



AGENDA

Strategic Priorities Committee

April 21, 2020

9:00 am

Council Chambers, Town Hall
175 Queen Street East, St. Marys

Pages

1. **CALL TO ORDER**
2. **DECLARATIONS OF PECUNIARY INTEREST**
3. **AMENDMENTS AND APPROVAL OF THE AGENDA**

RECOMMENDATION

THAT the April 21, 2020 Strategic Priorities Committee agenda be accepted as presented.

4. **STRATEGIC PRIORITIES REVIEW**

- 4.1 **DEV 22-2020 St. Marys Official Plan Review Workshop**

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RECOMMENDATION

THAT DEV 22-2020 St. Marys Official Plan Review Workshop report be received for discussion and direction to staff for the Official Plan review.

5. **NEXT MEETING**

May 19, 2020 - 9:00 am, Strategic Priorities Committee, Council Chambers

6. **ADJOURNMENT**

RECOMMENDATION

THAT this meeting of the Strategic Priorities Committee adjourn at _____ pm.



FORMAL REPORT

To:	Chair Stratthdee and Members of Strategic Priorities Committee
Prepared by:	Mark Stone, Planner
Date of Meeting:	21 April 2020
Subject:	DEV 22-2020 St. Marys Official Plan Review Workshop

PURPOSE

Council has directed staff to create as much supply of housing as possible and to identify opportunities for intensification and higher densities that will assist in the provision of attainable housing. To achieve this, the Town is considering a number of changes to the Official Plan, including increases to the maximum permitted height of residential buildings and permitting apartment units on lands designated Highway Commercial.

Questions have been raised regarding the implementation of these policy changes in the Town. The purpose of this report is to provide background information to assist with a workshop with the Strategic Priorities Committee (SPC) to further assess these proposed new policies and implementation approaches.

RECOMMENDATION

THAT DEV 22-2020 St. Marys Official Plan Review Workshop report be received for discussion and direction to staff for the Official Plan review.

BACKGROUND

At the June 18, 2019 SPC meeting, staff requested Council direction with respect to planning for and regulating building heights in the Town. In the June 18, 2019 report to SPC (DEV 36-2019 Building Height in St. Marys), staff identified and discussed the following options:

Status Quo - continue to require an Official Plan Amendment for any proposal exceeding the 3-storey maximum for Residential areas.

Increase Maximum Height for all Residential Areas from 3 to 4 storeys – development proposals would continue to be subject to Official Plan policies requiring the consideration of a number of factors, including compatibility and neighbourhood character, before approving four storey development.

Increase Maximum Height Based on Location, Character and/or Planned Function - would require an analysis to identify areas where the 3 storey maximum would continue to apply and properties and/or areas where 4+ storey buildings and/or higher densities may be appropriate.

A copy of DEV 36-2019 is provided with this report as Attachment 1.

On June 25, 2019, Council adopted the recommendations of the June 18, 2019 Strategic Priorities Committee recommendations as follows:

THAT staff be directed to include policies in the Official Plan review to:

- *Increase the Maximum Permitted Height for all Residential Areas from 3 to 4 storeys*
- *Provide clarity how the average height above grade will be defined, with consideration given to defining the 4 storey maximum by the primary vantage point for the development*
- *Allow for flexibility in the 4 storey maximum for residential developments on green fields and fringe lands of the Town where the impact to the surrounding neighbourhood is limited*

THAT the lands identified and recommended by staff in DEV 40-2019 be included in the Town of St. Marys' residential supply for the purposes of the Official Plan Review and Update; and

THAT Council directs the Planner to create a 'special residential designation' that limits permitted building forms to mid-rise apartments, stacked or back-to-back townhouses and similar medium density development, and/or requires a minimum density of development (e.g. 60 units / hectare) for the purposes of identifying appropriate locations for higher density development in new mixed use areas.

Staff updated the draft policies based on the above directions and presented the updated draft Official Plan to Council on January 14, 2020. In the past few months, staff have received questions related to the built form and locations of new development that will result from these new policies. Staff suggested the holding of a workshop with the SPC to discuss these questions and any concerns.

REPORT

Current Official Plan

The Residential designation in the current Official Plan permits a wide range of dwelling types from single detached to walk up type apartments and residential infilling is generally permitted "where such development is in keeping with the attributes of the neighbourhood in terms of building type, building form, and spatial separation" (Section 3.1.2.3). In reviewing proposals for residential development with a net density greater than 18 units per hectare, Council is to consider a number of factors such as servicing and roadway capacity as set out in Section 3.1.2.7. However, Section 3.1.2.7 (a) states that "development will not involve a building in excess of three full stories above average finished grade and designed to be in keeping with the general character of the area".

In the Central Commercial designation of the Official Plan, development and redevelopment is subject to specific policies including a 4-storey height limitation for new commercial buildings, and policies to ensure that development or redevelopment "is compatible with adjacent buildings and in keeping with the character of the core in terms of size, height, massing, and architecture".

Residential development is currently not permitted on lands designated Highway Commercial.

Draft New Official Plan

The following is a high level summary of proposed modifications to the Town's Official Plan relevant to this discussion. Proposed text deletions are shown in ~~striketrough~~ and text additions are shown in underline.

- a) General increase to the maximum permitted building height from 3 to 4 storeys.

3.1.2.117 In reviewing proposals for residential development ~~with a net density of more than 18 units per hectare~~, Council shall consider the impact on municipal capacity, hard services and utilities including sanitary sewer, municipal water supply, storm drainage, service utilities and roadways. Council shall take the following into account prior to enacting an amendment to the Zoning By-law:

- a) That the development will not involve a building in excess of ~~three~~ four full stories above average finished grade (with the exception of lands designated Medium/High Density Residential) and designed to be in keeping with the general character of the area;
- b) That the physical condition of land proposed for development will not present a hazard to buildings structures and residents;
- c) That the net density of development shall not exceed ~~90~~ 75 units per hectare;
- d) That the development is serviced by municipal water supply and sewage disposal facilities and that the design capacity of these services can accommodate such development;
- e) That the proposed development is within 100 metres of an arterial or collector road as defined in Schedule "B" of this Plan; and
- f) That sufficient on-site parking is provided and adequate buffering, screening or separation distance is provided to protect adjacent areas of lower density housing.

- b) Section 3.1 (Residential) - addition of policies respecting compatible development, and evaluating neighbourhood character, infill and intensification.

3.1.2.3 ~~Residential infilling type development is generally permitted throughout the "Residential" designation where such New development, intensification and infilling is permitted throughout the "Residential" designation provided it is in keeping with the attributes character of the neighbourhood in terms of building type, building form, and spatial separation. When evaluating the attributes character of the neighbourhood, regard shall be given to attributes such as: land use, lot sizes and fabric (i.e., area, frontage, and depth);, and built building type, location, form and scale (i.e., setbacks from lots lines and roads, spacing from other buildings, massing, scale, and height), building materials and architecture, lot coverage (coverage of buildings and open/green space), and streetscapes and planned function of roads.~~

General Policies for New Development and Intensification/Infill (3.1.2.3.1)

- a) Development shall respect the existing character of the surrounding neighbourhood through compatible and complementary building siting, massing, height and scale.
- b) Proposed land uses and development should have minimal impacts on adjacent properties in relation to grading, drainage, shadowing, access and circulation, and privacy.
- c) Existing trees and vegetation should be retained and enhanced where possible and additional landscaping should be provided to integrate the proposed development with the existing neighbourhood.

Policies for the Creation of Lot(s) for Single Detached and Semi-detached Dwellings Between Existing Lots (3.1.2.3.2)

- a) Proposed building heights should reflect the pattern of heights of adjacent housing and shall not exceed two storeys.
- b) Proposed lot coverage should be similar to the lot coverage permitted on adjacent housing through the applicable zoning.
- c) The predominant or average front yard setback for adjacent housing should be maintained to preserve the streetscape edge, and character.
- d) Similar side yard setbacks should be provided to preserve the spaciousness of lots on the street; and,
- e) The depth of a new dwelling should provide for a usable sized rear yard amenity area.

General Policies for the Development of Townhouses, Multiples and Apartments (3.1.2.3.3)

- a) The location and massing of new buildings should provide a transition between areas of different development intensity and scale. Appropriate transitions can be achieved through appropriate setbacks or separations of buildings, changes in densities and massing, and the stepping down of building heights.
 - b) Lots shall be located in close proximity to a Collector or Arterial Road.
 - c) When considering building heights, potential shadowing impacts, views onto adjacent lower density lots and abrupt changes in scale should be considered.
 - d) New buildings that are adjacent to low rise areas shall be designed to respect a 45 degree angular plane measured from the boundary of a lot line which separates the lot from an adjacent lot with a low rise residential dwelling.
 - e) Proposed development shall be located on a site that has adequate land area to incorporate required resident and visitor parking, recreational facilities, landscaping and buffering on-site.
 - f) The exterior design of buildings should be compatible with the materials and characteristics of existing buildings in the neighbourhood, including materials, colours, architectural detail, landscaping, and streetscape elements.
 - g) The preservation and protection of the natural open space system, cultural heritage resources, views and vistas shall be considered in the design of new development.
 - h) Proposed development will not create a traffic hazard or an unacceptable increase in traffic on local roads.
 - i) Generally, there should be minimal changes to existing site grades.
- c) Introduction of new Medium/High Density designation that limits permitted building forms to low and mid-rise apartments, stacked or back-to-back townhouses and similar higher density development for the purposes of identifying appropriate locations for this type of development in Greenfield areas.

Medium/High Density Residential Sub-designation (3.1.2.8)

Within the “Residential” designation, the Town has established a “Medium/High Density Residential” sub-designation intended, in part, to ensure the early provision of higher density, affordable housing on Greenfield properties. Building forms on lands designated “Medium/High Density Residential” shall be limited to low and mid-rise apartments, stacked or back-to-back townhouses, and similar higher density forms of housing.

Medium/High Density Residential block(s) shall be provided on any Greenfield lot or area 5.0 hectares or larger in size, and the location, size and density of these areas shall be determined based on certain criteria established by the Town including:

- a) A minimum of 20 percent of units shall fall within the Medium/High Density Residential category with a minimum overall density of 45 units per net hectare on Medium/High Density blocks;
 - b) Consideration of all of the policies of this plan including the policies of Sections 3.1.2.3.1 and 3.1.2.3.3 for the development of townhouse, multiple and apartment dwellings and the urban design policies of Section 4.3.2.1; and,
 - c) The maximum building height of apartment buildings shall be six storeys or 20.0 metres whichever is less.
- d) Section 3.3 (Highway Commercial) – addition of policies to permit some mixed-use development in the form of residential apartment units in commercial buildings and low-rise apartment buildings, to a maximum of four storeys, on some properties designated Highway Commercial.

On lands identified as “HC-I” on Schedule A, residential uses in the form of apartment units may be permitted in addition to a planned or established commercial use above the ground floor grade level or in an standalone apartment dwelling, provided the residential use of the land does not interfere with or detract from the primary commercial function of the area. The location, height, size and density of development shall be determined based on the consideration of all of the policies of this plan including the policies of Sections 3.1.2.3.1 and 3.1.2.3.3 for the development of apartment dwellings and the urban design policies of Section 4.3.2.1. The maximum building height of buildings shall be four storeys or 14.0 metres whichever is less.

Discussion

The proposed policy changes are intended to increase the supply of housing choices in St. Marys in terms of dwelling types/forms and affordability, while ensuring that new development is compatible and designed in consideration of the surrounding neighbourhood context.

Notwithstanding these proposed policy changes, some questions have been raised with respect to how the Town can ensure that intensification development will occur in the right locations with appropriate densities, heights, form and design. The workshop to be held with SPC is intended to provide the opportunity for a more detailed discussion of what these new policies will mean for the Town. In addition to maximum building heights and densities, tools available to the Town for defining and regulating acceptable levels of intensification include:

- Restricting the heights of new buildings based on the heights of nearby buildings
- Floor space index (FSI) – minimum and/or maximum
- Identifying and applying land use and built form policies based on ‘character areas’

For the purposes of assisting with the workshop discussion, examples of approaches in some other municipalities are provided below.

City of Cambridge

The City of Cambridge Official Plan states that “infill, intensification and redevelopment within existing neighbourhoods will be minor in nature and will be compatible with the surrounding neighbourhood character. The following will be considered in assessing whether the development is minor in nature:

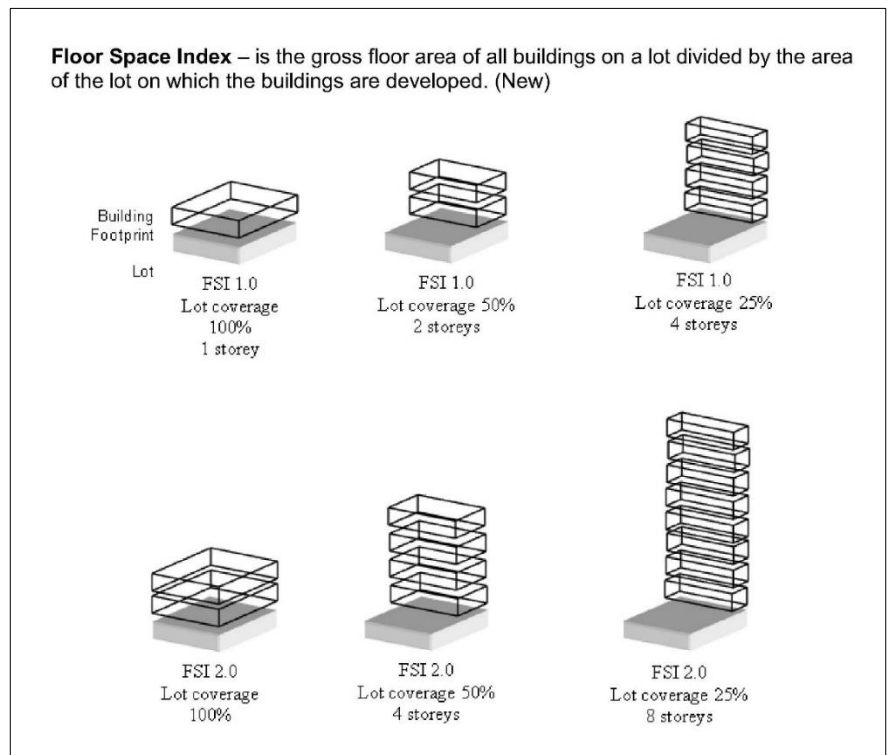
- a) comparable building height, generally within two storeys of neighbouring buildings;
- b) massing and scale;
- c) similar lot coverage and side yard setbacks to neighbouring housing;
- d) maintaining the predominant or average front yard setback;
- e) built form that respects the façade details and materials of neighbouring housing, including garage width, porches, screening and architectural details;
- f) transportation implications; and
- g) appropriate parking arrangements and traffic movement”.

The City’s Official Plan requires that sites “be designed with transition between areas of different intensity and scale”, and also encourages multi-unit residential development subject to criteria including that such development is:

- located on an arterial or collector road, or is directly accessible to any such road through the local road network where it is not likely to generate sufficient traffic to disturb the peaceful and quiet enjoyment of neighbouring residential properties located on such local access road; and,
- proposed to be developed in such a manner and at such a scale that the site and building design, building height, setbacks, landscaping and vehicular circulation will ensure the proposed development is compatible with existing development on adjoining lands.

The Cambridge Official Plan contains three residential designations: Low/Medium Density Residential; High Density Residential; and Rural Residential. The Low/Medium Density Residential designation has a residential density target of 40 units per gross hectare. A minimum 0.5 Floor Space Index and maximum 2.0 Floor Space Index for the High Density Residential designation.

FSI can be a valuable tool as it can assist in controlling the overall massing of a building or building(s) on a property. The Cambridge Official Plan provides a definition and illustrations of FSI (as shown to the right).



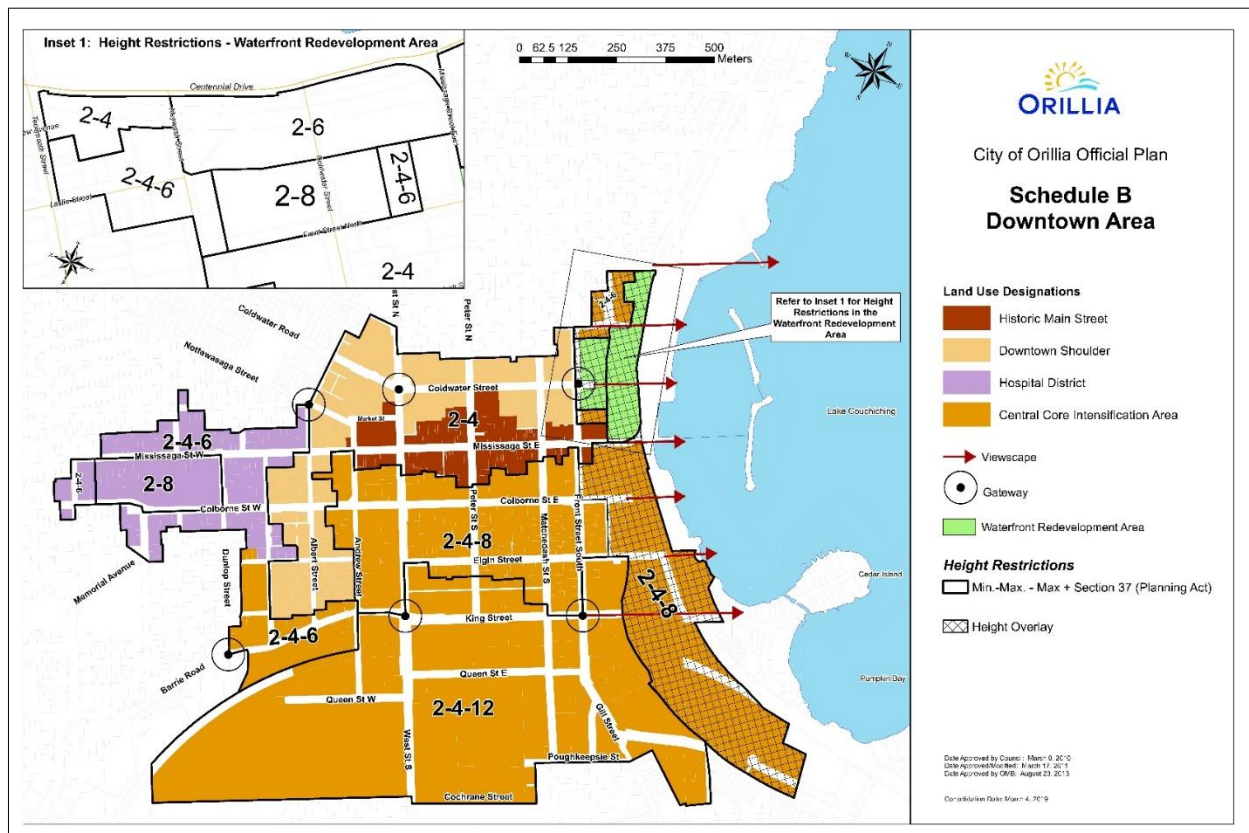
City of Orillia

Schedule A of the City of Orillia Official Plan identifies Stable Residential, Neighbourhood Greenfield and Intensification Areas. Single detached, semi-detached, duplexes, multiples and townhouses are permitted on lands designated Stable Residential or Neighbourhood Greenfield. Apartment buildings are also permitted on lands designated Neighbourhood Greenfield.

The Stable Residential designation limits building heights to a maximum of three storeys, however the policies state that the implementing Zoning By-law may provide more restrictive height limits based on the specific context of a neighbourhood or area within the City. Building heights up to eight storeys are permitted on lands designated Neighbourhood Greenfield.

Intensification Areas are locations identified based on the potential to accommodate a mixture of residential, office, retail and service commercial uses. Permitted residential forms include stand-alone multiple-unit buildings, all forms of townhouses (including, but not limited to, link stack and back-to-back), apartment buildings and residential units in mixed-use buildings. Minimum and maximum building height restrictions (2 and 8 storeys) apply in Intensification Areas.

In the Downtown Area, area specific minimum and maximum building heights are identified on Schedule B of the Official Plan, generally ranging from two to four storeys.



Town of Newmarket

The Town of Newmarket is completing an Established Neighbourhoods Compatibility Study. Residential character areas were established based on the consideration of a number of factors including: age, evolution, form and type of development; boundaries (e.g. major roads, parks, natural heritage); infrastructure capacity; predominant lot dimensions, setbacks, separation distances, lot coverage, building heights/depths and massing.

Recommendations for changes to the Town's Official Plan and Zoning By-law have been released and include:

- Residential Areas continue to be primarily comprised of single detached and semi-detached
- Duplexes, triplexes and fourplexes of a built form similar to existing residential permitted by Planning Act application provided design is complementary and compatible with surrounding neighbourhood
- Townhouses and low-rise apartments may be permitted by Planning Act application along Arterial and Primary Collector Roads, and in proximity to Urban Centres Area
- Range of small-scale commercial, institutional and office uses that contribute to neighbourhood vibrancy and have a compatible built form are permitted on Primary and Minor Collector Roads

FINANCIAL IMPLICATIONS

Not known at this time.

SUMMARY

Staff has prepared this report to provide additional information and options for regulating higher density type of development in the Town, and request direction from SPC and Council.

STRATEGIC PLAN

A short-term initiative in the Town's Strategic Plan involves the Town investigating "*the prospect of medium density housing in the downtown and surrounding areas (infill and new development spaces: 'building in and building up')*" (Strategic Pillar 6, Housing).

The Town's Strategic Plan states that "*the recent County labour market survey indicates an acute shortage of skilled workers, particularly in the 'blue collar' and agricultural sectors. The one barrier to supplying that labour is housing options. There need to be housing options that are affordable, attainable and even include rentals. This solution might also partially encourage youth and cultural practitioners to consider St. Marys as the place to live, work and play*" (Strategic Pillar 6, Housing).

OTHERS CONSULTED

N/A

ATTACHMENTS

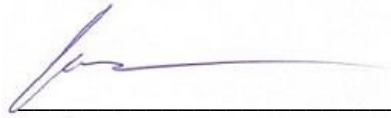
- 1) OP Review Presentation
- 2) June 18, 2019 Report to SPC (DEV 36-2019)
- 3) Recent public submissions

REVIEWED BY

Recommended by the Department

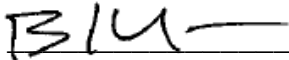


Mark Stone
Planner



Grant Brouwer
Director of Building and Development

Recommended by the CAO

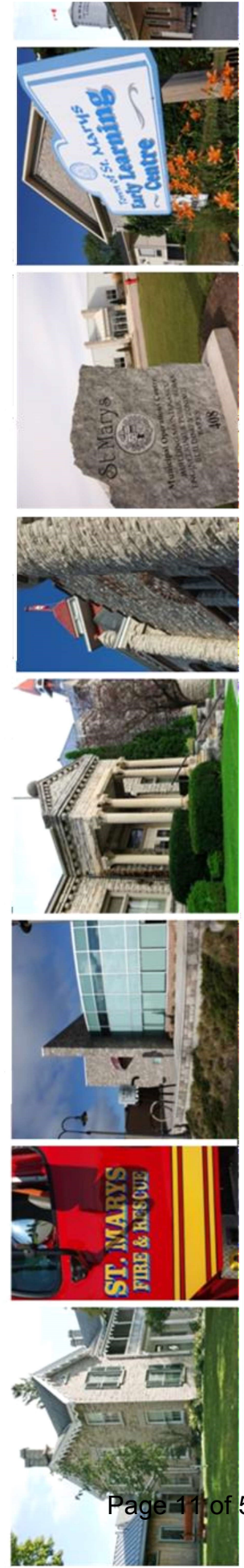


Brent Kittmer
CAO / Clerk

Strategic Priorities Committee

Official Plan Review Workshop

April 21, 2020



Workshop Purpose

- Discuss proposed changes to the Official Plan intended to support increasing the supply of housing, in particular those policies related to increases to the maximum permitted height of residential buildings and permissions for additional residential intensification
- Discuss how these policies will be implemented through the planning process

Current Official Plan

Residential Designation

- Single detached dwellings to walk up apartments permitted with maximum height of 3 storeys
- Development must be in keeping with attributes of the neighbourhood in terms of building type, building form, and spatial separation
- When evaluating the attributes of the neighbourhood, regard shall be given to lot fabric (i.e., area, frontage, and depth) and built form (i.e., setbacks, massing, scale, and height).
- An Official Plan Amendment is required for any development exceeding 3 storeys or 75 units/net hectare

Building Heights



Options Discussed at June 2019 SPC Meeting

1. Maintain current approach requiring an Official Plan Amendment for any proposal exceeding 3-storeys
2. Increase the Maximum Permitted Height for all Residential Areas from 3 to 4 storeys
3. Increase the Maximum Permitted Height Based on Location, Character and/or Planned Function

Council Direction – June 2019

- *Increase the Maximum Permitted Height for all Residential Areas from 3 to 4 storeys*
- *Provide clarity how the average height above grade will be defined, with consideration given to defining the 4 storey maximum by the primary vantage point for the development*
- *Allow for flexibility in the 4 storey maximum for residential developments on green fields and fringe lands of the Town where the impact to the surrounding neighbourhood is limited*
- *Create a ‘special residential designation’ that limits permitted building forms to mid-rise apartments, stacked or back-to-back townhouses and similar medium density development, and/or requires a minimum density of development (e.g. 60 units / hectare) for the purposes of identifying appropriate locations for higher density development in new mixed use areas.*

New Draft Official Plan

- Section 3.1 (Residential)
 - addition of policies respecting compatible development, evaluating neighbourhood character, infill and intensification, accessory apartments and encouraging affordable housing
 - increase to the maximum permitted height from 3 to 4 storeys
 - new Medium/High Density subdesignation that limits permitted building forms to low and mid-rise apartments, stacked or back-to-back townhouses and similar medium density development for appropriate higher density development in Greenfield areas
- Section 3.2 (Central Commercial) – designation name changed to ‘Downtown’ and addition of policies to allow residential on ground floor of low-rise apartment buildings in certain areas based on criteria
- Section 3.3 (Highway Commercial) – addition of policies to permit some mixed-use development in the form of residential apartment units in commercial buildings and low-rise apartment buildings on some properties designated Highway Commercial

New Draft Official Plan

Residential Designation

- 3.1.2.3 ~~Residential infilling type development is generally permitted throughout the “Residential” designation where such New development, intensification and infilling is permitted throughout the “Residential” designation provided it is in keeping with the attributes character of the neighbourhood in terms of building type, building form, and spatial separation. When evaluating the attributes character of the neighbourhood, regard shall be given to attributes such as: land use, lot sizes and fabric (i.e., area, frontage, and depth); and built building type, location, form and scale (i.e., setbacks from lots lines and roads, spacing from other buildings, massing, scale, and height), building materials and architecture, lot coverage (coverage of buildings and open/green space), and streetscapes and planned function of roads.~~

New Draft Official Plan

Residential Designation

3.1.2.3.1 3.1.2.3.1—General Policies for New Development and Intensification/Infill

- a) Development shall respect the existing character of the surrounding neighbourhood through compatible and complementary building siting, massing, height and scale.
- b) Proposed land uses and development should have minimal impacts on adjacent properties in relation to grading, drainage, shadowing, access and circulation, and privacy.
- c) Existing trees and vegetation should be retained and enhanced where possible and additional landscaping should be provided to integrate the proposed development with the existing neighbourhood.

3.1.2.3.2 Policies for the Creation of Lot(s) for Single Detached and Semi-detached Dwellings Between Existing Lots

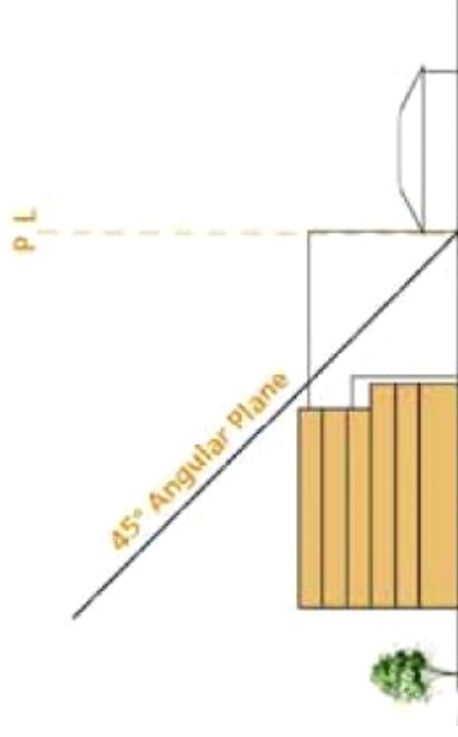
- a) Proposed building heights should reflect the pattern of heights of adjacent housing and shall not exceed two storeys.
- b) Proposed lot coverage should be similar to the lot coverage permitted on adjacent housing through the applicable zoning.
- c) The predominant or average front yard setback for adjacent housing should be maintained to preserve the streetscape edge, and character.
- d) Similar side yard setbacks should be provided to preserve the spaciousness of lots on the street; and,
- e) The depth of a new dwelling should provide for a usable sized rear yard amenity area.

New Draft Official Plan

Residential Designation

3.1.2.3.3 Policies for the Development of Townhouse, Multiple and Apartment Dwellings

- a) The location and massing of new buildings should provide a transition between areas of different development intensity and scale. Appropriate transitions can be achieved through appropriate setbacks or separations of buildings, changes in densities and massing, and the stepping down of building heights.
 - b) Lots shall be located in close proximity to a Collector or Arterial Road.
 - c) When considering building heights, potential shadowing impacts, views onto adjacent lower density lots and abrupt changes in scale should be considered.
 - d) New buildings that are adjacent to low rise areas shall be designed to respect a 45 degree angular plane measured from the boundary of a lot line which separates the lot from an adjacent lot with a low rise residential dwelling.
 - e) Proposed development shall be located on a site that has adequate land area to incorporate required resident and visitor parking, recreational facilities, landscaping and buffering on-site.
 - f) The exterior design of buildings should be compatible with the materials and characteristics of existing buildings in the neighbourhood, including materials, colours, architectural detail, landscaping, and streetscape elements.
 - g) The preservation and protection of the natural open space system, cultural heritage resources, views and vistas shall be considered in the design of new development.
 - h) Proposed development will not create a traffic hazard or an unacceptable increase in traffic on local roads.
- Generally, there should be minimal changes to existing site grades.



Source: Richmond Hill Housing and Residential Intensification Study
Background Report March 2009

New Draft Official Plan

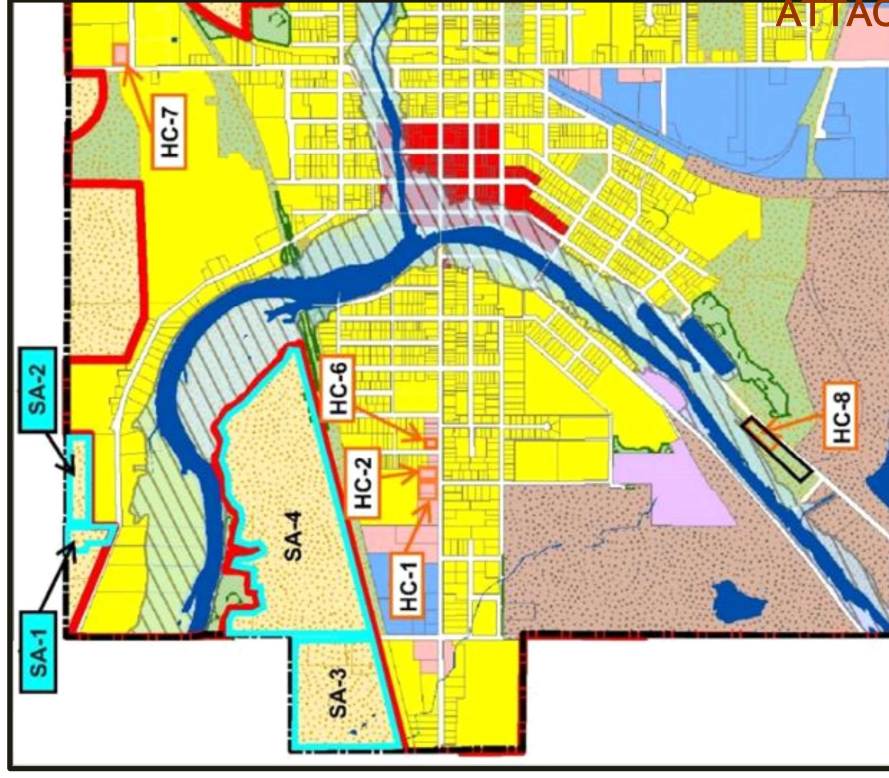
Residential Designation

3.1.2.8 Medium/High Density Residential Sub-designation

Within the "Residential" designation, the Town has established a "Medium/High Density Residential" sub-designation intended, in part, to ensure the early provision of higher density, affordable housing on Greenfield properties. Building forms on lands designated "Medium/High Density Residential" shall be limited to low and mid-rise apartments, stacked or back-to-back townhouses, and similar higher density forms of housing.

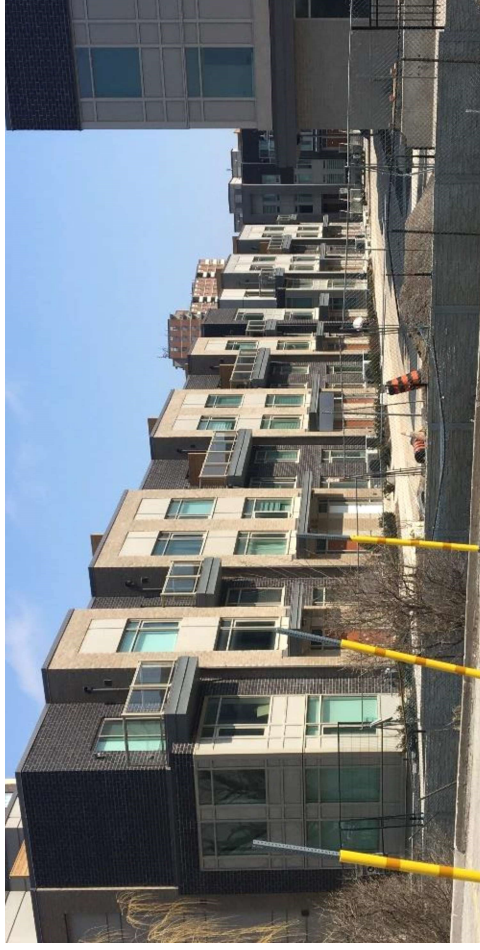
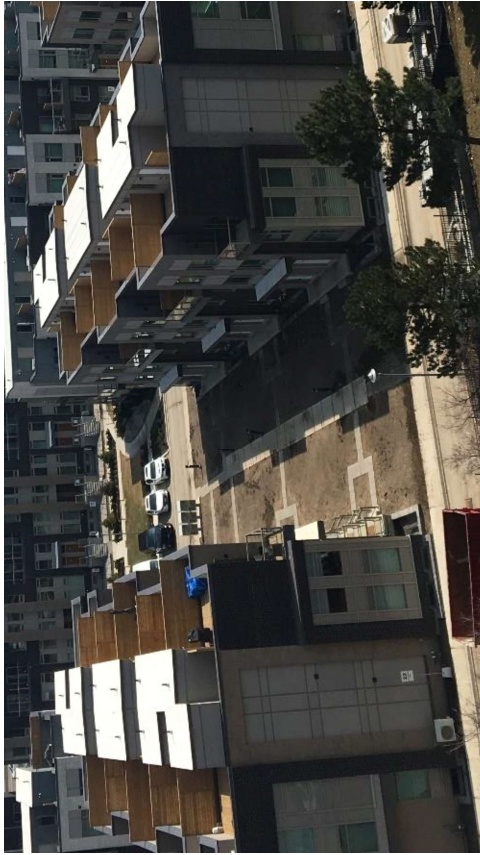
Medium/High Density Residential block(s) shall be provided on any Greenfield lot or area 5.0 hectares or larger in size, and the location, size and density of these areas shall be determined based on certain criteria established by the Town including:

- a) A minimum of 20 percent of units shall fall within the Medium/High Density Residential category with a minimum overall density of 45 units per net hectare on Medium/High Density blocks;
- b) Consideration of all of the policies of this plan including the policies of Sections 3.1.2.3.1 and 3.1.2.3.3 for the development of townhouse, multiple and apartment dwellings and the urban design policies of Section 4.3.2.1; and,
- c) The maximum building height of apartment buildings shall be six storeys or 20.0 metres whichever is less.



Back-to-back Townhouses

Etobicoke



Stouffville



New Draft Official Plan

Residential Designation

3.1.2.117 In reviewing proposals for residential development ~~with a net density of more than 18 units per hectare~~, Council shall consider the impact on municipal capacity, hard services and utilities including sanitary sewer, municipal water supply, storm drainage, service utilities and roadways. Council shall take the following into account prior to enacting an amendment to the Zoning By-law:

- a) That the development will not involve a building in excess of ~~three~~ four full stories above average finished grade (with the exception of lands designated Medium/High Density Residential) and designed to be in keeping with the general character of the area;
- b) That the physical condition of land proposed for development will not present a hazard to buildings structures and residents;
- c) That the net density of development shall not exceed ~~9075~~ units per hectare;
- d) That the development is serviced by municipal water supply and sewage disposal facilities and that the design capacity of these services can accommodate such development;
- e) That the proposed development is within 100 metres of an arterial or collector road as defined in Schedule "B" of this Plan; and
- f) That sufficient on-site parking is provided and adequate buffering, screening or separation distance is provided to protect adjacent areas of lower density housing.

Draft Official Plan

Highway Commercial Designation

On lands identified as “HC-1” on Schedule A, residential uses in the form of apartment units may be permitted in addition to a planned or established commercial use above the ground floor grade level or in an standalone apartment dwelling, provided the residential use of the land does not interfere with or detract from the primary commercial function of the area. The location, height, size and density of development shall be determined based on the consideration of all of the policies of this plan including the policies of Sections 3.1.2.3.1 and 3.1.2.3.3 for the development of apartment dwellings and the urban design policies of Section 4.3.2.1. The maximum building height of buildings shall be four storeys or 14.0 metres whichever is less.

Tools

Building height

- Number of storeys (can include maximum height of each storey)
- Total building height

Massing

- ‘Bulk’ of a building or buildings on a lot
- Floor space index (FSI) is commonly used – total floor area of all buildings on a lot divided by the total area of the lot

Density

- Units per hectare

Lot coverage and setbacks

Building Height

St. Marys Zoning By-law

3.21 Building Height means the vertical distance measured from the **finished grade level** of the **building** to:

- (a) in the case of a flat roof, the highest point of the roof surface or parapet, whichever is greater;
- (b) in the case of a mansard roof, the roof deck line;
- (c) in the case of a gable, hip, gambrel, or other roof type, the mean height between the eaves and the ridge;
- (d) in the case of a **building** not having a roof, the top part of any **building**.

ILLUSTRATION OF BUILDING HEIGHT

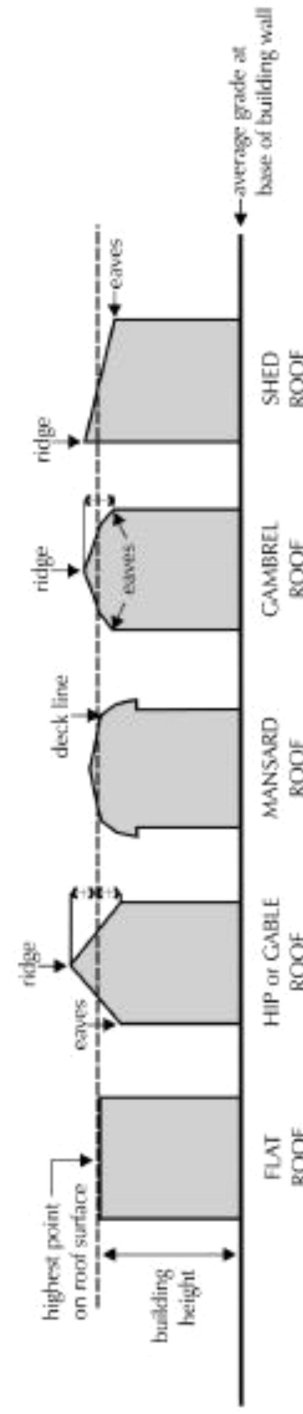
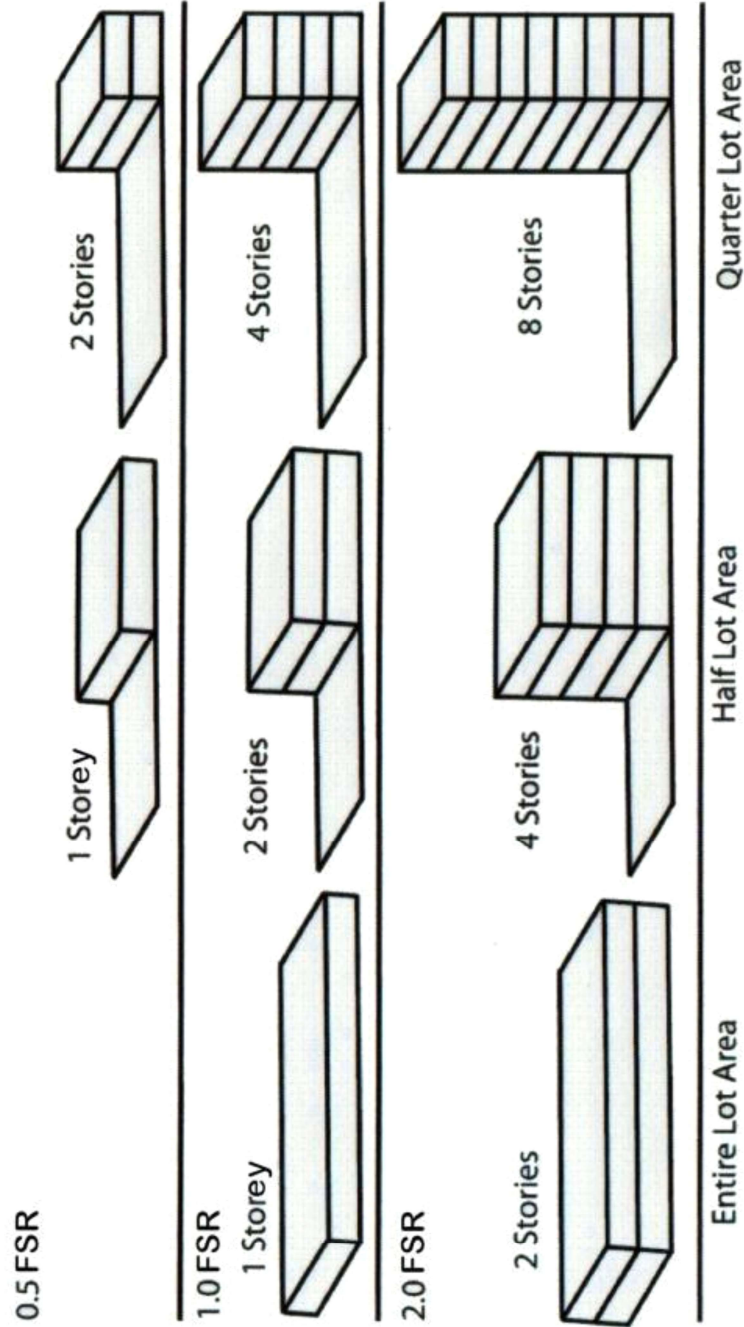


Diagram Source: City of Ottawa Zoning By-law

FSI – Floor Space Index

FLOOR SPACE RATIO or FSR



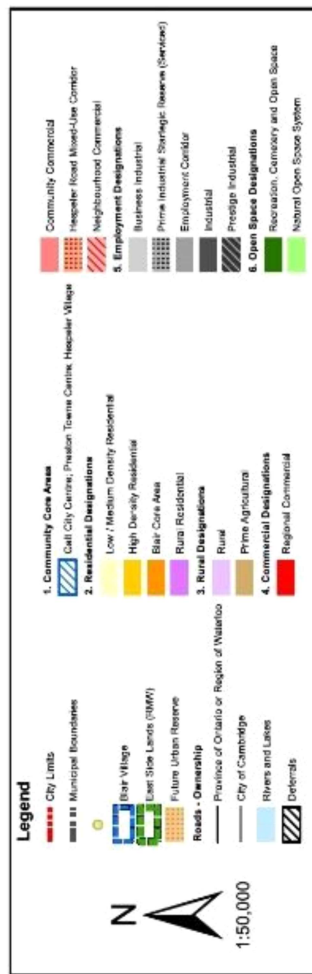
Density

In general terms, density is calculated as follows:

$$\frac{\text{Number of dwellings}}{\text{Land area (ha)}}$$

However, the same sized building on the same sized lot can have different densities. For example:

Lot Area (ha)	Total Floor Area (m ²)	# of Units	Density (units/hectare)
0.4	3,000	26 (2 bedroom units)	65 u/ha
0.4	3,000	40 (1 bedroom units)	100 u/ha





Examples - Orillia

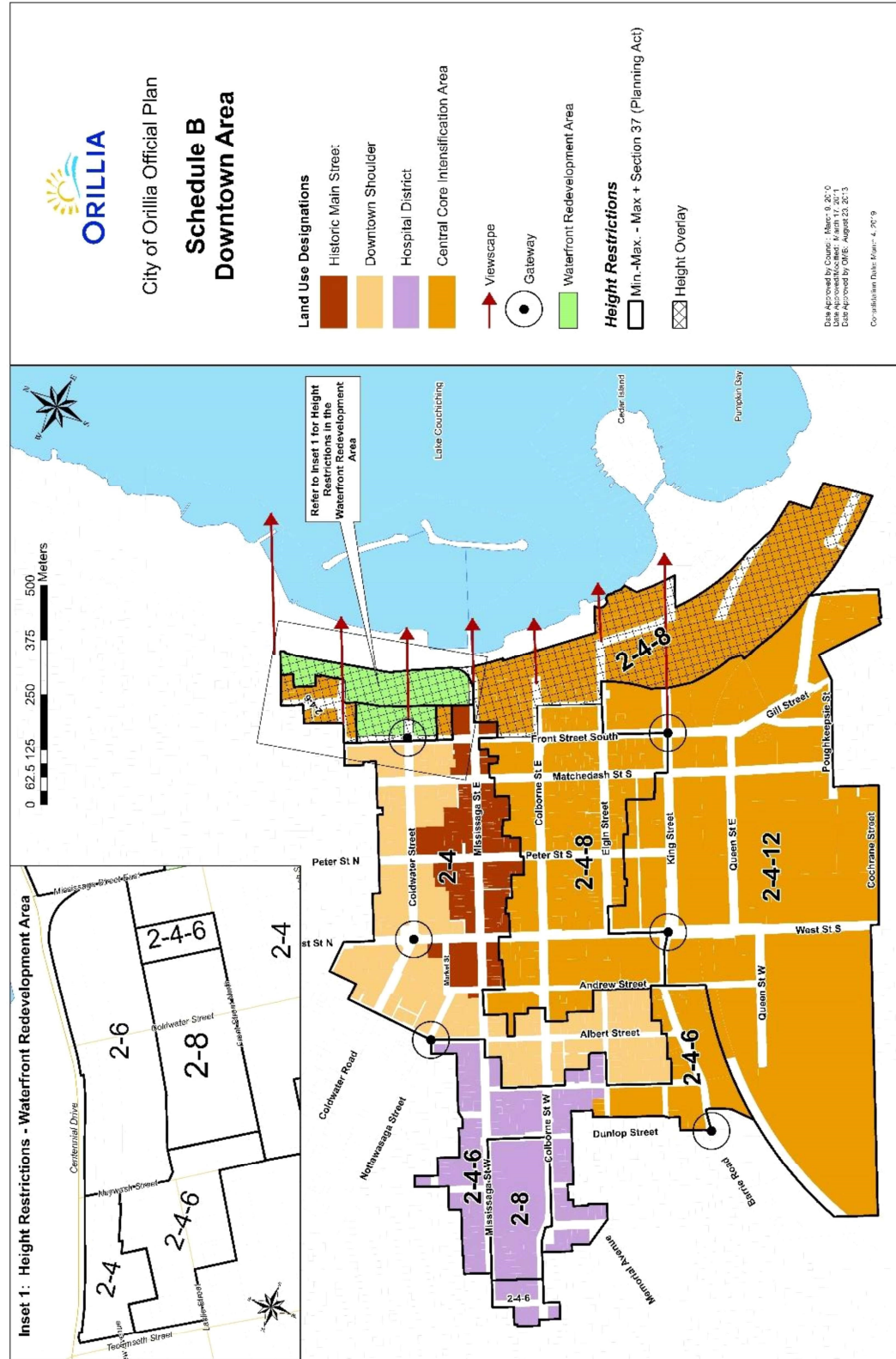
Stable Neighbourhood and Neighbourhood Greenfield

- Single detached, semi-detached, duplexes, townhouses and apartment buildings
- New apartment buildings specifically prohibited in Stable Neighbourhoods
- Maximum heights
 - Stable Neighbourhood - 3 storeys (implementing Zoning By-law may provide more restrictive height limits based on the specific context of a neighbourhood or area within the City)
 - Neighbourhood Greenfield – 8 storeys

Intensification Area

- Locations identified due to potential to accommodate a mixture of residential, office, retail and service commercial uses
- Permitted residential forms - stand-alone multiple-unit buildings, all forms of townhouses (including, but not limited to, link stack and back-to-back), apartment buildings and residential units in mixed-use buildings
- Height restrictions – between 2 and 8 storeys

Examples - Orillia



Examples - Newmarket

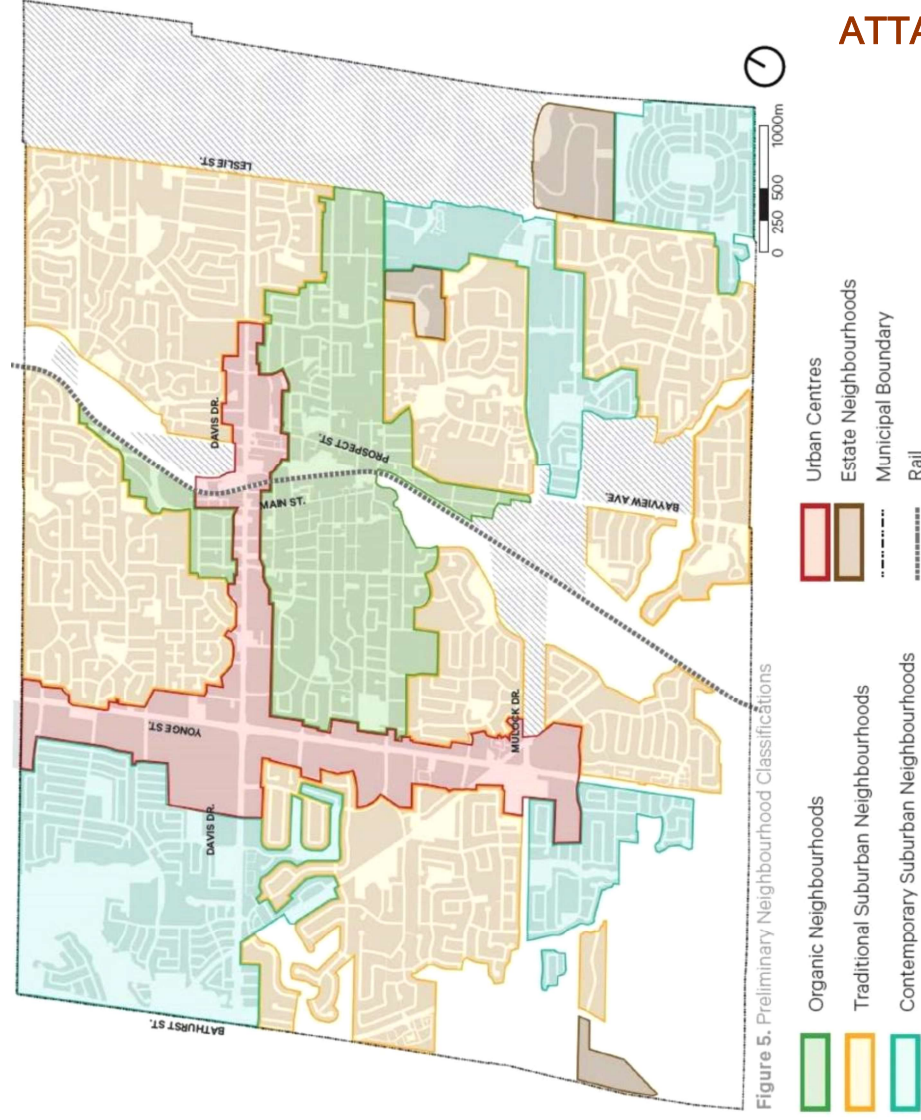
Established Neighbourhoods Compatibility Study (ongoing)

- Residential Areas continue to be primarily comprised of single detached and semi-detached
- Duplexes, triplexes and fourplexes of a built form similar to existing residential permitted by Planning Act application provided design is complementary and compatible with surrounding neighbourhood
- Townhouses and low-rise apartments may be permitted by Planning Act application along Arterial and Primary Collector Roads, and in proximity to Urban Centres Area
- Range of small-scale commercial, institutional and office uses that contribute to neighbourhood vibrancy and have a compatible built form are permitted on Primary and Minor Collector Roads

Examples - Newmarket

Residential Character Areas -
determined based on consideration of:

- age, evolution, form and type of development; boundaries (e.g. major roads, parks, natural heritage);
- infrastructure capacity;
- predominant lot dimensions, setbacks, separation distances, lot coverage, building heights/depths and massing.





FORMAL REPORT

To:	Chair Stratthdee and Members of Strategic Priorities Committee
Prepared by:	Mark Stone, Planner
Date of Meeting:	18 June 2019
Subject:	DEV 36-2019 Building Height in St. Marys

PURPOSE

As a part of their priority setting, Council has provided staff with clear direction to:

- Take all steps within the Town's authority to create as much supply as possible.
- Through the Official Plan review, review and identify properties that would be appropriate for the creation property specific policies regarding intensification, higher density, and price point for dwelling sales.
- Create an Official Plan that is clean and practical, that supports the creation of attainable housing, and removes the potential for unrealistic barriers to development of attainable housing.

One of the key actions that the Town and Council can take is to establish policies that promote the creation of attainable housing, and policies that encourage a more flexible housing stock. These policies can be established through the Official Plan and through the zoning by-law.

In staff's view, Council may have to carefully consider whether or not some of the Town's existing development policies are causing barriers to achieving Council's goals for attainable housing. Over the next several meetings staff will bring forward various policies for Council to consider through a lens to removing barriers to development and encouraging a flexible housing stock.

The purpose of this report is to provide Committee with an overview and request direction with respect to planning for and regulating building heights in the Town. Issues related to building heights have been identified through the ongoing Official Plan review, the review of development proposals, and the day to day administration of the Official Plan and Zoning By-law. Staff has prepared this report to discuss this issue and request direction from SPC and Council.

RECOMMENDATION

THAT DEV 36-2019 Building Height in St. Marys report be received for discussion and direction to staff for the Official Plan review.

REPORT

The Residential section of the current Official Plan speaks to a steady increase in population over a number of decades and an expected future growth rate of 1.0 percent per annum. However, on September 25, 2018, Council endorsed an annual growth rate of 1.5 percent for the 20-year planning period for the Official Plan update. Some of the factors considered in endorsing this increased growth rate include:

- recent and higher anticipated future building permit rates in the Town; and,

- more aggressive growth expectations for the Town as a result of a number of policy initiatives approved or being considered (e.g. encouraging appropriate infill and intensification development to increase choices in unit types and affordability, permitting standalone residential buildings in the downtown, permitting secondary units in residential dwellings as-of-right, and intensification/mixed use on Highway Commercial properties).

However, in considering these more aggressive growth initiatives, it is also important to consider any potential impacts on the character and charm of St. Marys.

The Residential designation in the Official Plan permits a wide range of dwelling types from single detached to walk up type apartments and residential infilling is generally permitted “where such development is in keeping with the attributes of the neighbourhood in terms of building type, building form, and spatial separation” (Section 3.1.2.3). In reviewing proposals for residential development with a net density greater than 18 units per hectare, Council is to consider a number of factors such as servicing and roadway capacity as set out in Section 3.1.2.7. However, Section 3.1.2.7 (a) states that “development will not involve a building in excess of three full stories above average finished grade and designed to be in keeping with the general character of the area”.

In a few instances, the Town has approved multi-storey residential buildings exceeding the 3-storey maximum including the Kingsway Lodge (3.5 storeys) and the Trillium Apartments (4 storeys). In addition, there is an active Official Plan and Zoning By-law Amendment Application before the Town for a seniors’ apartment complex with buildings ranging from 3 to 5+ storeys (151 Water Street).

In the Central Commercial designation of the Official Plan, development and redevelopment is subject to specific policies including a 4-storey height limitation for new commercial buildings.

This report is intended to provide background information to assist in the discussion of options in considering a vision for building heights in St. Marys going forward, and implementation and regulatory options.

Considerations

When considering this issue, it is important to first identify Provincial and Town policy requirements with respect to intensification requirements, affordable housing, compatibility, building height and design, etc. The following are some of the key considerations in determining if maximum permitted building heights should be increased in the Town.

a) Provincial Policy Statement

- The PPS promotes efficient development and land use patterns that include intensification and redevelopment opportunities, including brownfields, to achieve a more compact form. The goal of promoting such form is to increase the availability, and minimize the cost of various housing options, and increase the efficiency and sustainability of existing and future infrastructure.
- The PPS defines intensification as “*the development of a property, site or area at a higher density than currently exists through: a) redevelopment, including the reuse of brownfield sites; b) the development of vacant and/or underutilized lots within previously developed areas; c) infill development; and d) the expansion or conversion of existing buildings*”.

b) Community Character and Compatibility

- “Council also recognizes and reinforces its desire to maintain the charm and attractiveness that are fundamental to the character and lifestyle of St. Marys” (Official Plan - Section 2 – Goals and General Principles).

- *“The Town will endeavour to provide stable, attractive residential areas for all its residents”* (Official Plan - 2.1.2).
- Maintaining and improving the existing housing stock and character of residential areas (Official Plan - Residential Objective 3.1.1.3).
- Preventing the location of non-compatible land uses in residential areas (Official Plan - Residential Objective 3.1.1.4).
- Encouraging and promoting additional housing through intensification and redevelopment (Official Plan - Residential Objective 3.1.1.7).
- *“The consistent building heights, pedestrian scale, massing and setbacks along the principal commercial streets give the Town a distinctive feel and establish a coherent and cohesive appearance to the downtown”* (Heritage Conservation District Plan - 2.3).

c) Intensification and Compact Development

- A short-term initiative in the Town’s Strategic Plan involves the Town investigating *“the prospect of medium density housing in the downtown and surrounding areas (infill and new development spaces: ‘building in and building up’)”* (Strategic Pillar 6, Housing).
- The Official Plan supports and encourages the development of a compact development form in order to encourage and facilitate active transportation (Official Plan - Section 2.6).

d) Providing Housing Choices for Residents – Form and Affordability

- The Town’s Strategic Plan states that *“the recent County labour market survey indicates an acute shortage of skilled workers, particularly in the ‘blue collar’ and agricultural sectors. The one barrier to supplying that labour is housing options. There need to be housing options that are affordable, attainable and even include rentals. This solution might also partially encourage youth and cultural practitioners to consider St. Marys as the place to live, work and play”* (Strategic Pillar 6, Housing).
- *“Residential areas in St. Marys shall provide a range of housing accommodation suitable for all age groups and household incomes”* (Official Plan - Goal 2.1.1)
- Official Plan encourages *“the provision of an adequate supply and choice of housing for the existing and future residents of St. Marys in terms of quality, type, location and cost”* (Official Plan - Residential Objective 3.1.1.1).
- Encouraging a diversification and inter mixing of different housing types and forms (Official Plan - Residential Objective 3.1.1.8).

e) Heritage Conservation District

- *“New buildings in the District should generally be compatible with other buildings in their immediate area with respect to building height and footprint on the site, setback from the street, overall size, massing and building width, exterior materials selected, and the size, shape, proportion and number of windows and doors”* (Heritage Conservation District Plan - 4.4).
- *“Typically, new buildings should be 1-1/2 to 2 stories for residential buildings, and 2-3 stories for commercial buildings”* (Heritage Conservation District Plan - 4.4).

f) Building Code and Emergency Services

- The Ontario Building Code was updated in June 2008 to require full sprinkler systems in residential building over two stories in height.

- The Fire Chief has commented that although dealing with a multi-storey building can prove challenging, there is nothing in the Fire Department's operational capabilities that should prevent the construction of buildings with greater than 3 storeys in height in St. Marys. The Fire Chief has indicated that there would be the need for the Fire Department to procure some equipment upgrades and that a new 75' aerial will help with these rescues, fire fighting, etc.. The Fire Chief has also indicated that there will be the need to undergo some in-house training with respect to dealing with fires and rescues in taller buildings.

Options

The considerations in the previous section emphasize the need to examine options to encourage intensification and the provision of affordable housing, while maintaining the overall character of St. Marys as well as the character of smaller areas and neighbourhoods in the Town.

Based on these considerations and review of best practices in other municipalities, the following options are presented.

1. Status Quo

This option would maintain the current policy approach for buildings in Residential areas identified in the Official Plan, thus requiring an Official Plan Amendment for any proposal exceeding the 3-storey maximum. A benefit of the status quo approach is that it requires an Official Plan Amendment (OPA) and the associated planning review and public consultation with any proposal that exceeds 3 storeys. However, the requirement for an OPA can be viewed as a barrier to the development community due to the additional time and effort required into securing this additional approval. Also, limiting new development to a maximum of 3 storeys may make certain projects less financially viable (as compared to the return on development that allows for a greater number of residential units on a lot).

2. Increase the Maximum Permitted Height for all Residential Areas from 3 to 4 storeys

To implement this option, Section 3.1.2.7(a) of the Official Plan would be amended to read "*development will not involve a building in excess of ~~three~~ **four** full stories above average finished grade and designed to be in keeping with the general character of the area*". However, such proposals would still be subject to the policies of the Official Plan which require the Town to consider a number of factors before approving such development.

In addition, staff has included a series of new policies in the preliminary draft of the new Official Plan to provide additional policy direction to ensure that potential impacts on adjacent properties and the surrounding neighbourhood are considered (including shadowing, access and circulation, and privacy). New policies to specifically address higher density development proposals (townhouses, multiples and apartments) have also been added to the preliminary draft of the Official Plan, including policies to ensure:

- there is a transition between areas of different development intensity and scale, achieved through appropriate setbacks or separations of buildings and/or appropriate changes in densities and/or the stepping down of building heights;
- potential shadowing impacts, views onto adjacent lower density lots and abrupt changes in scale are considered in relation to the height and massing of proposed buildings;
- sites have adequate land area to incorporate required resident and visitor parking, recreational facilities, landscaping and buffering on-site; and,
- proposed buildings are designed following consideration of the materials and characteristics of existing buildings in the neighbourhood.

This approach would allow for more intensive development provided such development meets the policies addressing compatibility, urban design, etc. There could be concerns that there is less public consultation since an OPA would no longer be required however, there would still be a public process related to a Zoning By-law Amendment application. There may also be concerns due to a lack of uncertainty on future development or redevelopment is established neighbourhoods since there is only a single Residential designation in the Official Plan which applies to all residential areas.

3. Increase the Maximum Permitted Height Based on Location, Character and/or Planned Function

Council has provided direction that, through the Official Plan review, staff should review and identify properties that would be appropriate for the creation of property specific policies regarding intensification, higher density, and price point for dwelling sales. This option is presented in keeping with that direction.

The City of Stratford and the Town of Cobourg regulate the heights of residential development based on designations or areas identified in the Official Plan as follows:

- 3 storeys in Stable Residential Areas
- 4 storeys in New Residential Areas
- 6 storeys in High Density Residential Areas (3 storey minimum height)

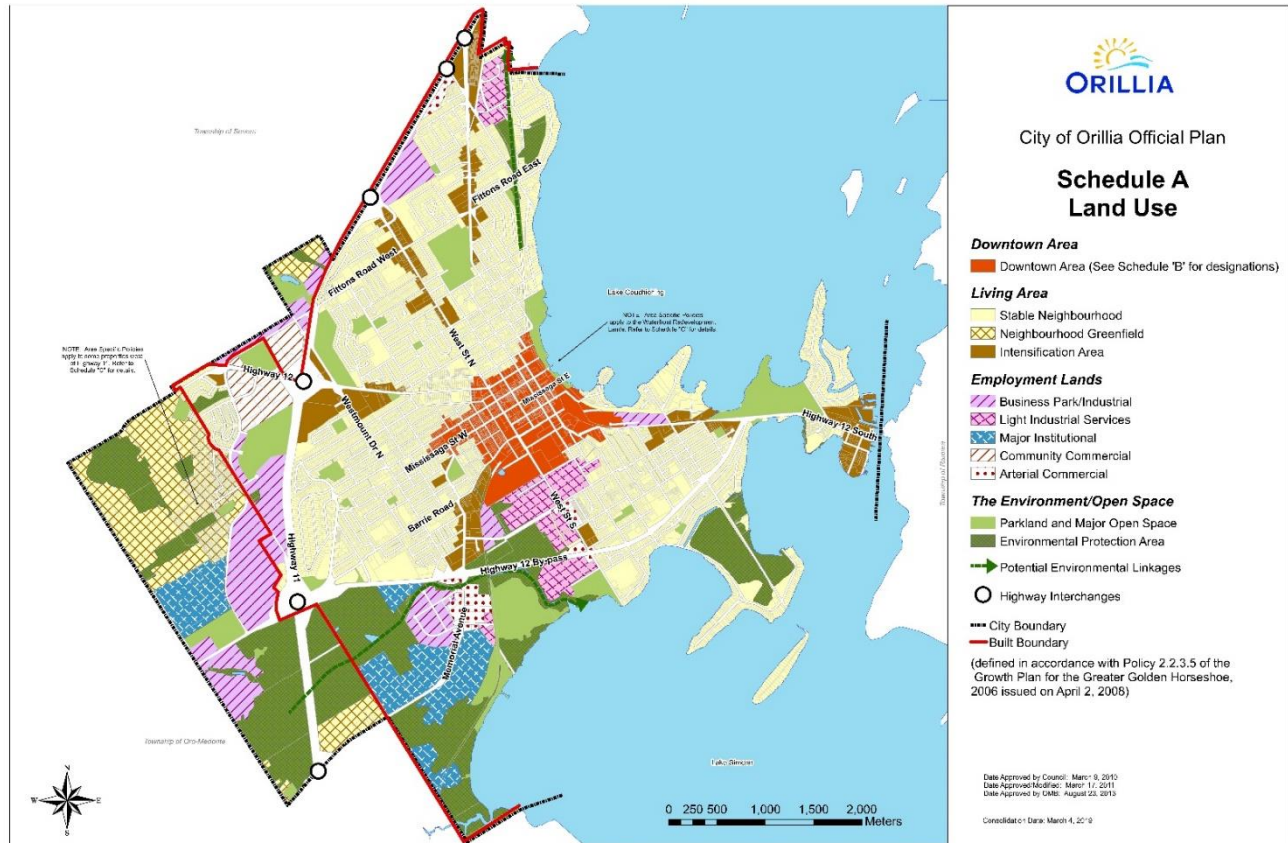
To implement this in St. Marys, there may be the need for an analysis to identify what areas should continue to have a 3 storey maximum and identify properties and/or areas where 4+ storey buildings and/or higher densities may be appropriate. For example, the 4-storey maximum could apply to Greenfield areas such as the undeveloped land in the Thames Crest Farms area. A six-storey maximum could apply to these same Greenfield areas with specific locations being identified based on certain criteria or area characteristics such as:

- existing abutting land uses;
- view and shadowing impacts; and,
- appropriateness of lands for residential development based on the characteristics of the neighbourhood.

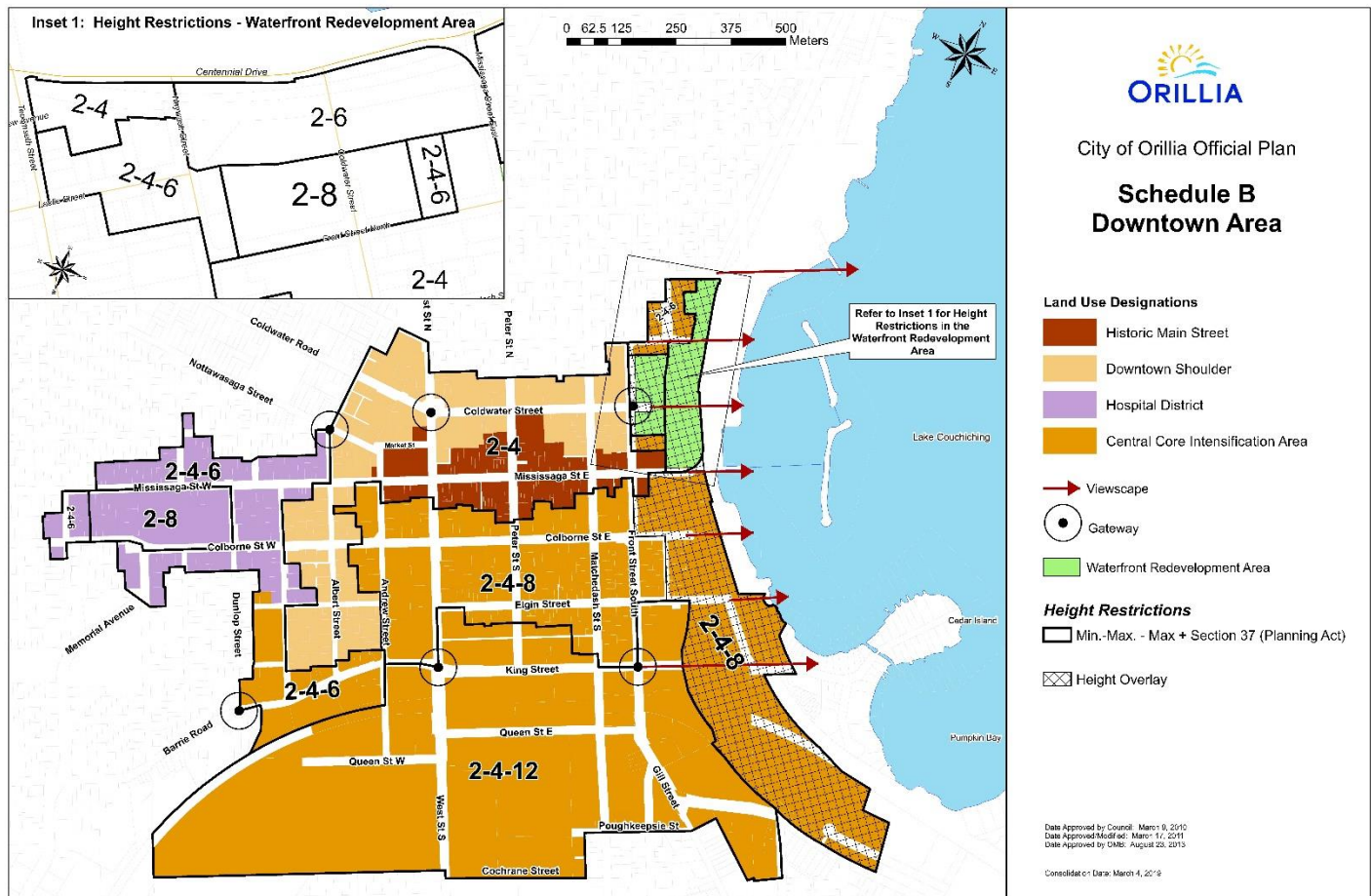
In the City of Orillia Official Plan, specific height restrictions are identified as follows:

- Stable Residential
 - maximum height of 3 storeys

- the implementing Zoning By-law may provide more restrictive height limits based on the specific context of a neighbourhood or area within the City



- Historic Main Street and Downtown Shoulder
 - building heights are identified on a Schedule to the Official Plan
 - other than small scale development within or attached to existing buildings, building heights restricted to between 2 and 4 storeys
- Central Core Intensification Area
 - Example Area 1: 2 to 4 storeys + height bonus up to 6 storeys
 - Subject to angular planes for lands abutting Historic Main Street, Downtown Shoulder and Stable Residential



SUMMARY

The key question for Council to consider is whether or not the Town should revisit the restriction on building heights in St. Marys. Out of this report staff is seeking direction from the Committee that can be incorporated into the Official Plan review.

It is noted that permitting increased building heights will assist the Town in meeting its intensification and housing affordability objectives. Permitting additional units to be built on smaller footprints can make it more likely that a development is financially viable. There can also be negative impacts resulting from increased building heights and densities if potential issues are not addressed, such as shadowing or development that is not in keeping with neighbourhood or streetscape character.

FINANCIAL IMPLICATIONS

Not known at this time.

SUMMARY

It is noted that permitting increased building heights will assist the Town in meeting its intensification and housing affordability objectives. Permitting additional units to be built on smaller footprints can make it more likely that a development is financially viable. There can also be negative impacts resulting from increased building heights and densities if potential issues are not addressed, such as shadowing or development that is not in keeping with neighbourhood or streetscape character.

STRATEGIC PLAN

Refer to Considerations section of this report.

OTHERS CONSULTED

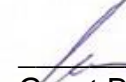
Jason Silcox, Building Inspector
Jed Kelly, Director, Public Works
Jeff Wolfe, Engineering and Asset Management Specialist
Dave Blake, Environmental Services Supervisor
Richard Anderson, Director, Emergency Services / Fire Chief
Brian Leverton, Fire Prevention Officer

ATTACHMENTS

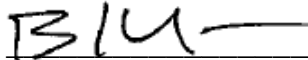
None.

REVIEWED BY**Recommended by the Department**

Mark Stone
Planner



Grant Brouwer
Director Building and Planning

Recommended by the CAO

Brent Kittmer, CAO / Clerk

Greetings Town Council and Town Staff:

The Subject of this Submission for the Official Plan Review is my objection to the Town's 1.5% annual population growth rate over the 25 year Official Plan (OP) planning period.

At its meeting on Aug 7, 2018, the Planning Advisory Committee (PAC) endorsed the then version of the amended OP (AOP) which proposed a 1.0% annual population growth rate. This rate has been the historic norm. It drew these conclusions from the then Population Discussion Paper, with the following statement: "The recommendation by the PAC is that future population will follow a 1.00% annual growth rate. This background paper is intended to provide the required information that will guide subsequent PAC recommendations. Specifically, future population projections for the Town of St. Marys of 1.00% annually will be used to determine future land use requirements and designations for the Official Plan. This growth rate projection will be evaluated and modified in the subsequent 5-year Official Plan review processes." Using this growth rate, the then Residential Discussion Paper concluded that there would be a 21.4 year supply of residential units in St. Marys as it existed at that date.

The minutes of the Aug 7th PAC meeting gives no indication that any of its members had an issue with the 1.0% annual population growth rate, nor the housing supply. The caption "Summary of Proposed Amendments to the Official Plan" in Stone's report suggested only minor additional policies were required in the Residential Section of the OP.

Stone's report, and the then AOP, were presented to Council at its Aug 28, 2018 meeting. Something happened between those two August dates, because Council rejected the then AOP, and the main reason it sent it back to Town Staff was for it to research a proposed annual population growth rate of 1.5%. The minutes of that meeting provide no reason behind Council's position; it was rumoured that Council's insistence on the 1.5 % figure was driven by financial considerations. Since that time, Council has held steadfast to this 1.5% annual population growth rate, and the Population Discussion Paper and the Residential Discussion Paper have been revised

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accordingly. The Residential Discussion Paper now states that with this 50% increased growth rate, there is only a 14.8 year supply of residential units in St. Marys. That Paper then concludes with this rather ominous sentence: “However, further analysis will be required to consider opportunities for intensification and higher density development in certain Greenfield areas, that will reduce the residential land requirement for the 25 year planning period.”

Before looking at some of the supposed “opportunities” suggested, a couple of significant points should be raised.

Regardless of Council’s wishes, it is quite likely that the final judge and jury of a contentious development application will not be Council, but the Local Planning Appeal Tribunal (LPAT) member at Appeal.

As I understand, an Applicant can use whatever information is in the public domain to justify their proposal. This would include the current OP, the AOP, any Town reports, etc. The LPAT member may also consider this information when rendering a decision.

The first of these questionable “opportunities” is to allow 4 storeys to be built anywhere in St. Marys. This could be particularly devastating to the low density, stable, historically-significant neighbourhoods characterized by single family detached homes. This policy gives any applicant the “right of build” of 4 storeys anywhere, and any other policies to control compatibility, etc., may not be given sufficient weight at Appeal.

Let’s look at some specific properties. The elevations of the current Arthur Meighen application show 3 storeys of living space at the south end, and 5 storeys of living space at the north end. At Appeal, the Applicant’s Bay Street Lawyer/Planner might effectively argue that this represents an average of 4 storeys, and with some minor tweaking to reduce the other OP and ZB violations, the Applicant could have something very close to its current application approved. Let’s look at churches. It is not inconceivable that over the next 25 years, one or more local churches may close, and the

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underlying property sold for development. The churches are primarily in older established neighbourhoods, and any 4 storey proposal would probably not be compatible. Consider if the Holy Name of Mary Roman Catholic Church sold off the southern half of its property to a developer, who then proposed a 4 storey apartment building. Given the slope of that site, the south facade facing Widder Street East could be 5 storeys, while the whole complex could still average 4 storeys. That would be a disaster.

Therefore it is my recommendation that the height part of Section 3.1.2.11(a) of the AOP should be returned to three (3) storeys.

As a result of the introduction of Section 3.1.2.8, the AOP now allows for 6 storeys in Greenfield Areas. “Greenfield” is not defined, but the recommendation of the Strategic Priorities Committee broadens this concept to include fringe lands and new mixed use areas. It’s quite conceivable the Applicants of both the Arthur Meighen School Site, and the 665 James Street N. property, may be able to convince LPAT that their sites are close enough to undeveloped parcels as to qualify for a 5 to 6 storey building. This seems to be the position taken by the owners of the James Street N. property. It’s important to remember that St. Marys is a town of only 7,300 people, not part of the GTA. Even Stratford doesn’t have 6 storey apartments. Just imagine how overbearing a 6 storey apartment building would look on the Thames Crest Farm property, and how uninviting for the northern entranceway into St. Marys.

In the same section, the AOP states that 20% of any new Greenfield development over 5 hectares, must be apartments. (I’ve chosen to ignore stacked, or back-to-back, townhouses, because I don’t believe they are common in small-town SW Ontario). The idea is that apartments are the road to affordability. There may be a misconception here that St. Marys is similar to the GTA. Affordability for young families in St. Marys can still be provided by appropriately-sized townhouses, a much more desirable housing type for that group.

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As other sections of the AOP address affordability, it is my recommendation that Section 3.1.2.8 of the AOP should be removed.

In respect of intensification, there has been a significant move in that direction in St. Marys over the last number of years. In recent developments, there has been an ever increasing percentage of small singles, semi's and townhouses. That's the appropriate type of intensification for a town the size of St. Marys, not 6 storey apartments.

Finally, to build the requisite number of residential units to satisfy the 1.5% annual growth rate, Council is being asked to consider re-designating certain commercial properties along the arterial roads.

The recent application for the 665 James Street N. property is a perfect example of how misguided this policy can be. Within the next decade, this property will be entirely surrounded by fairly intense residential development, and would be an ideal location for a neighbourhood plaza, providing many commercial services for the surrounding community. In my opinion, the Town should give serious consideration to re-designating and re-zoning the Site for this use.

Sadly, the recent application of this site was so over the top in every respect. It showed a complete lack of respect for the local neighbourhood. Perhaps the biggest disappointment was the fact it was supported by the Town Planner.

Unless the annual population growth rate is scaled back to the historic norm of 1.0%, applications like the former Arthur Meighen School Site, and 665 James Street N. property could very well become the norm. The cohesiveness of our stable residential neighbourhoods is threatened, and the landscape of the outlying areas could be destroyed.

Respectfully submitted by;
Henry Monteith
111 Widder Street East

Greetings Town Council and Town Staff:

This Submission for the Official Plan Review contains some comments on Section 3.1 RESIDENTIAL of the St. Marys Official Plan Review and Update Draft Amendments (December, 2019); track changes off.

In my previous submission, I have objected to the 1.5% annual population growth rate as outlined in the 2nd paragraph of the preamble. I caution whether it's prudent to include the apparent 1.81% annual growth rate between 2011 and 2016. When you consider the paltry .12% annual increase from 2006 to 2011, and no corresponding blip in building permits, one concludes, as many learned residents have stated, there was a significant understatement in the 2011 census population. The average annual population growth between 2006 and 2016 was .98%, almost bang on the historic average.

In addition, growth could be seriously impeded by the impending global recession.

The second half of that paragraph is a recipe for the destruction of the very fabric of our small town, and its historic and heritage values. I suspect when the long-time residents of St. Marys become fully aware of the potential results of these inappropriate intensification initiatives, there will be a significant pushback. What is being proposed is not in keeping with the character of the Town worth living in.

The introduction of/changes to, Sections 3.1.2.3, 3.1.2.3.1, 3.1.2.3.2 and 3.1.2.3.3 are to be applauded. The phrase "shall not exceed two storeys" is not necessary in Section 3.1.2.3.2 a). The compatibility of heights has already been addressed in that clause, and adjacent heights could be three storeys.

Section 3.1.2.9 (Page 17): (Note: With respect of the heights and density provisions, I feel there is merit in categorizing residential development into Low Density Residential, Medium Density Residential, and High Density Residential, as the Towns of Goderich, Petrolia, Aylmer and Perth have done. It makes it much simpler to create the appropriate residential policies. The following uses the Goderich OP as a guide, with changes appropriate for St. Marys.)

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Within the Residential designation, there shall be three residential categories, as follows:

- Low Density Residential
- Medium Density Residential
- High Density Residential

Low Density Residential consists of single-detached, semi-detached, duplex, and converted dwellings. Low Density Residential uses may be permitted to have accessory apartments/garden suites in accordance with the policies of this plan.

Net Density Targets:

Single-detached	10 - 15 units per hectare
Semi-detached, duplex, converted	15 - 25 units per hectare

Medium Density Residential includes low density uses, triplexes, fourplexes, multiple attached dwellings or townhouses, and apartments, not exceeding three storeys.

Net Density Targets:

Triplexes, fourplexes, multiple attached, or townhouses	25 – 40 units per hectare
Apartments	40 – 70 units per hectare

High Density Residential includes apartments, and other multiple unit residential buildings, being four storeys. High Density Residential shall be restricted to the Downtown Core, or on arterial roads.

Net Density Targets: 40 – 90 units per hectare

(Note: Most OP's make reference to low density older established residential areas, and how they should be protected from high density residential. One OP states that high density residential should be adjacent to medium density residential and not low density residential. Not one OP that I reviewed stated that high density residential should be located within a low density residential area. All OP's that used residential categories provided direction as to where High Density Residential should locate.)

...3.

Section 3.1.2.8 (Page 17) – eliminate. (Note: St Marys has little stock of apartment units for well off seniors. I know residents who were ready for apartment living, but had to move out of town. In the last couple of years, Stratford has seen at least 7 new apartment buildings, and none have been affordable. Given St. Marys’ aging population, there appears to be a need for a luxury-type apartment building.)

Section 3.1.2.11 a) (Page 18); Remove the bracketed portion.
(Note: In my previous submission, I recommended that the height in Section 3.1.2.11 a) should be reduced to “three”. However, if the Town introduced residential categories, and restricted the location of High Density Residential, this would no longer be necessary. If residential categories are not adopted, the height in Section 3.1.2.11 a) should be reduced to “three”.)

Section 3.1.2.15: Replace “lower density single and semi-detached dwellings” with Low Density Residential; replace “medium density townhouse and multiple dwellings” with Medium Density Residential; replace “higher density development” with High Density Residential.

Respectfully submitted,
Henry Monteith
111 Widder Street East

- 1 -

COMMENTS ON THE PROPOSED AMENDMENTS TO THE ST. MARYS OFFICIAL PLAN

February 28, 2020

Submitted By Paul King

1. **Context of St. Marys:** In order to be properly mindful of the development of St. Marys including the Town's industrial base and its cultural heritage attributes, the AOP should contain a brief historical description of the Town so that the AOP contains an underlying context. It is instructive to review pages i & ii of the Kingston Official Plan which set the context of that municipality. Mary Smith has drafted a brief historical description of St. Marys (see Schedule A attached) that could be included (or referred to) in the Section 2.0 preamble of the AOP.
2. **Section 2.3 Heritage Conservation:** I suggest removing the last sentence in the third paragraph (namely, "*The 'Heritage Conservation' areas are intended to secure areas of archaeological potential, built heritage resources, and cultural heritage landscapes.*"). This sentence suggests to me that these areas are to be frozen in time like a museum display. Preservation of cultural heritage attributes does not 'pickle' areas or the buildings in those areas; but rather the idea is to encourage development, including infill and the adaptable reuse of heritage buildings, in a way that adds to the character of areas.
3. **Section 2.3.1.1:** In the second line, change "*archeological and historical ...*" to "*archaeological and other historic...*" and in the last line, change "*historical*" to "*historic*".
4. **Section 2.3.1.2:** Change "*heritage resources*" to "*cultural heritage landscapes*" in the first and third lines.
5. **Section 2.3.1.3:** Change "*cultural heritage sites*" to "*cultural heritage landscapes*".
6. **Section 2.3.1.4:** Change "*cultural resources*" to "*cultural heritage landscapes*".
7. **Section 2.3.2.2:** This section needs to be reworked. Under Section 27 of the *Ontario Heritage Act*, the Town is obligated to maintain a register of designated heritage properties. For designated properties, the register must contain the following: "*(a) a legal description of the property; (b) the name and address of the owner; and (c) a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property.*" On the same register, the Town may also have a list of properties that are not designated but have cultural heritage value or interest. These properties are often referred to as the "*listed*" properties. For these properties, the only requirement under Section 27 of the *Ontario Heritage Act* is as follows: "*a description of the property that is sufficient to readily ascertain the property*". This could be as minimal as the municipal address. In the past, the St. Marys additions to the register of "*listed*" properties have contained a photo, the municipal address and a very brief description of cultural heritage value or interest.
8. **Section 2.3.2.4:** Suggested replacement wording: *In considering any development application affecting identified heritage properties, Council will use its best efforts to require the development applicant to preserve the cultural heritage attributes being affected by the proposed development.*

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9. **Section 2.3.2.5:** Suggested replacement wording for the second paragraph: “A *Heritage Impact Assessment* may also be required with respect to any application for proposed alteration or development work on properties adjacent to properties with identified cultural heritage attributes to ensure that there will be no resulting adverse impacts caused to such identified cultural heritage attributes. Mitigation measures shall be imposed as a condition of approval of any such application.” As previously mentioned in my 2018 comments, the definition of “adjacent” should be broadened in the AOP. “Adjacent land” in the Provincial Policy Statement 2014 is defined as land that is contiguous to (i.e. sharing a common property line with) a protected heritage property. A municipal official plan might also define adjacency using other considerations to include “adjacent” properties that do not necessarily touch the boundaries of the parcel of a protected heritage property. Consider, for example, under the provisions of the *Planning Act*, notices are sent to neighbouring property owners within a stated distance from the property that is the subject of a minor variance or zoning amendment application. Adding a more inclusive definition of “adjacent” plus a more inclusive definition of “protected heritage property” to include “listed” properties on the municipal register should be considered for the AOP. These comments are also relevant for the third paragraph of Section 2.3.2.9.

Also, consider including properties in applicable Heritage Areas or Stable Residential Areas. The Stratford Official Plan includes the concept of a heritage area and heritage corridors encompassing most of the older areas of Stratford. This is not the same as a heritage conservation district. The purpose for establishing this concept is set out in the Stratford Official Plan: *Infilling in Heritage Areas: In the ‘Heritage Areas’ and the ‘Heritage Corridors’..., the City will ensure that, where infilling is proposed or municipal services are being installed or upgraded, the inherent heritage qualities of the area or corridor will be retained, restored and ideally enhanced unless overriding conditions of public health and safety warrant otherwise.*

The Kingston Official Plan has a similar concept called “Stable Areas”. The Stratford Official Plan also has a concept called “Stable Residential Areas” with the following provisions: *Stable residential areas are residential areas where potential new development or redevelopment is limited. Any intensification will be modest and incremental occurring through changes such as development of vacant lots, accessory apartments, or other forms of residential housing that meet the criteria set out on Schedule B. Applications for new development in such areas shall be evaluated based on their ability to generally maintain the elements of the structure and character of the immediate surrounding residential area*

The AOP should stipulate that cultural heritage landscapes, heritage areas, heritage corridors and stable residential areas are to be identified so that where infilling is proposed or municipal services are being installed or upgraded, the inherent heritage qualities of the identified areas or corridors will be preserved, retained, restored and ideally enhanced, unless overriding conditions of public health and safety warrant otherwise.

10. **Subsections 2.3.2.6 (d) & (e):** Suggested replacement wording: (d) *designate portions of the Town, as identified in Heritage Conservation District Plans, as Heritage Conservation Districts under Part V of the Ontario Heritage Act; and, (e) implement heritage grant or loan programs or heritage property tax relief programs.*

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11. **Subsection 2.3.2.7 (c):** When the Downtown Heritage Conservation District was established, a separate heritage district subcommittee (being a subcommittee of the existing municipal heritage committee) was set up. This subcommittee had membership consisting of property and business owners from the district as well as a member or two from the existing municipal heritage committee. The function of this subcommittee was to work with Town staff to: (i) establish procedures for management of the district; (ii) review approvals for municipal grant applications; (iii) assist staff with answering questions from property owners; and (iv) keep property owners informed of district issues. After five years when the heritage conservation district was operating relatively well, the subcommittee was rolled into and became a part of the municipal heritage committee. The wording in this subsection should reflect this setup.
12. **Section 3.1:** I understand that the planning period should be 25 years instead of 20 years. Also, I understand that some of the growth rate figures are not correct so a growth rate of 1.5 percent may well be too ambitious. Also, the maximum permitted height of residential buildings should remain at three storeys (and not increase to four storeys). In low density residential neighbourhoods, the AOP should stipulate that new buildings shall be no higher than 10.5 metres (34.4 feet) and should have no more than 3 storeys. In medium and high density residential neighbourhoods abutting arterial roads or in the downtown commercial area, the AOP should stipulate that new buildings should be no higher than 14 metres (45.9 feet) and should have no more than 4 storeys. Any proposal beyond these stipulated heights would require an application to amend the AOP and likely the zoning by-law.
13. **Section 3.1.1.2:** In the third line, change “*and encourages*” to “*in order to encourage*”.
14. **Subsection 3.1.2.3.2(a):** Why is this two storeys rather than three storeys?
15. **Subsection 3.1.2.3.3(b):** See comment 12 above concerning medium and high density residential neighbourhoods. The suggestion is that any buildings higher than 3 storeys should abut arterial roads (not be “*in close proximity*” to arterial roads or collector roads).
16. **Section 3.1.2.6:** What is a “*Greenfield*”? I suggest that there should be some definitions in the AOP for clarification, including a definition of “*Greenfield*”. I think it means an area that has never been developed. I think it does not include land that is now vacant but was formerly developed, such as a brownfield site (which should also be defined).
17. **Section 3.1.2.8(c):** See comment 12 above concerning the height of buildings.
18. **Section 3.1.2.11(a):** See comment 12 above concerning the height of buildings.
19. **Section 3.1.2.10:** Condominium conversions, such as Central School Manor (formerly an elementary school), are not necessarily conversions from rental to a condominium. This section should clarify that it is only dealing with condominium conversions from rental to condominium ownership.
20. **Subsection 3.1.2.11(e):** What is a “*basement*” residential unit? Is the meaning of “*basement*” as defined in the St. Marys Zoning By-law at Section 3.18? As mentioned above in comment 16, definitions in the AOP would provide clarification.

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21. **Section 3.7.1.6:** It might be mentioned that the Thames River has been designated as a Canadian Heritage River. As far as I am aware, there are no legislated obligations resulting from this designation but the designation draws attention to the historic importance of the river and the need to appropriately manage the watershed going forward. As stated on the Canadian Heritage River System website: *The Thames River's rich cultural heritage and diverse recreational opportunities formed the basis for its designation to the Canadian Heritage Rivers System in 2000. The designation includes the 273 km river and its entire watershed, which drains 5285 km² of land, making it the second largest watershed in southwestern Ontario. The cultural heritage of this river includes ongoing occupancy by First Nations for over 11,000 years, with a multitude of archaeological sites located along the waterway. The Thames also has a rich history of European exploration and settlement that dates back to the 17th century, encompassing the fur trade, British exploration and early settlement, military battles, and intensive agricultural and urban settlement.*
22. **Section 4.3.2:** It would be a good idea to also balance the needs of cyclists and people with disabilities who use scooters and wheelchairs, in addition to pedestrians and motorists.
23. **Section 5.4.1:** Railways are also subject to federal regulations in addition to provincial standards and guidelines.
24. **Minor Typographical Errors:**
 1. Section 2.1.4: remove "-" before "compatible".
 2. Section 2.2.1.4: remove "=" in "Town'=s".
 3. Section 3.1.2.3: In the fourth last line, take out " ," after "(i.e.".
 4. Subsection 3.1.2.12(f): Take out "-" before "not" in the second line.
 5. Section 3.1.2.17: "Demolishing Control By-law" should be "Demolition Control By-law".
 6. Section 3.2.1.9: "is" should be "are".

Schedule A

St. Marys: Historical and Cultural Context

St. Marys is located in a beautiful valley, formed by the confluence of the Thames River (a Canadian Heritage River) and Trout Creek, one of its tributaries. For centuries, people have been drawn to this site. It was on the traditional summer hunting routes of the Wendat and Haudenosaunee Nations and subsequently, the Anishinaabe. Game was plentiful and the river waters teemed with fish. Although these First Nations had their permanent settlements closer to the shores of the Great Lakes, there is abundant archeological evidence of temporary summer encampments in clearings on riverbanks near the current town limits. By the early 19th century with European settlement underway in Upper Canada, it is very probable that some individual explorers followed the waterways to this site and may have even built small shelters in the valley.

However, the first official land records began with the Canada Company. By the early 1820s, through a series of treaties, the British Crown had acquired vast tracts of land from First Nations in the portion of Upper Canada now known as Southwestern Ontario. By 1826, the Crown reached an agreement with a group of British investors to charter a company that would administer the sale of lands in a large portion of this territory. As part of the agreement, the Canada Company acquired a block of one million acres called the Huron Tract. It stretched in a large wedge shape from the easterly limits of North Easthope and South Easthope in Perth County westward to Huron and Lambton Counties on the shores of Lake Huron.

In 1839, the Canada Company sent a surveyor into a southerly portion of the Huron Tract. He identified a potential site for a settlement at the junction of the Thames River and Trout Creek. Company officials named the proposed town St. Marys. There is uncertainty about the origin of this name. The story persists that it was bestowed on the town by Elizabeth Mary Jones, the wife of Thomas Mercer Jones, a Canada Company commissioner, during a visit to the new settlement in 1845. Mrs. Jones was also the only surviving daughter of the powerful and influential John Strachan, Anglican Bishop of Toronto. However, archived Canada Company correspondence makes reference to St. Marys several years before that visit took place.

In the early 1840s, property within the limits of St. Marys was put on the market and the settlement of the village began. The first settlers were attracted by the area's natural resources. At the new town site, the Thames River cascaded over a series of limestone ledges, providing the power to run the first pioneer mills and giving the community an early nickname: Little Falls. In the riverbed and along the banks, limestone was close to the surface and could be quarried for building materials. Many 19th century limestone structures survive: churches, commercial blocks and private homes. They have given St. Marys its current nickname: Stonetown. (Many of these structures can be seen in the series of sketches by Colin McQuirk throughout this document.)

The coming of the Grand Trunk Railway in the late 1850s spurred growth and soon St. Marys became a centre for milling, grain-trading and the manufacture of agricultural-related products. The railway connected the town to the rest of the world and framed the local landscape with its two large trestle bridges on limestone pillars across the waterways.

In the last decades of the 19th century, the town was prospering and this prosperity was demonstrated in obvious ways. The established churches built beautiful new places of worship, their steeples visible for miles around the countryside. The St. Marys Collegiate Institute, a handsome brick structure, was opened in 1875, offering local and area students the courses required to qualify for admission to post-secondary education and to train for professions.

The beautiful Town Hall was built in 1891. It remains the heart of the local government where decisions are still made by mayor and council in their chambers. In 1899, the town installed a municipal water system fed by

artesian wells and pumped into the large reservoir tank on the stone Water Tower on high ground near the

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downtown. This tower is a designated structure and although its function is now served by a modern water tower several blocks to the south, it is still a treasured local landmark.

Recreation and culture were not forgotten. In 1884, a covered arena was built for curling and indoor skating. Lacrosse, baseball, tennis and lawn bowling – all popular sports – had their own courts or playing fields. The Thames River and Trout Creek provided opportunities for swimming, fishing and boating. The Opera House opened in 1880 and became a venue for local celebrations. On its stage there were political debates, local talent shows, concerts, educational speakers and performances by touring repertory companies. In 1904, the town received a grant from the Carnegie Foundation and the lovely limestone public library was opened in 1905. The library is still highly valued by local and area residents. A local history museum and archives was formed in the mid-1950s and is an excellent resource for area history research.

St. Marys today retains its 19th century flavour but now offers all the attractions of a modern and friendly small town. In the downtown area, the streets are flanked with century-old buildings. Although the pioneer mills have vanished, a public walkway follows the old millrace along the river. Limestone is no longer quarried for building blocks but it is still essential to production at the St. Marys Cement Company, a major local industry. A limestone quarry, abandoned in the 1920s, is now a municipal swimming facility. There have been changes to railway service. Although the line to London remains active, the Sarnia line has been abandoned. The old Grand Trunk Railway trestle bridge over the Thames River is now part of the community's looped trail system and provides stunning views of the town and countryside.

In the future, St. Marys looks to grow and prosper, adapting to change while working to protect and preserve the natural and cultural resources that have made this community unique.

COMMUNITY FOR COMPATIBLE DEVELOPMENT RESOLUTIONS
February 2020

1. **Be it resolved that:** in low density residential neighbourhoods, the St. Marys Official Plan shall stipulate that new buildings shall be no higher than 10.5 metres (34.4 feet) and shall have no more than 3 storeys.
2. **Be it resolved that:** in medium and high density residential neighbourhoods abutting arterial roads or in the downtown commercial area, the St. Marys Official Plan shall stipulate that new buildings shall be no higher than 14 metres (45.9 feet) and shall have no more than 4 storeys.
3. **Be it resolved that:** the St. Marys Official Plan shall stipulate that cultural heritage landscapes, heritage areas, heritage corridors and stable residential areas are to be identified so that where infilling is proposed or municipal services are being installed or upgraded, the inherent heritage qualities of the identified areas or corridors will be preserved, retained, restored and ideally enhanced, unless overriding conditions of public health and safety warrant otherwise.