

A G E N D A

THE FIRST MEETING OF THE COMMITTEE OF ADJUSTMENT OF THE CITY OF ST. THOMAS 2023

VIA ZOOM

10:00 A.M.

**THURSDAY
JANUARY 13, 2023**

DISCLOSURE OF INTEREST

CHAIR

Appointment of Chair for 2023.

MINUTES

Confirmation of the minutes of the meeting held on October 27, 2022.

HEARING OF APPLICATIONS

A15/22 - Joe and Jodi Toogood - 31 Park Avenue **Pages 2-10**

Planning Report - A15/22 **Pages 11-13**

B11/22 - Gord Martin - 248 Forest Avenue **Pages 14-23**

Planning Report - B11/22 **Pages 24-25**

A16/22 - Railway City Hospitality Inc. - 275 Highview Drive **Pages 26-40**

Planning Report - A16/22 **Pages 41-43**

NEW BUSINESS

Next Meeting

The next meeting is scheduled to take place January 26, 2023 at 10:00 a.m.

ADJOURNMENT



²
PLANNING & BUILDING SERVICES DEPARTMENT

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

City of St. Thomas

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

NOV 22 2022

City Clerks Dept.

CONFIRMATION OF AN APPLICATION FOR MINOR VARIANCE

November 21, 2022

Secretary-Treasurer, Committee of Adjustment
Attention: Jon Hindley

Pursuant to By-Law 30-2015, a consultation meeting was held on October 12, 2022, with Planning staff and the applicant.

An application for a minor variance, regarding 31 Park Avenue, was filed on November 17, 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, R.S.O. 1990, as amended)

OFFICE USE: Date Application Received: NOV 17 2022 Consultation Date: Oct 12/22
Date Application Deemed Complete: NOV 17 2022

Application #: A15122

APPLICATION IS HEREBY MADE TO:

City of St. Thomas
545 Talbot Street
St. Thomas ON N5P 3V7
Tel: (519) 831-1880 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 200/98 and will be used for the purpose of processing this application.

1. Name of Owner(s) Joe, Jed, Toogood
Address 31 Park ave
ST. THOMAS
Postal Code N5R 4V9 Tel: 519 280 5802 e-mail: jtoogie74@hotmail.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:
Size of garage to be built on R3 zone
from 721^{sq ft} to 1280^{sq ft} ? building height from 4m to 4.03m.

4. Reason why the proposed use cannot comply with the provisions of the Zoning By-law:
Have several antique vehicles that are in storage all over town and want in one place

5. Location of Land:

Concession No. _____ Lot(s) _____ Registered Plan No. W1 Lot(s) PT LOT 17-2
Reference Plan No. _____ Part(s) _____

Geographic/Former Township _____

Name of Street Park ave Street No. 31

6. Dimensions of land affected:

Frontage 129' Depth 150'

Area 19,350^{SqF} Width of Street 2 lane (Forestave)

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:

House 1585^{SqF} Shed 240^{SqF}

USE 97%

Proposed:

Garage 1280^{SqF} / 6.5%
Storage of antique vehicle

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 attached plans

Proposed:

See attached plans.

USE

10. Date of acquisition of subject land: July 26/22

11. Date of construction of all buildings and structures on subject land: 1922

12. Existing uses of the subject land:

Single family

13. Existing uses of abutting lands:

North: Row/Forest East: Residential
South: Residential West: Row/Parc

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

1922

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:

R3A-26

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 Joe, Joe, Toogood, 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, Joe Toogood of St Thomas in the province of Ontario,
name of applicant City
make oath and say (or solemnly declare) that the information required under Schedule 1 of Ontario Regulation 545/06 and provided by the applicant in this application is accurate, and that the information contained in the documents that accompany this application is accurate.
Sworn (or declared) before me at the St Thomas on this 17 day of November 22
City Day Month Year

[Signature]
Signature of Owner or Authorized Agent

Nov 17/22
Date

[Signature]
Signature of Commissioner of Oaths, etc.

Nov 17/22
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, Jodie Joe Toogood, am the owner of the subject lands, and I authorize Joe Toogood 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.

Nov 16/22
Date

[Signature]
Signature of Owner

APPENDIX B – ACKNOWLEDGEMENT OF LEGAL AND PLANNING FEES

In addition to the application fees listed in this application package, please note that where the City requires assistance from its solicitors or other technical or professional consultants in the processing of this application, the applicant shall be responsible for reimbursing all fees incurred by the City.

***Please note, Appendix B must be completed by the owner, not the authorized agent.**

I, Joe Toogood, 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.

Nov 16/22
Date

[Signature]
Signature of Owner

NOTES:

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

Proposed garage for 31 Park ave Joe Toogood

Lot Coverage

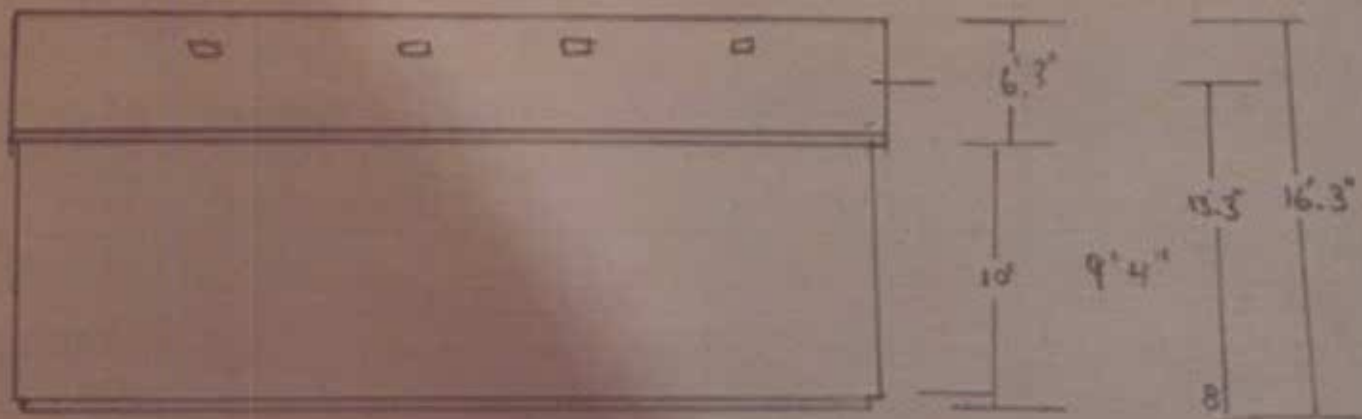
Property	19,350 ^{sq ft}	
House & shed	1,825 ^{sq ft}	9.431%
garage	1,280 ^{sq ft}	6.619%
	<u>Total</u>	
	3105	16%

Foundation. 8"

walls to Eaves. 9'4"

Total to Ridge 16'3"

mid point 13'15"



PLAN

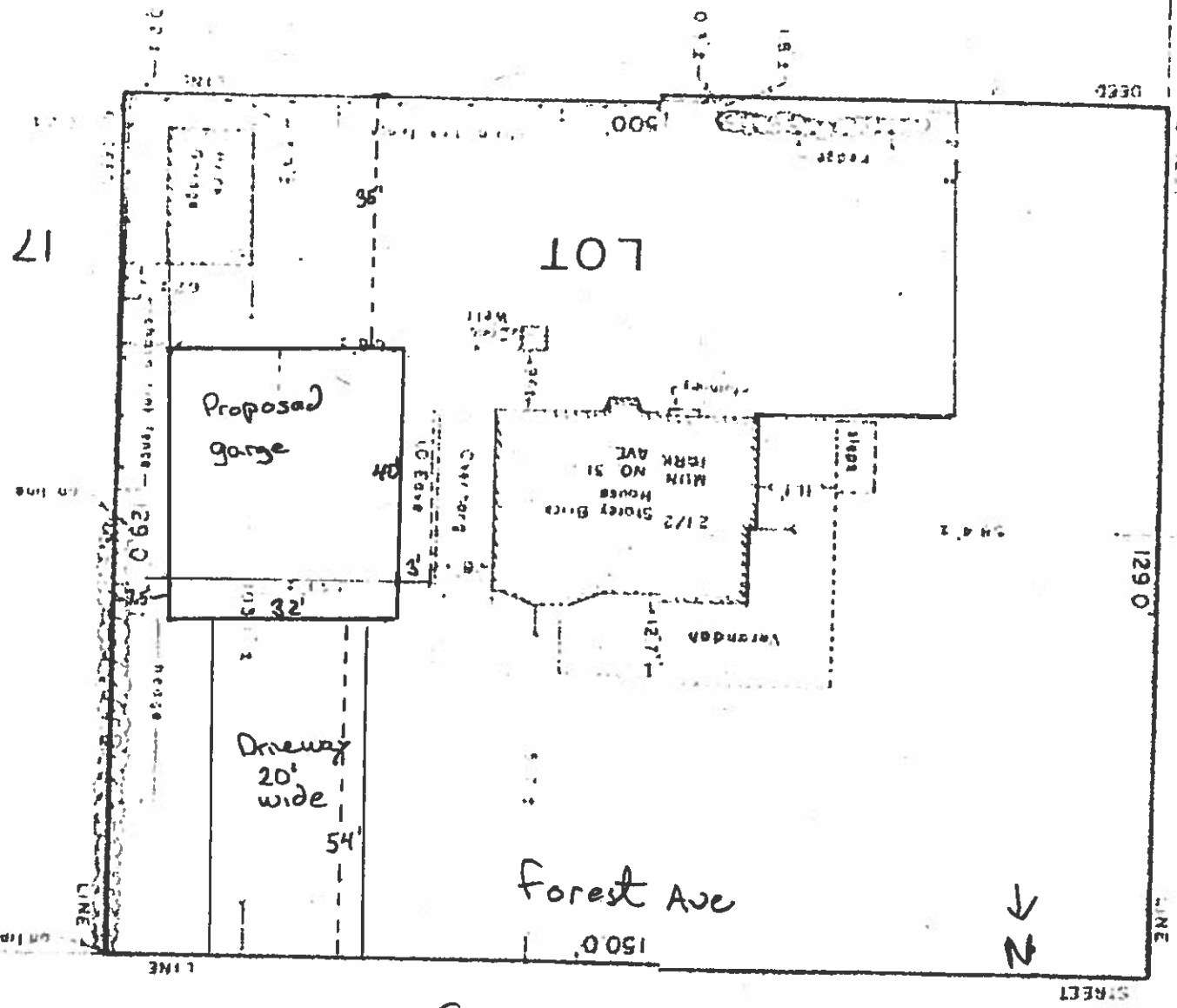
I - M

Property 19,350
 existing Garage 1,825
 Shop Coverage 1,280
 expected Case 3,100

PARK

AVENUE


Building Spec
 9'14" walls
 Total height 16.3' (195)
 mid pointed roof
 13'8" (1578)
 Slab 8"



Forest Ave

Forest AVE



 The Corporation of the City of St. Thomas	Report No.: COA15-2022
	Applicant: Joe and Jodi Toogood
Members of the Committee of Adjustment	Report Date: December 20, 2022 Meeting Date: January 12, 2023
Location: 31 Park Avenue, 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 COA15-2022 be received.	

BACKGROUND

The applicants are proposing to construct a detached garage (9.8 x 12.2m = 119.5m²) 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 floor area of 119.5sqm, whereas Table 1 to Subsection 7.4, Column No. 2, Item Number 6 provides that the maximum floor area of an enclosed accessory building be 67sqm.
- (ii) To permit an accessory building with a height of 4.03m, whereas Subsection 4.2.4.8 of the Zoning By-law permits a maximum height of 4m for an accessory building.

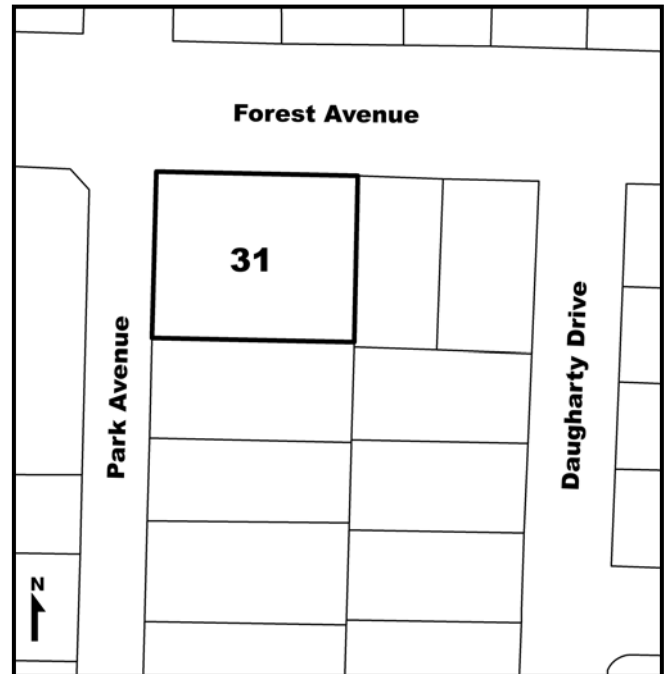
OFFICIAL PLAN

- 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).

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).

Location Plan:



- 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 applicants are proposing to construct a 9.8m x 12.2m (32ft x 40ft) detached garage on the subject lands for the purpose of storing their personal antique automobiles and accommodating additional storage space typically associated with home ownership, currently storage on the lot is limited to an existing 22.29sqm (240sqft) detached shed located in the rear yard.
- The first variance is requested to facilitate the construction of a detached garage with a floor area of 119.5sqm (1,286.28sqft), whereas the R3 zone limits the floor area of an enclosed accessory building to a maximum of 67sqm (721.18sqft).
- The subject lands are a relatively large lot and the combined floor area of the existing house, existing shed and proposed detached garage will result in a combined lot coverage of 16%, which is well below the allowable 35% maximum lot coverage of the R3 zone, resulting in no adverse impacts to off-street parking, outdoor amenity space, open space, and landscape area.
- The second variance is requested to facilitate the construction of a detached garage with a building height of 4.03m (13.22ft), whereas the R3 zone permits a maximum building height of 4m (13.12ft) for accessory buildings.
- An increase in building height of 0.03m (1 3/16in) is considered nominal, resulting in no adverse impacts to the subject lands, neighbouring properties, and the Forest Avenue Streetscape.
- The applicants do not intend on using the 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 requested 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, staff recommend that minor variance application COA15-2022 be approved.
- Should the Committee of Adjustment approve Minor Variance Application COA15-2022, the decision should reflect that the Committee is approving a 9.8m x 12.2m detached garage, with a maximum a maximum floor area of 119.5sqm and a maximum building height of 4.03m, as shown on the plans accompanying the application.

Respectfully submitted,



Steve Craig
Senior Planning Technician



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

December 14, 2022

Secretary-Treasurer, Committee of Adjustment
Attention: Jon Hindley

Pursuant to By-Law 30-2015, a consultation meeting was held on January 12, 2022, with Planning Department Staff and the applicant.

An application for Consent, regarding 248 Forest Avenue, was filed on December 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

OFFICE USE:	Date Application Received: DEC 09 2022	Consultation Date: <u>Jan 12/22</u>
	Date Application Deemed Complete: DEC 14 2022	

Application #: B11/22

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): GORD MARTIN
 Mailing Address: 361 Wellington Street
 Postal Code: N5R 2T4 Telephone: 226 688 9430 Fax: _____
 email: GORDMARTIN@outlook.com

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

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

Owner Solicitor Agent

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

- | | |
|---|--|
| <input 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:

Sever / subdivide 248 / 250 Forest Street.

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) 37 Registered Plan No 270 Lot(s) _____

Reference Plan No _____ Part(s) _____

Name of Street Forest Street No 248/250

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

(a) Frontage 11.630 ~~22.260~~ Depth 43.251 Area 501.8

(b) Existing Use Res. Proposed Use Res.

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

Existing: Semi detach + Brick garage.

Proposed: Semi detach + Brick garage.

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

(a) Frontage 11.230 Depth 43.129 Area 485.3

(b) Existing Use Res. Proposed Use Res.

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

Existing: Semi detach + Brick garage.

Proposed: Semi detach + Brick garage.

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

Sketch Attached

8. What type of water supply is proposed? (Check appropriate space)

	PROPOSED LOT	RETAINED LOT
TYPE		
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)

	PROPOSED LOT	RETAINED LOT
TYPE		
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 St. Thomas 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: _____

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.

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

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AFFIDAVIT OR SWORN DECLARATION

I, GORD MARTIN of St. Thomas in the province of Ont,
name of applicant City

make oath and say (or solemnly declare) that the information required under Schedule 1 of Ontario Regulation 545/06 and provided by the applicant in this application is accurate, and that the information contained in the documents that accompany this application is accurate.

Sworn (or declared) before me at the St. Thomas on this 9 day of 12, 2022.
City Day Month Year

[Signature]
Signature of Owner or Authorized Agent

Dec 9 / 22
Date

[Signature]
Signature of Commissioner of Oaths, etc.

Dec 9 / 22
Date

Crystal Marie Penney, a Commissioner, etc.,
Province of Ontario, for the
Corporation of the City of St. Thomas.
Expires September 21, 2025.

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, GORD MARTIN, 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.

Sept 7 / 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 two years of the giving of the notice of decision. Failure to do so will cause the consent to lapse.

Preliminary Discussion and Pre-consultation

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. The City and any affected agency may 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.

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.

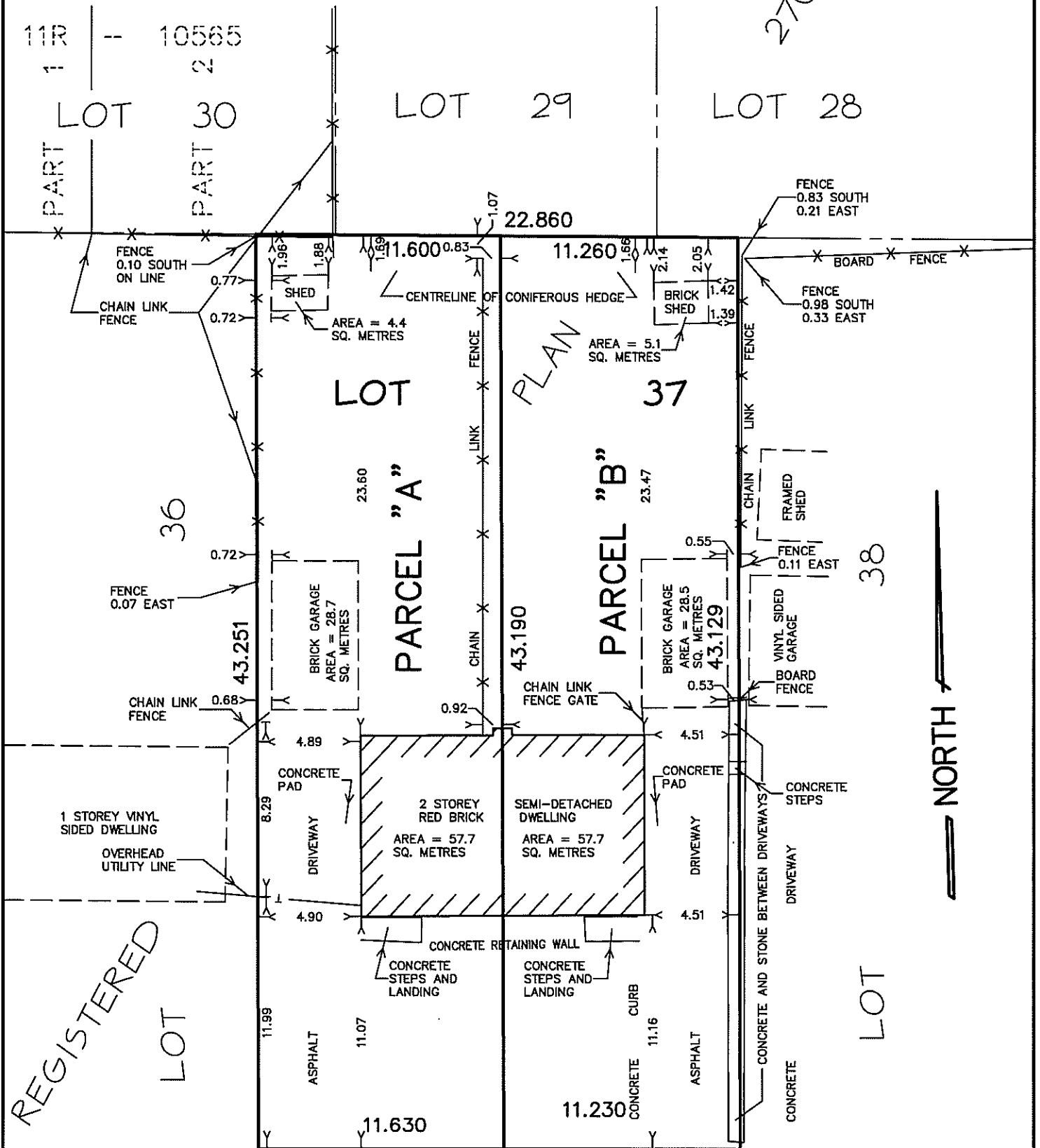
That land be deeded gratuitously to the local or Regional municipality for road widening purposes.

SKETCH
ILLUSTRATING PROPOSED SEVERANCE

PARCEL "A"
AREA = 501.8 SQUARE METRES
COVERAGE = 18.1 %
PARCEL "B"
AREA = 485.3 SQUARE METRES
COVERAGE = 18.8 %

CAUTION

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



REGISTERED LOT

LOT



FOREST

AVENUE

ROAD UNDER CONSTRUCTION
(20.117 WIDE - REGISTERED PLAN 270)

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PROPERTY DESCRIPTION:
LOT 37
REGISTERED PLAN 270
CITY OF ST. THOMAS
COUNTY OF ELGIN

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

NOT TO SCALE

PROJECT: 22-17756	GORD MARTIN	REF:	DWG.	WLP
	#248 & #250 FOREST AVENUE, ST. THOMAS	FILE	CKD.	JGD



The Corporation of the City of St. Thomas

Report No.: B11-2022

Applicant: Gord Martin

Directed to: Members of the Committee of Adjustment

Report Date: December 20, 2022
Meeting Date: January 12, 2023

Location: 248 & 250 Forest Avenue, 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 B11-2022 be received.

BACKGROUND

Consent Application B11/22 has been filed for the purpose of creating separate lots for 248 Forest Avenue and 250 Forest Avenue.

PROPOSAL

The applicant is proposing to sever a lot with frontage of 11.63m on Forest Avenue and an area of 501.8sqm, containing one semi-detached dwelling unit. The applicant is proposing to retain one lot with frontage of 11.23m on Forest Avenue and an area of 485.3sqm, containing one semi-detached dwelling unit. It is proposed that the severed and retained lots will continue to be used for residential purposes.

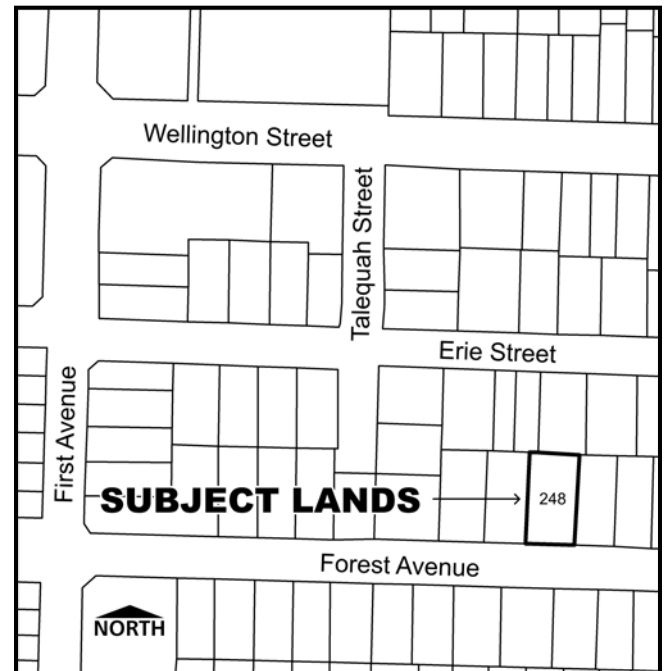
OFFICIAL PLAN

- 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).
- 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 Third Residential Zone (R3) include a semi-detached dwelling (7(b)).
- Maximum Main Building Height - 11m (7.4(3)(3)).
- Maximum Accessory Building Height - 4m (7.4(3)(4)).

Location Plan:



- 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 - 1 ½ Storey Dwelling - 60sqm (7.4(3)(3)(12)(b)).
- Minimum Number of Parking Spaces - 1 per Dwelling Unit (7.4(3)(3)(14)).
- The Severance of Lots and Buildings regulations (4.2.9.4) provide that where a semi-detached 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 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% (Parcel A 50.8% / Parcel B 49.2%) of the minimum for the lot before the severance, the minimum lot frontage shall be 45% (Parcel A 50.8% / Parcel B 49.2%) of the minimum for the lot before the severance, the maximum lot coverage shall be 40% (Parcel A 18.1% / Parcel B 18.8%) of the maximum for the lot before severance and the minimum for one side yard shall be nil and 1m for the other.

COMMENTS

- 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 B11-2022 is supportable. Should the Committee approve Consent Application B11-2022 staff recommends the following conditions:
 - 1) 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
 - 2) That the City of St. Thomas be provided with a copy of the Reference Plan.

Respectfully submitted,



Steve Craig
Senior Planning Technician

CONFIRMATION OF AN APPLICATION FOR MINOR VARIANCE

December 8, 2022

Secretary-Treasurer, Committee of Adjustment
Attention: Jon Hindley

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

An application for a Minor Variance, regarding 275 Highview Drive, was filed on December 8, 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)

OFFICE USE:	Date Application Received: <u>December 8/22</u>	Consultation Date: <u>November 30/22</u>
	Date Application Deemed Complete: <u>December 8/22</u>	

Application #: A16/22

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) Jay Burstein
 Address 6 Tracey Blvd , Brampton, Ontario

Postal Code L6T 5R9 Tel: 416-520-6824 e-mail: jay@burscogroup.com

2. Name of Authorized Agent (if any) Bimaljot for Montreal Neon Signs
 Address 4130 desserte de Sud (AUT-440 Ouest)

Postal Code H7T 0H3 Tel: 450-668-4888 ext 252 e-mail: BimalJ@montrealneon.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 permit a sign 1.5m from the front lot line, whereas Subsection 15.4.1.3 (C6-6 Zone) of the Zoning By-law requires a minimum front yard depth of 6m.

4. Reason why the proposed use cannot comply with the provisions of the Zoning By-law:
A 6m setback will not provide clear visibility to customers where the hotel entrance is, as there are existing trees adjacent to the sidewalk

5. Location of Land: 275 Highview Drive , St. Thomas

Concession No. _____ Lot(s) _____ Registered Plan No. 209 Lot(s) 115

Reference Plan No. PLAN 209 PT LOT 115 PLAN 270 LOT 197 TO 199 Part(s) _____

Geographic/Former Township St. Thomas

Name of Street Highview Drive Street No. 275

6. Dimensions of land affected:

Frontage _____ Depth _____

Area _____ 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:

Non - Existing

USE _____

Proposed:

Monument Sign S4 for Holiday Inn Express & Suites

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:

Non - Existing

Proposed:

Proposed structure is Hotel Holiday Inn Express & Suites - see attached plan accompanying application

USE _____

10. Date of acquisition of subject land: 2019

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

Elgin Centre 1975, Restaurant 1997 and Hotel 2022

12. Existing uses of the subject land:

Shopping Centre, Restaurant And Hotel

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:

Elgin Centre 1975, Restaurant 1997 and Hotel 2022

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:

Major Commercial

17. Present Zoning of the subject land:

C4-6 Zone

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 #)

Yes, A2/75 (Unknown), A35/78 (Parking Garage), A13/97 (Restaurant Building), A4/03 (Gross Leasable Floor Area) and 22/03 (Movie Theatre)

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 Bimaljot for Montreal neon Signs, 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, Bimaljot of Laval in the province of Quebec,
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 Laval on this 2 day of 12, 2022.
City Day Month Year

Bimaljot
Signature of Owner or Authorized Agent

2022/12/02
Date


Signature of Commissioner of Oaths, etc.


2022/12/02
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, Jay Burstein, am the owner of the subject lands, and I authorize Montreal Neon Signs, 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.

December 05, 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.**

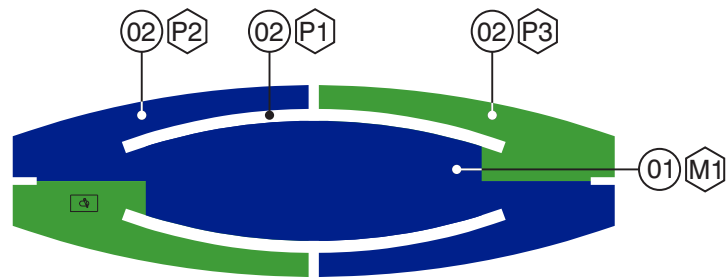
I, Jay Burstein, am the owner of the subject lands, and I understand that further fees may be incurred by the City throughout the planning process and that I am responsible for reimbursing all fees.

December 05, 2022
Date


Signature of Owner

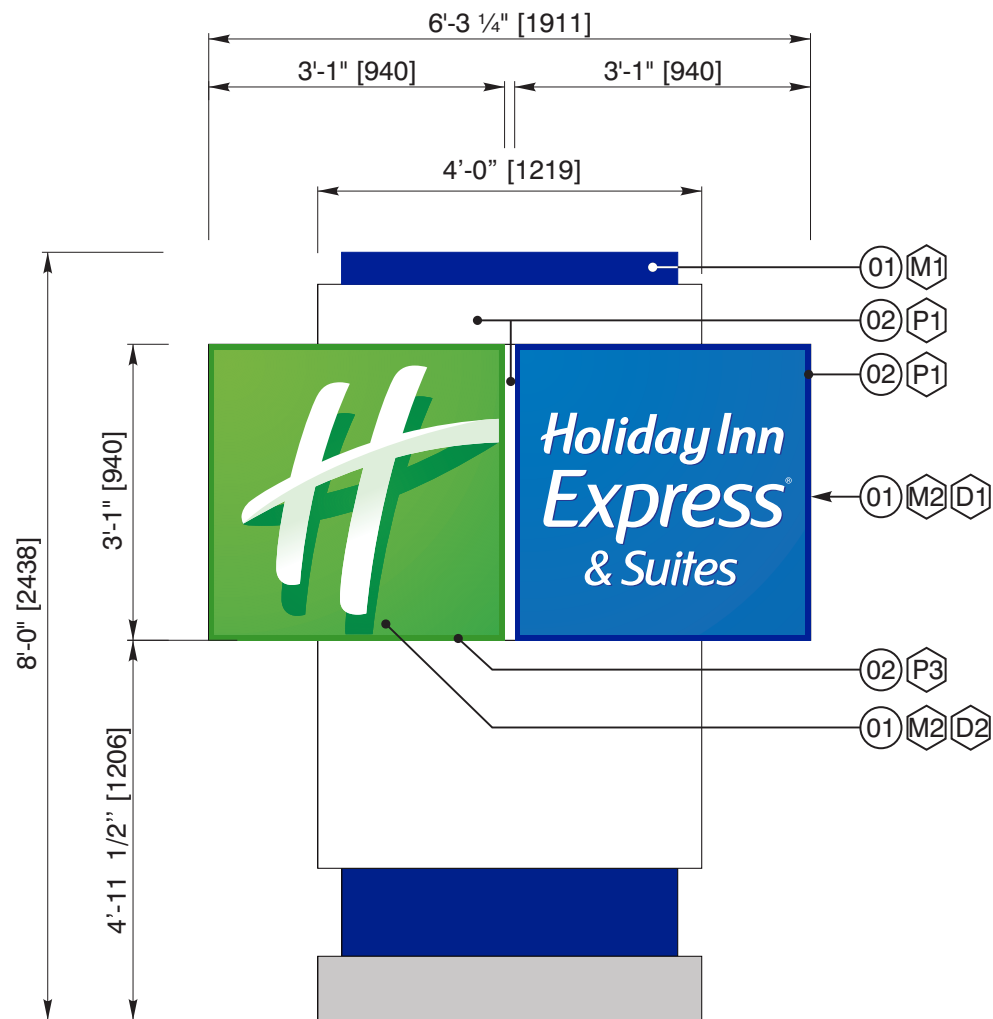
NOTES:

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.

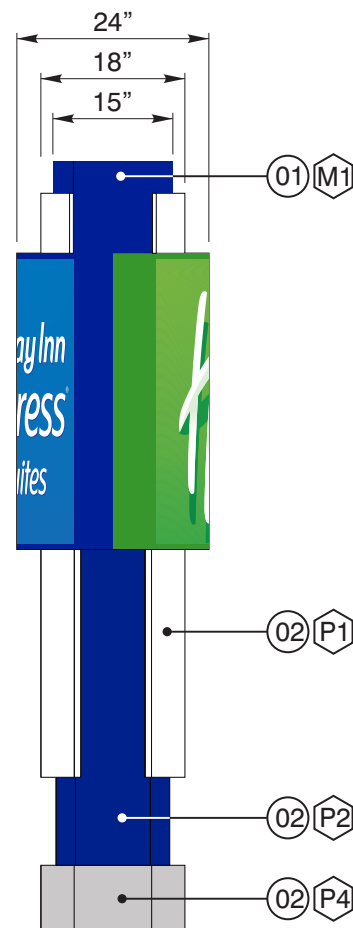


TOP ELEVATION

SCALE: 1/2" = 1'-0"



FACE A & B



PROFILE



NIGHT VIEW

FRONT ELEVATION

SCALE: 1/2" = 1'-0"

RECOMMENDED SIGN

SIGN CODE	XPS-20-8-0
ILLUMINATED	1
QTY:	1

IHG NOTE • NEED CONCRETE FONDATION, AND ELECTRICAL CIRCUIT 120 V - 15 Amp..

#	DESCRIPTIONS	CLIENT COLOURS	PRODUCTION COLOURS	BY	FINISH
01	3/16" ACRYLIC				
02	1/8" ALUMINUM				
M1		BLUE	FABRICATED ALUMINUM	CLIENT	TRANS.
M2		WHITE	ACRYLIC	CLIENT	TRANS.
D1	DIGITAL PRINT		DIGITAL PRINTING	CLIENT	CLEAR
D2	DIGITAL PRINT		DIGITAL PRINTING	CLIENT	CLEAR
P1		WHITE	WHITE	CLIENT	SATIN
P2		BLUE	BLUE	CLIENT	SATIN
P3		GREEN	GREEN	CLIENT	SATIN
P4		BRUSHED ALUMINUM	BRUSHED ALUMINUM	CLIENT	GLOSS

COLOURS PRINTED ON THIS DRAWING COULD BE DIFFERENT FROM THE REAL COLOURS

REVISIONS				
No.	DESCRIPTION	Init.	Ver.	DATE yy-mm-dd
00	PERMIT	NL	RM	20-09-01
01				

REV:

DO NOT CIRCULATE OR PUBLISH

m 4130, Highway 440 west
South service road
Laval (Québec) H7T 0H3
Phone : 450.668.4888
Phone : 514.955.3333
Fax : 450.668.8822
www.montrealneon.com

ACCOUNT EXEC.: **FRANÇOIS LUSSIER**

PROJECT MANAGER: **ROXANE METCALFE**

CLIENT: **CHAMBERLAIN CONSTRUCTION SERVICES LTD**
4671 PALLADIUM WAY SUITE 1
BURLINGTON, ON L7M 0W9

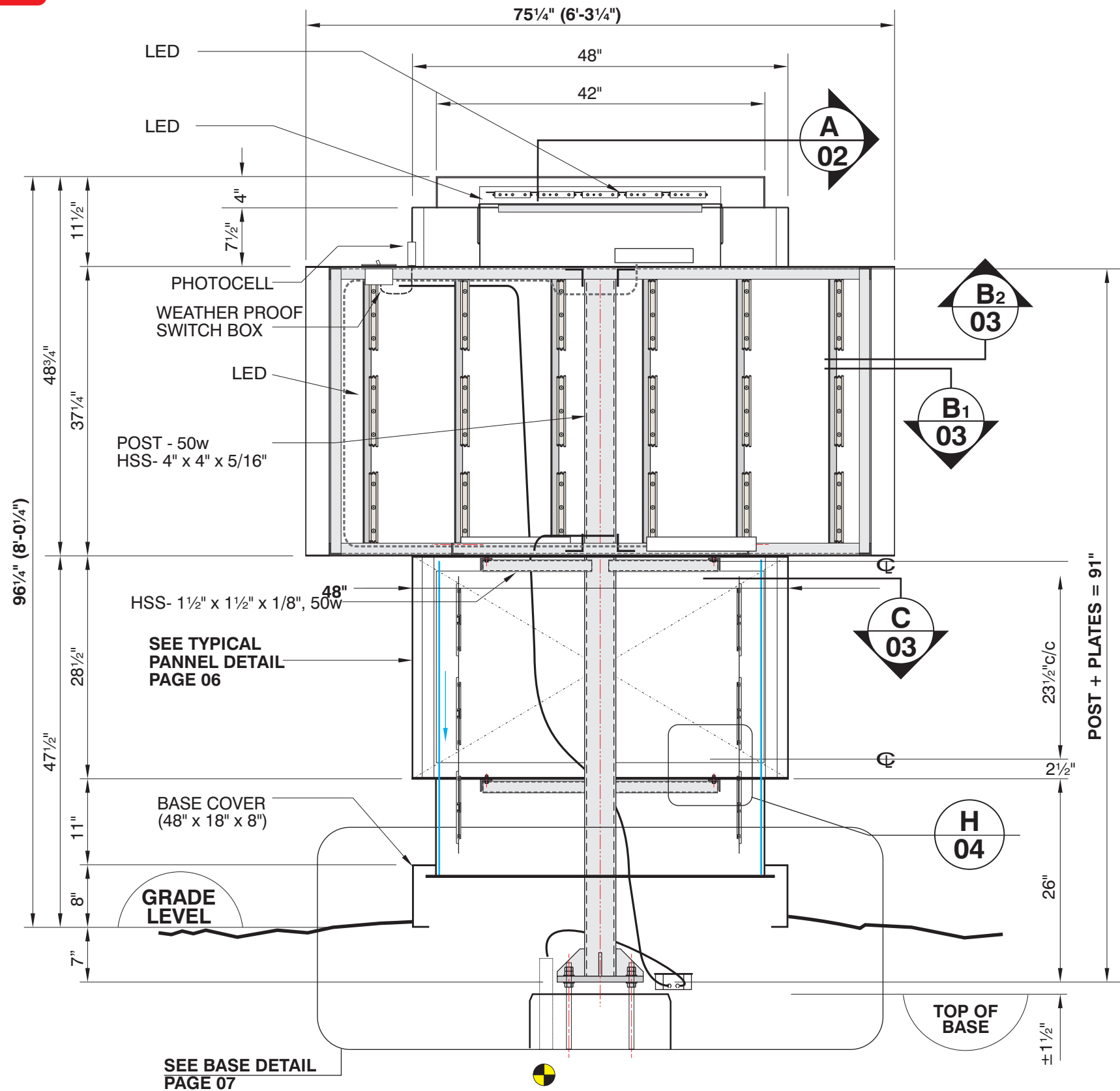
PROPERTY CODE: **YQSST**

SITE/PROJECT: **HOLIDAY INN EXPRESS & SUITES**
275 HIGHVIEW DRIVE
ST. THOMAS, ON N5R 5J5

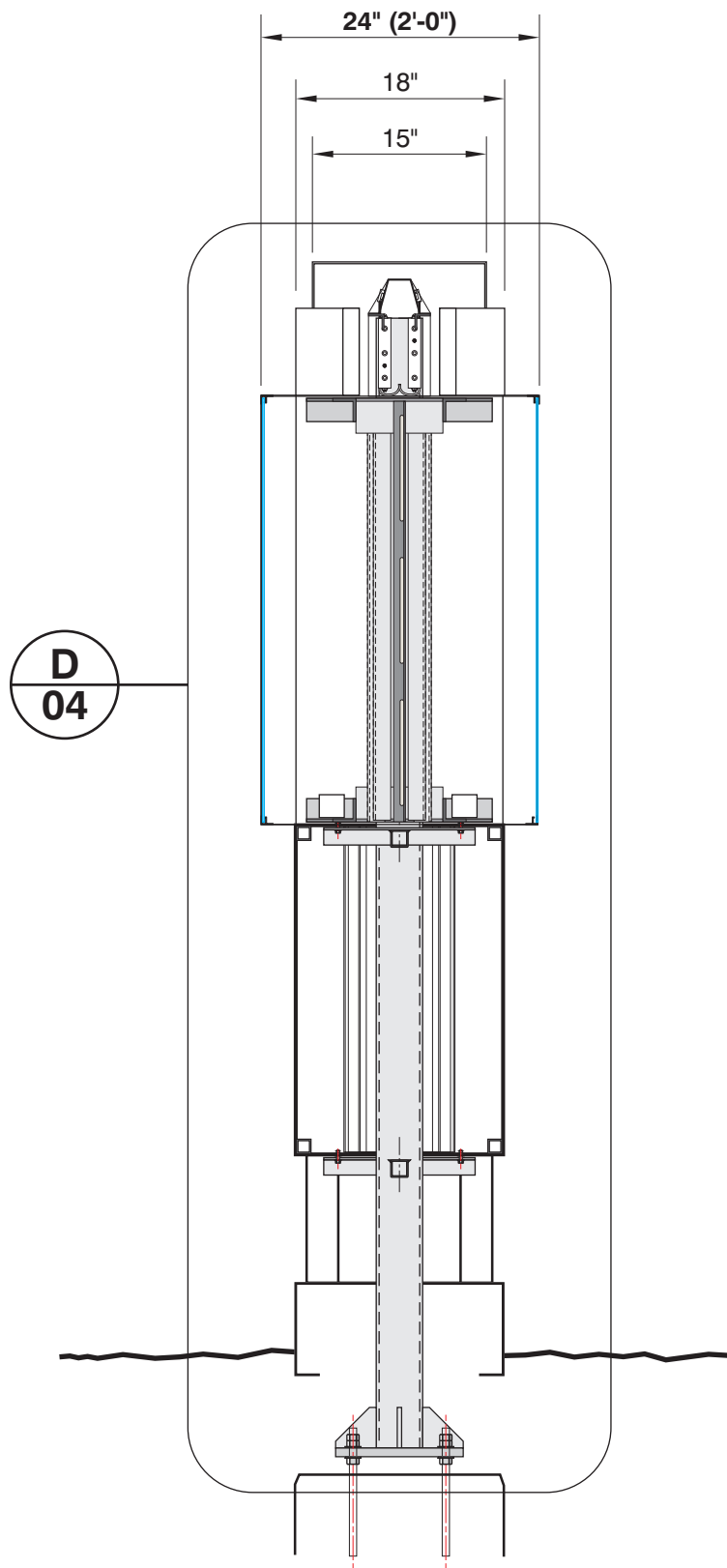
TYPE OF PROJECT: **NEW BUILT**

TITLE: **SITE PLAN**

FILE: **16646_4_PRM_R00** **01**
07



STRUCT. ELEVATION
SCALE: 3/4" = 1'-0"



SECTION A
SCALE: 3/4" = 1'-0"

REVISIONS				
No.	DESCRIPTION	Init.	Ver.	DATE yy-mm-dd
00	PERMIT	NL	RM	20-09-01
01				

REV:

DO NOT CIRCULATE OR PUBLISH

m 4130, Highway 440 west
South service road
Laval (Québec) H7T 0H3
montreal neon signs Phone : 450.668.4888
Phone : 514.955.3333 Fax : 450.668.8822
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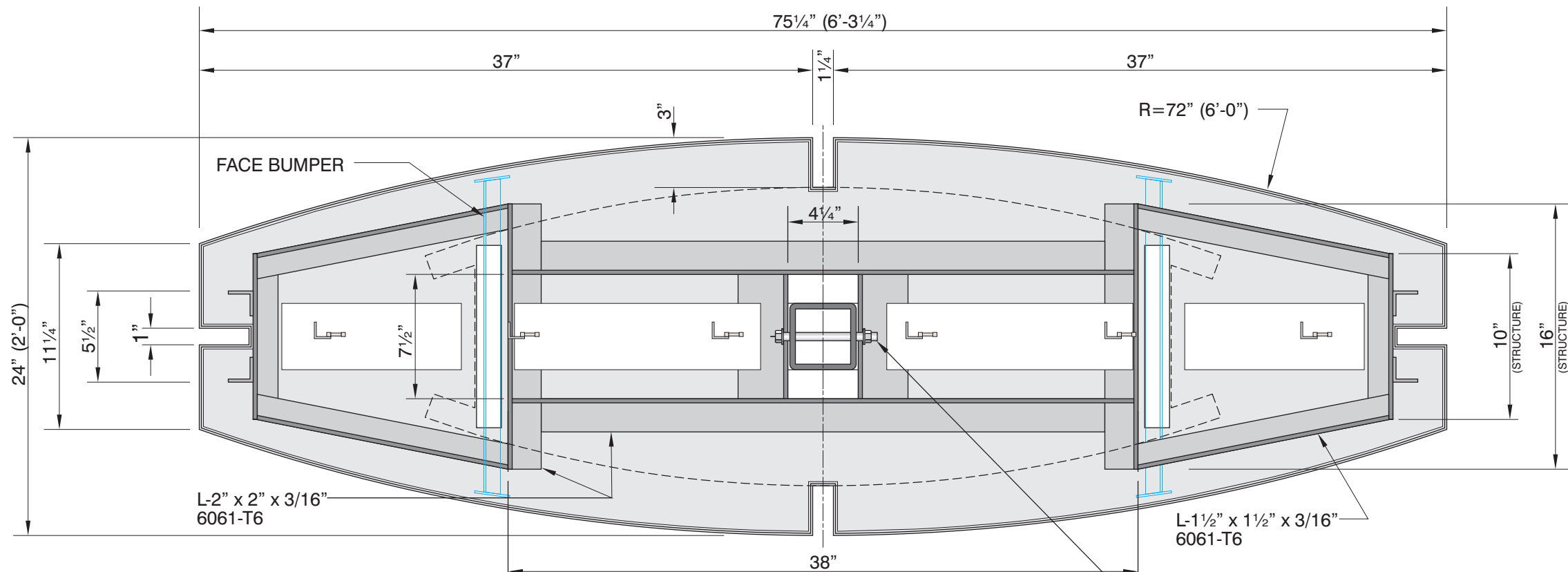
PROPERTY CODE:
YQSST

SITE/PROJECT:
HOLIDAY INN EXPRESS & SUITES
275 HIGHVIEW DRIVE
ST. THOMAS, ON N5R 5J5

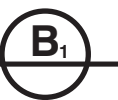
TYPE OF PROJECT:
NEW BUILT

TITLE:
SITE PLAN

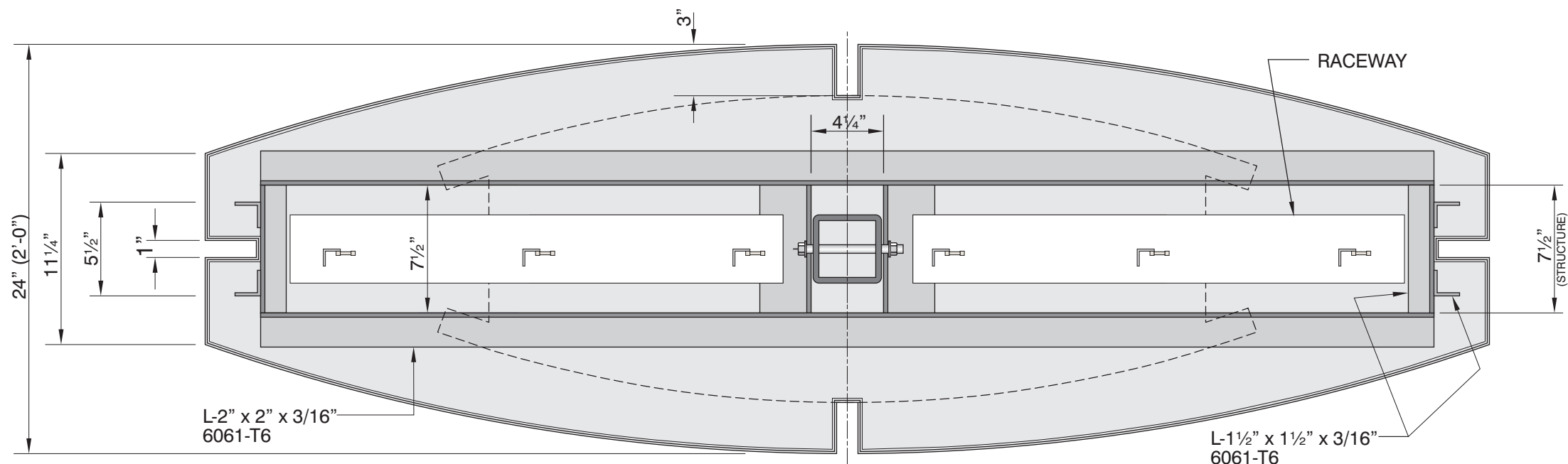
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16646_4_PRM_R00 **02**
07



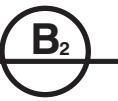
SECTION



SCALE: 1 1/2" = 1'-0"



SECTION



SCALE: 1 1/2" = 1'-0"

REVISIONS

No.	DESCRIPTION	Init.	Ver.	DATE yy-mm-dd
00	PERMIT	NL	RM	20-09-01
01				

REV:

**DO NOT CIRCULATE
OR PUBLISH**

m 4130, Highway 440 west
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montreal neon signs Phone : 450.668.4888
Phone : 514.955.3333
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FRANÇOIS LUSSIER

PROJECT MANAGER:
ROXANE METCALFE

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SERVICES LTD**
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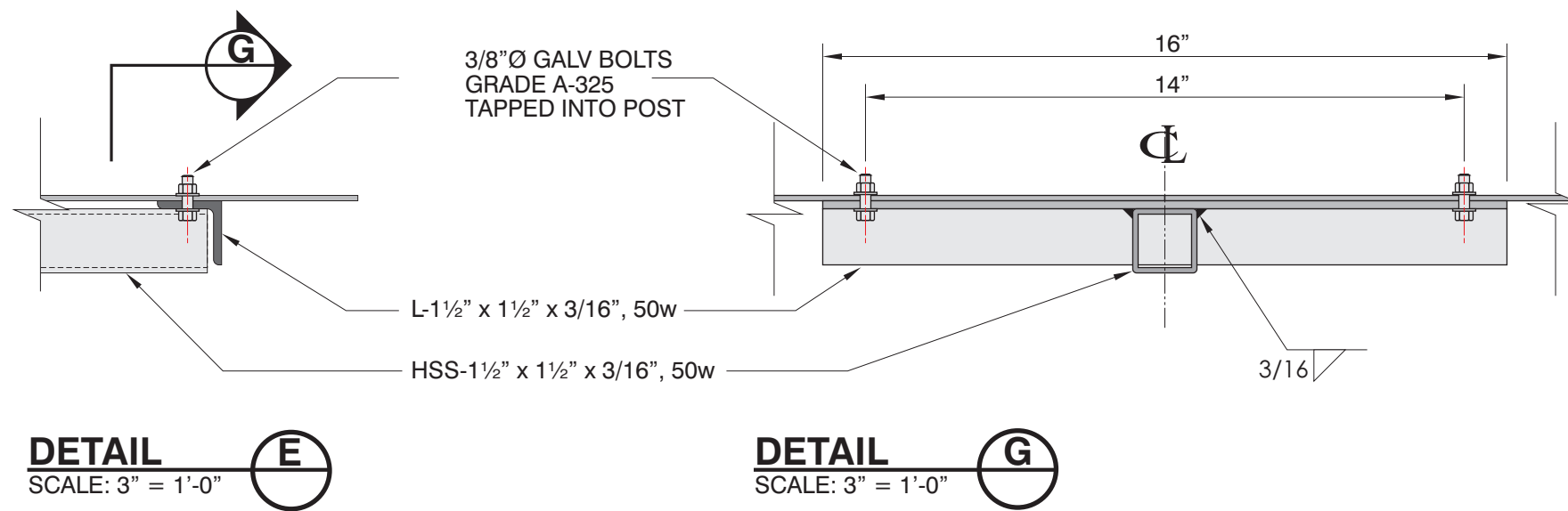
PROPERTY CODE:
YQSST

SITE/PROJECT:
HOLIDAY INN EXPRESS & SUITES
275 HIGHVIEW DRIVE
ST. THOMAS, ON N5R 5J5

TYPE OF PROJECT:
NEW BUILT

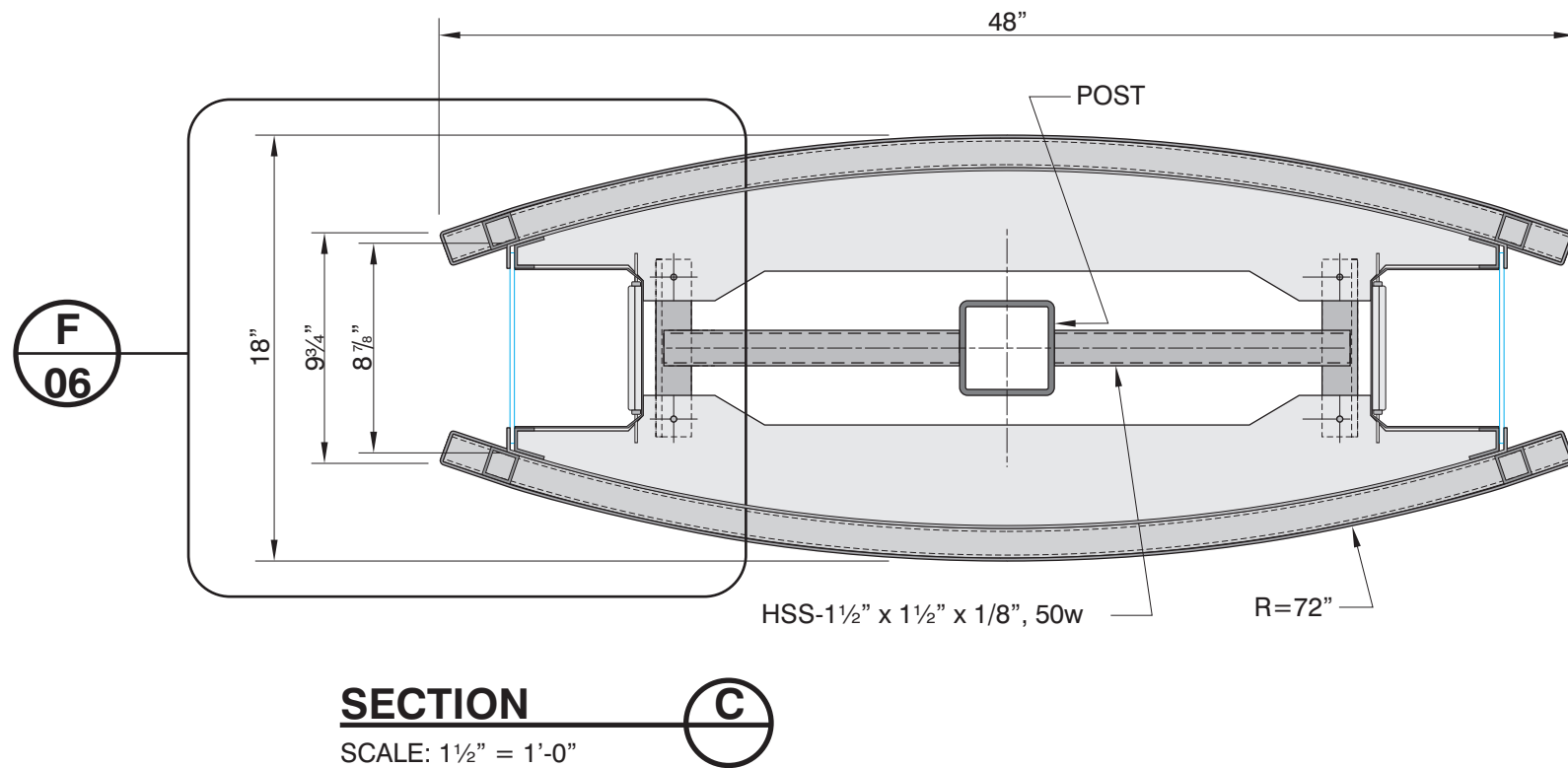
TITLE:
SITE PLAN

FILE:
16646_4_PRM_R00 **03
07**



DETAIL **E**
SCALE: 3" = 1'-0"

DETAIL **G**
SCALE: 3" = 1'-0"



SECTION **C**
SCALE: 1 1/2" = 1'-0"

REVISIONS				
No.	DESCRIPTION	Init.	Ver.	DATE yy-mm-dd
00	PERMIT	NL	RM	20-09-01
01				

REV:

**DO NOT CIRCULATE
OR PUBLISH**

m 4130, Highway 440 west
South service road
Laval (Québec) H7T 0H3
montreal neon signs Phone : 450.668.4888
Phone : 514.955.3333
Fax : 450.668.8822

www.montrealneon.com

ACCOUNT EXEC.:	FRANÇOIS LUSSIER
PROJECT MANAGER:	ROXANE METCALFE
CLIENT:	CHAMBERLAIN CONSTRUCTION SERVICES LTD 4671 PALLADIUM WAY SUITE 1 BURLINGTON, ON L7M 0W9
PROPERTY CODE:	YQSST
SITE/PROJECT:	HOLIDAY INN EXPRESS & SUITES 275 HIGHVIEW DRIVE ST. THOMAS, ON N5R 5J5
TYPE OF PROJECT:	NEW BUILT
TITLE:	SITE PLAN
FILE:	16646_4_PRM_R00

04
07

3/16" ACRYLIC TOP CAP
(TOP, SIDES, ENDS, FLANGE)
Continue. GLUE ALL EDGES
(SHIP LOOSE)

L-1 1/2" x 1 1/2" x 1/4", 50w
WELDED TO POST

ALUM FORMED CAP
SIMILAR TO PEDESTAL PANELS
ATTACHED TO TOP OF CABINET

1/8" ALUM CABINET

RACEWAY

L-2" x 2" x 1/4"
ALUM 6061-T6

LEDS

3/16" WHITE ACRYLIC FACE
W/ PRINTED GRAPHICS
APPLIED FIRST SURFACE

L-3" x 3" x 1/4" x 5"
ALUM 6061-T6
TYP TOP & BOTTOM

(PLATIC TOP CLOSURE)
L-1 1/2" x 1 1/2" x 1/8"

3/16" TRANSLUCENT
ACRYLIC PANEL
0.064" ALUM BAFFLE

TETRA POWER WHITE
LED MODULES
(ORIENTED VERTICALLY)

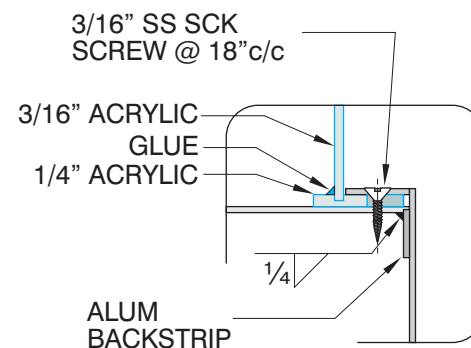
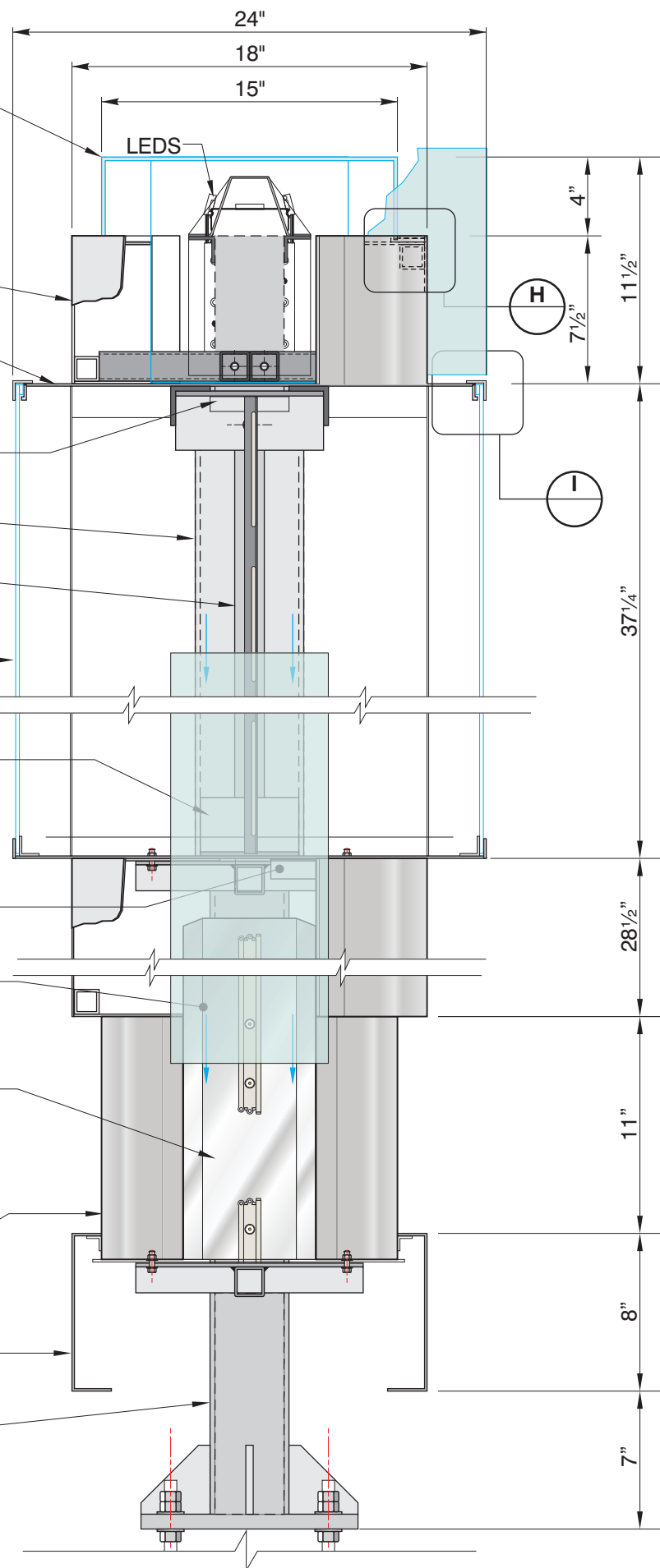
FORMED 1/8"
ALUM PANEL

ALUM BASE COVER
PAINTED

POST

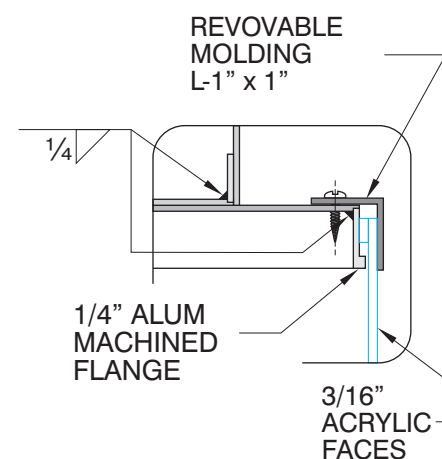
DETAIL

SCALE: 1/2" = 1'-0"



DETAIL

SCALE: 3" = 1'-0"



DETAIL

SCALE: 3" = 1'-0"



REVISIONS

No.	DESCRIPTION	Init.	Ver.	DATE yy-mm-dd
00	PERMIT	NL	RM	20-09-01
01				

REV:

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OR PUBLISH**

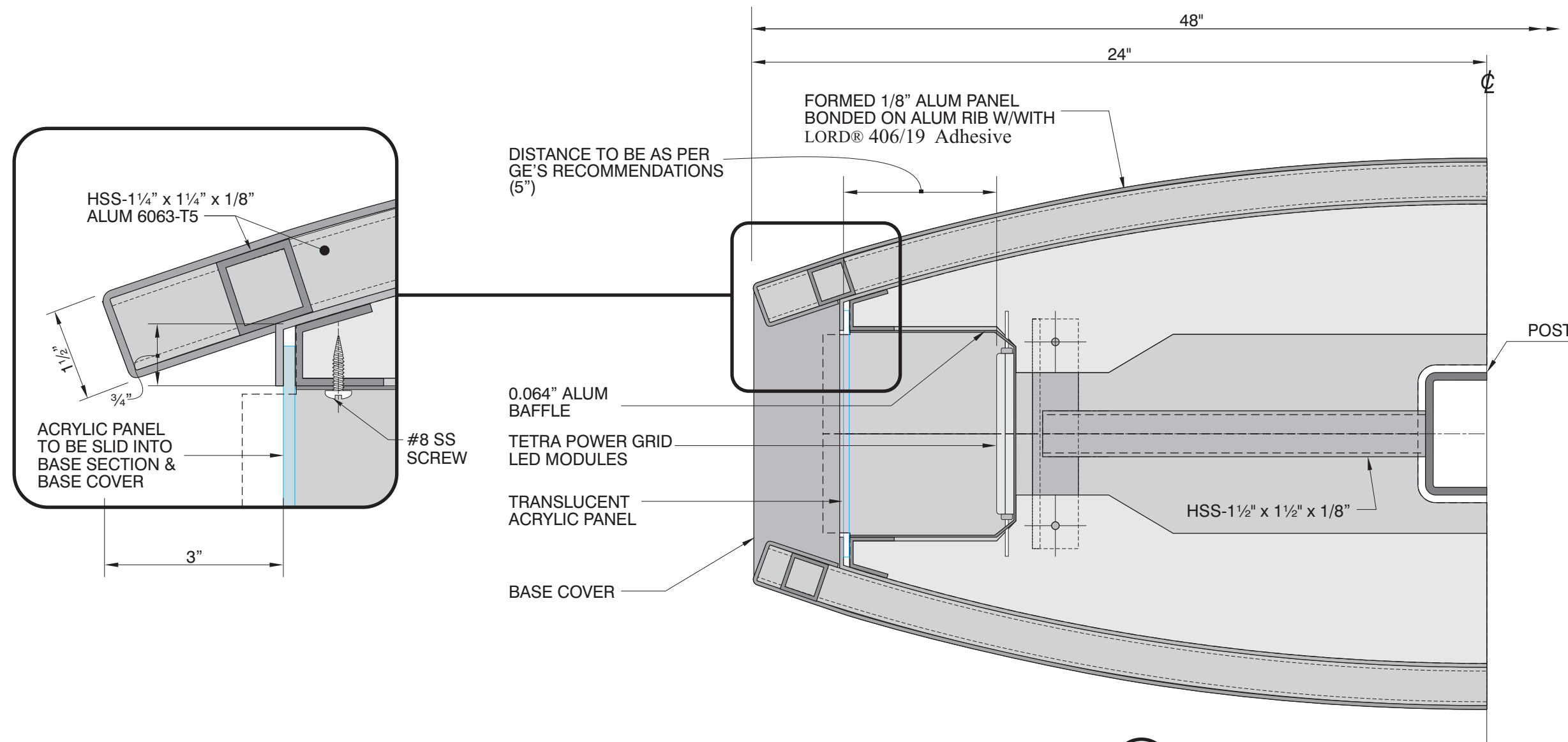


4130, Highway 440 west
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Laval (Québec) H7T 0H3
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Phone : 514.955.3333
Fax : 450.668.8822

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ACCOUNT EXEC.:	FRANÇOIS LUSSIER
PROJECT MANAGER:	ROXANE METCALFE
CLIENT:	CHAMBERLAIN CONSTRUCTION SERVICES LTD 4671 PALLADIUM WAY SUITE 1 BURLINGTON, ON L7M 0W9
PROPERTY CODE:	YQSST
SITE/PROJECT:	HOLIDAY INN EXPRESS & SUITES 275 HIGHVIEW DRIVE ST. THOMAS, ON N5R 5J5
TYPE OF PROJECT:	NEW BUILT
TITLE:	SITE PLAN

FILE:	16646_4_PRM_R00	05 07
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SECTION F
 SCALE: 1/2" = 1'-0"

REVISIONS				
No.	DESCRIPTION	Init.	Ver.	DATE yy-mm-dd
00	PERMIT	NL	RM	20-09-01
01				

REV:

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PROJECT MANAGER:
ROXANE METCALFE

CLIENT:
CHAMBERLAIN CONSTRUCTION SERVICES LTD
 4671 PALLADIUM WAY SUITE 1
 BURLINGTON, ON L7M 0W9

PROPERTY CODE:
YQSST

SITE/PROJECT:
HOLIDAY INN EXPRESS & SUITES
 275 HIGHVIEW DRIVE
 ST. THOMAS, ON N5R 5J5

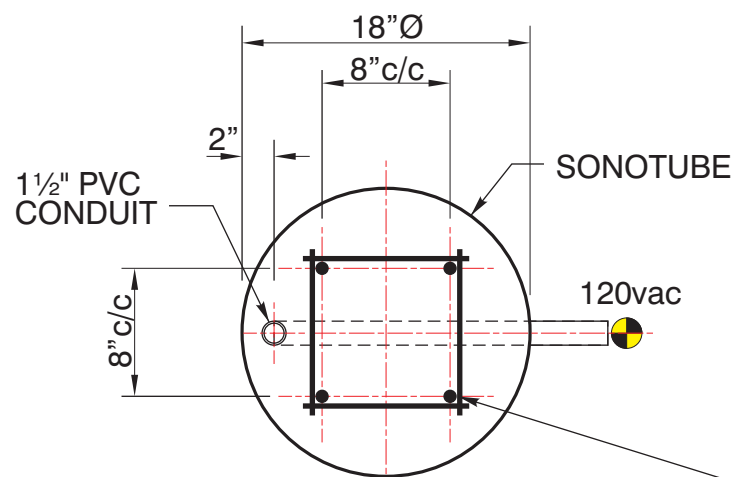
TYPE OF PROJECT:
NEW BUILT

TITLE:
SITE PLAN

FILE:
16646_4_PRM_R00 06
07

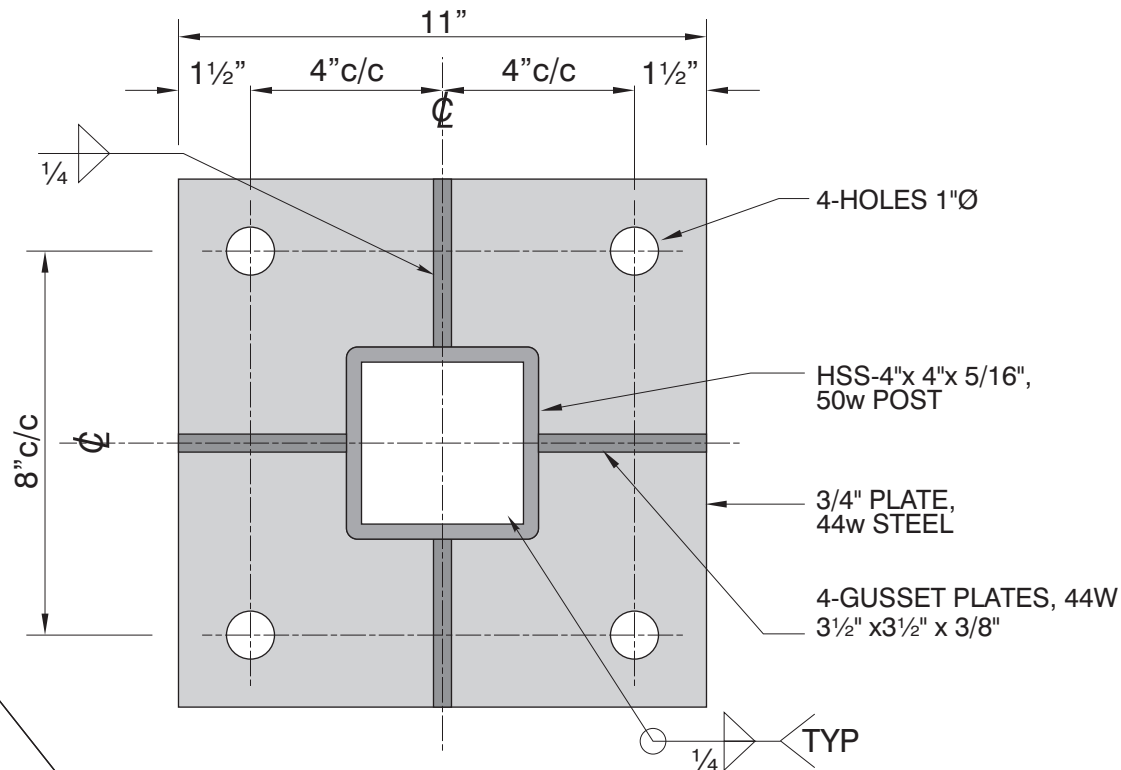
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00	PERMIT	NL	RM	20-09-01
01				

REV:



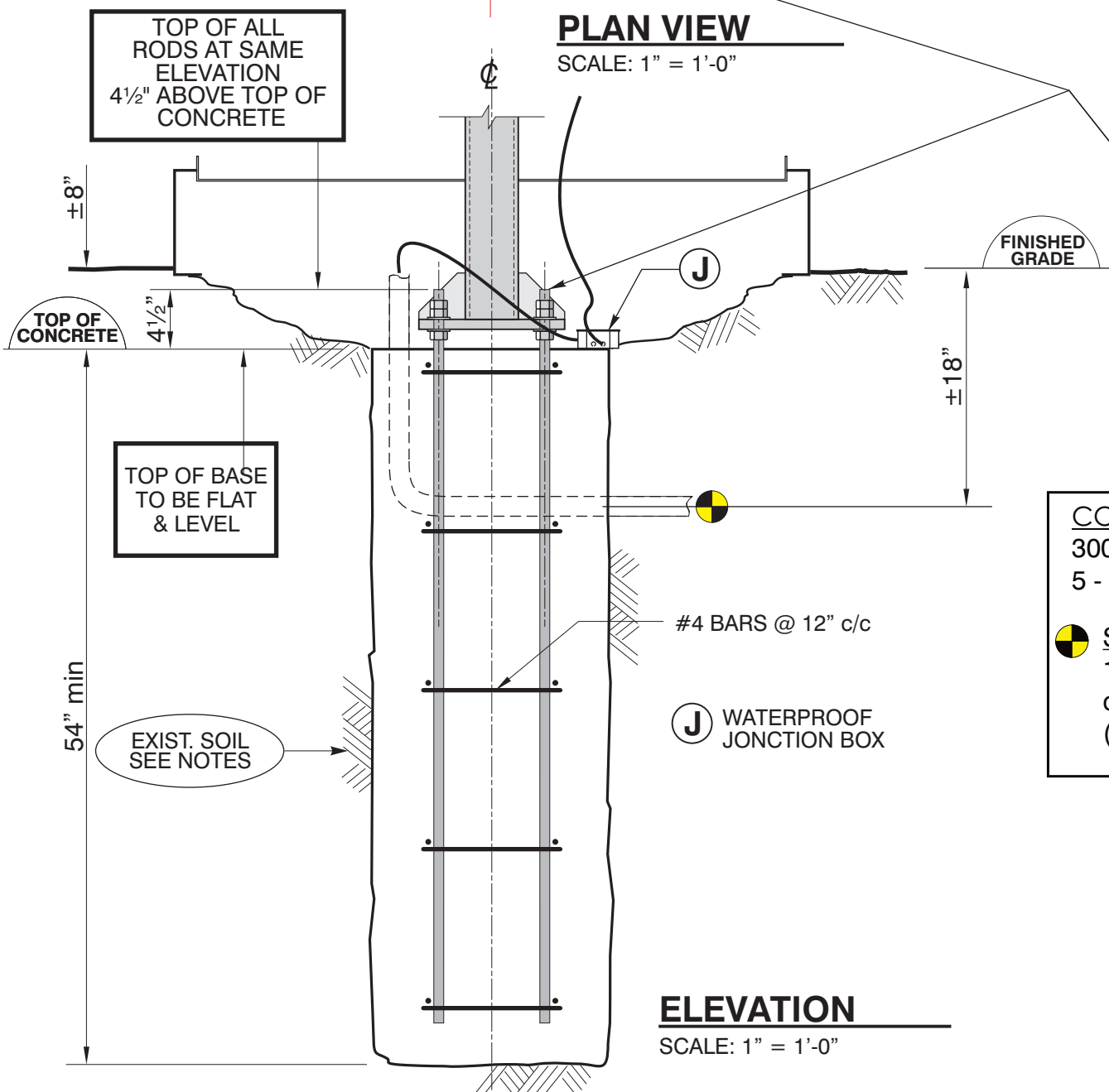
PLAN VIEW

SCALE: 1" = 1'-0"



BASE PLATE DETAIL

SCALE: 3" = 1'-0"



ELEVATION

SCALE: 1" = 1'-0"

4- ANCHOR RODS 3/4" DIA. x 48" LG.
REFER TO MTL-NEON'S ANCHOR ROD
STANDARD TABLE
 W/ GALVANIZED EXPOSED END,
 C/W GALV. TRIPLE NUTS & 2 GALV. FLAT. WASHERS.

MAKE SURE THAT THE ANCHORS
RODS ARE INSTALLED:
 1 - PLUMB.
 2 - TOP OF ALL RODS AT SAME ELEVATION
 (4 1/2" ABOVE TOP OF CONCRETE)
 3 - SQUARE AND PARALLEL TO EACH OTHER
 8" c/c SPACING BETWEEN RODS.

CONCRETE:
 3000 PSI @ 28 DAYS
 5 - 7% AIR.

SOURCE ELECT.:
 1 - CIRCUITS
 of 15 Amps @ 120V
 (BY OTHERS)

NOTES: VALIDITY CONDITIONS

- 1 - EXISTING SOIL MUST MEET THE FOLLOWING QUALITIES:
 - LOAD BEARING CAPACITY OF THE SOIL MUST BE MINIMUM
 VERT. = 2500 PSF & LATERAL = 250 PSF/F
 - UNDISTURBED WELL DRAINED NATURAL SOIL
- 2 - THE QUALITY OF THE SOIL MUST BE
 CONFIRMED BEFORE EXCAVATION
- 3 - CONTRACTOR IS TO VERIFY AND LOCATE
 ALL SERVICES BEFORE EXCAVATING.

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CLIENT:
CHAMBERLAIN CONSTRUCTION
SERVICES LTD
 4671 PALLADIUM WAY SUITE 1
 BURLINGTON, ON L7M 0W9

PROPERTY CODE:
YQSST

SITE/PROJECT:
HOLIDAY INN EXPRESS & SUITES
 275 HIGHVIEW DRIVE
 ST. THOMAS, ON N5R 5J5

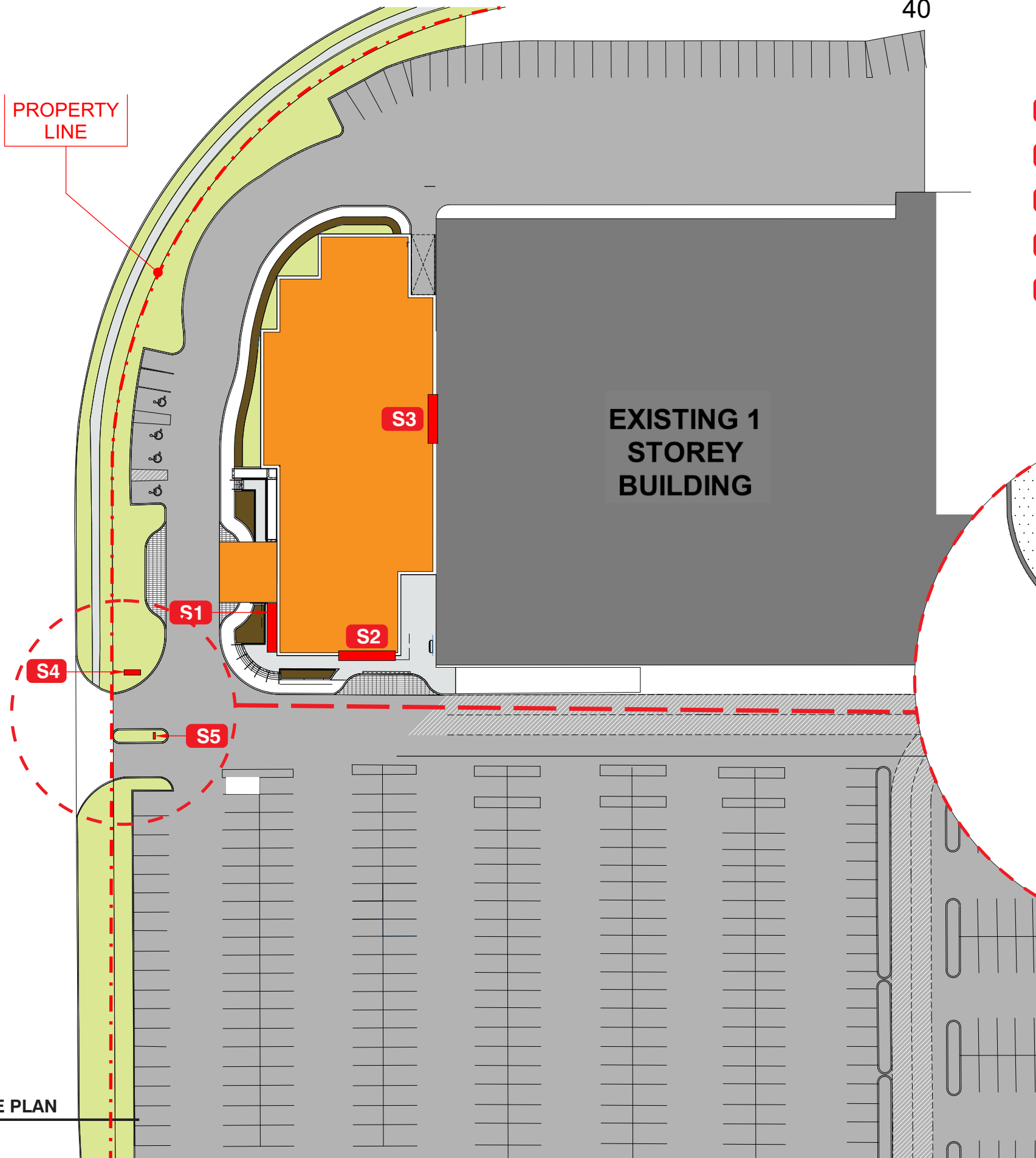
TYPE OF PROJECT:
NEW BUILT

TITLE:
SITE PLAN

FILE:
16646_4_PRM_R00

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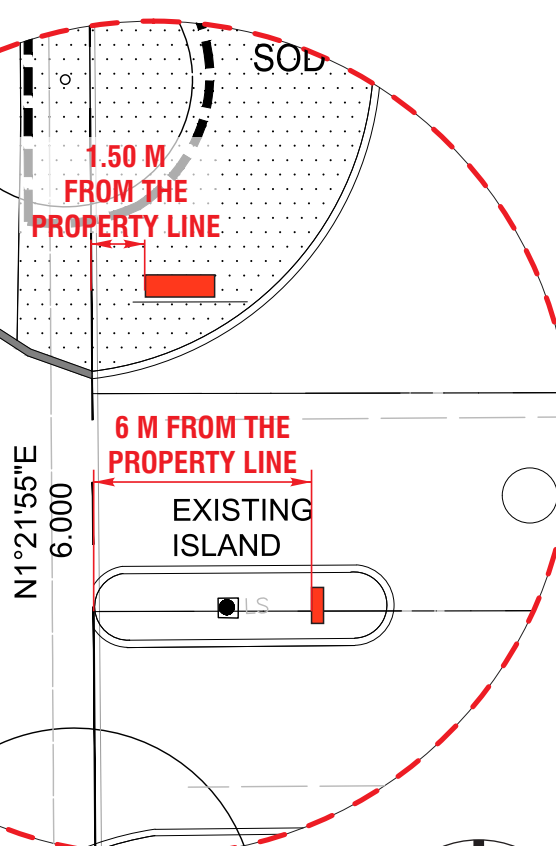
PROPERTY LINE



PROPOSED SIGNS

- S1** MONOGRAM & CHANNEL LETTERS XLS-LM-3'-1" W
- S2** MONOGRAM & CHANNEL LETTERS XLS-SM-6D
- S3** MONOGRAM & CHANNEL LETTERS XLS-LM-5'-6"W
- S4** MONUMENT XPS-20-8-0
- S5** DIRECTIONAL XDGIS-3

EXISTING 1 STOREY BUILDING



REVISIONS

No.	DESCRIPTION	Init.	Ver.	DATE yy-mm-dd
00	PERMIT	NL	RM	22-09-01
01	PERMIT	NL	RM	22-10-04
REV: CITY REQUEST				
02	PERMIT	RB	RM	22-11-30

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Laval (Québec) H7T 0H3
Phone : 450.668.4888
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ACCOUNT EXEC.:
FRANÇOIS LUSSIER

PROJECT MANAGER:
ROXANE METCALFE

CLIENT:
CHAMBERLAIN CONSTRUCTION SERVICES LTD
4671 PALLADIUM WAY SUITE 1
BURLINGTON, ON L7M 0W9

PROPERTY CODE:
YQSST

SITE/PROJECT:
HOLIDAY INN EXPRESS & SUITES
275 HIGHVIEW DRIVE
ST. THOMAS, ON N5R 5J5

TYPE OF PROJECT:
NEW BUILT

TITLE:
SITE PLAN


FILE:
16646_LOC_R02

01
01

SITE PLAN

CONFIDENTIAL:

DRAWINGS MUST NOT PUBLISHED OR SHARED WITH ANY OTHER PERSON OR THIRD PARTY, WITHOUT WRITTEN CONSENT FROM M.N.S.

 The Corporation of the City of St. Thomas	Report No.: COA16-2022
	Applicant: Jay Burstein
Members of the Committee of Adjustment	Report Date: December 22, 2022 Meeting Date: January 12, 2023
Location: 275 Highview Drive (Elgin Centre), 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 2020 Photograph
Recommendation: That: Report COA16-2022 be received.	

BACKGROUND

The applicant is proposing to construct a Holiday Inn Express & Suites monument style sign (S4) on the subject lands, as shown on the plans accompanying the application.

MINOR VARIANCE

- (i) To permit a monument style sign a minimum of 1.5m from the front lot line (Highview Drive), whereas Subsection 15.4.1.3 of the City of St. Thomas Zoning By-Law 50-88 requires a minimum front yard depth of 6m.

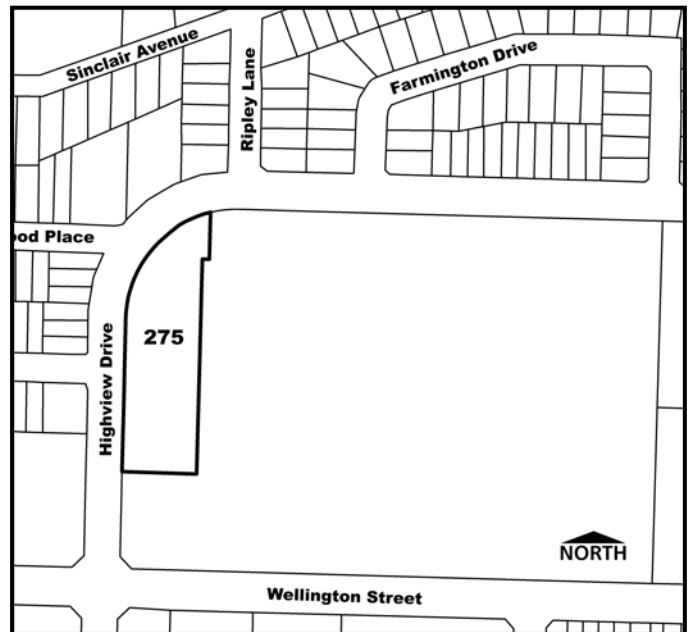
OFFICIAL PLAN

- The subject lands are within the "Major Commercial" designation, as shown on Schedule "A" (Land Use Plan) to the Official Plan for the City of St. Thomas.
- The "Major Commercial" designation permits a shopping centre, which is defined as a group of commercial establishments functioning as one unit with common parking facilities and access points (5.4.3.1).
- A hotel as an additional permitted use is permitted on the subject lands, the development of the lands for a hotel use is subject to site plan control and an amendment to the Zoning By-law (5.4.3.10).

ZONING BY-LAW

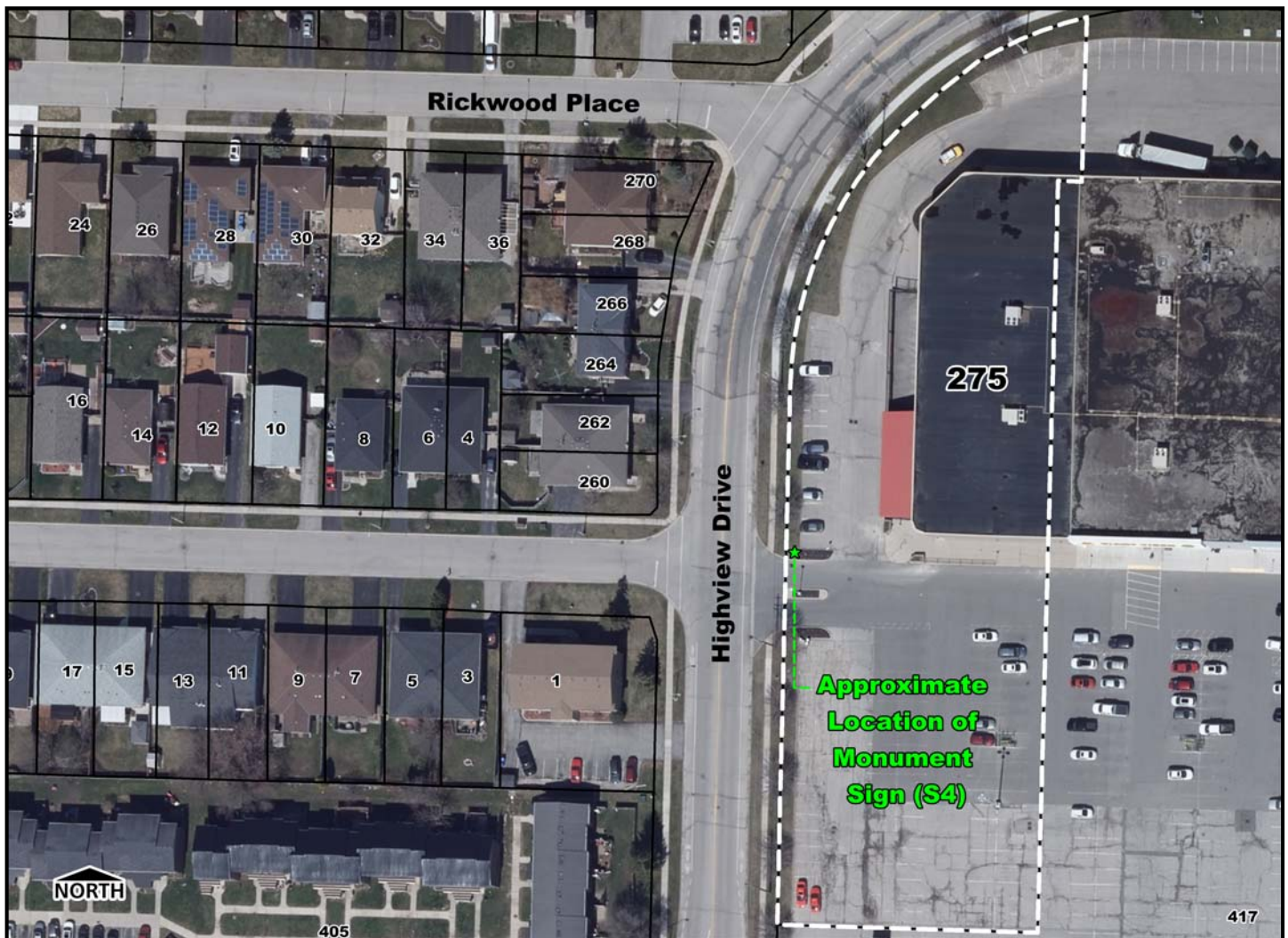
- The subject lands are within the Major Commercial Zone (C4-6), as shown on Zoning Map 18, City of St. Thomas Zoning By-Law 50-88.

Location Plan:



- Permitted uses of the C4 zone include, retail store, business office, personal service shop, restaurant, bakery, gas bar, automatic car wash, theatre and uses accessory to the foregoing (15.1).
- The special provisions of the C4-6 zone permit a shopping centre, outdoor sale of bushes, plants and flowers and related products, hotel, apartment dwelling and accessory uses (15.5.6(b)).
- Minimum Lot Area 79,700sqm (15.5.6(d)).
- Maximum Gross Leasable Floor Area 27,375sqm (15.5.6(e)).
- Minimum Front Yard Depth – 6m (15.4.1.3).
- Minimum Side Yard Depth – Wellington Street 5m (15.5.6(f)).
- Minimum Rear Yard Depth 11m (15.5.6(g)).
- Required Minimum Number of Parking Spaces 930 (15.5.6(h)).
- Maximum Building Height 5 storeys (15.5.6(i)).
- Parking – hotel use notwithstanding the provisions of 15.5.6(h), if a permitted hotel is severed through a consent subsequently given under section 53 of the Planning Act the number of parking spaces for the hotel shall be 92. The provisions of Section 15.5.6 and any other regulations of By-law 50-88 are hereby deemed to apply to the land as a whole and to any building or structure thereon in the same manner and to the same extent as if the consent was not given, so long as the land and any building or structure thereon are used and continue to be used for the purpose for which the development was approved (15.5.6(j)).

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 proposed variance is in support of the construction of a 2.43m (8ft) high x 1.91m (6ft/3¼in) wide monument style sign on the subject lands, which is considered an accessory structure to the Holiday Inn Express & Suites Hotel that is currently under construction on the subject lands.
- The applicant is proposing to locate the sign 1.5m from the front lot line (Highview Drive) to increase visibility for patrons of the Holiday Inn Express & Suites hotel, as there is an existing row of mature trees on the east side of the sidewalk along Highview Drive.
- According to the applicant's agent (Montreal Neon Signs) the proposed orientation of the sign (west/east) and illuminated colors (Blue/Green) will limit any adverse impacts to the Highview Drive right-of-way and residential properties to the west.
- The Site Plan for the Holiday Inn Express & Suites Hotel was approved on July 15, 2020, if the applicant is successful in obtaining a minor variance to locate the sign 1.5m from the front lot line (Highview Drive) the City will require an amended site plan to reflect this change.
- 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, staff recommend that minor variance application COA16-2022 be approved.
- Should the Committee of Adjustment approve Minor Variance Application COA16-2022, the decision should reflect that the Committee is approving a monument style sign (S4) a minimum of 1.5m from the front lot line (Highview Drive), as shown on the plans accompanying the application and subject to the approval of the Site Plan Control Committee.

Respectfully submitted,



Steve Craig
Senior Planning Technician