

**NOTICE OF THE ADOPTION OF AN OFFICIAL PLAN AMENDMENT
AND PASSING OF A ZONING BY-LAW BY
THE CORPORATION OF THE TOWN OF ST. MARYS**

TAKE NOTICE that the Council of the Corporation of the Town of St. Marys adopted Official Plan Amendment No. 35 (OPA 35) on the 8th day of September, 2020 under Section 17 of the *Planning Act*, R.S.O. 1990.

AND TAKE NOTICE that the Council of the Corporation of the Town of St. Marys passed By-law No. Z138-2020 on the 8th day of September, 2020 under Section 34 of the *Planning Act*, R.S.O. 1990.

AND TAKE NOTICE that any person or public body may appeal the Town's decisions to adopt OPA 35 and/or pass Z138-2020 to the Local Planning Appeal Tribunal by filing with the Clerk of the Town of St. Marys not later than the **13th day of October, 2020** a notice of appeal.

An explanation of the purpose and effect of the proposed Official Plan Amendment and Zoning By-law, describing the lands to which the Official Plan Amendment and By-law apply, and a map showing the location of the lands to which the Official Plan Amendment and Zoning By-law apply are attached. Additional information, including copies of OPA 35 and Zoning By-law Z138-2020, 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); or
- via the Town's Current Planning / Development Applications webpage at:
www.townofstmarys.com/en/current-planning---development-applications.aspx

PLEASE NOTE

1. Proposed OPA 35 is exempt from approval by the Ministry of Municipal Affairs and Housing. The decision of the Council of the Corporation of the Town of St. Marys is final if a notice of appeal is not received on or before the last day for filing a notice of appeal.
2. Only individuals, corporations and public bodies may appeal a decision of the municipality or appeal a by-law to the Local Planning Appeal 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 the group on its behalf.
3. No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted or the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to Council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.
4. A notice of appeal must include a completed Local Planning Appeal Tribunal Appeal Form (appeal forms are available from the Local Planning Appeal Tribunal website

at www.elto.gov.on.ca). A notice of appeal must be filed with Jenna McCartney, Clerk of the Town of St. Marys (see contact information below), **no later than October 13, 2020**, and must:

- (a) set out reasons for the appeal and in the case of an appeal related to a request for official plan amendment, the specific part of the requested plan amendment to which the appeal applies;
- (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.

Fees are payable by certified cheque or money order and must be in Canadian funds.

Dated at the Town of St. Marys this 23rd day of September, 2020.

Jenna McCartney, Clerk
Town of St. Marys
175 Queen Street East, P.O. Box 998
St. Marys, Ontario N4X 1B6
Telephone (519) 284-2340; Fax (519) 284-3881

THE TOWN OF ST. MARYS

OFFICIAL PLAN AMENDMENT NO. 35 AND BY-LAW NO. Z138-2020

(by the Corporation of the Town of St. Marys, Files OP02-2019 and Z04-2019)

EXPLANATORY NOTE

The 4,186.5 m² (0.42 ha) subject property is located at the northeast corner of James Street North and Glass Street as shown on the General Location Map. There is an existing L-shaped single storey commercial building and parking area on the subject property.

The subject property is currently designated “Highway Commercial” according to the Town’s Official Plan and zoned “Highway Commercial (C3-9)” in the Town’s Zoning By-law Z1-1997. The applicant is proposing to redevelop the subject property to construct a 35 unit, four storey apartment building with parking area to accommodate 50 surface parking spaces. The purpose and intent of the proposed Official Plan Amendment is to change the Official Plan designation of the subject property to “Residential” with site specific provisions to permit a four-storey residential apartment building with a maximum density of 95 units per hectare. The purpose and effect of the proposed zoning by-law amendment is to change the zoning of the subject property to “Residential Zone Five (R5-12)” with site specific regulations to permit:

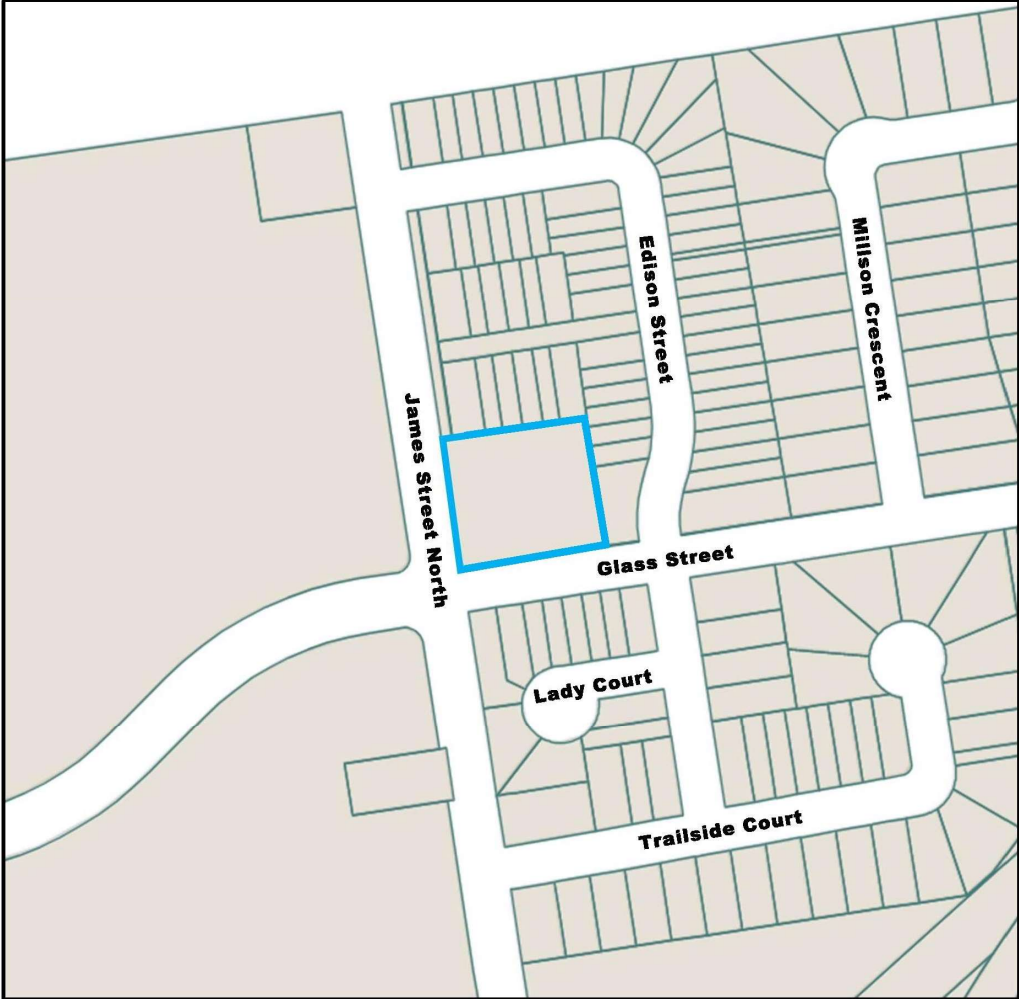
- a minimum lot area of 3,650 square metres whereas Section 12.2.1 requires 3,960 square metres;
- a minimum front yard of 5.75 metres whereas Section 12.2.4 requires 7.5 metres;
- a minimum exterior side yard of 2.4 metres whereas Section 12.2.6 requires 7.5 metres;
- a minimum rear yard of 7.0 metres whereas Section 12.2.7 requires 12.0 metres;
- a maximum building height of 15.93 metres (to highest point) whereas Section 12.2.8 requires 13.5 metres;
- a maximum of four storeys whereas Section 12.2.9 requires three storeys;
- a minimum landscaped open space of 28 percent whereas Section 12.2.12 requires 35 percent; and,
- balcony encroachments into the required exterior side yard a distance of not more than 0.9 metres.


By-law Z138-2020 shall be deemed to have come into force on the day it was passed, if no notice of appeal is filed pursuant to the provisions of the Planning Act, and when OPA 35 comes into full force and effect.


Prior to making these decisions, Council considered all written and oral submissions received.

GENERAL LOCATION MAP

665 James Street North
(Part Lot 15, Concession 18 Blanshard
Being Part 2 on 44R-4789)
Town of St. Marys



Subject Property 

 January 29, 2020