

**NOTICE OF DECISION**  
**WITH RESPECT TO APPROVAL OF A DRAFT PLAN OF CONDOMINIUM**  
**BY THE CORPORATION OF THE TOWN OF ST. MARYS**

TAKE NOTICE that the Council of the Corporation of the Town of St. Marys approved a draft plan of condominium subject to conditions on the 28<sup>th</sup> day of March, 2023 pursuant to Section 51 of the *Planning Act*, R.S.O. 1990.

AND TAKE NOTICE that the applicant, any public body or specified person who made written submissions to the Town before making its decision, or the Minister of Municipal Affairs and Housing, may appeal the decision to approve the draft plan of condominium, the lapsing provision or any other conditions to the Ontario Land Tribunal not later than the 1<sup>st</sup> day of May, 2023.

AND TAKE NOTICE that the applicant, any public body or specified person who made written submissions to the Town before making its decision, or the Minister of Municipal Affairs and Housing, may appeal any of the conditions imposed by the Town to the Ontario Land Tribunal at any time before the approval of the final plan of condominium.

An Explanatory Note describing the plan of condominium is attached, along with a copy of the conditions of approval of a draft plan of condominium. Additional information is available for inspection:

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

**PLEASE NOTE**

1. Only individuals, corporations or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.
2. No person or public body shall be added as a party to the hearing of an appeal regarding the decision to approve the draft plan of condominium, the lapsing provision, any other conditions or any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions or, in the Ontario Land Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.
3. The conditions of an approval of draft plan of condominium may be changed at any time before the final approval is given. You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of condominium if you have made a written request to be notified of changes to the conditions.

4. A notice of appeal must include a completed Ontario Land Tribunal Appeal Form (appeal forms are available from the Ontario Land Tribunal website at [www.elfto.gov.on.ca](http://www.elfto.gov.on.ca)). A notice of appeal must be filed with Jenna McCartney, Clerk of the Town of St. Marys (see contact information below), and must:
- (a) set out reasons for the appeal;
  - (b) be accompanied by the fee prescribed by the Tribunal for each application appealed, payable to the Minister of Finance; and,
  - (c) meet submission requirements as set out on the appeal forms.

Dated at the Town of St. Marys this 11<sup>th</sup> day of April, 2023.

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

**EXPLANATORY NOTE**  
**APPROVAL OF DRAFT PLAN OF CONDOMINIUM**  
**IN THE TOWN OF ST. MARYS**

Description and Location of Subject Lands

The irregularly shaped subject property is approximately 0.87 hectares in size, with 33 metres of frontage along James Street South, and 13 metres of frontage along Maxwell Street, as shown on the General Location Map.

The subject property is designated “Residential” in the Town of St. Marys Official Plan and zoned “Residential Zone Five (R5-12)” in the Town of St. Marys Zoning By-law Z1-1997, as amended.

Purpose and Effect of Application for Draft Plan of Condominium

The Town of St. Marys Council granted Site Plan Approval in October of 2019 for the property for the purpose of constructing 24 condominium townhouse units in four buildings. The Owner has subsequently completed the construction of 16 of the 24 dwelling units. The remaining eight 8 units are under construction and anticipated to be completed in the spring of 2023.

The Owner has applied for approval of a Draft Plan of Condominium (Standard) to establish 24 freehold condominium townhouse dwelling units.

Prior to making this decision, Council considered all written and oral submissions received.

