



# THE CORPORATION OF THE TOWN OF ST. MARYS

## DISCUSSION PAPER #10

### COMMERCIAL AND HIGHWAY COMMERCIAL

*- DRAFT -*

Presented to the Town of St. Marys Planning Advisory Committee on  
January 8, 2018



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## Introduction

This is the tenth of a series of discussion papers prepared to assist in the 5-year review of the Town of St. Marys Official Plan as per the Planning Act Section 26 (1). The purpose of the review is to ensure that the policies in the Official Plan are in keeping with the goals and objectives of the community and Town Council that will direct the physical growth and development of the land(s) within St. Marys.

This discussion paper will identify areas and topics as they relate to the **Commercial and Highway Commercial** components of the Town and the interaction with the policies of the Official Plan. Updating and revisions where necessary, in accordance with Councils vision, to develop a more comprehensive land use planning document that provides the tools/policies necessary to guide the development of land as prescribed by the Planning Act and the Provincial Policy Statement will be the result. This discussion paper is intended to bring information to Planning Committee for review and consideration when making recommendations to Town Council.

Part V - Policies of the Provincial Policy Statement (PPS) contains a number of policies geared to direct and manage growth of urban areas such as the Town (those Sections in the grey highlighting are from the 2014 Provincial Policy Statement.) The policies of Section 1.3 are particularly significant in the development of long term planning strategies for the community.

## Provincial Policy Statement

The most recent version of the Provincial Policy Statement (PPS) came into effect on April 30, 2014. Section V - Policies of this PPS contains a number of policies that direct and manage growth of urban areas such as St. Marys. The policies of Section 1.1 (management and direction of land use) and Section 1.3 (Employment Areas) are particularly significant in guiding and managing change to promote efficient land use and development patterns.

### 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

#### 1.1.1 *Healthy, liveable and safe communities are sustained by:*

- a. *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b. *b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

**1.1.2** Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

**1.1.3.1** *Settlement areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted

### 1.3 Employment

**1.3.1** Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b) 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, and take into account the needs of existing and future businesses;

c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and

d) ensuring the necessary *infrastructure* is provided to support current and projected needs.

### **1.3.2 Employment Areas**

**1.3.2.1** Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

**1.3.2.2** Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

**1.3.2.3** Planning authorities shall protect *employment areas* in proximity to *major goods movement facilities and corridors* for employment uses that require those locations.

**1.3.2.4** Planning authorities may plan beyond 20 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.

## **1.7 Long-Term Economic Prosperity**

**1.7.1** Long-term economic prosperity should be supported by:

a) promoting opportunities for economic development and community investment-readiness;

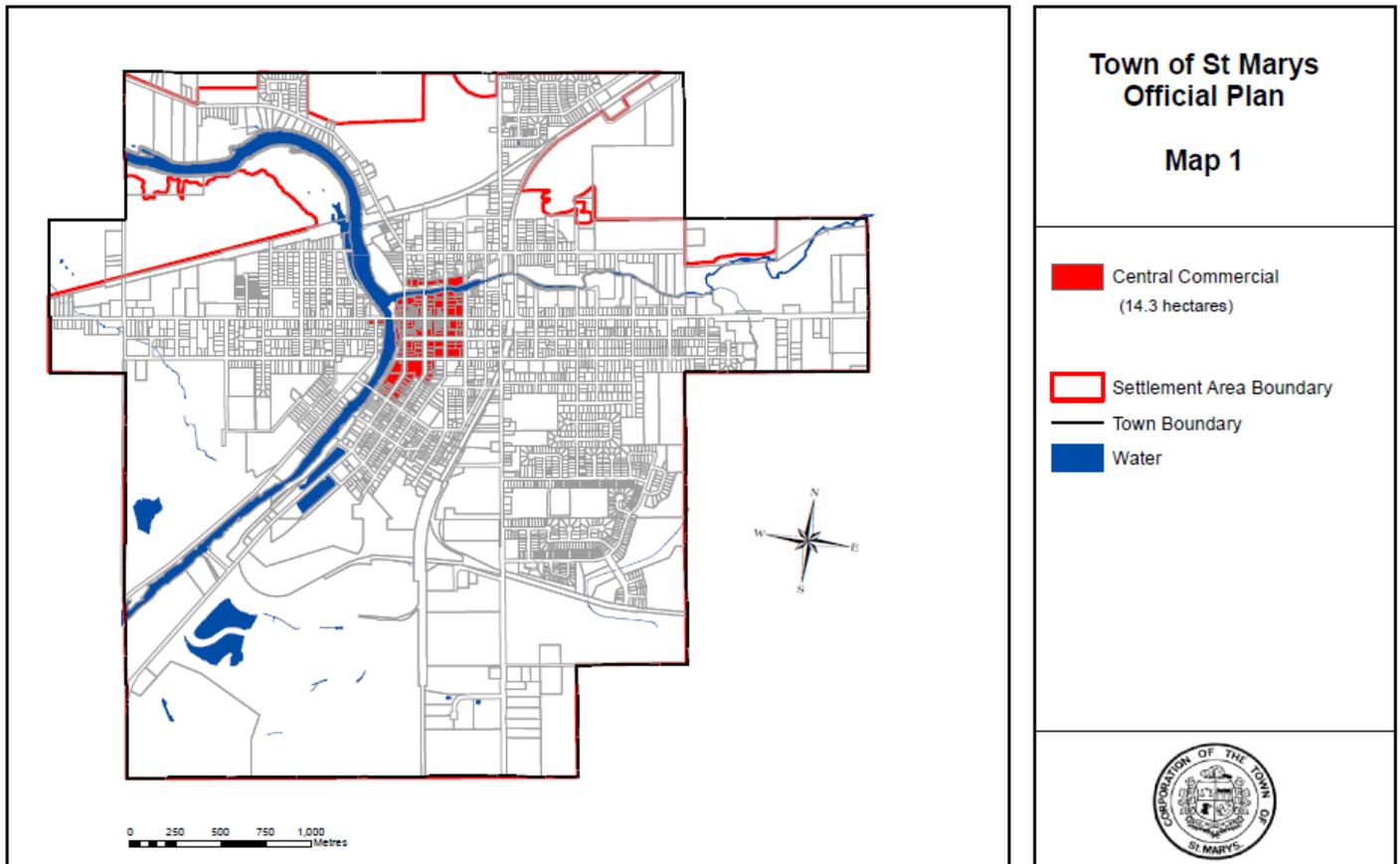
c) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

d) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*

### Central Commercial Area

The “Central Commercial” designation applies to a large area of land located in the centre of Town - southeast of the confluence of the Thames River and Trout Creek. The Central Commercial area is the “primary area of culture, trade and commerce within the Town” (Section 2.1) and is viewed as an integral component of the community’s well being. To support this function, a wide range of uses are permitted including retail and personal service commercial facilities, professional administration and business offices, hotels, restaurants, places of entertainment, and residential uses if located above the first floor of buildings.

It is the designation which consumes the smallest amount of land in Town at approximately 14.2 hectares or 1.2 per cent of the Town’s land base. The location of this area is shown on Map 1 below.



The Central Commercial designation has been relatively stable in terms of Official Plan Amendment activity. Only two Official Plan Amendments affecting land in the Central Commercial designation have been approved by Council. Official Plan Amendment Nos. 13 and 31 did not change the land use designation (i.e. did not reduce the amount of land designated Central Commercial) as both Amendments added ground floor

residential use and accessory uses as permitted additional uses in the Central Commercial designation.

**Table 1. Official Plan Amendments on lands designated Central Commercial**

| Official Plan Amendment No. | Owner                    | Area of Affected Land (hectares) | Comments                                |
|-----------------------------|--------------------------|----------------------------------|---|
| 13                          | William Hanly Apartments | 0                                | To permit Ground Floor Residential Unit |
| 31                          | 584170 Ontario Inc.      | 0                                | To permit Ground Floor Residential Unit |

Even though the Central Commercial area has experienced little in the way of Official Plan Amendment activity, it underwent a considerable expansion as a result of the 1986 Official Plan review. This expansion included those properties:

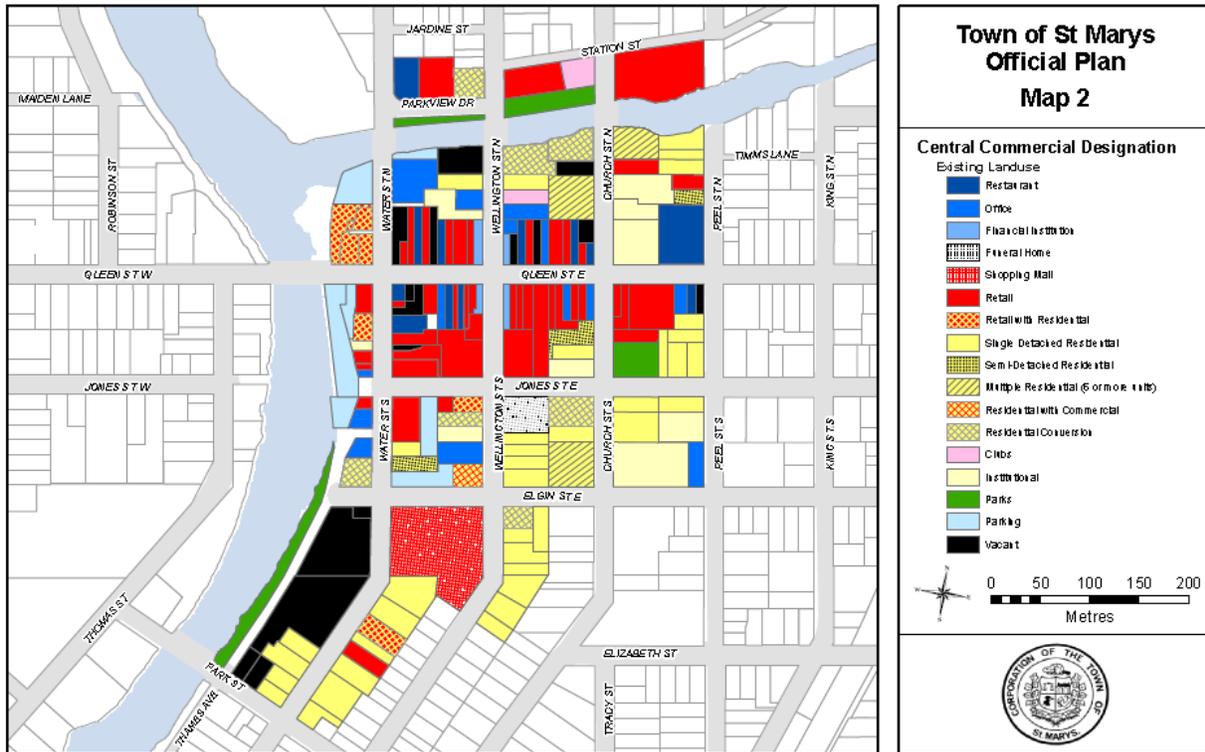
- a) on the west side of Peel St., from Trout Creek to Elgin Street;
- b) on Elgin St. to Wellington St.; and
- c) on the southeast corner of Elgin and Wellington.

For the most part, the expanded Central Commercial area has produced little in terms of new downtown type development as most of the expanded area is located toward the southeast where the steep slopes of the river valley acts as an impediment to pedestrian traffic movements.

Other opportunities for new development in the Central Commercial area are found in the development of existing vacant lands, in the redevelopment of the other sites, and in the intensification of existing commercial uses. Map 2 shows the existing land uses within the Central Commercial designation based on field observations from September 2016.

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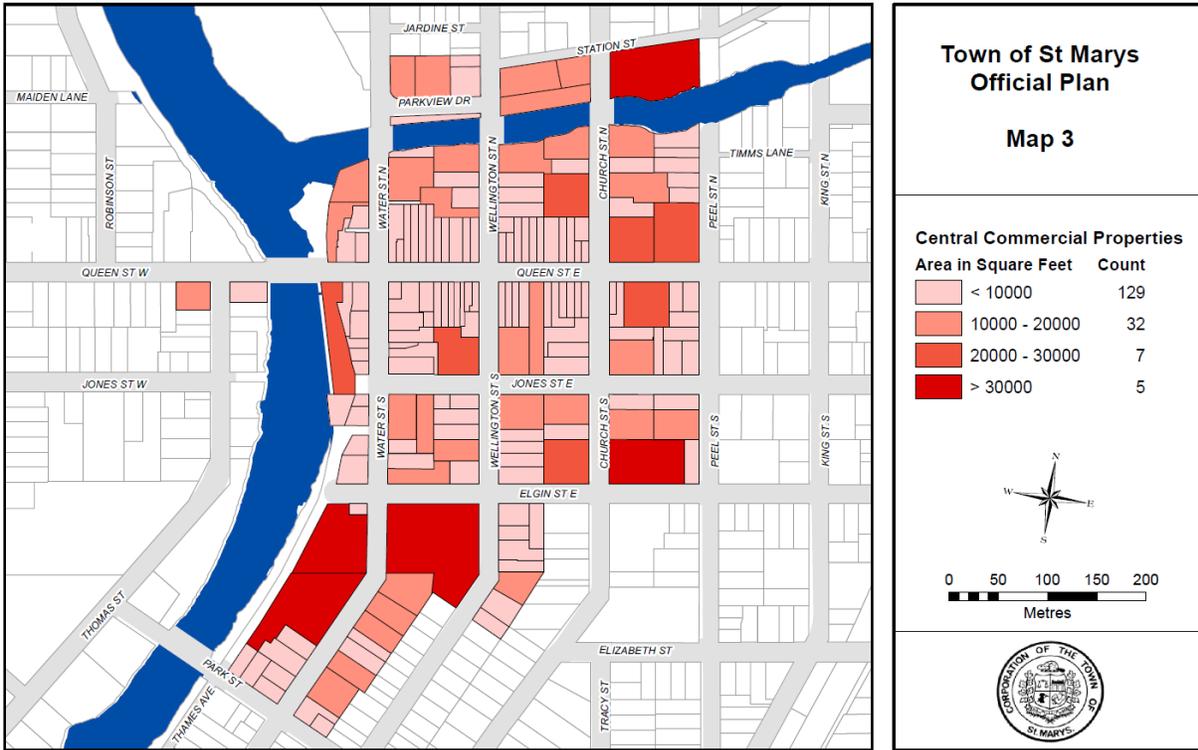
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There are 173 properties in the Central Commercial area with a good variety of commercial type uses. General retail uses represent approximately 30 per cent of the total with another 10 percent being general office uses. Residential uses represent about 25 percent of the properties and are found at the fringes of the core, especially to the south and southeast. The residential uses plus vacant uses/properties (approximately 10 per cent) provide opportunities to meet the Town's future commercial needs.

A well balanced mixture of small scale commercial, business office, and service uses as well as residential uses are found in the Central Commercial area. It appears that no sector dominates over another and property ownership is widely dispersed between various owners.

Map 3 displays the parcel fabric size for lots located in the Central Commercial area. Of the 173 properties located in the designation, 129 properties (75% of the total) have a lot area of less than 10,000 ft<sup>2</sup> (929 m<sup>2</sup>), 32 parcels (18% of the total) have a lot area between 10,000 and 19,999 ft<sup>2</sup> (929 and 1,858 m<sup>2</sup>), 7 parcels (4% of the total) have a lot area between 20,000 to 30,000 ft<sup>2</sup> (1,858 and 2,787 m<sup>2</sup>), and 5 parcels (3% of the total) have a lot area greater than 30,000 ft<sup>2</sup>.



Land uses such as grocers, automobile related retailers and larger floor plate commercial development which require large land areas are generally not available in a central commercial setting. If they cannot be accommodated in the downtown they should be directed to the edges of Town where they will complement the Central Commercial area by offering alternatives and drawing new consumers to the Town.

During the previous five year review, the Town established a policy [Section 3.2.2.7 (b)] stating that Council may require a market study for any new development or redevelopment in the Central Commercial area where the gross leasable floor area is greater than 1,000 m<sup>2</sup> (10,764 ft<sup>2</sup>). The policy also states that “such study must demonstrate that the said development or redevelopment can be supported and what, if any, impacts said development or redevelopment will have on the “Central Commercial” designation. Where Council is of the opinion that said development or redevelopment will have negative impacts on the Central Commercial designation, such development or redevelopment may not be permitted”.

The small parcel sizes in the downtown are conducive to a well-balanced mixture of small scale commercial, business, office, and service uses. The existing Official Plan policies geared to maintaining and enhancing this balanced mixture of uses should continue. Further policies to guide redevelopment and new development are needed to ensure that the Central Commercial area can transition from the traditional 20<sup>th</sup> century

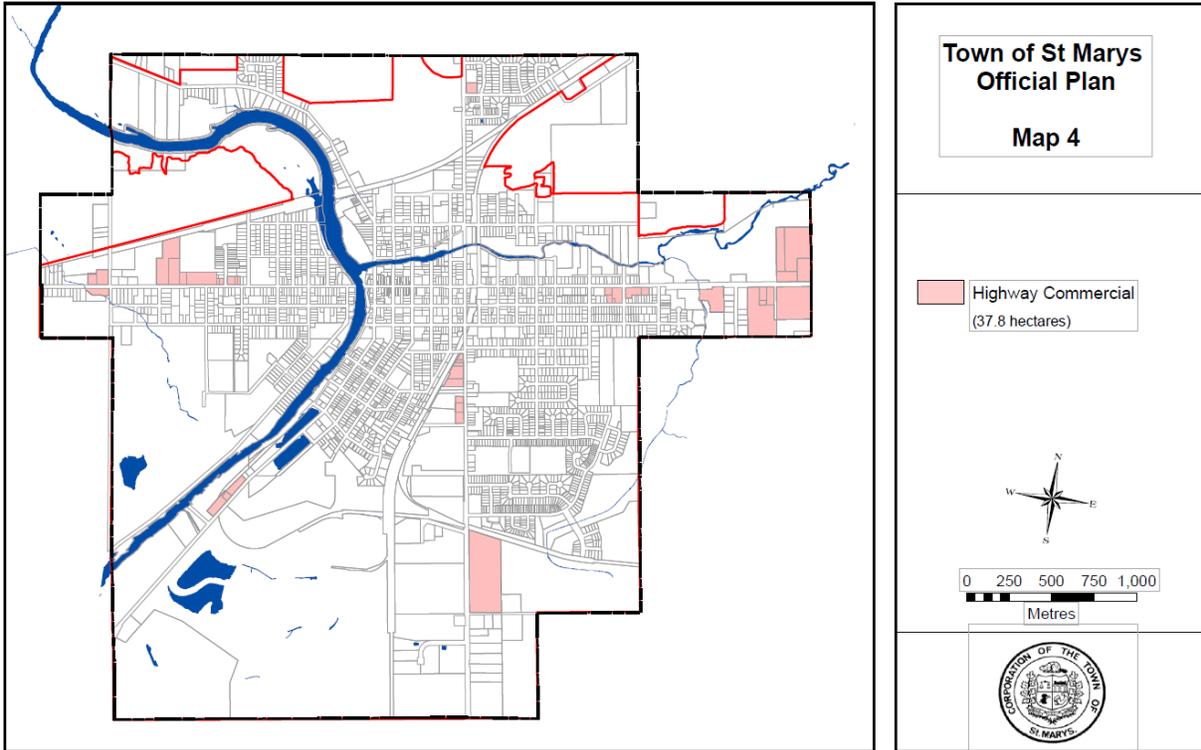
building and retailing format to the modern town experience with cultural and residential activities augmenting the retailing experience.

In order to continue to support the commercial and service function and vitality of the downtown, it is recommended that the Town maintain policies prohibiting residential uses on the first floor of buildings. However, it is recognized that a residential population in and around the downtown can help support businesses and contribute to its vitality. Because of this, the Town should consider options to permit standalone residential uses (e.g. low-rise apartment buildings) in the periphery parts of the Central Commercial area, provided such uses do not impact the primary commercial, service and tourism function of the downtown. The updated Official Plan could contain policies that would permit Council to consider permitting a standalone residential building subject to criteria including:

- a) the lot does not have frontage onto an Arterial Road;
- b) the use will not have a negative impact on the enjoyment and privacy of adjacent residential properties;
- c) adequate on-site parking facilities can be provided on-site for the residents of the building and such parking must be located and designed to be compatible with surrounding land uses; and,
- d) the property is not currently zoned for commercial uses.

### Highway Commercial

The Highway Commercial designation applies to a large area of land located primarily along Queen Street and James Street near the fringes of the Town. The locations of these lands are shown on Map 4 below.



The lands shown on Map 4 include those lands that have been affected by the various Official Plan Amendments since the Official Plan was first developed. Eighteen Official Plan Amendments have been adopted by Council that either add land to or remove land from this designation. Map 5 shows the location of these lands and Table 2 provides some additional detail and comments.

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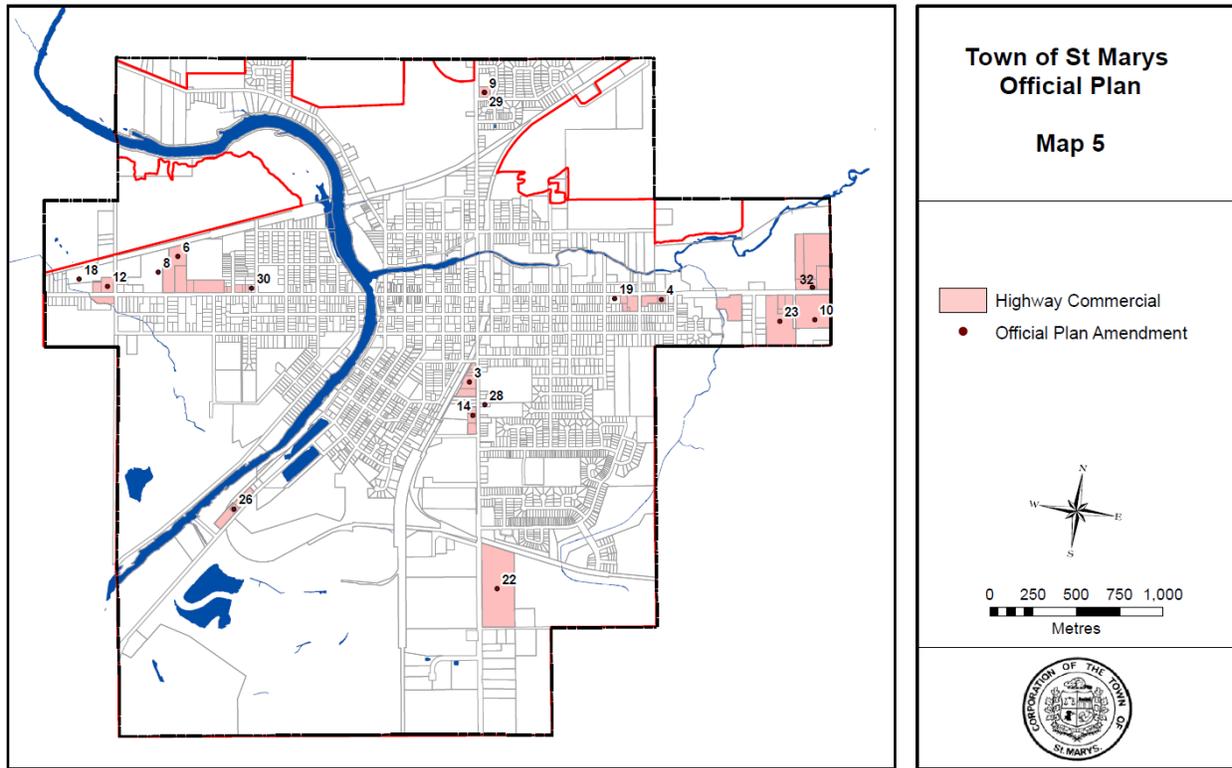


Table 2. Official Plan Amendments on lands designated Highway Commercial

| Official Plan Amendment No. | Owner                          | Area of Land Affected (m <sup>2</sup> ) | Comments  |
|-----------------------------|--------------------------------|---|---|
| 3                           | 634493 Ontario Inc.            | 2,000                                   | Industrial to Highway Commercial  |
| 4                           | 789315 Ontario Inc. (Staffens) | 2,200                                   | Residential to Highway Commercial   |
| 6                           | 619203 Ontario Ltd. (West)     | 14,300                                  | Residential to Highway Commercial   |
| 8                           | Veterinary Purchasing          | -12,600                                 | Highway Commercial to Industrial  |
| 9                           | Hunter-Duvar                   | 5,100                                   | Industrial to Highway Commercial  |
| 10                          | Susan Bull                     | 18,000                                  | Industrial to Highway Commercial  |
| 12                          | St. Marys Ford                 | 0.0                                     | N/A   |
| 14                          | Synergistics (Omega Paw)       | 4,700                                   | Industrial to Highway Commercial  |
| 18                          | Sharp                          | -23,000                                 | Highway Commercial to Residential   |
| 19                          | Searles                        | 2,990                                   | Add polices to the Residential designation to permit limited Commercial Type uses |

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|-------|----------------------|---------|---|
| 22    | Goldmanco            | 81,200  | Agriculture to Highway Commercial   |
| 23    | Loblaw               | 33,600  | Industrial to Highway Commercial  |
| 24    | Town (5 Year Review) | 19,370  | Various to Highway Commercial   |
| 26    | Town (Water St.)     | 13,678  | Recreational to Highway Commercial  |
| 28    | St Marys Landscaping | 0.0     | N/A   |
| 29    | Carradine            | 0.0     | Permit Retail and limited General Commercial Uses   |
| 30    | Tradition Insurance  | -4,224  | Highway Commercial to Residential   |
| 32    | Baird                | 0.0     | Permit creation of two lots for existing residential uses. No addition or removal of lands designated Highway Commercial. |
| Total |                      | 157,314 |   |

Note: Official Plan Amendment Nos. 15 and 19 (Searles) affected the Residential designation rather than the Highway Commercial designation.

The Official Plan Amendments affecting this designation have generated a net gain of 15.73 hectares (38.9 acres) of land area to the Highway Commercial designation. This land area arose from a gain in land the taken from the Industrial, Residential, Recreational and Agriculture designations.

Since the adoption of the current Official Plan, the Town has experienced some growth in the Highway Commercial sector including: an expansion of the Baird Lumber/Hardware operation, the conversion of Valumart (Staffen's) grocery store and parking areas to the Dollarama, the relocation of Downtown Pontiac, and the establishment of the Stone Willow Inn and the Independent Grocery. While the Town has experienced some growth in this sector, there remain a number of opportunities to establish additional Highway Commercial type uses.

Although there are only 5 vacant highway commercial properties in Town, this amount appears sufficient to meeting the needs of the community. Minor modifications to the designation boundaries may be appropriate in some locations (ie., increase the depth of the Baird Lumber property).

**Land Supply/Needs Assessment**

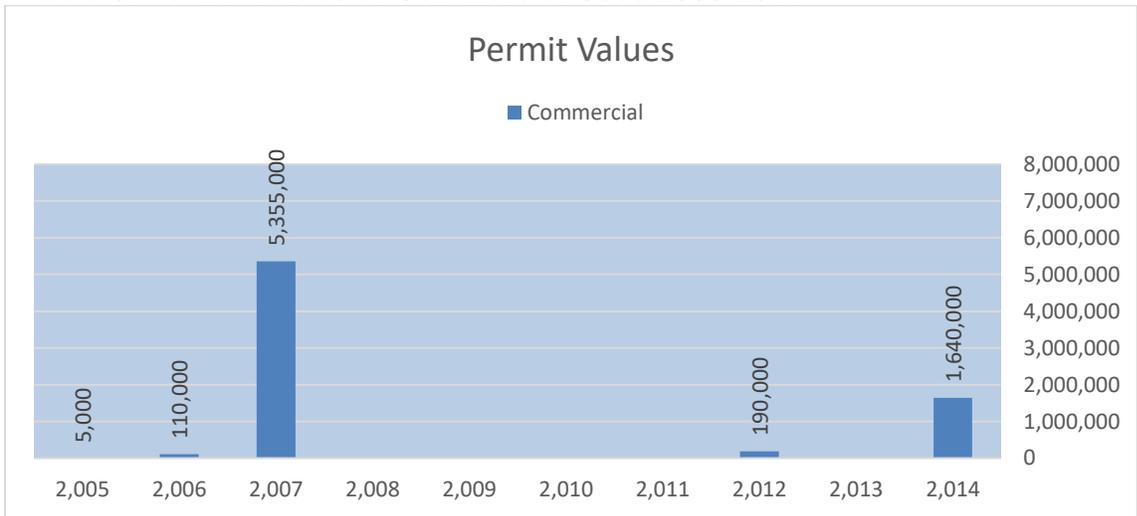
For the purpose of assessing land needs associated with future growth and development, this paper examines the land needs associated with commercial type land uses.

When addressing the issue of land needs associated with future residential growth, a number of issues need to be examined. These include an evaluation of:

- Demand Characteristic – historical absorption rates;
- Existing Supply - number of vacant units; Number of potential units in lands designated for Downtown and Highway Commercial using density values with consideration to infilling assumptions; and
- Summary of Assessment of Downtown and Highway Commercial Supply and Potential Supply.

Information obtained from the Building department regarding the value of building permits was obtained and is shown in the Chart below.

**Table 3. Permit Values of Commercial Uses 2005-2014**



The total value of all building permits for all commercial uses was compiled by year and is displayed on Table 4 below as **Total Annual Value of New Construction**.

To make a fair representation of the permit value from one year to the next, the values of the permits were converted into 2014 values and compiled to show the cost of construction in dollars for the year of the project and is displayed on the table below as **Total Annual Value of New Construction (2014 \$'s)**.

These values were then multiplied by the construction cost based on the Construction Cost Guide (2014) to account for inflation and then discounted by 40% to account for the labour costs and is displayed on the table below as **Total Annual Value of New Construction (net 40% labour)**.

Using the inflation adjusted value of the permits, a gross floor area for the dollar value was estimated using a construction cost (\$2014) of \$160 per square foot and is displayed on the table below as **Estimated GFA (sq ft)**.

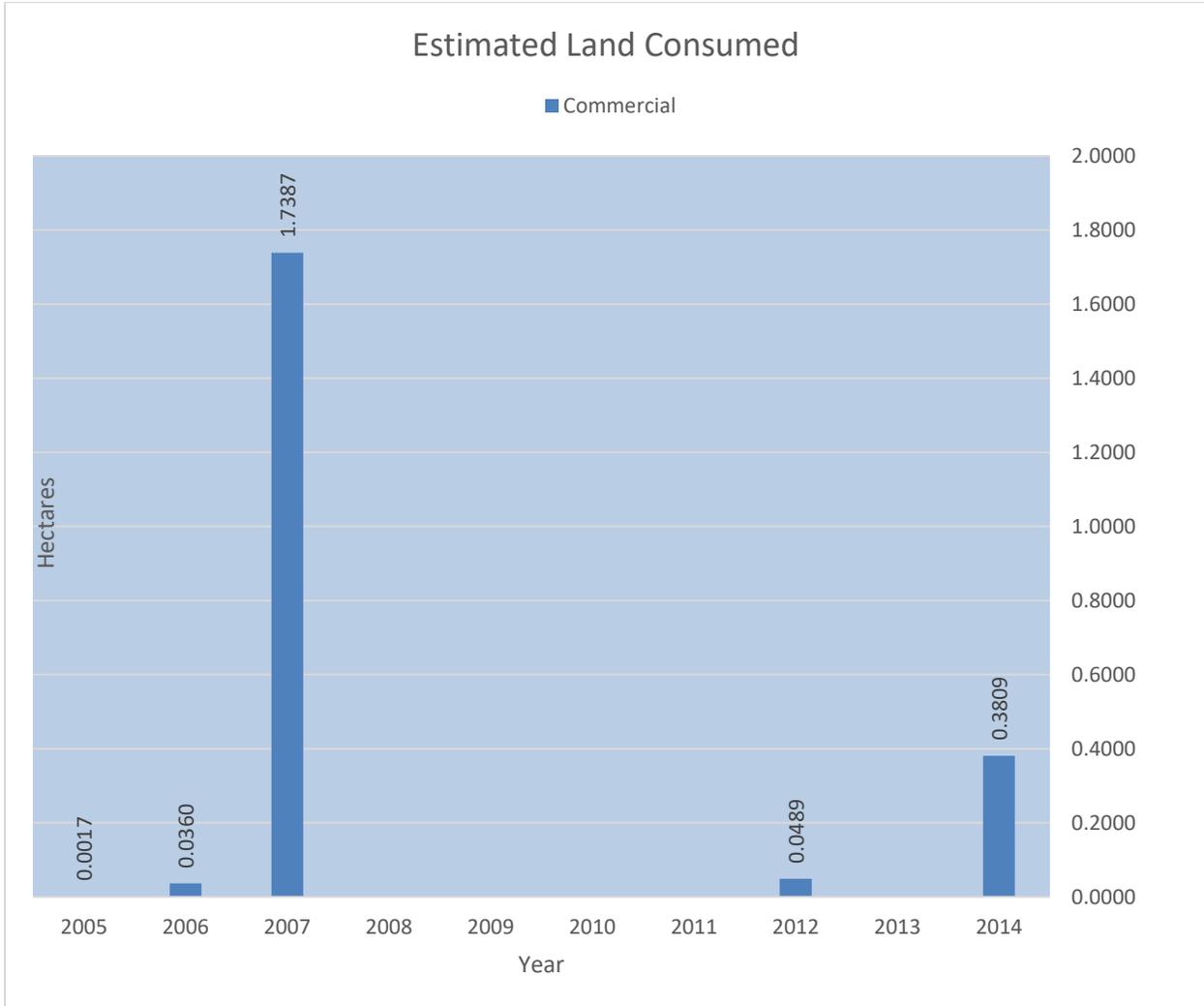
Finally, estimated land consumption was calculated based on lot coverage for commercial uses being 25 per cent of the total **Estimated GFA (sq ft)** and is displayed on the table below as **Estimated Land Area (ha)**. The estimated land area consumed for commercial uses in the 10-year period 2005-2014 was 749,409 square feet or 6.96 hectares.

**Table 4. Total Annual Value of New Construction – Commercial Uses**

| Year             | Total Annual Value of New Construction | Total Annual Value of New Construction (2014 \$'s) | Total Annual Value of New Construction (net 40% labour) | Estimated GFA (sq ft) | Estimated Land Area (Sq Ft) | Estimated Land Area (ha) |
|------------------|--|--|---|-----------------------|-----------------------------|--------------------------|
| 2005             | 5,000                                  | 7,320  | 4,392   | 46                    | 183                         | 0.01                     |
| 2006             | 110,000                                | 155,210  | 93,126  | 970                   | 3,880                       | 0.04                     |
| 2007             | 5,355,000                              | 7,486,290  | 4,491,774   | 46,789                | 187,157                     | 1.74                     |
| 2008             | 0                                      | 0  | 0   | 0                     | 0                           | 0.00                     |
| 2009             | 0                                      | 0  | 0   | 0                     | 0                           | 0.00                     |
| 2010             | 0                                      | 0  | 0   | 0                     | 0                           | 0.00                     |
| 2011             | 0                                      | 0  | 0   | 0                     | 0                           | 0.00                     |
| 2012             | 190,000                                | 210,710  | 126,426   | 1,317                 | 5,267                       | 0.05                     |
| 2013             | 0                                      | 0  |   | 0                     |                             | 0.00                     |
| 2014             | 1,640,000                              | 1,640,000  | 984,000   | 10,250                | 41,000                      | 0.38                     |
| Totals           | 7,300,000                              | 9,499,530  | 5,699,718,  | 59,372                | 237,487                     | 2.22                     |
| Ten Year Average |  |  |   |                       |                             | 0.22                     |

To further display the estimated land consumed is displayed on the Chart below.

**Table 5. Estimated Land Consumed for Commercial Uses**



The Tables and charts highlight that commercial building activity is irregular with a number of peaks and valleys which is not unexpected for a smaller community.

The estimated land area consumed for 10-year period 2005-2014 of 2.20 hectares or 0.22 hectares per year.

Section 1.1.2 of the PPS states that sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years.

Based on the supply of land and the historic consumption rates, there appears to be a sufficient amount of commercially designated land in the Downtown and Highway

Commercial area to satisfy to Town’s land needs in accordance with the requirements of the PPS.

**Policy Recommendations – Central Commercial**

The following is a discussion regarding the recommended changes to the existing policies found in the “Central Commercial” designation of the Town’s Official Plan. Those Sections in the grey highlighting are from the 2014 Provincial Policy Statement. The charts are broken into three sections, comments across the top, existing policy on the left side and proposed policy on the right.

**PPS (definition) Employment area:**

means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

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| <p><b>Comment</b></p> <p>3.2. Central Commercial<br/>Provides background information related to commercial development in the Town. The “Central Commercial” area is more just the commercial hub of the Town and a change in name to “Downtown” is more reflective of the functions and any activities of the area.</p>  |   |
| <p><b>Existing Policy</b></p> <p><b>3.2 Central Commercial</b></p> <p><i>Central Commercial development in St. Marys has been focused primarily on the core area. The “Central Commercial” designation is and will continue to be recognized as the single largest concentration of retail and office uses in the Town and is viewed as an integral component of the community’s well being.</i></p> <p><i>Council envisions the “Central Commercial” area as a significant resource which reflects the Town’s character and is an attribute from which to build upon with the Queen Street streetscape as a backdrop to the community and cultural activities of the Town.</i></p> | <p><b>Proposed Policy</b></p> <p><b>3.2 Downtown</b></p> <p><i>Central commercial development in St. Marys has been focused primarily on the core area. The “Downtown” designation is and will continue to be recognized as the single largest concentration of retail and office uses in the Town and is viewed as an integral component of the community’s well being.</i></p> <p><i>Council envisions the “Downtown” area as a significant resource which reflects the Town’s character and is an attribute from which to build upon with the Queen Street streetscape as a backdrop to the community and cultural activities of the Town.</i></p> |

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| <p><i>Matters which have previously hampered core area development and redevelopment have, for the most part, been removed with the elimination of the industrial uses from the core area and the construction of the Floodwall to hold back the floodwaters of the Thames River and Trout Creek. Within the “Central Commercial” designation and adjacent to it, redevelopment opportunities will be possible under the Special Policy Area floodplain policies.</i></p> | <p><i>Matters which have previously hampered core area development and redevelopment have, for the most part, been removed with the elimination of the industrial uses from the core area and the construction of the Floodwall to hold back the floodwaters of the Thames River and Trout Creek. Within the “Downtown” designation and adjacent to it, redevelopment opportunities will be possible under the Special Policy Area floodplain policies.</i></p> <p><i>The Downtown will be the primary destination for residents and visitors by providing a wide range of retail shopping, events and festivals that celebrate the diversity and heritage of the Town.</i></p> |
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| <p><b>Comment</b></p> <p>3.2.1 Objectives<br/>Section 3.2.1.1 thru 3.2.1.7 provides the objectives for the “Downtown” designation. The existing objectives appear appropriate</p>                     |  |
| <p><b>Existing Policy</b></p> <p>3.2.1 OBJECTIVES</p> <p>3.2.1.1 To provide for the widest possible range of goods and services within the market capabilities of St. Marys and surrounding area.</p> | <p><b>Proposed Policy</b></p> <p>No changes.</p> |

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| <p><b>Comment</b></p>   |   |
| <p><b>Existing Policy</b></p> <p>3.2.1.2 To allow for the growth of the Commercial sector in balance with the need to encourage a continuation of the dominant position of the Central Commercial area in the overall hierarchy of commercial function in the Town as well as the institutional uses.</p> | <p><b>Proposed Policy</b></p> <p>3.2.1.2 To allow for the growth of the Commercial sector in balance with the need to encourage a continuation of the dominant position of the <b>Downtown Central Commercial</b> area in the overall hierarchy of commercial function in the Town as well as the institutional uses.</p> |

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| <b>Comment</b>   |   |
| <p><b>Existing Policy</b><br/>3.2.1.3 To encourage commercial development which is consistent with the physical amenities of the Town and in particular, Council encourages the maintenance and improvement of the Central Commercial streetscape.</p> | <p><b>Proposed Policy</b><br/>3.2.1.3 To encourage commercial development which is consistent with the physical amenities of the Town and in particular, Council encourages the maintenance and improvement of the <b>Downtown</b> <del>Central Commercial</del> streetscape, <b>heritage buildings, and landmarks.</b></p> |

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| <b>Comment</b>   |   |
| <p><b>Existing Policy</b><br/>3.2.1.4 To promote economic development and competitiveness by providing, servicing, protecting, and preserving lands in the “Central Commercial” designation as a mixed commercial and institutional employment area.</p> | <p><b>Proposed Policy</b><br/>3.2.1.4 To promote economic development and competitiveness by providing, servicing, protecting, and preserving lands in the “<b>Downtown</b>” <del>Central Commercial</del> designation as a mixed commercial and institutional employment area.</p> |

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| <b>Comment</b>  |  |
| <p><b>Existing Policy</b><br/>3.2.1.5 To integrate the distinct natural environment associated with the Thames River and Trout Creek with “Central Commercial” development.</p> | <p><b>Proposed Policy</b><br/>3.2.1.5 To integrate the distinct natural environment associated with the Thames River and Trout Creek <b>and the design elements and features of the Town’s Urban Design policies with</b> <del>Central Commercial</del> <b>Downtown</b> development.</p> |

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| <b>Comment</b>   |   |
| <p><b>Existing Policy</b><br/>3.2.1.6 To promote the “Central Commercial” designation as a focus for</p> | <p><b>Proposed Policy</b><br/>3.2.1.6 To promote the <b>Downtown</b> <del>Central Commercial</del> designation as a</p> |

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| community festivals, celebrations, and gatherings | focus for community festivals, celebrations, and gatherings. |
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| <b>Comment</b>   |                                       |
| <b>Existing Policy</b><br>3.2.1.7 To provide opportunities to increase the supply of parking spaces. | <b>Proposed Policy</b><br>No changes. |

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| <b>Comment</b><br>A new objective that broadens the description of the Downtown’s function is suggested. |  |
| <b>Existing Policy</b><br>No Policy.   | <b>Proposed Policy</b><br>3.2.1.8 To effectively position the Downtown district as a vibrant social and cultural business centre |

|                                      |   |
|--------------------------------------|---|
| <b>Comment</b>                       |   |
| <b>Existing Policy</b><br>No Policy. | <b>Proposed Policy</b><br>3.2.1.9 To encourage sound urban design elements that is accessible to all persons. |

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| <b>Comment</b><br>A new Section that describes the location and general type of uses permitted is suggested. |   |
| <b>Existing Policy</b><br>No Policy  | <b>Proposed Policy</b><br>3.2.2 PERMITTED USES<br>Uses permitted in the Downtown Designation as shown on Schedule “A” to this Official Plan include all forms of retail and service commercial facilities, business and professional offices, schools, hotels, bed and breakfast establishments (in existing single detached dwellings), restaurants, places of worship, places for |

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|  | <p>entertainment, recreational facilities, festival venues, parks, cultural activities, and utilities.</p> <p>Ancillary residential uses accessory or incidental to the commercial use provided they are located above the ground floor grade level may also be permitted where they will not interfere with or detract from the primary commercial function of the area.</p> |
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| <b>Comment</b>   |  |
| <p><b>Existing Policy</b></p> <p>3.2.2 POLICIES</p> <p>3.2.2.1 The “Central Commercial” designation, as designated on Schedule “A” of this plan, shall remain the primary area of culture, trade and commerce within the Town.</p> | <p><b>Proposed Policy</b></p> <p>Section Renumbered.</p> <p>3.2.3 POLICIES</p> <p>3.2.3.1 The “Downtown” “Central Commercial” designation, as designated on Schedule “A” of this plan, shall remain the primary area of culture, trade and commerce within the Town.</p> |

|   |   |
|---|---|
| <b>Comment</b>  |   |
| Replaced with new Section 3.2.2 above.  |   |
| <p><b>Existing Policy</b></p> <p>3.2.2.2 Within the “Central Commercial” designation, a broad range of retail and personal service commercial facilities, professional administration and business offices, hotels, eating establishments, and places of entertainment are permitted. Residential uses are also permitted above the first floor in accordance with the “Natural Hazards” policies contained in Section 3.8.</p> | <p><b>Proposed Policy</b></p> <p><del>3.2.3.2 Within the “Downtown” “Central Commercial” designation, a broad range of retail and personal service commercial facilities, professional administration and business offices, hotels, eating establishments, and places of entertainment are permitted. Residential uses are also permitted above the first floor in accordance with the “Natural Hazards” policies contained in Section 3.8.</del></p> |

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COMMERCIAL and HIGHWAY COMMERCIAL

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| <p><b>Existing Policy</b></p> <p>3.2.2.3 Existing highway commercial uses are permitted in the “Central Commercial” designation, however, any such new uses should be encouraged to relocate in the “Highway Commercial” designation.</p> | <p><b>Proposed Policy</b></p> <p>3.2.3.2 Existing highway commercial uses are permitted in the “Downtown” “Central Commercial” designation, however, any such new uses should be encouraged to relocate in the “Highway Commercial” designation.</p> |
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| <p><b>Comment</b></p>   |  |
| <p><b>Existing Policy</b></p> <p>3.2.2.4 Existing industrial uses in and immediately adjacent to the “Central Commercial” designation are encouraged to relocate in more appropriate areas of the Town.</p> | <p><b>Proposed Policy</b></p> <p>3.2.3.3 Existing industrial uses in and immediately adjacent to the “Downtown” “Central Commercial” designation are encouraged to relocate in more appropriate areas of the Town.</p> |

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| <p><b>Comment</b></p>  |  |
| <p><b>Existing Policy</b></p> <p>3.2.2.5 Council encourages the co-operative maintenance and improvement of the streetscape consistent with its architectural heritage. Accordingly, a combined effort between Council, the Downtown Merchants Association, Heritage St. Marys and the Business Improvement Area Board of Management is encouraged to adopt a façade improvement and maintenance strategy.</p> | <p><b>Proposed Policy</b></p> <p>Section number change 3.2.3.4</p> |

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| <p><b>Comment</b></p>  |   |
| <p><b>Existing Policy</b></p> <p>3.2.2.6 Institutional uses<br/>Institutional uses of land such as hospitals, churches, schools, parks, etc. are permitted in the “Central Commercial”</p> | <p><b>Proposed Policy</b></p> <p>3.2.3.5 Institutional uses<br/>Institutional uses of land such as hospitals, churches, schools, parks, etc. are permitted in the “Downtown” “Central Commercial” designation on Schedule “A”</p> |

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| <p>designation on Schedule “A” of this Plan except where prohibited by the policies of Section 3.8 of this Official Plan.</p> | <p>of this Plan except where prohibited by the policies of Section 3.8 of this Official Plan.</p> |
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| <p><b>Comment</b></p>   |   |
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| <p><b>Existing Policy</b></p> <p>3.2.2.7 Development or Redevelopment</p> <p>a) Development or redevelopment of land for commercial purposes may be permitted only where appropriate infrastructure to support the development or redevelopment is available. Appropriate infrastructure includes municipal sanitary collection and treatment facilities, municipal water supply, storm water sewers, road network and access points, street lighting, solid waste collection, electrical services, and police and fire protection.</p> <p>b) When reviewing development or redevelopment of land for commercial purposes, Council shall ensure that the proposal is compatible with adjacent buildings and in keeping with the character of the core in terms of size, height, massing, and architecture. Opportunities to integrate walkways, pathways, parking areas, public spaces and the river/creek landscaped open spaces with any proposal shall also be encouraged. Those lands located in the Special Policy Area shall also be subject to the applicable policies of Section 3.8 of this Official Plan.</p> <p>Council may require a market study for any new development or redevelopment where the gross leasable floor area is greater than 1 000 square metres. Such study must</p> | <p><b>Proposed Policy</b></p> <p>3.2.3.6 Development or Redevelopment</p> <p>a) Development or redevelopment of land for commercial purposes may be permitted only where the proponent demonstrates to Council’s satisfaction that appropriate infrastructure to support the development or redevelopment is available. Appropriate infrastructure includes municipal sanitary collection and treatment facilities, municipal water supply, storm water sewers, road network and access points, street lighting, solid waste collection, electrical services, and police and fire protection.</p> <p>b) When reviewing development or redevelopment of land for commercial purposes, Council shall ensure that the proposal is compatible with adjacent buildings and in keeping with the character of the core in terms of size, height, massing, and architecture and may require the proponent to prepare studies such as heritage impact assessment, environmental impact study and any other studies deemed appropriate.</p> <p>To ensure compatibility with surrounding land uses Council shall require the proponent to enter into a site plan agreement that shows:</p> <p>a) the location of all buildings and structures;</p> <p>b) adequate off street parking and</p> |

demonstrate that the said development or redevelopment can be supported and what, if any, impacts said development or redevelopment will have on the “Central Commercial” designation. Where Council is of the opinion that said development or redevelopment will have negative impacts on the “Central Commercial” designation, such development or redevelopment may not be permitted.

c) Development or redevelopment which involves the razing of more than one existing building shall be carefully considered by Council in order to assess its potential impact on the built form of the area, compatibility with adjacent development, and potential effects on heritage buildings.

d) The Town’s implementing Zoning By-law shall contain provisions to regulate “Central Commercial” uses and development standards. No new commercial building shall exceed four stories in height.

e) Development or redevelopment of commercial uses or mixed uses shall be subject to site plan control pursuant to the Planning Act, RSO 1990. Such matters to be addressed regarding Site Plan Control include, for example, on site building location, landscaping, buffering, parking, lighting, and drainage.

loading areas;

c) adequate screening and buffering between the proposed use and sensitive land uses, either public or privately owned, and public streets; and

d) the implementation of the Town’s Urban Design guidelines.

Opportunities to integrate walkways, pathways, parking areas, public spaces and the river/creek landscaped open spaces with any proposal shall also be encouraged. Those lands located in the Special Policy Area shall also be subject to the applicable policies of Section 3.8 of this Official Plan.

Council may require a market study for any new development or redevelopment where the gross leasable floor area is greater than 1 000 square metres. Such study must demonstrate that the said development or redevelopment can be supported and what, if any, impacts said development or redevelopment will have on the “Downtown” “Central Commercial” designation. Where Council is of the opinion that said development or redevelopment will have negative impacts on the “Downtown” “Central Commercial” designation, such development or redevelopment may not be permitted.

c) Development or redevelopment which involves the razing of more than one existing building shall be carefully considered by Council in order to assess its potential impact on the built form of the area, compatibility with adjacent development, and potential effects on heritage buildings.

Where Council is of the opinion that

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|  | <p>such development or redevelopment will have a negative potential impact on the built form of the area, incompatibility with adjacent development, or potential adverse effects on heritage buildings, Council will not support the proposed development or redevelopment.</p> <p>d) The Town’s implementing Zoning By-law shall contain provisions to regulate “Downtown” “Central Commercial” uses and development standards. No new commercial building shall exceed four stories in height.</p> <p>e) Development or redevelopment of commercial uses or mixed uses shall be subject to site plan control pursuant to the Planning Act, RSO 1990. Such matters to be addressed regarding Site Plan Control include, for example, on site building location, landscaping, buffering, parking, lighting, and drainage.</p> |
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| <p><b>Comment</b></p>   |  |
| <p><b>No Policy</b></p> | <p><b>Proposed Policy</b></p> <p><b>3.2.3.7 Residential to Commercial Conversion</b></p> <p>The “Downtown” designation includes a number of existing residential uses. Where a proposal has been received for the conversion of a dwelling to a commercial use, prior to rezoning, Council shall be assured that:</p> <p>(a) the building is structurally sound and suitable for the increased use associated with a commercial operation;</p> <p>(b) there is sufficient parking available for the use proposed either on the site or through municipal parking; and</p> <p>(c) the proposed use would be compatible with adjacent development, and potential effects on existing character</p> |

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|  | of the surrounding uses. |
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| <b>Comment</b>                               |   |
| <p><b>Existing Policy</b><br/>No Policy.</p> | <p><b>Proposed Policy</b><br/>3.2.3.8 Commercial to Residential Conversion</p> <p>Conversion of lands within the Downtown, to non-employment uses shall only be permitted through a municipal comprehensive review that demonstrates:</p> <ul style="list-style-type: none"> <li>a) there is a need for the conversion;</li> <li>b) the conversion does not affect the overall viability of the employment area and the achievement of intensification and density targets;</li> <li>c) there is existing or planned infrastructure to accommodate the proposed conversion;</li> <li>d) the lands are not required over the long-term for employment purposes; and</li> <li>e) the lands do not affect the operations or viability of existing or permitted Downtown uses on nearby lands.</li> </ul> |

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| <b>Comment</b>   |   |
| <p><b>Existing Policy</b><br/>3.2.2.8 Cash in Lieu of Parking<br/>Pursuant to the provisions of Section 40 of the Planning Act, RSO 1990, Council may establish a policy, pass a by-law, and enter into agreements to exempt the owner or occupant of land from the requirement of providing or maintaining parking on the land upon the making of one or more payments of money to the Town as consideration for the granting of such exemption. Such policy shall establish the terms and conditions under</p> | <p><b>Proposed Policy</b><br/>Section Number change 3.2.3.9</p> |

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| <p>which such an exception shall be applied and all monies received by the Town shall be placed into a special parking account established by the Town.</p> |  |
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| <p><b>Comment</b></p>   |   |
| <p><b>Existing Policy</b><br/>                 3.2.2.9 Bonus By-laws<br/>                 Pursuant to the provisions of Section 37 of the Planning Act, RSO 1990, Council may establish a policy, pass a by-law, and enter into agreements to increase the height and density of central commercial development otherwise permitted by the Zoning By-law in accordance with the policies of Section 7.23 of this Official Plan.</p> | <p><b>Proposed Policy</b><br/>                 3.2.3.10 Bonus By-laws<br/>                 Pursuant to the provisions of Section 37 of the Planning Act, RSO 1990, Council may establish a policy, pass a by-law, and enter into agreements to increase the height and density of Downtown central commercial development otherwise permitted by the Zoning By-law in accordance with the policies of Section 7.23 of this Official Plan.</p> |

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| <p><b>Comment</b></p>   |  |
| <p><b>Existing Policy</b><br/>                 3.2.2.10 Zoning By-law<br/>                 The implementing Zoning By-law shall be the principle tool to execute the policies of this designation through the establishment of zones classification to regulate the development of the various types of “Central Commercial” uses. The Zoning By-law shall address matters such as types of uses, lot characteristic (i.e., lot size, lot area, and lot depth), building form (i.e. yard setbacks, floor area, and height).</p> | <p><b>Proposed Policy</b><br/>                 3.2.3.11 Zoning By-law<br/>                 The implementing Zoning By-law shall be the principle tool to execute the policies of this designation through the establishment of zones classification to regulate the development of the various types of “Downtown” “Central Commercial” uses. The Zoning By-law shall address matters such as types of uses, lot characteristic (i.e., lot size, lot area, and lot depth), building form (i.e. yard setbacks, floor area, and height).</p> |

**PPS - 1.7.1** Long-term economic prosperity should be supported by:

- i) promoting energy conservation and providing opportunities for development of *renewable energy systems and alternative energy systems*, including district energy;

**PPS - 1.6.11.2** Planning authorities should promote *renewable energy systems* and *alternative energy systems*, where feasible, in accordance with *provincial and federal requirements*.

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| <b>Comment</b><br>The Official Plan should contain provisions for the establishment of alternative energy sources. While the Green Energy Act removes most of the local municipality’s abilities to regulate such uses, smaller scale systems could be permitted in the “Downtown”. |   |
| <b>Existing Policy</b><br>No Policy.  | <b>Proposed Policy</b><br>3.2.3.12 Electricity generation<br>Electricity generation through systems such as, standalone or roof mounted solar panels and passive solar collectors shall be permitted in the “Downtown” designation. The placement, design, and setting of such systems shall be in such a manner to ensure compatibility with neighbouring sensitive land uses. |

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| <b>Comment</b>                       |  |
| <b>Existing Policy</b><br>No Policy. | <b>Proposed Policy</b><br>3.2.3.13 Utility Uses<br>Utility uses are permitted in accordance with the policies of Section 7.15. |

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| <b>Comment</b>  |  |
| <b>Existing Policy</b><br>3.2.3 EXCEPTIONS<br><br>a) Any development or redevelopment that is to occur on that part of Lots 1 and 2, east side of Thomas Street, Registered Plan No. 235 which is designated “Central Commercial” and which lies above the 1:100 year floodline shall be subject to all applicable policies and regulations of the Upper Thames Conservation Authority.<br><br>b) Any development or redevelopment that is to occur on that part of Lots B, | <b>Proposed Policy</b><br>3.2.4 EXCEPTIONS<br><br>a) Any development or redevelopment that is to occur on that part of Lots 1 and 2, east side of Thomas Street, Registered Plan No. 235 which is designated “Downtown” “ <del>Central Commercial</del> ” and which lies above the 1:100 year floodline shall be subject to all applicable policies and regulations of the Upper Thames Conservation Authority.<br><br>b) Any development or redevelopment that is to occur on that part of Lots B, C, |

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| <p>C, and D, south side of Queen Street, Registered Plan No. 232 which is designated “Central Commercial” and which lies between the 1:100 year floodline and the Regulatory Floodline shall be subject to all applicable policies and regulations of the Upper Thames River Conservation Authority.</p> <p>c) The lands consisting of Lot 1 and Part of Lot 2, north side of Jones Street and west side of Church Street, Part of Lot 10 south side of Queen Street, Registered Plan No. 225 in the Town of St. Marys may also be permitted one additional ground floor residential use and accessory uses provided that:</p> <ul style="list-style-type: none"> <li>i) the additional residential use is located only within an existing building; the total gross floor area for the additional residential use and accessory uses does not exceed 100 square metres;</li> <li>ii) an Amendment to the Town’s implementing Zoning By-law shall be required to regulate items such as the size, location, height, and parking for the additional residential use and accessory uses. Such Zoning By-law Amendment shall place the subject land within a site specific zone classification which will permit the additional residential use and accessory uses in addition to the full range of “Central Commercial” uses as established by the Town’s implementing Zoning By-law, as amended from time to time;</li> <li>iii) the owner shall enter into a site plan agreement pursuant to the provisions of the Planning Act, RSO 1990 to govern items such as screening and buffering from abutting commercial uses;</li> </ul> | <p>and D, south side of Queen Street, Registered Plan No. 232 which is designated “Downtown” “Central Commercial” and which lies between the 1:100 year floodline and the Regulatory Floodline shall be subject to all applicable policies and regulations of the Upper Thames River Conservation Authority.</p> <p>c) The lands consisting of Lot 1 and Part of Lot 2, north side of Jones Street and west side of Church Street, Part of Lot 10 south side of Queen Street, Registered Plan No. 225 in the Town of St. Marys may also be permitted one additional ground floor residential use and accessory uses provided that:</p> <ul style="list-style-type: none"> <li>i) the additional residential use is located only within an existing building; the total gross floor area for the additional residential use and accessory uses does not exceed 100 square metres;</li> <li>ii) an Amendment to the Town’s implementing Zoning By-law shall be required to regulate items such as the size, location, height, and parking for the additional residential use and accessory uses. Such Zoning By-law Amendment shall place the subject land within a site specific zone classification which will permit the additional residential use and accessory uses in addition to the full range of “Downtown” “Central Commercial” uses as established by the Town’s implementing Zoning By-law, as amended from time to time;</li> <li>iii) the owner shall enter into a site plan agreement pursuant to the provisions of the Planning Act, RSO 1990 to govern items such as screening and buffering from abutting commercial uses;</li> </ul> |
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| <p>iv) the owner shall enter into an agreement with the Town acknowledging that the existing and proposed land uses surrounding the subject property are General Commercial in nature and from time to time they may generate noise and traffic normal to commercial activities during various hours of the day.</p> | <p>iv) the owner shall enter into an agreement with the Town acknowledging that the existing and proposed land uses surrounding the subject property are General Commercial in nature and from time to time they may generate noise and traffic normal to commercial activities during various hours of the day.</p> |
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### 3.2 Employment Areas - Downtown

Central Commercial development in St. Marys has been focused primarily on the core area. The “Downtown” designation is and will continue to be recognized as the single largest concentration of retail and office uses in the Town and is viewed as an integral component of the community’s well being.

Council envisions the “Downtown” area as a significant resource which reflects the Town’s character and is an attribute from which to build upon with the Queen Street streetscape as a backdrop to the community and cultural activities of the Town.

Matters which have previously hampered core area development and redevelopment have, for the most part, been removed with the elimination of the industrial uses from the core area and the construction of the Floodwall to hold back the floodwaters of the Thames River and Trout Creek. Within the “Downtown” designation and adjacent to it, redevelopment opportunities will be possible under the Special Policy Area floodplain policies.

The Downtown will be the primary destination for residents and visitors by providing a wide range of retail shopping, events and festivals that celebrate the diversity and heritage of the Town.

#### 3.2.1 OBJECTIVES

The following have been adopted as the objectives for the “Downtown” land use designation:

- 3.2.1.1 To provide for the widest possible range of goods and services within the market capabilities of St. Marys and surrounding area.
- 3.2.1.2 To allow for the growth of the Commercial sector in balance with the need to encourage a continuation of the dominant position of the Downtown area in the overall hierarchy of commercial function in the Town as well as the institutional uses.
- 3.2.1.3 To encourage commercial development which is consistent with the physical amenities of the Town and in particular, Council encourages the maintenance and improvement of the Downtown streetscape, heritage buildings, and landmarks.
- 3.2.1.4 To promote economic development and competitiveness by providing, servicing, protecting, and preserving lands in the “Downtown” Central Commercial designation as a mixed commercial and institutional employment area.

- 3.2.1.5 To integrate the distinct natural environment associated with the Thames River and Trout Creek and the design elements and features of the Town's Urban Design policies with ~~Central Commercial Downtown~~ development.
- 3.2.1.6 To promote the ~~Downtown Central Commercial~~ designation as a focus for community festivals, celebrations, and gatherings.
- 3.2.1.7 To provide opportunities to increase the supply of parking spaces.
- 3.2.1.8 To effectively position the Downtown district as a vibrant social and cultural business centre.
- 3.2.1.7 To provide opportunities to increase the supply of parking spaces.
- 3.2.1.9 To encourage sound urban design elements that is accessible to all persons.

### 3.2 PERMITTED USES

Uses permitted in the Downtown Designation as shown on Schedule "A" to this Official Plan include all forms of retail and service commercial facilities, business and professional offices, schools, hotels, eating establishments, places of worship, places for entertainment, recreational facilities, festival venues, parks, cultural activities, and utilities.

Ancillary residential uses accessory or incidental to the commercial use provided they are located above the ground floor grade level may also be permitted where they will not interfere with or detract from the primary commercial function of the area.

- 3.2.3.4 Existing industrial uses in and immediately adjacent to the ~~"Downtown" "Central Commercial"~~ designation are encouraged to relocate in more appropriate areas of the Town.
- 3.2.3.5 Council encourages the co-operative maintenance and improvement of the streetscape consistent with its architectural heritage. Accordingly, a combined effort between Council, the Downtown Merchants Association, Heritage St. Marys and the Business Improvement Area Board of Management is encouraged to adopt a façade improvement and maintenance strategy.
- 3.2.3.6 Institutional uses  
Institutional uses of land such as hospitals, churches, schools, parks, etc. are permitted in the ~~"Downtown"~~ designation on Schedule "A" of this Plan except where prohibited by the policies of Section 3.8 of this Official Plan.
- 3.2.3.7 Development or Redevelopment

- a) Development or redevelopment of land for commercial purposes may be permitted only where the proponent demonstrates to Council's satisfaction that appropriate infrastructure to support the development or redevelopment is available. Appropriate infrastructure includes municipal sanitary collection and treatment facilities, municipal water supply, storm water sewers, road network and access points, street lighting, solid waste collection, electrical services, and police and fire protection.
- b) When reviewing development or redevelopment of land for commercial purposes, Council shall ensure that the proposal is compatible with adjacent buildings and in keeping with the character of the core in terms of size, height, massing, and architecture and may require the proponent to prepare studies such as heritage impact assessment, environmental impact study and any other studies deemed appropriate.

To evaluate its capability with surrounding land uses Council shall require the proponent to enter into a site plan agreement that shows:

- a) the location of all buildings and structures;
- b) adequate off street parking and loading areas;
- c) adequate screening and buffering between the proposed use and sensitive land uses, either public or privately owned, and public streets; and
- d) the implementation of the Town's Urban Design guidelines.

Opportunities to integrate walkways, pathways, parking areas, public spaces and the river/creek landscaped open spaces with any proposal shall also be encouraged. Those lands located in the Special Policy Area shall also be subject to the applicable policies of Section 3.8 of this Official Plan.

Council may require a market study for any new development or redevelopment where the gross leasable floor area is greater than 1 000 square metres. Such study must demonstrate that the said development or redevelopment can be supported and what, if any, impacts said development or redevelopment will have on the "Downtown" designation. Where Council is of the opinion that said development or redevelopment will have negative impacts on the "Downtown" designation, such development or redevelopment may not be permitted.

- c) Development or redevelopment which involves the razing of more than one existing building shall be carefully considered by Council in order to assess its potential impact on the built form of the area, compatibility with adjacent development, and potential effects on heritage buildings.

Where Council is of the opinion that such development or redevelopment will have a negative potential impact on the built form of the area,

incompatibility with adjacent development, or potential adverse effects on heritage buildings, Council will not support the proposed development or redevelopment.

- d) The Town's implementing Zoning By-law shall contain provisions to regulate "Downtown" uses and development standards. No new commercial building shall exceed four stories in height.
- e) Development or redevelopment of commercial uses or mixed uses shall be subject to site plan control pursuant to the Planning Act, RSO 1990. Such matters to be addressed regarding Site Plan Control include, for example, on site building location, landscaping, buffering, parking, lighting, and drainage.

**3.2.2.8 Residential to Commercial Conversion**

The "Downtown" designation includes a number of existing residential uses. Where a proposal has been received for the conversion of a dwelling to a commercial use, prior to rezoning, Council shall be assured that:

- (a) the building is structurally sound and suitable for the increased use associated with a commercial operation;
- (b) there is sufficient parking available for the use proposed either on the site or through municipal parking; and
- (c) the proposed use would be compatible with adjacent development, and potential effects on existing character of the surrounding uses.

**3.2.3.9 Commercial to Residential Conversion**

Conversion of lands within the Downtown, to non-employment uses shall only be permitted through a municipal comprehensive review that demonstrates:

- a) there is a need for the conversion;
- b) the conversion does not affect the overall viability of the employment area and the achievement of intensification and density targets;
- c) there is existing or planned infrastructure to accommodate the proposed conversion;
- d) the lands are not required over the long-term for employment purposes; and
- e) the lands do not affect the operations or viability of existing or permitted Downtown uses on nearby lands.

**3.2. 3.10 Cash in Lieu of Parking**

Pursuant to the provisions of Section 40 of the Planning Act, RSO 1990, Council may establish a policy, pass a by-law, and enter into agreements to exempt the owner or occupant of land from the requirement of providing or maintaining parking on the land upon the making of one or more payments of money to the Town as consideration for the granting of such exemption. Such policy shall establish the terms and conditions under which such an

exception shall be applied and all monies received by the Town shall be placed into a special parking account established by the Town.

3.2.3.11 Bonus By-laws

Pursuant to the provisions of Section 37 of the Planning Act, RSO 1990, Council may establish a policy, pass a by-law, and enter into agreements to increase the height and density of **Downtown central-commercial** development otherwise permitted by the Zoning By-law in accordance with the policies of Section 7.23 of this Official Plan.

3.2.3.12 Zoning By-law

The implementing Zoning By-law shall be the principle tool to execute the policies of this designation through the establishment of zones classification to regulate the development of the various types of **"Downtown" "Central Commercial"** uses. The Zoning By-law shall address matters such as types of uses, lot characteristic (i.e., lot size, lot area, and lot depth), building form (i.e. yard setbacks, floor area, and height).

3.2.3.13 Electricity generation

Electricity generation through systems such as, standalone or roof mounted solar panels and passive solar collectors shall be permitted in the **"Downtown"** designation. The placement, design, and setting of such systems shall be in such a manner to ensure compatibility with neighbouring sensitive land uses.

3.2.3.14 Utility Uses

Utility uses are permitted in accordance with the policies of Section 7.15.

3.2.4 EXCEPTIONS

- a) Any development or redevelopment that is to occur on that part of Lots 1 and 2, east side of Thomas Street, Registered Plan No. 235 which is designated **"Downtown" "Central Commercial"** and which lies above the 1:100 year floodline shall be subject to all applicable policies and regulations of the Upper Thames Conservation Authority.
- b) Any development or redevelopment that is to occur on that part of Lots B, C, and D, south side of Queen Street, Registered Plan No. 232 which is designated **"Downtown" "Central Commercial"** and which lies between the 1:100 year floodline and the Regulatory Floodline shall be subject to all applicable policies and regulations of the Upper Thames River Conservation Authority.
- c) The lands consisting of Lot 1 and Part of Lot 2, north side of Jones Street and west side of Church Street, Part of Lot 10 south side of Queen Street, Registered Plan No.

225 in the Town of St. Marys may also be permitted one additional ground floor residential use and accessory uses provided that:

- i) the additional residential use is located only within an existing building; the total gross floor area for the additional residential use and accessory uses does not exceed 100 square metres;
- ii) an Amendment to the Town's implementing Zoning By-law shall be required to regulate items such as the size, location, height, and parking for the additional residential use and accessory uses. Such Zoning By-law Amendment shall place the subject land within a site specific zone classification which will permit the additional residential use and accessory uses in addition to the full range of "Downtown" "Central Commercial" uses as established by the Town's implementing Zoning By-law, as amended from time to time;
- iii) the owner shall enter into a site plan agreement pursuant to the provisions of the Planning Act, RSO 1990 to govern items such as screening and buffering from abutting commercial uses;
- iv) the owner shall enter into an agreement with the Town acknowledging that the existing and proposed land uses surrounding the subject property are General Commercial in nature and from time to time they may generate noise and traffic normal to commercial activities during various hours of the day.

**Policy Recommendations – Central Commercial**

The following is a discussion regarding the recommended changes to the existing policies found in the “Highway Commercial” designation of the Town’s Official Plan. Those Sections in the grey highlighting are from the 2014 Provincial Policy Statement. The charts are broken into three sections, comments across the top, existing policy on the left side and proposed policy on the right.

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| <p><b>Comment</b></p> <p>3.3 Highway Commercial<br/>Provides background information related to commercial development in the Town. The “Central Commercial” area is more just the commercial hub of the Town and a change in name to “Downtown” is more reflective of the functions any activities of the area.</p>  |   |
| <p><b>Existing Policy</b></p> <p>3.3 Highway Commercial</p> <p><i>The “Highway Commercial” areas are viewed as an integral component of the commercial wellbeing of the community which are located toward the outer edges of the Town where commercial uses oriented to the travelling public and which require large land areas are located. Such areas are supportive and complimentary to the “Central Commercial” area.</i></p> | <p><b>Proposed Policy</b></p> <p>3.3 <b>Employment Areas - Highway Commercial</b></p> <p><i>The “Highway Commercial” areas are viewed as an integral component of the commercial wellbeing of the community which are located toward the outer edges of the Town where commercial uses oriented to the travelling public and which require large land areas are located. Such areas are supportive and complimentary to the <b>“Central Commercial”</b> <b>“Downtown”</b> area.</i></p> |

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| <p><b>Comment</b></p>   |   |
| <p><b>Existing Policy</b></p> <p>3.3.1 OBJECTIVES</p> <p>3.3.1.1 To provide for a range of commercial uses appropriate to meet the needs of the local residents and the travelling public which compliments the role and function of the central commercial area.</p> | <p><b>Proposed Policy</b></p> <p>3.3.1 OBJECTIVES</p> <p>3.3.1.1 To provide for a range of commercial uses appropriate to meet the needs of the local residents and the travelling public which <b>compliments</b> <b>complements</b> the role and function of the central commercial area.</p> |

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| Comment   |   |
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| <b>Existing Policy</b><br>3.3.1.2 To encourage highway commercial type uses to locate in the “Highway Commercial” designation by providing a range of commercial opportunities to meet local and non-resident demand and to attract new ventures. | <b>Proposed Policy</b><br>3.3.1.2 To encourage highway commercial type uses to locate in the “Highway Commercial” designation by <del>providing a</del> creating an atmosphere attractive to retain and expand the range of commercial opportunities and to attract new ventures to meet local and non-resident demand <del>and to attract new ventures</del> in an environmentally responsible manner. |

| Comment  |                                     |
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| <b>Existing Policy</b><br>3.3.1.3 To promote economic development and competitiveness by providing, servicing, protecting, and preserving lands in the “Highway Commercial” designation as a commercial employment area. | <b>Proposed Policy</b><br>No Change |

| Comment   |                        |
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| <b>Existing Policy</b><br>3.3.1.4 To provide an adequate supply of land to meet the demands of the marketplace. | <b>Proposed Policy</b> |

| Comment  |  |
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| <b>Existing Policy</b><br>3.3.1.5 To formulate policies and development standards which will guide and maintain a desirable level and standard of building and site design in order to maintain the visual images and character of the Town. | <b>Proposed Policy</b><br>3.3.1.5 To formulate policies and development standards which will guide and maintain a desirable level and standard of building and site design in order to maintain the visual images and character of the Town in accordance with the Town’s Urban Design guidelines. |

| Comment No Policy |
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| <b>New Policy</b>      |  |
| <b>Existing Policy</b> | <b>Proposed Policy</b><br>3.3.1.6 To integrate the natural environment and the design elements and features of the Town's Urban Design policies with Highway Commercial development. |

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| <b>Comment</b><br>New Policy |   |
| <b>Existing Policy</b>       | <b>Proposed Policy</b><br>3.3.1.7 To encourage sound urban design elements that is accessible to all persons. |

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| <b>Comment</b>                       |  |
| <b>Existing Policy</b><br>No Policy. | <b>Proposed Policy</b><br>3.3.1.8 To partner with neighbouring municipalities to strengthen the competitiveness of the Town's economic base. |

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| <b>Comment</b><br>A new Section that describes the location and general type of uses permitted is suggested. |  |
| <b>Existing Policy</b><br>No Policy  | <b>Proposed Policy</b><br>3.3.2 PERMITTED USES<br><br>Uses permitted in the "Highway Commercial" Designation as shown on Schedule "A" to this Official Plan include automobile-oriented uses, and other uses such as drive-thru or fast food restaurants, automobile sales and service establishments, gasoline bars, lodging establishments, garden centres, hardware/automotive type uses, and lumber yards, open space uses, and utility uses.. |

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| <b>Comment</b> |
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| <p><b>Existing Policy</b></p> <p>3.3.2.1 The “Highway Commercial” designation is generally found in the peripheral areas of the Town with the uses focused along Queen Street, both east and west of the commercial core of St. Marys and James Street South. It is intended that the “Highway Commercial” areas will provide a supportive and complementary role to the commercial core area.</p> | <p><b>Proposed Policy</b></p> <p>Section Number change 3.3.3.1.</p> |
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| <p><b>Comment</b></p>   |   |
| <p><b>Existing Policy</b></p> <p>3.3.2.2 “Highway Commercial” uses that cater to the travelling public, particularly automobile-oriented uses, and other uses such as drive-thru or fast food restaurants, automobile sales and service establishments, gasoline bars, lodging establishments, garden centres, hardware/automotive type uses, and lumber yards shall be permitted.</p> <p>Other uses that have extensive land requirements and are not appropriate for the central commercial area such as large plate retail uses, strip malls, shopping centres, large scale business and professional offices, and factory outlets may also be permitted in accordance with Section 3.3.2.3.</p> | <p><b>Proposed Policy</b></p> <p>Section Number change 3.3.3.2.</p> |

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| <p><b>Comment</b></p>   |   |
| <p><b>Existing Policy</b></p> <p>3.3.2.3 Development or redevelopment of land for “Highway Commercial” purposes may be permitted only where appropriate infrastructure to</p> | <p><b>Proposed Policy</b></p> <p>3.3.3.3 Development or redevelopment of land for “Highway Commercial” purposes may be permitted only where appropriate infrastructure to</p> |

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| <p>support the development or redevelopment is available. Appropriate infrastructure includes municipal sanitary collection and treatment facilities, municipal water supply, storm water sewers and management facilities, road network and access points, street lighting, solid waste collection, electrical services, and fire protection.</p> <p>Council may require a market study for any new “Highway Commercial” development or redevelopment where the gross leasable floor area is greater than 1 000 square metres. Such study must demonstrate that the said development or redevelopment can be supported and what, if any, impacts said development or redevelopment will have on the “Central Commercial” designation. Where Council is of the opinion that said development or redevelopment will have negative impacts on the “Central Commercial” designation, such development or redevelopment may not be permitted.</p> | <p>support the development or redevelopment is available. Appropriate infrastructure includes municipal sanitary collection and treatment facilities, municipal water supply, storm water sewers and management facilities, road network and access points, street lighting, solid waste collection, electrical services, and fire protection.</p> <p>Council may require a market study for any new “Highway Commercial” development or redevelopment where the gross leasable floor area is greater than 1 000 square metres. Such study must demonstrate that the said development or redevelopment can be supported and what, if any, impacts said development or redevelopment will have on the “Central Commercial” “Downtown” designation. Where Council is of the opinion that said development or redevelopment will have negative impacts on the “Central Commercial” “Downtown” designation, such development or redevelopment may not be permitted</p> |
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| <p><b>Comment</b></p>   |   |
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| <p><b>Existing Policy</b></p> <p>3.3.2.4 Development or redevelopment shall be subject to site plan control pursuant to the Planning Act, RSO 1990. Such matters to be addressed regarding Site Plan Control include on site building locations, landscaping, buffering, parking and vehicle movements, lighting, and drainage.</p> | <p><b>Proposed Policy</b></p> <p><del>3.3.2.4 Development or redevelopment shall be subject to site plan control pursuant to the Planning Act, RSO 1990. Such matters to be addressed regarding Site Plan Control include on site building locations, landscaping, buffering, parking and vehicle movements, lighting, and drainage.</del></p> <p>3.3.3.4 To evaluate its capability with surrounding land uses Council shall require the proponent to enter into a site plan agreement that shows:</p> <p>a) the location of all buildings and</p> |

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|  | <p>structures;</p> <p>b) adequate off street parking and loading areas and vehicle movements;</p> <p>c) adequate lighting, and drainage.;</p> <p>d) adequate screening for any open storage and as a buffer between the proposed use and any sensitive land uses, either public or privately owned, and public streets; and</p> <p>e) the implementation of the Town’s Urban Design guidelines.</p> |
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| <b>Comment</b>  |   |
| <p><b>Existing Policy</b></p> <p>3.3.2.5 Development or redevelopment along the gateways to the Town (i.e., Queen Street and James Street) shall incorporate landscape green spaces along these corridors. The Town’s Zoning By-law shall regulate the extent of these landscaped green spaces.</p> | <p><b>Proposed Policy</b></p> <p>Section Number change 3.3.3.5.</p> |

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| <b>Comment</b>                                  |   |
| <p><b>Existing Policy</b></p> <p>No Policy.</p> | <p><b>Proposed Policy</b></p> <p>3.3.3.6 Council may consult with the abutting Township of Perth South to ensure that cross-jurisdictional issues with the Municipal boundary do not impede Highway Commercial development or redevelopment in the Town or the Township of Perth South.</p> |

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| <b>Comment</b>                |  |
| <p><b>Existing Policy</b></p> | <p><b>Proposed Policy</b></p> <p>3.3.3.7 Parks, open space, recreational, and passive agricultural uses are permitted as interim uses on lands located within the “Highway Commercial”</p> |

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|  | <p>designation provided that such uses and activities involve minimal public or private capital inputs and would not preclude or hinder the expansion or continued use of existing operations or the feasibility of changing the parks, open space, recreational, or passive agricultural use land use to an highway commercial use for reasons of cost of conversion, public health or public safety. Buildings used to house livestock are prohibited.</p> |
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| <p><b>Comment</b></p>  |   |
| <p><b>Existing Policy</b><br/>                 3.3.2.6 Zoning By-law<br/>                 The implementing Zoning By-law shall be the principle tool to execute the policies of this designation through the establishment of zones classification to regulate the development of the various types of “Highway Commercial” uses. The Zoning By-law shall address matters such as types of uses, lot characteristic (i.e., lot size, lot area, and lot depth), building form (i.e. yard setbacks, floor area, and height).</p> | <p><b>Proposed Policy</b><br/>                 Section Number change 3.3.3.6.</p> |

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| <p><b>Comment</b></p>   |  |
| <p><b>Existing Policy</b><br/>                 3.3.2.7 Highway Commercial uses shall be zoned in a separate zone with appropriate regulations in the Zoning By-law. Any new proposed uses shall be in accordance with those zone standards.</p> | <p><b>Proposed Policy</b><br/>                 Section Number change 3.3.3.7</p> |

**PPS - 1.7.1** Long-term economic prosperity should be supported by:

- i) promoting energy conservation and providing opportunities for development of *renewable energy systems* and *alternative energy systems*, including district energy;

**PPS - 1.6.11.2** Planning authorities should promote *renewable energy systems and alternative energy systems*, where feasible, in accordance with *provincial and federal requirements*.

**Comment**

The Official Plan should contain policies for the establishment of alternative energy sources. While the Green Energy Act removes most of the local municipality’s abilities to regulate such uses, smaller scale systems could be permitted in the “Highway Commercial” designation.

**Existing Policy**

No Policy.

**Proposed Policy**

**3.3.3.8** Electricity generation through systems such as standalone or roof mounted solar panels, passive solar collectors, and geothermal system generators shall be permitted in the “Highway Commercial” designation. The placement, design, and setting of such systems shall be in such a manner to ensure compatibility with sensitive neighbouring uses.

**Comment**

A Policy to permit Utilities Uses in the “Highway Commercial” designation is helpful to make it clear that these uses are permitted.

**Existing Policy**

No Policy.

**Proposed Policy**

**3.3.3.9. Utility Uses**  
Utility uses are permitted in accordance with the policies of Section 7.15.

**Comment**

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**Existing Policy**

**3.3.3 EXCEPTIONS**

- a) The lands situated northwest of the corner of Queen Street and Thames Road, consisting of part of Lot 17, Concession 15, (formerly in the Township of Blanshard) in the Town of St. Marys may also be permitted one accessory residential use to the “Highway Commercial” uses provided that such accessory residential use is located only in the upper portions of a building used for highway commercial

**Proposed Policy**

Section Number change 3.3.4.

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| <p>uses and that such accessory residential use does not exceed 185 square metres of total gross floor area.</p> <p>b) The lands consisting of Part of Lots 19 and 20, Concession 17, more particularly described as Parts 4, 5, 9, 13, and 14, Reference Plan No. 44R-3819, in the Town of St. Marys may also be permitted a limited range of general commercial type uses that shall be of such a nature that they complement those commercial uses established in the commercial core area, including such uses as business or professional offices, a barber shop or hairdresser, and a commercial retail store with a maximum gross floor area of not more than 250 square metres square, and accessory uses and buildings, but not including a shopping centre. A site plan agreement pursuant to the provisions of the Planning Act, RSO 1990 shall regulate development of this parcel.</p> <p>c) Within the lands consisting of Lot 1 and Lot 2, Registered Plan No. 210 in the Town of St. Marys business or professional office uses are permitted and shall be zoned such in the Implementing Zoning By-law.</p> <p>d) Within the lands consisting of Part of Lots 8 and 9, Registered Plan No. 215, ancillary uses for residential uses on the abutting property to the north are permitted and may be zoned such in the Implementing Zoning By-law.</p> |  |
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### 3.3 **Employment Areas - Highway Commercial**

*The “Highway Commercial” areas are viewed as an integral component of the commercial wellbeing of the community which are located toward the outer edges of the Town where commercial uses oriented to the travelling public and which require large land areas are located. Such areas are supportive and complementary to the “Downtown” area.*

3.3.1 OBJECTIVES

- 3.3.1.1 To provide for a range of commercial uses appropriate to meet the needs of the local residents and the travelling public which **complements complements** the role and function of the central commercial area.
- 3.3.1.2 To encourage highway commercial type uses to locate in the “Highway Commercial” designation by **providing a creating an atmosphere attractive to retain and expand** the range of commercial opportunities **and to attract new ventures** to meet local and non-resident demand **and to attract new ventures in an environmentally responsible manner.**
- 3.3.1.3 To promote economic development and competitiveness by providing, servicing, protecting, and preserving lands in the “Highway Commercial” designation as a commercial employment area.
- 3.3.1.4 To provide an adequate supply of land to meet the demands of the marketplace.
- 3.3.1.5 To formulate policies and development standards which will guide and maintain a desirable level and standard of building and site design in order to maintain the visual images and character of the Town **in accordance with the Town’s Urban Design guidelines.**
- 3.3.1.6 **To integrate the natural environment and the design elements and features of the Town’s Urban Design policies with Highway Commercial development.**
- 3.3.1.7 **To encourage sound urban design elements that is accessible to all persons.**
- 3.3.1.8 **To partner with neighbouring municipalities to strengthen the competitiveness of the Town’s economic base.**

3.3.2 PERMITTED USES

**Uses permitted in the “Highway Commercial” Designation as shown on Schedule “A” to this Official Plan include automobile-oriented uses, and other uses such as drive-thru or fast food restaurants, automobile sales and service establishments, gasoline bars, lodging establishments, garden centres, hardware/automotive type uses, and lumber yards, open space uses, and utility uses.**

3.3.3 POLICIES

3.3.3.1 The “Highway Commercial” designation is generally found in the peripheral areas of the Town with the uses focused along Queen Street, both east and west of the commercial core of St. Marys and James Street South. It is intended that the “Highway Commercial” areas will provide a supportive and complementary role to the commercial core area.

3.3.3.2 “Highway Commercial” uses that cater to the travelling public, particularly automobile-oriented uses, and other uses such as drive-thru or fast food restaurants, automobile sales and service establishments, gasoline bars, lodging establishments, garden centres, hardware/automotive type uses, and lumber yards shall be permitted.

Other uses that have extensive land requirements and are not appropriate for the central commercial area such as large plate retail uses, strip malls, shopping centres, large scale business and professional offices, and factory outlets may also be permitted in accordance with Section 3.3.3.3.

3.3.3.3 Development or redevelopment of land for “Highway Commercial” purposes may be permitted only where appropriate infrastructure to support the development or redevelopment is available. Appropriate infrastructure includes municipal sanitary collection and treatment facilities, municipal water supply, storm water sewers and management facilities, road network and access points, street lighting, solid waste collection, electrical services, and fire protection.

Council may require a market study for any new “Highway Commercial” development or redevelopment where the gross leasable floor area is greater than 1 000 square metres. Such study must demonstrate that the said development or redevelopment can be supported and what, if any, impacts said development or redevelopment will have on the “Downtown” designation. Where Council is of the opinion that said development or redevelopment will have negative impacts on the “Downtown” designation, such development or redevelopment may not be permitted.

3.3.3.4 To evaluate its capability with surrounding land uses Council shall require the proponent to enter into a site plan agreement that shows:

- a) the location of all buildings and structures;
- b) adequate off street parking and loading areas and vehicle movements;
- c) adequate lighting, and drainage.;
- d) adequate screening for any open storage and as a buffer between the proposed use and any sensitive land uses, either public or privately owned, and public streets; and
- e) the implementation of the Town’s Urban Design guidelines.

3.3.3.5 Development or redevelopment along the gateways to the Town (i.e., Queen Street and James Street) shall incorporate landscape green spaces along

these corridors. The Town's Zoning By-law shall regulate the extent of these landscaped green spaces.

3.3.3.6 Council may consult with the abutting Township of Perth South to ensure that cross-jurisdictional issues with the Municipal boundary do not impede Highway Commercial development or redevelopment in the Town or the Township of Perth South.

3.3.3.7 Parks, open space, recreational, and passive agricultural uses are permitted as interim uses on lands located within the "Highway Commercial" designation provided that such uses and activities involve minimal public or private capital inputs and would not preclude or hinder the expansion or continued use of existing operations or the feasibility of changing the parks, open space, recreational, or passive agricultural use land use to an highway commercial use for reasons of cost of conversion, public health or public safety. Buildings used to house livestock are prohibited.

3.3.3.6 Zoning By-law

The implementing Zoning By-law shall be the principle tool to execute the policies of this designation through the establishment of zones classification to regulate the development of the various types of "Highway Commercial" uses. The Zoning By-law shall address matters such as types of uses, lot characteristic (i.e., lot size, lot area, and lot depth), building form (i.e. yard setbacks, floor area, and height).

3.3.3.7 Highway Commercial uses shall be zoned in a separate zone with appropriate regulations in the Zoning By-law. Any new proposed uses shall be in accordance with those zone standards.

3.3.3.8 Electricity generation through systems such as standalone or roof mounted solar panels, passive solar collectors, and geothermal system generators shall be permitted in the "Highway Commercial" designation. The placement, design, and setting of such systems shall be in such a manner to ensure compatibility with sensitive neighbouring uses.

3.3.3.9. Utility Uses

Utility uses are permitted in accordance with the policies of Section 7.15.

3.3.4 EXCEPTIONS

- a) The lands situated northwest of the corner of Queen Street and Thames Road, consisting of part of Lot 17, Concession 15, (formerly in the Township of Blanshard) in the Town of St. Marys may also be permitted one accessory residential use to the “Highway Commercial” uses provided that such accessory residential use is located only in the upper portions of a building used for highway commercial uses and that such accessory residential use does not exceed 185 square metres of total gross floor area.
- b) The lands consisting of Part of Lots 19 and 20, Concession 17, more particularly described as Parts 4 , 5, 9, 13, and 14, Reference Plan No. 44R-3819, in the Town of St. Marys may also be permitted a limited range of general commercial type uses that shall be of such a nature that they complement those commercial uses established in the commercial core area, including such uses as business or professional offices, a barber shop or hairdresser, and a commercial retail store with a maximum gross floor area of not more than 250 square metres square, and accessory uses and buildings, but not including a shopping centre. A site plan agreement pursuant to the provisions of the Planning Act, RSO 1990 shall regulate development of this parcel.
- c) Within the lands consisting of Lot 1 and Lot 2, Registered Plan No. 210 in the Town of St. Marys business or professional office uses are permitted and shall be zoned such in the Implementing Zoning By-law.
- d) Within the lands consisting of Part of Lots 8 and 9, Registered Plan No. 215, ancillary uses for residential uses on the abutting property to the north are permitted and may be zoned such in the Implementing Zoning By-law.