



Agenda
Planning Advisory Committee

August 17, 2020

6:00 pm

Video Conference

Click the following link:

<https://www.youtube.com/channel/UCzuUpFqxcEI8OG-dOYKteFQ>

Pages

1. **CALL TO ORDER**

2. **DECLARATION OF PECUNIARY INTEREST**

3. **AMENDMENTS AND APPROVAL OF AGENDA**

RECOMMENDATION

THAT the August 17, 2020 Planning Advisory Committee agenda be accepted as presented.

4. **ACCEPTANCE OF MINUTES**

4

RECOMMENDATION

THAT the August 4, 2020 Planning Advisory Committee meeting minutes be approved and signed by the Chair and the Secretary - Treasurer.

5. **CORRESPONDENCE**

12

RECOMMENDATION

THAT the correspondence from Councillor Hainer regarding her support for the planning applications being considered for McDonald House be received.

6. REPORTS

During the meeting the Chair will invite attendees to provide public comment for each application being considering by the Committee.

Virtually join the meeting by selecting the Zoom Webinar link below to be an "attendee" and observe or participate in the meeting. Participants will be given the opportunity to provide comments related to the application being heard. The meeting will also be live streamed on the Town's YouTube Channel.

Alternatively, an attendee may choose to join by telephone access by dialing the toll-free number below.

Video Participation:

<https://zoom.us/j/91557616712?pwd=T3dqGg2QzFWa2JVOWcrZTRETk1JZz09>

Telephone Participation: +1 647 374 4685

Webinar ID: 915 5761 6712

Password: 362162

- 6.1 **DEV 52-2020 Applications for Official Plan and Zoning By-law Amendments (OP02-2020 and Z04-2020) by the Corporation of the Town of St. Marys for 465 and 481 Water Street South (Part of Lot 35, Thames Concession)**

13

RECOMMENDATION

THAT DEV 52-2020 Applications for Official Plan and Zoning By-law Amendments (OP02-2020 and Z04-2020) by the Corporation of the Town of St. Marys for 465 and 481 Water Street South (Part of Lot 35, Thames Concession) be received; and,

THAT the Planning Advisory Committee endorse the Applications in principle; and

THAT the Planning Advisory Committee recommend to St. Marys Town Council that it proceed with a public meeting to consider the Applications.

7. UPCOMING MEETINGS

No Planning Advisory Committee meetings are scheduled at this time. Town staff will contact the Committee when an application has been deemed complete.

8. ADJOURNMENT

RECOMMENDATION

THAT this meeting of the Planning Advisory Committee be adjourned at _____ pm.



Minutes

Planning Advisory Committee

August 4, 2020

6:00 pm

Video Conference

Click the following link:

<https://www.youtube.com/channel/UCzuUpFqxcEI8OG-dOYKteFQ>

Member Present	Councillor Hainer, Councillor Craigmile, Don Van Galen, Bill Galloway, Susan McMaster
Staff Present	Mark Stone, Town's Planner Grant Brouwer, Chief Building Official and Secretary-Treasurer Jeff Wolfe, Asset Management and Engineering Specialist Morgan Dykstra, Committee Secretary
Others Present	John Bolton, Applicant (323 Queen Street West) Hannah Shirliff, Applicant's Agent (323 Queen Street West) Jay McGuffin, Applicant's Agent (323 Queen Street West) Gerry Lang, Applicant (187 Wellington Street North)

1. CALL TO ORDER

The Chair called the meeting to order at 6 pm.

The Chair advised how the meeting will be conducted, and how members of the public can provide comments or ask questions for each planning file being considered by the Committee. The Committee meeting agenda as posted on the Town's website provided instructions regarding participating in the meeting.

2. DECLARATION OF PECUNIARY INTEREST

None declared.

3. AMENDMENTS AND APPROVAL OF AGENDA

Moved By Councillor Hainer
Seconded By Susan McMaster

THAT the August 4, 2020 Planning Advisory Committee agenda be accepted as presented.

Carried

4. ACCEPTANCE OF MINUTES

Moved By Susan McMaster
Seconded By Councillor Craigmile

THAT the June 15, 2020 Planning Advisory Committee meeting minutes be approved and signed by the Chair and the Secretary - Treasurer.

Carried

5. REPORTS

Chair Van Galen reiterated how the public can participate in the meeting.

- 5.1 DEV 44-2020 Applications for Official Plan and Zoning By-law Amendments (OP01-2020 and Z02-2020) by Heybolt Ontario Ltd.
323 Queen Street West

Chair Van Galen asked the Town's Planner, Mark Stone to speak to the Application.

Mark Stone provided an overview of the Applications as outlined in the Staff report. Mr. Stone highlighted the following items:

- The property is currently zoned Highway Commercial (C3-H), and the Applicant is proposing a Residential Zone Five (R5-#) with site specific regulations that will allow for the proposed development.
- Public Works provided initial comments stating that water and sanitary systems are adequately sized, but further confirmation will be required. A road widening will be required along Queen Street as per the Town's Official Plan. Public Works notes that entrances to the property are preferred along Ann Street rather than Queen Street, but the Department recognizes that there may be existing factors that do not make this feasible.

Mr. Stone identified two initial issues with the Applications:

1. No dedicated on-site parking provided for visitors, however it is recognized that Ann Street is a local road that can accommodate on-street parking for visitors
2. The number of entrances to the property along Queen Street West

Mr. Stone summarized that the planning justification report was well done, and the Applicants have responded to Town pre-consultation comments related to increased density. Mr. Stone has recommended that the Application be deferred for staff to have further conversations with the applicant related to parking and entrance issues.

Chair Van Galen asked the Applicant's Agent Hannah Shirliff of Monteith Brown Planning Consultants to speak to the applications.

Hannah Shirliff provided a presentation and overview of the existing conditions of the property and the planning Applications being considered by the Committee. The Applicant highlighted the following details related to the proposed development:

- The proposed development includes two two-storey townhouse buildings with a total of nine units. Building A fronting Ann Street will have three units and Building B fronting Queen Street will have six units. Each unit will have direct access to the street it is fronting. A single car garage and one parking space will be provided for each unit. There will be a common amenity feature located in the northeast corner of the property. Each unit will be approximately 1400 square feet in size.
- The original proposal included a five-unit townhouse development with a private driveway from Ann Street. The Town requested that the Applicant increase the density; thus, four units were added.
- Developers will design one unit to be barrier-free for people living with disabilities
- Zoning By-law requires a minimum of 1.5 parking spaces per townhouse unit, the development provides 2 spaces per unit, meeting the same requirements as single-detached dwellings. Street parking is available on Ann Street for visitors.

- Direct accesses were provided to Queen Street West, as a rear access / laneway design would not use land efficiently and a back-lotting design is not preferred from design perspective. The proposed driveways are like existing driveways on Queen Street.
- The Developer recognizes the need for affordable pricing. Conversations about purchase prices is premature without knowing the input costs or the state of the housing market at the time of sale. Townhouses will be more affordable than single-detached dwellings, the pre-dominate form of housing in the Town. The addition of townhouses will provide more choice in the market and may accommodate the growing population of seniors and allow more people into the market.
- Technical studies were completed for the development, including a functional servicing report and a Phase I ESA which did not identify any areas of potential environmental concern.

Chair Van Galen asked if the Committee had any questions.

The Committee discussed the layout of the units and expressed interest in the three-bedroom units. The Applicant advised that the units had been designed for a wide range of demographics, including seniors and families. The design of the units will be confirmed once the property has proper planning approvals.

The Committee discussed the configuration of the proposed development and expressed some concern with six vehicle entrances along Queen Street West. The Committee proposed various options to limit the number of entrances on Queen Street and discussed the location of the communal amenity space. The Applicants noted that a singular access driveway uses a significant amount of property and has already been considered.

Overall, the Committee was of the consensus that high-density housing is needed and welcomed the use of the vacant lot.

Councillor Hainer commented that the amenity area should not be a hard surface area.

Grant Brouwer, the Town's Chief Building Official confirmed this can be a site plan condition.

Chair Van Galen explained how the public can make comment and opened the floor to public comments.

Morgan Dykstra, Committee Secretary confirmed there are no comments or questions from the public.

Chair Van Galen asked the Committee if they are prepared to make a recommendation.

Upon reviewing the staff recommendation Councillor Hainer asked to remove the word Applicant and replace with the word Applications.

After review, the Committee was of the consensus that there was no reason to report back to the Committee and cause further delays with the Applications, and that after Town staff and the Applicant review the development configurations the Applications proceed to public meeting.

The Committee therefore considered the following resolution:

Moved By Councillor Hainer

Seconded By Bill Galloway

THAT DEV 44-2020 be received for information; and

THAT the Planning Advisory Committee refer the Applications to staff to discuss any identified issues with the application and report back to Council.

THAT the Planning Advisory Committee endorses the Applications in principle; and

THAT the Planning Advisory Committee recommends to Council:

THAT Council proceed with the statutory public meeting

Carried

- 5.2 DEV 45-2020 Applications for Draft Plan of Subdivision and Zoning By-law Amendment (STM01-2020 and Z03-2020) by 2503778 Ontario Incorporated 187 Wellington Street North

Chair Van Galen asked the Town's Planner, Mark Stone to speak to the Applications.

Mr. Stone provided an overview of the property and the Applications as outlined in the staff report. Mr. Stone advised he has some concerns related to the fourplexes and the parking for those units.

Chair Van Galen asked the Applicant, Gerry Lang to speak to the Application.

Mr. Lang explained that Block 9 will be composed of condominiums, the condominiums will be vacant land condos and will have parking for visitors. Mr. Lang clarified that some of the parking for the fourplexes on Block 1 and 8 will be to the rear of the buildings. Mr. Lang advised the location is ideal due to the proximity of the Grand Trunk Trail and Downtown. Mr. Lang explained that his company has experience building townhouses and condominiums in St. Marys.

Ms. McMaster noted that some municipalities require condominiums to have communal amenity space; Town staff confirmed that the Town does not require communal amenity space.

Ms. McMaster noted that the proposed development does not include any parkland or playgrounds. The Committee discussed if there was a need for a playground to be incorporated into the design of the development. The Committee noted that there are existing and planned playgrounds in the area, and the Town will likely require a cash-in-lieu of parkland payment. Mr. Stone noted that this topic will be discussed in a subsequent report.

The Committee acknowledged the private driveway for the condos and Peel Street both intersect with Egan Ave and are slightly offset from one another. Staff explained that this road section had been reviewed and that there is no requirement under the *Highway Traffic Act* to align the private drive with Peel Street. Further, if the driveway is aligned it would imply that it is equal to a public road, when it is not since it is private.

Councillor Hainer noted that there is only one access to the condominiums, with a large turnaround cul-de-sac for the Fire Department and other Emergency Services. Staff explained that a secondary access was considered but was deemed unsuitable due to the narrowing of Wellington St. North to accommodate the Grand Trunk Trail. The private driveway has been designed to accommodate the Fire Department and a fire route will be signed along the private driveway.

Councillor Hainer asked Mr. Lang if the development will be built in phases. Mr. Lang explained that the development will be built in phases beginning with the townhouses and then condominiums and sold

individually. The development will have similar design standards throughout.

Councillor Craigmile asked for clarification regarding parking for the fourplexes. Mr. Lang confirmed that two parking spaces will be in the front of the building and two to the rear of the building. The Committee further discussed parking for visitors on Block 9.

Chair Van Galen provided how members of the public may make a comment or ask a question and opened the floor to the public.

Morgan Dykstra, Committee Secretary asked members of the public to raise their hand should they wish to make a comment or ask a question.

Vanni and Jennifer Azzano who live at 152 Peel Street submitted a comment via chat on Zoom Webinar asking about parking on Egan Ave.

Jeff Wolfe advised that Egan Ave has been re-designed with on-street parking between King and James Street for school bus loading and will permit on-street parking when the bus loading zones are not in use.

Chair Van Galen asked if there were any further questions from the public or the Committee.

The Committee had no further questions.

Ms. Dykstra confirmed there are no further questions from the public.

Chair Van Galen asked the Committee if they were prepared to make a recommendation, the Committee made the following recommendation:

Moved By Bill Galloway

Seconded By Councillor Hainer

THAT DEV 45-2020 be received for information; and

THAT the Planning Advisory Committee endorse the Applications, in principle, and that Committee recommend to St. Marys Town Council that it proceed with the statutory public meeting.

Carried

6. UPCOMING MEETINGS

August 17, 2020 at 6 PM (481 and 465 Water Street South)

Planning Advisory Committee – August 4, 2020

7

Councillor Hainer advised that she may not be able to attend the August 17th meeting.

7. ADJOURNMENT

Moved By Susan McMaster

Seconded By Bill Galloway

THAT this meeting of the Planning Advisory Committee be adjourned at 7:48 pm.

Carried

Don Van Galen, Chair

Grant Brouwer, Secretary-Treasurer

From: [Lynn Hainer](#)
To: [Don Van Galen](#)
Cc: [Morgan Dykstra](#); [Mark Stone](#)
Subject: Re: Planning Advisory Committee - August 17 2020
Date: August 13, 2020 5:23:36 PM

Hi Don,

I have given regrets to attending this meeting.

I want the record to show that I am in full support of the application and the McDonald house has a new purpose and is receiving the care it needs as a historic building in St Marys.

Lynn Hainer
Town Councillor
Member, PAC



FORMAL REPORT

To:	Chair and Members of the Advisory Committee
Prepared by:	Mark Stone, Planner
Date of Meeting:	17 August 2020
Subject:	DEV 52-2020 Applications for Official Plan and Zoning By-law Amendments (OP02-2020 and Z04-2020) by the Corporation of the Town of St. Marys for 465 and 481 Water Street South (Part of Lot 35, Thames Concession)

PURPOSE

The purpose of this report is to: review the Applications; consider information and comments provided by the Applicant, Town staff and the public; and consider making recommendation(s) to Council with respect to the further processing of these Applications.

RECOMMENDATION

THAT DEV 52-2020 Applications for Official Plan and Zoning By-law Amendments (OP02-2020 and Z04-2020) by the Corporation of the Town of St. Marys for 465 and 481 Water Street South (Part of Lot 35, Thames Concession) be received; and,

THAT the Planning Advisory Committee endorse the Applications in principle; and

THAT the Planning Advisory Committee recommend to St. Marys Town Council that it proceed with a public meeting to consider the Applications.

BACKGROUND

The subject properties front onto the east side of Water Street South, south of Washington Street. The Alexander McDonald House is located on 481 Water Street South and the Town designated the property under the Ontario Heritage Act in 2008. The Alexander McDonald House is a 2½ storey stone building and was constructed in the early 1850's. In 2019, the Town declared 481 Water Street South surplus.

In February of 2019, Town Council approved Official Plan Amendment No. 33 (OPA 33) to redesignate 481 Water Street South from Recreational to Highway Commercial and passed Zoning By-law No. Z132-2019 to rezone 481 Water Street South from Institutional (I-4) to Highway Commercial (C3-12) to permit a range of commercial and light industrial uses. By-law No. Z132-2019 also reduced certain standards in the C3 Zone (5 metre minimum front yard, 2.5 metre minimum interior side yard and 2.5 metre minimum rear yard).

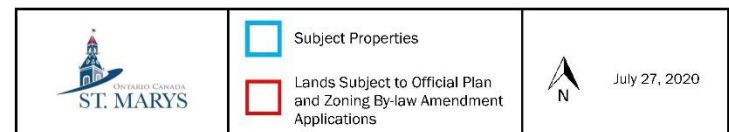
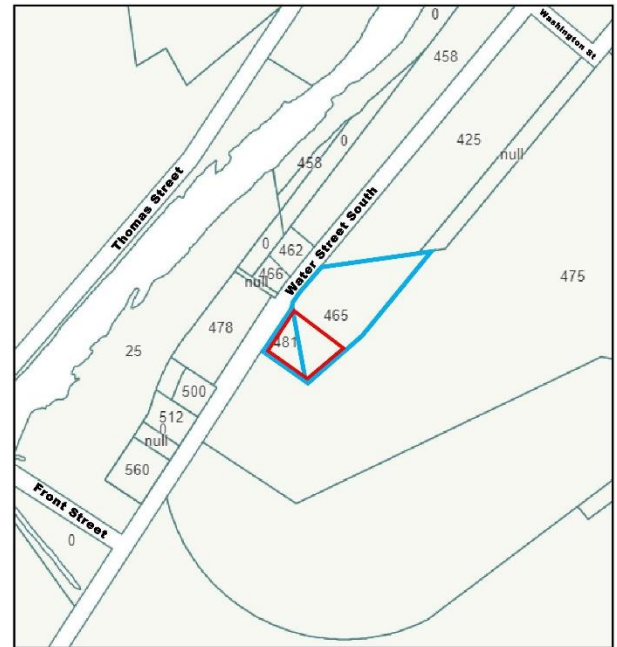
The Town intends to convey approximately 0.25 hectares (0.62 acres) of land from the west part of 465 Water Street South and merge these lands with 481 Water Street South.

The prospective purchaser of these lands intends to use the existing house for office space, establish a parking area for staff and customers, and construct a 148.6 m² (1,600 ft²) shop building as shown on the proposed concept site plan (see Attachment 3 of this report).

REPORT

The purpose and effect of the Applications is to amend the land use permissions for 481 Water South and extend these permissions to the lands to be conveyed and merged. Approval of the Applications would allow for the following uses on the subject lands (in addition to those uses already permitted by OPA 33 and Z132-2019: contractor's yard or shop; office; business office; support office; repair shop; and retail store including the sale of cannabis and related products and vitamins.

Approval of the proposed Zoning By-law Amendment would also amend the site specific zoning provisions for lands zoned C3-12 by changing the interior side yard minimum to 1.5 metres (from the east property line) and removing the 2.5 metre minimum rear yard requirement, reverting back to the applicable rear yard minimum requirements under the C3 Zone.



Property Details		
Municipal Address	465 and 481 Water Street South	
Lot Area	465 Water	1.1 ha (area subject to applications: 0.25 ha)
	481 Water	0.15 ha
Official Plan		
	Current	Proposed
465 Water	Recreational	Highway Commercial
481 Water	Highway Commercial	
Zoning By-law		
	Current	Proposed
465 Water	Extractive Industrial (M3)	Highway Commercial (C3-12)
481 Water	Highway Commercial (C3-12)	
Surrounding Land Uses		
North	• Recreational uses and open space/wooded areas	
South	• Open space/wooded areas and vacant lands	
East	• Open space/wooded areas and vacant lands	
West	• Water Street South, and commercial, residential and vacant uses	

PLANNING CONTEXT

Provincial Policy Statement

Section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act. The Provincial Policy Statement (PPS) was issued under the authority of Section 3 of the Act. The PPS provides policy direction on matters of provincial interest related to land use planning and development, including the protection of resources of provincial interest, public health and safety, and the quality of the natural and built environment. The purpose of this section is to identify policies in the PPS relevant to these Applications.

Section 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by:

- promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term
- accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs
- promoting cost-effective development patterns and standards to minimize land consumption and servicing costs

Sections 1.3.1 (a) and (b) of the PPS state, in part, that planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment uses to meet long-term needs and by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses.

Official Plan

The Recreational designation that applies to 465 Water Street South identifies lands used or intended for active and/or passive recreation uses. 481 Water Street South was redesignated from Recreational to Highway Commercial by Official Plan Amendment No. 33 and applied site specific policies [Section 3.3.3(f)].

The purpose of this Official Plan Amendment application is to amend the site specific policies of Section 3.3.3(f) as shown in **red** below and extend these policies to the portion of 465 Water Street South to be merged with 481 Water Street South:

- 3.3.3 f) Within the lands described as 481 Water Street South, Part of Lots **21 and 35**, Thames Concession, in the Town of St. Marys, permitted uses are limited to the following:
- Business or professional office
 - **Contractor's yard or shop**
 - Convenience store or variety store
 - Equipment sales and rental business
 - Laboratory or research facility
 - **Office**
 - **Office, business**
 - **Office, support**
 - Private club
 - Production studio (premises used for producing motion pictures, or audio or video recordings or transmissions)
 - **Repair shop**
 - Restaurant

- Retail store including the sale of cannabis and related products and vitamins
- Accessory uses, buildings, and structures

Section 7.17.4 of the Official Plan states, that in considering an amendment to the Official Plan and/or implementing Zoning By-laws, Council shall give due consideration to the policies of this Plan as well as certain criteria. The following discussion addresses the criteria in Section 7.17.4.

- a) the need for the proposed use;
- b) the extent to which the existing areas in the proposed designation or categories are developed and the nature and adequacy of such existing development in order to determine whether the proposed use is premature;
- c) the compatibility of the proposed use with conforming uses in adjoining areas;
- d) the effect of such proposed use on the surrounding area in respect to the minimizing of any possible depreciating or deteriorating effect upon adjoining properties;
- e) the potential effects of the proposed use on the financial position of the Town;
- f) the potential suitability of the land for such proposed use in terms of environmental considerations;
- g) the location of the area under consideration with respect to the adequacy of the existing and proposed road system in relation to the development of such proposed areas and the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety and parking in relation thereto;
- h) the adequacy and availability of municipal services and utilities; and,
- i) the adequacy of parks and educational facilities and the location of these facilities.

Zoning By-law

465 Water Street South is zoned Extractive Industrial (M3) while 481 Water Street South is zoned Highway Commercial (C3-12). The purpose of this Zoning By-law Amendment application is to amend the site specific C3-12 regulations of Section 17.4.12 as shown in red below and extend this zoning to the portion of 465 Water Street South to be merged with 481 Water Street South:

17.4.12 C3-12

- a) Location: 481 Water Street South, Part of Lots 21 and 35, Thames Concession, Key Map 19
- b) Notwithstanding the provisions of Section 17.1, permitted uses are limited to the following on those lands zoned "C3-12":
 - (i) business or professional office;
 - (ii) contractor's yard or shop;
 - (iii) convenience store or variety store;
 - (iv) equipment sales and rental business;
 - (v) laboratory or research facility;
 - (vi) office;
 - (vii) office, business;
 - (viii) office, support;
 - (ix) private club;
 - (x) production studio;
 - (xi) repair shop;
 - (xii) restaurant;
 - (xiii) retail store including the sale of cannabis and related products and vitamins;
 - (xiv) accessory uses, buildings, and structures.
- c) For the purpose of those lands zoned "C3-12", a production studio means premises used for producing motion pictures, or audio or video recordings or transmissions.

- d) Notwithstanding the provisions of Sections 17.2 D, 17.2 E and 17.2 G, the following provisions shall apply to those lands zoned "C3-12":
- | | |
|--|------------|
| (i) Front Yard, Minimum | 5 metres |
| (ii) Interior Side Yard, Minimum (from east property line) | 1.5 metres |
| (iii) Rear Yard, Minimum 2.5 metres | |

With the merger of the lands, a reduced minimum rear yard is no longer required.

COMMUNICATIONS

Notice of Receipt of a Complete Applications for the Official Plan and Zoning By-law Amendment Applications was circulated by first class mail to all land owners within 120 metres of the subject property and any agencies that may have an interest in the Applications. A sign notice was also posted on the property.

At the time of preparing this report, the Town had received no public, agency or Town department comments regarding these Applications.

PRELIMINARY PLANNING COMMENTS

The proposed permitted uses will provide additional opportunities for commercial and industrial uses in the Town, and the redesignation and rezoning of the subject lands will allow for the revitalization of these lands. The area surrounding the subject property is predominantly zoned for industrial and commercial purposes. There are several properties on the west side of Water Street South that are zoned Highway Commercial (C3).

Prior to any development on the property, site plan approval will be required to ensure the appropriate layout and design of the site including the location of parking areas and landscaping.

SUMMARY

Staff will provide further comments and opinion following the review of committee comments, public submissions, etc. Based on the review of the Applications thus far, it is recommended that Planning Advisory Committee endorse the Applications, in principle, and that Committee recommend to St. Marys Town Council that it proceed with the statutory public meeting.

ATTACHMENTS

- 1) General and Specific Location Maps
- 2) Applications for Official Plan and Zoning By-law Amendments
- 3) Concept Site Plan

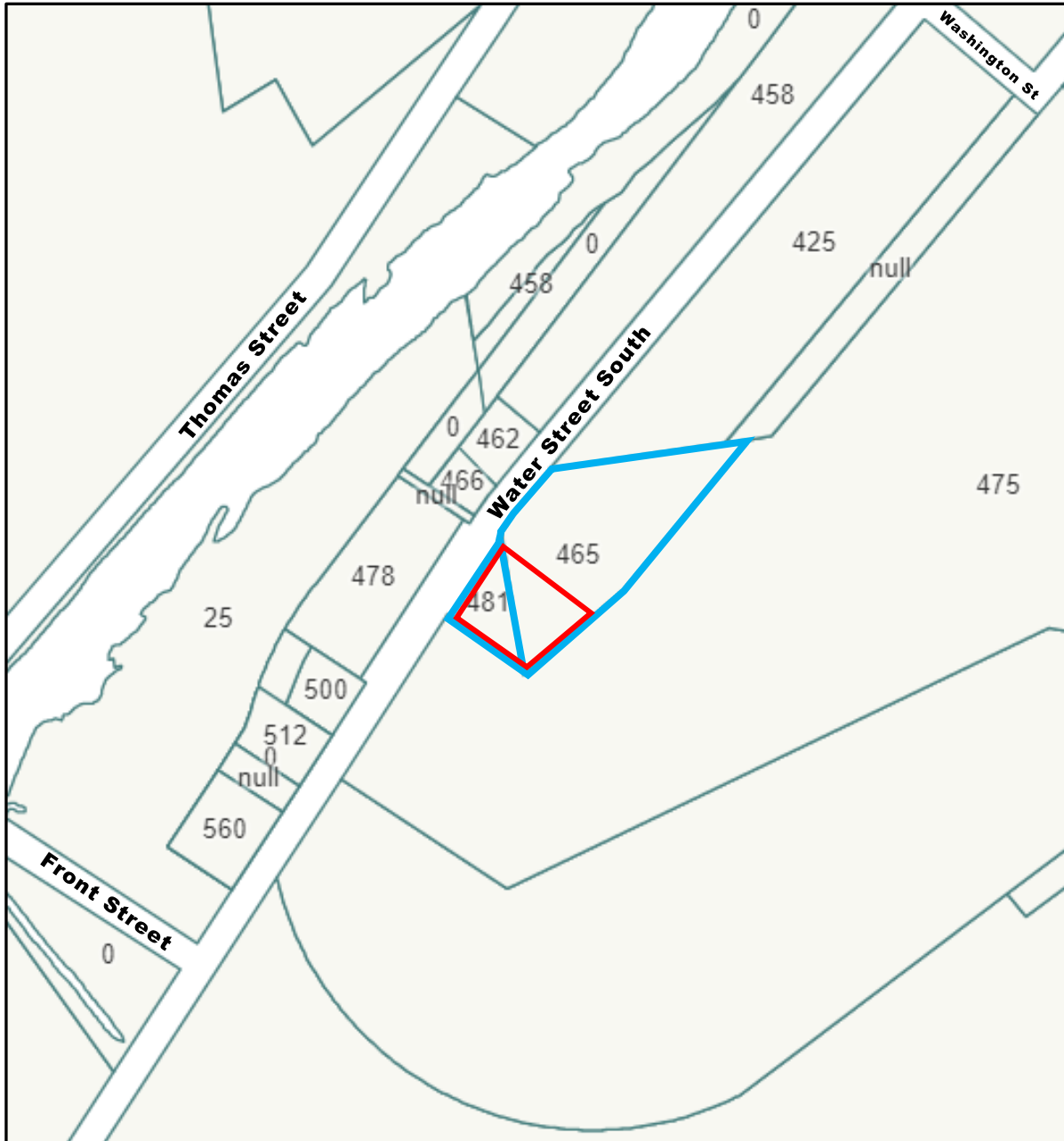
Respectfully submitted,



Mark Stone,
Planner

GENERAL LOCATION MAP

465 and 481 Water Street South
Part of Lot 35, Thames Concession
Town of St. Marys



Subject Properties



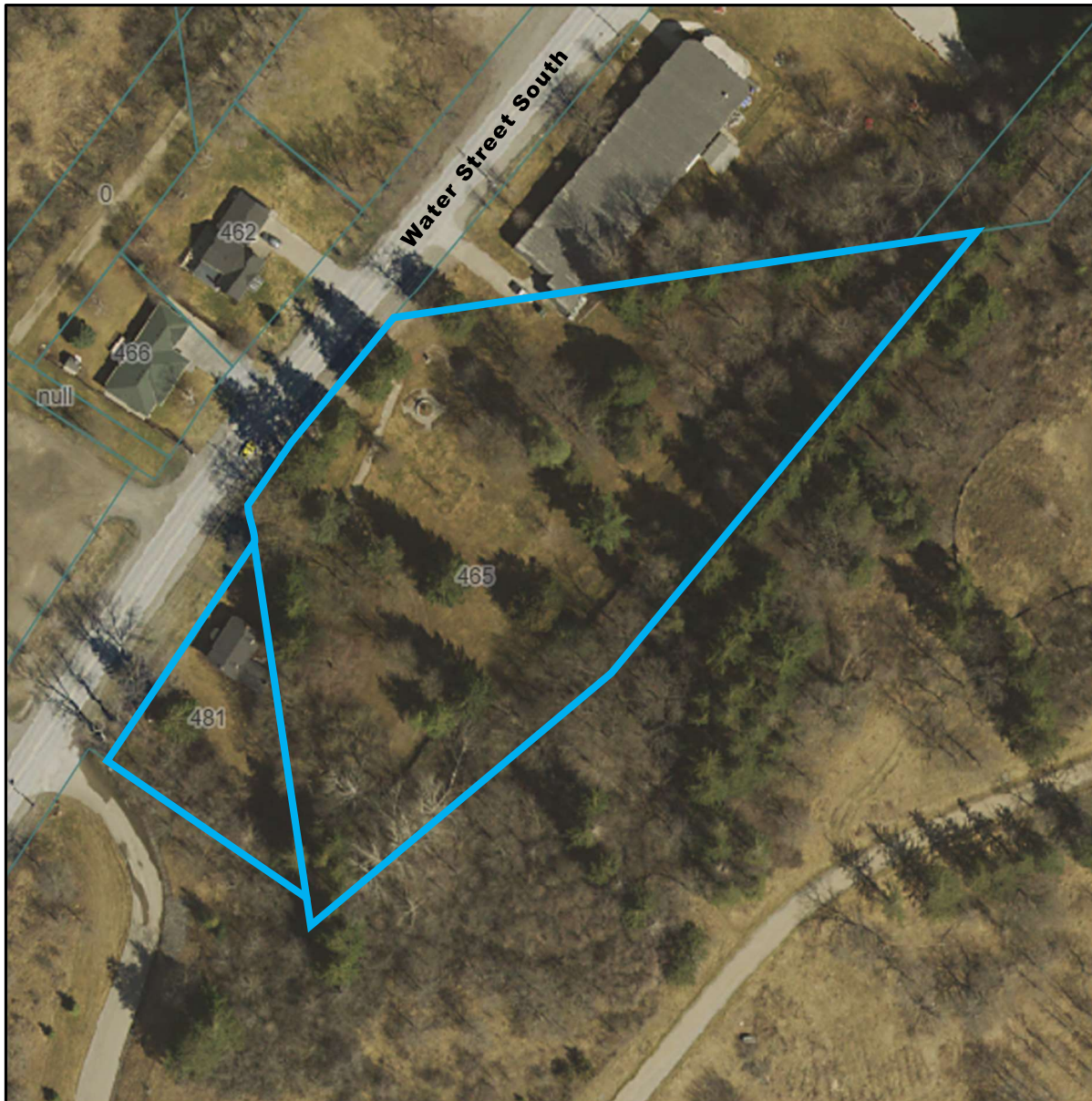
Lands Subject to Official Plan
and Zoning By-law Amendment
Applications



July 27, 2020

SPECIFIC LOCATION MAP / AERIAL

465 and 481 Water Street South
Part of Lot 35, Thames Concession
Town of St. Marys



Subject Properties



July 27, 2020



Corporation
of the Town of St. Marys



Application for Approval of a **Official Plan Amendment**

(Under Section 22(4) of the Planning Act)



Application for Zoning By-law Amendment

(Under Section 34 or 39 of the Planning Act)



Application to Remove a Holding Symbol

(Under Section 34 and 36 of the Planning Act)

Instructions

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

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

Please bear in mind that additional information may be required by the Town, local and provincial agencies in order to evaluate the proposed Amendment. The required information may include studies or reports to deal with such matters as impacts on: the environment; transportation network; water supply; sewage disposal; and storm water management.

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 198/96 made under the Planning Act. The mandatory information must be provided with the appropriate fee and draft plan. If the mandatory information is not provided, the municipality will return the application or refuse to further consider the application.

The application form also sets out other information (eg. technical information or reports) that will assist the approval authority and others in their planning evaluation of the development proposal. 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) Council will determine whether there is sufficient merit in processing the application further (i.e. circulation of notice and the holding of a public meeting as required by the Ontario Planning Act). The applicant is encouraged to attend a public meeting, to present the proposal. The applicant will be provided notice of any decision made by Council concerning the application. Official Plan Amendments and Zoning By-law Amendment are adopted by St. Marys Council. If no notice of appeal is received within twenty days, the Official Plan Amendment and/or Zoning By-law Amendment is in force.

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 applicant is not the owner (See Section 12.0)			
Name of Owner(s) The Corporation of the Town of St. Marys		Home Telephone No.	Business Telephone No.
Address 175 Queen Street East		Postal Code N4X 1B6	Fax No.
➤ 1.2 Agent/Applicant - Name of the person who is to be contacted about the application, if different than the owner. (This may be a person or firm acting on behalf of the owner.)			
Name of Contact Person (and Firm) Brent Kittmer, CAO/Clerk		Home Telephone No.	Business Telephone No. 519-284-2340 x216
Address 175 Queen Street East		Postal Code N4X 1B6	Fax No. 519-284-3881

➤ 2.0 Location and Size of the Subject Land

Street No. 465 and 481	Name of Street/Road Water Street South	Registered Plan No.	Lot(s)/Block(s)
Reference Plan No.	Part Number(s)	Concession Number(s) Thames Concession	Lot Number(s) Part Lots 21 and 35
Lot Frontage 58.8 metres	Average Width 59.7 metres	Average Depth 63.6 metres	Lot Area 3,984.7 square metres

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

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

➤ 2.3 When were the subject lands acquired by the current owner?
August 5, 2014

➤ 3.0 Proposed and Current Land Use

➤ 3.1 What is the proposed use of the subject land? Commercial and light industrial uses - see attachment for additional information
➤ 3.2 What is the current use of the subject land? Single detached dwelling and vacant lands
➤ 3.3 How is the subject land currently designated in the Official Plan? Recreational
➤ 3.4 How is the subject land currently zoned in the applicable Zoning By-law? 481 Water South: Highway Commercial (C3-12) 465 Water South: Extractive Industrial (M3)

	Existing Buildings	Proposed Buildings		Existing Buildings	Proposed Buildings
3.5.1 Front yard	5.42 m	none proposed at this time	3.5.5 Height	2.5 storeys	none proposed at this time
3.5.2 Rear yard	2.64 m		3.5.6 Dimensions	+/- 11.4 x 14.9 (irregular)	
3.5.3 Side Yard	3.56 m (north)		3.5.7 Gross Floor Area		
3.5.4 Side Yard	27.4 m (south)		3.5.8 Date Constructed	early 1850's	

➤ **4.0 Official Plan Amendment (proceed to Section 5.0 if a Official Plan Amendment is not proposed)**

4.1 Does the Proposed Official Plan Amendment:	Yes	No
4.1.1 Add a Land Use designation to the Official Plan?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.2 Change a land use designation in the Official Plan?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.3 Replace a policy in the Official Plan?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.4 Delete a policy from the Official Plan?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.5 Add a policy to the Official Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If applicable, please provide the policy section number to be changed, and suggested policy wording on a separate page.

See attachment for additional information

4.2 What is the purpose of the Official Plan Amendment and land uses that would be permitted by the proposed Official Plan Amendment?

See attachment for additional information

4.3 Explain how this proposal has regard to the principles of the Provincial Policy Statement issued under the Planning Act (attach a separate page if necessary).

See attachment for additional information

➤ **5.0 Zoning By-law Amendment (proceed to Section 6.0 if a Zoning By-law Amendment is not proposed)**

5.1 Does the Proposed Zoning By-law Amendment:	Yes	No
5.1.1 Add a Zone Category to the Zoning By-law?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.1.2 Change a Zone Category in the Zoning By-law?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.1.3 Replace a zoning provision in the Zoning By-law?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.1.4 Delete a zoning provision from the Zoning By-law?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.1.5 Add a zoning provision to the Zoning By-law?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If applicable, please provide the provision section number to be changed, and suggested provision wording on a separate page.

See attachment for additional information

5.2 What is the purpose of the proposed Zoning By-law Amendment and what are the land uses proposed?

See attachment for additional information

6.0 Previous Industrial or Commercial Uses

6.1 Has there previously been an industrial or commercial use on the subject land or adjacent land? If Yes, specify the uses and dates. ☐ Yes ☒ No
Railway line transecting the central portion of the property. Refer to Phase 1 and Phase 2 Environmental Site Assessments

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

6.3 What information did you use to determine the answers to the above questions? See Section 6.4 below. Knowledge of the historic use of the property

6.4 If Yes, to (6.1), (6.2) or (6.3), 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

➤ **7.0 Status of Other Applications under the Planning Act**

Is the subject land also the subject of an application for a 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.

➤ **8.0 Servicing**

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

Sewage Disposal	Existing	Proposed	Water Supply	Existing	Proposed
a) Public piped sewage system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	a) Public piped water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b) Public or private communal septic			b) Public or private communal well(s)		
c) Individual septic system(s)			c) Individual well(s)		
d) Other			d) Other		

Storm Drainage	Existing	Proposed	Road Access	Existing	Proposed
a) Sewers	X	X	a) Arterial Road	X	X
b) Ditches or swales			b) Collector Road		
c) Other			c) Local Road		

9.0 Justification

9.1 Indicate how the proposed use(s)/ zone complies with the relevant portions of the Official Plan - or complete an Official Plan Amendment Application.

See attachment for additional information

9.2 Indicate how the proposed use(s) will be compatible with the surrounding land uses.

See attachment for additional information

10.0 Other Information

11.0 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 these features on adjacent and abutting lands; and
- Scale and north arrow.

12.0 Affidavit or Sworn Declaration

I, Brent Killmer of the St. Marys in the County/Region of Perth

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

Sworn (or declared) before me at the Town of St. Marys

In the County/Region of Perth

this 29th day of July, 2020

Anna McCarney
Commissioner of Oaths

B Killmer
Applicant

13.0 Authorization of Owner for Agent to Make the Application

I (we), _____ of the _____ in the County/Region of _____

am the owner of the land that is the subject of this application for an Official Plan Amendment/Zoning By-law Amendment and I hereby

authorize _____ to act as my agent in the application.

Date

Signature of Owner

14.0 Acknowledgement

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 St. Marys for legal counsel and other associated costs to represent the Corporation of the 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 29th day of July, 2020

B Killmer
Applicant

Additional Supporting Information for Official Plan and Zoning By-law Amendment Applications for 465 and 481 Water Street South, St. Marys

Current Planning Summary

The subject properties are owned by the Corporation of the Town of St. Marys. In February of 2019, the Town approved Official Plan Amendment No. 33 redesignating 481 Water Street South from Recreational to Highway Commercial with site specific policies, and Zoning By-law Amendment No. Z132-2019 rezoning 481 Water Street South from Institutional (I-4) to Highway Commercial (C3-12) with site specific provisions.

	Official Plan	Zoning
465 Water Street South	Recreational	Extractive Industrial (M3)
481 Water Street South	Highway Commercial	Highway Commercial (C3-12)

Purpose and Intent of Applications

The purpose and intent of the proposed Official Plan and Zoning By-law Amendment Applications is to amend the land use permissions for 481 Water South and extend these permissions to approximately 0.25 hectares of land to be conveyed from 465 Water Street South and merged with 481 Water South (the subject lands).

Proposed Official Plan Amendment

The Highway Commercial designation with amended site specific policies [Section 3.3.3(f)] would apply to the subject lands. Section 3.3.3(f) with proposed amended policies (in red) are provided below:

3.3.3 f) Within the lands described as 481 Water Street South, Part of Lots 21 and 35, Thames Concession, in the Town of St. Marys, permitted uses are limited to the following:

- Business or professional office
- Contractor's yard or shop
- Convenience store or variety store
- Equipment sales and rental business
- Laboratory or research facility
- Office
- Office, business
- Office, support
- Private club
- Production studio (premises used for producing motion pictures, or audio or video recordings or transmissions)
- Repair shop
- Restaurant
- Retail store including the sale of cannabis and related products and vitamins
- Accessory uses, buildings, and structures

Proposed Zoning By-law Amendment

The Highway Commercial (C3-12) Zone with amended regulations [Section 17.4.12] would apply to the subject lands. Section 17.4.12 with proposed amended regulations (in red) are provided below:

17.4.12 C3-12

- a) Location: 481 Water Street South, Part of Lots 21 and 35, Thames Concession, Key Map 19
- b) Notwithstanding the provisions of Section 17.1, permitted uses are limited to the following on those lands zoned “C3-12”:
 - (i) business or professional office;
 - (ii) contractor’s yard or shop;
 - (iii) convenience store or variety store;
 - (iv) equipment sales and rental business;
 - (v) laboratory or research facility;
 - (vi) office;
 - (vii) office, business;
 - (viii) office, support;
 - (ix) private club;
 - (x) production studio;
 - (xi) repair shop;
 - (xii) restaurant;
 - (xiii) retail store including the sale of cannabis and related products and vitamins;
 - (xiv) accessory uses, buildings, and structures.
- c) For the purpose of those lands zoned “C3-12”, a production studio means premises used for producing motion pictures, or audio or video recordings or transmissions.
- d) Notwithstanding the provisions of Sections 17.2 D, 17.2 E and 17.2 G, the following provisions shall apply to those lands zoned “C3-12”:
 - (i) Front Yard, Minimum 5 metres
 - (ii) Interior Side Yard, Minimum (from east property line) 1.5 metres
 - ~~(iii) Rear Yard, Minimum 2.5 metres~~

With the merger of the lands, a reduced minimum rear yard is no longer required.

Justification

- The proposed amendments are consistent with the policies of the Provincial Policy Statement. The proposed uses contribute to the Town’s ability to provide for an appropriate mix and range of employment uses, and a diversified economic base to meet long-term needs of the community. The proposal contributes to a sense of place by conserving built heritage resources while integrating employment uses on the property.
- As noted in the August 28, 2018 report to Council (DEV 35-2018) regarding the Town’s Official Plan review project, the Town is considering the establishment of a new Highway Commercial – Light Industrial designation to “support the Town’s goals with respect to economic development” and provide “additional opportunities to provide a mix of and range of employment options and a range of suitable sites”. As further noted in the report, “this new designation would be based on the Highway Commercial designation and would also permit smaller scale light manufacturing, processing and storage/warehouse uses, wholesale establishments, recreational uses, institutional uses, and business offices that are compatible with the surrounding neighbourhood. A requirement of this

designation would be that all uses are located indoors and the designation would only apply to lands currently designated Highway Commercial and not abutting residential lands". The proposed Highway Commercial designation to be applied to this property will allow for a mix of employment uses in keeping with the proposed new Highway Commercial – Light Industrial designation.

- Section 7.17.4 of the Official Plan states, that in considering an amendment to the Official Plan and/or implementing Zoning By-laws, Council shall give due consideration to the policies of this Plan as well as certain criteria. The following discussion addresses the criteria in Section 7.17.4.
 - a) the need for the proposed use;
the proposed permitted uses will provide additional opportunities for commercial and industrial uses and the redesignation and rezoning of the subject lands will allow for the revitalization of this property
 - b) the extent to which the existing areas in the proposed designation or categories are developed and the nature and adequacy of such existing development in order to determine whether the proposed use is premature;
there are other lands designated Highway Commercial in the Town however, the proposal will provide opportunities to use this underutilized property
 - c) the compatibility of the proposed use with conforming uses in adjoining areas;
 - *The area surrounding the subject property is predominantly zoned for industrial and commercial purposes. There are several properties on the west side of Water Street South that are zoned Highway Commercial (C3).*
 - *Prior to any development of the site, approval of a Site Plan Application will be required to ensure the appropriate layout and design of the site including the location of parking areas, landscaping and buffering.*
 - d) the effect of such proposed use on the surrounding area in respect to the minimizing of any possible depreciating or deteriorating effect upon adjoining properties;
see response to c) above
 - e) the potential effects of the proposed use on the financial position of the Town;
no negative effects are anticipated
 - f) the potential suitability of the land for such proposed use in terms of environmental considerations;
any potential environmental considerations will be assessed at the site plan approval stage
 - g) the location of the area under consideration with respect to the adequacy of the existing and proposed road system in relation to the development of such proposed areas and the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety and parking in relation thereto;
the existing road system in the area is adequate to accommodate the proposed uses
 - h) the adequacy and availability of municipal services and utilities; and,
existing services and utilities are available to service the property
 - i) the adequacy of parks and educational facilities and the location of these facilities.
not applicable

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SCALE: 1:400	

