



Corporation
of the Town of St. Marys

- Application for Approval of a Official Plan Amendment
(Under Section 22(4) of the Planning Act)
- Application for Zoning By-law Amendment
(Under Section 34 or 39 of the Planning Act)
- Application to Remove a Holding Symbol
(Under Section 34 and 36 of the Planning Act)

Instructions

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

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

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

In addition, the applicant may be required to submit a more detailed site plan in accordance with Section 41, of the Planning Act.

Completeness of the Application

The information in this form that must be provided by the applicant is indicated by black arrows (➤) on the left side of the section numbers. This information is prescribed in the Schedule to Ontario Regulation 198/96 made under the Planning Act. The mandatory information must be provided with the appropriate fee and draft plan. If the mandatory information is not provided, the municipality will return the application or refuse to further consider the application.

The application form also sets out other information (eg. technical information or reports) that will assist the approval authority and others in their planning evaluation of the development proposal. To ensure the quickest and most complete review, this information should be submitted at the time of application. In the absence of this information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result, the application may be refused.

Approval Process

Upon receipt of an application, the required fee and other information (as required) Council will determine whether there is sufficient merit in processing the application further (i.e. circulation of notice and the holding of a public meeting as required by the Ontario Planning Act). The applicant is encouraged to attend a public meeting, to present the proposal. The applicant will be provided notice of any decision made by Council concerning the application. Official Plan Amendments and Zoning By-law Amendment are adopted by St. Marys Council. If no notice of appeal is received within twenty days, the Official Plan Amendment and/or Zoning By-law Amendment is in force.

For Help

To help you complete the application form, please consult the Building Department in the Town Hall. You can also call the Building Department at (519) 284-2340.

Please Print and Complete or (✓) Appropriate Box(es)

1.0 Application Information

➤ 1.1 Name of Owner(s) An owner's authorization is required if applicant is not the owner (See Section 12.0)

Name of Owner(s) The Corporation of the Town of St. Marys	Home Telephone No.	Business Telephone No.
Address 175 Queen Street East	Postal Code N4X 1B6	Fax No.

1.2 Agent/Applicant - Name of the person who is to be contacted about the application, if different than the owner. (This may be a person or firm acting on behalf of the owner.)

Name of Contact Person (and Firm) Brent Kittner, CAO/Clerk	Home Telephone No.	Business Telephone No. 519-284-2340 x216
Address 175 Queen Street East	Postal Code N4X 1B6	Fax No. 519-284-3881

➤ 2.0 Location and Size of the Subject Land

Street No. 481	Name of Street/Road Water Street South	Registered Plan No.	Lot(s)/Block(s)
Reference Plan No. 44R-5357	Part Number(s) 2	Concession Number(s) Thames Concession	Lot Number(s) Part Lot 35
Lot Frontage 58,798 metres	Average Width 29,399 metres	Average Depth 26,18 metres	Lot Area 1,539.3 square metres

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

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

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

➤ 3.0 Proposed and Current Land Use

➤ 3.1 What is the proposed use of the subject land?
Commercial and light industrial uses - see attachment for additional information

➤ 3.2 What is the current use of the subject land?
Single detached dwelling - vacant

➤ 3.3 How is the subject land currently designated in the Official Plan? **Recreational**

➤ 3.4 How is the subject land currently zoned in the applicable Zoning By-law? **Institutional (I-4)**

➤ 3.5 Provide the following details for all buildings, both existing or proposed. (Should be shown on the Site Plan submitted with this Application).

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

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

4.1 Does the Proposed Official Plan Amendment:

- 4.1.1 Add a Land Use designation to the Official Plan?
- 4.1.2 Change a land use designation in the Official Plan?
- 4.1.3 Replace a policy in the Official Plan?
- 4.1.4 Delete a policy from the Official Plan?
- 4.1.5 Add a policy to the Official Plan?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

See attachment for additional information

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

See attachment for additional information

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

See attachment for additional information

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

5.1 Does the Proposed Zoning By-law Amendment:

- 5.1.1 Add a Zone Category to the Zoning By-law?
- 5.1.2 Change a Zone Category in the Zoning By-law?
- 5.1.3 Replace a zoning provision in the Zoning By-law?
- 5.1.4 Delete a zoning provision from the Zoning By-law?
- 5.1.5 Add a zoning provision to the Zoning By-law?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

See attachment for additional information

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

See attachment for additional information

6.0 Previous Industrial or Commercial Uses

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

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

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

6.4 If Yes, to (6.1), (6.2) or (6.3), a previous use inventory showing all former uses of the subject land, or if appropriate, the adjacent land, is needed. Is the previous use inventory attached? Yes No

➤ 7.0 Status of Other Applications under the Planning Act

Is the subject land also the subject of an application for a consent, approval of a site plan, minor variance, Zoning By-law Amendment or Zoning Order Amendment? Yes No If Yes, indicate the type of application, the file number and the status of the application.

➤ 8.0 Servicing

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

Sewage Disposal	Existing	Proposed	Water Supply	Existing	Proposed
a) Public piped sewage system	X	X	a) Public piped water system	X	X
b) Public or private communal septic			b) Public or private communal well(s)		
c) Individual septic system(s)			c) Individual well(s)		
d) Other			d) Other		

Jenna McCartney, Deputy Clerk
 A Commissioner, etc.,
 Province of Ontario, for the
 Corporation of the Town of St. Marys
 Authorized by virtue of Office

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

9.0 Justification

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

See attachment for additional information

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

See attachment for additional information

10.0 Other Information

11.0 Application Drawing

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

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

12.0 Affidavit or Sworn Declaration

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

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

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

in the County/Region of County of Perth

this 10th day of January, 2019

Jenna McCartney
 Commissioner of Oaths

B. Kittner
 Applicant

13.0 Authorization of Owner for Agent to Make the Application

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

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

authorize _____ to act as my agent in the application.

 Date

 Signature of Owner

14.0 Acknowledgement

ACKNOWLEDGEMENT

With the filing of this application, the applicant is aware of, and agrees, that if the decision of the Council of the Town of St. Marys regarding this application is appealed by a third party (a party other than the applicant), all costs incurred by the Corporation of the St. Marys for legal counsel and other associated costs to represent the Corporation of the St. Marys in defending the decision before the Ontario Municipal Board will be solely the responsibility of, and paid for by the applicant.

Dated at the Town of St. Marys

in the County/Region of Perth

this 10th day of January, 2019

B. Kittner
 Applicant

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

- The proposed Official Plan Amendment would change the land use designation from Recreational to Highway Commercial and the proposed Zoning By-law Amendment would change the zoning of the property from Institutional Zone (I-4) to Highway Commercial Zone (C3), with site specific Official Plan policies and Zoning By-law regulations to permit:
 - The following uses: business or professional office, convenience store or variety store, equipment sales and rental business, laboratory or research facility, private club, production studio (premises used for producing motion pictures, or audio or video recordings or transmissions), restaurant, and accessory uses, buildings, and structures.
 - A minimum front yard of 5 metres whereas Section 17.1.2 D of the Zoning By-law requires 10 metres;
 - A minimum interior side yard of 2.5 metres whereas Section 17.1.2 E of the Zoning By-law requires 7.5 m or one half the building height, whichever is greater; and,
 - A minimum rear yard of 2.5 metres whereas Section 17.1.2 G of the Zoning By-law requires 7.5 m.

- The proposed amendments are consistent with the policies of the Provincial Policy Statement. The proposed uses contribute to the Town’s ability to provide for an appropriate mix and range of employment uses, and a diversified economic base, to meet long-term needs of the community. The proposal contributes to a sense of place by conserving built heritage resources while integrating employment uses on the property.

- As noted in the August 28, 2018 report to Council (DEV 35-2018) regarding the Town’s Official Plan review project, the Town is considering the establishment of a new Highway Commercial – Light Industrial designation to *“support the Town’s goals with respect to economic development”* and provide *“additional opportunities to provide a mix of and range of employment options and a range of suitable sites”*. As further noted in the report, *“this new designation would be based on the Highway Commercial designation and would also permit smaller scale light manufacturing, processing and storage/warehouse uses, wholesale establishments, recreational uses, institutional uses, and business offices that are compatible with the surrounding neighbourhood. A requirement of this designation would be that all uses are located indoors and the designation would only apply to lands currently designated Highway Commercial and not abutting residential lands”*. The proposed Highway Commercial designation to be applied to this property will allow for a mix of employment uses.

- Section 7.17.4 of the Official Plan states, that in considering an amendment to the Official Plan and/or implementing Zoning By-laws, Council shall give due consideration to the policies of this Plan as well as certain criteria. The following discussion addresses the criteria in Section 7.17.4.
 - a) the need for the proposed use;
the proposed permitted uses will provide additional opportunities for commercial and industrial uses and the redesignation and rezoning of the subject lands will allow for the revitalization of this property

 - b) the extent to which the existing areas in the proposed designation or categories are developed and the nature and adequacy of such existing development in order to determine whether the proposed use is premature;

there are other lands designated Highway Commercial in the Town however, the proposal will provide opportunities to use this underutilized property

- c) the compatibility of the proposed use with conforming uses in adjoining areas;
 - *The area surrounding the subject property is predominantly zoned for industrial and commercial purposes. There are several properties on the west side of Water Street South that are zoned Highway Commercial (C3).*
 - *Prior to any development of the site, approval of a Site Plan Application will be required to ensure the appropriate layout and design of the site including the location of parking areas, landscaping and buffering.*
- d) the effect of such proposed use on the surrounding area in respect to the minimizing of any possible depreciating or deteriorating effect upon adjoining properties;
see response to c) above
- e) the potential effects of the proposed use on the financial position of the Town;
no negative effects are anticipated
- f) the potential suitability of the land for such proposed use in terms of environmental considerations;
any potential environmental considerations will be assessed at the site plan approval stage
- g) the location of the area under consideration with respect to the adequacy of the existing and proposed road system in relation to the development of such proposed areas and the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety and parking in relation thereto;
the existing road system in the area is adequate to accommodate the proposed uses
- h) the adequacy and availability of municipal services and utilities; and,
existing services and utilities are available to service the property
- i) the adequacy of parks and educational facilities and the location of these facilities.
not applicable