

Technical Memorandum #11

Holding Provisions & Development Zones

Zoning By-law Review

Town of St. Marys

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1. Introduction

This Technical Memorandum forms part of the overall background review for the Town of St. Marys Zoning By-law Review.

The Town of St. Marys (“The Town”) adopted a new Official Plan on April 12, 2022, and it was approved by the Ministry of Municipal Affairs and Housing (MMAH) on October 9, 2024. The purpose of the Zoning By-law Review is to implement policy direction provided by the recently approved Official Plan. This Zoning By-law Review will introduce regulations that are concise, easy to understand, and provide clear direction on land use and built form while also providing flexible implementation where appropriate.

The Zoning By-law aims to implement policy direction provided by the updated Official Plan. This Zoning By-law Conformity Update will introduce regulations that are concise, easy to understand, and provide clear direction on land use and built form while also providing flexible implementation where appropriate.

The purpose of this Technical Memorandum is to evaluate the existing Holding Provisions and Development Zone sections of the Town Zoning By-law and identify recommendations that may be required to update the Town Zoning By-law.

2. Overview

2.1 Purpose & Overview of Holding Provisions

A holding provisions section is included in a zoning by-law to provide development restrictions on identified parcels of land until specific conditions are satisfied. The holding provisions are provided in Section 19 of the Town Zoning By-law. The table below provides an overview of the subsections included in Section 19 of the Zoning By-law.

Table 1 – Overview of Holding Provision in Section 19 of the Zoning By-law

Subsection	Description of Provisions
19.1 Use of “-H” Symbol	This section identifies how to interpret the “-H” suffix that is shown on zoning maps. In addition, it explains that where a holding symbol is shown those lands shall not be permitted to developed or be used except in compliance with the provisions of the applicable zone for existing uses or for such other uses set out in the relevant Holding Zone, unless the Zoning By-law has been amended to remove the holding provision.
19.2 Holding Zone Provisions	This section outlines the holding provisions of the zoning by-law. This includes outlining the permitted uses and the conditions for removal of the holding provision(s).

2.2 Purpose and Overview of Development Zones

The Town Zoning By-law identifies one (1) Development Zone within the Zoning By-law. This zone does not implement a specific land use designation of the Town Official plan, rather the purpose of this zone is to limit the development of lands under this zone to existing uses until a certain time and/or specific conditions are met. This zone acts a transition zone that limits uses until appropriate development standards can be established for the lands under this zone.

The Town Zoning By-law describes this zone as follows:

Table 2 - Summary of sub-development zones

Zone Symbol	Purpose and Summary of Provisions
RD	Purpose – indicate that future residential development is contemplated however timing and development standards are yet to be determined. Permitted Uses – lawfully existing uses, buildings, and structures including lawfully existing accessory uses buildings and structures; agricultural uses, excluding buildings and structures. Provisions are also included for and an addition onto an existing or replacement single-detached dwelling.

3. Analysis and Proposed Changes

3.1 *Planning Act* and Provincial Policy

There are no changes required based on the *Planning Act* or Provincial policy.

3.2 Official Plan – Permitted Uses

There are no changes proposed to Permitted Uses based on the updated Town Official Plan.

3.3 Official Plan – Lot and Building Requirements

There are no changes proposed to Lot and Building Requirements based on the updated Town Official Plan.

3.4 Technical Issues

Table 3 - Recommended changes to the Zoning By-law to Address Technical Matters

Section No.	Proposed Zoning By-law Change	Rationale
Section 20 – Development Zone	Update the existing heading as follows: <u>“Section 20 Development (D) and Residential Development (RD) Zones”</u>	Staff Issues List – Landowners have challenges finding the RD zone as it is not indicated clearly indicated in the Town Zoning By-law. The following change is recommended to aid in wayfinding.
20.3	Consolidate the “RD” and “RD-1” zone into one zone	Both zones provide the exact same provisions.

4. Conclusion and Recommendations

This Technical Memorandum review the existing holding provisions and Development zone within the Town of St. Marys. It is recommended that the changes outlined in Section 3 be incorporated into the updated Zoning By-law to address technical issues raised by staff.