

**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.

**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) <b>Heybolt Ontario Ltd. c/o John Bolton</b>	Home Telephone No.	Business Telephone No. <b>(519) 349-2299</b>
Address <b>Box 1507, St. Marys</b>	Postal Code <b>N4X 1B9</b>	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) <b>Monteith Brown Planning Consultants (c/o Jay McGuffin)</b>	Home Telephone No.	Business Telephone No. <b>(519) 686-1300</b>
Address <b>610 Princess Avenue, London ON</b>	Postal Code <b>N6B 2B9</b>	Fax No. <b>(519) 681-1690</b>

**➤ 2.0 Location and Size of the Subject Land**

Street No. <b>323</b>	Name of Street/Road <b>Queen Street West</b>	Registered Plan No. <b>210 St. Marys</b>	Lot(s)/Block(s)
Reference Plan No. <b>R166238</b>	Part Number(s)	Concession Number(s)	Lot Number(s) <b>Part Lot 4, 5, 6</b>
Lot Frontage 45.4 m (Queen Street W); 45.3 m (Ann Street)	Average Width <b>45.3 m</b>	Average Depth <b>45.4 m</b>	Lot Area <b>2,037 m<sup>2</sup></b>

➤ 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?  
**May 11, 2018**

**➤ 3.0 Proposed and Current Land Use**

➤ 3.1 What is the proposed use of the subject land?  
**Townhouse development**

➤ 3.2 What is the current use of the subject land?  
**Vacant**

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

**Highway Commercial**

➤ 3.4 How is the subject land currently zoned in the applicable Zoning By-law?

**Highway Commercial with a holding provision ('C3-H')**

► 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	No existing buildings on site	4.5 m to building; 6 m to garage	3.5.5 Height		8 m
3.5.2 Rear yard		1.5 m			Building A: 19.11 m by 14.47 m Building B: 38.2 m by 14.47 m
3.5.3 Side Yard		1.5 (interior)	3.5.7 Gross Floor Area		810 m <sup>2</sup> total, 132 m <sup>2</sup> per unit
3.5.4 Side Yard		4.5 m (exterior)	3.5.8 Date Constructed		TBD

► 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:	Yes	No
4.1.1 Add a Land Use designation to the Official Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.2 Change a land use designation in the Official Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.1.3 Replace a policy in the Official Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.4 Delete a policy from the Official Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.5 Add a policy to the Official Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Not applicable.

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

The purpose of the Official Plan Amendment is to permit residential development on the subject lands, specifically townhouses. Please see the Planning Justification Report for more details.

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).

The proposal is consistent with Policies 1.1.1, 1.1.2, 1.1.3.1, 1.1.3.2, 1.4.3, 1.6.6.1, and 1.6.6.2 of the Provincial Policy Statement. Please see the Planning Justification Report for more details.

► 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:	Yes	No
5.1.1 Add a Zone Category to the Zoning By-law?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.1.2 Change a Zone Category in the Zoning By-law?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.1.3 Replace a zoning provision in the Zoning By-law?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.1.4 Delete a zoning provision from the Zoning By-law?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.1.5 Add a zoning provision to the Zoning By-law?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

It is proposed that the subject lands be re-zoned FROM 'Highway Commercial 3-H' TO 'Residential Zone 5-#' ('R5-#') to permit the construction of townhouses. The proposed special provisions are attached.

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

The purpose of the Zoning By-law Amendment is to permit residential development on the subject lands, specifically townhouses. Please see the Planning Justification Report for more details.

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  
Please see the Planning Justification Report and enclosed Environmental Site Assessment for details.

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?

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		a) Public piped water system	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		

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

**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.

An Official Plan Amendment is enclosed with this application. Please see the enclosed Planning Justification Report for more details.

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

The proposed use will be compatible with surrounding residential land uses, as discussed in the Planning Justification Report.

**10.0 Other Information**

A Functional Servicing Report is enclosed with this application.

**11.0 Application Drawing**


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

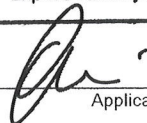
- a) The subject land, including its boundaries and dimensions, and the location, and nature of any easement or restrictive covenants which affect the subject land;
- b) The uses of adjacent and abutting land;
- c) The location of all existing as well as proposed buildings and their dimensions, uses, 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, Jay McGuffin of the City of London in the County/Region of Middlesex  
 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 City of London  
 in the County/Region of Middlesex  
 this 21 day of May, 2020

**Annette Rose Schroeder,**  
 a Commissioner, etc., Province of Ontario,  
 for Monteith Brown Planning Consultants Ltd.  
 Expires January 23, 2022.

  
 Commissioner of Oaths

  
 Applicant

**13.0 Authorization of Owner for Agent to Make the Application**

I (we), See attached Authorization of Agent Form 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 \_\_\_\_\_ City of London  
 in the County/Region of Middlesex  
 this 21 day of May, 2020

  
 Applicant

## Town of St. Marys Zoning By-law Amendment

A Zoning By-law Amendment is proposed to re-zone the subject lands FROM 'Highway Commercial' with a holding provision ('C3-H') TO a site-specific 'Residential Zone 5' ('R5-#'), and remove the holding provision, to permit the proposed townhouse development.

The following special provisions will recognize the existing lot size and frontage and allow for site-specific setbacks and lot coverage requirements, as well as the provision of a privacy fence instead of a planting strip along the interior and rear lot lines that abut residential lands:

(a) Location: 323 Queen Street West

(b) Notwithstanding the provisions of Section 12.4 of By-law No. Z1-19797 to the contrary, the site regulations for two townhouse buildings shall apply to the lands located within the 'R5-#' zone as shown on Key Map 5 of Schedule "A" to this By-law:

(i) <b>Front Yard</b> , Minimum	4.5 metres to building; 6.0 metres to garage
(ii) <b>Interior Side Yard</b> , Minimum	No side yard is required on the attached side(s) of the dwelling unit. 1.5 metres is required for the interior side yard of the dwelling unit not attached to another dwelling unit.
(iii) <b>Exterior Side Yard</b> , Minimum	4.5 metres
(iv) <b>Rear Yard</b> , Minimum	1.5 m
(v) <b>Lot Coverage</b> , Maximum	40%
(vi) <b>Driveway Requirements</b>	shall not apply to the proposed development
(vii) <b>Planting Strip</b>	a 2-metre high fence will be provided in lieu of a planting strip

(c) All other provisions of this By-law, as amended, shall apply.

The holding provision may be removed in accordance with the guidelines provided by the Town of St. Marys Official Plan, as a Functional Servicing Report has been prepared for the proposed development and submitted along with this application, and issues relating to phasing, servicing, and design criteria will be addressed through Site Plan Approval.