



COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING

File No: A03-2022
Property Owner: B. and M. Mattiussi
Property Address: 33 / 35 Wellington Street North

TAKE NOTICE THAT the Corporation of the Town of St. Marys will hold a public hearing on Wednesday, August 3, 2022 at 6:00 p.m. to hear an Application for Minor Variance under Section 45(1) and (2) of the Planning Act, R.S.O. 1990 and you are invited to attend.

Description and Location of Subject Lands

The 1,490 m² (0.37 acre) subject property is located on the east side of Wellington Street North and abuts the south side of the Trout Creek as shown on the General Location Map. The property is designated “Central Commercial” and “Floodplain” in the Town of St. Marys Official Plan and is zoned “Central Commercial Zone One (C1 and C1-1)”, Flood Fringe Constraint Area and is shown as within the Upper Thames River Conservation Authority Regulation Limit, according to the Town of St. Marys Zoning By-law Z1-1997, as amended. On the subject property there is an existing two-storey detached dwelling with parking and laneway areas between the building and front (west) and south property lines.

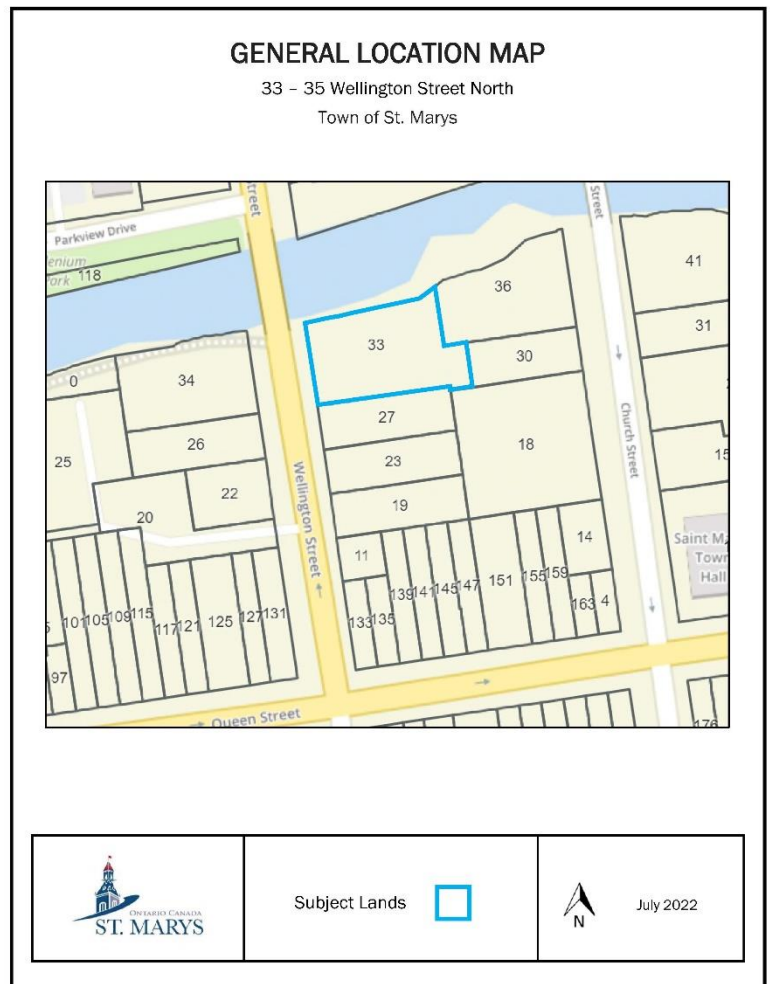
A range of commercial/non-residential uses are permitted in the C1 Zone. The C1-1 special provisions apply to the Special Policy Area designation in the Official Plan and prohibits the following uses: day nursery, firehall, government administrative office and police station. The applicant indicates that the commercial floor space at the front of the building on the main floor was used for hairstyling business from 1965 to 1987, and hairstyling and barbershop from 1987 to 2016.

According to Section 15.1.3(a) of the Zoning By-law, one or more dwelling units are permitted in the upper portion of a commercial building. The remaining existing residential use in the other main floor space and on the second floor is considered legal non-conforming according to the Town’s Zoning By-law.

The Planning Act provides the Committee of Adjustment with the authority to permit the enlargement or extension of a legal non-conforming use.

Purpose and Effect of Minor Variance Application

The owners have submitted an Application for Minor Variance to request an extension of the existing legal non-conforming residential use into the existing, vacant commercial area as shown on the attached submitted floor plans. Additional details related to this Application can be found on the Town of St. Marys website:





www.townofstmarys.com/en/current-planning--development-applications.aspx

Meeting Details

The Town's Committee of Adjustment (COA) will be reviewing the Application at its meeting as follows:

Date: Wednesday, August 3, 2022

Time: 6:00 P.M.

Place: This will be a virtual meeting.

To **participate** in this meeting (provide comments or questions), join the Zoom Webinar as follows:

<https://us06web.zoom.us/j/89509931687?pwd=cERlUnBCRENma3RRcUJDeU00MkQxdz09>

Webinar ID: 895 0993 1687

Telephone: 1-855-703-8985

Passcode: 308742

To **observe** the meeting (no comments or questions), visit the Town's YouTube Channel:

<https://www.youtube.com/channel/UCzuUpFqxcEI8OG-dOYKteFQ>.

Send any comments or concerns for COA's consideration in writing to the Planning Department, via email to planning@town.stmarys.on.ca or by mail to the Town Office (175 Queen Street East, P.O. Box 998, St. Marys, ON N5X 1B6) before **12 Noon on Tuesday, August 2, 2022**.

Comments and opinions submitted on these matters, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in a staff report and will be included in the COA agenda and minutes. Agendas and minutes are published on the Town of St. Marys website:

https://calendar.townofstmarys.com/council?_mid=100956

Other Information:

An appeal to the decision of the Committee of Adjustment to the Ontario Land Tribunal must be filed to the Secretary-Treasurer outlining the reasons for the appeal. The appeal must include a completed Ontario Land Tribunal Appeal Form and the appeal fee for each Application appeals, paid by certified cheque or money order or made payable to the Minister of Finance. Ontario Land Tribunal Forms can be obtained at www.olt.gov.on.ca.

If a person or public body does not make oral submission at a Public Hearing or make written submissions to the Committee of Adjustment before the proposed Minor Variance is approved, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

Notification

If you have any questions regarding the application please contact Grant Brouwer, Secretary-Treasurer /Director of Building and Development, at 519-284-2340 ext. 215 or gbrouwer@town.stmarys.on.ca

Information can also be provided in an accessible format upon request.

DATED at the Town of St. Marys, this 22nd day of July, 2022.



SITE SKETCH

