b></p> 

**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).

**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 17. Permitted uses of the R3 zone include a semi-detached dwelling (7(b)).
- Semi-detached dwelling means a building that is divided vertically into two dwelling units each of which has an independent entrance or an entrance through a common vestibule and which building has no access directly between the two units (1.111).
- Maximum main building height for a semi-detached dwelling - 11m (7.4(3)(3)).
- Grade means 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.
- Minimum front yard depth for a semi-detached dwelling 6m (7.4(3)(9)).
- In any residential zone an uncovered stoop, uncovered steps and uncovered porch may be erected, and used, so as to project or extend into a required front yard, but the projection shall not exceed 1.5m but not closer than 0.5m to any side lot line and not higher than 1.25m above grade (4.2.2). Front yard means the yard extending across the full width of a lot between the front lot line and the main building wall (1.47).
- Front yard depth means the horizontal distance between the front lot line of the lot and the main building wall or, where the main building wall is not parallel to the front lot line, the horizontal distance between the front lot line and the point in the face of the main building wall which is closest to the front lot line (1.48).
- Main building wall means the exterior face of the wall of the main building, and its projections, which in the case of a front yard, is closest to the front lot line (1.73(i)).

**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 variances are desirable for the appropriate development or use of the land, building or structure; and the variances are minor in nature.

**COMMENTS:**

- On April 28, 2022 a building permit was issued for a semi-detached dwelling on the subject lands, staff note that there is potential for both dwelling units to include a maximum of one additional residential unit (ARU), subject to conforming with the Zoning By-law.
- Through the building permit approval process a zoning review was completed and the semi-detached dwelling was deemed to conform with the Zoning By-law, including use, lot area, lot frontage, main building height, enclosed accessory building floor area, lot coverage, number of dwelling units, roof area, front yard depth, rear yard depth, interior side yard depth, ground floor area and offstreet-parking.
- Construction of a semi-detached dwelling has commenced on the lot, however the applicants would like to modify the appearance of the rear (east) roof elevation and construct steps on the front of the building, as shown on the proposed plans accompanying the application.
- The Zoning By-law measures building height based on roof type, the rear (east) roof elevation plan that was approved through the building permit approval process is a mansard roof type, with a building height of 10.8m which conforms with the 11m maximum building height for a semi-detached dwelling in the Third Residential Zone (R3).
- The proposed modification to the rear (east) mansard roof elevation will result in a building height of 11.5m, however the overall height of the partially constructed building will not increase, as the mansard roof type will be maintained on the front (west) and sides (north and south) of the semi-detached building, resulting in no new adverse impacts to neighbouring residential properties and the Alexandria Avenue streetscape. Further the proposed modification to the rear (east) mansard roof elevation will not result in any adverse impacts to the First Avenue municipal right-of-way and the commercial properties on the east side of First Avenue.
- The proposed uncovered steps on the front (west) of the building will be setback 4.1m from the front lot line and will be used to provide access between the front yard and bedrooms on the front of the semi-detached dwelling units.
- Providing the steps remain uncovered, unenclosed and constructed in accordance with the plans accompanying the application no adverse impacts are anticipated to the subject lands, neighbouring properties or the Alexandria Avenue streetscape and municipal right-of-way.
- In staff's opinion the variances requested through Application COA14-2022 satisfy the four tests, as set out in Section 45 of the Planning Act, therefore staff recommend approval of the application. Should the Committee approve Application COA14-2022, the decision should reflect that the modification to the rear (east) roof elevation shall be in accordance with the proposed east elevation plan accompanying the application, and the construction of steps on the front (west) of the building shall be in accordance with the proposed site plan (July 21, 2022), and side elevation plan accompanying the application.

Respectfully submitted,



Steve Craig

Senior Planning Technician