



**Agenda
Committee of Adjustment**

December 18, 2019

6:00 pm

Municipal Operations Centre
408 James Street South, St. Marys

Pages

1. **CALL TO ORDER**

2. **DECLARATION OF PECUNIARY INTEREST**

3. **AMENDMENTS AND APPROVAL OF AGENDA**

RECOMMENDATION

THAT the December 18, 2019 Committee of Adjustment agenda be accepted as presented.

4. **ACCEPTANCE OF MINUTES**

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RECOMMENDATION

THAT the August 7, 2019 Committee of Adjustment minutes be approved and signed by the Chair and the Secretary / Treasurer.

5. **REPORTS**

5.1 Consent to Sever Application (File B05-2019) by McLean Taylor Construction Limited 478 Water Street South, Part of Lot 35, Thames Concession, Parts 1, 2 and 3, Plan 44R-5588, Town of St. Marys

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RECOMMENDATION

THAT the Application for Consent to Sever by McLean Taylor Construction Limited (Application No. B05-2019) affecting a parcel of land described as 478 Water South, Part of Lot 35, Thames Concession, Parts 1, 2 and 3, Plan 44R-5588 in the Town of St. Marys for the purpose of severing a lot into two lots be **APPROVED** as the severance proposal conforms to the policies of the Official Plan, subject to the following conditions:

- The Certificate of the Official must be issued by the Secretary-Treasurer for Committee of Adjustment within a period of one year from the date of the mailing of the Notice of Decision;
- Confirmation from the Town's Treasury Department that their financial requirements have been met;
- The Committee be provided with a description that is consistent with the application and equal to that required for registration of a deed/transfer or other conveyance of interest in land under the provisions of the Registry Act or Land Titles Act; and,
- Confirmation be received from the solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer.

5.2 Consent to Sever and Minor Variance Applications (Files B06-2019 and A07-2019) by Barbara and Larry Ford, 43 and 53 Thomas Street, Registered Plan 235, Lots 5-8, Town of St. Marys

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RECOMMENDATION

THAT the Application for Minor Variance by Barbara and Larry Ford (Application No. A07-2019) affecting a parcel of land described as 43 and 53 Thomas Street, Registered Plan 235, Lots 5-8 in the Town of St. Marys to permit a:

- minimum front yard of 0.7 metres (Severed Lot) and 4.4 metres (Retained Lot) whereas the maximum permitted under Section 11.2.4 of the Zoning By-law is 6.0 metres

be **APPROVED** as the request conforms to the general intent and

purpose of the Official Plan and the Zoning By-law, is considered minor in nature, and is desirable for the appropriate development or use of the subject property, subject to the following condition:

- This approval is granted only to the nature and extent of this application being relief to permit a minimum front yard of 0.7 metres (Severed Lot) and 4.4 metres (Retained Lot) whereas the maximum permitted under Section 11.2.4 of the Zoning By-law is 6.0 metres.

THAT the Application for Consent to Sever by Barbara and Larry Ford (Application No. B06-2019) affecting a parcel of land described as 43 and 53 Thomas Street, Registered Plan 235, Lots 5-8 in the Town of St. Marys for the purpose of severing a lot into two lots be **APPROVED** as the severance proposal conforms to the policies of the Official Plan, subject to the following conditions:

- That the Certificate of the Official must be issued by the Secretary-Treasurer for Committee of Adjustment within a period of one year from the date of the mailing of the Notice of Decision;
- Confirmation from the Town's Treasury Department that their financial requirements have been met;
- The Committee be provided with a description that is consistent with the application and equal to that required for registration of a deed/transfer or other conveyance of interest in land under the provisions of the Registry Act or Land Titles Act; and,
- Confirmation be received from the solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer.

6. UPCOMING MEETINGS

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7. ADJOURNMENT

RECOMMENDATION

THAT this Committee of Adjustment meeting adjourn at _____pm.



MINUTES
Committee of Adjustment

August 7, 2019

6:00 pm

Boardroom, Municipal Operations Centre

Members Present: Chair Steve Cousins
Bill Galloway
Stephen Glover
Paul King
Jim Loucks

Staff Present: Mark Stone, Planner
Grant Brouwer, Chief Building Official
Jenna McCartney, Deputy Secretary - Treasurer

Others Present: Kipp Edwards, Applicant
Jen Habermehl, Applicant
Evan Habermehl, Applicant
Robin Fink, Applicant
Tara Porter, Agent for Robin Fink
Janet Edye, Applicant

1. CALL TO ORDER

Chair Cousins called the meeting to order at 6:00 pm.

2. DECLARATION OF PECUNIARY INTEREST

Stephen Glover declared a conflict of interest for agenda item 5.1 as he is employed by the applicant. Mr. Glover also declared a conflict of interest for agenda item 5.4 as he is the purchaser of the severed lot.

3. AMENDMENTS AND APPROVAL OF AGENDA

Moved By Bill Galloway

Seconded By Stephen Glover

THAT the August 7, 2019 Committee of Adjustment agenda be accepted as presented.

CARRIED

4. ACCEPTANCE OF MINUTES

Moved By Bill Galloway

Seconded By Jim Loucks

THAT the June 19, 2019 Committee of Adjustment minutes be approved and signed by the Chair and the Secretary / Treasurer.

CARRIED

5. REPORTS

5.1 Minor Variance Application (File A04-2019) by Kipp Edwards 10 Maxwell Street Part of Block C, Registered Plan 492, Being Part 4, Plan 44R-1517, Town of St. Marys

Having declared a conflict of interest, Stephen Glover vacated his seat at the Committee table.

Chair Cousins welcomed the applicant and asked the Planner, Mark Stone to speak to the application.

Mr. Stone provided an overview of the planning application to the Committee.

Chair Cousins asked the applicant if he wished to speak to the application.

Kipp Edwards had nothing further to add.

Chair Cousins asked if the Committee had any questions.

No questions were presented.

Moved By Bill Galloway

Seconded By Jim Loucks

THAT the Application for Minor Variance by Kipp Edwards (Application No. A04-2019) affecting a parcel of land described as 10 Maxwell Street, Part of Block C, Registered Plan 492, Being Part 4, Plan 44R-1517, in the Town of St. Marys to permit:

- a maximum total lot coverage of 6.7 percent for accessory buildings and structures whereas Section 5.1.5A(b) of Zoning By-law No. Z1-1997, as amended, permits a maximum total lot coverage of 5.0 percent,

be APPROVED as the request conforms to the general intent and purpose of the Official Plan and the Zoning By-law, is considered minor in nature, and is desirable for the appropriate development or use of the subject property, subject to the following conditions:

1. This approval is granted only to the nature and extent of this application being relief to permit a detached accessory garage with a maximum total lot coverage for accessory buildings and structures measuring a total of 88 m² or 6.7% of the lot area.
2. Required building permit(s) shall be obtained within one (1) year of the Committee's decision.
3. The space for the proposed detached accessory garage shall not be used for home occupation or any other business.

CARRIED

5.2 Minor Variance Application (File A05-2019) by Evan and Jen Habermehl 11 St. John Street North Plan 225, Part Lots 31 and 32 E/S St. John Block 0, Town of St. Marys

Stephen Glover returned to his seat at the Committee table.

Mark Stone provided an overview of the planning application to the Committee.

Chair Cousins asked the applicants if they wished to speak to the application.

Mr. and Mrs. Habermehl had nothing further to add.

Chair Cousins asked the Committee if there were any questions.

Bill Galloway asked the Planner the reason why the applicant cannot comply with the minimum set back requirements.

Mr. Stone stated that the minimum set back would move the addition back a considerable amount and would impact the design and available living space.

Stephen Glover inquired about the original proposed width of the garage door.

Tara Porter, not acting as an agent for the applicants but assisting with the process, stated that the original width was 16 feet (4.9m).

Mr. Stone stated that staff felt the ability to maneuver two vehicles into the garage at it's proposed width may be troublesome and therefore, the staff recommendation is for 5.4 metres in compliance with the minimum width requirement of the Zoning By-law.

Moved By Bill Galloway

Seconded By Stephen Glover

THAT the Application for Minor Variance by Evan and Jen Habermehl (Application No. A05-2019) affecting a parcel of land described as 11 St. John Street North, Plan 225, Part Lots 31 and 32 E/S, in the Town of St. Marys to permit:

- a minimum front yard setback of 1.6 metres for the proposed addition to the existing dwelling whereas Section 10.2.4 of Zoning By-law No. Z1-1997, as amended, requires a minimum front yard setback of 6.0 metres,

be APPROVED as the request conforms to the general intent and purpose of the Official Plan and the Zoning By-law, is considered minor in nature, and is desirable for the appropriate development or use of the subject property, subject to the following conditions:

1. This approval is granted only to the nature and extent of this application being relief to permit an addition onto the north side of the existing dwelling with a minimum front yard setback of 1.6 metres.
2. Required building permit(s) shall be obtained within one (1) year of the Committee's decision.
3. The owner of the lands at 11 John Street North shall enter into an encroachment agreement with the Town of St. Marys to recognize the attached porch, stairs and retaining wall partially encroaching onto the Town's road allowance.
4. The drawings/plans submitted with the required building permit application shall show a minimum width of 5.4 metres for the garage door.

CARRIED

5.3 Minor Variance Application (File A06-2019) by Robin Fink 151 Jones Street West Plan 207, Lot 8 N/S Jones, Town of St. Marys

Mr. Stone provided an overview of the planning application to the Committee.

Chair Cousins asked the applicant and the agent if they wished to speak to the application.

Tara Porter, agent for the applicant, had nothing further to add.

Ms. Fink, applicant, stated that she has difficulty shoveling snow over the existing retaining wall and railing in the winter and the carport would be helpful in reducing this work.

Chair Cousins asked the Committee if there were any questions.

Stephen Glover asked for an explanation of the proposed half wall of the carport.

Ms. Porter stated that the half wall is located at the back of the carport and further to the half wall are steps to the lower elevation.

Moved By Steve Glover

Seconded By Paul King

THAT the Application for Minor Variance by Robin Fink (Application No. A06-2019) affecting a parcel of land described as 151 Jones Street West, Plan 207, Lot 8 N/S Jones, in the Town of St. Marys to permit:

- a minimum front yard setback of 3.35 metres whereas Section 10.2.4 requires 6.0 metres, and,
- a minimum interior yard setback of 1.12 metres whereas Section 10.2.5 requires 1.5 metres,

be APPROVED as the request conforms to the general intent and purpose of the Official Plan and the Zoning By-law, is considered minor in nature, and is desirable for the appropriate development or use of the subject property, subject to the following conditions:

1. This approval is granted only to the nature and extent of this application being relief to permit a minimum front yard setback of 3.35 metres and a minimum interior yard setback of 1.12 metres for a proposed carport addition.
2. Required building permit(s) shall be obtained within one (1) year of the Committee's decision.

3. The owner of the lands at 151 Jones Street West shall enter into an encroachment agreement with the Town of St. Marys to recognize the attached porch and stairs partially encroaching onto the Town's road allowance.

CARRIED

5.4 Consent Application (File B03-2019) by Janet Edye 81 Huron Street North, Lots 21, 25, 26 and 27 and Part Lot

Having declared a conflict of interest, Stephen Glover vacated his seat at the Committee table.

Mark Stone provided an overview of the planning application to the Committee.

Chair Cousins asked the applicant if she wished to speak to the application.

Ms. Edye had nothing further to add.

Chair Cousins asked the Committee if there were any questions.

Nothing was presented.

Moved By Bill Galloway

Seconded By Paul King

THAT the Application for Consent by Janet Edye (Application No. B03-2019) affecting a parcel of land described as 81 Huron Street North, Lots 21, 25, 26 and 27, and Part Lot 22, Registered Plan 236, in the Town of St. Marys, for the purpose of conveying a portion of the property as a lot addition to the lot that abuts the subject property to the south and west (municipally known as 85 Huron Street North) be APPROVED as the severance proposal conforms to the policies of the Official Plan, subject to the following conditions:

1. The Certificate of the Official must be issued by the Secretary-Treasurer for Committee of Adjustment within a period of one year from the date of the mailing of the Notice of Decision;
2. Confirmation from the Town's Treasury Department that their financial requirements have been met;
3. The Committee must be provided with a description that is consistent with the application and equal to that required for registration of a

deed/transfer or other conveyance of interest in land under the provisions of the *Registry Act* or *Land Titles Act*;

4. Confirmation be received from the solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer;
5. Undertaking from the solicitor that the parcels will be consolidated under Land Titles onto one P.I.N.; and,
6. That the severed parcel be deeded as a lot addition only, to the property abutting in accordance with Section 50 (3 or 5) of the *Planning Act*, R.S.O. 1990.

CARRIED

6. UPCOMING MEETINGS

Stephen Glover returned to his seat at the Committee table.

Chair Cousins reviewed the upcoming meetings as presented on the agenda.

7. ADJOURNMENT

Moved By Bill Galloway

Seconded By Stephen Glover

THAT this Committee of Adjustment meeting adjourn at 6:40 pm.

CARRIED

Steve Cousins, Chair

Jenna McCartney, Deputy Secretary - Treasurer



INFORMATION REPORT

To: Chair and Members of Committee of Adjustment

Prepared by: Mark Stone, Planner

Date of Meeting: 18 December 2019

Subject: **Consent to Sever Application (File B05-2019)
by McLean Taylor Construction Limited
478 Water Street South, Part of Lot 35, Thames Concession,
Parts 1, 2 and 3, Plan 44R-5588, Town of St. Marys**

RECOMMENDATION

Subject to review of submissions/comments considered at the public hearing, the following recommendation is made:

THAT the Application for Consent to Sever by McLean Taylor Construction Limited (Application No. B05-2019) affecting a parcel of land described as 478 Water South, Part of Lot 35, Thames Concession, Parts 1, 2 and 3, Plan 44R-5588 in the Town of St. Marys for the purpose of severing a lot into two lots be APPROVED as the severance proposal conforms to the policies of the Official Plan, subject to the following conditions:

- 1) The Certificate of the Official must be issued by the Secretary-Treasurer for Committee of Adjustment within a period of one year from the date of the mailing of the Notice of Decision;
- 2) Confirmation from the Town's Treasury Department that their financial requirements have been met;
- 3) The Committee be provided with a description that is consistent with the application and equal to that required for registration of a deed/transfer or other conveyance of interest in land under the provisions of the Registry Act or Land Titles Act; and,
- 4) Confirmation be received from the solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer.

REPORT

The 7,280.2 m² (1.8 ac) vacant subject property fronts onto the west side of Water Street South, between Front Street South and Washington Street as shown on the general and specific location maps (refer to Attachment 2 of this report).

The owner has applied for consent to divide the subject property into two parcels, as shown on the severance sketch provided with this report (Attachment 3) and summarized in Table 1 below, to allow for future development on each lot.

Table 1: Dimensions of Proposed Lots

	Retained	Severed
Lot Area (m²)	3,505.2	3,775
Lot Frontage (m)	63.146	63.146
Average Depth (m)	55.62	59.01

SURROUNDING LAND USES

- Northwest:** Open space
- Southeast:** Water Street South, McDonald House property (481 Water S) and Baseball Hall of Fame
- Northeast:** Low density residential
- Southwest:** St. Marys Veterinary Clinic

PLANNING CONTEXT

Provincial Policy Statement

The Provincial Policy Statement promotes development in settlement areas with densities and a mix of land uses which efficiently use land, infrastructure and public service facilities.

Official Plan

The subject property is designated Highway Commercial according to the Town’s Official Plan. The Highway Commercial designation is intended to “provide for a range of commercial uses appropriate to meet the needs of the local residents and the travelling public which compliments the role and function of the central commercial area” (Objective 3.3.1.1). Uses permitted in the Highway Commercial designation are set out in Section 3.3.2.2 of the Official Plan:

- Uses that cater to the travelling public, particularly automobile-oriented uses, and other uses such as drive-thru or fast food restaurants, automobile sales and service establishments, gasoline bars, lodging establishments, garden centres, hardware/automotive type uses, and lumber yards shall be permitted.
- Other uses that have extensive land requirements and are not appropriate for the central commercial area such as large plate retail uses, strip malls, shopping centres, large scale business and professional offices, and factory outlets may also be permitted in accordance with Section 3.3.2.3.

Section 4.2.1 of the Official Plan sets out general consent policies. Section 4.2.1.6, Size Requirements, states that “the lot frontage, depth, and size of any parcel of land created by consent (severed or retained portion) shall be adequate for the proposed use of the land and consistent where possible with adjacent lots. The Committee of Adjustment shall be satisfied that the proposed parcel(s) can be properly integrated into the anticipated urban development of the area. Both the severed lot and the retained lot created as a result of a consent shall conform to the provisions of the implementing Zoning By-law”.

Section 4.2.1.9, Compatibility of Land Uses, states that “compatibility with neighbouring land uses shall be considered during the review of all consent applications. Where adverse effects could occur as a

result of the proximity of non-compatible land uses, adequate screening or buffering provisions may be required in order to reduce or eliminate the non compatibility”.

Zoning By-law

The subject property is zoned Highway Commercial Zone (C3-8) according to the Town’s Zoning By-law Z1-1997, as amended. The proposed severed and retained lots comply with the minimum lot area and frontage requirements of the C3-8 Zone.

COMMUNICATIONS

Notice of the Public Hearing was given by first class mail to all land owners within 60 metres (200 feet) of the land affected by the proposed consent and to those agencies as prescribed by Regulation, and signage advertising the meeting was posted on the property.

At the time of preparing this report, no comments had been received from Town departments, agencies or the public.

PLANNING ANALYSIS

Based on a review of the Provincial Policy Statement and the Town Official Plan, key policies are discussed below in considering the appropriateness of the proposed consent to sever:

- The frontage, depth and size of the proposed lots will be sufficient to accommodate uses permitted according to applicable zoning
- The proposed consent will not result in undersized lots, are for convenience purposes, and involves the minimum amount of land
- The proposed development represents efficient use of land and existing infrastructure such as existing roads and sewer/water services
- The proposed lots will have frontages and areas similar to lots in the surrounding area
- Compatibility of future land uses and development will be assessed as part of the review of site plan applications required for the each property

SUMMARY

The Application is consistent with the principles of the Provincial Policy Statement and conforms with the policies of the Town’s Official Plan, and will allow for appropriate future development. It is recommended that the Committee approve the Application for Consent subject to the conditions listed in the Recommendation section of this report.

ATTACHMENTS

- 1) Application for Consent to Sever
- 2) General and Specific Location Maps
- 3) Severance Sketch

Recommended by the Department



Mark Stone
Planner



Corporation of the
the Town of St. Marys

Application for Consent
(Under Section 53 of the Planning Act)

File No. B 05-2019

Instructions

Each application must be accompanied by the application fee in the form of either cash or a cheque payable to the Town. An accurate scaled drawing of the subject land must be submitted.

If the applicant is not the owner of the subject land, a written statement by the owner which authorizes the applicant to act on behalf of the owner as it relates to the subject application, must accompany the application (See Section 13.0).

In addition, the applicant may be required to submit a more detailed site plan in accordance with Section 41 of the Planning Act.

Completeness of the Application

The information in this form that must be provided by the applicant is indicated by black arrows (▶) on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulation 197/96 made under the Planning Act. The mandatory information must be provided with the appropriate fee and a scaled drawing. If the mandatory information is not provided, the Town will return the application or refuse to further consider the application.

To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Approval Process

Upon receipt of an application, the required fee and other information (as required) the Secretary of the Committee of Adjustment will determine whether the application is complete. Once complete, a notice of hearing will be circulated as required by the Ontario Planning Act. The applicant is encouraged to attend the hearing to present the proposal. The applicant will be provided notice of any decision made by the Committee concerning the application. If no notice of appeal is given within twenty days, the decision of the Committee is final and binding.

For Help

To help you complete the application form, please consult the Building Department in the Town Hall. You can also call the Building Department at (519) 284-2340.

Please Print and Complete or (✓) Appropriate Box(es)

1.0 Application Information

▶ 1.1 Name of Owner(s) An owner's authorization is required if the applicant is not the owner (See Section 11.0)

Name of Owner(s) <u>McLean Taylor Construction Limited</u>	Home Telephone No.	Business Telephone No. <u>(519) 284-2580</u>
Address <u>25 Water Street N, St. Marys</u>	Postal Code <u>N4X 1B1</u>	Fax No.

▶ 1.2 Agent/Applicant - Name of the person who is to be contacted about the application, if different than the owner. (This may be a person or Company acting on behalf of the owner.)

Name of Contact Person (and Company) <u>SCOTT Taylor</u>	Home Telephone No.	Business Telephone No. <u>(519) 284-2580</u>
Address <u>25 Water St. N St. Marys</u>	Postal Code <u>N4X 1B1</u>	Fax No.

▶ 2.0 Location and Size of the Subject Land (Severed and Retained Parcels)

Street No. <u>478</u>	Name of Street/Road <u>Water Street S</u>	Registered Plan No.	Lot(s)/Block(s) <u>LOT 35</u>
Reference Plan No. <u>44 R55 88</u>	Part Number(s) <u>1, 2, 3</u>	Concession Number(s)	Lot Number(s) <u>35</u>
Lot Frontage <u>126.292 M</u>	Average Width <u>126.292 M</u>	Average Depth <u>56.7 M</u>	Lot Area <u>0.73 hectare</u>

▶ 2.1 Is there a mortgage or charge in respect of the subject land? Yes No If yes, give the names and addresses of any mortgages or charges

▶ 2.2 Are there any easements or restrictive covenants affecting the subject land? Yes No If yes, describe the easement or covenant and its effect.

▶ 2.3 When were the subject lands acquired by the current owner?
March 12, 2019

▶ 3.0 Type and purpose of proposed transaction: (check appropriate space)

Conveyance for: i) creation of new lot or ii) addition to existing lot
If lot addition, identify the land to which parcel will be added:

Mortgage or Charge
 Partial Discharge of Mortgage
 Lease
 Easement/Right-of-way
 Correction of Title
 Other(Specify) _____

▶ 3.1 Name of Person(s) (purchaser, lessee, mortgagee, etc.) To whom interest in land is intended to be conveyed, leased or charged:
Kirkton Veterinary CLINIC Professional Corporation
Relationship to owner: Third Party

▶ 3.2 Description of land:

a) Dimensions of Land -	
To be severed:	To be retained:
Description	Description
Frontage	Frontage
Average Width	Average Width
Depth	Depth
Area	Area
<u>South Half</u>	<u>North Half</u>
<u>63.146</u>	<u>63.146</u>
<u>63.146</u>	<u>63.146</u>
<u>60.111</u>	<u>53.340</u>
<u>0.38 hectare</u>	<u>0.35 hectare</u>

➤ 3.3 Use of land (please check appropriate space):

To be severed:	Existing	Proposed	To be retained:	Existing	Proposed
Urban Residential	<input type="checkbox"/>	<input type="checkbox"/>	Urban Residential	<input type="checkbox"/>	<input type="checkbox"/>
Rural Residential	<input type="checkbox"/>	<input type="checkbox"/>	Rural Residential	<input type="checkbox"/>	<input type="checkbox"/>
Commercial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Commercial	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>	Agricultural	<input type="checkbox"/>	<input type="checkbox"/>
Institutional	<input type="checkbox"/>	<input type="checkbox"/>	Institutional	<input type="checkbox"/>	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>
Explanation:			Explanation:		

➤ 4.0 Proposed and Current Land Use

➤ 4.1 What is the proposed use of the subject land?
Commercial

➤ 4.2 What is the current use of the subject land?
Commercial

➤ 4.3 How is the subject land currently designated in the Official Plan?
Highway Commercial

➤ 4.4 How is the subject land currently zoned in the Zoning By-law?
Highway Commercial (C3-8)

➤ 4.5 Provide the following details for all buildings, both existing or proposed. (Attach an additional page if necessary)

	Existing Buildings	Proposed Buildings		Existing Buildings	Proposed Buildings
4.5.1 Front Yard	<u>///</u>		4.5.5 Height	<u>///</u>	
4.5.2 Rear Yard	<u>///</u>		3.5.6 Dimensions	<u>///</u>	
4.5.3 Side Yard	<u>///</u>		4.5.7 Gross Floor Area	<u>///</u>	
4.5.4 Side Yard	<u>///</u>		4.5.8 Date Constructed	<u>///</u>	

➤ 5.0 Previous Industrial or Commercial Uses

5.1 Has there been an industrial or commercial use on the subject land or adjacent land? If Yes, specify the uses and dates. Yes No

5.2 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites? Yes No

5.3 What information did you use to determine the answers to the above questions? Phase II ESA Study

5.4 If Yes, to (5.1), (5.2) or (5.3), a previous use inventory showing all former uses of the subject land, or if appropriate, the adjacent land, is needed.
Is the previous use inventory attached? Yes No

Adjacent to Abandoned Rail Line
Snow Storage

➤ 6.0 Status of Other Applications under the Planning Act

Is the subject land also the subject of an application for an Official Plan Amendment, Consent, approval of a Site Plan, Minor Variance, Zoning By-law Amendment or Zoning Order Amendment? Yes No If Yes, indicate the type of application, the file number and the status of the application.

➤ 7.0 Servicing

7.1 Indicate the existing/proposed servicing type for the subject land.

Sewage Disposal	Existing	Proposed	Water Supply	Existing	Proposed
a) Public piped sewage system		<input checked="" type="checkbox"/>	a) Public piped water system		<input checked="" type="checkbox"/>
b) Public or private communal septic			b) Public or private communal well(s)		
c) Individual septic system(s)			c) Individual well(s)		
d) Other			d) Other		
Storm Drainage	Existing	Proposed	Road Access	Existing	Proposed
a) Sewers		<input checked="" type="checkbox"/>	a) Arterial Road	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b) Ditches or swales			b) Collector Road		
c) Other			c) Local Road		

➤ 8.0 Significant Features

8.1 The Table below lists the features or development circumstances of interest to the Province. Complete the Table and be advised of the potential information requirements in noted section.

Significant Features Checklist				
Features or Development Circumstances	(a) If a features, is it on site or within 500 metres OR (b) If a development circumstance, does it apply?		If a feature, specify distance in metres	Potential Information Needs
	YES (✓)	NO (✓)		
Non-farm development near designated urban areas or rural settlement area		✓		Demonstrate sufficient need within 20-year projections and that proposed development will not hinder efficient expansion of urban or rural settlements
Class 1 industry ¹		✓	_____ m	Assess development for residential and other sensitive uses within 70 metres
Class 2 industry ²		✓	_____ m	Assess development for residential and other sensitive uses within 300 metres
Class 3 industry ³		✓	_____ m	Assess development for residential and other sensitive uses within 1000 metres
Land Fill Site		✓	_____ m	Address possible leachate, odour, vermin and other impacts
Sewage Treatment Plant		✓	_____ m	Assess the need for a feasibility study for residential and other sensitive uses
Waste Stabilization pond		✓	_____ m	Assess the need for a feasibility study for residential and other sensitive uses
Active railway line		✓	_____ m	Evaluate impacts within 100 metres
Controlled access highways including designated future ones		✓	_____ m	Evaluate impacts within 100 metres
Operating mine site		✓	_____ m	Will development hinder continuation or expansion of operations?
Non-operating mine site within 1000 metres		✓	_____ m	Have potential impacts been addressed? Has mine been rehabilitated so there will be no adverse effects?
Airports where noise exposure forecast (NEF) or noise exposure projection (NEP) is 28 or greater		✓		Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP contour, development of sensitive land uses is not permitted
Electric transformer station		✓	_____ m	Determine possible impacts within 200 metres
High voltage electric transmission Line		✓	_____ m	Consult the appropriate electric power service
Transportation and infrastructure corridors		✓		Will the corridor be protected?
Prime agricultural Land		✓		Demonstrate need for use other than agricultural and indicate how impacts are to be mitigated
Agricultural operations		✓	_____ m	Development to comply with the Minimum Distance Separation Formulae
Mineral aggregate resource areas		✓		Will development hinder access to the resource or the establishment of new resource operations?
Mineral aggregate operations		✓	_____ m	Will development hinder continuation of extraction?
Mineral and petroleum resource areas		✓		Will development hinder access to the resource or the establishment of new resource operations
Existing pits and quarries	✓		500 m	Will development hinder continued operation or expansion? No
Significant wetlands south and east of the Canadian Shield		✓	_____ m	Development is not permitted
Significant portions of habitat of endangered and threatened species		✓	_____ m	Development is not permitted
Significant: fish habitat, woodlands south and east of the Canadian Shield, valley lands, areas of natural and scientific interest, wildlife habitat		✓	_____ m	Demonstrate no negative impacts
Sensitive groundwater recharge areas, headwaters and aquifers		✓		Demonstrate that groundwater recharge areas, head-waters and aquifers will be protected
Significant built heritage resources and cultural heritage landscapes		✓		Development should conserve significant built heritage resources and cultural heritage landscapes
Significant archaeological resources		✓		Assess development proposed in areas of medium and high potential for significant archaeological resources. These sources are to be studied and preserved, or where appropriate, removed, catalogued and analysed prior to development
Erosion hazards		✓		Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams

Floodplains		✓	Where one-zone flood plain management is in effect, development is not permitted within the flood plain Where two-zone flood plain management is in effect, development is not permitted within the floodway Where a Special Policy Area (SPA) is in effect, development must meet the official plan policies for the SPA
Hazardous sites ⁴		✓	Demonstrate that hazards can be addressed
Rehabilitated mine sites		✓	Application for approval from Ministry of Northern Development and Mines should be made concurrently
Contaminated Sites		✓	Assess an inventory or previous uses in areas of possible soil contamination

1. Class 1 industry - small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.
2. Class 2 industry - medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.
3. Class 3 industry - indicate if within 1000 metres - processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.
4. Hazardous sites - property or lands that could be unsafe for development or alteration due to naturally occurring hazard. These hazards may include unstable soils (sensitive marine clays (Leda), organic soils) or unstable bedrock (Karst topography).

►9.0 Justification

9.1 Indicate how the proposed development will be compatible with the surrounding land uses. (attach an additional page if necessary)

Property is zoned Commercial Highway
Proposed uses of both halves of the property is consistent with present zoning


10.0 Other Information (attach an additional page if necessary)

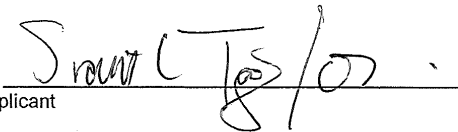
►11.0 Application Drawing

- Please submit an accurate, scaled drawing of the proposal showing the following information:
- a) The subject land, including its boundaries and dimensions, and the location, and nature of any easement or restrictive covenants which affect the subject land;
 - b) The uses of adjacent and abutting land;
 - c) The location of all existing as well as proposed buildings and their dimensions, uses, and setbacks from lot lines;
 - d) The location of all natural and man-made features on the land and the location of an of these features on adjacent and abutting lands;
 - e) Scale and north arrow.

► 12.0 Affidavit or Sworn Declaration

I, Scott Taylor of the Town of St. Marys in the County/Region of Perth
make oath and say (or solemnly declare) that the information contained in the documents that accompany this application is true.
Sworn (or declared) before me at the Town of St. Marys in the County/Region of Perth
this 27 day of November, 2019


LISA MARIE LUYTEN, a Commissioner, etc.,
Commissioner of Oaths,
County of Perth, for McLean Taylor Construction
Limited, Stone Town Construction Limited and
Meadowridge Properties Ltd. Expires June 22, 2022


Applicant

► 13.0 Authorization of Owner for Agent to Make the Application

I (we), _____ of the _____ in the County/Region of _____
am the owner of the land that is the subject of this application for a Minor Variance/ Permission and I (we) hereby authorize
_____ to act as my (our) agent in the application.

Date

Signature of Owner(s)

14.0 ACKNOWLEDGEMENT

With the filing of this application, the applicant is aware of, and agrees, that if the decision of the Council of the Town of St. Marys regarding this application is appealed by a third party (a party other than the applicant), all costs incurred by the Corporation of the Town of St. Marys for legal counsel and other associated costs to represent the Corporation of the Town of St. Marys in defending the decision before the Ontario Municipal Board will be solely the responsibility of, and paid for by the applicant.

Dated at the _____

in the County/Region of _____

this _____ day of _____, _____

Applicant

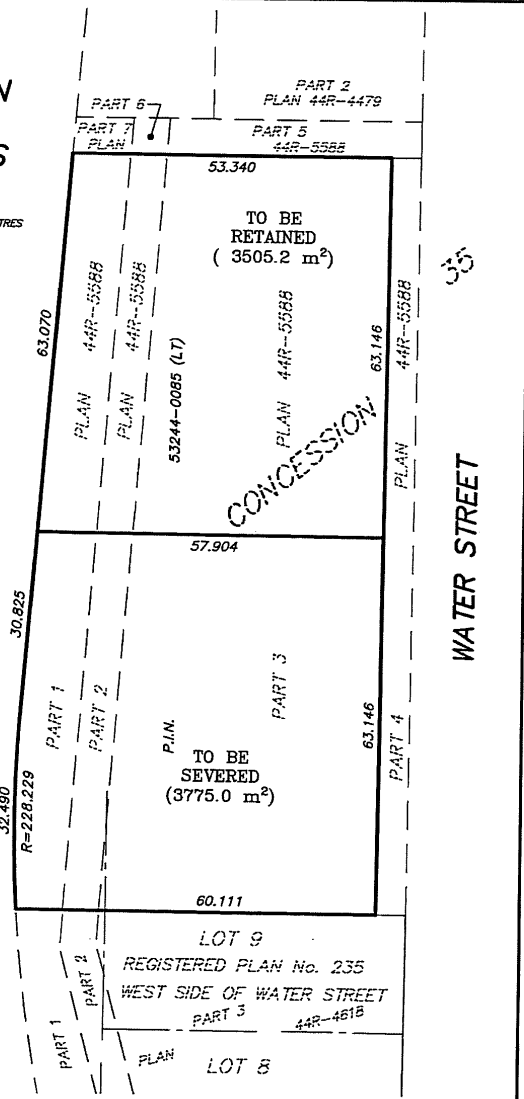
SEVERANCE SKETCH
 OF PART OF
LOT 35
THAMES CONCESSION
 (TOWNSHIP OF BLANSHARD)
 NOW IN THE
TOWN OF ST. MARYS
 COUNTY OF PERTH

SCALE 1:750
 0 3 6 9 12 15 30 45 METRES

MTE OLS LTD.
 ONTARIO LAND SURVEYORS



LOT
 THAMES



AREAS:
 AREAS SHOWN ON THIS PLAN ARE IN SQUARE METRES AND CAN BE CONVERTED TO ACRES BY DIVIDING BY 4046.8564.

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

CAUTION:
 THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.
 THIS SKETCH IS PREPARED FOR McLEAN TAYLOR CONSTRUCTION LIMITED
 DATE : NOVEMBER 15, 2019 © COPYRIGHT 2019, MTE OLS LTD.

MTE MTE ONTARIO LAND SURVEYORS LTD.
 365 HOME STREET
 STRATFORD, ONTARIO, N5A 2A5
 TEL: 519-271-7952

Cod File: P:\46948\100\46948-100-SV1.DWG	COGO : 46948-100-U7MGROUND.ASC
Drawn By : V. FERNANDES	Checked By : T. McNEIL, O.L.S. File No : 46948-100-SV1 (S)

GENERAL LOCATION MAP

Part of Lot 35, Thames Concession, Parts 1, 2 and 3,
Reference Plan 44R-5588 (478 Water Street South)
Town of St. Marys




 <p>ONTARIO CANADA ST. MARYS</p>	<p>Subject Property </p>	 <p>N</p> <p>December 3, 2019</p>
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SPECIFIC LOCATION MAP


Part of Lot 35, Thames Concession, Parts 1, 2 and 3,
Reference Plan 44R-5588 (478 Water Street South)
Town of St. Marys

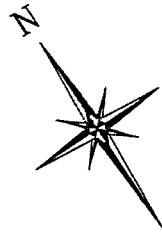


Subject Property 

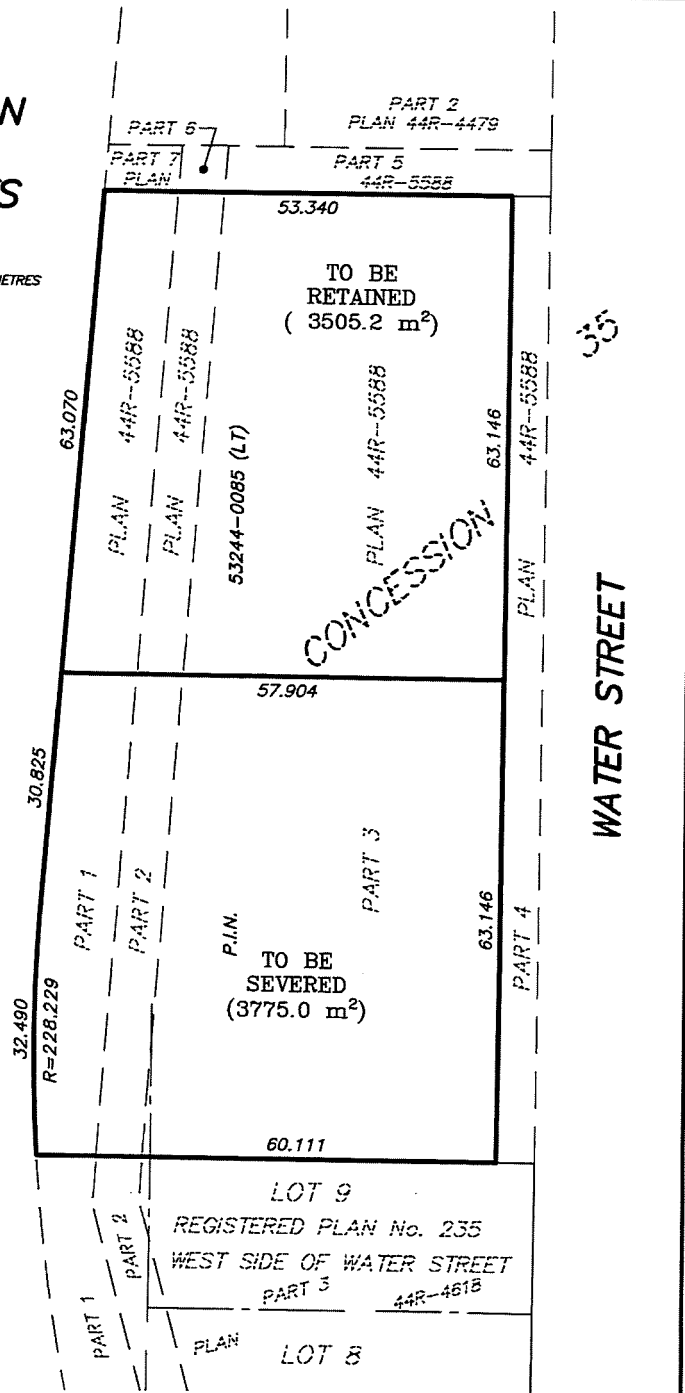

December 3, 2019

SEVERANCE SKETCH
 OF PART OF
LOT 35
THAMES CONCESSION
 (TOWNSHIP OF BLANSHARD)
 NOW IN THE
TOWN OF ST. MARYS
 COUNTY OF PERTH

SCALE 1:750

MTE OLS LTD.
ONTARIO LAND SURVEYORS



LOT
 THAMES



AREAS:

AREAS SHOWN ON THIS PLAN ARE IN SQUARE METRES AND CAN BE CONVERTED TO ACRES BY DIVIDING BY 4046.8564.

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MTE

MTE ONTARIO LAND SURVEYORS LTD.
 365 HOME STREET
 STRATFORD, ONTARIO, N5A 2A5
 TEL: 519-271-7952

Cad File: P:\P\46948\100\46948-100-SV1.DWG

COGO : 46948-100-UTMGROUND.ASC

Drawn By : V. FERNANDES

Checked By : T. McNEIL, O.L.S.

File No : 46948-100-SV1 (S)

INFORMATION REPORT

To:	Chair and Members of Committee of Adjustment
Prepared by:	Mark Stone, Planner
Date of Meeting:	18 December 2019
Subject:	Consent to Sever and Minor Variance Applications (Files B06-2019 and A07-2019) by Barbara and Larry Ford, 43 and 53 Thomas Street, Registered Plan 235, Lots 5-8, Town of St. Marys

RECOMMENDATIONS

Subject to review of submissions/comments considered at the public hearing, the following recommendations are made:

THAT the Application for Minor Variance by Barbara and Larry Ford (Application No. A07-2019) affecting a parcel of land described as 43 and 53 Thomas Street, Registered Plan 235, Lots 5-8 in the Town of St. Marys to permit a:

- minimum front yard of 0.7 metres (Severed Lot) and 4.4 metres (Retained Lot) whereas the maximum permitted under Section 11.2.4 of the Zoning By-law is 6.0 metres

be **APPROVED** as the request conforms to the general intent and purpose of the Official Plan and the Zoning By-law, is considered minor in nature, and is desirable for the appropriate development or use of the subject property, subject to the following condition:

- This approval is granted only to the nature and extent of this application being relief to permit a minimum front yard of 0.7 metres (Severed Lot) and 4.4 metres (Retained Lot) whereas the maximum permitted under Section 11.2.4 of the Zoning By-law is 6.0 metres.

THAT the Application for Consent to Sever by Barbara and Larry Ford (Application No. B06-2019) affecting a parcel of land described as 43 and 53 Thomas Street, Registered Plan 235, Lots 5-8 in the Town of St. Marys for the purpose of severing a lot into two lots be APPROVED as the severance proposal conforms to the policies of the Official Plan, subject to the following conditions:

- 1) That the Certificate of the Official must be issued by the Secretary-Treasurer for Committee of Adjustment within a period of one year from the date of the mailing of the Notice of Decision;
- 2) Confirmation from the Town's Treasury Department that their financial requirements have been met;
- 3) The Committee be provided with a description that is consistent with the application and equal to that required for registration of a deed/transfer or other conveyance of interest in land under the provisions of the Registry Act or Land Titles Act; and,

- 4) Confirmation be received from the solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer.

REPORT

The 3,691.7 m² (0.91 ac) subject property is a single lot located at the southeast corner of the Jones Street West/Thomas Street intersection as shown on the general location map (refer to Attachment 2 of this report). The subject property is the site of two existing single detached dwellings fronting onto Thomas Street. The owners are proposing to create two separate and distinct lots with the proposed dividing lot line running between the existing garage and shed.

The applicant has indicated that their clients purchased:

- 43 Thomas (PIN -0070) in 1987 – shown in purple
- 53 Thomas (PIN -0071) in 2002 – shown in yellow
- part of Jones Street (PIN -0103) in 2011 – shown in blue

PIN = Property Identifier Number (Land Registry Office)



Minor Variance Application

The owner is requesting relief from the following Zoning By-law provision to recognize the front yard setbacks of the existing single detached dwellings:

- Minimum front yard: 0.7 metres (Severed Lot) and 4.4 metres (Retained Lot) whereas the maximum permitted under Section 11.2.4 of the Zoning By-law is 6.0 metres

Consent to Sever Application

The owners have applied for consent to divide the subject property into two parcels as shown on the severance sketch (see Attachment 3) and summarized in the following chart, to accommodate one existing single detached dwelling on each lot:

Table 1: Dimensions of Proposed Lots

	Retained	Severed
Lot Area (m ²)	2057.9	1633.8
Lot Frontage (m)	+/- 37.02	+/- 33.25
Average Depth (m)	+/- 58.9	+/- 48.5

SURROUNDING LAND USES

North, South and West: Low density residential
East: Thames River

PLANNING CONTEXT

Provincial Policy Statement

The Provincial Policy Statement promotes development in settlement areas with densities and a mix of land uses which efficiently use land, infrastructure and public service facilities, and this includes opportunities for intensification through infill development.

Official Plan

The subject property is designated Recreational and Flood Plain in the Town's Official Plan. The subject property is also identified as Natural Hazards Constraint Area according to Schedule C of the Official Plan.

Section 3.8.2.13 of the Official Plan states in part that “generally, consents for the purpose of creating new lots for development within the Natural Hazards designation shall be prohibited” but that “consent may also be granted for lot boundary adjustments/corrections provided that such adjustments/corrections are minor in nature”.

Section 4.2.1.6, Size Requirements, states that “the lot frontage, depth, and size of any parcel of land created by consent (severed or retained portion) shall be adequate for the proposed use of the land and consistent where possible with adjacent lots. The Committee of Adjustment shall be satisfied that the proposed parcel(s) can be properly integrated into the anticipated urban development of the area. Both the severed lot and the retained lot created as a result of a consent shall conform to the provisions of the implementing Zoning By-law”.

Section 4.2.1.9 states that “compatibility with neighbouring land uses shall be considered during the review of all consent applications. Where adverse effects could occur as a result of the proximity of non-compatible land uses, adequate screening or buffering provisions may be required in order to reduce or eliminate the non-compatibility”.

Section 4.4.1 Servicing Requirements states that “consent applications involving the creation of new lots shall be approved only if they involve land which is serviced by municipal water and sewage systems except as specifically provided for elsewhere in this Plan” and Section 4.4.3 states that “consents may be permitted where the lands to be conveyed are to be added to an abutting property provided that an undersized lot is not created, the conveyance is for convenience purposes only, and the minimum amount of land comprises the enlargement”.

Zoning By-law

The subject property is zoned Flood Plain – FP(R2-1) Zone in the Zoning By-law Z1-1997, as amended. One single detached dwelling is permitted per lot on lands zoned R2. Key Map 12 of Schedule A of the Zoning By-law also identifies, for information purposes only, that the subject property is located within the Upper Thames River Conservation Authority Regulation Limit.

COMMUNICATIONS

Notice of the Public Meeting was given by first class mail to all land owners within 60 metres (200 feet) of the land affected by the proposed consent to those agencies as prescribed by Regulation, and signage advertising the meeting was posted on the property.

At the time of preparing this report, no comments had been received from Town departments, agencies or the public.

PLANNING ANALYSIS

Based on a review of the Provincial Policy Statement and the Town Official Plan, key policies are discussed below in considering the appropriateness of the proposed consent to sever:

- The frontage, depth and size of the proposed lots will be sufficient to accommodate existing residential uses
- The proposed consent will not result in undersized lots, are for convenience purposes, and involves the minimum amount of land
- The proposed development represents efficient use of land and existing infrastructure such as existing roads and sewer/water services
- The proposed lots will have frontages and areas similar to lots in the surrounding area

When reviewing an Application for a Minor Variance, Section 45(1) of the Planning Act, R.S.O., 1990 requires that the Committee of Adjustment apply four specific tests. These tests, along with this office's comments concerning same as they relate to the requested variances, are as follows:

1. The variances maintain the general intent and purpose of the Official Plan.

The variance will recognize existing non-complying setbacks and the existing residential use of the lands is in keeping with this residential area. Permitting the variance to the Zoning By-law maintains the general intent and purpose of the Official Plan by recognizing existing dwellings with similar front yard setbacks to other residential lots in the area.

2. The requested variances maintain the general intent and purpose of the Zoning By-law.

The front yard minimum is the only regulation where there is non-compliance. If/when the consent is approved, the existing buildings will comply with all other applicable zoning regulations.

Based on the above, the requested variance maintains the general intent and purpose of the Town's Zoning By-law.

3. The application is "minor" in nature.

The requested variance represents an appropriate deviations from the Zoning By-law requirements and the potential impacts resulting from the proposed variances are considered "minor" in nature.

4. The proposed development is desirable for the appropriate development or use of the subject property.

There are no apparent negative impacts on adjacent properties; the requested variance will permit development that is desirable and appropriate.

SUMMARY

The Applications are consistent with the principles of the Provincial Policy Statement and conforms with the policies of the Town's Official Plan. It is recommended that the Committee approve the Applications subject to the conditions listed in the Recommendations section of this report.

ATTACHMENTS

- 1) Applications for Consent to Sever and Minor Variance
- 2) General and Specific Location Maps
- 3) Severance Sketch

REVIEWED BY

Recommended by the Department



Mark Stone

Planner



Corporation of the
the Town of St. Marys

Application for Minor Variance
(Under Section 45 (1) of the Planning Act)
Application for Permission
(Under Section 45 (2) of the Planning Act)

File No. A07-2019

Instructions

Each application must be accompanied by the application fee in the form of either cash or a cheque payable to the Town. An accurate scaled drawing of the subject land must be submitted.

If the applicant is not the owner of the subject land, a written statement by the owner which authorizes the applicant to act on behalf of the owner as it relates to the subject application, must accompany the application (See Section 11.0).

In addition, the applicant may be required to submit a more detailed site plan in accordance with Section 41 of the Planning Act.

Completeness of the Application

The information in this form that must be provided by the applicant is indicated by black arrows (▶) on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulation 200/96 made under the Planning Act. The mandatory information must be provided with the appropriate fee and a scaled drawing. If the mandatory information is not provided, the Town will return the application or refuse to further consider the application.

To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Approval Process

Upon receipt of an application, the required fee and other information (as required) the Secretary of the Committee of Adjustment will determine whether the application is complete. Once complete, a notice of hearing will be circulated as required by the Ontario Planning Act. The applicant is encouraged to attend the hearing to present the proposal. The applicant will be provided notice of any decision made by the Committee concerning the application. If no notice of appeal is given within twenty days, the decision of the Committee is final and binding.

For Help

To help you complete the application form, please consult the Building Department in the Town Hall. You can also call the Building Department at (519) 284-2340.

Please Print and Complete or (✓) Appropriate Box(es)

1.0 Application Information

▶ 1.1 Name of Owner(s) An owner's authorization is required if the applicant is not the owner (See Section 11.0)

Name of Owner(s) BARB + LARRY FORD	Home Telephone No. 519-275-0745	Business Telephone No. 519-271-1400
Address 43 THOMAS ST (PO BOX 2351) ST MARYS	Postal Code N4X 1A2	Fax No.

1.2 Agent/Applicant - Name of the person who is to be contacted about the application, if different than the owner. (This may be a person or Company acting on behalf of the owner.)

Name of Contact Person (and Company) DOUG REAUME MTE OLS	Home Telephone No.	Business Telephone No. 519-271-7952
Address 365 HOME ST STRATFORD	Postal Code N5A 2A5	Fax No.

▶ 2.0 Location and Size of the Subject Land

Street No. 43 + 53	Name of Street/Road THOMAS ST	Registered Plan No. 235	Lot(s)/Block(s) 5-8
Reference Plan No. 442-4614	Part Number(s) 3 + 4	Concession Number(s)	Lot Number(s)
Lot Frontage 70.3 ±	Average Width 70.3 ±	Average Depth 52.6	Lot Area 3090 sq m ±

▶ 2.1 Is there a mortgage or charge in respect of the subject land? Yes No If yes, give the names and addresses of any mortgages or charges

BANK OF NOVA SCOTIA
10 WRIGHT BLVD STRATFORD ON N5A 7X9

▶ 2.2 Are there any easements or restrictive covenants affecting the subject land? Yes No If yes, describe the easement or covenant and its effect.

PART 3 442-4614 IS S/T EASEMENT AS IN PC 91650 IN FAVOUR OF THE TOWN FOR A STORM SEWER.

▶ 2.3 When were the subject lands acquired by the current owner?

JUNE 1987 / DEC 2008 / JUNE 2011

▶ 3.0 Proposed and Current Land Use

▶ 3.1 What is the proposed use of the subject land?

RESIDENTIAL

▶ 3.2 What is the current use of the subject land?

RESIDENTIAL

▶ 3.3 How is the subject land currently designated in the Official Plan?

FLOOD PLAIN, NATURAL HAZARD CONSTRAINT AREA

▶ 3.4 How is the subject land currently zoned in the applicable Zoning By-law?

FP (R4)

▶ 3.5 What is the nature and extent of relief from the Zoning By-law requested?

43 FRONT YARD FROM 6.0 TO 4.4

53 FRONT YARD FROM 6.0 TO 0.7

▶ 3.6 Why can the proposed use not comply with the provisions of the Zoning By-law?

EXISTING BUILDINGS

3.7 Provide the following details for all buildings, both existing or proposed. (Attach an additional page if necessary)

	Existing Buildings	Proposed Buildings		Existing Buildings	Proposed Buildings
	3.7.1 Front Yard	4.4 / 0.8		—	3.7.5 Height
3.7.2 Rear Yard	38.7 / 35.8	—	3.7.6 Dimensions		
3.7.3 Side Yard	1.3 / 23.1	—	3.7.7 Gross Floor Area		
3.7.4 Side Yard		—	3.7.8 Date Constructed		

4.0 Previous Industrial or Commercial Uses

4.1 Has there been an industrial or commercial use on the subject land or adjacent land? If Yes, specify the uses and dates. Yes No

4.2 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites? Yes No

4.3 What information did you use to determine the answers to the above questions?

LANDS HAVE ALWAYS BEEN RESIDENTIAL

4.4 If Yes, to (4.1), (4.2) or (4.3), a previous use inventory showing all former uses of the subject land, or if appropriate, the adjacent land, is needed. Is the previous use inventory attached? Yes No

5.0 Status of Other Applications under the Planning Act

Is the subject land also the subject of an application for an Official Plan Amendment, Consent, approval of a Site Plan, Minor Variance, Zoning By-law Amendment or Zoning Order Amendment? Yes No If Yes, indicate the type of application, the file number and the status of the application.

CONSENT - CONCURRENTLY

6.0 Servicing

6.1 Indicate the existing/proposed servicing type for the subject land.

Sewage Disposal	Existing	Proposed	Water Supply	Existing	Proposed
a) Public piped sewage system	✓		a) Public piped water system	✓	
b) Public or private communal septic			b) Public or private communal well(s)		
c) Individual septic system(s)			c) Individual well(s)		
d) Other			d) Other		
Storm Drainage	Existing	Proposed	Road Access	Existing	Proposed
a) Sewers	✓		a) Arterial Road		
b) Ditches or swales	✓		b) Collector Road	✓	
c) Other			c) Local Road		

7.0 Justification

7.1 Indicate how the proposed development will be compatible with the surrounding land uses. (attach an additional page if necessary)

NO DEVELOPMENT PLANNED.
EXISTING BUILDINGS.

8.0 Other Information (attach an additional page if necessary)

9.0 Application Drawing

Please submit an accurate, scaled drawing of the proposal showing the following information:

- a) The subject land, including its boundaries and dimensions, and the location, and nature of any easement or restrictive covenants which affect the subject land;
- b) The uses of adjacent and abutting land;
- c) The location of all existing as well as proposed buildings and their dimensions, uses, and setbacks from lot lines;
- d) The location of all natural and man-made features on the land and the location of an of these features on adjacent and abutting lands
- e) Scale and north arrow.

10.0 Affidavit or Sworn Declaration

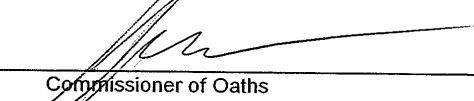
I, DOUG REAUME of the CITY OF LONDON in the County/Region of MIDDLESEX
make oath and say (or solemnly declare) that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me at the TOWN OF ST MARYS

in the County/Region of PERTH

this 28 day of NOVEMBER, 2019

Grant George Brouwer,
A Commissioner, etc.,
Province of Ontario, for the
Corporation of the Town of St. Marys.
Expires September 5, 2021



Commissioner of Oaths



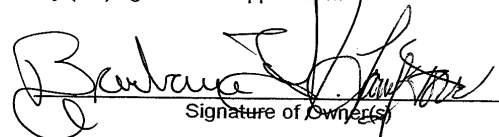
Applicant

11.0 Authorization of Owner for Agent to Make the Application

I (we), BARB + LARRY FORD of the TOWN OF ST MARYS in the County/Region of PERTH
am the owner of the land that is the subject of this application for a Minor Variance/ Permission and I (we) hereby authorize
DOUG REAUME (MTE OLS) to act as my (our) agent in the application.

Nov 27/19

Date



Signature of Owner(s)

12.0 ACKNOWLEDGEMENT

With the filing of this application, the applicant is aware of, and agrees, that if the decision of the Council of the Town of St. Marys regarding this application is appealed by a third party (a party other than the applicant), all costs incurred by the Corporation of the Town of St. Marys for legal counsel and other associated costs to represent the Corporation of the Town of St. Marys in defending the decision before the Ontario Municipal Board will be solely the responsibility of, and paid for by the applicant.

Dated at the City of Stratford.

in the County/Region of Perth

this 27th day of November, 2019

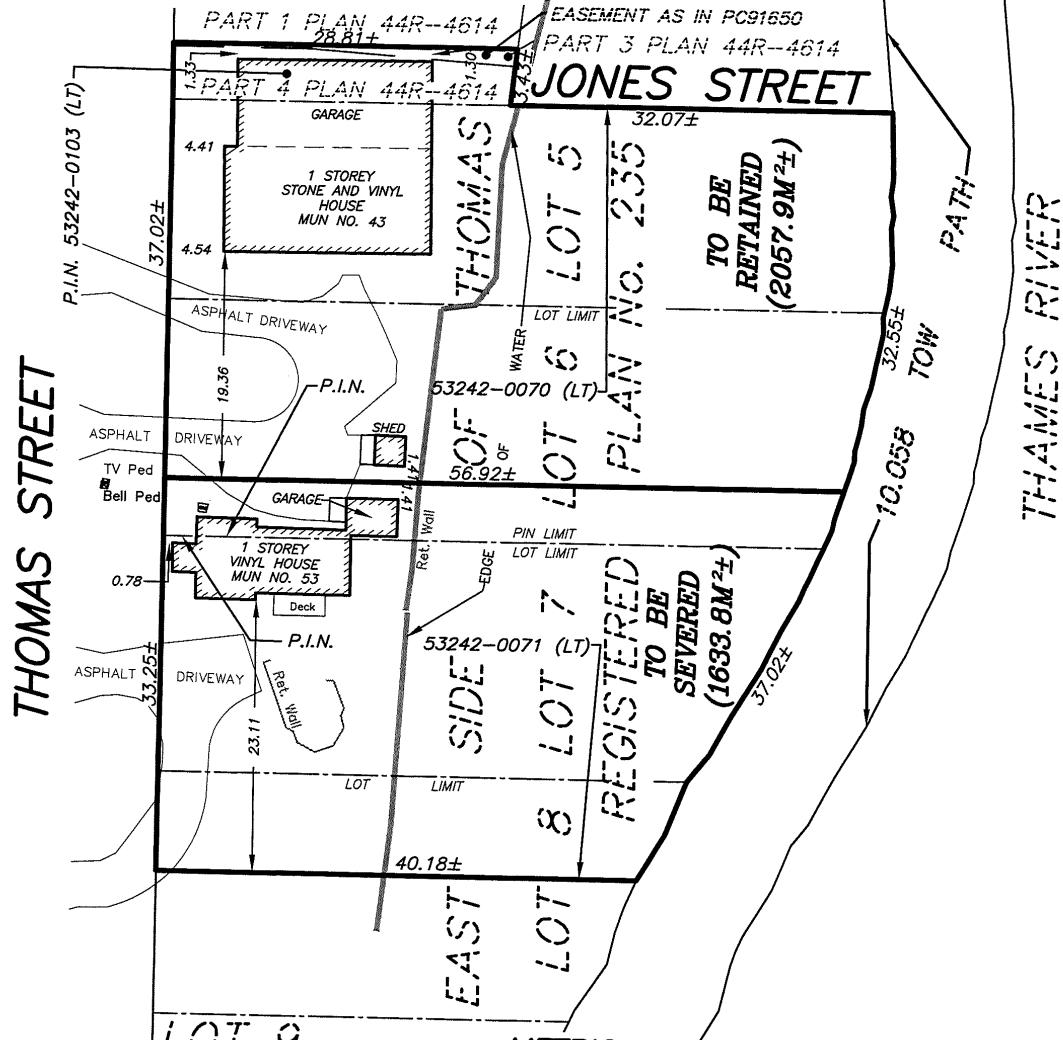
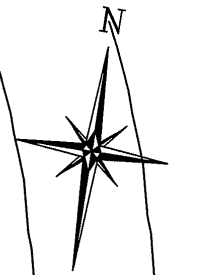


Applicant

SEVERANCE SKETCH
 OF ALL OF
LOTS 5, 6 AND 7
 OF PART OF
LOT 8
REGISTERED PLAN No. 235
 IN THE
TOWN OF ST. MARYS
 COUNTY OF PERTH

SCALE 1:500
 0 2 4 6 8 10 20 30 METRES

MTE OLS LTD.
ONTARIO LAND SURVEYORS



AREAS:

AREAS SHOWN ON THIS PLAN ARE IN HECTARES AND CAN BE CONVERTED TO ACRES BY MULTIPLYING BY 2.471054.

AREAS SHOWN ON THIS PLAN ARE IN SQUARE METRES AND CAN BE CONVERTED TO ACRES BY DIVIDING BY 4046.8564.

METRIC:

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

CAUTION:

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

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 DATE : NOVEMBER 12, 2019 © COPYRIGHT 2019, MTE OLS LTD.

THIS SKETCH IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR



MTE

MTE ONTARIO LAND SURVEYORS LTD.
 365 HOME STREET
 STRATFORD, ONTARIO, N5A 2A5
 TEL: 519-271-7952

Cad File: P:\P\46790\100\46790-100-SV1.DWG

COGO : 46790-100-UTMGROUND.CSV

Drawn By : V.F./ C. PERKS Checked By : T. McNEIL, O.L.S.

File No : 46790-100-SV1 (S)



LAND
REGISTRY
OFFICE #44

53242-0070 (LIT)

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 1 OF 1
PREPARED FOR JWest01
ON 2019/10/15 AT 16:49:30

PROPERTY DESCRIPTION: LOT 5 EAST SIDE THOMAS ST PLAN 235 ST MARYS; LOT 6 EAST SIDE THOMAS ST PLAN 235 ST MARYS ; ST MARYS

PROPERTY REMARKS:

ESTATE/DUALITEE:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
1999/03/29

OWNERS' NAMES
FORD, LARRY
FORD, BARBARA

CAPACITY SHARE
JTEN
JTEN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT / CHKD
EFFECTIVE	2000/07/29	THE NOTATION OF THE "BLOCK IMPLEMENTATION DATE" OF 1999/03/29 ON THIS PIN				
MNS REPLACED WITH THE	"PIN CREATION DATE" OF 1999/03/29					
** PRINTOUT	INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **					
**SUBJECT,	ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:					
**	SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *					
**	AND ESCHEATS OR FORFEITURE TO THE CROWN.					
**	THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF					
**	IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY					
**	CONVENTION.					
**	ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.					
**DATE OF CONVERSION TO	LAND TITLES: 1999/03/29 **					
R279414	1987/06/05	TRANSFER	\$80,000	FORD, BARBARA FORD, BARBARA	FORD, LARRY FORD, BARBARA	C
PCS5434	2007/11/16	CHARGE	\$350,000	FORD, BARBARA FORD, LARRY	THE BANK OF NOVA SCOTIA	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.



LAND
REGISTRY
OFFICE #44

53242-0071 (LT)

PAGE 1 OF 1
PREPARED FOR JWest01
ON 2019/10/15 AT 16:47:02

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PROPERTY DESCRIPTION: LOT 7 EAST SIDE THOMAS ST PLAN 235 ST MARYS; LOT 8 EAST SIDE THOMAS ST PLAN 235 ST MARYS SAVE AND EXCEPT THE SOUTHERLY 40 FEET AS IN STM20908; ST. MARYS

PROPERTY REMARKS:
ESTATE/QUALIFIER:
PFB STYPE
LT CONVERSION QUALIFIED
OWNERS' NAMES
FORD, BARBARA ANN
FORD, LARRY MICHAEL

RECENTLY:
FIRST CONVERSION FROM BOOK
CAPACITY SHARE
JTEN
JTEN

PIN CREATION DATE:
1999/03/29

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHRD
EFFECTIVE	2000/07/29	THE NOTATION OF THE	"BLOCK IMPLEMENTATION DATE" OF 1999/03/29 ON THIS PIN			
MAY BE REPLACED WITH THE	"PIN CREATION DATE" OF 1999/03/29					
** PRINTOUT	INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **					
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**	AND ESCHEATS OR FORFEITURE TO THE CROWN.					
**	THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF					
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**	CONVENTION.					
**	ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.					
**DATE OF CONVERSION TO LAND TITLES: 1999/03/29 **						
LT31623	2002/07/31	TRANSFER	\$123,000	BALL, OLIVE	FORD, BARBARA ANN FORD, LARRY MICHAEL	C
PG66942	2008/12/02	CHARGE	\$300,000	FORD, BARBARA ANN FORD, LARRY MICHAEL	THE BANK OF NOVA SCOTIA	C

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ServiceOntario

LAND REGISTRY OFFICE #44
 53242-0103 (LTP)
 PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER
 PAGE 1 OF 1
 PREPARED FOR JMWest01
 ON 2019/11/19 AT 14:30:13

PROPERTY DESCRIPTION: PC91602 DESCRIBED AS PARTS 3 AND 4, REFERENCE PLAN 44R-4614
 SUBJECT TO AN EASEMENT RESERVED BY THE TRANSFEROR OVER PART 3, 44R-4614 IN FAVOUR OF PIN 53242-0090 BEING THOMAS STREET PLAN 203 ST. MARYS BETWEEN QUEEN STREET AND WESTOVER STREET AND PART OF PIN 53242-0090 BEING PART JONES STREET PLAN 207 BETWEEN THOMAS STREET AND THE TOW PATH LYING WEST OF RIVER THAMES ABUTTING LOT 22 CONCESSION THAMES SAVE AND EXCEPT PARTS 1, 2, 3 AND 4 REFERENCE PLAN 44R-4614; ST MARYS

PROPERTY REMARKS:
 ESTATE/QUALIFIER: RECENTLY:
 FEE SIMPLE DIVISION FROM 53242-0090
 LT CONVERSION QUALIFIED
 OWNERS' NAMES CAPACITY SHARE
 FORD, LARRY JTEN
 FORD, BARBARA JTEN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
**	PRIVYOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **					
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**	ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.					
**	DATE OF CONVERSION TO LAND TITLES: 1999/04/29 **					
PL207	1855/04/18	PLAN SUBDIVISION				C
44R4614	2008/07/02	PLAN REFERENCE				C
PC91602	2011/06/17	BYLAW		THE CORPORATION OF THE TOWN OF ST. MARYS	THAMES BEING PTS 1,2,3,4 44R-4614	C
PC91650	2011/06/17	TRANSFER	\$2,500	THE CORPORATION OF THE TOWN OF ST. MARYS	FORD, LARRY FORD, BARBARA	C

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Corporation of the
the Town of St. Marys

Application for Consent
(Under Section 53 of the Planning Act)

File No. B 06-2019

Instructions

Each application must be accompanied by the application fee in the form of either cash or a cheque payable to the Town. An accurate scaled drawing of the subject land must be submitted.

If the applicant is not the owner of the subject land, a written statement by the owner which authorizes the applicant to act on behalf of the owner as it relates to the subject application, must accompany the application (See Section 13.0).

In addition, the applicant may be required to submit a more detailed site plan in accordance with Section 41 of the Planning Act.

Completeness of the Application

The information in this form that must be provided by the applicant is indicated by black arrows (▶) on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulation 197/96 made under the Planning Act. The mandatory information must be provided with the appropriate fee and a scaled drawing. If the mandatory information is not provided, the Town will return the application or refuse to further consider the application.

To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Approval Process

Upon receipt of an application, the required fee and other information (as required) the Secretary of the Committee of Adjustment will determine whether the application is complete. Once complete, a notice of hearing will be circulated as required by the Ontario Planning Act. The applicant is encouraged to attend the hearing to present the proposal. The applicant will be provided notice of any decision made by the Committee concerning the application. If no notice of appeal is given within twenty days, the decision of the Committee is final and binding.

For Help

To help you complete the application form, please consult the Building Department in the Town Hall. You can also call the Building Department at (519) 284-2340.

Please Print and Complete or (✓) Appropriate Box(es)

1.0 Application Information

▶ 1.1 Name of Owner(s) An owner's authorization is required if the applicant is not the owner (See Section 11.0)

Name of Owner(s) BARB + LARRY FORD	Home Telephone No. 519-275-0745	Business Telephone No. 519-271-1400
Address 43 THOMAS ST (PO BOX 2351) ST MARYS	Postal Code N4X 1A2	Fax No.

1.2 Agent/Applicant - Name of the person who is to be contacted about the application, if different than the owner. (This may be a person or Company acting on behalf of the owner.)

Name of Contact Person (and Company) DOUG REAUME MTE OLS	Home Telephone No.	Business Telephone No. 519-271-7452
Address 365 HUME ST. STRATFORD	Postal Code NSA 2A5	Fax No.

▶ 2.0 Location and Size of the Subject Land (Severed and Retained Parcels)

Street No. 43 + 53	Name of Street/Road THOMAS ST	Registered Plan No. 235	Lot(s)/Block(s) 5-8
Reference Plan No. 442-4614	Part Number(s) 3 + 4	Concession Number(s)	Lot Number(s)
Lot Frontage 70.3m ±	Average Width 70.3m ±	Average Depth 52.6m ±	Lot Area 3690sqm ±

▶ 2.1 Is there a mortgage or charge in respect of the subject land? Yes No If yes, give the names and addresses of any mortgages or charges

BANK OF NOVA SCOTIA 10 WRIGHT BLVD STRATFORD ON NSA 7X9

▶ 2.2 Are there any easements or restrictive covenants affecting the subject land? Yes No If yes, describe the easement or covenant and its effect.

PLOT 3, 442-4614 IS S/T EASEMENT AS IN PL 91650 IN FAVOR OF THE TOWN FOR A STORM SEWER

▶ 2.3 When were the subject lands acquired by the current owner?

JUNE 1987 / DEC 2008 / JUNE 2011

▶ 3.0 Type and purpose of proposed transaction: (check appropriate space)

Conveyance for: i) creation of new lot or ii) addition to existing lot
If lot addition, identify the land to which parcel will be added:

- Mortgage or Charge
- Partial Discharge of Mortgage
- Lease
- Easement/Right-of-way
- Correction of Title
- Other (Specify) _____

▶ 3.1 Name of Person(s) (purchaser, leasee, mortgagee, etc.) To whom interest in land is intended to be conveyed, leased or charged:

KIM + KEN PEARSON

Relationship to owner: **NONE**

▶ 3.2 Description of land:

a) Dimensions of Land -		To be retained:	
To be severed:	LOT 7 PL 235	Description	LOTS PL LOT 1 PART JUNE ST
Description	LOT 7 PLOTS C+D	Frontage	52.0m
Frontage	33.2m ±	Average Width	37.0m
Average Width	33.2m ±	Depth	52.4m ±
Depth	48.5m ±	Area	2057m² ±
Area	1633m² ±		

➤ 3.3 Use of land (please check appropriate space):

To be severed:	Existing	Proposed	To be retained:	Existing	Proposed
Urban Residential	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Urban Residential	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Rural Residential	<input type="checkbox"/>	<input type="checkbox"/>	Rural Residential	<input type="checkbox"/>	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	<input type="checkbox"/>	Commercial	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>	Agricultural	<input type="checkbox"/>	<input type="checkbox"/>
Institutional	<input type="checkbox"/>	<input type="checkbox"/>	Institutional	<input type="checkbox"/>	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>

Explanation: _____

➤ 4.0 Proposed and Current Land Use

➤ 4.1 What is the proposed use of the subject land?
RESIDENTIAL

➤ 4.2 What is the current use of the subject land?
RESIDENTIAL

➤ 4.3 How is the subject land currently designated in the Official Plan?
FLOOD PLAIN / NATURAL HAZARD CONSTRAINT AREA

➤ 4.4 How is the subject land currently zoned in the Zoning By-law?
FP (R4)

➤ 4.5 Provide the following details for all buildings, both existing or proposed. (Attach an additional page if necessary)

	Existing Buildings	Proposed Buildings		Existing Buildings	Proposed Buildings
4.5.1 Front Yard	4.4 / 0.8	—	4.5.5 Height	1 STOREY	—
4.5.2 Rear Yard	38.7 / 35.8	—	4.5.6 Dimensions		
4.5.3 Side Yard	1.3 / 23.1	—	4.5.7 Gross Floor Area		
4.5.4 Side Yard PWD.	1.7 / 19.4 1.4 / 23.1	—	4.5.8 Date Constructed		

➤ 5.0 Previous Industrial or Commercial Uses

5.1 Has there been an industrial or commercial use on the subject land or adjacent land? If Yes, specify the uses and dates. Yes No

5.2 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent sites? Yes No

5.3 What information did you use to determine the answers to the above questions?
LANDS HAVE ALWAYS BEEN RESIDENTIAL.

5.4 If Yes, to (5.1), (5.2) or (5.3), a previous use inventory showing all former uses of the subject land, or if appropriate, the adjacent land, is needed. Is the previous use inventory attached? Yes No

➤ 6.0 Status of Other Applications under the Planning Act

Is the subject land also the subject of an application for an Official Plan Amendment, Consent, approval of a Site Plan, Minor Variance, Zoning By-law Amendment or Zoning Order Amendment? Yes No If Yes, indicate the type of application, the file number and the status of the application.
MINOR VARIANCE CONCURRENTLY

➤ 7.0 Servicing

7.1 Indicate the existing/proposed servicing type for the subject land.

Sewage Disposal	Existing	Proposed	Water Supply	Existing	Proposed
a) Public piped sewage system	<input checked="" type="checkbox"/>		a) Public piped water system	<input checked="" type="checkbox"/>	
b) Public or private communal septic			b) Public or private communal well(s)		
c) Individual septic system(s)			c) Individual well(s)		
d) Other			d) Other		
Storm Drainage	Existing	Proposed	Road Access	Existing	Proposed
a) Sewers	<input checked="" type="checkbox"/>		a) Arterial Road		
b) Ditches or swales	<input checked="" type="checkbox"/>		b) Collector Road	<input checked="" type="checkbox"/>	
c) Other			c) Local Road		

8.0 Significant Features

8.1 The Table below lists the features or development circumstances of interest to the Province. Complete the Table and be advised of the potential information requirements in noted section.

Significant Features Checklist

Features or Development Circumstances	(a) If a features, is it on site or within 500 metres OR (b) If a development circumstance, does it apply?		If a feature, specify distance in metres	Potential Information Needs
	YES (✓)	NO (✓)		
Non-farm development near designated urban areas or rural settlement area		✓		Demonstrate sufficient need within 20-year projections and that proposed development will not hinder efficient expansion of urban or rural settlements
Class 1 industry ¹		✓	_____ m	Assess development for residential and other sensitive uses within 70 metres
Class 2 industry ²		✓	_____ m	Assess development for residential and other sensitive uses within 300 metres
Class 3 industry ³		✓	_____ m	Assess development for residential and other sensitive uses within 1000 metres
Land Fill Site		✓	_____ m	Address possible leachate, odour, vermin and other impacts
Sewage Treatment Plant		✓	_____ m	Assess the need for a feasibility study for residential and other sensitive uses
Waste Stabilization pond		✓	_____ m	Assess the need for a feasibility study for residential and other sensitive uses
Active railway line		✓	_____ m	Evaluate impacts within 100 metres
Controlled access highways including designated future ones		✓	_____ m	Evaluate impacts within 100 metres
Operating mine site		✓	_____ m	Will development hinder continuation or expansion of operations?
Non-operating mine site within 1000 metres		✓	_____ m	Have potential impacts been addressed? Has mine been rehabilitated so there will be no adverse effects?
Airports where noise exposure forecast (NEF) or noise exposure projection (NEP) is 28 or greater		✓		Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP contour, development of sensitive land uses is not permitted
Electric transformer station		✓	_____ m	Determine possible impacts within 200 metres
High voltage electric transmission Line		✓	_____ m	Consult the appropriate electric power service
Transportation and infrastructure corridors		✓		Will the corridor be protected?
Prime agricultural Land		✓		Demonstrate need for use other than agricultural and indicate how impacts are to be mitigated
Agricultural operations		✓	_____ m	Development to comply with the Minimum Distance Separation Formulae
Mineral aggregate resource areas		✓		Will development hinder access to the resource or the establishment of new resource operations?
Mineral aggregate operations		✓	_____ m	Will development hinder continuation of extraction?
Mineral and petroleum resource areas		✓		Will development hinder access to the resource or the establishment of new resource operations
Existing pits and quarries		✓	_____ m	Will development hinder continued operation or expansion?
Significant wetlands south and east of the Canadian Shield		✓	_____ m	Development is not permitted
Significant portions of habitat of endangered and threatened species		✓	_____ m	Development is not permitted
Significant: fish habitat, woodlands south and east of the Canadian Shield, valley lands, areas of natural and scientific interest, wildlife habitat		✓	_____ m	Demonstrate no negative impacts
Sensitive groundwater recharge areas, headwaters and aquifers		✓		Demonstrate that groundwater recharge areas, head-waters and aquifers will be protected
Significant built heritage resources and cultural heritage landscapes		✓		Development should conserve significant built heritage resources and cultural heritage landscapes
Significant archaeological resources		✓		Assess development proposed in areas of medium and high potential for significant archaeological resources. These sources are to be studied and preserved, or where appropriate, removed, catalogued and analysed prior to development
Erosion hazards		✓		Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams

Floodplains	✓			Where one-zone flood plain management is in effect, development is not permitted within the flood plain Where two-zone flood plain management is in effect, development is not permitted within the floodway Where a Special Policy Area (SPA) is in effect, development must meet the official plan policies for the SPA
Hazardous sites ⁴		✓		Demonstrate that hazards can be addressed
Rehabilitated mine sites		✓		Application for approval from Ministry of Northern Development and Mines should be made concurrently
Contaminated Sites		✓		Assess an inventory or previous uses in areas of possible soil contamination

1. Class 1 industry - small scale, self-contained plant, no outside storage, low probability of fugitive emissions and daytime operations only.
 2. Class 2 industry - medium scale processing and manufacturing with outdoor storage, periodic output of emissions, shift operations and daytime truck traffic.
 3. Class 3 industry - indicate if within 1000 metres - processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.
 4. Hazardous sites - property or lands that could be unsafe for development or alteration due to naturally occurring hazard. These hazards may include unstable soils (sensitive marine clays (Leda), organic soils) or unstable bedrock (Karst topography).

►9.0 Justification

9.1 Indicate how the proposed development will be compatible with the surrounding land uses. (attach an additional page if necessary)

NO DEVELOPMENT PLANNED.

10.0 Other Information (attach an additional page if necessary)

- THESE LANDS WERE ACQUIRED OVER A NUMBER OF YEARS (1987-2011) AND ARE UNDER THREE DIFFERENT P.I.N.s BUT THE SAME NAMES.
 - TITLE CONSOLIDATES PER REGULATIONS.
 - THE ORIGINAL LOT LINE BETWEEN THE TWO PARCELS RUNS DIRECTLY THROUGH # 53 THOMAS ST.
 - CURRENT OWNERS OF LANDS WANT TO SELL OFF # 53 AND MOVE THE ORIGINAL PROPERTY LINE OUT OF THE BUILDING TO 1.4m NORTH OF IT.

►11.0 Application Drawing

Please submit an accurate, scaled drawing of the proposal showing the following information:

- a) The subject land, including its boundaries and dimensions, and the location, and nature of any easement or restrictive covenants which affect the subject land;
- b) The uses of adjacent and abutting land;
- c) The location of all existing as well as proposed buildings and their dimensions, uses, and setbacks from lot lines;
- d) The location of all natural and man-made features on the land and the location of an of these features on adjacent and abutting lands;
- e) Scale and north arrow.

►12.0 Affidavit or Sworn Declaration

I, DOUG REAUME of the CITY OF LONDON in the County/Region of MIDDLESEX

make oath and say (or solemnly declare) that the information contained in the documents that accompany this application is true.

Sworn (or declared) before me at the TOWN OF ST MARYS in the County/Region of PICATAWAY

this 26 day of NOVEMBER, 2019

Grant George Brouwer,
 A Commissioner, etc.,
 Province of Ontario, for the
 Commission of the Town of St. Marys
 Expires September 5, 2021

Applicant

► 13.0 Authorization of Owner for Agent to Make the Application

I (we), BARB + LARRY FORD of the TOWN OF ST MARYS in the County/Region of PERTH
am the owner of the land that is the subject of this application for a Minor Variance/ Permission and I (we) hereby authorize
DOUG REAUME (MTE OLS) to act as my (our) agent in the application.

Date Nov. 27/19

[Signature]
Signature of Owner(s)

14.0 ACKNOWLEDGEMENT

With the filing of this application, the applicant is aware of, and agrees, that if the decision of the Council of the Town of St. Marys regarding this application is appealed by a third party (a party other than the applicant), all costs incurred by the Corporation of the Town of St. Marys for legal counsel and other associated costs to represent the Corporation of the Town of St. Marys in defending the decision before the Ontario Municipal Board will be solely the responsibility of, and paid for by the applicant.

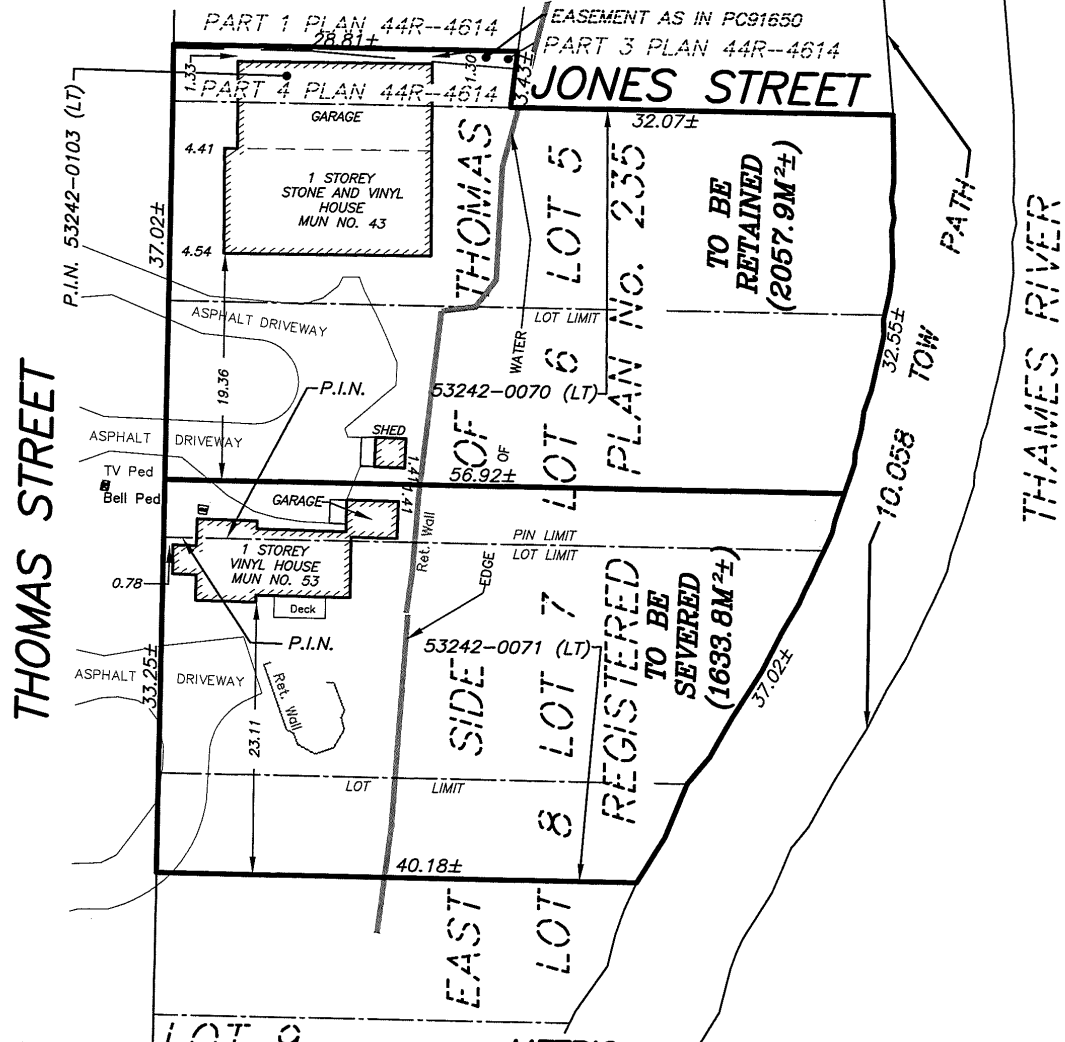
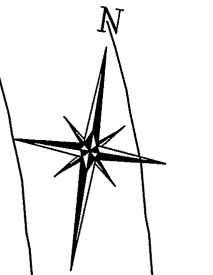
Dated at the City of Stratford
in the County/Region of Perth
this 27th day of November, 2019

[Signature]
Applicant

SEVERANCE SKETCH
 OF ALL OF
LOTS 5, 6 AND 7
 OF PART OF
LOT 8
REGISTERED PLAN No. 235
 IN THE
TOWN OF ST. MARYS
 COUNTY OF PERTH

SCALE 1:500
 0 2 4 6 8 10 20 30 METRES

MTE OLS LTD.
ONTARIO LAND SURVEYORS



AREAS:

AREAS SHOWN ON THIS PLAN ARE IN HECTARES AND CAN BE CONVERTED TO ACRES BY MULTIPLYING BY 2.471054.

AREAS SHOWN ON THIS PLAN ARE IN SQUARE METRES AND CAN BE CONVERTED TO ACRES BY DIVIDING BY 4046.8564.

METRIC:

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

CAUTION:

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

THIS SKETCH IS PREPARED FOR BARB & LARRY FORD
 DATE : NOVEMBER 12, 2019 © COPYRIGHT 2019, MTE OLS LTD.

THIS SKETCH IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR



MTE

MTE ONTARIO LAND SURVEYORS LTD.
 365 HOME STREET
 STRATFORD, ONTARIO, N5A 2A5
 TEL: 519-271-7952

Cad File: P:\P\46790\100\46790-100-SV1.DWG

COGO : 46790-100-UTMGROUND.CSV

Drawn By : V.F./ C. PERKS Checked By : T. McNEIL, O.L.S.

File No : 46790-100-SV1 (S)



Ontario ServiceOntario

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND
REGISTRY
OFFICE #44

53242-0070 (IT)

PAGE 1 OF 1
PREPARED FOR JWest01
ON 2019/10/15 AT 16:49:30

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: LOT 5 EAST SIDE THOMAS ST PLAN 235 ST MARYS; LOT 6 EAST SIDE THOMAS ST PLAN 235 ST MARYS ; ST MARYS

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
FIRST CONVERSION FROM BOOK

PIN CREATION DATE:
1999/03/29

OWNERS' NAMES
FORD, LARRY
FORD, BARBARA

CAPACITY SHARE
JTEN
JTEN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
EFFECTIVE	2000/07/29	THE NOTATION OF THE	"BLOCK IMPLEMENTATION DATE" OF 1999/03/29 ON THIS PIN			
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**	CONVENTION.					
**	ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.					
**DATE OF CONVERSION TO	LAND TITLES: 1999/03/29 **					
R279414	1987/06/05	TRANSFER	\$80,000	FORD, BARBARA FORD, LARRY	FORD, LARRY FORD, BARBARA	C
PCS5434	2007/11/16	CHARGE	\$350,000	FORD, BARBARA FORD, LARRY	THE BANK OF NOVA SCOTIA	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.



Ontario ServiceOntario

LAND
REGISTRY
OFFICE #44

53242-0071 (LT)

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER
PAGE 1 OF 1
PREPARED FOR QWesst01
ON 2019/10/15 AT 16:47:02

PROPERTY DESCRIPTION: LOT 7 EAST SIDE THOMAS ST PLAN 235 ST MARYS; LOT 8 EAST SIDE THOMAS ST PLAN 235 ST MARYS SAVE AND EXCEPT THE SOUTHERLY 40 FEET AS IN STMW20908; ST. MARYS

PROPERTY REMARKS:
ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED
RECENTLY:
FIRST CONVERSION FROM BOOK
PIN CREATION DATE:
1999/03/29
OWNER NAMES
FORD, BARBARA ANN
FORD, LARRY MICHAEL
CAPACITY SHARE
JTEN
JTEN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT / CHRD
EFFECTIVE 2000/07/29	THE NOTATION OF THE	'BLOCK IMPLEMENTATION DATE' OF 1999/03/29	ON THIS PIN			
WAS REPLACED WITH THE	"PIN CREATION DATE" OF 1999/03/29					
** PRINTOUT	INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **					
**SUBJECT,	ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:					
**	SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *					
**	AND ESCHEATS OR FORFEITURE TO THE CROWN.					
**	THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF					
**	IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTON OR BOUNDARIES SETTLED BY					
**	CONVENTION.					
**	ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.					
**DATE OF CONVERSION TO LAND TITLES: 1999/03/29 **						
LT31623	2002/07/31	TRANSFER	\$123,000	BALL, OLIVE	FORD, BARBARA ANN FORD, LARRY MICHAEL	C
PG66942	2008/12/02	CHARGE	\$300,000	FORD, BARBARA ANN FORD, LARRY MICHAEL	THE BANK OF NOVA SCOTIA	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
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Ontario ServiceOntario

LAND REGISTRY OFFICE #44
 PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER
 53242-0103 (LTN)

PAGE 1 OF 1
 PREPARED FOR JWest01
 ON 2019/11/19 AT 14:30:13

PROPERTY DESCRIPTION:

PT JONES ST PLAN 207 ST MARYS AS CLOSED BY BY-LAW # 58-2010 AS IN INSTRUMENT NUMBER PC91602 DESCRIBED AS PARTS 3 AND 4, REFERENCE PLAN 44R-4614 SUBJECT TO AN EASEMENT RESERVED BY THE TRANSFEROR OVER PART 3, 44R-4614 IN FAVOUR OF PIN 53242-0090 BEING THOMAS STREET PLAN 203 ST. MARYS BETWEEN QUEEN STREET AND WESTOVER STREET AND PART OF PIN 53242-0090 BEING PART JONES STREET PLAN 207 BETWEEN THOMAS STREET AND THE TOW PATH LYING WEST OF RIVER THAMES ABUTTING LOT 22 CONCESSION THAMES SAVE AND EXCEPT PARTS 1, 2, 3 AND 4 REFERENCE PLAN 44R-4614; ST MARYS

PROPERTY REMARKS:

ESTATE/QUALIFIER: RECENTLY:
 FEE SIMPLE DIVISION FROM 53242-0090
 LT CONVERSION QUALIFIED

PIN CREATION DATE:
 2011/07/07

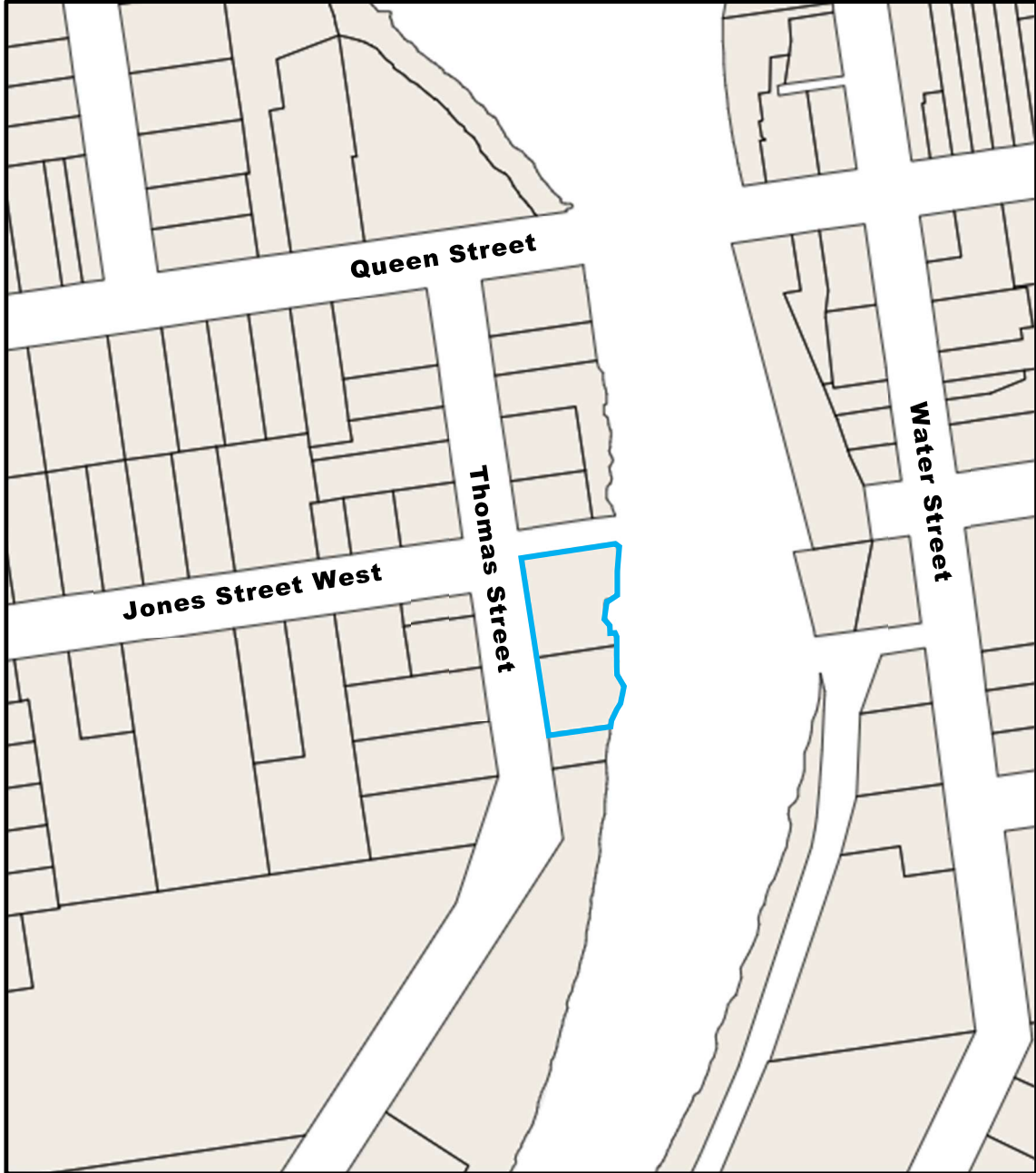
OWNERS' NAMES CAPACITY SHARE
 FORD, LARRY JTEN
 FORD, BARBARA JTEN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
**SUBJECT,	ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:					
**	SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *					
**	AND ESCHEATS OR FORFEITURE TO THE CROWN.					
**	THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF					
**	IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY					
**	CONVENTION.					
**	ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.					
**DATE OF CONVERSION TO LAND TITLES: 1999/03/29 **						
PL207	1855/04/18	PLAN SUBDIVISION				C
44R4614	2008/07/02	PLAN REFERENCE				C
PC91602	2011/06/17	BYLAW		THE CORPORATION OF THE TOWN OF ST. MARYS	THAMES BEING PYS 1,2,3,4 44R-4614	C
REMARKS: BY-LAW	58-2010 TO CLOSE PART OF JONES STREET BETWEEN THOMAS STREET AND THE TOW PATH LYING WEST OF THE RIVER					
PC91650	2011/06/17	TRANSFER	\$2,500	THE CORPORATION OF THE TOWN OF ST. MARYS	FORD, LARRY FORD, BARBARA	C

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GENERAL LOCATION MAP

43 & 53 Thomas Street
Lots 5 to 8, Registered Plan 235
Town of St. Marys



Subject Lands



December 3, 2019

SPECIFIC LOCATION MAP

43 & 53 Thomas Street
Lots 5 to 8, Registered Plan 235
Town of St. Marys

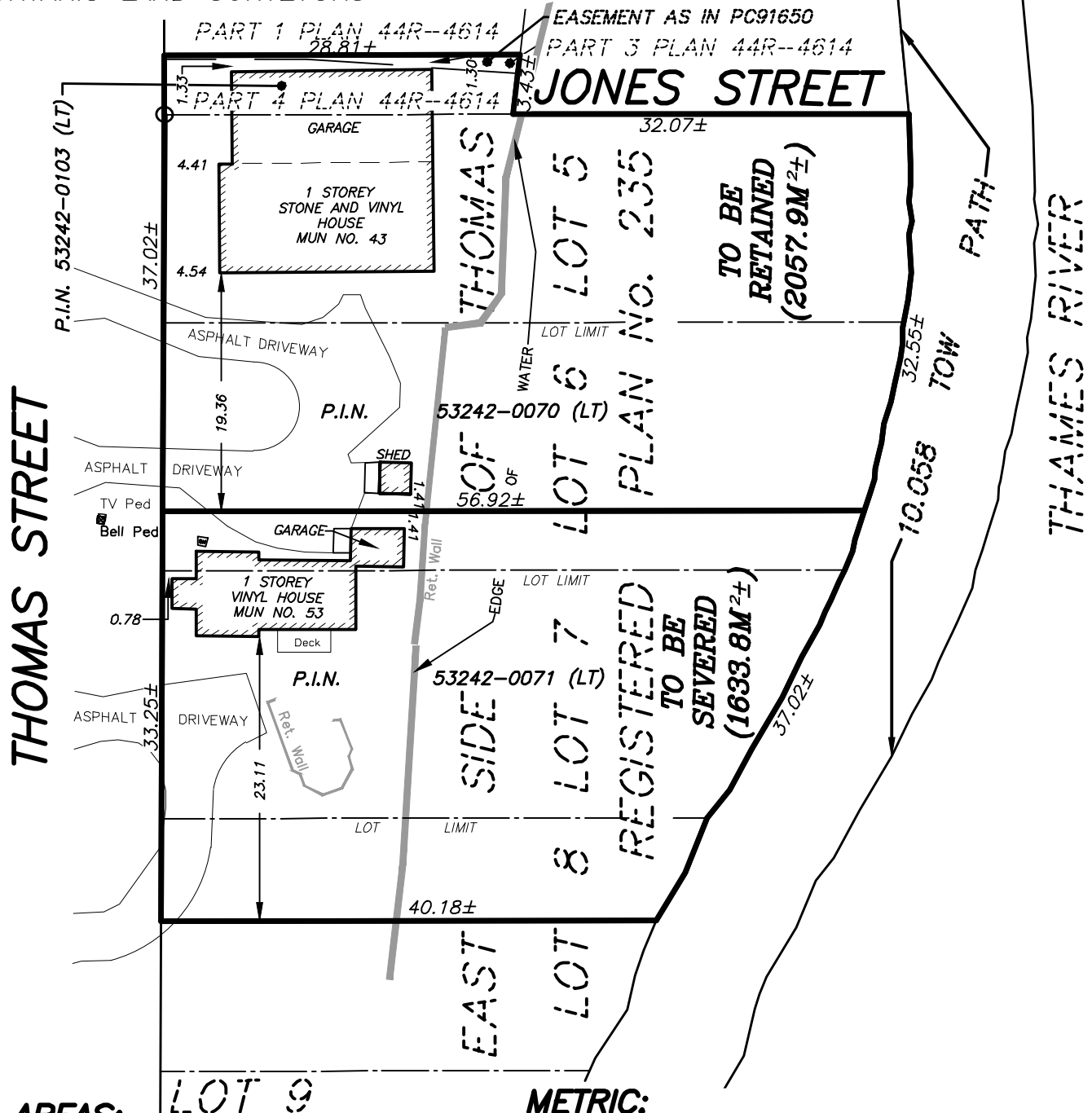
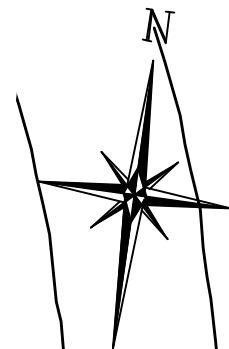


December 3, 2019

SEVERANCE SKETCH
 OF ALL OF
LOTS 5, 6 AND 7
 OF PART OF
LOT 8
 REGISTERED PLAN No. 235
 IN THE
TOWN OF ST. MARYS
 COUNTY OF PERTH

SCALE 1:500
 0 2 4 6 8 10 20 30 METRES

MTE OLS LTD.
ONTARIO LAND SURVEYORS



AREAS:

AREAS SHOWN ON THIS PLAN ARE IN HECTARES AND CAN BE CONVERTED TO ACRES BY MULTIPLYING BY 2.471054.
 AREAS SHOWN ON THIS PLAN ARE IN SQUARE METRES AND CAN BE CONVERTED TO ACRES BY DIVIDING BY 4046.8564.

METRIC:

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

CAUTION:

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.
 THIS SKETCH IS PREPARED FOR BARB & LARRY FORD
 DATE : NOVEMBER 12, 2019 © COPYRIGHT 2019, MTE OLS LTD.

THIS SKETCH IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR



MTE ONTARIO LAND SURVEYORS LTD.
 365 HOME STREET
 STRATFORD, ONTARIO, N5A 2A5
 TEL: 519-271-7952

Cad File: P:\P\46790\100\46790-100-SV1.DWG	COGO : 46790-100-UTMGROUND.CSV
Drawn By : V.F./ C. PERKS	Checked By : T. McNEIL, O.L.S.
File No : 46790-100-SV1 (S)	Page 46 of 47

TOWN OF ST. MARYS

Committee of Adjustment Meeting Schedule 2020

Committee of Adjustment (COA) meets at 6:00 pm on the first and third Wednesday of each month, as required. Meetings of COA are held in the Board Room, Municipal Operations Centre, 408 James Street South, St. Marys.

Deadline for a <u>COMPLETE</u> Application** (all deadlines end at 12 noon on given date)	COMMITTEE OF ADJUSTMENT MEETING DATE
Wednesday, December 11, 2019	Wednesday, January 8, 2020
Wednesday, December 18, 2019	Wednesday, January 22, 2020
Wednesday, January 15, 2020	Wednesday, February 5, 2020
Wednesday, January 29, 2020	Wednesday, February 19, 2020
Wednesday, February 12, 2020	Wednesday, March 4, 2020
Wednesday, February 26, 2020	Wednesday, March 18, 2020
Wednesday, March 11, 2020	Wednesday, April 1, 2020
Wednesday, March 25, 2020	Wednesday, April 15, 2020
Wednesday, April 15, 2020	Wednesday, May 6, 2020
Wednesday, April 29, 2020	Wednesday, May 20, 2020
Wednesday, May 13, 2020	Wednesday, June 3, 2020
Wednesday, May 27, 2020	Wednesday, June 17, 2020
Wednesday, June 17, 2020	Wednesday, July 8, 2020
Wednesday, June 24, 2020	Wednesday, July 22, 2020
Wednesday, July 15, 2020	Wednesday, August 5, 2020
Wednesday, July 29, 2020	Wednesday, August 19, 2020
Wednesday, August 12, 2020	Wednesday, September 2, 2020
Wednesday, August 26, 2020	Wednesday, September 16, 2020
Wednesday, September 16, 2020	Wednesday, October 7, 2020
Wednesday, September 30, 2020	Wednesday, October 21, 2020
Wednesday, October 14, 2020	Wednesday, November 4, 2020
Wednesday, October 28, 2020	Wednesday, November 18, 2020
Wednesday, November 11, 2020	Wednesday, December 2, 2020
Wednesday, November 25, 2020	Wednesday, December 16, 2020
Wednesday, December 16, 2020	Wednesday, January 6, 2021
Wednesday, December 30, 2020	Wednesday, January 20, 2021

**** Note: The application must have been received by the Town prior to and deemed complete by Town staff as of the given deadline date. If an application is not adequate to be deemed complete by Town staff as of the given deadline date it may be sent back to the applicant and may be rescheduled in the COA meeting queue.**