

**NOTICE OF THE ADOPTION OF AN OFFICIAL PLAN AMENDMENT
AND PASSING OF A ZONING BY-LAW BY
THE CORPORATION OF THE TOWN OF ST. MARYS**

TAKE NOTICE that the Council of the Corporation of the Town of St. Marys adopted Official Plan Amendment No. 34 (OPA 34) on the 8th day of September, 2020 under Section 17 of the *Planning Act*, R.S.O. 1990.

AND TAKE NOTICE that the Council of the Corporation of the Town of St. Marys passed By-law No. Z137-2020 on the 8th day of September, 2020 under Section 34 of the *Planning Act*, R.S.O. 1990.

AND TAKE NOTICE that any person or public body may appeal the Town's decisions to adopt OPA 34 and/or pass Z137-2020 to the Local Planning Appeal Tribunal by filing with the Clerk of the Town of St. Marys not later than the **13th day of October, 2020** a notice of appeal.

An explanation of the purpose and effect of the proposed Official Plan Amendment and Zoning By-law, describing the lands to which the Official Plan Amendment and By-law apply, and a map showing the location of the lands to which the Official Plan Amendment and Zoning By-law apply are attached. Additional information, including copies of OPA 34 and Zoning By-law Z137-2020, is available for inspection:

- in my office (by appointment only);
- by contacting Grant Brouwer, Director of Building and Development of the Town of St. Marys (408 James Street South, Telephone: 519-284-2340 ext. 215; Email gbrouwer@town.stmarys.on.ca); or
- via the Town's Current Planning / Development Applications webpage at:
www.townofstmarys.com/en/current-planning---development-applications.aspx

PLEASE NOTE

1. Proposed OPA 34 is exempt from approval by the Ministry of Municipal Affairs and Housing. The decision of the Council of the Corporation of the Town of St. Marys is final if a notice of appeal is not received on or before the last day for filing a notice of appeal.
2. Only individuals, corporations and public bodies may appeal a decision of the municipality or appeal a by-law to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.
3. No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted or the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to Council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.
4. A notice of appeal must include a completed Local Planning Appeal Tribunal Appeal Form (appeal forms are available from the Local Planning Appeal Tribunal website

at www.elto.gov.on.ca). A notice of appeal must be filed with Jenna McCartney, Clerk of the Town of St. Marys (see contact information below), **no later than October 13, 2020**, and must:

- (a) set out reasons for the appeal and in the case of an appeal related to a request for official plan amendment, the specific part of the requested plan amendment to which the appeal applies;
- (b) be accompanied by the fee prescribed by the Tribunal for each application appealed, payable to the Minister of Finance; and,
- (c) meet submission requirements as set out on the appeal forms.

Fees are payable by certified cheque or money order and must be in Canadian funds.

Dated at the Town of St. Marys this 23rd day of September, 2020.

Jenna McCartney, Clerk
Town of St. Marys
175 Queen Street East, P.O. Box 998
St. Marys, Ontario N4X 1B6
Telephone (519) 284-2340; Fax (519) 284-3881

THE TOWN OF ST. MARYS

OFFICIAL PLAN AMENDMENT NO. 34 AND BY-LAW NO. Z137-2020 (by the Corporation of the Town of St. Marys, Files OP02-2020 and Z04-2020)

EXPLANATORY NOTE

The subject properties front onto the east side of Water Street South, south of Washington Street, as shown on the General Location Map. 465 Water Street South is approximately 1.1 hectares (2.7 acres) in size and 481 Water Street South is approximately 0.15 hectares (0.37 acres) in size.

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 (Part 1 on Reference Plan 44R-5776) and merge these lands with 481 Water Street South (Part 2 on Reference Plan 44R-5357). The proposed merged landholding is referred to as the 'subject lands' and are the lands subject to the Applications as shown on the General Location Map.

The purpose and effect of the proposed Official Plan Amendment and Zoning By-law 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:

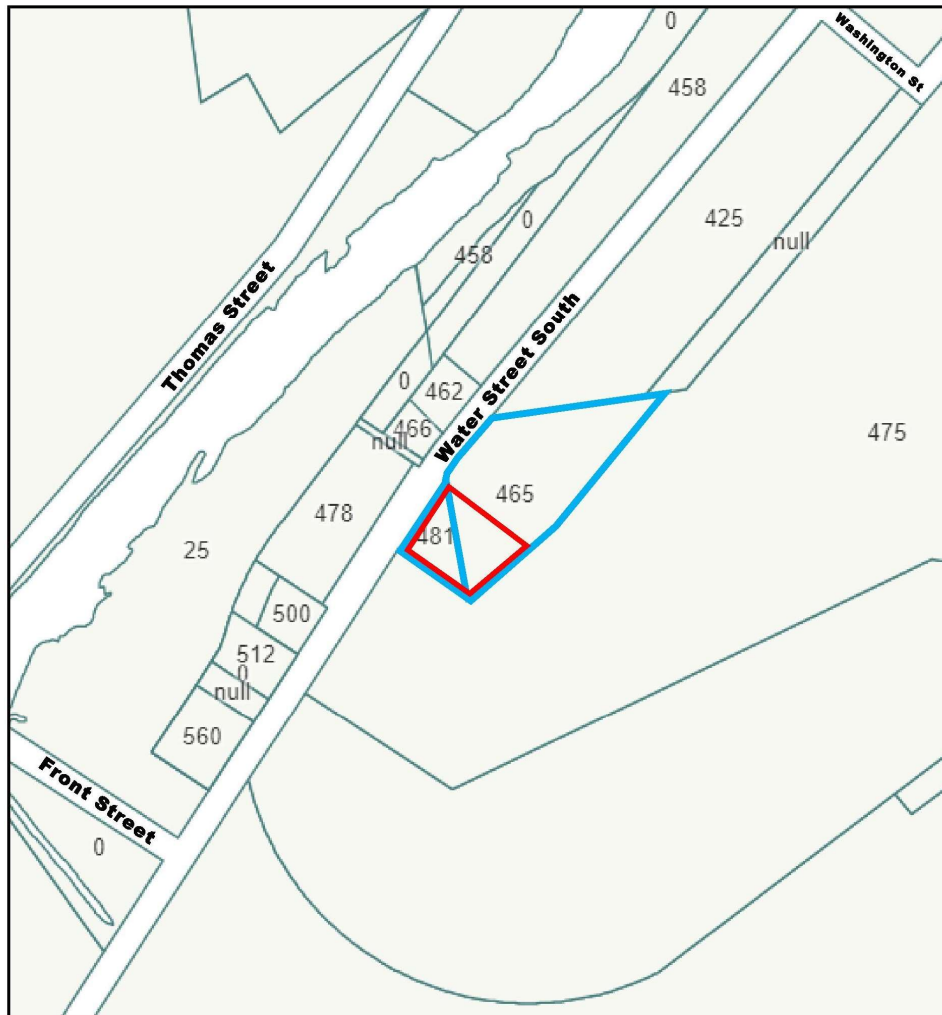
- changing the interior side yard minimum to 1.5 metres (from the east property line);
- removing the 2.5 metre minimum rear yard requirement (reverting back to the applicable rear yard minimum requirements under the C3 Zone);
- maintaining a 5.0 metre minimum front yard setback for the Alexander McDonald House; and,
- establishing an 8.5 metre minimum front yard setback for any new buildings.


By-law Z137-2020 shall be deemed to have come into force on the day it was passed, if no notice of appeal is filed pursuant to the provisions of the Planning Act, and when OPA 34 comes into full force and effect.


Prior to making these decisions, Council considered all written and oral submissions received.

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