



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. A

**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) <u>THOMAS &amp; CELINA DILL</u>	Home Telephone No. <u>(519) 284-8047</u>	Business Telephone No. <u>CU</u>
Address <u>279 ELIZABETH ST.</u>	Postal Code <u>N4X 1B6</u>	Fax No. <u>226-268-2820</u>

▶ 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)	Home Telephone No.	Business Telephone No.
Address	Postal Code	Fax No.

**▶ 2.0 Location and Size of the Subject Land**

Street No. <u>279</u>	Name of Street/Road <u>ELIZABETH ST</u>	Registered Plan No. <u>250</u>	Lot(s)/Block(s) <u>B</u>
Reference Plan No.	Part Number(s)	Concession Number(s)	Lot Number(s)
Lot Frontage <u>15 m.</u>	Average Width	Average Depth <u>36.57 m.</u>	Lot Area

▶ 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

MERIVAN CREDIT UNION  
MORTGAGE ON HOUSE & PROPERTY

▶ 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.

CN HAS 3 RECOMMENDATIONS DESCRIBED IN "OTHER INFORMATION"

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

JUNE 15, 2019

**▶ 3.0 Proposed and Current Land Use**

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

RESIDENTIAL BUILDING LOT

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

VACANT LAND

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

RESIDENTIAL ZONE THREE (R3)

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

PLEASE SEE ZONING BY-LAW CHART ATTACHED

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

PLEASE SEE ZONING BY-LAW CHART PROVIDED FOR THIS INFORMATION.

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

NB: CHART CONSIDERS FUTURE ROAD WIDENING. CONFIGURATION OF SEVERED LOT DOES NOT MEET THE REQUIREMENTS, ALTHOUGH THE SEVERED LOT DOES NOT RESULT IN AN UNRESIZED LOT. SEVERED LOT WILL RETAIN FRONTAGES SIMILAR TO LOTS IN SURROUNDING AREA.

RECEIVED

AUG 19 2021

ST. MARYS BUILDING DEPT.

VACANT LOT



➤ 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			3.7.5 Height	
3.7.2 Rear Yard	SHED 8'x10'		3.7.6 Dimensions	
3.7.3 Side Yard			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?

PAST KNOWLEDGE OF AREA

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.

➤ 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	NONE	✓	a) Public piped water system	NONE	✓
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	NONE	✓	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)

DEVELOPMENT WOULD BE SINGLE FAMILY DWELLING IN A RESIDENTIAL AREA.

➤ 8.0 Other Information (attach an additional page if necessary)

THERE ARE 3 CONDITIONS TO SATISFY CNR UPON SALE OF DIVIDED LOT:

- 1) CNR RECOMMENDS IMPLEMENTING NOISE MITIGATION MEASURES IN CONSTRUCTION OF ANY FUTURE DWELLINGS
- 2) CLAUSE INSERTED IN ANY AGREEMENTS WITH CNR WARNING
- 3) PROTECTED DRIVEWAY TO BE SINGLE CAR ACCESS & TO BE PLACED CLOSEST TO THE RETAINED LOT.

➤ 9.0 Application Drawing

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

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



➤ 10.0 Affidavit or Sworn Declaration

I, WE THOMAS & ALICIA DILL of the \_\_\_\_\_ in the County/Region of \_\_\_\_\_

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

**Leslee Lea Stacey,  
a Commissioner, etc.,  
Province of Ontario, for the  
Corporation of the Town of St. Marys.  
Expires September 17, 2021**

in the County/Region of Perth

this 19 day of August, 2021

Leslee Stacey  
Commissioner of Oaths

Thomas W Dill  
Applicant

➤ 11.0 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)

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 Town of St. Marys.

in the County/Region of Perth

this 19<sup>th</sup> day of August, 2021

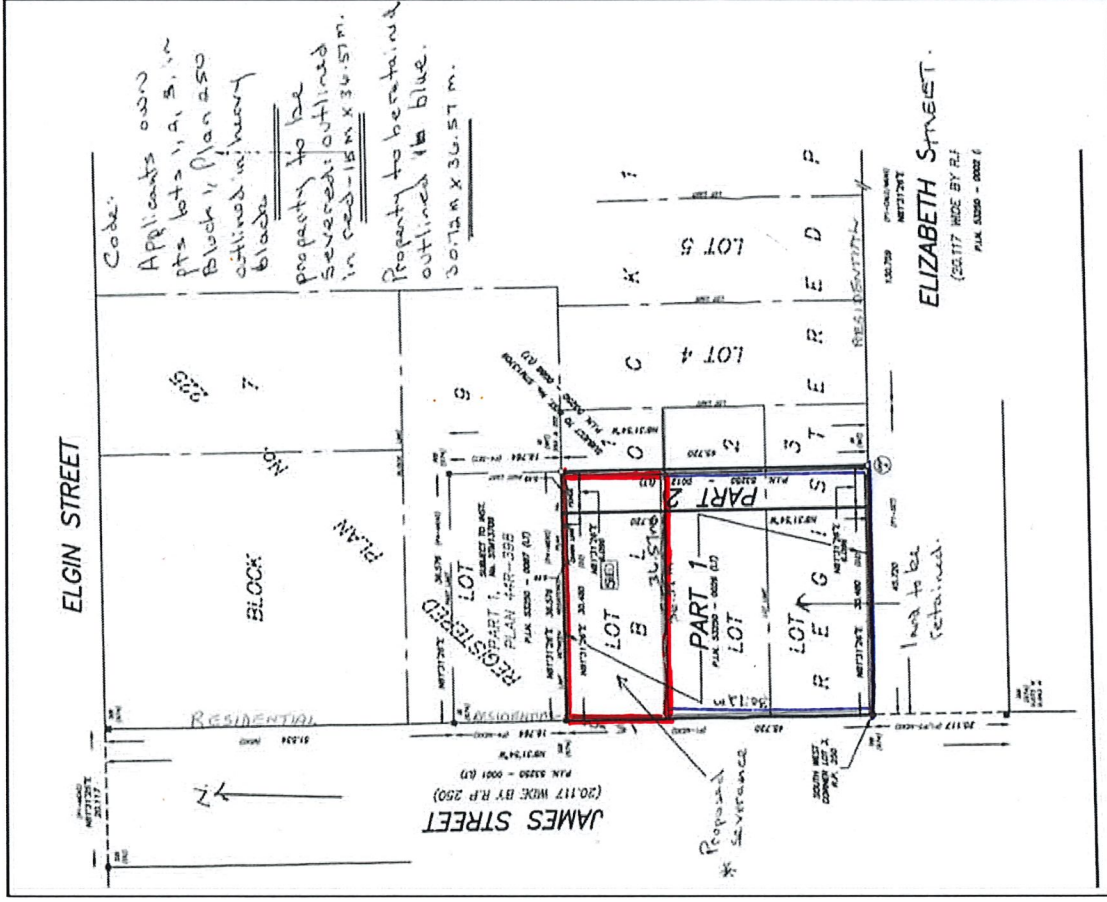
Thomas W Dill  
Applicant

279 ELIZABETH ST.

Should you have any questions or require further information regarding this application, please contact the undersigned.



Grant Brouwer  
Secretary-Treasurer



TOWN OF ST. MARYS | BUILDING & DEVELOPMENT  
Municipal Operations Centre, 408 James St. S., PO Box 998, St. Marys ON N4X 1B6

Phone: 519-284-2340, ext. 215 | Fax: 519-284-0902  
[gbrouwer@town.stmarys.on.ca](mailto:gbrouwer@town.stmarys.on.ca) | [www.townstmarys.com](http://www.townstmarys.com)

**Zoning By-law**

The subject property is zoned "Residential Zone Three (R3)" in Zoning By-law Z1-1997, as amended. One single detached dwelling is permitted per lot on lands zoned R3. Town staff has advised the

Page 25 of 27

applicant that the proposed lots would not comply with certain regulations. The following chart summarizes deficiencies related to minimum lot area, frontage and front yard, and is based on anticipated lot sizes after the required 5 metre James Street South road widening is conveyed to the Town.

Section	Regulation	Required	Proposed
10.2.1	Minimum Lot Area (Interior Lots)	555 m <sup>2</sup>	Severed lot: 473.6 m <sup>2</sup> *
10.2.3	Minimum Lot Depth	37 m	Severed and retained lots: 31.6 m *
10.2.4	Minimum Front Yard	6 m	Severed and retained lots: to be confirmed

Notes:

**X** after road widening